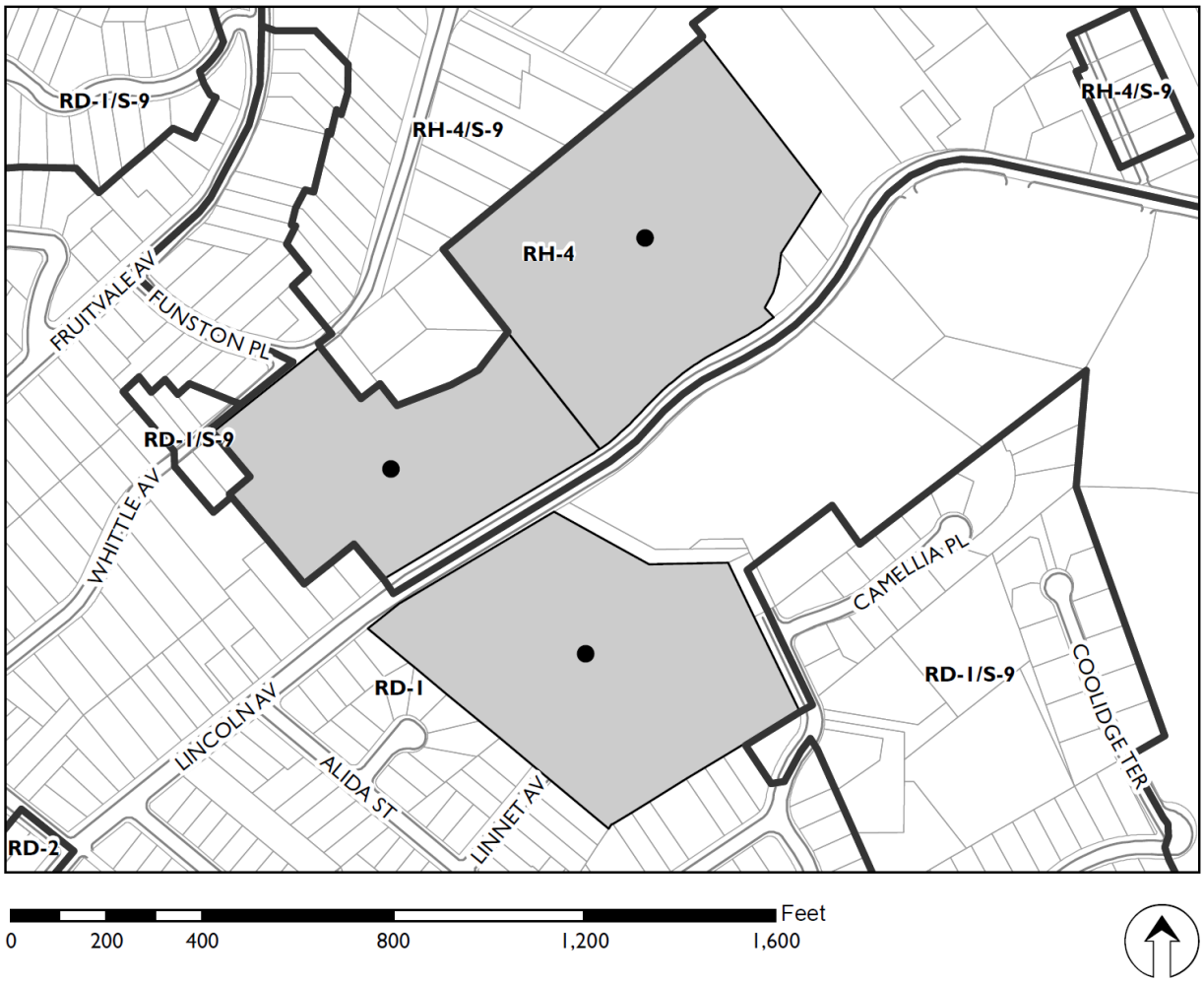
Landmarks Preservation Advisory Board STAFF REPORT

Case File Number PLN18532, PLN 18532-PUD F-01, PLN18152- ER01 **March 6, 2023**

Location:	4315, 4365, 4368 Lincoln Ave
Assessor's Parcel Number	APN 29A-1367-4-4,29A-1367-1-14, and 29-1009-6
Proposal:	Expansion of the existing Head Royce School campus to the former Lincoln Children's Center site at 4368 Lincoln to create a unified, 22-acre K-12 school. The Project proposes a tunnel crossing under Lincoln Avenue and/or an at-grade pedestrian crossing. The permitted student enrollment would increase from 906 students to 1,250 students, at a rate of 1-2% per year over 20-year period.
Applicant:	Rachel E. Skiffer: Head of School
Phone Number:	510 228-1515 Email rskiffer@headroyce.org
Owner:	Head-Royce School
Case File Number:	PLN-18532 and PLN18532- ER01
Planning Permits Required:	Planned Unit Development, Final Development Permit, Conditional Use Permit
General Plan:	Institutional; Hillside Residential
Zoning:	RD-1; RH-4
Environmental Determination:	The Draft Environmental Impact Report (DEIR) was published November 5, 2021. The FEIR was published February 22, 2023 for certification.
Historic Status:	PDHP C-3
City Council district:	4
Status:	Under Review
Staff Recommendation	Receive public and Landmarks Preservation Advisory Board comments on the project application and FEIR related to historic resources issues.
Finality of Decision:	Planning Commission
For further information:	Rebecca Lind: Phone: (510) 672-1474 or by e-mail: rlind@oaklandca.gov.

LANDMARKS PRESERVATION ADVISORY BOARD



Case File: PLN18532, PLN18532PUD-F01, PLN18532ER-01
Applicant: Head Royce School
Address: 4315, 4368, 4465 Lincoln Ave
Zones: RH-4, RD-1

SUMMARY

The purpose of the March 6,2023 public hearing is to make recommendations to the Landmarks Preservation Advisory Board (LPAB) on certification of the Environmental Impact Report (EIR) for the Head Royce School Expansion Project and to provide comments on the proposed Planned Unit Development Plan (PUD) and Final Development Plan (FDP) pertaining to three historic resource buildings on the site. The project would increase enrollment, expand the campus to the site of the former Lincoln Children's Center (the proposed South Campus) and amend the existing 2016 Planned Unit Development Permit that governs the existing school. The FDP includes plans to renovate and restore the three historic buildings.

The EIR concludes that approval of the Project would result in no significant impacts, no significant and unavoidable (SU) impacts, and no cumulative impacts.

BACKGROUND

Head Royce School (4315, and 4365 Lincoln Ave.) filed a request for environmental review and an application for expansion of the existing school campus to the site of the former Lincoln Children's Center (4368 Lincoln Ave.), and for an increase in student enrollment. In compliance with CEQA, an Environmental Impact Report (EIR) was prepared and published for certification. The PUD incudes a proposed three stage phasing plan. The FDP application implements Phases 1 and 2 of the PUD.

The City of Oakland is the Lead Agency pursuant to CEQA and prepared the EIR for the Project. Staff published a Notice of Preparation (NOP) of an EIR on February 1, 2019. A scoping session was held before the Oakland Planning Commission (PC) on February 20,2019 and the Landmarks Preservation Advisory Board (LPAB) on March 11, 2019. The Notice of Availability (NOA) for the DEIR was prepared and released on November 5, 2021, beginning a 45-day public comment period with the comment period ending December 20, 2021. Hearings on the DEIR were held on December 13,2021 at the LPAB and on December 15, 2021 at the PC. A Final EIR was prepared responding to comments and published February 21, 2023.

PROJECT DESCRIPTION

The PUD project application includes the following proposals: (1) expands the Head Royce School campus across Lincoln Avenue to the site of the former Lincoln Children's Center at 4368 Lincoln (new South Campus); (2) constructs two at-grade pedestrian crossings and a pedestrian tunnel under Lincoln Ave.; (3) remodels 27,350 sf in 4 existing buildings; (4) constructs 18,400 sf of new facilities including a 1,500-sf pavilion a 1,000 sf maintenance building, and a 15,900-sf multiuse performing arts center; (5) reconfigures and adds to existing parking on the South Campus; and (6) increases enrollment 1-2% per year for a 20-year period to a maximum of 1,250 students.

Limited new construction is proposed on the (existing) North Campus, including the accommodation of the north end of the underground pedestrian tunnel link. Reuse of existing administrative and classroom space on the North Campus would occur where current functions would be relocated to the proposed South Campus.

The FDP for Phases 1 and 2 of the PUD includes demolition of Buildings 3, 4, 5, 6, 7, 8, 10 and 11; restoration and reuse of Buildings 0, 1, 2 (identified as historic resources) for classrooms and reuse of Building 9 for administrative purposes. Improvements include the construction of a Commons area, walking paths, upgraded playfields and outdoor classroom space. The Loop Road providing off street drop off and pick up and an at-grade pedestrian crossing at Lincoln are included. The underground pedestrian tunnel and the Performing Art building proposed in the PUD are not included in these phases. Student enrollment would be capped at 1050 students during these first two phases.

PROPERTY DESCRIPTION
The Head-Royce School (Existing Campus) is located on Lincoln Avenue, approximately 0.4 miles south of Highway 13, and 0.9 miles north of I-580. The existing 14-acre School campus is developed with 13 buildings used for school facilities. It includes two properties: one at 4315 Lincoln Avenue that houses classrooms, administrative space and other school buildings; and one at 4365 Lincoln Ave used for athletic facilities and parking. Additional athletic practice fields and parking are currently allowed by Conditional Use permit on 4500 Lincoln Avenue, owned by Ability Now, on a leasehold basis.

The proposed South Campus parcel is located at 4368 Lincoln Ave. The parcel generally slopes up from southwest to northwest with a 56-foot change in grade across the site. The site is accessed along three points along Lincoln Ave. Existing development includes eleven (11) buildings formerly used for the Lincoln Children's Center.

GENERAL PLAN ANALYSIS
The General Plan's Land Use and Transportation Element (LUTE) classifies the project site as "Hillside Residential" for 4325 and 4465 Lincoln Avenue (Existing Campus) and as "Institutional" for 4368 Lincoln Ave (Proposed South Campus).

The intent of the "Institutional" land use classification is to *create, maintain, and enhance areas appropriate for educational facilities, cultural and institutional uses, health services, and medical uses as well as other uses of similar character.* The intent of the "Hillside Residential" land use classification is to *create, maintain, and enhance neighborhood residential areas that are characterized by detached, single unit structures on hillside lots*.

ZONING
Zoning on the Existing Campus parcels is RH4/S9, RH-4. Zoning on the proposed South Campus parcel and Ability Now parcel is RD-1.

ENVIRONMENTAL DETERMINATION
As stated earlier in this report, the City prepared and published an EIR for the project. The EIR analyzes potentially significant environmental impacts in the following categories: Aesthetics, Air Quality, Biological Resources, Cultural Resources including Historic Resources and Tribal Cultural Resources, Greenhouse Gas Emissions and Global Climate Change, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use Planning, Noise, Transportation, Utilities, Wildfire and Emergency Evacuation. The EIR did not identify significant and unavoidable impacts that could not be reduced below adopted thresholds of significance by standard conditions of approval and/or mitigation measures.

Project Alternatives
The CEQA alternatives include:

- **Alternative 1, No Project**: The No Project Alternative includes the existing conditions at the time the notice of preparation was published.
- **Alternative 2: Minor Development Alternative** caps enrollment at 906 students but includes demolition of 8 buildings and restoration and reuse of Buildings 0, 1, 2 (historic resources) and reuse of Building 9 for administrative purposes. There would be no change to the current operations for School drop-offs and pick-ups that occur along Lincoln Avenue, and the underground pedestrian tunnel and the Performing Arts building would not be constructed.
- **Alternative 3: Reduced Alternative** would limit student enrollment to 1050 students; It includes all of improvements identified for Alternative 2, plus a new Loop Road for off street drop off and pick up and at grade crossing at Lincoln Ave linking the campuses. The underground pedestrian tunnel and the Performing Art building included in the PUD would not be constructed.

Alternative 2 is considered the environmentally superior alternative. EIR Alternatives 2 and 3 correspond to the Phase 1 and 2 improvements and student enrollment proposed in the FDP.

KEY ISSUES AND IMPACTS

Classification of Historic Resources

Three buildings on the site are listed in Oakland's historic building rating (OCHS) system as Potentially Designated Historic Properties (PDHPs) with a 1996 rating of C3 meaning that they are of "secondary importance" and not currently in a designated historic district. These buildings are distinctive examples of the Spanish Colonial Revival style. Building nomenclature (e.g., Buildings 1, 2, 3 and so on) are indicated in **Attachment C.** They are designated in the proposal as Building O (aka Junior Alliance Hall), designed by W.G. Corlett; Building 1 (aka Mary Crocker Cottage), designed by Reed and Corlett; and Building 2 (aka Grace L Trevor Cottage), also designed by Reed and Corlett. The remaining buildings on the site have D ratings or are not classified due to age. The entire campus was rated a PDHP in 1996.

The Historic Resource Evaluation (HRE) prepared as part of the DEIR technical reports concluded that the three buildings qualify as individual historic resources for the purposes of CEQA and are eligible for the California Register. Building 0 (Junior Alliance Hall), and Building 1 (Mary A. Crocker Cottage), both have revised ratings of B3 based on the analysis in the HRE. This rating means these are buildings of major importance and are not in an eligible district. Building 2 (Grace L. Trevor Cottage) retains the C3 based on the analysis in the HRE. This means it is of secondary importance and is not located in an eligible district. The HRE found that the campus does not qualify as an historic district for the purpose of CEQA.

Building Re-Use

Building 0 is to be used for office, collaborative meeting space for small groups, and larger assembly space for between 55 to 125 people. Buildings 1 and 2 would be used for classroom and administrative functions.

Proposed Building Changes

All three buildings are proposed to be rehabilitated with interior and exterior renovation. Revised elevations depicting the exterior renovations of Buildings 0, 1 and 2 are shown in the FDP, **Attachment D**. Evaluation of these changes for consistency with the Secretary of Interior's Standards was completed for the PUD based upon analysis of the buildings' integrity, character defining features and Project's site plan and elevations for Buildings 0, 1 and 2 as documented in the HRE and the CEQA analysis.[1]

ADA Standards.The PUD proposal included entry ADA ramps on the primary (West) elevations of Buildings 1 and 2 with low stucco-clad walls. In response to public comment, the design was re-submitted. The Building 1 ramp was redesigned and moved from the primary (West) elevation to the East elevation. The second ramp was completely removed from Building 2 and the entry stairway restored.

Historic Steel Stash Windows. The original PUD included partial retention of historic windows at Building 0. When the project was evaluated for consistency with Secretary of Interior Standards for Rehabilitation, the window retention program fell short of full compliance with one of the ten criteria (Criterion 6, Deteriorated Historic Features). The proposal was revised to increase salvage and reuse of existing historical windows to address this issue and improve compliance with the Standards.

Summary of Changes

The proposed changes to these buildings are summarized in Table I and Table II.

Table I General Exterior Changes

Features	***Building 0***	***Building 1***	***Building 2***
The overall footprint and massing unchanged	*x*	*x*	*x*
Stucco patching and repair as needed and patching and painting as needed at the metal railings and bracket	*x*	*x*	*x*
Installation of wood shutters to replicate historic shutter locations where the historic shutters were removed	*x*	*x*	**x**
Repair, paint, and patch as needed at the historic plaster brackets and wood lintel details		*x*	
Remove of non-original exterior stairs		**x**	*x*
Removal of existing non-historic scuppers and downspouts.	*x*	*x*	*x*
Relocate original bronze scupper from the east façade to the primary façade, to replace a missing scupper		*x*	*x*
Original plaster coated wood grilles and clay tile vents retained	*x*	*x*	**x**
Windows Type 1 (historic) Steel sash existing frames repair and re-glaze Type 2 New steel with divided lites, double glazed replicate Type 1 Type 3 In new openings, aluminum frame, full lite, double glazed	*x*	*x*	*x*
All non-original aluminum-sash windows would be replaced with Type 2 windows (new steel sash windows with divided lites, double-glazed, with profiles to replicate Type 1, historic window profiles).	*x*	*x*	*x*

Table II Primary Façade Treatment

Building 0 West Facade	***Building 1 West Facade***	***Building 2 West Facade***
Replace or modify non-original double hollow metal doors at the covered portico entrance. Remove non-original stairway at the south façade of the north wing to construct a new terrace, two stairways with stucco handrails. Remove existing doorway at ground level of the primary façade of the east wing and infilled with stucco cladding. Remove original terra cotta-clad awning. Remove and infill original window opening to the south (right) of the door, and two windows at the basement level, on the east wing	Modify non-original primary entry door or replacement with a wood and glass door to match the design of the historic door. Replace non-original window at the second-story central balconette with new double-glazed doors to match the profile of the original doors. Remove a non-original window and opening at the second floor and fill with stucco. Modify front stairs to meet egress requirements.	Modify non-original primary entry door or replacement with a wood and glass door to match the design of the historic door. Replace non-original window at the second-story central balconette with new double-glazed doors to match the profile of the original doors. Remove non-original window and opening at the second floor and infill with stucco. Remove non-original grate at the basement level and restore or reconstruct the clay tile vents. Replace the primary entry stair with a new stair in keeping with the orientation and style of the original stair.

[1]See HRE Attachment E. p.107-114, 133, 134; DEIR Chapter 7 Cultural Resources Attachment B p.49-60

RECOMMENDATIONS:

1. Certification of the Environmental Impact Report (EIR).
Recommend certification of the Head Royce School Expansion Project EIR to the Planning Commission.

2. Advise the Planning Commission.
Advise the Planning Commission to adopt a Condition of Approval to rehabilitate all historic steel windows at Building 0 and improve compliance with Rehabilitation Standard 6, Deteriorated Historic Features.

3. Staff also recommends.
That LPAB provide any additional recommendations it deems appropriate.

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Prepared by:

Rebecca Lind

Rebecca Lind
Planner IV

Reviewed by:

Catherine Payne

Catherine Payne
Development Planning Manager
Bureau of Planning

ATTACHMENTS:

A. Findings
   Section 17.136.050 C. For Local Register Properties
   Section 17.136.050.D. For Potential Designated Historic Properties
   Exhibit 1 CEQA
   Exhibit 2 SCA/MMPR
B. EIR
C. Plan Set PUD
D. Plan Set FDP
E. HRE

ATTACHMENT A

FINDINGS

This proposal meets all the required findings under Sections 17.136.050C and 17.136050.D. as set forth below and which are required to approve the application. Required findings are shown in bold type and the reasons the proposal satisfies them are shown in normal type. In addition, findings have been developed pursuant to the California Environmental Quality Act (Pub. Res. Code, § 21000 et seq.; "CEQA") and the CEQA Guidelines (Cal. Code Regs. Title 14, § 15000 et seq.). The basis to approve the Project and related permits are not limited to the findings contained herein, but also includes the information contained in the March 6, 2023 Staff Report to the Landmarks Preservation Advisory Board (LPAB), the conditions of approval and the Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCAMMRP), the EIR prepared for the Project, and the entire administrative record, hereby incorporated by reference.

SECTION 17.136.050 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 he 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.

Building 0 (Junior Alliance Hall), and Building 1 (Mary A. Crocker Cottage), both have revised ratings of B3 based on the analysis in the Historic Resource Evaluation (HRE) completed for the project and these buildings qualify as Local Register Properties based on Policy 3.8 and the Definition of "Local Register" in the Appendix of the City of Oakland General Plan Historic Preservation Element.

- Building 0 and Building 1 are both proposed for rehabilitation and re-use consistent with the Secretary of the Interior Standards for Rehabilitation as documented in the HRE. p.107-114, 133, 134; DEIR Chapter 7 Cultural Resources Attachment B p.49-60.
- Building 0 will be used as a community performance center, which is consistent with its original use as an auditorium. Building 1 will be used for offices and classrooms, and the changes required to accommodate these uses are primarily interior alterations.
- The historic character of the property will be retained and preserved as the majority of character-defining features of these buildings will be either retained or restored. Their mass, fenestration, stucco cladding, roof forms and clay tile roofing, and decorative features will generally be retained and rehabilitated.
    - An exterior terrace will be constructed at the southeast corner of Building 0, replacing an asphalt parking area, but will not significantly alter any of the historic character, materials, features or spatial relationships of the building.

- An accessible entry ramp will be constructed at the East Elevation of Building 1, the ramps will feature compatible stucco-clad walls.

- All Type 2 windows are proposed to replace incompatible, non-original aluminum sash windows. Replacement wood shutters, and replacement balconettes will be designed based on available historical design drawings. No features that are not documented in historical architectural drawings are proposed to be added. In cases where new windows or doors are proposed they would be clearly contemporary in style and material, with undivided lites and slim aluminum frames, which avoids any potential for a false sense of historical development.
- A number of features added outside the period of significance that detract from the integrity of the buildings are to be removed. These features include exterior stairways, aluminum-sash windows with incompatible design (operability and pattern of lites) and added doorways.
- Most extant character-defining features will be fully retained or minimally altered at Buildings 0, 1 and 2, including distinctive materials, features, finishes and examples of craftsmanship. Specifically:
    - At Building 0, the large steel sash windows along the north (Lincoln Avenue) façade will be retained, as will the stucco cladding, gable roof with terra cotta clay tiles, three covered entry porches, pilasters, and terra cotta tile vents.
    - At both Building 1 the stucco cladding, gable roof with terra cotta clay tiles, decorative features surrounding the windows and doors, chimney tops, balconettes, plastered-wood grilles, decorative leader heads, and terra cotta tile vents will all be retained.
    - The arched partially glazed wood panel door at the east façade of Building 1 is proposed to be repaired or replicated to meet egress path requirements.
    - Several smaller steel sash windows at Building 0 are to be replaced with compatible double-glaze steel sash windows (Type 2).
- Most of the extant historic features and materials at Buildings 0 and 1 will be retained in place, including siding, roofing, decorative details around the windows, clay tile vents, and plastered wood grilles.
- Several extant original windows, metal balcony railings and brackets, and lintel details that have become weathered or damaged over time, are to be repaired and repainted in place. If it is necessary to propose chemical or physical treatments, these methods would not involve the use of harmful treatments (no sandblasting or power washing) that would damage the historic elements.
- The proposed demolition of non-historic buildings and site features would not have a negative effect on the historic resources, their spatial relationships, or their environment.
- Signage and lighting do not detract or overwhelm the historic design or historic features.
- The proposed adjacent new buildings and site features, including the Performing Arts Center, Link Pavilion, and Link Tunnel, are physically separated from the historic Buildings 0, and 1. If any of the adjacent new buildings or features were demolished in the future, there would be no detrimental effects on Buildings 0 or 1.
- The proposed adjacent new buildings and site features, including the Performing Arts Center, Link Pavilion, Link Tunnel and landscape materials are sited such that they will not impair existing views of the historic buildings from the public right-of-way.

SECTION 17.136.050.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.

Building 2, (Grace L. Trevor Cottage) has a confirmed ratings of C3 based on the analysis in the Historic Resource Evaluation (HRE) completed for the project and qualifies as a Potential Designated Historic Property that is not a Local Register Property based on Policy 3.8 and the Definition of Local Register in the Appendix of the City of Oakland General Plan Historic Preservation Element.

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

- Building 2 is proposed for rehabilitation and re-use consistent with the Secretary of the Interior Standards for Rehabilitation as documented in the HRE. p.107-114, 133, 134; DEIR Chapter 7 Cultural Resources Attachment B p.49-60.
- The majority of character-defining features of Building 2 will be either retained or restored. The building's mass, fenestration, stucco cladding, roof forms and clay tile roofing, and decorative features will generally be retained and rehabilitated.
- All Type 2 windows are proposed to replace incompatible, non-original aluminum sash windows. Replacement wood shutters, and replacement balconettes will be designed based on available historical design drawings.
- Most of the extant historic features and materials at Building 2 will be retained in place, including siding, roofing, decorative details around the windows, clay tile vents, and plastered wood grille.

EXHIBIT 1

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEOA) FINDINGS, INCLUDING CERTIFICATION OF THE EIR, ADOPTION OF MITIGATION MEASURES, REJECTION OF ALTERNATIVES, AND ADOPTION OF A MITIGATION MONITORING AND REPORTING PROGRAM

I. INTRODUCTION

These Findings are made pursuant to the California Environmental Quality Act (Pub. Res. Code section 21000 et seq. (CEQA)), the CEQA Guidelines (Cal. Code Regs. title 14, section 15000 et seq.) and the City of Oakland CEQA Procedure and Guidelines (Chapter 17.158 of the Oakland Municipal Code) by the City of Oakland Planning Commission in connection with the Environmental Impact Report (EIR) prepared for the Head-Royce School Planned Unit Development (PUD) Project (Case File Number PLN18532-ER01), SCH# 2019029032. The EIR includes the Draft EIR and Response to Comments/Final EIR. The Response to Comments/Final EIR is referred to herein as the "Final EIR or FEIR".

These CEQA Findings are included as part of this *Exhibit 1* and attached and incorporated by reference into each staff report, resolution and ordinance associated with approval of the Project. The Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCAMMRP) for the Project are attached as *Exhibit 2* to the CEQA Resolution for the Project. All Exhibits and attachments are incorporated by reference into each other, and into the ordinance or resolution to which the Exhibits are attached.

These Findings are based on substantial evidence in the entire administrative record, and references to specific reports and specific pages of documents are not intended to identify those sources as the exclusive basis for the findings.

II. PROJECT DESCRIPTION and PROJECT OBJECTIVES

A. Project Description

These Finding address the Project as described in Chapter 3 of the Draft EIR, and with the Proposed Changes to the Project as more fully described in Chapter 2 of the Final EIR. As described in the Draft EIR, Head-Royce School is an independent co-educational college preparatory day school for students in kindergarten through the 12th grade. The existing Head-Royce School Campus is located on the northerly side of Lincoln Avenue, approximately 0.4 miles south of Highway 13 and 0.9 miles north of I-580. Head-Royce school proposes to expand its existing Campus to the former Lincoln site (or proposed South Campus) on the southerly side of Lincoln Avenue to create a larger, 22-acre K-12 school with increased enrollment.

The Project proposes to connect these two sites via an underground tunnel below Lincoln Avenue and/or with at-grade pedestrian crossings across Lincoln Avenue, and to redevelop the former Lincoln site to support its proposed increased enrollment. The Head-Royce School Planned Unit Development (PUD) Project would include phased construction and operation of the South Campus. The Project proposes to remove eight of the twelve existing buildings on the proposed South Campus, none of which has been identified as an historic resource. The Project proposes interior renovation and reuse of Building 9 (built in 1999 and originally used as a dormitory) for classroom and administrative use, with no significant changes to the exterior. Three of the existing buildings on the proposed South Campus are to be rehabilitated and reused for ongoing School purposes. The EIR identifies each of these three buildings as historic resources from the 1929 to 1935-era (Building 0, the Junior Alliance Hall originally constructed in 1935; Building 1, the Mary A. Crocker Cottage originally constructed in 1929-1930, and Building 2, the Grace L. Trevor Cottage originally constructed in 1929-1930).

The Project proposes to construct three new buildings on the proposed South Campus. A new Performing Arts Center would provide the School's theater, dance and music groups with practice, performance and classroom space, and will be a place for the School to hold assemblies, concerts, meetings and host speakers. A new Link Pavilion would be a multi-use meeting room and gallery space, and would provide elevator access from the Pavilion to the pedestrian tunnel entrance. The third new building on the proposed South Campus would be a storage building.

A new internal one-way Loop Road would ring the internal perimeter of the proposed South Campus. It would have an entrance driveway off Lincoln Avenue at the easterly (upper) end of the proposed South Campus, and the exit onto Lincoln at the westerly (lower) end of the proposed South Campus. The new Loop Road would providing on-Campus circulation and off-street queuing space for vehicles. All vehicle picking-up and dropping-off activity at the School would occur along this Loop Road, rather than as currently occurs along Lincoln Avenue.

The Project proposes to add 25 new on-site parking spaces, and to retain and redesign the 129 paved parking spaces that currently exist, for a net of 154 total parking spaces on the proposed South Campus. The Project proposes two options for providing a pedestrian connection between the existing and proposed South Campus. The first option is to construct a pedestrian tunnel under Lincoln Avenue to connect the existing Campus to the proposed South Campus. The second option is to use only the two at-grade crossings of Lincoln Avenue for all pedestrian connections between the existing and proposed South Campuses. The two at-grade crossings will be permanent, but the extent to which these at-grade crossings are used will be substantially lessened with construction of the pedestrian tunnel.

The landscape design for the Project proposes a central Commons, three outdoor wood deck classrooms, a "walking labyrinth", outdoor farming in raised planters, and a series of ADA-accessible paths that provide access to buildings within the proposed South Campus, plus secondary paths with stairs.

The Project proposes to increase permitted enrollment up to 1,250 students, representing an increase of 344 additional students over the currently allowed enrollment of 906. Enrollment increases are proposed to occur in increments of no more than 20 additional students each year, up to the maximum permitted enrollment over an approximate 17 to 20-year period. The School expects that the majority of increased student enrollment will occur in the high school grades, where demand is the greatest.

The Project applicant proposes to construct the Project in phases, with two or more Final Development Plans. A full description of the proposed Project analyzed in the EIR is included in Chapter 3 of the Draft EIR, with additional information pertaining to Proposed Changes to the Project as provided in Chapter 2 of the Final EIR, all of which are incorporated herein by reference. The proposed changes include no longer pursuing an easement from the property that abuts the proposed South Campus, resulting in a shift in the alignment of the upper portion of the proposed Loop Road and a decrease of 16 parking spaces as compared to the design of the original Project. Changes are proposed to the exterior designs for renovation of Building 0 and Building 2, with salvage and reuse of many of the historical steel sash windows on Building 0, and removal of originally proposed ADA ramps at Building 2. Project changes also include removal of a loading dock from the proposed Performing Arts Center.

Based on a review of the EIR it is determined that the impacts of the proposed Project with the Proposed Changes were analyzed in the FEIR in sufficient detail to analyze reasonably foreseeable impacts, as discussed in Sections VIII, IX and X below.

B. Project Objectives

The objectives of the proposed Project are as follows:

1. Expand the School's educational facilities to the proposed South Campus by rehabilitating three existing buildings (Buildings 0, 1 and 2) that are identified under current City records as historic resources; utilize one additional existing building (Building 9) for school-related purposes; build new facilities that address current and future educational needs; and improve vehicular and pedestrian circulation, parking and grounds.
2. Use existing outdoor space for outdoor classrooms.
3. Construct a new Performance Arts Center for student curriculum relating to theater, music, dance and culture.
4. Gradually increase permitted Schoolwide enrollment by 344 students over currently allowed enrollment, to a maximum student population of 1,250 students (at an anticipated enrollment increase rate of approximately 1 percent to 2 percent per year for a 20-year period).
5. Remove on-street drop-off and pick-up from Lincoln Avenue and remove parent use of Alida Loop by developing an internal, one-way circulation loop driveway on the proposed South Campus. The driveway will provide off-street drop-off and pick-up space, eliminate pick up and drop off activities (other than for buses) from Lincoln Avenue, and create a new vehicle circulation pattern that reduces turn-around traffic in adjacent neighborhoods.
6. Integrate the existing Campus and the proposed South Campus for pedestrians with an underground pedestrian tunnel below Lincoln Avenue, to reduce at-grade crossings.
7. Reconfigure and increase the number of off-street parking spaces on the proposed South Campus (and/or the existing Campus as may be necessary), to meet parking demands at buildout and to minimize neighborhood parking and disruption.

8. Use new buildings placed on the proposed South Campus to create a central commons for student interactions and to provide for noise attenuation.
9. Achieve LEED Gold standards on the renovation of existing buildings and on the new construction of the Performing Arts Center and Link Pavilion.
10. Improve drainage through better stormwater management.

III. ENVIRONMENTAL REVIEW OF THE PROJECT

Pursuant to CEQA and the CEQA Guidelines, the City published a Notice of Preparation (NOP) on February 1, 2019. Pursuant to State CEQA Guidelines Section 15082 (Notice of Preparation and Determination of Scope of EIR), that NOP indicated that an EIR would be prepared for the Head-Royce School Planned Unit Development (PUD) Project and invited comments on the scope of the Draft EIR (DEIR). A 45-day public scoping period for the Draft EIR ended on March 11, 2019. Public scoping sessions were conducted by the Oakland Planning Commission on February 20, 2019, and the Oakland Landmarks Preservation Advisory Board (LPAB) on March 11, 2019. The NOP was sent to property owners within 300 feet of the Project site, responsible and trustee agencies, organizations, and other interested parties. A notice was published in the newspaper, and a copy of the NOP was sent to the State Clearinghouse to solicit statewide agency participation in determining the scope of the EIR, and to the County Clerk, who posted the NOP for public notice. All comments received on the NOP are included in Appendix 1B: Responses to Notice of Preparation of the DEIR.

A DEIR was prepared for the Project to analyze its environmental impacts. Pursuant to CEQA and the CEQA Guidelines, a Notice of Availability/Notice of Release and the DEIR were published on November 5, 2021, announcing the availability of the DEIR for public review and comment. The Notice of Availability/Notice of Release of the DEIR was distributed to appropriate state and local agencies, posted at the Project site, mailed to property owners within 300 feet of the Project site, and mailed to individuals who have requested to be notified of official City actions on the Project. Copies of the DEIR were also distributed to appropriate federal, state and local agencies, City officials including the Planning Commission, and made available for public review at the City of Oakland's Department of Planning and Building, Planning and Zoning Division (250 Frank H. Ogawa Plaza, Suite 2214) and on the City's website. The DEIR was properly circulated for a 45-day public review period ending on December 20, 2021.

During the public review and comment period on the DEIR the City held two public meetings on the DEIR; one before the Oakland Landmarks Preservation Advisory Board (LPAB) on December 13, 2021; and a second public hearing before the Oakland City Planning Commission on December 15, 2021. Consistent with Alameda County's Shelter in Place Orders and guidance from the Governor's Office of Planning and Research, the DEIR was made available in digital form and public hearings on the DEIR were held remotely.

The City encouraged agencies and interested parties to submit written comments on the DEIR electronically via email. Written comments were submitted to the City of Oakland Bureau of Planning by mail, email or by fax. Oral comments were received at each of the two public hearings. By the end of the comment period, the City received oral or written comments from 287 commenters. Of those 287 comment letters, 57 letters included comments on the adequacy and/or accuracy of the DEIR, and 230 letters expressed support for the Project and the EIR conclusions. A list of the commenters commenting on the adequacy and/or accuracy of the DEIR is provided in Chapter 4, Responses to Individual Comments Letters on the DEIR.

The City has prepared written responses to comments on environmental issues received during the public review and comment period for the DEIR. These comments and the "Response to Comments" are provided in the Final EIR (FEIR). Chapter 3 of the FEIR provides "Master Responses to Comments" that respond collectively to comments received from many commenters. Chapter 4 of the FEIR provides all written

comments (submitted by email, by mail or by hand), together with individual responses to comments not addressed in Chapter 3. Chapter 5 of the FEIR provides responses to all oral comments received at the meeting of the Landmarks Preservation Advisory Board and at the hearing conducted by the Oakland City Planning Commission. Due to the large volume of text contained in the DEIR and its appendices, the FEIR does not contain the full text of the DEIR, which remains available in a separate volume. Both the DEIR and FEIR are incorporated herein by reference.

The DEIR and FEIR, and all supporting technical documents under City of Oakland Case PLN18532-ER01, and all of the documents submitted to or relied on by the City in preparation of the DEIR and FEIR constitute the "EIR" referenced in these Findings.

Public Resources Code Section 21081.6 and State CEQA Guidelines Section 15097 (Mitigation Monitoring or Reporting) require public agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of specified environmental findings related to an EIR. Accordingly, as Lead Agency, the City has prepared a Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCA/MMRP) for the Project; the Draft SCA/MMRP is included as Appendix 2 to the FEIR. The intent of the SCA/MMRP is to track and successfully implement the SCAs and mitigation measures identified within the EIR and is adopted as part of the Project to avoid or mitigate significant effects on the environment. The SCA/MMRP is designed to ensure compliance with the SCAs and mitigation measures during and after Project implementation.

The FEIR was made available for public review on February 22, 2023, 13 days prior to the duly noticed March 6, 2023, Landmarks Preservation Advisory Board meeting and 43 days in advance of the April 5, 2023, Oakland Planning Commission public hearing. Notice of, and access to, the FEIR was provided to those state and local agencies that commented on the NOP and/or DEIR. Notice was also submitted electronically to the State Clearinghouse CEQAnet web portal, mailed to property owners within 300 feet of the Project site, and mailed to individuals who have specifically requested to be notified of official City actions on the Project. Notice of and access to the FEIR was provided to City officials, including the Planning Commission and the Landmarks Preservation Advisory Board, and was made available for public review on the City's website. Pursuant to CEQA Guidelines, responses to public agency comments on the DEIR have been published and made available to all commenting agencies at least 10 days prior to the final certification hearing. The City Planning Commission has had an opportunity to review all comments and responses thereto prior to consideration of certification of the EIR and prior to taking any action on the Project.

IV. THE ADMINISTRATIVE RECORD

The record upon which all findings and determinations related to the approval of the Project are based includes the following:

1. The EIR and all documents referenced in or relied upon by the EIR.
2. All information (including written evidence and testimony) provided by City staff to the Landmarks Preservation Advisory Board and City Planning Commission relating to the EIR, the approvals, and the Project.
3. All information (including written evidence and testimony) presented to the Landmarks Preservation Advisory Board and City Planning Commission by the environmental consultant and sub-consultants who prepared the EIR, or incorporated into reports presented to the Landmarks Preservation Advisory Board and Planning Commission.
4. All information (including written evidence and testimony) presented to the City from other public agencies relating to the Project or the EIR.
5. All final applications, letters, testimony, reports, studies, memoranda, maps and presentations presented by the Project sponsor and its consultants to the City in connection with the Project.

6. All final information (including written evidence and testimony) presented at any City public hearing or City workshop related to the Project and the EIR.
7. For documentary and information purposes, all City-adopted land use plans and ordinances, including without limitation general plans, specific plans and ordinances, together with environmental review documents, all documents referenced in and relied upon in such environmental review documents, findings, mitigation monitoring programs and other documentation relevant to planned growth in the area.
8. The Standard Conditions of Approval for the Project and Mitigation Monitoring and Reporting Program (SCA/MMRP) for the Project.
9. All other documents comprising the record pursuant to Public Resources Code section 21167.6(e).

The City has relied on all of the documents listed above in reaching its decisions on the Project, even if not every document was formally presented to City decision-making bodies or City Staff as part of the City files generated in connection with the Project. Without exception, any documents set forth above not found in the Project files fall into one of two categories. Many of them reflect prior planning or legislative decisions of which the City decision-making bodies were aware in approving the Project (see *City of Santa Cruz v. Local Agency Formation Commission* (1978) 76 Cal.App.3d 381, 391-392; *Dominey v. Department of Personnel Administration* (1988) 205 Cal.App.3d 729, 738, fn. 6.). Other documents influenced the expert advice provided to City Staff or consultants, who then provided advice to the City decision-making bodies for the Project. For that reason, such documents form part of the underlying factual basis for the City's decisions relating to approval of the Project (see Pub. Resources Code section 21167.6, subd. (e)(10); *Browning-Ferris Industries v. City Council of City of San Jose* (1986) 181 Cal.App.3d 852, 866).

The custodian of the documents and other materials that constitute the record of the proceedings upon which the City's decisions are based is the Director of City Planning, Department of Planning and Building, Bureau of Planning, or his/her designee. Such documents and other materials are located at 250 Frank H. Ogawa Plaza, Suite 2214, Oakland, California, 94612.

V. NO RECIRCULATION REQUIRED DUE TO ABSENCE OF SIGNIFICANT NEW INFORMATION

The Oakland Planning Commission recognizes that the FEIR incorporates information obtained and produced after the DEIR was completed, and that the FEIR contains additions, clarifications and modifications. The Planning Commission has reviewed and considered the Final EIR and all of this information. The new information added in the Final EIR merely clarifies and makes insignificant changes to an adequate DEIR, and does not add significant new information to the DEIR that would require recirculation of the EIR under CEQA. The new information added to the EIR does not involve a new significant environmental impact, a substantial increase in the severity of a previously identified significant environmental impact, or a feasible mitigation measure or alternative considerably different from others previously analyzed that the Project sponsor declines to adopt and that would clearly lessen the significant environmental impacts of the Project. No information indicates that the DEIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the DEIR. Thus, recirculation of the EIR is not required.

The Planning Commission finds that the changes and modifications made to the EIR after the DEIR was circulated for public review and comment do not individually or collectively constitute significant new information within the meaning of Public Resources Code section 21092.1, or CEQA Guidelines section 15088.5.

VI. CERTIFICATION OF THE EIR

In accordance with CEQA, the Oakland Planning Commission certifies the EIR based on the following findings:

1. The EIR has been completed in compliance with CEQA, the CEQA Guidelines, and the City's CEQA procedures.
2. The Planning Commission has independently reviewed and considered the record and the EIR prior to making its decision to certify the EIR and taking any action to approve the Project.
3. By these findings, the Planning Commission confirms, ratifies, and adopts the findings and conclusions of the EIR as supplemented and modified by these findings. The EIR and these findings represent the independent judgment, review and analysis of the City and the Oakland Planning Commission.
4. The EIR provides information to the decision-makers and the public on the environmental consequences of the Project.
5. The Planning Commission recognizes that the EIR may contain clerical errors. The Planning Commission reviewed the entirety of the EIR and bases its determination on the substance of the information it contains.
6. The EIR adequately discusses the potential adverse environmental effects, ways that such effects might be mitigated, and alternatives to the project that would reduce or avoid such adverse effects.

The Planning Commission certifies that the EIR is adequate to support all actions in connection with the approval of the Project and all other actions and recommendations necessary for approval of the Project. The Planning Commission certifies that the EIR is adequate to support approval of the Project, and any minor modifications to the Project as described in the EIR.

VII. STANDARD CONDITIONS OF APPROVAL AND MITIGATION MONITORING AND REPORTING PROGRAM

Public Resources Code section 21081.6 and CEQA Guidelines section 15097 require the City to adopt a mitigation monitoring and reporting program to ensure that the mitigation measures and revisions to the Project identified in the EIR are implemented. The SCA/MMRP is attached as **Exhibit 2** to the CEQA Resolution for the Project and incorporated by reference, and will be included in the conditions of approval for the Project approval actions. The SCA/MMRP satisfies the requirements of CEQA.

The standard conditions of approval and mitigation measures set forth in the SCA/MMRP are specific and enforceable, and are capable of being fully implemented by the efforts of the City of Oakland, the applicant and/or other identified public agencies of responsibility. As appropriate, some SCAs and mitigation measures define performance standards to ensure no significant environmental impacts will result. The SCA/MMRP adequately describes implementation procedures and monitoring responsibility in order to ensure that the Project complies with the adopted SCAs and mitigation measures.

The City will adopt and impose the SCAs and feasible mitigation measures as set forth in the SCA/MMRP as enforceable conditions of approval. The City has adopted measures to substantially lessen or eliminate all significant effects where feasible.

The SCAs and mitigation measures to be incorporated into and imposed upon the Project approval will not themselves have new significant environmental impacts or cause a substantial increase in the severity of a previously identified significant environmental impact that were not analyzed in the EIR. In the event that an SCA or mitigation measure recommended in the EIR has been inadvertently omitted from the SCA/MMRP, that SCA or mitigation measure is adopted and incorporated from the EIR into the SCA/MMRP by reference and shall be imposed as a condition of approval.

VIII. FINDINGS REGARDING IMPACTS

In accordance with Public Resources Code section 21081 and CEQA Guidelines sections 15091 and 15092, the Oakland Planning Commission adopts the findings and conclusions regarding impacts and mitigation measures that are set forth in the EIR and summarized in the SCA/MMRP, which are incorporated herein by reference. These findings are summaries of conclusions regarding impacts and SCAs/mitigation measures that are set forth in the EIR. They do not repeat the full discussions of environmental impacts, SCAs and mitigation measures, and related explanations contained in the EIR. The Planning Commission ratifies, adopts and incorporates, as though fully set forth herein, the analysis, explanations, findings, responses to comments and conclusions of the EIR. The Planning Commission adopts the reasoning of the EIR, staff reports, and presentations provided by the staff and the Project sponsor as may be modified by these findings.

The Planning Commission recognizes that the environmental analysis of the Project raises controversial environmental issues, and that a range of technical and scientific opinion exists with respect to those issues. The Planning Commission acknowledges that there are differing and potentially conflicting expert and other opinions regarding the Project. By its review of evidence and analysis presented in the record, the Planning Commission has acquired a better understanding of the breadth of this technical and scientific opinion and of the full scope of the environmental issues presented. In turn, this understanding has enabled the Planning Commission to make fully informed, thoroughly considered decisions after taking account of the various viewpoints on these important issues and reviewing the record. These findings are based on substantial evidence as defined in CEQA Guidelines section 15384, and a full appraisal of all viewpoints expressed in the EIR and in the record, as well as other relevant information in the record of the proceedings for the Project.

IX. POTENTIALLY SIGNIFICANT BUT MITIGABLE IMPACTS

Pursuant to Public Resources Code section 21081(a)(1) and CEQA Guidelines sections 15091(a)(1) and 15092(b), and to the extent reflected in the EIR and the SCA/MMRP, the Planning Commission finds that changes or alterations have been required of the Project or incorporated into the Project as mitigation measures. These mitigation measures avoid or mitigate the Project's potentially significant effects on the environment to a less than significant level as identified in the EIR. These changes and/or alterations required of, or incorporated into the Project are discussed below in Sections IX and X. The following potentially significant impacts of the Project will be reduced to a less than significant level through implementation of mitigation measures required of the Project, as set forth in the EIR and SCA/MMRP.

A. Noise

Noise-3, Noise from Special Events: The School anticipates that certain Special Events that have been occurring on the North Campus would now occur at the South Campus. These Special Events would include high school graduation and lower grade level promotion ceremonies, Special Events held at the Performing Arts Center building, and social events to be held at the renovated Building 0 near Lincoln Avenue. Special Events to be held indoors are not anticipated to be audible off-site, and no outdoor Special Events would occur at nighttime (between 10:00 pm to 7:00 am). A significant impact from Special Events would be identified if these events were to generate noise levels that would exceed the noise level standards of the Oakland Noise Ordinance. For noise sources that consist primarily of speech or music with discernable meaning, these noise standards have been adjusted down by 5 dBA. Whereas OMC Section 17.120.050 specifically provides that these standards apply to noise levels "inherently and regularly generated by activities across real property lines", the EIR analysis conservatively applies these standards to non-regular events such as graduation ceremonies, special events at the Performing Arts Center, and events at the Building 0 deck. No exceedance of the noise standards is anticipated to occur during indoor/outdoor social gatherings held at the Building 0 deck. Noise levels would be similar to or lower in level than existing daytime noise levels at the adjacent residences and would be below the adjusted daytime thresholds. This

is a less than significant impact. Noise levels during gatherings after a Special Event at the Performing Arts Center could exceed the nighttime standard and the adjusted nighttime standards at residences on Alida Court if the activity occurred after 10:00 p.m. Gatherings extending into nighttime hours would be a potentially significant impact.

The EIR recommends *Mitigation Measure Noise-3B, Special Event Notifications and Restrictions***.** This mitigation requires that all evening events at the Performing Arts Center be completed by 9:00 pm, with all post event gatherings, event traffic, and exterior clean-up activities completed by 10:00 pm. By limiting outdoor activity on the South Campus to no later than 10:00 p.m., this measure would avoid holding events when the more stringent nighttime noise thresholds apply. Noise levels during gatherings after a Special Event at the Performing Arts Center noise would not exceed the applicable daytime noise thresholds, and this impact would be reduced to less than significant. Noise levels generated during large graduation ceremonies and promotion events held in the Commons are anticipated to exceed the adjusted daytime thresholds established by the City of Oakland Noise Ordinance at nearby residences. These three events would occur only once each per year and would only occur during daytime hours. Nevertheless, because these special events are projected to exceed the noise standard, they would be considered significant noise impacts.

To address these noise impacts, the EIR recommends *Mitigation Measure Noise-3A, Special Event Sound System Design Parameters*, which would require Head-Royce School to have an acoustic engineer design and install a speaker array system designed to lower the noise "spillover" from the system to no greater than between 52 and 53 dBA Leq at the southerly and easterly property lines. By designing the PA sound system per Mitigation Measure Noise-3A, the resulting noise levels at all identified sensitive receptors would meet applicable noise thresholds. These measures would reduce the noise impacts associated with large Special Events to levels of less than significant.

Noise 5, Groundborne Vibration: Construction-related vibration levels are not anticipated to exceed 0.3 in/sec PPV at off-site structures but could exceed the historic building threshold of 0.25 in/sec at on-site historic buildings. Construction activities associated with the Project would include demolition of certain existing site improvements, site preparation, grading and excavation, trenching and foundation work, new building construction, paving, and construction of the underground pedestrian crossing using a jacked-box methodology. Pile driving, which typically produces the highest vibration levels, is not anticipated be used for Project construction, and explosives will not be uses for excavation of the pedestrian undercrossing or any other component of the Project. Due to the short-term nature of Project construction activity, the primary concern is the potential to damage a structure.

The EIR relies on California Department of Transportation's vibration thresholds of 0.25 in/sec PPV to minimize the potential for cosmetic damage to sensitive historic structures, and 0.3 in/sec PPV as the threshold at which there is a risk of damage to older residential structures. Heavy construction located within 25 feet of any structure would have the potential to exceed the historic structure vibration threshold of 0.25 in/sec PPV, and heavy construction located within 18 feet of any structure would have the potential to exceed the normal/conventional construction threshold of 0.3 in/sec PPV. Vibration generated by construction activities would be perceptible inside nearby structures but is not expected to result in any architectural damage to surrounding buildings. The effects of construction-related ground borne vibrations to off-site buildings would be less than significant. Based on the construction feasibility evaluation conducted for the pedestrian undercrossing (McMillen Jacobs, 2019), construction using a jacked box method is not anticipated to produce vibration levels that would adversely affect nearby residences or on-Campus structures. The jacking processes would involve slow advancement of the tunnel using hydraulic equipment. Excavation of the ground in front of the advancing box will be by hydraulic excavator-type equipment. Vibrations from this equipment would be similar to those generated from typical roadway construction. On-site historic structures could be exposed to vibration levels exceeding the 0.25 in/sec PPV

vibration threshold when construction is located within 25 feet. This would apply to on-site historic Buildings 0, 1, and 2.

Although impacts to on-site properties would not normally be considered an impact under CEQA, the EIR recommends *Mitigation Measure Noise-5, Vibration Reduction near Historic Structures,* which includes practices necessary to minimize damage to on-site historic structures. With implementation of the practices identified in Mitigation Measure Noise-5, construction-related vibration levels near on-site historic structures would be less than the historic structure threshold of 0.25 in/sec. and would minimize potential damage to on-site historic structures to a less than significant level.

B. Transportation

Transp-1, Vehicle Miles Traveled: The VMT per population generated by the Project would not exceed the Project-specific VMT threshold. The threshold of significance for the Project is 15 percent below the VMT per total school population, assuming a 30 percent non-SOV mode share (consistent with the current TDM Plan requirement), or 33.6 VMT/population. The calculated VMT generated by the Project is approximately 27.3 VMT/population. Since the VMT generated by the Project is below the significance threshold, the Project would have a less than significant impact on VMT. However, it is possible that Head-Royce School's TDM performance rate could drop to 30% percent non-SOV mode share under its current PUD requirements (i.e., at the School's discretion). Such a drop in TDM performance would result in the School no longer meeting the 15% reduction in VMT as required under the Draft EIR threshold.

To safeguard against this possibility, the Final EIR provides for *Mitigation Measure Transportation-1, TDM Performance Requirement,* which commits the School to maintaining an average of 34.5% (or 15% greater than its prior requirement of 30%) of its school-year student enrollment traveling by modes other than single occupancy vehicles. A survey of alternative travel modes shall occur during each of the two independent monitoring periods carried out during the school year, and the counts shall be averaged over the two (2) monitoring periods. However, the School may elect to conduct additional third party monitoring and the counts shall be averaged overall additional academic year monitoring periods. Alternative travel modes shall include walking, biking, carpooling or taking a bus.

C. Wildfire and Emergency Evacuation

Fire-2, Emergency Evacuation Plans: Per the City's Local Hazard Mitigation Plan, the City encourages development of plans, in conjunction with fire jurisdictions, specifically for evacuation or sheltering in place of schoolchildren during periods of high fire danger. The City's Local Hazard Mitigation Plan recognizes that overloading of streets near schools by parents attempting to pick-up their children during these periods can restrict access by fire personnel and equipment. Head-Royce School's current Emergency Preparedness Manual instructs parents to not attempt to pick up their students during an emergency until receiving instructions from the School that it is safe for students to be picked-up. The DEIR included a list of evacuation planning recommendations that recognize Head-Royce School has already invested substantial thought in development of their evacuation plan to safeguard its students, but that additional items should be further addressed. These additional items include the infeasibility of shelter-in-place in most wildfire situations, the route and destination of an evacuation from Campus, the loss of power and communication with officials and parents, and the identification of egress points.

Based on comments on the DEIR, the FEIR includes *Mitigation Measure Wildfire and Emergency Evacuation-1, Emergency Evacuation Plan*. Pursuant to this mitigation measure, Head-Royce School shall be required to prepare a stand-alone Emergency Evacuation Plan for the School, to be prepared by a professional emergency evacuation expert. Selection of the most appropriate and effective details of such an Emergency Evacuation Plan for the School will be conducted by a professional emergency evacuation

expert to be retained by the School and subject to review and approval by the Oakland Fire Department, with input from Emergency Services, OPD Traffic Division, and the Public Works' Transportation Planning staff.

The School and their professional emergency evacuation expert shall coordinate with the City of Oakland on the details of this Emergency Evacuation Plan, which shall address, at a minimum, the following considerations: a) establishing communication connections with emergency alert systems; b) removing existing physical obstacles throughout the Campus that hinder a viable pedestrian evacuation and improve egress pathways, gates, stairs, gate openings, and ADA compliance to better prepare for an emergency evacuation; c) establish accountability procedures for managing a pedestrian evacuation; d) identify evacuation destination(s); e) vetting the Plan prior to adoption with review and approval by the Oakland Fire Department; and f) training and exercises to be well prepared with an emergency reflex response to a disaster. This Emergency Evacuation Plan for the School will help improve and bolster the effectiveness of a pedestrian evacuation under emergency conditions, further increase student safety in the event of an extreme wildfire event and reduce potentially conflicting cumulative evacuation conditions from the Oakland/Berkeley hills to a less than cumulatively significant level.

X. POTENTIALLY SIGNIFICANT IMPACTS ADDRESSED THROUGH STANDARD CONDITIONS OF APPROVAL

The Planning Commission finds, pursuant to Public Resources Code section 21081(a)(1) and CEQA Guidelines sections 15091(a)(1) and 15092(b), and to the extent reflected in the EIR and the SCA/MMRP, that uniformly applied development policies and/or standards (hereafter called "Standard Conditions of Approval" or SCAs) have previously been adopted by the City. When applied to future projects, these SCAs have been found to mitigate impacts to a substantial degree. To the extent that no such findings were previously made, the Planning Commission hereby finds and determines that the SCAs substantially mitigate environmental impacts (as detailed below). No substantial new information exists to show that the SCAs will not substantially mitigate the impacts of the Project and/or cumulative impacts.

The following potentially significant impacts of the Project will be reduced to a less than significant level through implementation of Standard Conditions of Approval required of the Project, as set forth in the EIR and SCA/MMRP. In the case of a conflict between the language in the EIR and the SCA/MMRP, the language in the EIR controls. Note that the EIR also contains references to the SCAs that are not CEQA-related and are not required to address CEQA impacts. However, the EIR provides these additional referenced SCAs to provide additional information to the decision-makers and public.

Aesthetics

Aesthetics-3, Light and Glare: The Project will add new sources of light which will be visible from off-site locations and may emit substantial glare that may adversely affect nighttime views in the area. Pursuant to *SCA Aesthetics-2: Lighting,* all proposed new exterior lighting fixtures must be adequately shielded to a point below the light bulb, with a reflector to prevent unnecessary glare onto adjacent properties. With implementation of SCA Aesthetics-2, the Project's potential adverse effects related to lighting and glare onto adjacent properties would be reduced to levels of less than significant.

Air Quality

Air-3, Community Health Risks from Toxic Air Contaminants – Construction: During construction, the Project's sources of toxic air contaminants could expose sensitive receptors to substantial levels of toxic air contaminants (TACs) from diesel particulate matter (DPM). These TAC emissions could result in an increase in cancer risk levels greater than 10 in one million to the nearest sensitive receptor and could

increase annual average PM2.5 concentrations to greater than 0.3 micrograms per cubic meter at other nearby sensitive receptors. The EIR's calculations for the increased cancer risk attributed to Project construction at nearby sensitive receptors includes application of BAAQMD- recommended age sensitivity factors to reflect the greater sensitivity of infants and small children to cancer-causing TACs. The maximum concentrations for DPM and PM2.5 occur at a single-family residence southeast of the Project site along Charleston Street (the maximally exposed individual, or MEI). Pursuant to *SCA Air-3, Diesel Particulate Matter Controls - Construction Related, t*he Project applicant shall ensure that all off-road diesel equipment is equipped with the most effective Verified Diesel Emission Control Strategies (VDECS) available for the engine type as certified by CARB. Tier 4 engines automatically meet this requirement. This equipment must be properly maintained and tuned in accordance with manufacturer specifications and verified through an equipment inventory submittal and Certification Statement. As shown in Table 5-5 of the DEIR, with implementation of SCA requirements for all diesel-powered construction equipment to use engines rated and certified as Tier 4, construction-related health risks would not exceed single-source thresholds and would be less than significant.

Air-3, Community Health Risks from Toxic Air Contaminants – Operations: Operation of the Project would have long-term emissions from mobile sources (i.e. traffic) and stationary sources (i.e. generators). The California Department of Transportation EMFAC2017 (CT-EMFAC2017) emissions model was used to estimate DPM, organic TAC and PM2.5 roadway emissions, based on the increase in Project-related traffic volumes as contained in the Traffic Impact Study. The Project-related traffic on the Loop Road is estimated to be 1,184 daily trips using the upper school drop-off/pick-up area (including on-site parking and other trips, and 1,066 daily trips using the lower/middle school drop-off/pick-up area – all circulating on the Loop Road. Average hourly Project-related traffic volumes were then used to calculate TAC and PM2.5 emissions along the Loop Road. Dispersion modeling of TAC and PM2.5 emissions was conducted using the U.S. EPA AERMOD dispersion model. The Loop Road and drop-off/pick-up areas were evaluated with the model, using a series of traffic volumes along the Loop Road. The maximum increased lifetime cancer risks and annual PM2.5 concentrations for individual receptors were then computed, using modeled TAC and PM2.5 concentrations and BAAQMD-recommended methods. Additionally, the Project is assumed to include two 150-kW emergency diesel generators with an approximately 201 HP engine. Pursuant to *SCA Air-5, Stationary Sources of Air Pollution (Toxic Air Contaminants),* the Project's diesel engines would be subject to CARB's Stationary Diesel Airborne Toxics Control Measures (ATCM) and will require permits from the BAAQMD. As part of the BAAQMD permit requirements for toxics screening analysis, the engine emissions will have to meet Best Available Control Technology for Toxics (TBACT) and pass the toxic risk screening level of less than ten in a million. Sources of air pollutant emissions complying with all applicable BAAQMD regulations generally are not considered to have a significant air quality or community health risk impact. As shown in Table 5-6 of the DEIR, operational related health risks would not exceed single-source thresholds and would be less than significant.

Air-3, Community Health Risks from Toxic Air Contaminants – Construction and Operations Combined: The total health risk impacts from the Project are represented by the combination of construction and operational sources. The same sensitive receptor identified as the construction-period MEI is also the MEI for all Project emissions. At this location, the MEI would be exposed to one year of construction cancer risks and 29 years of operational cancer risks. The maximum cancer risks from construction and operation activities of the Project would exceed the single-source significance threshold, with a cancer risk of 29.3 per million attributed to construction, and a cancer risk of approximately 5.2 per million attributed to operational emissions. The PM2.5 concentration and HI from combined construction and operation activities would not exceed the single-source significance threshold. As shown in Table 5-7 of the DEIR, with implementation of *SCA Air-3, Diesel Particulate Matter Controls - Construction Related,* the total Project-related community health risks and hazards (for construction and operations, combined) would not exceed the single-source thresholds, and the Project's combined construction and operational health risks would be reduced to levels of less than significant.

Cumulative Air Quality Effects: Other than the cumulative health risks from toxic air pollutants presented above, air pollution is largely a cumulative impact. Emissions from past, present, and reasonably foreseeable future projects all contribute to the region's air quality on a cumulative basis. However, few individual projects are of sufficient size to cause regional non-attainment of ambient air quality standards. Thresholds for air quality impacts as used in this EIR are set such that projects that do not meet the thresholds are considered to lead to cumulatively considerable air quality impact. With implementation of identified SCAs, air quality emissions associated with the Project would not make a cumulatively considerable contribution to significant cumulative air quality impacts.

Biological Resources

Biology-3, Wetlands: The Project will not have a substantial direct adverse effect on state or federally protected wetlands as defined by Section 404 of the Clean Water Act. No wetlands or other waters of the U.S. or the State are present on the Biology Study Area, and the Project would have no direct impacts on State or federally protected wetlands or aquatic habitats. However, wetlands and other waters of the U.S. and/or the State are present adjacent to the Biology Study Area in the off-site stormwater channel. Potential indirect impacts to water quality in this channel could occur from Project construction and operational activities located upslope of the channel if runoff increases in intensity or frequency. *Pursuant to SCA Hydrology-1: State Construction General Permit*, a Notice of Intent must be filed with the State Water Board prior to the start of any Project-related construction or demolition, and the Project applicant must submit a Stormwater Pollution Prevention Plan (SWPPP) and other required permit registration documents to SWRCB.

The SWPPP must be developed and maintained during construction of the Project, and it must include the use of Best Management Practices (BMPs) to protect water quality until the site is stabilized. Standard permit conditions under the Construction General Permit require that the applicant utilize various measures including on-site sediment control BMPs, damp street sweeping, temporary cover of disturbed land surfaces to control erosion during construction, and utilization of stabilized construction entrances and/or wash racks, among other factors. Pursuant to *SCA Hydrology-2: NPDES C.3 Stormwater Requirements for Regulated Projects,* the Project must also implement BMPs and incorporate Low Impact Development practices into the Project's design to prevent stormwater runoff pollution, promote infiltration, and hold/slow down the volume of water coming from the site after construction has been completed. In order to meet these permit and policy requirements, projects must incorporate the use of green roofs, impervious surfaces, tree planters, grassy swales, bio-retention and/or detention basins, among other factors. These regulatory requirements will reduce the potential for the Project to cause indirect impacts to water quality in the nearby off-site drainage channel during Project construction and operational activities to less than significant.

Biology-4, Wildlife Movement and Nursery Sites: The Biology Study Area is entirely developed and is located within a dense matrix of urban development. The stormwater channel located adjacent to the site does not provide an important movement pathway for aquatic or terrestrial wildlife species as it is surrounded by extremely steep vertical walls, and the majority of its length is located underground. The Project would not fragment natural habitats. Any common, urban-adapted wildlife species that currently move through the site will continue to be able to do so following Project construction. The Project would not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors in the site vicinity. However, construction disturbance during the nesting season for birds could result in the incidental loss of eggs or nestlings. Pursuant to *SCA Biology-1: Tree Removal during Bird Breeding Season,* all Projects that involve removal of a tree shall not, to the extent feasible, remove any tree and/or other vegetation suitable for nesting birds during the bird breeding season of February 1 to August 15. 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. If the survey indicates the potential presence of nesting raptors or other birds, the biologist (in consultation with the CDFW) shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. With implementation of this SCA, the CDFW regulatory requirements for protecting native migratory birds (including raptors) will be met, and the Project's effects on nesting native migratory birds during tree removal will be less than significant.

Biology-5, Conflict with the City of Oakland's Tree Protection Ordinance: Of the 480 total existing trees inventoried on the Project site, 321 trees are identified as protected trees pursuant to the definitions of the City Tree Protection Ordinance. Of the 321 total protected trees on the site; 35 protected trees (11%) are recommended for removal because they are in poor condition and should be removed for safety; 86 protected trees (27%) are indicated for removal; 31 protected trees (10%) are considered transplant candidates; and 169 protected trees (52%) would be preserved and retained. Of the 121 protected trees indicated for removal, 30 are natives. The Project's proposed removal of protected trees would not fundamentally conflict with the City of Oakland's Tree Protection Ordinance. Pursuant to *SCA Bio-2: Tree Permit* and pursuant to OMC Chapter 12.36 (the Protected Tree Ordinance), the Project applicant is required to obtain a Tree Permit for the removal or pruning of any protected tree, and to abide by all conditions of that permit. Native protected trees that are to be removed (not including transplanted trees) must be replaced per the City's Code, Section 12.36.060. With review and approval of a Tree Permit for the removal of protected trees, and implementation of all conditions of that permit (including tree protection measures and tree replacement plantings), potential impacts pertaining to a conflict with the City's Tree Protection Ordinance will be less than significant.

Biology-6, Compliance with the City of Oakland Creek Protection Ordinance: The stormwater channel that is located adjacent to and south of the Biology Study Area likely meets the definition of a creek. This channel has a day-lighted (i.e. not culverted) channel with a bed and bank, is hydrologically connected via a culvert to other waters downstream and conveys seasonal flows. As an off-site feature, the Project will avoid direct impacts to this stormwater channel. However, Project-related construction will occur between 20 feet from the top of bank and 100 feet from the centerline of the creek, and earthwork involving more than three cubic yards of material will occur more than 20 feet from the top of bank. Grading and construction activities have the potential to erode the underlying soil and result in increased sedimentation and pollution of water within this creek. Pursuant to the requirements *SCA Hydro-3: Creek Protection Plan* and the City's Creek Protection Ordinance, the Project will be required to obtain a Creek Permit (assumed to be a Category 3 permit) for those elements of the Project listed above. Pursuant to that permit, a Creek Protection Plan (to be reviewed and approved by the City) must incorporate Best Management Practices (BMPs) to protect indirect adverse effects to the creek both during construction and after construction. Construction-period BMPs must incorporate all applicable erosion, sedimentation, debris and pollution controls. Post-construction BMPs shall prevent any substantial increase in stormwater runoff volume or velocity into the creek, shall include site design measures to reduce the amount of impervious surface runoff to the creek, and shall include energy dissipation at any new drainage outfalls to the creek to slow the velocity of the runoff, maximize infiltration and minimize erosion. With review, approval and implementation of a Creek Protection Plan according to these requirements, potential impacts pertaining to a conflict with the City's Creek Protection Ordinance will be less than significant.

Cumulative Biological Resource Effects: Cumulative impacts to biological resources may arise due to the linking of impacts from past, current and reasonably foreseeable future projects pursuant to the City General Plan. Cumulative impacts to biological resources depend on the relative magnitude of adverse effects, as compared to the relative benefits of avoiding impacts or minimizing impacts pursuant to applicable CEQA mitigation measures and regulatory requirements for each project. In the absence of avoidance, minimization, compensatory mitigation and conservation measures, cumulatively significant impacts on

biological resources would occur. However, all cumulative projects that may affect biological resources similar to those affected by the Project will be subject to CEQA and to the same regulatory requirements, and these requirements will similarly mitigate cumulative impacts on sensitive habitats, special-status species and other biological resources. Regardless of the magnitude and significance of cumulative impacts that result from other projects, the Head-Royce School South Campus Redevelopment Project is not expected to have a substantial effect on biological resources and will implement SCAs as described above to reduce its impacts to less than significant levels. Provided the Project successfully incorporates these SCAs, the Project will not make a cumulatively considerable contribution to cumulative effects on biological resources.

Cultural Resources

Cultural-2, Vibratory Damage to Historic Buildings: The Project's construction activity has the potential to cause a substantial adverse change in the significance of historical resources (Buildings 0, 1 and 2) from ground borne vibration associated with the proposed pedestrian tunnel excavation. Pursuant to *SCA Cultural-4: Vibration Impacts on Adjacent Historic Structures, t*he Project applicant must prepare and submit a Vibration Analysis for City review and approval. The Vibration Analysis shall establish a pre-construction baseline condition, and threshold levels of vibration that could damage the structure. The Vibration Analysis shall identify design means and methods of either tunnel excavation or building protection to be used to prevent damage to on-site historic Buildings 0, 1 and 2. With implementation of a Vibration Analysis and establishing threshold levels of vibration that could damage these historic structures, potential vibration impacts to these historic buildings will be reduced to less than significant.

Cultural-3, Cultural Resources: The Project site contains no known cultural resources that might be disturbed or adversely affected by the Project. However, during ground disturbing activities associated within the Project, it is possible that currently unidentified historic-period archaeological or cultural resources could be discovered and disturbed. Pursuant to *SCA Cultural-1: Archaeological and Paleontological Resources – Discovery during Construction*, all work within 50 feet of any historic or prehistoric subsurface cultural resources that may be discovered during ground disturbing activities shall be halted. The project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. If any find is determined to be significant, appropriate avoidance measures as 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. With implementation of avoidance measures or other appropriate measures (e.g., data recovery, excavation), impacts related to the unanticipated discovery of historic or prehistoric subsurface cultural resources will be reduced to less than significant.

Cultural-4, Tribal Cultural Resources: The Project site contains no known Tribal cultural resources, and the Project would not cause a substantial adverse change in the significance of a known tribal cultural resource. However, it is possible that, during ground disturbing activities associated within the Project, currently unidentified Tribal cultural resources could be discovered and disturbed. A records search of the NAHC Sacred Lands File was completed, and the results were negative. Seven Native American tribal groups were contacted to elicit information regarding Tribal cultural resource, and representatives of two of the seven Tribes responded. The representative of the North Valley Yokuts Tribe responded that they are unaware of the Project site being culturally sensitive, and the representative of The Confederated Villages of Lisjan was provided with additional information but did not respond back. The absence of specific site information does not indicate the absence of cultural resources, and ground-disturbing activities associated within the Project may discover currently unidentified and unknown Tribal cultural resources. In the event that Native

American Tribal cultural resources are discovered during ground disturbing activities, *SCA Cultural-1: Archaeological and Paleontological Resources – Discovery during Construction* will require that all work within 50 feet of the resource be halted, and workers shall avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. Project personnel should not collect cultural resources. Native American resources include chert or obsidian flakes, projectile points, mortars, and pestles; and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. A tribal representative shall be consulted to determine an appropriate mitigation plan (including monitoring and data recovery), with specific steps and timeframe to be stipulated. Work near the found tribal cultural resource may only resume upon completion of a mitigation plan and/or recovery of the tribal cultural resource. With implementation of SCA Cultural-1, impacts related to the unanticipated discovery of tribal cultural resources will be reduced to less than significant.

Cultural-5, Discovery of Human Remains: Although there is no reason to expect a discovery of human remains at the site, there is a remote possibility of such an occurrence. In the event that Native American human remains, or any funerary objects are discovered, the provisions of the California Health and Safety Code (and *SCA Cultural-3: Human Remains*) would be followed. If any remains are recognized as being of Native American origin, the County Coroner is responsible for contacting the Native American Heritage Commission within 24 hours. The Commission has various powers and duties to provide for the ultimate disposition of any Native American remains, as does the assigned Most Likely Descendant. With implementation of SCA Cultural-3, impacts related to the unanticipated discovery of human remains will be reduced to less than significant.

Cumulative Historic and Cultural Resource Effects: The City is unaware of any other past, present or future reasonably foreseeable projects in the general vicinity of the Project that have, or may, result in significant cumulative impacts on historic resources. Compliance with regulatory requirements and mitigation measures identified for the Project would ensure the Project would not make a cumulatively considerable contribution to any other potential future cumulative historic resource impacts. The Project will have no impact on historic resources, and thus will not contribute to any such potential future cumulative effects on historic resources. Historic archaeological resources associated with the City's historic development may exist throughout the City. Similar to the Project, ground-disturbing activities associated with past, present and reasonably foreseeable future projects have the potential to disturb historic archaeological resources and tribal cultural resources. These cumulative construction activities could cause a substantial adverse change in the significance of archaeological or tribal cultural resources. As with the Project, regulatory requirements and SCAs will be required of all present and reasonably foreseeable future projects in areas where such resources are likely to be present. With implementation of applicable regulatory requirements and SCAs, the Project in combination with other past, present, and future reasonably foreseeable projects would not result in significant cumulative impacts on archaeological or tribal cultural resources, and the Project would not make a cumulatively considerable contribution to significant cumulative cultural resource impacts.

Geology and Soils

Geology-2, Seismic Ground Shaking: With implementation of all applicable regulatory requirements and SCAs, the Project would not, directly or indirectly, potential cause substantial adverse effects involving strong seismic ground shaking. The 2012 Rockridge Geotechnical Report judges that very-strong to violent shaking could occur at the site during a large earthquake on the Hayward Fault or one of the other active regional faults, potentially causing significant damage in structures that are not adequately engineered. The proposed pedestrian tunnel is also in close proximity to the Hayward Fault and will be susceptible to strong ground shaking generated during earthquakes on this fault, as well as nearby faults. Pursuant to *SCA Geo-1: Construction-Related Permits*, all new construction and renovations to existing structures will require

construction-related permits and approvals issued by the City of Oakland. These permits require compliance with all standards, requirements and conditions contained in the City's construction-related codes, including but not limited to the CBC, the Oakland Building Code and the Oakland Grading Regulations to ensure structural integrity and safe construction. Current industry standards for geotechnical practices and seismic structural design as included in the most recent version of the CBC incorporate design measures to reduce the potential for catastrophic damage during strong to violent seismic-related ground shaking.

All new construction and renovation pursuant to the Project will occur in accordance with the CBC and local City requirements and would reasonably reduce the potential damage and personal injury from ground shaking to less than significant levels. *Pursuant to SCA Geo-2: Soils Report*, a design-level geotechnical investigation will be performed for each new building and site improvement. The investigations conducted pursuant to these soil reports will determine final design parameters for earthwork, foundations, foundation slabs and any surrounding related improvements (including utilities, parking lots, roadways and sidewalks). Pursuant to *SCA Geo-1: Construction-Related Permits*, the proposed tunnel will be designed in accordance with the requirements of California Building Code (CBC) Section 1613 and ASCE 7-16. The proposed tunnel will therefore need to be designed to withstand seismic shaking and temporary increases in lateral earth pressure (earthquake load). Development of seismic loading will be determined as part of the project final design evaluations. Implementation of the City's *SCA Geo-1 (Construction-Related Permits)* and *SCA Geo-2 (Soils Report)* fully address the substantial adverse effects involving strong seismic ground shaking, requiring site-specific design-level investigations be developed for each new and/or renovated building and other site improvements, including the proposed pedestrian tunnel. Implementation of these SCAs would reduce potential impact from ground shaking to less than significant because they require preparation, review and approval of site-specific and design-level investigations consistent with applicable regulations (e.g., CBC) that ensure construction methods that minimize seismic exposure risk.

Geology-3, Slope Instability: Portions of the Project site include geologic units or soils that are unstable or that may become unstable because of the Project. With implementation of all applicable regulatory requirements and SCAs, and additional mitigation measures, the Project would not result in on- or off-site landslides, lateral spreading, subsidence or collapse. An on-site fill slope on the southern side of Building 9 has displayed indications of minor instability since its construction. The fill was placed in the mid to late 1940's and was likely placed without engineering control such as ground preparation, adequate compaction, sub-drainage and a proper keyway. Based on the geotechnical investigation of this slope, Rockridge Geotechnical has concluded that the fill prism on this slope may be prone to earthquake-induced deformation during a strong earthquake. *SCA Geology-2: Soils Report* requires the Project applicant to submit a soils report that 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, and the project applicant shall implement the recommendations contained in the approved report during project design and construction. In furtherance of *SCA Geo-2*, the August 2020 Rockridge Geotechnical and Geological Evaluation includes recommendations *(Recommendations Geo-3A: Stability of Slope below Building 9)* to address surface drainage improvements, slope reconstruction and retaining walls to mitigate the potential for future slope instability under static and seismic conditions. With implementation of all recommendations, Rockridge concludes the potential for future slope instability at the Project site would be low. Implementation of site-specific recommendations for the fill slope south of (below) Building 9 would reduce the risk of slope failure, and potential impacts would be reduced to a less than significant level.

Geology-4, Surface Settlement and Ground Movement – Tunneling: Head-Royce School proposes to construct a tunnel below Lincoln Avenue, linking the proposed South Campus) to the existing school. Surface settlement commonly occurs during tunnel excavation, and ground loss during tunnel excavation and construction operations could result in settlement of overlying road and/or utilities. Pursuant to *SCA Geo-1: Construction-Related Permits*, tunnel construction will require applicable permit approvals issued

by the City of Oakland, requiring compliance with all standards, requirements and conditions contained in the City's construction-related codes, including but not limited to the CBC, the Oakland Building Code and the Oakland Grading Regulations. These standards ensure structural integrity and safe construction, including industry standards for seismic structural design as included in the most recent version of the CBC. Construction of the tunnel will occur in accordance with the CBC and local City requirements and would reasonably reduce potential damage from surface settlement and ground movement during tunneling. In furtherance of SCA Geo-1, the 2019 McMillen Jacobs Conceptual Design and Constructability Evaluation Report (which has been peer-reviewed by the City's geotechnical engineering consultants) includes *Recommendations Geo-4A: Concept Design and Constructability Recommendations for Pedestrian Tunnel*.

All recommendations for appropriate tunnel design, construction methods and dewatering practices that are included in the McMillen Jacobs Report must be implemented during the Project's tunnel design and construction. Pursuant to final grading plans, the Oakland Building Services Division will also review the engineering analysis for the Project's tunneling plans and accompanying detailed engineering drawings. These detailed engineering plans must demonstrate implementation of all recommendations from the 2019 McMillen Jacobs Conceptual Design and Constructability Evaluation Report, and those engineering documents must be approved by Building Services prior to any excavation, grading, or construction activities associated with the pedestrian tunnel. Pursuant to *SCA Standard-1,* special inspectors, independent technical reviews and monitoring expertise of independent third-party technical and special inspectors may be needed. With implementation of all recommendations form McMillen Jacobs, including lowering the tunnel invert and providing face support and continuous pre-support measures will help reduce the impact of ground losses and potential settlement to a degree that repairs will be similar to routine pavement repair – i.e., less than significant. Additional consideration may be needed for addressing settlement impacts to the existing utilities beneath the road, but this work is also anticipated to be similar to routine utility construction.

The recommended design and construction considerations listed in these recommendations are considered typical for a tunnel constructed in an urban area, such that a jacked box approach to construction of the tunnel can be implemented successfully and without significant ground loss or land settlement. With implementation of all applicable regulatory requirements, SCAs and recommendations from the 2019 Cahill and McMillen Jacobs Conceptual Design and Constructability Evaluation, the Project would not create a substantial risk to life or property due to surface settlement or ground loss, and impacts would be less than significant.

Geology-5, Expansive Soils: With implementation of all applicable regulatory requirements and SCAs, the Project would not create substantial direct or indirect risks to life or property due to the presence of expansive soil. Laboratory test results for a limited number of soil samples indicate the presence of highly plastic soils. Evidence of expansive soil was also indicated in field observations of distressed pavements and concrete flatwork at this site. Pursuant to *SCA Geo-2: Soils Report*, a design-level geotechnical investigation will be performed for each new building and site improvement. The investigations conducted pursuant to these soil reports will determine final design parameters for earthwork, foundations, foundation slabs and any surrounding related improvements. In furtherance of *SCA Geo-2*, the 2012 Rockridge Geotechnical Report includes *Recommendations Geo-5A: Grading Practices for Expansive Soils,* which provides recommendations for appropriate grading practices to be implemented as part of the Project's overall design. These practices include moisture-conditioning the expansive soil subgrade, providing select and non-expansive fill below pavements and concrete flatwork and behind retaining walls, and by properly managing surface and subsurface drainage to prevent water from collecting beneath pavement or behind below-grade walls. Implementation of the City's *SCA Geo-2 (Soils Report)* and grading practices as recommended in the 2012 Rockridge Geotechnical Report fully addresses the adverse effects associated with expansive soils and would reduce potential impact from expansive soils to a less than significant level.

Geology-6, Substantial Soil Erosion or Loss of Topsoil: With implementation of all applicable regulatory requirements, future development pursuant to the Project would not result in substantial soil erosion or the loss of topsoil. Of the approximately 8-acre proposed South Campus property, the Project would entail grading activities that would occur on approximately 5.1 acres, or approximately 64% of the site. The most substantial cut grading activities would be conducted for excavation of the proposed pedestrian tunnel entrance near Lincoln Avenue, and other substantial cut grading would occur near the upper entrance to the Loop Road and cuts into the slope uphill from the proposed Performing Arts building. Overall, the Project would result in total cuts of approximately 13,800 cubic yards (CY) of soil, fills of approximately 8,100 CYs, and a net export of approximately 5,700 CY of soil. The additional quantity of tunneled material to be removed and hauled off-site is approximately 1,300 CY. During and after the grading operation, exposure of newly excavated and newly placed soil could be subject to substantial wind and water erosion if not properly controlled. Pursuant to *SCA Geo-3: Erosion and Sedimentation Control Plan for Construction,* the Project applicant is required to prepare and submit an Erosion and Sedimentation Control Plan to the City for review and approval. The Erosion and Sedimentation Control Plan must include measures such as short-term erosion control planting, waterproofing of slopes with covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap and filter sediment, and stormwater retention basins to be implemented during construction. Pursuant to the Erosion and Sedimentation Control Plan, no grading may occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Bureau of Building. The requirements of *SCA Geo-3*, which require all reasonable and feasible erosion control measures, will would reduce the potential impacts associated with substantial soil erosion or the loss of topsoil to less than significant.

Cumulative Geologic Effects: The geographic context for the analysis of impacts resulting from geologic hazards is generally site-specific rather than cumulative in nature. Each development site has a different set of geologic considerations that would be subject to specific site development and construction standards. As such, the potential for cumulative geologic impacts to occur is limited. Construction associated with all cumulative development is required to conform to the provisions of applicable federal, State, county and city laws and ordinances, including but limited to the California Building Code, City building codes and applicable City SCAs. With adherence to all relevant plans, codes and regulations pertaining to building design and construction, cumulative development would provide adequate levels of safety and cumulative geologic impacts would be less than significant. The Project would not present a cumulatively considerable contribution to cumulative geologic impacts.

Hazards and Hazardous Materials

Hazards-1, Cortese List - Exposure to Site Contamination: The Project site is not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and as a result does not represent a significant hazard to the public or the environment. The Project site has been used by Head-Royce for storage of school-related materials and parking, and has not been used to transport, use or disposal of hazardous materials. Recent (January 2020) reviews of applicable DTSC and SWQCB databases have not identified any new listings of known contaminate soil or groundwater at the site or in the immediate surroundings. The City of Oakland imposes numerous SCAs to reduce the potential for contaminated site conditions (known or unknown) to result in hazards to the public or the environment. Pursuant to *SCA Hazards-2: Hazardous Building Materials and Site Contamination*, the School is required to submit their Phase I Environmental Site Assessment report to the City for review and approval. This report does not include any recommendations for remedial action for hazardous materials. Additionally, *SCA Hazards-1: Hazardous Materials Related to Construction* provides for actions needed under circumstances if soil, groundwater or other environmental medium with suspected contamination is encountered unexpectedly during construction activities. With implementation of these SCAs, hazards to

public and environmental health related to known, as well as unknown hazardous contamination will be reduces to less than significant levels.

Hazards-2, Hazardous Building Materials – Disposal and Use of Hazardous Building and Construction Materials:
Demolition of existing buildings on the proposed South Campus will likely encounter existing hazardous building materials, and the Project's construction activities will likely utilize construction materials and fuels considered hazardous. Handling, spills or accidents with these materials or chemicals could result in a significant impact to the health of workers and the environment. The 2012 Phase I ESA cites several previous asbestos abatement activities that have been performed at the site, subsurface transformers have been identified along Lincoln Avenue, and fluorescent lighting is present in most buildings. Based on the age of some of the buildings on the Project site, PCB-containing light ballasts and construction materials may be present. Additionally, based on the pre-1982 construction dates of several on-site buildings, lead-based paint may be present. Project construction activities may also involve the use, transport and disposal of hazardous materials such as gasoline, diesel fuel, lubricating oil, hydraulic oil, lubricating grease, automatic transmission fluid, paints, solvents, glues, and other substances used during construction. Prior to approval of demolition, grading or building permits, *SCA Hazards-2: Hazardous Building Materials and Site Contamination r*equires the Project applicant to prepare and submit a comprehensive assessment documenting the presence or lack thereof of ACMs, lead-based paint, PCBs and any other building materials or stored materials classified as hazardous. If any of these hazardous materials are present, the Project applicant is required to submit specifications for the stabilization and/or removal of these hazardous materials in accordance with all applicable laws and regulations. *SCA Air-6, Asbestos in Structures* requires compliance with all applicable laws and regulations regarding demolition and renovation of ACM, including California Code of Regulations Title 8, California Business and Professions Code Division 3, California Health and Safety Code Sections 25915-25919.7, and BAAQMD Regulation 11 Rule 2. During construction activities, *SCA Hazards-1: Hazardous Materials Related to Construction* requires the construction contractors to implement BMPs to minimize potential negative effects on groundwater, soils, and human health. With implementation of these SCAs, hazards to workers, the public and the environment related to hazardous building materials will be reduced to less than significant levels.

Hydrology and Water Quality

Hydrology-1, Water Quality during Construction: During construction activities, the Project does have the potential to violate water quality standards or waste discharge requirements, and result in substantial erosion or siltation that could affect the quality of receiving waters or otherwise substantially degrade water quality. The Project would involve grading activities during the construction phase and during and immediately after these grading operations, newly exposed soil would be subject to substantial water erosion if not properly controlled. Project construction would also involve use of motorized heavy equipment including trucks and grading equipment that require fuel, lubricating grease and other fluids. Accidental chemical release or spill from a vehicle or large equipment could affect surface water. Such spills could become washed into the on-site drainages and eventually the Bay or could infiltrate into soil affecting groundwater quality. Pursuant to *SCA Hydro-1: Erosion and Sedimentation Control Plan for Construction,* the Project applicant will be required to submit an Erosion and Sedimentation Control Plan for the Project and will be required to implement the approved Erosion and Sedimentation Control Plan during all grading operations. No grading operations will be allowed during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Bureau of Building. Pursuant to *SCA Hydro-2: State Construction General Permit*, the Project applicant will be required to comply with all regulations and requirements of the Construction General Permit issued by the SWRCB. The Project applicant will need to submit a Notice of Intent (NOI), a Stormwater Pollution Prevention Plan (SWPPP) and other required permit registration documents to SWRCB, and then file evidence of compliance with these state permit requirements with the City.

The SWPPP will be required to include a detailed description of construction materials, practices and equipment storage and maintenance, as well as a list of pollutants likely to contact stormwater. Site-specific erosion and sedimentation control practices will need to be identified, a list of measures demonstrating how the discharge of materials to the stormwater system will be eliminate or reduce (including site-specific BMPs) must be documented and approved, and an inspection and monitoring program established. Each of these SWRCB permit approvals and requirements shall be obtained prior to approval of the Project's grading permit. With implementation of City-required *SCAs Hydro-1 and Hydro-2*, the Project's potential impacts pertaining to water quality and sedimentation during construction would be reduced to a level of less than significant.

Hydrology-2, Water Quality during Operations: During operations, the Project does have the potential to violate water quality standards or waste discharge requirements that could affect the quality of receiving waters or otherwise substantially degrade water quality. The Project site will include new impervious surfaces including paved streets, parking lots and building rooftops, and stormwater that flows over these impervious does not infiltrate through these surfaces, but runs off these surfaces as stormwater runoff. Stormwater runoff picks up pollutants like oil and grease, heavy metals, bacteria, trash, sediment and other pollutants from the urban landscape. The Project has the potential to contribute to an increased amount of non-point sources of pollutants in the runoff from the site. Increased pollutant load in stormwater runoff can harm local creeks, lakes and the Bay waters, as these pollutants directly affect water quality. Since the Project creates or replaces more than 10,000 square feet of new or existing impervious surface area, it is considered a Regulated Project under the NPDES C.3 requirements, and C.3 source control, site design, and treatment requirements apply.

Pursuant to *SCA Hydro-3: NPDES C.3 Stormwater Requirements for Regulated Projects,* the Project applicant must comply with requirements of the applicable Municipal Regional Stormwater Permit. The project applicant is required to 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 Project applicant is also required to enter into a maintenance agreement with the City, providing for acceptance of the responsibility for the adequate installation/ construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures, and providing for legal access to the on-site stormwater treatment measures to verifying and inspect the on-site stormwater treatment system. The Project's proposed Preliminary Stormwater Control Plan includes both source control measures to limit stormwater pollution, and stormwater treatment measures to remove pollutants from stormwater runoff. Based on peer-review of the Project's Preliminary Stormwater Control Plan, the post-construction stormwater treatment facilities provided for the Project are in general conformance with Alameda County Clean Water Program, Provision C.3 of the MRP, and thus also consistent with SCA Hydro-3: NPDES C.3 Stormwater Requirements for Regulated Projects. These requirements reduce impacts to surface water quality from new development on downstream receiving water. With implementation of these measures pursuant to a Final Stormwater Control Plan to be submitted to the City for review and approval with detailed Project drawings submitted for site improvements, and implemented during construction, post-construction operational impacts of the Project on stormwater quality will be less than significant.

Hydrology-4, Groundwater: The Project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. Existing storm drainage systems in the Project Area currently intercept most rainfall and runoff waters, thus limiting the amount of groundwater recharge that occurs. The Project will not result in increased runoff from the site, and the minor amount of retained stormwater will minimally increase the volume of surface water that can filter into the ground and recharge groundwater basins, but such increase in potential infiltration would not be substantial. Groundwater is likely to be encountered during construction of the tunnel. Depending on the volume and pollutant loads of non-

stormwater discharges associated with construction dewatering during tunnel excavation, different regulatory requirements apply. Pursuant to *SCA Hydro-2: State Construction General Permit*, the Project applicant will be required to comply with all regulations and requirements of a Construction General Permit, a statewide low-threat discharge Waste Discharge Requirements (WDR), or a site-specific NPDES permit may be required. Implementation of the Construction General Permit and/or statewide low-threat discharge Waste Discharge Requirements (WDR) or site-specific NPDES permit requirements will reduce potential water quality impacts from groundwater dewatering activities during construction to a less than significant level. Best Management Practices (BMPs) will be required and incorporated into individual SWPPPs and other permits prior to approval of grading permits, providing an acceptable level of water quality protection.

Hydrology-6, Conflict with the City of Oakland Creek Protection Ordinance: Portions of the Project's improvements are within 100 feet of the Laguna Branch of Peralta Creek, including portions of the Loop Road, retaining walls, fill, and stormwater treatment measures. Uncontrolled erosion and sedimentation from these improvements could adversely affect this creek, in direct conflict with the Creek Protection Ordinance. As a project with exterior development that is beyond a 20-foot setback from the top of bank of the creek, but within 100 feet of the centerline of the creek, the Project qualifies for a Category III Creek Permit. Pursuant to *SCA Hydro-5: Creek Protection Plan,* all such projects require a Category III or IV Creek Protection Permit. Creek Permit applications must provide a Creek Protection Plan that describes the BMPs that will be employed to assure construction activity will not adversely affect the creek bank, riparian corridor or water quality. The Creek Protection Plan is reviewed and approved by the City, together with project drawings submitted to the City for site improvements. Per the applicant's pre-permit memorandum pursuant to a Creek Permit application, construction-period erosion control measures will include construction fencing, a silt fence near the property line, and straw wattles placed on contour and spaced across the slope between the improvements and the construction fence. The channelized drainage and point source runoff will be managed on-site with check dams and sediment basins. Pursuant to SCA Hydro-2, the Project will also be required to implement a Stormwater Pollution Prevention Plan to ensure that construction activities comply with stormwater runoff regulations. The Project will be required to obtain and comply with all applicable regulations and requirements of the City of Oakland Creek Permit, thereby protecting waterbodies. The proposed South Campus is likely to be determined to be a "Creekside property". The creek is not on the proposed South Campus site, but the site is contiguous to the off-site Laguna Branch of Peralta Creek on the adjacent properties. As such, the Project will be required to implement *SCA Hydro-6: Vegetation Management on Creekside Properties,* requiring additional BMPs for managing vegetation prior to, during, and after construction.

Cumulative Hydrology Effects: The Project will not result in a cumulatively considerable contribution to significant cumulative impacts on hydrology or water quality. With implementation of applicable regulatory requirements, cumulative impacts to hydrology and water quality would be less than significant, and the Project would not result in a cumulatively considerable contribution to a significant cumulative hydrology or water quality impact. All present and reasonably foreseeable construction projects are required to comply with the same regulatory requirements as the Project, which are designed to control the discharge of construction-period stormwater pollutants. All regulated cumulative development projects are required to implement Stormwater Management Plans that comply with applicable C.3 provisions, and to incorporate post-construction stormwater controls and low-impact development (LID) measures. Development pursuant to the Project will not contribute to potential cumulative effects that might alter the course of Sausal Creek or Peralta Creek, contribute to cumulative siltation effects, or increase the rate or amount of cumulative runoff that contributes to Sausal Creek, Peralta Creek or the Bay.

Noise

Noise-1, Construction Noise: Construction of the Project would include demolition of existing development, site preparation, grading and excavation, trenching and foundations, building construction, paving, and construction of the pedestrian tunnel undercrossing. Pile driving is not anticipated for Project construction. Tunnel excavation will be conducted using a jacked box (jack and bore) methodology and will not include the use of explosives. Noise impacts resulting from this construction will depend on the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, the distance between construction noise sources and noise-sensitive receptors, any shielding provided by intervening structures or terrain, and ambient noise levels. Each of the Project's construction phases would include a different mix of operating equipment. The highest noise levels from this equipment are typically generated during demolition of existing structures, when impact tools are used.

The Project does not propose to use any equipment classified as extreme noise generators (i.e., construction equipment that would generate noise levels greater than 90 dBA at a distance of 50 feet, such as pile drivers or impact hammers) under typical construction conditions, or at nominal distances of 50 feet or less from adjacent residences. At 50 feet from construction noise sources, maximum instantaneous noise levels generated during the Project's construction phases on the South Campus are calculated to range from 81 to 90 dBA Lmax. Residence that back up adjacent to the Project site and within approximately 50 feet of construction would be subject to hourly average noise levels calculated to range from 78 to 86 dBA Leq. Without further noise attenuation, the Project's construction noise would exceed the performance standard of the City Noise Ordinance (i.e., 65 dBA at residential properties) at unshielded residences located within 500 feet of construction activities, and especially at immediately adjacent residences.

Pursuant to *SCA Noise-1: Construction Days/Hour***s**, the permitted hours for the Project's general construction activities would be limited. Implementation of *SCA Noise-2: Construction Noise and SCA Noise-3: Extreme Construction Nois***e** will require the Project applicant to implement practical noise reduction measures to control and reduce noise emitted by construction equipment using best-available noise controls. *SCA Noise-4: Project-Specific Construction Noise Reduction Measures* requires the Project applicant to submit a Construction Noise Management Plan containing a set of Project-specific noise attenuation measures to reduce construction noise impacts on adjacent sensitive receptors. The Noise Study prepared for this EIR includes such recommended noise reduction measures to address Project-specific construction-period noise impacts to adjacent sensitive receptors and to minimize the noise impact at the adjacent property boundaries wherever possible.

Pursuant to *SCA Noise-5: Construction Noise Complaints,* the Project applicant is required to establish procedures for responding to and tracking complaints received pertaining to construction noise. Even with implementation of all of the City-required SCAs, construction noise would remain well above ambient daytime noise levels in the adjoining neighborhoods, especially at those residences that are immediately adjacent to the Project site. The Oakland Municipal Code standards that pertain to construction noise (OMC Section 17.120.050(G): Temporary Construction and Demolition Noise) allow for an exemption to the otherwise applicable threshold of 65 dBA as the maximum allowable construction noise over more than 10 days, if an acoustical analysis is performed and that acoustic analysis recommends measures to reduce construction noise impacts. The recommendations listed above pursuant to SCA Noise-1 through Noise-5 would reduce construction noise levels emanating from the site, limit construction hours, and minimize disruption and annoyance. With implementation of these noise controls and recognizing that noise generated by construction activities would occur over a temporary period, the temporary increase in ambient noise levels during construction would be less than significant.

Utilities and Service Systems

Utilities-1, Water Supplies: The total increased water demand attributed to the Project is estimated as the increased domestic water consumption attributed to the increase in students and faculty (2,330 gpd), plus

the increment of additional outdoor irrigation attributed to the increased landscaped surfaces at the proposed South Campus (300 gpd), for 2,630 total gpd. The water demands of the existing Head-Royce Campus, plus these additional demands of the Project, are fully assumed in the EBMUD Demand Study's projection of water demands by year 2040. EMBUD's 2040 Water Supply management Program (WSMP) concluded that EBMUD's existing water supplies are estimated to be sufficient to meet projected demand to year 2040 in normal and wet year conditions, and that the combination of rationing, conservation, and raw and recycled water would satisfy increased customer demand even during drought years through 2040. Supplemental water supplies will be needed to keep rationing at a lower level and to meet the need for water in drought years, and EBMUD will continue to study several supplemental supply components as part of the WSMP 2040 Portfolio.

With implementation of *SCA Utilities-1: Water Efficient Landscape Ordinance and Utilities-2: Green Building Requirements*, the Project will participate in required water conservation programs and practices. As with all land uses with the EBMUD service area, the Project may also be subject to water rationing as may be imposed by EBMUD during drought year conditions. Because the Project is not located within the EBMUD Recycled Water Project area (which generally includes portions of West Oakland, Downtown, and Jack London Square), the Project is not required to provide for the use of recycled water for feasible recycled water uses, as would otherwise be required pursuant to City SCAs and Section 16.08.030 of the Oakland Municipal Code. Based on the above applicable SCAs and regulatory requirements, the Project will have sufficient water supplies available from EBMUD to serve its water demands and those of other reasonably foreseeable future development, during normal and multiple dry years.

Utilities-4, Utility Service Connections: The Project will require relocation or construction of new or expanded water distribution, wastewater collection, and electric power, natural gas and telecommunication facilities. The construction or relocation of these utility connections will not cause significant environmental effects. The Project will require new water services (domestic, fire and irrigation systems), sewer connections and storm drain connections, and updated electrical, gas and communication system infrastructure. The relocation or construction of new utility connection will be required to comply with all construction related SCAs as identified in the EIR. Additionally, pursuant to *SCA Utilities-3: Sanitary Sewer System,* the project applicant will be required to submit a Sanitary Sewer Impact Analysis to the City, including an estimate of pre-project and post-project wastewater flows from the Project site.

If this analysis indicates a net increase in wastewater flow that exceeds projected increases in wastewater flow, the Project applicant would be required to pay Sanitary Sewer Impact Fees in accordance with the City's Master Fee Schedule. Pursuant to *SCA Utilities-4: Underground Utilities,* the project applicant will also be required to underground all new utilities serving the project. Utilities under the control of other agencies (such as PG&E) shall be placed underground if feasible, and all utilities shall be installed in accordance with standard specifications of the serving utilities. With implementation of all applicable SCAs and regulatory requirements, the construction or relocation of utility connections will not cause significant environmental effects.

Utilities-5, Solid Waste: The Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. The Project would comply with federal, State and local management and reduction statutes and regulations related to solid waste. The Project is estimated to generate between approximately 0.6 pounds of waste per person per day, or 1 pound of waste per student per day. Using these waste generation rates, The Project (at 344 additional students and 17 additional staff) may generate between 220 and 344 pounds of waste per day. The Project's incremental contribution to total waste managed at the Transfer Station represents a very small fraction of the transfer station's average daily outflow, and an even smaller fraction of the permitted maximum disposal capacity at the Altamont Landfill. The Project's impact on the capacity of local solid waste infrastructure would be less than significant.

Pursuant to *SCA Utilities-5: Construction and Demolition Waste Reduction and Recycling,* the Project applicant will be required to prepare and implement a Construction and Demolition Waste Reduction and Recycling Plan, specifying the methods by which construction will provide for the diversion of construction and demolition debris from landfill disposal, in accordance with current City requirements. During Project operations and pursuant to *SCA Utilities-6, Recycling Collection and Storage Space,* the Project applicant will provide recycling collection and storage areas at the Project site that are in compliance with City Ordinance requirements. With implementation of all regulatory requirements and the extension of School programs for waste diversion and source reduction, the Project will comply with federal, State and local management and reduction statutes and regulations related to solid waste and will not impair attainment of citywide solid waste reduction goals.

Wildfire and Emergency Evacuation

Fire-1, Wildland Fires: The Project is located in the Oakland Hills, an area that exhibits a complex wildfire environment that presents a significant risk to public and firefighter safety and to the built and natural environment. This region has been subject to numerous damaging wildland fires. The region is influenced by local extreme wind and weather conditions with steep and varied terrain and containing a complex mosaic of different vegetation types. It is one of the highest risk areas in the country for devastating wildland urban interface (WUI) fires. The Project is located within a portion of the Oakland Hills within the City of Oakland-designated Very High Wildfire Hazard Severity Zone (VHFHSZ). Head-Royce School has prepared a Vegetation Management Plan in compliance with *SCA Fire-1, Designated Very High Fire Severity Zone – Vegetation Management*, as required for all projects involving construction of new facilities located in the Designated Very High Fire Severity Zone. The Vegetation Management Plan has been developed to provide an enhanced level of safety at the Head-Royce School from wildfire, by meeting defensible space requirements. Pursuant to *SCA Fire-1* requirements, this Vegetation Management Plan includes a map depicting the fuel management area, and the separate fuel management zones where different vegetation treatments are required. A list of treatment performance standards are provided for each fuel management zone, with a list of recommendations for implementing treatments, including sufficient information to provide clear instructions to contractors performing the fuel management work.

Details regarding spacing, pruning heights and volumes of litter/chips are provided. Diagrams indicate fuel types present on the property and current vegetation condition, as well as images needed to support specific fuels management and treatment recommendations. Additional recommendations are included in the Vegetation management Plan to perform vegetative treatments on other properties owned by Head-Royce School when it lies within the Defensible Space Zone. Furthermore, pursuant to *SCA Fire-3, Compliance with Other Requirements*, all new buildings and building remodeling will be required to comply with all other applicable federal, state and local laws and code requirements, including but not limited to those imposed by the City's Bureau of Building and the Fire Marshal. These Code requirements include all State and City Fire Code requirements for fire protection and life safety systems, fire service features and materials and construction methods for fire-safe structures. With implementation of the Vegetation Management Plan and required construction-period requirements, the Project will comply with all Defensible Space requirements of the California and Oakland Fire Codes, and fire risks associated with the Project will be reduced to levels considered acceptable pursuant to these Code requirements (i.e., less than significant).

X. SIGNIFICANT AND UNAVOIDABLE IMPACTS

Pursuant to Public Resources Code sections 21081(a)(3) and 21081(b), and CEQA Guidelines sections 15091, 15092 and 15093, and to the extent reflected in the EIR and the SCA/MMRP, the Planning Commission finds that the Project would not result in any impacts that would remain significant and

unavoidable with imposition of all feasible Standard Conditions of Approval and mitigation measures as listed above.

XI. FINDINGS REGARDING ALTERNATIVES

The Planning Commission finds that specific economic, social, environmental, technological, legal or other considerations make infeasible the alternatives to the Project described in the EIR for the reasons stated below, and that the Project should be approved.

The EIR evaluated a reasonable range of alternatives to the Project that were described in the EIR (DEIR Chapter 18) which are hereby incorporated by reference. The three alternatives analyzed in detail in the EIR represent a reasonable range of potentially feasible alternatives that reduce one or more significant impacts of the Project and/or provide decision-makers with additional information about Project. The Project alternatives include: a) a No Project Alternative, b) a Minor Development Alternative, and c) a Reduced Alternative. The EIR also identified an environmentally superior alternative that was considered to have the least number of environmental impacts if implemented. In the absence of a practical and reasonable No Project alternative wherein the Project site is preserved in its existing condition, Alternative 2 (the Minor Development Alternative) is environmentally superior as compared to the Project and other alternatives. On balance, the potential environmental effects of Alternative 2 and the Project are both able to be mitigated to less than significant levels. The environmental effects of Alternative 2 are comparatively less than those of the Project, but the differences as measured against CEQA threshold criteria are not substantial (i.e., there are few significant impacts or potentially significant that would be completely avoided under Alternative 2, as compared to the Project). There are no significant impacts of the Project that can only be reduced or avoided by consideration of Alternative 2. Alternative 2 would result in impacts that are comparably less than the impacts of the Project, and therefore Alternative 2 is environmentally superior to the Project and all other alternatives considered in this EIR.

The Planning Commission certifies that it has independently reviewed and considered the information on the alternatives provided in the EIR and in the record. The EIR reflects the Planning Commission's independent judgment as to alternatives. The Planning Commission finds that the Project provides the best balance between the Project sponsor's objectives, the City's goals and objectives, and the Project's benefits as described in the Staff Report. While the Project may cause some significant impacts, mitigation measures and the City's SCAs identified in the EIR mitigate all of these impacts to a less than significant level. The alternatives and environmentally superior alternative evaluated in the EIR are not necessary to reduce or avoid any significant and unavoidable environmental effects of the Project, and are rejected for the following reasons. Each individual reason presented below constitutes a separate and independent basis to reject the Project alternative as being infeasible, and, when the reasons are viewed collectively, provide an overall basis for rejecting the alternative as being infeasible.

A. Alternative #1: No Project

The Project site has an existing General Plan land use designation of Institutional, and is currently zoned Residential Detached (RD-1). Whereas disapproval of the Project would not involve any efforts toward permanent preservation of the Project site as open space, the practical results on non-approval would likely lead to a proposal for some other institutional use of the site, or the development of detached single unit residences with the potential for a limited range of commercial uses. Under this alternative, use of the former Lincoln site by Head-Royce School would continue to be limited to surplus parking, there would be no increase over the currently permitted maximum enrollment of 906 students, and no additional faculty or staff positions would be needed. The 12 existing buildings on the former Lincoln site, including the three historic buildings (Buildings 0, 1 and 2) would remain as they are today. There would be no rehabilitation of the three existing historic buildings, and these buildings would not be used for any School-related functional purposes such classrooms or administrative functions. No interior upgrades or renovations to

these buildings would occur. Vehicular access to the former Lincoln site would continue to be limited to the two existing driveways off Lincoln Avenue. No additional vehicular access to or through the former Lincoln site would be provided. The existing 129 paved parking spaces on the former Lincoln site would remain available for the School's use as surplus and overflow parking. All student drop-off and pick-up activity would continue to occur along Lincoln Avenue, as would public and private bus loading and unloading. The loading zones for AC Transit and private buses would be maintained on Lincoln Avenue. No new traffic signals would be installed, and existing traffic signals would remain. The current Transportation Policy Guide and TDM program for the School's identified "Loop" through public streets in the adjacent, downhill neighborhood would remain as-is, as would use of the Mormon Temple parking lot near Highway 13 as a staging area for afternoon pick-up. No grading or earthwork would occur at the site, and no new electrical, gas, communication, sewer, water, fire, or irrigation utility systems would be installed.

This Alternative is rejected as infeasible because: a) it would not accomplish any of the objectives for the Project; b) it would not provide for the rehabilitation and adaptive reuse of the three existing historic buildings on the site; c) it would not return the site to productive use; and d) it would not alleviate traffic congestion at the existing drop-off and pick-up locations for the School along Lincoln Avenue.

B. Alternative 2: Minor Development Alternative

Under the Minor Development Alternative, there would be no increase in student enrollment at the School. Enrollment would remain capped at a maximum of 906 students. Physical changes at the proposed South Campus site pursuant to the Minor Development Alternative would include demolition of eight existing buildings; restoration and rehabilitation of Buildings 0, 1 and 2 for reuse as classroom and/or School administrative purposes; and reuse of Building 9 for classroom and/or School administrative purposes. Alternative 2 also includes improvements for outdoor gathering spaces, improvement and reuse of the existing playfield at the proposed South Campus for outdoor recreational activity, and tree removal as necessary to implement those physical improvements listed above. The Minor Development Alternative would not include any other physical improvements on the proposed South Campus, and no change to the existing Campus. There would be no change to the current operations for School drop-offs and pick-ups that occur along Lincoln Avenue, and the underground pedestrian tunnel and the Performing Art building would not be constructed. A PUD amendment would be required to allow expansion of the Head Royce School onto the former Lincoln site to establish a new proposed South Campus under this Alternative.

The Minor Development Alternative is rejected because it would not achieve most of the Project objectives. While this alternative could restore and rehabilitate the historic Buildings 0, 1 and 2 for reuse as classroom and/or School administrative purposes, there is no certainty that the School would elect to implement improvement to these historic buildings without the additional beneficial uses of the site as proposed pursuant to the Project. The Minor Development Alternative is rejected as infeasible because: a) it would not accomplish most of the objectives for the Project; b) it would not return the site to fully productive use; and c) it would not alleviate traffic congestion at the existing drop-off and pick-up locations for the School along Lincoln Avenue. There are no significant impacts of the Project that can only be reduced or avoided by consideration of the Minor Development Alternative (Alternative 2).

C. Alternative 3: Reduced Alternative

The Reduced Alternative would provide for a reduced incremental increase in student enrollment, increasing from the current cap at a maximum of 906 students with an increase of 144 students, to a total student enrollment of 1,050 students. Physical improvements at the proposed South Campus pursuant to the Reduced Alternative would include all of the improvements identified for the Minor Development Alternative (Alternative 2). Additionally, the Reduced Alternative would include the new Loop Road with off-street drop-off and pick-up locations, new/relocated traffic signals along Lincoln Avenue, and pedestrian crossings of Lincoln Avenue at the at-grade crossings. The number of parking spaces on the

proposed South Campus would be incrementally increased to accommodate the expected increased demand. Tree removal would be conducted as necessary to implement the physical improvements listed above. Under the Reduced Alternative, the underground pedestrian tunnel and the Performing Arts Center building would not be constructed. A PUD amendment would be required to allow expansion of the Head Royce School onto the former Lincoln site to establish a new proposed South Campus under this Alternative.

The Reduced Alternative is rejected because: a) it would not achieve the Project objectives to the same extent as the proposed Project; b) it would not return the site to fully productive use; c) it would not alleviate traffic congestion at the existing drop-off and pick-up locations for the School along Lincoln Avenue; d) it would not provide for construction of a new Performance Arts Center for student curriculum relating to theater, music, dance and culture; and e) it would not integrate the existing and proposed South Campus together with an underground pedestrian tunnel below Lincoln Avenue, reducing the number of student at-grade crossings. There are no significant impacts of the Project that can only be reduced or avoided by consideration of the Reduced Alternative (Alternative 3).

EXHIBIT 2 Standard Conditions of Approval/Mitigation Monitoring Program (SCAMMP)

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	**Initial Approval**	**Monitoring/ Inspection**
Aesthetics, Shadow and Wind			
SCA Aesthetics-1, Landscape Plan 1. *Landscape Plan Required*: The project applicant shall submit a final Landscape Plan for City review and approval that is consistent with the approved Landscape Plan. The Landscape Plan shall be included with the set of drawings submitted for the construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code.	Prior to approval of construction-related permit	Bureau of Planning	N/A
2. *Landscape Installation*: The project applicant shall implement the approved Landscape Plan, unless a bond, cash deposit, letter of credit or 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.	Prior to building permit final	Bureau of Planning	Bureau of Building
3. *Landscape Maintenance*: All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.	Ongoing	N/A	Bureau of Building
SCA Aesthetics-2, Lighting: 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.	Prior to building permit final	N/A	Bureau of Building
SCA Aesthetics-3, Trash and Blight Removal: The project applicant and his/her successors shall maintain the property free of blight, as defined in chapter 8.24 of the Oakland Municipal Code. For nonresidential and multifamily residential projects, the project applicant shall install and maintain trash receptacles near public entryways as needed to provide sufficient capacity for building users.	Ongoing	N/A	Bureau of Building
SCA Aesthetics-4, Graffiti Control: 1. 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: a. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces b. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces c. Use of paint with anti-graffiti coating d. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED) e. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement	Ongoing	N/A	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
2. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following: a. 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. b. Covering with new paint to match the color of the surrounding surface c. Replacing with new surfacing (with City permits if required)			
Air Quality			
SCA Air-1, Dust Controls – Construction Related: The project applicant shall implement all of the following applicable dust control measures during construction of the project: 1. 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. 2. 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). 3. 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. 4. Limit vehicle speeds on unpaved roads to 15 miles per hour. 5. All demolition activities (if any) shall be suspended when average wind speeds exceed 20 miles per house (mph). 6. All trucks and equipment, including tires, shall be washed off prior to leaving the site. 7. 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.	During construction	Bureau of Building	Bureau of Building
SCA Air-2, Criteria Air Pollutant Controls - Construction Related: The project applicant shall implement all of the following applicable basic control measures for criteria air pollutants during construction of the project as applicable: 1. Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized by shutting equipment off when not in use, or reducing the maximum idling time to two 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. 2. Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized by shutting equipment off when not in use, or reducing the maximum idling time to two minutes. 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”).	During construction	Bureau of Building	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
3. 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. Equipment check documentation should be kept at the construction site and be available for review by the City and the Bay Area Air Quality District as needed. 4. d) Portable equipment shall be powered by grid electricity if available. If electricity is not available, propane or natural gas generators shall be used if feasible. Diesel engines shall only be used if grid electricity is not available and propane or natural gas generators cannot meet the electrical demand. 5. Low VOC (i.e., ROG) coatings shall be used that comply with BAAQMD Regulation 8, Rule 3: Architectural Coatings. 6. All equipment to be used on the construction site shall comply with the requirements of Title 13, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations") and upon request by the City (and the Air District if specifically requested), the project applicant shall provide written documentation that fleet requirements have been met.			
SCA Air-3, Diesel Particulate Matter Controls-Construction Related: The project applicant shall implement appropriate measures during construction to reduce potential health risks to sensitive receptors due to exposure to diesel particulate matter (DPM) from construction emissions. The project applicant shall choose one of the following methods: 1. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with current guidance from the California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment to determine the health risk to sensitive receptors exposed to DPM from project construction emissions. The HRA shall be submitted to the City (and the Air District if specifically requested) for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then DPM reduction measures are not required. If the HRA concludes that the health risk exceeds acceptable levels, DPM reduction measures shall be identified to reduce the health risk to acceptable levels as set forth under subsection b below. Identified DPM reduction measures shall be submitted to the City for review and approval prior to the issuance of building permits and the approved DPM reduction measures shall be implemented during construction. -or- 2. All off-road diesel equipment shall be equipped with the most effective Verified Diesel Emission Control Strategies (VDECS) available for the engine type (Tier 4 engines automatically meet this requirement) as certified by CARB. The equipment shall be properly maintained and tuned in accordance with manufacturer specifications. This shall be verified through an equipment inventory submittal and Certification Statement that the Contractor agrees to	During construction	Bureau of Building	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
compliance and acknowledges that a significant violation of this requirement shall constitute a material breach of contract.			
SCA Air-5, Stationary Sources of Air Pollution (Toxic Air Contaminants): The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to on-site stationary sources of toxic air contaminants. The project applicant shall choose one of the following methods: 1. 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. The approved risk reduction measures shall be implemented during construction and/or operations as applicable. - or - 2. 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: a. Installation of non-diesel fueled generators, if feasible, or; b. Installation of diesel generators with an EPA-certified Tier 4 engine or engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy, if feasible	During construction	Bureau of Building	Bureau of Building
SCA Air-6, Asbestos in Structures: The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM). These include but are 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.	During construction	Bureau of Building	Bureau of Building
Biological Resources			
SCA Biology-1, Tree Removal during Bird Breeding Season: To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of birds shall not occur during the bird-breeding season of February 1 to August 15 (or during December 15 to August 15 for trees located in or near	Prior to removal of trees	Bureau of Planning	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
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 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.			
SCA Biology-2, Tree Permit:			
1. *Tree Permit Required*: Pursuant to the City's Tree Protection Ordinance (OMC chapter 12.36), the project applicant shall obtain a tree permit and abide by the conditions of that permit.	Prior to approval of construction-related permit	Permit approval by Public Works Department, Tree Division; evidence of approval submitted to Bureau of Building	Bureau of Building
2. *Tree Protection during Construction*: Adequate protection shall be provided during the construction period for any trees that are to remain standing, including the following, plus any recommendations of an arborist:			
a. Before the start of any clearing, excavation, construction or other work on the site, every protected tree deemed 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 that will avoid injury to any protected tree.	During construction	Public Works Department, Tree Division	Bureau of Building
b. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filling, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the project's consulting arborist from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree.			
c. 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			

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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. d. 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. e. 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. f. 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.			
3. *Tree Replacement Plantings*: 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: a. 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. b. 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. c. 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. d. Minimum planting areas must be available on site as follows: for Sequoia sempervirens, three hundred fifteen (315) square feet per tree, for other species listed, seven hundred (700) square feet per tree e. 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.	Prior to building permit final	Public Works Department, Tree Division	Bureau of Building

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	When Required	Initial Approval	Monitoring/ Inspection
f. 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 that fail to become established within one year of planting shall be replanted at the project applicant's expense.			
Cultural Resources			
SCA Cultural-1: Archaeological and Paleontological Resources – Discovery during Construction: 1. 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. 2. In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practicable. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant. The project applicant shall implement the ARDTP at his/her expense. 3. 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	During construction	N/A	Bureau of Building

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	When Required	**Initial Approval**	**Monitoring/ Inspection**
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.			
SCA Cultural-3: Human Remains – Discovery during Construction: Pursuant to CEQA Guidelines section 15064.5(e) (1), in the event that human skeletal remains are uncovered at the project site during construction activities, all work shall immediately halt, and the project applicant shall notify the City and the Alameda County 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.	During construction	N/A	Bureau of Building
SCA Cultural-4: Vibration Impacts on Adjacent Historic Structures or Vibration-Sensitive Activities: The project applicant shall submit a Vibration Analysis prepared by an acoustical and/or structural engineer or other appropriate qualified professional for City review and approval that establishes pre-construction baseline conditions and threshold levels of vibration that could damage the structure and/or substantially interfere with activities located at adjacent historic resources within or near the project. 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.	Prior to construction	Bureau of Building	Bureau of Building
Project Improvement Recommendation - Retain and Rehabilitate All Historic Steel Sash Windows: Page & Turnbull recognizes and appreciates that the large historic steel sash windows at the north façade of Building 0, which are visible from the public right-of-way along Lincoln Avenue, are proposed to be retained and repaired as necessary. Page & Turnbull recommends that, except in demonstrated cases of severe deterioration beyond repair, all historic steel windows at Building 0 be retained and rehabilitated in order to fully comply with Rehabilitation Standard 6. Per Rehabilitation Standard 6, repair, rehabilitation, and thermal upgrading should be pursed as primary strategy before considering replacement with compatible, in-kind replacement windows (such as the Type 2 windows indicated in the Project). While double-glazed windows have increased thermal performance, there are other ways to improve thermal performance of existing historic steel sash windows. Furthermore, overall thermal performance of the building may be accomplished through improved insulation of wall and roof assemblies, while retaining all historic steel sash windows.	Prior to Design Review approval	Planning Commission	Bureau of Building

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	When Required	**Initial Approval**	**Monitoring/ Inspection**
Geology and Soils			
SCA Geo-1: Construction-Related Permit(s): The project applicant shall obtain all required construction-related permits/approvals from the City. The project shall comply with all standards, requirements and conditions contained in construction-related codes, including but not limited to the Oakland Building Code and the Oakland Grading Regulations, to ensure structural integrity and safe construction.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
SCA Geo-2: Soils Report: The project applicant shall submit a soils report prepared by a registered geotechnical engineer for City review and approval. The soils report shall contain, at a minimum, field test results and observations regarding the nature, distribution and strength of existing soils, and recommendations for appropriate grading practices and project design. The project applicant shall implement the recommendations contained in the approved report during project design and construction.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
Detailed Recommendations in Furtherance of SCA Geo-2: Pursuant to the grading permit requirements found in the Oakland Municipal Code, design and construction considerations are recommended in the August 2020 Rockridge Geotechnical and Geological Evaluation, Stability of Slope Below Building (Appendix 8F), as recommended pursuant to peer-review by the City's geotechnical engineering consultants, EnGeo. Based on their site investigations, Rockridge recommends that the surface drainage at the rear of Building 9 be improved, and that the slope below Building 9 be partially reconstructed to mitigate the potential for future slope instability under static and seismic conditions. Further detailed recommendations are presented below. 1. *Surface Drainage Improvements* a. Four roof drain downspouts at the rear of Building 9 currently discharge onto the ground surface adjacent to the building. The two easternmost roof drains may have contributed to slope instability and should be connected to solid buried pipes that discharge near the base of the reconstructed slope. The end of the discharge pipes should be designed with a "T" and a gravel pad to mitigate the potential for ground-surface erosion. b. The ground surface behind the eastern-most 80 feet of Building 9 is currently uneven with some areas sloping toward the building, some areas being relatively level, and some areas sloping away from the building. To reduce the potential for ponding and concentrated surface flow onto the slope face, this area should be re-graded so that the ground surface slopes down away from Building 9 and towards the top of the slope at a consistent gradient of five percent. c. Much of the slope below Building 9 has been recently cleared and is covered with wood chips. To mitigate the potential for surface erosion after construction of the Project's proposed improvements, the final graded slopes (where not already currently covered with erosion-resistant vegetation (should be planted with deep-rooted vegetation to reduce the potential for surface erosion.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building

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c. The slopes should be covered with an erosion control blanket to minimize surface erosion until the vegetation matures.			
2. *Slope Reconstruction*			
a. The fill slope below the eastern-most 80 feet of Building 9, as well as the 80-foot long section of fill slope east of Building 9, should be reconstructed as an engineered fill slope during construction of the proposed future site improvements.			
b. The inclination of the final slope should not exceed 2:1 (horizontal: vertical) unless reinforced with geogrid. A geogrid-reinforced slope as steep as 1.5:1 is feasible; however, installation of geogrid reinforcement would require significantly more cutting into the existing slope than for reconstruction of an unreinforced slope.			
c. It should be assumed that the outer 10 feet of the current slope consists of non-engineered fill that should be excavated and then replaced as engineered fill after installation of a keyway and subdrains. Several test pits should be excavated into this slope face prior to site grading to further investigate the existing fill thickness.			
d. Reconstruction of the slope should consist of excavating the existing fill from the slope face (if the fill extends behind a line inclined at 1:1 from the top of the slope, it may be left in place since it will be buttressed with the engineered fill). The excavation at the top of the slope should extend no closer than 10 horizontal feet from the rear of Building 9 and should be inclined no steeper than 1:1. A keyway that is at least 10 feet wide and extends at least four feet into competent bedrock or very stiff/dense native soil should be excavated as the projected toe of the engineered fill slope. The base of the keyway should be sloped back into the hillside at an inclination of at least two percent.			
e. Below Building 9, subdrains should be installed at the back of the keyway, within 10 feet (vertically) from the top of the slope, and at approximately mid slope. East of Building 9, subdrains should be installed in the keyway and within 10 feet (vertically) from the top of the slope. Subdrains should discharge water via solid pipe to a suitable downslope discharge point protected from erosion with a gravel blanket.			
f. The engineered fill placed to repair the slope should be keyed and benched into competent native soil and/or bedrock with benches being about eight feet wide. The soil and bedrock materials encountered at the site are suitable for reuse as engineered fill, provided they are free of significant organics, rocks or lumps larger than four inches in greatest dimension, and organic material. If imported fill is required, it should consist of material that is free of hazardous substances, contain no rocks larger than four inches in greatest dimension, and have a plasticity index (PI) not exceeding 12. Fill should be placed in horizontal lifts not exceeding eight inches in uncompacted thickness, moisture-conditioned to above optimum moisture content, and compacted to at least 90 percent relative compaction.			

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	When Required	**Initial Approval**	**Monitoring/ Inspection**
g. The finished surface of the slope should be track-walked and protected from erosion by deep-rooted, fast-growing vegetation prior to winter. The surface should be covered with appropriate erosion control material to minimize surface erosion prior to maturation of the plants. 3. *Retaining Walls*: Current plans call for installation of low retaining walls as part of the site improvements. a. Permanent retaining walls should be designed to resist lateral earth pressure imposed by the retained soil and surcharge pressure, where appropriate. Where permanent walls will be restrained from movement at the top and/or sides, they should be designed for at-rest conditions. b. Walls that retain soil and are not restrained from rotation may be designed for appropriate active pressures (as presented in Appendix 8F). The recommended design pressures are appropriate for walls that are fully drained. c. Walls that retain more than six feet of soil should be designed for the more critical loading condition of static or seismic conditions.			
Detailed Recommendations in Furtherance of SCAs Geo-1 and Geo-2: In furtherance of SCAs Geo-1 and Geo-2 and pursuant to the grading permit requirements found in the Oakland Municipal Code, the following design and construction considerations are recommended in the 2019 Cahill and McMillen Jacobs Conceptual Design and Constructability Evaluation (as also peer-reviewed by the City's geotechnical engineering consultants, EnGeo): 1. The final alignment of the tunnel should be selected such that the length of the jacked box is minimized to reduce required jacking loads as much as possible. This can be accomplished by constructing the portals as close to the property lines as feasible. 2. The jacked box will require construction of a soldier pile wall to aid in mobilizing passive reaction forces for jacking. 3. Due to the size of the tunnel, design of a jacked box will have to assume a relatively simple geometry and an internal clear width not to exceed 18 feet (this clearance does not include any internal finishes, such as lighting, architectural finishes, waterproofing, etc.) 4. For stiff/dense soil and rock conditions, overcut may be needed ahead of the box to facilitate advancing the box. Steel sheeting on the box roof and bentonite slurry lubricant will be required to minimize friction and maintain jacking forces. 5. Depending on rock strength and the presence of soil and mixed face ground within the tunnel profile, temporary face support measures may be required to prevent ground loss. Options for face support will likely consist of sloping of the face, and installation of fiberglass face bolts, face shotcrete, or breasting. 6 The jacked box construction of the tunnel will require pre-support of the ground prior to commencing excavation. Settlement of existing utilities overlying the tunnel can likely be addressed through exposing and providing structural strengthening, or by providing	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	**Initial Approval**	**Monitoring/ Inspection**
temporary bypass across the tunnel zone of influence. During final design, a detailed evaluation of overcutting, advance lengths, and settlement should be carried out once the construction approach is finalized. Specific measures anticipated for this project to address settlement include installation of pre-support measures such as a grouted pipe canopy or ground freezing prior to excavation, application of face support measures, and monitoring of overlying structures during construction to confirm no unanticipated ground movements develop as a result of tunnel excavation. 7 Vertically shored excavations will be required at the portal locations. The actual extent of shoring will be dependent on the presence of nearby utilities, structures, construction methods/sequencing, and final grading requirements. An anchored shotcrete wall is likely the most economical means of supporting vertical cuts for both temporary and permanent conditions. 8 If rock conditions are encountered, tieback lengths are anticipated to be approximately 25 to 35 feet in length. Tiebacks would be drilled in 3 to 4-inch holes, fully grouted, and staggered at a pattern spacing of about 6-foot vertical by 6-foot horizontal. For soil conditions, anchor lengths/loads will be larger with a tighter spacing. Shotcrete facing will also be required for temporary and permanent shoring. For permanent walls, anchors will need to be double corrosion protected (DCP) and designed for seismic conditions. 9. If encroachment limitations prevent the use of anchors for temporary walls, the system can be internally braced using steel struts and soldier piles. If the shored material consists of soil in this case, soldier piles may be required. 10. In all cases, shoring walls should be designed for drained conditions and incorporate weep holes, or strip/mat drains behind the facing. 11. To protect existing facilities from the effects of tunnel and portal construction, installation of monitoring instruments along Lincoln Avenue will be required to monitor ground/utility movements and surface settlement. Prior to commencing excavation, utility monitoring points and surface settlement arrays should be installed within the influence zone of the tunnel and portal excavations. Monitoring of these points should be performed on a regular basis during construction (daily or more frequently). Baseline readings will need to be taken to establish elevations prior to construction. 12 Following completion of tunneling, monitoring should continue until readings stabilize or until such time that construction activities no longer warrant active monitoring. Actual monitoring locations will need to be determined after utility locations have been verified. 13. Settlement thresholds and corrective actions will need to be established as part of the final design and prior to starting construction.			
Detailed Recommendations for Grading Practices for Expansive Soils in Furtherance of SCA Geo-2: In furtherance of SCA Geo-2 and pursuant to the grading permit requirements found in the Oakland	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building

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	When Required	Initial Approval	Monitoring/ Inspection
Municipal Code, the following grading practices are recommended in the 2012 Rockridge Geotechnical Report: 1. Positive surface drainage should be provided around all buildings to direct surface water away from foundations and below-grade walls. To reduce the potential for water ponding adjacent to buildings, the ground surface within a horizontal distance of five feet from the buildings should slope down away from the buildings with a surface gradient of at least two percent in unpaved areas, and one percent in paved areas. 2. Roof downspouts should be discharged into controlled drainage facilities to keep the water away from the foundations, below-grade walls, pavements, and concrete flatwork. 3. Water-intensive landscaping around the perimeter of buildings should be avoided to reduce the amount of water introduced to the expansive clay subgrade. 4. Aggregate base (AB) courses beneath any new pavements and pedestrian walkways located adjacent to landscape beds should be constructed with thickened concrete edges that extend though the AB and into the underlying clay subgrade. 5. Systems for storm water treatment (infiltration basins, rain gardens, bio-retention systems, vegetated swales, flow-through planters, etc.) should be provided with underdrains and impermeable liners, and not designed for filtration into the subgrade.			
SCA Geo-5: Erosion and Sedimentation Control Plan for Construction:			
1. *Erosion and Sedimentation Control Plan Required*: 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.	Prior to approval of construction-related permit	Bureau of Building	N/A
2. *Erosion and Sedimentation Control during Construction*: 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.	During construction	N/A	Bureau of Building

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	When Required	Initial Approval	Monitoring/ Inspection
Hazards and Hazardous Materials			
SCA Hazards-1: Hazardous Materials Related to Construction: The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following: 1. Follow manufacture's recommendations for use, storage, and disposal of chemical products used in construction 2. Avoid overtopping construction equipment fuel gas tanks 3. During routine maintenance of construction equipment, properly contain and remove grease and oils 4. Properly dispose of discarded containers of fuels and other chemicals 5. 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 6. If soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notifying the City Fire Prevention Bureau, Alameda County Environmental Health, and other applicable regulatory agencies, and implementation of the actions described in these agencies' 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.	During construction	N/A	Bureau of Building
SCA Hazards-2, Hazardous Building Materials and Site Contamination 1. *Hazardous Building Materials Assessment*: The project applicant shall submit a comprehensive assessment report to the Bureau of Building, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACMs), lead-based paint, polychlorinated biphenyls (PCBs), and any other building materials or stored materials classified as hazardous materials by State or federal law. If lead-based paint, ACMs, PCBs, or any other building materials or stored materials classified as hazardous materials are present, the project applicant shall submit specifications prepared and signed by a qualified environmental professional, for the stabilization and/or removal of the identified hazardous materials in accordance with all applicable laws and regulations. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for	Prior to approval of demolition, grading, or building permits	Bureau of Building	Bureau of Building

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	When Required	**Initial Approval**	**Monitoring/ Inspection**
any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.	Prior to approval of construction-related permit	Applicable regulatory agency with jurisdiction	Applicable regulatory agency with jurisdiction
2. *Environmental Site Assessment Required*: The project applicant shall submit a Phase I Environmental Site Assessment report, and Phase II Environmental Site Assessment report if warranted by the Phase 1 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.	Applicable regulatory agency with jurisdiction	Bureau of Building	Bureau of Building
3. *Health and Safety Plan Required*: 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.	N/A	N/A	N/A
4. Best Management Practices (BMPs) Required for Contaminated Sites (Item 4 text omitted because it is not applicable to the project, which is not on a contaminated site)			
Hydrology and Water Quality			
SCA Hydro-1: Erosion and Sedimentation Control Plan for Construction			
1. *Erosion and Sedimentation Control Plan Required*: 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.	Prior to approval of construction-related permit	Bureau of Building	N/A
2. *Erosion and Sedimentation Control During Construction*: The project applicant shall implement the approved Erosion and Sedimentation Control Plan. No grading shall occur during the wet	During construction	N/A	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
weather season (October 15 through April 15) unless specifically authorized in writing by the Bureau of Building.			
SCA Hydro-2, State Construction General Permit: The project applicant shall comply with the requirements of the Construction General Permit issued by the State Water Resources Control Board (SWRCB). The project applicant shall submit a Notice of Intent (NOI), Stormwater Pollution Prevention Plan (SWPPP), and other required Permit Registration Documents to SWRCB. The project applicant shall submit evidence of compliance with Permit requirements to the City.	Prior to approval of construction-related permit	State Water Resources Control Board; evidence of compliance submitted to Bureau of Building	State Water Resources Control Board
SCA Hydro-4, NPDES C.3 Stormwater Requirements for Regulated Projects 1. *Post-Construction Stormwater Management Plan Required*: 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: a. location and size of new and replaced impervious surface b. directional surface flow of stormwater runoff c. location of proposed on-site storm drain lines d. site design measures to reduce the amount of impervious surface area e. source control measures to limit stormwater pollution f. stormwater treatment measures to remove pollutants from stormwater runoff, including the method used to hydraulically size the treatment measures; and hydromodification management measures, if required by Provision C.3, so that post-project stormwater runoff flow and duration match pre-project runoff.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
2. *Maintenance Agreement Required*: 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: a. 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 b. 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 purposes 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.	Prior to building permit final	Bureau of Building	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	**Initial Approval**	**Monitoring/ Inspection**
SCA Hydro-5, Creek Protection Plan			
1. *Creek Protection Plan Required*: The project applicant shall submit a Creek Protection Plan for review and approval by the City. The Plan shall be included with the set of project drawings submitted to the City for site improvements and shall incorporate the contents required under section 13.16.150 of the Oakland Municipal Code including Best Management Practices ("BMPs") during construction and after construction to protect the creek. Required BMPs are identified below.	Prior to approval of construction-related permit	Bureau of Planning	N/A
2. *Construction BMPs Requirement*: The Creek Protection Plan shall incorporate all applicable erosion, sedimentation, debris, and pollution control BMPs to protect the creek during construction. The measures shall include, but are not limited to, the following: a. On sloped properties, the downhill end of the construction area must be protected with silt fencing (such as sandbags, filter fabric, silt curtains, etc.) and hay bales oriented parallel to the contours of the slope (at a constant elevation) to prevent erosion into the creek. b. The project applicant shall implement mechanical and vegetative measures to reduce erosion and sedimentation, including appropriate seasonal maintenance. One hundred (100) percent biodegradable erosion control fabric shall be installed on all graded slopes to protect and stabilize the slopes during construction and before permanent vegetation gets established. All graded areas shall be temporarily protected from erosion by seeding with fast growing annual species. All bare slopes must be covered with staked tarps when rain is occurring, or expected. c. Minimize the removal of natural vegetation or ground cover from the site in order to minimize the potential for erosion and sedimentation problems. Maximize the replanting of the area with native vegetation as soon as possible. d. All work in or near creek channels must be performed with hand tools and by a minimum number of people. Immediately upon completion of this work, soil must be re-packed and native vegetation planted. e. Install filter materials (such as sandbags, filter fabric, etc.) acceptable to the City at the storm drain inlets nearest to the project site prior to the start of the wet weather season (October 15); site dewatering activities; street washing activities; saw cutting asphalt or concrete; and in order to retain any debris flowing into the City storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. f. Ensure that concrete/granite supply trucks or concrete/plaster finishing operations do not discharge wash water into the creek, street gutters, or storm drains. g. Direct and locate tool and equipment cleaning so that wash water does not discharge into the creek. h. Create a contained and covered area on the site for storage of bags of cement, paints, flammables, oils, fertilizers, pesticides, or any other materials used on the project site that	Prior to approval of construction-related permit	Bureau of Planning	N/A

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	**Initial Approval**	**Monitoring/ Inspection**
have the potential for being discharged to the creek or storm drain system by the wind or in the event of a material spill. No hazardous waste material shall be stored on site. i. Gather all construction debris on a regular basis and place it in a dumpster or other container which is emptied or removed at least on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater pollution. j. Remove all dirt, gravel, refuse, and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work. k. Broom sweep the street pavement adjoining the project site on a daily basis. Caked-on mud or dirt shall be scraped from these areas before sweeping. At the end of each workday, the entire site must be cleaned and secured against potential erosion, dumping, or discharge to the creek, street, gutter, or storm drains. l. All erosion and sedimentation control measures implemented during construction activities, as well as construction site and materials management shall be in strict accordance with the control standards listed in the latest edition of the Erosion and Sediment Control Field Manual published by the Regional Water Quality Control Board (RWQCB). m. Temporary fencing is required for sites without existing fencing between the creek and the construction site and shall be placed along the side adjacent to construction (or both sides of the creek if applicable) at the maximum practical distance from the creek centerline. This area shall not be disturbed during construction without prior approval of the City.			
3. *Post-Construction BMPs Requirement*: The project shall not result in a substantial increase in stormwater runoff volume or velocity to the creek or storm drains. The Creek Protection Plan shall include site design measures to reduce the amount of impervious surface to maximum extent practicable. New drain outfalls shall include energy dissipation to slow the velocity of the water at the point of outflow to maximize infiltration and minimize erosion.	Prior to approval of construction-related permit	Bureau of Planning	N/A
4. *Creek Landscaping Requirement*: The project applicant shall include final landscaping details for the site on the Creek Protection Plan, or on a Landscape Plan, for review and approval by the City. Landscaping information shall include a planting schedule, detailing plant types and locations, and a system to ensure adequate irrigation of plantings for at least one growing season. Plant and maintain only drought-tolerant plants on the site where appropriate as well as native and riparian plants in and adjacent to riparian corridors. Along the riparian corridor, native plants shall not be disturbed to the maximum extent feasible. Any areas disturbed along the riparian corridor shall be replanted with mature native riparian vegetation and be maintained to ensure survival.	Prior to approval of construction-related permit	Bureau of Planning	N/A
5. *Creek Protection Plan Implementation Requirement*: The project applicant shall implement the approved Creek Protection Plan during and after construction. During construction, the		N/A	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	**Initial Approval**	**Monitoring/ Inspection**
project applicant shall regularly monitor all erosion, sedimentation, debris, and pollution control. The City may require that a qualified consultant (paid for by the project applicant) inspect the control measures and submit a written report of the adequacy of the control measures to the City. If measures are deemed inadequate, the project applicant shall develop and implement additional and more effective measures immediately.	During construction; ongoing		
SCA Hydro-6, Vegetation Management on Creekside Properties: The project applicant shall comply with the following requirements when managing vegetation prior to, during, and after construction of the project: 1. identify and leave "islands" of vegetation in order to prevent erosion and landslides and protect habitat 2. trim tree branches from the ground up (limb-up) and leave tree canopy intact 3. leave stumps and roots from cut down trees to prevent erosion 4. plant fire-appropriate, drought-tolerant, preferably native vegetation 5. provide erosion and sediment control protection if cutting vegetation on a steep slope 6. fence off sensitive plant habitats and creek areas if implementing goat grazing for vegetation management 7. obtain a Tree Permit before removing a Protected Tree (any tree 9 inches diameter at breast height or dbh or greater and any oak tree 4 inches dbh or greater, except eucalyptus and Monterey pine) 8. do not clear-cut vegetation - this can lead to erosion and severe water quality problems and destroy important habitat 9. Do not remove vegetation within 20 feet of the top of the creek bank. If the top of bank cannot be identified, do not cut within 50 feet of the centerline of the creek or as wide a buffer as possible between the creek centerline and the development 10. do not trim/prune branches that are larger than 4 inches in diameter 11. do not remove tree canopy 12. do not dump cut vegetation in the creek 13. do not cut tall shrubbery to less than 3 feet high, and 14. do not cut short vegetation (e.g., grasses, ground-cover) to less than 6 inches high	Ongoing	N/A	Bureau of Building
Noise and Vibration			
SCA Noise-1, Construction Days/Hours: The project applicant shall comply with the following restrictions concerning construction days and hours: 1. 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. 2. 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	During construction	N/A	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	**Initial Approval**	**Monitoring/ Inspection**
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. 3. 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.			
SCA Noise-2, Construction Noise: The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following: 1. 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. 2. Except as provided herein, impact tools (e.g., jackhammers, 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. 3. Applicant shall use temporary power poles instead of generators where feasible 4. 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.	During construction	N/A	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
5. 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.			
SCA Noise-3, Extreme Construction Noise 1. *Construction Noise Management Plan Required*: Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90dBA), the project applicant shall submit a Construction Noise Management Plan. This Plan shall e prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following: a. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings; b. 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; c. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site; d. 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 e. Monitor the effectiveness of noise attenuation measures by taking noise measurements.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
2. *Public Notification Required*: 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.	During construction	Bureau of Building	Bureau of Building
SCA Noise-4, Project-Specific Construction Noise Reduction Measures: The project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction noise impacts on adjacent sensitive receptors or businesses. The project applicant shall implement the approved Plan during construction.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
SCA Noise-5, Construction Noise Complaints: The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include: 1. Designation of an on-site construction complaint and enforcement manager for the project; 2. 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; 3. Protocols for receiving, responding to, and tracking received complaints; and 4. Maintenance of a complaint log that records received complaints and how complaints were addressed, which shall be submitted to the City for review upon the City's request.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
SCA Noise-7, Operational Noise: Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.	Ongoing	N/A	Bureau of Building
Recommendation Noise-2, Audible Pedestrian Crosswalk Signals: During installation the audible pedestrian crosswalk signal at the lower driveway of the Loop Road, the volume levels should be set according to the following guidance: a) The WALK indication must be audible from the beginning of the associated crosswalk. b) The pushbutton locator tones must be responsive to ambient sound levels and audible at a distance of 6 to 12 feet from the pushbutton, or to the building line, whichever is less. c) The audible pedestrian crossing signal microphone should be mounted as close as possible to the position of the pedestrian who is waiting to cross the associated street. d) Manufacturers typically set a default maximum and minimum output level on signal devices. The settings should be checked. e) At no time should sound be more than 5 dB above ambient sound (except by special actuation for audible beaconing). f) The sound level of the crosswalk signal speakers must be carefully set and evaluated at the time of installation, and then checked at a time with different traffic volumes to assure that settings are correct. It is better to install pedestrian signals with volumes that may be too low and adjust upwards as needed. If volumes are set too high initially, problems can arise with neighboring residents. g) Audible pedestrian crosswalk signals that respond to ambient sound are available. However, pre-set automatic volume adjustment or automatic gain controls cannot assure that the volume meets the criterion above. With the selection of signals that respond to ambient sound, the above practices should be undertaken at several time during the daytime and	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	**Initial Approval**	**Monitoring/ Inspection**
nighttime period to ensure that the response is appropriate to meet the needs of the pedestrians, while not causing conflicts with adjacent neighbors.			
Mitigation Measure Noise-2, Loading Dock Noise Reduction Strategies: The following measured are recommended to reduce noise generated during loading dock activities: a) Prohibit unnecessary idling of delivery vehicles b) Avoid noise generating events such as the slamming of gates and loading doors and the dropping of materials.	During Operations	Bureau of Building	Bureau of Building
Mitigation Measure Noise-3, Special Event Notifications and Restrictions: The following requirements pertaining to School-sponsored Special Events at the Project site shall be implemented: a) Ensure that all evening events at the Performing Arts Center are completed by 9:00 pm, with all post event gatherings, event traffic, and exterior clean-up activities completed by 10:00 pm. b) Notify residences in the surrounding area of scheduled large outdoor events, including upper school graduation and lower and middle school promotion. Notification should be given at the time of the release of the annual school calendar and again within a few weeks of the event.	Ongoing	N/A	Bureau of Building
SCA Noise-8, Vibration Impacts on Adjacent Structures or Vibration-Sensitive Activities: The project applicant shall submit a Vibration Analysis prepared by an acoustical and/or structural engineer or other appropriate qualified professional for City review and approval that establishes pre-construction baseline conditions and threshold levels of vibration that could damage the structure and/or substantially interfere with activities. 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.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
Mitigation Measure Noise-5, Vibration Reduction near Historic Structures: Although impacts to on-site properties would not normally be considered an impact under CEQA, the following practices are recommended to minimize damage to on-site historic structures. a) Avoid the use of vibratory rollers and other heavy construction equipment within 20 feet of on-site Buildings 0, 1, and 2. b) Use smaller equipment to minimize vibration levels below the limits. c) Select demolition methods not involving impact tools. d) Avoid dropping heavy objects or materials near on-site Buildings 0, 1, and 2.	During construction	N/A	Bureau of Building
Transportation and Circulation			
SCA Transportation-1: Construction Activity in the Public Right-of-Way 1. *Obstruction Permit Required*: The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets, sidewalks, bicycle facilities, and bus stops.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	**Initial Approval**	**Monitoring/ Inspection**
2. *Traffic Control Plan Required*: In the event of obstructions to vehicle or bicycle travel lanes, bus stops, or sidewalks, 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 accommodations (or detours, if accommodations are not feasible), including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The Traffic Control Plan shall be in conformance with the City's Supplemental Design Guidance for Accommodating Pedestrians, Bicyclists, and Bus Facilities in Construction Zones. The project applicant shall implement the approved Plan during construction.	Prior to approval of construction-related permit	Department of Transportation	Department of Transportation
3. *Repair of City Streets*: The project applicant shall repair any damage to the public right-of way, including streets and sidewalks, caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue. In such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.	Prior to building permit final	N/A	Department of Transportation
SCA Transportation-2, Bicycle Parking: The project applicant shall comply with the City of Oakland Bicycle Parking Requirements (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall demonstrate compliance with the requirements.	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building
SCA Transportation-4: Transportation and Parking Demand Management *1: Transportation and Parking Demand Management (TDM) Plan Required*: The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City. A. The goals of the TDM Plan shall be the following: 1. Reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable. 2. Achieve the following project vehicle trip reductions (VTR): Projects generating 50-99 net new a.m. or p.m. peak hour vehicle trips: 10 percent VTR, and Projects generating 100 or more net new a.m. or p.m. peak hour vehicle trips: 20 percent VTR 3. Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate. 4. Enhance the City's transportation system, consistent with City policies and programs. B. The TDM Plan should include the following: 1. Baseline existing conditions of parking and curbside regulations within the surrounding neighborhood that could affect the effectiveness of TDM strategies, including inventory of parking spaces and occupancy if applicable. 2. Proposed TDM strategies to achieve VTR goals (see below).	Prior to approval of planning application	Bureau of Planning	N/A

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
3. For employers with 100 or more employees at the subject site, the TDM Plan shall also comply with the requirements of Oakland Municipal Code Chapter 10.68 Employer-Based Trip Reduction Program. C. The following TDM strategies must be incorporated into a TDM Plan based on a project location or other characteristics. When required, these mandatory strategies should be identified as a credit toward a project's VTR. 1. Bus boarding bulbs or islands as required by Code or when: A bus boarding bulb or island does not already exist and a bus stop is located along the project frontage; and/or a bus stop along the project frontage serves a route with 15 minutes or better peak hour service and has a shared bus-bike lane curb 2. Bus shelter as required by Code or when: A stop with no shelter is located within the project frontage, or the project is located within 0.10 miles of a flag stop with 25 or more boardings per day 3. Concrete bus pad as required by Code or when: A bus stop is located along the project frontage and a concrete bus pad does not already exist 4. Curb extensions or bulb-outs as required by Code or when identified as an improvement within site analysis 5. Implementation of a corridor-level bikeway improvement as required by Code or when: A buffered Class II or Class IV bikeway facility is in a local or county adopted plan within 0.10 miles of the project location; and the project would generate 500 or more daily bicycle trips 6. Implementation of a corridor-level transit capital improvement as required by Code or when: A high-quality transit facility is in a local or county adopted plan within 0.25 miles of the project location; and the project would generate 400 or more peak period transit trips 7. Installation of amenities such as lighting; pedestrian-oriented green infrastructure, trees, or other greening landscape; and trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan: always required 8. Installation of safety improvements identified in the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.) as required by Code or when: Improvements are identified in the Pedestrian Master Plan along project frontage or at an adjacent intersection 9. In-street bicycle corral as required by Code or when a project includes more than 10,000 square feet of ground floor retail, is located along a Tier 1 bikeway, and on-street vehicle parking is provided along the project frontages. 10. Intersection improvements (including but not limited to visibility improvements, shortening corner radii, pedestrian safety islands, accounting for pedestrian desire lines) as required by Code or when identified as an improvement within site analysis			

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	When Required	Initial Approval	Monitoring/ Inspection
11. New sidewalk, curb ramps, curb and gutter meeting current City and ADA standards - always required			
12. No monthly permits and establish minimum price floor for public parking (may also provide a cash incentive or transit pass alternative to a free parking space in commercial properties) as required by Code or if proposed parking ratio exceeds 1:1000 sf. (commercial)			
13. Parking garage is designed with retrofit capability as required by Code or optional if proposed parking ratio exceeds 1:1.25 (residential) or 1:1000 sf. (commercial)			
14. Parking space reserved for car share as required by Code or when a project is providing parking and the project is located within downtown. One car share space reserved for buildings between 50 – 200 units, then one car share space per 200 units.			
15. Paving, lane striping or restriping (vehicle and bicycle), and signs to midpoint of street section - typically required			
16. Pedestrian crossing Improvements as required by Code or when identified as an improvement within site analysis			
17. Pedestrian-supportive signal changes as required by Code or when identified as an improvement within operations analysis			
18. Real-time transit information system as required by Code or when: A project frontage block includes a bus stop or BART station and is along a Tier 1 transit route with 2 or more routes or peak period frequency of 15 minutes or better			
19. Relocating bus stops to far side as required by Code or when a project is located within 0.10 mile of any active bus stop that is currently near-side			
20. Signal upgrades (including typical traffic lights, pedestrian signals, bike actuated signals, transit-only signals) as required by Code or when Project size exceeds 100 residential units, 80,000 sf. of retail or 100,000 sf. of commercial; and Project frontage abuts an intersection with signal infrastructure older than 15 years			
21. Transit queue jumps as required by Code or when identified as a needed improvement within operations analysis of a project with frontage along a Tier 1 transit route with 2 or more routes or peak period frequency of 15 minutes or better			
22. Trenching and placement of conduit for providing traffic signal interconnect as required by Code or when Project size exceeds 100 units, 80,000 sf. Of retail, or 100,000 sf. of commercial; and Project frontage block is identified for signal interconnect improvements as part of a planned ITS improvement; and a major transit improvement is identified within operations analysis requiring traffic signal interconnect			
23. Unbundled parking as required by Code or if proposed parking ratio exceeds 1:1.25 (residential)			
D. Other TDM strategies to consider include, but are not limited to, the following:			

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
1. 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.			
2. Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping			
3. 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.			
4. Installation of amenities such as lighting, street trees, and trash receptacles per the Pedestrian Master Plan, the Master Street Tree List and Tree Planting Guidelines and any applicable streetscape plan.			
5. Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements.			
6. 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).			
7. 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.			
8. 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).			
9. Guaranteed ride home program for employees, either through 511.org or through separate program.			
10. Pre-tax commuter benefits (commuter checks) for employees			
11. 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.			
12. On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools			
13. Distribution of information concerning alternative transportation options			
14. 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.			

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	**Initial Approval**	**Monitoring/ Inspection**
15. Parking management strategies including attendant/valet parking and shared parking spaces 16. Requiring tenants to provide opportunities and the ability to work off-site 17. 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). 18. 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. E. 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. *2. TDM Implementation* – Physical Improvement Requirements: 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. 3. *TDM Implementation – Operational Strategy Requirements*: For projects that generate 100 or more net new a.m. or p.m. peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR achieved by the project during operation. If deemed necessary, the City may elect to have a peer review consultant, paid for by the project applicant, review the annual report. If timely reports are not submitted and/or the annual reports indicate that the project applicant has failed to implement the TDM Plan, the project will be considered in violation of the Conditions of Approval and the City may initiate enforcement action as provided for in these Conditions of Approval. The project shall not be considered in violation of this Condition if the TDM Plan is implemented but the VTR goal is not achieved.	Prior to building permit final Ongoing	Bureau of Building Department of Transportation	Bureau of Building Department of Transportation
SCA Transportation-5, Transportation Impact Fee: The project applicant shall comply with the requirements of the City of Oakland Transportation Impact Fee Ordinance (chapter 15.74 of the Oakland Municipal Code).	Prior to issuance of building permit	Bureau of Building	N/A
SCA Transportation-6, Plug-In Electric Vehicle (PEV) Charging Infrastructure 1. *PEV-Ready Parking Spaces*: The applicant shall submit, for review and approval of the Building Official and the Zoning Manager, plans that show the location of parking spaces equipped with full electrical circuits designated for future PEV charging (i.e. "PEV-Ready) per the	Prior to Issuance of Building Permit	Bureau of Building	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	**Initial Approval**	**Monitoring/ Inspection**
requirements of Chapter 15.04 of the Oakland Municipal Code. Building electrical plans shall indicate sufficient electrical capacity to supply the required PEV-Ready parking spaces. 2. *PEV-Capable Parking Spaces*: The applicant shall submit, for review and approval of the Building Official, plans that show the location of inaccessible conduit to supply PEV-capable parking spaces per the requirements of Chapter 15.04 of the Oakland Municipal Code. Building electrical plans shall indicate sufficient electrical capacity to supply the required PEV-capable parking spaces. 3. *ADA-Accessible Spaces*: The applicant shall submit, for review and approval of the Building Official, plans that show the location of future accessible EV parking spaces as required under Title 24 Chapter 11B Table 11B-228.3.2.1, and specify plans to construct all future accessible EV parking spaces with appropriate grade, vertical clearance, and accessible path of travel to allow installation of accessible EV charging station(s).			
Mitigation Measure Transportation-1, TDM Performance Requirement: Once the School exceeds a student enrollment of 906 students, the School shall commit to maintain an average of 34.5% (or 15% greater than its prior requirement of 30%) of its school-year student enrollment traveling by modes other than single occupancy vehicles (i.e., a 34.5% TDM rate). To monitor and enforce this TDM rate, a survey of alternative travel modes and on-site monitoring by an independent third party shall occur during each of two independent monitoring periods carried out during the school year, and the counts shall be averaged over the two (2) monitoring periods. However, the School may elect to conduct additional third party monitoring, and the counts shall be averaged over all of the academic year monitoring periods. Alternative travel modes shall include walking, biking, carpooling or taking a bus.	Two times per year	Bureau of Planning	Bureau of Building
Utilities and Service Systems			
SCA Utilities-1, Water Efficient Landscape Ordinance: The project applicant shall comply with California's Water Efficient Landscape Ordinance (WELO) in order to reduce landscape water usage. For any landscape project with an aggregate (total noncontiguous) landscape area over 2,500 sq. ft., the project applicant shall implement the Performance Measures in accordance with the WELO. Prior to construction, the project applicant shall submit the Project Information (detailed below) and documentation showing compliance with Appendix D of California's Model Water Efficient Landscape Ordinance. *a. Performance Measures*: Prior to construction, the project applicant shall prepare and submit a Landscape Documentation Package for review and approval, including the following: 1. Project information (date, applicant and property owner name, project address, total landscape area, project type (new, rehabilitated, cemetery, or home owner installed), water supply type and water purveyor, checklist of documents in the package, project contact information, and applicant signature and date with the statement: "I agree to	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building

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comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package." 2. Water Efficient Landscape Worksheet, including Hydro-zone Information Table and Water Budget Calculations with Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use 3. Soil Management Report 4. Landscape Design Plan 5. Irrigation Design Plan, and 6. Grading Plan b. Upon installation of the landscaping and irrigation systems, and prior to the final of a construction-related permit, the Project applicant shall submit a Certificate of Completion, and landscape and irrigation maintenance schedule, for review and approval by the City. The Certificate of Completion shall also be submitted to the local water purveyor and property owner or his or her designee.			
SCA Utilities-2, Green Building Requirements 1. *Compliance with Green Building Requirements during Plan-Check*: The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code) 2. *Compliance with Green Building Requirements during Construction*: The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project. 3. *Compliance with Green Building Requirements after Construction*: Prior to the finalizing the Building Permit, the Green Building Certifier shall submit the appropriate documentation to City staff and attain the minimum required point level.	Prior to approval of construction-related permit During construction Prior to final approval	Bureau of Planning	Bureau of Building
SCA Utilities-3, Sanitary Sewer System: The project applicant shall prepare and submit a Sanitary Sewer Impact Analysis to the City for review and approval in accordance with the City of Oakland Sanitary Sewer Design Guidelines. The Impact Analysis shall include an estimate of pre-project and post-project wastewater flow from the project site. In the event that the Impact Analysis indicates that the net increase in project wastewater flow exceeds City-projected increases in wastewater flow in the sanitary sewer system, the project applicant shall pay the Sanitary Sewer Impact Fee in accordance with the City's Master Fee Schedule for funding improvements to the sanitary sewer system.	Prior to approval of construction-related permit	Public Works Department, Department of Engineering and Construction	N/A
SCA Utilities-4, Underground Utilities: The project applicant shall place underground all new utilities serving the project and under the control of the project applicant and the City, including all new gas, electric, cable, and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits, and similar facilities. The new facilities shall be placed underground along the project's	During construction	N/A	Bureau of Building

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street frontage and from the project structures to the point of service. Utilities under the control of other agencies, such as PG&E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities.			
SCA Utilities-5, Construction and Demolition Waste Reduction and Recycling: The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of $50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at www.greenhalosystems.com or manually at the City's Green Building Resource Center. Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center.	Prior to approval of construction-related permit	Public Works Department, Environmental Services Division	Public Works Department, Environmental Services Division
SCA Utilities-6, Recycling Collection and Storage Space: The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two (2) cubic feet of storage and collection space per residential unit is required, with a minimum of ten (10) cubic feet. For non-residential projects, at least two (2) cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten (10) cubic feet.	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building
SCA Utilities-7, Storm Drain System: The project storm drainage system shall be designed in accordance with the City of Oakland's Storm Drainage Design Guidelines. To the maximum extent practicable, peak stormwater runoff from the project site shall be reduced by at least 25 percent compared to the pre-project condition.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
Wildfire			
SCA Fire-1, Designated Very High Fire Severity Zone – Vegetation Management a. *Vegetation Management Plan Required*: The project applicant shall submit a Vegetation Management Plan for City review and approval, and shall implement the approved Plan prior to, during, and after construction of the project. The Vegetation Management Plan may be combined with the Landscape Plan otherwise required by the Conditions of Approval. The Vegetation Management Plan shall include, at a minimum, the following measures: 1. Removal of all tree branches and vegetation that overhang the horizontal building roof line and chimney areas within 10 feet vertically 2. Removal of leaves and needles from roofs and rain gutters	Prior to approval of construction-related permit	Oakland Fire Department	Oakland Fire Department

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3. Planting and placement of fire-resistant plants around the house and phasing out flammable vegetation, however, ornamental vegetation shall not be planted within 5 feet of the foundation of the residential structure 4. Trimming back vegetation around windows 5. Removal of flammable vegetation on hillside slopes greater than 20%; Defensible space requirements shall clear all hillsides of non-ornamental vegetation within 30 feet of the residential structure on slopes of 5% or less, within 50 feet on slopes of 5 to 20% and within 100 feet or to the property line on slopes greater than 20% 6. All trees shall be pruned up at least ¼ the height of the tree from the ground at the base of the trunk 7. Clearing out ground-level brush and debris; and All non-ornamental plants, seasonal weeds & grasses, brush, leaf litter and debris within 30 feet of the residential structure shall be cut, raked and removed from the parcel 8. Stacking woodpiles away from structures at least 20 feet from residential structures 9. If a biological report, prepared by a qualified biologist and reviewed by the Bureau of Planning, identifies threatened or endangered species on the parcel, the Vegetation Management Plan shall include islands of habitat refuge for the species noted on a site plan and appropriate fencing for the species shall be installed. Clearing of vegetation within these islands of refuge shall occur solely for the purpose of fire suppression within a designated Very High Fire Severity Zone and only upon the Fire Code Official approving specific methods and timeframes for clearing that take into account the specific flora and fauna species.			
b. *Fire Safety Prior to Construction*: The project plans shall specify that prior to construction, the project applicant shall ensure that the project contractor cuts, rakes and removes all combustible ground level vegetation project to a height of 6" or less from the construction, access and staging areas to reduce the threat of fire ignition per Sections 304.1.1 and 304.1.2 of the California Fire Code.	Prior to approval of construction-related permit	Oakland Fire Department	Oakland Fire Department
c. *Fire Safety during Construction*: The project applicant shall require the construction contractor to implement spark arrestors on all construction vehicles and equipment to minimize accidental ignition of dry construction debris and surrounding dry vegetation. Per section 906 of the California Fire Code, during construction, the contractor shall have at minimum three (3) type 2A10BC fire extinguishers present on the job site, with current SFM service tags attached and these extinguishers shall be deployed in the immediate presence of workers for use in the event of an ignition.	During construction	N/A	Bureau of Building
d. *Smoking Prohibition*: The project applicant shall require the construction contractor to implement a no smoking policy on the site and surrounding area during construction, per Section 310.8 of the California Fire Code.	During construction	N/A	Bureau of Building and Oakland Fire Department

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SCA Fire-2, Fire Safety Phasing Plan: 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.	Prior to approval of construction-related permit	Oakland Fire Department	Bureau of Building
SCA Fire-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, Department of Transportation, and Public Works Department. Compliance with other applicable requirements may require changes to the approved use and/or plans.			
Mitigation Measure Wildfire and Emergency Evacuation-1, Emergency Evacuation Plan: Pursuant to each phased Final Development Plan for the Project, Head-Royce School shall be required to prepare a stand-alone Emergency Evacuation Plan for the School, to be prepared by a professional emergency evacuation expert. This Plan shall consider those recommendations as provided in Appendix 16B of the Draft EIR, as well as those additional recommendations as included in Mr. Weisgerber's peer review/comment letter. Selection of the most appropriate and effective details of such an Emergency Evacuation Plan for the School will be conducted by the professional emergency evacuation expert to be retained by the School, and subject to review and approval by the Oakland Fire Department, with input from Emergency Services, Oakland Police Department, and the Oakland Department of Transportation. The School and their professional emergency evacuation expert shall coordinate with the City of Oakland on the details of this Emergency Evacuation Plan, which shall address, at a minimum, the following considerations: a) *Establish communication connections with emergency alert systems*: This may include developing a liaison relationship with the Liaison Officer designated by the City of Oakland Emergency Operations Plan, or a direct report to the City of Oakland Emergency Operations Center and/or OFD Operations Center (as do public schools). Establish a power-independent communication connection with the Emergency Management System to maintain emergency response communications in the event of an emergency and for real time updates. Consider participating in Alameda County's public alert system provided by Everbridge (called AC Alert), which Oakland first-responders use to broadcast incident-specific messages for any event. b) *Remove existing physical obstacles throughout the Campus* (both North and South): Appendix 16B of the Draft EIR provides a list of physical obstacles that hinder a viable pedestrian evacuation, and provides recommendations that Head-Royce should address to improve egress pathways, gates, stairs, gate openings, and ADA compliance to better prepare for an emergency evacuation. c) *Establish accountability procedures for managing a pedestrian evacuation*: These procedures should ensure a methodology for managing and accounting for all primary grade children	Pursuant to each phased Final Development Plan for the Project	Oakland Fire Department, With input from Emergency Services, Oakland Police Department, and the Oakland Department of Transportation.	Oakland Fire Department

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during an evacuation, with responsibilities assigned to faculty and staff (and potentially older students) to ensure that all students are safely managed under emergency mass evacuation conditions. This may include classroom "all clear" verification, identifying "rally points" along the travel route, and head count verification that all students have reached the designated evacuation assembly point. d) *Identify evacuation destination(s)*: Primary, secondary, and tertiary evacuation destinations should be established, and vetted for conflict with any other City emergency plans. The pre-designated assembly points should be communicated to all parents and guardians, with methodologies for adequately communicating emergency evacuation information, and instructions on how reunification with their students is to be achieved. No at-school reunification should be permitted under an evacuation condition (i.e., parents and guardians shall not be permitted to pick-up their children by driving to Campus). e) *Vetting the Plan prior to adoption*: The Head-Royce School Board should thoroughly review the Evacuation Plan commensurate with the review and approval process by the Oakland Fire Department. The Plan must have School support to ensure that it is fully implemented, and that all accountability procedures have been fully vetted by the School's administration. f) *Training and Exercises*: The School shall ensure that all faculty, staff, students, and parents are fully trained on the evacuation plan, with a minimum of semi-annual exercises observed by the OFD, to ensure that the Campus is well indoctrinated toward an emergency reflex response to a disaster.			