

# **88 GRAND AVENUE PROJECT CEQA ANALYSIS**

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

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**URBAN  
PLANNING  
PARTNERS  
INC.**



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ATTACHMENT C: PROJECT CONSISTENCY WITH COMMUNITY PLAN OR ZONING, PER CEQA GUIDELINES SECTION 15183

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## I. INTRODUCTION/SUMMARY

The purpose of this CEQA document is to analyze the 88 Grand Avenue Project (project) to determine if it qualifies for an Addendum and an Eligible Infill Exemption so that no additional environmental review is required.

The project proposes to redevelop and renovate the two parcels fronting Broadway, Grand Avenue, and Webster Street in Uptown Oakland with a residential tower. Table I-1, provides general project information.

**Table I-1 General Project Information**

Project Title	88 Grand Avenue Project
Public Case File Number	PLN18-406
Lead Agency Name and Address	City of Oakland Bureau of Planning 250 Frank H. Ogawa Plaza, Suite 2114 Oakland, CA 94612
Staff Contact	Peterson Z. Vollmann (510) 238-6167 pvollmann@oaklandca.gov
Applicant	Seagate Properties 980 Fifth Avenue San Rafael, CA 94901 Contact: Brian Johnson
Project Location/Assessor's Parcel Number (APN)	88 Grand Avenue (60 Grand Avenue and 2250 Broadway/80 Grand Avenue); APNs: 008 065600400 and 008 065600100
General Designation	CBD (Central Business District)
Zoning Designation	D-BV-2 (Broadway Valdez District Retail - 2 Commercial Zone)
Requested Planning Permits	Regular Design Review Tentative Parcel Map (Lot Line Adjustment and new Condominiums) Minor Conditional-Use Permit for Transfer of Development Rights
Lot Size	0.5 acres (22,182-square-feet)

The project site is currently occupied by an office building and a surface parking lot. The project would redevelop the surface parking lot portion of the site with a 35-story residential tower that accommodates approximately 275 units, with additional auxiliary uses and ground-floor retail and would replace the existing surface parking lot. The building is approximately 302,100 gross square feet with a maximum height of 374 feet plus another 37 feet for mechanical rooftop screening. Approximately 45 vehicle spaces utilizing an automated parking system and 161 bicycle parking spaces are proposed below grade in the basement of the residential tower. Private open space areas are proposed on balconies and terraces and at the roof level. No new development is

proposed on the 2250 Broadway (also referred to “80 Grand Avenue”) portion of the site. Additional detail regarding the project is provided in *Chapter II, Project Description*.

The project would be located in the Valdez Triangle subdistrict of the Broadway Valdez District Specific Plan (BVDSP) and within Development Sub District 1 Site 1. The BVDSP Environmental Impact Report (EIR)<sup>1</sup> analyzed the environmental impacts of implementation of the BVDSP, including development of the project site. The project is within the impact envelope of the reasonably foreseeable maximum development program analyzed by the BVDSP EIR, providing the basis for use of an Addendum per Public Resources Code Section 21166 and State CEQA Guidelines Section 15164. The project is also within an urbanized area and fulfills the criteria for an Eligible Infill Exemption pursuant to Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 (Streamlining for Infill Projects).

This document describes the project in *Chapter II, Project Description*, and documents the project’s consistency with the BVDSP. *Chapter IV, Summary of Findings*, provides an overview of the environmental analysis. The potential environmental impacts of the project are described in *Section V, CEQA Checklist*, which summarizes the impact findings of the BVDSP EIR and relevant City of Oakland Standard Conditions of Approval (SCAs) and explains whether the project would cause new or more significant environmental impacts than those identified in the BVDSP EIR.

## **A. Summary**

As demonstrated in: (1) the project findings, detailed in the Environmental Checklist found below; (2) the Criteria for Use of Addendum, included in Attachment A; and (3) the Infill Exemption Performance Standards Matrix, included as Attachment C, the 88 Grand Avenue project would not result in substantially more significant (severe) environmental effects than those identified in the BVDSP EIR. The CEQA Guidelines state that “more significant” effects include those that result from changes in circumstances or changes in the development assumptions underlying the prior EIR’s analysis. Where project-specific significant environmental impacts could occur, this document demonstrates that they would be substantially mitigated by mitigation measures from the BVDSP EIR and/or uniformly applicable development policies or standards. Therefore, the project qualifies for an Addendum and an Eligible Infill Exemption and no additional environmental review is required under CEQA Guidelines Sections 15162, 15164, and 15183.3.

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<sup>1</sup> City of Oakland, 2013. Broadway Valdez District Specific Plan. State Clearing House No. 2012052008.

## **B. Document Organization**

This CEQA Analysis is organized into the following chapters:

*Chapter I, Executive Summary:* Provides a summary of the project; discusses project consistency with applicable BVDSP policies; and summarizes the organization of the CEQA Analysis.

*Chapter II, Project Description:* This chapter describes the project site, site development history, proposed development, and required approval process.

*Chapter III, BVDSP and EIR:* This chapter summarizes the previous environmental documents and their impacts, for which this CEQA Analysis is based upon.

*Chapter IV, Summary of Findings:* This chapter describes why the project qualifies for an exemption/addendum under applicable CEQA provisions.

*Chapter V, CEQA Checklist:* This chapter summarizes the analysis, findings, and conclusions of the previous BVDSP EIR. This chapter also provides analysis of each environmental technical topic and describes significance criteria, potential environmental impacts and their level of significance, SCAs relied upon to ensure that significant impacts would not occur, and mitigation measures recommended when necessary to mitigate identified impacts.

*Attachments:* In Attachment A, a Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCAMMRP) is provided. Attachment B, Criteria for Use of an Addendum, demonstrates how the project meets the conditions for an Addendum to the BVDSP EIR pursuant to CEQA Guidelines Section 15162, 15164, and 15168. In Attachment C, Project Consistency with Community Plan or Zoning per CEQA Section 15183, demonstrates the project's consistency with the Oakland General Plan and zoning code and BVDSP. In Attachment D, Infill Exemption Performance Standards, a matrix demonstrates the project's consistency with Appendix M of the CEQA Guidelines, thus determining the project's eligibility for an Infill Exemption pursuant to CEQA Guidelines Section 15183.3. Finally, in Attachment E, a copy of the wind study prepared for the project is provided.



## II. PROJECT DESCRIPTION

This chapter describes the proposed 88 Grand Avenue Project (project) that is the subject of this CEQA document. This chapter provides a description of the project site and existing site conditions, discusses the project details and characteristics, and lists the required project approvals.

### A. Project Site

A description of the project site, including its location, site characteristics, surrounding land uses, and existing general plan and zoning designation, is provided below.

#### 1. Location

The project site is located on two parcels in Downtown Oakland within the Uptown District at 2250 Broadway and 60 Grand Avenue, respectfully.<sup>2</sup> The site is bound by Broadway to the west, Grand Avenue to the south, Webster Street to the east, and an adjacent parcel along 23<sup>rd</sup> Street to the north, as shown in Figure 1. The project site is within three blocks of the 19<sup>th</sup> Street Bay Area Rapid Transit District (BART) station, approximately 0.4-miles east of Interstate 980, and approximately three blocks from Lake Merritt.

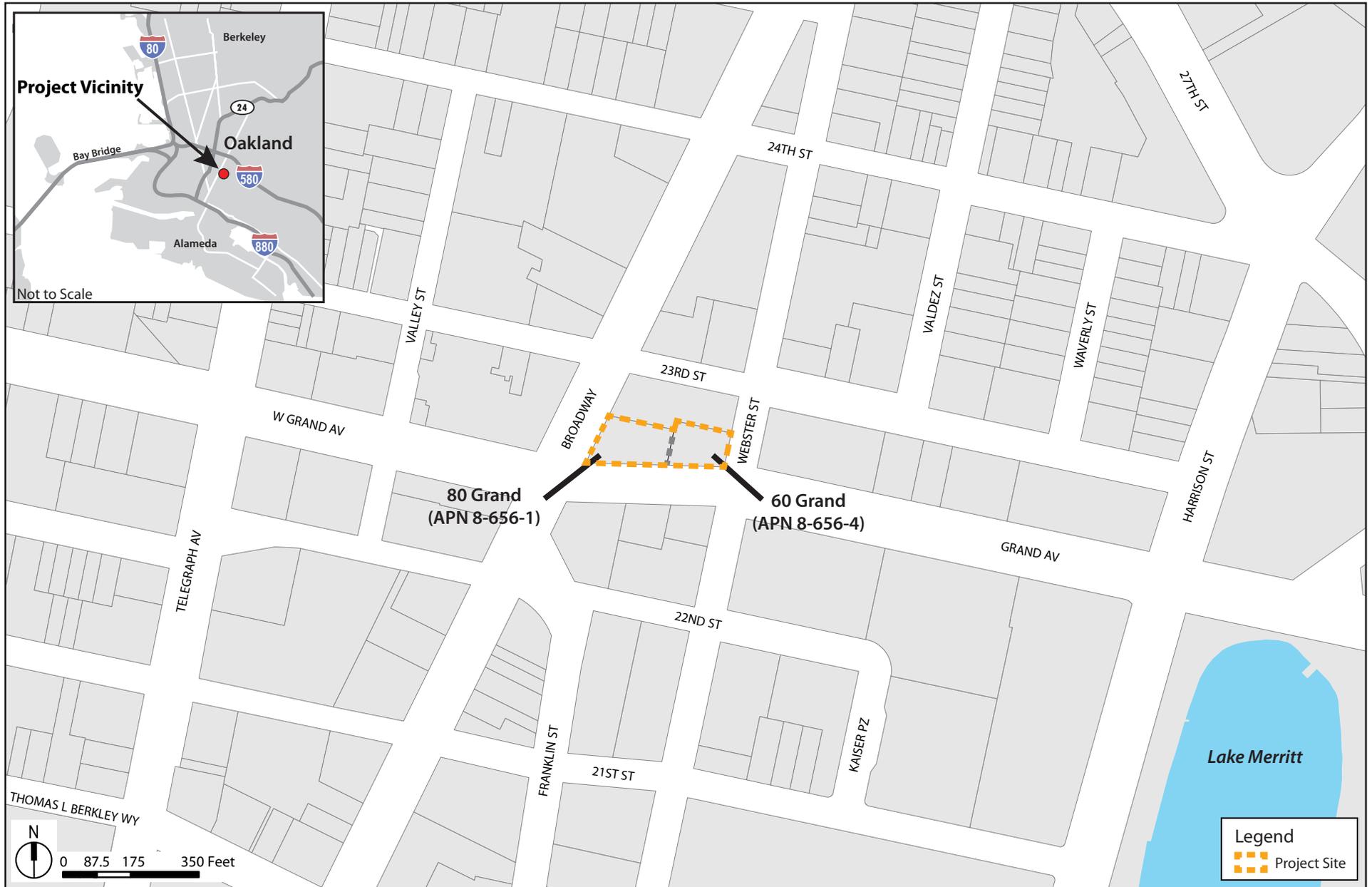
#### 2. Site Characteristics

The project site is urban in character and is currently developed and occupied by an office building and parking lot. The rectangular, approximately 0.51-acre (22,182-square-foot), block is comprised of the following two parcels:

- **2250 Broadway/80 Grand Avenue** (Assessor's Parcel Number [APN] 8-656-1). This approximately 0.3-acre (12,926-square-foot) parcel fronts the northeast corner of Grand Avenue and Broadway. This lot is mostly developed with an 8-story, 118-foot-tall, 44,000-square-foot office building. The site also contains other various landscaping elements.
- **60 Grand Avenue** (APN 8-656-4). This approximately 0.21-acre (9,256-square-foot) parcel fronts the northwest corner of Grand Avenue and Webster Street. It contains a privately-owned surface parking lot that is currently managed by Douglas Parking. Approximately 24 parking spaces are accommodated on this parcel. The parking lot is

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<sup>2</sup> The existing office building at 2250 Broadway is commonly referred to "80 Grand" as that is the posted building name.



**88 Grand Avenue Project**

Source: Alameda County, 2017.

Figure 1  
Project Location and Vicinity Map

accessible via the Webster Street entrance/exit with a separate exit only driveway onto Broadway.

All parcels on the project site are under single, private ownership. While this CEQA analysis considers both the 60 Grand Avenue and 80 Grand Avenue parcels for this project, only the 60 Grand Avenue lot would be redeveloped with the new residential tower. The existing 80 Grand office building and its respective parcel would be retained.

The project site is not located on a hazardous waste and substances site list compiled pursuant to Government Code Section 65962.5.

Sidewalks front all three street frontages of the project site. Existing landscaping includes sparse vegetation and 12 mature trees along the perimeter of the site and 5 mature trees within the site. There is a dedicated bike lane along Webster Street and a shared bike lane along both Grand Avenue and Broadway.

### **3. Existing General Plan and Zoning Designation**

The City of Oakland General Plan<sup>3</sup> land use classification for the site, as established by the Land Use and Transportation Element, is Central Business District (CBD). The zoning designation for the site is Broadway Valdez District Retail – 2 Commercial Zone (D-BV-2). A more detailed discussion of the project's consistency with relevant land use policies is provided in *Section V.I, Land Use, Plans, and Policies*.

### **4. Surrounding Land Uses**

The existing use in the abutting lot (2270 Broadway) to the project is a surface parking lot. This lot is currently planned for development of a 24-story residential building. The project is approved and building permits were filed in 2017.

A mix of land uses surround the project site and are mostly separated from the site by at least the width of the adjoining road. Existing uses just north of the project site on the adjacent block include a multi-family residential building, an exercise facility (YMCA of the East Bay), and a multi-story parking garage. Existing uses to the south include several single-story commercial businesses and the 360 22<sup>nd</sup> Street office building, which contains several offices and ground floor commercial spaces. To the east is a multi-family residential building (The Grand) with a ground-floor restaurant. Existing uses to the east include a multi-family residential building (438 West Grand Ave building) and several ground floor retail spaces.

The BVDSP identified numerous historic resources as defined under CEQA within the project site vicinity. The nearest historic resources are within the block to the northwest of the project site and include: 2335 Broadway (Dinsmore Brothers Auto Accessories

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<sup>3</sup> City of Oakland, March 1998. General Plan, Land Use and Transportation Element.

Building), 2343 Broadway (Kiel [Arthur] Auto Showroom), 2345 Broadway (J.E. French Dodge Showroom), 2366-2398 Valley Street (art Deco Warehouse), and 2355 Broadway (Packard & Maxwell-Don Le-Western Auto Building). Additionally, three historic districts—the Cathedral District, the Lake Merritt District, the Uptown Commercial District, and 25<sup>th</sup> Street Garage District Areas of Primary Importance (APIs)—are located near the project area. A more detailed discussion of historic resources is provided in *Section V.D, Cultural Resources*.

## **B. Proposed Project**

A description of the project, including the proposed development characteristics, circulation and parking, landscaping and streetscape, utilities and infrastructure improvements, and demolition and site preparation is provided below.

### **1. Development Characteristics**

The project proposes to develop the 60 Grand Avenue portion of the project site with a residential tower with 275 residential units, as shown in Figure 2. No new development is proposed on the 80 Grand portion of the site.

The proposed development includes a 35-story/374-foot-high residential building with 275 residential units, approximately 1,000 square feet of ground-floor retail as detailed in Table II-1. The 275 residential units include 83 studio units, 117 one-bedroom units, 66 two-bedroom units, and 9 three-bedroom units. The total gross floor area is 303,700 square feet that is comprised of approximately 289,200 square feet of residential space; 1,000 square feet of ground-floor retail space; 1,600 square feet of area for an automated vehicle parking structure; and 1,100 square feet for the residential lobby. A site section of the proposed project is shown in Figure 3 and renderings of the residential tower are shown in Figures 4, 5, and 6.

The basement level would consist of auxiliary and utility uses, bike storage, and parking lifts. The ground floor would consist of retail space, the residential lobby, utility uses, and other support uses such as truck bays and trash areas. Floors 2-35 would consist of residential space, with open space terraces and amenities on floors 2, 35, and on the roof. The project would also have private balconies and courtyards that would provide open space for residents. The project's floor plans are shown in Figures 7 and 8.

### **2. Transfer of Development Rights**

The project proposes to develop 229 residential units (275 units with consideration of State density bonuses, which is discussed in the section below), all within the confines of the 9,256-square-foot 60 Grand Avenue parcel. As shown in Table II-2, under D-BV-2 zoning development standards, which permits one residential per 90 square feet of lot area, the total permitted number of residential units would be 103 (without consideration

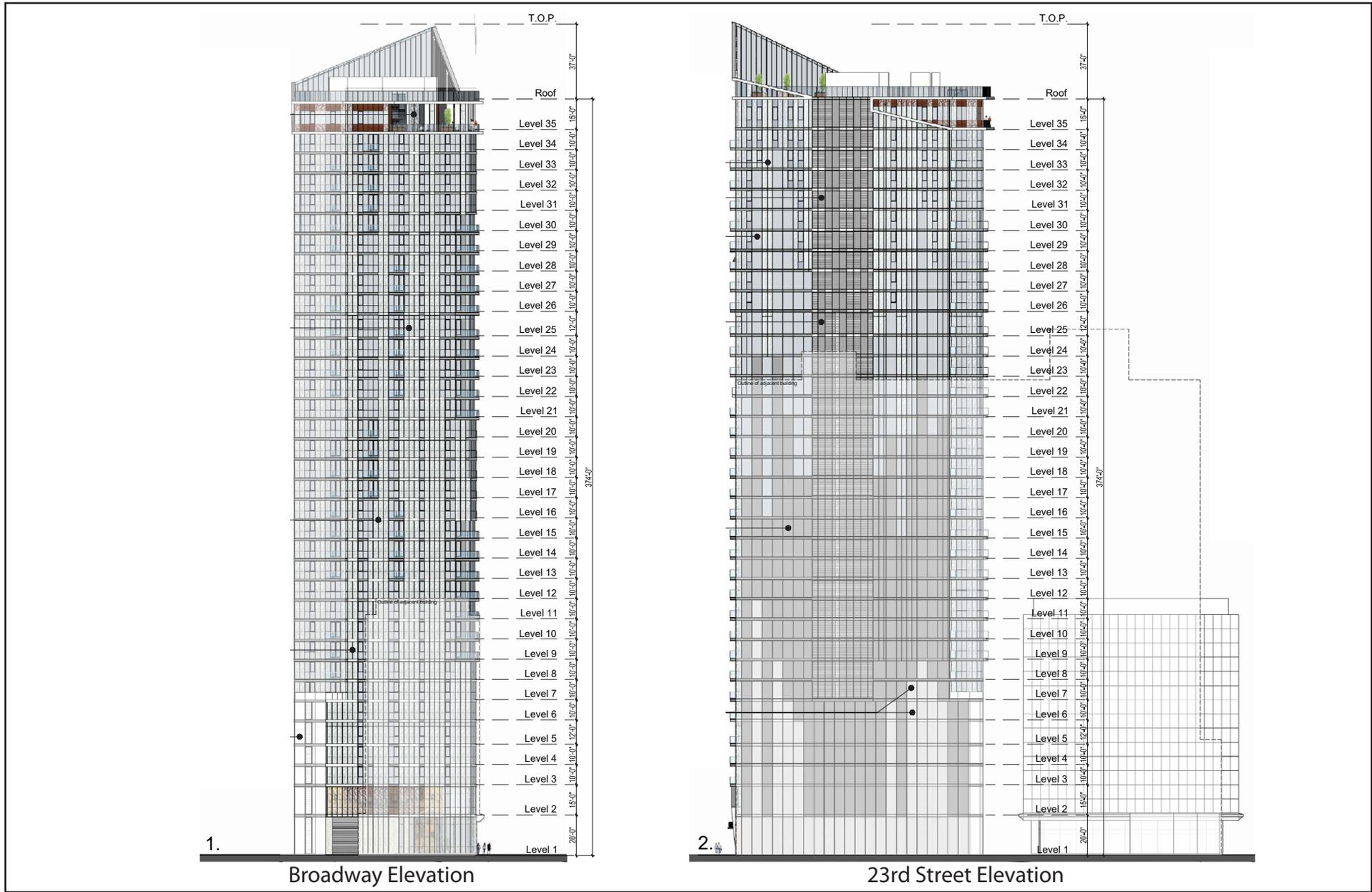




**88 Grand Avenue Project**

Source: KTG Architecture, 2019.

Figure 3  
Site Elevations



**88 Grand Avenue Project**

Source: KTG Architecture, 2019.

Figure 4  
Site Elevations



## 88 Grand Avenue Project

Source: KTG Architecture, 2019.

Figure 5  
Project Rendering - Looking East



## 88 Grand Avenue Project

Source: KTG Architecture, 2019.

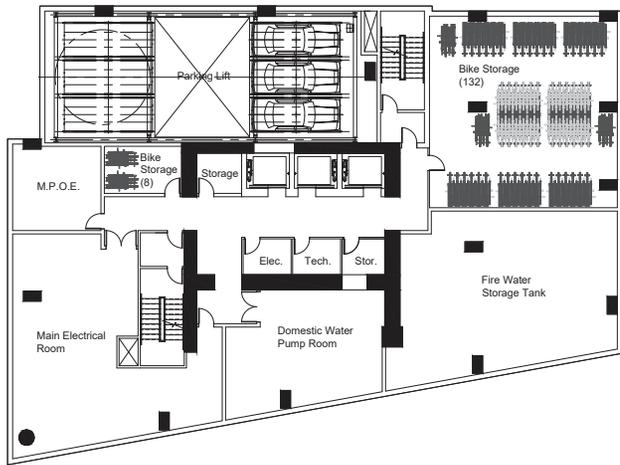
Figure 6  
Project Rendering - Looking West



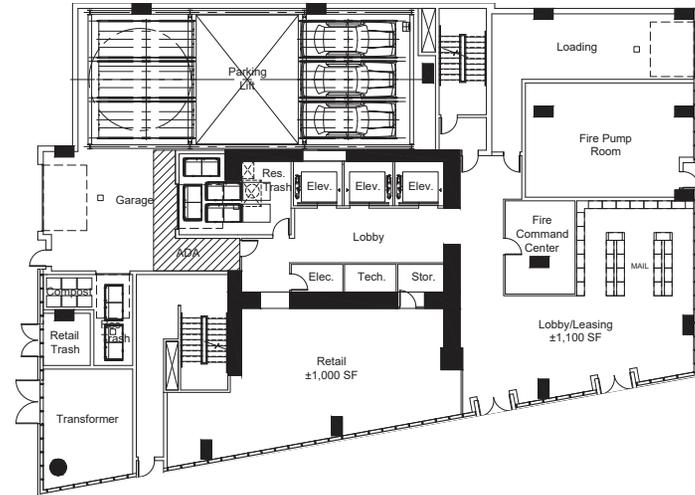
## 88 Grand Avenue Project

Source: KTG Architecture, 2019.

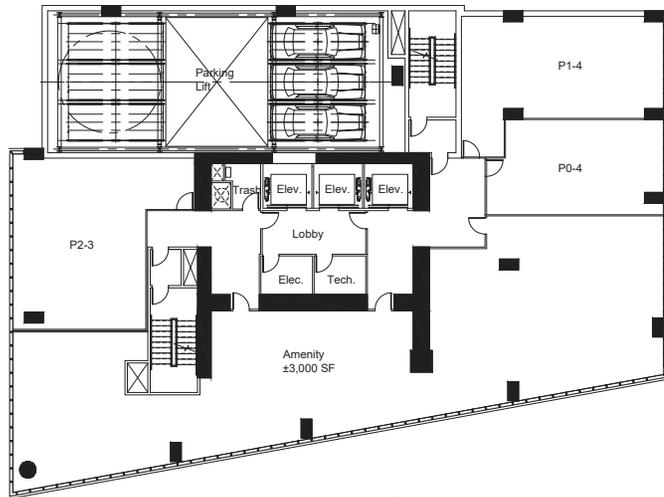
Figure 7  
Project Rendering - Ground Floor Looking Northwest



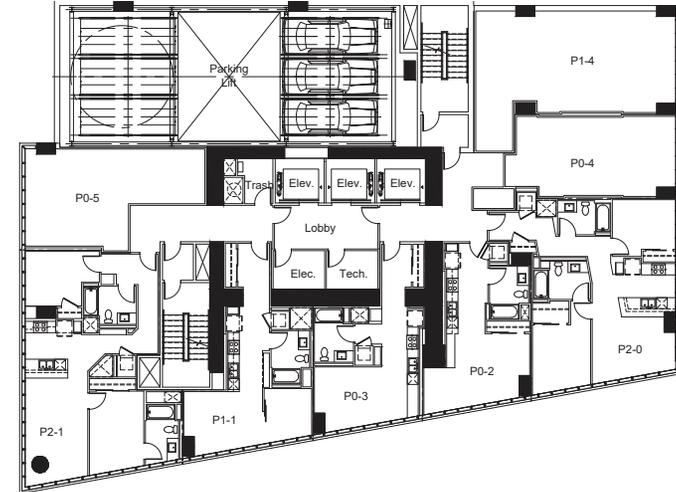
**Basement**



**Level 1**



**Level 2**

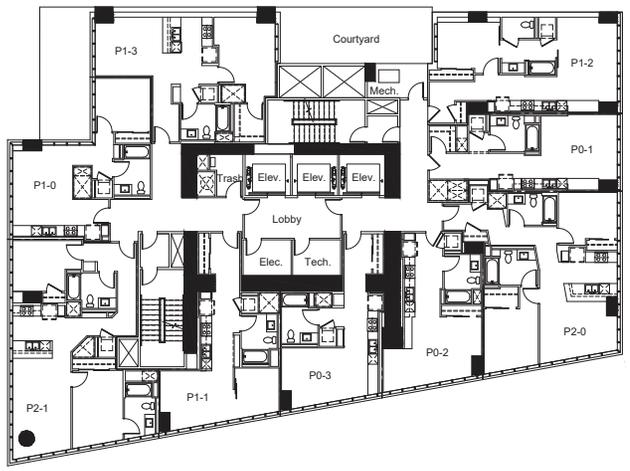


**Levels 3-5**

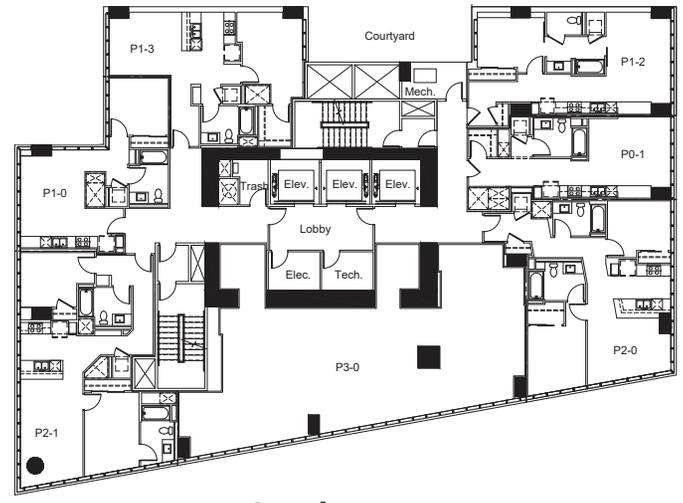
**88 Grand Avenue Project**

Source: KTGy Architecture, 2018.

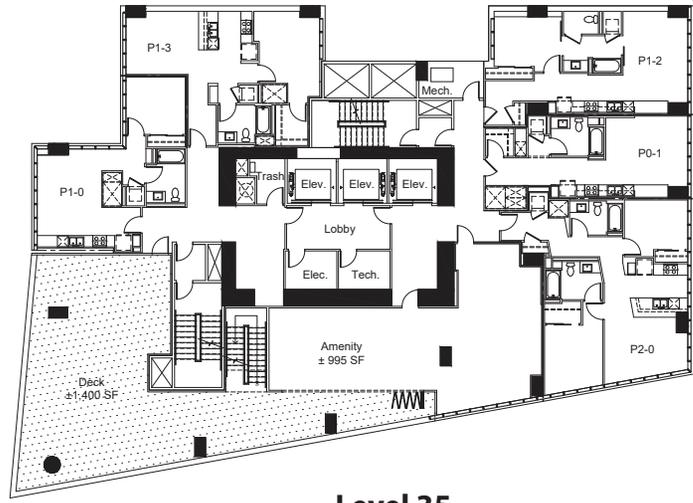
**Figure 8  
Floor Plans**



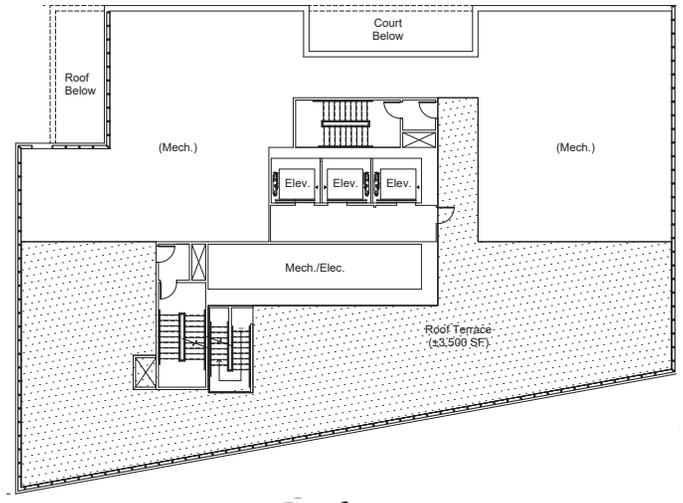
**Levels 6-25**



**Levels 26-34**



**Level 35**



**Roof**

**88 Grand Avenue Project**

Source: KTG Architecture, 2018.

**Figure 9  
Floor Plans**

**Table II-1 88 Grand Project Characteristics**

<b>Lot</b>	<b>Project</b>
Size	22,182 gsf
<b>Height</b>	
Floors	35
Height in Feet	374' (at roof) / 411' (top of mechanical)
<b>Proposed Uses</b>	
<b>Area (gsf)</b>	
Residential	289,200
Office	n/a
Lobby	1,100
Commercial/Retail	1,000
Parking	1,600
Private Open Space	21,745
Support	10,800
Total gsf	303,700
<b>Proposed Parking</b>	
<b>Number of Spaces</b>	
Vehicle Parking Space	45
Bicycle Parking Spaces	161 (140 long term / 21 short term)

Note: gsf = gross square feet. The total gross square feet does not include private open space totals.

Sources: KTG Architecture, 2018.

of State density bonuses). As such, the project applicant is seeking a conditional-use permit for a transfer of development rights (TDR). Section 17.106.050 of the City’s Planning Code, a conditional use permit is permitted for an increase in the number of living units or Floor-Area Ratio upon acquisition of nearby development rights.

The TDR would allow the project applicant to use the adjacent 12,926-square-foot 80 Grand Avenue parcel’s potential residential development density to be relinquished for development to the 60 Grand Avenue parcel in addition to the respective 60 Grand Avenue’s residential development potential. Therefore, 60 Grand Avenue’s parcel would be calculated as if it were development on a 22,182 square foot parcel, allowing for a maximum permitted density of 247 residential units. Execution of the TDR would enable the project applicant to achieve the proposed residential development at the 60 Grand Avenue parcel (without consideration of State density bonuses). As a result of the TDR, the 80 Grand Avenue parcel’s residential development would be restricted in the future and enforced by the City.

**Table II-2 Permitted Density Comparison**

	<b>60 Grand Avenue</b>	<b>With TDR</b>
D-BV-2 Permitted Density	103 units	247 units
20% Density from State Density Bonus	21 units	50 units
Total Units Permitted	124 units	297 units

Note: TDR = Transfer of Development Rights.

Oakland Municipal Code Section 17.107.040 states “All density calculations resulting in fractional units shall be rounded up to the next whole number.”

### **3. Density Bonus**

The project proposes to set aside 5 percent of the base project units as very-low income units. Under the California State Density Bonus law, a project including this level of affordability is entitled to: (a) a 20-percent density bonus above the maximum allowable residential density under the City’s General Plan and Planning Code standards for the D-BV-2 zone; (b) one concession/incentive; and (c) waivers of development standards that would preclude development of the project at the bonus density.<sup>4</sup>

Under the State Density Bonus Law, an increase in the total number of units allowed on site up to 276 residential units (although 275 units are proposed). To achieve this density bonus, the project proposes using one development standard concession and one waiver:

- Waiver: increase height above the 250-foot height limit
- Concession: reduce minimum parking requirements

### **4. Circulation and Parking**

The project would have one vehicle access point along Grand Avenue between the existing 80 Grand office building and the new residential tower for entry into the garage. There would be one vehicular exit point from the garage onto Broadway. The project would provide parking for residents via a mechanical parking lift inside the building. The parking lift would extend from the basement level to level 5 and would provide a total of 45 automobile parking spaces. 140 long-term bicycle spaces would be provided at the basement level and 21 short-term bicycle parking spaces would be provided on the ground floor and along the sidewalk around the site’s perimeter. One full-truck loading bay would be located on the ground floor along Webster Street. No changes to the existing street parking are currently proposed.

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<sup>4</sup> California Government Code, Section 65915.

The two closest bus stops are located next to the project site at Broadway/West Grand Avenue and Grand Avenue/Webster Street. The 19<sup>th</sup> Street BART Station is located approximately three blocks south of the project site.

## 5. Landscaping and Streetscape

The project includes landscaping and open space at the street level as well as on multiple building terraces and rooftops. The project would include two amenity spaces at the 2<sup>nd</sup> and 35<sup>th</sup> floors totaling 4,117 square feet, a 1,466-square foot open space deck on the 35<sup>th</sup> floor, and a 3,496-square foot rooftop terrace. In addition, numerous units include private balconies, totaling approximately 6,333 square feet of private open space. The combination of amenity, balconies, and roof decks would provide up to 21,745<sup>5</sup> square feet of open space.

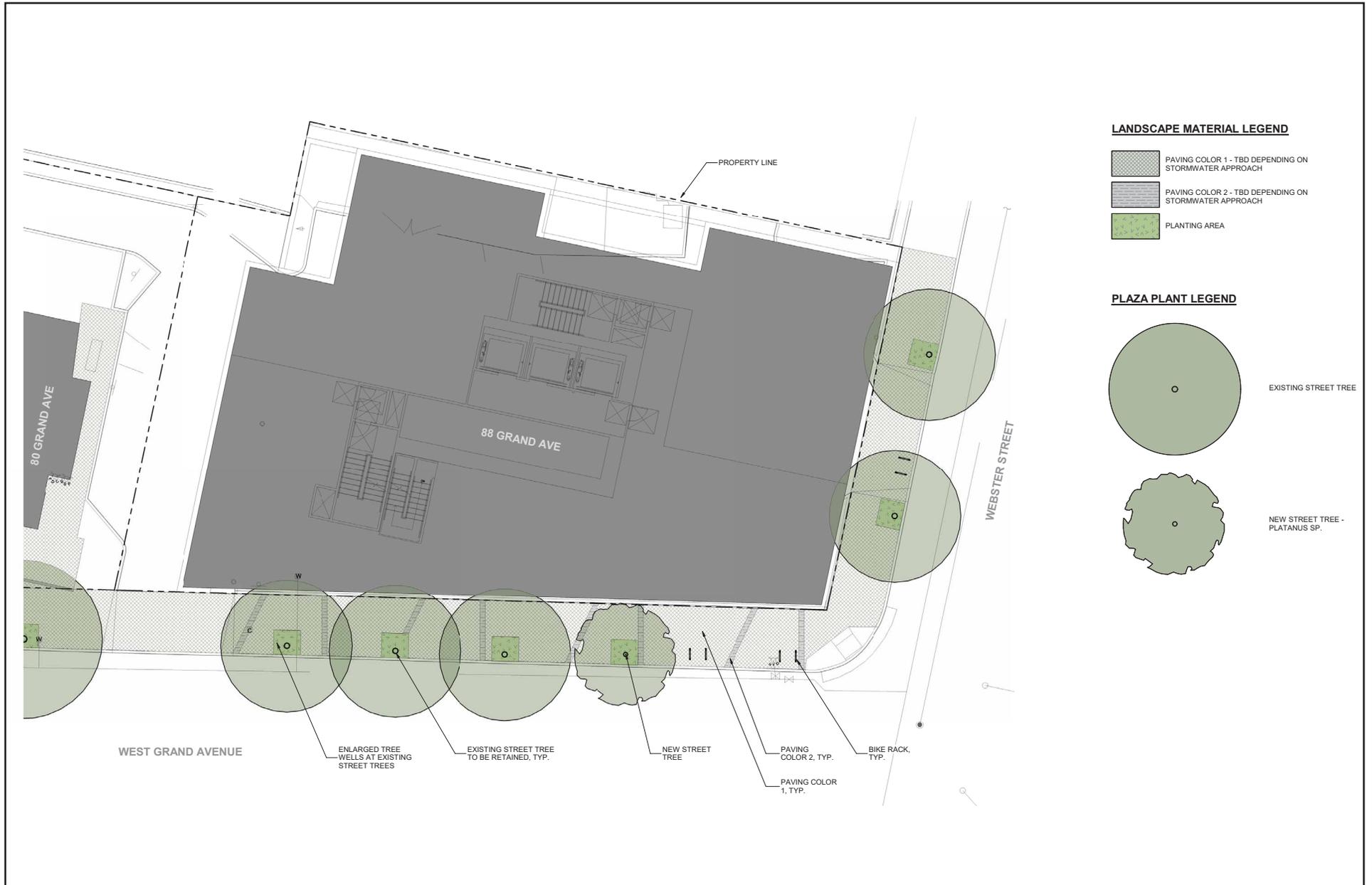
The final landscaping and open space plans would be subject to City approval. An overview of the landscaping and open space amenities for the ground floor is also shown in Figure 10. Utilities and Infrastructure Improvements

Utility services are currently provided to existing buildings surrounding the project site and would be readily available to serve the project. Water supply and treatment, and wastewater treatment are provided to Oakland by East Bay Municipal Utility District (EBMUD). The project site is currently served by sanitary sewer and water lines. Minor connections to these existing lines would be required to serve a new structure on the project site. The project applicant, the project design, and occupants of the project site would be required to comply with the waste reduction and recycling regulations outlined in Oakland Municipal Code Chapter 15.34.

The project is required by City of Oakland standards to achieve GreenPoint Rated certification. In addition, the project is proposing to earn either LEED Silver or Gold rating. Water efficiency elements include low flow fixtures beyond code requirements and native plantings. Energy efficiency features include a high-performance façade to let light in and keep heat out, mixed-mode ventilation and daylighting, integrated smart controls, and LED lighting and shading.

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<sup>5</sup> Per Oakland Municipal Code 17.126.020, each one (1) square foot of private usable open space (i.e. residential balconies) conforming to the provisions of Section 17.126.040 shall be considered equivalent to two (2) square feet of required group usable open space and may be substituted, subject to any minimum requirements for actual group space prescribed in the applicable zone regulations. Thus, while the project would actually provide 6,333 square feet of private open space, for the purposes of this analysis, the project is considered to provide 12,666 square feet of private open space.



## 88 Grand Avenue Project

Source: KTG Architecture, 2018.

Figure 10  
Ground Floor Landscape Plan

## 6. Demolition and Site Preparation

As mentioned previously, the project would not involve any demolition of existing structures or features on the 80 Grand parcel.

All existing site improvements and landscaping on the 60 Grand Avenue parcel would be demolished/removed, including the approximately 9,256-square-foot privately-owned surface parking lot with 24 spaces. In addition to the parking lot, the five trees within the lot would be removed.

Excavation for the one subterranean level of utilities and building foundations would extend approximately 24 feet below the existing ground surface and require removal of approximately 8,800 cubic yards of soil off-site.

It is expected that project construction would begin as early as 2020 and last approximately 29 months, ending in 2022 when building occupation is anticipated. Construction equipment would include excavators, graders, rubber-tired dozers, tractors, loaders, backhoes, cranes, forklifts, tractors, loaders, drill rigs, and pumps.

## C. Project Approvals

It is anticipated that this CEQA document will provide environmental review of all discretionary approvals and actions required for the project. A number of permits and approvals would be required before project development could be initiated. As lead agency for the project, the City of Oakland would be responsible for the majority of these approvals. The City would undertake a series of discretionary actions associated with approval of the project, which are described below. Other agencies would have some authority related to the project and its approvals.

### 1. City of Oakland

Key discretionary actions required by the City of Oakland are outlined below.

#### *a. Bureau of Planning*

Environmental review and CEQA determination, regular design review, and minor conditional-use permit for Transfer of Development Rights.

Tentative Parcel Map for the lot line adjustment and proposed condominiums.

#### *b. Building Bureau*

Demolition permit, grading permit, and other related on- and off-site work permits (e.g., public right-of-way improvements and tie backs) as well as encroachment permits.

Approval of Post-Construction Stormwater Control Plan demonstrating compliance with Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit (MRP).

*c. Oakland Tree Services Division*

Pursuant to the City’s Protected Trees Ordinance, the project applicant would be required to obtain a Tree Removal Permit prior to removal of (or construction activity near) a “Protected Tree,” as defined in Oakland Municipal Code Chapter 12.36. Tree permits would require approval by the Oakland Office of Parks and Recreation.

**2. Actions by Other Agencies**

Key discretionary actions required by other agencies beyond the City of Oakland are outlined below.

*a. Bay Area Air Quality Management District (BAAQMD)*

Issuance of permits for installation and operation of the emergency generator.

*b. East Bay Municipal Utility District (EBMUD)*

Grant a Special Discharge Permit to discharge construction dewatering to the sanitary sewer and/or approval of new service requests and new water meter installations.

*c. Federal Aviation Administration (FAA)*

Prior to construction, applicant will submit FAA Form 7460-1, Notice of Proposed Construction or Alteration, providing notification of the construction of a structure over 200 feet in height. FAA will issue a notice determining whether the proposed construction is an obstruction.

### III. BVDSP AND EIR

#### A. BVDSP and BVDSP EIR Background

The BVDSP provides a framework for future growth and development in an approximately 95.5-acre area along Oakland's Broadway corridor between Grand Avenue and I-580. Although it does not propose specific private developments, the BVDSP establishes a Development Program to project the maximum level of feasible development that can reasonably be expected during the 25-year planning period (i.e., approximately 3.7 million square feet, including approximately 695,000 square feet of office space, 1,114,000 square feet of restaurant/retail space, 1,800 residential units, a new 180-room hotel, approximately 6,500 parking spaces, and approximately 4,500 new jobs). As described above, the BVDSP EIR<sup>6</sup> analyzed the environmental impacts of adoption and implementation of the BVDSP, and where the level of detail available was adequate for analyzing potential environmental effects, the EIR provided project-level CEQA review for foreseeable and anticipated development.

On September 20, 2013, the City of Oakland released the draft EIR for the BVDSP for public review. The public review and comment period extended from September 20, 2013 through November 12, 2013. The Landmarks Preservation Advisory Board (LPAB) and the City of Oakland Planning Commission held hearings on the Draft EIR, and comments received during the public review and comment period were addressed in the Final EIR for the BVDSP. Prior to adoption of the Final EIR, additional public hearings were held by both the LPAB and the Planning Commission. The Final EIR was certified by the Planning Commission on May 21, 2014 and confirmed by the City Council on June 17, 2014.

The Final EIR determined that impacts on the following resources would be less than significant, or would be reduced to a less-than-significant level with implementation of mitigation measures or compliance with City of Oakland SCAs: aesthetics; biology; geology, soils, and geohazards; hazardous materials; hydrology and water quality; land use, plans, and policies; population, housing, and employment; public services and recreational facilities; and utilities and service systems. The Final EIR determined that implementation of the BVDSP would have significant unavoidable impacts related to the following environmental resources: wind and shadow, air quality, cultural resources, greenhouse gases and climate change, noise, and transportation. Because of the potential for significant unavoidable impacts, a Statement of Overriding Considerations with

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<sup>6</sup> Environmental Science Associates (ESA), 2013. *Broadway Valdez District Specific Plan, Draft Environmental Impact Report*. SCH No. 2012052008, September.

Environmental Science Associates (ESA), 2014. *Broadway Valdez District Specific Plan, Responses to Comments and Final*. May. These documents can be obtained at the Bureau of Planning at 250 Frank Ogawa Plaza, #3115, or online at <http://www2.oaklandnet.com/Government/o/PBN/OurServices/Plans/DOWD008194>.

findings was adopted as part of BVDSP approval on May 21, 2014, and confirmed by the City Council on June 17, 2014. The City Council found that, for the significant and unavoidable impacts listed above, the BVDSP EIR provided the best balance between the City's goals and objectives and the BVDSP's benefits. In addition, the City Council made the following determinations:

- The BVDSP updates the goals and policies of the general plan and provides more detailed guidance for specific areas within the Broadway Valdez District;
- The BVDSP builds upon two retail enhancement studies, the Citywide Retail Enhancement Strategy and the companion Upper Broadway Strategy – A Component of the Oakland Retail Enhancement Strategy, which identified the City's need to reestablish major destination retail in Oakland as being critical to stemming the retail leakage and associated loss of tax revenue that the City suffers from annually. These reports also identified the Broadway Valdez District as the City's best opportunity to reestablish a retail core with the type of comparison shopping that once served Oakland and nearby communities and that the City currently lacks;
- The BVDSP provides a policy and regulatory framework to achieve one of the primary objectives: to transform the Plan Area into an attractive regional destination for retailers, shoppers, employers and visitors that serves, in part, the region's shopping needs and captures sales tax revenue for reinvestment in Oakland;
- The BVDSP could create employment opportunities (both short-term construction jobs as well as permanent jobs), increase revenues (sales, property, and other taxes), and promote spin-off activities (as Plan Area workers spend some of their income on goods in the Plan Area);
- The BVDSP Development Program promotes increased housing densities in proximity to employment-generating land uses that support City and regional objectives for achieving a jobs/housing balance and transit-oriented development;
- The BVDSP design guidelines will ensure that future development contributes to the creation of an attractive pedestrian-oriented district characterized by high-quality design and a distinctive sense of place; and
- The BVDSP identifies a series of needed and desired improvements related to transportation, affordable housing, historic resource preservation and enhancement, streetscape, plaza, parking, and utility infrastructure as well as regulatory tools, policies, and potential funding mechanisms to realize those improvements.

The Notice of Determination (NOD) for the BVDSP EIR was filed with the State Clearinghouse on June 18, 2014, and was not challenged. Therefore, the BVDSP EIR remains valid.

## **B. Project Consistency with BVDSP**

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 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.”

The BVDSP EIR analyzed the environmental impacts associated with adoption and implementation of the BVDSP and, where the level of detail available was adequate for analyzing potential environmental effects, provided a project-level CEQA review of reasonably foreseeable development. This allows the use of CEQA streamlining and/or tiering provisions for projects that are developed consistent with the BVDSP. The applicable CEQA streamlining and tiering provisions are described below in *Chapter IV, Summary of Findings*.

The CEQA Checklist provided below evaluates the potential project-specific environmental impacts of the proposed project and whether such impacts were adequately covered by the BVDSP EIR to allow the above-listed streamlining and/or tiering provisions of CEQA to apply. The analysis conducted incorporates by reference the information contained in the BVDSP EIR. Mitigation measures and SCAs identified in the BVDSP EIR that would apply to the project are listed at the end of the CEQA Checklist. The project would be legally required to incorporate and/or comply with the applicable requirements of the mitigation measures identified in the BVDSP EIR as well as applicable SCAs; therefore, the measures and SCAs are herein assumed to be included as part of the project (see Attachment A).

The project site is located in the Valdez Triangle subdistrict of the BVDSP Plan Area and within Development Sub District 1, Site 1 (herein referred to as “Site 1”). Site 1 includes the project site and the adjacent 2270 Broadway (APN 8-656-2-1) project site. Combined, these projects include more residential units and less square footage for commercial uses than contemplated in the Illustrative Development Program for Site 1, as shown in Table III-I of Appendix D of the BVDSP (up to 498 dwelling units instead of 0 units, up to 6,000 square feet of retail instead of 12,506 square feet of retail, and 0 hotel rooms instead of 181 hotel rooms). While the BVDSP envisioned Site 1 would be redeveloped as one project, 2270 Broadway and the 88 Grand Avenue project site are being developed independently of each other.

While the project is inconsistent with Appendix D of the BVDSP, the Illustrative Development Program Map is conceptual only and illustrates one of many possible development scenarios under the BVDSP, a plan that specifically did not prescribe or assume exact land uses on a site-by-site basis, and the project is consistent with the zoning for the site, as described in *Section V.I, Land Use, Plans, and Policies*, and Attachment C of this document.

An examination of the analysis, findings, and conclusions of the BVDSP EIR, as summarized in the CEQA Checklist below, indicates that the BVDSP EIR adequately analyzed and covered the potential environmental impacts associated with the proposed

project. The streamlining and/or tiering provisions of CEQA apply to the project. Therefore, no further review or analysis, under CEQA, is required.

**Table III-1 Comparison of BVDSP Site 1 Illustrative Development Program**

<b>Development Characteristics</b>	<b>Illustrative Development Program for BVDSP Plan Area</b>	<b>Illustrative Development Program for Site 1</b>	<b>Proposed Project and 2270 Broadway Project</b>
Height	Varied	8 stories	<u>2270 Broadway</u> : 24 stories <u>Proposed Project</u> : 35 stories (up to 374 feet and 411 feet to top of parapet)
Residential Units	1,800	0 (181 hotel rooms)	498
Retail Square Footage (net)	695,000 sf of office space 1,114,000 sf of restaurant/retail space	12,506 sf	6,000 sf

Note: sf = square feet

<sup>a</sup> Development Program Grand Total, listed in Appendix D, Table D.1: Illustrative Development Plan Program Map by Subdistrict.

<sup>b</sup> Broadway Valdez Development Program Physical Height Model, Figure 3-11 of the Broadway Valdez District Specific Plan EIR.

<sup>c</sup> Development Program for Project Site #1 in Subdistrict 1, listed in Appendix D, Table D.1: Illustrative Development Plan Program Map by Subdistrict.

<sup>d</sup> The Development Program for Project Site #1 in Subdistrict 1 of the Broadway Valdez District Specific Plan included both the 60 Grand Avenue and the 2270 Broadway project site together. For these reasons, the totals for residential units and retail square footage includes both the proposed project and 2270 Broadway projects. Sources: City of Oakland. 2014. *Broadway Valdez District Specific Plan*. Adopted June. BDE Architecture, 2016. *3000 Broadway Development Review Set*, April 22.

## IV. SUMMARY OF FINDINGS

An evaluation of the project is provided in the CEQA Checklist below. This evaluation concludes that the project qualifies for an exemption/addendum from additional environmental review. The BVDSP EIR allows for the distribution of density and development types between categories and sub-areas and accounted for the construction and operational impacts from the development proposed within the Plan Area. Any potential environmental impacts associated with the project's development were adequately analyzed and covered by the analysis in the BVDSP EIR. The project would be required to comply with the applicable mitigation measures identified in the BVDSP EIR, as well as any applicable City of Oakland SCAs (see Attachment A, at the end of the CEQA Checklist). With implementation of the applicable mitigation measures and SCAs, the project would not result in a substantial increase in the severity of significant impacts that were previously identified in the BVDSP EIR or any new significant impacts that were not previously identified in the BVDSP EIR.

In accordance with Public Resources Code Sections 21083.3, 21094.5, and 21166 and CEQA Guidelines Sections 15183, 15183.3, and 15164, and as set forth in the CEQA Checklist below, the project qualifies for an exemption/addendum because the following findings can be made:

- The project would not result in significant impacts that (1) would be peculiar to the project or project site; (2) were not previously identified as significant project-level, cumulative, or off-site effects in the BVDSP EIR; or (3) were previously identified as significant but—as a result of substantial new information that was not known at the time the BVDSP EIR was certified—would increase in severity above the level described in the EIR. Therefore, the project is exempt from further environmental review in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.
- The project would not cause any new significant impacts on the environment that were not already analyzed in the BVDSP EIR or result in more significant impacts than those that were previously analyzed in the BVDSP EIR. The effects of the project have been addressed in the BVDSP EIR, and no further environmental documents are required, in accordance with Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3.
- The analyses conducted and the conclusions reached in the BVDSP EIR that was certified by the Planning Commission on May 21, 2014, and confirmed by the City Council on June 17, 2014, remain valid, and no supplemental environmental review is required for the proposed project modifications. The project would not cause new significant impacts that were not previously identified in the 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 the circumstances surrounding the original project that would cause significant environmental

impacts to which the project would contribute considerably, and no new information has been put forward that shows that the project would cause significant environmental impacts. Therefore, no supplemental environmental review is required beyond this addendum, in accordance with Public Resources Code Section 21166 and CEQA Guidelines Section 15164.

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

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**Ed Manasse**  
**Environmental Review Officer**

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**Date**

## V. CEQA CHECKLIST

### Overview

This CEQA Checklist provides a summary of the potential environmental impacts that may result from adoption and implementation of the BVDSP, as evaluated in the BVDSP EIR. Potential environmental impacts of development under the BVDSP were analyzed and covered by the BVDSP EIR, and the EIR identified mitigation measures and SCAs<sup>7</sup> to address these potential environmental impacts.

This CEQA Checklist hereby incorporates by reference the BVDSP EIR discussion and analysis of all potential environmental impact topics; only those environmental topics that could have a potential project-level environmental impact are included. The EIR significance criteria have been consolidated and abbreviated in this CEQA Checklist for administrative purposes; a complete list of the significance criteria can be found in the BVDSP EIR.

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

- Equal or Less Severity of Impact Previously Identified in BVDSP EIR
- Substantial Increase in Severity of Previously Identified Significant Impact in BVDSP EIR
- New Significant Impact

Where the severity of the impacts of the project would be the same as or less than the severity of the impacts described in the BVDSP EIR, the checkbox for Equal or Less Severity of Impact Previously Identified in BVDSP EIR is checked. Where the checkbox for Substantial Increase in Severity of Previously Identified Significant Impact in BVDSP EIR or New Significant Impact is checked, there are significant impacts that are:

- Peculiar to project or project site (per CEQA Guidelines Sections 15183 or 15183.3).
- Not identified in the previous EIR (BVDSP EIR) (per CEQA Guidelines Sections 15183 or 15183.3), including off-site and cumulative impacts (per CEQA Guidelines Section 15183).
- Due to substantial changes in the project (per CEQA Guidelines Section 15162 and 15168).

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<sup>7</sup> These are Development Standards that are incorporated into projects as SCAs, regardless of a project's environmental determination, pursuant, in part, to CEQA Guidelines Section 15183. As applicable, the SCAs are adopted as requirements of an individual project when it is approved by the City, and are designed to, and will, substantially mitigate environmental effects. In reviewing project applications, the City determines which of the SCAs are applied, based on the zoning district, community plan, and the type(s) of permit(s)/approvals(s) required for the project. Depending on the specific characteristics of the project type and/or project site, the City will determine which SCA applies to each project.

- Due to substantial changes in circumstances under which the project will be undertaken (per CEQA Guidelines Section 15162).
- Due to substantial new information not known at the time the Program EIRs were certified (per CEQA Guidelines Sections 15162, 15183, or 15183.3).

The project is required to comply with applicable mitigation measures identified in the BVDSP EIR, and with City of Oakland SCAs. In some instances, exactly how the measures/conditions identified will be achieved awaits completion of future studies, an approach that is legally permissible where measures/conditions are known to be feasible mitigation for the impact identified, where subsequent compliance with identified federal, state or local regulations or requirements apply, where specific performance criteria is specified and required, and where the project commits to developing measures that comply with the requirements and criteria identified.

### **Attachments**

The following attachments are included at the end of this CEQA Checklist:

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

**A. Aesthetics, Shadow, and Wind**

Would the project:	Equal or Less Severity of Impact Previously Identified in BVDSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
<p>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;</p>	<p>■</p>	<p>□</p>	<p>□</p>
<p>b. Introduce landscape that would now or in the future cast substantial shadows on existing solar collectors (in conflict with California Public Resource Code Sections 25980 through 25986); or cast shadow that substantially impairs the function of a building using passive solar heat collection, solar collectors for hot water heating, or photovoltaic solar collectors;</p>	<p>■</p>	<p>□</p>	<p>□</p>
<p>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;</p>	<p>■</p>	<p>□</p>	<p>□</p>
<p>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</p>	<p>■</p>	<p>□</p>	<p>□</p>

	Equal or Less Severity of Impact Previously Identified in BVDSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
Would the project: 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.	■	□	□

Since certification of BVDSP EIR, the CEQA statutes have been amended related to assessment of aesthetics impacts. CEQA Section 21099(d) states, “Aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment.”<sup>8</sup> Accordingly, aesthetics is no longer considered in determining if a project has the potential to result in significant environmental effects for projects that meet all three of the following criteria:

- a. The project is in a transit priority area.<sup>9</sup>
- b. The project is on an infill site.<sup>10</sup>
- c. The project is residential, mixed-use residential, or an employment center.<sup>11</sup>

The project meets all three criteria: (1) it is located 0.2 mile from the 19<sup>th</sup> Street BART Station in a transit priority area; (2) the project site is an infill site within the urban area of the city of Oakland and is currently developed with a surface parking lot and surrounded

<sup>8</sup> CEQA Section 21099(d)(1).

<sup>9</sup> CEQA Section 21099(a)(7) defines a “transit priority area” as an area within one-half mile of an existing or planned major transit stop. A “major transit stop” is defined in CEQA Section 21064.3 as a rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

<sup>10</sup> CEQA Section 21099(a)(4) defines an “infill site” as a lot located within an urban area that has been previously developed, or a vacant site where at least 75 percent of the perimeter of the site adjoins or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses.

<sup>11</sup> CEQA Section 21099(a)(1) defines an “employment center” as a project located on property zoned for commercial uses with a FAR of no less than 0.75 and located within a transit priority area.

on all sides by urban development; and (3) the project is a residential project. Thus, aesthetics is not considered in this document to determine the significance of project impacts under CEQA. Nonetheless, the City of Oakland recognizes that the public and decision makers may be interested in information pertaining to the aesthetic effects of a project and may desire that such information be provided as part of the environmental review process. Because the project meets the criteria described above, the information below related to aesthetics is provided solely for informational purposes and is not used to determine the significance of the environmental impacts, pursuant to CEQA.

## 1. BVDSP EIR Findings

The BVDSP EIR found that potential impacts to scenic vistas and visual character would be less than significant. Impacts related to lighting and glare from development under the BVDSP would be less than significant with implementation of an SCA. Shadow impacts were determined to be less-than-significant impacts, except for potential shading on Temple Sinai, which is considered a historical resource. The 88 Grand Avenue project site is not in the immediate vicinity of the Temple Sinai, so this significant and unavoidable impact is not applicable to the proposed project. The BVDSP EIR identified potentially significant and unavoidable impacts related to wind hazards. Mitigation Measure AES-5: Wind Analysis requires site specific studies and incorporation of specific design elements to reduce impacts related to wind hazards. Even with implementation of Mitigation Measure AES-5: Wind Analysis, impacts were found to conservatively remain significant and unavoidable. Cumulative impacts related to wind were also identified to be conservatively significant and unavoidable.

## 2. Project Analysis

### *Scenic Vistas, Scenic Resources, Visual Character, and Light and Glare (Criterion 1.a)*

Pursuant to the Design Guidelines, development within the Plan Area should contribute to the creation of a coherent, well-defined and active public realm that supports pedestrian activity and social interaction, and to the creation of a well-organized and functional private realm that supports the needs of tenant businesses. The project meets this guideline by repaving the sidewalk along the project site and adding amenities such as street trees, planters, pedestrian accent paving, and lighting. The project requires design review approval, pursuant to Section 17.101C.020 of the City's Planning Code. As part of the design review process, the project will be reviewed by the City to ensure consistency with the applicable BVDSP Design Guidelines. The primary façade materials would include custom fritted pattern glass, custom metal screens, composite metal panels, and precast panels. The design review process will ensure the project would be consistent with the BVDSP standards and guidelines related to aesthetics, compatible with the existing built form and architectural character of the Plan Area as a whole, and compatible with the distinctive visual character of individual areas. In addition, implementation of SCA-AES-1:

Lighting (#19) would further reduce any impacts to light and glare to a less-than-significant level.

***Shadow (Criteria 1.b, 1.c, and 1.d)***

The project site is outside of the area identified in the BVDSP EIR (the area bounded by Webster Street, 29<sup>th</sup> Street, Broadway, and 28<sup>th</sup> Street) as having potential shading impacts on Temple Sinai and therefore, BVDSP EIR Mitigation Measures AES-4 & 6: Shadow Analysis would not apply. The BVDSP Physical Height Model anticipated a height of 200 feet on the site. While the project would be approximately 375 feet in height, the project would be consistent with the shadow impacts described in the BVDSP EIR because the shadow study conducted for the BVDSP EIR shows that there are no solar collectors or historic resources in the immediate vicinity of the project site. The nearest solar collector identified in the BVDSP EIR is less than 100 feet south of the project site (at 59 Grand Avenue); however due to its orientation, it would not be subject to any shading from the project as shown in the BVDSP EIR (see BVDSP EIR Figures 4.1-5 through 4.1-16). The nearest historic resource, Temple Sinai, is approximately 1,700 feet north of the project site, but due to the intervening buildings and distance from this resource, the project would not contribute to impact on this resource. Therefore, the project would be consistent with the BVDSP EIR.

***Wind (Criterion 1.e)***

The BVDSP EIR found that development in the Plan Area could result in significant and unavoidable impacts to wind. The following mitigation was included to minimize wind impacts:

**BVDSP EIR Mitigation Measure AES-5: Wind Analysis.** Project sponsors proposing buildings 100 feet tall or taller within the portion of the Plan Area designated Central Business District shall conduct detailed wind studies to evaluate the effects of the proposed project. If the wind study determines that the proposed project would create winds exceeding 36 miles per hour (mph) for more than one hour during daylight hours during the year, the project sponsor shall develop and implement a wind reduction plan and incorporate measures to reduce such potential effects, as necessary, until a revised wind analysis demonstrates that the proposed project would not create winds in excess of this threshold. Examples of measures that such projects may incorporate, depending on the site-specific conditions, include structural and landscape design features and modified tower designs: wind protective structures or other apparatus to redirect downwash winds from tall buildings, tree plantings or dense bamboo plantings, arbors, canopies, lattice fencing, etc.

The BVDSP EIR findings recognize that new development in the Plan Area may not be able to reduce wind impacts to below the City's thresholds. If a project would result in winds exceeding 36 mph **for more than one (1) hour during daylight hours over a one-year**

**period**, the impact is considered significant. As part of the City’s approval of the BVDSP EIR, a statement of overriding consideration was adopted related to wind and new development in the Plan Area.

The project is located in the CBD and would be up to 374 feet in height, BVDSP EIR Mitigation Measure AES-5: Wind Analysis, which requires a detailed wind study be conducted, would apply.

In response to Mitigation Measures AES-5 and consistent with the City of Oakland CEQA Thresholds of Significance Guidelines (requires a wind analysis if the project site is located Downtown and the proposed height exceeds 100 feet), a wind study was prepared for the project to evaluate its wind effects and is included in Attachment E. The wind study assessed the project and potential mitigating design variations at 68 grade-level locations within a 1,600-foot radius of the project site, primarily along sidewalks and public rights-of-way for the following scenarios:

- Existing Conditions;
- Existing Conditions Plus Project;
- Existing Conditions Plus Project and Additional Trees;
- Existing Conditions Plus Project and Canopy; and
- Cumulative Conditions Plus Project.

The results of the wind analysis are summarized in Table V.A-1 and described below. See Attachment E for the detailed analysis.

Under **Existing Conditions**, the wind speed does not exceed the City’s hazard wind threshold.

Under **Existing Conditions Plus Project**, the wind speed does not exceed the City’s hazard wind threshold; under **Existing Conditions Plus Project and Additional Trees**, the wind speed does not exceed the City’s hazard wind threshold; and under **Existing Conditions Plus Project and Canopy**, the wind speed does not exceed the City’s hazard wind threshold.

Under **Cumulative Conditions Plus Project**, the wind study considered cumulative development project conditions within a 1,600-foot radius of the project site. Proposed and approved projects assumed in the cumulative wind study include:

- 2305 Webster Street
- 2270 Broadway

**Table V.A-1: Summary of Wind Hazards**

Scenario	Number of Wind Exceedances	Sensor Locations Exceeded	City of Oakland Hazard Wind Speed Threshold (mph)*	Projected Wind Speed (mph)	Number of Hours in Exceedance of One Hour
Existing Conditions	0	none	36	n/a	n/a
Existing Conditions + Project	0	none	36	n/a	n/a
Existing Conditions + Project + Additional Trees	0	none	36	n/a	n/a
Existing Conditions + Project + Canopy	0	none	36	n/a	n/a
Cumulative Conditions + Project	0	none	36	n/a	n/a

Notes: \* Wind impacts are considered significant if it is projected that a project would exceed 36 mph for more than one (1) hour over a one-year period.

Source: Attachment E.

- 2100 Telegraph
- 2015 Telegraph
- 2016 Telegraph
- 1900 Broadway
- 2225 Telegraph (Moxy Hotel)
- 2 Kaiser Plaza
- Kaiser Center
- 2401 Broadway
- 2500 Webster Street
- 2424 Webster Street
- 2433 Valdez Avenue
- 277 27<sup>th</sup> Street
- 537 24<sup>th</sup> Street
- 2201 Valley Street
- 2044 Franklin Street

Under **Cumulative Conditions Plus Project**, the wind conditions would not exceed the hazard threshold.

As such, the project would not result in new or more severe impacts related to wind or result in any significant impacts peculiar to the site.

### 3. Conclusion

Consistent with the findings of the BVDSP EIR, the project would not result in any new or more severe significant impacts related to aesthetics, shadow, or wind. The project would be required to implement SCA-AES-1: Lighting (#19). In addition, implementation of the following SCAs would further reduce impacts of the project to aesthetics, shadow, and wind, including: SCA-AES-2: Trash and Blight Removal (#16), SCA-AES-3: Graffiti Control (#17), SCA-AES-4: Landscape Plan (#18), SCA-AES-5: Public Art for Private Development (#20), and SCA-UTIL-4: Underground Utilities (#85). Please see Attachment A for a full description of these SCAs.

**B. Air Quality**

	Equal or Less Severity of Impact Previously Identified in BVDSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
<p>Would the project:</p> <p>a. During project construction result in average daily emissions of 54 pounds per day of ROG, NO<sub>x</sub>, or PM<sub>2.5</sub> or 82 pounds per day of PM<sub>10</sub>; during project operation result in average daily emissions of 54 pounds per day of ROG, NO<sub>x</sub>, or PM<sub>2.5</sub>, or 82 pounds per day of PM<sub>10</sub>; result in maximum annual emissions of 10 tons per year of ROG, NO<sub>x</sub>, or PM<sub>2.5</sub>, or 15 tons per year of PM<sub>10</sub>; or</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>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-1-million, (b) a noncancer risk (chronic or acute) hazard index greater than 1.0, or (c) an increase of annual average PM<sub>2.5</sub> of greater than 0.3 microgram per cubic meter; or, under cumulative conditions, resulting in (a) a cancer risk level greater than 100-in-1 million, (b) a noncancer risk (chronic or acute) hazard index greater than 10.0, or (c) annual average PM<sub>2.5</sub> 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-1-million, (b) a noncancer risk (chronic or acute) hazard index greater than 10.0, or (c) annual average PM<sub>2.5</sub> of greater than 0.8 microgram per cubic meter.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## 1. BVDSP EIR Findings

The BVDSP EIR found that construction and operation activities associated with development of projects under the BVDSP would have significant air quality impacts due to emissions of reactive organic gases (ROG), oxides of nitrogen (NO<sub>x</sub>), particulate matter less than or equal to 10 microns in diameter (PM<sub>10</sub>), and/or Toxic Air Contaminants (TACs). The BVDSP EIR determine that implementation of Recommended Mitigation Measures and the City's SCAs would reduce construction and operational emissions, but conservatively found that the impacts from emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub>, and TACs would remain significant and unavoidable.

## 2. Project Analysis

### *Criteria Air Pollutants (Criterion 2.a)*

The project would include an approximately 302,100 square-foot building, with 275 residential units and approximately 1,000 square feet of ground-floor retail. As discussed in *Chapter III, BVDSP and EIR*, the project is consistent with the type of development evaluated in the BVDSP EIR, and therefore the construction and operational emissions from the project are accounted for in the plan-level analysis. The BVDSP EIR does not require additional project-level analysis for criteria pollutant emissions from construction and operation of an individual project within the Plan Area.

The project would be required to comply with the Recommended Measure AIR-1 (to reduce project construction emissions) from the BVDSP EIR. The project would also be required to comply with the Recommended Measure AIR-2, which identifies and recommends BAAQD measures to be implemented for projects, because the project size would exceed the 50,000-square-foot threshold. The following City of Oakland's SCAs related to air quality are also applicable to the project and would reduce the project's emissions of criteria air pollutants: SCA-AIR-1: Dust Controls – Construction Related (#21); SCA-AIR-2: Criteria Air Pollutant Controls – Construction Related (#22); and SCA-TRANS-4: Transportation and Parking Management (#79). In addition, as discussed in Criterion 2.b, the project applicant is committed to the use of the most effective Verified Diesel Emission Control Strategies (VDECS)<sup>12</sup> on all off-road diesel construction equipment, which would further reduce criteria air pollutant emissions of NO<sub>x</sub> and PM<sub>10</sub> from project construction.<sup>13</sup>

Therefore, construction and operational emissions of criteria air pollutants associated with the project would not result in a more severe impact than what was previously disclosed in the BVDSP EIR.

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<sup>12</sup> Tier 4 engines automatically meet this requirement.

<sup>13</sup> Baseline Environmental Consulting, 2018. Email Communication with Urban Planning Partners, Inc., September 7.

### ***Toxic Air Contaminants (Criterion 2.b)***

#### **Construction**

The BVDSP EIR does not require an additional project-level analysis of construction-related health risks. There is no evidence that construction of the project would have peculiar or unusual impacts or impacts that are new or more significant than previously analyzed in the BVDSP EIR. However, the project is subject to the City of Oakland’s SCA-AIR-3: Diesel Particulate Matter (DPM) Controls – Construction Related (#23), because the project would involve construction of more than 100 dwelling units. SCA-AIR-3 requires a project to either i) prepare a health risk assessment (HRA) to determine the health risk to sensitive receptors exposed to DPM from project construction emissions, or (ii) equip all off-road diesel equipment with the most effective VDECS. As mentioned above, the project construction would use all off-road diesel equipment with the most effective VDECS, which would reduce DPM emissions from construction activity to the maximum extent technologically feasible. Therefore, health risk impacts from project construction would not be more severe than what was identified in the BVDSP EIR.

#### **Operational**

Project operations could generate DPM and PM<sub>2.5</sub> emissions from testing and maintenance of an emergency generator, which could pose health risks to nearby sensitive receptors. The project would include a 650-kilowatt<sup>14</sup> backup diesel generator during project operation. Mitigation Measure AIR-4 from the BVDSP EIR requires projects within the Plan Area that would include backup generators to prepare a health risk reduction plan. Since adoption of the BVDSP EIR, Mitigation Measure AIR-4 has been replaced with SCA-AIR-4: Stationary Sources of Air Pollution (#25), which requires the project to either prepare an HRA to demonstrate that the health risks are at or below acceptable levels, or to implement health risk reduction measures on the proposed stationary source(s), including the selection of non-diesel generators and the use of Tier 4 engines. As a result of SCA-AIR-4, an HRA was conducted for existing sensitive receptors near the project and is discussed below.

To operate an emergency generator, the project would be required to comply with the Bay Area Air Quality Management District’s (BAAQMD’s) permit requirements for a stationary source. In accordance with BAAQMD’s Regulation 2-5, New Source Review of TACs<sup>15</sup>, the BAAQMD does not issue permits for stationary sources that would result in an excess

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<sup>14</sup> Equivalent to approximately 872 horsepower.

<sup>15</sup> Bay Area Air Quality Management District (BAAQMD), 2010. Regulation 2 Permits Rule 5, New Source Review of Toxic Air Contaminants, January 6.

cancer risk greater than 10 in one million or an acute or chronic Hazard Index (HI) greater than 1.0.

Conservatively assuming the project's emergency generator would result in the BAAQMD's maximum permissible excess cancer risk of 10 in one million due to emissions of DPM, the BAAQMD's Risk and Hazards Emissions Screening Calculator (Beta Version)<sup>16</sup> was used to estimate the equivalent screening-level health risk values for chronic HI and annual average PM<sub>2.5</sub> concentrations. The calculator applies similar methods used to establish the emission threshold levels for TACs reported in the BAAQMD's Regulation 2-5. The health risk screening values from the project's emergency generator were then refined based on the distance from the project to the closest sensitive receptor using the BAAQMD's Diesel Internal Combustion Engine Distance Multiplier Tool.<sup>17</sup> The closest sensitive receptor is a residential building located at the corner of Webster Street and West Grand Avenue, about 80 feet east of the project site. To be conservative, it was assumed that the closest sensitive receptor would also be the maximally exposed individual resident (MEIR) to DPM emissions from the project.

The conservative screening-level health risks to the MEIR associated with operation of the emergency generator are summarized and compared to the City's thresholds of significance in Table V.B-1. The estimated excess cancer risk and chronic HI for DPM and the annual average PM<sub>2.5</sub> concentration from operation of the emergency generator were below the City's thresholds of significance; therefore, the project's emissions of DPM and PM<sub>2.5</sub> during operation of an emergency generator would have a less-than-significant impact on nearby sensitive receptors.

In addition to a project's individual Toxic Air Contaminants (TAC) emissions during operation, the BAAQMD recommends evaluating the potential cumulative health risks to sensitive receptors from existing and reasonably foreseeable future sources of TACs. The BAAQMD's online screening tools were used to provide conservative estimates of how much existing and foreseeable future TAC sources would contribute to cancer risk, HI, and PM<sub>2.5</sub> concentrations at the MEIR. The individual health risks associated with each source are summed to find the cumulative impact at the MEIR.

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<sup>16</sup> Bay Area Air Quality Management District (BAAQMD), 2012. Risk and Hazards Emissions Screening Calculator (Beta Version 1.3).

<sup>17</sup> Bay Area Air Quality Management District (BAAQMD), 2012. Diesel Internal Combustion Engine Distance Multiplier Tool. June 13.

**Table V.B-1 Health Risks at Maximally Exposed Individual Resident (MEIR) from Operation of an Emergency Generator at the Project Site**

Emission Source	Diesel Particulate Matter		Exhaust PM <sub>2.5</sub> Annual Average Concentration (µg/m <sup>3</sup> )
	Cancer Risk per Million	Chronic Hazard Index	
Emergency Generator	10.0	<0.01	0.02
Thresholds of Significance	10	1.0	0.3
Exceed Threshold?	No	No	No

Notes: µg/m<sup>3</sup> = micrograms per cubic meter

Source: BAAQMD, 2016. Risk and Hazards Emissions Screening Calculator (Beta Version).

Based on the BAAQMD’s Stationary Source Screening Analysis Tool,<sup>18</sup> 15 existing stationary sources of TAC emissions were identified within 1,000 feet of the MEIR (Table V.B-2 and Figure 11). According to BAAQMD, four of the stationary sources (BAAQMD Plants 3927, 12434, 19104, and 15482) have been closed and do not pose potential health risks or hazards to nearby sensitive receptors. Preliminary health risk screening values at the MEIR from the other 11 stationary sources were determined using the Risk & Hazard Stationary Source Inquiry Form,<sup>19</sup> Risk and Hazards Emissions Screening Calculator (Beta Version 1.3), and 2018 emissions data for select stationary sources.<sup>20</sup> The BAAQMD’s Gasoline Dispensing Facility Distance Multiplier Tool<sup>21</sup> and Diesel Internal Combustion Engine Distance Multiplier Tool were used to refine the screening values associated each type of stationary source to represent the attenuated health risks that can be expected with increasing distance from gasoline dispensing facilities and diesel engines, respectively. In accordance with guidance from the BAAQMD, screening values for cancer risk estimated using the Risk and Hazards Emissions Screening Calculator (Beta Version 1.3) were adjusted using a factor of 1.3744 to account for the most recent health risk parameters recommended by the Office of Environmental Health Hazard Assessment.<sup>22</sup>

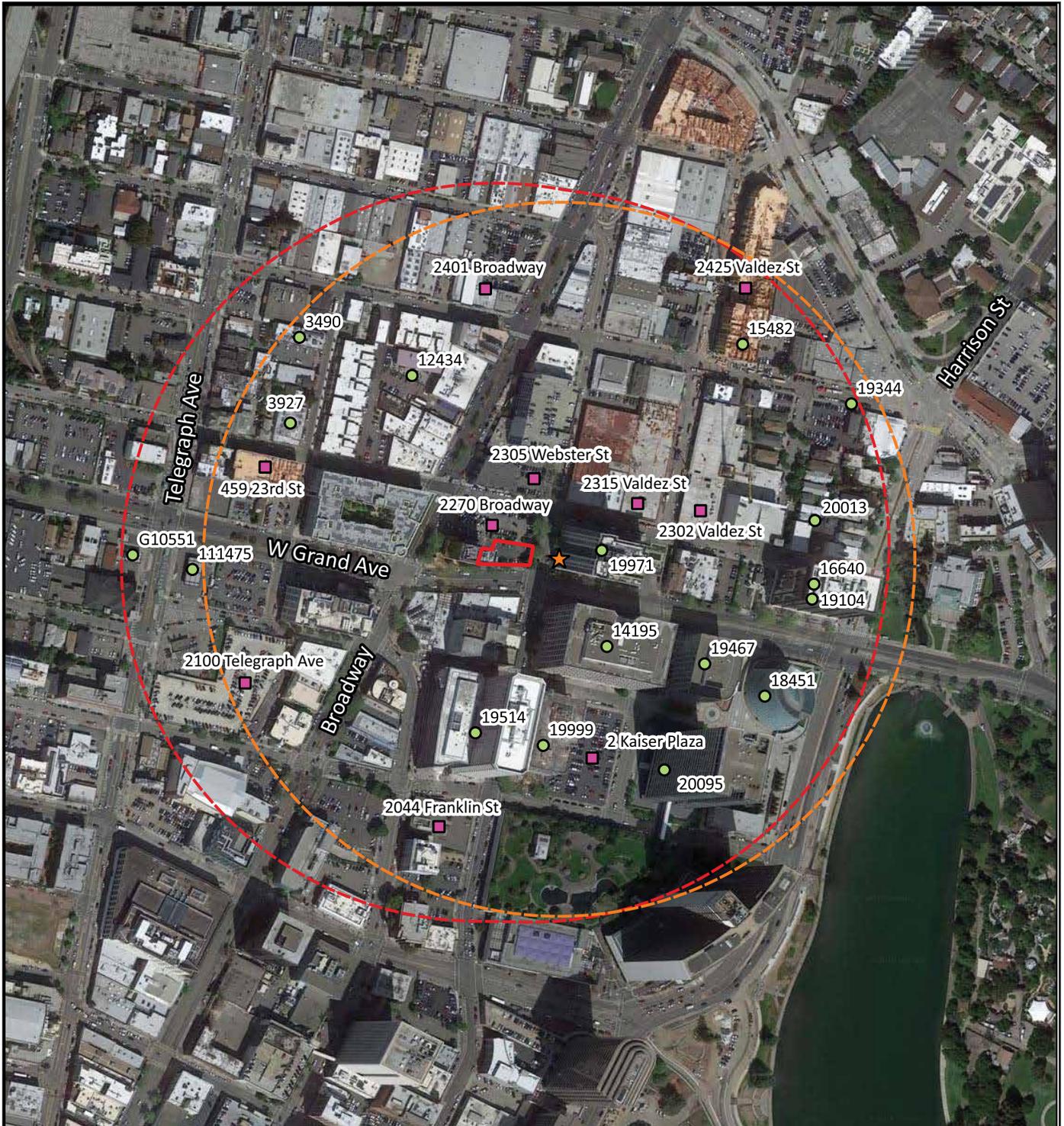
<sup>18</sup> Bay Area Air Quality Management District (BAAQMD), 2012. Stationary Source Screening Analysis Tool, May 30.

<sup>19</sup> Bay Area Air Quality Management District (BAAQMD), 2019. Risk & Hazard Stationary Source Inquiry Form. Data requests submitted to BAAQMD on February 2 and 14.

<sup>20</sup> Bay Area Air Quality Management District (BAAQMD), 2019. 2018 stationary source emissions data provided to Baseline Environmental Consulting, February 5 and 15.

<sup>21</sup> Bay Area Air Quality Management District (BAAQMD), 2012. Gasoline Dispensing Facility Distance Multiplier Tool, June 13,

<sup>22</sup> Bay Area Air Quality Management District (BAAQMD), 2018. Personal communication between Patrick Sutton from Baseline Environmental Consulting and Areana Flores from the BAAQMD, February 5.



**Legend**

- Project Site
- 1,000-Foot Buffer around Maximally Exposed Individual Resident (MEIR)
- 1,000-Foot Buffer around Future Residents on the Project Site
- Existing Stationary Source (with Permit ID)
- Future Emergency Generator
- ★ Existing MEIR

**88 Grand Avenue Project**

Source: BASELINE Environmental Consulting, 2018; Microsoft, 2018.

Figure 11  
TAC Sources and Sensitive Receptors

**Table V.B-2 Summary of Cumulative Health Risks at the MEIR**

Source	Source Type	Method Ref	Cancer Risk (10 <sup>-6</sup> )	Chronic HI	PM <sub>2.5</sub> (µg/m <sup>3</sup> )
<b>Project Operation</b>					
Emergency Generator	Diesel Gen	1,2	10	<0.01	0.02
<b>Existing Stationary Sources</b>					
Essex Portfolio (Plant 19971)	Diesel Gen	2,3	1.9	<0.01	<0.01
Pacific Bell Telephone (Plant 19999)	Diesel Gen	2,3	0.5	<0.01	<0.01
Brandywine Realty Trust (Plant 19467)	Diesel Gen	2,3	0.8	<0.01	<0.01
Catholic Cathedral Corp (Plant 18451)	Diesel Gen	2,3	0.1	<0.01	<0.01
Mpower Communications (Plant 20013)	Diesel Gen	2,3	0.3	<0.01	<0.01
CalSTEARS 180 Grand, LLC (Plant 16640)	Diesel Engines	1,2,4,5	0.5	<0.01	<0.01
State of California Department of Trans (Plant 14195)	Diesel Engines	1,2,4,5	2.0	<0.01	<0.01
	Boilers	1,4,5	0.3	<0.01	<0.01
Oakland Center 21 (Plant 19514)	Diesel Engines	1,2,4,5	1.7	<0.01	<0.01
	Boilers	1,4,5	0.7	<0.01	<0.01
CIM Group/Ordway (Plant 20095)	Diesel Engines	1,2,4,5	0.4	<0.01	<0.01
	Boilers	1,4,5	0.4	<0.01	<0.01
Johnson Plating Works Inc. (Plant 3490)	Chrome Plating, Surface Coating	3	0.0	<0.01	<0.01
VIP Auto Collision Repair (Plant 19344)	Coating Operation	3	0.0	<0.01	<0.01
Q&S Automotive (Plant 12434)	Facility Closed	3	NA	NA	NA
Hanzel Auto Body Works (Plant 3927)	Facility Closed	3	NA	NA	NA
InSite Connect, LLC (Plant 19104)	Facility Closed	3	NA	NA	NA
Autotrends (Plant 15482)	Facility Closed	3	NA	NA	NA
<b>Existing Mobile Sources</b>					
Grand Avenue (20,058 AADT)	Major Roadway	5,7	23.7	NA	0.34
Harrison Street (10,510 AADT)	Major Roadway	5,7	0.6	NA	<0.01
Broadway (11,043 AADT)	Major Roadway	5,7	2.8	NA	0.04
<b>Future Stationary Sources</b>					
2270 Broadway, Oakland, CA	Diesel Gen	1,2	10.0	<0.01	0.02
2401 Broadway, Oakland, CA	Diesel Gen	1,2	0.7	<0.01	<0.01
2305 Webster Street, Oakland, CA	Diesel Gen	1,2	3.1	<0.01	<0.01

Source	Source Type	Method Ref	Cancer Risk (10 <sup>-6</sup> )	Chronic HI	PM <sub>2.5</sub> (µg/m <sup>3</sup> )
2302 Valdez Street, Oakland, CA	Diesel Gen	1,2	1.6	<0.01	<0.01
2315 Valdez Street, Oakland, CA	Diesel Gen	1,2	2.8	<0.01	<0.01
2425 Valdez St, Oakland, CA	Diesel Gen	1,2	0.4	<0.01	<0.01
2 Kaiser Plaza, Oakland, CA	Diesel Gen	1,2	1.0	<0.01	<0.01
459 23rd Street, Oakland, CA	Diesel Gen	1,2	0.5	<0.01	<0.01
2044 Franklin Street, Oakland CA	Diesel Gen	1,2	0.6	<0.01	<0.01
2100 Telegraph Ave, Oakland, CA	Diesel Gen	1,2	0.4	<0.01	<0.01
<b>Cumulative Health Risks</b>			68	<0.1	0.4
<b>Thresholds of Significance</b>			100	10.0	0.8
<b>Exceed Thresholds?</b>			<b>No</b>	<b>No</b>	<b>No</b>

Notes: µg/m<sup>3</sup>=micrograms per cubic meter; HI=hazard index; NA=not applicable; Ref=reference; Gen=generator; AADT=annual average daily traffic

Health risk screening values derived using the following BAAQMD tools and methodologies:

- 1) BAAQMD's Risk and Hazards Emissions Screening Calculator (Beta Version 1.3).
- 2) BAAQMD's Diesel Internal Combustion Engine Distance Multiplier Tool.
- 3) BAAQMD's Risk & Hazard Stationary Source Inquiry Form (February 2019).
- 4) BAAQMD's 2018 stationary source emissions data.
- 5) BAAQMD's recommended Office of Environmental Health Hazard Assessment cancer risk adjustment factor.
- 6) BAAQMD's Gasoline Dispensing Facility Distance Multiplier Tool.
- 7) BAAQMD's Roadway Screening Analysis Calculator.

The BAAQMD recommends estimating health risk screening values for major roadways with an average annual daily traffic (AADT) volume greater than 10,000 vehicles per day. Based on review of 2020 AADT volumes forecasted by Alameda County Transportation Commission,<sup>23</sup> there are three major roadways within 1,000 feet of the MEIR (Table V.B-2 and Figure 11). The health risk screening values at the MEIR from the major roadways were estimated using the BAAQMD's Roadway Screening Analysis Calculator<sup>24</sup> and the cancer risks were adjusted by a factor of 1.3744, as discussed above.

In addition to existing TAC sources, there are ten proposed development projects that may be constructed within 1,000 feet of the MEIR location in the near future. Conservatively assuming all foreseeable future development would include an emergency diesel generator, and that each proposed generator would result in a maximum excess cancer risk of 10 in one million due to emissions of DPM, the BAAQMD's Risk and Hazards Emissions Screening Calculator (Beta Version 1.3) was used to estimate the equivalent

<sup>23</sup> Alameda County Transportation Commission (ACTC), 2014. Countywide Travel Demand Model. Planning Area 1; 2020 Daily Model Vehicle Volumes, July.

<sup>24</sup> Bay Area Air Quality Management District (BAAQMD), 2015. Roadway Screening Analysis Calculator, April 16.

screening-level health risks values for chronic HI and annual average PM<sub>2.5</sub> concentrations. The health risk screening values from the future generators were then refined based on the distance from each source to the MEIR using the BAAQMD's Diesel Internal Combustion Engine Distance Multiplier Tool.

Estimates of the cumulative health risks at the MEIR are summarized and compared to the City's cumulative thresholds of significance in Table V.B-2. The excess cancer risk, chronic HI, and annual average PM<sub>2.5</sub> concentrations at the MEIR were below the City's cumulative thresholds. Therefore, the cumulative impact to nearby sensitive receptors from TAC emissions during operation of the project would be less than significant.

Future residents on the project site could be exposed to existing and reasonably foreseeable future sources of TAC emissions. While CEQA does not require the analysis or mitigation of potential effects that the existing environment may have on a project (with certain exceptions), the following HRA for future sensitive receptors on the project site meets the requirements of SCA #24: Exposure to Air Pollution (Toxic Air Contaminants).

The approach for assessing the cumulative health risks to future sensitive receptors on the project site was the same as the methods described above to determine potential health risks to existing sensitive receptors. Existing sources of TAC emissions identified within 1,000 feet of the project included 17 stationary sources and three major roadways. Reasonably foreseeable future sources of TAC emissions include 11 proposed developments (including the project site) that could potentially operate emergency diesel generators (Table V.B-3 and Figure 11).

Estimates of the cumulative health risks on the future residents at the project site are summarized and compared to the City's cumulative thresholds of significance in Table V.B-3. The excess cancer risk, chronic HI, and annual average PM<sub>2.5</sub> concentrations at the project site were below the City's cumulative thresholds. Therefore, under SCA #24: Exposure to Air Pollution (Toxic Air Contaminants), the project is not required to incorporate health risk reduction measures into the project design to reduce the exposure of future residents to TACs.

**Table V.B-3 Summary of Cumulative Health Risks to Future MEIR on the Project Site**

Source	Source Type	Method Ref	Cancer Risk (10 <sup>-6</sup> )	Chronic HI	PM <sub>2.5</sub> (µg/m <sup>3</sup> )
<b>Project Operation</b>					
Emergency Generator	Diesel Gen	1,2	10	<0.01	0.02
<b>Existing Stationary Sources</b>					
Essex Portfolio (Plant 19971)	Diesel Gen	2,3	1.5	<0.01	<0.01
Pacific Bell Telephone (Plant 19999)	Diesel Gen	2,3	0.5	<0.01	<0.01
Brandywine Realty Trust (Plant 19467)	Diesel Gen	2,3	0.6	<0.01	<0.01
Catholic Cathedral Corp (Plant 18451)	Diesel Gen	2,3	0.1	<0.01	<0.01
Mpower Communications (Plant 20013)	Diesel Gen	2,3	0.2	<0.01	<0.01
CalSTEARS 180 Grand, LLC (Plant 16640)	Diesel Engines	1,2,4,5	0.4	<0.01	<0.01
State of California Department of Trans (Plant 14195)	Diesel Engines	1,2,4,5	1.8	<0.01	<0.01
	Boilers	1,4,5	0.3	<0.01	<0.01
Oakland Center 21 (Plant 19514)	Diesel Engines	1,2,4,5	2.5	<0.01	<0.01
	Boilers	1,4,5	0.7	<0.01	<0.01
CIM Group/Ordway (Plant 20095)	Diesel Engines	1,2,4,5	0.4	<0.01	<0.01
	Boilers	1,4,5	0.4	<0.01	<0.01
Johnson Plating Works Inc. (Plant 3490)	Chrome Plating, Surface Coating	3	0.0	<0.01	<0.01
VIP Auto Collision Repair (Plant 19344)	Coating Operation	3	0.0	<0.01	<0.01
Oakland Valero Service Center (Plant G10551)	Gas Station	3,6	0.1	<0.01	<0.01
Golden Bay Gas & Food (Plant 111475)	Gas Station	3,6	0.4	<0.01	<0.01
Q&S Automotive (Plant 12434)	Facility Closed	3	NA	NA	NA
Hanzel Auto Body Works (Plant 3927)	Facility Closed	3	NA	NA	NA
InSite Connect, LLC (Plant 19104)	Facility Closed	3	NA	NA	NA
Autotrends (Plant 15482)	Facility Closed	3	NA	NA	NA
<b>Existing Mobile Sources</b>					
Grand Avenue (21,668 AADT)	Major Roadway	5,7	25.3	NA	0.4
Telegraph Avenue (14,448 AADT)	Major Roadway	5,7	1.8	NA	0.0
Broadway (11,043 AADT)	Major Roadway	5,7	5.7	NA	0.1
<b>Future Stationary Sources</b>					
2270 Broadway, Oakland, CA	Diesel Gen	1,2	10.0	<0.01	0.02
2401 Broadway, Oakland, CA	Diesel Gen	1,2	0.8	<0.01	<0.01
2305 Webster Street, Oakland, CA	Diesel Gen	1,2	5.0	<0.01	<0.01
2302 Valdez Street, Oakland, CA	Diesel Gen	1,2	1.5	<0.01	<0.01
2315 Valdez Street, Oakland, CA	Diesel Gen	1,2	2.2	<0.01	<0.01

Source	Source Type	Method Ref	Cancer Risk (10 <sup>-6</sup> )	Chronic HI	PM <sub>2.5</sub> (µg/m <sup>3</sup> )
2425 Valdez St, Oakland, CA	Diesel Gen	1,2	0.4	<0.01	<0.01
2 Kaiser Plaza, Oakland, CA	Diesel Gen	1,2	1.0	<0.01	<0.01
459 23rd Street, Oakland, CA	Diesel Gen	1,2	0.9	<0.01	<0.01
2044 Franklin Street, Oakland CA	Diesel Gen	1,2	0.7	<0.01	<0.01
2100 Telegraph Ave, Oakland, CA	Diesel Gen	1,2	0.7	<0.01	<0.01
<b>Cumulative Health Risks</b>			76	<0.1	0.5
<b>Thresholds of Significance</b>			100	10.0	0.8
<b>Exceed Thresholds?</b>			<b>No</b>	<b>No</b>	<b>No</b>

Notes: µg/m<sup>3</sup>=micrograms per cubic meter; HI=hazard index; NA=not applicable; Ref=reference; Gen=generator; AADT=annual average daily traffic

Health risk screening values derived using the following BAAQMD tools and methodologies:

- 1) BAAQMD's Risk and Hazards Emissions Screening Calculator (Beta Version 1.3).
- 2) BAAQMD's Diesel Internal Combustion Engine Distance Multiplier Tool.
- 3) BAAQMD's Risk & Hazard Stationary Source Inquiry Form (February 2019).
- 4) BAAQMD's 2018 stationary source emissions data.
- 5) BAAQMD's recommended Office of Environmental Health Hazard Assessment cancer risk adjustment factor.
- 6) BAAQMD's Gasoline Dispensing Facility Distance Multiplier Tool.
- 7) BAAQMD's Roadway Screening Analysis Calculator.

According to the Phase I Environmental Site Assessment for the project site<sup>25</sup>, the existing office building may contain asbestos materials. Whether the other existing structures on the project site contain asbestos is unknown. Therefore, cosmetic changes, renovation, and demolition activities of the project are subject to demolition requirements described under the City's SCA-AIR-5: Asbestos in Structures (#27). In addition, because naturally-occurring asbestos has not been mapped in the vicinity of the project, the dust mitigation measures for asbestos described under the City's SCA #28: Naturally-Occurring Asbestos, would not apply to the project.

### Summary

With implementation of SCA-AIR-3 through SCA-AIR-5, construction and operation of the project would not substantially increase the severity of significant health impacts identified in the BVDSP EIR, nor would it result in new significant health impacts that were not identified in the BVDSP EIR.

<sup>25</sup> Farallon Consulting, 2017. Phase I Environmental Site Assessment Report, 80 Grand Avenue, Oakland, California, October 10.

### 3. Conclusion

Consistent with the findings of the BVDSP EIR, the project would not result in any new or more severe significant impacts related to criteria air pollutants, TACs emissions, or cumulative TAC emissions. The project would be required to implement SCA-AIR-1: Dust Controls – Construction Related (#21), SCA-AIR-2: Criteria Air Pollutant Controls – Construction Related (#22), SCA-AIR-3: Diesel Particulate Matter Controls – Construction Related (#23), and SCA-AIR-4: Stationary Sources of Air Pollution (TACs) (#25) to ensure impacts to air quality would be less than significant. In addition, implementation of SCA-AIR-5: Asbestos in Structures (#27) and SCA-TRANS-4: Transportation and Parking Management (#79) would further reduce any impacts to a less-than-significant level. Please see Attachment A for a full description of the applicable SCAs.

**C. Biological Resources**

	Equal or Less Severity of Impact Previously Identified in BVDSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
Would the project:			
<p>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;</p> <p>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;</p> <p>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;</p> <p>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;</p>	■	□	□
<p>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.</p>	■	□	□

## 1. BVDSP EIR Findings

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

The BVDSP EIR identified all impacts to biological resources to be less than significant with implementation of City SCAs.

## 2. Project Analysis

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

The project site is located within a developed area in an urban setting on a site that is fully developed with an existing office building and surface parking lot covered with impervious surfaces. There are 5 mature trees on site, all of which are planned for removal along with the existing landscaping. No other trees surrounding the project site are planned for removal. The project would be required to implement SCA-BIO-1: Tree Removal during Bird Breeding Season (#30) and SCA-BIO-2: Tree Permit (#31). Implementation of these SCAs would ensure impacts to biological resources are to remain at a less-than-significant level.

## 3. Conclusion

Consistent with the findings of the BVDSP EIR, implementation of the project would not result in any new or more severe significant impacts related to special-status species, wildlife corridors, riparian and sensitive habitat, wetlands, and tree and creek protection than those identified in the BVDSP EIR. The BVDSP EIR did not identify any mitigation measures related to biological resources, and none would be needed for the implementation of the project. The project would be required to implement SCA-BIO-1: Tree Removal during Bird Breeding Season (#30) and SCA-BIO-2: Tree Permit (#31). Please see Attachment A for a full description of the applicable SCAs.

**D. Cultural Resources**

Would the project:	Equal or Less Severity of Impact Previously Identified in BVDSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	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 <b>and</b> 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.	■	□	□

**1. BVDSP EIR Findings**

The BVDSP EIR found that development under the BVDSP could result in the physical demolition, destruction, relocation, or alteration of historical resources that are listed in

or may be eligible for listing in the federal, state, or local registers of historical resources, which would be considered a significant impact. The EIR identified Mitigation Measure CUL-1 that addresses: a) the avoidance, adaptive reuse, or appropriate relocation of historically significant structures; b) future site-specific surveys and evaluations; c) recordation and public interpretation, and d) financial contributions to mitigate these impacts. In addition, the EIR concluded that new construction adjacent to historical resources could result in significant impacts specifically to the Temple Sinai, from shadows that would shade the temple's stained-glass windows. Even with implementation of City SCAs and BVDSP EIR Mitigation Measures CUL-1 and AES-4, the BVDSP EIR conservatively determined impacts to historical resources may remain significant and unavoidable.

The BVDSP EIR found that impacts related to archaeological resources, paleontological resources, and human remains would remain less than significant with implementation of several City SCAs.

## 2. Project Analysis

### *Historical Resources (Criterion 4.a)*

Neither the office building at the 80 Grand lot nor the parking lot at the 60 Grand Avenue lot within the project site are considered historic resources for the purposes of CEQA or Potentially Historic Properties as defined by Oakland Municipal Code 17.136.075 and are not within an Area of Primary or Secondary Importance (see BVDSP EIR Figure 4.4-2 for historic resources in the Plan Area).

Because the office building at 80 Grand would be retained and the 60 Grand Avenue surface parking is not a historic resource, the project would not significantly impact any historic resources and Mitigation Measures CUL-1 and CUL-5, as outlined in the BVDSP EIR, would not apply. See *Section V.A, Aesthetics, Shadow, and Wind*, for further information about shadows and shading to historic resources.

### *Archaeological and Paleontological Resources and Human Remains (Criteria 4.b, 4.c, and 4.d)*

The project would entail excavation to a depth of 24 feet below grade. The project site appears to be underlain by a fill layer that extends approximately 5 feet below existing grade and is underlain by alternating layers of stiff to hard clays and medium dense to very dense sands with varying silt and clay contents to depths greater than 100 feet below existing ground surface.<sup>26</sup> As shown in Figure 4.4-1 of the BVDSP EIR, the geology at the project site is primarily Pleistocene bay terrace deposits.

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<sup>26</sup> Langan, 2018. Preliminary Geotechnical Evaluation, 2250 Broadway (80 Grand Avenue) and 60 Grand Avenue, Oakland, California, Langan Project No.: 750647801, March.

The project would be required to implement the following SCAs: including: SCA-CUL-1: Archaeological and Paleontological Resources – Discovery During Construction (#33) and SCA-CUL-2: Human Remains – Discovery During Construction (#35). Implementing these SCAs would protect cultural resources and reduce impacts because of the conditions that would be implemented and the monitoring that would be ensured to minimize potential adverse effects that could result from implementation of the project. Therefore, the project, together with the impacts of previous and future development in the vicinity, would have a less-than-significant impact to unknown archaeological or paleontological resources.

### **3. Conclusion**

Consistent with the findings of the BVDSP EIR, implementation of the project would not result in any new or more severe significant impacts related to historical resources or archaeological and paleontological resources than those identified in the BVDSP. In addition, the project would not demolish any built environment historical resources. Implementation of SCA-CUL-1: Archaeological and Paleontological Resources – Discovery During Construction (#33), and SCA-CUL-2: Human Remains – Discovery During Construction (#35), would ensure impacts to cultural resources would be less than significant. Please see Attachment A for a full description of the applicable SCAs.

**E. Geology, Soils, and Geohazards**

Would the project:	Equal or Less Severity of Impact Previously Identified in BVDSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a. Expose people or structures to substantial risk of loss, injury, or death involving: <ul style="list-style-type: none"> <li>• 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;</li> <li>• Strong seismic ground shaking;</li> <li>• Seismic-related ground failure, including liquefaction, lateral spreading, subsidence, collapse; or</li> <li>• Landslides;</li> </ul>	■	<input type="checkbox"/>	<input type="checkbox"/>
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.	■	<input type="checkbox"/>	<input type="checkbox"/>

**1. BVDSP EIR Findings**

The BVDSP EIR found that all impacts related to geology, soils, and geohazards resulting from development under the BVDSP would be mitigated to a less-than-significant level through compliance with local and state regulations governing design and construction practices, such as the Seismic Hazards Mapping Act (in liquefaction hazard zones), the California Building Code (CBC), and implementation of SCAs that require the preparation of soils and geotechnical reports specifying generally accepted and appropriate engineering techniques.

The BVDSP EIR identified no impacts related to substantial soil erosion or loss of topsoil, because the Plan Area is in a developed urban area that is paved or landscaped and served by a storm drain system. Additionally, implementation of City SCAs and compliance with NPDES regulations would minimize erosion and sedimentation.

## 2. Project Analysis

### ***Exposure to Risk of Loss, Injury, or Death Involving Fault Rupture, Seismic-Related Shaking, Liquefaction, Lateral Spreading, Subsidence, or Collapse, or Landslides (Criterion 5.a)***

The project site is not located within or adjacent to an Alquist-Priolo Earthquake Fault Zone.<sup>27</sup> Therefore, the project would not result in significant impacts with respect to rupture of a known earthquake fault. However, the project site is in a seismically active region, and the nearest active fault is the Hayward Fault, which is located approximately 3 miles northeast of the project site.<sup>28</sup> The project site would experience very strong shaking in the event of a magnitude 6.8 earthquake on the Hayward Fault.<sup>29</sup>

The risk of ground shaking impacts would be reduced through adherence to the design and materials standards set forth in the 2016 CBC, which the project would be required to comply with. The project would be required to conform with, or exceed, current best standards for earthquake resistant construction in accordance with the 2016 CBC and with the generally accepted standards of geotechnical practice for seismic design in Northern California.

The project site is not within a liquefaction hazard zone or earthquake-induced landslides hazard zone, as designated on a map prepared by the California Geological Survey.<sup>30</sup> The Preliminary Geotechnical Evaluation prepared for the project<sup>31</sup> concludes that the potential for liquefaction and significant liquefaction-induced settlement at the project site is low during a major earthquake on a nearby active fault, as it is anticipated that layers beneath the project site are either sufficiently dense or have sufficient cohesion to resist liquefaction during a major earthquake. In addition, the topography of the project site and surrounding area is relatively flat and the Preliminary Geotechnical Evaluation concludes that the potential for lateral spreading at the site is low. Based on the relatively flat topography of the project site and surrounding area, landslides would not pose a risk to the project.

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<sup>27</sup> California Geological Survey (CGS), 1982. Earthquake Fault Zones, Oakland West Quadrangle. Released January 1.

<sup>28</sup> California Geological Survey (CGS), 2010. Fault Activity Map of California (2010). <http://maps.conservation.ca.gov/cgs/fam/>, Accessed November 16, 2018.

<sup>29</sup> Association of Bay Area Governments (ABAG), 2018. Shaking Severity Map. <http://gis.abag.ca.gov/website/Hazards/?hlyr=haywardSouth&co=6001>, accessed November 16.

<sup>30</sup> California Geologic Survey (CGS), 2003. Seismic Hazard Zones, Oakland West Quadrangle Official Map. Released February 14.

<sup>31</sup> Langan, 2018, Op. cit.

According to the Preliminary Geotechnical Evaluation<sup>32</sup>, the project site is underlain by fill materials by up to approximately 5 feet, which consist of loose sandy and clayey soils with varying silt contents. Under the fill materials, there are layers of stiff to hard clays and medium dense to very dense sands with varying silt and clay contents to depths greater than 100 feet below the existing ground surface. Up to one inch of cyclic densification (also referred to as seismic densification and differential compaction) settlement is anticipated at the project site if the existing fill is not removed.

The Preliminary Geotechnical Evaluation<sup>33</sup> concludes that the added weight of the proposed building could result in settlement from compression of underlying stiff to hard native clays of approximately 6 to 8 inches and differential settlements of approximately 3 to 4 inches. Settlements are anticipated to be on the order of 5 to 7 inches beneath the proposed building if a mat foundation is used. These estimated settlements are considered excessive from an architectural and structural standpoint. In addition, the load associated with the proposed building could also result in settlement at the existing building on the project site (80 Grand). Furthermore, the combination effect from another nearby project (2270 Broadway) and the proposed building on the project site could exert significant bearing pressures over adjacent areas and therefore resulting in even higher settlements than estimated above. For these reasons, the Preliminary Geotechnical Evaluation recommends supporting the tower on deep foundations so that building loads are transferred to deeper and less compressible soils. Auger cast piles or drilled piers are recommended, while a driven pile option is considered infeasible due to anticipated noise and vibration restrictions. The Preliminary Geotechnical Evaluation recommends that a detailed geotechnical investigation of the sites be performed with field exploration and preparation of a design-level geotechnical report.

The 2016 CBC requires a site-specific design-level geotechnical investigation to be performed for the project to evaluate slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on soil-bearing capacity, compressibility, liquefaction, and expansiveness. Additionally the 2016 CBC requires that a geohazard report be prepared to provide recommendations on foundation type and design criteria. The project would also be required to comply with the City's SCAs related to geology and soils prior to approval of construction-related permits. This includes SCA-GEO-1: Construction-Related Permit(s) (#37) which would require the project to comply with all standards, requirements and conditions contained in construction-related codes, including but not limited to the Oakland Buildings and Construction Code (Title 15) and the Oakland Grading Regulations, to ensure structural integrity and safe construction. The project would also be required to comply with SCA-GEO-2: Soils Report (#38) which would require the project to submit a soils report which includes recommendations for appropriate grading practices and project design. Compliance with the 2016 CBC and

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<sup>32</sup> Ibid.

<sup>33</sup> Ibid.

applicable SCAs would reduce the impacts related to seismic-related shaking, lateral spreading, subsidence, or collapse to less-than-significant levels.

***Expansive Soil, Erosion or Loss of Topsoil, Creating Substantial Risks to Life, Property, or Creeks/Waterways. (Criterion 5.b)***

The Preliminary Geotechnical Evaluation<sup>34</sup> indicates that the project site is underlain by fill materials that are clayey and could be expansive. Adherence to the 2016 CBC would require a site-specific design-level geotechnical investigation to evaluate soil expansiveness and a geohazard report that provides recommendations on foundation type and design criteria. If the soil report (as required by SCA-GEO-2) identifies expansive soils beneath the project site, implementation of the recommendations in the soil report would ensure that potential hazards associated with expansive soils would be mitigated to a less-than-significant level through appropriate foundation design.

As discussed in detail in *Section V.I, Hydrology and Water Quality*, soil erosion could occur during project grading and construction. However, as described in *Section V.I, Hydrology and Water Quality*, compliance with applicable regulations (Construction General Permit and Stormwater Prevention Plan [SWPPP]) would reduce these potential impacts to a less-than-significant level.

### **3. Conclusion**

Consistent with the findings of the BVDSP EIR, implementation of the project would not result in any new or more severe significant impacts related to geology, soils, and geohazards than those identified in the BVDSP EIR. Implementation of SCA-GEO-1: Construction-Related Permit(s) (#37) and SCA-GEO-2: Soils Report (#38), would ensure impacts associated with geology, soils, and geohazards would be less than significant. Please see Attachment A for a full description of the applicable SCAs.

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<sup>34</sup> Ibid.

**F. Greenhouse Gas and Climate Change**

	Equal or Less Severity of Impact Previously Identified in BVDSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
<p>Would the project:</p> <p>a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, specifically:</p> <ul style="list-style-type: none"> <li>• For a project involving a stationary source, produce total emissions of more than 10,000 metric tons of CO<sub>2</sub>e annually.</li> <li>• For a project involving a land use development, produce total emissions of more than 1,100 metric tons of CO<sub>2</sub>e annually AND more than 4.6 metric tons of CO<sub>2</sub>e 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.</li> </ul>	■	□	□
<p>b. Fundamentally conflict with an applicable plan, policy, or regulation adopted for the purposes of reducing greenhouse gas emissions.</p>	■	□	□

**1. BVDSP EIR Findings**

The BVDSP EIR evaluated impacts related to greenhouse gas (GHG) emissions associated with the construction and operation of development anticipated to occur under the BVDSP. The loss of vegetation, construction activities, and the use of motor vehicle, water, gas, and electricity were identified as sources contributing to the generation of GHG emissions in the Plan Area. Future projects and development implemented under the BVDSP are required to be consistent with the City of Oakland’s Energy and Climate Action Plan (ECAP), and with the City’s SCAs that would reduce GHG emissions during construction

and operation of projects. Even with implementation of SCAs, the BVDSP EIR determined that impacts related to GHG emissions would conservatively remain significant and avoidable.

The BVDSP EIR also determined that development under the BVDSP would not conflict with any applicable plan, policy or regulation adopted with the intent to reduce GHG emissions. Therefore, the BVDSP EIR determined that the impact related to consistency with applicable plans, policies or regulations to reduce GHG emissions would be less than significant.

## 2. Project Analysis

### *Greenhouse Gas Emissions Generation (Criterion 6.a)*

Both project construction and operation would generate GHG emissions. The BAAQMD’s thresholds of significance for GHG emissions, which are defined in terms of carbon dioxide equivalents (CO<sub>2</sub>e), are designed to ensure compliance with the State’s Assembly Bill (AB) 32 GHG reduction goals.

The BAAQMD recommends using the most current version of the California Emissions Estimator Model (CalEEMod version 2016.3.2) to estimate construction and operation emissions for a land use project. CalEEMod uses widely accepted models for emission estimates combined with appropriate default data for a variety of land use projects that can be used if site-specific information is not available. The default data (e.g., emission factors) are supported by substantial evidence provided by regulatory agencies and a combination of statewide and regional surveys of existing land uses and resources. The primary input data used to estimate GHG emissions associated with construction and operation of the project are summarized in Table V.F-1 below.

**Table V.F-1 Summary of CalEEMod Land Use Input Parameters**

<b>Project Land Use Type</b>	<b>CalEEMod Land Use Type</b>	<b>Units</b>	<b>Unit Amount</b>
Residential	Apartments High Rise	Dwelling Unit	275
Retail	Regional Shopping Center	Square Feet	1,000
Parking Garage	Enclosed Parking with Elevator	Spaces	45

Project construction is scheduled to begin in 2020 with a duration of approximately 29 months. Based on the construction schedule, project operation was assumed to begin as early as 2022. Since statewide vehicle emission standards are required to improve over time in accordance with the Pavley (AB 1493) and Low-Emission Vehicle regulations (Title 13, California Code of Regulations, Section 1961.2), estimating emissions for the earliest year of operation provides the maximum annual emissions. Additional project-specific

information used to calculate GHG emissions in CalEEMod, including changes to default data, is summarized in Table V.F-2.

**Table V.F-2 Summary of Project-Specific Assumptions for CalEEMod**

<b>CalEEMod Input Category</b>	<b>Assumptions and Changes to Default Data</b>
Construction Phase	Construction of the project is anticipated to start no earlier than January 2020 and last for approximately 29 months. CalEEMod applies default equipment usage and construction phase lengths based on the findings of a survey of construction projects less than 5 acres. The survey results are organized in CalEEMod based on lot acreage size. While the project is approximately 0.5 acres, the multi-story development projects included in the construction survey were approximately 3 acres. Therefore the default equipment usage and construction phase lengths for a 3 acre lot were used to estimate the total hours of equipment operation (and associated emissions) required to construct the project. A drill rig and a pump were added to the default construction equipment list according to construction information provided by the project applicant.
Material Movement	Approximately 8,800 cubic yards of soil is expected to be hauled off-site.
Demolition	The existing surface parking lot of approximately 9,300-square-foot would be demolished and hauled off-site.
Utility provider	The default CO <sub>2</sub> intensity factor reported for 2008 was updated to the most recent CO <sub>2</sub> intensity factor verified by a third party in 2016. <sup>a</sup>
Vehicle Trips	Daily trip rates for each type of land use were adjusted according to the project traffic analysis (see <i>Section V.M, Transportation and Circulation</i> ). These trip estimates account for a 46.9 percent trip reduction based on the City of Oakland’s Transportation Impact Review Guidelines for development in an urban environment within 0.5 mile of a BART station.
Fleet Mix	Because the project is not expected to generate new bus or mobile home trips, these vehicle types were removed from the fleet mix. Based on this assumption, the default ratio of vehicle types representing each land use were maintained and scaled up.
Fireplaces and Woodstoves	It was assumed that there would be no fireplaces or woodstoves.
Wastewater	Based on the design of the East Bay Municipal Utility District’s Wastewater Treatment Plant, emissions estimated from wastewater treatment assumed a process with 100 percent aerobic biodegradation and 100 percent anaerobic digestion with cogeneration.
Water Use	In accordance with the City of Oakland’s Green Building Ordinance, the project will implement mandatory measures from the statewide CALGreen Code to reduce indoor water use by approximately 20 percent.
Stationary Sources	In accordance with the California Building Code, an emergency generator would be required for the project. It was assumed that a 872-horsepower diesel generator would be used for non-emergency operation up to 50 hours per year (for routine testing and maintenance).

Notes: Default CalEEMod data used for all other parameters not described.

<sup>a</sup> Pacific Gas and Electric Company, 2016. Independent Registry Confirms Record Low Carbon Emissions for PG&E.

In accordance with the City of Oakland’s CEQA guidance for evaluating the GHG thresholds of significance, the construction CO<sub>2</sub>e emissions were annualized over a period

of 40 years and then added to the expected CO<sub>2</sub>e emissions during operation. The average annual CO<sub>2</sub>e emissions per service population (687) was determined based on the forecasted population of residents and employees.<sup>35</sup>

According to the CEQA streamlining provisions described under Senate Bill (SB) 375, certain “mixed-use residential projects” that are consistent with the general use designation, density, building intensity, and applicable policies specified in a Sustainable Communities Strategy (SCS) do not need to analyze climate change impacts resulting from cars and light-duty trucks. As defined in Public Resources Code Section 21159.28(d), a mixed-use residential project is a project where at least 75 percent of the total building square footage of the project consists of residential use or a “Transit Priority Project” as defined in Public Resources Code Section 21155(b). A Transit Priority Project must contain the following:

1. At least 50 percent residential use based on total building square footage, and, if the project contains between 26 and 50 percent non-residential uses, a floor area ratio (FAR) of no less than 0.75;
2. A minimum net density of at least 20 dwelling units per acre; and
3. Be within 0.5 mile of a major transit stop or high-quality transit corridor<sup>36</sup> included in a regional transportation plan.

The proposed residential tower would have about 99 percent residential based on total building square footage, and about 550 residential units per acre. The project site is located within 0.5 mile (approximately 0.2 miles) of a high-quality transit corridor (Broadway and 19<sup>th</sup> Street Bay Area Rapid Transit Station). As such, the project meets the definition of a mixed-use residential project per Public Resources Code Section 21159.28[d].

The adopted Plan Bay Area<sup>37</sup> serves as the SCS for the Bay Area. As defined by Plan Bay Area, 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. According to the Metropolitan Transportation Commission, the project is located within a

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<sup>35</sup> Based on an average of 2.49 persons per household (2015-2023 Housing Element, 2010 US Census Data, p. 114, Table 3-5) and a standard assumption of 1 employee per 500 square feet. The BVDSP EIR assumed an average of 1.87 person per household; however, a higher estimate was used to provide a more conservative “worst-case” scenario.

<sup>36</sup> 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.

<sup>37</sup> Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG), 2017. Plan Bay Area 2040 Final Plan. Available at <http://2040.planbayarea.org/>. Adopted July 26, 2017.

PDA.<sup>38</sup> Furthermore, the project is permitted in the zoning district where the project site is located, and is consistent with the bulk, density, and land uses envisioned for the site. Therefore, since the project qualifies as a mixed-use residential project pursuant to Public Resources Code Section 21159.28(d) and is consistent with the applicable provisions of Plan Bay Area, the estimated GHG emissions from cars and light-duty trucks are excluded from the GHG analysis.

As shown in Table V.F-3, the total average annual CO<sub>2</sub>e emissions and the total average annual CO<sub>2</sub>e emissions per service population for the project are compared to the City’s GHG thresholds of significance. The estimated CO<sub>2</sub>e emissions generated by the project would be below the City’s annual emissions threshold and the efficiency threshold. Therefore, construction and operation of the project would have a less-than-significant impact on global climate change.

**Table V.F-3 Summary of Average GHG Emissions for the Project**

<b>Emissions Scenario</b>	<b>CO<sub>2</sub>e (MT/Year)</b>	<b>CO<sub>2</sub>e (MT/Year/SP)</b>
Construction <sup>a</sup>	15.1	0.02
Operation – Area	3.4	<0.01
Operation – Energy	287.1	0.42
Operation – Mobile	469.1	0.68
Operation – Waste	64.1	0.09
Operation – Water	23.7	0.03
Total Project Emissions	862	1.3
Thresholds of Significance	1,100	4.6
<b>Exceed Threshold?</b>	<b>No</b>	<b>No</b>

Notes: MT = metric tons; SP = service population

<sup>a</sup> In accordance with CEQA guidance from the City of Oakland, GHG emissions during construction are amortized over 40 years.

As shown in Table V.F-2, the project would be required to operate an emergency generator for the elevator system, which must comply with the BAAQMD’s permit requirements for a stationary source. It was assumed a 872-horsepower diesel generator would be used for non-emergency operation up to 50 hours per year (for routine testing and maintenance). As shown in Table V.F-4, the emissions from the emergency diesel generator are below the City’s threshold of 10,000 CO<sub>2</sub>e for stationary sources. Therefore,

<sup>38</sup> Metropolitan Transportation Commission (MTC), 2018. Priority Development Area (PDA) and Transit Priority Area (TPA) Map for CEQA Streamlining. Available at: <https://www.planbayarea.org/pda-tpa-map>, accessed November 20.

routine testing and maintenance of the emergency generator would have a less-than-significant impact on global climate change.

**Table V.F-4 Summary of Average GHG Emissions from Emergency Generator**

Stationary Source	CO <sub>2</sub> e (MT/year)
Emergency Generator	16.7
Threshold of Significance	10,000
<b>Exceed Threshold?</b>	<b>No</b>

Notes: MT = metric tons

Overall, the land-based and stationary source operations of the project would not substantially increase the severity of significance impacts nor result in new significant impacts related to the generation of GHG emissions that were not identified in the BVDSP EIR.

***Consistency with GHG Emissions and Policies (Criteria 6.b)***

The City’s GHG quantitative thresholds were designed to ensure compliance with the State’s AB 32 GHG reduction goals, as set forth in the California Air Resources Board’s Climate Change Scoping Plan. Since the GHG emissions from the project would be below the City’s thresholds of significance (Table V.F-3 and V.F-4), it can be assumed that the project is consistent, and not in fundamental conflict, with the AB 32 Scoping Plan. Moreover, because the project will be constructed within a Priority Development with land uses at a density and intensity that meets or exceeds Plan Bay Area recommendations, the project furthers, and is not in conflict with, Plan Bay Area’s GHG reduction targets.

In December 2012, the City adopted the ECAP. The purpose of the ECAP is to identify and prioritize actions the City can take to reduce energy consumption and GHG emissions associated with the City. The ECAP outlines a 10-year plan including more than 150 actions that will enable the City to achieve a 36 percent reduction in GHG emissions below the 2005 level by 2020.<sup>39</sup> These measures support implementation of the green planning policies in the City of Oakland’s General Plan by promoting energy efficiency and minimizing vehicle emissions. The project would also be required to comply with the City’s Green Building Ordinance and SCAs (described further below), which support the goals, policies, and actions of the ECAP and General Plan. Therefore, the project is consistent with, and would not hinder, the GHG reduction goals set forth in the ECAP and the green planning policies of the General Plan.

<sup>39</sup> City of Oakland, 2012. Energy and Climate Action Plan, December 4.

The project is required to determine if a GHG Reduction Plan is required in accordance with the City’s SCA GHG Reduction Plan (#42). The goal of the GHG Reduction Plan is to ensure the project’s GHG emissions are at least 36 percent below the project’s 2005 business-as-usual baseline GHG emissions and below at least one of the BAAQMD’s CEQA thresholds of significance. The GHG Reduction Plan would include a detailed GHG emissions inventory and a comprehensive set of quantified GHG emissions reduction measures.

Table V.F-5 compares the project to the criteria associated with each of the City’s three GHG emissions scenarios under SCA GHG Reduction Plan (#42). For a project to be subject to SCA-GHG-1 (and be required to prepare a GHG Reduction Plan), the project must meet all the criteria of one or more of the scenarios. As shown in Table V.F-5, the project would not trigger the need for a GHG Reduction Plan requirement because none of the three scenarios of SCA GHG Reduction Plan (#42) are fully satisfied.

**Table V.F-5 Comparison of Project with Scenarios for SCA GHG Reduction Plan (#42)**

Scenario	Criterion (a)	Criterion (b)	Criterion (c)	Criterion (d)	Applied to Project?
Scenario A	Involve land use development	Exceed BAAQMD’s screening criteria <sup>a</sup>	Exceed both of the City’s applicable thresholds	--	No
	Yes (mixed use)	Yes (275 dwelling units and 1,000 sf commercial)	No (See Table V.F-3)	--	
Scenario B	Involve land use development	Exceed BAAQMD’s screening criteria <sup>a</sup>	Exceed one of the City’s applicable thresholds	Very Large Project	No
	Yes	Yes	No (See Table V.F-3)	No	
Scenario C	Involve a stationary source	Exceed the City’s applicable threshold	--	--	No
	Yes	No (see Table V.F-4)	--	--	

Notes: sf = square feet

<sup>a</sup> Based on Table 3-1 of the BAAQMD’s 2017 CEQA Air Quality Guidelines, a high-rise apartment building with 91 or less dwelling units or a regional shopping center with 19,000 or less square feet of area would have GHG emission levels below the City’s applicable thresholds.

The project would not conflict with applicable GHG plans, policies or regulations.

### 3. Conclusion

Consistent with the findings of the BVDSP EIR, implementation of the project would not result in any new or more severe significant impacts related GHG emissions or consistency with GHG emissions policies than those identified in the BVDSP EIR. Implementation of SCA-UTIL-6: Green Building Requirements (#87) and SCA-UTIL-4: Construction and Demolition Waste Reduction and Recycling (#84) (discussed further in *Section V.N, Utilities*), would ensure impacts to GHG and climate change would be less than significant. Please see Attachment A for a full description of the applicable SCAs.

**G. Hazards and Hazardous Materials**

	Equal or Less Severity of Impact Previously Identified in BVDSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
<p>Would the project:</p> <p>a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;</p> <p>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;</p> <p>Create a significant hazard to the public through the storage or use of acutely hazardous materials near sensitive receptors;</p> <p>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;</p>	<p>■</p>	<p>□</p>	<p>□</p>
<p>b. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school;</p>	<p>■</p>	<p>□</p>	<p>□</p>
<p>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</p> <p>Fundamentally impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.</p>	<p>■</p>	<p>□</p>	<p>□</p>

## 1. BVDSP EIR Findings

The BVDSP EIR found that impacts related to hazardous material usage, exposure to hazardous materials, hazardous materials near schools, and emergency access routes would be less than significant with implementation of applicable City SCAs and compliance with all applicable regulations.

## 2. Project Analysis

### *Hazardous Materials Use, Storage and Disposal and Hazardous Building Materials (Criterion 7.a)*

Operation of the project would not involve the use, storage, or disposal of significant quantities of hazardous materials. The proposed retail and residential uses would involve the use of only small quantities of commercially-available hazardous materials (e.g., paint and cleaning supplies).

Construction of the project would involve the use and transport of hazardous materials. These materials could include fuels, oils, paints and other chemicals used during construction activities. Handling and transportation of hazardous materials could result in accidental releases or spills and associated health risks to workers, the public, and environment. The project would be required to comply with SCA-HAZ-1: Hazardous Materials Related to Construction (#43), which requires that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health which could occur as a result of hazardous materials handling and storage.

Construction of the project would involve demolition at 60 Grand Avenue which contains an existing parking lot, a parking booth, and a garbage enclosure. The 60 Grand Avenue lot would be redeveloped with a new residential tower. The existing office building at 80 Grand would be retained and minor improvements would be made to the site, including minor cosmetic changes and renovations.

A Phase I Environmental Site Assessment (ESA)<sup>40</sup> prepared for the project site indicates that it is possible that asbestos-containing material (ACMs) and lead-based paint are present in existing office building at 80 Grand. The ESA also indicates that a prefabricated resin shed is located on the 60 Grand Avenue lot, which is used as a medical waste storage locker. The year when the parking booth and the garbage enclosure was built is not known, and therefore it is possible that these structures contain hazardous building materials. In accordance with the requirements of SCA-HAZ-2: Hazardous Building Materials and Site Contamination (#44), the project applicant must submit a

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<sup>40</sup> Farallon Consulting, 2017. Phase I Environmental Site Assessment Report for 80 Grand Avenue, Oakland, California, October 10.

comprehensive assessment report to the Bureau of Building, signed by a qualified environmental professional, documenting the presence or lack thereof of ACMs, lead-based paint, PCBs, and any other building materials or stored materials classified as hazardous materials by State or federal law. If lead-based paint, ACMs, PCBs, or any other building materials or stored materials classified as hazardous materials are present, the project applicant must submit specifications prepared and signed by a qualified environmental professional, for the stabilization and/or removal of the identified hazardous materials in accordance with all applicable laws and regulations. The project applicant must implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.

The project would be required to comply with SCA-AIR-5: Asbestos in Structures (#27), which requires the project applicant to comply with all applicable laws and regulations regarding demolition and renovation of ACMs, including but not limited to California Code of Regulations Title 8; California Business and Professions Code Division 3; California Health and Safety Code Sections 25915-25919.7; and BAAQMD Regulation 11, Rule 2, as may be amended. Evidence of compliance must be submitted to the City upon request. The project would also be required to comply with SCA-HAZ-1: Hazardous Materials Related to Construction, which requires implementation of lead-safe work practices and compliance with all local, regional, state, and federal requirements concerning lead.

Compliance with SCA-HAZ-1, SCA-HAZ-2, and SCA-AIR-5 would minimize the potential for accidental releases of hazardous materials used during construction and ensure that potential impacts of the project associated with routine transport, use, disposal of hazardous materials, or hazardous building materials would be less than significant.

***Exposure to Hazardous Materials in the Subsurface, Cortese List (Criterion 7.a)***

The Phase I ESA<sup>41</sup> prepared for the project site indicates that the project site was developed with commercial buildings until the 1970s. One previous facility at the project site was identified as a historical dry-cleaning facility. There has been no reported release or notice of violation associated with this facility. However, it is possible that there are residual contaminants such as chlorinated solvents and other hazardous substances from dry cleaning operations in shallow soils and groundwater. In addition, several historical auto service stations and dry-cleaning facilities adjacent and proximate to the project site were also identified during the preparation of the Phase I ESA. Potential migration of hazardous substances to the project site could also occur. Therefore, construction activities on the project site could potentially encounter hazardous substances associated with historic dry-cleaning operations on the project site and potential migration of hazardous substances to the project site from historic auto service stations and dry

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<sup>41</sup> Ibid.

cleaning facilities adjacent to the project site. Because the Phase I ESA identifies recognized environmental conditions in connection with the project site, the project would be required to comply with SCA-HAZ-2, which includes preparation of a Phase II ESA, and requires the project applicant to implement recommendations of the Phase II ESA and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, State, or federal regulatory agency. A Phase II ESA was performed in April 2019 as required by SCA-HAZ-2.<sup>42</sup> The soil and grab groundwater analytical results indicate that the project site has not been affected by releases of hazardous materials associated with previous land uses at and near the project site. Therefore, the construction of the project would not be expected to pose a significant health and safety risks to future users of the project site. Based on the findings, the Phase II ESA does not recommend further actions in regard to investigating the environmental conditions at the project site to support environmental review of the project.

As part of SCA-HAZ-2, the project applicant would also be required prepare a Health and Safety Plan. The Health and Safety Plan would protect project construction workers from risks associated with exposure to hazardous materials if encountered. The Health and Safety Plan would include, but is not limited to, measures related to personal protective equipment, exposure monitoring, emergency response plan, and a training program. In addition, SCA-HAZ-2 requires the implementation of best management practices for the handling of contaminated soil and groundwater discovered during construction activities to ensure their proper storage, treatment, transport, and disposal. Specifically, SCA-HAZ-2 would require that all suspect soil be stockpiled onsite in a secure and safe manner and adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Additionally, this SCA would require implementation of specific sampling and handling and transport procedures for reuse or disposal in accordance with applicable local, state, and federal requirements. Compliance with SCA-HAZ-2 would ensure that potential impacts from the project related to hazardous materials in the subsurface of the project site would be reduced to a less-than-significant level.

The provisions of California Government Code Section 65962.5 require the State Water Resources Control Board, Department of Toxic Substances Control, California Department of Health Services, and California Department of Resources Recycling and Recovery to submit information to the Cal/EPA pertaining to sites that were associated with solid waste disposal, hazardous waste disposal, and/or hazardous materials releases. Additionally, the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) can act as a responsible agency to provide oversight of sites where the quality of groundwater or surface waters is threatened. The compilation of hazardous materials release sites that meet criteria specified in Government Code Section 65962.5 is known as

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<sup>42</sup> Baseline Environmental Consulting, 2019. Phase II Environmental Site Assessment, 88 Grand Avenue, Oakland, California. April.

the Cortese List. There are currently no hazardous materials release sites on the project site that meet the criteria for inclusion on the Cortese List.

***Hazardous Materials within a ¼-Mile of a School (Criterion 7.b)***

The New Day Preschool at 460 West Grand Avenue is located approximately 540 feet west of the site. No other schools were identified within a ¼-mile of the project site.<sup>43</sup> The project would not involve the handling of acutely hazardous materials. Compliance with SCAs described above (SCA-HAZ-1, SCA-HAZ-2, and SCA-AIR-5) that address potential emissions of hazardous materials during construction, would reduce potential impacts from the project related to hazardous emissions or the handling of hazardous materials, substances, or waste within ¼-mile of a school to a less-than-significant level.

***Emergency Access Routes (Criterion 7.c)***

The project would not change the surrounding streets or roadways, or limit emergency access or plans. Any temporary roadway closures required during construction of the project would be subject to City of Oakland review and approval, to ensure consistency with City of Oakland requirements. Therefore, the project would have a less-than-significant impact related to emergency access and evacuation.

### **3. Conclusion**

Consistent with the findings of the BVDSP EIR, implementation of the project would not result in any new or more severe significant impacts related to hazardous materials, exposure, or emergency access routes than those identified in the BVDSP EIR. Implementation of SCA-HAZ-1: Hazardous Materials Related to Construction (#43), SCA-HAZ-2: Hazardous Building Materials and Site Contamination (#44), SCA-AIR-5: Asbestos in Structures (#27), would ensure impacts to hazards and hazardous materials would be less than significant. Please see Attachment A for a full description of the applicable SCAs.

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<sup>43</sup> California Department of Education (CDE), 2018. California School Directory. Available at: <http://www.cde.ca.gov/re/sd/>, accessed November 16.

**H. Hydrology and Water Quality**

Would the project:	Equal or Less Severity of Impact Previously Identified in BVDSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
<p>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.</p>	■	□	□
<p>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);</p>	■	□	□
<p>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.</p>	■	□	□

Would the project:	Equal or Less Severity of Impact Previously Identified in BVDSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**1. BVDSP EIR Findings**

The BVDSP EIR found that all impacts related to water quality, groundwater, stormwater drainage, and flooding would all be less than significant with implementation of applicable City SCAs and compliance with all applicable regulations.

**2. Project Analysis**

***Water Quality and Creek Protection (Criterion 8.a)***

The project is located within a highly urbanized environment. Lake Merritt, which is the nearest surface water body, is approximately 1,000 feet to the east. Stormwater runoff from the project site is conveyed to Lake Merritt via underground culverts and storm drains.

Construction of the project would involve demolition, grading, and construction, all of which could result in degradation of the quality of stormwater runoff, erosion and/or sedimentation, and adverse effects on downstream receiving waters. Additionally, if not properly managed, potential discharge of contaminated dewatering effluent during construction could result in impacts to the environment from the discharge of sediment and chemical compounds to receiving waters. As discussed under *Section V.G, Hazards and Hazardous Materials*, the project would be required to comply with SCA-HAZ-1: Hazardous Materials Related to Construction (#43) and SCA-HAZ-2: Hazardous Building Materials and Site Contamination (#44) which require BMPs to be implemented during

construction to minimize potential negative effects on groundwater and receiving waters which could result from inappropriate handling of construction-related hazardous materials (e.g., fuels, oils, and paints) and contaminated soil and groundwater during construction.

The project would require a grading permit<sup>44</sup> and therefore would be required to comply with SCA-HYD-1: Erosion and Sedimentation Control Plan for Construction (#49), which requires preparation and implementation of an Erosion and Sedimentation Control Plan to manage stormwater runoff and minimize erosion and sedimentation through measures such as barriers and devices to trap, store and filter runoff.

Any groundwater dewatering would be subject to permits from EBMUD or the Regional Water Quality Control Board (RWQCB), depending if the discharge were to the sanitary or storm sewer system. If the water is not suitable for discharge to the storm drain (receiving water), dewatering effluent may be discharged to EBMUD’s sanitary sewer system if special discharge criteria are met. These include, but are not limited to, application of treatment technologies or BMPs which would result in achieving compliance with the wastewater discharge limits. Discharges to EBMUD’s facilities must occur under a Special Discharge Permit. In addition, per the EBMUD Wastewater Ordinance, “all dischargers, other than residential, whose wastewater requires special regulation or contains industrial wastes requiring source control shall secure a wastewater discharge permit” (Title IV, Section 1). EBMUD also operates its wastewater treatment facilities in accordance with Waste Discharge Requirements issued by the RWQCB, which require rigorous monitoring of effluent to ensure discharges do not adversely impact receiving water quality.

During operation, because the project would involve replacement of 10,477 square feet (over 10,000 square feet) of impervious surfaces<sup>45</sup>, the project would be required to comply with Provision C.3 of the NPDES MRP.<sup>46</sup> Regulated projects are required to incorporate post-construction stormwater management measures to reduce stormwater pollution from all new and replaced impervious surfaces. The project is a Category “A” Special Project which is qualified for 100 percent Low Impact Development (LID) treatment

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<sup>44</sup> The Grading Ordinance (Oakland Municipal Code Section 15.04.3.2240) requires a permit for grading activities on private or public property for projects that exceed certain criteria, such as amount of proposed excavation exceeding 500 cubic yards on a parcel or contiguous parcels. During project construction, estimated soil excavation is 8,800 cubic yards. Therefore, the project sponsor would be required to apply for the grading permit.

<sup>45</sup> ktgy Architecture+Planning, 2018. 88 Grand Avenue, September 27.

<sup>46</sup> San Francisco Bay Regional Water Quality Control Board (RWQCB), 2015. San Francisco Bay Region Municipal Regional Stormwater NPDES Permit, Order No. R2-2015-0049, NPDES Permit No. CAS612008, November 19.

reduction credits.<sup>47</sup> This means up to 100 percent of the amount of runoff for the project's drainage area may be treated with either one or a combination of the two types of non-LID treatment systems: (1) tree-box-type high flowrate biofilters and (2) vault-based high flowrate media filters. The project is located in an area that is exempt from hydromodification<sup>48</sup> requirements of Provision C.3 of the MRP.<sup>49</sup>

Because the project replaces over 5,000 square feet of impervious surface area from an uncovered surface parking lot, the project would be required to comply with SCA-HYD-2: NPDES C.3 Stormwater Requirements for Regulated Projects (#54), which requires compliance with provision C.3 of the MRP, and the preparation and implementation of a Post-Construction Stormwater Management Plan, which would include and identify stormwater control and treatment systems. Compliance with SCA-HYD-2 also requires the project applicant to enter into a maintenance agreement with the City, to ensure adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures.

Compliance with SCA-HAZ-1, SCA-HAZ-2, SCA-HYD-1, and SCA-HYD-2 would ensure that the project would result in less-than-significant impacts to water quality.

#### ***Use of Groundwater (Criterion 8.b)***

According to the Preliminary Geotechnical Evaluation prepared for this project,<sup>50</sup> groundwater was anticipated at a depth of 12 feet below ground surface. Excavation work for the project would extend to approximately 24 feet below the existing ground surface. Based on the presence of shallow groundwater, it is likely that construction-period dewatering would be required. However, dewatering during construction would be temporary and have only a localized and short-term effect on groundwater levels. Therefore, depletion of groundwater resources associated with construction-period dewatering would be less than significant. Operation of the project would not involve dewatering or the use of groundwater, as potable water is supplied to the project site by EBMUD.

#### ***Stormwater Drainage and Drainage Patterns (Criterion 8.c)***

The project site is currently entirely covered with impervious surfaces, totaling approximately 10,477 square feet. No new impervious surface would be created after the implementation of the project. As described above, stormwater runoff from the project

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<sup>47</sup> ktgy Architecture+Planning, 2018, Op. cit.

<sup>48</sup> Hydromodification is defined as the modification of a stream's hydrograph, caused in general by increases in flows and durations that result when land is developed (e.g., made more impervious). The effects of hydromodification include, but are not limited to, increased bed and bank erosion, loss of habitat, increased sediment transport and deposition, and increased flooding.

<sup>49</sup> San Francisco Bay Regional Water Quality Control Board (RWQCB), 2015, Op. cit.

<sup>50</sup> Langan, 2018, Op. cit.

site is currently conveyed to Lake Merritt via underground culverts and storm drains. Stormwater would continue to be conveyed through these same culverts and storm drains as the project does not propose any change to the existing culverts and storm drains. Therefore, the project would not increase runoff that could exceed the capacity of existing storm water drainage systems and would not substantially alter the existing drainage pattern of the site or increase the risk of flooding, erosion or sedimentation.

***Flooding and Substantial Risks from Flooding (Criterion 8.d)***

Current floodplain mapping prepared by the Federal Emergency Management Agency (FEMA) indicates that the project site is located outside the 100-year flood hazard area.<sup>51</sup> Therefore, development of the project would not be subject to significant impacts with respect to storm-related flooding.

**3. Conclusion**

Consistent with the findings of the BVDSP EIR, implementation of the project would not result in any new or more severe significant impacts related water quality and creek protection, use of groundwater, stormwater drainage, or flooding than those identified in the BVDSP EIR. Implementation of SCA-HYD-1: Erosion and Sedimentation Control Plan for Construction (#49), SCA-HYD-2: NPDES C.3 Stormwater Requirements for Regulated Projects (#54), SCA-HAZ-1: Hazardous Materials Related to Construction (#43), and SCA-HAZ-2: Hazardous Building Materials and Site Contamination (#44), would ensure impacts to hydrology and water quality would be less than significant. Please see Attachment A for a full description of the applicable SCAs.

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<sup>51</sup> Federal Emergency Management Agency (FEMA), 2009. Flood Insurance Rate Map, Alameda County, California and Incorporated Areas, Panel 67 of 725, Map Number 06001C0067G, August 3.

**I. Land Use, Plans, and Policies**

Would the project:	Equal or Less Severity of Impact Previously Identified in BVDSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a. Physically divide an established community;	■	<input type="checkbox"/>	<input type="checkbox"/>
b. Result in a fundamental conflict between adjacent or nearby land uses; or	■	<input type="checkbox"/>	<input type="checkbox"/>
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.	■	<input type="checkbox"/>	<input type="checkbox"/>

**1. BVDSP EIR Findings**

The BVDSP EIR determined that adoption and implementation of the BVDSP would have less-than-significant land use impacts related to the division of an established community, potential conflicts with nearby land uses, or applicable land use plans, policies, and regulations.

**2. Project Analysis**

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

The General Plan designates the project site as Central Business District (CBD) which is intended to encourage, support, and enhance the downtown area as a high-density, mixed-use urban center of regional importance, and a primary hub for business, communications, office, government, high technology, retail, entertainment, and transportation. The project site is zoned as Broadway Valdez District – 2 Commercial Zone (D-BV-2). The intent of the D-BV-2 zone is to create, maintain, and enhance areas of the BVDSP Plan Area for ground-level retail, restaurants, entertainment, and art activities with pedestrian-oriented, active storefront uses. Upper-story spaces are intended to be available for a wide range of Office and Residential Activities.

The project is consistent with both the General Plan and Zoning as it would develop a high-rise mixed-use residential tower that would help the City further establish the area as a high-density, mixed-use urban center of regional importance.

The project site is zoned for a maximum building height of 250 feet. While the project is proposing a height of 374 feet, the project sponsor is anticipating receiving a waiver that would allow the project to exceed this limit to accommodate additional units under the California State Density Bonus law. In addition, under the current zoning regulations, the project would be required to provide 69 off-street parking spaces. However, the project sponsor anticipates receiving a concession from the City to reduce the allowable amount of parking spaces to 45 as a part of the California State Density Bonus Law.

The project size is also zoned for a maximum residential density of 90 square feet of lot area per residential unit. Based on the combined lot area of 22,182 square feet, the maximum number of allowed residential units allowed is 247 (29 more units than proposed by the project). However, as discussed in *Chapter II, Project Description*, the project sponsor is proposing to set aside 5 percent of the base project units as very-low income units to allow for a 20 percent density bonus above the maximum allowable residential density. Because the project sponsor is proposing 229 base project dwelling units, with an additional 20 percent density from the state bonus, the project is entitled for a maximum of 276 units, and thus would not exceed the D-BV-2 zoning density standards.<sup>52,53</sup> After consideration of the transfer of development rights for the 80 Grand Avenue and 60 Grand Avenue parcels, as described in *Chapter II, Project Description*, all residential units would be able to be developed on the 60 Grand Avenue parcel.

### 3. Conclusion

Consistent with the findings of the BVDSP EIR, implementation of the project would not result in any new or more severe significant impacts related to land use, plans, or policies than those identified in the BVDSP EIR. The BVDSP EIR did not identify any applicable mitigation measures related to land use, and no City SCAs have been identified for the implementation of the project.

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<sup>52</sup> Per California Government Code 45915(f)(5), all density calculations resulting in fractional units shall be rounded up to the next whole number.

<sup>53</sup> Urban Planning Partners, 2018. Density Calculations for 88 Grand Avenue Project, August 8.

**J. Noise**

Would the project:	Equal or Less Severity of Impact Previously Identified in BVDSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
<p>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 7:00 p.m. to 7:00 a.m. on weekdays and 8:00 p.m. to 9:00 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;</p>	<p>■</p>	<p>□</p>	<p>□</p>
<p>b. Generate noise in violation of the City of Oakland Noise Ordinance (Oakland Planning Code Section 17.120.050) regarding operational noise;</p>	<p>■</p>	<p>□</p>	<p>□</p>
<p>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);</p>	<p>■</p>	<p>□</p>	<p>□</p>

Would the project:	Equal or Less Severity of Impact Previously Identified in BVDSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
<p>d. Expose persons to interior <math>L_{dn}</math> 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);</p> <p>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);</p> <p>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</p>	■	<input type="checkbox"/>	<input type="checkbox"/>
<p>e. During either project construction or project operation expose persons to or generate ground-borne vibration that exceeds the criteria established by the Federal Transit Administration (FTA).</p>	■	<input type="checkbox"/>	<input type="checkbox"/>

**1. BVDSP EIR Findings**

The BVDSP EIR found that impacts related to project construction and operation noise and vibration and exposure of receptors to noise would all remain less than significant with implementation of applicable City SCAs and compliance with applicable regulations.

Impacts related to permanent noise and cumulative noise associated with traffic-generated noise were found to be significant and unavoidable due to increased noise levels adjacent to nearby roads at all studied roadway segments, with the exception of 24<sup>th</sup> Street east of Broadway and 26<sup>th</sup> Street east of Broadway. In addition, the cumulative increases in traffic-generated noise could combine with stationary noise sources, such as rooftop mechanical equipment and back-up generators, to result in significant cumulative impacts. The BVDSP

EIR determined that no feasible mitigation measures are available, to reduce such impacts and that these impacts would be significant and unavoidable.

## 2. Project Analysis

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

Construction activities for the project are expected to occur for a duration of approximately 29 months, and would consist of phases including demolition, excavation, below-grade and above-grade construction. The project is located close to several other proposed projects: 1) within the same block, the 2270 Broadway project has filed for a building permit; 2) one block to the north, the 2305 Webster Street project has received planning approvals; 3) two blocks to the northeast, the 2315 Valdez Street project is under construction; and 4) one block to the northeast, the 2302 Valdez Street project is under construction. Construction activities for the project and these above-named projects could occur simultaneously. However, since the project is consistent with planned development considered for this area in the BVDSP EIR, the project would not be anticipated to substantially increase the level of significance of the construction noise impact identified in the BVDSP EIR or result in new significant construction noise impacts. In addition, the project would be required to implement SCA-NOI-1: Construction Days/Hours (#62) to limit the days and hours of construction, SCA-NOI-2: Construction Noise (#63) and SCA-NOI-3: Extreme Construction Noise (#64) to ensure the application of noise reduction measures to reduce noise impacts and extreme construction noise, and SCA-NOI-4: Construction Noise Complaints (#66) to provide measures to respond to and track construction noise complaints (if any).

As indicated in Section 2.4.3 of the BVDSP, the project is located approximately 210 feet and 240 feet southeast of the 2335 and 2343 Broadway buildings, respectively, which are considered significant historic resources for purposes of environmental review under CEQA. However, given the distance of these buildings to the site, vibration from the construction activity is not anticipated to exceed the criteria established by the Federal Transit Administration (FTA)<sup>54</sup> and would not damage the structures or substantially interfere with activities located at these historic resources. Therefore SCA #70 Vibration Impacts on Adjacent Historic Structures or Vibration-Sensitive Activities would not apply to the project.

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<sup>54</sup> Federal Transit Authority (FTA), 2018. Transit Noise and Vibration Impact Assessment. FTA Report No.0123, September.

Based on the roadway noise contours for 2025 in the City of Oakland General Plan, traffic noise levels range from 65 to 70 dBA Ldn<sup>55</sup> at the project site and vicinity.<sup>56</sup> This noise environment is regarded as “conditionally acceptable” community noise exposure levels for residential and office buildings. Therefore, SCA-NOI-5: Exposure to Community Noise (#67) would apply to the project and would require a noise reduction plan prepared by a qualified acoustical engineer 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 project is not located adjacent to any active rail line and, therefore, the SCA pertaining to exposure of new residential facilities or new dwelling units located adjacent to an active rail line would not apply to the project.

### ***Permanent Noise and Cumulative Noise (Criterion 10.c)***

During operation of the project, noise from mechanical equipment and increased traffic from additional trips from the residential and retail components including truck deliveries would be generated. Since the project is consistent with the Plan Area development anticipated, the project would not be anticipated to substantially increase the severity of significant traffic noise impacts identified in the BVDSP EIR or result in new significant impacts. In addition, the project would not be located along 24<sup>th</sup> Street or 26<sup>th</sup> Street east of Broadway, and therefore, would not contribute to the significant and unavoidable impact related to traffic noise. Noise from delivery trucks would not be a substantial new source of noise in the project area because the existing land uses at the project site include noise generated by similar delivery trucks and loading activities at nearby commercial land uses. In addition, the project would be required to implement SCA-NOI-6: Operational Noise (#68) which would require all operational noise to comply with the performance standards of Chapter 17.120 of the Oakland Planning Code and Section 8.18 of the Oakland Municipal Code. Therefore, with the implementation of SCA-NOI-6, the project would not violate the City of Oakland operational noise standards and the noise generated by the mechanical equipment and delivery trucks at the project site would be less than significant and consistent with the finding in the BVDSP EIR.

### **3. Conclusion**

Consistent with the findings of the BVDSP EIR, the project would not result in any new or more severe significant impacts related to noise and vibration. The project would be required to implement SCA-NOI-1: Construction Days/Hours (#62), SCA-NOI-2: Construction Noise (#63), SCA-NOI-3: Extreme Construction Noise (#64), SCA-NOI-4: Construction Noise Complaints (#66), SCA-NOI-5: Exposure to Community Noise (#67),

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<sup>55</sup> L<sub>dn</sub> = day/night noise level. The average A-weighted noise level during a 24-hour day, obtained after addition of 10 decibels to levels measured during the night between 10:00 PM and 7:00 AM.

<sup>56</sup> City of Oakland, 2005. City of Oakland General Plan, Noise Element, March.

and SCA-NOI-6: Operational Noise (#68). Please see Attachment A for a full description of the applicable SCAs.

**K. Population and Housing**

Would the project:	Equal or Less Severity of Impact Previously Identified in BVDSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	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;	■	<input type="checkbox"/>	<input type="checkbox"/>
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.	■	<input type="checkbox"/>	<input type="checkbox"/>

**1. BVDSP EIR Findings**

The BVDSP EIR determined that impacts related to population growth and displacement of housing and people would be less than significant. Development under the BVDSP would add up to 1,800 dwelling units and 3,230 residents to the Plan Area.

**2. Project Analysis**

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

The project would replace the existing surface parking lot on the project site to construct a new residential building with approximately 275 residential units and approximately 1,000 square feet of retail space.

As a result, the project would result in an increase of approximately 514 residents and approximately two jobs.<sup>57</sup> While the project, in combination with other proposed projects in the Plan Area, could result in more than 1,800 dwelling units, the BVDSP allows for flexibility with respect to the quantity and type of future development as long as such development conforms to the general traffic generation parameters established by the BVDSP EIR (discussed in *Section V.M Transportation and Circulation*). As such, the project is within the envelope of the Development Program analyzed in the BVDSP EIR.

Development under the project would not displace existing housing units or residents on the project site as there is no existing residential development currently located at the site.

### 3. Conclusion

Consistent with the findings of the BVDSP EIR, implementation of the project would not result in any new or more severe significant impacts related to population growth or displacement than those identified in the BVDSP EIR. The BVDSP EIR did not identify any mitigation measures related to population and housing, and no SCAs have been identified for the implementation of the project.

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<sup>57</sup> The BVDSP EIR assumed approximately 1.87 residents per dwelling unit. Jobs are calculated using a standard generation rate of 500 square feet per employee.

**L. Public Services, Parks, and Recreation Facilities**

Would the project:	Equal or Less Severity of Impact Previously Identified in BVDSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	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: <ul style="list-style-type: none"> <li>• Fire protection;</li> <li>• Police protection;</li> <li>• Schools; or</li> <li>• Other public facilities.</li> </ul>	■	□	□
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.	■	□	□

**1. BVDSP EIR Findings**

The BVDSP EIR determined that impacts related to fire and police protection, schools, and other public facilities, and parks or recreational facilities were all less than significant and no mitigation measures or City SCAs were required.

**2. Project Analysis**

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

The project would construct 275 residential units and 1,000 square feet of retail space. The project would include more residential units, less retail, and no hotel rooms than

what was assumed in the Illustrative Development Program; however, the BVDSP did not prescribe or assume exact land uses on a site-by-site basis and instead established a maximum density based on trip generation and traffic capacity. Therefore, the increase in residential units in the Plan Area, including the 275 residential units proposed for the project, and the project's increase in demand for public services, are within the scope of the BVDSP EIR analysis.

In addition, the project would provide approximately 21,745 square feet of open space for residential uses, as described in the Project Description above. This open space would be consistent with the requirements of the BVDSP Appendix C: Design Guidelines by providing several accessible terraces and open space on roof tops to take advantage of surrounding features, especially Lake Merritt. Open space would also be consistent with the Oakland Planning Code 17.101C.050 standards and thus would meet recreational demands associated with the project.

Specifically, the project would most likely increase student enrollment at local schools. Pursuant to SB 50, the project sponsor would be required to pay school impact fees, which are established to offset potential impacts from new development on school facilities. Payment of this fee is deemed full and complete mitigation by the State. The project would also cause an incremental increase in demand for police and fire protection services; however, as described in the BVDSP EIR, adherence to General Plan policies N.12.1, N.12.2, N.12.5, FI-1, and FI-2 would mitigate potential police and fire impacts.

### **3. Conclusion**

Consistent with the findings of the BVDSP EIR, the project would not result in any significant impacts related to public services, parks, and recreation. Further, based on an examination of the BVDSP EIR, implementation of the project would not substantially increase the severity of impacts previously identified in the BVDSP EIR, nor would it result in new significant impacts related to public services, parks, and recreation that were not previously identified in the BVDSP EIR.

**M. Transportation and Circulation**

	Equal or Less Severity of Impact Previously Identified in BVDSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
Would the project:			
a. Conflict with a plan, ordinance, or policy addressing the safety or performance of the circulation system, including transit, roadways, bicycle and pedestrian facilities (except for automobile level of service or other measures of vehicle delay); or	■	<input type="checkbox"/>	<input type="checkbox"/>
b. Cause substantial additional vehicle miles traveled (per capita, per service population, or other appropriate efficiency measure); or	■	<input type="checkbox"/>	<input type="checkbox"/>
c. Substantially induce additional automobile travel by increasing physical roadway capacity in congested areas or by adding new roadways to the network.	■	<input type="checkbox"/>	<input type="checkbox"/>

**1. BVDSP EIR Findings**

The BVDSP EIR analyzed transportation and circulation conditions in and around the Plan Area under six different scenarios, which represent three time periods (existing conditions, Year 2020, and Year 2035) with and without the BVDSP Development Program and associated transportation improvements. For the purposes of this analysis, these scenarios are referred to as: 1) existing conditions; 2) existing conditions plus full Development Program (full buildout of the Broadway Valdez Development Program); 3) Year 2020 no project; 4) Year 2020 plus Phase 1 of Development Program (partial buildout of the Development Program); 5) Year 2035 no project; and 6) Year 2035 plus full Development Program (full buildout of the Development Program).

The BVDSP EIR determined that no significant impacts to transit, pedestrian, bicycle, and other related topics would occur under any of the scenarios; therefore, these topics are not further discussed herein.

The EIR identified 28 significant impacts on level of service (LOS) at intersections serving the Plan Area. For each impact and associated mitigation measure(s), the EIR identified specific triggers based on the level of development in the entire Plan Area or specific subdistrict(s). Several of these impacts and mitigation measures would be triggered by

the project combined with other planned developments. These impacts and mitigation measures are further described below.

The BVDSP EIR identified SCAs that require city review and approval of all improvements in the public right-of-way, reduction of vehicle traffic and parking demand generated by development projects, and construction traffic and parking management, which will also address transportation and circulation impacts.

## 2. Project Analysis

On September 21, 2016, the City of Oakland’s Planning Commission directed staff to update the City of Oakland’s CEQA Thresholds of Significance Guidelines related to transportation impacts in order to implement the directive from SB 743 to modify local environmental review processes by removing automobile delay, as described solely by LOS or similar measures of vehicular capacity or traffic congestion, as a significant impact on the environment pursuant to CEQA.<sup>58</sup> The recommendation aligns with draft proposed guidance from the Governor’s Office of Planning and Research and the City’s approach to transportation impact analysis with adopted plans and policies related to transportation, which promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.

Thus, this Section evaluates the impacts of the project with respect to Vehicle Miles Traveled (VMT). In addition, consistent with previous developments proposed under the BVDSP, this Section also evaluates the consistency of the project with the approved BVDSP EIR and identifies the BVDSP EIR mitigation measures that the project would trigger.

### ***Conflicts with Plans, Ordinances, or Policies Relating to Safety, or Performance of the Circulation System (Criteria 13.a and 13.b)***

While the City now relies on VMT as their CEQA Thresholds of Significance, the threshold for determining consistency with the BVDSP EIR is based on conformity with transportation and circulation assumptions. For this reason, this section of the CEQA Checklist summarizes the findings of the transportation analysis completed for the project. The analysis is provided in two parts below, as follows: the first part describes the BVDSP EIR analysis related to transportation and circulation impacts; the second part compares the project’s impacts to those analyzed in the EIR and identifies EIR impacts and mitigation measures that would be triggered by the project combined with other planned developments.

#### Travel Behaviors in Oakland

Many factors affect travel behavior, including density of development, diversity of land uses, design of the transportation network, access to regional destinations, distance to high-

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<sup>58</sup> Senate Bill 743. Steinberg, 2013.

quality transit, development scale, demographics, and transportation demand management. Typically, low-density development that is located at a great distance from other land uses, in areas with poor access to non-single occupancy vehicle travel modes generate more automobile travel compared to development located in urban areas, where a higher density of development, a mix of land uses, and travel options other than private vehicles are available.

Considering these travel behavior factors, most of Oakland has a lower VMT per capita and VMT per employee ratios than the nine-county San Francisco Bay Area region. In addition, some neighborhoods of the city have lower VMT ratios than other areas of the city.

### Estimating VMT

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

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

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

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

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

based approach would add up the total amount driven and assign the daily VMT to this resident for the total number of miles driven on the entire “tour”.

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

### Thresholds of Significance

According to the City of Oakland Transportation Impact Review Guidelines dated April 14, 2017, the following are thresholds of significance related to substantial additional VMT:

- For residential projects, a project would cause substantial additional VMT if it exceeds existing regional household VMT per capita minus 15 percent.
- For office projects, a project would cause substantial additional VMT if it exceeds the existing regional VMT per employee minus 15 percent.
- For retail projects, a project would cause substantial additional VMT if it exceeds the existing regional VMT per employee minus 15 percent.

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

1. Small Projects: The project generates fewer than 100 vehicle trips per day
2. Low-VMT Areas: The project meets map-based screening criteria by being located in an area that exhibits below threshold VMT, or 15 percent or more below the regional average
3. Near Transit Stations: The project is located in a Transit Priority Area or within a one-half mile of a Major Transit Corridor or Stop <sup>59</sup> and satisfies the following:
  - Has a FAR of more than 0.75;
  - Includes less parking for use by residents, customers, or employees of the project than other typical nearby uses, or more than required by the City (if parking minimums pertain to the site) or allowed without a conditional use permit (if minimums and/or maximums pertain to the site)
  - Is consistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Metropolitan Transportation Commission).

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<sup>59</sup> Major transit stop is defined in CEQA Section 21064.3 as a rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

VMT Screening Analysis

The project satisfies the Low-VMT Area (#2) and Near-Transit Station (#3) screening criteria, as detailed below.

Criterion # 1: Small Projects

The project would generate more than 100 trips per day and therefore does not meet criterion #1.

Criterion #2: Low-VMT Area

Table V.M-1 shows the 2020 and 2040 VMT for TAZ 972, for which the project is located, and applicable VMT thresholds of 15 percent below the regional average. Considering that the project would provide less than 50,000 square feet of retail space, the retail is considered to be local serving and is presumed to not generate substantial additional VMT.

As shown in Table V.M-1, the 2020 and 2040 average daily VMT per capita in the project TAZ is more than 15 percent below the regional averages. Therefore, it is presumed that the project would not result in substantial additional VMT and project impacts on VMT would be less-than-significant.

**Table V.M-1 Daily Vehicle Miles Traveled per Capita**

Land Use	Bay Area				TAZ 972	
	2020		2040		2020	2040
	Regional Average	Regional Average Minus 15%	Regional Average	Regional Average Minus 15%		
Residential (VMT per Capita) <sup>a</sup>	15.0	12.8	13.8	11.7	6.9	6.8

<sup>a</sup> MTC Model results at [analytics.mtc.ca.gov/foswiki/Main/PlanBayAreaVmtPerCapita](http://analytics.mtc.ca.gov/foswiki/Main/PlanBayAreaVmtPerCapita) and accessed in December 2018.

Source: Fehr & Peers, 2018.

Criterion #3: Near Transit Stations

The project would be located about 0.5 miles from the 19<sup>th</sup> Street BART Station and is served by several frequent bus routes. The project is adjacent to frequent bus service along Broadway (Route 51A with 10-minute peak headways), about 0.2 miles from Telegraph Avenue (Route 6 with 10-minute peak headways), and about 0.5 miles from 20<sup>th</sup> Street (Routes 72, 72M, and 72R, with 10- to 12-minute peak headways). The project would also satisfy Criterion number 3 because it meets the following three conditions for this criterion:

- The project has a FAR greater than 0.75

- The project would include 45 parking spaces for project residents, which corresponds to 0.16 parking spaces per unit, and no parking for project visitors or retail employees. The City of Oakland Planning Code (Section 17.116.060) requires a minimum of 0.50 spaces per unit for multi-family residential developments in the D-BV-2 zone, and allows a reduction of 50 percent for being in a transit accessible area and providing on-site private car-share spaces (Section 17.116.110.C.1 and C.2), which results in a minimum requirement of 0.25 spaces per residential unit. The City of Oakland Planning Code (Section 17.116.080) requires no parking for commercial developments smaller than 10,000 square feet. Because the Code requires the project to provide a minimum of 69 parking spaces, the project would provide fewer spaces than required by the Code.
- The project is located within the PDA as defined by Plan Bay Area, and is therefore consistent with the region’s Sustainable Communities Strategy

#### Project Analysis and Conclusion

As shown in Table V.M-2, the project is estimated to generate approximately 74 new vehicle trips during the weekday AM peak hour (15 inbound and 58 outbound) and approximately 92 net new vehicle trips during the weekday PM peak hour (59 inbound and 33 outbound).

#### Project and Development Program Analyzed in the BVDSP EIR

Table V.M-3 lists the development projects within BVDSP Plan Area that have been constructed, are currently under construction, approved, and/or proposed, including the project. Table V.M-3 also accounts for the existing uses on each site.

Table V.M-4 compares the total amount of development constructed, currently under construction, approved, and/or proposed with the Development Program Buildout assumptions used in the BVDSP Draft EIR for the Plan Area (Subdistricts 1 through 5), the Valdez Triangle subarea (Subdistricts 1 through 3) and Subdistrict 1. The project site is in Subdistrict 1 of the Valdez Triangle subarea of the Plan Area. Table V.M-5 compares the trip generation associated with the project to trip generation in the Plan Area (Subdistricts 1 through 5), the Valdez Triangle subarea (Subdistricts 1 through 3), and Subdistrict 1.

**Table V.M-2 Project Vehicle Trip Generation**

Land Use	ITE Code	Daily	Weekday AM Peak Hour			Weekday PM Peak Hour		
			In	Out	Total	In	Out	Total
<b>Multi-Family Residential</b>								
275 Units	220 <sup>a</sup>	1,790	28	110	138	110	59	169
<b>Retail</b>								
1.0 KSF	820 <sup>b</sup>	43	1	0	1	2	2	4
	<i>Subtotal</i>	<i>1,833</i>	<i>29</i>	<i>110</i>	<i>139</i>	<i>112</i>	<i>61</i>	<i>173</i>
Non-Auto Reduction (-47%) <sup>c</sup>		-860	-14	-52	-66	-53	-28	-81
<b>Total New Project Vehicle Trips</b>		<b>973</b>	<b>15</b>	<b>58</b>	<b>74</b>	<b>59</b>	<b>33</b>	<b>92</b>

Notes: KSF = 1,000 square feet.

<sup>a</sup> ITE Trip Generation (9th Edition) land use category 220 (Apartments):

Daily:  $T = 6.06(X) + 123.56$

AM Peak Hour:  $T = 0.49(X) + 3.73$  (20% in, 80% out)

PM Peak Hour:  $T = 0.55(X) + 17.65$  (65% in, 35% out)

<sup>b</sup> ITE Trip Generation (9th Edition) land use category 820 (Shopping Center):

Daily:  $T = 42.7 * X$

AM Peak Hour:  $T = 0.96 * X$  (62% in, 38% out)

PM Peak Hour:  $T = 3.71 * X$  (48% in, 52% out)

<sup>c</sup> Reduction of 46.9% based on City of Oakland *Transportation Impact Review Guidelines* for development in an urban environment within 0.5 miles of a BART Station.

Source: Fehr & Peers, 2018.

Trips generated by the project, together with trips generated by other projects that are constructed, currently under construction, approved, or proposed for development in the Plan Area, would represent approximately 53 percent of the AM and 50 percent of the PM peak-hour trips anticipated in the BVDSP EIR, 93 percent of the AM and 72 percent of the PM peak-hour trips anticipated in the BVDSP EIR for the Valdez Triangle subarea, and 121 percent of the AM and 99 percent of the PM peak-hour trips anticipated in the BVDSP EIR for Subdistrict 1.

In general, the amount of residential development in the Plan Area, Valdez Triangle, and Subdistrict 1 and the amount of office development in the Subdistrict 1 are currently more than what was assumed under the Development Program Buildout in the BVDSP EIR. As a result, the Subdistrict 1 AM peak hour trip generation is above the trip generation estimated in the BVDSP. However, the PM peak hour trip generation for Subdistrict 1, and the AM and PM peak hour trip generation for the Plan Area and Valdez Triangle is below the trip generation estimated in the BVDSP EIR because the amount of retail and office uses currently proposed are well below the BVDSP EIR assumptions. Furthermore, the outbound trips generated by the Valdez Triangle (Subdistricts 1 through 3) and Subdistrict 1 during the AM peak hour and inbound trips generated by Subdistrict 1 during the PM peak hour would exceed their respective trip generation estimated for the Development Program in the BVDSP EIR. However, these exceedances will not result in additional impacts because the overall AM and PM peak hour trip generations for the Plan Area and

**Table V.M-3 Developments in the Broadway Valdez District Specific Plan**

Development	BVDSP Subdistrict	Status	Proposed Development <sup>a</sup>					Active Existing Uses <sup>b</sup>	Net Development <sup>a,c</sup>				
			Residential (DU)	Retail (KSF)	Office (KSF)	Hotel (Rm)	Other		Residential (DU)	Retail (KSF)	Office (KSF)	Hotel (Rm)	Other (KSF)
3001 Broadway (Sprouts)	5	Constructed	0	36.0	0	0	Parking Lot	0	36.0	0	0	0	
2345 Broadway (HIVE)	1	Constructed	105	30.3	64.0	0	11.4 KSF Auto Repair and 30.2 KSF Warehouse	105	30.3	64.0	0	-41.6	
2425 Valdez St.	3	Constructed	71	1.5	0	0	Parking Lot	71	1.5	0	0	0	
3093 Broadway	5	Under Construction	423	20.0	0	0	40.2 KSF Auto Dealership	423	-20.2	0	0	0	
2302 Valdez St.	2	Under Construction	196	31.3	0	0	3.6 KSF Auto Repair	196	31.3	0	0	-3.6	
2270 Broadway	1	Approved	223	5.0	0	0	Parking Lot	223	5.0	0	0	0	
2315 Valdez/ 2330 Webster St.	1	Approved	235	16.0	0	0	Parking Lot	235	16.0	0	0	0	
2630 Broadway	3	Under Construction	255	37.5	0	0	Parking Lot/ Vacant	255	37.5	0	0	0	
3416 Piedmont Ave.	5	Approved	6	1.5	0	0	Vacant Lot	6	1.5	0	0	0	
2400 Valdez St.	2	Under Construction	224	23.5	0	0	Parking Lot	224	23.5	0	0	0	
3000 Broadway	5	Under Construction	127	8.0	0	0	3 Dwelling Units, 8.8 KSF Restaurant, and 10.2 KSF Auto Repair	124	-0.8	0	0	-10.2	
2820 Broadway	4	Under Construction	218	18.0	0	0	42.2 KSF Auto Dealership	218	-24.2	0	0	0	
24 <sup>th</sup> and Harrison	2	Approved	437	65.0	0	0	55.2 KSF Auto Dealership, 5.3 KSF Auto Repair, and 3.25 KSF Fitness	437	6.6	0	0	-5.3	
2401 Broadway	3	Approved	72	17.5	0	157	15.5 KSF Auto Dealership, and 7.1 KSF Retail	72	-5.1	0	157	0	
2424 Webster	3	Under Construction	0	10.0	48.8	0	12.5 KSF Retail	0	-2.5	48.8	0	0	

Development	BVDSP Subdistrict	Status	Proposed Development <sup>a</sup>					Net Development <sup>a,c</sup>				
			Residential (DU)	Retail (KSF)	Office (KSF)	Hotel (Rm)	Active Existing Uses <sup>b</sup>	Residential (DU)	Retail (KSF)	Office (KSF)	Hotel (Rm)	Other (KSF)
2500 Webster	3	Approved	30	6.4	0	0	6.3 KSF Auto Dealership	30	0.1	0	0	0
3300 Broadway	5	Approved	45	3.0	0	0	5.5 KSF Retail	45	-2.5	0	0	0
2305 Webster St	1	Approved	130	3.0	0	0	Parking Lot	130	3.0	0	0	0
295 29 <sup>th</sup> St	4	Approved	91	0	0	0	13.9 KSF Auto Repair	91				-13.9
2415 Valdez St	3	Proposed	89	0.9	0	0	Vacant Lot	89	0.9	0	0	0
80 Grand (Proposed)	1	Proposed	275	1.0	0	0	Parking Lot	275	1.0	0	0	0
<b>Total</b>			<b>3,252</b>	<b>335.4</b>	<b>112.8</b>	<b>157</b>		<b>3,249</b>	<b>138.9</b>	<b>112.8</b>	<b>157</b>	<b>-74.6</b>

<sup>a</sup>DU = dwelling units, ksf = 1,000 square feet; RM = Rooms

<sup>b</sup>Consists of active uses at the time the BVDSP EIR was prepared.

<sup>c</sup>Retail and non-retail uses (such as auto repair and warehouses) are presented separately because the non-retail uses generate fewer trips than typical retail uses.

Source: City of Oakland, 2018.

**Table V.M-4 Development Comparison within the Plan Area, Valdez Triangle, and Subdistrict 1**

	Residential (DU)	Retail (KSF)	Office (KSF)	Hotel (Rooms)
<b>Entire BVDSP Plan Area (Subdistricts 1 through 5)</b>				
Constructed, Under Construction, Approved, and Proposed Development Projects <sup>a</sup>	3,249	138.9	112.8	157
Development Program Buildout <sup>b</sup>	1,797	1,114.1	694.9	180
Percent Completed	181%	12%	16%	87%
<b>Valdez Triangle (Subdistricts 1 through 3)</b>				
Constructed, Under Construction, Approved, and Proposed Development Projects <sup>a</sup>	2,342	149.1	112.8	157
Development Program Buildout <sup>b</sup>	965	793.5	116.1	180
Percent Completed	243%	19%	97%	87%
<b>Subdistrict 1</b>				
Constructed, Under Construction, Approved, and Proposed Development Projects <sup>a</sup>	968	55.3	64.0	157
Development Program Buildout <sup>b</sup>	438	153.9	0	180
Percent Completed	221%	36%	NA	87%

Notes: DU = dwelling units, KSF = 1,000 square feet.

<sup>a</sup>Information from City of Oakland. Accounts for existing active uses that would be eliminated.

<sup>b</sup>Based on Table 4.13-7 on page 4.13-37 of BVDSP Draft EIR.

Source: Fehr & Peers, 2018.

Valdez Triangle are below the BVDSP EIR, none of the BVDSP EIR impacts are triggered during the AM peak hour, and the AM peak hour trip generation is much less than the PM peak hour trip generation

The exceedance in the AM peak hour would not affect intersection operations beyond the ones identified as having a significant impact and discussed in the next section. Furthermore, considering that the BVDSP EIR analyzed the impacts of the Development Program at signalized intersections in the immediate vicinity of the project site, the project would not cause additional impacts beyond those analyzed in the BVDSP EIR, nor would it increase the magnitude of the impacts identified in the BVDSP EIR.

Traffic Impacts at BVDSP EIR Intersections

The BVDSP EIR identifies 28 significant impacts at intersections that serve the Plan Area. It also identifies the specific level of development in the Plan Area and/or each Subdistrict that would trigger each impact and its associated mitigation measure(s). According to the

**Table V.M-5 Trip Generation Comparison**

	Weekday AM Peak Hour			Weekday PM Peak Hour		
	In	Out	Total	In	Out	Total
<b>Plan Area (Subdistricts 1 through 5)</b>						
Constructed, Development Projects Approved, Proposed, or Under Construction <sup>a</sup>	303	763	1,060	1,052	800	1,852
Development Program Buildout <sup>b</sup>	1,152	829	1,981	1,702	2,007	3,709
Percent Completed	26%	92%	53%	62%	40%	50%
<b>Valdez Triangle (Subdistricts 1 through 3)</b>						
Constructed, Development Projects Approved, Proposed, or Under Construction <sup>a</sup>	269	568	837	798	641	1,438
Development Program Buildout <sup>b</sup>	457	442	899	1,013	993	2,006
Percent Completed	59%	129%	93%	79%	65%	72%
<b>Subdistrict 1</b>						
Constructed, Development Projects Under Construction, Approved, or Proposed	106	236	343	287	211	499
Development Program Buildout <sup>b</sup>	118	165	283	273	233	506
Percent Completed	90%	143%	121%	105%	91%	99%

<sup>a</sup>Based on application of the BVDSP trip generation model with the developments shown in Table 4, and accounting for the trips generated by existing uses that would be eliminated.

<sup>b</sup>Based on Table 4.13-10 on page 4.13-43 of the BVDSP EIR.

Source: Fehr & Peers, 2018.

BVDSP EIR, the project sponsor would fund the cost of preparing and funding mitigation measures identified. However, because the City of Oakland adopted the citywide Transportation Impact Fee (TIF) program, the applicant could pay the applicable TIF to mitigate project impacts, as identified above. Payment to the TIF would be deemed full and complete mitigation.

Additional Study Intersections

The City of Oakland Transportation Impact Study Guidelines require analysis of project impacts at intersections adjacent to the project site, signalized and all-way stop-controlled intersections where the project would add 50 or more peak hour trips, and side-street stop-controlled intersections where the project would add ten or more trips to the stop-controlled approach. The BVDSP EIR analyzed the two intersections adjacent to the site (Grand Avenue at Webster Street and Broadway). The project would not add 50 or more peak hour trips to other signalized or all-way stop-controlled intersections or add ten or more peak hour trips to the stop-controlled approach of side-street stop-controlled intersections in the vicinity that were not analyzed in BVDSP EIR. Therefore, analysis of additional intersections beyond the ones analyzed in the BVDSP EIR is not needed. Overall,

the project would not result in impacts on traffic operations at the intersections beyond the ones identified in the BVDSP EIR. In addition, the project also would not increase the magnitude of the impacts identified in the BVDSP EIR.

***Substantially induce additional automobile travel by increasing physical roadway capacity in congested areas or by adding new roadways to the network (Criterion 13.c)***

The project would not modify the roadway network surrounding the project site. Therefore, the project would not substantially induce additional automobile travel by increasing the physical roadway capacity in congested areas (i.e. by adding new mixed-flow lanes) and would not add new roadways to the network and would have a less-than-significant impact on inducing additional automobile traffic.

### **3. Conclusion**

The combined trip generation for projects that are currently approved, proposed, or under construction in the Plan Area and the Valdez Triangle including the project, remains lower than the estimated trip generation in the BVDSP EIR under the Development Program for those areas. Although the outbound trips generated by the Valdez Triangle (Subdistricts 1 through 3) and the overall and outbound trips generated by Subdistrict 1 during the AM peak hour and inbound trips generated by Subdistrict 1 during the PM peak hour would exceed the estimate for the Development Program in the BVDSP EIR, the exceedance is not expected to cause additional significant impacts beyond the ones identified in the BVDSP EIR.

Additionally, the project would not result in significant impacts to the intersections not analyzed in the BVDSP EIR. Therefore, the project would not cause additional impacts beyond the locations analyzed in the EIR; nor would the project increase the magnitude of the impacts identified in the EIR. In addition, this transportation analysis determined that the project would not result in any significant impacts to vehicle access and circulation, bicycle access and bicycle parking, pedestrian access and circulation, and transit access, consistent with the findings of the BVDSP EIR.

Consistent with the findings of the BVDSP EIR, implementation of the project would not substantially increase the severity of significant impacts identified in the BVDSP EIR, nor would it result in new significant impacts related to transportation and circulation that were not identified in the BVDSP EIR. The project, combined with other projects under construction, approved, and proposed for development in the Plan Area, would trigger and be required to implement Mitigation Measures TRANS-2, TRANS-5, TRANS-10, and TRANS-22, as described in the EIR, or pay the applicable TIF to mitigate project impacts based on its fair-share contribution to those impacts. In addition, the project would be required to implement SCA-TRANS-1: Construction Activity in the Public Right-of-Way (#76), SCA-TRANS-2: Bicycle Parking (#77), SCA-TRANS-3: Transportation Improvements

(#78), SCA-TRANS-4: Transportation and Parking Demand Management (#79), SCA-TRANS-5: Transportation Impact Fee (#80), and SCA-TRANS-6: Plug-In Electric Vehicle (PEV) Charging Infrastructure (#83). Please see Attachment A for a full description of the applicable SCAs.

**N. Utilities and Service Systems**

Would the project:	Equal or Less Severity of Impact Previously Identified in BVDSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
<p>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;</p>	<p>■</p>	<p>□</p>	<p>□</p>
<p>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;</p>	<p>■</p>	<p>□</p>	<p>□</p>
<p>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;</p>	<p>■</p>	<p>□</p>	<p>□</p>

Would the project:	Equal or Less Severity of Impact Previously Identified in BVDSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
<p>d. Violate applicable federal, state and local statutes and regulations relating to energy standards; or</p> <p>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.</p>	■	☐	☐

**1. BVDSP EIR Findings**

The BVDSP EIR found that all impacts to water, wastewater, stormwater, solid waste services, and energy would be less than significant with implementation of applicable City SCAs and compliance with all applicable regulations.

**2. Project Analysis**

The BVDSP allows for flexibility with respect to the quantity and profile of future development within each subarea and between subareas as long as such development conforms to the general traffic generation parameters established by the Plan. The Development Program is not intended to be a cap that restricts development. As shown in Table III-1 in *Chapter III, BVDSP and EIR*, the project and 2270 Broadway project combined would provide more dwelling units on the site (i.e., 498 units instead of 181 hotel rooms) but less square footage for commercial uses (6,000 square feet instead of approximately 12,506 net square feet). This difference, however, represents minor net changes in the Development Program in terms of impacts related to utilities and service systems because the project conforms to the traffic generation parameters analyzed in the BVDSP EIR, as described above in *Section V.M, Transportation and Circulation*. As such, the project is within the envelope of the Development Program analyzed in the BVDSP EIR.

***Water, Wastewater, Stormwater, Solid Waste Services, and Energy (Criteria 14.a, 14.b, 14.c, and 14.d)***

The project site is in an already built-out urban area, and no new utility infrastructure would be required. The water and sanitary sewer demand and stormwater facilities, as

well as solid waste and energy associated with the project, are consistent with the Development Program analyzed in the BVDSP EIR. All on-site utilities would be designed in accordance with applicable codes and current engineering practices. However, the project would pay a sewer mitigation fee, which would either contribute to the cost of replacing pipes for the local collection system to increase capacity or be used to perform inflow and infiltration rehabilitation projects outside of the Plan Area, as described in the BVDSP EIR.

In addition, implementation of the following City SCAs would further address any potential impacts on water, wastewater, stormwater, solid waste services, and energy, including: SCA-UTIL-1: Sanitary Sewer System (#89), which would require a Sanitary Sewer Impact Analysis; SCA-UTIL-2: Storm Drain System (#90), which would require the project storm drainage system to be designed in accordance with the City's Storm Drainage Design Guidelines; SCA-UTIL-3: Recycling Collection and Storage Space (#86), which requires compliance with the City's Recycling Space Allocation Ordinance (Chapter 17.118 of the Oakland Planning Code); SCA-UTIL-4: Construction and Demolition Waste Reduction and Recycling (#84), which requires the compliance with the City's Construction and Demolition Waste Reduction and Recycling Ordinance (Chapter 15.34 of the Oakland Municipal Code); SCA-UTIL-5: Underground Utilities (#85), which requires all new gas, electric, cable, and telephone facilities underground; and SCA-UTIL-6: Green Building Requirements (#87), which requires compliance with the California Green Building Standards and applicable requirements of the City's Green Building Ordinance (Chapter 18.02 of the Oakland Municipal Code). In addition, the project would be required to comply with the standards of Title 24 of the California Code of Regulations. The City of Oakland SCA related to recycled water (SCA #91), would not apply to the project as there is currently no access to recycled water to the site.

### **3. Conclusion**

Consistent with the findings of the BVDSP EIR, the project would not result in any new or more severe significant impacts related to water supply, sewer capacity, stormwater drainage facilities, solid waste services, and energy than those identified in the BVDSP EIR. Implementation of SCA-UTIL-1: Sanitary Sewer System (#89), SCA-UTIL-2: Storm Drain System (#90), SCA-UTIL-3: Recycling Collection and Storage Space (#86), SCA-UTIL-4: Construction and Demolition Waste Reduction and Recycling (#84), SCA-UTIL-5: Underground Utilities (#85), SCA-UTIL-6: Green Building Requirements (#87) and SCA-UTIL-7: Water Efficient Landscape Ordinance (WELO) (#92), as well as compliance with Title 24 and CALGreen requirements would ensure that impacts to utilities and service systems would be less than significant. Please see Attachment A for a full description of the applicable SCAs.



# Attachment A: Standard Conditions of Approval and Mitigation Monitoring Reporting Program

## A. Mitigation Measures

The following Broadway Valdez District Specific Plan Environmental Impact Report Mitigation Measures would be required of the project to ensure that any impacts to the environment are to remain less than significant.

Mitigation Measure
<b>Aesthetics, Shadow and Wind</b>
<b>Mitigation Measure AES-5: Wind Analysis.</b> Project sponsors proposing buildings 100 feet tall or taller within the portion of the Plan Area designated Central Business District shall conduct detailed wind studies to evaluate the effects of the proposed project. If the wind study determines that the proposed project would create winds exceeding 36 mph for more than one hour during daylight hours during the year, the project sponsor shall develop and implement a wind reduction plan and incorporate measures to reduce such potential effects, as necessary, until a revised wind analysis demonstrates that the proposed project would not create winds in excess of this threshold. Examples of measures that such projects may incorporate, depending on the site-specific conditions, include structural and landscape design features and modified tower designs: wind protective structures or other apparatus to redirect downwash winds from tall buildings, tree plantings or dense bamboo plantings, arbors, canopies, lattice fencing, etc.

## B. Standard Conditions of Approval

This Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCAMMRP) is based on the CEQA Analysis prepared for the 88 Grand Avenue project.

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

These SCAs are incorporated into projects as conditions of approval, regardless of the determination of a project's environmental impacts. As applicable, the SCAs are adopted

as requirements of an individual project when it is approved by the City, and are designed to, and will, avoid or substantially reduce a project’s environmental effects.

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

All SCAs identified in the CEQA document are included herein. To the extent that any SCA identified in the CEQA document was inadvertently omitted, it is automatically incorporated herein by reference.

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

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

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

Standard Conditions of Approval/Mitigation Measures	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<b>Aesthetics, Shadow and Wind</b>			
<b>SCA-AES-1: <i>Lighting</i> (#19).</b> Proposed new exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector to prevent unnecessary glare onto adjacent properties.	Prior to building permit final	N/A	Bureau of Building
<b>SCA-AES-2: <i>Trash and Blight Removal</i> (#16).</b> The project applicant and his/her successors shall maintain the property free of blight, as defined in chapter 8.24 of the Oakland Municipal Code. For nonresidential and multi-family residential projects, the project applicant shall install and maintain trash receptacles near public entryways as needed to provide sufficient capacity for building users.	Ongoing	N/A	Bureau of Building
<b>SCA-AES-3: <i>Graffiti Control</i> (#17).</b> a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation: i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces. ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces. iii. Use of paint with anti-graffiti coating. iv. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED). v. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement. b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following: i. Removal through scrubbing, washing, sanding, and/or scraping (or similar method) without damaging the surface and without discharging wash water or cleaning detergents into the City storm drain system. ii. Covering with new paint to match the color of the surrounding surface. iii. Replacing with new surfacing (with City permits if required).	Ongoing	N/A	Bureau of Buildings
<b>SCA-AES-4: <i>Landscape Plan</i> (#18).</b> a. <b><i>Landscape Plan Required</i></b> • The project applicant shall submit a final Landscape Plan for City review and approval that is consistent with the approved Landscape Plan. The Landscape	Prior to approval of construction-related permit	Bureau of Planning	N/A

Standard Conditions of Approval/Mitigation Measures	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>Plan shall be included with the set of drawings submitted for the construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code. Proposed plants shall be predominantly drought-tolerant. Specification of any street trees shall comply with the Master Street Tree List and Tree Planting Guidelines (which can be viewed at <a href="http://www2.oaklandnet.com/oakca1/groups/pwa/documents/report/oak042662.pdf">http://www2.oaklandnet.com/oakca1/groups/pwa/documents/report/oak042662.pdf</a> and <a href="http://www2.oaklandnet.com/oakca1/groups/pwa/documents/form/oak025595.pdf">http://www2.oaklandnet.com/oakca1/groups/pwa/documents/form/oak025595.pdf</a>, respectively), and with any applicable streetscape plan.</p>			
<p><b>b. Landscape Installation</b></p> <ul style="list-style-type: none"> <li>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.</li> </ul>	Prior to building permit final	Bureau of Planning	Bureau of Building
<p><b>c. Landscape Maintenance</b></p> <ul style="list-style-type: none"> <li>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.</li> </ul>	Ongoing	N/A	Bureau of Buildings
<p><b>SCA-AES-5: Public Art for Private Development (#20).</b> The project is subject to the City’s Public Art Requirements for Private Development, adopted by Ordinance No. 13275 C.M.S. (“Ordinance”). The public art contribution requirements are equivalent to one-half percent (0.5%) for the “residential” building development costs, and one percent (1.0%) for the “non-residential” building development costs.</p> <p>The contribution requirement can be met through: 1) the installation of freely accessible art at the site; 2) the installation of freely accessible art within one-quarter mile of the site; or 3) satisfaction of alternative compliance methods described in the Ordinance, including, but not limited to, payment of an in-lieu fee contribution. The applicant shall provide proof of full payment of the in-lieu contribution and/or provide plans, for review and approval by the Planning Director, showing the installation or improvements required by the Ordinance prior to issuance of a building permit.</p> <p>Proof of installation of artwork, or other alternative requirement, is required prior to the City’s issuance of a</p>	Payment of in-lieu fees and/or plans showing fulfillment of public art requirement – Prior to Issuance of Building permit	Bureau of Planning	Bureau of Planning

Standard Conditions of Approval/Mitigation Measures	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
final certificate of occupancy for each phase of a project unless a separate, legal binding instrument is executed ensuring compliance within a timely manner subject to City approval.			
<b>Air Quality</b>			
<p><b>SCA-AIR-1: Dust Controls – Construction Related (#21).</b> The project applicant shall implement all of the following applicable dust control measures during construction of the project:</p> <ul style="list-style-type: none"> <li>a. Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible.</li> <li>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).</li> <li>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.</li> <li>d. Limit vehicle speeds on unpaved roads to 15 miles per hour.</li> <li>e. All demolition activities (if any) shall be suspended when average wind speeds exceed 20 mph.</li> <li>f. All trucks and equipment, including tires, shall be washed off prior to leaving the site.</li> <li>g. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.</li> <li>h. Apply and maintain vegetative ground cover (e.g., hydroseed) or non-toxic soil stabilizers to disturbed areas of soil that will be inactive for more than one month. Enclose, cover, water twice daily, or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).</li> <li>i. Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.</li> <li>j. When working at a site, install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of the site, to minimize wind-blown dust. Windbreaks must have a maximum 50 percent air porosity.</li> <li>k. Post a publicly visible large on-site sign that includes the contact name and phone number for the project complaint manager responsible for responding to dust complaints and the telephone numbers of the City’s Code Enforcement unit and the Bay Area Air Quality</li> </ul>	During construction	N/A	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>Management District. When contacted, the project complaint manager shall respond and take corrective action within 48 hours.</p> <p>I. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.</p>			
<p><b>SCA-AIR-2: Criteria Air Pollutants – Construction Related (#22)</b></p> <p>The project applicant shall implement all of the following applicable basic control measure for criteria pollutants during construction of the project as applicable:</p> <p>a. Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time of two minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clean signage to this effect shall be provided for construction workers at all access points.</p> <p>b. Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”).</p> <p>c. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. Equipment check documentation should be kept at the construction site and be available for review by the City and the Bay Area Air Quality District as needed.</p> <p>d. Portable equipment shall be powered by grid electricity if available. If electricity is not available, propane or natural gas generators shall be used if feasible. Diesel engines shall only be used if grid electricity is not available and propane or natural gas generators cannot meet the electrical demand.</p> <p>e. Low VOC (i.e., ROG) coatings shall be used that comply with BAAQMD Regulation 8, Rule 3: Architectural Coatings.</p> <p>f. All equipment to be used on the construction site shall comply with the requirements of Title 13, Section 2449, of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”) and upon request by the City (and the Air District if specifically requested), the project applicant shall provide written documentation that fleet requirements have been met.</p>	During construction	N/A	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p><b>SCA-AIR-3: Diesel Particulate Matter Controls – Construction Related (#23).</b></p> <p><b>a. Diesel Particulate Matter Reduction Measures</b></p> <p>The project applicant shall implement appropriate measures during construction to reduce potential health risks to sensitive receptors due to exposure to diesel particulate matter (DPM) from construction emissions. The project applicant shall choose <u>one</u> of the following methods:</p> <p>i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with current guidance from the California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment to determine the health risk to sensitive receptors exposed to DPM from project construction emissions. The HRA shall be submitted to the City (and the Air District if specifically requested) for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then DPM reduction measures are not required. If the HRA concludes that the health risk exceeds acceptable levels, DPM reduction measures shall be identified to reduce the health risk to acceptable levels as set forth under subsection b below. Identified DPM reduction measures shall be submitted to the City for review and approval prior to the issuance of building permits and the approved DPM reduction measures shall be implemented during construction.</p> <p>-or-</p> <p>ii. All off-road diesel equipment shall be equipped with the most effective Verified Diesel Emission Control Strategies (VDECS) available for the engine type (Tier 4 engines automatically meet this requirement) as certified by CARB. The equipment shall be properly maintained and tuned in accordance with manufacturer specifications. This shall be verified through an equipment inventory submittal and Certification Statement that the Contractor agrees to compliance and acknowledges that a significant violation of this requirement shall constitute a material breach of contract.</p>	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building
<p><b>b. Construction Emissions Minimization Plan (if required by a above)</b></p> <p>The project applicant shall prepare a Construction Emissions Minimization Plan (Emissions Plan) for all identified DPM reduction measures (if any). The Emissions Plan shall be submitted to the City (and the Bay Area Air Quality District if specifically requested) for review and approval prior to the issuance of building permits. The Emissions Plan shall include the following:</p> <p>i. An equipment inventory summarizing the type of off-road equipment required for each phase of construction, including the equipment manufacturer, equipment identification number,</p>	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>engine model year, engine certification (tier rating), horsepower, and engine serial number. For all VDECS, the equipment inventory shall also include the technology type, serial number, make, model, manufacturer, CARB verification number level, and installation date.</p> <p>ii. A Certification Statement that the Contractor agrees to comply fully with the Emissions Plan and acknowledges that a significant violation of the Emissions Plan shall constitute a material breach of contract.</p>			
<p><b>SCA-AIR-4: Stationary Sources of Air Pollution (Toxic Air Contaminants) (#25).</b> 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:</p> <p>a. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk associated with proposed stationary sources of pollution in the project. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permits or on other documentation submitted to the City.</p> <p>- or -</p> <p>b. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:</p> <p>i. Installation of non-diesel fueled generators, if feasible, or;</p> <p>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.</p>	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building
<p><b>SCA-AIR-5: Asbestos in Structures (#27).</b> The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM), including but not limited to California Code of Regulations, Title 8; California Business and Professions Code, Division 3; California Health</p>	Prior to approval of construction-related permit	Applicable regulatory agency with jurisdiction	Applicable regulatory agency with jurisdiction

Standard Conditions of Approval/Mitigation Measures	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
and Safety Code sections 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended. Evidence of compliance shall be submitted to the City upon request.			
<b>Biological Resources</b>			
<b>SCA-BIO-1: Tree Removal during Bird Breeding Season (#30).</b> To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of birds shall not occur during the bird breeding season of February 1 to August 15 (or during December 15 to August 15 for trees located in or near marsh, wetland, or aquatic habitats). If tree removal must occur during the bird breeding season, all trees to be removed shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to the start of work and shall be submitted to the City for review and approval. If the survey indicates the potential presence of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the California Department of Fish and Wildlife, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.	Prior to removal of trees	Bureau of Planning	Bureau of Building
<b>SCA-BIO-2: Tree Permit (#31).</b> <b>a. Tree Permit Required</b> Pursuant to the City’s Tree Protection Ordinance (OMC chapter 12.36), the project applicant shall obtain a tree permit and abide by the conditions of that permit.	Prior to approval of construction-related permit	Permit approval by Public Works Department, Tree Division; evidence of approval submitted to Bureau of Building	Bureau of Building
<b>b. Tree Protection During Construction</b> 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	During construction	Public Works Department, Tree Division	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree.</p> <p>ii. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filling, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the project’s consulting arborist from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree.</p> <p>iii. No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the project’s consulting arborist from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the project’s consulting arborist. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.</p> <p>iv. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.</p> <p>v. If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Department and the project’s consulting arborist shall make a recommendation to the City Tree Reviewer as to whether the damaged tree can be preserved. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed.</p> <p>vi. All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations.</p>			

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<p><b>c. Tree Replacement Plantings</b> Replacement plantings shall be required for tree removals for the purposes of erosion control, groundwater replenishment, visual screening, wildlife habitat, and preventing excessive loss of shade, in accordance with the following criteria:</p> <ul style="list-style-type: none"> <li>i. No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered.</li> <li>ii. Replacement tree species shall consist of Sequoia sempervirens (Coast Redwood), Quercus agrifolia (Coast Live Oak), Arbutus menziesii (Madrone), Aesculus californica (California Buckeye), Umbellularia californica (California Bay Laurel), or other tree species acceptable to the Tree Division.</li> <li>iii. Replacement trees shall be at least twenty-four (24) inch box size, unless a smaller size is recommended by the arborist, except that three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate.</li> <li>iv. Minimum planting areas must be available on site as follows: <ul style="list-style-type: none"> <li>• For Sequoia sempervirens, three hundred fifteen (315) square feet per tree;</li> <li>• For other species listed, seven hundred (700) square feet per tree.</li> </ul> </li> <li>v. In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee in accordance with the City’s Master Fee Schedule may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians.</li> <li>vi. The project applicant shall install the plantings and maintain the plantings until established. The Tree Reviewer of the Tree Division of the Public Works Department may require a landscape plan showing the replacement plantings and the method of irrigation. Any replacement plantings which fail to become established within one year of planting shall be replanted at the project applicant’s expense.</li> </ul>	Prior to building permit final	Public Works Department, Tree Division	Bureau of Building
<b>Cultural Resources</b>			
<p><b>SCA-CUL-1: Archaeological and Paleontological Resources – Discovery During Construction (#33).</b> 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</p>	During construction	N/A	Bureau of Building

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<p>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.</p> <p>In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practicable. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant. The project applicant shall implement the ARDTP at his/her expense.</p> <p>In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.</p>			
<p><b>SCA-CUL-2: Human Remains – Discovery During Construction (#35).</b> 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</p>	During construction	N/A	Bureau of Building

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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.			
<b>Geology, Soils and Geohazards</b>			
<b>SCA-GEO-1: Construction-Related Permit(s) (#37).</b> The project applicant shall obtain all required construction-related permits/approvals from the City. The project shall comply with all standards, requirements and conditions contained in construction-related codes, including but not limited to the Oakland Building Code and the Oakland Grading Regulations, to ensure structural integrity and safe construction.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
<b>SCA-GEO-2: Soils Report (#38).</b> The project applicant shall submit a soils report prepared by a registered geotechnical engineer for City review and approval. The soils report shall contain, at a minimum, field test results and observations regarding the nature, distribution and strength of existing soils, and recommendations for appropriate grading practices and project design. The project applicant shall implement the recommendations contained in the approved report during project design and construction.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
<b>Hazards and Hazardous Materials</b>			
<b>SCA-HAZ-1: Hazardous Materials Related to Construction (#43).</b> 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: <ul style="list-style-type: none"> <li>a. Follow manufacturer’s recommendations for use, storage, and disposal of chemical products used in construction;</li> <li>b. Avoid overtopping construction equipment fuel gas tanks;</li> <li>c. During routine maintenance of construction equipment, properly contain and remove grease and oils;</li> <li>d. Properly dispose of discarded containers of fuels and other chemicals;</li> <li>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</li> <li>f. If soil, groundwater, or other environmental medium with suspected contamination is encountered</li> </ul>	During construction	N/A	Bureau of Building

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<p>unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notifying the City and applicable regulatory agency(ies) and implementation of the actions described in the City’s Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.</p>			
<p><b>SCA-HAZ-2: Hazardous Building Materials and Site Contamination (#44).</b> <b>a. Hazardous Building Materials Assessment</b> The project applicant shall submit a comprehensive assessment report to the Bureau of Building, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACMs), lead-based paint, polychlorinated biphenyls (PCBs), and any other building materials or stored materials classified as hazardous materials by State or federal law. If lead-based paint, ACMs, PCBs, or any other building materials or stored materials classified as hazardous materials are present, the project applicant shall submit specifications prepared and signed by a qualified environmental professional, for the stabilization and/or removal of the identified hazardous materials in accordance with all applicable laws and regulations. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.</p>	<p>Prior to approval of demolition, grading, or building permits</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>
<p><b>b. Environmental Site Assessment Required</b> The project applicant shall submit a Phase I Environmental Site Assessment report, and Phase II Environmental Site Assessment report if warranted by the Phase I report, for the project site for review and approval by the City. The report(s) shall be prepared by a qualified environmental assessment professional and include recommendations for remedial action, as appropriate, for hazardous materials. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.</p>	<p>Prior to approval of construction-related permit.</p>	<p>Applicable regulatory agency with jurisdiction</p>	<p>Applicable regulatory agency with jurisdiction</p>

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<p><b>c. Health and Safety Plan Required</b> The project applicant shall submit a Health and Safety Plan for the review and approval by the City in order to protect project construction workers from risks associated with hazardous materials. The project applicant shall implement the approved Plan.</p>	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
<p><b>d. Best Management Practices (BMPs) Required for Contaminated Sites</b> The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential soil and groundwater hazards. These shall include the following:</p> <ul style="list-style-type: none"> <li>i. Soil generated by construction activities shall be stockpiled on-site in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state, and federal requirements.</li> <li>ii. Groundwater pumped from the subsurface shall be contained on-site in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building.</li> </ul>	During construction	N/A	Bureau of Building
<b>Hydrology and Water Quality</b>			
<p><b>SCA-HYD-1: Erosion and Sedimentation Control Plan for Construction (#48).</b> The project applicant shall implement Best Management Practices (BMPs) to reduce erosion, sedimentation, and water quality impacts during construction to the maximum extent practicable. At a minimum, the project applicant shall provide filter materials deemed acceptable to the City at nearby catch basins to prevent any debris and dirt from flowing into the City's storm drain system and creeks.</p>	During construction-	N/A	Bureau of Building
<p><b>SCA-HYD-2: NPDES C.3 Stormwater Requirements for Regulated Projects (#54).</b> <b>a. Post-Construction Stormwater Management Plan Required</b> The project applicant shall comply with the requirements of Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES). The project applicant shall submit a Post-Construction Stormwater Management Plan to the City for review and approval with the project drawings submitted for site improvements, and shall implement the approved Plan during construction. The Post-Construction Stormwater Management Plan shall include and identify the following:</p>	Prior to approval of construction-related permit	Bureau of Planning; Bureau of Building	Bureau of Building

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<ul style="list-style-type: none"> <li>i. Location and size of new and replaced impervious surface;</li> <li>ii. Directional surface flow of stormwater runoff;</li> <li>iii. Location of proposed on-site storm drain lines;</li> <li>iv. Site design measures to reduce the amount of impervious surface area;</li> <li>v. Source control measures to limit stormwater pollution;</li> <li>vi. Stormwater treatment measures to remove pollutants from stormwater runoff, including the method used to hydraulically size the treatment measures; and</li> <li>vii. Hydromodification management measures, if required by Provision C.3, so that post-project stormwater runoff flow and duration match pre-project runoff.</li> </ul>			
<p><b>a. Maintenance Agreement Required</b></p> <p>The project applicant shall enter into a maintenance agreement with the City, based on the Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement, in accordance with Provision C.3, which provides, in part, for the following:</p> <ul style="list-style-type: none"> <li>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</li> <li>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.</li> </ul> <p>The maintenance agreement shall be recorded at the County Recorder's Office at the applicant's expense.</p>	Prior to building permit final	Bureau of Building	Bureau of Building
<b>Noise</b>			
<p><b>SCA-NOI-1: Construction Days/Hours (#62).</b> The project applicant shall comply with the following restrictions concerning construction days and hours:</p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> </ul>	During construction	N/A	Bureau of Building

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<p>c. No construction is allowed on Sunday or federal holidays.</p> <p>Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.</p> <p>Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents’/occupants’ preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.</p>			
<p><b>SCA-NOI-2: Construction Noise (#63).</b> The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following:</p> <p>a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible.</p> <p>b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.</p> <p>c. Applicant shall use temporary power poles instead of generators where feasible.</p> <p>d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures</p>	During construction	N/A	Bureau of Building

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<p>as determined by the City to provide equivalent noise reduction.</p> <p>e. The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.</p>			
<p><b>SCA-NOI-3: Extreme Construction Noise (#64).</b></p> <p><b>a. Construction Noise Management Plan Required</b></p> <p>Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90dBA), the project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following:</p> <p>a. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;</p> <p>b. Implement “quiet” pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;</p> <p>c. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;</p> <p>d. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and</p> <p>e. Monitor the effectiveness of noise attenuation measures by taking noise measurements.</p>	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
<p><b>b. Public Notification Required</b></p> <p>The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.</p>	During construction	Bureau of Building	Bureau of Building

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<p><b>SCA-NOI-4: Construction Noise Complaints (#66).</b> The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include:</p> <ul style="list-style-type: none"> <li>a. Designation of an on-site construction complaint and enforcement manager for the project;</li> <li>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;</li> <li>c. Protocols for receiving, responding to, and tracking received complaints; and</li> <li>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.</li> </ul>	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
<p><b>SCA-NOI-5: Exposure to Community Noise (#67).</b> The project applicant shall submit a Noise Reduction Plan prepared by a qualified acoustical engineer for City review and approval that contains noise reduction measures (e.g., sound-rated window, wall, and door assemblies) to achieve an acceptable interior noise level in accordance with the land use compatibility guidelines of the Noise Element of the Oakland General Plan. The applicant shall implement the approved Plan during construction. To the maximum extent practicable, interior noise levels shall not exceed the following:</p> <ul style="list-style-type: none"> <li>a. 45 dBA: Residential activities, civic activities, hotels</li> <li>b. 50 dBA: Administrative offices; group assembly activities</li> <li>c. 55 dBA: Commercial activities</li> <li>d. 65 dBA: Industrial activities</li> </ul>	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building
<p><b>SCA-NOI-6: Operational Noise (#68).</b> Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.</p>	Ongoing	N/A	Bureau of Building
<b>Transportation and Circulation</b>			
<p><b>SCA-TRANS-1: Construction Activity in the Public Right-of-Way (#76).</b></p> <p><b>a. Obstruction Permit Required</b></p> <p>The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-</p>	Prior to Approval of Construction Related Permit	Department of Transportation	Department of Transportation

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related obstruction in the public right-of-way, including City streets, sidewalks, bicycle facilities, and bus stops.			
<p><b>b. Traffic Control Plan Required</b></p> <p>In the event of obstructions to vehicle or bicycle travel lanes, bus stops, or sidewalks, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian accommodations (or detours, if accommodations are not feasible), including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The Traffic Control Plan shall be in conformance with the City’s Supplemental Design Guidance for Accommodating Pedestrians, Bicyclists, and Bus Facilities in Construction Zones.</p>	The project applicant shall implement the approved Plan during construction.	Department of Transportation	Department of Transportation
<p><b>c. Repair of City Streets</b></p> <p>The project applicant shall repair any damage to the public right-of-way, including streets and sidewalks, caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.</p>	Prior to building permit final	N/A	Department of Transportation
<p><b>SCA-TRANS-2: Bicycle Parking (#77).</b> The project applicant shall comply with the City of Oakland Bicycle Parking Requirements (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall demonstrate compliance with the requirements.</p>	Prior to Approval of Construction Related Permit	Bureau of Planning	Bureau of Building
<p><b>SCA-TRANS-3: Transportation Improvements (#78).</b> The project applicant shall implement the recommended on- and off-site transportation-related improvements contained within the Transportation Impact Review for the project (e.g., signal timing adjustments, restriping, signalization, traffic control devices, roadway reconfigurations, transportation demand management measures, and transit, pedestrian, and bicyclist amenities). The project applicant is responsible for funding and installing the improvements, and shall obtain all necessary permits and approvals from the City and/or other applicable regulatory agencies such as, but not limited to, Caltrans (for improvements related to Caltrans facilities) and the California Public Utilities Commission (for improvements related to railroad crossings), prior to installing the improvements. To implement this measure for intersection modifications, the project applicant shall submit Plans, Specifications, and Estimates (PS&amp;E) to the City for review and approval. All elements shall be designed to applicable City standards in</p>	Prior to building permit final or as otherwise specified	Bureau of Building; Department of Transportation	Bureau of Building

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<p>effect at the time of construction and all new or upgraded signals shall include these enhancements as required by the City. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for, among other items, the elements listed below:</p> <ol style="list-style-type: none"> <li>a. 2070L Type Controller with cabinet accessory</li> <li>b. GPS communication (clock)</li> <li>c. Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile)</li> <li>d. Countdown pedestrian head module switch out</li> <li>e. City Standard ADA wheelchair ramps</li> <li>f. Video detection on existing (or new, if required)</li> <li>g. Mast arm poles, full activation (where applicable)</li> <li>h. Polara Push buttons (full activation)</li> <li>i. Bicycle detection (full activation)</li> <li>j. Pull boxes</li> <li>k. Signal interconnect and communication with trenching (where applicable), or through existing conduit (where applicable), 600 feet maximum</li> <li>l. Conduit replacement contingency</li> <li>m. Fiber switch</li> <li>n. PTZ camera (where applicable)</li> <li>o. Transit Signal Priority (TSP) equipment consistent with other signals along corridor</li> <li>p. Signal timing plans for the signals in the coordination group</li> <li>q. Bi-directional curb ramps (where feasible, and if project is on a street corner)</li> <li>r. Upgrade ramps on receiving curb (where feasible, and if project is on a street corner)</li> </ol>			
<p><b>SCA-TRANS-4: <i>Transportation and Parking Demand Management (#79).</i></b> <b>a. <i>Transportation and Parking Demand Management (TDM) Plan Required</i></b></p> <p>The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City.</p> <ol style="list-style-type: none"> <li>i. The goals of the TDM Plan shall be the following: <ul style="list-style-type: none"> <li>• Reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable.</li> <li>• Achieve the following project vehicle trip reductions (VTR):</li> </ul> </li> </ol>	Prior to approval of construction-related permit	Bureau of Planning	N/A

Standard Conditions of Approval/Mitigation Measures	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<ul style="list-style-type: none"> <li>○ Projects generating 50-99 net new a.m. or p.m. peak hour vehicle trips: 10 percent VTR</li> <li>○ Projects generating 100 or more net new a.m. or p.m. peak hour vehicle trips: 20 percent VTR</li> <li>• Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate.</li> <li>• Enhance the City’s transportation system, consistent with City policies and programs.</li> </ul> <p>ii. The TDM Plan should include the following:</p> <ul style="list-style-type: none"> <li>• Baseline existing conditions of parking and curbside regulations within the surrounding neighborhood that could affect the effectiveness of TDM strategies, including inventory of parking spaces and occupancy if applicable.</li> <li>• Proposed TDM strategies to achieve VTR goals (see below).</li> </ul> <p>iii. For employers with 100 or more employees at the subject site, the TDM Plan shall also comply with the requirements of Oakland Municipal Code Chapter 10.68 Employer-Based Trip Reduction Program.</p> <p>iv. The following TDM strategies <b>must</b> be incorporated into a TDM Plan based on a project location or other characteristics. When required, these mandatory strategies should be identified as a credit toward a project’s VTR. <i>[See additional table below]</i></p> <p>v. Other TDM strategies to consider include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement.</li> <li>• Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping.</li> <li>• Installation of safety elements per the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.) to encourage convenient and safe crossing at arterials, in addition to safety elements required to address safety impacts of the project.</li> <li>• Installation of amenities such as lighting, street trees, and trash receptacles per the Pedestrian Master Plan, the Master Street Tree List and Tree Planting Guidelines (which can be viewed at <a href="http://www2.oaklandnet.com/oakca1/groups/pwa/documents/report/oak042662.pdf">http://www2.oaklandnet.com/oakca1/groups/pwa/documents/report/oak042662.pdf</a> and <a href="http://www2.oaklandnet.com/oakca1/groups/pwa/documents/form/oak025595.pdf">http://www2.oaklandnet.com/oakca1/groups/pwa/documents/form/oak025595.pdf</a>, respectively)</li> </ul>			

Standard Conditions of Approval/Mitigation Measures	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>and any applicable streetscape plan.</p> <ul style="list-style-type: none"> <li>• Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements.</li> <li>• Direct on-site sales of transit passes purchased and sold at a bulk group rate (through programs such as AC Transit Easy Pass or a similar program through another transit agency).</li> <li>• Provision of a transit subsidy to employees or residents, determined by the project applicant and subject to review by the City, if employees or residents use transit or commute by other alternative modes.</li> <li>• Provision of an ongoing contribution to transit service to the area between the project and nearest mass transit station prioritized as follows: 1) Contribution to AC Transit bus service; 2) Contribution to an existing area shuttle service; and 3) Establishment of new shuttle service. The amount of contribution (for any of the above scenarios) would be based upon the cost of establishing new shuttle service (Scenario 3).</li> <li>• Guaranteed ride home program for employees, either through 511.org or through separate program.</li> <li>• Pre-tax commuter benefits (commuter checks) for employees.</li> <li>• Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants.</li> <li>• On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools.</li> <li>• Distribution of information concerning alternative transportation options.</li> <li>• Parking spaces sold/leased separately for residential units. Charge employees for parking, or provide a cash incentive or transit pass alternative to a free parking space in commercial properties.</li> <li>• Parking management strategies including attendant/valet parking and shared parking spaces.</li> <li>• Requiring tenants to provide opportunities and the ability to work off-site.</li> <li>• Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite (e.g., working four, ten-hour days; allowing employees to work from home two days per week).</li> <li>• 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</li> </ul>			

Standard Conditions of Approval/Mitigation Measures	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>or flexible work hours involving individually determined work hours.</p> <p>The TDM Plan shall indicate the estimated VTR for each strategy, based on published research or guidelines where feasible. For TDM Plans containing ongoing operational VTR strategies, the Plan shall include an ongoing monitoring and enforcement program to ensure the Plan is implemented on an ongoing basis during project operation. If an annual compliance report is required, as explained below, the TDM Plan shall also specify the topics to be addressed in the annual report.</p>			
<p><b>b. TDM Implementation – Physical Improvements</b></p> <p>For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/approvals from the City and install the improvements prior to the completion of the project.</p>	Prior to building permit final	Bureau of Building	Bureau of Building
<p><b>c. TDM Implementation – Operational Strategies</b></p> <p>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.</p>	Ongoing	Department of Transportation	Department of Transportation
<p><b>SCA-TRANS-5: Traffic Impact Fee (#80).</b></p> <p>The project applicant shall comply with the requirements of the City of Oakland Transportation Impact Fee Ordinance (chapter 15.74 of the Oakland Municipal Code).</p>	Prior to Issuance of a Building Permit	Bureau of Building	N/A
<p><b>SCA-TRANS-6: Plug-In Electric Vehicle (PEV) Charging Infrastructure (#83).</b></p> <p><b>a. PEV-Ready Parking Spaces</b></p> <p>The applicant shall submit, for review and approval of the Building Official and Zoning Manager, plans that show the location of parking spaces equipped with full electrical circuits designated for future PEV charging (i.e. “PEV-Ready”) per the requirements of Chapter 15.04 of the Oakland Municipal Code. Building electrical plans shall indicate sufficient electrical capacity to supply the required PEV-Ready parking spaces.</p>	Prior to Issuance of a Building Permit	Bureau of Building	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p><b>b. PEV-Capable Parking Spaces</b> The applicant shall submit, for review and approval of the Building Official, plans that show the location of inaccessible conduit to supply PEV-capable parking spaces per the requirements of Chapter 15.04 of the Oakland Municipal Code. Building electrical plans shall indicate sufficient electrical capacity to supply the required PEV-capable parking spaces.</p>	Prior to Issuance of a Building Permit	Bureau of Building	Bureau of Building
<p><b>c. ADA-Accessible Spaces</b> The applicant shall submit, for review and approval of the Building Official, plans that show the location of future accessible EV parking spaces as required under Title 24 Chapter 11B Table 11B-228.3.2.1, and specify plans to construct all future accessible EV parking spaces with appropriate grade, vertical clearance, and accessible path of travel to allow installation of accessible EV charging station(s).</p>	Prior to Issuance of a Building Permit	Bureau of Building	Bureau of Building
<b>Utilities and Service Systems</b>			
<p><b>SCA-UTIL-1: Sanitary Sewer System (#89).</b> The project applicant shall prepare and submit a Sanitary Sewer Impact Analysis to the City for review and approval in accordance with the City of Oakland Sanitary Sewer Design Guidelines. The Impact Analysis shall include an estimate of pre-project and post-project wastewater flow from the project site. In the event that the Impact Analysis indicates that the net increase in project wastewater flow exceeds City-projected increases in wastewater flow in the sanitary sewer system, the project applicant shall pay the Sanitary Sewer Impact Fee in accordance with the City’s Master Fee Schedule for funding improvements to the sanitary sewer system.</p>	Prior to approval of construction-related permit	Public Works Department, Department of Engineering and Construction	N/A
<p><b>SCA-UTIL-2: Storm Drain System (#90).</b> The project storm drainage system shall be designed in accordance with the City of Oakland’s Storm Drainage Design Guidelines. To the maximum extent practicable, peak stormwater runoff from the project site shall be reduced by at least 25 percent compared to the pre-project condition.</p>	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
<p><b>SCA-UTIL-3: Recycling Collection and Storage Space (#86).</b> The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two (2) cubic feet of storage and collection space per residential unit is required, with a minimum of ten (10) cubic feet. For nonresidential projects, at least two (2) cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten (10) cubic feet.</p>	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building
<p><b>SCA-UTIL-4: Construction and Demolition Waste Reduction and Recycling (#84).</b> The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the</p>	Prior to approval of construction-related permit	Public Works Department, Environmental	Public Works Department, Environmental

Standard Conditions of Approval/Mitigation Measures	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at <a href="http://www.greenhalosystems.com">www.greenhalosystems.com</a> or manually at the City’s Green Building Resource Center. Current standards, FAQs, and forms are available on the City’s website and in the Green Building Resource Center.		Services Division	Services Division
<b>SCA-UTIL-5: <i>Underground Utilities (#85).</i></b> 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	N/A	Bureau of Building
<b>SCA-UTIL-6: <i>Green Building Requirements (#87).</i></b> <b>a. <i>Compliance with Green Building Requirements During Plan-Check</i></b> 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: <ul style="list-style-type: none"> <li>• Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards.</li> <li>• Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit.</li> <li>• Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit.</li> <li>• Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below.</li> <li>• Copy of the signed statement by the Green Building Certifier approved during the review of the Planning</li> </ul>	Prior to approval of construction-related permit	Bureau of Building	N/A

Standard Conditions of Approval/Mitigation Measures	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>and Zoning permit that the project complied with the requirements of the Green Building Ordinance.</p> <ul style="list-style-type: none"> <li>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.</li> <li>Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.</li> </ul> <p>ii. The set of plans in subsection (i) shall demonstrate compliance with the following:</p> <ul style="list-style-type: none"> <li>CALGreen mandatory measures.</li> <li>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.</li> <li>The required green building point minimums in the appropriate credit categories.</li> </ul>			
<p><b>b. Compliance with Green Building Requirements During Construction</b></p> <p>The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project.</p> <p>The following information shall be submitted to the City for review and approval:</p> <p>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.</p> <p>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.</p> <p>iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.</p>	During construction	N/A	Bureau of Building
<p><b>c. Compliance with Green Building Requirements After Construction</b></p> <p>Prior to the finalizing the Building Permit, the Green Building Certifier shall submit the appropriate documentation to City staff and attain the minimum required point level.</p>	Prior to Final Approval	Bureau of Planning	Bureau of Building
<p><b>SCA-UTIL-7: Water Efficient Landscape Ordinance (WELO) (#92).</b></p> <p>The project applicant shall comply with California’s Water Efficient Landscape Ordinance (WELO) in order to reduce landscape water usage. For any landscape project with an</p>	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>aggregate (total noncontiguous) landscape area equal to 2,500 sq. ft. or less. The project applicant may implement either the Prescriptive Measures or the Performance Measures, of, and in accordance with the California’s Model Water Efficient Landscape Ordinance. For any landscape project with an aggregate (total noncontiguous) landscape area over 2,500 sq. ft., the project applicant shall implement the Performance Measures in accordance with the WELO.</p> <p>Prescriptive Measures: Prior to construction, the project applicant shall submit documentation showing compliance with Appendix D of California’s Model Water Efficient Landscape Ordinance (see website below starting on page 23):</p> <p><a href="http://www.water.ca.gov/wateruseefficiency/landscapeordinance/docs/Title%2023%20extract%20-%20Official%20CCR%20pages.pdf">http://www.water.ca.gov/wateruseefficiency/landscapeordinance/docs/Title%2023%20extract%20-%20Official%20CCR%20pages.pdf</a></p> <p>Performance Measures: Prior to construction, the project applicant shall prepare and submit a Landscape Documentation Package for review and approval, which includes the following:</p> <p>a. Project</p> <ol style="list-style-type: none"> <li>i. Date,</li> <li>ii. Applicant and property owner name,</li> <li>iii. Project address,</li> <li>iv. Total landscape area,</li> <li>v. Project type (new, rehabilitated, cemetery, or home owner installed),</li> <li>vi. Water supply type and water purveyor,</li> <li>vii. Checklist of documents in the package, and,</li> <li>viii. Applicant signature and date with the statement: “I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package.”</li> </ol> <p>b. Water Efficient Landscape Worksheet</p> <ol style="list-style-type: none"> <li>i. Hydrozone Information Table</li> <li>ii. Water Budget Calculations with Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use</li> </ol> <p>c. Soil Management Report</p> <p>d. Landscape Design Plan</p> <p>e. Irrigation Design Plan, and</p> <p>f. Grading Plan</p> <p>Upon installation of the landscaping and irrigation systems, the Project applicant shall submit a Certificate of Completion and landscape and irrigation maintenance schedule for review and approval by the City. The Certificate of Compliance shall also be submitted to the local water purveyor and property owner or his or her designee.</p>			

Standard Conditions of Approval/Mitigation Measures	Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
For the specific requirements within the Water Efficient Landscape Worksheet, Soil Management Report, Landscape Design Plan, Irrigation Design Plan and Grading Plan, see the link below. <a href="http://www.water.ca.gov/wateruseefficiency/landscapeordinance/docs/Title%2023%20extract%20-%20Official%20CCR%20pages.pdf">http://www.water.ca.gov/wateruseefficiency/landscapeordinance/docs/Title%2023%20extract%20-%20Official%20CCR%20pages.pdf</a>			

Provided below is the table for SCA-TRANS-1: Transportation and Parking Demand Management (#80), section a. Transportation and Parking Demand Management (TDM) Plan Required, subsection iv.

Improvement	Required by code or when...
<b>Bus boarding bulbs or islands</b>	<ul style="list-style-type: none"> <li>• A bus boarding bulb or island does not already exist and a bus stop is located along the project frontage; and/or</li> <li>• A bus stop along the project frontage serves a route with 15 minutes or better peak hour service and has a shared bus-bike lane curb.</li> </ul>
<b>Bus shelter</b>	<ul style="list-style-type: none"> <li>• A stop with no shelter is located within the project frontage, or</li> <li>• The project is located within 0.10 miles of a flag stop with 25 or more boardings per day.</li> </ul>
<b>Concrete bus pad</b>	<ul style="list-style-type: none"> <li>• A bus stop is located along the project frontage and a concrete bus pad does not already exist.</li> </ul>
<b>Curb extensions or bulb-outs</b>	<ul style="list-style-type: none"> <li>• Identified as an improvement within site analysis.</li> </ul>
<b>Implementation of a corridor-level bikeway improvement</b>	<ul style="list-style-type: none"> <li>• A buffered Class II or Class IV bikeway facility is in a local or county adopted plan within 0.10 miles of the project location; and</li> <li>• The project would generate 500 or more daily bicycle trips.</li> </ul>
<b>Implementation of a corridor-level transit capital improvement</b>	<ul style="list-style-type: none"> <li>• A high-quality transit facility is in a local or county adopted plan within 0.25 miles of the project location; and</li> <li>• The project would generate 400 or more peak period transit trips.</li> </ul>
<b>Installation of amenities such as lighting; pedestrian-oriented green infrastructure, trees, or other greening landscape; and trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan.</b>	<ul style="list-style-type: none"> <li>• Always required.</li> </ul>
<b>Installation of safety improvements identified in the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.)</b>	<ul style="list-style-type: none"> <li>• When improvements are identified in the Pedestrian Master Plan along project frontage or at an adjacent intersection.</li> </ul>

Improvement	Required by code or when...
<b>In-street bicycle corral</b>	<ul style="list-style-type: none"> <li>• A project includes more than 10,000 square feet of ground floor retail, is located along a Tier 1 bikeway, and on-street vehicle parking is provided along the project frontages.</li> </ul>
<b>Intersection improvements<sup>1</sup></b>	<ul style="list-style-type: none"> <li>• Identified as an improvement within site analysis.</li> </ul>
<b>New sidewalk, curb ramps, curb and gutter meeting current City and ADA standards</b>	<ul style="list-style-type: none"> <li>• Always required.</li> </ul>
<b>No monthly permits and establish minimum price floor for public parking<sup>2</sup></b>	<ul style="list-style-type: none"> <li>• If proposed parking ratio exceeds 1:1000 sf. (commercial).</li> </ul>
<b>Parking garage is designed with retrofit capability</b>	<ul style="list-style-type: none"> <li>• Optional if proposed parking ratio exceeds 1:1.25 (residential) or 1:1000 sf. (commercial).</li> </ul>
<b>Parking space reserved for car share</b>	<ul style="list-style-type: none"> <li>• If a project is providing parking and a project is located within downtown. One car share space reserved for buildings between 50 – 200 units, then one car share space per 200 units.</li> </ul>
<b>Paving, lane striping or restriping (vehicle and bicycle), and signs to midpoint of street section</b>	<ul style="list-style-type: none"> <li>• Typically required.</li> </ul>
<b>Pedestrian crossing improvements</b>	<ul style="list-style-type: none"> <li>• Identified as an improvement within site analysis.</li> </ul>
<b>Pedestrian-supportive signal changes<sup>3</sup></b>	<ul style="list-style-type: none"> <li>• Identified as an improvement within operations analysis.</li> </ul>
<b>Real-time transit information system</b>	<ul style="list-style-type: none"> <li>• A project frontage block includes a bus stop or BART station and is along a Tier 1 transit route with 2 or more routes or peak period frequency of 15 minutes or better.</li> </ul>
<b>Relocating bus stops to far side</b>	<ul style="list-style-type: none"> <li>• A project is located within 0.10 mile of any active bus stop that is currently near-side.</li> </ul>
<b>Signal upgrades<sup>4</sup></b>	<ul style="list-style-type: none"> <li>• Project size exceeds 100 residential units, 80,000 sf. of retail, or 100,000 sf. of commercial; and</li> <li>• Project frontage abuts an intersection with signal infrastructure older than 15 years.</li> </ul>
<b>Transit queue jumps</b>	<ul style="list-style-type: none"> <li>• Identified as a needed improvement within operations analysis of a project with frontage along a Tier 1 transit route with 2 or more routes or peak period frequency of 15 minutes or better.</li> </ul>
<b>Trenching and placement of conduit for providing traffic signal interconnect</b>	<ul style="list-style-type: none"> <li>• Project size exceeds 100 units, 80,000 sf. of retail, or 100,000 sf. of commercial; and</li> <li>• Project frontage block is identified for signal interconnect improvements as part of a planned ITS improvement; and</li> <li>• A major transit improvement is identified within operations analysis requiring traffic signal interconnect.</li> </ul>
<b>Unbundled parking</b>	<ul style="list-style-type: none"> <li>• If proposed parking ratio exceeds 1:1.25 (residential).</li> </ul>

<sup>1</sup> Including but not limited to visibility improvements, shortening corner radii, pedestrian safety islands, accounting for pedestrian desire lines.

<sup>2</sup> May also provide a cash incentive or transit pass alternative to a free parking space in commercial properties.

<sup>3</sup> Including but not limited to reducing signal cycle lengths to less than 90 seconds to avoid pedestrian crossings against the signal, providing a leading pedestrian interval, provide a “scramble” signal phase where appropriate.

<sup>4</sup> Including typical traffic lights, pedestrian signals, bike actuated signals, transit-only signals

## **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 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 *Chapter III, BVDSP and EIR*, the analysis in the Broadway Valdez District Specific Plan (BVDSP) Environmental Impact Report (EIR) is considered in this assessment, pursuant to CEQA Guidelines Section 15162, 15164, 15168, and 15180.

### **1. Proposed Project**

As discussed in *Chapter II, Project Description*, above, the project would introduce residential and retail uses on the site previously considered for such uses by the BVDSP EIR. The project would construct one 25-story residential tower with ground-floor retail. The proposed residential units would be consistent with what was described in the Development Program for the BVDSP. Based on the site’s underlying D-BV-2 zoning, the maximum allowable residential density for the site is 276 units (with California State Density Bonus). The project’s 275 units is within the amount allowed by zoning. The project therefore meets the requirements for an addendum.

### **2. Conditions for Addendum**

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

### **3. Project Consistency with Sections 15162 and 15168 of the CEQA Guidelines**

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

Furthermore, as demonstrated in the CEQA Checklist, the 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 BVDSP EIR, nor render any mitigation measures or alternatives found not to be feasible, feasible. The effects of the project would be substantially the same as those reported in the BVDSP EIR.

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

### **Project**

As discussed in *Chapter II, Project Description*, above, the project would be located in developed, urbanized Downtown Oakland within the Broadway Valdez District Specific Plan (BVDSP) area (Plan Area). The project would demolish an existing surface parking lot and replace it with a 35-story, approximately 374-foot-high building with an additional 37 feet in mechanical equipment/screening. The project includes approximately 289,200 square feet of residential space for 275 units, approximately 1,600 square feet of floor are for vehicle parking, approximately 1,000 square feet of retail and commercial space, approximately 21,745 square feet of open space, and 1,100 feet for the residential lobby.

### **Project Consistency**

The BVDSP EIR was prepared for the BVDSP; it was certified by the Planning Commission on May 21, 2014 and confirmed by the City Council on June 17, 2014. As determined by the City of Oakland Bureau of Planning, the project is permitted in the zoning district in which it is located, and is consistent with the bulk, density, and land uses envisioned in the Plan Area, as outlined below.

- The land use designation for the site is Central Business District; this designation is intended to encourage, support, and enhance the downtown area as a high-density, mixed-use urban center of regional importance and a primary hub for business, communications, office, government, high technology, retail, entertainment, and transportation in Northern California. The proposed mixed-use project would be consistent with this designation.
- The zoning designation for the site is Broadway Valdez District Retail – 2 Commercial Zone (D-BV-2). The D-BV-2 zone is intended to create, maintain, and enhance areas of the BVDSP Plan Area for ground-level retail, restaurants, entertainment, and art activities with pedestrian-oriented, active storefront uses. Upper-story spaces are intended to be available for a wide range of Office and Residential Activities. The proposed mixed-use residential development with commercial uses on the ground floor is consistent with the zoning.

- The project site is zoned for a 250 feet height and 25 story maximum. While the project is proposed to be 374 feet high and have 35 stories, the project sponsor is anticipating receiving a waiver for that would allow the project to exceed this limit to accommodate additional units under the California State Density Bonus law. In addition, under the current zoning regulations, the project would be required to provide 69 off-street parking spaces. However, the project sponsor anticipates receiving a concession from the City to reduce the allowable amount of parking spaces to 45 as a part of the California State Density Bonus Law. Therefore, the height and parking of the project complies with the BVDSP. In accordance with Section 15183 of the CEQA Guidelines, the project is consistent with the BVDSP.
- The permitted non-residential Floor Area Ratio (FAR) for the D-BV-2 zone is 10.0. The project site is approximately 22,182 square feet, and therefore the maximum non-residential FAR allowed would be 221,820 square feet. The project currently provides approximately 44,000 square feet of commercial space at the existing 60 Grand Avenue office building and would provide approximately 1,000 square feet of retail space and 1,100 square feet of lobby area at the new 88 Grand Avenue project, and thus is well below the maximum FAR at 2.07. Therefore, the project would comply with the amount of non-residential FAR allowed under the Planning Code.
- With respect to residential density, the D-BV-2 zone allows for 1 dwelling unit per 90 square feet of lot area. For mixed-use projects, the maximum residential density is based on the total lot area and any square footage occupied by a non-residential use is included in the lot area calculation. The project site is approximately 22,182 square feet in size; as such, the maximum residential density on the project site would be 247 dwelling units. However, the project sponsor is including 229 dwelling units as the base case design, and then an additional 46 dwelling units, for a total of 275 dwelling units, from the 20 percent density bonus from the California State Density Bonus law. Therefore, the project would comply with the amount of residential density allowed under the Planning Code and fits within the residential assumptions of the BVDSP EIR. Therefore, in accordance with Section 15183 of the CEQA Guidelines, the project is consistent with the BVDSP EIR.

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

## 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, on the pages following, shows how the project satisfies each of the applicable requirements.

<b>Table D-1 Project Infill Eligibility</b>	
<b>CEQA Eligibility Criteria</b>	<b>Eligible?/Notes for Project</b>
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 75 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 with commercial uses and a surface parking lot and adjoins existing urban uses, as described in <i>Chapter II, Project Description</i> , above.
2. Satisfy the performance Standards provided in Appendix M (CEQA Guidelines Section 15183.3[b][2]) as presented in 2a and 2b below:	—
2a. <i>Performance Standards Related to Project Design</i> . All projects must implement <b>all</b> of the following:	—
Renewable Energy. <i>Non-Residential Projects</i> . All nonresidential projects shall include on-site renewable power generation, such as solar photovoltaic, solar thermal, and wind power generation, or clean back-up power supplies, where feasible. <i>Residential Projects</i> . Residential projects are also encouraged to include such on-site renewable power generation.	Not Applicable According to Section IV (G) of CEQA Appendix M, for mixed-use projects "...the performance standards in this Section that apply to the predominant use shall govern the entire project." Because the predominant use is residential, the requirements for non-residential projects do not apply.
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.	Not Applicable The project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code.
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	Yes Per the findings of the BVDSP EIR, a screening-level health risk analysis was prepared for the project. The proposed project would include residential units within 1,000 feet of 17 existing stationary sources,

<b>Table D-1 Project Infill Eligibility</b>	
<b>CEQA Eligibility Criteria</b>	<b>Eligible?/Notes for Project</b>
<p>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.</p> <p>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.</p>	<p>three major roadways, and 11 proposed developments that could operate emergency diesel generators. However, as summarized in the health risk analysis, the existing and foreseeable future sources of air pollution within 1,000 feet of the project would not cause the excess cancer risk, chronic HI, and PM<sub>2.5</sub> concentrations at the project site to be greater than the City of Oakland’s cumulative thresholds of significance. Therefore, no indoor air pollution reduction measures are required to be implemented for the proposed project.</p>
<p><b>2b. Additional Performance Standards by Project Type.</b> In addition to implementing all the features described in criterion 2a above, the project must meet eligibility requirements provided below by project type.<sup>a</sup></p>	
<p><b>Residential.</b> A residential project must meet <b>one</b> of the following:</p> <p><b>A. Projects achieving below average regional per capita vehicle miles traveled.</b> A residential project is eligible if it is located in a low vehicle travel area within the region;</p> <p><b>B. Projects located within ½-mile of an Existing Major Transit Stop or High Quality Transit Corridor.</b> A residential project is eligible if it is located within ½-mile of an existing major transit stop or an existing stop along a high quality transit corridor; <b>or</b></p> <p><b>C. Low - Income Housing.</b> 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</p>	<p>Yes</p> <p>The project is eligible under Section (A) and (B).                      (A) The project is located in Traffic Analysis Zone 972, where the anticipated average vehicle miles traveled per capita (6.86 in 2020, 7.07 in 2030, and 6.77 in 2040) is all below the average anticipated vehicle miles traveled per capita (15.0 in 2020, 14.4 in 2030, and 13.8 in 2040).<sup>1</sup>                      (B) The project is located approximately 0.2 miles from the 19<sup>th</sup> Street Oakland BART Station, with access to the SFO/Downtown San Francisco line, Richmond line, Fremont/Warm Springs line, and Antioch line.</p>

<sup>1</sup> Metropolitan Transportation Commission (MTC), 2018. Simulated VMT per Capita by Place of Residence. Available at: <https://mtc.maps.arcgis.com/apps/webappviewer/index.html?id=5dac76d69b3d41e583882e146491568b>, accessed February 25, 2019.

<b>Table D-1 Project Infill Eligibility</b>	
<b>CEQA Eligibility Criteria</b>	<b>Eligible?/Notes for Project</b>
determined pursuant to Section 50053 of the Health and Safety Code.	
<b>Commercial/Retail.</b> A commercial/retail project must meet <b>one</b> of the following: A. <i>Regional Location.</i> 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; <b>or</b> B. <i>Proximity to Households.</i> 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 According to Section IV (G) of CEQA Appendix M, for mixed-use projects “...the performance standards in this Section that apply to the predominant use shall govern the entire project.” Because the predominant use is residential, the requirements for non-residential projects do not apply.
<b>Office Building.</b> An office building project must meeting <b>one</b> of the following: A. <i>Regional Location.</i> Office buildings, both commercial and public, are eligible if they locate in a low vehicle travel area; <b>or</b> B. <i>Proximity to a Major Transit Stop.</i> 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 According to Section IV (G) of CEQA Appendix M, for mixed-use projects “...the performance standards in this Section that apply to the predominant use shall govern the entire project.” Because the predominant use is residential, the requirements for non-residential projects do not apply.
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
Small Walkable Community Projects. Small walkable community projects, as defined in Section 15183.3, subdivisions (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, <b>except</b> as provided in CEQA Guidelines Sections 15183.3(b)(3)(A) or (b)(3)(B) below:	Yes (see explanation below table)

<b>Table D-1 Project Infill Eligibility</b>	
<b>CEQA Eligibility Criteria</b>	<b>Eligible?/Notes for Project</b>
<p>(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; <u>or</u></p> <p>(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])</p>	

<sup>a</sup>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 Criteria 3** – The adopted Plan Bay Area (2013)<sup>2</sup> serves as the Sustainable Communities’ Strategy for the Bay Area, per Senate Bill (SB) 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 project is consistent with the land use designation, density, and building intensity specified in the General Plan as described in *Section V.I, Land Use, Plans, and Policies*, of this document and summarized below.

The General Plan land use designation for the site is Central Business District (CBD); this classification is intended to encourage, support, and enhance the downtown area as a high-density mixed-use urban center of regional importance, and a primary hub for business, communications, office, government, high technology, retail, entertainment, and transportation. The proposed mixed-use project would be consistent with this designation.

The zoning designation for the site is Broadway Valdez District Retail – 2 Commercial Zone (D-BV-2). The D-BV-2 zone is intended to create, maintain, and enhance areas of the BVDSP Plan Area for ground-level retail, restaurants, entertainment, and art activities with pedestrian-oriented, active storefront uses. Upper-story spaces are intended to be available for a wide range of Office and Residential Activities. The proposed mixed-use residential development with commercial uses on the ground floor is consistent with the zoning.

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<sup>2</sup> Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG), 2013. Plan Bay Area, Strategy for a Sustainable Region, July 18.

The project site is zoned for a 250 feet height and 25 story maximum. While the project is proposed to be 374 feet high and have 35 stories, the project sponsor is anticipating receiving a development waiver for that would allow the project to exceed this limit to accommodate additional units under the California State Density Bonus Law. In addition, under the current zoning regulations, the project would be required to provide 69 off-street parking spaces. However, the project sponsor anticipates receiving a concession from the City to reduce the allowable amount of parking spaces to 45 as a part of the California State Density Bonus Law.

As such, the project would be consistent with the General Plan, zoning code, and density and intensity requirements.



## **Attachment E: Wind Study**



## 88 GRAND AVENUE

OAKLAND, CA

PEDESTRIAN WIND STUDY

RWDI # 1900348

April 12, 2019

### SUBMITTED TO

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## EXECUTIVE SUMMARY

RWDI was retained to conduct a pedestrian wind assessment for the proposed 88 Grand Avenue in Oakland, CA (**Image 1**). Based on our wind-tunnel testing for the proposed development under the Existing, Existing + Project, Existing + Project + Trees, Existing + Project + Canopy, and Project + Cumulative configurations (**Images 2A** through **2E**), and the local wind records (**Image 3**), the potential wind comfort and safety conditions are predicted as shown on site plans in **Figures 1A** through **2E**, while the associated wind speeds are listed in **Table 1**. These results can be summarized as follows:

### Wind Hazard

- Existing wind speeds meet the wind hazard criterion at all locations tested.
- With the addition of the proposed development in the Existing + Project configuration, wind speeds at all test locations are still anticipated to meet the wind hazard criterion. Similar wind conditions are predicted in the presence of two additional street trees or of a canopy at the northeast building corner in the Existing + Project + Trees and Existing + Project + Canopy configurations, respectively.
- With the addition of the future buildings in the Project + Cumulative configuration, wind speeds at all test locations are still expected to meet the wind hazard criterion.

### Wind Comfort

- Existing wind speeds pass the 11-mph comfort criterion at most locations tested.
- Similar wind comfort conditions are predicted with the addition of the proposed development in the Existing + Project configuration, with the presence of the two additional street trees or the canopy at the northeast building corner in the Existing + Project + Trees and Existing + Project + Canopy configurations, and with the addition of the future buildings in the Project + Cumulative configuration.



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- Table 1:** Pedestrian Wind Hazard and Comfort Conditions

# 1 INTRODUCTION

RWDI was retained to conduct a pedestrian wind assessment for the proposed 88 Grand Avenue in Oakland, CA. This report presents the project objectives, background and approach, and discusses the results from RWDI's assessment.

## 1.1 Project Description

The project (site shown in **Image 1**) is located on the north side of Grand Avenue, between Broadway to the west and Webster Street to the east. The proposed 35-story tower will include 275 residential units and parking on levels 1 to 4, as well as below-grade.

## 1.2 Objectives

The objective of the study was to assess the effect of the proposed development on local wind conditions in pedestrian areas on and around the study site and provide recommendations for minimizing adverse effects, if needed. This quantitative assessment was based on wind speed measurements on a scale model of the project and its surroundings in one of RWDI's boundary-layer wind tunnels. These measurements were combined with the local wind records and compared to the wind criteria prescribed in the Oakland Planning Code for gauging wind comfort and hazard in pedestrian areas. The assessment focused on critical pedestrian areas including the main and secondary entrances, adjacent residential properties, and sidewalks along adjacent and nearby streets.

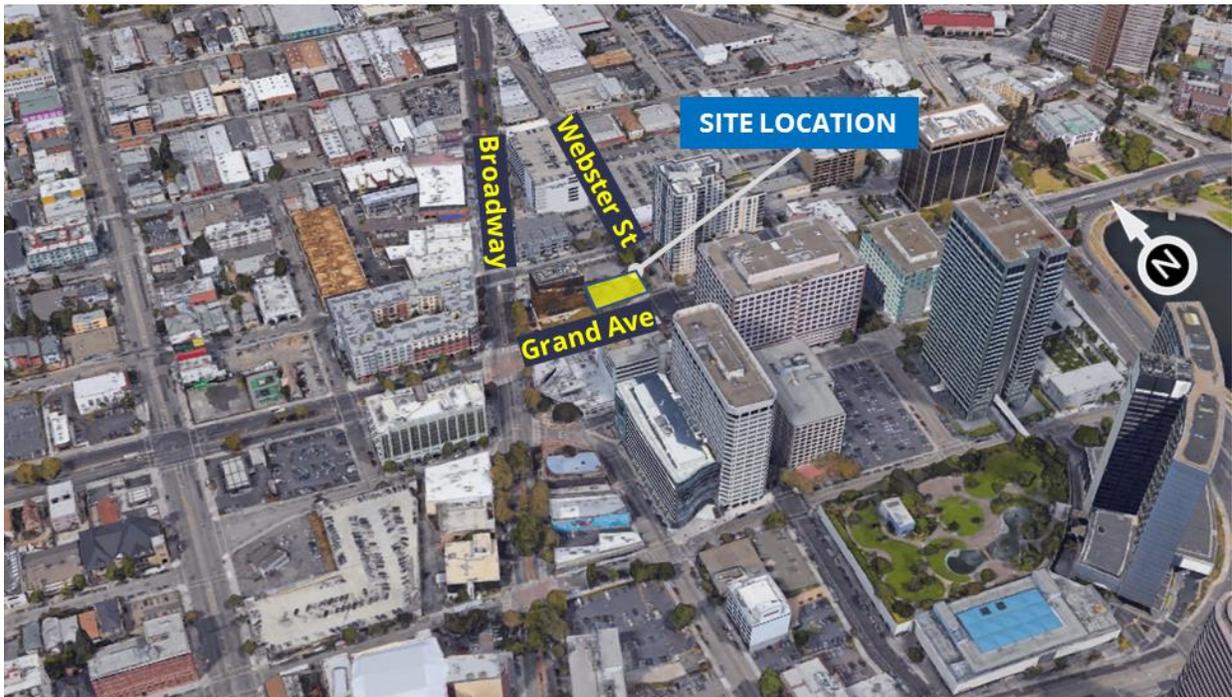


Image 1: Aerial View of Existing Site and Surroundings (Photo Courtesy of Google™ Earth)

## 2 BACKGROUND AND APPROACH

### 2.1 Wind Tunnel Study Model

To assess the wind environment around the proposed project, a 1:400 scale model of the project site and surroundings was constructed for the wind tunnel tests of the following configurations:

- |   |   |
|---|---|
| <b>A – Existing:</b>                    | Existing site with existing surroundings and existing street trees ( <b>Image 2A</b> ).   |
| <b>B – Existing + Project:</b>          | Proposed project with existing surroundings and existing street trees ( <b>Image 2B</b> ). Note that sensor 1 was shifted to the south relative to its position in the “Existing” configuration as it was confirmed by the design team that its original location is not a pedestrian-accessible area. The sensor was therefore shifted onto the sidewalk, which is accessible to pedestrians.  |
| <b>C – Existing + Project + Trees:</b>  | Proposed project with existing surroundings, existing street trees and two proposed street trees at the northeast corner of the building ( <b>Image 2C</b> ). Note that sensor 1 was shifted to the south relative to its position in the “Existing” configuration as it was confirmed by the design team that its original location is not a pedestrian-accessible area. The sensor was therefore shifted onto the sidewalk, which is accessible to pedestrians. |
| <b>D – Existing + Project + Canopy:</b> | Proposed project with existing surroundings and existing street trees, and a canopy at the northeast corner of the building ( <b>Image 2D</b> ). Note that sensor 1 was shifted to the south relative to its position in the “Existing” configuration as it was confirmed by the design team that its original location is not a pedestrian-accessible area. The sensor was therefore shifted onto the sidewalk, which is accessible to pedestrians.              |
| <b>E – Project + Cumulative:</b>        | Proposed project with existing surroundings and existing street trees, as well as buildings that are anticipated to be added in the future ( <b>Image 2E</b> ).   |

The wind tunnel model included all relevant surrounding buildings and topography within an approximate 1600-ft radius of the study site. The wind and turbulence profiles in the atmospheric boundary layer beyond the modelled area were also simulated in RWDI's wind tunnel. The wind tunnel model was instrumented with 68 wind speed sensors to measure mean and gust speeds at a full-scale height of approximately 5 ft above local grade in pedestrian areas throughout the study site. Wind speeds were measured for 36 directions in 10-degree increments. The measurements at each sensor location were recorded in the form of ratios of local mean and gust speeds to the mean wind speed at a reference height above the model. The placement of wind measurement locations was based on our experience and understanding of the pedestrian usage for this site, and was reviewed by the design team.

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**Image 2A: Wind Tunnel Study Model – Existing Configuration**

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Image 2B: Wind Tunnel Study Model – Existing + Project Configuration

**PEDESTRIAN WIND STUDY  
88 GRAND AVENUE**

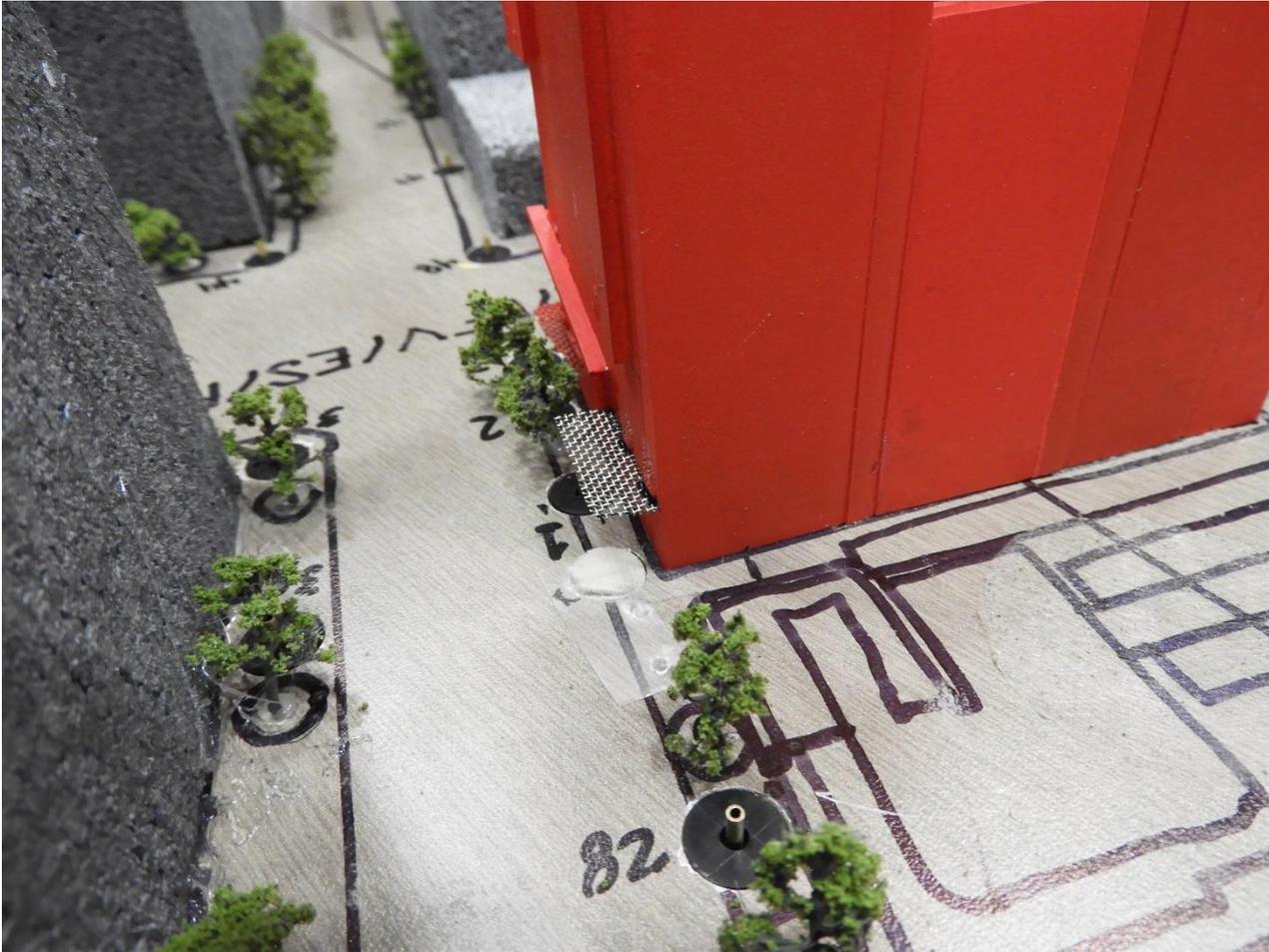
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Image 2C: Wind Tunnel Study Model – Existing + Project + Trees Configuration

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88 GRAND AVENUE**

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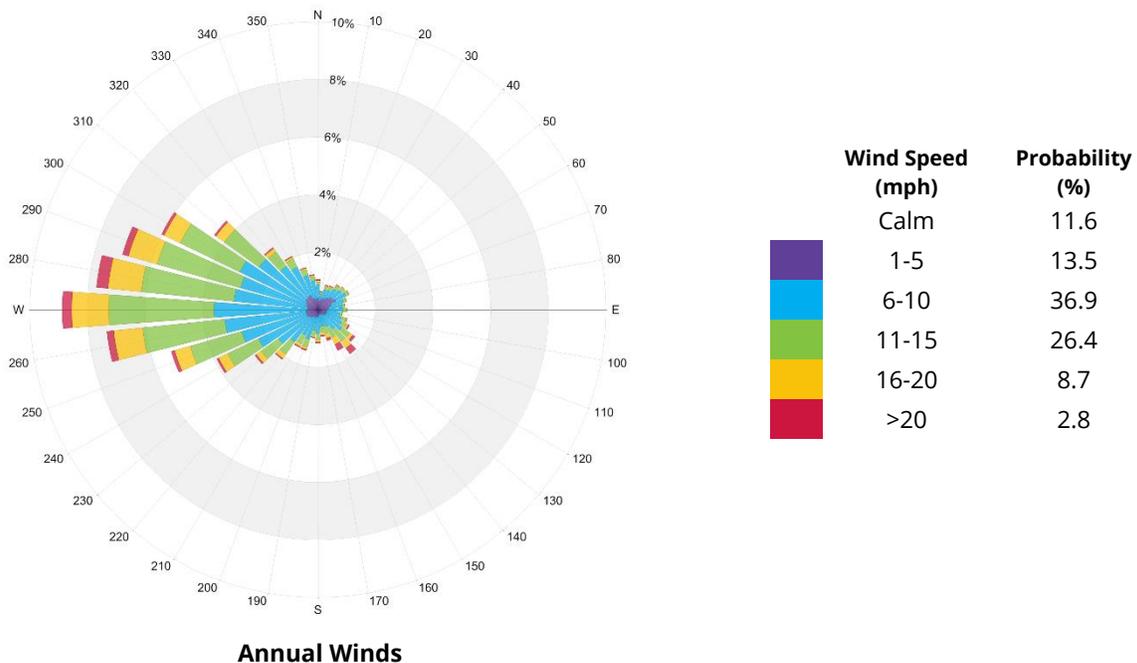
**Image 2D: Wind Tunnel Study Model – Existing + Project + Canopy Configuration**



## 2.2 Meteorological Data

Wind statistics recorded at Metropolitan Oakland International Airport between 19787 and 2017 were analyzed for annual wind conditions. **Image 3** 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 15 mph measured at the airport (at an anemometer height of 33 feet) occur 11.5% of the time annually.

Wind statistics from Metropolitan Oakland International Airport were combined with the wind tunnel data 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.



**Image 3: Directional distribution of winds approaching Metropolitan Oakland International Airport from 1987 to 2017**



## 2.3 Planning Code Requirements

A wind analysis needs to be done if the height of the project 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 Downtown. Since the proposed project (approximately 380 feet tall) exceeds 100 feet in height and is located Downtown, it is subject to the thresholds of significance.

### Significant Wind Impact

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”. The Planning Code defines these wind speeds in terms of equivalent wind speeds, which is average wind speed (mean velocity) adjusted to include the level of gustiness and turbulence. 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:

$$EWS = V_m \times (2 \times TI + 0.7)$$

where  $EWS$  = equivalent wind speed

$V_m$  = mean pedestrian-level wind speed

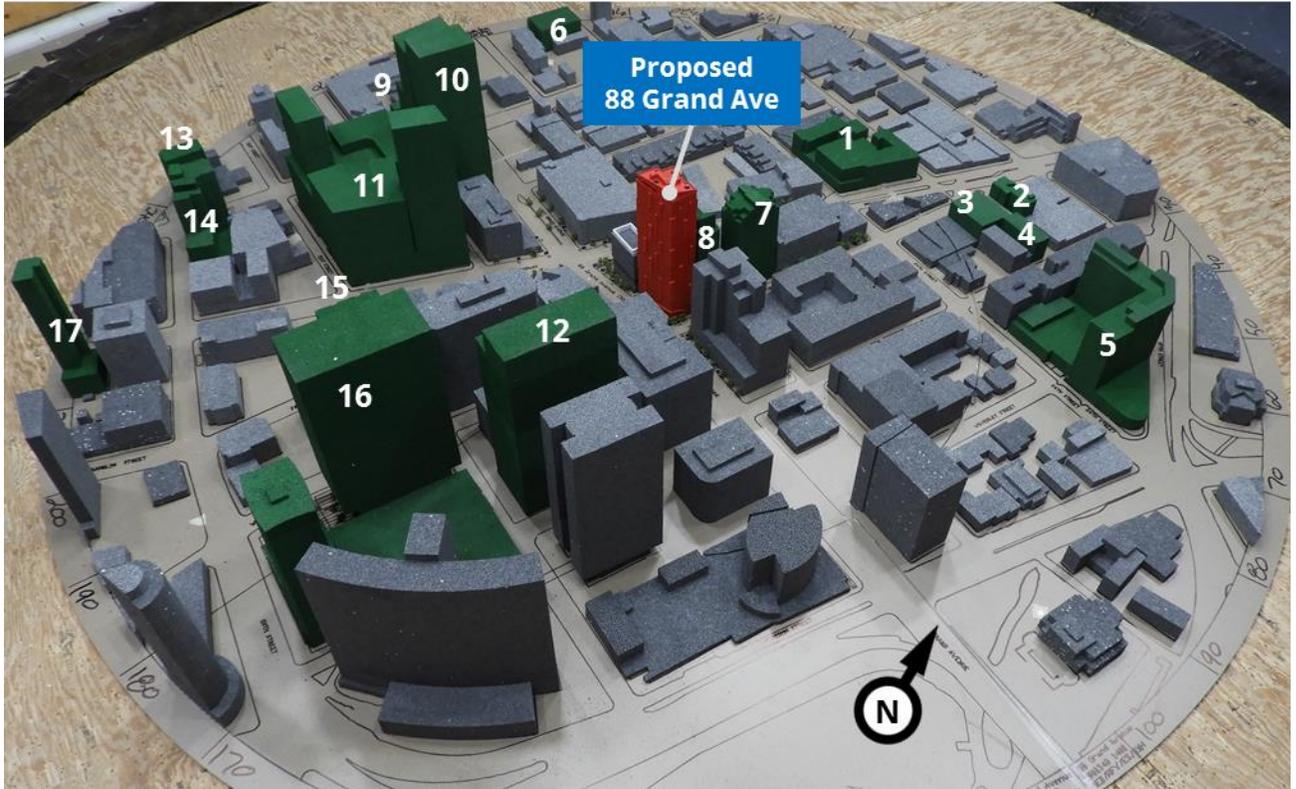
$TI$  = turbulence intensity

### Pedestrian Comfort

Although not applicable towards Significant Wind Impacts as defined by the City of Oakland, wind comfort speeds have been calculated for informational purposes. The comfort criteria are that wind speeds do not exceed 11 mph for more than 10% of the time during the year, when calculated for daylight hours, in substantial pedestrian use areas. A lower wind speed threshold of 7 mph may be considered for public seating areas where calmer wind conditions are ideal.

## 2.4 Cumulative Buildings

Anticipated future buildings were included in the Project + Cumulative configuration. These sites are shown in **Image 4** and listed in the table below.



**Image 3: Cumulative Buildings**

CUMULATIVE BUILDINGS	
1	2401 Broadway
2	2500 Webster
3	2424 Webster
4	2433 Valdez
5	277 27 <sup>th</sup> Street
6	537 24 <sup>th</sup> Street
7	2305 Webster
8	2270 Broadway
9	2225 Telegraph
10	2201 Valley
11	2100 Telegraph
12	2 Kaiser Plaza
13	2015 Telegraph
14	2016 Telegraph
15	2044 Franklin
16	Kaiser Center
17	1900 Broadway

## 3 RESULTS AND DISCUSSION

This section presents the results of the wind tunnel measurements analyzed in terms of equivalent wind speeds as defined by the equation in Section 2.3. The text of the report simply refers to the data as wind speeds.

The wind hazard and comfort results for the five configurations tested are graphically depicted on site plans in **Figures 1A** through **2E**, located in the “Figures” sections of this report. **Table 1**, located in the “Tables” section of the report, presents these results and the associated wind speeds. The wind hazard section lists the wind speed predicted to be exceeded one hour per year at each measurement point. 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. For wind comfort, the measured 10% exceeded (90<sup>th</sup> percentile) equivalent wind speed and the percentage of time that the wind speed exceeds 11 mph are shown for each measurement point and for areas considered to be used primarily for walking. A letter “e” in the last column of each configuration indicates an exceedance of the wind hazard threshold of 36 mph or a wind comfort threshold of 11 mph.

### 3.1 Existing Configuration

The wind hazard criterion is met at all the 68 test locations for the Existing configuration (**Figure 1A**). For all locations, the average wind speed which is exceeded for 1 hour per year is 23 mph (**Table 1**).

Wind speeds at 11 of 68 test locations exceed the comfort criterion of 11 mph (**Table 1** and **Figure 2A**). The average 90<sup>th</sup> percentile wind speed for the 68 test locations is approximately 9 mph. Winds currently exceed the applicable criterion 6% of the time.

### 3.2 Existing + Project Configuration

The addition of the proposed building to the site in the Existing + Project configuration is predicted to result in similar wind conditions when compared to the Existing configuration. The wind hazard criterion is still anticipated to be met at all 68 test locations (**Figure 1B**). The average wind speed exceeded for 1 hour per year is predicted to be 24 mph (**Table 1**).

Wind speeds at 10 of 68 test locations are expected to exceed the comfort criterion of 11 mph (**Table 1** and **Figure 2B**). The average 90<sup>th</sup> percentile wind speed for the 68 test locations is predicted to be approximately 9 mph. Wind speeds are predicted to exceed the applicable criterion 6% of the time.

### 3.3 Existing + Project + Trees Configuration

The Existing + Project + Trees configuration was tested with two additional street trees proposed to be added at the northeast corner of the proposed development. The addition of the two trees is not expected to change the general wind conditions when compared with the Existing and Existing + Project configurations. The wind hazard criterion is anticipated to be met at all 68 test locations in the presence of the two additional street trees (**Figure 1C**). The average wind speed exceeded for 1 hour per year is predicted to be 24 mph (**Table 1**).



Wind speeds at 10 of 68 test locations are expected to exceed the comfort criterion of 11 mph (**Table 1** and **Figure 2C**). The average 90<sup>th</sup> percentile wind speed for the 68 test locations is predicted to be approximately 9 mph. Wind speeds are predicted to exceed the applicable criterion 6% of the time.

### 3.4 Existing + Project + Canopy Configuration

In the Existing + Project + Canopy configuration, a canopy at the northeast corner of the proposed development and surroundings remained the same as tested in the Existing + Project configuration. The addition of the canopy is not expected to change the general wind conditions when compared with the Existing and Existing + Project configurations. The wind hazard criterion is anticipated to be met at all 68 test locations in the presence of the canopy at the northeast corner (**Figure 1D**). The average wind speed exceeded for 1 hour per year is predicted to be 24 mph (**Table 1**).

Wind speeds at 10 of 68 test locations are expected to exceed the comfort criterion of 11 mph (**Table 1** and **Figure 2D**). The average 90<sup>th</sup> percentile wind speed for the 68 test locations is predicted to be approximately 9 mph. Wind speeds are predicted to exceed the applicable criterion 6% of the time.

### 3.5 Project + Cumulative Configuration

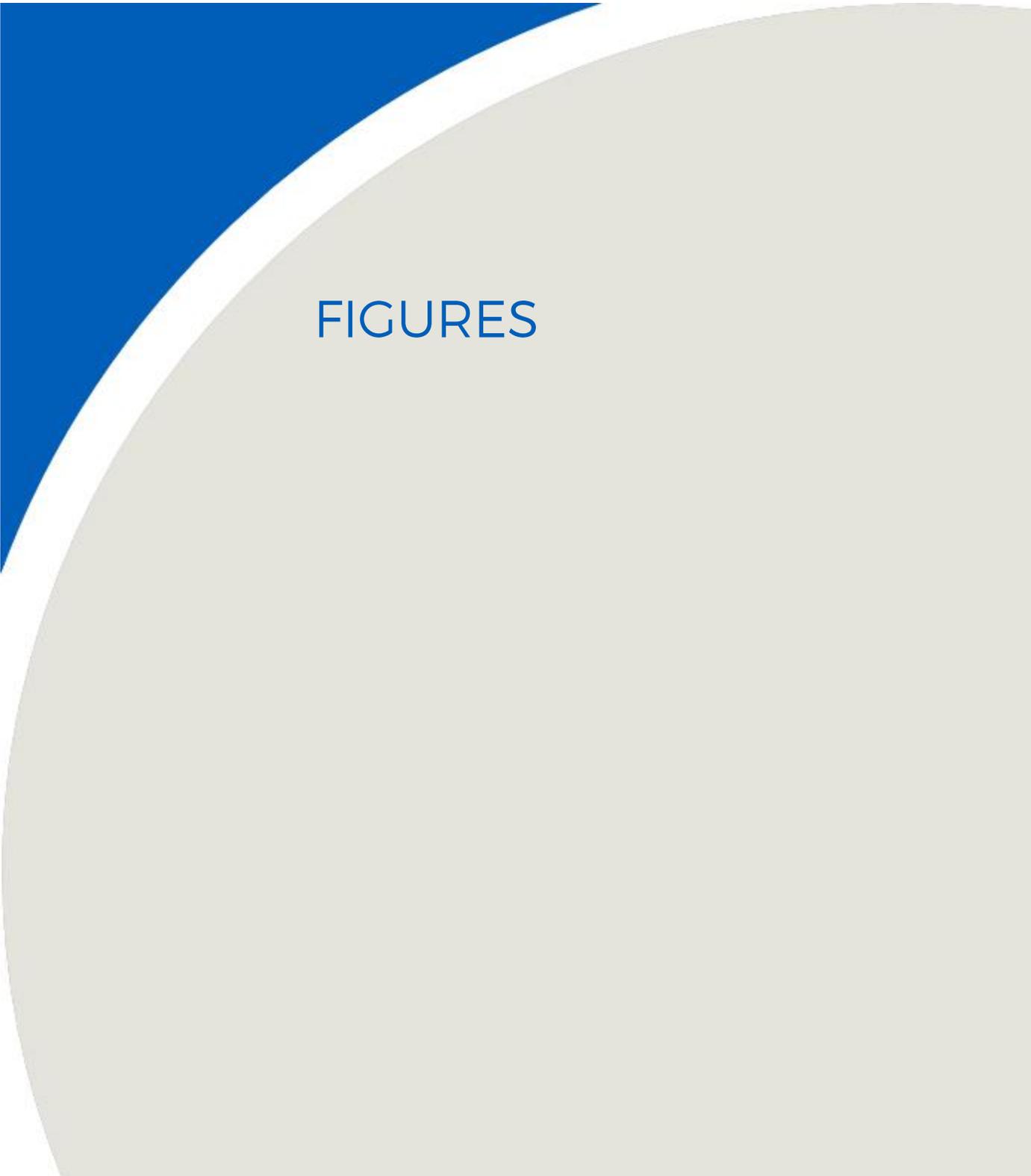
The addition of the future buildings in the Project + Cumulative configuration is predicted to result in similar wind conditions to the Existing and Existing + Project configurations. The wind hazard criterion is still anticipated to be met at all 68 test locations (**Figure 1E**). The average wind speed exceeded for 1 hour per year is predicted to be 23 mph (**Table 1**).

Wind speeds at 11 of 68 test locations are expected to exceed the comfort criterion of 11 mph (**Table 1** and **Figure 2E**). The average 90<sup>th</sup> percentile wind speed for the 68 test locations is predicted to be approximately 9 mph. Wind speeds are predicted to exceed the applicable criterion 6% of the time.

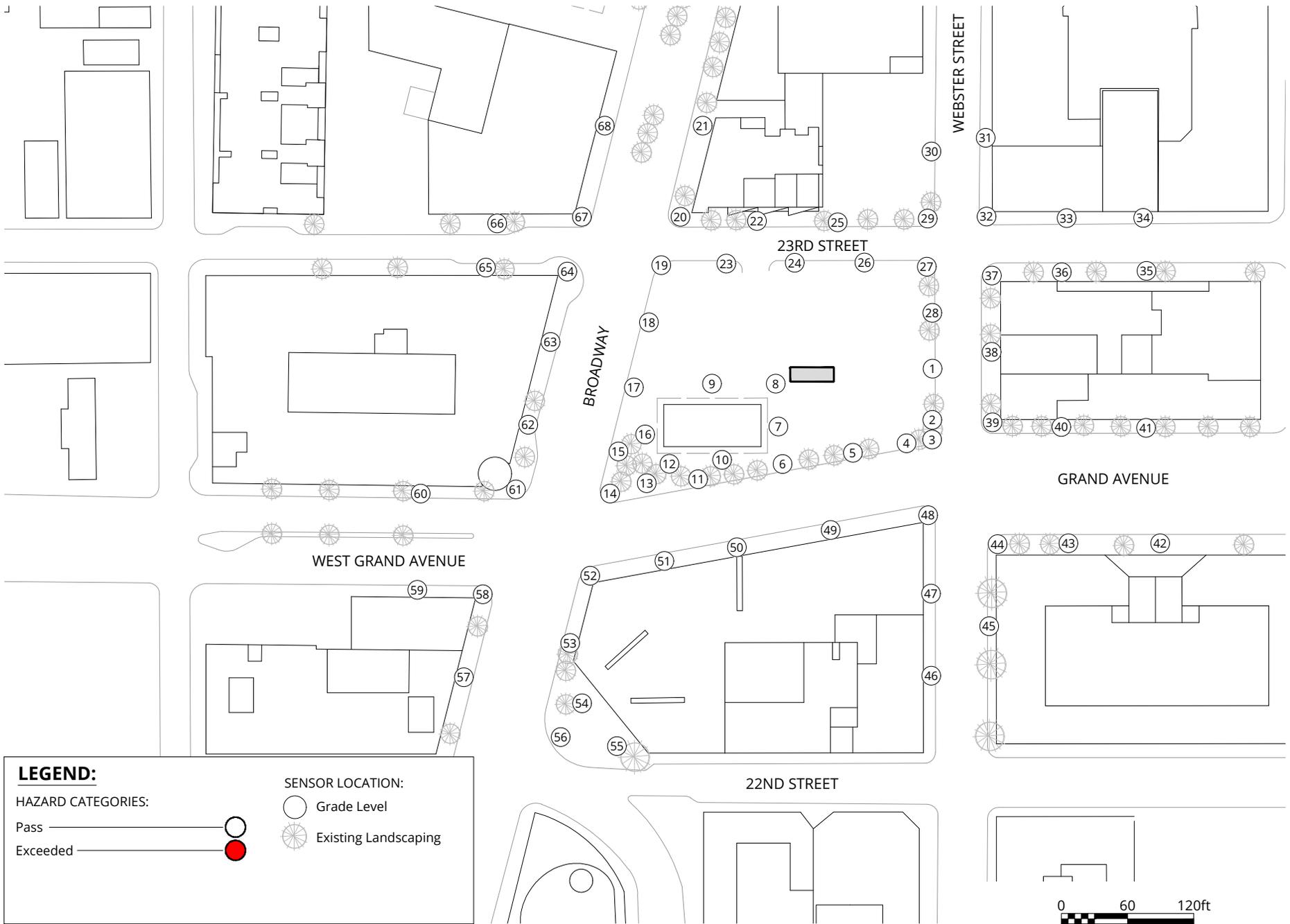
## 4 APPLICABILITY OF RESULTS

The drawing and information listed below were received from Urban Planning Partners, Inc. and were used to construct the scale model of the proposed 88 Grand Avenue. The wind conditions presented in this report pertain to the proposed development as detailed in the architectural design model listed in the table below. Should there be any design changes that deviate from this information, the wind condition predictions presented may change. Therefore, if changes in the design are made, it is recommended that RWDI be contacted and requested to review their potential effects on wind conditions.

File Name	File Type	Date Received (dd/mm/yyyy)
S171188-Sketchup Building for CEQA wind testing.skp	SketchUp	05/11/2018

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# FIGURES



**LEGEND:**

HAZARD CATEGORIES:

Pass ———— ○  
 Exceeded ———— ●

SENSOR LOCATION:

○ Grade Level  
 Existing Landscaping

**Pedestrian Wind Hazard Conditions**

Existing  
 Annual

88 Grand Avenue - Oakland, CA

True North



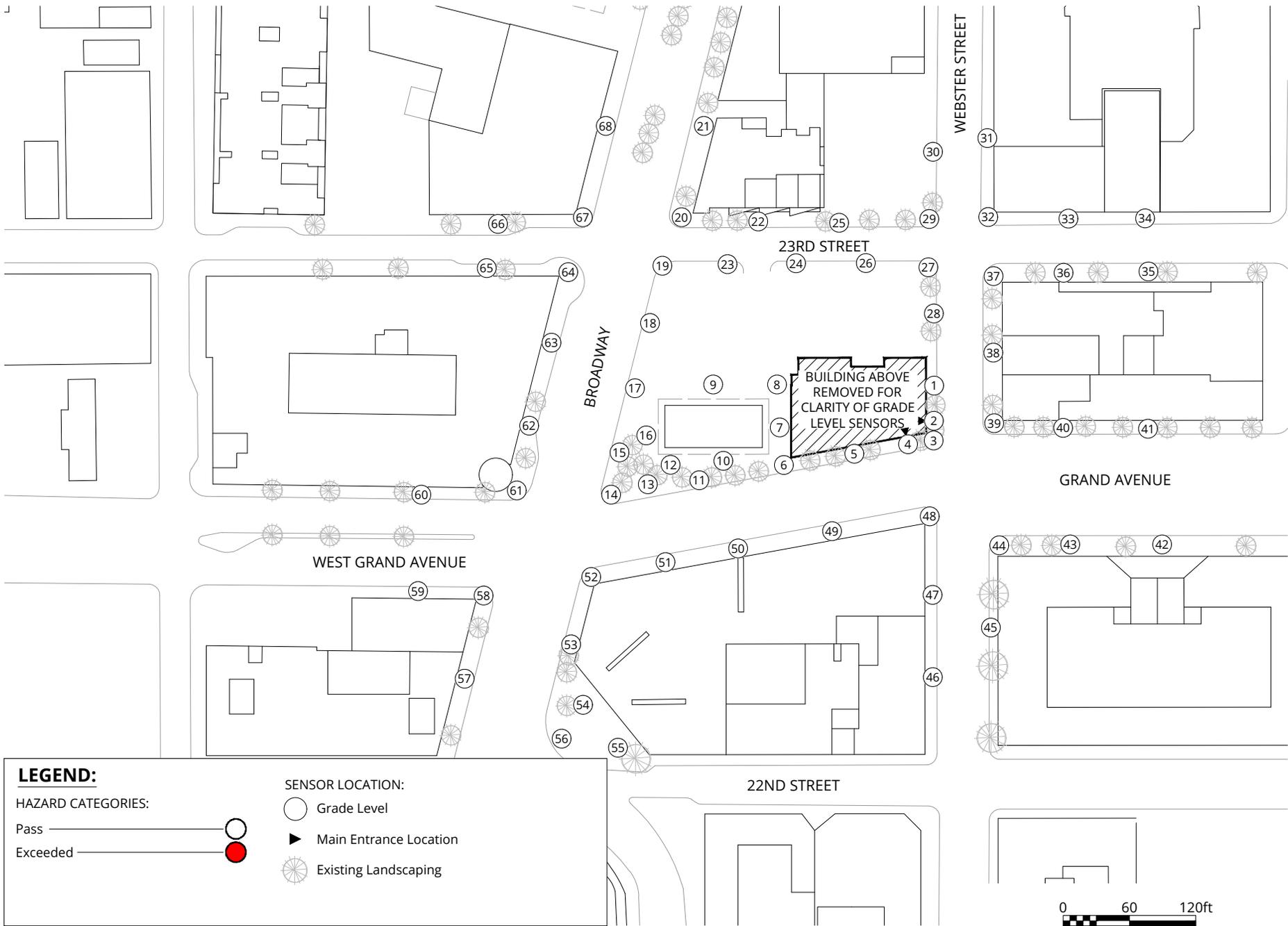
Project #1900348

Drawn by: DBB Figure: 1A

Approx. Scale: 1"=120'

Date Revised: Dec. 11, 2018





**LEGEND:**

HAZARD CATEGORIES:

Pass   
 Exceeded 

SENSOR LOCATION:

 Grade Level  
 Main Entrance Location  
 Existing Landscaping

**Pedestrian Wind Hazard Conditions**  
 Existing + Project  
 Annual

88 Grand Avenue - Oakland, CA

True North



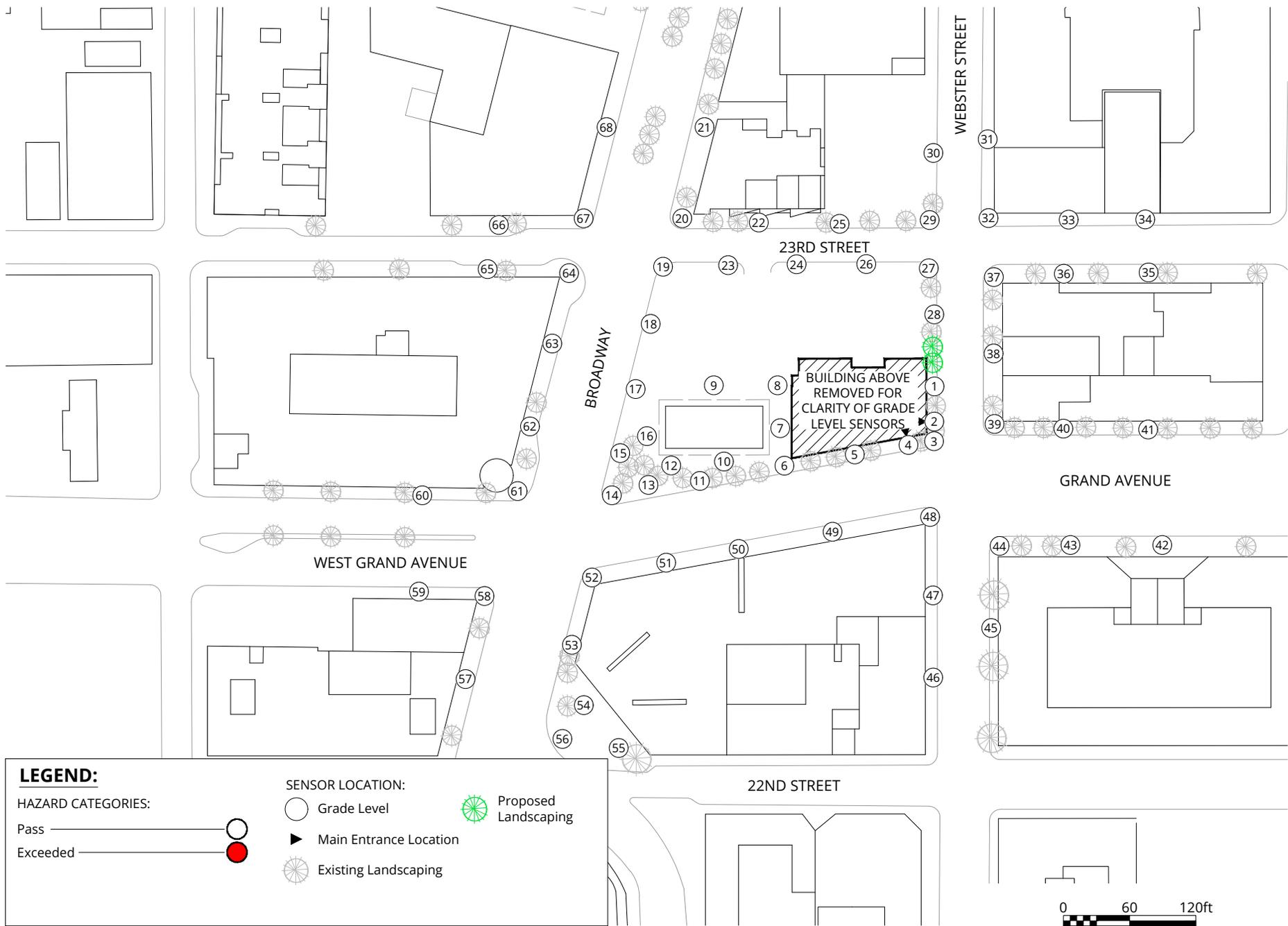
Project #1900348

Drawn by: DBB Figure: 1B

Approx. Scale: 1"=120'

Date Revised: Dec. 27, 2018





**LEGEND:**

HAZARD CATEGORIES:

Pass ———— ○  
 Exceeded ———— ●

SENSOR LOCATION:

- Grade Level
- ▶ Main Entrance Location
- ⊗ Existing Landscaping
- ⊗ Proposed Landscaping

**Pedestrian Wind Hazard Conditions**  
 Existing + Project + Trees  
 Annual

88 Grand Avenue - Oakland, CA

True North



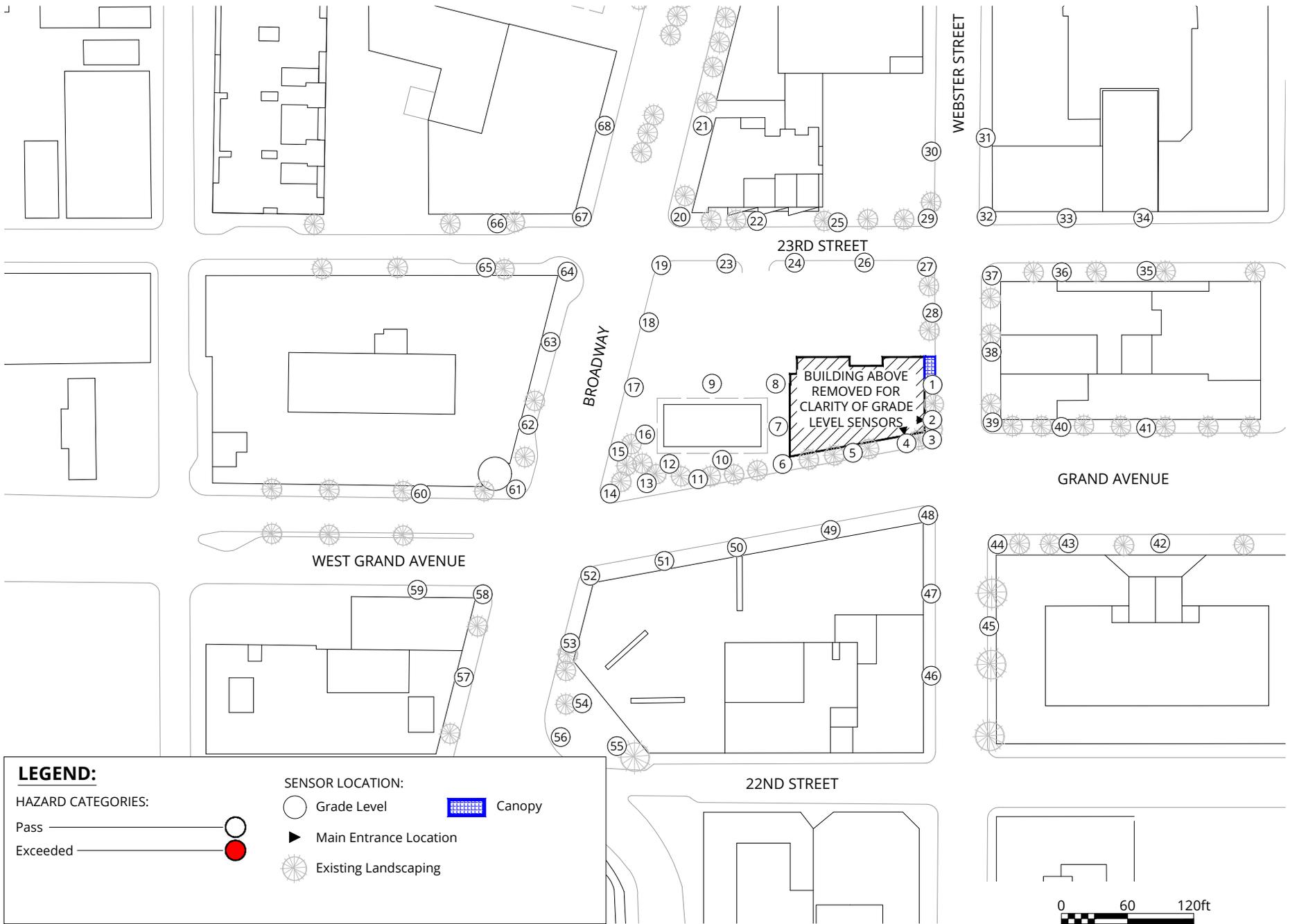
Project #1900348

Drawn by: DBB Figure: 1C

Approx. Scale: 1"=120'

Date Revised: Dec. 27, 2018





**LEGEND:**

HAZARD CATEGORIES:

Pass   
 Exceeded 

SENSOR LOCATION:

 Grade Level  Canopy  
 Main Entrance Location  
 Existing Landscaping

**Pedestrian Wind Hazard Conditions**

Existing + Project + Canopy  
 Annual

88 Grand Avenue - Oakland, CA

True North



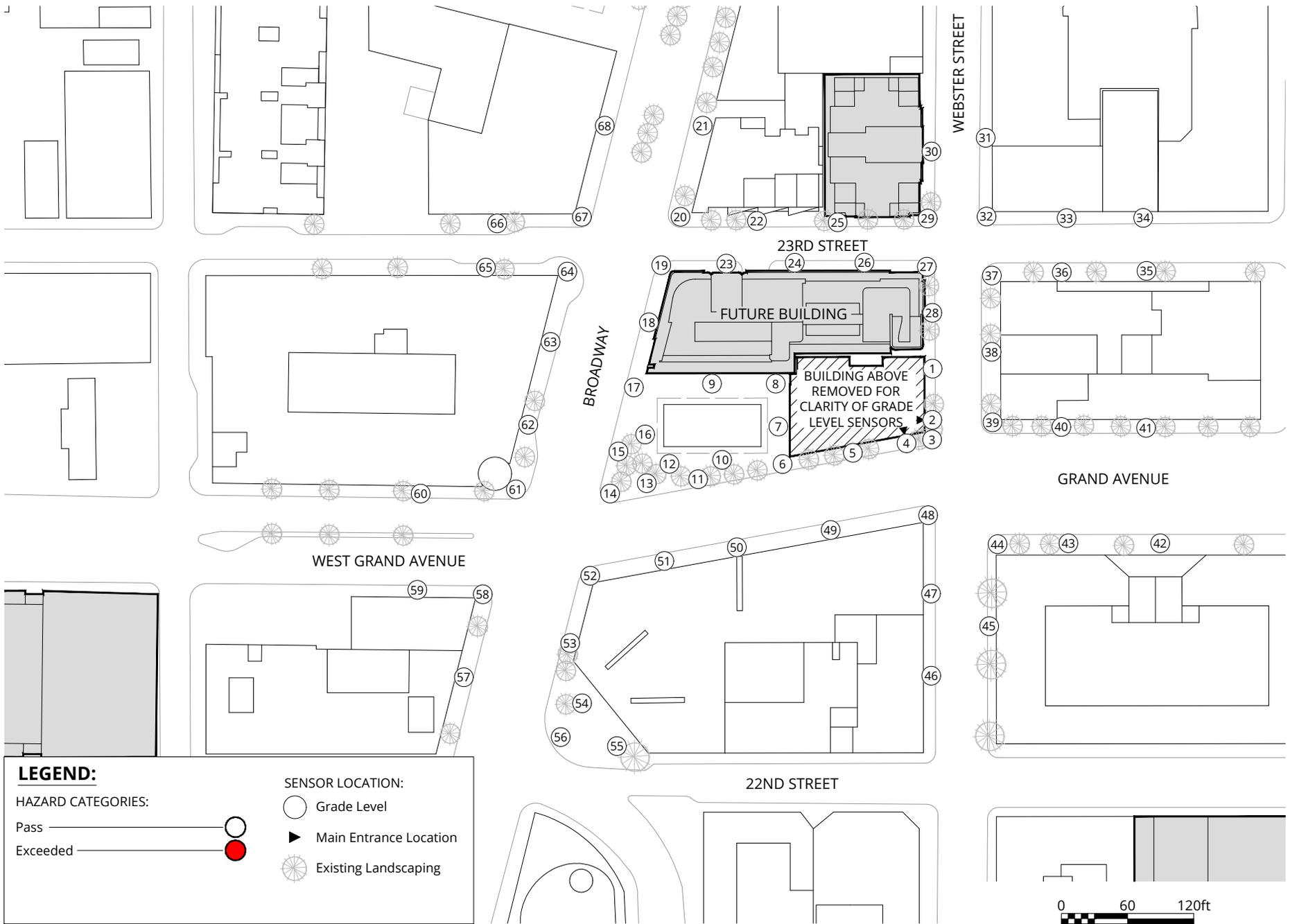
Project #1900348

Drawn by: DBB Figure: 1D

Approx. Scale: 1"=120'

Date Revised: Dec. 27, 2018





**LEGEND:**

HAZARD CATEGORIES:

Pass   
 Exceeded 

SENSOR LOCATION:

 Grade Level  
 Main Entrance Location  
 Existing Landscaping

**Pedestrian Wind Hazard Conditions**

Project + Cumulative  
 Annual

88 Grand Avenue - Oakland, CA

True North



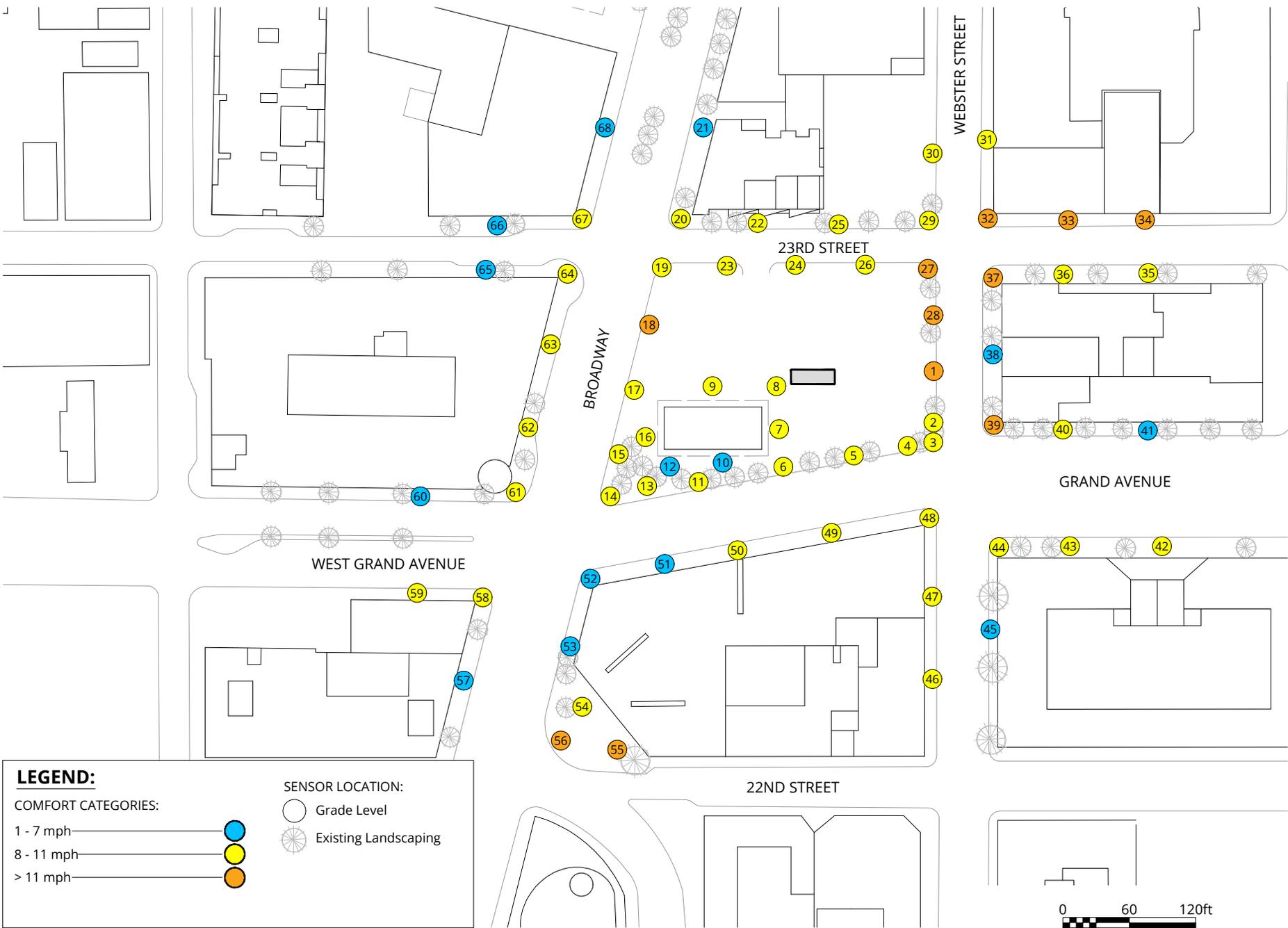
Project #1900348

Drawn by: DBB Figure: 1E

Approx. Scale: 1"=120'

Date Revised: Dec. 11, 2018





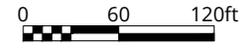
**LEGEND:**

COMFORT CATEGORIES:

- 1 - 7 mph ●
- 8 - 11 mph ●
- > 11 mph ●

SENSOR LOCATION:

- Grade Level
- Existing Landscaping



**Pedestrian Wind Comfort Conditions**  
Existing Annual

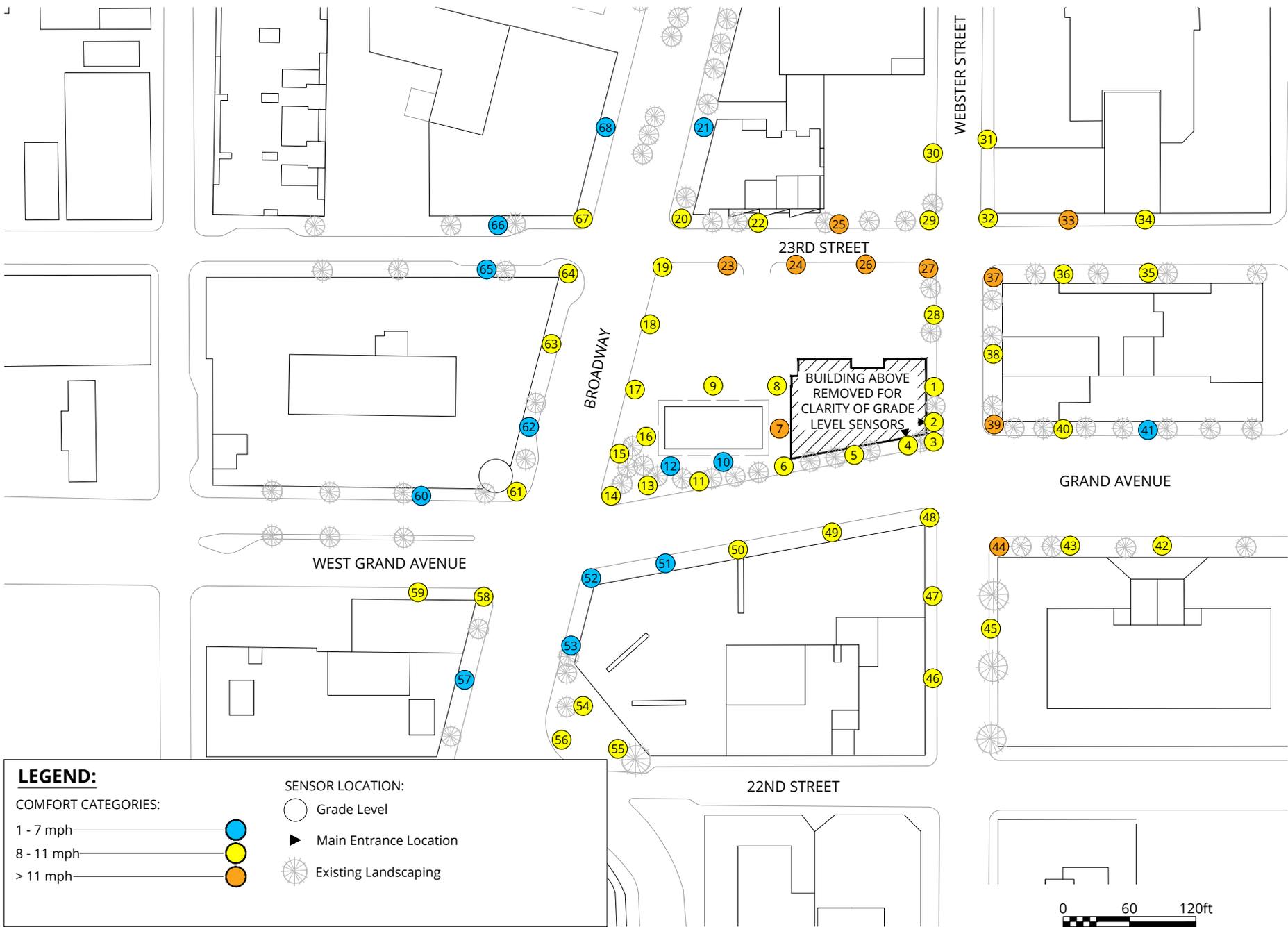
88 Grand Avenue - Oakland, CA



Project #1900348

Drawn by: DBB	Figure: 2A
Approx. Scale: 1"=120'	
Date Revised: Dec. 11, 2018	





**LEGEND:**

COMFORT CATEGORIES:

- 1 - 7 mph ●
- 8 - 11 mph ●
- > 11 mph ●

SENSOR LOCATION:

- Grade Level
- ▶ Main Entrance Location
- Existing Landscaping

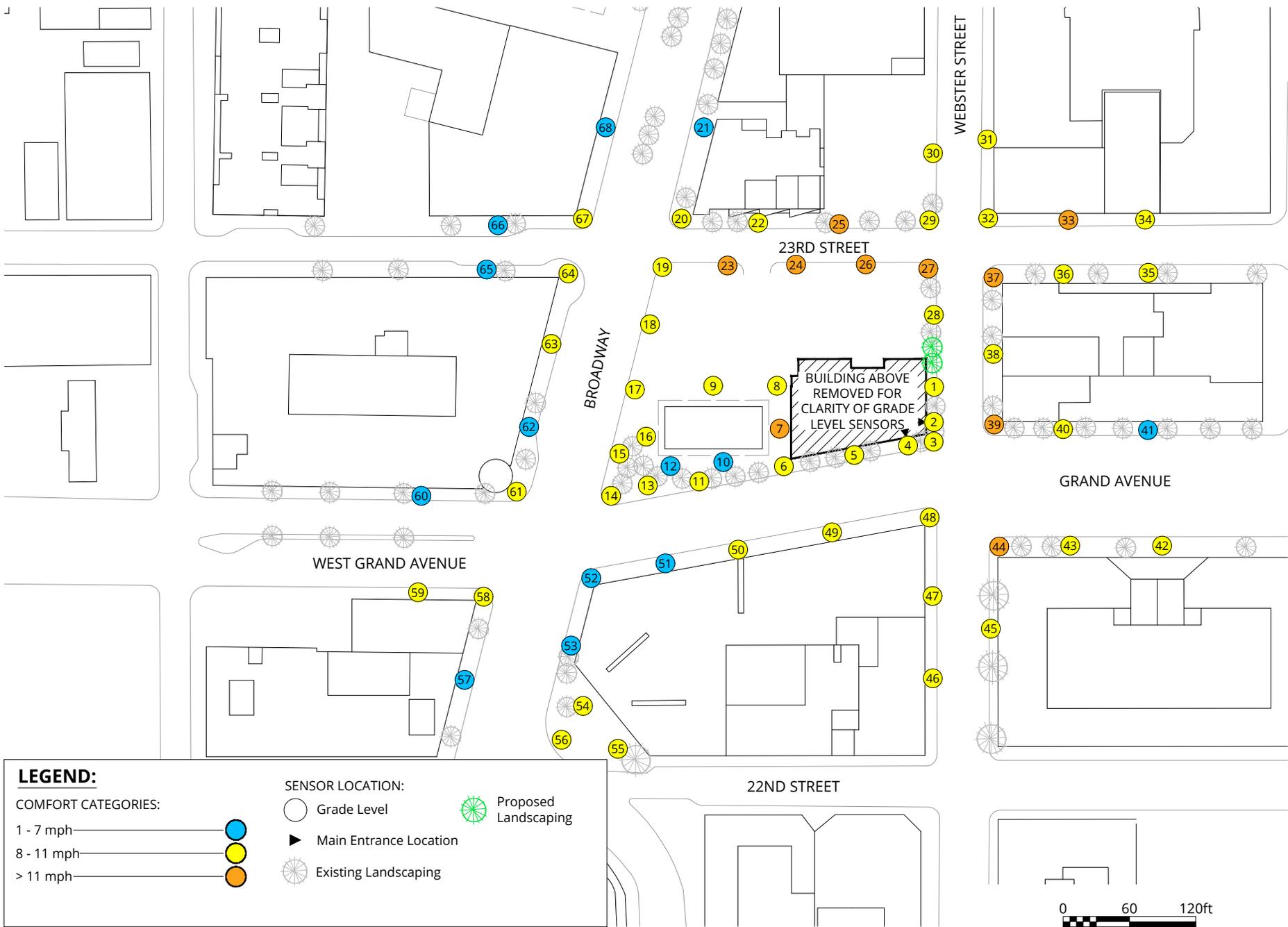
**Pedestrian Wind Comfort Conditions**  
Existing + Project  
Annual

88 Grand Avenue - Oakland, CA



Project #1900348

Drawn by: DBB	Figure: 2B
Approx. Scale: 1"=120'	
Date Revised: Dec. 27, 2018	



**LEGEND:**

COMFORT CATEGORIES:

- 1 - 7 mph ●
- 8 - 11 mph ●
- > 11 mph ●

SENSOR LOCATION:

- Grade Level
- ▶ Main Entrance Location
- Existing Landscaping
- Proposed Landscaping



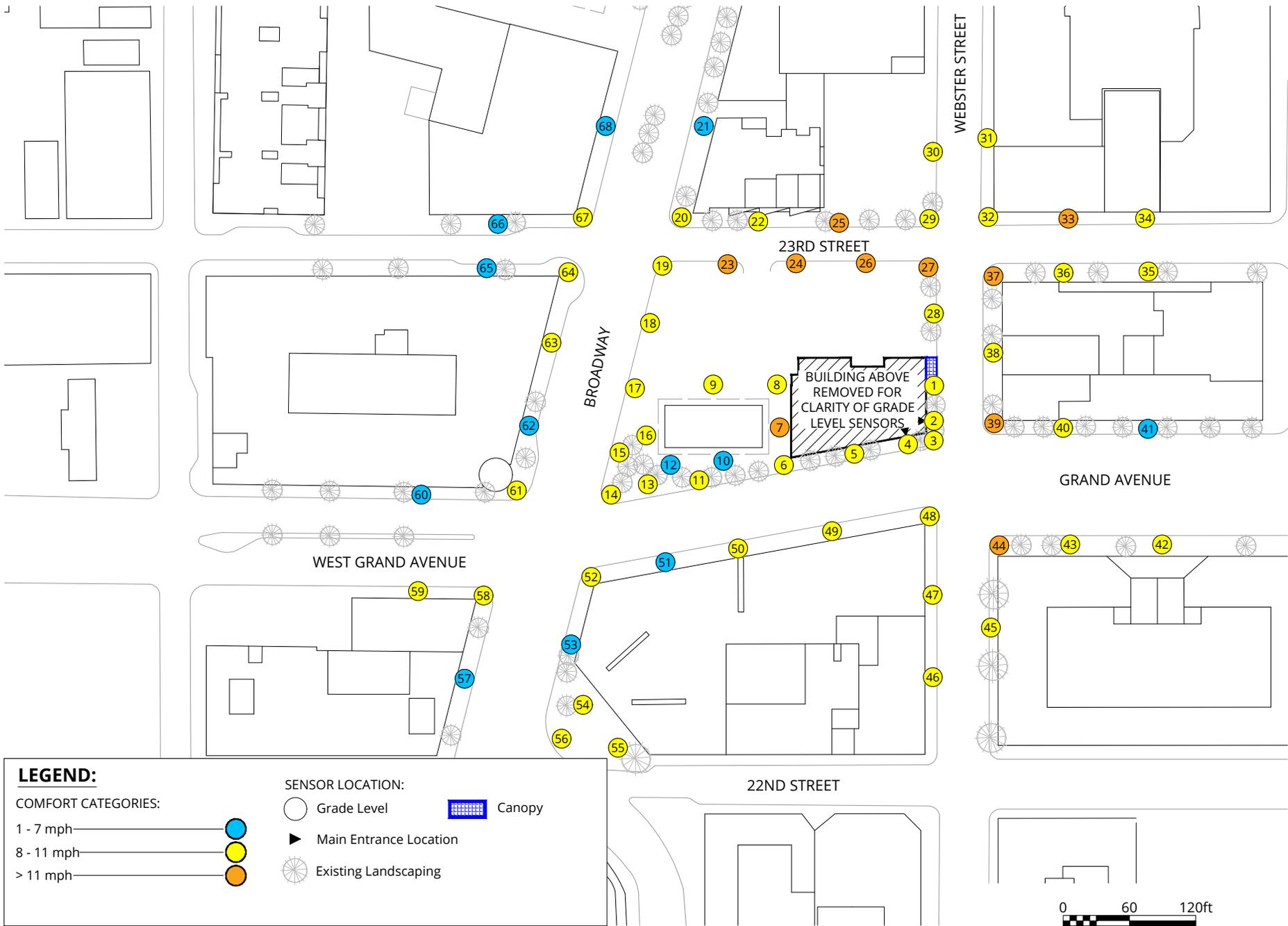
**Pedestrian Wind Comfort Conditions**  
Existing + Project + Trees  
Annual

88 Grand Avenue - Oakland, CA



Project #1900348

Drawn by: DBB	Figure: 2C	
Approx. Scale: 1"=120'		
Date Revised: Dec. 27, 2018		



**LEGEND:**

COMFORT CATEGORIES:

- 1 - 7 mph ●
- 8 - 11 mph ●
- > 11 mph ●

SENSOR LOCATION:

- Grade Level ■ Canopy
- ▶ Main Entrance Location
- ⊗ Existing Landscaping

**Pedestrian Wind Comfort Conditions**  
Existing + Project + Canopy  
Annual

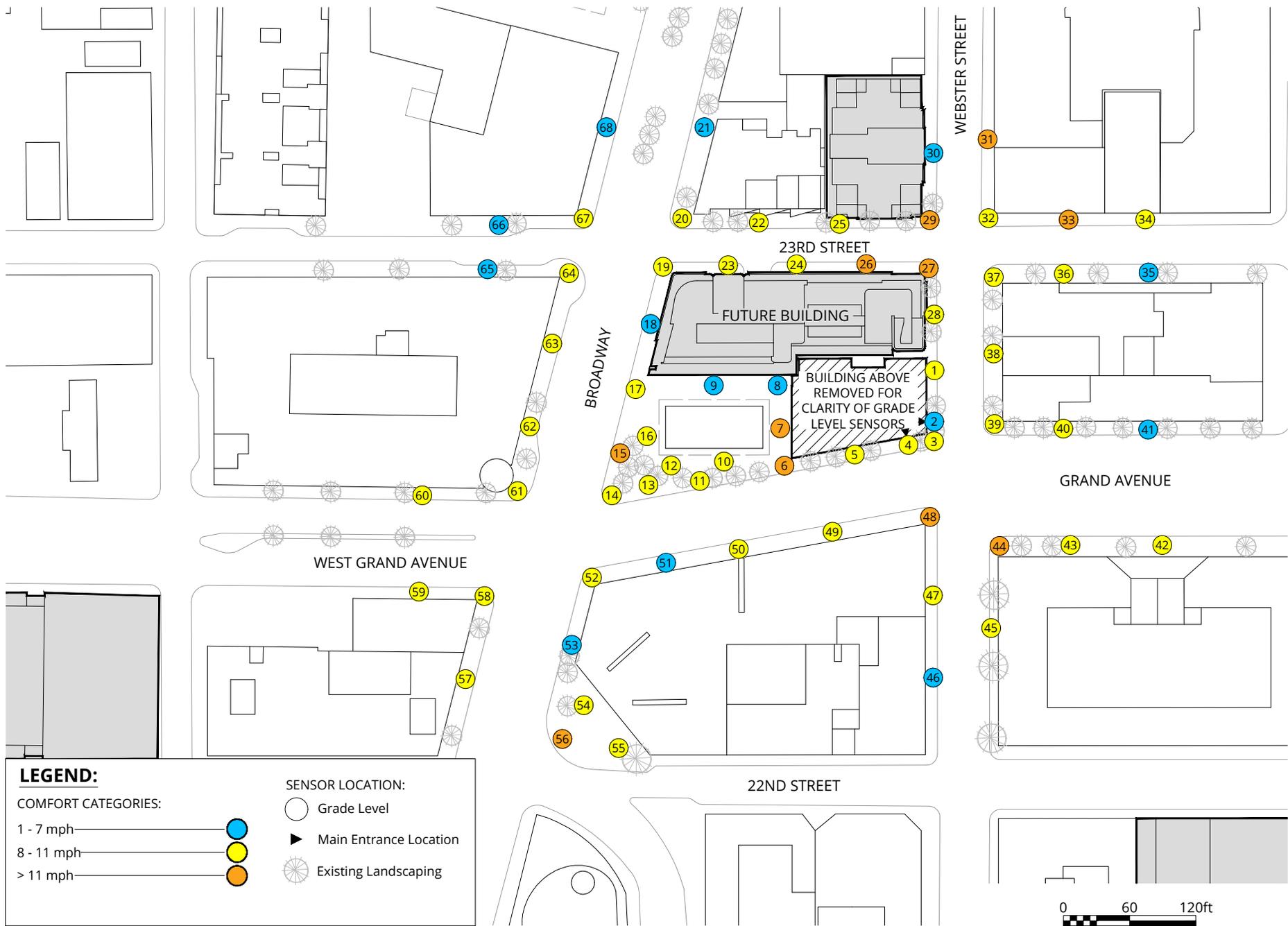
88 Grand Avenue - Oakland, CA



Project #1900348

Drawn by: DBB	Figure: 2D
Approx. Scale: 1"=120'	
Date Revised: Dec. 27, 2018	





**LEGEND:**

COMFORT CATEGORIES:

- 1 - 7 mph ●
- 8 - 11 mph ●
- > 11 mph ●

SENSOR LOCATION:

- Grade Level
- ▶ Main Entrance Location
- ⊗ Existing Landscaping

**Pedestrian Wind Comfort Conditions**  
 Project + Cumulative  
 Annual

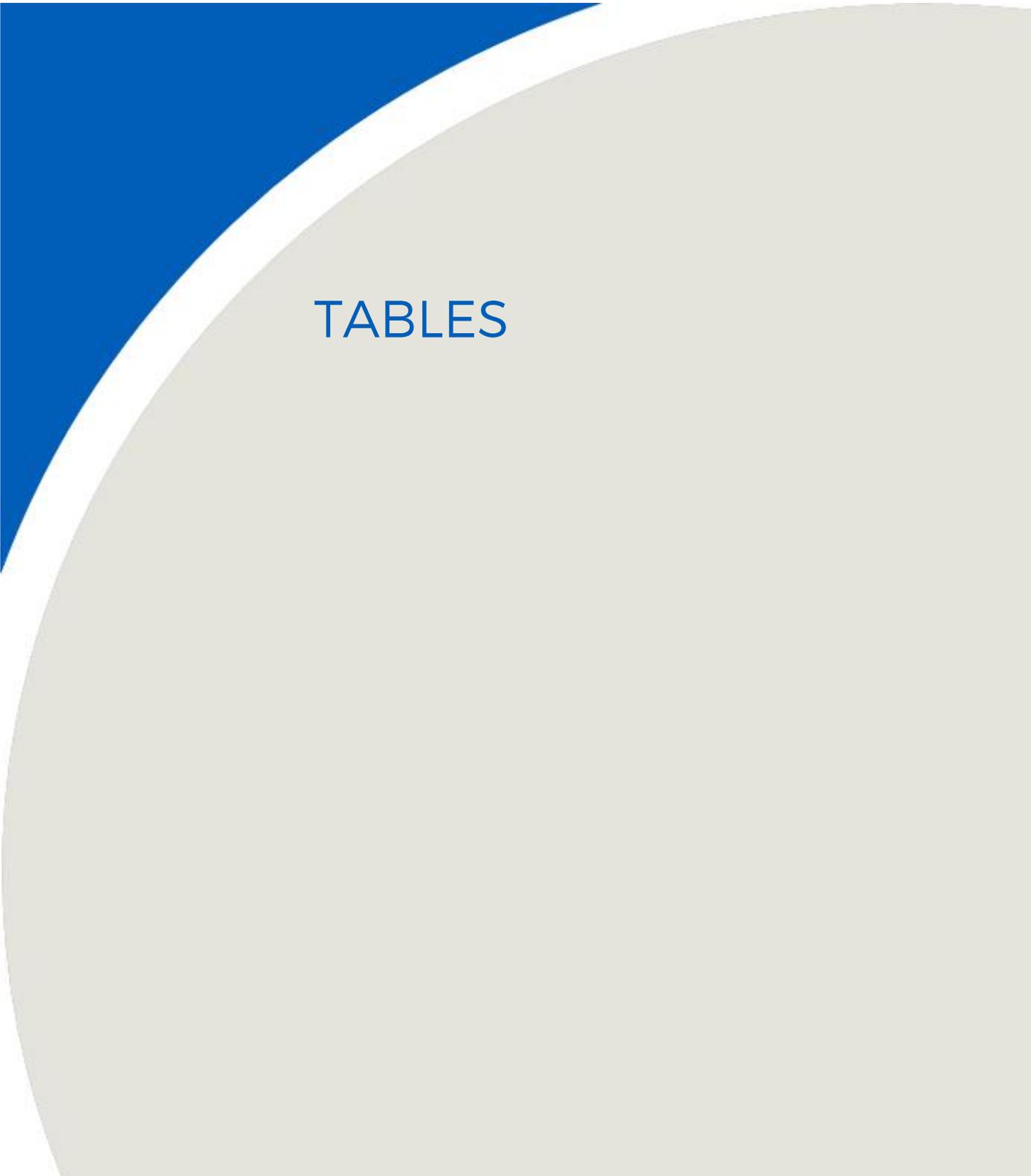
88 Grand Avenue - Oakland, CA



Project #1900348

Drawn by: DBB	Figure: 2E
Approx. Scale: 1"=120'	
Date Revised: Dec. 11, 2018	



A large decorative graphic on the left side of the page. It features a blue triangular shape in the top-left corner, a white curved line separating it from a large, light gray circular area that dominates the lower half of the page. The word 'TABLES' is centered within this gray area.

# TABLES

**Table 1: Pedestrian Wind Hazard and Comfort Conditions**

Location	Configuration	WIND HAZARD				WIND COMFORT			
		Wind Speed Exceeded (mph)	Hours per Year Exceeding	Hours Change	Exceeds	Wind Speed Exceeded (mph)	% of Time Exceeding	Speed Change (mph)	Exceeds
1	Existing	28	0	-		13	18	-	e
	Existing + Project	27	0	0		10	8	-3	
	Trees	26	0	0		10	8	-3	
	Canopy	24	0	0		11	10	-2	
	Project + Cumulative	24	0	0		9	3	-4	
2	Existing	23	0	-		11	10	-	
	Existing + Project	27	0	0		9	5	-2	
	Trees	24	0	0		9	5	-2	
	Canopy	27	0	0		9	4	-2	
	Project + Cumulative	18	0	0		6	1	-5	
3	Existing	22	0	-		9	4	-	
	Existing + Project	26	0	0		9	4	0	
	Trees	26	0	0		9	4	0	
	Canopy	26	0	0		9	5	0	
	Project + Cumulative	24	0	0		11	10	2	
4	Existing	23	0	-		9	3	-	
	Existing + Project	21	0	0		8	1	-1	
	Trees	22	0	0		8	1	-1	
	Canopy	21	0	0		8	1	-1	
	Project + Cumulative	19	0	0		8	2	-1	
5	Existing	24	0	-		9	3	-	
	Existing + Project	25	0	0		9	4	0	
	Trees	26	0	0		9	4	0	
	Canopy	25	0	0		9	4	0	
	Project + Cumulative	18	0	0		8	1	-1	
6	Existing	24	0	-		10	6	-	
	Existing + Project	32	0	0		11	10	1	
	Trees	32	0	0		11	10	1	
	Canopy	32	0	0		11	10	1	
	Project + Cumulative	27	0	0		13	16	3	e
7	Existing	24	0	-		8	2	-	
	Existing + Project	29	0	0		13	15	5	e
	Trees	30	0	0		13	15	5	e
	Canopy	29	0	0		13	16	5	e
	Project + Cumulative	28	0	0		13	19	5	e
8	Existing	22	0	-		10	5	-	
	Existing + Project	26	0	0		10	8	0	
	Trees	27	0	0		10	8	0	
	Canopy	26	0	0		11	10	1	
	Project + Cumulative	15	0	0		7	0	-3	

**Table 1: Pedestrian Wind Hazard and Comfort Conditions**

Location	Configuration	WIND HAZARD				WIND COMFORT			
		Wind Speed Exceeded (mph)	Hours per Year Exceeding	Hours Change	Exceeds	Wind Speed Exceeded (mph)	% of Time Exceeding	Speed Change (mph)	Exceeds
9	Existing	25	0	-		11	10	-	
	Existing + Project	24	0	0		10	8	-1	
	Trees	24	0	0		10	8	-1	
	Canopy	24	0	0		10	8	-1	
	Project + Cumulative	16	0	0		7	1	-4	
10	Existing	14	0	-		7	0	-	
	Existing + Project	18	0	0		7	1	0	
	Trees	18	0	0		7	1	0	
	Canopy	19	0	0		7	1	0	
	Project + Cumulative	18	0	0		8	1	1	
11	Existing	16	0	-		8	1	-	
	Existing + Project	18	0	0		8	1	0	
	Trees	19	0	0		8	1	0	
	Canopy	18	0	0		8	1	0	
	Project + Cumulative	17	0	0		8	1	0	
12	Existing	14	0	-		6	0	-	
	Existing + Project	20	0	0		7	1	1	
	Trees	20	0	0		7	1	1	
	Canopy	20	0	0		7	1	1	
	Project + Cumulative	21	0	0		9	5	3	
13	Existing	19	0	-		8	1	-	
	Existing + Project	22	0	0		8	2	0	
	Trees	22	0	0		8	2	0	
	Canopy	21	0	0		8	2	0	
	Project + Cumulative	26	0	0		11	10	3	
14	Existing	21	0	-		8	1	-	
	Existing + Project	23	0	0		8	2	0	
	Trees	25	0	0		8	2	0	
	Canopy	23	0	0		8	2	0	
	Project + Cumulative	24	0	0		10	5	2	
15	Existing	25	0	-		10	7	-	
	Existing + Project	27	0	0		11	10	1	
	Trees	28	0	0		11	10	1	
	Canopy	27	0	0		11	10	1	
	Project + Cumulative	27	0	0		13	16	3	e
16	Existing	24	0	-		8	2	-	
	Existing + Project	23	0	0		9	3	1	
	Trees	23	0	0		9	3	1	
	Canopy	22	0	0		9	3	1	
	Project + Cumulative	18	0	0		8	1	0	

**Table 1: Pedestrian Wind Hazard and Comfort Conditions**

Location	Configuration	WIND HAZARD				WIND COMFORT			
		Wind Speed Exceeded (mph)	Hours per Year Exceeding	Hours Change	Exceeds	Wind Speed Exceeded (mph)	% of Time Exceeding	Speed Change (mph)	Exceeds
17	Existing	23	0	-		10	7	-	
	Existing + Project	26	0	0		11	10	1	
	Trees	28	0	0		11	10	1	
	Canopy	27	0	0		11	10	1	
	Project + Cumulative	21	0	0		10	5	0	
18	Existing	26	0	-		12	14	-	e
	Existing + Project	32	0	0		11	10	-1	
	Trees	32	0	0		11	10	-1	
	Canopy	32	0	0		11	10	-1	
	Project + Cumulative	16	0	0		7	1	-5	
19	Existing	25	0	-		11	10	-	
	Existing + Project	26	0	0		11	10	0	
	Trees	27	0	0		11	10	0	
	Canopy	26	0	0		11	10	0	
	Project + Cumulative	30	0	0		8	3	-3	
20	Existing	17	0	-		8	2	-	
	Existing + Project	18	0	0		8	2	0	
	Trees	17	0	0		8	2	0	
	Canopy	18	0	0		9	2	1	
	Project + Cumulative	26	0	0		10	6	2	
21	Existing	14	0	-		6	0	-	
	Existing + Project	14	0	0		6	0	0	
	Trees	14	0	0		6	0	0	
	Canopy	14	0	0		7	0	1	
	Project + Cumulative	15	0	0		6	0	0	
22	Existing	17	0	-		8	1	-	
	Existing + Project	18	0	0		8	2	0	
	Trees	18	0	0		8	2	0	
	Canopy	18	0	0		8	2	0	
	Project + Cumulative	19	0	0		8	2	0	
23	Existing	25	0	-		11	10	-	
	Existing + Project	29	0	0		12	13	1	e
	Trees	29	0	0		12	13	1	e
	Canopy	29	0	0		12	13	1	e
	Project + Cumulative	18	0	0		8	2	-3	
24	Existing	25	0	-		11	10	-	
	Existing + Project	30	0	0		13	21	2	e
	Trees	30	0	0		13	21	2	e
	Canopy	30	0	0		13	21	2	e
	Project + Cumulative	23	0	0		11	10	0	

**Table 1: Pedestrian Wind Hazard and Comfort Conditions**

Location	Configuration	WIND HAZARD				WIND COMFORT			
		Wind Speed Exceeded (mph)	Hours per Year Exceeding	Hours Change	Exceeds	Wind Speed Exceeded (mph)	% of Time Exceeding	Speed Change (mph)	Exceeds
25	Existing	21	0	-		8	1	-	
	Existing + Project	28	0	0		12	15	4	e
	Trees	29	0	0		12	15	4	e
	Canopy	28	0	0		12	15	4	e
	Project + Cumulative	20	0	0		9	3	1	
26	Existing	28	0	-		11	10	-	
	Existing + Project	29	0	0		12	17	1	e
	Trees	30	0	0		12	17	1	e
	Canopy	30	0	0		13	18	2	e
	Project + Cumulative	30	0	0		14	21	3	e
27	Existing	32	0	-		13	22	-	e
	Existing + Project	28	0	0		12	13	-1	e
	Trees	29	0	0		12	13	-1	e
	Canopy	27	0	0		12	13	-1	e
	Project + Cumulative	30	0	0		13	17	0	e
28	Existing	30	0	-		14	22	-	e
	Existing + Project	28	0	0		11	10	-3	
	Trees	29	0	0		11	10	-3	
	Canopy	28	0	0		11	10	-3	
	Project + Cumulative	20	0	0		8	2	-6	
29	Existing	27	0	-		11	10	-	
	Existing + Project	26	0	0		11	10	0	
	Trees	27	0	0		11	10	0	
	Canopy	26	0	0		11	10	0	
	Project + Cumulative	29	0	0		13	16	2	e
30	Existing	16	0	-		8	1	-	
	Existing + Project	17	0	0		8	1	0	
	Trees	17	0	0		8	1	0	
	Canopy	17	0	0		8	1	0	
	Project + Cumulative	18	0	0		6	1	-2	
31	Existing	21	0	-		10	6	-	
	Existing + Project	22	0	0		10	7	0	
	Trees	22	0	0		10	7	0	
	Canopy	22	0	0		10	7	0	
	Project + Cumulative	31	0	0		14	23	4	e
32	Existing	30	0	-		12	15	-	e
	Existing + Project	26	0	0		10	6	-2	
	Trees	28	0	0		10	6	-2	
	Canopy	26	0	0		10	8	-2	
	Project + Cumulative	26	0	0		11	10	-1	

**Table 1: Pedestrian Wind Hazard and Comfort Conditions**

Location	Configuration	WIND HAZARD				WIND COMFORT			
		Wind Speed Exceeded (mph)	Hours per Year Exceeding	Hours Change	Exceeds	Wind Speed Exceeded (mph)	% of Time Exceeding	Speed Change (mph)	Exceeds
33	Existing	30	0	-		14	27	-	e
	Existing + Project	24	0	0		12	12	-2	e
	Trees	24	0	0		12	12	-2	e
	Canopy	26	0	0		12	15	-2	e
	Project + Cumulative	28	0	0		13	19	-1	e
34	Existing	27	0	-		13	21	-	e
	Existing + Project	23	0	0		11	10	-2	
	Trees	24	0	0		11	10	-2	
	Canopy	24	0	0		11	10	-2	
	Project + Cumulative	25	0	0		11	10	-2	
35	Existing	21	0	-		10	6	-	
	Existing + Project	19	0	0		8	2	-2	
	Trees	19	0	0		8	2	-2	
	Canopy	20	0	0		9	3	-1	
	Project + Cumulative	18	0	0		7	1	-3	
36	Existing	24	0	-		11	10	-	
	Existing + Project	21	0	0		9	4	-2	
	Trees	21	0	0		9	4	-2	
	Canopy	22	0	0		10	5	-1	
	Project + Cumulative	21	0	0		9	3	-2	
37	Existing	33	0	-		13	22	-	e
	Existing + Project	28	0	0		13	18	0	e
	Trees	30	0	0		13	18	0	e
	Canopy	27	0	0		12	15	-1	e
	Project + Cumulative	25	0	0		11	10	-2	
38	Existing	21	0	-		7	1	-	
	Existing + Project	25	0	0		10	7	3	
	Trees	25	0	0		10	7	3	
	Canopy	25	0	0		10	7	3	
	Project + Cumulative	24	0	0		11	10	4	
39	Existing	31	0	-		15	25	-	e
	Existing + Project	33	0	0		14	23	-1	e
	Trees	33	0	0		14	23	-1	e
	Canopy	33	0	0		14	24	-1	e
	Project + Cumulative	22	0	0		9	3	-6	
40	Existing	19	0	-		9	2	-	
	Existing + Project	20	0	0		9	4	0	
	Trees	20	0	0		9	4	0	
	Canopy	20	0	0		9	5	0	
	Project + Cumulative	17	0	0		8	1	-1	

**Table 1: Pedestrian Wind Hazard and Comfort Conditions**

Location	Configuration	WIND HAZARD				WIND COMFORT			
		Wind Speed Exceeded (mph)	Hours per Year Exceeding	Hours Change	Exceeds	Wind Speed Exceeded (mph)	% of Time Exceeding	Speed Change (mph)	Exceeds
41	Existing	17	0	-		7	1	-	
	Existing + Project	18	0	0		6	1	-1	
	Trees	18	0	0		6	1	-1	
	Canopy	17	0	0		7	1	0	
	Project + Cumulative	15	0	0		6	0	-1	
42	Existing	23	0	-		9	3	-	
	Existing + Project	24	0	0		10	6	1	
	Trees	26	0	0		10	6	1	
	Canopy	21	0	0		9	4	0	
	Project + Cumulative	20	0	0		10	4	1	
43	Existing	24	0	-		9	3	-	
	Existing + Project	28	0	0		9	5	0	
	Trees	28	0	0		9	5	0	
	Canopy	28	0	0		10	5	1	
	Project + Cumulative	22	0	0		10	7	1	
44	Existing	24	0	-		11	10	-	
	Existing + Project	25	0	0		12	13	1	e
	Trees	25	0	0		12	13	1	e
	Canopy	25	0	0		12	13	1	e
	Project + Cumulative	25	0	0		12	14	1	e
45	Existing	18	0	-		7	1	-	
	Existing + Project	25	0	0		8	1	1	
	Trees	28	0	0		8	1	1	
	Canopy	25	0	0		8	1	1	
	Project + Cumulative	17	0	0		8	1	1	
46	Existing	24	0	-		8	2	-	
	Existing + Project	23	0	0		8	2	0	
	Trees	24	0	0		8	2	0	
	Canopy	23	0	0		8	2	0	
	Project + Cumulative	17	0	0		7	1	-1	
47	Existing	31	0	-		10	7	-	
	Existing + Project	29	0	0		11	10	1	
	Trees	31	0	0		11	10	1	
	Canopy	30	0	0		11	10	1	
	Project + Cumulative	28	0	0		10	6	0	
48	Existing	28	0	-		9	4	-	
	Existing + Project	31	0	0		11	10	2	
	Trees	32	0	0		11	10	2	
	Canopy	31	0	0		11	10	2	
	Project + Cumulative	28	0	0		12	12	3	e

**Table 1: Pedestrian Wind Hazard and Comfort Conditions**

Location	Configuration	WIND HAZARD				WIND COMFORT			
		Wind Speed Exceeded (mph)	Hours per Year Exceeding	Hours Change	Exceeds	Wind Speed Exceeded (mph)	% of Time Exceeding	Speed Change (mph)	Exceeds
49	Existing	19	0	-		8	1	-	
	Existing + Project	27	0	0		10	5	2	
	Trees	27	0	0		10	5	2	
	Canopy	27	0	0		10	5	2	
	Project + Cumulative	23	0	0		10	7	2	
50	Existing	23	0	-		9	3	-	
	Existing + Project	23	0	0		8	2	-1	
	Trees	25	0	0		8	2	-1	
	Canopy	24	0	0		8	2	-1	
	Project + Cumulative	23	0	0		10	7	1	
51	Existing	16	0	-		6	0	-	
	Existing + Project	19	0	0		7	1	1	
	Trees	21	0	0		7	1	1	
	Canopy	20	0	0		7	1	1	
	Project + Cumulative	22	0	0		7	1	1	
52	Existing	23	0	-		7	2	-	
	Existing + Project	24	0	0		7	2	0	
	Trees	23	0	0		7	2	0	
	Canopy	23	0	0		8	2	1	
	Project + Cumulative	24	0	0		10	7	3	
53	Existing	18	0	-		7	1	-	
	Existing + Project	18	0	0		7	1	0	
	Trees	18	0	0		7	1	0	
	Canopy	18	0	0		7	1	0	
	Project + Cumulative	24	0	0		7	2	0	
54	Existing	23	0	-		11	10	-	
	Existing + Project	23	0	0		11	10	0	
	Trees	22	0	0		11	10	0	
	Canopy	23	0	0		11	10	0	
	Project + Cumulative	24	0	0		11	10	0	
55	Existing	25	0	-		12	14	-	e
	Existing + Project	24	0	0		11	10	-1	
	Trees	23	0	0		11	10	-1	
	Canopy	24	0	0		11	10	-1	
	Project + Cumulative	24	0	0		11	10	-1	
56	Existing	25	0	-		12	13	-	e
	Existing + Project	25	0	0		11	10	-1	
	Trees	24	0	0		11	10	-1	
	Canopy	25	0	0		11	10	-1	
	Project + Cumulative	28	0	0		13	18	1	e

**Table 1: Pedestrian Wind Hazard and Comfort Conditions**

Location	Configuration	WIND HAZARD				WIND COMFORT			
		Wind Speed Exceeded (mph)	Hours per Year Exceeding	Hours Change	Exceeds	Wind Speed Exceeded (mph)	% of Time Exceeding	Speed Change (mph)	Exceeds
57	Existing	23	0	-		7	1	-	
	Existing + Project	22	0	0		7	1	0	
	Trees	22	0	0		7	1	0	
	Canopy	22	0	0		7	1	0	
	Project + Cumulative	26	0	0		9	5	2	
58	Existing	23	0	-		8	2	-	
	Existing + Project	25	0	0		8	2	0	
	Trees	24	0	0		8	2	0	
	Canopy	24	0	0		8	2	0	
	Project + Cumulative	30	0	0		11	10	3	
59	Existing	29	0	-		9	3	-	
	Existing + Project	31	0	0		9	3	0	
	Trees	29	0	0		9	3	0	
	Canopy	31	0	0		9	3	0	
	Project + Cumulative	26	0	0		9	4	0	
60	Existing	19	0	-		7	1	-	
	Existing + Project	18	0	0		7	1	0	
	Trees	19	0	0		7	1	0	
	Canopy	18	0	0		7	1	0	
	Project + Cumulative	27	0	0		8	4	1	
61	Existing	23	0	-		10	6	-	
	Existing + Project	28	0	0		10	7	0	
	Trees	29	0	0		10	7	0	
	Canopy	28	0	0		10	6	0	
	Project + Cumulative	27	0	0		11	10	1	
62	Existing	17	0	-		8	1	-	
	Existing + Project	19	0	0		7	1	-1	
	Trees	20	0	0		7	1	-1	
	Canopy	20	0	0		7	1	-1	
	Project + Cumulative	27	0	0		11	10	3	
63	Existing	16	0	-		8	1	-	
	Existing + Project	18	0	0		8	2	0	
	Trees	18	0	0		8	2	0	
	Canopy	17	0	0		8	2	0	
	Project + Cumulative	18	0	0		8	1	0	
64	Existing	21	0	-		9	4	-	
	Existing + Project	20	0	0		9	3	0	
	Trees	21	0	0		9	3	0	
	Canopy	20	0	0		9	4	0	
	Project + Cumulative	25	0	0		11	10	2	

**Table 1: Pedestrian Wind Hazard and Comfort Conditions**

Location	Configuration	WIND HAZARD				WIND COMFORT			
		Wind Speed Exceeded (mph)	Hours per Year Exceeding	Hours Change	Exceeds	Wind Speed Exceeded (mph)	% of Time Exceeding	Speed Change (mph)	Exceeds
65	Existing	17	0	-		4	0	-	
	Existing + Project	16	0	0		4	0	0	
	Trees	14	0	0		4	0	0	
	Canopy	15	0	0		4	0	0	
	Project + Cumulative	15	0	0		5	0	1	
66	Existing	18	0	-		6	0	-	
	Existing + Project	17	0	0		5	0	-1	
	Trees	16	0	0		5	0	-1	
	Canopy	17	0	0		6	0	0	
	Project + Cumulative	16	0	0		7	1	1	
67	Existing	18	0	-		8	2	-	
	Existing + Project	17	0	0		8	2	0	
	Trees	18	0	0		8	2	0	
	Canopy	17	0	0		8	2	0	
	Project + Cumulative	21	0	0		9	3	1	
68	Existing	15	0	-		7	0	-	
	Existing + Project	15	0	0		7	0	0	
	Trees	15	0	0		7	0	0	
	Canopy	15	0	0		7	0	0	
	Project + Cumulative	18	0	0		7	1	0	

SUMMARY	Configurations	WIND HAZARD				WIND COMFORT			
		Average (mph)	Total Hours	Hours Change	Total	Average (mph)	Average (%)	Speed Change (mph)	Total
	Existing	23 mph	0 Hrs	-	0 / 68	9 mph	6%	-	11 / 68
	Existing + Project	24 mph	0 Hrs	0	0 / 68	9 mph	6%	0	10 / 68
	Trees	24 mph	0 Hrs	0	0 / 68	9 mph	6%	0	10 / 68
	Canopy	24 mph	0 Hrs	0	0 / 68	9 mph	6%	0	10 / 68
	Project + Cumulative	23 mph	0 Hrs	0	0 / 68	9 mph	6%	0	11 / 68

**Notes:**

- 1) Wind Hazard = Wind speeds exceeding 36 mph for ≥ 1 hour/year
- 2) Wind Comfort = Wind speeds exceeding 11 mph for ≥ 10% of the time