

**ATTACHMENT A:**

**FINDINGS:  
MACARTHUR TRANSIT VILLAGE PARCEL B  
REVISION TO PUD  
FDP  
TPM10561  
AMENDMENT TO DEVELOPMENT AGREEMENT**

**California Environmental Quality Act**

**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 MacArthur Station – Modified 2016 Project, as more fully described elsewhere in this Staff Report and City Of Oakland (“City”)-prepared CEQA Analysis document entitled “MacArthur Station – Modified 2016 Project CEQA Analysis” dated December 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. Applicability/Adoption of Previous CEQA Documents**

**A. Certification of 2008 MacArthur Station (formerly known as the “MacArthur Transit Village Project”) EIR (2008 EIR):** The City finds and determines that the City certified the 2008 EIR on June 4, 2008. Three previous addenda to the 2008 EIR were completed to consider modifications. The 2008 EIR and its three addenda directly apply to the Project.

**B. Adoption of General Plan Land Use and Transportation Element (LUTE) and Certification of 1998 LUTE EIR:** The City finds and determines that (a) the Oakland City Council on March 24, 1998 adopted Resolution No. 74129 C.M.S. which adopted the General Plan Land Use and Transportation Element, made appropriate CEQA findings, including certification of the 1998 LUTE Environmental Impact Report (“EIR”); and (b) the LUTE 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 LUTE following a public hearing, approved applicable mitigation measures which are largely the same as those identified in the other Program EIRs prepared after the 1998 LUTE EIR, either as mitigation measures or as a part of newer Standard Conditions of Approval (“SCAs”) which constitute uniformly applied development policies or standards (together with other City development regulations) and determined that the mitigation measures set out in the 1998 LUTE EIR, would substantially mitigate the impacts of the LUTE and future projects thereunder. While approved after certification of the 1998 LUTE EIR, growth and potential effects of the development of the

MacArthur Station project would have been considered in the cumulative growth projections factored into the LUTE EIR analysis.

**C. Adoption of Oakland Housing Element Update (2007-2014 and 2015-2025) and**

**Certification of Oakland Housing Element Update EIR and Addendum:** The City finds and determines that (a) the Oakland City Council on December 21, 2010, adopted Resolution No. 83194 which adopted the 2007-2014 Housing Element, made appropriate CEQA findings, including certification of the 2010 Environmental Impact Report (EIR); and (b) the Oakland City Council on November 20, 2014, adopted Resolution No. 85315 which adopted the 2015-2023 Housing Element, made appropriate CEQA findings, including certification of the 2014 Addendum to the 2010 EIR; and (c) the 2010 Housing Element Update EIR satisfies the designation of a "Program EIR" under 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 Oakland Housing Element Updates following a public hearing, approved applicable mitigation measures and standard conditions of approval and determined that the uniformly applicable development policies or standards, together with the mitigation measures set out in the 2010 Housing Element Update EIR would substantially mitigate the impacts of the Housing Element Update and future projects thereunder.

**D. Adoption of the Redevelopment Plan for the Broadway/MacArthur/San Pablo**

**Redevelopment Project and Amendments thereto and Certification of the**

**Broadway/MacArthur/San Pablo Redevelopment Project EIR EIR (or "Redevelopment**

**Plan EIR"):** The City finds and determines that (a) the Oakland City Council on July 25, 2000 adopted Ordinance No. 12269 C.M.S. which adopted the Broadway/MacArthur/San Pablo Redevelopment Plan for the Project Area; and (b) the Oakland City Council on June 2, 2000, adopted Resolution No. 75866 C.M.S. which made appropriate CEQA findings including certification of the Redevelopment Plan EIR; and (c) the Redevelopment Plan EIR satisfies the designation of a "Program EIR" under CEQA guidelines Section 15180, as such subsequent activities are subject to requirements under CEQA Section 15168. The City Council, in adopting the Broadway/MacArthur/San Pablo Redevelopment Plan following a public hearing, approved applicable mitigation measures and standard conditions of approval and determined that the uniformly applicable development policies or standards, together with the mitigation measures set out in the Redevelopment Plan EIR would substantially mitigate the impacts of the Broadway/MacArthur/San Pablo Redevelopment Plan 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 2008 EIR and satisfies the requirements for Redevelopment Projects, 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/or the “Redevelopment Projects” under Public Resources Code section 21090 (CEQA Guidelines §15180) and that the CEQA Analysis also constitutes an Addendum to the 2008 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 2008 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 2010 Oakland Housing Element Update EIR and 2014 Addendum for the evaluation of the housing components of the Project, and the 1998 LUTE EIR for the overall project (collectively called “Previous CEQA Documents”); 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 Previous CEQA Documents; and there is no new information showing that any of the effects shall be more significant than described in the Previous CEQA Documents..

As set out in detail in Attachment C to the CEQA Analysis, the City finds that, pursuant to CEQA Guidelines section 15183 and Public Resources Code section 21083.3, the Project is consistent with the development density 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 Previous CEQA Documents: nor are there potentially significant off-site impacts and cumulative impacts not discussed in the Previous CEQA Documents; 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 Previous CEQA Documents, are now determined to present a more severe adverse impact than discussed in the Previous CEQA Documents. 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 1998 LUTE EIR, and for the residential components of the Project only, the 2010 Housing Element Update EIR and its 2014 Addendum. (“Previous CEQA Documents”); the Project will cause no new specific effects not addressed in the Previous CEQA Documents 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 Previous CEQA Documents.

The City finds that, pursuant to CEQA Guidelines section 15183.3, the CEQA Analysis contains in Attachment D a written analysis consistent with Appendix M to the CEQA Guidelines examining whether the Project will cause any effects that require additional review under CEQA. The contents of Attachment D documents that the Project is located in an urban area satisfying the requirements of CEQA Guidelines section 15183.3 and satisfies the applicable performance standards set forth in Appendix M to the CEQA Guidelines. It also explains how the effects of the Project were analyzed in the Previous CEQA Documents; and indicates that the Project incorporates all applicable mitigation measures and SCAs from the Previous CEQA Documents. Attachment D also determines that the Project will cause no new specific effects not analyzed in the Previous CEQA Documents; determines that there is no substantial new information showing that the adverse environmental effects of the Project are more significant than described in the Previous CEQA Documents; and 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 §15162 and §15164):** The City finds and determines that the CEQA Analysis constitutes an Addendum to the 2008 EIR and that no additional environmental analysis of the Project beyond that contained in the 2008 EIR is necessary. The City further finds that no substantial changes are proposed in the Project that would require major revisions to the 2008 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 2008 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 2008 EIR showing that the Project will have one or more significant effects not discussed in the 2008 EIR; significant effects previously examined will be substantially more severe than shown in the 2008 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 2008 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 2008 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.

**D. Adoption of the Redevelopment Plan for the Broadway/MacArthur/San Pablo Redevelopment Project and Amendments thereto and Certification of the**

**Broadway/MacArthur/San Pablo Redevelopment Project EIR EIR (or “Redevelopment Plan EIR”)**: The City finds and determines that (a) the Oakland City Council on July 25, 2000 adopted Ordinance No. 12269 C.M.S. which adopted the Broadway/MacArthur/San Pablo Redevelopment Plan for the Project Area; and (b) the Oakland City Council on June 2, 2000, adopted Resolution No. 75866 C.M.S. which made appropriate CEQA findings including certification of the Redevelopment Plan EIR; and (c) the Redevelopment Plan EIR satisfies the designation of a “Program EIR” under CEQA guidelines Section 15180, as such subsequent activities are subject to requirements under CEQA Section 15168. The City Council, in adopting the Broadway/MacArthur/San Pablo Redevelopment Plan following a public hearing, approved applicable mitigation measures and standard conditions of approval and determined that the uniformly applicable development policies or standards, together with the mitigation measures set out in the Redevelopment Plan EIR would substantially mitigate the impacts of the Broadway/MacArthur/San Pablo Redevelopment Plan and future projects thereunder. \_

**IV. Severability:** The City finds that all four 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:** Each of the previous CEQA documents identified significant and unavoidable impacts: (1) the 2008 EIR identified one area of environmental effects of the original Project that presented significant and unavoidable impacts; (2) the 1998 LUTE EIR identified six areas of environmental effects of the LUTE that presented significant and unavoidable impacts; (3) the 2010 Oakland Housing Element Update EIR and Addendum identified two areas of environmental effects of the Housing Element Update that presented significant and unavoidable impacts; and (4) the Redevelopment Plan EIR identified one area of environmental effects of the Redevelopment Plan that presented significant and unavoidable impacts. Because the Project may contribute to some significant and unavoidable impacts identified above, but a Subsequent and/or Supplemental EIR is not required in accordance with CEQA Guidelines sections 15162-15164, 15183 and 15183.3, a Statement of Overriding Considerations is not legally required. Nevertheless, in the interest of being conservative, the Statements of Overriding Consideration for all the aforementioned previous CEQA documents are hereby incorporated by reference as if fully set forth herein.

**FINDINGS FOR APPROVAL**

This proposal meets all the required Planned Unit Development Criteria (Section 17.140.080), Final Development Permit Criteria (Section 17.140.060), and Regular Design Review Criteria (Section 17.136.050). This proposal does not contain characteristics that require denial pursuant to the Tentative Map Findings (Section 16.08.030) and is consistent with the Lot Design Standards (Section 16.24.040) of the Oakland Subdivision Regulations. Required findings are shown in **bold** type; reasons the proposal satisfies them are shown in normal type. (Note: the Project's conformance with the following findings is not limited to the discussion below, but is also included in all discussions in this report and elsewhere in the record. These findings specifically incorporate by reference the analysis in the Project's staff report, the Project plans, and the 2016 CEQA Analysis conducted for the Project. All documents and evidence on the record support the findings and conclusions below.)

**Planning Code Section 17.140.080 (Planned Unit Development Procedure Permit Criteria)**

A planned unit development permit may be granted only if it is found that the development (including conditions imposed under the authority of Sections 17.142.060 and 17.140.030) conforms to all of the following criteria, as well as to the planned unit development regulations in Chapter 17.142:

**A. That the location, design, size, and uses are consistent with the Oakland General Plan and with any other applicable plan, development control map, design guidelines, or ordinance adopted by the City Council or Planning Commission;**

The Revised Project would increase the number of residential units in the PUD and the amount of commercial square footage on Parcel B, and would increase the allowable height for Parcel B, as well. The increased residential and commercial intensities are permitted in the applicable General Plan and zoning regulations. As noted in the staff report, hereby incorporated by reference, the project supports applicable General Plan policies by supporting residential and commercial development and supporting use of public transit. The increased height is allowed under an amendment to the Development Agreement for the project, and through allowances in the PUD regulations that allow for relaxation of height limits for PUDs to encourage integrated development design (OMC 17.142.100 (G)). Increased height is a change to the approved PUD (and design guidelines) and therefore requires a revision to the PUD. The staff report includes a detailed analysis of the project's consistency with the PUD Design Guidelines.

The proposed Parcel B Project is a well-designed, high-density mixed-use project located at a major regional transit node that will add a significant number of residential units, including a substantial number of affordable units, to Oakland's currently limited supply of housing. The proposed highrise building would be separated from existing, surrounding neighbors by BART and freeway rights-of-way, the MacArthur Transit Village (of which it is a part), and by 40<sup>th</sup> Street, Telegraph Avenue, and West MacArthur Boulevard (with one exception at 505-40<sup>th</sup> Street). The proposed project is an opportunity to support the use of existing transit and increase affordable and market-rate housing opportunities in Oakland, all desirable land-use planning

goals in Oakland at this time. The project would be visibly noticeable throughout the surrounding neighborhood and is architecturally different from the nearby one- to four-story building context; the proposed building is well-designed with elegant massing and refined exterior materials and details. It will be attractive and appropriate to its location at the high-use MacArthur BART station. The thoughtfully-designed active ground-floor design and uses will support commercial growth and pedestrian activity in the neighborhood.

**B. That the location, design, and size are such that the development can be well integrated with its surroundings, and, in the case of a departure in character from surrounding uses, that the location and design will adequately reduce the impact of the development;**

The proposed Parcel B Project is a well-designed, high-density mixed-use project located at a major regional transit node that will add a significant number of residential units, including a substantial number of affordable units, to Oakland's currently limited supply of housing. The highrise would be visibly noticeable throughout the surrounding neighborhood and is architecturally different from the nearby one- to four-story building context. However, the building would be separated from existing, surrounding neighbors by BART and freeway rights-of-way, the MacArthur Transit Village (of which it is a part), and by 40<sup>th</sup> Street, Telegraph Avenue, and West MacArthur Boulevard (with one exception at 505-40<sup>th</sup> Street). The proposed project is an opportunity to support the use of existing transit and increase affordable and market-rate housing opportunities in Oakland, all desirable land-use planning goals in Oakland at this time. The proposed building is well-designed with elegant massing and refined exterior materials and details. It will be attractive and appropriate to its location at the high-use MacArthur BART station. The thoughtfully-designed active ground-floor design and uses will support desired commercial growth and pedestrian activity in the neighborhood.

**C. That the location, design, size, and uses are such that traffic generated by the development can be accommodated safely and without congestion on major streets and will avoid traversing other local streets;**

The Revised Project is in compliance with City of Oakland parking regulations, as well as with parking standards included in the adopted PUD. The MacArthur Transit Village Project EIR Addendum #4 (“Addendum”) demonstrates that the Revised Project will have no new significant impacts related to transportation. The project traffic will generally disperse along the major streets of Telegraph Avenue, West MacArthur Boulevard, and 40<sup>th</sup> Street so that other local streets will not be adversely affected by project traffic. Additionally, given the project’s location adjacent to a BART station and multiple bus lines, new residents are expected to use some form of public transportation.

**D. That the location, design, size, and uses are such that the residents or establishments to be accommodated will be adequately served by existing or proposed facilities and services;**

The proposed Revised Project would provide substantial commercial and residential uses but would not affect how the site is served by existing facilities, including utilities and infrastructure. In addition, the Revised Project will be subject to the City’s standard conditions of approval that require the project sponsor to improve public utilities and infrastructure, as needed, to support the project.

**E. That the location, design, size, and uses will result in an attractive, healthful, efficient, and stable environment for living, shopping, or working, the beneficial effects of which environment could not otherwise be achieved under the zoning regulations;**

The Revised Project would increase the density and intensity of land uses in the area, bolstering and providing a market for desired commercial uses. The Revised Project would provide new residential units and commercial uses that will enhance shopping and working opportunities for existing and future area residents. The new development, new retail and commercial uses, and new residents will foster an attractive and stable environment in this area of the City. The increased height of the Revised Project will increase the number of new residents at the MacArthur Station site, providing even more support for these commercial uses in the neighborhood.

**F. That the development will be well integrated into its setting, will not require excessive earth moving or destroy desirable natural features, will not be visually obtrusive and will harmonize with surrounding areas and facilities, will not substantially harm major views for surrounding residents, and will provide sufficient buffering in the form of spatial separation, vegetation, topographic features, or other devices.**

The Revised Project would require only a limited amount of grading (as the site is part of an ongoing construction site) and, as demonstrated in the Addendum, would not affect the aesthetic or functional quality of the surrounding area. The proposed Parcel B Project is a well-designed, high-density mixed-use project located at a major regional transit node that will add a significant number of residential units, including a substantial number of affordable units, to Oakland’s currently limited supply of housing. The highrise would be visibly noticeable throughout the surrounding neighborhood and is architecturally different from the nearby one- to four-story building context. However, the building would be separated from existing, surrounding neighbors by BART and freeway rights-of-way, the MacArthur Transit Village (of which it is a part), and by 40<sup>th</sup> Street, Telegraph Avenue, and West MacArthur Boulevard (with one exception at 505-40<sup>th</sup> Street). The proposed project is an opportunity to support the use of existing transit and increase affordable and market-rate housing opportunities in Oakland, all desirable land-use



planning goals in Oakland at this time. The proposed building is well-designed with elegant massing and refined exterior materials and details. It will be attractive and appropriate to its location at the high-use MacArthur BART station.

**Section 17.140.060 (Planning Commission Action for Final Planned Unit Development):**

**The proposal conforms to all applicable criteria and standards and conforms in all substantial respects to the preliminary development plan, or, in the case of the design and arrangement of those portions of the plan shown in generalized, schematic fashion, it conforms to applicable design review criteria.**

As demonstrated in the February 1, 2017 Planning Commission Staff Report, hereby incorporated by reference, the proposed Final Development Plan conforms to all applicable criteria and standards and is consistent with the revised Preliminary Development Plan and design guidelines for the project. The design is attractive and appropriate for the location at a regional, high-use intermodal transit node. In addition, the project is attractively designed and complements the entire PUD.

The proposed Parcel B Project is a well-designed, high-density mixed-use project located at a major regional transit node that will add a significant number of residential units, including a substantial number of affordable units, to Oakland's currently limited supply of housing. The proposed highrise building would be separated from existing, surrounding neighbors by BART and freeway rights-of-way, the MacArthur Transit Village (of which it is a part), and by 40<sup>th</sup> Street, Telegraph Avenue, and West MacArthur Boulevard (with one exception at 505-40<sup>th</sup> Street). The proposed project is an opportunity to support the use of existing transit and increase affordable and market-rate housing opportunities in Oakland, all desirable land-use planning goals in Oakland at this time. The project would be visibly noticeable throughout the surrounding neighborhood and is architecturally different from the nearby one- to four-story building context; the proposed building is well-designed with elegant massing and refined exterior materials and details. It will be attractive and appropriate to its location at the high-use MacArthur BART station. The thoughtfully-designed active ground-floor design and uses will support commercial growth and pedestrian activity in the neighborhood.

**17.136.050 - Regular design review criteria.**

**Regular design review approval may be granted only if the proposal conforms to all of the following general design review criteria, as well as to any and all other applicable design review criteria:**

**A. For Residential Facilities.**

**1. That 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 Parcel B Project is a well-designed, high-density mixed-use project located at a major regional transit node that will add a significant number of residential units, including a substantial number of affordable units, to Oakland's currently limited supply of housing. The proposed highrise building would be separated from existing, surrounding neighbors by BART and freeway rights-of-way, the MacArthur Transit Village (of which it is a part), and by 40<sup>th</sup> Street, Telegraph Avenue, and West MacArthur Boulevard (with one exception at 505-40<sup>th</sup> Street). The proposed project is an opportunity to support the use of existing transit and increase affordable and market-rate housing opportunities in Oakland, all desirable land-use planning goals in Oakland at this time. The project would be visibly noticeable throughout the surrounding neighborhood and is architecturally different from the nearby one- to four-story building context; the proposed building is well-designed with elegant massing and refined exterior materials and details. The project includes several distinct terraces and stepped roof heights to relate to adjacent structures including new residential buildings, BART garage, and elevated freeway, and further minimizes any single, bulky, monolithic feel to the building. It will be attractive and appropriate to its location at the high-use MacArthur BART station. The thoughtfully-designed active ground-floor design and uses will support commercial growth and pedestrian activity in the neighborhood.

**2. That the proposed design will protect, preserve, or enhance desirable neighborhood characteristics;**

The proposed Parcel B Project is part of the larger MacArthur Station Project, which will replace a large, existing surface parking lot with a new, well-integrated, high-density residential neighborhood. The project will greatly improve the existing surface parking lot use by establishing a network of pedestrian and bike friendly streets that will integrate the project site into the larger neighborhood. The Parcel B project will create up to 13,000 square feet of high quality ground floor retail space, which will attract both existing and new neighborhood residents and further integrate the project into the existing community. The additional height proposed for Parcel B does not negatively impact existing development in the neighborhood since it is located at the center of the large MacArthur Station site, surrounded by new 5-6 stories buildings that step the MacArthur Station Project down to the existing 1-5 story lower-scale development surrounding the site.

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

The project site is a relatively level (0.02% slope from high point to low point) urban site, adjacent to an elevated freeway and across from the MacArthur BART plaza. Retail frontage along 39th Street and Turquoise Way, as well as building entry lobbies are at grade level with direct access to pedestrian and bike circulation pathways. Street trees will be installed along

The sidewalk along Turquoise Street and the 39th Street Plaza. Site and building drainage will connect to a previously approved existing system for the overall MacArthur Station development. Stormwater planters located at the 39th street plaza will assist with infiltration and the reduction of runoff at the ground floor.

**4. That, if situated on a hill, the design and massing of the proposed building relates to the grade of the hill;**

Not applicable because the project is not located on a sloped site.

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

As demonstrated in the analysis in the February 1, 2017 Planning Commission Staff Report, hereby incorporated by reference, the project is consistent with the zoning and General Plan design guidelines and allowances. As noted in the staff report, the project supports applicable General Plan policies by supporting residential and commercial development and supporting use of public transit.

**B. For Nonresidential Facilities and Signs.**

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

The proposed Parcel B Project consists of a 260 foot tall residential tower with up to 13,000 square feet of retail use at the ground floor. An open, public plaza will be provided at the northern end of the site at 39<sup>th</sup> Street, which will connect directly to some of the project's ground floor retail space. The additional height proposed for Parcel B is appropriate as it is located at the center of the large MacArthur Station site, surrounded by new 5-6 stories buildings that step the MacArthur Station Project down to the existing 1-5 story lower-scale development surrounding the site. The bulk of the building has been broken up into a podium, a tower component, and numerous other massing breaks to deemphasize any monolithic character to the building. The project can be seen from several blocks away, but its varied massing ensure it will not dominate any viewpoint.

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

The proposed Parcel B Project will be the most visible component of the MacArthur Station project and its high-quality design will exemplify the high-quality nature of the larger project. The additional height proposed for Parcel B is appropriate as it is located at the center of the large MacArthur Station site, surrounded by new 5-6 stories buildings that step the MacArthur

Station Project down to the existing 1-5 story lower-scale development surrounding the site. As a result, this project is able to provide a high-density, transit-oriented development, while gracefully stepping down to the scale of development on the periphery of the project site. By including significant new retail space connected to the larger community through a new pedestrian- and bike-friendly street network, the project connects its new businesses with existing residents in the community and connects its new residents with existing businesses in the community, ensuring the project connects with and enhances the existing surrounding neighborhood.

The proposed Parcel B Project is a well-designed, high-density mixed-use project located at a major regional transit node that will add a significant number of residential units, including a substantial number of affordable units, to Oakland's currently limited supply of housing. The proposed highrise building would be separated from existing, surrounding neighbors by BART and freeway rights-of-way, the MacArthur Transit Village (of which it is a part), and by 40<sup>th</sup> Street, Telegraph Avenue, and West MacArthur Boulevard (with one exception at 505-40<sup>th</sup> Street). The proposed project is an opportunity to support the use of existing transit at the site and increase affordable and market-rate housing opportunities in Oakland, all desirable land-use planning goals in Oakland at this time. The project would be visibly noticeable throughout the surrounding neighborhood and is architecturally different from the nearby one- to four-story building context; the proposed building is well-designed with elegant massing and refined exterior materials and details. It will be attractive and appropriate to its location at the high-use MacArthur BART station.

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

As demonstrated in the February 1, 2017 Planning Commission Staff Report, hereby incorporated by reference, the project is consistent with the zoning and General Plan design guidelines and allowances. As noted in the staff report, the project supports applicable General Plan policies by supporting residential and commercial development and supporting use of public transit.

**C. For Local Register Properties that are not Landmarks or located in the S-7 or S-20 zone:**

**1. That for additions or alterations, the proposal will not substantially impair the visual, architectural, or historic value of the affected site or facility. Consideration shall be given to design, form, scale, materials, texture, lighting, landscaping, Signs, and any other relevant design element or effect, and, where applicable, the relation of the above to the original design of the affected facility.**

Not applicable.

**D. For Potential Designated Historic Properties that are not Local Register Properties:  
That for additions or alterations,**

**1. The design matches or is compatible with, but not necessarily identical to, the property's existing or historical design; or**

**2. The proposed design comprehensively modifies and is at least equal in quality to the existing design and is compatible with the character of the neighborhood; or**

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

Not applicable.

**E. For Retaining Walls,**

**1. That the retaining wall is consistent with the overall building and site design and respects the natural landscape and topography of the site and surrounding areas;**

**2. That the retaining wall is responsive to human scale, avoiding large, blank, uninterrupted or undesignated vertical surfaces;**

**3. That the retaining wall respects the natural topography, avoiding obvious scars on the land;**

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

Not applicable as retaining walls are not proposed.

**16.08.030 – VESTING TENTATIVE PARCEL MAP FINDINGS** (Pursuant to California Government Code Section 66474, Chapter 4 of the Subdivision Map Act, the findings are presented as a basis for denial; thus, in order to approve the Project, none of the findings should be satisfied).

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

The map is consistent with the PUD and FDP proposed for the site. As noted in the staff report, hereby incorporated by reference, the project supports applicable General Plan policies by supporting residential and commercial development and supporting use of public transit.

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

The map allows development of the PUD and FDP for the site and is thereby consistent with applicable regulatory plans.

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

The flat, urbanized site is located at a mass transit node and is appropriate to the development of high-density residential and commercial uses.

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

The flat, urbanized site is located at a mass transit node and is appropriate to the development of high-density residential and commercial uses.

- 5. That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

The MacArthur Transit Village Project EIR Addendum #4 (“Addendum”) demonstrates that the Revised Project will have no new significant impacts related to fish and wildlife, or habitat.

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

The proposed project will support compact, urban development and reliance on mass transit, reducing reliance on personal transportation and use of fossil fuels.

- 7. 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.**

The map does not conflict with any existing easements through the property.

**8. The design of the subdivision provides to the extent feasible for future passive or natural heating or cooling opportunities in the subdivision.**

The design of the subdivision does not preclude future passive heating or cooling opportunities.

**SECTION 16.24.040- LOT DESIGN STANDARDS**

**A. No lot shall be created without frontage on a public street, as defined by Section 16.04.030, except:**

- 1. Lots created in conjunction with approved private easements.**
- 2. A single lot with frontage on a public street by means of a vehicular access corridor provided that in all cases the corridor shall have a minimum width of twenty (20) feet and shall not exceed three hundred (300) feet in length. Provided further, the corridor shall be a portion of the lot it serves, except that its area (square footage) shall not be included in computing the minimum lot area requirements of the zoning district.**

The proposed Parcel B lot would front 39<sup>th</sup> Street and Turquoise Way. The vehicular access drive is at least 20 feet wide and less than 300 feet long.

**B. The side lines of lots shall run at right angles or radially to the street upon which the lot fronts, except where impractical by reason of unusual topography.**

The side lot lines run at right angles to the adjacent street frontages.

**C. All applicable requirements of the zoning regulations shall be met.**

As demonstrated in the analysis in the February 1, 2017 Planning Commission Staff Report, hereby incorporated by reference, the project is consistent with the PUD, zoning and General Plan regulations, design guidelines and allowances.

**D. Lots shall be equal or larger in measure than the prevalent size of existing lots in the surrounding area except:**

- 1. Where the area is still considered acreage.**
- 2. Where a deliberate change in the character of the area has been initiated by the adoption of a specific plan, a change in zone, a development control map, or a planned unit development.**

The proposed lot is consistent with the lot sizes throughout the affected PUD.

**E. Lots shall be designed in a manner to preserve and enhance natural out-croppings of rock, specimen trees or group of trees, creeks or other amenities.**

The lot is in a flat, urbanized area. There are no natural features affecting the lot.



**Section 17.138 Development Agreement Procedure**

**17.138.050 Criterion.**

**A development agreement may be approved only if it is found that the proposal is consistent with the Oakland General Plan and with any applicable district plan or development control map which has been adopted by the City Council, as said plans or map currently exist.**

As described in the staff report, hereby incorporated by reference, the project is consistent with applicable General Plan policies because, among reasons included in the staff report, it is an infill, mixed use residential and ground-floor retail development, with pedestrian-oriented uses including a plaza and retail and it is a transit-oriented development by virtue of its location adjacent to a BART station and bus line. The DA is being revised in order to provide consistency with the revised PUD, the applicable district plan for the project.

**B. Conditions of Approval, including  
Standard Conditions of  
Approval/Mitigation Monitoring and  
Reporting Program (SCA/MMRP)**

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

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### **1. Approved Use**

The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, **February 1 2017 staff report** and the approved plans, dated November 23, 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, such as exterior materials and design details.
- b. Major changes to the approved project, plans, Conditions, facilities, or use shall be reviewed by the Director of City Planning to determine whether such changes require submittal and approval of a revision to the Approval by the original approving body or a new independent permit/approval. Major revisions shall be reviewed in accordance with the procedures required for the original permit/approval. A new independent permit/approval shall be reviewed in accordance with the procedures required for the new permit/approval.

**5. Compliance with Conditions of Approval**

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

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

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

7. **Blight/Nuisances**

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

8. **Indemnification**

- a. To the maximum extent permitted by law, the project applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Redevelopment Successor Agency, the Oakland City Planning Commission, and their respective agents, officers, employees, and volunteers (hereafter collectively called "City") from any liability, damages, claim, judgment, loss (direct or indirect), action, causes of action, or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul this Approval or implementation of this Approval. The City may elect, in its sole discretion, to participate in the defense of said Action and the project applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.
- b. Within ten (10) calendar days of the City being served with any Action as specified in subsection (a) above, the project applicant shall execute a Joint Defense Letter of Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Joint Defense Letter of Agreement shall survive termination, extinguishment, or invalidation of the Approval. Failure to timely execute the Letter of Agreement does not relieve the project applicant of any of the obligations contained in this Condition or other requirements or Conditions of Approval that may be imposed by the City.

9. **Severability**

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

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

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

Official, Director of City Planning, or designee, prior to the issuance of a construction-related permit and on an ongoing as-needed basis.

**11. Public Improvements**

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

**12. Compliance Matrix**

The project applicant shall submit a Compliance Matrix, in both written and electronic form, for review and approval by the Bureau of Planning and the Bureau of Building that lists each Condition of Approval (including each mitigation measure if applicable) in a sortable spreadsheet. The Compliance Matrix shall contain, at a minimum, each required Condition of Approval, when compliance with the Condition is required, and the status of compliance with each Condition. For multi-phased projects, the Compliance Matrix shall indicate which Condition applies to each phase. The project applicant shall submit the initial Compliance Matrix prior to the issuance of the first construction-related permit and shall submit an updated matrix upon request by the City.

**13. Construction Management Plan**

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

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

- a. All mitigation measures identified in the MacArthur Transit Village Project EIR and Addendum #4 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 **B**, as Conditions of Approval of the project. The Standard Conditions of Approval identified in the MacArthur Transit Village Project EIR and Addendum #4 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 MacArthur Transit Village Project EIR and Addendum #4 has been inadvertently omitted from the SCAMMRP, that Standard Condition of Approval or mitigation measure is adopted and incorporated from the MacArthur Transit Village Project EIR and Addendum #4 into the SCAMMRP by reference, and adopted as a Condition of Approval. The project applicant and property owner shall be responsible for compliance with the requirements of any submitted and approved technical reports, all applicable mitigation measures adopted, and with all Conditions of Approval set forth herein at his/her sole cost and expense, unless otherwise expressly provided in a specific mitigation measure or Condition of Approval, and subject to the review and approval by the City of Oakland. The SCAMMRP identifies the timeframe and responsible party for implementation and monitoring for each Standard Condition of Approval and mitigation measure. Monitoring of compliance with the Standard Conditions of Approval and mitigation measures will be the responsibility of the Bureau of Planning and the Bureau of Building, with overall authority concerning compliance residing with the Environmental Review Officer. Adoption of the SCAMMRP will constitute fulfillment of the CEQA monitoring and/or reporting requirement set forth in section 21081.6 of CEQA.

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

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

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### 15. Regulatory Permits and Authorizations from Other Agencies

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

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

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

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

### 16. Graffiti Control

Requirement:

- a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation:
  - i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces.
  - ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces.
  - iii. Use of paint with anti-graffiti coating.
  - iv. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED).
  - v. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement.
- b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following:
  - i. Removal through scrubbing, washing, sanding, and/or scraping (or similar method) without damaging the surface and without discharging wash water or cleaning detergents into the City storm drain system.
  - ii. Covering with new paint to match the color of the surrounding surface.
  - iii. Replacing with new surfacing (with City permits if required).

When Required: Ongoing



Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

### 17. Naturally-Occurring Asbestos

Requirement: The project applicant shall comply with all applicable laws and regulations regarding construction in areas of naturally-occurring asbestos, including but not limited to, the Bay Area Air Quality Management District's (BAAQMD) Asbestos Airborne Toxic Control Measures for Construction, Grading, Quarrying, and Surface Mining Operations (implementing California Code of Regulations, section 93105, as may be amended) requiring preparation and implementation of an Asbestos Dust Mitigation Plan to minimize public exposure to naturally-occurring asbestos. Evidence of compliance shall be submitted to the City upon request.

When Required: Prior to approval of construction-related permit

Initial Approval: Applicable regulatory agency with jurisdiction

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

### 18. Bird Collision Reduction Measures

Requirement: 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:

- i. 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.
- ii. Minimize the number of and co-locate rooftop-antennas and other rooftop structures.
- iii. Monopole structures or antennas shall not include guy wires.
- iv. Avoid the use of mirrors in landscape design.
- v. 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.
- vi. 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:
  - 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.
- vi. Reduce light pollution. Examples include the following:
- Extinguish night-time architectural illumination treatments during bird migration season (February 15 to May 15 and August 15 to November 30).
  - 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.
- vii. Develop and implement a building operation and management manual that promotes bird safety. Example measures in the manual include the following:
- 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 p.m., if possible.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

## 19. **Erosion and Sedimentation Control Measures for Construction**

Requirement: The project applicant shall implement Best Management Practices (BMPs) to reduce erosion, sedimentation, and water quality impacts during construction to the maximum

extent practicable. At a minimum, the project applicant shall provide filter materials deemed acceptable to the City at nearby catch basins to prevent any debris and dirt from flowing into the City's storm drain system and creeks.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

## 20. Erosion and Sedimentation Control Plan for Construction

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

Requirement: The project applicant shall submit an Erosion and Sedimentation Control Plan to the City for review and approval. The Erosion and Sedimentation Control Plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading and/or construction operations. The Plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the City. The Plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

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

Requirement: The project applicant shall implement the approved Erosion and Sedimentation Control Plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Bureau of Building.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

## 21. Architectural Copper

Requirement: The project applicant shall implement Best Management Practices (BMPs) concerning the installation, treatment, and maintenance of exterior architectural copper during and after construction of the project in order to reduce potential water quality impacts in accordance with Provision C.13 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES). The required BMPs include, but are not limited to, the following:

- a. If possible, use copper materials that have been pre-patinated at the factory;
- b. If patination is done on-site, ensure rinse water is not discharged to the storm drain system by protecting storm drain inlets and implementing one or more of the following:
- c. Discharge rinse water to landscaped area;
- d. Collect rinse water in a tank and discharge to the sanitary sewer , with approval by the City; or haul off-site for proper disposal;
- e. During maintenance activities, protect storm drain inlets to prevent wash water discharge into storm drains; and
- f. Consider coating the copper with an impervious coating that prevents further corrosion.

When Required: During construction; ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

### **Part 3: Project-Specific Conditions of Approval**

See Attachment A to these Conditions of Approval that apply to the MacArthur Transit Village Planned Unit Development, as approved in 2008 and have either been met or are entirely the responsibility of the Master Developer and are not specific to Parcel B.

#### **22. Air Filtration/Ventilation System.**

*Prior to issuance of a building permit*

Although the studies conducted for the EIR demonstrate that the project site was found to be below the significance criteria for health risk based on the assessment prepared in accordance with the California Air Resources Board and the Office of Environmental Health and Hazard Assessment for exposure to vehicular exhaust from roadways, the project sponsor has agreed to incorporate into the project a mechanical ventilation system that meets the efficiency standard of the MERV 13 for those units with windows fronting the freeway or Frontage Road. The ventilations shall be subject to review and approval by the City's Building Services Division. Appropriate maintenance, operation and repair materials will be furnished to project residents.

#### **23. Components of Final Development Plans.**

*Prior to approval of Any Final Development Plans*

In accordance with the Planning Code Chapter 17.140, each stage of FDP shall:

- (a) Conform to all major respects with the approved Preliminary Development Plan received by the Planning Division on May 28, 2008, and included as Exhibit F;
- (b) Comply with development standards of the S-15 Zone, except and modified for building height as bonus for the Planned Unit Development and shown in the Preliminary Development Plan;
- (c) Be consistent with the MacArthur Transit Village Design Guidelines included in these conditions as Exhibit C-3;
- (d) Include all information included in the preliminary development plan plus the following:
  - i. the location of water, sewerage, and drainage facilities;
  - ii. detailed building floor plans, elevations and landscaping plans;
  - iii. the character and location of signs;
  - iv. plans for street improvements; and

v. grading or earth-moving plans.

- (e) Be sufficiently detailed to indicate fully the ultimate operation and appearance of the development stage; and
- (f) Include copies of legal documents required for dedication or reservation of group or common spaces, for the creation of nonprofit homes' association, or for performance bonds, shall be submitted with each Final Development Plan.

**24. Subdivision Maps**

*Prior to final approval of Each Final Development Plan*

Final Development Plans shall be accompanied by subdivision maps as required to subdivide the property. The subdivision maps shall be reviewed and processed in accordance with Title 17, Subdivisions, of the City of Oakland Municipal Code and the Subdivision Map Act.

**25. Final Development Review and Approval by City Council.**

*Prior to final approval of Any Final Development Plan*

All Final Development Plan(s) shall be subject to review and recommendation by the Planning Commission's Design Review Committee and Planning Commission, with final approval by the City Council.

**26. Minimum Setback to Buildings Adjacent to Project Site.**

*Prior to issuance of a building permit*

All buildings within the project shall maintain a minimum 5 foot setback, except at the ground level, to existing buildings adjacent to the project site. The applicant shall show all proposed building setbacks on the plans submitted for a building permit.

**27. Safety Plan.**

*Prior to issuance of a building permit*

The project sponsor shall work with the Oakland Police Department and the Planning and Zoning Division to prepare a safety plan for the portion of the project area along Frontage Road between the BART Garage and the BART Plaza. Without limiting the foregoing, the safety plan shall assess the efficacy and feasibility of installing video security cameras along Frontage Road. The project sponsor shall implement the approved recommendations/ conclusions of the safety study including, if determined necessary and feasible by the City, the implementation of video cameras.

**28. Special Project Driveway Design Improvements.**

*Prior to approval of Each Final Development Plan Stage or Vesting Tentative Map and Ongoing*

To limit conflicts between pedestrians, bicycles and vehicles entering and exiting the BART parking garage and residential parking garages within the project, the project driveways shall incorporate the following design measures, subject to review and approval of the City's Transportation Services Division (TSD):

- (a) Install a high-visibility crosswalk across Frontage Road connecting the BART garage to the western sidewalk. Note that currently, the City of Oakland does not install high visibility crosswalks at signalized intersections unless there are problems with sight distance.
- (b) For driveways along Internal Street, provide adequate sight distance at all residential garage exits. End the ramp before the sidewalk so that the sidewalk remains level and vehicles do not

encroach on the sidewalk. Landscaping should be maintained so that adequate sight distance is provided. Consider installing pedestrian warning lights to alert pedestrians to exiting vehicles at driveways with high pedestrian volumes and limited sight distance. Installation of loud audible warning devices is not recommended.

- (c) For the driveway along Village Drive, provide adequate sight distance the garage exit. End the ramp before the sidewalk so that the sidewalk remains level and vehicles do not encroach on the sidewalk. Landscaping should be maintained so that adequate sight distance is provided. Consider installing pedestrian warning lights to alert pedestrians to exiting vehicles at driveways with high pedestrian volumes and limited sight distance. Installation of loud audible warning devices is not recommended.

**29. Green Roofs/Roof Top Gardens.**

***Prior to approval of Final Development Plan for Stages 2 through 5***

As part of the submittal for each FDP application for each phase of FDP, except Stage 1 (BART parking garage), the project sponsor shall study the feasibility of methods to further reduce heat island effect and/or provide additional open space for resident use. Potential methods include but are not limited to green roofs, roof gardens, roof decks, open or partially enclosed private or common balconies. For purposes of this condition of approval, feasibility as defined above includes the consideration of proximity to the highway or streets, location above livable space, construction type, insurability, long term maintenance, HOA costs, and the use of space for other purposes. The feasibility study for implementing additional methods to further reduce heat island effect and/or provide additional open space for resident use shall be provided to Planning Staff as part of each FDP application. The intent of this condition is to further the sustainable elements of the project design and potentially provide more open space area for the project residents.

**30. Wind.**

***Prior to issuance of certificate of occupancy***

Landscape plan shall indicate trees located on north and east sides of the building in a staggered arrangement, consistent with "Option 2" and COA-WIND-1 in the CEQA Addendum Attachment H.

**31. Comply with Engineering Services Conditions of Approval.**

***Prior to Building Permit issuance***

Final Map and building permit submittal shall comply with additional conditions of approval contained in Attachment A to these conditions of approval.

**32. Pedestrian Street Lighting.**

***Prior to issuance of first construction-related permit for Parcel B***

The applicant has voluntarily agreed to contribute \$95,000 to Temescal Telegraph Business Improvement District, specifically for the purpose of providing pedestrian street-lighting on Telegraph Avenue between West MacArthur Boulevard and 40th Street.

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**Applicant Statement**

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

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

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

\_\_\_\_\_  
Date

Attachments:

- A. Engineering Services Conditions of Approval
- B. SCAMMRP
- C. Conditions of Approval that apply to the MacArthur Transit Village Planned Unit Development, as approved in 2008 and have either been met or are entirely the responsibility of the Master Developer and are not specific to Parcel B

# **Attachment A: Engineering Services Conditions of Approval**



<p><u>Permit Number &amp; address</u></p> <p><b>PUD06058-R01, TPM MacArthur Bart Parcel B</b></p>	<p><u>Review comments</u></p>
<p><u>Streets and sidewalk</u></p> <ul style="list-style-type: none"> <li>• Developers should be made aware that they need to repair the sidewalk fronting the property to ADA standards (no more than ¼" lift) and no more than 2% cross slope</li> <li>• Resurface one traffic lane, which is no wider than 13 feet, after the completion of work (construction reduce the pavement conditions index)</li> <li>• Sidewalk shall be 5.5 feet min. but no less than 50-inches clear at pinch points for ADA access</li> <li>• replace portions of existing sidewalks, curbs/gutter/driveway approaches damaged or broken or if non-standard</li> <li>• Private improvements in right of way and non-standard features MAY be approved with an encroachment permit.</li> </ul>	<p>1) As shown on the Final Development Plan, Sheet L1-01, dated 7/6/16, for the sidewalk and planter areas within the City's right-of-way, the applicant shall obtain a Major Encroachment Permit. The maintenance of landscaping, street trees and irrigation systems shall be the responsibility of the property owner(s) and included in the Encroachment Permit.</p>
<p><u>Traffic &amp; street geometry</u></p> <ul style="list-style-type: none"> <li>• Review/approval is needed by traffic engineer for new striping, curb painting, bulb-outs, changes to existing dimensions, impact to traffic resulting from development, traffic pattern, circulation, signals, traffic count, street/lane change, and other details.</li> <li>• Any alteration to geometry of roadway/sidewalk, markings, traffic control signs and devices shall be reviewed and approved by the Traffic Engineer</li> </ul>	<p>2) Plans dated 7/6/16 do not alter the existing street geometry or existing striping. Upon review of the improvement plans submitted for the PX permit, and if alterations to traffic or street geometry are proposed, the City Traffic Engineer may be required to review and approve the plans prior to issuance of the PX permit.</p>
<p><u>Driveway</u></p> <ul style="list-style-type: none"> <li>• Driveway approach, length, width, separation, clearances, thickness, type of curb, angle, and concrete mix shall be approved by Planning and then by Engineering Services. Minimum pavement section at driveways shall be four inches of AC (3/4 to 1/2 inch fine) over 8 inches of Class II AB and two feet in width. Senior inspector may be consulted.</li> </ul>	<p>3) The applicant shall prepare improvement plans prepared by a registered civil engineer and submit to the City Engineer for review and approval prior to issuance of a PX Permit. Additionally, the applicant shall enter into a P-Job Agreement, or approved subdivision agreement, prior to the issuance of the PX permit.</p>
<p><u>Curb ramps</u></p> <ul style="list-style-type: none"> <li>• Refer to latest State of CA standards for all curb ramps. Curb ramps must be Directional unless approved otherwise in writing by City.</li> </ul>	<p>4) The applicant shall install handicap curb ramps meeting current ADA standards at the intersections of MacArthur with 40th Street and on Telegraph with 40th Street. All curb ramps shall be shown on the improvement plans to the satisfaction of the City Engineer.</p>
<p><u>Sanitary Sewer</u></p> <ul style="list-style-type: none"> <li>• Commercial, condominium, and similar developments must submit sewer calculations to Public Works for review and assessment of any applicable sewer mitigation fee (sewer flow from development to be calculated/submitted showing existing and proposed flows).</li> <li>• Note ... projects over \$100K in construction costs require PSL certificate (sewer lateral permit and EBMUD inspection)</li> <li>• Sewer lateral work (new or rehabilitation of existing) requires sewer lateral (SL) permit.</li> <li>• Sewer lateral abandonment requires separate permit.</li> </ul>	<p>5) Prior to issuance of a construction permit, the applicant shall apply for lateral abandonment permits and PSL certificates from EBMUD. The applicant shall submit sanitary sewer calculations with the civil improvement plans.</p>
<p><u>Storm Drain</u></p> <ul style="list-style-type: none"> <li>• Developers, engineers, and architects are to be familiar with storm water quality requirements, erosion issues, slope protection during and after construction, and Water Board requirements.</li> <li>• Water quality features to reduce the peak flow by 25% or to the extent possible to reduce impact on aged collection system as well as any open or closed water courses along the way.</li> <li>• Utilize parking lots open spaces for storm water quality features to further attenuate (bio swales, pervious pavers, pervious asphalt, tree wells, etc.).</li> </ul>	<p>6) The applicant shall submit the Hydrology and Hydraulic calculations with the civil engineered improvement plans. The drainage plans shall include all proposed infrastructure for meeting stormwater pollution prevention C.3 requirements.</p>

*PW Engineering Services plan review checklist.*

*If project is to be approved by the Advisory Agency, please attach comments below as Conditions of Approval.*

<p><u>Trees</u></p> <ul style="list-style-type: none"> <li>• All trees are private unless approved and accepted as a public tree.</li> <li>• Tree wells to be 3 feet by 6 feet minimum or four feet square or as approved, install root barriers, irrigation, etc. and encroachment permit is needed. Tree grates and other acceptable covers are required (ADA accessible). Tree wells with approved covers may receive roof drains with an overflow opening into the gutter as approved.</li> </ul>	<p>7) The maintenance of landscaping, street trees and irrigation systems in the City right-of-way shall be the responsibility of the property owner(s) and included in the Major Encroachment Permit.</p>
<p><u>Easement &amp; encroachments</u></p> <ul style="list-style-type: none"> <li>• Show all easements and right of ways, avoid any construction in the public right of way (major/minor encroachment permit are required). Minor encroachment MAY be approved on case by case basis, Major encroachments must be approved by the Council (generally, features attached to the building encroaching in ROW require major encroachment permits). Approval of the parcel or final map is contingent on recording the agreements. Recordation number must be shown on the map to be recorded.</li> </ul>	<p>8) As depicted on the Final Development Plan, Sheet L1-01, dated 7/6/16, for the sidewalk areas within the City's right-of-way, the applicant shall obtain a Major Encroachment Permit for proposed stormwater planters, raised landscape planters, and/or decorative pavements.</p>
<p><u>Site Plan</u></p> <ul style="list-style-type: none"> <li>• Site Plan shall depict the site, key elements, property boundaries, topography, vegetation, proposed/existing structures, easements, wells, roadways, monuments, etc.</li> </ul>	<p>9) A site plan shall be submitted for review and approval with the improvement plans for the PX Permit.</p>
<p><u>PW Maintenance</u></p> <ul style="list-style-type: none"> <li>• Development requires photometric analysis of street lights and additional lighting shall be provided by the developer.</li> </ul> <p><a href="http://www2.oaklandnet.com/oakca1/groups/pwa/documents/policy/oak026007.pdf">http://www2.oaklandnet.com/oakca1/groups/pwa/documents/policy/oak026007.pdf</a>.</p>	<p>10) A photometric analysis and the street light plans shall be submitted for review and approval with the improvement plans for the PX Permit.</p>
<p><u>CDMG Designation (LS/LQ), A-P Zone, Flood Zone, Creek/water course, etc.</u></p> <ul style="list-style-type: none"> <li>• Property located in any of the above hazard require soils report, geologic report, creek protection permit, and related documents prepared by a license professional.</li> </ul>	<p>11) The the FIRM rate map and flood zone designation for the project site shall be shown on the cover sheet of the improvement plans.</p>
<p><u>OMC</u> All other applicable planning and building code shown below <u>but not limited to:</u></p> <ul style="list-style-type: none"> <li>• Survey monuments protection</li> <li>• Set back from the property line, buffer area (separation) or distance required by the building department between buildings</li> <li>• P-job (off-site &amp; on-site improvement)</li> <li>• Sewer lateral (PSL) program for developments exceeding \$100K (PW &amp; BLD)</li> <li>• Common sewer lateral and the impact on individuals under the PSL program (PW &amp; BLD)</li> <li>• Fire access</li> <li>• Grading / Soils report / Geologic report</li> <li>• CDMG Designation, potential for liquefaction(LQ) and/or landslide(LS)</li> <li>• Dewatering (BLD &amp; PW)</li> <li>• Shoring (BLD)</li> </ul>	<p>12) Requirements for emergency access shall be shown and identified to the satisfaction of the Fire Marshall and City Engineer.</p> <p>13) The Soils and Geotechnical Report shall be submitted for review and approval with the improvement plans for the PX Permit.</p>

*PW Engineering Services plan review checklist.*

*If project is to be approved by the Advisory Agency, please attach comments below as Conditions of Approval.*

<ul style="list-style-type: none"><li>• storm water pollution prevention (BLD).</li></ul>	
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BASED ON CURRENT CITY RECORDS THE FOLLOWING APPLIES TO THIS PARCEL. (CITY ASSUMES NO RESPONSIBILITY FOR ACCURACY OR COMPLETENESS THEREOF)

- \_\_\_\_\_ **QUAD MAP NUMBER**
- \_\_\_\_\_ **LOT DIMENSIONS**
- \_\_\_\_\_ **FLOOD ZONE**
- \_\_\_\_\_ **CREEK / WATER COURSE**
- \_\_\_\_\_ **EASEMENTS**
- \_\_\_\_\_ **PSAD I MITIGATION**
- \_\_\_\_\_ **A-P ZONE**
- \_\_\_\_\_ **CDMG DESIGNATION**
- \_\_\_\_\_ **LAND STABILITY**
- \_\_\_\_\_ **FACE OF CURB TO PROPERTY LINE**
- \_\_\_\_\_ **ENCROACHMENTS**

**RECORD NUMBER** \_\_\_\_\_ PUD06058-R01, TPM MacArthur Bart Parcel B

**DATE** 8/5/16

**Attachment B:  
SCAMMRP**

## **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 Modified Project.

This SCAMMRP is in compliance with Section 15097 of the CEQA Guidelines, which requires that the Lead Agency “adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.” The SCAMMRP is based on the original MMRP included in the 2008 Project EIR, and thus lists mitigation measures recommended in and Conditions of Approval (COAs) required by the 2008 Project EIR. The SCAMMRP also includes the City’s Standard Conditions of Approval (“SCAs”) imposed by the City on all projects with locational or other characteristics shared by the 2016 Modified Project; the City’s intent in imposing these SCAs is to minimize potential adverse effects that could result from implementation of the 2016 Modified Project and to ensure the conditions are implemented and monitored. The SCAMMRP also identifies the mitigation monitoring requirements for each mitigation measure and SCA.

This CEQA Analysis is also based on the analysis in the following Program EIRs that apply to the Modified Project: Oakland’s 1998 General Plan Land Use and Transportation Element (LUTE) EIR, the 2010 General Plan Housing Element Update EIR and 2014 Addendum, and the Broadway/MacArthur/San Pablo Redevelopment Plan EIR (or “Redevelopment Plan EIR”). However, none of the mitigation measures or SCAs from these are included in this SCAMMRP because an updated and equally effective mitigation measure or SCA, is identified in the 2008 Project EIR or in this CEQA Analysis for the 2016 Modified Project. Thus, the revised/current SCAs are designed to and will reduce impacts to less-than-significant levels. To the extent that there is any inconsistency between any mitigation measures and/or SCAs, the more restrictive conditions shall govern; to the extent any mitigation measure and/or SCA identified in the CEQA Analysis were inadvertently omitted, they are automatically incorporated herein by reference.

- The first column of the SCAMMRP table identifies the mitigation measure from the 2008 Project EIR and the Standard Condition of Approval (SCA) applicable to the 2016 Modified Project pursuant to City of Oakland policy. While a mitigation measure or SCA can apply to more than one topic, it is listed in its entirety only under its primary topic where it first appears. Each of the mitigation measures included in the 2008 Project EIR are listed; those that have been completed and as such are no longer necessary are noted. The SCAs listed are the City’s most current SCAs (July 2016). The SCAs were updated by the City and determined to be equally as effective and comprehensive, if not more, in reducing potential impacts to a less-than-significant level than those included in the 2008 EIR and MMRP. The SCAs are identified by a number that is

consistent with the most recent update or revision to the City's *Standard Conditions of Approval and Uniformly Applied Development Standards* document<sup>1</sup> as provided in parentheses.

- The second column identifies the monitoring schedule or timing applicable the Project.
- The third column names the party responsible for monitoring the required action for the Project.
- The fourth column summarizes the monitoring procedure.

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

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<sup>1</sup> Standard Conditions Of Approval, Department of Planning and Building, Bureau of Planning, Adopted by the Oakland City Council on November 3, 2008 (Ordinance No. 12899 C.M.S.) Revised July 2016.

STANDARD CONDITION OF APPROVALS AND MITIGATION MONITORING AND REPORTING PROGRAM			
Standard Conditions of Approval/Mitigation Measures		Mitigation Implementation/Monitoring	
Biological Resources	When Required	Initial Approval	Monitoring/Inspection
<p><b>SCA-BIO-1: Tree Removal During Bird Breeding Season (#26) Completed: Vegetation and trees were removed in association with the Phase 1 infrastructure improvements.</b></p> <p><b>Requirement:</b> To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of birds shall not occur during the bird breeding season of February 1 to August 15 (or during December 15 to August 15 for trees located in or near marsh, wetland, or aquatic habitats). If tree removal must occur during the bird breeding season, all trees to be removed shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to the start of work and shall be submitted to the City for review and approval. If the survey indicates the potential presence of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the California Department of Fish and Wildlife, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.</p> <p><b>When Required:</b> Prior to removal of trees <b>Initial Approval:</b> Bureau of Building <b>Monitoring/Inspection:</b> Bureau of Building</p> <p><b>SCA-BIO-2: Tree Permit (#27) Completed: A permit was obtained in association with the Phase 1 infrastructure improvements.</b></p> <p><b>a. Tree Permit Required</b></p> <p><b>Requirement:</b> Pursuant to the City's Tree Protection Ordinance (OMC chapter 12.36), the project applicant shall obtain a tree permit and abide by the conditions of that permit.</p> <p><b>When Required:</b> Prior to approval of construction-related permit <b>Initial Approval:</b> Permit approval by Public Works Department, Tree Division; evidence of approval submitted to Bureau of Building <b>Monitoring/Inspection:</b> Bureau of Building <b>b. Tree Protection During Construction</b></p> <p><b>Requirement:</b> Adequate protection shall be provided during the construction period for</p>	<p>Prior to the issuance of a tree removal permit</p>	<p>City of Oakland Bureau of Building</p>	<p>Verify that tree removal will not occur during the breeding season of March 15 and August 15. If tree removal must occur during the breeding season, verify that the required pre-removal surveys have been conducted, provided to the Planning and Zoning Division, and if necessary an adequate nest buffer is implemented.</p>
	<p>During construction related activities</p>	<p>Public Works Department, Tree Division</p>	<p>Verify that adequate tree protection is provided during construction</p>



STANDARD CONDITION OF APPROVALS AND MITIGATION MONITORING AND REPORTING PROGRAM		
	Mitigation Implementation/Monitoring	
	When Required	Initial Approval Monitoring/Inspection
<p><b>Standard Conditions of Approval/Mitigation Measures</b>                      any trees which are to remain standing, including the following, plus any recommendations of an arborist:</p> <p>i. Before the start of any clearing, excavation, construction, or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the project's consulting arborist. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree.</p> <p>ii. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the project's consulting arborist from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree.</p> <p>iii. No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the project's consulting arborist from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the project's consulting arborist. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.</p> <p>iv. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.</p> <p>v. If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Department and the project's consulting arborist shall make a recommendation to the City Tree Reviewer as to whether the damaged tree can be preserved. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed.</p>		

STANDARD CONDITION OF APPROVALS AND MITIGATION MONITORING AND REPORTING PROGRAM		
	Mitigation Implementation/Monitoring	
	When Required	Initial Approval / Monitoring/Inspection
<p><b>Standard Conditions of Approval/Mitigation Measures</b></p> <p>vi. All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations.</p> <p><u>When Required:</u> During construction</p> <p><u>Initial Approval:</u> Public Works Department, Tree Division</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p> <p>c. <i>Tree Replacement Plantings</i></p> <p>Requirement: Replacement plantings shall be required for tree removals for the purposes of erosion control, groundwater replenishment, visual screening, wildlife habitat, and preventing excessive loss of shade, in accordance with the following criteria:</p> <p>i. No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered.</p> <p>ii. Replacement tree species shall consist of Sequoia sempervirens (Coast Redwood), Quercus agrifolia (Coast Live Oak), Arbutus menziesii (Madrone), Aesculus californica (California Buckeye), Umbellularia californica (California Bay Laurel), or other tree species acceptable to the Tree Division.</p> <p>iii. Replacement trees shall be at least twenty-four (24) inch box size, unless a smaller size is recommended by the arborist, except that three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate.</p> <p>iv. Minimum planting areas must be available on site as follows:</p> <ul style="list-style-type: none"> <li>• For Sequoia sempervirens, three hundred fifteen (315) square feet per tree;</li> <li>• For other species listed, seven hundred (700) square feet per tree.</li> </ul> <p>v. In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee in accordance with the City's Master Fee Schedule may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians.</p> <p>vi. The project applicant shall install the plantings and maintain the plantings until established. The Tree Reviewer of the Tree Division of the Public Works Department may require a landscape plan showing the replacement plantings and the method of irrigation. Any replacement plantings which fail to become established within one year of planting shall be replanted at the project applicant's expense.</p> <p><u>When Required:</u> Prior to building permit final</p> <p><u>Initial Approval:</u> Public Works Department, Tree Division</p>		

STANDARD CONDITION OF APPROVALS AND MITIGATION MONITORING AND REPORTING PROGRAM		
Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	When Required	Initial Approval Monitoring/Inspection
<p>Monitoring/Inspection: Bureau of Building</p> <p><b>C. TRANSPORTATION, CIRCULATION AND PARKING</b></p> <p><b>SCA-PSR-1: Construction Management Plan (#13)</b>                      Prior to the issuance of the first construction-related permit, the project applicant and his/her general contractor shall submit a Construction Management Plan (CMP) for review and approval by the Bureau of Planning, Bureau of Building, and other relevant City departments such as the Fire Department and the Public Works Department as directed. The CMP shall contain measures to minimize potential construction impacts including measures to comply with all construction related Conditions of Approval (and mitigation measures if applicable) such as dust control, construction emissions, hazardous materials, construction days/hours, construction traffic control, waste reduction and recycling, stormwater pollution prevention, noise control, complaint management, and cultural resource management (see applicable Conditions below). The CMP shall provide project-specific information including descriptive procedures, approval documentation, and drawings (such as a site logistics plan, fire safety plan, construction phasing plan, proposed truck routes, traffic control plan, complaint management plan, construction worker parking plan, and litter/debris clean-up plan) that specify how potential construction impacts will be minimized and how each construction-related requirement will be satisfied throughout construction of the project.</p>	<p>Prior to the issuance of the first construction-related permit for each phase</p>	<p>City of Oakland                      Bureau of Planning,                      Bureau of Building,                      and other relevant                      City departments                      such as the Fire                      Department and the                      Public Works                      Department as                      directed</p>
<p><b>SCA-TRANS-1: Construction Activity in the Public Right-of-Way (#68)</b>  <i>a. Obstruction Permit Required</i>                      Requirement: The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets and sidewalks.                      When Required: Prior to approval of construction-related permit                      Initial Approval: Bureau of Building                      Monitoring/Inspection: Bureau of Building  <i>b. Traffic Control Plan Required</i>                      Requirement: In the event of obstructions to vehicle or bicycle travel lanes, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian detours, including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The project applicant shall implement the approved Plan during construction.</p>	<p>Prior to placing any temporary construction-related obstruction in the public right-of-way,</p>	<p>Bureau of Building</p>

STANDARD CONDITION OF APPROVALS AND MITIGATION MONITORING AND REPORTING PROGRAM			
	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
<p><b>Standard Conditions of Approval/Mitigation Measures</b></p> <p><u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Public Works Department, Transportation Services Division</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p> <p><u>c. Repair of City Streets</u></p> <p><u>Requirement:</u> The project applicant shall repair any damage to the public right-of way, including streets and sidewalks caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.</p> <p><u>When Required:</u> Prior to building permit final</p> <p><u>Initial Approval:</u> N/A</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>			
<p><b>SCA-TRANS-2: Bicycle Parking (#69)</b></p> <p><u>Requirement:</u> The project applicant shall comply with the City of Oakland Bicycle Parking Requirements (chapter 17.18 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall demonstrate compliance with the requirements.</p> <p><u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Bureau of Planning</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>	Prior to approval of construction-related permit	Bureau of Planning	Verify that project applicant met City of Oakland Bicycle Parking Requirements
<p><b>SCA-TRANS-3: Transportation Improvements (#70)</b></p> <p><u>Requirement:</u> The project applicant shall implement the recommended on- and off-site transportation-related improvements contained within the Transportation Impact Study for the project (e.g., signal timing adjustments, restriping, signalization, traffic control devices, roadway reconfigurations, and pedestrian and bicyclist amenities). The project applicant is responsible for funding and installing the improvements, and shall obtain all necessary permits and approvals from the City and/or other applicable regulatory agencies such as, but not limited to, Caltrans (for improvements related to Caltrans facilities) and the California Public Utilities Commission (for improvements related to railroad crossings), prior to installing the improvements. To implement this measure for intersection modifications, the project applicant shall submit Plans, Specifications, and Estimates (PS&amp;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</p>	Prior to building permit final	Bureau of Building; Public Works Department, Transportation Services Division	Verify that applicant has constructed recommended on- and off-site transportation related improvements

STANDARD CONDITION OF APPROVALS AND MITIGATION MONITORING AND REPORTING PROGRAM			
	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
<p><b>Standard Conditions of Approval/Mitigation Measures</b></p> <p>to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for, among other items, the elements listed below:</p> <ul style="list-style-type: none"> <li>a. 2070L Type Controller with cabinet accessory</li> <li>b. GPS communication (clock)</li> <li>c. Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile)</li> <li>d. Countdown pedestrian head module switch out</li> <li>e. City Standard ADA wheelchair ramps</li> <li>f. Video detection on existing (or new, if required)</li> <li>g. Mast arm poles, full activation (where applicable)</li> <li>h. Polara Push buttons (full activation)</li> <li>i. Bicycle detection (full activation)</li> <li>j. Pull boxes</li> <li>k. Signal interconnect and communication with trenching (where applicable), or through existing conduit (where applicable), 600 feet maximum</li> <li>l. Conduit replacement contingency</li> <li>m. Fiber switch</li> <li>n. PTZ camera (where applicable)</li> <li>o. Transit Signal Priority (TSP) equipment consistent with other signals along corridor</li> <li>p. Signal timing plans for the signals in the coordination group</li> </ul> <p><u>When Required:</u> Prior to building permit final or as otherwise specified</p> <p><u>Initial Approval:</u> Bureau of Building; Public Works Department, Transportation Services Division</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p> <p><b>Completed in association with the Phase 1 infrastructure improvements.</b></p> <p><u>Mitigation Measure TRANS-1:</u> Optimize signal timing (i.e., adjust the allocation of green time for each intersection approach) at the Telegraph Avenue/51<sup>st</sup> Street intersection and coordinate signal phasing and timing with the adjacent Telegraph Avenue/52<sup>nd</sup> Street and Claremont Avenue intersection and other intersections in the same coordination group. To implement this measure, the project sponsor shall submit a signal optimization plan to City of Oakland Transportation Services Division for review and approval. The plan shall consist of signal timing parameters for the signals in the coordination group. The project sponsor shall fund the cost of preparing and implementing the plan.</p>			
	Submit plan prior to the issuance of first building permit; Implement signal optimization measures according to timing outlined	City of Oakland, CEDA, Transportation Services Division	<ul style="list-style-type: none"> <li>▪ Verify that the Signal Optimization Plan has been prepared and that it meets the standards listed in the mitigation measure.</li> <li>▪ Verify that the project sponsor funds the cost of preparing and implementing the Signal Optimization</li> </ul>

STANDARD CONDITION OF APPROVALS AND MITIGATION MONITORING AND REPORTING PROGRAM		
Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
	When Required	Monitoring/Inspection
<p><b>Standard Conditions of Approval/Mitigation Measures</b></p> <p><b><i>Completed in association with the Phase 1 infrastructure improvements.</i></b>  <u>Mitigation Measure TRANS-2:</u> Change the signal cycle length to 90 seconds and optimize signal timing (i.e., adjust the allocation of green time for each intersection approach) at the Market Street/MacArthur Boulevard intersection. To implement this measure, the project sponsor shall submit a signal optimization plan to City of Oakland Transportation Services Division for review and approval. The plan shall consist of signal timing parameters for the Market Street/MacArthur Boulevard intersection. The project sponsor shall fund the cost of preparing and implementing the plan.</p>	<p><b>When Required</b> in approved plan</p> <p>Submit plan prior to the issuance of first building permit; Implement signal optimization measures according to timing outlined in approved plan</p>	<p><b>Initial Approval</b> City of Oakland, CEDA, Transportation Services Division</p> <p><b>Monitoring/Inspection</b> Plan.  <ul style="list-style-type: none"> <li>▪ Ensure plan measures are being implemented.</li> <li>▪ Verify that the Signal Optimization Plan has been prepared and that it meets the standards listed in the mitigation measure.</li> <li>▪ Verify that the project sponsor funds the cost of preparing and implementing the Signal Optimization Plan.</li> <li>▪ Ensure plan measures are being implemented.</li> </ul> </p>
<p><b><i>Completed in association with the Phase 1 infrastructure improvements.</i></b>  <u>Mitigation Measure TRANS-3:</u> Implement the following measures:</p> <ul style="list-style-type: none"> <li>• Prohibit left-turns from northbound Telegraph Avenue into westbound 52<sup>nd</sup> Street during the peak commute times (i.e., 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.). Currently, a small volume of traffic uses this movement (about 10 peak hour vehicles), which can be diverted to 51<sup>st</sup> Street. Thus, the peak hour prohibition on left-turns would not result in excessive and circuitous diversions.</li> <li>• Change signal cycle length to 120 seconds and optimizing signal timing (i.e., adjust the allocation of green time for each intersection approach) at the Telegraph Avenue/52<sup>nd</sup> Street and Claremont Avenue intersection; coordinate signal timing and phasing with the adjacent Telegraph Avenue/51<sup>st</sup> Street intersection and other intersections in the same coordination group.</li> </ul> <p>To implement these measures, the project sponsor shall submit the following to City of Oakland Transportation Services Division for review and approval:</p> <ul style="list-style-type: none"> <li>• Signing plans to prohibit left-turns from northbound Telegraph Avenue into westbound 52<sup>nd</sup> Street.</li> <li>• Signal timing plans for the signals in the coordination group.</li> </ul>	<p><b>When Required</b> Submit plans prior to the issuance of first building permit; Implement measures according to timing outlined in approved plan</p>	<p><b>Initial Approval</b> City of Oakland, CEDA, Transportation Services Division</p> <p><b>Monitoring/Inspection</b>  <ul style="list-style-type: none"> <li>▪ Verify that the signing plans to prohibit left-turns from northbound Telegraph Avenue into westbound 52<sup>nd</sup> Street have been adequately prepared.</li> <li>▪ Verify that the signal timing plans for the signals in the coordination group have been adequately prepared.</li> <li>▪ Ensure plan measures are being implemented.</li> </ul> </p>

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<p>The project sponsor shall fund the cost of preparing and implementing these plans.</p> <p><b>Completed in-association with the Phase 1 infrastructure improvements.</b>                      Mitigation Measure TRANS-4: Implement the following measures:</p> <ul style="list-style-type: none"> <li>Change signal cycle length to 120 seconds and optimize signal timing (i.e., adjust the allocation of green time for each intersection approach) at the Telegraph Avenue/51<sup>st</sup> Street intersection and coordinate signal phasing and timing with the adjacent Telegraph Avenue/52<sup>nd</sup> Street and Claremont Avenue intersection and other intersections in the same coordination group. To implement this measure, the project sponsor shall submit a signal optimization plan to City of Oakland Transportation Services Division for review and approval. The plan shall consist of signal timing parameters for the signals in the coordination group. The project sponsor shall fund the cost of preparing and implementing the plan.</li> <li>To help further minimize impacts at this intersection, a Transportation Demand Management (TDM) program shall be implemented at the project site to encourage more residents and employees to shift from driving alone to other modes of travel. Potential TDM measures may include, but are not limited to, transit ticket subsidies, awareness programs, direct transit sales, providing a guaranteed ride home program, and parking management strategies. The effectiveness of the TDM program shall be regularly monitored, and if necessary adjusted to meet its goals. The project applicant shall submit the TDM program to the City for its review and approval. The plan shall also be submitted to BART for review and comment. The project applicant shall also be responsible for funding and implementing the TDM program.</li> <li>The components of the proposed TDM program have not been finalized. Additionally, it is difficult to accurately predict a TDM program's effectiveness and to quantify the effects on reducing project trip generation. To present a conservative analysis, this study assumes that the intersection would continue to operate at LOS F with the implementation of this mitigation measure. Thus, these measures will partially mitigate the impact, but are not sufficient to mitigate the impact to a less-than-significant level.</li> </ul> <p><b>Completed in association with the Phase 1 infrastructure improvements.</b>                      Mitigation Measure TRANS-5: Optimize signal timing (i.e., adjust the allocation of green time for each intersection approach) at the West Street/40<sup>th</sup> Street intersection. To implement this measure, the project sponsor shall submit a signal optimization plan to City of Oakland Transportation Services Division for review and approval. The</p>	<p>Submit plan prior to the issuance of first building permit; implement signal optimization measures according to timing outlined in approved plan</p> <p>Submit TDM Plan prior to the issuance of first building permit; Implement measures according to timeframes outlined in approved plan</p>	<p>City of Oakland, CEDA, Transportation Services Division</p> <p>City of Oakland Transportation Services Division</p>
<p>Verify that the Signal Optimization Plan has been prepared and that it meets the standards listed in the mitigation measure.</p>	<p>Review Transportation Demand Management Program for adequacy and review regular monitoring reports regarding program effectiveness.</p> <p>Ensure plan and program measures are being implemented.</p>	<p>City of Oakland, CEDA, Transportation Services Division</p>
<p>Verify that the Signal Optimization Plan has been prepared and that it meets the standards listed in the mitigation measure.</p>	<p>Submit plan prior to the issuance of first building permit; implement signal optimization measures according to timing outlined in approved plan</p>	<p>City of Oakland, CEDA, Transportation Services Division</p>

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Standard Conditions of Approval/Mitigation Measures	When Required	Mitigation Implementation/Monitoring
<p>plan shall consist of signal timing parameters for the West Street/40<sup>th</sup> Street intersection. The project sponsor shall fund the cost of preparing and implementing the plan.</p>	<p>Implement signal optimization measures according to timing outlined in approved plan</p>	<p><b>Initial Approval</b></p> <ul style="list-style-type: none"> <li>Ensure plan and program measures are being implemented.</li> </ul>
<p><b>Completed in association with the Phase 1 infrastructure improvements.</b> <b>Mitigation Measure TRANS-6:</b> Implement the following measures:</p> <ul style="list-style-type: none"> <li>Provide protected/permitted left-turn phasing on eastbound and westbound 40<sup>th</sup> Street approaches.</li> <li>Change signal cycle length to 120 seconds in the AM peak and 105 seconds during the PM peak hour, and optimize signal timing (i.e., adjust the allocation of green time for each intersection approach) at the Telegraph Avenue/40<sup>th</sup> Street intersection. The change in signal cycle length may also require coordination with other intersections in the same coordination group.</li> </ul> <p>To implement these measures, the project sponsor shall submit the following to City of Oakland Transportation Services Division for review and approval:</p> <ul style="list-style-type: none"> <li>Plans, Specifications, and Estimates (PS&amp;E) to modify intersection to provide left-turn phasing on eastbound and westbound 40th Street approaches.</li> <li>Signal timing plans for the signals in the coordination group.</li> </ul> <p>The project sponsor shall fund the cost of preparing and implementing these plans.</p>	<p>Prior to the issuance of first building permit;</p> <p>Modify intersection and signal timing in accordance with approved plan</p>	<p>City of Oakland, CEDA, Transportation Services Division</p> <ul style="list-style-type: none"> <li>Verify that the Plans, Specifications, and Estimates (PS&amp;E) to modify intersection to provide left-turn phasing on eastbound and westbound 40th Street approaches have been adequately prepared.</li> <li>Verify that signal timing plans for the signals in the coordination group have been adequately prepared.</li> <li>Ensure plan measures are being implemented.</li> </ul>
<p><b>Completed in association with the Phase 1 infrastructure improvements.</b> <b>Mitigation Measure TRANS-7:</b> The impact shall be mitigated by the following:</p> <ul style="list-style-type: none"> <li>Stripe a left-turn lane on northbound Market Street at MacArthur Boulevard. The left-turn lane can be accommodated within the existing right-of-way, but may result in loss of a few on-street parking and relocation of an AC Transit bus stop on northbound Market Street.</li> <li>Change signal cycle length to 110 seconds during the AM peak hour and 90 seconds during the PM peak hour, and optimize signal timing (i.e., adjust the allocation of green time for each intersection approach) at the Market Street/MacArthur Boulevard intersection.</li> </ul>	<p>Submit plans prior to the issuance of first building permit;</p> <p>Implement measures according to timeframes outlined in</p>	<p>City of Oakland, CEDA, Transportation Services Division</p> <ul style="list-style-type: none"> <li>Verify that the Plans, Specifications, and Estimates (PS&amp;E) to stripe a left-turn lane on northbound Market Street at MacArthur Boulevard have been adequately prepared.</li> <li>Verify that the signal timing plans for the</li> </ul>



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	When Required	Initial Approval
<p>To implement these measures, the project sponsor shall submit the following to City of Oakland Transportation Services Division for review and approval:</p> <ul style="list-style-type: none"> <li>Plans, Specifications, and Estimates (PS&amp;E) to stripe a left-turn lane on northbound Market Street at MacArthur Boulevard.</li> <li>Signal timing plans for the Market Street/MacArthur Boulevard intersection.</li> </ul> <p>The project sponsor shall fund the cost of preparing and implementing these plans.</p> <p><b>Completed in association with the Phase 1 infrastructure improvements.</b>  <b>Mitigation Measure TRANS-8:</b> Implement the following measures:</p> <ul style="list-style-type: none"> <li>Provide protected/permitted left-turn phasing on northbound and southbound Telegraph Avenue approaches.</li> <li>Change signal cycle length to 120 seconds and optimize signal timing (i.e., adjust the allocation of green time for each intersection approach) at the Telegraph Avenue/MacArthur Boulevard intersection. Signal phasing and timing shall also be coordinated with other intersections in the same coordination group.</li> </ul> <p>To implement this measure, the project sponsor shall submit the following to City of Oakland Transportation Services Division for review and approval:</p> <ul style="list-style-type: none"> <li>Plans, Specifications, and Estimates (PS&amp;E) to modify intersection to provide left-turn phasing on northbound and southbound Telegraph Avenue approaches.</li> <li>Signal timing parameters for the signals in the coordination group.</li> </ul> <p>The project sponsor shall fund the cost of preparing and implementing the plan.</p>	<p>approved plan</p> <p>Submit plans prior to the issuance of first building permit;</p> <p>Implement measures according to timeframes outlined in approved plan</p>	<p>Market Street/MacArthur Boulevard intersection have been adequately prepared.</p> <ul style="list-style-type: none"> <li>Ensure plan measures are being implemented.</li> <li>Verify that the Plans, Specifications, and Estimates (PS&amp;E) to modify intersection to provide left-turn phasing on northbound and southbound Telegraph Avenue approaches have been adequately prepared.</li> <li>Verify that the signal timing parameters for the signals in the coordination group have been adequately prepared.</li> <li>Ensure plan measures are being implemented.</li> </ul> <p>City of Oakland, CEDA, Transportation Services Division</p>
<p><b>Completed in association with the Phase 1 infrastructure improvements.</b>  <b>Mitigation Measure TRANS-9:</b> Implement the following measures:</p> <ul style="list-style-type: none"> <li>To help further minimize impacts at this intersection, a Transportation Demand Management (TDM) program shall be implemented at the project site to encourage more residents and employees to shift from driving alone to other modes of travel. Potential TDM measures may include, but are not limited to, transit ticket subsidies, awareness programs, direct transit sales, providing a guaranteed ride home program, and parking management strategies. The effectiveness of the TDM program shall be regularly monitored, and if necessary adjusted to meet its goal. The project applicant shall submit the TDM program to the City for its review and approval. The plan shall also be submitted to BART for review and comment. The</li> </ul>	<p>See SCA-TRANS-4</p>	

STANDARD CONDITION OF APPROVALS AND MITIGATION MONITORING AND REPORTING PROGRAM			
	Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring	
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	<p>project applicant shall also be responsible for funding and implementing the TDM program.</p> <p>The components of the proposed TDM program have not been finalized. Additionally, it is difficult to accurately predict a TDM program's effectiveness and to quantify the effects on reducing project trip generation.</p> <p><b>SCA-TRANS-4: Transportation and Parking Demand Management (#71) Completed. Final TDM plan was approved in association with the Phase 1 Infrastructure FDP approvals as required by Mitigation Measure TRANS-4.</b></p> <p><b>a. Transportation and Parking Demand Management (TDM) Plan Required Requirement:</b> The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City.</p> <p>i. The goals of the TDM Plan shall be the following:</p> <ul style="list-style-type: none"> <li>• Reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable, consistent with the potential traffic and parking impacts of the project.</li> <li>• Achieve the following project vehicle trip reductions (VTR):                             <ul style="list-style-type: none"> <li>○ Projects generating 50-99 net new a.m. or p.m. peak hour vehicle trips: 10 percent VTR</li> <li>○ Projects generating 100 or more net new a.m. or p.m. peak hour vehicle trips: 20 percent VTR</li> </ul> </li> <li>• Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate.</li> <li>• Enhance the City's transportation system, consistent with City policies and programs.</li> </ul> <p>ii. TDM strategies to consider include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping.</li> <li>• 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.</li> </ul>	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Planning</p>
			<ul style="list-style-type: none"> <li>• Review and approve the TDM Plan and that the TDM Plan complies with the requirements of the SCA.</li> </ul>

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<ul style="list-style-type: none"> <li>• Installation of amenities such as lighting, street trees, and trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan.</li> <li>• Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements.</li> <li>• 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).</li> <li>• Provision of a transit subsidy to employees or residents, determined by the project applicant and subject to review by the City, if employees or residents use transit or commute by other alternative modes.</li> <li>• 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).</li> <li>• Guaranteed ride home program for employees, either through 511.org or through separate program.</li> <li>• Pre-tax commuter benefits (commuter checks) for employees.</li> <li>• 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.</li> <li>• On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools.</li> <li>• Distribution of information concerning alternative transportation options.</li> <li>• 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.</li> <li>• Parking management strategies including attendant/valet parking and shared parking spaces.</li> <li>• Requiring tenants to provide opportunities and the ability to work off-site.</li> <li>• 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).</li> </ul>		

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<p>• Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours.</p> <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><u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Bureau of Planning</p> <p><u>Monitoring/Inspection:</u> N/A</p>		
<p><b>Completed. Final TDM plan was approved in association with the Phase 1 Infrastructure FDP approvals as required by Mitigation Trans-4.</b></p> <p><b>b. TDM Implementation – Physical Improvements</b></p> <p>Requirement: For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/approvals from the City and install the improvements prior to the completion of the project.</p> <p><u>When Required:</u> Prior to building permit final</p> <p><u>Initial Approval:</u> Bureau of Building</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>	Prior to building permit final	Bureau of Building
<p><b>Completed. Final TDM plan was approved in association with the Phase 1 Infrastructure FDP approvals as required by Mitigation Trans-4.</b></p> <p><b>c. TDM Implementation – Operational Strategies</b></p> <p>Requirement: For projects that generate 100 or more net new a.m. or p.m. peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR achieved by the project during operation. If deemed necessary, the City may elect to have a peer review consultant, paid for by the project applicant, review the annual report. If timely reports are not submitted and/or the annual reports indicate that the project applicant has failed to implement the TDM Plan, the project will be considered in violation of the Conditions of Approval and the City may initiate enforcement action as provided for in these Conditions of Approval. The project shall not be considered in violation of this Condition if the TDM</p>	Ongoing	Bureau of Building

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		Initial Approval	Monitoring/Inspection
<p>Plan is implemented but the VTR goal is not achieved.                      When Required: Ongoing                      Initial Approval: Bureau of Planning                      Monitoring/Inspection: Bureau of Planning</p>			
<b>D. AIR QUALITY</b>			
<p><b>SCA-AIR-1:-Construction-Related Air Pollution Controls (Dust and Equipment Emissions) (#19)</b>  <u>Requirement:</u> The project applicant shall implement all of the following applicable air pollution control measures during construction of the project:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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).</li> <li>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.</li> <li>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.</li> <li>Enclose, cover, water twice daily, or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).</li> <li>Limit vehicle speeds on unpaved roads to 15 miles per hour.</li> <li>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.</li> <li>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").</li> </ol>	Ongoing throughout demolition, grading, and/or construction	City of Oakland, CEDA, Building Services Division	Make regular visits to the project site to ensure that all dust control mitigation measures are being implemented. Verify that a designated dust control coordinator is on-call during construction periods.

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<p><b>Standard Conditions of Approval/Mitigation Measures</b></p> <p>i. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</p> <p>j. Portable equipment shall be powered by electricity if available. If electricity is not available, propane or natural gas shall be used if feasible. Diesel engines shall only be used if electricity is not available and it is not feasible to use propane or natural gas.</p> <p>k. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.</p> <p>l. All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.</p> <p>m. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.</p> <p>n. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).</p> <p>o. Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.</p> <p>p. Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize wind blown dust. Wind breaks must have a maximum 50 percent air porosity.</p> <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 Offroad Diesel Regulations") must meet emissions and</p>		

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<p><b>Standard Conditions of Approval/Mitigation Measures</b></p> <p>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> <ul style="list-style-type: none"> <li>v. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings).</li> <li>w. All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM.</li> <li>x. Off-road heavy diesel engines shall meet the California Air Resources Board's most recent certification standard.</li> <li>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.</li> </ul> <p>When Required: During construction                      Initial Approval: N/A                      Monitoring/Inspection: Bureau of Building</p>		
<p><b>SCA-AIR-2: Exposure to Air Pollution (Toxic Air Contaminants) (#20)</b></p> <p><b>a. Health Risk Reduction Measures</b></p> <p><u>Requirement:</u> The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants. The project applicant shall choose one of the following methods:</p> <ul style="list-style-type: none"> <li>i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents/occupants/users to air pollutants. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes that the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City.</li> </ul> <p>- or -</p> <ul style="list-style-type: none"> <li>ii. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval</li> </ul>	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Planning</p> <p>Bureau of Building</p>

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<p><b>Standard Conditions of Approval/Mitigation Measures</b></p> <p>and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:</p> <ul style="list-style-type: none"> <li>• Installation of air filtration to reduce cancer risks and Particulate Matter (PM) exposure for residents and other sensitive populations in the project that are in close proximity to sources of air pollution. Air filter devices shall be rated MERV-13 [insert MERV-16 for projects located in the West Oakland Specific Plan area] or higher. As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required.</li> <li>• Where appropriate, install passive electrostatic filtering systems, especially those with low air velocities (i.e., 1 mph). Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible.</li> <li>• The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall be located as far away as feasible from a loading dock or where trucks concentrate to deliver goods.</li> <li>• Sensitive receptors shall be located on the upper floors of buildings, if feasible.</li> <li>• Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping PM shall be planted, including one or more of the following: Pine (<i>Pinus nigra</i> var. <i>maritima</i>), Cypress (<i>X Cupressocyparis leylandii</i>), Hybrid poplar (<i>Populus deltoids X trichocarpa</i>), and Redwood (<i>Sequoia sempervirens</i>).</li> <li>• Sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible.</li> <li>• Existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible.</li> <li>• Emissions from diesel trucks shall be reduced through implementing the following measures, if feasible:             <ul style="list-style-type: none"> <li>o Installing electrical hook-ups for diesel trucks at loading docks.</li> <li>o Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards.</li> <li>o Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels.</li> <li>o Prohibiting trucks from idling for more than two minutes.</li> <li>o Establishing truck routes to avoid sensitive receptors in the project. A truck route</li> </ul> </li> </ul>		



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<p><b>Standard Conditions of Approval/Mitigation Measures</b>                      program, along with truck calming, parking, and delivery restrictions, shall be implemented.                      When Required: Prior to approval of construction-related permit                      Initial Approval: Bureau of Planning                      Monitoring/Inspection: Bureau of Building</p>			
<p><b>b. Maintenance of Health Risk Reduction Measures Requirement</b>                      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.                      When Required: Ongoing                      Initial Approval: N/A                      Monitoring/Inspection: Bureau of Building</p>	Ongoing	N/A	Bureau of Building
<p><b>SCA-AIR-3: Stationary Sources of Air Pollution (Toxic Air Contaminants)(#21)</b>                      Requirement: The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to on-site stationary sources of toxic air contaminants. The project applicant shall choose one of the following methods: a. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk associated with proposed stationary sources of pollution in the project. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City. - or - b. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City: i. Installation of non-diesel fueled generators, if feasible, or; ii. Installation of diesel generators with an EPA-certified Tier 4 engine or engines that are retrofitted with a</p>	Prior to approval of construction-related permit	City of Oakland, CEDA, Building Services Division	Review plans submitted to the City to ensure that applicable health risk reduction measures are detailed in all plans submitted for the construction-related permit or on other documentation submitted to the City

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<p><b>Standard Conditions of Approval/Mitigation Measures</b></p> <p>CARB Level 3 Verified Diesel Emissions Control Strategy, if feasible.</p> <p>When Required: Prior to approval of construction-related permit</p> <p>Initial Approval: Bureau of Planning</p> <p>Monitoring/Inspection: Bureau of Building</p>		
<p><b>Completed. The buildings that occupied the site in 2008 were demolished in association with the Phase 1 infrastructure improvements.</b></p> <p><b>SCA-AIR-4: Asbestos in Structures (#23)</b></p> <p>Requirement: The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM), including but not limited to California Code of Regulations, Title 8; California Business and Professions Code, Division 3; California Health and Safety Code sections 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended. Evidence of compliance shall be submitted to the City upon request.</p> <p>When Required: Prior to approval of construction-related permit</p> <p>Initial Approval: Applicable regulatory agency with jurisdiction</p> <p>Monitoring/Inspection: Applicable regulatory agency with jurisdiction</p>	<p>Prior to approval of construction-related permit</p> <p>City of Oakland, CEDA, Building Services Division</p> <p>Bay Area Air Quality Management District</p>	<p>Evidence of compliance shall be submitted to the City upon request</p>
<p><b>SCA-AIR-5: Truck-Related Risk Reduction Measures (Toxic Air Contaminants) (#22)</b></p> <p><b>a. Truck Loading Docks</b></p> <p>Requirement: The project applicant shall locate proposed truck loading docks as far from nearby sensitive receptors as feasible. When Required: Prior to approval of construction-related permit</p> <p>Initial Approval: Bureau of Planning</p> <p>Monitoring/Inspection: Bureau of Building</p> <p><b>b. Truck Fleet Emission Standards</b></p> <p>Requirement: The project applicant shall comply with all applicable California Air Resources Board (CARB) requirements to control emissions from diesel engines and demonstrate compliance to the satisfaction of the City. Methods to comply include, but are not limited to, new clean diesel trucks, lower-tier diesel engine trucks with added Particulate Matter (PM) filters, hybrid trucks, alternative energy trucks, or other methods that achieve the applicable CARB emission standard. Compliance with this requirement shall be verified through CARB's Verification Procedures for In-Use Strategies to Control Emissions from Diesel Engines.</p> <p>When Required: Prior to building permit final; ongoing</p> <p>Initial Approval: Bureau of Planning</p> <p>Monitoring/Inspection: Bureau of Building</p>	<p>Prior to approval of construction-related permit</p> <p>City of Oakland, CEDA, Building Services Division</p> <p>California Air Resources Board (CARB)</p>	<p>Compliance with this requirement shall be verified through CARB's Verification Procedures for In-Use Strategies to Control Emissions from Diesel Engines</p>

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<b>E. NOISE AND VIBRATION</b>				
<b>SCA-NOI-1: Construction Days/Hours (#58)</b>				
<p><u>Requirement:</u> The project applicant shall comply with the following restrictions concerning construction days and hours:</p> <p>a. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m.</p> <p>b. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday.</p> <p>c. No construction is allowed on Sunday or federal holidays. Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area. Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents'/occupants' preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.</p> <p><u>When Required:</u> During construction  <u>Initial Approval:</u> N/A  <u>Monitoring/Inspection:</u> Bureau of Building</p>		<p>Ongoing throughout demolition, grading, and/or construction</p>	<p>City of Oakland, CEDA, Building Services Division</p>	<p>Make regular visits to the construction site to ensure that construction activities are restricted in the hours designated in COA NOISE-1.</p>
<p><b>SCA-NOI-2: Construction Noise (#59)</b>                  The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following:</p>		<p>Ongoing throughout demolition, grading, and/or construction</p>	<p>City of Oakland, CEDA, Building Services Division</p>	<p>Verify that a site-specific noise reduction program has been prepared and implemented.</p>

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<p>a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible.</p> <p>b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.</p> <p>c. Applicant shall use temporary power poles instead of generators where feasible.</p> <p>d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction.</p> <p>e. The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.</p> <p><u>When Required:</u> During construction <u>Initial Approval:</u> N/A <u>Monitoring/Inspection:</u> Bureau of Building</p>		<p>Make regular visits to the construction site to ensure that noise from construction activities is appropriately controlled.</p>
<p><b>SCA-NOI-3: Extreme Construction Noise (#60)</b></p> <p><b><i>a. Construction Noise Management Plan Required</i></b> <u>Requirement:</u> Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90dBA), the project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not</p>	<p>Submit plan prior commencing construction activities involving pile driving or other extreme noise generators;</p>	<ul style="list-style-type: none"> <li>▪ Verify that a plan for reducing extreme noise generating construction impacts has been prepared.</li> <li>▪ Verify that the plan will achieve the maximum feasible noise attenuation.</li> </ul>

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<p><b>Standard Conditions of Approval/Mitigation Measures</b></p> <p>limited to, the following:</p> <p>i. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;</p> <p>ii. Implement “quiet” pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;</p> <p>iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;</p> <p>iv. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and</p> <p>v. Monitor the effectiveness of noise attenuation measures by taking noise measurements.</p> <p><u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Bureau of Building</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p> <p><b>b. Public Notification Required</b></p> <p><u>Requirement:</u> The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.</p> <p><u>When Required:</u> During construction</p> <p><u>Initial Approval:</u> Bureau of Building</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p> <p><b>SCA-NOI-4: Project-Specific Construction Noise Reduction Measures (#61)</b></p> <p><u>Requirement:</u> The project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site specific noise attenuation measures to further reduce construction noise impacts. The project applicant shall implement the approved Plan</p>	<p>Implement measures according to timeframes outlined in the plan</p>	<p><b>Initial Approval</b></p> <p>City of Oakland, CEDA, Building Services Division</p> <p><b>Monitoring/Inspection</b></p> <ul style="list-style-type: none"> <li>Verify that a special inspection deposit has been submitted.</li> </ul>
	<p>Submit updated plan, if warranted prior to the issuance of a building</p>	<p>Verify the implementation of the list of measures to respond to and track complaints pertaining to construction noise.</p>

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<p>during construction.</p> <p><u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Bureau of Building</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>	<p>Ongoing throughout demolition, grading, and/or construction</p>	
<p><b>SCA-NOI-5: Construction Noise Complaints (#62)</b></p> <p><u>Requirement:</u> The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include:</p> <p>a. Designation of an on-site construction complaint and enforcement manager for the project;</p> <p>b. A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the project complaint manager and City Code Enforcement unit;</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><u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Bureau of Building</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>	<p>Submit list prior to the issuance of a building permit;</p> <p>Ongoing throughout demolition, grading, and/or construction</p>	<p>City of Oakland, CEDA, Building Services Division</p> <p>Verify the implementation of the list of measures to respond to and track complaints pertaining to construction noise.</p>
<p><b>SCA-NOI-6: Exposure to Community Noise (#63)</b></p> <p><u>Requirement:</u> The project applicant shall submit a Noise Reduction Plan prepared by a qualified acoustical engineer for City review and approval that contains noise reduction measures (e.g., sound-rated window, wall, and door assemblies) to achieve an acceptable interior noise level in accordance with the land use compatibility guidelines of the Noise Element of the Oakland General Plan. The applicant shall implement the approved Plan during construction. To the maximum extent practicable, interior noise levels shall not exceed the following:</p> <p>a. 45 dBA: Residential activities, civic activities, hotels</p> <p>b. 50 dBA: Administrative offices; group assembly activities</p>	<p>Submit noise recommendations prior to the issuance of a building permit for each phase of construction containing residential units</p>	<p>City of Oakland, CEDA, Building Services Division</p> <p>Verify that appropriate sound-rated assemblies to reduce noise levels have been incorporated into the project building design.</p>

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<p>c. 55 dBA: Commercial activities                      d. 65 dBA: Industrial activities                      When Required: Prior to approval of construction-related permit                      Initial Approval: Bureau of Planning                      Monitoring/Inspection: Bureau of Building</p>	<p>Implement recommendations according to timeframes outlined in plan</p>	<p>Monitoring/Inspection</p>
<p><b>SCA-NOI-7: Operational Noise (#64)</b>  <u>Requirement:</u> Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.</p>	<p>Prior to approval of construction-related permit</p>	<p>Verify that appropriate sound-rated assemblies to reduce noise levels have been incorporated into the project building design.</p>
<p><b>Completed. Vibration study was completed in association with the Phase 1 infrastructure improvements.</b>  <b>SCA-NOI-8: Exposure to Vibration (#65):</b> The project applicant shall submit a Vibration Reduction Plan prepared by a qualified acoustical consultant for City review and approval that contains vibration reduction measures to reduce groundborne vibration to acceptable levels per Federal Transit Administration (FTA) standards. The applicant shall implement the approved Plan during construction. Potential vibration reduction measures include, but are not limited to, the following:                      a. Isolation of foundation and footings using resilient elements such as rubber bearing pads or springs, such as a “spring isolation” system that consists of resilient spring supports that can support the podium or residential foundations. The specific system shall be selected so that it can properly support the structural loads, and provide adequate filtering of groundborne vibration to the residences above.                      b. Trenching, which involves excavating soil between the railway and the project so that the vibration path is interrupted, thereby reducing the vibration levels before they enter the project’s structures. Since the reduction in vibration level is based on a ratio between trench depth and vibration wavelength, additional measurements shall be conducted to determine the vibration wavelengths affecting the project. Based on the resulting measurement findings, an adequate trench depth and, if required, suitable fill shall be identified (such as foamed styrene packing pellets [i.e., Styrofoam] or low-density polyethylene).</p>	<p>Prior to approval of construction-related permit</p>	<p>Verify that appropriate vibration reduction measures have been incorporated into the project building design.</p>
<p><u>Initial Approval:</u> Bureau of Planning  <u>Monitoring/Inspection:</u> Bureau of Building</p>	<p>Prior to approval of construction-related permit</p>	<p>City of Oakland, CEDA, Building Services Division</p>

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<p><i>Not applicable.</i></p> <p><b>SCA-NOI-9: Vibration Impacts on Adjacent Historic Structures or Vibration-Sensitive Activities (#66)</b></p> <p><u>Requirement:</u> The project applicant shall submit a Vibration Analysis prepared by an acoustical and/or structural engineer or other appropriate qualified professional for City review and approval that establishes pre-construction baseline conditions and threshold levels of vibration that could damage the structure and/or substantially interfere with activities located adjacent to the affected structure. The Vibration Analysis shall identify design means and methods of construction that shall be utilized in order to not exceed the thresholds. The applicant shall implement the recommendations during construction.</p> <p><u>When Required:</u> Prior to construction</p> <p><u>Initial Approval:</u> Bureau of Building</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p> <p><b>Project Specific Condition of Approval-NOI-10: The following Project Specific Conditions of Approval shall apply to each Final Development Plan for the MacArthur Village Project:</b></p> <p>1) The project applicant shall implement all of the plans and recommendations described in the reports prepared for the project attached as Attachment H (CEQA Memo) to the City Council's Agenda Report dated April 5, 2011, copies of which are on file with the City Planning Department. The recommendations in these reports include without limitation:</p> <p><i>Vibration</i></p> <p>(a) The contractors shall implement the Construction Equipment Schedule elements described in the March 10, 2011, letter report prepared by Wilson Ihrig &amp; Associates, attached as Exhibit H to the March 14, 2011 Memorandum from Urban Planning Partners to Eric Angstadt and Catherine Payne and included in the Agenda Report for the April 5, 2011 City Council hearing on the Stage 1 FDP (PUDF10097) and VTTM (8047).</p> <p>(b) Vibration monitoring shall be conducted at the Surgery Center to document the baseline conditions during operations prior to construction and to monitor the vibration at the facilities during the key periods of construction that are subject to vibration to verify that construction-related vibration is not exceeding the FTA category 1 criterion. The key periods of construction would occur when the vibrating roller compactors, vibrating plate compactors, jumping jack, or other equipment that generates vibration are in operation adjacent to the Surgery Center.</p>	<p>Prior to the issuance of a demolition, grading, or building permit for building A</p>	<p>City of Oakland, CEDA, Building Services Division</p>	<ul style="list-style-type: none"> <li>Verify that a structural engineer or other appropriate professional has determined the means and methods of construction will not exceed threshold levels of vibration that may damage buildings adjacent to the project site.</li> </ul>
	<p>Prior to and during construction, as noted within each section of the condition</p>	<p>City of Oakland, CEDA, Building Services Division</p>	<ul style="list-style-type: none"> <li>Verify that each requirement identified in the condition of approval is met</li> </ul>



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<p><i>Noise</i></p> <p>(c) Prior to initiation of on-site construction-related earthwork activities, a minimum 8-foot-high temporary sound barrier shall be erected along the project property line abutting the residential sensitive land uses that are adjacent to the construction site an MacArthur Boulevard and Telegraph Avenue.</p> <p>(d) Prior to initiation of on-site construction-related earthwork activities, a minimum 8-foot-high temporary sound barrier shall be erected along the project property line abutting the Surgery Center that is adjacent to the construction site on Telegraph Avenue.</p> <p>(e) The temporary sound barriers shall be constructed with a minimum surface weight of 4 pounds per square foot and shall be constructed so that vertical or horizontal gaps are eliminated; these temporary barriers shall remain in place through the construction phase in which heavy equipment, such as excavators, dozers, scrapers, loaders, pavers, and dump trucks are operating within 150 feet of the edge of the construction site or adjacent sensitive land uses.</p> <p>(f) Whenever feasible, the project contractor shall encourage implementation of the following strategies throughout all phases of construction: use of smaller or quieter equipment; use of electric equipment in lieu of gasoline or diesel powered equipment; turn off all idling equipment when anticipated to not be in use for more than 5 minutes; minimize drop height when loading excavated materials onto trucks; minimize drop height when unloading or moving materials on-site; and sequence noisy activities to coincide with noisiest ambient hours.</p> <p>(g) Noise monitoring is required for all construction activities that would be considered extreme noise generators, activities that would result in noise levels in excess of 90 dBA <math>L_{day}</math> as measured at the receiving property. Construction activities could exceed these levels at the residential land uses that border the construction site on MacArthur Boulevard and Telegraph Avenue. Pursuant to SCA N01-5(e), noise monitoring to measure the effectiveness of noise attenuation measures shall be conducted as follows:</p> <ul style="list-style-type: none"> <li>Noise measurements shall be conducted on a weekly basis during the phases associated with the anticipated activities for the months of May, June, and September and shall be conducted by a qualified acoustical consultant.</li> </ul>		

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<p>▪ These measurements shall be taken during mid-morning and mid-afternoon hours when background noise levels are anticipated to be lowest so as to try to capture, noise from only construction noise sources.</p> <p>▪ These measurements shall be taken at distances greater than 10 feet from the temporary sound barriers on the receptor property in order to determine the effectiveness of the sound barrier.</p> <p>If exceedances are identified, then the on-site construction manager shall be notified and the equipment use shall be adjusted so that noise levels are reduced.</p> <p>2) The temporary sound barrier to be erected by the project applicant along the project property line abutting the adjacent surgery center property shall be a minimum of 8 feet high.</p> <p>3) Prior to issuance of a demolition, grading or building permit. The project applicant shall retain a structural engineer or other appropriate professional to determine threshold levels of vibration and cracking that could damage buildings adjacent to the project site and design means and methods of construction that shall be utilized to not exceed the thresholds.</p> <p>4) The noise and vibration reduction plan for each phase of the project prepared pursuant to SCA NOI-5 shall also:</p> <p>(i) include documentation of the following:</p> <ul style="list-style-type: none"> <li>▪ Existing baseline ,conditions at the anticipated construction monitoring locations near the adjacent surgery center, supported by measurements of ambient noise and vibration levels near the adjacent surgery center over a 6-day continuous period (Monday-Saturday);</li> <li>▪ Characterization of the existing vibration environment within representative vibration sensitive spaces at the adjacent surgery center to confirm whether the FTA Category I criterion is applicable for these interior spaces, or whether a higher threshold is more appropriate. This characterization will be supported by measurements of the existing ambient vibration levels over a 48-hour continuous period measured during the work week (M-F). If the existing environment is comparable or less than the FT A Category I threshold, then the construction work will be limited by the FT A Category I criterion. If it is determined that the existing ambient environment exceeds the FT A Category I criterion, then site specific criteria will be developed based on the characteristics of the measured environment, including the maximum vibration levels and: the measured</li> </ul>		

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<p><b>Standard Conditions of Approval/Mitigation Measures</b></p> <p>frequency of occurrence of vibration levels:</p> <ul style="list-style-type: none"> <li>▪ Vibration testing to determine how groundborne vibration will propagate from the construction area (based upon simulated construction activities testing) to the surgery center building and anticipated construction monitoring locations. This information will be used to determine the vibration level offset between outdoor construction monitoring locations and the vibration experienced at the interior of the building, to refine the calculations previously done to determine the site-specific vibration from construction, to determine the types of construction activity for which monitoring is required and to determine applicable distances for monitoring purposes pursuant to item (v) below; and</li> <li>▪ All such noise and vibration testing and determinations of baselines and monitoring locations near the adjacent surgery center shall be coordinated with the surgery center or its designee.</li> </ul> <p>(ii) include appropriate measures to ensure that the project construction and operations comply with the City's noise and vibration performance standards in Section 17.120.050 of the Oakland Planning Code, the City's vibration performance standards in Section 17.120.060 of the Oakland Planning Code, and the vibration criteria confirmed above, as measured at the monitoring locations specified in (v);</p> <p>(iii) provide that all noise and vibration compliance monitoring be performed by one or more qualified consultants;</p> <p>(iv) prohibit the use of pile driving as part of the construction of the BART Parking Garage and construction on Parcel D;</p> <p>(v) require noise and vibration measurements, for compliance purposes, to be performed for a minimum of 48 hours during a continuous period each week during the conduct of construction activities for which monitoring is required as identified pursuant to the pre-vibration testing protocol under item (i) above within applicable distances from the facade of the surgery center building nearest to the construction activity as such distances are identified as part of such testing protocol.. Such measurements shall be made at the nearest facade or at an equivalent distance from the construction activity to the nearest facade as determined appropriate by the qualified acoustical consultant in order to accurately determine noise and vibration levels at the nearest facade of the surgery center from project-related construction activities; and</p> <p>(vi) require a copy of the City approved noise and vibration plan to be provided to the designated representative of the adjacent surgery center.</p> <p>5) The special inspection deposit required pursuant to SCA Noise-5 shall also include</p>		

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<p>an amount sufficient to ensure compliance with project conditions of approval governing air quality.</p> <p>6) Prior to the start of construction activities, the project applicant shall designate an on-site complaint and enforcement manager, with supervisory authority with respect to construction activity, who shall immediately respond to any complaints or concerns raised by the designated representative of the adjacent surgery center related to air quality, noise, vibration, or any other aspect of project construction activities, and provide to the surgery center representative the contact information for such complaint and enforcement manager.</p> <p>7) Project applicant shall promptly provide to the designated representative of the adjacent surgery center copies of all noise, vibration and air quality monitoring reports required by all project conditions of approval, including, without limitation, all monitoring reports required pursuant to project specific condition 4 above, and the recommendations in the following reports: (i) LSA Associates, Inc. dated March 11, 2011 regarding air quality, (ii) LSA Associates, Inc. dated March 11, 2011 regarding noise, and (iii) Wilson Ibrag &amp; Associates dated March 10, 2011 regarding vibration. If any such report indicates that the project is not in compliance with any such mitigation measures or conditions of approval or if the project is otherwise not in compliance therewith, the project applicant shall immediately cease the activity causing such non-compliance and take such other measures that may be necessary to prevent the recurrence of such non-compliance.</p> <p>8) The project applicant shall not restrict, block, relocate, modify, or otherwise hinder vehicular and pedestrian access (ingress and egress) to the adjacent surgery center property from its existing driveways and sidewalks access points on Apgar Street and 39th Street both during and after construction of the project without 48 hours advance notice to the surgery center. In no event shall such access be disrupted for more than two days in any M-F period, except for improvements to Apgar Street or 39th Street. For any period during which the 39th Street parking areas in the Surgery Center property are rendered inaccessible, project applicant shall provide an equal number of substitute parking spaces in the BART parking lot area, and/or the new BART parking garage, as close as feasible to the Surgery Center, and at no cost to the Surgery Center. The applicant shall coordinate temporary disruptions to the surgery center's vehicular and pedestrian access points and shall maintain one point of access via Apgar Street or Telegraph Street at all times.</p> <p>9) The applicant's contractors will limit idling, loading or staging on Apgar Street, 39th Street, and Telegraph Avenue adjacent to the property and provide the surgery center</p>		

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<p>at least 48 hours' notice of such planned activity.</p> <p><b>F. HYDROLOGY AND WATER QUALITY</b></p> <p><b>A SWPP was completed in association with the Phase I infrastructure improvements. The conditions of the SWPP will continue to apply to the 2016 Modified Project.</b></p> <p><b>SCA-HYD-1: State Construction General Permit (#46)</b>                      Requirement: The project applicant shall comply with the requirements of the Construction General Permit issued by the State Water Resources Control Board (SWRCB). The project applicant shall submit a Notice of Intent (NOI), Stormwater Pollution Prevention Plan (SWPPP), and other required Permit Registration Documents to SWRCB. The project applicant shall submit evidence of compliance with Permit requirements to the City.                      When Required: Prior to approval of construction-related permit                      Initial Approval: State Water Resources Control Board; evidence of compliance submitted to Bureau of Building                      Monitoring/Inspection: State Water Resources Control Board</p> <p><b>SCA-HYD-2: Site Design Measures to Reduce Stormwater Runoff (#48)</b>                      Requirement: Pursuant to Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES), the project applicant is encouraged to incorporate appropriate site design measures into the project to reduce the amount of stormwater runoff. These measures may include, but are not limited to, the following:                      a. Minimize impervious surfaces, especially directly connected impervious surfaces and surface parking areas;                      b. Utilize permeable paving in place of impervious paving where appropriate;                      c. Cluster structures;                      d. Direct roof runoff to vegetated areas;                      e. Preserve quality open space; and                      f. Establish vegetated buffer areas.                      When Required: Ongoing</p>	<p>Submit SWPP to SWRCB prior to applying for first building permit;                       Submit copy of approved SWPP prior to issuance of first building permit;                       Comply with measures in SWPP: ongoing throughout demolition, grading, and/or construction activities</p> <p>Prior to construction activities</p>	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division</p> <p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division</p>	<ul style="list-style-type: none"> <li>▪ Verify the preparation and approval of the SWPPP.</li> <li>▪ Conduct regular site visits to ensure compliance with the SWPPP throughout the completion of the project.</li> </ul> <p>N/A</p>

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<p>Initial Approval: N/A Monitoring/Inspection: N/A</p> <p><b>SCA-HYD-3: Source Control Measures to Limit Stormwater Pollution (#49)</b>  <b>Requirement:</b> Pursuant to Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES), the project applicant is encouraged to incorporate appropriate source control measures to limit pollution in stormwater runoff. These measures may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>a. Stencil storm drain inlets "No Dumping - Drains to Bay;"</li> <li>b. Minimize the use of pesticides and fertilizers;</li> <li>c. Cover outdoor material storage areas, loading docks, repair/maintenance bays and fueling areas;</li> <li>d. Cover trash, food waste, and compactor enclosures; and</li> <li>e. Plumb the following discharges to the sanitary sewer system, subject to City approval: <ul style="list-style-type: none"> <li>f. Discharges from indoor floor mats, equipment, hood filter, wash racks, and, covered outdoor wash racks for restaurants;</li> <li>g. Dumpster drips from covered trash, food waste, and compactor enclosures;</li> <li>h. Discharges from outdoor covered wash areas for vehicles, equipment, and accessories;</li> <li>i. Swimming pool water, if discharge to on-site vegetated areas is not feasible; and</li> <li>j. Fire sprinkler test water, if discharge to on-site vegetated areas is not feasible.</li> </ul> </li> </ul> <p>When Required: Ongoing Initial Approval: N/A Monitoring/Inspection: N/A</p>	<p>Prior to construction activities</p> <p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division</p>	<p>N/A</p>
<p><b>SCA-HYD-4: NPDES C.3 Stormwater Requirements for Regulated Projects (#50)</b>  <b>a. Post-Construction Stormwater Management Plan Required Requirement</b>  The project applicant shall comply with the requirements of Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES). The project applicant shall submit a Post-Construction Stormwater Management Plan to the City for review and approval with the project drawings submitted for site improvements, and shall implement the approved Plan during construction. The Post-Construction Stormwater Management Plan shall include and identify the following:</p>	<p>Submit plan prior to issuance of building permit (or other construction-related permit)</p> <p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division</p>	<p>Verify that the applicant complies with the requirements of Provision C.3 of the NPDES permit issued to the Alameda Countywide Clean Water Program. Verify that a completed Stormwater</p>

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<p>i. Location and size of new and replaced impervious surface;</p> <p>ii. Directional surface flow of stormwater runoff;</p> <p>iii. Location of proposed on-site storm drain lines;</p> <p>iv. Site design measures to reduce the amount of impervious surface area;</p> <p>v. Source control measures to limit stormwater pollution;</p> <p>vi. Stormwater treatment measures to remove pollutants from stormwater runoff, including the method used to hydraulically size the treatment measures; and</p> <p>vii. Hydromodification management measures, if required by Provision C.3, so that post-project stormwater runoff flow and duration match pre-project runoff.</p> <p><u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Bureau of Planning; Bureau of Building</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p> <p><b>b. Maintenance Agreement Required Requirement</b>                      The project applicant shall enter into a maintenance agreement with the City, based on the Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement, in accordance with Provision C.3, which provides, in part, for the following:</p> <p>i. The project applicant accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity; and</p> <p>ii. Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary. The maintenance agreement shall be recorded at the County Recorder's Office at the applicant's expense.</p> <p><u>When Required:</u> Prior to building permit final</p> <p><u>Initial Approval:</u> Bureau of Building</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p> <p><b>G. GEOLOGY, SOILS AND SEISMICITY</b></p> <p><b>SCA-GEO-2: Soils Report (#34)Requirement:</b> The project applicant shall submit a soils report prepared by a registered geotechnical engineer for City review and approval.</p>	<p>Initial Approval</p>	<p>Supplemental Form and a stormwater pollution management plan have been adequately prepared.</p> <ul style="list-style-type: none"> <li>▪ Prior to final permit inspection, verify that the stormwater pollution management plan is implemented.</li> </ul>
	Required as part of the submittal	City of Oakland, CEDA, Building
		Verify that a

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<p>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> <p><u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Bureau of Building</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>	<p>of a Tentative Tract or Tentative Parcel Map(s)</p>	<p>Services Division</p>	<p>preliminary soils report has been prepared for each construction site.</p>	
<p><b>SCA-GEO-3. Seismic Hazards Zone (Landslide/Liquefaction)</b></p> <p><u>Requirement:</u> 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> <p><u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Bureau of Building</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>	<p>Required as part of the submittal of a Tentative Tract or Tentative Parcel Map(s)</p>	<p>City of Oakland, CEDA, Building Services Division</p>	<p>Verify that a site-specific, design level, Landslide or Liquefaction geotechnical investigation for each construction site has been conducted and that the recommendations are included in the final project design.</p>	
<p><b>SCA-GEO-1: Construction-Related Permit(s) (#33)</b></p> <p><u>Requirement:</u> The project applicant shall obtain all required construction-related permits/approvals from the City. The project shall comply with all standards, requirements and conditions contained in construction-related codes, including but not limited to the Oakland Building Code and the Oakland Grading Regulations, to ensure structural integrity and safe construction.</p> <p><u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Bureau of Building</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>	<p>Ongoing through demolition, grading and construction activities</p>	<p>City of Oakland, CEDA, Building Services Division</p>	<p>Ongoing through demolition, grading and construction activities</p>	



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<p><b>H. PUBLIC HEALTH AND HAZARDS</b></p> <p><b>Completed.</b> <i>The buildings that occupied the site in 2008 were demolished in association with the Phase 1 infrastructure improvements. Note that this is the same SCA listed under Air Quality.</i></p> <p><b>SCA-HAZ-1: Asbestos in Structures (#23)</b>  <u>Requirement:</u> The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM), including but not limited to California Code of Regulations, Title 8; California Business and Professions Code, Division 3; California Health and Safety Code sections 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended. Evidence of compliance shall be submitted to the City upon request.</p> <p><u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Applicable regulatory agency with jurisdiction</p> <p><u>Monitoring/Inspection:</u> Applicable regulatory agency with jurisdiction</p> <p><b>SCA-HAZ-2: Hazardous Materials Related to Construction (#39)</b>  <u>Requirement:</u> The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following:</p> <ol style="list-style-type: none"> <li>Follow manufacturer's recommendations for use, storage, and disposal of chemical products used in construction;</li> <li>Avoid overtopping construction equipment fuel gas tanks;</li> <li>During routine maintenance of construction equipment, properly contain and remove grease and oils;</li> <li>Properly dispose of discarded containers of fuels and other chemicals;</li> <li>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</li> <li>If soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the</li> </ol>	<p>Prior to approval of construction-related permit</p>	<p>City of Oakland, CEDA, Building Services Division</p> <p>Bay Area Air Quality Management District</p>
	<p>Ongoing through demolition, grading and construction activities</p>	<p>City of Oakland, CEDA, Building Services Division, and Planning and Zoning Division</p>

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<p><b>Standard Conditions of Approval/Mitigation Measures</b></p> <p>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><u>When Required:</u> During construction</p> <p><u>Initial Approval:</u> N/A</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>		
<p><b>SCA-HAZ-3: Site Contamination (#40)</b></p> <p><b>a. Environmental Site Assessment Required</b></p> <p><u>Requirement:</u> The project applicant shall submit a Phase I Environmental Site Assessment report, and Phase II Environmental Site Assessment report if warranted by the Phase I report, for the project site for review and approval by the City. The report(s) shall be prepared by a qualified environmental assessment professional and include recommendations for remedial action, as appropriate, for hazardous materials. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.</p> <p><u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Oakland Fire Department</p> <p><u>Monitoring/Inspection:</u> Oakland Fire Department</p> <p><b>b. Health and Safety Plan Required</b></p> <p><u>Requirement:</u> The project applicant shall submit a Health and Safety Plan for the review and approval by the City in order to protect project construction workers from risks associated with hazardous materials. The project applicant shall implement the approved Plan.</p> <p><u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Bureau of Building</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p> <p><b>c. Best Management Practices (BMPs) Required for Contaminated Sites</b></p> <p><u>Requirement:</u> The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential soil and groundwater hazards. These shall include the following:</p>	<p>Prior to issuance of a demolition, grading, or building permit;</p>	<p>City of Oakland, CEDA, Building Services Division, and Planning and Zoning Division</p> <p>Verify that written evidence of approval for any remedial actions required has been obtained and that Remediation Action Plan has been adequately prepared.</p> <p>Verify that a Construction-Phase Risk Management Plan has adequately been prepared.</p>

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<p>i. Soil generated by construction activities shall be stockpiled on-site in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state, and federal requirements.</p> <p>ii. Groundwater pumped from the subsurface shall be contained on-site in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building.</p> <p><u>When Required:</u> During construction</p> <p><u>Initial Approval:</u> N/A</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>		
<p><b>SCA-PSR-2: Fire Safety Phasing Plan (#42)</b></p> <p><u>Requirement:</u> The project applicant shall submit a Fire Safety Phasing Plan for City review and approval, and shall implement the approved Plan. The Fire Safety Phasing Plan shall include all of the fire safety features incorporated into each phase of the project and the schedule for implementation of the features.</p> <p><u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Oakland Fire Department</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>	<p>Submit plan prior to issuance of a demolition, grading, or building permit and concurrent with any p-job submittal permit</p>	<p>City of Oakland, CEDA, Building Services Division, and Planning and Zoning Division and Fire Services Division</p>
<p><b>SCA-HAZ-4: Hazardous Materials Business Plan (#41)</b></p> <p><u>Requirement:</u> 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> <p>a. The types of hazardous materials or chemicals stored and/or used on-site, such as petroleum fuel products, lubricants, solvents, and cleaning fluids.</p> <p>b. The location of such hazardous materials.</p>	<p>Prior to issuance of a business license for businesses handling hazardous materials</p>	<p>City of Oakland, CEDA, Building Services Division, and Planning and Zoning Division and Fire Services Division</p>

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<p>c. An emergency response plan including employee training information.</p> <p>d. A plan that describes the manner in which these materials are handled, transported, and disposed.</p> <p>When Required: Prior to building permit final</p> <p>Initial Approval: Oakland Fire Department</p> <p>Monitoring/Inspection: Oakland Fire Department</p>		
<p><b>I. PUBLIC SERVICES</b></p> <p><b>Compliance with Other Requirements (#3)</b> 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.</p>	<p>Prior to issuance of a demolition, grading, P-job, or other construction related permit.</p>	<p>City of Oakland, CEDA, Building Services Division, and Planning and Zoning Division and Fire Services Division</p> <p>Ensure that the project applicant complies with all applicable laws and regulations</p>
<p><b>J. UTILITIES AND INFRASTRUCTURE</b></p> <p><b>SCA-UTIL-1: Construction and Demolition Waste Reduction and Recycling (#74)</b> Requirement: The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at <a href="http://www.greenhalosystems.com">www.greenhalosystems.com</a> 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>When Required: Prior to approval of construction-related permit</p> <p>Initial Approval: Public Works Department, Environmental Services Division</p> <p>Monitoring/Inspection: Public Works Department, Environmental Services Division</p> <p><b>SCA-UTIL-2: Underground Utilities (#75)</b> Requirement: The project applicant shall place underground all new utilities serving the project and under the control of the project applicant and the City, including all</p>	<p>Submit plan prior to issuance of demolition, grading, or building permit;</p> <p>Implement plan according to timeframes outlined in plan</p>	<p>City of Oakland, CEDA, Building Services Division</p> <p>Verify that a Construction &amp; Demolition Waste Reduction and Recycling Plan and an Operational Diversion Plan have been submitted.</p>
	<p>During Construction</p>	<p>City of Oakland, CEDA, Building Services Division</p> <p>Verify that all utilities have been installed in accordance with</p>

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<p><b>Standard Conditions of Approval/Mitigation Measures</b></p> <p>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&amp;E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities.</p> <p><u>When Required:</u> During construction</p> <p><u>Initial Approval:</u> N/A</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>		<p><b>Monitoring/Inspection</b></p> <p>standard specifications of the serving utilities</p>
<p><b>SCA-UTIL-3: Recycling Collection and Storage Space (#76)</b></p> <p><u>Requirement:</u> The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (Chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two cubic feet of storage and collection space per residential unit is required, with a minimum of ten cubic feet. For nonresidential projects, at least two cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten cubic feet.</p> <p><u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Bureau of Planning</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>	Ongoing	<p>City of Oakland, CEDA, Building Services Division</p> <p>Verify that the proposed program is implemented and maintained for the duration of the proposed activity or facility.</p>
<p><b>SCA-UTIL-4: Recycling Collection and Storage Space (#76)</b></p> <p><u>Requirement:</u> The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two cubic feet of storage and collection space per residential unit is required, with a minimum of ten cubic feet. For nonresidential projects, at least two cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten cubic feet.</p> <p><u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Bureau of Planning</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>	Prior to approval of construction related permits	<p>Bureau of Planning</p> <p>Verify that recycling collection and storage space has been incorporated into project design</p>
<p><b>Completed in association with the Phase 1 infrastructure improvements.</b></p> <p><b>SCA-UTIL-5: Sanitary Sewer System (#79)</b></p> <p><u>Requirement:</u> The project applicant shall prepare and submit a Sanitary Sewer Impact</p>	Prior to completing the final design for	<p>Public Works Department, Department of</p> <p>Confirm that any necessary sanitary sewer infrastructure</p>

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Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
<p>Analysis to the City for review and approval in accordance with the City of Oakland Sanitary Sewer Design Guidelines. The Impact Analysis shall include an estimate of pre-project and post-project wastewater flow from the project site. In the event that the Impact Analysis indicates that the net increase in project wastewater flow exceeds City-projected increases in wastewater flow in the sanitary sewer system, the project applicant shall pay the Sanitary Sewer Impact Fee in accordance with the City's Master Fee Schedule for funding improvements to the sanitary sewer system. <u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Public Works Department, Department of Engineering and Construction</p> <p><u>Monitoring/Inspection:</u> N/A</p>	<p>the project's sewer system</p>	<p>Engineering and Construction</p>	<p>improvements required by the project are implemented.</p> <p>Verify that the project applicant pays additional fees for any City improvements to the sanitary sewer system, as well as any fees to the affected service providers.</p>
<p><b>Completed in association with the Phase 1 infrastructure improvements.</b></p> <p><b>SCA-UTIL-6: Storm Drain System (#80)</b></p> <p><u>Requirement:</u> The project storm drainage system shall be designed in accordance with the City of Oakland's Storm Drainage Design Guidelines. To the maximum extent practicable, peak stormwater runoff from the project site shall be reduced by at least 25 percent compared to the pre-project condition.</p> <p><u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Bureau of Building Monitoring/Inspection: Bureau of Building</p>	<p>Prior to completing the final design for the project's storm drain system</p>	<p>Public Works Department, Department of Engineering and Construction</p>	<p>Confirm that any necessary stormwater infrastructure improvements required by the project are implemented.</p> <p>Verify that the project applicant pays additional fees for any City improvements to the Prior to completing the final design for the project's storm drain system as well as any fees to the affected service providers.</p> <p>Ensure that BMPs to reduce stormwater runoff are implemented.</p>
<p><b>SCA-UTIL-7: Recycled Water (#81)</b></p> <p><u>Requirement:</u> Pursuant to section 16.08.030 of the Oakland Municipal Code, the project applicant shall provide for the use of recycled water in the project for landscape irrigation purposes unless the City determines that there is a higher and better use for the recycled water, the use of recycled water is not economically</p>	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Planning; Bureau of Building</p>	

STANDARD CONDITION OF APPROVALS AND MITIGATION MONITORING AND REPORTING PROGRAM					
Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring				
	When Required	Monitoring/Inspection			
<p><b>Standard Conditions of Approval/Mitigation Measures</b></p> <p>justified for the project, or the use of recycled water is not financially or technically feasible for the project. The project applicant shall contact the New Business Office of the East Bay Municipal Utility District (EBMUD) for a recycled water feasibility assessment by the Office of Water Recycling. If recycled water is to be provided in the project, the project drawings submitted for construction-related permits shall include the proposed recycled water system and the project applicant shall install the recycled water system during construction.</p> <p><u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Bureau of Planning; Bureau of Building</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>					
<p><b>K. CULTURAL AND PALEONTOLOGICAL RESOURCES</b></p> <p><b>SCA-CUL-1: Archaeological and Paleontological Resources – Discovery During Construction (#29)</b></p> <p><u>Requirement:</u> Pursuant to CEQA Guidelines section 15064.5(f), in the event that any historic or prehistoric subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are implemented. In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the</p>			<p>Ongoing throughout demolition, grading, and/or construction</p>	<p>Bureau of Building</p>	<p>Ensure that all work within 50 feet of the site where any prehistoric or historic subsurface cultural resources are discovered is halted.</p>

STANDARD CONDITION OF APPROVALS AND MITIGATION MONITORING AND REPORTING PROGRAM		
	Mitigation Implementation/Monitoring	
	When Required	Initial Approval Monitoring/Inspection
<p><b>Standard Conditions of Approval/Mitigation Measures</b></p> <p>proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practicable. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant. The project applicant shall implement the ARDTP at his/her expense. In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.</p> <p><u>When Required:</u> During construction</p> <p><u>Initial Approval:</u> N/A</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>		
<p><b>SCA-CUL-2: Human Remains - Discovery During Construction (#31)</b></p> <p><u>Requirement:</u> Pursuant to CEQA Guidelines section 15064.5(e)(1), in the event that human skeletal remains are uncovered at the project site during construction activities, all work shall immediately halt and the project applicant shall notify the City and the Alameda County Coroner. If the County Coroner determines that an investigation of the cause of death is required or that the remains are Native American, all work shall cease within 50 feet of the remains until appropriate arrangements are made. In the event that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance, and avoidance measures (if applicable) shall be completed expeditiously and at the expense of the project applicant.</p> <p><u>When Required:</u> During construction</p> <p><u>Initial Approval:</u> N/A</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>	<p>Ongoing throughout demolition, grading, and/or construction</p>	<p>Bureau of Building</p> <p>Ensure that all work is halted if any human skeletal remains are uncovered at the project site and that the Alameda County Coroner is contacted.</p>
<p><b>L. AESTHETIC RESOURCES</b></p> <p><b>SCA-AES-1: Public Improvements (#11)</b></p> <p><u>Requirements:</u> The project applicant shall obtain all necessary permits/approvals, such as encroachment permits, obstruction permits, curb/gutter/sidewalk permits, and</p>	<p>Prior to construction</p>	<p>Public Works Department, Department of</p> <p>Verify all improvements are installed to satisfaction of the city</p>



STANDARD CONDITION OF APPROVALS AND MITIGATION MONITORING AND REPORTING PROGRAM		
	Mitigation Implementation/Monitoring	
	When Required	Initial Approval Engineering and Construction
<p><b>Standard Conditions of Approval/Mitigation Measures</b></p> <p>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.</p>		
<p><b>SCA-AES-2: Graffiti Control (#16)</b>  <u>Requirement:</u></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"> <li>i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces.</li> <li>ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces.</li> <li>iii. Use of paint with anti-graffiti coating.</li> <li>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).</li> <li>v. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement.</li> </ul> <p>b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following:</p> <ul style="list-style-type: none"> <li>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.</li> <li>ii. Covering with new paint to match the color of the surrounding surface.</li> <li>iii. Replacing with new surfacing (with City permits if required).</li> </ul> <p><u>When Required:</u> Ongoing  <u>Initial Approval:</u> N/A  <u>Monitoring/Inspection:</u> Bureau of Building</p>	Ongoing	Bureau of Building
<p><b>SCA-AES-3: Landscape Plan (#17)</b>  <u>a. Landscape Plan Required Requirement:</u>                      The project applicant shall submit a final Landscape Plan for City review and approval</p>	Prior to construction-related permits	Bureau of Planning
		Review final Landscape Plan

STANDARD CONDITION OF APPROVALS AND MITIGATION MONITORING AND REPORTING PROGRAM		
	Mitigation Implementation/Monitoring	
	When Required	Monitoring/Inspection
<p><b>Standard Conditions of Approval/Mitigation Measures</b></p> <p>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><u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Bureau of Planning</p> <p><u>Monitoring/Inspection:</u> N/A</p> <p><b>b. Landscape Installation Requirement:</b></p> <p>The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of City Planning, is provided. The financial instrument shall equal the greater of \$2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid.</p> <p><u>When Required:</u> Prior to building permit final</p> <p><u>Initial Approval:</u> Bureau of Planning</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p> <p><b>c. Landscape Maintenance Requirement:</b></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><u>When Required:</u> Ongoing</p> <p><u>Initial Approval:</u> N/A</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p> <p><b>SCA-AES-4: Lighting (#18)</b></p> <p><u>Requirement:</u> 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> <p><u>When Required:</u> Prior to building permit final</p> <p><u>Initial Approval:</u> N/A</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>		
	Prior to building permit final	Bureau of Building
		Ensure that proposed lighting fixtures are adequately shielded to prevent unnecessary glare onto adjacent properties.



**Attachment C:  
Conditions of Approval that apply to the  
MacArthur Transit Village Planned Unit  
Development, as approved in 2008 and have  
either been met or are entirely the  
responsibility of the Master Developer and  
are not specific to Parcel B**

## *Conditions of Approval: Attachment C*

**Conditions of Approval that apply to the MacArthur Transit Village Planned Unit Development, as approved in 2008 and have either been met or are entirely the responsibility of the Master Developer and are not specific to Parcel B**

**1. Rezoning and Zoning Text Amendment  
*Required prior to this approval becoming effective***

This Approval shall not become effective unless the Zoning Map Amendment and S-15 Text Amendment related to open space standards are adopted by the City Council. The City Council has the authority to consider and revise as appropriate (accept, reject, or modify) the adjudicatory land use decisions of the Planning Commission (including planned unit development permit, design review, and the conditional use permit), regardless of whether an appeal to the City Council is filed challenging such adjudicatory land use decisions.

**2. Residential Parking Permits.  
*Required prior to the demolition of the BART surface parking lot; or prior to elimination of half of the existing BART parking spaces***

The project sponsor shall work with the City of Oakland to implement a Residential Parking Permit (RPP), in accordance with all legal requirements, within one quarter mile radius around the station in the residential neighborhoods west of Highway 24 and the BART station, north of 40<sup>th</sup> Street, east of Telegraph Avenue and south of West MacArthur Boulevard. The street segments to be included in the RPP program are generally shown in Exhibit C-4. The RPP would restrict on-street parking by non-residents to less than two hours during the weekdays. The project sponsor shall fund this effort up to a maximum of \$150,000. If approved, the RPP program should be implemented prior to elimination of more than 50% of the existing BART parking spaces. To the extent possible, the City will explore using any surplus/excess revenues from enforcement of the RPP program to reimburse the project applicant for costs incurred by project sponsor in connection with the RPP program pursuant to this Section 21. If the City does not approve this RPP program within two years from the date of the completion of the new BART parking garage, the project sponsor shall have no further obligation to pursue or fund any RPP program and the City shall reimburse the project sponsor for any unused funds provided by the project sponsor to the City pursuant to this condition.

**3. Minimum Right-of-Way for Fire Emergency Vehicle Access.  
*Prior to approval of Each Stage of Final Development Plan or Vesting Tentative Map and Ongoing***

The project shall accommodate the intent of the 2008 fire code provisions for increased right-of-way access as follows:

- (a) Village Drive will be maintain an unobstructed right-of-way distance of 26 feet.

- (b) Internal Street will include two (2) 26-foot wide staging areas and the remaining right-of-way will remain 20 feet wide.
  - i. The staging areas will be a minimum of 30 feet in length.
  - ii. No parking or landscaping will be permitted in the staging areas.
  - iii. The location of the staging areas will be based on a ladder study to be completed by MTCP in consultation with the Fire Department.
  - iv. Fire hydrants will be staggered outside of the staging areas.
  
- (c) Frontage Road will include one (1) 26-foot wide staging area and the remaining right-of-way will remain the same.
  - i. The staging area for the frontage road will be located approximately 30 feet north of the crosswalk on the north side of the parking garage.
  - ii. The staging area will be a minimum of 30 feet in length.
  - iii. No parking or landscaping will be permitted in the staging areas.
  
- (d) In addition to incorporating staging areas and setting a minimum unobstructed street width of 26 feet for Village Drive and 20 feet for Internal Street, as described above, the project sponsor will include Alternate Materials and Methods Requests (AMMRs) into the project to the satisfaction of the Fire Chief. The appropriate AMMRs will be determined by the Fire Chief's review of Final Development Plans or Vesting Tentative Maps, and may include the following measures:
  - i. Increased sprinkler density (provide sprinklers in bathrooms and closets)
  - ii. Install 8-head instead of 4-head sprinklers
  - iii. Design fire hydrants with a minimum 200 foot separation
  - iv. Provide dual water connections and water sources per building
  - v. Provide Fire Department Connections (FDCs) on each street (minimum of 2 per building)

**4. Pedestrian Access Paths.**

*Prior to approval of the Final Development Plan for Stages 1 and 5 or Vesting Tentative Map and Ongoing*

Design the paths between Internal Street and West MacArthur Boulevard, and Internal Street and Telegraph Avenue for pedestrian use only.

The two 10-foot wide paths shown on the Preliminary Development Plan between the southern end of Internal Street and West MacArthur Boulevard, and between Internal Street and Telegraph Avenue, along the southern edge of Block C shall be restricted to pedestrian use and signage shall be provided to mark the paths for pedestrian use only.

**5. Internal Street.**

***Prior to approval of the Final Development Plan for Stages 1 or Vesting Tentative Map and Ongoing***

The developer shall reserve "Internal Street" on the owner's statement of the Final Map for private street purposes and clearly indicate who will benefit and maintain the private street. The private street maintenance language shall be included in the subdivision CC&R and reviewed and approved by Planning Director and City attorney. The developer shall provide proof on how the private street shall be maintained. Unless otherwise approved by the Engineering Division, the private street shall be constructed to the City's standard details for public street construction.

**6. Specific Project Intersection Improvements.**

***Prior to approval of Final Development Plan for Stage 3 or Vesting Tentative Map and Ongoing***

In order to enhance pedestrian activity and safety to and from the project site, the following measures shall be implemented, subject to review and approval by the City's Transportation Services Division (TSD):

- (a) For the intersection of 40<sup>th</sup> Street and the Frontage Road:
  - i. Prohibit right turns on red and provide a leading pedestrian interval.
  - ii. Increase the initial walk interval (this allows more time for clusters of pedestrians to leave the sidewalk when crossing)
  - iii. Install high visibility cross walks (i.e., ladder striping or colored pavement)
  - iv. Install audible pedestrian countdown signals
  - v. Provide separate curb ramps for each cross walk
  
- (b) For the intersection of Telegraph Avenue and Village Drive
  - i. Increase the initial walk interval (this allows more time for clusters of pedestrians to leave the sidewalk when crossing)
  - ii. Install high visibility cross walks (i.e., ladder striping or colored pavement)
  - iii. Install audible pedestrian countdown signals
  - iv. Provide separate curb ramps for each cross walk
  
- (c) For the intersection of Frontage Road and Village Drive
  - i. Install high visibility cross walks (i.e., ladder striping or colored pavement)
  - ii. Provide a raised intersection with high visibility striping to connect pedestrians from the BART plaza to Village Drive
  - iii. Install signage (i.e., "Left Turn Only, Except Shuttles and Bicycles") and striping at this intersection to prohibit south bound traffic except shuttles and bicycles from continuing south to West MacArthur Boulevard.

- (d) For the intersection of West MacArthur Boulevard and Frontage Road
  - i. Increase the initial walk interval (this allows more time for clusters of pedestrians to leave the sidewalk when crossing)
  - ii. Install high visibility cross walks (i.e., ladder striping or colored pavement)
  - iii. Install audible pedestrian countdown signals
  - iv. Provide separate curb ramps for each cross walk
  - v. Install bulb-outs at corners
  
- (e) For the intersection of the BART Garage and Frontage Road
  - i. Construct curbs and provide striping to prohibit vehicles exiting the BART garage from turning right; and to prohibit northbound vehicle from traveling further north beyond the driveway into the BART garage.
  - ii. Provisions should be made to allow through access for emergency vehicles, such as City and BART Police, Fire and Ambulance vehicles.

**7. Coordination of BART Parking and Plaza Improvements  
*Prior to approval of Final Development Plan for Stage 1***

(a) The BART parking structure shall include a minimum of 300 parking spaces.

(b) The project applicant shall coordinate with BART to facilitate construction of the BART parking structure and BART Plaza improvements as shown in the Preliminary Development Plan.

**8. Bicycle Access and Bicycle Paths  
*Prior to approval of Final Development Plan for Stage 1 or Vesting Tentative Map and Ongoing***

In order to enhance bicycle safety to and from the project site, the following measures shall be implemented, subject to review and approval by the City's Transportation Services Division:

(c) Provide two-way bike lanes on Frontage Road. Locate the northbound bike lane west of the northbound (right-turn only) vehicle lane. Southbound bicyclists could use the southbound shuttle lane.



- (d) Install STOP signs for vehicles exiting the BART garage and for southbound shuttles approaching the BART garage.
- (e) Provide adequate sight distance at the garage exit. Landscaping should be maintained so that adequate sight distance is provided.
- (f) Provide signage at the West MacArthur Boulevard/Frontage Road intersection directing bicyclists to the bicycle path or lanes on Frontage Road.
- (g) Install bicycle detection for all actuated through movements or left turns at the new signal at 40th Street and Frontage Road; the new signal at Telegraph Avenue and Village Drive; and West MacArthur Boulevard and Frontage Road.
- (h) Install signage (i.e., "Left Turn Only, Except Shuttles and Bicycles" and "Left Turn Only, Except Shuttles and Bicycles") and striping at the Frontage Road/Village Drive intersection to prohibit southbound and westbound vehicles, except shuttle buses and bicycles, from continuing southbound to West MacArthur Boulevard. (Also see Condition 34 (c) iii).
- (i) Study the feasibility of providing a "bicycle box" at the southbound approach to the West MacArthur Boulevard/Frontage Road/37th Street intersection and at the northbound approach to the Frontage Road/40th Street intersection. Project applicant shall submit said feasibility to the City's Transportation Services Department for review and approval. If said improvement is determined to be feasible, the project applicant shall implement this measure.
- (j) Study the feasibility of using colored pavement or other visual treatments on the bike path or lanes to increase their visibility and use by bicyclists. Project applicant shall submit said feasibility to the City's Transportation Services Department for review and approval. If said improvement is determined to be feasible, the project applicant shall implement this measure.

9. **Area Right of Way Improvements.**

***Prior to approval of Final Development Plan for Stage 3 or Vesting Tentative Map and Ongoing***

Project applicant shall perform feasibility and other studies of the following measures for review and approval by the City Planning Division and Transportation Services Division (TSD). The Project applicant shall implement items determined feasible by the City.

- (a) Removal of the slip right-turns on northbound and southbound Telegraph Avenue at West MacArthur Boulevard.
- (b) Providing street furniture and widening sidewalks where feasible for street frontages immediately adjacent to the project site.

**10. Traffic Monitoring.**

***Prior to project construction, and after completion of project***

Project sponsor shall pay to monitor traffic volumes and speeds on the following roadways in accordance with the schedule below. In consultation with local residents, and in accordance with all legal requirements, appropriate traffic calming measures, such as speed humps, or roadway closures, should be considered if and when excessive traffic volumes or speeding are observed. These potential improvements should be funded by the project applicant, if approved by the City's Transportation Services Division (TSD):

- (a) 37th Street between West MacArthur Boulevard and Telegraph Avenue; Monitoring shall be undertaken before construction, and one year after a certificate of occupancy issued for the BART garage.
- (b) 38th Street between Telegraph Avenue and Webster Street; Monitoring should be undertaken before construction, and about one year after a certificate of occupancy issued for FDP Stage 3, or when eighty (80) percent occupancy is achieved, whichever occurs earlier.
- (c) Clarke Street and Ruby Street between 38th Street and 40th Street; Monitoring should be undertaken before construction, and about one year after a certificate of occupancy issued for FDP Stage 3, or when eighty (80) percent occupancy is achieved, whichever occurs earlier.

**11. Outdoor Active Areas.**

***Prior to approval of Final Development Plan for each stage***

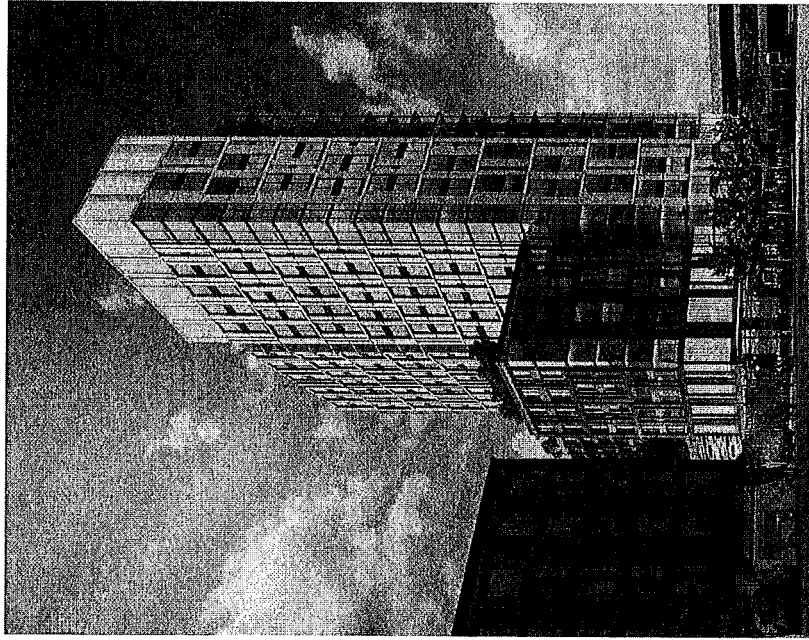
To the maximum extent practicable, exterior active use areas, including playgrounds, patios, and decks, shall either be shielded by buildings or otherwise buffered to further reduce exterior noise for project residents.

**12. BART Garage Elevations**

***Prior to approval of Final Development Plan for Stage 1 and Ongoing***

Final Development Plans for the BART Garage shall include detailed architectural plans demonstrating how the design and building details break up the massing of the parking garage. Signage and advertising on the BART garage shall be subject to the guidelines and standards in the City of Oakland Uniform Sign Code, including Code Section 17.104.060 that prohibits advertising signs, except as permitted via a Franchise Agreement or Relocation Agreement is authorized by the City Council.

**C. Project Plans, dated November 23,  
2016**



# MacArthur Transit Village: Parcel B

Final Development Plan  
Solomon Cordwell Buenz / Boston Properties / Oakland, CA

11 — 23 — 2016

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# Project Directory

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## OWNER

Boston Properties  
Four Embarcadero Center  
Lobby Level, Suite One  
San Francisco, CA 94111  
415.772.0550

## ARCHITECT

Solomon Cordwell Buenz  
255 California Street  
San Francisco, CA 94111  
415.216.2450

## STRUCTURAL ENGINEER

Magnusson Klemencic Associates  
1301 5th Avenue, Suite 3200  
Seattle, WA 98101  
206.292.1200

## MEP ENGINEER

Meyers+ Engineers  
150 Spear Street, Suite 700  
San Francisco, CA 94105  
415.432.8103

## CIVIL ENGINEER

Sandis  
636 9th Street  
Oakland, CA 94607  
510.873.8866

## LANDSCAPE ARCHITECT

Sutace Design  
Pier 33 North, Suite 200  
San Francisco, CA 94111  
415.314.7447

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## OWNER

Boston Properties  
Four Embarcadero Center  
Lobby Level, Suite One  
San Francisco, CA 94111  
415.772.0550

## ARCHITECT

Solomon Cordwell Buenz  
255 California Street  
San Francisco, CA 94111  
415.216.2450

## STRUCTURAL ENGINEER

Magnusson Klemencic Associates  
1301 5th Avenue, Suite 3200  
Seattle, WA 98101  
206.292.1200

## MEP ENGINEER

Meyers+ Engineers  
150 Spear Street, Suite 700  
San Francisco, CA 94105  
415.432.8103

## CIVIL ENGINEER

Sandis  
636 9th Street  
Oakland, CA 94607  
510.873.8866

## LANDSCAPE ARCHITECT

Sutace Design  
Pier 33 North, Suite 200  
San Francisco, CA 94111  
415.314.7447

## GENERAL

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## CIVIL

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## ARCHITECTURE

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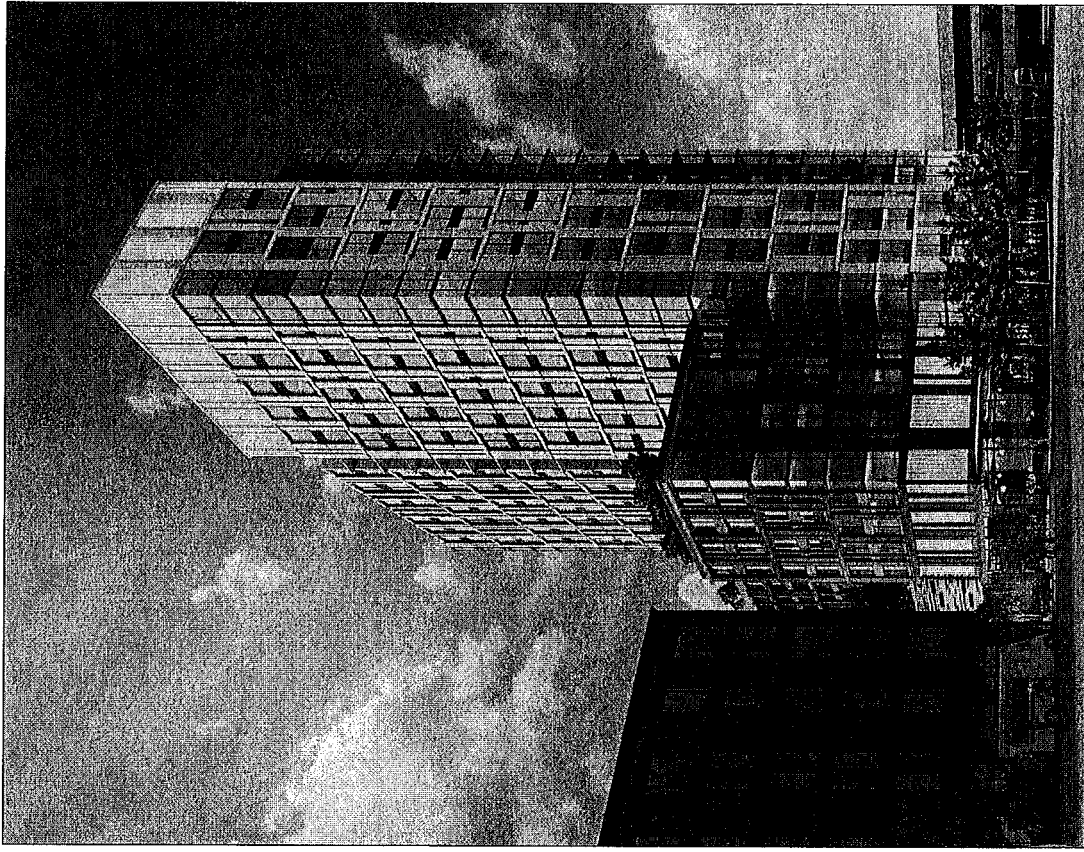
## APPENDIX A - Massing Update

C1-00  
C2-00  
C3-00

## L0-01


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L1-05  
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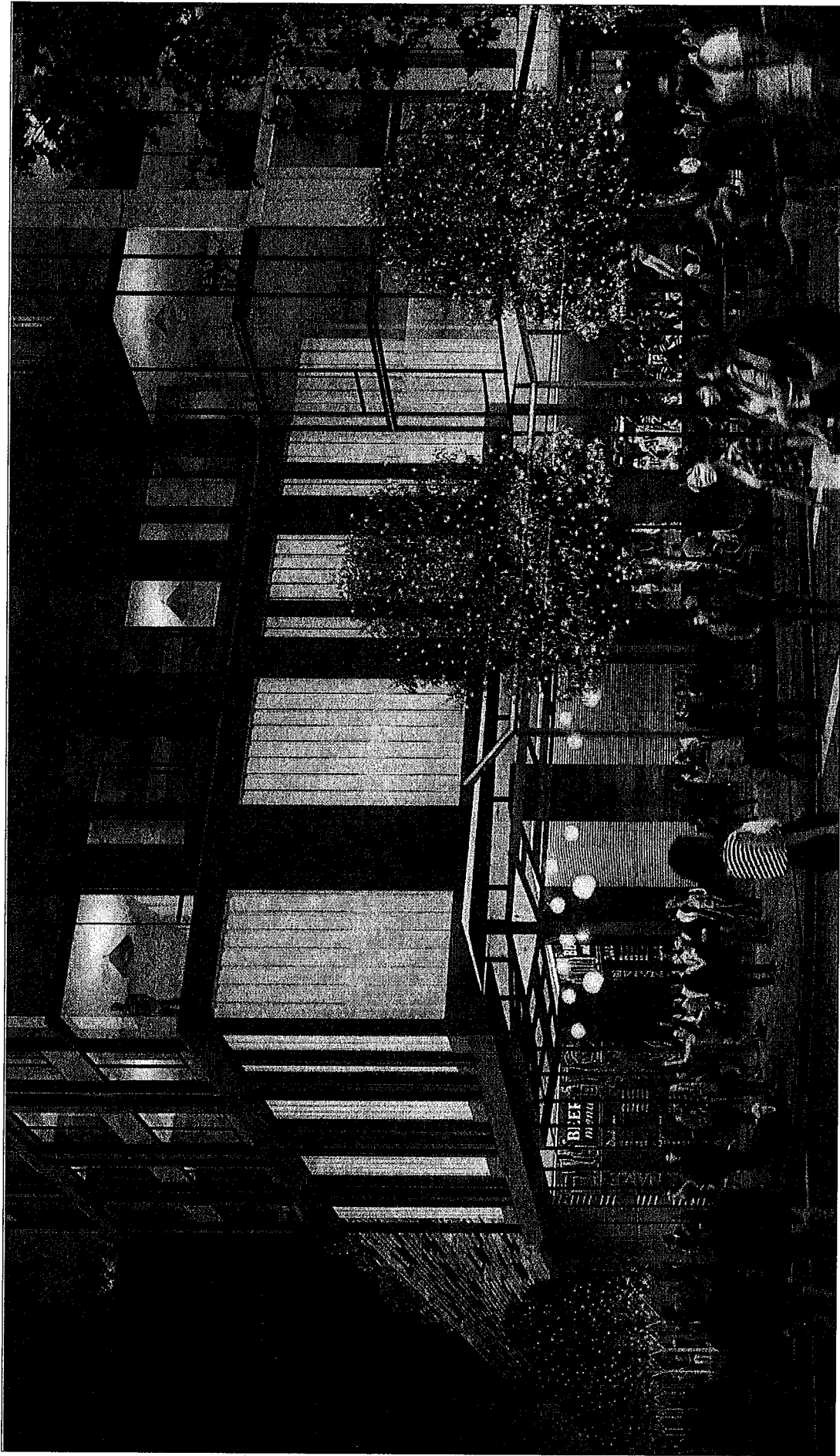
Project Renderings - Northeast Corner  
Final Development Package  
MacArthur Transit Village: Parcel B  
Solomon Cordwell Buenz / Boston Properties / Oakland, CA 2016010

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Project Renderings - Northeast Corner  
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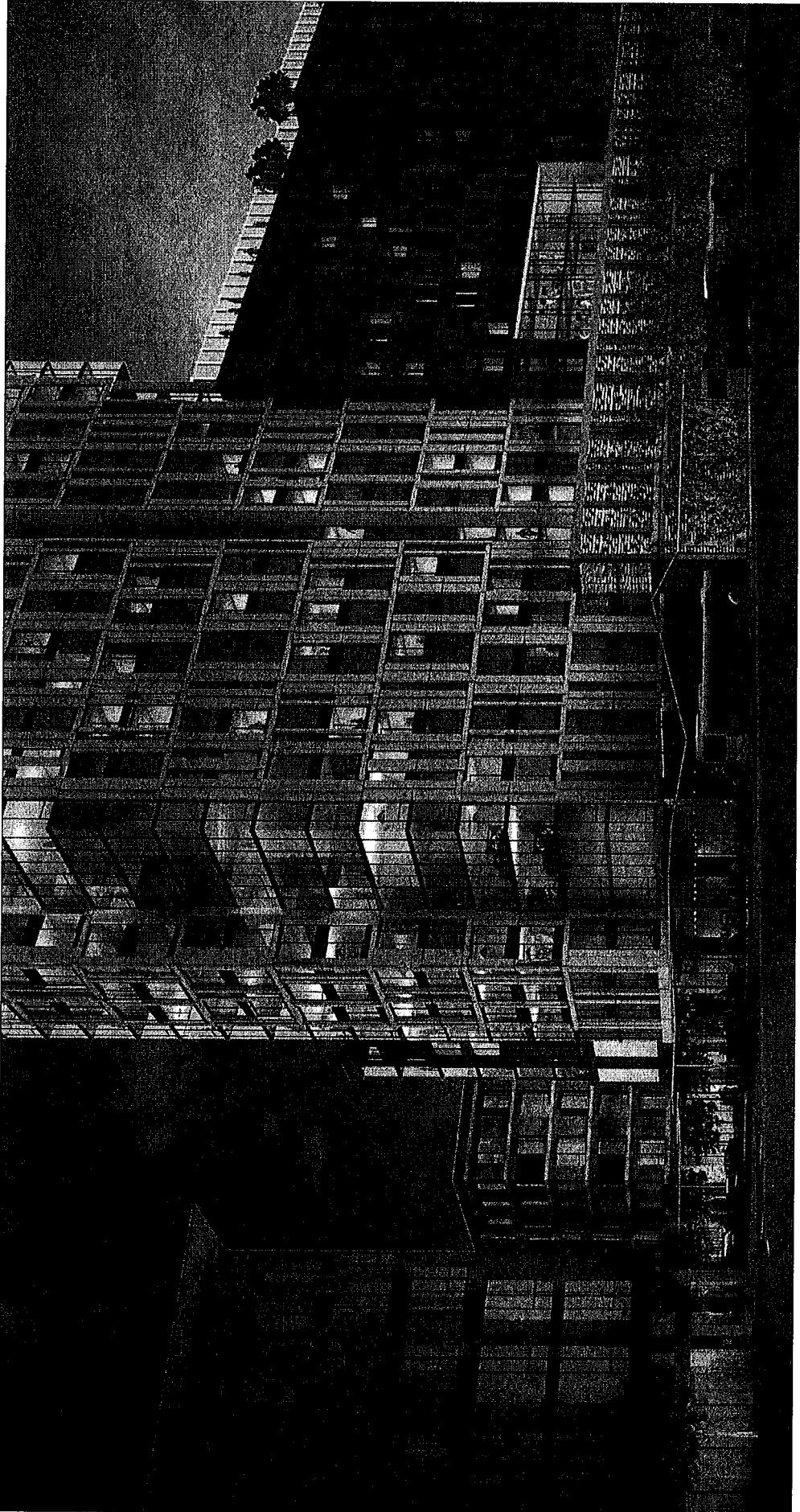
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Project Renderings - Northwest Corner  
Final Development Package  
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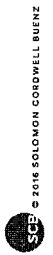
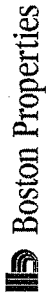
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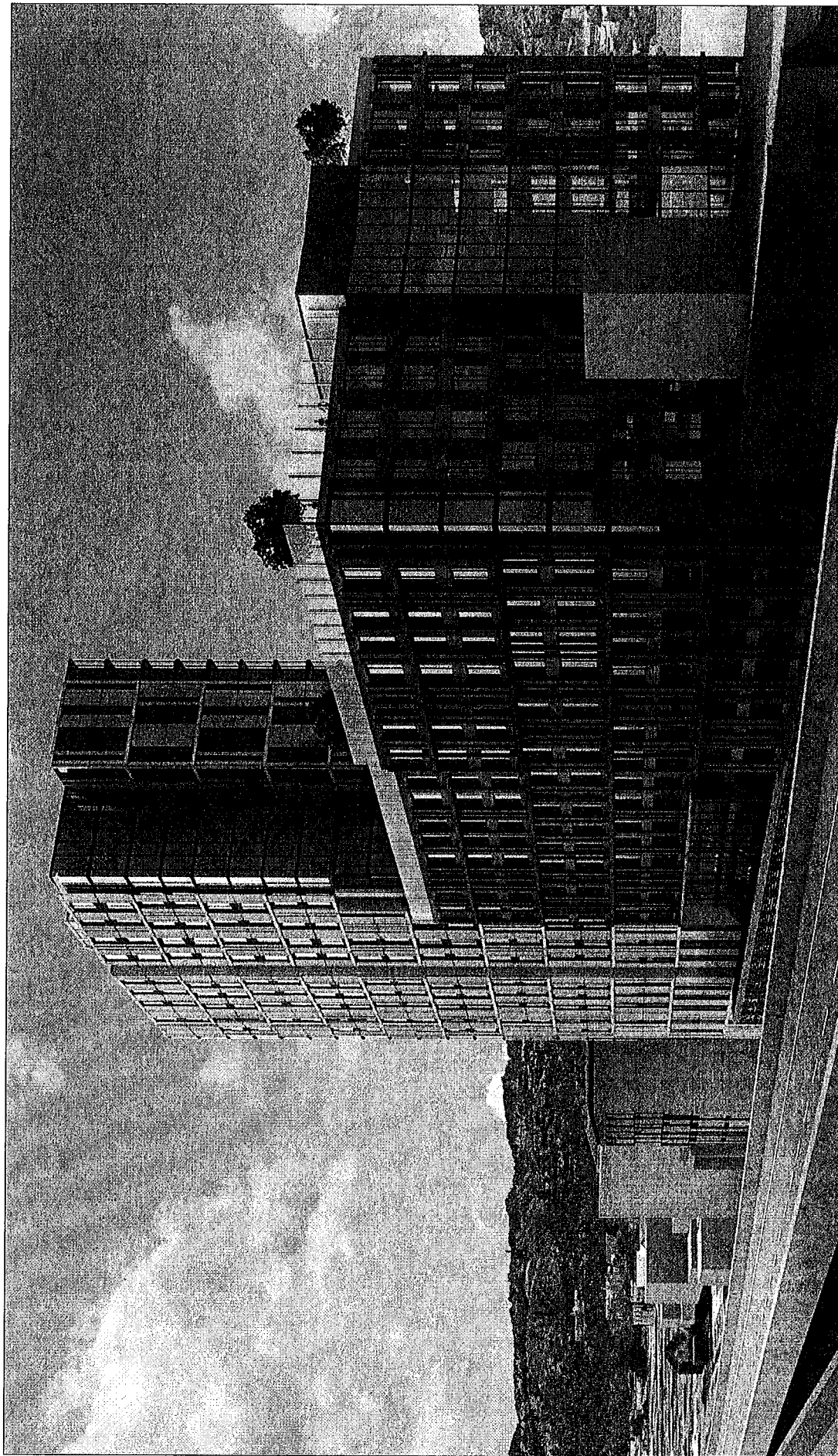


Project Renderings - Northwest Corner  
Final Development Package  
MacArthur Transit Village: Parcel B  
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Project Renderings - Southwest Corner

Final Development Package

MacArthur Transit Village: Parcel B


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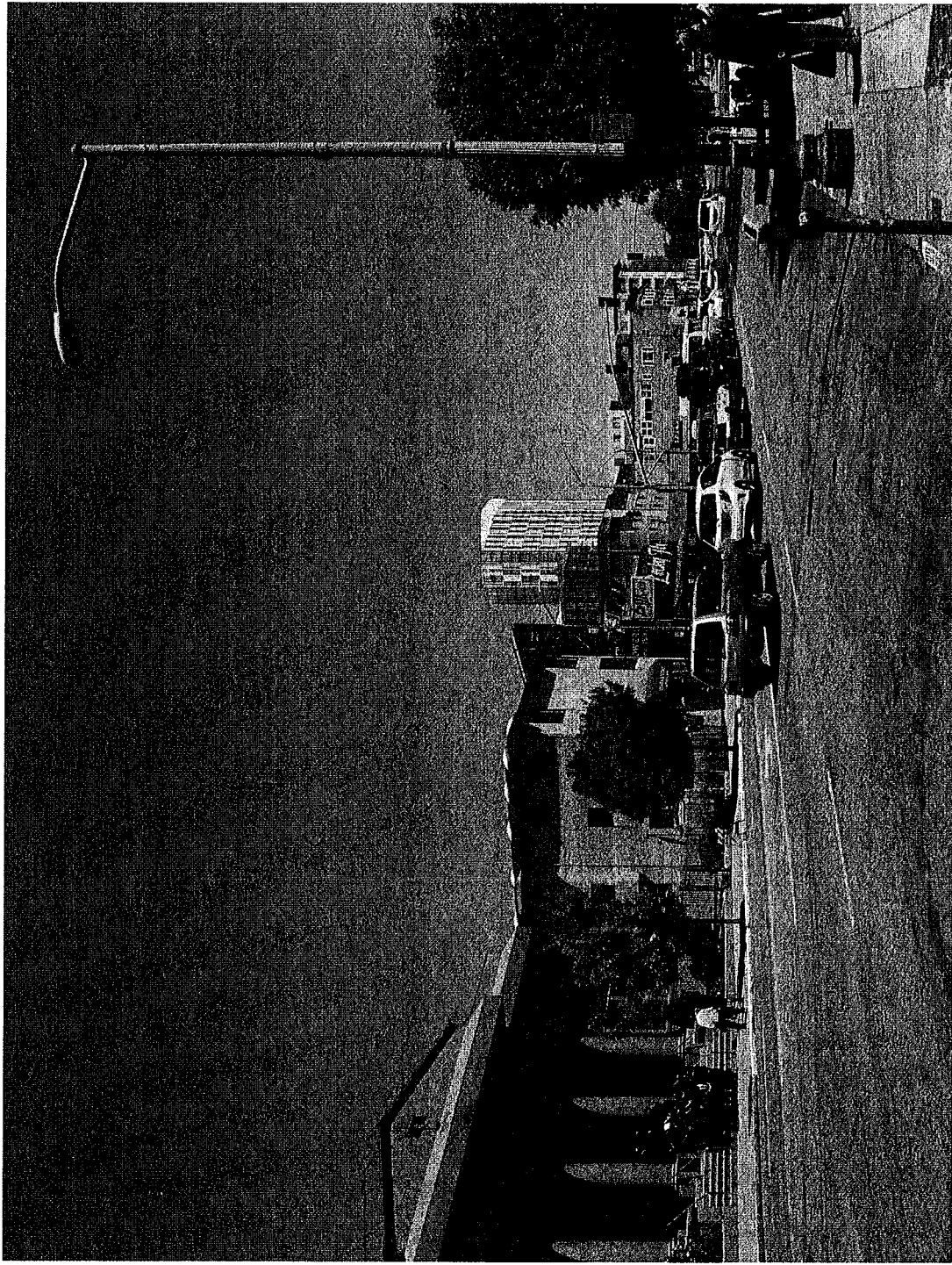
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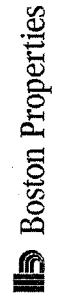


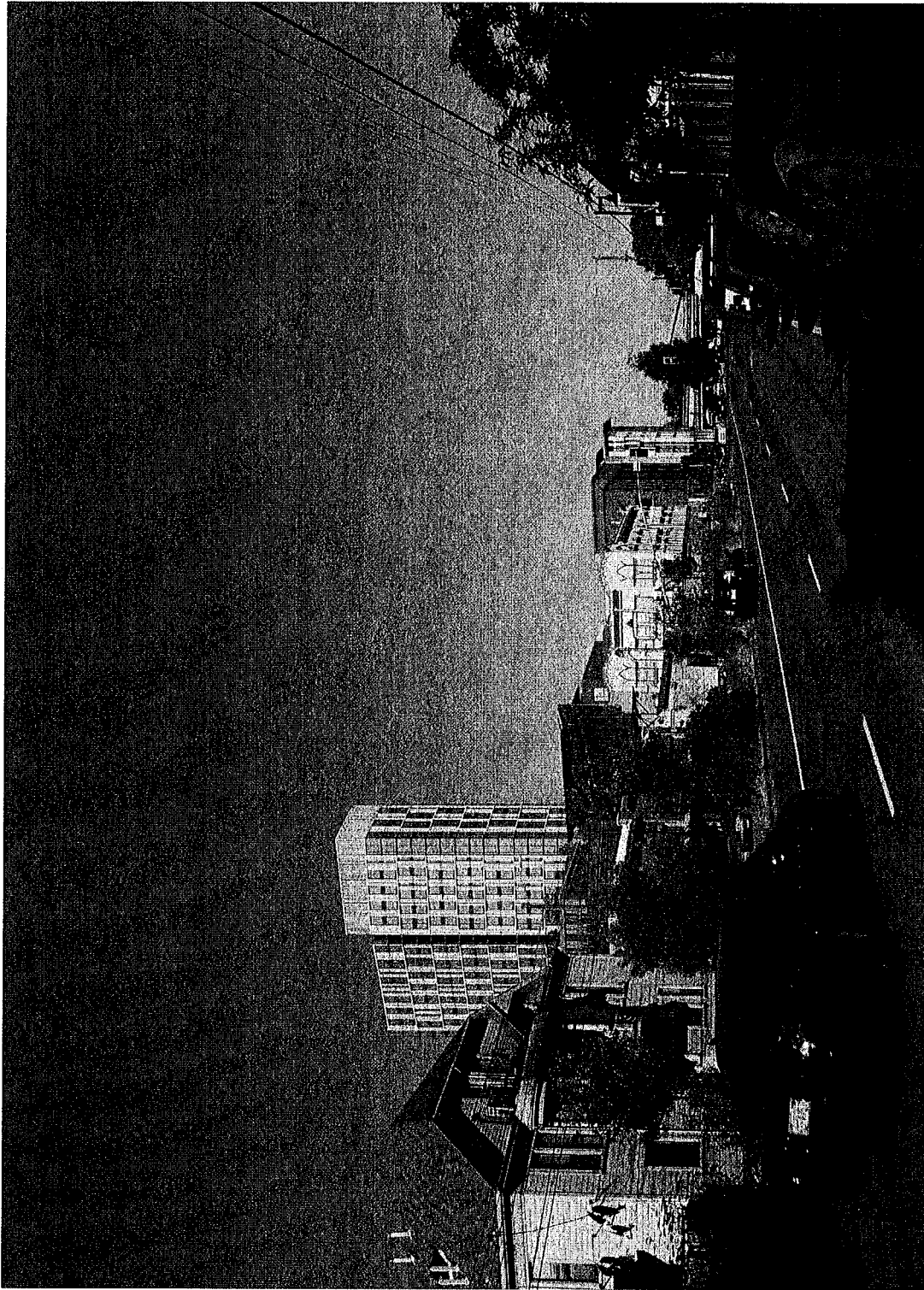
Project Renderings - View from 37th & Telegraph  
Final Development Package  
MacArthur Transit Village, Parcel B  
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11.23.2016

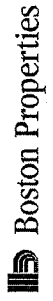
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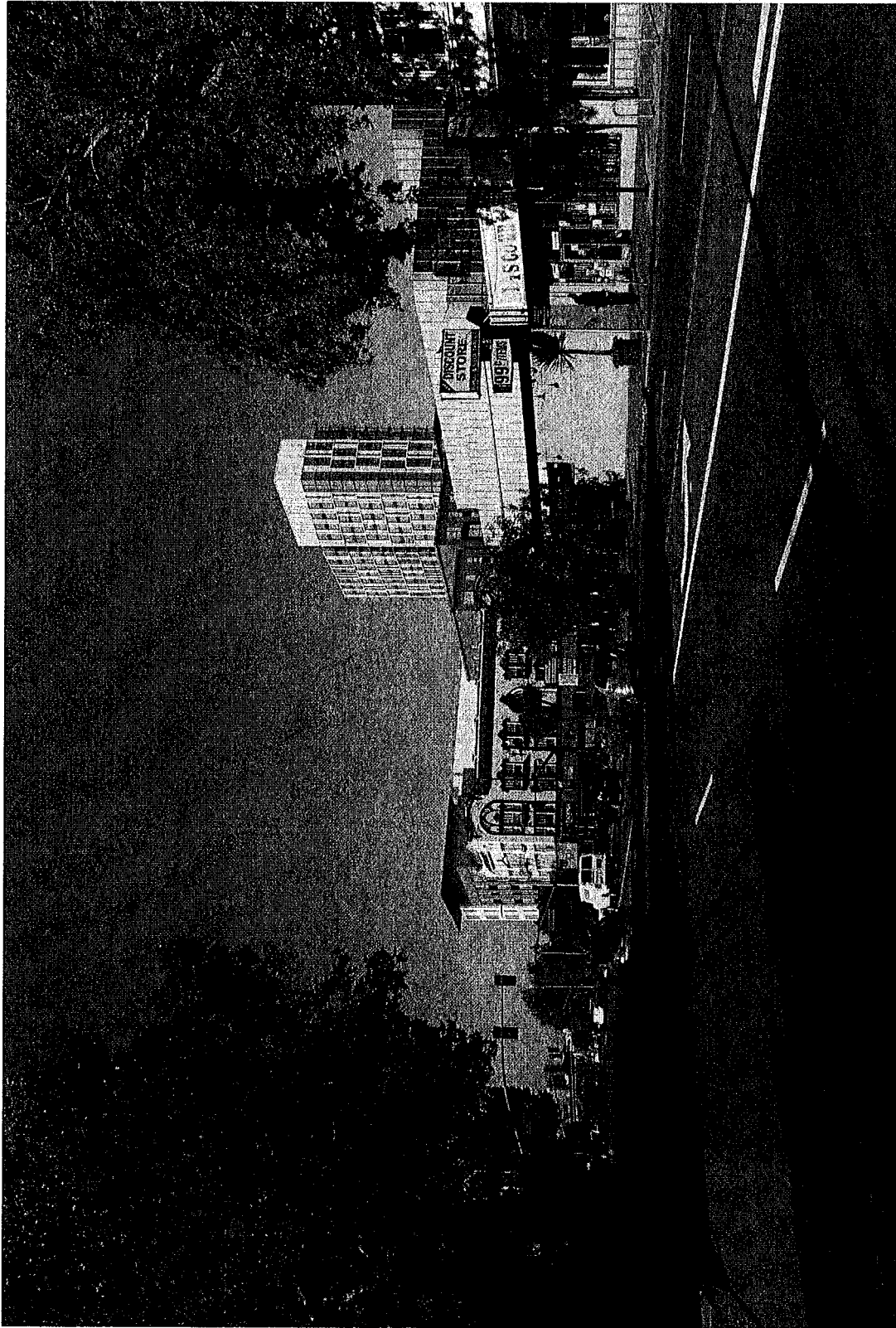
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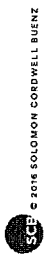
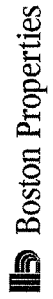


Project Renderings - View from 40th & Clarke  
Final Development Package  
MacArthur Transit Village, Parcel B  
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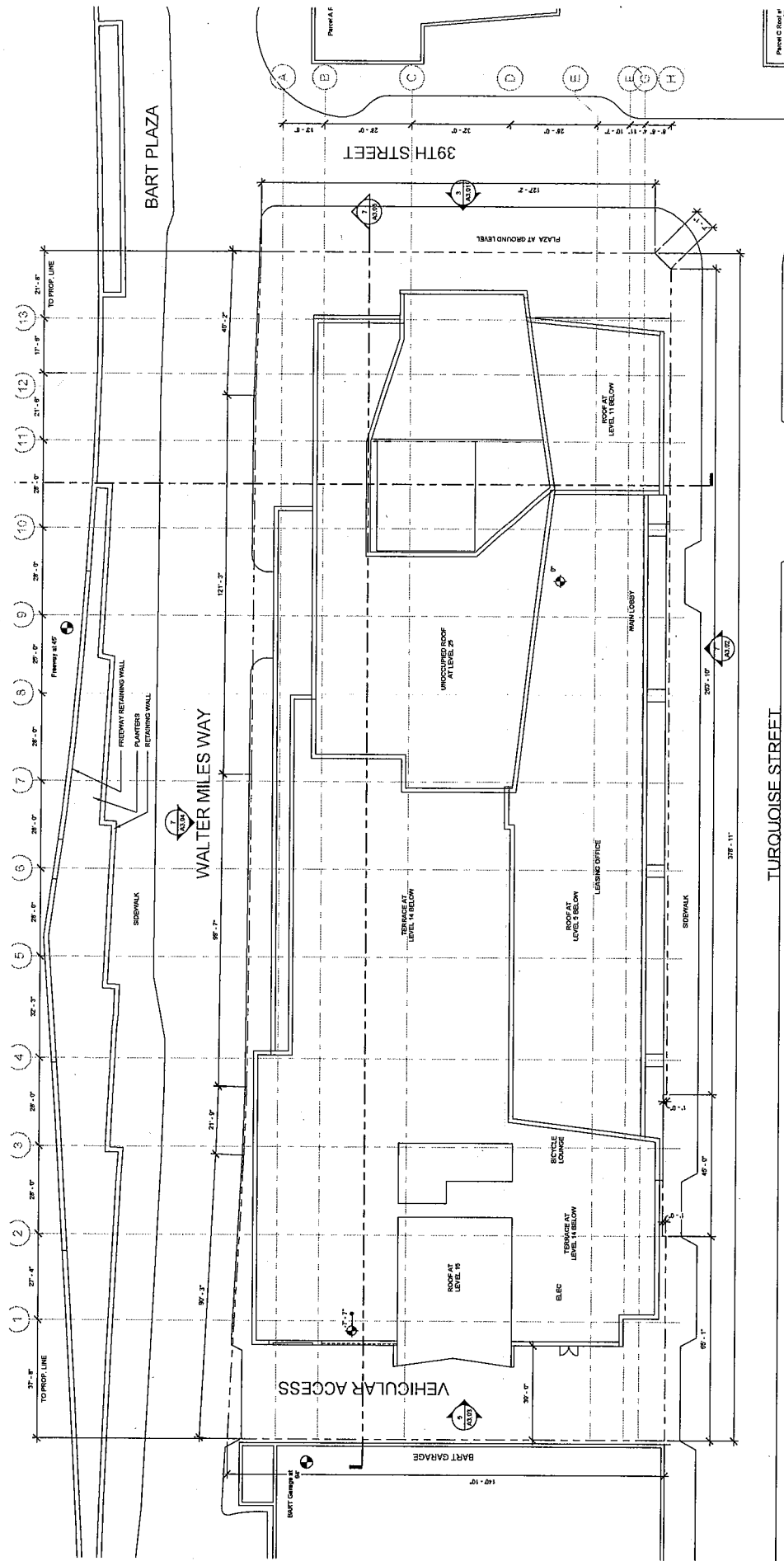


Project Renderings - View from 41st & Telegraph  
Final Development Package  
MacArthur Transit Village: Parcel B  
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A0-27



Site Plan  
 Final Development Package  
 MacArthur Transit Village, Parcel B  
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11' 23" 2016  
 0 16 32

**Boston Properties**  
 A1-00

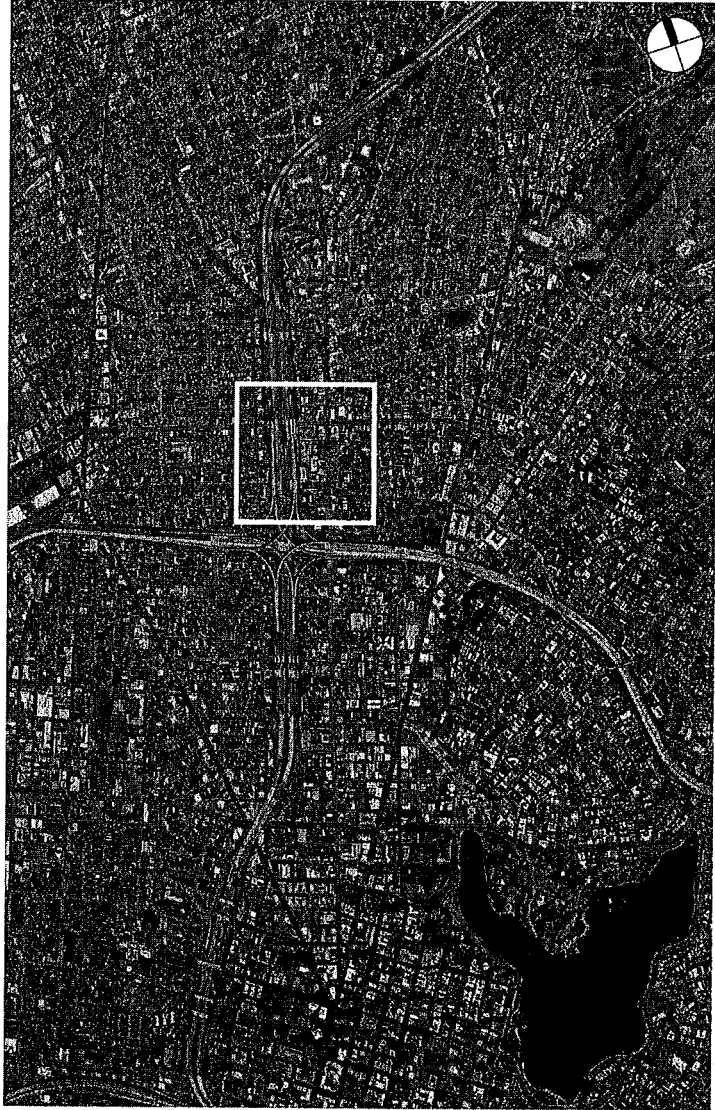
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**MacArthur Transit Village - PARCEL B**

**ZONING SUMMARY**

GENERAL ZONING INFORMATION	REFERENCE	NOTES
ASSESSORS BLOCK	Survey	TRACT 8047, Block 321, Maps pages 42-46 (new Tentative Parcel Map being submitted separately)
ZONING USE DISTRICT	OAK-GIS	S-15
PERMITTED AND/OR CONDITIONAL USES	17.97.040	Residential, Community Assembly, General Retail, Full + Limited Service Restaurant, Consumer Service, Parking, permitted in S-15 zones
HEIGHT & BULK DISTRICT	17.97	90' for S-15 zone (Height limit modification to allow 260' tall building pursuant to P.U.D. approval. Code Section 17.142.100.G)
GENERAL PLAN / ESTUARY POLICY PLAN	OAK-GIS	Neighborhood Center-Mixed use
HISTORIC OR LANDMARK STATUS	OAK-GIS	None
LIQUEFACTION HAZARD ZONE	OAK-GIS	Severity 3
CONDO CONVERSION IMPACT AREA	OAK-GIS	None
HEIGHT AND BULK CONTROLS		
SITE AREA	Survey	51,218 sqft
FLOOR AREA RATIO (FAR)	17.97.130	Residential FAR unlimited; Non-Residential FAR 4.5:1 maximum
HEIGHT LIMIT	17.97	90' for S-15 zone (Height limit modification to allow 260' tall building pursuant to P.U.D. approval. Code Section 17.142.100.G)
REQUIRED SETBACKS	17.97.01	10' setback along 39th street frontage at height of buildings on Parcel A (currently vacant with 75' building expected)
REAR YARDS / COURTS		None required - project not adjacent to residential lot
ADJACENCIES		BART parking garage adjacent to southern boundary
UNIT SEPARATION / EXPOSURE REQUIREMENTS	17.108.080	8' minimum at living room windows +2' for each floor above - maximum 10% of lot width
DETAILED CONTROLS & REQUIREMENTS		
RESIDENTIAL DENSITY LIMITS	17.97.130	225 sqft of lot area per unit for overall MasterPlan- ( 125 sqft of lot area proposed at Parcel B; overall MasterPlan density within limits )
OPEN SPACE REQUIREMENTS	17.97.130	75 sqft per unit per unit per City Council Ordinance Nos 12883 C.M.S. and 814222 C.M.S.
SCREENING & SETBACK OF PARKING & LOADING	17.116.290	Unscreened parking not permitted within 20' of pedestrian walkways and plazas
OFF-STREET PARKING - RESIDENTIAL	17.116.060	0.5 parking space per dwelling unit required per S-15 zone with up to 1 parking space allowed per dwelling unit allowed per 2008 CU
OFF-STREET PARKING - RETAIL	17.116.080	None required for S-15 zone
OFF-STREET PARKING - COMMERCIAL	17.116.080	None required for S-15 zone
OFF-STREET PARKING DIMENSIONS	17.116.200	50-50 compact/standard, or 75% intermediate + 12.5% compact
OFF-STREET DRIVE AISLE DIMENSIONS	17.116.210	11' parallel parking one-way; 21' 90 degrees two-way
OFF-STREET LOADING - RESIDENTIAL	17.116.120	3 berths required; (2 berths required <300k sqft, plus 1 berth for each additional 300k)
OFF-STREET LOADING - RETAIL	17.116.150	1 berth required; (0-10,000 sf: 0 berths required; 10,001 - 25,000 sf: 1 berth required)
LOADING BERTH DIMENSIONS	17.116.220	12'x33', 14' high
BICYCLE REQUIREMENTS - RESIDENTIAL	17.117.090	LT: 0.25 spaces per dwelling unit (101); ST: 0.05 per dwelling units (20)
BICYCLE REQUIREMENTS - RETAIL	17.117.110	LT: 1 per 12k (2 min); ST: 1 per 2k (2 min)



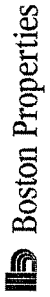


LOCATION OF PROJECT SITE WITHIN CITY OF OAKLAND

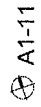


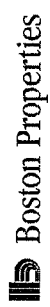
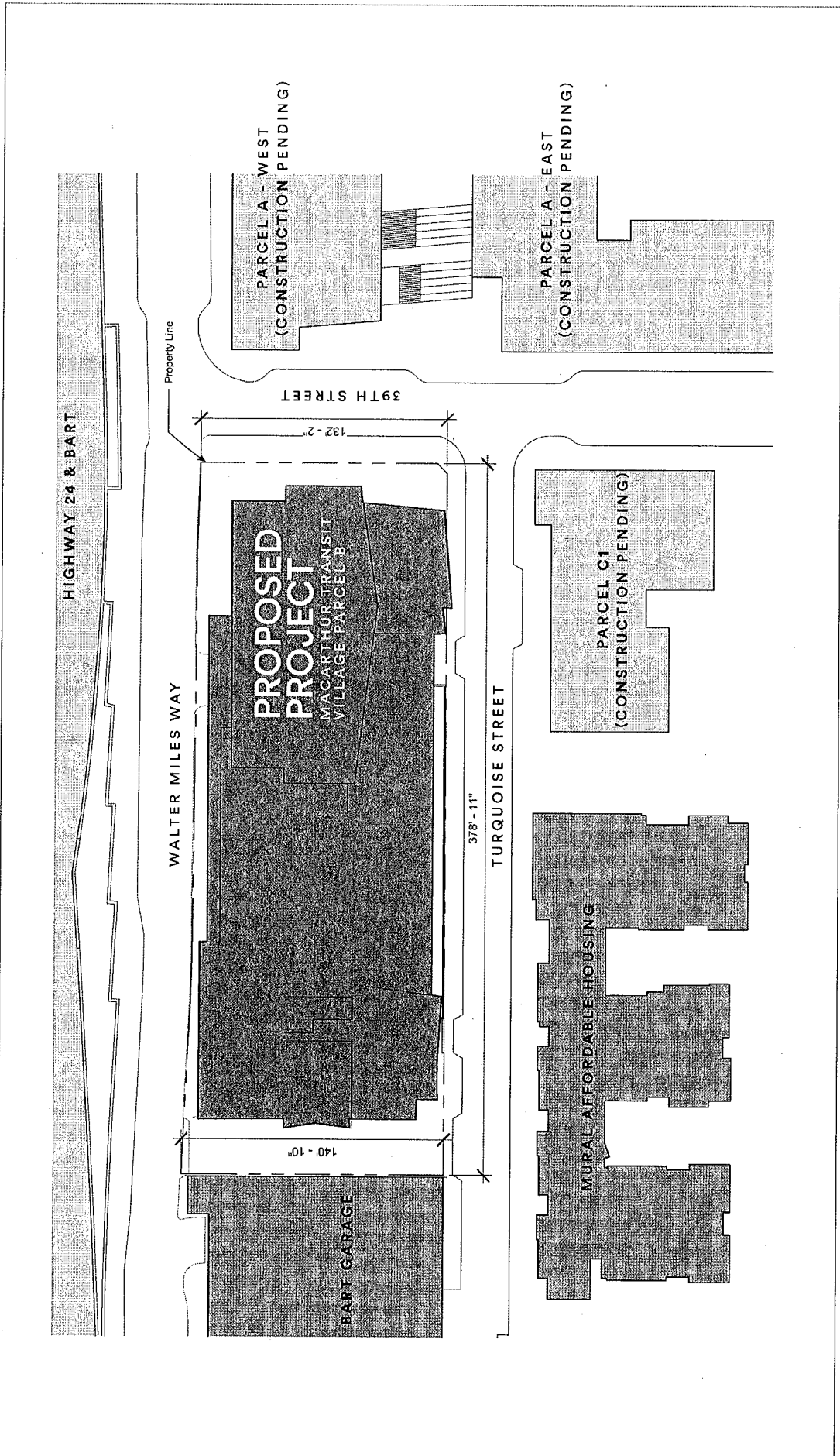
PROJECT SITE & SURROUNDING NEIGHBORHOOD

Context Map  
 Final Development Package  
 MacArthur Transit Village: Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA 2016010



11' 23" 2016





ASSESSOR'S MAP 12

Code Area Nos. 17-042

1025 SCALE: 1" = 60'

(A) TR. 8047 32142-46  
(B) TR. 8232 33330-32

DESIGNED: 05-24-14 CC  
06-24-14 CC  
08-24-14 CC

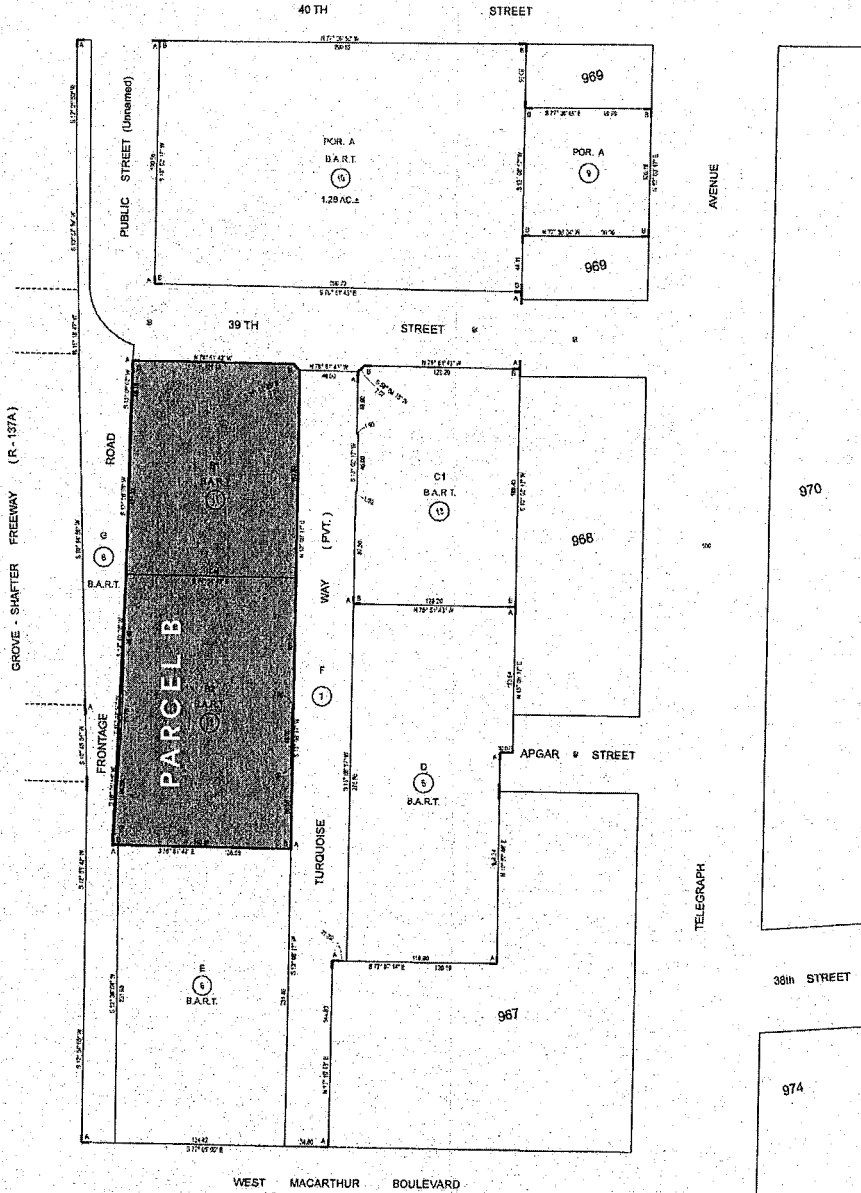
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FORMERLY: POLUNKAWIT, PARCEL 968

TRA: 40 REP:

HPN: 13

IND PO: 1



Assessor's Map

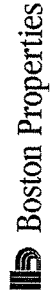
Final Development Package

MacArthur Transit Village: Parcel B

Solomon Cordwell Buenz / Boston Properties / Oakland, CA

11 - 23 - 2016

2016010



**LEED 2009 for New Construction and Major Renovations**  
Project Checklist

MacArthur Transit Village Parcel B - ANTICIPATED  
6.30.2016

20		4		2		Sustainable Sites		Possible Points: 26	
Y	7	3	1	N					
1	1	1	1		Prereq 1	Construction Activity Pollution Prevention	1		
1	1	1	1		Credit 1	Site Selection	1		
1	1	1	1		Credit 2	Development Density and Community Connectivity	5		
1	1	1	1		Credit 3	Brownfield Redevelopment	1		
1	1	1	1		Credit 4.1	Alternative Transportation—Public Transportation Access	6		
1	1	1	1		Credit 4.2	Alternative Transportation—Bicycle Storage and Changing Rooms	1		
1	1	1	1		Credit 4.3	Alternative Transportation—Low-Emitting and Fuel-Efficient Vehicles	3		
1	1	1	1		Credit 4.4	Alternative Transportation—Parking Capacity	2		
1	1	1	1		Credit 5.1	Site Development—Protect or Restore Habitat	1		
1	1	1	1		Credit 5.2	Site Development—Maximize Open Space	1		
1	1	1	1		Credit 6.1	Stormwater Design—Quantity Control	1		
1	1	1	1		Credit 6.2	Stormwater Design—Quality Control	1		
1	1	1	1		Credit 7.1	Heat Island Effect—Non-roof	1		
1	1	1	1		Credit 7.2	Heat Island Effect—Roof	1		
1	1	1	1		Credit 8	Light Pollution Reduction	1		

10		Water Efficiency		Possible Points: 10	
Y	Y	Prereq 1	Water Use Reduction—20% Reduction	2 to 4	
4	4	Credit 1	Water Efficient Landscaping	2	
2	2	Credit 2	Innovative Wastewater Technologies	2 to 4	
4	4	Credit 3	Water Use Reduction	2	

14		Energy and Atmosphere		Possible Points: 35	
Y	Y	Prereq 1	Fundamental Commissioning of Building Energy Systems		
Y	Y	Prereq 2	Minimum Energy Performance		
Y	Y	Prereq 3	Fundamental Refrigerant Management		
7	3	Credit 1	Optimize Energy Performance	1 to 19	
3	4	Credit 2	On-Site Renewable Energy	1 to 7	
2	2	Credit 3	Enhanced Commissioning	2	
2	2	Credit 4	Enhanced Refrigerant Management	2	
3	3	Credit 5	Measurement and Verification	3	
2	2	Credit 6	Green Power	2	

4		Materials and Resources		Possible Points: 14	
Y	Y	Prereq 1	Storage and Collection of Recyclables		
3	3	Credit 1.1	Building Reuse—Maintain Existing Walls, Floors, and Roof	1 to 3	
1	1	Credit 1.2	Building Reuse—Maintain 50% of Interior Non-Structural Elements	1	
2	2	Credit 2	Construction Waste Management	1 to 2	
2	2	Credit 3	Materials Reuse	1 to 2	

8		Materials and Resources, Continued		Possible Points: 5	
Y	Y	Credit 4	Recycled Content	1 to 2	
1	1	Credit 5	Regional Materials	1 to 2	
1	1	Credit 6	Regionally Renewable Materials	1	
1	1	Credit 7	Certified Wood	1	

8		Indoor Environmental Quality		Possible Points: 35	
Y	Y	Prereq 1	Minimum Indoor Air Quality Performance		
Y	Y	Prereq 2	Environmental Tobacco Smoke (ETS) Control		
1	1	Credit 1	Outdoor Air Delivery Monitoring	1	
1	1	Credit 2	Increased Ventilation	1	
1	1	Credit 3.1	Construction IAQ Management Plan—During Construction	1	
1	1	Credit 3.2	Construction IAQ Management Plan—Before Occupancy	1	
1	1	Credit 4.1	Low-Emitting Materials—Adhesives and Sealants	1	
1	1	Credit 4.2	Low-Emitting Materials—Paints and Coatings	1	
1	1	Credit 4.3	Low-Emitting Materials—Flooring Systems	1	
1	1	Credit 4.4	Low-Emitting Materials—Composite Wood and Agrifiber Products	1	
1	1	Credit 5	Indoor Chemical and Pollutant Source Control	1	
1	1	Credit 6.1	Controllability of Systems—Lighting	1	
1	1	Credit 6.2	Controllability of Systems—Thermal Comfort	1	
1	1	Credit 7.1	Thermal Comfort—Design	1	
1	1	Credit 7.2	Thermal Comfort—Verification	1	
1	1	Credit 8.1	Daylight and Views—Daylight	1	
1	1	Credit 8.2	Daylight and Views—Views	1	


11		Innovation and Design Process		Possible Points: 6	
1	1	Credit 1.1	Innovation in Design: Specific Title	1	
1	1	Credit 1.2	Innovation in Design: Specific Title	1	
1	1	Credit 1.3	Innovation in Design: Specific Title	1	
1	1	Credit 1.4	Innovation in Design: Specific Title	1	
1	1	Credit 1.5	Innovation in Design: Specific Title	1	
1	1	Credit 2	LEED Accredited Professional	1	

3		Regional Priority Credits		Possible Points: 4	
1	1	Credit 1.1	Regional Priority: Eq c8.1	1	
1	1	Credit 1.2	Regional Priority: EA c2	1	
1	1	Credit 1.3	Regional Priority: WE c2	1	
1	1	Credit 1.4	Regional Priority: WE c3	1	

60		TOTAL		Possible Points: 110	
60	23	27	TOTAL	110	

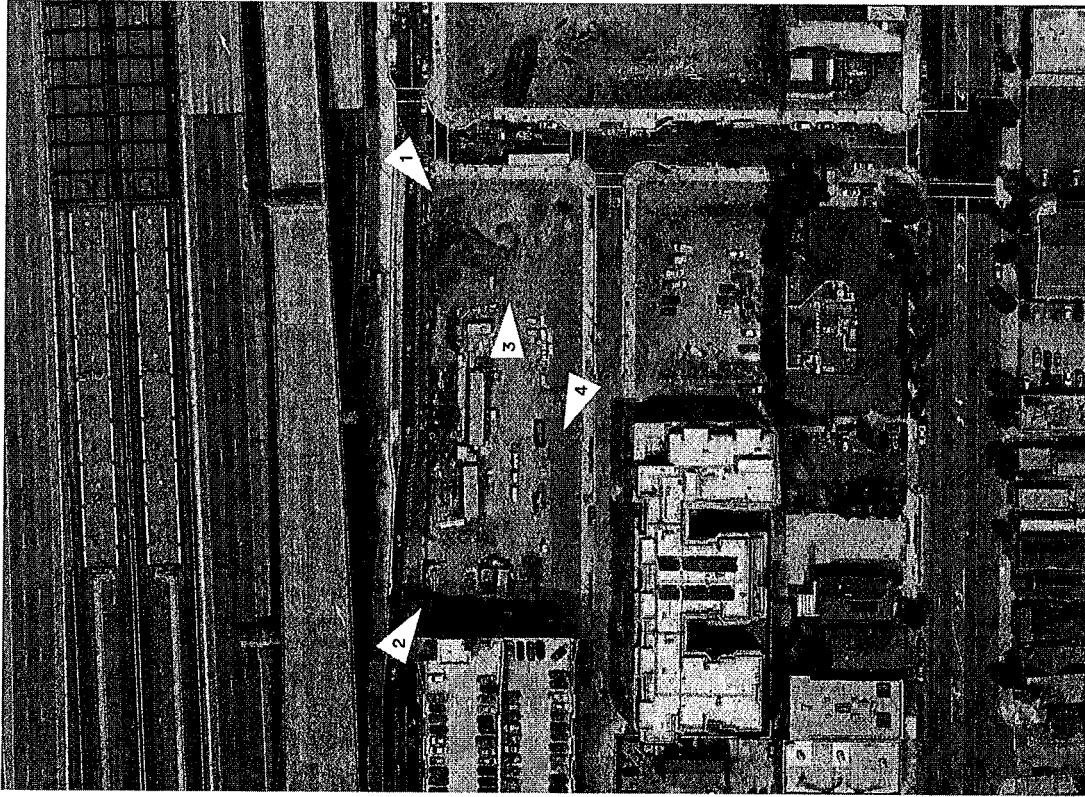


Aerial View  
Final Development Package  
MacArthur Transit Village: Parcel B  
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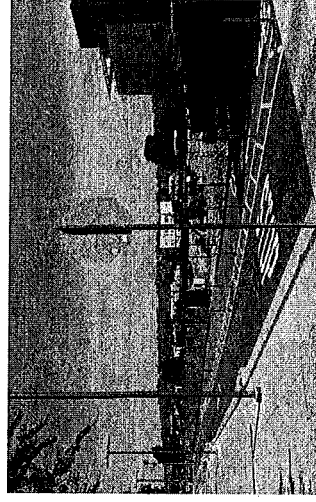
 Boston Properties

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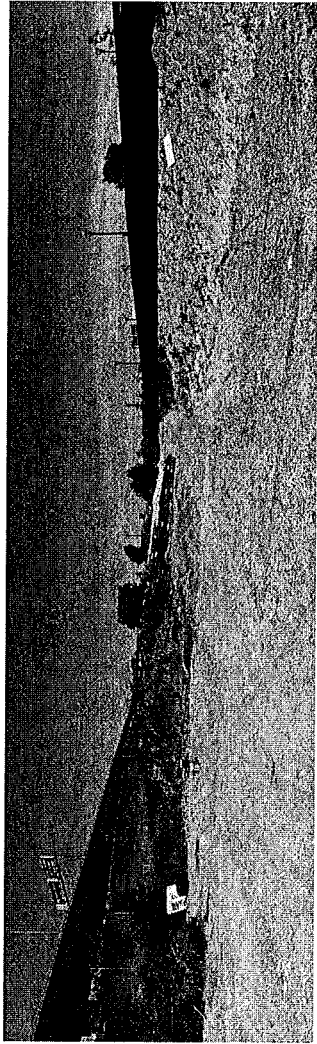
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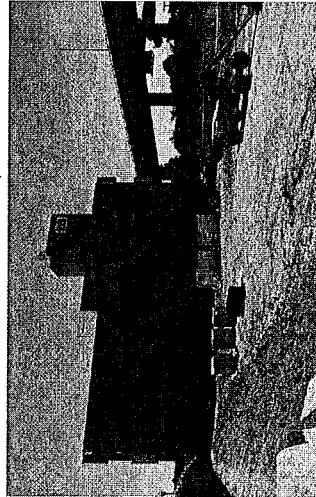
1: VIEW OF PARCEL B FROM MACARTHUR STATION



2: VIEW OF PARCEL B FROM WALTER MILES WAY



3: VIEW FROM PARCEL B LOOKING NORTH



4: VIEW FROM PARCEL B LOOKING SOUTH

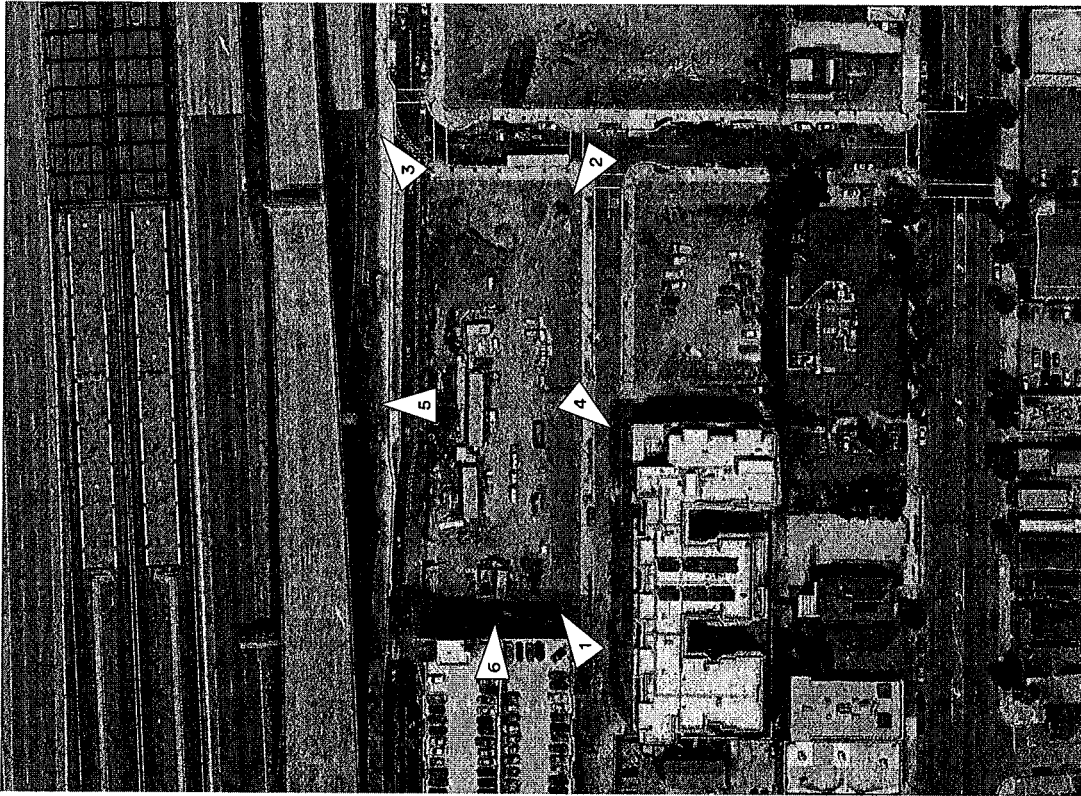
Site Photos

Final Development Package  
MacArthur Transit Village, Parcel B

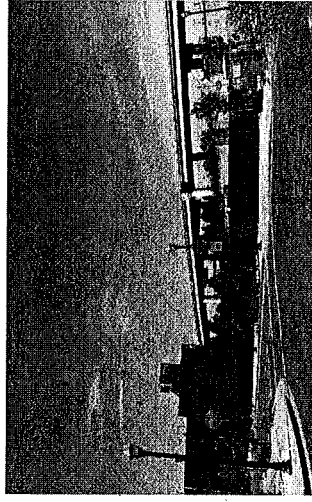
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11 - 23 - 2016





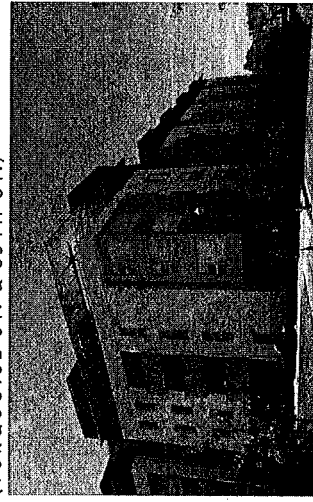
1: VIEW OF PARCEL B FROM SE CORNER (TURQUOISE ST.)



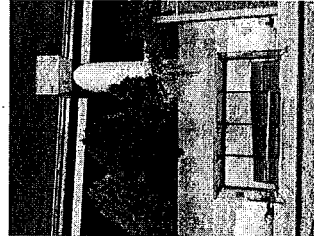
2: VIEW OF PARCEL B FROM NE CORNER (TURQUOISE ST. & 39TH ST.)



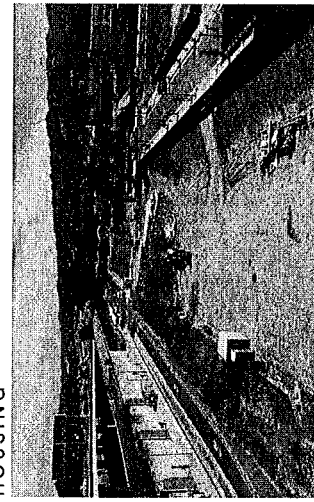
3: VIEW OF MACARTHUR STATION PLAZA



4: VIEW OF MURAL AFFORDABLE HOUSING



5: VIEW OF SHUTTLE STOPS



6: VIEW OF SITE FROM BART GARAGE

Site Photos

Final Development Package

MacArthur Transit Village: Parcel B

Solomon Cordwell Buenz / Boston Properties / Oakland, CA

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**Boston Properties**

A1-17



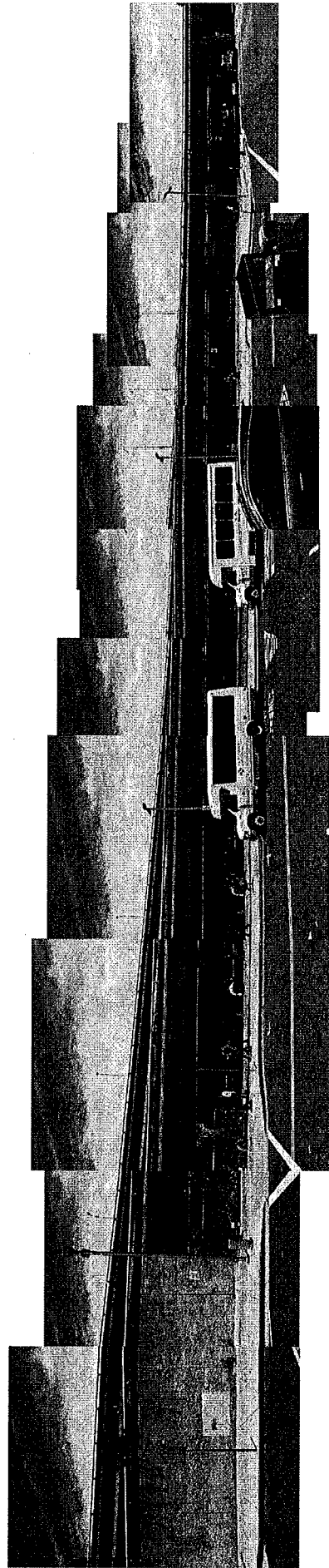
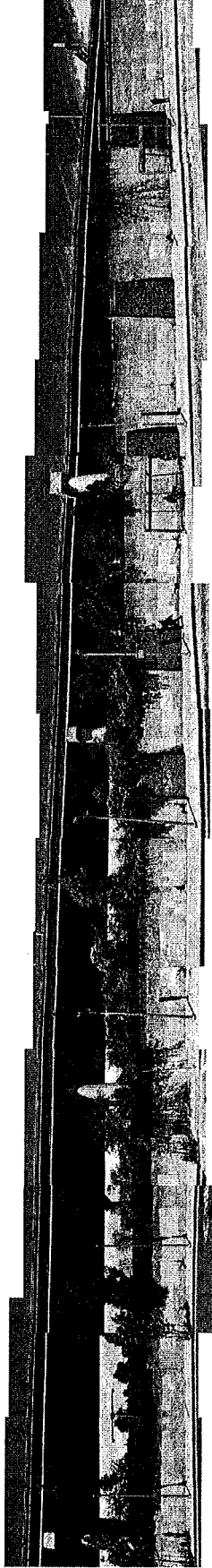
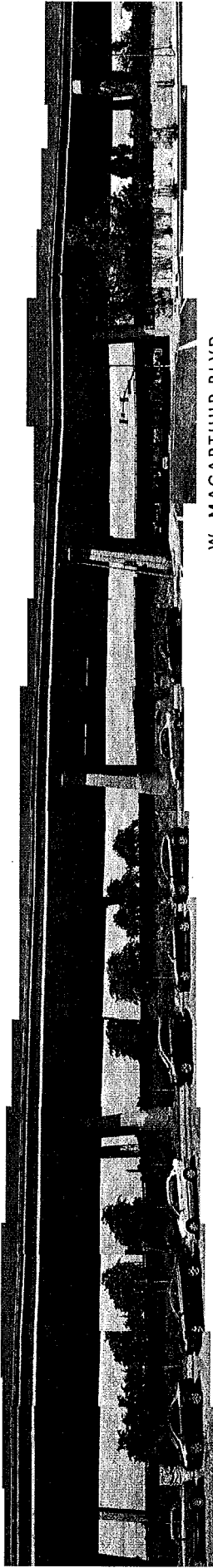
Neighboring Property Views - Key Map  
Final Development Package  
MacArthur Transit Village: Parcel B  
Solomon Cordwell Buenz / Boston Properties / Oakland, CA  
2016010  
11' 23' 2016

 **Boston Properties**

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# Walter Miles Way (Facing West)

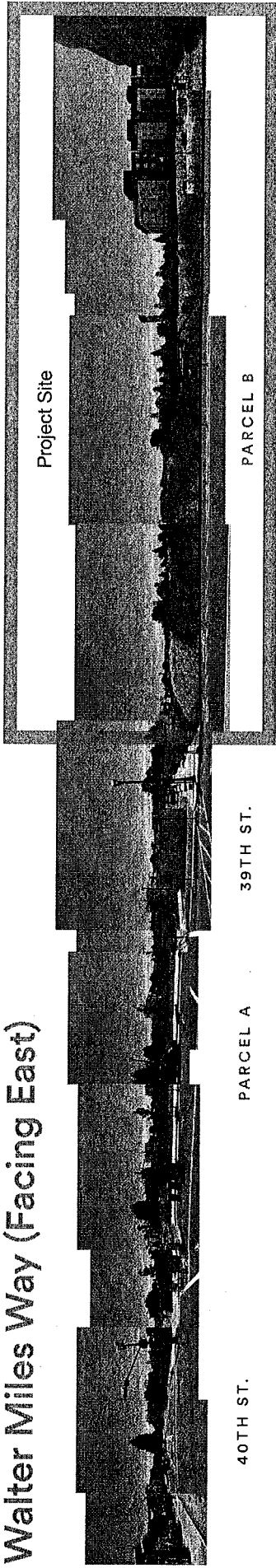


Neighboring Property Views - Walter Miles Way (Facing W)  
Final Development Package  
MacArthur Transit Village, Parcel B  
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Boston Properties

# Walter Miles Way (Facing East)



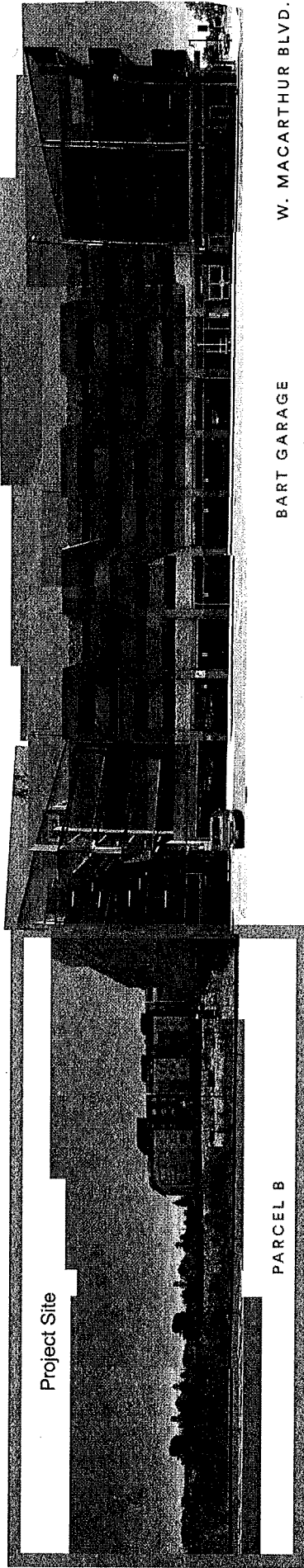
40TH ST.

PARCEL A

39TH ST.

PARCEL B

Project Site



Project Site

PARCEL B

BART GARAGE

W. MACARTHUR BLVD.

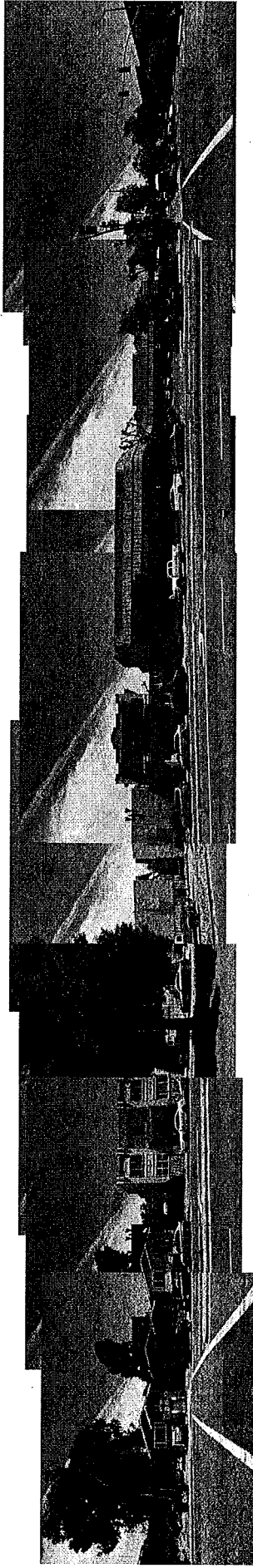


W. MACARTHUR BLVD.

545 (W. MACARTHUR)

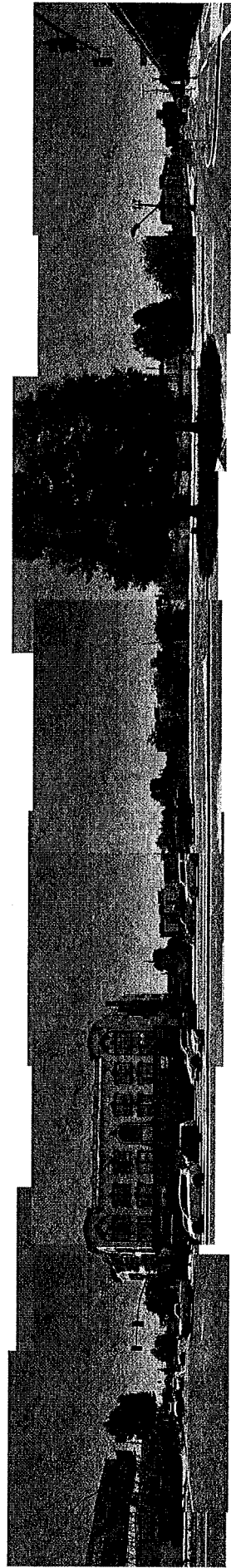
554 (37TH)

# 40th St. (Facing North)



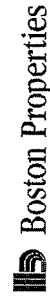
554 (40TH) 548 542 530 525 522 518 500 (40TH) TELEGRAPH AVE.

# 40th St. (Facing South)

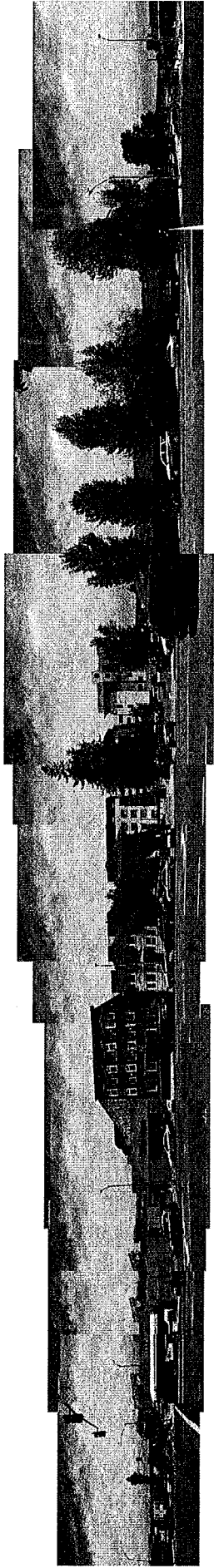


3916, 3928, 3932, 3936 (TELEGRAPH) PARCEL A WALTER MILES WAY

Neighboring Property Views - 40th St. (Facing N/S)  
 Final Development Package  
 MacArthur Transit Village: Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA 2016010



# Telegraph Ave. (Facing West)



W. MACARTHUR BLVD.  
3801, 3807, 3815,  
3817 (TELEGRAPH)

3833

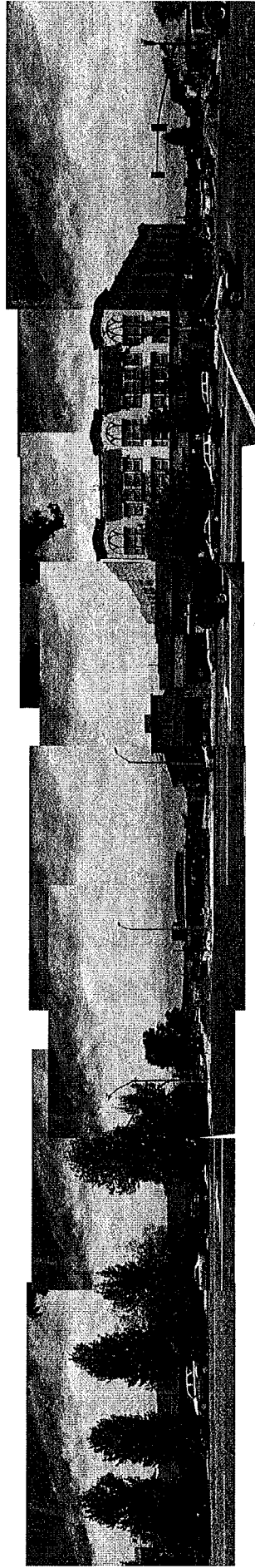
3841

3845

3847

APGAR ST.

3875 (TELEGRAPH)

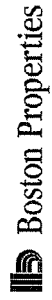
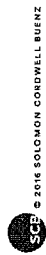


3875 (TELEGRAPH)

39TH ST. 3901 (TELEGRAPH) 3911, 3915, 3917,  
3919, 3921

3927, 3929, 3931, 3933  
(TELEGRAPH)

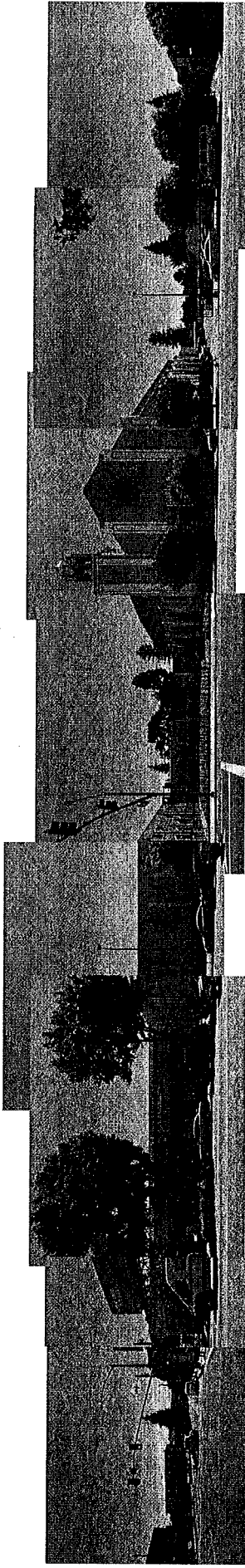
40TH ST.



Neighboring Property Views - Telegraph Ave. (Facing W)  
Final Development Package  
MacArthur Transit Village: Parcel B  
Solomon Cordwell Buenz / Boston Properties / Oakland, CA 2016010

A1-22

# Telegraph Ave. (Facing East)

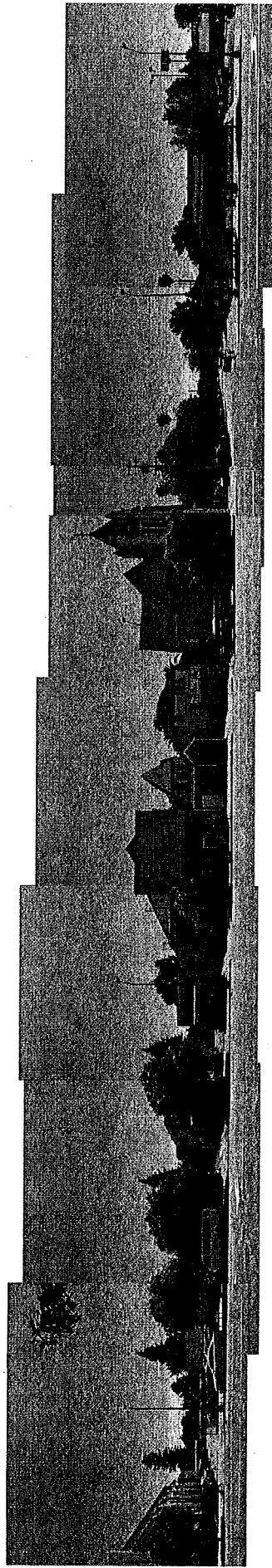


40TH ST.

3916, 3928, 3932, 3936 (TELEGRAPH)

3900

3844

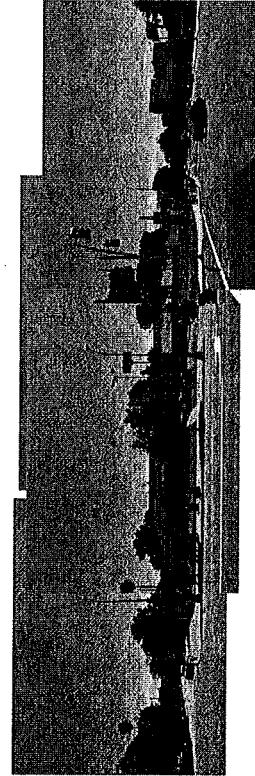


3844

3838 3824, 3822, 3820 3816 3808, 3810 496 (38TH.)

38TH ST.

3770 (TELEGRAPH)



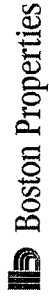
38TH ST.

3770 (TELEGRAPH)

7 W. MACARTHUR BLVD.



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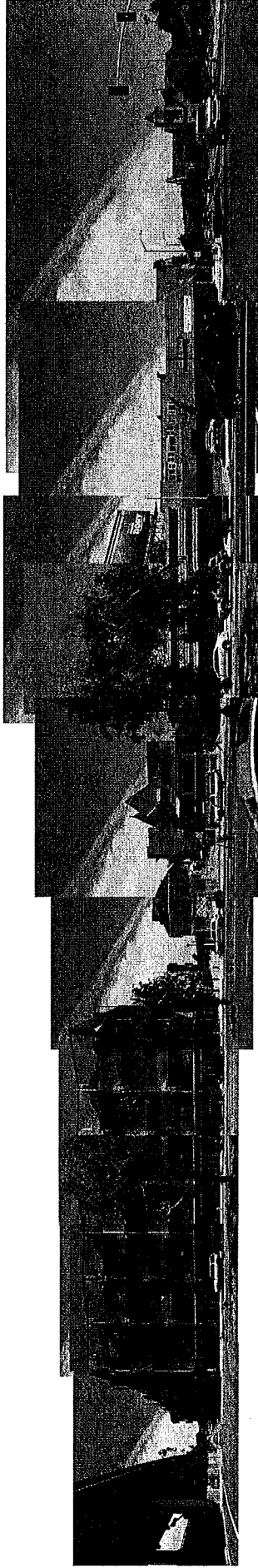
Neighboring Property Views - Telegraph Ave. (Facing E)  
 Final Development Package  
 MacArthur Transit Village: Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA

11.23.2016

2016010

A1-23

# W. MacArthur Blvd. (Facing North)



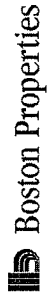
WALTER MILES WAY      BART GARAGE      TURQUOISE ST.      518      514      510 (W. MACARTHUR)      3801, 3807, 3815, 3817 (TELEGRAPH)      TELEGRAPH AVE

# W. MacArthur Blvd. (Facing South)

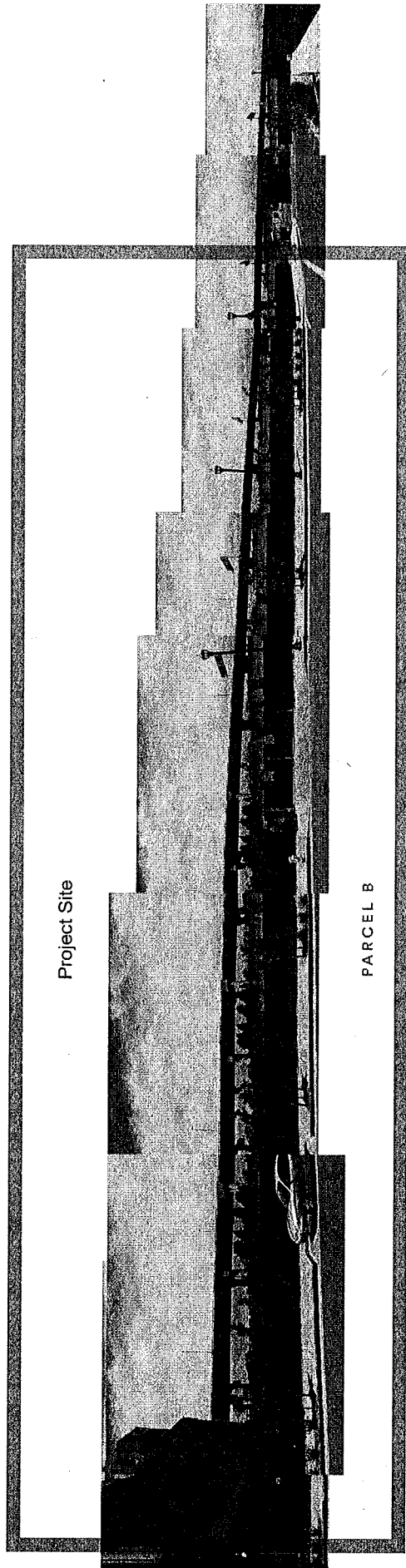
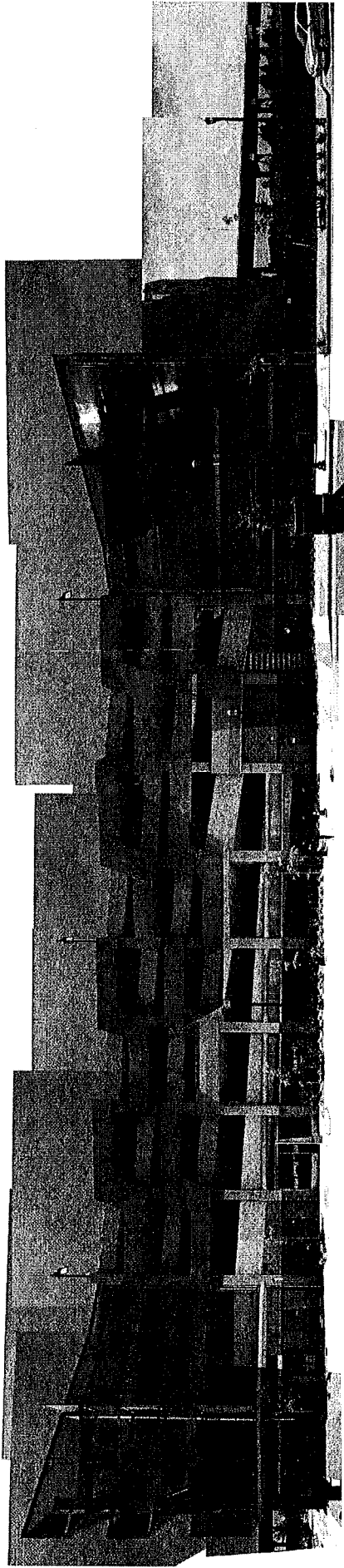


TELEGRAPH AVE.      501 (W. MACARTHUR)      521      537      539      545 (W. MACARTHUR)      WALTER MILES WAY

Neighboring Property Views - W. MacArthur Blvd. (NIS)  
 Final Development Package  
 MacArthur Transit Village: Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA      2016010



# Turquoise St. (Facing West)



Neighboring Property Views - Turquoise St. (Facing W)

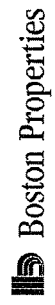
Final Development Package

MacArthur Transit Village: Parcel B

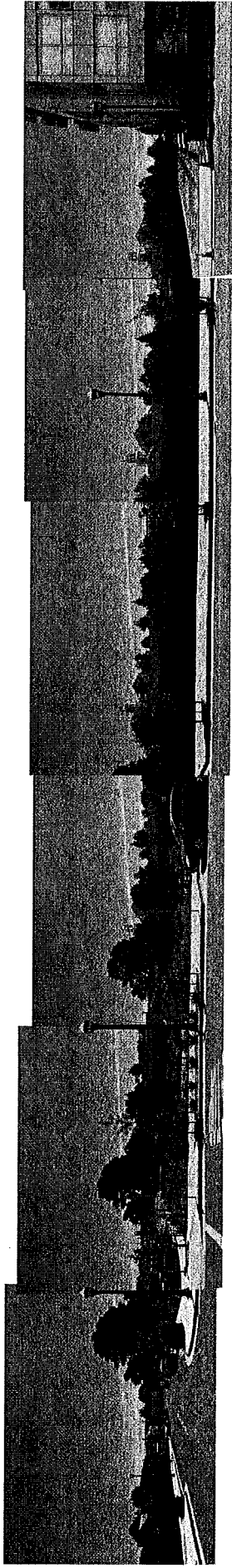
Solomon Cordwell Buenz / Boston Properties / Oakland, CA

11.23.2016

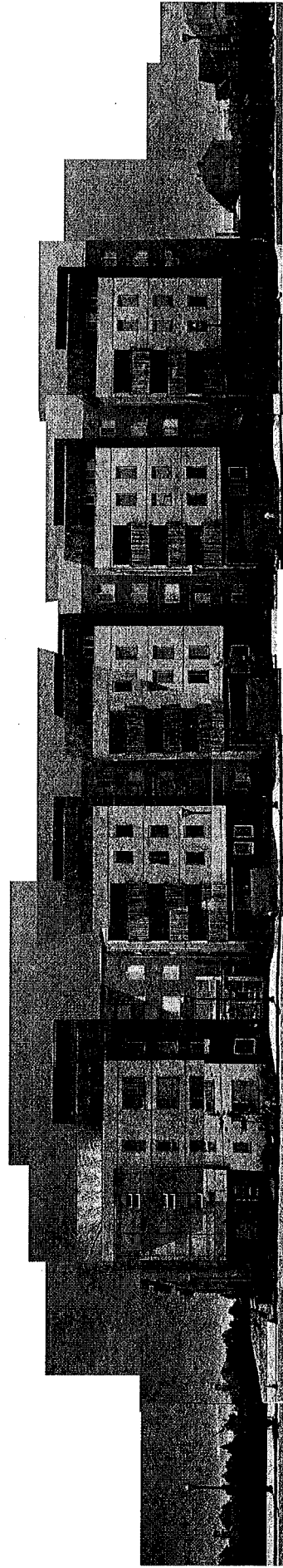
2016010



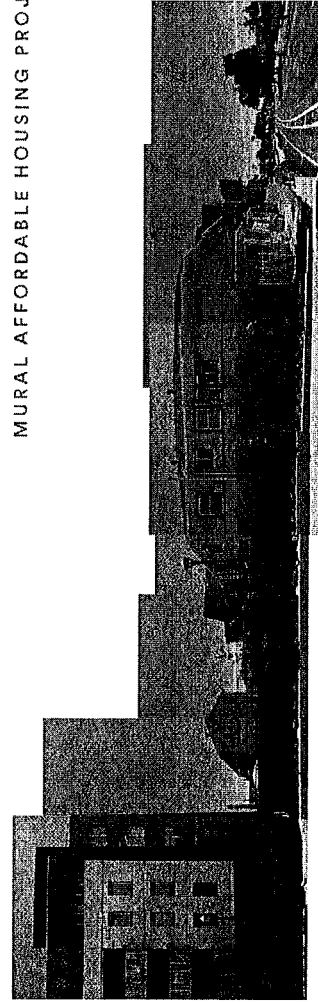
# Turquoise St. (Facing East)



PARCEL C1



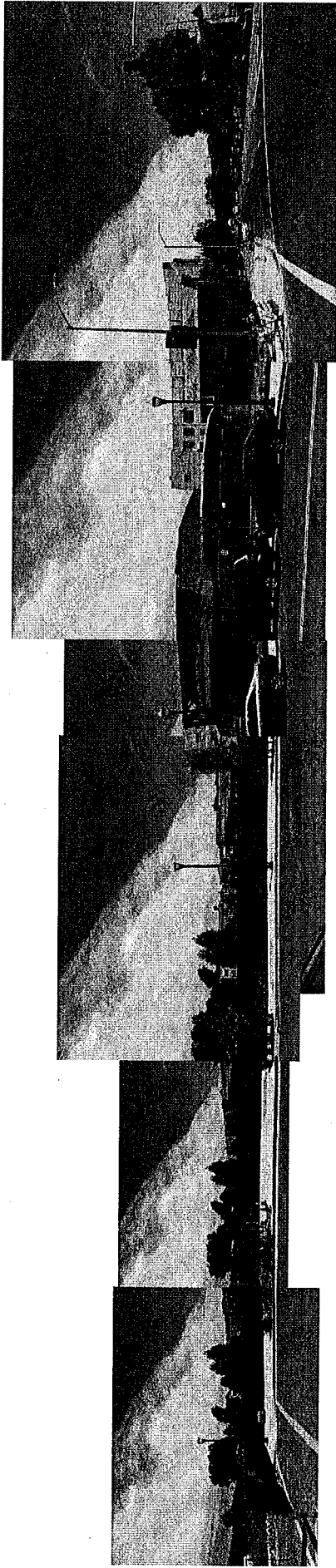
MURAL AFFORDABLE HOUSING PROJECT - 3838 (TURQUOISE)



518 (W. MACARTHUR)      W. MACARTHUR BLVD.



# 39th St. (Facing North)



PARCEL C1

3901 TELEGRAPH

TELEGRAPH AVE.

# 39th St. (Facing South)

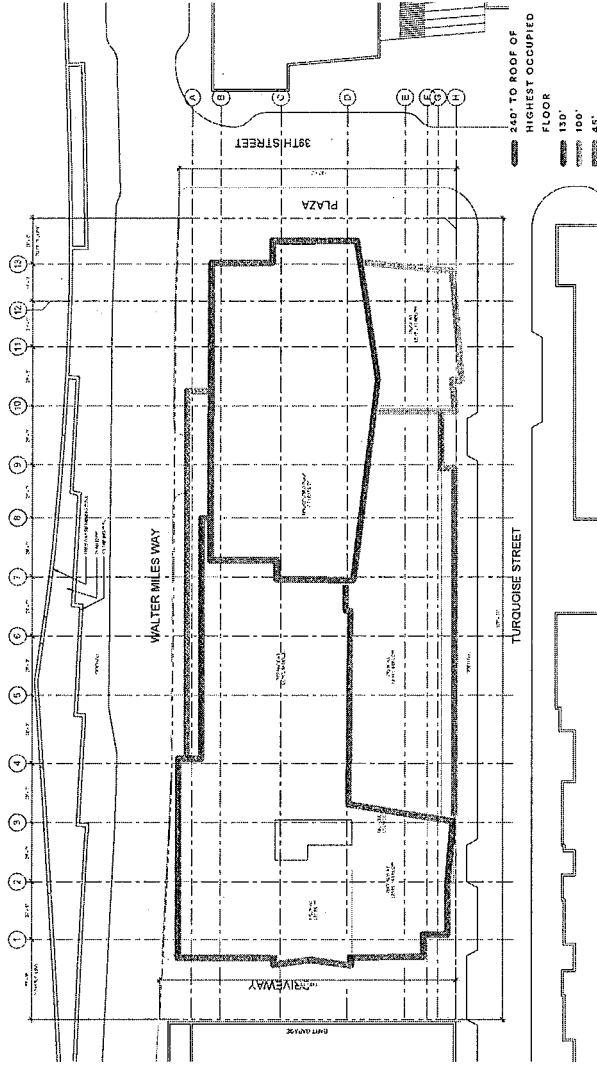


39TH ST.

3875 TELEGRAPH

PARCEL C1

TURQUOISE ST.



## Proposed Revised Site Plan

Proposed height: 236'4"

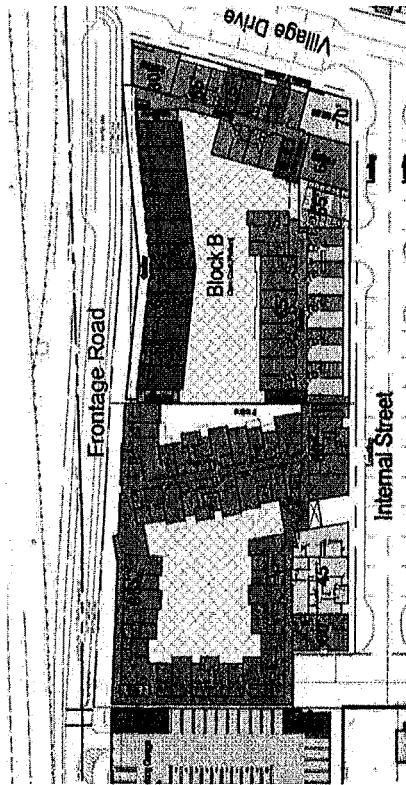
Proposed market rate unit count: 357

Proposed BMR unit count: 45

Proposed retail area: 12,660 square feet

Proposed parking quantity: 262

Z



(NOTE: Plan shown is from June 2008 PDP Submittal by McLarand Vasquez Ensiek & Partners, Inc and is For Information Only)

## Approved PDP Site Plan

Previous height limit: 85'

Previous market rate unit count: 185

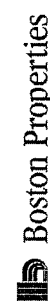
Previous on-site BMR unit count: 12

Previous retail area: 3,000 square feet

Previous parking quantity: 197



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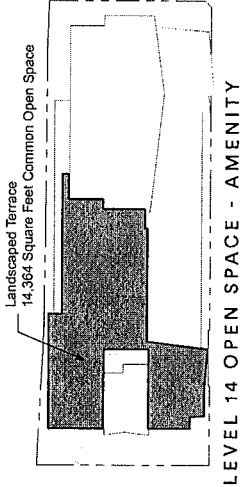


**Boston Properties**

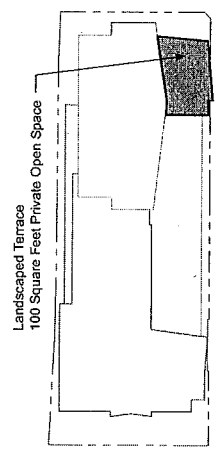
Proposed PDP Amendment  
 Final Development Package  
 MacArthur Transit Village: Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA

11' - 23' - 2016  
 20160710

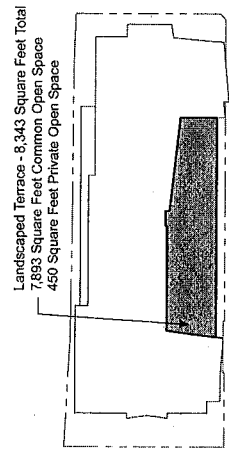
A1-28



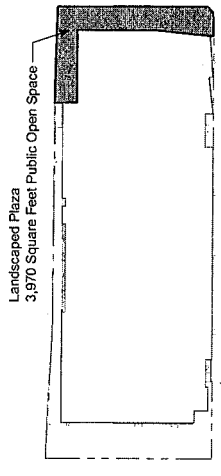
LEVEL 14 OPEN SPACE - AMENITY



LEVEL 11 OPEN SPACE - GREEN ROOF



LEVEL 5 OPEN SPACE - AMENITY



LEVEL 1 OPEN SPACE - PLAZA & DRIVEWAY

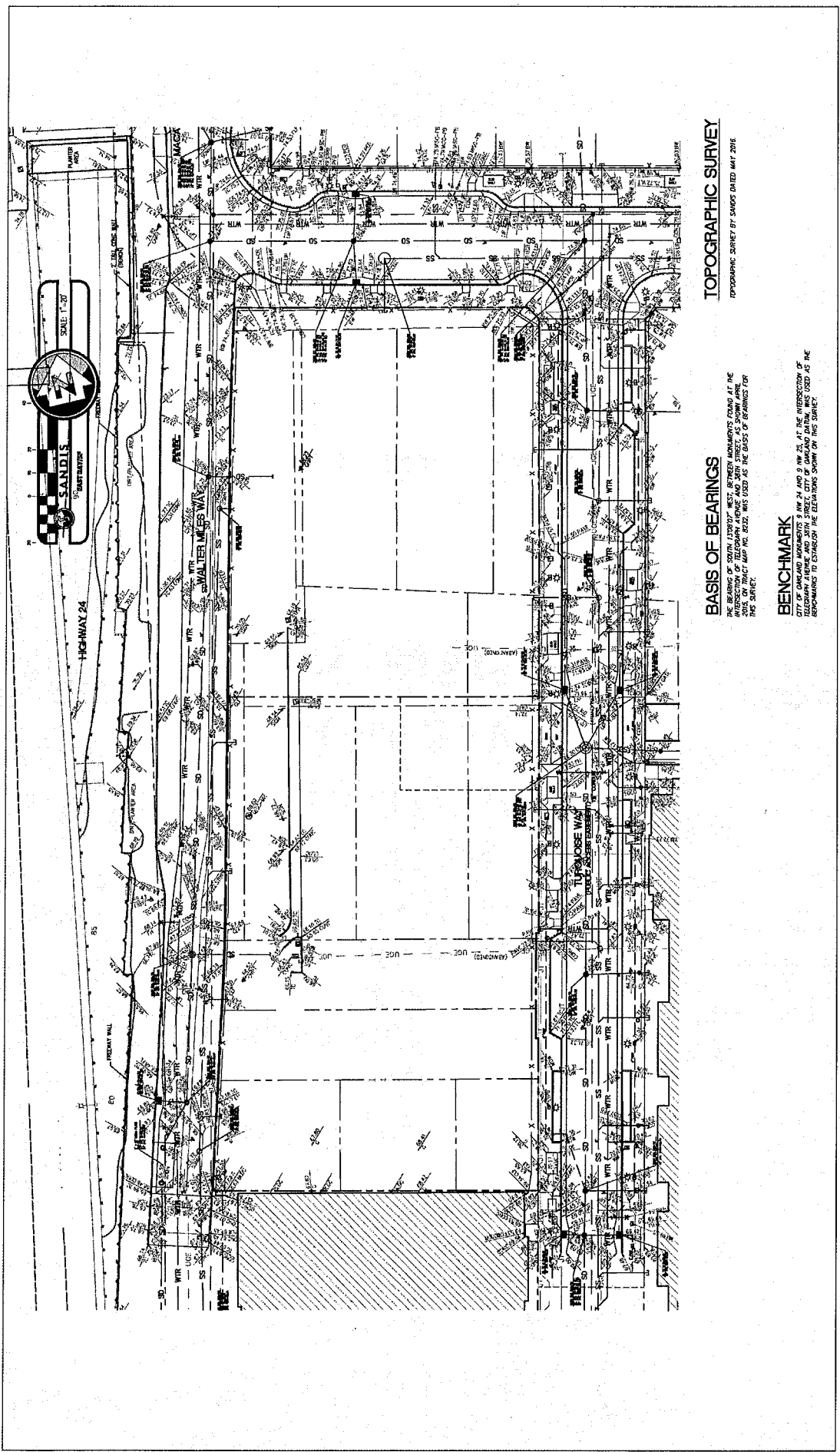
Level 14 - Common Use Roof Terrace: 14,364 Square Feet  
 Level 11 - Private Terraces: 100 Square Feet (2 Units, - 25 Square Feet Minimum Per Unit)  
 Level 5 - Common Use Terrace: 7,893 Square Feet  
 Level 5 - Private Terraces: 450 Square Feet (9 Units, - 25 Square Feet Minimum Per Unit)  
 Level 1 - Public Open Space: 3,970 Square Feet

Total Open Space: 29,580 Square Feet  
 Total Open Space per Dwelling Unit: 75 Square Feet, 15 Square Feet for Units With Private Spaces  
 Units w/ Private Open Space: 30  
 Units Relying on Common Space: 372

	Required Per S-15 Zoning
Units w/ Private Open Space	15 SF/Unit
Units Relying on Common Space	75 SF/Unit

NOTE: Requirements for Open Space per current S-15 zoning varies by height limit. Open space requirements for height limit of 90 feet is 100 square feet of Group Usable Open Space per regular unit, or 20 square feet when Private Open Space substituted. Open space requirements for height limits above 90 feet are reduced to 75 square feet of Group Usable Open Space and 15 Square Feet for Group Usable Open Space When Private Open Space is Substituted per current S-15 zoning. Project is 256'4" height.





**TOPOGRAPHIC SURVEY**  
 TOPOGRAPHIC SURVEY BY SANDS DATED MAY 2016

**BASIS OF BEARINGS**  
 THE SURVEY BEARING MEASUREMENTS WERE TAKEN AT THE INTERSECTION OF TELEGRAPH AVENUE AND 24TH STREET, AS SHOWN ON THE STATE OF CALIFORNIA TRACT MAP NO. 8832, WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.

**BENCHMARK**  
 CITY OF OAKLAND MARKETS 9 NW 24 AND 9 NW 25 AT THE INTERSECTION OF TELEGRAPH AVENUE AND 24TH STREET, CITY OF OAKLAND, CALIFORNIA, WAS USED AS THE BENCHMARK TO ESTABLISH THE ELEVATION SHOWN ON THIS SURVEY.

TOPOGRAPHIC SURVEY (FOR REFERENCE ONLY)

Final Development Package  
 MacArthur Transit Village, Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA

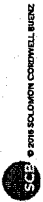
07-06-2016

2016090



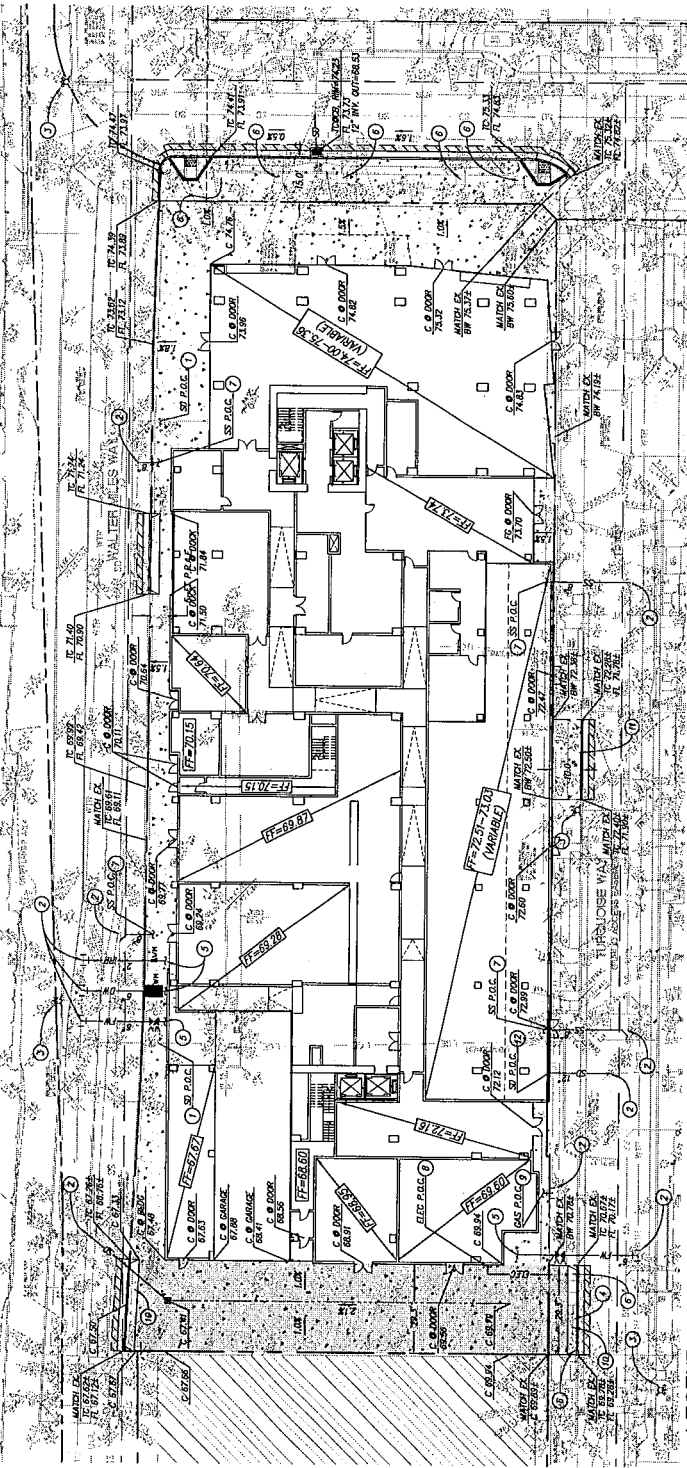
**SANDS**  
 CIVIL ENGINEERING  
 SURVEYING  
 PLANNING  
 600 North Street | Oakland, CA 94607 | P: 510.573.8600 | www.sandsllp.com

**EAST BAY/SF**





PROPERTY LINE  
HIGHWAY 24



**GENERAL NOTES**

1. CONFORM TO EX. SIDEWALK / CURB OR WALKER WALES WAY AND EX. UTILITY STRUCTURES. WALLS, ETC TO REMAIN, UNLESS OTHERWISE NOTED.
2. EXISTING FINE HYDRANT TO REMAIN.
3. EXISTING UDD MULET TO BE ASSOCIATED OR REMOVED. SEE ELECTRICAL DRAWINGS FOR DETAILS.
4. WATER SERVICE (PNE. DOMESTIC IRRIGATION) TO BE ASSOCIATED WITH BUILDING. SEE PLUMBING DRAWINGS.
5. EXISTING TREE TO BE REMOVED.
6. REMOVE EX. P.C. SLABS WITH EX. UTILITY. SEE PLUMBING DRAWINGS FOR UTILITY LAYOUT AND PLUMBING NOTES.
7. CONNECT TO EX. LOW VOLT SERVICE. SEE ELECTRICAL DRAWINGS FOR CONNECTION.

**SHEET NOTES**

1. CONNECT TO EX. UTILITY STR. SEE PLUMBING DRAWINGS FOR CONNECTION.
2. CONNECT TO EXISTING MAN.
3. EXISTING FINE HYDRANT TO REMAIN.
4. EXISTING UDD MULET TO BE ASSOCIATED OR REMOVED. SEE ELECTRICAL DRAWINGS FOR DETAILS.
5. WATER SERVICE (PNE. DOMESTIC IRRIGATION) TO BE ASSOCIATED WITH BUILDING. SEE PLUMBING DRAWINGS.
6. EXISTING TREE TO BE REMOVED.
7. REMOVE EX. P.C. SLABS WITH EX. UTILITY. SEE PLUMBING DRAWINGS FOR UTILITY LAYOUT AND PLUMBING NOTES.
8. CONNECT TO EX. LOW VOLT SERVICE. SEE ELECTRICAL DRAWINGS FOR CONNECTION.

**LEGEND**

	PROPERTY LINE		CONCRETE SIDEWALK (PER CITY STANDARD DETAIL)
	SAWCUT LINE		PLATING (GLD)
	REGULAR CONCRETE		FORMABLE PAVERS (MATCH EXISTING IN-AND PAVERS)
	AC DEPTH		



**SANDIS**  
CIVIL ENGINEERS  
PLANNERS  
ARCHITECTS  
LANDSCAPE ARCHITECTS  
1000 Broadway | Oakland, CA 94612 | P: (510) 438-1000 | F: (510) 438-1001  
**EAST BAYVISE**

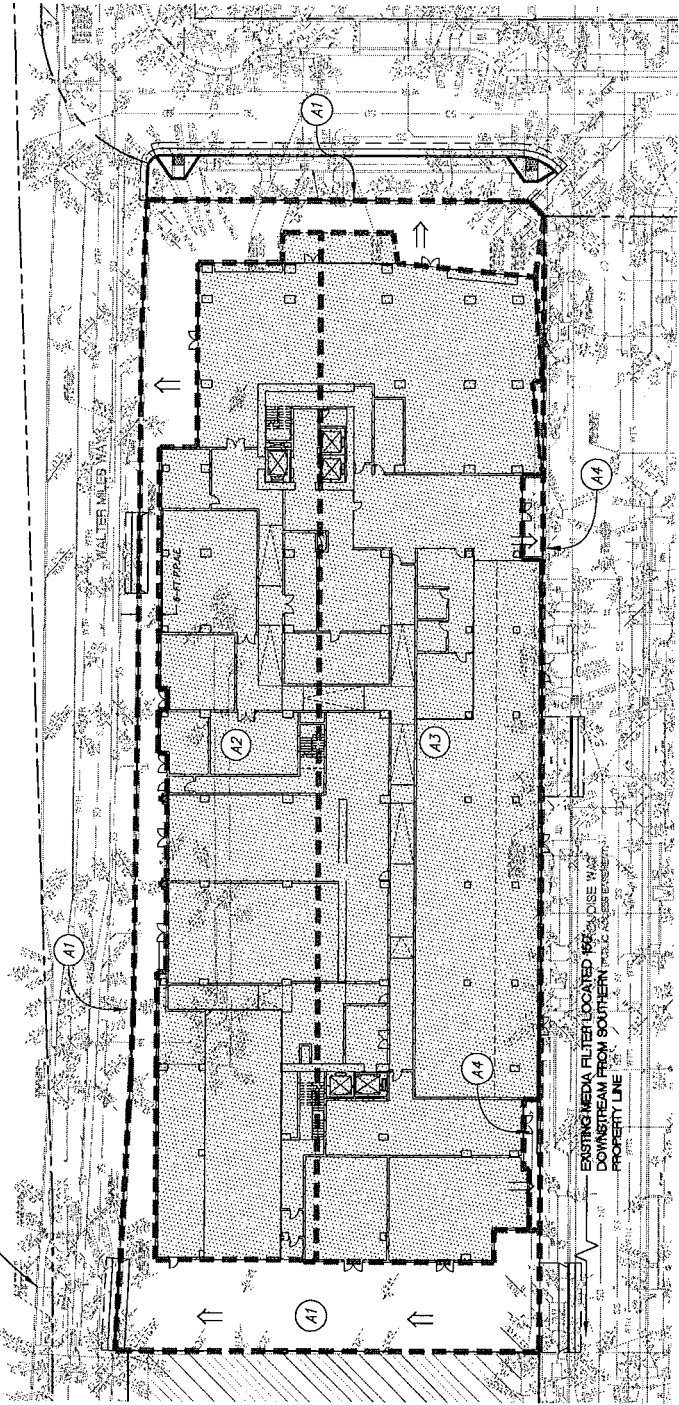
**Boston Properties**  
Solomon Cordwell Buenz / Boston Properties / Oakland, CA

**SITE, GRADING, AND UTILITY PLAN**  
Final Development Package  
MacArthur Transit Village, Parcel B  
07-06-2016



HIGHWAY 24

EXISTING MEDIA FILTER



EXISTING MEDIA FILTER LOCATED HERE  
DOWNSTREAM FROM SOUTHERN  
PROPERTY LINE

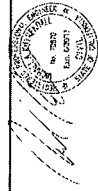
**LEGEND**

- ← DIRECTION OF FLOW
- DRAINAGE AREA
- DRAINAGE LABEL
- ROOF AREA

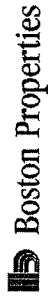
**SPECIAL PROJECT NOTE**

THE PROJECT DESIGNER HAS REVIEWED THE PROJECT AND HAS DETERMINED THAT THE PROJECT IS ELIGIBLE FOR THE USE OF THE ALAMEDA COUNTY SPECIAL PROJECTS PROGRAM. THE PROJECT COULD BE ALLOWED TO USE NON-LID TREATMENT METHODS FOR UP TO 10% OF THE PROJECT'S REQUIRED STORMWATER TREATMENT.  
TOTAL PROJECT AREA: 51,218 SF.  
TOTAL ROOF AREA: 10,249 SF.  
TOTAL IMPERVIOUS AREA: 16,728 SF.  
TOTAL PERMEABLE AREA: 34,490 SF.  
TOTAL GRASSY DEVELOPMENT: 100%  
RUNOFF FROM THIS PROJECT WILL BE TREATED BY EXISTING MEDIA FILTERS LOCATED DOWNSTREAM FROM THE PROPERTY LINE. THE PROJECT DESIGNER HAS DETERMINED THAT THE PROJECT WILL NOT BE REQUIRED TO ACCOMMODATE THE ADVANCED AREAS SHOWN.  
AS THE PROJECT DESIGNER'S ENGINEER REVIEWED THIS PROJECT WILL ONLY TO INCORPORATE THE USE OF LID TREATMENT METHODS WHERE FEASIBLE.

STORMWATER MITIGATION MEASURES				
AREA ID	ROOF AREA (SF)	IMPERVIOUS AREA (SF)	PERMEABLE AREA (SF)	TOTAL (SF)
A1	0	10,249	0	10,249
A2	16,728	0	0	16,728
A3	23,765	0	0	23,765
A4	0	522	0	522
TOTALS	40,493	10,771	0	51,263



**SANDIS**  
 CIVIL ENGINEERS  
 SURVEYORS  
 PLANNERS  
 601 W. 15th Street, Suite 1000 | San Francisco, CA 94111 | www.sandis.com



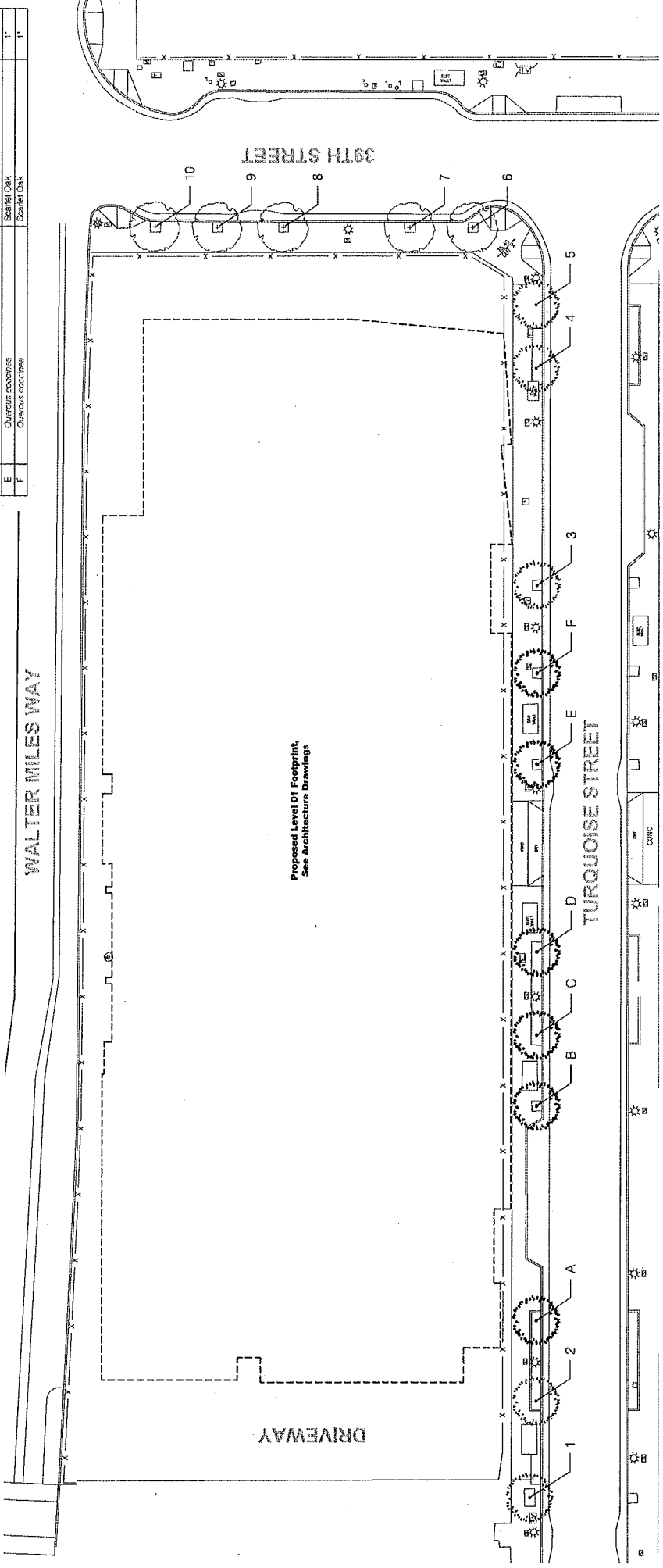
**STORMWATER MANAGEMENT PLAN**  
 Final Development Package  
 MacArthur Transit Village: Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA

C3-00

Existing Tree Survey		
Key	Scientific Name	Common Name

Trees Proposed for Removal		
1	Quercus coccoloba	Scarlet Oak
2	Quercus coccoloba	Scarlet Oak
3	Quercus coccoloba	Scarlet Oak
4	Quercus coccoloba	Scarlet Oak
5	Quercus coccoloba	Scarlet Oak
6	Platanus x acerifolia	London Plane Tree
7	Platanus x acerifolia	London Plane Tree
8	Platanus x acerifolia	London Plane Tree
9	Platanus x acerifolia	London Plane Tree
10	Platanus x acerifolia	London Plane Tree

Trees Located Within 10 Feet of Construction Activity		
A	Quercus coccoloba	Scarlet Oak
B	Quercus coccoloba	Scarlet Oak
C	Quercus coccoloba	Scarlet Oak
D	Quercus coccoloba	Scarlet Oak
E	Quercus coccoloba	Scarlet Oak
F	Quercus coccoloba	Scarlet Oak



Tree Survey  
Final Development Package  
M/Solomon Cordwell Buenz / Boston Properties / Oakland, CA  
Solomon Cordwell Buenz / Boston Properties / Surfacedesign 2016.010

07 - 06 - 2016  
11 - 23 - 2016

Prepared By:  
Gita Khandagle  
415.914.7459  
Surfacedesign, Inc.

**SURFACEDSIGN, INC.**  

 SOLOMON CORDWELL BUENZ

**Boston Properties**

LO-01

**General Notes**

- The Contractor shall make a full review of all existing conditions of the site and shall report discrepancies to the Landscape Architect and Owner before bidding. The Contractor shall assume responsibility for usual conditions of the site above grade, at grade, and underground, including utility pipes and structures. Prior to the start of construction, the Contractor shall verify the locations of all utilities with the City of Boston and shall be responsible for any damage and replacement of all utilities damaged on the site.
- This Contractor shall terminate themselves with all structure within project limits prior to work.
- The Contractor shall maintain the site from the Site Conditions during the site work.

**Planting Notes**

- The Contractor shall locate and verify all existing and new utility line locations prior to planting, and shall report any utility conflicts to the Construction Manager.
- The Contractor shall receive approval from Landscape Architect before any planting.
- This work shall be done on the basis of the trees shall be properly exposed for all plantings.
- Keep root balls prior to and during planting operations. If roots are cut or damaged root balls shall be replaced and protected from damage due to sun and wind. Do not shave root balls.
- Temporary irrigation shall be provided for plant establishment.
- Use appropriate practices for plant establishment and watering.
- See L-01.00 Planting Schedule for all plant sizing and species.

**Irrigation Notes**

- The irrigation system will be designed to stabilize a minimum amount of water in order to promote active and healthy growth of all proposed plantings.
- The irrigation system shall be designed and installed in accordance with approved specifications and local codes and enhanced by local contractors and experienced workmen.
- The irrigation controller shall have an automatic timer with battery backup and rain shutoff.
- The system shall have a pressure regulator, filters and shut off as necessary.
- The system shall have a shut-off and reduced pressure backflow assembly.
- The irrigation system shall be comprised of all lifts or boosters.

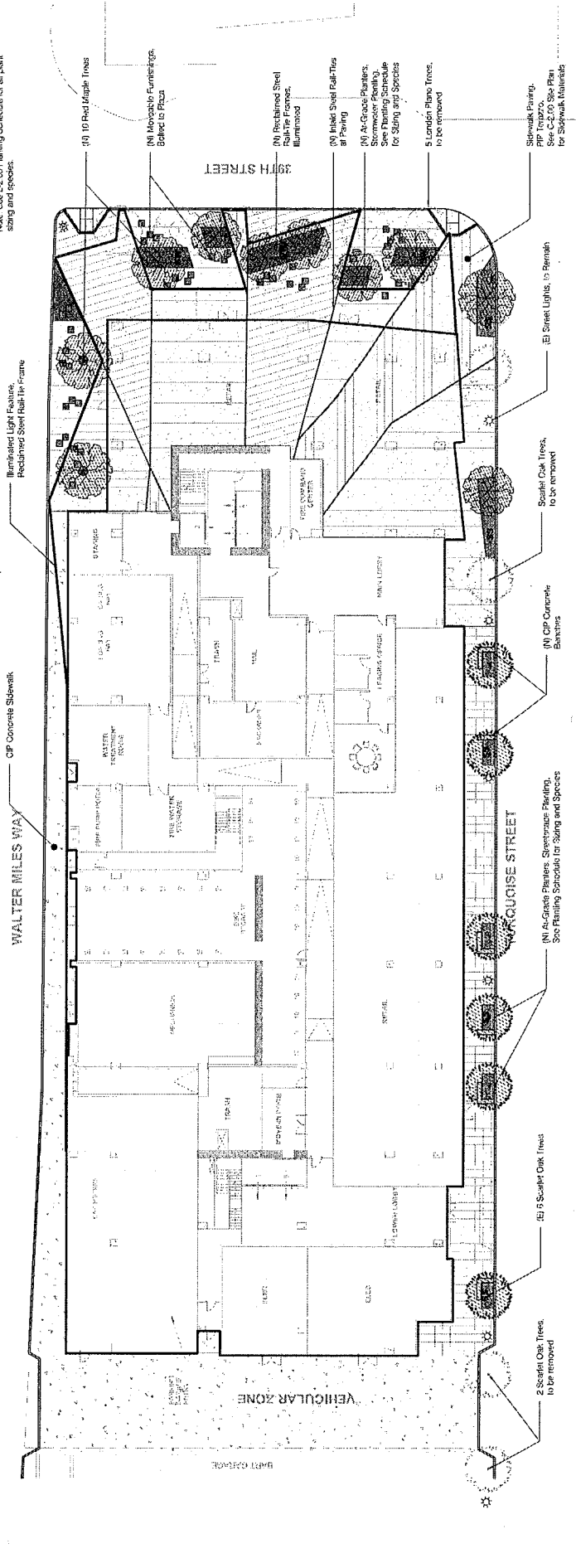
**Landscape Architectural Material Notes**

- The Contractor shall order any materials, fixtures, labor and/or products not specified herein to the Landscape Architect prior to ordering materials or starting work.
- All lines and dimensions are parallel or perpendicular to the lines from which they are measured unless otherwise shown.
- Order materials and fixtures before preparation of shop drawings and fabrication. Do not delay the progress.
- Expansion and control joints positions shall be verified in field by Landscape Architect.
- The Contractor shall make any necessary adjustments to the layout without requiring additional costs to be passed. The Contractor shall stake out proposed tree locations to aid in the review of the final layout of site elements.
- Locations of all site furnishings and warning signage shall be verified in the field by landscape architect prior to installation.

**Landscape Architecture Materials and Planting Legend**

	Stone Pavers on Pedestal Type B - 24"x24" Black Basalt, Flamed Finish
	Wood Decking Species: Fir, Sealed Alternate: Synthetic Wood Deck, Elmwood or equivalent
	Synthetic Lawn Fiber: Lam, 10'Grass, or equivalent
	Grass Court 1-2' Diameter, Oyster Shell
	Backer Surface
	Stowscape Planting Mix
	Stormwater Planting Mix
	Planted Mounds
	Infiltrative Green Road

Note: See L-02 Planting Schedule for all plant sizing and species.



Prepared By: Gita Khandagale, 415.914.7459, SurfaceDesign, Inc.  
 SURFACEDSIGN, INC.  
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 Final Development Package  
 MacArthur Transit Village: Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA 201610  
 87 - 06 - 2016  
 L1-01



**General Notes**

- The Contractor shall make a full review of all existing conditions of the site and shall report any utility conditions to the Construction Manager. The Contractor shall assume responsibility for actual conditions.
- The Contractor shall familiarize himself with all utility pipes and structures. Prior to the start of work, the Contractor shall verify the locations of all utilities with the respective Utility Companies. The Contractor shall take care to protect all utilities. The Contractor shall take responsibility for the cost incurred due to damage and repair of any utilities. The Contractor shall familiarize himself with all architecture within project limits prior to work.
- The Contractor shall familiarize himself with all existing conditions within these Notes shall mean the Site Conditions performing the site work.

**Planting Notes**

- The Contractor shall locate and verify all existing and new utility lines and shall report any utility conditions to the Construction Manager.
- The Contractor shall receive approval from Landscape Architect of plant layout prior to installation.
- The Contractor shall verify the locations of all utilities with the respective Utility Companies. The Contractor shall take care to protect all utilities. The Contractor shall take responsibility for the cost incurred due to damage and repair of any utilities. The Contractor shall familiarize himself with all architecture within project limits prior to work.
- 1 year landscape maintenance and warranty period.
- See L-2 to Planting Schedule for all plant, string and species.

**Irrigation Notes**

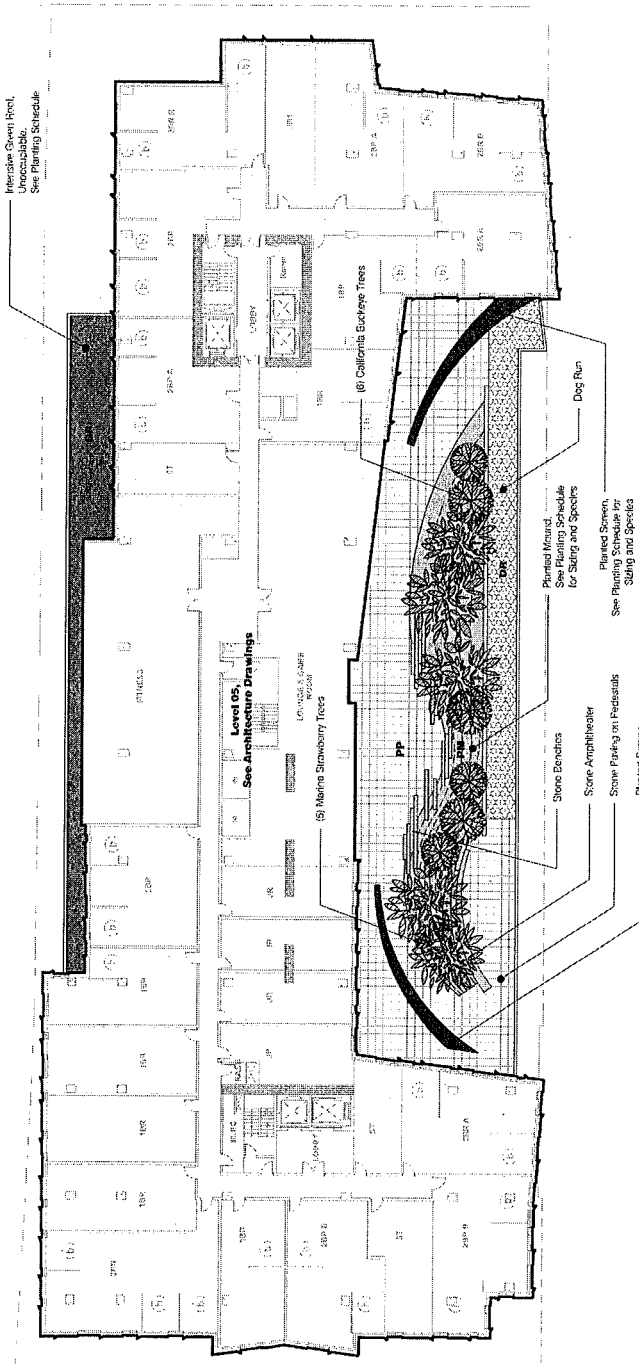
- The irrigation system will be designed to distribute a uniform amount of water to all plants and shall report any utility conditions to the Construction Manager.
- The irrigation system shall be designed and installed in accordance with all applicable state and local codes and ordinances. By licensed contractor and approved by the Landscape Architect.
- The irrigation system shall have an automatic timer and shall be installed in accordance with all applicable codes and ordinances.
- All valves shall have separate pressure regulators filters and shall be installed in accordance with all applicable codes and ordinances.
- Temporary irrigation shall be provided for plant establishment and maintenance period.
- 1 year landscape maintenance and warranty period.
- See L-2 to Planting Schedule for all plant, string and species.

**Landscape Architectural Material Notes**

- The Contractor shall refer any questions on materials, finishes, labor and/or products not specified herein to the Landscape Architect prior to installation.
- All lines and dimensions are parallel or perpendicular to the lines from which they are measured unless otherwise shown.
- Contractor shall take appropriate field measurements before preparation of shop drawings and fabrication. Do not delay job progress.
- Plants shall be installed in accordance with all applicable codes and ordinances.
- The Landscape Architect may make reasonable adjustments to the layout without incurring additional costs to the project. The Contractor shall verify the locations of all utilities with the respective Utility Companies. The Contractor shall take care to protect all utilities. The Contractor shall take responsibility for the cost incurred due to damage and repair of any utilities. The Contractor shall familiarize himself with all architecture within project limits prior to work.
- Locations of all site furnishings and yardwork space shall be verified in the field by landscape architect prior to installation.

**Landscape Architecture Materials and Planting Legend**


Note: See L-2 to Planting Schedule for all plant string and species.



**General Notes**

- The Contractor shall make a full review of all existing conditions of the site and shall report discrepancies to the Client prior to construction.
- The Contractor shall assume responsibility for actual conditions above ground, at grade, and underground, including utilities, and shall report discrepancies to the Client prior to construction.
- The Contractor shall be responsible for the replacement of all utilities damaged on the site.
- The Contractor shall be responsible for the replacement of all utilities damaged on the site.

**Planting Notes**

- The Contractor shall locate and verify all existing and new utility lines prior to planting, and shall report any utility discrepancies to the Client prior to construction.
- The Contractor shall assume responsibility for actual conditions above ground, at grade, and underground, including utilities, and shall report discrepancies to the Client prior to construction.
- The Contractor shall be responsible for the replacement of all utilities damaged on the site.
- The Contractor shall be responsible for the replacement of all utilities damaged on the site.



















**Irrigation Notes**

- The irrigation system will be designed to distribute a minimum amount of water in order to promote active and healthy growth of all proposed plantings.
- The Contractor shall provide a minimum of 1/2" of water per week to all proposed plantings.
- The Contractor shall provide a minimum of 1/2" of water per week to all proposed plantings.
- The Contractor shall provide a minimum of 1/2" of water per week to all proposed plantings.

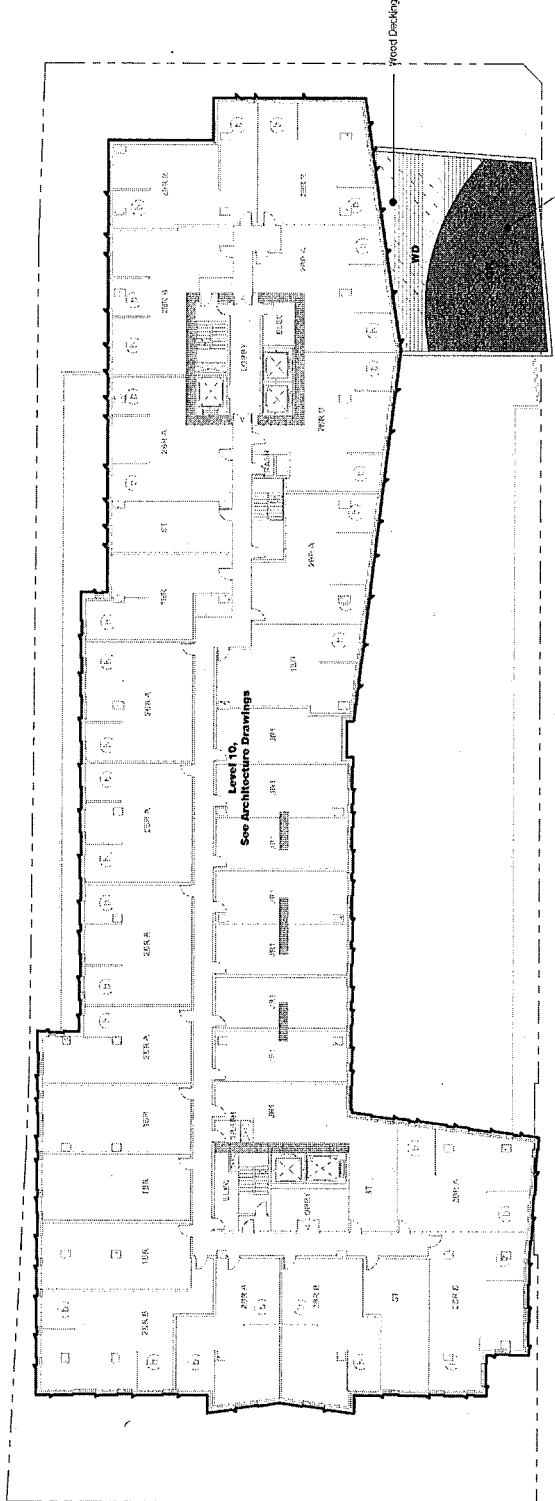
**Landscape Architectural Material Notes**

- The Contractor shall refer any questions on materials, finishes, labor and/or products not specified herein to the Landscape Architect prior to ordering materials or starting work.
- The Contractor shall provide a minimum of 1/2" of water per week to all proposed plantings.
- The Contractor shall provide a minimum of 1/2" of water per week to all proposed plantings.
- The Contractor shall provide a minimum of 1/2" of water per week to all proposed plantings.

**Landscape Architecture Materials and Planting Legend**

 Stone Pavers on Pedestal Type A: 24"x24" Black Basalt, Honed Finish Type B: 24"x24" Black Basalt, Flamed Finish	 Wood Decking Reclaimed Teak, Smooth Finish, Sealed Alternative: Synthetic Wood Deck, Elmwood or equivalent	 Synthetic Lawn Forever Lawn, 100% Grass, or equivalent	 Stone Court 1"-2" Crushed Granite Shell Beacon Surfacing	 Planted Mounds PMP Match Existing Back at Landscape	 Intensive Green Roof IPR Match Existing Back at Landscape
 Aceratum Red Maple	 Concrete Counter Square Cut	 Alocasia Calliflora	 Astoria Mentha	 Planted Mounds PMP Match Existing Back at Landscape	 Intensive Green Roof IPR Match Existing Back at Landscape
 Aceratum Red Maple	 Concrete Counter Square Cut	 Alocasia Calliflora	 Astoria Mentha	 Planted Mounds PMP Match Existing Back at Landscape	 Intensive Green Roof IPR Match Existing Back at Landscape

Note: See L2.00 Planting Schedule for all plant sizes and species.



**General Notes**

- The Contractor shall make a full review of all existing conditions of the site and shall report discrepancies to the Landscape Architect and Owner before bidding. The Contractor shall familiarize himself with all utility poles and structures. Prior to the start of construction, the Contractor shall verify the locations of all utilities with the site engineer. The Contractor shall be responsible for the cost incurred due to damage and replacement of all utilities damaged on the site.
- The Contractor shall familiarize himself with all existing utility project lines prior to work.
- Contractor(s) performing the site work.

**Planting Notes**

- The Contractor shall locate and verify all existing and new utility lines locations prior to planting, and shall report any utility conflicts to the Construction Manager.
- The Contractor shall obtain approval from Landscape Architect of plant location and spacing.
- The trunk line of the tree shall be properly exposed for all plantings.
- Keep root balls moist prior to and during planting operations. Root balls shall be protected from sun, frost, wind, and immediately removed from the site. Root balls shall be stored in a cool, shaded area and protected from damage due to sun and wind. Do not share root balls.
- Temporary irrigation shall be provided for plant establishment.
- 1 year landscape maintenance and warranty period.
- See L-2-00 Planting Schedule for all plant sizing and species.

**Irrigation Notes**

- The irrigation system will be designed to distribute a minimum amount of water in order to promote active and healthy growth of all proposed plantings.
- The irrigation system shall be designed and installed in accordance with all applicable codes and standards, and shall be approved by the local authority having jurisdiction.
- The irrigation controller shall have an automatic timer and shall be installed in a protected area.
- Site battery backup and rain shut-off shall be provided and shall be necessary.
- The system shall have a shut-off and reduced pressure backflow assembly.
- Locations of all site furnishings and watering signage shall be verified in the field by landscape architect prior to installation.

**Landscape Architectural Material Notes**

- The Contractor shall site any questions on materials, finishes, labor and/or products not specified herein to the Landscape Architect prior to ordering materials or starting work.
- All lines and dimensions are parallel or perpendicular to the lines from which they measure unless otherwise shown.
- Overlapped materials shall be installed as shown.
- Expansion and control joints positions shall be verified in field by Landscape Architect.
- Locations of all site furnishings and watering signage shall be verified in the field by landscape architect prior to installation.

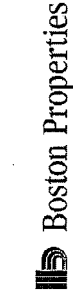
**Landscape Architecture Materials and Planting Legend**


Planting Schedule

Key	Qty	Scientific Name	Common Name	Size	Root	Spacing	Irrigation
PA	5	<i>Acer rubrum</i>	Red Maple	48"	Box		In-Line Drip
OC	9	<i>Quercus occidentalis</i>	Scarlet Oak	(E)			In-Line Drip
AC	6	<i>Amelanchier californica</i>	California Madhatter	36"	Box		In-Line Drip
AM	5	<i>Ambrosia trifida</i>	Strawberry Tree	36"	Box		In-Line Drip

Planting Zones	Scientific Name	Common Name	Size	Root	Spacing	Irrigation
100% SF	<i>Stipa capsa</i>	Stipa capsa	1 Gal.	Cont.	24" O.C.	In-Line Drip
	<i>Malvastrum alceaefolium</i>	Deer Grass	1 Gal.	Cont.	24" O.C.	In-Line Drip
	<i>Stipa capsa</i>	Blue-eyed Grass	4" Pot	Cont.	12" O.C.	In-Line Drip
	<i>Stipa capsa</i>	Berkeley Sedge	1 Gal.	Cont.	12" O.C.	In-Line Drip
	<i>Stipa capsa</i>	Red Fescue	1 Gal.	Cont.	18" O.C.	In-Line Drip
	<i>Stipa capsa</i>	California Gray Rush	1 Gal.	Cont.	18" O.C.	In-Line Drip
	<i>Stipa capsa</i>	Pacific Tule Grass	1 Gal.	Cont.	18" O.C.	In-Line Drip
	<i>Stipa capsa</i>	Common Yarrow	4" Pot	Cont.	12" O.C.	In-Line Drip
	<i>Stipa capsa</i>	Blue-eyed Grass	4" Pot	Cont.	12" O.C.	In-Line Drip
	<i>Stipa capsa</i>	Red Fescue	1 Gal.	Cont.	12" O.C.	In-Line Drip
	<i>Stipa capsa</i>	Berkeley Sedge	1 Gal.	Cont.	12" O.C.	In-Line Drip
	<i>Stipa capsa</i>	Blue Oak Grass	1 Gal.	Cont.	18" O.C.	In-Line Drip
100% SF	<i>Stipa capsa</i>	Berkeley Sedge	1 Gal.	Cont.	12" O.C.	Conventional Drip
	<i>Stipa capsa</i>	Himalayan Sweet Box	1 Gal.	Cont.	24" O.C.	Conventional Drip
	<i>Stipa capsa</i>	Deer Grass	1 Gal.	Cont.	24" O.C.	Conventional Drip
	<i>Stipa capsa</i>	Western Sword Fern	1 Gal.	Cont.	36" O.C.	Conventional Drip
	<i>Stipa capsa</i>	Giant Chain Fern	1 Gal.	Cont.	48" O.C.	Conventional Drip
	<i>Stipa capsa</i>	Stellaria	1 Gal.	Cont.	12" O.C.	Conventional Drip
	<i>Stipa capsa</i>	Shrub Sheen Knapweed	1 Gal.	Cont.	36" O.C.	Conventional Drip
	<i>Stipa capsa</i>	Shrub Sheen Knapweed	1 Gal.	Cont.	36" O.C.	Conventional Drip
	<i>Stipa capsa</i>	Shrub Sheen Knapweed	1 Gal.	Cont.	36" O.C.	Conventional Drip
	<i>Stipa capsa</i>	Shrub Sheen Knapweed	1 Gal.	Cont.	36" O.C.	Conventional Drip
	<i>Stipa capsa</i>	Shrub Sheen Knapweed	1 Gal.	Cont.	36" O.C.	Conventional Drip
	<i>Stipa capsa</i>	Shrub Sheen Knapweed	1 Gal.	Cont.	36" O.C.	Conventional Drip

Prepared By:  
Gita Khandagale  
415.914.7459  
Surfacedesign, Inc.

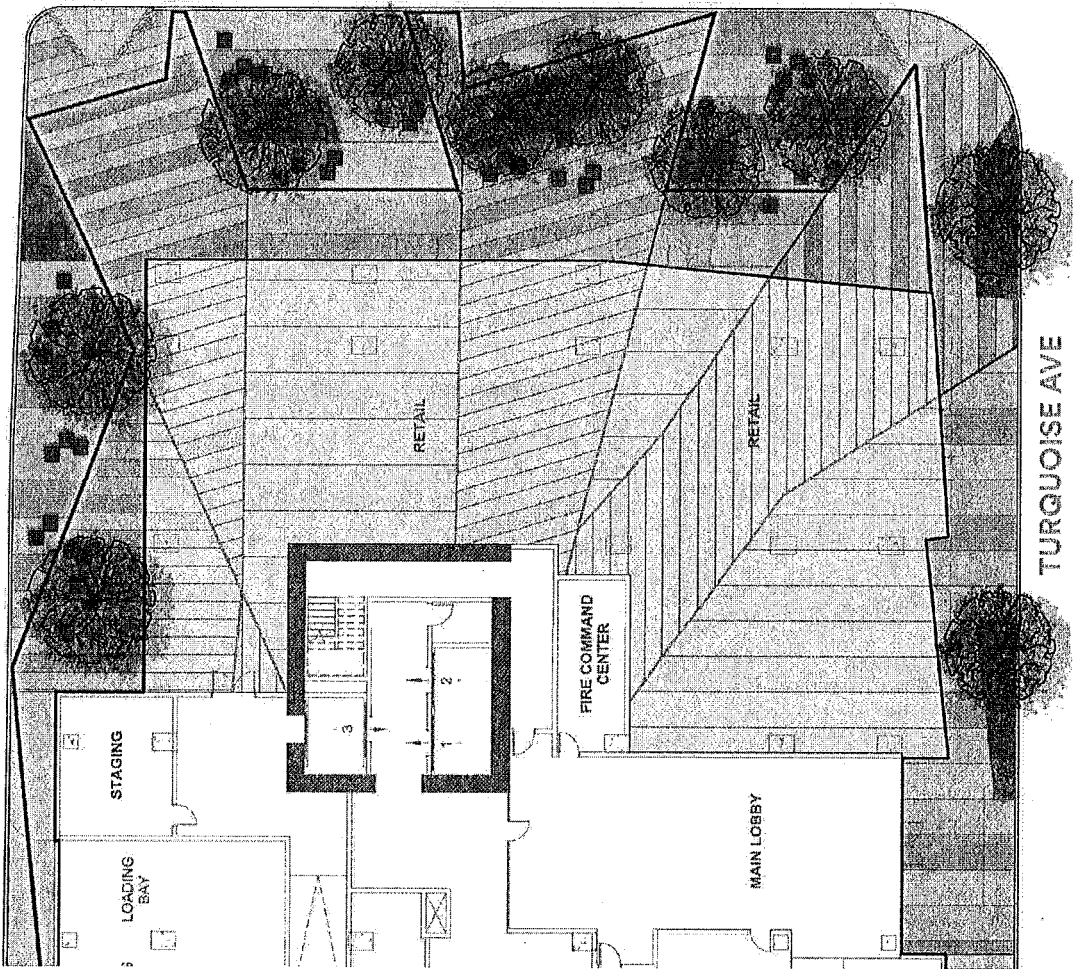


Planting Schedule  
Final Development Package  
MacArthur Transit Village: Parcel B  
Solomon Cordwell Buenz / Boston Properties / Oakland, CA

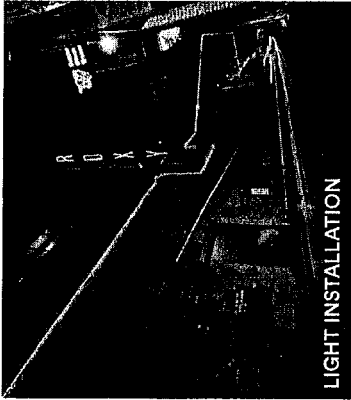
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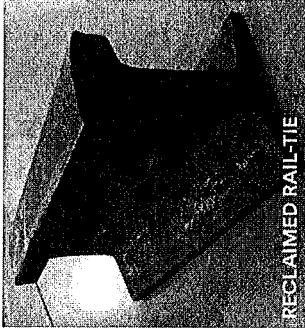
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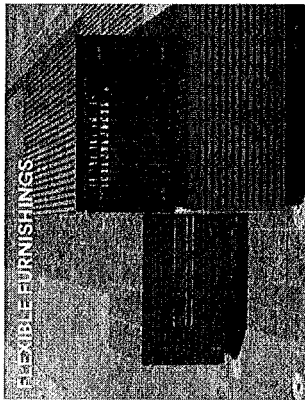
Located at the nexus of the Longfellow, Temescal and Mosswood neighborhoods, **39th Street Plaza** takes its shape from the converging local grid. Inspired by the project's proximity to MacArthur BART Station and the historic Telegraph Streetcar, a neon lighting feature made from reclaimed steel rail-ties weaves its way through the plaza, creating a series of flexible outdoor rooms, while the paving pattern references the diverse urban quilt of Oakland.



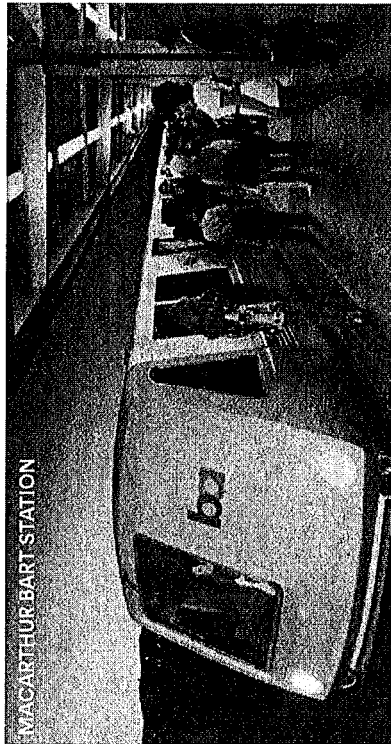
LIGHT INSTALLATION



RECLAIMED RAIL-TIE



FLEXIBLE FURNISHINGS



MACARTHUR BART STATION

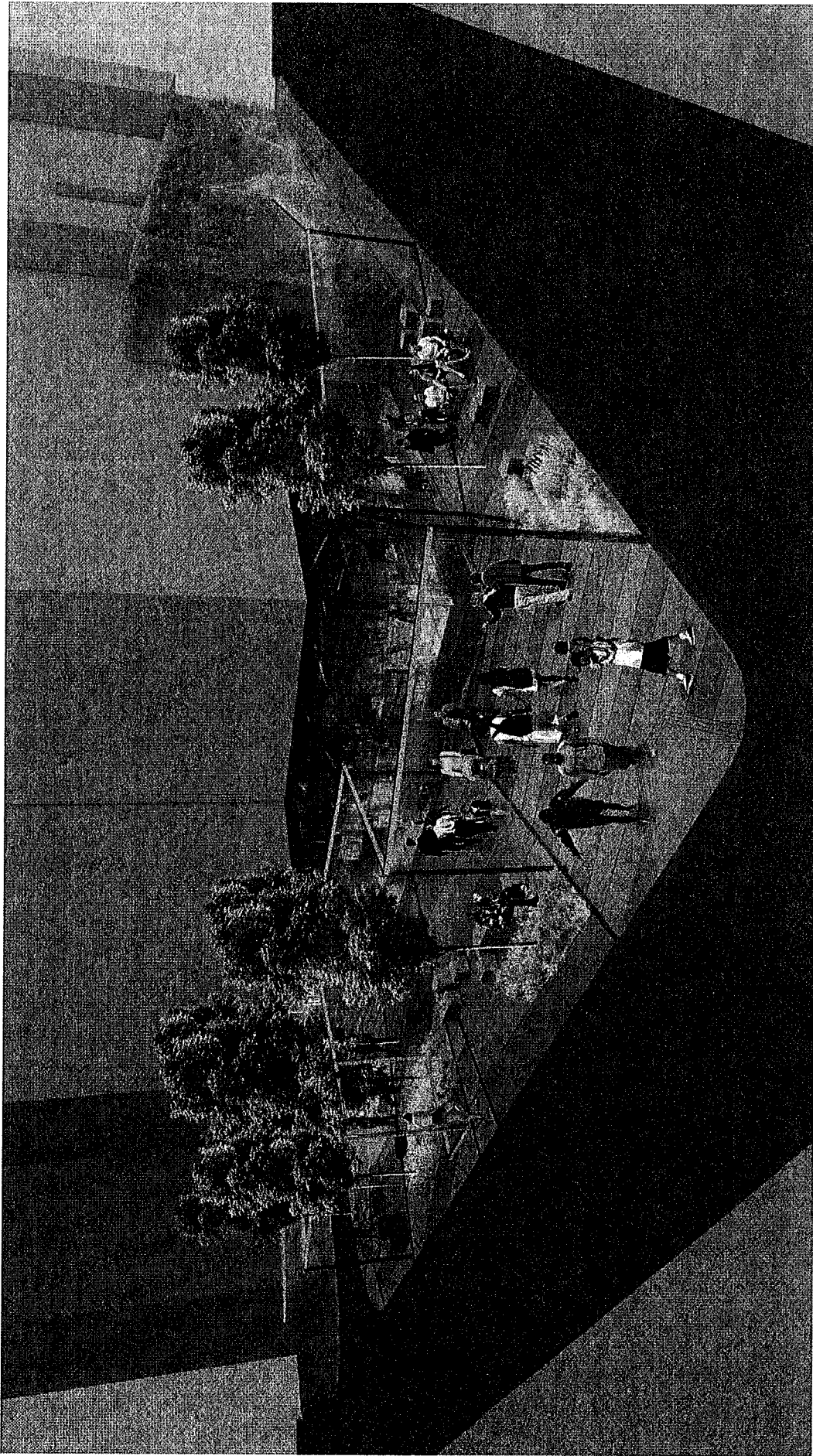
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Surfacedesign, Inc.

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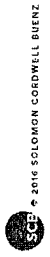
Final Development Package  
MacArthur Transit Village, Parcel B  
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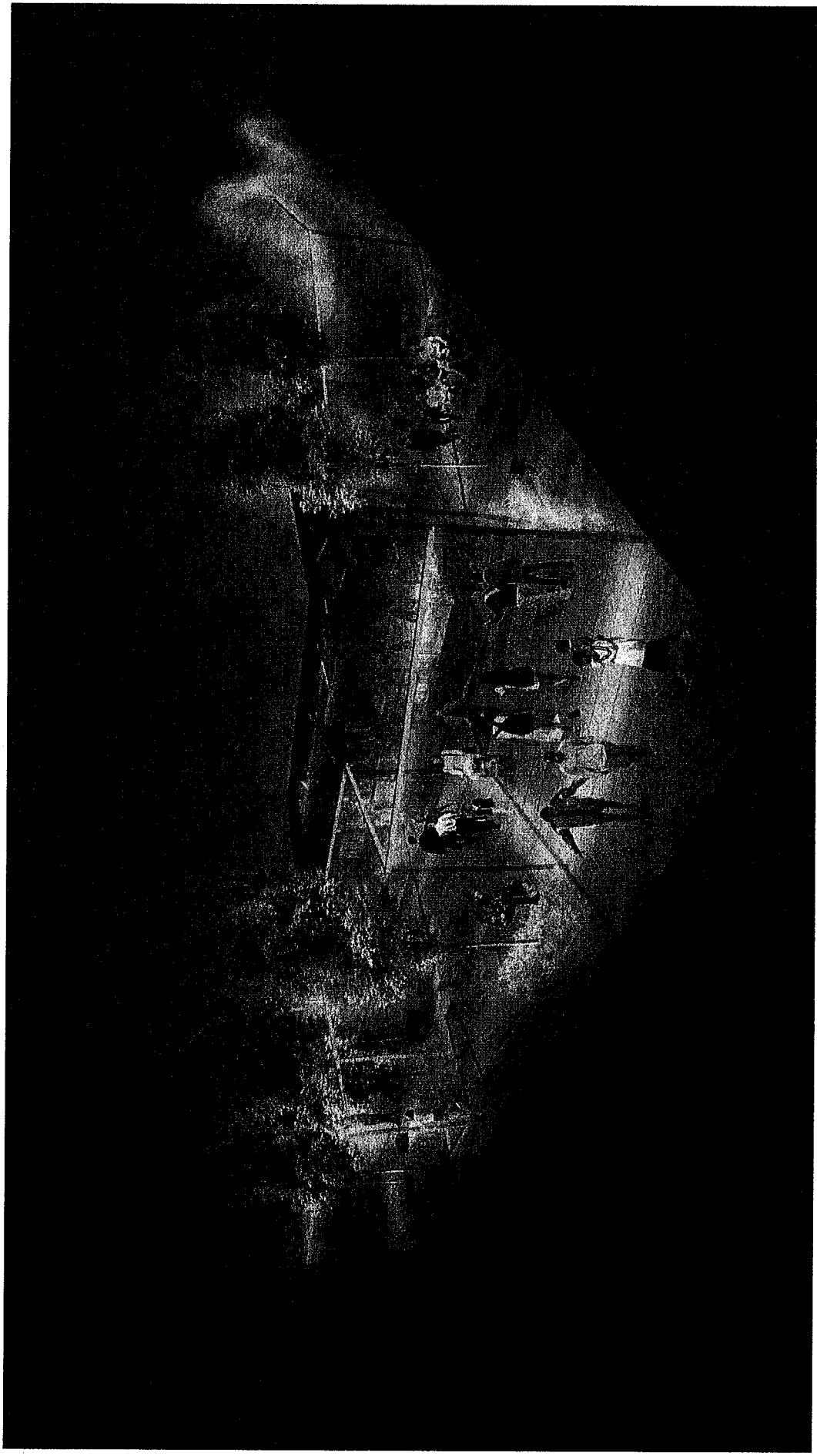
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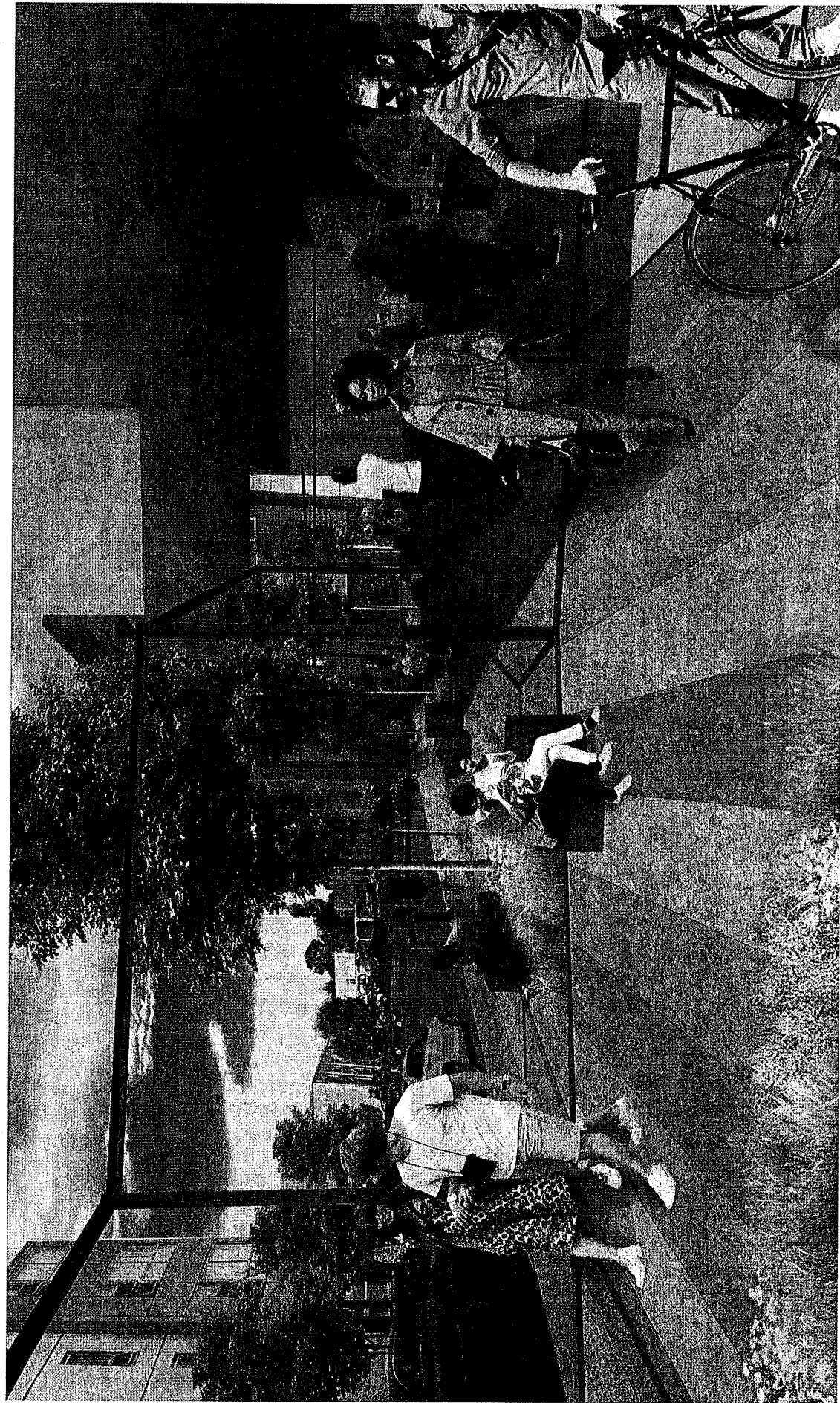
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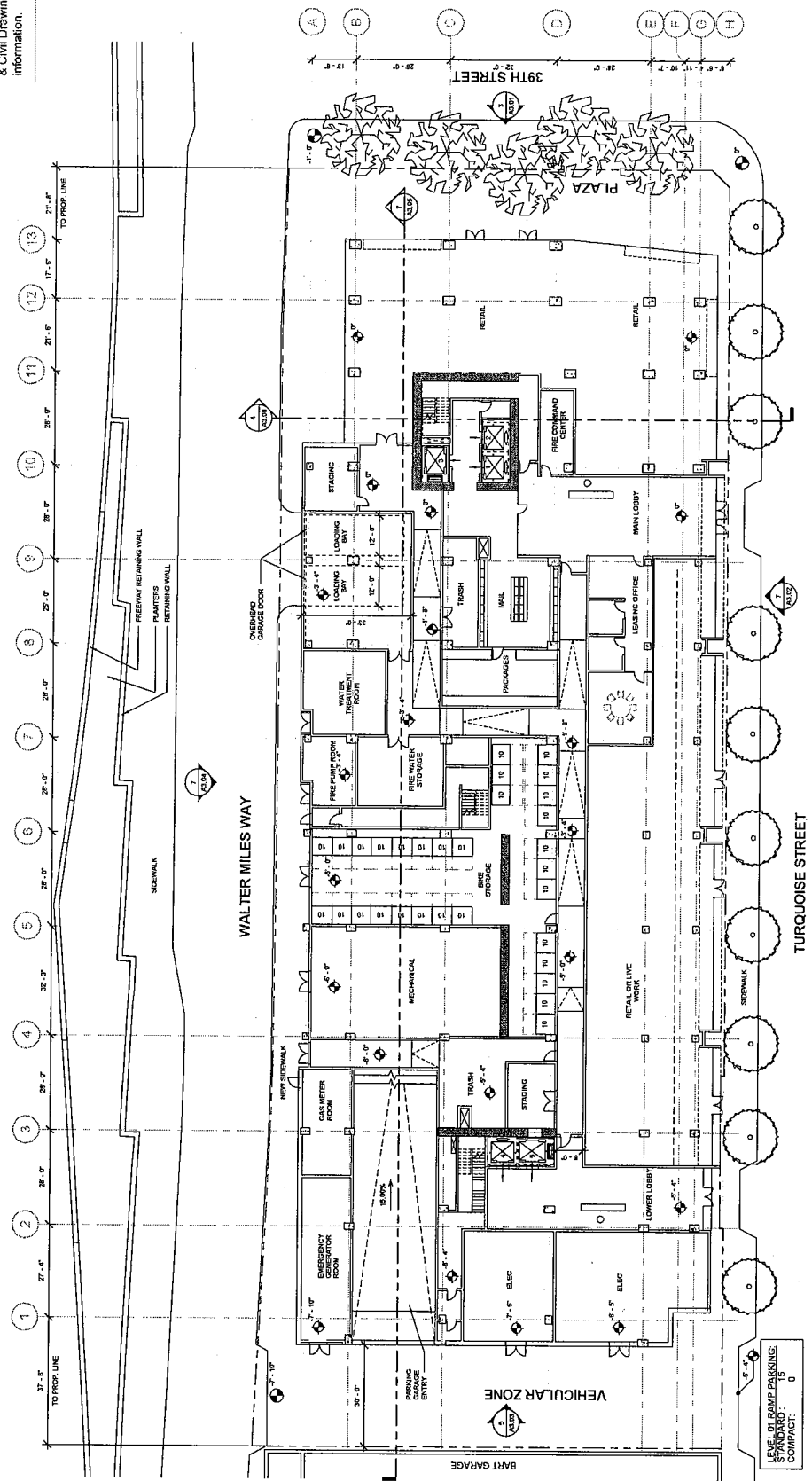
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L2-13

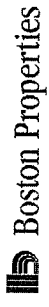


**General Plan Notes**

1. Project Zero is 7/5/56. Refer to Civil C1-00 for more detailed information.
2. Refer to Landscape Architect & Civil Drawings for additional information.

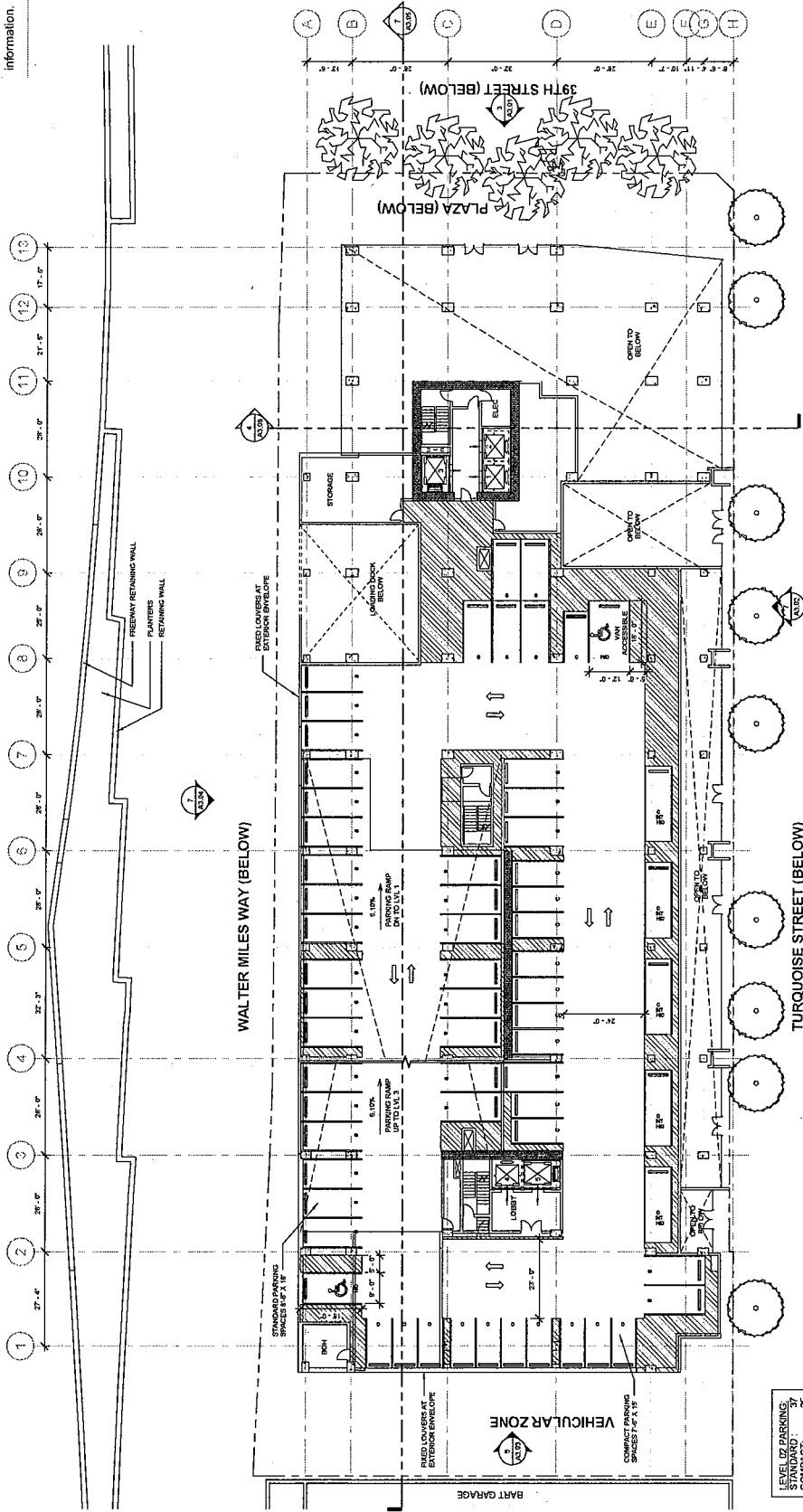


LEVEL 1: 10' RAMP PARKING: 0  
 STAIRWAYS: 0  
 COMPACT: 0



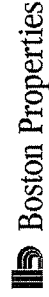
**General Plan Notes**

1. Project Zero is 75.56. Refer to Civil C1-00 for more detailed information.
2. Refer to Landscape Architect & Civil Drawings for additional information.



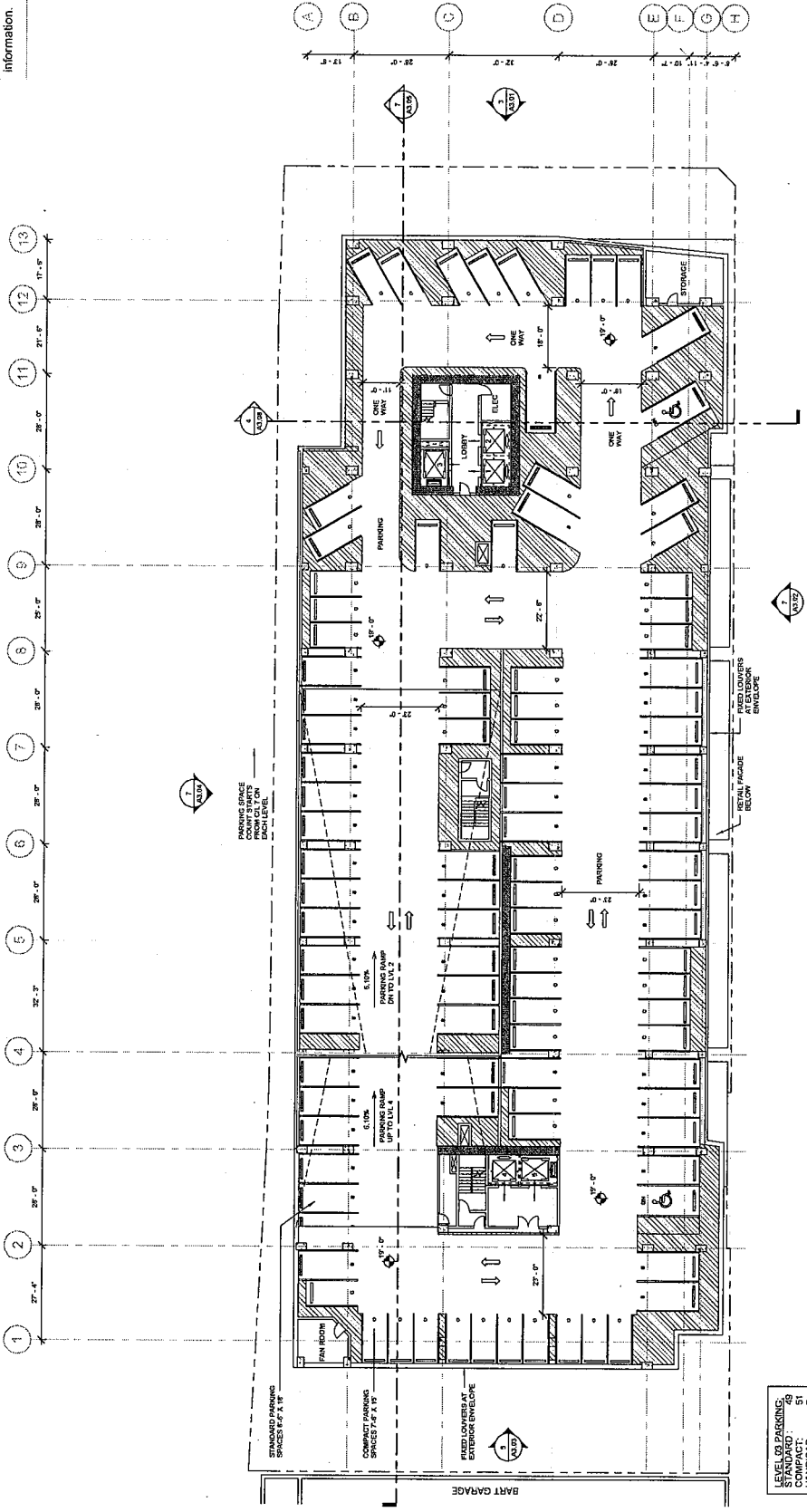
LEVEL 02 PARKING:	37
STANDARD:	37
HANDICAP:	2

Level 2 Floor Plan  
 Final Development Package  
 MacArthur Transit Village: Parcel B  
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 2016010



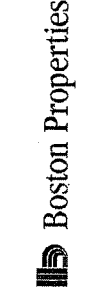
**General Plan Notes**

1. Project Zero is 75.56. Refer to Civil C1-00 for more detailed information.
2. Refer to Landscape Architect & Civil Drawings for additional information.



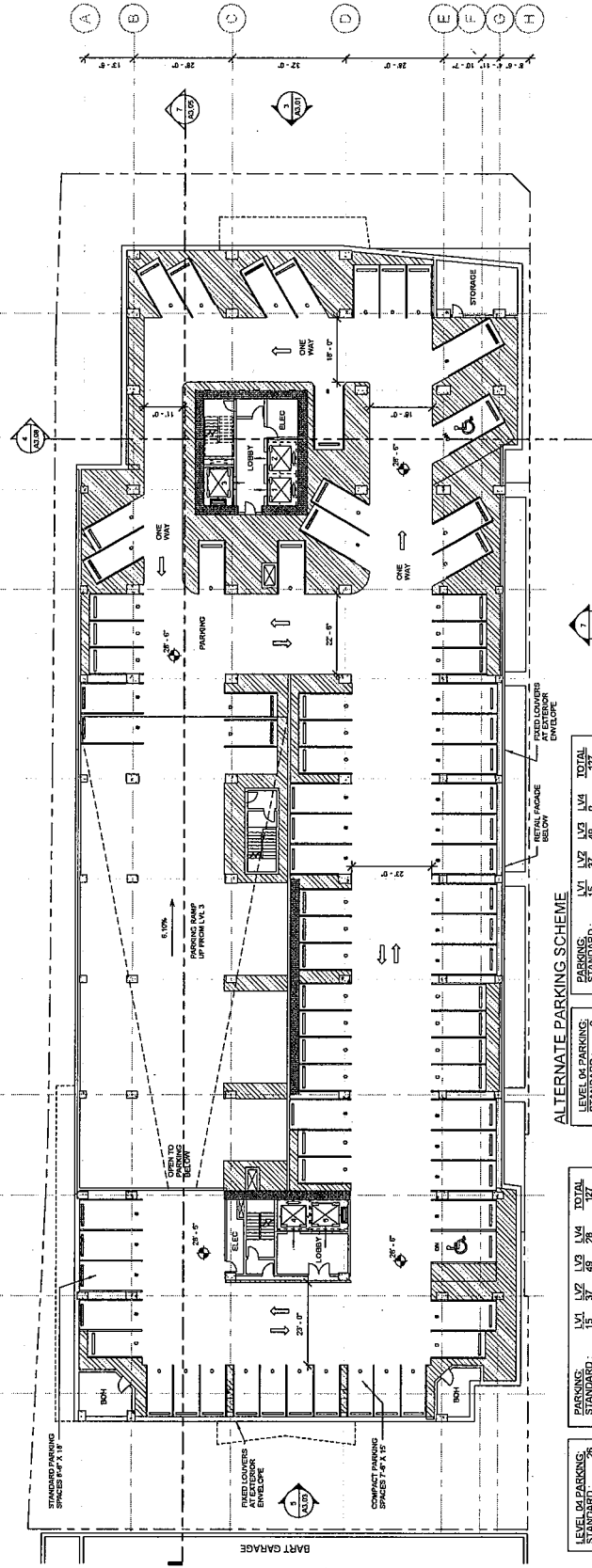
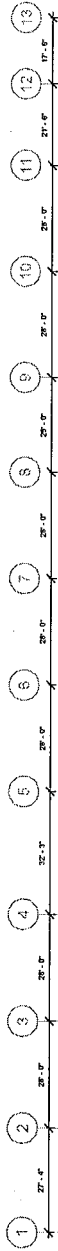
LEVEL 03 PARKING:	
STANDARD:	49
COMPACT:	51
HANDICAP:	2

Level 3 Floor Plan  
 Final Development Package  
 MacArthur Transit Village: Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA



**General Plan Notes**

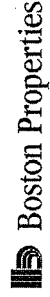
1. Project Zero is 75.56. Refer to Civil C1-00 for more detailed information.
2. Refer to Landscape Architect & Civil Drawings for additional information.



**ALTERNATE PARKING SCHEME**

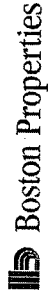
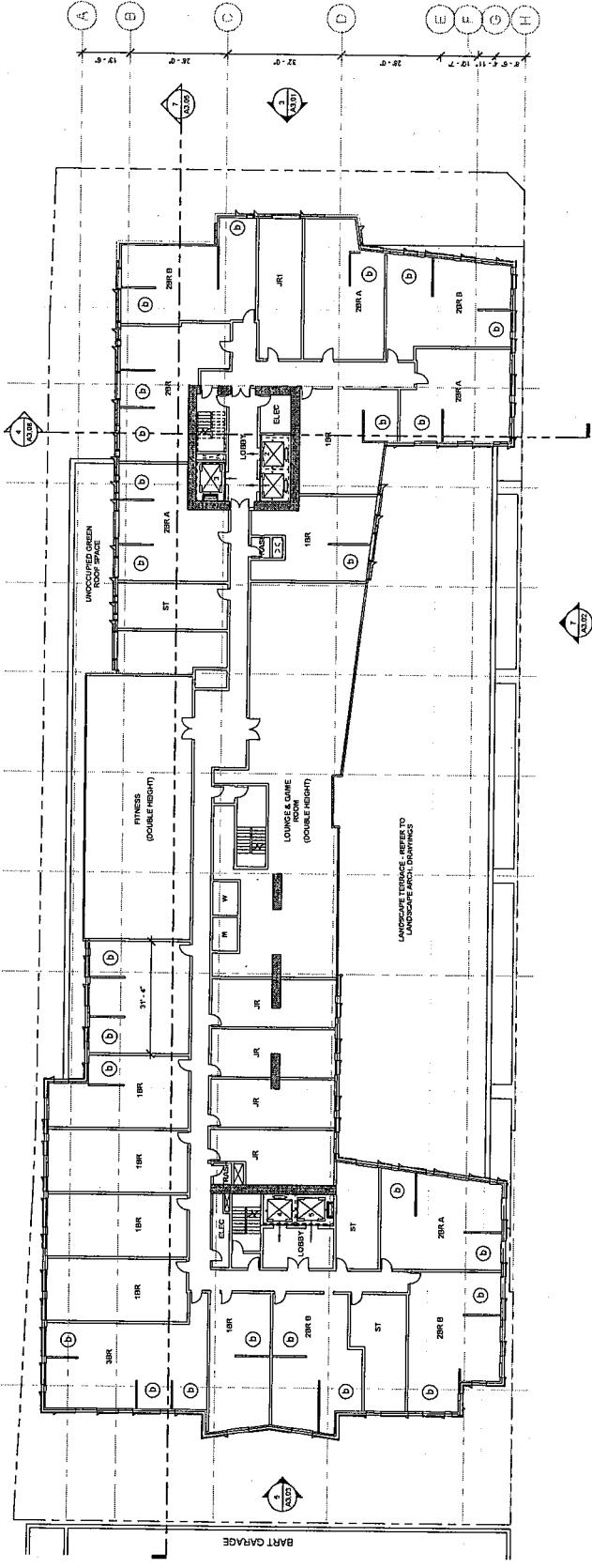
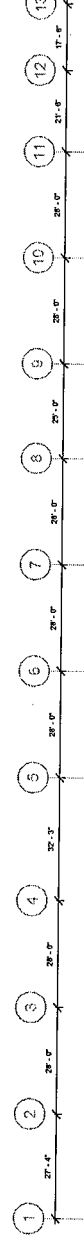
LEVEL OF PARKING:	LVL 1	LVL 2	LVL 3	LVL 4	TOTAL
STANDARD:	0	25	51	0	127
COMPACT:	0	2	2	0	6
HANDICAP:	0	2	122	0	127
TOTAL/LEVEL:	0	27	175	0	202

LEVEL OF PARKING:	LVL 1	LVL 2	LVL 3	LVL 4	TOTAL
STANDARD:	15	37	49	26	127
COMPACT:	0	25	51	51	137
HANDICAP:	2	2	2	2	8
TOTAL/LEVEL:	17	64	102	81	264



**Unit Type Key**      **General Plan Notes**

1. Project Zero is 75.56. Refer to Civil C1-00 for more detailed information.
2. Refer to Landscape Architect & Civil Drawings for additional information.
- ST : STUDIO  
 JK1 : JK 1 BEDROOM  
 1BR : 1 BEDROOM  
 2BR : 2 BEDROOM  
 2BR A : 2 BEDROOM  
 2BR B : 2 BEDROOM  
 3BR : 3 BEDROOM  
 3BR PH : 3 BEDROOM  
 (b) : BEDROOM



**Boston Properties**

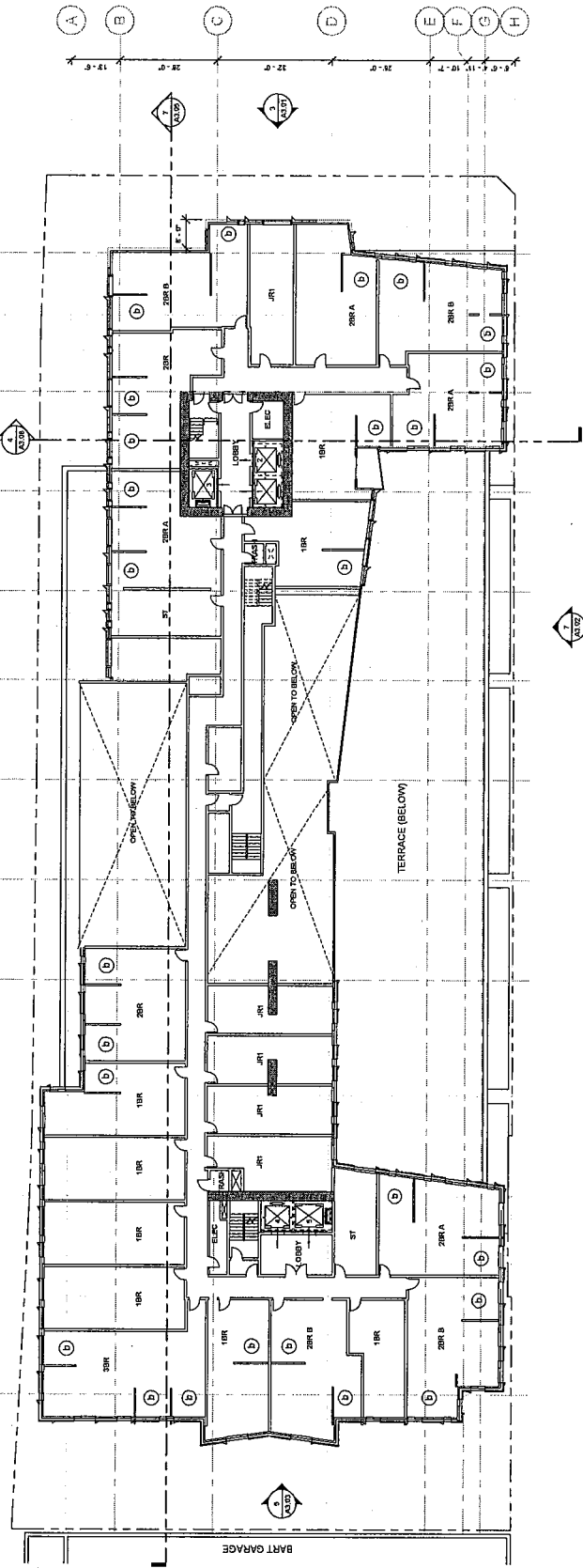
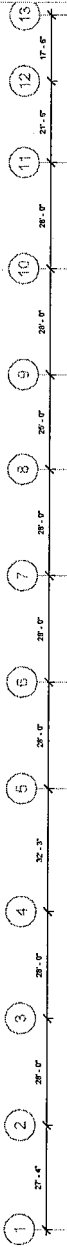


**Unit Type Key**

- ST : STUDIO
- JR1 : JR 1 BEDROOM
- 1BR : 1 BEDROOM
- 2BR : 2 BEDROOM
- 2BRA : 2 BEDROOM
- 2BRB : 2 BEDROOM
- 3BR : 3 BEDROOM
- 3BR PH : 3 BEDROOM
- (b) : BEDROOM

**General Plan Notes**

1. Project Zero is 75.56. Refer to Civil C1-00 for more detailed information.
2. Refer to Landscape Architect & Civil Drawings for additional information.



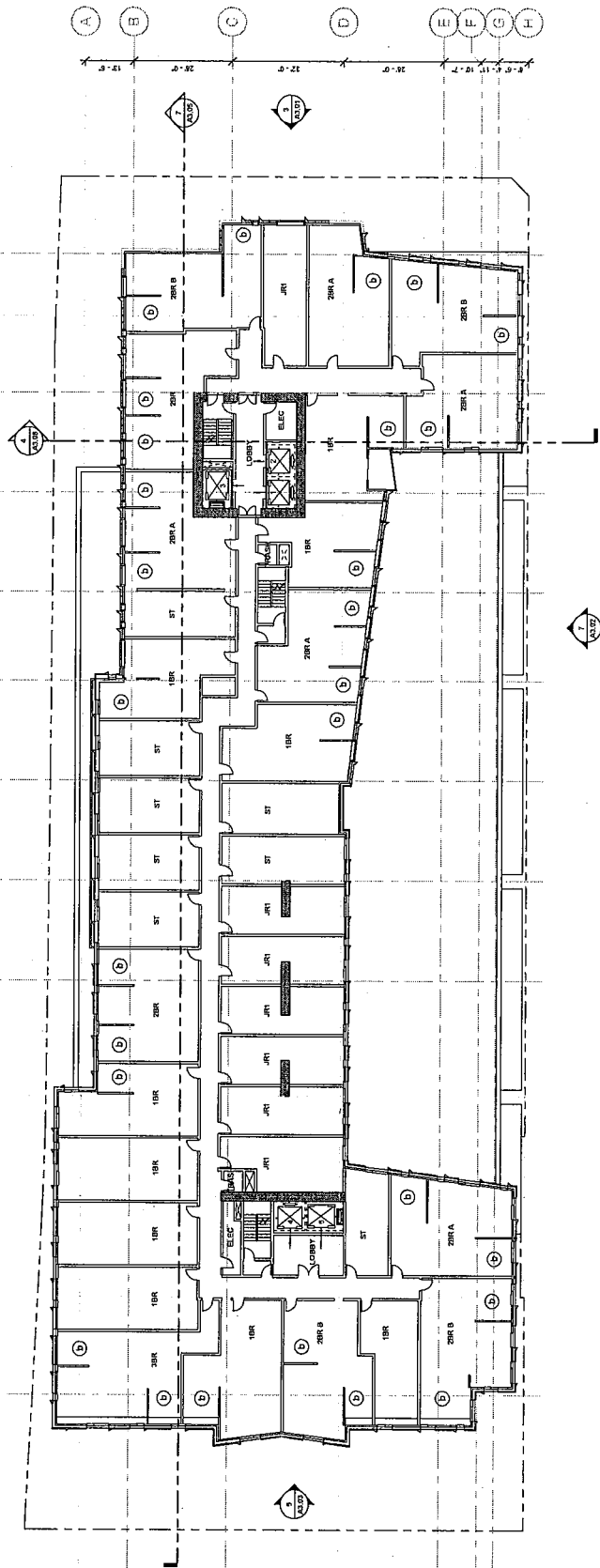
**Unit Type Key**

- ST : STUDIO
- JR1 : JR 1 BEDROOM
- 1BR : 1 BEDROOM
- 2BR : 2 BEDROOM
- 2BR A : 2 BEDROOM
- 2BR B : 2 BEDROOM
- 3BR : 3 BEDROOM
- 3BR PH : 3 BEDROOM
- (b) : BEDROOM

1. Project Zero is 75 56. Refer to Civil C1-00 for more detailed information.

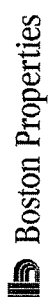
2. Refer to Landscape Architect & Civil Drawings for additional information.

- 1 27'-4"
- 2 28'-0"
- 3 28'-0"
- 4 28'-0"
- 5 28'-0"
- 6 28'-0"
- 7 28'-0"
- 8 28'-0"
- 9 28'-0"
- 10 28'-0"
- 11 28'-0"
- 12 21'-8"
- 13 17'-8"



Levels 7-8 Typical Floor Plan  
 Final Development Package  
 MacArthur Transit Village: Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA 2018010

11' 23' 2016



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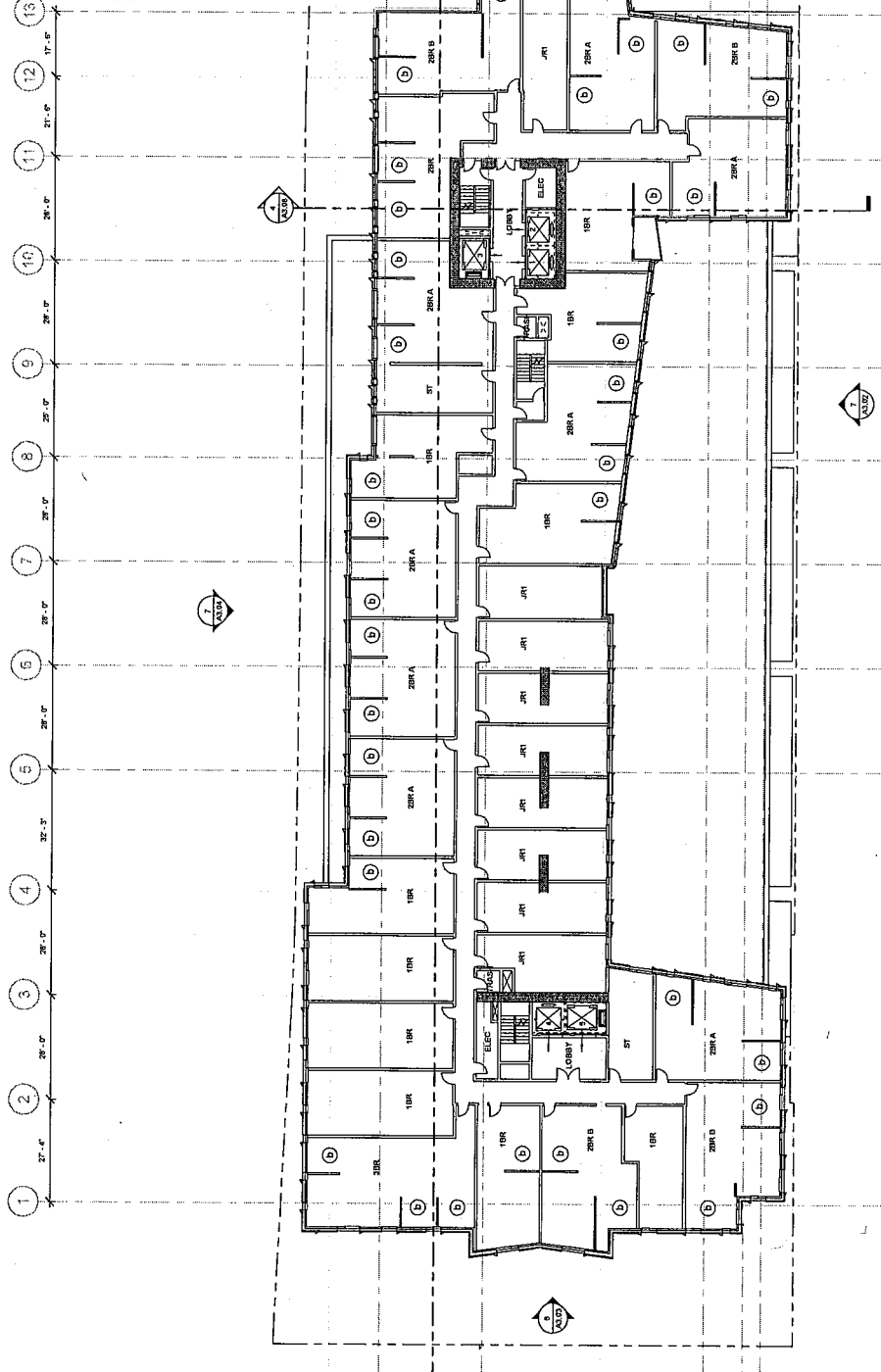
A2-07

**Unit Type Key**

- ST : STUDIO
- JR1 : JR 1 BEDROOM
- 1BR : 1 BEDROOM
- 2BR : 2 BEDROOM
- 2BR A : 2 BEDROOM
- 2BR B : 2 BEDROOM
- 3BR : 3 BEDROOM
- 3BR PH : 3 BEDROOM
- (b) : BEDROOM

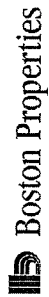
**General Plan Notes**

1. Project Zero is 75.56. Refer to Civil C1-00 for more detailed information.
2. Refer to Landscape Architect & Civil Drawings for additional information.



Levels 9-10 Floor Plan  
 Final Development Package  
 MacArthur Transit Village: Parcel B  
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11.23.2016



A2-09

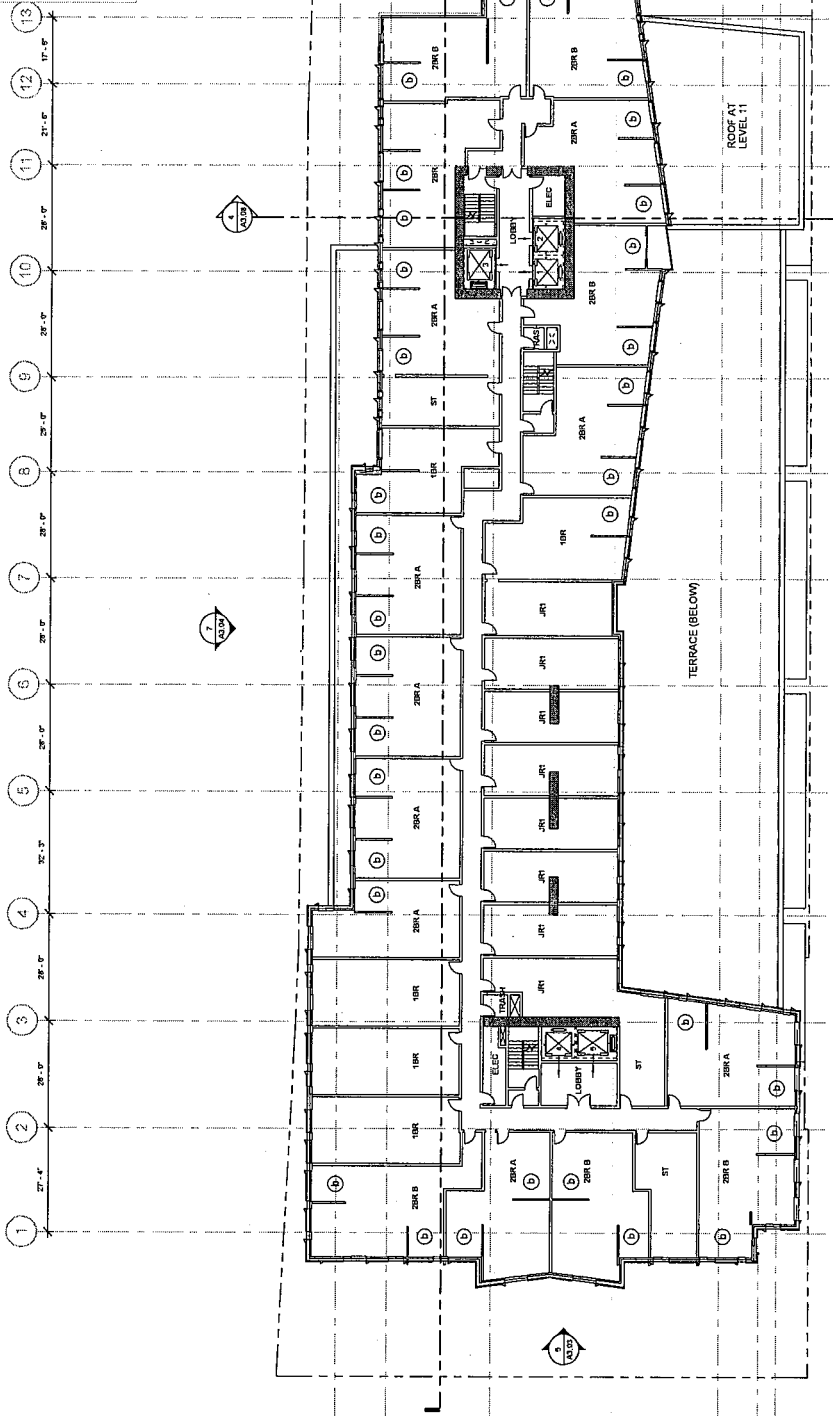


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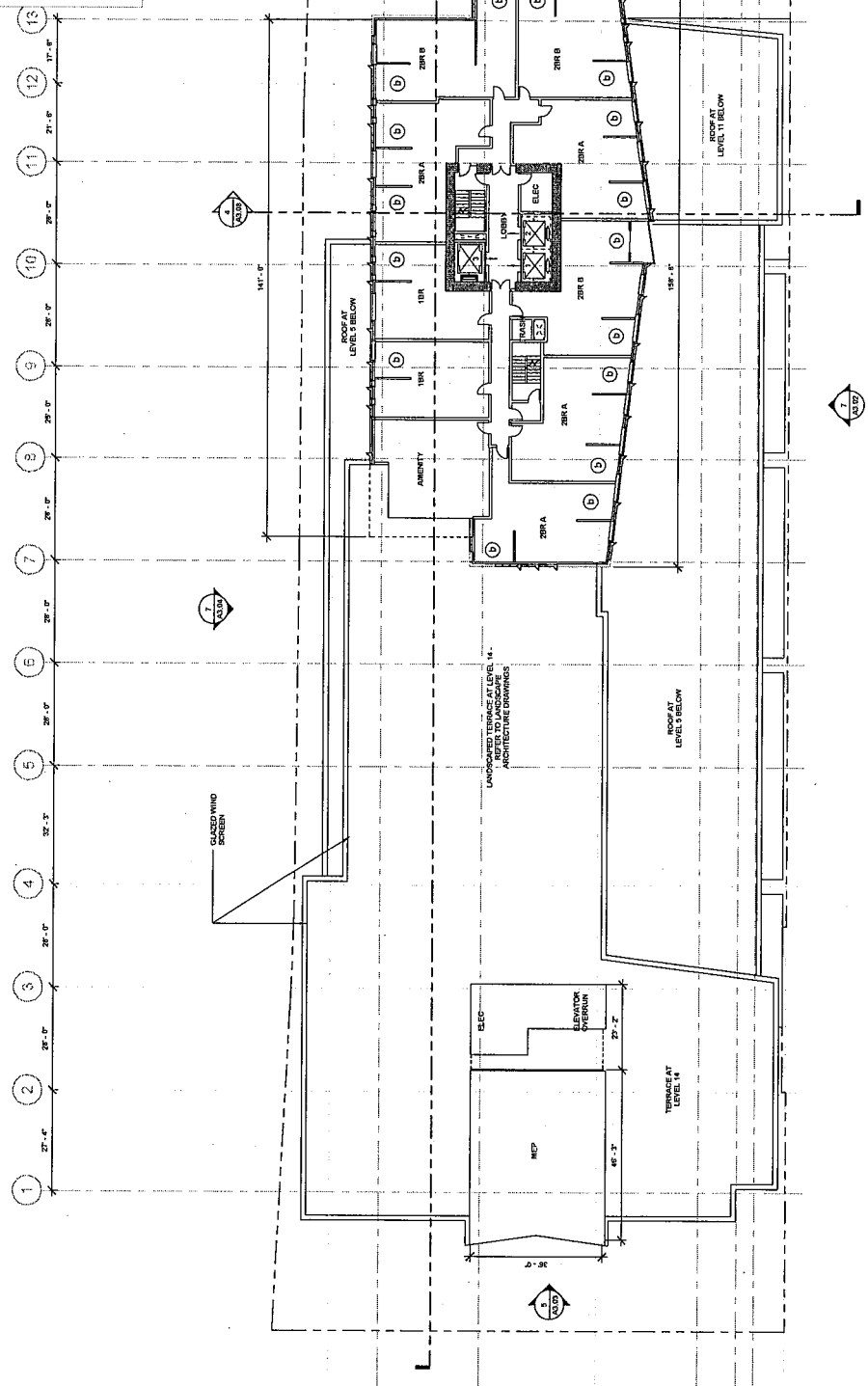


**Unit Type Key**

- General Plan Notes**
1. Project Zero is 75.56. Refer to Civil C1-00 for more detailed information.
  2. Refer to Landscape Architect & Civil Drawings for additional information.
- ST : STUDIO  
 JR1 : JR 1 BEDROOM  
 1BR : 1 BEDROOM  
 2BR : 2 BEDROOM  
 2BR A : 2 BEDROOM  
 2BR B : 2 BEDROOM  
 3BR : 3 BEDROOM  
 3BR PH : 3 BEDROOM  
 (b) : BEDROOM



Unit Type Key		General Plan Notes	
ST :	STUDIO	1.	Project Zero is 75.56. Refer to Civil C1-00 for more detailed information.
JR1 :	JR 1 BEDROOM	2.	Refer to Landscape Architect & Civil Drawings for additional information.
1BR :	1 BEDROOM		
2BR :	2 BEDROOM		
2BR A :	2 BEDROOM		
2BR B :	2 BEDROOM		
3BR :	3 BEDROOM		
3BR PH :	3 BEDROOM		
(D) :	BEDROOM		



Levels 14-15 Floor Plan  
 Final Development Package  
 MacArthur Transit Village: Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA

11.23.2016  
 2016010

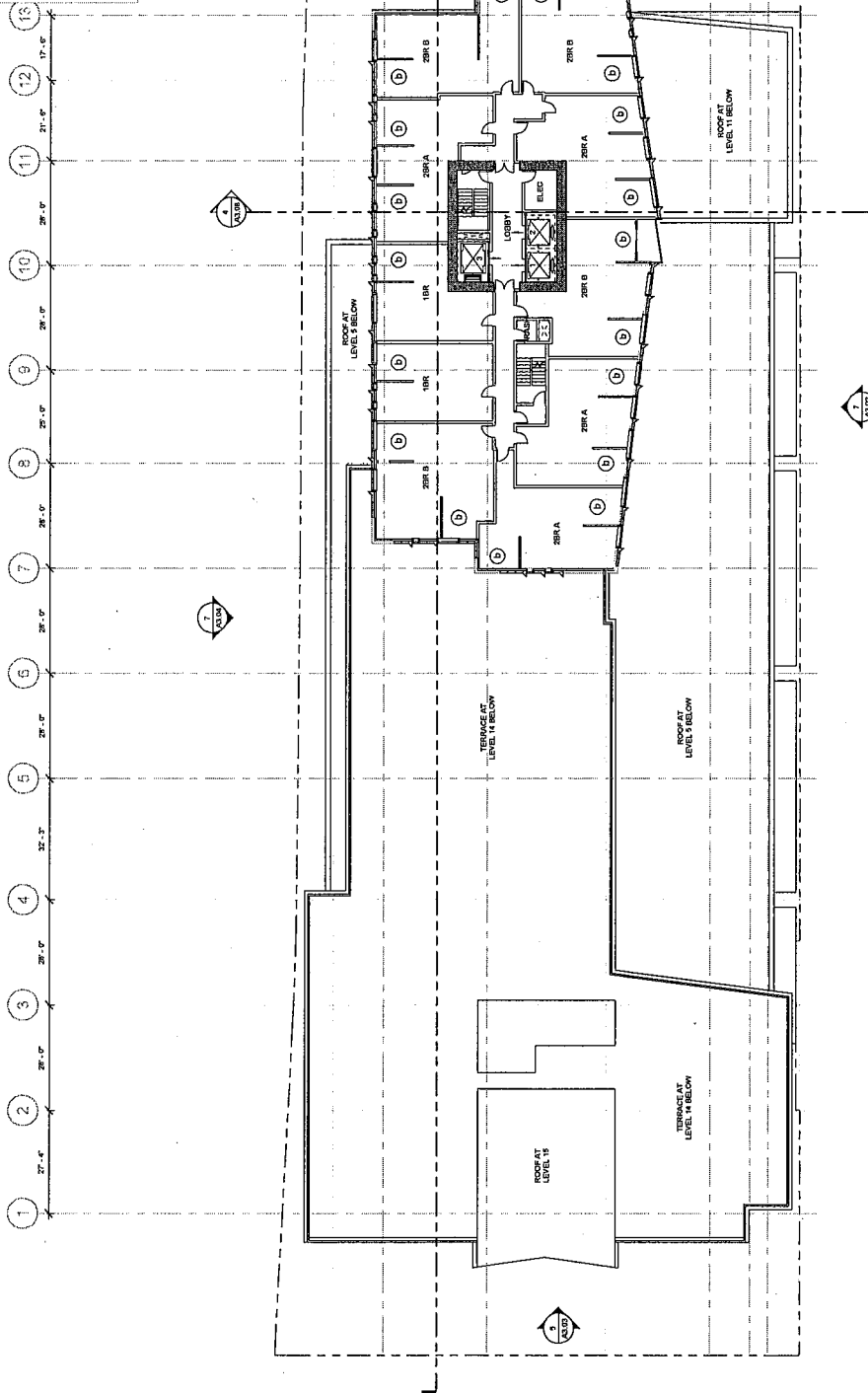


AZ-14



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Unit Type Key		General Plan Notes	
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JR1 :	JR 1 BEDROOM	2.	Refer to Landscape Architect & Civil Drawings for additional information.
1BR :	1 BEDROOM		
2BR :	2 BEDROOM		
2BR A :	2 BEDROOM		
2BR B :	2 BEDROOM		
3BR :	3 BEDROOM		
3BR PH :	3 BEDROOM		
(b)	BEDROOM		

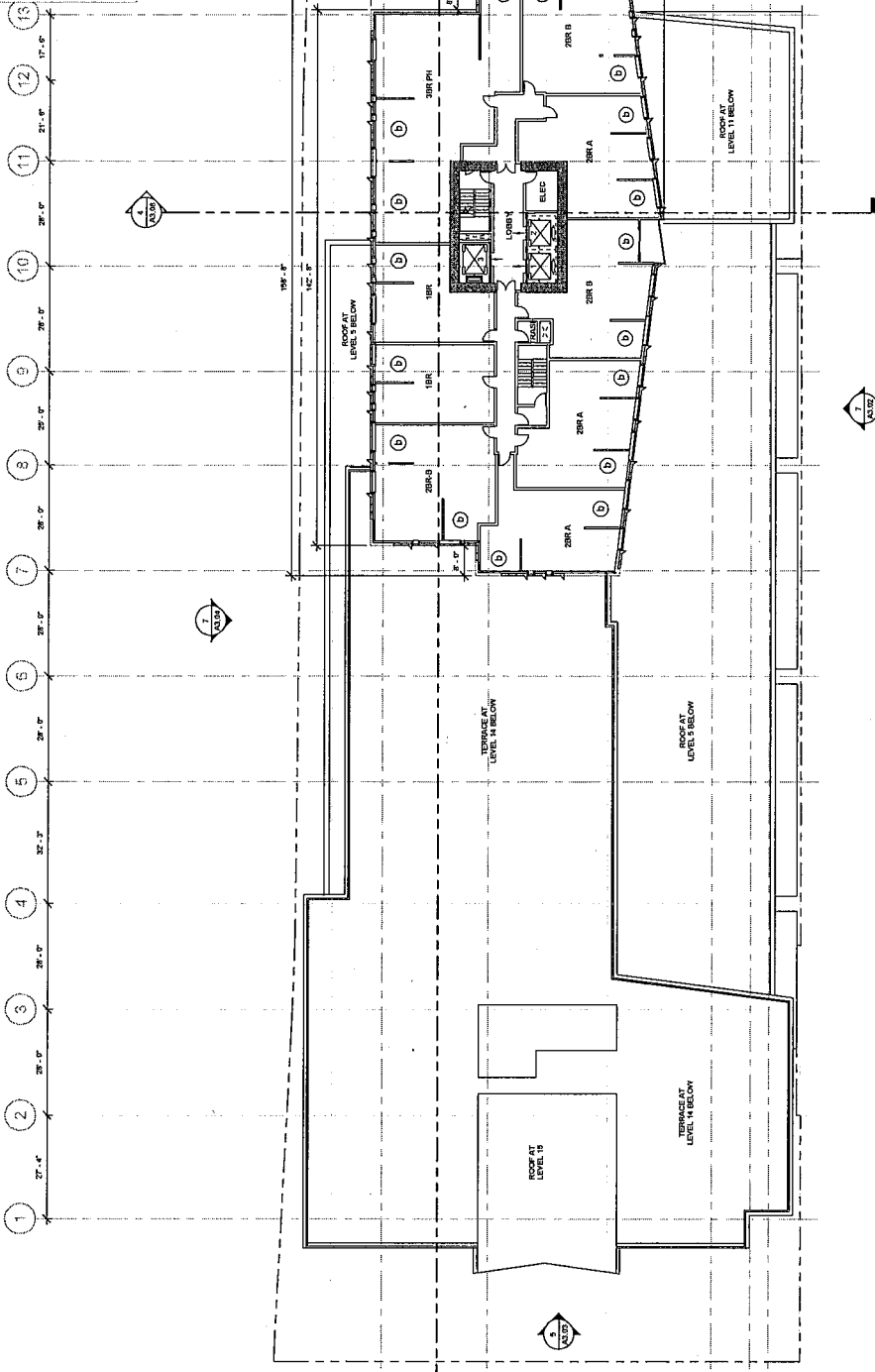


**Unit Type Key**

- ST : STUDIO
- JR1 : JR 1 BEDROOM
- 1BR : 1 BEDROOM
- 2BR : 2 BEDROOM
- 2BR A : 2 BEDROOM
- 2BR B : 2 BEDROOM
- 3BR : 3 BEDROOM
- 3BR PH : 3 BEDROOM
- (b) : BEDROOM

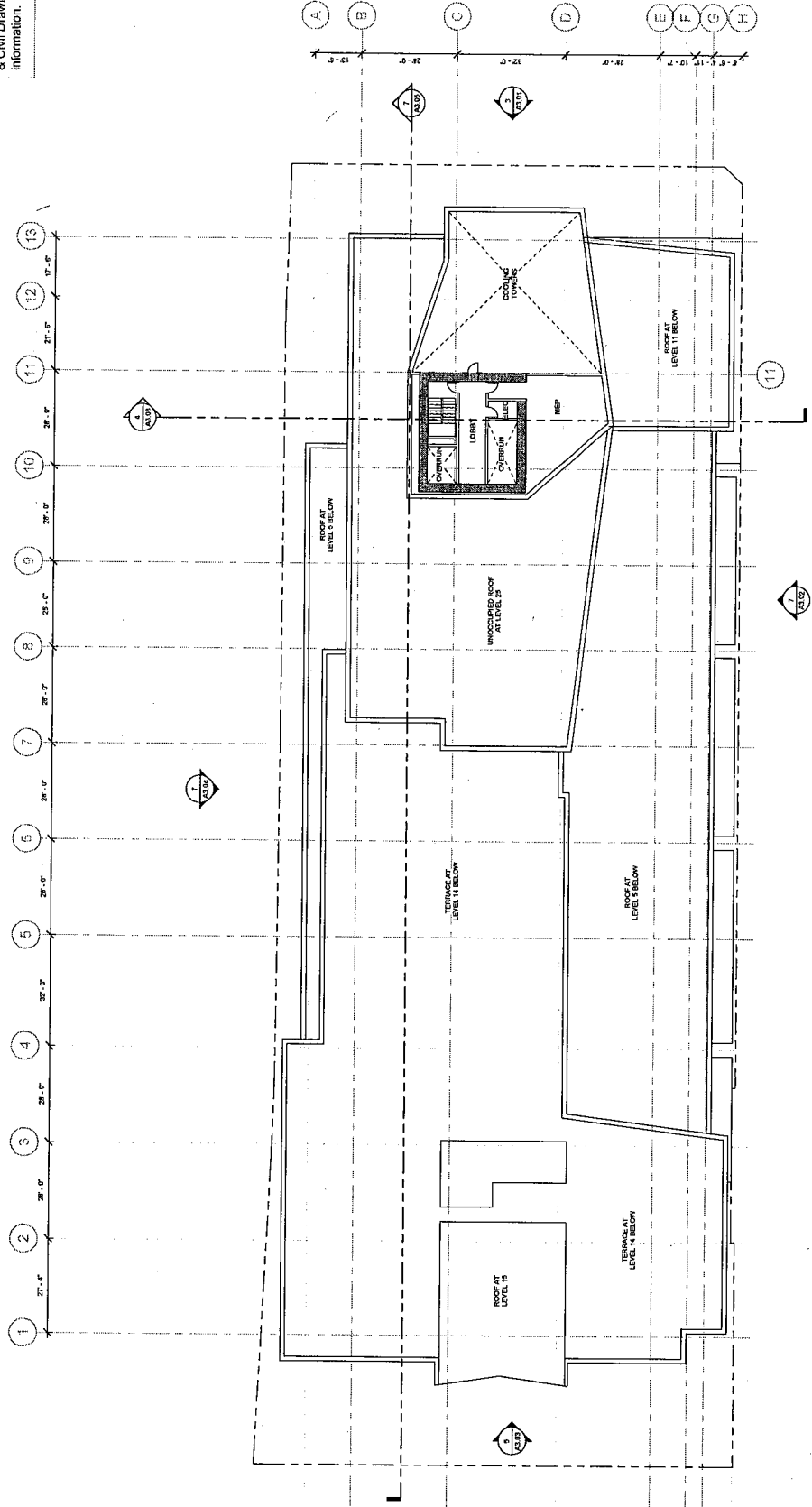
**General Plan Notes**

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2. Refer to Landscape Architect & Civil Drawings for additional information.



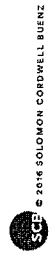
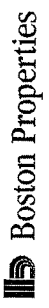
**General Plan Notes**

1. Project Zero is 75.56. Refer to Civil C1-00 for more detailed information.
2. Refer to Landscape Architect & Civil Drawings for additional information.



0 16 32

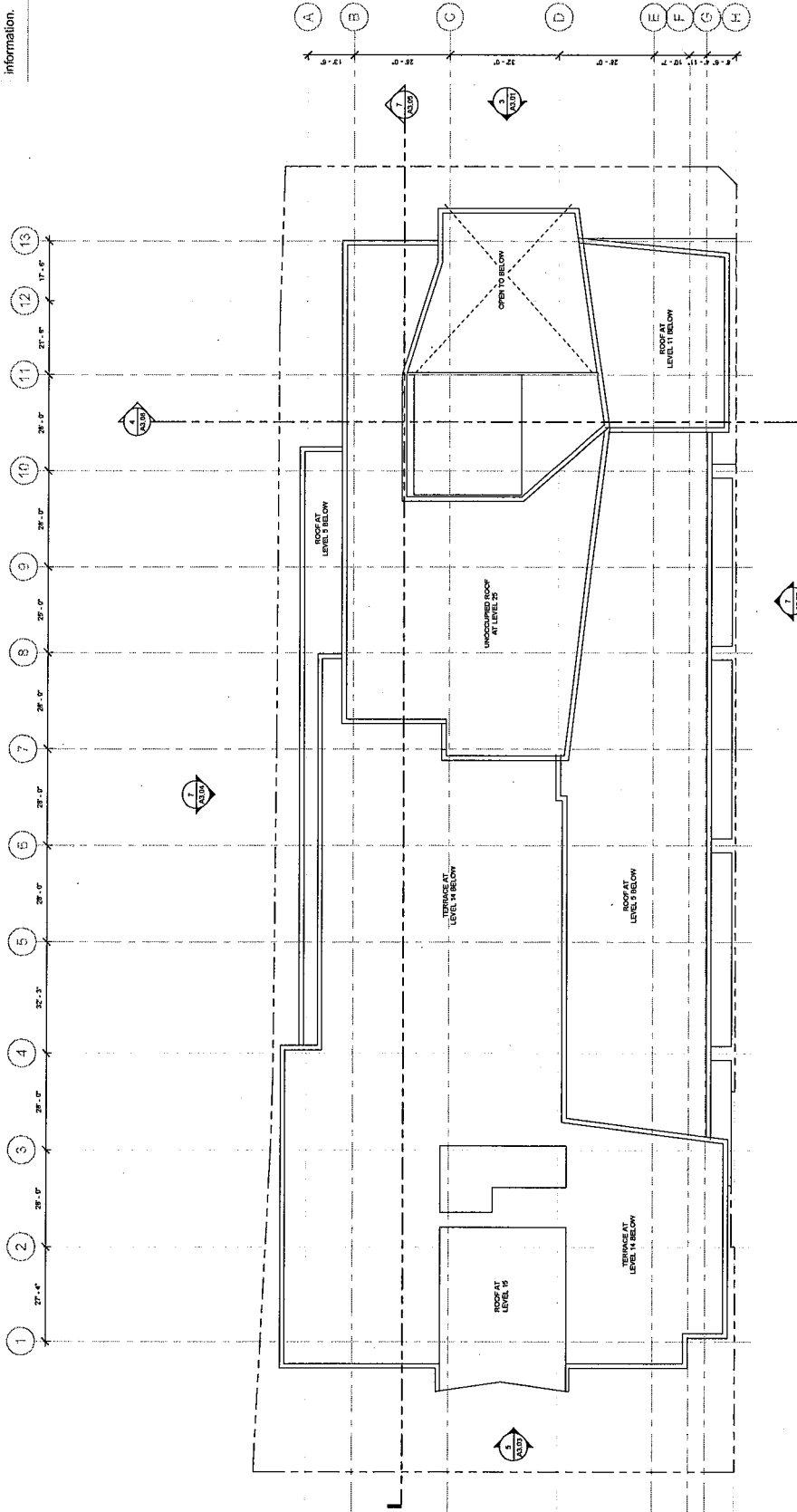
Level 25 Roof Plan  
 Final Development Package  
 MacArthur Transit Village: Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA 2016010



A2-25

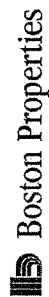
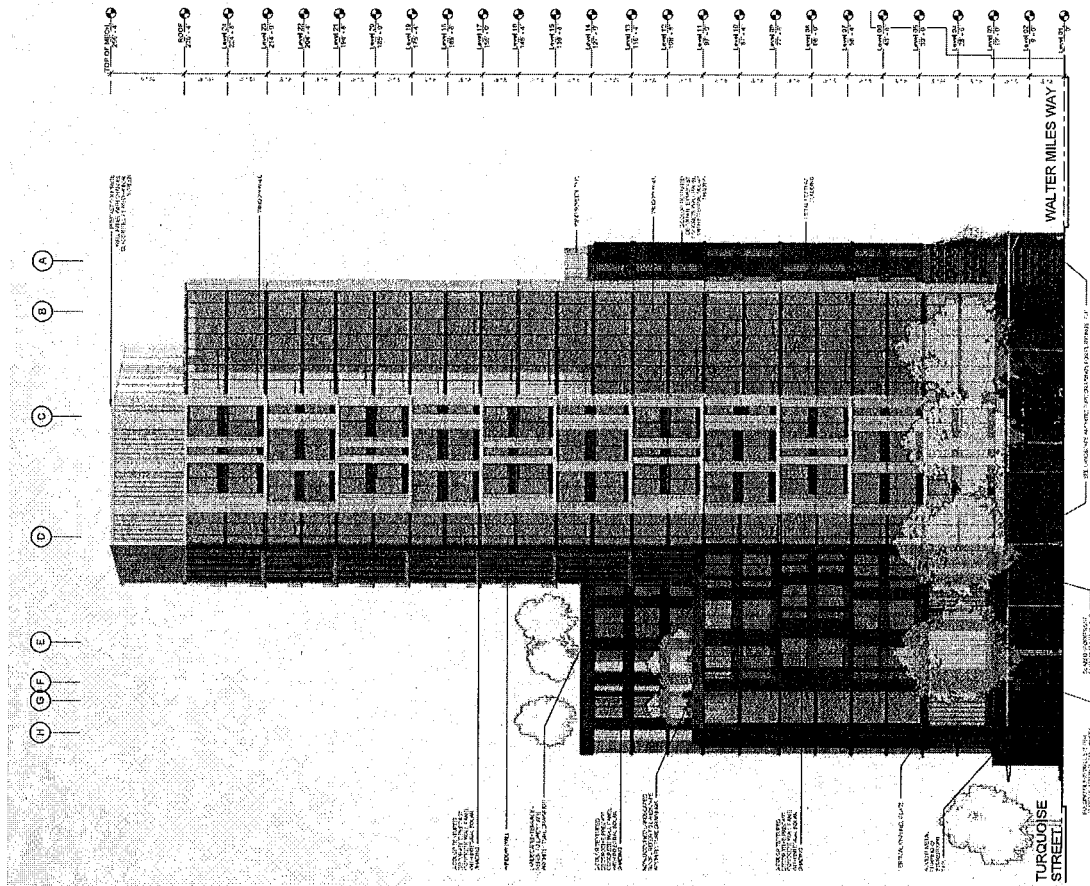
**General Plan Notes**

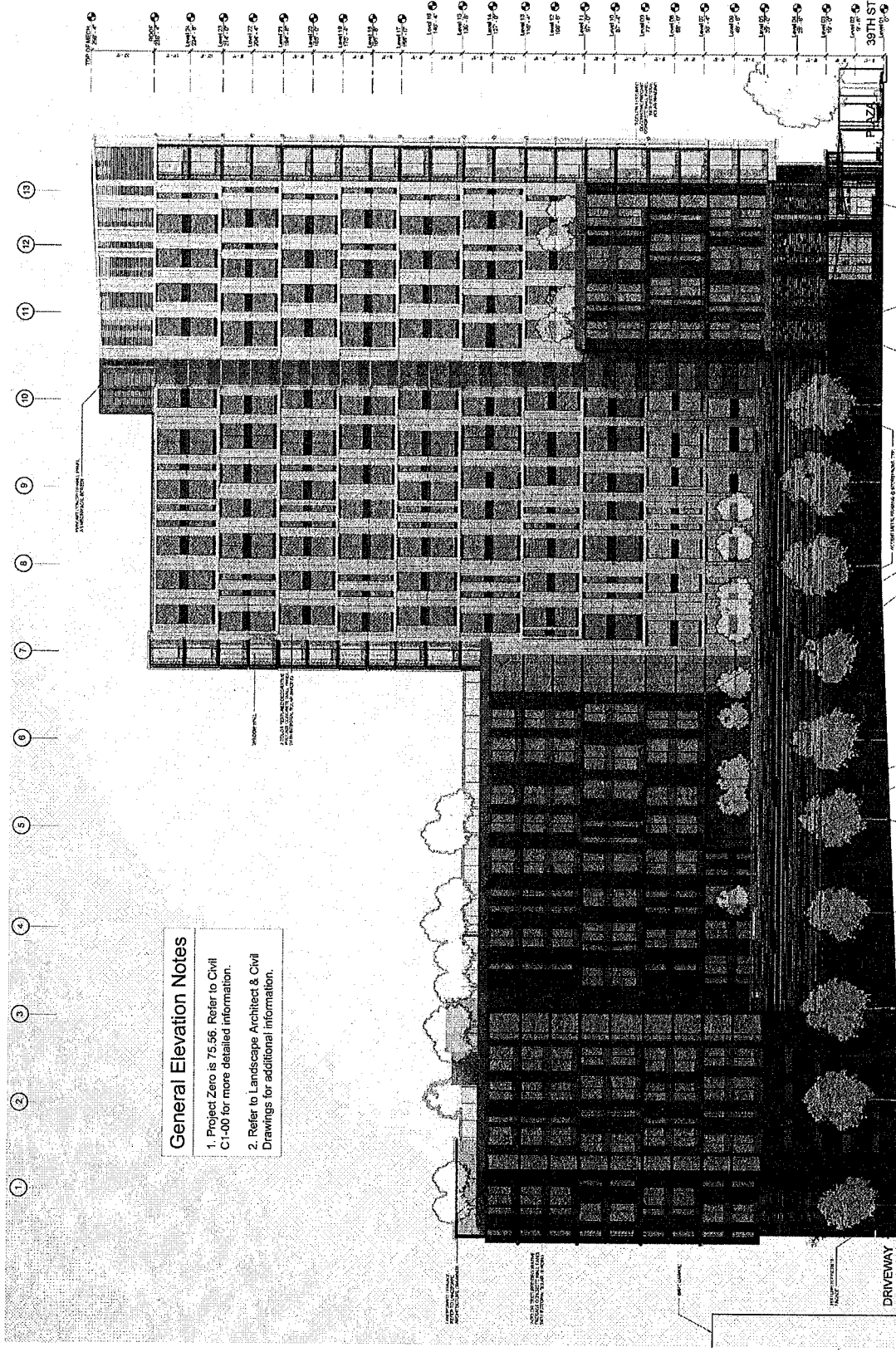
1. Project Zero is 75.56. Refer to Civil C1-00 for more detailed information.
2. Refer to Landscape Architect & Civil Drawings for additional information.



**General Elevation Notes**

1. Project Zero is 75.56. Refer to Civil C1-00 for more detailed information.
2. Refer to Landscape Architect & Civil Drawings for additional information.





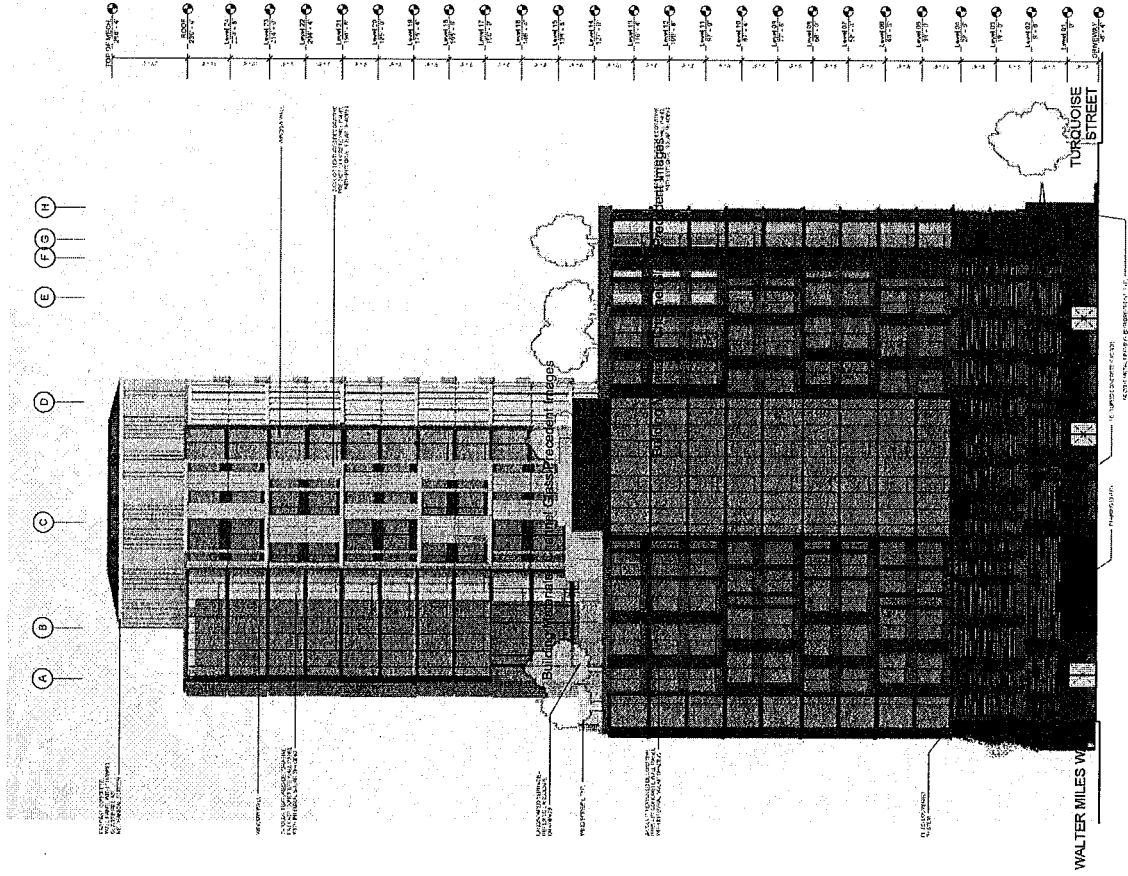
**General Elevation Notes**

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2. Refer to Landscape Architect & Civil Drawings for additional information.

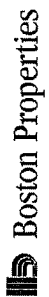


**General Elevation Notes**

1. Project Zero is 75.56. Refer to Civil C1-00 for more detailed information.
2. Refer to Landscape Architect & Civil Drawings for additional information.



South Elevation  
 Final Development Package  
 MacArthur Transit Village: Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA  
 20160110



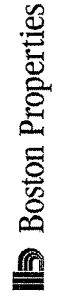
1  
2  
3  
4  
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11  
12

**General Elevation Notes**

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2. Refer to Landscape Architect & Civil Drawings for additional information.

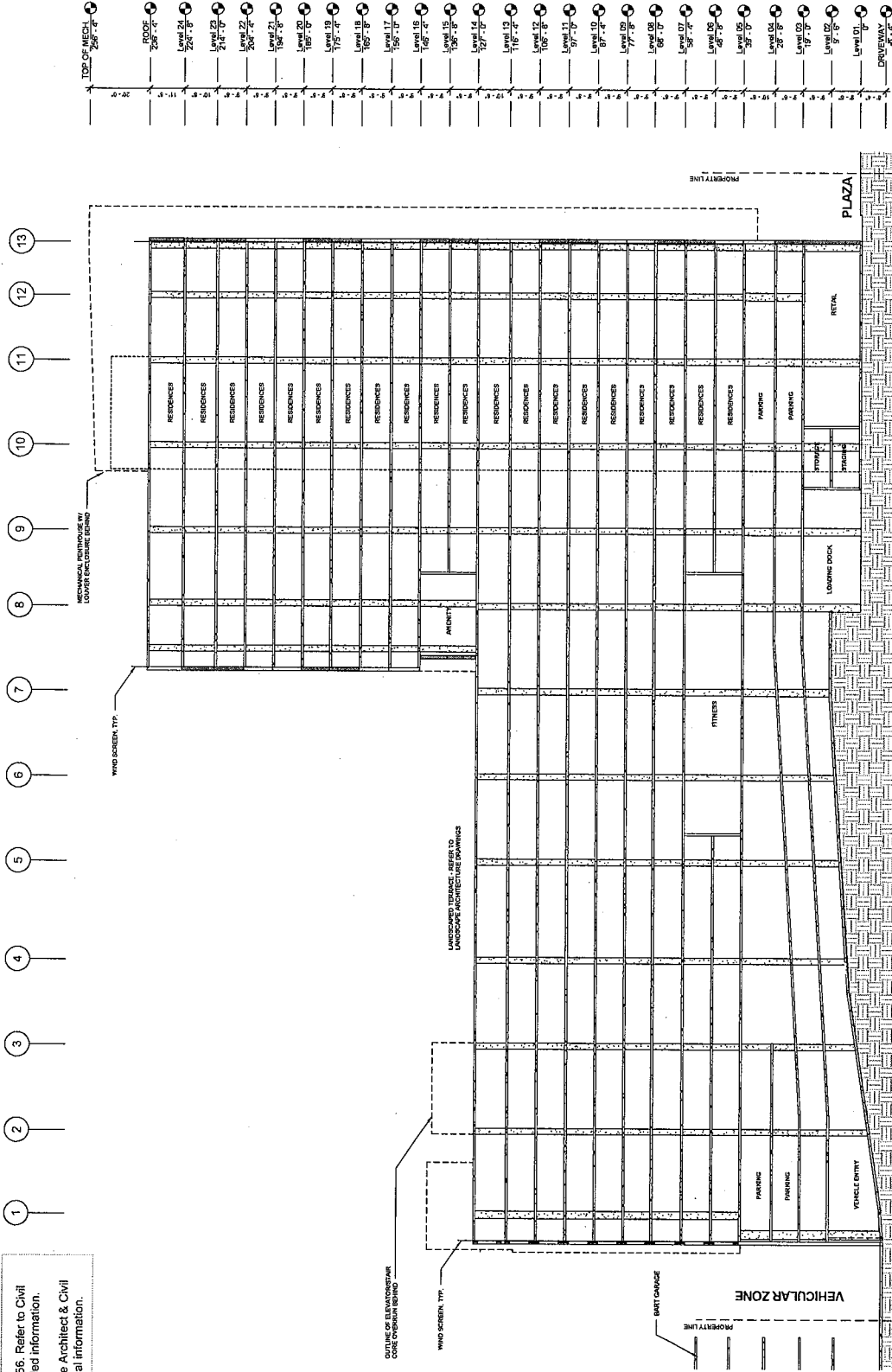


**West Elevation**  
 Final Development Package  
 MacArthur Transit Village, Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA 2016010



**General Section Notes**

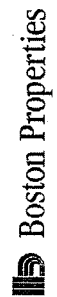
1. Project Zero is 75.56. Refer to Civil C1-00 for more detailed information.
2. Refer to Landscape Architect & Civil Drawings for additional information.



11.23.2016

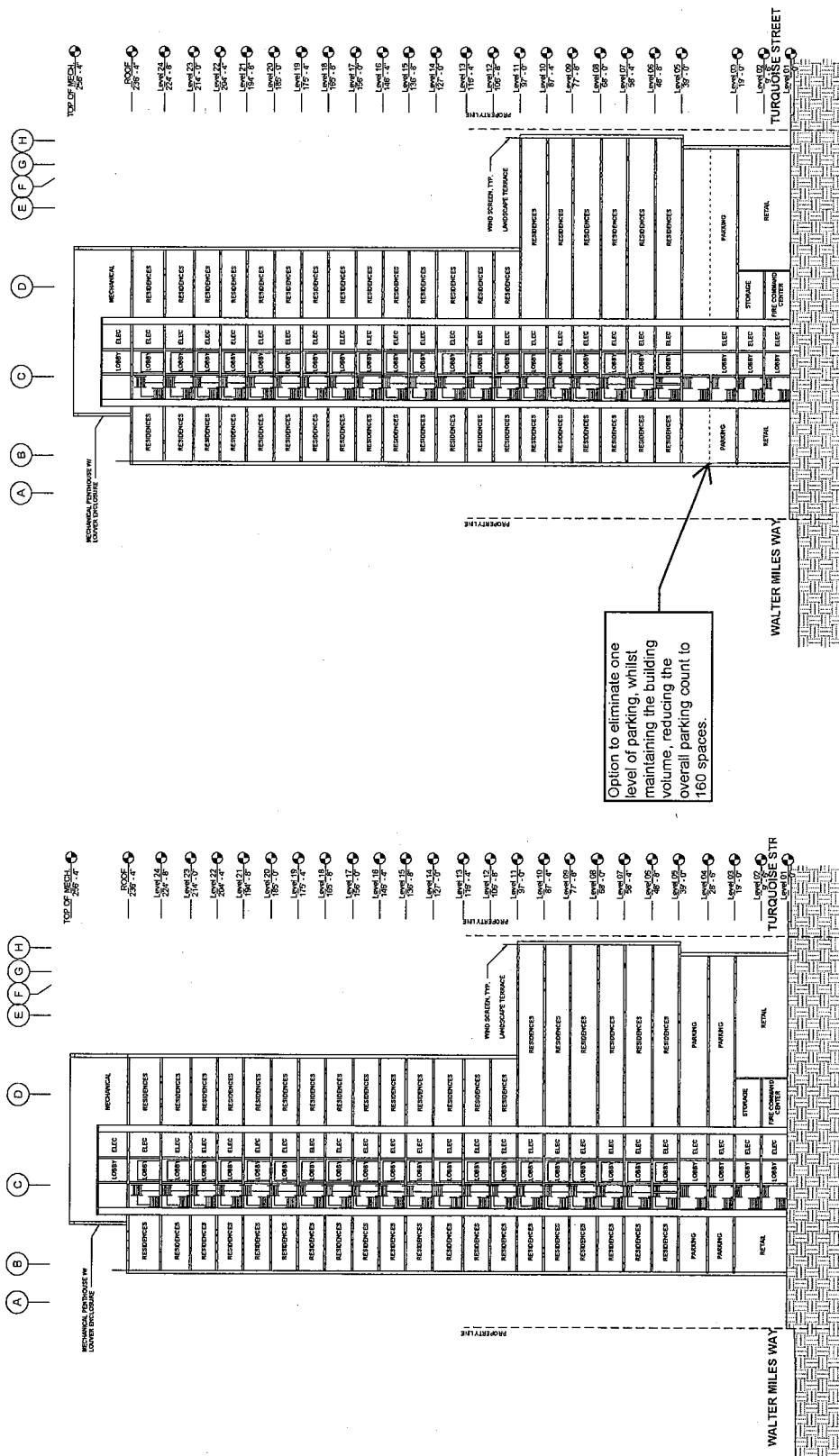
20160110

Building Section (N-S)  
 Final Development Package  
 MacArthur Transit Village: Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA



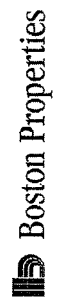
**General Section Notes**

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2. Refer to Landscape Architect & Civil Drawings for additional information.



0 16 32

Building Section (E-W)  
 Final Development Package  
 MacArthur Transit Village: Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA 2016019



**MacArthur Transit Village - BMR Calculation**

Parcel	Market Rate Units	Affordable Units	Total
A&C	371	12	383
B	357	45	402
Mural	0	90	90
<b>Total</b>	<b>728</b>	<b>147</b>	<b>875</b>

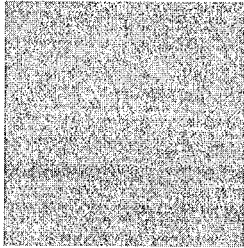
\*reference Section 1.1.20 in the OPA which requires at least 20% of market-rate units be below-market rate

% affordable for entire site\* 20.19%

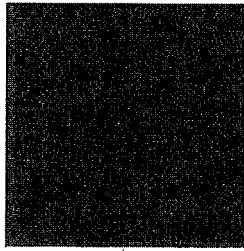
FLR. ELEV.	F/F	F/F	UNIT TYPE				Dwelling Units				Ambulatory Care		UNIT		RES		BEACH		PARKING		FLOOR AREA		BLOCK
			40	50	75	600	950	1500	1200	300	300	300	300	300	300	300	300	300	300	300	300	300	
+225.4	11.8'	24	9	2	3	3	1	4,180	0	4,180	0	0	0	0	0	0	0	0	0	0	0	0	4,180
+224.7	10.7'	23	9	2	3	3	1	1,520	8,820	10,750	82.0%	0	0	0	0	0	0	0	0	0	0	0	10,750
+224.1	9.6'	22	9	2	3	3	1	1,520	8,820	10,750	82.0%	0	0	0	0	0	0	0	0	0	0	0	10,750
+204.4	9.6'	21	10	2	4	4	1	1,520	8,820	10,750	82.0%	0	0	0	0	0	0	0	0	0	0	0	10,750
+183.1	9.6'	20	10	2	4	4	1	1,520	8,820	10,750	82.0%	0	0	0	0	0	0	0	0	0	0	0	10,750
+175.4	9.6'	19	10	2	4	4	1	1,520	8,820	10,750	82.0%	0	0	0	0	0	0	0	0	0	0	0	10,750
+155.0	9.6'	17	10	2	4	4	1	1,520	8,820	10,750	82.0%	0	0	0	0	0	0	0	0	0	0	0	10,750
+145.4	9.6'	16	10	2	4	4	1	1,520	8,820	10,750	82.0%	0	0	0	0	0	0	0	0	0	0	0	10,750
+137.0	9.6'	15	9	2	4	4	1	1,520	7,820	9,750	63.9%	0	0	0	0	0	0	0	0	0	0	0	9,750
+105.7	9.6'	14	9	2	4	4	1	1,520	7,820	10,550	74.1%	0	0	0	0	0	0	0	0	0	0	0	10,550
+97.0	9.6'	13	32	4	7	6	9	800	7,820	28,575	84.0%	0	0	0	0	0	0	0	0	0	0	0	28,575
+77.4	9.6'	11	32	4	7	6	9	4,575	24,000	28,575	84.0%	0	0	0	0	0	0	0	0	0	0	0	28,575
+68.0	9.6'	8	35	2	3	3	5	4,575	24,000	28,575	84.0%	0	0	0	0	0	0	0	0	0	0	0	28,575
+58.2	9.6'	7	37	3	3	3	5	4,520	26,200	31,000	84.5%	0	0	0	0	0	0	0	0	0	0	0	31,000
+48.7	9.6'	6	37	3	3	3	5	4,520	26,200	31,000	84.5%	0	0	0	0	0	0	0	0	0	0	0	31,000
+39.0	10.5'	5	28	4	5	7	6	4,830	20,000	24,800	50.9%	0	0	0	0	0	0	0	0	0	0	0	24,800
+25.5	10.5'	4	28	4	5	7	6	4,830	20,000	24,800	50.9%	0	0	0	0	0	0	0	0	0	0	0	24,800
+19.0	9.5'	3	30	4	5	7	6	1,340	0	1,340	0%	0	0	0	0	0	0	0	0	0	0	0	1,340
+9.5	9.6'	2	30	4	5	7	6	13,000	0	13,000	0%	0	0	0	0	0	0	0	0	0	0	0	13,000
+0.0	9.5'	1	402	44	63	80	26	7,000	47,535	31,520	492.55%	0	0	0	0	0	0	0	0	0	0	0	45,535
			<b>TOTAL UNITS</b>	<b>402</b>	<b>44</b>	<b>63</b>	<b>80</b>	<b>26</b>	<b>7,000</b>	<b>47,535</b>	<b>31,520</b>	<b>492.55%</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>45,535</b>



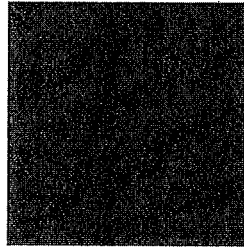
**RESIDENTIAL TOWER**



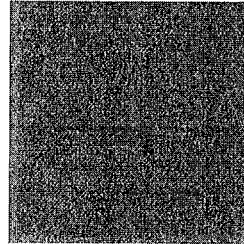
HIGH-RISE MAIN BODY  
TEXTURED CONCRETE  
'DUNE'



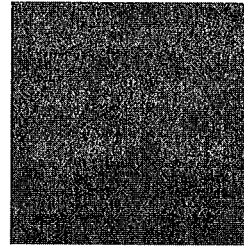
HIGH-RISE ACCENT  
TEXTURED CONCRETE  
'SILVERSMOKE'



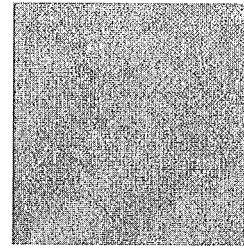
MID-RISE MAIN BODY  
CONCRETE  
'CHARCOAL GREY'



MID-RISE ACCENT  
TEXTURED CONCRETE  
'SILVERSMOKE'

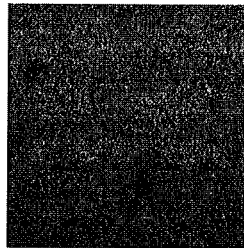


FEATURE CLADDING  
WEATHERED METAL

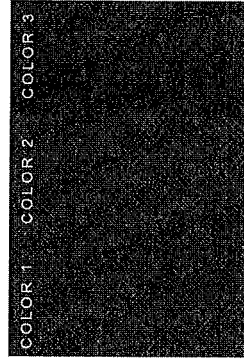


GLAZING  
HIGH PERFORMANCE  
INSULATED GLAZING  
UNIT - LIGHT GREEN

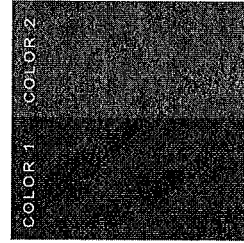
**RETAIL/PARKING PODIUM**



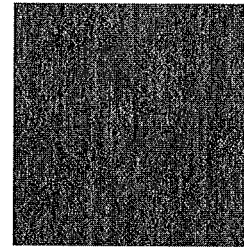
RETAIL ACCENT  
WEATHERED METAL



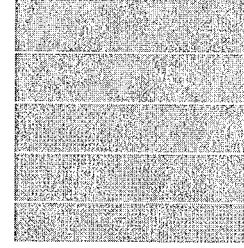
METAL PARKING SCREEN ELEMENTS



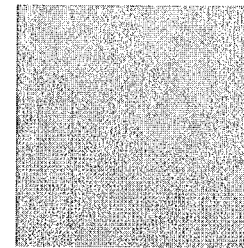
MISCELLANEOUS METAL



PODIUM SOUTH / WEST  
TEXTURED CONCRETE

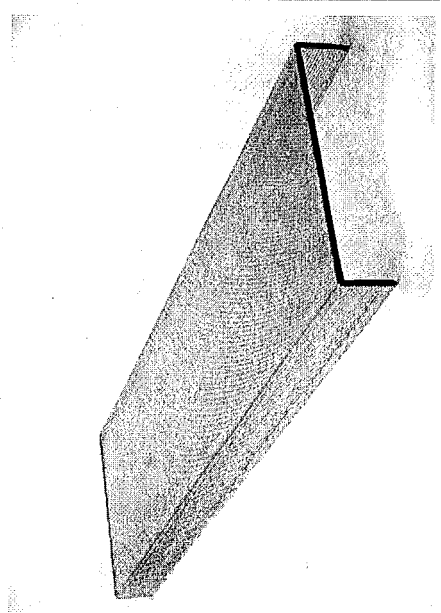
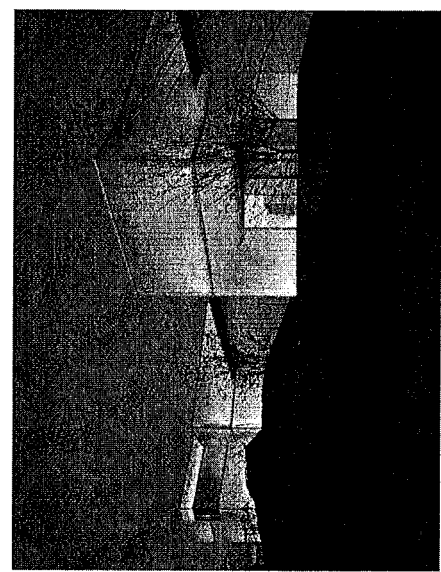
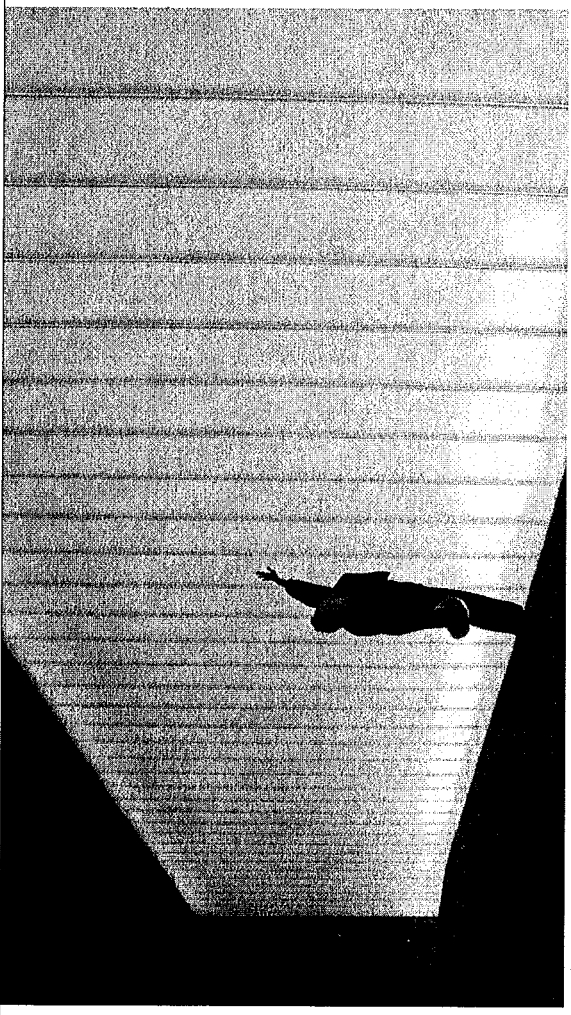
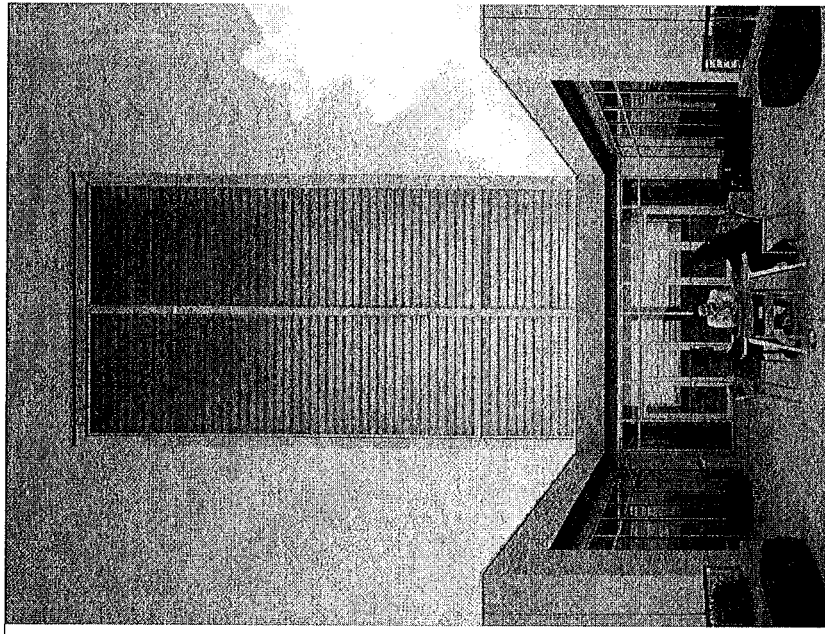


GLAZING  
CHANNEL GLASS  
PARKING &  
MECHANICAL SCREEN



GLAZING  
LAMINATED GLAZING  
CLEAR





Building Materials - Channel Glass Precident Images


Final Development Package

MacArthur Transit Village, Parcel B

Solomon Cordwell Buenz / Boston Properties / Oakland, CA

11.23.2016

2016010

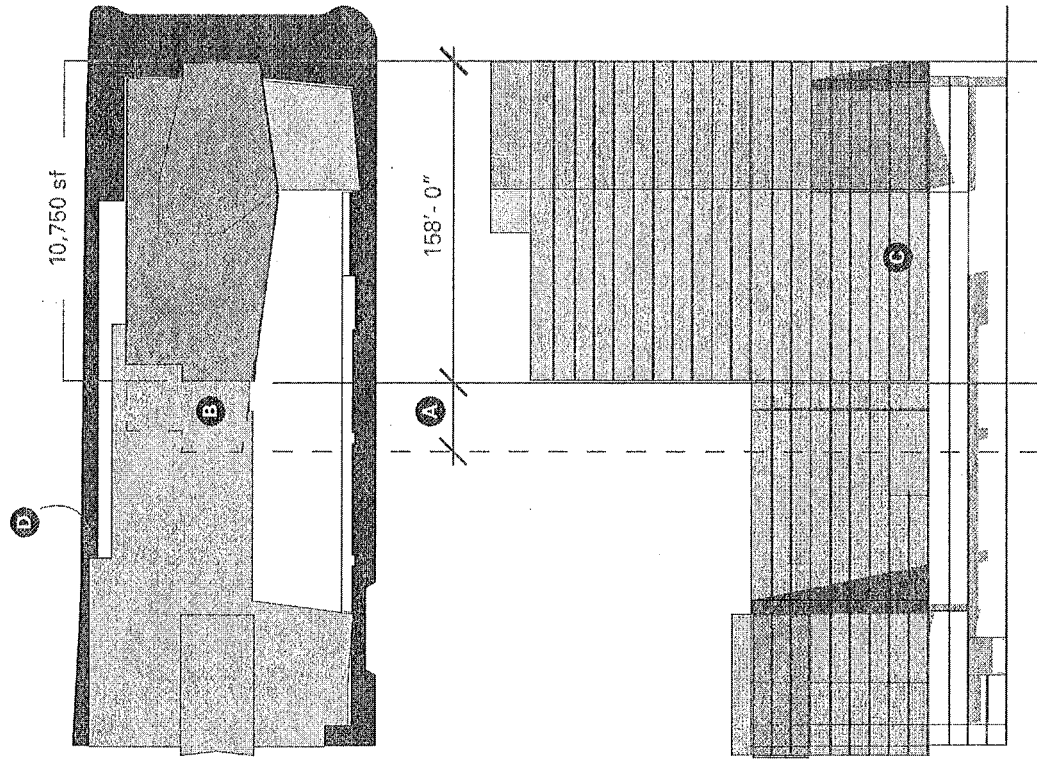
 Boston Properties



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# APPENDIX A - MASSING UPDATE

- A TOWER LENGTH REDUCED BY 40' FROM 192 TO 158'
- B TOWER FLOORPLATE REDUCED FROM 12,500SF TO APPROX 10,750SF
- C RESIDUAL TOWER VOLUME REDISTRIBUTED TO PODIUM WINGS
- D PODIUM PULLED BACK AT WALTER MILES WAY TO CREATE SIDEWALK



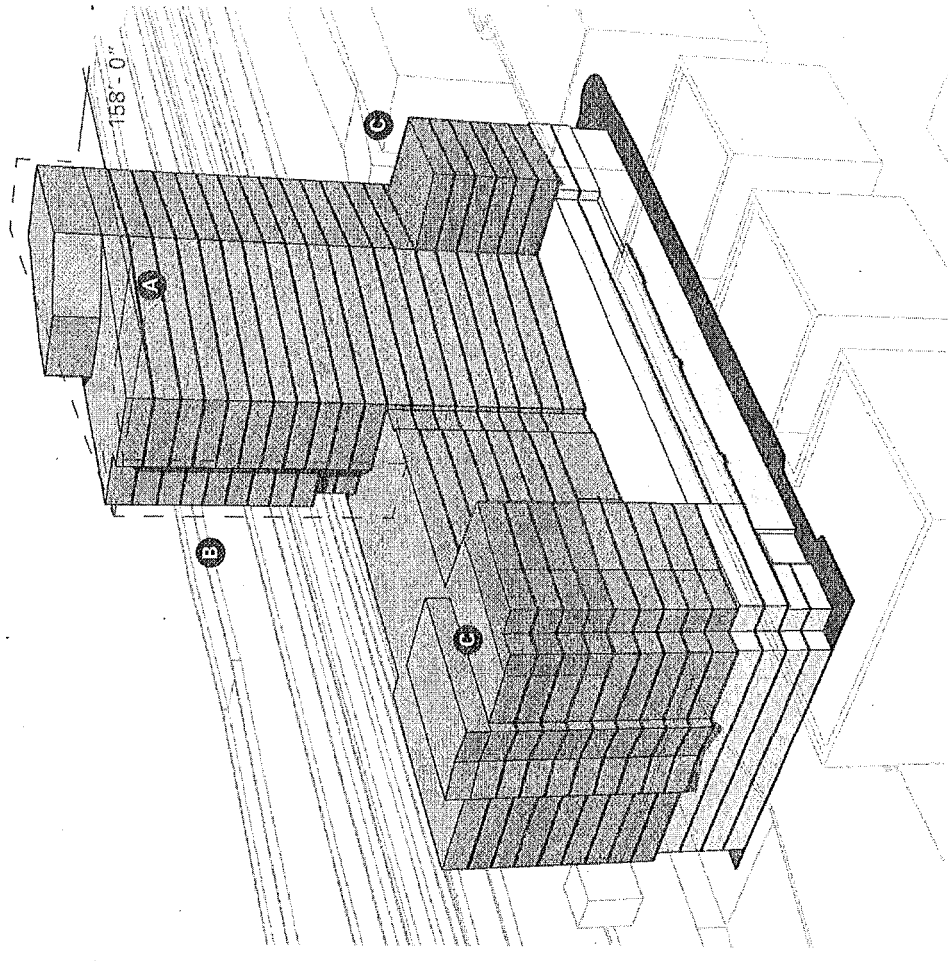
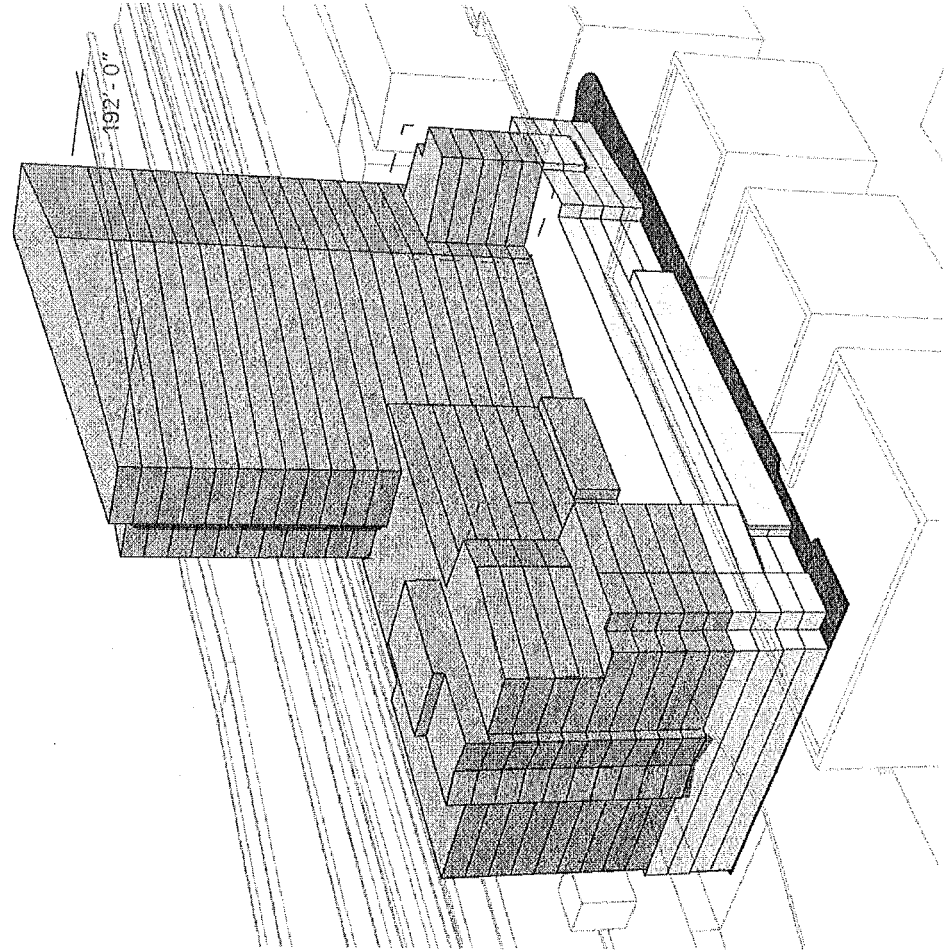
12/01/2016

ORIGINAL FDP (& DRC)



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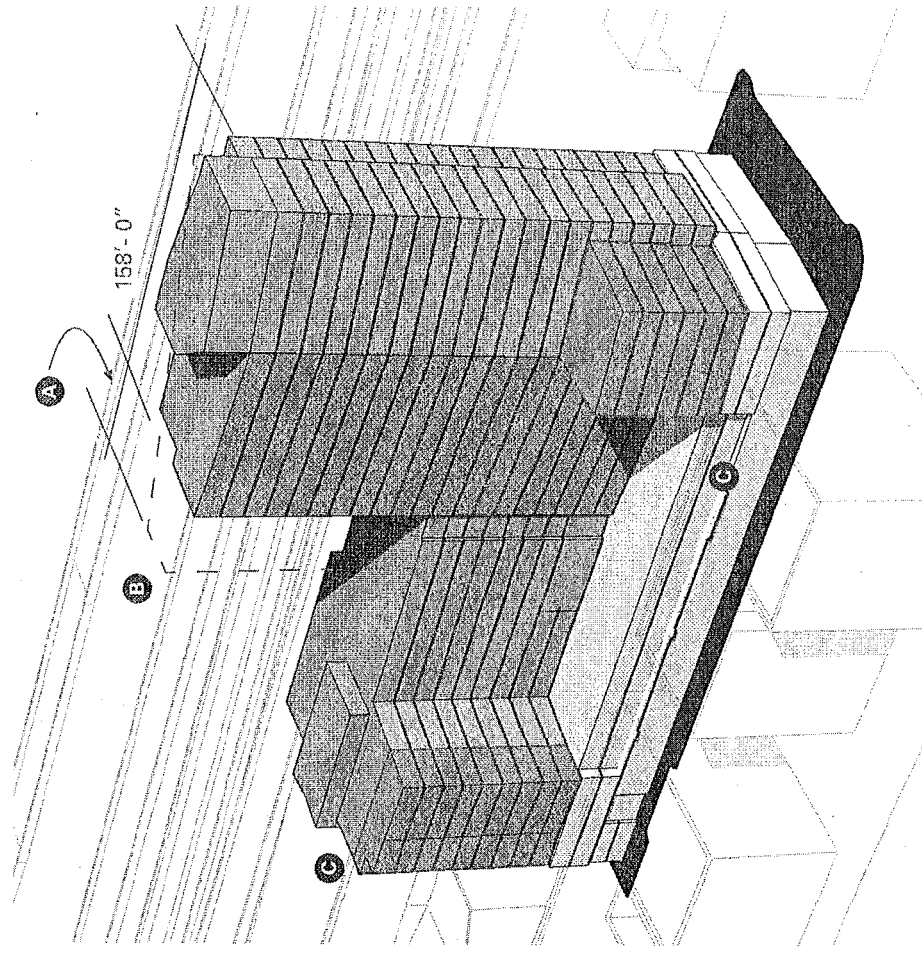
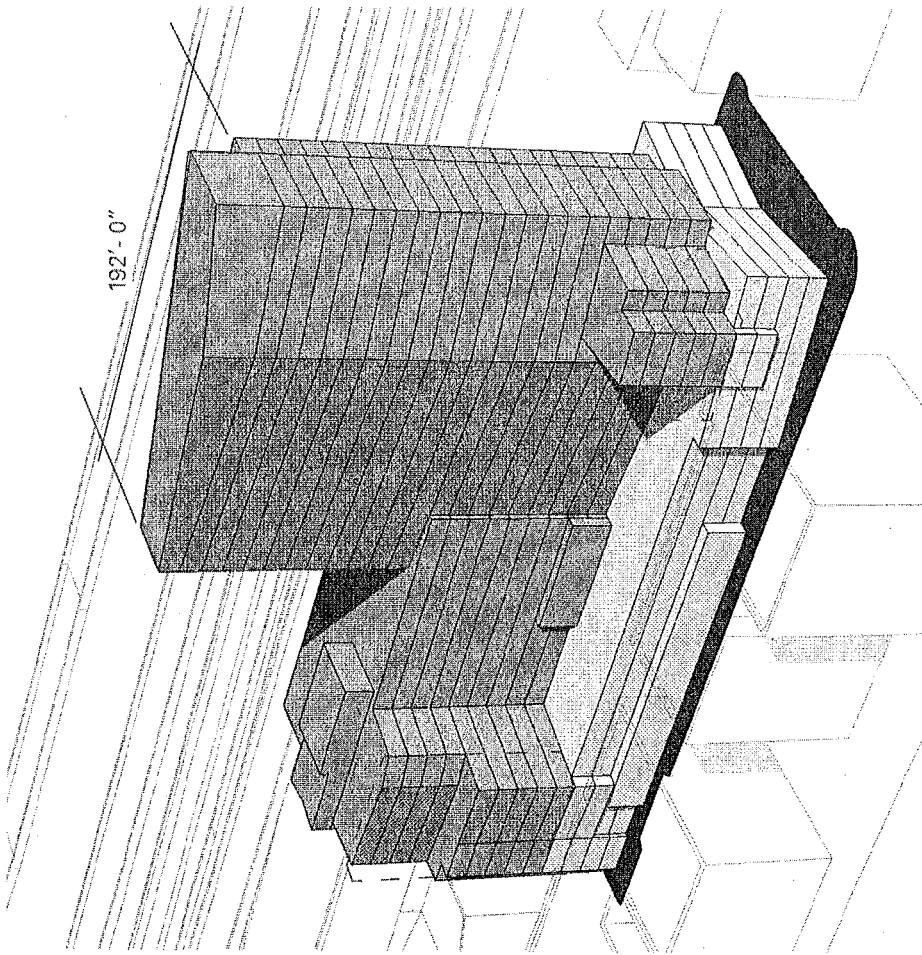
12/01/2016

ORIGINAL FDP (& DRC)



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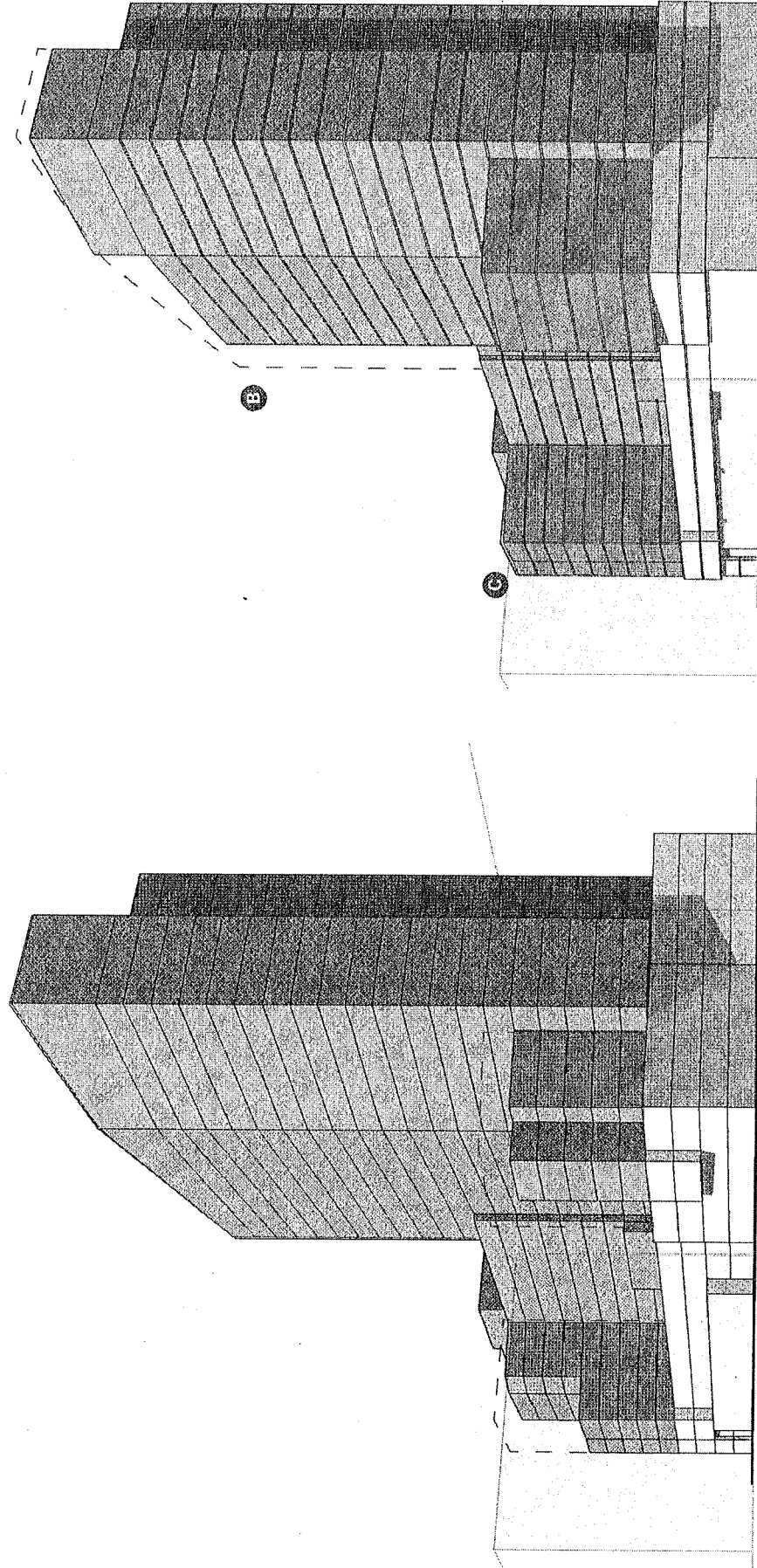


ORIGINAL FDP (& DRC)

12/01/2016

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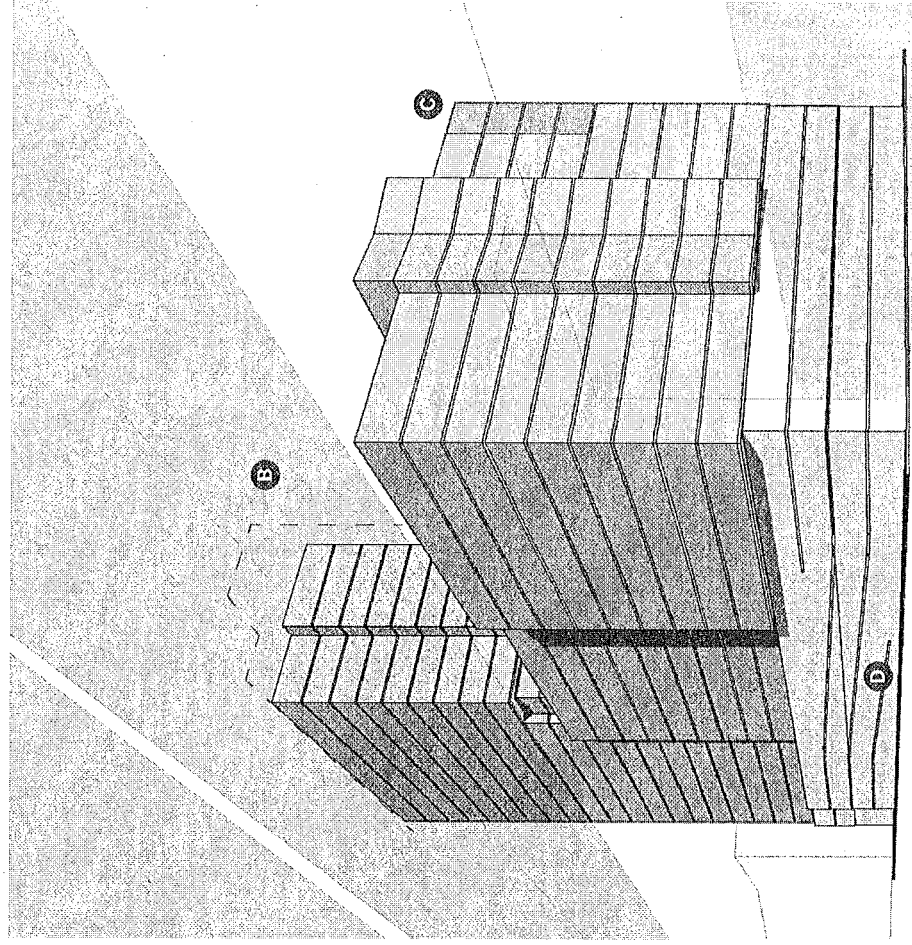
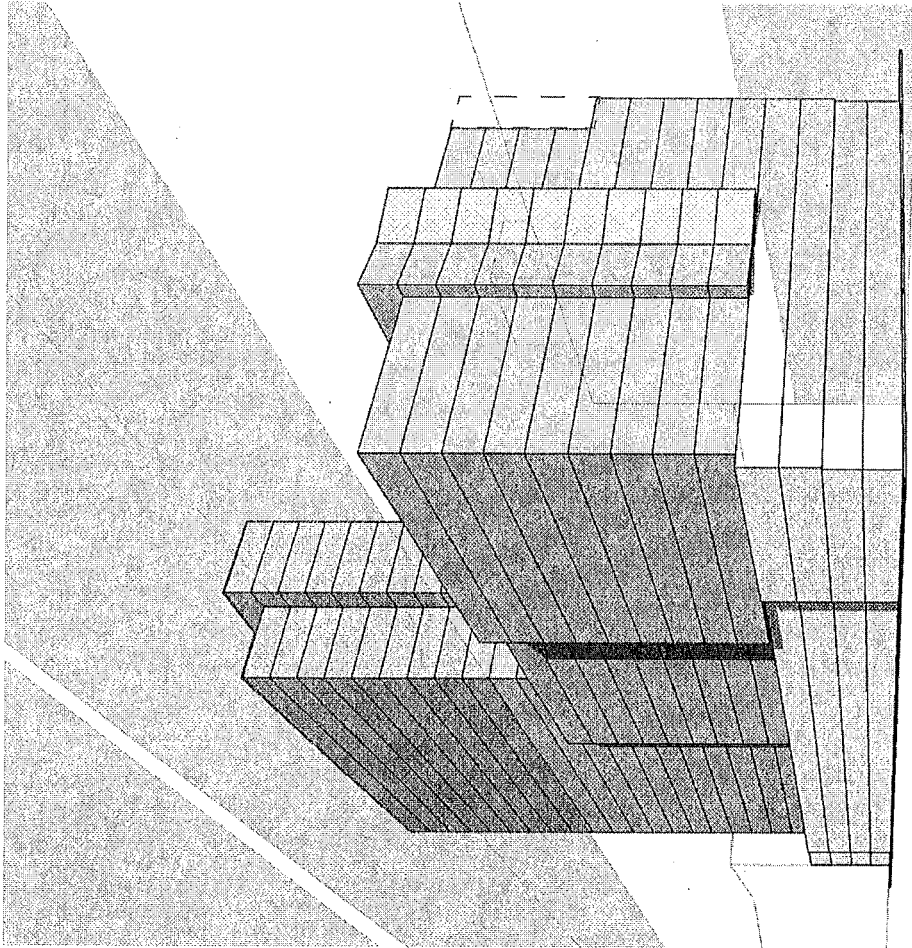


12/01/2016

ORIGINAL FDP (& DRC)

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- D PODIUM PULLED BACK AT WALTER MILES WAY TO CREATE SIDEWALK



ORIGINAL FDP (& DRC)

12/01/2016





DESIGN FOR A CHANGING WORLD

SOLOMON CORDWELL BUENZ  
255 California Street  
San Francisco, CA 94111  
T 415.216.2450

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[WWW.SCB.COM](http://WWW.SCB.COM)

## **D. Proposed Revision to PUD**

# MacArthur Transit Village



MacArthur Transit Village  
OAKLAND, CALIFORNIA

June 4, 2008

Preliminary  
Development Plan/  
Planning Commission

See Exhibit A,  
dated February 1,  
2017, for text  
amendments to  
this sheet. Sheet  
T-01 Title Page

**Development Information**

Description	Existing	New
Total Lot Area (acres)	7.76	7.76
Net Total Lot Area without Streets (sf)	NA	5,66
Net Total Lot Area with BART Plaza (sf)	NA	8.2
Total Building Footprint Area (sf)	32,500	220,800
Total Floor Area Living Spaces (sf)	NA	750,000
Total Floor Area Resid. Parking (sf)	NA	330,000
Total Floor Area BART Parking (sf)	NA	170,000
Building Height	25 (2 stories)	50-85 (up to 6 stories)*
Number of Dwelling Units	NA	624
Number of Live-Work Units	NA	8
Density (units per gross acre)	NA	80
Density (units per net acre)	NA	110
Number of Parking Spaces	600	1024**
Total Building Open Space (sf)	NA	54,000 (87sf/unit)
Total Site Open Space (sf)	NA	72,978
Total Commercial/Retail (sf)	NA	35,500
Total Live/Work Space (sf)	NA	7,000
Grading - Proposed Cut (cy)	NA	31,500
Grading - Proposed Fill (cy)	NA	11,170
Grading - Net Export (cy)	NA	20,330

\* Height not to exceed 6 stories and not to exceed an average of 75' for the entire development. \*\* including on-street parking 44 stalls. Where appropriate height to reach as high as 85'

**Development Detail**

Building A	Unit Count	Area (sf)	Parking	Net Site Area**
Residential	213 units	3,000 (3 units)	213	
Live Work Units		20,500	3	
Retail		23,500	26	
<b>TOTAL</b>	<b>213 units</b>		<b>242</b>	<b>1.79 ac.</b>
Building B	Unit Count	Area (sf)	Parking	Net Site Area**
Residential	732 units	1,500 (2 units)	732	
Live Work Units		3,500	7	
Retail		5,000	134	
<b>TOTAL</b>	<b>732 units</b>		<b>134</b>	<b>1.03 ac.</b>
Building C	Unit Count	Area (sf)	Parking	Net Site Area**
Residential	189 units	5,000	189	
Community/Child Care		2,600 (5 units)		
Live/Work Space		5,500		
Retail		74,000	189	
<b>TOTAL</b>	<b>189 units</b>		<b>189</b>	<b>1.35 ac.</b>
Building D	Unit Count	Area (sf)	Parking	Net Site Area**
Residential	90 units	NA	91	
Retail		NA		
<b>TOTAL</b>	<b>90 units</b>		<b>91</b>	<b>0.91 ac.</b>
Building E	Unit Count	Area (sf)	Parking	Net Site Area**
BART Parking		5,000	324	
Commercial/Retail		5,000		
<b>TOTAL</b>			<b>324</b>	<b>0.58 ac.</b>

\*\* Area of building pad excluding streets

**Developer:**  
MacArthur Transit Community Partners, LLC  
Contact: Joe McCarthy, (510) 273-2009

**Architect:**  
McLarand Vazquez Enesiak & Partners, Inc.  
350 Frank Ogawa Plaza, Suite 100  
Oakland, CA 94612  
Contact: Chak F Tang, (510) 267 3188

**Architect for Affordable Component:**  
Van Meier Williams Pilback LLP  
18 De Boom Street  
San Francisco, CA 94107  
Contact: Fred Pollack, (415) 874-5382

**Landscape Architect:**  
PGA Design, Inc.  
444 17th Street  
Oakland, CA 94612  
Contact: Chris Kent, (510) 465-1284

**Urban Landscape and Site Architecture:**  
Hood Design  
3016 Filbert Street, Studio 2  
Oakland, CA 94608  
Contact: Walter Hood, (510) 565-0888

**Civil Engineer:**  
Sandoz  
1721 Broadway, Suite 201  
Oakland, CA 94612  
Contact: Michael A. Kurkendal, (510) 873-8866

**Traffic Consultant:**  
Dowling Associates, Inc.  
180 Grand Avenue, Suite 250  
Oakland, CA 94612  
Contact: Mark Bowman, (510) 889-1742





DRAFT MARKUP PRIVILEGED AND CONFIDENTIAL

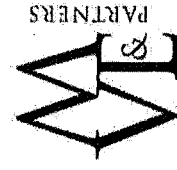
MacArthur  
1770

BARRETT  
TRANSIT  
MILAGE  
OAKLAND, CALIFORNIA

June 4, 2008

Preliminary  
Development Plan/  
Planning Commission

T-02  
Neighborhood Plan

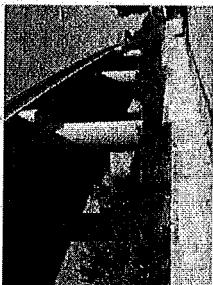


MacArthur Transit Community Partners, LLC

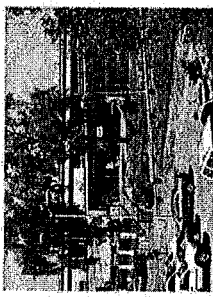
June 4, 2008

Preliminary  
 Development Plan/  
 Planning Commission

DRAET MARKUP PRIVILEGED AND CONFIDENTIAL



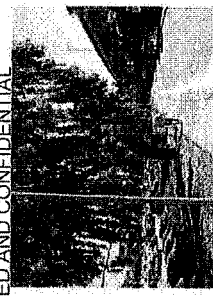
Frontage Rd. near MacArthur Biv., looking North.



Northwest corner of BART Parking lot, with BART Plaza in background.



Frontage Rd. with Shuttle Stop.



Frontage Rd. near BART Plaza.



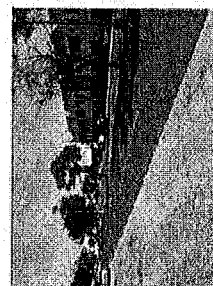
BART Plaza with Fare Gates.



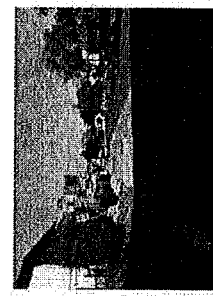
MacArthur Biv. near Frontage Rd., looking East.



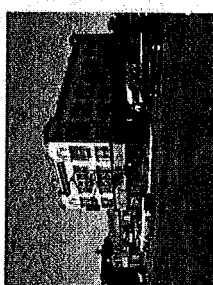
Underpass of Hwy 24 on MacArthur Biv.



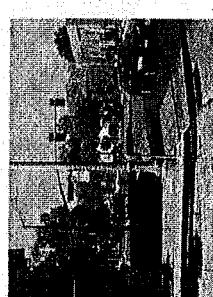
MacArthur Biv. looking South.



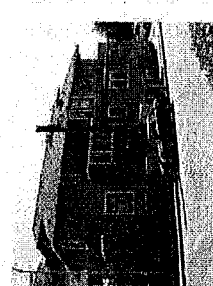
MacArthur Biv. near Frontage Rd. with Motel.



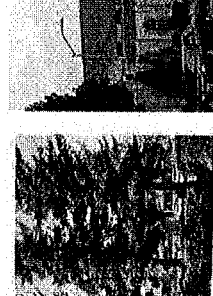
Telegraph Ave. corner with 40th St.



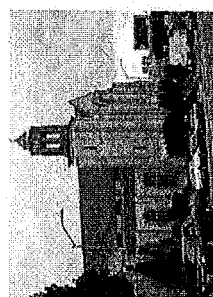
Telegraph Ave. looking North.



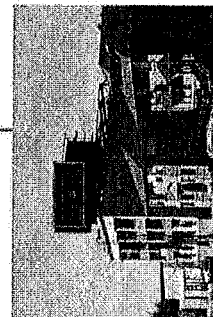
Appar St. at Telegraph Ave.



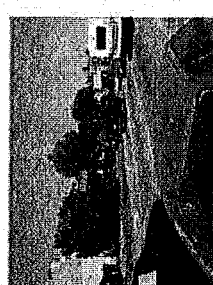
Redwood trees on Telegraph Ave.



Beebe Memorial Cathedral on Telegraph Ave.



West Telegraph Ave. between Appar St. and MacArthur Biv.



40th St. looking East.



40th St. crosswalk near BART Plaza, looking North.



40th St. looking West from Telegraph Ave.



40th St. underpass/BART Plaza.



40th St. looking West.

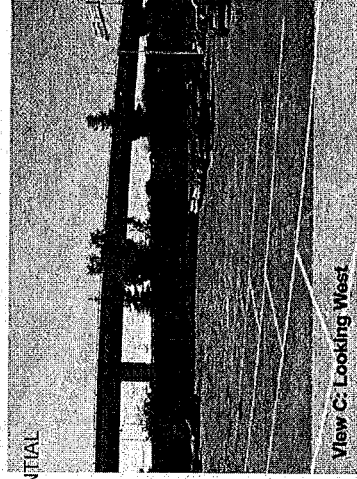
T-03  
 Photographs



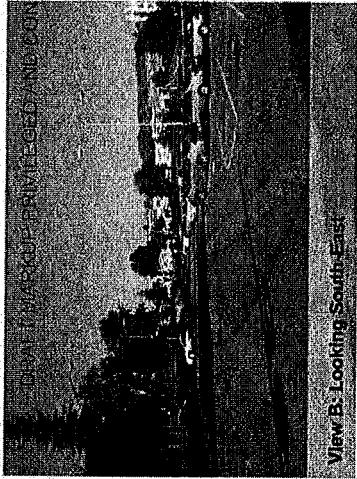
June 4, 2008

Preliminary  
 Development Plan/  
 Planning Commission

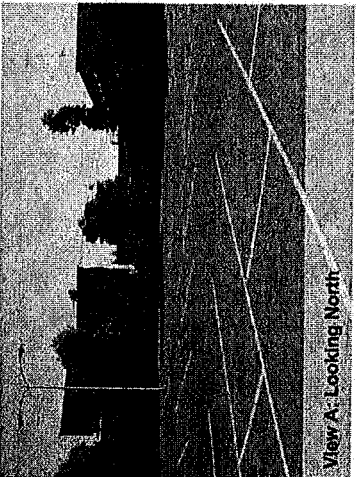
T-04  
 Site Photographs



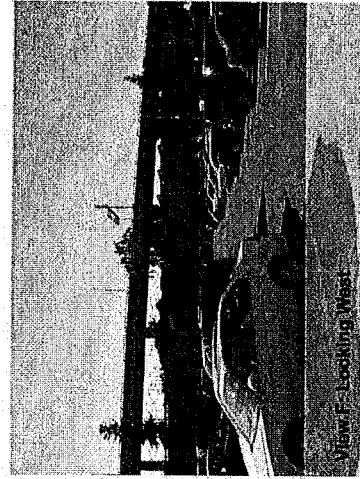
View A: Looking North



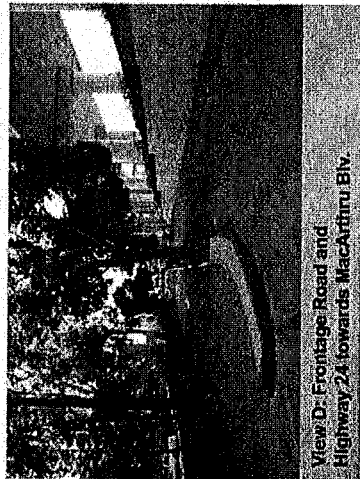
View B: Looking South-East



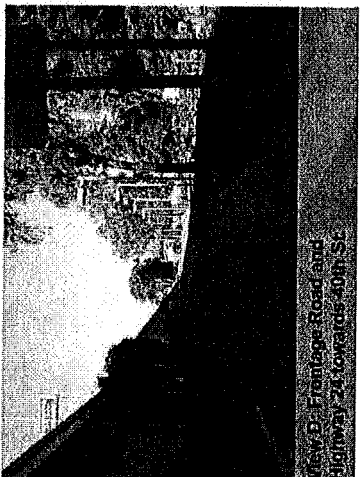
View C: Looking West



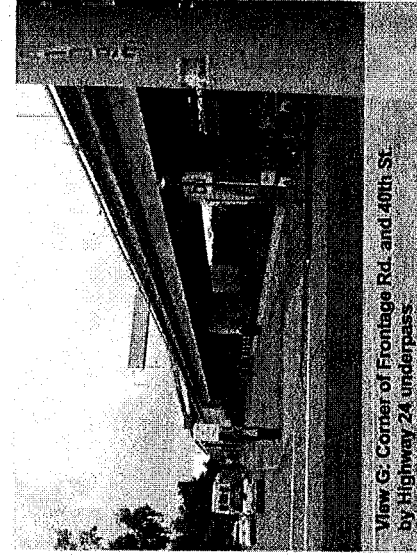
View D: Frontage Road and  
 Highway 24 towards MacArthur Blvd



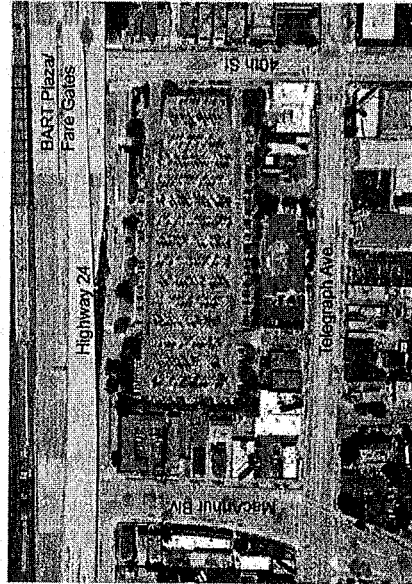
View E: Frontage Road and  
 Highway 24 towards 40th St



View F: Looking West



View G: Corner of Frontage Rd. and 40th St.  
 by Highway 24 underpass.



MacArthur Transit Community Partners, LLC



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BART TRANSIT CENTER  
OAKLAND, CALIFORNIA

June 4, 2008

Preliminary  
Development Plan/  
Planning Commission

C-00 Existing  
Conditions Plan



LEGEND

- Legend symbols for various map features including:
  - Proposed/Existing Right-of-Way
  - Proposed/Existing Street
  - Proposed/Existing Lot
  - Proposed/Existing Building Footprint
  - Proposed/Existing Utility
  - Proposed/Existing Easement
  - Proposed/Existing Right-of-Way
  - Proposed/Existing Street
  - Proposed/Existing Lot
  - Proposed/Existing Building Footprint
  - Proposed/Existing Utility
  - Proposed/Existing Easement



HIGHWAY 24

HIGHWAY 24

BART PLATFORM

BART PLAZA

W MACARTHUR

TELEGRAPH AVE

TELEGRAPH AVE

39TH ST

40TH ST

41ST ST

42ND ST

43RD ST

44TH ST

45TH ST

MacArthur Transit Community Partners, LLC

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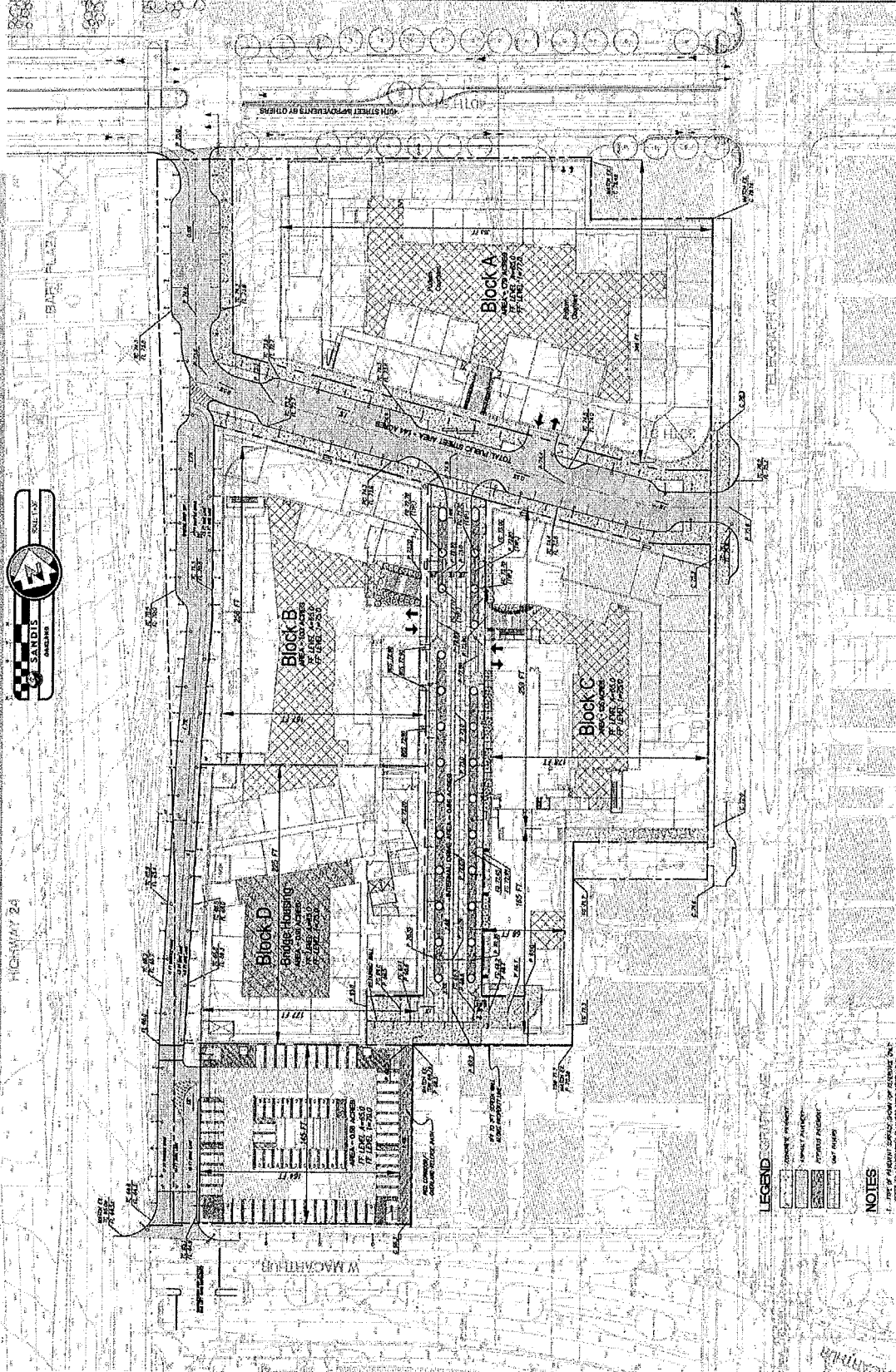
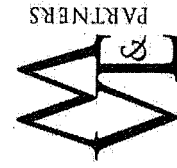
MacArthur

Barrett Transitsville  
OAKLAND, CALIFORNIA

June 4, 2008

Preliminary  
Development Plan/  
Planning Commission

C-01 Preliminary  
Grading Plan



**LEGEND**

- Property Boundary
- Street Footprint
- Proposed Footprint
- Lot Lines

**NOTES**

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

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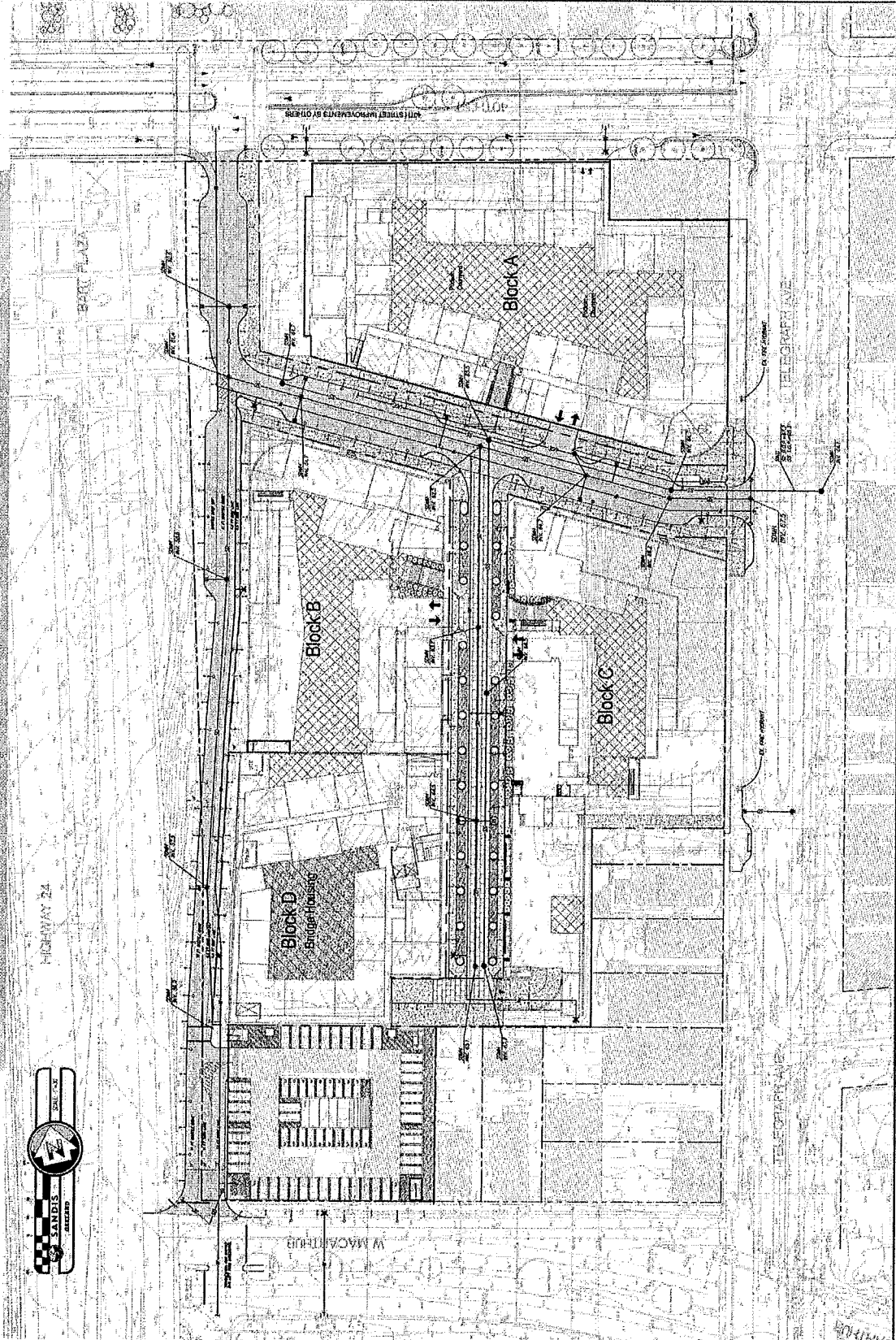
MacArthur

BARRETT  
TRANSIT VILLAGE  
OAKLAND, CALIFORNIA

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Preliminary  
Development Plan/  
Planning Commission

C-02 Preliminary  
Utility Plan



MacArthur Transit Community Partners, LLC

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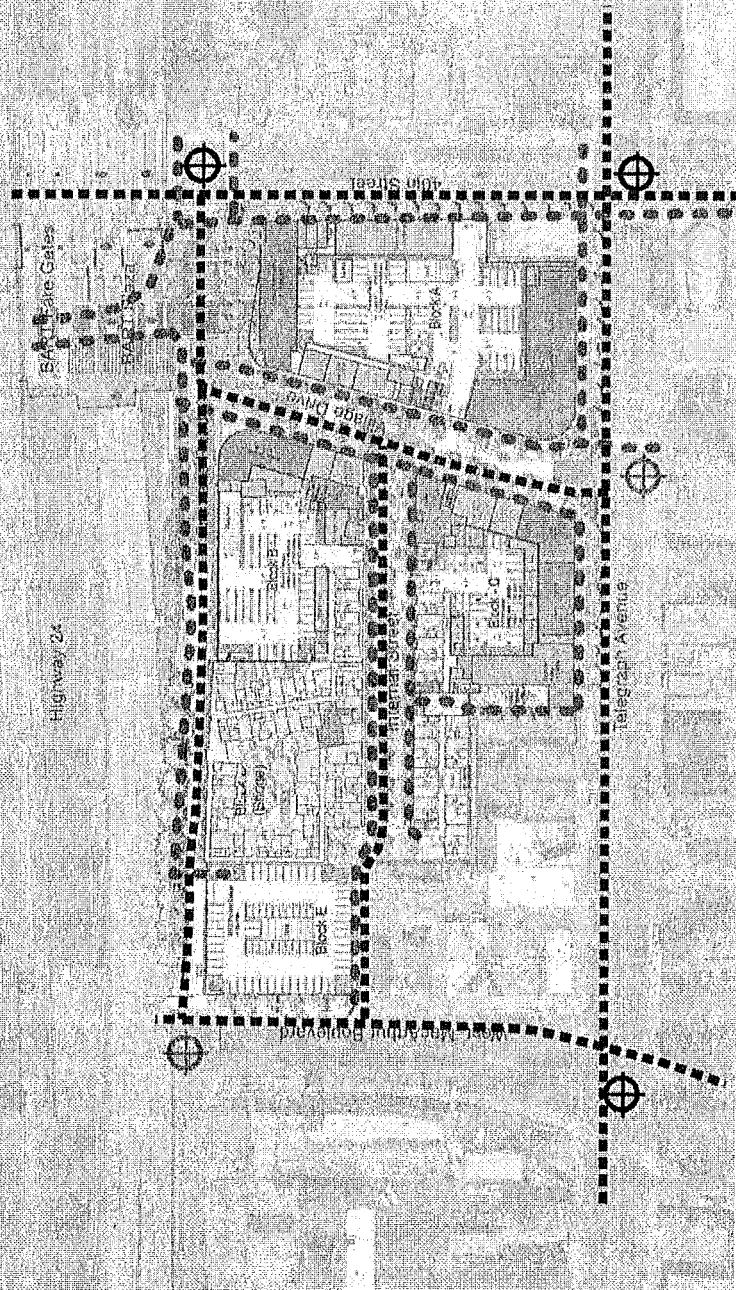
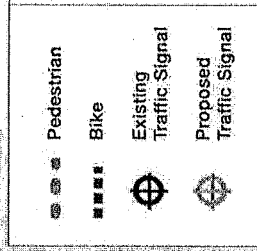
MacArthur

TRANSIT PARTNERS  
OAKLAND, CALIFORNIA

June 4, 2008

Preliminary  
Development Plan/  
Planning Commission

A-0.01  
Pedestrian & Bike  
Circulation



MacArthur Transit Community Partners, LLC

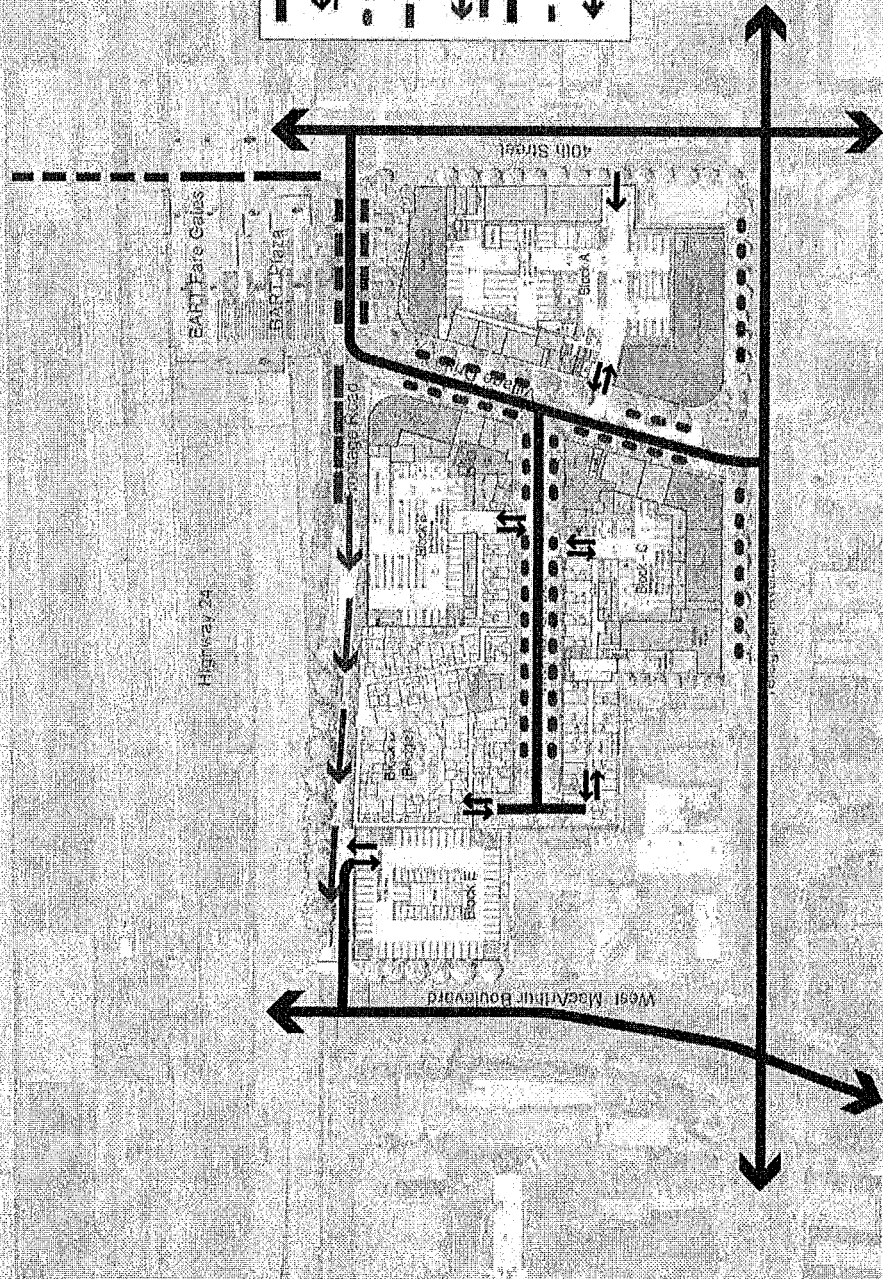
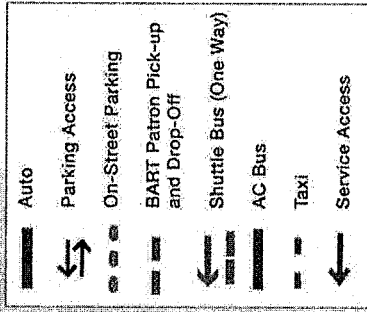
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MacArthur  
Transit Village  
Oakland, California

June 4, 2008

Preliminary  
Development Plan/  
Planning Commission

A-0.02  
Vehicular Circulation



MacArthur Transit Community Partners, LLC



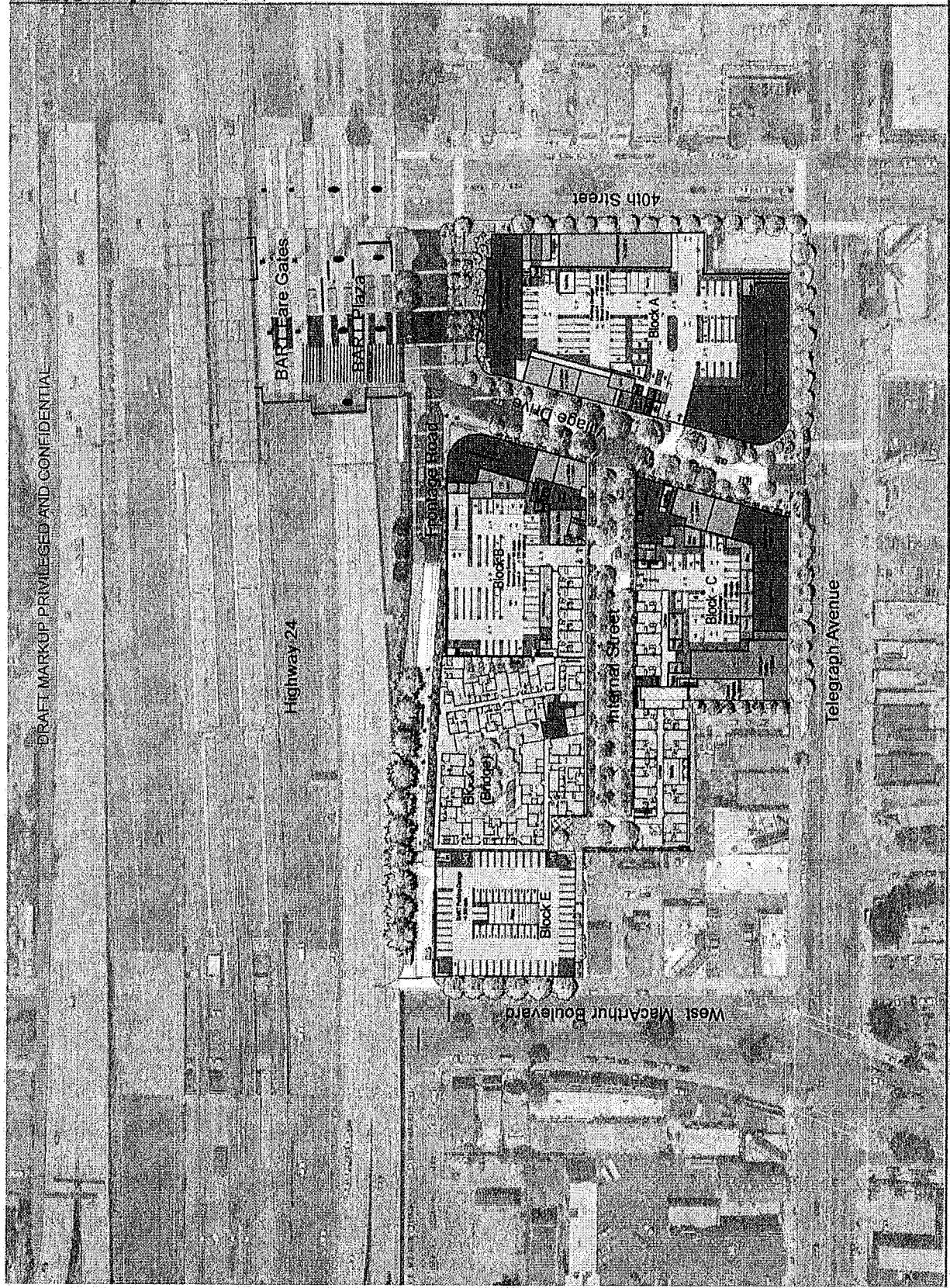
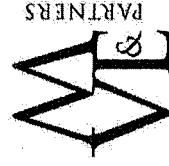
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BART  
Transit Village  
OAKLAND, CALIFORNIA

June 4, 2008

Preliminary  
Development Plan/  
Planning Commission

A-1.01  
Street Level



MacArthur Transit Community Partners, LLC

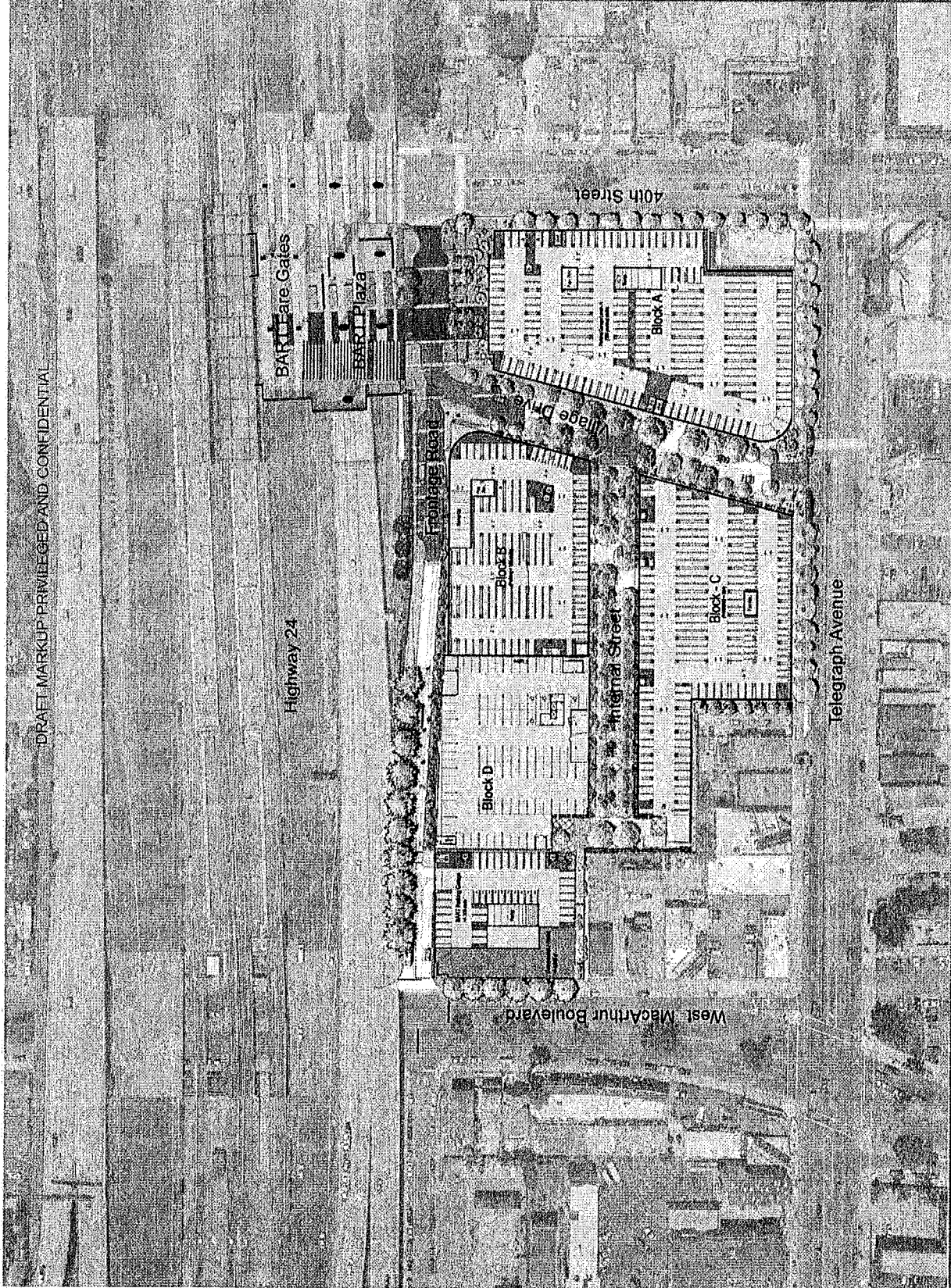
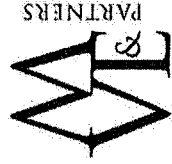
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**Transit Village**  
OAKLAND, CALIFORNIA

June 4, 2008

Preliminary  
Development Plan/  
Planning Commission

A-1.0A  
Garage Level Plan



MacArthur Transit Community Partners, LLC

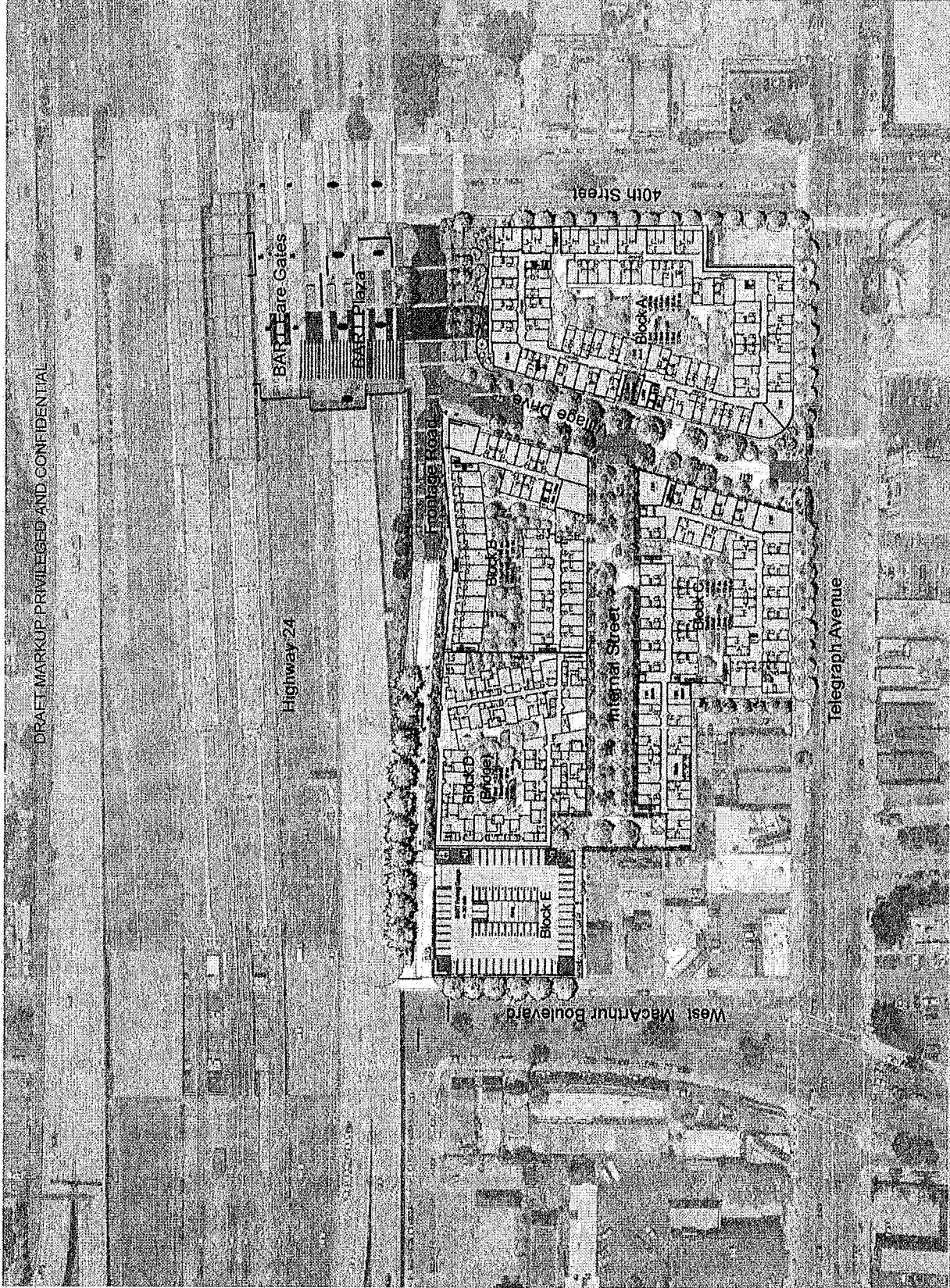
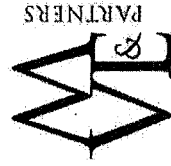
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June 4, 2008

Preliminary  
Development Plan/  
Planning Commission

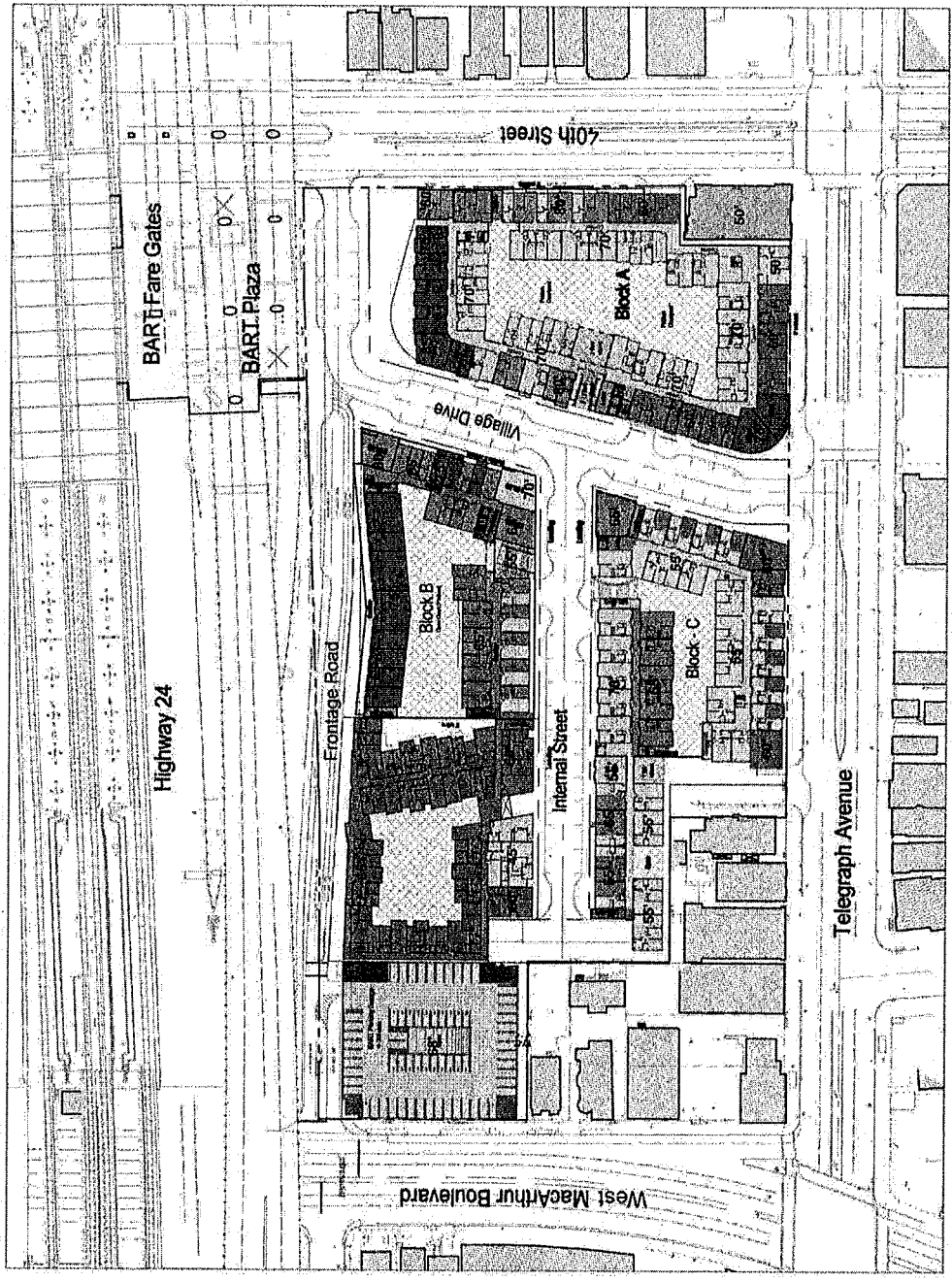
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Upper Level Plan



MacArthur Transit Community Partners, LLC

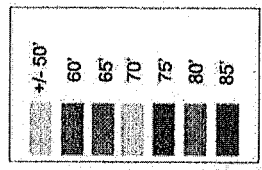
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MacArthur  
TRANSIT VILLAGE  
OAKLAND, CALIFORNIA



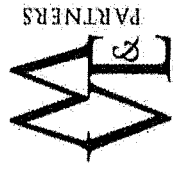
June 4, 2008

Preliminary  
Development Plan/  
Planning Commission



For height limits  
pertaining to Parcel  
B, see Exhibit A,  
dated February 1,  
2017. (Attached)

A-1.0H  
Building Height  
Diagram



Scale: 1" = 40'

MacArthur Transit Community Partners, LLC



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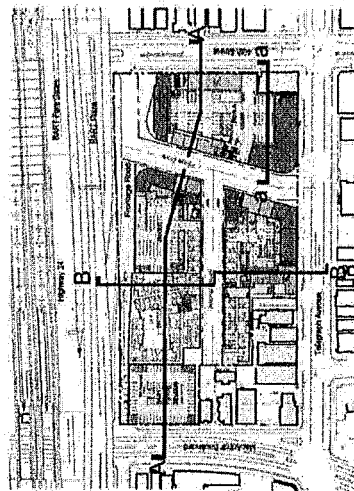
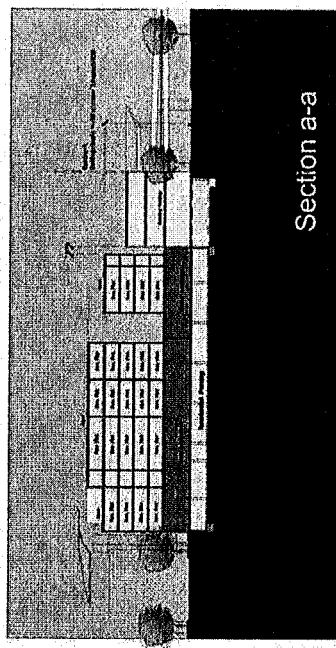
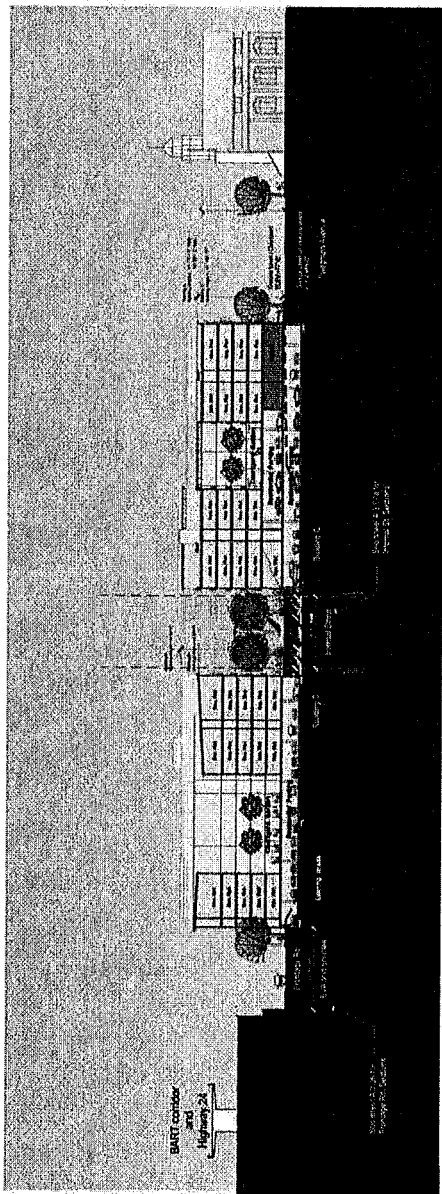
MacArthur

MacArthur  
BART  
TRANSIT VILLAGE  
OAKLAND, CALIFORNIA

June 4, 2008

Preliminary  
Development Plan/  
Planning Commission

For building  
sections pertaining  
to Parcel B, see  
Exhibit A, dated  
February 1, 2017.  
(Attached)



Key Plan

A-3.01a  
Building Sections

MP  
PARTNERS

MacArthur Transit Community Partners, LLC



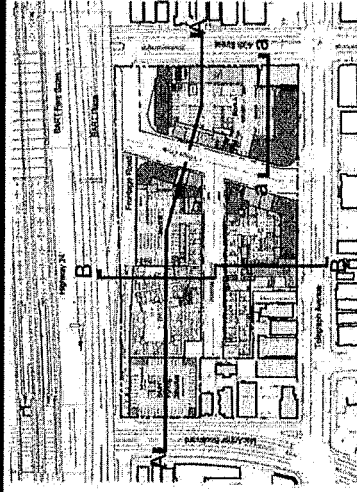
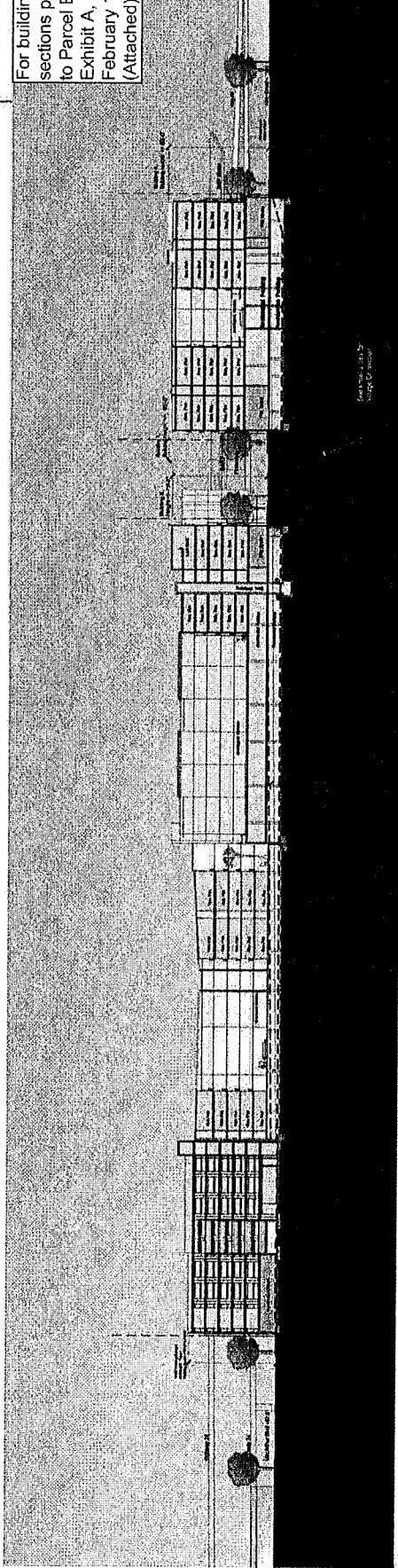
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MacArthur  
Transit Village  
Oakland, California

June 4, 2008

Preliminary  
Development Plan/  
Planning Commission

For building sections pertaining to Parcel B, see Exhibit A, dated February 1, 2017. (Attached)



Key Plan

A-3.01b  
Building Sections



MacArthur Transit Community Partners, LLC



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MacArthur  
Transit Village

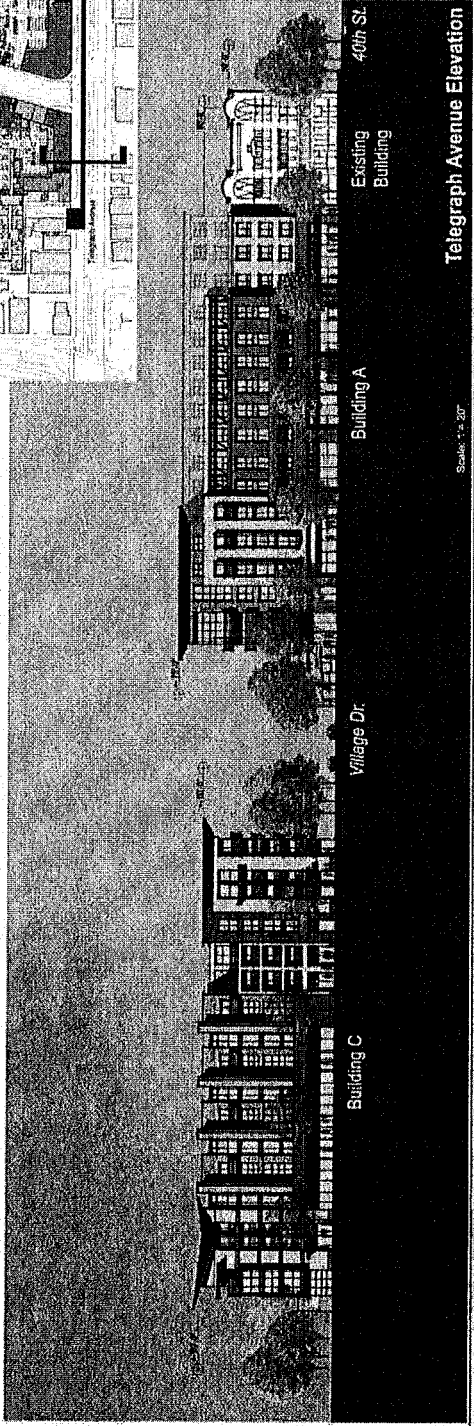
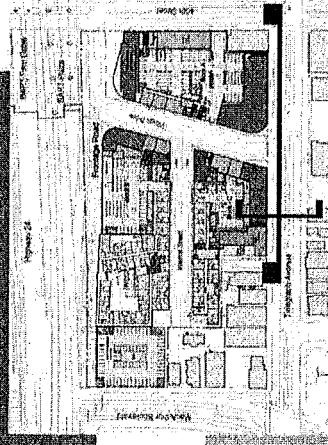
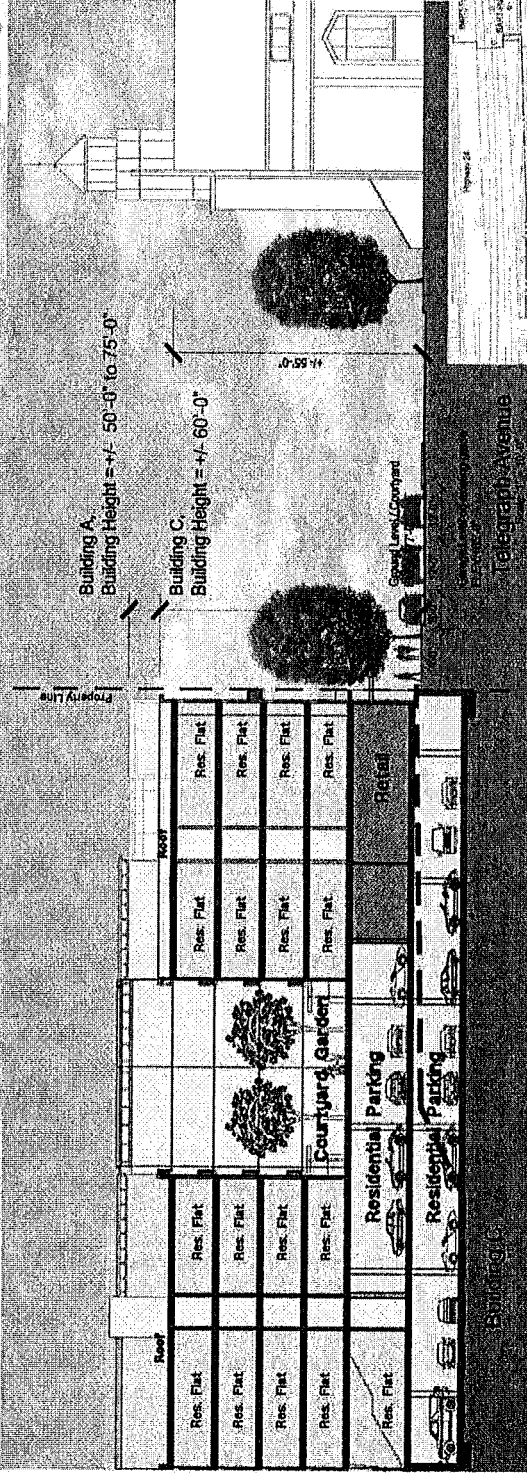
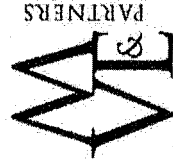
OAKLAND, CALIFORNIA

June 4, 2008

Preliminary  
Development Plan/  
Planning Commission

For elevations  
pertaining to Parcel  
B, see Exhibit A,  
dated February 1,  
2017. (Attached)

A-3.02  
Edges: Telegraph Ave.



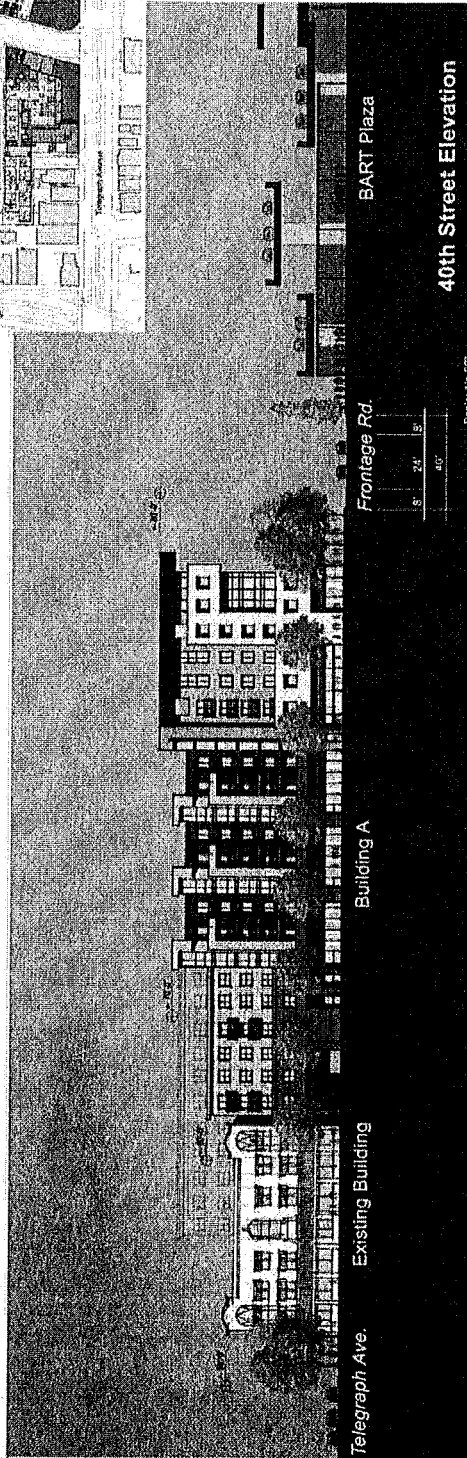
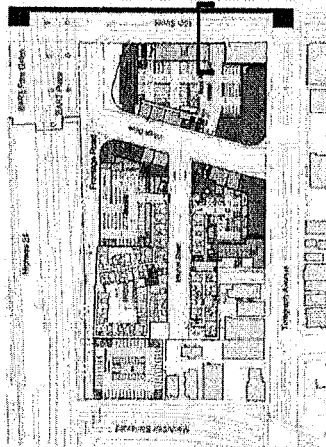
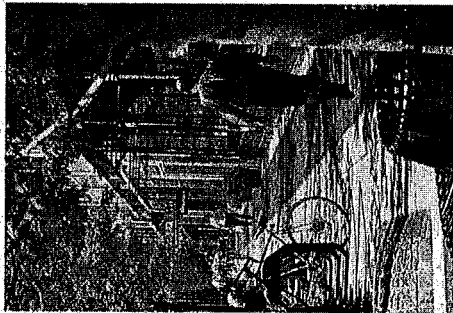
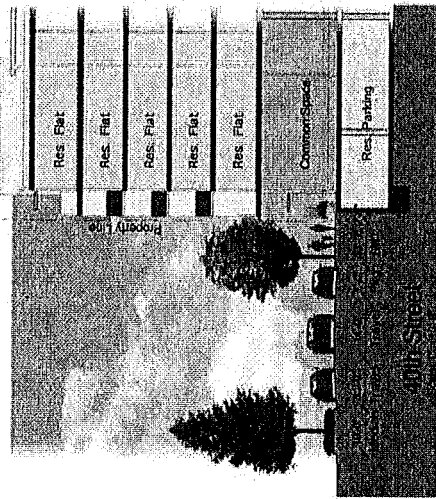
MacArthur Transit Community Partners, LLC



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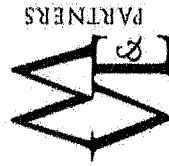
MacArthur  
BART  
Transit Village  
OAKLAND, CALIFORNIA

Building A,  
Building Height +/- 60'-0" to 75'-0"



For elevations  
pertaining to Parcel  
B, see Exhibit A,  
dated February 1,  
2017. (Attached)

A-3.03  
Edges: 40th St.



MacArthur Transit Community Partners, LLC





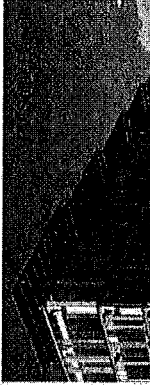
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MacArthur  
TRANSIT COMMUNITY PARTNERS

BARCLAY BLVD  
OAKLAND, CALIFORNIA

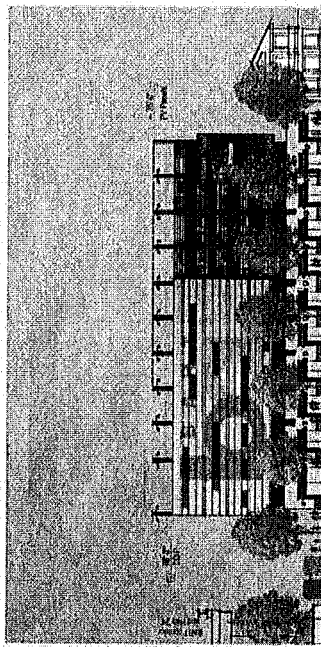
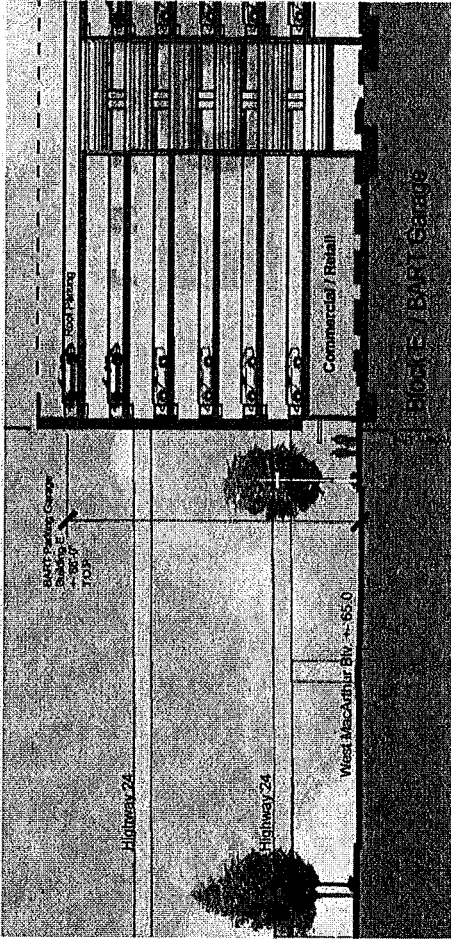


Perforated Metal Sun Screens



June 4, 2008

Preliminary  
Development Plan/  
Planning Commission

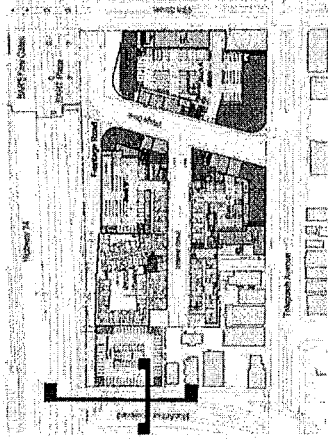
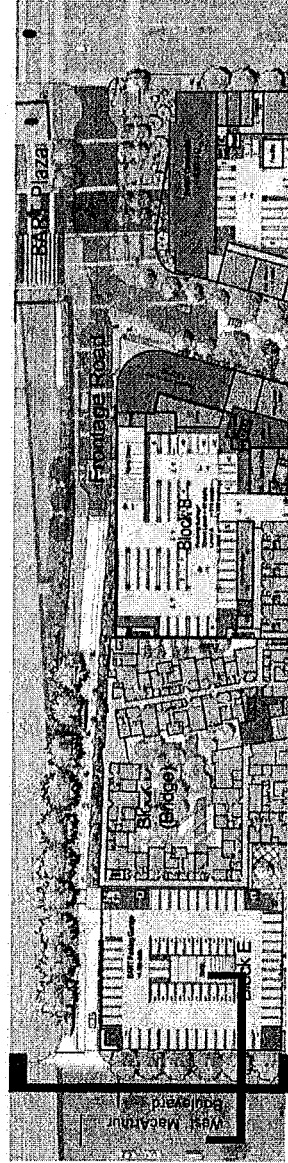


Frontage Rd.

Building E

Existing Building

MacArthur Boulevard Elevation



A-3.04  
Edges: West  
MacArthur Blvd



MacArthur Transit Community Partners, LLC



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MacArthur

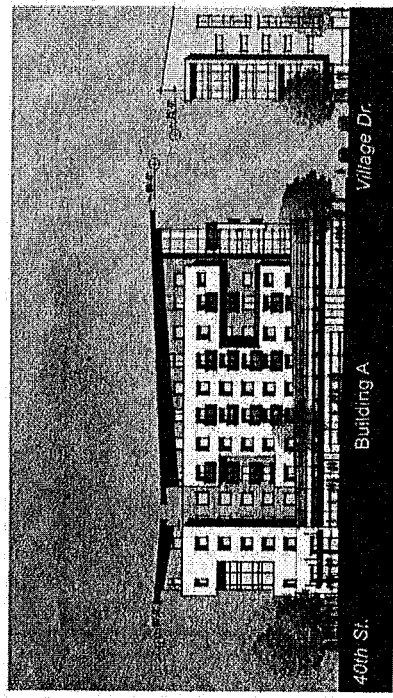
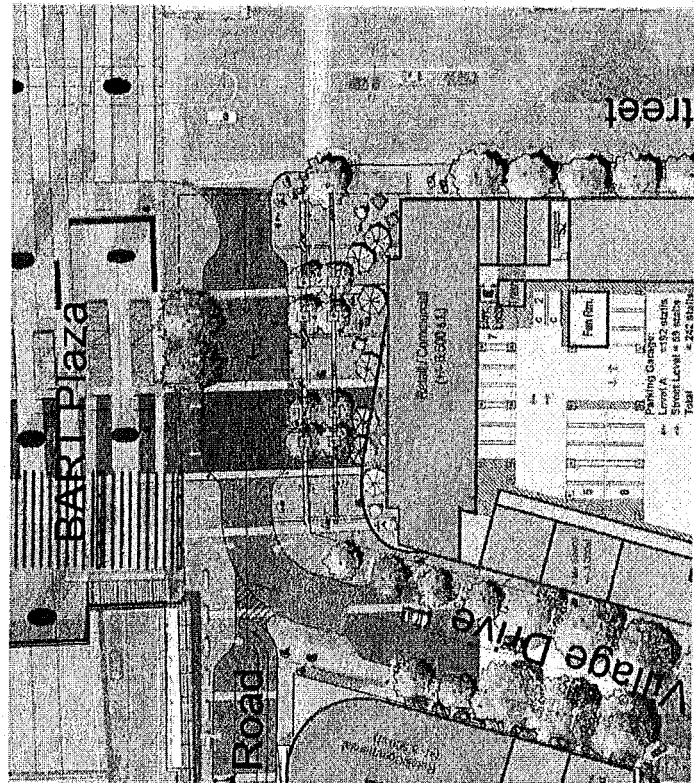
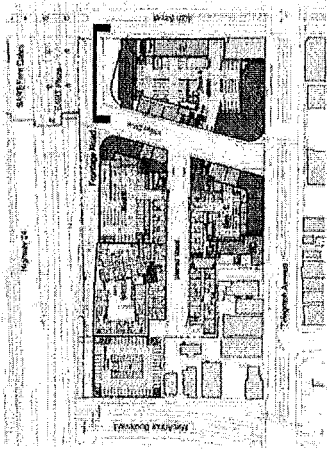
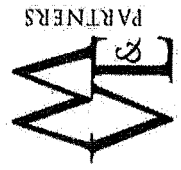
**MacArthur Village**  
OAKLAND, CALIFORNIA

June 4, 2008

Preliminary  
Development Plan/  
Planning Commission

For elevations  
pertaining to Parcel  
B, see Exhibit A,  
dated February 1,  
2017. (Attached)

A-3.05  
Edges: BART  
Plaza



MacArthur Transit Community Partners, LLC



DRAFT MARKUP PRIVILEGED AND CONFIDENTIAL

MacArthur

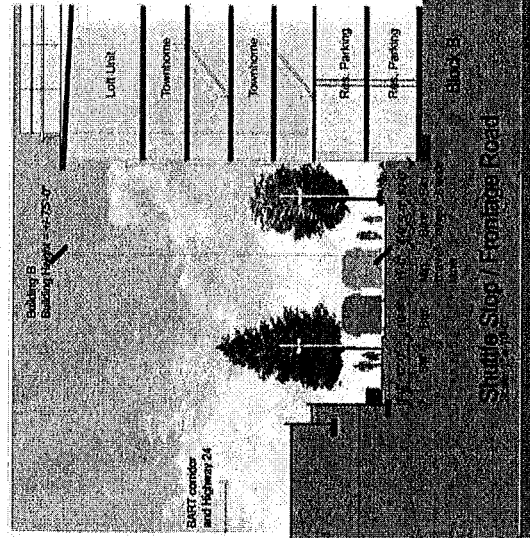
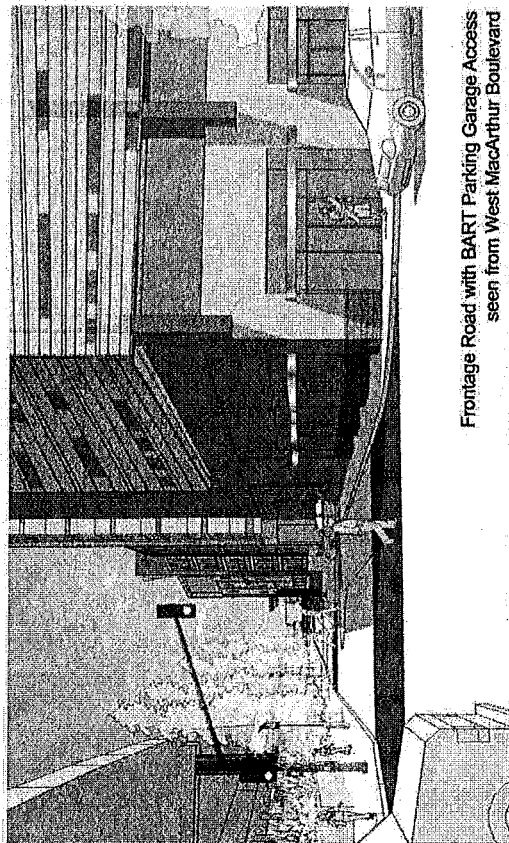
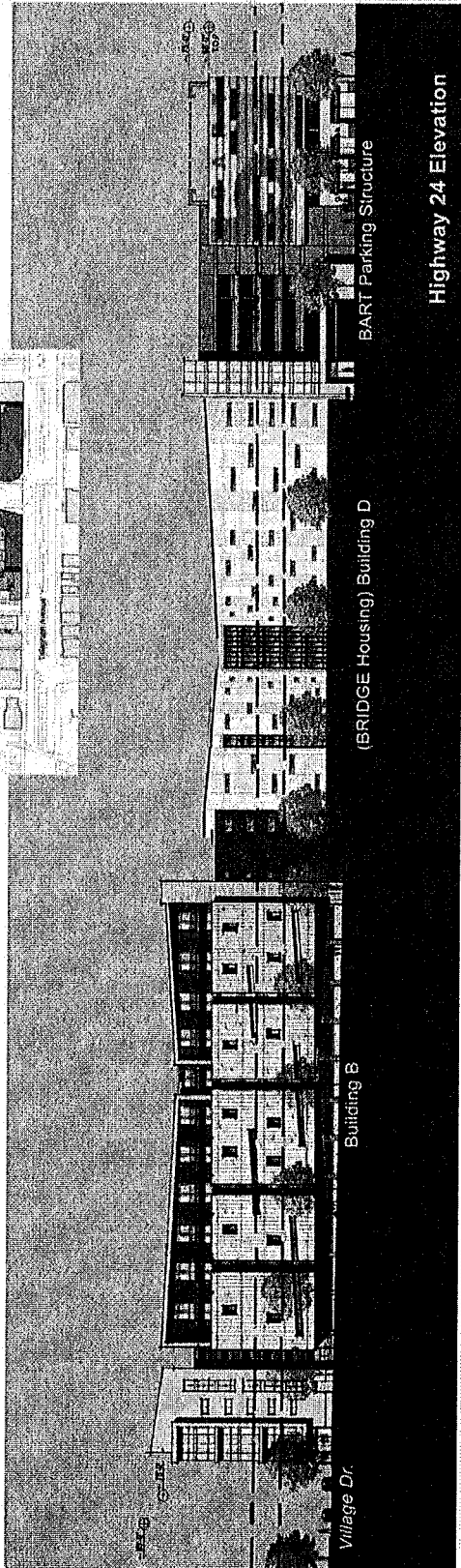
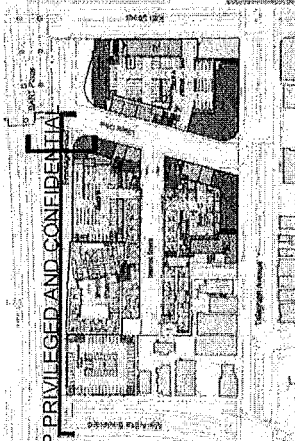
Transit Village  
OAKLAND, CALIFORNIA

June 4, 2008

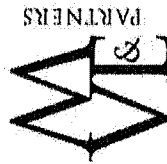
Preliminary  
Development Plan/  
Planning Commission

Upper On-Ramp  
Northbound Lane

For elevations  
pertaining to Parcel  
B, see Exhibit A,  
dated February 1,  
2017. (Attached)



A-3.06  
Edges: Frontage  
Road / Hwy 24



MacArthur Transit Community Partners, LLC



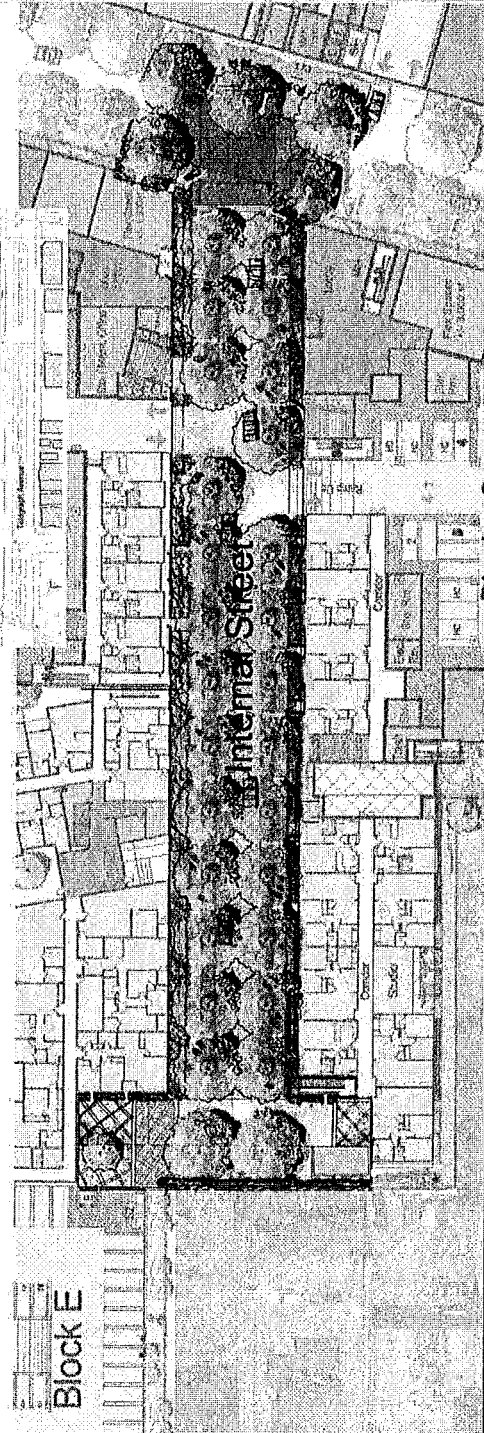
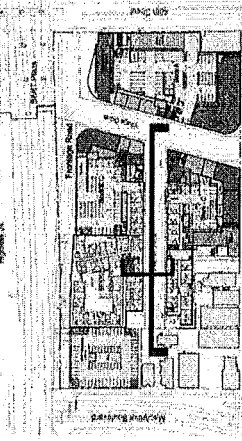
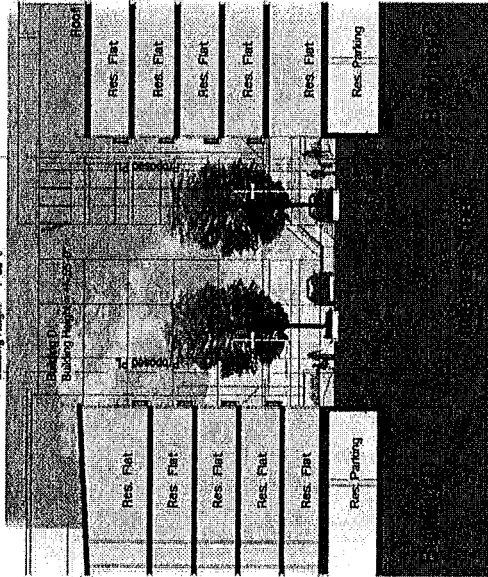
DRAFT MARKUP, PRIVILEGED AND CONFIDENTIAL

MacArthur  
TRANSIT COMMUNITY PARTNERS

BARB TRANSIT VILLAGE  
OAKLAND, CALIFORNIA

June 4, 2008

Preliminary  
Development Plan/  
Planning Commission



A-3-07a  
Internal Street



MacArthur Transit Community Partners, LLC



DRAFT MARKUP PRIVILEGED AND CONFIDENTIAL

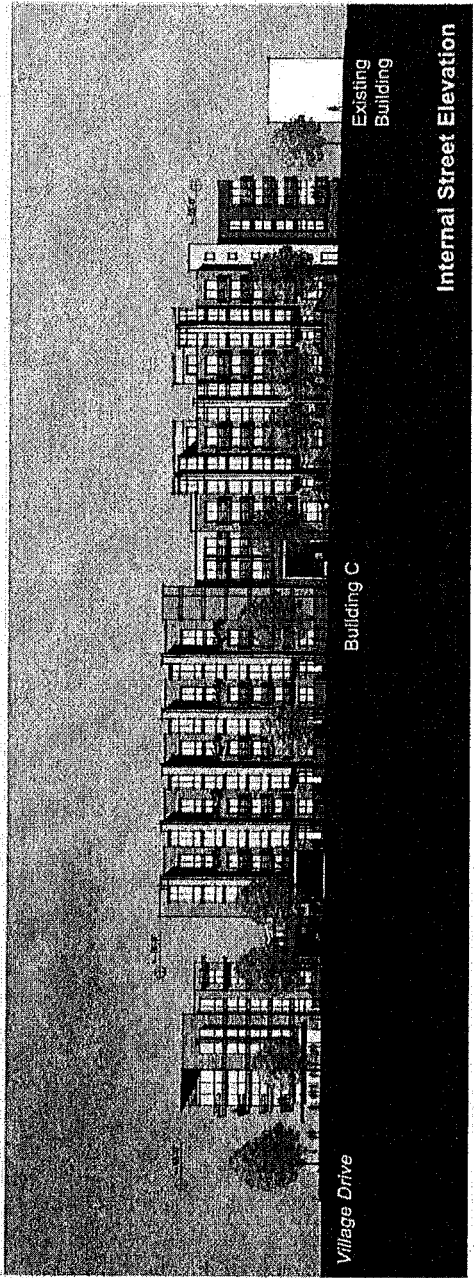
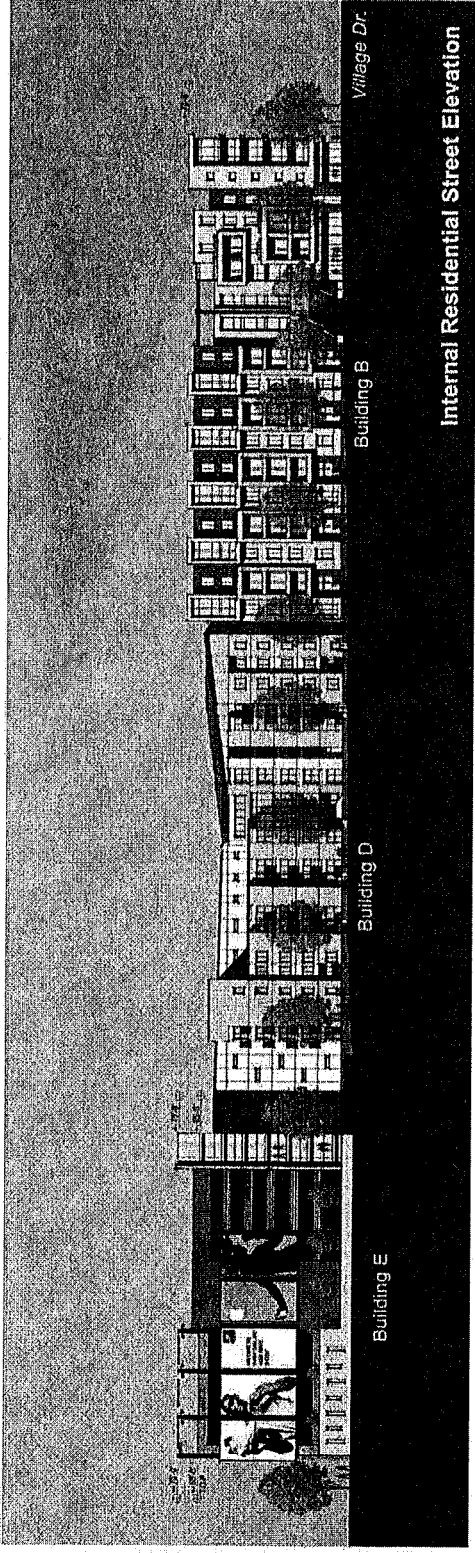
MacArthur  
Transit Village  
OAKLAND, CALIFORNIA

June 4, 2008

Preliminary  
Development Plan/  
Planning Commission

For elevations  
pertaining to Parcel  
B, see Exhibit A,  
dated February 1,  
2017. (Attached)

A-3.07b  
Internal Street



MacArthur Transit Community Partners, LLC

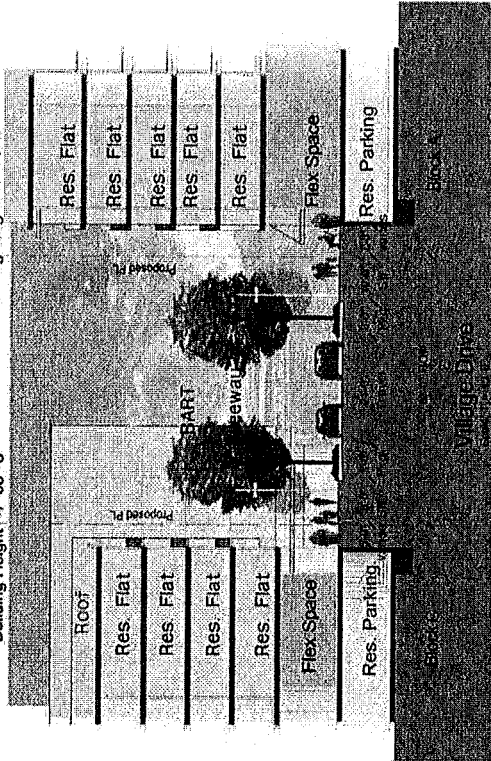


DRAFT MARKUP PRIVILEGED AND CONFIDENTIAL

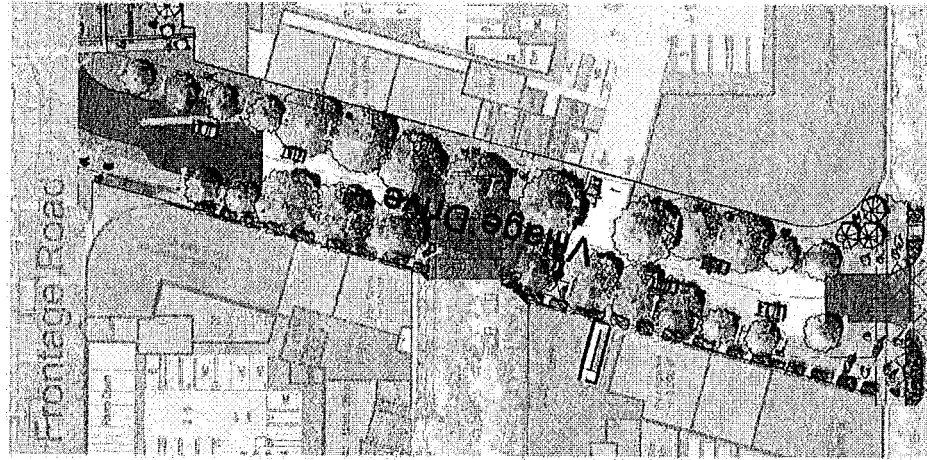
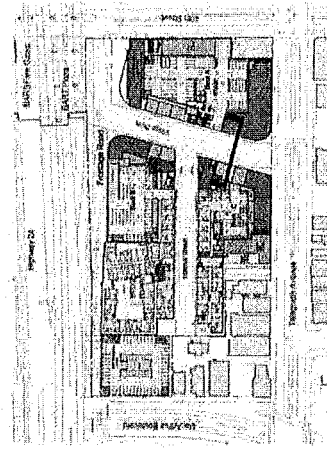
MacArthur

Transit Village  
OAKLAND, CALIFORNIA

Buildings B and C,  
Building Height +/- 60'-0"



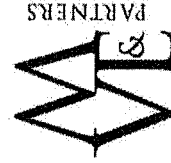
Building A,  
Building Height +/- 75'-0"



June 4, 2008

Preliminary  
Development Plan/  
Planning Commission

A-3-08a  
Village Drive



MacArthur Transit Community Partners, LLC



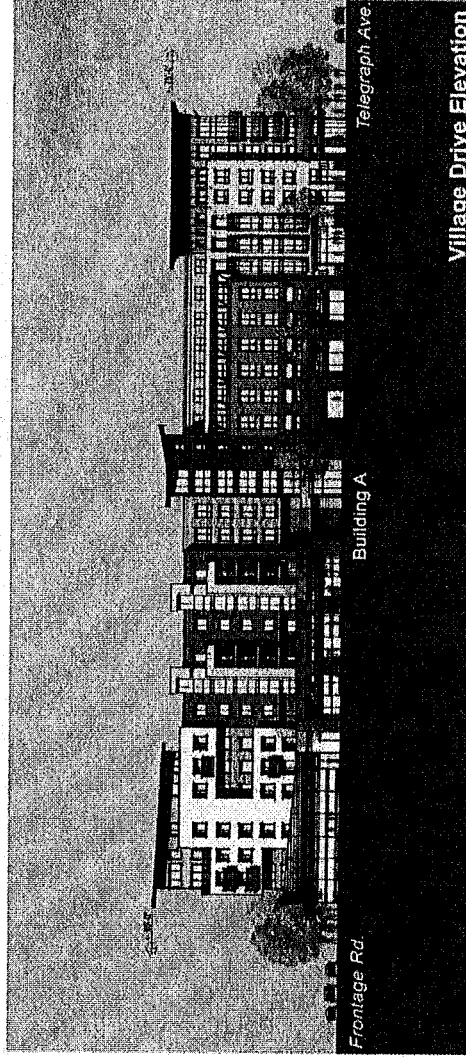
DRAFT MARKUP PRIVILEGED AND CONFIDENTIAL

MacArthur  
BART  
Transit Village

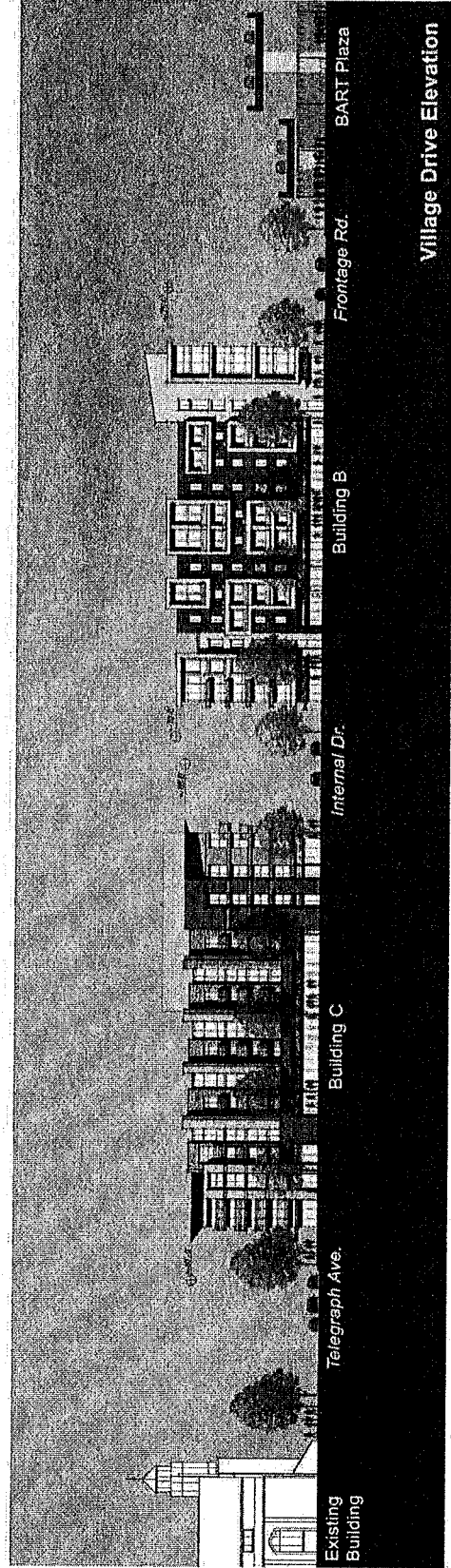
OAKLAND, CALIFORNIA

June 4, 2008

Preliminary  
Development Plan/  
Planning Commission



Village Drive Elevation



For elevations  
pertaining to Parcel  
B, see Exhibit A,  
dated February 1,  
2017. (Attached)

A-3.08b  
Village Drive



MacArthur Transit Community Partners, LLC



DRAFT MARKUP PRIVILEGED AND CONFIDENTIAL

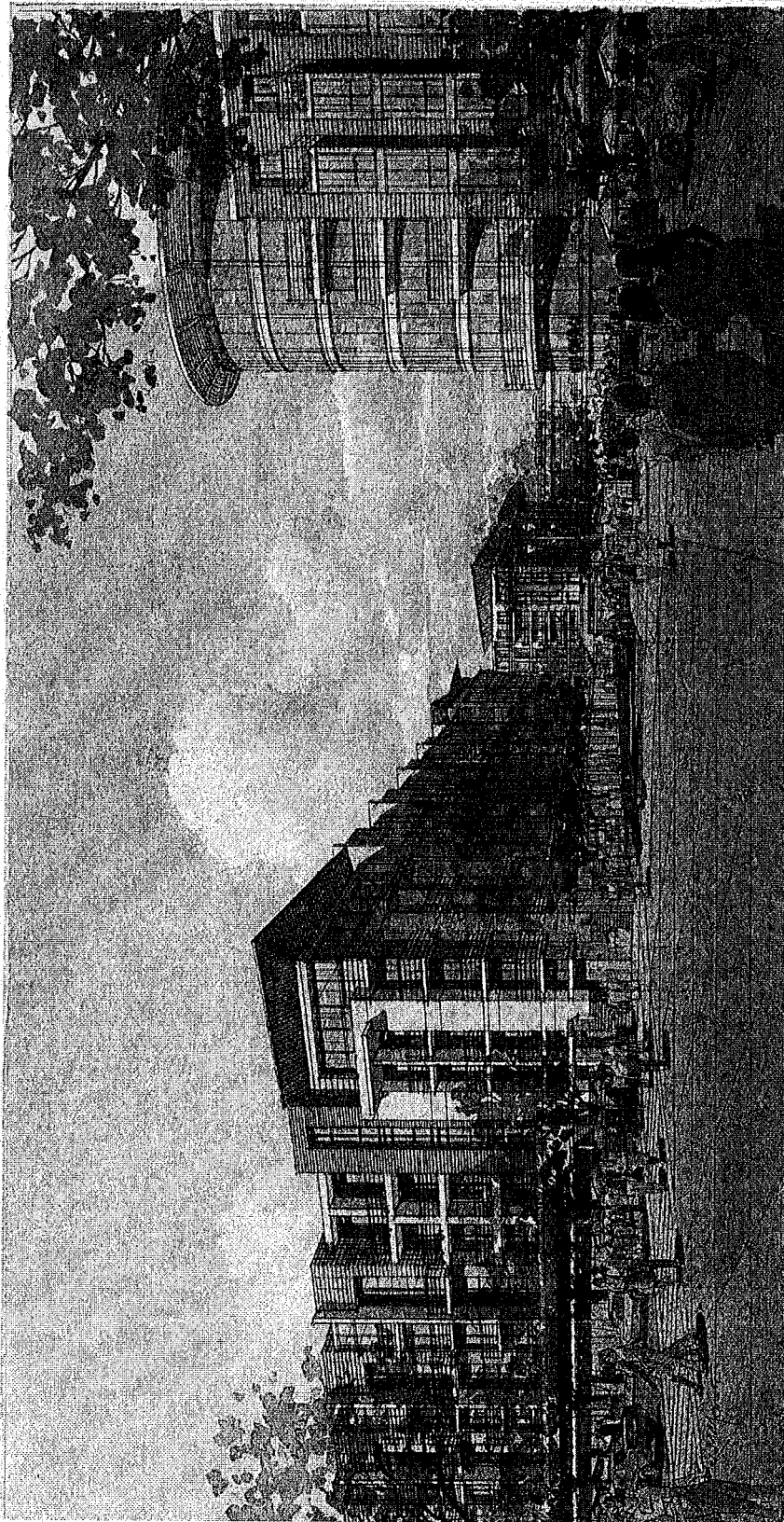
MacArthur  
Transit Village

MacArthur  
Transit Village  
OAKLAND, CALIFORNIA

June 4, 2008

Preliminary  
Development Plan/  
Planning Commission

For conceptual  
renderings of  
Parcel B, see  
Exhibit A, dated  
February 1, 2017.  
(Attached)



Village Drive viewed from Telegraph Avenue

A-6.01 Perspective/  
Village Drive



MacArthur Transit Community Partners, LLC



DRAFT MARKUP, PRIVILEGED AND CONFIDENTIAL

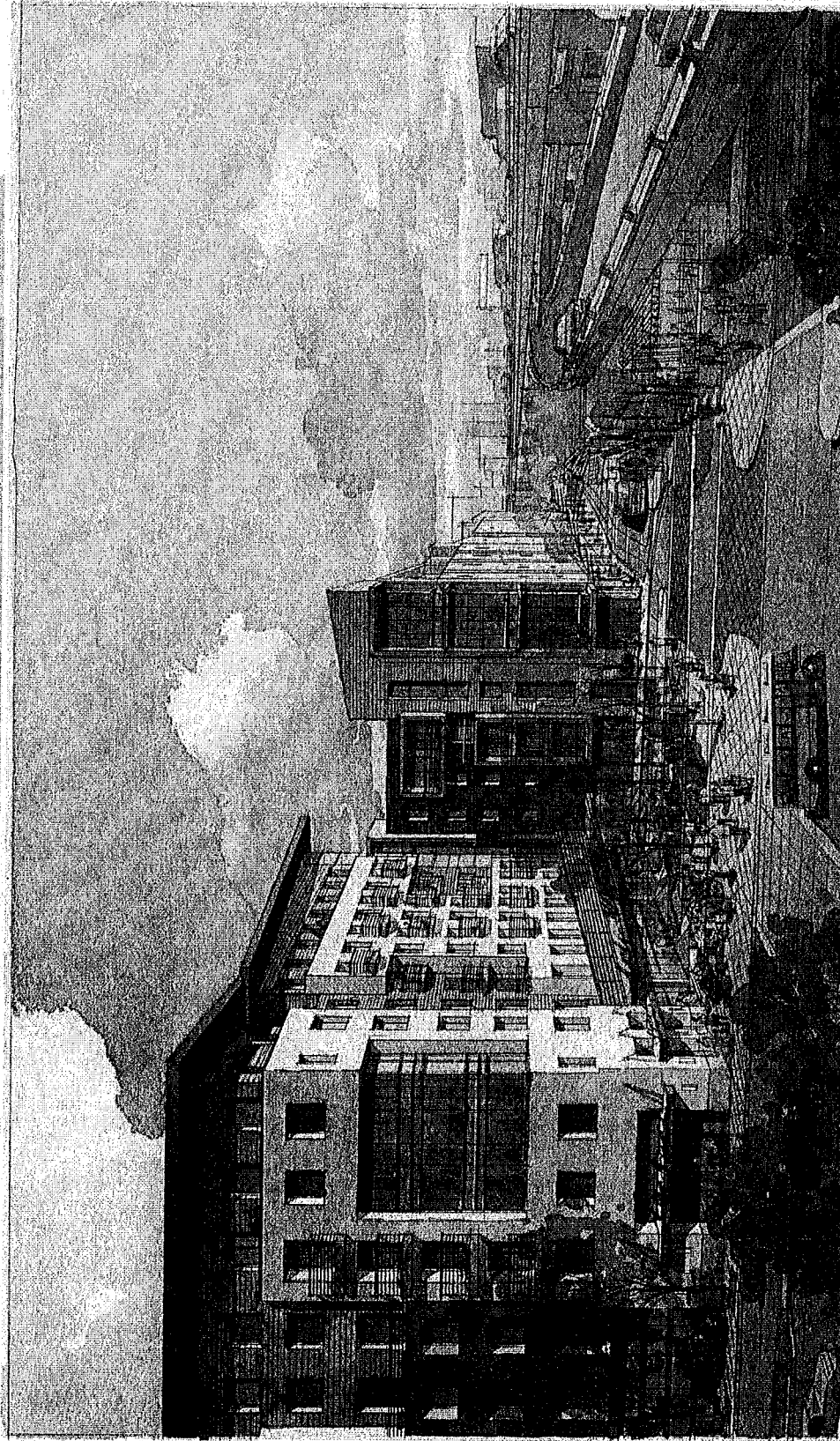
MacArthur  
TRANSIT PARTNERS

TRANSIT PARTNERS  
OAKLAND, CALIFORNIA

June 4, 2008

*Preliminary  
Development Plan/  
Planning Commission  
workshop*

For conceptual renderings of Parcel B, see Exhibit A, dated February 1, 2017. (Attached)



View of BART Plaza

*A-6.02 Perspective/  
BART Plaza*

TRANSIT PARTNERS  
M&T

MacArthur Transit Community Partners, LLC

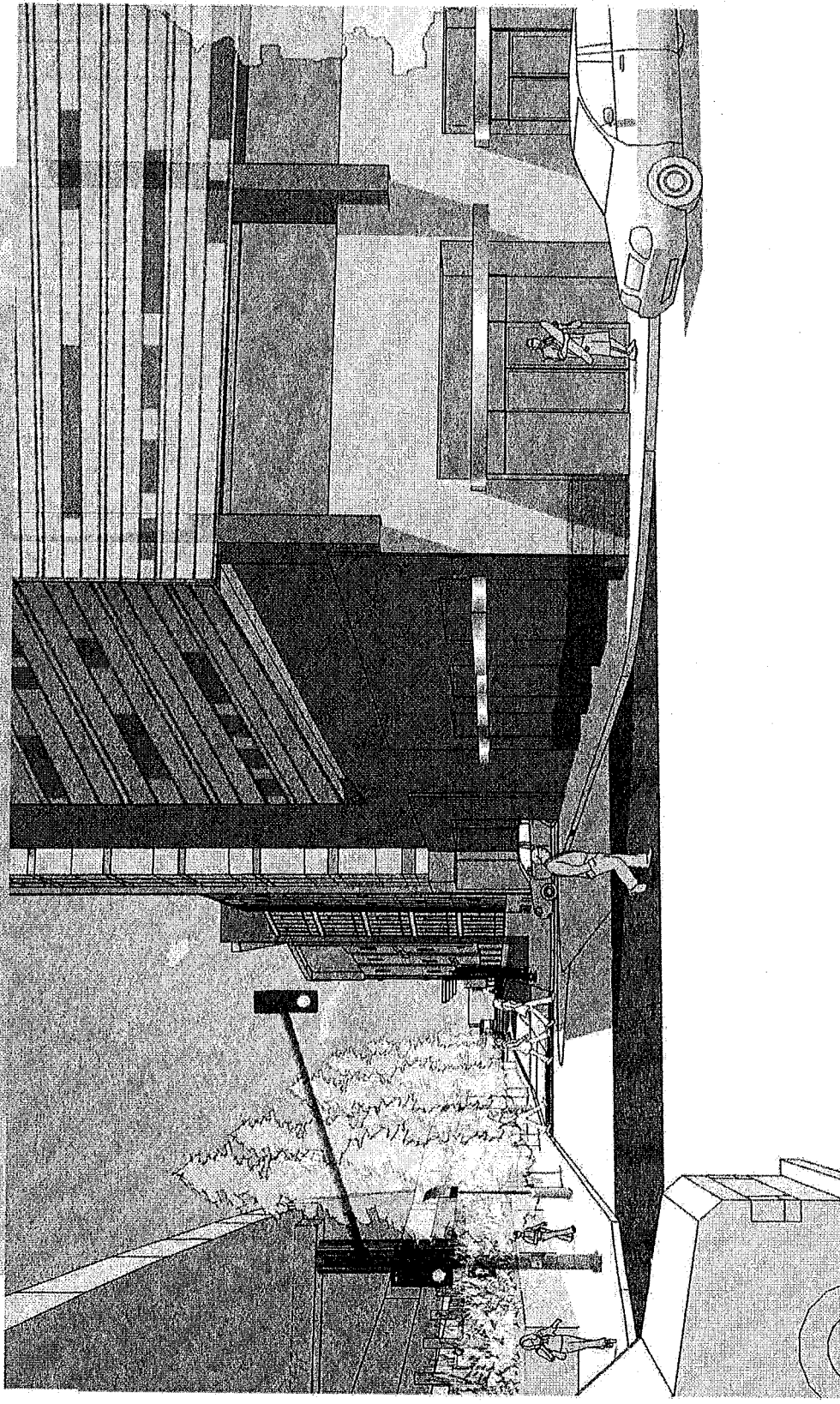
DRAFT MARKUP, PRIVILEGED AND CONFIDENTIAL

MacArthur

BARRETT  
FRANZ  
VILGOTE  
OAKLAND, CALIFORNIA

June 4, 2008

Preliminary  
Development Plan/  
Planning Commission



A-6.03 Perspective/  
Frontage Road



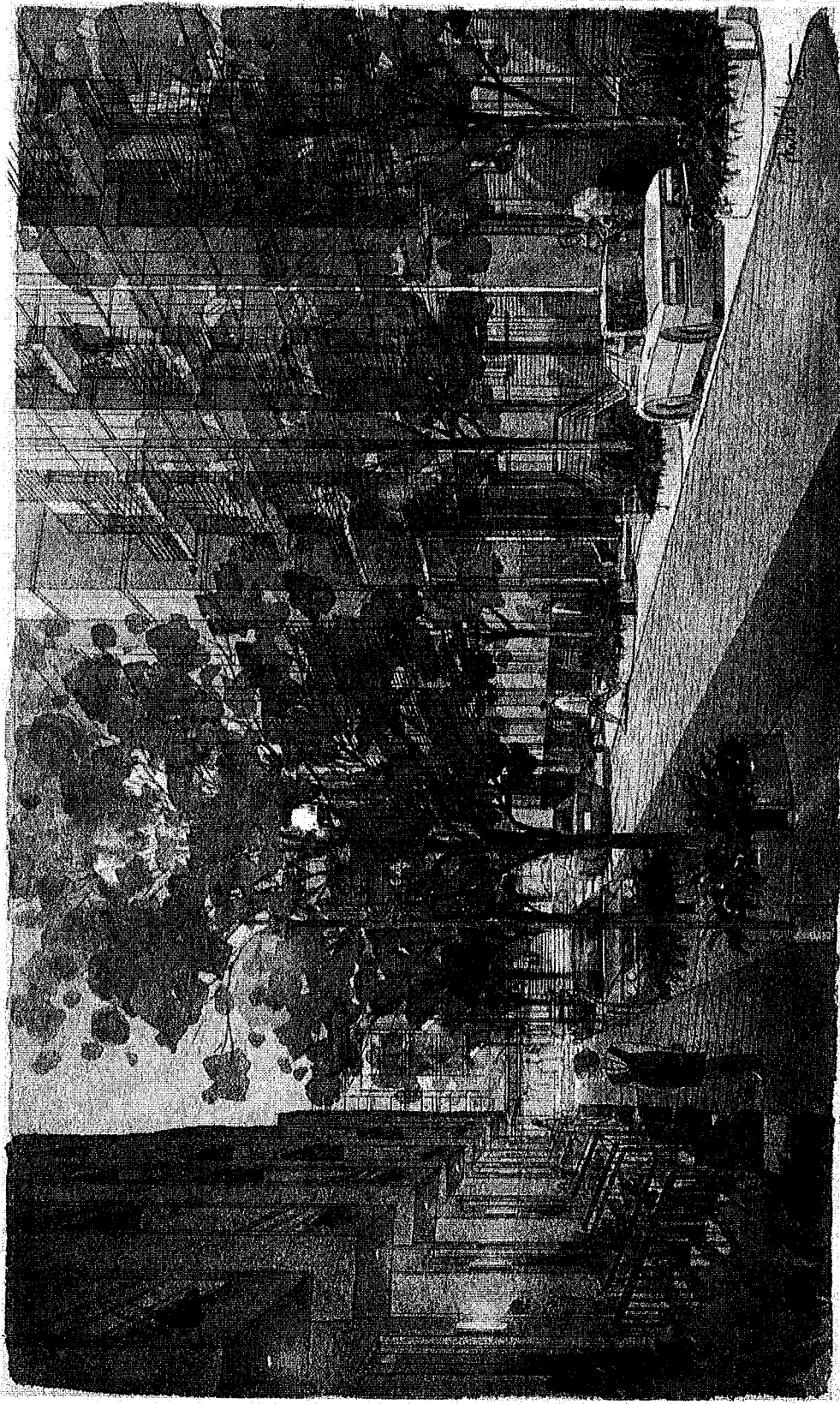
View of Frontage Road from MacArthur Boulevard

MacArthur Transit Community Partners, LLC

DRAFT MARKUP PRIVILEGED AND CONFIDENTIAL

MacArthur  
TRANSIT

TRANSIT  
COMMUNITY  
PARTNERS  
OAKLAND, CALIFORNIA



June 4, 2008

Preliminary  
Development Plan/  
Planning Commission

A-6.04 Perspective/  
Internal Street



View of Internal Street Looking North

MacArthur Transit Community Partners, LLC

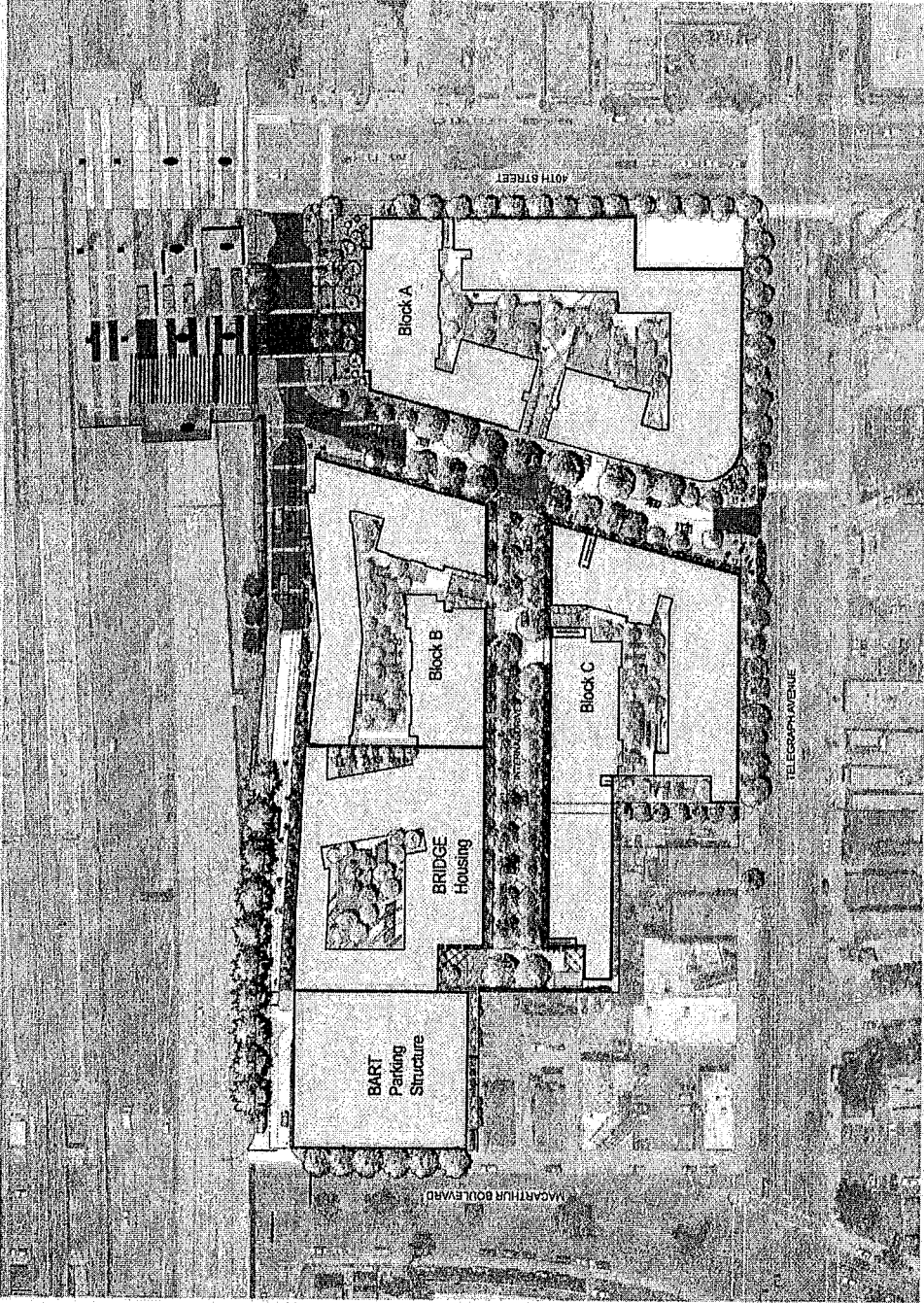
DRAFT MARKUP PRIVILEGED AND CONFIDENTIAL

MacArthur  
East Village

MacArthur East Village  
OAKLAND, CALIFORNIA

June 4, 2008

Preliminary  
Development Plan/  
Planning Commission



L-01  
Landscape  
Master Plan

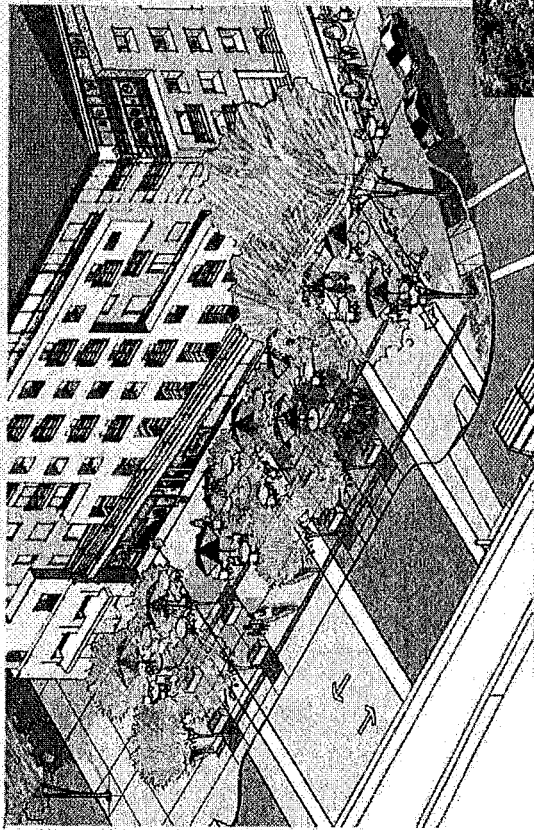


MacArthur Transit Community Partners, LLC

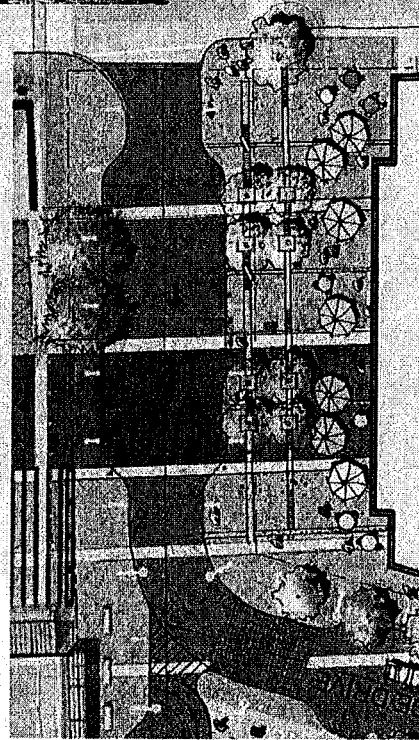


PGA design  
LANDSCAPE ARCHITECTS

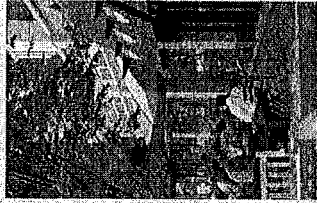
DRAFT MARKUP PRIVILEGED AND CONFIDENTIAL



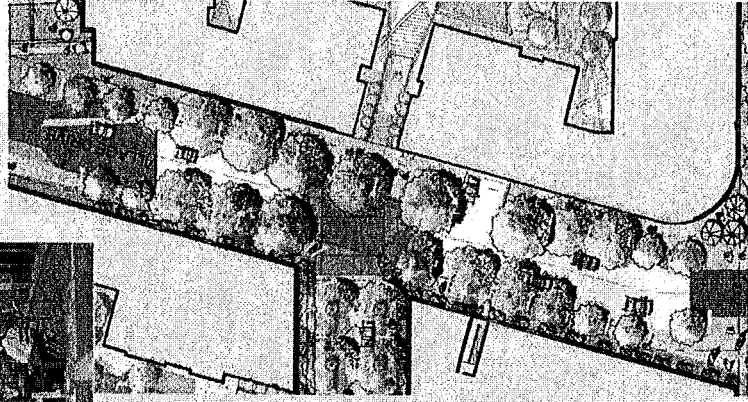
BART PLAZA FACING EAST



Transit Plaza  
urban  
welcoming  
safe  
inviting planting



Village Drive  
urban  
commercial  
tree-line  
pedestrian friendly  
engaging



MacArthur  
Transit Village  
OAKLAND, CALIFORNIA

June 4, 2008

Preliminary  
Development Plan/  
Planning Commission

L-02  
Landscape  
Concept  
BART Plaza/  
Village Dr.

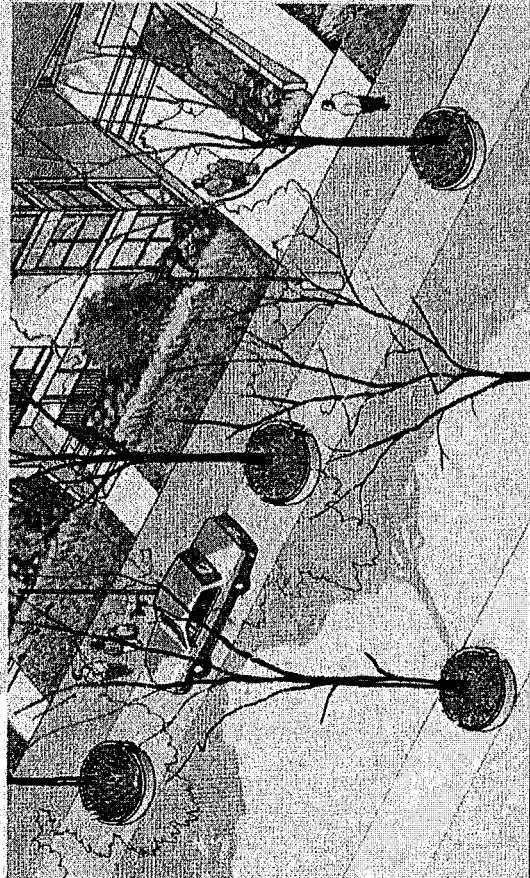
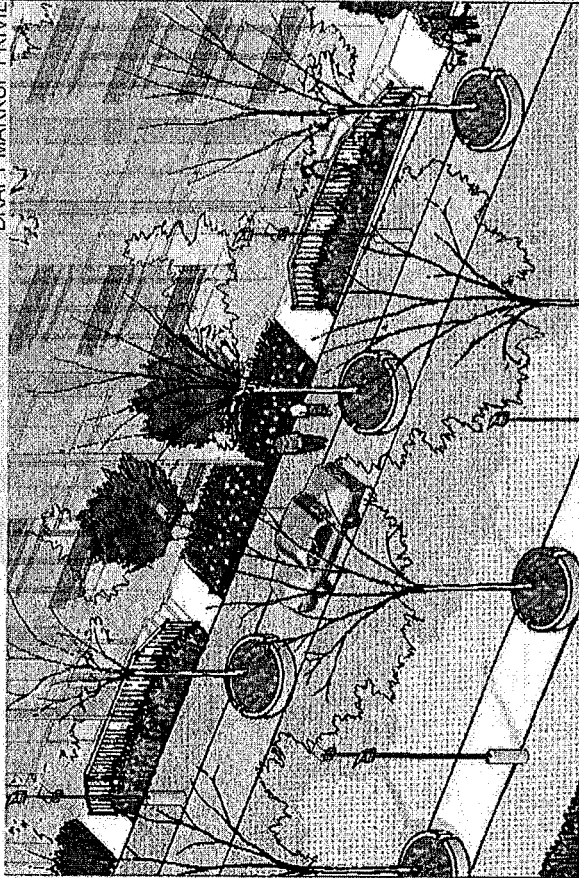


MacArthur Transit Community Partners, LLC

PGA design

LANDSCAPE ARCHITECTURE

DRAFT MARKUP PRIVILEGED AND CONFIDENTIAL



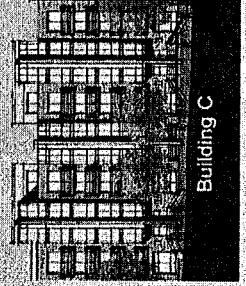
MacArthur  
Transit Village

OAKLAND, CALIFORNIA

June 4, 2008

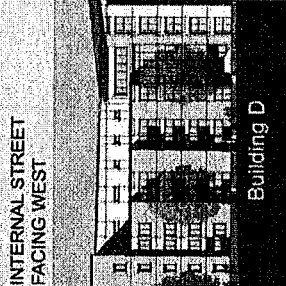
Preliminary  
Development Plan/  
Planning Commission

Internal Street  
pedestrian scale  
friendly/ welcoming  
warm, residential



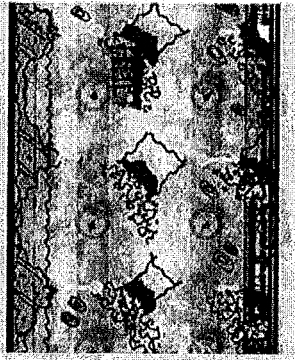
Building C

INTERNAL STREET  
FACING EAST



Building D

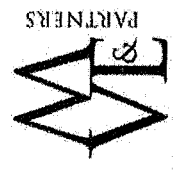
INTERNAL STREET  
FACING WEST



INTERNAL STREET PLAN VIEW

SCALE: 1" = 20'-0"

L-03  
Landscape  
Concepts  
Internal Street



MacArthur Transit Community Partners, LLC

PGA design

LANDSCAPE ARCHITECTS

DRAFT MARKUP PRIVILEGED AND CONFIDENTIAL



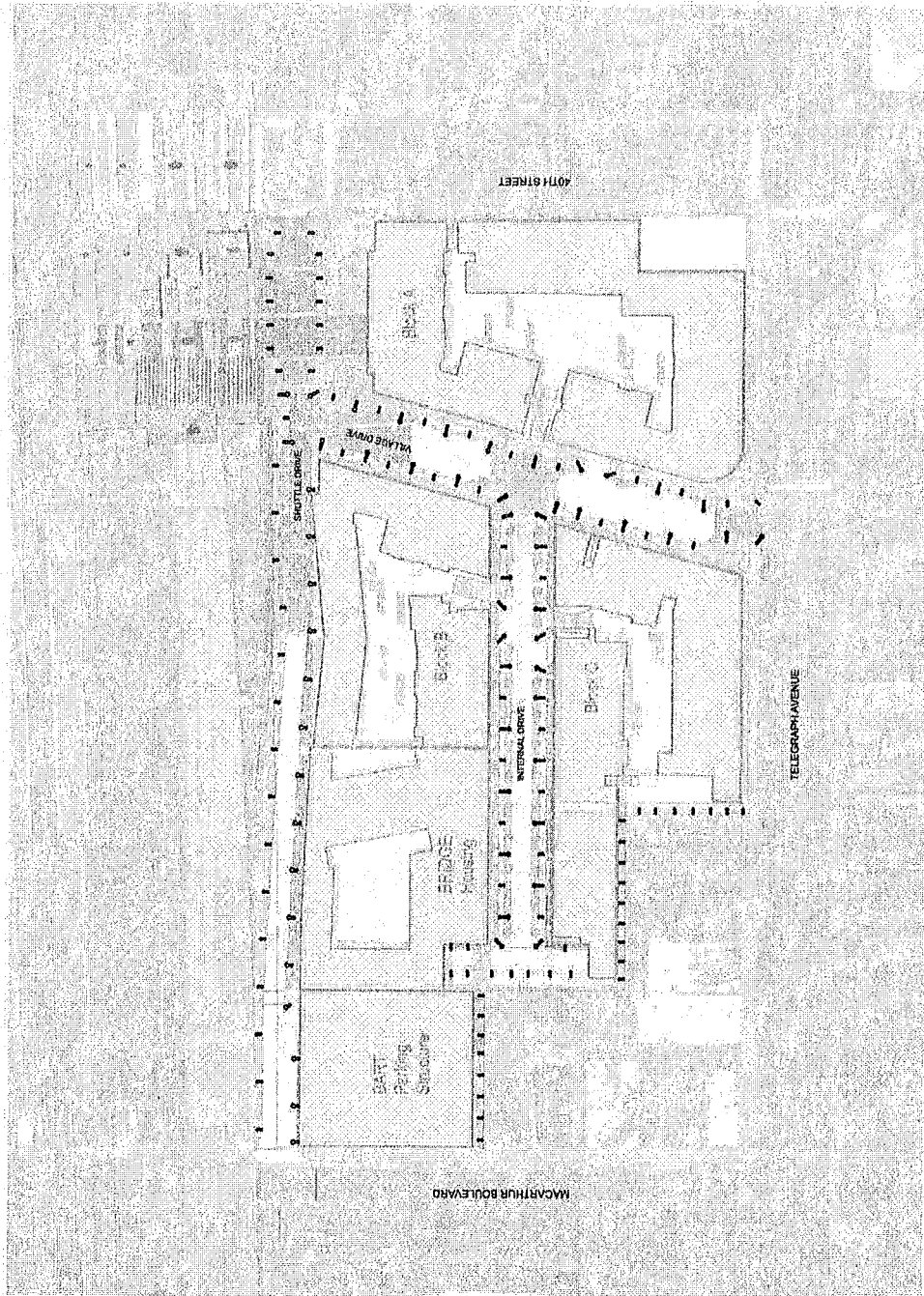
June 4, 2008

Preliminary  
Development Plan/  
Planning Commission

L-04  
Street Lighting  
Concept



PGA design  
LANDSCAPE ARCHITECTS



MacArthur Transit Community Partners, LLC



DRAFT MARKUP PRIVILEGED AND CONFIDENTIAL

MacArthur  
Transit Village

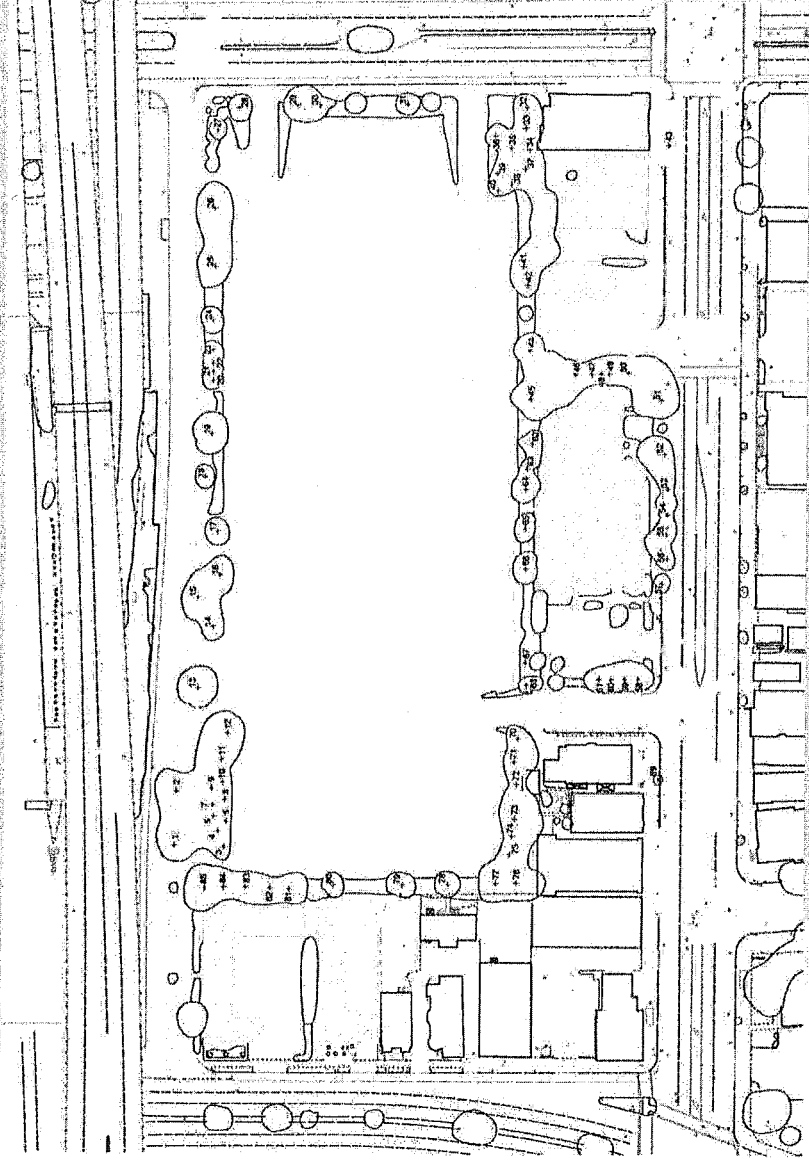
MacArthur  
Transit Village  
OAKLAND, CALIFORNIA

June 4, 2008

Preliminary  
Development Plan/  
Planning Commission

Tree Preservation Ordinance

Tree ID	Tree Species	Tree Size	Tree Location	Tree Status
1	...	...	...	...
2	...	...	...	...
3	...	...	...	...
4	...	...	...	...
5	...	...	...	...
6	...	...	...	...
7	...	...	...	...
8	...	...	...	...
9	...	...	...	...
10	...	...	...	...
11	...	...	...	...
12	...	...	...	...
13	...	...	...	...
14	...	...	...	...
15	...	...	...	...
16	...	...	...	...
17	...	...	...	...
18	...	...	...	...
19	...	...	...	...
20	...	...	...	...
21	...	...	...	...
22	...	...	...	...
23	...	...	...	...
24	...	...	...	...
25	...	...	...	...
26	...	...	...	...
27	...	...	...	...
28	...	...	...	...
29	...	...	...	...
30	...	...	...	...
31	...	...	...	...
32	...	...	...	...
33	...	...	...	...
34	...	...	...	...
35	...	...	...	...
36	...	...	...	...
37	...	...	...	...
38	...	...	...	...
39	...	...	...	...
40	...	...	...	...
41	...	...	...	...
42	...	...	...	...
43	...	...	...	...
44	...	...	...	...
45	...	...	...	...
46	...	...	...	...
47	...	...	...	...
48	...	...	...	...
49	...	...	...	...
50	...	...	...	...
51	...	...	...	...
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53	...	...	...	...
54	...	...	...	...
55	...	...	...	...
56	...	...	...	...
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58	...	...	...	...
59	...	...	...	...
60	...	...	...	...
61	...	...	...	...
62	...	...	...	...
63	...	...	...	...
64	...	...	...	...
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75	...	...	...	...
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77	...	...	...	...
78	...	...	...	...
79	...	...	...	...
80	...	...	...	...
81	...	...	...	...
82	...	...	...	...
83	...	...	...	...
84	...	...	...	...
85	...	...	...	...
86	...	...	...	...
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89	...	...	...	...
90	...	...	...	...
91	...	...	...	...
92	...	...	...	...
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94	...	...	...	...
95	...	...	...	...
96	...	...	...	...
97	...	...	...	...
98	...	...	...	...
99	...	...	...	...
100	...	...	...	...



\*Tree inventory based upon field visit by PGAdesign on 9.27.07

L-05  
Existing Tree  
Inventory



MacArthur Transit Community Partners, LLC

PGA design  
LANDSCAPE ARCHITECTS







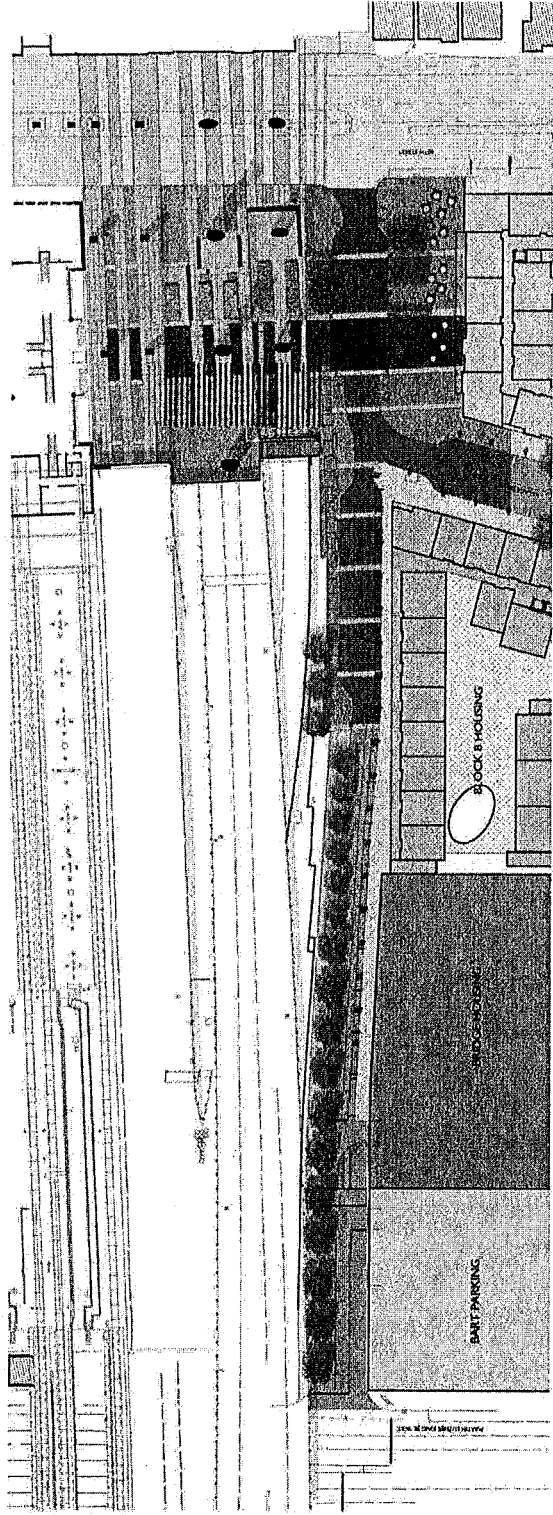
DRAFT MARKUP PRIVILEGED AND CONFIDENTIAL

MacArthur

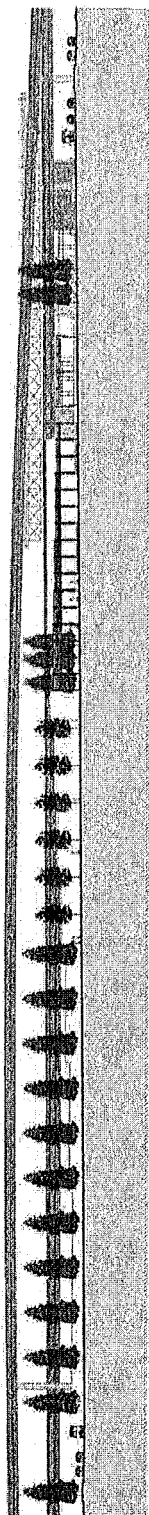
BART  
TRANSIT  
OAKLAND, CALIFORNIA

June 4, 2008

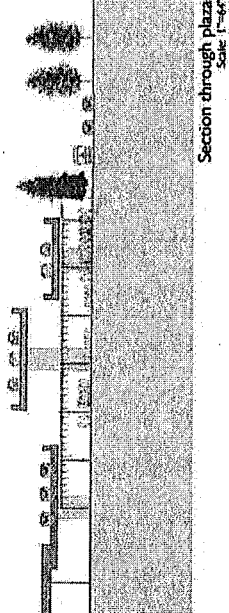
Preliminary  
Development Plan/  
Planning Commission



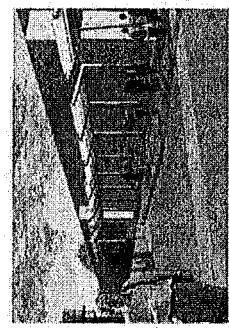
Site Plan  
Scale 1"=64'



Elevation of BART Plaza  
Scale 1"=64'



Section through plaza  
Scale 1"=64'



Perspective along edge of BART Plaza



Perspective looking out of BART Plaza

Conceptual BART Plaza  
Design

HOOD DESIGN  
DESIGN | ARCHITECTURE | LANDSCAPE ARCHITECTURE

Conceptual BART Plaza  
Design is included for  
informational purposes only  
and not for City review.

MacArthur Transit Community Partners, LLC

**EXHIBIT A – Amendments to the PUD Plan Set (Dated June 4, 2008)**

**Prepared 2/1/2017**

Sheet T-01 Title Page

**Development Information**

Description	Existing	New
Total Lot Area (acres)	7.76	7.76
Net Total Lot Area without Streets (sf)	NA	5.66
Net Total Lot Area with BART Plaza (sf)	NA	8.2
Total Building Footprint Area (sf)	32,500	220,800
Total Floor Area Living Space (sf)	NA	750,000
Total Floor Area Resid. Parking (sf)	NA	330,000
Total Floor Area BART Parking (sf)	NA	170,000
Building Height	25' (2 stories)	50' - 85-260' (up to 6-25 stories)*
Number of Dwelling Units	NA	624-875
Number of Live-Work Units	NA	8
Density (units per gross acre)	NA	80
Density (units per net acre)	NA	110
Number of Parking Spaces	600	1024**
Total Building Open Space (sf)	NA	54,000 (87sf/unit)
Total Site Open Space (sf)		72,978
Total Commercial/ Retail (sf)	NA	35,500
Total Live/Work Space (sf)	NA	7,000
Grading - Proposed Cut (cy)	NA	31,500
Grading - Proposed Fill (cy)	NA	11,170
Grading - Net Export (cy)	NA	20,330

\* Height not to exceed 6 stories and not to exceed an average of 75' for the entire development.

Where appropriate height to reach as high as 85'. \*\* including on-street parking 44 stalls

**Development Detail**

Building B	Unit Count	Area (sf)	Parking	Net Site Area****
Residential	132-502 units		132-262	
Live Work Units		1,500 (2 units)	2	
Retail		3,500-13,000		
<b>TOTAL</b>	<b>132-502** units</b>	<b>5,000-13,000</b>	<b>134-262***</b>	<b>1.03-1.18 ac</b>

\*\* 502 units were analyzed in the December 2016 CEQA Addendum to the 2008 MacArthur BART Transit Village EIR. Only 402 units are proposed in the 2017 Parcel B FDP.

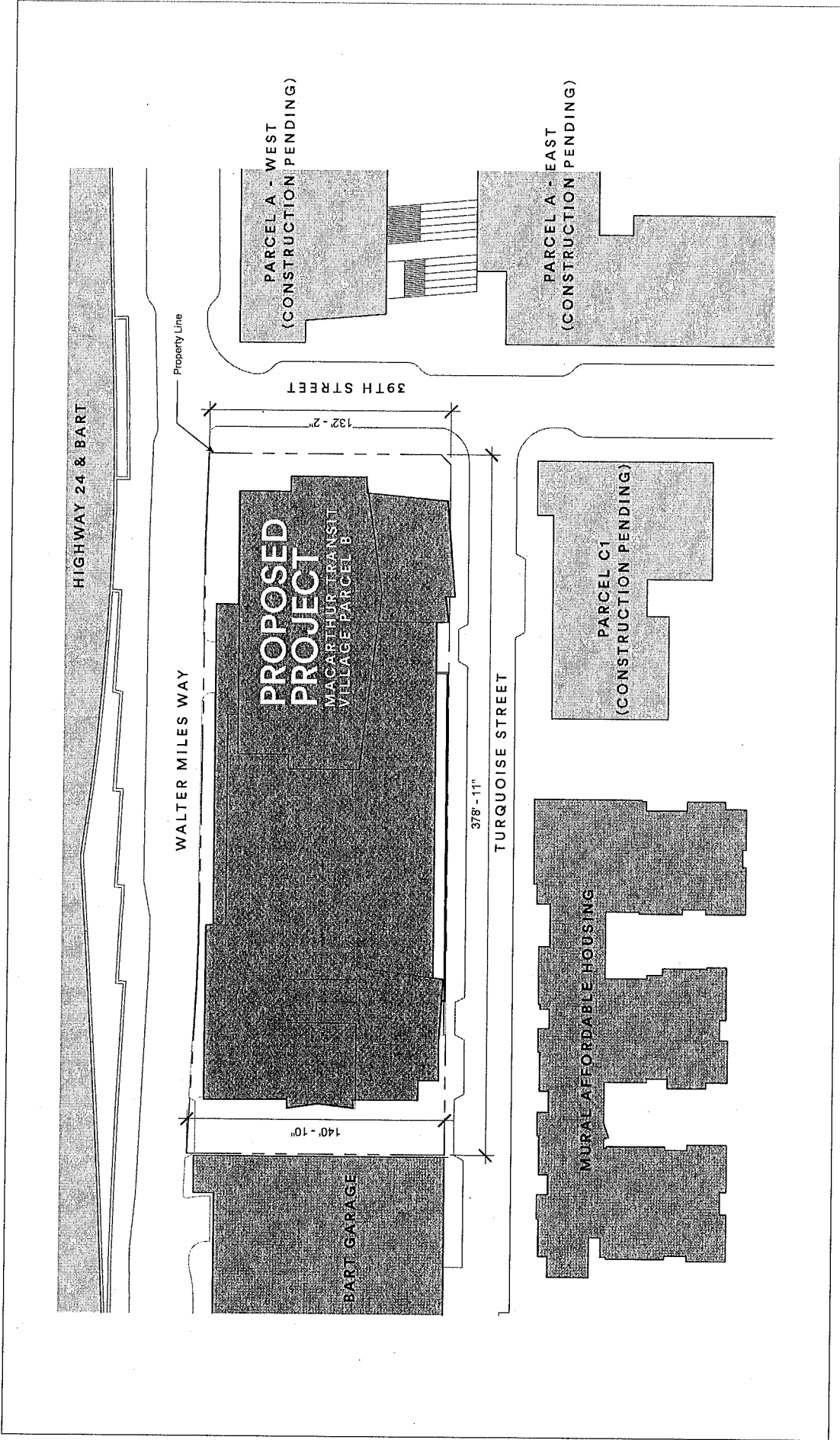
\*\*\* 0.5 parking space per dwelling unit required per S-15 zone with up to 1 parking space allowed per dwelling unit per the 2008 PUD approvals

\*\*\*\* Area of building pad excluding streets

Additional Pages

See attached sheets from the Parcel B FDP Plan Set dated November 23, 2016, which are incorporated by reference throughout the annotated 2008 PUD Plan Set attached:

A1-12, A1-13, A1-28, A3-01, A3-02, A3-03, A3-04, A3-05, A3-08, A0-20, A0-21, A0-22, A0-23, A0-24



0 25 50

Context Plan  
 Final Development Package  
 MacArthur Transit Village: Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA 201610

**Boston Properties**

© 2016 SOLOMON CORDWELL BUENZ  
 A1-12

ASSESSOR'S MAP 12

1025 SCALE: 1" = 60'

Code Area Nos. 17-042

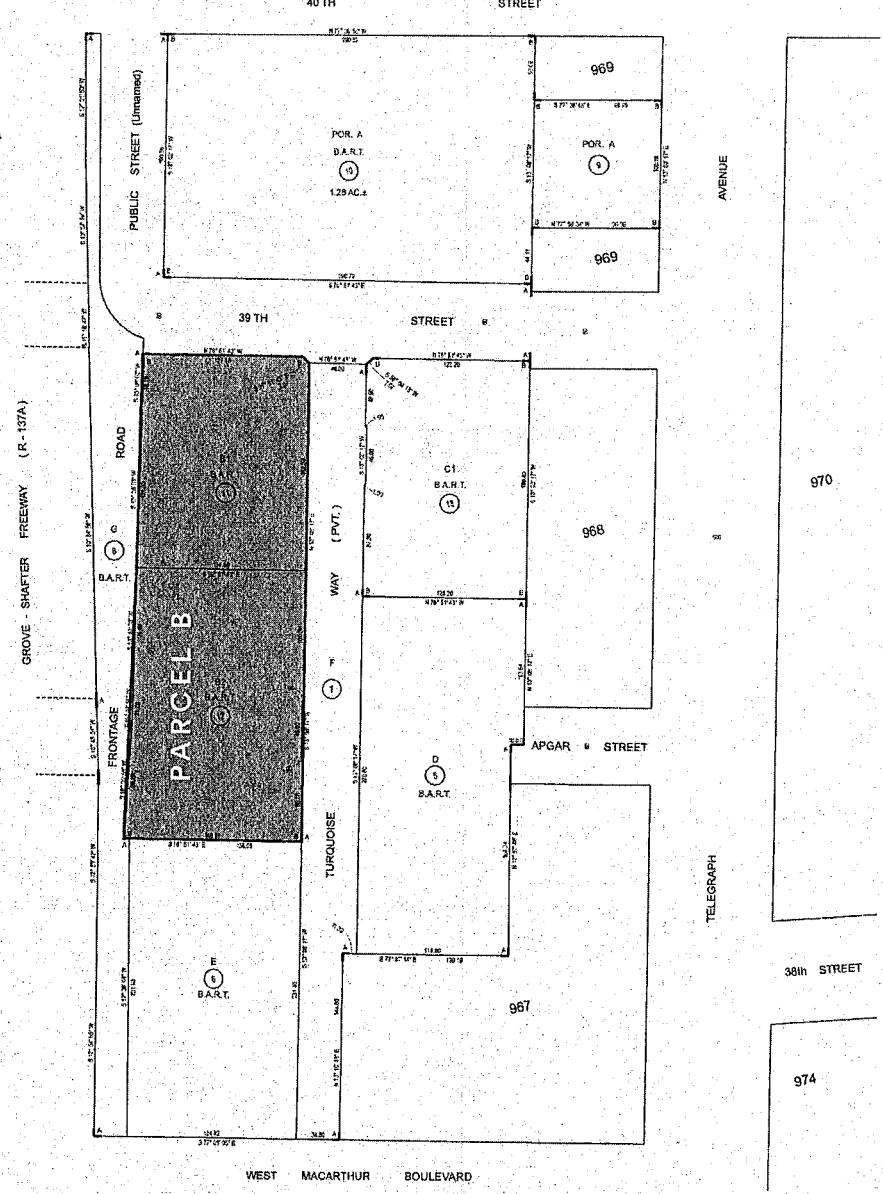
(A) TR. 8047 321/42-48  
 (B) TR. 8232 333/30-32

REVISIONS:  
 05-24-14 CC  
 05-24-15 CC  
 05-24-15 CC

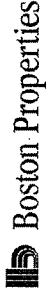
DRAWN: 06-06-12 LL

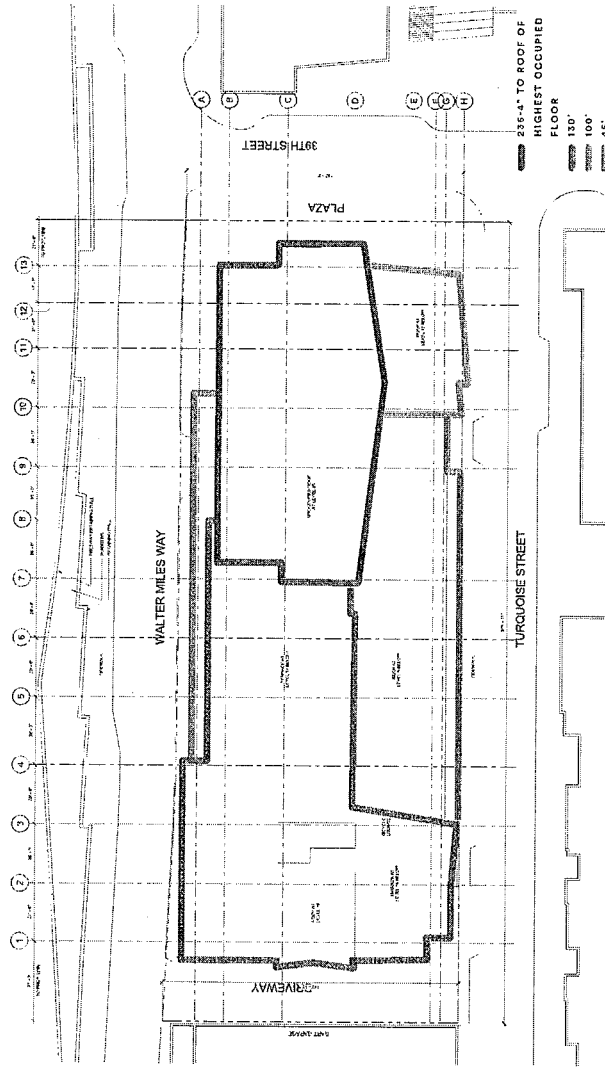
FORMERLY: PARCEL 687 (S1, S8), 688

TRAC: 40



Assessor's Map  
 Final Development Package  
 MacArthur Transit Village: Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA 2016010





## Proposed Revised Site Plan

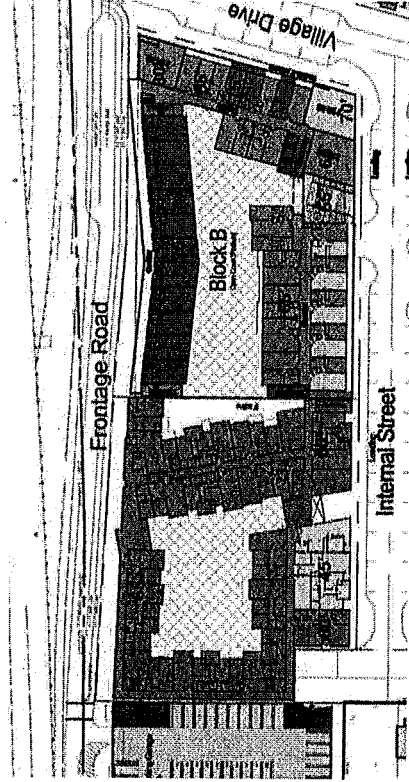
Proposed height: 256'-4"

Proposed market rate unit count: 357

Proposed BMR unit count: 45

Proposed retail area: 12,660 square feet

Proposed parking quantity: 262



(NOTE: Plan shown is from June 2008 PDP Submittal by McLarenand Vasquez Enstiek & Partners, Inc and is For Information Only)

## Approved PDP Site Plan

Previous height limit: 85'

Previous market rate unit count: 185

Previous onsite BMR unit count: 12

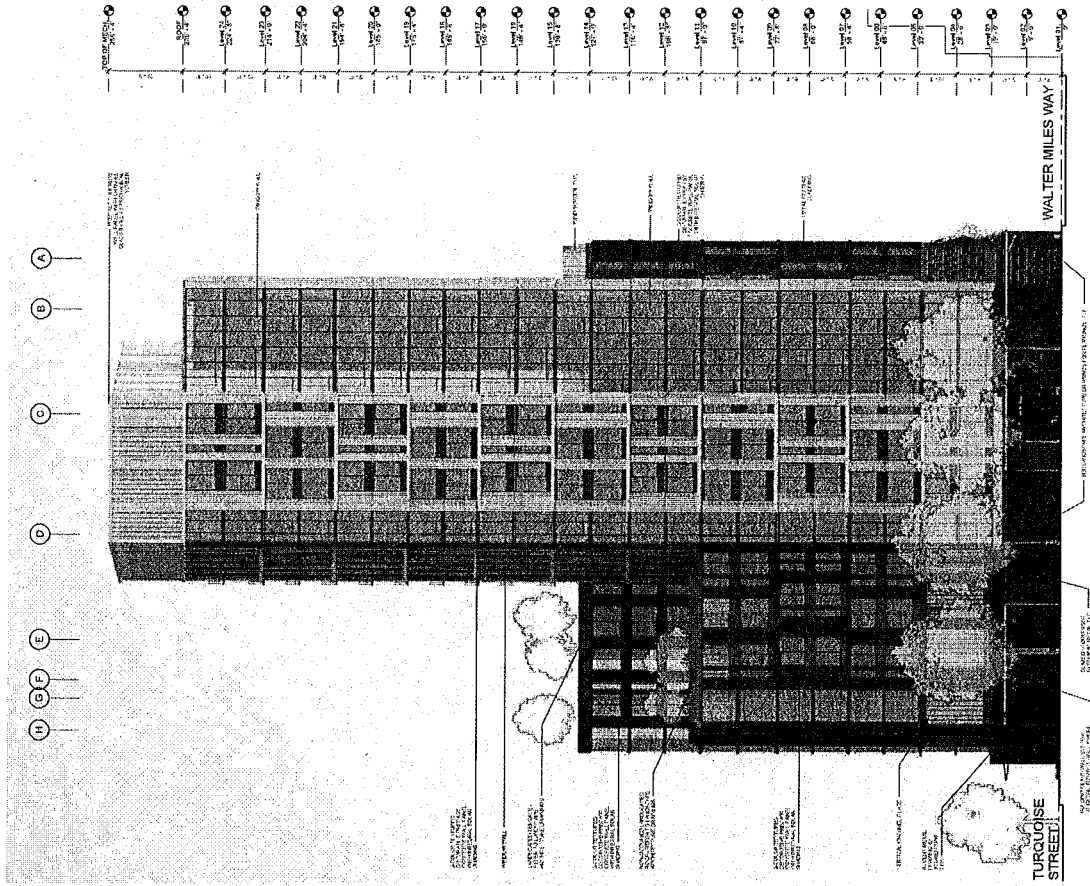
Previous retail area: 3,000 square feet

Previous parking quantity: 197



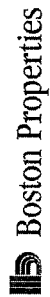
**General Elevation Notes**

1. Project Zero is 75.56. Refer to Civil C1-00 for more detailed information.
2. Refer to Landscape Architect & Civil Drawings for additional information.



North Elevation  
 Final Development Package  
 MacArthur Transit Village: Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA 2016010

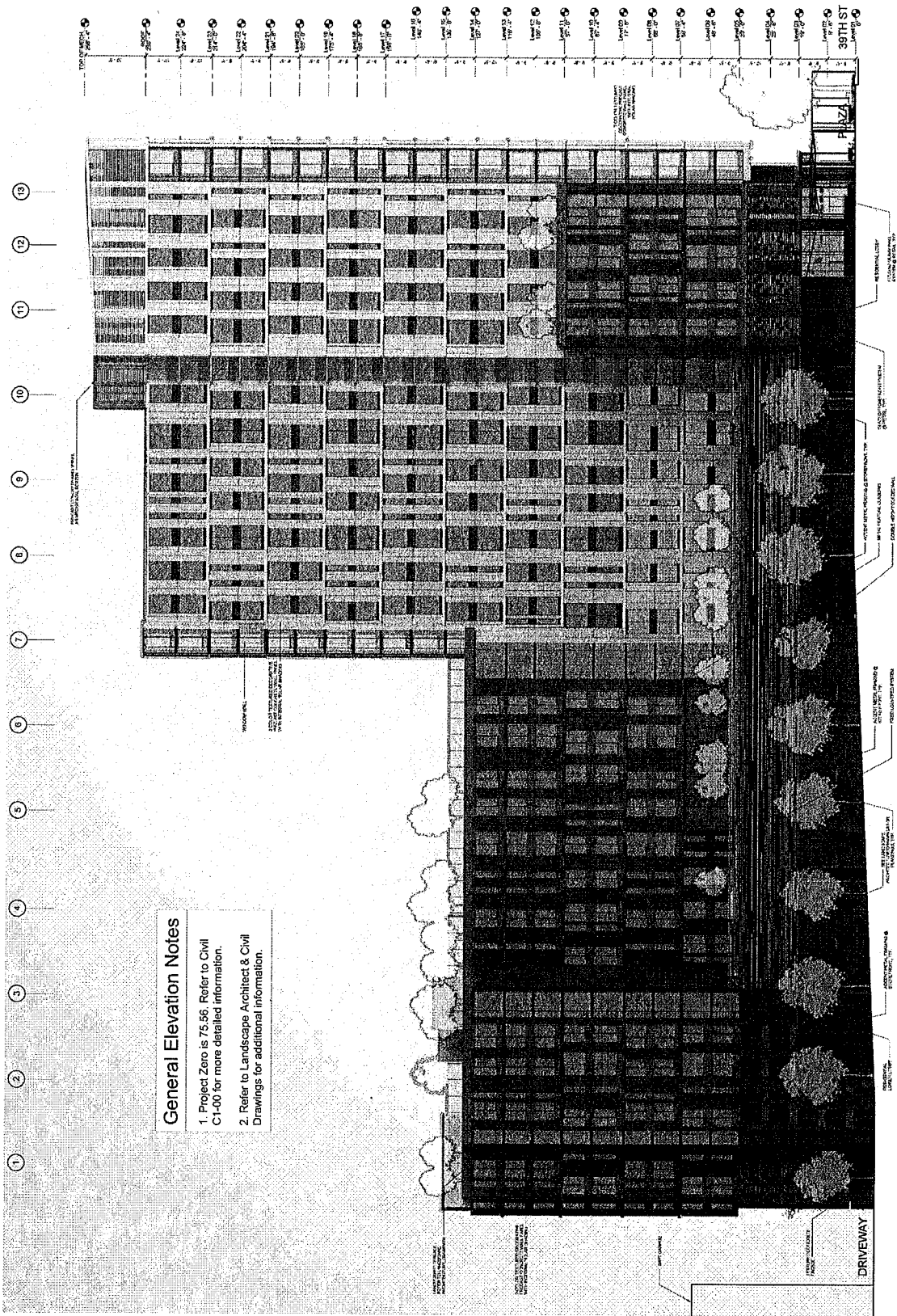
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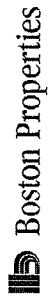
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**General Elevation Notes**

1. Project Zero is 75.56. Refer to Civil C1-00 for more detailed information.
2. Refer to Landscape Architect & Civil Drawings for additional information.

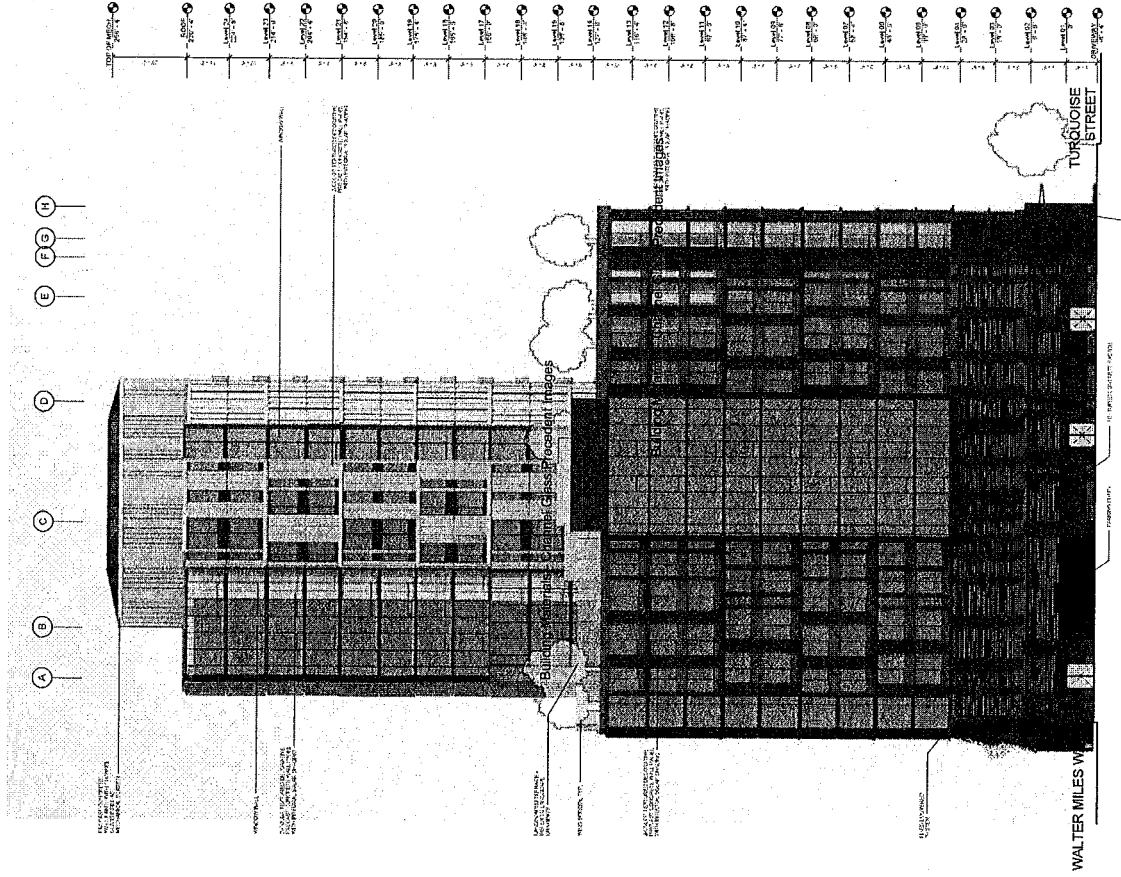
East Elevation  
 Final Development Package  
 MacArthur Transit Village; Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA 2015010

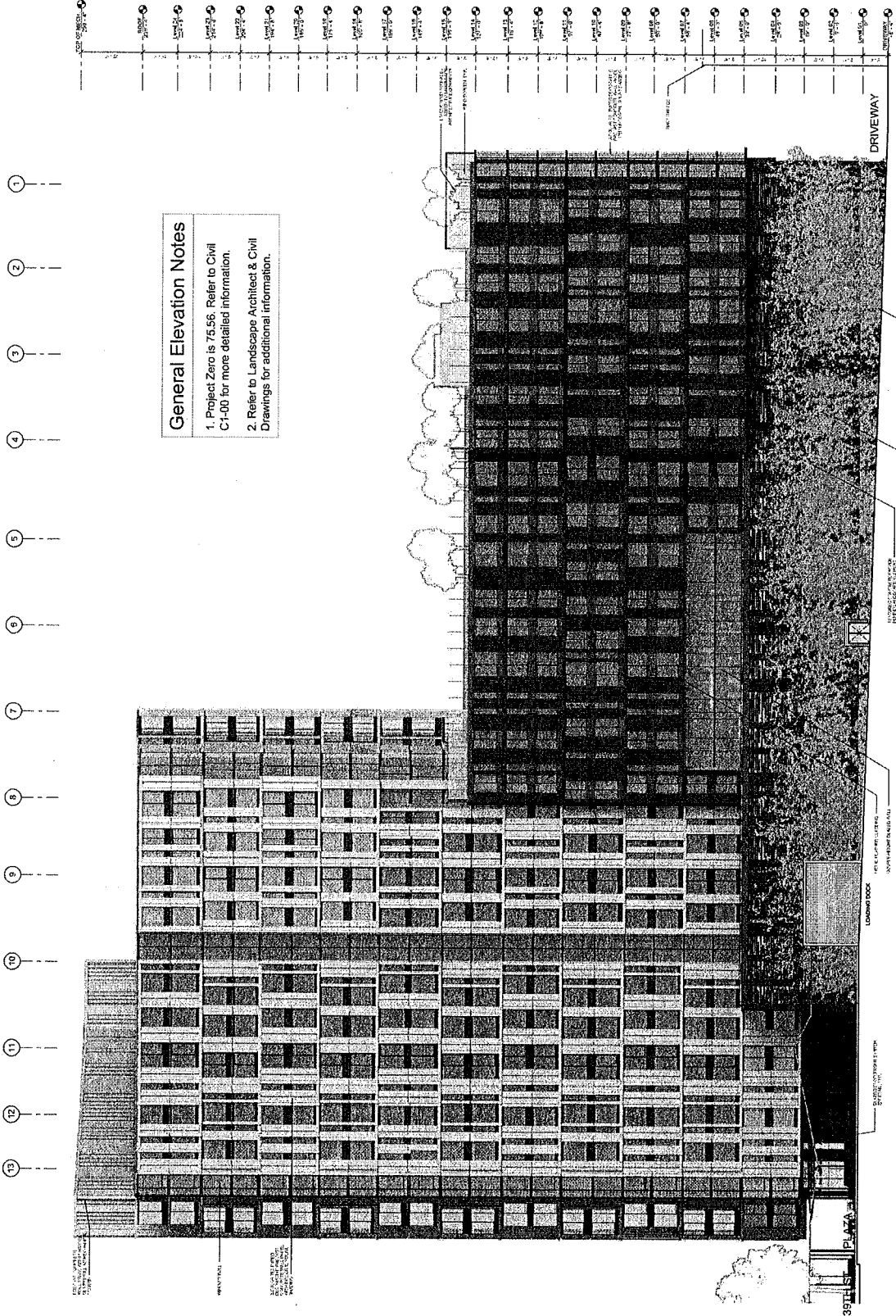




**General Elevation Notes**

1. Project Zero is 75.56. Refer to Civil C1-00 for more detailed information.
2. Refer to Landscape Architect & Civil Drawings for additional information.

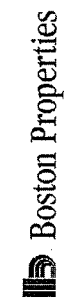




**General Elevation Notes**

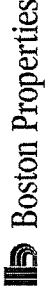
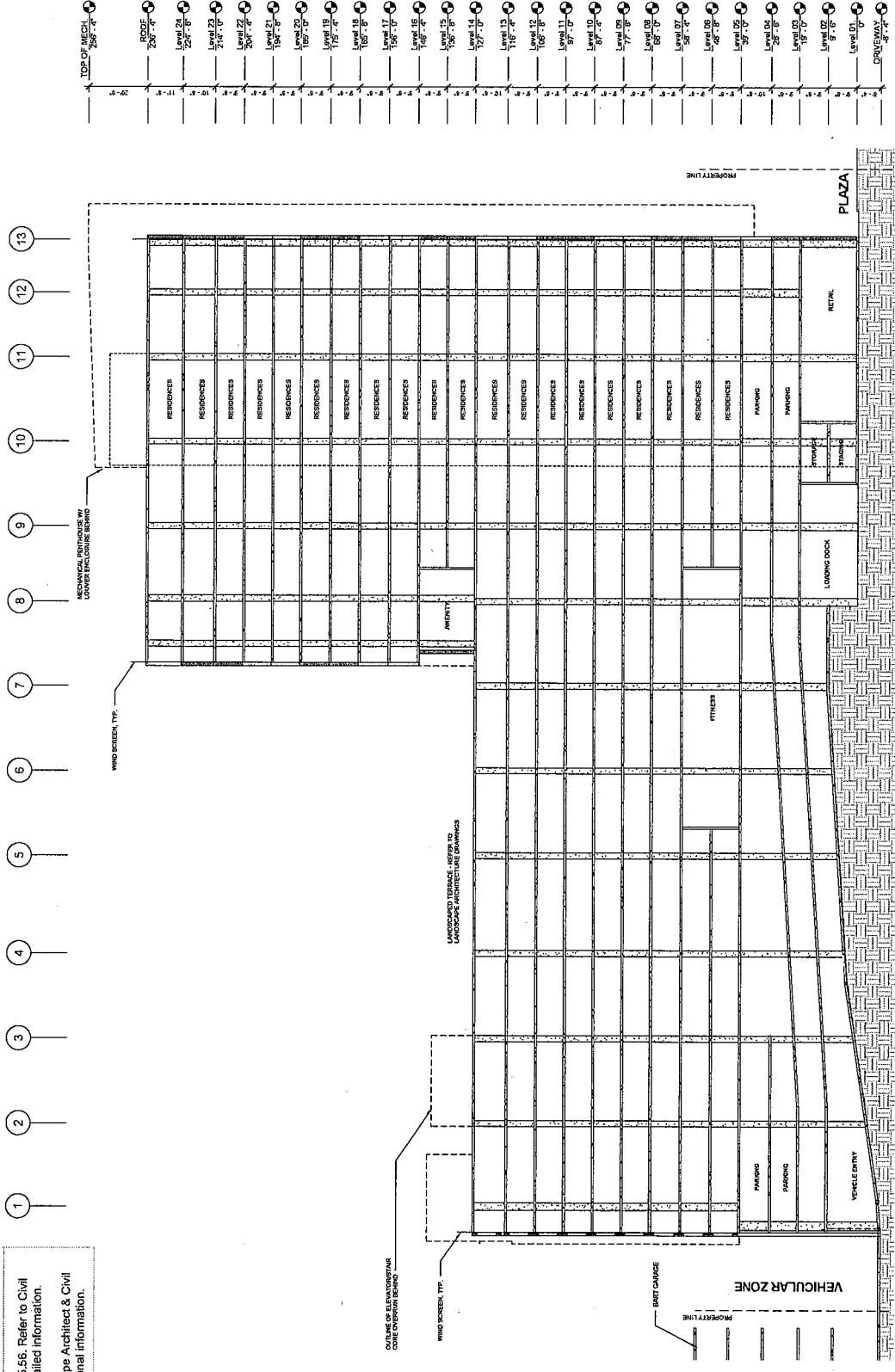
1. Project Zero is 75.56. Refer to Civil C1-00 for more detailed information.
2. Refer to Landscape Architect & Civil Drawings for additional information.

West Elevation  
 Final Development Package  
 MacArthur Transit Village: Parcel B  
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### General Section Notes

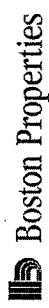
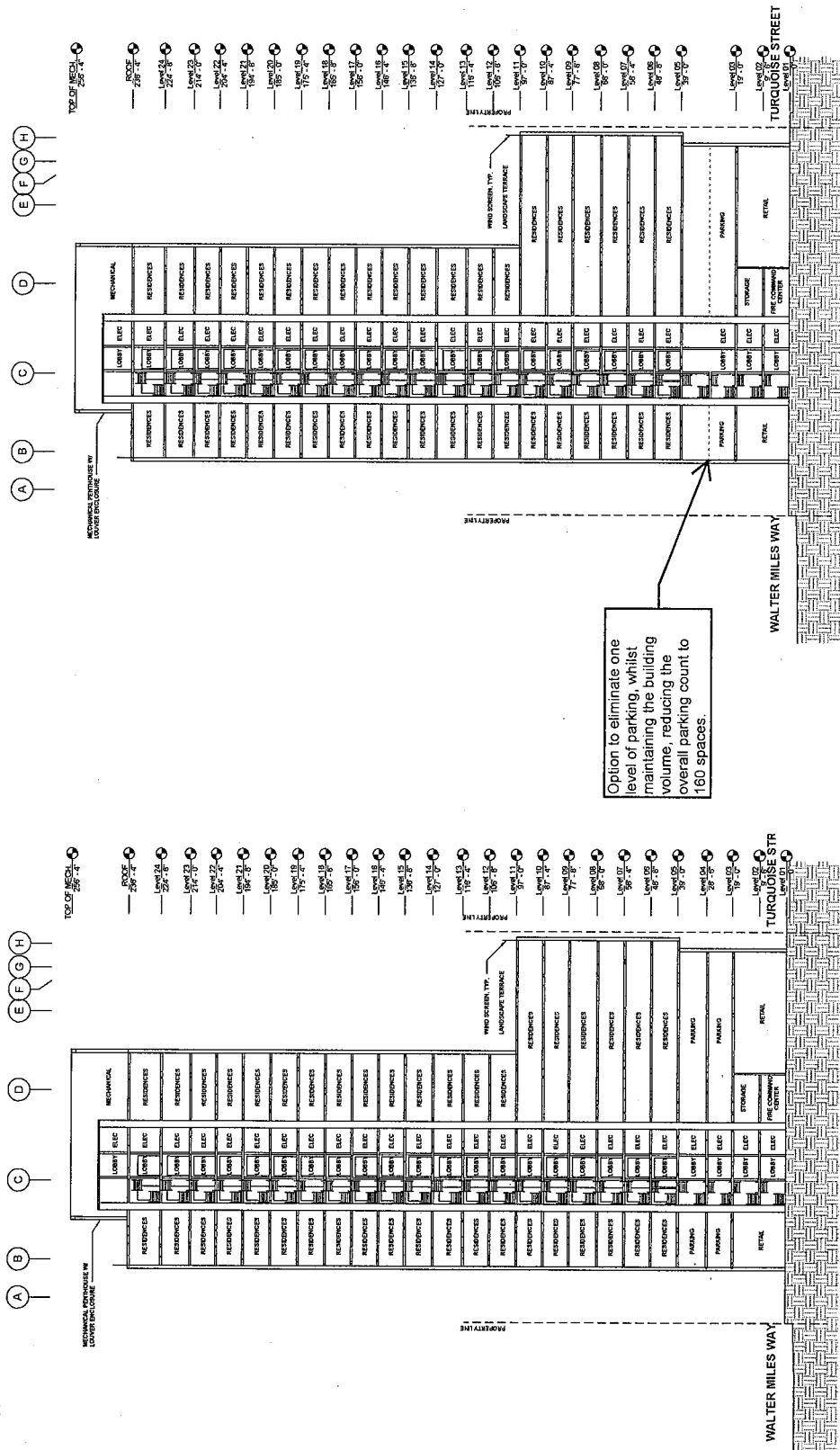
1. Project Zero is 75.56. Refer to Civil C-1-00 for more detailed information.
2. Refer to Landscape Architect & Civil Drawings for additional information.

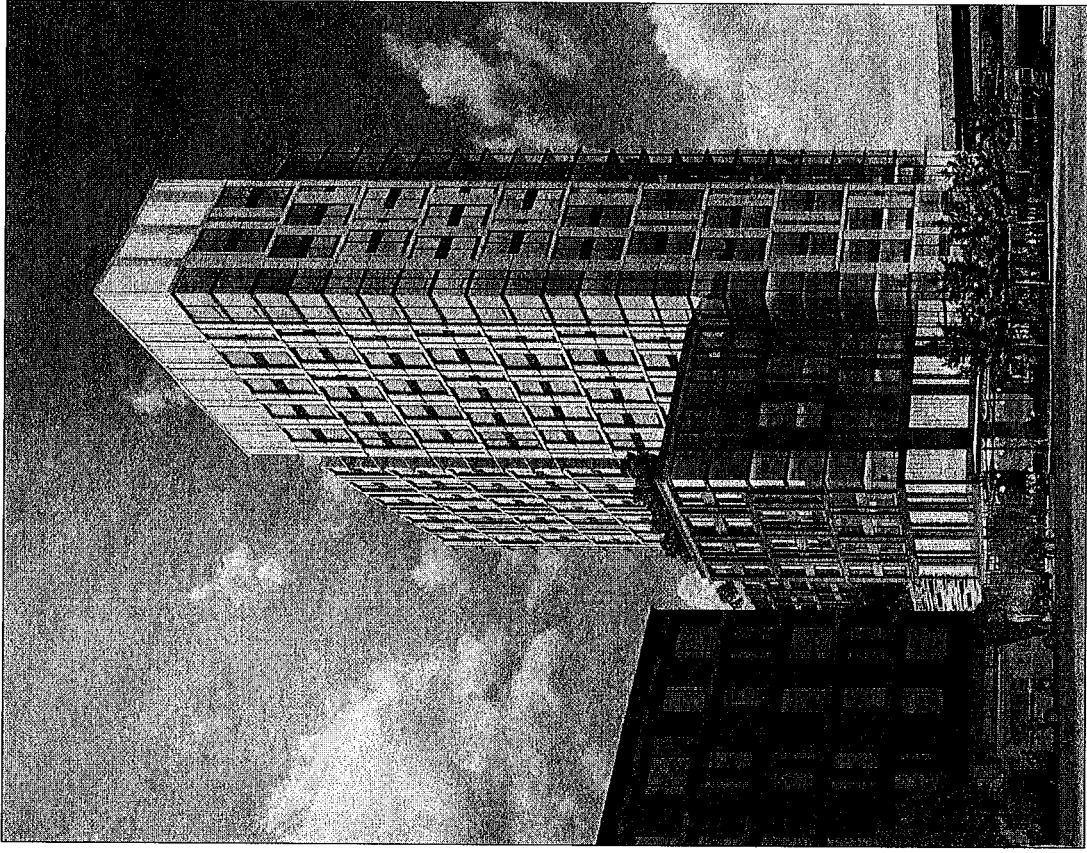


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**General Section Notes**

1. Project Zero is 75.56. Refer to Civil C1-00 for more detailed information.
2. Refer to Landscape Architect & Civil Drawings for additional information.

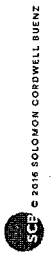




Project Renderings - Northeast Corner  
Final Development Package  
MacArthur Transit Village, Parcel B  
Solomon Cordwell Buenz / Boston Properties / Oakland, CA  
2016010

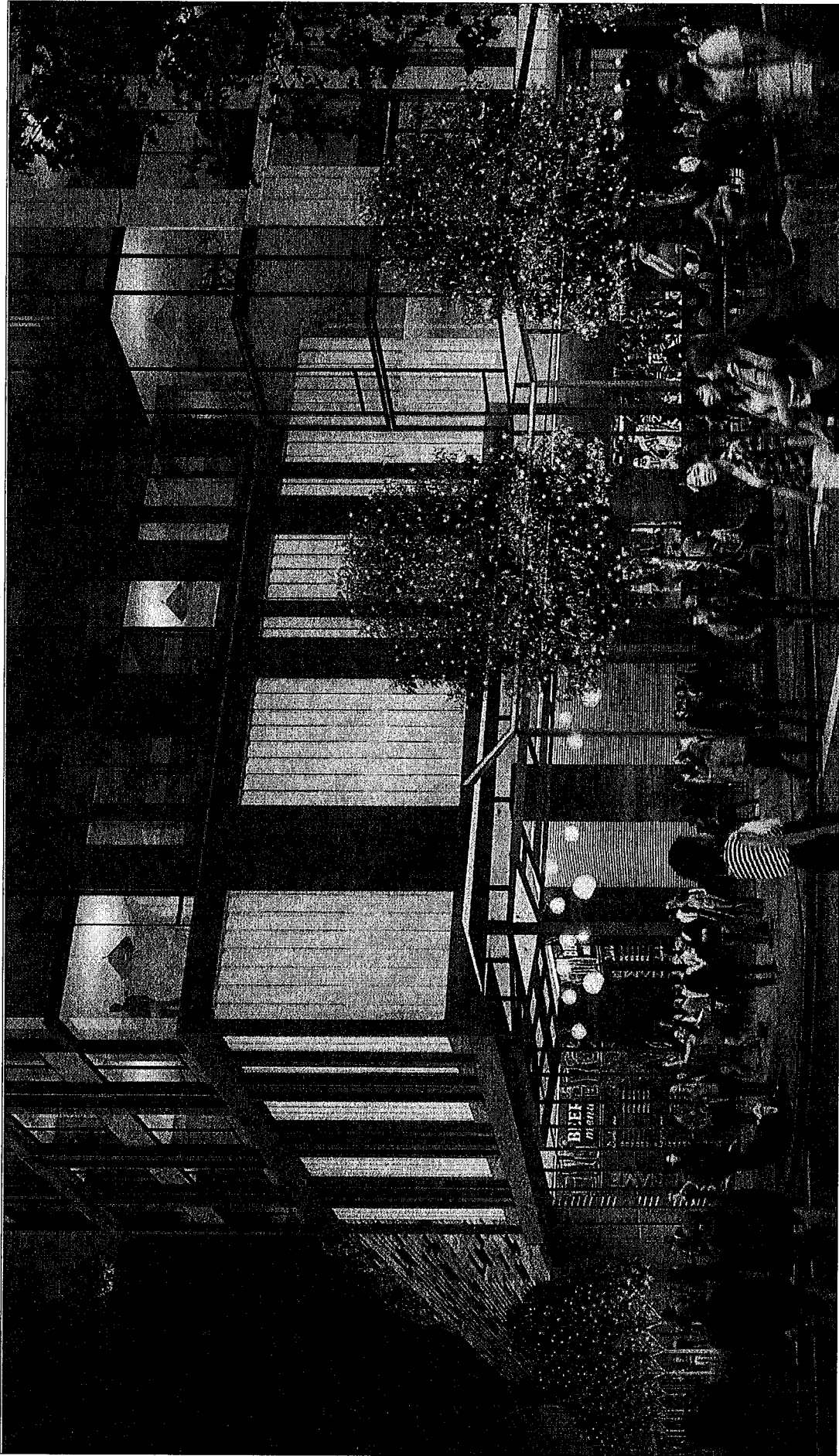


**Boston Properties**



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Project Renderings - Northeast Corner  
Final Development Package  
MacArthur Transit Village: Parcel B  
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 Boston Properties

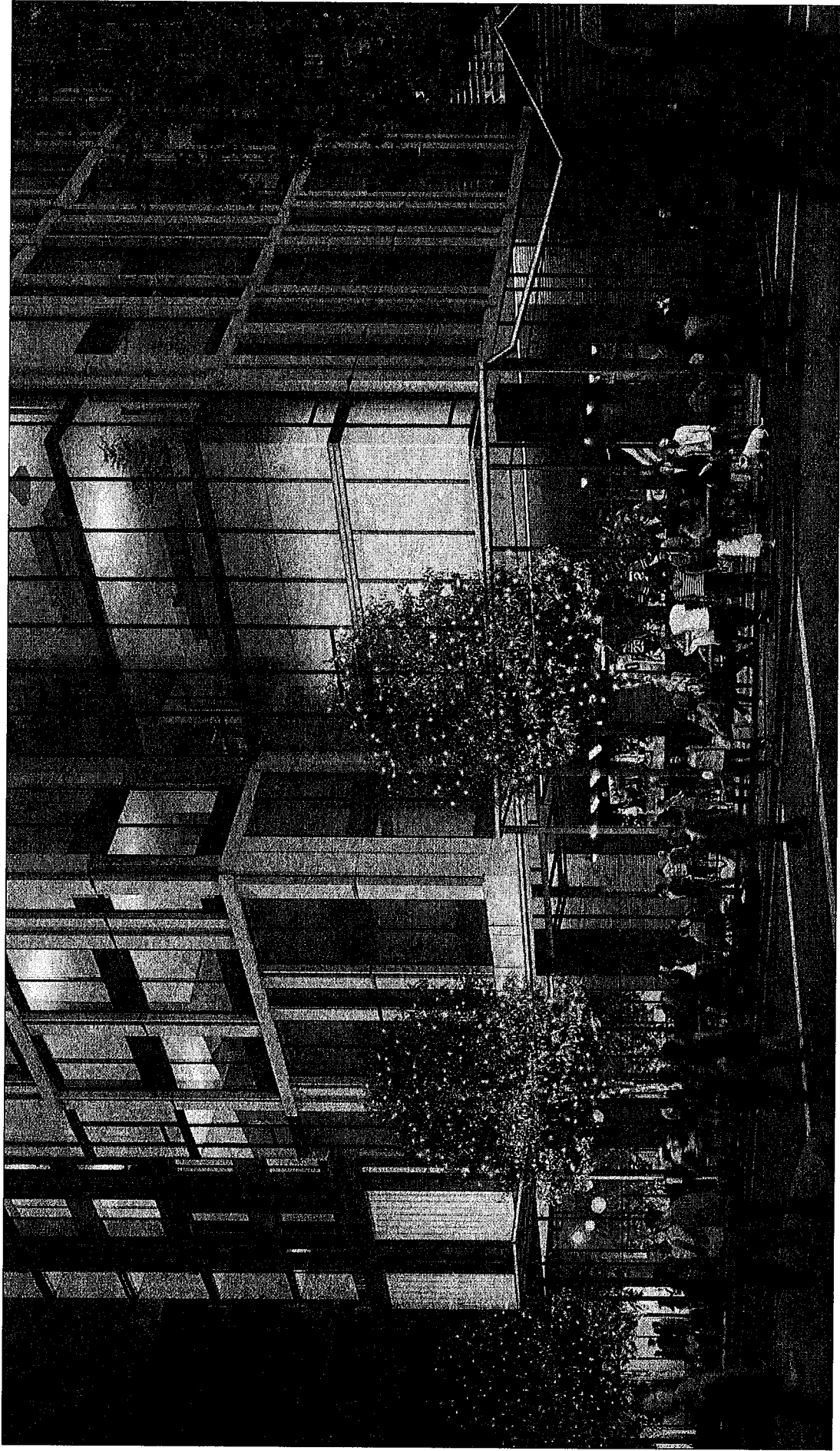
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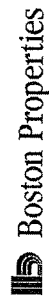


Project Renderings - Northwest Corner  
Final Development Package  
MacArthur Transit Village, Parcel B  
Solomon Cordwell Buenz / Boston Properties / Oakland, CA 2016010





Project Renderings - Northwest Corner  
Final Development Package  
MacArthur Transit Village, Parcel B  
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2016010



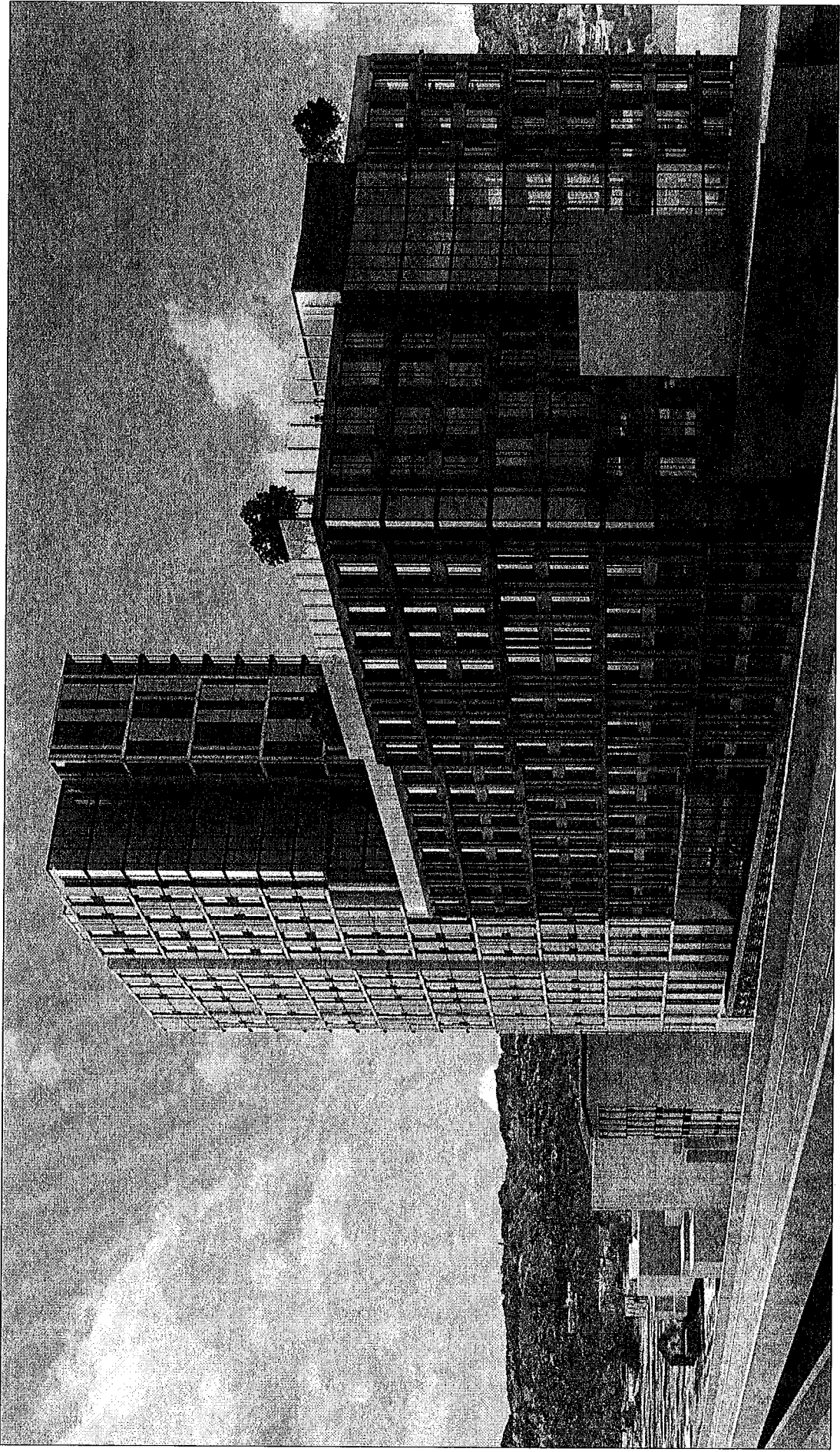
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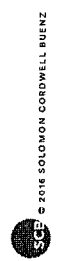
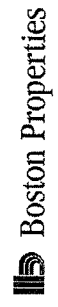


Project Renderings - Southwest Corner  
Final Development Package  
MacArthur Transit Village: Parcel B  
Solomon Cordwell Buenz / Boston Properties / Oakland, CA

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# DESIGN GUIDELINES FOR THE MACARTHUR TRANSIT VILLAGE PROJECT

## Introduction

Transit-oriented districts (TODs) are defined as compact, high-density, pedestrian-oriented, mixed-use developments near transit hubs that provide access to housing and jobs with an alternative to the car as the primary mode of transportation. Oakland's General Plan includes policies to create TODs in Oakland in the *1998 General Plan Land Use and Transportation Element*:

*"...ensure and build upon [Oakland's] significant investment in transportation and infrastructure. The new Plan urges us to address the issues through concurrent land use and transportation planning, coordination strategies between the service providing agencies, and realization of infrastructure improvements along major routes and corridors. The plan supports the creation of "transit-oriented districts" that offer a wide range of local services, housing, and retail shops, combined with immediate access to public transit such as BART or multiple AC Transit lines."*<sup>1</sup>

And reiterated it again in the *2004 Housing Element*:

*"Land use strategies and policies are designed to promote residential and mixed-use development in pedestrian-oriented settings so as to take advantage of opportunities presented by Oakland's region-serving BART stations and multiple AC Transit lines...Increased height, increased density and reduced parking are proposed for mixed use projects in these locations."*<sup>2</sup>

The S-15 transit-oriented development zone regulations contained in Chapter 17.97 of the Planning Code (the S-15 zone) establish the regulatory framework to implement the General Plan's vision for TODs. The S-15 zone regulations contain development standards regarding height, minimum and maximum density, floor area ratio, setbacks, and special parking requirements. The Planning Code also contains reduced parking requirements for TODs to encourage transit use and enhance pedestrian environments and S-15 zone regulations shall be subjected to the design guidelines contained herein this document.

## **Purpose**

The Preliminary Development Plan for The MacArthur Transit Village (Transit Village) is intended to create a design and development framework that responds and fulfills the City's policies for Transit Oriented Development, as well as the basic intention of the City's Planned Unit Development Permits, which includes the promotion of a harmonious variety of uses, the economy of shared services and facilities, compatibility with surrounding areas, and the creation of attractive, healthful, efficient, and stable environments for living, shopping, or working. The Transit Village provides an exciting opportunity for Oakland to achieve regional and citywide goals of providing housing, "strengthening and expanding"<sup>3</sup> its economic base, increasing transit ridership, reducing automobile trips, easing congestion and sprawl, and reducing air pollution.

Supported by the S-15 regulatory framework, these Design Guidelines are intended to guide the Transit Village's implementation and ensure that the project achieves the vision created through years of public participation and detailed design studies including: the physical qualities of an urban environment with viable public spaces, improved access to BART and quality architecture.

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<sup>1</sup> Envision Oakland: City of Oakland General Plan. Land Use and Transportation Element, 1998, pg. 3.

<sup>2</sup> Ibid. Housing Element, 2006, pg. 7-7.

<sup>3</sup> Ibid. Land Use and Transportation Element, 1998. pg. 38.

# **MacArthur Transit Village**

Design Principles & Guidelines

May 5, 2008 (Revised by DRC on June 18, 2008 and CED Committee on June 24, 2008)

## **Transit Village Guiding Principles**

While the establishment of the MacArthur BART station and the Highway 24 created needed public transit and improved transportation access, the bifurcation of the original urban fabric within this district is evident in the existing urban conditions. The spirit and intent of the Transit Village Guiding Principles is to re-establish a vibrant transit oriented urban fabric surrounding the station area, and to enhance the multimodal transit uses at the MacArthur BART station. Most importantly, the presence of a well designed transit oriented development will be the catalyst for redevelopment for the Telegraph transit corridor and the surrounding neighborhoods.

### ***1. Identity***

- 1.1. Create a regional gateway to Downtown, North Oakland and West Oakland.
- 1.2. Revitalize a marginalized area as an economically vibrant mixed-use neighborhood.
- 1.3. Provide well designed public open spaces, plazas and retail nodes at prominent locations to promote attractive, safe and active uses.

### ***2. Urban Design***

- 2.1. Reconstruct the neighborhood scale urban fabric between 40th Street, Telegraph Avenue and West MacArthur Boulevard to seamlessly reconnect the BART area to surrounding neighborhoods.
- 2.2. Eliminate physical and perceived barriers between Martin Luther King Boulevard and Telegraph Avenue in order to improve connectivity and safety for neighbors residing in the vicinity of the Transit Village.
- 2.3. Reinforce Telegraph Avenue as a city-wide transit corridor and a neighborhood main street.
- 2.4. Create a sensitively scaled, pedestrian-friendly development that organizes massing in a way that responds to the surrounding neighborhood context.

### ***3. Transit***

- 3.1. Enhance and emphasize MacArthur BART as a major multi-modal transfer hub in the Bay Area with an identifiable, active and thriving community adjacent to the station.
- 3.2. Enhance pedestrian access by providing clear, safe and attractive access to BART from the surrounding neighborhoods and within the Transit Village.
- 3.3. Prioritize bicycle access through safe and clearly marked bike routes to and within the Transit Village. Where possible, bike access should link with existing or proposed city-wide bike routes.

### ***4. Mixed-Use***

- 4.1. Provide a diverse mix of land uses that create housing, employment and community-serving opportunities for Transit Village residents, visitors and employees.
- 4.2. Direct foot traffic through open spaces and commercial nodes within the development to enhance commercial retail viability.

### ***5. Sense of Place***

- 5.1. Reinforce urban design and character with well composed buildings that are built of quality materials, appropriately scaled details and thoughtful proportions that promote visual quality and prominence.
- 5.2. Create a series of blocks that allow for a greater diversity of architectural character and style as is inherent to an authentic urban fabric.
- 5.3. Coordinate landscape, lighting, signage and street amenities to promote a distinctive district identity and sense of place.
- 5.4. Create a signature statement at the corner of Telegraph Avenue and Village Drive that brands the identity of the Transit Village.

### ***6. Sustainable Design***

# MacArthur Transit Village

## Design Principles & Guidelines

May 5, 2008 (Revised by DRC on June 18, 2008 and CED Committee on June 24, 2008)

- 6.1 Incorporate site planning and building techniques that support a “green” development and include on-site water conservation and recharge; compact developments, walkable streets and transit access resulting in a reduction of automobile use.
- 6.2 Encourage the use of sustainable building materials and methods; and use of recycled construction materials.
- 6.3 Take part in the USGBC’s LEED ND Pilot Program and work towards certifying the development for a Platinum or Gold Level certification.
- 6.4 Commit to certifying the buildings to a minimum of 70 points under the Green Point Checklist provided as part of the Multifamily Green Building Guidelines created by Alameda County.

## Design Guidelines

These guidelines provide methods to achieve the Guiding Principles for the Transit Village previously highlighted. They are not intended to restrict innovation, imagination and variety in design. Alternative methods that respond to the Guiding Principles similarly, may be considered by planning commission and City Council together with the Final Development Plan.

Development of the MacArthur Transit Village Project shall be subject to the Design Guidelines detailed below. The Design Guidelines are intended to promote successful, integrated transit-oriented development at the MacArthur BART station. These guidelines are a Condition of Approval for the Planned Unit Development Permit (PUD)/Preliminary Development Plan (PDP). Final Development Plans that are submitted for the project shall be in substantial conformance with the PDP plans (dated April 30, 2008 including 32 plan sheets) the S-15 zone regulations and the design guidelines contained herein. The Design Guidelines are organized into the following sections:

- I Site Planning
- II Architectural Design
  - a) Height, Bulk and Scale
  - b) Architectural treatments
- III Public Space Improvement
- IV Transit Plaza Design
- V Sustainable Design

### **I Site Planning**

Traditionally streets and blocks create the physical structure or “framework” for an urban design plan. The MacArthur BART Project area’s framework of streets and blocks was disrupted years ago and has resulted in the MacArthur BART Station and parking lot being an anonymous, disconnected place that is not integrated into the surrounding neighborhood.

The Preliminary Development Plan will introduce a new pattern of public and private streets, development blocks and open spaces within the Transit Village that will reconnect to the existing street network and surrounding context, creating a coherent framework for development and improved circulation. The layout for the new streets and blocks as shown on plan sheets A-1.01, L-02 and L-03 are the backbone of this framework with the character being defined by the elements that occur within this framework. Key elements include:

- walkable, interconnected streets that provide multi-modal access;
- buildings that define the edges of and create a sense of enclosure for streets;
- sidewalks and sidewalk amenities that buildings face and that create a safe and attractive pedestrian realm; and
- open spaces that become identifiable community “living rooms”.

## MacArthur Transit Village

### Design Principles & Guidelines

May 5, 2008 (Revised by DRC on June 18, 2008 and CED Committee on June 24, 2008)

These elements must work together to create a successful transit-oriented development. In particular, a successful site plan integrates these elements to safely direct pedestrian traffic into nodes of activity, clusters several modes of transportation, and assimilates new streets and buildings into the existing neighborhood. The project shall be consistent with the following site planning design guidelines.

- Guideline S1 Integrate new streets and buildings into the surrounding neighborhood. As a regional gateway, the MacArthur Transit Village is a large transit-oriented development site that should provide visually appealing views from the surrounding neighborhoods, Highway 24, the BART train, platform, the station plaza, and other critical nodes of activity. These views should both provide visual interest and help identify the station entrance and Transit Village community nodes. (plan sheet T-02)
- Guideline S2 Site convenient pedestrian routes that minimize pedestrian conflict with vehicles. Although bus and shuttle stops should be sited for convenience to transit users, the site and circulation plan must minimize conflicts between pedestrians and transit vehicles as well as private cars. (plan sheet A-0.01)
- Guideline S3 Ensure the pedestrian circulation plan routes pedestrians through desired centers of activity in the development such as retail nodes and plazas. (plan sheet A-0.01)
- Guideline S4 Clearly designate bicycle routes and make them free of obstructions. The bike lane should be sited to avoid conflicts with motor vehicles. (plan sheet A-0.01)
- Guideline S5 Where possible, link bicycle routes to the existing or proposed bicycle network adjacent to the development. (plan sheet A-0.01)
- Guideline S6 Locate BART parking structure away from core locations to encourage pedestrian movement through the site. Multiple access points should direct people through key areas that have an active street front such as stoops, plazas and commercial storefronts. (Exhibit A-1.01)
- Guideline S7 Place commercial activities at prominent locations to create an active pedestrian realm. The pedestrian circulation plan should lead pedestrian routes through prominent locations such as plazas and intersections. This method creates a confluence of people at these key locations. Retail stores and restaurants should be sited at these critical locations to take advantage of this confluence. The development should provide ground floor "flex space" or live/work opportunities whose architecture recalls the scale and pattern of commercial frontage and that could be converted to businesses along probable pedestrian routes. (Exhibit A-1.01)
- Guideline S8 Place pedestrian plazas at areas of activity in the development to serve as a hub for pedestrian routes. Like retail nodes, plazas require pedestrian traffic to be successful public spaces and should be located where there will be a confluence of people. Plazas can also serve as a portal into the development at a station or development entrance. (Exhibits A-1.01, A-3.05, A-6.01 and 6.02, L-02)
- Guideline S9 Site building facades at or near the edge of the sidewalk or plaza, appropriate setbacks include 2-5 feet for balconies, awnings, stoops, landscaping or other sidewalk level displays at entries to create a street wall that clearly defines the edges of the public realm and creates a sense of enclosure along the street. Small plazas, inset bays for outdoor seating and dining, prominent entrances, and special corner features provide appropriate locations for interruptions of the street wall. (Exhibit A-1.01, A-1.02, A-3.02 to 3.03)

## II Architectural Design

The Architectural Design Guidelines, while not intended to be prescriptive as to style and appearance, help to illustrate the design intention of the Preliminary Development Plan for the Transit Village. Buildings within the Transit Village should be diverse yet have some common elements that tie the development together to create a cohesive urban design and identity. Buildings should not have identical design elements, but they should have design elements and devices in common that create a coherent composition, rhythm, and urban design. The PDP plan establishes the basis of the urban design and architectural concepts envisioned for the MacArthur Transit Village.

# MacArthur Transit Village

Design Principles & Guidelines

May 5, 2008 (Revised by DRC on June 18, 2008 and CED Committee on June 24, 2008)

Since the architectural design is closely integrated with the urban design, public spaces, street character and pedestrian experience in the Transit Village, these guidelines are organized according to the street that buildings face. Each street – existing or new – has or will have a distinct identity that is enforced by architectural design, use or activity, and the streetscape design.

1. Telegraph Avenue
2. West MacArthur Boulevard
3. 40th Street
4. Frontage Road
5. Village Drive
6. Internal Residential Street
7. MacArthur BART Transit Plaza

The guidelines are then organized by “Height, Bulk, and Scale” and “Architectural Treatment” to set the stage for a comfortable and interesting pedestrian experience within the Transit Village and to provide distinct place characteristics within the Transit Village that are recognizable and unique.

## 1. Telegraph Avenue

Telegraph Avenue is a historically significant commercial mixed-use spine stretching from downtown Oakland to the UC Berkeley campus. The Transit Village will reinforce its traditional character with new buildings that create a strong frontage with an enhanced pedestrian scale. Strong building forms here will announce the special transit-oriented district along the Telegraph corridor, and intensive sidewalk activity will create new neighborhood-wide destinations. The architectural character of this edge is illustrated in the PDP plan sheets A-1.0H, A-3.01a, A-3.02, A-6.01

### *Height, Bulk and Scale:*

- Guideline A1.1 Proposed buildings along Telegraph Avenue shall be no more than four to six stories (approximately 50’ to 75’) with mix of building heights and rooflines and a signature gateway at Village Drive and Telegraph Avenue. (plan sheets A-1.0H, A-3.02)
- Guideline A1.2 Architecture along Telegraph Avenue should acknowledge the traditional proportions of base, middle and top datum lines, to reinforce the urban street edge. (plan sheet A-3.02)
- Guideline A1.3 Provide a retail corner plaza at the corner of Telegraph and Village Drive to enhance pedestrian activities, outdoor seating opportunities, and create a gateway feature to the Transit Village. (plan sheet A-6.01)
- Guideline A1.4 Buildings should generally respect the zero lot line building edge along Telegraph Avenue, but provide some street wall articulation for visual interest.
- Guideline A1.5 Building design should respect and acknowledge the existing building on the corner of Telegraph and 40th Street by stepping down building height to four stories and by generally aligning with the base height and articulation of the existing building façade. (plan sheet A-1.0H, A-3.02 and 3.03)

### *Architectural Treatments:*

- Guideline A1.6 Establish iconic building corners at the intersection of Telegraph and Village Drive to frame the primary “Front Door” and the view corridor to the BART station. (plan sheets A-6.01 – 6.02)
- Guideline A1.7 Provide a well defined building base with quality materials to enhance the commercial/retail frontage and provide distinctive attractive signage and canopies for the commercial/retail tenants and building lobbies. (plan sheets A-6.01 – 6.02)
- Guideline A1.8 The commercial/retail facades should have at least 60% transparency, with 75% preferred.
- Guideline A1.9 The ground level of buildings fronting on Telegraph Ave must have predominantly commercial/retail frontage to promote an active public realm. Residential units above retail bays overlooking the street will promote safety through “eyes on the street”.

# MacArthur Transit Village

## Design Principles & Guidelines

May 5, 2008 (Revised by DRC on June 18, 2008 and CED Committee on June 24, 2008)

- Guideline A1.10 The height of commercial/retail space shall be a minimum of 13' 15' floor to floor at Block C and 18' floor to floor at Block A with the intention of accommodating both in-line and major commercial/retail tenants.
- Guideline A1.11 Provide a variety of architectural characters and styles along Telegraph Avenue that have an authentic urban feel and traditional neighborhood scale, without being historically stylized or sentimental.(plan sheets A 3.02 – 3.08 and A-6.01 – 6.02)
- Guideline A1.12 Use high quality durable materials, especially at the base of the buildings, to create a strong connection for where ~~relationship~~ the building meets the street, a strong connection to the pedestrian realm and to enhance the neighborhood commercial/retail frontage.
- Guideline A1.13 Use architectural details such as decorative railings, pot shelves, canopies, and lighting that create visual complexity and interest and reinforce the human scale elements of the proposed mixed use development.
- Guideline A1.14 Strong cornice treatments should be emphasized regardless of the architectural style or character.
- Guideline A1.15 Provide a minimum window recess of 2-3 inches for all windows at the ground floor and upper levels, and consider other means for undulation on the ground floor, such as columns, to further provide interest to the ground level of commercial/retail frontages.
- Guideline A1.16 Avoid white or beige window frames. Dark colors result in a more urban character that is appropriate to this location.

## 2. West MacArthur Boulevard

MacArthur Boulevard is a major city thoroughfare, extending from San Leandro to San Pablo Avenue where it transitions to the MacArthur Freeway – I-580. Its physical character varies along its length, as do its traffic patterns and intensities. At the Transit Village it carries traffic that is generally headed to or from the highway. The Transit Village will create a new building frontage along this street, and its vehicular connection into the Transit Village will serve to provide scale and activity to the street by creating a new intersection at Frontage Road. The architectural character of this edge is illustrated in the PDP plan sheets A-3.04 and 3.06

### *Height, Bulk and Scale:*

- Guideline A2.1 The ground level commercial base will activate the street and provide human scale and visual interest at the base of the parking structure.
- Guideline A2.2 The proposed multi level parking structure's height and substantial bulk will be a distinctive visual cue to commuters arriving by car both regionally and locally, as it is visible not only from West MacArthur Boulevard and Telegraph Avenue, but from Highway 24 and the BART train platform above.

### *Architectural Treatments:*

- Guideline A2.3 Provide active, commercial or retail frontage at the ground floor to create a strong visual connection between the street and activities inside, and to enhance pedestrian activity on the street providing character and safety.
- Guideline A2.4 Provide minimum of 13' floor to floor dimension for the ground level retail or commercial space.
- Guideline A2.5 Artistic design elements or signage elements mounted on the exterior of the parking structure above the ground floor retail will provide visual interest and identity to freeway drivers and BART commuters passing by.
- Guideline A2.6 Incorporate artistic sun shading devices and PV panels or other building specifications to further support sustainable development.
- Guideline A2.7 Provide a substantial building base with quality materials and provide distinctive attractive signage and canopies along the street and at building lobbies.
- Guideline A2.8 Use high quality durable materials, to create a strong relationship of the building to the pedestrian realm and to activate West MacArthur Boulevard.

## 3. 40th Street

## MacArthur Transit Village

Design Principles & Guidelines

May 5, 2008 (Revised by DRC on June 18, 2008 and CED Committee on June 24, 2008)

40th Street is a major west-east corridor connecting Emeryville with North Oakland. Between Martin Luther King Jr. Boulevard and Telegraph Avenue, this street provides the main pedestrian access between adjacent neighborhoods and the BART station, and acts as one of the main district gateways to the MacArthur BART station. The architectural character of this edge is illustrated in the PDP plan sheets A-1.0H, A-3.03, A-6.02

### *Height, Massing and Scale:*

- Guideline A3.1 The proposed architecture massing and scale must respect the transition from the existing, modest four story building on the corner of Telegraph Avenue to the grand scale of the freeway infrastructure overpass and BART station with a mix of building height and articulation. (plan sheets A-1.0H, A-3.03)
- Guideline A3.2 The proposed buildings along 40th Street transition from five stories adjacent to Existing building at Telegraph Avenue to a six story maximum adjacent to the BART station (approximately 60' to 80'). (plan sheet A-1.0H)
- Guideline A3.3 The architecture along the length of 40<sup>th</sup> Street should be modulated to create a diversity of architectural scales and characters. (plan sheet A-3.03)
- Guideline A3.4 Consistent with Telegraph Avenue, the distinctive commercial/retail floor to floor ground level height of 18' should be carried along the 40th Street elevation. (plan sheet A-3.03)
- Guideline A3.5 The placement and style of openings and windows should contribute to a coherent and appealing composition to a façade. Details such as mullions, grillwork, prominent sills and trim can also provide visual interest to openings.

### *Architectural Treatments:*

- Guideline A3.6 The proposed buildings fronting on 40th Street must have commercial/retail storefronts at the ground level, with commercial/retail uses fronting on the BART station plaza and flex space that supports potential future commercial/retail uses along the 40th Street frontage.
- Guideline A3.8 Provide a substantial building base with quality materials to enhance the retail frontage and provide distinctive attractive signage and canopy opportunities for potential retail tenants and flex space tenants.
- Guideline A3.7 Provide an architectural character and style along 40th Street that has an authentic contemporary urban feel.. (plan sheet A 3.02 – 3.08 and A-6.01 – 6.02)
- Guideline A3.8 Creating an iconic corner at the BART Transit plaza will highlight the prominent public plaza, retail node and gateway into the BART station, both from the neighborhood and freeway/platform levels.
- Guideline A3.9 Use a variety of architectural details such as decorative railings, pot shelves, canopies, and decorative lighting to reinforce the human scale elements of the proposed mixed use development.
- Guideline A3.10 Use high quality durable materials, especially at the base of the buildings, to create a strong relationship of the building to the pedestrian realm and to enhance the neighborhood retain frontage along 40<sup>th</sup> Street.
- Guideline A3.11 Strong cornice treatment should be emphasized regardless of the architectural style or character.
- Guideline A3.12 Provide a minimum window recess of 2-3 inches for all windows at the ground floor and upper levels, and consider other means for undulation on the ground floor, such as columns, to further provide interest to the ground level of commercial/retail frontages.
- Guideline A3.13 Avoid white or beige window frames. Dark colors result in a more urban character that is appropriate to this location.

## **4. Frontage Road**

The Frontage Road is an essential access drive for shuttle transit services, bike path and pedestrian linkage to the new BART replacement parking garage. In addition, it also serves as an emergency access and maintenance road for CalTrans. The architectural character of this edge is illustrated in the PDP plan sheets



## MacArthur Transit Village

Design Principles & Guidelines

May 5, 2008 (Revised by DRC on June 18, 2008 and CED Committee on June 24, 2008)

A-1.0H, A-3.06, A-6.02, A-6.03 and Hood Design's concept for the BART plaza design also included in the PDP submittal.

### ***Height, Bulk and Scale:***

- Guideline A4.1 Blocks B, C, and D along the frontage road should have clearly defined, well-lit and visible frontage along the street level to promote security and safety.
- Guideline A4.2 Due to visibility from the freeway and the BART platform, the architecture of each of the blocks along the frontage road (at street level and upper levels) shall be designed with an architectural gesture fitting with this location through bold fenestration patterns, roof forms and façade articulation.
- Guideline A4.3 The buildings along this edge have the most flexibility in heights and variations (approximately 65' to 80'-260') in form within the project. (plan sheet A-1.0H)

### ***Architectural Treatments:***

- Guideline A4.4 Provide artistic ~~metal grills~~ screening materials and pedestrian scale lighting along the garage edge to provide maximum visibility to promote security. (Exhibit A-3.06)
- Guideline A4.5 The architectural composition of the building areas visible to the freeway and BART platform should be designed with bold forms and building materials to promote a sense of arrival at this important civic place within the City.

## **5. Village Drive**

Village Drive is the primary public street within the Transit Village. The street is angled from Telegraph Avenue to the BART Plaza to provide a strong visual connection to the station, as well as the Beebe Memorial Church, a significant historic neighbor to the Transit Village. Parallel parking on Village Drive provides necessary convenience parking that will support the retail along the street and provide multiple drop-off locations for BART commuters. The architectural character of this edge is illustrated in the PDP plan sheets A-3.08b, A-6.01.

### ***Height, Bulk and Scale:***

- Guideline A5.1 The scale of architecture along Village Drive should transition from the more contextual neighborhood scale along Telegraph Avenue building to the larger, more regional scale of the highway and BART station. (plan sheet A-1.0H)
- Guideline A5.2 Building height shall transition from the more contextual neighborhood scale along Telegraph Avenue to more regional scale toward ~~the~~ Highway 24 and the MacArthur BART Station (approximately 60' to 85'-260'). (plan sheet A-1.0H )
- Guideline A5.3 Each of the corners of the buildings should respond architecturally to their unique position on the site.

### ***Architectural Treatments:***

- Guideline A5.4 Any ground floor uses fronting on Village Drive must have commercial/retail storefronts at the ground level. Façade transparency of the ground floor space should range from 50% to 75%.
- Guideline A5.5 Provide a minimum window recess of 2-3 inches for all storefront and residential windows at the ground floor and upper levels.
- Guideline A5.6 Avoid white or beige window frames. Dark colors result in a more urban character that is appropriate to this location.
- Guideline A5.7 Provide a substantial building base with quality materials to enhance the retail frontage and provide distinctive attractive signage and canopies for the retail tenants, and building lobby locations.
- Guideline A5.8 Use a variety of architectural details such as decorative railings, pot shelves, canopies, and decorative lighting to reinforce the human scale elements of the proposed mixed use development.
- Guideline A5.9 Use high quality durable materials, especially at the base of the buildings, to create a strong connection for where the building meets the street, a strong connection to the

## MacArthur Transit Village

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pedestrian realm and to enhance the neighborhood retail frontage along Village Drive.

- Guideline A5.10 The retail space must be a minimum of 15' floor to floor at Block B and C to accommodate in-line retail tenants, and minimum of 18' floor to floor at Block A to accommodate a major retail tenant.

### 6. Internal Residential Street

The Dutch model of streets that are shared between active recreational, residential, public uses and vehicles – the Woonerf – provides inspiration for this street. It is a private neighborhood street that mainly provides parking access for residents with limited on-street parking for residents and guests. This street is more a plaza than a street, and should provide a semi-private gathering space for Transit Village residents that is away from the main traffic and activity of the commercial and transit areas. The architectural character of this edge is illustrated in the PDP plan sheets A-3.07b, A-6.04, L-03

#### *Height, Bulk and Scale:*

- Guideline A6.1 Consistent with and in response to smaller residential blocks, the architecture of buildings facing the internal street (Block B, C and D) should address the internal street with a variety of massing, roof line and architecture.
- Guideline A6.2 Building frontages should relate to one another through the use of residential scale elements and articulation such as bay windows, balconies, stoops, as well as narrow vertical modulations – similar to urban row houses.
- Guideline A6.3 The proposed roof form should be more varied and articulated than the mixed use building along Telegraph Avenue and 40<sup>th</sup> Street to respond to the residential nature of this street.
- Guideline A6.4 The pattern of fenestration should also designed to reflect a more residential scale.

#### *Architectural Treatments:*

- Guideline A6.5 Provide generously sized stoops and balconies at the ground level units to create a transition from the public street to the private realm of the residence and to enhance the sense of pedestrian activity on the street, support residential character and safety. These stoops can be designed uniquely to suit each architectural variation along the frontage.
- Guideline A6.6 Provide variety of color and materials to further reinforce the finer grain residential scale and articulations
- Guideline A6.7 Provide clearly defined residential lobbies, entries into residential courtyards and public uses by providing special canopies, signage, lighting and graphics. When possible, group entrances together to create a community activity node.
- Guideline A6.8 Provide quality durable material at all stoops, landscape walls and lobby entrances. Ground floor units shall have swinging front doors or French doors with some transparency rather than sliding patio doors.
- Guideline A6.9 Provide a minimum window recess of 2-3 inches for all windows at the groundfloor and upper levels.
- Guideline A6.10 Decorative lighting shall be incorporated seamlessly in the building design to enhance the architecture, promote pedestrian safety and support neighborhood security.

### 7. 40<sup>th</sup> Street Gateway at the BART Plaza

The BART plaza provides a public open space amenity to both transit patrons and the community. The currently underutilized and nearly invisible transit plaza will be redesigned to extend from the BART fare gates under the freeway and connect to the transit plaza at Building A. This location is the key regional gateway of the development and the buildings should be designed with this in mind. The architectural character of this edge is illustrated in the PDP plan sheets A-3.05, A-6.02, L-02, and Hood Design's concept for the BART fare gate plaza.

## MacArthur Transit Village

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### *Height, Bulk and Scale:*

- Guideline A7.1 The massing and height of Building A adjacent to the BART Plaza will be the most prominent within the overall hierarchy of the site.
- Guideline A7.2 The proposed architecture massing fronting the plaza should speak to its civic location with a strong façade, vibrant and transparent retail base.
- Guideline A7.3 The architectural modulation, fenestration pattern and detailing of mixed-use Block A should be significantly different than that of the residential Block B to provide a rich variety of architecture fronting onto the plaza.

### *Architectural Treatments:*

- Guideline A7.4 The proposed buildings fronting the plaza must have retail frontage at the ground level with reasonable lease depth (40' to 60').
- Guideline A7.5 Create an iconic corner at the transit plaza to highlight the prominent public plaza, retail node and gateway into the BART station, both from the neighborhood and to the fast moving traffic at the freeway level.
- Guideline A7.6 Provide transparent glazing at the retail level to provide maximum visibility and contemporary details to complement the civic character of the transit plaza.
- Guideline A7.7 All outdoor amenities, signage and fixtures shall be selected and designed as complementary public arts features.

## III Public Space Improvements

The public space improvements of the project development include elements such as streets, sidewalks, infrastructure, and other amenities in the public realm. These elements are the glue that ties individual buildings together within the development to create a unique urban place. The architectural character of the space is illustrated in the PDP plan sheets L-01, L-06.

- Guideline PS1 Provide an integrated scheme of street improvements. The streets within the development should have a consistent design theme and relate to the proposed architectural style of the buildings. All amenities should be durable and of high visual quality. (plan sheet L-03)
- Guideline PS2 Dimension sidewalks wide enough to accommodate active pedestrian traffic activity. Sidewalks should be dimensioned to accommodate comfortable pedestrian activity and sidewalk elements such as street lights, trees, street furniture, and outdoor café seating areas. Sidewalk bulb-outs, a widening of a sidewalk at intersections and crosswalks, should be provided at major intersections along pedestrian routes. (plan sheets A-3.07a, 3.08a) Minimum sidewalk widths for new streets within the project area are as follows:
  - Village Drive: 10 feet
  - Internal Street: 7 feet on the west side and 5 feet on the east side
  - Frontage Road: minimum 7-6.5 feet with increase to 12 feet.
- Guideline PS3 For sidewalks improvements along West MacArthur Boulevard, 40th Street and Telegraph Avenue where there is an existing sidewalk system on an established street, the project should continue the existing sidewalk pattern.
- Guideline PS4 Provide as narrow street widths as possible. The width of streets within the project depends heavily on issues relating to public safety, transit requirements, and vehicular access. Given these constraints, streets should be as narrow as possible to create an intimate, enclosed environment for pedestrians. Narrow street widths along with the small building setbacks help to define a comfortable pedestrian space. (plan sheets A 3.06 to 3.08)
- Guideline PS5 Use alternative paving at strategic locations to enhance the pedestrian experience. Use of alternative paving materials such as stamped concrete, interlocking concrete pavement, and concrete with integrated colors at prominent locations to identify special locations and provide visual interest at the street level. (plan sheet L-02)

# MacArthur Transit Village

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- Guideline PS6 Design an integrated public improvement scheme including street trees, street lights, traffic signals, street signs, and street landscaping. These amenities should be of high visual quality, have a consistent design theme that fit the design style of buildings within the development, and be consistently provided throughout a site to provide the development an identity and enhance the visual experience of visitors. Provide trees that create an attractive canopy for pedestrians and lights that brightly illuminate pedestrian routes for nighttime security. (plan sheets L-01 to L-06)

## IV Transit Plaza Design

The Transit Plaza is the key organizing and design feature of the MacArthur BART Transit Village Plan. Good design, activity and safety are necessary to attract people into the plaza to create an active community space. Therefore, a key to a successful plaza is to create activities that will attract people into a plaza. One method of attracting people is to have commercial opportunities within and adjacent to the plaza. Food vendors, retail storefronts, outdoor seating and public art invite people to come to and use the plaza as a community gathering space or “living room”. The architectural character of the plaza is illustrated in the PDP plan sheets L-0, L-02, L-07, A-6.02.

A plaza should be a place where people can comfortably relax and socialize and the plaza should be sized to promote such activity. One of the most important elements of encouraging these activities is to provide adequate seating. Seating can be provided in many forms: benches, steps, ledges, planters, and walls are all opportunities for seating. Further, seating should be provided in various locations such as in the sun, in the shade, near focal points, facing prominent architectural features, and near commercial areas.

- Guideline TP1 Seed activity in a plaza that provides approximately 6,200 sf of active open space.
- Guideline TP2 Entrances to storefronts should be directed to the plaza and provide easy access for pedestrians.
- Guideline TP3 Orient the plaza toward a major feature and use the plaza as a way finding feature for the community and development. The plaza should be oriented towards the BART station entrance.
- Guideline TP4 Design buildings adjacent to the plaza to provide a comfortable pedestrian scale and limit setbacks between the façade and the plaza to provide well defined edges and to enclose the public space.
- Guideline TP5 Install landscaping to soften the environment and provide shade. Ample landscaping is critical to soften the environment in a plaza. Also, trees should be used to provide shade at seating areas, block the wind, and cool areas that tend to attract heat. In general, at least 25 percent of a plaza should be covered with plant material.

## V Sustainable Design

Incorporate site planning and building techniques that support a “green” development. Building at higher densities near transit is inherently energy efficient because it reduces the number of people who travel by private automobile. Green building techniques are typically most effective when they are incorporated early in the design process. Examples can include the following:

### Guideline SD1 - *Site Planning & Design*

- Building placement should be sensitive to site topography and should be integrated seamlessly with minimal impact.
- Through site and building design, consider the use of building roofs, parking lots, and other horizontal surfaces to convey water to either distribute it into the ground or collect it for reuse.
- The project site should be designed to maintain natural storm water flows by promoting infiltration. Techniques and materials such as vegetated roofs, pervious paving, and other measures to minimize impervious surfaces are encouraged.

## MacArthur Transit Village

### Design Principles & Guidelines

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- Impervious paving should be minimized, increasing on-site infiltration, and reducing or eliminating pollution from storm water runoff and contaminants.
- Constructed surfaces on the site should be shaded with landscape features and utilize high-reflectance materials and other materials to reduce heat absorption.

#### Guideline SD2 - *Building Design*

- Identify opportunities to incorporate salvaged materials and rapidly renewable materials into building design and research potential material suppliers.
- Design buildings to maximize interior daylighting and provide for a connection between indoor spaces and the outdoors. Strategies to consider include building orientation, exterior and interior permanent shading devices, and high performance glazing.
- Consider use of materials and methods that will reduce heat island effect. This may include but is not limited to green roofs, roof gardens, use of reflective surfaces and/or photovoltaics.

#### Guideline SD3 – *Streetscape/Landscape Design*

- Drought tolerant landscaping is encouraged. Plant selection should be based on the climate and environment of the area as well as site characteristics such as exposure, light intensity, soil analysis, site drainage, and irrigation. Proper plant selection based on site characteristics should enhance the plants' likelihood of becoming established on the site and reduce potential incidences of low vigor, excessive maintenance, disease, or death. Native species are preferred for natural landscapes.
- The site should be adequately landscaped to provide shade and protect surfaces including sidewalks, driveways, parking lots, and exterior walls. Where appropriate, plant deciduous trees on the south and west sides of buildings to provide protection from the summer sun. In the winter months, these trees lose their leaves and allow sunlight to provide passive heating and light.

**EXHIBIT A – Amendments to the PUD Plan Set (Dated June 4, 2008)**

**Prepared 2/1/2017**

**Sheet T-01 Title Page**

**Development Information**

Description	Existing	New
Total Lot Area (acres)	7.76	7.76
Net Total Lot Area without Streets (sf)	NA	5.66
Net Total Lot Area with BART Plaza (sf)	NA	8.2
Total Building Footprint Area (sf)	32,500	220,800
Total Floor Area Living Space (sf)	NA	750,000
Total Floor Area Resid. Parking (sf)	NA	330,000
Total Floor Area BART Parking (sf)	NA	170,000
Building Height	25' (2 stories)	50' - 85-260' (up to 6-25 stories)*
Number of Dwelling Units	NA	624-875
Number of Live-Work Units	NA	8
Density (units per gross acre)	NA	80
Density (units per net acre)	NA	110
Number of Parking Spaces	600	1024**
Total Building Open Space (sf)	NA	54,000 (87sf/unit)
Total Site Open Space (sf)		72,978
Total Commercial/ Retail (sf)	NA	35,500
Total Live/Work Space (sf)	NA	7,000
Grading - Proposed Cut (cy)	NA	31,500
Grading - Proposed Fill (cy)	NA	11,170
Grading - Net Export (cy)	NA	20,330

\* Height not to exceed 6 stories and not to exceed an average of 75' for the entire development.

Where appropriate height to reach as high as 85'. \*\* including on-street parking 44 stalls

**Development Detail**

Building B	Unit Count	Area (sf)	Parking	Net Site Area****
Residential	132-502 units		132-262	
Live Work Units		1,500 (2 units)	2	
Retail		3,500-13,000		
<b>TOTAL</b>	<b>132-502** units</b>	<b>5,000-13,000</b>	<b>134-262***</b>	<b>1.03-1.18 ac</b>

\*\* 502 units were analyzed in the December 2016 CEQA Addendum to the 2008 MacArthur BART Transit Village EIR. Only 402 units are proposed in the 2017 Parcel B FDP.

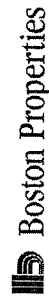
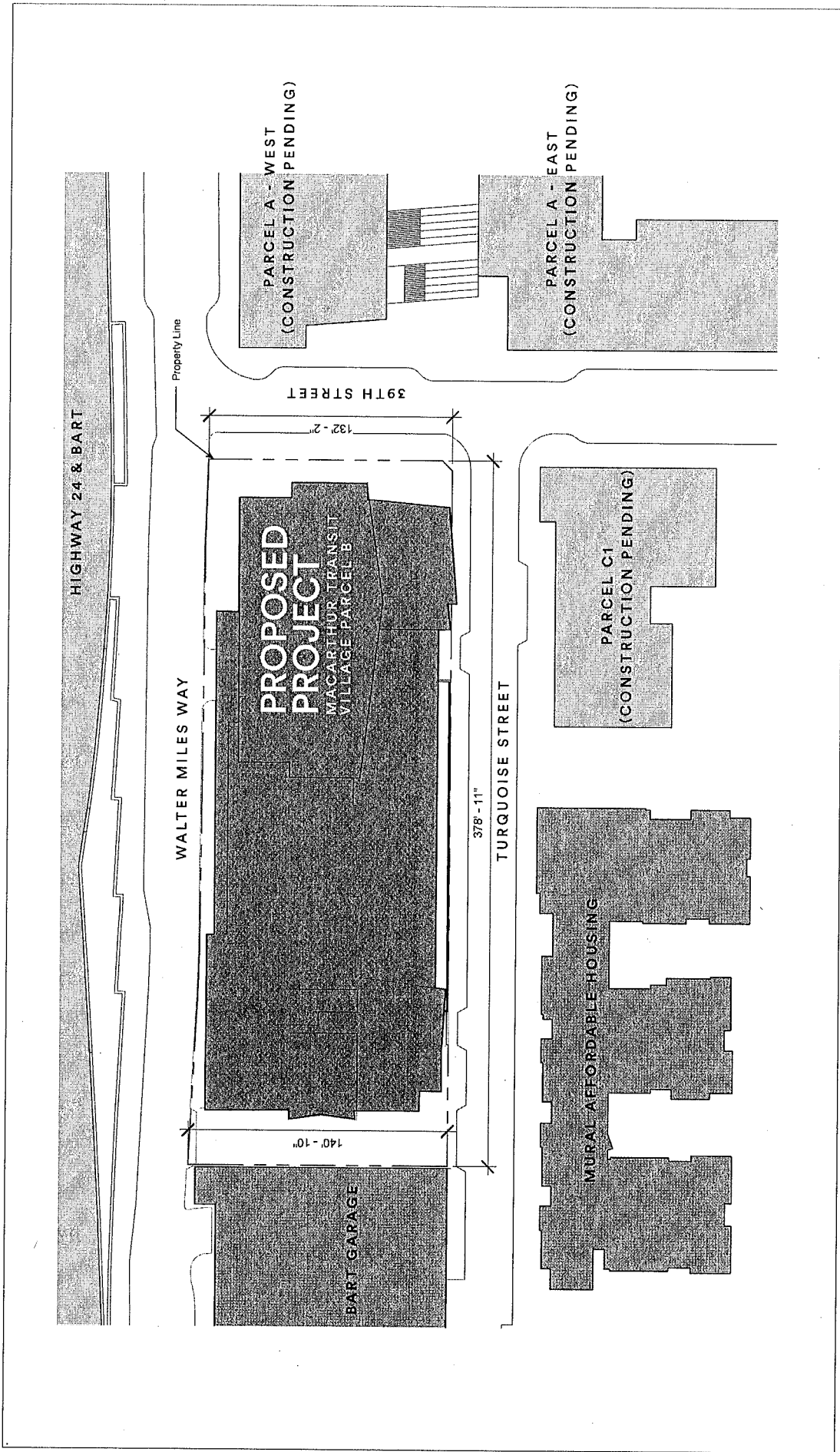
\*\*\* 0.5 parking space per dwelling unit required per S-15 zone with up to 1 parking space allowed per dwelling unit per the 2008 PUD approvals

\*\*\*\* Area of building pad excluding streets

**Additional Pages**

See attached sheets from the Parcel B FDP Plan Set dated November 23, 2016, which are incorporated by reference throughout the annotated 2008 PUD Plan Set attached:

A1-12, A1-13, A1-28, A3-01, A3-02, A3-03, A3-04, A3-05, A3-08, A0-20, A0-21, A0-22, A0-23, A0-24



Boston Properties

ASSESSOR'S MAP 12

1025

SCALE: 1" = 60'

Code Area Nos. 17-042

(A) TR. 8047 32142-48  
 (B) TR. 8232 33330-32

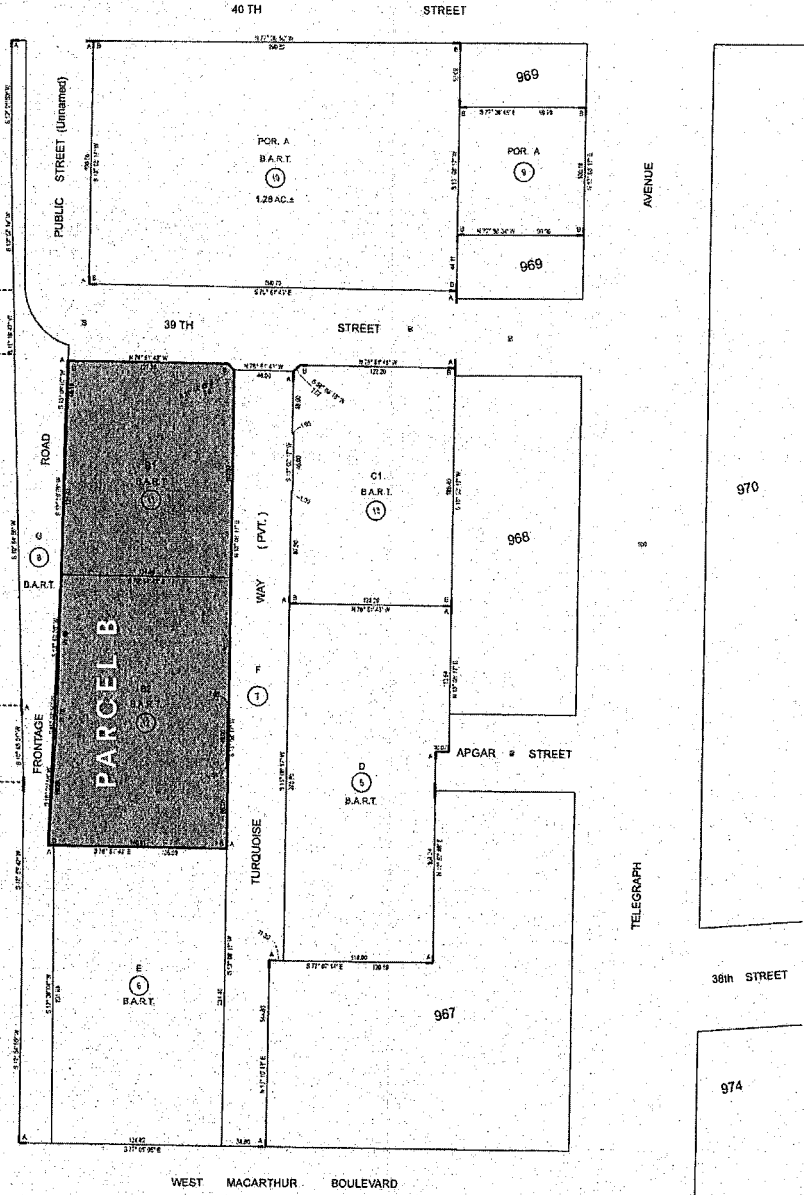
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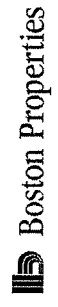
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TRA: 40 REF:

GROVE - SHAFTER FREEWAY (R-107A)

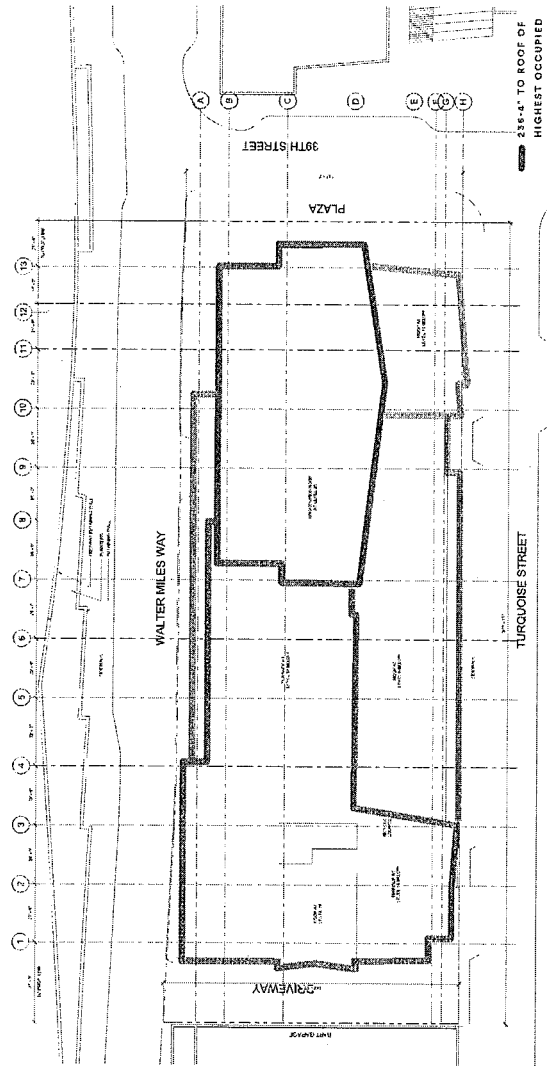


Assessor's Map  
 Final Development Package  
 MacArthur Transit Village: Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA



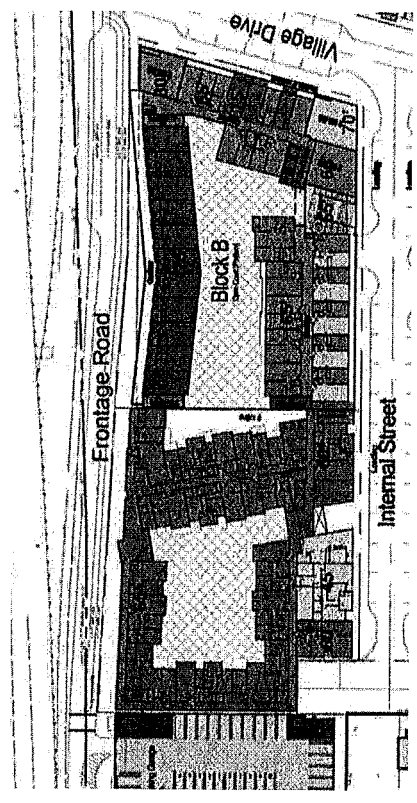
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## Proposed Revised Site Plan

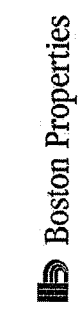
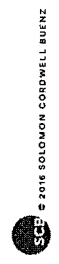
Proposed height: 255'-4"  
 Proposed market rate unit count: 357  
 Proposed BMR unit count: 45  
 Proposed retail area: 12,660 square feet  
 Proposed parking quantity: 262



(NOTE: Plan shown is from June 2008 PDP Submittal by McLaren Vasquez Ensiek & Partners, Inc and is For Information Only)

## Approved PDP Site Plan

Previous height limit: 85'  
 Previous market rate unit count: 185  
 Previous onsite BMR unit count: 12  
 Previous retail area: 3,000 square feet  
 Previous parking quantity: 197

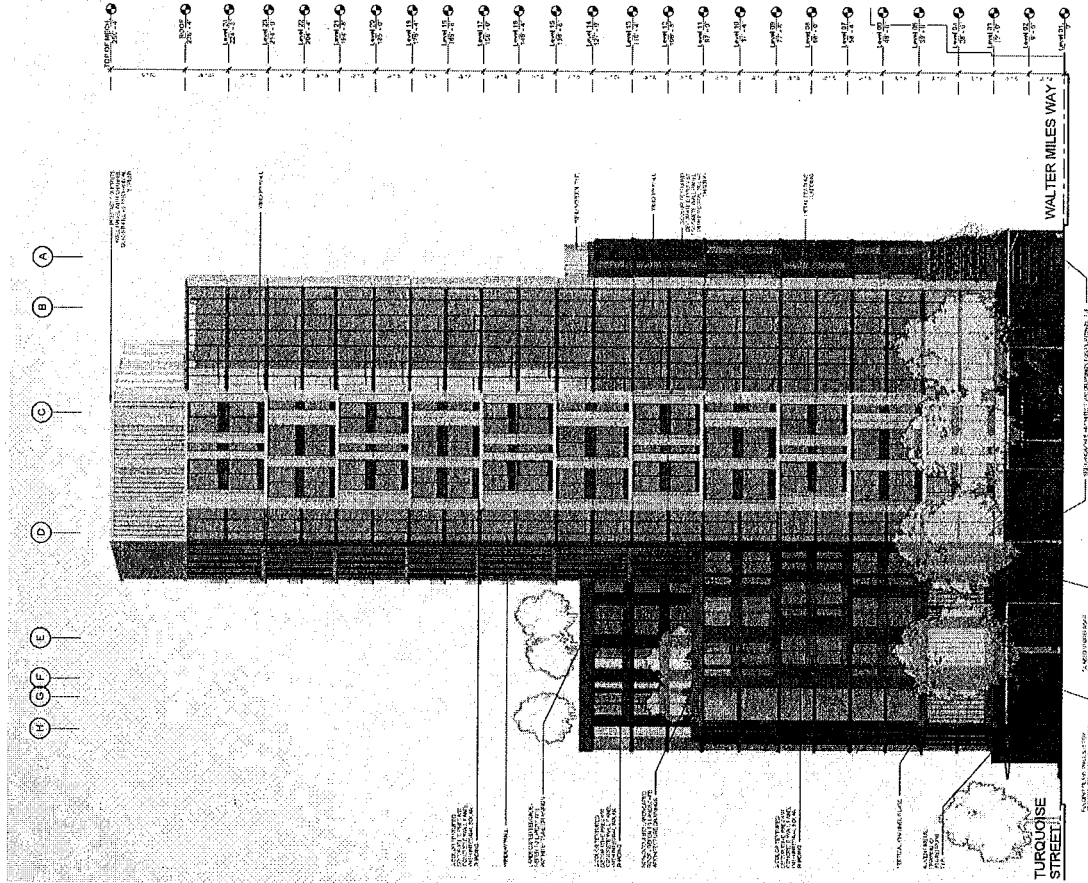


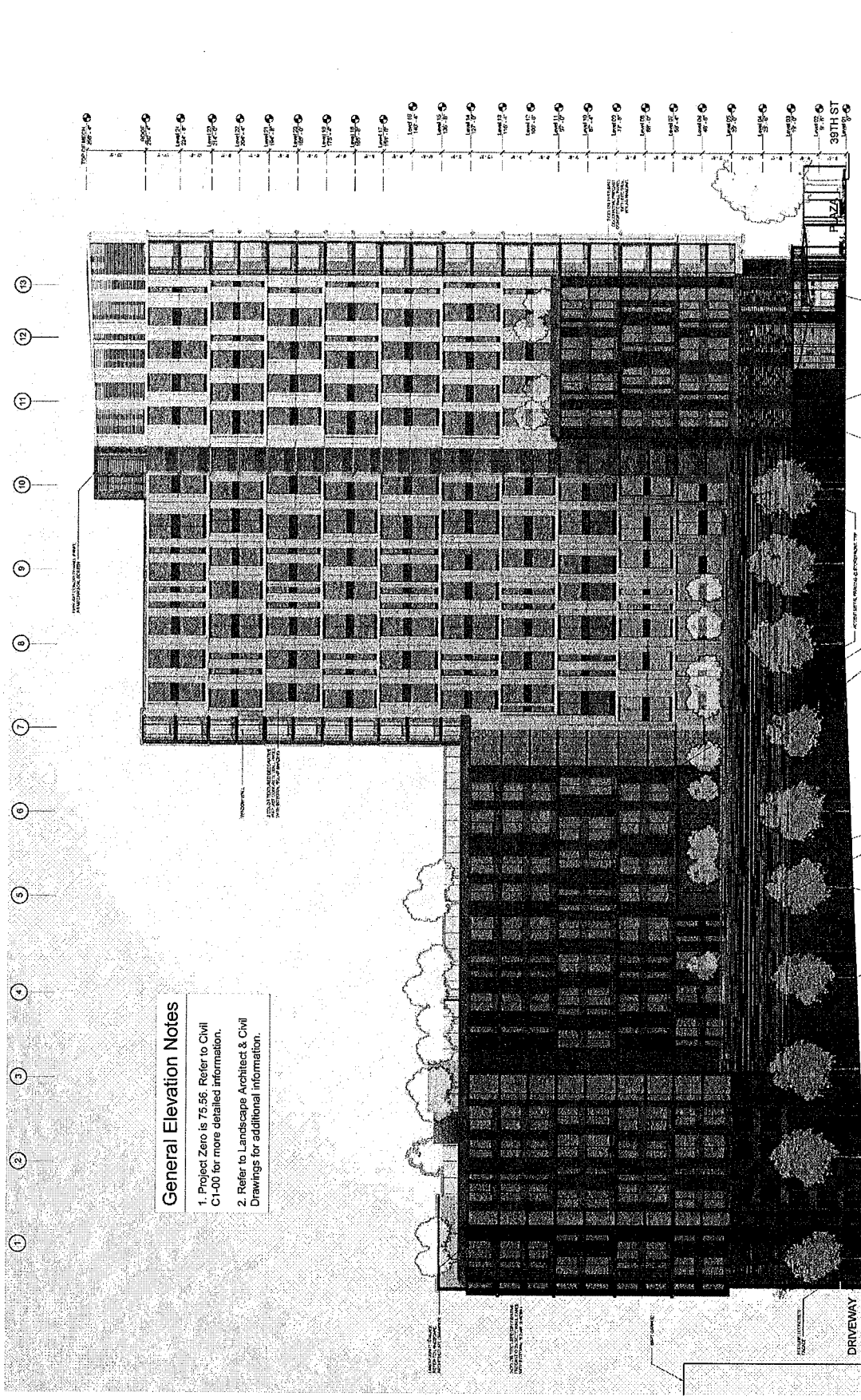
Proposed PDP Amendment  
 Final Development Package  
 MacArthur Transit Village, Parcel B  
 Solomon Cordwell Buenz / Boston Properties / Oakland, CA

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**General Elevation Notes**

1. Project Zero is 75.56. Refer to Civil C1-00 for more detailed information.
2. Refer to Landscape Architect & Civil Drawings for additional information.





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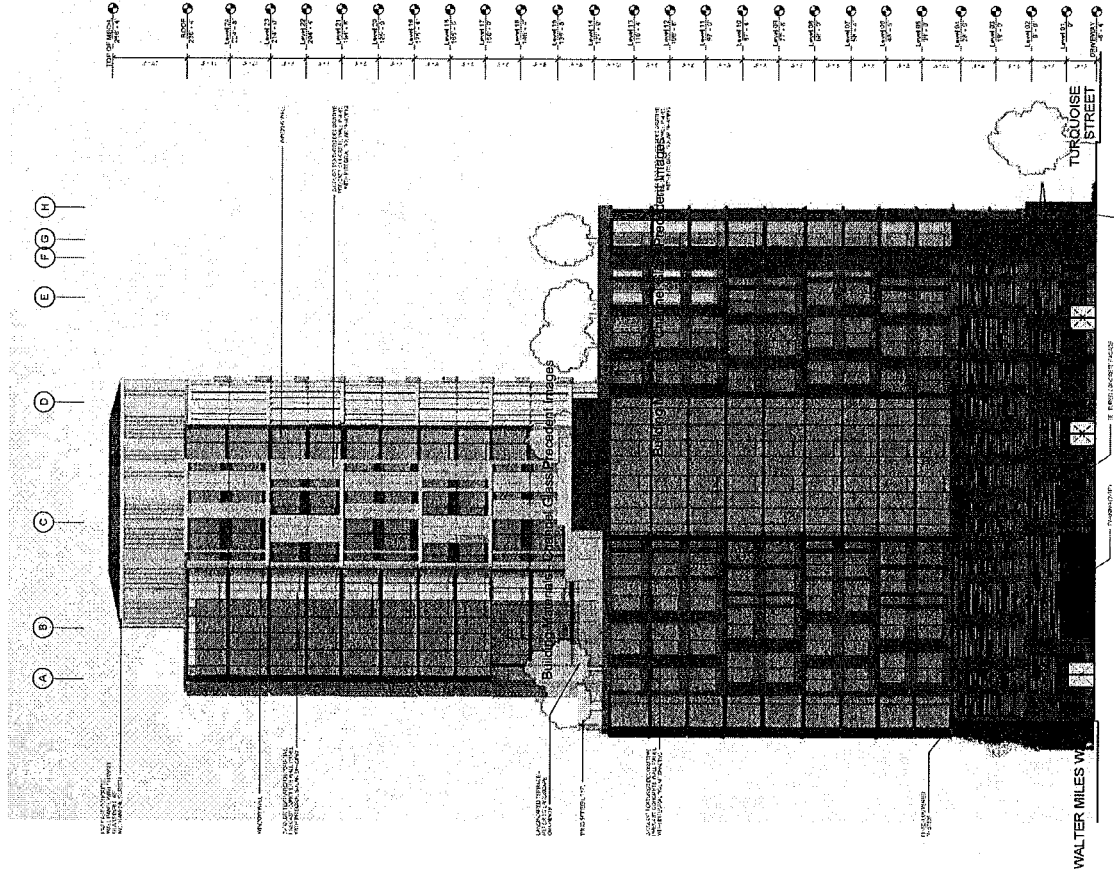
East Elevation  
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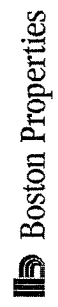
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**General Elevation Notes**

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2. Refer to Landscape Architect & Civil Drawings for additional information.



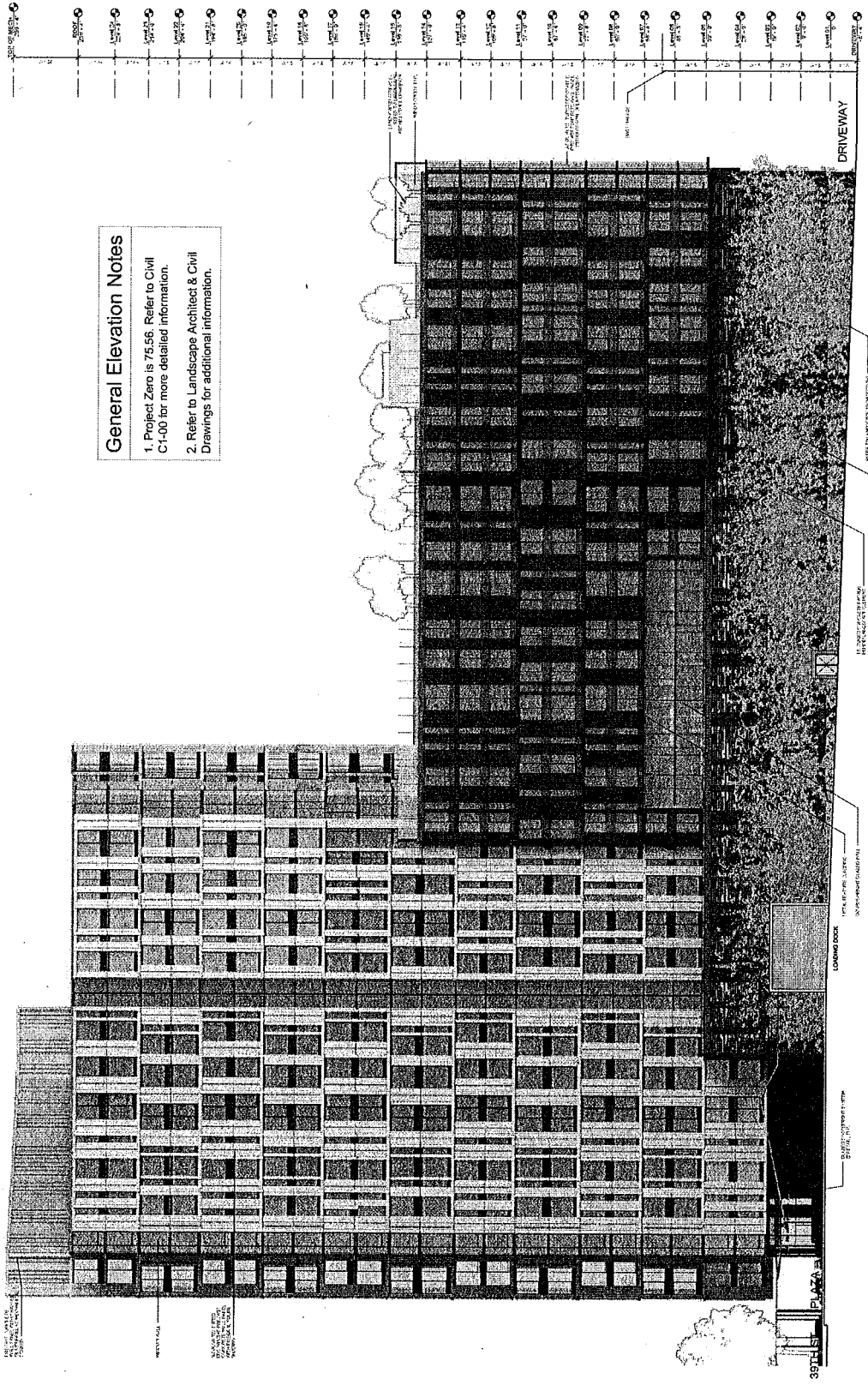
South Elevation  
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 MacArthur Transit Village: Parcel B  
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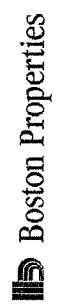
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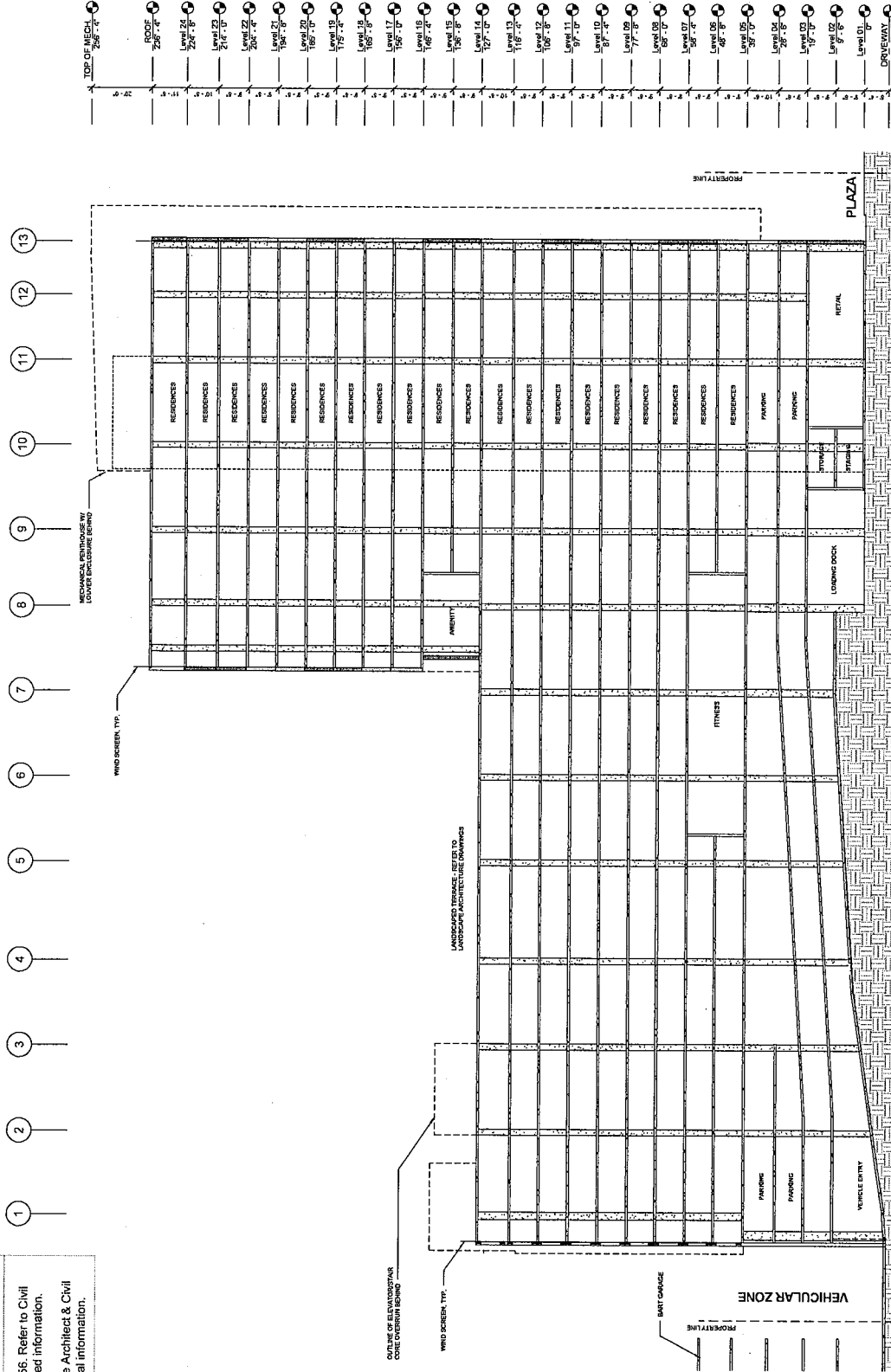
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West Elevation  
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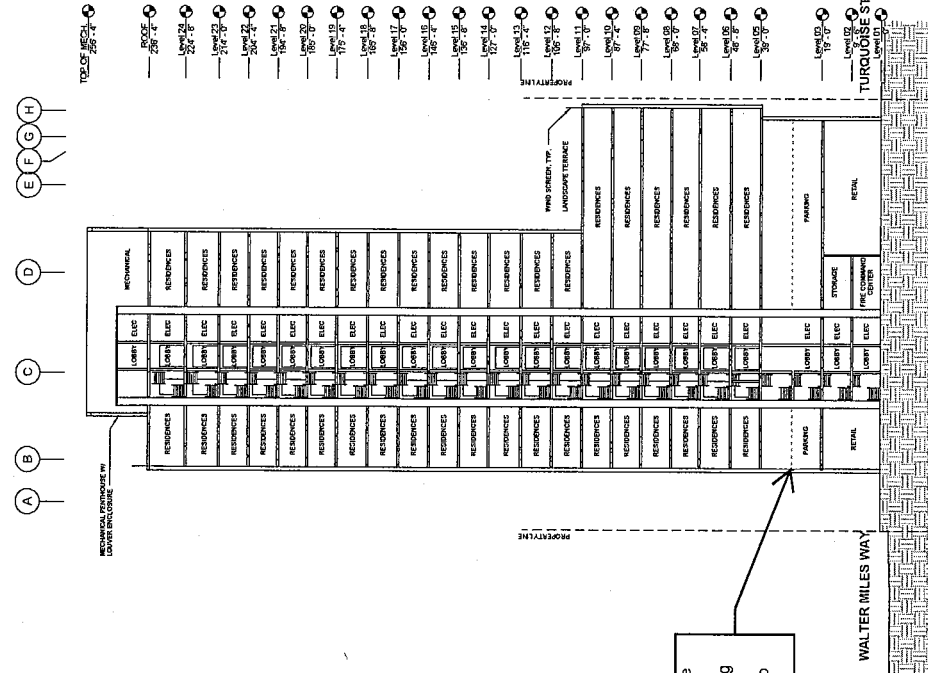
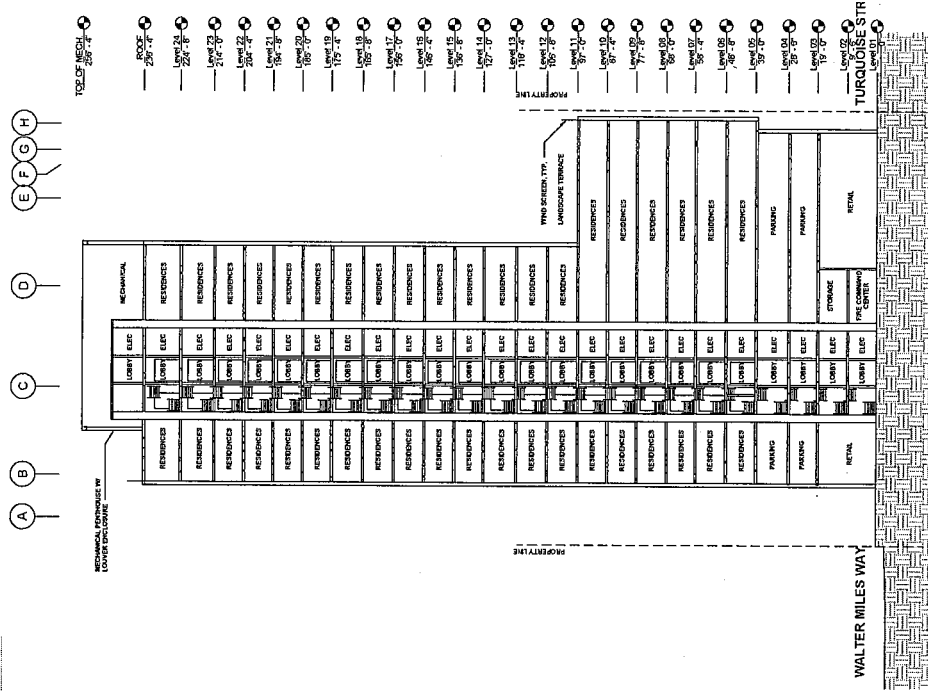
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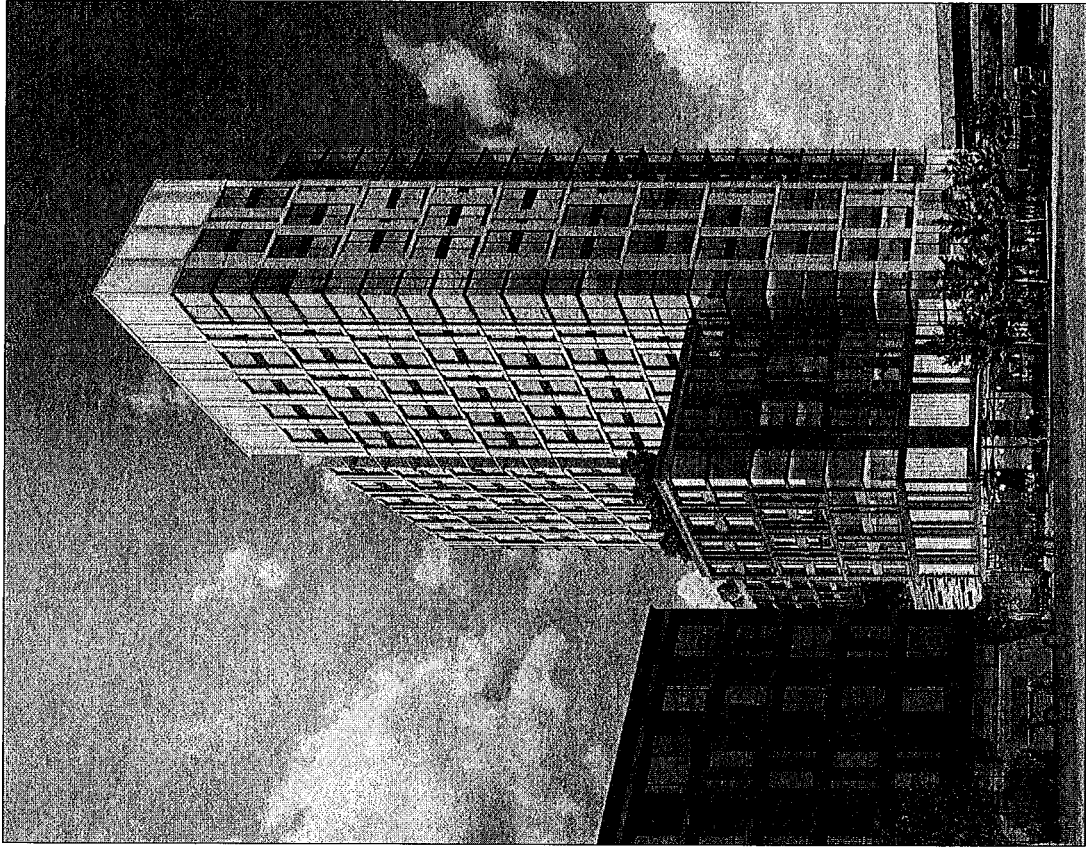
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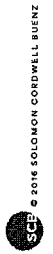


Option to eliminate one level of parking, whilst maintaining the building volume, reducing the overall parking count to 160 spaces.

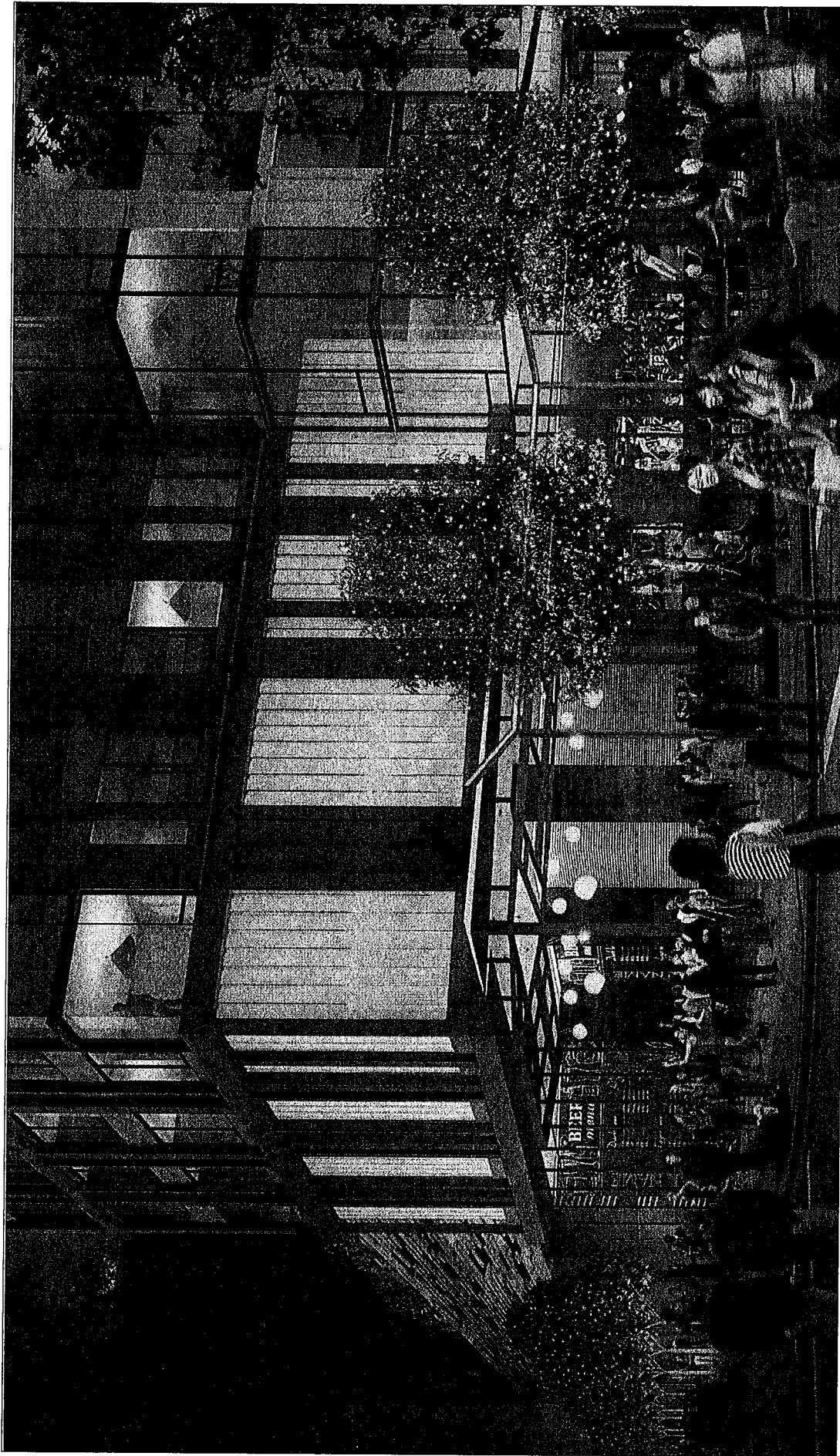




Project Renderings - Northeast Corner  
Final Development Package  
MacArthur Transit Village: Parcel B  
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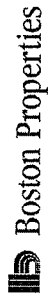




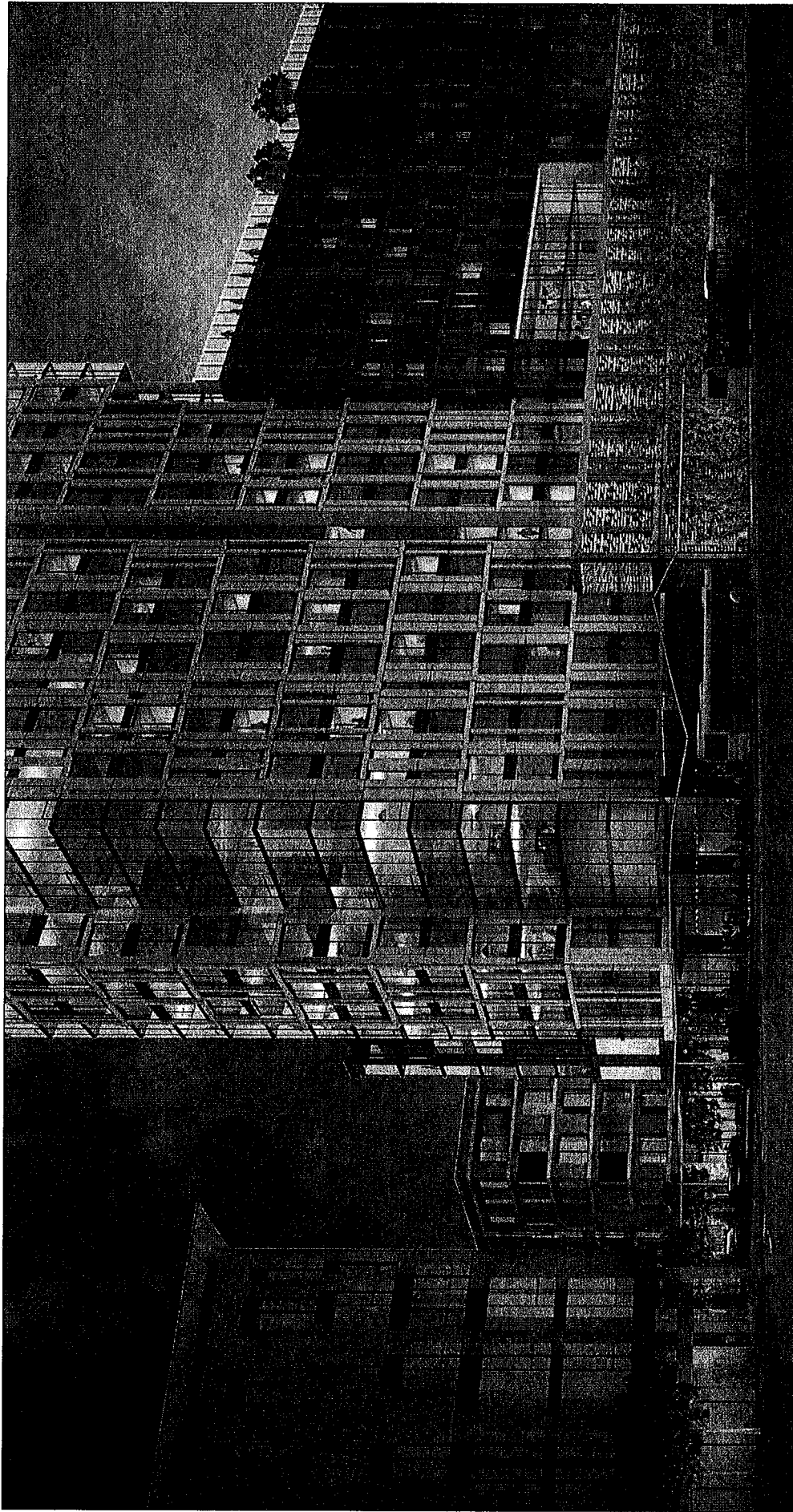
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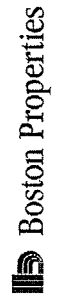
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Project Renderings - Northwest Corner  
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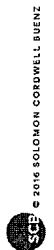
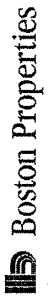




Project Renderings - Northwest Corner  
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MacArthur Transit Village: Parcel B  
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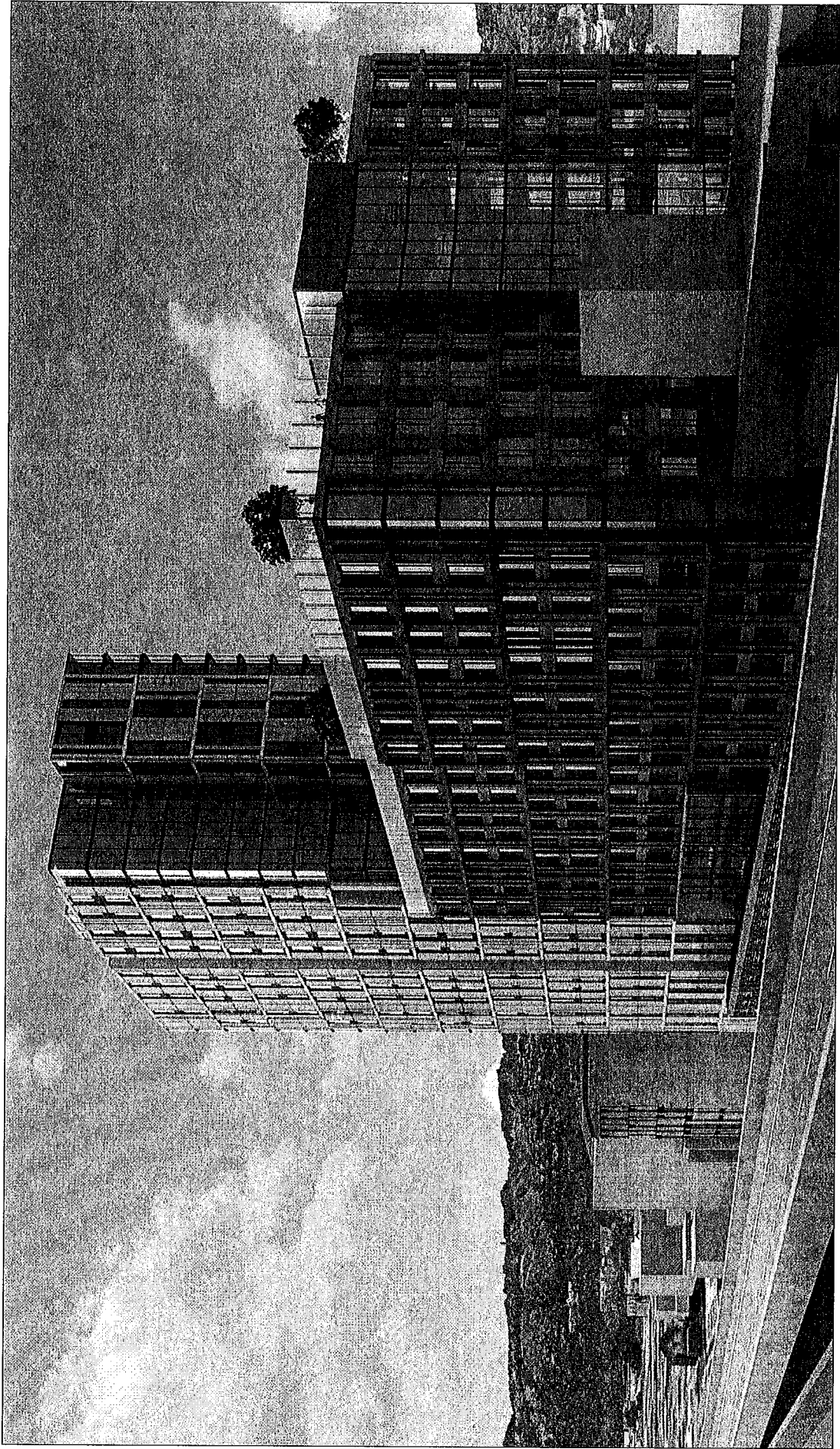
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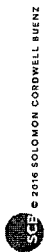
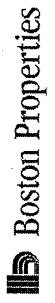


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Project Renderings - Southwest Corner  
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Solomon Cordwell Buenz / Boston Properties / Oakland, CA  
2016010



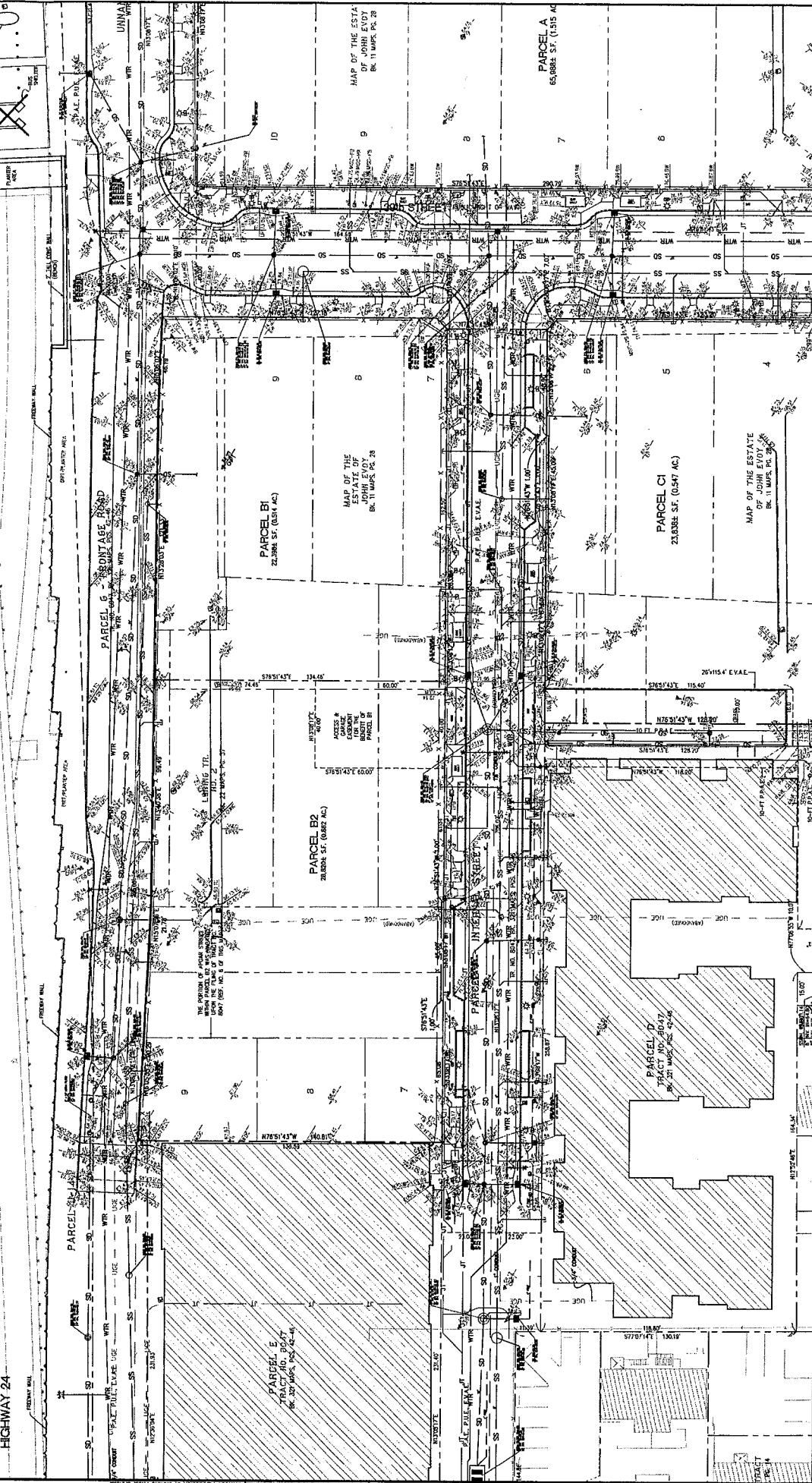
## **E. Tentative Parcel Map**





HIGHWAY 24

HIGHWAY 24



**VESTING TENTATIVE PARCEL MAP**  
No. 10561  
**EXISTING BOUNDARY AND TOPOGRAPHIC SURVEY**

**MACARTHUR TRANSIT VILLAGE**  
OAKLAND CALIFORNIA

SHEET  
**T-2**  
OF 5 SHEETS

NO.	DATE	REVISION

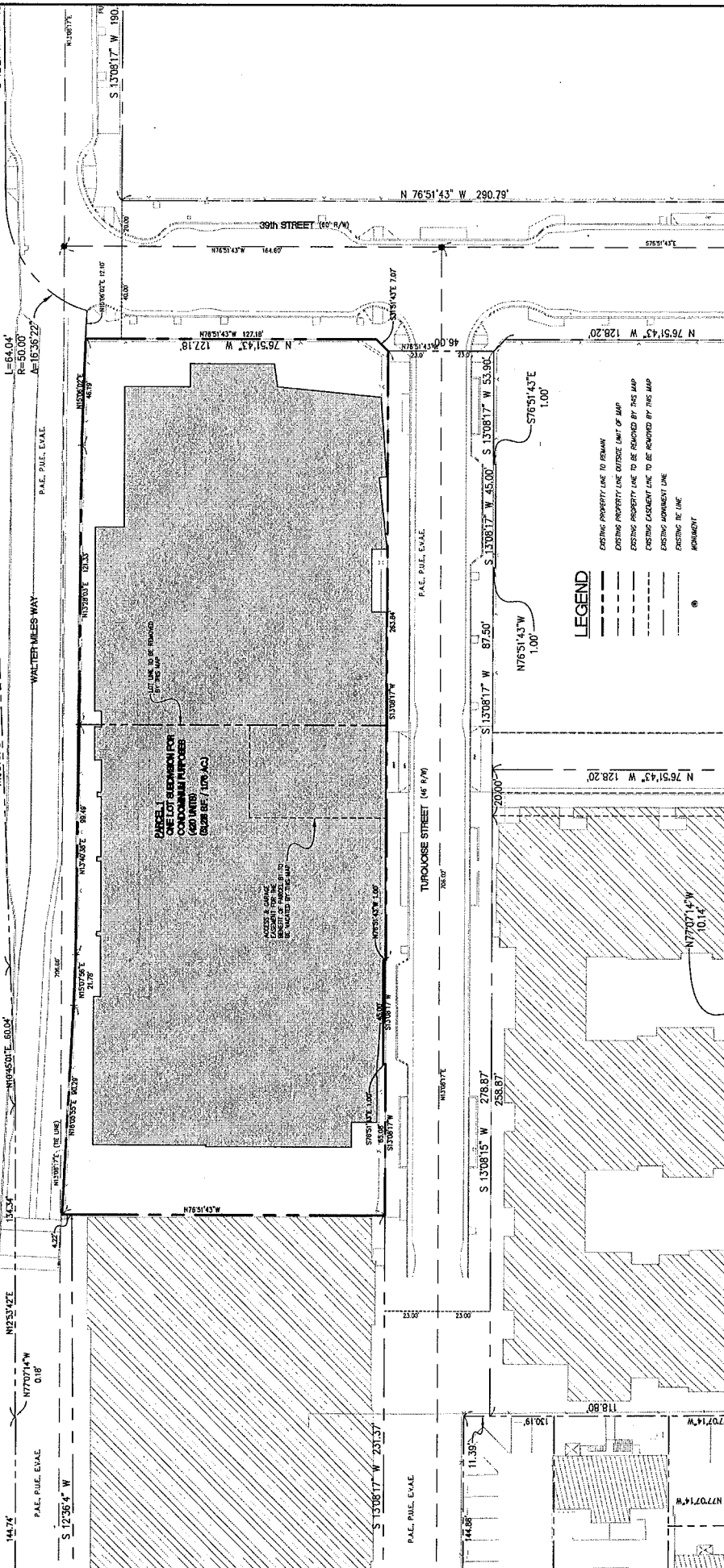
DATE: 8-30-16  
SCALE: 1"=20'  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]  
PROJECT NO.: 607128E

**SANDIS** CONSULTANTS  
SILICON VALLEY TRINAVALLEY CENTRAL VALLEY EAST BAY AREA  
607128E

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HIGHWAY 24



**LEGEND**

- EXISTING PROPERTY LINE TO REMAIN
- - - EXISTING PROPERTY LINE OUTSIDE LIMIT OF MAP
- - - EXISTING PROPERTY LINE TO BE REMOVED BY THIS MAP
- - - EXISTING EASEMENT LINE TO BE REMOVED BY THIS MAP
- - - EXISTING ADJUNCT LINE
- - - EXISTING TIE LINE
- MONUMENT

SHEET  
**T-3**  
OF 5 SHEETS

**VESTING TENTATIVE PARCEL MAP  
No. 10561  
TENTATIVE MAP**

**MACARTHUR TRANSIT VILLAGE  
OAKLAND CALIFORNIA**

NO.	PERSON	DATE	BY

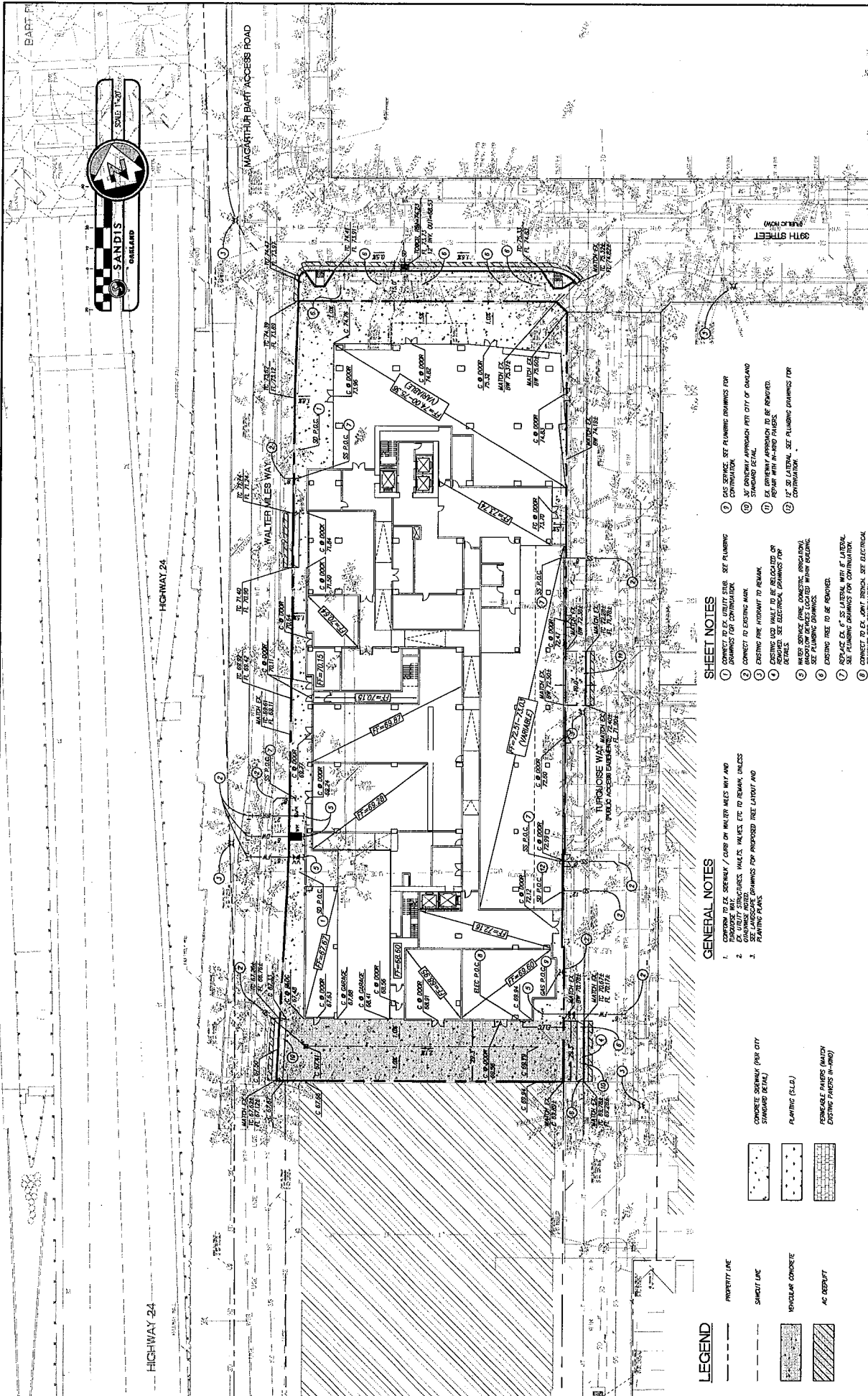
**SANDIS** CIVIL ENGINEERS  
11000 STEVENSON ST., SUITE 100, SAN FRANCISCO, CA 94132  
TEL: (415) 774-2200  
FAX: (415) 774-2201  
WWW.SANDIS.COM

**Project Information:**  
DATE: 6-20-18  
SCALE: 1"=50'  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]  
APPROVED BY: [Signature]  
PROJECT NO.: 607128-E

**SANDIS** CIVIL ENGINEERS  
11000 STEVENSON ST., SUITE 100, SAN FRANCISCO, CA 94132  
TEL: (415) 774-2200  
FAX: (415) 774-2201  
WWW.SANDIS.COM

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**LEGEND**

- PROPERTY LINE
- SHOULDER LINE
- CONCRETE SIDEWALK (FOR CITY STANDARD DETAIL)
- FLYING (S.L.D.)
- REINFORCED CONCRETE
- AC DECK
- REINFORCED CONCRETE (MATCH EXISTING PAVEMENT IN-ROAD)

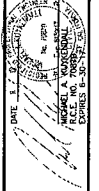
**GENERAL NOTES**

1. CONFORM TO EX. SPECIMEN / CARDS ON WALTER MILES WAY AND EX. UTILITY STRUCTURES. WALLS, VALVES, ETC. TO REMAIN UNLESS SHOWN OTHERWISE.
2. SEE LANDSCAPE DRAWINGS FOR PROPOSED TREE LAYOUT AND PLANTING PLANS.

**SHEET NOTES**

1. GAS SERVICE. SEE PLUMBING DRAWINGS FOR STANDARD DETAIL.
2. SEE STANDARD APPROACH PER CITY OF OAKLAND STANDARD DETAIL.
3. EX. DRIVEWAY APPROACH TO BE REPAIRED. REPAIR WITH IN-ROAD PAVEMENT.
4. 12" SO. LATERAL. SEE PLUMBING DRAWINGS FOR CONTINUATION.
5. GAS SERVICE. SEE PLUMBING DRAWINGS FOR STANDARD DETAIL.
6. SEE STANDARD APPROACH PER CITY OF OAKLAND STANDARD DETAIL.
7. EX. DRIVEWAY APPROACH TO BE REPAIRED. REPAIR WITH IN-ROAD PAVEMENT.
8. 12" SO. LATERAL. SEE PLUMBING DRAWINGS FOR CONTINUATION.
9. WATER SERVICE (LINE, DOMESTIC, SCHEDULE 40). MANHOLE PIPES LOCATED WITHIN BUILDING.
10. EXISTING FUSE TO BE REPAIRED.
11. REPLACE EX. 6" SS LATERAL WITH 8" LATERAL. SEE PLUMBING DRAWINGS FOR CONTINUATION.
12. EX. ELECTRICAL. SEE ELECTRICAL DRAWINGS FOR CONTINUATION.

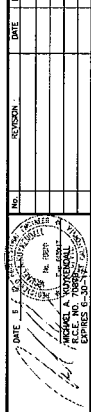
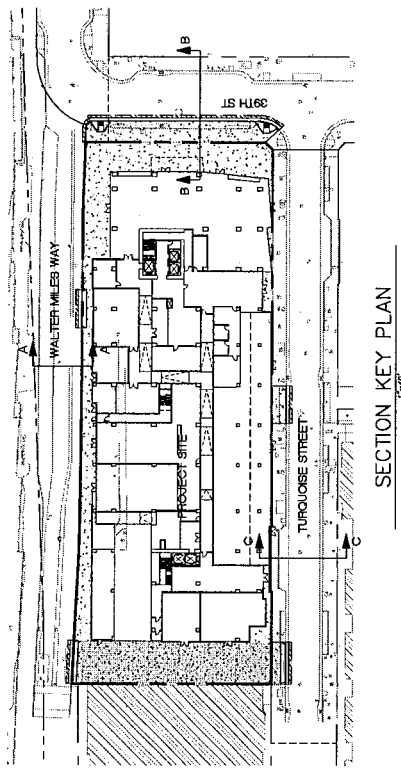
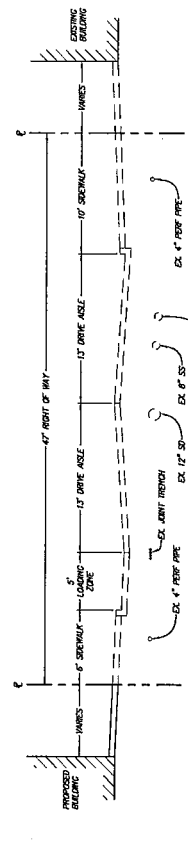
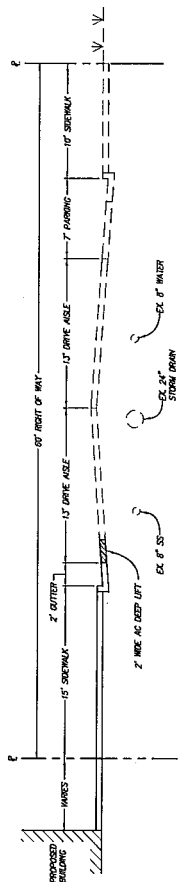
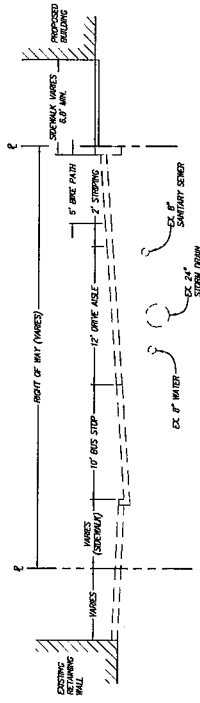
DATE:	11-20-16
SCALE:	1"=20'
DRAWN BY:	EL
APPROVED BY:	EL
DRAWING NO.:	007726.E



**SANDIS** CIVIL ENGINEERING  
 CONSULTING | 10000 Colma Blvd. | Colma, CA 94015 | (650) 952-1000  
 SILICON VALLEY, PENINSULA, CENTRAL VALLEY, EAST BAY, EAST GATE

NO.	REVISION	DATE	BY

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DATE	6-30-18
SCALE	AS NOTED
DRAWN BY	DL
CHECKED BY	DL
ISSUED BY	DL
PROJECT NO.	60712B-E

**SANDIS** CIVIL ENGINEERS  
605 North Street | Oakland, CA 94607 | P. 510.437.8888 | www.sandis.com  
SILICON VALLEY TRAVEL CENTRAL VALLEY EAST BRANCH  
FOR A VARIOUS/2017/2018 STREET/ROAD, UTILITARIAN MAPS (1-5-18) DATE: Nov. 18, 2018 - 4:17 PM

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**F. Proposed Amendments to the  
Development Agreement**

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:

City of Oakland  
Community and Economic Development Agency  
250 Frank H. Ogawa Plaza, Suite 3315  
Oakland, CA 94612  
Attention: Director of City Planning

THIS SPACE ABOVE FOR RECORDER'S USE

**SECOND AMENDMENT TO THE MACARTHUR TRANSIT VILLAGE PROJECT  
DEVELOPMENT AGREEMENT**

This Second Amendment to the MacArthur Transit Village Development Agreement (the "Amendment") is entered into as of March \_\_\_\_\_, 2017 by and between MACARTHUR TRANSIT COMMUNITY PARTNERS, LLC, a California limited liability company ("MTCP") and the CITY OF OAKLAND, a municipal corporation, organized and existing under the Oakland City Charter and laws of the State of California ("City").

**RECITALS**

A. On July 21, 2009, City and MTCP entered into that certain MacArthur Transit Village Development Agreement, which was recorded on \_\_\_\_\_ as instrument number \_\_\_\_\_ in the Official Records of Alameda County (the "Agreement"). This Second Amendment amends the Agreement.

B. The Agreement was amended by letter dated May 3, 2016 to extend (1) the deadline to start construction of Parcels A and C1 from May 19, 2016 to May 19, 2017; and (2) the allowed construction period for Parcels A and C1 from 24 to 30 months ("First Amendment"). Any further reference to the Agreement shall also include the First Amendment.

C. Boston Properties, LP and MPI MacArthur, LLC (collectively, the "Parcel B Developers") filed applications with the City for the development of Parcel B, Assessor Parcel Numbers 012-102501100 and 012-102501200 ("Parcel B") within the MacArthur Transit Village Project (also known as MacArthur Station) as more particularly described in Exhibit A hereto, including the following: (1) revisions to the MacArthur Transit Village Planned Unit Development Permit including the Preliminary Development Plan; (2) a Final Development Plan; (3) Tree Removal Permits; (4) Environmental Review; (5) and Tentative Parcel Map revisions (the "Applications").

D. Section 11.1 of the Agreement provides that the Agreement may be amended by the written consent of the Parties and pursuant to the requirements of Section 17.138.80 of the Development Agreement Ordinance.

E. On \_\_\_\_, 2017, the City's Planning Commission held a duly noticed public hearing on the Applications and recommended their approval to the City Council. At the same hearing, the Planning Commission held a duly noticed public hearing on this Amendment, pursuant to the Development Agreement Ordinance and other relevant provisions of the Planning Code. After due review of and report on this Amendment by City staff, consideration of all evidence heard and submitted at such public hearing and the matters to be considered pursuant to Section 17.138.060 of the Development Agreement Ordinance in enacting a development agreement amendment, the Planning Commission, in relevant part: (1) considered and relied on the certified EIR for the MacArthur Transit Village Project and the MacArthur Station Modified 2016 Project CEQA Analysis prepared in connection with the Parcel B Applications ("2016 CEQA Analysis") and determined that consideration of this Amendment complies with CEQA based on the EIR and the 2016 CEQA Analysis, and that this Amendment is consistent with the applicable goals, objectives, policies, land uses and programs specified in the General Plan, the Broadway/MacArthur/San Pablo Redevelopment Plan, and the other Existing City Regulations pertaining thereto; and (2) recommended that the City Council approve this Amendment based on the foregoing findings.

F. On \_\_\_\_, 2017, the City Council held a duly noticed public hearing on the Applications and approved the Applications by enacting City Council Resolution No. \_\_\_\_, dated \_\_\_\_ 2017 (the "Revised Parcel B Approvals"). At the same hearing, the City Council held a duly noticed public hearing on this Amendment pursuant to the Development Agreement Ordinance and other relevant provisions of the Planning Code. After due review of and report on this Amendment by City staff, consideration of the Planning Commission's recommendations thereon, all other evidence heard and submitted at such public hearing and the matters to be considered pursuant to Section 17.138.060 of the Development Agreement Ordinance in enacting a development agreement amendment and other relevant provisions of the Planning Code, the City Council: (1) considered and relied on the certified EIR for the MacArthur Transit Village Project and the 2016 CEQA Analysis, and determined that consideration of this Amendment complies with CEQA based on the EIR and the 2016 CEQA Analysis; (2) introduced Enacting Ordinance No. \_\_\_\_ approving this Amendment, finding and determining in connection therewith that this Amendment is consistent with the goals, objectives, policies, land uses and programs specified in the General Plan, the MacArthur/Broadway/San Pablo Redevelopment Plan, and the other Existing City Regulations pertaining thereto.

G. At a duly noticed meeting on \_\_\_\_, 2017, the City Council adopted Enacting Ordinance No. \_\_\_\_ enacting this Amendment.

H. The Parties desire to amend the Agreement to modify certain requirements for the development of Parcel B.

NOW, THEREFORE, in consideration of the mutual covenants and promises herein contained and for other good and valuable consideration, the Parties hereby agree to amend the Agreement as follows:

1. Incorporation into Agreement. This Amendment is hereby incorporated into the Agreement such that the references to the Agreement or the Development Agreement in the

Agreement’s text shall hereafter also include this Amendment. All capitalized terms not otherwise defined herein shall have the meaning set forth in the Agreement.

2. Article I, Definitions. The definition of “City Approvals” is hereby amended and restated in full as follows with the text of the amendment in italics:

City Approvals: Permits or approvals required under Applicable City Regulations to develop, use and operate the Project and granted on or before the Adoption Date of this Agreement as identified in Recital I of this Agreement and described in Exhibit B *and the Revised Parcel B Approvals referred to in the First Amendment to the MacArthur Transit Village Project Development Agreement dated \_\_\_\_\_, 2017* (See also “Subsequent Approval,” defined below.)

3. Parcel B Height Limit: The allowable height for Parcel B shall be up to 260 feet per the Parcel B Final Development Plan..

4. Parcel B Community Benefits: The following section is hereby added to the Agreement:

4.2.1 Parcel B Community Benefits. The Parcel B Developers shall be solely and exclusively responsible for community benefits associated with the Revised Parcel B Approvals (the “Parcel B Community Benefits”), which Parcel B Community Benefits shall be negotiated between the City and Parcel B Developers. These Parcel B Community Benefits shall be required solely and exclusively in connection with the Parcel B development pursuant to the Revised Parcel B Approvals and shall be the sole and exclusive obligation of the Parcel B Developers. These Parcel B Community Benefits shall not apply to or be imposed on MTCP (unless MTCP develops Parcel B consistent with the Revised Parcel B Approvals) or on any aspect of the approvals for, or in any way or manner affect or impede the right to develop, use or operate, any other parcel within the MacArthur Transit Village Project and shall not be a present or future obligation of the developers of any other parcel within the MacArthur Transit Village Project.

**[THE FOLLOWING COMMUNITY BENEFITS PACKAGE IS STILL BEING NEGOTIATED; WHAT FOLLOWS ARE STAFF’S PROPOSALS, WHICH HAVE NOT YET BEEN AGREED TO BY THE DEVELOPERS]**

4.2.2 Community Benefits Package. The specific community benefits package to be delivered by the Parcel B developers, prior to issuance of the first construction-related permit for the Parcel B project, shall include:

<b>Community Benefits Package</b>	
<b>Community Benefit</b>	<b>Value (if known) or estimate</b>
<b>Contribution to Pedestrian Streetlighting (TTBID)</b>	<b>\$95,000</b>
<b>Pay Impact Fee (less affordable housing line item)</b>	<b>\$509,500 (357 du)</b>
<b>Contribution to Mosswood Park</b>	<b>\$500,000</b>
<b>Apply tenant and service contractor local-hire req’s*</b>	

\*This shall include the following: Require local hire for jobs with tenants and service contractors; "Ban the box" in employer hiring; "Wall to wall" living wages; Tenant assistance, including provision of generous TI package for small local businesses and nonprofits, as well as setting attractive lease rates for same.

5. Effect of Failure to Pursue FDP. If the development of Parcel B consistent with the Revised Parcel B Approvals is not pursued by the Parcel B Developers or the applicable time limits, including any authorized extensions, for the Parcel B Developers to obtain a building permit expire, this Amendment shall be null and void and shall not apply to any future development of Parcel B, unless MTCP elects, at its sole discretion, to assume the Revised Parcel B approvals and the Parcel B Community Benefits obligation.

6. Other Terms and Conditions. All other terms and condition of the Agreement shall remain unchanged.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the undersigned have executed this Amendment to the Agreement. The signatories to this Amendment represent that they are duly authorized to execute this amendment and to bind the Parties hereto.

MACARTHUR TRANSIT COMMUNITY PARTNERS, LLC

CITY OF OAKLAND

By: \_\_\_\_\_

Title: Authorized Representative

By: \_\_\_\_\_

City Administrator

Approved As To Form and Legality:

\_\_\_\_\_  
Office of the Oakland City Attorney

Approved by Oakland City Council Ordinance No. \_\_\_\_\_ C.M.S.

Attest: \_\_\_\_\_

City Clerk

DRAFT



**EXHIBIT A**  
**[LEGAL DESCRIPTION]**

**DRAFT**

**G. Public Comments in Writing Received  
since October 13, 2016 (and until  
publication of this staff report)**

## Payne, Catherine

---

**From:** Alana Miller <alana.m.miller@gmail.com>  
**Sent:** Thursday, January 26, 2017 12:18 PM  
**To:** Kalb, Dan; McElhaney, Lynette; nagrajplanning@gmail.com; EW.Oakland@gmail.com; tlimon.opc@gmail.com; cmanusopc@gmail.com; amandamonchamp@gmail.com; jmyres.oakplanningcommission@gmail.com; Pattillo, Chris; Payne, Catherine  
**Subject:** Support More Housing for Oakland!

Members of the Oakland Planning Commission and Councilmember McElhaney,

I am writing to you in strong support of the proposed housing for the MacArthur Transit Village's Parcel B, which will bring 402 additional homes to Oakland without displacement. Oakland is becoming increasingly unaffordable to newcomers and long-time residents alike through a long-term trend of creating insufficient quantities of housing. Our crisis-level housing shortage has caused rents to skyrocket across the entire city, while at the same time leaving even rent controlled tenants—otherwise safe from drastic, immediate rent increases in market-rate housing—unable to move into safer, higher quality housing.

These 402 homes will bring thousands of families, workers, artists, neighbors, and friends to the Temescal and Longfellow neighborhoods over the lifetime of the building. These people can be long-term Oakland residents needing to get out of their earthquake-prone turn-of-the-century Victorian, or newcomers who are looking to make Oakland their home just as many others have done here for generations. The new housing will generate millions in tax revenue for the city, provide throngs of eager customers to local businesses, and start to make a dent in rents.

While the MacArthur Transit Village will not end our housing shortage overnight, building more housing is part of the answer and Approval of this project does exactly that. I urge the Oakland Planning Commission to approve this project at MacArthur BART at the February 1st meeting, with a recommendation of expedited approval by the City Council scheduled immediately for the next Oakland City Council meeting.

Sincerely,

Alana Miller

Resident of: 3301 Telegraph Ave

**From:** notifications@cognitoforms.com on behalf of Cognito Forms  
<notifications@cognitoforms.com>  
**Sent:** Thursday, January 12, 2017 10:15 AM  
**To:** MacArthurPetition@gmail.com; Kalb, Dan; tlimon.opc@gmail.com;  
cmanusopc@gmail.com; amandamonchamp@gmail.com;  
jmyres.oakplanningcommission@gmail.com; Payne, Catherine  
**Subject:** Questions from Lawral Wornek about MacArthur Transit Village

**To the Oakland Planning Commission:**

**My name is Lawral Wornek from zip code 94609 and I have the following concerns about the proposed tower at MacArthur Transit Village:**

- **Adhere to the approved Planned Unit Development requirement of 80 feet maximum (6-8 stories) to meet the stated goal for an integrated site plan.** There is nothing integrated about a 260-foot (24 story) tower that dwarfs the other 5-6 story buildings in MacArthur Transit Village and destroys the fabric of Mosswood, Longfellow, and Temescal neighborhoods of predominantly 1-2 story commercial spaces and homes. The proposed height is almost triple that allowed by zoning regulations. The tower's 10-13 story base also violates a Land Use Policy for appropriate transitions between buildings of different scales.
- **Complete a new Environmental Impact Report.** The previous EIR – finalized in 2008 for a 6 story project – is not applicable to the proposed tower. It even states that the mere inclusion of a tower alternative in the document “does not satisfy the CEQA requirements”. A new EIR must be completed to prove compliance with the California Environmental Quality Act (CEQA). It must also reconsider impacts on the surrounding area, which has changed substantially since 2008.
- **Reinstate Community Benefits.** McGrath Properties' partner for the proposal, Boston Properties, will self-finance this extravagant project, yet McGrath refuses to provide the community benefits previously agreed upon in 2009. The City must support our low-to-moderate income community by the reinstating these community benefits, at a minimum (and adjust for inflation): \$1,450,000 in site improvements to West MacArthur Blvd between Telegraph and MLK; \$25,000 in improvements to Mosswood Park or Grove Shafter Park or the path of travel to these parks from the project; and Residential Preferential Parking funds for the surrounding neighborhoods (similar to the community benefit Kaiser' provides).

In the retail space, there must also be provisions for much-needed grocery and hardware stores rather than small commercial storefronts that go unrented in the

neighborhood and in similar developments in across the city.

- **Partner with the community on a Local Area Plan.** Don't sacrifice Mosswood, Longfellow, and Temescal in the superficial aim to increase housing and density targets. Work with the community to plan for the future and how best to integrate new development into our historic North Oakland neighborhoods rather than overlook and overwhelm them.

**Until these concerns are addressed, the proposed project changes should not move forward.**

I appreciate your consideration.

Sincerely,

Lawral

**You have a new form submission.**

Powered by



## Payne, Catherine

---

**From:** Ranelletti, Darin  
**Sent:** Sunday, December 04, 2016 9:02 PM  
**To:** Payne, Catherine  
**Subject:** Fwd: behemoth at macarthur bart station

**Darin Ranelletti**, Interim Director | City of Oakland | Planning and Building Department | 250 Frank H. Ogawa, Suite 3315 | Oakland, CA 94612 | Phone: [\(510\) 238-3663](tel:5102383663) | Fax: [\(510\) 238-6538](tel:5102386538) | Email: [dranelletti@oaklandnet.com](mailto:dranelletti@oaklandnet.com) | Website: [www.oaklandnet.com/planning](http://www.oaklandnet.com/planning)

Sent from my mobile device.

Begin forwarded message:

**From:** Jayne Ogrodnik <[jayneo@prodigy.net](mailto:jayneo@prodigy.net)>  
**Date:** December 4, 2016 at 2:54:28 PM PST  
**To:** [dranelletti@oaklandnet.com](mailto:dranelletti@oaklandnet.com)  
**Subject:** behemoth at macarthur bart station

Please extend the 17-day review period to 30 days.

I took BART to SFO a couple times this week and I observed the building at the stations and near the tracks. NOTHING was over 4 stories.

why are you picking on Oakland to uglify the landscape?

Take it somewhere else. Nobody needs to live so close to a freeway. the air and noise are deplorable. I would wager that nobody related to this project is going to live in this building overlooking a freeway.

If you think housing will go down in price because of this, you are delusional. They will go down after a large earthquake and then creep back up again.

This country is soon going to be lead by a real estate con man. Is this the direction Oakland is going to go? I doubt it.

Keep the sky blue and shared by everyone. Keep growth to a minimum. We are so congested in this neighborhood, it's only profitable for the realtors to make it even more congested. There is no other reason but money that they insist on this building height.

It is sickening literally and figuratively.

Jayne Ogrodnik  
Temescal resident

## Payne, Catherine

---

**From:** Merkamp, Robert  
**Sent:** Friday, January 20, 2017 8:39 AM  
**To:** Payne, Catherine  
**Subject:** FW: MacArthur BART Tower

Robert D. Merkamp, Development Planning Manager | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 2214 | Oakland, CA 94612 | Phone: (510) 238-6283 | Fax: (510) 238-4730 | Email: rmerkamp@oaklandnet.com | Website: [www.oaklandnet.com/planning](http://www.oaklandnet.com/planning)

-----Original Message-----

**From:** brokicrofts [mailto:brokicrofts@sonic.net]  
**Sent:** Wednesday, January 18, 2017 6:57 PM  
**To:** Kalb, Dan; Bolotina, Olga; Robert Raburn; Manasse, Edward; Ranelletti, Darin; Miller, Scott; Chris Patillo; Jahmese Myres; Amanda Monchamp; Emily Weinstein; Adhi Nagraj; Clark Manus; Tom Limon; Kerry Hamill; Merkamp, Robert  
**Cc:** Eden Brukman; Rachel Swan; Roland Li; Alan Toth; Becky O'Malley; Mark Hedin; Don Kinkead; Valerie Winemiller; Chris Rauber  
**Subject:** MacArthur BART Tower

Dear Councilperson Kalb, City Planning Commissions, BART and Planning Staff,

We attended the Dec. 14, 2016 meeting convened by Councilperson Kalb at Beebe Memorial regarding the proposed residential tower at the MacArthur BART station. This tower, as proposed by the Boston Properties and McGrath Properties developers, would be the second tallest building in Oakland. The project for a 260 ft., 25 story tower, up from the 2008 80 ft. proposal, is on a fast track for approval, despite neighborhood opposition and scant attempt at community buy-in, and while many residents are distracted by the recent national election.

The meeting was a disaster, the abundant food and drink notwithstanding. Planning staff, as represented by the assigned planner Catherine Payne, was the epitome of opacity—an unwillingness or inability to enlighten and inform. Her focus was simply how soon this project was going to appear before the commission—an emphasis completely upon the rushed process, and not at all on substance.

The audience and developers in attendance, along with elected officials and others, clearly focussed upon issues of affordability. We and others raised questions about the percentage of affordable units, the possibility that the “affordable” units—80% of mean income, approximately \$2000./month, meaning they are hardly affordable for truly needy residents. Would they cease being affordable if they were converted to for-sale units, etc.

That the questions weren't answered indicated the affordability issue is a smokescreen for approval of a developer's desire for maximum profit. The developer, planning staff, the BART representatives, and the Councilperson were unhelpful with clarifying specific questions about the exact square footage of “affordable” units, as opposed to a percentage of the total square footage, an unwillingness to commit to permanent, affordable, rental units, and the

location and desirability of the these units within the building. We understand the “affordable” units will have their own, presumably, lesser entrance.

Councilperson Kalb, unfortunately, channeled his predecessor, Jane Brunner, steering the conversation toward “community benefits” to be wheedled from the developer, rather than entertaining any consideration of actually scaling back the height of the project, which is the source of much of the opposition. Whatever redesign of the project the developer appears likely to agree to would be a sop. Councilperson Kalb seems unfamiliar with the stretches of logic planning staff uses to justify projects, chief among them “precedent.” He flatly denied this project would be precedent for future projects, then quickly qualified that dubious claim to add “not as far as he was concerned, anyway.”

He apparently hadn’t read the terse Aug. 10, 2016 staff report recommending some minor design changes: “The proposed tower would still set precedent and should reflect the design quality desired of a very visible precedent-setting landmark.”

Of course, another consequence of allowing a 25 story tower on this postage stamp size lot is that it distorts the value of existing nearby lower rise affordable housing: the Manhattanization syndrome—one tower begets another.

The amount of demagoguery in comments by attendees was truly troubling, one participant even seriously suggesting the tower could house Syrian refugees. The rhetoric was even worse coming from elected public officials like BART Board member Robert Raburn, who implied the tower might have averted the Ghost Ship studio fire tragedy, as if somehow history and fate could be rewritten. It was unseemly and in shockingly bad taste. His suggestion that other, luckier artists might find housing at a MacArthur BART Tower, when the affordability of housing is exactly why artists crowd unsafe structures to begin with, is demagogic.

We have seen other examples of public agencies, who exploit their special status and powers, to venture into land use/development arenas. BART’s mission and purpose is mass transit. One could raise the issue of BART’s disruptive beginnings, the rough birthing that tore up neighborhoods after acquiring parcels at rock-bottom prices or eminent domain. The justification for the overwhelming footprint BART imposed upon communities to provide mass transit does NOT justify BART’s evolution into a developer, nor does Board Member Raburn’s history as a bicycle advocate qualify him to determine land-use issues.

Another example of a local body abusing its powers and wealth was the Oakland Unified School district demolishing the eminently reusable-for-housing, reinforced concrete, 9-story Montgomery Ward Building next to the Fruitvale BART station in 2000. After a costly legal battle, and over the opposition of many, the building was rapidly demolished—toxic lead paint blasted into the air and storm drains--to create two low-rise schools, the toxic soil covered over. Of course, the most fervent advocates of “smart growth,” the pro-development mantra now replaced by “affordability,” looked the other way on this flagrant violation of smart growth and housing at transit hubs. Kerry Hamill, now BART Manager for Government Relations, knows this story well—she supported the demolition while an Oakland School Board member. Ditto Mayor Libby Schaaf, at the time staff member for Councilperson Ignacio de la Fuente, the most ardent advocate for demolition.

How shallow their “core” beliefs--Schaaf’s chief of staff, Tomiquia Moss, is quoted saying in the Nov. 22, 2016 San Francisco Chronicle article about the MacArthur BART Tower, “There are numerous practical and environmental reasons to cluster housing and retail near transit nodes....Dense housing and commercial development near transit is the trifecta for supporting growth in neighborhoods.”



But the most flagrant misuse of power and bad planning is the mistake we're still living with today—the destruction of the East Bay's mass transit Key Route system in the 1950s. The creation of BART itself, of course, was an inadequate and costly "remedy" for that mistake. Unlike the Key Route system, which penetrated into many neighborhoods planned around its routes, BART was designed to take commuters—workers and shoppers—to and from San Francisco. The MacArthur BART tower developer has admitted the project is intended for commuters, not locals.

Ever since the arrival on the Oakland scene of the prototypical Development Democrat Jerry Brown, with his "10K" program to gentrify Oakland, the Planning Department, now more aptly renamed the Bureau but Ministry might also suffice, has become a rubber stamp for whatever the developer community thinks will turn a profit. Under previous mayors like Elihu Harris, the Planning Commission included members of the design and business community, but also community members. It is no accident that the Planning Commission is having trouble raising a quorum for this project because of the conflicts of interest of commissioners. Oakland Development Democrats might take note of the shellacking the Bates/Hancock Machine took in the last election in Berkeley, swept out of the Mayor's office and several council seats.

The El Cerrito BART Transit Village is a classic example of a combination of Houston-style non-planning with the aesthetic of Fresno. One generic condo project after another is replacing the fabric of Temescal—this tower is part and parcel of that transformation.

In summation, the MacArthur BART Tower is yet another instance of project by project, jurisdiction by jurisdiction, planning that isn't really "planning" at all, but developer, market-driven, projects. Oakland residents deserve better.

Robert Brokl    Alfred Crofts

**Payne, Catherine**

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**From:** Marvin Yee <marvinyeesf@yahoo.com>  
**Sent:** Tuesday, January 03, 2017 8:48 PM  
**To:** Payne, Catherine  
**Subject:** MacArthur Transit Village Parcel B

Dear Ms. Payne:

As property owner, I support Boston Properties' proposal for the Macarthur Transit Village. Also as a proponent of transit villages and high-density housing, Boston Properties' proposal is a long-term solution to the need for more housing in Oakland particularly near public transportation. Furthermore, more residents in our neighborhood result in more eyes on the streets that make our public environments safer.

Please approve Boston Properties' proposal without delay. Thank you!

Regards,

Marvin Yee, Property Owner  
W. Macarthur Blvd. @ Telegraph Ave.

**Payne, Catherine**

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**From:** Mark Becker <mbecker@markbecker.com>  
**Sent:** Friday, December 30, 2016 9:07 AM  
**To:** Payne, Catherine  
**Subject:** Re: MacArthur Transit Village Courtesy Notice

Catherine,

I am so disappointed to see that staff supports this project. It is completely out of character for this location.

Mark Becker

Mark Becker  
Mark Becker Incorporated  
420 40th unit 1  
Oakland, CA 94609  
[mbecker@markbecker.com](mailto:mbecker@markbecker.com)  
o 510-658-6889 x17  
c 510-589-5547

On Fri, Dec 30, 2016 at 9:03 AM, Payne, Catherine <[CPayne@oaklandnet.com](mailto:CPayne@oaklandnet.com)> wrote:

Hello, interested parties. Please be advised that updates have been posted to the City of Oakland's MacArthur Transit Village project webpage (click on link in signature line, below, for complete information). In summary, a Planning Commission public hearing is scheduled to consider the application on January 18, 2017, and environmental analysis to comply with the California Environmental Quality Act is published and available online and at City offices (hard copy). As previously communicated to this distribution list, project updates continue to be posted to the project webpage. Interested parties should subscribe to the webpage for updates. Please contact me with questions or comments regarding this application or regarding how to subscribe to the project webpage. Thank you.

**Catherine Payne**, Planner IV | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 2114 | Oakland, CA 94612  
| Phone: [\(510\)238-6168](tel:5102386168) | Fax: [\(510\) 238-3254](tel:5102383254) | Email: [cpayne@oaklandnet.com](mailto:cpayne@oaklandnet.com) | Website:  
[www.oaklandnet.com/planning](http://www.oaklandnet.com/planning)

**Please subscribe to project webpages for information and updates (click on subscription button on top right corner of webpage):**

[Brooklyn Basin](#)

[MacArthur Transit Village](#)

[Mountain View Cemetery](#)

## Payne, Catherine

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**From:** eden brukman <writetoeden@gmail.com>  
**Sent:** Thursday, October 27, 2016 9:32 AM  
**To:** Payne, Catherine  
**Cc:** Merkamp, Robert; Jahmese Myres; cmanusopc@gmail.com  
**Subject:** Re: DCR meetings/public comment for Parcel B, MacArthur Transit Village

Thank you, Catherine.

I do appreciate your kind reply, and also appreciate that my concerns about the curbed public process have been noted for the record.

Best,  
eden

On Thu, Oct 27, 2016 at 8:56 AM, Payne, Catherine <[CPayne@oaklandnet.com](mailto:CPayne@oaklandnet.com)> wrote:

Ms. Brukman: your comments will be included in the public record. Let me try to answer your questions:

- Regarding the materials reviewed at the October 19 DRC meeting: Because of concerns raised by community members at the earlier (August) DRC meeting, the DRC had requested a study of and refinement to the project massing. The applicant brought a revised massing model back to the DRC in an effort to address previously raised concerns. The applicant and DRC were interested in seeing the project massing (conceptual or schematic design) before seeing the exterior treatments that would then be applied to the mass (design development).
- The project will not be reviewed by the Planning Commission until staff has received and reviewed design development plans. When staff receives a set that is acceptable for review, that set will be placed on the project webpage (click on link in my signature line and subscribe for updates) and will be available at the Permit Center for public review.
- The applicant indicated verbally that the currently proposed massing does not require a change in the bedroom count ratio. Staff will be able to confirm this once we receive the design development plan set.

Please let me know if you have additional questions I can answer. Thank you.

**Catherine Payne**, Planner IV | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 2114 | Oakland, CA 94612  
| Phone: [510238-6168](tel:5102386168) | Fax: [510 238-3254](tel:5102383254) | Email: [cpayne@oaklandnet.com](mailto:cpayne@oaklandnet.com) | Website:  
[www.oaklandnet.com/planning](http://www.oaklandnet.com/planning)

**Please subscribe to project webpages for information and updates (click on subscription button on top right corner of webpage):**

[Brooklyn Basin](#)

[MacArthur Transit Village](#)

**From:** eden brukman [mailto:[writetoeden@gmail.com](mailto:writetoeden@gmail.com)]  
**Sent:** Wednesday, October 26, 2016 4:39 PM  
**To:** Merkamp, Robert; Payne, Catherine; Jahmese Myres; [cmanusopc@gmail.com](mailto:cmanusopc@gmail.com)  
**Subject:** DCR meetings/public comment for Parcel B, MacArthur Transit Village

Dear Robert, Catherine, and Design Review Committee members,

I am confused about what transpired at the DRC meeting last Wednesday. Prior to and at the second meeting to discuss the proposed changes to Parcel B of MacArthur Transit Village, the only visual information that was shared with the public was a simple massing model dated 28 September 2016. We did not see floor plans, elevations, perspectives, or other design drawings.

Based on the limited information that was shared, it was not possible for us to offer any feedback on design issues other than the massing. Though the building height in-and-of-itself is seriously problematic, we would have appreciated the chance to review and comment on other elements of the design.

Is there any information in this regard that can be shared? And have there been any changes to the previous unit breakdown: 55 studios, 175 one-bedroom, 164 two-bedroom, 8 three-bedroom?)

It is, therefore, disappointing to learn that there will be no future DRC meetings on this proposal. The community have not been able to vet the design or offer substantive feedback.

Thank you,

eden brukman

38th/Webster

**Payne, Catherine**

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**Sent:** Wednesday, October 26, 2016 4:39 PM  
**To:** Merkamp, Robert; Payne, Catherine; Jahmese Myres; cmanusopc@gmail.com  
**Subject:** DCR meetings/public comment for Parcel B, MacArthur Transit Village

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Thank you,  
eden brukman  
38th/Webster

## Payne, Catherine

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**From:** Don Howe <heydonhowe@gmail.com>  
**Sent:** Thursday, December 29, 2016 10:18 PM  
**To:** Guillen, Abel; Adhi Nagraj; amadamonchamp@gmail.com; Campbell Washington, Annie; Payne, Catherine; pattillo@pgadesigns.com; cmanusopc@gmail.com; Kalb, Dan; Jahmese Myres; Reid, Larry; Office of the Mayor; McElhaney, Lynette; Gallo, Noel; Kaplan, Rebecca  
**Subject:** MacArthur Transit Village Parcel B

All: I'm writing you in regards to the MacArthur Parcel B high-rise proposal now under consideration. I attended the most recent community meeting hosted by my councilperson Dan Kalb (Dec 12 at Beebe Memorial), and came to that meeting overprepared with written comments, mostly because I've also attended most other meetings at which this proposal was discussed, but never showed up early enough to the planning commission's events to get myself on the speaker's list. So I had a lot saved up. I see today that a small part of my comments were quoted in the East Bay Times' 12/23 article covering the meeting, which has prodded me to pass them on to you in more or less their entirety. If they at times sound combative or dismissive of others' concerns, please forgive me; my intent was to argue against the misinformation that feeds fear of change (which I believe to be at the heart of many objections to this project), not to argue against those who fear it. My "speech" is as follows:

**First, I'll say upfront I'm in favor of this project in every way; this is a near-perfect site for a project of this height and density. Oakland and the Bay Area are critically undersupplied with housing; I believe Oakland in particular needs to build while the economic currents are with us. We have an unfortunately long history of proposed developments of all sizes and heights vanishing into eternal limbo after one of our cyclical downturns; if Boston Properties is willing to commit to this much needed housing right here and right now, we should commit back to them, for the long-term health of our neighborhoods, our city, and our region.**

**I know some of the objections to this project are heartfelt. But some also range from just a little bit disingenuous, to entirely speculative, to flatly untrue, and they remind me on a local level of the fake news that flooded the internet prior to our recent election. I've heard in these meetings and in online posts that this is a gated luxury tower, that its future occupants will "look down on the surrounding communities with disdain", that it will cast shadows across Mosswood Park, and that it will destroy our working class communities.**

**"A lie gets halfway around the world before the truth has a chance to get its pants on" – but these snippets of distortion and misinformation really only have to get halfway around the neighborhood to do their damage.**

Is it a gated luxury tower? Tower, sure, but otherwise, no. It's a market-rate rental development with some BMR units included, not a Rincon Hill condominium for the 1%. "Market-rate" is not a term of evasion, and my neighbors with either higher-paying jobs than me, or a greater tolerance for tech-industry roommates, are not my enemies. This is a "gated community" only if any apartment building with a lock on the front door is a gated community. If its rooftop terraces are an affront because they're only accessible to residents and guests, then my back yard is also an affront.

Will its residents be unpleasant people who are disdainful of the existing community? Some of them will, yes; welcome to human nature. But since these apartments haven't been built, let alone rented to any actual individual humans, prejudging their individual human natures is a bit disdainful.

Regarding shadowing: mathematicians, astronomers, priests, and sundial makers have been capable of accurately tracking the sun's path and the resulting shadows cast by tall objects for thousands of years; I feel reasonably confident Boston Properties has been able to do so as well. As I recall from previous meetings, this tower's shadows barely cross Telegraph Ave; Mosswood Park will not be plunged into darkness.

Will it destroy working class Temescal, Mosswood, Longfellow, and Hoover-Foster? That ship has to some extent already sailed. Anyone who's tried to buy or rent a house or apartment around here, or paid any attention to what the house next door just sold for, already knows that. Whether we ever wanted to or not, we're now living in neighborhoods of million dollar bungalows, especially on the Temescal/Mosswood side, and there's one reason for that: a housing shortage. Keep on stabbing proposed housing developments to death, and we'll be living in neighborhoods of 2 million dollar bungalows. Lucky us if we're homeowners, huh? But inflating the market value of existing housing beyond all reason by suppressing the development of new housing – and concurrently killing off good working class construction jobs in Oakland - won't save working class Oakland. It'll just turn us into San Francisco that much faster.

I am, by the way, a Longfellow resident three blocks due west of this project site. If and when it's built it'll be a prominent part of my view every time I look out my upstairs window or step out my front door. I look forward to that, because what I'll see is a city willing to commit to, and make room for, its future. We need this, and I urge you to approve this project. The sooner it's a presence in our neighborhood the sooner we'll all - even those who now think it's the death of the neighborhood - grow accustomed to it, just like our Oaklander antecedents grew accustomed to the immigrants who built my own newfangled, invasive, too-close-to-the-neighbors 102-year-old house. There's room if we make it.

Thanks for your time,



Don Howe

822 Apgar St

## Payne, Catherine

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**From:** broklcrofts <broklcrofts@sonic.net>  
**Sent:** Thursday, December 29, 2016 8:17 PM  
**To:** Payne, Catherine  
**Subject:** MacArthur BART

Dear Ms. Payne,

Please include us in your email list for future meetings and notices.

Thanks,

Robert Brokl Alfred Crofts

## Payne, Catherine

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**From:** brian.s.pearson <brian@studiopear.us>  
**Sent:** Monday, December 19, 2016 11:48 AM  
**To:** Payne, Catherine  
**Cc:** Kalb, Dan; Marqusee, Alexander G.; At Large; Merkamp, Robert  
**Subject:** MTV Design Review

Ms. Payne,

I had a question from Wednesday's community meeting for the MacArthur Parcel B that I did not have an opportunity to ask. But before that I do want to say thank you for your work on this project. I appreciate your clear, concise responses during these (sometimes) heated discussions. I realize the difficult position you are sometimes in not having complete answers (a lack only because work is still on going within the department.) I appreciate that you can maintain a level head and bring a bit of calm to the discussion.

My question was about the design review process. My understanding is that the design review committee will not be having public discussions of this project any longer. In fact I believe at the last open session one of the design review committee recommended that the project be forwarded to planning commission. I am concerned that this project continue to have proper design review oversight and on Wednesday the architect or developer mentioned that there is still much refinement to happen on the project. I feel that the most current (second December 2016 package) has substantial changes from the July 2016 package. Could you please explain to me the design review committee involvement and role in the process going forward?

My concerns (not complete list below) about the design are as follows:

- 1) "Plaza" design. The new plaza design is a substantial change from what was proposed before. While I don't like the new design on an aesthetic side of things I think that the design has other faults as follows:
  - A) The light feature will be a maintenance issue. Already the BART Garage attracts vandalism and the form of stickers and tags at pedestrian level as well as garbage and clothes that hang on the metal screen feature. This will be true for this light feature regardless of security measures. But also...
  - B) it will be liability for the building owner attracting people climb on it.
  - C) The light feature adds to the visual clutter of the design.
  - D) the layout of furniture, paving, and landscape features detracts from a clarity of navigation for the pedestrian.
  - E) my person preference as being a longtime pedestrian is for a clear and direct walking path. I understand that the designers are trying to bring pedestrians "in" to the plaza and engage them with the space and the retail. But what about those who have no interest or desire for that? What about those that want to just get on their way from point to point? The primary walking path should be direct and connect in a straight line with adjacent walking paths ("sidewalk"). This helps create a sense of neighborhood blocks.
  - F) Literacy of the city: how do people read the city? There is a literacy in the way that items are laid out and materials used. I appreciate that the designers and master developers of the site may be attempting to "raise the level of finish" of the urban environment with the use of brick and patterning for sidewalks. But consider they other message it sends: "this is not connected to nor a part of the adjoining city. We are not like you and you can tell because we don't look like you." I personally think that it is critical and important that the urban aspect of MTV be connected with the greater city and not seem as a separate development within the city.
  - G) Thresholds: whether in paving change or by creating a "gate" like item with the light feature, thresholds create a difference between the in and out; who has access and who does not; who perceives this as a welcoming place and who does not. All ready in the neighborhood there is a worry and perception that this project at parcel B is not for and a part of the neighborhood.
  - H) the light feature moving along the western facade I take it is suppose to enliven and connect this facade to the plaza? I feel that this sort of bling does little to address the design problem created by the

parking levels. A major blank wall face can only be dressed up so much but it really won't ever be disguised. We already have such a feature on the north side of the 40th Street underpass. Do you think that the 40th St. feature is a success?

2) Parking levels: I applaud the design changes to bring the upper facade down to connect with the street level. Lets see that happen on all the facades not just what people see from the BART plaza. Remember that people live across from this thing, await for buses across from this thing and walk along all sides of this thing. Wouldn't it be better to engage the street with people. Having apartments that face down on the street from levels 2, 3, 4, etc? There is nothing worse than looking at a person who has empty eye sockets and that to me is what the layer cake (retail, parking, housing) of this project feels like to me.

3) The "Cap": I've discussed how the building may read from close up but many people's experience will be from far away, so how the upper and the top read is also very important. It is unfortunate to see the change in the mechanical penthouse between these two versions. It has gone from seeming to be integrated top contributing to the form of the building. By integrating I mean that it reads as part of the concrete facade element and creates a visual termination to the mass of the tower. The new design for the mechanical penthouse seems more like a small crown, blocky, disconnected from the main mass and an afterthought. Furthermore the louver detailing seems clunky and pedestrian. Again based on Wednesday's comments its hard to know if what we are seeing is a very general and without detail or the final design intent. Are the former designs just not filled out in their detailing? If so it makes it very difficult to know what one is seeing, reading and considering.

My final thought is about the facade treatment. I find it difficult to understand the patterning that is being suggested. What is the formula that generated the pattern? It seems to still rather nascent and so its hard to comment on how it is a devise to break up the facade elements and transition between those elements. I feel that it still needs some iterations to make it seem real. I also am concerned about "white textured" Lite colored materials will likely be a liability in this area and will gather soot, dirt, and grime. For a case study reference please visit the SFMoma new addition. With the first fall rains that white facade is streaked and looks awful. Also look at the BART Garage metal screens - do they look clean to you? The textured quality contributes to that build up of grime and the "Mac Arthur BART Transit Village Health Impact Assessment" does say that this build up can be one of the leading contributors to the development of allergies. Of course one will need to balance this with noise as smooth textures will reflect Hwy 24 noise much more.

Thank you for your attention to my comments and questions. In parting I say Let's not design problems and let's not build future trash.

-brian pearson  
37th Street.