

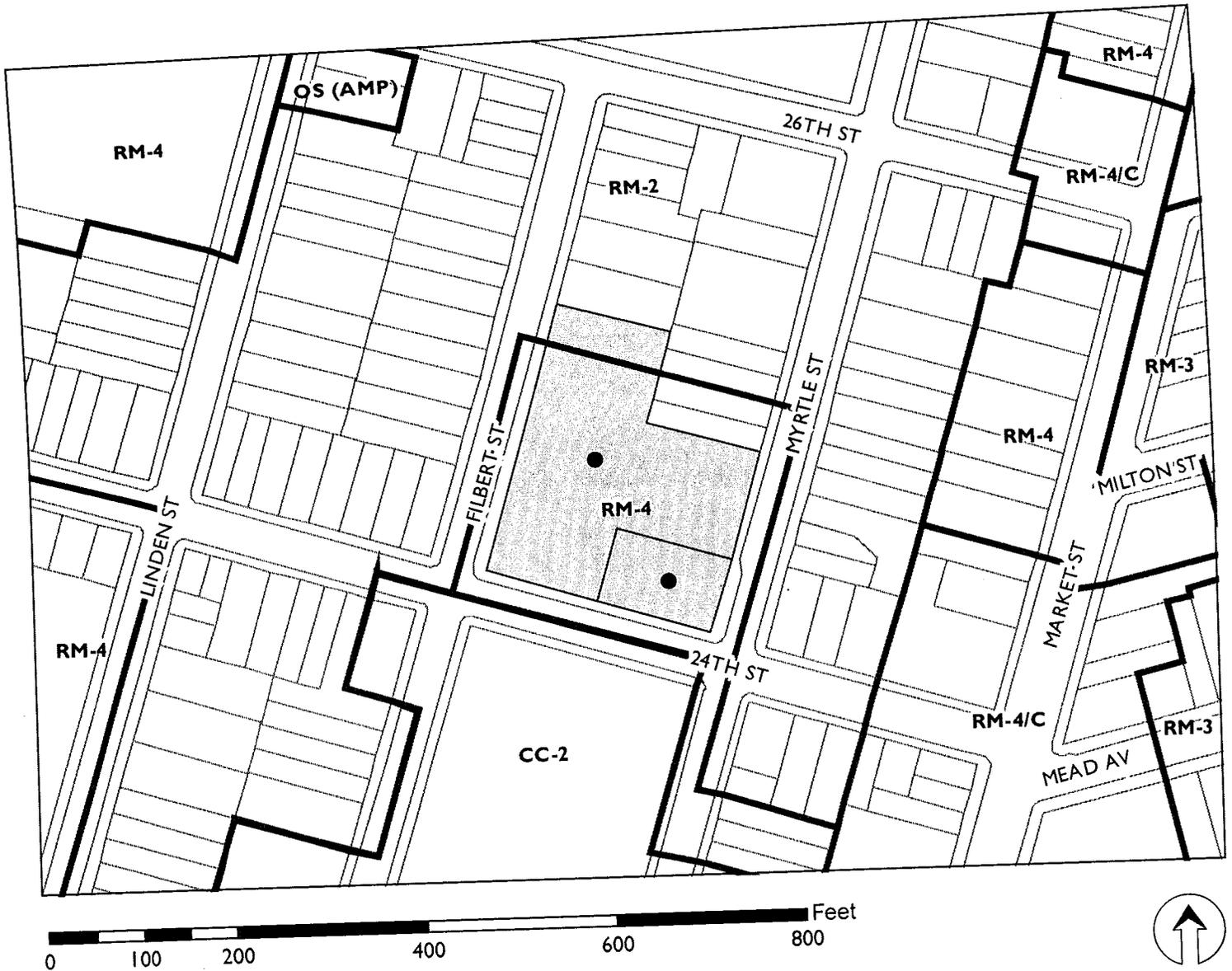
Location:	2400 Filbert Street (APN: 005-0433-018-05 and 005-0433-018-06) (See map on reverse)
Proposal:	To construct a four-story building with 77 dwelling units and convert an existing one story warehouse to ten joint living and working quarters (work/live units). The proposal includes 12 affordable housing units.
Applicant:	Levy Design Partners
Owner:	Toby Levy (415)777-0561
Planning Permits Required:	Major Conditional Use Permit for number of units in the RM-4 Zone and Regular Design Review for new construction. Tentative Parcel Map to merge two lots into one and create condominiums.
General Plan:	Mixed Housing Type Residential
Zoning:	Mixed Housing Type Residential – 4 (RM-4)
Environmental Determination:	The project qualifies for California Environmental Quality Act (CEQA) streamlining provisions under CEQA Guidelines Sections 15183 and 15183.3 to tier from the program-level analysis completed in the City of Oakland (City) General Plan Land Use and Transportation Element (LUTE) and its EIR, the 2010 General Plan Housing Element Update EIR and 2014 Addendum, the West Oakland Redevelopment Plan (Redevelopment Plan) and its EIR, and the West Oakland Specific Plan (WOSP) and its EIR4—collectively referred to herein as the “Program EIRs”—which analyzed environmental impacts associated with adoption and implementation of the General Plan, Redevelopment Plan, and the WOSP.
Historic Status:	Office of History Survey Rating of Ed3
City Council District:	3
Action to be Taken:	Decision based on staff report
Staff Recommendation:	Approve project with conditions of approval
Finality of Decision:	Decision Appealable to City Council
For Further Information:	Contact case planner Neil Gray at 510-238-3878 or ngray@oaklandca.gov

SUMMARY

The proposal, which fronts on 24th Street and spans the block between Myrtle and Filbert Streets, includes converting 9,208 square feet of an existing warehouse into ten joint living and working quarters (JLWQs), demolishing the remaining warehouse, and constructing a four-story building with 77 multi-family units, including 12 affordable units.

Staff recommends approval of the application. The design of the project will relate to the mixed historic residential and industrial context in West Oakland, and the site plan will reduce impacts on neighboring residential properties and provides active street fronts at all three frontages.

CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN19025
Applicant: Levy Design Partners
Address: 2400 Filbert Street
Zone: RM-4

PROPERTY AND NEIGHBORHOOD DESCRIPTION

The proposed site is 62,623 and spans the block of 24th Street between Myrtle and Filbert Streets. The flat site currently contains a one story, 49,082 square-foot industrial building. Although the neighborhood is generally residential, there is a mix of commercial and industrial activities on 24th Street. A townhouse development is currently being constructed across 24th Street from the site. McClymond's High School is one-half a block north from the site, and intact rows of historically rated homes are across the street on Myrtle and Filbert Streets. These homes are a variety of styles, including Neoclassic Rowhouse, Queen Anne Cottage, and Craftsman and generally contain bay windows, hipped and gable roofs, and prominent entrances.

The site is currently two parcels. As conditioned, these lots will be merged into one prior to issuance of a building permit.

PROJECT DESCRIPTION

The proposal includes converting 9,208 square feet of the existing warehouse into ten joint living and working quarters (JLWQs), demolishing the remaining warehouse, and constructing a four-story building with 77 multi-family units, including 12 affordable units (note: the project was publicly noticed as having 16 affordable units). The building is proposed to be four stories and 50 feet tall, with the top story set back 38 feet from the front (24th Street) façade and 30 feet from the Filbert and Myrtle Street facades. The top story is also setback a total of 14 feet from the property line adjacent to the lower density homes adjacent to the site.

Site Plan

Staff determined that 24th Street is the principle street adjacent to the site because it is the widest, carries the most traffic, and is across the street from a commercial zone. Therefore, the main pedestrian entrance is from 24th Street and the garage entrance is not located on the 24th Street frontage. A proposed limited setback on 24th Street would successfully create a street wall and be consistent with other buildings on 24th Street. The proposed 15-foot front setbacks on east and west property lines are consistent with the lower density residential character on Myrtle and Filbert Streets.

The fourth story is set back 38 feet from the 24th Street façade and 30 feet from the Filbert and Myrtle Street facades. The top story is also setback a total of 14 feet from the property line adjacent to the lower density homes north of the site.

Parking, bike storage, and loading are in the garage, which is behind units on Filbert and Myrtle Streets and residential amenities and lobby space on 24th Street. Usable open space is in front of the units on Myrtle and Filbert Streets and in an interior courtyard on the parking podium. The JLWQs are located within the remaining portion of the industrial building on Filbert Street at the northwest corner of the site.

Elevations

24th Street. Overall, this façade has an industrial style, which is reflective of industrial buildings on 24th Street and throughout West Oakland, through the application of exposed concrete at the ground floor, large rectangular windows, and corrugated metal at the upper stories. A large, articulated bank of windows reduces the scale of this façade and two prominent elements adjacent to Filbert and Myrtle Streets anchor the ends of the façade. The main pedestrian entrance is defined by a plaza and stairs within a vertical trapezoidal form, which is a shape that is repeated on all the elevations. The ground floor has significant window space and storefront systems.

Myrtle Street. This façade establishes separate volumes defined by three trapezoid shaped “tail fin” articulations. Bay windows within these tail fins relate to the bays on historic homes on the other side of Myrtle Street and throughout West Oakland. A shorter bay at the north end of the façade transitions the height to the adjacent single family homes.

The ground floor includes significant window area and prominent unit entrances are defined through the placement of wood canopies projecting from the façade. The siding on this façade is generally stucco with corrugated metal accents. Finally, the northern end of this façade has a front setback, upper story step back, and smaller bay window that transitions to the neighboring single family homes.

Filbert Street. Like the Myrtle Street elevation, this façade is broken up into separate volumes through the use of bays with corresponding material changes, trapezoidal forms, window patterns, and prominent entrances. This façade contains a garage entrance and storefront windows towards the rear of the site at the front of the JLWQs. The Filbert Street façade is split into two upper story treatments, not including the corner feature. Square bay windows, which are reminiscent of historic homes in West Oakland, are closest to the intersection. This transitions to the trapezoidal forms similar to the facade treatment on Myrtle Street.

GENERAL PLAN ANALYSIS

The property is in the Mixed Housing Type Residential designation of the General Plan. The intent of the zone is: “to create, maintain, and enhance residential areas typically located near the City’s major arterials and characterized by a mix of single family homes, townhouses, small multi-unit buildings, and neighborhood businesses where appropriate.” Desired Character and Uses is: “Future development within this classification should be primarily residential in character.” The proposed design for a multi-family facility and site is, therefore, consistent with the intent and desired character and uses of the General Plan as well as the following Policies:

Policy N3.2 Encouraging Infill Development.

In order to facilitate the construction of needed housing units, infill development that is consistent with the General Plan should take place throughout the City of Oakland.

Policy N3.8 Required High-Quality Design.

High-quality design standards should be required of all new residential construction. Design requirements and permitting procedures should be developed and implemented in a manner that is sensitive to the added costs of those requirements and procedures.

Policy N6.1 Mixing Housing Types.

The City will generally be supportive of a mix of projects that provide a variety of housing types, unit sizes, and lot sizes which are available to households with a range of incomes.

Policy N7.1 Ensuring Compatible Development.

New residential development in Mixed Housing Type areas should be compatible with the density, scale, design, and existing or desired character of surrounding development.

The proposal is a residential in-fill development project that enhances a potentially designated historic property (PDHP), as well as the mix of housing types in a residential area.

In addition, this project is located within opportunity area 4B in the West Oakland Specific Plan area. According to Fig. 4.6.3 (View of Sub-Area 4B), the plan designates the site for residential with a massing similar to that proposed.

ZONING ANALYSIS

The following highlights relevant zoning standards for the RM-4 zone.

Zoning Intent

The intent of the Mixed Housing Type Residential (RM) Zones is to create, maintain, and enhance residential areas typically located near the City's major arterials and characterized by a mix of single family homes, townhouses, small multi-unit buildings, and neighborhood businesses where appropriate.

The proposed multi-family development near the Adeline Street transit corridor is consistent with this intent.

Regulations

The following table summarizes the relevant regulations for the site.

Regulation	Requirement	Proposed	Notes
Maximum density	77 units	77 residential units plus 10 JLWQs.	1 unit per 1,100 square feet of lot area plus 35 percent affordable housing bonus. JLWQs do not count towards density because they are commercial facilities.
Minimum group open space	8,330 sf	8,815	The requirement is 175 sf per unit, minus 2 times the square feet of open space per unit. A minimum of 70 sf of group open space per unit is required. See first page of Attachment A for calculation.
Height limit	35 feet	50 feet	The additional height is permitted as an incentive/concession according to the Density Bonus Law (California Government Code Sections 65915 – 65918).
Front yard setback (Filbert Street)	15 feet	15 feet	
Rear yard setback (Myrtle Street)	15 feet	15 feet	
Interior side setback	4 feet	4 feet	
Street side setback	4 feet	4 feet	
Conditional Use Permits required	CUP required for more than 4 units in the RM-4 Zone.	CUP required for 77 units.	CUP is major and requires a decision by the Planning Commission per Section 17.134.020 of the Planning Code.
Minimum number of auto parking spaces	51	88	0.7 per regular unit (reduced from 1 per unit due to transit proximity) and 0.5 per affordable unit required. No parking required for JLWQs.

Regulation	Requirement	Proposed	Notes
Minimum bike spaces	<ul style="list-style-type: none"> • 20 long term • 4 short term 	<ul style="list-style-type: none"> • 52 long term • 12 short term 	1 per 4 units required for long term and 1 per 20 units required for short term.
Minimum loading births	1 loading berth	1 loading berth	1 required if development is over 50,000 sf of floor area. Total proposed floor area is 140,245 sf.

ENVIRONMENTAL DETERMINATION

This California Environmental Quality Act (CEQA) Analysis evaluates the environmental effects of the Project. The Project is eligible for CEQA streamlining and/or tiering provisions under CEQA Guidelines Section 15183, which provides for streamlined review when a project is consistent with a Community or General Plan for which the impacts of the Plan have been analyzed in a certified program Environmental Impact Report (EIR). The Project is also eligible for CEQA streamlining and/or tiering provisions under CEQA Guidelines Section 15183.3 for certain qualified infill projects by limiting the topics that are subject to review at the project level, provided the effects of infill development have been addressed in a planning level decision, or by uniformly applying development policies or standards.

The analysis, found in Attachment B, uses CEQA streamlining and tiering provisions under CEQA Guidelines Sections 15183 and 15183.3 to tier from the program-level analysis completed in the City of Oakland (City) General Plan Land Use and Transportation Element (LUTE) and its EIR, the 2010 General Plan Housing Element Update EIR and 2014 Addendum, the West Oakland Redevelopment Plan (Redevelopment Plan) and its EIR, and the West Oakland Specific Plan (WOSP) and its EIR—collectively referred to herein as the “Program EIRs”—which analyzed environmental impacts associated with adoption and implementation of the General Plan, Redevelopment Plan, and the WOSP.

KEY ISSUES AND IMPACTS

Staff recommends approval of the application. The design of the project will relate to the mixed historic residential and industrial context in West Oakland. The top story step backs, bay windows, trapezoid tail fins, and other articulations reduce the scale of the building to relate to the residential context on Filbert and Myrtle Streets. Features such as smooth and corrugated metal, fiber cement board and batten siding, box-shaped bay windows, and other architectural elements relate to the industrial context on 24th Street and other neighborhoods in West Oakland.

The most noteworthy impact of the proposal will be the visual transition from the approximately 15-foot tall Victorian homes north of the site to the proposed four-story, 50-foot tall building. This impact is alleviated through significant setbacks at the top three stories of the building and a shorter bay adjacent to the homes. Like any new development, shadow will be cast on the adjacent residential buildings to the north. However, the proposed step back and setback on the Myrtle façade will provide significant relief.

RECOMMENDATIONS:

- For approvals:
1. Affirm staff's environmental determination.
 2. Approve the Conditional Use Permits and Regular Design Review subject to the attached findings and conditions.

Prepared by:



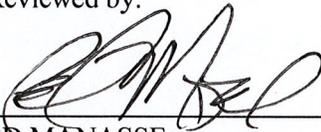
NEIL GRAY
Planner IV

Reviewed by:



ROBERT MERKAMP
Zoning Manager

Reviewed by:



ED MANASSE
Deputy Director, Department of Planning and Building

LEGAL NOTICE: The decision of the City Planning Commission is final and not administratively appealable. Any party seeking to challenge such decision in court must do so within ninety (90) days of the date the decision is announced (Code of Civil Procedure Section 1094.6).

ATTACHMENTS:

- A. Project Plans
- B. CEQA Analysis

FINDINGS FOR APPROVAL

This proposal meets all the required findings under General Use Permit Criteria (OMC Sec. 17.134.050; Regular Design Review Criteria (OMC Sec. 17.136.050(A)(C) of the Oakland Planning Code (Title 17); of the Oakland Planning Code (OMC Title 17) as set forth below and which are required to approve your application. Required findings are shown in **bold type**; reasons your proposal satisfies them are shown in normal type.

SECTION 17.134.050 – GENERAL USE PERMIT CRITERIA:

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

The proposal requires a Conditional Use Permit to allow a residential density of five or more residential units in the RM-4 zone. The proposed density is appropriate because the site is near transit, the design of the development relates to homes in the area (see Design Review findings, below), and the surrounding streets have ample capacity to serve the new units (see the CEQA Analysis in Attachment B). As described in the body of the staff report, setbacks and upper story step backs reduce the visual and solar impacts on neighboring homes to the north and the scale of the building is reduced through articulations, materials changes, bay windows, tail fin projections, and other features.

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

The proposed site planning will create a functional living environment as follows:

- Group open space will be conveniently accessed from all units within a courtyard surrounded by units on the parking podium;
- The prominent entrance is on 24th Street, which is the most prominent street front and will access the plaza and individual unit entrances;
- The auto entrance and exit will be through the same garage door, limiting the number of curb cuts required by the development; and
- Bike parking, loading, and trash will be easily accessed and screened within the parking garage.

The location of the project will be near several AC Transit line and within a mile of two BART stations.

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

The proposal will provide residential opportunities within a residential neighborhood and JLWQs for home businesses and artists. The project will alleviate the region's housing shortage and provide 12 affordable units to lower income households.

- D. That the proposal conforms to all applicable design review criteria set forth in the design review**

procedure at Section 17.136.070.

The proposal conforms to all significant aspects of the Design Review criteria set forth in Chapter 17.136 of the Oakland Planning Code, as outlined below.

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

See General Plan Analysis, above.

SECTION 17.136.050.A - REGULAR DESIGN REVIEW CRITERIA:

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

The design of the project will relate to the mixed residential and industrial historic context in West Oakland. The top story step backs, bay windows, prominent entries, trapezoid tail fins, and other articulations reduce the scale of the building and create forms that relate to the historic residential context on Filbert and Myrtle Streets and other residential neighborhoods in West Oakland. Features such as smooth and corrugated metal, fiber cement board and batten siding, box-shaped bay windows, and other architectural elements relate to the industrial context on 24th Street and the history of small scale industrial construction in West Oakland.

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

The proposal will provide residential opportunities within a residential neighborhood and JLWQs for home businesses and artists. Historic building forms will enhance the existing historic context in the neighborhood.

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

The site is flat and without significant landscaping.

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

The site is flat.

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

See General Plan Analysis, above.

CONDITIONS OF APPROVAL

Standard Conditions of Approval

1. Approved Use

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

2. Effective Date, Expiration, Extensions and Extinguishment

This Approval shall become effective immediately, unless the Approval is appealable, in which case the Approval shall become effective in ten (10) calendar days unless an appeal is filed. Unless a different termination date is prescribed, this Approval shall expire two years from the Approval date, or from the date of the final decision in the event of an appeal, unless within such period a complete building permit application has been filed with the Bureau of Building and diligently pursued towards completion, or the authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this Approval, the Director of City Planning or designee may grant a one-year extension of this date, with additional extensions subject to approval by the approving body. Expiration of any necessary building permit or other construction-related permit for this project may invalidate this Approval if said Approval has also expired. If litigation is filed challenging this Approval, or its implementation, then the time period stated above for obtaining necessary permits for construction or alteration and/or commencement of authorized activities is automatically extended for the duration of the litigation.

3. Compliance with Other Requirements

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

4. Minor and Major Changes

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

5. Compliance with Conditions of Approval

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

6. Signed Copy of the Approval/Conditions

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

7. Blight/Nuisances

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

8. Indemnification

- a. To the maximum extent permitted by law, the project applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Redevelopment Successor Agency, the Oakland City Planning Commission, and their respective agents, officers, employees, and volunteers (hereafter collectively called “City”) from any liability, damages, claim, judgment, loss (direct or indirect), action, causes of action, or proceeding (including legal costs, attorneys’ fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called “Action”) against the City to attack, set aside, void or annul this

Approval or implementation of this Approval. The City may elect, in its sole discretion, to participate in the defense of said Action and the project applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.

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

9. Severability

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

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

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

11. Public Improvements

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

12. Compliance Matrix

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

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

13. Construction Management Plan

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

14. Trash and Blight Removal

Requirement: 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 multi-family residential projects, the project applicant shall install and maintain trash receptacles near public entryways as needed to provide sufficient capacity for building users.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

15. Graffiti Control

Requirement:

- a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation:
 - i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces.
 - ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces.
 - iii. Use of paint with anti-graffiti coating.

- iv. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED).
- v. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement.
- b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following:
 - i. Removal through scrubbing, washing, sanding, and/or scraping (or similar method) without damaging the surface and without discharging wash water or cleaning detergents into the City storm drain system.
 - ii. Covering with new paint to match the color of the surrounding surface.
 - iii. Replacing with new surfacing (with City permits if required).

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

16. Landscape Plan

a. ***Landscape Plan Required***

- Requirement: The project applicant shall submit a final Landscape Plan for City review and approval that is consistent with the approved Landscape Plan. The Landscape Plan shall be included with the set of drawings submitted for the construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code. Proposed plants shall be predominantly drought-tolerant. Specification of any street trees shall comply with the Master Street Tree List and Tree Planting Guidelines (which can be viewed at <http://www2.oaklandnet.com/oakca1/groups/pwa/documents/report/oak042662.pdf> and <http://www2.oaklandnet.com/oakca1/groups/pwa/documents/form/oak025595.pdf>, respectively), and with any applicable streetscape plan.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

b. ***Landscape Installation***

Requirement: The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of City Planning, is provided. The financial instrument shall equal the greater of \$2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid.

When Required: Prior to building permit final

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

c. ***Landscape Maintenance***

Requirement: All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

17. **Lighting**

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

When Required: Prior to building permit final

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

1. **Public Art for Private Development**

Requirement: The project is subject to the City's Public Art Requirements for Private Development, adopted by Ordinance No. 13275 C.M.S. ("Ordinance"). The public art contribution requirements are equivalent to one-half percent (0.5%) for the "residential" building development costs, and one percent (1.0%) for the "non-residential" building development costs.

The contribution requirement can be met through: 1) the installation of freely accessible art at the site; 2) the installation of freely accessible art within one-quarter mile of the site; or 3) satisfaction of alternative compliance methods described in the Ordinance, including, but not limited to, payment of an in-lieu fee contribution. The applicant shall provide proof of full payment of the in-lieu contribution and/or provide plans, for review and approval by the Planning Director, showing the installation or improvements required by the Ordinance prior to issuance of a building permit.

Proof of installation of artwork, or other alternative requirement, is required prior to the City's issuance of a final certificate of occupancy for each phase of a project unless a separate, legal binding instrument is executed ensuring compliance within a timely manner subject to City approval.

When Required: Payment of in-lieu fees and/or plans showing fulfillment of public art requirement – Prior to Issuance of Building permit

Installation of art/cultural space – Prior to Issuance of a Certificate of Occupancy.

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

2. Dust Controls – Construction Related

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

- a) Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible.
- b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
- c) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d) Limit vehicle speeds on unpaved roads to 15 miles per hour.
- e) All demolition activities (if any) shall be suspended when average wind speeds exceed 20 mph.
- f) All trucks and equipment, including tires, shall be washed off prior to leaving the site.
- g) 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.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

3. Criteria Air Pollutant Controls - Construction Related

Requirement: The project applicant shall implement all of the following applicable basic control measures for criteria air pollutants during construction of the project as applicable:

- a) Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 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.
- b) Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”).
- c) 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.

- 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.
- e) Low VOC (i.e., ROG) coatings shall be used that comply with BAAQMD Regulation 8, Rule 3: Architectural Coatings.
- f) 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.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

4. Asbestos in Structures

Requirement: The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM), including but not limited to California Code of Regulations, Title 8; California Business and Professions Code, Division 3; California Health and Safety Code sections 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended. Evidence of compliance shall be submitted to the City upon request.

When Required: Prior to approval of construction-related permit

Initial Approval: Applicable regulatory agency with jurisdiction

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

5. Archaeological and Paleontological Resources – Discovery During Construction

Requirement: Pursuant to CEQA Guidelines section 15064.5(f), in the event that any historic or prehistoric subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are implemented.

In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practicable. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant. The project applicant shall implement the ARDTP at his/her expense.

In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

6. Human Remains – Discovery During Construction

Requirement: Pursuant to CEQA Guidelines section 15064.5(e)(1), in the event that human skeletal remains are uncovered at the project site during construction activities, all work shall immediately halt and the project applicant shall notify the City and the Alameda County Coroner. If the County Coroner determines that an investigation of the cause of death is required or that the remains are Native American, all work shall cease within 50 feet of the remains until appropriate arrangements are made. In the event that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance, and avoidance measures (if applicable) shall be completed expeditiously and at the expense of the project applicant.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

7. Construction-Related Permit(s)

Requirement: The project applicant shall obtain all required construction-related permits/approvals from the City. The project shall comply with all standards, requirements

and conditions contained in construction-related codes, including but not limited to the Oakland Building Code and the Oakland Grading Regulations, to ensure structural integrity and safe construction.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

8. **Hazardous Materials Related to Construction**

Requirement: The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following:

- a. Follow manufacture's recommendations for use, storage, and disposal of chemical products used in construction;
- b. Avoid overtopping construction equipment fuel gas tanks;
- c. During routine maintenance of construction equipment, properly contain and remove grease and oils;
- d. Properly dispose of discarded containers of fuels and other chemicals;
- e. Implement lead-safe work practices and comply with all local, regional, state, and federal requirements concerning lead (for more information refer to the Alameda County Lead Poisoning Prevention Program); and
- f. If soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notifying the City and applicable regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

9. **Hazardous Building Materials and Site Contamination**

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

Requirement: The project applicant shall submit a comprehensive assessment report to the Bureau of Building, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACMs), lead-based paint, polychlorinated biphenyls (PCBs), and any other building materials or stored materials classified as hazardous materials by State or federal law. If lead-based paint, ACMs, PCBs, or any other building materials or stored materials classified as hazardous

materials are present, the project applicant shall submit specifications prepared and signed by a qualified environmental professional, for the stabilization and/or removal of the identified hazardous materials in accordance with all applicable laws and regulations. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.

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

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

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

Requirement: The project applicant shall submit a Phase I Environmental Site Assessment report, and Phase II Environmental Site Assessment report if warranted by the Phase I report, for the project site for review and approval by the City. The report(s) shall be prepared by a qualified environmental assessment professional and include recommendations for remedial action, as appropriate, for hazardous materials. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.

When Required: Prior to approval of construction-related permit.

Initial Approval: Applicable regulatory agency with jurisdiction

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

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

Requirement: The project applicant shall submit a Health and Safety Plan for the review and approval by the City in order to protect project construction workers from risks associated with hazardous materials. The project applicant shall implement the approved Plan.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

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

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

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

controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

10. Erosion and Sedimentation Control Plan for Construction

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

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

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

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

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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

11. State Construction General Permit

Requirement: The project applicant shall comply with the requirements of the Construction General Permit issued by the State Water Resources Control Board (SWRCB). The project applicant shall submit a Notice of Intent (NOI), Stormwater Pollution Prevention Plan (SWPPP), and other required Permit Registration Documents to SWRCB. The project applicant shall submit evidence of compliance with Permit requirements to the City.

When Required: Prior to approval of construction-related permit

Initial Approval: State Water Resources Control Board; evidence of compliance submitted to Bureau of Building

Monitoring/Inspection: State Water Resources Control Board

12. NPDES C.3 Stormwater Requirements for Regulated Projects

a. *Post-Construction Stormwater Management Plan Required*

Requirement: The project applicant shall comply with the requirements of Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES). The project applicant shall submit a Post-Construction Stormwater Management Plan to the City for review and approval with the project drawings submitted for site improvements, and shall implement the approved Plan during construction. The Post-Construction Stormwater Management Plan shall include and identify the following:

- i. Location and size of new and replaced impervious surface;
- ii. Directional surface flow of stormwater runoff;
- iii. Location of proposed on-site storm drain lines;
- iv. Site design measures to reduce the amount of impervious surface area;
- v. Source control measures to limit stormwater pollution;
- vi. Stormwater treatment measures to remove pollutants from stormwater runoff, including the method used to hydraulically size the treatment measures; and
- vii. Hydromodification management measures, if required by Provision C.3, so that post-project stormwater runoff flow and duration match pre-project runoff.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning; Bureau of Building

Monitoring/Inspection: Bureau of Building

b. *Maintenance Agreement Required*

Requirement: The project applicant shall enter into a maintenance agreement with the City, based on the Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement, in accordance with Provision C.3, which provides, in part, for the following:

- i. The project applicant accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity; and
- ii. Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary.

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

When Required: Prior to building permit final

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

13. Structures in a Flood Zone

Requirement: The project shall be designed to ensure that new structures within a 100-year flood zone do not interfere with the flow of water or increase flooding. The project applicant shall submit plans and hydrological calculations for City review and approval with the construction-related drawings that show finished site grades and floor elevations elevated above the Base Flood Elevation (BFE).

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

14. Construction Days/Hours

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

- a. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m.
- b. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday.
- c. No construction is allowed on Sunday or federal holidays.

Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.

Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents'/occupants' preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

15. Construction Noise

Requirement: The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following:

- a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible.
- b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.
- c. Applicant shall use temporary power poles instead of generators where feasible.
- d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction.
- e. The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

16. Extreme Construction Noise**a. *Construction Noise Management Plan Required***

Requirement: Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90dBA), the project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following:

- i. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;
- ii. Implement “quiet” pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;

- iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;
- iv. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and
- v. Monitor the effectiveness of noise attenuation measures by taking noise measurements.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

b. *Public Notification Required*

Requirement: The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.

When Required: During construction

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

17. Construction Noise Complaints

Requirement: The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include:

- a. Designation of an on-site construction complaint and enforcement manager for the project;
- b. A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the project complaint manager and City Code Enforcement unit;
- c. Protocols for receiving, responding to, and tracking received complaints; and
- d. Maintenance of a complaint log that records received complaints and how complaints were addressed, which shall be submitted to the City for review upon the City's request.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

18. Operational Noise

Requirement: Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

19. Affordable Housing Impact Fee

Requirement: The project applicant shall comply with the requirements of the City of Oakland Affordable Housing Impact Fee Ordinance (chapter 15.72 of the Oakland Municipal Code).

When Required: Prior to issuance of building permit; subsequent milestones pursuant to ordinance

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

20. Capital Improvements Impact Fee

Requirement: The project applicant shall comply with the requirements of the City of Oakland Capital Improvements Fee Ordinance (chapter 15.74 of the Oakland Municipal Code).

When Required: Prior to issuance of building permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

21. Construction Activity in the Public Right-of-Way

c. *Obstruction Permit Required*

Requirement: The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets, sidewalks, bicycle facilities, and bus stops.

When Required: Prior to approval of construction-related permit

Initial Approval: Department of Transportation

Monitoring/Inspection: Department of Transportation

d. *Traffic Control Plan Required*

Requirement: 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.

Initial Approval: Department of Transportation

Monitoring/Inspection: Department of Transportation

e. ***Repair of City Streets***

Requirement: The project applicant shall repair any damage to the public right-of way, including streets and sidewalks, caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.

When Required: Prior to building permit final

Initial Approval: N/A

Monitoring/Inspection: Department of Transportation

22. Bicycle Parking

Requirement: The project applicant shall comply with the City of Oakland Bicycle Parking Requirements (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall demonstrate compliance with the requirements.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

23. Transportation Impact Fee

Requirement: 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).

When Required: Prior to issuance of building permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

24. Plug-In Electric Vehicle (PEV) Charging Infrastructure

a. ***PEV-Ready Parking Spaces***

Requirement: 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 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.

When Required: Prior to Issuance of Building Permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

b. ***PEV-Capable Parking Spaces***

Requirement: 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.

When Required: Prior to Issuance of Building Permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

25. Construction and Demolition Waste Reduction and Recycling

Requirement: The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at www.greenhalosystems.com or manually at the City's Green Building Resource Center. Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center.

When Required: Prior to approval of construction-related permit

Initial Approval: Public Works Department, Environmental Services Division

Monitoring/Inspection: Public Works Department, Environmental Services Division

26. Underground Utilities

Requirement: The project applicant shall place underground all new utilities serving the project and under the control of the project applicant and the City, including all new gas, electric, cable, and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits, and similar facilities. The new facilities shall be placed underground along the project's street frontage and from the project structures to the point of service. Utilities under the control of other agencies, such as PG&E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

27. Recycling Collection and Storage Space

Requirement: The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two (2) cubic feet of storage and collection space per residential unit is required, with a minimum of ten (10) cubic feet. For nonresidential 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

28. Green Building Requirements

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

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

- i. The following information shall be submitted to the City for review and approval with the application for a building permit:
 - Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards.
 - Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit.
 - Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit.
 - Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below.
 - Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance.
 - Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit.
 - Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.
- ii. The set of plans in subsection (i) shall demonstrate compliance with the following:

CONDITIONS

- CALGreen mandatory measures and point requirements per the appropriate checklist approved during the Planning entitlement process.
- All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Bureau of Planning that shows the previously approved points that will be eliminated or substituted.
- The required green building point minimums in the appropriate credit categories.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

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

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

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

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

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

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

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

When Required: Prior to Final Approval

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

29. Green Building Requirements – Small Projects

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

The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code) for projects using Bay Friendly Landscape Checklist.

- i. The following information shall be submitted to the City for review and approval with application for a building permit:

- Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards.
 - Completed copy of the green building checklist approved during the review of a Planning and Zoning permit.
 - Permit plans that show in general notes, detailed design drawings and specifications as necessary compliance with the items listed in subsection (b) below.
 - Other documentation to prove compliance.
- ii. The set of plans in subsection (a) shall demonstrate compliance with the following:
- CALGreen mandatory measures.
 - All applicable green building measures identified on the checklist approved during the review of a Planning and Zoning permit, or submittal of a Request for Revision Plan-check application that shows the previously approved points that will be eliminated or substituted.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: N/A

b. *Compliance with Green Building Requirements During Construction*

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

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

- i. Completed copy of the green building checklists approved during review of the Planning and Zoning permit and during the review of the Building permit.
- ii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

30. Sanitary Sewer System

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

When Required: Prior to approval of construction-related permit

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

Monitoring/Inspection: N/A

31. Storm Drain System

Requirement: The project storm drainage system shall be designed in accordance with the City of Oakland’s Storm Drainage Design Guidelines. To the maximum extent practicable, peak stormwater runoff from the project site shall be reduced by at least 25 percent compared to the pre-project condition.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

32. Water Efficient Landscape Ordinance (WELO)

Requirement: 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 equal to 2,500 sq. ft. or less. The project applicant may implement either the Prescriptive Measures or the Performance Measures, of, and in accordance with the California’s Model Water Efficient Landscape Ordinance. 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.

Prescriptive Measures: Prior to construction, the project applicant shall submit documentation showing compliance with Appendix D of California’s Model Water Efficient Landscape Ordinance (see website below starting on page 23):

<http://www.water.ca.gov/wateruseefficiency/landscapeordinance/docs/Title%202023%20extract%20-%20Official%20CCR%20pages.pdf>

Performance Measures: Prior to construction, the project applicant shall prepare and submit a Landscape Documentation Package for review and approval, which includes the following

- a. Project Information:
 - i. Date,
 - ii. Applicant and property owner name,
 - iii. Project address,
 - iv. Total landscape area,
 - v. Project type (new, rehabilitated, cemetery, or home owner installed),
 - vi. Water supply type and water purveyor,
 - vii. Checklist of documents in the package, and
 - viii. Applicant signature and date with the statement: “I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package.”
- b. Water Efficient Landscape Worksheet
 - i. Hydrozone Information Table
 - ii. Water Budget Calculations with Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use

- c. Soil Management Report
- d. Landscape Design Plan
- e. Irrigation Design Plan, and
- f. Grading Plan

Upon installation of the landscaping and irrigation systems, 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 Compliance shall also be submitted to the local water purveyor and property owner or his or her designee.

For the specific requirements within the Water Efficient Landscape Worksheet, Soil Management Report, Landscape Design Plan, Irrigation Design Plan and Grading Plan, see the link below.

<http://www.water.ca.gov/wateruseefficiency/landscapeordinance/docs/Title%202023%20extract%20-%20Official%20CCR%20pages.pdf>

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

Project Specific Conditions of Approval

33. Lot Merger

Requirement: The applicant shall merge the two lots on the subject site according to City and County requirements.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

34. Joint Living and Working Quarters

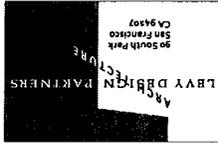
Requirement: The owner of the property shall provide a Statement of Disclosure on the lease or title to all new tenants or owners of the joint living and working quarters acknowledging the commercial character of the development and acceptance of the potential for uses that result in higher levels than would be expected in a residential facility. The statement of disclosure shall also state that the tenants may only engage in the activities allowed by the relevant zoning designation and what is allowed as a home occupation. The statement of disclosure shall also state that at least one tenant of each unit shall apply for and maintain a City of Oakland Business Tax Certificate for a business and work at the project address. The statement described in this condition of approval shall also be provided to any new owners of the property or any of the new units before a unit or the property is sold. A sign shall be permanently displayed in a common area such as a mail room or lobby stating that at least

one resident of each unit shall maintain a City of Oakland Business Tax Certificate and work in the unit. This sign shall be on the building permit plan submittal.

When Required: Prior to Issuance of Building Permit; Ongoing.

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building



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2400 FILBERT STREET OAKLAND, CA



2400 FILBERT STREET
APN: 045-0306-006
PROJECT NO. 2018-11
DATE: 07/20/18
21181517 PLANNING APPLICATION
21181517 PLANNING PERMIT

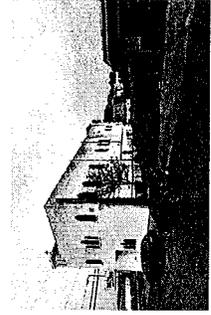
CONTACT: TONY LEVY
P: (415) 772-6561
F: (415) 772-6107
SCALE: AS NOTED

SITE CONTEXT
PHOTOS

G0.1A



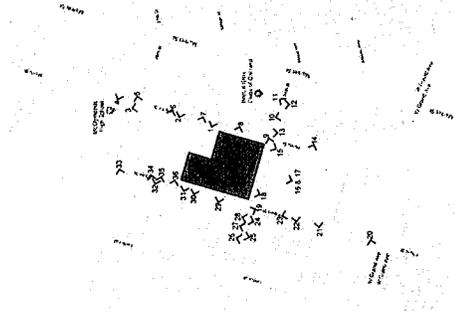
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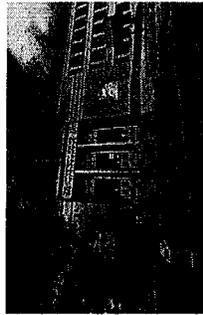
2 182 24TH STREET, ACROSS THE STREET FROM SITE



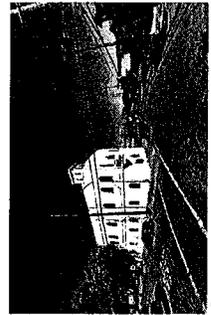
3 1240 FILBERT STREET, ACROSS THE STREET FROM SITE



KEY PLAN



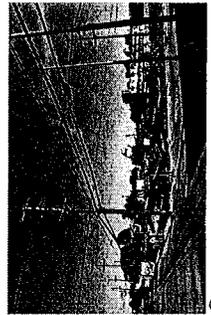
4 1007 MYRTLE STREET, UP THE STREET FROM SITE



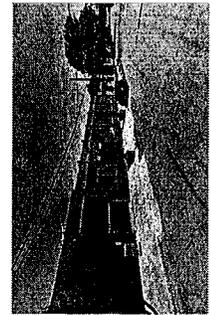
5 130 24TH STREET, ACROSS THE STREET FROM SITE



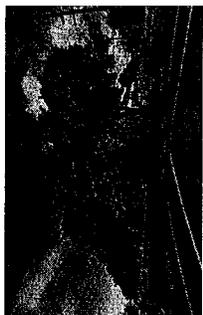
6 1214 1230 1230 MYRTLE STREET, DOWN THE STREET FROM SITE



7 1240 FILBERT STREET, ACROSS THE STREET FROM SITE



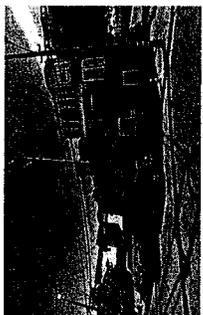
8 1232 FILBERT STREET, DIAGONALLY ACROSS THE STREET FROM SITE



9 1007 MYRTLE STREET, UP THE STREET FROM SITE



10 1412 1414 MYRTLE STREET, ACROSS THE STREET FROM SITE



11 1251 1251 1251 1251 MYRTLE STREET, DIAGONALLY ACROSS THE STREET FROM SITE



12 1240 FILBERT STREET, ACROSS THE STREET FROM SITE



13 1208 1215 FILBERT STREET, DOWN THE STREET FROM SITE



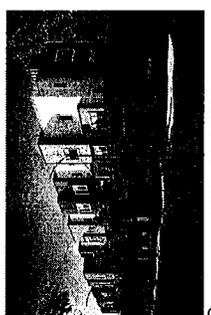
14 1207 1221 MYRTLE STREET, UP THE STREET FROM SITE



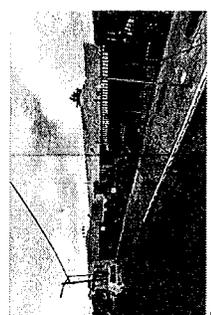
15 1248 1242 1204 1208 MYRTLE STREET, ACROSS THE STREET FROM SITE



16 1207 MARKET ST. & 1001 1911 24TH ST., DOWN THE STREET FROM SITE



17 PROJECT UNDER CONSTRUCTION AT 1240 FILBERT STREET, ACROSS THE STREET FROM SITE



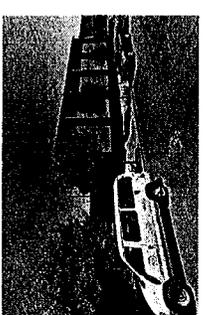
18 1207 FILBERT STREET & 1000 WEST GRAND AVE, DOWN THE STREET FROM SITE



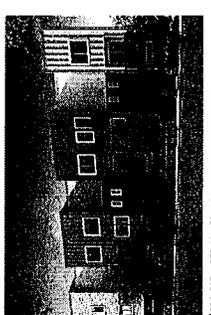
19 1245 1249 1241 1200 MYRTLE STREET, ADJACENT TO SITE



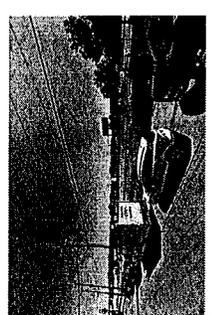
20 1207 1209 1200 HOLLS STREET, UP THE STREET FROM SITE



21 100 MYRTLE STREET, DOWN THE STREET FROM SITE

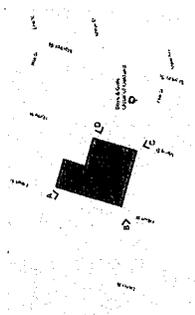


22 PROJECT UNDER CONSTRUCTION AT 1240 FILBERT STREET, ACROSS THE STREET FROM SITE



23 1240 FILBERT STREET, ACROSS THE STREET FROM SITE

1 PHOTOS OF NEIGHBORING BUILDINGS & PROPERTIES



KEY PLAN



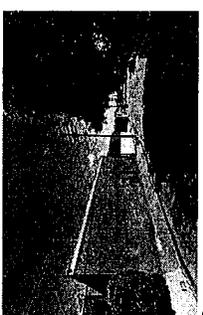
1 2400 FILBERT STREET, ACROSS STREET FROM SITE



2 2400 FILBERT STREET, ACROSS STREET FROM SITE

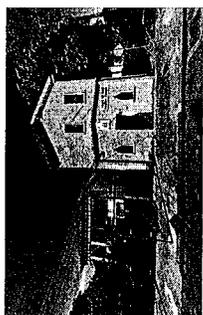


3 2400 FILBERT STREET, ACROSS STREET FROM SITE

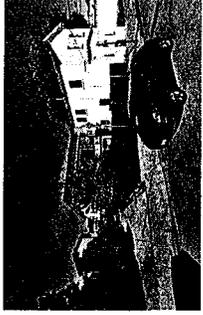


4 2400 FILBERT STREET, ACROSS STREET FROM SITE

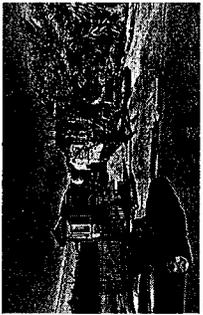
2 PHOTOS OF EXISTING CONDITIONS AT PROJECT SITE (2400 FILBERT STREET)



5 2400 FILBERT STREET, DOWN THE STREET FROM SITE



6 2400 FILBERT STREET, DOWN THE STREET FROM SITE



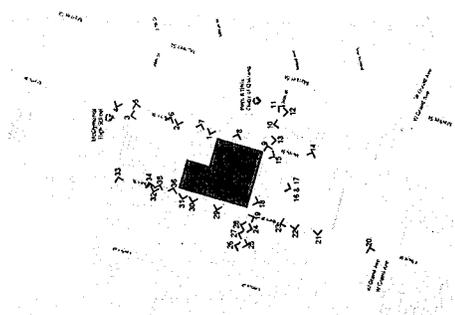
7 2400 FILBERT STREET, DOWN THE STREET FROM SITE



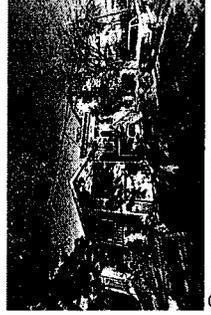
8 2400 FILBERT STREET, DOWN THE STREET FROM SITE



9 2400 FILBERT STREET, DOWN THE STREET FROM SITE



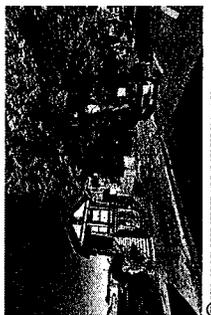
KEY PLAN



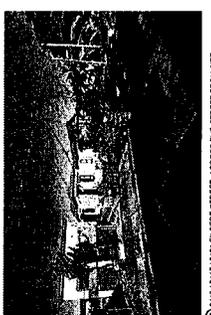
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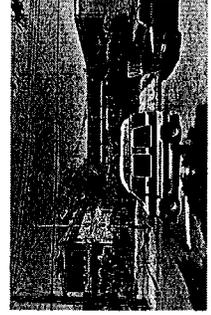
11 2400 FILBERT STREET, UP THE STREET FROM SITE



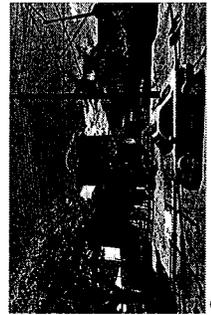
12 2400 FILBERT STREET, UP THE STREET FROM SITE



13 2400 FILBERT STREET, UP THE STREET FROM SITE



14 2400 FILBERT STREET, UP THE STREET FROM SITE



15 2400 FILBERT STREET, UP THE STREET FROM SITE



16 2400 FILBERT STREET, UP THE STREET FROM SITE



17 2400 FILBERT STREET, UP THE STREET FROM SITE

1 PHOTOS OF NEIGHBORING BUILDINGS & PROPERTIES (CONTINUED)

LBVY DESIGN PARTNERS
 90 South Park
 San Francisco
 CA 94107

NOTICE: This plan was prepared by the undersigned professional engineer or architect under the supervision of a duly licensed professional engineer or architect. The undersigned professional engineer or architect is not responsible for the accuracy of the information provided to the undersigned professional engineer or architect.

2400 FILBERT STREET OAKLAND, CA



2400 FILBERT STREET
 APN 014-02-006
 OAKLAND, CA
 PROJECT NO. 2018-11

DATE: SETBACK
 DRAWN: PLANNING/ARCHITECTURE
 CHECKED: PLANNING/ARCHITECTURE

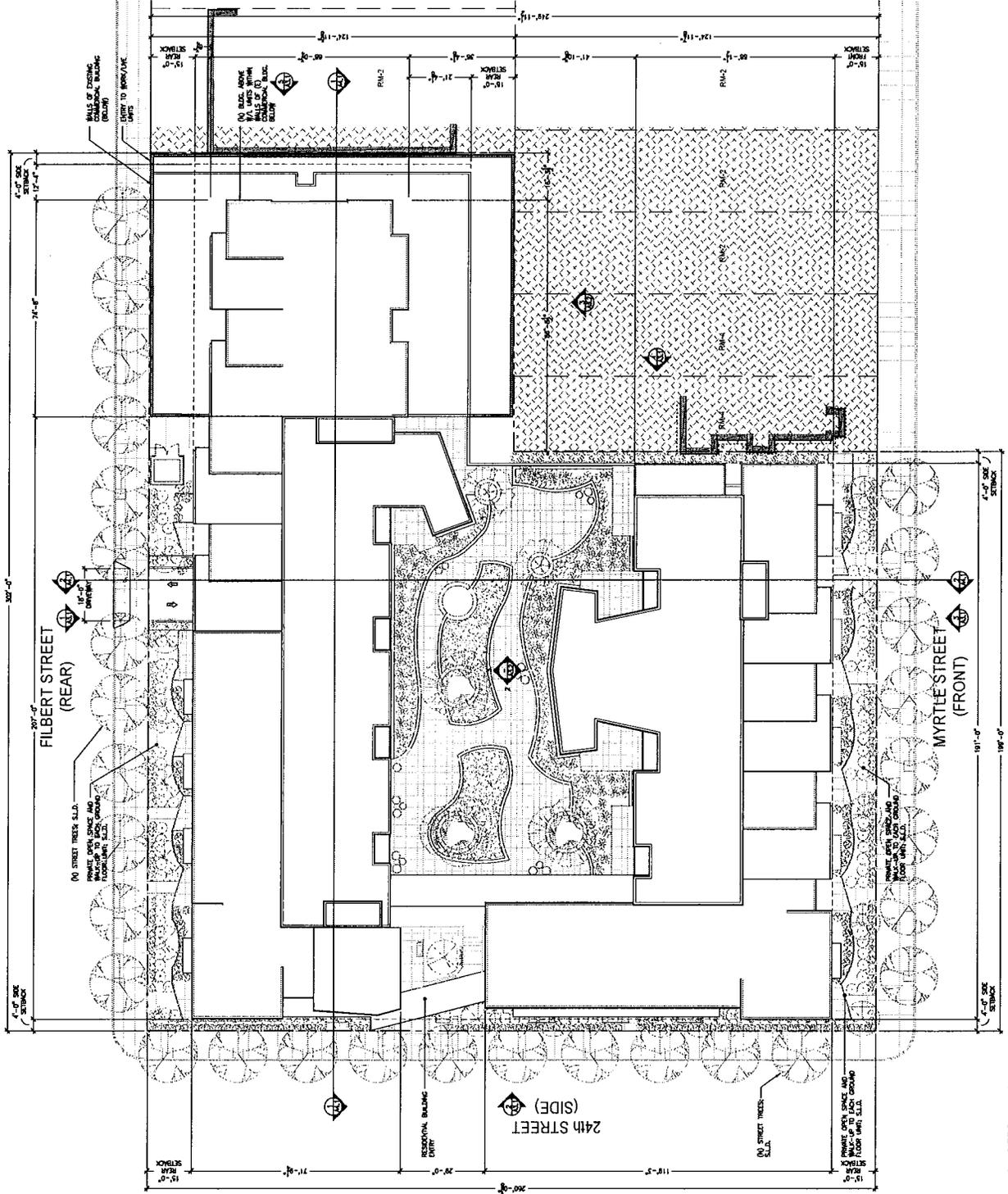
CONTACT: TOBY LEVY

P: (415) 771-5661
 F: (415) 771-5611

SCALE: 1/16" = 1'-0"

SITE PLAN:
 NEW

A1.1



PROJECT NORTH
 TRUE NORTH

1 SITE PLAN: NEW
 1/16" = 1'-0"

2400 FILBERT STREET
OAKLAND, CA



2400 FILBERT STREET
APRIL 2018
OAKLAND, CA
PROJECT NO. 2018-11

DATE: 04/18/18
BY: TBY/LEV
PROJECT: PLANNING APPLICATION
SHEET: PLANNING APPLICATION

CONTACT: TORY LEVY
P: (415) 771-6661
F: (415) 771-5111

SCALE: 1/16" = 1'-0"

FLOOR PLAN:
SECOND
FLOOR

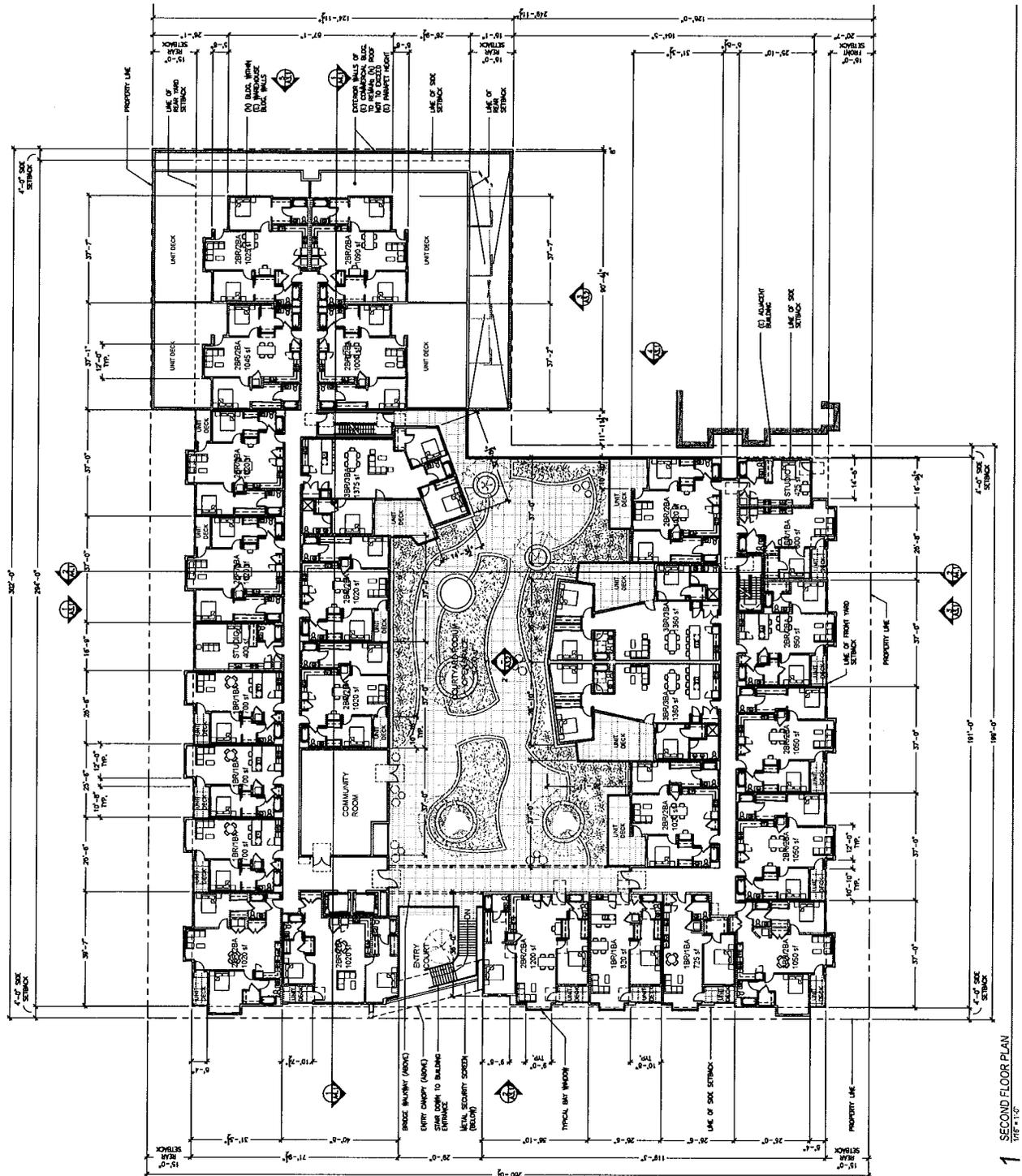
A2.2

GENERAL NOTES
1. CONTRACTOR TO PROVIDE SQA CONTINUOUS MONITORING FOR ALL WORK. SQA TO BE PROVIDED BY THE CONTRACTOR AT ALL TIMES. SQA TO BE PROVIDED BY THE CONTRACTOR AT ALL TIMES. SQA TO BE PROVIDED BY THE CONTRACTOR AT ALL TIMES.
2. SEE CIVIL & LANDSCAPE DRAWINGS FOR ADDITIONAL SCOPE OF WORK.

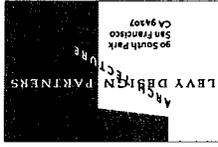
DIMENSION NOTES
1. ALL DIMENSIONS ARE TO FACE OF FINISH, UNLESS NOTED OTHERWISE.
2. SEE ENLARGED PLANS/DETAILS FOR DIMENSIONS NOT SHOWN HERE.

PLANNING NOTES

LEGEND



1 SECOND FLOOR PLAN
1/16" = 1'-0"



2400 FILBERT STREET OAKLAND, CA



2400 FILBERT STREET
OAKLAND, CA 94612
PROJECT NO. 2018-11

DATE: 08/15/2018
SET: 10/06/18
20180407 - PLANNING APPLICATION
20180111 - PLANNING PERMIT

CONTRACT: TOSBY/LEVY

P: (415) 772-6661
F: (415) 772-5107

SCALE: 1/16" = 1'-0"

FLOOR PLAN:
THIRD
FLOOR

A2.3

GENERAL NOTES

1. THIS PLAN IS NOT TO BE CONSIDERED A CONTRACT DOCUMENT. FOR ALL DIMENSIONS TO ACCESS TO THE CONTIGUOUS AREAS FOR ALL BUILDINGS, ETC. ALL DIMENSIONS TO BE SHOWN UNLESS OTHERWISE NOTED.
2. SEE ONE & UNLESS OTHERWISE NOTED FOR ADDITIONAL SCOPE OF WORK.

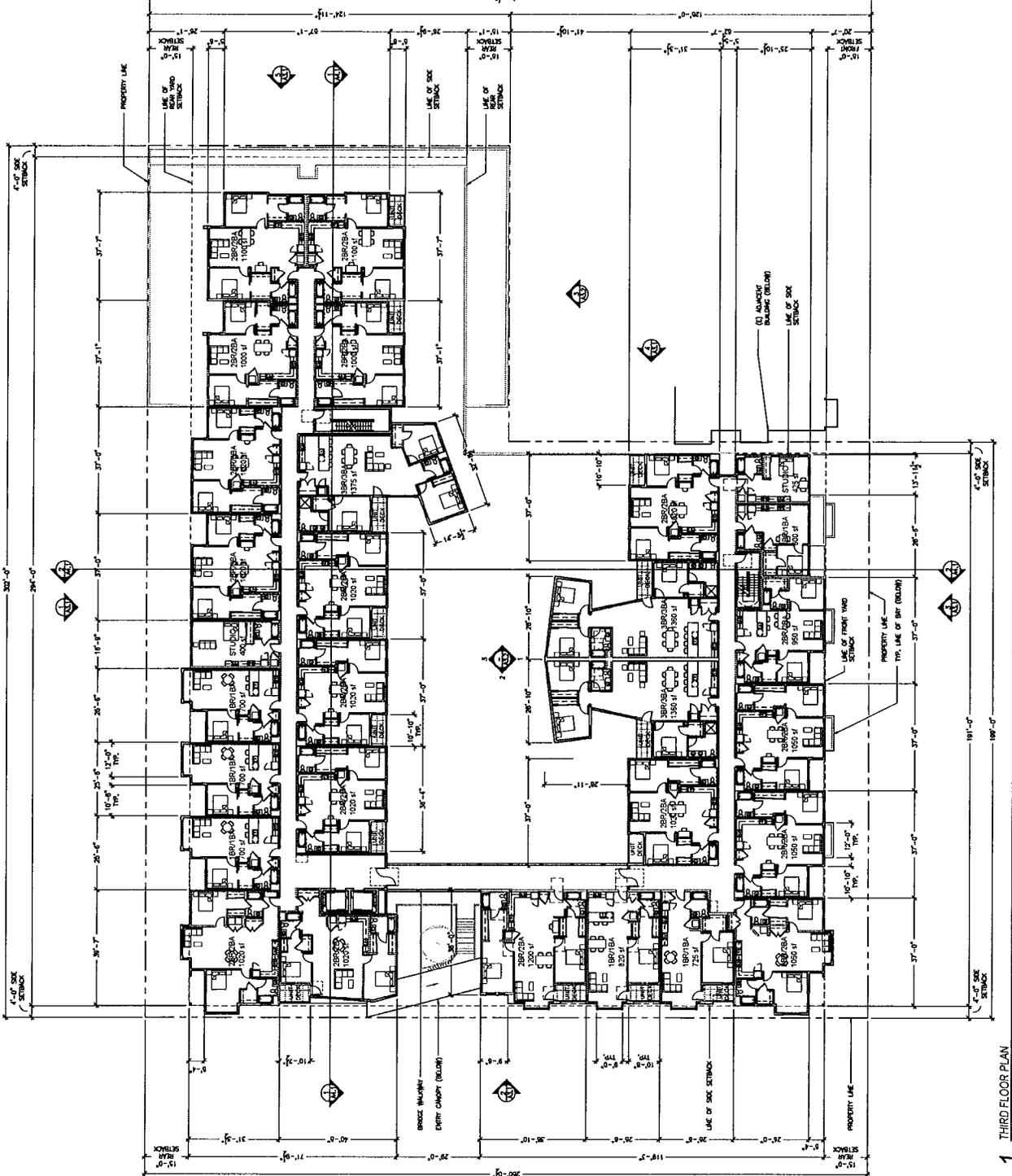
DIMENSION NOTES

1. ALL DIMENSIONS ARE TO FACE OF THICK WALL.
2. SEE CHANGED PARAGRAPHS FOR DIMENSIONS NOT SHOWN HERE.

PLANNING NOTES

LEGEND

⊕	PROJECT NORTH
⊕	TRUE NORTH



1 THIRD FLOOR PLAN
1/16" = 1'-0"



NOTICE: This drawing was prepared as the property and copyright of LBV Design. It is not to be used for any other project without the written consent of LBV Design. The information herein is for informational purposes only.

2400 FILBERT STREET OAKLAND, CA



2400 FILBERT STREET
APR 2008
OAKLAND, CA
PROJECT NO. 2018-11

DATE: 05/10/08
DRAWN BY: PLANNING/ARCHITECTURE
CHECKED BY: PLANNING/ARCHITECTURE

CONTACT: TOSBY LEVY

P: (415) 777-8561
F: (415) 777-8317

SCALE: 1/16" = 1'-0"

FLOOR PLAN:
FOURTH
FLOOR

A2.4

GENERAL NOTES

1. THIS PROJECT IS PROVIDED CONTINUOUS SUPPORT FOR ALL WALLS AND PARTITIONS. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED. SEE NOTES FOR DIMENSIONS TO FACE OF THIN WALLS.
2. SEE DWG. # LANDSCAPE COMMENTS FOR ADDITIONAL SCOPE OF WORK.

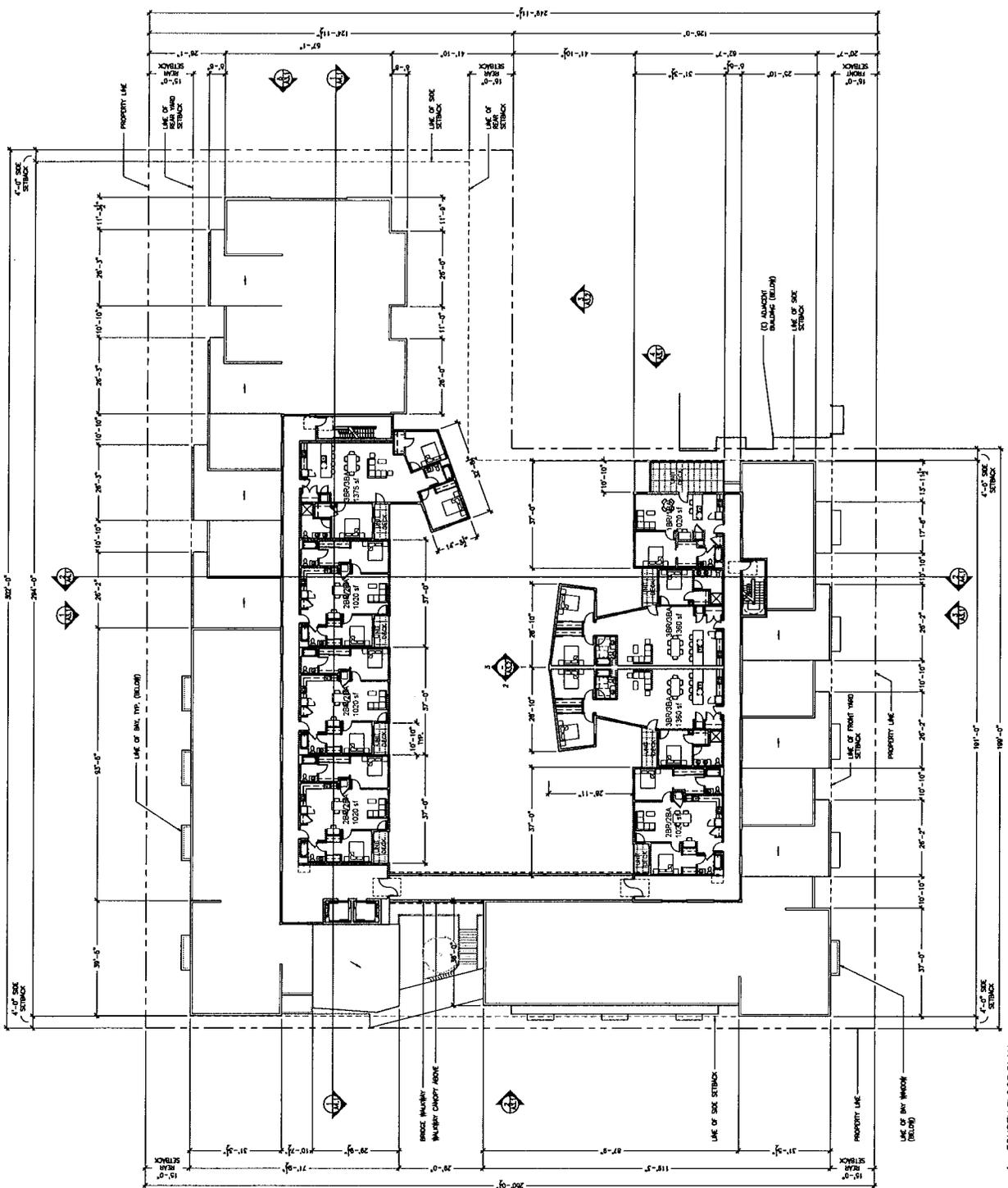
DIMENSION NOTES

1. ALL DIMENSIONS ARE TO FACE OF THIN WALL.
2. SEE DIMANED PLANS/DETAILS FOR DIMENSIONS NOT SHOWN HERE.

PLANNING NOTES

LEGEND

⊕	PROJECT NORTH
⊕	TRUE NORTH



1 FOURTH FLOOR PLAN
1/16" = 1'-0"



NOTE:
 The drawings and specifications are the property and copyright of ARSBERN PARTNERS, LBY D BRN CTVE. No part of these drawings or specifications may be reproduced or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of ARSBERN PARTNERS, LBY D BRN CTVE.

2400 FILBERT STREET OAKLAND, CA



2400 FILBERT STREET
 APN 005-024-0006
 OAKLAND, CA
 PROJECT NO. 2018-11

DATE: SETBACK
 2/14/2017 PLANNING/PERMIT

CONTACT: TOBY LEVY

P (415) 777-8561
 F (415) 777-5517

SCALE: 1/16" = 1'-0"

ROOF PLAN

A2.5

GENERAL NOTES

1. ALL DIMENSIONS ARE TO FACE OF FINISH LUMA.
2. SEE CHANGED PARAGRAPHS FOR DIMENSIONS NOT SHOWN HERE.

DIMENSION NOTES

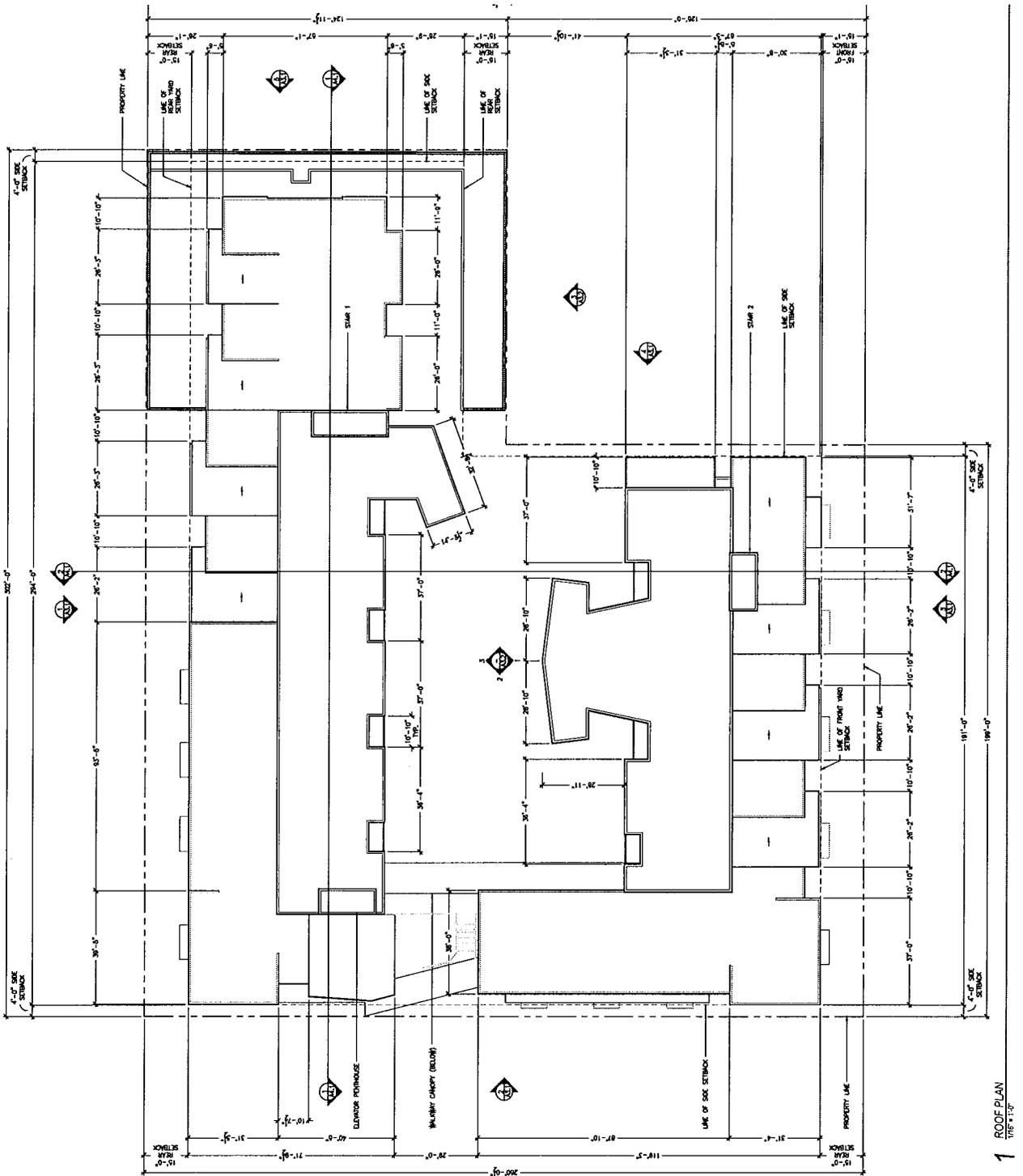
1. ALL DIMENSIONS ARE TO FACE OF FINISH LUMA.
2. SEE CHANGED PARAGRAPHS FOR DIMENSIONS NOT SHOWN HERE.

PLANNING NOTES

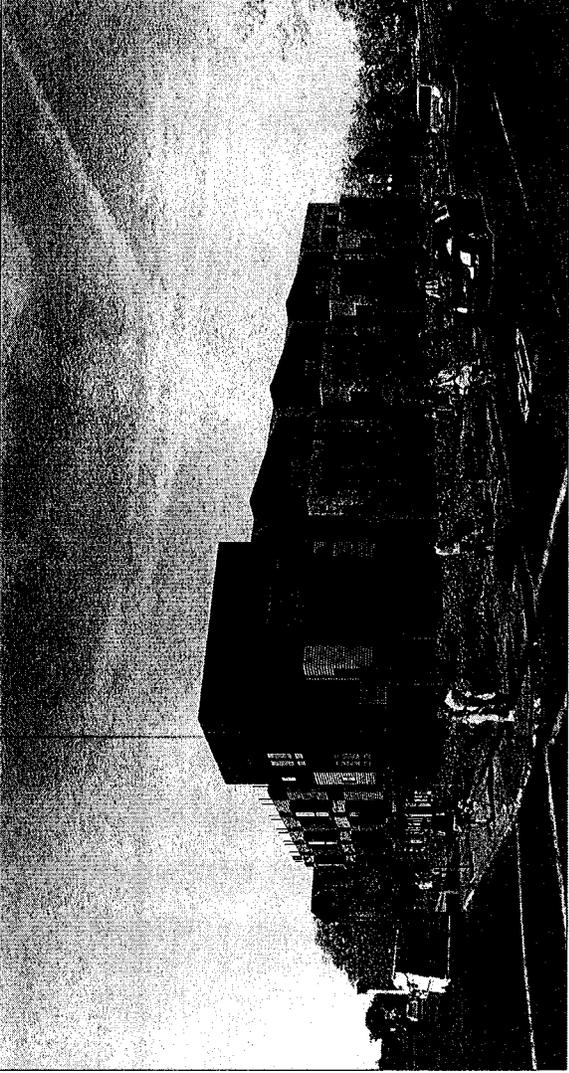
LEGEND

PROJECT NORTH

TRUE NORTH



1 ROOF PLAN
 1/16" = 1'-0"



RENDERING A - VIEW FROM MYRTLE AND 24TH STREETS



MATERIALS LEGEND

- SOLID METAL PANEL COLOR 3
- RIBBED METAL COLOR 1
- CEMENT PLASTER COLOR 5
- SOLID METAL PANEL COLOR 4
- RIBBED METAL COLOR 2
- SOLID METAL PANEL COLOR 4
- RIBBED METAL COLOR 2
- WOOD
- CEMENT PLASTER COLOR 2
- CEMENT PLASTER COLOR 5
- RIBBED METAL COLOR 1

LEVY DEBEN PARTNERS
 90 South Park
 San Francisco
 CA 94107

NOTICE: All drawings are prepared by the architect and are subject to the provisions of the California Building Code and the Building Code of the City of Oakland. The architect is not responsible for the accuracy of the information provided by the client.

2400 FILBERT STREET
 OAKLAND, CA



2400 FILBERT STREET
 OAKLAND, CA 94606
 PROJECT NO. 2018-11

DATE: SET TIME
 DRAWN BY: PLANNING APPLICATION
 2/28/2018 PLANNING REGISTRY

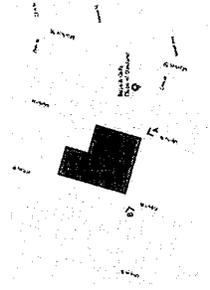
CONTACT: TORY LEWY

P: (415) 772-6861
 F: (415) 772-6107

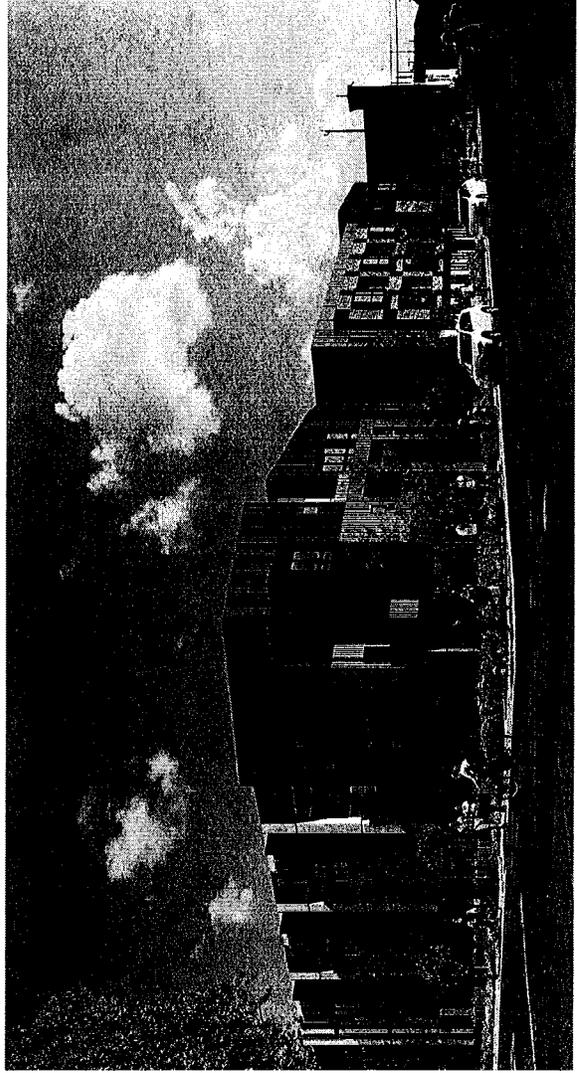
SCALE: NO SCALE

PROJECT:
 RENDERINGS &
 MATERIALS

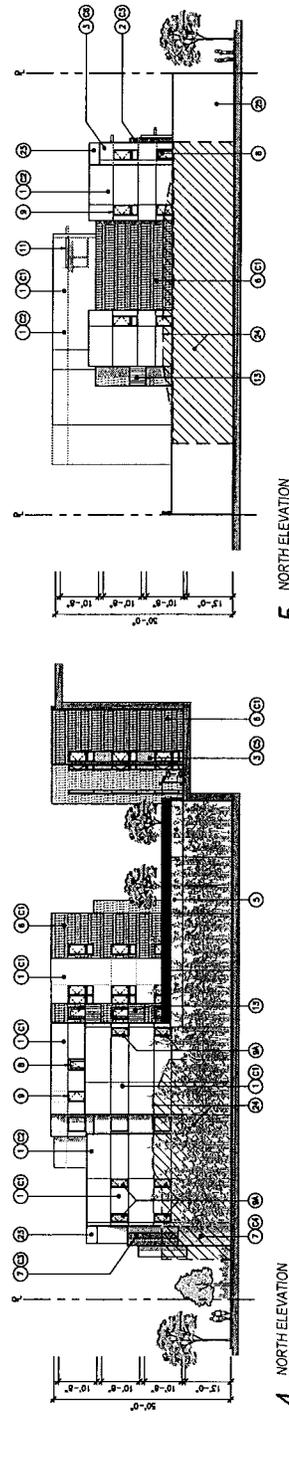
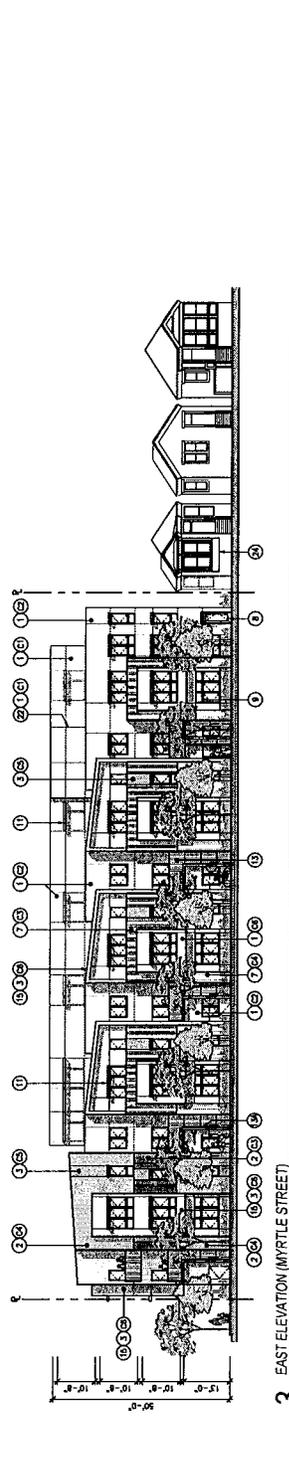
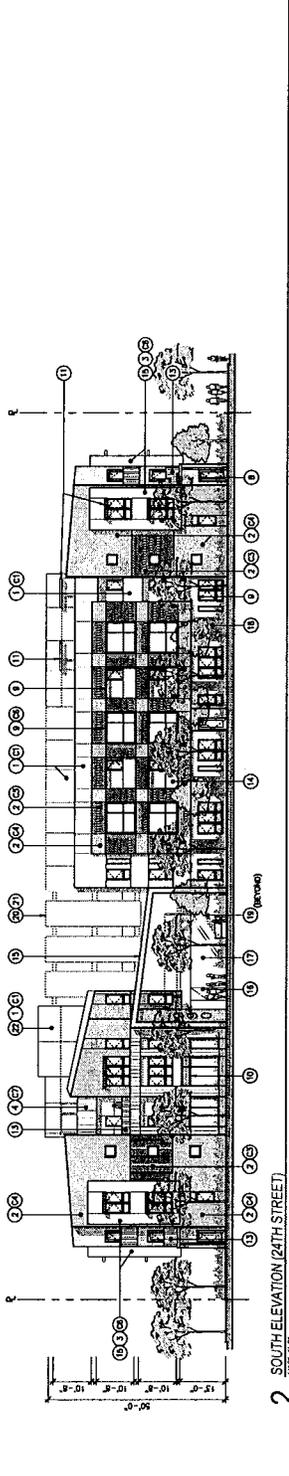
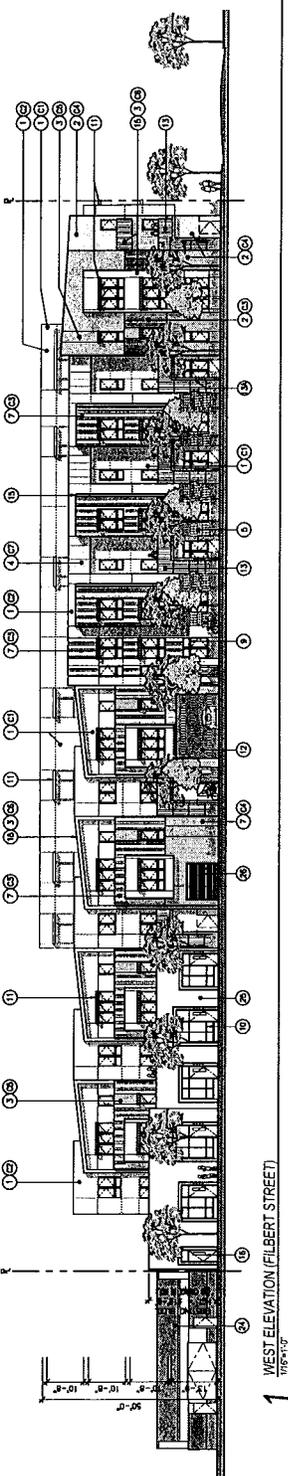
A3.0



KEY PLAN



RENDERING B - VIEW FROM 24TH AND FILBERT STREETS



GENERAL NOTES

1. - EXCESS FINISH OF DOOR (MIL. ONE PER SUBMITTAL ROOM)

2. - CLS. CEILING HEIGHT (MIL. 30)

3. - CLS. CEILING HEIGHT (MIL. 20)

4. - MIL. WALL FINISH (0" TO 1/2" S.F.)

5. - MIL. FINISH FLOOR

6. - FINISH FLOOR

SHEET NOTES

1. GYPSUM PLASTER

2. CORRUGATED METAL PANEL

3. SMOOTH METAL PANEL

4. VERTICAL METAL PANEL

5. EXPOSED CONCRETE

6. HIPS CEMENT LAP SOAKS

7. VERTICAL FIBER CEMENT BOARD & BATCH W/ WOOD SHAKING

8. DOOR

9. WINDOW

10. WINDOW W/ TRANSLUCENT GLAZING

11. TRANSPARENT DOOR & WINDOW STILES

12. METAL SHADING DEVICE

13. HULL-UP DOOR

14. GYPSUM BRICK CORNER

15. GYPSUM BRICK CORNER TO HIPS, HULL-UP CORNER

16. HULL-UP METAL PANEL WITH ADDRESS

17. METAL PANEL CORNER

18. METAL ARCHITECTURAL PROJECTION

19. METAL ENTRY CASE / DOOR

20. REINFORCED METAL SCREEN

21. HULL-UP METAL STAIRS

22. WINDOW BRICK/HULL-UP

23. BUILDING/OBJECT SETTING

24. TIME TABLE / ELEVATOR PITCHHOUSE

25. SLOPED ROOF

26. EXISTING ALUMINUM BUILDING

27. TRANSPARENT ENCLOSURE

28. COLOR 1

29. COLOR 2

30. COLOR 3

31. COLOR 4

32. COLOR 5

33. COLOR 6

34. COLOR 7

LEGEND

1. GYPSUM PLASTER

2. GYPSUM PLASTER

3. CORRUGATED METAL PANEL

4. CORRUGATED METAL PANEL

5. SMOOTH METAL PANEL

6. SMOOTH METAL PANEL

7. VERTICAL METAL PANEL

8. VERTICAL METAL PANEL

9. EXPOSED CONCRETE

10. HIPS CEMENT LAP SOAKS

11. GYPSUM BRICK CORNER

12. HULL-UP METAL STAIRS

13. HULL-UP METAL STAIRS

14. WINDOW BRICK/HULL-UP

15. BUILDING/OBJECT SETTING

16. TIME TABLE / ELEVATOR PITCHHOUSE

17. SLOPED ROOF

18. EXISTING ALUMINUM BUILDING

19. TRANSPARENT ENCLOSURE

20. COLOR 1

21. COLOR 2

22. COLOR 3

23. COLOR 4

24. COLOR 5

25. COLOR 6

26. COLOR 7

GENERAL NOTES

1. - EXCESS FINISH OF DOOR (MIL. ONE PER SUBMITTAL ROOM)

2. - CLS. CEILING HEIGHT (MIL. 30)

3. - CLS. CEILING HEIGHT (MIL. 20)

4. - MIL. WALL FINISH (0" TO 1/2" S.F.)

5. - MIL. FINISH FLOOR

6. - FINISH FLOOR

LEVY DESIGN PARTNERS
 90 South Park
 San Francisco
 CA 94107

2400 FILBERT STREET
 OAKLAND, CA

ARCHITECTURAL BOARD OF CALIFORNIA

2400 FILBERT STREET
 4TH FLOOR, SUITE 400
 OAKLAND, CA
 PROJECT NO. 2018-11

DATE: 11/15/18
 DRAWN BY: J. HARRIS
 CHECKED BY: J. HARRIS

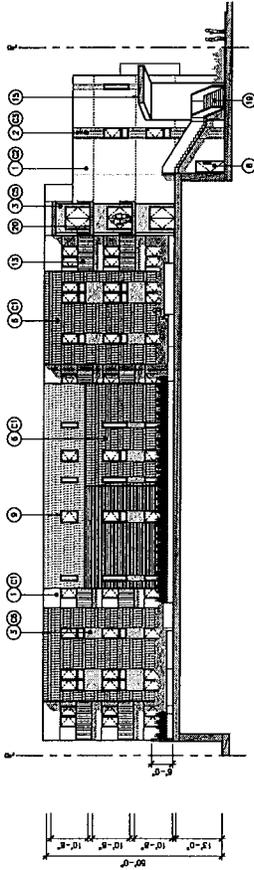
CONTRACT: TOBY LEVY

P: (415) 772-0561
 F: (415) 772-5107

SCALE: 1/16" = 1'-0"

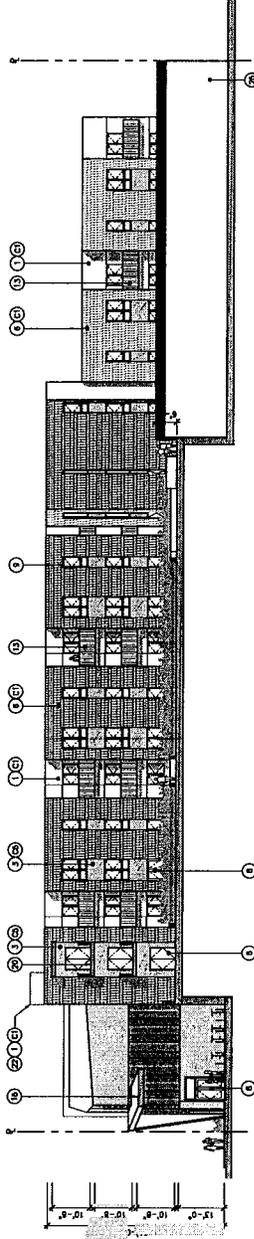
EXTERIOR ELEVATIONS

A3.1



1 COURTYARD ELEVATION
1/8"=1'-0"

2 NOT USED
1/8"=1'-0"



3 COURTYARD ELEVATION
1/8"=1'-0"

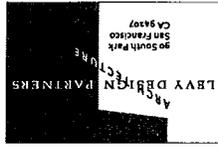
GENERAL NOTES

1. $\frac{1}{4}$ " = CROSS SECTION OF DOOR (MIL, ONE PER SLEEPING ROOM)

1 = CLR. EXTERIOR WINDOW (MIL, 1/4")
 1 = CLR. EXTERIOR WINDOW (MIL, 1/4")
 1 = MIL. TOTAL CHANGING TO BE 5/16" S.F.
 2 = MIL. WINDOW (MIL, 1/4" A.J.Z.)
 1.0. FINISH FLOOR

- SHEET NOTES**
- 1) CALK/ST PLASTER
 - 2) CORRUGATED METAL PANEL
 - 3) SMOOTH METAL PANEL
 - 4) VERTICAL METAL PANEL
 - 5) TEMPLATED CONCRETE
 - 6) REAR CORKER LAP SONG
 - 7) VERTICAL, FIRST CEILING BOARD & BATTIC BY WARD SMOKE
 - 8) DOOR
 - 9) WINDOW
 - 10) WINDOW W/ TRANSLUCENT GLAZING
 - 11) WINDOW/DOOR & WINDOW SYSTEM
 - 12) METAL SMOKE DEVICE
 - 13) HULL-UP DOOR
 - 14) WINDOW/DOOR OVERHEAD
 - 15) METAL PANEL OVERHEAD
 - 16) METAL ARCHITECTURAL PROJECTION
 - 17) METAL ENTRY CASE / DOOR
 - 18) CORRUGATED METAL SPOON
 - 19) HULL-UP SYSTEM: SILL
 - 20) WINDOW SILL
 - 21) WINDOW WINDOW/DOOR
 - 22) WINDOW/DOOR ENTRY
 - 23) SHIM TOWER / ELEVATOR PORCH
 - 24) SLOPED ROOF
 - 25) EXTERIOR WINDOW BUILDING
 - 26) EXTERIOR WINDOW BUILDING
 - 27) WINDOW/DOOR ENCLOSE
- 1) COLOR 1 2) COLOR 4 3) COLOR 7
 4) COLOR 2 5) COLOR 5 6) COLOR 7
 7) COLOR 3 8) COLOR 6

- LEGEND**
- 1) CALK/ST PLASTER
 - 2) CALK/ST PLASTER
 - 3) CORRUGATED METAL PANEL
 - 4) CORRUGATED METAL PANEL
 - 5) SMOOTH METAL PANEL
 - 6) SMOOTH METAL PANEL
 - 7) SMOOTH METAL PANEL
 - 8) VERTICAL METAL PANEL
 - 9) TEMPLATED CONCRETE
 - 10) REAR CORKER LAP SONG
 - 11) VERTICAL, FIRST CEILING BOARD & BATTIC
 - 12) WINDOW/DOOR & WINDOW SYSTEM
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 - 24) SLOPED ROOF
 - 25) EXTERIOR WINDOW BUILDING
 - 26) EXTERIOR WINDOW BUILDING
 - 27) WINDOW/DOOR ENCLOSE



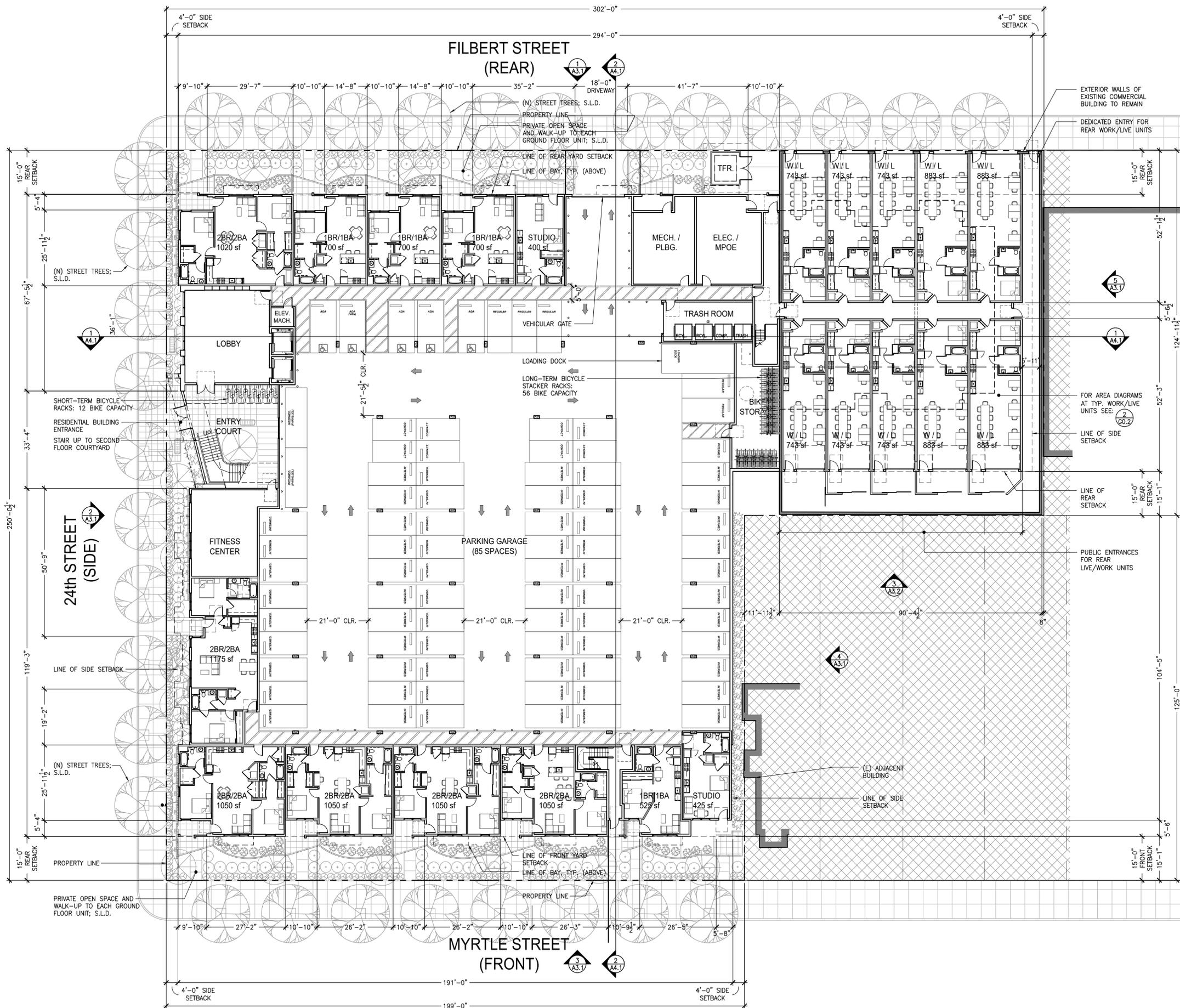
NOTICE: This drawing was prepared by the Project Architect and is subject to the terms and conditions of the contract between the Project Architect and the Client. The Project Architect is not responsible for any errors or omissions in this drawing.

2400 FILBERT STREET
 OAKLAND, CA



2400 FILBERT STREET
 4TH FLOOR
 OAKLAND, CA
 PROJECT NO. 2018-11
 DATE: 05/11/2018
 DRAWN BY: PLANNING/DESIGN
 CHECKED BY: PLANNING/DESIGN

CONTACT: TOBY LEVY
 P: (415) 771-6561
 F: (415) 772-5177
 SCALE: 1/16" = 1'-0"
 EXTERIOR
 ELEVATIONS
 A3.2



GENERAL NOTES

- CONTRACTOR TO PROVIDE SOLID CONTINUOUS BACKING FOR ALL WALL MTD. FIXTURES, ACCESSORIES, MILLWORK, EQUIPMENT RACKS, SHELVING, ETC. ALL BLOCKING TO BE SAME DIMENSION AS ASSOCIATED FRAMING, SEE A0.4.
- SEE CIVIL & LANDSCAPE DRAWINGS FOR ADDITIONAL SCOPE OF WORK.

DIMENSION NOTES

- ALL DIMENSIONS ARE TO FACE OF FINISH, U.O.N.
- SEE ENLARGED PLANS/DETAILS FOR DIMENSIONS NOT SHOWN HERE.

PLANNING NOTES

LEGEND



ARCHITECT PARTNERS
LEVY DESIGN PARTNERS
 90 South Park
 San Francisco
 CA 94107

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2400 FILBERT STREET
OAKLAND, CA



2400 FILBERT STREET
 APN: 005-0433-018-05/06
 OAKLAND, CA
 PROJECT NO. 2018-11

DATE	SET ISSUE
2019-02-07	PLANNING APPLICATION
2019-07-18	PLANNING REVISION 1

CONTACT: TOBY LEVY

P: (415) 777-0561
 F: (415) 777-5117

SCALE: 1/16" = 1'-0"

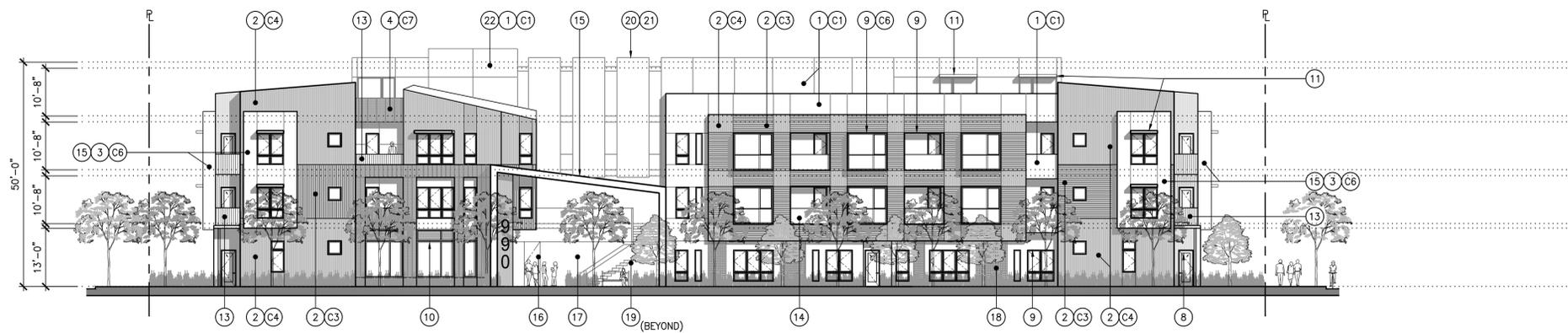
FLOOR PLAN:
FIRST FLOOR

A2.1

1 FIRST FLOOR PLAN
 1/16" = 1'-0"



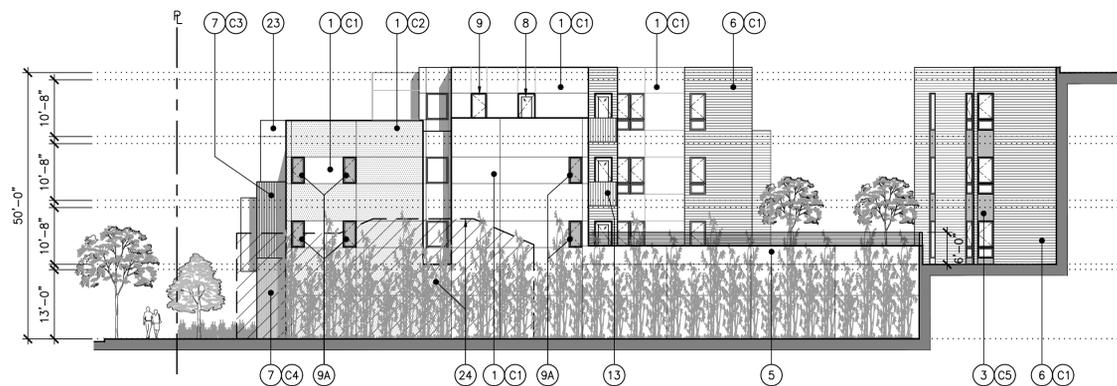
1 WEST ELEVATION (FILBERT STREET)
1/16"=1'-0"



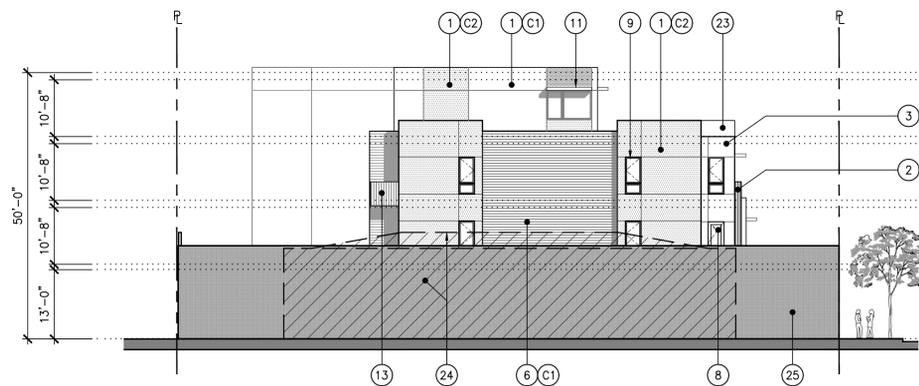
2 SOUTH ELEVATION (24TH STREET)
1/16"=1'-0"



3 EAST ELEVATION (MYRTLE STREET)
1/16"=1'-0"



4 NORTH ELEVATION
1/16"=1'-0"



5 NORTH ELEVATION
1/16"=1'-0"

GENERAL NOTES

- *E = EGRESS WINDOW OR DOOR (MIN. ONE PER SLEEPING ROOM)
- X = CLR. OPENING HEIGHT (MIN. 24")
 Y = CLR. OPENING WIDTH (MIN. 20")
 MIN. TOTAL OPENING TO BE 5.7 S.F.
- Z = SILL HEIGHT (MAX. 44" A.F.F.)
 T.O. FINISH FLOOR

SHEET NOTES

- CEMENT PLASTER
- CORRUGATED METAL PANEL
- SMOOTH METAL PANEL
- VERTICAL METAL PANEL
- EXPOSED CONCRETE
- FIBER CEMENT LAP SIDING
- VERTICAL FIBER CEMENT BOARD & BATTEN W/ VARIED SPACING
- DOOR
- WINDOW
- WINDOW W/ TRANSLUCENT GLAZING
- STOREFRONT DOOR & WINDOW SYSTEM
- METAL SHADING DEVICE
- ROLL-UP DOOR
- BALCONY WOOD GUARDRAIL
- WOOD UNIT ENTRY CANOPY TO MATCH BALCONY GUARDRAIL ABOVE; PROVIDE METAL UNIT ADDRESSES
- METAL PANEL GUARDRAIL
- METAL ARCHITECTURAL PROJECTION
- METAL ENTRY GATE / DOOR
- PERFORATED METAL SCREEN
- PLANT WALL SYSTEM; S.L.D.
- EXTERIOR STAIR
- EXTERIOR BRIDGE/WALKWAY
- BUILDING/OBJECT BEYOND
- STAIR TOWER / ELEVATOR PENTHOUSE
- SLOPED ROOF
- EXISTING ADJACENT BUILDING
- EXISTING CMU WAREHOUSE BUILDING
- TRANSFORMER ENCLOSURE

- (C1) COLOR 1 (C4) COLOR 4 (C7) COLOR 7
 (C2) COLOR 2 (C5) COLOR 5
 (C3) COLOR 3 (C6) COLOR 6

LEGEND

- CEMENT PLASTER (C1)
- CEMENT PLASTER (C2)
- CORRUGATED METAL PANEL (C3)
- CORRUGATED METAL PANEL (C4)
- SMOOTH METAL PANEL (C5)
- SMOOTH METAL PANEL (C6)
- VERTICAL METAL PANEL (C7)
- EXPOSED CONCRETE
- FIBER CEMENT LAP SIDING (C1)
- VARIED VERTICAL FIBER CEMENT BOARD & BATTEN (C3)
- VARIED VERTICAL FIBER CEMENT BOARD & BATTEN (C4)



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2400 FILBERT STREET
OAKLAND, CA



2400 FILBERT STREET
 APN: 005-0433-018-05/06
 OAKLAND, CA
 PROJECT NO. 2018-11

DATE SET ISSUE
 2019-02-07 PLANNING APPLICATION
 2019-07-18 PLANNING REVISION 1

CONTACT: TOBY LEVY

P: (415) 777-0561
 F: (415) 777-5117

SCALE: 1/16" = 1'-0"

EXTERIOR ELEVATIONS

A3.1

2400 FILBERT STREET PROJECT

CEQA ANALYSIS

Prepared for:

City of Oakland
Bureau of Planning
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, CA 94612

Prepared By:

Lamphier–Gregory
1944 Embarcadero
Oakland, CA 94606

URBAN PLANNING
ENVIRONMENTAL
ANALYSIS



June 2019

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ATTACHMENTS

- A: City of Oakland Standard—Conditions of Approval
- B: Infill Performance Standards, Per CEQA Guidelines Section 15183.3
- C: Phase I and Phase II Environmental Site Assessments
- D: Transportation Assessment

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I. PROJECT CHARACTERISTICS

- 1. Project Title:** 2400 Filbert Street Project
- 2. Lead Agency Name and Address:** City of Oakland
Planning & Building Department
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, CA 94612
- 3. Contact Person and Phone Number:** Neil Gray, Planner IV
510.238.3878
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, CA 94612
ngray@oaklandca.gov
- 4. Project Location:** 2400 Filbert Street
Oakland, CA 94607
Assessor's Parcel Numbers 005-0433-018-05, -06
- 5. Project Sponsor's Name and Address:** TNP Real Estate Investments
Mr. Martin Pham
P.O. Box 2395
Danville, CA 94526
- 6. Existing General Plan Designations:** Mixed Housing Type Residential (West Oakland Specific Plan)
- 7. Existing Zoning:** RM-4
Height Limit: 35 feet
- 8. Requested Permits:** Regular Design Review
Major Conditional Use Permit

II. BACKGROUND

The proposed 2400 Filbert Street Project (Project) would be a 4-story residential development project and would include the conversion of an existing warehouse to joint living and working quarters (JLWQs). The Project is located at 2400 Filbert Street in West Oakland (Assessor's Parcel Numbers [APNs] 005-0433-015-05 and 005-0433-015-06; **Figure 1**). The Project site fronts Myrtle Street and consists of approximately 62,623 square feet (1.4 acre). An existing industrial/commercial building and associated parking currently occupy the site, which would be demolished and replaced with the proposed new residential development. Two existing warehouses along Filbert Street would be renovated to JLWQs.

The Project would consist of 77 conventional residential dwelling units and 10 JLWQ units, 88 off-street parking spaces, 68 bicycle parking spaces, and approximately 9,200 square feet of courtyard open space. The ground-floor level would consist of the building lobby, 12 residential units, the 10 JLWQ units, bicycle parking, and parking garage. The remaining 65 residential units would occupy floors 2 – 4, served by one elevator, with 28 units on the second floor, 29 units on the third floor, and 8 units on the fourth floor. Building residents would have access to a community room and courtyard open space on the second floor.

This California Environmental Quality Act (CEQA) Analysis evaluates the environmental effects of the Project. The Project is eligible for CEQA streamlining and/or tiering provisions under CEQA Guidelines Section 15183, which provides for streamlined review when a project is consistent with a Community or General Plan for which the impacts of the Plan have been analyzed in a certified program Environmental Impact Report (EIR). The Project is also eligible for CEQA streamlining and/or tiering provisions under CEQA Guidelines Section 15183.3 for certain qualified infill projects by limiting the topics that are subject to review at the project level, provided the effects of infill development have been addressed in a planning level decision, or by uniformly applying development policies or standards.

This analysis uses CEQA streamlining and/or tiering provisions under CEQA Guidelines Sections 15183 and 15183.3 to tier from the program-level analysis completed in the City of Oakland (City) General Plan Land Use and Transportation Element (LUTE) and its EIR,¹ the 2010 General Plan Housing Element Update EIR and 2014 Addendum,² the West Oakland Redevelopment Plan (Redevelopment Plan) and its EIR,³ and the West Oakland Specific Plan (WOSP) and its EIR⁴—collectively referred to herein as the “Program EIRs”—which analyzed environmental impacts associated with adoption and implementation of the General Plan, Redevelopment Plan, and the WOSP.

The following describes the Program EIRs that constitute the previous CEQA documents considered in this CEQA Analysis. Each of the following documents is hereby incorporated by reference and can be obtained from the City of Oakland Bureau of Planning at 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, California, 94612, and on the City of Oakland Planning and Building Department website at <http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157>.

¹ City of Oakland, 1998. General Plan, Land Use and Transportation Element; City of Oakland, 1998. Oakland General Plan Land Use and Transportation Element EIR.

² City of Oakland, 2010. Oakland General Plan Housing Element; City of Oakland, 2010. Oakland General Plan Housing Element EIR.

³ City of Oakland, 2003. West Oakland Redevelopment Plan City of Oakland, 2003. West Oakland Redevelopment Plan EIR.

⁴ City of Oakland, 2014. West Oakland Specific Plan; City of Oakland, 2014. West Oakland Specific Plan EIR.

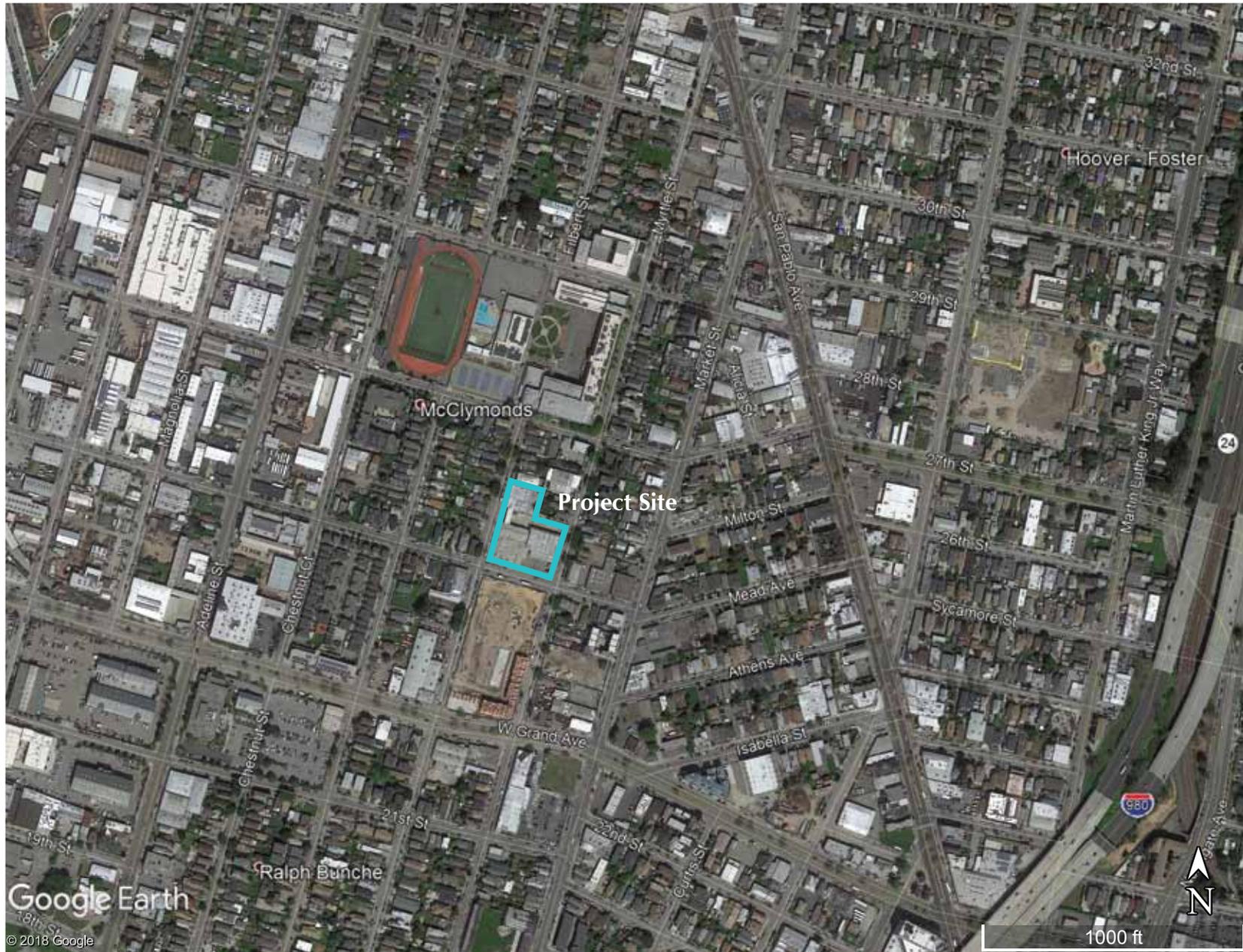


Figure 1. Project Location

Applicable Previous CEQA Documents and Program EIRs

Land Use and Transportation Element EIR

The City certified the EIR for its General Plan LUTE in 1998. The LUTE identifies policies to guide land use changes in the City and sets forth an action program to implement the land use policy through development controls and other strategies. The 1998 LUTE EIR is designated a Program EIR under CEQA Guidelines Sections 15168, 15183, and 15183.3. As such, subsequent activities under the LUTE are subject to requirements under each of the aforementioned CEQA Sections.

Applicable mitigation measures identified in the 1998 LUTE EIR are largely the same as those identified in the other Program EIRs prepared after the 1998 LUTE EIR, either as mitigation measures or newer City Standard Conditions of Approval (SCAs), the latter of which are described below.

Environmental Effects Summary – 1998 LUTE EIR

The 1998 LUTE EIR (including its Initial Study Checklist) determined that development consistent with the LUTE would result in impacts that would be reduced to a less than significant level with the implementation of mitigation measures: aesthetics (views, architectural compatibility and shadow only); air quality (construction dust [including PM₁₀] and emissions Downtown, odors); cultural resources (except as noted below as less than significant); hazards and hazardous materials; land use (use and density incompatibilities); noise (use and density incompatibilities, including from transit/transportation improvements); population and housing (induced growth, policy consistency/clean air plan); public services (except as noted below as significant); and transportation/circulation (intersection operations Downtown).

Less than significant impacts were identified for the following topics in the LUTE EIR and Initial Study: aesthetics (scenic resources, light and glare); air quality (clean air plan consistency, roadway emissions in downtown, energy use emissions, local/regional climate change); biological resources; cultural resources (historic context/settings, architectural compatibility); energy; geology and seismicity; hydrology and water quality; land use (conflicts in mixed use projects and near transit); noise (roadway noise downtown and citywide, multifamily near transportation/transit improvements); population and housing (exceeding household projections, housing displacement from industrial encroachment); public services (water demand, wastewater flows, stormwater quality, parks services); and transportation/circulation (transit demand). No impacts were identified for agricultural or forestry resources, and mineral resources.

Significant unavoidable impacts were identified for the following environmental topics in the LUTE EIR: air quality (regional emissions, roadway emissions Downtown); noise (construction noise and vibration in Downtown); public services (fire safety); transportation/circulation (roadway segment operations); wind hazards, and policy consistency (clean air plan). Due to the potential for significant unavoidable impacts, a Statement of Overriding Considerations was adopted as part of the City's approvals.

Oakland Housing Element Update EIR and Addendum

The City has twice amended its General Plan to adopt updates to its Housing Element. It certified an EIR in 2010 for the 2007-2014 Housing Element, and adopted an Addendum in 2014 for the 2015-2023 Housing Element. The Housing Element identifies the City's current and projected housing needs, and sets goals, policies, and programs to address those needs, as specified by the state's Regional Housing Needs Allocation process. Although not specified as a Housing Opportunity Site in the 2015-2023 Housing

Element, the Project would contribute to the total number of housing units needed in the City to meet its Regional Housing Needs Allocation target. Applicable mitigation measures and SCAs identified in the 2010 Housing Element EIR are considered in the analysis in this document. The 2010 Housing Element Update EIR was designated a Program EIR under CEQA Guidelines Sections 15183 and 15183.3. As such, subsequent activities under the Housing Element that involve housing are subject to requirements under each of the aforementioned CEQA Sections, which are described below.

Environmental Effects Summary – 2010 Housing Element and 2014 Addendum

The 2010 Housing Element Update EIR (including its Initial Study) and 2014 EIR Addendum determined that housing developed pursuant to the Housing Element, including the Project site, would result in impacts that would be reduced to a less than significant level with the implementation of mitigation measures and/or SCAs: aesthetics (visual character/quality and light/glare only); air quality (except as noted below); biological resources; cultural resources; geology and soils; greenhouse gas emissions; hazards and hazardous materials (except as noted below, and no impacts regarding airport/airstrip hazards and emergency routes); hydrology and water quality (except as noted below); noise; public services (police and fire only); and utilities and service systems (except as noted below).

Less than significant impacts were identified for the following resources in the Housing Element EIR and Addendum: hazards and hazardous materials (emergency plans and risk via transport/disposal); hydrology and water quality (flooding/flood flows, and inundation by seiche, tsunami or mudflow); land use (except no impact regarding community division or conservation plans); population and housing (except no impact regarding growth inducement); public services and recreation (except as noted above, and no impact regarding new recreation facilities); and utilities and service systems (landfill, solid waste, and energy capacity only, and no impact regarding energy standards). No impacts were identified for agricultural or forestry resources, and mineral resources.

Significant unavoidable impacts were identified for the following environmental resources in the Housing Element EIR: air quality (toxic air contaminant exposure) and traffic delays. Due to the potential for significant unavoidable impacts, a Statement of Overriding Considerations was adopted as part of the City's approvals.

West Oakland Redevelopment Plan EIR

The City certified the EIR for the West Oakland Redevelopment Plan (Redevelopment Plan) in 2003. The Redevelopment Plan identifies policies in conformance with the General Plan to eliminate blight and blighting influences and revitalize the community in terms of its housing resources, its employment opportunities, the economic well-being of its residents, and the condition of its public infrastructure, services, programs, and facilities. The Redevelopment Plan presents a basic framework and a process within which specific redevelopment projects, programs and other activities will be established and implemented over time and identifies three Subareas targeted for redevelopment and revitalization; the Project site is within the Clawson / McClymonds / Bunche Subarea. The 2003 Redevelopment Plan EIR is designated a Program EIR under CEQA Guidelines Sections 15168, 15180, 15183, and 15183.3. As such, subsequent activities under the Redevelopment Plan are subject to requirements under each of the aforementioned CEQA Sections.

Applicable mitigation measures identified in the 2003 Redevelopment Plan EIR are largely the same as those identified in the other Program EIRs prepared after the 2003 Redevelopment Plan EIR, either as mitigation measures or newer City SCAs, the latter of which are described below.

Environmental Effects Summary – 2003 Redevelopment Plan EIR

The 2003 Redevelopment Plan EIR (including its Initial Study Checklist) determined that development consistent with the Redevelopment Plan would result in impacts that would be reduced to a less than significant level with the implementation of mitigation measures: air quality (construction emissions); cultural resources; hazards and hazardous materials; noise; and public infrastructure.

The 2003 Redevelopment Plan EIR (including its Initial Study Checklist) concluded that implementation of the Redevelopment Plan would either have no impact, or would have a less than significant impact on the following major environmental topics and/or subsets of major topics: aesthetics; agricultural resources; air quality (odors); biological resources; geology and soils; hazards and hazardous materials (safety hazards due to air traffic, interference with an adopted emergency response plan, and exposure to wildland fires); hydrology and water quality (flooding, seiche, tsunami or mudflows); land use; mineral resources; noise (exposure to aircraft noise); population and housing; public services; recreation; transportation; and utilities and services.

Significant unavoidable impacts were identified for the following environmental topics in the Redevelopment Plan EIR: air quality (compatibility of population growth with air quality, cumulative NO_x and PM₁₀ emissions) and noise (cumulative traffic noise). Due to the potential for significant unavoidable impacts, a Statement of Overriding Considerations was adopted as part of the City's approvals.

West Oakland Specific Plan EIR

The City certified the EIR for the WOSP in 2014. The WOSP identifies policies to guide future development in West Oakland by providing a comprehensive and multi-faceted strategy for development and redevelopment of vacant and/or underutilized commercial and industrial properties in strategic areas (Opportunity Areas) of West Oakland. The WOSP identifies the Project site as being within Sub-Area 4B of the San Pablo Avenue Opportunity Area. The WOSP establishes a land use and development framework, identifies needed transportation and infrastructure improvements, and recommends implementation strategies needed to develop these areas. Subsequent activities under the WOSP are subject to environmental requirements pursuant to the WOSP EIR. The effects of future growth and development within West Oakland were fully considered in the cumulative growth projections factored into the WOSP EIR analysis.

Environmental Effects Summary

The 2014 WOSP EIR (including its Initial Study Checklist) determined that development consistent with the WOSP would result in impacts that would be reduced to a less than significant level with the implementation of mitigation measures and/or SCAs: aesthetics (light and glare), air quality (construction dust), biological resources (special status species, movement and breeding, local policy conflicts), cultural resources, geology (seismic shaking, erosion, unstable/expansive soil), hazards and hazardous materials, hydrology and water quality (construction water quality and runoff), noise (construction and operational, vibration), and transportation/circulation (construction period).

Less than significant impacts were identified for the following resources in the WOSP EIR and Initial Study: aesthetics (scenic resources, shadow, lighting, wind), air quality (clean air plan consistency, carbon dioxide concentrations), biological resources (wetlands, riparian, habitat conservation plan conflicts, cumulative impacts), greenhouse gas (GHG) emissions (except as noted below), land use, geology (earthquake/fault rupture, landslides), hydrology and water quality (waste discharge, groundwater, floods, dam failure, seiche/tsunami), noise (traffic, airport noise), population and housing, public services, transportation/circulation (congestion management program, travel times, safety), utilities and service systems, and mineral resources (loss). No impacts were identified for agricultural or forestry resources.

Significant unavoidable impacts were identified for the following environmental resources in the WOSP EIR: air quality (odors, construction and operational criteria pollutant emissions, operational and exposure to toxic air emissions), GHG emissions (new stationary sources of GHG emissions, individual development projects), and transportation/circulation (existing plus project, cumulative plus project).

Due to the potential for significant unavoidable impacts, a Statement of Overriding Considerations was adopted as part of the City's approvals.

Standard Conditions of Approval

The City established its Standard Conditions of Approval and Uniformly Applied Development Standards in 2008, and they have since been amended and revised several times.⁵ The City's SCAs are applied as conditions of approval regardless of a project's environmental determination. The SCAs incorporate policies and standards from various adopted plans, policies, and ordinances (such as the Oakland Planning and Municipal Codes, Oakland Creek Protection Ordinance, Stormwater Water Management and Discharge Control Ordinance, Oakland Protected Trees Ordinance, Oakland Grading Regulations, National Pollutant Discharge Elimination System [NPDES] permit requirements, Housing Element-related mitigation measures, California Building Code and Uniform Fire Code, among others), which have been found to substantially mitigate environmental effects. The SCAs are adopted as requirements of an individual project when it is approved by the City and are designed to, and will, substantially mitigate environmental effects. Note that the SCAs included in this document (**Attachment A**) are referred to using an abbreviation for the environmental topic area and are numbered sequentially for each topic area—e.g., **SCA-AIR-1**, **SCA-AIR-2**. The SCA title is also provided—i.e., **SCA-AIR-1: Dust Controls – Construction Related**.

Consistent with the requirements of CEQA, a determination of whether the project would have a significant impact occurred prior to approval decision on the proposed project and, where applicable, SCAs have been identified that will mitigate them. In some instances, exactly how the SCAs identified will be achieved awaits completion of future studies, an approach that is legally permissible where SCAs are known to be feasible for the impact identified, where subsequent compliance with identified federal, state, or local regulations or requirements apply, where specific performance criteria is specified and required, and where the proposed project commits to developing measures that comply with the requirements and criteria identified.

⁵ The most recent revision to SCAs was published by the City of Oakland on November 5, 2018.

III. PROJECT DESCRIPTION

This section describes the proposed 2400 Filbert Street Project evaluated in this CEQA Analysis and includes a description of the Project site, existing site conditions, the proposed development, and the required project approvals.

Project Location

As shown in Figure 1, the approximately 1.4-acre site in West Oakland is bounded by Myrtle Street to the east, Filbert Street to the west, 24th Street to the south, and by residential and commercial uses to the north. The Project site consists of two parcels at 2400 Filbert Street (APNs 005-0433-018-05, -06). Regional access is provided by I-980, I-880, and I-580. Alameda-Contra Costa Transit (AC Transit) bus routes 88, NL, 26, 72, 72M, and 802 are within 0.25 mile of the Project site.

Existing Conditions and Surrounding Land Uses

The Project site is developed with an existing light industrial commercial building, associated parking, and two warehouse buildings. Fencing surrounds the parking area along 24th Street and an interior yard area is fenced along Filbert Street. Existing land uses in the vicinity include commercial and residential development, as well as civic uses.

General Plan and Zoning Designations

The Oakland General Plan and WOSP designate the Project site as Mixed Housing Type Residential. The intent of the Mixed Housing Type Residential classification is to create, maintain, and enhance residential areas typically located near the City's major arterials and characterized by a mix of single-family homes, townhouses, small multi-unit buildings, and neighborhood businesses where appropriate.

The Project site is zoned as Mixed Housing Type Residential – 4 Zone (RM-4), which is intended to create, maintain, and enhance residential areas typically located on or near the City's major arterials and characterized by a mix of single family homes, townhouses, small multi-unit buildings, and neighborhood businesses where appropriate. The allowable density for the RM-4 zone is 1 dwelling unit per 1,100 square feet of lot area for up to 4 units, where five or more units require a Conditional Use Permit. The building height limit in this zone is 35 feet.

The WOSP identifies the Project site as being within the San Pablo Avenue Opportunity Area, which is intended to serve as a transformed major commercial corridor connecting West Oakland to Downtown and to Emeryville, Berkeley and beyond, lined with active ground-floor commercial uses and mixed-use residential development.

Proposed Project

The Project sponsor is proposing to demolish the existing commercial/light industrial building and renovate two warehouses on-site, remove the surface parking lot, and construct a 4-story building for conventional residential and JLVQ uses. The renovated warehouses would accommodate the JLVQ units.

The Project as proposed includes construction of a wood-frame structure over concrete and steel podium building with a ground-level garage parking and three stories of conventional residential uses above (Figure 2). The total building area would be 140,245 square feet.

The ground floor would include the main entrance and lobby, 12 conventional residential units, the 10 JLWQ units, long-term bicycle storage, short-term bicycle parking racks, and a parking garage. The remaining 65 residential units would occupy floors 2 – 4, served by one elevator, with 28 units on the second floor, 29 units on the third floor, and 8 units on the fourth floor. Building residents would have access to a community room and courtyard open space. Stairwell and elevator access would be provided on each level.

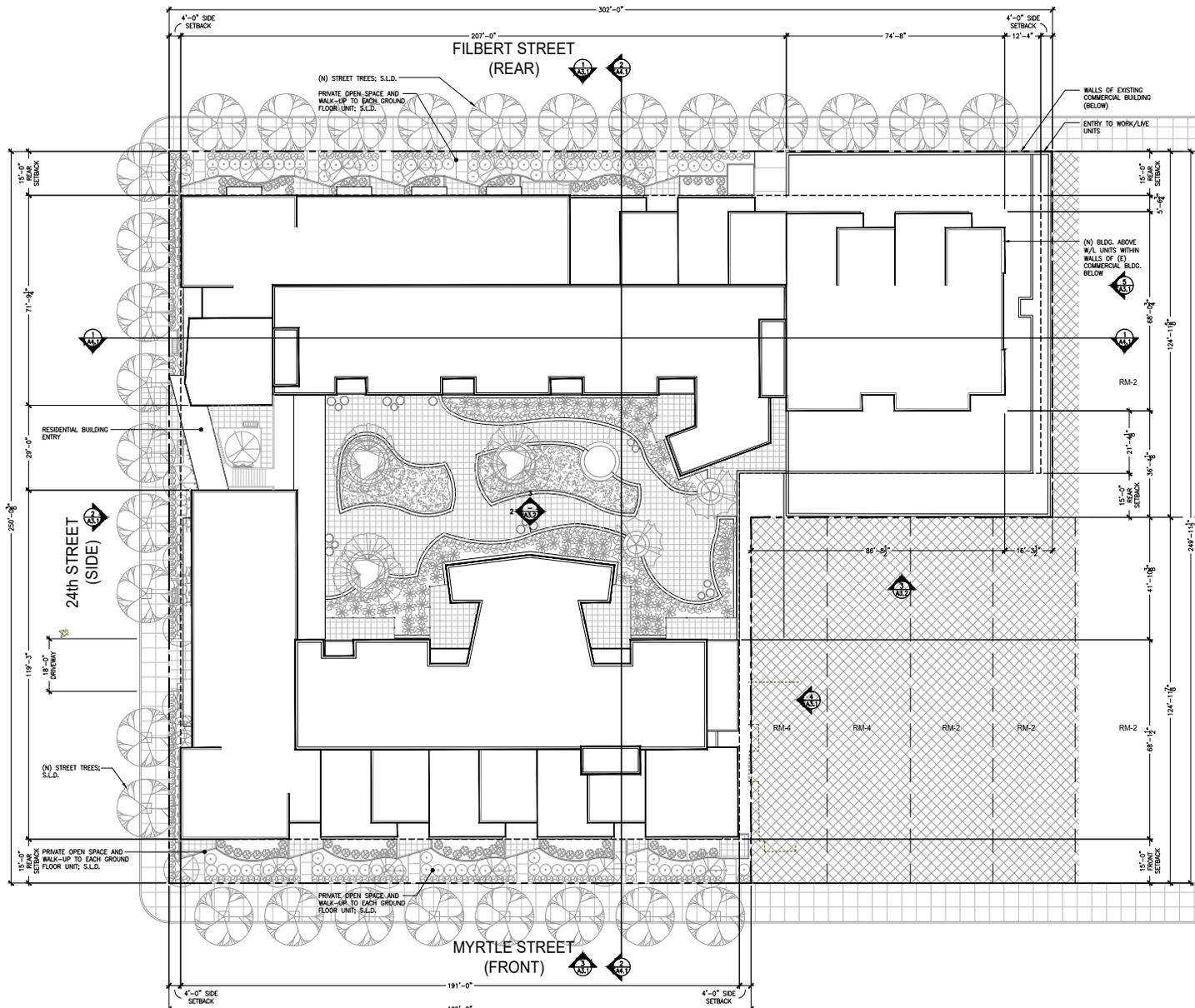
The residential units would be composed of a mix of: studio (8 efficiency units); 1-bedroom units (13 units); 2-bedroom/1 bath units (3 units); 2-bedroom/2-bath units (44 units); and 3-bedroom/3-bath units (9 units) totaling 77 units (Figures 3 – 6).

Table 1. Project Development and Unit Mix Summary

Description	Proposed Project
Lot Area	62,623 sf (approx. 1.4 acre)
Building Height	50 feet
Conventional Dwelling Units	87 (1.5 DU/ per 1,100 sf)
Studio residential units	8 (3,050 sf)
1-Bedroom residential units	13 (9,100 sf)
2-Bedroom/1-Bath residential units	3 (2,820 sf)
2-Bedroom/2-Bath residential units	44 (44,880 sf)
3-Bedroom/3-Bath residential units	9 (12,240 sf)
JLWQ units (in existing building)	10 (8,130 sf)
Courtyard Open Space	9,200 sf
Community Room	1,020 sf
Building Area	140,245 sf
Vehicle Parking Spaces	88
Bicycle Parking Spaces	68

The Project sponsor seeks to achieve the proposed residential density (77 dwelling units) through an affordable housing density bonus. The base density of the Project per the RM-4 zoning is 1 unit per 1,100 square feet of lot area, or 57 units. The City’s Municipal Code (Section 17.107.040) enables a maximum 35% density bonus for residential projects that provide below market rate units. Of the 57 dwelling units allowed under the base density, 12 units (or 21% of total) would be low income units or 6 units (or 11% of total) would be very low income units, achieving the 35% density bonus allowed for either income level.⁶

⁶ See Tables 17.107.01 and 17.107.02 of the City’s Municipal Code (Section 17.107.040).



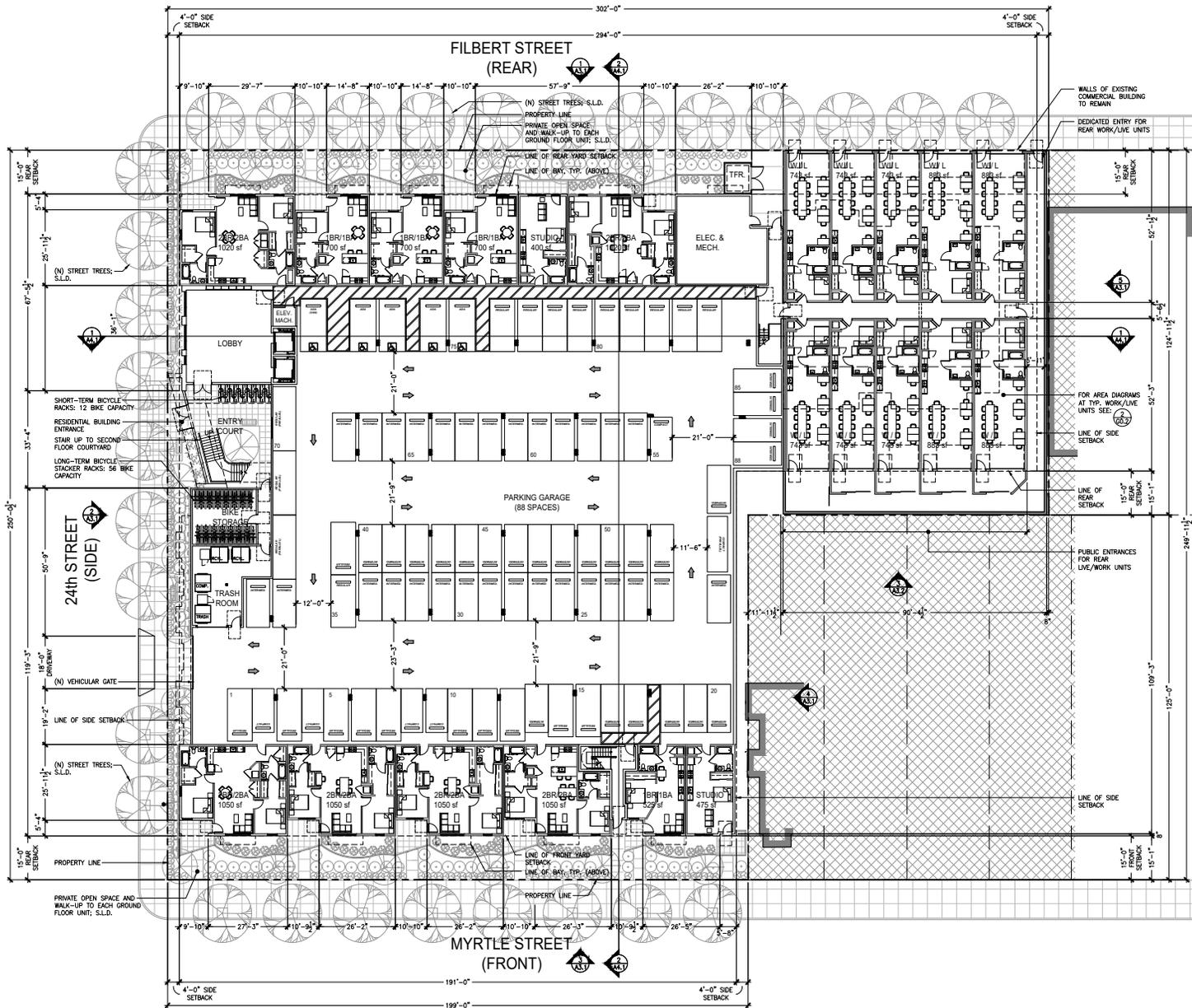
1 SITE PLAN: NEW
1/16" = 1'-0"

 PROJECT NORTH	 TRUE NORTH
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Figure 2. Project Site Plan

Source: Levy Design Partners

June 2019



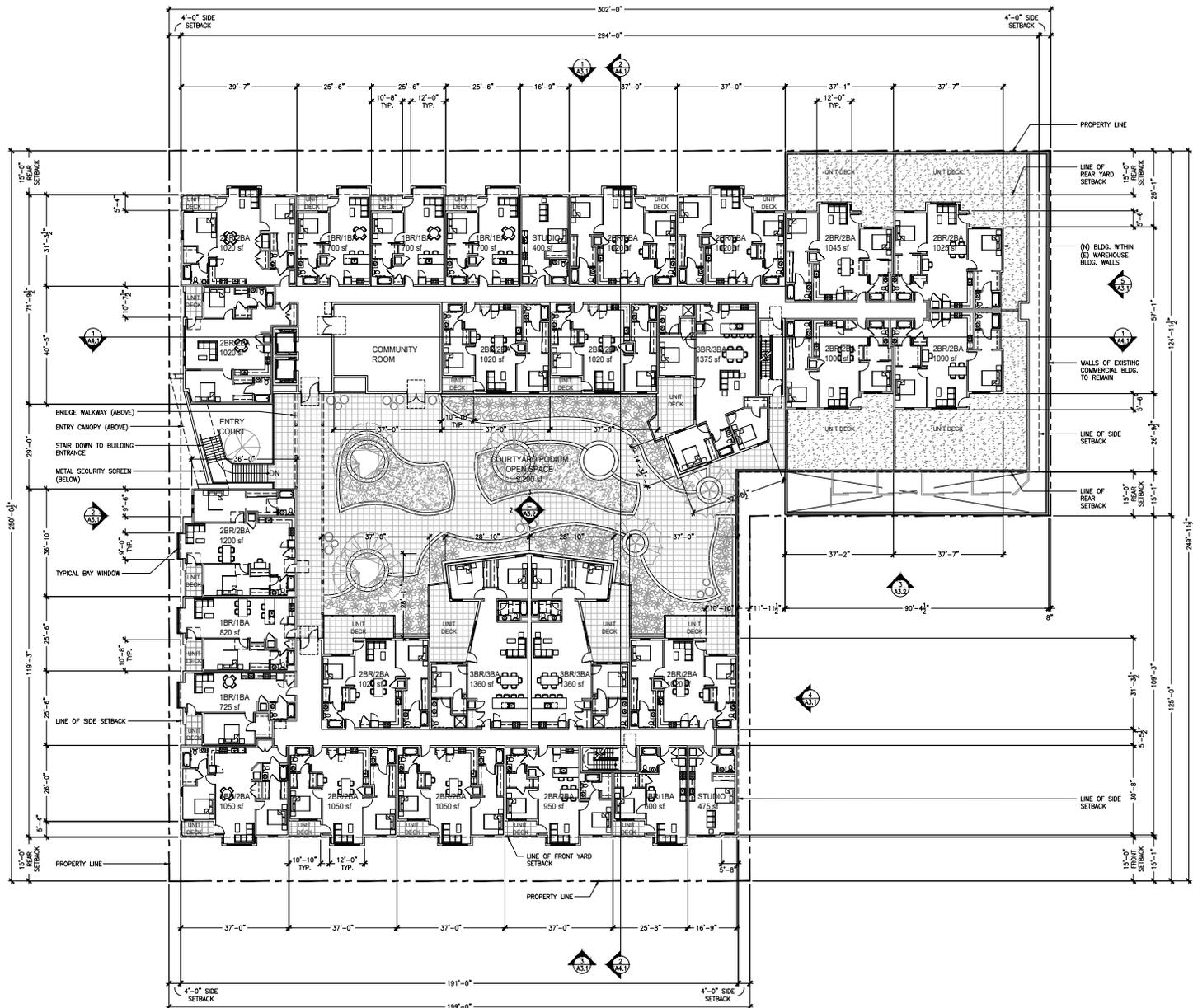
1 FIRST FLOOR PLAN
1/16" = 1'-0"

 PROJECT NORTH	 TRUE NORTH
--	---

Figure 3. Floor Plan - First Floor

Source: Levy Design Partners

June 2019



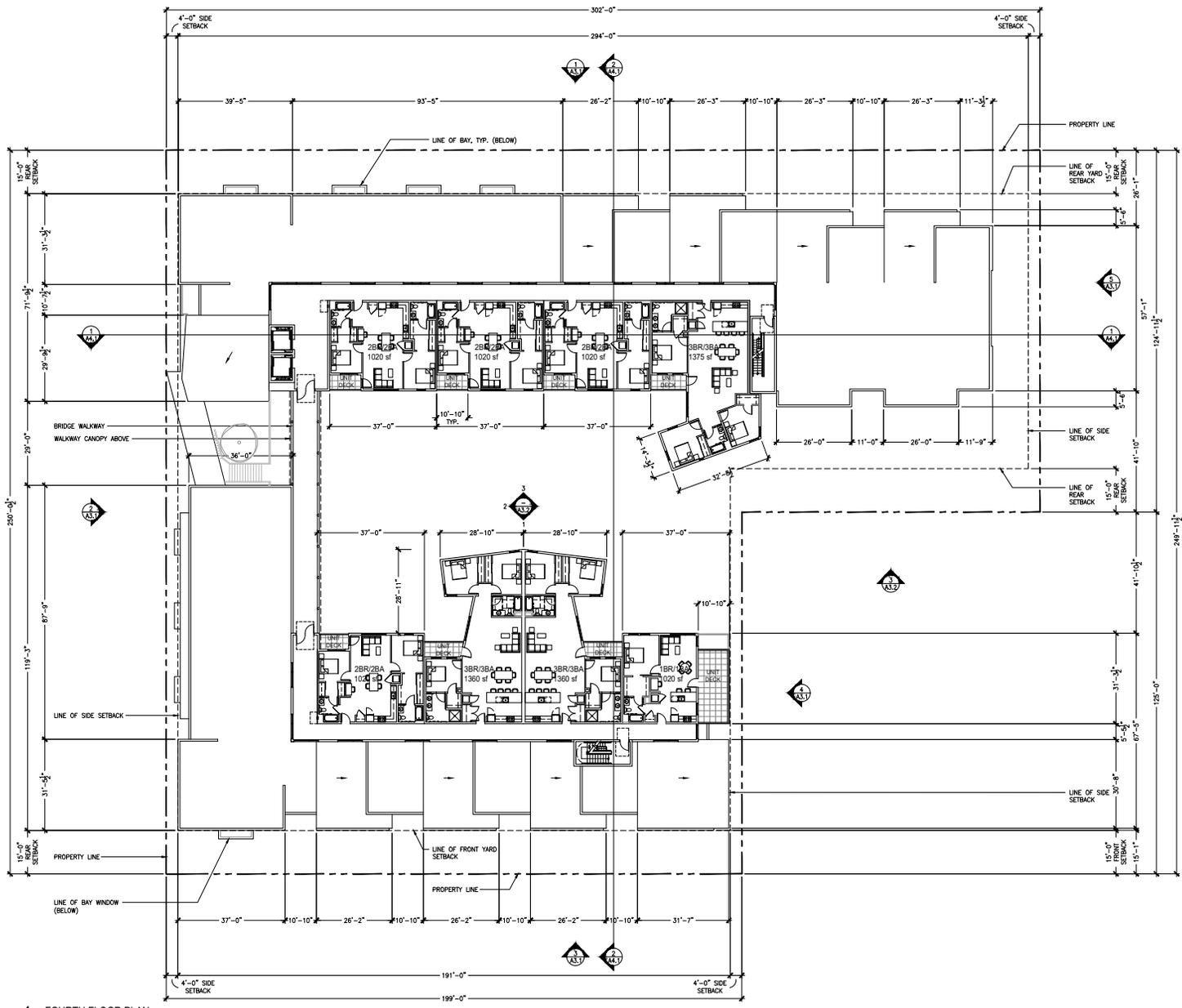
1 SECOND FLOOR PLAN
1/16" = 1'-0"

 PROJECT NORTH	 TRUE NORTH
--	---

Figure 4. Floor Plan - Second Floor

Source: Levy Design Partners
June 2019





1 FOURTH FLOOR PLAN
1/16" = 1'-0"

 PROJECT NORTH	 TRUE NORTH
--	---

Figure 6. Floor Plan - Fourth Floor

Source: Levy Design Partners
June 2019

Vehicular access to the site would be provided via the proposed full-access driveway from 24th Street to the parking garage. The garage would accommodate 88 vehicle parking spaces, including 24 regular spaces, 53 intermediate spaces, 6 compact spaces, and 5 accessible spaces. The Project would also provide 56 long-term bicycle parking spaces and 12 short-term parking spaces accessible from the 24th Street entry.

Pedestrian access would be provided via the sidewalk along the 24th Street frontage. The nearest bus stop is located less than 400 feet from the Project site at the southwest corner of 24th Street and Market Street, and is served by AC Transit bus route 88. The 19th Street Oakland Bay Area Rapid Transit (BART) Station is located approximately 0.9 mile to the southeast of the Project site.

The Project would include street-level landscaping along Filbert Street, 24th Street, and Myrtle Street, to include a mix of trees, shrubs, and ground cover, with additional landscaping on the courtyard roof level, as detailed in the landscape plan (**Figures 7 and 8**).

The Project includes other associated improvements such as hardscape, storm drain, and utility connections. On-site utilities would include gas, electricity, domestic water, wastewater, and storm drainage. All on-site utilities would be designed in accordance with applicable codes and current engineering practices. The Project would also incorporate green building features such as energy-efficient lighting and would be GreenPoint rated in compliance with the City's Green Building Ordinance.

Project Construction

The Project is currently in the design phase of development and no details are as-yet available regarding the construction schedule and phasing or site grading. For the purpose of this analysis, however, the following is assumed. On-site construction work is expected to include demolition, limited excavations for the foundation, footings, and utility services; grading and surface preparation; utility connections; and building construction, and would span approximately 18 months. The first two months would consist of demolitions, grading, and site preparation. The remainder of the construction period would consist of installing utilities, building construction, site paving, and implementing the landscape plan.

Typical equipment used during construction may include an excavator, backhoe, trencher, man hoist, forklift, gradall, and paving equipment. Staging would occur as much as possible within the project site. Street frontages and parking lanes are restricted, but will need to be used at times for deliveries and removals of materials and equipment, subject to City review and approvals.

Project Approvals

The Project requires the following discretionary actions or approvals, including without limitation:

Actions by the City of Oakland

- Regular Design Review for new building construction
- Approval of Conditional Use Permit for density increase
- Concession for height increase
- Encroachment permits for work within and close to public rights-of-way (Chapter 12.08 of the Oakland Municipal Code)
- Grading and building permits

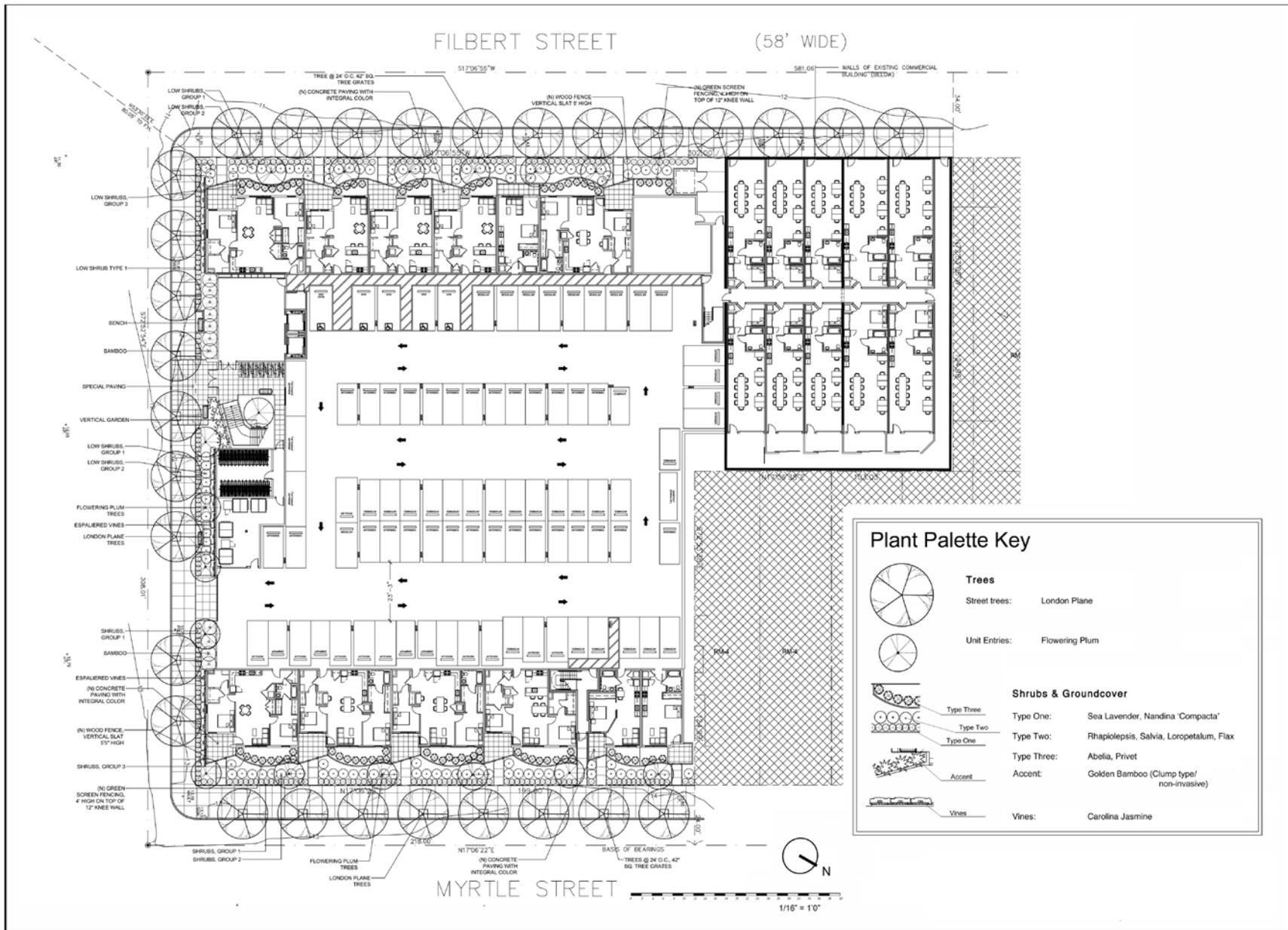


Figure 7. Landscape Plan - Street Level

Source: Levy Design Partners

June 2019

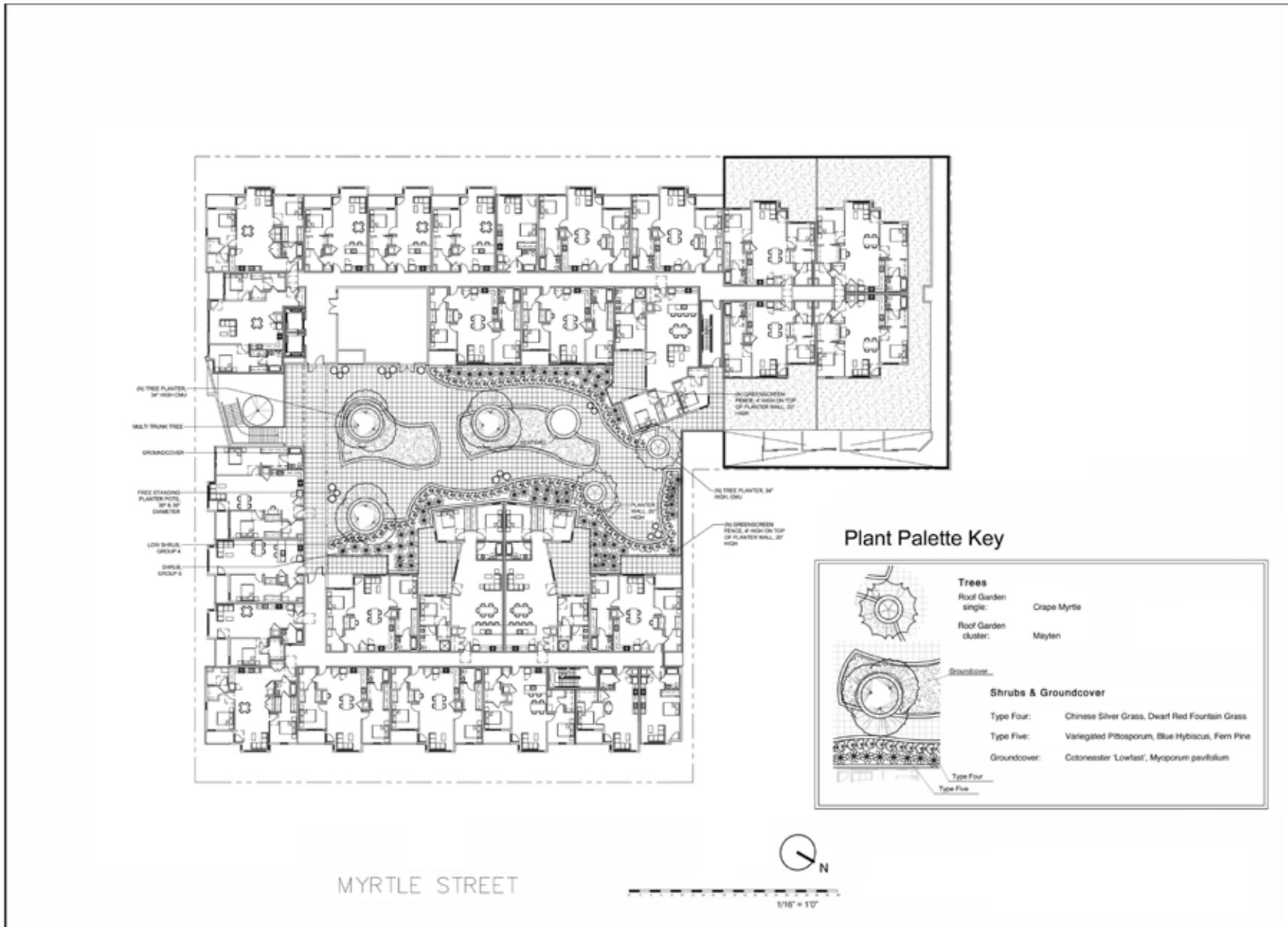


Figure 8. Landscape Plan - Courtyard

Source: Levy Design Partners

June 2019

Actions by Other Agencies

A number of other public agencies' approval and authorization will or may be required to implement the Project. These agencies and their approvals include:

- East Bay Municipal Utilities District – Approval of new service requests and water meter installation.
- Regional Water Quality Control Board – Acceptance of a Notice of Intent to obtain coverage under the General Construction Activity Storm Water Permit, and Notice of Termination after construction is complete. Granting of required clearances to confirm that all applicable standards, regulations, and conditions for all previous contamination at the site have been met.

IV. SUMMARY OF FINDINGS

An evaluation of the proposed Project is provided in the CEQA Analysis below. This evaluation concludes that the Project requires no additional environmental review and the Project is consistent with the development density and land use characteristics established by existing zoning and General Plan policies for which an EIR was certified (i.e., the Program EIRs). As such, the Project would be required to comply with the applicable City of Oakland SCAs (see Attachment A for a complete list of SCAs referred to and required by this CEQA Analysis). With implementation of the applicable SCAs, the Project would not result in a substantial increase in the severity of significant impacts that were previously identified in the General Plan or any new significant impacts that were not previously identified in the previous EIRs.

In accordance with Public Resources Code Sections 21083.3 and 21094.5, and State CEQA Guidelines Sections 15183 and 15183.3, and as set forth in this CEQA Analysis, the Project qualifies for CEQA tiering/streamlining because the following findings can be made:

- **Consistency with Community Plan or Zoning (CEQA Guidelines Section 15183):** The following analysis demonstrates that the Project is consistent with the development density established by existing zoning and General Plan policies for which an EIR was certified (i.e., the Program EIRs). The Project is consistent with the WOSP and will not result in significant impacts that were not previously identified as significant project-level, cumulative, or offsite effects in the WOSP EIR.

The Project is permitted in the zoning district where the Project site is located (RM-4) with a Conditional Use Permit and is consistent with the bulk, density, and land use standards envisioned in the General Plan, LUTE, and the Municipal Code. The analysis presents substantial evidence that there would be no significant impacts peculiar to the Project or its site, and that the Project's potentially significant effects have already been addressed as such in the WOSP EIR, or will be substantially mitigated by the imposition of SCAs, as further described in Attachment A. No further environmental documents are required in accordance with CEQA Guidelines Section 15183.

- **Qualified Infill Exemption (CEQA Guidelines Section 15183.3):** The following analysis demonstrates that the Project is located in an urban area on a site that has been previously developed; satisfies the performance standards provided in CEQA Guidelines Appendix M; and is consistent with the General Plan land use designation, density, building intensity and applicable policies. As such, this environmental review is limited to an assessment of whether the project may cause any project-specific effects, and relies on uniformly applicable development policies or standards to substantially mitigate cumulative effects.

Each of the above findings provides a separate and independent basis for CEQA compliance.

Edward Manasse, Acting Deputy Director, Bureau of Planning
Environmental Review Officer

Date

V. PROJECT CONSISTENCY WITH COMMUNITY PLAN OR ZONING: CEQA GUIDELINES SECTION 15183

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

The following analysis provides substantial evidence to support a conclusion that the Project qualifies for streamlined review under CEQA Guidelines Section 15183 as a project consistent with the development density established by existing zoning community plan, or general plan policies for which an EIR was certified.

Criterion Section 15183 (a): General Plan, Community Plan, and Zoning Consistency

Yes No

- The Project is consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified.**

The Project site is within the McClymonds neighborhood in West Oakland, where the existing land use pattern consists of a mix of residential, civic, and commercial uses. Public transit is provided by several AC Transit bus routes located within 0.25 mile of the Project site, as well as the 19th Street Oakland BART station located approximately 0.9 mile from the Project site.

The General Plan land use designation for the Project site is Mixed Housing Type Residential. The Mixed Housing Type Residential classification and is intended to create, maintain, and enhance residential areas typically located near the City's major arterials and characterized by a mix of single-family homes, townhouses, small multi-unit buildings, and neighborhood businesses where appropriate.

The Project site is zoned Mixed Housing Type Residential – 4 Zone (RM-4), per the City of Oakland Planning Code. The intent of the RM-4 zone is to create, maintain, and enhance residential areas typically located on or near the City's major arterials and characterized by a mix of single family homes, townhouses, small multi-unit buildings at somewhat higher densities than RM-3, and neighborhood businesses where appropriate. The allowable density for the RM-4 zone is 1 dwelling unit per 1,100 square feet of lot area for up to 4 units. Five or more units are allowed under a Conditional Use Permit.

The Project’s proposed density of 77 conventional residential dwelling units is achieved through the use of a 35 percent density bonus allowed by the State Affordable Housing Density Bonus Law (Government Code Section 65915 et seq.), enacted through City of Oakland Municipal Code Chapter 17.107. Hence, the RM-4 base density of 1 dwelling unit per 1,100 square feet of lot area (57 units) is increased to 77 units by applying the 35% density bonus.

The Project would require a Conditional Use Permit to achieve the proposed density as well as the use of a concession to exceed the height limit for the RM-4 zone. The Project would meet applicable setbacks from side, rear, and front property lines. As such, the Project would conform to the Mixed Housing Type Residential land use designation and Planning Code provisions as a use that is consistent with and permitted under the RM-4 zoning.

As **Table 2** demonstrates, the Project would also be consistent with the relevant policies of the LUTE.

TABLE 2: EVALUATION OF CONSISTENCY WITH GENERAL PLAN, LUTE, AND WOSP

Relevant Policies, Principles, and Guidelines of the General Plan and LUTE	Project Consistency
<p>Policy N3.1 Facilitating Housing Construction. Facilitating the construction of housing units should be considered a high priority for the City of Oakland.</p>	<p>Consistent. The Project would involve redevelopment of the site to add 77 conventional residential units, including up to 12 new affordable housing units, and 10 JLWQ units.</p>
<p>Policy N3.2 Encouraging Infill Development. In order to facilitate the construction of needed housing units, infill development that is consistent with the General Plan should take place throughout the City of Oakland.</p>	<p>Consistent. The Project site is surrounded by development and represents an infill development opportunity.</p>
<p>Policy N3.5 Encouraging Housing Development. The City should actively encourage development of housing in designated mixed housing type and urban housing areas through regulatory and fiscal incentives, assistance in identifying parcels that are appropriate for new development, and other measures</p>	<p>Consistent. The Project would involve redevelopment of the site to add 77 conventional residential units, including up to 12 new affordable housing units, in an area designated by the General Plan as Mixed Housing Type Residential. The Project would also include 10 JLWQ units.</p>
<p>Policy N3.8 Required High-Quality Design. High-quality design standards should be required of all new residential construction. Design requirements and permitting procedures should be developed and implemented in a manner that is sensitive to the added costs of those requirements and procedures.</p>	<p>Consistent. The Project would be designed pursuant to California Building Code and other applicable codes, and would be subject to Design Review approval by the City.</p>
<p>Policy N3.9 Orienting Residential Development. Residential developments should be encouraged to face the street and to orient their units to desirable sunlight and views, while avoiding unreasonably blocking sunlight and views for neighboring buildings, respecting the privacy needs of residents of the development and surrounding properties, providing for sufficient conveniently located on-site open space, and avoiding undue noise exposure.</p>	<p>Consistent. The Project would be constructed with a 24th Street frontage; the ground-level units would face Filbert Street and Myrtle Street, as would the upper-level exterior units. The residential development would provide public and private open space.</p>
<p>Policy N3.10 Guiding the Development of Parking. Off-street parking for residential buildings should be adequate in amount and conveniently located and laid out, but its visual prominence should be minimized.</p>	<p>Consistent. Eighty-eight off-street parking spaces would be provided in a covered ground-level garage on the Project site.</p>

Policy N4.2 Advocating for Affordable Housing.

The City encourages local non-profit organizations, affordable housing proponents, the business community, the real estate industry, and other local policy makers to join in efforts to advocate for the provision of affordable housing in communities throughout the Bay Area region.

Consistent. The Project would involve redevelopment of the site to add between 6 and 12 new affordable housing units. Of the 57 dwelling units allowed under the base density, 12 units (or 21% of total) would be low income units or 6 units (or 11% of total) would be very low income units, achieving the 35% density bonus allowed for either income level.

Policy N7.1 Ensuring Compatible Development.

New residential development in Detached Unit and Mixed Housing Type areas should be compatible with the density, scale, design, and existing or desired character of surrounding development.

Consistent. The Project's choice of materials, design features, and scale of development would be compatible with existing character of surrounding development.

Policy N7.2 Defining Compatibility.

Infrastructure availability, environmental constraints and natural features, emergency response and evacuation times, street width and function, prevailing lot size, predominant development type and height, scenic values, distance from public transit, and desired neighborhood character are among the factors that could be taken into account when developing and mapping zoning designations or determining compatibility. These factors should be balanced with the citywide need for additional housing.

Consistent, with density bonus. The Project design would be consistent with the values that define compatibility. The Project is located near infrastructure for utilities, transit, and community services. In scale and development type, the Project would be consistent with existing community character.

The proposed density of 77 conventional residential dwelling units is achieved through the use of a 35% density bonus allowed by state law and the City's Planning Code. The residential use would therefore be compatible with the Mixed Housing Type Residential land use goals in the General Plan.

Policy N9.7 Creating Compatible but Diverse Development.

Diversity in Oakland's built environment should be as valued as the diversity in population. Regulations and permit processes should be geared toward creating compatible and attractive development, rather than "cookie cutter" development.

Consistent. The Project's choice of materials, design features, and scale of development would be compatible with existing character of surrounding development and is subject to Design Review approval by the City.

Policy N11.4 Alleviating Public Nuisances.

The City should strive to alleviate public nuisances and unsafe and illegal activities. Code Enforcement efforts should be given as high a priority as facilitating the development process. Public nuisance regulations should be designed to allow community members to use City codes to facilitate nuisance abatement in their neighborhood.

Consistent. The Project site would be redeveloped to accommodate new conventional residential and J1WQ uses. No alcoholic beverage sales, adult entertainment, or other entertainment uses are proposed.

Relevant Objectives of the WOSP

Project Consistency

Rehabilitate underutilized, vacant, and neglected properties

Consistent. The Project would involve redevelopment of an underutilized infill site to add 77 conventional residential units, including up to 12 new affordable housing units, and 10 J1WQ units.

Avoid displacement of existing residents

Consistent. The Project site is developed with an existing light industrial commercial building, associated parking,

Locate new housing near transit, including restricted affordable units where appropriate

Improve the attractiveness of West Oakland streets

Ensure adequate parking to attract and support development while encouraging alternative travel modes

Reduce land use conflicts, remediate environmental hazards, and discourage illegal dumping and graffiti

Promote the environmental health of the community through new development

Protect and preserve important natural and cultural resources, including historic structures

Ensure that new development employs sustainable “green” building practices, facilitates access to pedestrian and transit networks, and enhances streetscapes and open spaces

and two warehouse buildings. Redevelopment would not displace existing residents as there is no residential development on the Project site.

Consistent. The Project, which would include affordable housing units, would be located about 0.9 mile from the 19th Street Oakland BART station, within 0.1 mile of frequent bus service along Market Street (Route 88, with 15-minute peak headways), and about 0.4 mile from frequent bus service along San Pablo Avenue (Route 72R, with 12-minute peak headways). The project would also be within 0.5 mile of the Major Transit Stop created by the intersection of AC Transit Routes 88 and 72R at the Market Street/San Pablo Avenue intersection.

Consistent. The Project would include street-level landscaping along Filbert Street, 24th Street, and Myrtle Street, to include a mix of trees, shrubs, and ground cover. The Project would help unify the visual character of development in the area, and would provide an overall positive improvement to the existing visual character of the area.

Consistent. Eighty-eight off-street parking spaces would be provided in a covered ground-level garage on the Project site. The Project would also provide 56 long-term bicycle parking spaces and 12 short-term parking spaces.

Consistent. The Project would consist of residential development in a residential (RM-4) zone. Should Alameda County Department of Environmental Health require a Site Management Plan, evidence of approved permits/authorizations from ACDEH as applicable, along with evidence demonstrating compliance with regulatory permit/authorization conditions of approval would be submitted for the Project.

Consistent. The Project’s choice of materials, design features, and scale of development would be compatible with existing character of surrounding development and is subject to Design Review approval by the City.

Consistent. Areas of Secondary Importance border the Project site to the north, east, and west; however development would be restricted to the Project site and would not cause a substantial adverse change in the historic character of these areas.

Consistent. The Project would incorporate green building features such as energy-efficient lighting and would be GreenPoint rated in compliance with the City’s Green Building Ordinance. The Project would also include street-level landscaping along Filbert Street, 24th Street, and Myrtle Street, to include a mix of trees,

Promote energy efficiency throughout all aspects of new development and redevelopment

Characterize and seek remediation resources for brownfields, especially large Opportunity Sites and infill sites on strategic community corridors

shrubs, and ground cover, with additional landscaping on the courtyard roof level.

Consistent. The Project would incorporate green building features such as energy-efficient lighting and would be GreenPoint rated in compliance with the City's Green Building Ordinance

Consistent. Should Alameda County Department of Environmental Health require a Site Management Plan, evidence of approved permits/authorizations from ACDEH as applicable, along with evidence demonstrating compliance with regulatory permit/authorization conditions of approval would be submitted for the Project.

Based on the above, the Project is consistent with the development density established by existing zoning, community plan or General Plan policies for which an EIR was certified, and impacts would be less than significant. The Project therefore qualifies as a Project Consistent with a Community Plan or Zoning pursuant to CEQA Guidelines Section 15183.

Since the Project is consistent with the development assumptions for the land use classification and the site as provided under the LUTE EIR, the Project's potential contribution to cumulatively significant effects has already been addressed in the prior EIRs. CEQA Guidelines Section 15183 applies to the Project, which allows for streamlined environmental review. This document considers whether there are project-specific effects peculiar to the project or its site, and relies on the streamlining provisions of CEQA Guidelines Section 15183 to address cumulative effects.

Therefore, the Project is eligible for consideration of an exemption under California Public Resources Code Section 21083.3 and Section 15183 of the CEQA Guidelines.

The Project also qualifies as an infill project under CEQA Guidelines Section 15183.3(b) and CEQA Guidelines Appendix M, as demonstrated in **Attachment B**.

VI. CEQA CHECKLIST

The analysis in this CEQA Checklist provides a summary of the potential environmental impacts that may result from approval and implementation of the Project. It evaluates those potential environmental impacts in relation to the impacts evaluated in the Program EIRs (e.g., the WOSP and LUTE EIRs).

This CEQA Checklist hereby incorporates by reference the discussion and analysis of all potential environmental impact topics as presented in the certified Program EIRs; only those environmental topics that could have a potential project-level environmental impact are included. The significance criteria have been consolidated and abbreviated in this CEQA Checklist for administrative purposes.

This CEQA Checklist provides a determination of whether the proposed Project would result in:

- Equal or Less Severity of Impact Previously Identified in the Program EIRs
- Substantial Increase in Severity of Previously Identified Significant Impact in Program EIRs
- New Significant Impact

Where the severity of the impacts of the Project would be the same as or less than the severity of the impacts described in the Program EIRs, the checkbox for Equal or Less Severity of Impact is checked. If the checkbox for Substantial Increase in Severity of Previously Identified Significant Impact or New Significant Impact were to be checked, such a check box would indicate that there are significant impacts that are either:

- peculiar to project or project site (pursuant to CEQA Guidelines Section 15183);
- not identified in the Program EIRs (per CEQA Guidelines Section 15183), including offsite and cumulative impacts (per CEQA Guidelines Section 15183);
- due to substantial new information not known at the time the Program EIRs were certified (per CEQA Guidelines Section 15183).

In such a circumstance, a new EIR would be required for the Project. None of these conditions were found for the Project, as demonstrated throughout the following CEQA Checklist.

The Project is required to comply with applicable mitigation measures identified in the Program EIRs and with applicable City of Oakland SCAs. The Project sponsor has agreed to incorporate and/or implement the required mitigation measures and SCAs as part of the Project. This CEQA Checklist includes references to the applicable mitigation measures and SCAs.

1. Aesthetics, Shadow, and Wind

Would the Project:

- a. Have a substantial adverse effect on a public scenic vista; substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, located within a state or locally designated scenic highway; substantially degrade the existing visual character or quality of the site and its surroundings; *or* create a new source of substantial light or glare which would substantially and adversely affect day or nighttime views in the area?

Impact of Equal or Less Severity than Previously Identified in Program EIRs

- b. Introduce landscape that would now or in the future cast substantial shadows on existing solar collectors (in conflict with California Public Resource Code Sections 25980 through 25986); or cast shadow that substantially impairs the function of a building using passive solar heat collection, solar collectors for hot water heating, or photovoltaic solar collectors?

Impact of Equal or Less Severity than Previously Identified in Program EIRs

- c. Cast shadow that substantially impairs the beneficial use of any public or quasi-public park, lawn, garden, or open space; or, cast shadow on an historical resource, as defined by CEQA Guidelines Section 15064.5(a), such that the shadow would materially impair the resource's historic significance?

Impact of Equal or Less Severity than Previously Identified in Program EIRs

- d. Require an exception (variance) to the policies and regulations in the General Plan, Planning Code, or Uniform Building Code, and the exception causes a fundamental conflict with policies and regulations in the General Plan, Planning Code, and Uniform Building Code addressing the provision of adequate light related to appropriate uses?

Impact of Equal or Less Severity than Previously Identified in Program EIRs

- e. Create winds that exceed 36 mph for more than one hour during daylight hours during the year? The wind analysis only needs to be done if the project's height is 100 feet or greater (measured to the roof) and one of the following conditions exist: (a) the project is located adjacent to a substantial water body (i.e., Oakland Estuary, Lake Merritt or San Francisco Bay); or (b) the project is located in Downtown.

Impact of Equal or Less Severity than Previously Identified in Program EIRs

Land Use and Transportation Element EIR

Scenic vistas, scenic resources, visual character, and light and glare, and shadow were analyzed in the 1998 LUTE EIR, which found that the effects to these topics would be less than significant. The 1998 LUTE EIR also identified significant and unavoidable impacts regarding wind hazards for wind speeds at locations in the Downtown Showcase District. The 1998 LUTE EIR identified mitigation that is functionally equivalent to the SCAs to reduce potential effects; however, the impacts remained significant and unavoidable. The Project is not in the Downtown Showcase District and the recommended mitigation measure would not apply.

Housing Element EIR Findings

Scenic vistas, scenic resources, visual character, and light and glare, and shadow were analyzed in the Housing Element EIR, which found that the effects to these topics would be less than significant. The Housing Element EIR cited applicable SCAs related to landscaping that would ensure visual quality effects would be less than significant, including a landscape plan for new construction, landscape requirements for street frontages and downslope lots, and landscape completion and maintenance.

West Oakland Specific Plan EIR Findings

The WOSP EIR found that impacts related to scenic vistas, scenic resources, visual character, light and glare, and shadow would be less than significant with the implementation of SCAs.

Project Analysis

The Project site is in an urbanized area with no significant scenic vistas or designated or eligible scenic highways in the vicinity. Development of the Project would add a new residential building of similar scale and bulk as other buildings in the area to a blighted property (**Figure 9**). This infill development would help unify the visual character of development in the area, and would provide an overall positive improvement to the existing visual character of the area. The Project would be contemporary in design and include amenities such as street trees, street-level and courtyard landscaping, and lighting. Consistent with the findings of the WOSP EIR, the Project's potential impacts to scenic vistas, scenic resources, visual character, and light and glare would be *less than significant*.

Implementation of **SCA-AES-1: Trash and Blight Removal**, **SCA-AES-2: Graffiti Control**, and **SCA-AES-3: Landscape Plan**, **SCA-AES-4: Lighting**, **SCA-AES-5: Public Art for Private Development** would be required for the Project to discourage blight, graffiti defacement, and ensure continued compliance with applicable landscaping and lighting requirements. Impacts would remain less than significant with implementation of SCAs AES-1, AES-2, AES-3, AES-4, and AES-5.

Development of the Project would not result in shadows on any public or quasi-public park, lawn, garden, open space, or historical resources as there are none adjacent to the Project site. Nor would the Project be subject to the wind analysis requirement for projects 100 feet or greater in height. There would be *no impact* related to shadow and wind.

Conclusions – Aesthetics

Based on an examination of the analysis, findings, and conclusions of the Program EIRs, implementation of the Project would not substantially increase the severity of the significant impacts identified in the Program EIRs, nor would it result in new significant impacts related to aesthetics or visual resources that were not identified therein. The Program EIRs did not identify any mitigation measures related to aesthetics or visual resources that would apply to the Project, and none would be needed. SCAs identified in Attachment A at the end of the CEQA checklist and related to aesthetics, would apply to the Project (SCA-AES-1: Trash and Blight Removal, SCA-AES-2: Graffiti Control, and SCA-AES-3: Landscape Plan, SCA-AES-4: Lighting, SCA-AES-5: Public Art for Private Development).



RENDERING A - VIEW FROM MYRTLE AND 24TH STREETS



MATERIALS LEGEND

- SOLID METAL PANEL, COLOR 3
- RIBBED METAL, COLOR 1
- CEMENT PLASTER, COLOR 5
- SOLID METAL PANEL, COLOR 4
- RIBBED METAL, COLOR 2
- SOLID METAL PANEL, COLOR 4
- RIBBED METAL, COLOR 2
- WOOD
- CEMENT PLASTER, COLOR 2
- CEMENT PLASTER, COLOR 5
- RIBBED METAL, COLOR 1



RENDERING B - VIEW FROM 24TH AND FILBERT STREETS



KEY PLAN

2. Air Quality

Would the Project:

- a. During project construction result in average daily emissions of 54 pounds per day of ROG, NO_x, or PM_{2.5} or 82 pounds per day of PM₁₀; during project operation result in average daily emissions of 54 pounds per day of ROG, NO_x, or PM_{2.5}, or 82 pounds per day of PM₁₀; result in maximum annual emissions of 10 tons per year of ROG, NO_x, or PM_{2.5}, or 15 tons per year of PM₁₀; or
 Impact of Equal or Less Severity than Previously Identified in Program EIRs

 - b. For new sources of Toxic Air Contaminants (TACs), during either project construction or project operation, expose sensitive receptors to substantial levels of TACs under project conditions, resulting in (a) an increase in cancer risk level greater than 10 in one million, (b) a non-cancer risk (chronic or acute) hazard index greater than 1.0, or (c) an increase of annual average PM_{2.5} of greater than 0.3 micrograms per cubic meter; or, under cumulative conditions, resulting in (a) a cancer risk level greater than 100 in a million, (b) a non-cancer risk (chronic or acute) hazard index greater than 10.0, or (c) annual average PM_{2.5} of greater than 0.8 micrograms per cubic meter; or expose new sensitive receptors to substantial ambient levels of TACs resulting in (a) a cancer risk level greater than 100 in a million, (b) a non-cancer risk (chronic or acute) hazard index greater than 10.0, or (c) annual average PM_{2.5} of greater than 0.8 microgram per cubic meter.
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
-

Land Use and Transportation Element EIR

The 1998 LUTE EIR identified Transportation Control Measures as recommended by the Bay Area Air Quality Management District as mitigation measures that would address operational emissions effects for projects in Downtown and the Coliseum Showcase District. Implementation of the LUTE would not be consistent with population and vehicle miles traveled (VMT) assumptions used in air quality planning, and would result in unavoidable cumulative effects related to increased criteria pollutants from increased traffic regionally. Transportation Control Measures were also recommended for large new developments to reduce these impacts; these measures would not apply to the Project. The 1998 LUTE EIR did not quantify or address cumulative health risks.

Housing Element EIR Findings

The Housing Element Update EIR found that impacts related to criteria air pollutants would be less than significant. Potential impacts related to diesel particulate matter from mobile and stationary sources were identified and the Housing Element EIR required an SCA to reduce each site's exposure to diesel particulate matter through the installation of air filtration systems or other equivalent measures to reduce indoor diesel particulate matter to acceptable levels and to reduce potential impacts to less than significant. Significant and unavoidable impacts were identified regarding cumulative health risks from TACs emitted locally from stationary sources after implementation of the SCA recommending project-specific health risk assessments.

West Oakland Specific Plan EIR Findings

The WOSP EIR found that impacts related to criteria air pollutants would be less than significant with implementation of City of Oakland SCAs; however, emissions of criteria pollutants from larger projects may be individually found to be significant and unavoidable. The WOSP EIR also found that new development associated with the Plan could result in a significant cumulative health risk impacts. All new development pursuant to the WOSP that includes stationary source emissions of TACs would be required to comply with stationary source regulations to control these emissions to acceptable levels. Land uses that may require diesel (or back-up diesel) generators are required to adhere to Mitigation Measure Air-9, requiring preparation of a Health Risk Reduction Plan.

Project Analysis

Criteria Pollutants

Construction-period Emissions

Construction activities would result in emissions of fugitive dust and criteria pollutants, including PM₁₀ and PM_{2.5}, on a temporary and intermittent basis. Construction-related emissions are not peculiar because the Project would use standard construction equipment such as loaders, backhoes, cranes, and haul trucks, similar to other projects under construction in Oakland and the site's proximity to sensitive receptors is typical of other project sites in this urbanized area.

The Bay Area Air Quality Management District (BAAQMD) has published screening criteria for air quality emissions from projects. Projects that do not exceed the screening criteria are presumed to have less than significant air quality effects. The construction emissions screening size for low-rise apartment projects is 240 dwelling units. The Project (87 dwelling units) would not exceed applicable construction screening level sizes for criteria pollutants, and thus would not exceed threshold levels.

Implementation of **SCA-AIR-1: Dust Controls – Construction Related** and **SCA-AIR-2: Criteria Air Pollutant Controls – Construction Related** will be required to ensure reductions in construction-period fugitive dust and criteria pollutant emissions. Compliance with the requirements found under the City Municipal Code (Section 15.36.100; Dust Control Measures) would also be required. Implementation of SCA-AIR-1, SCA-AIR-2, and compliance with the City's Dust Control Measures would ensure *less than significant* impacts related to construction-period fugitive dust and criteria pollutants.

Operational Emissions

The applicable screening size threshold for operational emissions of criteria pollutants for low-rise apartment projects is 451 dwelling units. The Project (87 dwelling units, including the JLWQs) would not exceed applicable operational screening level sizes for criteria pollutants and thus would not exceed the City thresholds.

The Project would not include a backup generator and therefore would not introduce any stationary sources of air pollution. The conventional residential and JLWQ uses are well below the operational criteria pollutant screening sizes for those land uses. The Project would not exceed applicable operational screening level sizes for criteria pollutants, and thus would not exceed the City thresholds. Impacts related to operational criteria pollutant emissions would be *less than significant*.

Toxic Air Contaminants

Construction-period Emissions

Construction activities associated with the Project would generate construction-related TAC emissions, specifically diesel particulate matter, from on-road haul trucks and off-road equipment exhaust emissions, resulting in increased cancer risk or non-cancer health concerns for nearby sensitive receptors. Due to the variable nature of construction activity, the generation of TAC emissions would be temporary, especially considering the short amount of time such equipment is typically within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations. As noted above, construction-related emissions are not peculiar because the Project would use standard construction equipment such as loaders, backhoes, cranes, and haul trucks, similar to other projects under construction in Oakland and the site's proximity to sensitive receptors is typical of other project sites in this urbanized area.

Implementation of SCA-AIR-2: Criteria Air Pollutant Controls – Construction Related will be required for the Project to ensure reductions in construction-period TAC emissions. Effective implementation of SCA-AIR-2 would reduce TAC emissions and resultant exposure to health risks below City significance thresholds for cancer and PM_{2.5} exposure. Implementation of SCA-AIR-2 (for construction-related air pollution controls) would also reduce health risks to sensitive receptors from temporary construction emissions of diesel particulate matter. Implementation of SCA-AIR-1 Dust Controls – Construction Related would also reduce health risks to sensitive receptors from temporary construction emissions of diesel particulate matter. Impacts would therefore be less than significant. There is nothing particular or unusual about the Project that would cause it to generate uncharacteristically high diesel particulate matter and PM_{2.5} emissions during construction.

As required for all development projects involving demolition of existing buildings, the project applicant would be required to implement and comply with **SCA-AIR-3: Asbestos in Structures**, thereby reducing potential impacts related to airborne asbestos to a level of less than significant.

Operational Emissions

The conventional residential and live/work uses associated with the Project would not result in significant ground-level concentrations of TACs. Implementation of **SCA-AIR-4: Exposure to Air Pollution (Toxic Air Contaminants)** will be applicable to the Project and require incorporation of identified health risk reduction measures or a health risk assessment demonstrating that the health risk is at or below acceptable levels. Implementation of SCA-AIR-3 would reduce exposure to TACs, resulting in *less than significant* impacts. The Project would not otherwise have the potential to act as a substantial source of health risk to others.

Conclusions – Air Quality

Based on an examination of the analysis, findings, and conclusions of the Program EIRs, implementation of the Project would not substantially increase the severity of the significant impacts identified in the Program EIRs, nor would it result in new significant impacts related to air quality that were not identified therein. SCAs identified in Attachment A at the end of the CEQA checklist and related to air quality would apply to the Project (SCA-AIR-1: Dust Controls – Construction Related, SCA-AIR-2: Criteria Air Pollutant Controls – Construction Related, SCA-AIR-3: Asbestos in Structures, and SCA-AIR-4: Exposure to Air Pollution [Toxic Air Contaminants]).

3. Biological Resources

Would the Project:

- a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - c. Have a substantial adverse effect on federally protected wetlands (as defined by Section 404 of the Clean Water Act) or state protected wetlands, through direct removal, filling, hydrological interruption, or other means;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - d. Substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - e. Fundamentally conflict with the City of Oakland Tree Protection Ordinance (Oakland Municipal Code [OMC] Chapter 12.36) by removal of protected trees under certain circumstances; or
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - f. Fundamentally conflict with the City of Oakland Creek Protection Ordinance (OMC Chapter 13.16) intended to protect biological resources.
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
-

Land Use and Transportation Element EIR

The 1998 LUTE EIR determined that impacts on biological resources would be less than significant.

Housing Element EIR Findings

The Housing Element identified less than significant impacts on biological resources.

West Oakland Specific Plan EIR Findings

The WOSP EIR found that impacts related on candidate, sensitive, or special status species; riparian habitat or other sensitive natural community; protected wetlands; migratory fish or wildlife species; and protected trees would be less than significant with the implementation of SCAs.

Project Analysis

The approximately 62,623-square-foot Project site is located in an urban setting on a fully developed site consisting of warehouse buildings and pavement. As such, the Project site provides no natural habitat for special status species, wildlife corridors, or riparian or sensitive habitat. The Project site would be landscaped with a mix of trees and shrubs along Filbert Street, 24th Street, and Myrtle Street, and would include courtyard roof-level landscaping (see Figures 7 and 8).

There are no open sections of any creek near the Project area and the Creek Protection Ordinance does not apply to the Project. There are no wetlands or sensitive natural communities associated with the site, and the Project would not conflict with any local plans or ordinances, including the Tree Protection Ordinance. Implementation of the Project would have *no impact* on biological resources.

Conclusions – Biological Resources

Based on an examination of the analysis, findings, and conclusions of the Program EIRs, implementation of the Project would not substantially increase the severity of the significant impacts identified in the Program EIRs, nor would it result in new significant impacts related to biological resources that were not identified therein. The Program EIRs did not identify any mitigation measures related to biological resources, and none would be needed for the Project.

4. Cultural Resources

Would the Project:

- a. Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5?
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - d. Disturb any human remains, including those interred outside of formal cemeteries;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
-

Land Use and Transportation Element EIR

The 1998 LUTE EIR found that excavation of development sites consistent with the LUTE could unearth archaeological resources, some of which could have scientific or cultural importance. The LUTE EIR identified mitigation measures to reduce the potentially significant impacts on archaeological resources, paleontological resources and human remains to less than significant. These mitigation measures are now incorporated into the applicable City SCAs, as described below:

- G.2. Establish criteria and procedures for determining when ground-disturbing activities should be subject to special conditions to safeguard potential archaeological resources.

(Now SCA-CUL-1: Archaeological and Paleontological Resources-Discovery During Construction, SCA-CUL-2: Human Remains-Discovery During Construction, and SCA #34: Archaeologically Sensitive Areas - Pre-Construction Measures.)

Housing Element EIR Findings

The Housing Element EIR found potentially significant impacts on existing or undiscovered cultural resources would be reduced to a level of less than significant with implementation of City SCAs related to property relocation, vibrations and adjacent historic structures, archaeological resources, human remains, and paleontological resources.

West Oakland Specific Plan EIR Findings

The WOSP EIR found potentially significant impacts on existing or undiscovered cultural resources would be reduced to a level of less than significant with implementation of existing regulations and City SCAs protecting historic, cultural, and paleontological resources.

Project Analysis

Historical Resources

The buildings on Project site have not been identified as historic resources and the site is not within a historic district. The WOSP shows Areas of Secondary Importance bordering the site to the north, east, and west (**Figure 10**). Development of the Project would not cause a substantial adverse change in the historic character of the Areas of Secondary Importance, and the potential for direct or indirect impacts on historic resources would be less than significant.

Archaeological Resources

The Project site in urbanized Oakland, has been previously developed, and is surrounded by other urban development. The inadvertent discovery of archaeological resources and human remains during ground-disturbing activities could occur. Implementation of **SCA-CUL-1: Archaeological and Paleontological Resources–Discovery During Construction** and **SCA-CUL-2: Human Remains–Discovery During Construction** will be required for the Project to ensure that appropriate procedures would be followed in the event of accidental discovery of archaeological resources, paleontological resources, or human remains to minimize potential risks of impact during Project construction. With required implementation of these SCAs, potential adverse effect on as-yet undiscovered archaeological resources would be less than significant.

Conclusions – Cultural Resources

Consistent with the requirements of CEQA, this document is required to determine whether the Project would have a significant impact, in consideration of implementation of applicable mitigation measures from the Program EIRs. In some instances, exactly how the identified mitigation measures will be implemented and achieved awaits completion of future studies. This approach is legally permissible where mitigation measures and are known to be feasible, where subsequent compliance with identified federal, state, or local regulations or requirements apply, where specific performance criteria is specified and required, and where the Project commits to implementing measures that comply with the requirements and criteria identified.

Based on an examination of the analysis, findings, and conclusions of the Program EIRs, implementation of the Project would not substantially increase the severity of significant impacts identified in the Program EIRs, nor would it result in new significant impacts related to historic or cultural resources that were not identified therein. Mitigation Measure G.2 identified in the LUTE EIR pertaining to historic resources has been incorporated into City SCAs related to cultural resources (SCA-CUL-1: Archaeological and Paleontological Resources–Discovery During Construction and SCA-CUL-2: Human Remains–Discovery During Construction), which will apply to the Project as identified in Attachment A.

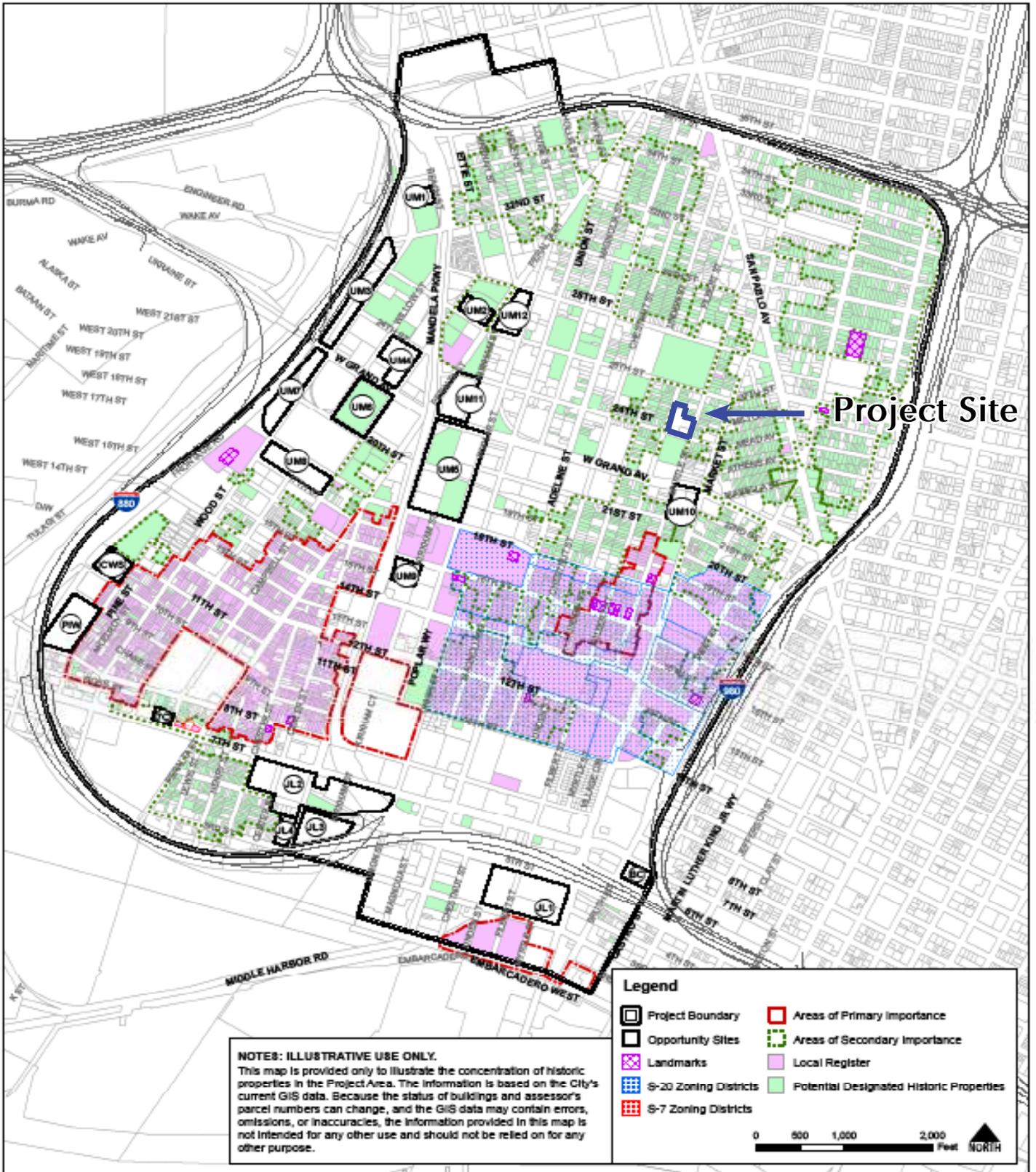


Figure 10. Adjacent Areas of Secondary Importance

Source: City of Oakland
 June 2019

5. Geology, Soils, and Geohazards

Would the Project:

- a. Expose people or structures to substantial risk of loss, injury, or death involving:
- Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map or Seismic Hazards Map issued by the State Geologist for the area or based on other substantial evidence of a known fault;
 - Strong seismic ground shaking;
 - Seismic-related ground failure, including liquefaction, lateral spreading, subsidence, collapse; or
 - Landslides; or
- Impact of Equal or Less Severity than Previously Identified in Program EIRs
- b. Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007, as it may be revised), creating substantial risks to life or property; result in substantial soil erosion or loss of topsoil, creating substantial risks to life, property, or creeks/waterways.
- Impact of Equal or Less Severity than Previously Identified in Program EIRs
-

Land Use and Transportation Element EIR

The 1998 LUTE EIR determined that impacts related to geology, soils, and geohazards would be less than significant.

Housing Element EIR Findings

The Housing Element EIR identified that impacts related to geology, soils, and geohazards would be less than significant with required implementation of SCAs requiring best management practices, mandating site-specific studies and requiring setbacks, and regulating design and setting of future development within the City.

West Oakland Specific Plan EIR Findings

The WOSP EIR found that geologic hazards are fully addressed through compliance with the Seismic Hazards Mapping Act and the California Building Code, as well as the seismic requirements of the City of Oakland Building Code. The WOSP EIR also found implementation of SCAs would reduce all potential impacts related to geologic hazards to less than significant levels.

Project Analysis

Earthquake fault, Ground Shaking and Seismic-related Ground Failure, Landslides

No faults have been identified on the Project site or in the vicinity, and the site is not within an Alquist-Priolo zone. As is true for the region, the Project site is susceptible to very strong seismic ground shaking. The Association of Bay Area Governments (ABAG) Liquefaction Susceptibility Map indicates the site has

moderate potential for liquefaction.⁷ These hazards are fully addressed through compliance with the California Building Code, as well as the seismic requirements of the City of Oakland Building Code and **SCA-GEO-1: Construction-Related Permits**. A geotechnical investigation and soils report will be required pursuant to City **SCA-GEO-2: Seismic Hazards Zones** to address the geologic hazard potential.

The Project site is relatively flat and would not be subject to instability resulting from a landslide. There would be *no impact* related to landslide hazard.

Expansive Soils, Erosion or Loss of Topsoil

Construction activities could result in soil erosion or the loss of topsoil at the site. Implementation of **SCA-HYDRO-1: Erosion and Sedimentation Control Measures for Construction** would be required for the Project to reduce the risk of soil erosion to a level of *less than significant*.

Other Geology and Soils Hazards

There are no known wells, pits, swamps, mounds, tank vaults, or unmarked sewer lines located below the surface of the site that would be disturbed by Project development, and there is no evidence to suggest that the site had been previously used as a landfill. The site would continue to be served by existing municipal sewage systems. There would be *no impact* related to this topic.

Conclusions – Geology and Soils

Based on an examination of the analysis, findings, and conclusions of the Program EIRs, implementation of the Project would not substantially increase the severity of the significant impacts identified in the Program EIRs, nor would it result in new significant impacts related to geology and soils that were not identified therein. The Program EIRs did not identify any mitigation measures related to geology, soils, and geohazards, and none would be needed for the Project. Adherence to existing regulatory requirements and City SCAs will be required for the Project. SCAs identified in Attachment A at the end of the CEQA checklist and related to obtaining construction-related permits, liquefaction hazards, and construction-related soil erosion, would apply to the Project (SCA-GEO-1: Construction-Related Permits, SCA-GEO-2: Seismic Hazards Zone, and SCA-HYDRO-1: Erosion and Sedimentation Control Measures for Construction).

⁷ ABAG Resilience Program. Interactive Seismic Hazards Zone Map. Website accessed 2.18.19 at: <http://gis.abag.ca.gov/website/Hazards/?hlyr=cgsLiqZones>.

6. Greenhouse Gases and Climate Change

Would the Project:

- a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, specifically:
 - For a project involving a land use development, produce total emissions of more than 1,100 metric tons of CO₂e annually AND more than 4.6 metric tons of CO₂e per service population annually. The service population includes both the residents and the employees of the project. The project's impact would be considered significant if the emissions exceed BOTH the 1,100 metric tons threshold and the 4.6 metric tons threshold.
 - Accordingly, the impact would be considered less than significant if the project's emissions are below EITHER of these thresholds; or

Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - b. Fundamentally conflict with an applicable plan, policy, or regulation adopted for the purposes of reducing greenhouse gas emissions.

Impact of Equal or Less Severity than Previously Identified in Program EIRs
-

Land Use and Transportation Element EIR

Greenhouse gas (GHG) emissions and climate change were not expressly addressed in the 1998 LUTE EIR.

Housing Element EIR Findings

The Housing Element Update EIR identified less than significant GHG impacts and no mitigation measures were necessary.

West Oakland Specific Plan EIR Findings

The WOSP EIR identified less than significant GHG impacts at the plan level and at the project level; no mitigation measures were necessary.

Project Analysis

GHG Emissions

The City of Oakland considers GHG impacts, by their nature, to be cumulative impacts because one project by itself cannot cause global climate change. The City's threshold of significance for GHGs would be exceeded if the Project's emissions exceed 1,100 metric tons carbon dioxide equivalent (MTCO₂e) per year AND the efficiency threshold of 4.6 MTCO₂e per service population per year.

The analysis of potential GHG impacts included in the City's 2010 Housing Element EIR and its 2014 Addendum found that typical residential developments of 172 residential units or fewer are considered to generate less than 1,100 MTCO₂e/year) of operational GHG emissions and generally would not require further environmental review with regard to climate change.

Construction and operation of the Project would contribute additional sources of GHG emissions, though primarily through consumption of fuel for transportation and energy usage on an ongoing basis. The Project proposes 10 JLWQ units and 77 conventional residential units. The total 87 proposed units are below the “screening threshold” of 172 residential units identified in the Housing Element EIR. Typical residential development projects in Oakland that are below the 172-unit threshold are considered to have less than significant emissions of GHGs. The Project (at 87 units) is approximately 51% of the number of typical residential units in Oakland that the Housing Element EIR found to be below screening thresholds, and it can be assumed that the Project’s residential uses would therefore generate approximately 51% of 1,100 MTCO₂e/year, or approximately 561 MTCO₂e/year.

Additionally, the Project would not exceed BAAQMD screening levels for operational GHG emissions (87 dwelling units for mid-rise apartments) and therefore the Project would not be expected to exceed City of Oakland GHG significance thresholds (i.e., produce emissions of more than 1,100 MTCO₂e per year or 4.6 MTCO₂e per service population per year).

Because the Project would not be expected to exceed City of Oakland GHG significance thresholds (i.e., produce emissions of more than 1,100 MTCO₂e per year or 4.6 MTCO₂e per service population per year), impacts would be *less than significant*.

The Project is not anticipated to include stationary sources of GHGs that would generate emissions approaching the stationary source threshold of 10,000 MTCO₂e per year. Any new stationary sources will be subject to BAAQMD’s requirement for New Source Review, and BAAQMD may impose conditions that would lead to emissions reductions from any new stationary sources that may be proposed.

Conflict with GHG Plan

Pursuant to BAAQMD screening criteria for GHG emissions, a project located in a community with an adopted qualified GHG Reduction Strategy may be considered less than significant if it is consistent with the GHG Reduction Strategy. The City of Oakland Energy and Climate Action Plan was adopted on December 4, 2012, as an environmental policy to address the issues of climate change and energy consumption. The purpose of the Energy and Climate Action Plan is to identify and prioritize actions the City can take to reduce energy consumption and GHG emissions associated with Oakland. This plan recommends GHG reduction actions, and establishes a framework for coordinating implementation, as well as monitoring and reporting on progress. The goal of the Energy and Climate Action Plan is to reduce 2005 GHG emissions by 36% in 15 years.

To meet the City’s GHG reduction goals as provided in its Energy and Climate Action Plan, the City requires a GHG reduction plan for projects that produce total GHG emissions exceeding the City’s established thresholds of significance. The Project would not exceed the City’s established thresholds of significance, and therefore the Project is not required to prepare a GHG reduction plan. Other SCAs applicable to the Project will further reduce operational and/or construction-period emissions. These include but are not limited to preparation and implementation of a Construction and Demolition Waste Reduction and Recycling Plan under SCA-UTIL-1 and SCA-UTIL-4: Green Building Requirements.

The Project would comply with the Oakland Energy and Climate Action Plan, current City Sustainability Programs, and General Plan policies and regulations regarding GHG reductions as well as other local,

regional, and statewide plans, policies, and regulations that are related to the reduction of GHG emissions. The impact of the Project would be *less than significant*.

Conclusions – Greenhouse Gas Emissions

Based on an examination of the above GHG analysis, implementation of the Project would not result in any new significant impact related to GHG emission or inconsistencies with policies and programs intended to reduce GHG emissions. The Project would not result in significant on-site, off-site, or cumulative effects related to GHG emissions, even though these effects were not fully addressed in the Program EIRs.

7. Hazards and Hazardous Materials

Would the Project:

- a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - d. Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - e. Be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, and would result in a safety hazard for people residing or working in the Project Area; or be located within the vicinity of a private airstrip, and would result in a safety hazard for people residing or working in the Project Area?
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - g. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
-

Land Use and Transportation Element EIR

The 1998 LUTE EIR found effects regarding hazards and hazardous materials including risk of upset in school proximity and emergency response/evacuation plans would be less than significant. The LUTE EIR identified mitigation requiring the preparation and implementation of site-specific health and safety plans to reduce potentially significant effects from hazardous substance exposure of workers and the public to less than significant. This mitigation measure is now incorporated into the applicable City SCA as described below:

M5. Hazards to construction workers and the general public during demolition and construction shall be mitigated by the preparation and implementation of site-specific health and safety plans, as recommended by the Occupational Safety and Health Administration.

(Now *SCA HAZ3: Site Contamination.*)

Housing Element EIR Findings

The Housing Element EIR found effects regarding hazards and hazardous materials including risk of upset in school proximity and emergency response/evacuation plans would be less than significant.

Impacts associated with hazardous materials transport, use, and disposal would be less than significant and compliance with the Municipal Code. Compliance with the City of Oakland SCAs requiring the preparation and implementation of site-specific health and safety plans, a Phase I and Phase II Environmental Site Assessment and implementation of recommended remediation, site review by the fire services division, lead-based paint/coatings, asbestos, or polychlorinated biphenyl occurrence assessment, lead-based paint remediation, best management practices for soil and groundwater hazards, and implementation of a vegetation management plan, as well as the Municipal Code would ensure that hazardous building materials and/or contaminated soils and/or groundwater would be properly identified, handled, removed, and/or remediated; protect the health and safety of construction workers on sites where hazardous materials have been identified and reduce impacts associated with wildland fires to a level of less than significant.

West Oakland Specific Plan EIR Findings

The WOSP EIR found effects regarding hazards and hazardous materials would be less than significant with implementation of City of Oakland SCAs. The transportation, use, and storage of all hazardous materials would be required to follow the applicable laws and regulations adopted to safeguard workers and the public.

Project Analysis

Presence of Hazardous Materials (Criteria a–d)

Existing uses on the Project site include commercial and industrial uses. A former leaking Underground Storage Tank (LUST) case for the Project site was closed in October 1995. To determine the potential for prior hazardous materials release on the site related to the LUST, Phase I and Phase II Environmental Site Assessments were conducted (Attachment C).

The Phase I Environmental Site Assessment identified recognized environmental conditions—the presence of a non-maintained LUST vent and improper disposal of waste oil on the site. The former listing of the site is considered an historic recognized environmental condition. The Phase I report also determined that the open Spills, Leaks, Investigations, and Cleanups case located south of the site across 24th Street is not likely to pose a threat to the subsurface environmental conditions beneath the Project site.

As recommended by the Phase I report, a Phase II Environmental Site Assessment was conducted and found that no significant hydrocarbon or volatile organic compound impact was detected in corresponding soil and groundwater samples. The Phase II report determined that the detected hydrocarbons are likely residual to the former LUST case, have significantly attenuated, and do not represent a significant risk to

human health and the environment. The Phase II report conclusions regarding site conditions are summarized as follows:

- No underground storage tanks (USTs) were detected during the geophysical survey.
- No chemical impact was found in site media (subslab gas, soil or groundwater) above the conservative 2016 Tier I regulatory environmental screening levels (ESLs), other than limited methyl tertiary butyl ether (MTBE) impact in groundwater.
- The limited MTBE in groundwater was detected at a maximum of 13 micrograms per liter ($\mu\text{g/L}$), only slightly above the Tier 1 ESL of 5 $\mu\text{g/L}$ based on odor and nuisance for drinking water. However, the detected MTBE concentrations are well below other applicable regulatory screening levels: the residential ESL for vapor intrusion health risk for shallow groundwater of 1,200 $\mu\text{g/L}$, the SWRCB's Low Threat Closure Policy screening level of 1,000 $\mu\text{g/L}$, and the odor/nuisance ESL of 180 $\mu\text{g/L}$ for non-drinking water. Assessment data suggests MTBE concentrations were higher closer to the former UST, with only 1.3 $\mu\text{g/L}$ in boring B-4 further from the former UST. This information suggests the MTBE is associated with the former UST, although no MTBE data is available from the closed LUST case.
- The limited benzene (0.5 $\mu\text{g/L}$) found in groundwater at boring B-5 is also likely related to known residual benzene and hydrocarbon from the LUST case closed in 1995. Before LUST case closure, benzene concentrations in nearby well MW-1 had ranged from 1.5 to 71 $\mu\text{g/L}$, much higher than detected in the 2017 grab groundwater sample. No significant hydrocarbon or volatile organic compound impact was detected in corresponding soil and groundwater samples.
- The Phase II site assessment data suggests the found hydrocarbons are likely from residual hydrocarbon impact associated the former LUST case, and that the hydrocarbons have significantly attenuated and do not represent a significant risk to human health and the environment.
- Regarding the open Spills, Leaks, Investigations, and Cleanup case just south of 24th Street, the lack of benzene or petroleum hydrocarbons in subslab gas probe SS-4 suggests the known benzene and hydrocarbon impact from that case does not pose a significant vapor intrusion risk for the subject site.

The report also concluded that the Alameda County Department of Environmental Health (ACDEH) may require some limited site assessment to confirm the Phase II findings with respect to the planned site development, and will likely require a Site Management Plan to ensure property management and handling of any hydrocarbons or other chemical impact discovered during planned development. The Project will be required to implement **SCA HAZ-1: Regulatory Permits and Authorizations from Other Agencies** and submit to the City evidence of approved permits/authorizations from ACDEH as applicable, along with evidence demonstrating compliance with regulatory permit/authorization conditions of approval.

Construction and operational activities associated with the Project would involve the routine transport, use, and disposal of hazardous materials. These activities could result in the accidental release of hazardous materials (including asbestos and lead-based paint) and may involve the handling, transport, or use of small quantities of hazardous materials. Hazardous materials used during construction and operation of the Project would be used in compliance with applicable regulations. The Project would be required to conform to Title 49 of the Code of Federal Regulations; US Department of Transportation; State of California; and local laws, ordinances, and procedures. Implementation of **SCA-HAZ-2: Hazards Materials Related to Construction**, **SCA-HAZ-3: Hazardous Building Materials and Site Contamination**, and **SCA-AIR-3:**

Asbestos in Structures will be required for the Project to minimize the risk of hazardous materials exposure to the public.

It is possible that future “work,” or “maker” uses at the Project may use or store hazardous materials or may generate hazardous waste. Pursuant to **SCA-HAZ-4: Hazardous Materials Business Plan**, the Project’s tenants/users will be required to follow all applicable laws and regulations related to transportation, use, storage, and disposal of all hazardous materials, and to safeguard workers and the general public, including McClymonds High School, is located within one-quarter mile of the Project site.

Impacts related to the handling, transport, use, or accidental release of hazardous materials during construction and operation would be less than significant with implementation of SCAs HAZ-1, HAZ-2, HAZ-3, HAZ-4, and AIR-3.

Airports, Emergency Response or Evacuation, Wildfire Hazards (Criteria e–g)

The Project site is not within an Airport Land Use Plan Area, nor is it within two miles of a public airport, public use airport, or a private airstrip, and it would not result in safety hazards. The Project would not change the surrounding streets or roadways, or limit emergency access or plans. Any temporary roadway closures required during construction would be subject to City review and approval to ensure consistency with City requirements. The Project site, which is in urbanized Oakland, is not within a Fire Hazard Severity Zone subject to significant wildfire hazard.

Conclusions – Hazards and Hazardous Materials

Consistent with the requirements of CEQA, this document is required to determine whether the Project would have a significant impact, in consideration of implementation of applicable SCAs and/or mitigation measures from the Program EIRs. In some instances, exactly how the identified SCAs or mitigation measures will be implemented and achieved awaits completion of future studies. This approach is legally permissible where mitigation measures or SCAs are known to be feasible, where subsequent compliance with identified federal, state, or local regulations or requirements apply, where specific performance criteria is specified and required, and where the Project commits to implementing measures that comply with the requirements and criteria identified.

Based on an examination of the analysis, findings, and conclusions of the Program EIRs, implementation of the Project would not substantially increase the severity of significant impacts identified in the Program EIRs, nor would it result in new significant impacts related to hazards and hazardous materials that were not identified in the Program EIRs. Adherence to existing regulatory requirements and City SCAs will be required for the Project. SCAs identified in Attachment A at the end of the CEQA checklist would apply to the Project (SCA-HAZ-1: Regulatory Permits and Authorizations from Other Agencies, SCA-HAZ-2: Hazardous Materials Related to Construction, SCA-HAZ-3: Hazardous Building Materials and Site Contamination, SCA-HAZ-4: Hazardous Materials Business Plan, and SCA-AIR-3: Asbestos in Structures).

8. Hydrology and Water Quality

Would the Project:

- a. Violate any water quality standards or waste discharge requirements;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or proposed uses for which permits have been granted);
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - c. Result in substantial erosion or siltation on or off site that would affect the quality of receiving waters;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - d. Create or contribute substantial runoff which would be an additional source of polluted runoff;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - e. Otherwise substantially degrade water quality;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - f. Create or contribute substantial runoff which would exceed the capacity of existing or planned stormwater drainage systems;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - g. Result in substantial flooding on or off site; Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, that would impede or redirect flood flows; or expose people or structures to a substantial risk of loss, injury, or death involving flooding.
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - h. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course, or increasing the rate or amount of flow, of a creek, river, or stream in a manner that would result in substantial erosion, siltation, or flooding, both on or off site; or
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - i. Fundamentally conflict with the City of Oakland Creek Protection Ordinance (OMC Chapter 13.16) intended to protect hydrologic resources;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
-

Land Use and Transportation Element EIR

The 1998 LUTE EIR found impacts related to hydrology or water quality would be less than significant, primarily given required adherence to existing regulatory requirements. The LUTE EIR acknowledged that areas considered under that EIR could potentially occur within a 100-year flood boundary. Adherence to existing regulatory requirements that are incorporated in the City's SCAs would address potentially significant effects regarding flooding.

Housing Element EIR Findings

The Housing Element EIR found less than significant impacts on hydrology and water quality, primarily given required adherence to existing regulatory requirements, many of which are incorporated in the City's SCAs. The Housing Element EIR also found less than significant impacts related to flooding and risks from flooding.

West Oakland Specific Plan EIR Findings

The WOSP EIR found that implementation of City of Oakland SCAs would reduce potentially significant impacts related to construction water quality and runoff to less than significant. Other hydrology and water quality impacts related to waste discharge, groundwater, floods, dam failure, and seiche/tsunami were found to be less than significant.

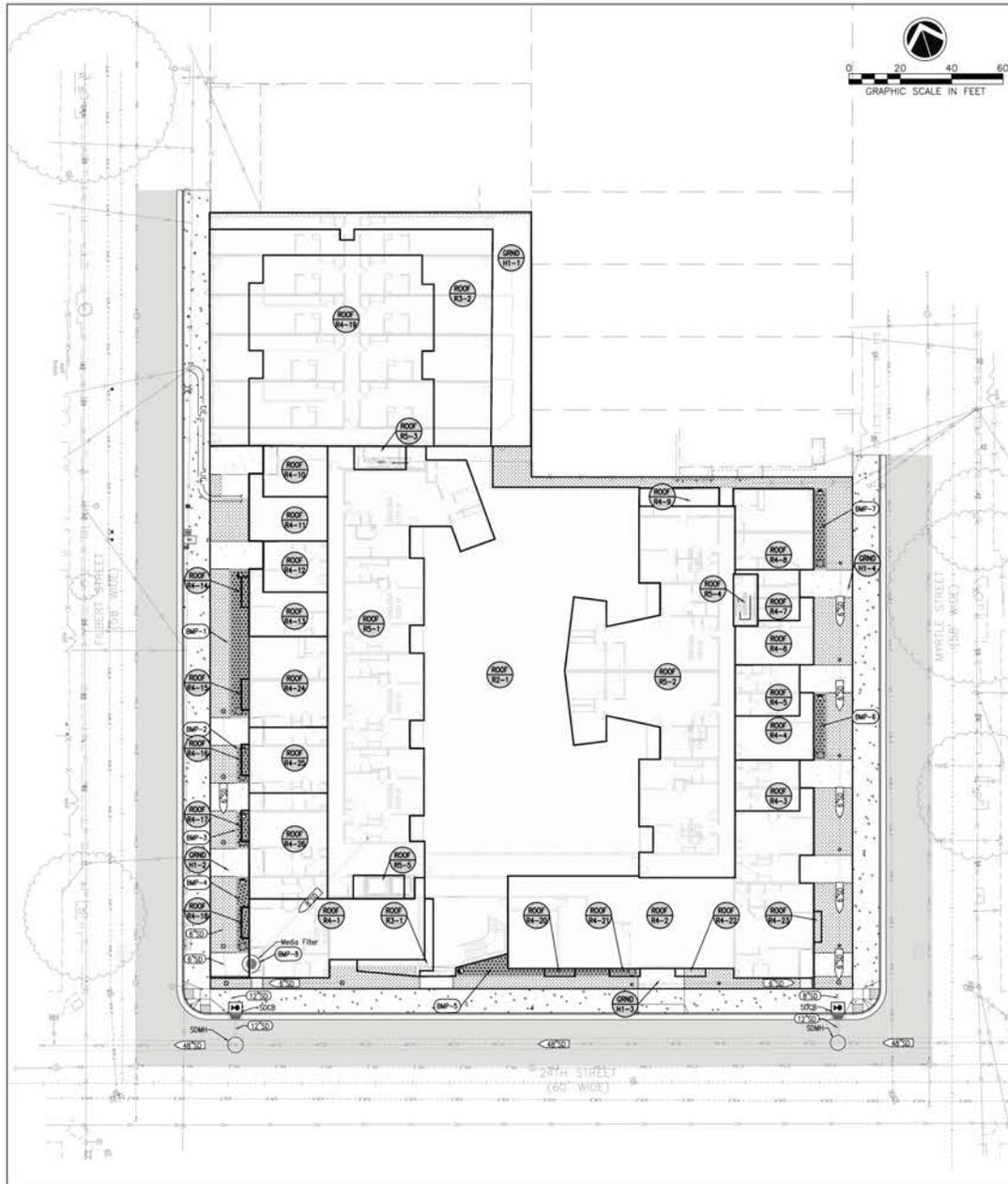
Project Analysis

The Project is in a highly urbanized environment and there are no lakes or creeks in the vicinity.

Project construction activities on the approximately 1.4-acre site could result in erosion and sedimentation of downstream receiving waters. Implementation of **SCA-HYDRO-1: Erosion and Sedimentation Control Measures for Construction** would be required for the Project to reduce the risk of soil erosion to a level of *less than significant*.

The entire Project site is currently impervious surface area. Development of the Project would replace this impervious area and therefore is subject to National Pollutant Discharge Elimination System (NPDES), Provision C.3 of the Municipal Regional Stormwater Permit. The requirements for NPDES compliance are set forth in **SCA-HYDRO-2: Site Design Measures to Reduce Stormwater Runoff** and **SCA-HYDRO-3: Source Control Measures to Limit Stormwater Pollution**. The Project would also be required to implement **SCA-HYDRO-4: State Construction General Permit**. Coverage under this permit requires preparation of a Stormwater Pollution Prevention Plan (SWPPP) for review and approval by the City, and evidence of approval of the SWPPP by the State Water Resources Control Board. At a minimum, the SWPPP will include a description of construction materials, practices, and equipment storage and maintenance; a list of pollutants likely to contact stormwater; a list of provisions to eliminate or reduce discharge of materials to stormwater; best management practices; and an inspection and monitoring program.

Project design includes 6,157 square feet of permeable area and treatment of 32,127 sf of impervious area. The Project would capture stormwater runoff by directing roof runoff and other site runoff into flow-through planters and media filters, treating the site's impervious surface runoff via landscaping, stormwater biotreatment areas, and other site-design and source control measures (**Figure 11**). Since the Project site is



INSPECTION AND MAINTENANCE

- RESPONSIBLE PARTY FOR BMP MAINTENANCE: PROPERTY OWNER - SIGNATURE
DEVELOPMENT GROUP
- ON-SITE FLOW-THROUGH PLANTER MAINTENANCE PLAN**
- ROUTINE MAINTENANCE (MONTHLY INSPECTIONS OR AS NEEDED AFTER STORM EVENTS):**
- INSPECT THE PLANTER SURFACE AREA, INLETS AND OUTLETS FOR OBSTRUCTIONS AND TRASH; CLEAR AND OBSTRUCTIONS AND REMOVE TRASH, FALLEN LEAVES, AND DEBRIS.
 - INSPECT PLANTER BOX AFTER STORMS TO ENSURE STRUCTURAL INTEGRITY OF THE BOX AND THAT THE PLANTER IS NOT CLOGGING, AND IS DRAINING WITHIN 3-4 HOURS AFTER STORM EVENTS. IF PONDING WATER DOES NOT DRAIN, THE SURFACE SOILS SHOULD BE FILLED OR REPLACED AND REPLANTED AS NECESSARY. IF MOSQUITO LARVAE ARE OBSERVED, CONTACT THE COUNTY VECTOR CONTROL DISTRICT AT (510) 567-6800.
 - INSPECT THE ENERGY DISPERSION AT THE INLET TO ENSURE IT IS FUNCTIONING ACCURATELY, AND THAT THERE IS NO SCOUR OF THE SURFACE MULCH AND REMOVE ANY ACCUMULATION OF SEDIMENT.
 - CHECK THAT MULCH IS AT APPROPRIATE DEPTH (2 INCHES PER SOIL SPECIFICATIONS) AND REPLENISH AS NECESSARY.
- BI-ANNUAL INSPECTION (AT LEAST ONCE A YEAR):**
- PRUNE AND WEED THE PLANTER AREA.
 - REMOVE AND REPLACE ANY DEAD OR DYING PLANTS.
 - TREAT DISEASED PLANTS AS NEEDED, USING PREVENTATIVE AND LOW-TOXIC MEASURES TO THE EXTENT POSSIBLE.
 - AVOID THE USE OF PESTICIDES AND QUICK-RELEASE SYNTHETIC FERTILIZERS AND FOLLOW THE PRINCIPLES OF INTEGRATED PEST MANAGEMENT (IPM), CHECK WITH THE LOCAL JURISDICTION FOR ANY LOCAL POLICIES REGARDING THE USE OF PESTICIDES AND FERTILIZERS.
 - MAINTAIN THE IRRIGATION SYSTEM AND ENSURE THAT PLANTS ARE RECEIVING THE CORRECT AMOUNT OF WATER IF APPLICABLE.
 - APPLY 1" TO 2" OF COMPOSTED MULCH TO BE APPLIED ONCE A YEAR AND WHEN DROUGHT IS EVIDENT; SPOT MULCHING MAY BE SUFFICIENT FOR RANDOM VOID AREAS.
- MEDIA FILTER MAINTENANCE PLAN**
- INITIAL INSPECTION (WITHIN 6-MONTHS OF INSTALLATION) AND BI-ANNUAL INSPECTION (AT LEAST ONCE A YEAR):**
- REMOVE THE MANHOLE COVERS AND OPEN ALL ACCESS HATCHES.
 - BEFORE ENTERING THE SYSTEM MAKE SURE THE AIR IS SAFE PER OSHA STANDARDS OR USE A BREATHING APPARATUS, USE LOW CO₂, HIGH CO, OR OTHER APPLICABLE WARNING DEVICES FOR REGULATORY REQUIREMENTS.
 - USING A VACUUM TRUCK, REMOVE ANY LIQUIDS AND SEDIMENTS THAT CAN BE REMOVED PRIOR TO ENTRY.
 - USING A SMALL LIFT OR THE BOOM OF THE VACUUM TRUCK, REMOVE THE USED CARTRIDGES BY LIFTING THEM OUT.
 - ANY CARTRIDGES THAT CANNOT BE READILY LIFTED CAN BE EASILY SLOD ALONG THE FLOOR TO A LOCATION THEY CAN BE LIFTED VIA A BOOM LIFT.
 - WHEN ALL THE CARTRIDGES HAVE BEEN REMOVED, IF IS NOW PRACTICAL TO REMOVE THE BALANCE OF THE SOILS AND WATER, LOOSEN THE STAINLESS CLAMPS ON THE FERRIS COUPLINGS FOR THE MANIFOLD AND REMOVE THE DRAINPES AS WELL. CAREFULLY CAP THE MANIFOLD AND THE FERRIS'S AND RAISE THE FLOOR, WASHING AWAY THE BALANCE OF ANY REMAINING COLLECTED SOILS.
 - CLEAN THE MANIFOLD PIPES, INSPECT, AND REINSTALL.
 - INSTALL THE EXCHANGE CARTRIDGES AND CLOSE ALL COVERS.
 - THE USED CARTRIDGES MUST BE SENT BACK TO BANSAYER TECHNOLOGIES FOR EXCHANGE/RECYCLING AND CREDIT ON UNPAID UNITS.
 - PERIODIC INSPECTIONS (DURING WET SEASON AND AFTER LARGE RAIN EVENTS):
 - DURING THE WET SEASON, INSPECT PERIODICALLY FOR STANDING WATER, SEDIMENT, TRASH AND DEBRIS, AND TO IDENTIFY POTENTIAL PROBLEMS.
 - REMOVE ACCUMULATED TRASH AND DEBRIS IN THE SEDIMENTATION BASIN, FROM THE RISER PIPE, AND THE FILTER BED DURING ROUTINE INSPECTIONS.
 - INSPECT THE MEDIA FILTER ONCE DURING THE WET SEASON AFTER A LARGE RAIN EVENT TO DETERMINE WHETHER THE FACILITY IS DRAINING COMPLETELY WITHIN FIVE DAYS.
 - IF THE FACILITY DRAIN TIME EXCEEDS FIVE DAYS, REMOVE THE TOP 30 MILLIMETERS (2 INCHES) OF SAND AND DEPOSE OF SEDIMENT. RESTORE MEDIA DEPTH TO 400 MILLIMETERS (16 INCHES) WHEN OVERALL MEDIA DEPTH DROPS TO 300 MILLIMETERS (12 INCHES).

SOIL REPORT NOTE

NO GEOTECHNICAL EVALUATION HAS BEEN PERFORMED AT THIS TIME. A GEOTECHNICAL INVESTIGATION SHALL BE COMPLETED PRIOR TO THE COMPLETION OF THESE PLANS.

SITE NOTES:

- THE TOTAL ON-SITE DISTURBED AREA IS 15,579 SF (0.358 ACRES).
- PER THE PROJECT GEOTECHNICAL REPORT, FREE GROUNDWATER WAS ENCOUNTERED AT DEPTHS OF APPROXIMATELY 11 FEET BELOW GROUND SURFACE DURING THE DRILLING OPERATIONS.

PROPOSED	LEGEND	EXISTING
---	PROPERTY LINE	---
---	EASEMENT LINE	---
---	1-FOOT CONTOUR	---
---	5-FOOT CONTOUR	---
---	WATER LINE	---
---	FIRE PROTECTION WATER LINE	---
---	IRRIGATION WATER LINE	---
---	SANITARY SEWER LINE	---
---	STORM DRAIN LINE	---
---	OVERHEAD ELECTRIC	---
---	GAS LINE	---
---	UNDERGROUND ELECTRIC	---
---	UNDERGROUND DATA AND TELEPHONE LINE	---
---	FENCE	---
---	APPROXIMATE LIMIT OF DISTURBANCE	---
---	TREE	---
---	WATER VALVE	---
---	FIRE HYDRANT/CONNECTION	---
---	WATER METER OR BOX	---
---	SEWER MANHOLE	---
---	SANITARY SEWER CLEANOUT	---
---	STORM DRAIN MANHOLE	---
---	STORM DRAIN CLEANOUT	---
---	CATCH BASIN	---
---	LIGHT POLE, UTILITY POLE, OR PULLBOX	---
---	GAS VALVE	---
---	ELECTRIC VALVES	---
---	ELECTRIC BOX	---
---	SON	---
---	STANDARD PCC PAVEMENT	---
---	2" GRIND AND OVERLAY	---
---	STANDARD LANDSCAPE	---
---	PROPOSED BIOTRETMENT FLOW THROUGH PLANTER	---

PROPOSED	STORMWATER CONTROL LEGEND
---	APPROXIMATE BOUNDARY OF DRAINAGE MANAGEMENT AREA
---	PROPOSED OVERTLOW DRAIN INLET WITH BIO-TREATMENT PLANTER
---	PROPOSED STORMWATER CLEANOUT WITH BIO-TREATMENT PLANTER
---	PROPOSED DRAINAGE MANAGEMENT AREA (DMP-1, GROUND-2, ETC.) AND BMP (BMP-1, BMP-22, ETC.) IDENTIFICATION
---	PROPOSED STORM DRAIN INLET STICKLING "NO DUMPING" DRAINS TO BAY" PER CITY SPECIFICATIONS

SITE DRAINAGE AREAS AND BMPS							
BMP	AREA	BMP TYPE	TOTAL DRAINAGE AREA [SF]	IMPERVIOUS AREA [SF]	PERCENT IMPERVIOUS [%]	BMP AREA REQUIRED [SF]	BMP AREA PROVIDED [SF]
81	RS-1+RS-3+RS-10+RS-11+RS-12+RS-13+RS-14+RS-15+RS-16+RS-17	"TREATMENT CONTROL (FLOW-THROUGH-PLANTER)	12726	10817	85.0	343	368
82	RS-25+RS-16	"TREATMENT CONTROL (FLOW-THROUGH-PLANTER)	817	817	100.0	26	55
83	RS-26+RS-17	"TREATMENT CONTROL (FLOW-THROUGH-PLANTER)	1293	1293	100.0	41	55
84	RS-6+RS-1+RS-19+RS-3	"TREATMENT CONTROL (FLOW-THROUGH-PLANTER)	2322	2322	100.0	74	114
85	RS-2+RS-20+RS-21+RS-22+RS-23+RS-13	"TREATMENT CONTROL (FLOW-THROUGH-PLANTER)	6743	5405	80.0	176	194
86	RS-4+RS-3+RS-4+RS-5+RS-6+RS-7	"TREATMENT CONTROL (FLOW-THROUGH-PLANTER)	2658	2658	100.0	84	121
87	RS-8+RS-9+RS-11+4	"TREATMENT CONTROL (FLOW-THROUGH-PLANTER)	5544	2163	42.4	79	121
88	RS-19+RS-12+RS-19+RS-2+RS-1+RS-11+1	"TREATMENT CONTROL (MEDIA FILTER)	31071	31071	100.0	31071	31158

ENGINEERS NOTE TO THE CONTRACTOR:

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES, PIPES AND/OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED BY A SEARCH OF AVAILABLE RECORDS TO THE BEST OF OUR KNOWLEDGE. THERE ARE NO EXISTING UTILITIES EXCEPT AS SHOWN ON THESE PLANS. THE CONTRACTOR SHALL ASCERTAIN THE TRUE VERTICAL AND HORIZONTAL LOCATION AND SIZE OF ANY UNDERGROUND UTILITIES AND SHALL BE RESPONSIBLE FOR DAMAGE TO PUBLIC OR PRIVATE UTILITIES SHOWN OR NOT SHOWN HEREON.

CALL 811 OR 1-800-777-2500
CALL THE NUMBER SHOWN BEFORE YOU DIG.
WWW.USANORTH.ORG
CALL THE NUMBER SHOWN BEFORE YOU DIG.

Figure 11. Stormwater Plan
Source: Levy Design Partners
June 2019

relatively flat and largely covered with impervious surfaces, and would remain so under the Project, the Project would not substantially alter drainage patterns or increase the flow of runoff from the site. Implementation of SCAs HYDRO-2 and HYDRO-3 would reduce the impacts related to stormwater runoff to a level of *less than significant*.

The Project is not within a 100-year flood zone and does not consist of housing or present a risk for flooding or redirection of flood flows.⁸ Therefore, there would be no impact related to flooding.

Conclusions – Hydrology and Water Quality

Based on an examination of the analysis, findings, and conclusions of the Program EIRs, implementation of the Project would not substantially increase the severity of the significant impacts identified in the Program EIRs, nor would it result in new significant impacts related to hydrology and water quality that were not identified therein. The Program EIRs did not identify any mitigation measures for significant impacts related to hydrology and water quality, and none would be necessary for the Project. Adherence to existing regulatory requirements and City SCAs is required for the Project. SCAs identified in Attachment A at the end of the CEQA checklist and related to hydrology and water quality would apply to the Project (SCA-HYDRO-1: Erosion and Sedimentation Control Measures for Construction, SCA-HYDRO-2: Site Design Measures to Reduce Stormwater Runoff, SCA-HYDRO-3: Source Control Measures to Limit Stormwater Pollution, and SCA-HYDRO-4: State Construction General Permit).

⁸ Federal Emergency Management Agency. Flood Insurance Rate Map Panel 06001C0059G, August 3, 2009.

9. Land Use, Plans, and Policies

Would the Project:

- a. Physically divide an established community;
 - Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - b. Result in a fundamental conflict between adjacent or nearby land uses; or
 - Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - c. Fundamentally conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect and actually result in a physical change in the environment.
 - Impact of Equal or Less Severity than Previously Identified in Program EIRs
-

Land Use and Transportation Element EIR

The 1998 LUTE EIR found impacts related to land use, plans, and policies would be less than significant, and no mitigation measures were warranted.

Housing Element EIR Findings

The Housing Element EIR found impacts related to land use, plans, and policies would be less than significant and no mitigation measures were warranted.

West Oakland Specific Plan EIR Findings

The WOSP EIR found that new development within the Planning Area would not disrupt or divide the physical arrangement of the West Oakland community or any surrounding community, but rather would improve certain existing conditions that currently divide the community, including the location of heavy industrial and transportation uses immediately adjacent to residential uses.

The WOSP EIR also found that new development in the Planning Area would not result in a fundamental conflict between adjacent or nearby land uses, but rather would result in a gradual improvement in compatibility between residential and other types of land uses. Development of the Planning Area would not fundamentally conflict with the City's General Plan, would not fundamentally conflict with any applicable land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect and result in a physical change in the environment, and would not conflict with any applicable habitat conservation plan.

Project Analysis

The Project site's General Plan land use classification is Mixed Housing Type Residential; its zoning is RM-4. With the allowable 35% density bonus, the Project would be consistent with the General Plan, the LUTE, the zoning designation, and the Planning Code requirements of Section 17 as discussed in Section V of this document. Requested variations from base zoning, community plan, or General Plan requirements are allowable under the applicable local and State regulations and would therefore not

represent conflicts with applicable plans. Therefore, the Project would be consistent with the land use plans and policies for the site.

Conclusions – Land Use

Based on an examination of the analysis, findings, and conclusions of the Program EIRs, implementation of the Project would not substantially increase the severity of the significant impacts identified in the Program EIRs, nor would it result in new significant impacts related to land uses, plans, or policies that were not identified therein. The Program EIRs did not identify any mitigation measures for significant impacts related to land uses, plans, or policies, and none would be necessary for the Project. No SCAs are required for the Project.

10. Noise

Would the Project:

- a. Generate noise in violation of the City of Oakland Noise Ordinance (Oakland Planning Code Section 17.120.050) regarding construction noise, except if an acoustical analysis is performed that identifies recommended measures to reduce potential impacts?
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - b. Generate noise in violation of the City of Oakland nuisance standards (Oakland Municipal Code Section 8.18.020) regarding persistent construction-related noise;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - c. Generate noise in violation of the City of Oakland Noise Ordinance (Oakland Planning Code Section 17.120.050) regarding operational noise;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - d. Generate noise resulting in a 5 dBA permanent increase in ambient noise levels in the project vicinity above levels existing without the project; or, if under a cumulative scenario where the cumulative increase results in a 5 dBA permanent increase in ambient noise levels in the project vicinity without the project (i.e., the cumulative condition including the project compared to the existing conditions) and a 3-dBA permanent increase is attributable to the project (i.e., the cumulative condition including the project compared to the cumulative baseline condition without the project);
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - e. Expose persons to interior L_{dn} or CNEL greater than 45 dBA for per California Noise Insulation Standards (CCR Part 2, Title 24);
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - f. Expose the project to community noise in conflict with the land use compatibility guidelines of the Oakland General Plan after incorporation of all applicable Standard Conditions of Approval;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - g. Expose persons to or generate noise levels in excess of applicable standards established by a regulatory agency (e.g., occupational noise standards of the Occupational Safety and Health Administration [OSHA]); or
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - h. During either project construction or project operation expose persons to or generate ground-borne vibration that exceeds the criteria established by the Federal Transit Administration (FTA).
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
-

Land Use and Transportation Element EIR

The 1998 LUTE EIR identified mitigation measures to address potential noise conflicts between different land uses, none of which would apply to the project. These measures included requirements for the City to establish design requirements for large-scale commercial development to provide a buffer from residential uses and to rezone mixed residential nonresidential neighborhoods, as well as other strategies and policies to reduce conflicts. Regarding construction noise, the LUTE EIR identified a significant and unavoidable construction noise and vibration impact in Downtown, even after the incorporation of mitigation measures.

Housing Element EIR Findings

The Housing Element EIR identified potentially significant impacts related to construction noise and operational noise. After implementation of SCAs requiring restrictions on noise-generating activities, reductions in noise levels from construction activities, notification of construction activities and complaint procedures, retention of a structural engineer to determine potentially damaging vibration thresholds, and inclusion of project design measures to reduce interior noise and groundborne vibration to acceptable levels within the buildings, these impacts would be reduced to a level of less than significant. Traffic and airport noise impacts were determined to be less than significant.

West Oakland Specific Plan EIR Findings

The WOSP EIR found that implementation of City of Oakland SCAs would reduce potentially significant impacts related to construction noise and operational noise to less than significant. Traffic and airport noise impacts were found to be less than significant.

Project Analysis

Project construction would generate noise from activities such as site grading, foundation work, and framing. These construction activities could generate noise levels that conflict with the City of Oakland Noise Ordinance on a short-term and temporary basis. There is nothing unique or peculiar about the Project's construction activities that would substantially increase the level of significance of construction noise impacts over those identified in the WOSP EIR, or result in new significant construction noise impacts not previously identified. Construction noise would not violate the City of Oakland Noise Ordinance or the City of Oakland nuisance standards regarding persistent construction-related noise, and the following SCAs will be implemented as required by the City of Oakland in conjunction with its issuance of building and other applicable permits: **SCA-NOS-1: Construction Days/Hours**, **SCA-NOS-2: Construction Noise**, **SCA-NOS-3: Extreme Construction Noise**, and **SCA-NOS-4: Construction Noise Complaints**. These SCAs are comprehensive in their content and for practical purposes represent all feasible measures available to reduce construction noise. Impacts from construction noise would be *less than significant*.

Operation of the Project would generate noise from new sources such as heating, ventilation, and air conditioning equipment, and from live/work uses. Noise from increased traffic, would also be generated; however, there is nothing unique or peculiar about the Project's operational activities that would substantially increase the level of significance of operational noise impacts over those identified in the WOSP EIR, or result in new significant operational noise impacts not previously identified. All future uses will be required to adhere to City of Oakland Planning Code regulations. Implementation of the following

SCA will be required by the City of Oakland in conjunction with its issuance of building and other applicable permits: **SCA-NOS-5: Operational Noise**. The Project would not generate operational noise in violation of the City of Oakland Noise Ordinance, based upon required compliance with City of Oakland operational noise standards including for noise generated by the rooftop mechanical equipment (e.g., heating, ventilating, air conditioning, and refrigeration equipment), and require the incorporation of noise reduction measures. Impacts from operational noise would be *less than significant*.

Conclusions – Noise

Based on an examination of the analysis, findings, and conclusions of the Program EIRs, implementation of the Project would not substantially increase the severity of the significant impacts identified in the Program EIRs, nor would it result in new significant impacts related to noise that were not identified therein. Mitigation measures identified in the LUTE EIR would not apply to the Project as they are recommendations for the City to implement. Adherence to existing regulatory requirements and City SCAs is required for the Project. SCAs identified in Attachment A at the end of the CEQA checklist and related to reducing noise effects would also apply to the Project (SCA-NOS-1: Construction Days/Hours, SCA-NOS-2: Construction Noise, SCA-NOS-3: Extreme Construction Noise, SCA-NOS-4: Construction Noise Complaints, and SCA-NOS-5: Operational Noise).

11. Population and Housing

Would the Project:

- a. Induce substantial population growth in a manner not contemplated in the General Plan, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extensions of roads or other infrastructure), such that additional infrastructure is required but the impacts of such were not previously considered or analyzed; or
 Impact of Equal or Less Severity than Previously Identified in Program EIRs

 - b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere in excess of that contained in the City’s Housing Element; or displace substantial numbers of people, necessitating the construction of replacement housing elsewhere in excess of that contained in the City’s Housing Element.
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
-

Land Use and Transportation Element EIR

The 1998 LUTE EIR found less than significant impacts related to population, housing, and potentially significant impacts related to employment. The LUTE EIR identified mitigation requiring the City to develop a database of vacant and underutilized parcels to address unanticipated employment growth (compared to regional ABAG projections); no other mitigation was warranted.

Housing Element EIR Findings

The Housing Element EIR found less than significant impacts related to population, housing, and employment and no mitigation measures were warranted.

West Oakland Specific Plan EIR Findings

The WOSP EIR found less than significant impacts related to population growth and displacement of housing and people. Development under the WOSP would add up to 7,312 housing units and 37,493 residents to the WOSP area between 2005 and 2035, representing approximately 2 percent of the total projected population growth for the City of Oakland during the same period.

Project Analysis

The WOSP designation and zoning for the Project site allows for a mix of residential and neighborhood business uses. The 2035 buildout assumptions for the WOSP Opportunity Area #4 (San Pablo Avenue) include the addition of 1,000 new housing units and a population of 2,157 new residents.

Development of the Project would add 77 conventional dwelling units and 10 JLWQ units where none currently exists, and would not result in the displacement of housing or people. The increase in the number of residents in the area would not be considered substantial and would not induce population growth. The residential increase has been analyzed in the prior Program EIRs and accounted for in the buildout projections of the Housing Element, which are consistent with ABAG projections of household growth. Impacts related to population and housing would be *less than significant*.

Conclusions – Population and Housing

Based on an examination of the analysis, findings, and conclusions of the Program EIRs, implementation of the Project would not substantially increase the severity of the significant impacts identified in the Program EIRs, nor would it result in new significant impacts related to population and housing that were not identified therein. The mitigation related to unanticipated employment growth (compared to regional ABAG projections) as identified in the LUTE EIR would not apply to the Project as it is a recommendation for the City to implement, and no SCAs would be required.

12. Public Services, Parks, and Recreation Facilities

Would the Project:

- a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:
 - Fire protection;
 - Police protection;
 - Schools; or
 - Other public facilities; Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - b. Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - c. Include recreational facilities or require the construction or expansion of recreational facilities which might have a substantial adverse physical effect on the environment.
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
-

Land Use and Transportation Element EIR

The 1998 LUTE EIR identified a significant and unavoidable impact for fire safety, with mitigation measures pertaining to construction of a fire station the North Oakland Hills area; the LUTE EIR identified additional significant impacts related to public services, and identified mitigation measures that are functionally equivalent to the SCAs to reduce potential effects to less than significant. Mitigation for potentially significant impacts related to police and fire protection, schools, and libraries are specific policies or strategies for the City to implement—such as considering the availability of police and fire protection services, park and recreation services, schools, and library services during review of major land use or policy decisions—and specific to Oakland Unified School District—such as reassigning students among district schools to account for changing population and new development.

Housing Element EIR Findings

The Housing Element EIR found less than significant impacts related to schools, libraries, and parks. Potentially significant impacts on police and fire facilities and services were reduced to a level of less than significant with implementation of SCAs requiring Fire Services Division Approval to ensure that the site design and fire safety features of the project adequately address fire hazards, spark arrestors on construction equipment to further reduce the risk of construction-period fires, as well as the mitigation identified in the LUTE.

West Oakland Specific Plan EIR Findings

The WOSP EIR found less than significant impacts related to police protection, schools, and other public services. Potentially significant impacts on police and fire facilities and services were reduced to a level of less than significant with implementation of SCAs requiring all projects to implement ensure site design and fire safety features adequately address potential fire hazards.

Project Analysis

The Project involves demolition of an existing commercial/light industrial building and construction of a new building that would include conventional residential and JLWQ uses. Consistent with the WOSP EIR, the increase in the number of residents and employees in the area would not substantially increase the demand for public services. The impact of the Project would be *less than significant*.

Conclusions – Public Services and Recreation

Based on an examination of the analysis, findings, and conclusions of the Program EIRs, implementation of the Project would not substantially increase the severity of the significant impacts identified in the Program EIRs, nor would it result in new significant impacts related to public services or park and recreational facilities that were not identified therein. Mitigation measures identified in the LUTE EIR would not apply to the Project as they are recommendations for the City to implement, and no SCAs would be required.

13. Transportation and Circulation

Would the Project:

- a. Conflict with a plan, ordinance, or policy addressing the safety or performance of the circulation system, including transit, roadways, bicycle and pedestrian facilities (except for automobile level of service or other measures of vehicle delay);
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - b. Cause substantial additional vehicle miles traveled (per capita, per service population, or other appropriate efficiency measure);
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - c. Substantially induce additional automobile travel by increasing physical roadway capacity in congested areas or by adding new roadways to the network;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
-

Land Use and Transportation Element EIR

The 1998 LUTE EIR identified significant and unavoidable traffic impacts at intersections and/or roadway segments throughout the City. The LUTE EIR identified a potential impact at the San Pablo Avenue–I-580 to Grand Avenue roadway segment, which was already operating at an unacceptable level of service. This unacceptable level of service would occur without adoption of the updated LUTE and therefore the project contribution to this impact was not considered significant.

Housing Element EIR Findings

The Housing Element EIR also found significant and unavoidable traffic impacts at numerous intersections and roadway segments. Other transportation/circulation impacts identified in the Housing Element EIR were found to be reduced to less than significant with adherence to the City SCAs. The Housing Element EIR identified a potential cumulative impact at the roadway segment of Grand Avenue between Harrison Street and I-580. The Housing Element EIR identified mitigation measures to reduce the potentially significant impacts; however, the impact was considered significant and unavoidable. The mitigation measures are now standard requirements for projects or incorporated into the applicable City SCAs, as described below:

TR1.1. Traffic Impact Study (TIS) for Residential Projects.

(Now required under the *City of Oakland's Transportation Impact Review Guidelines*)

TR1.2. Other Mitigations. Depending on the results of the TIS conducted in TR-1.1.

(Now *SCA-TRANS-1: Transportation Improvements*)

West Oakland Specific Plan EIR Findings

The WOSP EIR found traffic impacts at three intersections were reduced to less than significant with adherence to City SCAs or mitigation measures, while impacts at three additional intersections were found

to be significant and unavoidable. All other transportation and circulation impacts were found to be less than significant. Of the significant and unavoidable level of service impacts identified, only the Mandela Parkway and West Grand Avenue intersection is in the Project vicinity. All the mitigation measures identified for transportation impacts in the WOSP EIR are included in the citywide Transportation Impact Fee.

Project Analysis

According to the City of Oakland's *Transportation Impact Review Guidelines* (April 14, 2017), a project would have a significant effect on the environment if it would:

- a) Conflict with a plan, ordinance, or policy addressing the safety or performance of the circulation system, including transit, roadways, bicycle lanes, and pedestrian paths (except for automobile level of service or other measures of vehicle delay); or
- b) Cause substantial additional VMT per capita, per service population, or other appropriate efficiency measure; or
- c) Substantially induce additional automobile travel by increasing physical roadway capacity in congested areas (i.e., by adding new mixed-flow lanes) or by adding new roadways to the network.

Fehr and Peers prepared a Transportation Assessment (**Attachment D**) to determine potential effects of the Project. A summary of the report findings is included below.

The Transportation Assessment found that the Project would generate about 25 new AM peak hour automobile trips and 32 new PM peak hour automobile trips on a typical weekday. The daily trip generation for the Project is estimated at 350 vehicle trips.

Conflict with a Plan, Ordinance, or Policy (Criterion a)

As analyzed below, the Project would not conflict with adopted transportation policies, plans, or ordinances addressing the safety or performance of the circulation system, and would be required to comply with **SCA-TRANS-1: Transportation Improvements** which requires that the Project incorporate recommendations of the transportation study.

Construction activities associated with the Project could potentially temporarily disrupt transportation, bicycle, and pedestrian movement, as well as reduce parking availability in the Project area. Compliance with **SCA-TRANS-2: Construction Activity in the Public Right-of-Way** would ensure these impacts would be less than significant.

The Project would encourage the use of non-automobile transportation modes by providing conventional residential and JLWQ uses in a dense, walkable urban environment that is well-served by both local and regional transit. No changes to the bus routes operating in the Project vicinity are proposed, and the Project would not modify access between the Project site and transit facilities.

The Project is consistent with the City's 2017 Pedestrian Master Plan and 2007 Bicycle Master Plan, as it would not make major modifications to existing pedestrian or bicycle facilities in the surrounding areas and would not adversely affect installation of future facilities. Further, the Project would improve pedestrian

safety by installing sidewalk, curb, and gutter along the project’s Filbert Street frontage and by removing multiple curb cuts elsewhere along the project frontage. Additionally, the Project will be required to implement **SCA-TRANS-3: Bicycle Parking**.

Additionally, the Project is consistent with the assumptions used in the WOSP EIR for the San Pablo Avenue Opportunity Area. Since the Project, combined with other developments currently proposed or under construction in the Plan Area, would generate fewer automobile trips than assumed in the WOSP EIR, the Project would not result in additional impacts on traffic operations at the intersections analyzed in the WOSP EIR.

The Project would be consistent with policies, plans, and programs supporting public transit, bicycle, and pedestrian uses. Impacts would be *less than significant*.

Vehicle Miles Traveled (Criterion b)

The proposed Project would generate more than 100 vehicle trips per day and therefore does not meet the Small Project screening criterion.

The Project would not satisfy Near Transit Station screening criterion, but it would meet the Low-VMT Area criterion, as detailed below.

Low-VMT Area

As shown in **Table 3**, the 2020 average daily VMT per capita for residential uses in transportation analysis zone (TAZ) 989 (the TAZ in which the Project site is located) is 7.5, and the 2040 average daily VMT per capita is 6.2—both of which are below the regional average minus 15%.

Table 3: Daily Vehicle Miles Traveled Summary

Land Use	Bay Area				Transportation Analysis Zone 989	
	2020		2040		2020	2040
	Regional Average	Regional Average minus 15%	Regional Average	Regional Average minus 15%		
Residential	15.0	12.8	13.8	11.7	7.5	6.2

Source: Fehr and Peers Transportation Assessment included as Attachment D.

Therefore, the Project meets the Low-VMT Area criterion and would have a *less than significant* impact on VMT.

Near Transit Stations

The Project would be located about 0.9 mile from the 19th Street Oakland BART station, within 0.1 mile of frequent bus service along Market Street (Route 88, with 15-minute peak headways), and about 0.4 mile from frequent bus service along San Pablo Avenue (Route 72R, with 12-minute peak headways). The project would be within 0.5 mile of the Major Transit Stop created by the intersection of AC Transit Routes 88 and 72R at the Market Street/San Pablo Avenue intersection. The Project would not satisfy the Near Transit Station criterion, however, because it would meet only two of the following conditions:

- The Project has a FAR of 2.2, which is greater than 0.75.
- The Project includes 88 on-site parking spaces, which exceeds the City of Oakland Municipal Code Section 117.116.090 requirements.
- The Project is within the West Oakland Priority Development Area as defined by Plan Bay Area, and is therefore consistent with the region's Sustainable Communities Strategy.

SCA-TRANS-4: Plug-in Electrical Vehicle Charging will be required to ensure that the Project meets the requirements of Chapter 15.04 of the City's Municipal Code.

Additional Automobile Travel (Criterion c)

Development of the Project would slightly increase vehicular traffic in the vicinity; however, the increase in Project-generated traffic would be fully accommodated by existing roadways. The Project as proposed would not increase physical roadway capacity and no roadway modifications or additions are planned as part of the Project. The impact would be *less than significant*.

Conclusions – Transportation/Traffic

Based on an examination of the analysis, findings, and conclusions of the Program EIRs, implementation of the Project would not substantially increase the severity of the significant impacts identified in the Program EIRs, nor would it result in new significant impacts related to transportation and traffic that were not identified therein. SCAs identified in Attachment A at the end of the CEQA checklist and related to transportation and traffic would apply to the Project (SCA-TRANS-1: Transportation Improvements, SCA-TRANS-2: Construction Activity in the Public Right-of-Way), and SCA-TRANS-3: Bicycle Parking).

14. Utilities and Service Systems

Would the Project:

- a. Exceed water supplies available to serve the project from existing entitlements and resources, and require or result in construction of water facilities or expansion of existing facilities, construction of which could cause significant environmental effects;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - b. Exceed wastewater treatment requirements of the San Francisco Bay Regional Water Quality Control Board;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the providers' existing commitments and require or result in construction of new wastewater treatment facilities or expansion of existing facilities, construction of which could cause significant environmental effects;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - d. Require or result in construction of new storm water drainage facilities or expansion of existing facilities, construction of which could cause significant environmental effects;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - e. Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs and require or result in construction of landfill facilities or expansion of existing facilities, construction of which could cause significant environmental effects;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - f. Violate applicable federal, state, and local statutes and regulations related to solid waste;
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - g. Violate applicable federal, state and local statutes and regulations relating to energy standards; or
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
 - h. Result in a determination by the energy provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the providers' existing commitments and require or result in construction of new energy facilities or expansion of existing facilities, construction of which could cause significant environmental effects.
 Impact of Equal or Less Severity than Previously Identified in Program EIRs
-

Land Use and Transportation Element EIR

The 1998 LUTE EIR identified significant effects related to water, wastewater, or stormwater facilities, solid waste, and energy and identified mitigation measures that reduced the effects to less than significant. The mitigation not specific to recommended City policies or strategies is now incorporated into the applicable City SCAs and includes requiring project-specific drainage improvements. These mitigation measures are now incorporated into the applicable City SCAs, as described below:

D.3-2a. Review major new development proposals to determine projected water, wastewater, and storm drainage loads compared with available water, sewer, and storm drain capacity. Where appropriate, determine appropriate capital improvement requirements, fiscal impacts, and funding sources prior to project approval.

(Now *SCA-UTIL-4: Sanitary Sewer System*, and *UTIL-5: Storm Drain System*.)

D.3-2b. Require major new developments to include a combination of on-site and off-site drainage improvements to ensure that such projects do not create downstream erosion or flood hazards, or adversely impact the City's ability to manage stormwater runoff.

(Now *SCA-HYDRO-2: Site Design Measures to Reduce Stormwater Runoff* and *SCA-UTIL-5: Storm Drain System*.)

Housing Element EIR Findings

The Housing Element EIR identified significant effects related to wastewater treatment and capacity, as well as stormwater facilities, which were reduced to less than significant with implementation of SCAs requiring the replacement or rehabilitation of existing sewer systems to reduce inflow and infiltration and that new project-specific wastewater systems be constructed to prevent infiltration and inflow to the maximum extent feasible, site design measures for post-construction stormwater management, and implementation of a post-construction stormwater management plan. Impacts related to solid waste and energy were less than significant.

West Oakland Specific Plan EIR Findings

The WOSP EIR found less than significant impacts related to water, wastewater, and stormwater facilities; solid waste; and energy.

Project Analysis

The Project involves demolition of an existing commercial/light industrial building and construction of a new building that would include conventional residential and JLWQ uses. The Project site is served by all utilities. All on-site utilities for the Project would be designed in accordance with applicable codes and current engineering practices. Consistent with the WOSP EIR, the Project would not generate substantial additional wastewater or require a substantial increase in the supply of potable water. Construction and operation of the Project would not require additional utility services or require new stormwater drainage facilities. The Project site would also be served by the landfill that currently serves the Project area. The impact on utilities and service systems would be *less than significant*.

Implementation of **SCA-UTIL-1: Construction and Demolition Waste Reduction and Recycling**, **SCA-UTIL-2: Underground Utilities**, **SCA-UTIL-3: Recycling Collection and Storage Space**, **SCA-UTIL-4: Sanitary Sewer System**, **SCA-UTIL-5: Storm Drain System**, and **SCA-UTIL-6: Water Efficient Landscape Ordinance** will be required for the Project to address increased demand and potential impacts on utilities and services systems.

Energy. The Project would be considered to have a significant impact related to energy use if it would violate applicable federal, state, and local statutes and regulations relating to energy standards or if energy consumption increases resulting from the Project would trigger the need for expanded off-site energy facilities that would have a significant environmental impact.

Pacific Gas and Electric infrastructure for electricity and natural gas would be extended onto the Project site as a part of the Project, the specifics of which would be determined in consultation with the utility prior to installation. Off-site improvements to energy facilities would not be required to support the Project. Additionally, the Project would result in the consumption of fuel for construction vehicles and equipment and for vehicles accessing the site during operation.

The Project would be required by the City to implement **SCA-UTIL-7: Green Building Requirements** and to comply with all standards of Title 24 of the California Code of Regulations and CALGreen, as applicable, aimed at the incorporation of energy-conserving design and construction. This Project is anticipated to have similar energy requirements as other similar modern developments in the vicinity.

As a result, although the Project would incrementally increase energy consumption, it would comply with all applicable regulations and energy standards, and would not result in a significant impact related to the provision of energy services.

Conclusions – Utilities and Service Systems

Based on an examination of the analysis, findings, and conclusions of the Program EIRs, implementation of the Project would not substantially increase the severity of the significant impacts identified in the Program EIRs, nor would it result in new significant impacts related to utilities and service systems that were not identified therein. SCAs identified in Attachment A at the end of the CEQA checklist and related to utilities and service systems would apply to the Project (SCA-UTIL-1: Construction and Demolition Waste Reduction and Recycling, SCA-UTIL-2: Underground Utilities, SCA-UTIL-3: Recycling Collection and Storage Space, SCA-UTIL-4: Sanitary Sewer System, SCA-UTIL-5: Storm Drain System, SCA-UTIL-6: Water Efficient Landscape Ordinance, and SCA-UTIL-7: Green Building Requirements).

ACRONYMS AND TERMS

ABAG	Association of Bay Area Governments
AC Transit	Alameda–Contra Costa Transit District
ACDEH	Alameda County Department of Environmental Health
BAAQMD	Bay Area Air Quality Management District
CEQA	California Environmental Quality Act
City	City of Oakland
dBA	A-weighted decibel
EIR	Environmental Impact Report
GHG	greenhouse gas
I-580	Interstate 580
JLWQ	joint living and working quarters
LUST	leaking underground storage tank
LUTE	Land Use and Transportation Element
MTCO _{2e}	metric tons carbon dioxide equivalent
NO _x	oxides of nitrogen
NPDES	National Pollution Discharge Elimination System
PM _{2.5}	particulate matter, 2.5 micrometers or less
PM ₁₀	particulate matter, 10 micrometers or less
SCA	Standard Condition of Approval
SWRCB	State Water Resources Control Board
TAC	toxic air contaminant
TAZ	transportation analysis zone
VTM	vehicle miles traveled

ATTACHMENT A: CITY OF OAKLAND – STANDARD CONDITIONS OF APPROVAL

The City of Oakland’s Uniformly Applied Development Standards, adopted as Standard Conditions of Approval (Standard Conditions of Approval, or SCAs), were originally adopted by the City in 2008 (Ordinance No. 12899 C.M.S.) pursuant to Public Resources Code section 21083.3) and have been incrementally updated over time. The SCAs incorporate development policies and standards from various adopted plans, policies, and ordinances (such as the Oakland Planning and Municipal Codes, Oakland Creek Protection, Stormwater Water Management and Discharge Control Ordinance, Oakland Tree Protection Ordinance, Oakland Grading Regulations, National Pollutant Discharge Elimination System (NPDES) permit requirements, Housing Element-related mitigation measures, Green Building Ordinance, historic/Landmark status, California Building Code, and Uniform Fire Code, among others), which have been found to substantially mitigate environmental effects.

These SCAs are incorporated into Projects as conditions of approval, regardless of the determination of a Project’s environmental impacts. As applicable, the SCAs are adopted as requirements of an individual Project when it is approved by the City, and are designed to, and will, avoid or substantially reduce a Project’s environmental effects.

In reviewing Project applications, the City determines which SCAs apply based upon the zoning district, community plan, and the type of permits/approvals required for the Project. Depending on the specific characteristics of the Project type and/or Project site, the City will determine which SCAs apply to a specific Project. Because these SCAs are mandatory City requirements imposed on a city-wide basis, environmental analyses assume that these SCAs will be imposed and implemented by the Project, and are not imposed as mitigation measures under CEQA.

All SCAs identified in the CEQA Analysis—which are consistent with the measures and conditions presented in the General Plan—are included herein. To the extent that any SCA identified in the CEQA Analysis was inadvertently omitted, it is automatically incorporated herein by reference.

The first column identifies the SCA applicable to that topic in the CEQA Analysis.

The second column identifies the monitoring schedule or timing applicable to the Project.

The third column names the party responsible for monitoring the required action for the Project.

In addition to the SCAs identified and discussed in the CEQA Analysis, other SCAs that are applicable to the Project are included herein.

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

Note that the SCAs included in this document are referred to using an abbreviation for the environmental topic area and are numbered sequentially for each topic area—e.g., SCA AIR-1, SCA AIR-2. The SCA title and the SCA number that corresponds to the City’s master SCA list are also provided in the Appendix listing—e.g., SCA AIR-1: Dust Controls – Construction Related; #21).

Table A-1. City of Oakland Standard SCAs Required for the Project

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<i>Aesthetics, Shadow, and Wind</i>			
<p>SCA-AES-1: Trash and Blight Removal (#16)</p> <p>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 multi-family residential projects, the project applicant shall install and maintain trash receptacles near public entryways as needed to provide sufficient capacity for building users.</p>	Ongoing	N/A	Bureau of Building
<p>SCA-AES-2: Graffiti Control (#17)</p> <p>a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation:</p> <ul style="list-style-type: none"> i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces. ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces. iii. Use of paint with anti-graffiti coating. iv. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED). v. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement. <p>b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include:</p> <ul style="list-style-type: none"> i. Removal through scrubbing, washing, sanding, and/or scraping (or similar method) without damaging the surface and without discharging wash water or cleaning detergents into the City storm drain system. ii. Covering with new paint to match the color of the surrounding surface. iii. Replacing with new surfacing (with City permits if required). 	Ongoing	N/A	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
SCA-AES-3: Landscape Plan (#18)	Prior to approval of construction-related permit	Bureau of Planning	N/A
<p data-bbox="199 317 483 342"><i>a. Landscape Plan Required</i></p> <p data-bbox="199 365 837 793">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. Proposed plants shall be predominantly drought-tolerant. Specification of any street trees shall comply with the Master Street Tree List and Tree Planting Guidelines (which can be viewed at http://www2.oaklandnet.com/oakca1/groups/pwa/documents/report/oak042662.pdf and http://www2.oaklandnet.com/oakca1/groups/pwa/documents/form/oak025595.pdf, respectively), and with any applicable streetscape plan.</p>	Prior to building permit final	Bureau of Planning	Bureau of Building
<p data-bbox="199 814 456 840"><i>b. Landscape Installation</i></p> <p data-bbox="199 863 837 1041">The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of City Planning, is provided. The financial instrument shall equal the greater of \$2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid.</p> <p data-bbox="199 1062 472 1087"><i>c. Landscape Maintenance</i></p> <p data-bbox="199 1110 837 1350">All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.</p>	Ongoing	N/A	Bureau of Building
<p data-bbox="199 1360 467 1386">SCA-AES-4: Lighting (#19)</p> <p data-bbox="199 1409 797 1497">Proposed new exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector to prevent unnecessary glare onto adjacent properties.</p>	Prior to building permit final	N/A	Bureau of Building
<p data-bbox="199 1507 751 1533">SCA-AES-5: Public Art for Private Development (#20)</p> <p data-bbox="199 1556 837 1734">The project is subject to the City's Public Art Requirements for Private Development, adopted by Ordinance No. 13275 C.M.S. ("Ordinance"). The public art contribution requirements are equivalent to one-half percent (0.5%) for the "residential" building development costs, and one percent (1.0%) for the "non-residential" building development costs.</p> <p data-bbox="199 1757 837 1902">The contribution requirement can be met through: 1) the installation of freely accessible art at the site; 2) the installation of freely accessible art within one-quarter mile of the site; or 3) satisfaction of alternative compliance methods described in the Ordinance, including, but not limited to, payment of an</p>	<p data-bbox="873 1507 1036 1782"><i>Payment of in-lieu fees and/or plans showing fulfillment of public art requirement:</i> Prior to Issuance of Building permit.</p> <p data-bbox="873 1803 1036 1887"><i>Installation of art/cultural space:</i> Prior to</p>	Bureau of Planning	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>in-lieu fee contribution. The applicant shall provide proof of full payment of the in-lieu contribution and/or provide plans, for review and approval by the Planning Director, showing the installation or improvements required by the Ordinance prior to issuance of a building permit.</p> <p>Proof of installation of artwork, or other alternative requirement, is required prior to the City's issuance of a final certificate of occupancy for each phase of a project unless a separate, legal binding instrument is executed ensuring compliance within a timely manner subject to City approval.</p>	Issuance of a Certificate of Occupancy		
Air Quality			
<p>SCA-AIR-1: Dust Controls – Construction Related (#21)</p> <p>The project applicant shall implement all of the following applicable air pollution control measures during construction of the project:</p> <ul style="list-style-type: none"> a. Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible. b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer). c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. e. All demolition activities (if any) shall be suspended when average wind speeds exceed 20 mph. f. All trucks and equipment, including tires, shall be washed off prior to leaving the site. g. 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	N/A	Bureau of Building
<p>SCA-AIR-2: Criteria Air Pollutant Controls – Construction Related (#22)</p> <p>The project applicant shall implement all of the following applicable basic control measures for criteria air pollutants during construction of the project as applicable:</p> <ul style="list-style-type: none"> a. Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 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. 	During construction	N/A	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<ul style="list-style-type: none"> b. Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”). c. 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. 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. e. Low VOC (i.e., ROG) coatings shall be used that comply with BAAQMD Regulation 8, Rule 3: Architectural Coatings. f. 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. 			
<p>SCA-AIR-3: Asbestos in Structures (#27)</p> <p>The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM), including but not limited to California Code of Regulations, Title 8; California Business and Professions Code, Division 3; California Health and Safety Code sections 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended. Evidence of compliance shall be submitted to the City upon request.</p>	Prior to Approval of Construction-Related Permit	Bureau of Building	Bureau of Building
<p>SCA-AIR-4: Exposure to Air Pollution (Toxic Air Contaminants). (#24)</p> <p><i>a. Health Risk Reduction Measures</i></p> <p>The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants. The project applicant shall choose one of the following methods:</p>	Prior to Approval of Construction-Related Permit	Bureau of Planning	Bureau of Building

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i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents/occupants/users to air pollutants. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes that the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City.

– or –

- ii. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:
- Installation of air filtration to reduce cancer risks and Particulate Matter (PM) exposure for residents and other sensitive populations in the project that are in close proximity to sources of air pollution. Air filter devices shall be rated MERV-13 or higher. As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required.
 - Where appropriate, install passive electrostatic filtering systems, especially those with low air velocities (i.e., 1 mph).
 - Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible.
 - The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall be located as far away as feasible from a loading dock or where trucks concentrate to deliver goods.
 - Sensitive receptors shall be located on the upper floors of buildings, if feasible.
 - Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>are best suited to trapping PM shall be planted, including one or more of the following: Pine (<i>Pinus nigra</i> var. <i>maritima</i>), Cypress (<i>x Cupressocyparis leylandii</i>), Hybrid poplar (<i>Populus deltoids x trichocarpa</i>), and Redwood (<i>Sequoia sempervirens</i>).</p> <ul style="list-style-type: none"> • Sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible. • Existing and new diesel generators shall meet CARB’s Tier 4 emission standards, if feasible. • Emissions from diesel trucks shall be reduced through implementing the following measures, if feasible: • Installing electrical hook-ups for diesel trucks at loading docks. • Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards. • Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels. • Prohibiting trucks from idling for more than two minutes. • Establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented. 	Ongoing	N/A	Bureau of Building
<p><i>b. Maintenance of Health Risk Reduction Measures</i></p> <p>The project applicant shall maintain, repair, and/or replace installed health risk reduction measures, including but not limited to the HVAC system (if applicable), on an ongoing and as-needed basis. Prior to occupancy, the project applicant shall prepare and then distribute to the building manager/operator an operation and maintenance manual for the HVAC system and filter including the maintenance and replacement schedule for the filter.</p>	Ongoing	N/A	Bureau of Building
Cultural Resources			
<p>SCA-CUL-1: Archaeological and Paleontological Resources – Discovery During Construction (#33)</p> <p>Pursuant to CEQA Guidelines section 15064.5(f), in the event that any historic or prehistoric subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless</p>	During construction	N/A	Bureau of Building

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avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are implemented.

In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practicable. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant. The project applicant shall implement the ARDTP at his/her expense.

In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.

SCA-CUL-2: Human Remains – Discovery during Construction (#35)

During Construction

N/A

Bureau of Building

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

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance, and avoidance measures (if applicable) shall be completed expeditiously and at the expense of the project applicant.</p>			
Geology and Soils			
<p>SCA-GEO-1: Construction-Related Permit(s) (#37)</p> <p>The project applicant shall obtain all required construction-related permits/approvals from the City. The project shall comply with all standards, requirements and conditions contained in construction-related codes, including but not limited to the Oakland Building Code and the Oakland Grading Regulations, to ensure structural integrity and safe construction.</p>	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>
<p>SCA-GEO-2: Seismic Hazards Zone (Landslide/Liquefaction) (#40)</p> <p>The project applicant shall submit a site-specific geotechnical report, consistent with California Geological Survey Special Publication 117 (as amended), prepared by a registered geotechnical engineer for City review and approval containing at a minimum a description of the geological and geotechnical conditions at the site, an evaluation of site-specific seismic hazards based on geological and geotechnical conditions, and recommended measures to reduce potential impacts related to liquefaction and/or slope stability hazards. The project applicant shall implement the recommendations contained in the approved report during project design and construction.</p>	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>
Hazards and Hazardous Materials			
<p>SCA-HAZ-1: Regulatory Permits and Authorizations from Other Agencies. (#15)</p> <p>The project applicant shall obtain all necessary regulatory permits and authorizations from applicable resource/regulatory agencies including, but not limited to, the Regional Water Quality Control Board, Bay Area Air Quality Management District, Bay Conservation and Development Commission, California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, and Army Corps of Engineers and shall comply with all requirements and conditions of the permits/authorizations. The project applicant shall submit evidence of the approved permits/authorizations to the City, along with evidence demonstrating compliance with any regulatory permit/authorization conditions of approval.</p>	<p>Prior to activity requiring permit / authorization from regulatory agency</p>	<p>Approval by applicable regulatory agency with jurisdiction; evidence of approval submitted to Bureau of Planning</p>	<p>Applicable regulatory agency with jurisdiction</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>SCA-HAZ-2: Hazardous Materials Related to Construction (#43)</p> <p>The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following:</p> <ul style="list-style-type: none"> a. Follow manufacture’s recommendations for use, storage, and disposal of chemical products used in construction; b. Avoid overtopping construction equipment fuel gas tanks; c. During routine maintenance of construction equipment, properly contain and remove grease and oils; d. Properly dispose of discarded containers of fuels and other chemicals; e. Implement lead-safe work practices and comply with all local, regional, state, and federal requirements concerning lead (for more information refer to the Alameda County Lead Poisoning Prevention Program); and f. If soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notifying the City and applicable regulatory agency(ies) and implementation of the actions described in the City’s Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate. 	During construction	N/A	Bureau of Building
<p>SCA-HAZ-3: Hazardous Building Materials and Site Contamination (#44)</p> <p><i>a. Erosion and Sedimentation Control Plan Required</i></p> <p>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</p>	Prior to approval of demolition, grading, or building permits	Bureau of Building	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>signed by a qualified environmental professional, for the stabilization and/or removal of the identified hazardous materials in accordance with all applicable laws and regulations. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.</p>			
<p><i>b. Environmental Site Assessment Required</i></p> <p>The project applicant shall submit a Phase I Environmental Site Assessment report, and Phase II Environmental Site Assessment report if warranted by the Phase I report, for the project site for review and approval by the City. The report(s) shall be prepared by a qualified environmental assessment professional and include recommendations for remedial action, as appropriate, for hazardous materials. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.</p>	<p>Prior to approval of construction-related permit</p>	<p>Applicable regulatory agency with jurisdiction</p>	<p>Applicable regulatory agency with jurisdiction</p>
<p><i>c. Health and Safety Plan Required</i></p> <p>The project applicant shall submit a Health and Safety Plan for the review and approval by the City in order to protect project construction workers from risks associated with hazardous materials. The project applicant shall implement the approved Plan.</p>	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>
<p><i>d. Best Management Practices (BMPs) Required for Contaminated Sites</i></p> <p>The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential soil and groundwater hazards. These shall include the following:</p> <ul style="list-style-type: none"> i. Soil generated by construction activities shall be stockpiled on-site in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state, and federal requirements. ii. Groundwater pumped from the subsurface shall be contained on-site in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building. 	<p>During construction</p>	<p>N/A</p>	<p>Bureau of Building</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>SCA-HAZ-4: Hazardous Materials Business Plan (#45)</p> <p>The project applicant shall submit a Hazardous Materials Business Plan for review and approval by the City, and shall implement the approved Plan. The approved Plan shall be kept on file with the City and the project applicant shall update the Plan as applicable. The purpose of the Hazardous Materials Business Plan is to ensure that employees are adequately trained to handle hazardous materials and provides information to the Fire Department should emergency response be required. Hazardous materials shall be handled in accordance with all applicable local, state, and federal requirements. The Hazardous Materials Business Plan shall include the following:</p> <ol style="list-style-type: none"> a. The types of hazardous materials or chemicals stored and/or used on-site, such as petroleum fuel products, lubricants, solvents, and cleaning fluids. b. The location of such hazardous materials. c. An emergency response plan including employee training information. d. A plan that describes the manner in which these materials are handled, transported, and disposed. 	Prior to building permit final	Oakland Fire Department	Oakland Fire Department
<i>Hydrology and Water Quality</i>			
<p>SCA-HYDRO-1: Erosion and Sedimentation Control Measures for Construction (#48)</p> <p>The project applicant shall implement Best Management Practices (BMPs) to reduce erosion, sedimentation, and water quality impacts during construction to the maximum extent practicable. At a minimum, the project applicant shall provide filter materials deemed acceptable to the City at nearby catch basins to prevent any debris and dirt from flowing into the City's storm drain system and creeks.</p>	During Construction	N/A	Bureau of Building
<p>SCA-HYDRO-2: Site Design Measures to Reduce Stormwater Runoff (#52)</p> <p>Pursuant to Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES), the project applicant is encouraged to incorporate appropriate site design measures into the project to reduce the amount of stormwater runoff. These measures may include, but are not limited to, the following:</p> <ol style="list-style-type: none"> a. Minimize impervious surfaces, especially directly connected impervious surfaces and surface parking areas; b. Utilize permeable paving in place of impervious paving where appropriate; c. Cluster structures; d. Direct roof runoff to vegetated areas; e. Preserve quality open space; and f. Establish vegetated buffer areas. 	Ongoing	N/A	N/A

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
SCA-HYDRO-3: Source Control Measures to Limit Stormwater Pollution (#53)	Ongoing	N/A	N/A
<p>Pursuant to Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES), the project applicant is encouraged to incorporate appropriate source control measures to limit pollution in stormwater runoff. These measures may include, but are not limited to, the following:</p>			
<ul style="list-style-type: none"> a. Stencil storm drain inlets “No Dumping – Drains to Bay;” b. Minimize the use of pesticides and fertilizers; c. Cover outdoor material storage areas, loading docks, repair/maintenance bays and fueling areas; d. Cover trash, food waste, and compactor enclosures; and e. Plumb the following discharges to the sanitary sewer system, subject to City approval: f. Discharges from indoor floor mats, equipment, hood filter, wash racks, and, covered outdoor wash racks for restaurants; g. Dumpster drips from covered trash, food waste, and compactor enclosures; h. Discharges from outdoor covered wash areas for vehicles, equipment, and accessories; i. Swimming pool water, if discharge to on-site vegetated areas is not feasible; and j. Fire sprinkler test water, if discharge to on-site vegetated areas is not feasible. 			
SCA-HYDRO-4: State Construction General Permit. (#46) 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
Noise			
SCA-NOS-1: Construction Days/Hours (#63)	During Construction	N/A	Bureau of Building
<p>The project applicant shall comply with the following restrictions concerning construction days and hours:</p>			
<ul style="list-style-type: none"> a. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m. b. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction 			

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday.</p> <p>c. No construction is allowed on Sunday or federal holidays.</p> <p>Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.</p> <p>Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents'/occupants' preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.</p>			
<p>SCA-NOS-2: Construction Noise (#64)</p> <p>The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following:</p> <ul style="list-style-type: none"> a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible. b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures. 	<p>During Construction</p>	<p>N/A</p>	<p>Bureau of Building</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<ul style="list-style-type: none"> c. Applicant shall use temporary power poles instead of generators where feasible. d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction. e. The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented. 			
<p>SCA-NOS-3: Extreme Construction Noise (#65)</p>	<p>Prior to Approval</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>
<p><i>a. Construction Noise Management Plan Required</i></p> <p>Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90dBA), the project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following:</p> <ul style="list-style-type: none"> i. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings; ii. Implement “quiet” pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions; iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site; iv. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and v. Monitor the effectiveness of noise attenuation measures by taking noise measurements. <p><i>b. Public Notification Required</i></p> <p>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</p>			

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.</p>			
<p>SCA-NOS-4: Construction Noise Complaints (#67)</p> <p>The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include:</p> <ol style="list-style-type: none"> a. Designation of an on-site construction complaint and enforcement manager for the project; b. A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the project complaint manager and City Code Enforcement unit; c. Protocols for receiving, responding to, and tracking received complaints; and d. Maintenance of a complaint log that records received complaints and how complaints were addressed, which shall be submitted to the City for review upon the City’s request. 	<p>Prior to Approval of Construction-Related Permit</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>
<p>SCA-NOS-5: Operational Noise (#69)</p> <p>Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.</p>	<p>Ongoing</p>	<p>N/A</p>	<p>Bureau of Building</p>
Transportation and Traffic			
<p>SCA-TRANS-1: Transportation Improvements. (#70)</p> <p>The project applicant shall implement the recommended on- and off-site transportation-related improvements contained within the Transportation Impact Study for the project (e.g., signal timing adjustments, restriping, signalization, traffic control devices, roadway reconfigurations, and pedestrian and bicyclist amenities). The project applicant is responsible for funding and installing the improvements, and shall obtain all necessary permits and approvals from the City and/or other applicable regulatory agencies such as, but not limited to, Caltrans (for improvements related to Caltrans facilities) and the California Public Utilities Commission (for improvements related to railroad crossings), prior to installing the improvements. To implement this measure for intersection modifications, the project applicant shall submit Plans,</p>	<p>Prior to building permit final or as otherwise specified</p>	<p>Bureau of Building; Public Works Department, Transportation Services Division</p>	<p>Bureau of Building</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>Specifications, and Estimates (PS&E) to the City for review and approval. All elements shall be designed to applicable City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements as required by the City. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for, among other items, the elements listed below:</p>			
<ul style="list-style-type: none"> a. 2070L Type Controller with cabinet accessory b. GPS communication (clock) c. Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile) d. Countdown pedestrian head module switch out e. City Standard ADA wheelchair ramps f. Video detection on existing (or new, if required) g. Mast arm poles, full activation (where applicable) h. Polara Push buttons (full activation) i. Bicycle detection (full activation) j. Pull boxes k. Signal interconnect and communication with trenching (where applicable), or through existing conduit (where applicable), 600 feet maximum l. Conduit replacement contingency m. Fiber switch n. PTZ camera (where applicable) o. Transit Signal Priority (TSP) equipment consistent with other signals along corridor p. Signal timing plans for the signals in the coordination group 			
<p>SCA-TRANS-2: Construction Activity in the Public Right-of-Way. (#77)</p>	<p>Prior to Approval of Construction Related Permit</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>
<p><i>a. Obstruction Permit Required</i></p> <p>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.</p>			
<p><i>b. Traffic Control Plan Required</i></p> <p>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</p>	<p>Prior to Approval of Construction Related Permit</p>	<p>Public Works Department, Transportation Services Division</p>	<p>Bureau of Building</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>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.</p>	Prior to Building Permit Final	N/A	Bureau of Building
<p><i>c. Repair City Streets</i></p> <p>The project applicant shall repair any damage to the public right-of way, including streets and sidewalks, caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.</p>	Prior to Building Permit Final	N/A	Bureau of Building
<p>SCA-TRANS-3: Bicycle Parking. (#78)</p> <p>The project applicant shall comply with the City of Oakland Bicycle Parking Requirements (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall demonstrate compliance with the requirements.</p>	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building
<p>SCA-TRANS-4: Plug-In Electric Vehicle (PEV) Charging Infrastructure (#84)</p> <p><i>a. PEV-Ready Parking Spaces</i></p> <p>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 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.</p>	Prior to Issuance of Building Permit	Bureau of Building	Bureau of Building
<p><i>b. PEV-Capable Parking Spaces</i></p> <p>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.</p>	Prior to Issuance of Building Permit	Bureau of Building	Bureau of Building
<p><i>c. ADA-Accessible Spaces</i></p> <p>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</p>	Prior to Issuance of Building Permit	Bureau of Building	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
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).			
Utilities and Service Systems			
<p>SCA-UTIL-1: Construction and Demolition Waste Reduction and Recycling (#85)</p> <p>The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at www.greenhalosystems.com or manually at the City's Green Building Resource Center. Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center.</p>	Prior to Approval of Construction-Related Permit	Public Works Department, Environmental Services Division	Public Works Department, Environmental Services Division
<p>SCA-UTIL-2: Underground Utilities (#86)</p> <p>The project applicant shall place underground all new utilities serving the project and under the control of the project applicant and the City, including all new gas, electric, cable, and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits, and similar facilities. The new facilities shall be placed underground along the project's street frontage and from the project structures to the point of service. Utilities under the control of other agencies, such as PG&E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities.</p>	During Construction	N/A	Bureau of Building
<p>SCA-UTIL-3: Recycling Collection and Storage Space (#87)</p> <p>The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two cubic feet of storage and collection space per residential unit is required, with a minimum of ten cubic feet. For nonresidential projects, at least two cubic feet of storage and collection space per 1,000 sf of building floor area is required, with a minimum of ten cubic feet.</p>	Prior to Approval of Construction-Related Permit	Bureau of Planning	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>SCA-UTIL-4: Sanitary Sewer System (#90)</p> <p>The project applicant shall prepare and submit a Sanitary Sewer Impact Analysis to the City for review and approval in accordance with the City of Oakland Sanitary Sewer Design Guidelines. The Impact Analysis shall include an estimate of pre-project and post-project wastewater flow from the project site. In the event that the Impact Analysis indicates that the net increase in project wastewater flow exceeds City-projected increases in wastewater flow in the sanitary sewer system, the project applicant shall pay the Sanitary Sewer Impact Fee in accordance with the City’s Master Fee Schedule for funding improvements to the sanitary sewer system.</p>	<p>Prior to Approval of Construction-Related Permit</p>	<p>Public Works Department, Department of Engineering and Construction</p>	<p>N/A</p>
<p>SCA-UTIL-5: Storm Drain System (#91)</p> <p>The project storm drainage system shall be designed in accordance with the City of Oakland’s Storm Drainage Design Guidelines. To the maximum extent practicable, peak stormwater runoff from the project site shall be reduced by at least 25 percent compared to the pre-project condition.</p>	<p>Prior to Approval of Construction-Related Permit</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>
<p>SCA-UTIL-6: Water Efficient Landscape Ordinance (#93)</p> <p>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 equal to 2,500 sq. ft. or less. The project applicant may implement either the Prescriptive Measures or the Performance Measures, of, and in accordance with the California’s Model Water Efficient Landscape Ordinance. 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.</p> <p><i>Prescriptive Measures:</i> Prior to construction, the project applicant shall submit documentation showing compliance with Appendix D of California’s Model Water Efficient Landscape Ordinance (see website below starting on page 23): http://www.water.ca.gov/wateruseefficiency/landscapeordinance/docs/Title%2023%20extract%20-%20Official%20CCR%20pages.pdf</p> <p><i>Performance Measures:</i> Prior to construction, the project applicant shall prepare and submit a Landscape Documentation Package for review and approval, which includes the following</p> <ol style="list-style-type: none"> a. Project Information: <ol style="list-style-type: none"> i. Date, ii. Applicant and property owner name, iii. Project address, iv. Total landscape area, v. Project type (new, rehabilitated, cemetery, or home owner installed), vi. Water supply type and water purveyor, 	<p>Prior to Approval of Construction-Related Permit</p>	<p>Bureau of Planning</p>	<p>Bureau of Building</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<ul style="list-style-type: none"> vii. Checklist of documents in the package, and viii. Applicant signature and date with the statement: "I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package." b. Water Efficient Landscape Worksheet <ul style="list-style-type: none"> i. Hydrozone Information Table ii. Water Budget Calculations with Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use c. Soil Management Report d. Landscape Design Plan e. Irrigation Design Plan, and f. Grading Plan 			
<p>Upon installation of the landscaping and irrigation systems, 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 Compliance shall also be submitted to the local water purveyor and property owner or his or her designee.</p>			
<p>For the specific requirements within the Water Efficient Landscape Worksheet, Soil Management Report, Landscape Design Plan, Irrigation Design Plan and Grading Plan, see the link below.</p>			
<p>http://www.water.ca.gov/wateruseefficiency/landscapeordinance/docs/Title%2023%20extract%20-%20Official%20CCR%20pages.pdf</p>			
SCA-UTIL-7: Green Building Requirements (#88)			
<p>a. <i>Compliance with Green Building Requirements During Plan-Check</i></p>	<p>Prior to approval of construction-related permit</p>	<p>Bureau of Building</p>	<p>N/A</p>
<p>The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code).</p>			
<ul style="list-style-type: none"> i. The following information shall be submitted to the City for review and approval with the application for a building permit: <ul style="list-style-type: none"> • Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards. • Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit. • Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit. • Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, 			

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>compliance with the items listed in subsection (ii) below.</p> <ul style="list-style-type: none"> • Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance. • Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit. • Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. <p>ii. The set of plans in subsection (i) shall demonstrate compliance with the following:</p> <ul style="list-style-type: none"> • CALGreen mandatory measures. • [INSERT: Green building point level/certification requirement: (See Green Building Summary Table; for New Construction of Residential or Non-residential projects that remove a Historic Resource (as defined by the Green Building Ordinance) the point level certification requirement is 53 points for residential and LEED Gold for non-residential)] per the appropriate checklist approved during the Planning entitlement process. • All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Bureau of Planning that shows the previously approved points that will be eliminated or substituted. • The required green building point minimums in the appropriate credit categories. 	During construction	N/A	Bureau of Building
<p><i>b. Compliance with Green Building Requirements During Construction</i></p> <p>The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project.</p> <p>The following information shall be submitted to the City for review and approval:</p> <ol style="list-style-type: none"> i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit. ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance. iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. 			

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p data-bbox="193 268 805 327"><i>C. Compliance with Green Building Requirements After Construction</i></p> <p data-bbox="193 338 805 426">Prior to the finaling the Building Permit, the Green Building Certifier shall submit the appropriate documentation to City staff and attain the minimum required point level.</p>	Prior to Final Approval	Bureau of Planning	Bureau of Building

ATTACHMENT B: INFILL PERFORMANCE STANDARDS, PER CEQA GUIDELINES SECTION 15183.3

Table B-1 demonstrates how the proposed Project meets the eligibility requirements to qualify as an infill project under CEQA Guidelines Section 15183.3(b) and CEQA Guidelines Appendix M.

Table B-1. Eligibility for Streamlining – Infill Project

CEQA Eligibility Criteria	Eligibility of Project
<p>To be eligible for the streamlining procedures prescribed in this section, an infill project must:</p>	
<p>1) Be located in an urban area on a site that either has been previously developed or that adjoins existing qualified urban uses on at least seventy-five percent of the site's perimeter. For the purpose of this subdivision "adjoin" means the infill project is immediately adjacent to qualified urban uses, or is only separated from such uses by an improved public right-of-way.</p>	<p>The Project is eligible. The Project site is in an urban area in Oakland, it has been previously developed, and it adjoins existing urban uses on 75 percent of its perimeter or is only separated from such uses by an improved public right-of-way.</p>
<p>2) Satisfy the performance standards provided in Appendix M.</p>	<p>The Project is eligible. See responses to individual standards below.</p>
<p>3) Be consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy.</p>	<p>The Project is eligible. The Project site is within the West Oakland Priority Development Area as identified in the region's sustainable communities strategy (Plan Bay Area) and as identified in the City of Oakland's Energy and Climate Action Plan. The Project site is in West Oakland, a community of concern as defined by Plan Bay Area. The land use designation for the site is Mixed Housing Type Residential, which allows a mix of single-family homes, townhouses, small multi-unit buildings, and neighborhood businesses. The Project site is zoned as Mixed Housing Type Residential – 4 Zone (RM-4). The RM-4 zone is intended to create, maintain, and enhance residential areas typically located on or near the City's major arterials and characterized by a mix of single family homes, townhouses, small multi-unit buildings, and neighborhood businesses. The building height limit in this zone is 35 feet, and the maximum allowable residential density is 1 dwelling unit per 1,100 square feet of lot area for up to 4 units, where five or more units require a Conditional Use Permit. The Project would construct a 4-story building for residential and JLWQ uses, and would achieve the proposed residential density through an affordable housing density bonus. Of the 57 dwelling units allowed under the base density, 12 (21% of total) would be low income units or 6 (11% of total) would be very low income units, achieving the 35% density</p>

CEQA Eligibility Criteria

Eligibility of Project

bonus. The Project would require a Conditional Use Permit to exceed the allowable density and to allow the JLWQ units, as well as the use of a concession to exceed the height limit for the RM-4 zone.

Each of these factors demonstrates the Project's overall consistency with the applicable policies of the region's sustainable communities strategy, as well as the City of Oakland's Energy and Climate Action Plan.

Satisfaction of Appendix M Performance Standards¹

Renewable Energy. All non-residential projects shall include on-site renewable power generation, such as solar photovoltaic, solar thermal and wind power generation, or clean backup power supplies, where feasible. Residential projects are also encouraged to include such on-site renewable power generation.

The Project is eligible.
The predominant use for the Project is residential.

Soil and Water Remediation. If the project site is included on any list compiled pursuant to Section 65962.5 of the Government Code, the project shall document how it has remediated the site, if remediation is completed. Alternatively, the project shall implement the recommendations provided in a preliminary endangerment assessment or comparable document that identifies remediation appropriate for the site.

The Project is eligible.
The Project is not on any list compiled pursuant to Section 65962.5 of the Government Code identifying prior releases of hazardous materials and no remediation requirements have been identified.

Residential Units Near High-Volume Roadways and Stationary Sources. If a project includes residential units located within 500 feet, or other distance determined to be appropriate by the local agency or air district based on local conditions, of a high volume roadway or other significant sources of air pollution, the project shall comply with any policies and standards identified in the local general plan, specific plan, zoning code or community risk reduction plan for the protection of public health from such sources of air pollution. If the local government has not adopted such plans or policies, the project shall include measures, such as enhanced air filtration and project design, that the lead agency finds, based on substantial evidence, will promote the protection of public health from sources of air pollution. Those measures may include, among others, the recommendations of the California Air Resources Board, air districts, and the California Air Pollution Control Officers Association.

The Project is eligible.
The Project is a residential project and is not within 500 feet of a high-volume roadway.

Residential. To be eligible for streamlining pursuant to Section 15183.3, a Residential project must satisfy one of the following:

Projects achieving below average regional per capita vehicle miles traveled (VMT).

A residential project is eligible if it is located in a "low vehicle travel area" within the region.

The Project is eligible.
The Project is a residential project within a low vehicle travel area and within ½ mile of the Major Transit Stop created by the intersection of AC Transit Routes 88 and 72R at the Market Street/San Pablo Avenue intersection.

CEQA Eligibility Criteria

Eligibility of Project

Projects located within 1/2 mile of an Existing Major Transit Stop or High Quality Transit Corridor.

A residential project is eligible if it is located within 1/2 mile of an existing major transit stop or an existing stop along a high quality transit corridor.

Low-Income Housing.

A residential or mixed-use project consisting of 300 or fewer residential units all of which are affordable to low income households is eligible if the developer of the development project provides sufficient legal commitments to the lead agency to ensure the continued availability and use of the housing units for lower income households, as defined in Section 50079.5 of the Health and Safety Code, for a period of at least 30 years, at monthly housing costs, as determined pursuant to Section 50053 of the Health and Safety Code.

Commercial/Retail. To be eligible for streamlining pursuant to Section 15183.3, a Commercial/Retail project must satisfy one of the following:

Not applicable. The project is not a commercial/retail project.

Regional Location. A commercial project with no single-building floor-plate greater than 50,000 square feet is eligible if it locates in a "low vehicle travel area."¹

Proximity to Households. A project with no single-building floor-plate greater than 50,000 square feet located within one-half mile of 1800 households is eligible.

To be eligible for streamlining pursuant to Section 15183.3, an **Office Building** project must satisfy one of the following:

Not applicable. The project is not an office building project.

Regional Location. Office buildings, both commercial and public, are eligible if they locate in a low vehicle travel area.

Proximity to a Major Transit Stop. Office buildings, both commercial and public, within 1/2 mile of an existing major transit stop, or 1/4 mile of an existing stop along a high quality transit corridor, are eligible.

Transit. Transit stations, as defined in Section 15183.3(e)(1), are eligible.

Not applicable. The project is not a transit project.

Schools. Elementary schools within one mile of fifty percent of the projected student population are eligible. Middle schools and high schools within two miles of fifty percent of the projected student population are eligible. Alternatively, any school within 1/2 mile of an existing major transit stop or an existing stop along a high quality transit corridor is eligible. Additionally, in order to be eligible, all schools shall provide parking and storage for bicycles and scooters and shall comply with the requirements in Sections 17213, 17213.1 and 17213.2 of the California Education Code.

Not applicable. The project is not a school project.

CEQA Eligibility Criteria**Eligibility of Project**

Small Walkable Community Projects. Small walkable community projects, as defined in Section 15183.3, subdivision (e)(6), that implement the project features described in Section III above are eligible.

Not applicable. The project is not a small walkable community project.

Mixed Use Projects. Where a project includes some combination of residential, commercial and retail, office building, transit station, and/or schools, the performance standards in this Section that apply to the predominant use shall govern the entire project.

The project is a mixed use project, with residential use as the predominant use.

¹ A traffic analysis zone that exhibits a below average existing level of travel as determined using a regional travel demand model. For residential projects, travel refers to either home-based or household vehicle miles traveled per capita. For commercial and retail projects, travel refers to non-work attraction trip length; however, where such data are not available, commercial projects reference either home-based or household vehicle miles traveled per capita. For office projects, travel refers to commute attraction vehicle miles traveled per employee; however, where such data are not available, office projects reference either home-based or household vehicle miles traveled per capita.

ATTACHMENT C: TRANSPORTATION ASSESSMENT



MEMORANDUM

Date: May 20, 2019
To: Sharon Wright, Lamphier-Gregory
From: Jordan Brooks and Sam Tabibnia, Fehr & Peers
Subject: 2400 Filbert Street Transportation Assessment

OK18-0266.01

This memorandum summarizes the transportation assessment that Fehr & Peers completed for the proposed 2400 Filbert Street project in Oakland. This document describes the findings of previous CEQA documents and lists the thresholds of significance, followed by a brief description of the project and an analysis of project impacts under CEQA. This memorandum then provides an assessment of non-CEQA planning-related considerations, with an estimate of project trip generation and a review of the proposed project site plan.

Based on our analysis, the project would not cause a significant impact to the transportation network. This memorandum also provides recommendations that improve multi-modal access, circulation, and safety.

PROJECT DESCRIPTION

The proposed project is located on the north side of 24th Street between Filbert and Myrtle Streets in West Oakland. Based on the project site plan included in the planning application dated February 7, 2019, the project would consist of 77 multi-family dwelling units and 10 work/live units. The work/live units would be constructed within the existing vacant industrial buildings currently occupying the project site. The project would provide 88 parking spaces, including five accessible spaces, in a ground-floor parking garage accessible via a driveway on 24th Street.



CEQA ASSESSMENT

FINDINGS OF PREVIOUS CEQA DOCUMENTS

Transportation and circulation were analyzed in the WOSP EIR, which found Level of Service (LOS) impacts at three intersection to be less than significant with implementation of mitigation measures and/or SCAs. Impacts to three intersections were found to be significant and unavoidable under the WOSP EIR. All other transportation and circulation impacts under the WOSP were found to have no impacts or be less-than-significant impacts.

Consistent with the California Senate Bill (SB) 743 and direction from the Governor's Office of Planning and Research (ORR), City of Oakland adopted new CEQA guidelines in April 2017 which eliminated automobile delay, as described by LOS, as a significant impact on the environment, and replaced it with Vehicle Miles Travelled (VMT). Since the WOSP EIR was completed using the LOS criteria, this analysis evaluates the consistency of the project with the LOS-based analysis in the certified WOSP EIR and also evaluates the impacts of the project based on the current VMT-based thresholds.

THRESHOLDS OF SIGNIFICANCE

According to the City of Oakland's *Transportation Impact Review Guidelines* (April 14, 2017), a project would have a significant effect on the environment if it would:

1. Conflict with a plan, ordinance, or policy addressing the safety or performance of the circulation system, including transit, roadways, bicycle lanes, and pedestrian paths (except for automobile level of service or other measures of vehicle delay); or
2. Cause substantial additional VMT per capita, per service population, or other appropriate efficiency measure; or
3. Substantially induce additional automobile travel by increasing physical roadway capacity in congested areas (i.e., by adding new mixed-flow lanes) or by adding new roadways to the network.



CONFLICTS WITH PLANS, ORDINANCES, OR POLICIES RELATING TO SAFETY, OR PERFORMANCE OF THE CIRCULATION SYSTEM (THRESHOLD 1)

The project is consistent with applicable plans, ordinances, and policies and would not cause a significant impact by conflicting with adopted plans, ordinances, or policies addressing the safety and performance of the circulation system, including transit, roadways, bicycle lanes, and pedestrian paths (except for automobile level of service or other measures of vehicle delay).

The Land Use and Transportation Element of the City of Oakland's General Plan (LUTE), as well as the City's Public Transit and Alternative Mode and Complete Streets policies, states a strong preference for encouraging the use of non-automobile transportation modes, such as transit, bicycling, and walking. The project would encourage the use of non-automobile transportation modes by providing residential and retail uses in a dense, walkable urban environment that is well-served by both local and regional transit.

The project is consistent with the City's 2017 Pedestrian Master Plan and 2007 Bicycle Master Plan, as it would not make major modifications to existing pedestrian or bicycle facilities in the surrounding areas and would not adversely affect installation of future facilities. Further, the project would improve pedestrian safety by installing sidewalk, curb, and gutter along the project's Filbert Street frontage and by removing multiple curb cuts elsewhere along the project frontage.

Overall, the project would not conflict with adopted plans, ordinances, or policies addressing the safety and performance of the circulation system. This is a less-than-significant impact; no mitigation measures are required.

In addition, the proposed project is consistent with the *West Oakland Specific Plan (WOSP) EIR* (certified in June 2014), which evaluated the impacts of developments in the West Oakland area, as described below.

Consistency with WOSP EIR

The proposed project site is located within the WOSP area. The development evaluated in the WOSP EIR represents the reasonably foreseeable development expected to occur in the next 20 to 25 years in the Plan Area. The Specific Plan and the EIR intend to provide flexibility in the location, amount, and type of development. Thus, the traffic impact analysis presented in the WOSP EIR



remains valid so long as the trip generation for the overall Plan Area remains below the forecasted level.

Since the certification of the WOSP EIR, 12 developments, including this project, have been proposed and are in some stage of the City's approval process at this time. **Table 1** summarizes the trip generation for these developments. The 12 developments combined would generate about 1,330 AM peak hour and 1,513 peak hour trips, which is less than the total trip generation estimated in the WOSP EIR. Similarly, the square footage and unit count of these developments is substantially less than the total cumulative development assumed within the Plan Area by the WOSP EIR.

The project is located in the San Pablo Avenue Opportunity Area. The project is consistent with the assumptions used in the WOSP EIR for the San Pablo Avenue Opportunity Area. Since the proposed project, combined with other developments currently proposed or under construction in the Plan Area, would generate fewer automobile trips than assumed in the WOSP EIR, the proposed project would not result in additional impacts on traffic operations at the intersections analyzed in the WOSP EIR. In addition, all the mitigation measures identified in the WOSP EIR are included in the citywide Transportation Impact Fee (TIF).



**TABLE 1
 TRIP GENERATION FOR DEVELOPMENT PROJECTS WITHIN THE WOSP AREA**

Project Name	AM Peak Hour	PM Peak Hour
2201 Filbert (Icehouse) ¹	52	84
532 Union Street (The Union Project) ²	34	47
1708 Wood Street (Roadway Express) ³	50	58
Mandela Parkway Hotel ⁴	135	141
914 West Grand Avenue ⁵	15	17
34 th and San Pablo Affordable Housing Development ⁶	38	41
1450 32 nd Street ⁷	12	15
1919 Market Street ⁸	34	41
801 Pine Street (The Phoenix) ⁹	84	97
500 Kirkham Street ¹⁰	384	399
West Oakland BART Project ¹¹	472	548
2400 Filbert Street ¹²	25	32
Total Projects Trips	1,335	1,520
WOSP Estimated Trip Generation ¹³	5,537	6,698
Percent Complete	24%	23%

Notes:

1. Source: *West Grand Avenue & Market Street CEQA Analysis* (August 20, 2015)
2. Source: *532 Union Street CEQA Analysis* (July 15, 2016)
3. Source: *1708 Wood Street CEQA Analysis* (June 20, 2016)
4. Source: *914 West Grand Avenue Project in Oakland – Transportation Impact Review* (November 17, 2017)
5. Source: *Mandela Hotel in Oakland – Transportation Assessment* (November 29, 2017)
6. Source: *34th and San Pablo Project – Transportation Impact Review* (October 20, 2017)
7. Source: *1450 32nd Street – Preliminary Transportation Impact Analysis* (July 28, 2017)
8. Source: *1919 Market Street Project in Oakland – Preliminary Transportation Assessment* (August 8, 2017)
9. Source: *The Phoenix – Transportation Assessment (Non-CEQA Memorandum)* (November 19, 2018)
10. Source: *500 Kirkham Street – Planning-Related Non-CEQA Transportation Impact Review* (March 30, 2019)
11. Source: *West Oakland BART Project Planning-Related Non-CEQA Transportation Impact Review* (January 29, 2019)
12. Source: Table 3
13. Source: *West Oakland Specific Plan Draft EIR* (May 2014), Table 4.10-4

Source: Fehr & Peers, 2019.

VEHICLE MILES TRAVELLED (VMT) ASSESSMENT (THRESHOLD 2)

On September 21, 2016, the City of Oakland’s Planning Commission directed staff to update the City of Oakland’s California Environmental Quality Act (CEQA) Thresholds of Significance Guidelines related to transportation impacts in order to implement the directive from Senate Bill 743 (Steinberg 2013) to modify local environmental review processes by removing automobile delay, as described



solely by level of service (LOS) or similar measures of vehicular capacity or traffic congestion, as a significant impact on the environment pursuant to CEQA. The Planning Commission direction aligns with draft proposed guidance from the Governor's Office of Planning and Research and the City's approach to transportation impact analysis, with adopted plans and polices related to transportation, which promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. Consistent with the Planning Commission direction and the Senate Bill 743 requirements, the City of Oakland published the revised TIRG on April 14, 2017 to guide the evaluation of the transportation impacts associated with land use development projects.

Many factors affect travel behavior, including density of development, diversity of land uses, design of the transportation network, access to regional destinations, distance to high-quality transit, development scale, demographics, and transportation demand management. Typically, low-density development that is located at a great distance from other land uses, in areas with poor access to non-single occupancy vehicle travel modes generate more vehicle travel compared to development located in urban areas, where a higher density of development, a mix of land uses, and non-single occupancy vehicle travel options are available.

Given these travel behavior factors, most of Oakland has lower VMT per capita and VMT per worker ratios than the nine-county San Francisco Bay Area region. Further, within the City of Oakland, some neighborhoods may have lower VMT ratios than others.

VMT Estimate

Neighborhoods within Oakland are expressed geographically in transportation analysis zones, or TAZs, which are used in transportation planning models for transportation analysis and other planning purposes. The Metropolitan Transportation Commission (MTC) Travel Model includes 116 TAZs within Oakland that vary in size from a few city blocks in the downtown core, to multiple blocks in outer neighborhoods, to even larger geographic areas in lower-density neighborhoods.

The MTC Travel Model is a model that assigns all predicted trips within, across, or to/from the nine-county San Francisco Bay Area region onto the roadway network and the transit system by mode (single-driver and carpool vehicle, biking, walking, or transit) and transit carrier (bus, rail) for a particular scenario.

The travel behavior from MTC Travel Model is modeled based on the following inputs:



- Socioeconomic data developed by the Association of Bay Area Governments (ABAG)
- Population data created using the 2000 US Census and modified using the open source PopSyn software
- Zonal accessibility measurements for destinations of interest
- Travel characteristics and vehicle ownership rates derived from the 2000 Bay Area Travel Survey (BATS)
- Observed vehicle counts and transit boardings

The daily VMT output from the MTC Travel Model for residential and office uses comes from a tour-based analysis. The tour-based analysis examines the entire chain of trips over the course of a day, not just trips to and from the project site. In this way, all of the VMT for an individual resident or employee is included; not just trips into and out of the person's home or workplace. For example, a resident leaves her apartment in the morning, stops for coffee, and then goes to the office. In the afternoon she heads out to lunch, and then returns to the office, with a stop at the drycleaners on the way. After work, she goes to the gym to work out, and then joins some friends at a restaurant for dinner before returning home. All the stops and trips within her day form her "tour." The tour-based approach would add up the total number of miles driven over the course of her tour and assign it as her daily VMT.

Based on the MTC Travel Model, the regional average daily VMT per capita is 15.0 under 2020 conditions and 13.8 under 2040 conditions.

Thresholds of Significance for VMT

According to the City of Oakland TIRG, the following are thresholds of significance related to substantial additional VMT:

- For residential projects, a project would cause substantial additional VMT if it exceeds existing regional household VMT per capita minus 15%.
- For office projects, a project would cause substantial additional VMT if it exceeds the existing regional VMT per worker minus 15%.
- For retail projects, a project would cause substantial additional VMT if it results in a net increase in total VMT.



Screening Criteria

VMT impacts would be less than significant for a project if any of the identified screening criteria outlined below are met:

1. Small Projects: The project generates fewer than 100 vehicle trips per day
2. Low-VMT Areas: The project meets map-based screening criteria by being located in an area that exhibits below threshold VMT, or 15% or more below the regional average
3. Near Transit Stations: The project is located in a Transit Priority Area or within a one-half mile of a Major Transit Corridor or Stop¹ and satisfies the following:
 - Has a Floor Area Ratio (FAR) of more than 0.75,
 - includes less parking for use by residents, customers, or employees of the project than other typical nearby uses, or less than required by the City (if parking minimums pertain to the site) or allowed without a conditional use permit (if minimums and/or maximums pertain to the site),
 - and is consistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the MTC).

Impact Analysis

The proposed project satisfies the Low-VMT Area (#2) criterion, as described below.

Criterion #1: Small Projects

The project would generate more than 100 vehicle trips per day and therefore does not satisfy Criterion #1.

Criterion #2: Low-VMT Area

Table 2 shows the estimated 2020 and 2040 VMT per capita for TAZ 989, the TAZ in which the project is located, as well as the applicable VMT thresholds of 15% below the regional average. As shown in Table 2, the 2020 and 2040 estimated average daily VMT per capita in the project TAZ is less than the regional averages minus 15%. The project therefore satisfies Criterion #2.

¹ "Major transit stop" is defined in CEQA Section 21064.3 as a rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.



TABLE 2
2400 FILBERT STREET DAILY VEHICLE MILES TRAVELED SUMMARY

Land Use	Bay Area				TAZ 989	
	2020		2040		2020	2040
	Regional Average	Regional Average minus 15%	Regional Average	Regional Average minus 15%		
Residential (VMT per capita) ¹	15.0	12.8	13.8	11.7	7.5	6.2

Notes:

1. MTC Model results at analytics.mtc.ca.gov/foswiki/Main/PlanBayAreaVmtPerCapita and accessed in April 2019.
 Source: Fehr & Peers, 2019.

Criterion #3: Near Transit Stations

The project would be located about 0.9 miles from the 19th Street Oakland BART station, within 0.1 miles of frequent bus service along Market Street (Route 88, with 15-minute peak headways), and about 0.4 miles from frequent bus service along San Pablo Avenue (Route 72R, with 12-minute peak headways). The project would be within 0.5 miles of the Major Transit Stop created by the intersection of AC Transit Routes 88 and 72R at the Market Street/San Pablo Avenue intersection.

The project would have a FAR of 2.2, which is greater than 0.75. Also, the project is located within the West Oakland Priority Development Area (PDS), as defined by Plan Bay Area, and is therefore consistent with the region’s Sustainable Communities Strategy.

However, the project would not satisfy Criterion #3 because it would provide more parking than is required by City Code. The City of Oakland Planning Code (Section 17.116.060) requires a minimum of 1.0 parking space per unit for multi-family residential developments in the RM-4 zone, and the Code (Section 17.116.110) reduces that requirement by 30 percent for projects located in Transit Accessible Areas.² City Code therefore requires a minimum of 61 spaces for the proposed project, and the project would include 88 off-street parking spaces.

² “Transit Accessible Area” is defined as the area within one-half mile of a: (1) BART Station; (2) BRT Station; (3) designated rapid bus line; or (4) transit stop served by a frequency of service interval of fifteen (15) minutes or less during the morning and afternoon peak commute periods (Oakland Municipal Code Section 17.09.040).



VMT Screening Conclusion

The proposed project would satisfy the Low-VMT Area (#2) criterion and is therefore presumed to have a less-than-significant impact on VMT.

SUBSTANTIALLY INDUCE ADDITIONAL AUTOMOBILE TRAVEL BY INCREASING CAPACITY (THRESHOLD 3)

The proposed project would not increase physical roadway capacity or add new roadways to the street network. Therefore, the project would not induce additional automobile travel. This is a less-than-significant impact; no mitigation measures are required.

NON-CEQA PLANNING-RELATED ASSESSMENT

TRIP GENERATION

Automobile Trip Generation

Trip generation is the process of estimating the number of vehicles that would likely access the project on any given day. **Table 3** summarizes the trip generation for the proposed project. Trip generation data published by the Institute of Transportation Engineers (ITE) in the *Trip Generation Manual (10th Edition)* was used as a starting point to estimate the vehicle trip generation.

ITE does not include separate trip generation rates for work/live units, which display unique travel behavior. Work/live units would provide both residential space and non-residential space, which would be used for a variety of uses, including office and/or light industrial. This analysis uses ITE data for mid-rise apartments for the residential component of the work/live units and ITE data for small office buildings for the non-residential component of the work/live units. The non-residential component represents two-thirds of the 8,000 square feet of the work/live units, corresponding to about 5,300 square feet.



TABLE 3
2400 FILBERT STREET PROJECT AUTOMOBILE TRIP GENERATION

Land Use	ITE Code	Size ¹	Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
				In	Out	Total	In	Out	Total
Work/Live Residential ²	221	10 DU	60	1	3	4	3	2	5
Work/Live Non-Residential ³	712	5.3 KSF	90	9	2	11	4	10	14
Work/Live Internalization ⁴			-20	-1	-2	-3	-1	-1	-2
Work/Live Subtotal			130	9	3	12	6	11	17
Apartment ²	221	77 DU	420	7	21	28	21	13	34
Work/Live + Apartment Subtotal			550	16	24	40	27	24	51
Non-Auto Reduction ⁵			-200	-6	-9	-15	-10	-9	-19
Adjusted Total Project Trips			350	10	15	25	17	15	32

Notes:

1. DU = Dwelling Units, KSF = 1,000 square feet.
2. ITE *Trip Generation (10th Edition)* land use category 221 (Mid-Rise Apartment, General Urban/Suburban):
 Daily: $T = 5.44 * X$
 AM Peak Hour: $T = 0.36 * X$ (26% in, 74% out)
 PM Peak Hour: $T = 0.44 * X$ (61% in, 39% out)
3. Reduction of 36.7% assumed, based on City of Oakland *Transportation Impact Review Guidelines*, using Census data for urban environments between 0.5 and 1.0 miles from a BART Station.
 Source: Fehr & Peers, 2019.

The non-residential component of the work/live units would mostly be used by residents with little or no outside employment, and residents of work/live units are expected to complete some or all of their work from home rather than commute to their place of employment. To account for the internalization of residents who work on-site, a 50% reduction in home-based work trips was assumed, based on the assumption that each unit would have an average of two workers, with one working on-site. According to the Alameda County Transportation Commission (CTC) Countywide Travel Demand Model, home-based work trips account for 20% of daily, 44% of AM peak period, and 24% of PM peak period trips. Therefore, reductions of 10% for daily trips, 22% for AM trips, and 12% for PM trips were applied to the work/live unit residential and non-residential trip generation estimates to account for both ends of these internalized trips.



ITE's *Trip Generation Manual (10th Edition)* is primarily based on data collected at single-use suburban sites where the automobile is often the only travel mode. However, the project site is in a dense mixed-use urban environment where many trips are walk, bike, or transit trips. Since the project is about 0.9 miles from the 19th Street Oakland BART station, this analysis reduces the ITE-based trip generation by about 37% to account for non-automobile trips. This reduction is consistent with the City of Oakland's TIRG and is based on US Census commute data for Alameda County from the 2014 5-Year Estimates of the American Community Survey (ACS), which shows that the non-automobile mode share for urban areas between 0.5 and 1.0 miles from a BART Station is about 37%.

As summarized in Table 3, the net new automobile trip generation for the proposed development is approximately 350 daily, 25 AM peak hour, and 32 PM peak hour automobile trips. Since the proposed project would generate fewer than 50 net new peak hour trips, the City of Oakland TIRG does not require a detailed Transportation Impact Report (TIR) or Transportation Demand Management (TDM) Plan.

Non-Vehicular Trip Generation

Consistent with City of Oakland TIRG, **Table 4** presents the estimates of project trip generation for all travel modes.

TABLE 4
2400 FILBERT STREET PROJECT TRIP GENERATION BY TRAVEL MODE

Mode	Mode Share Adjustment Factors ¹	Daily	AM Peak Hour	PM Peak Hour
Automobile	63.3%	350	25	32
Transit	23.6%	130	10	13
Bike	4.9%	30	2	3
Walk	6.2%	40	3	4
Total Trips		550	40	52

Notes:

1. Based on *City of Oakland Transportation Impact Study Guidelines*, assuming project site is in an urban environment between 0.5 and 1.0 miles of a BART Station.

Source: Fehr & Peers, 2019.



SITE PLAN REVIEW

Fehr & Peers reviewed the project site plan contained in the planning application dated February 7, 2019 and the existing street network adjacent to the project site to evaluate safety, access, and circulation for all travel modes.

Automobile Access and Circulation

The proposed project would provide a ground floor parking garage that would be accessed through a driveway on 24nd Street about 80 feet west of Myrtle Street. The garage would provide 88 parking spaces, including five accessible parking spaces.

Internal circulation in the garage would be provided by three two-way north-south drive aisles connected by one-way clockwise drive aisles at the north and south sides of the garage. The northbound direction of the westernmost two-way drive aisle would lead vehicles into a one-way only drive aisle in the opposite direction of travel. However, this is not considered a circulation issue because the garage would mostly be used by project residents who are familiar with the garage. Considering the layout of the garage, the westernmost and center drive aisles would generally function as one-way southbound. Overall, the garage would provide adequate circulation for passenger vehicles.

The two-way drive aisles would provide access to perpendicular parking spaces and would range between 21 and over 23 feet wide, meeting code requirements for drive aisle width. The one-way drive aisles would provide access to parallel and perpendicular parking spaces and would range between 11.5 and 12 feet wide where providing access to parallel spaces and would be 21 feet wide where providing access to perpendicular spaces, meeting code requirements for drive aisle width. The garage would provide passenger vehicles adequate space to maneuver into and out of the parking spaces.

The garage driveway would be 18-feet wide, meeting the city code requirement for the width of driveways serving off-street parking. The driveway would provide adequate sight distance between exiting motorists and pedestrians on the adjacent sidewalk because they would provide clear lines-of-sight between a motorist ten feet back from the sidewalk and a pedestrian ten feet away on each side of the driveway. However, the driveway may not provide adequate sight distance between exiting motorists and automobiles and bicycles traveling on 24th Street due to vehicles parking on-



street adjacent to the driveways. The City of Oakland Great Streets Design Guide (2018) states that red zones should be provided 20 feet in advance of a curb cut and 10 feet after a curb cut.

Recommendation 1: While not required to address a CEQA impact, the following should be considered as part of the final design for the Project:

- Designate 20 feet of curb east of the garage driveway and 10 feet of curb west of the garage driveway as red no parking zones to ensure adequate sight distance between motorists and bicyclists traveling on the street and motorists exiting the driveway.

Bicycle Access and Bicycle Parking

Chapter 17.117 of the Oakland Municipal Code requires long-term and short-term bicycle parking for new buildings and new living units in existing buildings. Long-term bicycle parking includes lockers or locked enclosures, and short-term bicycle parking includes bicycle racks. The Code requires one long-term space for every four multi-family dwelling units and one short-term space for every 20 multi-family dwelling units.

Table 5 presents the bicycle parking requirements for the proposed project. The project is required to provide 22 long-term bicycle parking spaces and four short-term spaces. The project would provide 52 long-term parking spaces and 12 short-term parking spaces. The long-term spaces would be provided in the form of bicycle stacker racks in a bicycle storage room accessible via the entry court on the south side of the building. The short-term parking spaces would be provided in the form of bicycle racks in the entry court, behind the building entrance. The bicycle racks would not be accessible from the street.

Currently, Class 2 bicycle lanes are provided one block east of the project site on northbound and southbound Market Street, and the City of Oakland's 2007 Bicycle Master Plan proposes Class 2 bicycle lanes on West Grand Avenue one block south of the project site. The nearest Ford GoBike bikeshare station is one block east of the site on 24th Street at Market Street.



**TABLE 5
 BICYCLE PARKING REQUIREMENTS**

Land Use	Size ¹	Long-Term		Short-Term	
		Spaces per Unit ²	Spaces	Spaces per Unit ²	Spaces
Residential ³	87 DU	1:4 DU	22	1:20 DU	4
Total Required Bicycle Spaces			22	4	
Total Bicycle Parking Provided			52	12	
Bicycle Parking Met?			Yes	Yes	

Notes:

1. DU = dwelling unit
2. Based on Oakland Municipal Code Sections 17.117.090
3. Includes multi-family residential units and work/live units. According to City of Oakland Code Section 17.116.020, parking and loading requirements apply to changes in use and new dwelling units within an existing facility.

Source: Fehr & Peers, 2019.

Recommendation 2: While not required to address a CEQA impact, the following should be considered as part of the final design for the project:

- Provide at least four of the short-term bicycle parking spaces outside of building entrances.

Pedestrian Access and Circulation

The project site currently provides an 11-foot wide sidewalk on Filbert Street, a 10-foot wide sidewalk on 24th Street, and a 13-foot wide sidewalk on Myrtle Street for the 70 feet immediately north of 24th Street, tapering to a 10-foot wide sidewalk thereafter. The proposed project would retain the existing sidewalk widths on Filbert and 24th Streets and would provide a 13-foot wide sidewalk on Myrtle Street along the entire project frontage.

Currently, the sidewalks adjacent to the proposed project have no curb for about 160 feet on Filbert Street, two curb cuts on 24th Street, and one curb cut on Myrtle Street. The project would restore the curb on Filbert Street and reduce the number of curb-cuts from three to one. The only remaining curb-cut would be on 24nd Street and would serve the project parking facility driveway.



Primary pedestrian access for the project would be through an entry court on 24th Street about 100 feet east of Filbert Street. This entry court would connect to the parking garage, lobby, bicycle storage room, and some residential units and would provide access to the additional residential levels via an elevator and stairwell. Two additional pedestrian entrances would be provided on Filbert Street, one about 200 feet north of 24th Street and the other about 300 feet north of 24th Street. The ground floor units facing Filbert and Myrtle Streets would also have direct pedestrian access to the street.

Pedestrian facilities at the intersections adjacent to the site include:

- The 24th Street/Filbert Street intersection is stop-controlled on the Filbert Street approaches. The intersection provides diagonal curb ramps on three corners, except the southeast corner, which is currently under construction as part of the currently under construction Oakland Ice House project. The northeast and northwest corners provide truncated domes, though the curb ramp at the northeast corner has a strip of asphalt through it. The intersection does not provide marked crosswalks.
- The 24th Street/Myrtle Street intersection is stop-controlled on the Myrtle Street approaches. The intersection provides diagonal curb ramps without truncated domes on three corners. The northwest corner does not provide a curb ramp in the intersection, though a curb ramp without truncated domes is provided immediately north of the intersection. The intersection provides marked crosswalks across the north and west approaches.

The project does not propose changes to the pedestrian facilities at intersections.

The City's 2017 Pedestrian Master Plan does not list any planned improvements along the project frontage. According to the City of Oakland Department of Transportation Great Streets Design Guide (2018), the unmarked crosswalks at the intersections adjacent to the proposed project should remain as unmarked crosswalks.

Recommendation 3: While not required to address a CEQA impact, the following should be considered as part of the final design for the project:

- Provide a diagonal curb ramp with truncated domes at the southeast corner of the 24th Street/Filbert Street intersection if the currently under construction Oakland Ice House project does not provide a curb ramp at this location.



- Restore the diagonal curb ramp with truncated domes at the northeast corner of the 24th Street/Filbert Street intersection if the currently under construction Oakland Ice House project does not restore the curb ramp.
- Relocate the curb ramp adjacent to the northwest corner of the 24th Street/Myrtle Street intersection to the corner of the intersection and provide a diagonal curb ramp with truncated domes if the currently under construction Oakland Ice House project does not provide a curb ramp at this location.

Transit Access

Transit service providers in the vicinity of the proposed project include BART and AC Transit.

BART provides regional rail service throughout the East Bay and across the Bay. The proposed project is approximately 0.9 miles from the 19th Street Oakland BART Station. The project would not modify access between the project site and the BART station.

AC Transit is the primary bus service provider in the City of Oakland. The nearest bus stops to the proposed project site are approximately 500 feet east of the project site, on both directions of Market Street on the near-side of 24th Street. Route 88 serves these stops, and no amenities are provided at either bus stop. The proposed project is also within 0.4 miles of frequent bus service along San Pablo Avenue, with the nearest bus stops located south of Milton Street in the southbound direction and south of 28th Street in the northbound direction for Route 72/72M and south of Market Street in the southbound direction and north of Market Street in the northbound direction for Route 72R. The project would not modify access between the project site and these bus stops. No major changes to the bus routes operating in the vicinity of the project are planned.

Automobile Parking Requirements

The *City of Oakland Municipal Code* sets minimum and maximum parking requirements. According to Section 17.116.060, the residential component of the project has minimum required parking of 1.0 spaces per unit and no maximum allowable parking. Section 17.116.110 reduces the requirement by 30 percent for projects located in Transit Accessible Areas, which is defined as the area within one-half mile of a: (1) BART Station; (2) BRT Station; (3) designated rapid bus line; or (4) transit stop served by a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods (Oakland Municipal Code Section 17.09.040). Since the project is within 0.4 miles of a rapid bus line on San Pablo Avenue (Route 72R with 12-minute peak headways),



and within 0.1 miles of frequent bus service on Market Street (Route 88 with 15-minute peak headways), the minimum required parking for the project can be reduced to 0.7 spaces per unit.

Table 6 presents the off-street automobile parking requirements for the project, per City of Oakland Municipal Code. Overall, the project is required to provide a minimum of 61 spaces for residential uses, with no maximum amount. The proposed project would provide 88 spaces, meeting the city code requirements.

**TABLE 6
 AUTOMOBILE PARKING CODE REQUIREMENTS**

Land Use	Size ¹	Required Off-Street Parking Supply		Provided Off-Street Parking Supply	Within Range?
		Minimum	Maximum		
Residential	87 DU	61	-	88	Yes
Total		61	-	88	Yes

Notes:

1. DU = Dwelling Unit
2. Includes multi-family residential units and work/live units. According to City of Oakland Code Section 17.116.020, parking and loading requirements apply to changes in use and new dwelling units within an existing facility. City of Oakland off-street parking requirement for multi-family residential in the RM-4 zone is a minimum of 1.0 spaces per unit, with no maximum (section 17.116.060), reduced to 0.7 spaces per unit due to being in a Transit Accessible Area (Section 17.116.110).

Source: Fehr & Peers, 2019.

Consistent with Code Section 17.116.310, all residential parking spaces would be leased separately from the rent of the dwelling units.

Along the project frontage, red curb prohibiting on-street parking abuts intersections for 10 feet on Filbert Street north of 24th Street, 15 feet on 24th Street east of Filbert Street, five feet on 24th Street west of Myrtle Street, and 15 feet on Myrtle Street north of 24th Street. Five feet of red curb is also provided on either side of the curb cut on 24th Street about 130 feet east of Filbert Street and on either side of the curb cut on Myrtle Street about 200 feet north of 24th Street. The rest of the curb on streets adjacent to the project frontage is used for unmetered parallel parking with no time restrictions.

It is estimated that the project's elimination of curb-cuts on 24th and Myrtle Streets would provide an additional parking space on each of those streets, and the project's restoration of curb space on Filbert Street would provide an estimated eight additional on-street parking spaces.



Recommendation 4: While not required to address a CEQA impact, the following should be considered as part of the final design for the project:

- Designate 30 feet of curb on 24th Street near the entry court (and lobby) as yellow loading zone for deliveries and passenger pick-up/drop-off.

Loading Requirements

City Municipal Code Section 17.116.120 requires one off-street loading space with minimum dimensions of 23 feet long, 10 feet wide, and 12 feet high for residential uses larger than 50,000 square feet. The site plan included in the planning application package does not include any spaces for residential loading.

Recommendation 5: While not required to address a CEQA impact, the following should be considered as part of the final design for the project:

- Provide at least one off-street residential loading space that meets the dimensional requirements established by City of Oakland Code.

CONCLUSION

Per the site plan review, the proposed project would have adequate automobile, bicycle, pedestrian, and transit access and circulation with the inclusion of **Recommendations 1** through **5**.

Please contact Jordan Brooks (j.brooks@fehrandpeers.com or 510-587-9429) with questions or comments.