TABLE OF CONTENTS

250 14th Street Mixed-Use Project
CEQA Analysis

		Page
I.	**Executive Summary**	**2**
II.	**Background**	**3**
	Planning Context	3
	CEQA Context	3
III.	**Purpose and Summary of this Document**	**9**
	Previous Mitigation Measures and Current Standard Conditions of Approval (SCAs)	10
IV.	**Project Description**	**13**
	250 14th Street Project Site	13
	Project Characteristics	15
	Sustainability and Efficiency	24
	Construction and Phasing	24
	Discretionary Project Approvals Requested	24
V.	**Summary of Findings**	**26**
VI.	**CEQA Checklist**	**28**
	1. Aesthetics, Shadow, and Wind	30
	2. Air Quality	34
	3. Biological Resources	41
	4. Cultural Resources	43
	5. Geology, Soils, and Geohazards	45
	6. Greenhouse Gas and Climate Change	47
	7. Hazards and Hazardous Materials	52
	8. Hydrology and Water Quality	54
	9. Land Use, Plans, and Policies	57
	10. Noise	59
	11. Population and Housing	63
	12. Public Services, Parks and Recreation Facilities	65
	13. Transportation and Circulation	67
	14. Utilities and Service Systems	80
VII.	**References**	**83**

Page

Attachments

A. Standard Conditions of Approval and Mitigation Monitoring and Reporting Program A-1
B. Criteria for Use of Addendum, per CEQA Guidelines Sections 15162, 15164 and 15168 B-1
C. Project Consistency with Community Plan or Zoning, Per CEQA Guidelines Section 15183 C-1
D. Infill Performance Standards, Per CEQA Guidelines Section 15183.3 D-1

Appendices

A. Transportation Impact Analysis and Detail Appendix A-1
B. Wind Report Appendix B-1

List of Tables

AIR-1 Unmitigated Emissions from Construction 36
AIR-2 Unmitigated Emissions from Operation 37
Air-3 Cumulative Health Impacts for New Receptors 39
GHG-1 Proposed Project GHG Emissions 48
NOI-1 Peak-Hour Traffic Noise Levels in the Vicinity of the Project 61
TRA-1 Intersection LOS Summary – Existing Conditions 70
TRA-2 Automobile Trip Generation Summary 71
TRA-3 Trip Generation By Travel Mode 72
TRA-4 Intersection LOS Summary – Existing Plus Project conditions 72
TRA-5 Intersection LOS Summary – Cumulative 2040 Conditions 73
TRA-6 Automobile Parking Code Requirements 77
TRA-7 Project Vehicle Parking Supply and Demand 78
TRA-8 Project Bicycle Parking Requirements 78

List of Figures

1. Project Location 14
2. Ground Floor Plan 16
3. Mezzanine Floor Plan 17
4. Second Floor Plan 18
5. Third Floor Plan 19
6. Fourth Floor Plan 20
7. Floors 5 – 14 Floor Plans 21
8. Floors 15 – 16 Floor Plans 22
9. Visual Simulations 23

250 14TH STREET MIXED-USE PROJECT

CEQA Analysis

Pursuant to California Resources Code Sections 21083.3, 21094.5.5, and 21166 and CEQA Guidelines Sections 15162, 15164, 15183, 15183.3, 15168, and 15180

Date:	January 11, 2016
Project Address:	250 14th Street
Case Number:	PLN15-306
Zoning:	D-LM-2 Lake Merritt Station Area Plan District General Pedestrian Commercial Zone CBD-C Central Business District – General Commercial Zone
General Plan:	Central Business District (CBD)
APNs:	008-0626-018-00; 008-0626-017-00
Lot Size:	0.44 acres
Applicant:	Bay Development 100 The Embarcadero, Penthouse San Francisco, CA 94105
Staff Contact:	Peterson Vollmann, Planner III Bureau of Planning, pvollman@oaklandnet.com (510) 238-6167

I. Executive Summary

The proposed 250 14th Street Mixed-Use Project ("proposed project") would be a 16-story, approximately 175-foot-tall building containing 126 residential units, approximately 3,200 square feet of retail space, and 91 on-site parking spaces. The project site consists of two parcels currently being used for surface vehicular parking—located on the 250 14th Street (Assessor's Parcel Number 008-0626-018-00) and 1429 Alice Street (Assessor's Parcel Number 008-0626-017-00). The project sponsor is requesting a lot merger to create an approximate 0.44-acre parcel at the corner of 14th and Alice Streets.

One of the two existing parcels (250 14th Street) is located within the Lake Merritt Station Area Plan ("LMSAP"). The City certified an Environmental Impact Report ("EIR") for the LMSAP in November 2014, pursuant to the California Environmental Quality Act ("CEQA").[1] The LMSAP EIR presented detailed potential development assumptions for certain "Opportunity Sites," which are properties considered "most likely to redevelop." The 250 14th Street parcel was identified as Opportunity Site #3 in the Development Program, which considered the development of a 6- to 8-story building containing 17 residential units and approximately 3,000 square feet of retail space.

As noted above, the building would be a maximum height of 175 feet tall. A total of 81 vehicular parking spaces would be provided on site, in addition 10 tandem parking spaces. A residential loading area also would be located on the first floor. Construction of the project would commence in 2016 and would be complete by 2018.

The 2014 LMSAP EIR analyzed the environmental impacts of adoption and implementation of the LMSAP. The analysis in the 2014 LMSAP EIR specifically included the portion of the project site on the 250 14th Street parcel, providing the basis for use of an Addendum. Separate and independently, qualified planning level documents, specifically program-level EIRs, that can be used as a basis to provide additional CEQA clearance of the 250 14th Street Mixed-Use Project under specific CEQA provisions include Oakland's 1998 General Plan Land Use and Transportation Element EIR ("1998 LUTE EIR"), the 2010 General Plan Housing Element Update EIR and 2014 Addendum, and the 2011 Central District Urban Renewal Plan Amendments EIR (or "Redevelopment Plan Amendments EIR"). These are referred to collectively throughout this document as "the Previous CEQA Documents."

[1] Lake Merritt Station Area Plan Final EIR, Certified November 18, 2014. SCH No. 2012032012. Oakland Case Nos. ZS11225, ER1100-17, GP13287, ZT13288, RZ13289.

II. Background

Planning Context

A portion of the project site is located within the Lake Merritt Station Area Plan ("LMSAP"), for which the City of Oakland certified an Environmental Impact Report ("EIR") in November 2014, pursuant to the California Environmental Quality Act ("CEQA").

The LMSAP encompasses approximately 286 acres of area within a half-mile radius of the Lake Merritt BART Station. Its goal is to guide actions to improve the area's vitality and to accommodate and promote future growth over a 25-year period. The LMSAP EIR analyzed the LMSAP "Development Program," which was the assumed future development for the Plan with up to 4,900 new housing units, 4,100 new jobs, 404,000 square feet of retail use, and l.3 million square feet of office uses. The LMSAP EIR also presented detailed potential development assumptions for certain "Opportunity Sites," which are properties considered "most likely to redevelop." The portion of the project site on the 250 14th Street parcel is included in the LMSAP and identified as Site #3 in the Development Program. Although the proposed project's building height and unit count are greater than what was set forth for Site #3 in the Development Program, the level of development currently proposed for the site is within the broader development assumptions analyzed in the EIR. As stated in the LMSAP EIR, deviation from the specific site-by-site assumptions in the Development Program may be considered minor as they are anticipated and analyzed in the EIR. Specifically, the LMSAP EIR allows for flexibility in future development and states that as long as the actual plan area buildout stays within the impact envelope analyzed in the EIR, there can be a mix-and-match between various land uses and they need not adhere specifically to the assumptions in the Development Program.

CEQA Context

The LMSAP EIR anticipated that the environmental review of specific development projects assumed as part of the LMSAP would be streamlined in accordance with CEQA. At the time this environmental document for the proposed project is being prepared, the City has prepared and approved an environmental review document for one large project within the LMSAP—a CEQA exemption report for the 298-unit, 24-story Lake Merritt Apartments Project on East 12th Street, approximately one-half mile from the project site.

The analysis in this environmental review document supports determinations that (1) the proposed project, as separate and independent bases, qualifies for an exemption per CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning); (2) the proposed project qualifies for streamlining provisions of CEQA under Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 (Streamlining for Infill Projects); and (3) the proposed project qualifies for an addendum pursuant to CEQA Guidelines Section 15164 (Addendum to an EIR) as none of the conditions requiring a supplemental or subsequent EIR, as specified in Public Resources Code section 21166 and CEQA Guidelines Sections 15162 (Subsequent EIRs) and 15163 (Supplement to an EIR), are present.

LMSAP EIR

The analysis in the LMSAP EIR applies to the proposed project and provides the basis for its qualification for the aforementioned CEQA exemption and streamlining provisions. The LMSAP EIR 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/or located at http://ec2-54-235-79-104.compute-1.amazonaws.com/Government/o/PBN/OurServices/Application/DOWD009157.htm.

This CEQA Checklist is an addendum to the LMSAP EIR which provides the planning level analysis evaluating the potential significant impacts that could result from the reasonably foreseeable maximum development under the plan. As specified in CEQA Guidelines Section 15168, the LMSAP EIR is appropriate for a Specific Plan since the degree of specificity in an EIR corresponds to the degree of specificity in the underlying activity described in the EIR. Preparation of a planning-level document simplifies the task of preparing subsequent project-level environmental documents for future projects under the Station Area Plan for which the details are currently unknown. As such, the LMSAP EIR presents an analysis of the environmental impacts of adoption and implementation of the Station Area Plan. Specifically, it evaluates the physical and land use changes from potential development that could occur with adoption and implementation of the Station Area Plan. Further, where feasible, and where an adequate level of detail is available such that the potential environmental effects may be understood and analyzed, the LMSAP EIR provides a project-level analysis to eliminate or minimize the need for subsequent CEQA review of projects that could occur under the Station Area Plan.

Environmental Effects Summary – 2014 LMSAP EIR

The 2014 LMSAP EIR (including its Initial Study Checklist) determined that development consistent with the LMSAP would result in impacts that would be **reduced to a less-than-significant level with the implementation of mitigation measures and/or standard conditions of approval** (described in Section III): aesthetics (degradation of existing visual character, adversely affect scenic vistas, new light or glare); air quality (conflicts with the Bay Area Clean Air Plan ("CAP")); cultural resources (archaeological, human remains, paleontological); greenhouse gases and global climate change (generation of greenhouse gas emissions); hazards and hazardous materials; geology and soils; hydrology and water quality (flooding, runoff in excess of existing capacity, groundwater depletion); noise (use and density incompatibilities, interior noise levels, violation of noise ordinance); utilities and service systems (impacts on existing stormwater, solid waste, and wastewater facilities); biological resources (fish or wildlife species, riparian habitat, wetlands, trees); public services (except as noted below as significant)[2]; and transportation/circulation (intersection operations Downtown).

Less-than-significant impacts were identified for the following resources in the 2014 LMSAP EIR and Initial Study: land use (adjacent land uses and land use policy); parks and recreation (expansion of existing park facilities on environment and increase demand for facilities); aesthetics (shadow, conflict with existing policies); noise (in excess of applicable standards); and

[2] The 1998 LUTE EIR addressed effects on solid waste demand and infrastructure facilities for water, sanitary sewer and stormwater drainage under *Public Services*.

hydrology and water quality (exposure to loss or risk of death). **No impacts** were identified for agricultural or forestry resources, and mineral resources.

Significant unavoidable impacts were identified for the following environmental resources in the 2014 LMSAP EIR: transportation/circulation (roadway segment operations); air quality (exposure of sensitive receptors to TACs, cumulative impacts); and cultural resources (changes to historic resources). Due to the potential for significant unavoidable impacts, a Statement of Overriding Considerations was adopted as part of the City's approvals.

Other Applicable Previous CEQA Documents / Program EIRs

The analysis in the 2014 LMSAP EIR directly applies to the 250 14th Street Mixed-Use Project, providing the basis for use of an Addendum. The following describes the Program EIRs that constitute the Previous CEQA Documents considered in this CEQA Analysis. Each of the following documents are 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/or located at http://ec2-54-235-79-104.compute1 .amazonaws.com/Government/o/PBN/OurServices/Application/DOWD009157.htm.

Land Use and Transportation Element EIR

The City certified the EIR for its General Plan Land Use and Transportation Element (LUTE) in 1998. The LUTE identifies policies for utilizing Oakland's land as change takes place and sets forth an action program to implement the land use policy through development controls and other strategies. The LUTE identifies five "Showcase Districts" targeted for continued growth; the project site is located within the "Downtown Showcase District" ("Downtown") intended to promote a mixture of vibrant and unique districts with around-the-clock activity, continued expansion of job opportunities, and growing residential population. The 1998 LUTE EIR is designated a "Program EIR" under CEQA Guidelines Sections 15183 and 15183.3. As such, subsequent activities under the LUTE are subject to requirements under each of the aforementioned CEQA Sections, which are described further in Section III.

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 standard conditions of approval, the latter of which are described below in Section III.

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 and/or standard conditions of approval** (described in Section III): 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)[3]; and transportation/circulation (intersection operations Downtown).

Less-than-significant impacts were identified for the following resources in the 1998 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 resources in the 1998 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 a 2010 EIR for the 2007-2014 Housing Element, and a 2014 Addendum to the 2010 EIR for the 2015-2023 Housing Element. The General Plan 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* ("RHEA") process. The project site is specified as an "Additional Housing Opportunity Site" in the 2015-2023 Housing Element, and thus the 250 14th Street Mixed-Use Project would contribute to the total number of housing units needed in the City of Oakland to meet its RHNA target. Applicable mitigation measures and SCAs identified in the 2014 Addendum to the 2010 EIR are considered in the analysis of the residential components of the 250 14th Street Mixed-Use Project in this document, and are largely the same as those identified in the 2011 Redevelopment Plan Amendments EIR. 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 further in Section III.

Applicable mitigation measures and standard conditions of approval (also described in Section III) identified in the 2010 Housing Element Update EIR are considered in the analysis in this document and are largely the same as those identified in the other Program EIR documents described in this section.

[3] The 1998 LUTE EIR addressed effects on solid waste demand and infrastructure facilities for water, sanitary sewer and stormwater drainage under *Public Services*.

Environmental Effects Summary – 2010 Housing Element and 2014 Addendum

The 2010 Housing Element Update EIR (including its Initial Study Checklist) and 2014 Addendum determined that housing developed pursuant to the Housing Element, which would include 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 standard conditions of approval** (described in Section III): 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 Update 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 Update EIR and Addendum: 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.

Central District Urban Renewal Plan Amendments EIR (Redevelopment Plan Amendments EIR)

The 250 14th Street Mixed-Use Project site is located within the Central District Urban Renewal Plan Area, which generally encompasses the entire Downtown: approximately 250 city blocks (828 acres) in an area generally bounded by Interstate 980 (I-980), Lake Merritt, 27th Street and the Embarcadero. The Oakland City Council adopted the Central District Urban Renewal Plan (the "Redevelopment Plan") for the Project Area in June 1969. The City prepared and certified an EIR for proposed amendments to the Urban Renewal Plan in 2011, and amended or supplemented the Plan up to April 3, 2012.[4] The 2011 Redevelopment Plan EIR was designated a "Program EIR" under CEQA Guidelines Section 15180; as such, subsequent activities are subject to requirements under CEQA Section 15168.

[4] The 2011 EIR addressed two amendments. A 17th Amendment to the Redevelopment Plan to (1) extend the duration of the Plan from 2012 to 2022 and extend the time period that the then-Redevelopment Agency could receive tax increment funds from 2022 to 2032, as allowed by Senate Bill (SB) 211 (codified as Health and Safety Code Section 33333.10 et seq.); (2) increase the cap on the receipt of tax increment revenue to account for the proposed time extensions; and (3) renew the then-Redevelopment Agency's authority to use eminent domain in the Project Area. An 18th Amendment further extended the then-Redevelopment Plan time limit from 2022 to 2023 and extended the time period that the then-Redevelopment Agency could receive tax increment funds from 2032 to 2033, as allowed by Health and Safety Code Section 33331.5.

Applicable mitigation measures and standard conditions of approval (described in Section III) identified in the 2011 Redevelopment Plan Amendments EIR are considered in the analysis in this document and are also largely the same as those identified in the other Program EIRs described in this section.

Environmental Effects Summary – 2011 Redevelopment Plan Amendments EIR

The 2011 Redevelopment Plan Amendments EIR determined that development facilitated by the Proposed Amendments would result in impacts to the following resources **that would be reduced to a less-than-significant level with the implementation of identified mitigation measures and/or standard conditions of approval** (described in Section III): aesthetics (light/glare only); air quality (except as noted below as less than significant and significant); biological resources (except no impacts regarding wetlands or conservation plans); cultural resources (except as noted below as significant); geology and soils; greenhouse gas emissions; hazards and hazardous materials; hydrology and water quality (stormwater and 100-year flooding only); noise (exceeding standards – construction and operations only); traffic/circulation (safety and transit only); utilities and service systems (stormwater and solid waste only).

Less-than-significant impacts were identified for the following resources in the 2011 Redevelopment Plan EIR: aesthetics (except as noted above as less than significant with standard conditions of approval); air quality (clean air plan consistency); hydrology and water quality (except as noted above as less than significant with standard conditions of approval); land use and planning; population and housing; noise (roadway noise only); public services and recreation; traffic/circulation (air traffic and emergency access); and utilities and service systems (except as noted above as less than significant with standard conditions of approval). **No impacts** were identified for agricultural or forestry resources, and mineral resources.

The 2011 Redevelopment Plan EIR determined that the Proposed Amendments combined with cumulative development would have **significant unavoidable impacts** on the following environmental resources: air quality (toxic air contaminant exposure and odors); cultural resources (historic); and traffic/circulation (roadway segment operations).[5] Due to the potential for significant unavoidable impacts, a Statement of Overriding Considerations was adopted as part of the City's approvals.

[5] The 2011 Redevelopment Plan Amendments EIR also identified significant and avoidable noise effects specifically associated with the potential development of a new baseball stadium at Victory Court, and multimodal safety at at-grade rail crossings, both near the Oakland Estuary. These effects would not pertain to the proposed project given the distance and presumably minimal contribution of multimodal trips affecting these impacts.

III. Purpose and Summary of this Document

The purpose of this document is to evaluate CEQA compliance of the proposed 250 14th Street Mixed-Use Project. The 2014 LMSAP EIR analyzed the environmental impacts of development located within the LMSAP, which included the portion of the project site on the 250 14th Street parcel identified as Site #3 in the Development Program. The LMSAP EIR anticipated that the environmental review of specific development projects assumed as part of the LMSAP would be streamlined in accordance with CEQA. An addendum is considered suitable for the currently proposed 250 14th Street Mixed-Use Project, as demonstrated by the CEQA Checklist presented in Section VI, herein. For comprehensive review and public information, the CEQA Checklist and its supporting attachments demonstrate that the 250 14th Street Mixed-Use Project would qualify for certain other CEQA exemptions, as summarized below, which separately and independently provide a basis for CEQA compliances.

1. **Addendum.** Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15164 (Subsequent EIRs, Supplements and Addenda to an EIR or Negative Declaration), state that an addendum to a certified EIR is allowed when minor changes or additions are necessary, and none of the conditions for preparation of a subsequent EIR or Negative Declaration per Sections 15162 and 15164 are satisfied.

   The analysis in the 2014 LMSAP EIR directly applied to the portion of the project site on the 250 14th Street parcel, providing the basis for use of an Addendum.

2. **Community Plan Exemption.** Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan or Zoning) allow streamlined environmental review for projects that are "consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site." Section 15183(c) specifies that "if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards…, then an EIR need not be prepared for the project solely on the basis of that impact."

   The analysis in the Program EIRs—the 1998 LUTE EIR and, for only the residential component of the 250 14th Street Mixed-Use Project, the 2010 Housing Element Update EIR and its 2014 Addendum, as well as the 2011 Redevelopment Plan Amendments EIR and 2014 LMSAP EIR—are applicable to the 250 14th Street Mixed-Use Project and are the Previous CEQA Documents providing the basis for use of the Community Plan Exemption.

3. **Qualified Infill Exemption.** Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 (Streamlining for Infill Projects) allow streamlining for certain qualified infill projects by limiting the topics subject to review at the project level, if the effects of infill development have been addressed in a planning level decision, or by uniformly applicable development policies. Infill projects are eligible if they are located in an urban area on a site that either has been previously developed or that adjoins existing qualified urban uses on at least 75 percent of the site's perimeter; satisfy the performance standards provided in CEQA Guidelines Appendix M; and are consistent with the general use designation, density, building intensity, and applicable policies specified for the project

area in either a sustainable communities strategy or an alternative planning strategy. No additional environmental review is required if the infill project would not cause any new specific effects or more significant effects, or if uniformly applicable development policies or standards would substantially mitigate such effects.

The analysis in the Program EIRs noted above is applicable to the 250 14th Street Mixed-Use Project and are the Previous CEQA Documents providing the basis for use of the Qualified Infill Exemption under CEQA Guidelines Section 15183.3.

4. **Program EIRs and Redevelopment Projects.** CEQA Guidelines Section 15168 (Program EIRs) and Section 15180 (Redevelopment Projects) provide that the 2011 Redevelopment Plan Amendments EIR can be used as a Program EIR in support of streamlining and/or tiering provisions under CEQA. The 2011 Redevelopment Plan Amendments EIR is a Program EIR for streamlining and/or tiering provisions by CEQA Section 15168. The section defines the "program EIR" as one prepared on a series of actions that can be characterized as one large project and are related geographically and by other shared characteristics. Section 15168 continues that "subsequent activities in the program EIR must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared." If the agency finds that pursuant to CEQA Guidelines Section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR and no new environmental document would be required.

   Further, CEQA Guidelines Section 15180 specifies that if a certified redevelopment plan EIR is prepared, no subsequent EIRs are required for individual components of the redevelopment plan unless a subsequent EIR or supplement to the EIR would be required by Section 15162 or 15163.

Previous Mitigation Measures and Current Standard Conditions of Approval (SCAs)

The CEQA Checklist provided in Section VI of this document evaluates the potential project-specific environmental effects of the proposed 250 14th Street Mixed-Use Project, and evaluates whether such impacts were adequately covered by the 2014 LMSAP EIR (as well as the Program EIRs previously described in Section II) to allow the above-listed provisions of CEQA to apply. The analysis conducted incorporates by reference the information contained in each of the Previous CEQA Documents. The 250 14th Street Mixed-Use Project is legally required to incorporate and/or comply with the applicable requirements of the mitigation measures identified in the 2014 LMSAP EIR. Therefore, the mitigation measures are herein assumed to be included as part of the proposed project, including those that have been modified to reflect the City's Current standard language and requirements, as discussed below.

SCA Application in General

The City established its *Standard Conditions of Approval and Uniformly Applied Development Standards* ("SCAs") in 2008, and they have since been amended and revised several times.[6] The

[6] A revised set of SCAs was recently published by the City of Oakland on July 22, 2015.

City's SCAs are incorporated into new and changed projects 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.

SCA Application in this CEQA Analysis

Mitigation measures and SCAs identified in the 2014 LMSAP EIR that would apply to the 250 14th Street Mixed-Use Project are listed in Attachment A to this document, which is incorporated by reference into this CEQA Analysis. Because the SCAs are mandatory City requirements, the impact analysis for the proposed project assumes that they will be imposed and implemented, which the project sponsor has agreed to do or ensure as part of the proposed project. If this CEQA Checklist or its attachments inaccurately identifies or fails to list a mitigation measure or SCA, the applicability of that mitigation measure or SCA to the proposed project is not affected.

Most of the SCAs that are identified for the 250 14th Street Mixed-Use Project were also identified in the 2014 LMSAP EIR, the 2011 Redevelopment Plan Amendments EIR, and the 2010 Oakland Housing Element Update EIR and 2014 Addendum; the 1998 LUTE EIR was developed prior to the City's application of SCAs. As discussed specifically in Attachment A to this document, since certification of the LMSAP EIR, the City of Oakland has revised its SCAs, and the most current SCAs are identified in this CEQA Analysis. All mitigation measures identified in the LMSAP EIR that would apply to the proposed project are also identified in Attachment A to this document.

250 14th Street Mixed-Use Project CEQA Compliance

The 250 14th Street Mixed-Use Project satisfies each of the CEQA provisions, as summarized below.

- **Addendum.** The analysis conducted in this document indicates that, pursuant to CEQA Guidelines Section 15162 through 15164, an addendum to the 2014 LMSAP EIR applies; therefore, this CEQA Analysis is considered to be the addendum. As discussed under *Project Characteristics* below, the 250 14th Street Mixed-Use Project represents a minor change to the Site #3 development from what was analyzed in the Development Program in the 2014 LMSAP EIR. The 250 14th Street Mixed-Use Project would not represent a substantial change from what was described in the Development Program. Although the proposed building height and unit count are greater than what was set forth for Site #3 in the Development Program, the level of development currently proposed for the site is within the broader development assumptions analyzed in the EIR. As stated in the LMSAP EIR, deviation from the specific site-by-site assumptions in the Development Program may be considered minor as they are anticipated and analyzed in the EIR. Therefore, the 250 14th

Street Mixed-Use Project meets the requirements for an addendum, as evidenced in Attachment B to this document.

- **Community Plan Exemption.** Based on the analysis conducted in this document, and pursuant to CEQA Guidelines Section 15183, the 250 14th Street Mixed-Use Project also qualifies for a community plan exemption. It is permitted in the zoning district where the project site is located, and is consistent with the land uses envisioned for the site. The analysis herein considers the analysis in the 2010 Oakland Housing Element Update EIR and 2014 Addendum for the evaluation of the housing components of the 250 14th Street Mixed-Use Project, and further reconsiders the analysis in the 1998 LUTE EIR and 2014 LMSAP EIR for the overall project. This CEQA Analysis concludes that the proposed project would not result in significant impacts that (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or offsite effects in the 2014 LMSAP EIR; or (3) were previously identified as significant effects, but are determined to have a more severe adverse impact than discussed in the LMSAP EIR. Findings regarding the proposed project's consistency with the zoning are included as Attachment C to this document.

- **Qualified Infill Exemption**. The analysis conducted indicates that the proposed project qualifies for a qualified infill exemption and, pursuant to CEQA Guidelines Section 1518.3., is generally consistent with the required performance standards provided in CEQA Guidelines Appendix M, as evaluated in Table D-1 in Attachment D to this document. This CEQA Analysis supports that the 250 14th Street Mixed-Use Project would not cause any new specific effects or more significant effects than previously identified in applicable planning level EIRs, and uniformly applicable development policies or standards (SCAs) would substantially mitigate the project's effects. The 250 14th Street Mixed-Use Project is proposed on a previously developed site in downtown Oakland and is surrounded by urban uses. Furthermore, the proposed project is consistent with the land use, density, building intensity, and applicable policies for the site. The analysis herein considers the analysis in the 2014LMSAP EIR; the 2011Redevelopment Plan EIR; the 1998 LUTE EIR; and for the residential components of the 250 14th Street Mixed-Use Project only, the 2010 Housing Element Update EIR and its 2014 Addendum.

- **Program EIRs and Redevelopment Projects.** The analysis in the 2011 Redevelopment Plan Amendments EIR and in this CEQA Analysis demonstrates that the 250 14th Street Mixed-Use Project would not result in substantial changes or involve new information that would warrant preparation of a subsequent EIR, per CEQA Guidelines Section 15162, because the level of development now proposed for the site is within the broader development assumptions analyzed in the EIR.

Overall, based on an examination of the analysis, findings, and conclusions of the 2014 LMSAP EIR, as well as those of the 1998 LUTE EIR, the 2011 Redevelopment Plan Amendments EIR (or "Redevelopment Plan Amendments EIR"), and for the housing components of the proposed project, the 2010 General Plan Housing Element Update EIR and 2014 Addendum—all of which are summarized in the CEQA Checklist in Section VI of this document—the potential environmental impacts associated with the 250 14th Street Mixed-Use Project have been adequately analyzed and covered in the planning-level LMSAP EIR and other Previous CEQA Documents. Therefore, no further review or analysis under CEQA is required.

IV. Project Description

250 14th Street Project Site

Project Location

The 250 14th Street Project site ("project site") is located at 250 14th Street at the northwest corner of Alice and 14th Streets (see **Figure 1**). The project site is 0.44 acres and comprised of two parcels (Assessor's Parcel Numbers 008-0626-018-00 and 008-0626-017-00). The project site is bounded by 14th Street on the South, Alice Street on the east, a three-story commercial building located at 1443 Alice Street to the north, and a two-story commercial building located at 268 14th Street and a two-story office building located at 1422 Harrison Street to the west.

Existing Site Conditions

The project site is currently a surface parking lot. A low chain-link fence is located along the eastern perimeter of the lot. The parking lot is accessed from Alice Street via a curb cut in the northeast corner of the site and from 14th Street via a curb cut in the middle of the site. The two street trees that flank the curb cut on 14th Street are considered protected trees per the City of Oakland Protected Trees Ordinance. The project site is surrounded by concrete sidewalks on Alice and 14th Streets, and a telephone booth is located in the southeast corner of the lot. The facades of the buildings forming the north and west perimeters of the project site have been painted with murals. There is no direct pedestrian or vehicular access to the project site from its western side.

Surrounding Context

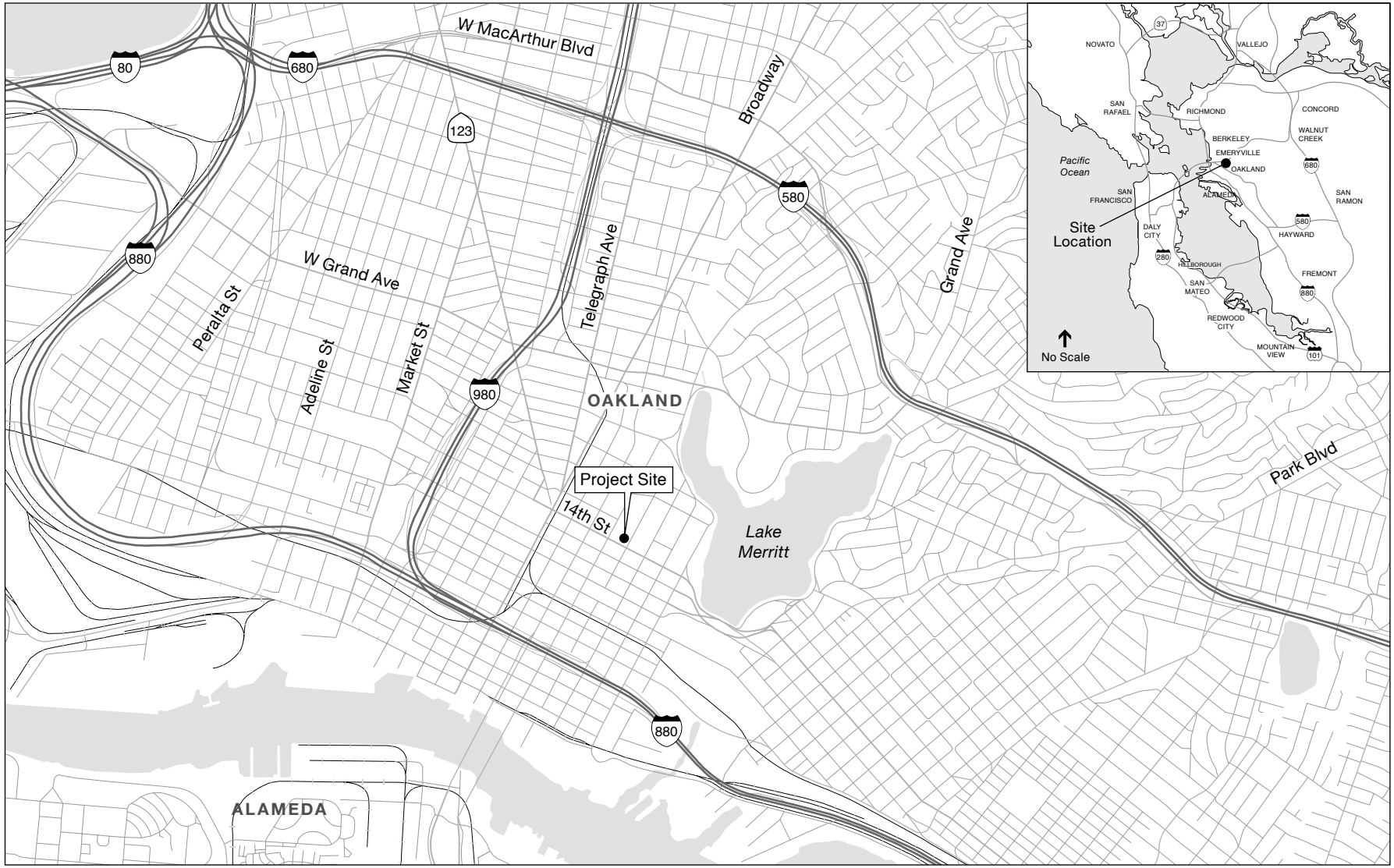
The area immediately surrounding the project site contains primarily commercial and community facility land uses. Mixed-use residential uses with ground-floor retail are located to the west on Harrison Street and to the north on Alice Street.

- The three-story building located at 1443 Alice Street adjacent to the project site to the north contains an electronic sales and service business. The two-story building adjacent to the project site to the west located at 268 14th Street contains a tattoo parlor and gallery, and the other two-story building to the west located at 274 14th Street contains commercial space currently under construction. The rear of the building located at 1422 Harrison Street west of the project site contains the Bonita House, an agency to assist homeless people with disabilities.

- To the west of the project site, across Alice Street, is a two-story child care facility located at 246 14th Street and a seven-story building containing the Malonga Casquelourd Center for the Arts located at 1428 Alice Street.

- To the south of the project site, across 14th Street, is the eight-story Hotel Oakland with Hong Fook Mental Health Service on the ground floor at 260 13th Street.

An entrance to the Bay Area Rapid Transit District ("BART") 12th Street City Center station entrance (13th and Broadway) is approximately one-third of a mile (approximately 1700 feet) from the midpoint of the project site. The Lake Merritt BART station also is close at approximately half of one mile from the project site. Multiple transit routes serve the project site, including the Alameda-Contra Costa County Transit District ("AC Transit") that provides lines and major transfer points



0 2000
Feet

SOURCE: ESA

250 14th Street . 150243

Figure 1
Project Location

along 14th Street adjacent to the project site and along Broadway within three blocks of the project site. The free Oakland shuttle that services Broadway from Jack London Square to approximately 20th Street also runs along Broadway. Access to and from ramps to I-980 is approximately eight blocks west (via 11th and 12th Streets) of the project site; access to I-880 South is approximately eight blocks southwest (at 5th Street and Broadway); access to I-880 North is approximately eight blocks south (at 6th and Madison Streets).

Project Characteristics

250 14th Street Mixed-Use Project Program

The proposed project analyzed in this CEQA Analysis is referred to as the "250 14th Street Project" (or "proposed project"). The project sponsor proposes to construct a 16-story, approximately 175-foot-tall building with up to 126 residential units and approximately 3,200 square feet of retail space. The development program previously considered for a portion of the project site in the LMSAP EIR included a 6- to 8-story building with a maximum height of 96 feet containing approximately 17 residential units and 3,000 square feet of retail space. The project currently proposed would be consistent with the residential and retail uses previously considered for the project site; however, it would result in a building that is larger and taller than what was projected in the 2014 LMSAP EIR.

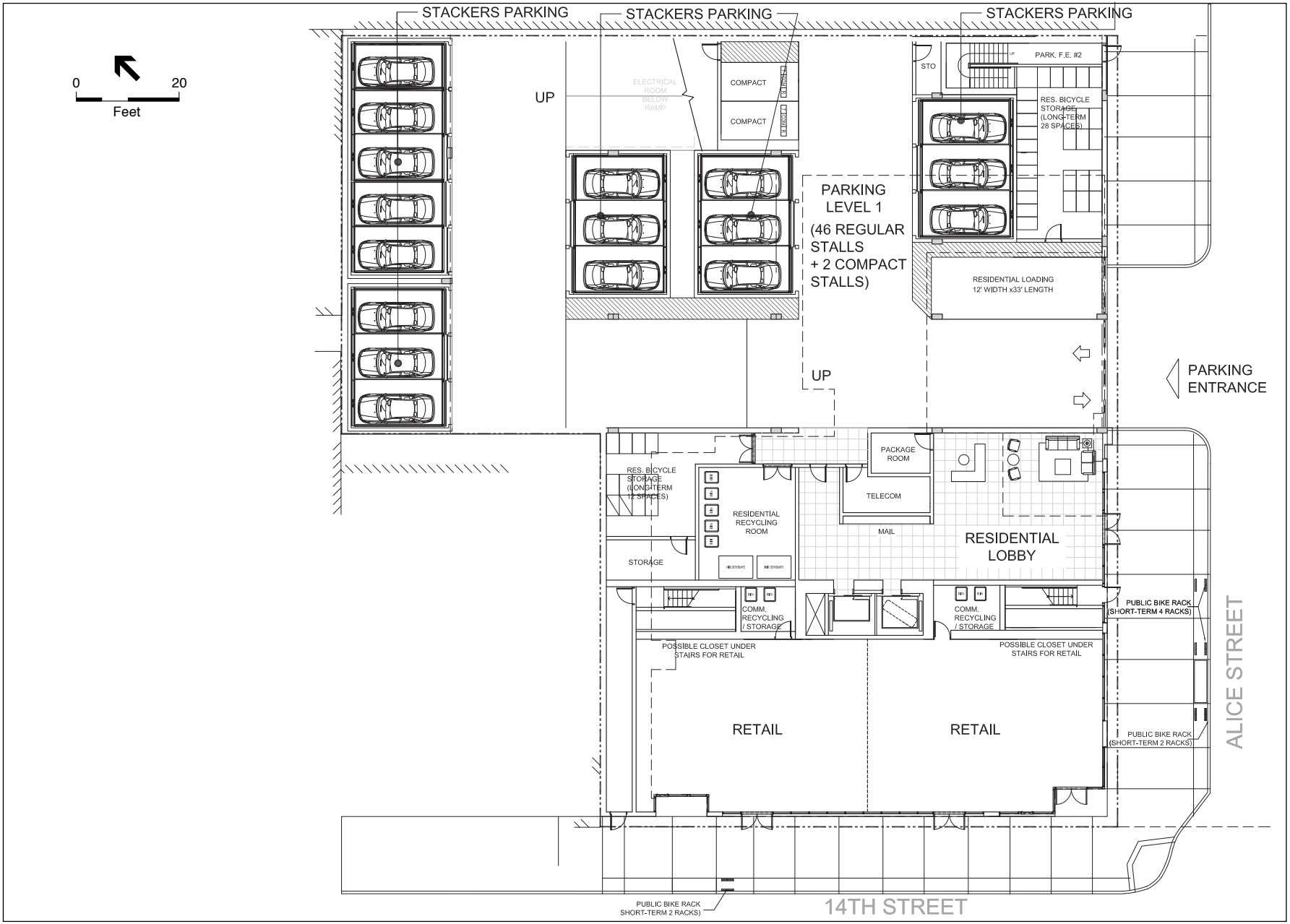
As shown in **Figures 2 through 4**, a portion of the ground floor, mezzanine, and second floor levels would contain approximately 91 vehicle parking spaces. The retail space and residential lobby would be located on the ground floor and mezzanine levels, with the retail space primarily facing 14th Street and the residential lobby facing Alice Street. The ground floor also would contain a storage area, a recycling room, a mail room, and a bike storage room. The second floor would contain six studios and one junior one-bedroom unit. The third floor would contain two studios, eight one-bedroom units (inclusive of one junior one-bedroom unit and one one-bedroom plus den), and one two-bedroom unit, in addition to an approximately 900-square-foot gym (see **Figure 5**). The units on the north, west, and south sides of the third floor would have private patios, and an approximately 6,000-square-foot landscaped terrace would be located on the northwest side of the building. The fourth floor would contain two studios, and one two-bedroom unit. Floors 5 through 16 each would contain two studios, four one-bedroom units (see **Figure 6**), and two two-bedroom units (see **Figures 7 and 8**).

Figure 9 shows visual simulations prepared by the project architect to illustrate the proposed project.

Other Characteristics of the Proposed Project

Landscaping, Open Space, and Tree Removal

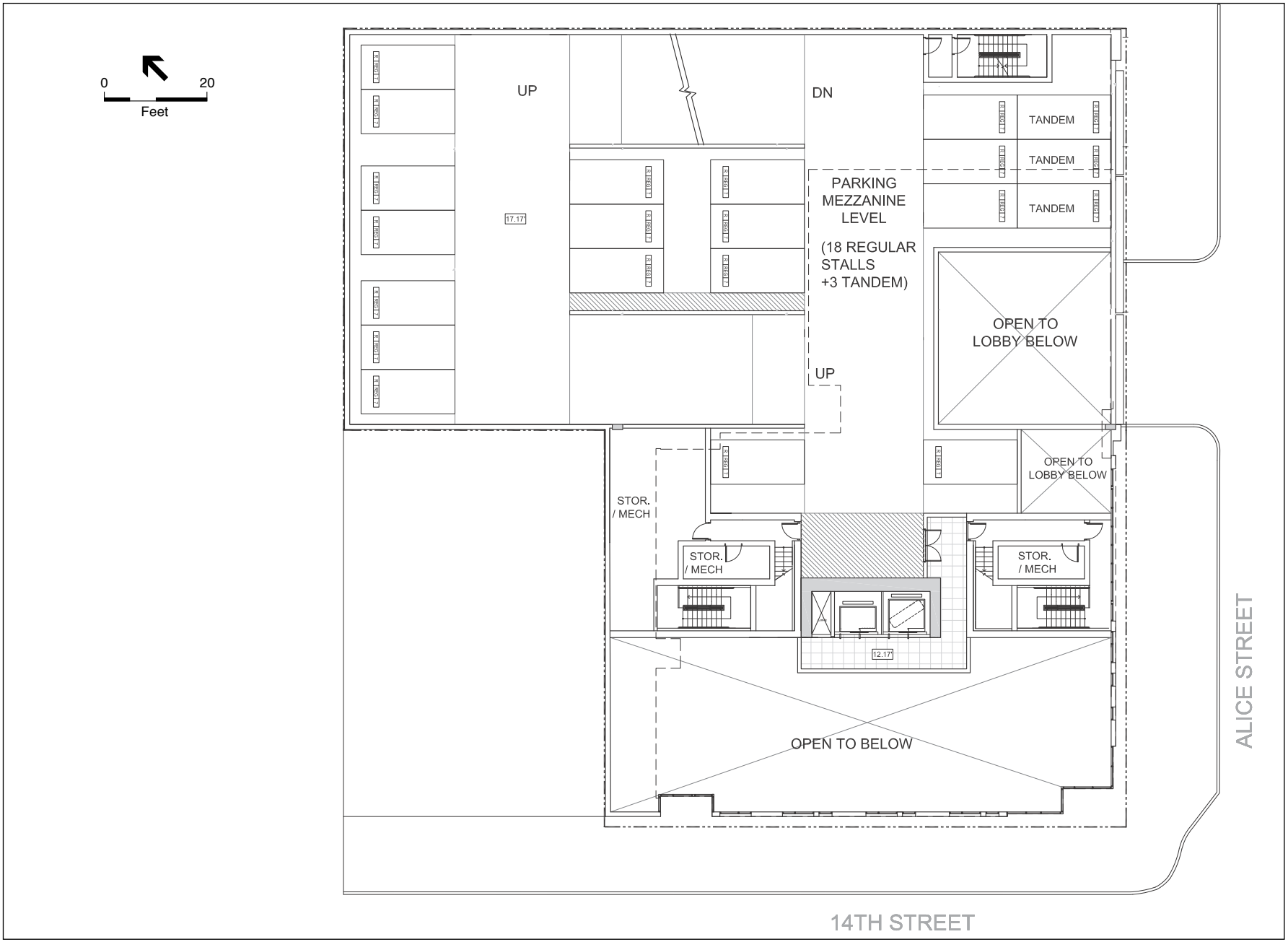
The two street trees on 14th Street qualify as protected trees per the City of Oakland Protected Trees Ordinance, would remain. In addition, the proposed project would install five new street trees and bulb-out plantings along the street frontages of the project site. One new tree would be planted on 14th Street and four new trees would be planted on Alice Street. The proposed project also would provide an approximately 9,061-square-foot commonly-accessible landscaped terrace on the third floor for residents of the building. The residential units facing north, west, and south on the third floor also would have private patios.



SOURCE: Bay Development

250 14th Street . 150243

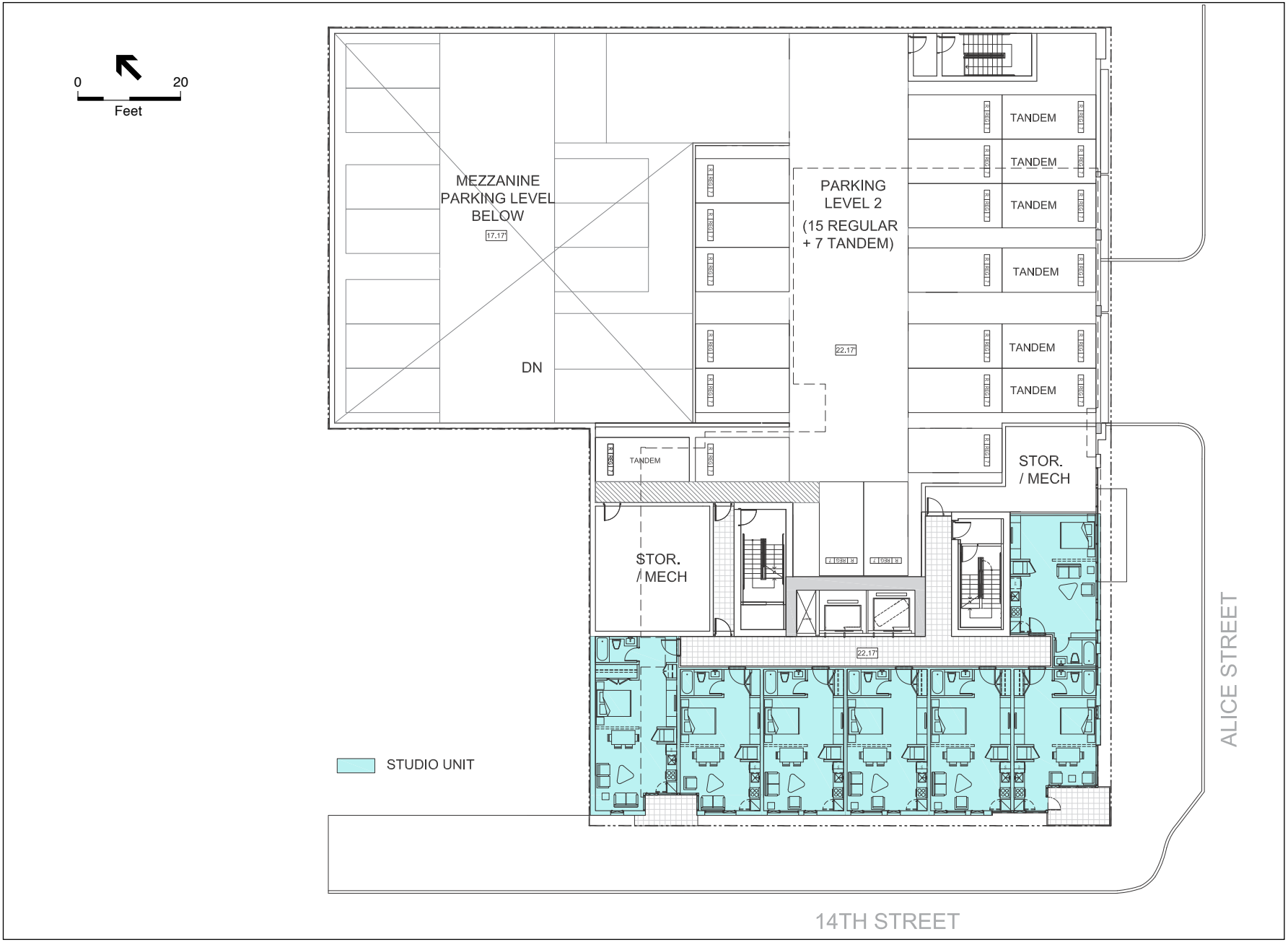
Figure 2
Ground Floor Plan



250 14th Street . 150243

SOURCE: Bay Development

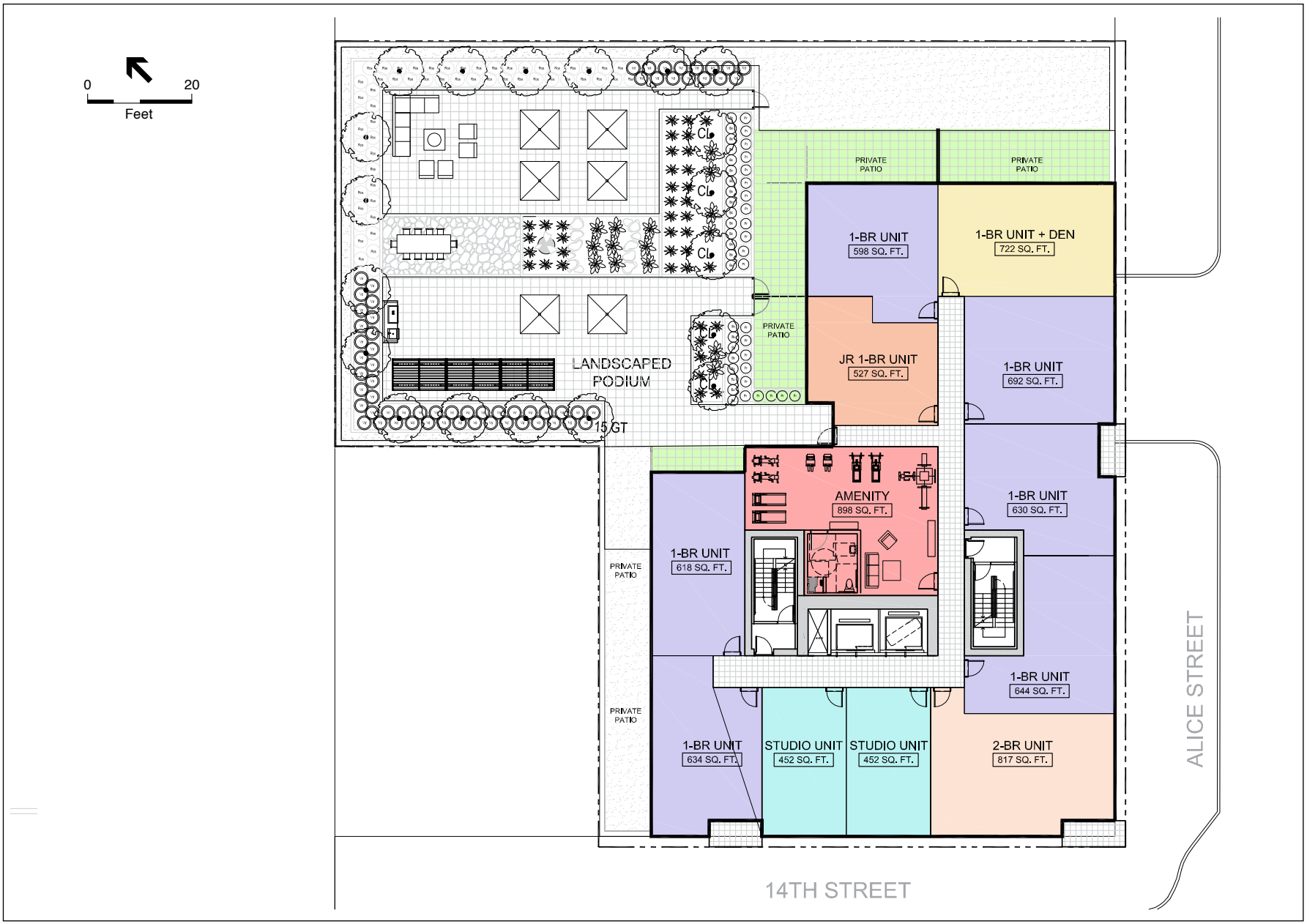
Figure 3
Mezzanine Floor Plan



SOURCE: Bay Development

250 14th Street . 150243

Figure 4
Second Floor Plan

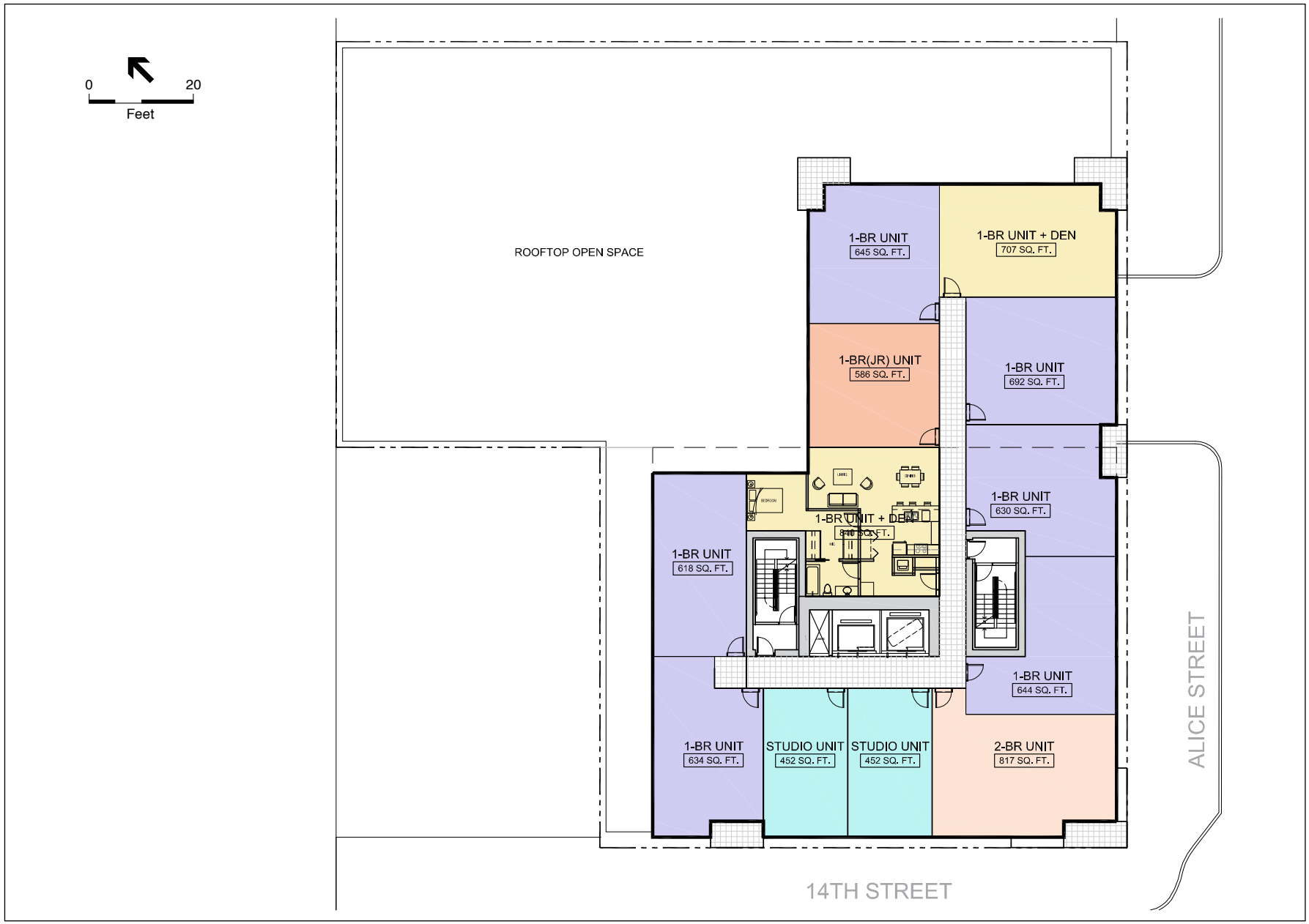


SOURCE: Bay Development

250 14th Street . 150243

Figure 5

Third Floor Plan



SOURCE: Bay Development

250 14th Street . 150243

Figure 6

Fourth Floor Plan

SOURCE: Bay Development

250 14th Street . 150243

Figure 7

Floors 5 – 14 Floor Plans

SOURCE: Bay Development

250 14th Street . 150243

Figure 8

Floors 15 – 16 Floor Plans

View from South

View from North

SOURCE: Bay Development

250 14th Street . 150243

Figure 9
Visual Simulations

Parking and Circulation

A portion of the ground floor, mezzanine, and second floor levels would contain approximately 91 vehicle parking spaces for residents of the building. Approximately 48 parking spaces would be provided on the first floor; another 21 regular parking spaces and 3 tandem parking spaces would be provided on the mezzanine level, and 22 regular parking spaces and 7 tandem parking spaces would be provided on the second floor. A residential loading area would be located on the first floor. No off-site parking spaces are proposed, but one on-street loading zone is proposed on Alice Street directly north of the project driveway. A room for long-term bicycle parking for 42 bicycles would be located on the ground level adjacent to the residential lobby, and 8 bike racks on both Alice and 14th Streets are proposed to accommodate the retail use.

Vehicular Access. The parking garage and residential loading area ingress and egress would be located in the middle of the Alice Street façade of the building and accessed via a new curb cut.

Pedestrian Access. Primary pedestrian access to the residential component of the proposed project would be through a residential lobby accessible from Alice Street. Pedestrian access to the retail component of the proposed project would be provided via an entrance on Alice Street and two entrances on 14th Street (see Figure 3).

Sustainability and Efficiency

The project sponsor intends to meet LEED Silver standards and comply with the Green Building ordinance and requirements. The proposed project would optimize the efficiency of its building envelope, and through the use of efficient lighting and HVAC systems it would reduce domestic energy use. The proposed project would meet the newly implemented Building Energy Efficiency Standards.

Construction and Phasing

Prior construction is anticipated to last a period of approximately twenty-three months from October 2016 through September 2018. Construction activities on the project site would consist of excavation and shoring, foundation and below-grade construction, and construction of the project building and finishing interiors.

Discretionary Project Approvals Requested

The project sponsor requests, and the proposed project would require, a number of discretionary actions/approvals, as listed below.

Actions by the City of Oakland

- **Conditional Use Permit ("CUP")**: A CUP for the increase in building height to 175 feet and increase in allowable density on the project site.
- **Conditional Use Permit ("CUP")**: A CUP is required for a fifty percent reduction of parking for units in the CBD-C Zone.

- **Design Review Approval**: The proposed project would be subject to performance criteria that are utilized as a part of the City's design review process.
- **Tentative Parcel Map ("TPM")**: Lot Merger and TPM to match the site parcels to the development program.
- **Building and other Discretionary Development Permits**: Grading and other related onsite and offsite work permits, and minor encroachment permits.

Actions by Other Agencies

- **Bay Area Air Quality Management District ("BAAQMD")**: Issuance of permits for installation and operation of the emergency generator.
- **Regional Water Quality Control Board, San Francisco Bay Region ("RWQCB")**: 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.
- **East Bay Municipal Utility District ("EBMUD")**: Approval of new service requests and new water meter installations.

V. Summary of Findings

An evaluation of the proposed project is provided in the CEQA Checklist in Section VI that follows. This evaluation concludes that the 250 14th Street Mixed-Use Project qualifies for an addendum as well as an exemption from additional environmental review. It is consistent with the development density and land use characteristics established by the City of Oakland General Plan, and any potential environmental impacts associated with its development were adequately analyzed and covered by the analysis in the 2014 LMSAP EIR, and in the applicable Program EIRs: the 1998 LUTE EIR, the 2011 Redevelopment Plan Amendments EIR, and for the housing components of the proposed project, the 2010 General Plan Housing Element Update EIR and 2014 Addendum.

The proposed project would be required to comply with the applicable mitigation measures and City of Oakland SCAs identified in the 2014 LMSAP EIR and presented in Attachment A to this document.[7] With implementation of the applicable mitigation measures and SCAs, the proposed project would not result in a substantial increase in the severity of previously identified significant impacts in the 2014 LMSAP EIR, the applicable Program EIRs, or in any new significant impacts that were not previously identified in any of those Previous CEQA Documents.

In accordance with California Public Resources Code Sections 21083.3, 21094.5, and 21166; and CEQA Guidelines Sections 15183, 15183.3, 15162, 15164, 15168, and 15180, and as set forth in the CEQA Checklist below, the proposed project qualifies for an addendum and one or more exemptions because the following findings can be made:

- **Addendum.** The 2014 LMSAP EIR analyzed the impacts of development within the LMSAP. The proposed project would not result in substantial changes or involve new information not already analyzed in the 2014 LMSAP EIR because the level of development now proposed for the site is within the broader development assumptions analyzed in the EIR. The proposed project would not cause new significant impacts not previously identified in the 2014 LMSAP EIR, or result in a substantial increase in the severity of previously identified significant impacts. No new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the LMSAP that would cause significant environmental impacts to which the proposed project would contribute considerably, and no new information has been put forward that shows that the proposed project would cause significant environmental impacts. Therefore, no supplemental environmental review is required in accordance with Public Resources Code Section 21166, and CEQA Guidelines Sections 15162 through 15164, as well as 15168 and 15180.

- **Community Plan Exemption.** The proposed project would not result in significant impacts that (1) are peculiar to the project or project site; (2) were not previously identified as significant project-level, cumulative, or offsite effects in the 2014 LMSAP EIR, or in the applicable Previous CEQA Documents: 1998 LUTE EIR, the 2011 Redevelopment Plan Amendments EIR, and for the housing components of the proposed project, the 2010 General Plan Housing Element Update EIR and 2014 Addendum; or (3) were previously identified as significant effects, but—as a result of substantial new information not known at the time

[7] Throughout this document, except where necessary for clarity, "2014 LMSAP EIR" encompasses the Initial Study, Draft EIR, and Final EIR for the Lake Merritt Station Area Plan.

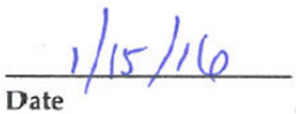
the 2014 LMSAP EIR was prepared, or when the Program EIRs were certified—would increase in severity beyond that described in those EIRs. Therefore, the proposed project would meet the criteria to be exempt from further environmental review in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

- **Qualified Infill Exemption**. The proposed project would not cause any new specific effects on the environment that were not already analyzed in the 2014 LMSAP EIR or in the applicable Program EIRs: the 1998 LUTE EIR, the 2011 Redevelopment Plan Amendments EIR, and for the housing components of the proposed project, the 2010 General Plan Housing Element Update EIR and 2014 Addendum. Further, the proposed project would not cause any new specific effects on the environment that are more significant than previously analyzed in the 2014 LMSAP EIR, or the aforementioned previously certified applicable Program EIRs. The effects of the proposed project have been addressed in the 2014 LMSAP EIR and Program EIRs, and no further environmental documents are required in accordance with Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3.

- **Program EIRs and Redevelopment Projects.** The analysis in the 2011 Redevelopment Plan Amendments EIR and in this CEQA Analysis demonstrates that the 250 14th Street Mixed-Use Project would not result in substantial changes or involve new information that would warrant preparation of a subsequent EIR, per CEQA Guidelines Section 15162, because the level of development now proposed for the site is within the broader development assumptions analyzed in the EIR. The effects of the proposed project have been addressed in that EIR and no further environmental documents are required in accordance with CEQA Guidelines Sections CEQA Guidelines Sections 15168 and 15180.

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

Darin Ranelletti
Environmental Review Officer



Date

VI. CEQA Checklist

Overview

The analysis in this CEQA Checklist provides a summary of the potential environmental impacts that may result from the proposed project. The analysis in this CEQA Checklist also summarizes the impacts and findings of the certified 2014 LMSAP EIR[8], as well as the Program EIRs that covered the environmental effects of various projects encompassing the project site and that are still applicable for the proposed project. As previously indicated, the Program EIRs are referred to collectively throughout this CEQA Analysis as the "Previous CEQA Documents" and include the 1998 Land Use and Transportation Element EIR, the 2011 Central District Urban Renewal Plan (or Redevelopment Plan) Amendments EIR, and for the housing components of the proposed project, the 2010 General Plan Housing Element Update EIR and 2014 Addendum. Given the timespan between the preparations of these EIRs, there are variations in the specific environmental topics addressed and significance criteria; however, as discussed above in Section II and throughout this Checklist, the overall environmental effects identified in each are largely the same; any significant differences are noted.

Several SCAs would apply to the 250 14th Street Mixed-Use Project because of the proposed project's characteristics and proposed "changes" to the maximum Site #3 development set forth in the Development Program in the LMSAP EIR; the SCAs are triggered because the City is considering discretionary actions for the proposed project.

All SCAs identified in the 2014 LMSAP EIR that would apply to the 250 14th Street Mixed-Use Project are listed in Attachment A to this document, which is incorporated by reference into this CEQA Analysis. Because the SCAs are mandatory City requirements, the impact analysis for the proposed project assumes that they will be imposed and implemented, which the project sponsor has agreed to do or ensure as part of the proposed project. If this CEQA Checklist or its attachments inaccurately identifies or fails to list a mitigation measure or SCA, the applicability of that mitigation measure or SCA to the proposed project is not affected.

Most of the SCAs that are identified for the 250 14th Street Mixed-Use Project were also identified in the 2014 LMSAP EIR, the 2011 Redevelopment Plan Amendments EIR, and the 2010 Oakland Housing Element Update EIR and 2014 Addendum; the 1998 LUTE EIR was developed prior to the City's application of SCAs. As discussed specifically in Attachment A to this document, since certification of the LMSAP EIR, the City of Oakland has revised its SCAs, and the most current SCAs are identified in this CEQA Analysis. All mitigation measures identified in the LMSAP EIR that would apply to the proposed project are also identified in Attachment A to this document.

This CEQA Checklist hereby incorporates by reference the discussion and analysis of all potential environmental impact topics as presented in the certified 2014 LMSAP EIR and the Previous CEQA Documents. This CEQA Checklist provides a determination of whether the proposed project would result in:

- Equal or Less Severity of Impact Previously Identified in the Previous CEQA Documents;

[8] Reference to the "2014 LMSAP EIR" or the "LMSAP EIR" encompasses the Initial Study, Draft EIR, and Final EIR for the Lake Merritt Station Area Plan.

- Substantial Increase in Severity of Previously Identified Significant Impact in the Previous CEQA Documents; or
- New Significant Impact.

Where the severity of the impacts of the proposed project would be the same as or less than the severity of the impacts described in the 2014 LMSAP EIR and the Previous CEQA Documents, the checkbox for "Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents" is checked.

If the checkbox for "Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents" or "New Significant Impact" were checked, there would be significant impacts that are:

- Peculiar to project or project site (per CEQA Guidelines Sections 15183 or 15183.3);
- Not identified in the previous 1998 LUTE EIR, 2010 General Plan Housing Element Update EIR and 2014 Addendum, Redevelopment Plan Amendments EIR, or 2014 LMSAP EIR (per CEQA Guidelines Sections 15183 or 15183.3), including offsite and cumulative impacts (per CEQA Guidelines Section 15183);
- Due to substantial changes in the project (per CEQA Guidelines Section 15162 and 15168);
- Due to substantial changes in circumstances under which the project will be undertaken (per CEQA Guidelines Sections 15162 and 15168); or
- Due to substantial new information not known at the time the Previous CEQA Documents were certified (per CEQA Guidelines Sections 15162, 15168, 15183, or 15183.3).

None of the aforementioned conditions were found for the proposed project, as demonstrated throughout the following CEQA Checklist and in its supporting attachments (Attachments A through D) that specifically describe how the proposed project meets the criteria and standards specified in the CEQA Guidelines sections identified above.

1. Aesthetics, Shadow, and Wind

Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
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;	☒	☐	☐
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 25980-25986); 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;	☒	☐	☐
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;	☒	☐	☐
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; or	☒	☐	☐
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.	☒	☐	☐

Previous CEQA Documents Findings

Scenic vistas, scenic resources, visual character, and light and glare, and shadow were analyzed in each of the Previous CEQA Documents, which found that the effects to these topics would be less than significant. The Redevelopment Plan EIR and the Housing Element EIR cited applicable SCAs that would ensure the less-than-significant visual quality effects. The 1998 LUTE EIR identified mitigation measures that are functionally equivalent to the SCAs to reduce certain

potential effects to less than significant. The 1998 LUTE EIR also identified significant and unavoidable impacts regarding wind hazards.

LMSAP Findings

The 2014 LMASP EIR determined that with implementation of SCAs, impacts related to aesthetics would be less than significant with development occurring under the LMSAP. Individual projects would be subject to the design guidelines outlined in the LMSAP and would be required to comply with the height limits identified in the LMSAP. The LMSAP did not analyze potential wind hazards, determining that such analysis shall be undertaken for specific projects, as applicable pursuant to the City of Oakland's thresholds of significance.

Project Analysis

Aesthetics (Criterion 1a)

The proposed project would construct a 16-story building on the project site, which is currently used for surface parking. On non-street fronting sides two- to three-story buildings abut the project site. The maximum height of the proposed project building would be approximately 175 feet tall. The proposed building design and siting on the parcel would align with the adjacent buildings, and the building would be developed to cover the entire lot. A 14-story tower, setback from the 2- to 3-story buildings to the north and west to accommodate a landscaped deck, would rise above a two-story base. The tower portion also would sit slightly back (approximately 4 feet) along the Alice and 14th Street frontages; therefore, the two-story base would create a continuous streetwall consistent with the adjacent two- to three-story buildings north and west of the project site (see Figures 2 through 9). The proposed project would not have an adverse effect on the visual character of this portion of Downtown. As the proposed project would be constructed on an existing block in a densely built urban area and would not alter street patterns, the proposed building would not obstruct views of existing scenic vistas. In addition, given the relative height of the building compared to taller and varied building heights Downtown in general, as well as the limited views in the area because of the dense, multi-story development, the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings. The proposed project also would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

The potential impacts of the proposed project regarding scenic vistas, scenic resources and visual character would be similar to, or less severe than, those identified in the LMSAP EIR and the Previous CEQA Documents considered in this analysis. Although the proposed building would be taller than the development considered for the project site in the LMSAP EIR, as noted above, it would not obstruct views of existing scenic vistas or degrade the visual character or quality of the site and its surroundings. As shown in the project plans and renderings in Figures 2 through 9, the building and site layout would result in development that is compatible with the visual character and patterns in this portion of Downtown. Development of the proposed project also would be required to comply with the City of Oakland SCAs related to landscaping, street frontages, landscape maintenance, utility undergrounding, public right-of-way improvements, graffiti control, and lighting plans; therefore, the visual impacts of the proposed project would remain less than significant.

Shadow (Criteria 1b through 1d)

Except for the 1998 LUTE EIR, each of the Previous CEQA Documents found less-than-significant shadow effects, assuming incorporation of applicable SCAs. The 1998 LUTE EIR identified mitigation measures, functionally equivalent to the SCAs, to reduce potential shadow effects to less than significant.

The proposed 16-story building's potential shadow impacts would be less than significant, given its surrounding developed context, which include no shadow sensitive resources. The building across 14th Street to the south—the Oakland Hotel— is a City of Oakland Historical Landmark and listed on the State and National Registers of Historic Places. The building across Alice Street to the east—the Malonga Casquelourd Center for the Arts at 1428 Alice Street—also is a City of Oakland Historical Landmark, and the building west of the project site located at 274 14th Street is noted in the local register as having a rating of B+3 (Major Importance; not in a historic district). In addition, there are other historic apartment buildings to the north of the project site. None of these historic resources possess any sunlight-sensitive features such as stained glass, elaborately carved ornamentation, or design elements that depend on the contrast between light and dark (e.g., open galleries, arcades, or recessed balconies). Thus the proposed project's shadow would not result in significant adverse impacts with respect to historic resources. The nearest open space to the project site is Lincoln Square Park, approximately three blocks south at Harrison and 11th Streets and, given the intervening development, and the position of the park south of the project site, the proposed project would not add new shadow to the park and the impact would be less than significant. Therefore, the potential impacts of the proposed project regarding shadows would be similar to, or less severe than, those identified in the LMSAP EIR and the Previous CEQA Documents considered in this analysis.

Wind (Criterion 1e)

The City of Oakland considers a significant wind impact to occur if a project were to "Create winds exceeding 36 mph [miles per hour] for more than one hour during daylight hours during the year." A wind analysis is required if a project's height is 100 feet or greater and one of the following conditions exists: (a) the project is located adjacent to a substantial water body; or (b) the project is located in Downtown. Since the proposed project would be greater than 100 feet in height and is located in Downtown, a wind study was conducted for the proposed project to assess the wind environment around the project site under existing and existing plus project conditions (see Appendix B).[9] The analysis measured changes to the wind environment in terms of criterion for pedestrian comfort and the criterion for wind hazards.

The wind analysis tested wind speeds at 37 locations on a model of the project site and all relevant surrounding buildings and topography within a 1500 foot radius of the project site. The results of the wind study showed that wind speeds around the project site are generally low with the highest winds occurring 14th Street and at the intersection of 14th Street and Harrison Street, and at the northeast corner of Alice Street and 14th Street. In the Existing Configuration winds currently exceed the 11 mph pedestrian comfort criterion on average seven percent of the time. Under the existing plus project conditions, wind speeds generally remained similar although the pedestrian comfort criterion was exceeded only six percent of the time. Further, the criterion for wind hazards—the 36 mph threshold for a significant wind impact—was not exceeded under

[9] RWDI, September 15, 2015. 14th and Alice Pedestrian Wind Study.

existing or existing plus project conditions. Therefore, the proposed project would not result in a significant impact with respect to wind hazards.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the LMSAP EIR and the Previous CEQA Documents, implementation of the proposed project would not substantially increase the severity of significant impacts identified in the LMSAP EIR or the Previous CEQA Documents, nor would it result in new significant impacts related to aesthetics, shadow, or wind that were not identified in the LMSAP EIR or the Previous CEQA Documents. Implementation of **SCAs AES-1, Graffiti Control, AES-2, Landscape Plan, AES-3, Lighting, and SCA UTIL-2, Underground Utilities** (see Attachment A) would be applicable to and would be implemented by the proposed project and would further ensure that aesthetics-related impacts would be less than significant. No mitigation measures are required.

2. Air Quality

Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
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 PM_{10}; 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 PM_{10}; result in maximum annual emissions of 10 tons per year of ROG, NO_X, or $PM_{2.5}$, or 15 tons per year of PM_{10}; or	☒	☐	☐
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 noncancer 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 microgram per cubic meter; or, under cumulative conditions, resulting in (a) a cancer risk level greater than 100 in a million, (b) a noncancer 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; or expose new sensitive receptors to substantial ambient levels of Toxic Air Contaminants (TACs) resulting in (a) a cancer risk level greater than 100 in a million, (b) a noncancer 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.	☒	☐	☐

Previous CEQA Documents Findings

Construction and Operational Emissions and Odors. The 1998 LUTE EIR identified mitigation measures that would address operational emissions effects to less than significant, and it found significant and unavoidable cumulative effects regarding increased criteria pollutants from increased traffic regionally. The Redevelopment Plan EIR found that emissions associated with construction and operations resulting from increased criteria pollutants would result in less-than-significant effects with incorporation of SCAs. The Redevelopment Plan EIR also identified effective SCAs to address potentially significant effects regarding dust/Particular Matter $(PM)_{10}$, odors, and consistency with the applicable regional clean air plan.

Toxic Air Contaminants. The 1998 LUTE EIR did not quantify or address cumulative health risks, as such analysis was not required when that EIR was prepared. The Redevelopment Plan EIR identified significant and unavoidable impacts regarding cumulative health risks after the consideration of SCAs.

LMSAP Findings

The 2014 LMSAP EIR identified less than significant impacts regarding consistency with the current Bay Area 2010 Clean Air Plan ("Clean Air Plan"), with implementation of applicable SCAs. The LMSAP EIR also identified impacts associated with potential exposure of sensitive receptors to substantial health risks from toxic air contaminants ("TACs") from sources including both diesel particulate matter ("DPM") and gaseous emissions. The LMSAP EIR identified SCAs to reduce DPM exposure to less than significant levels, but risk from gaseous TACs would (plan and cumulative level) be a significant and unavoidable impact. The LMSAP EIR also identified potential impacts associated with the installation of back-up generators (a source of TACs) and identified SCAs to reduce the potential effect to less than significant. Moreover, as discussed further below, the Bay Area Air Quality Management District's ("BAAQMD") does not permit any new generators that may have emissions levels that pose adverse health impacts.

The LMSAP EIR was a plan-level document and did not quantitatively assess criteria air pollutants from construction or operation.

Project Analysis

Construction and Operational Emissions (Criterion 2a)

Construction Air Emissions

Assumptions for Construction Emissions

The analysis below used the following assumptions to calculate average daily construction emissions associated with a worst-case construction scenario for the proposed project:

- The length of the various construction phases (e.g., demolition, grading, building, etc.) assumed CalEEMod default values based on acreage of the project site and size of project elements;
- The amount and types of construction equipment used for each phase and the number of off-road vehicle trips were based on CalEEMod defaults for a 0.44 acre site;
- The footprint lot size of the proposed project input into CalEEMod 0.44 acres;
- Construction of 174 units of residential apartment use and 3,100 square feet of retail use.

Analysis of Construction Emissions

The average daily construction-related emissions for the proposed project, based on the assumptions above, are presented in **Table AIR-1**.[10] As shown in the table, annual average daily construction emissions for the proposed project would not exceed the City's Thresholds for ROG

[10] At the time the Air Quality, Greenhouse Gas, and Transportation Technical Analyses were conducted, a code clean-up proposal was being considered that would have rezoned 1429 Alice Street (APN 008-0626-017-00) to match the zoning at 250 14th Street (APN 008-0626-018-00) and provide for a larger development of up to 174 residential units. That code clean-up has not been adopted and the project sponsor has elected to proceed with a project that includes only 126 residential units as allowed by Conditional Use Permit. The analysis of the larger, 174-unit proposal is suitable and provides a conservative evaluation for the CEQA analysis and findings.

TABLE AIR-1
UNMITIGATED EMISSIONS FROM CONSTRUCTION (average lbs per day)[a,b]

Construction Year (phase)	ROG	NO_x	PM_{10}	$PM_{2.5}$
Project				
Average Daily Construction Emissions	5.6	14.9	0.9	0.8
City of Oakland Thresholds	54	54	82	54
Significant (Yes or No)?	**No**	**No**	**No**	**No**

[a] Project construction emissions estimates were made using CalEEMod, version 2014.2.2. Emissions are average daily pounds per day during the project's anticipated approximate 24-month construction period.

[b] As noted in footnote 12 above, at the time the Air Quality Technical Analysis was conducted, a code clean-up proposal was being considered that would have rezoned 1429 Alice Street (APN 008-0626-017-00) to match the zoning at 250 14th Street (APN 008-0626-018-00) and provide for a larger development of up to 174 residential units. That code clean-up has not been adopted and the project sponsor has elected to proceed with a project that includes only 126 residential units as allowed by Conditional Use Permit. The analysis of the larger, 174-unit proposal is suitable and provides a conservative evaluation for the CEQA analysis and findings.

SOURCE: ESA, 2015.

NO_x, PM_{10} or $PM_{2.5}$. These thresholds were developed to represent a cumulatively considerable contribution to regional air quality, and, as such, represent not only a project level threshold but a cumulative threshold as well. The LMSAP EIR was a plan-level document and did not quantitatively assess criteria air pollutants from construction. Nonetheless, the proposed project would have less than significant impacts with respect to construction emissions and thus would not result in a new or more severe significant impact compared with the LMSAP EIR.

Operational Air Emissions

Assumptions for Operational Emissions

The analysis below used the following assumptions to calculate the daily operational emissions associated with a worst-case construction scenario for the proposed project:

- The vehicle trip generation rates that were input into CalEEMod (Version 2014.2.2) account for the 2000 Bay Area Travel Survey ("BATS") modal split adjustment factor that is required by the City of Oakland for near-transit developments;
- The operational emissions generated assumed a default number of fireplaces. All fireplaces were assumed to be gas-fired. No wood burning fireplaces or woodstoves were assumed;
- All other inputs in CalEEMod were based on model default values.
- A backup diesel generator was assumed pursuant to California Building Code Requirements for buildings of this height. The generator was assumed to have a rating of 560 kW-hr (750 hp), a Tier 3 engine and to be operated for maintenance purposes 50 hours per year or about 1 hour per test day.

Analysis of Operational Emissions

The daily operational emissions for the proposed project, based on the assumptions above, are presented in **Table AIR-2**. As shown in the table, annual average daily regional emissions for the proposed project would not exceed the City's thresholds for ROG, NOx, PM_{10} or $PM_{2.5}$. As with the construction thresholds, these thresholds were developed to represent a cumulatively considerable

contribution to regional air quality and, as such, represent not only a project-level threshold but a cumulative threshold as well. The LMSAP EIR was a plan-level document and did not quantitatively assess criteria air pollutants from operation under the LMSAP. Nonetheless, the proposed project would have less than significant impacts with respect to operational emissions and thus would not result in a new or more severe significant impact compared with the LMSAP EIR.

TABLE AIR-2
UNMITIGATED EMISSIONS FROM OPERATION (lbs per day)[a,c]

	ROG	NO_x	PM_{10}	$PM_{2.5}$
Project				
Area Source Emissions	4.17	0.17	0.27	0.26
Energy Emissions	0.04	0.31	0.03	0.03
Project Vehicle Emissions[b]	2.81	7.44	3.77	1.08
Backup Diesel Generator	0.33	4.62	0.53	0.53
Total Emissions	**7.35**	**12.55**	**4.59**	**1.89**
City of Oakland Thresholds	54	54	82	54
Significant (Yes or No)?	**No**	**No**	**No**	**No**

[a] Project operational emissions estimates were made using CalEEMod, version 2014.2.2.
[b] The vehicle trip rates used to calculate the emissions accounts for mode split and internal capture as recommended by the City of Oakland for projects located in dense, urban environments such as the project site.
[c] As noted in footnote 12 above, at the time the Air Quality Technical Analysis was conducted, a code clean-up proposal was being considered that would have rezoned 1429 Alice Street (APN 008-0626-017-00) to match the zoning at 250 14th Street (APN 008-0626-018-00) and provide for a larger development of up to 174 residential units. That code clean-up has not been adopted and the project sponsor has elected to proceed with a project that includes only 126 residential units as allowed by Conditional Use Permit. The analysis of the larger, 174-unit proposal is suitable and provides a conservative evaluation for the CEQA analysis and findings.

SOURCE: ESA, 2015.

Toxic Air Contaminants (Criterion 2b)

Assumptions and Area Sources for Health Risk

TACs are types of air pollutants that can cause health risks. TACs do not have ambient air quality standards, but are regulated using a risk-based approach. This approach uses a health risk assessment to determine what sources and pollutants to control as well as the degree of control. The health risk assessment, presented in the analysis below, considers exposure to toxic substances and human health risks from exposure to toxic substances and is estimated, based on the potency of the toxic substances. Such an assessment evaluates chronic, long-term effects, calculating the increased risk of cancer as a result of exposure to one or more TACs.

Additionally, the City's CEQA significance thresholds require that new projects containing sensitive receptors (such as residences) be evaluated to determine whether those receptors would be exposed to health risks from existing nearby sources of TACs. When siting new sensitive receptors, existing TAC sources located within 1,000 feet including, but not limited to, stationary sources, freeways, and major roadways (10,000 or greater vehicles per day) should be considered.[11] The BAAQMD provides a publicly available inventory of TAC-related health risks

[11] CEQA requires the analysis of potential adverse effects of a project on the environment. Potential effects of the environment on a project are legally not required to be analyzed or mitigated under CEQA. However, this analysis nevertheless assesses potential effects of "the environment on the project" in order to provide information to decision-makers.

for permitted stationary sources throughout the San Francisco Bay Area Air Basin as well as for freeways. The inventory presents community risk and hazards from screening tools and tables that are intentionally conservative. The screening-level risk factors derived from the BAAQMD's tools are intended to indicate whether additional review related to the impact is necessary and are not intended to be used to assess actual risk for all projects.

Analysis of Health Risk

Construction Impact. Regarding construction TACs emissions, project construction activities would produce DPM and $PM_{2.5}$ emissions due to exhaust emissions from equipment such as loaders, backhoes, and cranes, as well as haul truck trips. These emissions could result in elevated concentrations of DPM and PM2.5 at nearby receptors. These elevated concentrations could lead to an increase in the risk of cancer or other health impacts. BAAQMD developed screening tables for commercial and residential land use development projects that estimate screening distances from sensitive receptors sufficient to avoid exposure to substantial construction-related health risks. For development sites of less than 1.7 acres in area, a screening distance of 95 meters (312 feet) is identified as sufficient to avoid a construction-related TAC impact. The project site is approximately 0.44 acres in area and is located approximately 200 feet from the nearest sensitive receptors across Harrison Street to the west. Therefore, a potential impact of the proposed project regarding exposure to construction-related health risks to nearby receptors would be potentially significant.

Due to the variable nature of construction activity, the generation of TAC emissions in most cases 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. Current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 40, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. This results in difficulties with producing accurate estimates of increased health risk. The LMSAP EIR determined that sensitive receptors in proximity to construction-related DPM emissions (generally within 200 meters) could be subject to increased cancer risk, chronic health problems and acute health risk. However, all future development projects pursuant to the LMSAP would be subject to basic construction control measures through implementation of the City's SCAs (SCA-A in the LMSAP, see Attachment A). SCA-AIR-1 would implement construction-related Best Management Practices to substantially reduce construction-related impacts to a less-than-significant level.

Project-Level Operations Impact. The backup diesel generator assumed for the proposed project (given its high-rise height, as previously described under *Assumptions for Operational Emissions*) would be the only new source of TACs associated with the proposed project. The LMSAP EIR acknowledged that stationary sources complying with applicable BAAQMD permit requirements generally would not be considered to have an individual significant air quality impact as the BAAQMD would deny an Authority to Construct or would deny a Permit to Operate any new or modified source of TACs that exceeds a cancer risk of 10 in one million or a chronic or acute hazard index of 1.0. Therefore, the health risks impact of the proposed project on the environment would be less than significant.

However, the LMSAP EIR also acknowledged that such sources may result in a cumulative TAC impacts. Therefore, the project's backup diesel generator is assumed along with existing stationary sources in the analysis below.

Cumulative Impact. Regarding exposure of new sensitive receptors to existing and new sources of TACs, the screening health risk analysis contained herein relies on the BAAQMD's conservative screening-level tool to screen out low-emitting existing sources of TACs that pose no substantial threat to increased cancer risk exposure. According to BAAQMD's conservative screening-level tool for Alameda County, there are six stationary TAC sources within 1,000 feet of the project site. Two of these facilities are dry cleaning businesses that no longer use perchloroethylene (as verified in the latest BAAQMD air toxic inventory) and hence no longer represent source of localized TAC contributions.

ESA conducted refinements to these screening values to account for distance between receptors on the project site and the stationary TAC sources within 1,000 feet of the project site. **Table AIR-3** presents the results of this refined, project-specific, screening effort that includes the risks posed by the proposed project's backup diesel generator. As shown, the cumulative cancer risks for new receptors (residents) of the proposed project would be below the significance criterion of 100 in one million. As such, a Health Risk Assessment in accordance with the California Air Resources Board and the Office of Environmental Health and Hazard Assessment requirements was neither required nor conducted. The cumulative impact would be less than significant.

TABLE AIR-3
CUMULATIVE HEALTH IMPACTS FOR NEW RECEPTORS

Site #	Facility Type	Address	Cancer Risk (persons per million)	Chronic Hazard Impact	PM2.5 Concentration (µg/m3)
19039	Hotel Oakland	270 13th Street	7.53	0.003	0.002
13071	Mark Bosuk Esq.	1432 Harrison Street	0	0	0
378[a]	Ideal Cleaners	322 14th Street	0	0	0
3069[a]	B + T One Hour Cleaners	190 14th Street	0	0	0
G7875	Alameda County GSA	165 13th Street	0.082	<0.001	0
13908	Alameda County GSA	1401 Lakeside Drive	2.89	<0.027	<0.001
		Project Generator	10	1	
		Cumulative Impacts	20.50	<0.03	0.002
		City of Oakland Significance Criteria (new receptor)	100	10	0.8
		Potentially Significant Impact?	No	No	No

[a] per BAAQMD inventory, this facility no longer uses perchloroethylene and hence no longer poses a risk from TACs.

SOURCE: BAAQMD, 2012; ESA, 2015.

As shown in **Table AIR-3**, the proposed project would not result in exposure to substantial levels of TACs resulting in a cumulative cancer risk level greater than 100 in a million, thus the impact is less than significant and no mitigation measure is required. Only one of these sources in Table AIR-3 generates gaseous TAC emissions (benzene from Site G7875) which has a cancer risk below 10 in one million and would not pose a significant health risk to proposed receptors.

Conclusion

Emissions associated with construction and operations from development that could occur under the LMSAP EIR considered throughout this analysis were found to result in less-than-significant effects for construction-related TAC emissions with adherence to SCAs and significant and unavoidable impacts with regard to operational TAC emissions with adherence to mitigation measures or SCAs.

Based on an examination of the analysis, findings, and conclusions of the LMSAP EIR and Previous CEQA Documents, as well as the new analysis presented above per current thresholds, implementation of the proposed project would not result in a new significant impact regarding operational air quality emissions or, conservatively, a cumulative air quality impact identified in the LMSAP EIR. In addition, based on the health risk analysis above, implementation of the proposed project would not result in a new significant impact related to construction, operational, or cumulative TAC emissions, which were addressed in the LMSAP EIR and found to be significant and unavoidable. **SCA AIR-1, Construction-Related Air Pollution Controls (Dust and Equipment Emissions)**, and **SCA AIR-2, Stationary Sources of Air Pollution (Toxic Air Contaminants)** (see Attachment A) would be applicable to and implemented by the proposed project to further ensure that, to the extent feasible, air quality impacts associated with the proposed project are less than significant. Therefore, no mitigation measures are required.

3. Biological Resources

Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
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; 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; 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; 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;	☒	☐	☐
b. 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 Fundamentally conflict with the City of Oakland Creek Protection Ordinance (OMC Chapter 13.16) intended to protect biological resources.	☒	☐	☐

Previous CEQA Documents Findings

The Previous CEQA Documents identified less-than-significant impacts related to biological resources, with the Redevelopment Plan Amendments EIR identifying applicable of City of Oakland SCAs. No mitigation measures were necessary.

LMSAP Findings

The LMSAP EIR identified 12 special status species that are known to have the potential to occur within the LMSAP Area. Within the Plan Area, Lake Merritt and the Lake Merritt Channel are places where there are particularly sensitive areas with regard to biological resources. The project site is located four to six blocks from Lake Merritt and the Lake Merritt Channel, respectively, and has no suitable habitat for special status species.

Project Analysis

Special-Status Species, Wildlife Corridors, Riparian and Sensitive Habitat, Wetlands, Tree and Creek Protection (Criteria 3a and 3b)

As previously described, the project site is located in the fully developed urban area of Downtown. The project site, a paved surface parking lot, does not contain vegetation and hydrology conditions suitable for sustaining wetlands, nor are any known special status species or sensitive habitats, including those that could support migratory fish or birds, located on the site. The two street trees located adjacent to the project site along the street frontage of 14th Street are considered "Protected Trees," per Oakland's Protected Tree Ordinance. However, they are not connected to other nearby natural habitats, and therefore would not constitute a wildlife corridor. There are also no natural sensitive communities in the area.

Conclusion

The proposed project would not result in any new or more severe significant impacts related to biological resources than those identified in the LMSAP EIR or the Previous CEQA Documents. Because the setting of the project site is not near any sensitive biological or recreational areas and does not possess any potential sensitive habitat or protected vegetation, certain SCAs identified in the LMSAP EIR would not pertain to the project, such as those pertaining to creek protection or the Creek Protection Ordinance, bird collisions, or Alameda Whipsnake protection measures. **SCA BIO-1**, **Tree Permit** (see Attachment A) would be applicable to and implemented by the proposed project to further ensure that the existing street trees are protected during project construction. The LMSAP EIR did not identify any mitigation measures related to biological resources, and none would be needed for the proposed project.

4. Cultural Resources

Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
a. Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5. Specifically, a substantial adverse change includes physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be "materially impaired." The significance of an historical resource is "materially impaired" when a project demolishes or materially alters, in an adverse manner, those physical characteristics of the resource that convey its historical significance **and** that justify its inclusion on, or eligibility for inclusion on an historical resource list (including the California Register of Historical Resources, the National Register of Historic Places, Local Register, or historical resources survey form (DPR Form 523) with a rating of 1-5);	☒	☐	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5;	☒	☐	☐
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or	☒	☐	☐
d. Disturb any human remains, including those interred outside of formal cemeteries.	☒	☐	☐

Previous CEQA Documents Findings

The 1998 LUTE EIR identified potentially significant impacts to historic resources, and identified mitigation measures to reduce the impact to less than significant. The Redevelopment Plan EIR, which addresses much of the oldest part of Downtown Oakland, identified a significant and unavoidable impact to historic resources, even with the implementation of mitigation measures. Both of the Program EIRs identified less-than-significant effects to archaeological and paleontological resources and human remains, with the Redevelopment Plan EIR specifically identifying applicable City of Oakland SCAs.

LMSAP Findings

The LMSAP EIR does not include a project-level analysis of historic resources, indicating project-level analysis shall be conducted for individual development projects in the LMSAP. The LMSAP EIR further determined that impacts to archaeological resources, paleontological resources, and human remains would be less than significant with the implementation of applicable SCAs. The LMPSAP EIR indicates that paleontological sensitivity of the geologic units underlying the Plan Area is considered to be low to moderate.

Project Analysis

Historical Resources (Criterion 4a)

The project site is a paved parking lot and does not contain a historic structure. Historic buildings near the project site include the Oakland Hotel to the south across 14th Street, located at 260 13th Street, which is a City of Oakland Historical Landmark and listed on the State and National Registers of Historic Places; the Molonga Casquelourde at 1428 Alice Street, which also is a City of Oakland Historical Landmark; and the building located west of the project site at 274 14th Street, which is noted in the local register as having a rating of B+3 (Major Importance; not in a historic district). In addition, the north side of the project site abuts the Lakeside Apartments District, which is an Area of Primary Importance—a district that appears eligible for the National Register. Construction of the proposed project would not directly affect these historic resources or district. Therefore, impacts of the proposed project on historic resources would be less severe than those identified in the Program EIRs.

Archaeological and Paleontological Resources and Human Remains (Criteria 4b through 4d)

The proposed project would involve grading and excavation activities up to depths of approximately 10 feet below grade to construct the building; therefore, there is the potential to impact unknown archeological resources, as well as potential unknown paleontological resources or human remains, as noted in the LMSAP EIR and Previous CEQA Documents. However, implementation of the SCAs, as noted in the LMSAP EIR, would ensure that archaeological resources are recovered and that appropriate procedures are followed in the event of accidental discovery. Implementation of the SCAs also would require a qualified paleontologist to document a discovery and that appropriate procedures be followed in the event of a discovery, and would ensure that the appropriate procedures for handling and identifying human remains are followed.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the 2014 LMSAP EIR and the Previous CEQA Documents considered throughout this analysis, the proposed project would not result in any more severe significant impacts identified in the LMSAP EIR or the Previous CEQA Documents, nor would it result in new significant impacts related to cultural resources that were not identified in the LMSAP EIR or the Previous CEQA Documents**. Implementation of SCAs CUL-1, Archaeological and Paleontological Resources – Discovery During Construction, CUL-2, Archaeologically Sensitive Areas – Pre-Construction Measures, and CUL-3, Human Remains – Discovery During Construction** (see Attachment A), would further ensure that potential impacts associated with cultural resources would be less than significant. No mitigation measures are required.

5. Geology, Soils, and Geohazards

Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
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;	☒	☐	☐
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.	☒	☐	☐

Previous CEQA Documents Findings

The Previous CEQA Documents identified that impacts to geology, soils, and geohazards would be less than significant, with the Redevelopment Plan Amendments EIR identifying applicable City of Oakland SCAs. No mitigation measures were necessary.

LMSAP Findings

The LMSAP EIR determined that with implementation of SCAs, impacts related to seismic hazards and unstable soils would be less than significant with development occurring under the LMSAP.

Project Analysis

Seismic Hazards, Expansive Soils, and Soil Erosion (Criteria 5a and 5b)

The proposed project site is not within a seismic hazard zone and is in an area of moderate liquefaction susceptibility, as mapped in the LMSAP. The site is flat and not located in a landslide area or in an area of known unstable soil conditions. The proposed project would require a grading permit. Therefore, per City of Oakland SCAs, the project applicant will be required to prepare an Erosion and Sedimentation Control Plan. The proposed project also would be required to comply with the California Building Code's current seismic standards, which require specific design parameters for construction in various seismic environments per City of Oakland SCAs, to ensure that development of the proposed project would avoid and minimize potential

geologic impacts through compliance specifically with local and state regulations governing design and construction practices. It is possible that unknown groundwater wells and abandoned structures (pits, mounts, septic tank vaults, sewer lines, etc.) could be present and disturbed during grading and construction activities, which would be appropriately addressed through implementation of SCAs applicable if the project requires a grading permit.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the 2014 LMSAP EIR and the Previous CEQA Documents considered in this analysis, implementation of the proposed project would not result in any new or more significant impacts related to geology and soils than those identified in the LMSAP EIR or the Previous CEQA Documents. Furthermore, implementation of **SCA GEO-1, Construction-Related Permit(s), and SCA GEO-2, Soils Report** (see Attachment A), would ensure that potential impacts associated with hazardous geologic and soils conditions would be less than significant. No mitigation measures are required.

6. Greenhouse Gas and Climate Change

Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
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 CO_2e annually AND more than 4.64 metric tons of CO_2e 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.	☒	☐	☐
b. Fundamentally conflict with an applicable plan, policy, or regulation adopted for the purposes of reducing greenhouse gas emissions.	☒		

Previous CEQA Documents Findings

Climate change and greenhouse gas emissions ("GHG") were not expressly addressed in the 1998 LUTE EIR. The Redevelopment Plan Amendments EIR identified less-than-significant GHG impacts with the incorporation of applicable City of Oakland SCAs. No mitigation measures were necessary.

LMSAP Findings

The LMSAP EIR included GHG emissions and impacts analyses, and identified less-than-significant impacts with the incorporation of the applicable City of Oakland SCAs, and no mitigation measures were necessary. The LMSAP EIR determined that development occurring under the LMSAP would not generate greenhouse gas emissions, either directly or indirectly, that would have a significant impact on the environment at the plan level or at the project-level. The estimate of emissions from service population annually, was less than the applicable significance threshold, and implementation of the LMSAP would not fundamentally conflict with an applicable plan, policy, or regulation adopted for the purposes of reducing greenhouse gas emissions. The LMSAP EIR determined that development of specific projects under the Plan would be subject to all applicable regulatory requirements adopted for the purpose of reducing greenhouse gas emissions.

Project Analysis

Greenhouse Gas Emissions (Criterion 6a)

An analysis of the proposed project using the previously recommended May 2011 BAAQMD CEQA Guidelines and Thresholds was conducted and found that the proposed project would not result in a significant effect (cumulative) relating to GHG emissions, as shown below. Both BAAQMD and the California Air Pollution Control Officers Association ("CAPCOA") consider GHG impacts to be exclusively cumulative impacts, in that no single project could, by itself, result in a substantial change in climate. Therefore, the evaluation of GHG emissions impacts evaluates whether the proposed project would make a considerable contribution to cumulative climate change effects.

Construction GHG Emissions

The CalEEMod model run for the construction emissions associated with the proposed project (see Section 2. *Air Quality,* above) also calculated the GHG emissions that would be generated by construction activities of the proposed project. As shown in **Table GHG-1**, construction-related emissions would total approximately 132 metric tons of CO_2 equivalents ("CO_2e") during the entirety of the construction period. Annualized over an assumed project life of 40 years, construction-related GHG emissions would be approximately 3.3 metric tons per year of CO_2e. These emissions are factored into the total operational GHG emissions calculation below to determine significance.

TABLE GHG-1
PROPOSED PROJECT GHG EMISSIONS (metric tons per year)[a,b,d]

Project Component	CO_2e
Project	
Area Source Emissions	7.96
Energy Emissions	256.52
Mobile Emissions	659.58
Backup Generator[c]	19.73
Solid Waste	37.94
Water and Wastewater	32.89
Annualized Construction Emissions (Over 40 Years)	3.3
Total Increase	**998**
Total Increase without Mobile Sources	**339**
City of Oakland Screening Threshold	1,100
Total Emissions per Service Population (353 residents)	**0.96**
City Emissions per Service Population Threshold	4.6
Significant?	**No**

[a] Project operational emissions estimates were made using CalEEMod, version 2014.2.
[b] The GHG analysis relied on inputs from the Transportation Analysis by Fehr & Peers.
[c] Emissions from stationary sources such as backup generators are assessed under a separate 10,000 metric ton per year threshold.
[d] As noted in footnote 12 above, at the time the Greenhouse Gas Technical Analysis was conducted, a code clean-up proposal was being considered that would have rezoned 1429 Alice Street (APN 008-0626-017-00) to match the zoning at 250 14th Street (APN 008-0626-018-00) and provide for a larger development of up to 174 residential units. That code clean-up has not been adopted and the project sponsor has elected to proceed with a project that includes only 126 residential units as allowed by Conditional Use Permit. The analysis of the larger, 174-unit proposal is suitable and provides a conservative evaluation for the CEQA analysis and findings.

Operational GHG Emissions

The proposed project would generate GHG emissions from many of the same sources as presented in air quality Tables AIR-1 and AIR-2 (see Section 2. *Air Quality*, above). Additionally, GHGs would be generated indirectly by increased electrical demand, increased water and wastewater demand, and increased solid waste generation.

The total operational GHG emissions for the proposed project are presented in Table GHG-1. This table presents the project-related GHG emissions from all sources and assesses the impact relative to City thresholds. Emissions from stationary sources permitted by the BAAQMD are assessed separately from other emissions relative to a threshold of 10,000 metric tons per year of CO_2e. Emissions from the backup diesel generator would be below this threshold and therefore less than significant. Therefore, the proposed project would have an equal or less severe GHG impact compared to that previously identified in the LMSAP EIR.

As discussed below (see *Transit Priority Project*), and Attachments C and D to this document, the proposed project meets the criteria for a residential or mixed use "transit priority project," and is located within a "Regional Center" Priority Development Area ("PDA") pursuant to the Plan Bay Area, which represents the Sustainable Communities Strategy ("SCS") for the greater San Francisco Bay Area (MTC, 2014). Environmental documents for such projects need not analyze global warming impacts resulting from cars and light duty trucks. A lead agency should consider whether such projects may result in GHGs from other sources, however, consistent with the CEQA Guidelines. Consequently, if the project meets the requirements of a transit priority project, its mobile source need not be included in the assessment of GHG impacts. For this reason, Table GHG-1 presents the project-related GHG emissions without the mobile emissions, as permitted per CEQA guidelines Section 15183.5 (c).

As shown in Table GHG-1, the proposed project would not exceed either the threshold of 1,100 metric tons of CO2e per year or the City's 4.6 metric tons of CO2e per service population threshold. Therefore, the GHG emission impact would be less than significant. The City's GHG reduction plan SCA would not be triggered because neither of the significance thresholds is exceeded and the proposed residential component is fewer than 500 units. Numerous other City of Oakland SCAs that would contribute to minimizing potential GHG emissions from construction and operations of development projects would apply to the proposed project; they pertain to alternative transportation facilities (bicycles and BART), construction equipment emissions, transportation demand management, construction waste reduction and recycling, as well as California Green Building Standards.

Consistency with GHG Emissions Plans and Policies (Criterion 6b)

The proposed project would comply with the Oakland Energy and Climate Action Plan, current City Sustainability Programs, and General Plan policies and regulations regarding GHG reductions and other local, regional and statewide plans, policies and regulations that are related to the reduction of GHG emissions and relevant to the proposed project.

Specifically, the proposed project would also be consistent with the State's Updated Climate Change Scoping Plan and the City of Oakland's Energy and Climate Action Plan in that it will include a number of sustainability design features. The proposed project would comply with the Green Building ordinance and requirements. Additionally, as noted above and discussed in

Attachment D, the proposed project is located within a "Regional Center" PDA pursuant to the Plan Bay Area, and meets all conditions for qualification as a transit priority project with respect to the SCS.

Transit Priority Project

As introduced above, per CEQA Guidelines Section 15183.5 (c), environmental documents for certain residential and mixed use projects and transit priority projects, as defined in Section 21155 of the Public Resources Code, that are consistent with the general use designation, density, building intensity and applicable policies specified for the project area in an applicable SCS or alternative planning strategy, need not analyze global warming impacts resulting from cars and light duty trucks. A lead agency should consider whether such projects may result in GHGs from other sources, however, consistent with the CEQA Guidelines. Consequently, if the project meets the requirements of a transit priority project, its mobile source emissions need not be included in the assessment of GHG impacts.

Section 21155 of the California Public Resources Code defines transit priority projects as projects which:

1. Contain at least 50 percent residential use, based on total building square footage and, if the project contains between 26 percent and 50 percent nonresidential uses, a floor area ratio of not less than 0.75;

2. Provide a minimum net density of at least 20 dwelling units per acre; and

3. Be located within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan. A major transit stop is as defined in Section 21064.3, except that, for purposes of this section, it also includes major transit stops that are included in the applicable regional transportation plan. For purposes of this section, a high quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours. A project shall be considered to be within one-half mile of a major transit stop or high-quality transit corridor if all parcels within the project have not more than 25 percent of their area farther than one-half mile from the stop or corridor and if not more than 10 percent of the residential units or 100 units, whichever is less, in the project are farther than one-half mile from the stop or corridor.

The project proposes an approximately 106,000 square feet of residential uses and approximately 3,200 square feet of non-residential (retail) use (97 percent residential use). So, the proposed project meets condition (1) above for qualification as a transit priority project. The project proposes 126 residential units on a parcel of 0.44 acre, which is equivalent to 286 dwelling units per acre. Consequently, the proposed project meets condition (2) above for qualification as a transit priority project.

Finally, a major transit stop is defined in Section 21064.3 of the California Public Resources Code 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 period. An entrance to the Lake Merritt BART entrance is approximately 0.33 miles from the southern property boundary. The 12th Street City Center station entrance (13th and Broadway) is approximately one-third of a mile (approximately 1700 feet) from the midpoint of the project site. Other transit lines and major

transfer points are along 11th, 12th and 14th Streets within one to three blocks from the project site. Consequently, the proposed project meets all three conditions above for qualification as a transit priority project. Therefore, pursuant to Section 15183.5 (c) of the CEQA Guidelines, the mobile source emissions of the project need not be included in the assessment of GHG impacts in the environmental document.

Conclusion

Based on the analysis above, implementation of the proposed project would not result in a significant impact regarding GHG emissions or compliance with applicable plans, policies, or regulations adopted for the purposes of reducing greenhouse gas emission. Additionally, because of the size of the project, City of Oakland SCAs related to GHG emissions would be required to ensure a less-than-significant impact with the proposed project. The implementation of **SCA AES-2, Landscape Plan, SCA AIR-1, Construction-Related Air Pollution Controls (Dust and Equipment Emissions), SCA UTIL-1, Construction and Demolition Waste Reduction and Recycling, and SCA UTL-4, Green Building Requirements** (see Attachment A), would further ensure that impacts associated with greenhouse gas emissions would be less than significant. No mitigation measures are required.

7. Hazards and Hazardous Materials

Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; 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; Create a significant hazard to the public through the storage or use of acutely hazardous materials near sensitive receptors; Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (i.e., the "Cortese List") and, as a result, would create a significant hazard to the public or the environment;	☒	☐	☐
b. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;	☒	☐	☐
c. Result in less than two emergency access routes for streets exceeding 600 feet in length unless otherwise determined to be acceptable by the Fire Chief, or his/her designee, in specific instances due to climatic, geographic, topographic, or other conditions; or Fundamentally impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	☒	☐	☐

Previous CEQA Documents Findings

The Previous CEQA Documents found less-than-significant effects regarding hazards and hazardous materials including risk of upset in school proximity and emergency response/evacuation plans, with the Redevelopment Plan Amendments EIR identifying applicable City of Oakland SCAs. The 1998 LUTE EIR identified mitigation measures to reduce potentially significant effects regarding exposing workers and the public to hazardous substances to less than significant. These mitigation measures are now incorporated into the applicable City of Oakland SCAs.

LMSAP Findings

The LMSAP EIR determined that with implementation of SCAs, impacts related to hazards and hazardous materials would be less than significant with development occurring under LMSAP.

Project Analysis

Exposure to Hazards, Hazardous Materials Use, Storage and Disposal (Criterion 7a)

A Phase 1 Environmental Site Assessment was conducted for the proposed project and revealed no evidence of recognized environmental conditions in connection with the property. [12] The project site is not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 (i.e., the Cortese List). Additionally, the transportation, use, and storage of all hazardous materials involved with the proposed project would be required to follow the applicable laws and regulations adopted to safeguard workers and the general public, including preparation of a Hazardous Materials Management Plan and Hazardous Materials Business Plan, as required by Alameda County and the City of Oakland SCAs. Since development of the proposed project would be subject to the SCAs pertaining to best management practices for hazardous materials, removal of asbestos and lead-based paint and other hazardous materials and wastes, including those found in the soil and groundwater, the potential impacts would be reduced to less-than-significant levels.

Hazardous Materials within a Quarter Mile of a School (Criterion 7b)

The project site is located within three blocks (approximately 1,000 feet) of Lincoln Elementary School at 225 11th Street; however, the proposed project would be required to comply with existing local regulations that require hazardous material handlers within 1,000 feet of a school or other sensitive receptor to prepare a Hazardous Materials Assessment Report and Remediation Plan.

Emergency Access Routes (Criteria 7c)

The proposed project would not significantly interfere with emergency response plans or evacuation plans. Construction in the urban Downtown setting may result in temporary road closures, which would require traffic control plans to ensure at least two emergency access routes are available for streets exceeding 600 feet in length, per the City of Oakland's Ordinances and General Plan Policies; however, the proposed project would not permanently change the surrounding streets or roadways.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the 2014 LMSAP EIR and the Previous CEQA Documents**,** implementation of the proposed project would not result in any new or more severe significant impacts related to hazards and hazardous materials than those identified in the LMSAP EIR or the Previous CEQA Documents. Implementation of **SCA HAZ-1, Hazards Materials Related to Construction**, (see Attachment A), would further ensure that potential impacts associated with hazardous conditions would be less than significant.

[12] AGS, March 2015. Phase 1 Environmental Site Assessment for the Property Located at 250 14th Street and 1429 Alice Street Oakland California 94612.

8. Hydrology and Water Quality

Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
a. Violate any water quality standards or waste discharge requirements; Result in substantial erosion or siltation on- or off-site that would affect the quality of receiving waters; Create or contribute substantial runoff which would be an additional source of polluted runoff; Otherwise substantially degrade water quality; Fundamentally conflict with the City of Oakland Creek Protection Ordinance (OMC Chapter 13.16) intended to protect hydrologic resources.	☒	☐	☐
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);	☒	☐	☐
c. Create or contribute substantial runoff which would exceed the capacity of existing or planned stormwater drainage systems; 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	☒	☐	☐
d. 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; Place within a 100-year flood hazard area structures which would impede or redirect flood flows; or Expose people or structures to a substantial risk of loss, injury, or death involving flooding.	☒	☐	☐

Previous CEQA Documents Findings

The Previous CEQA Documents found less-than-significant impacts related to hydrology or water quality, primarily given required adherence to existing regulatory requirements, many of which are incorporated in the City of Oakland's SCAs. The Previous CEQA Documents found less-than-significant impacts related to flooding and risks from flooding. The 1998 LUTE EIR acknowledged that areas considered under that Program EIR could potentially occur within a 100-year flood boundary. Adherence to existing regulatory requirements that are incorporated in the City of

Oakland's SCAs would address potentially significant effects regarding flooding. No mitigation measures were warranted.

LMSAP Findings

The LMSAP EIR determined that with implementation of SCAs impacts related to hydrology and water quality, groundwater, and flooding would be less than significant with development occurring under the LMSAP.

Project Analysis

Water Quality, Stormwater, and Drainages and Drainage Patterns (Criteria 8a and 8c)

The project would not directly impact the water quality for receiving water bodies by generating polluted runoff or soils, particularly since the nearby water body, Lake Merritt and its Channel, are located approximately four to six blocks east of the project site. The project site is 0.44 acres and the proposed development would comply with numerous SCAs relating to stormwater runoff from construction. The project site is currently entirely covered with asphalt pavement for parking. Therefore, the project would not increase existing area of impervious surface on the site since the new building and pavement (sidewalks) would cover the entire site. A landscaped deck would be incorporated on the third floor, and street trees (5) are proposed. As identified in the LMSAP EIR, the proposed project site is not located within a flood hazard zone or tsunami-inundation zone. The proposed project would not utilize groundwater resources and would not substantially affect groundwater recharge. The proposed project also would not substantially alter existing drainage patterns. The project site is a small, flat, paved lot in an urban setting; therefore, the proposed building would essentially cover the entire site and not alter existing flows.

Use of Groundwater (Criterion 8b)

Some dewatering may be required for construction of the proposed project, but the dewatering is not anticipated to substantially lower the groundwater level. Potable water is supplied by the East Bay Municipal Utility District ("EBMUD"), and groundwater is generally not considered potable and is not utilized in the public drinking water supply. The 2014 LMSAP EIR also assumed project compliance with existing City practices, which are stated City of Oakland SCAs that address all applicable regulatory standards and regulations pertaining to remediation and grading and excavation activities. The proposed project would adhere to these SCAs and therefore would have a less-than-significant impact on water quality or groundwater supplies, as identified in the LMSAP EIR and the Previous CEQA Documents.

Flooding and Substantial Risks from Flooding (Criteria 8d)

The project site is not located in either a 100-year or 500-year flood boundary. In addition, the project site is not located near a levee or a dam. Therefore, the proposed project would not result in a significant impact with respect to flood-related risks.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the 2014 LMSAP EIR and the Previous CEQA Documents, implementation of the proposed project would not would not result in any new or more severe significant impacts related to hydrology and water quality, groundwater, and flooding than those identified in the LMSAP EIR or the Previous CEQA Documents. Implementation of **SCA HYD-1, Erosion and Sedimentation Control Plan for Construction, SCA HYD-2, Site Design Measures to Reduce Stormwater Runoff, SCA HYD-3, NPDES C.3 Stormwater Requirements for Regulated Projects, SCA GEO-1, Construction-Related Permit(s), SCA GEO-2, Soils Report, SCA UTIL-6, and Storm Drain System**, (see Attachment A), would ensure that potential impacts to hydrology and water quality would be less than significant. No mitigation measures are required.

9. Land Use, Plans, and Policies

Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
a. Physically divide an established community;	☒	☐	☐
b. Result in a fundamental conflict between adjacent or nearby land uses; or	☒	☐	☐
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.	☒	☐	☐

Previous CEQA Documents Findings

The Previous CEQA Documents considered in this analysis all found less-than-significant impacts related to land use, plans, and policies, and no mitigation measures were warranted. The 1998 LUTE EIR, however, identified a significant and unavoidable effect associated with inconsistencies with policies in the Clean Air Plan (resulting from significant and unavoidable increases in criteria pollutants from increased traffic regionally). It identified mitigation measures, which largely align with current City of Oakland SCAs involving Transportation Demand Management ("TDM"), which apply to all projects within the City of Oakland.

LMSAP Findings

The LMSAP EIR determined that impacts related to land use and planning would be less than significant with development occurring under the LMSAP. No mitigation measures were required and no City of Oakland SCAs apply to the proposed project. Compliance with LUTE Policies Dl0.2, N5.2, and N8.2 would ensure that development under the LMSAP would not conflict with surrounding land uses, or with existing plans, policies, and regulations adopted for the purpose of mitigating an environmental effect.

Project Analysis

Division of Existing Community, Conflict with Land Uses, or Land Use Plans (Criteria 9a through 9c)

The proposed project would not physically divide an established community. The proposed project also would not result in a fundamental conflict with adjacent land uses. The proposed residential and commercial land uses on the project site are consistent and compatible with nearby commercial, office, and residential land uses. The proposed project would not conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project. The proposed project site would redevelop a surface parking lot located wholly within

the Central Business District ("CBD") General Plan land use designation, partially within the D-LM-2 Lake Merritt Station Area Plan District General Commercial Zone, and partially within the CBD-C Zone, each of which support the proposed residential and ground-floor retail land uses.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the 2014 LMSAP EIR and Previous CEQA Documents, the proposed project would not result in any new or more severe significant impacts related to land use and planning than those identified in the LMSAP EIR or the Previous CEQA Documents. The LMSAP EIR did not identify any mitigation measures related to land use, and no City of Oakland SCAs directly addressing land use and planning apply to the proposed project.

10. Noise

Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
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 recommend measures to reduce potential impacts. During the hours of 7 p.m. to 7 a.m. on weekdays and 8 p.m. to 9 a.m. on weekends and federal holidays, noise levels received by any land use from construction or demolition shall not exceed the applicable nighttime operational noise level standard; Generate noise in violation of the City of Oakland nuisance standards (Oakland Municipal Code Section 8.18.020) regarding persistent construction-related noise;	☒	☐	☐
b. Generate noise in violation of the City of Oakland Noise Ordinance (Oakland Planning Code Section 17.120.050) regarding operational noise;	☒	☐	☐
c. 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);	☒	☐	☐
d. Expose persons to interior L_{dn} or CNEL greater than 45 dBA for multi-family dwellings, hotels, motels, dormitories and long-term care facilities (and may be extended by local legislative action to include single-family dwellings) per California Noise Insulation Standards (CCR Part 2, Title 24); 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 (see Figure 1); 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	☒	☐	☐
e. During either project construction or project operation expose persons to or generate groundborne vibration that exceeds the criteria established by the Federal Transit Administration (FTA).	☒	☐	☐

Previous CEQA Documents Findings

The Previous CEQA Documents both identified less-than-significant impacts related to operational noise, primarily from roadway traffic, as well as noise compatibility. The 1998 LUTE EIR identified mitigation measures to address potential noise conflicts between different land uses.[13] Regarding construction noise, the 1998 LUTE EIR identified a significant and unavoidable construction noise and vibration impact in Downtown, even after the incorporation of mitigation measures.

LMSAP Findings

The LMSAP EIR determined that with implementation of SCAs construction and operation period noise would be less than significant with development occurring under the LMSAP. The LMSAP EIR determined that while activities occurring under the Plan could expose residential uses near construction to noise levels exceeding the General Plan standard of 80 and 85 dBA, construction of individual development projects implemented under the LMSAP would be temporary in nature and that associated impacts would be less than significant with implementation of applicable SCAs.

The LMSAP EIR also determined that operation-period noise associated with projects developed under the Plan would be less than significant, and that implementation of applicable SCAs would ensure that operation noise is reduced to a less-than-significant level.

Project Analysis

Construction and Operational Noise and Vibration, Exposure of Receptors to Noise (Criteria 10a, 10b, 10d, and 10e)

Construction Noise

Construction activities for the proposed project would be expected to occur over approximately 24 months and would entail excavation and shoring, foundation and below-grade construction, and construction of the building and finishing interiors. Implementation of applicable City of Oakland SCAs would minimize construction noise impacts by limiting hours of construction activities, by requiring best available noise control technology and notification of any local residents of construction activities, and by tracking and responding to noise complaints. As a result, the construction noise impacts of the proposed project would be less than significant, as identified for the LMSAP EIR.

Operational Noise

The proposed project would include mechanical equipment standardized for noise reduction, as was assumed in the LMSAP EIR. The proposed project also would include an emergency generator. Development of the proposed project would incorporate all applicable SCAs to ensure a less-than-significant impact with respect to noise from stationary sources on the project site.

[13] The 2011 Redevelopment Plan EIR also identified significant and avoidable noise effects specifically associated with the potential development of a new baseball stadium at Victory Court, and multimodal safety at at-grade rail crossings, both near the Oakland Estuary. These effects would not pertain to the 250 14th Street Project given the distance and presumably minimal contribution of multimodal trips affecting these impacts.

Traffic Noise (Criterion 10c)

For the purposes of assessing increased roadway noise as a result of the proposed project, it was conservatively assumed that 10 percent of all vehicle trips generated by the proposed project would occur during the peak traffic hour and that all of these trips would access the project site on 14th Street. This results in the addition of 71 peak hour trips on 14th Street where existing p.m. peak hour volume is 583 vehicles.[14]

Noise levels were determined for this analysis using the Federal Highway Administration ("FHWA") Traffic Noise Prediction Model. The roadway segments analyzed and the results of the noise increases determined by modeling are shown in **Table NOI-1**, below.

TABLE NOI-1
PEAK-HOUR TRAFFIC NOISE LEVELS IN THE VICINITY OF THE PROJECT

Roadway Segment[a,b]	(A) Existing	(B) Existing Plus Project	(B-A) Difference between Existing Plus Project and Existing[c]	(C) Cumulative No Project (2035)	(D) Cumulative Plus Project (2035)	(D-A) Difference between Cumulative Plus Project and Existing	(D-C) Difference between Cumulative Plus Project and Cumulative No Project[d]
14th Street east of Harrison Street	61.0	61.5	0.5	64.3	64.5	3.5	0.2

[a] Road center to receptor distance is 15 meters (approximately 50 feet) for all roadway segments. Noise levels were determined using the Federal Highway Administration (FHWA) Traffic Noise Prediction Model.
[b] The analysis considered the vehicle mix based on – cars 97 percent, medium trucks two percent, and heavy trucks one percent for 14th Street. Traffic speeds for all vehicle classes were set at 25 mph.
[c] Considered significant if the incremental increase in noise from traffic is greater than the existing ambient noise level by 5.0 dBA Leq, per City of Oakland, CEQA Thresholds/Criteria of Significance Guidelines.
[d] Considered a cumulatively considerable contribution to a significant noise increase if the incremental increase in noise is greater than 3 dBA.
d As noted in footnote 12 above, at the time the Transportation Technical Analysis was conducted, a code clean-up proposal was being considered that would have rezoned 1429 Alice Street (APN 008-0626-017-00) to match the zoning at 250 14th Street (APN 008-0626-018-00) and provide for a larger development of up to 174 residential units. That code clean-up has not been adopted and the project sponsor has elected to proceed with a project that includes only 126 residential units as allowed by Conditional Use Permit. The analysis of the larger, 174-unit proposal is suitable and provides a conservative evaluation for the CEQA analysis and findings.

SOURCE: ESA, 2015.

As shown in Table NOI-1, the proposed project traffic would increase peak hour noise levels by less than 5.0 dBA. Overall, traffic noise impacts associated with the proposed project would be less than significant.

Cumulative Noise

Table NOI-1 shows that the increase in traffic between the Cumulative Plus Project (2035) scenario and Cumulative No Project (2035) would increase peak hour noise levels by less than 3.0 dBA at all roadway segments. Thus, the cumulative roadway noise impact would be less than significant.

The City also now also considers cumulative noise from all sources—mobile and stationary. As described above, the proposed project would generate noise from HVAC mechanical equipment. HVAC equipment would operate within the restrictions of the City's Noise Ordinance.

[14] This analysis was conducted prior to completion of Fehr & Peers trip generation estimates. However, it is conservative in that it assumes a greater peak hour trips.

Chapter 17.120.050 of the City of Oakland Planning Code specifies the maximum sound level received at residential and commercial land uses, and public open spaces. This equipment could be located over 200 feet from the nearest sensitive receptor (apartments across Harrison Street to the west), a distance at which this equipment would not meaningfully contribute to cumulative noise levels.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the LMSAP EIR and Previous CEQA Documents, implementation of the proposed project would not substantially increase the severity of impacts identified in the LMSAP EIR or Previous CEQA Documents, nor would it result in new significant impacts related to noise that were not identified in the LMSAP EIR and Previous CEQA Documents. Implementation of **SCA NOI-1, Construction Days/Hours, SCA NOI-2, Construction Noise, SCA NOI-3, Extreme Construction Noise, SCA NOI-4, Project-Specific Construction Noise Reduction Measures, SCA NOI-5, Construction Noise Complaints, SCA NOI-6, Exposure to Community Noise, SCA NOI-7, Operational Noise, and SCA NOI-8, Vibration Impacts on Adjacent Historic Structures or Vibration-Sensitive Activities** (see Attachment A), would be applicable and would be implemented with the proposed project, and would ensure that noise-related impacts associated with the proposed project would be less than significant.

11. Population and Housing

Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
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;	☒	☐	☐
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.	☒	☐	☐

Previous CEQA Documents Findings

The Previous CEQA Documents found less-than-significant impacts related to population and housing, as well as employment. The 1998 LUTE EIR identified mitigation measures to address unanticipated employment growth (compared to regional ABAG projections), and no other mitigation measures were warranted.

LMSAP Findings

The LMSAP EIR determined that impacts related to population and housing would be less than significant with development occurring under the LMSAP. No mitigation measures or SCAs would be required. The LMSAP EIR assumes that associated growth in the number of households and population occurring from development under the LMSAP would be in line with regional growth projections, including ABAG's 2009 growth forecast for 2035 and would not result in unplanned population growth.

Project Analysis

Population Growth and Displacement of Housing and People (Criteria 11a and 11b)

Similar to what was considered in the Development Program for Opportunity Site #3 in the LMSAP EIR, the proposed project would result in an estimated three permanent employees on the site.[15] Construction of the proposed project also would involve temporary employees. The

[15] The 2014 LMSAP EIR considered the development of approximately 3,000 square feet of retail on the project site. The retail employment density of 0.8026 employees per 1000 square feet (1,246 square feet/worker) noted in the following document was used to determine the number of employees generated by the proposed project: http://www.eia.gov/consumption/commercial/data/2003/pdf/b1-b46.pdf.

proposed project would introduce 126 units and approximately 256 new residents.[16] However, the additional approximate 256 residents and three employees would not result in substantial growth beyond what was projected in the overall development program in the LMSAP EIR. The project site is currently a surface parking lot, hence the proposed project would not displace any housing or people.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the 2014 LMSAP EIR and the Previous CEQA Documents, the proposed project would not result in any new or more severe significant impacts related to population and housing than those identified in the LMSAP EIR or the Previous CEQA Documents. The LMSAP EIR did not identify any mitigation measures related to population and housing, and none would be required for the proposed project. Also no SCAs would apply.

[16] According to Table ES-1 in the LMSAP EIR, the LMSAP population analysis employed a factor of approximately 2.03 persons per residential unit.

12. Public Services, Parks and Recreation Facilities

Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
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.	☒	☐	☐
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 Include recreational facilities or require the construction or expansion of recreational facilities which might have a substantial adverse physical effect on the environment.	☒	☐	☐

Previous CEQA Documents Findings

The Redevelopment Plan Amendments EIR found less-than-significant impacts related to public services and recreational facilities; no mitigation measures were warranted nor City of Oakland SCAs identified. The 1998 LUTE EIR identified a significant and unavoidable impact for fire safety, with mitigation measures pertaining to the North Oakland Hills area; the 1998 LUTE EIR also identified a significant and unavoidable impact regarding increased student enrollment, particularly in Downtown (and the Waterfront), and identified mitigation measures that would not reduce the effect to less than significant. Thus the impact was significant and unavoidable.[17]

LMSAP Findings

The LMSAP EIR determined that the increase in demand for public services (i.e., fire, police, and schools) and park and recreation services from development under the LMSAP would be less than significant. The Oakland Police Department and Fire Department would adjust service capacity as needed and the City is responsible for coordinating service provisions to adjust to the expected increase in demand for these services. New development, including the proposed project, is required to adhere to appropriate building and fire code requirements that would be incorporated into project construction. The Plan area is exceptionally well-served by libraries,

[17] The 1998 LUTE EIR addressed effects on solid waste demand and infrastructure facilities for water, sanitary sewer and stormwater drainage under *Public Services*. These topics are addressed in this document under *14. Utilities and Service Systems*, consistent with current City approach.

and the LMSAP includes the creation of new parks and open spaces, and improved access to the regional parks system. Potential impacts to public services would be less than significant with implementation of SCAs. No mitigation measures or SCAs were required regarding recreation.

Project Analysis

Public Services and Parks and Recreation (Criteria 12a and 12b)

The proposed project would create demands on public services typical of a mixed-use building containing 126 residential units and approximately 3,200 square feet of retail space. However, the development would occur in an urban area already served by public services and recreation facilities, and recent CEQA analyses have consistently determined that the anticipated growth would not impose a burden on existing public services to create a significant impact. Compliance with standard City practices would further ensure the less-than-significant impact. These included City practices and requirements, such as the Oakland Fire Services' review of proposed project plans, and project applicants' required contributions to school impact fees to offset any impacts to school facilities from the proposed project.

City of Oakland SCAs incorporate most of these standard practices and requirements to address potential public services and park and recreation facilities impacts. The proposed project would comply with City of Oakland SCAs related to the increased need for fire protection by requiring all projects to implement safety features, and to comply with all applicable codes and regulations. In addition, adherence to the General Plan's Open Space, Conservation and Recreation Element policies 3.1, 3.3, and 3.10 would reduce potential impacts to recreational facilities. In addition, any increases in need for police protection, fire protection, schools, or other public facilities would be mitigated by adherence to General Plan policies N.12.1, N.12.2, N.12.5, FI-1, and FI-2.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the 2014 LMSAP EIR and the Previous CEQA Documents, the proposed project would not result in any new or more severe significant impacts related to public services and parks and recreation services than those identified in the LMSAP EIR and the Previous CEQA Documents.

13. Transportation and Circulation

Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit, specifically:			
Traffic Load and Capacity Thresholds a. At a study, signalized intersection which is located **outside the Downtown area and that does not provide direct access to Downtown**, the project would cause the motor vehicle level of service (LOS) to degrade to worse than LOS D (i.e., LOS E or F) and cause the total intersection average vehicle delay to increase by four (4) or more seconds;	☒	☐	☐
b. At a study, signalized intersection which is located **within the Downtown area or that provides direct access to Downtown**, the project would cause the motor vehicle LOS to degrade to worse than LOS E (i.e., LOS F) and cause the total intersection average vehicle delay to increase by four (4) or more seconds;	☒	☐	☐
c. At a study, signalized intersection **outside the Downtown area and that does not provide direct access to Downtown** where the motor vehicle level of service is LOS E, the project would cause the total intersection average vehicle delay to increase by four (4) or more seconds;	☒	☐	☐
d. At a study, signalized intersection **outside the Downtown area and that does not provide direct access to Downtown** where the motor vehicle level of service is LOS E, the project would cause an increase in the average delay for any of the critical movements of six (6) seconds or more;	☒	☐	☐
e. At a study, signalized intersection for all areas where the level of service is LOS F, the project would cause (a) the overall volume-to-capacity ("V/C") ratio to increase 0.03 or more or (b) the critical movement V/C ratio to increase 0.05 or more;	☒	☐	☐
f. At a study, unsignalized intersection the project would add ten (10) or more vehicles to the critical movement and after project completion satisfy the California Manual on Uniform Traffic Control Devices (MUTCD) peak hour volume traffic signal warrant;	☒	☐	☐
g. For a roadway segment of the Congestion Management Program (CMP) Network, the project would cause (a) the LOS to degrade from LOS E or better to LOS F or (b) the V/C ratio to increase 0.03 or more for a roadway segment that would operate at LOS F without the project; or	☒	☐	☐

Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
h. Cause congestion of regional significance on a roadway segment on the Metropolitan Transportation System (MTS) evaluated per the requirements of the Land Use Analysis Program of the CMP.	☒	☐	☐

This section of the CEQA Checklist summarizes the findings of the transportation analysis completed for the proposed project.[18,19]

Previous CEQA Documents Findings

The Program EIRs considered for this analysis identified significant and unavoidable impacts regarding intersection and/or roadway segment operations. Various mitigation measures and City of Oakland SCAs are identified in the Program EIRs (except in the 1998 LUTE EIR, which does not identify SCAs). Other transportation/circulation impacts identified in each of the Program EIRs are reduced to less than significant with adherence to the City of Oakland SCAs or mitigation measure.

The 1998 LUTE EIR identified significant unavoidable impacts regarding degradation of the level of service (LOS) for several roadway segments citywide. A mitigation measure was identified for one Downtown intersection to reduce the intersection operations to less than significant. All other topics were found less than significant. The 1998 LUTE EIR did not identify an impact at the intersections that are affected by the proposed project.

Both the 2011 Redevelopment Plan Amendments EIR and the 2010 Oakland Housing Element Update EIR and 2014 Addendum identified significant unavoidable effects to roadway segment operations, as well as railroad crossing safety, after the implementation of identified mitigation measures. Neither of these Program EIRs identified an impact at the intersections that are affected by the proposed project.

LMSAP Findings

The LMSAP EIR evaluated 45 intersections and 10 freeway segments within the vicinity of the LMSAP Area (including within the City of Alameda) for potential LOS impacts.

Under Existing Plus Project conditions, significant impacts at a total of seven intersections were identified during either or both peak hours. Impacts at three of these intersections would be reduced to a less-than-significant level with implementation of the recommended mitigation measures. However, impacts to the First Avenue and International Boulevard, Oak Street and

[18] Fehr & Peers, September 9, 2015. 14th and Alice Residential Project – Transportation Assessment.

[19] At the time the Transportation Technical Analyses were conducted, a code clean-up proposal was being considered that would have rezoned 1429 Alice Street (APN 008-0626-017-00) to match the zoning at 250 14th Street (APN 008-0626-018-00) and provide for a larger development of up to 174 residential units. That code clean-up has not been adopted and the project sponsor has elected to proceed with a project that includes only 126 residential units as allowed by Conditional Use Permit. The analysis of the larger, 174-unit proposal is suitable and provides a conservative evaluation for the CEQA analysis and findings.

10th Street, Oak Street and Sixth Street, and Jackson Street and Fifth Street intersections would be significant and unavoidable. Under Existing Plus Project conditions, impacts to the I-880 freeway segment between Oak Street and Fifth Street would be significant and unavoidable. In addition, under Existing Plus Project conditions, impacts related to pedestrian circulation at the Constitution Way and Marina Village Parkway and Constitution Way and Atlantic Avenue intersections would be significant and unavoidable because these intersections are located in the City of Alameda and the City of Oakland does not have the authority to construct recommended improvements.

Under Interim 2020 Plus Project conditions, significant unavoidable impacts were identified at a total of three intersections, including the Jackson Street and Sixth Street, Oak Street and Sixth Street, and Oak Street and Fifth Street.

Under Cumulative 2035 Plus Project conditions, significant unavoidable impacts were identified at a total of 13 intersections including: Madison Street and 14th Street; Madison Street and 11th Street; Madison Street and 10th Street; Oak Street and 10th Street; Harrison Street and Eighth Street; Jackson Street and Eighth Street; Oak Street and Eighth Street; Jackson Street and Seventh Street; Oak Street and Seventh Street; Fifth Avenue and Seventh Street/Eighth Street; Jackson Street and Sixth Street; Oak Street and Sixth Street; and Oak Street and Fifth Street. In addition, under Cumulative 2035 Plus Project conditions impacts to the segment of Oak Street between 2nd Street and Embarcadero would also be significant unavoidable.

Several SCAs related to transportation and circulation were identified as required to be implemented for projects developed under the LMSAP, three of which are applicable to the proposed project (see Attachment A).

Project Analysis

Criteria 13a through 13h

Existing Setting

The study of the proposed project evaluates traffic operations at the following two intersections in the vicinity of the project site:

1. Alice Street/14th Street
2. Harrison Street/14th Street

Consistent with City of Oakland guidelines, the study intersections include locations where the proposed project would increase traffic volumes by 50 or more peak-hour trips and were not included in the LMSAP EIR.

Traffic data, consisting of automobile turning movement as well as pedestrian and bicycle counts, was collected from 7:00 AM to 9:00 AM (weekday AM) and from 4:00 PM to 6:00 PM (weekday PM) on August 18, 2015 (see Appendix A). For each study intersection, the peak hour (i.e., the hour with the highest traffic volumes observed in the study area) within each peak period was selected for evaluation.

Based on the volumes and roadway configurations, the LOS[20] at the study intersections was calculated using the 2010 Highway Capacity Manual (HCM) methodologies. City of Oakland considers LOS E as the threshold of significance for intersections located within the Downtown area or that provide direct access to Downtown[21], and LOS D for all other intersections. Both study intersections are in Downtown Oakland where the threshold of significance is LOS E.

Both study intersections currently operate at LOS B or better during weekday AM and PM peak hours. **Table TRA-1** summarizes the existing intersection analysis results.

TABLE TRA-1
INTERSECTION LOS SUMMARY – EXISTING CONDITIONS

Intersection	Control[1]	Peak Hour	Delay[2] (seconds)	LOS
1. Alice Street/ 14th Street	Signal	AM	8.5	A
		PM	11.6	B
2. Harrison Street/ 14th Street	Signal	AM	10.8	B
		PM	12.4	B

1 Signal = intersection is controlled by a traffic signal
2 For signalized intersections, average intersection delay and LOS based on the 2010 HCM method is shown.

SOURCE: Fehr & Peers, 2015.

Trip Generation

Trip generation is the process of estimating the number of vehicles that would likely access the project. Current accepted methodologies, such as the Institute of Transportation Engineers (ITE) Trip Generation methodology, are primarily based on data collected at single-use suburban sites. These defining characteristics limit their applicability to developments, such as the proposed project, which is in a walkable, dense urban setting near frequent local and regional transit service. Therefore, this analysis adjusted the ITE-based estimates to account for the project's setting and proximity to frequent transit service. Since the proposed project is about 0.3 mile from the 12th BART Station and approximately 0.5 mile from the Lake Merritt BART Station, this analysis reduces the ITE based trip generation by 43 percent to account for the non-automobile trips. This reduction is consistent with City of Oakland Transportation Impact Study Guidelines and is based on the Bay Area Travel Survey (BATS) 2000, which shows that the non-automobile mode share within one-half mile of a BART Station in Alameda County is about 43 percent. A 2011 research study shows reducing ITE based trip generation using BATS data results in a more accurate estimation of trip generation for mixed use developments than just using ITE based trip generation.[22] This reduction is somewhat conservative considering that the 2011 American

[20] The operations of roadway facilities are typically described with the term level of service (LOS), a qualitative description of traffic flow based on factors such as speed, travel time, delay, and freedom to maneuver. Six levels are defined from LOS A, which reflects free-flow conditions where there is very little interaction between vehicles, to LOS F, where the vehicle demand exceeds the capacity and high levels of vehicle delay result. LOS E represents "at-capacity" operations. When traffic volumes exceed the intersection capacity, stop-and-go conditions result and a vehicle may wait through multiple signal cycles before passing through the intersection; these operations are designated as LOS F.

[21] Intersections that provide direct access to downtown are generally defined as principal arterials within two miles of Downtown and minor arterials within one mile of Downtown, provided that the street connects directly to Downtown.

[22] Evaluation of the Operation and Accuracy of Five Available Smart Growth Trip Generation Methodologies. Institute of Transportation Studies, UC Davis, 2011.

Community Survey shows that 55 percent of residents and 64 percent of workers in Downtown Oakland travel to work by non-automobile modes.

Table TRA-2 summarizes the trip generation for the project. The project would generate approximately 738 daily, 52 AM peak hour, and 68 PM peak hour trips. In comparison, the LMSAP Draft EIR assumed the project site would generate 86 daily, 4 AM peak hour, and 7 PM peak hour trips.

TABLE TRA-2
AUTOMOBILE TRIP GENERATION SUMMARY

Land Use	Units[1]	ITE Code	Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Residential	174 DU	220[2]	1,157	18	71	89	70	38	108
Retail	3.2 KSF	820[3]	137	2	1	3	6	6	12
Subtotal			*1,294*	*20*	*72*	*92*	*76*	*44*	*120*
Non-Auto Reduction (-43%)[4]			-556	-9	-31	-40	-33	-19	-52
Net New Project Trips			**738**	**11**	**41**	**52**	**43**	**25**	**68**

[1] DU = Dwelling Units, KSF = 1,000 square feet
[2] ITE Trip *Generation (9th Edition)* land use category 220 (Apartment):
Daily: 6.65
AM Peak Hour: 0.51 (20% in, 80% out)
PM Peak Hour: 0.62 (65% in, 35% out)
[3] ITE *Trip Generation (9th Edition)* land use category 820 (Shopping Center):
Daily: 42.70
AM Peak Hour: 0.96 (62% in, 38% out)
PM Peak Hour: 3.71 (48% in, 52% out)
[4] Reduction of 43.0% assumed. Based on City of Oakland *Transportation Impact Study Guidelines* data for development in an urban environment within 0.5 miles of a BART Station.

SOURCE: Fehr & Peers, 2015.

In addition, in order to present a "worst case" scenario, the project trip generation presented in Table TRA-2 does not account for existing trips or pass-by-trips. The proposed project would eliminate about 72 existing parking spaces, which are primarily used for vehicle storage by nearby automobile dealers. Although demolition of the parking spaces is expected to eliminate some of the existing automobile trips, these motorists would continue to travel to and from this area to other off-street parking facilities in the vicinity. Pass-by trips are trips to the site as an intermediate stop on the way to a final destination. While these trips alter travel patterns, they do not add new vehicle trips to the roadway network and, therefore, are typically excluded from trip generation estimates. To be conservative, this analysis does not reduce the retail trip generation estimates.

Non-Vehicular Trip Generation

Consistent with City of Oakland Transportation Impact Study Guidelines, **Table TRA-3** presents the estimates of proposed project trip generation for all travel modes.

TABLE TRA-3
TRIP GENERATION BY TRAVEL MODE

Mode	Mode Share Adjustment Factors[1]	Daily	AM Peak Hour	PM Peak Hour
Automobile	57.0%	738	52	68
Transit	30.4%	393	28	36
Bike	3.9%	50	4	5
Walk	23.0%	298	21	28
Total Trips		**1,479**	**105**	**137**

[1] Based on *City of Oakland Transportation Impact Study Guidelines* assuming project site is in an urban environment within 0.5 miles of a BART Station.

SOURCES: Fehr & Peers, 2015.

Trip Distribution and Intersection Analysis

A trip distribution and assignment process to estimate how the vehicle trips generated by the project site would be distributed across the roadway network was conducted. The detailed trip distribution and assignment information and exhibits are included in Appendix A to this document. This section discusses the impacts of the proposed project on traffic operations under Existing and Cumulative 2040 conditions based on the City of Oakland Transportation Impact Study Guidelines.

Existing Plus Project Intersection Analysis

Table TRA-4 summarizes the intersection operations results for the Existing No Project and Existing Plus Project conditions. All study intersections would continue to operate at an acceptable LOS. The proposed project would not cause a significant impact at the study intersections under the Existing Plus Project conditions (see Appendix A for traffic volume figures for this condition).

TABLE TRA-4
INTERSECTION LOS SUMMARY – EXISTING PLUS PROJECT CONDITIONS

Intersection	Control[1]	Peak Hour	Existing No Project		Existing Plus Project		Signif. Impact?
			Delay[2] (sec)	LOS	Delay[2] (sec)	LOS	
1. Alice Street/ 14th Street	Signal	AM	8.5	A	9.1	A	No
		PM	11.6	B	11.9	B	No
2. Harrison Street/ 14th Street	Signal	AM	10.8	B	10.6	B	No
		PM	12.4	B	12.5	B	No

[1] Signal = intersection is controlled by a traffic signal
[2] For signalized intersections, average intersection delay and LOS based on the 2010 HCM method is shown.

SOURCE: Fehr & Peers, 2015.

Cumulative 2040 Plus Project Intersection Analysis

Year 2040 traffic volumes for the study intersections are based on the most recent ACTC Travel Demand Model (updated June 2015). The Cumulative 2040 conditions reflect the roadway network analyzed in the Existing conditions and assume that no changes would occur at the two study intersections. As shown in **Table TRA-5**, all study intersections would continue to operate at an acceptable LOS. The proposed project would not cause a significant impact at the study intersections under the Cumulative 2040 Plus Project conditions.

TABLE TRA-5
INTERSECTION LOS SUMMARY – CUMULATIVE 2040 CONDITIONS

Intersection	Control[1]	Peak Hour	Cumulative 2040 No Project		Cumulative 2040 Plus Project		Signif. Impact?
			Delay (sec)	LOS	Delay (sec)	LOS	
1. Alice Street/ 14th Street	Signal	AM	9.1	A	9.7	A	No
		PM	12.5	B	13.0	B	No
2. Harrison Street/ 14th Street	Signal	AM	11.1	B	10.9	B	No
		PM	13.4	B	13.5	B	No

[1] Signal = intersection is controlled by a traffic signal
[2] For signalized intersections, average intersection delay and LOS based on the 2010 HCM method is shown.

SOURCE: Fehr & Peers, 2015.

LMSAP Impacts and Mitigation Measure Triggers

The LMSAP EIR identifies 29 significant impacts at intersections serving the Plan Area. Subsequent to certification, an analysis of the LMSAP EIR was conducted to determine when the identified significant transportation impacts and their associated mitigation measures would be triggered. Specifically, the analysis estimated the amount of project generated trips, based on the level of development in the entire Plan Area, would be required to trigger the significant impacts and associated mitigation measures.[23] Based on the review of the LMSAP EIR, the trip generation for the proposed project, and the currently planned developments, would trigger LMSAP EIR Impact TRAN-21 under 2035 Plus Project Conditions at the Jackson Street and Seventh Street intersection because the project would generate more than six percent of the total traffic generated by the LMSAP Development Program.[24] No feasible mitigation measure was identified in the LMSAP EIR for Impact TRAN-21. Therefore, the LMSAP EIR considers the impact significant unavoidable. The proposed project would not trigger any of the other impacts or mitigation measures identified in the LMSAP DEIR.

[23] Fehr & Peers, October 20, 2015. LMSAP Impacts and Mitigation Triggers.
[24] Although A At the time the Transportation Technical Analyses were conducted, a code clean-up proposal was being considered that would have rezoned 1429 Alice Street (APN 008-0626-017-00) to match the zoning at 250 14th Street (APN 008-0626-018-00) and provide for a larger development of up to 174 residential units. That code clean-up has not been adopted and the project sponsor has elected to proceed with a project that includes only 126 residential units as allowed by Conditional Use Permit. The analysis of the larger, 174-unit proposal is suitable and provides a conservative evaluation for the CEQA analysis and findings.

Vehicle Access and On-Site Circulation

The parking garage and residential loading area ingress and egress would be provided via a driveway in the middle of the Alice Street façade, about 100 feet north of 14th Street, via a new curb cut. The full-access driveway provides access to a 91-space residential parking garage. The garage would include stacked parking on the first floor, and regular and tandem spaces on the mezzanine and second level.

The current driveway on Alice Street allows on-street parking up to the driveway opening. Vehicles parked in the spaces directly north and south of the driveway may block sight distance between vehicles traveling on Alice Street and vehicles exiting the driveway. Trees planted north of the driveway may also affect visibility of exiting vehicles if the tree canopy is lower than six feet from the ground. As such, the driveway, as currently proposed, may not provide adequate sight distance between vehicles exiting the site, pedestrians on the adjacent sidewalk, and vehicles on Alice Street; therefore, the following measure is recommended:

> **Recommendation TRA-1:** While not required to address a CEQA impact, the following should be considered as part of the final design for the project:
>
> a) Ensure that the project driveway would provide adequate sight distance between motorists exiting the driveway and pedestrians on the adjacent sidewalks. This may require redesigning and/or widening the driveway. If adequate sight distance cannot be provided, provide audio/visual warning devices at the driveway.

Bicycle Access, On-Site Circulation, and Impacts

The proposed project is estimated to generate four bicycle trips during the AM peak hour and five bicycle trips during the AM peak hour. These bicycle trips are served by existing or planned bicycle facilities on Franklin Street, Webster Street, and 14th Street. The LMSAP also calls for bicycle facilities on 8th and 9th Streets. Given the proposed project is not proposing any changes that would affect any plans or projects for bicycle facilities, the project is not anticipated to have any significant impacts for bicyclists.

According to the transportation analysis completed for the proposed project, the proposed project would provide 42 long-term bicycle parking spaces adjacent to the residential lobby with direct access on Alice Street, and a total of eight short-term bicycle racks on both Alice Street and 14th Street to accommodate the short-term demand.

Pedestrian Access, on-Site Circulation, and Impacts

Based on mode split estimation, the proposed project would generate 21 pedestrian trips in the AM peak hour and 28 pedestrian trips in the AM peak hour. Pedestrians are served in the vicinity of the project by sidewalks along both sides of the street. Crosswalks are located at all signalized intersections providing crossing opportunities every 300 feet of sidewalk. The LMSAP does not call for any pedestrian improvements adjacent to the project site, but a number of enhancements such as corner bulb outs, pedestrian scrambles, and flashing pedestrian signage are called for. Since the proposed project is not proposing any changes to the public right-of-way or any of these planned improvements, no additional pedestrian impacts are anticipated.

The proposed project would provide adequate pedestrian facilities throughout the site with the primary pedestrian access via a residential lobby on Alice Street. The retail spaces would have separate access on 14th Street. Additional staircases on both 14th and Alice Streets would provide direct pedestrian access to the garage. With the proposed project, sidewalks along the project frontage should be wide enough to accommodate potential sidewalk encroachment (e.g., bicycle racks and planted trees) and continue to provide five feet of space for pedestrians.

Currently, diagonal curb ramps are provided on all corners of both study intersections and marked crosswalks are provided on all approaches of both intersections. Neither intersection provides any pedestrian signal heads. While not required to address a CEQA impact, the following measure is recommended:

> **Recommendation TRA-2:** While not required to address a CEQA impact, the following should be considered as part of the final design for the project:
>
> a) Explore the feasibility rebuilding the existing corner curbs to match the existing curbs along Alice Street at the Alice Street/14th Street intersection and install directional curb ramps at all four corners of both study intersections. Considering that fire hydrants, signal poles, and/or light poles are provided at all the corners, construction of curb extensions (bulbouts) may also be required to provide directional curb ramps.
> b) Install pedestrian signal heads for all four pedestrian crossings at both study intersections.

Transit Access and Impacts

Transit service providers in the project vicinity include Bay Area Rapid Transit (BART) and AC Transit. The nearest BART station to the project site is the 12th Street BART Station, about five blocks west. The Lake Merritt BART station also is close at approximately half of one mile from the project site. AC Transit operates multiple major bus routes in the vicinity of the project site with bus stops within a block on 14th Street at Harrison Street and at Jackson Street. The proposed project would not modify access between the project site and bus stops in the vicinity of the project; nor would it modify access between the project site and the BART Station. This would be a less than significant impact.

The proposed project is anticipated to generate approximately 28 transit trips during the AM peak hour 36 transit trips during the PM peak hour. These transit trips would be served in the immediate vicinity by the 12th Street BART station and multiple AC Transit routes. Once these trips are distributed to these various transit options, these additional trips are not expected to significantly affect transit service in the area. Similarly, additional transit riders would not significantly affect transit service from a capacity perspective. Therefore, no new impacts not studied as part of the LMSAP EIR are anticipated.

Loading Requirements

In accordance with City Municipal Code Section 17.116.140, the proposed project is required to provide one loading space for the residential component and no loading spaces for the non-residential component of the project. The proposed project would provide a residential loading area on the first floor. This would be a less than significant impact.

Emergency Access

The proposed project is not expected to result in inadequate emergency access because it would not interfere with vehicle traffic and emergency access off of the public street. Therefore, the project is not expected to cause a change to the emergency access points for the project site and surrounding parcels.

Consistency with Adopted Policies, Plans or Programs Supporting Alternative Transportation

The proposed project is consistent with applicable policies, plans and programs, and would not cause a significant impact by conflicting with adopted policies, plans, or programs supporting public transit, bicycles, or pedestrians. The *City of Oakland General Plan LUTE*, as well as the City's Public Transit and Alternative Mode and Complete Streets policies, state a strong preference for encouraging the use of non-automobile transportation modes, such as transit, bicycling, and walking. The proposed project would encourage the use of non-automobile transportation modes by providing residential and commercial uses in a dense, walkable urban environment that is well-served by local and regional transit.

The proposed project is consistent with both the City's *Pedestrian Master Plan* (PMP) and *Bicycle Master Plan* by not making major modifications to existing pedestrian or bicycle facilities in the surrounding areas and would not adversely affect installation of future facilities. Further, the proposed project would adhere to City of Oakland SCAs that would require the preparation and implementation of a TDM Plan because the proposed project would generate more than 50 peak hour trips (see SCA TRA-3 in Attachment A to this document).

Overall, the proposed project would not conflict with adopted City policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. This is a less than significant impact; no mitigation measures are required.

Parking Considerations

Although parking does not relate to environmental impacts required for evaluation under CEQA, this section summarizes parking requirements, supply and demand for automobiles and bicycles; greater detail is provided in Appendix A to this document.

Vehicle Parking Requirements, Supply, and Demand

A portion of the Project is located within the City of Oakland Municipal code's Zone CBD-C with the remaining portion in the D-LM-2 Zone. The area within the D-LM-2 Zone allows 69 units with a 0.75:1 parking requirement, totaling 52 stalls. The area within the CBD-C Zone allows 57 units with a 1:1 parking requirement that can be reduced by 50 percent to 29 stalls upon the granting of a Conditional Use Permit. **Table TRA-6** presents the off-street automobile parking requirement for the project. The project requires 81spaces and will provide 81 spaces with an additional 10 tandem spaces totaling 91 spaces.

TABLE TRA-6
AUTOMOBILE PARKING CODE REQUIREMENTS[1]

Use	Units[2]	Code Requirement	Parking Required
Residential D-LM-2 Zone	69 DU	¾ space per unit[3]	52
Residential CBD-C Zone	57 DU	½ space per unit[4]	29
Commercial	3.2 KSF	none[5]	0
Total Parking Required			81
Parking Supply			81 (91 including tandem spaces)

[1] As previously mentioned, the current project description includes 126 multi-family residential units and 3,200 square feet of ground floor retail. While the traffic analysis reflects a worst-case larger project, that included 174 units, the following assessments of automobile and bicycle parking have been updated to reflect the current project description.
[2] DU = dwelling unit; KSF = 1,000 square feet
[3] City Municipal Code Section 17.116.060 for multi-family dwellings in Zone D-LM-2.
[4] City of Oakland off-street parking requirement for residential in Zone CBD-C is one space per unit that can be reduced by 50 percent upon the granting of a Conditional Use Permit.
[5] City Municipal Code Section 17.116.080 for commercial uses in Zone D-LM-2.

SOURCE: Fehr & Peers, 2015.

As described in the Project Description, the proposed project would provide 81 regular parking spaces, with an additional 10 spaces being provided in a tandem configuration (for a total of 91 spaces with the implementation of tandem parking). Approximately 48 parking spaces would be provided on the first floor in stackers; another 21 regular parking spaces and 3 tandem parking spaces would be provided on the mezzanine level, and 22 regular parking spaces and 7 tandem parking spaces would be provided on the second floor. All parking spaces would be accessible via the garage driveway on Alice Street. The Project will also provide a loading space directly north of the project driveway. The loading space would be accessed through the garage curb-cut.

It is expected that residential visitors and retail patrons would use metered on-street parking currently provided adjacent to the project site. It is expected that the proposed project would add one on-street parking space where the existing driveway on 14th Street would be eliminated. However, the proposed driveway on Alice Street may require eliminating up to two on-street parking spaces to meet sight distance requirements. Although the exact net effect of the proposed project on on-street parking is not known at this time, it is expected that the overall on-street parking supply would slightly decrease or remain the same as current conditions.

Table TRA-7 compares the parking supply with the project residential parking demand by using census data on average vehicle ownership rates in downtown Oakland (see Appendix B). Assuming that parking demand for all project components would peak at the same time, the project peak parking demand would be about 95 spaces, resulting in a deficit of 14 spaces (4 spaces when considering the 10 tandem spaces). It is estimated that the proposed project would provide adequate spaces to meet the parking demand of residents. The parking demand generated by the residential and retail visitors would be accommodated by on-street parking.

TABLE TRA-7
PROJECT VEHICLE PARKING SUPPLY AND DEMAND

Use	Units[1]	Parking Demand Rate	Parking Demand
Apartment (Residents)	126 DU	0.63[2]	79
Apartment (Visitors)	126 DU	0.06[3]	8
Retail	3.2 KSF	2.55[4]	8
Parking Demand			**95**
Parking Supply			**81 (91 with tandem)**
Parking Deficit			**14 (4 with tandem)**

[1] DU = dwelling unit; KSF = 1,000 square feet
[2] Based on 2013 ACS average automobile ownership of 0.63 vehicles per residential unit.
[3] Based on adjusted (using non-auto reduction of 43%) rate of 0.06 spaces per DU using ULI Shared Parking.
[4] ITE *Parking Generation* (4th Edition) land use category 820 (shopping center)
[5] Weekdays: Average rate (Non-Friday, Non-December) = 2.55 spaces per KSF.

SOURCE: Fehr & Peers, 2015.

Bicycle Parking Requirements, Supply, and Demand

For new buildings, the Oakland Municipal Code (Section 17.117) requires one long-term bicycle parking for every four multi-family dwelling units and one short-term bicycle parking space for every 20 multi-family dwelling units. Long-term bicycle parking includes lockers or locked enclosures and short-term bicycle parking includes bicycle racks. The Code also requires two long- and short-term spaces for the commercial component of the proposed project. Overall, as presented in **Table TRA-8**, the project would be required to provide 34 long-term and eight short-term bicycle parking spaces. The proposed project would provide 42 long-term bicycle parking spaces adjacent to the residential lobby with direct access on Alice Street, along with eight short-term bicycle racks on both Alice Street and 14th Street, thereby exceeding the minimum requirements for long-term spaces, and meeting the requirement for short-term spaces.

TABLE TRA-8
PROJECT BICYCLE PARKING REQUIREMENTS

Land Use	Unit[1]	Long-Term		Short-Term	
		Spaces per Unit	Spaces	Spaces per Unit	Spaces
Apartment	126 DU	1:4 DU	32	1:20 DU	6
Commercial	3.2 KSF	Min.	2	Min.	2
Total Required Bicycle Spaces			34		8
Total Bicycle Parking Provided			42		8
Bicycle Parking Surplus/Deficit			**8**		**0**

[1] DU = dwelling unit; KSF = 1,000 square feet
[2] Based on Oakland Municipal Code Sections 17.117.090 and 17.117.110

SOURCE: Fehr & Peers, 2015.

Conclusion

The proposed project would not result in significant impacts to the project study intersections, either under the Existing Plus Project conditions or the Cumulative 2040 Plus Project conditions. Based on

an examination of the analysis, findings, and conclusions of the LMSAP EIR and the Previous CEQA Documents, implementation of the proposed project would not substantially increase the severity of significant impacts identified in the LMSAP EIR or the Previous CEQA Documents, nor would it result in new significant impacts related to transportation and circulation that were not identified in the LMSAP EIR or the Previous CEQA Documents, as summarized below.

The LMSAP EIR previously identified a significant impact at the Jackson Street and Seventh Street intersection under Cumulative 2035 conditions, and identified no feasible mitigation measures to reduce the impact and thus the impact remains significant unavoidable. The proposed project would contribute to the significant unavoidable impact at the Jackson Street and Seventh Street intersection under 2040 Plus Project conditions. The impact of the proposed project is considered equal to or less severe than that previously identified in the LMSAP EIR.

Additionally, pedestrian, bicycle, transit, emergency access, and design and incompatible use considerations with the proposed project would be less than significant and consistent with that identified in the LMSAP EIR. The proposed project would not result in any other transportation related significant impacts.

Further, implementation of **SCA TRA-1, Construction Activity in the Public Right-of-Way**, **SCA TRA-2, Bicycle Parking**, **SCA TRA-3, Transportation Improvements**, and **SCA TRA-4, Transportation and Parking Demand Management** would be applicable to the proposed project and would ensure that transportation and circulation-related impacts associated with the proposed project would be less than significant (see Attachment A). No mitigation measures are required. The project sponsor would implement recommended measures identified in the transportation analysis completed for the proposed project that address vehicular access and safety, bicycle parking supply and access, and pedestrian circulation and safety.

14. Utilities and Service Systems

Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
a. Exceed wastewater treatment requirements of the San Francisco Bay Regional Water Quality Control Board; Require or result in construction of new storm water drainage facilities or expansion of existing facilities, construction of which could cause significant environmental effects; 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;	☒	☐	☐
b. 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;	☒	☐	☐
c. 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; Violate applicable federal, state, and local statutes and regulations related to solid waste;	☒	☐	☐
d. Violate applicable federal, state and local statutes and regulations relating to energy standards; or 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.	☒	☐	☐

Previous CEQA Documents Findings

The Redevelopment Plan Amendments EIR found less-than-significant impacts related to water, wastewater, or stormwater facilities, solid waste, and energy finding no mitigation measures were warranted but adhering to certain City of Oakland SCAs. The 1998 LUTE EIR identified significant effects regarding these topics and identified mitigation measures that reduced the effects to less than significant.

LMSAP Findings

The LMSAP EIR identified less-than-significant impacts to utilities and service systems, with the incorporation of City of Oakland SCAs in certain instances where new infrastructure would be required to be constructed. The LMSAP EIR determined that the capacity of existing service systems would meet increased service demand of development analyzed for the LMSAP; wastewater demand would not exceed wastewater treatment requirements or capacity, surface water runoff would not exceed the capacity of the storm drain system, water demand would not exceed available water supplies, and solid waste generated would not exceed landfill capacity.

Project Analysis

Water, Wastewater, and Stormwater (Criteria 14a and 14b)

As the proposed project is located in an already built out urban area, no new infrastructure would be required for the proposed project. Development of the proposed project may increase sewer demand; however, implementation of SCAs requiring stormwater control during and after construction would address any potential impacts on stormwater treatment and sanitary sewer as a result of the proposed project. Therefore, the proposed project would not result in any new or more substantial impacts on water and sewer services than those identified in the LMSAP EIR and, with the implementation of SCAs requiring stormwater control during and after construction, the impact on water and sewer services would remain less than significant.

Solid Waste Services (Criterion 14c)

As described in the LMSAP EIR, impacts associated with solid waste as a result of the proposed project would remain less than significant. Nonhazardous solid waste from the development of the proposed project would be ultimately hauled to the Altamont Landfill and Resource Facility, which has 74 percent capacity remaining and an estimated closure date of January 2025, and hence would have sufficient capacity to accept waste generated by development of the proposed project. The proposed project also would comply with City of Oakland SCAs pertaining to waste reduction and recycling. Therefore, the impact regarding solid waste services would remain less than significant as identified in the LMSAP EIR.

Energy (Criterion 14d)

The proposed project would result in less-than-significant impacts related to energy standards and use, and would comply with the standards of Title 24 of the California Code of Regulations. In addition, City of Oakland SCAs pertaining to compliance with the green building ordinance would require construction projects to incorporate energy-conserving design measures, which would ensure the proposed project's impacts on energy would remain less than significant.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the 2014 LMSAP EIR and the Previous CEQA Documents, implementation of the proposed project would not substantially increase the severity of significant impacts identified in the LMSAP EIR or Previous CEQA Documents, nor would it result in new significant impacts related to utilities and service systems that were not identified in the LMSAP EIR or the Previous CEQA Documents. The LMSAP EIR

did not identify any mitigation measures related to utilities and service systems, and none would be required for the proposed project. 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, Green Building Requirements; SCA UTIL-5, Sanitary Sewer System; SCA UTIL-6, Storm Drain System; SCA UTIL-7, Recycled Water**; **SCA HYD-1, Erosion and Sedimentation Control Plan for Construction; and SCA HYD-2, Site Design Measures to Reduce Stormwater Runoff** (see Attachment A), as well as compliance with Title 24 and CALGreen requirements would ensure that impacts to sewer capacity, stormwater drainage facilities, solid waste services, and energy would be less than significant.

VII. References

(All references cited below are available at the Oakland Bureau of Planning, Agency, 250 Frank Ogawa Plaza, Suite 3330, Oakland, California, unless specified otherwise.)

Lake Merritt Station Area Plan EIR

City of Oakland, Draft EIR, 2014.

City of Oakland, Final EIR, 2014.

Housing Element Update

City of Oakland, Draft EIR for the 2007-2015 Housing Element Update, 2009.

City of Oakland, Final EIR for the 2007-2015 Housing Element Update, 2010.

City of Oakland, 2015-2023 Housing Element Addendum to the 2010 Housing Element EIR, 2014.

Central District Urban Renewal Plan Amendment (Redevelopment Plan)

Oakland Redevelopment Agency, Draft EIR for the Proposed Amendments to the Central District Urban Renewal Plan, March 2011.

Oakland Redevelopment Agency, Final EIR for the Proposed Amendments to the Central District Urban Renewal Plan, June 2011.

Oakland Redevelopment Agency, 2012. *Central District Urban Renewal Plan*, Adopted June 12. 1969, as amended through April 3, 2012.

General Plan Land Use and Transportation Element

City of Oakland, 1998 LUTE Draft EIR, [month] 1997.

City of Oakland, 1998 LUTE Final EIR, February 1998.

City of Oakland, 2007. Land Use and Transportation Element of the Oakland General Plan, March 24, 1998, amended to June 21, 2007.

Plan Bay Area

Metropolitan Transportation Commission and Association of Bay Area Governments, 2014. Plan Bay Area, Strategy for a Sustainable Region. Adopted July 18, 2014.

Oakland Planning Code

City of Oakland, 2014. City of Oakland Planning Code. CEDA: Planning and Zoning. http://www2.oaklandnet.com/oakca1/groups/ceda/documents/report/oak032032.pdf, accessed February 14, 2014.

Attachments

A. Standard Conditions of Approval and Mitigation Monitoring and Reporting Program
B. Criteria for Use of Addendum, Per CEQA Guidelines Sections 15162, 15164, and 15168
C. Project Consistency with Community Plan or Zoning, Per CEQA Guidelines Section 15183
D. Infill Performance Standards, Per CEQA Guidelines Section 15183.3

Appendices

A. Transportation Study (and LOS sheets)
B. Wind Report

ATTACHMENT A

Standard Conditions of Approval and Mitigation Monitoring and Reporting Program

This Standard Conditions of Approval ("SCAs") and Mitigation Monitoring and Reporting Program ("SCAMMRP") is based on the CEQA Analysis prepared for the 250 14th Street Mixed-Use Project.

This SCAMMRP is in compliance with Section 15097 of the CEQA Guidelines, which requires that the Lead Agency "adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects." The SCAMMRP lists mitigation measures recommended in the 2014 LMSAP EIR that apply to the proposed project. The SCAMMRP also lists other SCAs that apply to the proposed project, most of which were identified in the LMSAP EIR and some of which have been subsequently updated or otherwise modified by the City. Specifically, on July 22, 2015, the City of Oakland released a revised set of all City of Oakland SCAs, which largely still include SCAs adopted by the City in 2008, along with supplemental, modified, and new SCAs. The SCAs are measures that would minimize potential adverse effects that could result from implementation of the proposed project, to ensure the conditions are implemented and monitored. The revised set of the City of Oakland SCAs includes new, modified, and reorganized SCAs; however, none of the revisions diminish or negate the ability of the SCAs considered "environmental protection measures" to minimize potential adverse environmental effects. As such, the SCAs identified in the SCAMMRP reflect the current SCAs only. Although the SCA numbers listed below may not correspond to the SCA numbers in the 2014 LMSAP EIR, all of the environmental topics and potential effects addressed by the SCAs in the LMSAP EIR are included in this SCAMMRP (as applicable to the 250 14th Street Project). This SCAMMRP also identifies the mitigation monitoring requirements for each mitigation measure and SCA.

This CEQA Analysis is also based on the analysis in the following Program EIRs that apply to the 250 14th Street Mixed-Use Project: Oakland's 1998 General Plan Land Use and Transportation Element ("LUTE") EIR ("1998 LUTE EIR"), the 2010 General Plan Housing Element Update EIR and 2014 Addendum, and the 2011 Central District Urban Renewal Plan Amendments EIR (or "Redevelopment Plan Amendments EIR"). None of the mitigation measures or SCAs from these Program EIRs are included in this SCAMMRP because they, or an updated or equally effective mitigation measure or SCA, is identified in the 2014 LMSAP EIR, its addenda, or in this CEQA Analysis for the 250 14th Street Mixed-Use Project.

To the extent that there is any inconsistency between any mitigation measures and/or SCAs, the more restrictive conditions shall govern; to the extent any mitigation measure and/or SCA

identified in the CEQA Analysis were inadvertently omitted, they are automatically incorporated herein by reference.

- The first column of the SCAMMRP table identifies the mitigation measure or SCA applicable to that topic in the CEQA Analysis. While a mitigation measure or SCA can apply to more than one topic, it is listed in its entirety only under its primary topic (as indicated in the mitigation or SCA designator). The SCAs are numbered to specifically apply to the 250 14th Street Mixed-Use Project and this CEQA Analysis; however, the SCAs as presented in the City's *Standard Conditions of Approval and Uniformly Applied Development Standards* document[25] are included in parenthesis for cross-reference purposes.
- The second column identifies the monitoring schedule or timing applicable to the Project.
- The third column names the party responsible for monitoring the required action for the Project.

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

[25] Dated July 22, 2015, as amended.

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	**Responsibility**
General		
SCA GEN-1 (Standard Condition Approval 15) *Regulatory Permits and Authorizations from Other Agencies* Requirement: The project applicant shall obtain all necessary regulatory permits and authorizations from applicable resource/regulatory agencies including, but not limited to, the Regional Water Quality Control Board, Bay Area Air Quality Management District, Bay Conservation and Development Commission, California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, and Army Corps of Engineers and shall comply with all requirements and conditions of the permits/authorizations. The project applicant shall submit evidence of the approved permits/authorizations to the City, along with evidence demonstrating compliance with any regulatory permit/authorization conditions of approval.	Prior to activity requiring permit/authorization from regulatory agency.	City of Oakland Bureau of Planning and Building
Aesthetics, Shadow, and Wind		
SCA AES-1 (Standard Condition of Approval 16) *Graffiti Control* 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). 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).	Ongoing.	City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA AES-2 (Standard Condition of Approval 17) *Landscape Plan* a) Landscape Plan Required The project applicant shall submit a final Landscape Plan for City review and approval that is consistent with the approved Landscape Plan. The Landscape Plan shall be included with the set of drawings submitted for the construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code. b) Landscape Installation The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of City Planning, is provided. The financial instrument shall equal the greater of $2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid.	a. Prior to approval of construction-related permit. b. Prior to building permit final. c. Ongoing	a. City of Oakland Bureau of Planning and Building b. City of Oakland Bureau of Building Services Division, Zoning Inspections c. City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	**Responsibility**
Aesthetics, Shadow, and Wind (cont.)		
c) Landscape Maintenance All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.		
SCA AES-3 (Standard Condition of Approval 18): *Lighting* Proposed new exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties.	Prior to building permit final.	City of Oakland Bureau of Building Services Division, Zoning Inspections
Also **SCA UTIL-2, Underground Utilities.** See *Utilities and Service Systems*, below.		
Air Quality		
SCA AIR-1 (Standard Condition of Approval 19) *Construction-Related Air Pollution Controls (Dust and Equipment Emissions)* The project applicant shall implement all of the following applicable air pollution control measures during construction of the project: a. Water all exposed surfaces of active construction areas at least twice daily (using reclaimed water if possible). 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 possible. b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer). c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. d. Pave all roadways, driveways, sidewalks, etc., as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. e. Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.). f. Limit vehicle speeds on unpaved roads to 15 miles per hour. g. Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points. h. Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations"). i. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. j. Portable equipment shall be powered by electricity if available. If electricity is not available, propane or natural gas shall be used if feasible. Diesel engines shall only be used if electricity is not available and it is not feasible to use propane or natural gas.	During construction.	City of Oakland Bureau of Planning and Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	**Responsibility**
Air Quality (cont.)		
SCA AIR-2 (Standard Condition of Approval 21) *Stationary Sources of Air Pollution (Toxic Air Contaminants)* The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to on-site stationary sources of toxic air contaminants. The project applicant shall choose <u>one</u> of the following methods: b. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk associated with proposed stationary sources of pollution in the project. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City. - or – c. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City: i. Installation of non-diesel fueled generators, if feasible, or; ii. Installation of diesel generators with an EPA-certified Tier 4 engine or engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy, if feasible.	Prior to approval of construction-related permit.	City of Oakland Bureau of Planning and Building
Biological Resources		
SCA BIO-1 (Standard Condition of Approval 27): *Tree Permit* ***a. Tree Permit Required*** Pursuant to the City's Tree Protection Ordinance (OMC chapter 12.36), the project applicant shall obtain a tree permit and abide by the conditions of that permit. ***b. Tree Protection During Construction*** <u>Requirement</u>: Adequate protection shall be provided during the construction period for any trees which are to remain standing, including the following, plus any recommendations of an arborist: i. Before the start of any clearing, excavation, construction, or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the project's consulting arborist. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree. ii. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the project's consulting arborist from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree.	a. Prior to approval of construction-related permit b. During construction.	a. City of Oakland Public Works Department, Tree Division; Bureau of Buildings b. City of Oakland Public Works Department, Tree Division; Bureau of Buildings

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	**Responsibility**
Biological Resources (cont.)		
iii. No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the project's consulting arborist from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the project's consulting arborist. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree. iv. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration. v. If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Department and the project's consulting arborist shall make a recommendation to the City Tree Reviewer as to whether the damaged tree can be preserved. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed. vi. All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations.		
Cultural Resources		
SCA CUL-1 (Standard Condition of Approval 29): *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,	During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	**Responsibility**
Cultural Resources (cont.)		
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 (Standard Condition of Approval 30): *Archaeologically Sensitive Areas – Pre-Construction Measures* Requirement: The project applicant shall implement either Provision A (Intensive Pre-Construction Study) or Provision B (Construction ALERT Sheet) concerning archaeological resources. **Provision A: Intensive Pre-Construction Study.** The project applicant shall retain a qualified archaeologist to conduct a site-specific, intensive archaeological resources study for review and approval by the City prior to soil-disturbing activities occurring on the project site. The purpose of the site-specific, intensive archaeological resources study is to identify early the potential presence of history-period archaeological resources on the project site. At a minimum, the study shall include: a. Subsurface presence/absence studies of the project site. Field studies may include, but are not limited to, auguring and other common methods used to identify the presence of archaeological resources. b. A report disseminating the results of this research. c. Recommendations for any additional measures that could be necessary to mitigate any adverse impacts to recorded and/or inadvertently discovered cultural resources. If the results of the study indicate a high potential presence of historic-period archaeological resources on the project site, or a potential resource is discovered, the project applicant shall hire a qualified archaeologist to monitor any ground disturbing activities on the project site during construction and prepare an ALERT sheet pursuant to Provision B below that details what could potentially be found at the project site. Archaeological monitoring would include briefing construction personnel about the type of artifacts that may be present (as referenced in the ALERT sheet, required per Provision B below) and the procedures to follow if any artifacts are encountered, field recording and sampling in accordance with the Secretary of Interior's Standards and Guidelines for Archaeological Documentation, notifying the appropriate officials if human remains or cultural resources are discovered, and preparing a report to document negative findings after construction is completed if no archaeological resources are discovered during construction. **Provision B: Construction ALERT Sheet.** The project applicant shall prepare a construction "ALERT" sheet developed by a qualified archaeologist for review and approval by the City prior to soil-disturbing activities occurring on the project site. The ALERT sheet shall contain, at a minimum, visuals that depict each type of artifact that could be encountered on the project site. Training by the qualified archaeologist shall be provided to the project's prime contractor, any project subcontractor firms (including demolition, excavation, grading, foundation, and pile driving), and utility firms involved in soil- disturbing activities within the project site. The ALERT sheet shall state, in addition to the basic archaeological resource protection measures contained in other standard conditions of approval, all work must stop and the City's Environmental Review Officer contacted in the event of discovery of the following cultural materials: concentrations of shellfish remains; evidence of fire (ashes, charcoal, burnt earth, fire-cracked rocks);	Prior to approval of construction-related permit; during construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	**Responsibility**
Cultural Resources (cont.)		
concentrations of bones; recognizable Native American artifacts (arrowheads, shell beads, stone mortars [bowls], humanly shaped rock); building foundation remains; trash pits, privies (outhouse holes); floor remains; wells; concentrations of bottles, broken dishes, shoes, buttons, cut animal bones, hardware, household items, barrels, etc.; thick layers of burned building debris (charcoal, nails, fused glass, burned plaster, burned dishes); wood structural remains (building, ship, wharf); clay roof/floor tiles; stone walls or footings; or gravestones. Prior to any soil-disturbing activities, each contractor shall be responsible for ensuring that the ALERT sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, and supervisory personnel. The ALERT sheet shall also be posted in a visible location at the project site.		
SCA CUL-3 (Standard Condition of Approval SCA 31): *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.	During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections
Geology, Soils, and Geohazards		
SCA GEO-1 (Standard Condition of Approval 33): *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.	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA GEO-2 (Standard Condition of Approval 34): *Soils Report* Requirement: The project applicant shall submit a soils report prepared by a registered geotechnical engineer for City review and approval. The soils report shall contain, at a minimum, field test results and observations regarding the nature, distribution and strength of existing soils, and recommendations for appropriate grading practices and project design. The project applicant shall implement the recommendations contained in the approved report during project design and construction.	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
Greenhouse Gases and Climate Change		
See **SCA AES-2, Landscape Plan**. See *Aesthetics, Wind, and Shadow*, above.		
See **SCA AIR-1, Construction-Related Air Pollution Controls (Dust and Equipment Emissions)**. See *Air Quality,* above.		
See **SCA UTIL-1, Construction and Demolition Waste Reduction and Recycling**. See *Utilities and Service Systems*, below.		
See **SCA UTIL-4, Green Building Requirements**. See *Utilities and Service Systems*, below.		

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	**Responsibility**
Hazards and Hazardous Materials		
SCA HAZ-1 (Standard Condition of Approval 39): *Hazards 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.	During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections
Hydrology and Water Quality		
SCA HYD-1 (Standard Condition of Approval 45): *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. ***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.	a. Prior to approval of construction-related permit. b. During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	**Responsibility**
Hydrology and Water Quality (cont.)		
SCA HYD-2 (Standard Condition of Approval 48): *Site Design Measures to Reduce Stormwater Runoff* Requirement: Pursuant to Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES), the project applicant is encouraged to incorporate appropriate site design measures into the project to reduce the amount of stormwater runoff. These measures may include, but are not limited to, the following: a. Minimize impervious surfaces, especially directly connected impervious surfaces and surface parking areas; b. Utilize permeable paving in place of impervious paving where appropriate; c. Cluster structures; d. Direct roof runoff to vegetated areas; e. Preserve quality open space; and f. Establish vegetated buffer areas.	Ongoing.	N/A
SCA HYD-3 (Standard Condition of Approval 50): *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:	Prior to building permit final.	City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	**Responsibility**
Hydrology and Water Quality (cont.)		
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.		
Also **SCA GEO-1, Construction-Related Permit(s).** See *Geology, Soils, and Geohazards*, above.		
Also **SCA GEO-2, Soils Report.** See *Geology, Soils, and Geohazards*, above.		
Also **SCA UTIL-6, Storm Drain System**. See *Utilities and Service Systems*, below.		
Noise		
SCA NOI-1 (Standard Condition of Approval 58) *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.	During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA NOI-2: (Standard Condition of Approval 59) *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.	During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	**Responsibility**
Noise (cont.)		
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.		
SCA NOI-3 (Standard Condition of Approval 60) *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. ***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.	a. Prior to approval of construction-related permit. b. During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	**Responsibility**
Noise (cont.)		
SCA NOI-4 (Standard Condition of Approval 61) *Project-Specific Construction Noise Reduction Measures* Requirement: The project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site- specific noise attenuation measures to further reduce construction noise impacts. The project applicant shall implement the approved Plan during construction	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA NOI-5 (Standard Condition of Approval 62) *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.	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA NOI-6 (Standard Condition of Approval 63) *Exposure to Community Noise* Requirement: The project applicant shall submit a Noise Reduction Plan prepared by a qualified acoustical engineer for City review and approval that contains noise reduction measures (e.g., sound-rated window, wall, and door assemblies) to achieve an acceptable interior noise level in accordance with the land use compatibility guidelines of the Noise Element of the Oakland General Plan. The applicant shall implement the approved Plan during construction. To the maximum extent practicable, interior noise levels shall not exceed the following: a. 45 dBA: Residential activities, civic activities, hotels b. 50 dBA: Administrative offices; group assembly activities c. 55 dBA: Commercial activities d. 65 dBA: Industrial activities	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA NOI-7 (Standard Condition of Approval 64) *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.	Ongoing.	City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA NOI-8 (Standard Condition of Approval 66) *Vibration Impacts on Adjacent Historic Structures or Vibration-Sensitive Activities* *Requirement*: The project applicant shall submit a Vibration Analysis prepared by an acoustical and/or structural engineer or other appropriate qualified professional for City review and approval that establishes pre-construction baseline conditions and threshold levels of vibration that could damage the structure and/or substantially interfere with activities located at 260 13th Street and 274 14th Street. The Vibration Analysis shall identify design means and methods of construction that shall be utilized in order to not exceed the thresholds. The applicant shall implement the recommendations during construction.	Prior to construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	**Responsibility**
Transportation and Circulation		
SCA TRA-1 (Standard Condition of Approval 68) *Construction Activity in the Public Right-of-Way* ***a. Obstruction Permit Required*** Requirement: The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets and sidewalks. ***b. Traffic Control Plan Required*** Requirement: In the event of obstructions to vehicle or bicycle travel lanes, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian detours, including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The project applicant shall implement the approved Plan during construction. ***c. Repair of City Streets*** Requirement: The project applicant shall repair any damage to the public right-of way, including streets and sidewalks caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.	a. Prior to approval of construction-related permit. b. Prior to approval of construction-related permit. c. Prior to building permit final.	a. City of Oakland Bureau of Building Services Division, Zoning Inspections b. Public Works Department, Transportation Services Division c. City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA TRA-2 (Standard Condition of Approval 69) *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.	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA TRA-3 (Standard Condition of Approval 70) *Transportation Improvements* Requirement: The project applicant shall implement the recommended on- and off-site transportation-related improvements contained within the Transportation Impact Study for the project (e.g., signal timing adjustments, restriping, signalization, traffic control devices, roadway reconfigurations, and pedestrian and bicyclist amenities). The project applicant is responsible for funding and installing the improvements, and shall obtain all necessary permits and approvals from the City and/or other applicable regulatory agencies such as, but not limited to, Caltrans (for improvements related to Caltrans facilities) and the California Public Utilities Commission (for improvements related to railroad crossings), prior to installing the improvements. To implement this measure for intersection modifications, the project applicant shall submit Plans, Specifications, and Estimates (PS&E) to the City for review and approval. All elements shall be designed to applicable City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements as required by the City. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for, among other items, the elements listed below: a. 2070L Type Controller with cabinet accessory b. GPS communication (clock) c. Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile)	Prior to building permit final or as otherwise specified.	City of Oakland Bureau of Building Services Division, Zoning Inspections; Public Works Department, Transportation Services Division

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	**Responsibility**
Transportation and Circulation (cont.)		
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		
SCA TRA-4 (Standard Condition of Approval 71) *Transportation and Parking Demand Management* ***a. Transportation and Parking Demand Management (TDM) Plan Required*** Requirement: The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City. • The goals of the TDM Plan shall be the following: a. Reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable, consistent with the potential traffic and parking impacts of the project. b. Achieve the following project vehicle trip reductions (VTR): a. Projects generating 50-99 net new a.m. or p.m. peak hour vehicle trips: 10 percent VTR b. Projects generating 100 or more net new a.m. or p.m. peak hour vehicle trips: 20 percent VTR c. Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate. d. Enhance the City's transportation system, consistent with City policies and programs. • TDM strategies to consider include, but are not limited to, the following: e. Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement. f. Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping.	a. Prior to building permit final. b. Prior to building permit final c. Ongoing	a. City of Oakland Bureau of Planning and Building b. City of Oakland Bureau of Building Services Division, Zoning Inspections c. City of Oakland Bureau of Planning and Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
Transportation and Circulation (cont.)		
g. Installation of safety elements per the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.) to encourage convenient and safe crossing at arterials, in addition to safety elements required to address safety impacts of the project.		
h. Installation of amenities such as lighting, street trees, and trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan.		
i. Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements.		
j. Direct on-site sales of transit passes purchased and sold at a bulk group rate (through programs such as AC Transit Easy Pass or a similar program through another transit agency).		
k. Provision of a transit subsidy to employees or residents, determined by the project applicant and subject to review by the City, if employees or residents use transit or commute by other alternative modes.		
l. Provision of an ongoing contribution to transit service to the area between the project and nearest mass transit station prioritized as follows: 1) Contribution to AC Transit bus service; 2) Contribution to an existing area shuttle service; and 3) Establishment of new shuttle service. The amount of contribution (for any of the above scenarios) would be based upon the cost of establishing new shuttle service (Scenario 3).		
m. Guaranteed ride home program for employees, either through 511.org or through separate program.		
n. Pre-tax commuter benefits (commuter checks) for employees.		
o. Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants.		
p. On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools.		
q. Distribution of information concerning alternative transportation options.		
r. Parking spaces sold/leased separately for residential units. Charge employees for parking, or provide a cash incentive or transit pass alternative to a free parking space in commercial properties.		
s. Parking management strategies including attendant/valet parking and shared parking spaces.		
t. Requiring tenants to provide opportunities and the ability to work off-site.		
u. Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite (e.g., working four, ten-hour days; allowing employees to work from home two days per week).		
v. Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours.		
The TDM Plan shall indicate the estimated VTR for each strategy, based on published research or guidelines where feasible. For TDM Plans containing ongoing operational VTR strategies, the Plan shall include an ongoing monitoring and enforcement program to ensure the Plan is implemented on an ongoing basis during project operation. If an annual compliance report is required, as explained below, the TDM Plan shall also specify the topics to be addressed in the annual report.		

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	**Responsibility**
Transportation and Circulation (cont.)		
b. TDM Implementation – Physical Improvements Requirement: For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/approvals from the City and install the improvements prior to the completion of the project. ***c. TDM Implementation – Operational Strategies*** Requirement: For projects that generate 100 or more net new a.m. or p.m. peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR achieved by the project during operation. If deemed necessary, the City may elect to have a peer review consultant, paid for by the project applicant, review the annual report. If timely reports are not submitted and/or the annual reports indicate that the project applicant has failed to implement the TDM Plan, the project will be considered in violation of the Conditions of Approval and the City may initiate enforcement action as provided for in these Conditions of Approval. The project shall not be considered in violation of this Condition if the TDM Plan is implemented but the VTR goal is not achieved.		
Utilities and Service Systems		
SCA UTIL-1 (Standard Condition of Approval 74) *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.	Prior to approval of construction-related permit	City of Oakland Public Works Department, Environmental Services Division
SCA UTIL-2 (Standard Condition of Approval 75) *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.	During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA UTIL-3 (Standard Condition of Approval 76) *Recycling Collection and Storage Space* Requirement: The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two cubic feet of storage and collection space per residential unit is required, with a minimum of ten cubic feet. For nonresidential projects, at least two cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten cubic feet.	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	**Responsibility**
Utilities and Service Systems (cont.)		
SCA UTIL-4 (Standard Condition of Approval 77) *Green Building Requirements* ***a. Compliance with Green Building Requirements During Plan-Check*** Requirement: The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code). i. The following information shall be submitted to the City for review and approval with the application for a building permit: • Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards. • Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit. • Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit. • Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below. • Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance. • Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit. • Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. ii. The set of plans in subsection (i) shall demonstrate compliance with the following: • CALGreen mandatory measures. • All pre-requisites per the green building checklist approved during the review of the Planning and Zoning permit, or, if applicable, all the green building measures approved as part of the Unreasonable Hardship Exemption granted during the review of the Planning and Zoning permit. • [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.	a. Prior to approval of construction-related permit. b. During construction. c. After project completion as specified.	a. City of Oakland Bureau of Building Services Division, Zoning Inspections b. City of Oakland Bureau of Building Services Division, Zoning Inspections c. City of Oakland Bureau of Planning and Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	**Responsibility**
Utilities and Service Systems (cont.)		
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. ***c. Compliance with Green Building Requirements After Construction*** Requirement: Within sixty (60) days of the final inspection of the building permit for the project, the Green Building Certifier shall submit the appropriate documentation to Build It Green or Green Building Certification Institute and attain the minimum required certification/point level. Within one year of the final inspection of the building permit for the project, the applicant shall submit to the Bureau of Planning the Certificate from the organization listed above demonstrating certification and compliance with the minimum point/certification level noted above.		
SCA UTIL-5 (Standard Condition of Approval 79) *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.	Prior to approval of construction-related permit.	City of Oakland Public Works Department, Department of Engineering and Construction
SCA UTIL-6 (Standard Condition of Approval 80) *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.	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA UTIL-7 (Standard Condition of Approval 81) *Recycled Water* Requirement: Pursuant to section 16.08.030 of the Oakland Municipal Code, the project applicant shall provide for the use of recycled water in the project for landscape irrigation purposes unless the City determines that there is a higher and better use for the recycled water, the use of recycled water is not economically justified for the project, or the use of recycled water is not financially or technically feasible for the project. The project applicant shall contact the New Business Office of the East Bay Municipal Utility District (EBMUD) for a recycled water feasibility assessment by the Office of Water Recycling. If recycled water is to be provided in the project, the project drawings submitted for construction-related permits shall include the proposed recycled water system and the project applicant shall install the recycled water system during construction.	Prior to approval of construction-related permit	City of Oakland Bureau of Planning and Building ; City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
Utilities and Service Systems (cont.)		
Also **SCA HYD-1, Erosion and Sedimentation Control Plan for Construction**. See *Hydrology and Water Quality*, above.		
Also **SCA HYD-2, Site Design Measures to Reduce Stormwater Runoff**. See *Hydrology and Water Quality*, above.		

ATTACHMENT B

Criteria for Use of Addendum, per CEQA Guidelines Sections 15162, 15164 and 15168

Section 15164(a) of the California Environmental Quality Act (CEQA) Guidelines states that "a lead agency or responsible agency shall prepare an addendum to a previously certified EIR [Environmental Impact Report] if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." Section 15164(e) states that "a brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR."

As discussed in detail in Section III of this document, the analysis in the 2014 LMSAP EIR is considered for this assessment under Sections 15162 and 15164. The 1998 LUTE EIR, and for the housing components of the proposed project, the 2010 General Plan Housing Element Update EIR and 2014 Addendum are Program EIRs considered for this assessment of an Addendum, pursuant to Section 15162 and 15164. The 2011 Redevelopment Plan Amendments EIR analysis is a Program EIR specifically considered for this assessment, pursuant to CEQA Guidelines Section 15168 and Section 15180.

Project Modifications

In November 2014, the Oakland Planning Commission certified the LMSAP EIR. The LMSAP EIR analyzed the LMSAP "Development Program," which was the assumed future development for the Plan with up to 4,900 new housing units, 4,100 new jobs, 404,000 square feet of retail use, and l.3 million square feet of office uses. The LMSAP EIR also presented detailed potential development assumptions for certain "Opportunity Sites," which are properties considered "most likely to redevelop." The portion of the project site on the 250 14th Street parcel is included in the LMSAP EIR and identified as Site #3 in the Development Program.

Conditions for Addendum

None of the following conditions for preparation of a subsequent EIR per Sections 15162(a) and 15168 apply to the proposed project:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration

due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Project Consistency with Sections 15162 and 15168 of the CEQA Guidelines

Since certification of the 2014 LMSAP EIR, no changes have occurred in the circumstances under which the proposed project would be implemented that would change the severity of the proposed project's physical impacts, as explained in the CEQA Checklist in Section VI of this document. No new information has emerged that would materially change the analyses or conclusions set forth in the LMSAP EIR.

Furthermore, as demonstrated in the CEQA Checklist, the proposed project would not result in any new significant environmental impacts, result in any substantial increases in the significance of previously identified effects, or necessitate implementation of additional or considerably different mitigation measures than those identified in the 2014 LMSAP EIR, nor render any mitigation measures or alternatives found not to be feasible, feasible. The effects of the proposed project would be substantially the same as those reported in the 2014 LMSAP EIR.

The analysis presented in this CEQA Checklist, combined with the prior 2014 LMSAP EIR analysis, demonstrates that the proposed project would not result in significant impacts that were not previously identified in the LMSAP EIR. The proposed project would not result in a substantial increase in the significance of impacts, nor would the proposed project contribute considerably to cumulative effects that were not already accounted for in the certified 2014 LMSAP EIR. Overall, the proposed project's impacts are similar to those identified and discussed in the 2014 LMSAP EIR, as described in the CEQA Checklist, and the findings reached in the LMSAP EIR are applicable.

ATTACHMENT C

Project Consistency with Community Plan or Zoning, Per CEQA Guidelines Section 15183

Section 15183(a) of the California Environmental Quality Act (CEQA) Guidelines states that "…projects which are consistent with the development density established by the existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified shall not require additional environmental review, except as may be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site."

As discussed in detail in Section III of this document, the analysis in the 2011 Redevelopment Plan Amendments EIR, the 1998 LUTE EIR and, for only the residential components of the proposed project, the 2010 Housing Element Update EIR and its 2014 Addendum, are considered the qualified planning level CEQA documents for this assessment, pursuant to CEQA Guidelines Section 15183.

Proposed Project

The proposed project would be located in developed, urbanized Downtown Oakland. The proposed project would develop a 16-story, approximately 175-foot-tall building with up to 126 residential units and approximately 3,200 square feet of retail space. Approximately 110 vehicle parking spaces for residents of the building would be provided onsite. The project site is currently a surface parking lot, and no existing trees adjacent to the project site would be removed as a result of the proposed project.

Project Consistency

As determined by the City of Oakland Bureau of Planning, the proposed land uses are permitted in the zoning district in which the project is located, and land uses envisioned for the project site in Downtown Oakland, as outlined below.

- The General Plan land use designation for the site is Central Business District (CBD). This designation applies to areas suitable for high density mixed-use urban center with a mix of large-scale offices, commercial, urban (high-rise) residential, and infill hotel uses, among many others, in the central Downtown core of the city. The proposed residential mixed-use project would be consistent with this designation.
- The site is zoned both Lake Merritt Station Area Plan District Pedestrian Zone (D-LM-2) and the Central Business District – General Commercial Zone (CBD-D). The proposed project would be consistent with the purposes of the D-LM-2 and CBD-C districts, which is

generally intended to create, maintain, and enhance areas of the Lake Merritt Station Area Plan District/Central Business District for ground-level, pedestrian-oriented, active storefront uses. Upper story spaces are intended to be available for a wide range of office and residential activities. The proposed project would develop ground-floor commercial retail space with upper level residential use.

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

ATTACHMENT D

Infill Performance Standards, Per CEQA Guidelines Section 15183.3

California Environmental Quality Act (CEQA) Guidelines Section 15183.3(b) and CEQA Guidelines Appendix M establish eligibility requirements for projects to qualify as infill projects. Table D-1, below, shows how the proposed project satisfies each of the applicable requirements.

As discussed in detail in Section III of this document, the analysis in the 2011 Redevelopment Plan Amendments EIR, the 1998 LUTE EIR and, for only the residential components of the proposed project, the 2010 Housing Element Update EIR and its 2014 Addendum, are considered the Program EIRs for this assessment, pursuant to CEQA Guidelines Section 15183.3.

TABLE D-1
PROJECT INFILL ELIGIBILITY

	CEQA Eligibility Criteria	Eligible?/Notes for Proposed Project
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 right-of-way. (CEQA Guidelines Section 15183.3[b][1])	Yes. The project site has been previously developed as a surface vehicle parking lot, with various surrounding uses including commercial service and institutional uses. The project site adjoins existing urban uses, including commercial buildings, as described in the Project Description, (Section IV).
2.	Satisfy the performance Standards provided in Appendix M (CEQA Guidelines Section 15183.3[b][2]) as presented in 2a and 2b below:	—
	2a. *Performance Standards Related to Project Design.* All projects must implement **all** of the following:	—
	Renewable Energy. *Non-Residential Projects.* All nonresidential projects shall include onsite renewable power generation, such as solar photovoltaic, solar thermal, and wind power generation, or clean back-up power supplies, where feasible. *Residential Projects.* Residential projects are also encouraged to include such on site renewable power generation.	Yes. The project sponsor intends to meet LEED Silver standards and comply with the Green Building ordinance and requirements. The proposed project would optimize the efficiency of its building envelope, and through the use of efficient lighting and HVAC systems it would reduce domestic energy use. The proposed project would meet the newly implemented Building Energy Efficiency Standards and would exceed these standards as prerequisite and additional points for LEED.

TABLE D-1
PROJECT INFILL ELIGIBILITY

	CEQA Eligibility Criteria	Eligible?/Notes for Proposed Project
	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.	A Phase 1 Environmental Site Assessment was prepared for the project site (AGS, March 2015). The assessment revealed no evidence of recognized environmental conditions in connection with the property. Although shallow soil and groundwater impact with petroleum hydrocarbons and other substances in and near the project site is likely, evidence did not indicate that the property contributed to contamination. Further, the assessment concluded that recorded contamination on adjacent sites on Harrison Street were not likely to have migrated toward the project site. The property was not listed in any of the databases searched by Environmental Data Resources.
	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.	Yes. As discussed in Section 2. Air Quality of the CEQA Checklist, an air quality screening was prepared for the proposed project. According to BAAQMD's conservative screening-level tool for Alameda County, there are 6 stationary TAC sources within 1,000 feet of the project site, four of which are backup generators and two of which are dry cleaning businesses that no longer use perchloroethylene (as verified in the latest BAAQMD air toxic inventory) and hence no longer represent source of localized TAC contributions. Factoring in allowable refinements to these the screening values to account for distance between 250 14th Street and the nearby stationary TAC sources, and considering risks posed by roadway traffic on Broadway and the proposed project's backup diesel generator, the cumulative cancer risks at the project site would be below the significance criterion of 100 in one million. Therefore a health risk was neither required nor conducted. No air pollution standards are required to be implemented for the proposed project. The nearest "high-volume roadway" with 100,000 vehicles per day, as defined by Section II of CEQA Appendix M, is Interstate 980 (I 980). I 980 is approximately 8 blocks west of the project site.
	2b. *Additional Performance Standards by Project Type.* In addition to implementing all the features described in 2a above, the project must meet eligibility requirements provided below by project type.	
	Residential. A residential project must meet **one** of the following: A. *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; B. *Projects located within ½ mile of an Existing Major Transit Stop or High Quality Transit Corridor.* A residential project is eligible if it is located within	Yes. The proposed project is eligible under Section (B). The proposed project site is well-served by multiple transit providers. Transit service providers in the project vicinity include Bay Area Rapid Transit (BART) and AC Transit. The nearest BART station to project site is the 12th Street BART Station, about four blocks east. AC Transit operates multiple major bus routes on 14th Street adjacent to the project site and along Broadway within three blocks of the project site.

TABLE D-1
PROJECT INFILL ELIGIBILITY

	CEQA Eligibility Criteria	Eligible?/Notes for Proposed Project
	½ mile of an existing major transit stop or an existing stop along a high quality transit corridor; **or** C. *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.	Broadway also qualifies as a "High Quality Transit Corridor," as defined by Section II of CEQA, with fixed route bus service at intervals no longer than 15 minutes during peak commute hours. The AC Transit Line 51A runs along Broadway in the project vicinity, and has service intervals no longer than 15 minutes during peak commute hours. Other bus routes in the project vicinity further satisfy this criterion.
	Commercial/Retail. A commercial/retail project must meet **one** of the following: A. *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"; **or** B. *Proximity to Households.* A project with no single-building floor-plate greater than 50,000 square feet located within ½ mile of 1,800 households is eligible.	Not Applicable.
	Office Building. An office building project must meeting **one** of the following: A. *Regional Location.* Office buildings, both commercial and public, are eligible if they locate in a low vehicle travel area; **or** B. *Proximity to a Major Transit Stop.* Office buildings, both commercial and public, within ½ mile of an existing major transit stop, or ¼ mile of an existing stop along a high quality transit corridor, are eligible.	Not Applicable.
	Schools. Elementary schools within 1 mile of 50 percent of the projected student population are eligible. Middle schools and high schools within 2 miles of 50 percent of the projected student population are eligible. Alternatively, any school within ½ mile of an existing major transit stop or an existing stop along a high quality transit corridor is eligible. Additionally, to be eligible, all schools shall provide parking and storage for bicycles and scooters, and shall comply with the requirements of Sections 17213, 17213.1, and 17213.2 of the California Education Code.	Not Applicable.
	Transit. Transit stations, as defined in Section 15183.3(e)(1), are eligible.	Not Applicable

TABLE D-1
PROJECT INFILL ELIGIBILITY

	CEQA Eligibility Criteria	Eligible?/Notes for Proposed Project
	Small Walkable Community Projects. Small walkable community projects, as defined in Section 15183.3, subdivision (e)(6), that implement the project features in 2a above are eligible.	Not Applicable
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, **except** as provided in CEQA Guidelines Sections 15183.3(b)(3)(A) or (b)(3)(B) below: (b)(3)(A). Only where an infill project is proposed within the boundaries of a metropolitan planning organization for which a sustainable communities strategy or an alternative planning strategy will be, but is not yet in effect, a residential infill project must have a density of at least 20 units per acre, and a retail or commercial infill project must have a floor area ratio of at least 0.75; **or** (b)(3)(B). Where an infill project is proposed outside of the boundaries of a metropolitan planning organization, the infill project must meet the definition of a "small walkable community project" in CEQA Guidelines §15183.3(f)(5). (CEQA Guidelines Section 15183.3[b][3])	Yes (see explanation below table)

NOTE:

[a] 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.

Explanation for Eligibility Criterion 3 (from Table D-1 above)

The adopted Plan Bay Area (2014) serves as the sustainable communities strategy for the Bay Area, per Senate Bill 375. As defined by the Plan, Priority Development Areas (PDAs) are areas where new development will support the needs of residents and workers in a pedestrian-friendly environment served by transit. The 250 14th Street Mixed-Use Project is located within the "Oakland Downtown & Jack London Square" PDA – the area bounded generally by 28th Street on the north, I-980 on the west, the Oakland Estuary on the south, and Lake Merritt on the east, excepting the Chinatown area between 6th and 11th Streets east of Franklin Street. The proposed project is consistent with the Oakland General Plan and the Planning Code, as discussed in Attachment C and noted below.

- The General Plan land use designation for the site is Central Business District (CBD). This designation applies to areas suitable for high density mixed use urban center with a mix of large-scale offices, commercial, urban (high-rise) residential, and infill hotel uses, among many others, in the central Downtown core of the city. The proposed residential or residential-commercial mixed use project would be consistent with this designation.

- The site is zoned Lake Merritt Station Area Plan District Pedestrian Zone (D-LM-2). The proposed project would be consistent with the purposes of this district, which is generally intended to create, maintain, and enhance areas of the Lake Merritt Station Area Plan District for ground-level, pedestrian-oriented, active storefront uses. Upper story spaces are intended to be available for a wide range of office and residential activities. The proposed project would develop ground-floor commercial retail space with upper level residential use. use.

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APPENDIX A

Transportation Impact Analysis and Detail

FEHR PEERS

MEMORANDUM

Date: January 7, 2016

To: Elizabeth Kanner

From: Bill Burton and Ron Ramos

Subject: 14th and Alice Residential Project – Transportation Assessment

OK15-0067

This memorandum summarizes the results of the transportation impact analysis that Fehr & Peers completed for the proposed 14th and Alice Residential Project. Fehr & Peers reviewed the proposed project for consistency with the assumptions contained in the Lake Merritt Station Area Plan (LMSAP) Draft EIR for the project site, assessed the project site plan for potential impacts on safety, and evaluated project impacts at two intersections that were not analyzed in the LMSAP Draft EIR.

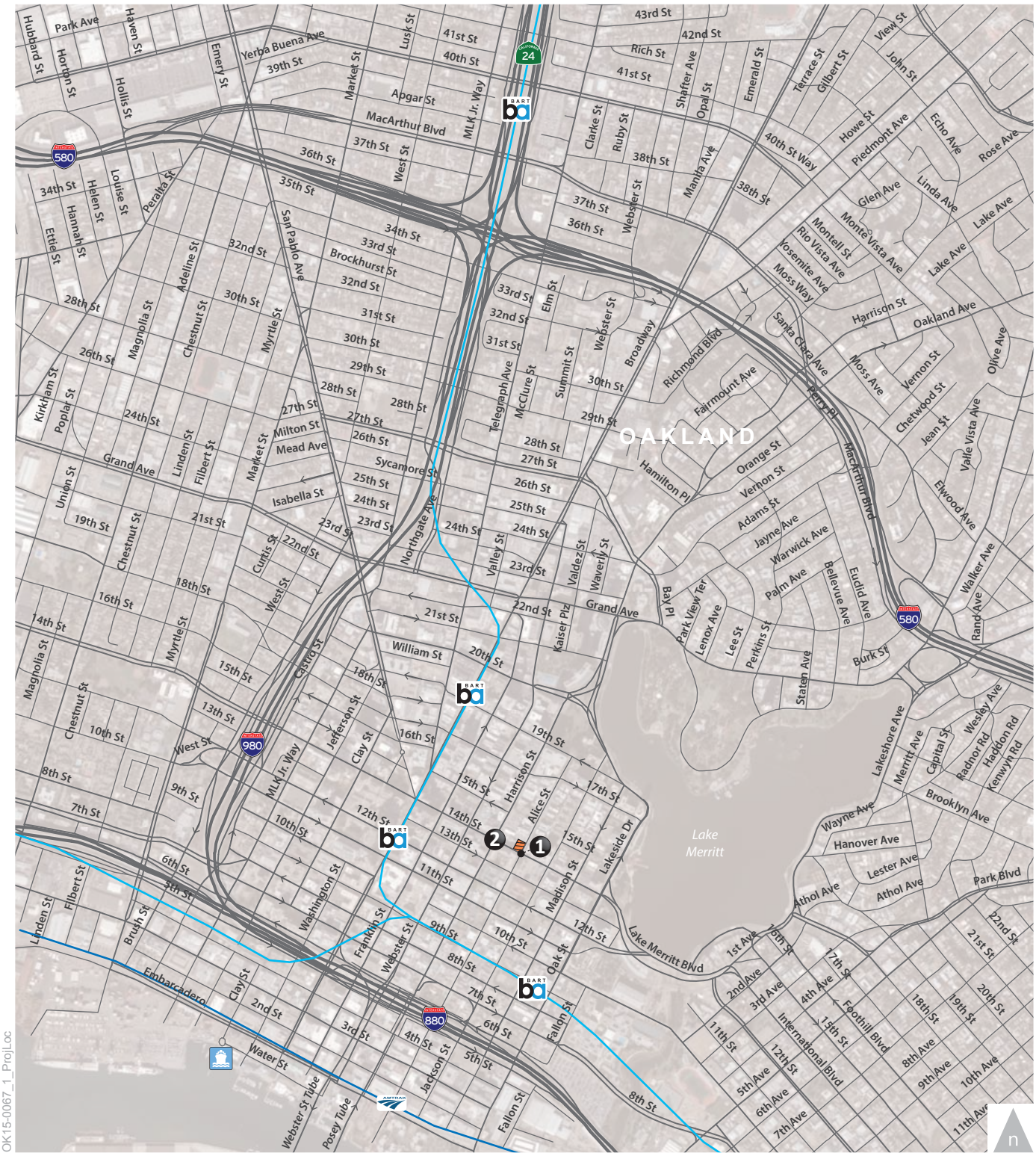
The proposed project would trigger LMSAP Draft EIR Impact TRANS-21 at the Jackson Street/7th Street intersection. The Draft EIR does not identify any feasible mitigation measures for this impact; therefore, the impact remains Significant and Unavoidable. Fehr & Peers also reviewed the project site plan and provides recommendations to improve transportation circulation and safety.

INTRODUCTION

The project site is located at the northwest corner of the 14th Street/Alice Street intersection in Oakland. **Figure 1** illustrates the location of the project within the local and regional street system. The project site is currently occupied by an approximately 13,000 square-foot parking lot, with approximately 72 spaces.

Figures 2a and 2b show two site plan options, with a variation on the design of the residential lobby. Based on both site plans, dated July 6, 2015 the project proposes to replace the parking lot with 3,200 square-feet of retail space on the ground floor and 174 multi-family apartment units[1].

[1] It should be noted that the project description was reduced to 126 multi-family residential units and 3,200 square feet of retail space. The traffic analysis included in this assessment reflects the previously proposed larger project as a worst-case scenario; however, the automobile and bicycle parking evaluation has been updated to reflect the current project.

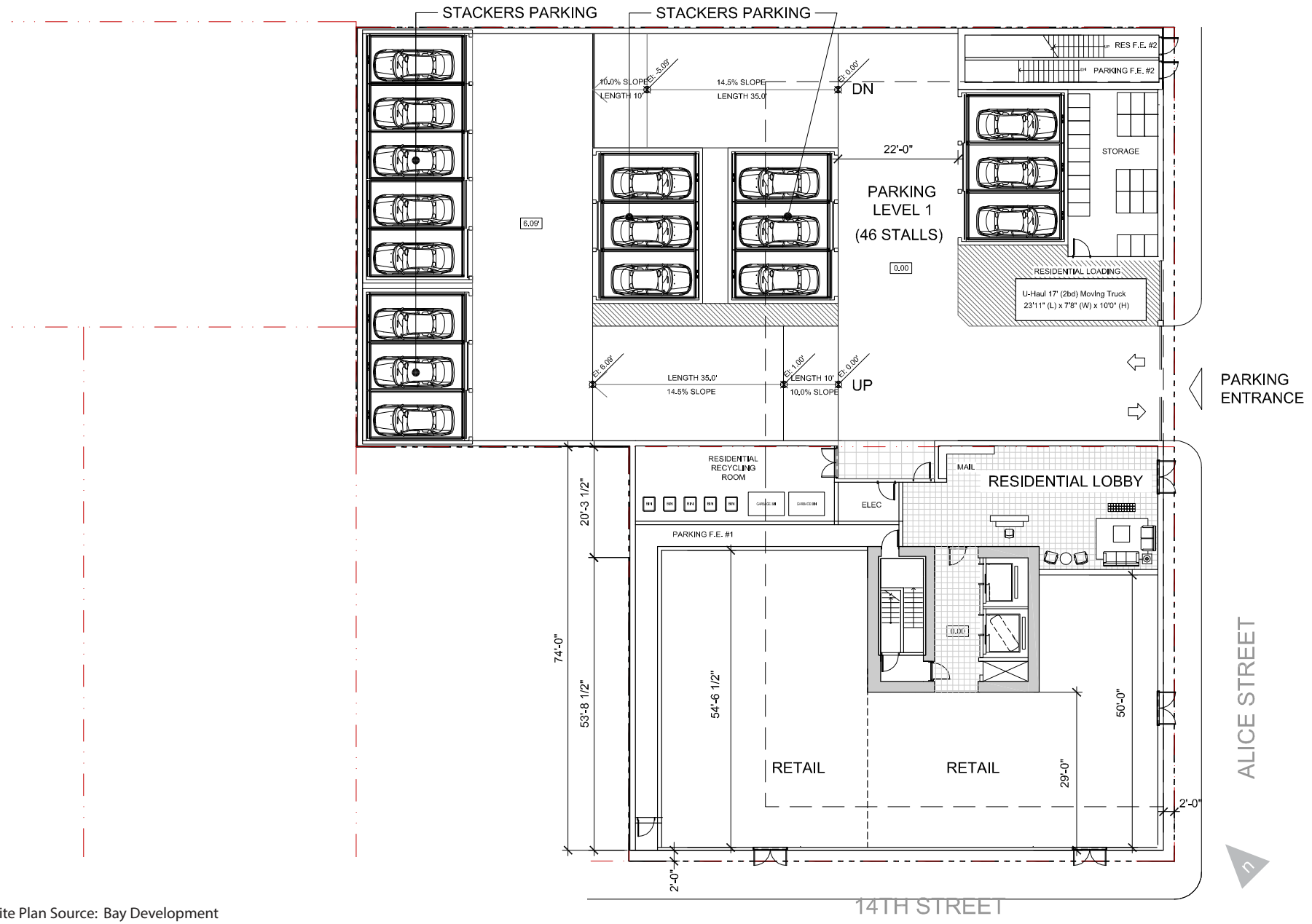


LEGEND

Project Site # Study Intersection

Figure 1

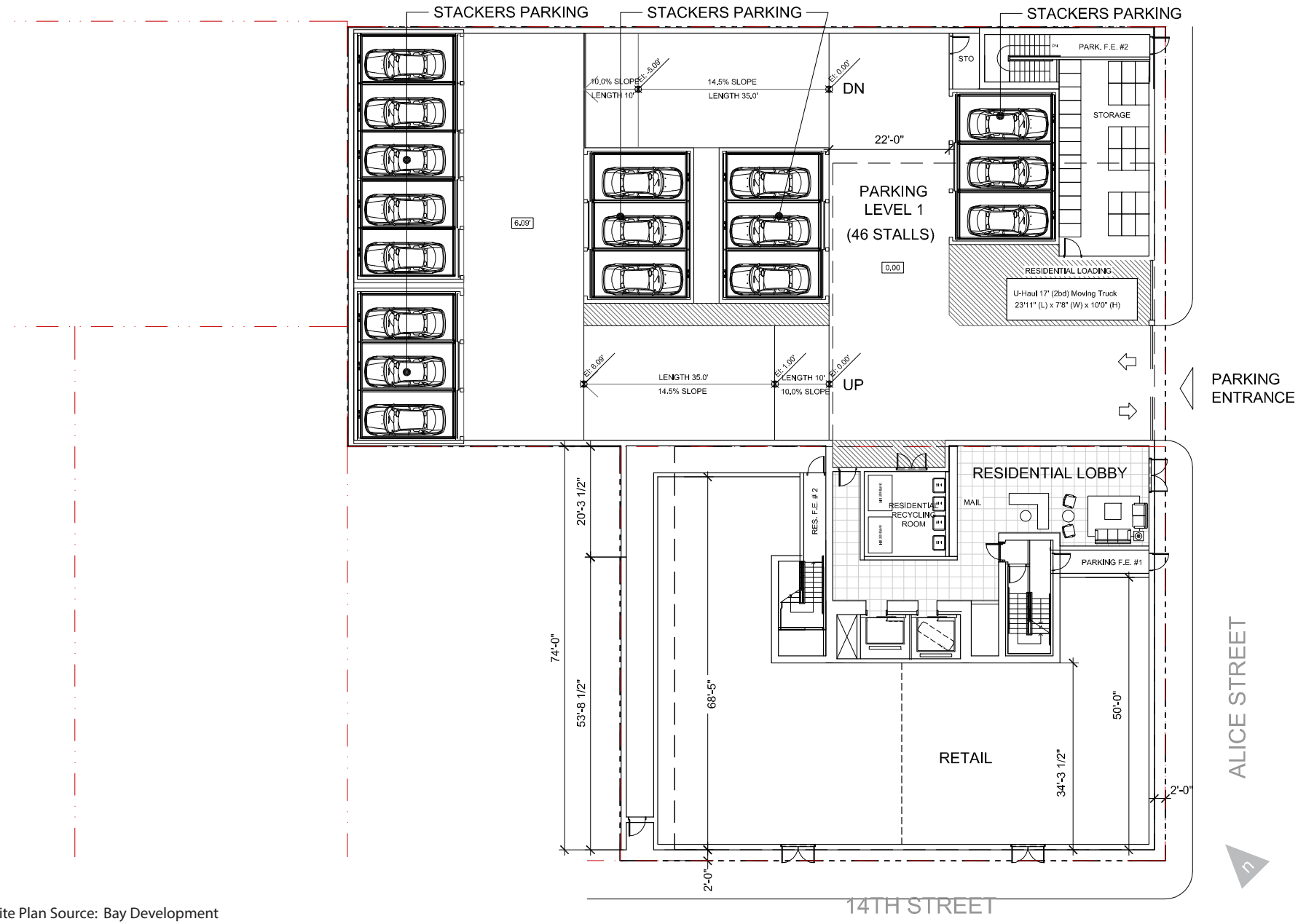
Project Location and Study Intersections



Site Plan Source: Bay Development

Figure 2A

Conceptual Project Site Plan Level 1 (Option 1)



Site Plan Source: Bay Development

Figure 2B

Conceptual Project Site Plan
Level 1 (Option 2)

The analysis evaluates the transportation-related impacts of the project during the weekday morning and evening peak hours. This analysis complies with City of Oakland's *Transportation Impact Study Guidelines*. The following four scenarios are included in the analysis:

- ***Existing*** – Represents existing 2015 conditions
- ***Existing Plus Project*** – Existing conditions plus traffic generated by the project
- ***2040 No Project*** – Future conditions with planned population and employment growth and planned transportation system changes for the year 2040
- ***2040 Plus Project***– 2040 conditions plus traffic generated by the project.

CONSISTENCY WITH LMSAP

The proposed project site is located within the LMSAP and the LMSAP EIR included development at the project site (identified as Opportunity Site 3) as part of the project. The LMSAP EIR assumed that Opportunity Site 3 would be developed as 17 residential units and 3,000 square feet of retail space. The proposed project is greater than the assumed development in the LMSAP EIR; however the Project will generate fewer trips than the projected total trips generated for the LMSAP.

Since the uses proposed by the project are consistent with the assumptions in LMSAP EIR and the proposed project would generate fewer automobile trips than assumed in LMSAP EIR, the proposed project would not result in additional impacts on traffic operations at the intersections analyzed in the LMSAP EIR. This analysis also evaluates the potential impacts of the proposed project at two intersections not analyzed in the LMSAP Draft EIR where the proposed project would add 50 or more peak hour trips and also determines if the proposed project would trigger any of the impacts identified in LMSAP EIR.

EXISTING TRAFFIC CONDITIONS

The study evaluates traffic operations at the following two intersections in the vicinity of the Project site as shown on Figure 1**:**

1. Alice Street/14th Street
2. Harrison Street/14th Street

Consistent with City of Oakland guidelines, the study intersections include locations where the project would increase traffic volumes by 50 or more peak-hour trips and were not included in the LMSAP EIR.

Traffic data, consisting of automobile turning movement as well as pedestrian and bicycle counts, was collected from 7:00 AM to 9:00 AM (weekday AM) and from 4:00 PM to 6:00 PM (weekday PM) on August 18, 2015. **Appendix A** presents the existing traffic volume counts. For each study intersection, the peak hour (i.e., the hour with the highest traffic volumes observed in the study area) within each peak period was selected for evaluation.

Figure 3 presents existing intersection lane configurations, traffic control devices, and peak hour traffic volumes, as well as the peak hour pedestrian and bicycle volumes at the study intersections.

Based on the volumes and roadway configurations presented in Figure 3, Fehr & Peers calculated the Level of Service (LOS)[2] at the study intersections using the 2010 *Highway Capacity Manual* (HCM) methodologies. City of Oakland considers LOS E as the threshold of significance for intersections located within Downtown area or that provide direct access to Downtown[3], and LOS D for all other intersections. Both study intersections are in Downtown Oakland where the threshold of significance is LOS E.

Both study intersections currently operate at LOS B or better during weekday AM and PM peak hours. **Table 1** summarizes the existing intersection analysis results. **Appendix B** provides the detailed LOS calculation sheets.

TABLE 1: EXISTING INTERSECTION LEVELS OF SERVICE SUMMARY

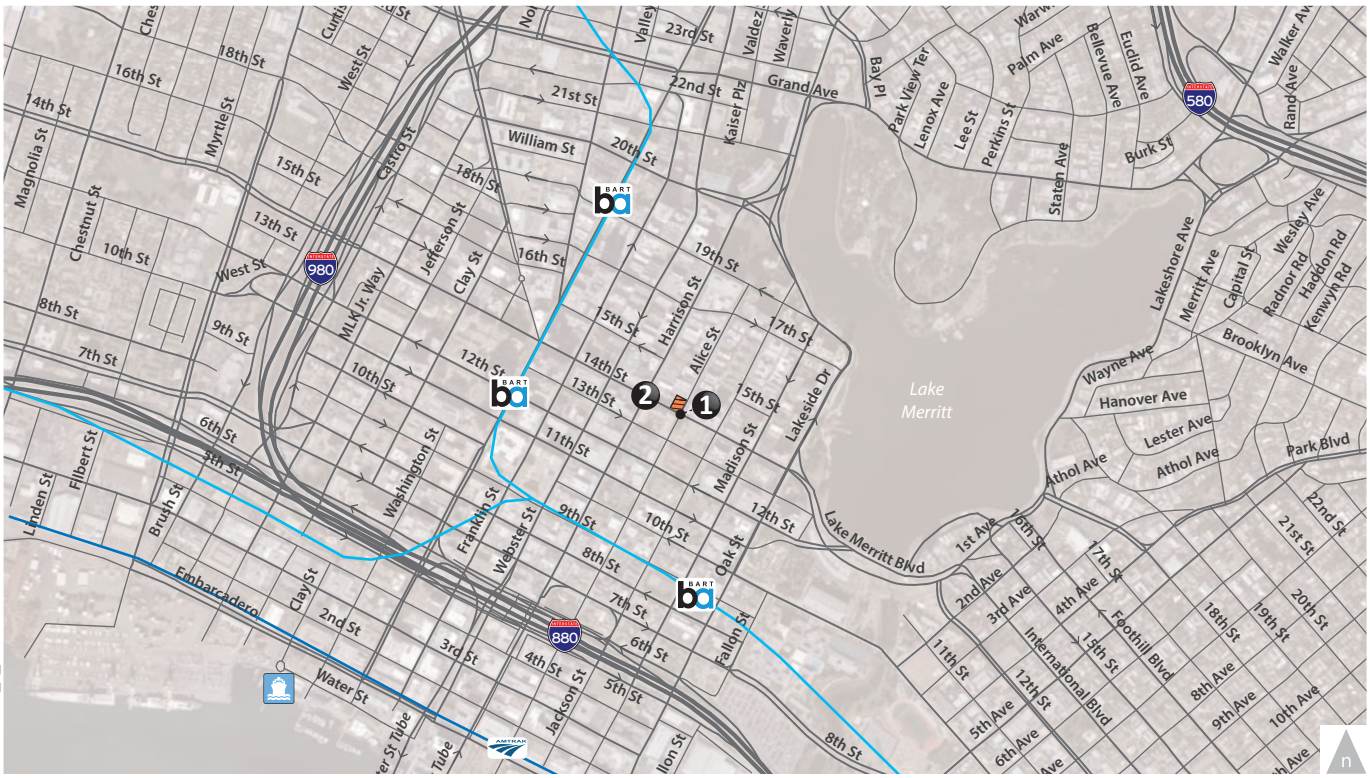
Intersection	Control[1]	Peak Hour	Delay (seconds)	LOS
1. Alice Street/ 14th Street	Signal	AM PM	8.5 11.6	A B
2. Harrison Street/ 14th Street	Signal	AM PM	10.8 12.4	B B

1. Signal = intersection is controlled by a traffic signal
2. For signalized intersections, average intersection delay and LOS based on the 2010 HCM method is shown.

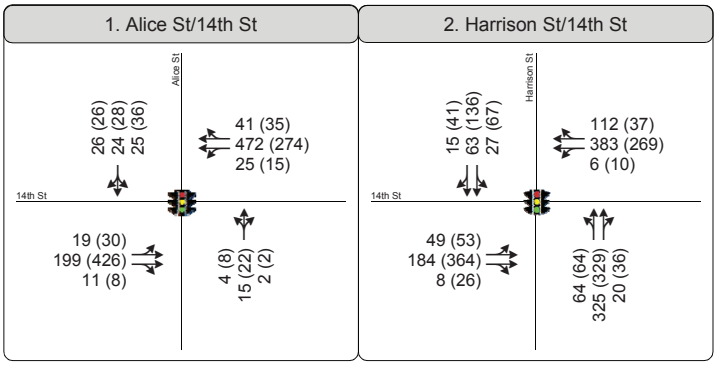
Source: Fehr & Peers, 2015

[2] The operations of roadway facilities are typically described with the term level of service (LOS), a qualitative description of traffic flow based on factors such as speed, travel time, delay, and freedom to maneuver. Six levels are defined from LOS A, which reflects free-flow conditions where there is very little interaction between vehicles, to LOS F, where the vehicle demand exceeds the capacity and high levels of vehicle delay result. LOS E represents "at-capacity" operations. When traffic volumes exceed the intersection capacity, stop-and-go conditions result and a vehicle may wait through multiple signal cycles before passing through the intersection; these operations are designated as LOS F.

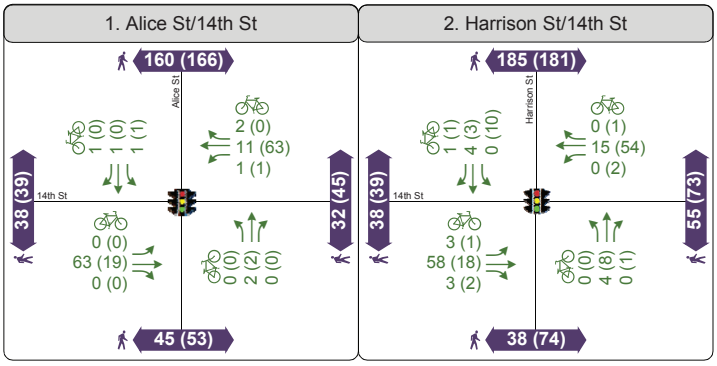
[3] Intersections that provide direct access to downtown are generally defined as principal arterials within two miles of Downtown and minor arterials within one mile of Downtown, provided that the street connects directly to Downtown.



VEHICLE VOLUMES



PEDESTRIAN AND BICYCLE VOLUMES



LEGEND

XX (YY) AM (PM) Peak Hour Traffic Volumes

x (y) AM (PM) Peak Hour Pedestrian Volumes

AM (PM) Peak Hour Bicycle Volumes

Signalized Intersection

Project Site

Study Intersection

Figure 3

Existing Lane Configurations, Traffic Control and Peak Hour Traffic Volumes and Existing Peak Hour Pedestrian and Bicycle Volumes

TRIP GENERATION

Vehicular Trip Generation

Trip generation is the process of estimating the number of vehicles that would likely access the project. Current accepted methodologies, such as the Institute of Transportation Engineers (ITE) *Trip Generation* methodology, are primarily based on data collected at single-use suburban sites. These defining characteristics limit their applicability to developments, such as the proposed project, which is in a walkable dense urban setting near frequent local and regional transit service. Fehr & Peers adjusted the ITE-based estimates to account for the project's setting and proximity to frequent transit service. Since the proposed project is about 0.3 mile from the 12th BART Station, this analysis reduces the ITE based trip generation by 43 percent to account for the non-automobile trips. This reduction is consistent with City of Oakland *Transportation Impact Study Guidelines* and is based on the Bay Area Travel Survey (BATS) 2000 which shows that the non-automobile mode share within one-half mile of a BART Station in Alameda County is about 43 percent. A 2011 research study shows reducing ITE based trip generation using BATS data results in a more accurate estimation of trip generation for mixed use developments than just using ITE based trip generation.[4]

Table 2 summarizes the trip generation for the project. The project would generate approximately 740 daily, 52 AM peak hour, and 68 PM peak hour trips. In comparison, the LMSAP Draft EIR assumed the project site would generate 86 daily, 4 AM peak hour, and 7 PM peak hour trips.

[4] *Evaluation of the Operation and Accuracy of Five Available Smart Growth Trip Generation Methodologies.* Institute of Transportation Studies, UC Davis, 2011.

TABLE 2: TRIP GENERATION SUMMARY

Land Use	Units[1]	ITE Code	Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Residential	174 DU	220[2]	1,157	18	71	89	70	38	108
Retail	3.2 KSF	820[3]	137	2	1	3	6	6	12
Subtotal			*1,294*	*20*	*72*	*92*	*76*	*44*	*120*
Non-Auto Reduction (-43%)[4]			*556*	*9*	*31*	*40*	*33*	*19*	*52*
Adjusted Project Trips			**738**	**11**	**41**	**52**	**43**	**25**	**68**

1. DU = Dwelling Units, KSF = 1,000 square feet.
2. ITE Trip *Generation (9th Edition)* land use category 220 (Apartment):
   Daily: 6.65
   AM Peak Hour: 0.51 (20% in, 80% out)
   PM Peak Hour: 0.62 (65% in, 35% out)
3. ITE *Trip Generation (9th Edition)* land use category 820 (Shopping Center):
   Daily: 42.70
   AM Peak Hour: 0.96 (62% in, 38% out)
   PM Peak Hour: 3.71 (48% in, 52% out)
4. Reduction of 43.0% assumed based on City of Oakland *Transportation Impact Study Guidelines* data for development in an urban environment within 0. 5 miles of a BART Station.

Source: Fehr & Peers, 2015.

In addition, the project trip generation presented in Table 2 does not account for the following in order to present a "worst case" scenario:

- ***Existing Trips*** - The project would eliminate about 72 existing parking spaces which are primarily used for vehicle storage by nearby automobile dealers. The trip generation estimates conservatively do not account for the existing trips generated by the surface parking lot. Although the demolition of the parking spaces is expected to eliminate some of the existing automobile trips, other off-street parking facilities in the vicinity would provide adequate spaces to accommodate most of the motorists that currently park at the project site. Thus, these motorists would continue to travel to and from this area after the completion of the project.
- ***Pass-by Trips*** - Pass-by trips are defined as trips attracted to a site from adjacent roadways as an intermediate stop on the way to a final destination. Pass-by trips alter travel patterns in the immediate study area but do not add new vehicle trips to the roadway network, and therefore, are typically excluded from trip generation estimates. Since the proposed project is in Downtown Oakland, it is expected that many motorists already driving in the area would be attracted to the proposed project. According to ITE's *Trip Generation Handbook* (3rd Edition), the average weekday PM peak hour pass-by rate

for retail uses is 34 percent. To be conservative, this analysis does not reduce the retail trip generation estimates.

Non-Vehicular Trip Generation

Consistent with City of Oakland Transportation Impact Study Guidelines, **Table 3** presents the estimates of project trip generation for all travel modes.

TABLE 3: TRIP GENERATION BY TRAVEL MODE

Mode	Mode Share Adjustment Factors[1]	Daily	Weekday AM Peak Hour	Weekday PM Peak Hour
Automobile	57.0%	738	52	68
Transit	30.4%	393	28	36
Bike	3.9%	50	4	5
Walk	23.0%	298	21	28
Total Trips		**1,479**	**105**	**137**

1. Based on *City of Oakland Transportation Impact Study Guidelines* assuming project site is in an urban environment within 0.5 miles of a BART Station.
Source: Fehr & Peers, 2015.

TRIP DISTRIBUTION AND ASSIGNMENT

The trip distribution and assignment process is used to estimate how the trips generated by a project site would be distributed across the roadway network. Based on existing travel patterns, locations of complementary land uses, results of the Alameda County Transportation Commission's (ACTC) Travel Demand Model, and the one-way street network and turn restrictions in Downtown Oakland, we determined directions of approach to and departure from the project site. **Figure 4** shows the resulting trip distribution.

Trips generated by the proposed project, as shown in Table 2, were assigned to the roadway network according to the trip distribution shown on Figure 4. **Figure 5** shows the project trip assignment for the weekday AM and PM peak hours at the study intersections.

INTERSECTION ANALYSIS

This section discusses the impacts of the proposed project on traffic operations under Existing and 2040 conditions based on the City of Oakland Transportation Impact Study Guidelines.

Existing Plus Project Intersection Analysis

Figure 6 shows traffic volumes under Existing Plus Project conditions, which consists of Existing traffic volumes (shown on Figure 3) plus added traffic volumes generated by the project (shown on Figure 5).

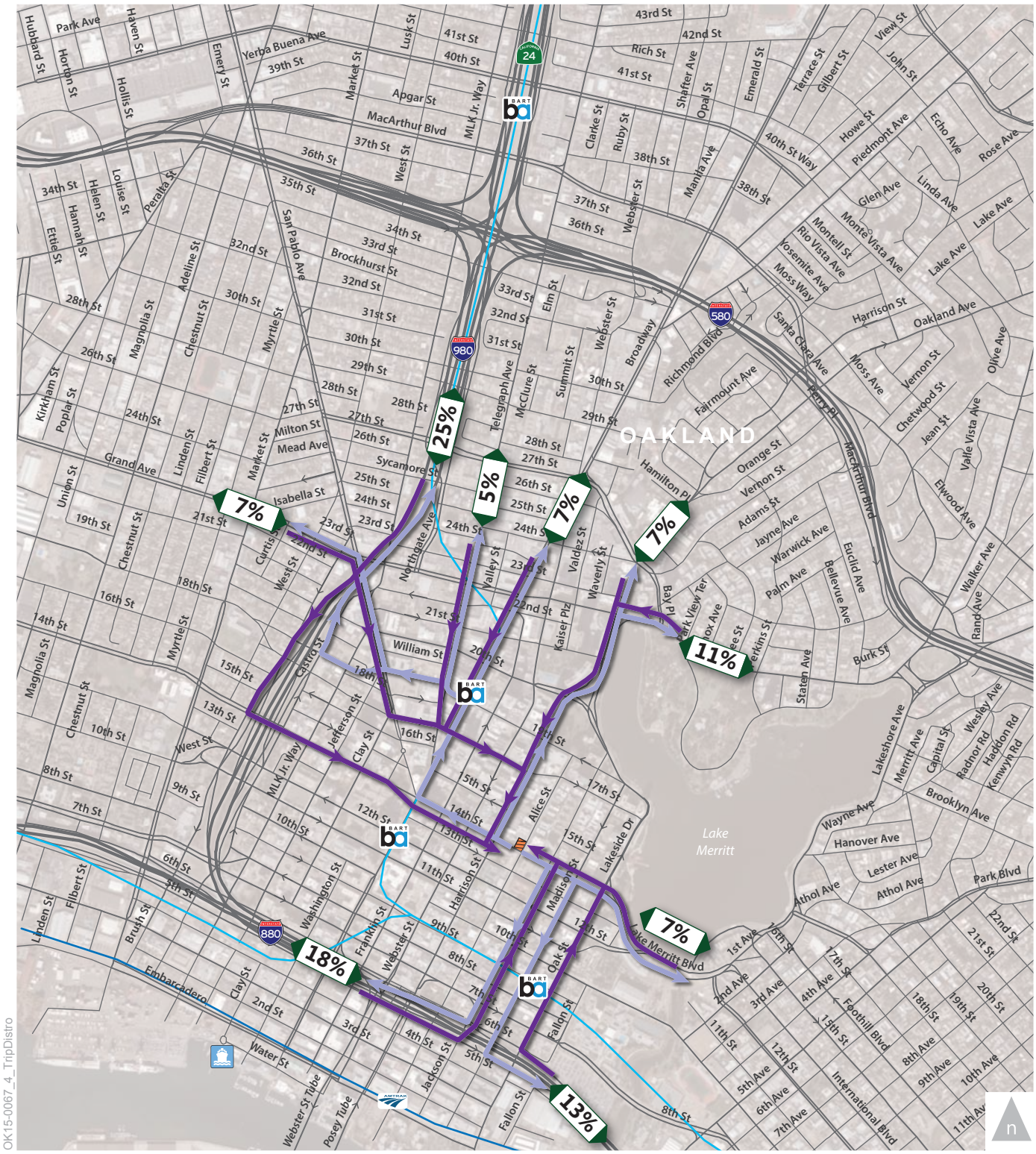
Table 4 summarizes the intersection operations results for the Existing No Project and Existing Plus Project conditions. All study intersections would continue to operate at an acceptable LOS. The proposed project would not cause a significant impact at the study intersections under Existing Plus Project conditions.

TABLE 4: EXISTING PLUS PROJECT INTERSECTION LEVELS OF SERVICE SUMMARY

Intersection	Control	Peak Hour	Existing		Existing Plus Project		Significant Impact?
			Delay	LOS	Delay	LOS	
1. Alice Street/ 14th Street	Signal	AM PM	8.5 11.6	A B	9.1 11.9	A B	No No
2. Harrison Street/ 14th Street	Signal	AM PM	10.8 12.4	B B	10.6 12.5	B B	No No

Notes:
1. Signal = intersection is controlled by a traffic signal
2. For signalized intersections, average intersection delay and LOS based on the 2010 HCM method is shown.

Source: Fehr & Peers, 2015



LEGEND

Inbound Routes

Outbound Routes

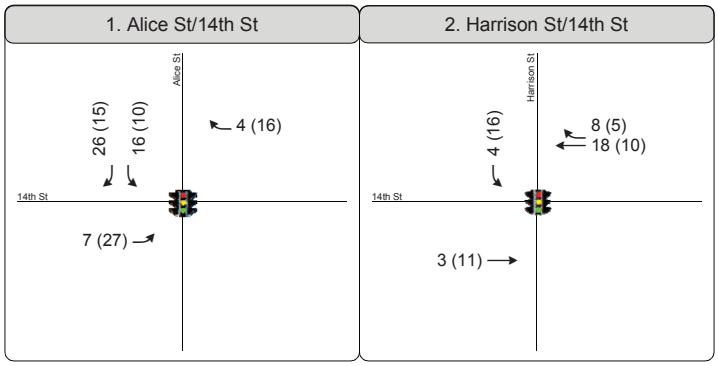
XX% Trip Distribution

Project Site

Figure 4

Project Trip Distribution

OK15-0067_5_PTAVols



LEGEND

XX (YY) AM (PM) Peak Hour Traffic Volumes

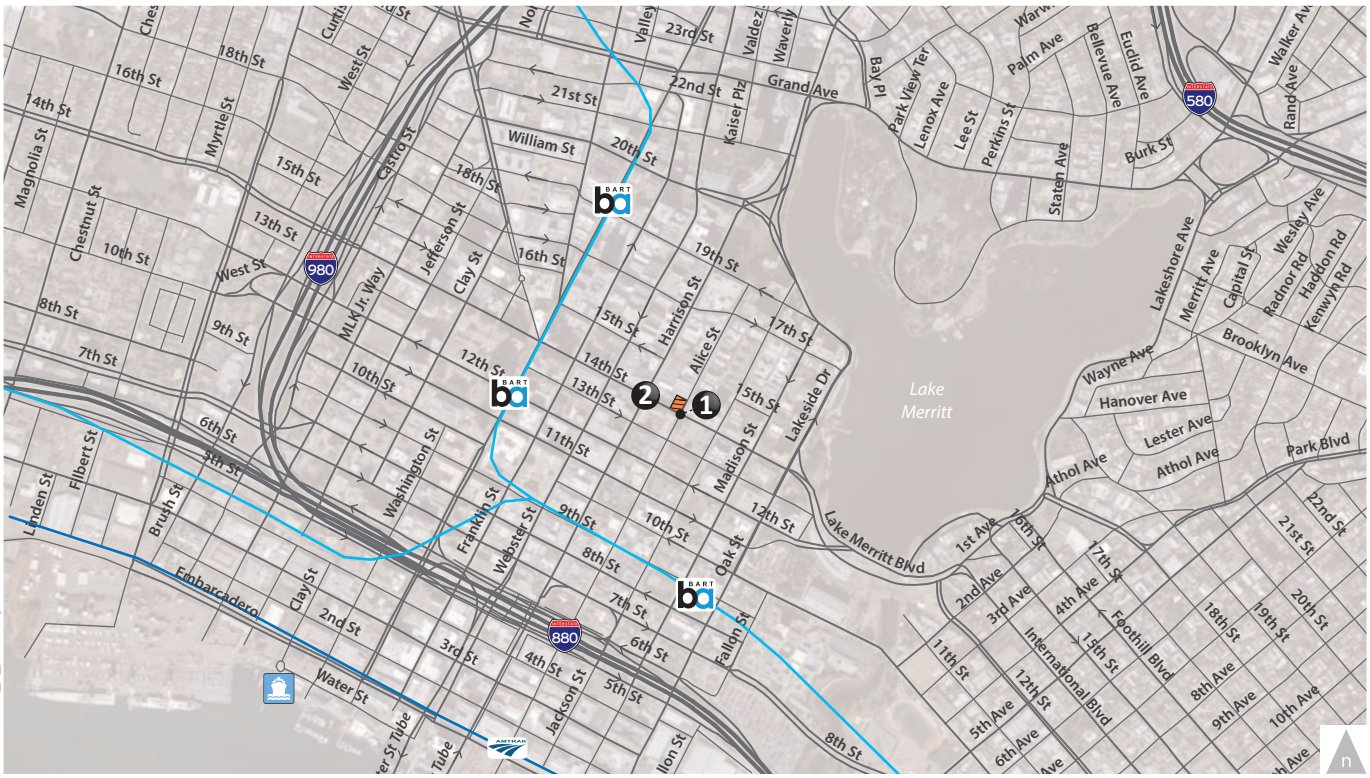
Signalized Intersection

Project Site

Study Intersection

Figure 5

Project Trip Assignment



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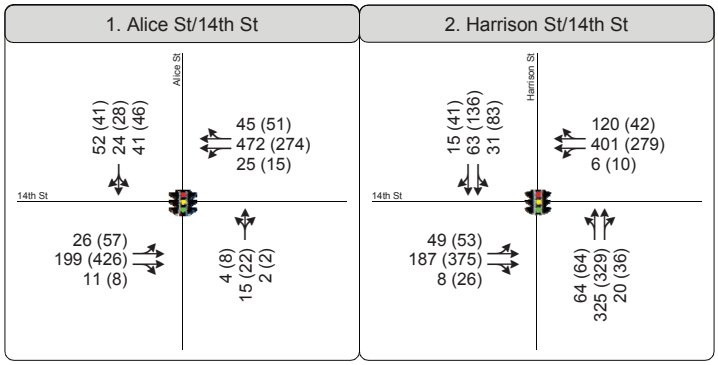


LEGEND

XX (YY) AM (PM) Peak Hour Traffic Volumes

Signalized Intersection

Project Site

Study Intersection

Figure 6

Existing Plus Project
Lane Configurations, Traffic Control and Peak Hour Traffic Volumes

2040 Intersection Analysis

Year 2040 traffic volumes for the study intersections are based on the most recent ACTC Travel Demand Model (updated June 2015). **Figure 7** shows the traffic volumes for the 2040 No Project and 2040 Plus Project scenarios.

The 2040 No Project and the 2040 Plus Project conditions reflect the roadway network analyzed in the Existing Conditions and assume that no changes would occur at the two study intersections.

Table 5 summarizes intersection LOS calculations for 2040 No Project and 2040 Plus Project conditions. All study intersections would continue to operate at an acceptable LOS. The proposed project would not cause a significant impact at the study intersections under 2040 Plus Project conditions.

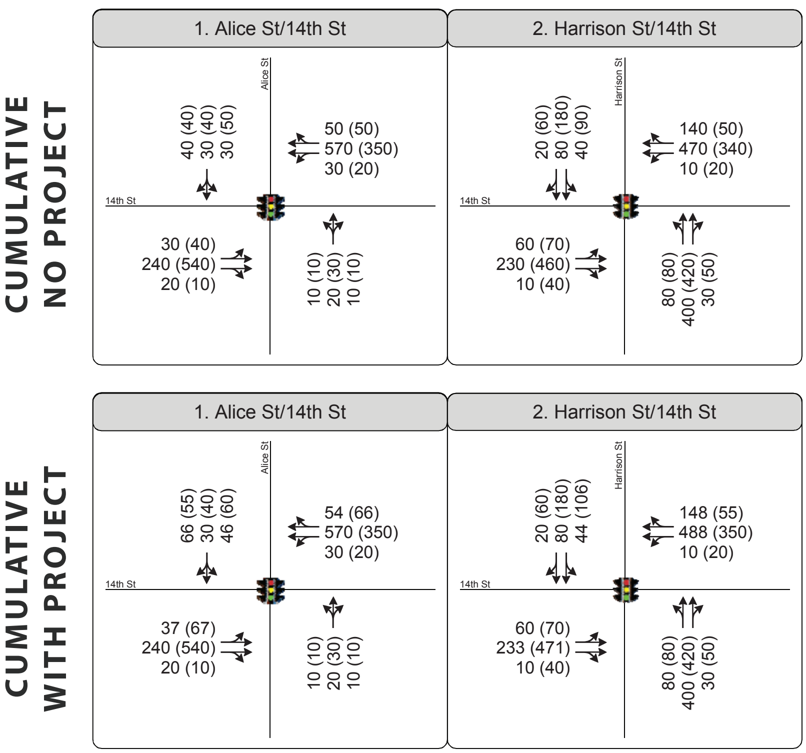
TABLE 5: 2040 INTERSECTION LEVELS OF SERVICE SUMMARY

Intersection	Control	Peak Hour	2040 No Project		2040 Plus Project		Significant Impact
			Delay	LOS	Delay	LOS	
1. Alice Street/ 14th Street	Signal	AM PM	9.1 12.5	A B	9.7 13.0	A B	No No
2. Harrison Street/ 14th Street	Signal	AM PM	11.1 13.4	B B	10.9 13.5	B B	No No

Notes:
1. Signal = intersection is controlled by a traffic signal
2. For signalized intersections, average intersection delay and LOS based on the 2010 HCM method is shown.

Source: Fehr & Peers, 2015

OK15-0067_7_CumuVols



LEGEND

XX (YY) — AM (PM) Peak Hour Traffic Volumes

Signalized Intersection

Project Site

Study Intersection

Figure 7

Cumulative and Cumulative Plus Project
Lane Configurations, Traffic Control and Peak Hour Traffic Volumes

LMSAP IMPACTS AND MITIGATION MEASURE TRIGGERS

The Lake Merritt Station Area Plan Draft EIR identifies 29 significant impacts at intersections serving the Plan Area. For each impact and associated mitigation measures, this analysis identifies specific triggers based on the level of development in the entire Plan Area. Based on the review of the Draft EIR and the trip generation for the proposed project and the currently planned developments, the proposed project would trigger the following impact:

- The proposed project would trigger **Impact TRAN-21** under 2035 Plus Project Conditions at the Jackson Street/7th Street intersection because the project would generate more than six percent of the total traffic generated by the LMSAP Development Program. Based on our analysis, the impact would be triggered by six percent of the LMSAP Development Program, which the proposed 14th and Alice Residential Project would exceed.

  There is no feasible Mitigation Measure for Impact TRAN-21 in the Draft EIR. Therefore, the LMSAP Draft EIR considers the impact significant and unavoidable.

The proposed project would not trigger any of the other impacts or mitigation measures identified in the LMSAP DEIR. Project generated automobile traffic represents 2.8 percent of the total daily trip generation of the LMSAP project (2.5 percent in the AM peak hour and 2.8 percent in the PM peak hour).

VEHICLE, BICYCLE, AND PEDESTRIAN ACCESS

This section evaluates access and circulation of all travel modes within the proposed site, based on the site plans dated July 6, 2015, and shown in Figures 2a and 2b, which show Options 1 and 2 of the proposed project, respectively.

Vehicle Access and On-Site Circulation

Automobile access for the project would be provided via a driveway on Alice Street, about 100 feet north of 14th Street. The full access driveway provides access to a 91-space residential parking garage. The garage would include stacked parking on the first floor, and regular and tandem spaces on the mezzanine and second level.

The internal aisle within the garage, as shown on the site plan, would be 22 feet wide, meeting the City of Oakland's minimum required width of 21 feet (17.116.210). The 22-foot driveway meets the minimum required width of 12 feet for commercial zones (12.04.270).

Based on our review of the site plan, the project driveway may not provide adequate sight distance between vehicles exiting the site, pedestrians on the adjacent sidewalk, and vehicles on Alice Street. The current driveway on Alice Street allows on-street parking up to the driveway opening. Vehicles parked in the spaces directly north and south of the driveway may block sight distance between vehicles traveling on Alice Street and vehicles exiting the driveway. Trees planted north of the driveway may also affect visibility of exiting vehicles if the tree canopy is lower than six feet from the ground.

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

- Ensure that the project driveway would provide adequate sight distance between motorists exiting the driveway and pedestrians on the adjacent sidewalks. This may require redesigning and/or widening the driveway. If adequate sight distance cannot be provided, provide audio/visual warning devices at the driveway.

Bicycle Access and On-Site Circulation

Although not shown on the project site plan, the Project intends to provide 42 long-term bicycle parking spaces adjacent to the residential lobby with direct access on Alice Street, and a total of eight short-term bicycle racks on both Alice Street and 14th Street to accommodate short-term demand.

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

- Identify location for long-term bicycle parking on the Project site plan. Ideally the long-term bicycle parking would be easily accessible from the street-level.
- Ensure that the short-term bicycle parking spaces on sidewalks do not block pedestrian circulation.

Pedestrian Access and On-Site Circulation

The project would provide adequate pedestrian facilities throughout the site with the primary pedestrian access via a residential lobby on Alice Street. Continuous sidewalks are provided on both sides of Alice Street and 14th Street in the vicinity of the project where pedestrians can access the residential units and retail space directly. The residential units would be accessed by

the lobby which provides elevators and a stairway. The retail spaces have their own access on 14th Street. Additional staircases on both 14th and Alice Streets would provide direct pedestrian access to the garage.

The City of Oakland *Pedestrian Master Plan* (PMP) recommends nine foot sidewalks with five foot pedestrian passage zones for local streets such as 14th and Alice Streets. Existing sidewalks are approximately 12 feet wide on both 14th and Alice Streets. With the Project, sidewalks along the project frontage should be wide enough to accommodate potential sidewalk encroachment (e.g. bicycle racks and planted trees) and continue to provide five feet of space for pedestrians.

Currently, diagonal curb ramps are provided on all corners of both study intersections and marked crosswalks are provided on all approaches of both intersections. Neither intersection provides any pedestrian signal heads.

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

- Explore the feasibility rebuilding the existing corner curbs to match the existing curbs along Alice Street at the Alice Street/14th Street intersection and install directional curb ramps at all four corners of both study intersections. Considering that fire hydrants, signal poles, and/or light poles are provided at all the corners, construction of curb extensions (bulbouts) may also be required to provide directional curb ramps.
- Install pedestrian signal heads for all four pedestrian crossings at both study intersections.

Transit Access

AC Transit provides transit service to the project site with bus stops on 14th Street at Harrison Street and at Jackson Street. The bus stops are within a block of the project site. The bus stops on 14th Street east of Harrison Street and on 14th Street west of Jackson Street provide bus shelters and benches; however the stop at 14th Street west of Harrison Street does not provide a bus shelter or bench.

PARKING CONSIDERATIONS

This section discusses parking supply and demand for the project.

Project Parking Supply

Based on project site plan, the project would provide 81 regular parking spaces, with an additional 10 spaces being provided in a tandem configuration (for a total of 91 spaces with the implementation of tandem parking). Forty-eight spaces would be available on the first floor; another 21 regular parking spaces and 3 tandem parking spaces would be provided on the mezzanine level and 22 regular parking spaces and 7 tandem spaces would be provided on the second floor. All parking spaces would be accessible via the garage driveway on Alice Street. The spaces would be provided for the residents of the building and would be unbundled (i.e., leased separately from the residential unit). It is expected that residential visitors and retail patrons would use on-street parking. The Project will also provide a loading space directly north of the project driveway. The loading space would be accessed through the garage curb-cut.

The streets adjacent to the project site currently provide metered on-street parking. It is expected that the proposed project would add on-street parking where the existing driveway on 14th Street would be eliminated. However, the proposed driveway on Alice Street may require eliminating up to two parking spaces to meet sight distance requirements. Although the exact net effect of the proposed project on on-street parking is not known at this time, it is expected that the overall on-street parking supply would slightly decrease or remain the same as current conditions.

City Code Automobile Parking Requirements

A portion of the Project is located within the City of Oakland Municipal code's Zone CBD-C with the remaining portion being located in the D-LM Zone. The area within the D-LM Zone allows 69 units with a 0.75:1 parking requirement, totaling 52 stalls. The area within the CBD-C Zone allows 57 units with a 1:1 parking requirement that can be reduced by 50% to 29 stalls upon the granting of a Conditional Use Permit. **Table 6** presents the off-street automobile parking requirement for the project.

As previously mentioned, the current project description includes 126 multi-family residential units and 3,200 square feet of ground floor retail. While the traffic analysis reflects a worst-case larger project, that included 174 units, the following assessments of automobile and bicycle parking have been updated to reflect the current project description.

TABLE 6: AUTOMOBILE PARKING REQUIREMENTS

Land Use	Size[1]	Required Parking Supply	Provided Parking Supply	Difference
Apartments/D-LM Zone[2]	69 DU	52	52	**0**
Apartments/CBC-C Zone[3]	57 DU	29	29	**0**
Retail[4]	3.2 KSF	0	0	**0**
Total		**81**	**81**	**0**

1. DU = dwelling unit; KSF = 1,000 square feet
2. City of Oakland off-street parking requirement for residential in zone D-LM is three-quarters space per unit (section 17.116.060).
3. City of Oakland off-street parking requirement for residential in zone CBC-C is one space per unit that can be reduced by 50% upon the granting of a Conditional Use Permit.
4. City of Oakland off-street parking requirement for commercial uses in zone D-LM is zero spaces per KSF for retail (section 17.116.080).

Source: Fehr & Peers, 2015

Parking Demand

This analysis compares proposed parking supply to project parking demand estimated using average vehicle ownerships rates from Census data and the parking demand rates published in *Parking Generation, 4th Edition* (ITE, 2010).

Table 7 summarizes parking demand for the project. The parking demand values represent average parking demand. Parking demand for the residents of the project was determined by using average vehicle ownership rates in downtown Oakland. According to American Community Survey estimates[5], average vehicle ownership in the study area is 0.63 vehicles per multi-family dwelling unit. Based on the census data, residential parking demand would be about 79 parking spaces. Based on the ITE data for shopping centers, the adjusted commercial parking demand would be 8 spaces. Residential visitor demand was estimated using an adjusted ULI Shared Parking rate of 0.06, resulting in a visitor demand of 8 spaces.

The parking demand for the retail component of the project was estimated using published data in *Parking Generation* (ITE, 4th Edition). This estimate presents a worse-case scenario in that it assumes most of the retail visitors would be new to the area. Although specific retail tenants have not been determined, it is likely that the retail component of the project would be local-serving with minimal new automobile trips.

[5] Source: American Community Survey 5-Year Estimates, 2013.

Assuming that parking demand for all project components would peak at the same time, the project peak parking demand would be about 95 spaces, resulting in a deficit of 4 spaces when the 10 tandem spaces are included. It is estimated that the proposed project would provide adequate spaces to meet the parking demand of residents. The parking demand generated by the residential and retail visitors would use on-street parking.

TABLE 7: PROJECT PARKING SUPPLY AND DEMAND

Land Use	Units[1]	Rate	Weekday
Apartment (Residents)	126 DU	0.63[2]	79
Apartment (Visitors)	126 DU	0.06[3]	8
Retail	3.2 KSF	2.55[4]	8
Parking Demand			**95**
Parking Supply			**81 (91 w/tandem)**
Parking Deficit			**14 (4)**

1. DU = dwelling unit; KSF = 1,000 square feet
2. Based on 2013 ACS average automobile ownership of 0.63 vehicles per residential unit.
3. Based on adjusted (using non-auto reduction of 43%) rate of 0.06 spaces per DU using ULI Shared Parking.
4. ITE *Parking Generation* (4th Edition) land use category 820 (shopping center)
   Weekdays: Average rate (Non-Friday, Non-December) = 2.55 spaces per KSF.

Source: Fehr & Peers, 2015

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

- Implement a Transportation Demand Management (TDM) plan to encourage employees and residents to use other travel modes and reduce parking demand.

City Code Bicycle Parking Requirements

Chapter 17.117 of the Oakland Municipal Code requires long-term and short-term bicycle parking for new 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. The Code requires the minimum level of bicycle parking, two long and short-term spaces, for the commercial component of the project. The project is required to provide 34 long-term parking spaces and 8 short-term spaces.

Table 8 presents the bicycle parking requirement for the project. The project would provide 42 long-term bicycle spaces and eight short-term bicycle racks, exceeding the minimum requirements for long-term spaces, and meeting the requirement for short-term spaces.

TABLE 8: BICYCLE PARKING REQUIREMENTS

Land Use	Size[1]	Long-Term		Short-Term	
		Spaces per Unit	Spaces	Spaces per Unit	Spaces
Apartments	126 DU	1:4 DU	32	1:20 DU	6
Commercial	3.2 KSF	Min.	2	Min.	2
Total Required Bicycle Spaces			34		8
Total Bicycle Parking Provided			42		8
Bicycle Parking Surplus/Deficit			**8**		**0**

1. DU = dwelling unit; KSF = 1,000 square feet
2. Based on Oakland Municipal Code Sections 17.117.090 and 17.117.110

Source: Fehr & Peers, 2015

APPENDIX B
Wind Report

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Guelph, Ontario, Canada
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14th and Alice

Oakland, CA

Report

Pedestrian Wind Study

RWDI # 1502250
September 22, 2015

SUBMITTED TO

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TABLE OF CONTENTS

1. INTRODUCTION 3
2. PRINCIPAL RESULTS 3
3. METHODOLOGY 4
3.1 Wind Tunnel Testing 4
3.2 Local Climate 4
3.3 Planning Code Requirements 4
4. TEST RESULTS 5
4.1 Wind Comfort Conditions 5
4.2 Wind Hazard Conditions 5
5. APPLICABILITY OF RESULTS 6

Tables

Table 1: Wind Comfort Results
Table 2: Wind Hazard Results

Figures

Figure 1a: Wind Tunnel Study Model – Existing Configuration
Figure 1b: Wind Tunnel Study Model – Existing + Project Option 1 Configuration
Figure 1c: Wind Tunnel Study Model – Existing + Project Option 2 Configuration
Figure 2: Directional Distribution of Winds – Metropolitan Oakland International Airport
Figure 3a: Wind Comfort Conditions – Existing Configuration
Figure 3b: Wind Comfort Conditions – Existing + Project Option 1 Configuration
Figure 3c: Wind Comfort Conditions – Existing + Project Option 2 Configuration
Figure 4a: Wind Hazard Exceedances – Existing Configuration
Figure 4b: Wind Hazard Exceedances – Existing + Project Option 1 Configuration
Figure 4c: Wind Hazard Exceedances – Existing + Project Option 2 Configuration

Appendices

Appendix A: Drawing List for Model Construction

1. INTRODUCTION

Rowan Williams Davies & Irwin Inc. (RWDI) was retained by ESA to conduct a Pedestrian Wind Study for the proposed development project at 14th and Alice in Oakland, California. The purpose of the study was to assess the wind environment around the development in terms of pedestrian comfort and hazard relative to wind metrics specified in the City of Oakland Significant Wind Impact Criterion. The study objective was achieved through wind tunnel testing of a 1:400 (1" = 33') scale model for the following three development configurations:

A – Existing: all existing buildings on-site and in the surroundings;

B – Existing plus Project Option 1: proposed 14th and Alice project Option 1 present with existing surrounding buildings;

C – Existing plus Project Option 2: proposed 14th and Alice project Option 2 present with existing surrounding buildings;

The development site is located at the northwest corner of 14th Street and Alice Street in Oakland, CA. The proposed tower is approximately 187 feet tall. The test model was constructed using the design information and drawings listed in Appendix A.

This report summarizes the methodology of the wind tunnel studies for pedestrian wind conditions, describes the wind comfort and wind hazard criteria associated with wind force, as used in the current study, and presents the test results and recommendations of conceptual wind control measures, where necessary.

The placement for wind measurement locations was based on our experience and understanding of pedestrian usage for this site.

2. PRINCIPAL RESULTS

The results of the tests are discussed in detail in Section 5 of this report and may be summarized as follows:

- With Existing plus Project Option 1 and Existing plus Project Option 2 buildings in place, wind comfort conditions generally remained similar to the Existing configuration, or reduced the average wind speeds around the site.
- The number of hazard exceedance locations remained at zero for all configurations tested.

3. METHODOLOGY

3.1 Wind Tunnel Testing

As shown in Figures 1a through 1c, the wind tunnel model included the project site and all relevant surrounding buildings and topography within a 1500 foot radius of the study site. The mean speed profile and turbulence of the natural wind approaching the modelled area were simulated in RWDI's boundary-layer wind tunnel. The model was instrumented with 43 wind speed sensors to measure mean and gust wind speeds at a full-scale height of approximately 5 ft. Six (6) of these measurement locations were on the podium of the proposed development and are not applicable to the Existing configuration (Locations 38 through 43). These measurements were recorded for 36 equally incremented wind directions.

3.2 Local Climate

Wind statistics recorded at the Metropolitan Oakland International Airport between 1984 and 2014 were analyzed for annual wind conditions. Figure 2 graphically depicts the directional distributions of annual wind frequencies and speeds. Winds are frequent from the northwest through west-southwest directions throughout the year, as indicated by the wind rose. Strong winds of a mean speed greater than 20 mph measured at the airport (at an anemometer height of 33ft) occur 2.6% of the time annually.

Wind statistics from the Metropolitan Oakland International Airport were combined with the wind tunnel data in order to predict the frequency of occurrence of full-scale wind speeds. The full-scale wind predictions were then compared with the City of Oakland Significant Wind Impact Criterion for pedestrian comfort and safety.

3.3 Planning Code Requirements

For the purposes of this study, the City of Oakland considers a significant wind impact to occur if a project were to “Create winds exceeding 36 mph for more than one hour during daylight hours during the year”. A wind analysis only need to be done if the project’s height is 100 feet or greater (Measured to the roof) and one of the following conditions exists: (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. Since the proposed project exceeds 100 feet in height and is located in Downtown, it is subject to the thresholds of significance.

The equivalent wind speeds were calculated according to the specifications in the City of Oakland Significant Wind Impact Criterion, whereby the mean hourly wind speed is increased when the turbulence intensity is greater than 15% according to the following formula:

$$\boldsymbol{EWS} = \boldsymbol{V_m} \times (\mathbf{2} \times \boldsymbol{TI} + \mathbf{0.7})$$

where $\boldsymbol{EWS}$ = equivalent wind speed
$\boldsymbol{V_m}$ = mean pedestrian-level wind speed
$\boldsymbol{TI}$ = turbulence intensity

4. TEST RESULTS

This section presents the results of the wind tunnel measurements analyzed in terms of equivalent wind speeds as defined by the equation in Section 3.3. The text if the report simply refers to the data as wind speeds.

Table 1, located in the tables section of this report, presents the wind comfort results for the three configurations tested. For each measurement point, the measured 10% exceeded (90th percentile) equivalent wind speed and the percentage of time that the wind speed exceeds 11 mph are shown for areas considered to be used primarily for walking.

Table 2 presents the wind hazard results, and lists the predicted wind speed to be exceeded one hour per year. The predicted number of hours per year that the City of Oakland Significant Wind Impact Criterion (one minute wind speed of 36 mph) is exceeded is also provided.

4.1 Wind Comfort Conditions

For the Existing Configuration in the vicinity of the project site, wind conditions were generally low with 90th percentile wind speeds averaging 10 mph for all 37 measurement locations. The highest wind speeds occurred along 14th Street and at the intersection of 14th Street and Harrison Street, and at the northeast corner of Alice Street and 14th Street (see Figure 3a and Table 1). In the Existing Configuration winds currently exceed the 11 mph criterion on average 7% of the time.

For the Existing plus Project Option 1 Configuration, wind speeds generally remained similar with the average 90th percentile wind speed for all test locations remaining at 10 mph. The frequency that the 11 mph criterion was exceeded reduced from 7% in the Existing Configuration to 6% with the Existing plus Project Option 1 Configuration (see Figure 3b and Table 1).

Wind conditions were similar for the Existing plus Project Option 2 Configuration. Wind speeds generally remained similar with the average 90th percentile wind speed for all test locations being slightly reduced from 10 mph to 9 mph. Similar to the Project Option 1 Configuration, the 11 mph criterion was exceeded 6% of the time (see Figure 3c and Table 1).

Overall, as indicated in Table 1, wind conditions were slightly decreased from the Existing Configuration with the proposed project options in place. In addition, wind speeds were similar between the Project Option 1 and Project Option 2 configurations, with Project Option 2 providing slightly better wind comfort and hazard conditions.

4.2 Wind Hazard Conditions

Of the 37 grade level locations tested for the Existing Configuration, none currently exceed the hazard criterion (presented in Table 2 and Figure 4a).

The addition of both Project Option 1 and Project Option 2 are not expected to create any locations where wind exceeds the hazard criterion, as each of the 37 grade level and 6 above grade test locations met the hazard criterion (see Figure 4b and 4c).

5. APPLICABILITY OF RESULTS

The results presented in this report pertain to the model of the proposed 14th and Alice project constructed using the architectural design drawings listed in Appendix A. Should there be design changes that deviate from this list of drawings, the results presented may change. Therefore, if substantial changes in the design are made, it is recommended that RWDI be contacted and requested to review their potential effects on wind conditions.

TABLES

CONSULTING ENGINEERS & SCIENTISTS

Table 1: Wind Comfort Results

References	Existing			Existing + Project Option 1				Existing + Project Option 2			
Location Number	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Hours Change Relative to Existing	Exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Hours Change Relative to Existing	Exceeds
1	9	4		9	5	0		9	5	0	
2	9	5		9	4	0		9	4	0	
3	10	7		9	4	-1		9	5	-1	
4	10	7		7	2	-3		7	1	-3	
5	10	7		8	2	-2		8	3	-2	
6	10	6		9	4	-1		9	4	-1	
7	10	7		9	5	-1		8	3	-2	
8	9	4		9	5	0		9	4	0	
9	10	5		9	4	-1		9	3	-1	
10	8	2		8	3	0		7	2	-1	
11	9	4		12	13	3	e	10	7	1	
12	11	10		12	13	1	e	12	13	1	e
13	12	14	e	10	7	-2		11	9	-1	
14	8	5		12	13	4	e	11	10	3	
15	11	8		11	12	0		11	8	0	
16	6	1		6	1	0		6	1	0	
17	8	4		8	3	0		8	3	0	
18	10	5		10	6	0		10	6	0	
19	10	8		11	8	1		11	8	1	
20	10	6		9	4	-1		9	4	-1	
21	8	3		8	3	0		8	3	0	
22	7	2		8	2	1		8	2	1	
23	9	4		10	6	1		9	4	0	
24	6	1		8	3	2		8	3	2	
25	6	0		7	2	1		7	2	1	
26	11	10		10	8	-1		10	8	-1	
27	7	1		8	2	1		8	2	1	
28	14	21	e	13	16	-1	e	13	19	-1	e
29	13	20	e	13	16	0	e	13	17	0	e
30	12	13	e	12	12	0	e	12	14	0	e
31	12	12	e	11	11	-1		11	11	-1	
32	12	13	e	11	11	-1		11	12	-1	
33	9	3		9	3	0		9	3	0	
34	11	9		11	8	0		11	8	0	
35	10	7		10	7	0		10	7	0	
36	7	1		8	2	1		8	2	1	
37	9	4		10	6	1		10	6	1	

CONSULTING ENGINEERS & SCIENTISTS

Table 1: Wind Comfort Results

References	Existing			Existing + Project Option 1				Existing + Project Option 2			
Location Number	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Hours Change Relative to Existing	Exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Hours Change Relative to Existing	Exceeds
38	-	-	-	11	11	-		10	7	-	
39	-	-	-	7	1	-		9	3	-	
40	-	-	-	12	16	-	e	10	7	-	
41	-	-	-	12	12	-	e	10	6	-	
42	-	-	-	12	12	-	e	8	3	-	
43	-	-	-	6	0	-		6	1	-	

Summary of Grade Level Wind Comfort Results:

	Existing			Existing + Project Option 1				Existing + Project Option 2			
	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Hours Change Relative to Existing	Exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Hours Change Relative to Existing	Exceeds
Average speed, Average % and Total exceedances	**10 mph**	**7%**	**6 of 37**	**10 mph**	**6%**	**1 hrs**	**6 of 37**	**9 mph**	**6%**	**-4 hrs**	**4 of 37**

Summary of Podium Level Wind Comfort Results:

	Existing			Existing + Project Option 1				Existing + Project Option 2			
	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Hours Change Relative to Existing	Exceeds	Wind Speed Exceeded 10% of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Hours Change Relative to Existing	Exceeds
Average speed, Average % and Total exceedances	**-**	**-**	**-**	**10 mph**	**9%**	**-**	**3 of 6**	**9 mph**	**5%**	**-**	**0 of 6**

CONSULTING ENGINEERS & SCIENTISTS

Table 2: Wind Hazard Results

References	Existing			Existing + Project Option 1				Existing + Project Option 2			
Location Number	Wind Speed Exceeded 1hr/year (mph)	Hours per Year Wind Speeds Exceed Hazard Criteria	Exceeds	Wind Speed Exceeded 1 hour/year (mph)	Hours per Year Wind Speeds Exceed Hazard Criteria	Hours Change Relative to Existing	Exceeds	Wind Speed Exceeded 1 hour/year (mph)	Hours per Year Wind Speeds Exceed Hazard Criteria	Hours Change Relative to Existing	Exceeds
1	26	0		26	0	0		27	0	0	
2	28	0		27	0	0		27	0	0	
3	31	0		21	0	0		21	0	0	
4	27	0		20	0	0		20	0	0	
5	26	0		21	0	0		23	0	0	
6	23	0		25	0	0		25	0	0	
7	28	0		27	0	0		23	0	0	
8	23	0		29	0	0		26	0	0	
9	20	0		26	0	0		22	0	0	
10	22	0		24	0	0		24	0	0	
11	29	0		29	0	0		30	0	0	
12	25	0		29	0	0		28	0	0	
13	28	0		25	0	0		27	0	0	
14	31	0		30	0	0		30	0	0	
15	31	0		30	0	0		29	0	0	
16	20	0		19	0	0		19	0	0	
17	27	0		25	0	0		25	0	0	
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25	18	0		21	0	0		23	0	0	
26	23	0		27	0	0		26	0	0	
27	18	0		21	0	0		24	0	0	
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32	25	0		25	0	0		25	0	0	
33	22	0		22	0	0		21	0	0	
34	25	0		24	0	0		25	0	0	
35	23	0		22	0	0		22	0	0	
36	18	0		20	0	0		21	0	0	
37	22	0		23	0	0		23	0	0	

RWDI
CONSULTING ENGINEERS & SCIENTISTS

Table 2: Wind Hazard Results

References	Existing			Existing + Project Option 1				Existing + Project Option 2			
Location Number	Wind Speed Exceeded 1hr/year (mph)	Hours per Year Wind Speeds Exceed Hazard Criteria	Exceeds	Wind Speed Exceeded 1 hour/year (mph)	Hours per Year Wind Speeds Exceed Hazard Criteria	Hours Change Relative to Existing	Exceeds	Wind Speed Exceeded 1 hour/year (mph)	Hours per Year Wind Speeds Exceed Hazard Criteria	Hours Change Relative to Existing	Exceeds
38	-	-	-	32	0	-		25	0	-	
39	-	-	-	23	0	-		22	0	-	
40	-	-	-	30	0	-		23	0	-	
41	-	-	-	25	0	-		21	0	-	
42	-	-	-	28	0	-		22	0	-	
43	-	-	-	16	0	-		18	0	-	
Average mph, Total hours and Total exceedances	**25 mph**	**0 hrs**	**0 of 37**	**25 mph**	**0 hrs**	**0 hrs**	**0 of 37**	**24 mph**	**0 hrs**	**0 hrs**	**0 of 37**

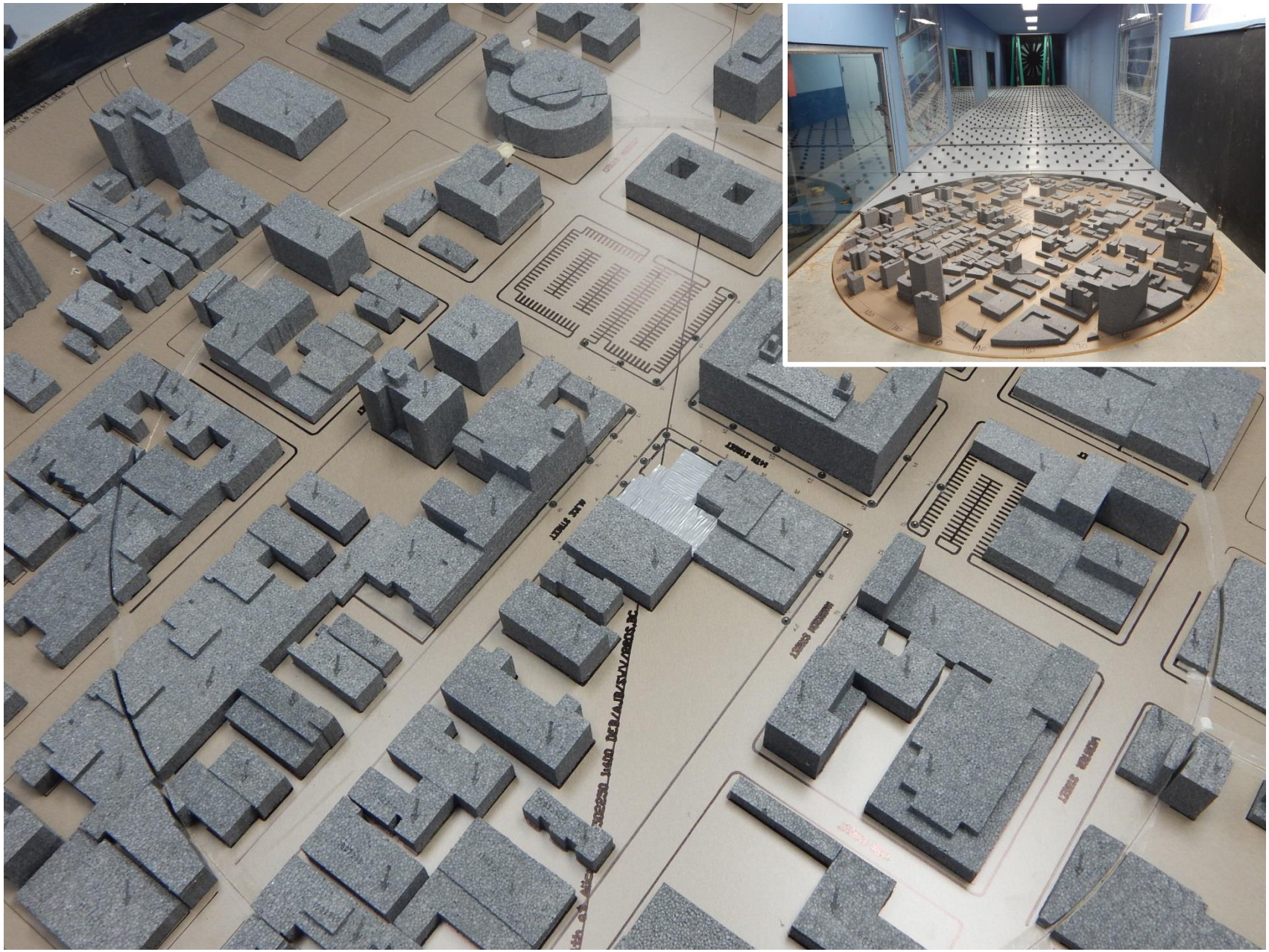
Summary of Grade Level Wind Hazard Results:

	Existing			Existing + Project Option 1				Existing + Project Option 2			
	Wind Speed Exceeded 10 of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Exceeds	Wind Speed Exceeded 10 of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Hours Change Relative to Existing	Exceeds	Wind Speed Exceeded 10 of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Hours Change Relative to Existing	Exceeds
Average speed, Average % and Total exceedances	**25 mph**	**0 hrs**	**0 of 37**	**25 mph**	**0 hrs**	**0 hrs**	**0 of 37**	**25 mph**	**0 hrs**	**0 hrs**	**0 of 37**

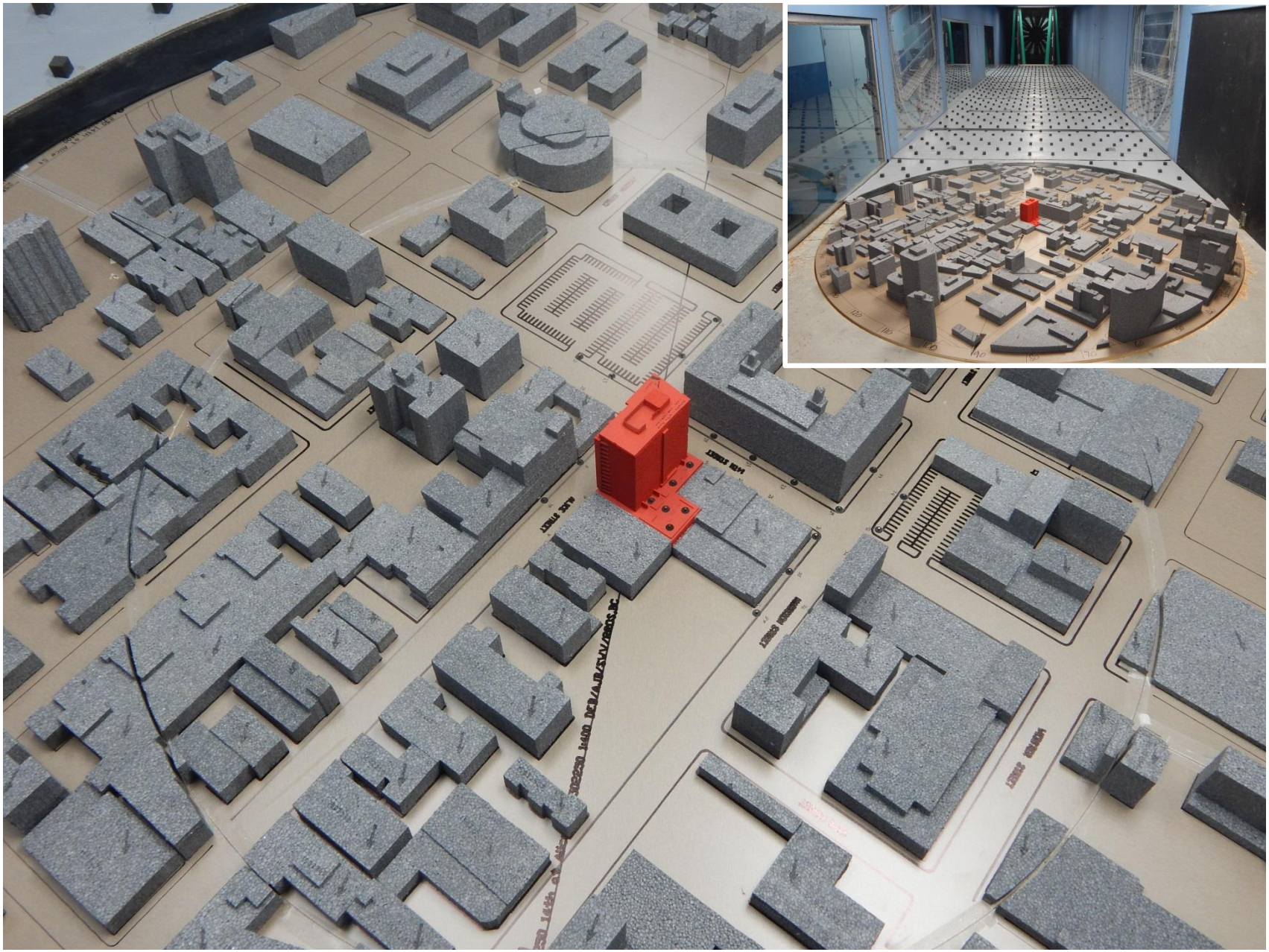
Summary of Podium Level Wind Hazard Results:

	Existing			Existing + Project Option 1				Existing + Project Option 2			
	Wind Speed Exceeded 10 of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Exceeds	Wind Speed Exceeded 10 of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Hours Change Relative to Existing	Exceeds	Wind Speed Exceeded 10 of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Hours Change Relative to Existing	Exceeds
Average speed, Average % and Total exceedances	**-**	**-**	**-**	**26 mph**	**0 hrs**	**0 hrs**	**0 of 6**	**22 mph**	**0 hrs**	**0 hrs**	**0 of 6**

FIGURES



Wind Tunnel Study Model **Existing Configuration**	Figure No. 1a	RWDI
14th and Alice – Oakland, CA	Project #1502250	Date: August 31, 2015



Wind Tunnel Study Model
Existing + Project Option 1 Configuration

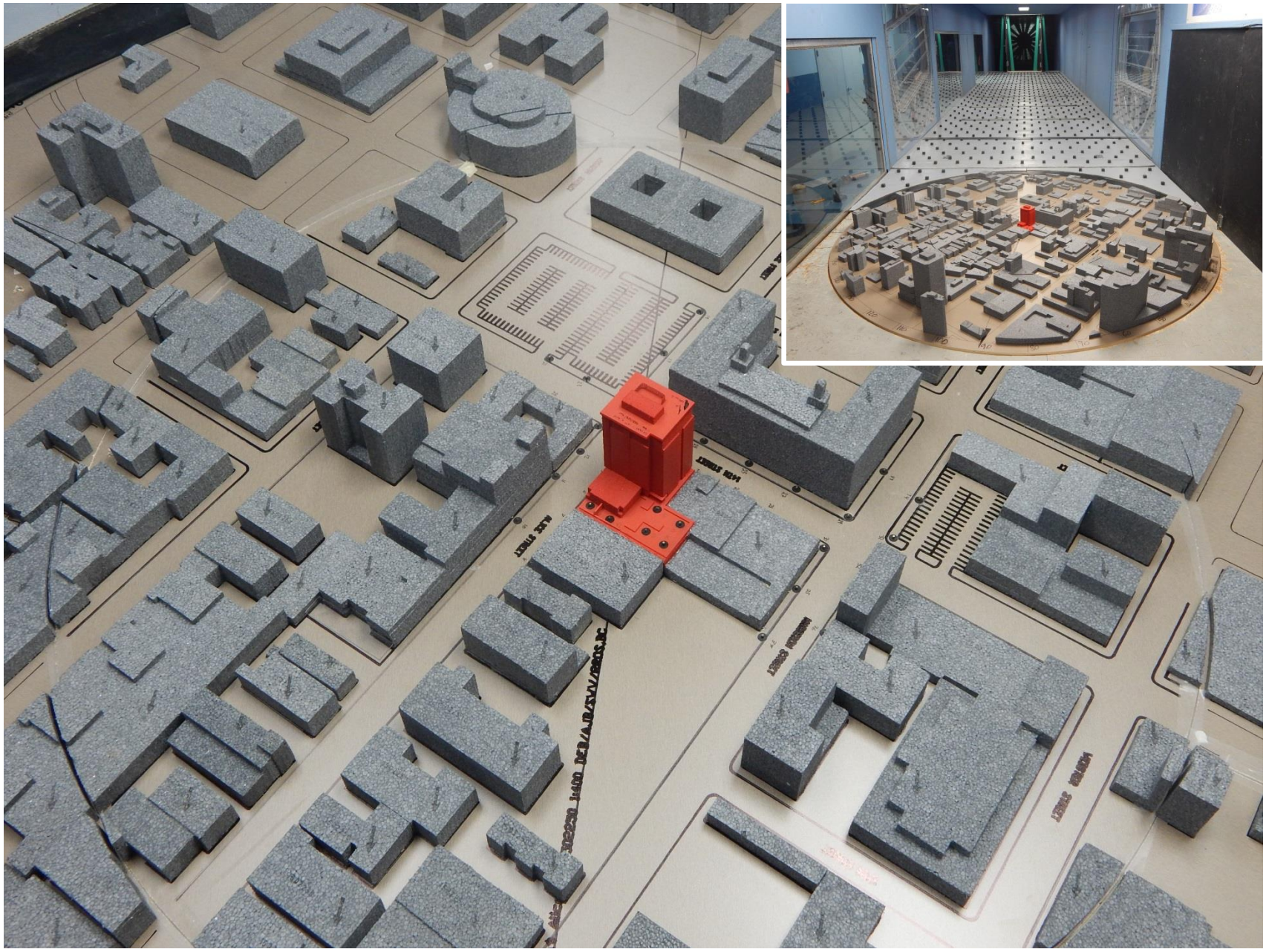
Figure No. 1b

14th and Alice – Oakland, CA

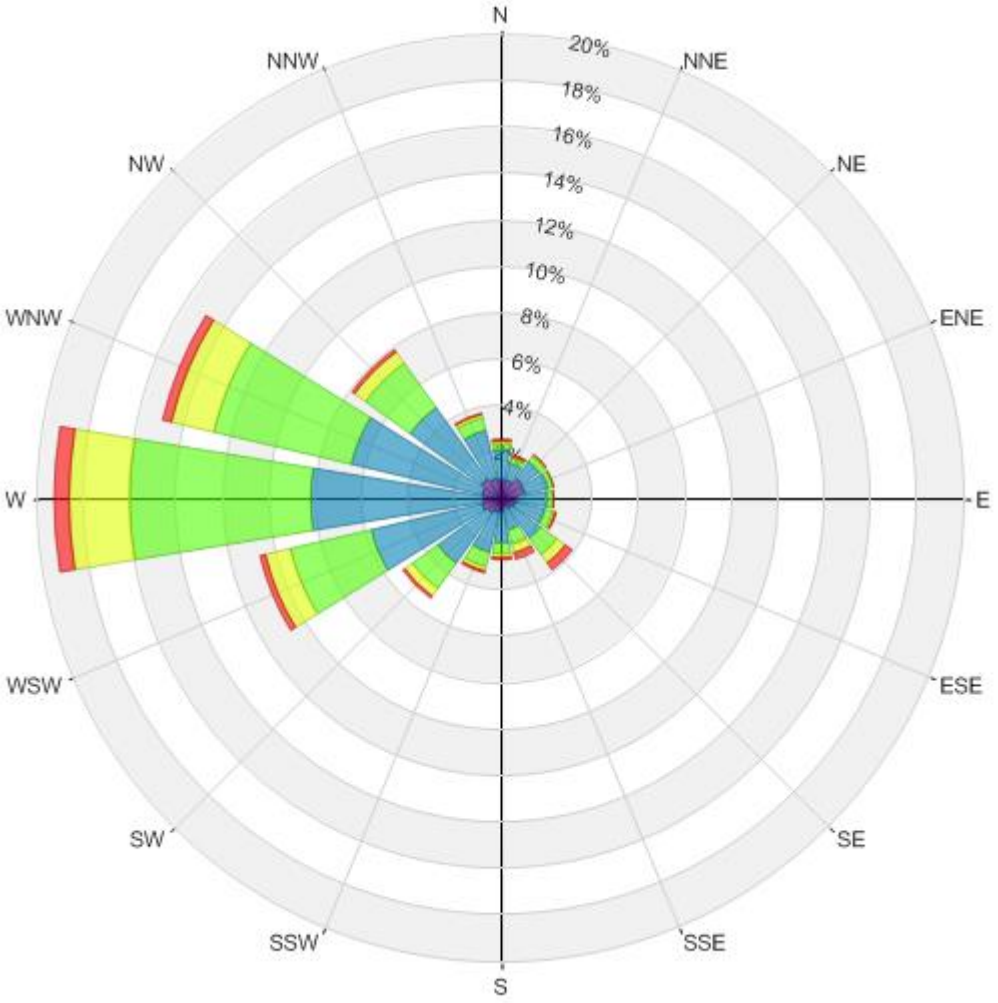
Project #1502250

Date: August 31, 2015

RWDI



Wind Tunnel Study Model **Existing + Project Option 2 Configuration**	Figure No. 1c	RWDI
14th and Alice – Oakland, CA	Project #1502250	Date: August 31, 2015



Annual Winds

Wind Speed (mph)	Probability (%)
Calm	11.8
1-5	12.4
6-10	39.0
11-15	26.0
16-20	8.3
>20	2.6

Directional Distribution (%) of Winds (Blowing From)
Metropolitan Oakland International Airport (1984 - 2014)

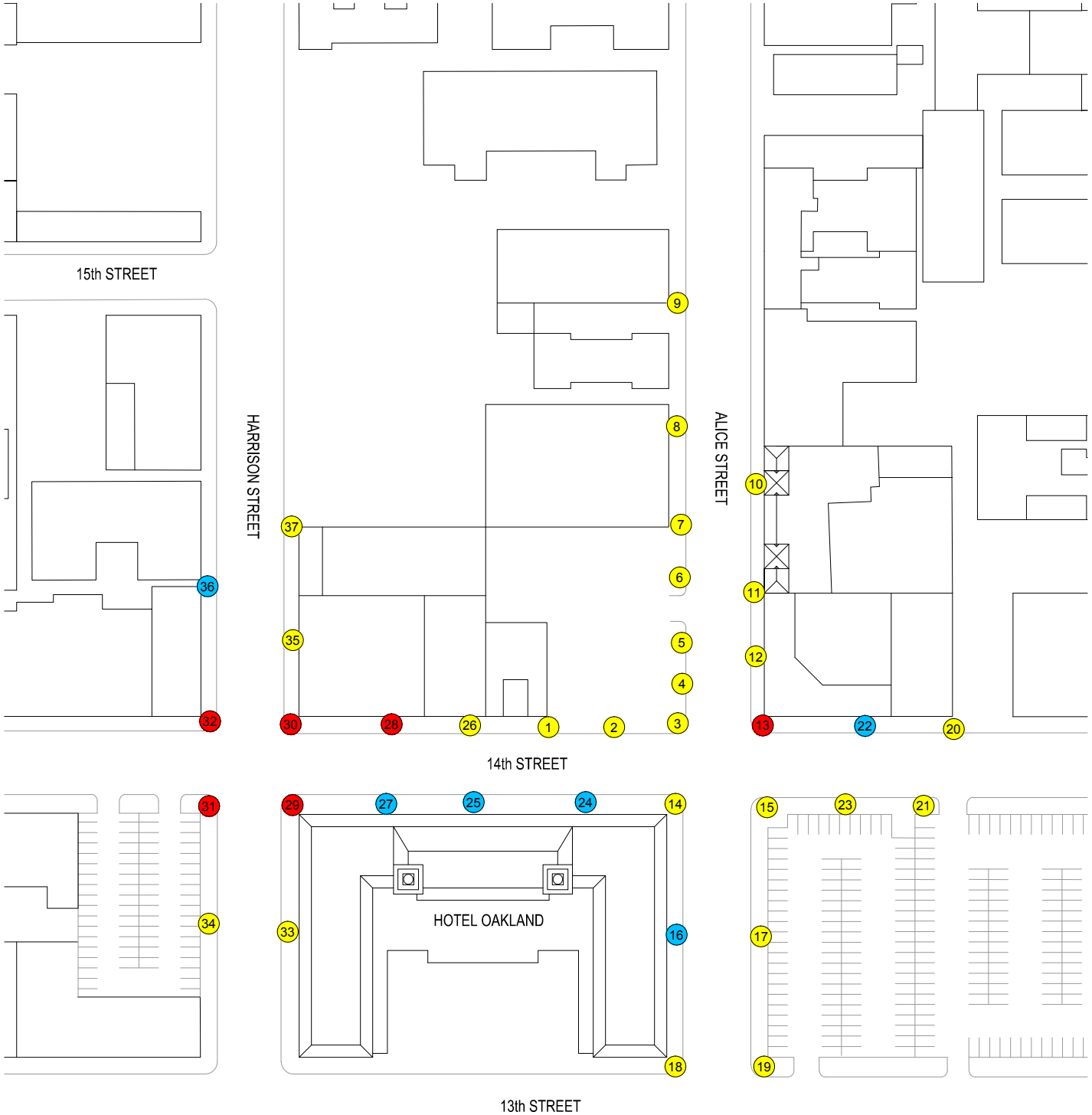
14th and Alice – Oakland, CA

Project #1501611

Figure No. 2

Date: September 16, 2015

RWDI



Pedestrian Wind Comfort Conditions - Existing Configuration

Annual (January to December, 0:00 to 23:00)

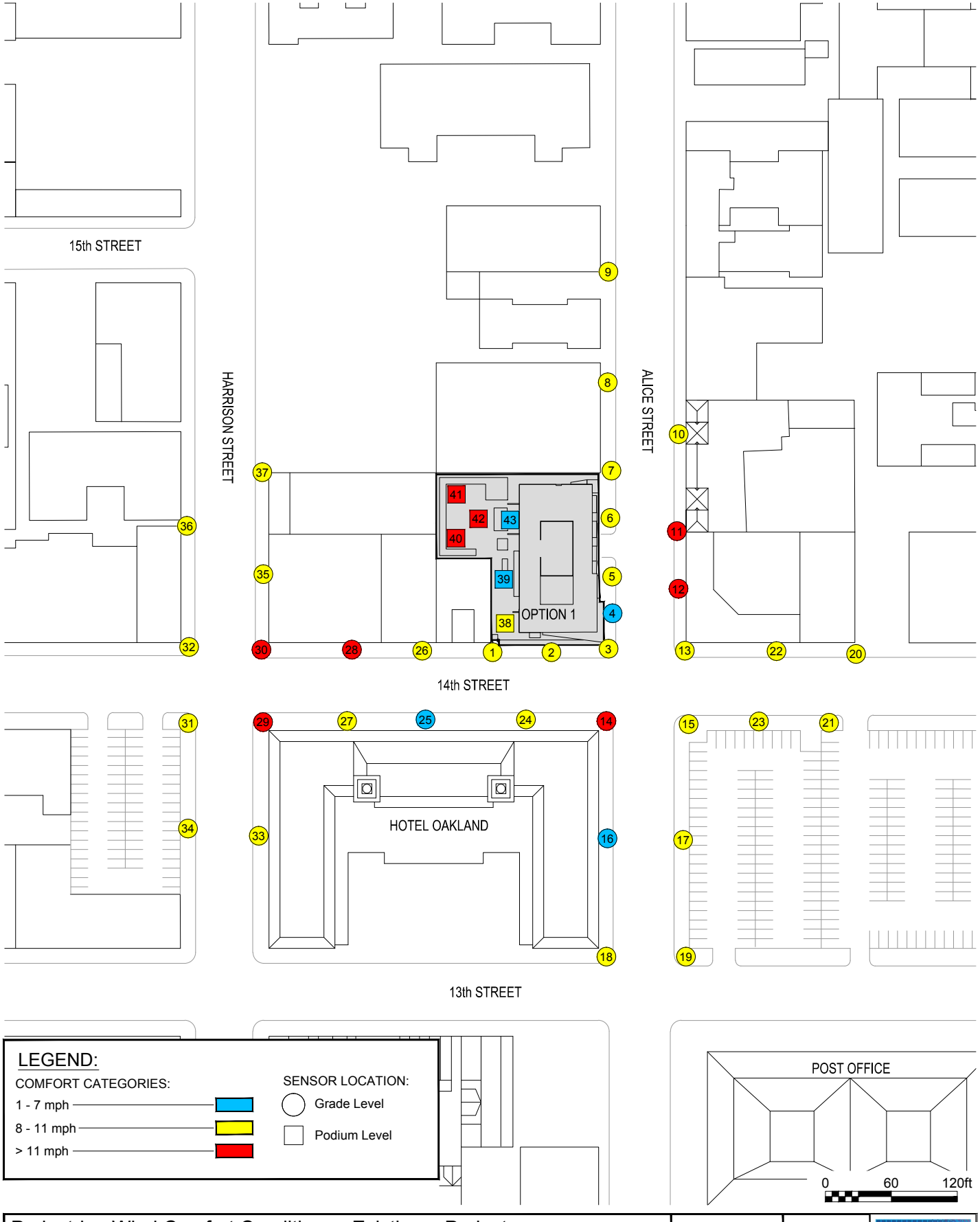
True North

14th and Alice - Oakland, CA

Project #1502250

Drawn by:	ARM	Figure:	3a
Approx. Scale:			1"=120'
Date Revised:			Sept. 15, 2015

RWDI



Pedestrian Wind Comfort Conditions - Existing + Project
Option 1 Configuration
Annual (January to December, 0:00 to 23:00)

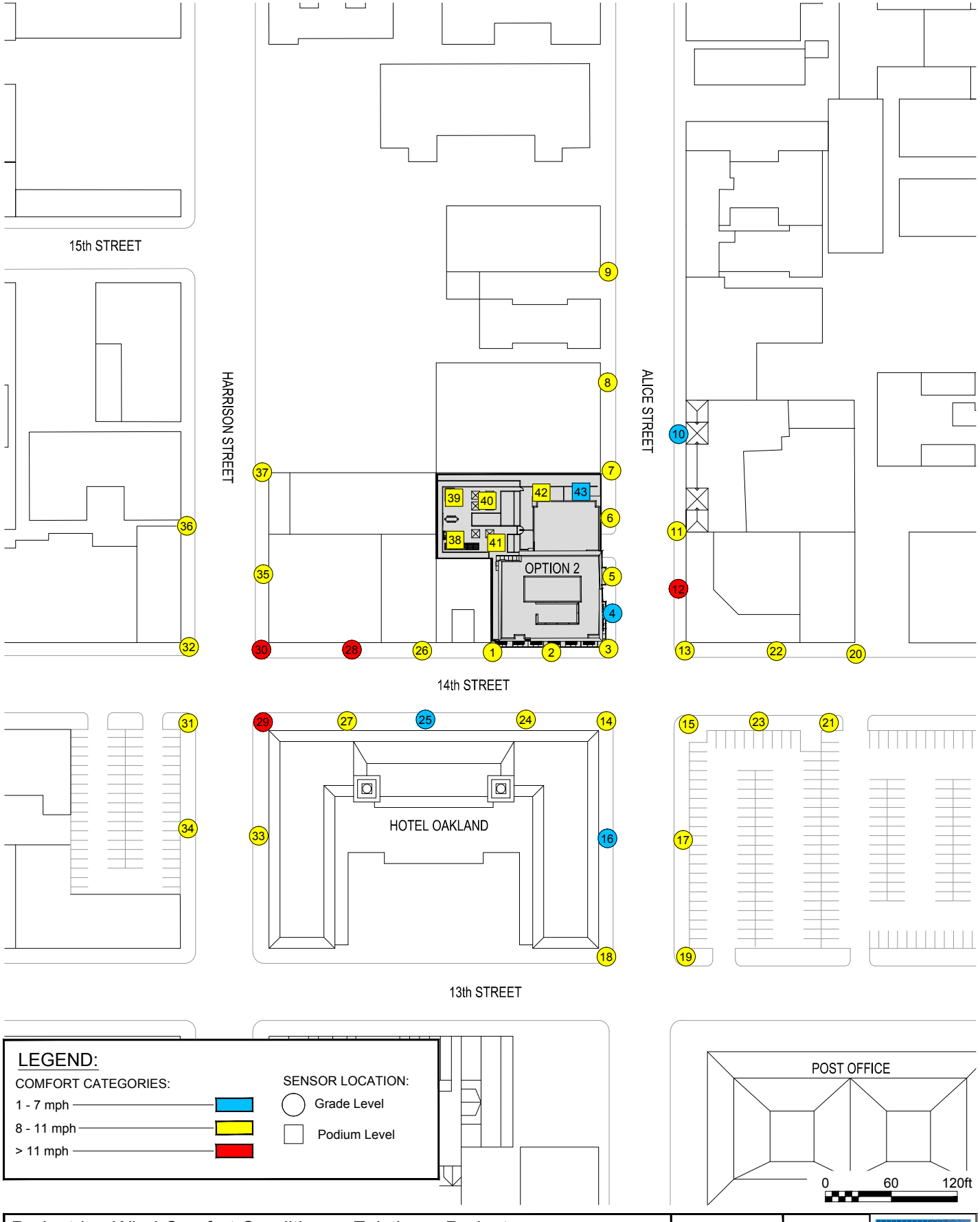
14th and Alice - Oakland, CA

Project #1502250

True North

Drawn by: ARM	Figure: 3b
Approx. Scale:	1"=120'
Date Revised:	Sept. 15, 2015

RWDI



Pedestrian Wind Comfort Conditions - Existing + Project
Option 2 Configuration
Annual (January to December, 0:00 to 23:00)

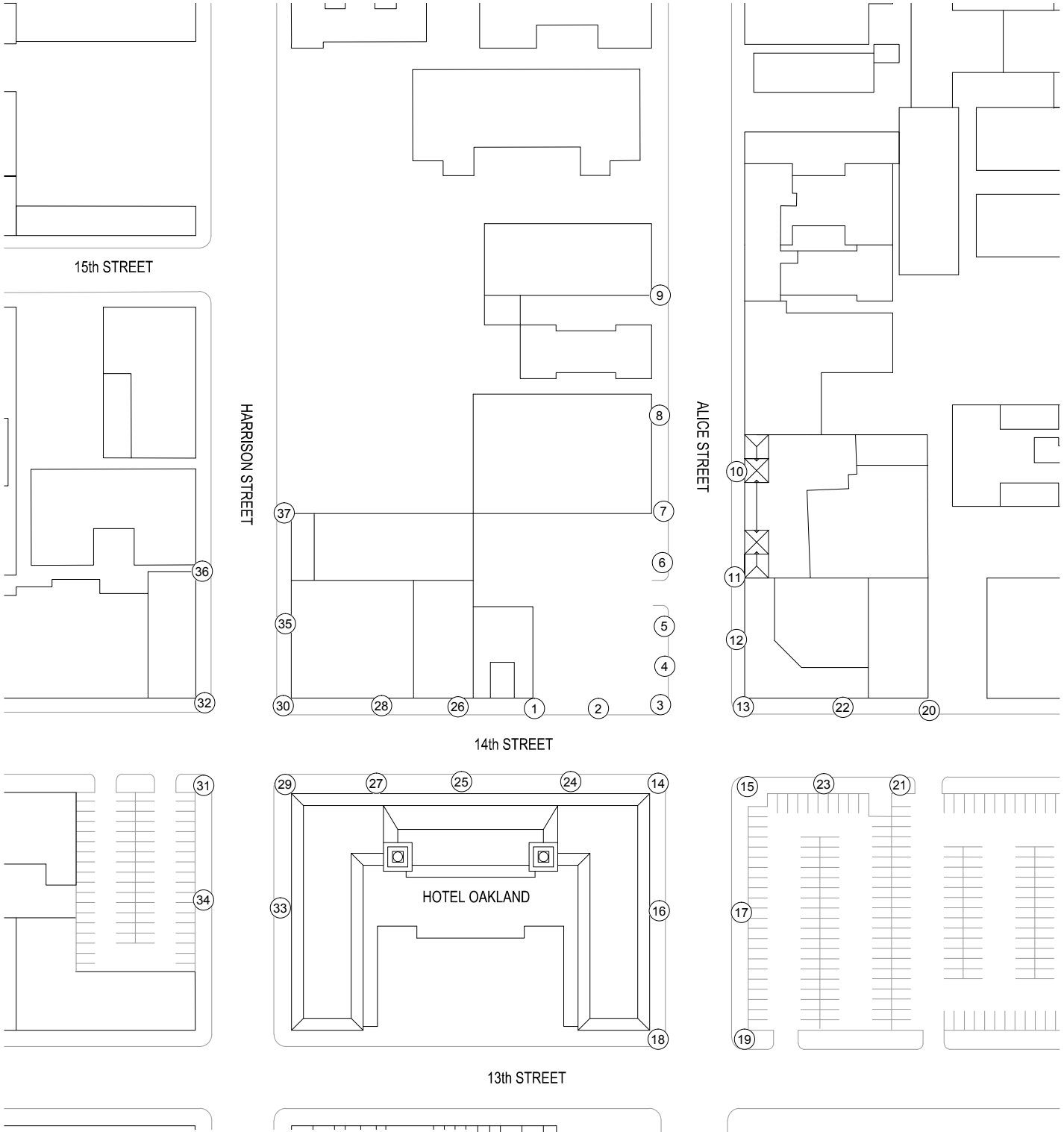
14th and Alice - Oakland, CA

Project #1502250

True North

Drawn by: ARM	Figure: 3c
Approx. Scale:	1"=120'
Date Revised:	Sept. 15, 2015

RWDI



LEGEND:

HAZARD CATEGORIES:

Pass

Exceeded

SENSOR LOCATION:

Grade Level

Pedestrian Wind Hazard Conditions - Existing Configuration

Annual (January to December, 0:00 to 23:00)

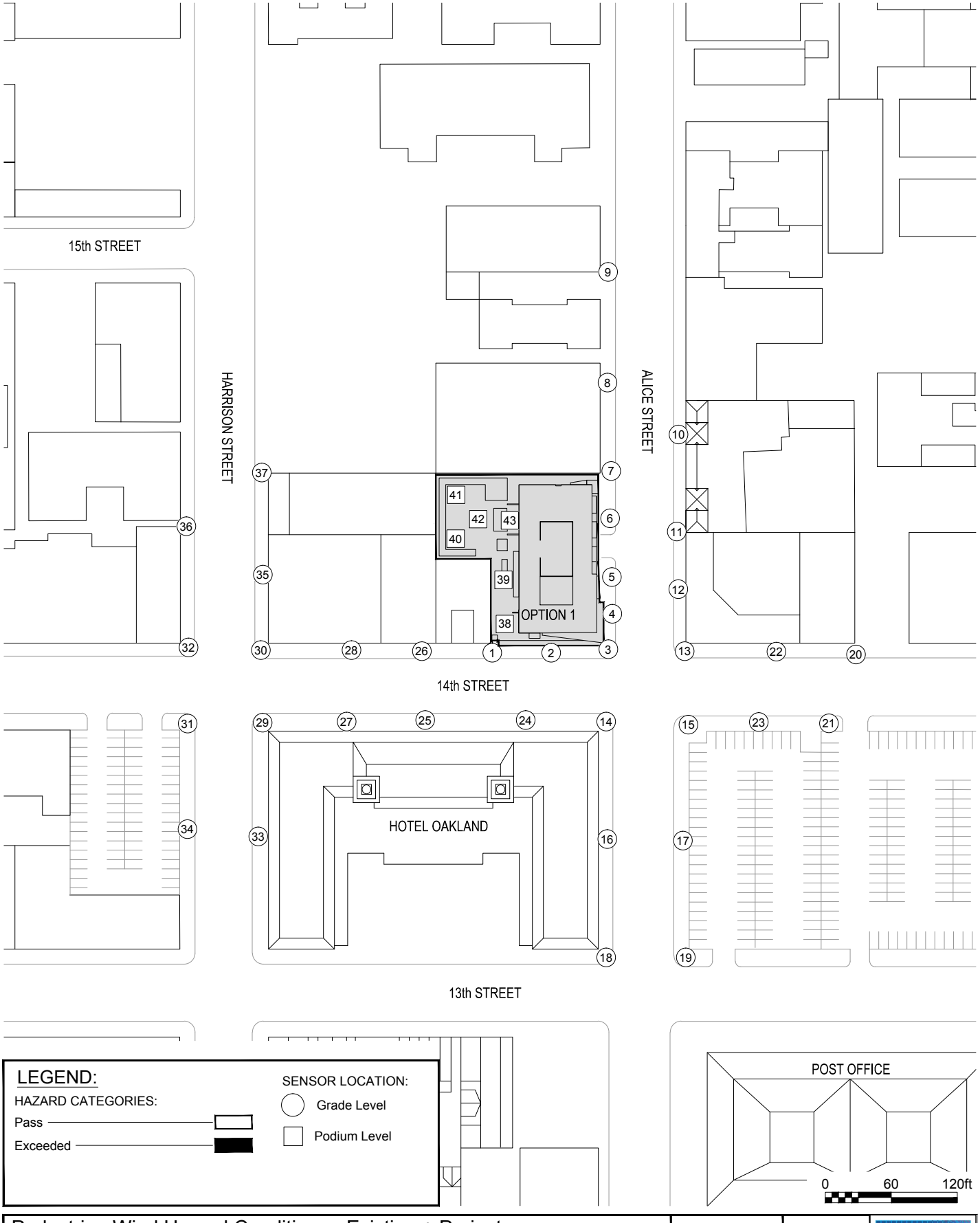
True North

14th and Alice - Oakland, CA

Project #1502250

Drawn by:	ARM	Figure:	4a
Approx. Scale:			1"=120'
Date Revised:			Sept. 15, 2015

RWDI



Pedestrian Wind Hazard Conditions - Existing + Project Option 1 Configuration

Annual (January to December, 0:00 to 23:00)

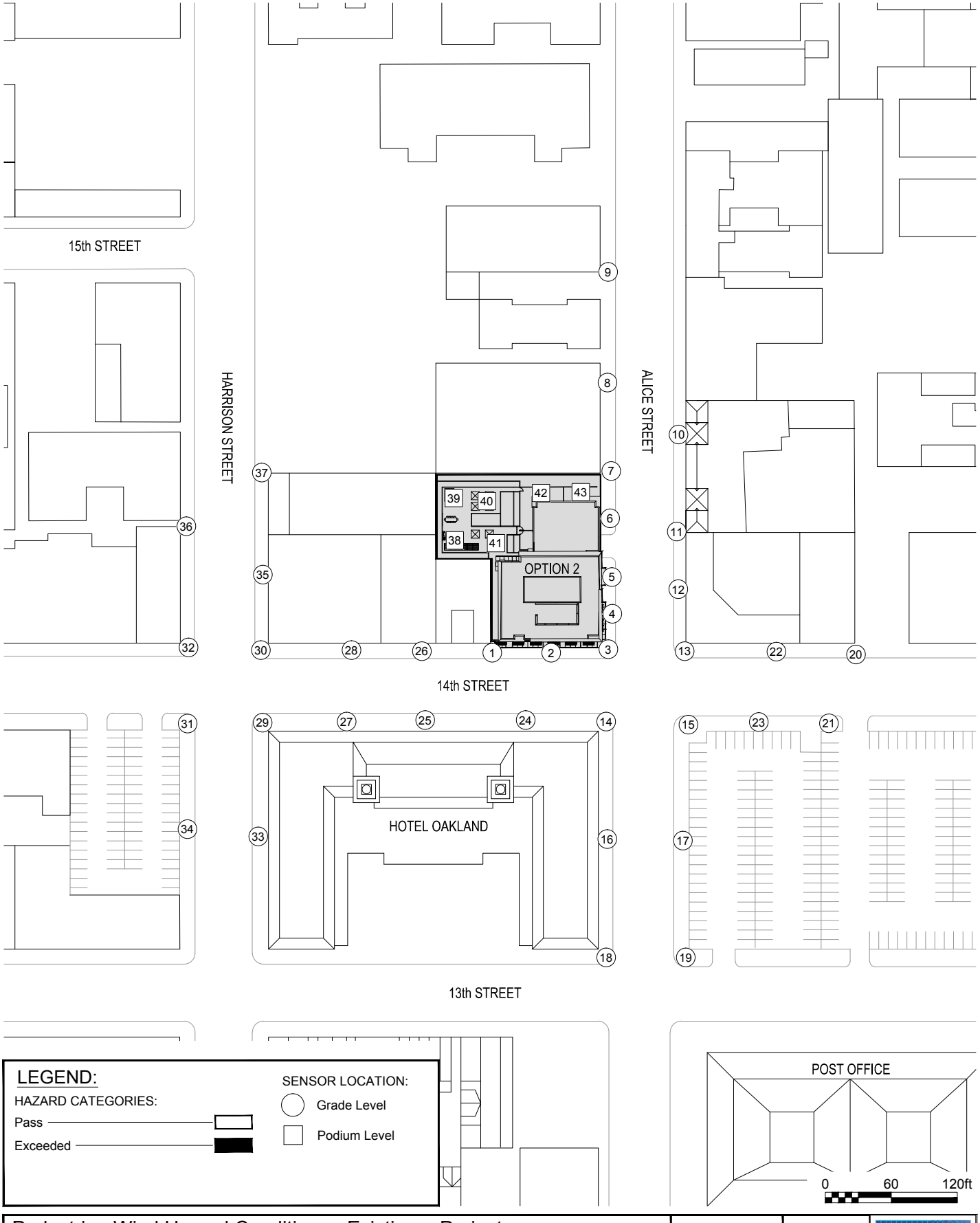
True North

Drawn by: ARM	Figure: 4b
Approx. Scale:	1"=120'
Date Revised:	Sept. 15, 2015

14th and Alice - Oakland, CA

Project #1502250

RWDI



Pedestrian Wind Hazard Conditions - Existing + Project Option 2 Configuration

Annual (January to December, 0:00 to 23:00)

True North

Drawn by:	ARM	Figure:	4c
Approx. Scale:			1"=120'
Date Revised:			Sept. 15, 2015

14th and Alice - Oakland, CA

Project #1502250

RWDI

APPENDIX A

APPENDIX A: DRAWING LIST FOR MODEL CONSTRUCTION

The drawings and information listed below were received from ESA and were used to construct the scale model of the proposed 14th and Alice project. Should there be any design changes that deviate from this list of drawings, the results may change. Therefore, if changes in the design area made, it is recommended that RWDI be contacted and requested to review their potential effects on wind conditions.

Description	File Name	File Type	Date Received (dd/mm/yyyy)
3D Model	38159_14th Ave Oakland_Option 1_2015-08-10.skp	SketchUp	10/8/2015
3D Model	38159_14th Ave Oakland_Option 2_2015-08-10.skp	SketchUp	10/8/2015