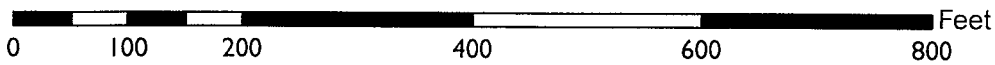


<b>Location:</b>	1100 Broadway (See map on reverse)
<b>Assessors Parcel Number:</b>	002-0051-006-02
<b>Proposal:</b>	Proposal to construct a new 18-story, 330,099-square-foot commercial building and rehabilitate an existing 8-story, 38,477-square-foot historic commercial building, resulting in totals of 309,890 square feet of office space and 10,000 square feet of retail/restaurant space in the combined new development.
<b>Applicant:</b>	1100 Broadway Owner, LLC (c/o Ellis Partners)
<b>Owner:</b>	1100 Broadway Owner, LLC (c/o Ellis Partners)
<b>Planning Permits Required:</b>	Revision to a previously approved Major Conditional Use Permit to allow new Large-Scale Development; Minor Variance for exceptions to Off-Street Loading Requirements; Regular Design Review for new construction and exterior alterations.
<b>General Plan:</b>	Central Business District (CBD)
<b>Zoning:</b>	Central Business District Pedestrian Retail Commercial (CBD-P) Zone, Height/Bulk/Intensity Area 7
<b>Environmental Determination:</b>	Analyses were prepared pursuant to the following California Environmental Quality Act (CEQA) Guidelines sections, each of which may provide a separate and independent basis for CEQA compliance: 15183 – Projects consistent with a community plan, general plan, or zoning; 15164 – Addendum to an EIR or Negative Declaration.
<b>Historic Status:</b>	Key System Building (CEQA Historical Resource): City of Oakland Landmark (LM 83-425); Listed to Oakland's Local Register of Historical Resources; Oakland Cultural Heritage Survey (OCHS) Property of Highest Importance & Contributor to the Downtown District Area of Primary Importance (API); Listed to the National Register of Historic Places; and Contributor to the National Register-listed Downtown Oakland Historic District.
<b>Service Delivery District:</b>	Metro
<b>City Council District:</b>	2
<b>Action to be Taken:</b>	Decision on Application
<b>Staff Recommendation:</b>	Approve with the attached conditions
<b>Finality of Decision:</b>	Appealable to City Council within 10 days
<b>For Further Information:</b>	Contact case planner <b>Matthew Weintraub</b> at 510-238-6983 or by e-mail at <a href="mailto:mweintraub@oaklandnet.com">mweintraub@oaklandnet.com</a> .

# CITY OF OAKLAND PLANNING COMMISSION



Case File: CMD07-090-R01; ER97-32  
Applicant: 1100 Broadway Owner, LLC  
Address: 1100 Broadway  
Zone / Height Area: CBD-P; Height/Bulk/Intensity Area 7

## **SUMMARY**

1100 Broadway Owner, LLC (c/o Ellis Partners) has filed an application with the Bureau of Planning to develop 309,890 square feet of office space and 10,000 square feet of retail/restaurant space, to be contained in a new 18-story, 330,099-square-foot commercial building and an existing, rehabilitated 8-story, 38,477-square-foot historic commercial building, the Key System Building. The proposal would involve exterior alterations to the existing north wall and rooftop of the Key System Building, interior renovations, and new construction on the currently vacant portion of the project site.

Staff recommends approval of the application, subject to the attached findings and conditions of approval. Staff requests that the Planning Commission receive public testimony and decide on the application.

## **BACKGROUND**

On May 6, 1998, the Planning Commission approved a Major Conditional Use Permit (CUP), Minor Variance, and Design Review application, as well as certified the Final Environmental Impact Report ("EIR") for the construction of a 150-room hotel with ground floor retail and restaurant use, and involving the rehabilitation of and addition to the Key System Building, and the demolition of the Key System Building Annex ("1998 Hotel Project"), at the subject property. The 1998 Hotel Project was not constructed and the Key System Building Annex was later demolished for public safety reasons.

On August 16, 2006, the Planning Commission approved a Major CUP and a Minor CUP, as well as certified an Addendum ("Addendum #1") to the previously certified EIR, for construction of an 11-story commercial office tower, and involving the rehabilitation of and addition to the Key System Building ("2006 Office Project"), at the subject property. The approval of the 2006 Office Project superseded the previous approval of the 1998 Hotel Project. The 2006 Office Project was not constructed.

On February 13, 2008, the Planning Commission approved a Major CUP and a Minor CUP, as well as certified an Addendum ("Addendum #2") to the previously certified EIR and previously certified Addendum, for construction of a 20-story commercial office tower, and involving the rehabilitation of the Key System Building ("2008 Office Project"), at the subject property. The approval of the 2008 Office Project superseded the previous approval of the 2006 Office Project. On November 16, 2016, the Planning Commission approved an extension of the 2008 Office Project entitlements. The 2008 Office Project was not constructed.

On April 5, 2017, the subject application for revisions to an existing Major CUP, new Design Review and a new Minor Variance was submitted to the Bureau of Planning, seeking approval of the currently proposed project, which proposes uses and floor areas that are similar to the previously approved 2008 Office Project, with a new building design. The currently submitted development application is proposed to supersede the previously approved 2008 Office Project.

## **PROPERTY DESCRIPTION**

### **Project Site**

The subject property is a 22,004-square-foot (0.5-acre) lot bounded by 11<sup>th</sup> Street to the south, 12<sup>th</sup> Street to the north, Broadway to the west, and the University of California, Office of the President (UCOP) complex to the east. The southern portion of the property contains the existing Key System Building. The northern portion of the property is vacant.

### **Existing Building**

The existing historic Key System Building (also known as the Security Bank & Trust Company Building) is an 8-story-high commercial office building with two street-facing architectural façades on Broadway and 11<sup>th</sup> Street. It was originally constructed in 1911. Per the National Register of Historic Places nomination form for the Key System Building: "The 1100 Broadway Building retains the majority of its original façade. The seven story structure [with a double-height first story containing ground floor and mezzanine levels] is of three part vertical composition with the building shell comprised of structural steel frame and yellow brick curtain wall. The [double-height] single story ground floor [and mezzanine] exterior, which was renovated by a previous owner in its history, is made of exposed masonry columns, stucco and glass store front. The second vertical section, made up of four stories, incorporates five masonry pilasters separated by yellow brick curtain wall elements. The third vertical section contains two additional floors clad in terra-cotta topped by a renaissance ornamented cornice. The third section windows are of renaissance origin with the pilasters and cross sectional elements displaying intricate masonry carving."

At the interior of the Key System Building, existing historic elements at the ground floor/mezzanine "banking hall" space are limited to the ornamental plaster ceiling and upper columns. The lower portion of the banking hall, and all the upper floors, are currently stripped of historic detailing and consist of exposed concrete columns, floor plates, ceilings, and brick walls. Other existing interior elements include a non-original, partially intact marbled entry lobby, an elevator shaft, and a wrought iron stair that runs through the upper floors, all at the north side of the building. There is an existing basement.

### **Neighborhood Context and Environment**

The surrounding downtown commercial neighborhood is densely, though not uniformly, developed. Directly to the east, the UCOP complex stands at 12 stories. To the south, across 11<sup>th</sup> Street is the 6-story Trans-Pacific Center office complex; and to the north, across 12<sup>th</sup> Street the historic Oakland Bank of Savings includes 8-story and 15-story components. To the west, across the wide thoroughfare of Broadway, buildings are generally higher, with the "Three Sisters" contemporary towers – 1111, 1201-1221, and 1325-1333 Broadway – ranging from approximately 10 to 24 stories tall, and the Marriott Hotel and Convention Center at 1001 Broadway at approximately 20 stories.

### **Historic Property Status**

The existing Key System Building is designated as a City of Oakland Landmark (LM 83-425); listed to the City's Local Register of Historical Resources; and assigned an Oakland Cultural Heritage Survey (OCHS) Rating of "A" indicating a property of the "Highest Importance". It is also listed to the National Register of Historic Places (1981). The Key System Building is an outstanding example of early 20<sup>th</sup> century commercial architecture with Baroque and Renaissance influences, and it is historically significant for its close associations with early corporate firms. The building also has an OCHS Rating of "1+" indicating that it is a contributor to an Area of Primary Importance (API), the Downtown District. As recorded in 1985, the API district generally included blocks east of Broadway to Franklin Street, between 11<sup>th</sup> and 15<sup>th</sup> Streets, and blocks west of Broadway to Jefferson Street, between 14<sup>th</sup> and 17<sup>th</sup> Streets. However, the API's historic integrity south of the project site has been diminished over time, due to building alterations, removals, and new construction that has occurred since its recordation.

In 1998, a smaller, more consolidated Downtown Oakland Historic District, consisting of 11 blocks centered on Broadway and 14<sup>th</sup> Street, was listed to the National Register of Historic Places, with the subject property included as its southernmost contributor. Per the National Register of Historic Places registration form for the district: "Most of the present district consists of the eastern financial area, dominated by early 20<sup>th</sup> century skyscrapers. Tall buildings occur at intervals, one or two per block, punctuating the surrounding low- to medium-rise buildings...

"The great majority of contributing buildings date from 1901 to 1929 and display a general unity of design: attached at ground floor level with no setbacks, brick and masonry surfaces, two- or three-part vertical composition, Beaux-Arts derived ornament, projecting terra cotta or metal cornices, skeletal articulation, and Chicago-style window treatment...

"Inside the district, new construction has not been frequent since 1929: 1220-40 Broadway in 1935, the late Moderne Anglo-California Bank by Milton Pflueger at 393 13<sup>th</sup> [Street] in 1950, and most conspicuously the 18-story blue-glass International style First Western Building at 1330 Broadway (1956-59), a corner skyscraper that does not violate the scale or rhythm of the district."

### **PROJECT DESCRIPTION**

Per the submitted project plans (see Attachment E), the proposed project would construct a new 18-story, 330,099-square-foot commercial building, containing: 284,000 square feet of office space at the upper floors; 4,334 square feet of retail/restaurant space and 5,850 square feet of lobby space at the ground floor/mezzanine level; and 35,915 square feet of building support space at the ground floor/mezzanine, basement, and penthouse levels. The new building would be constructed on the vacant northern portion of the subject property, abutting the north side of the existing historic building. The proposed design follows a vertical tower composition, comprised of: an 8-story base with a maximum footprint, including the ground floor/mezzanine podium; an articulated shaft containing the upper stories (floors 9-18); and a terminating façade element. It includes a structurally cantilevered section at the shaft section (floors 9-18) which

would laterally extend approximately 25 feet over the existing 8-story historic building and partially cover its roof, with minimal or no height clearance proposed between the existing roof and the bottom of the cantilevered section. The new building's exterior would be sheathed in curtain wall glazing and vertical glass fins. At the ground floor/mezzanine, the main building entry and lobby would face west to Broadway; a retail/restaurant space would occupy the corner space at Broadway and 12<sup>th</sup> Street; and bicycle access/parking and the off-street loading area would be accommodated further east on 12<sup>th</sup> Street.

The proposed project would also physically rehabilitate and reuse the existing 8-story, 38,477-square-foot historic Key System Building, including: 25,890 square feet of office space at the existing upper floors; 5,666 square feet of retail/restaurant space at the existing ground floor/mezzanine; and 6,921 square feet of building support space at the new basement. The existing historic architectural facades on Broadway and 11<sup>th</sup> Street would be repaired, retained, and preserved. Storefront alterations would be limited to replacement of non-original windows and doors and new signage.<sup>1</sup> At the north side of the historic building – a non-architectural façade that was originally designed to abut another building – the existing north wall and the north wall roof parapet would be removed to accommodate the new construction.<sup>2</sup> Existing interior elements adjacent to the north wall would also be removed, including the non-original, partially intact marbled entry, the elevator shaft, and the wrought iron stair. The existing floor plates at floors 3-8 would be structurally joined to the new construction, resulting in internally continuous, 20,615-square-foot office floors; while, at the ground floor/mezzanine levels, a new wall would separate the historic structure and the new tower. In the double-height ground floor/mezzanine “banking hall” space, the existing historic ornamental plaster at the ceiling and columns would be retained, repaired, and restored.

Although no on-site open space is required, proposed amenities include optional rooftop terraces with landscaping at the historic building and the new tower. No off-street automobile parking is required or proposed. On Broadway, two existing street trees would be removed, subject to approval of a separate Tree Removal Permit, and three new street trees would be planted in the same area as replacements.

## **GENERAL PLAN ANALYSIS**

The General Plan's Land Use and Transportation Element (LUTE) classifies the project site as being 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,

<sup>1</sup> The subject application includes conceptual sign types, sizes, and locations only. No actual signage is currently proposed or subject to approval under the subject development application. A proposed project-specific condition of approval #57 requires submittal of a Master Sign Program for City review/approval prior to any individual sign approvals.

<sup>2</sup> The proposed project includes an option to retain a portion of the existing brick north wall as an interior feature at the ground floor/mezzanine. The project analysis assumes complete removal of the existing north wall, which is the potential greater scope of work.

institutional, open-space, cultural, educational, arts, entertainment, service, community facilities, and visitor uses.

Among the General Plan LUTE policies and objectives applicable to the proposed project, and which the project conforms with, are the following:

Policy I/C1.1. Attracting New Business.

The City will strive to attract new businesses to Oakland which have potential economic benefits in terms of jobs and/or revenue generation. This effort will be coordinated through a citywide economic development strategy/marketing plan which identifies the City's existing economic base, the assets and constraints for future growth, target industries or activities for future attraction, and geographic areas appropriate for future use and development.

Policy I/C1.2. Retaining Existing Business.

Existing businesses and jobs within Oakland which are consistent with the long-range objectives of this Plan should, whenever possible, be retained.

Policy I/C1.6. Promoting Downtown as a Regional "Hub".

Downtown Oakland should be promoted as a regional "hub" for government, services, high technology, and institutional uses.

Policy I/C3.2. Enhancing Business Districts.

Retain and enhance clusters of similar types of commercial enterprises as the nucleus of distinctive business districts, such as the existing new and used automobile sales and related uses through urban design and business retention efforts.

Policy I/C3.3. Clustering Activity in "Nodes".

Retail uses should be focused in "nodes" of activity, characterized by geographic clusters of concentrated commercial activity, along corridors that can be accessed through many modes of transportation.

Policy I/C3.4 Strengthening Vitality.

The vitality of existing neighborhood mixed use and community commercial areas should be strengthened and preserved.

Policy I/C3.6. Expanding Private Business and Government in Oakland.

The City should encourage the expansion of private business services and government sectors within Oakland.

The proposed project is consistent/conforms with the above referenced policies and objectives and the general intent of the General Plan CBD land use designation by constructing a new high density commercial office/retail building and rehabilitating an existing historic commercial office/retail building on a major commercial corridor within the downtown core adjacent to an existing entrance to the 12<sup>th</sup> Street Oakland City Center Bay Area Rapid Transit (BART) station.

In addition, the project meets the objectives and policies of the Historic Preservation Element (Landmark and Preservation District Regulations, Policy 2.4, Table 4-2, and Table 4-3) which encourage the rehabilitation of important historic structures per the Landmark design review findings and the Secretary of the Interior’s Standards. Staff has made the appropriate findings later in this report.

**ZONING ANALYSIS**

The subject property is located within the Central Business District Pedestrian Retail Commercial (CBD-P) Zone, Height/Bulk/Intensity Area 7. The intent of the CBD-P Zone is to create, maintain, and enhance areas of the Central Business 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 following table provides a summary of the project characteristics and compliance analysis with the standards of the CBD-P Zone, Height/Bulk/Intensity Area 7:

<b>Development Standard</b>	<b>Regulated Requirement</b>	<b>Proposed Project</b>	<b>Compliance Analysis</b>
<b>Activities and Facilities</b>			
Activity	Commercial activities permitted	Commercial activities (office/retail)	Complies
Facility	Enclosed nonresidential facilities permitted	Enclosed nonresidential facility	Complies
<b>Minimum Lot Dimensions</b>			
Width	25 ft. minimum	110 ft.	Complies
Frontage	25 ft. minimum	200 ft.	Complies
Area	4,000 sq. ft. minimum	22,000 sq. ft.	Complies
<b>Minimum/Maximum Setbacks</b>			
Minimum front	0 ft.	0 ft.	Complies
Maximum front and street side, 1 <sup>st</sup> story	5 ft.	0 ft.	Complies
Maximum front and street side, 2 <sup>nd</sup> and 3 <sup>rd</sup> stories or up to 35 ft., whichever is lower	5 ft.	0 ft.	Complies
Minimum interior side	0 ft.	0 ft.	Complies
Minimum corner side	0 ft.	0 ft.	Complies



Development Standard	Regulated Requirement	Proposed Project	Compliance Analysis
Rear	0 ft.	0 ft.	Complies
<b>Design Regulations</b>			
Ground floor commercial façade transparency	65%	>65%	Complies
Minimum height of ground floor nonresidential facilities	15 ft.	24-½ ft.	Complies
Minimum separation between the grade and ground floor living space	N/A	N/A	N/A
<b>Design Standards</b>			
Entrance	Prominent; facing principal street; at grade	Prominent (centralized); facing principal street (Broadway); at grade	Complies
Ground floor treatment	Durable high quality materials; enhanced pedestrian visual experience; distinguished from upper stories	Durable high quality materials (glass/metal); enhanced pedestrian visual experience (artisan glass); distinguished from upper stories	Complies
Active space	Non-active spaces located >=30 ft. from front of ground floor	Non-active spaces located >=30 ft. from front of ground floor (12 <sup>th</sup> Street)	Complies
Parking and loading	Not accessed from principal street	Not accessed from principal street (12 <sup>th</sup> Street)	Complies
Massing	Broken into smaller forms to reduce scale and enhance visual interest	Broken into smaller forms to reduce scale and enhance visual interest (vertical massing, cantilever)	Complies

Development Standard	Regulated Requirement	Proposed Project	Compliance Analysis
Upper story windows	Ample placement of windows above the ground floor; coherent and appealing composition	Ample placement of windows above the ground floor; coherent and appealing composition (glass curtain wall)	Complies
Building terminus	Distinct visual terminus, integrated into design concept	Distinct visual terminus, integrated into design concept (terminating band/staggered fins)	Complies
Utility storage	Utility services located in garage or otherwise completely concealed from public view	Utility services located in garage or otherwise completely concealed from public view (interior at basement/ground floor)	Complies
<b>Height, Density, Bulk, and Tower Regulations</b>			
Maximum Floor Area Ratio (FAR)	20.0	16.8	Complies
Maximum height, building base	120 ft.	102.5 ft.	Complies
Maximum height, total	No height limit	269 ft.	Complies
Minimum height	45 ft.	269 ft.	Complies
Maximum lot coverage, building base	100% of site area	<=100% of site area	Complies
Maximum lot coverage, above building base	85% of site area	85% of site area	Complies
Maximum average area of tower floor plates	No maximum	Not calculated	Complies
Maximum tower elevation length	No maximum	Not calculated	Complies
Maximum tower	No maximum	Not calculated	Complies

Development Standard	Regulated Requirement	Proposed Project	Compliance Analysis
diagonal length			
Minimum distance between towers on the same lot	No minimum	0 ft.	Complies
<b>Off-Street Parking and Loading Requirements</b>			
Off-street parking spaces	0	0	Complies
Off-street loading berths	3	2	Does not comply; Minor Variance requested
Bicycle parking, long term	33	33	Complies
Bicycle parking, short term	18	18	Complies

### Conditional Use Permit

On February 13, 2008, the Planning Commission approved the 2008 Office Project, including a Major CUP for Large-Scale Development based on the thresholds in effect at that time, which were 100,000 square feet or more of new floor area and a new building more than 120 feet in height. The CUP was issued under the previous zoning for the project site, which was Central Core Commercial Zone (C-55), Urban Street Combining Zone (S-8), and Downtown Residential Open Space Combining Zone (S-17). On November 16, 2016, the Planning Commission approved an extension of the 2008 Office Project entitlements, including the previously approved CUP.

After the 2008 Office Project was approved, the zoning of the project site changed to the CBD-P Zone, Height/Bulk/Intensity Area 7. Under the CBD Zone, the thresholds for Large-Scale Development requiring a CUP were changed to apply to development involving more than 200,000 square feet of new floor area, or a new building or portion thereof of more than 250 feet in height. In general, these changes to the definition of Large-Scale Development made new development more permissible in the CBD Zone, by raising the thresholds for new floor area and new building height requiring a CUP.

As indicated in the following table, the major development characteristics of the currently proposed new construction are like those of the 2008 Office Project, including new office space, new retail/restaurant space, and new building height, all of which are slightly less intensive in the currently proposed project than in the 2008 Office Project. The FAR and the total new square footage of the currently proposed new building are slightly greater than that of the 2008 Office Project, due primarily to the currently proposed project's larger new basement which houses the relocated and increased building support space, and which also results in a larger entrance lobby

and more usable upper floor area than in the 2008 Office Project. Nonetheless, the intensity of the commercial uses in the currently proposed project is comparable to that of the uses in the 2008 Office Project, because the overall space dedicated to commercial uses is comparable.

<b>Characteristics of New Construction*</b>	<b>2008 Office Project</b>	<b>Currently Proposed Project</b>	<b>Change from 2008 Office Project</b>
Building Height	258 ft. (283 ft. at penthouse); 20 stories	240 ft. (269 ft. at penthouse); 18 stories	-18 ft. (-14 ft. at penthouse); -2 stories
FAR	15.6	16.8	+1.2
Office Space	284,395 sq. ft.	284,000 sq. ft.	-395 sq. ft.
Retail/Restaurant Space	5,144 sq. ft.	4,344 sq. ft.	-800 sq. ft.
Entrance Lobby Space	2,320 sq. ft.	5,850 sq. ft.	+3,530 sq. ft.
Loading Dock Space	1,156 sq. ft.	900 sq. ft.	-256 sq. ft.
Building Support Space	18,551 sq. ft.	35,015 sq. ft.	+16,464 sq. ft.
Total New Floor Area	311,566 sq. ft.	330,099 sq. ft.	+18,533 sq. ft.

\* Large-Scale Development is concerned with new construction only; therefore, the existing Key System Building and its proposed rehabilitated floor area is not included in this analysis.

Staff recommends that the scope of the currently proposed project is consistent with and is already authorized by the duly approved and timely extended existing CUP, which runs with the land, subject to the proposed updated CUP findings which incorporate the proposed new Design Review findings (see Attachment A), and subject to the proposed conditions of approval (see Attachment B). This recommendation is based on the general consistency of the currently proposed new construction to the 2008 Office Project in terms of building height, massing, uses, floor area, and FAR, as shown in the table above; and on the existing CUP's authorization of new construction that meets both the previous thresholds and the current thresholds for Large-Scale Development. The CUP amendment would also establish a new CUP expiration date that is concurrent with the proposed new Design Review and Variance expiration dates for the currently proposed project.

**Variance**

Per Planning Code Chapter 17.148, the proposed project would require the approval of a Minor Variance to allow for certain exceptions to the Off-Street Loading Requirements in the CBD-P Zone per Planning Code Sections 17.116.140 and 17.116.220, as follows: reduce the minimum required number of berths from three (3) to two (2); reduce the minimum required berth length from 33 feet to 31 feet; and waive the requirement to increase berth widths by 3 feet when abutting a wall or similar obstruction. The following table summarizes the development standards and the requested exceptions:

<b>Off-Street Loading Facilities</b>	<b>Required without Variance</b>	<b>Proposed with Variance</b>
Number of Off-Street Loading Berths <sup>3</sup>	3 berths	2 berths
Length of Off-Street Loading Berths <sup>4</sup>	33 feet	31 feet
Width of Off-Street Loading Berths <sup>5</sup>	15 feet	12 feet

Based on the proposed findings (see Attachment A), and subject to the proposed conditions of approval (see Attachment B), including project-specific condition of approval #56 requiring an Off-Street Loading Management Plan to be submitted for City review/approval, staff recommends that the proposed Minor Variance to allow for certain exceptions to the Off-Street Loading Requirements would provide for an effective design solution improving livability, operational efficiency, or appearance, which is consistent with the desired character for the area as set forth in the General Plan CBD land use classification and the CBD-P Zone. The proposal would fulfill the basic intent of the applicable regulation to provide for a functional loading area for commercial tenants, and it would avoid conflicts with abutting properties and in the surrounding area. It would allow for improved livability and appearance of the proposed project and its environment, by making more building frontage available for pedestrian-oriented uses such as retail/restaurant storefront and bicycle parking, which is consistent with the intent of the CBD-P Zone. This recommended variance is comparable to other variances for reduced off-street loading facilities for other downtown projects which have been recently approved by the Planning Commission.

**Design Review**

Per Planning Code Sections 17.58.020, the proposed project requires the approval of a Regular Design Review per Planning Code Chapter 17.136, for new construction and alterations to exterior appearance involving a Building Facility and a Designated Historic Property.

Based on the proposed findings (see Attachment A), and subject to the proposed conditions of approval (see Attachment B), staff recommends that the proposed project is consistent with the Design Review criteria. The project meets the design standards for new construction in the CBD-P Zone, including: prominent ground floor entrances; high-quality ground floor treatment;

<sup>3</sup> Per Planning Code Section 17.116.140, for retail/restaurant space, no berths are required for less than 25,000 square feet; for office space, two (2) berths are required for 60,000-159,000 square feet and one (1) berth is required for each additional 160,000 square feet or fraction of one-half or more thereof.

<sup>4</sup> Per Planning Code Section 17.116.220, the minimum height or length of a required berth for Civic, Commercial, and Industrial Activities may be reduced upon the granting of a CUP. However, since the other proposed exceptions to the Off-Street Loading Requirements require a Variance (not a CUP) – specifically, the proposed reductions in the minimum number of berths and the minimum berth widths – the proposed reduction in berth lengths is also proposed to be addressed by a Variance.

<sup>5</sup> Per Planning Code Section 17.116.220, required loading berths for commercial activities shall have a minimum width dimension of 12 feet; except that where one or both of the long sides of a berth which is at an angle of ninety (90) degrees or less, but more than sixty (60) degrees, to a maneuvering aisle abuts a wall or other similar obstruction, each of the widths specified below shall be increased by three (3) feet.

loading on non-principal streets; articulated massing; ample upper story windows; and a building terminus. It would achieve a group of facilities, including a rehabilitated historic building and a new commercial office tower, with continuous, active ground floor storefront street-walls, which are characteristic of the surrounding downtown neighborhood. The proposed new tower would be compatible in height and overall massing to existing development in the area, and its curtain-wall construction would continue an existing development pattern. It would utilize building materials, techniques, and forms that are compatible in quality and appearance to existing commercial office tower developments in the area. The project is consistent with the Secretary of the Interior's Standards for Rehabilitation, with respect to the rehabilitation of the historic Key System Building, and with respect to the proposed new construction adjacent to the Key System Building and within the Downtown District API and the Downtown Oakland Historic District. The proposed new design expresses a vertical tower composition, including a low broad podium that is a continuation of the historic building's ground floor/mezzanine datum, a tower base that incorporates the Key System Building, and a vertical shaft featuring a cantilever design that visually treats the historic building as a base for the slenderer vertical element, which will accentuate the existing traditional tower composition and create new compatible relationships between old and new. The proposed new building footprint, height, tower composition, podium with pedestrian orientation, and vertical base and shaft design are compatible with existing historic and modern commercial office buildings in the area, which generally express vertical tower compositions.

Design Review Committee/Landmarks Preservation Advisory Board

The proposed project was previously reviewed in public hearings by: Planning Commission Design Review Committee (DRC) on May 24; Landmarks Preservation Advisory Board (LPAB) on June 12; and joint meetings of DRC/LPAB subcommittee on June 29 and July 31, 2017. The process and results of the previous public hearings are summarized below.

At public hearings, DRC members, LPAB members, and community members voiced unanimous support for new development on the site, as well as concerns that the final design be contextual, compatible with its surroundings, and accepted by all segments of the community. DRC and LPAB members reviewed earlier versions of the proposed design and consistently made the following general recommendations for design revisions prior to consideration by the Planning Commission: 1) provide greater emphasis on verticality rather than horizontality; 2) minimize the visual appearance of the proposed cantilever section over the historic building; and 3) provide greater contextuality with traditional tower compositions. An iterative process occurred involving design submittals by the applicant, review and comment by DRC and LPAB members in public hearings, followed by redesigns and resubmittals by the applicant in response.

At the July 31 meeting, the DRC and LPAB subcommittee unanimously recommended to the Planning Commission that the proposed design submitted for review at the July 31 meeting meets the applicable design review criteria in the Planning Code. DRC members and LPAB subcommittee members also recommended that the applicant consider additional minor revisions to improve the overall design, which are listed below, with updates on subsequent proposed design revisions and/or recommended conditions of approval that are intended to respond to the recommendations:

- Enhance/augment the building's visual terminus, or rooftop architectural element, to provide for a more definitive, distinct tower top, consistent with traditional tower composition and with existing commercial towers that feature architectural termini.

The currently proposed design implements this recommendation by vertically extending the top floor curtain wall treatment above the roof level as a metal-backed parapet with the appearance of a clean, opaque upper band that provides for a more defined, distinct building top. At sections where the tower walls feature vertical fins, the top floor includes a staggered fin pattern that gives way to the clean terminating band, thereby providing a transitional element between the tower shaft and the terminus, and avoiding an abrupt termination. The result is a defined architectural terminus that transitions and relates well to the overall design, using architectural features that are part of the overall building design, rather than adding new features that could introduce greater visual complexity.

- Reduce/minimize the recess/void at the connection between the historic building and the new construction above the storefront level on Broadway, which may include minimizing the reveal at the brick north wall remainder, to provide for a more consistent upper street-wall along Broadway, and to result in a more integrated project design.

The currently proposed design implements this recommendation by reducing the width and depth of the recess, and by covering the north brick wall remainder with metal cladding, while maintaining the architectural cornice return. The result is a design that provides for a more continuous upper street-wall without a dramatic void on Broadway; that knits together the historic façade and the new development at the corner return with metal cladding and clean joints; and that still retains the original form and identity of the historic building and its significant architectural façade along Broadway.

- Make the proposed "artisan glass treatment" at the ground floor/mezzanine transom windows transparent/translucent, not opaque, to avoid a solid, heavy appearance at the transom area and to maintain a clear storefront appearance.

Consistent with this recommendation, staff recommends project-specific condition of approval #54 (see Attachment B) that a detailed elevation plan be submitted for City review/approval, showing the ground floor/mezzanine transom window area with "artisan glass treatment" (which may include shaded, etched, lined, or otherwise treated glass) as transparent/translucent (see Attachment B). Implementation of this condition would avoid an opaque, solid-looking transom area, and it would ensure a generally light-appearing retail storefront, while also providing for the proposed, customized "artisan glass treatment".

- Provide a more attractive, pedestrian-friendly off-street loading entrance on 12<sup>th</sup> Street, rather than a solid featureless door, consistent with the overall ground floor/mezzanine façade treatment.

Consistent with this recommendation, staff recommends project-specific condition of approval #54 (see Attachment B) that a detailed elevation plan be submitted for City review/approval,

showing the loading entrance door with detailing that integrates into the overall façade treatment, which may include: paneling; glazing; banding (such as extending the existing ground floor/mezzanine horizontal detail line at a height of 10'-9" across the loading entrance door as a continuous accent detail); and/or other treatment proposed by the applicant that meets the objective subject to City approval (see Attachment B). Implementation of this condition would result in a more visually interesting loading entrance and a more integrated, consistent ground floor/mezzanine façade treatment.

### **Tentative Parcel Map**

Construction of the proposed project requires approval of a Tentative Parcel Map (TPM) to adjust existing property lines and merge the existing 12 separate legal parcels on the project site into a single legal parcel. A TPM is not required prior to approval of the subject development application and its associated entitlements, as described in this report, nor is a TPM currently proposed or subject to approval under the subject development application. A separate TPM application (Case File Number PLN17350), consistent with the proposed project, has been filed and is currently under review by the City, subject to administrative approval. TPM approval is required prior to issuance of a building permit for the proposed project.

### **CONDITIONS OF APPROVAL**

The proposed conditions of approval (see Attachment B) include the Bureau of Planning's Standard Conditions of Approval ("SCAs"), as determined applicable to the subject project, and staff's recommended project-specific conditions of approval.

As indicated in the Compliance Status Matrix submitted by the applicant (see Attachment C), several proposed conditions of approval are already satisfied, partially satisfied, or in process of being satisfied.<sup>6</sup> These include SCAs related to:

- Air Quality
- Construction Noise
- Geology
- Greenhouse Gases
- Hydrology and Stormwater Management

### **Standard Conditions of Approval**

The proposed SCAs include General Administrative Conditions, which pertain to the administrative aspects of the project approval and are attached to every project approval; and

---

<sup>6</sup> The applicant's Compliance Status Matrix is included for informational purposes only and is not subject to approval under the subject development application. Per standard City procedures, City staff will verify compliance of all adopted conditions of approval including SCAs during the building permit review process, subject to a decision on the subject development application. Also per standard City procedures, prior satisfaction or partial satisfaction of a proposed SCA does not negate its applicability to an entitlement approval. Consequently, proposed SCAs which the applicant's Compliance Status Matrix indicates are satisfied or partially satisfied, remain recommended as proposed conditions of approval for the subject development application.



Environmental Protection Measures, which are Uniformly Applied Development Standards that substantially mitigate environmental effects. The Environmental Protection Measures are incorporated into a project regardless of the project’s environmental determination, pursuant, in part, to CEQA Guidelines section 15183. As applicable, the Environmental Protection Measures are adopted as requirements of an individual project when the project is approved by the City and are designed to, and will, substantially mitigate environmental effects.

**Project-Specific Conditions of Approval**

The 2008 Office Project was approved with project-specific conditions of approval, some of which are relevant to the currently proposed project in revised form, and some of which are not relevant. The following table lists the 2008 Office Project project-specific conditions of approval, and identifies their statuses in relation to the currently proposed project, either as applicable with minor revisions, applicable with revisions as explained, or not required. This table is provided for informational purposes only; the full text of the proposed conditions of approval that would govern the currently proposed project is set forth in Attachment B.

<b>2008 Office Project Project-Specific Conditions of Approval</b>	<b>Relationship to Currently Proposed Project</b>
<p><b>49. Tenant-Specific Zoning Approvals.</b></p> <p>The applicant shall ensure that the tenant of each space shall obtain all required zoning approvals and clearances, and may be subject to separate zoning permits as required by the Oakland Planning Code.</p>	<p>Applicable with minor revisions. See proposed project-specific condition of approval #64 (Attachment B).</p>
<p><b>50. Final Design Review.</b></p> <p>As the design development of the building proceeds, the design elements listed below shall be revised and shall be submitted for review and approval by the Planning Director prior to issuance of the building permit. Only high quality materials will be approved. The Planning Director may exercise his/her standard authority to refer the design revisions to the Landmarks Board, an appointed sub-committee of the Planning Commission, or to the Planning Commission.</p> <p>a. The applicant shall submit the final materials and colors for staff’s review.</p> <p>b. Provide staff with an updated materials board which includes a full-scale mock up of the glass types and mullion grids and the depth of any reveals and construction joints. All glass</p>	<p>Applicable with revisions. The design elements of the currently proposed project which are identified for further review are different than the listed design elements of the 2008 Office Project. See proposed project-specific condition of approval #54 (Attachment B).</p>

<b>2008 Office Project Project-Specific Conditions of Approval</b>	<b>Relationship to Currently Proposed Project</b>
<p>shall be non-reflective, non-mirroring.</p> <p>c. All material at ground level shall be made of durable material that can be maintained in an urban environment.</p> <p>d. Provide details or “cut-sheet” of the garage and service doors for staff review.</p> <p>e. The applicant will submit information that affirms that any metal treatment used on the building will be coated or sealed to prevent rusting.</p> <p>f. The applicant shall submit floor sections that show that the windows in the Key System Building will not be blocked and the same floor to floor heights between the old and new building will be kept.</p> <p>g. The applicant will work with staff to refine the ground floor and the top of the building per the comments from the LPAB and the DRC.</p>	
<p><b>51. Rehabilitation of the Key System Building.</b></p> <p>The project applicant shall ensure that the following measures are implemented as part of the rehabilitation of the exterior of the Key System Building per the report and addendum prepared by Alan Dreyfuss. Construction plans shall be reviewed by Alan Dreyfuss or other qualified preservation architect at the applicant’s expense.</p>	<p>Applicable with minor revisions. See proposed project-specific condition of approval #61 (Attachment B).</p>
<p><b>52. Interior Renovations.</b></p> <p>a. The applicant will retain certain surviving interior ground floor elements consisting of the columns, column and wall ornamental plasterwork, the wrought iron stairs, and the marble stair entrance. These elements will be incorporated into the design of the commercial space, which will be submitted to LAPB for review and approval prior to tenant improvements and tenant occupation. Retention could include but is not</p>	<p>Applicable with revisions. The interior design elements of the currently proposed project which are identified for preservation are different than the listed design elements of the 2008 Office Project. Also, there is no identified benefit for the currently proposed project of providing “clear visual distinction between the new office building and the Key System Building on each floor”, which may “include a physical wall/partition”, since the differences between historic windows and new</p>

<b>2008 Office Project Project-Specific Conditions of Approval</b>	<b>Relationship to Currently Proposed Project</b>
<p>limited to: casting molds of the plasterwork for inclusion on proposed columns or walls, use of the wrought iron stairs to the mezzanine level per the Historic Building Code, stair pieces as display cases, etc.</p> <p>b. That there will be a clear visual distinction between the new office building and the Key System Building on each floor. This may include a physical wall/partition</p>	<p>windows will allow for distinction between the historic interior spaces and new interior spaces. See proposed project-specific conditions of approval #62 (Attachment B).</p>
<p><b>53. Historic Maintenance.</b></p> <p>The owner, future tenants, or other person in actual charge of the designated landmark shall keep in good repair all of the exterior portions thereof, all of the interior portions thereof when subject to control as specified in the designating ordinance, and all interior portions thereof the maintenance of which is necessary to prevent deterioration and decay of any exterior portion.</p>	<p>Applicable with minor revisions. See proposed project-specific condition of approval #63 (Attachment B).</p>
<p><b>54. Master Signage Program.</b></p> <p>The project applicant shall submit a master signage plan for review per the Planning and Zoning regulations, including but not limited to location, dimensions, materials and colors.</p>	<p>Applicable with minor revisions. See proposed project-specific condition of approval #57 (Attachment B).</p>
<p><b>55. Pre-construction Meeting with the Neighborhood.</b></p> <p>A preconstruction meeting shall be held with the immediate neighbors within 300' of the job site to discuss neighborhood notification, location of staging areas, major deliveries, detours and lane closures etc. Both Planning staff and the building coordinator shall attend this meeting.</p>	<p>Applicable with minor revisions. See proposed project-specific condition of approval #58 (Attachment B).</p>
<p><b>56. Pre-construction Meeting with the City</b></p> <p>A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager with the City's project building coordinator to confirm that conditions of approval that must be completed prior to issuance of a grading,</p>	<p>Applicable with minor revisions. See proposed project-specific condition of approval #59 (Attachment B).</p>

2008 Office Project Project-Specific Conditions of Approval	Relationship to Currently Proposed Project
<p>demolition, or building permit have been completed (including pre-construction meeting with neighborhood, construction hours, neighborhood notification, posted signs, etc.). The applicant shall coordinate and schedule this meeting with City staff.</p>	
<p><b>63. Rehabilitation of the Key System Building shall conform to Landmark design review criteria.</b></p> <p>The project sponsor shall ensure that the rehabilitation of the Key System Building conforms to the appropriate City design review criteria for Landmark Buildings, consistent with the language of Ordinance No. 10434 C.M.S., and subject to review of the Landmarks Preservation Advisory Board, and the project sponsor shall retain the participation of a historic preservation architect to assist with and monitor compliance during construction.</p>	<p>Not required. As recommended in this report, the currently proposed project conforms to the appropriate City design review criteria for Landmark Buildings, consistent with the language of Ordinance No. 10434 C.M.S., and subject to review of the Landmarks Preservation Advisory Board. A separate condition of approval addresses the participation of a qualified historic preservation architect during construction. See proposed project-specific condition of approval #61 (Attachment B).</p>
<p><b>65. Avoid damage to the Key System Building.</b></p> <p>The following measures shall be implemented to avoid damage to the Key System Building: 1) Prevent debris from hitting the Key System Building; seismically strengthen the Key System Building to reduce vibration and demolition damage; and shore the Key System Building's foundations prior to adjacent excavation.</p>	<p>Applicable with minor revisions. See proposed project-specific condition of approval #60 (Attachment B).</p>
<p><b>66. Document the Key System Building.</b></p> <p>Prior to the start of excavation or construction the historic preservation architect shall retain a historic preservation architect to identify and photograph and prepare a written description of the features, fixtures, and finishes associated with the Key System Building that might be damaged during project construction.</p>	<p>Applicable with minor revisions. See proposed project-specific condition of approval #55 (Attachment B).</p>

In addition to carrying over the recommended project-specific conditions listed above, a new project-specific condition of approval #56 is recommended to require an Off-Street Loading Management Plan to be submitted for City review/approval (see Attachment B).

## **ENVIRONMENTAL DETERMINATION**

The 1998 Hotel Project EIR analyzed the environmental impacts of the 1998 Hotel Project and 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 1998 Hotel Project EIR, including the 2006 Office Project and the 2008 Office Project which were analyzed under prior Addenda.

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. 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.

For the currently proposed project, the draft *1100 Broadway Project CEQA Analysis (Addendum #3)* (see Attachment D) was prepared and is recommended for adoption. The draft addendum finds that the analyses conducted and the conclusions reached in the certified 1998 EIR, and last confirmed by the Planning Commission in the 2008 Addendum #2 to that EIR, remain valid. The proposed project would not cause new significant impacts not previously identified in the previously certified EIR, nor result in a substantial increase in the severity of previously identified significant impacts. No new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the approved 2008 Office Project that would cause significant environmental impacts to which the proposed project would contribute considerably, and no new information has been put forward that shows that the proposed project would cause significant environmental impacts. Therefore, no supplemental environmental review is required in accordance with Public Resources Code Section 21166, and CEQA Guidelines Sections 15162, 15164, as well as 15168 and 15180.

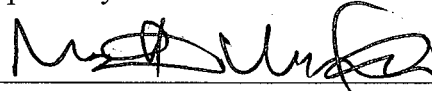
## **KEY ISSUES AND IMPACTS**

A key issue related to the project is the design compatibility of the proposed new construction with the existing historic Key System Building, the Downtown District API and the Downtown Oakland Historic District. This issue was discussed and deliberated in public hearings by the DRC and the LPAB, which ultimately recommended that the final proposed design (as submitted by the applicant following revisions in response to DRC/LPAB recommendations previously received) was compatible with the existing historic and architectural character, in addition to meeting all other design review criteria. Furthermore, the final proposed design was analyzed by the City's environmental consultant, which determined that the proposed design was consistent with the Secretary of the Interior's Standards for Rehabilitation, and therefore would not result in a significant impact on existing historical resources.

In conclusion, staff recommends that the proposed project is well designed and helps to implement the vision of the CBD-P Zone by developing new, high density commercial office and retail space on a vacant site, and by rehabilitating an existing historic building for commercial office and retail uses, on a major pedestrian thoroughfare and adjacent to a mass transit hub.

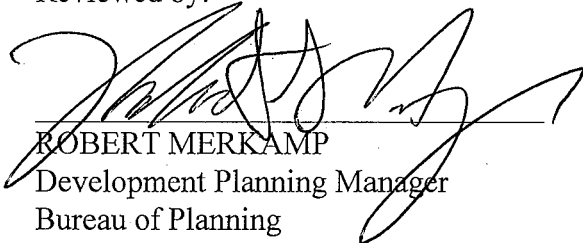
- RECOMMENDATIONS:**
1. Affirm staff's environmental determination and adopt the attached CEQA Findings.
  2. Approve the revised Major Conditional Use, Regular Design Review, and Minor Variance subject to the attached findings and conditions.

Prepared by:




MATTHEW WEINTRAUB  
Planner III

Reviewed by:



ROBERT MERKAMP  
Development Planning Manager  
Bureau of Planning

Reviewed by:



DARIN RANELETTI  
Deputy Director  
Department of Planning and Building

**ATTACHMENTS:**

- A. Findings for Approval
- B. Conditions of Approval
- C. Applicant's Compliance Status Matrix for Conditions of Approval (provided for informational purposes only)
- D. Draft 1100 Broadway Project CEQA Analysis (Addendum #3)
- E. Project Plans

## ATTACHMENT A

### FINDINGS FOR APPROVAL

This proposal meets all the required Conditional Use Permit Criteria (Section 17.134.050), Design Review Criteria (Sections 17.136.050.B, 17.136.050.C, 17.136.055.B.2), and Variance Findings (Section 17.148.050) as set forth below and which are required to approve the 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 the 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).

#### 17.134.050 – GENERAL USE PERMIT CRITERIA:

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

A Major Conditional Use Permit is requested for a project that proposes more than 200,000 sq. ft. of new floor area and a new building or portion thereof that is more than 250' in height. The zoning for the project site does specify a maximum floor area ratio of 20.0. However, the project is well under the maximum floor area ratio for the CBD land use designation. In addition, the project is also smaller in height, scale, and mass than many of the surrounding office buildings. The General Plan encourages additional height and intensity along Broadway as stated in the land use classification definition section, in order to fulfill LUTE Objectives as outlined later in this section.

The proposed office tower is intended to be respectful of the overall character of the Downtown Oakland Historic District with respect to height, massing and scale, and architectural features, to ensure that the infill new construction would not have a significant impact on the historic district. The proposed office tower would conform to the historic district pattern of rhythmically-spaced, slender, free-standing towers punctuating lower buildings. The proposed office tower would be viewed as part of the high and low building forms that continue northward along the east side of Broadway within the historic district. The historic district is characterized by free-standing, slender, vertical towers rising above lower buildings. The proposed office tower is designed to relate to this pattern. Therefore, the overall scale and intensity of development would be compatible with Broadway and the Downtown Oakland Historic District.

The project will provide the area with active street front uses, an attractive streetscape, a building with high quality materials and appropriate site planning.

By providing loading at the ground level, the building will be successful in its operation and will not affect traffic or parking on the surrounding streets by requiring a striped on-street loading berth.



The proposed commercial office and retail/restaurant development is consistent with the desired character for the area as set forth in the General Plan CBD land use classification and the CBD-P Zone by establishing a new pedestrian oriented commercial development on Broadway with 309,890 square feet of new and rehabilitated office space at upper stories, and 10,000 square feet of new and rehabilitated ground floor retail/restaurant space. The proposed project establishes the desired commercial character and density envisioned for the Downtown business district.

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

The project will provide convenient working, dining and shopping opportunities in the heart of downtown, accessible by public transportation. The new office use will contribute to a vibrant downtown district where people can work, live, and shop. These activities will enhance the downtown as a destination with round-the-clock activity. The building's design and materials are of high-quality and typical of office high-rise construction. The project proposes streetscape improvements including street trees that will enhance the Broadway streetscape.

The loading on the ground level is important to the success of the office building. The loading is located on 12<sup>th</sup> Street in the east corner and adjacent to the UCOP garage. The proposed loading location will not detract overall from the pedestrian experience since there is no continuous storefront along that edge.

The proposal will provide a functional, attractive pedestrian-oriented ground floor environment with new retail opportunities on Broadway, 11<sup>th</sup> Street, and 12<sup>th</sup> Street, and with upper level commercial office activities that are near local and regional transit, as well as near other existing commercial office/retail developments.

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

The General Plan encourages several policies that promote office development in downtown. The proposed development will enhance the surrounding area in its basic community functions by providing a new office development along the Broadway spine and near transit. Furthermore, the project will "fill in" the gap in the Broadway streetscape by developing a vacant parcel and reusing a vacant historic building. The construction of new office will provide job opportunities in downtown for the burgeoning residential population.

If the applicant pursues a ground floor restaurant, this will enhance the successful operation of the downtown by providing a mix of uses that is essential for a vibrant neighborhood.

Although providing loading on the ground floor may interrupt the pedestrian streetscape experience, the new building will be more functional in its operation by providing adequate loading at the ground level. The new occupants will see the provision of adequate loading an important feature of the building and as beneficial to the success of their businesses.

The development will help to enhance the area as a Downtown business district by establishing new commercial uses that will help to bring more activity to the area while creating an attractive pedestrian environment around the project site. The project will provide retail spaces with large ground floor footprints

and large building frontages on Broadway, 11<sup>th</sup> Street, and 12<sup>th</sup> Street that will be suitable for anchor tenants in the area.

**D. That the proposal conforms to all applicable regular design review criteria set forth in the regular design review procedure at Section 17.136.050.**

The proposed project conforms to all applicable design review criteria including the non-residential and landmark design review findings as outlined later in this section.

**E. That the proposal conforms in all significant respects with the Oakland General Plan and with any other applicable guidelines or criteria, district plan or development control map which has been adopted by the Planning Commission or City Council.**

The project will support the objectives and policies of the Land Use and Transportation Element (LUTE) for this area as outlined later in this section.

In addition, the project meets the objectives and policies of the Historic Preservation Element (Landmark and Preservation District Regulations (Policy 2.4), Table 4-2, and Table 4-3) which encourage the rehabilitation of important historic structures according to the Landmark design review findings and the Secretary of the Interior's standards. Staff has made the appropriate findings later in this report.

The proposed project conforms in all significant respects with the "Central Business District" General Plan land use designation. The project helps 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, and transportation in northern California. The project meets the General Plan's desired character of large-scale offices.

The LUTE classifies the project site as being in the 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 I/C1.1. Attracting New Business.

The City will strive to attract new businesses to Oakland which have potential economic benefits in terms of jobs and/or revenue generation. This effort will be coordinated through a citywide economic development strategy/marketing plan which identifies the City's existing economic base, the assets and constraints for future growth, target industries or activities for future attraction, and geographic areas appropriate for future use and development.

Policy I/C1.2. Retaining Existing Business.

Existing businesses and jobs within Oakland which are consistent with the long-range objectives of this Plan should, whenever possible, be retained.

Policy I/C1.6. Promoting Downtown as a Regional "Hub".

Downtown Oakland should be promoted as a regional "hub" for government, services, high technology, and institutional uses.

Policy I/C3.2. Enhancing Business Districts.

Retain and enhance clusters of similar types of commercial enterprises as the nucleus of distinctive business districts, such as the existing new and used automobile sales and related uses through urban design and business retention efforts.

Policy I/C3.3. Clustering Activity in "Nodes".

Retail uses should be focused in "nodes" of activity, characterized by geographic clusters of concentrated commercial activity, along corridors that can be accessed through many modes of transportation.

Policy I/C3.4 Strengthening Vitality.

The vitality of existing neighborhood mixed use and community commercial areas should be strengthened and preserved.

Policy I/C3.6. Expanding Private Business and Government in Oakland.

The City should encourage the expansion of private business services and government sectors within Oakland.

The proposed Project is consistent/conforms with the above referenced policies and objectives and the general intent of the General Plan CBD land use designation by constructing a new high density commercial office/retail building and rehabilitating an existing historic commercial office/retail building on a major commercial corridor within the downtown core adjacent to an existing entrance to the 12<sup>th</sup> Street Oakland City Center Bay Area Rapid Transit (BART) station.

**F. For proposals involving a One- or Two-Family Residential Facility: If the conditional use permit concerns a regulation governing maximum height, minimum yards, maximum lot coverage, or maximum floor area ratio, the proposal also conforms with at least one of the following additional criteria:**

- 1. The proposal when viewed in its entirety will not adversely impact abutting residences to the side, rear, or directly across the street with respect to solar access, view blockage and privacy to a degree greater than that which would be possible if the residence were built according to the applicable regulation, and, for conditional use permits that allow height increases, the proposal provides detailing, articulation or other design treatments that mitigate any bulk created by the additional height; or**
- 2. At least sixty percent (60%) of the lots in the immediate context are already developed and the proposal would not exceed the corresponding as-built condition on these lots, and, for conditional use permits that allow height increases, the proposal provides detailing, articulation or other design treatments that mitigate any bulk created by the additional height. The immediate context shall consist of the five (5) closest lots on each side of the project site plus the ten (10) closest lots on the opposite side of the street (see illustration I-4b); however, the Director of City Planning may make an alternative determination of immediate context based on specific site conditions. Such**

determination shall be in writing and included as part of any decision on any conditional use permit.

The proposal does not involve a One- or Two-Family Residential Facility.

**17.148.050 – VARIANCE FINDINGS REQUIRED:**

- 1. That strict compliance with the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the purposes of the zoning regulations, due to unique physical or topographic circumstances or conditions of design; or, as an alternative in the case of a minor variance, that such strict compliance would preclude an effective design solution improving livability, operational efficiency, or appearance.**

Strict compliance with the requirement for three, full-sized off-street loading berths would preclude an effective design solution by requiring an inordinate amount of the 12<sup>th</sup> Street building frontage to be dedicated to the off-street loading function, rather than to more pedestrian-oriented uses. Potential locations for off-street loading are limited to the 12<sup>th</sup> Street frontage by: the existing historic Key System Building on 11<sup>th</sup> Street, which does not currently contain loading berths and which would require substantial alterations to existing historic architectural façades on Broadway or 11<sup>th</sup> Street to accommodate a new loading berth; and by the CBD Zone design standard that specifies that, for newly constructed principal buildings, access to parking and loading facilities shall not be from the principal street (Broadway) when alternative access is feasible from another location such as a secondary frontage or an alley. As proposed, the 12<sup>th</sup> Street building elevation is comprised of: a storefront (42'-6" wide); a bicycle parking entrance and bay (30 feet wide); and a two-berth off-street loading area (approximately 24 feet wide). If the loading area was required to contain three berths, and/or if each loading berth was required to be 15 feet wide rather than 12 feet wide, the total loading area width would increase to approximately 36-45 feet, which would result in substantial reductions in storefront and/or bicycle parking frontages, as well as increased visual prominence of the loading entrance, which would preclude an effective design solution that improves livability and appearance (as currently proposed).

- 2. That strict compliance with the regulations would deprive the applicant of privileges enjoyed by owners of similarly zoned property; or, as an alternative in the case of a minor variance, that such strict compliance would preclude an effective design solution fulfilling the basic intent of the applicable regulation.**

Strict compliance with the off-street loading berth regulations would require a much larger building frontage dedicated to off-street loading, which would preclude an effective design solution that provides for a more pedestrian-oriented building frontage while also fulfilling the basic intent of the applicable regulation. The basic intent of the off-street loading berth regulations is to allow for a functional loading area for commercial tenant deliveries to occur, including tenants moving into and out of the building. The proposed loading facilities can meet these needs, with implementation of additional operational measures that are included in a project-specific condition of approval #56, including: using trucks that are sized appropriately for narrower and shorter berths; coordinating a schedule for regular loading functions among tenants to avoid conflicts; requiring reserved times for move-ins/move-outs that avoid conflicts with regular loading activities and with peak traffic hours; and requiring City approvals for loading activities to encroach within right-of-way in specific instances where the facility capacity would be exceeded.

- 3. That the variance, if granted, will not adversely affect the character, livability, or appropriate development of abutting properties or the surrounding area, and will not be detrimental to the public welfare or contrary to adopted plans or development policy.**

12<sup>th</sup> Street is an existing three-lane, one-directional east-west thoroughfare, with no existing off-street loading building facilities on the subject block, and with existing off-street vehicle entrances limited to the UCOP complex and City-owned garage openings, which are gate-controlled. Therefore, there would be minimal potential conflicts with existing circulation patterns and with existing off-street vehicle operations because of a reduced loading facility in the proposed project, which may occasionally require temporary truck maneuvering and/or encroachments in the right-of-way.

Under ordinary conditions, using appropriately sized trucks, coordinated tenant loading schedules, and right-of-way encroachments if necessary, there would not typically be circulation or vehicular impacts to abutting properties or the surrounding area. In cases of intensified loading activity, in which a truck may be backed up while both berths are in use, the existing conditions on the subject block of 12<sup>th</sup> Street – a three-lane one-directional thoroughfare, with no existing off-street loading building entrances, and with limited automobile building entrances, all of which are in the existing UCOP complex and City-owned garage – could accommodate short-term idling, maneuvering, and/or double-parking at the subject loading entrance while allowing for traffic flow. Therefore, the granting of the variance would not adversely affect the character, livability, or appropriate development of abutting properties or the surrounding area, and would not be detrimental to the public welfare or contrary to adopted plans or development policy.

- 4. That the variance will not constitute a grant of special privilege inconsistent with limitations imposed on similarly zoned properties or inconsistent with the purposes of the zoning regulations.**

The granting of the variance to reduce the required minimum number of off-street loading berths would not constitute a grant of special privilege, as many other existing commercial buildings in the area operate entirely with no loading berths, with curbside loading zones, and/or with reduced loading facilities permitted by previously granted similar variances.

- 5. That the elements of the proposal requiring the variance (e.g., elements such as buildings, walls, fences, driveways, garages and carports, etc.) conform with the regular design review criteria set forth in the design review procedure at Section 17.136.050.**

The proposed project and all its elements conform to the regular design review criteria, as explained below.

- 6. That the proposal conforms in all significant respects with the Oakland General Plan and with any other applicable guidelines or criteria, district plan, or development control map which have been adopted by the Planning Commission or City Council.**

The proposed project is consistent/conforms with the policies and objectives and the general intent of the General Plan CBD land use designation and the CBD-P Zone by constructing a new high density commercial office/retail building and rehabilitating an existing historic commercial office/retail building on a major commercial corridor within the downtown core adjacent to an existing entrance to the 12<sup>th</sup> Street Oakland City Center Bay Area Rapid Transit (BART) station.

7. For proposals involving one (1) or two (2) residential dwelling units on a lot: That, if the variance would relax a regulation governing maximum height, minimum yards, maximum lot coverage or maximum floor area ratio, the proposal also conforms with at least one of the following additional criteria:
- a. The proposal when viewed in its entirety will not adversely impact abutting residences to the side, rear, or directly across the street with respect to solar access, view blockage and privacy to a degree greater than that which would be possible if the residence were built according to the applicable regulation and, for height variances, the proposal provides detailing, articulation or other design treatments that mitigate any bulk created by the additional height; or
  - b. Over sixty percent (60%) of the lots in the immediate vicinity are already developed and the proposal does not exceed the corresponding as-built condition on these lots and, for height variances, the proposal provides detailing, articulation or other design treatments that mitigate any bulk created by the additional height. The immediate context shall consist of the five (5) closest lots on each side of the project site plus the ten (10) closest lots on the opposite side of the street (see illustration I-4b); however, the Director of City Planning may make an alternative determination of immediate context based on specific site conditions. Such determination shall be in writing and included as part of any decision on any variance

The proposal does not involve one (1) or two (2) residential dwelling units on a lot.

**17.136.050.B – REGULAR DESIGN REVIEW CRITERIA FOR NONRESIDENTIAL FACILITIES AND SIGNS:**

1. That the proposal will help achieve or maintain a group of facilities which are well related to one another and which, when taken together, will result in a well-composed design, with consideration given to site, landscape, bulk, height, arrangement, texture, materials, colors, and appurtenances; the relation of these factors to other facilities in the vicinity; and the relation of the proposal to the total setting as seen from key points in the surrounding area. Only elements of design which have some significant relationship to outside appearance shall be considered, except as otherwise provided in Section 17.136.060.

The proposed project would achieve a group of facilities, including a rehabilitated historic building and a new commercial office tower, with continuous, active ground floor storefront street-walls, which are characteristic of the surrounding downtown neighborhood. The proposed new tower would be compatible in height and overall massing to existing development in the area, and its curtain-wall construction would continue an existing development pattern. The proposed vertical wall fins have a quality, attractive appearance, as well as functional value for energy efficiency.

2. That the proposed design will be of a quality and character which harmonizes with, and serves to protect the value of, private and public investments in the area.

The proposed new tower would utilize building materials, techniques, and forms that are compatible in quality and appearance to existing commercial office tower developments in the area. The proposed new

development on the long-vacant site and the proposed rehabilitation of the existing historic building would represent significant investments and would add value to the downtown area.

- 3. That 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 have been adopted by the Planning Commission or City Council.**

The proposed new commercial office tower building is compatible with the underlying General Plan CBD land use designation. The project design is consistent with the Secretary of the Interior's Standards, as recommended by the General Plan Historic Preservation Element.

#### **17.136.070.C – REGULAR DESIGN REVIEW CRITERIA FOR DESIGNATED LANDMARKS:**

- 1. That the proposal will not adversely affect the exterior features of the designated landmark nor, when subject to control as specified in the designating ordinance for a publicly-owned landmark, its major interior architectural features.**

The proposed project would rehabilitate the existing historic Key System Building per the Secretary of the Interior's Standards for Rehabilitation. It would retain and preserve the existing, exterior significant character defining features of the historic building, including the tripartite vertical organization, architectural façades, brick cladding, metal cornice, terra cotta ornamentation, parapet and wood-sash windows. The proposed new construction would materially affect only non-significant, non-characteristic exterior building features, including the roof and the north wall, which are not architectural features. The proposed historic building rehabilitation would also retain, repair and preserve the ornamental plasterwork which characterizes the primary, double-height ground floor/mezzanine space of the historic building.

- 2. That the proposal will not adversely affect the special character, interest, or value of the landmark and its site, as viewed both in themselves and in their setting.**

The project is consistent with the Secretary of the Interior's Standards for Rehabilitation, with respect to the rehabilitation of the historic Key System Building, and with respect to the proposed new construction adjacent to the Key System Building and within the Downtown District API and the Downtown Oakland Historic District. The proposed new design expresses a vertical tower composition, including a low broad podium that is a continuation of the historic building's ground floor/mezzanine datum, a tower base that incorporates the Key System Building, and a vertical shaft featuring a cantilever design that visually treats the historic building as a base for the slenderer vertical element, which will accentuate the existing traditional tower composition and create new compatible relationships between old and new. The proposed new building footprint, height, tower composition, podium design with pedestrian orientation, and vertical base and shaft design are compatible with existing historic and modern commercial office buildings in the area, which generally express traditional tower compositions. The new development would be differentiated from historic contributors by its use of modern building materials, primarily glass and metal, and modern building features, such as vertical fins, of a quality that would complement the environment.

3. **That the proposal conforms with the Design Guidelines for Landmarks and Preservation Districts as adopted by the City Planning Commission and, as applicable for certain federally-related projects, with the Secretary of the Interior's Standards for the Treatment of Historic Properties**

Per General Plan Historic Preservation Element Policy 2.4: Landmark and Preservation District Regulations (which incorporates by reference Table 4-2: Alteration and New Construction Regulations for Landmarks and Preservation Districts), alterations and new construction involving Landmarks will normally be approved if they are found to meet the Secretary of the Interior's Standards for the Treatment of Historic Properties. The project is consistent with the Secretary of the Interior's Standards for Rehabilitation, with respect to the rehabilitation of the historic Key System Building, and with respect to the proposed new construction adjacent to the Key System Building and within the Downtown District API and the Downtown Oakland Historic District.

4. **If the proposal does not conform to the criteria set forth in Subdivisions 1, 2 and 3:**
  - i. **That the designated landmark or portion thereof is in such condition that it is not architecturally feasible to preserve or restore it, or**
  - ii. **That, considering the economic feasibility of alternatives to the proposal, and balancing the interest of the public in protecting the designated landmark or portion thereof, and the interest of the owner of the landmark site in the utilization thereof, approval is required by considerations of equity.**

The proposal does conform to the criteria set forth in Subdivisions 1, 2 and 3.

**17.136.055.B.2 – SPECIAL REGULATIONS FOR HISTORIC PROPERTIES IN THE CENTRAL BUSINESS DISTRICT AND THE LAKE MERRITT STATION AREA DISTRICT ZONES:**

- a. **Any proposed new construction is compatible with the existing API in terms of massing, siting, rhythm, composition, patterns of openings, quality of material, and intensity of detailing.**

The proposed new building footprint, 18-story height, tower composition, podium design with pedestrian orientation, and vertical base and shaft design are compatible with existing historic and modern commercial office buildings in the area, which generally express traditional tower compositions. The siting of the slenderer, glazed cantilever volume over the existing masonry-clad historic building allows for a similar base-shaft relationship that accentuates the historic pattern in the API.

- b. **New street frontage has forms that reflect the widths and rhythm of the facades on the street, and entrances that reflect the patterns on the street.**

The proposed project would reactivate an existing historic storefront, as well as construct new storefronts that will create a continuous commercial street-wall without setbacks along Broadway and 12th Street, which is characteristic of ground story development in the API. The scale and rhythm of unbroken storefronts and building entrances would be pedestrian-oriented and consistent with historic and existing development patterns.

- c. **The proposal provides high visual interest that either reflects the level and quality of visual interest of the API contributors or otherwise enhances the visual interest of the API.**



With its detailed ground floor, glass curtain-wall façades, vertical wall fins, and articulated vertical massing, the proposed new construction would reflect both the quality of the existing visual interest of the API and its contributors, as well as generate new visual interest within the API.

- d. The proposal is consistent with the visual cohesiveness of the API. For the purpose of this finding, visual cohesiveness is the architectural character, the sum of all visual aspects, features, and materials that defines the API. A new structure contributes to the visual cohesiveness of a district if it relates to the design characteristics of a historic district while also conveying its own time. New construction may do so by drawing upon some basic building features, such as the way in which a building is located on its site, the manner in which it relates to the street, its basic mass, form, direction or orientation (horizontal vs. vertical), recesses and projections, quality of materials, patterns of openings and level of detailing. When some combination of these design variables are arranged in a new building to relate to those seen traditionally in the area, but integral to the design and character of the proposed new construction, visual cohesiveness results.**

The proposed new development is consistent with several fundamental characteristics of the API, including siting and building footprint, overall height and massing, unbroken street-walls with no setbacks at the ground floor, rectangular forms, skeletal articulation, and clean termination. Also, it relates to a key, basic building feature of the API, which is the unified vertical direction and orientation of existing historic and newer buildings within and around the API. The new development would express a vertical tower composition with a low broad podium, a tower base incorporating the Key System Building, and an articulated tower shaft, which would be consistent with the visual cohesiveness of the API. The new development would be differentiated from API contributors by its use of modern building materials, primarily glass and metal, and modern building features, such as vertical fins, of a quality that would complement the API.

- e. Where height is a character-defining element of the API there are height transitions to any neighboring contributing historic buildings. "Character-defining elements" are those features of design, materials, workmanship, setting, location, and association that identify a property as representative of its period and contribute to its visual distinction or historical significance. APIs with a character-defining height and their character-defining height level are designated on the zoning maps.**

Height is not a character-defining element of the Downtown District API, pursuant to the April 16, 2010 Zoning Code Bulletin regarding Character-Defining Height Levels for Select APIs.

- f. For additions, the proposal meets either: 1) Secretary of Interior's standards for the treatment of historic resources; 2) the proposal will not adversely affect the character of the property or API; or, 3) upon the granting of a conditional use permit, (see Chapter 17.134 for the CUP procedure) and a hearing in front of the Landmarks Preservation Advisory Board for its recommendations, a project meets the additional findings in Subsection g., below.**

The proposed project is consistent with the Secretary of the Interior's Standards for Rehabilitation. It would complement the character of the Key System Building and the API.

- g. For construction of new principal buildings:**

**i. The project will not cause the API to lose its status as an API;**

By complementing the API character and not adversely affecting it, the proposed new construction would not cause the API to lose its historic district status. The new development would expand and augment an existing characteristic of the API, continuous street-walls and storefronts, and it would fill a void in the existing development pattern, which would bolster the API's cohesiveness.

**ii. The proposal will result in a building or addition with exterior visual quality, craftsmanship, detailing, and high quality and durable materials that is at least equal to that of the API contributors; and**

With its detailed ground floor that is a continuation of the historic building datum, glass curtain-wall façades, vertical wall fins, and articulated vertical massing, the proposed new construction would at least equal the exterior visual quality of the existing API and its contributors.

**iii. The proposal contains elements that relate to the character-defining height of the API, if any, through the use of a combination of upper story setbacks, window patterns, change of materials, prominent cornice lines, or other techniques. APIs with a character-defining height and their character-defining height level are designated on the zoning maps.**

Height is not a character-defining element of the Downtown District API, pursuant to the April 16, 2010 Zoning Code Bulletin regarding Character-Defining Height Levels for Select APIs.

## **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 1100 Broadway project, as more fully described elsewhere in this Staff Report and City of Oakland ("City")-prepared CEQA Analysis document entitled "1100 Broadway Project CEQA Analysis (Addendum #3)" dated September 15, 2017 ("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. **Certification of EIR:** The City finds and determines that the Oakland Planning Commission on May 6, 1998, adopted the 1998 Keystone Hotel Project ("1998 Hotel Project"), made appropriate CEQA findings, including certification of the Keystone Hotel Environmental Impact Report ("EIR"). The Planning Commission, in approving the 1998 Hotel Project 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 Keystone Hotel EIR, would substantially mitigate the impacts of the 1998 Hotel Project and future projects thereunder.

III. Certification of Addendum #1: The City finds and determines that the Oakland Planning Commission on August 16, 2006, adopted the Key System Building Office Project ("2006 Office Project"), made appropriate CEQA findings, including certification of the Key System Building Office Project Addendum ("Addendum #1"). The Planning Commission, in approving the 2006 Office Project 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 EIR as amended by Addendum #1, would substantially mitigate the impacts of the 2006 Office Project and future projects thereunder.

IV. Certification of Addendum #2: The City finds and determines that the Oakland Planning Commission on February 13, 2008, adopted the Key System Building Office Project II ("2008 Office Project"), made appropriate CEQA findings, including certification of the Key System Building Office Project Addendum II ("Addendum #2"). The Planning Commission, in approving the 2008 Office Project II 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 EIR as amended by Addendum #1 and Addendum #2, would substantially mitigate the impacts of the 2006 Office Project and future projects thereunder.

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 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 that the CEQA Analysis also constitutes an Addendum to the 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 EIR as previously amended 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 EIR as previously amended; 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 EIR as previously amended; and there is no new information showing that any of the effects shall be more significant than described in the EIR as previously amended.

As set out in detail in 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 Oakland General Plan and analyzed in the EIR as previously amended 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 EIR as previously amended: nor are there potentially significant off-site impacts and cumulative impacts not discussed in the EIR as previously amended; 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 EIR as previously amended, are now determined to present a more severe adverse impact than discussed in the EIR as previously amended. As such, no further analysis of the environmental effects of the Project is required.

B. 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 EIR as previously amended and that no additional environmental analysis of the Project beyond that contained in the EIR as previously amended is necessary. The City further finds that no substantial changes are proposed in the Project that would require major revisions to the EIR as previously amended 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 EIR as previously amended 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 EIR as previously amended showing that the Project will have one or more significant effects not discussed in the EIR as previously amended; significant effects previously examined will be substantially more severe than shown in the EIR as previously amended, 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 EIR as previously amended 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 EIR as previously amended 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 both 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 these 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 EIR as previously amended identified five areas of environmental effects of the 1998 Hotel Project that presented significant and unavoidable impacts. Because the Project may contribute to some significant and unavoidable impacts identified in the EIR as previously amended, but a Subsequent and/or Supplemental EIR is not required in accordance with CEQA Guidelines sections 15162, 15163, 15164, and 15183, a Statement of Overriding Considerations is not legally required. Nevertheless, in the interest of being conservative, the Statement of Overriding Consideration for the EIR as previously amended, approved as Section XII of the CEQA Findings adopted by the Oakland Planning Commission on May 6, 1998, is hereby incorporated by reference as if fully set forth herein.

## Part 1: Standard Conditions of Approval – General Administrative Conditions

---

### 1. Approved Use

The project at 1100 Broadway (Case File Nos. PLN17349, ER97-32) shall be constructed and operated in accordance with the authorized use as described in: the approved application materials; the October 4, 2017 Planning Commission staff report; the approved plans dated August 30, 2017, and stamped received by the Bureau of Planning on September 22, 2017; and the exterior building materials samples board dated and stamped received by the Bureau of Planning on May 12, 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. Minor changes may include, but may not be limited to: final detailed plans for storefronts, ground floor/mezzanine façades, and rooftop terraces and landscaping, consistent with the these Conditions of Approval; exterior material finishes and/or colors; and minor changes to floor area that do not increase the maximum analyzed project square footage.

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

#### **5. Compliance with Conditions of Approval**

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

#### **6. Signed Copy of the Approval/Conditions**

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

#### **7. Blight/Nuisances**

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

#### **8. Indemnification**

- a. To the maximum extent permitted by law, the project applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Redevelopment Successor Agency, the Oakland City Planning Commission, and their respective agents, officers, employees, and volunteers (hereafter collectively called "City") from any liability, damages, claim, judgment, loss (direct or

indirect), action, causes of action, or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul this Approval or implementation of this Approval. The City may elect, in its sole discretion, to participate in the defense of said Action and the project applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.

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

#### **9. Severability**

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

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

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

#### **11. Public Improvements**

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

#### **12. Compliance Matrix**

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

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

### **13. Construction Management Plan**

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

### **14. Standard Conditions of Approval / Mitigation Monitoring and Reporting Program (SCAMMRP)**

- a. All mitigation measures identified in the *1100 Broadway Project CEQA Analysis (Addendum #3)* 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 Conditions of Approval of the project. The Standard Conditions of Approval identified in the *1100 Broadway Project CEQA Analysis (Addendum #3)* 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 *1100 Broadway Project CEQA Analysis (Addendum #3)* has been inadvertently omitted from the SCAMMRP, that Standard Condition of Approval or mitigation measure is adopted and incorporated from the *1100 Broadway Project CEQA Analysis (Addendum #3)* 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.

## Part 2: Standard Conditions of Approval – Environmental Protection Measures

---

### GENERAL

#### **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.

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

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

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

### AESTHETICS

#### **16. Graffiti Control**

Requirement:

- 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:
  - 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).
  - v. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement.
- b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following:

- 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).

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

## **17. Landscape Plan**

### **a. *Landscape Plan Required***

Requirement: 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

### **b. *Landscape Installation***

Requirement: 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.

When Required: Prior to building permit final

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

### **c. *Landscape Maintenance***

Requirement: 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.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

## **18. Lighting**

Requirement: Proposed new exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector to prevent unnecessary glare onto adjacent properties.

When Required: Prior to building permit final

Initial Approval: N/A

## AIR QUALITY

### **19. Construction-Related Air Pollution Controls (Dust and Equipment Emissions)**

Requirement: The project applicant shall implement all of the following applicable air pollution control measures during construction of the project:

- a. Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible.
- 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. within one month of site grading or as soon as feasible. In addition, building pads should be laid within one month of grading or as soon as feasible 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").
- 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.
- 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.
- 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.
- l. All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.

- m. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- n. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).
- 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. 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.
- 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.
- 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.
- s. All trucks and equipment, including tires, shall be washed off prior to leaving the site.
- 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.
- 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.
- v. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings).
- w. All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM.
- x. Off-road heavy diesel engines shall meet the California Air Resources Board's most recent certification standard.
- 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.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

## **20. Stationary Sources of Air Pollution (Toxic Air Contaminants)**

Requirement: 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:

- 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.

- 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:
  - 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

## **21. Truck-Related Risk Reduction Measures (Toxic Air Contaminants)**

### ***a. Truck Loading Docks***

Requirement: The project applicant shall locate proposed truck loading docks as far from nearby sensitive receptors as feasible.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

### ***b. Truck Fleet Emission Standards***

Requirement: The project applicant shall comply with all applicable California Air Resources Board (CARB) requirements to control emissions from diesel engines and demonstrate compliance to the satisfaction of the City. Methods to comply include, but are not limited to, new clean diesel trucks, lower-tier diesel engine trucks with added Particulate Matter (PM) filters, hybrid trucks, alternative energy trucks, or other methods that achieve the applicable CARB emission standard. Compliance with this requirement shall be verified through CARB's Verification Procedures for In-Use Strategies to Control Emissions from Diesel Engines.

When Required: Prior to building permit final; ongoing

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

## **22. Asbestos in Structures**

Requirement: The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM), including but not

limited to California Code of Regulations, Title 8; California Business and Professions Code, Division 3; California Health and Safety Code sections 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended. Evidence of compliance shall be submitted to the City upon request.

When Required: Prior to approval of construction-related permit

Initial Approval: Applicable regulatory agency with jurisdiction

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

## **BIOLOGICAL RESOURCES**

### **23. Tree Removal During Bird Breeding Season**

Requirement: 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.

When Required: Prior to removal of trees

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

### **24. Tree Permit**

#### ***a. Tree Permit Required***

Requirement: 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Permit approval by Public Works Department, Tree Division; evidence of approval submitted to Bureau of Building

Monitoring/Inspection: Bureau of Building

#### ***b. Tree Protection During Construction***

Requirement: 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:

- 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.
- 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.
- 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.
- 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.

When Required: During construction

Initial Approval: Public Works Department, Tree Division

Monitoring/Inspection: Bureau of Building

**c. *Tree Replacement Plantings***



Requirement: Replacement plantings shall be required for tree removals for the purposes of erosion control, groundwater replenishment, visual screening, wildlife habitat, and preventing excessive loss of shade, in accordance with the following criteria:

- i. No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered.
- ii. Replacement tree species shall consist of Sequoia sempervirens (Coast Redwood), Quercus agrifolia (Coast Live Oak), Arbutus menziesii (Madrone), Aesculus californica (California Buckeye), Umbellularia californica (California Bay Laurel), or other tree species acceptable to the Tree Division.
- iii. Replacement trees shall be at least twenty-four (24) inch box size, unless a smaller size is recommended by the arborist, except that three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate.
- iv. Minimum planting areas must be available on site as follows:
  - For Sequoia sempervirens, three hundred fifteen (315) square feet per tree;
  - For other species listed, seven hundred (700) square feet per tree.
- v. In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee in accordance with the City's Master Fee Schedule may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians.
- vi. The project applicant shall install the plantings and maintain the plantings until established. The Tree Reviewer of the Tree Division of the Public Works Department may require a landscape plan showing the replacement plantings and the method of irrigation. Any replacement plantings which fail to become established within one year of planting shall be replanted at the project applicant's expense.

When Required: Prior to building permit final

Initial Approval: Public Works Department, Tree Division

Monitoring/Inspection: Bureau of Building

## CULTURAL RESOURCES

### **25. 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.

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.

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.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

## **26. 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.

### **Provision A: Intensive Pre-Construction Study.**

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:

- a. Subsurface presence/absence studies of the project site. Field studies may include, but are not limited to, auguring and other common methods used to identify the presence of archaeological resources.
- b. A report disseminating the results of this research.
- c. Recommendations for any additional measures that could be necessary to mitigate any adverse impacts to recorded and/or inadvertently discovered cultural resources.

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.

**Provision B: Construction ALERT Sheet.**

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.

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.

When Required: Prior to approval of construction-related permit; during construction

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

**27. Human Remains – Discovery During Construction**

Requirement: 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.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

## **GEOLOGY AND SOILS**

### **28. Construction-Related Permit(s)**

Requirement: 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

### **29. Soils Report**

Requirement: 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

## **GREENHOUSE GAS EMISSIONS / GLOBAL CLIMATE CHANGE**

### **30. Greenhouse Gas (GHG) Reduction Plan**

#### ***a. Greenhouse Gas (GHG) Reduction Plan Required***

Requirement: 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 CO<sub>2e</sub> per year or 4.6 metric tons of CO<sub>2e</sub> per year per service population) AND to reduce GHG emissions by 36 percent below the project's "adjusted" baseline GHG emissions (as explained below) to help achieve the City's goal of reducing GHG emissions. 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), (c) a comprehensive set of quantified additional GHG reduction measures available to further reduce GHG emissions beyond the adjusted GHG emissions, and (d) 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.

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.

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.

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.

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.

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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

**b. *GHG Reduction Plan Implementation During Construction***

Requirement: 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).

When Required: During construction

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

c. ***GHG Reduction Plan Implementation After Construction***

Requirement: 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.

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.

**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.

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.

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.

**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.

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.

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.

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.

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.

**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.

When Required: Ongoing

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Planning

## HAZARDS AND HAZARDOUS MATERIALS

### 31. 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:

- a. Follow manufacture’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.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

### **32. Hazardous Building Materials and Site Contamination**

#### ***a. Hazardous Building Materials Assessment***

Requirement: The project applicant shall submit a comprehensive assessment report to the Bureau of Building, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACMs), lead-based paint, polychlorinated biphenyls (PCBs), and any other building materials or stored materials classified as hazardous materials by State or federal law. If lead-based paint, ACMs, PCBs, or any other building materials or stored materials classified as hazardous materials are present, the project applicant shall submit specifications prepared and signed by a qualified environmental professional, for the stabilization and/or removal of the identified hazardous materials in accordance with all applicable laws and regulations. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.

When Required: Prior to approval of demolition, grading, or building permits

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

#### ***b. Environmental Site Assessment Required***

Requirement: 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.



When Required: Prior to approval of construction-related permit

Initial Approval: Applicable regulatory agency with jurisdiction

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

**c. *Health and Safety Plan Required***

Requirement: 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

**d. *Best Management Practices (BMPs) Required for Contaminated Sites***

Requirement: The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential soil and groundwater hazards. These shall include the following:

- i. Soil generated by construction activities shall be stockpiled on-site in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state, and federal requirements.
- ii. Groundwater pumped from the subsurface shall be contained on-site in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

**33. Hazardous Materials Business Plan**

Requirement: The project applicant shall submit a Hazardous Materials Business Plan for review and approval by the City, and shall implement the approved Plan. The approved Plan shall be kept on file with the City and the project applicant shall update the Plan as applicable. The purpose of the Hazardous Materials Business Plan is to ensure that employees are adequately trained to handle hazardous materials and provides information to the Fire Department should emergency response be required. Hazardous materials shall be handled in accordance with all applicable local, state, and federal requirements. The Hazardous Materials Business Plan shall include the following:

- a. The types of hazardous materials or chemicals stored and/or used on-site, such as petroleum fuel products, lubricants, solvents, and cleaning fluids.
- b. The location of such hazardous materials.
- c. An emergency response plan including employee training information.
- d. A plan that describes the manner in which these materials are handled, transported, and disposed.

When Required: Prior to building permit final  
Initial Approval: Oakland Fire Department  
Monitoring/Inspection: Oakland Fire Department

## HYDROLOGY AND WATER QUALITY

### 34. Erosion and Sedimentation Control Plan for Construction

#### a. *Erosion and Sedimentation Control Plan Required*

Requirement: The project applicant shall submit an Erosion and Sedimentation Control Plan to the City for review and approval. The Erosion and Sedimentation Control Plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading and/or construction operations. The Plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, 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, 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

#### b. *Erosion and Sedimentation Control During Construction*

Requirement: 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.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

### 35. NPDES C.3 Stormwater Requirements for Regulated Projects

#### a. *Post-Construction Stormwater Management Plan Required*

Requirement: 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:

- 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

**b. *Maintenance Agreement Required***

Requirement: 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:

- 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
- 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.

The maintenance agreement shall be recorded at the County Recorder's Office at the applicant's expense.

When Required: Prior to building permit final

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

## **NOISE**

### **36. Construction Days/Hours**

Requirement: The project applicant shall comply with the following restrictions concerning construction days and hours:

- 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.
- 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.

- c. No construction is allowed on Sunday or federal holidays.

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.

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.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

### **37. 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:

- 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.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

### **38. Extreme Construction Noise**

#### ***a. 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:

- 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

#### ***b. Public Notification Required***

Requirement: 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.

When Required: During construction

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

### **39. Project-Specific Construction Noise Reduction Measures**

Requirement: 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 noise impacts. The project applicant shall implement the approved Plan during construction

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

#### **40. Construction Noise Complaints**

Requirement: 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:

- 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

#### **41. Operational Noise**

Requirement: 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.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

#### **42. Vibration Impacts on Adjacent Historic Structures or Vibration-Sensitive Activities**

Requirement: The project applicant shall submit a Vibration Analysis prepared by an acoustical and/or structural engineer or other appropriate qualified professional for City review and approval that establishes pre-construction baseline conditions and threshold levels of vibration that could damage the structure and/or substantially interfere with activities located at the existing Key System Building at 1100 Broadway. The Vibration Analysis shall identify design means and methods of construction that shall be utilized in order to not exceed the thresholds. The applicant shall implement the recommendations during construction.

When Required: Prior to construction

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

## POPULATION AND HOUSING

### **43. Jobs/Housing Impact Fee**

Requirement: The project applicant shall submit payment to the City in accordance with the requirements of the City of Oakland Jobs/Housing Impact Fee Program (chapter 15.68 of the Oakland Municipal Code).

When Required: Prior to construction

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

## TRANSPORTATION/TRAFFIC

### **44. Construction Activity in the Public Right-of-Way**

#### **a. *Obstruction Permit Required***

Requirement: 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

#### **b. *Traffic Control Plan Required***

Requirement: In the event of obstructions to vehicle or bicycle travel lanes, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian detours, including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The project applicant shall implement the approved Plan during construction.

When Required: Prior to approval of construction-related permit

Initial Approval: Public Works Department, Transportation Services Division

Monitoring/Inspection: Bureau of Building

#### **c. *Repair of City Streets***

Requirement: 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.

When Required: Prior to building permit final

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

#### **45. Bicycle Parking**

Requirement: 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

#### **46. Transportation Improvements**

Requirement: 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:

- a. 2070L Type Controller with cabinet accessory
- b. GPS communication (clock)
- c. Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile)
- d. Countdown pedestrian head module switch out
- e. City Standard ADA wheelchair ramps
- f. Video detection on existing (or new, if required)
- g. Mast arm poles, full activation (where applicable)
- h. Polara Push buttons (full activation)
- i. Bicycle detection (full activation)
- j. Pull boxes



- k. Signal interconnect and communication with trenching (where applicable), or through existing conduit (where applicable), 600 feet maximum
- l. Conduit replacement contingency
- m. Fiber switch
- n. PTZ camera (where applicable)
- o. Transit Signal Priority (TSP) equipment consistent with other signals along corridor
- p. Signal timing plans for the signals in the coordination group

When Required: Prior to building permit final or as otherwise specified

Initial Approval: Bureau of Building; Public Works Department, Transportation Services Division

Monitoring/Inspection: Bureau of Building

#### **47. Transportation and Parking Demand Management**

##### ***a. Transportation and Parking Demand Management (TDM) Plan Required***

Requirement: The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City.

- i. The goals of the TDM Plan shall be the following:
  - 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):
    - 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.
- ii. TDM strategies to consider include, but are not limited to, the following:
  - Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement.
  - Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping.
  - Installation of safety elements per the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.) to 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.

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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

**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.

When Required: Prior to building permit final

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

**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.

When Required: Ongoing

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Planning

## **UTILITY AND SERVICE SYSTEMS**

### **48. 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](http://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.

When Required: Prior to approval of construction-related permit

Initial Approval: Public Works Department, Environmental Services Division

Monitoring/Inspection: Public Works Department, Environmental Services Division

#### **49. 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.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

#### **50. 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

#### **51. Green Building Requirements**

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

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

- i. The following information shall be submitted to the City for review and approval with the application for a building permit:
  - Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards.
  - Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit.

- Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit.
  - Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below.
  - Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance.
  - Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit.
  - Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.
- ii. The set of plans in subsection (i) shall demonstrate compliance with the following:
- CALGreen mandatory measures.
  - LEED Silver certification per the appropriate checklist approved during the Planning entitlement process.
  - All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Bureau of Planning that shows the previously approved points that will be eliminated or substituted.
  - The required green building point minimums in the appropriate credit categories.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

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

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

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

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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

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

Requirement: Prior to the finaling the Building Permit, the Green Building Certifier shall submit the appropriate documentation to City staff and attain the minimum required point level.

When Required: Prior to Final Approval

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

## **52. Sanitary Sewer System**

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

When Required: Prior to approval of construction-related permit

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

Monitoring/Inspection: N/A

## **53. Storm Drain System**

Requirement: 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

## Part 3: Project-Specific Conditions of Approval

---

### **54. Final Administrative Design Review**

Requirement: The applicant shall submit detailed elevation plans for the following design elements, per the specifications below, for City review/approval. The approved detailed elevation plans shall become part of the approved application materials.

- The “artisan glass treatment” at the ground floor/mezzanine transom window area shall be transparent/translucent, not opaque, and may include shaded, etched, lined, or otherwise treated glass.
- The off-street loading entrance on 12<sup>th</sup> Street shall be redesigned to be more pedestrian friendly, with detailing that integrates into the overall ground floor/mezzanine façade treatment, which may include: paneling; glazing; banding (such as extending the existing ground floor/mezzanine horizontal detail line at a height of 10’-9” across the loading entrance door as a continuous accent detail); and/or other treatment proposed by the applicant that meets the objective of an attractive, pedestrian-friendly off-street loading entrance, subject to City approval.

When Required: Prior to approval of core/shell construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Building Services Division

### **55. Pre-Construction Historic Building Documentation**

Requirement: Prior to the start of excavation or construction, the owner shall retain a historic preservation architect to document the existing condition of the Key System Building, including photographs and written description. Specific attention shall be given to any existing features, materials, finishes, and/or elements which would be physically altered, removed, or otherwise modified by the project. Documentation shall be submitted to the City for review/approval.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

### **56. Off-Street Loading Management Plan**

Requirement: The applicant shall submit an off-street loading management plan for City review/approval, which shall include: maximum dimensional specifications for trucks using the facilities for regular loading activities; a schedule for coordinating regular loading functions among tenants to avoid conflicts; requiring reserved times for tenant move-ins/move-outs that avoid conflicts with regular loading activities and with peak traffic hours; and requiring City approvals for loading activities to encroach within right-of-way in specific instances where the facility capacity would be exceeded. The approved off-street loading management plan shall become part of the approved application materials.

When Required: Prior to occupancy

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

**57. Master Sign Program**

Requirement: The applicant shall submit for City review/approval a Master Sign Program, which shall address all new commercial signage for the project, including but not necessarily limited to locations, dimensions, materials, colors, typestyle, and illumination.

When Required: Prior to issuance of a Sign Permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Building Services Division

**58. Pre-construction Meeting with the Community**

Requirement: The owner shall hold a meeting and invite all neighboring property owners within 300 feet of the project site to provide information about neighborhood notifications, locations of staging areas, major deliveries, detours and lane closures, etc. The owner shall coordinate and schedule this meeting with City staff.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

**59. Pre-construction Meeting with the City**

Requirement: The owner, owner's job inspectors, and/or owner's general contractors/on-site project managers shall meet with the City's project building coordinator to confirm that any condition(s) of approval, which must be completed prior to issuance of a grading, demolition, and/or building permit, has been completed prior to permit issuance(s). The owner shall coordinate and schedule this meeting with City staff.

When Required: Prior to approval of construction-related permit

Initial Approval: Building Services

Monitoring/Inspection: N/A

**60. Avoid Damage to the Key System Building**

Requirement: The following measures shall be implemented to avoid damage to the Key System Building during demolition and/or construction: 1) Prevent debris from hitting the Key System Building; 2) Seismically strengthen the Key System Building; and 3) Perform work sequence so that the Key System Building's foundations are not undermined.

When Required: Prior to occupancy

Initial Approval: Building Services

Monitoring/Inspection: N/A



**61. Rehabilitation of the Key System Building**

Requirement: The project applicant shall ensure that the measures per the *Outline Scope for Treatment of Exterior Materials* dated February 13, 2006, addended on March 23, 2006, prepared by Alan R. Dreyfuss, AIA, are implemented as part of the rehabilitation of the exterior of the Key System Building, excepting that the existing window glazing and stops may be retained rather than replaced as feasible, and that the existing rehabilitated windows may be fixed and place and the existing hardware may be removed. Construction plans shall be reviewed and approved by Alan Dreyfuss or other qualified preservation architect.

When Required: Prior to occupancy

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

**62. Interior Renovations to the Key System Building Ground Floor/Mezzanine Space**

Requirement: Certain existing historic interior elements at the ground floor/mezzanine space shall be retained, repaired, and preserved, consisting of: the double-height volume; the columns; the ornamental plasterwork at the ceiling, column, and walls. These elements will be incorporated into the design of the commercial space, which will be subject to separate zoning approvals for tenant improvements and tenant occupation. Retention may include but is not limited to casting molds of the plasterwork for inclusion on proposed columns or walls.

When Required: Prior to occupancy

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

**63. Maintenance of the Key System Building**

Requirement: The owner, tenant(s), and/or other parties responsible for maintaining the designated landmark Key System Building shall keep in good repair all the exterior portions thereof, all the interior portions thereof when subject to control as specified in the designating ordinance, and all interior portions thereof the maintenance of which is necessary to prevent deterioration and decay of any exterior portion.

When Required: Ongoing

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

**64. Tenant-Specific Zoning Approvals**

Requirement: The owner shall obtain, and/or shall require tenant(s) to obtain, all required zoning approvals and clearances related to tenant occupancy(s), and which may be subject to separate zoning permits as required by the Oakland Planning Code.

When Required: Prior to occupancy of tenant space

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

**Applicant Statement**

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

\_\_\_\_\_  
Name of Project Applicant

\_\_\_\_\_  
Signature of Project Applicant

\_\_\_\_\_  
Date

1100 Broadway									
Conditions of Approval/Mitigation Measures									
Key	Satisfied or N/A	Ongoing	Outstanding	Multiple					
CEQA Code	COA #	Name	Description	Review Responsibility	Completion Time	Status	Notes		
<b>Aesthetics, Shadow and Wind</b>									
AES-1	16	Graffiti Control	<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> <p>i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces.</p> <p>ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces.</p> <p>iii. Use of paint with anti-graffiti coating.</p> <p>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> <p>b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following:</p> <p>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.</p> <p>ii. Covering with new paint to match the color of the surrounding surface.</p> <p>iii. Replacing with new surfacing (with City permits if required).</p>	City of Oakland Bureau of Building Services Division, Zoning Inspections	Ongoing	Ongoing			
AES-2	17	Landscape Plan	<p>a) Landscape Plan Required The project applicant shall submit a final Landscape Plan for City review and approval that is consistent with the approved Landscape Plan. The Landscape Plan shall be included with the set of drawings submitted for the construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code.</p> <p>b) Landscape Installation The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of City Planning, is provided. The financial instrument shall equal the greater of \$2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid.</p> <p>c) Landscape Maintenance 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>	City of Oakland Bureau of Building Services Division, Zoning Inspections	a) Prior to core/shell permit b) Prior to building permit final c) Ongoing	a & b: outstanding c: ongoing			
AES-3	18	Lighting	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.	City of Oakland Bureau of Building Services Division, Zoning Inspections	Prior to issuance of final electrical building permits	Outstanding			
<b>Air Quality</b>									
AIR-1	19	Construction-Related Air Pollution Controls (Dust and Equipment Emissions)	<p><b>During Project Construction.</b> The project applicant shall implement all of the following applicable air pollution control measures during construction of the project:</p> <p><b>Basic Controls.</b></p> <p>a) Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible.</p> <p>b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).</p> <p>c) All visible dust or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</p> <p>d) Pave all roadways, driveways, sidewalks, etc. within one month of site grading or as soon as feasible. In addition, building pads should be laid within one month of grading or as soon as feasible unless seeding or soil binders are used.</p> <p>e) Enclose, cover, water twice daily, or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).</p> <p>f) Limit vehicle speeds on unpaved roads to 15 miles per hour.</p> <p>g) Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California Air Resources Board Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points.</p> <p>h) Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations").</p> <p>i) All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</p> <p>j) Portable equipment shall be powered by electricity if available. If electricity is not available, propane or natural gas shall be used if feasible. Diesel engines shall only be used if electricity is not available and it is not feasible to use propane or natural gas.</p> <p><b>Enhanced Controls</b> (applies to projects that involve 114 or more single family residential units or 240 or more multi-family residential units).</p> <p>a) 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>b) All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.</p> <p>c) Install sandbags or other erosion control measures to prevent silt runoff to public roadways.</p> <p>d) Hydrossed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).</p> <p>e) 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>f) 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>g) Vegetative ground cover (e.g., fast-germinating native grass seeds) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.</p> <p>h) 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>i) All trucks and equipment, including tires, shall be washed off prior to leaving the site.</p> <p>j) 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>k) 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>l) Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BACMMD Regulation 8, Rule 3: Architectural Coatings).</p> <p>m) All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM.</p> <p>n) Off-road heavy diesel engines shall meet the California Air Resources Board's most recent certification standard.</p> <p>o) 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>	City of Oakland Bureau of Planning and Building	Ongoing, throughout demolition, grading and/or construction	Ongoing			
AIR-2	20	Stationary Sources of Air Pollution (Toxic Air Contaminants)	<p>a. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk associated with proposed stationary sources of pollution in the project. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City.</p> <p>or -</p> <p>b. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:</p> <p>i. Installation of non-diesel fueled generators, if feasible, or</p> <p>ii. Installation of diesel generators with an EPA-certified Tier 4 engine or engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy, if feasible.</p>	City of Oakland Bureau of Planning and Building	N/A	Satisfied	An HRA has been prepared and submitted		
AIR-3	21	Truck-Related Risk Reduction Measures (Toxic Air Contaminants)	<p>a. Truck Loading Docks The project applicant shall locate proposed truck loading docks as far from nearby sensitive receptors as feasible.</p> <p>b. Truck Fleet Emission Standards The project applicant shall comply with all applicable California Air Resources Board (CARB) requirements to control emissions from diesel engines and demonstrate compliance to the satisfaction of the City. Methods to comply include, but are not limited to, new clean diesel trucks, lower-tier diesel engine trucks with added Particulate Matter (PM) filters, hybrid trucks, alternative energy trucks, or other methods that achieve the applicable CARB emission standard. Compliance with this requirement shall be verified through CARB's Verification Procedures for In-Use Strategies to Control Emissions from Diesel Engines.</p>	City of Oakland Bureau of Planning and Building	N/A	Satisfied	a) Loading spaces are located as far from Broadway as possible b) Applicant does not own a truck fleet.		
<b>Biological Resources</b>									
BIO-2	23	Tree Removal during Breeding Bird 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.</p> <p>Pre-removal surveys shall be conducted within 15 days prior to the start of work 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>	City of Oakland, Bureau of Building - Zoning Inspections Qualified biologist approved by the Bureau of Planning	<b>If Tree removal occurs Feb 1 - Aug 15, Conduct Pre-Removal Surveys:</b> within 15 days prior to removal of any trees and/or other vegetation suitable for nesting of birds <b>Agency Consultation for Nesting Raptors/Birds:</b> Prior to the start of work involving ground disturbance or building dismantling, relocation or demolition	Outstanding			
BIO-3	24	Tree Permit	<p>a) <b>Tree Permit Required.</b> 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) <b>Tree Protection During Construction.</b> Adequate protection shall be provided during the construction period for any trees which are to remain standing, including the following, plus any recommendations of an arborist:</p> <p>i. Before the start of any clearing, excavation, construction, or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the project's consulting arborist. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree.</p> <p>ii. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filling, 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 A15f equipment with an open flame shall occur near or within the protected perimeter of any protected tree.</p> <p>iii. No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the project's consulting arborist from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the project's consulting arborist. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.</p> <p>iv. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.</p> <p>v. If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Department and the project's consulting arborist shall make a recommendation to the City Tree Reviewer as to whether the damaged tree can be preserved. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed.</p> <p>vi. All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations.</p> <p>c) <b>Tree Replacement Plantings.</b> Replacement plantings shall be required for tree removals for the purposes of erosion control, groundwater replenishment, visual screening, wildlife habitat, and preventing excessive loss of shade, in accordance with the following criteria:</p> <p>i. For Sequoia sempervirens, three hundred fifteen (315) square feet per tree;</p> <p>ii. For other species listed, seven hundred (700) square feet per tree.</p> <p>iii. In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee in accordance with the City's Master Fee Schedule may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians.</p> <p>iv. The project applicant shall install the plantings and maintain the plantings until established. The Tree Reviewer of the Tree Division of the Public Works Department may require a landscape plan showing the replacement plantings and the method of irrigation. Any replacement plantings which fail to become established within one year of planting shall be replanted at the project applicant's expense.</p>	City of Oakland, Bureau of Building - Zoning Inspections Qualified biologist approved by the Bureau of Planning	N/A	Outstanding	Tree Removal application has been made		
<b>Cultural Resources</b>									

1100 Broadway							
Conditions of Approval/Mitigation Measures							
Key	Satisfied or N/A	Ongoing	Outstanding	Multiple			
CEQA Code	COA #	Name	Description	Review Responsibility	Completion Time	Status	Notes
CUL-1	25	Archaeological and Paleontological Resources - Discovery During Construction	<p>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.</p> <p>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.</p> <p>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>	City of Oakland, Bureau of Building Services Division - Zoning Inspections	Ongoing, throughout all construction activities	Ongoing	
CUL-2	26	Archaeologically Sensitive Areas - Pre-Construction Measures	<p>The project applicant shall implement either Provision A (Intensive Pre-Construction Study) or Provision B (Construction ALERT Sheet) concerning archaeological resources.</p> <p><b>Provision A: Intensive Pre-Construction Study.</b> 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: a. Subsurface presence/absence studies of the project site. Field studies may include, but are not limited to, auguring and other common methods used to identify the presence of archaeological resources. b. A report disseminating the results of this research. c. Recommendations for any additional measures that could be necessary to mitigate any adverse impacts to recorded and/or inadvertently discovered cultural resources.</p> <p><b>Provision B: Construction ALERT Sheet.</b> 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>	City of Oakland, Bureau of Building Services Division - Zoning Inspections	Provision A: N/A Provision B: Prior to any soil-disturbing activities, and ongoing throughout all construction activities	a) N/A, as Provision B is selected b) outstanding	
CUL-3	27	Human Remains - Discovery During Construction	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. If the County Coroner determines 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.	City of Oakland, Bureau of Building Services Division - Zoning Inspections	Ongoing, throughout all construction activities	Ongoing	
<b>Geology, Soils and Geohazards</b>							
GEO-1	28	Construction-Related Permit(s)	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.	City of Oakland, Bureau of Building Services Division - Zoning Inspections	Prior to approval of construction-related permit	Outstanding	
GEO-2	29	Soils Report	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.	City of Oakland, Bureau of Building Services Division - Zoning Inspections	Prior to approval of construction-related permit	Satisfied	A geotechnical report has been submitted.
<b>Greenhouse Gases and Climate Change</b>							
GHG-1	30	Greenhouse Gas (GHG) Reduction Plan	<p><b>Submittal and Review Schedule and Approval.</b> The project applicant shall submit a complete and accurate submittal to the City for review and approval and shall implement the approved measures as required.</p> <p>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 (BAQM/D)'s CEQA Thresholds of Significance (1,000 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 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), 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 emissions scenarios by phase.</p> <p>Potential GHG reduction measures to be considered include, but are not limited to, measures recommended in BAQM/D'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 features 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 reduction 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 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>A. GHG Reduction Plan Implementation During Construction.</b> 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 measures 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 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><b>B. GHG Reduction Plan Implementation After Construction.</b> 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>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><b>Annual Report.</b> 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 operating 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><b>Corrective Procedures.</b> If the first 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, including without limitation, a discussion on the feasibility and effectiveness of the means of other additional measures ("Corrective GHG Action Plan"). The project applicant shall then implement the approved Corrective GHG Action Plan. The GHG Reduction Plan shall be considered fully attained when project emissions are less than other applicable measures' BAQM/D CEQA Thresholds AND GHG emissions are 36 percent below the project's "2005 business-as-usual" 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>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 time described above, or if the report does 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 approval 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 measure's significance thresholds) or required percentage reduction from the "adjusted" baseline.</p> <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 shall be used by the City solely toward the implementation of the GHG Reduction Plan.</p>	a. City of Oakland Bureau of Planning b. City of Oakland Bureau of Planning c. City of Oakland Bureau of Planning	N/A	Satisfied	A GHG plan demonstrating compliance has been submitted. No further monitoring or action is required.
<b>Hazards and Hazardous Materials</b>							
HAZ-1	31	Hazardous Materials Related to Construction	The project applicant shall ensure that Best Management Practices (BMPs) are implemented as part of construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following: 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.	City of Oakland, Bureau of Building Services Division - Zoning Inspections	Ongoing, throughout all construction activities	Ongoing	
HAZ-2	32	Hazardous Building Materials and Site Contamination (Site Contamination per CEQA language)	a. <b>Environmental Site Assessment Required.</b> 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. b. <b>Health and Safety Plan Required.</b> 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. c. <b>Best Management Practices (BMPs) Required for Contaminated Sites.</b> 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: d. Soil generated by construction activities shall be stockpiled on site in a secure and safe manner. All contaminated soils determined to be hazardous or nonhazardous waste must be adequately protected (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. e. 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.	City of Oakland, Bureau of Planning - Bureau of Building Zoning Inspections Oakland Fire Department - Hazardous Materials Division	Submit Environmental Site Assessment and Health and Safety Plan: Prior to approval of any construction-related permit Conduct Work Per Approved Plans and BMPs: Ongoing, throughout all construction activities	Outstanding & Ongoing	
HAZ-3	33	Hazardous Materials Business Plan	The project applicant shall submit a Hazardous Materials Business Plan for review and approval by the City, and shall implement the approved Plan. The approved Plan shall be kept on file with the City and the project applicant shall update the Plan as applicable. The purpose of the Hazardous Materials Business Plan is to ensure that employees are adequately trained to handle hazardous materials and provides information to the Fire Department should emergency response be required. Hazardous materials shall be handled in accordance with all applicable local, state, and federal requirements. The Hazardous Materials Business Plan shall include the following: a. The types of hazardous materials or chemicals stored and/or used on-site, such as petroleum fuel products, lubricants, solvents, and cleaning fluids. b. The location of such hazardous materials. c. An emergency response plan including employee training information. d. A plan that describes the manner in which these materials are handled, transported and disposed.	City of Oakland, Bureau of Building - Zoning Inspections Oakland Fire Department - Hazardous Materials Division	Submit Hazardous Materials Business Plan: Prior to approval of Final Building Permit Conduct Work Per Approved Plan: Ongoing, throughout all construction activities	Outstanding & Ongoing	
HAZ-5	22	Asbestos in Structures	The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM), including but not limited to California Code of Regulations, Title 8; California Business and Professions Code, Division 3; California Health and Safety Code sections 25915-25919.7, and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended. Evidence of compliance shall be submitted to the City upon request.	City of Oakland, Bureau of Building - Zoning Inspections	Prior to core/shell permit	Outstanding	
<b>Hydrology and Water Quality</b>							

**1100 Broadway**  
**Conditions of Approval/Mitigation Measures**

Key	Satisfied or N/A	Ongoing	Outstanding	Multiple				
CEQA Code	COA #	Name	Description	Review Responsibility	Completion Time	Status	Notes	
HYD-1	34	Erosion and Sedimentation Control Plan for Construction	<p><b>a. Erosion and Sedimentation Control Plan Required</b> 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, disipation structures, diversion dikes, retaining 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, if required by the Director of Development or designee. The Plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.</p> <p><b>b. Erosion and Sedimentation Control During Construction</b> 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>	City of Oakland, Bureau of Building - Zoning Inspections	Prior to approval of construction-related permit <b>Post-Construction Inspection and Clearance:</b> Prior to final permit.	a. Satisfied b. Outstanding	The Erosion & Sediment Control Plan and an AMMR for wet weather shoring, site restoration, and grading has been made.	
HYD-5		Source Control Measures to Limit Stormwater Pollution	<p>Pursuant to Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES), the project applicant is encouraged to incorporate appropriate source control measures to limit pollution in stormwater runoff. These measures may include, but are not limited to, the following:</p> <p>a. Stencil storm drain inlets "No Dumping - Drains to Bay;"</p> <p>b. Minimize the use of pesticides and fertilizers;</p> <p>c. Cover outdoor material storage areas, loading docks, repair/maintenance bays and fueling areas;</p> <p>d. Cover trash, food waste, and compactor enclosures; and</p> <p>e. Plumb the following discharges to the sanitary sewer system, subject to City approval:</p> <p>i. Discharges from indoor floor mats, equipment, hood filter, wash racks, and, covered outdoor wash racks for restaurants;</p> <p>ii. Dumpster drips from covered trash, food waste, and compactor enclosures;</p> <p>iii. Discharges from outdoor covered wash areas for vehicles, equipment, and accessories;</p> <p>iv. Swimming pool water, if discharge to on-site vegetated areas is not feasible; and</p> <p>v. Fire sprinkler test water, if discharge to on-site vegetated areas is not feasible.</p>	City of Oakland, Bureau of Planning; Bureau of Building - Zoning Inspections	<b>Submit Source Control Measures in Project Plans:</b> Prior to issuance of grading permit <b>Implement Source Control Measures:</b> Ongoing, throughout all construction activities and project operations	Plan: satisfied Implement Measures: Ongoing	Source control measures have been documented on the Erosion & Sediment Control Plan, which has been submitted.	
	35	NPDES C.3 Stormwater Requirements for Regulated Projects	<p><b>a. Post-Construction Stormwater Management Plan Required</b> <b>Requirement:</b> 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> <p>i. Location and size of new and replaced impervious surface;</p> <p>ii. Directional surface flow of stormwater runoff;</p> <p>iii. Location of proposed on-site storm drain lines;</p> <p>iv. Site design measures to reduce the amount of impervious surface area;</p> <p>v. Source control measures to limit stormwater pollution;</p> <p>vi. Stormwater treatment measures to remove pollutants from stormwater runoff, including the method used to hydraulically size the treatment measures; and</p> <p>vii. Hydromodification management measures, if required by Provision C.3, so that post-project stormwater runoff flow and duration match pre-project runoff.</p> <p><b>When Required:</b> Prior to approval of construction-related permit <b>Initial Approval:</b> Bureau of Planning; Bureau of Building <b>Monitoring/Inspection:</b> Bureau of Building</p> <p><b>b. Maintenance Agreement Required</b> <b>Requirement:</b> 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>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><b>When Required:</b> Prior to building permit final <b>Initial Approval:</b> Bureau of Building <b>Monitoring/Inspection:</b> Bureau of Building</p>	Bureau of Building	Prior to Building permit final	a. Satisfied b. Outstanding	The Post-Stormwater Control Management Plan has been submitted.	
<b>Land Use</b>								
None								
<b>Noise</b>								
NOI-1	36	Construction Days/Hours	<p>The project applicant shall comply with the following restrictions concerning construction days and hours:</p> <p>a. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m.</p> <p>b. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday.</p> <p>c. No construction is allowed on Sunday or federal holidays.</p> <p>Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on site in a non-enclosed area.</p> <p>Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents/occupants' preferences. The project applicant shall notify property 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>	City of Oakland, Bureau of Planning; Bureau of Building - Zoning Inspections	<b>Submit Source Control Measures in Project Plans:</b> N/A <b>Implement Source Control Measures:</b> Ongoing, throughout all construction activities and project operations	Plan: satisfied. Source control measures: ongoing	Construction Noise Management Plan has been submitted. Allowed working hours on Saturdays are 7am-7pm with prior City approval given distance to sensitive receptors.	
NOI-2	37	Construction Noise	<p>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> <p>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.</p> <p>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.</p> <p>c. Applicant shall use temporary power poles instead of generators where feasible.</p> <p>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.</p> <p>e. Plywood barriers shall be erected along boundaries to shield pedestrians from construction related noise.</p> <p>f. 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>	City of Oakland, Bureau of Planning; Bureau of Building - Zoning Inspections	Ongoing, throughout all construction activities	Ongoing		
NOI-3	38	Extreme Construction Noise	<p><b>a. Construction Noise Management Plan Required</b> Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90 dBA), 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> <p>i. Erect temporary plywood noise barriers around the construction site, particularly along sites adjacent to residential buildings;</p> <p>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;</p> <p>iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;</p> <p>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</p> <p>v. Monitor the effectiveness of noise attenuation measures by taking noise measurements.</p> <p><b>b. Public Notification Required</b> <b>Requirement:</b> 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>	City of Oakland, Bureau of Planning; Bureau of Building - Zoning Inspections	<b>Submit Plan:</b> N/A <b>Conduct Work Pursuant to Approved Plan:</b> Ongoing, throughout all construction activities <b>Draft Public Notification for City Approval; Issue Notice:</b> 14 calendar days prior to commencing extreme noise generating activities	Plan: satisfied. Conduct work based on plan: ongoing. Public Notice: outstanding	Construction Noise Management Plan has been submitted.	
NOI-4	39	Project-Specific Construction Noise Reduction Measures	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 noise impacts. The project applicant shall implement the approved Plan during construction.	City of Oakland, Bureau of Planning; Bureau of Building - Zoning Inspections	<b>Submit Plan:</b> N/A <b>Conduct Work Pursuant to Approved Plan:</b> Ongoing, throughout all construction activities	Plan: satisfied. Conduct work based on plan: ongoing.	Construction Noise Management Plan has been submitted.	
NOI-5	40	Construction Noise Complaints	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:	City of Oakland, Bureau of Planning; Bureau of Building - Zoning Inspections	<b>Submit Plan:</b> Prior to approval of any construction-related permit <b>Conduct Work Pursuant to Approved Plan:</b> Ongoing, throughout all construction activities	Outstanding & Ongoing		
NOI-6	42	Vibration Impacts on Adjacent Historic Structures or Vibration-Sensitive Activities	The project applicant shall submit a Vibration Analysis prepared by an acoustical and/or structural engineer or other appropriate qualified professional for City review and approval that establishes pre-construction baseline conditions and threshold levels of vibration that could substantially interfere with activities located at the Project site and/or the historic Key System Building. The Vibration Analysis shall identify design means and methods of construction that shall be utilized in order to not exceed the thresholds. The applicant shall implement the recommendations during construction.	City of Oakland, Bureau of Building Services Division - Zoning Inspections	<b>Submit Analysis:</b> Prior to approval of any construction-related permit <b>Conduct Work Pursuant to Approved Plan:</b> Ongoing, throughout all construction activities	Outstanding & Ongoing		
NOI-7	41	Operational Noise	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.	City of Oakland, Bureau of Planning; Bureau of Building - Zoning Inspections	Ongoing, throughout all construction activities	Ongoing		
<b>Population &amp; Housing</b>								
	43	Jobs/Housing Impact Fee	The project applicant shall submit payment to the City in accordance with the requirements of the City of Oakland Jobs/Housing Impact Fee Program (chapter 15.68 of the Oakland Municipal Code).	Bureau of Building	Prior to core/shell permit	Outstanding		
<b>Transportation and Circulation</b>								
TRA-1	44	Construction Activity in the Public Right-of-Way	<p><b>a. Obstruction Permit Required</b> 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>b. Traffic Control Plan Required</b> In the event of obstructions to vehicle or bicycle travel lanes, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The 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><b>c. Repair of City Streets</b> 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>	a. City of Oakland Bureau of Building Services Division, Zoning Inspections b. Public Works Department, Transportation Services Division c. City of Oakland Bureau of Building Services Division, Zoning Inspections	a. Prior to approval of construction-related permit b. Prior to approval of construction-related permit c. Prior to building permit final	Outstanding		

1100 Broadway							
Conditions of Approval/Mitigation Measures							
Key	Satisfied or N/A	Ongoing	Outstanding	Multiple			
CEQA Code	COA #	Name	Description	Review Responsibility	Completion Time	Status	Notes
TRA-2	45	Bicycle Parking	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.	City of Oakland Bureau of Building Services Division, Zoning Inspections	Prior to approval of core/shell permit	Outstanding	
TRA-3	46	Transportation Improvements	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: a. 2070L Type Controller with cabinet accessory b. GPS communication (clock) c. Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile) d. Countdown pedestrian head module switch out e. City Standard ADA wheelchair ramps f. Video detection on existing (or new, if required) g. Mast arm poles, full activation (where applicable) h. Polara Push buttons (full activation) i. Bicycle detection (full activation) j. Pull boxes k. Signal interconnect and communication with trenching (where applicable), or through existing conduit (where applicable), 600 feet maximum l. Conduit replacement contingency m. Fiber switch n. PTZ camera (where applicable) o. Transit Signal Priority (TSP) equipment consistent with other signals along corridor p. Signal timing plans for the signals in the coordination group	Bureau of Building, Public Works Department, Transportation Services Division	Prior to building permit final or as otherwise specified	Outstanding	
TRA-4	47	Transportation and parking Demand Management	a. Transportation and Parking Demand Management (TDM) Plan Required The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City. The goals of the TDM Plan shall be the following: • 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): • Projects generating 5000 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 • Increased pedestrian, bicycle, transit, and carpooling use. All four modes of travel shall be considered, as appropriate. • Enhance the City's transportation system, consistent with City policies and programs. TDM strategies to consider include, but are not limited to, the following: • Acquisition of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement. • Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping. • Installation of safety elements per the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.) to 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 regulated 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 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 addressed 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 office. • 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. • 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. 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. b. TDM Implementation - Physical Improvements 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. c. TDM Implementation - Operational Strategies	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 Planning and Building	a. N/A b. Prior to building permit final c. Ongoing	a. satisfied. b & c: outstanding	A TDM plan has been submitted.
<b>Utilities and Service Systems</b>							
UTIL-1	48	Construction and Demolition Waste Reduction and Recycling	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.greenhousystems.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.	City of Oakland Public Works Department, Environmental Services Division	Submit WRRP: Prior to approval of any core/shell permit Conduct Work Per Approved Plans: Ongoing, throughout all construction activities	Outstanding & Ongoing	
UTIL-2	49	Underground Utilities	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.	City of Oakland Bureau of Building Services Division, Zoning Inspections	During construction	Ongoing	
UTIL-3	50	Recycling Collection and Storage Space	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.	City of Oakland Bureau of Building Services Division, Zoning Inspections	Submit Plans: Prior to approval of core/shell permit Conduct Work Per Ordinance: Ongoing, throughout all construction activities and project operations	Outstanding & Ongoing	
UTIL-4	51	Green Building Requirements	a. Compliance with Green Building Requirements During Plan-Check The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code). i. The following information shall be submitted to the City for review and approval with the application for a building permit: • Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards. • Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit. • Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit. • Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (i) below. • Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit. • Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. ii. The set of plans in subsection (i) shall demonstrate compliance with the following: • CALGreen mandatory measures. • All pre-requisites per the green building checklist approved during the review of the Planning and Zoning permit, or, if applicable, all the green building measures approved as part of the Unreasonable Hardship Exemption granted during the review of the Planning and Zoning permit. • Green building point level/certification requirement: 50 to 59 point level / LEED Silver for new non-residential, per the appropriate checklist approved during the Planning and Zoning process. • All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Bureau of Planning that shows the previously approved points that will be eliminated or substituted. • The required green building point minimums in the appropriate credit categories. b. Compliance with Green Building Requirements During Construction The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project. The following information shall be submitted to the City for review and approval: i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit. ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance. iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. c. Compliance with Green Building Requirements After Construction 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.	a. City of Oakland Bureau of Building Services Division, Zoning Inspections b. City of Oakland Bureau of Building Services Division, Zoning Inspections c. City of Oakland Bureau of Planning and Building	a. Prior to approval of core/shell permit b. During construction c. After project completion as specified	Outstanding	
UTIL-5	52	Sanitary Sewer System	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.	City of Oakland Public Works Department, Department of Engineering and Construction	Prior to approval of PX permit	Outstanding	The sanitary sewer impact analysis has been submitted.
UTIL-6	53	Storm Drain System	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.	City of Oakland Bureau of Building Services Division, Zoning Inspections	Submit Plan: Prior to approval of PX permit Conduct Work Pursuant to Approved Plan: Ongoing, throughout all construction activities and project operations	Outstanding & Ongoing	The Project qualifies for a Special Project (Infill) for non-LD treatment, target peak reduction for pre-project condition not applicable.
	54	Final Administrative Design Review	The applicant shall submit detailed elevation plans for the following design elements, per the specifications below, for City review/approval. The approved detailed elevation plans shall become part of the approved application materials. • The "artisan glass treatment" at the ground floor/mezzanine transom window area shall be transparent/translucent, not opaque and may include shaded, etched, lined, or otherwise treated glass. • The off-street loading entrance on 12th Street shall be redesigned to be more pedestrian friendly, with detailing that integrates into the overall ground floor/mezzanine facade treatment, which may include: paneling; glazing; banding (such as extending the existing ground floor/mezzanine horizontal detail line at a height of 10'-0" across the loading entrance door as a continuous accent detail); and/or other treatment proposed by the applicant that meets the objective of an attractive, pedestrian-friendly off-street loading entrance, subject to City approval.	Bureau of Planning	Prior to approval of core/shell permit	Outstanding	
	55	Pre-Construction Historic Building Documentation	Prior to the start of excavation or construction, the owner shall retain a historic preservation architect to document the existing condition of the Key System Building, including photographs and written description. Specific attention shall be given to any existing features, materials, finishes, and/or elements which would be physically altered, removed, or otherwise modified by the project. Documentation shall be submitted to the City for review/approval.	Bureau of Planning	Prior to approval of construction-related permit	Outstanding	
	56	Off-Street Loading Management Plan	The applicant shall submit an off-street loading management plan for City review/approval, which shall include: maximum dimensional specifications for trucks using the facilities for regular loading activities; a schedule for coordinating regular loading functions among tenants to avoid conflicts; requiring reserved times for tenant move-ins/move-outs that avoid conflicts with regular loading activities and with peak traffic hours; and requiring City approvals for loading activities to encroach within right-of-way in specific instances where the facility capacity would be exceeded. The approved off-street loading management plan shall become part of the approved application materials.	Bureau of Planning	Prior to occupancy	Outstanding	
	57	Master Sign Program	The applicant shall submit for City review/approval a Master Sign Program, which shall address all new commercial signage for the project, including but not necessarily limited to locations, dimensions, materials, colors, typestyle, and illumination.	Bureau of Planning	Prior to issuance of a Sign Permit	Outstanding	
	58	Pre-Construction Meeting with Community	The owner shall hold a meeting and invite all neighboring property owners within 300 feet of the project site to provide information about neighborhood notifications, locations of staging areas, major deliveries, detours and lane closures, etc. The owner shall coordinate and schedule this meeting with City staff.	Bureau of Planning	Prior to approval of construction-related permit	Outstanding	
	59	Pre-Construction Meeting with City	The owner, owner's job inspectors, and/or owner's general contractor/on-site project managers shall meet with the City's project building coordinator to confirm that any condition(s) of approval, which must be completed prior to issuance of a grading, demolition, and/or building permit, has been completed prior to permit issuance(s). The owner shall coordinate and schedule this meeting with City staff.	Building Services	Prior to approval of construction-related permit	Outstanding	

1100 Broadway

Conditions of Approval/Mitigation Measures

Key	Satisfied or N/A	Ongoing	Outstanding	Multiple				
CEQA Code	COA #	Name	Description	Review Responsibility	Completion Time	Status	Notes	
	60	Avoid Damage to the Key Building	The following measures shall be implemented to avoid damage to the Key System Building during demolition and/or construction: 1) Prevent debris from hitting the Key System Building; 2) Seismically strengthen the Key System Building; and 3) Perform work sequence so Key System Building's foundations are not undermined.	Building Services	Prior to occupancy	Outstanding		
	61	Rehabilitation of the Key System Building	The project applicant shall ensure that the measures per the Outline Scope for Treatment of Exterior Materials dated February 13, 2006, addended on March 23, 2006, prepared by Alan R. Dreyfuss, AIA, are implemented as part of the rehabilitation of the exterior of the Key System Building, excepting if practicable, the glazing & stops shall remain in place as they are and the window hardware shall be removed or made fixed. Construction plans shall be reviewed and approved by Alan Dreyfuss or other qualified preservation architect.	Bureau of Planning	Prior to occupancy	Outstanding		
	62	Interior Renovations to the Key System Building Ground Floor/Mezzanine Space	Certain existing historic interior elements at the ground floor/mezzanine space shall be retained, repaired, and preserved, consisting of: the double-height volume; the columns; the ornamental plasterwork at the ceiling, column, and walls. These elements will be incorporated into the design of the commercial space, which will be subject to separate zoning approvals for tenant improvements and tenant occupation. Retention may include but is not limited to casting molds of the plasterwork for inclusion on proposed columns or walls.	Bureau of Planning	Prior to occupancy	Outstanding		
	63	Maintenance of the Key System Building	The owner, tenant(s), and/or other parties responsible for maintaining the designated landmark Key System Building shall keep in good repair all the exterior portions thereof, all the interior portions thereof when subject to control as specified in the designating ordinance, and all interior portions thereof the maintenance of which is necessary to prevent deterioration and decay of any exterior portion.	Bureau of Planning	Ongoing	Ongoing		
	64	Tenant-Specific Zoning Approvals	The owner shall obtain, and/or shall require tenant(s) to obtain, all required zoning approvals and clearances related to tenant occupancy(s), and which may be subject to separate zoning permits as required by the Oakland Planning Code.	Bureau of Planning	Prior to Occupancy of Tenant Space	Outstanding		

**October 4, 2017 Planning Commission**

**Item #11**

**1100 Broadway**

**Attachment D**

**To view this attachment, please visit the City of Oakland  
Planning Commission webpage at:**

<http://www2.oaklandnet.com/government/o/PBN/OurOrganization/PlanningZoning/o/Commissions/index.htm>

**There will also be copies available to view at the  
Planning Commission meeting.**

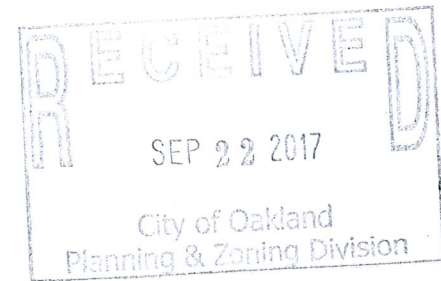


# 1100 BROADWAY

## Application for Development Review

08.30.2017

### Attachment E



**Owner/Applicant:**

1100 Broadway Owner, LLC c/o Ellis Partners  
111 Sutter Street, Suite 800  
San Francisco, CA 94104

**Landscape Architect:**

Bionic  
833 Market Street, Suite 601  
San Francisco, CA 94103

**Civil Engineer:**

Sandis  
636 9th Street  
Oakland, CA 94607

**Geotechnical Engineer:**

GEI  
180 Grand Avenue, Suite 1410  
Oakland, CA 94612

**Structural Engineer:**

Magnusson Klemencic Associates  
1301 Fifth Avenue, Suite 3200  
Seattle, WA 98101-2699

**Historical Architect:**

Wiss, Janey, Elstner Associates, Inc.  
2000 Powell St. #1650  
Emeryville, CA 94608

**Architect:**

Gensler  
2101 Webster Street, Suite 2000  
Oakland, CA 94612

**Vertical Transportation:**

Edgett Williams Consulting Group  
102 East Blithedale Avenue, Suite 1  
Mill Valley, CA 94941

**Mechanical and Plumbing Engineer:**

Taylor Engineering  
1080 Marina Village Parkway, Suite 501  
Alameda, CA 94501

**Electrical Engineer & Lighting Designer:**

The Engineering Enterprise  
1305 Marina Village Parkway  
Alameda, CA 94501

**Fire and Life Safety:**

The Fire Consultants  
1981 N. Broadway, Suite 400  
Walnut Creek, CA 94596

**Curtain Wall:**

JA Weir Associates  
600 South Catalina Ave, Suite G  
Redondo Beach, CA 90277-4173



Northern California

ARC

LOCATION MAP



ASSESSOR'S PARCEL MAP



USE AND AREA CHART

FLOOR	NEW TOWER (GROSS FLOOR AREA)						KEY BUILDING (GROSS FLOOR AREA)				TOTAL BUILDING (GROSS FLOOR AREA)					
	ENTRANCE LOBBY	RETAIL/ RESTAURANT	LOADING DOCK	BUILDING SUPPORT SPACE*	OFFICE AREA	TOTAL NEW TOWER	RETAIL/ RESTAURANT	BUILDING SUPPORT SPACE	OFFICE AREA	TOTAL KEY BUILDING	ENTRANCE LOBBY	RETAIL/ RESTAURANT	LOADING DOCK	BUILDING SUPPORT SPACE	OFFICE AREA	TOTAL BUILDING
Upper Mech PH				6,150		6,150								6,150		6,150
Lower Mech PH				6,150		6,150								6,150		6,150
18					18,700	18,700									18,700	18,700
17					18,700	18,700									18,700	18,700
16					18,700	18,700									18,700	18,700
15					18,700	18,700									18,700	18,700
14					18,700	18,700									18,700	18,700
13					18,700	18,700									18,700	18,700
12					18,700	18,700									18,700	18,700
11					18,700	18,700									18,700	18,700
10					18,700	18,700									18,700	18,700
9					18,200	18,200									18,200	18,200
8					16,300	16,300			4,315	4,315					20,615	20,615
7					16,300	16,300			4,315	4,315					20,615	20,615
6					16,300	16,300			4,315	4,315					20,615	20,615
5					16,200	16,200			4,315	4,315					20,515	20,515
4					16,200	16,200			4,315	4,315					20,515	20,515
3					16,200	16,200			4,315	4,315					20,515	20,515
2 (Mezzanine)					0	0			1,000	1,000					1,000	1,000
1	5,850	4,334	900	6,215	17,299	17,299			4,666	4,666	5,850	9,000	900	6,215	0	21,965
Basement				16,500	16,500	16,500			6,921	6,921	0	0	0	23,421	0	23,421
<b>Total</b>	<b>5,850</b>	<b>4,334</b>	<b>900</b>	<b>35,015</b>	<b>284,000</b>	<b>330,099</b>	<b>5,666</b>	<b>6,921</b>	<b>25,890</b>	<b>38,477</b>	<b>5,850</b>	<b>10,000</b>	<b>900</b>	<b>41,936</b>	<b>309,890</b>	<b>368,576</b>

\*Building Support space includes mechanical, electrical, plumbing, fire-life safety, potential conference center, fitness center, bike storage, storage and other uses.

<b>AVERAGE TOWER SF</b>	<b>18,650</b>
<b>MAX SF PER CODE (85% OF 22K)</b>	<b>18,700</b>

PROJECT DESCRIPTION

The 1100 Broadway project is located in Oakland, California, along Broadway between 11th and 12th Streets. The project consists of a new 18-story tower connected to the existing 8-story Key System Building (KSB). There is one full basement level under both the new and existing buildings. The total project will contain approximately 310,000 square feet of office space, 10,000 square feet of retail space, and 49,000 sf of combined lobby, support, and back of house space.

The primary use of the building will be office space with retail space at street level and below-grade support spaces. The design includes a below-grade connection to the adjacent parking structure, a connection at grade to the University of California Office of the President (UCOP) building, and a connection onto the UCOP roof garden at level 5. An additional connection to the parking structure is being explored at levels 3 and 4.

The new tower consists of a side-core architectural layout, with the core on the east side of the floor plate adjacent to the UCOP building. Rooftop amenity spaces may be provided on the KSB roof, tower roof, or both.

PROJECT & ZONING SUMMARY

**Address:** 1100 Broadway, Oakland CA 94607  
**Parcel Number:** 2-51-6-2  
**Development Standard Zone:** CBD-P

**Height Area:** 7 (No height limit, 120' max building base height)  
**Proposed Total Building Height:** 240' to top of structural slab, +/- 269' to top of mechanical penthouse slab  
**Proposed Building Base Height:** 102'-6"  
**Max FAR:** 20  
**Proposed FAR:** 17  
**Maximum Allowable Floor Area:** 440,000 sf  
**Proposed Floor Area:** 368,576 sf  
**Total Lot Area:** 22,000 sf  
**Total Building Footprint:** 21,965 sf  
**Max Lot Coverage:** 100%  
**Max Average Lot Coverage Above Building Base:** 85%  
**Proposed Average Lot Coverage Above Building Base:** 85%  
**Max Average Area of Floor Plates:** No max  
**Max Tower Elevation Length:** No Max  
**Max Diagonal Length:** No Max  
**Proposed Number of Parking Spaces:** 0 (Option for 145 parking spaces in adjacent garage)

VARIANCES REQUESTED

**Off-Street Loading:** This project includes a requested loading variance for a reduction in the number and size of loading spaces as shown on these plans. Per section 17.116.140 (3) loading berths would be required, plan shows (2) provided. Per section 17.116.220 loading berths shall have the minimum dimensions of 33' long, 12' wide, and 14' high, plans show berths with the dimensions of 31' long, 12' wide, and 14' high. Additionally section 220 requires a 3' maneuvering aisle, proposed plan provides maneuvering space within the 12' width of the berth. See associated variance findings document for details.

BICYCLE PARKING, SHOWER, AND LOCKER REQUIREMENTS

Program	Area	Long Term Ratio	Long Term Spaces	Short Term Ratio	Short Term Spaces
Commercial - Office	309,890 SF	1:10,000 SF (Min 2)	31	1:20,000 SF (Min 2)	16
Commercial - Retail	10,000 SF	1:12,000 SF (Min 2)	2	1:5,000 SF (Min 2)	2
<b>Total</b>			<b>33</b>		<b>18</b>

17.117.080 - Calculation Rules. A. If after calculating the number of required bicycle parking spaces a quotient is obtained containing a fraction of one-half (1/2) or more, an additional space shall be required; if such fraction is less than one-half (1/2), it may be disregarded.

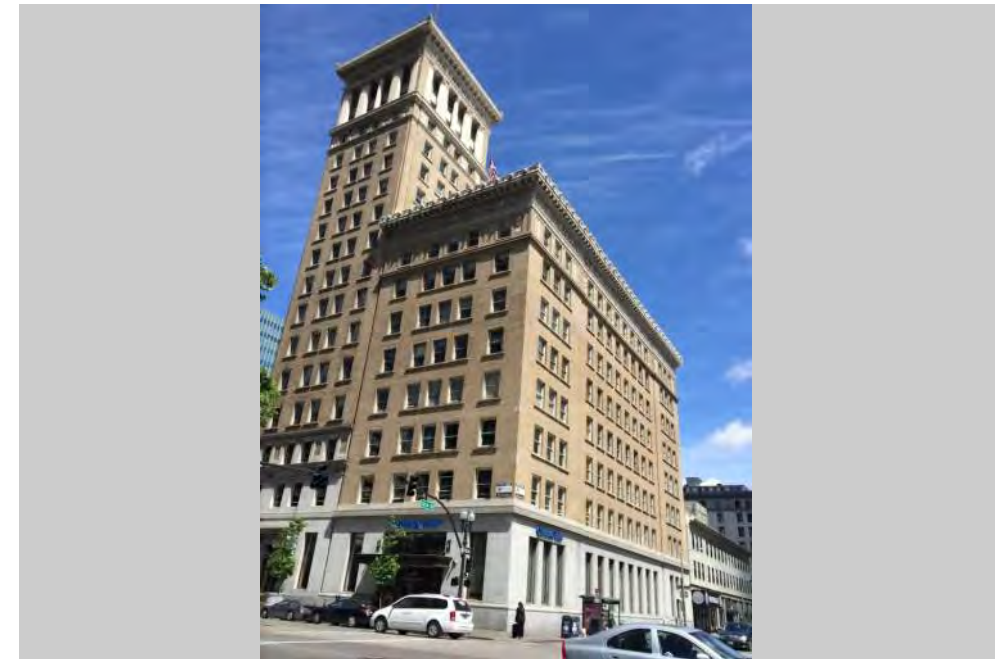
Program	Area	Male Showers	Female Showers	Male Lockers	Female Lockers
Commercial - Office + Retail	319,890 SF	3	3	12	12

A minimum of two (2) showers per gender plus one (1) shower per gender for each 150,000 sf. above 150,000 sf. Four (4) lockers per shower

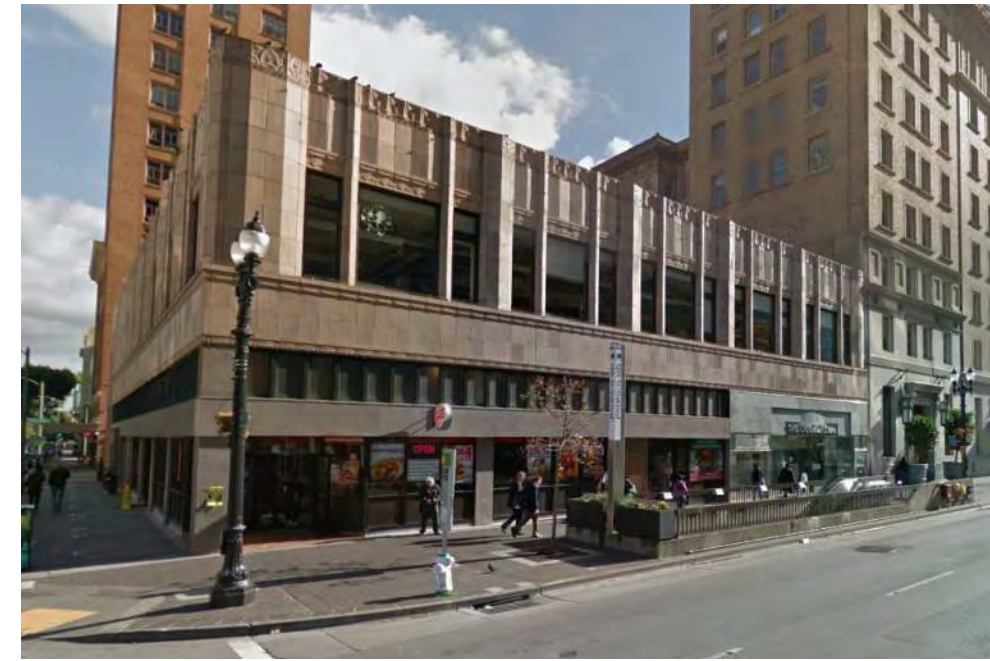
DRAWING INDEX

- ARCHITECTURAL**
- A0.00 COVER SHEET
  - A0.01 PROJECT INFORMATION
  - A0.02 EXISTING SITE PHOTOGRAPHS
  - A0.03 KEY SYSTEM BUILDING PHOTOGRAPHS
  - A0.04 PERSPECTIVE RENDERINGS
  - A0.05 BROADWAY FACADE RENDERING
  - A0.06 BROADWAY FACADE RENDERING
  - A1.00 SITE PLAN
  - A1.01 FLOOR PLAN - BASEMENT
  - A1.02 FLOOR PLAN - GROUND FLOOR
  - A1.03 FLOOR PLAN - 2ND FLOOR (MEZZANINE)
  - A1.04 FLOOR PLAN - LOW RISE (FL3-8)
  - A1.05 FLOOR PLAN - 9TH FLOOR
  - A1.06 FLOOR PLAN - 10TH FLOOR
  - A1.07 FLOOR PLAN - 11TH FLOOR
  - A1.08 FLOOR PLAN - LEVEL 12 STAIR TRANSFER
  - A1.09 FLOOR PLAN - HIGH RISE (FL13-18)
  - A1.10 FLOOR PLAN - ROOF/LOWER MECH PENTHOUSE
  - A1.11 FLOOR PLAN - UPPER MECH PENTHOUSE
  - A2.00 BUILDING ELEVATIONS AND MATERIALS
  - A2.01 BUILDING ELEVATIONS AND MATERIALS
  - A3.00 BUILDING SECTION
  - A3.01 BUILDING SECTION
- CIVIL**
- C0.0 TOPOGRAPHIC SURVEY
  - C1.0 GRADING PLAN
  - C2.0 UTILITY PLAN
  - C3.0 PRELIMINARY PORT-CONSTRUCTION STORMWATER MANAGEMENT PLAN
  - C4.0 EROSION AND SEDIMENTATION CONTROL PLAN
- HISTORICAL ARCHITECTURE**
- HA2.01 GROUND FLOOR DEMO AND PRESERVATION PLAN
  - HA2.02 REFLECTED CEILING PRESERVATION PLAN
  - HA2.03 ROOF PLAN
  - HA3.01 PARTIAL WEST (BROADWAY) ELEVATION - FLOORS 1-4
  - HA3.02 PARTIAL WEST (BROADWAY) ELEVATION - FLOORS 5-ROOF
  - HA3.03 PARTIAL SOUTH ELEVATION - WEST TOWER - FLOORS 1-4
  - HA3.04 PARTIAL SOUTH ELEVATION - WEST TOWER - FLOORS 6-ROOF
  - HA3.05 PARTIAL SOUTH ELEVATION - EAST TOWER - FLOORS 1-4
  - HA3.06 PARTIAL SOUTH ELEVATION - EAST TOWER - FLOORS 5-ROOF
  - HA3.07 PARTIAL EAST AND SOUTH LIGHT COURT ELEVATIONS - FLOORS 3-5
  - HA3.08 PARTIAL EAST AND SOUTH LIGHT COURT ELEVATIONS - FLOORS 5-ROOF
  - HA3.09 PARTIAL WEST LIGHT COURT ELEVATION - FLOORS 3-5
  - HA3.10 PARTIAL WEST LIGHT COURT ELEVATION - FLOORS 6-ROOF
  - HA3.11 PARTIAL EAST ELEVATION - FLOORS 3-5
  - HA3.12 PARTIAL EAST ELEVATION - FLOORS 6-ROOF
  - HA3.13 SOUTH EAST ELEVATION
  - HA3.14 NORTH ELEVATION
- LANDSCAPE**
- L1.00 TREE SURVEY
  - L1.01 LANDSCAPE PLAN - STREETSCAPE
  - L1.01A MATERIAL BOARD - STREETSCAPE
  - L1.02 LANDSCAPE PLAN - OPTIONAL ROOF DECK LVL 9 (KEY SYSTEM BLDG ROOF)
  - L1.03 LANDSCAPE PLAN - OPTIONAL ROOF DECK LVL 19 (NEW TOWER BLDG ROOF)
- LIGHTING DESIGN**
- E1.01 LIGHTING PLAN - STREET LEVEL

VICINITY PHOTOS



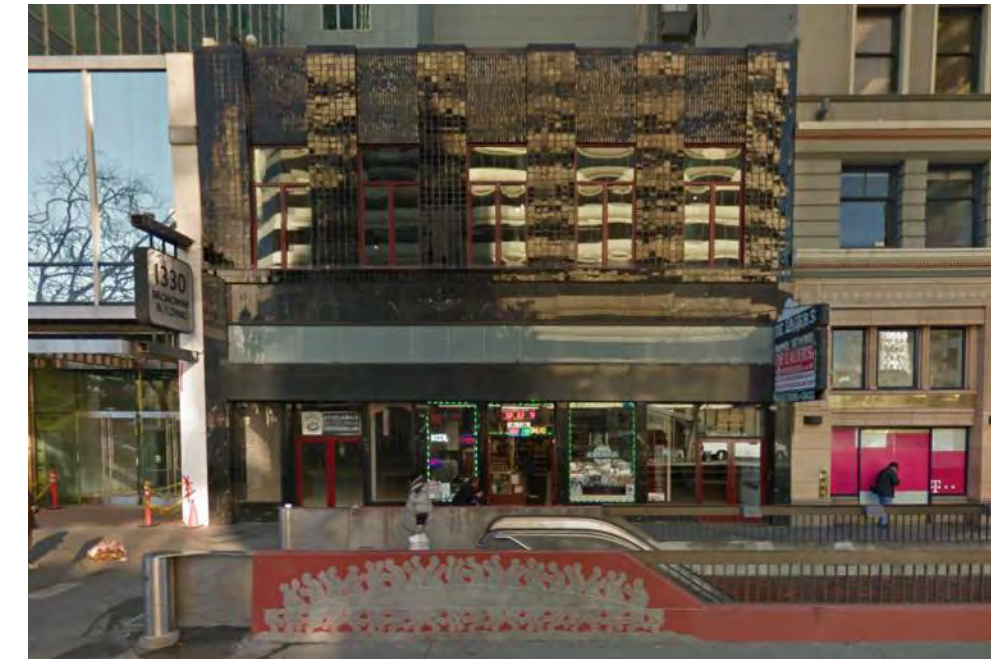
(1) 1200 Broadway: Comerica Bank



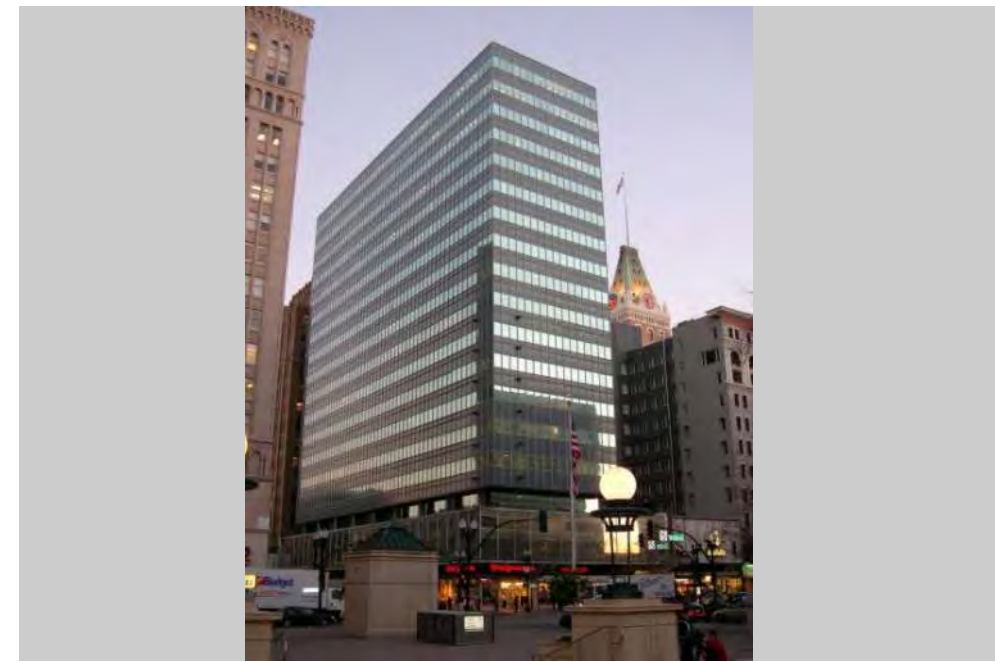
(2) 1220 Broadway



(3) 1300 Broadway



(4) 1310 Broadway



(5) 1330 Broadway



(6) 1201 Franklin Street



(7) 1111 Franklin Street



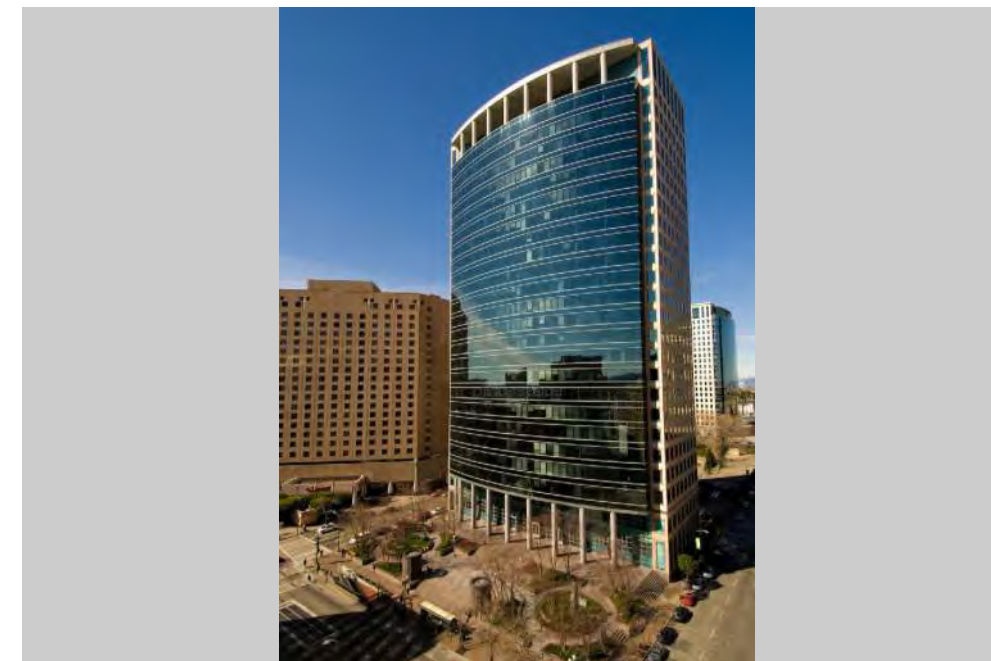
(8) 1000 Broadway: Trans Pacific Center



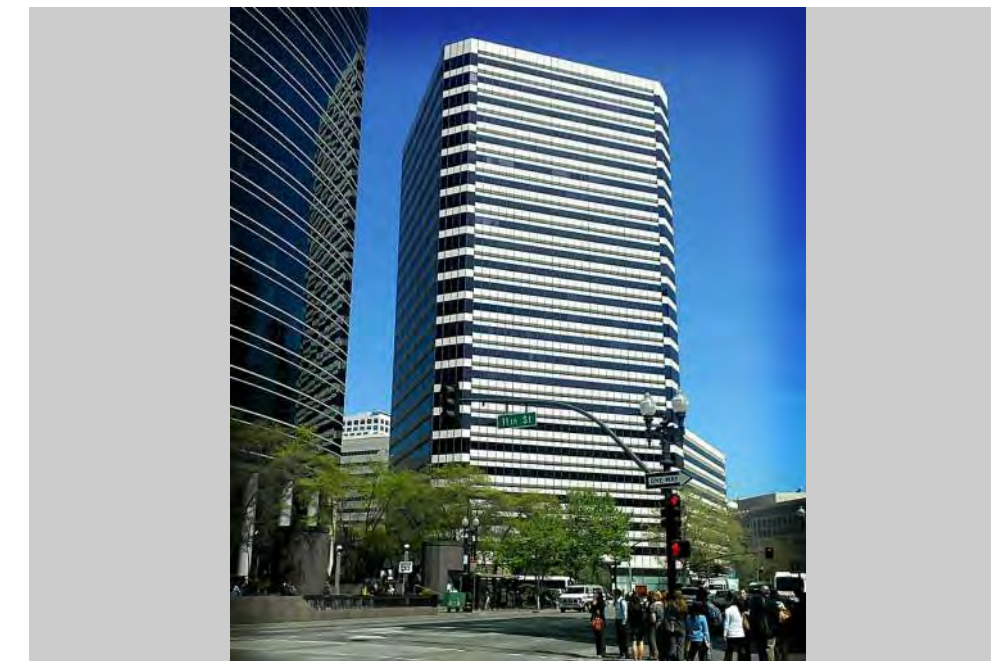
(9) 988 Broadway: Courtyard Marriot



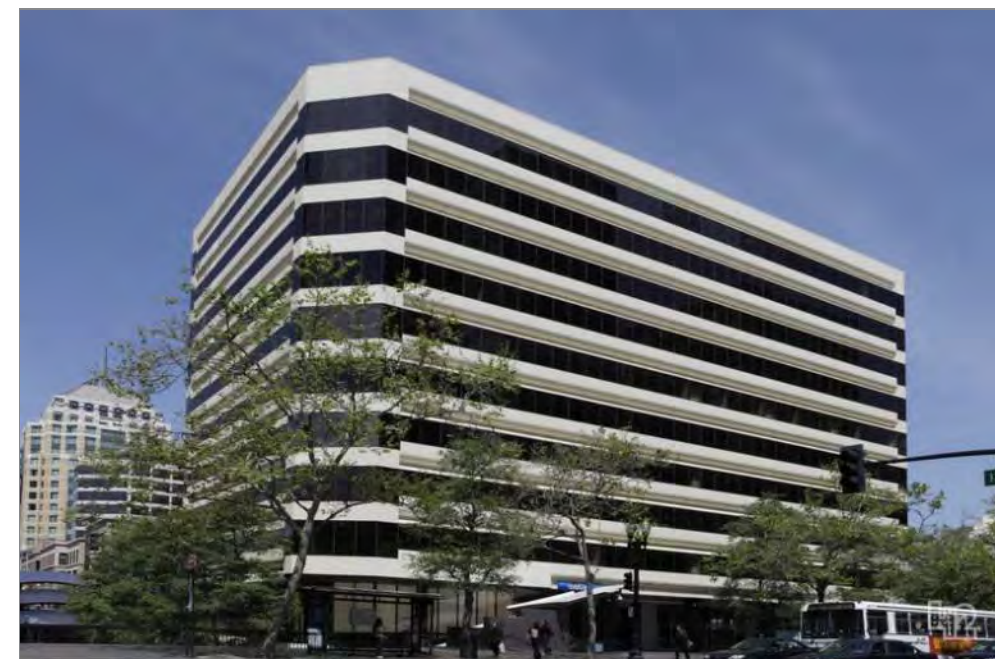
(10) 801 Franklin Street



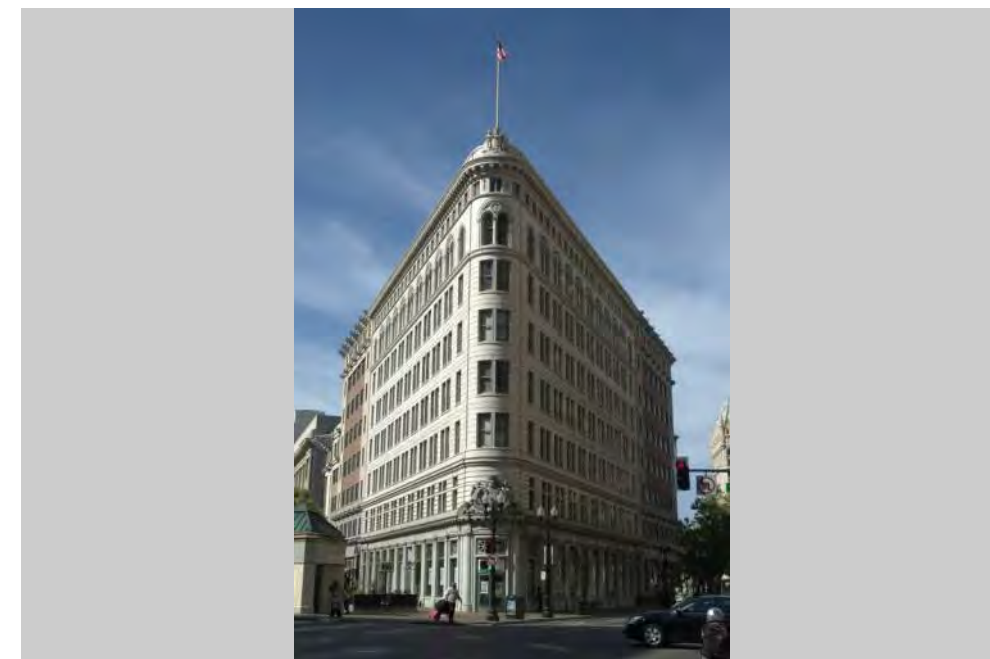
(11) 1111 Broadway



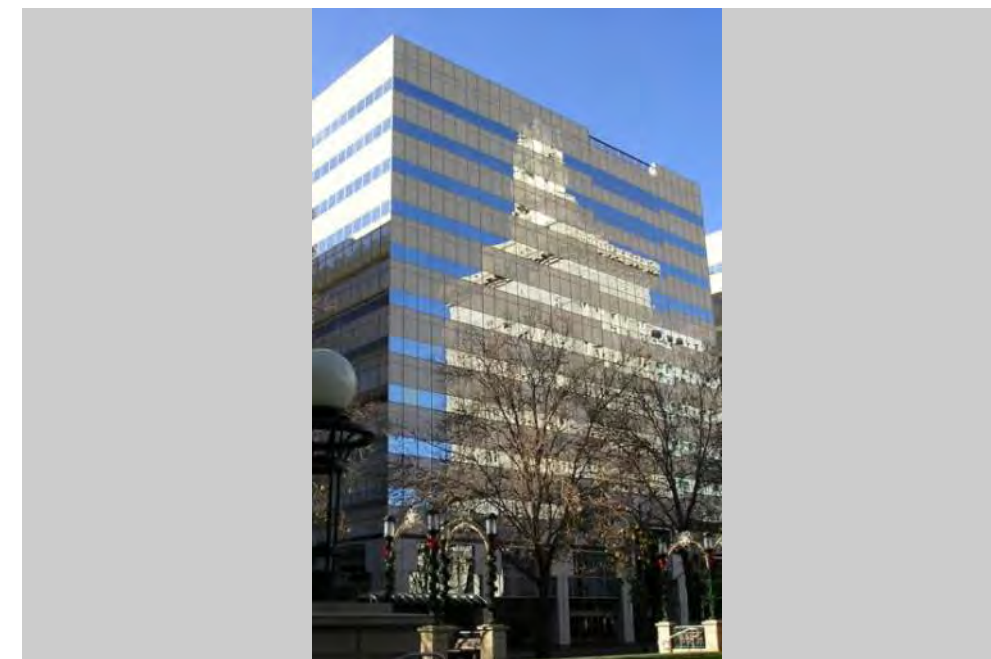
(12) 1221 Broadway: Clorox Building



(13) 1333 Broadway



(14) First National Bank Building - Lionel J. Wilson Building



(15) 475 14th Street



(16) 1001 Broadway: Marriott Hotel



(17) 901-933 Broadway: Smart and Final



(18) 827 Broadway: Wilcox Building

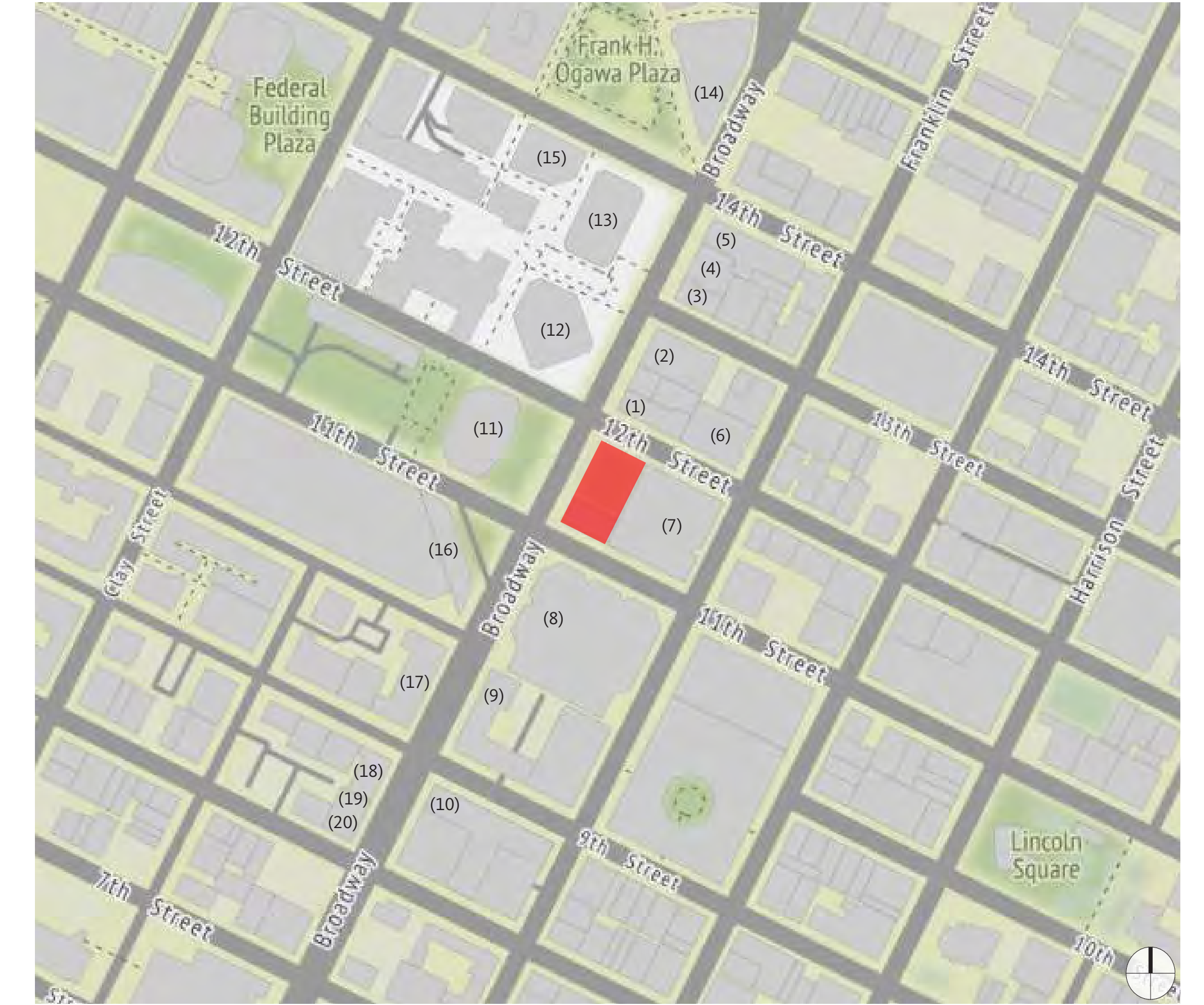


(19) 807 Broadway: Studio Building

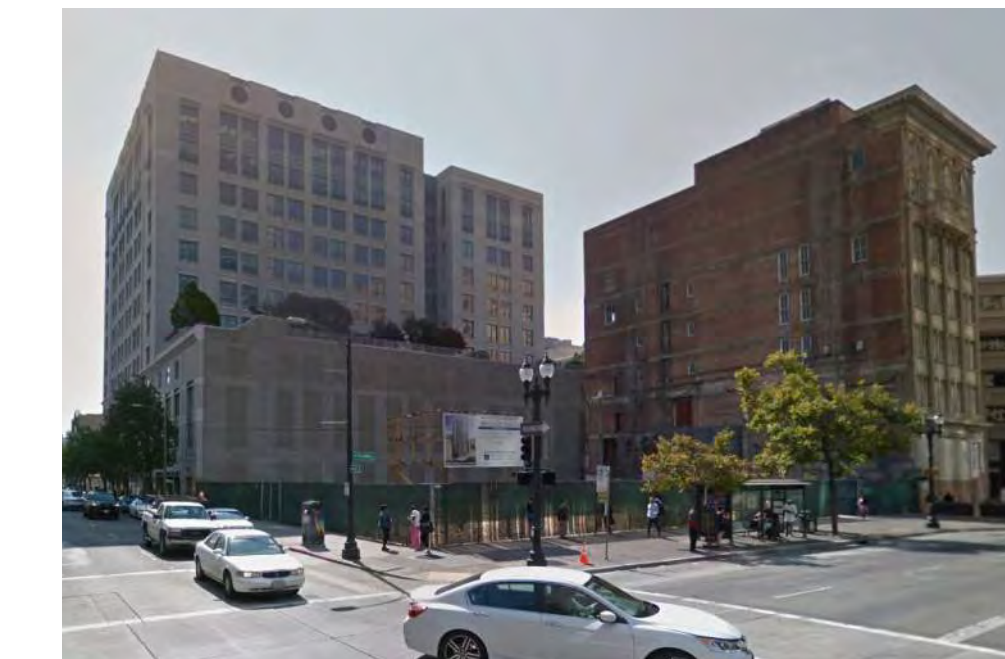


(20) 801 Broadway: Sanford Building

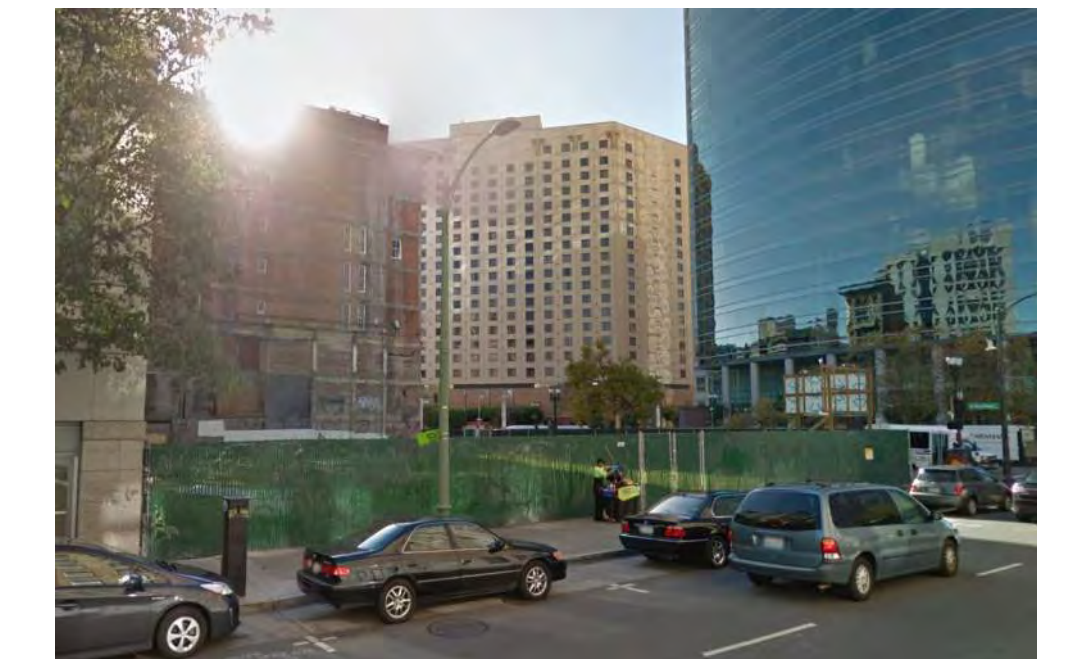
KEY PLAN



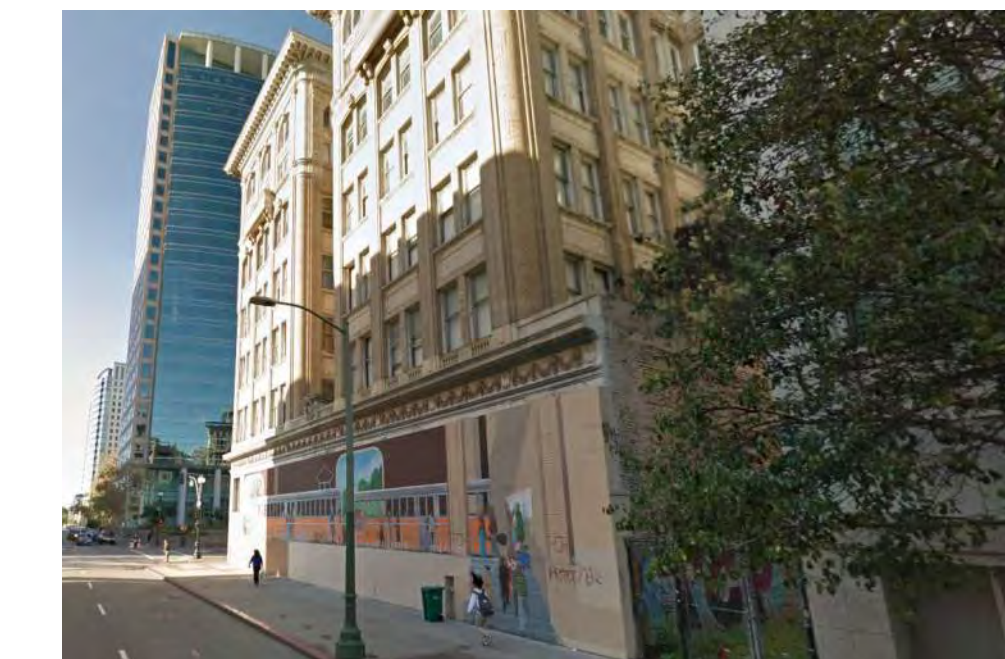
SITE PHOTOS



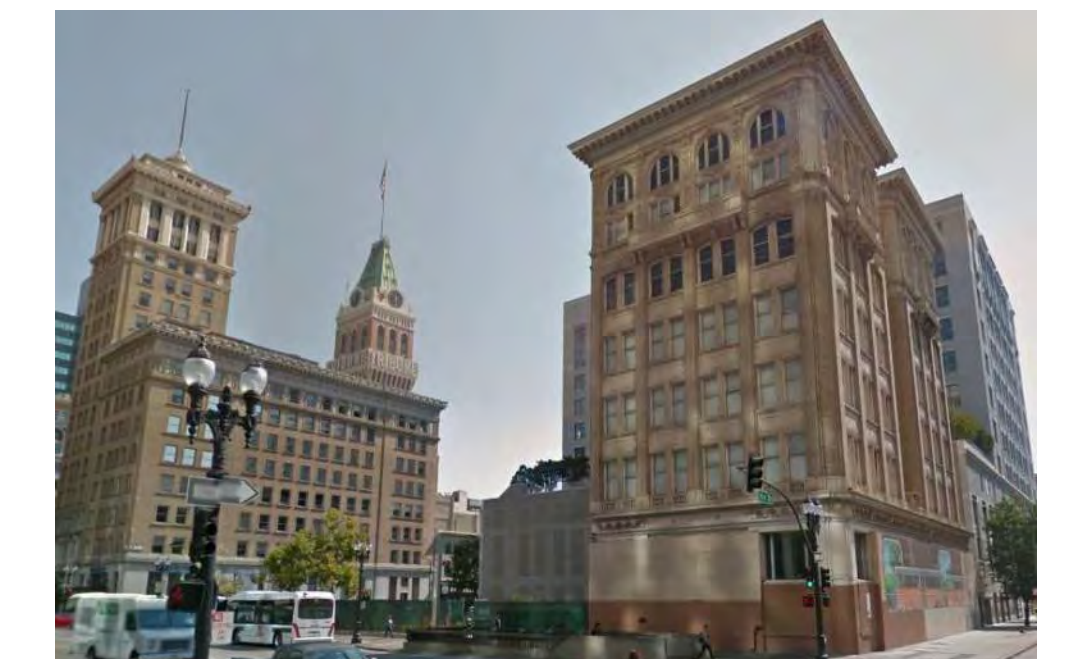
Northern Corner



Eastern Corner



Southern Corner

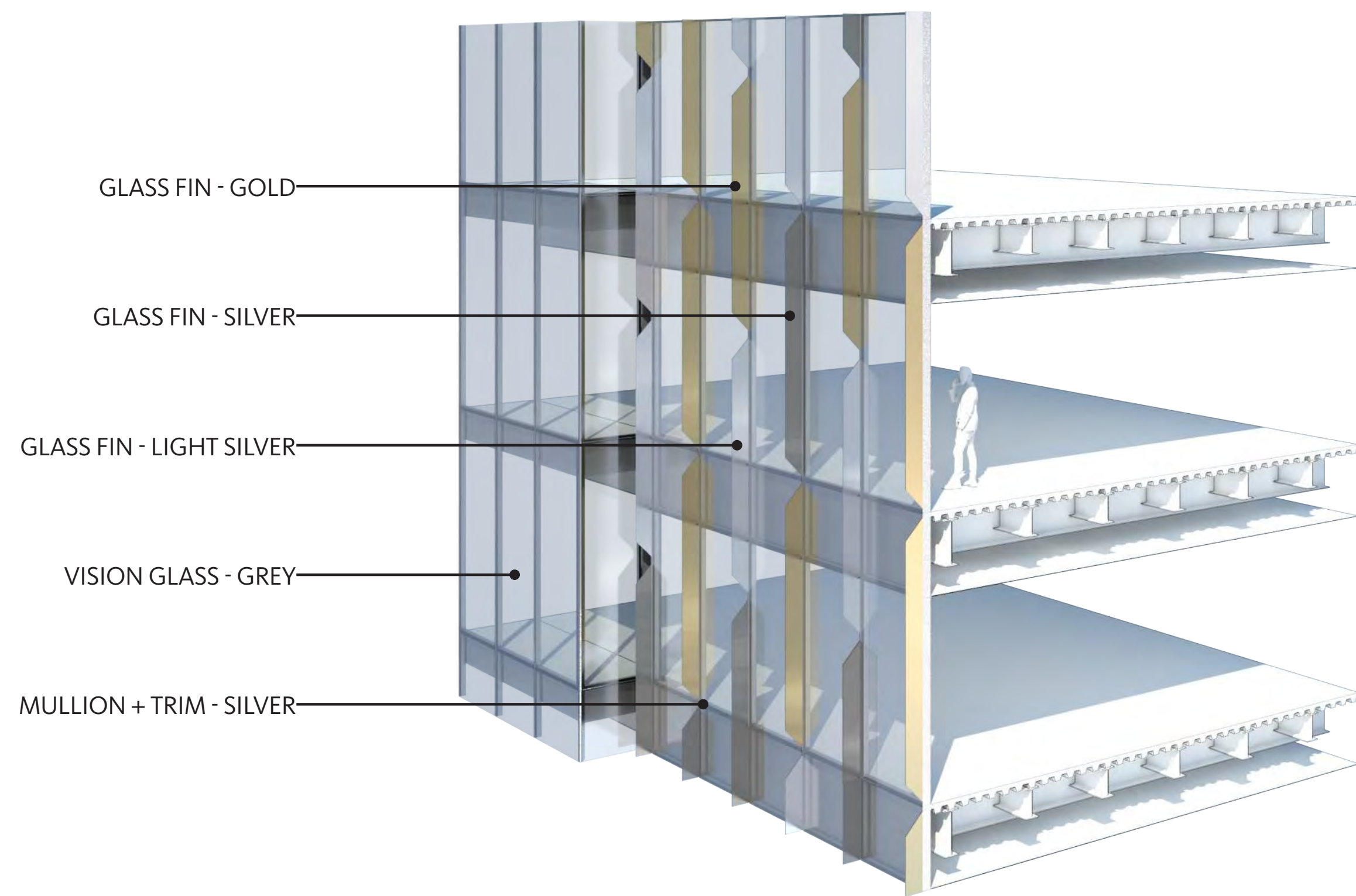


Western Corner





Broadway Facade



Facade Vignette



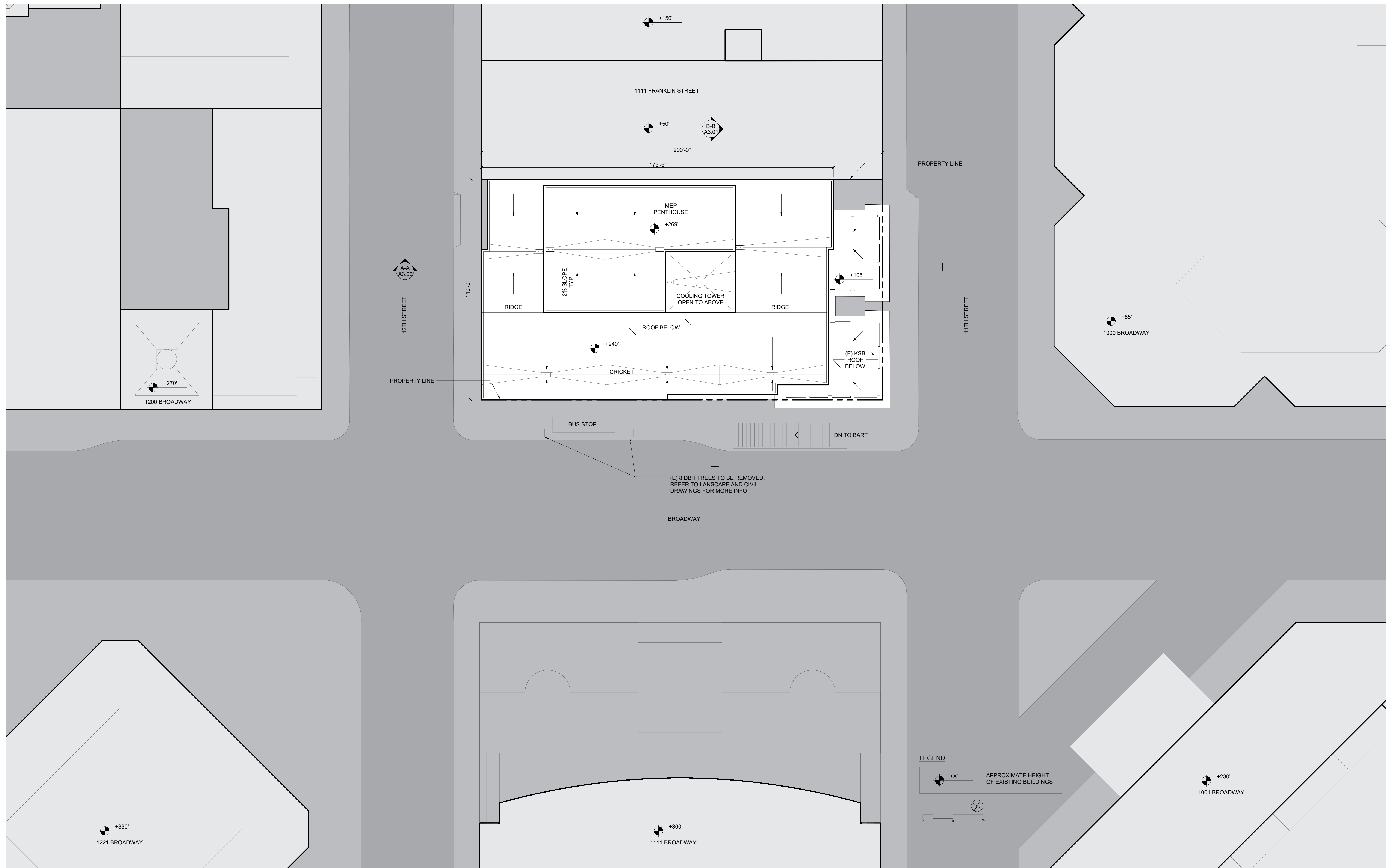
Top of Building Detail



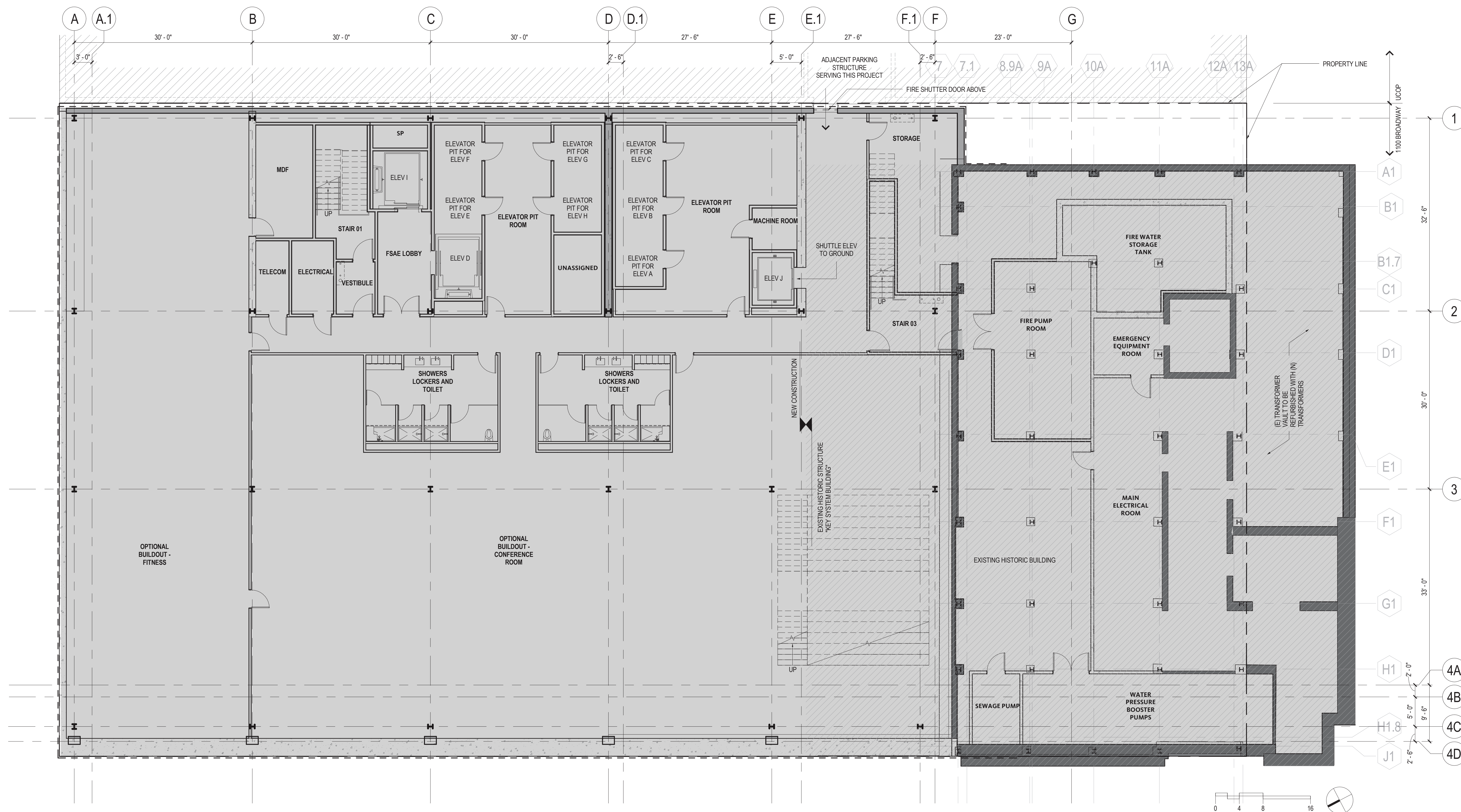
11th St. Looking East

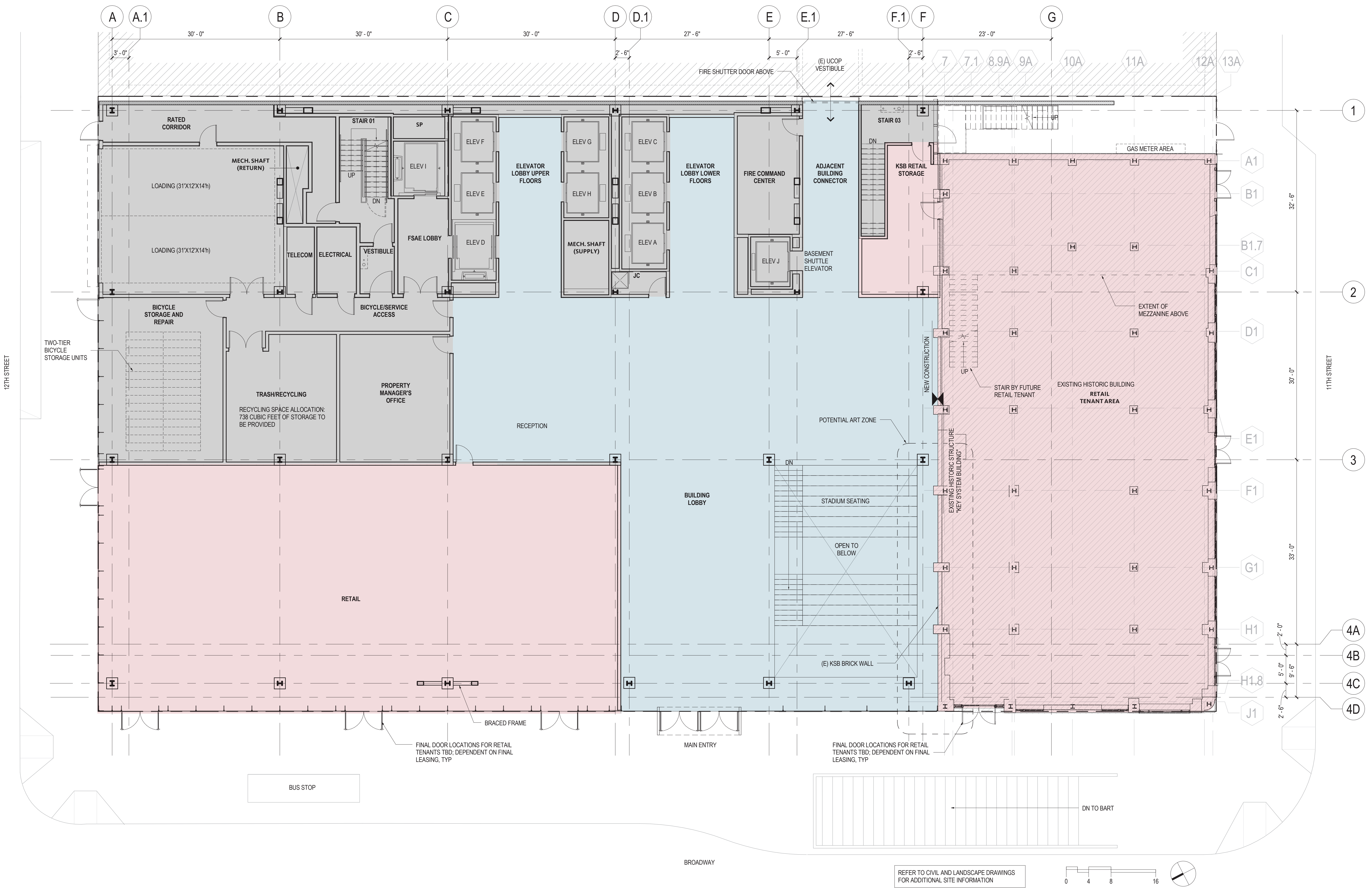


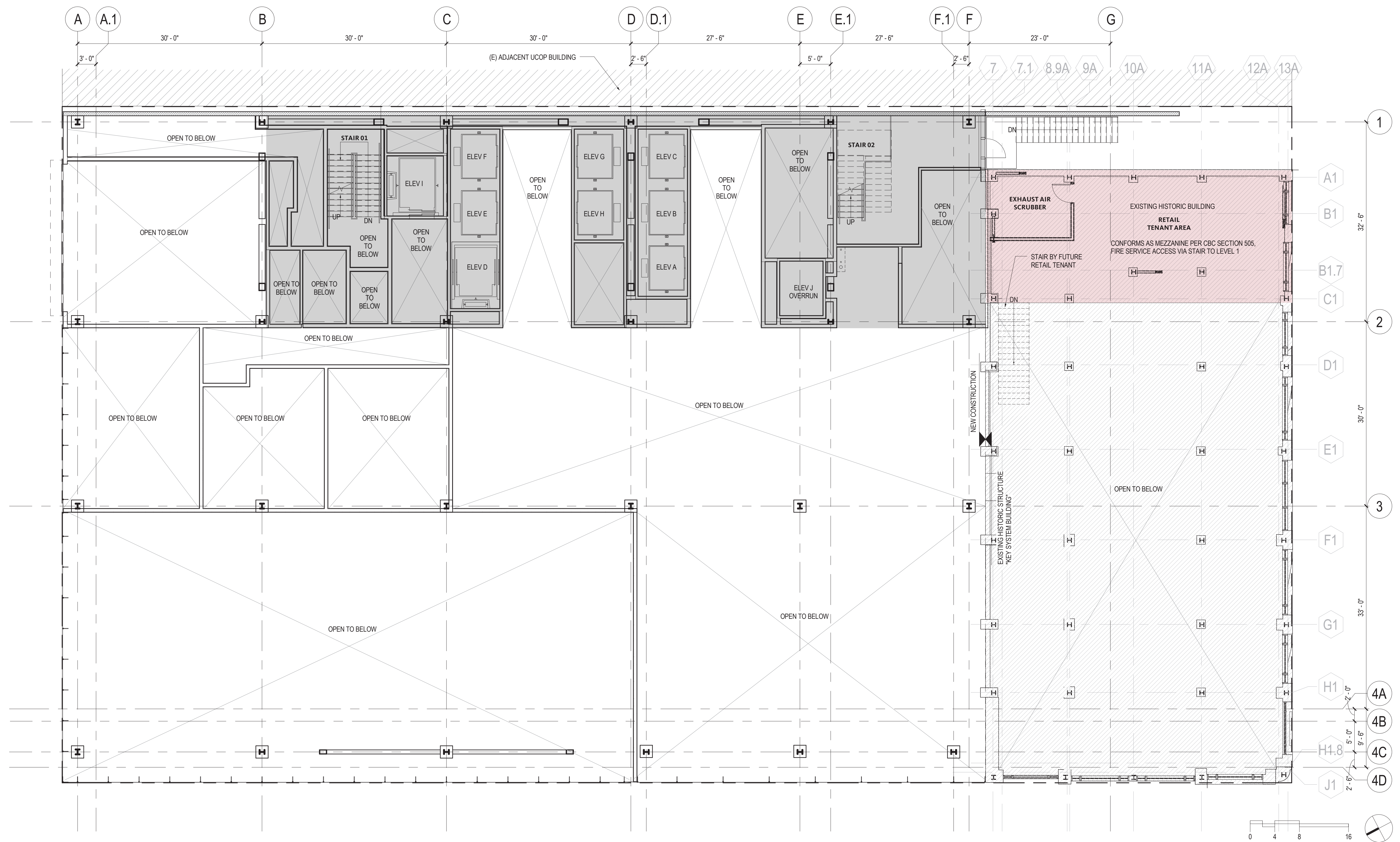




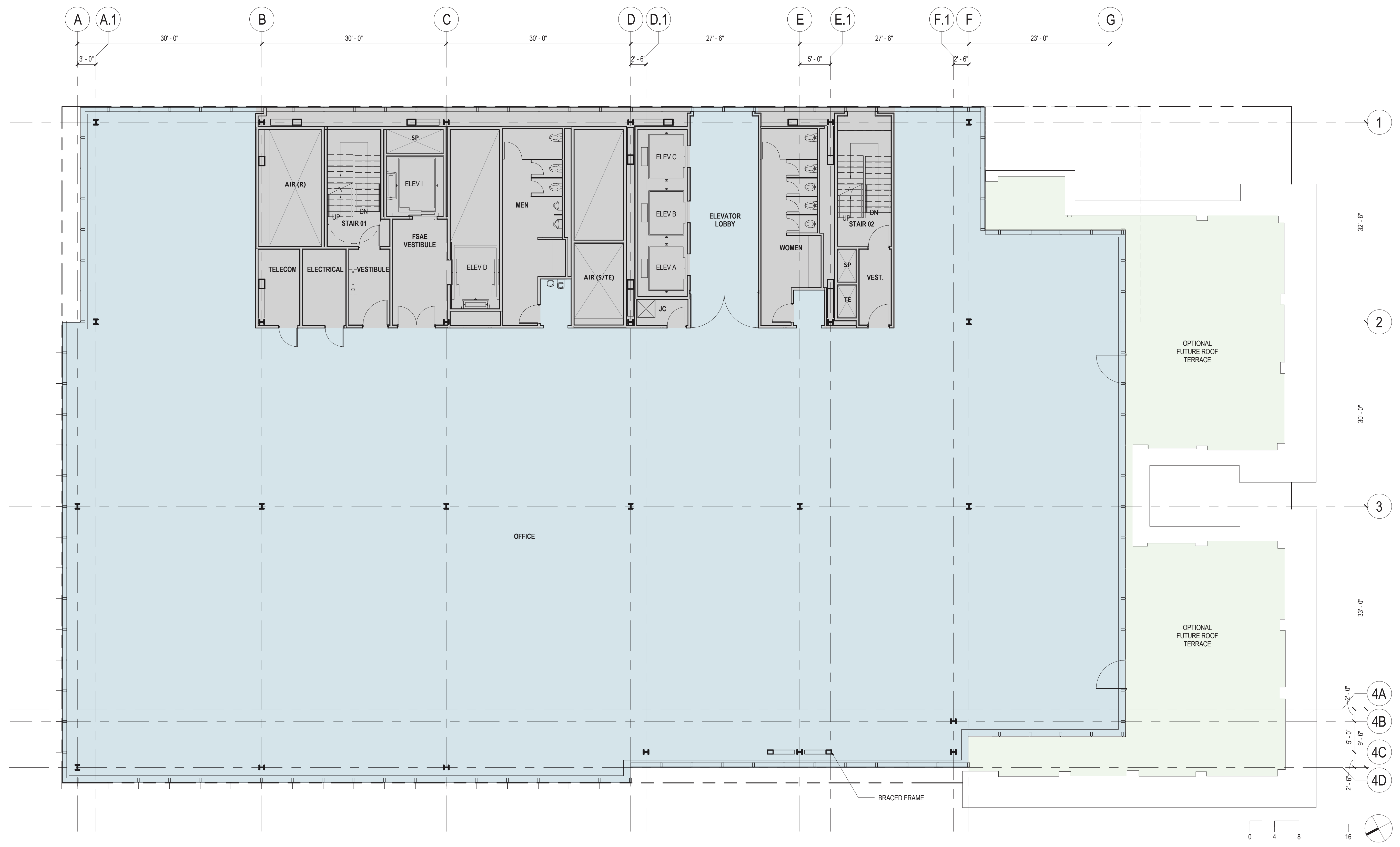




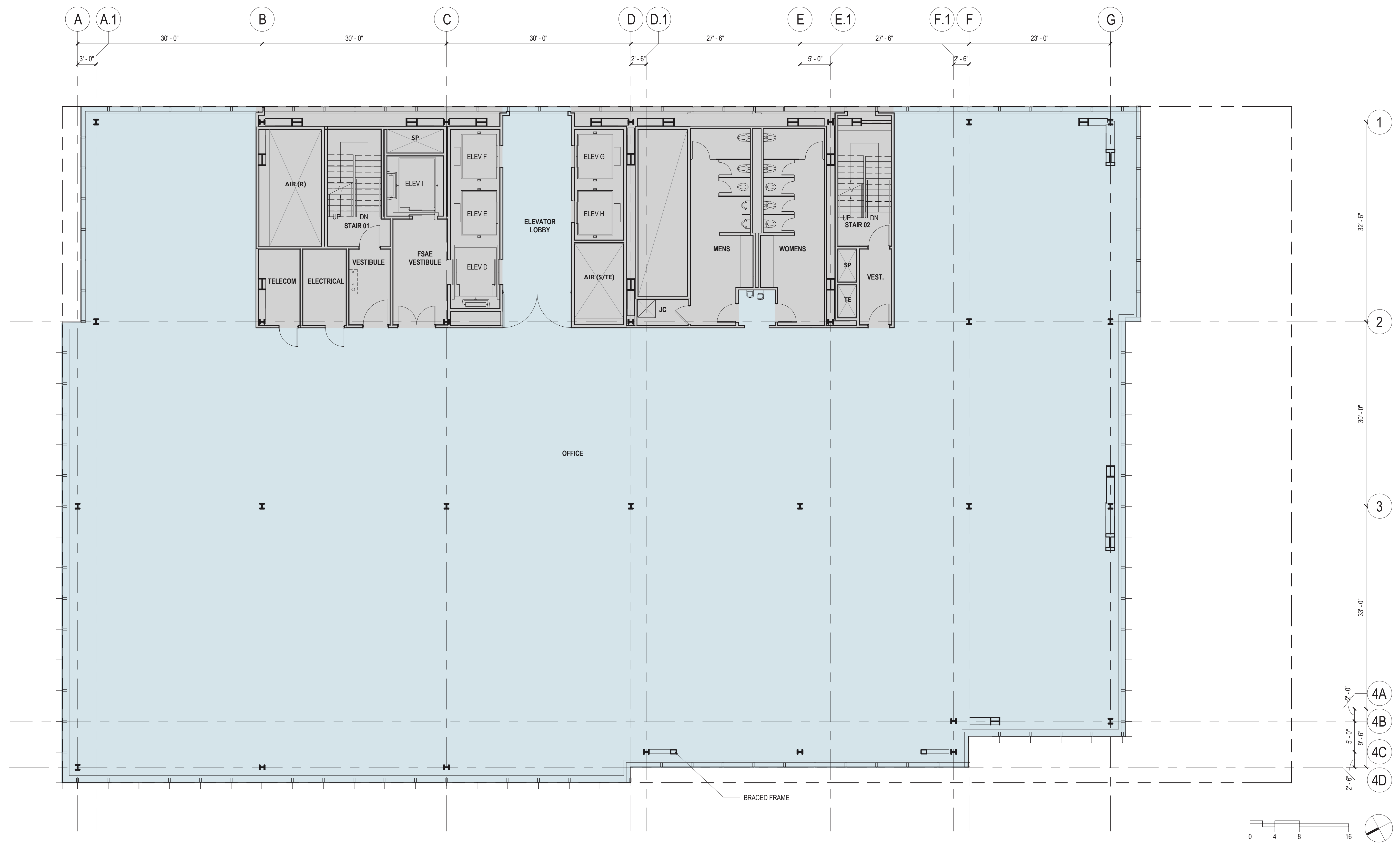


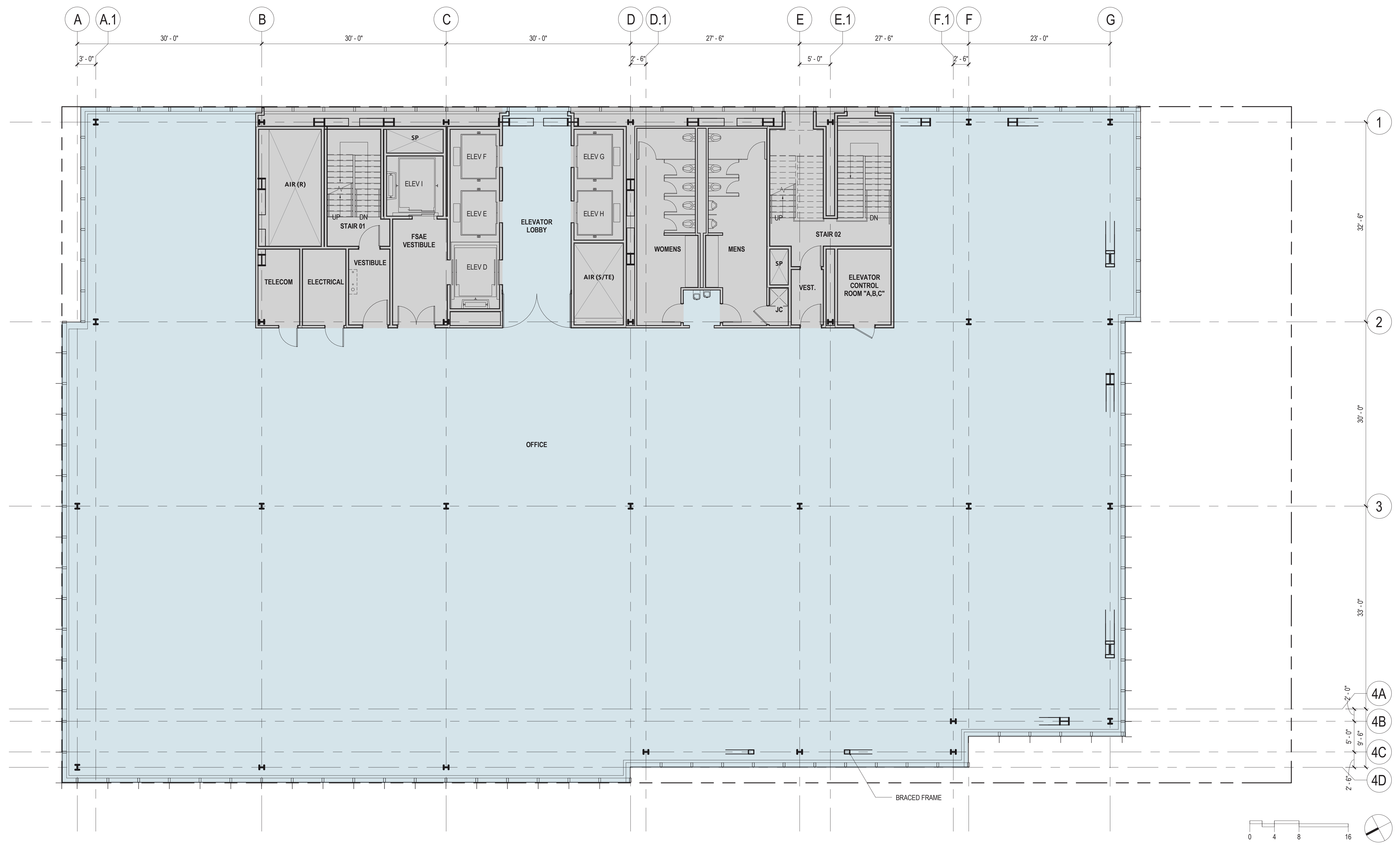




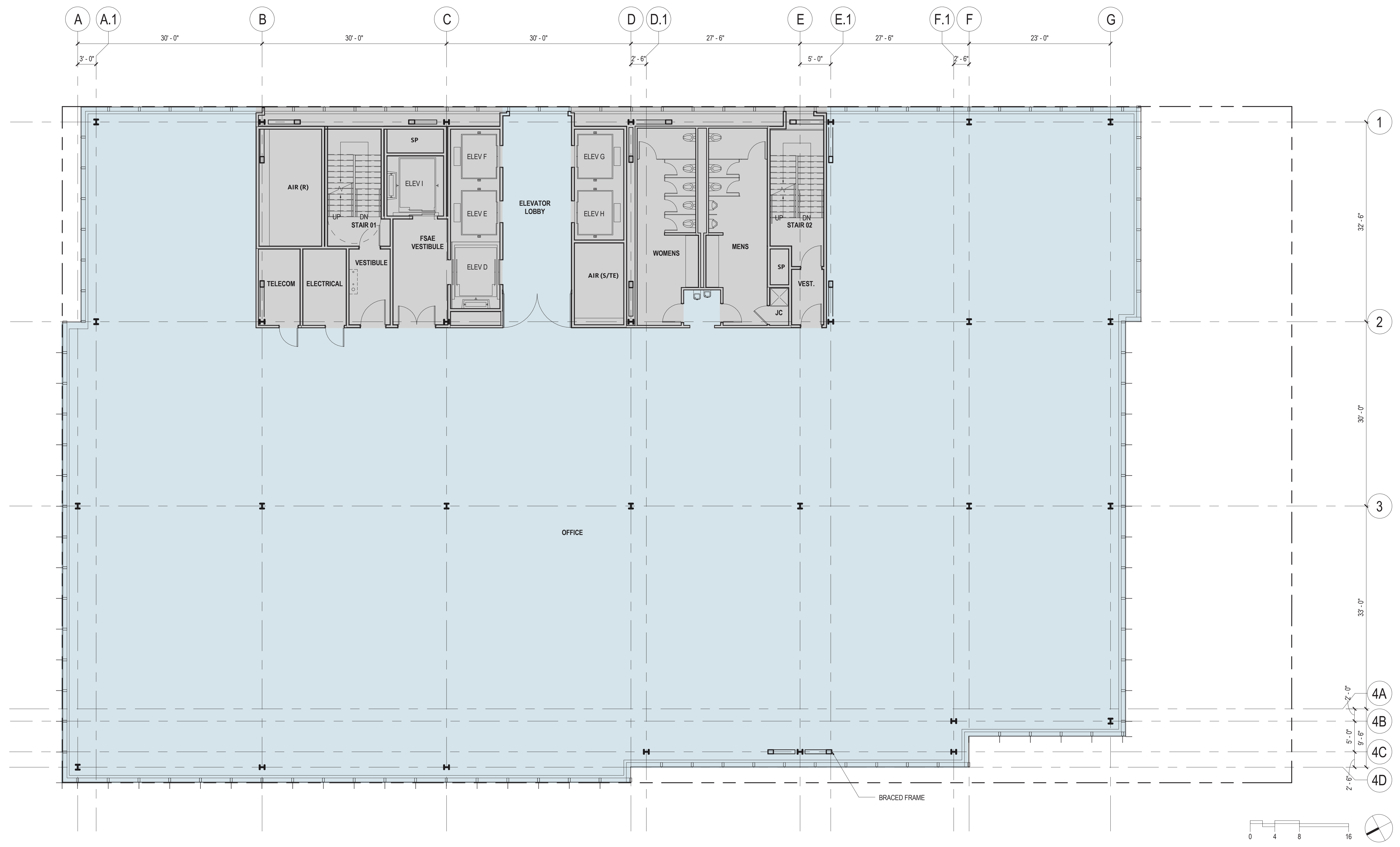


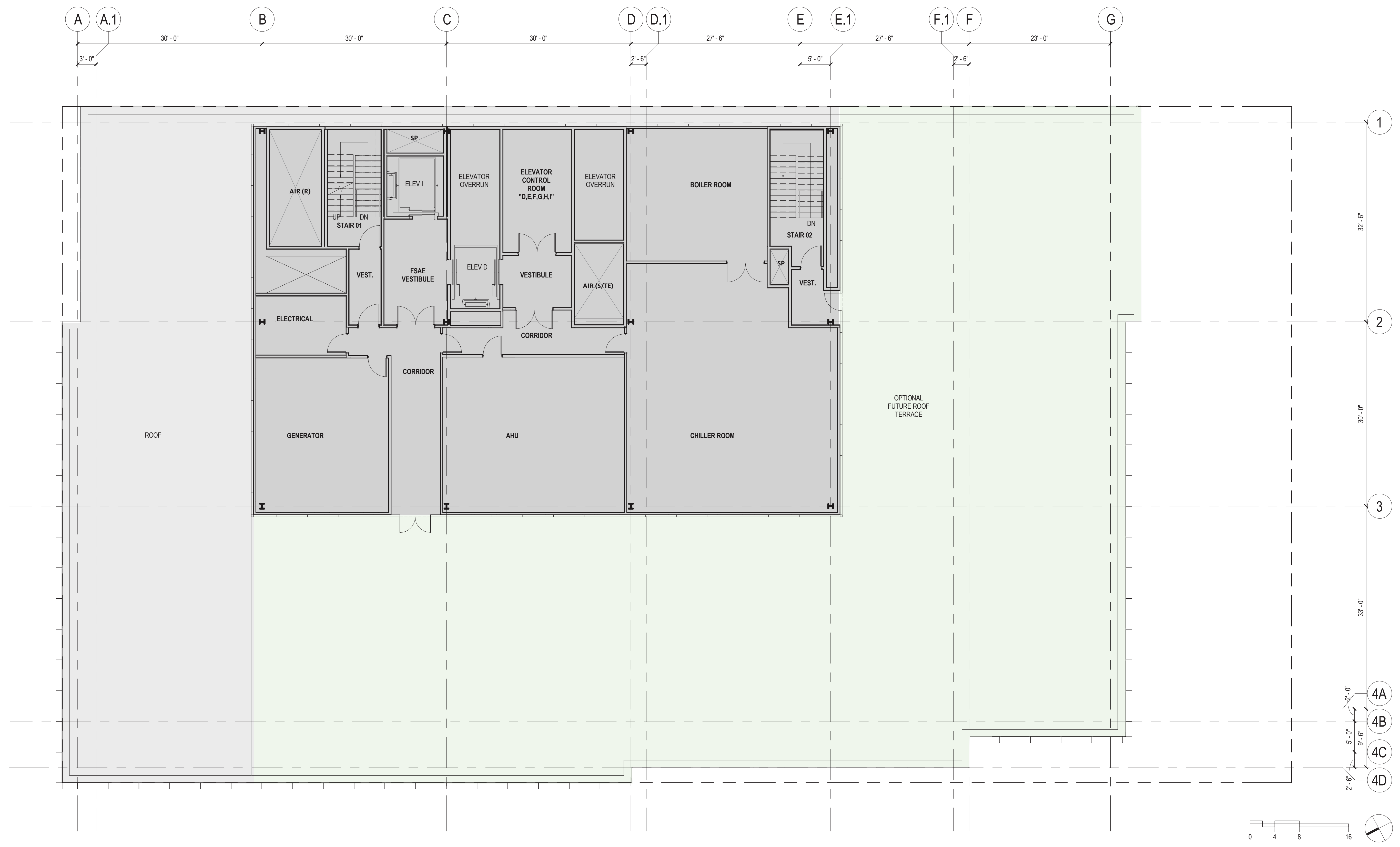


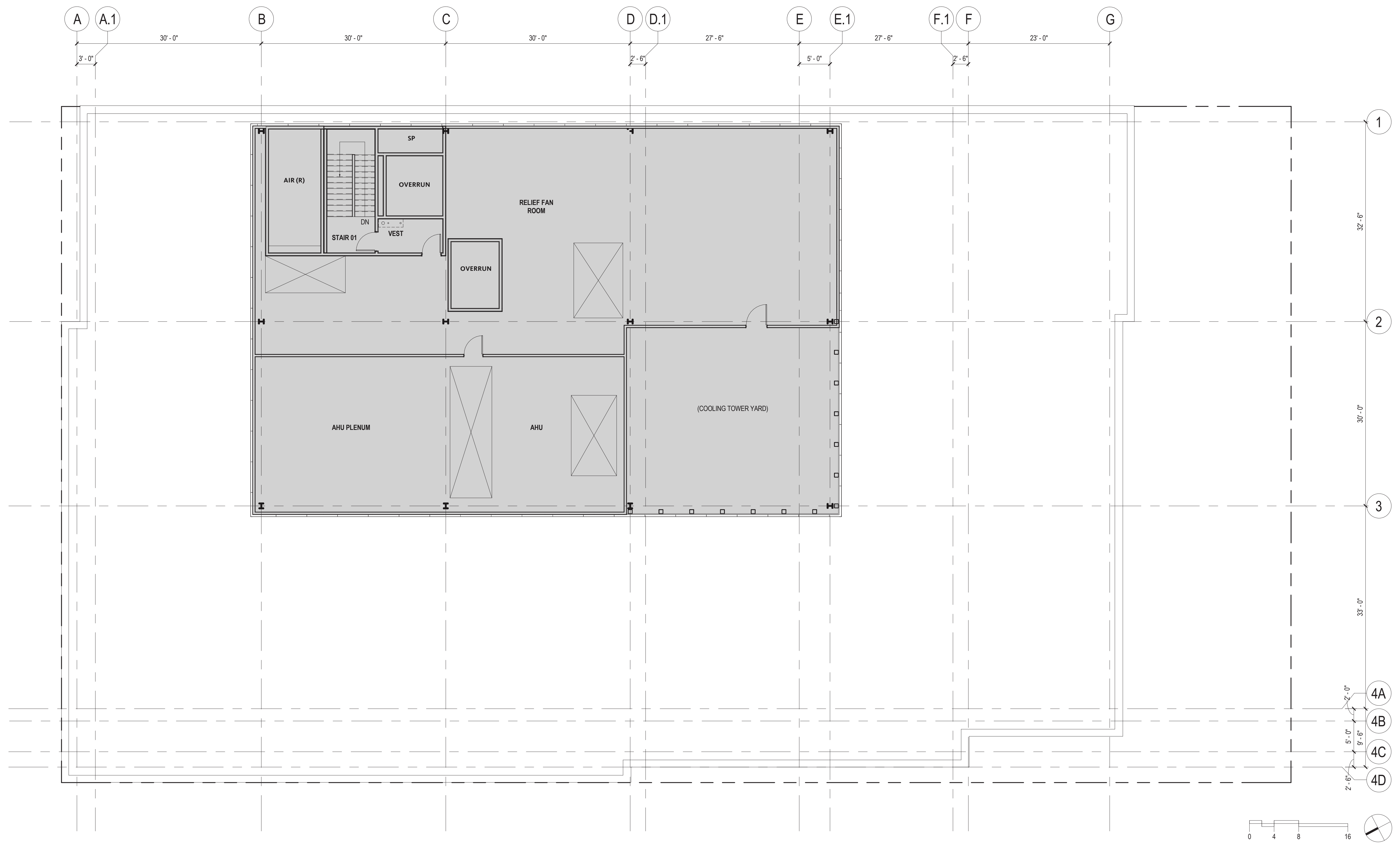


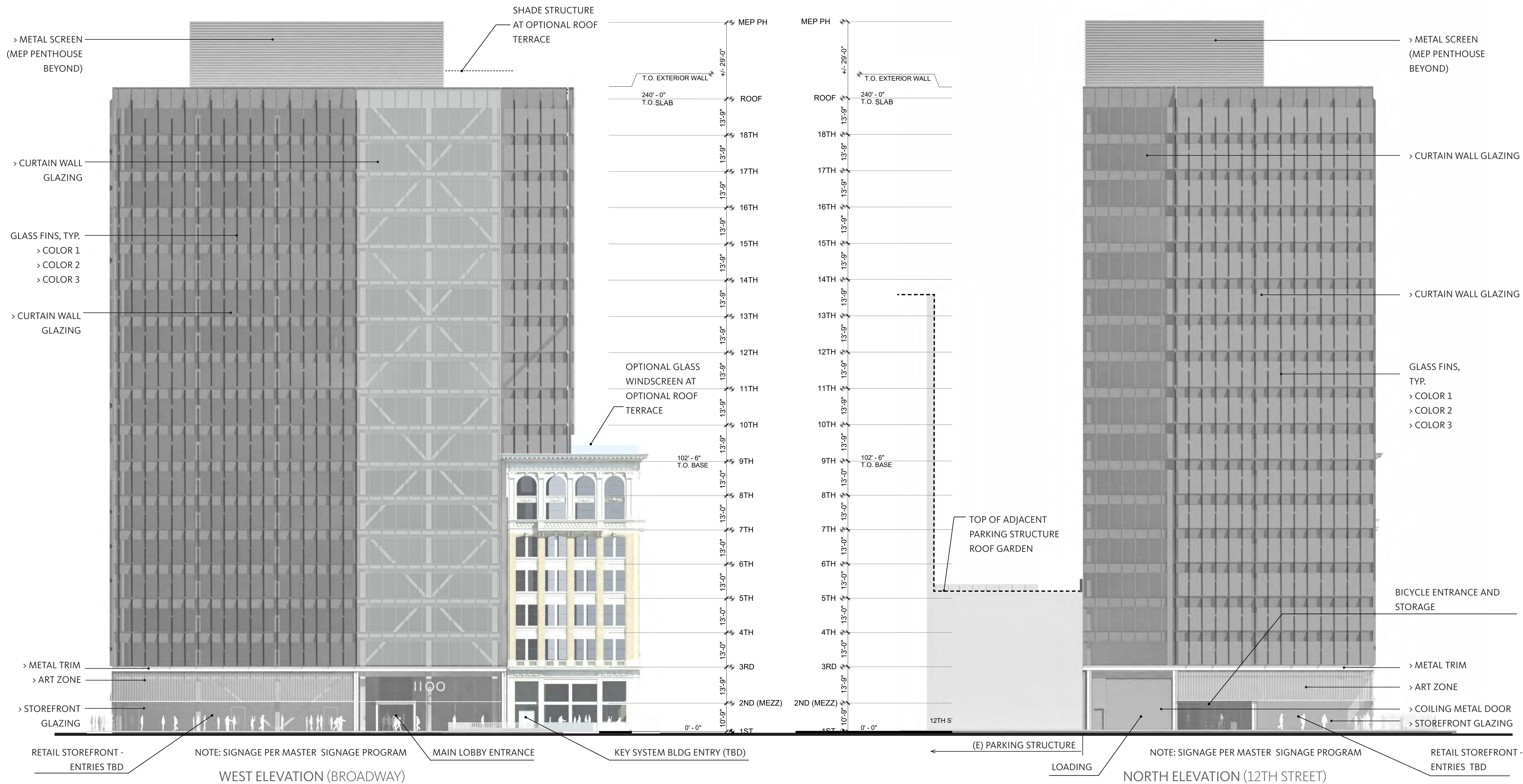


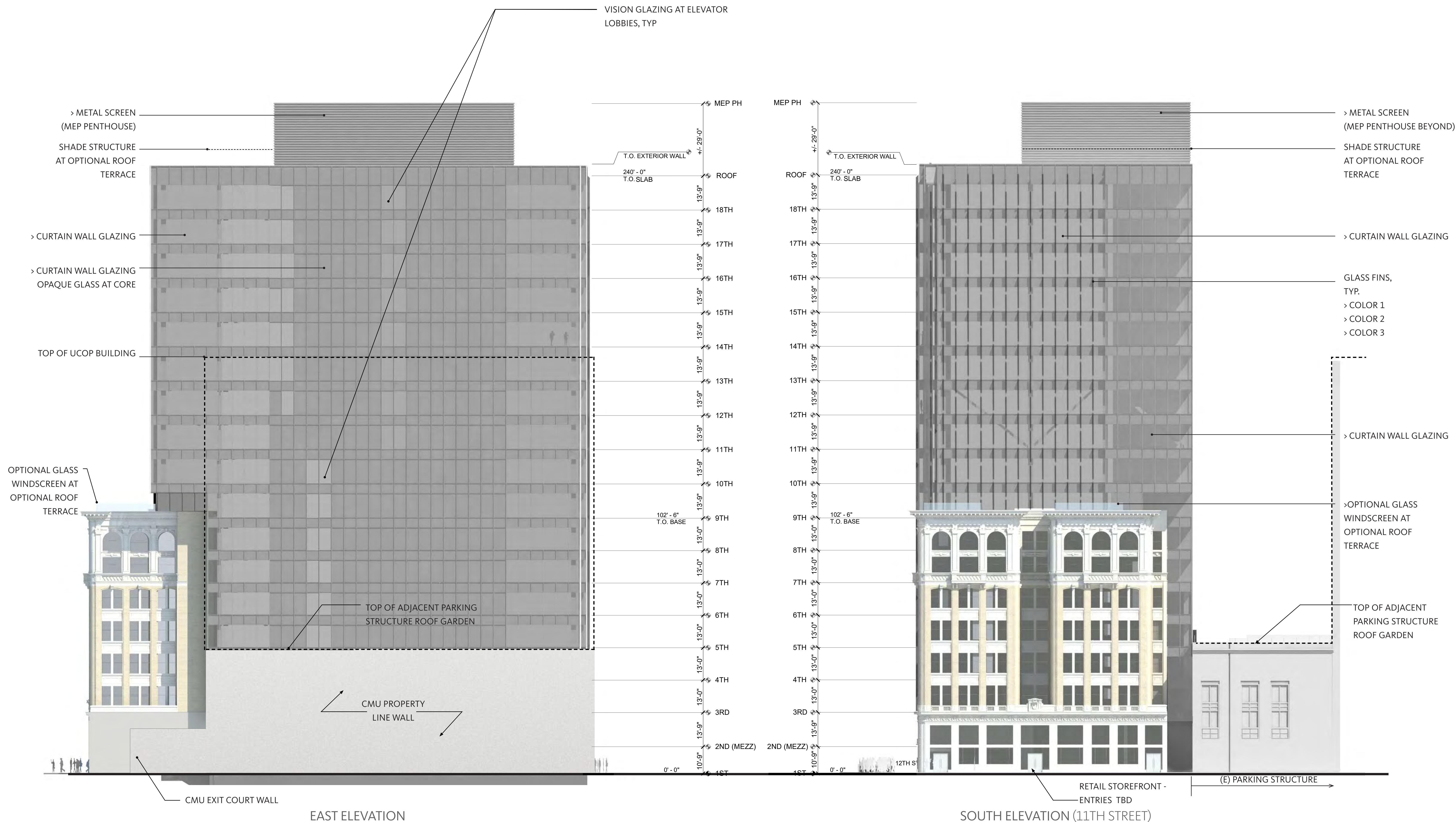




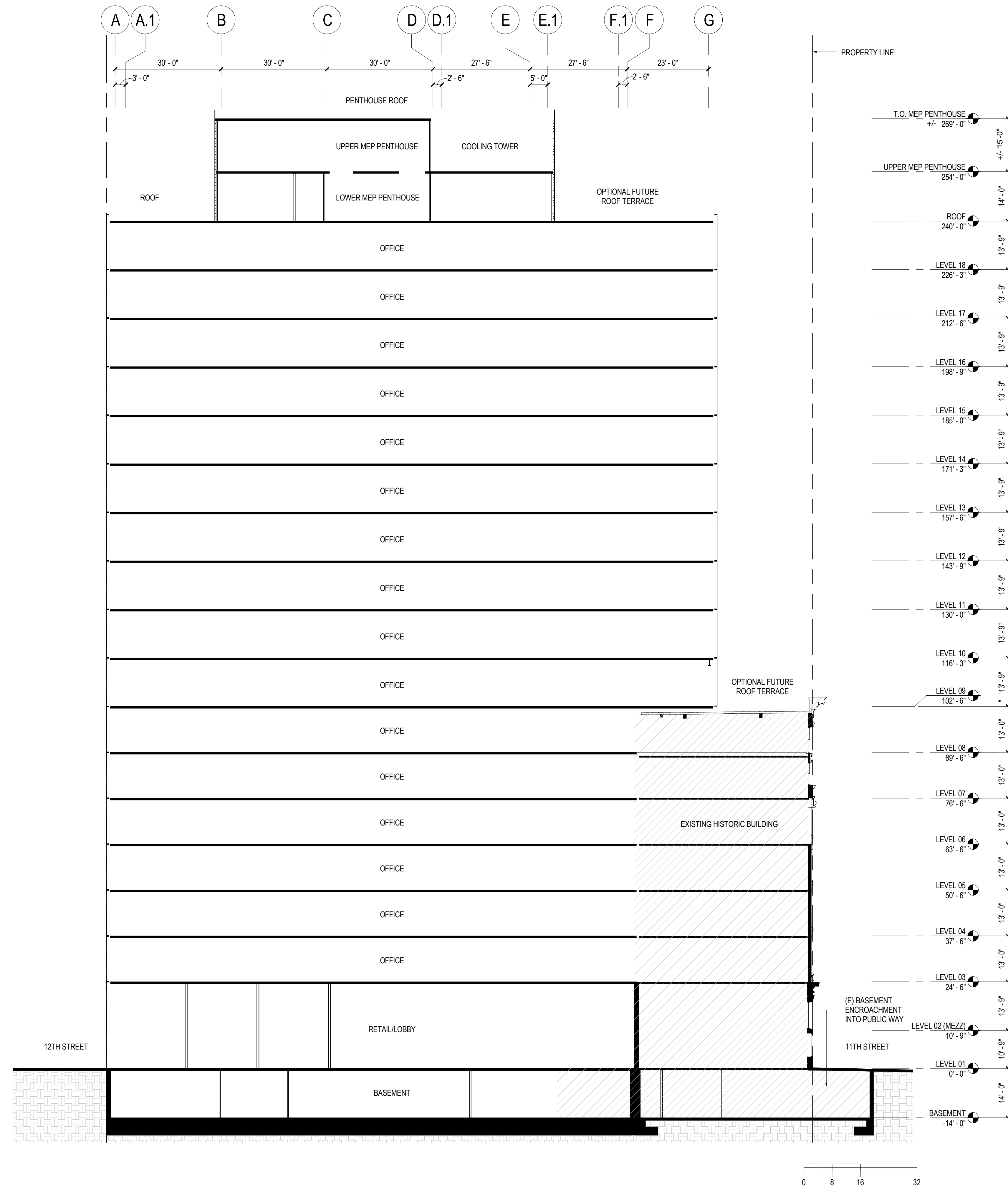
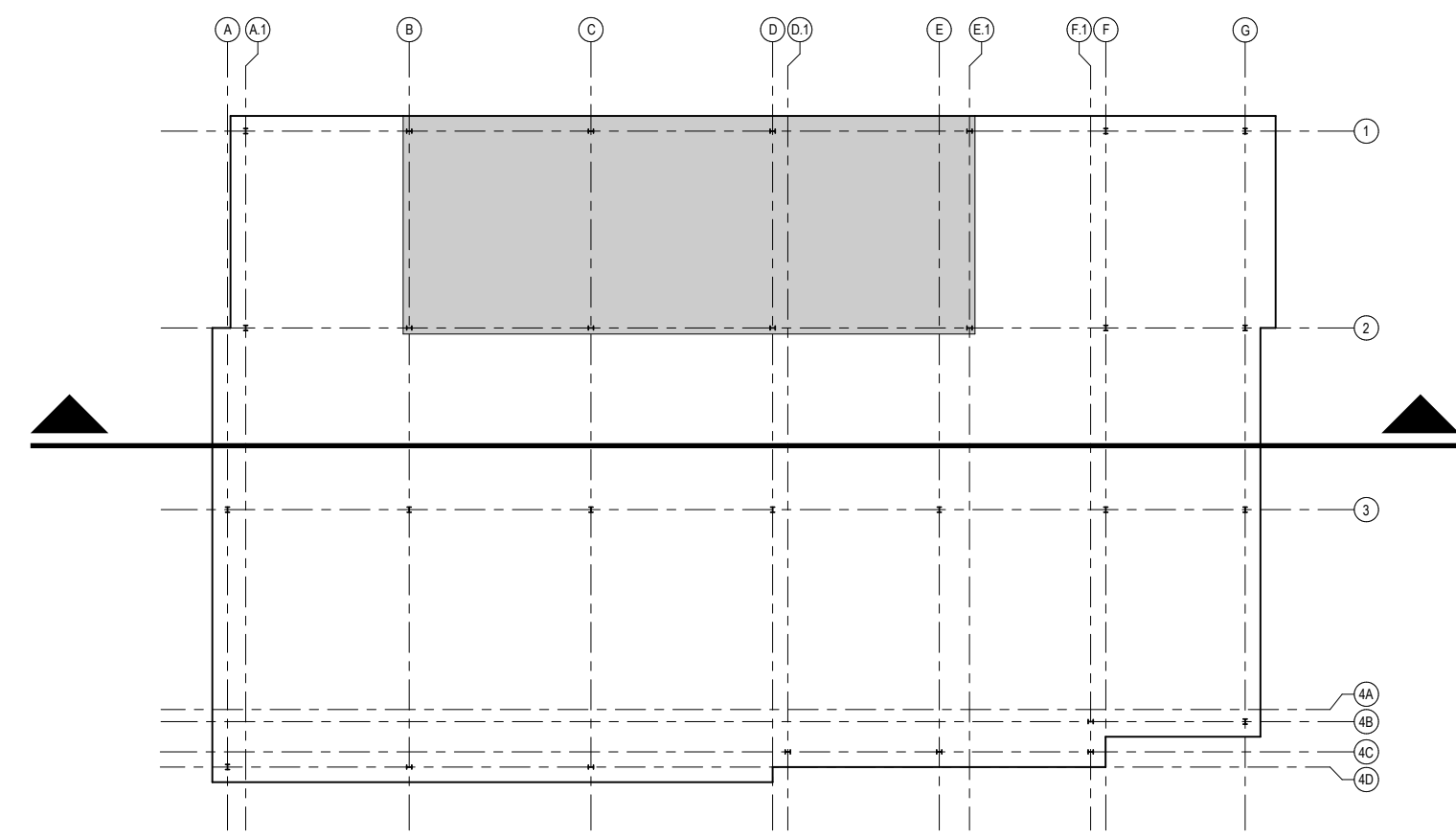




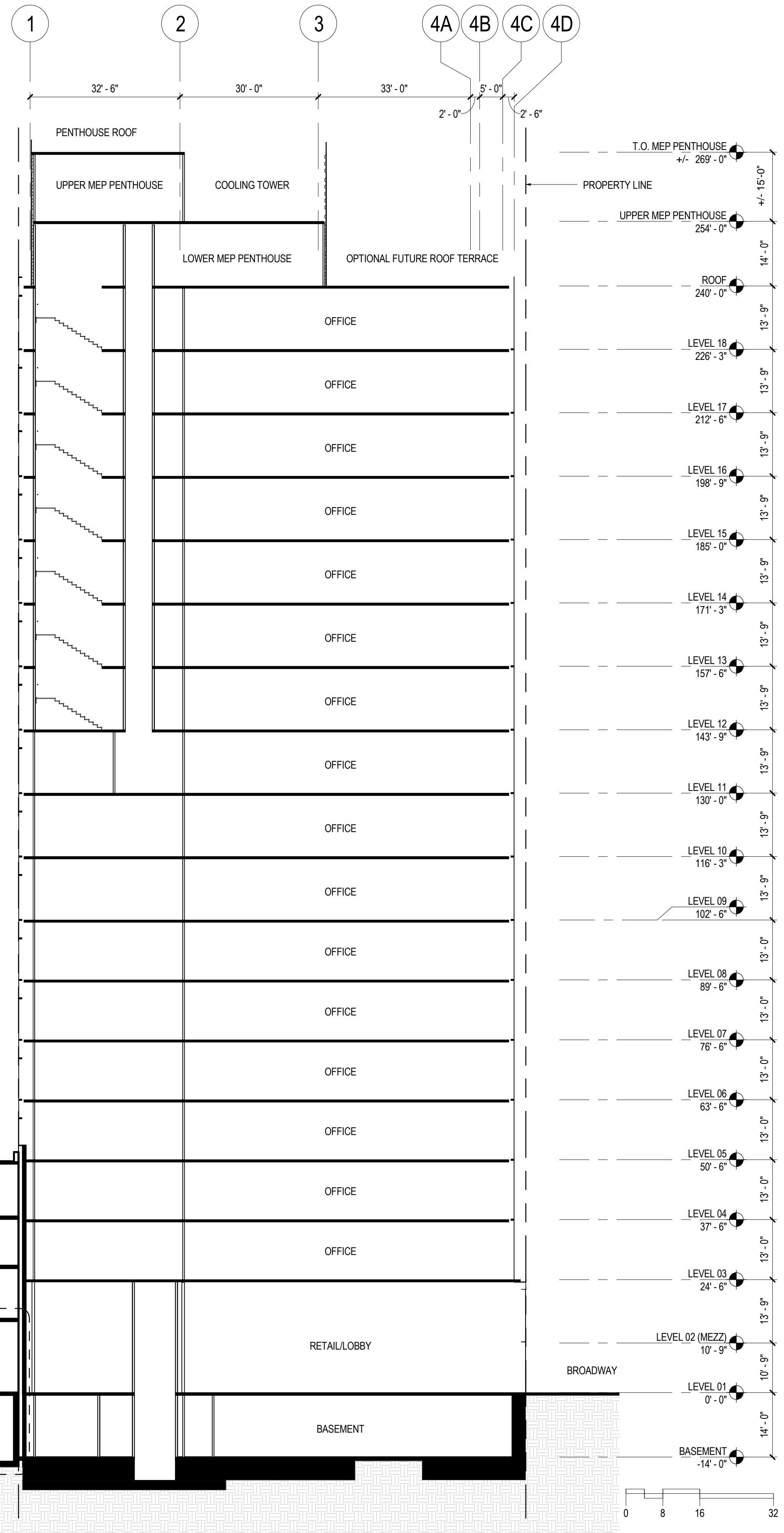
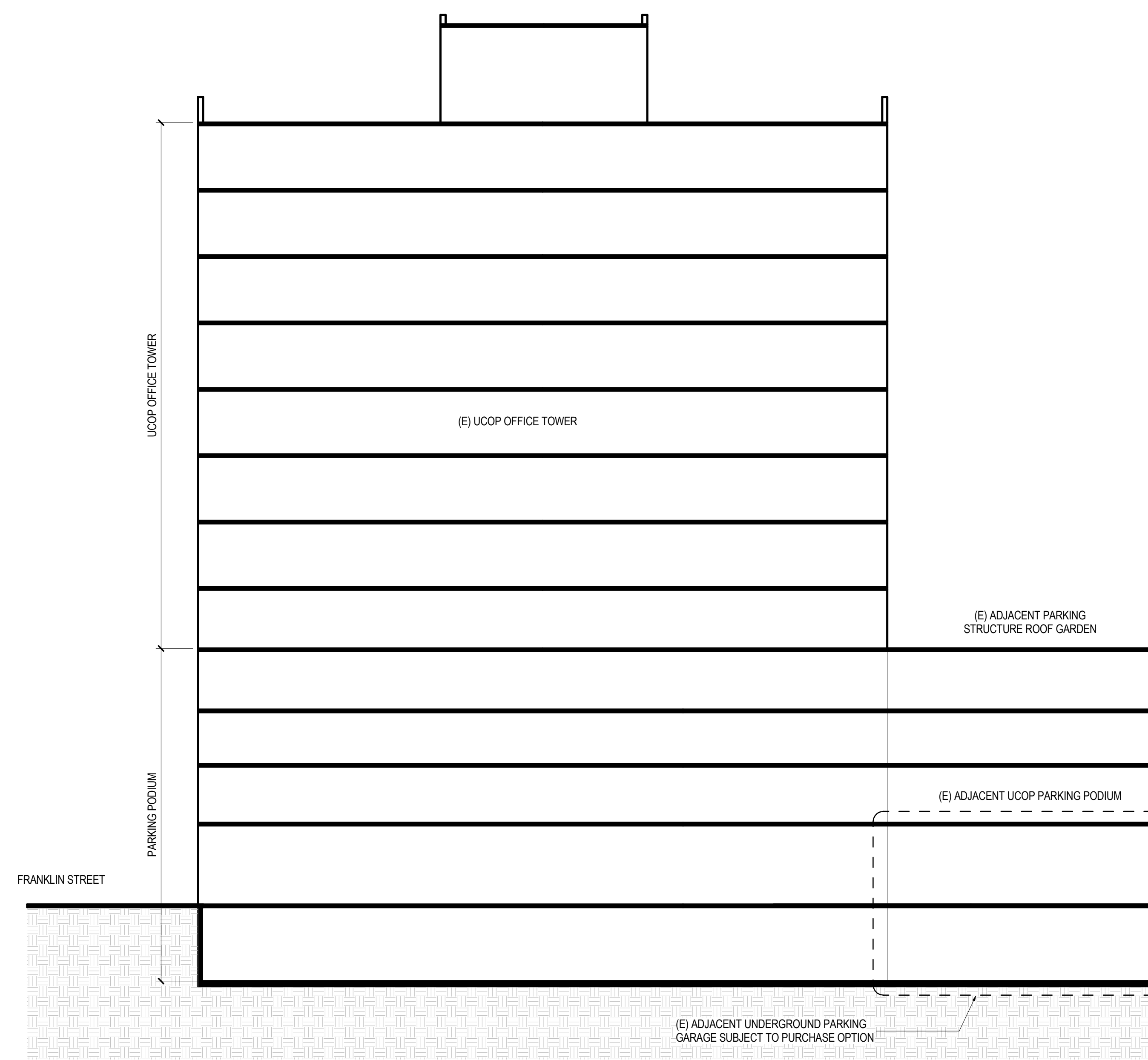
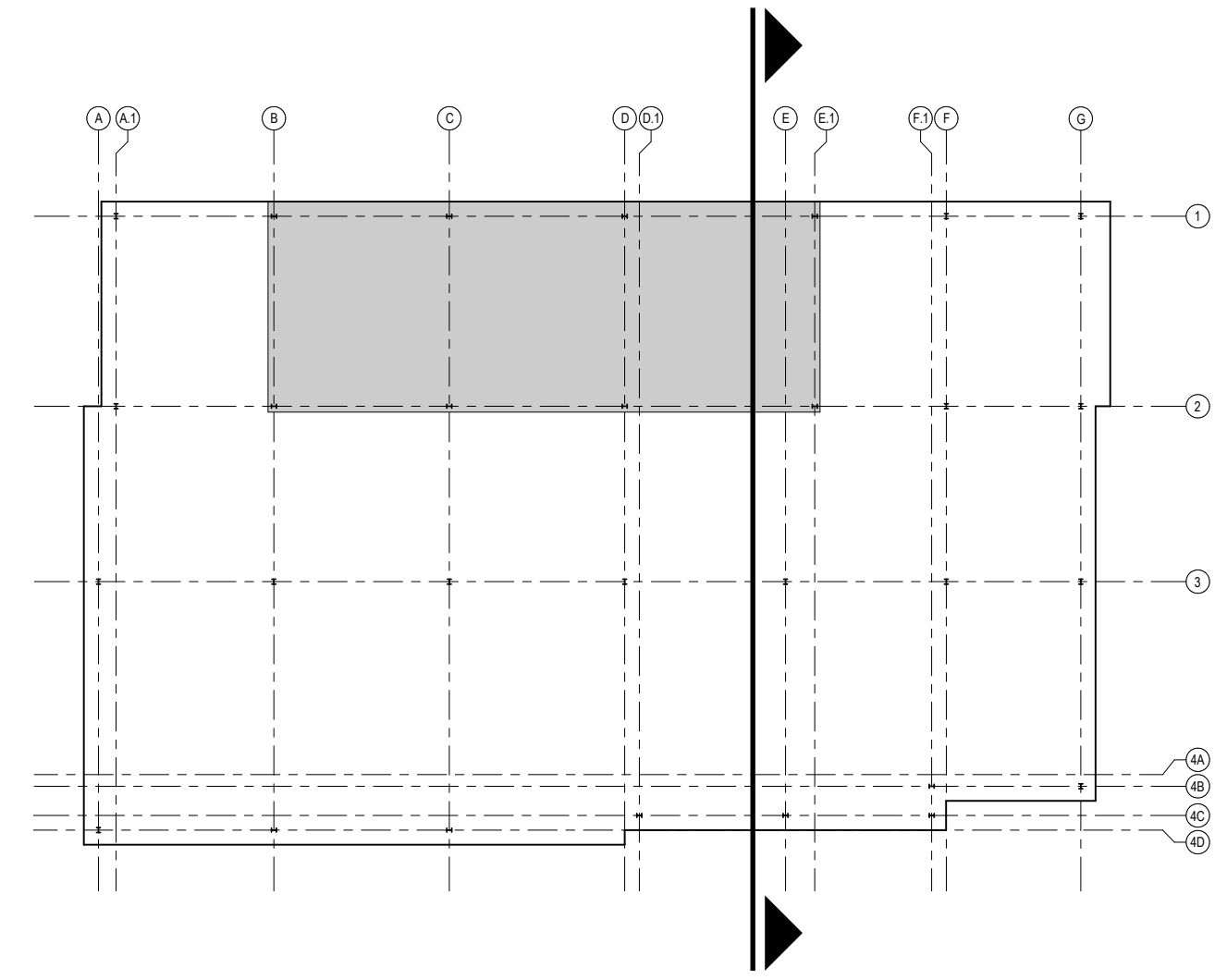


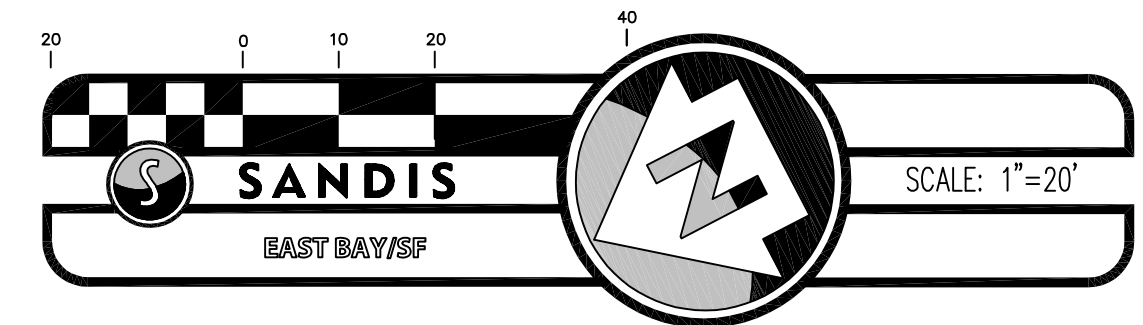


SECTION A-A



SECTION B-B





### TITLE REPORT

THE BOUNDARY FOR THIS SURVEY IS BASED ON THE PRELIMINARY TITLE REPORT BY FIRST AMERICAN TITLE COMPANY, ORDER NUMBER NCS-785427-SF, ORIGINALLY DATED AUGUST 4, 2016, AMENDED DECEMBER 1, 2016.

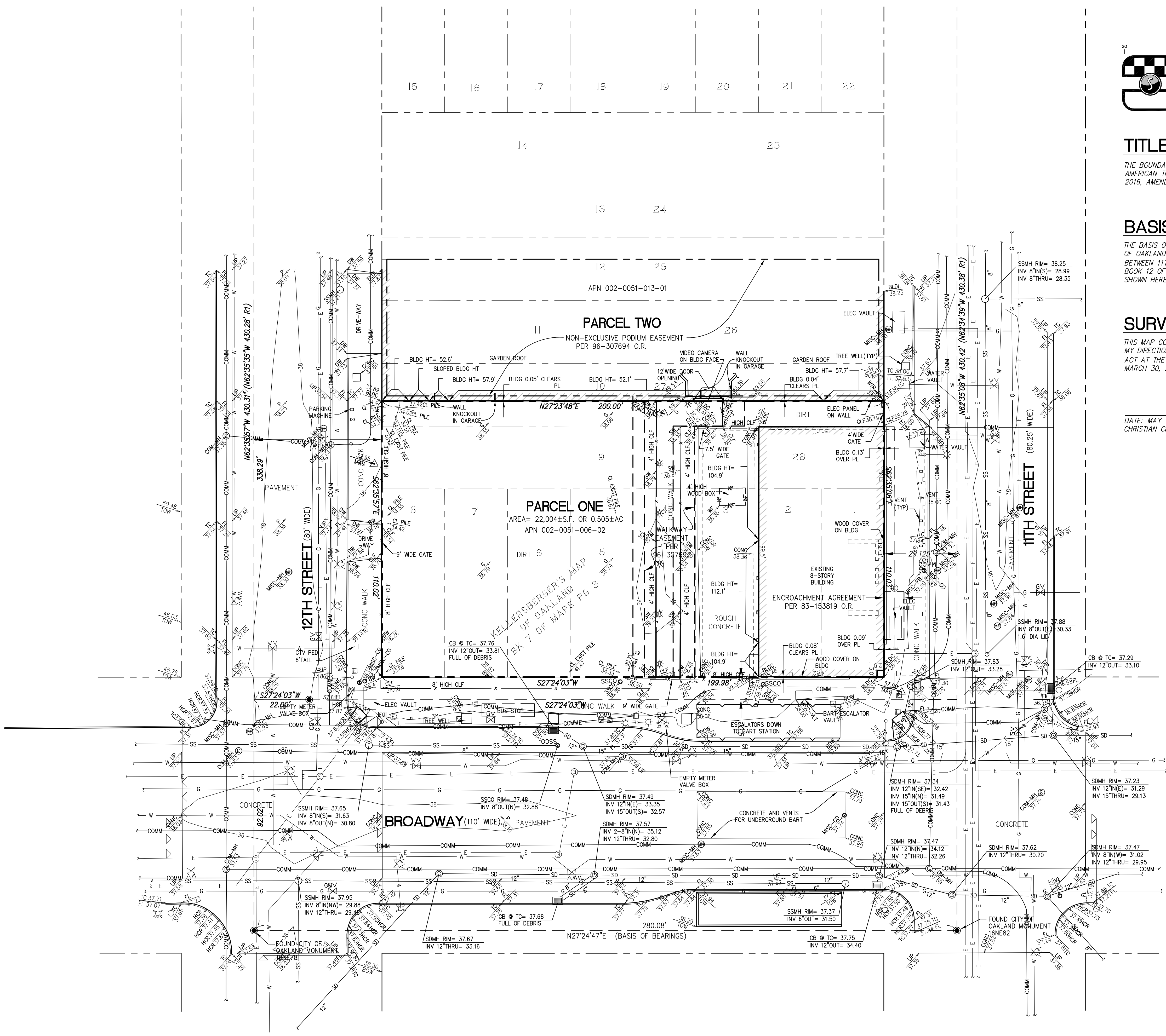
### BASIS OF BEARINGS

THE BASIS OF BEARINGS OF THIS SURVEY IS THE MONUMENT LINE BETWEEN THE CITY OF OAKLAND MONUMENTS 16NE82 AND 16NE78 ON THE WEST SIDE OF BROADWAY BETWEEN 11TH STREET AND 12TH STREET, TAKEN AS N27°24'47"E, AS SHOWN IN BOOK 12 OF RECORDS OF SURVEY AT PAGE 51, ALAMEDA COUNTY RECORDS, AND AS SHOWN HEREON

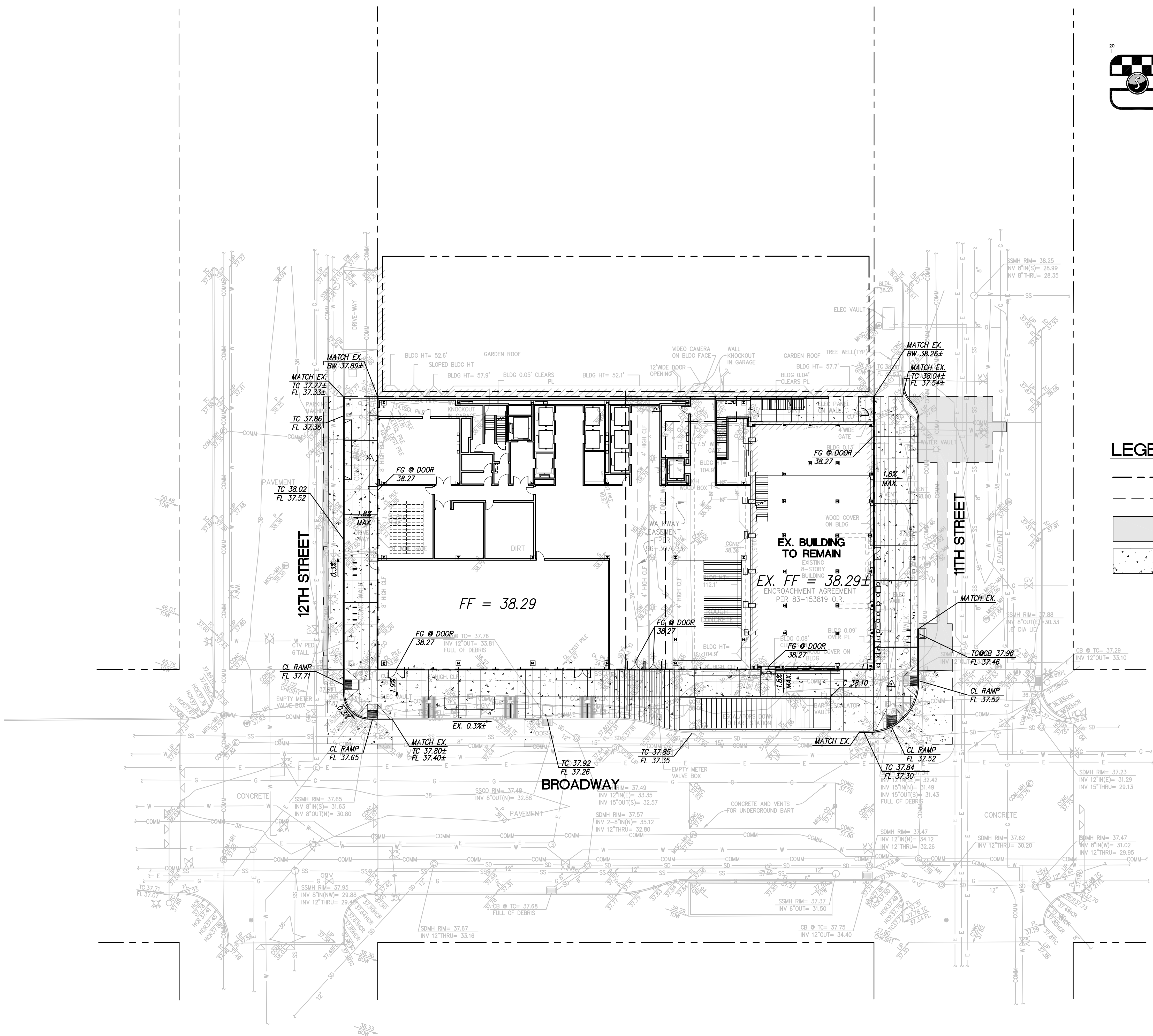
### SURVEYOR'S STATEMENT

THIS MAP CORRECTLY REPRESENTS A TOPOGRAPHIC SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE LAND SURVEYORS ACT AT THE REQUEST OF 1100 BROADWAY OWNER, LLC C/O ELLIS PARTNERS ON MARCH 30, 2017.

DATE: MAY 12, 2017  
CHRISTIAN CINTEAN, L.S. 8941







**LEGEND**

- PROPERTY LINE
- SAWCUT LINE
- AC PAVEMENT
- CONCRETE

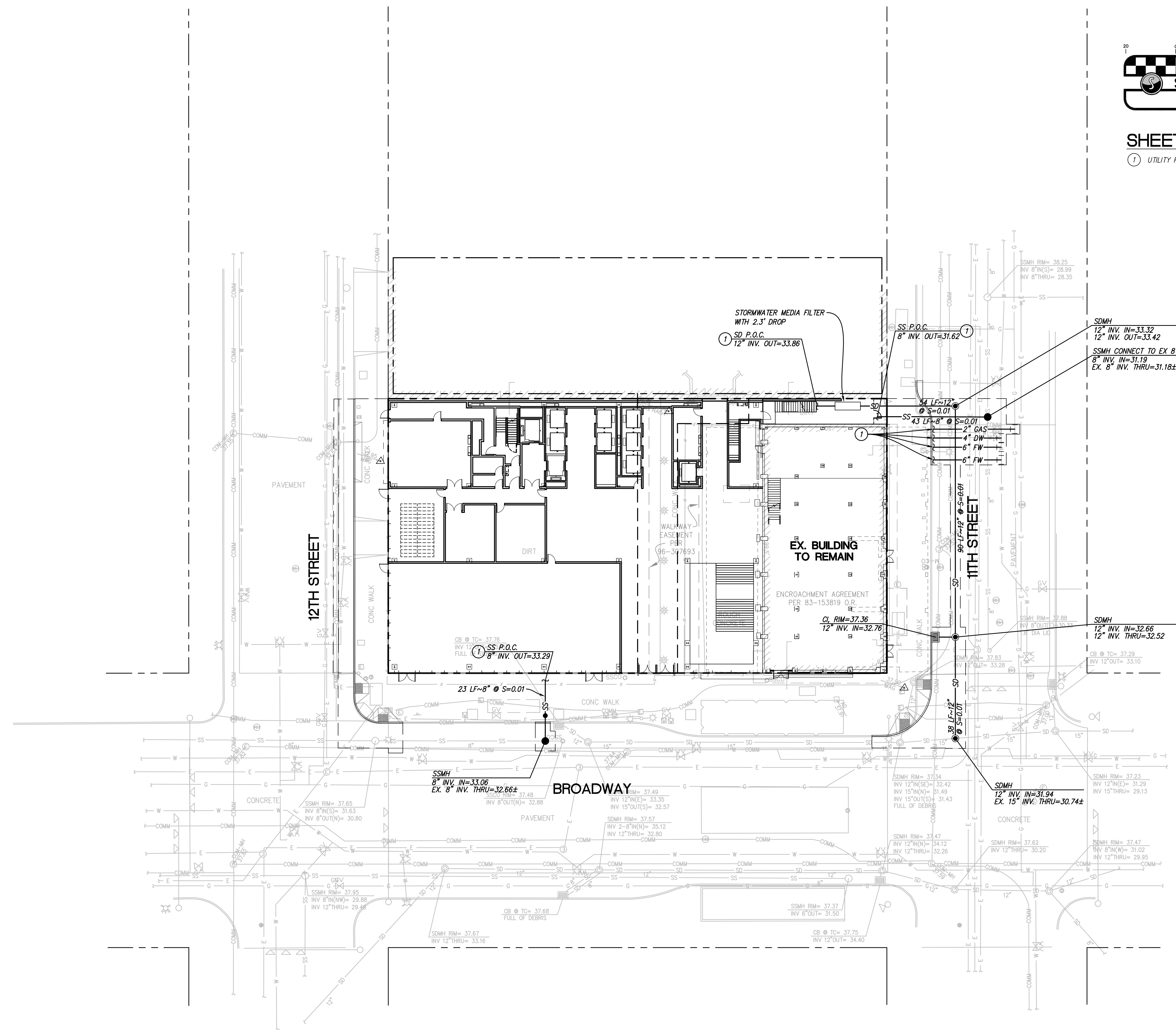
**EARTHWORK QUANTITIES:**

IMPORT = 0 CY  
 EXPORT (DEMO) = 7,415 CY\*  
 EXPORT (EARTH) = 2,610 CY  
 FILL = 0 CY  
 CUT = 2,610 CY

\* EXISTING 14-FOOT DEEP BASEMENT WAS PREVIOUSLY FILLED WITH RUBBLE, DEBRIS, AND EXCESS EXCAVATION MATERIAL UPON DEMOLITION OF EXISTING BUILDING. REMOVAL OF RUBBLE AND DEBRIS UP TO A DEPTH OF 14 FEET SHALL NOT BE CONSIDERED EARTHWORK.

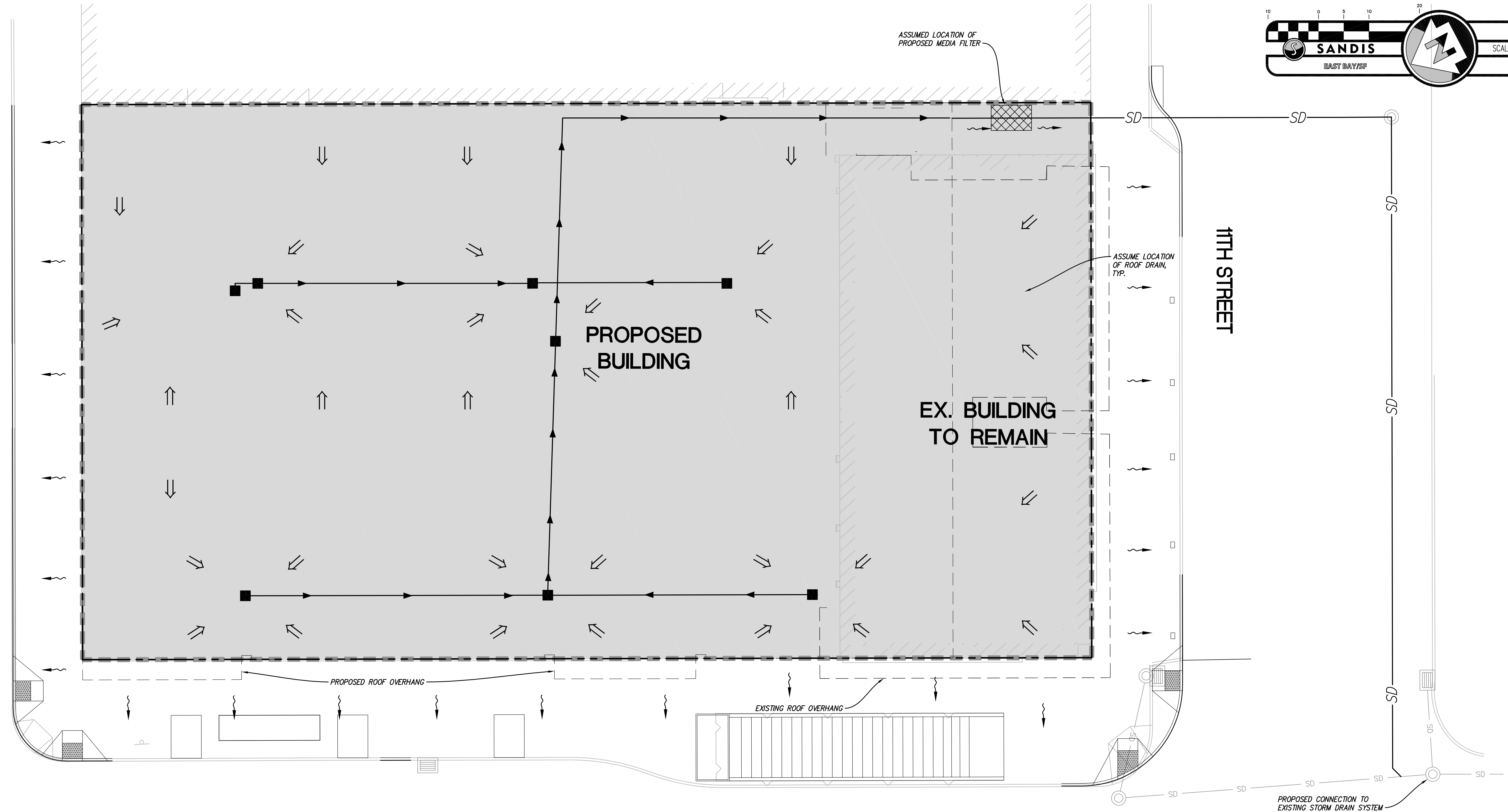
NOTE:  
 THE EARTHWORK QUANTITIES SHOWN ARE PROVIDED FOR THE PURPOSE OF GRADING PERMIT APPROVAL ONLY. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CARRY OUT THE CUT/FILL, IMPORT/EXPORT AS NECESSARY TO MEET THE DESIGN GRADES AS SHOWN ON THE PLANS REGARDLESS OF THE ESTIMATED EARTHWORK QUANTITIES AS INDICATED. SIGNIFICANT REVISIONS TO THE QUANTITIES NEED REVIEW BY THE CITY. FILL SHORTAGE IS ANTICIPATED TO COME FROM ON-SITE SPOILS ACQUIRED FROM UTILITY TRENCHES AND FOOTING SPOILS.

**SHEET NOTES:**  
 1 UTILITY POINT OF CONNECTION. SEE MEP PLANS FOR CONTINUATION.



12TH STREET

11TH STREET



**BROADWAY**

**STORMWATER MANAGEMENT NOTES**

1. THE PROPOSED PROJECT WILL INCLUDE MORE THAN 10,000 SQUARE FEET OF IMPERVIOUS SURFACE AND HAS THEREBY BEEN PLANNED TO COMPLY WITH THE PROVISION C.3 - NEW DEVELOPMENT AND REDEVELOPMENT OF THE MUNICIPAL REGIONAL STORMWATER PERMIT (ORDER NO. R2-2009-0074).
2. 50% RULE CHECK - WHERE A REDEVELOPMENT PROJECT RESULTS IN AN ALTERATION OF MORE THAN 50 PERCENT OF THE IMPERVIOUS SURFACE OF A PREVIOUSLY EXISTING DEVELOPMENT, THE ENTIRE PROJECT, CONSISTING OF ALL EXISTING, NEW, AND/OR REPLACED IMPERVIOUS SURFACES, MUST BE INCLUDED IN THE TREATMENT SYSTEM DESIGN. THEREFORE, THE PROJECT IS REQUIRED TO PROVIDE TREATMENT FOR ALL EXISTING, NEW, AND/OR REPLACED IMPERVIOUS SURFACES.
3. GENERAL STORMWATER QUALITY APPROACH - STORMWATER QUALITY FEATURES WILL INCLUDE MINIMIZING IMPERVIOUS SURFACES, AND DIRECTING STORMWATER TO A MEDIA FILTER LOCATED IN THE BASEMENT WHICH WILL REMOVE SUSPENDED SOLIDS AND SEDIMENT FROM THE STORMWATER BEFORE IT LEAVES THE SITE.
4. SIZING CRITERIA - STORMWATER QUALITY FEATURES WILL BE SIZED TO COMPLY WITH THE NPDES PERMIT PROVISION C.3 AND THE LATEST EDITION (2013) OF THE ALAMEDA COUNTY STORMWATER MANUAL. THE PROPOSED MEDIA FILTER HAS BEEN SIZED USING A FLOW HYDRAULICS DESIGN BASIS, ASSUMING A FLOW OF RUNOFF RESULTING FROM A RAIN EVENT EQUAL TO AT LEAST 0.2 IN/HR INTENSITY RATE.
5. HYDROMODIFICATION - THE PROJECT IS NOT LOCATED IN AN AREA THAT IS REQUIRED TO DESIGN STORMWATER CONVEYANCES TO ACCOUNT FOR HYDROMODIFICATION.
6. THIS PROJECT IS CONSIDERED SPECIAL CATEGORY TYPE A. THEREFORE THE SITE CAN USE LID OR NON-LID STORMWATER TREATMENT PER THE ALAMEDA COUNTY C.3 TECHNICAL MANUAL (2015).

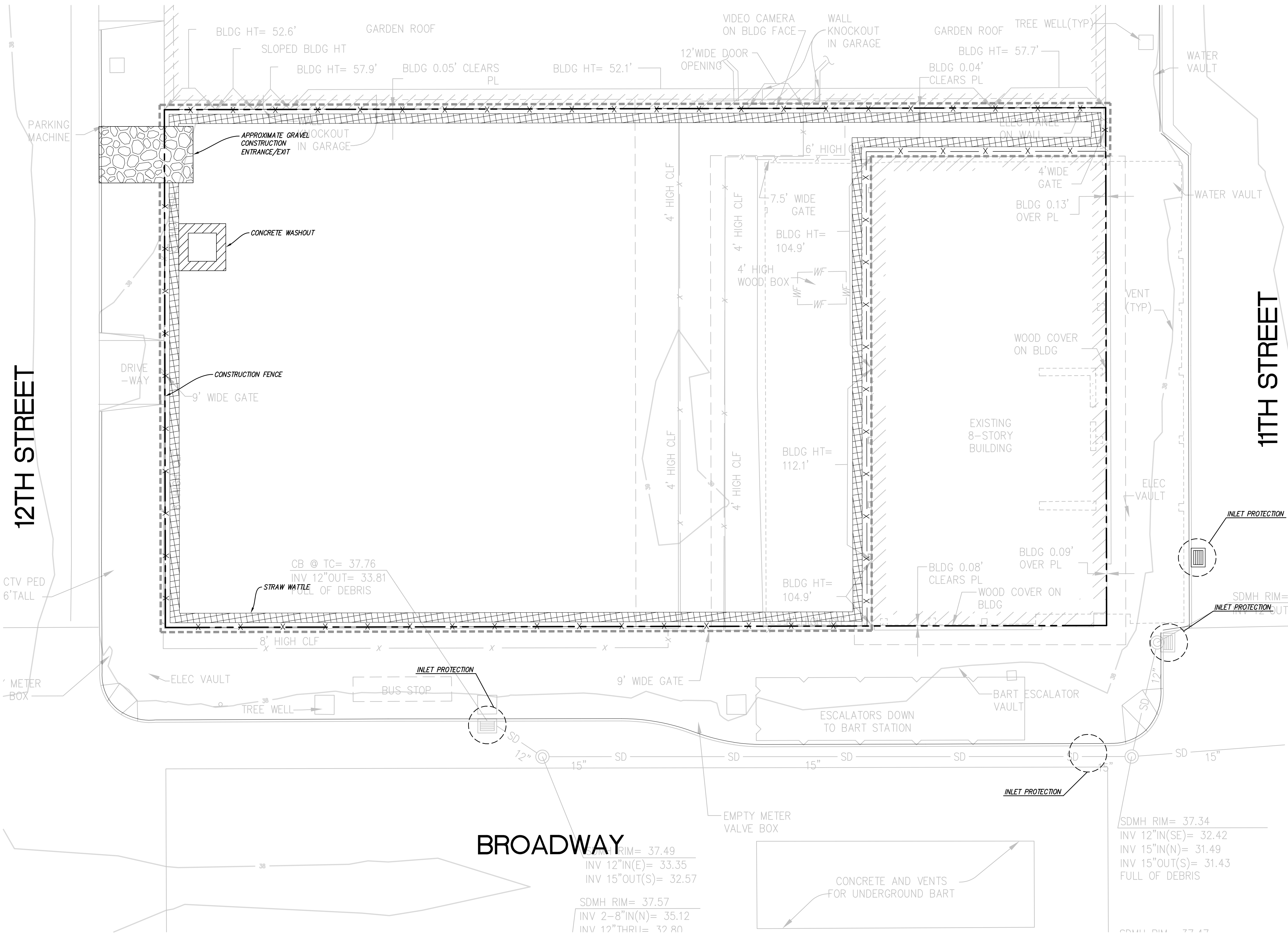
**LEGEND**

- PROPERTY LINE
- DRAINAGE AREA
- SD --- EXISTING STORM DRAIN MAIN
- SD --- PROPOSED STORM DRAIN LINE
- ASSUMED ROOF DRAIN PIPE ROUTING
- ☒ PROPOSED TRASH ROOM LOCATION
- ⇒ ASSUMED DIRECTION OF ROOF RUNOFF
- DIRECTION OF SURFACE RUNOFF
- ASSUMED LOCATION OF ROOF DRAIN
- EXISTING TO REMAIN, NEW, AND REPLACED IMPERVIOUS AREA TO BE TREATED
- ▣ ASSUMED LOCATION OF MEDIA FILTER AND VAULT DESIGNED IN ACCORDANCE WITH ALAMEDA COUNTY C3 STORM MANUAL.

**AREA SUMMARY**

TOTAL SITE AREA <sup>1</sup> (SF)	TOTAL AREA DISTURBED <sup>1</sup> (SF)	EXISTING PRE-PROJECT IMPERVIOUS SURFACE <sup>2</sup> (SF)	EXISTING IMPERVIOUS SURFACE TO REMAIN <sup>3</sup> (SF)	REPLACED IMPERVIOUS SURFACE <sup>4</sup> (SF)	NEW IMPERVIOUS SURFACE <sup>5</sup> (SF)	TOTAL POST-PROJECT IMPERVIOUS SURFACE <sup>6</sup> (SF)	TOTAL POST-PROJECT PERVIOUS SURFACE (SF)
22,000	17,000	8,600	5,000	3,600	13,400	22,000	0

- NOTES:**
1. LAND AREA DISTURBED IS EQUAL TO THE SURFACE AREA OF CONSTRUCTION ACTIVITIES, INCLUDING GRADING, CONSTRUCTION, STAGING, AND STORAGE AREAS.
  2. EXISTING/PRE-PROJECT IMPERVIOUS SURFACE IS EQUAL TO THE TOTAL AMOUNT OF IMPERVIOUS SURFACE ON-SITE PRIOR TO THE PROJECT.
  3. EXISTING IMPERVIOUS SURFACE TO REMAIN IS EQUAL TO THE ROOF OF THE EXISTING KEY SYSTEM BUILDING.
  4. REPLACED IMPERVIOUS SURFACE IS EQUAL TO THE PROJECT IMPERVIOUS SURFACE THAT REPLACES EXISTING PRE-PROJECT IMPERVIOUS SURFACE.
  5. NEW IMPERVIOUS SURFACE IS EQUAL TO THE PROJECT IMPERVIOUS SURFACE THAT REPLACES EXISTING PRE-PROJECT PERMEABLE SURFACE.
  6. TOTAL POST-PROJECT IMPERVIOUS SURFACE IS EQUAL TO THE TOTAL AMOUNT OF IMPERVIOUS SURFACE ON-SITE AFTER COMPLETION OF THE PROJECT. THIS AREA IS REQUIRED TO BE TREATED BY LID OR NON-LID TREATMENT MEASURES. SEE STORMWATER MANAGEMENT NOTES.
  7. TOTAL SITE AREA INCLUDES ALL SURFACES WITHIN THE PROPERTY LINES AND DOES NOT INCLUDE AREA IN PUBLIC RIGHT OF WAY.



10 0 5 10 20  
**SANDIS**  
 EAST BAY/SF  
 SCALE: 1"=10'

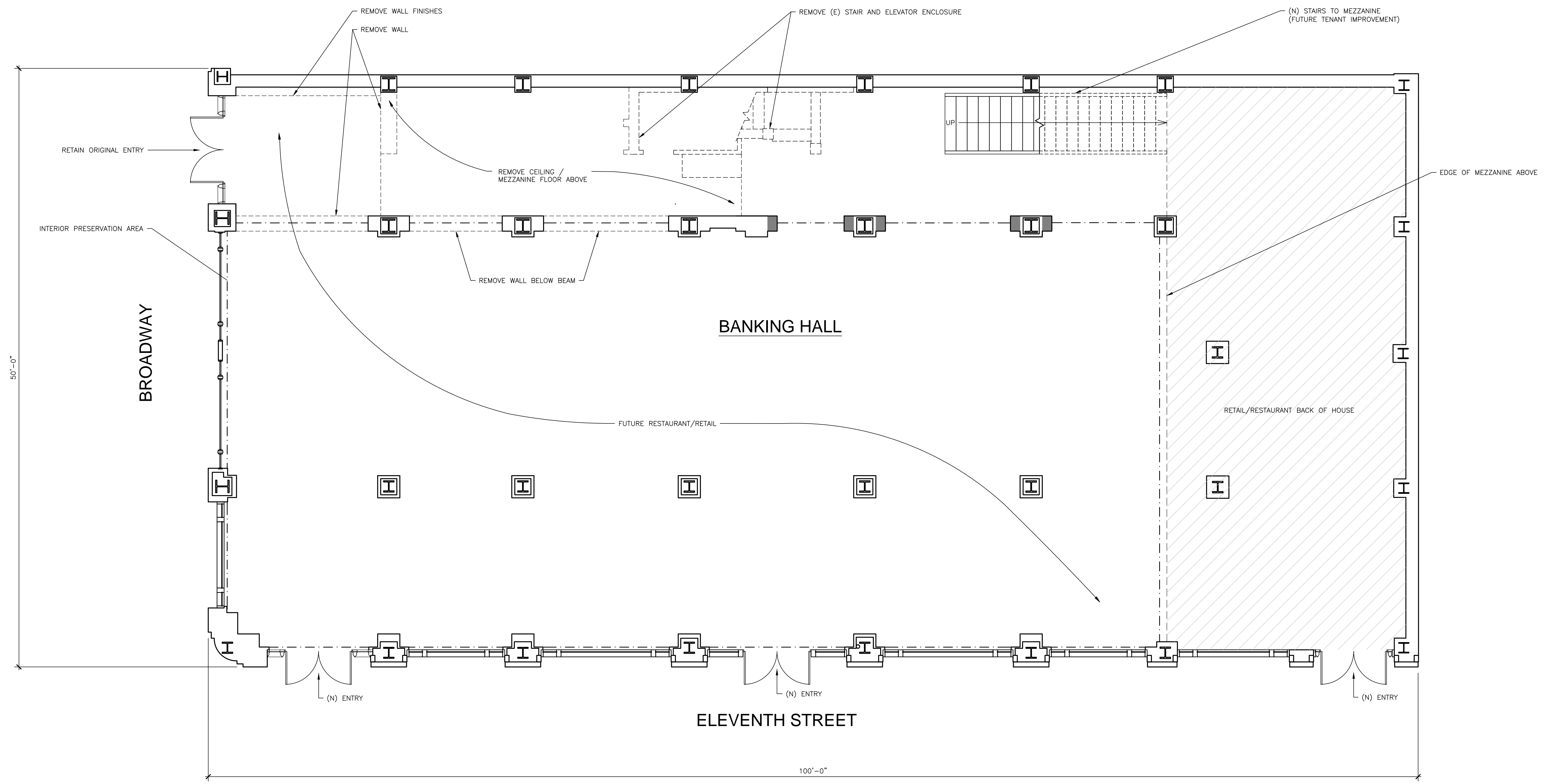
- LEGEND**
- APPROXIMATE GRAVEL CONSTRUCTION ENTRANCE, OR CONTRACTOR TO LOCATE AS APPROPRIATE
  - CONCRETE WASHOUT
  - STRAW WATTLE
  - INLET PROTECTION
  - APPROXIMATE AREA OF CONSTRUCTION DISTURBANCE

**WATER POLLUTION CONTROL NOTES:**

- A. TEMPORARY CONSTRUCTION ENTRANCE/EXIT LOCATION SHOWN IS APPROXIMATE. CONTRACTOR TO PROVIDE LOCATION WHERE APPROPRIATE.
- B. THIS PLAN REPRESENTS POSSIBLE WATER POLLUTION CONTROL MEASURES INCLUDING EROSION CONTROL AND SEDIMENT CONTROL.
- C. EXISTING SURFACES SHALL BE UNDISTURBED TO THE EXTENT PRACTICAL.
- D. GROUND WATER SHALL NOT BE DISCHARGED WITH STORM WATER. GROUND WATER DEWATERING OPERATIONS SHALL BE COORDINATED AS NEEDED WITH OWNER.
- E. CONTRACTOR SHALL PROVIDE EFFECTIVE SOIL COVER FOR AREAS OF CONSTRUCTION ACTIVITY THAT HAVE BEEN DISTURBED AND ARE NOT SCHEDULED TO BE ACTIVE FOR AT LEAST 14 DAYS.
- F. ALL EROSION CONTROL AND SEDIMENT CONTROLS TO BE OBTAINED INSTALLED AND MAINTAINED AS REQUIRED IN PROJECT SWPPP.
- G. CONTRACTOR TO INSTALL RUN-ON AND RUN-OFF CONTROL MEASURES ACCORDING TO PLANS OR AS NECESSARY TO ENSURE SEDIMENT IS NOT TRANSPORTED FROM SITE.
- H. NO ACTIVE CONSTRUCTION IS ALLOWED UNTIL SWPPP IS APPROVED BY THE R.E. THE SWPPP BINDER AND ALL AMENDMENTS MUST BE PRESENT ON SITE DURING ALL CONSTRUCTION ACTIVITIES. THE CONTRACTOR SHALL BE REQUIRED TO CONDUCT ALL MONITORING AND REPORT.
- I. CONTRACTOR TO PROVIDE BACK-UP EROSION PREVENTION MEASURES (SOIL STABILIZATION) WITH SEDIMENT CONTROL MEASURES SUCH AS STRAW WATTLES, SILT FENCE, GRAVEL INLET FILTERS, AND/OR SEDIMENT TRAPS OR BASINS. ENSURE CONTROL MEASURES ARE ADEQUATE, IN PLACE, AND IN OPERABLE CONDITIONS. SEDIMENT CONTROLS, INCLUDING INLET PROTECTION, ARE NECESSARY BUT SHOULD BE A SECONDARY DEFENSE BEHIND GOOD EROSION CONTROL MEASURES.
- J. STOCKPILE LOCATION(S) TO BE DETERMINED BY THE CONSTRUCTION SCHEDULE. CONTRACTOR TO COORDINATE WITH SITE OSP.

x:\P\617011\4\ ENGINEERING\2\ PLAN SETS\3\ SHEET SET\ENTITLEMENTS SET\C-4.0.dwg Mon, 07 Aug 2017 - 5:24pm jphillips

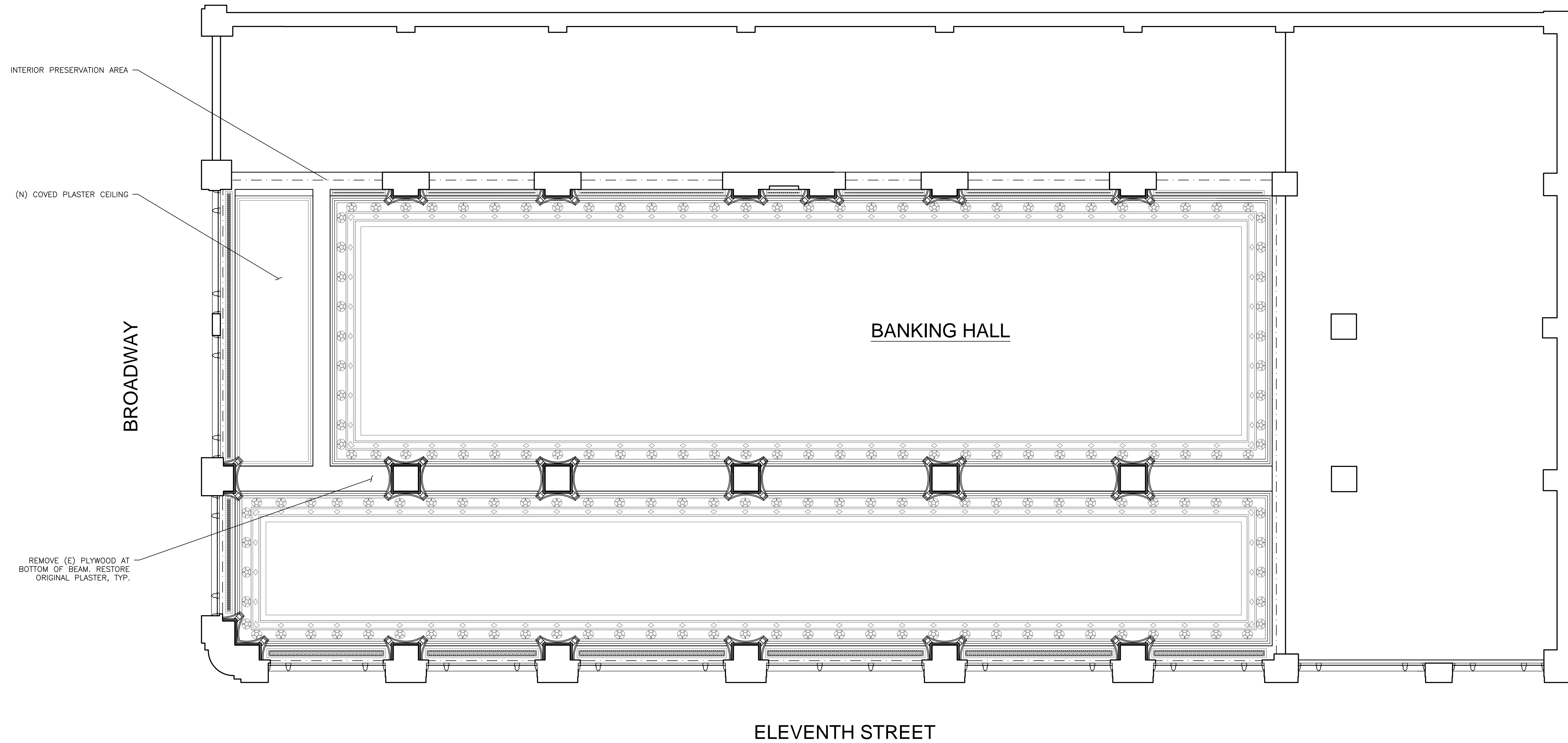
**LEGEND:**  
 (N) CONSTRUCTION  
 (E) TO BE REMOVED



- GENERAL NOTES:**
1. ALL INTERIOR RESTORATION WORK TO TAKE PLACE IN AREA DESIGNATED AS PRESERVATION AREA.
  2. REPAIR ALL EXISTING ORNAMENTAL PLASTER AT COLUMNS AND WALLS.
  3. REPLACE AREAS OF MISSING PLASTER AND REPLICATE ORNAMENT AS NECESSARY.
  4. SEE REFLECTED CEILING PLAN FOR COLUMN CAPITALS AND CEILING.
  5. SEE ELEVATIONS FOR EXTERIOR MATERIALS, DOORS AND WINDOWS.
  6. STOREFRONT ENTRIES SHOWN AT PROJECTED LOCATIONS. FINAL LOCATION OF NEW ENTRIES TO BE DETERMINED BASED ON TENANT REQUIREMENTS.

**1 GROUND FLOOR DEMO AND PRESERVATION PLAN**  
 SCALE: 1/4" = 1'-0"

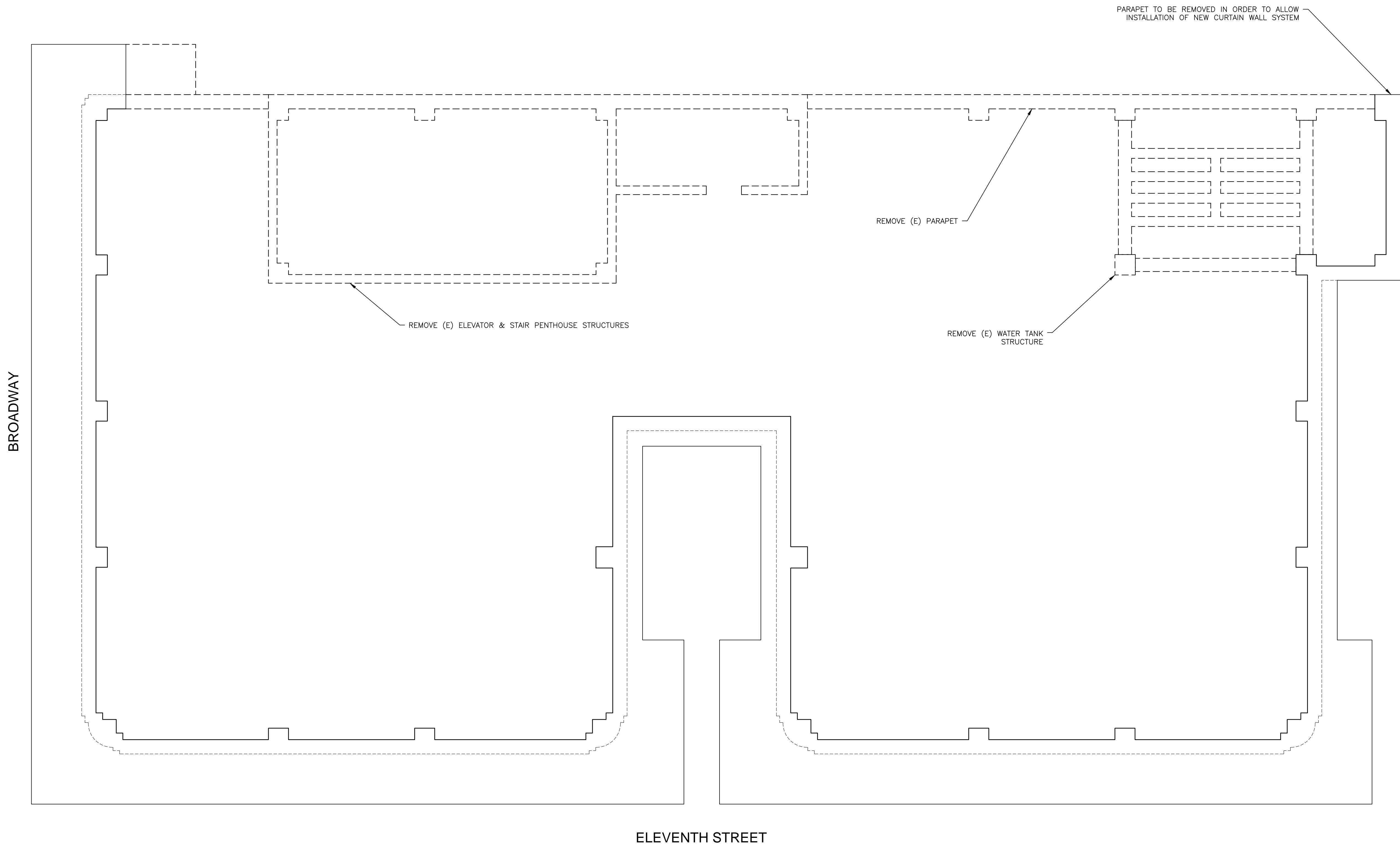
Plotted: 8/31/2017 9:42 AM by Smith, Devin    File Name: p:\2016\2016.7xxx\2016.7153.0 - 1100 broadway (ad)\05 construction documents\01 drawings\Sheets\2007-4287-HA2.01A.dwg



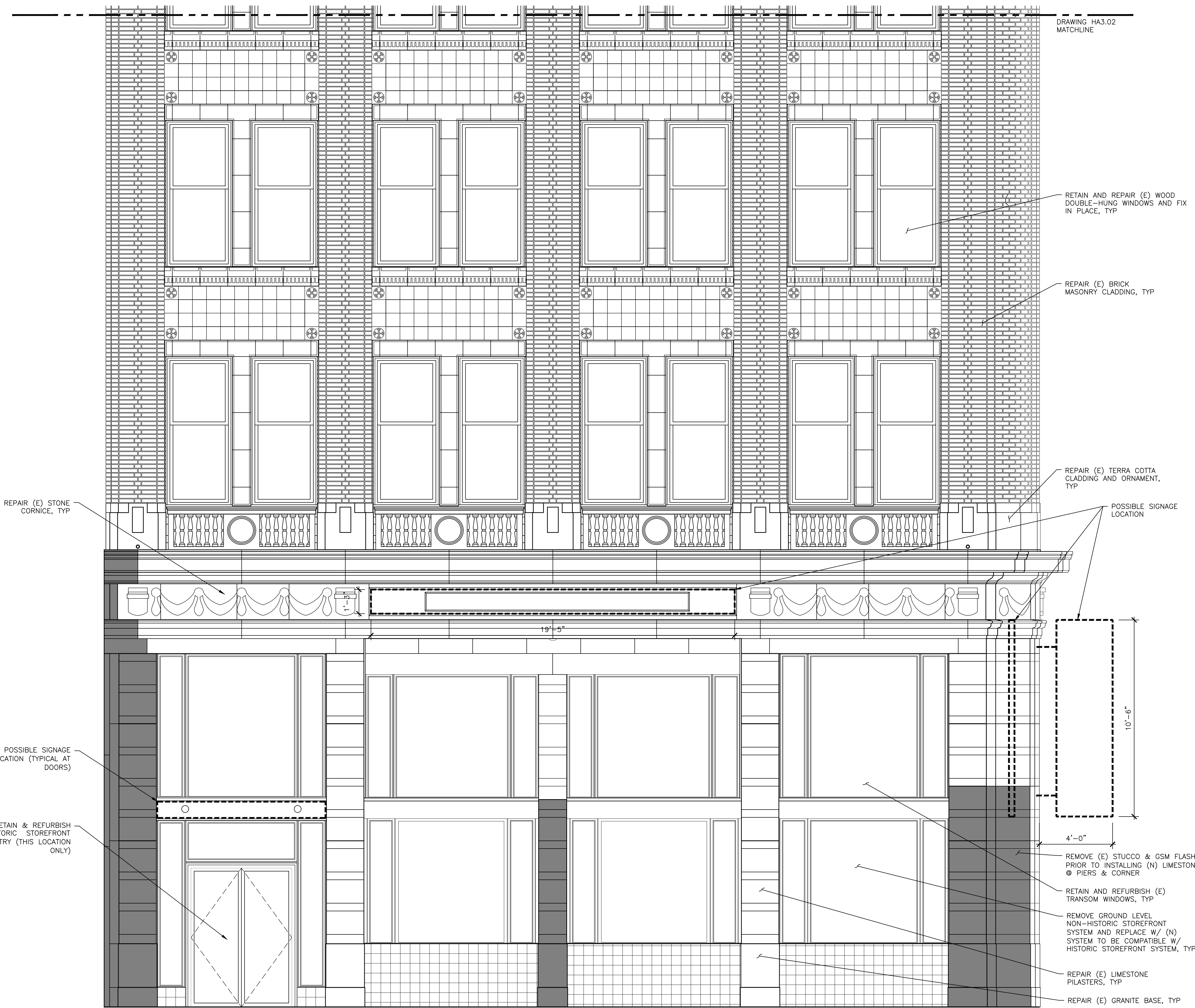
**GENERAL NOTES:**

1. REPAIR ALL EXISTING ORNAMENTAL PLASTER AT COLUMNS, BEAMS, COLUMN CAPITALS AND CEILINGS.
2. REPLACE AREAS OF MISSING PLASTER AND REPLICATE ORNAMENT AS NECESSARY.

1 REFLECTED CEILING RESTORATION PLAN  
SCALE: 1/4" = 1'-0"

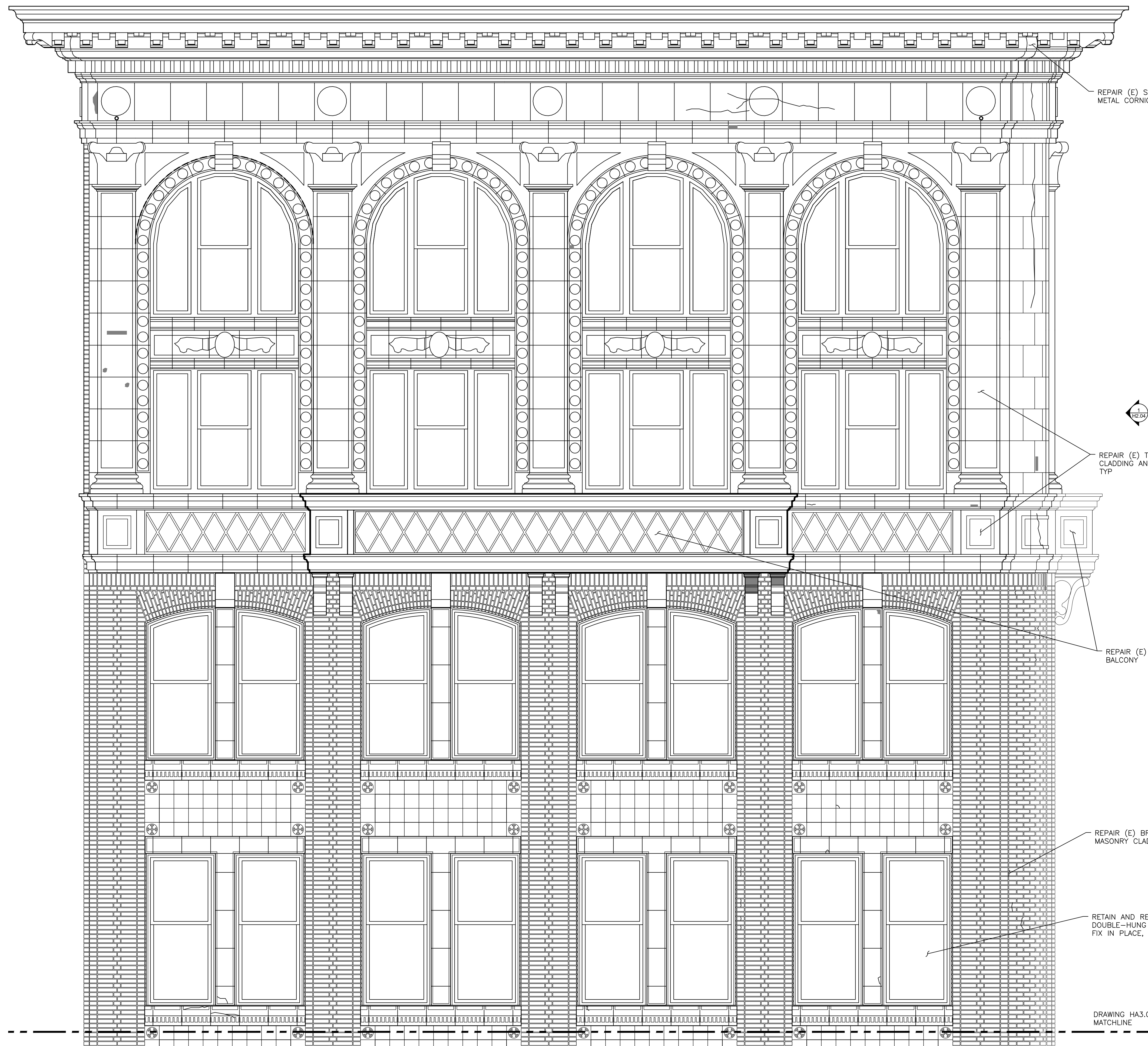


1 KEY SYSTEM BUILDING - ROOF PLAN  
SCALE: 1/4" = 1'-0"



1 PARTIAL WEST (BROADWAY) ELEVATION - FLOORS 1-4  
SCALE: 3/8" = 1'-0"

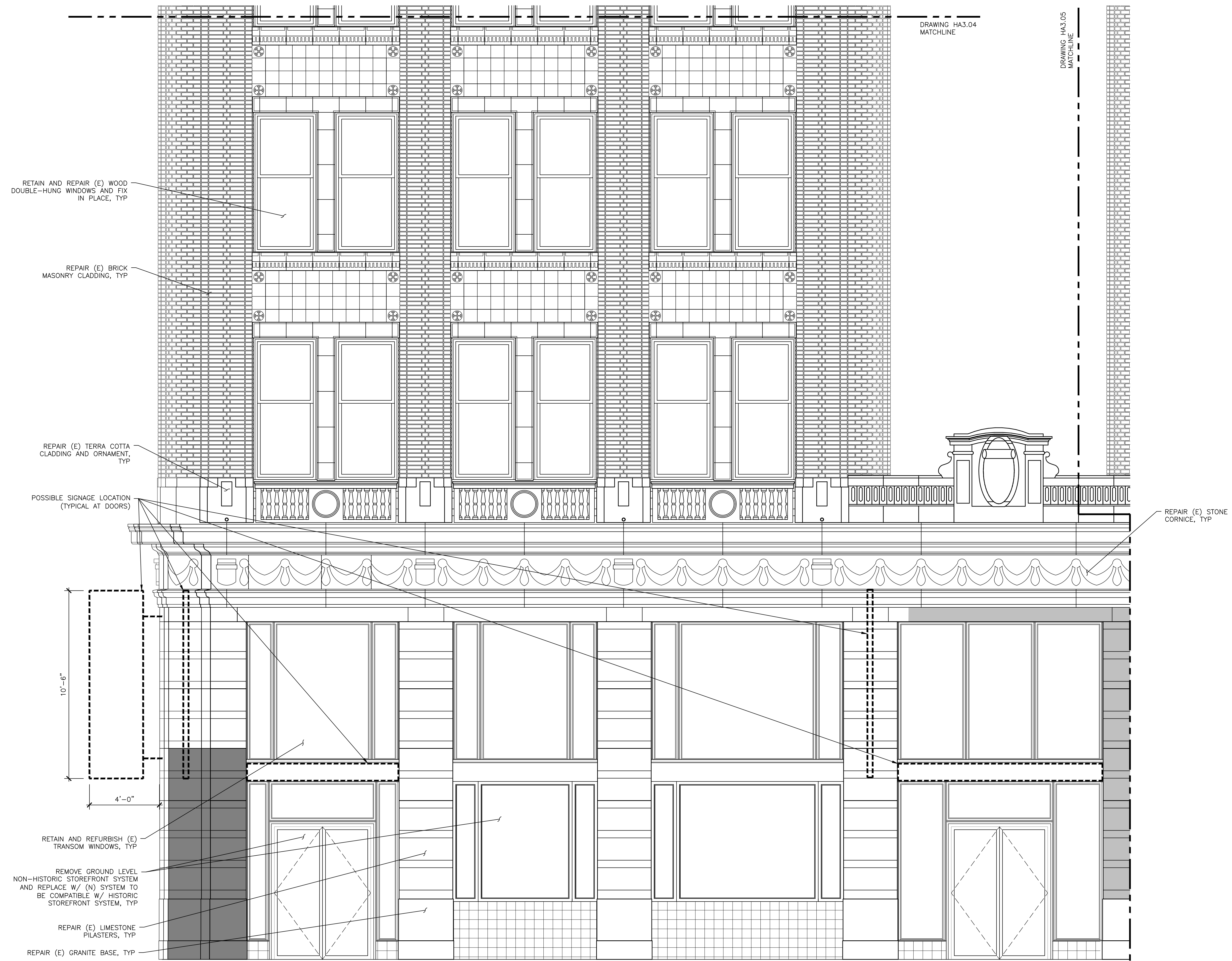




LEGEND:  
 (N) MISSING MATERIAL TO BE REPLACED

1 PARTIAL WEST (BROADWAY) ELEVATION - FLOORS 5-ROOF  
 SCALE: 3/8" = 1'-0"

DRAWING HA3.01  
 MATCHLINE



**LEGEND:**  
 (N) MISSING MATERIAL TO BE REPLACED

RETAIN AND REPAIR (E) WOOD DOUBLE-HUNG WINDOWS AND FIX IN PLACE, TYP

REPAIR (E) BRICK MASONRY CLADDING, TYP

REPAIR (E) TERRA COTTA CLADDING AND ORNAMENT, TYP

POSSIBLE SIGNAGE LOCATION (TYPICAL AT DOORS)

REPAIR (E) STONE CORNICE, TYP

10'-6"

4'-0"

RETAIN AND REFURBISH (E) TRANSOM WINDOWS, TYP

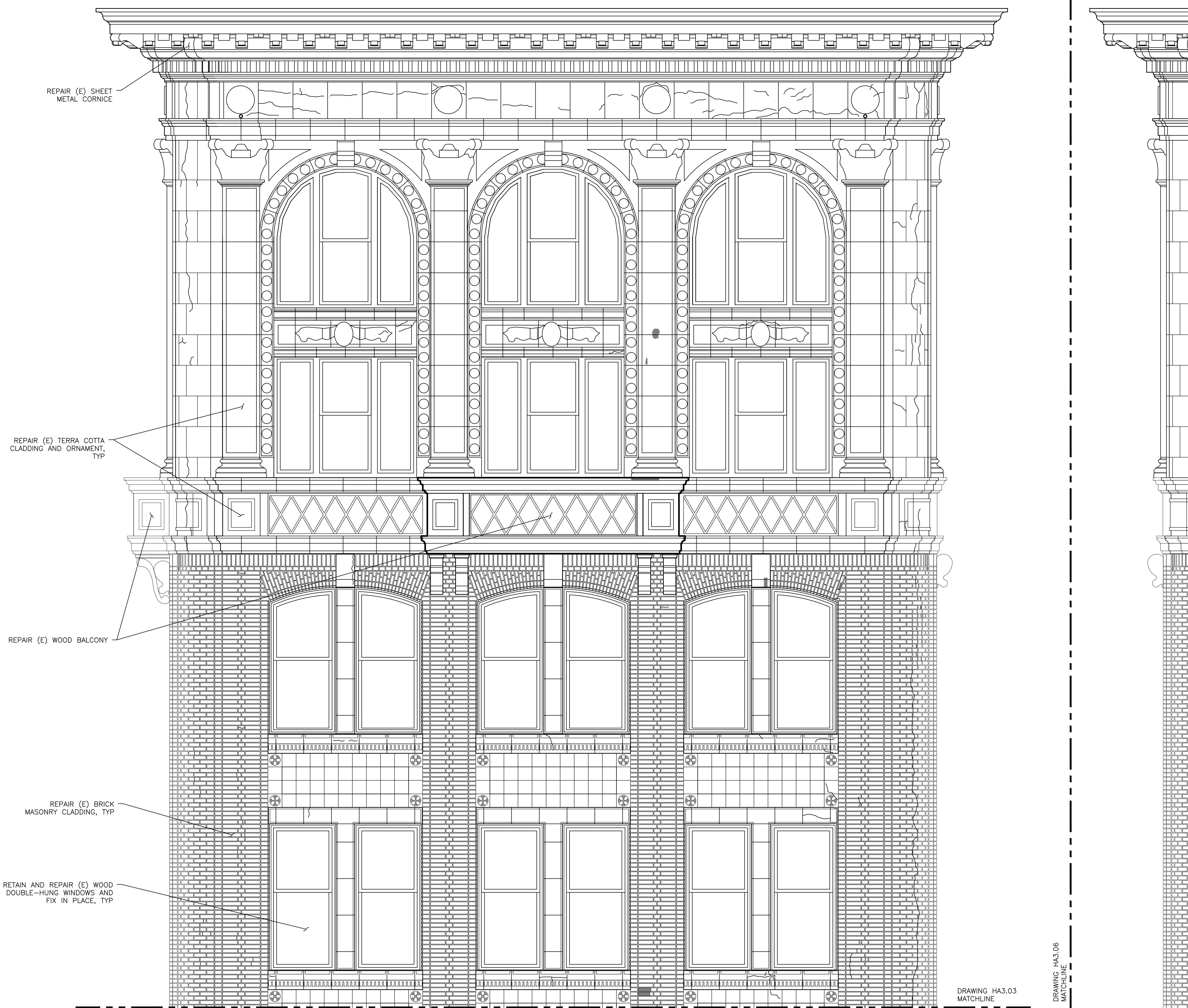
REMOVE GROUND LEVEL NON-HISTORIC STOREFRONT SYSTEM AND REPLACE W/ (N) SYSTEM TO BE COMPATIBLE W/ HISTORIC STOREFRONT SYSTEM, TYP

REPAIR (E) LIMESTONE PILASTERS, TYP

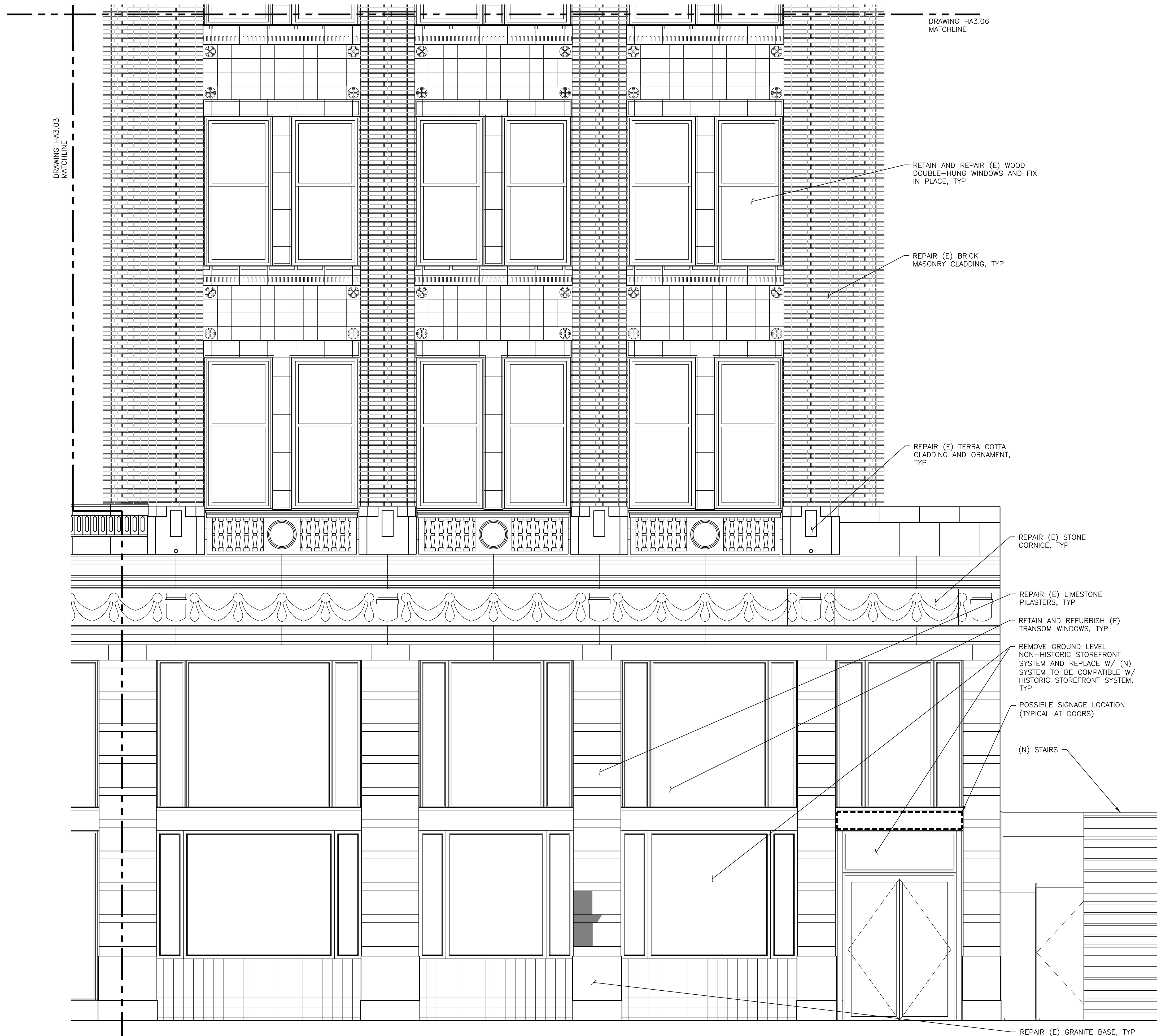
REPAIR (E) GRANITE BASE, TYP

**GENERAL NOTES:**  
 1. STOREFRONT ENTRIES SHOWN AT PROJECTED LOCATIONS. FINAL LOCATION OF NEW ENTRIES TO BE DETERMINED BASED ON TENANT REQUIREMENTS.

**1** PARTIALSOUTH ELEVATION - WEST TOWER - FLOORS 1-4  
 SCALE: 3/8" = 1'-0"



1 PARTIAL SOUTH (11th STREET) ELEVATION - WEST TOWER - FLOORS 5-ROOF  
SCALE: 3/8" = 1'-0"

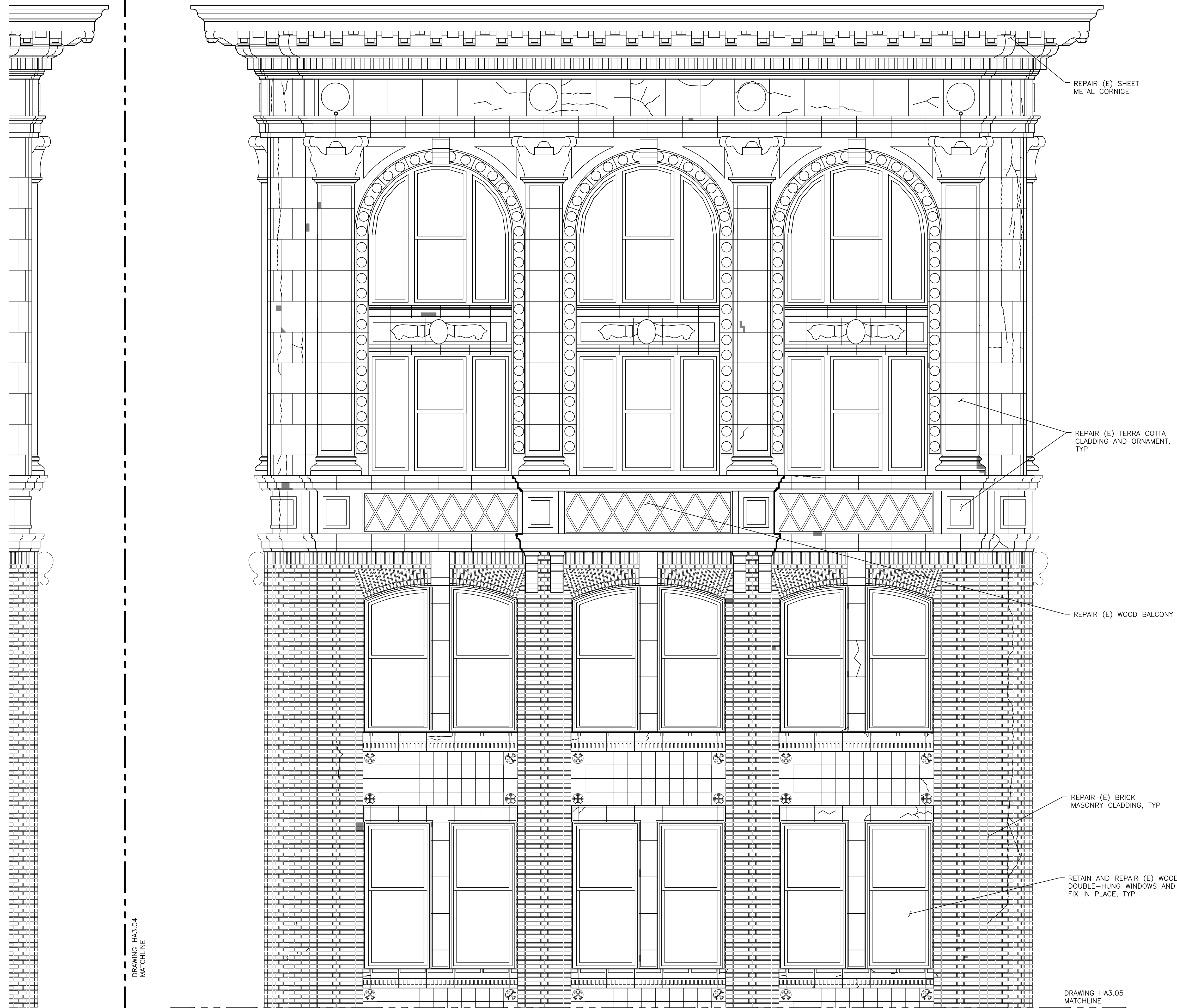


**LEGEND:**  
 (N) MISSING MATERIAL TO BE REPLACED

- REPAIR (E) WOOD DOUBLE-HUNG WINDOWS AND FIX IN PLACE, TYP
- REPAIR (E) BRICK MASONRY CLADDING, TYP
- REPAIR (E) TERRA COTTA CLADDING AND ORNAMENT, TYP
- REPAIR (E) STONE CORNICE, TYP
- REPAIR (E) LIMESTONE PILASTERS, TYP
- RETAIN AND REFURBISH (E) TRANSOM WINDOWS, TYP
- REMOVE GROUND LEVEL NON-HISTORIC STOREFRONT SYSTEM AND REPLACE W/ (N) SYSTEM TO BE COMPATIBLE W/ HISTORIC STOREFRONT SYSTEM, TYP
- POSSIBLE SIGNAGE LOCATION (TYPICAL AT DOORS)
- (N) STAIRS
- REPAIR (E) GRANITE BASE, TYP

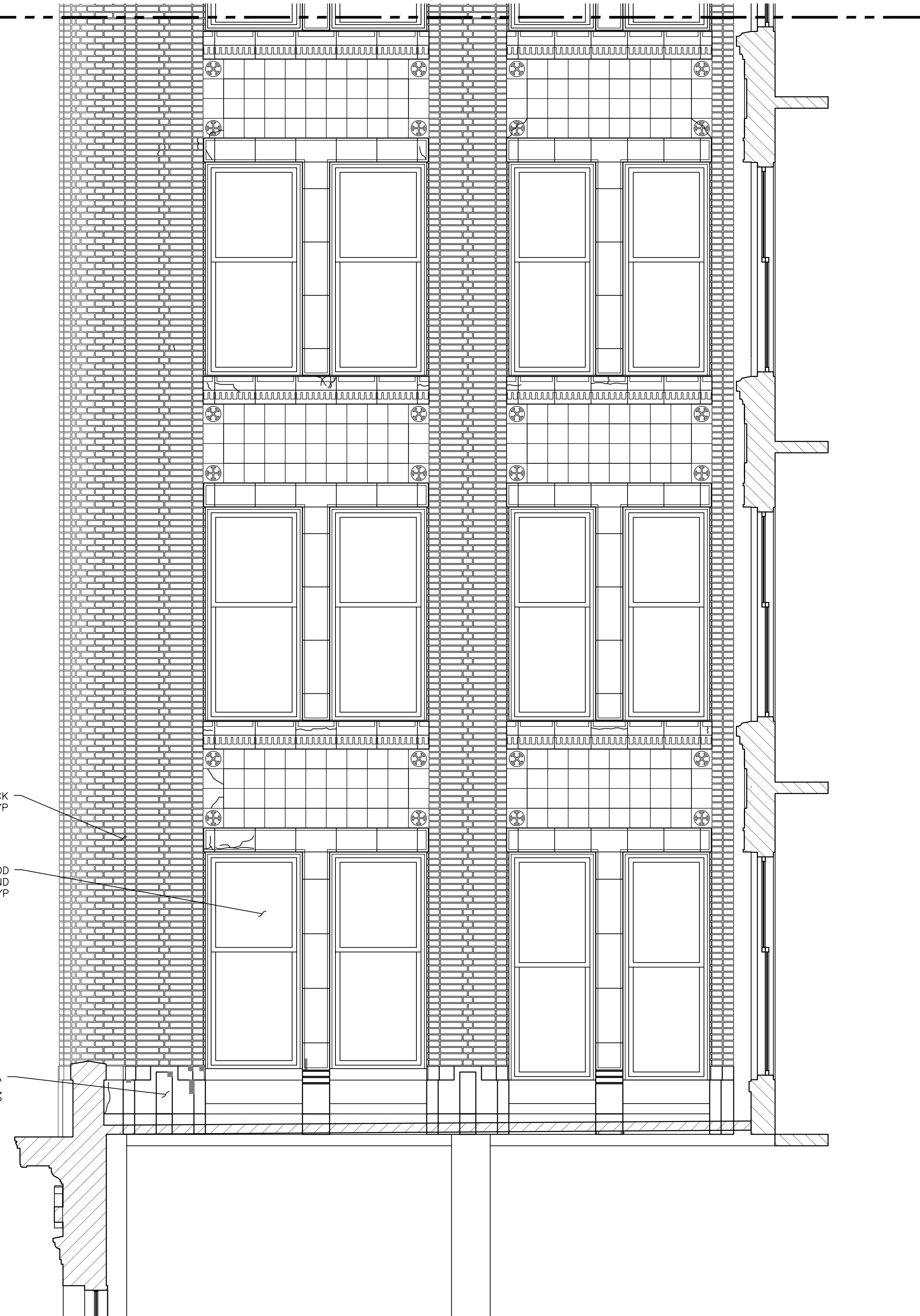
**GENERAL NOTES:**  
 1. STOREFRONT ENTRIES SHOWN AT PROJECTED LOCATIONS. FINAL LOCATION OF NEW ENTRIES TO BE DETERMINED BASED ON TENANT REQUIREMENTS.

**1** PARTIAL SOUTH ELEVATION - EAST TOWER - FLOORS 1-4  
 SCALE: 3/8" = 1'-0"



1 PARTIAL SOUTH (11th STREET) ELEVATION - EAST TOWER - FLOORS 5-ROOF  
 SCALE: 3/8" = 1'-0"

DRAWING HA3.08  
MATCHLINE



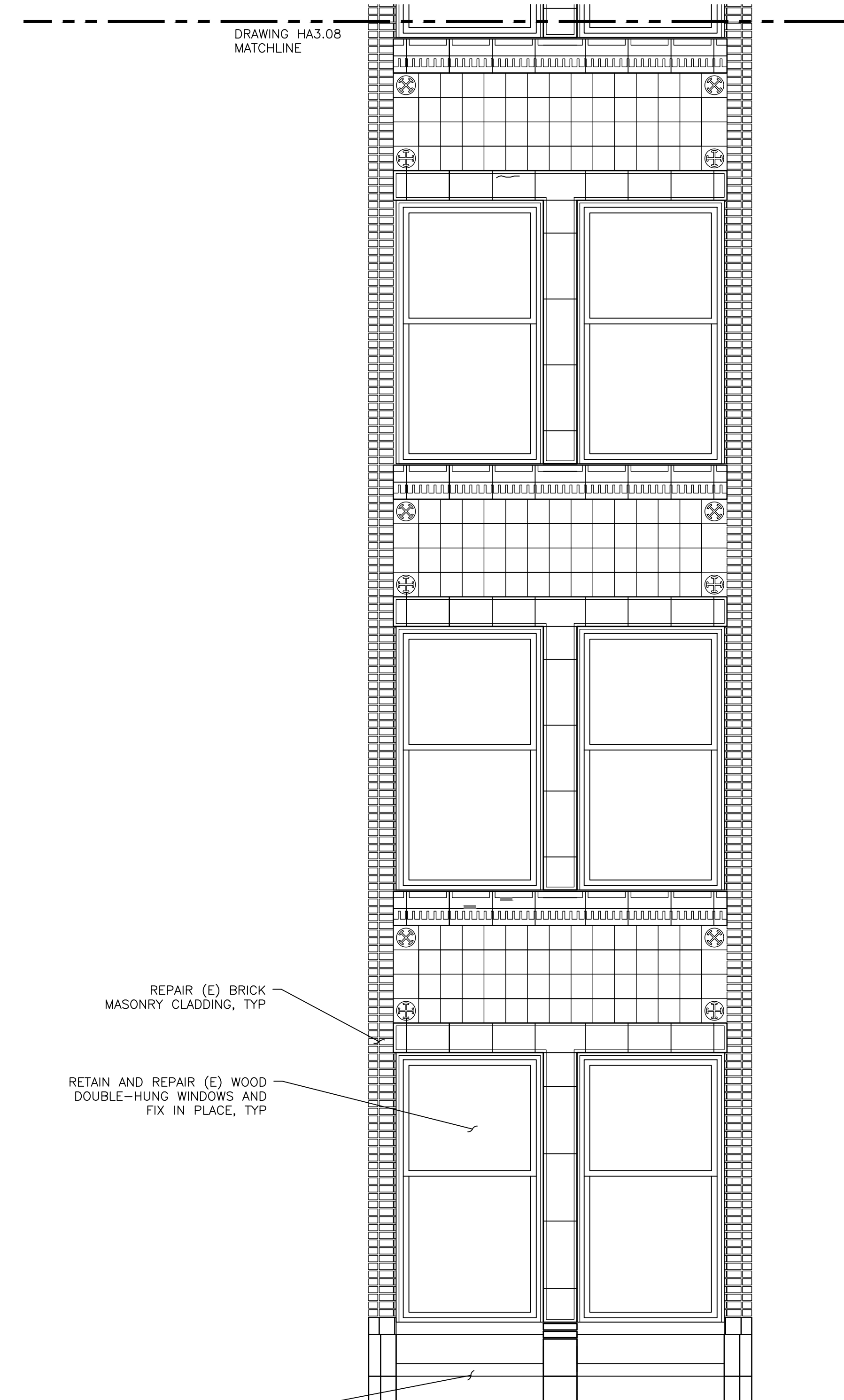
REPAIR (E) BRICK  
MASONRY CLADDING, TYP

RETAIN AND REPAIR (E) WOOD  
DOUBLE-HUNG WINDOWS AND  
FIX IN PLACE, TYP

REPAIR (E) TERRA COTTA  
CLADDING AND ORNAMENT,  
TYP

1 PARTIAL EAST LIGHT COURT ELEVATION - FLOORS 3-5  
SCALE: 3/8" = 1'-0"

DRAWING HA3.08  
MATCHLINE

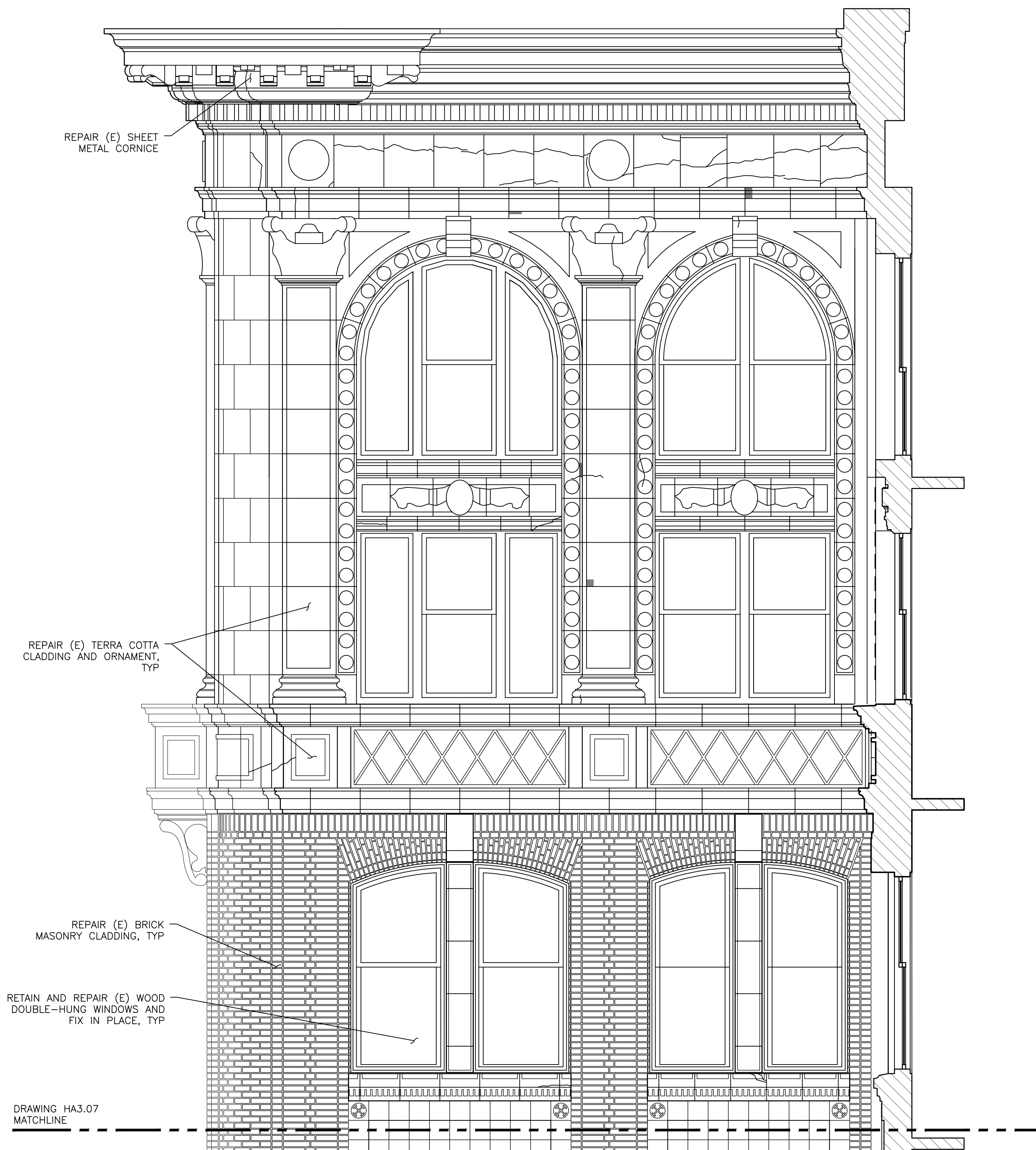


REPAIR (E) BRICK  
MASONRY CLADDING, TYP

RETAIN AND REPAIR (E) WOOD  
DOUBLE-HUNG WINDOWS AND  
FIX IN PLACE, TYP

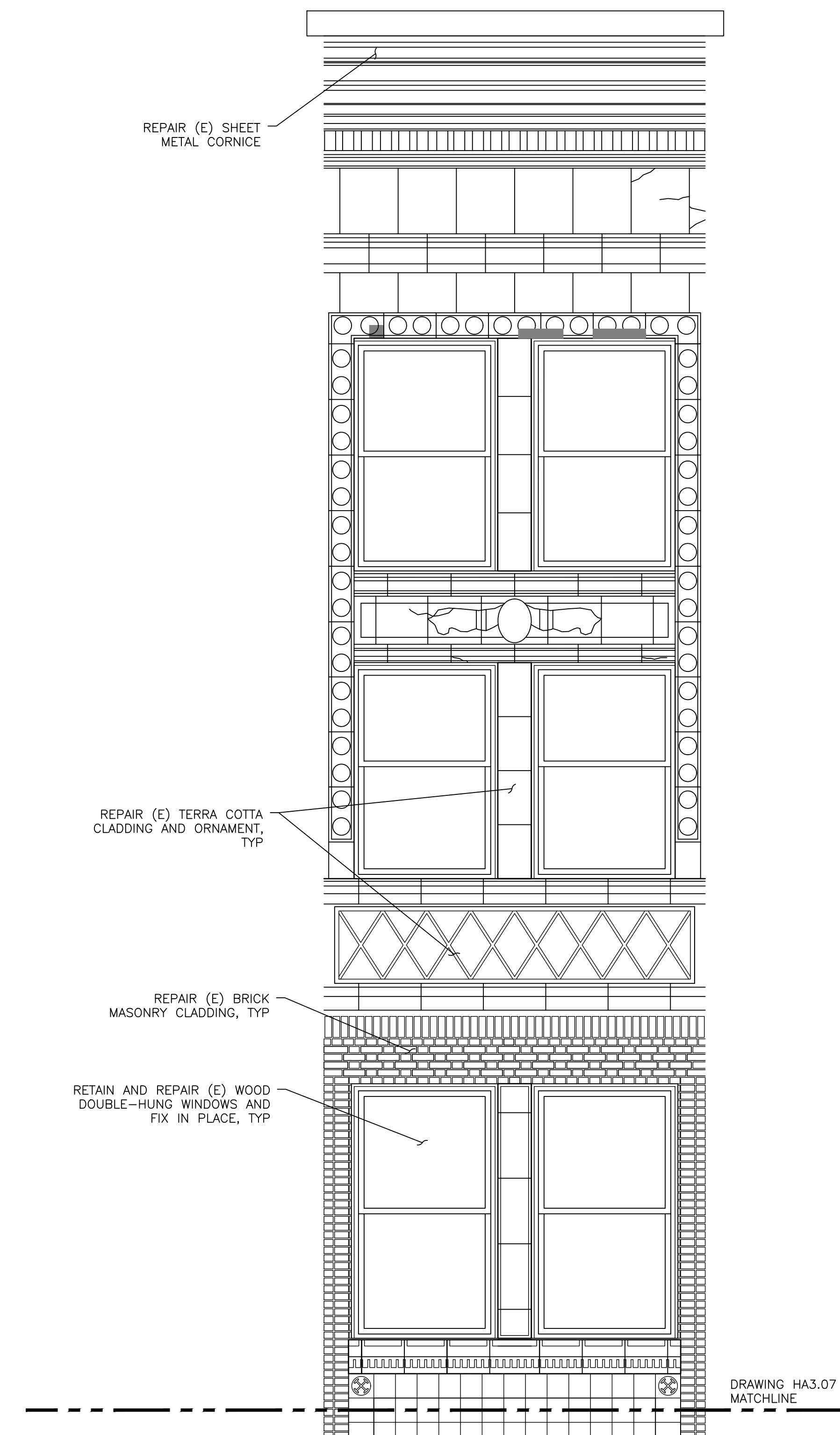
REPAIR (E) TERRA COTTA  
CLADDING AND ORNAMENT,  
TYP

2 PARTIAL SOUTH LIGHT COURT ELEVATION - FLOORS 3-5  
SCALE: 3/8" = 1'-0"



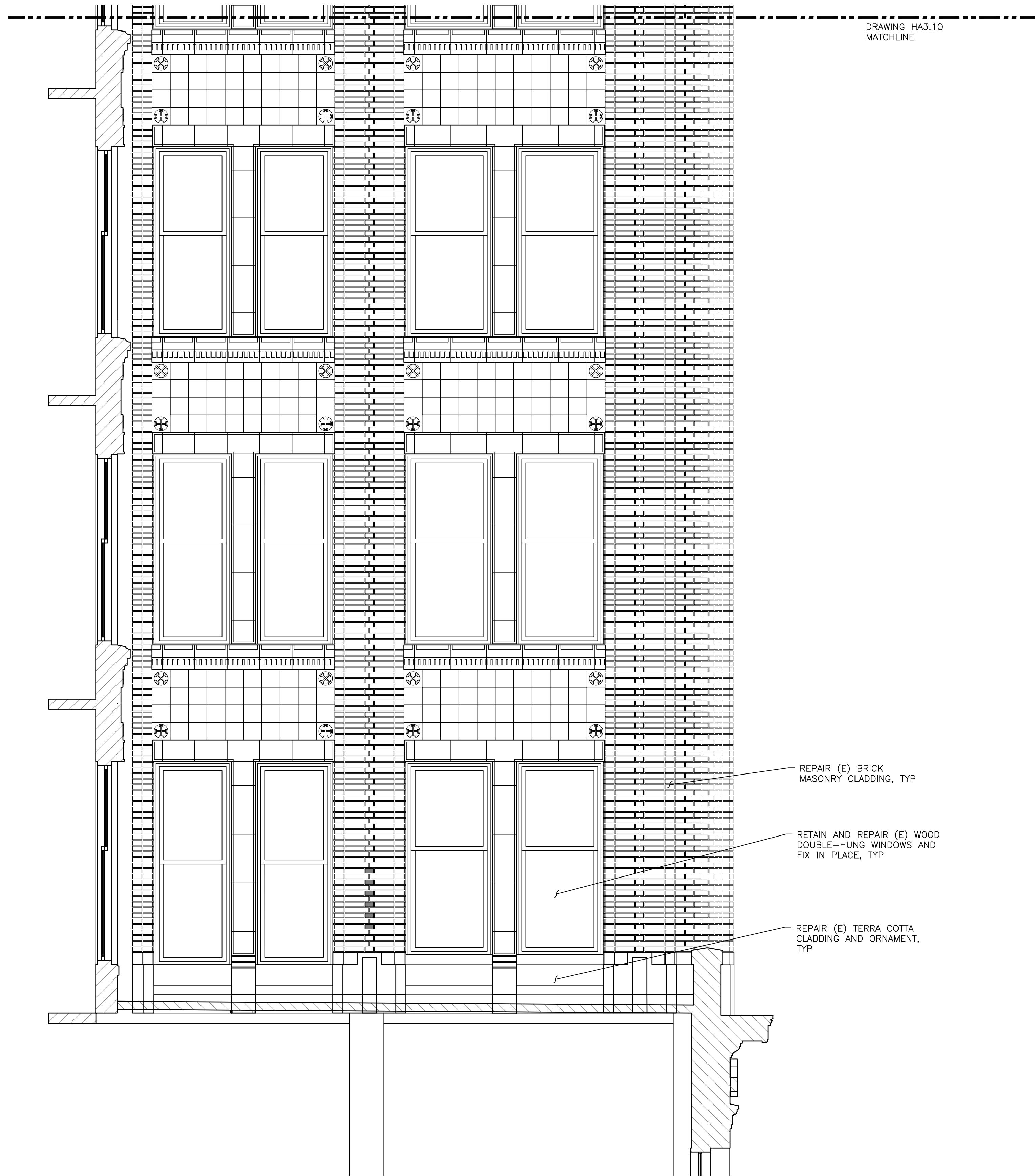
DRAWING HA3.07  
MATCHLINE

1 PARTIAL EAST LIGHT COURT ELEVATION - FLOORS 6-8  
SCALE: 1/2" = 1'-0"



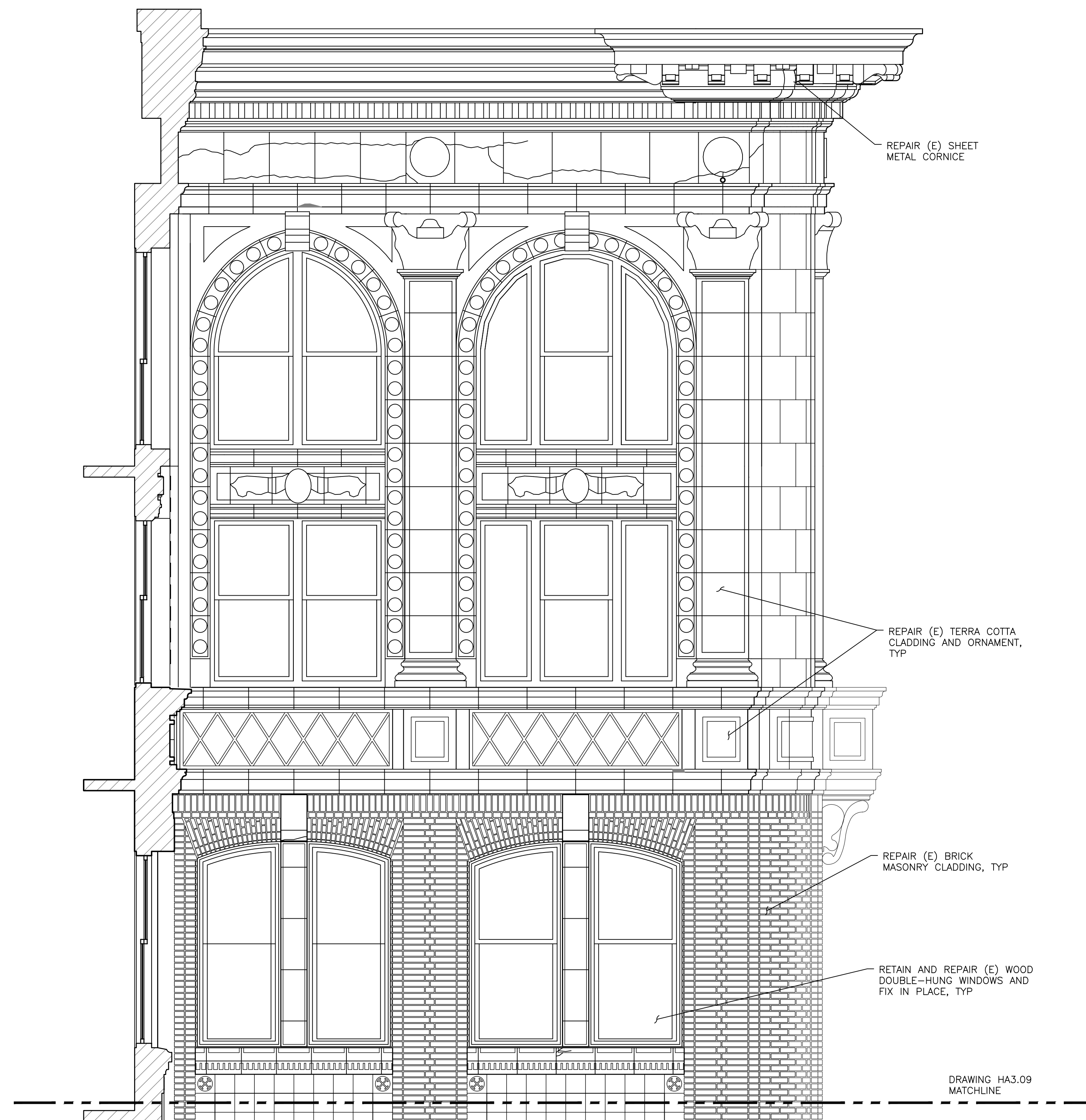
DRAWING HA3.07  
MATCHLINE

2 PARTIAL SOUTH LIGHT COURT ELEVATION - FLOORS 6-8  
SCALE: 1/2" = 1'-0"



1 PARTIAL WEST LIGHT COURT ELEVATION - FLOORS 3-5  
SCALE: 3/8" = 1'-0"





1 PARTIAL WEST LIGHT COURT ELEVATION - FLOORS 6-8  
SCALE: 3/8" = 1'-0"

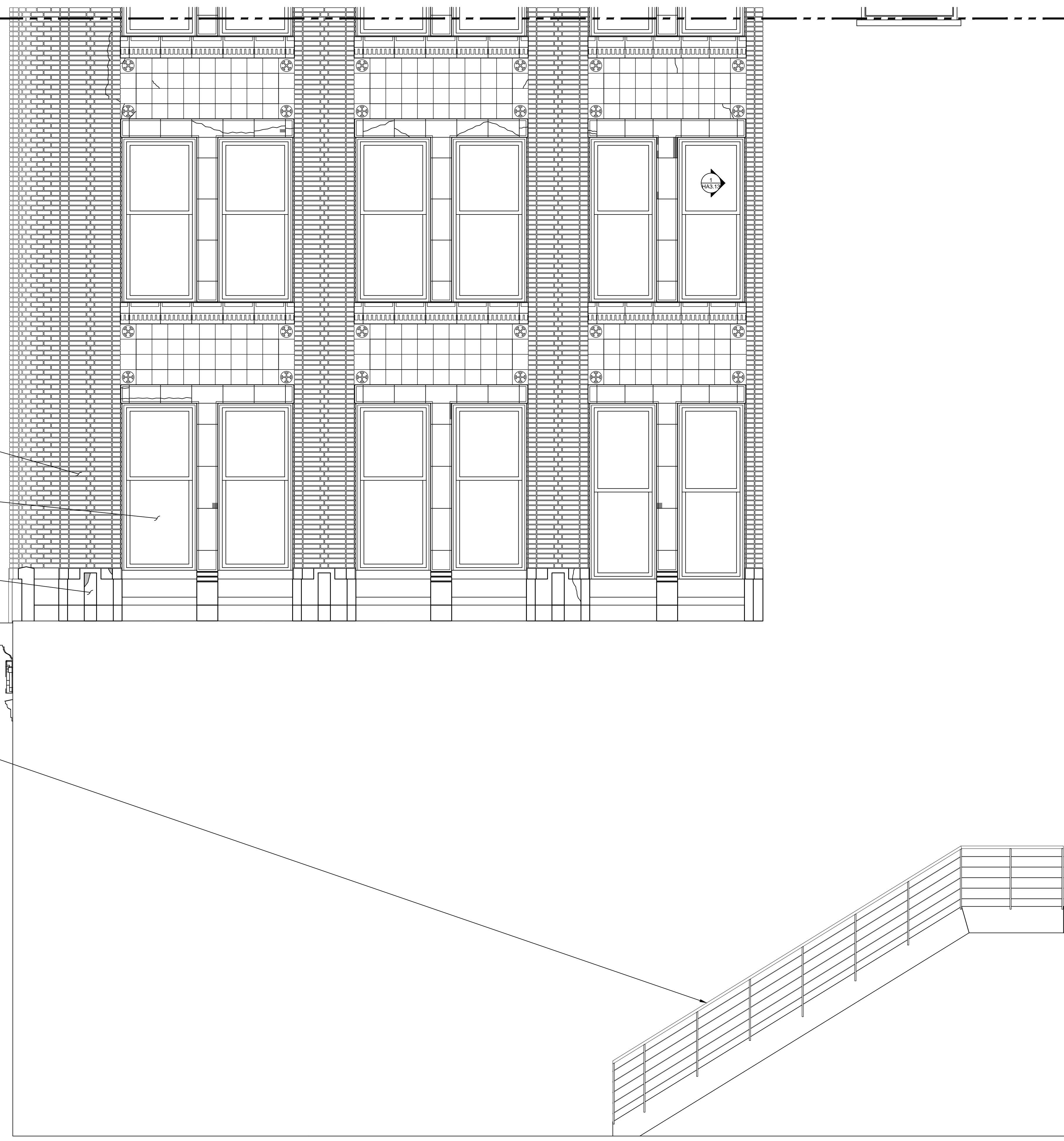
DRAWING HA3.12  
MATCHLINE

REPAIR (E) BRICK  
MASONRY CLADDING, TYP

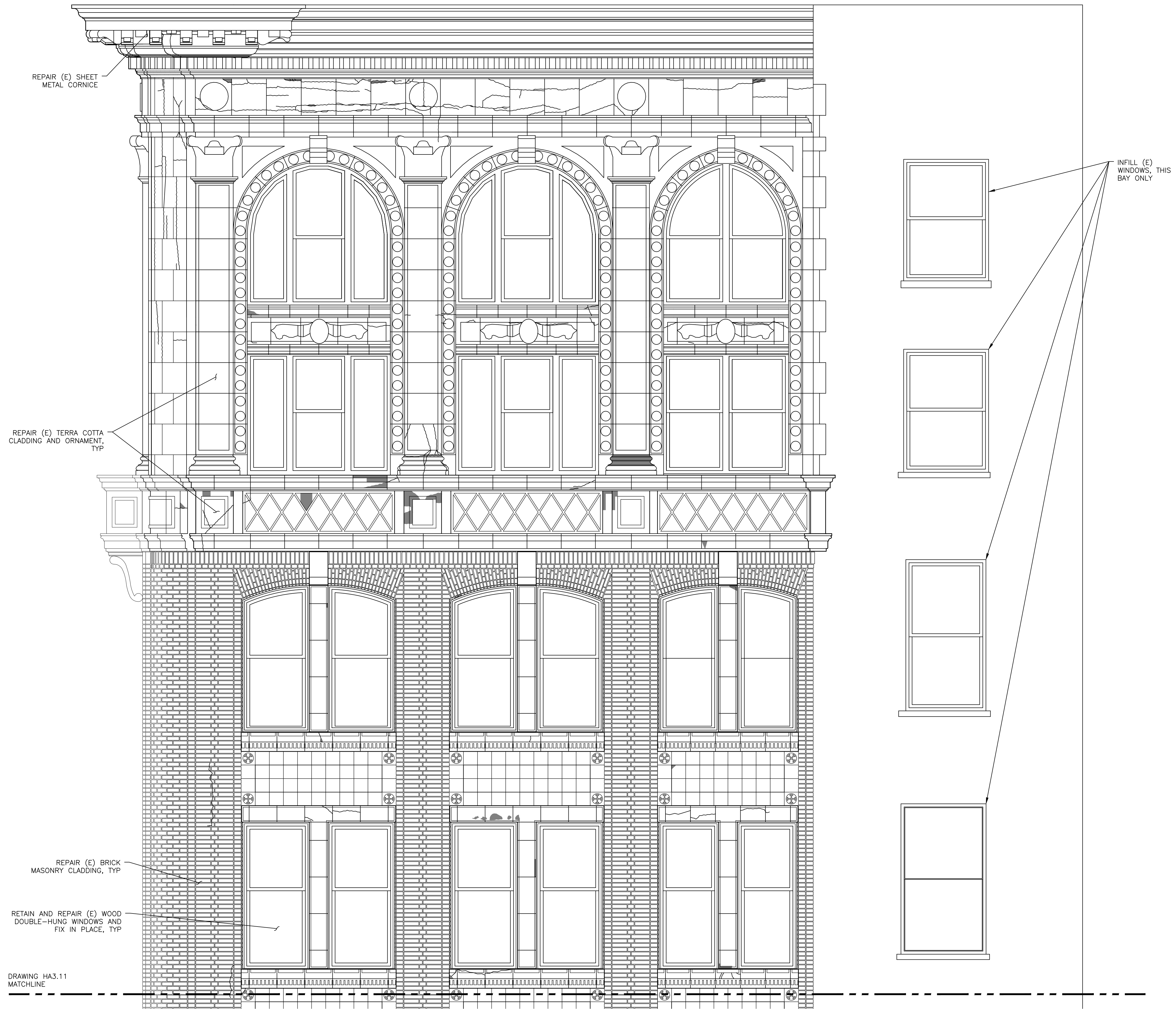
RETAIN AND REPAIR (E) WOOD  
DOUBLE-HUNG WINDOWS AND  
FIX IN PLACE, TYP

REPAIR (E) TERRA COTTA  
CLADDING AND ORNAMENT,  
TYP

(N) STAIRS



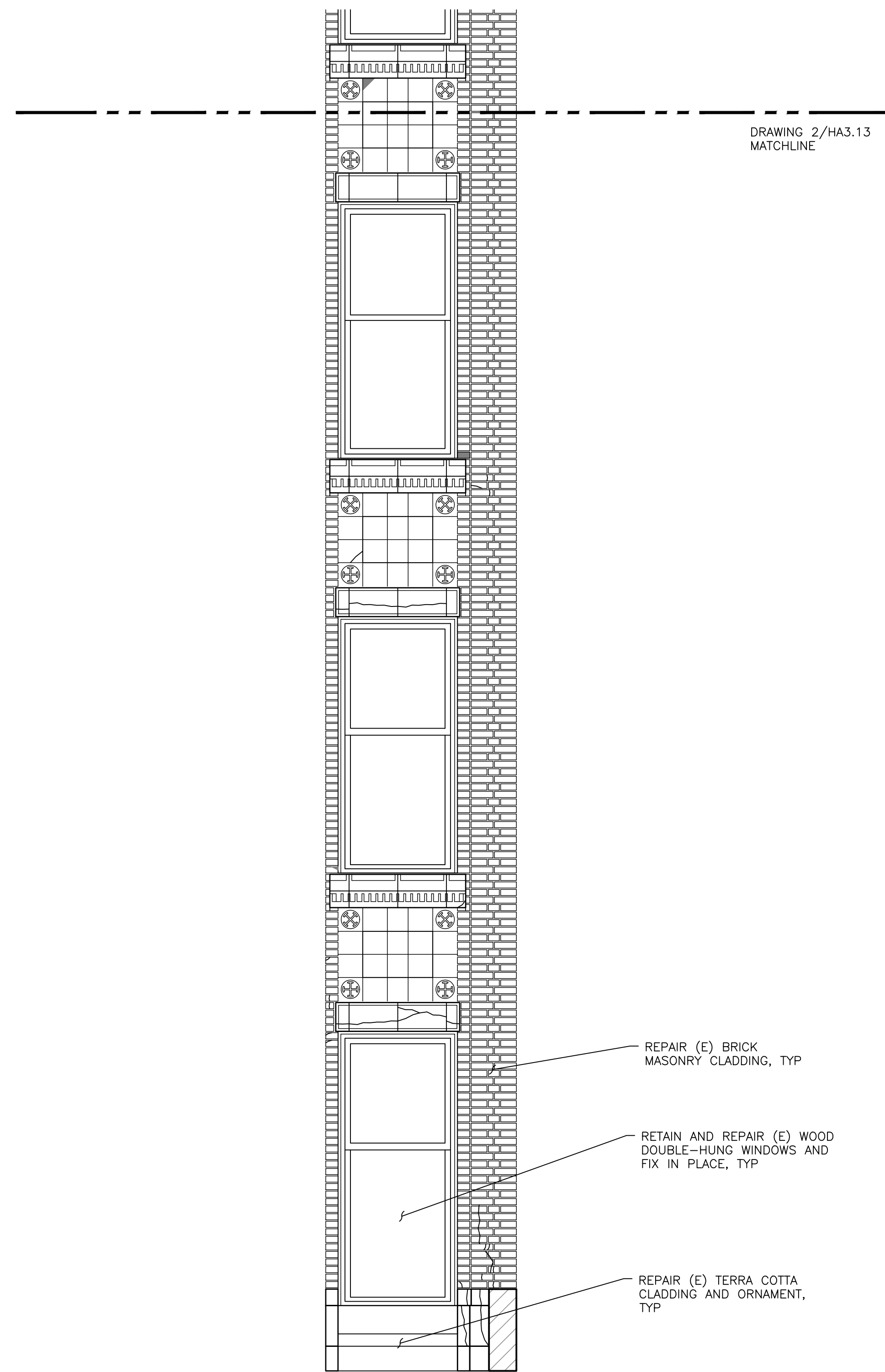
1 PARTIAL EAST ELEVATION - FLOORS 1-4  
SCALE: 3/8" = 1'-0"



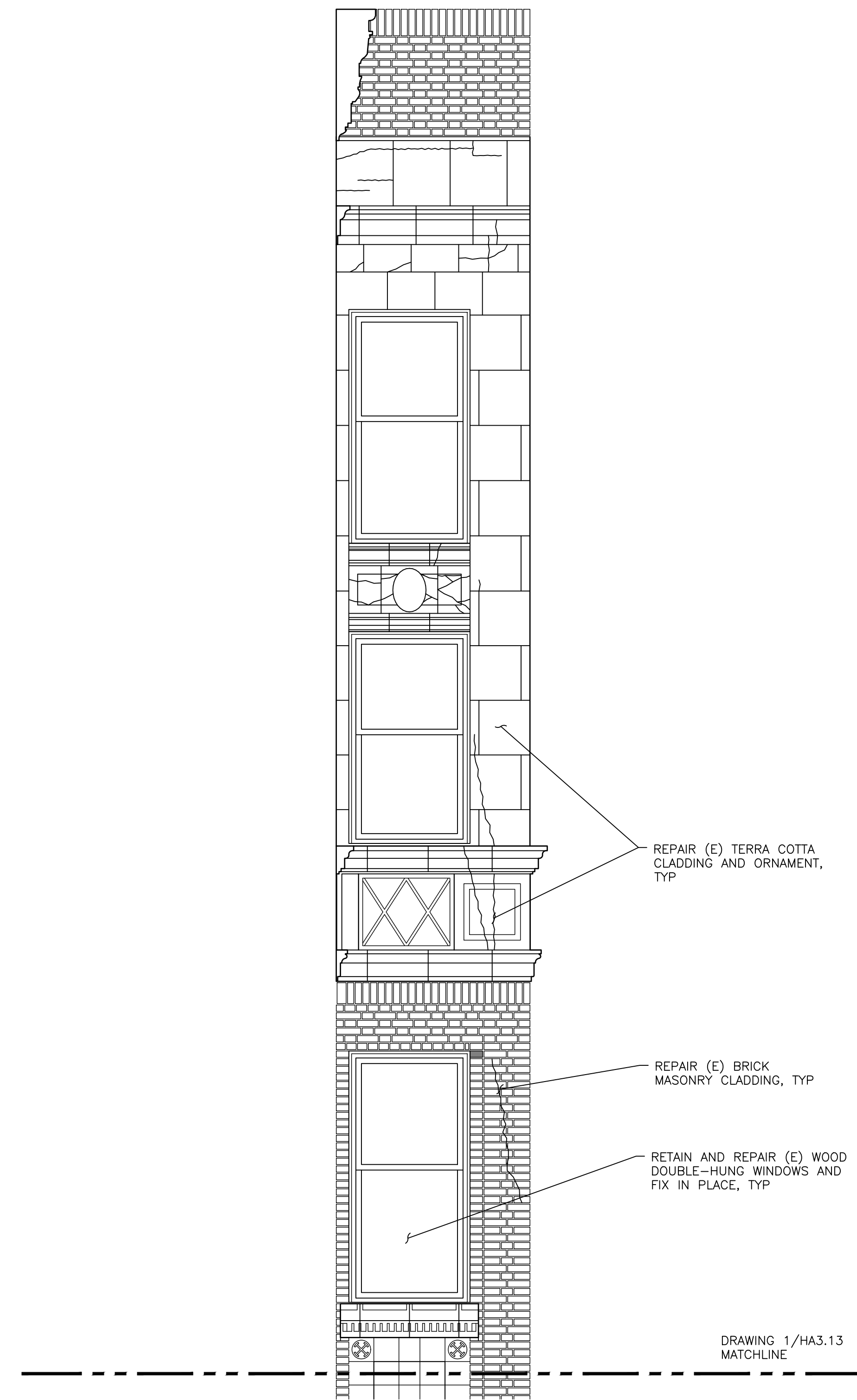
LEGEND:  
 (N) MISSING MATERIAL TO BE REPLACED

DRAWING HA3.11  
 MATCHLINE

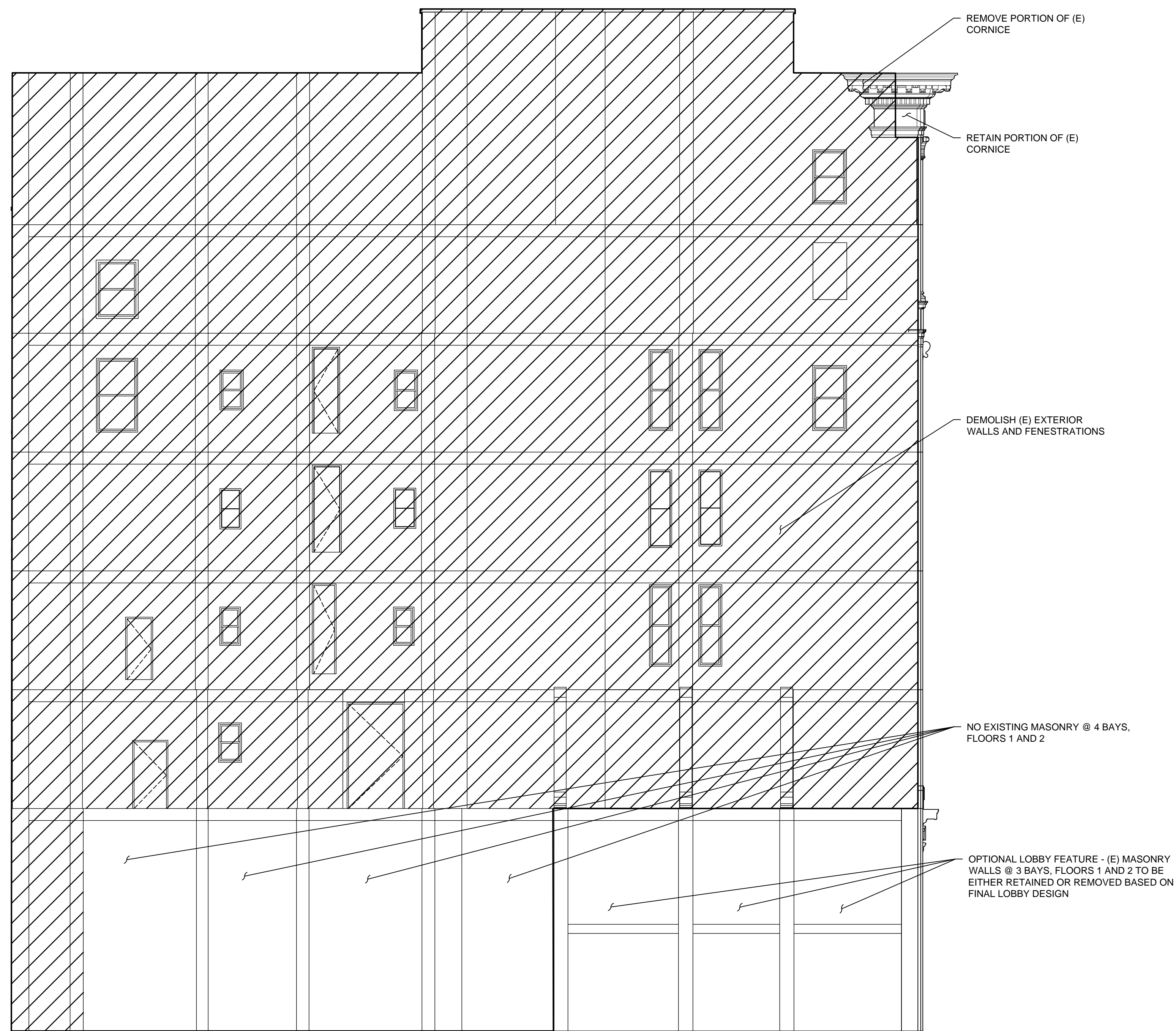
1 PARTIAL EAST ELEVATION - FLOORS 5-ROOF  
 SCALE: 1/2" = 1'-0"



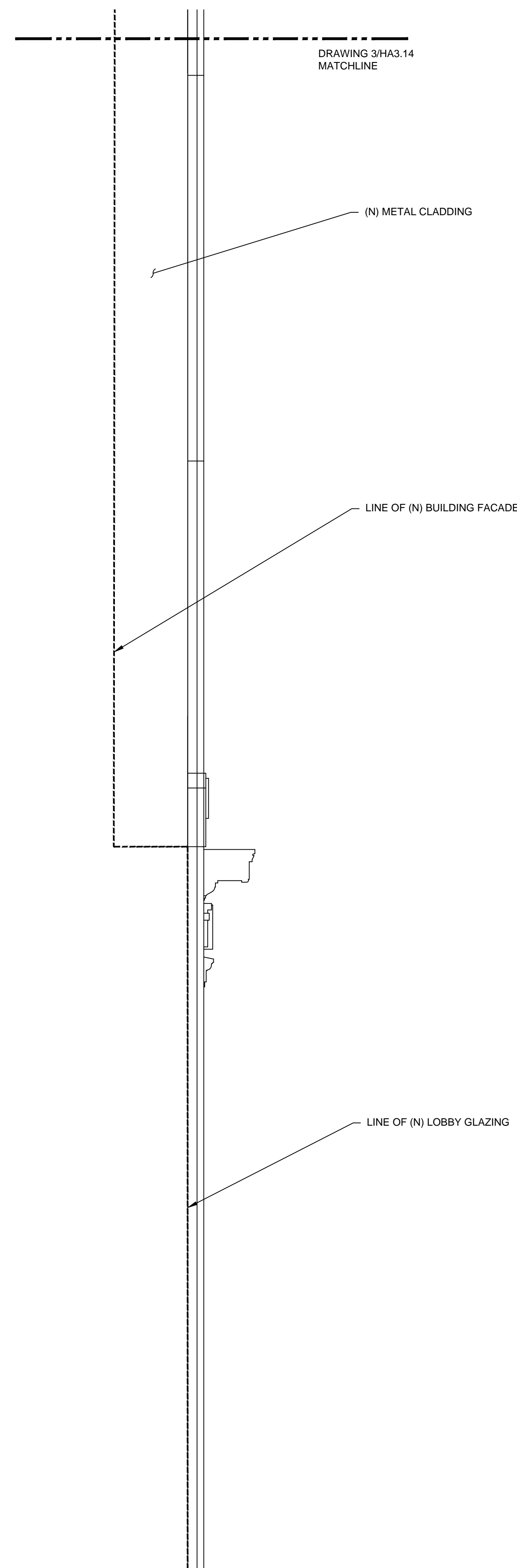
1 PARTIAL SOUTHEAST ELEVATION - FLOORS 3-5  
SCALE: 1/2" = 1'-0"



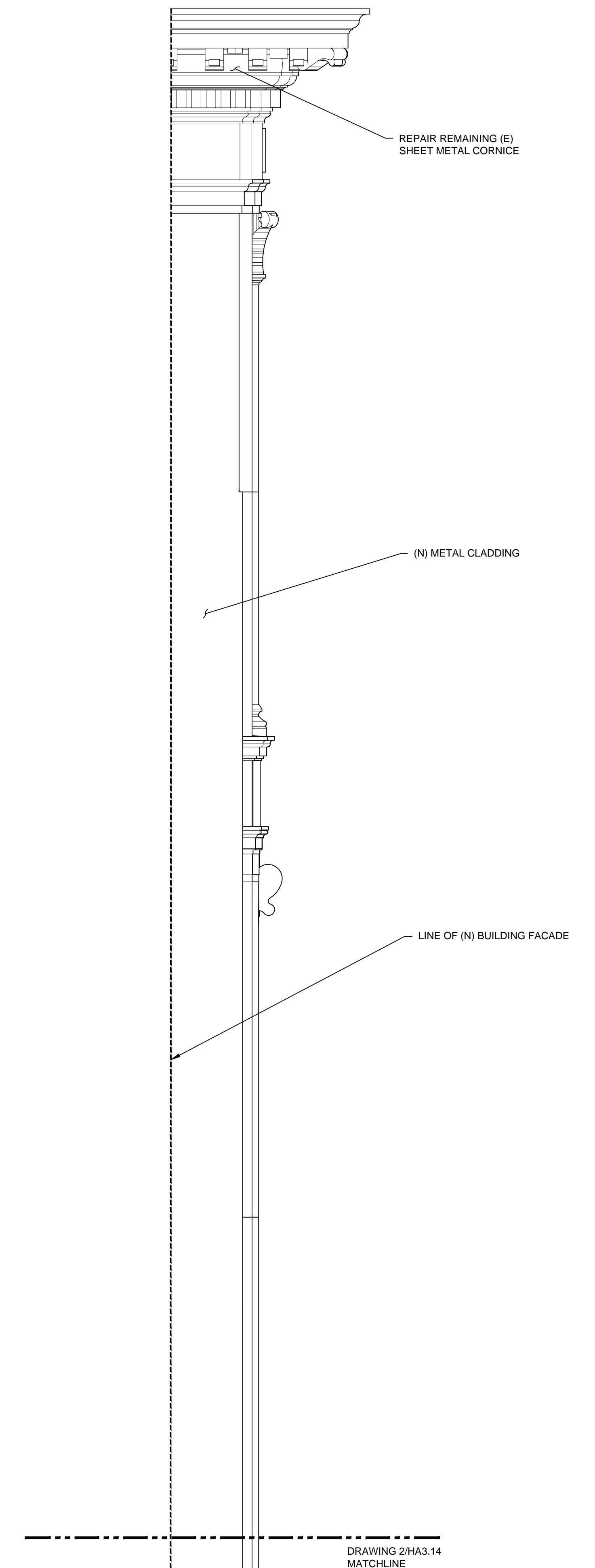
2 PARTIAL SOUTHEAST ELEVATION - FLOORS 6-ROOF  
SCALE: 1/2" = 1'-0"



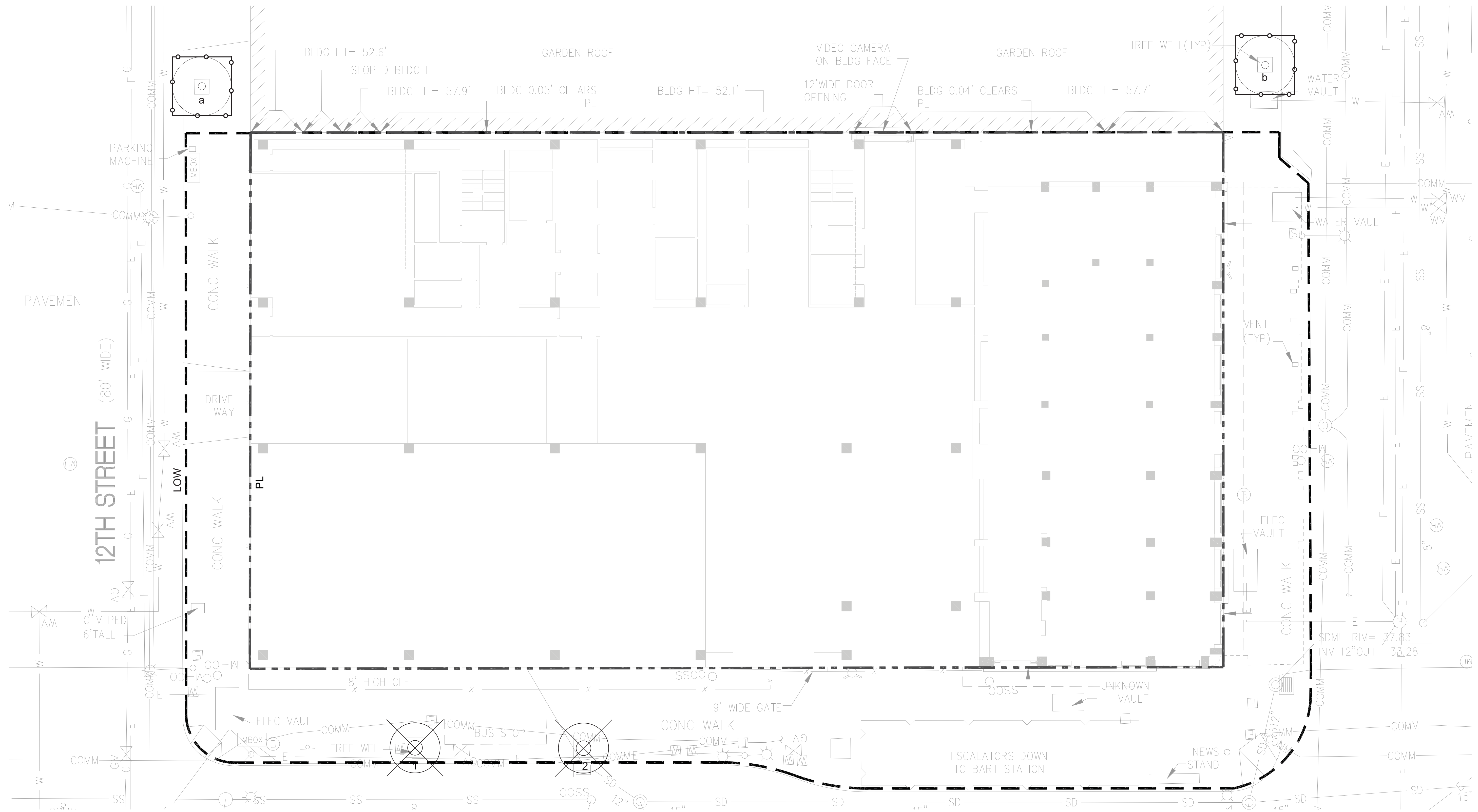
1 NORTH ELEVATION - DEMOTLITION  
SCALE: 1/8" = 1'-0"



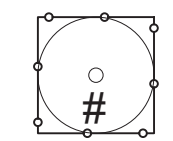
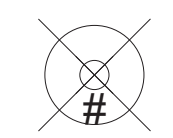


2 NORTH ELEVATION - FLOORS 1-4  
SCALE: 3/8" = 1'-0"



3 NORTH ELEVATION - FLOORS 5-ROOF  
SCALE: 3/8" = 1'-0"

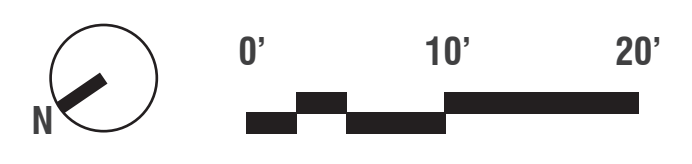


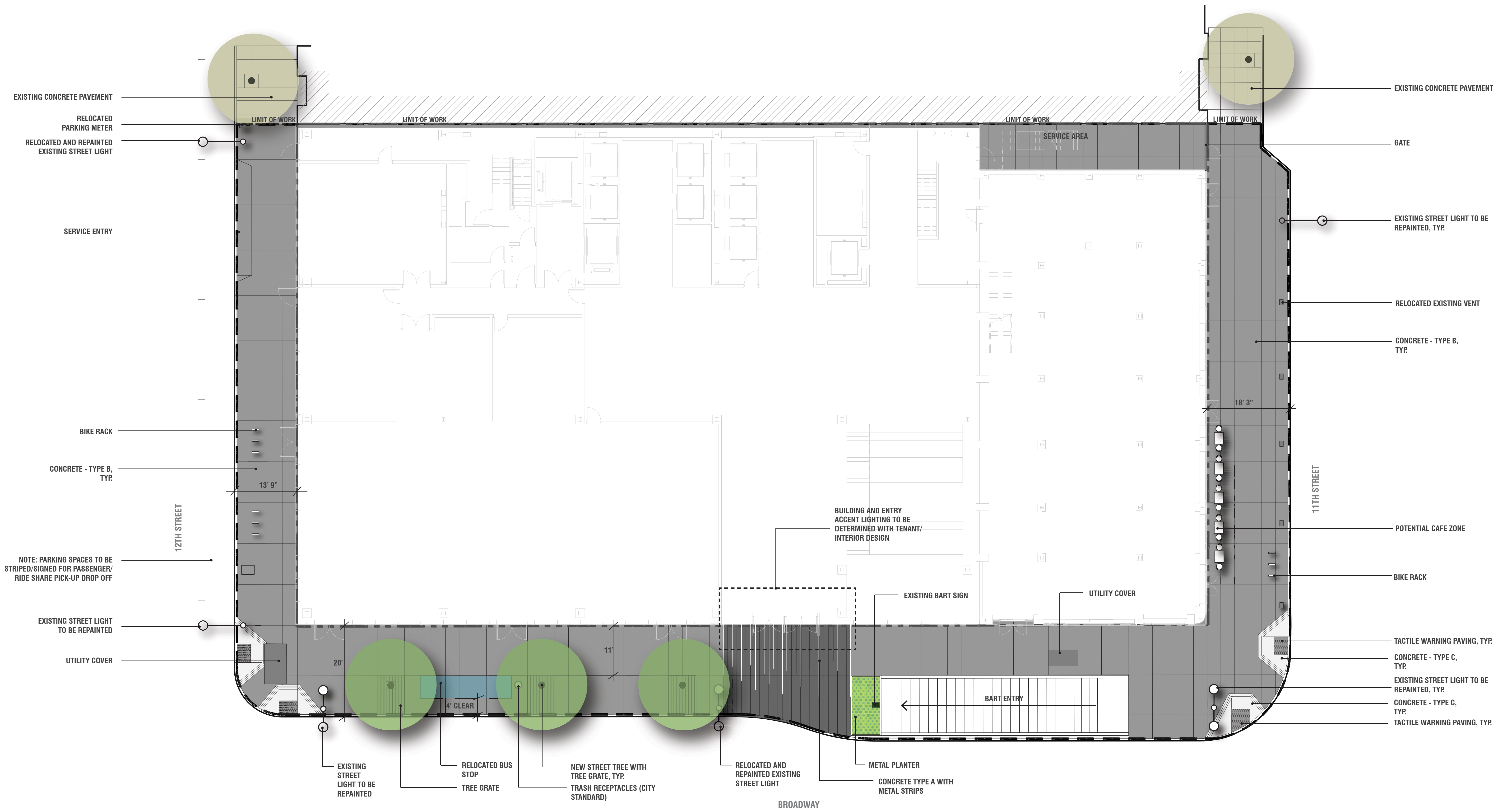
**LEGEND**

-  EXISTING PROTECTED TREES TO BE SAVED  
(2) TOTAL
-  EXISTING PROTECTED TREES TO BE REMOVED  
(2) TOTAL
-  (LOW) LIMIT OF WORK
-  (PL) PROPERTY LINE

TREES PROPOSED FOR REMOVAL		
#	SPECIES	DBH
1	<i>Platanus x hispanica</i>	4"
2	<i>Platanus x hispanica</i>	9"
TREES NOT PROPOSED FOR REMOVAL BUT LOCATED WITHIN 10 FEET OF CONSTRUCTION ACTIVITY		
#	SPECIES	DBH
a	<i>Pyrus calleryana</i>	12"
b	<i>Pyrus calleryana</i>	13"

TREE SURVEY PREPARED BY:  
 BIONIC LANDSCAPE INC  
 833 MARKET ST STE 601  
 SAN FRANCISCO CA 94103  
 p 415.206.0648  
 d 415.690.2611  
 Tree Survey Date: May 8, 2017  
 SITE SURVEY PREPARED BY:  
 SANDIS  
 636 9TH STREET  
 OAKLAND, CA 94607  
 P 510.873.8866  
 Site Survey Date: March 30, 2017





- LEGEND**
- CONCRETE TYPE A
  - CONCRETE TYPE A WITH METAL STRIPS
  - CONCRETE TYPE B
  - CONCRETE TYPE C
  - TACTILE WARNING PAVEMENT

- NEW STREET TREE
- EXISTING STREET TREE (OUTSIDE LIMIT OF WORK)

**NOTE:**  
 - BUBBLER IRRIGATION SHALL BE PROVIDED TO ALL STREET TREES ALONG BROADWAY.  
 - SEE CIVIL PLANS FOR GRADES

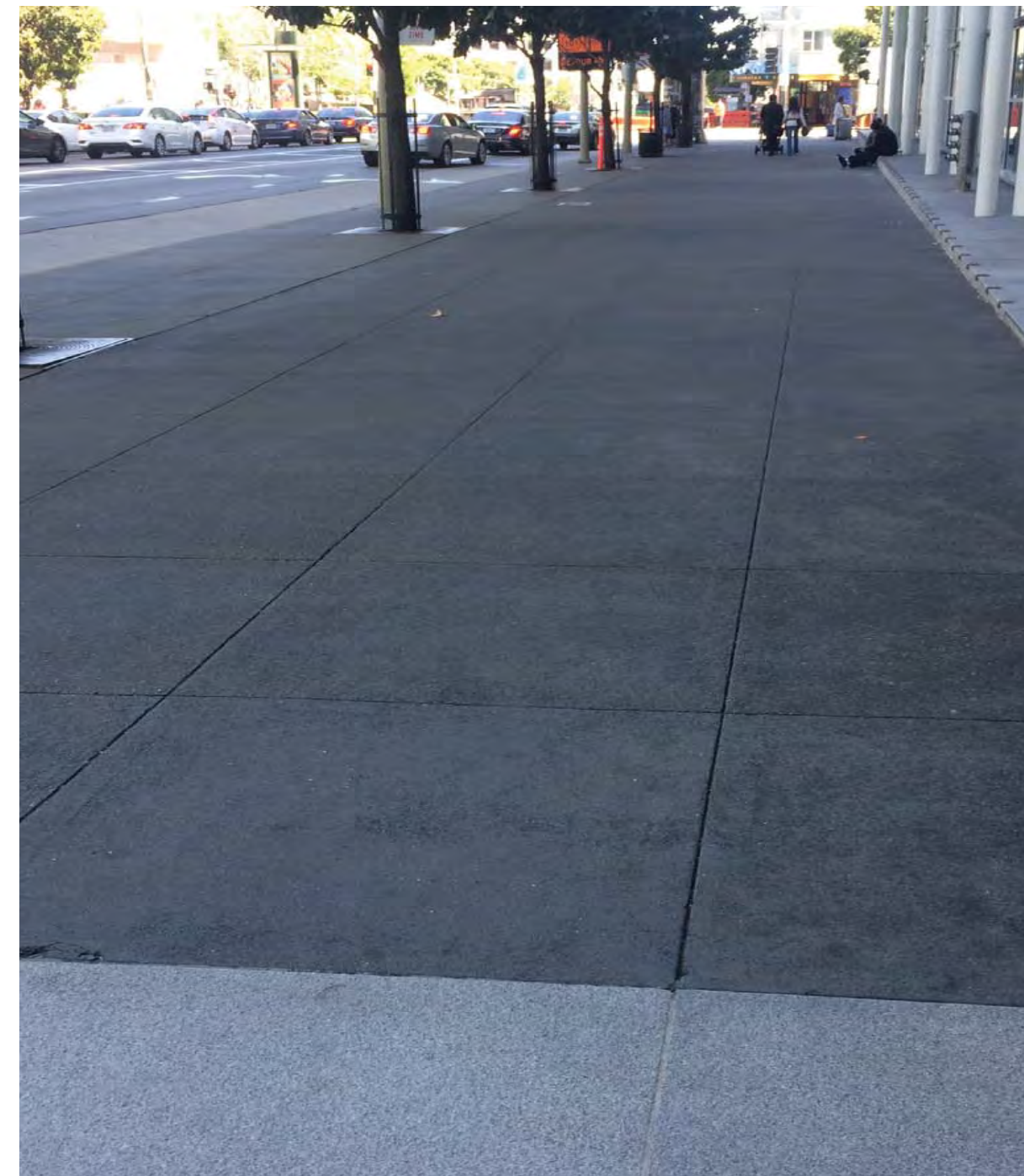
- EXISTING BROADWAY STREET LIGHT - TO BE REPAINTED (SEE L101A)
- EXISTING 11TH AND 12TH STREET LIGHT - TO BE REPAINTED (SEE L101A)
- BIKE RACK

**PLANT SCHEDULE**

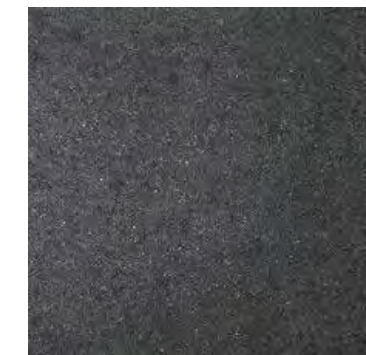
SYMBOL	SCIENTIFIC NAME	COMMON NAME	QUANTITY / AREA (SQ FT)	SIZE	IRRIGATION
<b>TREE</b>					
<span style="display: inline-block; width: 15px; height: 15px; background-color: #90ee90; border-radius: 50%; border: 1px solid black;"></span>	<i>Platanus x hispanica</i>	London Planetree	3	48" Box	Bubbler
<b>GROUNDCOVER</b>					
<span style="display: inline-block; width: 15px; height: 15px; background: repeating-linear-gradient(-45deg, transparent, transparent 2px, #cccccc 2px, #cccccc 4px); border: 1px solid black;"></span>	<i>Agave attenuata</i>	Fox Tail Agave	79 sq ft	1 Gal	Drip Irrigation



**ILLUSTRATIVE SITE PLAN**



PAVING PRECEDENT - POURED IN PLACE CONCRETE WITH INTEGRAL COLOR



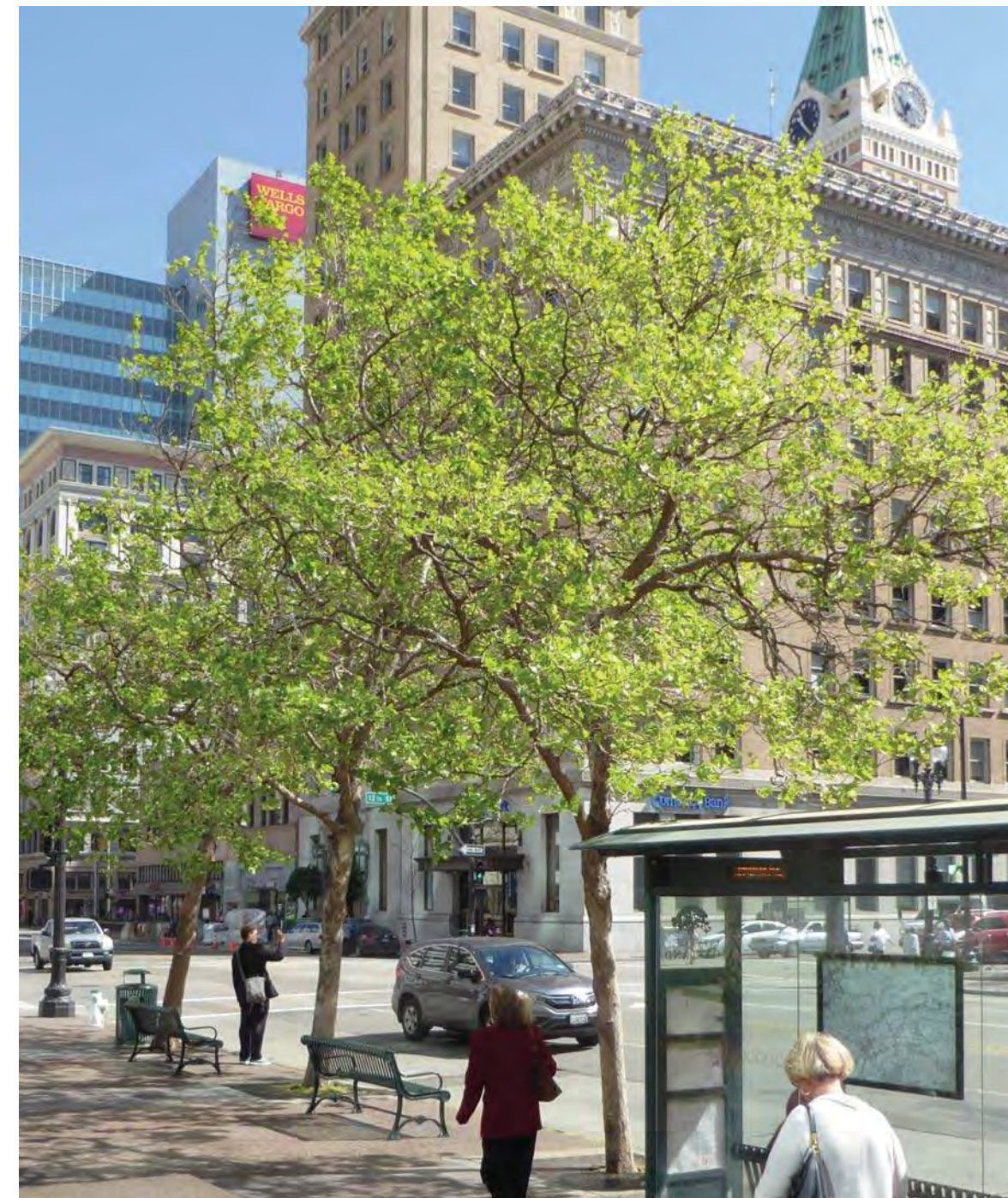
CONCRETE TYPE A COLOR



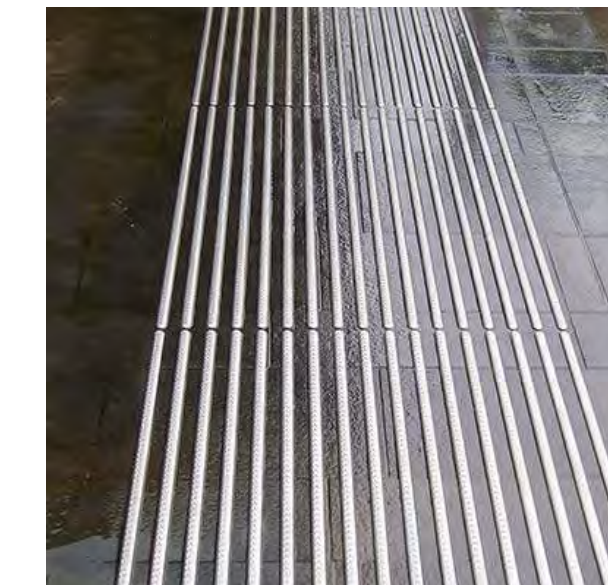
CONCRETE TYPE B COLOR



CONCRETE TYPE C COLOR



STREET TREE  
Platanus x hispanica 'Columbia'



METAL STRIPS IN CONCRETE (BROADWAY)



METAL TREE GRATE



BIKE RACK



TEXT IN METAL (optional)



EXISTING BROADWAY STREET LIGHT  
- TO BE REPAINTED



EXISTING 11TH AND 12TH STREET LIGHT  
- TO BE REPAINTED



SLIPNOT CLAD COVERS



UTILITY COVERS



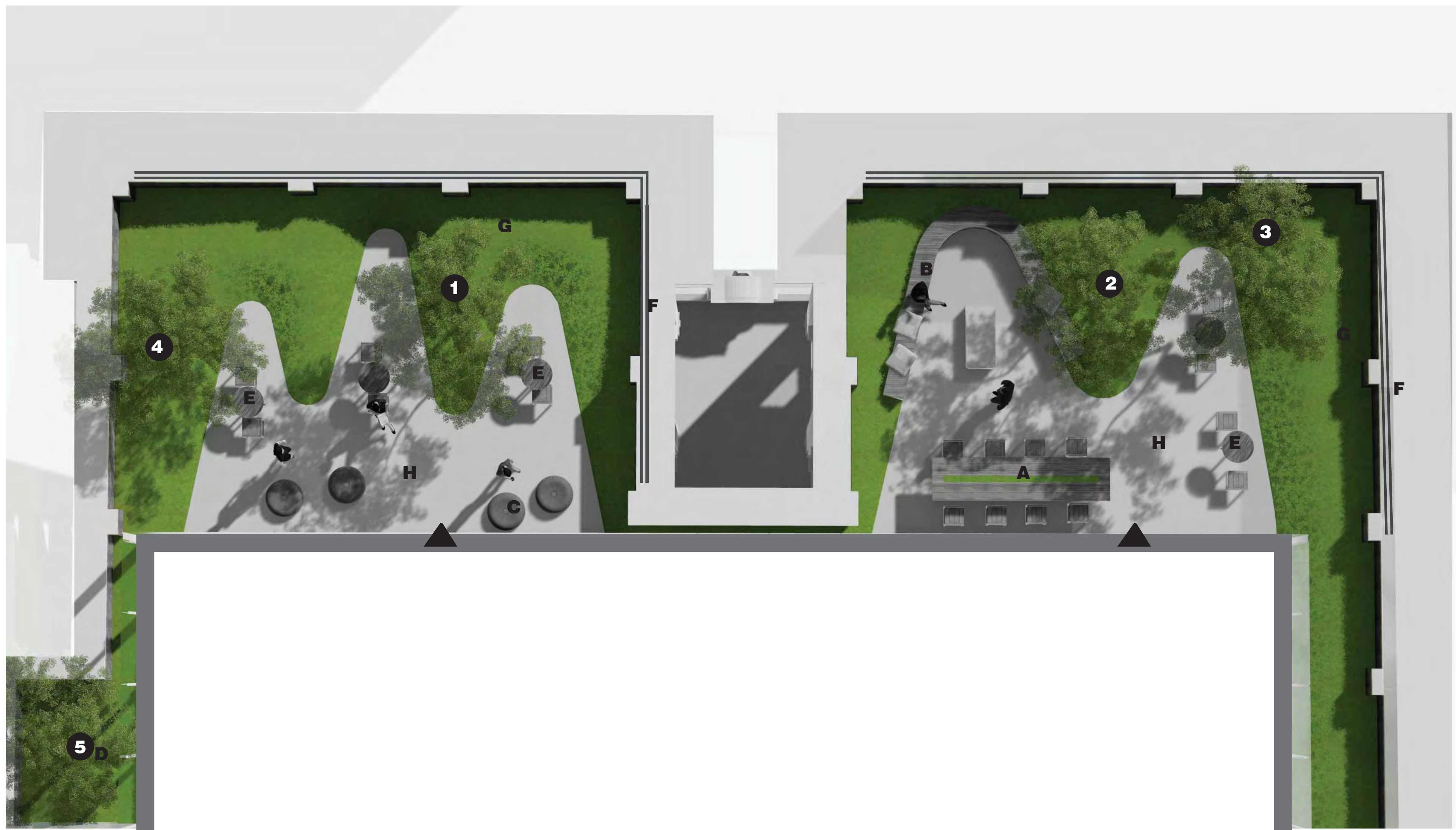
EXISTING METAL VENT



TACTILE PAVEMENT

STREETScape MATERIAL BOARD





LEVEL 9 ROOF TERRACE - TOP VIEW

LEGEND

- A. Communal Table
- B. Lounge
- C. Seating
- D. Specimen Tree 5
- E. Cafe Table
- F. Glass Windscreen
- G. Planted Landform
- H. Pedestal Paver

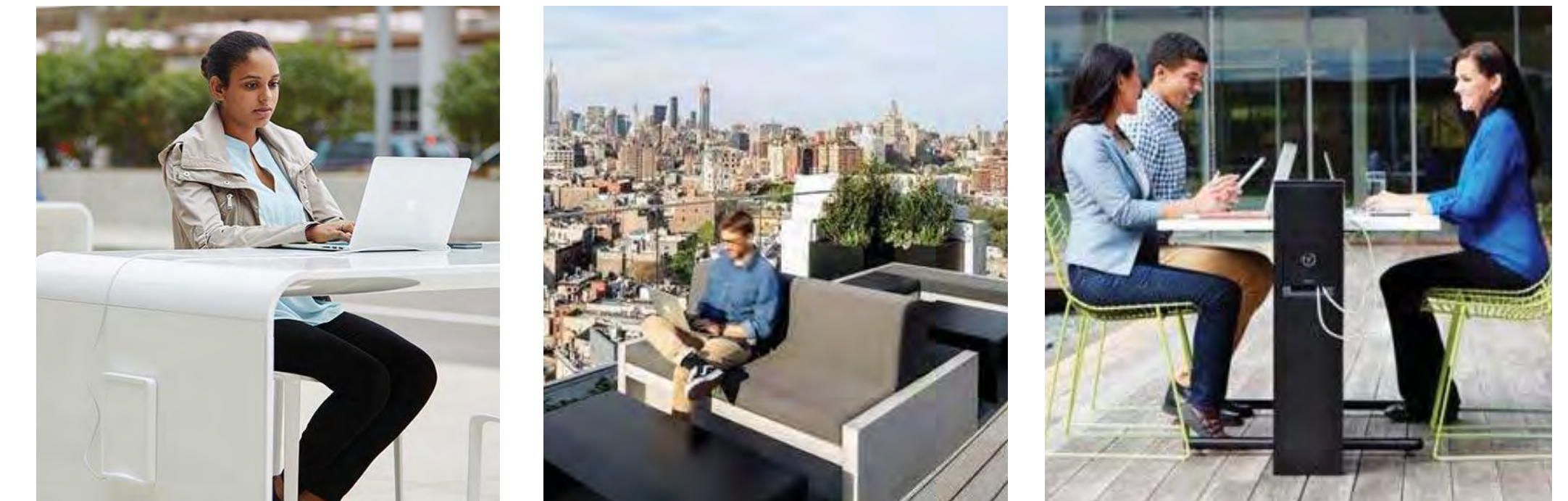
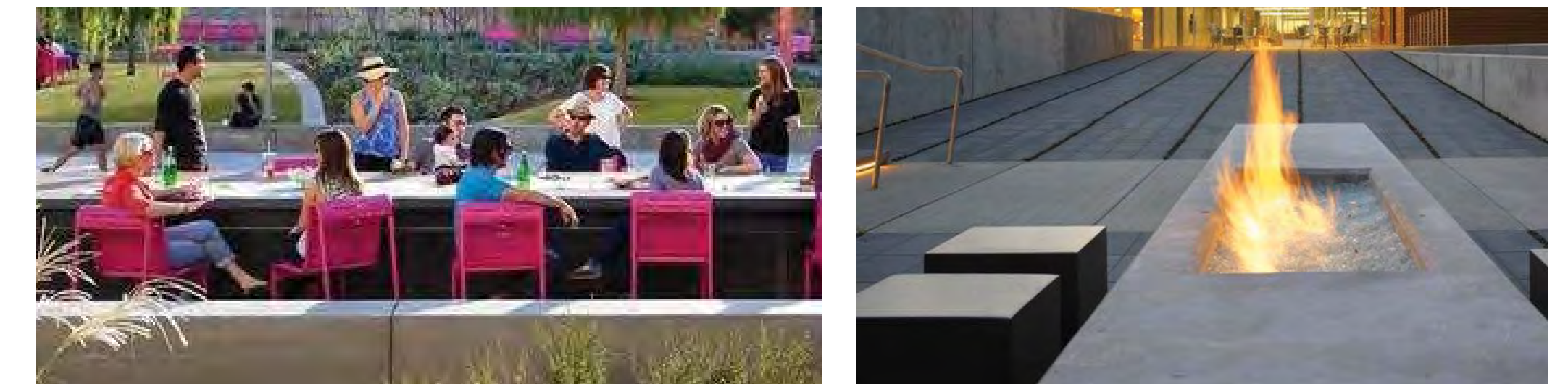
AREA TABULATION

Roof Area: 2250 SF  
 Hardscape: 860 SF (38.5%)  
 Softscape: 1390 SF (61.5%)  
 Occupancy: 57

PRELIMINARY PLANT SCHEDULE

SYMBOL	SCIENTIFIC NAME	COMMON NAME	QUANTITY / AREA (SQ FT)	SIZE	IRRIGATION
<b>TREE</b>					
1 2	<i>Olea europaea</i> OR <i>Lagerstroemia indica</i> 'Glendora White'	Olive Tree OR Crepe Myrtle (White Flowering)	4	24" Box	Bubbler
3 4					
5	<i>Acer Palmatum</i>	Japanese Maple	1	24" Box	Bubbler
<b>SHRUB / GROUNDCOVER</b>					
	<i>Agave Attenuata</i> <i>Senecio mandraliscae</i> <i>Anigozanthos Flavidus</i> <i>Achillea millefolium</i> <i>Carex divulsa</i> <i>Lomandra longifolia</i> "Breeze" <i>Salvia apiana</i> <i>Heuchera sanguinea</i> <i>Agave spp.</i> <i>Arctostaphylos spp.</i> <i>Epilobium canum</i>	Fox Tail Agave Blue Chalk Sticks Kangaroo Paw Yarrow Berkeley Sedge Dwarf Mat Rush White Sage Coral Bells Agave Creeping Manzanita California Fuschia	1,250 sq ft	1 Gal	Drip Irrigation

NOTE:  
 SEE ARCHITECTURAL PLANS FOR FLOOR PLAN AND ROOF DRAINAGE.  
 DRIP IRRIGATION SHALL BE PROVIDED TO ALL PLANTING ZONES



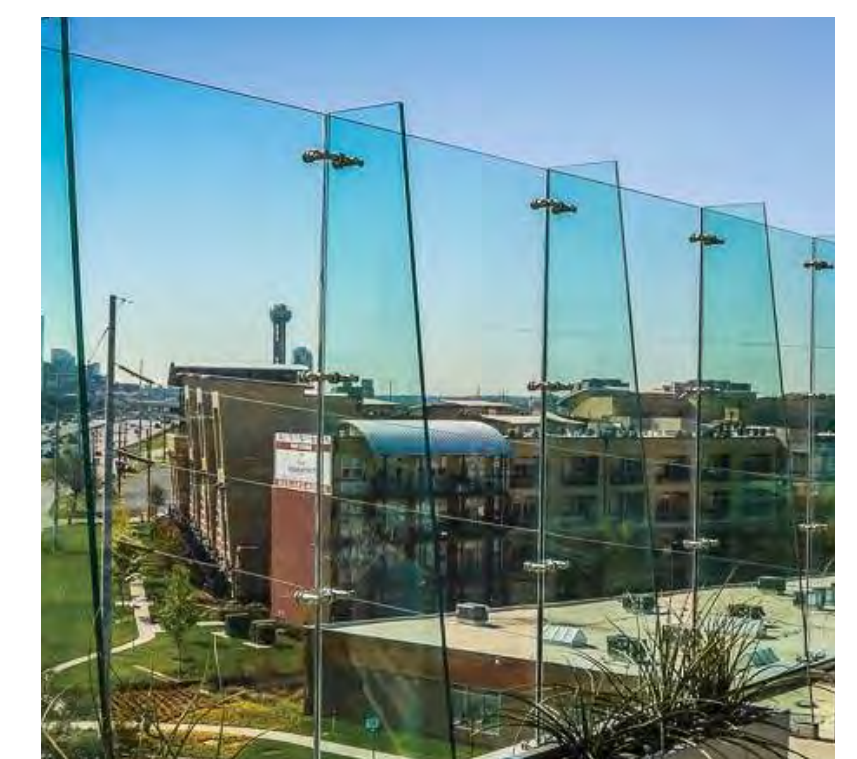
FURNITURE



LANDFORM / PLANTING

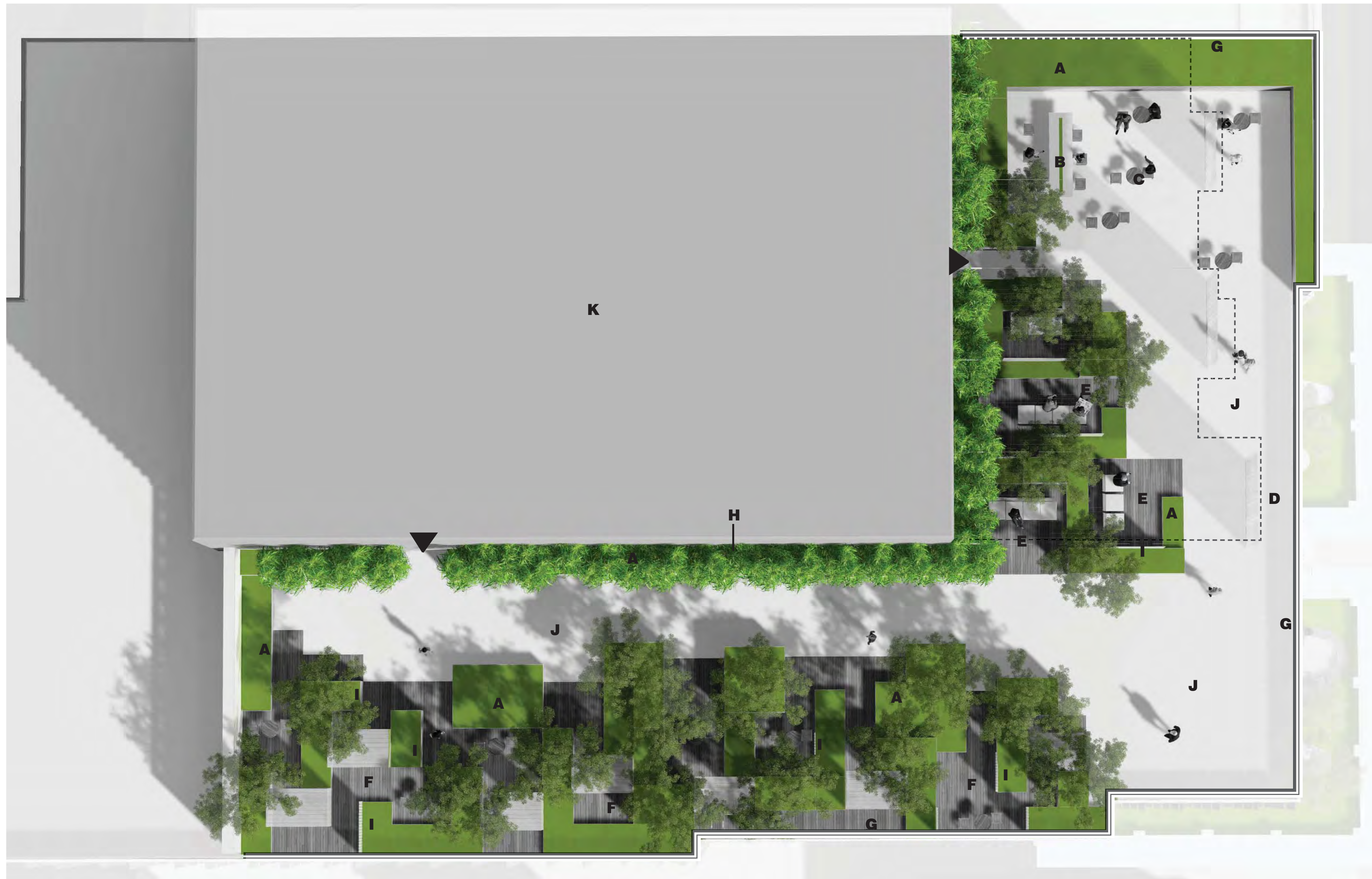


PEDESTAL PAVER



WIND SCREEN

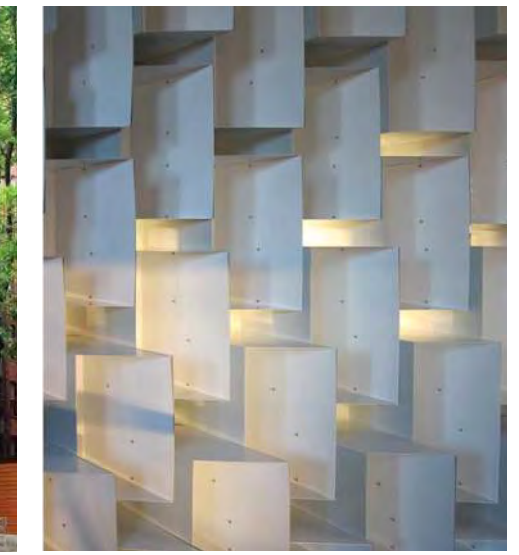
NOTE: IF OPTIONAL ROOF TERRACE IS PURSUED, FINAL DESIGN SUBJECT TO TENANT FEEDBACK



LEVEL 19 ROOF DECK - TOP VIEW

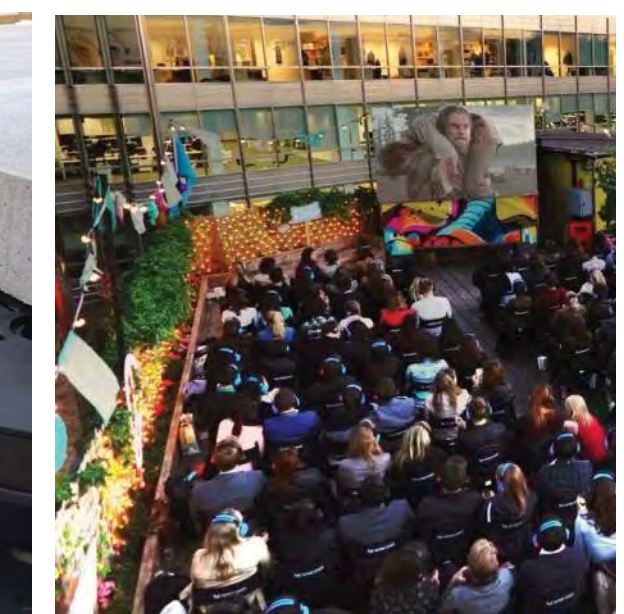


BAR AND CAFE



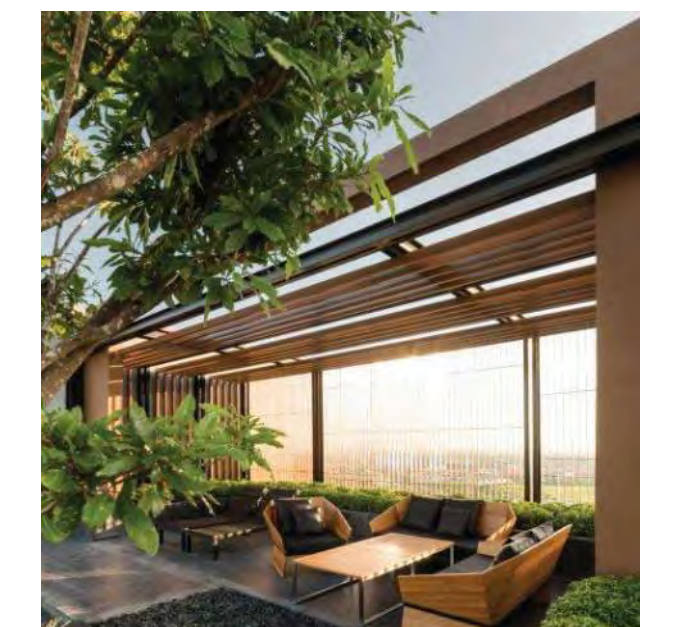
PLANTING/ SCREENING

WORK AREA



PEDESTAL PAVER

FLEXIBLE PROGRAM AREA



LOUNGE

NOTE: IF OPTIONAL ROOF TERRACE IS PURSUED, FINAL DESIGN SUBJECT TO TENANT FEEDBACK

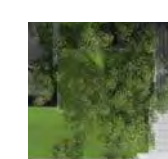
LEGEND

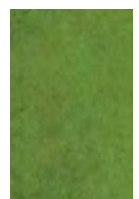
- A. Planter
- B. Communal Table
- C. Cafe Seating
- D. Trellis
- E. Lounge Area
- F. Decking
- G. Glass Windscreen / Railing
- H. Planted Screen
- I. Windscreen
- J. Flexible Program Area (Pedestal Pavers)
- K. Mechanical Area

AREA TABULATION

Roof Area: 7900 SF  
 Hardscape: 5900 SF (75%)  
 Softscape: 2000 SF (25%)  
 Occupancy: 390

PRELIMINARY PLANT SCHEDULE

SYMBOL	SCIENTIFIC NAME	COMMON NAME	QUANTITY	SIZE	IRRIGATION
<b>TREE</b>					
	<i>Olea europaea</i> OR <i>Lagerstroemia indica</i> 'Glendora White'	Olive Tree OR Crepe Myrtle (White Flowering)	15	24" Box	Bubbler
<b>PLANT FOR SCREENING</b>					
H	<i>Himalayacalamus hookerianus</i>	Blue Bamboo	1,075 sq ft	24" Box	Bubbler

SYMBOL	SCIENTIFIC NAME	COMMON NAME	AREA (SQ FT)	SIZE	IRRIGATION
<b>SHRUB / GROUNDCOVER</b>					
	<i>Agave Attenuata</i> <i>Senecio mandraliscae</i> <i>Anigozanthos Flavidus</i> <i>Achillea millefolium</i> <i>Carex divulsa</i> <i>Lomandra longifolia</i> "Breeze" <i>Salvia apiana</i> <i>Heuchera sanguinea</i> <i>Agave spp.</i> <i>Arctostaphylos spp.</i> <i>Epilobium canum</i>	Fox Tail Agave Blue Chalk Sticks Kangaroo Paw Yarrow Berkeley Sedge Dwarf Mat Rush White Sage Coral Bells Agave Creeping Manzanita California Fuschia	2,000 sq ft	1 Gal	Drip Irrigation

NOTE:  
 SEE ARCHITECTURAL PLANS FOR FLOOR PLAN AND ROOF DRAINAGE.  
 DRIP IRRIGATION SHALL BE PROVIDED TO ALL PLANTING ZONES



EXISTING BROADWAY STREET LIGHT - TO BE REPAINTED  
 EXISTING 11TH AND 12TH STREET LIGHT - TO BE REPAINTED

