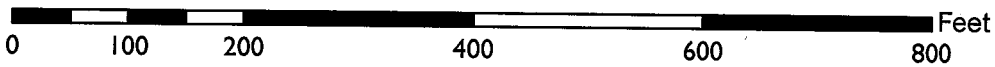
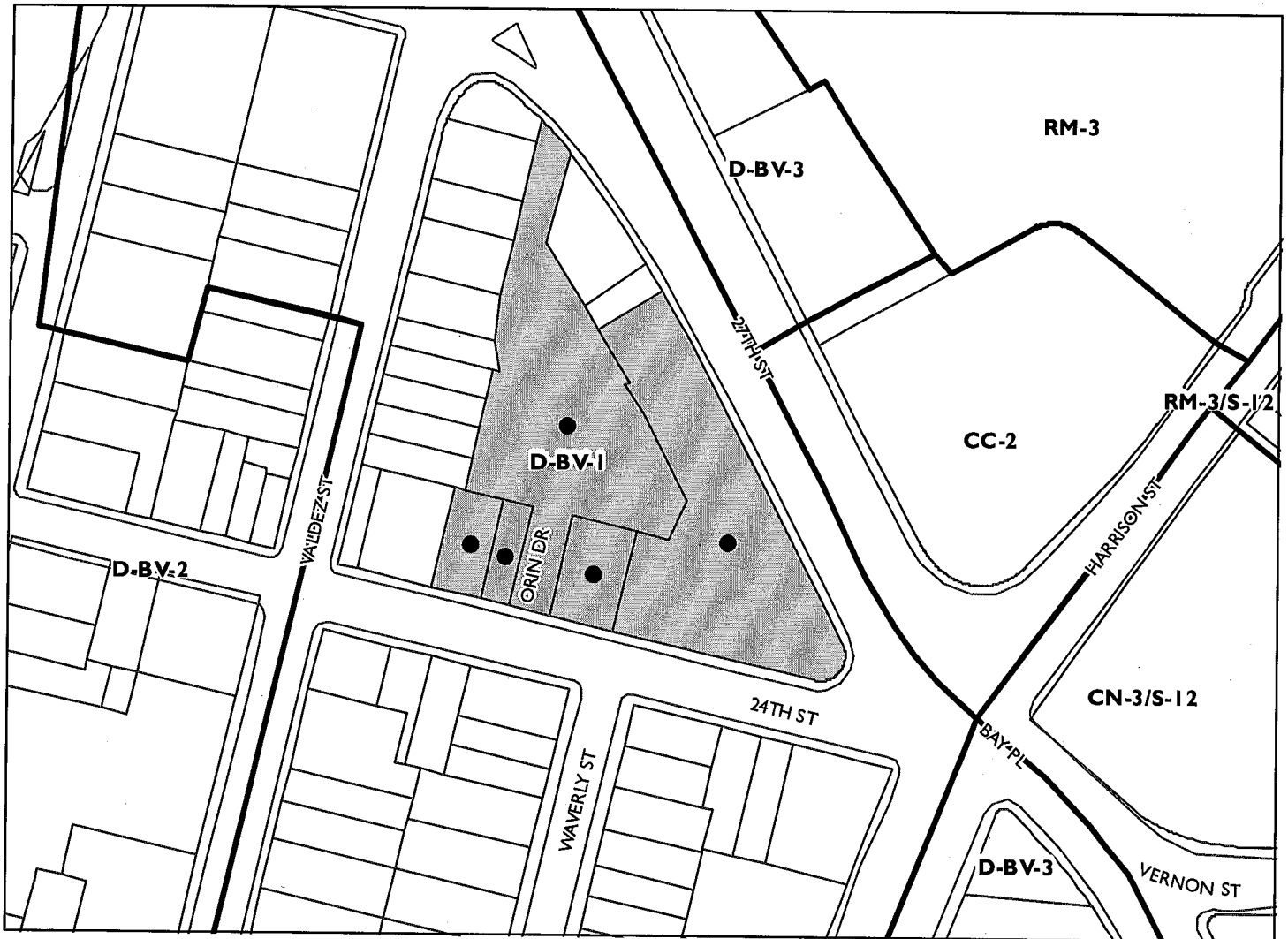


Location:	277 27 th Street (24 th & Harrison) (See map on reverse)
Assessors Parcel Number:	008-0671-020-01; -021-01; -023-03; -024; & -025
Proposal:	Proposal to demolish existing structures and construct a new mixed use development with approximately 65,000 square feet of retail and a residential tower of 18 stories (about 200 feet tall) containing 437 dwelling units and 465 parking spaces. The project site is Retail Priority Site 4B in the Broadway Valdez District Specific Plan.
Applicant:	John Wayland, Holland Partner Group
Owner:	David Robb / Douglas Marshall
Planning Permits Required:	Regular Design Review for new construction, Major Conditional Use Permit to allow D-BV-1 Zone Bonuses; Minor Variance for three loading berths where six are required; and Vesting Tentative Parcel Map to merge five parcels into two and create new condominiums.
General Plan:	Central Business District
Zoning:	D-BV-1, Broadway Valdez District Retail Priority Sites Commercial Zone
Environmental Determination:	A detailed CEQA Analysis was prepared for this project which concluded that the proposed project satisfies each of the following CEQA provisions: 15183 - Projects consistent with a community plan, general plan, or zoning; 15183.3 – Streamlining for in-fill projects; and/or 15164 – Addendum to the 2014 certified Broadway Valdez District Specific Plan EIR; Each of which provides a separate and independent basis for CEQA compliance. The CEQA Analysis document may be reviewed at the Planning Bureau offices at 250 Frank Ogawa Plaza, 2 nd Floor or on-line at http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DO WD009157
Historic Status:	Potentially Designated Historic Property (PDHP), Rating: C2+ (Orin Gate); other structures on-site are not CEQA historic resources or PDHP's.
Service Delivery District:	Metro
City Council District:	3
Action to be Taken:	Decision on Application
Staff Recommendation:	Approve with the attached conditions.
Finality of Decision:	Appealable to City Council within 10 days
For Further Information:	Contact case planner Peterson Z. Vollmann at 510-238-6167 or by e-mail at pvollmann@oaklandnet.com .

SUMMARY

The Holland Partner Group has filed an application with the Bureau of Planning to develop a mixed use project at 24th & Harrison Streets that would consist of a new 18 story building containing approximately 65,000 square feet of retail and 437 dwelling units. The project site is located within the Broadway Valdez District Specific Plan (BVDSPP) area and is Retail Priority Site 4B in the plan.

CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN16080
Applicant: Holland Partner Group
Address: 277 27th Street
Zone: D-BV-1

The project appeared before the Design Review Committee on May 25, 2016, during which the Committee recommended the item move forward to the full Planning Commission for consideration.

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

PROPERTY DESCRIPTION

The subject property consists almost of the entire city block bounded by 27th, 24th, and Valdez Streets except for the lots fronting on Valdez Street and two lots fronting on 27th Street. The current site is primarily occupied by the Acura of Oakland auto dealership as well as other auto related service buildings and lots and one commercial building on 24th Street. The site is priority retail site 4B of the BVDSP and the proposal includes all but two lots within the priority site.

The site is within the BVDSP, adopted in July 2014, which provides a comprehensive vision for the Plan area along with goals, policies, and development regulations to guide the Plan area's future development. The Plan area is divided into two distinct subareas: the Valdez Triangle and the North End. The project site is located within the Valdez Triangle and within a Retail Priority Site, meaning that there are restrictions on residential activities in favor of development of retail uses.

PROJECT DESCRIPTION

The proposed project would demolish all of the existing buildings and surface parking lots in order to construct a new mixed use development. The proposal consists of a building base that would occupy a majority of the site which will include the proposed 65,000 square feet of retail, the residential lobby entrance and the parking and loading facilities. Retail parking would be accessed off of 27th Street leading directly to an underground parking garage containing 134 parking stalls, while the residential parking entrance would be located on 24th Street which would contain 331 parking stalls on two levels at the mid-block location, for a total of 465 parking stalls. The retail component of the project will be oriented primarily along 24th Street with a large anchor tenant space at the corner of 24th and 27th Streets and additional retail making its way up 27th Street. The retail component of the building base will be approximately 36 feet in height with some portions containing upper levels with 18 foot ceilings in each level. The loading berths for the project would be accessed off of 27th Street and will contain glass bi-folding doors so as not to detract from the desired pedestrian streetscape for the area and better blend in with the retail along the street. The 27th Street frontage will also contain a secondary residential lobby as well as small retail or other commercial space facing onto 27th Street to help break up the auto entries for the retail parking and loading. The far north end of the site's frontage along 27th Street will include a currently un-programmed landscape area that will act as stormwater treatment for the project site. The historic Orin Gate that is currently located on 24th Street is proposed to be relocated to this area if feasible, provided it does not fall apart during the relocation process. Conditions of Approval will require that even in the event that the gate falls apart during relocation, the remnants would be incorporated into the landscaping as artifact landscape features.

Above the base level of the building will be a residential tower that will go up to eighteen stories at a maximum of 200 feet in height. The tower is proposed to be an L-shaped building and be stepped back away from the main retail areas so as not to impose too many structural columns into the retail spaces at the base levels of the building.

GENERAL PLAN ANALYSIS

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

The Project is consistent with the following General Plan Land Use and Transportation policies and objectives:

Policy D6.1 – Developing Vacant Lots – Construction on vacant land or to replace surface parking lots should be encouraged throughout the downtown, where possible.

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

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

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

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

The Project meets the referenced policies and objectives and the general intent of the Central Business District land use designation by constructing a new, high density, residential building above a large commercial ground floor of approximately 65,000 square feet that replaces a number of surface parking lots and lower intensity commercial buildings in the downtown core within walking distance of the 19th Street BART station.

Broadway Valdez District Specific Plan

The BVDSP provides a vision and planning framework for future growth and development in the approximately 95 acre area along Oakland's Broadway corridor between Grand Avenue and I-580. The Plan was developed by way of a thorough analysis of the area's economic and environmental conditions, as well as input from City decision-makers, landowners, developers, real estate experts, and the community at large. The Plan provides a comprehensive vision for the Plan area, along with goals, policies, and development regulations, to guide future public and private actions relating to the area's development. The Plan also serves as the mechanism for ensuring that future development will be coordinated and occur in an orderly and well-planned manner.

The Project is consistent with the following BVDSP goals and policies:

BVDSP Goal LU-1— A destination retail district that addresses the City’s deficiency in comparison goods shopping and significantly reduces sales tax leakage.

BVDSP Goal LU-8—The establishment of the Valdez Triangle as a dynamic new retail destination that caters to the comparison shopping needs for Oakland and the broader East Bay.

BVDSP-Policy LU-1.1—Prioritize development and tenanting of comparison goods retailers in the Broadway Valdez District.

BVDSP-Policy LU-1.2—Enhance the identity and function of the Broadway Valdez District as a retail destination for Oakland and the East Bay.

BVDSP-Policy LU-1.3—Balance retail uses with a mix of residential, office, and service uses that complement and support the economic viability of the commercial core, and contribute to the creation of a new “24-hour” neighborhood with around-the-clock vitality.

BVDSP-Policy LU-2.1 – Establish the Broadway Valdez District as an attractive pedestrian and transit oriented, mixed use neighborhood with a core of retail and complementary commercial uses.

BVDSP-Policy LU-4.1—Encourage the gradual transition of the Plan Area toward uses that will contribute to the creation of a vibrant, pedestrian-oriented, mixed-use district.

BVDSP-Policy LU-8.1—Promote the development of the Valdez Triangle as a dynamic pedestrian-oriented retail district within a mixed use setting that includes a complementary mix of retail, office, entertainment, and residential uses.

BVDSP-Policy LU-8.3—Broadway, Valdez Street, 24th Street, 23rd Street, and 27th Street will be the primary shopping streets that give structure to the retail district and physically integrate the Triangle with adjacent areas by providing active retail frontages and pedestrian-friendly streetscapes that extend along both sides of these key streets.

BVDSP-Policy LU-8.4—The land use concept for the Valdez Triangle is to have a core of comparison goods retail complemented with local-serving retail, dining, entertainment, office, and service uses.

BVDSP-Policy LU-8.5—The Valdez Triangle is intended to be a unique shopping district with an authentic Oakland character that includes a mix of local and national retailers.

BVDSP-Policy LU-8.6—The Valdez Triangle will feature street-oriented retail in an attractive pedestrian-oriented environment that includes vibrant, active sidewalks, and safe and attractive public spaces.

BVDSP-Policy LU-9.2—The intent is to promote a complementary mix of retail, office, entertainment, and residential uses that creates a vibrant urban corridor that is active both day and night, and on weekdays and weekends.

The Project is consistent with the above mentioned goals and policies by creating a new, mixed use development located in a retail priority site of the Valdez Triangle. The Project proposes an active ground floor commercial presence with approximately 65,000 square feet of new retail space that will promote a vibrant, pedestrian-oriented environment for the area, which should serve to accelerate the transformation of the BVDSP area. The new retail space will contain floor plates that will be suitable for mid-size or large -scale comparison goods retailers. It also will provide a concentration of sub dividable

retail of sufficient depth and parking to attract a variety of local and national retailers who will recognize the district as a viable opportunity for destination retail, especially as it grows and develops over time. The Project also will create high density, upper level residential uses that will be in close proximity to transit access and help to create a 24-hour neighborhood.

ZONING ANALYSIS

The subject property is located within the D-BV-1, Broadway Valdez District Retail Priority Sites Commercial Zone, and is within a 45 Height/Intensity Area. The intent of the D-BV-1 zone is to establish Retail Priority Sites in the Plan area in order to encourage a core of comparison goods retail with a combination of small, medium, and large scale retail stores. Priority Sites 3 and 5 are further divided into subareas a, b, and c and Priority Site 4 into subareas a and b, as shown in the Height Area Map. Each Retail Priority Site and subarea has a specified minimum square footage of retail required prior to residential or transient habitation activities and facilities being permitted. The Project site is located within Priority Site 4B, which calls for a minimum retail amount of 54,567 square feet prior to the allowance of any residential units or height bonus above 45 feet. A proposal with 54,567 square feet (50% of the site area) of retail may permit a maximum of one dwelling unit per 125 square feet of retail provided, which would allow for 436 units. A proposal that includes retail square footage of 65,480 or more (60% of the site area) would allow for dwelling units at a ratio of one dwelling per 100 square feet of retail provided. The proposed project includes 65,005 square feet of retail which results in a maximum of 520 dwelling units. Meeting the minimum retail square footage requirement also allows an increase in height above the 45 foot height limit to 200 feet. The proposed project would include a residential tower not to exceed a height of 200 feet.

Major Conditional Use Permit

The D-BV-1 Zone requires a Conditional Use Permit for any development that includes residential facilities, which must be part of a larger development project that includes retail development. As noted above, the Project is located within the D-BV-1 Retail Priority Site 4b, which requires a minimum of 54,567 square feet of retail prior to the allowance of any residential facilities or a bonus to the height limit above 45 feet.

The proposed project includes 65,005 square feet of retail that may be allocated toward the residential density, which results in a maximum of 520 dwelling units. Meeting the minimum retail square footage requirement also allows an increase in height above the 45 foot height limit to 200 feet. The proposed 18 story tower would not exceed the maximum 200 feet.

Parking

The project meets all of the required auto and bike parking pursuant to Planning Code Section 17.116 & 17.117. Auto and Bike parking is required and proposed as set forth in the following tables.

Auto Parking			
Use	Amount	Required Auto Parking	Stalls Provided
Residential	437 units	0.5: unit = 219 stalls	331
Ground Floor Commercial	32,015 sq.ft.	1: 500 sq.ft. = 64 stalls	(see below for total commercial provided)
Upper Level Commercial	32,990 sq.ft.	1:1,000 sq.ft. = 33 stalls (97 total required commercial stalls)	134
TOTAL		316	465

Bike Parking Long Term			
Use	Amount	Required Bike Parking	Provided
Residential	437 units	1: 2units = 219	234
Commercial	65,005 sq.ft.	1:8,000 sq.ft. = 8	8
TOTAL		116	116

Bike Parking Short Term			
Use	Amount	Required Bike Parking	Provided
Residential	437 units	1:15 units = 29	30
Commercial*	65,005 sq.ft.	1:3,000 sq.ft. = 21; or 1:2,000 sq.ft. = 32 max	30
TOTAL		26	26

* Short Term Commercial Bike Parking varies by use and can't exactly be determined until a tenant is identified. A range is provided showing the minimum and a maximum. The proposal includes a tentative proposal for bike racks within the sidewalk areas, which can increase or decrease as necessary.

Off-Street Loading –Minor Variance

Pursuant to Planning Code Section 17.116 a total of six off-street loading berths are required for the Project -- three berths are required for the retail component since the amount of new square feet is between 50,000 and 99,999. Three additional loading berths are required for the residential use because the building includes in excess of 450,000 square feet of new residential floor area. The Project proposes to provide a total of three off-street loading berths and thus a minor variance is required to reduce the number of loading berths.

The Project would provide an off-street loading area that can accommodate three large trucks for loading and unloading, which would be accessed off of 27th Street. Expanding this area beyond the three loading berths would create a very vast amount of inactive street frontage beyond the reasonable needs of the project. The project site can manage the combined use of the commercial and residential loading needs between the two uses on-site as to eliminate the need to add more loading bay doors at the pedestrian level which are not desirable. A condition of approval is proposed that requires a loading berth management plan be submitted for City review/approval.

Design Review

The proposed design occupies the entire Valdez Street block face between 24th & 27th Streets. The proposed building is anchored at each end with large retail ground floor uses that contain ceiling heights

in excess of 15 feet. The linear mass of the building is broken down by adding a large recess at the mid-block point of the building for the residential lobby entrance and courtyard above. The design further breaks down the mass of the building with the application of varying exterior materials such as corrugated metal siding, stucco, metal paneling, and window walls at corner locations. The primary corner at the 27th & Valdez Streets contains a rounded building element that will face onto the new plaza at the intersection. In addition, this rounded elevation will also relate to the proposed building across Valdez where a similar rounded elevation will front onto the opposing plaza as well.

Design Review Committee

As previously mentioned, this item appeared before the Design Review Committee (DRC) on May 25, 2016. At this meeting the DRC recommended to move the item forward to consideration by the full Planning Commission. At the meeting the main item for discussion was the tower massing. The architect had provided ideas for altering the massing which was accepted by staff and the DRC as heading in the correct direction to resolve the design issues. Another item that was raised was the inclusion of the Orin Gate within the project site. The project plans include for the re-use of the historic gate into the landscaping of the proposed project.

Staff believes the proposed design is consistent with the Corridor Design Guidelines as well as the Broadway Valdez Specific Plan Design Guidelines by creating a mixed use development that establishes a strong pedestrian oriented commercial ground floor which is the desired character for the Broadway Valdez Area. The project also provides large footprint retail opportunities at a key priority site within the Valdez Triangle. Parking access is appropriately located off of the pedestrian shopping street with adequate screening of parking garages. The project contains clearly identified residential lobby entrances, and provides a well-designed façade that incorporates high quality exterior materials and a series of treatments that break up the mass and visual bulk of the building.

ENVIRONMENTAL DETERMINATION

The *Broadway Valdez District Specific Plan Environmental Impact Report* (EIR) analyzed the environmental impacts of adoption and implementation of the BVDSP and, where the level of detail available was sufficient to adequately analyze the potential environmental effects, provided a project-level CEQA review for reasonably foreseeable development. This project-level analysis allows the use of CEQA streamlining and/or tiering provisions for projects developed under the BVDSP.

The CEQA Analysis prepared for the Project identifies that the total number of dwelling units within the BVDSP exceeds the expected number of units called out within the in the Plan EIR. However, the Plan had contemplated this potential scenario and allows land use types to be borrowed against one another as long as the total development program is not exceeded. For example, when residential uses are proposed in excess amounts than that of what was called out in the EIR, square footage from office or retail uses is “borrowed” or deducted from the overall development program so that the total development program is not exceeded. The BVDSP EIR assumed build-out conditions with certain “worst case” development assumptions to conservatively assess the BVDSP’s full range of impacts on the environment. Traffic capacity was identified in the BVDSP EIR as the key environmental factor constraining development and as part of the analysis, the City derived a maximum number of allowable trips under the full build-out scenario against which individual projects are measured. The City is tracking and measuring vehicle trip generation created by projects proposed under the BVDSP, not land uses, to monitor when thresholds established have been met. The BVDSP did not “lock in” precise land uses for this EIR analysis. Rather, the BVDSP contemplated that uses would evolve and, as long as the impacts fall within the maximum development analyzed in the BVDSP EIR, additional CEQA analysis is unnecessary. This is the case for

the project. Specifically, with respect to traffic impacts, the trips generated by the project would fall within the trips analyzed in the BVDSP EIR.

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

1. **Community Plan Exemption.** Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 allow streamlined environmental review for projects that are “consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.” Section 15183(c) specifies that “if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards..., then an EIR need not be prepared for the project solely on the basis of that impact.”
2. **Qualified Infill Exemption.** Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 allow streamlining for certain qualified infill projects by limiting the topics subject to review at the project level, if the effects of infill development have been addressed in a planning level decision, or by uniformly applying development policies or standards. Infill projects are eligible if they are located in an urban area on a site that either has been previously developed or that adjoins existing qualified urban uses on at least 75 percent of the site’s perimeter; satisfy the performance standards provided in CEQA Guidelines Appendix M; and are consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy. No additional environmental review is required if the infill project would not cause any new specific effects or more significant effects, or if uniformly applicable development policies or standards would substantially mitigate such effects.
3. **Addendum.** Public Resources Code Section 21166 and CEQA Guidelines Section 15164 state that an addendum to a certified EIR is allowed when minor changes or additions are necessary and none of the conditions for preparation of a subsequent EIR or Negative Declaration pursuant to Section 15162 are satisfied.

Note:

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

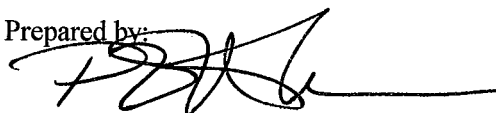
CONCLUSION

Staff feels that the Project is well designed and helps to implement the vision of the BVDSP by developing the priority site with viable retail space that could both be occupied by larger format national stores as well as national and local smaller to mid-size retail establishments. This, when combined with the other entitled developments within the Valdez Triangle, will help to establish the area as a new retail shopping district and will help to act as a catalyst for future projects to take place within the Broadway-Valdez Plan area.

RECOMMENDATIONS:

1. Affirm staff's environmental determinations.
2. Approve the Major Conditional Use Permit and Design Review, Minor Variance, and Vesting Tentative Parcel Map subject to the attached findings and conditions.

Prepared by:



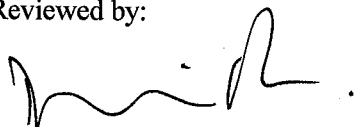
PETERSON Z. VOLLMANN
Planner III

Reviewed by:



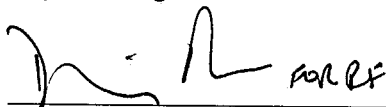
SCOTT MILLER
Zoning Manager
Bureau of Planning

Reviewed by:



DARIN RANELETTI
Deputy Director
Bureau of Planning

Approved for Forwarding to the
City Planning Commission:



RACHEL FLYNN, Director
Department of Planning and Building

ATTACHMENTS:

- A. Findings for Approval
- B. Conditions of Approval
- C. SCA/MMRP from the 24th & Harrison Project CEQA Analysis Checklist
- D. Plans of the Project Site

ATTACHMENT A

FINDINGS FOR APPROVAL

This proposal meets all the required Conditional Use Permit Criteria (Section 17.134.050), Design Review Criteria (Sections 17.136.050 & 17.136.075), and Minor Variance Findings (Section 17.148.050) as set forth below and which are required to approve your application. This proposal does not contain characteristics that require denial pursuant to the Tentative Map Findings (Section 16.08.030) and is consistent with the Lot Design Standards (Section 16.24.040) of the Oakland Subdivision Regulations. Required findings are shown in **bold** type; reasons your proposal satisfies them are shown in normal type. (Note: the Project's conformance with the following findings is not limited to the discussion below, but is also included in all discussions in this report and elsewhere in the record).

SECTION 17.134.050 –CONDITIONAL USE PERMIT FINDINGS:

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

The proposed mixed use development is consistent with the desired character for the area as set forth in the Broadway Valdez Specific Plan Area by helping to establish a new pedestrian oriented retail setting along 24th Street and establishing large footprint retail opportunities at 27th /24th / Harrison Streets providing a total of approximately 65,000 square feet of new retail as well as providing residential density desired for a 24-hour neighborhood. The proposed project establishes the desired mixed use character and density envisioned for the area.

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

The proposal will provide a functional mixed use environment with new retail opportunities at a key priority site within in an important emerging shopping district as well as upper level residential activities that are located in close proximity to local and regional transit and contains ample on-site open space as well as being a few blocks away from Lake Merritt.

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

The development will help to enhance the area as a neighborhood and regional shopping 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.

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

See Design Review findings below.

FINDINGS

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

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

The proposed Project meets the referenced policies and objectives and the general intent of the Central Business District land use designation by constructing a new high density residential building above a large commercial base that includes 65,000 square feet of retail within the downtown core within walking distance to the 19th Street BART station.

The Broadway Valdez District Specific Plan provides a vision and planning framework for future growth and development in the approximately 95 acre area along Oakland's Broadway corridor between Grand Avenue and I-580. The Specific Plan, which has been developed with a thorough analysis of the area's economic and environmental conditions and input from City decision-makers, landowners, developers, real estate experts, and the community at large, provides a comprehensive vision for the Plan Area along with goals, policies, and development regulations to guide future public and private actions relating to the area's development. The Plan also serves as the mechanism for insuring that future development will be coordinated and occur in an orderly and well-planned manner.

The Project is consistent with the above mentioned goals and policies by creating a new, mixed use development located in a retail priority site of the Valdez Triangle. The proposal will contain an active ground floor commercial presence with 65,000 square feet of new retail space that will promote a vibrant, pedestrian-oriented environment for the area. The proposal will include the reconfiguration of 24th / 27th / Harrison Street to implement the change in auto circulation to 24th Street to two-way as well as incorporate pedestrian improvements at that location as envisioned by the Specific Plan. The Project also will create high density, upper level residential uses that will be in close proximity to transit access and help to create a 24-hour neighborhood.

17.136.050(A) - RESIDENTIAL DESIGN REVIEW CRITERIA:

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

The proposed project is located on a Retail Priority Site of the Broadway Valdez Specific Plan that envisions a high density mixed use project. The proposed ground floor along Valdez Street provides for a double height retail space. The proposed building has elements that enhance the corners of the building to call out its important location as an entry point into the district and the structure contains vertical breaks in the horizontal mass of the building that break down the visual bulk of the structure.

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

The proposed design will enhance the desirable neighborhood characteristics by filling in an underdeveloped site with a new mixed use building with 65,000 square feet of new retail on a priority site within the Broadway Valdez Specific Plan, as well as provide for a dense residential environment in close proximity to downtown jobs, local and regional transit and open space.

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

The site is relatively flat.

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

The site is relatively flat.

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

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

17.136.075D – DEMOLITION FINDINGS (FOR ORIN GATE)

Regular Design Review Approval for the demolition or removal of any structure rated "C" by the Oakland Cultural Heritage Survey or contributes to an Area of Secondary Importance (ASI) as determined by the Oakland Cultural Heritage Survey may be granted only if the proposal conforms to the general design review criteria, all other applicable design review criteria, and to either: 1., 2., or 3., below:

- 1. The design quality of the proposed replacement project is at least equal to that of the original structure and the proposed replacement project is compatible with the character of the neighborhood; or**

N/A – See finding #2 below

- 2. The public benefits of the proposed replacement project outweigh the benefit of retaining the original structure and the proposed replacement project is compatible with the character of the neighborhood; or**

The Category III Demolition Findings are required for the possible demolition of the Orin Gate structure that exists on the subject property. All other buildings proposed for demolition are not classified as PDHP's and are not subject to the Demolition Findings. Even though the plan calls for relocation of the gate, the demolition findings are included in the event that the gate is damaged during relocation. The proposed Project brings significant new retail and residential uses near the downtown core and is consistent with the goals and policies of the BVDSP. As a Retail Priority Site, the proposed Project is providing approximately 65,000 square feet of new

retail and will be a catalyst for other new retail in the area and in the City. The additional revenue generated for the City from the proposed Project is significant because not only will it generate new sales tax revenue, but the existing automotive sales and service use on the Project site will remain in Oakland, albeit in a different location. The net benefit of the proposed Project far outweighs the benefit of retaining the existing structures. Furthermore, Orin Drive Gate, the key historic component of 304 24th Street, will be salvaged and relocated to the open space at the north end of the site fronting onto 27th Street as a landscape feature, or as a landscape feature artifact if damaged.

- 3. The existing design is undistinguished and does not warrant retention and the proposed design is compatible with the character of the neighborhood.**

N/A – See finding #2 above

SECTION 17.148.050 – MINOR VARIANCE FINDINGS (LOADING BERTHS):

- 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 required six loading berths would preclude an effective design solution that improves the appearance and operational efficiency of the building. The required six loading berths would begin to impact the retail and overall street presence of the building at the pedestrian level on 27th Street if the loading berth area was further expanded toward the intersection. By granting the variance to allow the three loading berths where six are required allows a superior design while still allowing for berths to serve the large retail component of the project, and with building management the berths can also be reserved as needed for residential move-ins. A condition of approval is proposed that requires a loading berth management plan be submitted for City review/approval.

- 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.**

The basic intent of the loading berth requirements for retail and residential is to allow for a functional loading area for retail tenant deliveries to occur and, in the case of residential units, to allow for a functional location to accommodate tenants moving into and out of units. The three loading berths being provided can meet this need by arranging times for the loading berth to be used for residential move-ins while not encroaching into the retail floorplate as would be required for the full six loading berths.

- 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.**

The granting of the variance for reduced loading berths will not affect the character, livability, or appropriate development of the area as the reduced loading berths allows for a better design of the building while still meeting the needs of the proposed uses.

- 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 loading berths would not constitute a grant of special privilege as many other buildings in the area do not contain loading berths and many other smaller scale local commercial streets do not have commercial buildings with numerous loading berths but rather are serviced by curbside loading zones. Further the proposal has the opportunity to share loading berths amongst the two uses so that the needs of those uses are met.

- 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.**

See Design Review Findings above. The lack of the additional loading berth doors allows for a superior design to the exterior of the building.

- 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 Project is consistent with the goals and policies of the LUTE and BVDSP as indicated in Findings in Sections 17.134.050 above and the City Planning Commission Report, hereby incorporated by reference.

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

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

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

The proposal is consistent with the Central Business District General Plan designation and with the Broadway Valdez District Specific Plan by creating a mixed use development with viable street fronting retail. See additional General Plan Conformity findings above.

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

The proposal is consistent with the Central Business District General Plan designation and with the Broadway Valdez District Specific Plan by creating a mixed use development with viable street fronting retail. See additional General Plan Conformity findings above.

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

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

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

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

- E. That the design of the subdivision or the proposed improvements are likely to cause substantial**

FINDINGS

environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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

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

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

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

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

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

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

SECTION 16.24.040 – LOT DESIGN STANDARDS

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

CEQA COMPLIANCE FINDINGS

I. Introduction: These findings are made pursuant to the California Environmental Quality Act (Public Resources Code section 21000 et seq.; “CEQA”) and the CEQA Guidelines (Cal. Code Regs. title 14, section 15000 et seq.; “CEQA Guidelines”) by the City Planning Commission in connection with the environmental analysis of the effects of implementation of the 24th and Harrison Streets project, as more fully described elsewhere in this Staff Report and City Of Oakland (“City”)-prepared CEQA Analysis document entitled “24th and Harrison Streets Project CEQA Analysis” dated July 15, 2016 (“CEQA Analysis”) (the “Project”). The City is the lead agency for purposes of compliance with the requirements of CEQA. These CEQA findings are attached and incorporated by reference into each and every decision associated with approval of the Project and are based on substantial evidence in the entire administrative record.

II. Adoption of BVDSP and Certification of BVDSP EIR: The City finds and determines that (a) the Oakland City Council on June 17, 2014 adopted Resolution No. 85065 C.M.S. which adopted the Broadway Valdez District Specific Plan (“BVDSP”), made appropriate CEQA findings based on substantial evidence contained in the entire administrative record relating to the BVDSP Environmental Impact Report (“EIR”), including certification of the BVDSP EIR; and (b) the BVDSP satisfies the description of “Community Plan” set out in Public Resources Code section 21083.3(e) and in CEQA Guidelines section 15183 as well the description of “Planning Level Document” set out in Public

Resources Code section 21094.5 and in CEQA Guidelines section 15183.3. The City Council, in adopting the BVDSP 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 BVDSP EIR, would substantially mitigate the impacts of the BVDSP and future projects thereunder.

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

The City hereby finds that, as set forth below and in the checklist attached as part of the CEQA Analysis, the Project is exempt from any additional CEQA Analysis under the “Community Plan Exemption” of Public Resources Code section 21083.3 (CEQA Guidelines §15183) and/or the “Qualified Infill Exemption” under Public Resources section 21094.5 (CEQA Guidelines §15183.3) and that the CEQA Analysis also constitutes an Addendum to the BVDSP 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 BVDSP EIR and the CEQA Analysis is necessary. The specific statutory exemptions and the status of the CEQA Analysis as an Addendum are discussed below in more detail.

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

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

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

information showing that the adverse environmental effects of the Project are more significant than described in the BVDSP EIR.

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

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

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

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

V. Incorporation by Reference of Statement of Overriding Considerations: The BVDSP EIR identified six areas of environmental effects of the BVDSP that presented significant and unavoidable impacts.¹ The areas identified include the following:

Aesthetics, Shadow, and Wind – Significant and unavoidable impacts from new shadow on the Temple Sinai (Impact AES-4), new adverse wind conditions from structures 100-feet in height or taller (Impact AES-5), and cumulative wind and shadow impacts from development in and around the plan area (Impact AES-6);

Air Quality – Significant and unavoidable impacts from construction emissions (Impact AIR-1), operational emissions (Impact AIR-2), and construction and operational Toxic Air Contaminants (Impact AIR-4);

Cultural Resources – Significant and unavoidable impacts from destruction or alteration of historic resources (Impact CUL-1), and cumulative impacts to cultural resources from development in and around the plan area (Impact CUL-5);

Greenhouse Gases and Climate Change – Significant and unavoidable impacts from the production of greenhouse gas emissions (Impact GHG-1);

Noise – Significant and unavoidable impacts from traffic noise (Impact NOI-5); cumulative traffic noise from development in and around the plan area (Impact NOI-6) and cumulative stationary noise sources (Impact NOI-7);

Traffic and Circulation - Significant and unavoidable impacts from project and cumulative traffic generation in and around the plan area to studied intersections (Impacts TRANS-2, TRANS-6 through -10, TRANS-12 through -14, TRANS-17 through -22, TRANS-24, TRANS-26 through -28), roadway segment degradation from development under the plan (TRANS-29) and previously identified impacted intersections.

Because the Project may contribute to some significant and unavoidable impacts identified in the BVDSP EIR, but a Subsequent and/or Supplemental EIR is not required in accordance with CEQA Guidelines sections 15162, 15163, 15164, 15183 and 15183.3, a Statement of Overriding Considerations is not legally required. Nevertheless, in the interest of being conservative, the Statement of Overriding Consideration for the BVDSP EIR, approved as Section XII of the CEQA Findings adopted by the City Council on June 17, 2104, via Resolution No. 86065 C.M.S., is hereby incorporated by reference as if fully set forth herein.

¹ If these or any other findings inaccurately identify or fail to list a significant and unavoidable impact identified in the analysis, findings and conclusions of the BVDSP EIR or its administrative record as a whole, the identification of that impact and any mitigation measure or SCA required to be implemented as part of the Project is not affected.

ATTACHMENT B

CONDITIONS OF APPROVAL

STANDARD ADMINISTRATIVE CONDITIONS:

1. Approved Use

The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, **staff report** and the approved plans **dated July 13, 2016**, as amended by the following conditions of approval and mitigation measures, if applicable (“Conditions of Approval” or “Conditions”).

2. Effective Date, Expiration, Extensions and Extinguishment

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

3. Compliance with Other Requirements

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

4. Minor and Major Changes

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

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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,

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

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

9. Severability

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

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

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

11. Public Improvements

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

12. Compliance Matrix

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

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

13. Construction Management Plan

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

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

- a. All mitigation measures identified in the 24th & Harrison Streets CEQA Analysis Document are included in the Standard Condition of Approval / Mitigation Monitoring and Reporting Program (SCAMMRP) which is included in these Conditions of Approval and are incorporated herein by reference, as Attachment C, as Conditions of Approval of the project. The Standard Conditions of Approval identified in the 24th & Harrison Streets CEQA Analysis Document are also included in the SCAMMRP, and are, therefore, incorporated into these Conditions by reference but are not repeated in these Conditions. To the extent that there is any inconsistency between the SCAMMRP and these Conditions, the more restrictive Conditions shall govern. In the event a Standard Condition of Approval or mitigation measure recommended in the 24th & Harrison Streets CEQA Analysis Document has been inadvertently omitted from the SCAMMRP, that Standard Condition of Approval or mitigation measure is adopted and incorporated from the 24th & Harrison Streets CEQA Analysis Document into the SCAMMRP by reference, and adopted as a Condition of Approval. The project applicant and property owner shall be responsible for compliance with the requirements of any submitted and approved technical reports, all applicable mitigation measures adopted, and with all Conditions of Approval set forth herein at his/her sole cost and expense, unless otherwise expressly provided in a specific mitigation measure or Condition of Approval, and subject to the review and approval by the City of Oakland.

The SCAMMRP identifies the timeframe and responsible party for implementation and monitoring for each Standard Condition of Approval and mitigation measure. Monitoring of compliance with the Standard Conditions of Approval and mitigation measures will be the responsibility of the Bureau of Planning and the Bureau of Building, with overall authority concerning compliance residing with the Environmental Review Officer. Adoption of the SCAMMRP will constitute fulfillment of the CEQA monitoring and/or reporting requirement set forth in section 21081.6 of CEQA.

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

PROJECT SPECIFIC CONDITIONS:

15. Public Improvements Consistent with the BVDSP

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

When Required: Prior to issuance of Building Permit

Initial Approval: Bureau of Planning; Public Works

Monitoring/Inspection: Bureau of Building

16. Master Sign Program required

Requirement: The applicant shall prepare a Master Sign Program for the proposed project if the proposed signage shall exceed 200 square feet, which shall include all commercial signage and residential signage.

When Required: Prior to issuance of a Sign Permit

Initial Approval: Bureau of Planning

17. Exterior Finishes

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

When Required: Prior to issuance of a Building Permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Planning

18. Relocation/ Re-use of Orin Gate

Requirement: The Project applicant shall submit building permit plans that include the relocation of the Orin Gate into the landscape area, as indicated in the approved plans. In addition, the applicant shall include a report, prepared by a qualified consultant, prior to the

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commencement of the relocation/re-use work, that sets out a plan, to be reviewed and approved by the Zoning Manager, which will to the extent feasible allow the relocation of the feature without significant damage to the Gate. In the event that significant damage does occur, the remnants of the structure shall still be incorporated into the landscape area as an artifact feature, which shall also be subject to review and approval by the Zoning Manager.

When Required: Prior to issuance of a Building Permit

Monitoring/Inspection: Bureau of Planning

19. Public Art for Private Development Condition of Approval

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

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

Initial Approval: Bureau of Planning

20. Management of Loading Berths

Requirement: The applicant shall submit a loading berth management plan for City review and approval which shall, at a minimum, include the following:

- a) Plan for residents to reserve the residential loading berth prior to moving in or out of the building in a manner that will not conflict with regularly scheduled commercial deliveries.
- b) Minimize large truck deliveries that back into the loading dock during peak commute and pedestrian activity periods. In order to minimize disruptions to pedestrian, bicycle, and automobile flow along 27th Street, provide a flagger to guide trucks backing into the loading area during the peak periods.

When Required: Prior to issuance of a building permit

Initial Approval: Bureau of Planning

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

Requirement: When the condominium units created are offered for sale, the Covenants, Conditions and Restrictions (CC&Rs) for the approved units shall be submitted to the

Planning and Zoning Division for review. The CC&Rs shall provide for the establishment of a non-profit homeowners association to maintenance and operation of all common landscaping, driveways, and other facilities, in accordance with approved plans. Membership in the association shall be made a condition of ownership. The developer shall be a member of such association until all units are sold.

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

22. Miscellaneous Transportation Improvement Measures

Requirement #1: Prohibit left-turns out of the proposed mid-block garage driveway on 27th Street. The proposed median break on 27th Street should only accommodate left-turns into the driveway.

Requirement #2: Ensure that the project driveway on 24th Street would provide adequate sight distance between motorists exiting the driveway and pedestrians on the adjacent sidewalks. This may require redesigning and/or widening the driveway. If adequate sight distance cannot be provided, consider providing audio and/or visual warning devices at the driveway.

Requirement #3: To ensure adequate sight distance for motorists entering and exiting the garage driveways, prohibit on-street parking within 20 feet on either side of the garage driveways on 24th Street and within 30 feet on the west side of the garage driveway on 27th street. Coordinate the design of the garage driveway and the median break with the City of Oakland's ongoing bicycle facility design on 27th Street to ensure adequate sight distance between cyclists on 27th Street and motorists entering and exiting the garage driveway.

Requirement #4: Consistent with Section 6.5.8 of the BVDSP and Mitigation Measure TRANS-10 of the EIR, reconfigure the 24th Street approach at the 27th Street/24th Street/Bay Place/Harrison Street intersection to restrict access to 24th Street to right-turns only from 27th Street, create a pedestrian plaza at the intersection approach, convert 24th Street between Valdez and Harrison Streets to two-way circulation and accommodate right-turns from 24th Street to southbound Harrison Street south of the intersection. Although the ultimate configuration will require acquisition of private property in the southwest corner of the intersection to accommodate the right-turn from 24th Street to southbound Harrison Street, the right-turn can be accommodated within the existing right-of-way in an interim basis. Coordinate with City of Oakland staff to determine when ultimate improvements at the intersection can be implemented and if additional interim improvements would be necessary, and to ensure that the improvements would not conflict with the City's planned 27th Street bicycle facility. This measure is subject to review and approval by the Transportation Services Division.

When Required: Prior to Certificate of Occupancy

~~Attachment A~~ Standard Conditions of Approval and Mitigation Monitoring and Reporting Program

This Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCAMMRP) is based on the CEQA Analysis prepared for the 24th and Harrison mixed-use residential development.

This SCAMMRP is in compliance with Section 15097 of the CEQA Guidelines, which requires that the Lead Agency “adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.” The SCAMMRP lists mitigation measures (“MM”) recommended in the EIR and identifies mitigation monitoring requirements, as well as the City’s Standard Conditions of Approval (“SCA”) identified in the EIR as measures that would minimize potential adverse effects that could result from implementation of the project, to ensure the conditions are implemented and monitored.

All MMs and SCAs identified in the CEQA Analysis, which is consistent with the measures and conditions presented in the BVDSP EIR, are included herein. To the extent that there is any inconsistency between the SCA and MM, the more restrictive conditions shall govern; to the extent any MM and/or SCA identified in the CEQA Analysis were inadvertently omitted, they are automatically incorporated herein by reference.

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

The project sponsor is responsible for compliance with any recommendations in approved technical reports, all applicable mitigation measures adopted and with all conditions of approval set forth herein at its sole cost and expense, unless otherwise expressly provided in a specific mitigation measure or condition of approval, and subject to the review and approval of the City of Oakland. Overall monitoring and compliance with the mitigation measures will be the responsibility of the Planning and Zoning Division. Prior to the issuance of a demolition, grading, and/or construction permit, the project sponsor shall pay the applicable mitigation and monitoring fee to the City in accordance with the City’s Master Fee Schedule.

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

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>\$2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid.</p> <p>c. <i>Landscape Maintenance</i></p> <p>All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.</p>			
<p>SCA-AES-3: Lighting.</p> <p>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.</p>	Prior to building permit final	N/A	Bureau of Building
Air Quality			
<p>SCA-AIR-1: Construction-Related Air Pollution Controls (Dust and Equipment Emissions). The project applicant shall implement all of the following applicable air pollution control measures during construction of the project:</p> <p>a. Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible.</p> <p>b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).</p> <p>c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</p> <p>d. Pave all roadways, driveways, sidewalks, etc. 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>	During construction	N/A	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
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 off-site. Their duties shall include holidays and weekend periods when work may not be in progress.			
p. Install appropriate wind breaks (e.g., trees, fences)			

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>on the windward side(s) of actively disturbed areas of the construction site to minimize wind-blown dust. Wind breaks must have a maximum 50 percent air porosity.</p> <p>q. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.</p> <p>r. Activities such as excavation, grading, and other ground-disturbing construction activities shall be phased to minimize the amount of disturbed surface area at any one time.</p> <p>s. All trucks and equipment, including tires, shall be washed off prior to leaving the site.</p> <p>t. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.</p> <p>u. All equipment to be used on the construction site and subject to the requirements of Title 13, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations") must meet emissions and performance requirements one year in advance of any fleet deadlines. Upon request by the City, the project applicant shall provide written documentation that fleet requirements have been met.</p> <p>v. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings).</p> <p>w. All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM.</p> <p>x. Off-road heavy diesel engines shall meet the California Air Resources Board's most recent certification standard.</p> <p>y. Post a publicly-visible large on-site sign that includes the contact name and phone number for the project complaint manager responsible for responding to dust complaints and the telephone numbers of the City's Code Enforcement unit and the Bay Area Air Quality Management District. When contacted, the project complaint manager shall respond and take corrective action within 48 hours.</p>			
<p>Note: Screening analysis demonstrated that the proposed project would be below the applicable threshold. No further action is required under this SCA.</p> <p><i>SCA-AIR-2: Exposure to Air Pollution (Toxic Air</i></p>	Ongoing	N/A	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p><i>Contaminants).</i></p> <p>a. Health Risk Reduction Measures The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants.</p> <p>b. Maintenance of Health Risk Reduction Measures The project applicant shall maintain, repair, and/or replace installed health risk reduction measures, including but not limited to the HVAC system (if applicable), on an ongoing and as-needed basis. Prior to occupancy, the project applicant shall prepare and then distribute to the building manager/operator an operation and maintenance manual for the HVAC system and filter including the maintenance and replacement schedule for the filter.</p>			
<p>Note: Screening analysis demonstrated that the proposed project would be below the applicable threshold. No further action is required under this SCA.</p> <p>SCA-AIR-3: Stationary Sources of Air Pollution (Toxic Air Contaminants). 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.</p>	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building
<p>SCA-AIR-4: Truck-Related Risk Reduction Measures (Toxic Air Contaminants).</p> <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>	Prior to approval of construction-related permit Prior to building permit final; ongoing	Bureau of Planning	Bureau of Building
<p>SCA-AIR-5: 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;</p>	Prior to approval of construction-related permit	Applicable regulatory agency with jurisdiction	Applicable regulatory agency with jurisdiction

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
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.			
SCA-AIR-6: Transportation and Parking Demand Management (TDM) Plan Required. Refer to SCA-TRANS-4 under Transportation.	See below.	See below.	See below.
<p>Note: Screening analysis demonstrated that the proposed project would be below the applicable threshold. No further action is required under this SCA.</p> <p>Mitigation Measure AIR-4: Risk Reduction Plan. Applicants for projects that would include backup generators shall prepare and submit to the City, a Risk Reduction Plan for City review and approval. The applicant shall implement the approved plan. This Plan shall reduce cumulative localized cancer risks to the maximum feasible extent. The Risk Reduction Plan may contain, but is not limited to the following strategies:</p> <ul style="list-style-type: none"> • Demonstration using screening analysis or a health risk assessment that project sources, when combined with local cancer risks from cumulative sources with 1,000 feet would be less than 100 in one million. • Installation of non-diesel fueled generators. • Installation of diesel generators with an EPA-certified Tier 4 engine or Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. 	Prior to issuance of a demolition, grading, or building permit	N/A	Bureau of Building Building Services Division, Zoning Inspection
Biological Resources			
<p>SCA-BIO-1: Bird Collision Reduction Measures. The project applicant shall submit a Bird Collision Reduction Plan for City review and approval to reduce potential bird collisions to the maximum feasible extent. The Plan shall include all of the following mandatory measures, as well as applicable and specific project Best Management Practice (BMP) strategies to reduce bird strike impacts to the maximum feasible extent. The project applicant shall implement the approved Plan. Mandatory measures include all of the following:</p> <ol style="list-style-type: none"> 1. For large buildings subject to federal aviation safety regulations, install minimum intensity white strobe lighting with three second flash instead of solid red or rotating lights. 2. Minimize the number of and co-locate rooftop-antennas and other rooftop structures. 3. Monopole structures or antennas shall not include guy wires. 	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>4. Avoid the use of mirrors in landscape design.</p> <p>5. Avoid placement of bird-friendly attractants (i.e., landscaped areas, vegetated roofs, water features) near glass unless shielded by architectural features taller than the attractant that incorporate bird friendly treatments no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule), as explained below.</p> <p>6. Apply bird-friendly glazing treatments to no less than 90 percent of all windows and glass between the ground and 60 feet above ground or to the height of existing adjacent landscape or the height of the proposed landscape. Examples of bird-friendly glazing treatments include the following:</p> <ul style="list-style-type: none"> • Use opaque glass in window panes instead of reflective glass. • Uniformly cover the interior or exterior of clear glass surface with patterns (e.g., dots, stripes, decals, images, abstract patterns). Patterns can be etched, fritted, or on films and shall have a density of no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule). • Install paned glass with fenestration patterns with vertical and horizontal mullions no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule). • Install external screens over non-reflective glass (as close to the glass as possible) for birds to perceive windows as solid objects. • Install UV-pattern reflective glass, laminated glass with a patterned UV-reflective coating, or UV-absorbing and UV-reflecting film on the glass since most birds can see ultraviolet light, which is invisible to humans. • Install decorative grilles, screens, netting, or louvers, with openings no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule). • Install awnings, overhangs, sunshades, or light shelves directly adjacent to clear glass which is recessed on all sides. • Install opaque window film or window film with a pattern/design which also adheres to the "two-by-four" rule for coverage. <p>7. Reduce light pollution. Examples include the following:</p> <ul style="list-style-type: none"> • Extinguish night-time architectural illumination treatments during bird migration season 			

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>(February 15 to May 15 and August 15 to November 30).</p> <ul style="list-style-type: none"> • Install time switch control devices or occupancy sensors on non-emergency interior lights that can be programmed to turn off during non-work hours and between 11:00 p.m. and sunrise. • Reduce perimeter lighting whenever possible. • Install full cut-off, shielded, or directional lighting to minimize light spillage, glare, or light trespass. • Do not use beams of lights during the spring (February 15 to May 15) or fall (August 15 to November 30) migration. <p>8. Develop and implement a building operation and management manual that promotes bird safety. Example measures in the manual include the following:</p> <ul style="list-style-type: none"> • Donation of discovered dead bird specimens to an authorized bird conservation organization or museums (e.g., UC Berkeley Museum of Vertebrate Zoology) to aid in species identification and to benefit scientific study, as per all federal, state and local laws. • Distribution of educational materials on bird-safe practices for the building occupants. Contact Golden Gate Audubon Society or American Bird Conservancy for materials. • Asking employees to turn off task lighting at their work stations and draw office blinds, shades, curtains, or other window coverings at end of work day. • Install interior blinds, shades, or other window coverings in windows above the ground floor visible from the exterior as part of the construction contract, lease agreement, or CC&Rs. • Schedule nightly maintenance during the day or to conclude before 11:00 p.m., if possible. 			
<p>SCA-BIO-2: Tree Removal During Bird Breeding Season. 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</p>	Prior to removal of trees	Bureau of Building.	Bureau of Building.

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
<p>prior to the start of work and shall be submitted to the City for review and approval. If the survey indicates the potential presence of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the California Department of Fish and Wildlife, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.</p>			
<p>SCA-BIO-3: Tree Permit. Tree Permit required. Tree Protection during construction. Adequate protection shall be provided during the construction period for any trees which are to remain standing, including the following, plus any recommendations of an arborist:</p> <ol style="list-style-type: none"> 1. 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. 2. 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. 3. 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 	<p>Prior to approval of construction-related permit</p> <p>During construction</p>	<p>Permit approval by Public Works Department, Tree Division; evidence of approval submitted to Bureau of Building</p> <p>Public Works Department, Tree Division</p>	<p>Bureau of Building</p> <p>Bureau of Building</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>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>4. 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>5. 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>6. All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations.</p>			
Cultural Resources			
<p>SCA-CUL-1: Archaeological and Paleontological Resources - Discovery During Construction. 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</p>	During construction	N/A	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are implemented.</p> <p>In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practicable. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant. The project applicant shall implement the ARDTP at his/her expense.</p> <p>In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.</p>			
<p>SCA-CUL-2: 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</p>	During construction	N/A	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
County Coroner. If the County Coroner determines that an investigation of the cause of death is required or that the remains are Native American, all work shall cease within 50 feet of the remains until appropriate arrangements are made. In the event that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance, and avoidance measures (if applicable) shall be completed expeditiously and at the expense of the project applicant.			
<p>SCA-CUL-3: Property Relocation. Pursuant to Policy 3.7 of the Historic Preservation Element of the Oakland General Plan, the project applicant shall make a good faith effort to relocate the historic resource to a site acceptable to the City. A good faith effort includes, at a minimum, all of the following:</p> <ul style="list-style-type: none"> a. Advertising the availability of the building by: (1) posting of large visible signs (such as banners, at a minimum of 3' x 6' size or larger) at the site; (2) placement of advertisements in Bay Area news media acceptable to the City; and (3) contacting neighborhood associations and for-profit and not-for-profit housing and preservation organizations; b. Maintaining a log of all the good faith efforts and submitting that along with photos of the subject building showing the large signs (banners) to the City; c. Maintaining the signs and advertising in place for a minimum of 90 days; and d. Making the building available at no or nominal cost (the amount to be reviewed by the Oakland Cultural Heritage Survey) until removal is necessary for construction of a replacement project, but in no case for less than a period of 90 days after such advertisement. 	Prior to approval of construction-related permit	Bureau of Planning (including Oakland Cultural Resource Survey)	N/A
Geology, Soils and Geohazards			
<p>SCA-GEO-1: 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.</p>	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
<p>SCA-GEO-2: 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.</p>	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
<p>SCA-GEO-3: Seismic Hazards Zone (Landslide/Liquefaction). The project applicant shall submit a site-specific geotechnical report, consistent with California Geological Survey Special Publication 117 (as amended), prepared by a registered geotechnical engineer for City review and approval containing at a minimum a description of the geological and geotechnical conditions at the site, an evaluation of site-specific seismic hazards based on geological and geotechnical conditions, and recommended measures to reduce potential impacts related to liquefaction and/or slope stability hazards. The project applicant shall implement the recommendations contained in the approved report during project design and construction.</p>	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
Hazards and Hazardous Materials			
<p>SCA-HAZ-1: Hazardous Materials Related to Construction. The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following:</p> <ul style="list-style-type: none"> 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 	During construction	N/A	Bureau of Building

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<p>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.</p>			
<p>SCA-HAZ-2: Site Contamination.</p> <p><i>a. Environmental Site Assessment Required</i> The project applicant shall submit a Phase I Environmental Site Assessment report, and Phase II Environmental Site Assessment report if warranted by the Phase I report, for the project site for review and approval by the City. The report(s) shall be prepared by a qualified environmental assessment professional and include recommendations for remedial action, as appropriate, for hazardous materials. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.</p> <p>Consistent with the Phase II ESA prepared for the project, a site management plan shall be prepared by the project sponsor, and shall set out procedures to ensure protection of workers and the environment. In addition, if new or more significant contamination is encountered during site redevelopment earthwork, the project sponsor shall confirm that any cleanup actions are performed consistent with applicable laws and local agency requirements as required.</p> <p><i>b. Health and Safety Plan Required</i> The project applicant shall submit a Health and Safety Plan for review and approval by the City to</p>	<p>Prior to approval of construction-related permit</p> <p>Prior to approval of construction-related permit</p> <p>During construction</p>	<p>Oakland Fire Department</p> <p>Bureau of Building</p> <p>N/A</p>	<p>Oakland Fire Department</p> <p>Bureau of Building</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
<p>protect project construction workers from risks associated with hazardous materials. The project applicant shall implement the approved Plan.</p> <p>c. <i>Best Management Practices Required for Contaminated Sites</i></p> <p>The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential soil and groundwater hazards. These shall include the following:</p> <ul style="list-style-type: none"> i. Soil generated by construction activities shall be stockpiled on-site in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state, and federal requirements. ii. Groundwater pumped from the subsurface shall be contained on-site in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building. 			
<p>SCA-HAZ-3: 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:</p> <ul style="list-style-type: none"> 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 	Prior to building permit final	Oakland Fire Department	Oakland Fire Department

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
materials are handled, transported, and disposed.			
Hydrology and Water Quality			
<p>SCA-HYD-1: Erosion and Sedimentation Control Plan for Construction.</p> <p><i>a. Erosion and Sedimentation Control Plan Required</i> 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.</p> <p><i>b. Erosion and Sedimentation Control During Construction</i> 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>	Prior to approval of construction-related permit During construction	Bureau of Building N/A	N/A Bureau of Building
<p>SCA-HYD-2: State Construction General Permit. The project applicant shall comply with the requirements of the Construction General Permit issued by the State Water Resources Control Board (SWRCB). The project applicant shall submit a Notice of Intent (NOI), Stormwater Pollution Prevention Plan (SWPPP), and other required Permit Registration Documents to SWRCB. The project applicant shall submit evidence of compliance with Permit requirements to the City.</p>	Prior to approval of construction-related permit	State Water Resources Control Board; evidence of compliance submitted to Bureau of Building.	State Water Resources Control Board

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<p>SCA-HYD-3: NPDES C.3 Stormwater Requirements for Regulated Projects.</p> <p><i>a. Post-Construction Stormwater Management Plan Required</i></p> <p>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> <ul style="list-style-type: none"> i. Location and size of new and replaced impervious surface; ii. Directional surface flow of stormwater runoff; iii. Location of proposed on-site storm drain lines; iv. Site design measures to reduce the amount of impervious surface area; v. Source control measures to limit stormwater pollution; vi. Stormwater treatment measures to remove pollutants from stormwater runoff, including the method used to hydraulically size the treatment measures; and vii. Hydromodification management measures, if required by Provision C.3, so that post-project stormwater runoff flow and duration match pre-project runoff. <p><i>b. Maintenance Agreement Required</i></p> <p>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> <ul style="list-style-type: none"> 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, 	<p>Prior to approval of construction-related permit</p> <p>Prior to building permit final</p>	<p>Bureau of Planning; Bureau of Building</p> <p>Bureau of Building</p>	<p>Bureau of Building</p> <p>Bureau of Building</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
<p>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>			
Noise			
<p>SCA-NOI-1: Construction Days/Hours. The project applicant shall comply with the following restrictions concerning construction days and hours:</p> <ul style="list-style-type: none"> 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. <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</p>	<p>During construction</p>	<p>N/A</p>	<p>Bureau of Building</p>

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

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
<p>associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following:</p> <ul style="list-style-type: none"> i. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings; ii. Implement "quiet" pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions; iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site; iv. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and v. Monitor the effectiveness of noise attenuation measures by taking noise measurements. <p>b. <i>Public Notification Required</i> The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.</p>			
<p>SCA-NOI-4: 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:</p> <ul style="list-style-type: none"> a. Designation of an on-site construction complaint and enforcement manager for the project; b. A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the 	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
<p>project complaint manager and City Code Enforcement unit;</p> <p>c. Protocols for receiving, responding to, and tracking received complaints; and</p> <p>d. Maintenance of a complaint log that records received complaints and how complaints were addressed, which shall be submitted to the City for review upon the City's request.</p>			
<p>SCA-NOI-5: 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.</p>	Ongoing	N/A	Bureau of Building
<p>SCA-NOI-6: Exposure to Community Noise. The project applicant shall submit a Noise Reduction Plan prepared by a qualified acoustical engineer for City review and approval that contains noise reduction measures (e.g., sound-rated window, wall, and door assemblies) to achieve an acceptable interior noise level in accordance with the land use compatibility guidelines of the Noise Element of the Oakland General Plan. The applicant shall implement the approved Plan during construction. To the maximum extent practicable, interior noise levels shall not exceed the following:</p> <p>a. 45 dBA: Residential activities, civic activities, hotels</p> <p>b. 50 dBA: Administrative offices; group assembly activities</p> <p>c. 55 dBA: Commercial activities</p> <p>d. 65 dBA: Industrial activities</p>	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building
Transportation and Circulation			
<p>Mitigation Measure TRANS-2: Implement the following measures at the Perry Place / I 580 Eastbound Ramps/Oakland Avenue intersection:</p> <ul style="list-style-type: none"> Optimize signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection) for the PM peak hour Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group. This intersection is under the jurisdiction of Caltrans so any equipment or facility upgrades must be approved by Caltrans prior to installation. To implement this measure, the project sponsor shall submit the following to City of Oakland's 	Investigation of the need for this mitigation shall be studied and submitted for review and approval to the City of Oakland, at the time when about 15 percent of the Development Program is		City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection City of Oakland

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>Transportation Services Division and Caltrans for review and approval:</p> <ul style="list-style-type: none"> Plans, Specifications, and Estimates (PS&E) to modify intersection. All elements shall be designed to City and Caltrans standards in effect at the time of construction and all new or upgraded signals should include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection should be brought up to both City standards and Americans with Disabilities Act (ADA) standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for the elements listed below: <ul style="list-style-type: none"> 2070L Type Controller with cabinet assembly GPS communications (clock) Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile) Countdown pedestrian head module switch out City standard ADA wheelchair ramps Video detection on existing (or new, if required) Mast arm poles, full actuation (where applicable) Polara push buttons (full actuation) Bicycle detection (full actuation) Pull boxes Signal interconnect and communication with trenching (where applicable), or through (E) conduit (where applicable) - 600 feet maximum Conduit replacement contingency Fiber Switch PTZ Camera (where applicable) Transit Signal Priority (TSP) equipment consistent with other signals along corridor Signal timing plans for the signals in the coordination group. <p>The project sponsor shall fund the cost of preparing and implementing these plans. However, if the City adopts a transportation impact fee program prior to implementation of this mitigation measure, the project sponsor shall have the option to pay the applicable fee in lieu of implementing this mitigation measure and payment of the fee shall be considered the equivalent of implementing the mitigation measure, which would still result in significant unavoidable impacts.</p> <p>A straight line interpolation of intersection traffic volume between Existing and Existing Plus Project conditions indicates that mitigation at this intersection may be required when about 15 percent of the Development Program is developed. Investigation of the need for this mitigation shall be studied at the time when this threshold is reached and every three years</p>	<p>operational and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first.</p> <p>The City of Oakland will notify the Project Sponsor when this threshold is reached.</p> <p>If investigations at the required intervals show this mitigation is still required, the Project Sponsor will submit Plans, Specifications, and Estimates (PS&E) for review and approval by the City for implementation of this mitigation.</p>		<p>Transportation Services Division</p>

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	When Required	Initial Approval	Monitoring/Inspection
thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first.			
<p>Mitigation Measure TRANS-10: Implement the following measures at the 27th Street/24th Street/Bay Place/Harrison Street intersection:</p> <ul style="list-style-type: none"> Reconfigure the 24th Street approach at the intersection to restrict access to 24th Street to right turns only from 27th Street and create a pedestrian plaza at the intersection approach. Convert 24th Street between Valdez and Harrison Streets to two-way circulation and allow right turns from 24th Street to southbound Harrison Street south of the intersection, which would require acquisition of private property in the southwest corner of the intersection. Modify eastbound 27th Street approach from the current configuration (one right-turn lane, two through lanes, and one left-turn lane) to provide one right-turn lane, one through lane, and two left-turn lanes. Realign pedestrian crosswalks to shorten pedestrian crossing distances. Reduce signal cycle length from 160 to 120 seconds, and optimize signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection). Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group. <p>To implement this measure, the project sponsor shall submit the following to City of Oakland's Transportation Services Division for review and approval:</p> <ul style="list-style-type: none"> PS&E to modify intersection as detailed in Mitigation Measure TRANS-2. Signal timing plans for the signals in the coordination group. <p>The project sponsor shall fund the cost of preparing and implementing these plans. However, if the City adopts a transportation impact fee program prior to implementation of this mitigation measure, the project sponsor shall have the option to pay the applicable fee in lieu of implementing this mitigation measure and payment of the fee shall be considered the equivalent of implementing the mitigation measure, which would still result in significant unavoidable impacts.</p> <p>A straight line interpolation of intersection traffic volume between Existing and 2020 Plus Project conditions indicates that mitigation at this intersection may be required by 2017. Investigation of the need for</p>	<p>Investigation of the need for this mitigation shall be studied and submitted for review and approval to the City of Oakland, in 2016 (one year prior to the horizon date) and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first.</p> <p>If investigations in 2016, or subsequent years, as stipulated above, show this mitigation is still required, submit Plans, Specifications, and Estimates (PS&E) for review and approval by the City for implementation of this mitigation.</p> <p>This requirement may be requested at an earlier date than listed if the improvements are needed as reasonably determined by</p>		<p>City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection City of Oakland Transportation Services Division</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
this mitigation shall be studied at that time and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first.	the City.		
<p>Mitigation Measure TRANS-22: Implement the following measures at the 27th Street/Broadway intersection:</p> <ul style="list-style-type: none"> • Upgrade traffic signal operations at the intersection to actuated-coordinated operations • Reconfigure westbound 27th Street approach to provide a 150-foot left-turn pocket, one through lane, and one shared through/right-turn lane. • Provide protected left-turn phase(s) for the northbound and southbound approaches. • Optimize signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection). • Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group. <p>To implement this measure, the project sponsor shall submit the following to City of Oakland's Transportation Services Division for review and approval:</p> <ul style="list-style-type: none"> • PS&E to modify intersection as detailed in Mitigation Measure TRANS-2. Signal timing plans for the signals in the coordination group. <p>The project sponsor shall fund the cost of preparing and implementing these plans. However, if the City adopts a transportation impact fee program prior to implementation of this mitigation measure, the project sponsor shall have the option to pay the applicable fee in lieu of implementing this mitigation measure and payment of the fee shall be considered the equivalent of implementing the mitigation measure, which would still result in significant unavoidable impacts.</p> <p>A straight line interpolation of intersection traffic volume between Existing and 2035 Plus Project conditions indicates that mitigation at this intersection may be required by 2024. Investigation of the need for this mitigation shall be studied at that time and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first.</p>	<p>Investigation of the need for this mitigation shall be studied and submitted for review and approval to the City of Oakland, in 2023 (one year prior to the horizon date), and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first.</p> <p>If investigations in 2023, or subsequent years as stipulated above, show this mitigation is still required, submit Plans, Specifications, and Estimates (PS&E) for review and approval by the City for implementation of this mitigation.</p> <p>This requirement may be requested at an earlier date than listed if the improvements are needed as reasonably</p>		<p>City of Oakland Planning and Building Department</p> <p>City of Oakland - Building Services Division, Zoning Inspection</p> <p>City of Oakland Transportation Services Division</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
	determined by the City.		
<p>SCA-TRANS-1: Construction Activity in the Public Right-of-Way.</p> <p>a. Obstruction Permit Required The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets and sidewalks.</p> <p>b. Traffic Control Plan Required In the event of obstructions to vehicle or bicycle travel lanes, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian detours, including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The project applicant shall implement the approved Plan during construction.</p> <p>c. Repair of City Streets The project applicant shall repair any damage to the public right-of way, including streets and sidewalks caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.</p>	<p>Prior to approval of construction-related permit</p> <p>Prior to approval of construction-related permit</p> <p>Prior to building permit final</p>	<p>Bureau of Building Public Works Department, Transportation Services Division N/A</p>	<p>Bureau of Building Bureau of Building Bureau of Building</p>
<p>SCA-TRANS-2: 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.</p>	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Planning</p>	<p>Bureau of Building</p>
<p>SCA-TRANS-3: 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</p>	<p>Prior to building permit final or as otherwise specified</p>	<p>Bureau of Building; Public Works Department, Transportation Services Division</p>	<p>Bureau of Building</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>related to Caltrans facilities) and the California Public Utilities Commission (for improvements related to railroad crossings), prior to installing the improvements. To implement this measure for intersection modifications, the project applicant shall submit Plans, Specifications, and Estimates (PS&E) to the City for review and approval. All elements shall be designed to applicable City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements as required by the City. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for, among other items, the elements listed below:</p> <ol style="list-style-type: none"> a. 2070L Type Controller with cabinet accessory b. GPS communication (clock) c. Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile) d. Countdown pedestrian head module switch out e. City Standard ADA wheelchair ramps f. Video detection on existing (or new, if required) g. Mast arm poles, full activation (where applicable) h. Polara Push buttons (full activation) i. Bicycle detection (full activation) j. Pull boxes k. Signal interconnect and communication with trenching (where applicable), or through existing conduit (where applicable), 600 feet maximum l. Conduit replacement contingency m. Fiber switch n. PTZ camera (where applicable) o. Transit Signal Priority (TSP) equipment consistent with other signals along corridor p. Signal timing plans for the signals in the coordination group 			
<p>SCA-TRANS-4: <i>Transportation and Parking Demand Management.</i></p> <ol style="list-style-type: none"> 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. <ol style="list-style-type: none"> i. The goals of the TDM Plan shall be the following: <ul style="list-style-type: none"> • Reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable, consistent with the potential traffic and parking impacts of the 	<p>Prior to approval of construction-related permit</p> <p>Prior to building permit final</p> <p>Ongoing</p>	<p>Bureau of Planning</p> <p>Bureau of Building</p> <p>Bureau of Planning</p>	<p>N/A</p> <p>Bureau of Building</p> <p>Bureau of Planning</p>

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<p>project.</p> <ul style="list-style-type: none"> • Achieve the following project vehicle trip reductions (VTR): <ul style="list-style-type: none"> o Projects generating 50-99 net new AM or PM peak hour vehicle trips: 10 percent VTR o Projects generating 100 or more net new AM or PM peak hour vehicle trips: 20 percent VTR • Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate. • Enhance the City’s transportation system, consistent with City policies and programs. <p>ii. TDM strategies to consider include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement. • Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping. • 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 			

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<p>applicant and subject to review by the City, if employees or residents use transit or commute by other alternative modes.</p> <ul style="list-style-type: none"> • Provision of an ongoing contribution to transit service to the area between the project and nearest mass transit station prioritized as follows: 1) Contribution to AC Transit bus service; 2) Contribution to an existing area shuttle service; and 3) Establishment of new shuttle service. The amount of contribution (for any of the above scenarios) would be based upon the cost of establishing new shuttle service (Scenario 3). • Guaranteed ride home program for employees, either through 511.org or through separate program. • Pre-tax commuter benefits (commuter checks) for employees. • Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants. • On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools. • Distribution of information concerning alternative transportation options. • Parking spaces sold/leased separately for residential units. Charge employees for parking, or provide a cash incentive 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. 			

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<p>The TDM Plan shall indicate the estimated VTR for each strategy, based on published research or guidelines where feasible. For TDM Plans containing ongoing operational VTR strategies, the Plan shall include an ongoing monitoring and enforcement program to ensure the Plan is implemented on an ongoing basis during project operation. If an annual compliance report is required, as explained below, the TDM Plan shall also specify the topics to be addressed in the annual report.</p> <p>b. TDM Implementation – Physical Improvements For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/approvals from the City and install the improvements prior to the completion of the project.</p> <p>c. TDM Implementation – Operational Strategies For projects that generate 100 or more net new AM or PM peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR achieved by the project during operation. If deemed necessary, the City may elect to have a peer review consultant, paid for by the project applicant, review the annual report. If timely reports are not submitted and/or the annual reports indicate that the project applicant has failed to implement the TDM Plan, the project will be considered in violation of the Conditions of Approval and the City may initiate enforcement action as provided for in these Conditions of Approval. The project shall not be considered in violation of this Condition if the TDM Plan is implemented but the VTR goal is not achieved.</p>			
Utilities and Service Systems			
<p>SCA-UTIL-1: 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</p>	<p>Prior to approval of construction-related permit</p>	<p>Public Works Department, Environmental Services Division</p>	<p>Public Works Department, Environmental Services Division</p>

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<p>construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at www.greenhalosystems.com or manually at the City's Green Building Resource Center. Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center.</p>			
<p>SCA-UTIL-2: <i>Underground Utilities.</i> The project applicant shall place underground all new utilities serving the project and under the control of the project applicant and the City, including all new gas, electric, cable, and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits, and similar facilities. The new facilities shall be placed underground along the project's street frontage and from the project structures to the point of service. Utilities under the control of other agencies, such as PG&E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities.</p>	During construction	N/A	Bureau of Building
<p>SCA-UTIL-3: <i>Recycling Collection and Storage Space.</i> The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two cubic feet of storage and collection space per residential unit is required, with a minimum of ten cubic feet. For nonresidential projects, at least two cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten cubic feet.</p>	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building
<p>SCA-UTIL-4: <i>Green Building Requirements.</i></p> <p><i>a. Compliance with Green Building Requirements During Plan-Check</i></p> <p>The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code).</p> <p><i>i. The following information shall be submitted to the City for review and approval with the</i></p>	<p>Prior to approval of construction-related permit</p> <p>During construction</p> <p>After project completion as specified</p>	<p>Bureau of Building</p> <p>N/A</p> <p>Bureau of Planning</p>	<p>N/A</p> <p>Bureau of Building</p> <p>Bureau of Building</p>

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<p>application for a building permit:</p> <ul style="list-style-type: none"> • Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards. • Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit. • Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit. • Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below. • Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance. • Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit. • Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. <p>ii. The set of plans in subsection (i) shall demonstrate compliance with the following:</p> <ul style="list-style-type: none"> • CALGreen mandatory measures. • All pre-requisites per the green building checklist approved during the review of the Planning and Zoning permit, or, if applicable, all the green building measures approved as part of the Unreasonable Hardship Exemption granted during the review of the Planning and Zoning permit. • Minimum of 23 points 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 			

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<p>approved points that will be eliminated or substituted.</p> <ul style="list-style-type: none"> The required green building point minimums in the appropriate credit categories. <p><i>b. Compliance with Green Building Requirements During Construction</i></p> <p>The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project.</p> <p>The following information shall be submitted to the City for review and approval:</p> <ol style="list-style-type: none"> Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. <p><i>c. Compliance with Green Building Requirements After Construction</i></p> <p>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 and attain the minimum required certification/point level. Within one year of the final inspection of the building permit for the project, the applicant shall submit to the Bureau of Planning the Certificate from the organization listed above demonstrating certification and compliance with the minimum point/certification level noted above.</p>			
<p>SCA-UTIL-5: 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</p>	<p>Prior to approval of construction-related permit</p>	<p>Public Works Department, Department of Engineering and Construction</p>	<p>N/A</p>

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for funding improvements to the sanitary sewer system.			
SCA-UTIL-6: <i>Storm Drain System</i> . 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.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building