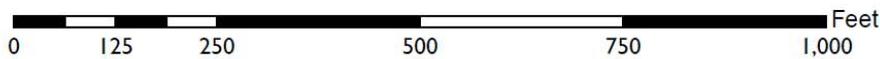


<b>Location:</b>	<b>301 12<sup>th</sup> Street (full block) and 285 12<sup>th</sup> Street (quarter block)</b> <i>See map on reverse.</i>
<b>Assessor's Parcel Numbers:</b>	002 -0063-006-00 and 002 -0069-003-01
<b>Proposal:</b>	Construct two 7-story mixed use developments. Building 1 would be located within one full block at 301 12 <sup>th</sup> Street and contain 339 units with approximately 24,600 square feet of ground floor commercial, replacing an existing warehouse building. Building 2 would be located within one quarter of a block at 285 12 <sup>th</sup> Street and contain 77 units with approximately 1,600 square feet of ground floor commercial on an existing undeveloped lot.
<b>Applicant:</b>	W12, LLC – Steven Kay, esq. and David Martin
<b>Contact Person/Phone Number:</b>	Justin Osler (415) 429- 6044
<b>Owners:</b>	Richard S. Cochran and Susan L. Cochran Family Trust, et al.
<b>Planning Permits Required</b>	Regular Design Review for new construction; Major Conditional Use Permit for a development with more than 100,000 square feet of floor area in a D-LM zone, Minor Conditional Use Permit to allow a building base height of up to 85 feet; Tentative Parcel Map for new condominiums
<b>Case File Number:</b>	PLN16133
<b>General Plan:</b>	Central Business District /Lake Merritt Station Area Plan
<b>Zoning:</b>	D-LM-4 Zone, LM-175 Height, Intensity and Bulk Area, Webster and Harrison Streets are designated as Transitional Commercial Corridors
<b>Environmental Determination:</b>	A detailed CEQA Analysis was prepared for this project which concluded that the proposed project satisfies each of the following CEQA provisions: 15183 - Projects consistent with a community plan, general plan, or zoning; 15183.3 – Streamlining for in-fill projects; and/or 15164 – Addendum to the 2014 certified Lake Merritt Station Area Plan EIR; Each of which provides a separate and independent basis for CEQA compliance. The CEQA Analysis document may be reviewed at the Bureau of Planning at 250 Frank Ogawa Plaza, 2 <sup>nd</sup> Floor or online at <a href="http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157">http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157</a>
<b>Historic Status:</b>	No historic properties.
<b>Service Delivery District:</b>	Metro
<b>City Council District:</b>	2
<b>Action to be Taken:</b>	Decision on application based on Staff Report
<b>Finality of Decision:</b>	Appealable to City Council
<b>For Further Information:</b>	Contact case planner <b>Christina Ferracane</b> at <b>510-238-3903</b> or <a href="mailto:cferracane@oaklandnet.com">cferracane@oaklandnet.com</a>

# CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN16133  
Applicant: W12, LLC  
Address: 301 12th Street and 285 12th Street  
Zone: D-LM-4  
Height Area: LM-175 / with CUP: LM-275 (3 buildings)

## SUMMARY

The Planning Department has received an application to construct two seven-story mixed use buildings (see *Attachment A* for Project Plans). Building 1 would be located on a full block at 301 12<sup>th</sup> Street and contain 339 residential units with approximately 24,600 square feet of ground floor commercial space. Building 2 would be located on one quarter of a block at 285 12<sup>th</sup> Street (across the street from Building 1) and contain 77 residential units with approximately 1,600 square feet of ground floor commercial space. On June 22, 2016, the proposal appeared before the Design Review Committee, and was forwarded to the full Planning Commission. Staff recommends approval of the project, subject to the attached findings and conditions of approval (see *Attachments B and C*, respectively).

## PROJECT SITE AND SURROUNDINGS

As shown in *Attachment A*, the project would be located on two sites. Site 1, located at 301 12<sup>th</sup> Street, is a 60,000 square foot warehouse building, utilized as public parking and a charter school. Site 2, located at 285 12<sup>th</sup> Street (across Harrison Street from Site 1), is a 15,000 square foot undeveloped piece of land, utilized as recreation space for the charter school. The project is not in an historic district, but the King Block, designated by the Oakland Cultural Heritage Survey as an historic district of Primary Importance is across 12<sup>th</sup> Street from Site 1. The sites are located 2 blocks from the 12<sup>th</sup> Street BART Station and 6 blocks from the Lake Merritt BART Station. Bus Rapid Transit (BRT) lines, expected to be operational in early 2018, will run along 11<sup>th</sup> and 12<sup>th</sup> Streets, with stops across the street from Site 1. The project is two blocks away from the center of Chinatown's cultural and commercial heart at 9<sup>th</sup> and Webster Streets. Lincoln Recreation Center is located catty-corner from Site 1, across the intersection of 11<sup>th</sup> and Harrison Streets.

## PROJECT DESCRIPTION

The two seven-story buildings include one level of underground parking; a double-height ground level of parking wrapped by ground floor commercial space, residential lobby/ amenity space, utilities and parking/loading entrances; and upper levels with residential units and residential open space in the form of balconies, rooftop open space, amenity rooms, and a courtyard on the podium level (level 3).

Building 1 includes ground floor commercial spaces along each of its frontages, varying in size from 3,100 to 8,000 square feet. The 12<sup>th</sup> Street and Webster Street facades have the most significant amount of commercial presence, in response to the existing levels of commercial on those corridors in adjacent blocks and/or across the street. Building 2 includes 1,600 square feet of commercial space at the corner of 12<sup>th</sup> and Harrison Streets.

The main lobby for Building 1 is located on the corner of 11<sup>th</sup> and Webster Streets, while the lobby for Building 2 is located on Harrison Street. For Building 1, the parking entrance is located on 11<sup>th</sup> Street and loading is off of Harrison Street and 12<sup>th</sup> Street. For Building 2, loading and parking entrance are located on 12<sup>th</sup> Street.

## GENERAL PLAN ANALYSIS

The subject properties are located within the Central Business District (CBD) General Plan Land Use Classification. The intent of this classification is to encourage, support, and enhance Downtown 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 CBD classification includes a mix of large-scale offices, commercial, urban high-rise residential, institutional, open space, cultural, educational, arts, entertainment, service, community facilities and visitor uses.

Among the General Plan Land Use and Transportation policies applicable to the proposed Project are the following (summarized here):

Policy D3.1 Promoting Pedestrians – Pedestrian friendly commercial areas should be promoted.

Policy D6.1 Developing Vacant Lots – Construction on vacant lands should be encouraged.

Policy D10.1 Encouraging Housing – Housing in the Downtown should be encouraged.

Policy D10.5 Designing Housing – Housing in the Downtown should be safe and attractive, of high quality design, and respect the Downtown's distinct neighborhoods and its history.

Policy D10.6 Infill Housing – Infill housing that respect surrounding development and the streetscape should be encouraged in the Downtown to strengthen or create distinct districts.

Policy D11.1 Promoting Mixed-Use Developments – Mixed use development should be encouraged in the Downtown.

Construction of the proposed mid-rise, mixed-use buildings is consistent with these policies and the intent of the General Plan.

Furthermore, the subject properties are located within the boundaries of the Lake Merritt Station Area Plan (LMSAP). The LMSAP provides the framework for future growth and development in the area surrounding the Lake Merritt BART Station. Among the LMSAP goals and policies applicable to the proposed Project are the following:

Goal 1: Create an active, vibrant and safe district.

Goal 3: Encourage equitable, sustainable and healthy development.

Goal 4: Encourage non-automobile transportation.

Goal 5: Increase and diversify housing.

Goal 6: Encourage job creation and access.

Goal 7: Provide services and retail options.

LMSAP Policy LU-2 - High intensity development potential. Support transit-oriented development and accommodate regional growth projections by promoting high intensity and high density development in the Planning Area.

LMSAP Policy LU-4 - Active ground floor uses. Encourage active uses in new buildings on key streets in neighborhood hubs in order to transform key streets into activated pedestrian connections over time and expand the vibrancy and activity that already exists in some areas, as shown in Figure 4.2.

LMSAP Policy LU-13 - Complementary uses. Complement existing government and institutional uses - including the Oakland Museum of California, Kaiser Auditorium, County Courthouse, Main Public Library - with new residential uses and by promoting active ground floor commercial uses in new development.

The Project, new, mixed use development with high density housing and an active commercial ground floor in close proximity to BART Stations, is consistent with these goals and policies.

## ZONING ANALYSIS

The project site is located in the Lake Merritt Station Area Mixed Commercial Zone (D-LM-4) and the LM-175 Height, Bulk, and Intensity Area. Webster Street and Harrison Street are designated as Transitional Commercial Corridors. The intent of the D-LM-4 Zone is to designate areas of the Lake Merritt Station Area Plan District appropriate for a wide range of Residential, Commercial, and compatible Light Industrial Activities. The LM-175 Height, Bulk and Intensity Area is meant to allow for high-density, transit-oriented development. The intent of the Transition Commercial Corridor is to extend already established commercial corridors when new buildings are constructed by inclusion of ground floor commercial spaces.

The project meets the development standards required within the D-LM-4, LM-175 and Transition Commercial Corridor designations. Key standards are summarized in the table below:

<b>Development Standard</b>	<b>Zoning Requirement</b>	<b>Proposed Project</b>
Density (Max. Units)	681	<b>416</b>
Total Height (Max. Feet)	175	<b>84</b>
Base Height (Max. Feet)	45 to 85 (with CUP)	<b>84</b>
Open Space (Min. Square Feet)	31,200	<b>50,500</b>
Auto Parking (Min.)	312	<b>317</b>
Bicycle Parking (Min. Short-term)	26	<b>26</b>
Bicycle Parking (Min. Long-term)	107	<b>288</b>
Loading (Min.)	4	<b>4</b>
Ground Floor Transparency (Min. for Main Commercial Frontage)	55%	<b>55%, 65%, 70%</b>

It's worth noting that the project is considerably below the maximum density allowed for the site, and also significantly exceeds the minimum amount of open space for residents, the amount of long-term (resident and employee) bicycle parking and the amount of ground floor transparency and height, while meeting all other development standards.

The project requires four planning permits, including Regular Design Review for new construction, a Major Conditional Use Permit (CUP) for new buildings containing a floor area over 100,000 square feet in a D-LM zone, a minor CUP for increasing the base height to 85 feet and a Tentative Parcel Map for creating condominium units.

In addition to the required development standards, the project must meet the general criteria for Conditional Use Permit and Design Review; the Lake Merritt Station Area Plan Conditional Use Permit criteria; and the Tentative Map criteria. These findings, listed in *Attachment B*, need to be made prior to a final decision by the Planning Commission.

#### Conditional Use Permit for 85-foot Base Height

As noted in the table above, the zoning standards allow for a 45 foot base height, or an 85 foot base height with the granting of a Conditional Use Permit. Staff believes that the project meets the criteria for granting a Conditional Use Permit, including the additional findings for the Lake Merritt Station Area Plan. The area surrounding the project includes numerous other buildings that rise to similar heights with bases that are over 85 feet in height or have no bases, including the EBMUD building at 383 11<sup>th</sup> Street, Hotel Travelers at 392 11<sup>th</sup> Street and the University of California building at 1111 Jackson Street.

#### **DESIGN REVIEW**

Staff feels that the proposed project is a well-designed pair of mid-rise buildings that fit well into the existing context. The proposed design is consistent with the Lake Merritt Station Area Plan Design Guidelines by creating a mixed use development that establishes a strong pedestrian oriented commercial ground floor and lobby with well-designed upper residential stories.

As noted in the Summary, this item appeared before the Design Review Committee on June 22, 2016. Based on the feedback received at the meeting from the Commission and public speakers, the applicant has modified the project in the following ways:

- Simplified the façade of Building 1 by aligning and connecting bay windows and removing rounded corners (they were previously offset and popped out individually).
- Further simplified the facades in both buildings by reducing the variety in balcony materials, and aligning their placement.
- Adjusted the thickness of the white painted aluminum frames that define each of the corners of Building 1 to soften the look.
- Removed corner language and bay windows from Building 2 to make the design distinct, yet complementary, from Building 1, and further differentiated the buildings via different placement of color.
- Incorporated streetscape elements to match those in the heart of Chinatown (such as the same style of street lights, wayfinding signage and colored sidewalk paving).
- Added maroon red color to signal the building's function as an extension of the Chinatown commercial district.

Staff believes these refinements further enhance the design of the project and allow it to further contribute to the cultural and architectural aesthetics of the surrounding neighborhood.

## KEY ISSUES

Overall, staff feels like the proposed design is of a high quality, the buildings are well related to the surrounding neighborhood character, and the proposal conforms to the Lake Merritt Station Area Plan and Design Guidelines. Staff acknowledges that the applicant has worked to refine the project, in response to comments from City staff, Planning Commissioners and other stakeholders.

The applicants for the project have been engaged with community stakeholders starting as early as fall 2015, when City staff joined members of the Chinatown Coalition for a small meeting at Lincoln Recreation Center, long before a formal application was submitted to the City in May 2016. Since that time, community stakeholders and the applicant have involved staff in numerous correspondence and additional community meetings to discuss the project. While the project is welcomed by some community stakeholders, others have outstanding concerns, mostly regarding aspects of the project that are outside the purview of the Planning Commission, such as community benefit agreements and agreements with existing tenants. See *Attachment D* for written public comments received by the Bureau of Planning.

### Existing Tenants

Oakland Charter Middle School and High School are current tenants at Site 1 (full block). At the June DRC meeting, Commissioners heard from parents, teachers and students about concerns regarding the timing of their eventual relocation. Public speakers did not want a move to happen in the middle of a school, because of the disruption this would cause. While the leasing agreements between the property owner and the existing tenants are private agreements outside of the Planning Commission's authority, it is staff's understanding that the applicant, the current property owner, and the school's administration are continuing to work on a solution that meets everyone's goals.

### Community Benefits

Community stakeholders are concerned about existing citywide and neighborhood issues, including the great need for affordable housing, affordable retail spaces, living wages, support of small businesses, and preservation of the cultural and recreational resources in Chinatown.

Community based organizations and individual stakeholders have requested that the applicant sign a Community Benefits Agreement in order to provide additional community benefits beyond those already being provided as part of the project. However, Community Benefit Agreements are private agreements between developers and community members and outside of both the purview of the City of Oakland Planning Commission and City Staff to enforce.

In order to address citywide concerns related to issues brought up by community stakeholders, the City prepared a Nexus Study and adopted Impact Fees to help pay for affordable housing, transportation improvements and capital improvement projects. The applicant will be subject to these recently adopted Impact Fees and is expected to pay approximately \$2.29 million towards affordable housing, \$312,000 towards capital projects and \$321,000 towards transportation projects, in addition to approximately \$500,000 (one percent of expected construction costs) in

art fees and additional school fees.

Furthermore, the applicant and City staff believes the project itself will benefit the neighborhood and Oakland as a whole by meeting demand for new residential units and by providing new services in the form of ground floor retail. The project will help support existing retail and improve safety from crime by increasing eyes on the street, since it will generate new foot traffic from the residents and the new retail spaces. The project's implementation of public right of way improvements, described earlier in this report, including new pedestrian-oriented lighting and wayfinding signage, will also directly benefit new and existing residents.

#### Tree Removal: Heron Rookeries Relocation

The sidewalk along the quarter block site is currently planted with four very large little-leaf fig street trees that provide nesting habitat (or a rookery) for Black-crowned Night Herons and Snowy Egrets, collectively referred to as "herons". These rookeries provide perennial nesting habitat for the birds and nesting colonies of herons. The Migratory Bird Treaty Act, as well as California Fish and Game Code, afford protection to these nesting native bird species.

Construction of the new building would result in significant root and canopy loss of these street trees, which is anticipated to greatly compromise their health. Therefore, the project is proposing removal of the existing street trees (and replacing them with new street trees). However, the presence of the heron rookery raised issues with regard to the tree removal and the potential impact on the nesting habitat.

The CEQA Analysis prepared for the project identified that the City's Standard Condition of Approval would address any potential harm to the herons by limiting any tree removal to periods outside of the nesting season. Therefore, the impact under CEQA would be less than significant. However, in order to implement the Condition of Approval, the City's environmental consultant biologist, in conjunction with Golden Gate Audubon Society and City staff, prepared a Project-Specific Condition of Approval that requires the applicant to obtain a biologist to put together a plan to provide new habitat for the herons that would encourage them to relocate to a less disturbed urban setting (e.g. Lake Merritt). This Condition would be implemented in conjunction with the proposed development project at 226 13th Street, which also includes little-leaf fig street trees with active rookeries.

## **ENVIRONMENTAL DETERMINATION**

The LMSAP Environmental Impact Report analyzed the environmental impacts of adoption and implementation of the LMSAP and, where the level of detail available was sufficient to adequately analyze the potential environmental effects, provided a project-level CEQA review for reasonably foreseeable development. This project-level analysis allows the use of CEQA streamlining and/or tiering provisions for projects developed under the LMSAP.

Applicable CEQA streamlining and/or tiering code sections are described below, each of which, separately and independently, provide a basis for CEQA compliance.

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

The proposed project would be required to comply with the applicable mitigation measures and City of Oakland Standard Conditions of Approval (SCAs) identified in the 2014 LMSAP EIR and presented in *Attachment B* to this document. With implementation of the applicable mitigation measures and SCAs, the proposed project would not result in a substantial increase in the severity of previously identified significant impacts in the 2014 LMSAP EIR, the applicable Prior EIRs, or in any new significant impacts that were not previously identified in any of those Previous CEQA Documents.

## CONCLUSION

Staff believes that the proposed project is well-designed and helps to implement the vision of the Lake Merritt Station Area Plan by bringing transit-oriented residential development with active ground floor uses.

**RECOMMENDATIONS**

1. Affirm staff's environmental determination and adopt the attached CEQA findings and Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCAMMRP).
2. Approve the Major Conditional Use, Design Review and Vesting Tentative Parcel Map subject to the attached findings and conditions (including the Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCAMMRP)) contained in this Staff Report.

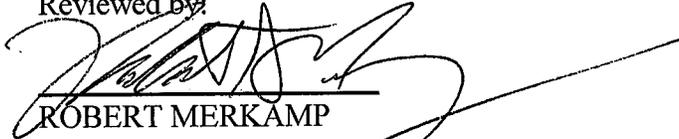
Prepared by:



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CHRISTINA FERRACANE  
Planner III, Strategic Planning  
Bureau of Planning

Reviewed by:



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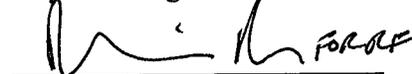
ROBERT MERKAMP  
Development Planning Manager  
Bureau of Planning



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DARIN RANELETTI  
Deputy Director  
Bureau of Planning

Approved for forwarding to the  
City Planning Commission:



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RACHEL FLYNN  
Director  
Planning and Building Department

**ATTACHMENTS:**

- A. Proposed Project Plans (dated July 21, 2016)
- B. Findings for Approval
- C. Conditions of Approval and SCAMMRP
- D. Public Comment

# W12

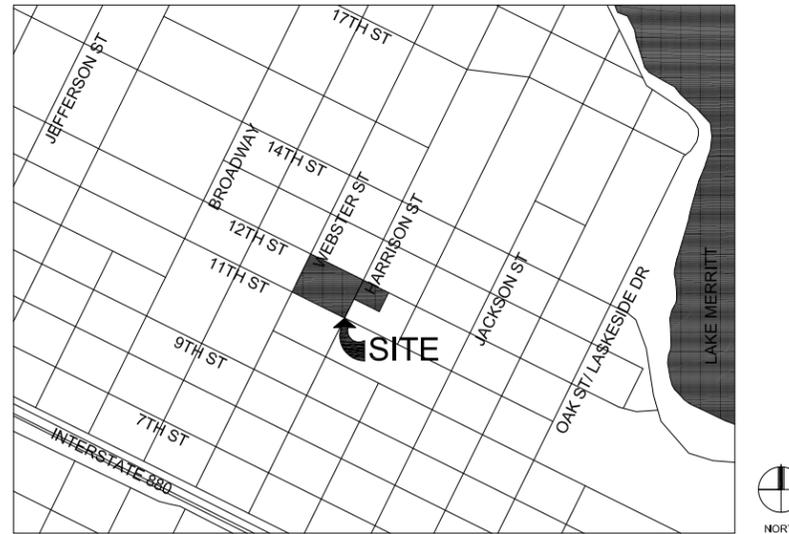
WEBSTER & 12TH  
OAKLAND, CA

**SITE PLAN & DESIGN REVIEW PACKAGE**  
VTBS ARCHITECTS - 07/21/2016  
PREPARED FOR THE MARTIN GROUP



# W12

WEBSTER & 12TH  
OAKLAND, CA



VICINITY MAP

SITE PLAN & DESIGN REVIEW PACKAGE  
VTBS ARCHITECTS - 07/21/2016  
PREPARED FOR THE MARTIN GROUP

## Attachment A - Project Plans

SHEET INDEX

C-SERIES

CIVIL: BFK ENGINEERS

CONTACT: Ryan Bernal / rbernal@bfk.com

C-01 EXISTING CONDITIONS PLAN

C-02 CONCEPTUAL GRADING PLAN

C-03 CONCEPTUAL STORMWATER MANAGEMENT PLAN

C-04 CONCEPTUAL UTILITY PLAN

A-SERIES

ARCHITECTURE: VTBS

CONTACT: Gustaf Soderbergh / gsoderbergh@vtbs.com

Donovan Ballantyne / dballantyne@vtbs.com

A-00A DATA SHEET

A-01 OVERALL SITE PLAN

A-02 EXISTING SITE PLAN

A-03 EXISTING SITE PHOTOS

A-04 RENDERING (12TH & HARRISON)

A-05 LVL 1 FLOOR PLAN (PARKING/ RETAIL)

A-06 LVL 1 CIRCULATION DIAGRAM

A-07 BASEMENT LEVEL FLOOR PLAN (PARKING)

A-08 LVL 2 FLOOR PLAN (PARKING)

A-09 LVL 3 FLOOR PLAN (RESIDENTIAL/ PODIUM LVL)

A-10 LVL 4-8 FLOOR PLAN (RESIDENTIAL)

A-11 ROOF PLAN

A-12 OPEN SPACE DIAGRAM

A-13 UNIT A1 & A2 FLOOR PLANS

A-14 UNIT B1, C1 & C2 FLOOR PLANS

A-15 UNIT B2, C3 & D1 FLOOR PLANS

A-16 BUILDING SECTIONS A&B

A-17 ELEVATIONS 01& 02

A-18 ELEVATIONS 03,04,05& 06

A-19 RENDERING (11TH & WEBSTER)

A-20 RENDERING (12TH & WEBSTER)

A-21 RENDERING (11TH & HARRISON)

A-22 RENDERING (12TH & HARRISON)

A-23 REFERENCE IMAGES

A-24 PODIUM BASE MATERIAL CALL OUTS

A-25 UPPER LEVEL MATERIAL CALL OUTS

A-26 WINDOW & BALCONY TYPOLOGY

A-27 WINDOW & BALCONY MATERIAL CALL OUTS

A-28 WINDOW & BALCONY MATERIAL CALL OUTS

A-29 SHADOW STUDY

L-SERIES

LANDSCAPE: GUZZARDO PARTNERSHIP

CONTACT: Paul Lettieri / plettieri@TGP-INC.com

L-1.1 CONCEPTUAL LANDSCAPE PLAN - STREET LEVEL

L-2.1 CONCEPTUAL LANDSCAPE PLAN - PODIUM LEVEL

L-2.2 CONCEPTUAL LANDSCAPE ENLARGEMENT PLAN - COURTYARD A

L-2.3 CONCEPTUAL LANDSCAPE ENLARGEMENT PLAN - COURTYARD B

L-3.1 CONCEPTUAL LANDSCAPE PLAN - ROOF LEVEL

L-3.2 CONCEPTUAL LANDSCAPE ENLARGEMENT PLAN - ROOF A & B

L-3.3 CONCEPTUAL LANDSCAPE ENLARGEMENT PLAN - ROOF C

City of Oakland Planning Commission  
**SITE AREA**

**FULL BLOCK:**  
 SITE AREA: 1.38 ACRES: 60,000 SF  
 BUILDING FOOTPRINT 60,000 SF  
 LOT COVERAGE: 100%

**¼ BLOCK:**  
 SITE AREA: .34 ACRES: 15,000 SF  
 BUILDING FOOTPRINT 15,000 SF  
 LOT COVERAGE: 100%

**TOTAL OPEN SPACE:**  
 REQUIRED: 75 SF/ UNIT 31,650 SF

BALCONIES: 362 x 50SF 18,100 SF  
 COURTYARD LVL 3 14,900 SF  
 ROOF TERRACE LVL 8 11,120 SF  
 COMMUNITY ROOMS LVL 1-2 ≥ 3,000SF  
 COMMUNITY ROOMS LVL 3 3,440 SF  
 PROVIDED: ≥ 50,560 SF

**PROJECT AREA TABULATION**

**FULL BLOCK:**  
 COMMERCIAL SF: 23,400 SF  
 RESIDENTIAL: 291,390 SF  
**TOTAL: FAR 5.2/ 314,790 SF**

**¼ BLOCK:**  
 COMMERCIAL SF: 1,650 SF  
 RESIDENTIAL: 67,325 SF  
**TOTAL: FAR 4.6/ 68,975 SF**

**TOTAL PROJECT:**  
 COMMERCIAL SF: 25,050 SF  
 RESIDENTIAL: 358,715 SF  
**TOTAL: 383,765 SF**

**UNIT TABULATION**

**FULL BLOCK:**

UNIT	TYPE	SIZE	NO.	AREA	%
A	STUDIO	450 SF	43	19,350 SF	12.4%
A*	STUDIO	480 SF	78	37,440 SF	23.1%
B	1 BD	720 SF	136	97,920 SF	40.1%
C	2 BD	1,050 SF	76	79,800 SF	22.4%
D	3 BD	1,545 SF	6	9,270 SF	1.8%
<b>NET RESIDENTIAL</b>				<b>243,780SF</b>	<b>100%</b>
LEASING/ LOBBY/ AMENITIES				10,100 SF	
MULTIPURPOSE & COMMON AREAS				37,510 SF	
<b>TOTAL RESIDENTIAL</b>			<b>339</b>	<b>291,390 SF</b>	

**¼ BLOCK:**

UNIT	TYPE	SIZE	NO.	AREA	%
A	STUDIO	450 SF	24	10,800 SF	31.1%
B	1 BD	720 SF	30	21,600 SF	39.0%
C	2 BD	1,050 SF	23	24,150 SF	29.9%
<b>NET RESIDENTIAL</b>				<b>56,550 SF</b>	<b>100%</b>
LEASING/ LOBBY/ AMENITIES				2,400 SF	
MULTIPURPOSE & COMMON AREAS				8,375 SF	
<b>TOTAL RESIDENTIAL</b>			<b>77</b>	<b>67,325 SF</b>	
<b>TOTAL PROJECT RESIDENTIAL</b>			<b>416</b>	<b>358,715 SF</b>	

Attachment A - Project Plans  
**PARKING REQUIRED**

RESIDENTIAL: .75 STALLS PER UNIT 312 STALLS  
 COMMERCIAL: 0 STALLS  
**312 STALLS**

**PARKING PROVIDED**

FULL BLOCK: 273 STALLS  
 ¼ BLOCK: 44 STALLS  
**317 STALLS**

**BICYCLE PARKING REQUIRED**

**LONG TERM:**

RETAIL: 1 PER 12,000SF/ MIN 2 3 STALLS  
 RESIDENTIAL: 1 PER 4 UNITS 104 STALLS  
**107 STALLS**

**SHORT TERM:**

RETAIL: 1 PER 5,000SF/ MIN 2 5 STALLS  
 RESIDENTIAL: 1 PER 20 UNITS 21 STALLS  
**26 STALLS**

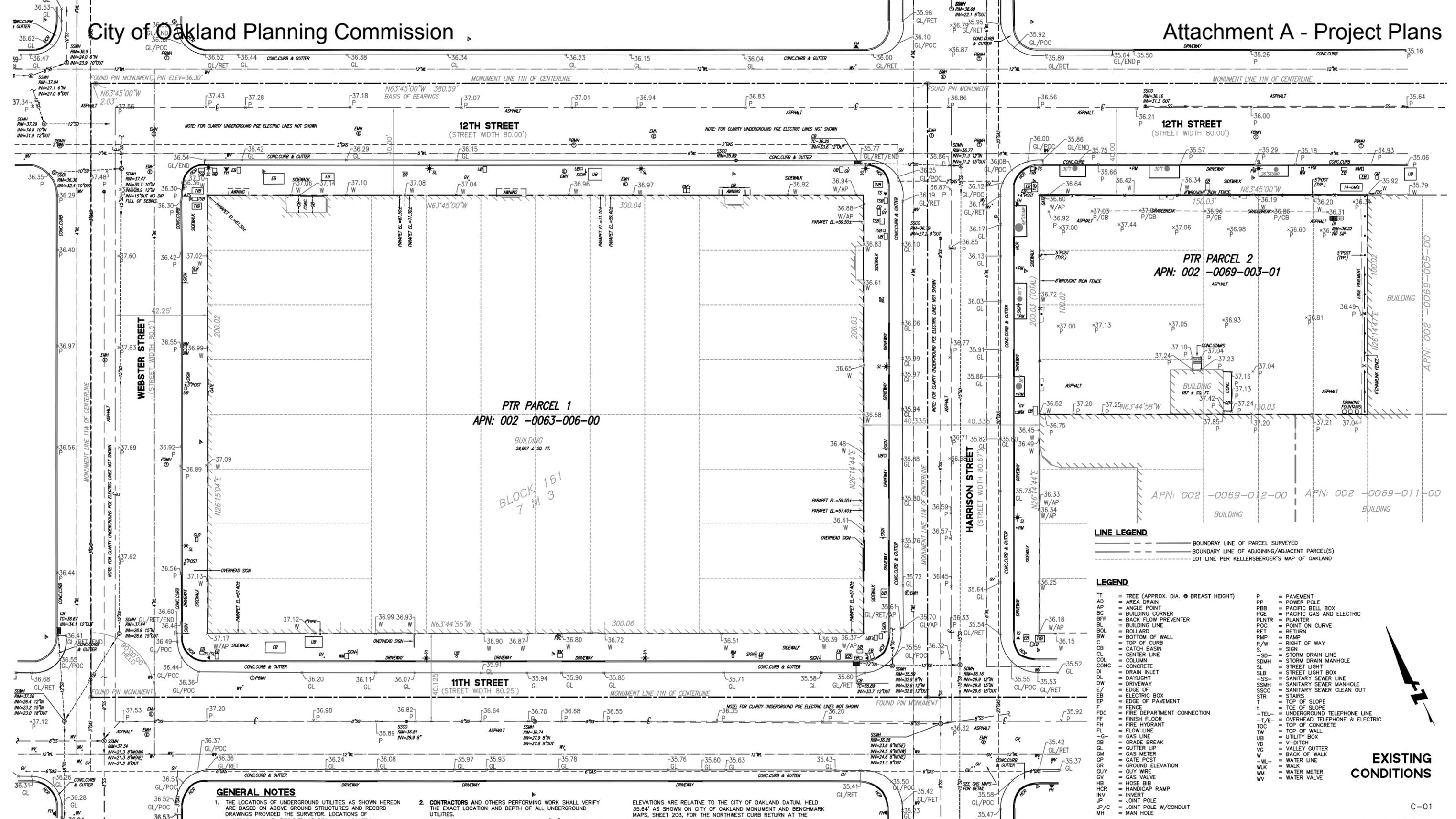
**BICYCLE PARKING PROVIDED**

LONG TERM: 288 STALLS  
 SHORT TERM: 26 STALLS

**DATA SHEET**

**A-00**

JULY 21, 2016



**GENERAL NOTES**

1. THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES.
2. CONTRACTORS AND OTHERS PERFORMING WORK SHALL VERIFY THE EXACT LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES.
3. BASIS OF BEARINGS: THE BEARING N63°45'00"W BETWEEN CITY OAKLAND MONUMENTS LOCATED AT THE INTERSECTIONS OF 12TH STREET & WEBSTER AND & HARRISON STREET.

ELEVATIONS ARE RELATIVE TO THE CITY OF OAKLAND DATUM. HELD 35.64' AS SHOWN ON CITY OF OAKLAND MONUMENT AND BENCHMARK MAPS, SHEET 203. FOR THE NORTHWEST CURB RETURN AT THE SOUTHEAST INTERSECTION OF 11TH STREET AND HARRISON STREET.

**LINE LEGEND**

- BOUNDARY LINE OF PARCEL SURVEYED
- - - BOUNDARY LINE OF ADJOINING/ADJACENT PARCEL(S)
- · - · - LOT LINE PER KELLERSBERGER'S MAP OF OAKLAND

**LEGEND**

- T = TREE (APPROX. DIA. @ BREAST HEIGHT)
- AD = AREA DRAIN
- AP = ANGLE POINT
- BC = BUILDING CORNER
- BFP = BACK FLOW PREVENTER
- BL = BUILDING LINE
- BOL = BOLLARD
- BW = BOTTOM OF WALL
- C = TOP OF CURB
- CB = CATCH BASIN
- CL = CENTER LINE
- COL = COLUMN
- CONC = CONCRETE
- DI = DRAIN INLET
- DL = DAYLIGHT
- DW = DRIVEWAY
- E = EDGE OF
- EB = ELECTRIC BOX
- EP = EDGE OF PAVEMENT
- F = FENCE
- FDC = FIRE DEPARTMENT CONNECTION
- FF = FINISH FLOOR
- FH = FIRE HYDRANT
- FL = FLOW LINE
- G = GAS LINE
- GB = GRADE BREAK
- GL = GUTTER LIP
- GM = GAS METER
- GP = GATE POST
- GE = GROUND ELEVATION
- GW = GUY WIRE
- GV = GAS VALVE
- HB = HOSE BIB
- HCR = HANDICAP RAMP
- INV = INVERT
- JP = JOINT POLE
- JP/C = JOINT POLE W/CONDUIT
- MH = MAN HOLE
- P = PAVEMENT
- PP = POWER POLE
- PBB = PACIFIC BELL BOX
- PGE = PACIFIC GAS AND ELECTRIC
- PLNTR = PLANTER
- POC = POINT ON CURVE
- RET = RETURN
- RMP = RAMP
- R/W = RIGHT OF WAY
- S = SIGN
- SD = STORM DRAIN LINE
- SDMH = STORM DRAIN MANHOLE
- SL = STREET LIGHT
- SLB = STREET LIGHT BOX
- SS = SANITARY SEWER LINE
- SSMH = SANITARY SEWER MANHOLE
- SSCO = SANITARY SEWER CLEAN OUT
- STR = STAIRS
- T = TOP OF SLOPE
- t = TOE OF SLOPE
- TEL = UNDERGROUND TELEPHONE LINE
- T/E- = OVERHEAD TELEPHONE & ELECTRIC
- TOC = TOP OF CONCRETE
- TW = TOP OF WALL
- UB = UTILITY BOX
- VD = V-DITCH
- VG = VALLEY GUTTER
- W = BACK OF WALK
- WL- = WATER LINE
- WLK = WALK
- WM = WATER METER
- WV = WATER VALVE

**EXISTING CONDITIONS**



JULY 21, 2016

**WEBSTER & 12TH**  
 BETWEEN 11TH & 12TH STREET &  
 BETWEEN ALICE STREET & WEBSTER STREET  
 OAKLAND, CA

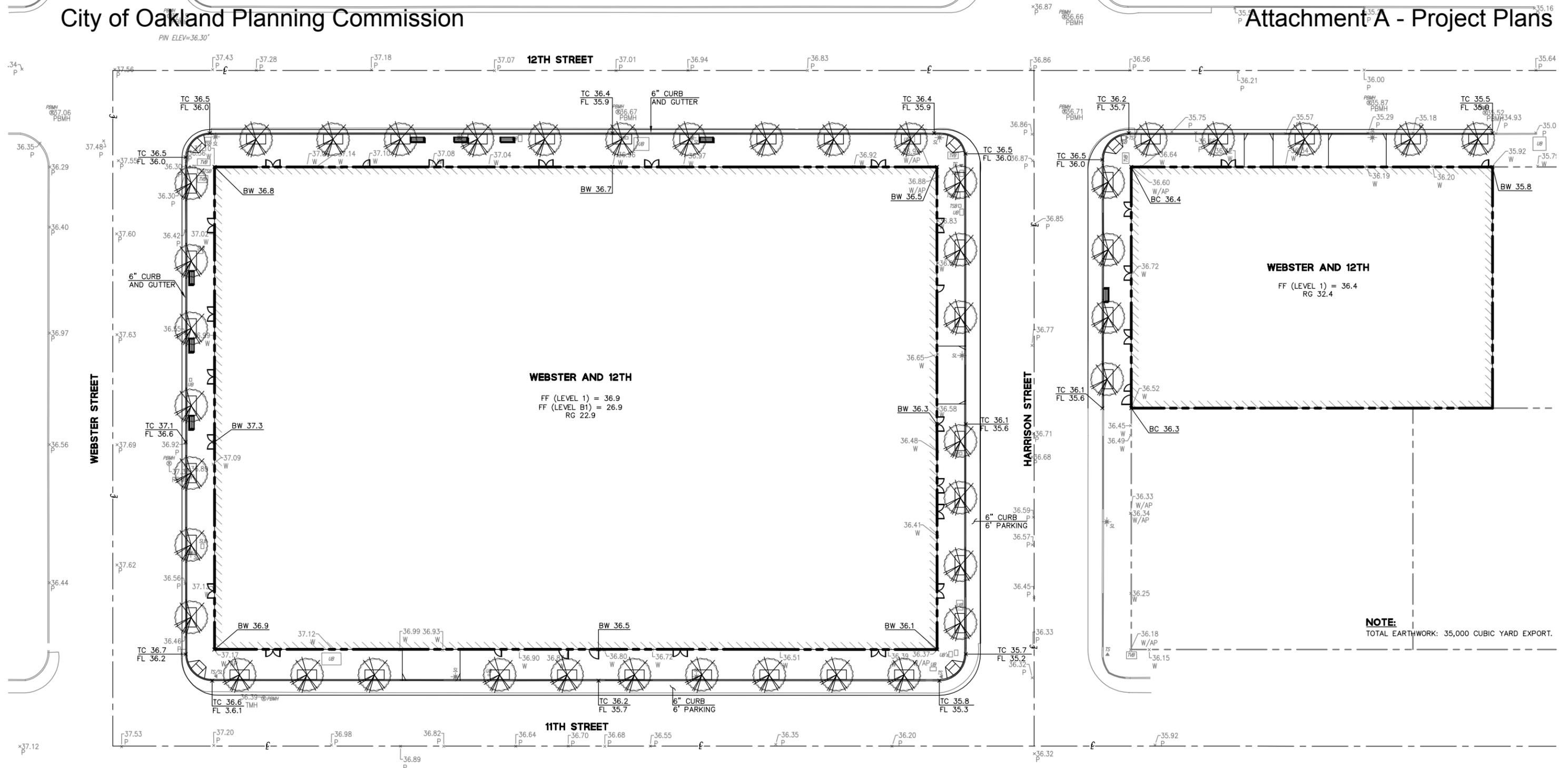
PREPARED FOR:  
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 650/482-6300  
 650/482-6399 (FAX)

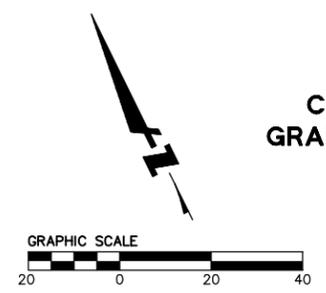
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CONCEPTUAL GRADING PLAN



C-02

JULY 21, 2016

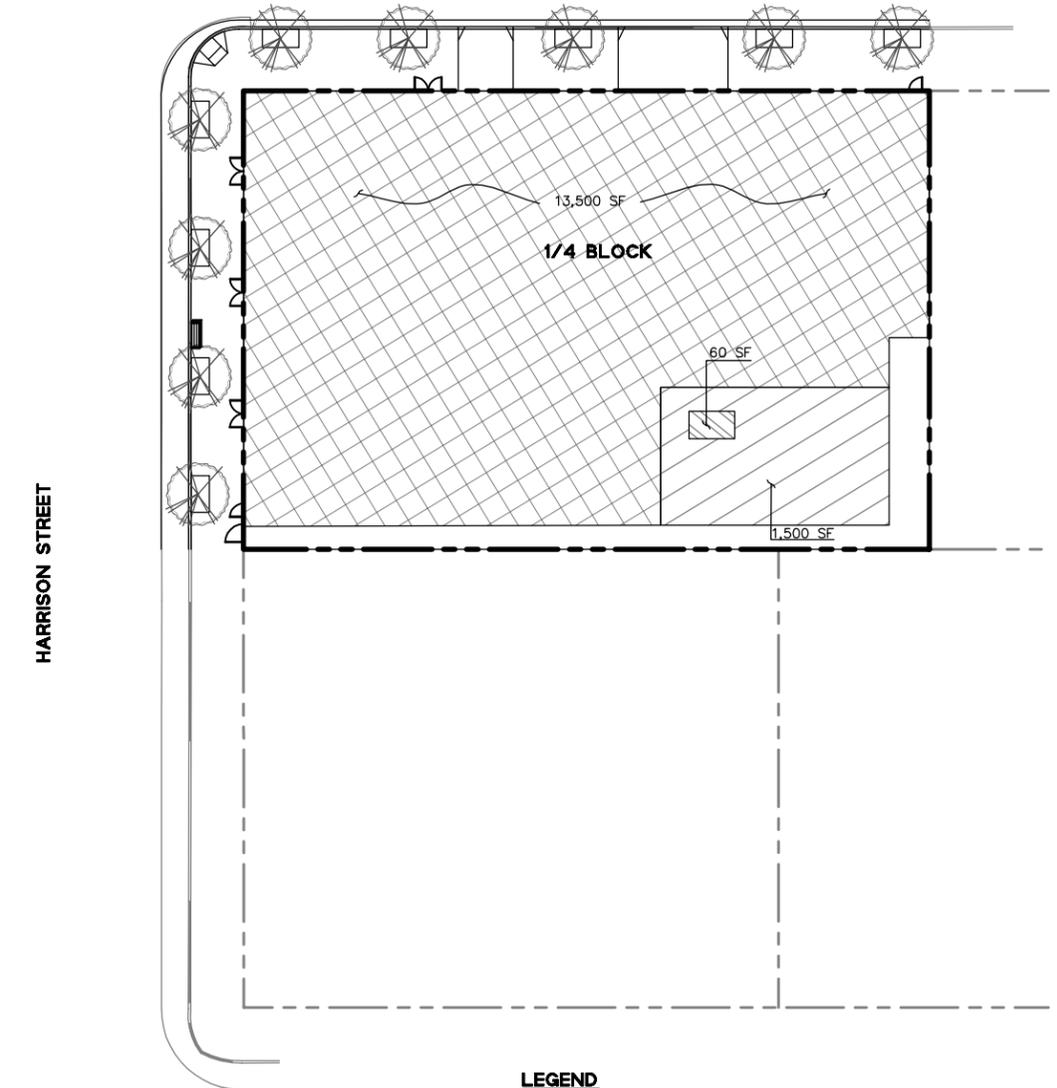
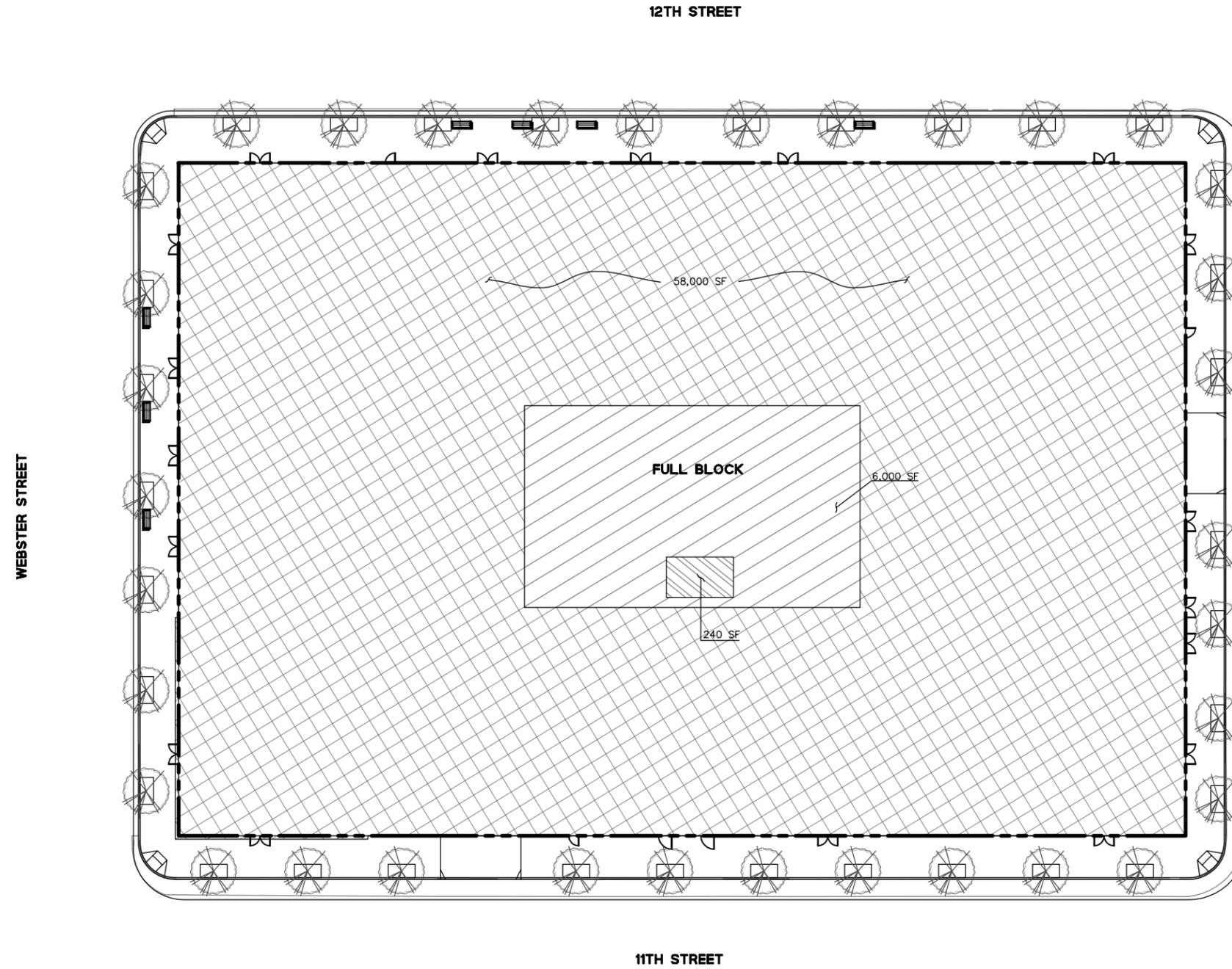
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**TRANSIT ORIENTED DEVELOPMENTS**

SITE QUALIFIES AS SPECIAL PROJECT CATEGORY C: TRANSIT ORIENTED DEVELOPMENTS PER APPENDIX K SECTION K.4 OF THE ALAMEDA COUNTYWIDE CLEAN WATER PROGRAM HANDBOOK DATED JANUARY 1, 2015.

**FULL BLOCK**

- 50% LOCATION CREDIT (100% OF SITE LOCATED WITHIN QUARTER MILE OF 12TH STREET BART STATION.)
- 20% DENSITY CREDIT (MIXED USE PROJECT WITH FAR OF 5.4)
- 20% MINIMIZED SURFACE PARKING CREDIT (0% SURFACE PARKING)

54,000 SF OF 60,000 SF TOTAL TO BE TREATED WITH APPROVED NON-LID TREATMENT MEASURES.  
6,000 SF OF 60,000 SF TOTAL TO BE TREATED WITH BIOTREATMENT PLANTER (240 SF FLOW THROUGH PLANTER BASED ON 4% RULE) LOCATED ON PODIUM.

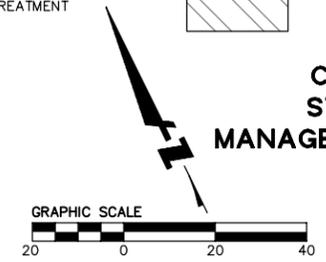
**1/4 BLOCK**

- 50% LOCATION CREDIT (100% OF SITE LOCATED WITHIN QUARTER MILE OF 12TH STREET BART STATION.)
- 20% DENSITY CREDIT (MIXED USE PROJECT WITH FAR OF 4.6)
- 20% MINIMIZED SURFACE PARKING CREDIT (0% SURFACE PARKING)

13,500 SF OF 15,000 SF TOTAL TO BE TREATED WITH APPROVED NON-LID TREATMENT MEASURES.  
1,500 SF OF 15,000 SF TOTAL TO BE TREATED WITH BIOTREATMENT PLANTER (60 SF FLOW THROUGH PLANTER BASED ON 4% RULE) LOCATED ON PODIUM.

**LEGEND**

- IMPERVIOUS BUILDING AREA TO BE TREATED BY NON-LID TREATMENT MEASURES 
- IMPERVIOUS BUILDING AREA TO BE TREATED BY LID TREATMENT MEASURES 
- LID TREATMENT 



**CONCEPTUAL STORMWATER MANAGEMENT PLAN**

C-03  
JULY 21, 2016

**WEBSTER & 12TH**

BETWEEN 11TH & 12TH STREET &  
BETWEEN ALICE STREET & WEBSTER STREET  
OAKLAND, CA

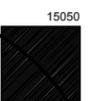
PREPARED FOR:  
THE MARTIN GROUP

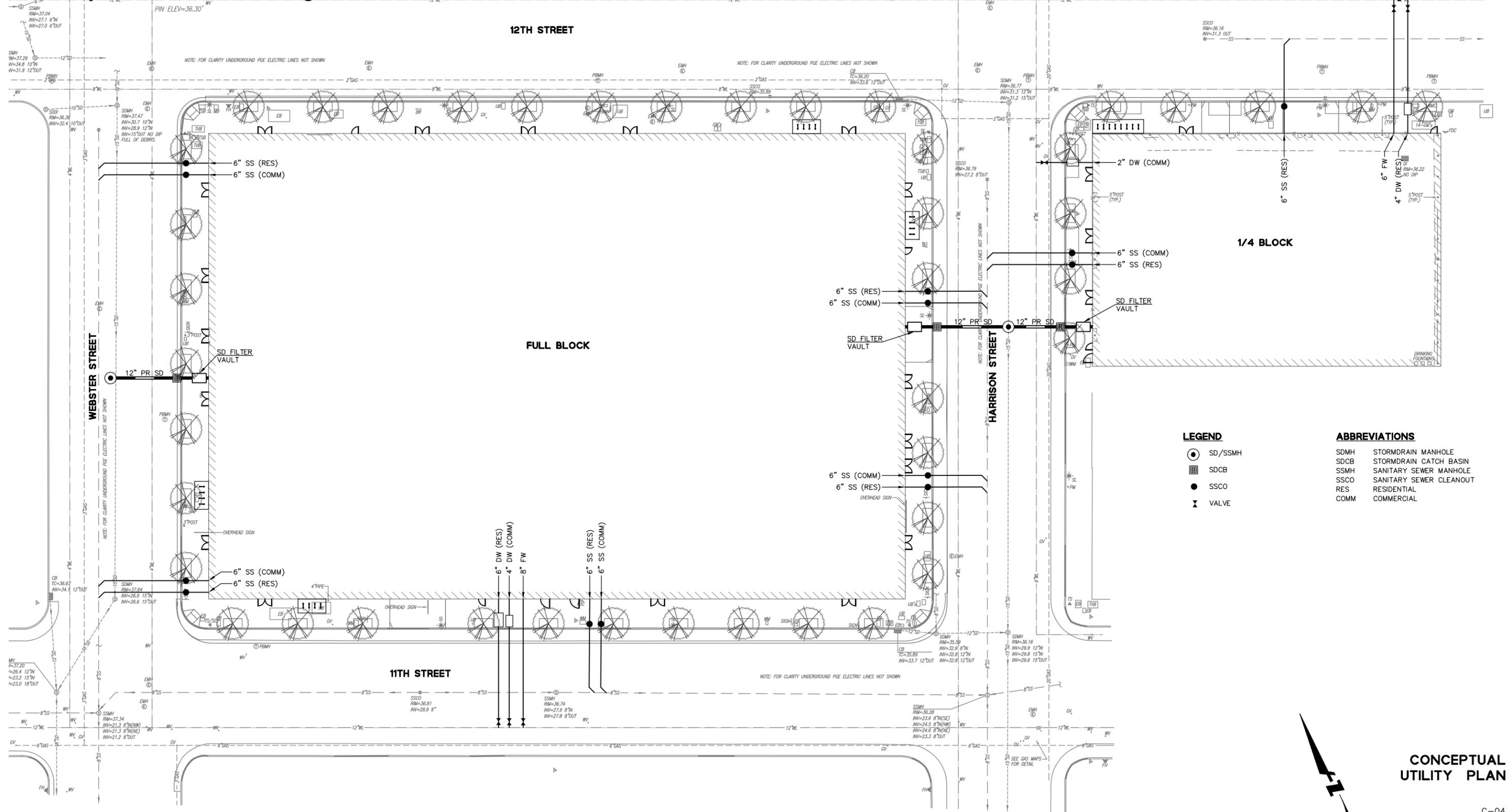


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**LEGEND**

- SD/SSMH
- SDCB
- SSCO
- ⌵ VALVE

**ABBREVIATIONS**

SDMH	STORMDRAIN MANHOLE
SDCB	STORMDRAIN CATCH BASIN
SSMH	SANITARY SEWER MANHOLE
SSCO	SANITARY SEWER CLEANOUT
RES	RESIDENTIAL
COMM	COMMERCIAL



CONCEPTUAL UTILITY PLAN

C-04

JULY 21, 2016



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 BETWEEN 11TH & 12TH STREET &  
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BLDG. HEIGHT LEGEND	
90'+	90'+
80-90'	80-90'
70-80'	70-80'
60-70'	60-70'
50-60'	50-60'
40-50'	40-50'
30-40'	30-40'
20-30'	20-30'
10-20'	10-20'

**SITE**  
FULL BLOCK

**339 RESIDENTIAL UNITS**  
**23,400 SF COMMERCIAL**  
**273 PARKING STALLS**  
**84' HEIGHT**  
**FAR 5.2**

**SITE**  
1/4 BLOCK

**77 RESIDENTIAL UNITS**  
**1,650 SF COMMERCIAL**  
**44 PARKING STALLS**  
**84' HEIGHT**  
**FAR 4.6**

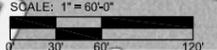
**CHINA TOWN**

**LINCOLN SQUARE PARK**

**OVERALL SITE PLAN**

**A-01**

JULY 21, 2016



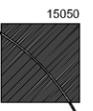
**W12 - WEBSTER & 12TH**

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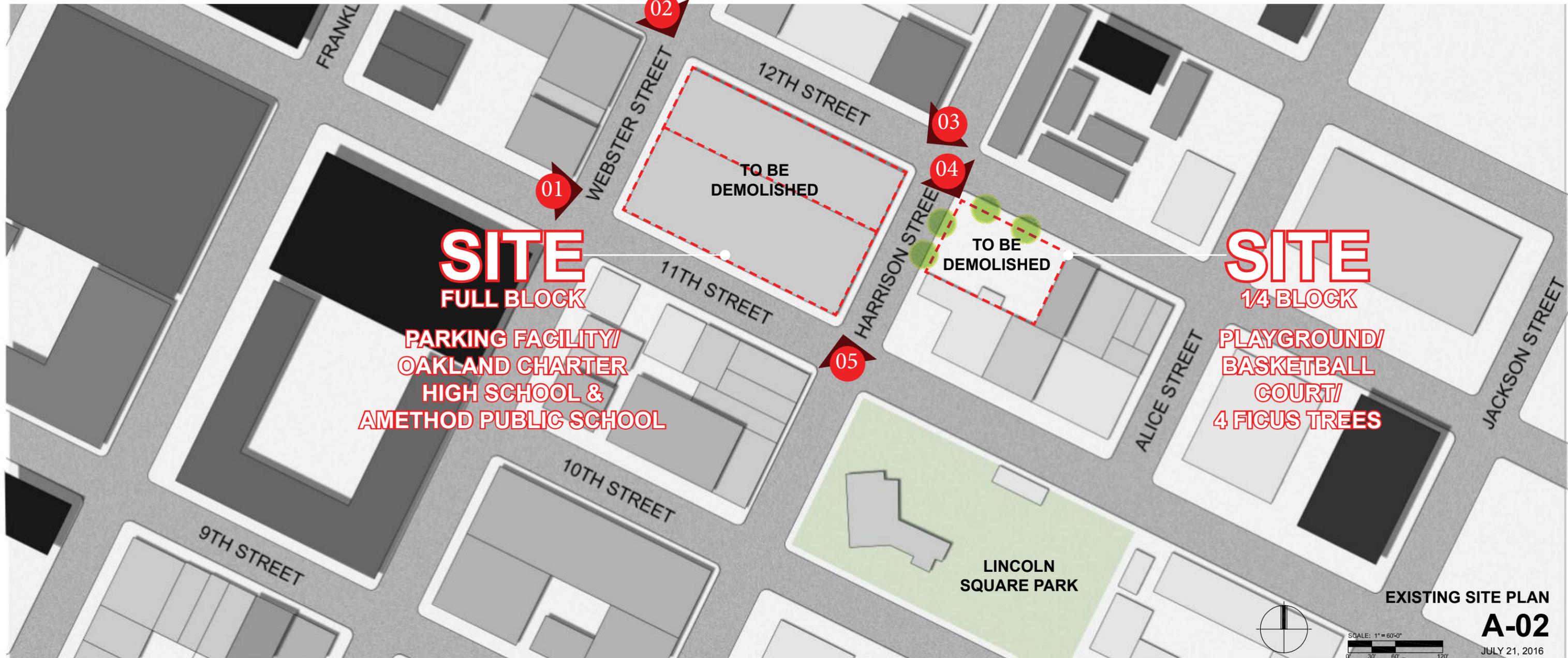
01

02

03

04

05





01



02



03



04



05



06



07



08



09



10



11



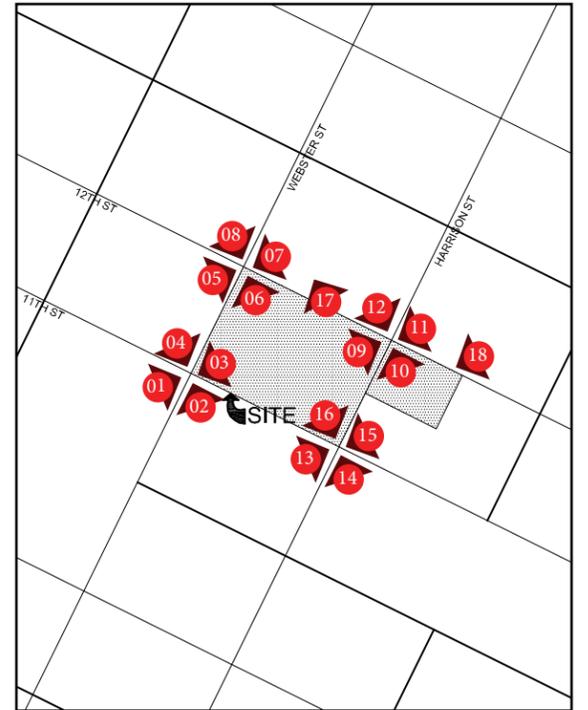
12



13



14



KEY PLAN



15



16



17



18

- (1) Address : 301 12th St.
- (2) Address : 1101 Webster St.
- (3) Address : 375 11th St.
- (4) Address : 1088 Webster St.

- (5) Address : 344 12th St.
- (6) Address : 360 12th St.
- (7) Address : 351 12th St.
- (8) Address : 345 12th St.

- (9) Address : 1238 Harrison St.
- (10) Address : 300 12th St.
- (11) Address : 301 12th St.
- (12) Address : 285 12th St.

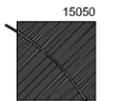
- (13) Address : 288 11th St.
- (14) Address : 301 12th St.
- (15) Address : 303 11th St.
- (16) Address : 1098 Harrison

- (17) Address : 332 12th St.
- (18) Address : 261 12th St.

EXISTING SITE PHOTOS

**A-03**

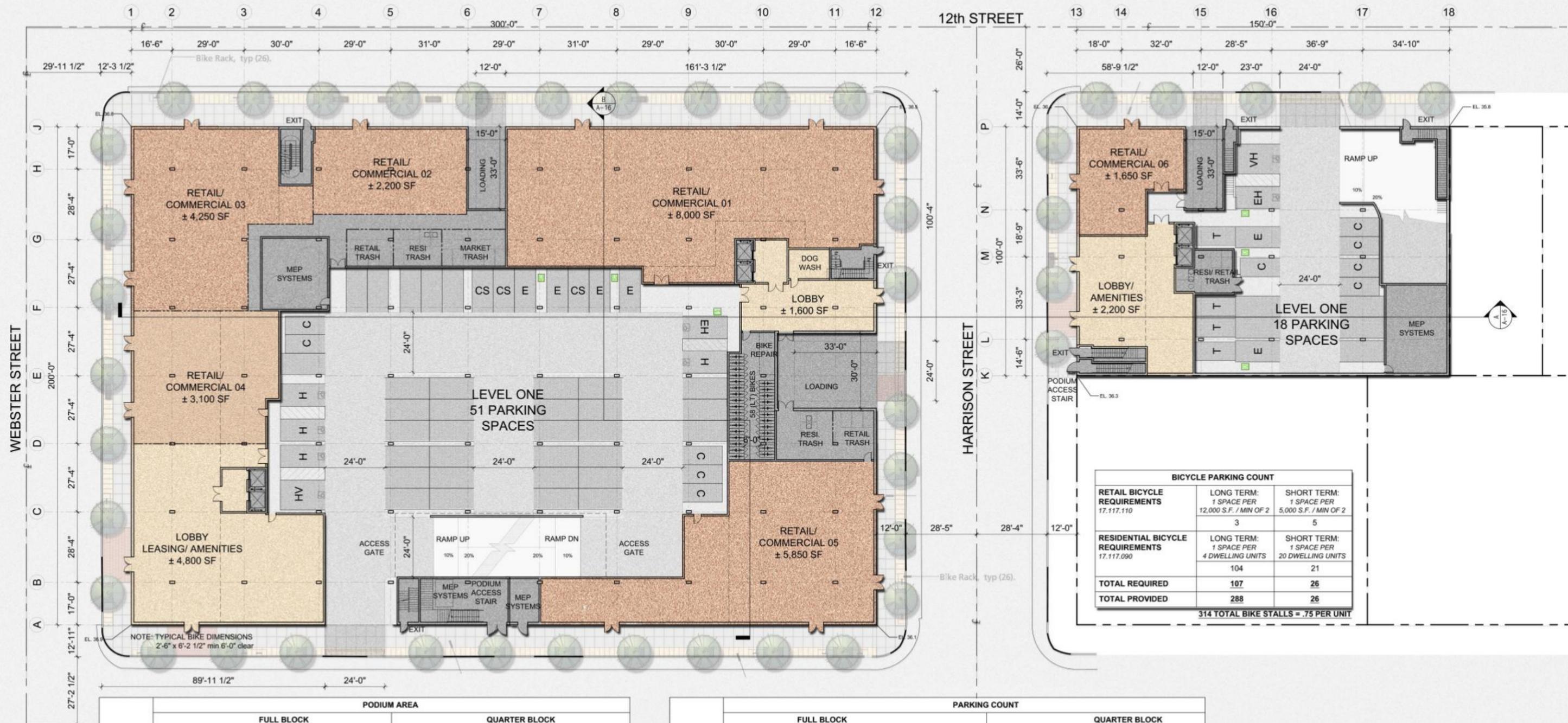
JULY 21, 2016





RENDERING (12TH & HARRISON)

A-04



BICYCLE PARKING COUNT		
<b>RETAIL BICYCLE REQUIREMENTS</b> 17.117.110	LONG TERM: 1 SPACE PER 12,000 S.F. / MIN OF 2	SHORT TERM: 1 SPACE PER 5,000 S.F. / MIN OF 2
	3	5
<b>RESIDENTIAL BICYCLE REQUIREMENTS</b> 17.117.090	LONG TERM: 1 SPACE PER 4 DWELLING UNITS	SHORT TERM: 1 SPACE PER 20 DWELLING UNITS
	104	21
<b>TOTAL REQUIRED</b>	<b>107</b>	<b>26</b>
<b>TOTAL PROVIDED</b>	<b>288</b>	<b>26</b>
<b>314 TOTAL BIKE STALLS = .75 PER UNIT</b>		

	PODIUM AREA							
	FULL BLOCK				QUARTER BLOCK			
	RETAIL	LEASING/ LOBBY/ AMENITY	PARKING/ STORAGE/ SHAFTS, ETC.	TOTAL	RETAIL	LEASING/ LOBBY/ AMENITY	PARKING/ STORAGE/ SHAFTS, ETC.	TOTAL
<b>BASEMENT</b>	-	500	59,500 SF	60,000 SF	-	-	-	-
<b>LEVEL ONE</b>	23,400 SF	6,400 SF	30,200 SF	60,000 SF	1,650 SF	2,200 SF	11,150 SF	15,000 SF
<b>LEVEL TWO</b>	-	3,200 SF	30,300 SF	33,500 SF	-	200	11,800 SF	12,000 SF
<b>TOTAL</b>	<b>23,400 SF</b>	<b>10,100 SF</b>	<b>120,000 SF</b>	<b>153,500 SF</b>	<b>1,650 SF</b>	<b>2,400 SF</b>	<b>22,950 SF</b>	<b>27,000 SF</b>
	<b>180,500 SF</b>							

	PARKING COUNT										
	FULL BLOCK						QUARTER BLOCK				
	STD.	COMPACT	TANDEM	ELECTRIC VEHICLE	CAR SHARING	TOTAL	STD.	COMPACT	TANDEM	ELECTRIC VEHICLE	TOTAL
<b>BASEMENT</b>	136	29	3	-	-	168	-	-	-	-	-
<b>LEVEL ONE</b>	39*	5	-	4	3	51	7**	5	4	2	18
<b>LEVEL TWO</b>	40	14	-	-	-	54	8	18	-	-	26
<b>TOTAL</b>	273						44				
	<b>317 PROVIDED / 312 REQUIRED</b>										

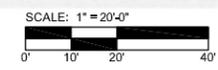
\*16 HANDICAP PARKING SPACES, 1 WITH EV CHARGING STATION

\*\*2 HANDICAP PARKING SPACES, 1 WITH EV CHARGING STATION



**LEVEL ONE FLOOR PLAN**

**A-05**



JULY 21, 2016

**W12 - WEBSTER & 12TH**  
BETWEEN 11TH & 12TH STREET/  
HARRISON STREET & WEBSTER STREET  
OAKLAND, CA

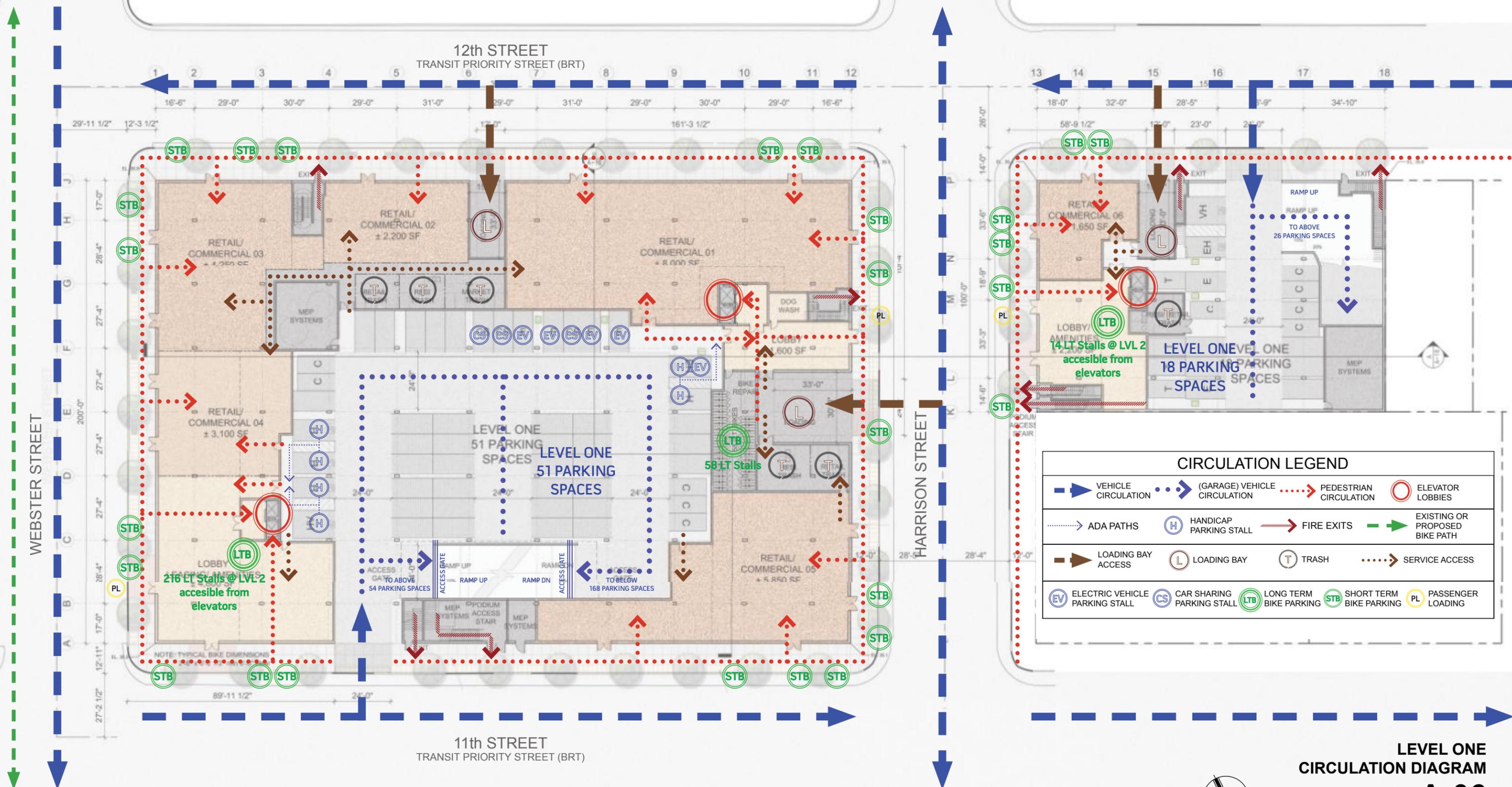
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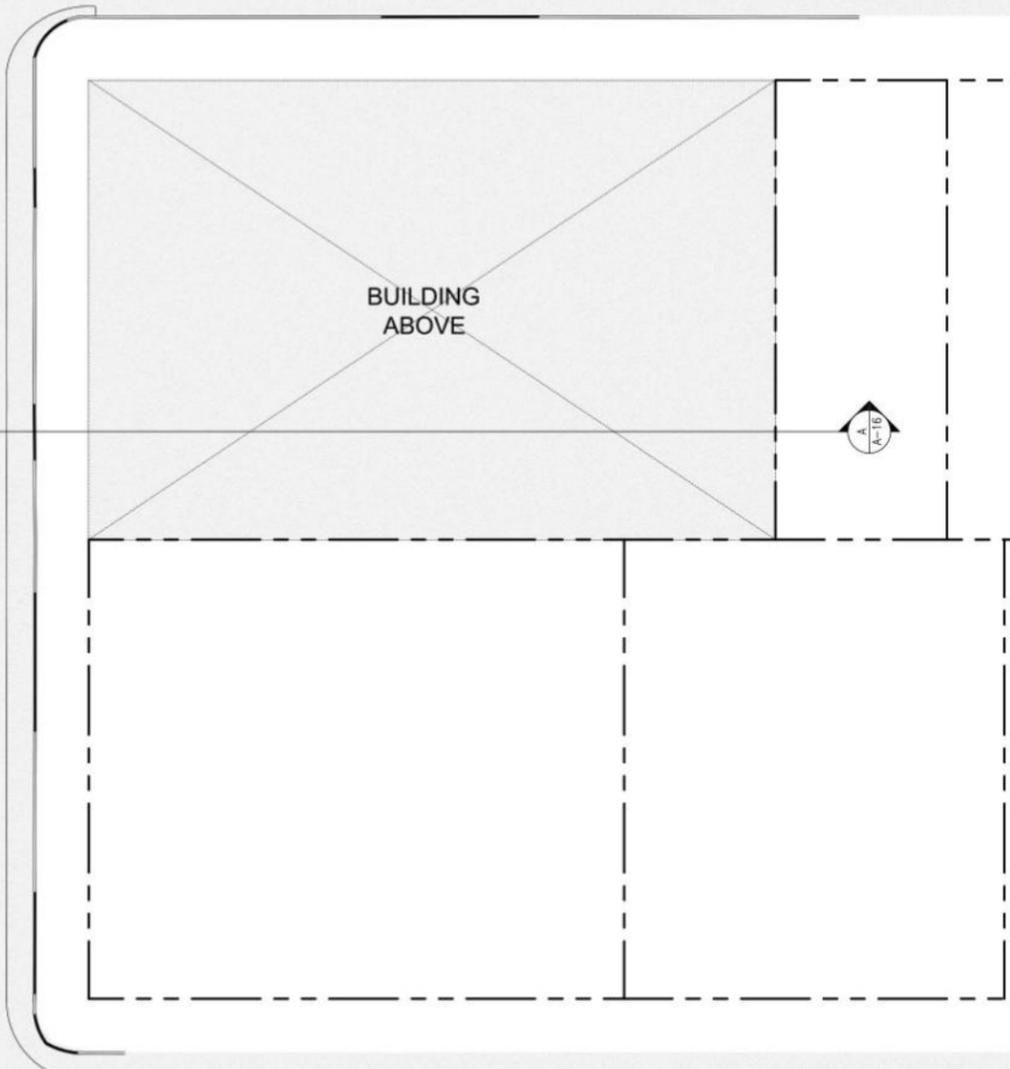
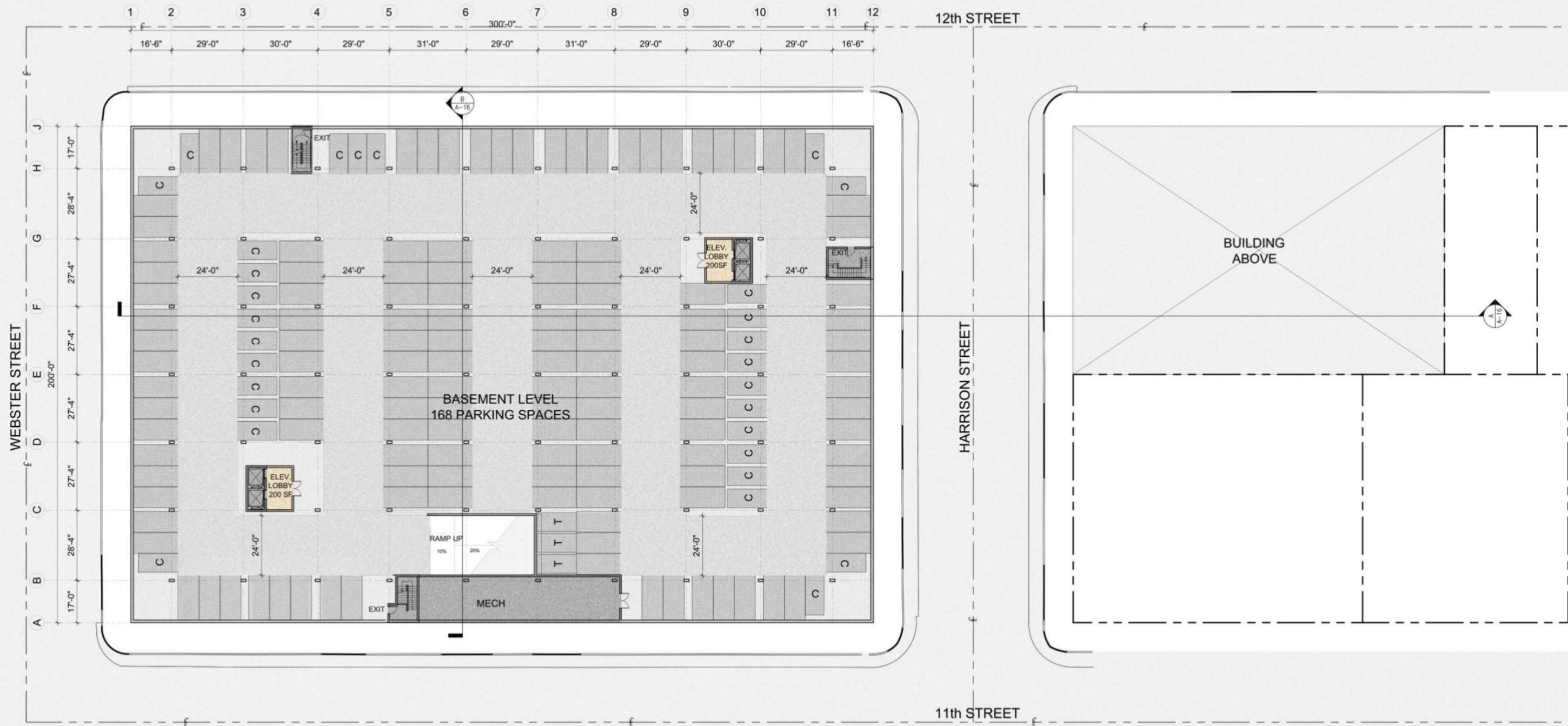
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CIRCULATION LEGEND			
	VEHICLE CIRCULATION		(GARAGE) VEHICLE CIRCULATION
	PEDESTRIAN CIRCULATION		ELEVATOR LOBBIES
	ADA PATHS		HANDICAP PARKING STALL
	FIRE EXITS		EXISTING OR PROPOSED BIKE PATH
	LOADING BAY ACCESS		LOADING BAY
	TRASH		SERVICE ACCESS
	ELECTRIC VEHICLE PARKING STALL		CAR SHARING PARKING STALL
	LONG TERM BIKE PARKING		SHORT TERM BIKE PARKING
	PASSENGER LOADING		

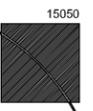
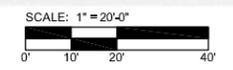
**LEVEL ONE CIRCULATION DIAGRAM A-06**  
 JULY 21, 2016  
 SCALE: 1" = 20'-0"

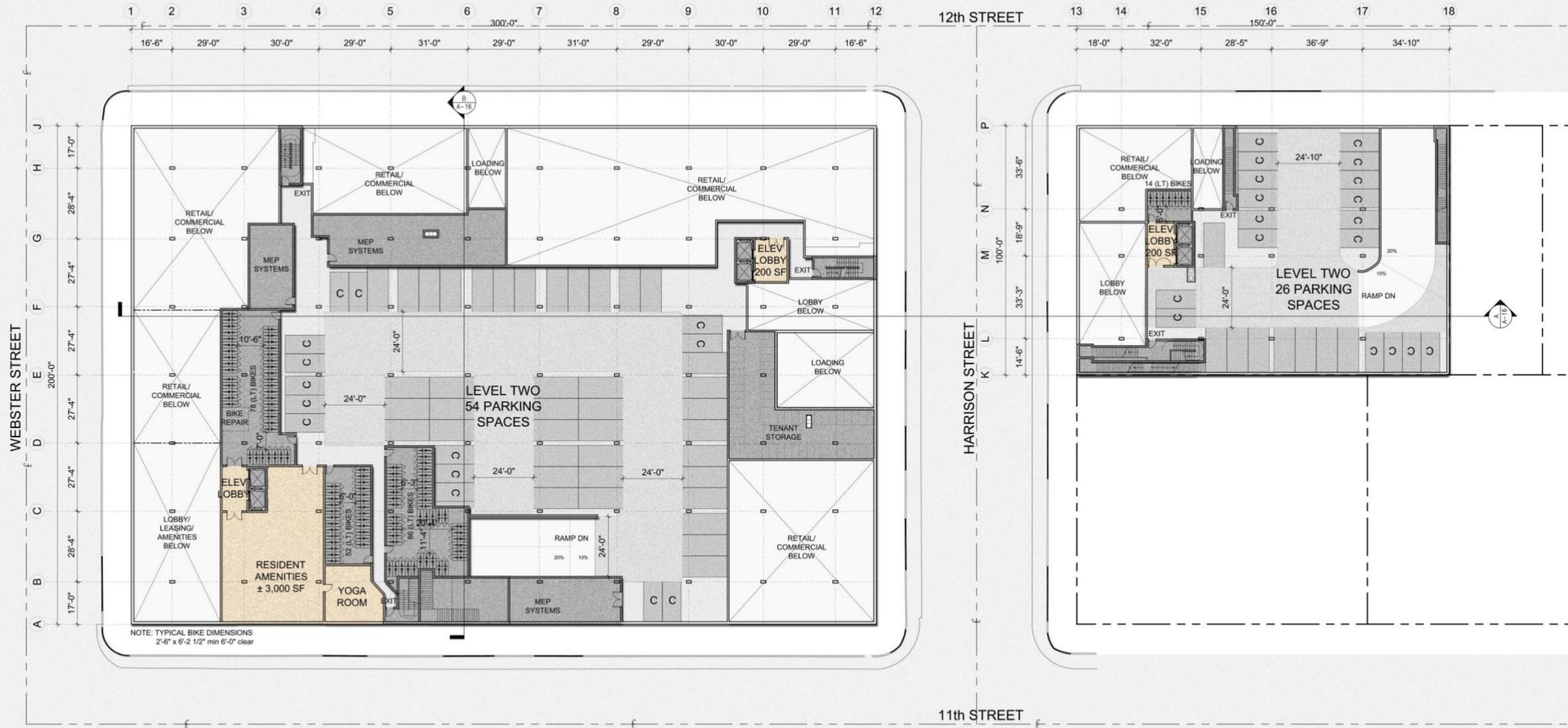


**BASEMENT LEVEL FLOOR PLAN**

**A-07**

JULY 21, 2016



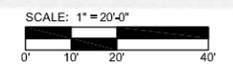


NOTE: TYPICAL BIKE DIMENSIONS  
2'-6" x 6'-2 1/2" min 6'-0" clear

LEVEL TWO FLOOR PLAN

A-08

JULY 21, 2016



W12 - WEBSTER & 12TH

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HARRISON STREET & WEBSTER STREET  
OAKLAND, CA

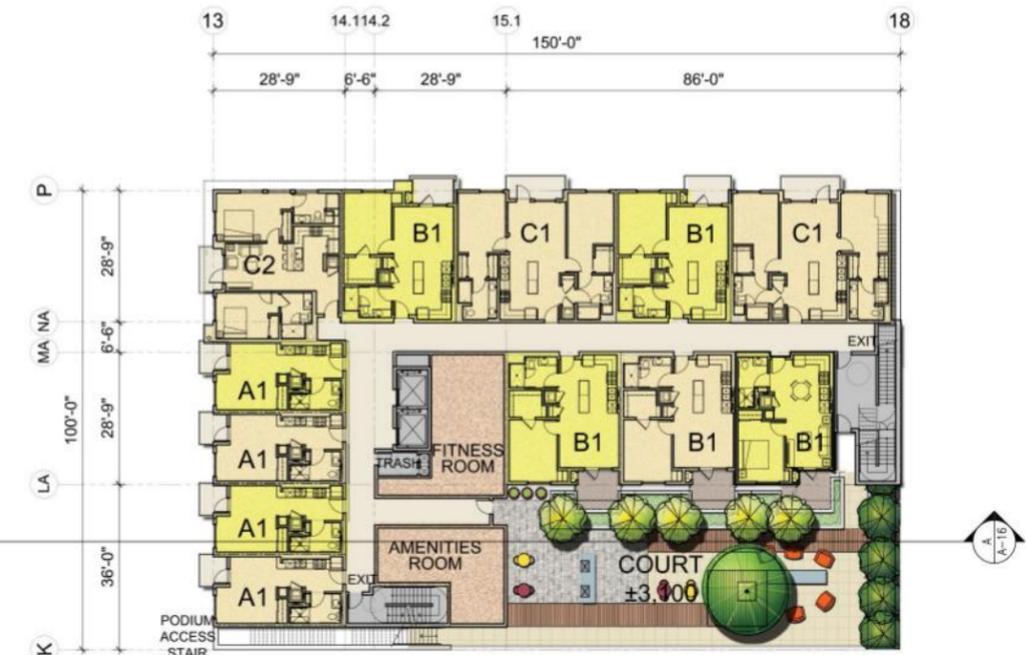
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ALL DESIGN FRAMES AT CORNERS PROJECT 2' INTO R.O.W.

ALL BAY WINDOWS PROJECT 3' INTO R.O.W.

ALL BALCONIES PROJECT 3' INTO R.O.W.

**UNIT TABULATION**

**FULL BLOCK:**

UNIT	TYPE	SIZE	NO.	AREA	%
A	STUDIO	450 SF	43	19,350 SF	12.4%
A*	STUDIO	480 SF	78	37,440 SF	23.1%
B	1 BD	720 SF	136	97,920 SF	40.1%
C	2 BD	1,050 SF	76	79,800 SF	22.4%
D	3 BD	1,545 SF	6	9,270 SF	1.8%
<b>NET RESIDENTIAL</b>				<b>243,780SF</b>	
LEASING/LOBBY/AMENITIES				10,100 SF	100%
MULTIPURPOSE & COMMON AREAS				37,510 SF	
<b>TOTAL RESIDENTIAL</b>			<b>339</b>	<b>291,390 SF</b>	

**1/4 BLOCK:**

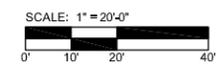
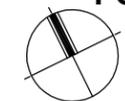
UNIT	TYPE	SIZE	NO.	AREA	%
A	STUDIO	450 SF	24	10,800 SF	31.1%
B	1 BD	720 SF	30	21,600 SF	39.0%
C	2 BD	1,050 SF	23	24,150 SF	29.9%
<b>NET RESIDENTIAL</b>				<b>56,550 SF</b>	
LEASING/LOBBY/AMENITIES				2,400 SF	100%
MULTIPURPOSE & COMMON AREAS				8,375 SF	
<b>TOTAL RESIDENTIAL</b>			<b>77</b>	<b>67,325 SF</b>	

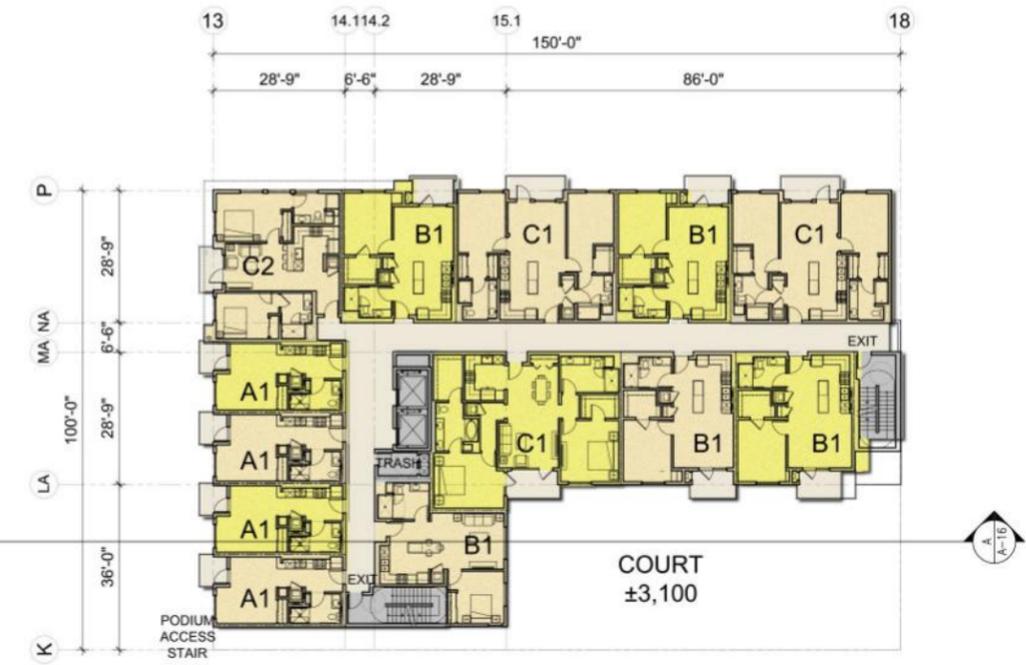
<b>TOTAL PROJECT RESIDENTIAL</b>	<b>416</b>	<b>358,715 SF</b>
----------------------------------	------------	-------------------

**PODIUM LEVEL (3) FLOOR PLAN**

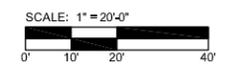
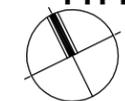
**A-09**

JULY 21, 2016



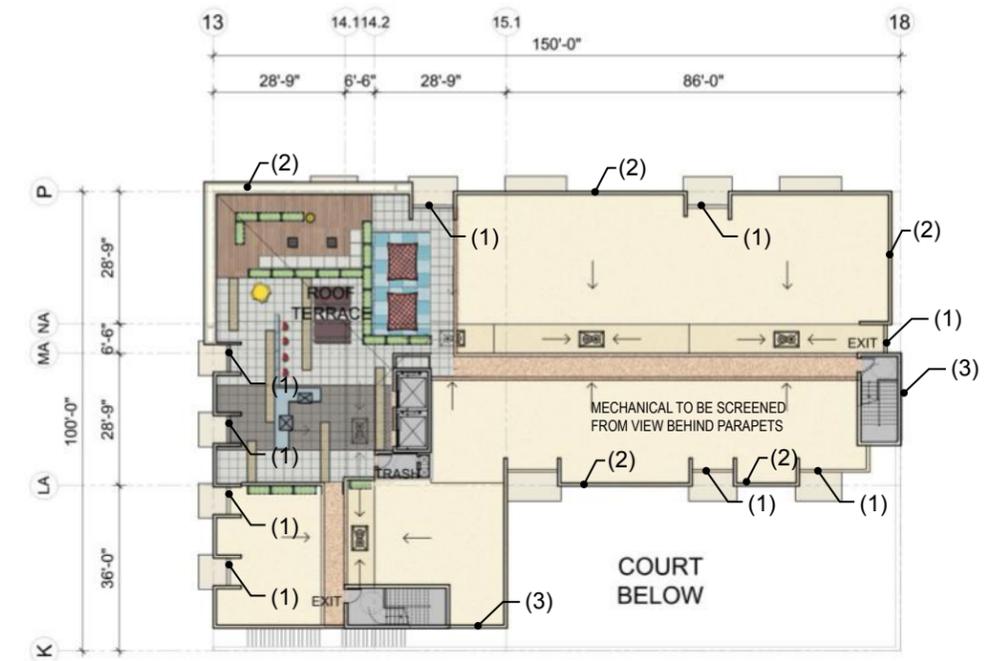
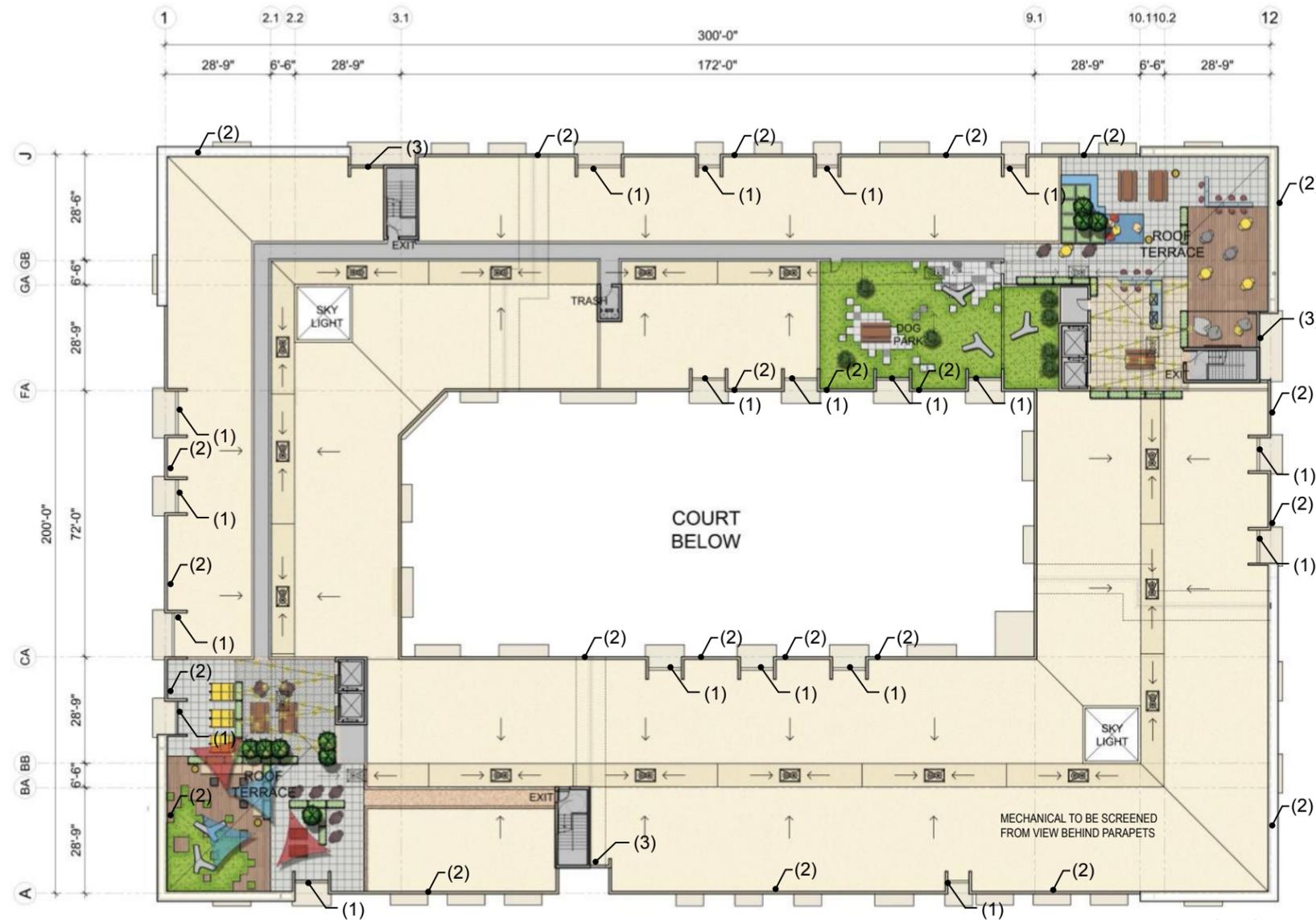


TYPICAL LEVEL (4-8) FLOOR PLAN

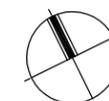


**A-10**

JULY 21, 2016



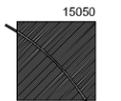
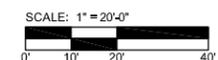
**PARAPET HIEGHTS**  
 (1) 87'-6"  
 (2) 89'-0"  
 (3) 94'-0"



**ROOF LEVEL FLOOR PLAN**

**A-11**

JULY 21, 2016

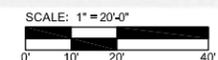




OPEN SPACE DIAGRAM

A-12

JULY 21, 2016





OPTION 1



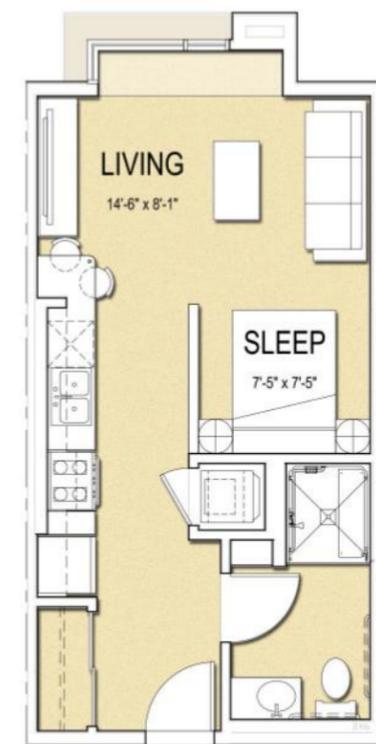
OPTION 2

### UNIT A1

Unit: 440 GSF  
Balcony: 39 SF



OPTION 1



OPTION 2

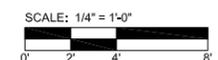
### UNIT A2

Unit: 460 GSF

### UNIT A1 & A2 FLOOR PLANS

# A-13

JULY 21, 2016



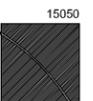
## W12 - WEBSTER & 12TH

BETWEEN 11TH & 12TH STREET/  
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PREPARED FOR:  
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**UNIT B1**

Unit: 685 GSF  
Balcony: 57 SF



**UNIT C1**

Unit: 982 GSF  
Balcony: 57 SF



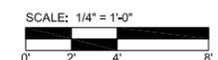
**UNIT C2**

Unit: 910 GSF  
Balcony: 46 SF

**UNIT B1, C1 & C2 FLOOR PLANS**

**A-14**

JULY 21, 2016



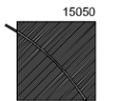
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**UNIT C3**

Unit: 910 GSF  
Balcony: 46 SF

**UNIT B2**

Unit: 635 GSF  
Balcony: 46 SF



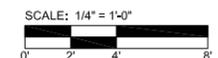
**UNIT D1**

Unit: 1,497 GSF  
Balcony: 123 SF

**UNIT B2,C3 & D1 FLOOR PLANS**

**A-15**

JULY 21, 2016



**W12 - WEBSTER & 12TH**

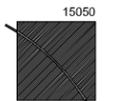
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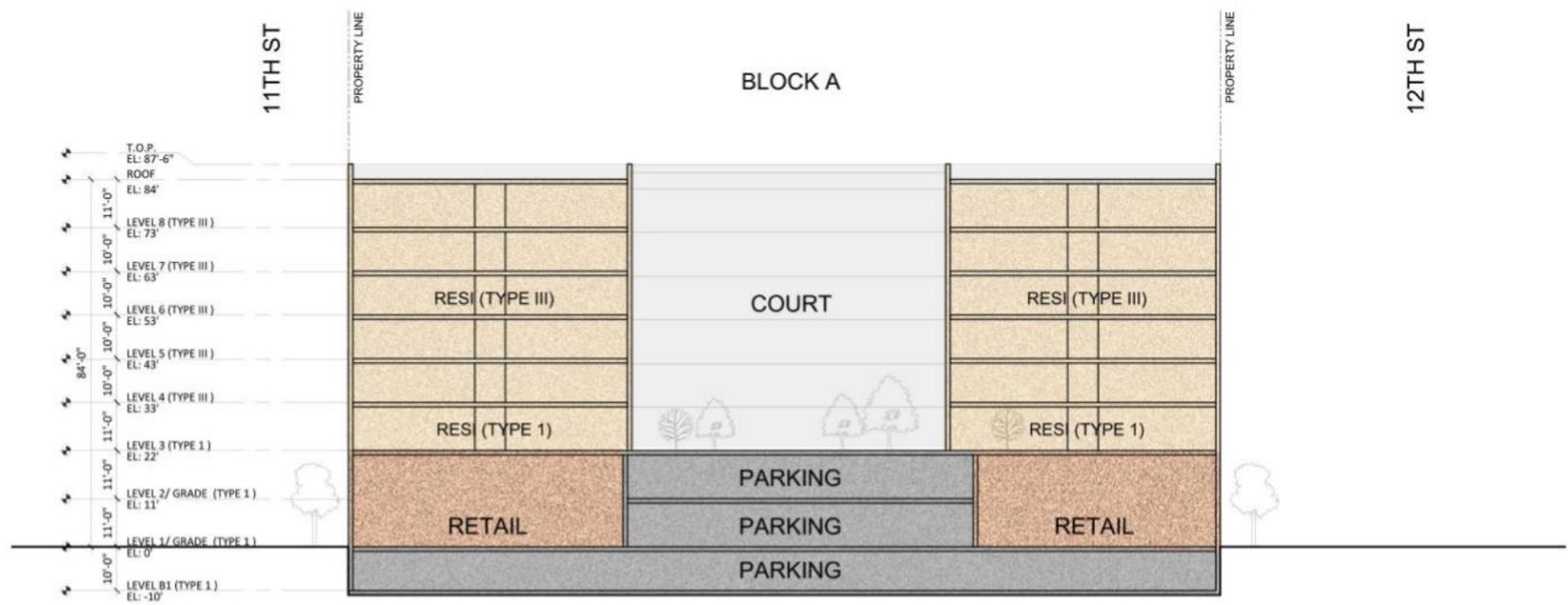
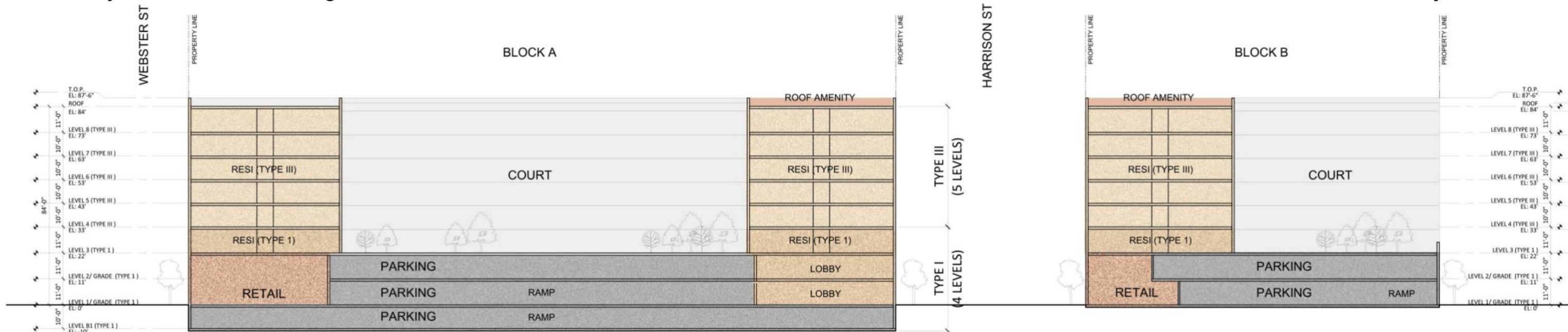
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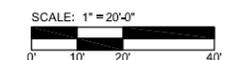


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**BUILDING SECTIONS A&B**

**A-16**



JULY 21, 2016

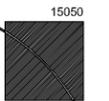
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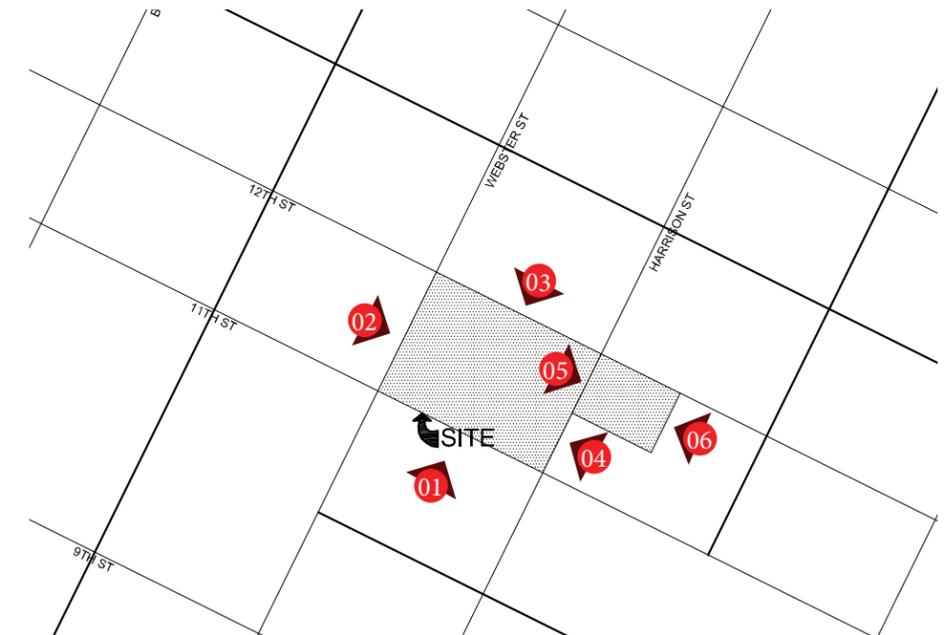




(01) / 11TH STREET ELEVATION (SOUTH-WEST)



(02) / WEBSTER STREET ELEVATION (NORTH-WEST)

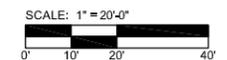


ELEVATION KEY PLAN

**BUILDING ELEVATIONS**

**A-17**

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(03) / 12TH STREET ELEVATION (NORTH-EAST)



(04) / HARRISON STREET ELEVATION (SOUTH-EAST)



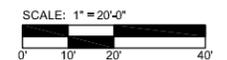
(05) / 1/4 BLOCK HARRISON STREET ELEVATION (NORTH-WEST)



(06) / 1/4 BLOCK (SOUTH-EAST)

**BUILDING ELEVATIONS**

**A-18**



JULY 21, 2016





RENDERING (11TH & WEBSTER)  
A-19



RENDERING (12TH & WEBSTER)  
A-20



RENDERING (11TH & HARRISON)  
A-21



RENDERING (12TH & HARRISON)  
1/4 BLOCK DESIGN OPTION 1 **A-22**



FIBER CEMENT SIDING



TRANSLUCENT HANDRAIL



MULTI-FAMILY FACACDE



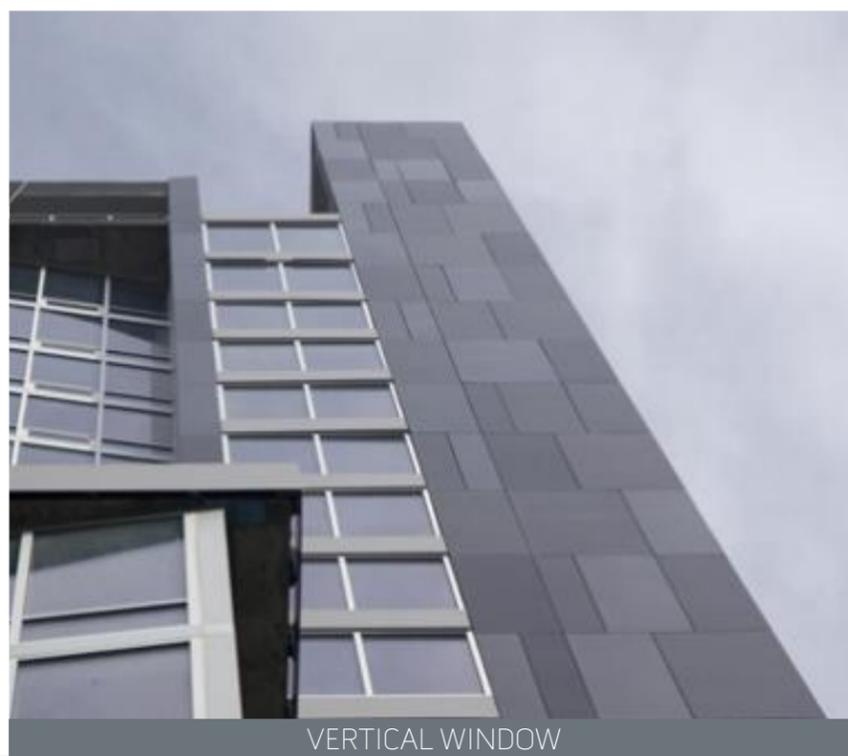
SMOOTH GREY PLASTER



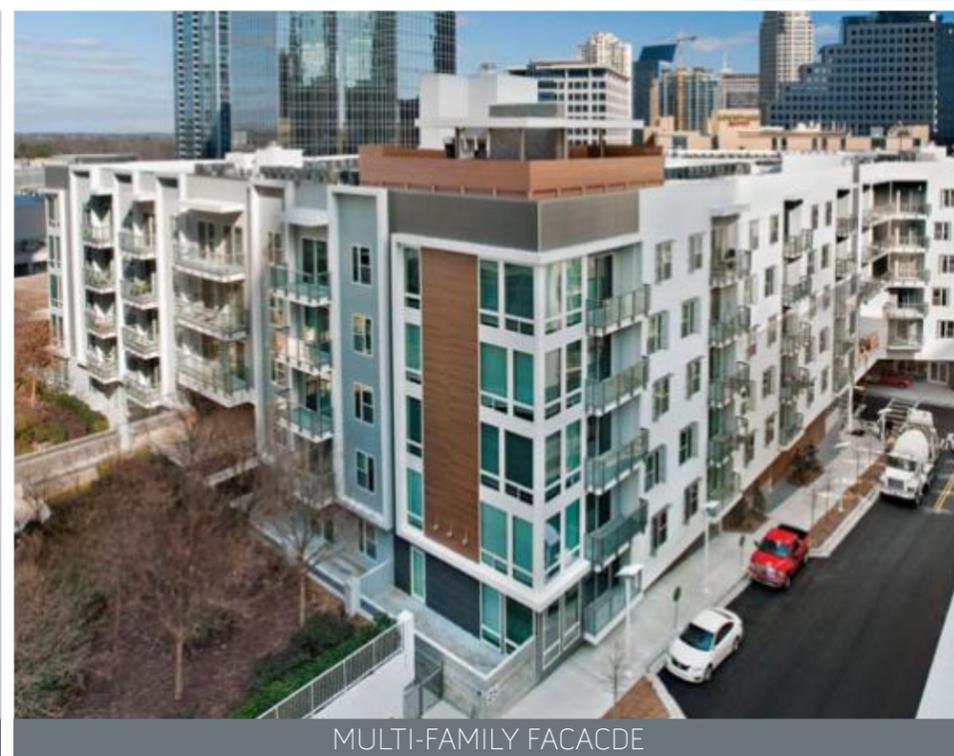
FIBER CEMENT SIDING



DARK-GREY BLOCK



VERTICAL WINDOW

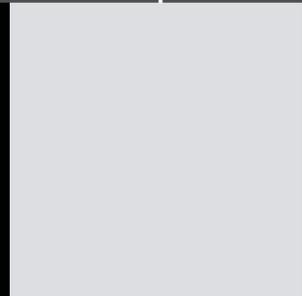


MULTI-FAMILY FACACDE

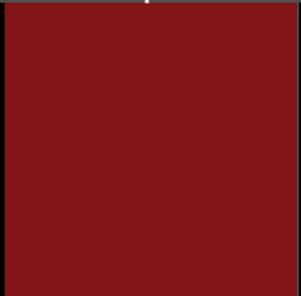


BAY WINDOW

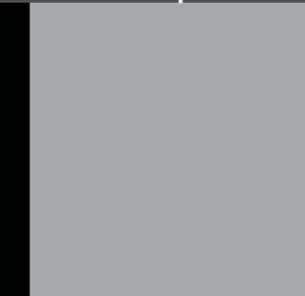
REFERENCE IMAGES  
**A-23**  
JULY 21, 2016



LIGHT GREY  
PAINTED GALVANIZED  
STEEL CHANNEL



RED PAINTED  
ALUMINUM PANEL



MID-GREY PLASTER  
SMOOTH TROWEL  
FINISH



DARK-GREY  
PAINTED ALUMINUM  
MULLION



VISION GLASS  
STOREFRONT



MID-GREY  
BLOCK



DARK-GREY  
BLOCK

PODIUM BASE  
MATERIAL CALL OUTS

**A-24**

JULY 21, 2016

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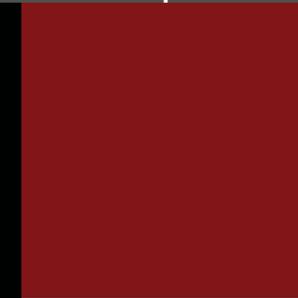
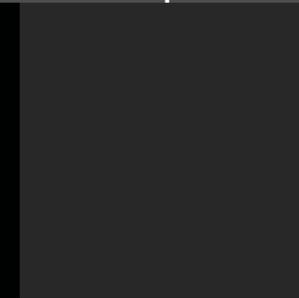
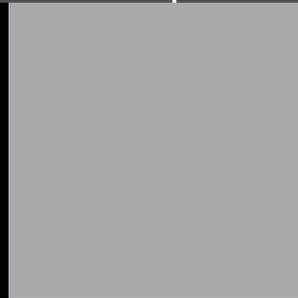
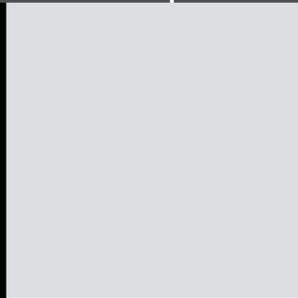
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**WHITE PLASTER**  
SMOOTH TROWEL  
FINISH

**MID-GREY PLASTER**  
SMOOTH TROWEL  
FINISH

**DARK-GREY PLASTER**  
SMOOTH TROWEL  
FINISH

**CHARCOAL PLASTER**  
SMOOTH TROWEL  
FINISH

**DARK GREY**  
FIBER CEMENT  
PLANK SIDING

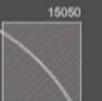
**RED PLASTER**  
SMOOTH TROWEL  
FINISH

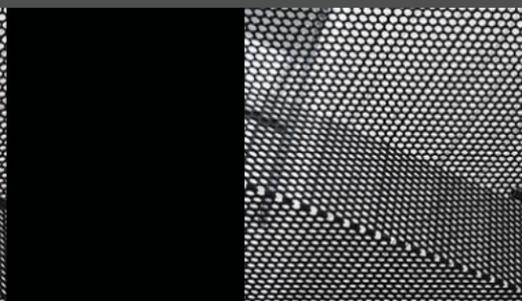
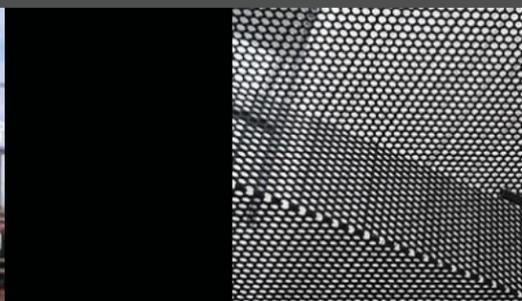
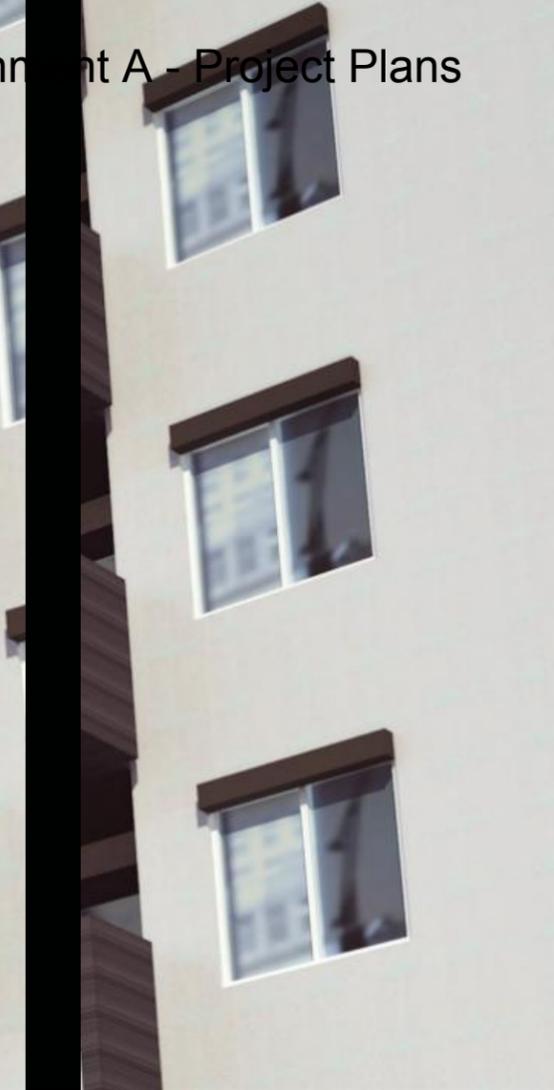
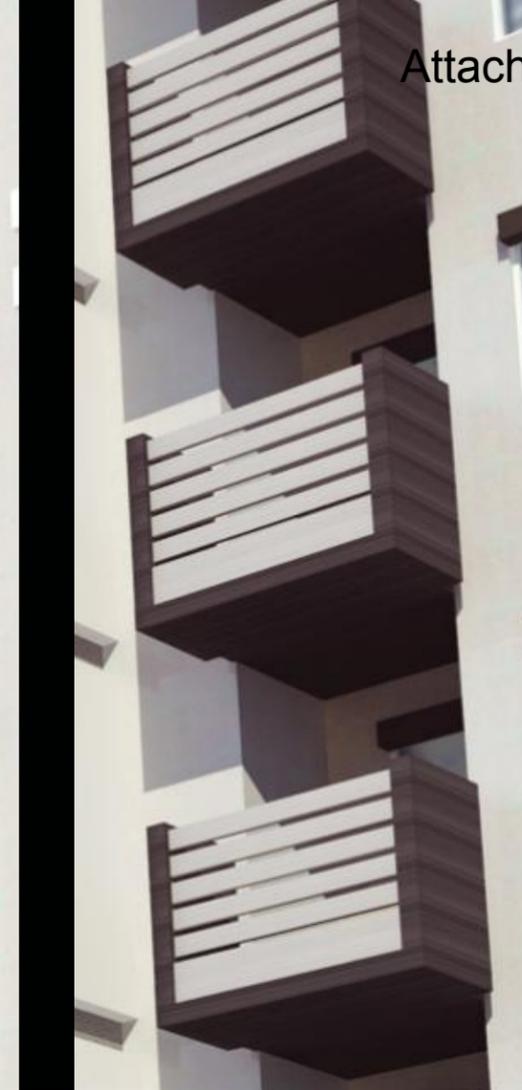
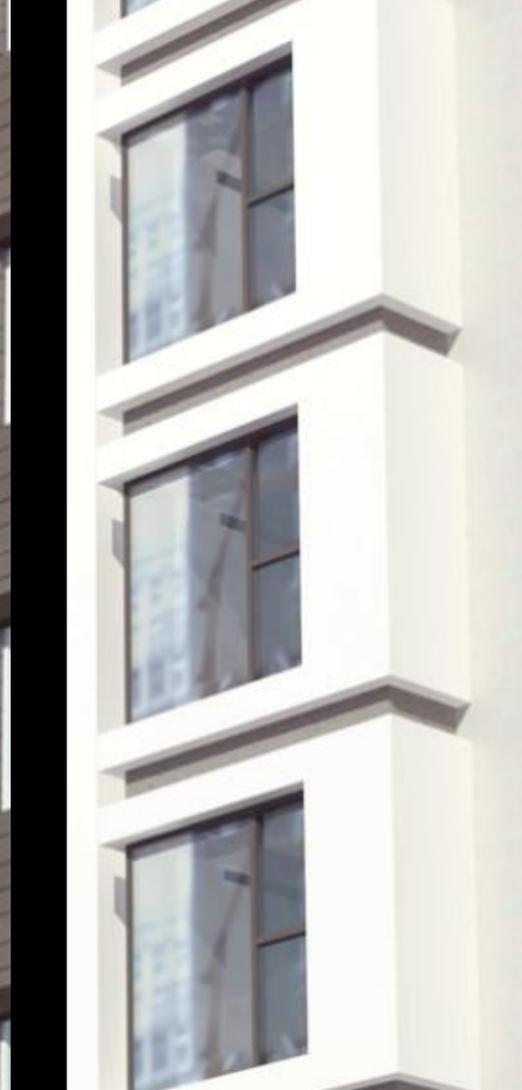
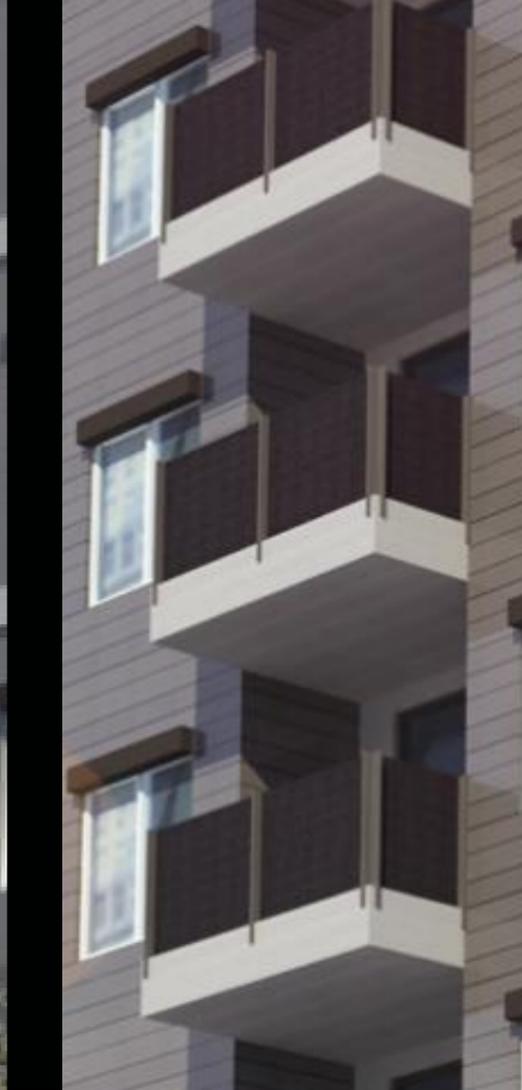
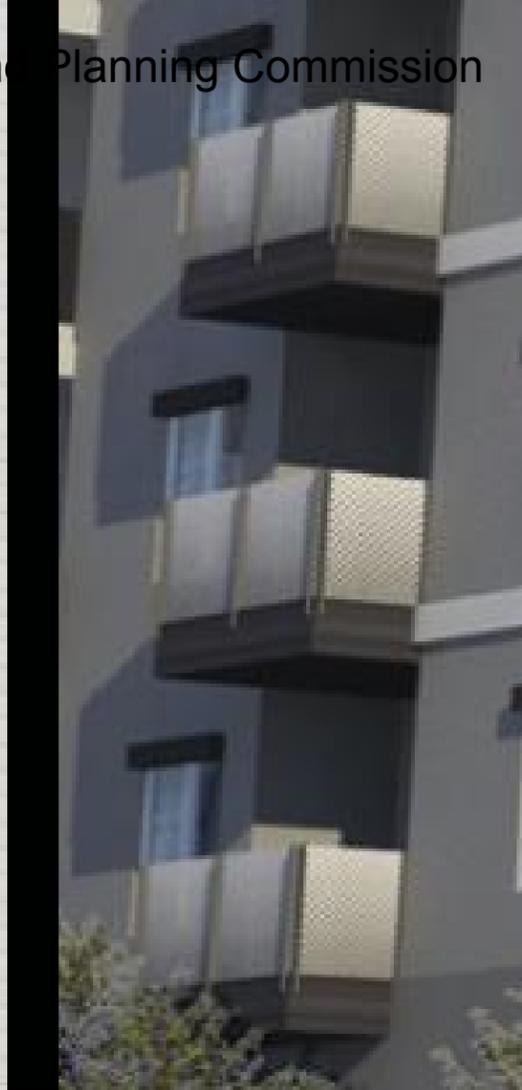
**TAN PLASTER**  
SMOOTH TROWEL  
FINISH

UPPER LEVEL  
MATERIAL CALL OUTS

**A-25**

JULY 21, 2016





**VERTICAL  
GLAZING SYSTEM**

**PERFORATED  
ALUMINUM BALCONY #1**

**PERFORATED  
ALUMINUM BALCONY #2**

**STUDIO  
BAY WINDOW**

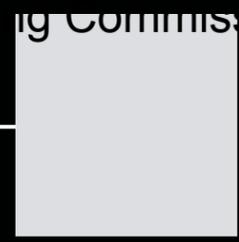
**STUDIO  
BALCONY**

**WHITE MULLION  
WINDOW**

**WINDOW & BALCONY  
TYPOLOGY**

**A-26**

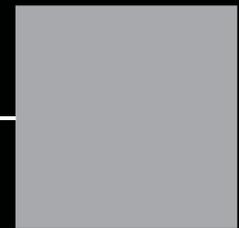
JULY 21, 2016



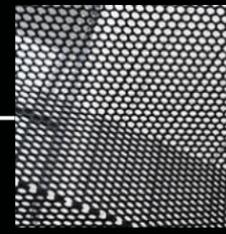
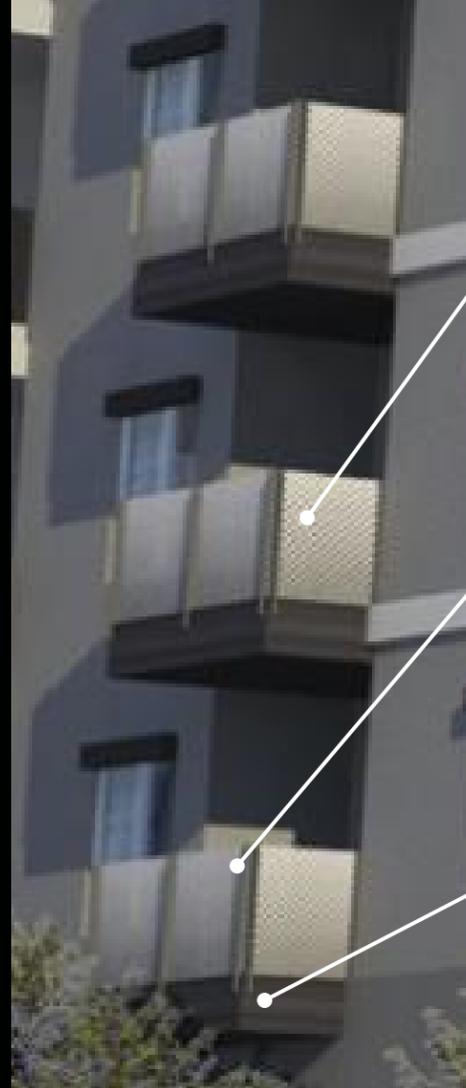
WHITE MULLION



VISION GLASS



MID-GREY PAINTED ALUMINUM



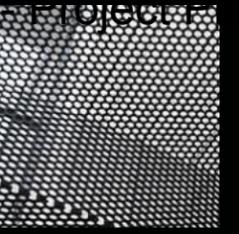
WHITE PERFORATED ALUMINUM



DARK GREY GALVANIZED STEEL



CHARCOAL PLASTER SMOOTH TROWEL FINISH



CHARCOAL PERFORATED ALUMINUM



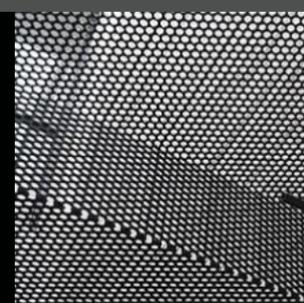
DARK GREY GALVANIZED STEEL



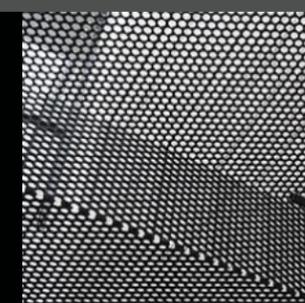
MID-GREY PLASTER SMOOTH TROWEL FINISH



VERTICAL GLAZING SYSTEM



PERFORATED ALUMINUM BALCONY #1



PERFORATED ALUMINUM BALCONY #2

WINDOW & BALCONY MATERIAL CALL OUTS

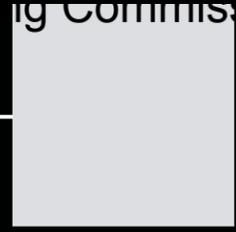
A-27

JULY 21, 2016



City of Oakland

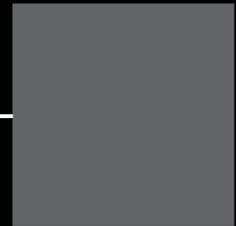
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WHITE PLASTER  
SMOOTH TROWEL  
FINISH



VISION GLASS



DARK GREY  
ALUMINUM MULLION

Attach



VISION GLASS



CHARCOAL PAINTED  
ACCENT



WHITE  
MULLION



CHARCOAL PLASTER  
SMOOTH TROWEL  
FINISH



LIGHT GREY  
ARCHITECTURAL  
PANEL



STUDIO  
BAY WINDOW



STUDIO  
BALCONY



WHITE MULLION  
WINDOW

WINDOW & BALCONY  
MATERIAL CALL OUTS

A-28

JULY 21, 2016

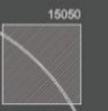
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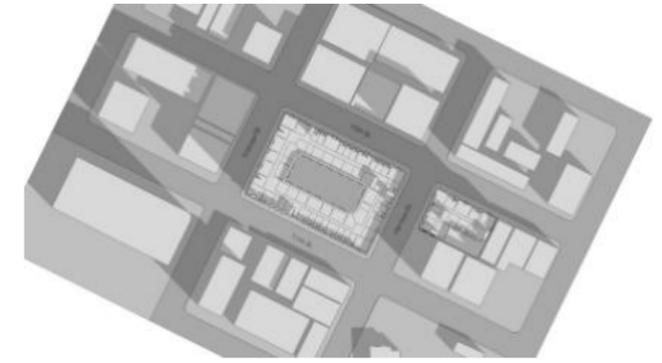
03/21

06/21

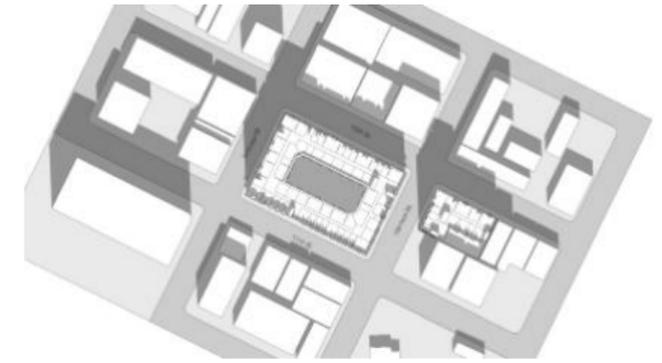
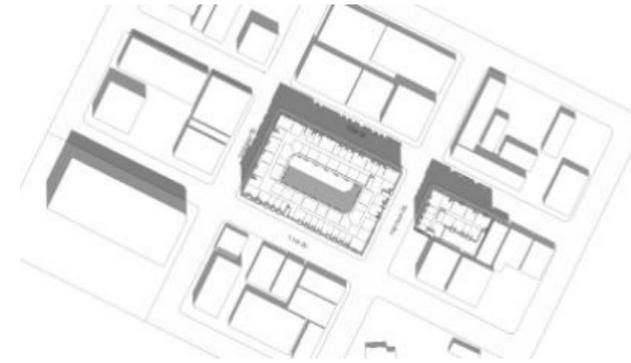
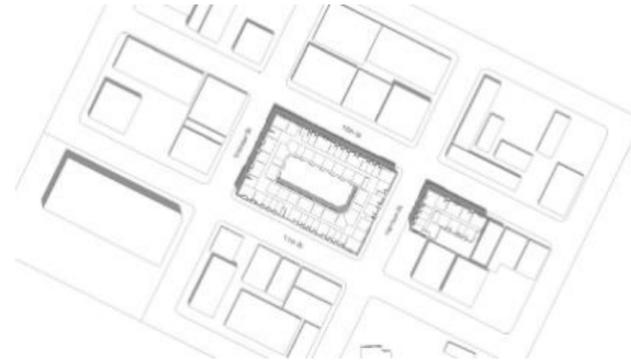
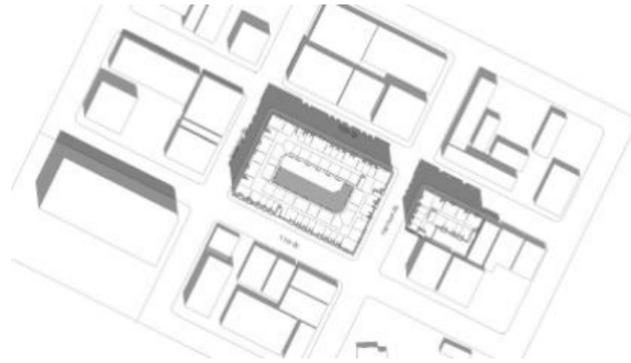
09/21

12/21

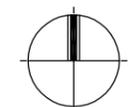
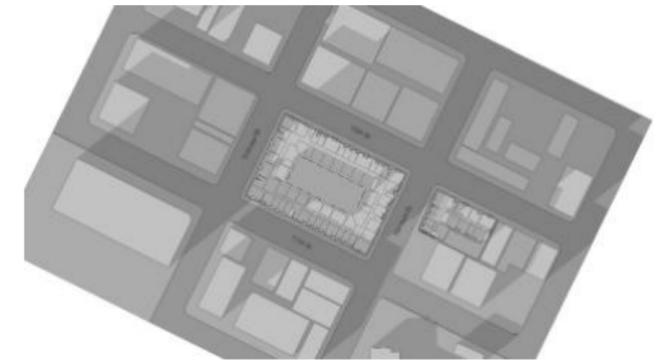
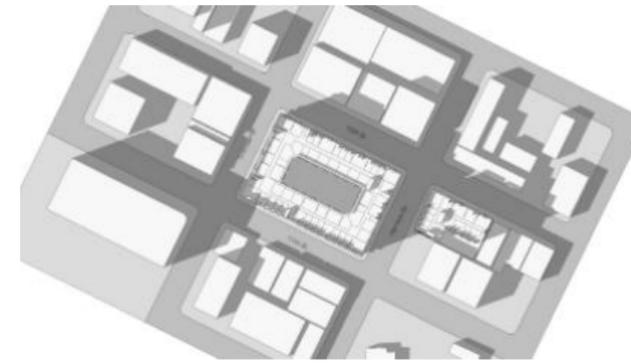
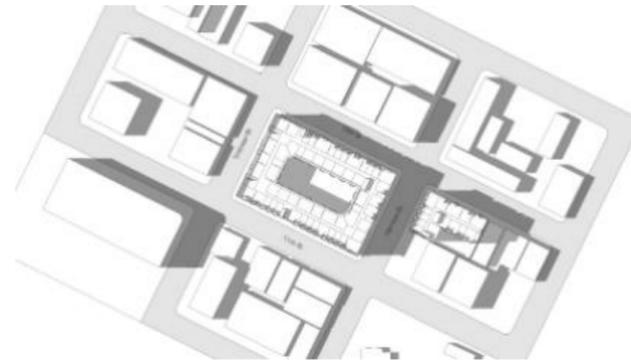
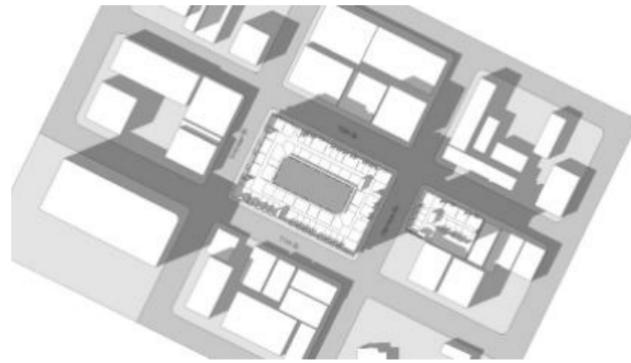
9:00 AM



12:00 PM



4:00 PM



SHADOW STUDY

A-29

JULY 21, 2016

W12 - WEBSTER & 12TH

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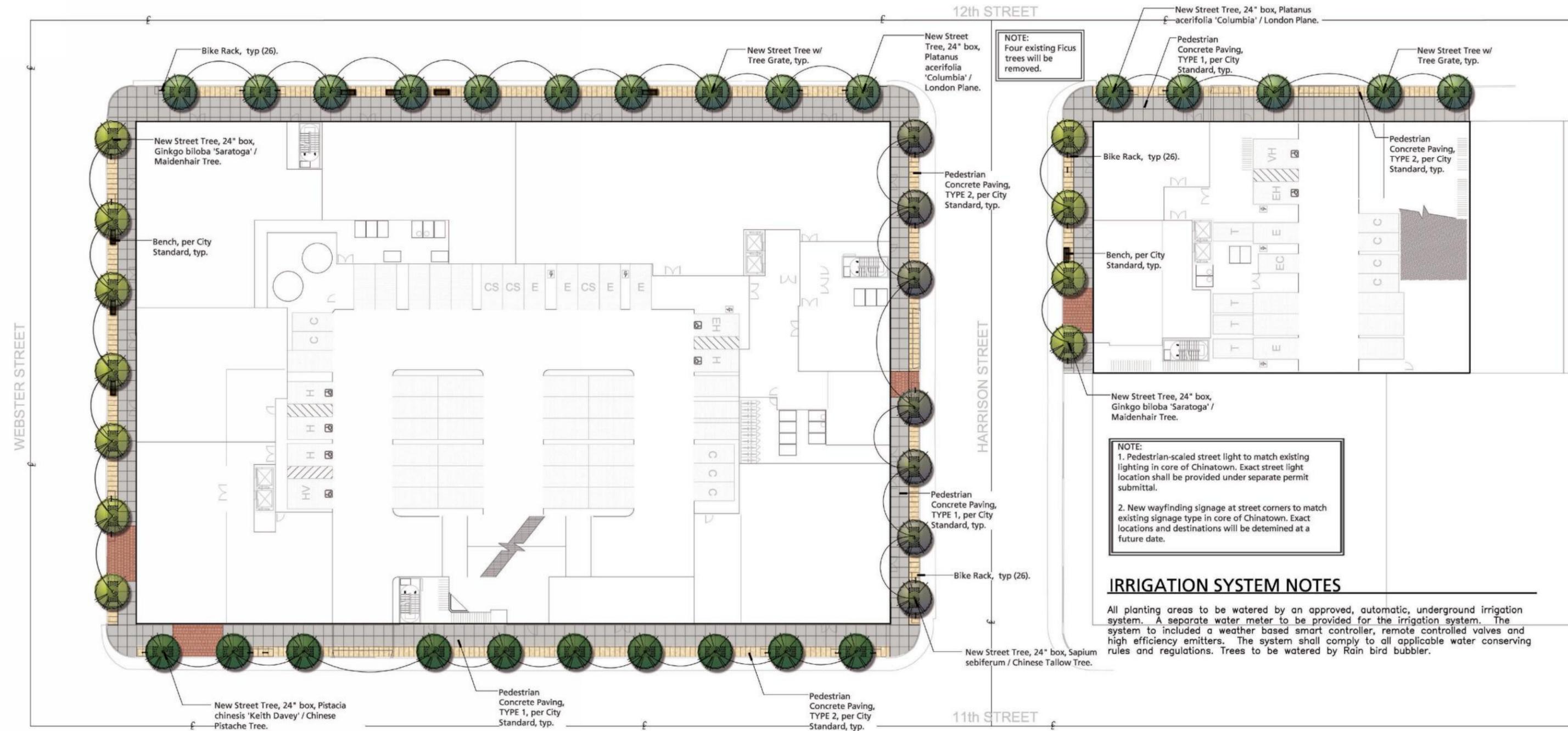
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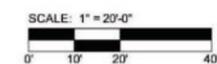
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CONCEPTUAL LANDSCAPE PLAN - STREET LEVEL



L-1.1

JULY 21, 2016

**WEBSTER & 12TH**

BETWEEN 11TH & 12TH STREET &  
BETWEEN ALICE STREET & WEBSTER STREET  
OAKLAND, CA

PREPARED FOR:  
THE MARTIN GROUP

**THE GUZZARDO PARTNERSHIP INC.**  
Landscape Architects • Land Planners  
181 Greenwich Street  
San Francisco, CA 94111  
T 415 433 4672  
F 415 433 5003

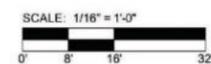
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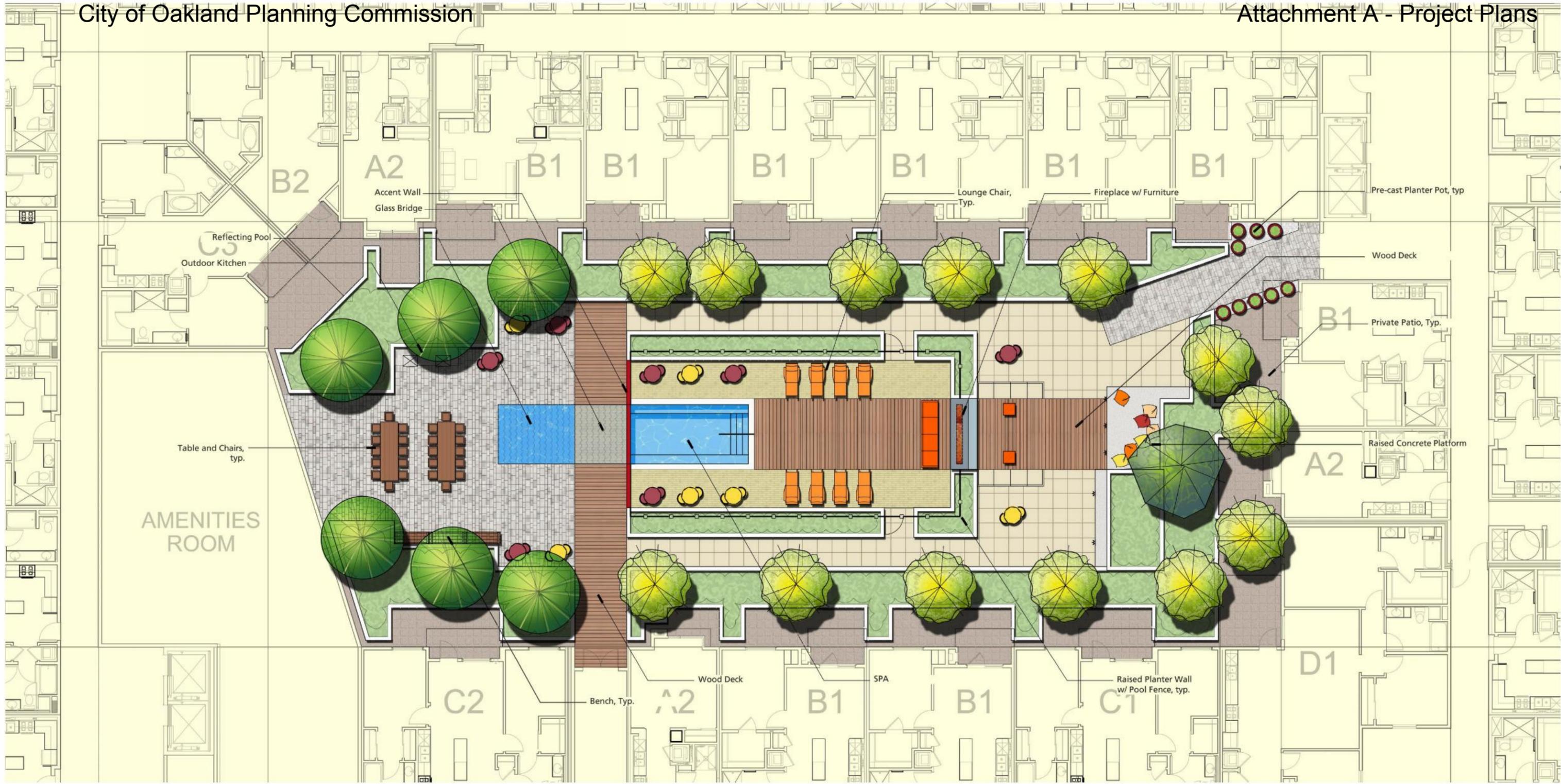


CONCEPTUAL LANDSCAPE PLAN - PODIUM LEVEL

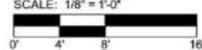


L-2.1

JULY 21, 2016

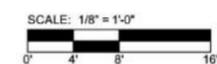
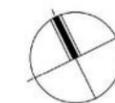


CONCEPTUAL LANDSCAPE ENLARGEMENT PLAN - COURTYARD A



**L-2.2**  
 JULY 21, 2016

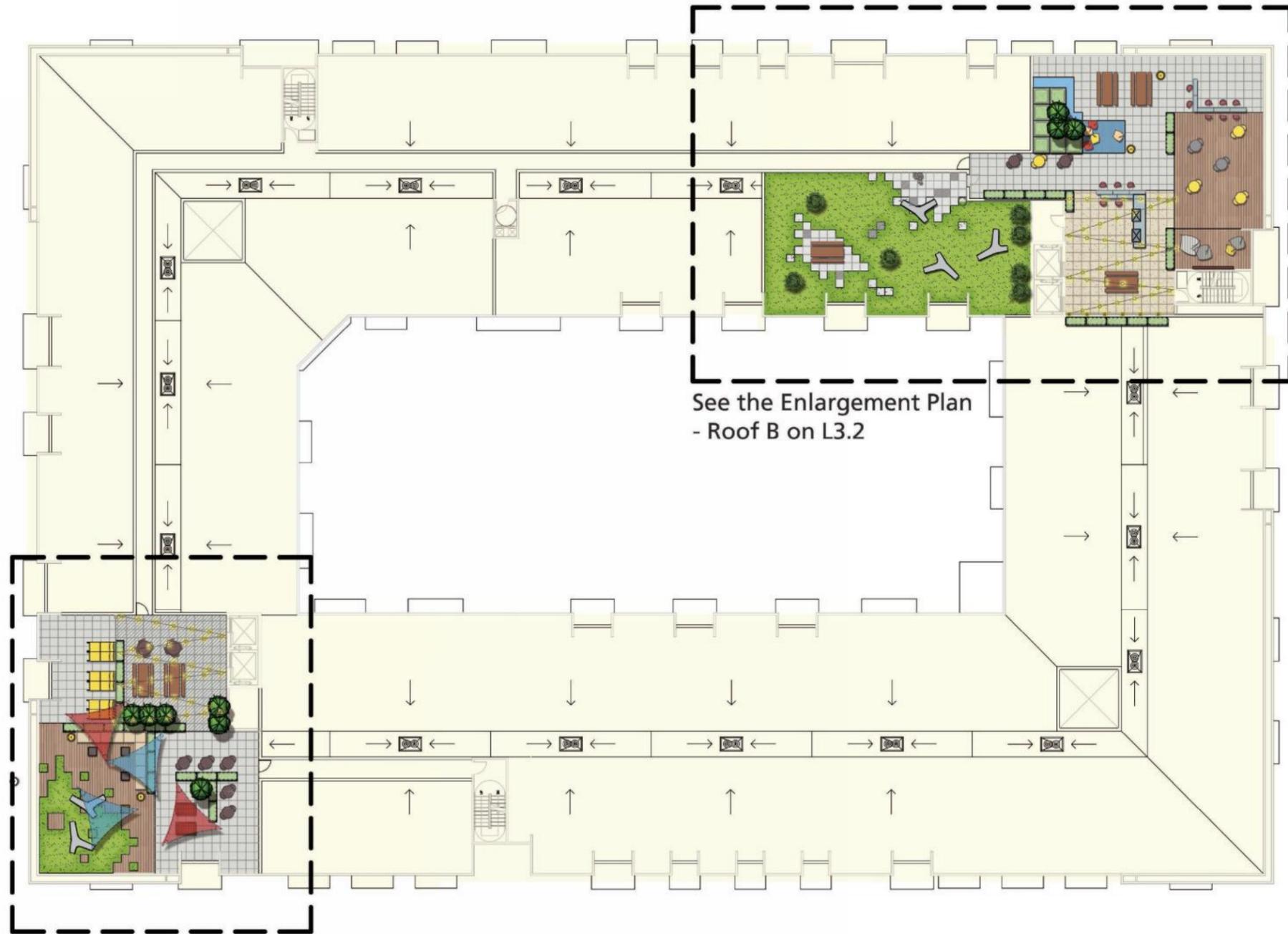


CONCEPTUAL LANDSCAPE ENLARGEMENT PLAN - COURTYARD B



L-2.3

JULY 21, 2016



See the Enlargement Plan  
- Roof B on L3.2

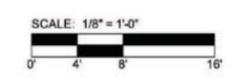


See the Enlargement Plan - Roof A on L3.2



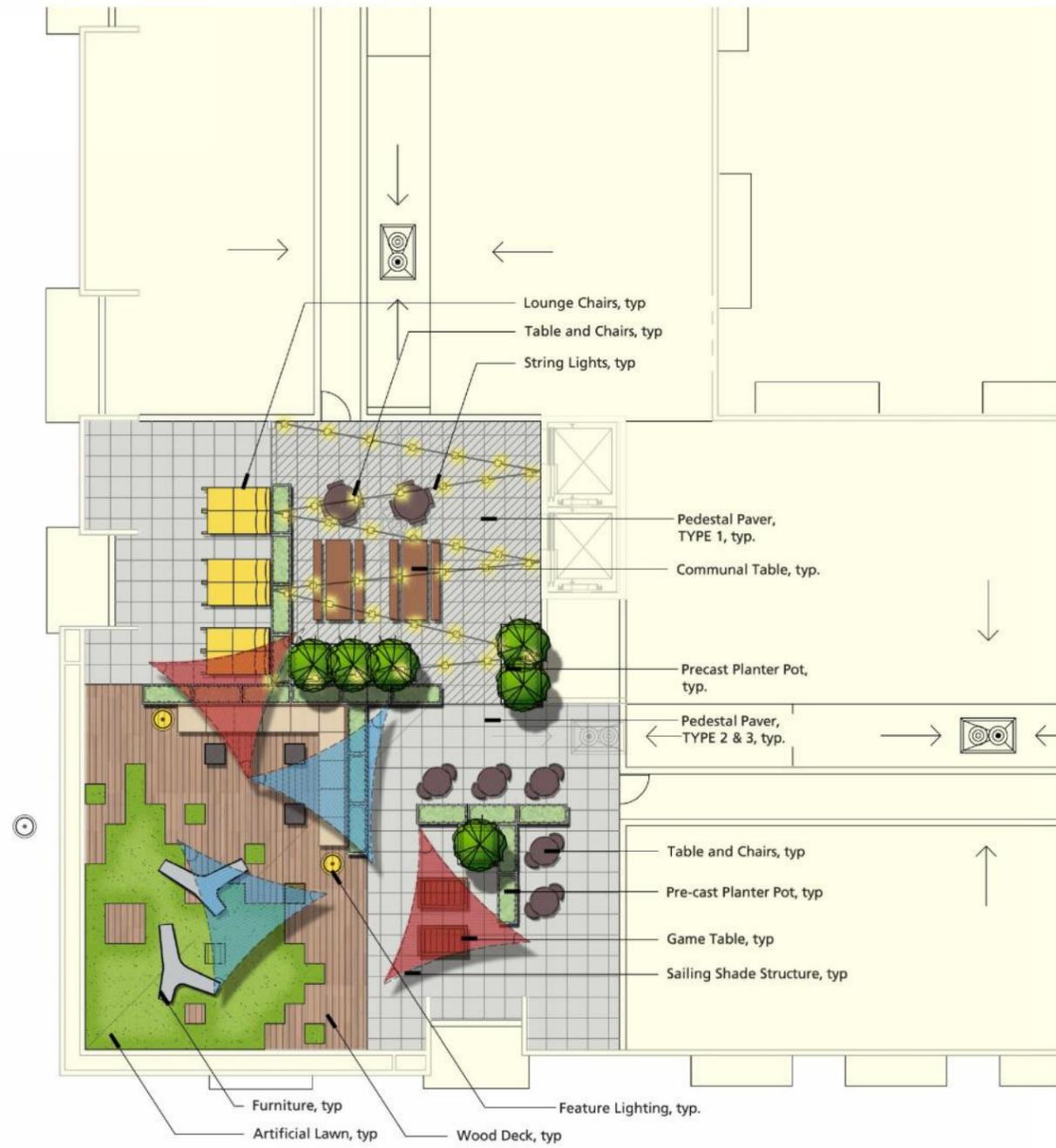
See the Enlargement Plan - Roof C on L3.3

CONCEPTUAL LANDSCAPE PLAN - ROOF LEVEL



**L-3.1**

JULY 21, 2016

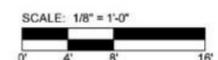
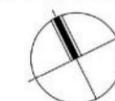


ENLARGEMENT PLAN - ROOF A



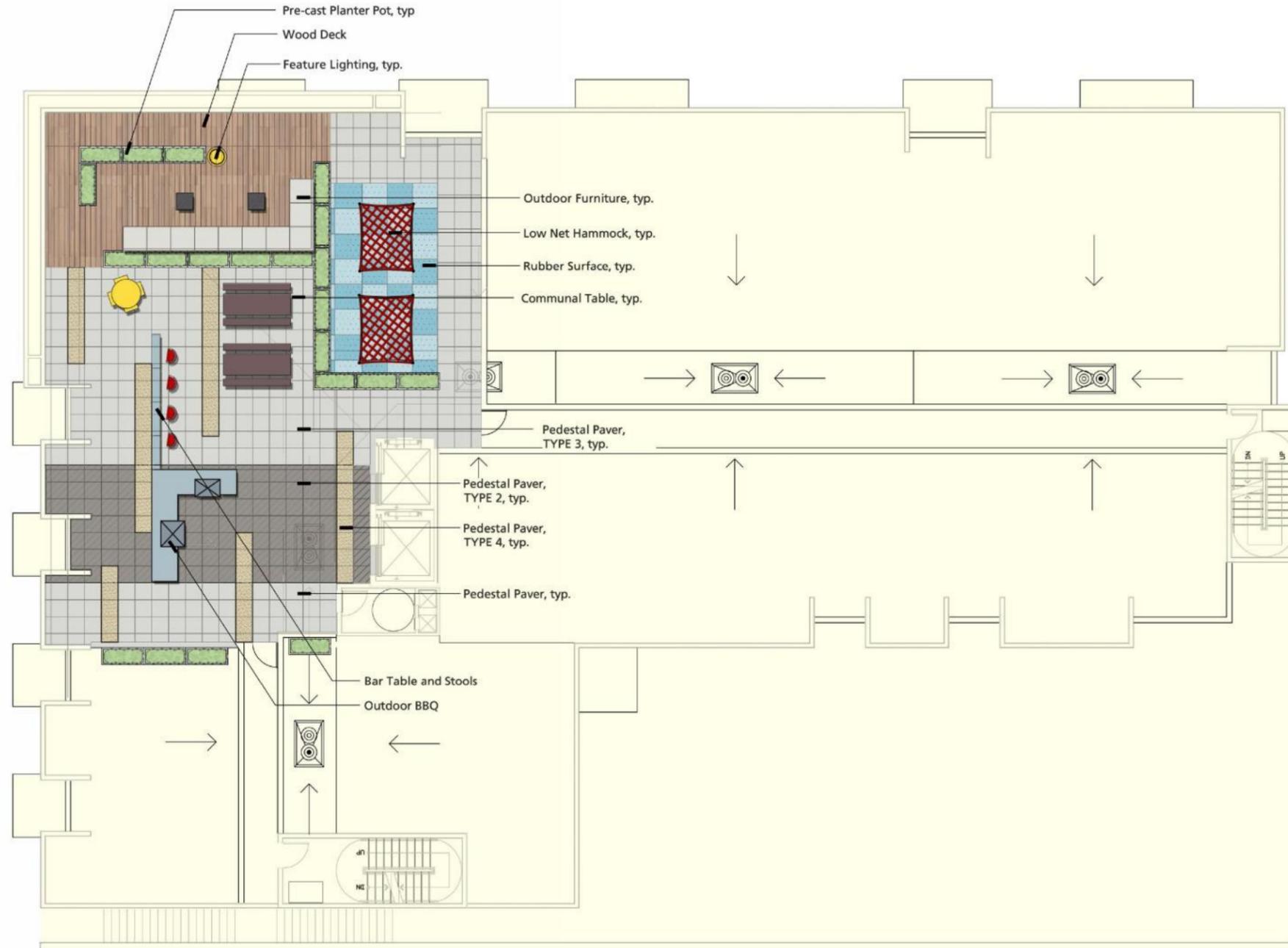
ENLARGEMENT PLAN - ROOF B

CONCEPTUAL LANDSCAPE ENLARGEMENT PLAN - ROOF A & B



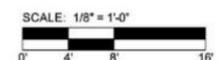
**L-3.2**

JULY 21, 2016



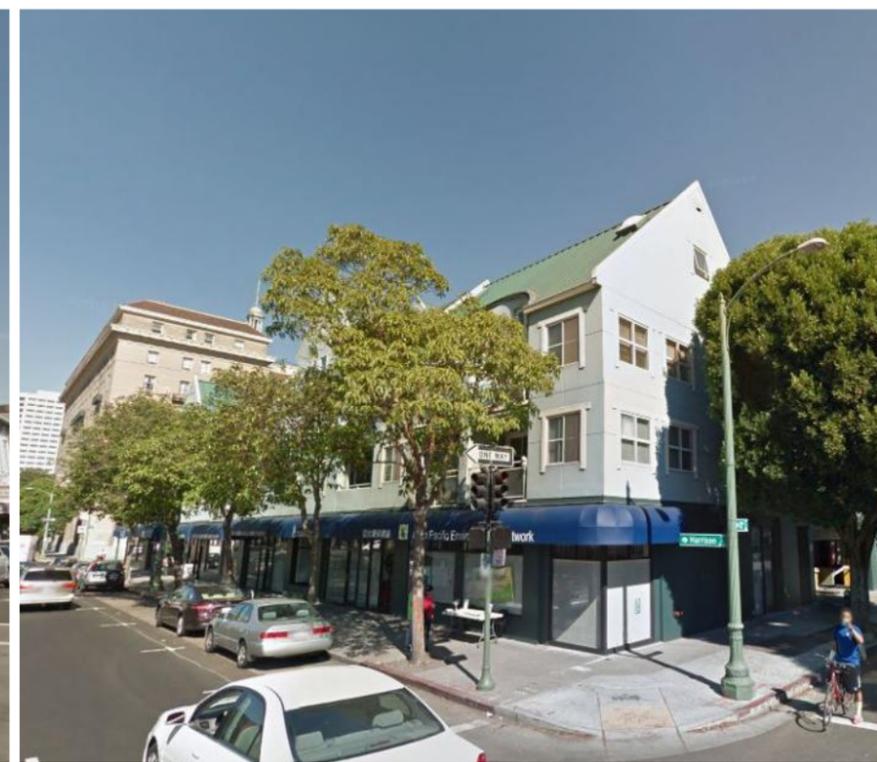
ENLARGEMENT PLAN - ROOF C

CONCEPTUAL LANDSCAPE ENLARGEMENT PLAN - ROOF C



**L-3.3**

JULY 21, 2016



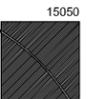
ADJACENT CONTEXT COMPARISON X-01

W12 - WEBSTER & 12TH  
BETWEEN 11TH & 12TH STREET/  
HARRISON STREET & WEBSTER STREET  
OAKLAND, CA

PREPARED FOR:  
THE MARTIN GROUP

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15050



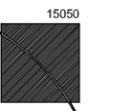
**DARK-TONE CONTEXT COMPARISON  
X-02**

**W12 - WEBSTER & 12TH**  
BETWEEN 11TH & 12TH STREET/  
HARRISON STREET & WEBSTER STREET  
OAKLAND, CA

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**ATTACHMENT B**  
**FINDINGS FOR APPROVAL**

## FINDINGS FOR APPROVAL

This proposal meets all the required Conditional Use Permit Criteria (Section 17.134.050 & 17.101 .G.050B.2) and Design Review Criteria (Section 17.136.050) as set forth below and which are required to approve an application. This proposal does not contain characteristics that require denial pursuant to the Tentative Map Findings (Section 16.08.030) and is consistent with the Lot Design Standards (Section 16.24.040) of the Oakland Subdivision Regulations. The proposal also meets all the findings necessary to comply with the California Environmental Quality Act. Required findings are shown in bold capital type; reasons the proposal satisfies them are shown in normal or italic type. (Note: The Project's conformance with the following findings is not limited to the discussion below, but is also included in all discussions in this report and elsewhere in the record).

### **CONDITIONAL USE PERMIT FINDINGS**

#### **Section 17.134.050 General Use Permit Criteria**

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

*The W12 project will consist of two 7-story midrise buildings. One full block building & a quarter block building. In total the project will consist of 416 apartment units & approximately 25,000 sf of commercial space that will screen an internal parking structure housing adequate vehicular and bicycle parking. The new addition to Oakland's urban fabric will be located on a 1.38 acre (full block) & a .34 acre (1/4 block) site at the intersection of Webster & 12<sup>th</sup> in the Lake Merritt Station Area District Mixed Commercial Zone-4 (D-LM-4). The project will provide new housing and service opportunities in Oakland's Chinatown District. It is located within the region's major employment, retail, entertainment, cultural, and transportation center and conforms to the standards set in that zone. Indeed it is less dense than it could be under the zoning regulations which anticipated such a development. Therefore, this proposal will not be harmful to the neighborhood character, to the generation of traffic and capacity of surrounding streets or any other factor.*

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

*The project plans for mid-rise apartments and neighborhood retail and support services. Modern community amenities, landscaped decks, and rooftop open space, are other planned features of the community. W12 is planned to be a cohesive residential community, incorporating sustainable best practices that complement the character of the Downtown urban fabric, existing resources on the site, and the surrounding neighborhood area context. The project is located within Downtown, Oakland's main job center and transit hub.*

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

*The Project will offer new housing that will increase foot traffic in the area as well as provide new retail / commercial amenities to the neighborhood. The Project includes 2 and 3 bedroom units that are suitable for families.*

- D. The proposal conforms with all applicable Regular Design Review criteria set forth in Section 17.136.050 of the Oakland Planning Code.

*See Design Review findings below.*

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

*As detailed in the accompanying staff report, the project is located within the Central Business District (CBD) General Plan Land Use Classification and within the boundaries of the Lake Merritt Station Area. The Project is consistent/conforms with the goals and policies in those plans, by creating a new, mixed use development with high density housing and an active commercial ground floor in close proximity to BART Stations. The Project fully conforms to all zoning requirements.*

### **Section 17,101.G.050.B.2 Lake Merritt Station Area Plan Findings**

1. The proposal is consistent with the intent and desired land use character identified in the Lake Merritt Station Area Plan and its associated policies.

*The Project is located in the LMSAP's Pedestrian Transition Land Use District, which calls for mixed-use projects with continuous ground floor retail. The Project includes 25,000 SF of ground floor, pedestrian-oriented retail, with nearly 70% of the ground floor designed as continuous commercial with high clear heights and commercially reasonable depths. From the perspective of a pedestrian, the integrated awnings, which provide clear delineation between ground floor commercial and upper story residential uses, will ensure a consistent character with neighboring buildings.*

*The Project site is zoned for a total building height of 175' and a density of up to 681 units. The proposal is approx. 84' tall and has 417 units, and is therefore within the zonings standards that implement the vision of the LMSAP. Due to its proximity to Downtown, there are numerous buildings nearby that are 85ft or higher with no setbacks, including the EBMUD, California Regents, Hotel Oakland, Clorox, Oakland Marriott, 1111 Broadway and the Social Security office.*

2. The proposal will promote implementation of the Lake Merritt Station Area Plan.

*The Proposal helps promote the implementation of the Lake Merritt Station Plan in the following ways:*

*The Project will improve Public Safety by increasing foot traffic, increasing the street lighting and strengthening the linkage between Chinatown and the Downtown area. The Project will also address the needs of non-english speaking visitors & residents with wayfinding signage.*

*The Project has approximately 25,000 SF of retail space which will promote a variety of new businesses that will both offer employment to residents and serve the local community. The Project itself is anticipated to have 10 fulltime employees and the 25,000 SF of retail will create additional employment opportunities. The Project will deliver 416 new multifamily rental units, supporting the demand for housing within the LMSAP and the Bay Area for individuals and families.*

*The Project greatly exceeds the minimum number of required bicycle parking spaces, thereby supporting an increase in bike vs. car trips.*

*The Project will incorporate art, wayfinding signage, symbolic color schemes and other design features that enhance the cultural heritage of Chinatown while providing a gateway on Webster Street into Chinatown to the south.*

*The Project exceeds the CalGreen requirements, promoting the sustainability goals of the LMSAP.*

3. The proposal is consistent with the desired visual character described in the Lake Merritt Station Area Plan and Lake Merritt Station Area Design Guidelines, with consideration given to the existing character of the site and surrounding area.

*The project is consistent with the LMSAP Design Guidelines, notably the following:*

- 1) *Conformity with neighboring buildings and colors (DG 1)*
- 2) *Tall (over the recommended 15 feet) ceiling height for ground floor retail (DG 2)*
- 3) *Emphasis of building corners at block corners (DG 7)*
- 5) *Three-Dimensional Articulation through windows, balconies and design elements (DG 16)*
- 6) *Distinct Ground Floor Design (DG 29)*
- 7) *Clear delineation between primary and secondary entrances (DG 30)*
- 8) *Consistent Horizontal Lines (DG 33)*
- 9) *Integrated Awnings (DG 35)*
- 10) *Bike Parking (over the requirement)(DG 119)*
- 11) *Flexible Commercial Design (DG 42)*
- 12) *Range of Unit Sizes (DG 53)*
- 13) *Enhanced shared residential space (DG 57)*
- 14) *High Quality, Durable and Attractive Building Materials (DG 69 & 70)*
- 15) *Significant Pedestrian Lighting (DG 124)*
- 16) *Special Paving via high contrast concrete (DG 129)*
- 17) *Wayfinding & Signage (DG 133)*
- 19) *Lighting and street trees (DG 136)*
- 20) *Lighting for safety (DG-150)*

*o Wayfinding Signage – The project incorporate wayfinding signage from Chinatown to better cement the Project’s role as a gateway to Oakland’s Chinatown.*

*o Awning Color – The project includes maroon red awnings to match colors of the wayfinding signage and nearby buildings. This helps better delineate between the commercial and residential space, better integrates the Project with neighboring buildings and helps support the LMSAP’s goal of creating a visual entrance to Chinatown.*

*o Active Street Frontage – As noted earlier, the project includes a significant amount of ground floor retail, activating the pedestrian realm.*

**RESIDENTIAL DESIGN REVIEW CRITERIA**  
**(Section 17.136.050(A))**

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

*The Project (“W12”) aims to fit in with the eclectic Chinatown & Downtown Oakland urban neighborhoods. W12’s midrise scale, bulk and height will blend in well with the surrounding community, which contains numerous projects that are similar in scale. Throughout the neighborhood there is a large variety of unique buildings with a wide range of materials, that include brick, cement siding, painted plaster and aluminum. W12 aims to mimic the feeling left in the community through the use of these similar materials, but in a way that adds to the neighborhoods eclectic character. Massing of the building is varied through articulation and different colors, mixing recessed balconies and bay windows, both common design attributes in residential projects in the area.*

A-2: That the proposed design will protect, preserve, or enhance desirable neighborhood characteristics:

*W12 project will protect local neighborhood characteristics through cohesive design. W12 preserves the neighborhood by creating a pedestrian-oriented and transit-oriented development project in the heart of Downtown. Finally, W12 will enhance the neighborhood by meeting demand for new housing near transit and services, and extending the vibrancy of Chinatown’s commercial district by including ground floor retail along most of the project’s frontages.*

*W12 will help preserve the transit-oriented nature of the site through an active transit demand management program (Condition of Approval), and by providing more bike parking than required and a very low auto parking ratio.*

A-3: That the proposed design will be sensitive to the topography and landscape:

*The project site is flat and W12 is designed with this in mind without any changes in elevation throughout the project. W12’s exterior landscape design will focus on new trees and foliage planted in a manner consistent with City & Community standards.*

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

*Not applicable.*

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

*As proposed, W12 complies with the Lake Merritt Station Area Plan Design Guidelines and zoning standards, which are an implementation of the policies in the Oakland General Plan and the Lake Merritt Station Area Plan, as described in the Planning Commission staff report.*

**TENTATIVE MAP FINDINGS**

**Section 16.08.030 O.M.C. & California Government Code §66474**

The Advisory Agency shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:

- A. That the proposed map is not consistent with applicable general and specific plans as specified in the State Government Code Section 65451.

*The proposal is consistent with the Central Business District General Plan designation and with the Lake Merritt Station Area Plan (LMSAP), by creating a mixed use development with viable street fronting retail. See additional General Plan Conformity findings above.*

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

*The proposal is consistent with the Central Business District General Plan designation and with the LMSAP, by creating a mixed use development with viable street fronting retail. See additional General Plan Conformity findings above.*

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

*The site is suitable for the proposed development as it is located close to public utilities, transit, and other civic facilities, and fulfills the vision for the area as set forth in the LMSAP.*

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

*The proposed density is consistent with the General Plan and Specific Plan density envisioned for the area.*

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

*The project is proposing to remove trees that currently contain night heron and egret rookeries. However, as a Condition of Approval, the trees cannot be removed if the birds are present, and the applicant will be implementing a Plan for relocation of the rookeries.*

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

*There should be no adverse health effects. This is in a mixed use development containing residential and retail uses located in the downtown area and it will introduce no new use classifications that are incompatible with the surrounding neighborhood.*

- G. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. (This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no

authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.)

*There are no easements on this property at present therefore this finding is not applicable.*

H. That the design of the subdivision does not provide to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision

*The project could to be set up for solar panels on the rooftop.*

### **Section 16.24.040 O.M.C. – Lot Design Standards**

*For condominium purposes, these standards are not applicable.*

### **CEQA COMPLIANCE FINDINGS**

An evaluation of the proposed project is provided in the CEQA Checklist in Section VI that follows. This evaluation concludes that the W12 Mixed-Use Project qualifies for an addendum as well as an exemption from additional environmental review. It is consistent with the development density and land use characteristics established by the City of Oakland General Plan, and any potential environmental impacts associated with its development were adequately analyzed and covered by the analysis in the 2014 LMSAP EIR, and in the applicable Prior EIRs: the 1998 LUTE EIR, the 2011 Redevelopment Plan Amendments EIR, and the 2010 General Plan Housing Element Update EIR and its 2014 Addendum.

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

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

- Addendum. The 2014 LMSAP EIR analyzed the impacts of development within the LMSAP. The proposed project would not result in substantial changes or involve new information not already analyzed in the 2014 LMSAP EIR because the level of development now proposed for the site is within the broader development assumptions analyzed in the EIR. The proposed project would not cause new significant impacts not previously identified in the 2014 LMSAP EIR, or result in a substantial increase in the severity of previously identified significant impacts. No new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the LMSAP that would cause significant environmental impacts to which the proposed project would contribute considerably, and no new information has been put forward that shows that the proposed project would cause significant environmental impacts.

***FINDINGS***

Therefore, no supplemental environmental review is required in accordance with Public Resources Code Section 21166, and CEQA Guidelines Sections 15162 through 15164, as well as 15168 and 15180.

- **Community Plan Exemption.** The proposed project would not result in significant impacts that (1) are peculiar to the project or project site; (2) were not previously identified as significant project-level, cumulative, or offsite effects in the 2014 LMSAP EIR, or in the applicable Previous CEQA Documents: 1998 LUTE EIR, the 2011 Redevelopment Plan Amendments EIR, and for the housing components of the proposed project, the 2010 General Plan Housing Element Update EIR and its 2014 Addendum; or (3) were previously identified as significant effects, but—as a result of substantial new information not known at the time the 2014 LMSAP EIR was prepared, or when the Prior EIRs were certified— would increase in severity beyond that described in those EIRs. Therefore, the proposed project would meet the criteria to be exempt from further environmental review in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.
- **Qualified Infill Exemption.** The proposed project would not cause any new specific effects on the environment that were not already analyzed in the 2014 LMSAP EIR or in the applicable Prior EIRs: the 1998 LUTE EIR, the 2011 Redevelopment Plan Amendments EIR, and for the housing components of the proposed project, the 2010 General Plan Housing Element Update EIR and its 2014 Addendum. Further, the proposed project would not cause any new specific effects on the environment that are more significant than previously analyzed in the 2014 LMSAP EIR, or the aforementioned previously certified applicable Prior EIRs. The effects of the proposed project have been addressed in the 2014 LMSAP EIR and Prior EIRs, and no further environmental documents are required in accordance with Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3.
- **Other Applicable Previous CEQA Documents - Prior EIRs and Redevelopment Projects.** The analysis in the 2011 Redevelopment Plan Amendments EIR, the 2010 General Plan Housing Element Update EIR and its 2014 Addendum, and in this CEQA Analysis demonstrates that the proposed project would not result in substantial changes or involve new information that would warrant preparation of a subsequent EIR, per CEQA Guidelines Section 15162, because the level of development now proposed for the site is within the broader development assumptions analyzed in the EIR. The effects of the proposed project have been addressed in that EIR and no further environmental documents are required in accordance with CEQA Guidelines Sections CEQA Guidelines Sections 15168 and 15180.

Overall, based on an examination of the analysis, findings, and conclusions of the 2014 LMSAP EIR, as well as those of the 1998 LUTE EIR, the 2011 Redevelopment Plan Amendments EIR (or “Redevelopment Plan Amendments EIR”), and for the housing components of the proposed project, the 2010 General Plan Housing Element Update EIR and its 2014 Addendum—all of which are summarized in the CEQA Checklist in Section VI of this document—the potential environmental impacts associated with the W12 Mixed-Use Project have been adequately analyzed and covered in the LMSAP EIR and other Previous CEQA Documents. Therefore, no further review or analysis under CEQA is required.

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

***FINDINGS***

# **ATTACHMENT C**

## **CONDITIONS OF APPROVAL AND SCAMMRP**

**STANDARD ADMINISTRATIVE CONDITIONS:**

**1. Approved Use**

The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, **staff report** and the approved plans **dated July 21, 2016**, as amended by the following conditions of approval and mitigation measures, if applicable (“Conditions of Approval” or “Conditions”).

**2. Effective Date, Expiration, Extensions and Extinguishment**

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

**3. Compliance with Other Requirements**

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

**4. Minor and Major Changes**

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

**5. Compliance with Conditions of Approval**

- a. The project applicant and property owner, including successors, (collectively referred to hereafter as the “project applicant” or “applicant”) shall be responsible for compliance with all the Conditions of Approval and any recommendations contained in any submitted and

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

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

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

**7. Blight/Nuisances**

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

**8. Indemnification**

- a. To the maximum extent permitted by law, the project applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Redevelopment Successor Agency, the Oakland City Planning Commission, and their respective agents, officers, employees, and volunteers (hereafter collectively called "City") from any liability, damages, claim, judgment, loss (direct or indirect), action, causes of action, or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul this Approval or implementation of this Approval. The City may elect, in its sole discretion, to participate in the defense of said Action and the project applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.
- b. Within ten (10) calendar days of the filing of any Action as specified in subsection (a) above, the project applicant shall execute a Joint Defense Letter of Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Joint Defense Letter of Agreement shall survive termination, extinguishment, or invalidation of the Approval. Failure to timely execute the Letter of

Agreement does not relieve the project applicant of any of the obligations contained in this Condition or other requirements or Conditions of Approval that may be imposed by the City.

**9. Severability**

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

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

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

**11. Public Improvements**

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

**12. Compliance Matrix**

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

**13. Construction Management Plan**

Prior to the issuance of the first construction-related permit, the project applicant and his/her general contractor shall submit a Construction Management Plan (CMP) for review and approval by the Bureau of Planning, Bureau of Building, and other relevant City departments such as the Fire Department and the Public Works Department as directed. The CMP shall contain measures to minimize potential construction impacts including measures to comply with all construction-related Conditions of Approval (and mitigation measures if applicable) such as dust control, construction emissions, hazardous materials, construction days/hours, construction traffic control,

waste reduction and recycling, stormwater pollution prevention, noise control, complaint management, and cultural resource management (see applicable Conditions below). The CMP shall provide project-specific information including descriptive procedures, approval documentation, and drawings (such as a site logistics plan, fire safety plan, construction phasing plan, proposed truck routes, traffic control plan, complaint management plan, construction worker parking plan, and litter/debris clean-up plan) that specify how potential construction impacts will be minimized and how each construction-related requirement will be satisfied throughout construction of the project.

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

- a. All mitigation measures identified in the **W12 CEQA Analysis** are included in the Standard Condition of Approval / Mitigation Monitoring and Reporting Program (SCAMMRP), which is included in these Conditions of Approval and is incorporated herein by reference, as **Exhibit A**, as Conditions of Approval of the project. The Standard Conditions of Approval identified in the **W12 CEQA Analysis** are also included in the SCAMMRP, and are, therefore, incorporated into these Conditions by reference but are not repeated in these Conditions. To the extent that there is any inconsistency between the SCAMMRP and these Conditions, the more restrictive Conditions shall govern. In the event a Standard Condition of Approval or mitigation measure recommended in the **W12 CEQA Analysis** has been inadvertently omitted from the SCAMMRP, that Standard Condition of Approval or mitigation measure is adopted and incorporated from the **W12 CEQA Analysis** into the SCAMMRP by reference, and adopted as a Condition of Approval. The project applicant and property owner shall be responsible for compliance with the requirements of any submitted and approved technical reports, all applicable mitigation measures adopted, and with all Conditions of Approval set forth herein at his/her sole cost and expense, unless otherwise expressly provided in a specific mitigation measure or Condition of Approval, and subject to the review and approval by the City of Oakland. The SCAMMRP identifies the timeframe and responsible party for implementation and monitoring for each Standard Condition of Approval and mitigation measure. Monitoring of compliance with the Standard Conditions of Approval and mitigation measures will be the responsibility of the Bureau of Planning and the Bureau of Building, with overall authority concerning compliance residing with the Environmental Review Officer. Adoption of the SCAMMRP will constitute fulfillment of the CEQA monitoring and/or reporting requirement set forth in section 21081.6 of CEQA.
- b. Prior to the issuance of the first construction-related permit, the project applicant shall pay the applicable mitigation and monitoring fee to the City in accordance with the City's Master Fee Schedule.

**PROJECT-SPECIFIC CONDITIONS:**

**15. Exterior Finishes**

Requirement: The final building permit plan set shall contain detailed information on all proposed exterior finishes. If requested by the Bureau of Planning sample materials shall be submitted and are subject to final approval by the Zoning Manager. This

includes but is not limited to the texture and colors of the proposed vinyl windows, and metal balconies.

When Required: Prior to issuance of a Building Permit

Permit Initial Approval: Bureau of Planning Monitoring/Inspection:  
Bureau of Planning

**16. Public Art for Private Development Condition of Approval**

Requirement: The project is subject to the City's Public Art Requirements for Private Development, adopted by Ordinance No. 13275 C.M.S. ("Ordinance"). The public art contribution requirements are equivalent to one-half percent (0.5%) for the "residential" building development costs, and one percent (1.0%) for the "non-residential" building development costs. The contribution requirement can be met through the commission or acquisition and installation of publicly accessible art fund, or satisfaction of alternative compliance methods described in the Ordinance. The applicant shall provide proof of full payment of the in-lieu contribution, or provide proof of installation of artwork on the development site prior to the City's issuance of a final certificate of occupancy for each phase unless a separate, legal binding instrument is executed ensuring compliance within a timely manner subject to City approval. On-site art installation shall be designed by independent artists, or artists working in conjunction with arts or community organizations that are verified by the City to either hold a valid Oakland business license and/or be an Oakland-based 501(c)(3) tax designated organization in good standing.

When Required: Prior to issuance of Final Certificate of Occupancy and

Ongoing Initial Approval: Bureau of Planning

**17. Covenants, Conditions and Restrictions & Homeowner's Association**

Requirement: When the condominium units created are offered for sale, the Covenants, Conditions and Restrictions (CC&Rs) for the approved units shall be submitted to the Planning and Zoning Division for review. The CC&Rs shall provide for the establishment of a non-profit homeowners association to maintenance and operation of all common landscaping, driveways, and other facilities, in accordance with approved plans. Membership in the association shall be made a condition of ownership. The developer shall be a member of such association until all units are sold.

When Required: If the condominium units are offered for immediate sale, within one year after issuance of the first certificate of occupancy. If not, prior to the first sale of a condominium unit.

**18. Miscellaneous Transportation Improvement Measures**

Requirement #1: Ensure that the project has adequate sight distance between motorists who are exiting the driveway and pedestrians on adjacent sidewalks. This may require removing on-street parking spaces adjacent to the driveway and audio/visual warning devices at the driveway.

Requirement #2: Ensure that the project coordinates any public right of way activities, including trenching, repaving, sidewalk reconstruction, with improvements associated with the Bus Rapid Transit project.

Requirement #3: In order for adjacent intersections to properly handle the new pedestrians generated by the project, the project must implement safety improvements, such as corner bulbouts to shorten crossing distances. However the City is in the midst of a Downtown Circulation Plan which may call for the reconfiguration of streets in Downtown. In order to not preclude the possibility of those changes, the project will work with staff to either implement the bulbouts or an equivalent value of streetscape improvements.

When Required: Prior to issuance of Final Certificate of Occupancy

Approval: Bureau of Planning, Department of Transportation

### 19. **Fire Safety Measures for Rooftop Open Space**

Requirement #1: The rooftop open space can have gas appliances, including grills, as long as these are hard-plumbed through the floor into the building. No charcoal fires, or fires utilizing other fuels besides gas, are permitted.

Requirement #2: As part of the design, add an aluminum fire ladder to be stored on the podium in addition to the enhanced stair access with a wider door. Coordinate with the Fire Prevention Bureau regarding details on the type of ladder.

Requirement #3: No permanent structures are allowed in the rooftop open space, but temporary tents, umbrellas, planting boxes, and other moveable furniture is allowed.

When Required: Prior to issuance of Final Certificate of Occupancy and ongoing monitoring.

Approval: Bureau of Planning, Fire Prevention Bureau, Bureau of Building

### 20. **Building Design – Parking and Loading Frontage in Building 2 (quarter block)**

Requirement: A significant amount of the 12th Street frontage on Building 2 (quarter block) is dedicated to parking and loading behind a wall faced with grey block material, which does not provides much visual interest to passersby. In detailed plans provided for Building permits, the applicant must include ways to enliven that frontage, with greater variety of materials, colors, and/or the insertion of public art and/or plantings (as shown in the renderings, but not in the landscape plan).

When Required: Building Permit submittal

Approval: Bureau of Planning, Bureau of Building

### 21. **Streetscape Elements**

Requirement: Consistent with the Lake Merritt Station Area Plan, the project will include streetscape elements, including pedestrian scaled lighting, way finding signage to match those found in the heart of Chinatown. The applicant shall submit plans.

Approval: Department of Public Works, Bureau of Planning

When Required: Building Permit submittal

Approval: Bureau of Planning, Bureau of Building

**22. Lighting and Signage for Ground Floor**

Requirement: Consistent with the zoning requirements, the project will include detailed lighting and signage plans for the ground floor retail.

When Required: Building Permit submittal

Approval: Bureau of Planning, Bureau of Building

## ATTACHMENT A

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# Standard Conditions of Approval and Mitigation Monitoring and Reporting Program

This Standard Conditions of Approval (“SCAs”) and Mitigation Monitoring and Reporting Program (“SCAMMRP”) is based on the CEQA Analysis prepared for the W12 Mixed-Use Project.

This SCAMMRP is in compliance with Section 15097 of the CEQA Guidelines, which requires that the Lead Agency “adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.” The SCAMMRP lists mitigation measures recommended in the 2014 LMSAP EIR that apply to the proposed project. The SCAMMRP also lists other SCAs that apply to the proposed project, most of which were identified in the LMSAP EIR and some of which have been subsequently updated or otherwise modified by the City. Specifically, on July 22, 2015, the City of Oakland released a revised set of all City of Oakland SCAs, which largely still include SCAs adopted by the City in 2008, along with supplemental, modified, and new SCAs. SCAs are measures that would minimize potential adverse effects that could result from implementation of the proposed project, to ensure the conditions are implemented and monitored. The revised set of the City of Oakland SCAs includes new, modified, and reorganized SCAs; however, none of the revisions diminish or negate the ability of the SCAs considered “environmental protection measures” to minimize potential adverse environmental effects. As such, the SCAs identified in the SCAMMRP reflect the current SCAs only. Although the SCA numbers listed below may not correspond to the SCA numbers in the 2014 LMSAP EIR, all of the environmental topics and potential effects addressed by the SCAs in the LMSAP EIR are included in this SCAMMRP (as applicable to the W12 Project). This SCAMMRP also identifies the mitigation monitoring requirements for each mitigation measure and SCA.

This CEQA Analysis is also based on the analysis in the following Prior EIRs that apply to the W12 Mixed-Use Project: Oakland’s 1998 General Plan Land Use and Transportation Element (“LUTE”) EIR (“1998 LUTE EIR”), the 2010 General Plan Housing Element Update EIR and its 2014 Addendum, and the 2011 Central District Urban Renewal Plan Amendments EIR (or “Redevelopment Plan Amendments EIR”). None of the mitigation measures or SCAs from these EIRs are included in this SCAMMRP because they, or an updated or equally effective mitigation measure or SCA, is identified in the 2014 LMSAP EIR, its addenda, or in this CEQA Analysis for the W12 Mixed-Use Project.

To the extent that there is any inconsistency between any mitigation measures and/or SCAs, the more restrictive conditions shall govern; to the extent any mitigation measure and/or SCA identified in the CEQA Analysis were inadvertently omitted, they are automatically incorporated herein by reference.

- The first column of the SCAMMRP table identifies the mitigation measure or SCA applicable to that topic in the CEQA Analysis. While a mitigation measure or SCA can apply to more than one topic, it is listed in its entirety only under its primary topic (as indicated in the mitigation or SCA designator). The SCAs are numbered to specifically apply to the W12 Mixed-Use Project and this CEQA Analysis; however, the SCAs as presented in the City's *Standard Conditions of Approval and Uniformly Applied Development Standards* document<sup>24</sup> are included in parenthesis for cross-reference purposes.
- The second column identifies the monitoring schedule or timing applicable to the Project.
- The third column names the party responsible for monitoring the required action for the Project.

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

<sup>24</sup> Dated July 22, 2015, as amended.

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>General</b>		
<p><b>SCA GEN-1 (Standard Condition Approval 15) Regulatory Permits and Authorizations from Other Agencies</b>  <u>Requirement:</u> The project applicant shall obtain all necessary regulatory permits and authorizations from applicable resource/regulatory agencies including, but not limited to, the Regional Water Quality Control Board, Bay Area Air Quality Management District, Bay Conservation and Development Commission, California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, and Army Corps of Engineers and shall comply with all requirements and conditions of the permits/authorizations. The project applicant shall submit evidence of the approved permits/authorizations to the City, along with evidence demonstrating compliance with any regulatory permit/authorization conditions of approval.</p>	Prior to activity requiring permit/authorization from regulatory agency.	City of Oakland Bureau of Planning and Building
<b>Aesthetics, Shadow, and Wind</b>		
<p><b>SCA AES-1 (Standard Condition of Approval 16) Graffiti Control</b></p> <p>a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation:</p> <ul style="list-style-type: none"> <li>i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces.</li> <li>ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces.</li> <li>iii. Use of paint with anti-graffiti coating.</li> <li>iv. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED).</li> </ul> <p>b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following:</p> <ul style="list-style-type: none"> <li>i. Removal through scrubbing, washing, sanding, and/or scraping (or similar method) without damaging the surface and without discharging wash water or cleaning detergents into the City storm drain system.</li> <li>ii. Covering with new paint to match the color of the surrounding surface.</li> <li>iii. Replacing with new surfacing (with City permits if required).</li> </ul>	Ongoing.	City of Oakland Bureau of Building Services Division, Zoning Inspections
<p><b>SCA AES-2 (Standard Condition of Approval 17) Landscape Plan</b></p> <p>a. Landscape Plan Required  The project applicant shall submit a final Landscape Plan for City review and approval that is consistent with the approved Landscape Plan. The Landscape Plan shall be included with the set of drawings submitted for the construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code.</p> <p>b. Landscape Installation  The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of City Planning, is provided. The financial instrument shall equal the greater of \$2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid.</p>	<ul style="list-style-type: none"> <li>a. Prior to approval of construction-related permit.</li> <li>b. Prior to building permit final.</li> <li>c. Ongoing</li> </ul>	<ul style="list-style-type: none"> <li>a. City of Oakland Bureau of Planning and Building</li> <li>b. City of Oakland Bureau of Building Services Division, Zoning Inspections</li> <li>c. City of Oakland Bureau of Building Services Division, Zoning Inspections</li> </ul>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Aesthetics, Shadow, and Wind (cont.)</b>		
<p>c. Landscape Maintenance</p> <p>All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.</p>		
<p><b>SCA AES-3 (Standard Condition of Approval 18): Lighting</b></p> <p>Proposed new exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties.</p>	Prior to building permit final.	City of Oakland Bureau of Building Services Division, Zoning Inspections
<p>Also SCA UTIL-2, <b>Underground Utilities</b>. See <i>Utilities and Service Systems</i>, below.</p>		
<b>Air Quality</b>		
<p><b>SCA AIR-1 (Standard Condition of Approval 19) Construction-Related Air Pollution Controls (Dust and Equipment Emissions)</b></p> <p>The project applicant shall implement all of the following applicable air pollution control measures during construction of the project:</p> <p>a. Water all exposed surfaces of active construction areas at least twice daily (using reclaimed water if possible). Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.</p> <p>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).</p> <p>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.</p> <p>d. Pave all roadways, driveways, sidewalks, etc., as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.</p> <p>e. Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).</p> <p>f. Limit vehicle speeds on unpaved roads to 15 miles per hour.</p> <p>g. Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points.</p> <p>h. Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”).</p>	During construction.	City of Oakland Bureau of Planning and Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Air Quality (cont.)</b>		
<ul style="list-style-type: none"> <li>i. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</li> <li>j. Portable equipment shall be powered by electricity if available. If electricity is not available, propane or natural gas shall be used if feasible. Diesel engines shall only be used if electricity is not available and it is not feasible to use propane or natural gas.</li> <li>k. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.</li> <li>l. All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.</li> <li>m. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.</li> <li>n. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).</li> <li>o. Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.</li> <li>p. Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize wind blown dust. Wind breaks must have a maximum 50 percent air porosity.</li> <li>q. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.</li> <li>r. Activities such as excavation, grading, and other ground-disturbing construction activities shall be phased to minimize the amount of disturbed surface area at any one time.</li> <li>s. All trucks and equipment, including tires, shall be washed off prior to leaving the site.</li> <li>t. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.</li> <li>u. All equipment to be used on the construction site and subject to the requirements of Title 13, Section 2449, of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”) must meet emissions and performance requirements one year in advance of any fleet deadlines. Upon request by the City, the project applicant shall provide written documentation that fleet requirements have been met.</li> <li>v. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings).</li> <li>w. All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM.</li> <li>x. Off-road heavy diesel engines shall meet the California Air Resources Board’s most recent certification standard.</li> <li>y. Post a publicly-visible large on-site sign that includes the contact name and phone number for the project complaint manager responsible for responding to dust complaints and the telephone numbers of the City’s Code Enforcement unit and the Bay Area Air Quality Management District. When contacted, the project complaint manager shall respond and take corrective action within 48 hours.</li> </ul>		

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Air Quality (cont.)</b>		
<p><b>SCA AIR-2 (Standard Condition of Approval 20) Exposure to Air Pollution (Toxic Air Contaminants)</b></p> <p><b>a. Health Risk Reduction Measures</b></p> <p><u>Requirement:</u> The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants. The project applicant shall choose <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 California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents/occupants/users to air pollutants. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes that the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City.</p> <p>- or -</p> <p>ii. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:</p> <ul style="list-style-type: none"> <li>• Installation of air filtration to reduce cancer risks and Particulate Matter (PM) exposure for residents and other sensitive populations in the project that are in close proximity to sources of air pollution. Air filter devices shall be rated MERV-13 or higher. As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required.</li> <li>• Where appropriate, install passive electrostatic filtering systems, especially those with low air velocities (i.e., 1 mph).</li> <li>• Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible.</li> <li>• The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall be located as far away as feasible from a loading dock or where trucks concentrate to deliver goods.</li> <li>• Sensitive receptors shall be located on the upper floors of buildings, if feasible.</li> <li>• Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping PM shall be planted, including one or more of the following: Pine (<i>Pinus nigra</i> var. <i>maritima</i>), Cypress (<i>X Cupressocyparis leylandii</i>), Hybrid poplar (<i>Populus deltoids X trichocarpa</i>), and Redwood (<i>Sequoia sempervirens</i>).</li> <li>• Sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible.</li> <li>• Existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible.</li> </ul>	<p>a. Prior to approval of construction-related permit.</p> <p>b. ongoing</p>	<p>a. City of Oakland Bureau of Planning and Building; City of Oakland Bureau of Building Services Division, Zoning Inspections</p> <p>b. City of Oakland Bureau of Building Services Division, Zoning Inspections</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Air Quality (cont.)</b>		
<ul style="list-style-type: none"> <li>• Emissions from diesel trucks shall be reduced through implementing the following measures, if feasible: <ul style="list-style-type: none"> <li>– Installing electrical hook-ups for diesel trucks at loading docks.</li> <li>– Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards.</li> <li>– Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels.</li> <li>– Prohibiting trucks from idling for more than two minutes.</li> <li>– Establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented.</li> </ul> </li> </ul> <p><b>b. Maintenance of Health Risk Reduction Measures</b></p> <p><u>Requirement:</u> The project applicant shall maintain, repair, and/or replace installed health risk reduction measures, including but not limited to the HVAC system (if applicable), on an ongoing and as-needed basis. Prior to occupancy, the project applicant shall prepare and then distribute to the building manager/operator an operation and maintenance manual for the HVAC system and filter including the maintenance and replacement schedule for the filter.</p>		
<p><b>SCA AIR-3 (Standard Condition of Approval 21) Stationary Sources of Air Pollution (Toxic Air Contaminants)</b></p> <p>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 permit 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> <ul style="list-style-type: none"> <li>i. Installation of non-diesel fueled generators, if feasible, or;</li> <li>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.</li> </ul>	Prior to approval of construction-related permit.	City of Oakland Bureau of Planning and Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Biological Resources</b>		
<p><b>SCA BIO-1 (Standard Condition of Approval 26):</b> <i>Tree Removal During Bird Nesting Season</i></p> <p>To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of birds shall not occur during the bird breeding season of February 1 to August 15 (or during December 15 to August 15 for trees located in or near marsh, wetland, or aquatic habitats). If tree removal must occur during the bird breeding season, all trees to be removed shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to the start of work and shall be submitted to the City for review and approval. If the survey indicates the potential presence of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the California Department of Fish and Wildlife, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.</p>	Prior to removal of trees.	City of Oakland Public Works Department, Tree Division; Bureau of Buildings
<p><b>SCA BIO-2 (Standard Condition of Approval 27):</b> <i>Tree Permit</i></p> <p><b>a. Tree Permit Required</b></p> <p>Pursuant to the City's Tree Protection Ordinance (OMC chapter 12.36), the project applicant shall obtain a tree permit and abide by the conditions of that permit.</p> <p><b>b. Tree Protection During Construction</b></p> <p><u>Requirement:</u> Adequate protection shall be provided during the construction period for any trees which are to remain standing, including the following, plus any recommendations of an arborist:</p> <ol style="list-style-type: none"> <li>i. Before the start of any clearing, excavation, construction, or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the project's consulting arborist. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree.</li> <li>ii. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the project's consulting arborist from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree.</li> <li>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.</li> </ol>	<ol style="list-style-type: none"> <li>a. Prior to approval of construction-related permit</li> <li>b. During construction.</li> </ol>	<ol style="list-style-type: none"> <li>a. City of Oakland Public Works Department, Tree Division; Bureau of Buildings</li> <li>b. City of Oakland Public Works Department, Tree Division; Bureau of Buildings</li> </ol>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Biological Resources (cont.)</b>		
<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>		
<p><b>Recommendation BIO-1:</b> While not required to address a CEQA impact, the following will be included as additional implementation details for <b>SCA BIO-1</b>.</p> <p>For all projects that propose removal of a tree<sup>25</sup> that is associated with a heron rookery, the project applicant shall take the following additional actions, which will require City review and approval, to implement <b>SCA BIO-1</b>:</p> <p><b>1) Prior to tree removal:</b></p> <p>a. <i>Field Survey:</i> The applicant shall submit the results of a field survey conducted by a qualified biologist to determine if the heron rookery shall be deemed active. An historical heron rookery must be assumed to be active unless a qualified biologist visits the rookery three times between March and July, with at least one month between visits, and does not observe any herons engaging in nesting behavior (e.g., territorial displays, courtship, nest building, food deliveries to the nest) at any time. If the rookery is deemed inactive, no further steps are necessary. If the rookery is deemed active, the applicant shall proceed with steps 1(b) through 1 (f).</p> <p>b. <i>Technical Memorandum:</i> The project applicant shall submit a Technical Memorandum drafted by a qualified biologist that characterizes the rookery by documenting individual tree size (i.e., diameter at breast height, vertical height); canopy width, height and depth (sq ft); distance between tree trunks or canopies, as appropriate; number of nests per tree canopy (sq ft), and overall characteristics of the existing rookery site (such as size, number of trees in rookery, noise level, substrate below trees, adjacent habitat/ building types, observations of predators or prey, etc.). Ideally, the survey is conducted during the breeding season, but it can be conducted during the non-breeding season.</p> <p>c. <i>Identification of Replacement Site:</i> The project applicant, in coordination with the City of Oakland and a qualified biologist, shall identify a replacement rookery site located as near as possible to the existing rookery (e.g., Lake Merritt, Oakland shoreline, estuary, parks). The applicant must demonstrate how the replacement rookery site meets the following requirements:</p>	Prior to removal of trees.	City of Oakland Public Works Department, Tree Division; Bureau of Buildings

<sup>25</sup> "Tree removal" means the destruction of any tree by cutting, regrading, girdling, interfering with the water supply, or applying chemicals, or distortion of the tree's visual proportions by topping; or "Topping", which means elimination of the upper twenty-five percent or more of a tree's trunk(s) or main leader(s).

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Biological Resources (cont.)</b>		
<p>i. Support an equal or greater number of nests as the existing rookery</p> <p>ii. Be composed of trees/ shrubs that are the same or similar (in foliage cover, canopy density, and branching structure) to those which are documented to have supported a successful rookery for BCNH and SNEG; or be a site in which such trees/ shrubs (immature or mature) can be planted in order to develop a rookery within the time frame required by the SCA (see item 1(f) below).</p> <p>iii. Be within 3 miles of foraging habitat</p> <p>iv. Be in an area of equal or less human disturbance than the existing rookery</p> <p>v. Not conflict with other uses in that area (e.g., presence of dogs or other domestic animals, human activity that could either cause heron nest abandonment, scheduled redevelopment projects, or nuisance problems associated with heron activity affecting humans).</p> <p>d. <u>Implementation Plan</u>: The applicant, in coordination with the City of Oakland and a qualified biologist, shall submit an Implementation Plan describing any enhancements to the replacement rookery site, including construction plans, landscaping plans or plant lists; detailed methods for using social attractants to attract herons to the site (e.g., number of decoy birds and nests, duration of playback recordings, etc.); and a timeline for implementation.</p> <p>e. <u>Monitoring Program</u>: The project applicant, in coordination with a qualified Biologist, shall submit a Monitoring Program for monitoring birds and vegetation in the replacement rookery. The Program shall include a monitoring protocol; performance criteria; and strategies for adaptive management should performance criteria not be met. Colonial nesting birds are known to take several years to reach the point of self-recruitment to a new rookery site (i.e. when social attractants are no longer needed to attract additional birds to the site), so a monitoring period of at least three heron breeding seasons is recommended. The Monitoring Program can include a provision that monitoring may be suspended if performance criteria are met within the first or second breeding season.</p> <p>f. <u>Implementation</u>: The project applicant, in coordination with the City of Oakland, and/or other entities, shall complete installation of any enhancements, including vegetation, and social attractants at the replacement rookery site. If new vegetation is required for rookery enhancement, it must be fully performing by the third year of monitoring.</p> <p><b>2) Tree removal:</b></p> <p>a. If the rookery is deemed active, tree removal can only occur during the non-nesting season, defined as October 1 through January 31.</p> <p><b>3) Following tree removal:</b></p> <p>a. Following tree removal and prior to the beginning of nesting season (February 1), social attractants will be activated to lure herons to the replacement rookery site.</p> <p>b. The Monitoring Plan will be implemented during the first nesting season following tree removal and will be implemented for at least three breeding seasons, unless otherwise stated in the approved Monitoring Plan.</p>		

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Cultural Resources</b>		
<p><b>SCA CUL-1 (Standard Condition of Approval 29): Archaeological and Paleontological Resources – Discovery During Construction</b>  <u>Requirement:</u> Pursuant to CEQA Guidelines section 15064.5(f), in the event that any historic or prehistoric subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are implemented.</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>	During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections
<p><b>SCA CUL-2 (Standard Condition of Approval 30): Archaeologically Sensitive Areas – Pre-Construction Measures</b>  <u>Requirement:</u> The project applicant shall implement either Provision A (Intensive Pre-Construction Study) <u>or</u> Provision B (Construction ALERT Sheet) concerning archaeological resources.</p> <p><b>Provision A: Intensive Pre-Construction Study.</b></p> <p>The project applicant shall retain a qualified archaeologist to conduct a site-specific, intensive archaeological resources study for review and approval by the City prior to soil-disturbing activities occurring on the project site. The purpose of the site-specific, intensive archaeological resources study is to identify early the potential presence of history-period archaeological resources on the project site. At a minimum, the study shall include:</p> <ol style="list-style-type: none"> <li>Subsurface presence/absence studies of the project site. Field studies may include, but are not limited to, auguring and other common methods used to identify the presence of archaeological resources.</li> <li>A report disseminating the results of this research.</li> <li>Recommendations for any additional measures that could be necessary to mitigate any adverse impacts to recorded and/or inadvertently discovered cultural resources.</li> </ol>	Prior to approval of construction-related permit; during construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Cultural Resources (cont.)</b>		
<p>If the results of the study indicate a high potential presence of historic-period archaeological resources on the project site, or a potential resource is discovered, the project applicant shall hire a qualified archaeologist to monitor any ground disturbing activities on the project site during construction and prepare an ALERT sheet pursuant to Provision B below that details what could potentially be found at the project site. Archaeological monitoring would include briefing construction personnel about the type of artifacts that may be present (as referenced in the ALERT sheet, required per Provision B below) and the procedures to follow if any artifacts are encountered, field recording and sampling in accordance with the Secretary of Interior’s Standards and Guidelines for Archaeological Documentation, notifying the appropriate officials if human remains or cultural resources are discovered, and preparing a report to document negative findings after construction is completed if no archaeological resources are discovered during construction.</p> <p><i>Provision B: Construction ALERT Sheet.</i></p> <p>The project applicant shall prepare a construction “ALERT” sheet developed by a qualified archaeologist for review and approval by the City prior to soil-disturbing activities occurring on the project site. The ALERT sheet shall contain, at a minimum, visuals that depict each type of artifact that could be encountered on the project site. Training by the qualified archaeologist shall be provided to the project’s prime contractor, any project subcontractor firms (including demolition, excavation, grading, foundation, and pile driving), and utility firms involved in soil- disturbing activities within the project site.</p> <p>The ALERT sheet shall state, in addition to the basic archaeological resource protection measures contained in other standard conditions of approval, all work must stop and the City’s Environmental Review Officer contacted in the event of discovery of the following cultural materials: concentrations of shellfish remains; evidence of fire (ashes, charcoal, burnt earth, fire-cracked rocks); concentrations of bones; recognizable Native American artifacts (arrowheads, shell beads, stone mortars [bowls], humanly shaped rock); building foundation remains; trash pits, privies (outhouse holes); floor remains; wells; concentrations of bottles, broken dishes, shoes, buttons, cut animal bones, hardware, household items, barrels, etc.; thick layers of burned building debris (charcoal, nails, fused glass, burned plaster, burned dishes); wood structural remains (building, ship, wharf); clay roof/floor tiles; stone walls or footings; or gravestones. Prior to any soil-disturbing activities, each contractor shall be responsible for ensuring that the ALERT sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, and supervisory personnel. The ALERT sheet shall also be posted in a visible location at the project site.</p>		
<p><b>SCA CUL-3 (Standard Condition of Approval SCA 31): Human Remains – Discovery During Construction</b></p> <p><u>Requirement:</u> Pursuant to CEQA Guidelines section 15064.5(e)(1), in the event that human skeletal remains are uncovered at the project site during construction activities, all work shall immediately halt and the project applicant shall notify the City and the Alameda County Coroner. If the County Coroner determines that an investigation of the cause of death is required or that the remains are Native American, all work shall cease within 50 feet of the remains until appropriate arrangements are made. In the event that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance, and avoidance measures (if applicable) shall be completed expeditiously and at the expense of the project applicant.</p>	During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Geology, Soils, and Geohazards</b>		
<p><b>SCA GEO-1 (Standard Condition of Approval 33): Construction-Related Permit(s)</b>  <u>Requirement:</u> The project applicant shall obtain all required construction-related permits/approvals from the City. The project shall comply with all standards, requirements and conditions contained in construction-related codes, including but not limited to the Oakland Building Code and the Oakland Grading Regulations, to ensure structural integrity and safe construction.</p>	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
<p><b>SCA GEO-2 (Standard Condition of Approval 34): Soils Report</b>  <u>Requirement:</u> 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.</p>	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
See SCA HYD-1, <b>Erosion and Sedimentation Control Plan for Construction</b> , See <i>Hydrology and Water Quality</i> , below.		
<b>Greenhouse Gases and Climate Change</b>		
See SCA AES-2, <b>Landscape Plan</b> . See <i>Aesthetics, Wind, and Shadow</i> , above.		
See SCA AIR-1, <b>Construction-Related Air Pollution Controls (Dust and Equipment Emissions)</b> . See <i>Air Quality</i> , above.		
See SCA UTIL-1, <b>Construction and Demolition Waste Reduction and Recycling</b> . See <i>Utilities and Service Systems</i> , below.		
See SCA UTIL-4, <b>Green Building Requirements</b> . See <i>Utilities and Service Systems</i> , below.		
<b>Hazards and Hazardous Materials</b>		
<p><b>SCA HAZ-1 (Standard Condition of Approval 39): Hazards Materials Related to Construction</b>  <u>Requirement:</u> The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following:</p> <ol style="list-style-type: none"> <li>Follow manufacture’s recommendations for use, storage, and disposal of chemical products used in construction;</li> <li>Avoid overtopping construction equipment fuel gas tanks;</li> <li>During routine maintenance of construction equipment, properly contain and remove grease and oils;</li> <li>Properly dispose of discarded containers of fuels and other chemicals;</li> <li>Implement lead-safe work practices and comply with all local, regional, state, and federal requirements concerning lead (for more information refer to the Alameda County Lead Poisoning Prevention Program); and</li> <li>If soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the 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.</li> </ol>	During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Hazards and Hazardous Materials (cont.)</b>		
<p><b>SCA HAZ-2 (Standard Condition of Approval 40): Site Contamination</b></p> <p><i>a. Environmental Site Assessment Required</i>  <u>Requirement:</u> The project applicant shall submit a Phase I Environmental Site Assessment report, and Phase II Environmental Site Assessment report if warranted by the Phase I report, for the project site for review and approval by the City. The report(s) shall be prepared by a qualified environmental assessment professional and include recommendations for remedial action, as appropriate, for hazardous materials. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.</p> <p><i>b. Health and Safety Plan Required</i>  <u>Requirement:</u> The project applicant shall submit a Health and Safety Plan for the review and approval by the City in order to protect project construction workers from risks associated with hazardous materials. The project applicant shall implement the approved Plan.</p> <p><i>c. Best Management Practices (BMPs) Required for Contaminated Sites</i>  <u>Requirement:</u> The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential soil and groundwater hazards. These shall include the following:</p> <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>	<ul style="list-style-type: none"> <li>a. Prior to approval of construction-related permit</li> <li>b. Prior to approval of construction-related permit</li> <li>c. During Construction</li> </ul>	<ul style="list-style-type: none"> <li>a. Oakland Fire Department</li> <li>b. City of Oakland Bureau of Building Services Division, Zoning Inspections</li> <li>c. City of Oakland Bureau of Building Services Division, Zoning Inspections</li> </ul>
See SCA TRA-1, Construction Activity in the Public Right-of-Way. See <i>Transportation and Traffic</i> , below.		
<b>Hydrology and Water Quality</b>		
<p><b>SCA HYD-1 (Standard Condition of Approval 45): Erosion and Sedimentation Control Plan for Construction</b></p> <p><i>a. Erosion and Sedimentation Control Plan Required</i>  <u>Requirement:</u> The project applicant shall submit an Erosion and Sedimentation Control Plan to the City for review and approval. The Erosion and Sedimentation Control Plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading and/or construction operations. The Plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to</p>	<ul style="list-style-type: none"> <li>a. Prior to approval of construction-related permit.</li> <li>b. During construction.</li> </ul>	City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Hydrology and Water Quality (cont.)</b>		
<p>changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the City. The Plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.</p> <p><b>b. Erosion and Sedimentation Control During Construction</b> <u>Requirement:</u> The project applicant shall implement the approved Erosion and Sedimentation Control Plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Bureau of Building.</p>		
<p><b>SCA HYD-2 (Standard Condition of Approval 48): Site Design Measures to Reduce Stormwater Runoff</b> Pursuant to Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES), the project applicant is encouraged to incorporate appropriate site design measures into the project to reduce the amount of stormwater runoff. These measures may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>a. Minimize impervious surfaces, especially directly connected impervious surfaces and surface parking areas;</li> <li>b. Utilize permeable paving in place of impervious paving where appropriate;</li> <li>c. Cluster structures;</li> <li>d. Direct roof runoff to vegetated areas;</li> <li>e. Preserve quality open space; and</li> <li>f. Establish vegetated buffer areas.</li> </ul>	Ongoing.	N/A
<p><b>SCA HYD-3 (Standard Condition of Approval 50): NPDES C.3 Stormwater Requirements for Regulated Projects</b> <b>a. Post-Construction Stormwater Management Plan Required</b> <u>Requirement:</u> 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> <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>	<ul style="list-style-type: none"> <li>a. Prior to approval of construction-related permit.</li> <li>b. Prior to building permit final.</li> </ul>	<ul style="list-style-type: none"> <li>a. City of Oakland Bureau of Building Services Division, Zoning Inspections; City of Oakland Bureau of Planning and Building</li> <li>b. City of Oakland Bureau of Building Services Division, Zoning Inspections</li> </ul>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Hydrology and Water Quality (cont.)</b>		
<p><b>b. Maintenance Agreement Required</b></p> <p><u>Requirement:</u> 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> <ol 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> </ol> <p>The maintenance agreement shall be recorded at the County Recorder's Office at the applicant's expense.</p>		
Also SCA GEO-1, <b>Construction-Related Permit(s)</b> . See <i>Geology, Soils, and Geohazards</i> , above.		
Also SCA GEO-2, <b>Soils Report</b> . See <i>Geology, Soils, and Geohazards</i> , above.		
Also SCA UTIL-6, <b>Storm Drain System</b> . See <i>Utilities and Service Systems</i> , below.		
<b>Noise</b>		
<p><b>SCA NOI-1 (Standard Condition of Approval 58) Construction Days/Hours</b></p> <p><u>Requirement:</u> The project applicant shall comply with the following restrictions concerning construction days and hours:</p> <ol 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> <li>c. No construction is allowed on Sunday or federal holidays.</li> </ol> <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>	During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Noise (cont.)</b>		
<p><b>SCA NOI-2: (Standard Condition of Approval 59) Construction Noise</b></p> <p><u>Requirement:</u> 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> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>c. Applicant shall use temporary power poles instead of generators where feasible.</li> <li>d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction.</li> <li>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.</li> </ol>	During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections
<p><b>SCA NOI-3 (Standard Condition of Approval 60) Extreme Construction Noise</b></p> <p><b>a. Construction Noise Management Plan Required</b></p> <p><u>Requirement:</u> Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90dBA), the project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following:</p> <ol style="list-style-type: none"> <li>i. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;</li> <li>ii. Implement “quiet” pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;</li> <li>iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;</li> <li>iv. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and</li> <li>v. Monitor the effectiveness of noise attenuation measures by taking noise measurements.</li> </ol>	<ol style="list-style-type: none"> <li>a. Prior to approval of construction-related permit.</li> <li>b. During construction.</li> </ol>	City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Noise (cont.)</b>		
<p><b>b. Public Notification Required</b></p> <p><u>Requirement:</u> The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.</p>		
<p><b>SCA NOI-4 (Standard Condition of Approval 61) Project-Specific Construction Noise Reduction Measures</b></p> <p><u>Requirement:</u> The project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction noise impacts. The project applicant shall implement the approved Plan during construction</p>	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
<p><b>SCA NOI-5 (Standard Condition of Approval 62) Construction Noise Complaints</b></p> <p><u>Requirement:</u> The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include:</p> <ol style="list-style-type: none"> <li>Designation of an on-site construction complaint and enforcement manager for the project;</li> <li>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>Protocols for receiving, responding to, and tracking received complaints; and</li> <li>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> </ol>	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
<p><b>SCA NOI-6 (Standard Condition of Approval 63) Exposure to Community Noise</b></p> <p><u>Requirement:</u> The project applicant shall submit a Noise Reduction Plan prepared by a qualified acoustical engineer for City review and approval that contains noise reduction measures (e.g., sound-rated window, wall, and door assemblies) to achieve an acceptable interior noise level in accordance with the land use compatibility guidelines of the Noise Element of the Oakland General Plan. The applicant shall implement the approved Plan during construction. To the maximum extent practicable, interior noise levels shall not exceed the following:</p> <ol style="list-style-type: none"> <li>45 dBA: Residential activities, civic activities, hotels</li> <li>50 dBA: Administrative offices; group assembly activities</li> <li>55 dBA: Commercial activities</li> <li>65 dBA: Industrial activities</li> </ol>	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
<p><b>SCA NOI-7 (Standard Condition of Approval 64) Operational Noise</b></p> <p><u>Requirement:</u> Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.</p>	Ongoing.	City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Noise (cont.)</b>		
<p><b>SCA NOI-8 (Standard Condition of Approval 66) <i>Vibration Impacts on Adjacent Historic Structures or Vibration-Sensitive Activities</i></b>  <i>Requirement:</i> The project applicant shall submit a Vibration Analysis prepared by an acoustical and/or structural engineer or other appropriate qualified professional for City review and approval that establishes pre-construction baseline conditions and threshold levels of vibration that could damage the structure and/or substantially interfere with activities located at 260 13th Street and 274 14th Street. The Vibration Analysis shall identify design means and methods of construction that shall be utilized in order to not exceed the thresholds. The applicant shall implement the recommendations during construction.</p>	Prior to construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections
<b>Transportation and Circulation</b>		
<p><b>SCA TRA-1 (Standard Condition of Approval 68) <i>Construction Activity in the Public Right-of-Way</i></b></p> <p><i>a. Obstruction Permit Required</i>  <u>Requirement:</u> The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets and sidewalks.</p> <p><i>b. Traffic Control Plan Required</i>  <u>Requirement:</u> In the event of obstructions to vehicle or bicycle travel lanes, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian detours, including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The project applicant shall implement the approved Plan during construction.</p> <p><i>c. Repair of City Streets</i>  <u>Requirement:</u> The project applicant shall repair any damage to the public right-of way, including streets and sidewalks caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.</p>	<p>a. Prior to approval of construction-related permit.</p> <p>b. Prior to approval of construction-related permit.</p> <p>c. Prior to building permit final.</p>	<p>a. City of Oakland Bureau of Building Services Division, Zoning Inspections</p> <p>b. Public Works Department, Transportation Services Division</p> <p>c. City of Oakland Bureau of Building Services Division, Zoning Inspections</p>
<p><b>SCA TRA-2 (Standard Condition of Approval 69) <i>Bicycle Parking</i></b>  <u>Requirement:</u> 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.	City of Oakland Bureau of Building Services Division, Zoning Inspections
<p><b>SCA TRA-3 (Standard Condition of Approval 71) <i>Transportation and Parking Demand Management</i></b></p> <p><i>a. Transportation and Parking Demand Management (TDM) Plan Required</i>  <u>Requirement:</u> The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City.</p> <p>i. The goals of the TDM Plan shall be the following:</p> <ul style="list-style-type: none"> <li>• Reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable, consistent with the potential traffic and parking impacts of the project.</li> </ul>	<p>a. Prior to building permit final.</p> <p>b. Prior to building permit final</p> <p>c. Ongoing</p>	<p>a. City of Oakland Bureau of Planning and Building</p> <p>b. City of Oakland Bureau of Building Services Division, Zoning Inspections</p> <p>c. City of Oakland Bureau of Planning and Building</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Transportation and Circulation (cont.)</b>		
<ul style="list-style-type: none"> <li>• Achieve the following project vehicle trip reductions (VTR):               <ul style="list-style-type: none"> <li>– Projects generating 50-99 net new a.m. or p.m. peak hour vehicle trips: 10 percent VTR</li> <li>– Projects generating 100 or more net new a.m. or p.m. peak hour vehicle trips: 20 percent VTR</li> </ul> </li> <li>• Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate.</li> <li>• Enhance the City’s transportation system, consistent with City policies and programs.</li> </ul> <p>ii. TDM strategies to consider include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement.</li> <li>• Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping.</li> <li>• Installation of safety elements per the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.) to encourage convenient and safe crossing at arterials, in addition to safety elements required to address safety impacts of the project.</li> <li>• Installation of amenities such as lighting, street trees, and trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan.</li> <li>• Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements.</li> <li>• Direct on-site sales of transit passes purchased and sold at a bulk group rate (through programs such as AC Transit Easy Pass or a similar program through another transit agency).</li> <li>• Provision of a transit subsidy to employees or residents, determined by the project applicant and subject to review by the City, if employees or residents use transit or commute by other alternative modes.</li> <li>• Provision of an ongoing contribution to transit service to the area between the project and nearest mass transit station prioritized as follows: 1) Contribution to AC Transit bus service; 2) Contribution to an existing area shuttle service; and 3) Establishment of new shuttle service. The amount of contribution (for any of the above scenarios) would be based upon the cost of establishing new shuttle service (Scenario 3).</li> <li>• Guaranteed ride home program for employees, either through 511.org or through separate program.</li> <li>• Pre-tax commuter benefits (commuter checks) for employees.</li> <li>• Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants.</li> <li>• On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools.</li> <li>• Distribution of information concerning alternative transportation options.</li> <li>• Parking spaces sold/leased separately for residential units. Charge employees for parking, or provide a cash incentive or transit pass alternative to a free parking space in commercial properties.</li> </ul>		

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Transportation and Circulation (cont.)</b>		
<ul style="list-style-type: none"> <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 or flexible work hours involving individually determined work hours.</li> </ul> <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> <u>Requirement:</u> For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/approvals from the City and install the improvements prior to the completion of the project.</p> <p><b>c. TDM Implementation – Operational Strategies</b> <u>Requirement:</u> 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>		
<p><b>TRA-1 (LMSAP Mitigation Measure TRAN-1)</b> <u>Requirement:</u> Implement the following measures:</p> <ul style="list-style-type: none"> <li>Optimize signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection) for the PM peak hour.</li> <li>Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group.</li> </ul> <p>To implement this measure, the individual project applicant shall submit the following to City of Oakland’s Transportation Services Division for review and approval:</p> <ul style="list-style-type: none"> <li>Signal timing plans for the signals in the coordination group.</li> <li>Plans, Specifications, and Estimates (PS&amp;E) to modify intersection. All elements shall be designed to City and Caltrans standards in effect at the time of construction and all new or upgraded signals should include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection should be brought up to both City standards</li> </ul>	Investigation of the need for this mitigation shall be studied and submitted for review and approval to the City of Oakland, at the time when about 50 percent of the Project is operational and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first. The City of Oakland will notify the Project Sponsor when this threshold is reached.	City of Oakland, Planning and Zoning Division City of Oakland - Building Services Division, Zoning Inspection City of Oakland, Transportation Services Division

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Transportation and Circulation (cont.)</b>		
<p>and Americans with Disabilities Act (ADA) standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for the elements listed below:</p> <ul style="list-style-type: none"> <li>— 2070L Type Controller with cabinet assembly</li> <li>— GPS communications (clock)</li> <li>— Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile)</li> <li>— Countdown pedestrian head module switch out</li> <li>— City standard ADA wheelchair ramps</li> <li>— Video detection on existing (or new, if required)</li> <li>— Mast arm poles, full actuation (where applicable)</li> <li>— Polara push buttons (full actuation)</li> <li>— Bicycle detection (full actuation)</li> <li>— Pull boxes</li> <li>— Signal interconnect and communication with trenching (where applicable), or through (E) conduit (where applicable)- 600 feet maximum</li> <li>— Conduit replacement contingency</li> <li>— Fiber Switch</li> <li>— PTZ Camera (where applicable)</li> <li>— Transit Signal Priority (TSP) equipment consistent with other signals along corridor</li> </ul> <p>The individual project applicant shall fund the cost of preparing and implementing the mitigation measures. However, if the City adopts a transportation impact fee program prior to implementation of this mitigation measure, the individual project applicant shall have the option to pay the applicable fee in lieu of implementing this mitigation measure and payment of the fee shall mitigate the impact to less than significant.</p> <p>A straight line interpolation of intersection delay between Existing and Existing Plus Project conditions indicates that mitigation at this intersection may be required when about 50 percent of the Project is developed. Investigation of the need for this mitigation shall be studied at the time when this threshold is reached and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first.</p>	<p>If investigations at the required intervals show this mitigation is still required, the Project Sponsor will submit Plans, Specifications, and Estimates (PS&amp;E) for review and approval by the City for implementation of this mitigation.</p> <p>This requirement may be requested at an earlier date than listed if the improvements are needed as reasonably determined by the City.</p>	
<p><b>TRA-2 (LMSAP Mitigation Measure TRAN-3)</b> <u>Requirement:</u> Implement the following measures:</p> <ul style="list-style-type: none"> <li>• Optimize signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection) for the AM peak hour.</li> <li>• Coordinate this signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group.</li> </ul> <p>To implement this measure, the individual project applicant shall submit the following to City of Oakland’s Transportation Services Division for review and approval:</p>	<p>Investigation of the need for this mitigation shall be studied and submitted for review and approval to the City of Oakland, at the time when about 75 percent of the Project is operational and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first. The City of</p>	<p>City of Oakland, Planning and Zoning Division City of Oakland - Building Services Division, Zoning Inspection City of Oakland, Transportation Services Division</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Transportation and Circulation (cont.)</b>		
<ul style="list-style-type: none"> <li>Signal timing plans for the signals in the coordination group.</li> <li>Plans, Specifications, and Estimates (PS&amp;E) as detailed in Mitigation Measure TRAN- 1.</li> </ul> <p>The individual project applicant shall fund the cost of preparing and implementing the mitigation measures. However, if the City adopts a transportation impact fee program prior to implementation of this mitigation measure, the individual project applicant shall have the option to pay the applicable fee in lieu of implementing this mitigation measure and payment of the fee shall mitigate the impact to less than significant.</p> <p>A straight line interpolation of intersection delay between Existing and Existing Plus Project conditions indicates that mitigation at this intersection may be required when about 75 percent of the Project is developed. Investigation of the need for this mitigation shall be studied at the time when this threshold is reached and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first.</p>	<p>Oakland will notify the Project Sponsor when this threshold is reached.</p> <p>If investigations at the required intervals show this mitigation is still required, the Project Sponsor will submit Plans, Specifications, and Estimates (PS&amp;E) for review and approval by the City for implementation of this mitigation.</p> <p>This requirement may be requested at an earlier date than listed if the improvements are needed as reasonably determined by the City.</p>	
<p><b>TRA-3 (LMSAP Mitigation Measure TRAN-5)</b></p> <p><u>Requirement:</u> Implement the following measures:</p> <ul style="list-style-type: none"> <li>Optimize signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection).</li> <li>Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group.</li> </ul> <p>To implement this measure, the individual project applicant shall submit the following to City of Oakland’s Transportation Services Division for review and approval:</p> <ul style="list-style-type: none"> <li>Signal timing plans for the signals in the coordination group.</li> <li>Plans, Specifications, and Estimates (PS&amp;E) as detailed in Mitigation Measure TRAN- 1.</li> </ul> <p>The individual project applicant shall fund the cost of preparing and implementing the mitigation measures. However, if the City adopts a transportation impact fee program prior to implementation of this mitigation measure, the individual project applicant shall have the option to pay the applicable fee in lieu of implementing this mitigation measure and payment of the fee shall mitigate the impact to less than significant.</p> <p>A straight line interpolation of intersection delay between Existing and Existing Plus Project conditions indicates that mitigation at this intersection may be required when about 54 percent of the Project is developed. Investigation of the need for this mitigation shall be studied at the time when this threshold is reached and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first.</p>	<p>Investigation of the need for this mitigation shall be studied and submitted for review and approval to the City of Oakland, at the time when about 54 percent of the Project is operational and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first. The City of Oakland will notify the Project Sponsor when this threshold is reached.</p> <p>If investigations at the required intervals show this mitigation is still required, the Project Sponsor will submit Plans, Specifications, and Estimates (PS&amp;E) for review and approval by the City for implementation of this mitigation.</p> <p>This requirement may be requested at an earlier date than listed if the improvements are needed as reasonably determined by the City.</p>	<p>City of Oakland, Planning and Zoning Division</p> <p>City of Oakland - Building Services Division, Zoning Inspection</p> <p>City of Oakland, Transportation Services Division</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Transportation and Circulation (cont.)</b>		
<p><b>TRA-4 (LMSAP Mitigation Measure TRAN-10)</b> <u>Requirement:</u> Implement the following measures:</p> <ul style="list-style-type: none"> <li>Optimize signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection) for the PM peak hour.</li> <li>Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group.</li> </ul>	<p>Investigation of the need for this mitigation shall be studied and submitted for review and approval to the City of Oakland, in 2017 (one year prior to the horizon date), and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first. The City of Oakland will notify the Project Sponsor when this threshold is reached.</p> <p>If investigations at the required intervals show this mitigation is still required, the Project Sponsor will submit Plans, Specifications, and Estimates (PS&amp;E) for review and approval by the City for implementation of this mitigation. This requirement may be requested at an earlier date than listed if the improvements are needed as reasonably determined by the City.</p>	<p>City of Oakland, Planning and Zoning Division City of Oakland - Building Services Division, Zoning Inspection City of Oakland, Transportation Services Division</p>
<p><b>TRA-5 (LMSAP Mitigation Measure TRAN-11)</b> <u>Requirement:</u> Implement the following measures:</p> <ul style="list-style-type: none"> <li>Optimize signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection).</li> <li>Create an interconnected corridor along Oak Street from 5th to 14th Streets, and coordinate the signal timing changes at this intersection with the coordination group.</li> </ul>	<p>Investigation of the need for this mitigation shall be studied and submitted for review and approval to the City of Oakland, in 2014 (one year prior to the horizon date), and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first. The City of Oakland will notify the Project Sponsor when this threshold is reached.</p> <p>If investigations at the required intervals show this mitigation is still required, the Project Sponsor will submit Plans, Specifications,</p>	<p>City of Oakland, Planning and Zoning Division City of Oakland - Building Services Division, Zoning Inspection City of Oakland, Transportation Services Division</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Transportation and Circulation (cont.)</b>		
	and Estimates (PS&E) for review and approval by the City for implementation of this mitigation. This requirement may be requested at an earlier date than listed if the improvements are needed as reasonably determined by the City.	
<p><b>TRA-6 (LMSAP Mitigation Measure TRAN-12)</b> <u>Requirement:</u> Implement Mitigation Measure TRAN-11:</p> <ul style="list-style-type: none"> <li>Optimize signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection).</li> <li>Create an interconnected corridor along Oak Street from 5th to 14th Streets, and coordinate the signal timing changes at this intersection with the coordination group.</li> </ul>		
<p><b>TRA-7 (LMSAP Mitigation Measure TRAN-13)</b> <u>Requirement:</u> Implement the following measures:</p> <ul style="list-style-type: none"> <li>Provide permitted-protected left-turn phasing for the northbound and southbound approaches.</li> <li>Optimize signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection).</li> <li>Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group.</li> </ul>	<p>Investigation of the need for this mitigation shall be studied and submitted for review and approval to the City of Oakland, in 2015 (one year prior to the horizon date), and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first. The City of Oakland will notify the Project Sponsor when this threshold is reached.</p> <p>If investigations at the required intervals show this mitigation is still required, the Project Sponsor will submit Plans, Specifications, and Estimates (PS&amp;E) for review and approval by the City for implementation of this mitigation.</p> <p>This requirement may be requested at an earlier date than listed if the improvements are needed as reasonably determined by the City.</p>	<p>City of Oakland, Planning and Zoning Division</p> <p>City of Oakland - Building Services Division, Zoning Inspection</p> <p>City of Oakland, Transportation Services Division</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Transportation and Circulation (cont.)</b>		
<p><b>TRA-8 (LMSAP Mitigation Measure TRAN-14)</b> <u>Requirement:</u> Implement the following measures:</p> <ul style="list-style-type: none"> <li>Optimize the signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection).</li> <li>Create an interconnected corridor along Madison Street from 5th to 14th Streets, and coordinate the signal timing changes at this intersection with the coordination group.</li> </ul>	<p>Investigation of the need for this mitigation shall be studied and submitted for review and approval to the City of Oakland, in 2016 (one year prior to the horizon date), and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first. The City of Oakland will notify the Project Sponsor when this threshold is reached.</p> <p>If investigations at the required intervals show this mitigation is still required, the Project Sponsor will submit Plans, Specifications, and Estimates (PS&amp;E) for review and approval by the City for implementation of this mitigation. This requirement may be requested at an earlier date than listed if the improvements are needed as reasonably determined by the City.</p>	<p>City of Oakland, Planning and Zoning Division City of Oakland - Building Services Division, Zoning Inspection City of Oakland, Transportation Services Division</p>
<p><b>TRA-9 (LMSAP Mitigation Measure TRAN-15)</b> <u>Requirement:</u> Implement Mitigation Measure TRAN-14:</p> <ul style="list-style-type: none"> <li>Optimize the signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection).</li> <li>Create an interconnected corridor along Madison Street from 5th to 14th Streets, and coordinate the signal timing changes at this intersection with the coordination group.</li> </ul>		
<p><b>TRA-10 (LMSAP Mitigation Measure TRAN-16)</b> <u>Requirement:</u> Implement Mitigation Measure TRAN-14:</p> <ul style="list-style-type: none"> <li>Optimize the signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection).</li> <li>Create an interconnected corridor along Madison Street from 5th to 14th Streets, and coordinate the signal timing changes at this intersection with the coordination group.</li> </ul>		

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Transportation and Circulation (cont.)</b>		
<p><b>TRA-11 (LMSAP Mitigation Measure TRAN-17)</b> <u>Requirement:</u> Implement the following measures:</p> <ul style="list-style-type: none"> <li>Optimize the signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection)</li> <li>Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group within the Oak Street interconnect corridor (5th to 14th Streets).</li> </ul>	<p>Investigation of the need for this mitigation shall be studied and submitted for review and approval to the City of Oakland, in 2015 (one year prior to the horizon date), and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first. The City of Oakland will notify the Project Sponsor when this threshold is reached.</p> <p>If investigations at the required intervals show this mitigation is still required, the Project Sponsor will submit Plans, Specifications, and Estimates (PS&amp;E) for review and approval by the City for implementation of this mitigation. This requirement may be requested at an earlier date than listed if the improvements are needed as reasonably determined by the City.</p>	<p>City of Oakland, Planning and Zoning Division City of Oakland - Building Services Division, Zoning Inspection City of Oakland, Transportation Services Division</p>
<p><b>TRA-12 (LMSAP Mitigation Measure TRAN-19)</b> <u>Requirement:</u> Implement the following measures:</p> <ul style="list-style-type: none"> <li>Optimize the signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection) for the AM peak hour.</li> <li>Coordinate the signal timing changes at this intersection with the adjacent intersections.</li> </ul>	<p>Investigation of the need for this mitigation shall be studied and submitted for review and approval to the City of Oakland, in 2018 (one year prior to the horizon date), and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first. The City of Oakland will notify the Project Sponsor when this threshold is reached.</p> <p>If investigations at the required intervals show this mitigation is still required, the Project Sponsor</p>	<p>City of Oakland, Planning and Zoning Division City of Oakland - Building Services Division, Zoning Inspection City of Oakland, Transportation Services Division</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Transportation and Circulation (cont.)</b>		
	will submit Plans, Specifications, and Estimates (PS&E) for review and approval by the City for implementation of this mitigation.  This requirement may be requested at an earlier date than listed if the improvements are needed as reasonably determined by the City.	
<p><b>TRA-13 (LMSAP Mitigation Measure TRAN-20)</b> <u>Requirement:</u> Implement Mitigation Measure TRAN-17:</p> <ul style="list-style-type: none"> <li>Optimize the signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection)</li> <li>Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group within the Oak Street interconnect corridor (5th to 14th Streets).</li> </ul>		
<p><b>TRA-14 (LMSAP Mitigation Measure TRAN-22)</b> <u>Requirement:</u> Implement Mitigation Measure TRAN-17:</p> <ul style="list-style-type: none"> <li>Optimize the signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection)</li> <li>Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group within the Oak Street interconnect corridor (5th to 14th Streets).</li> </ul>		
<p><b>TRA-15 (LMSAP Mitigation Measure TRAN-25)</b> <u>Requirement:</u> Implement Mitigation Measure TRAN-17:</p> <ul style="list-style-type: none"> <li>Optimize the signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection)</li> <li>Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group within the Oak Street interconnect corridor (5th to 14th Streets).</li> </ul>		
<p><b>TRA-16 (LMSAP Mitigation Measure TRAN-26)</b> <u>Requirement:</u> Implement Mitigation Measure TRAN-17:</p> <ul style="list-style-type: none"> <li>Optimize the signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection)</li> <li>Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group within the Oak Street interconnect corridor (5th to 14th Streets).</li> </ul>		

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Utilities and Service Systems</b>		
<p><b>SCA UTIL-1 (Standard Condition of Approval 74) Construction and Demolition Waste Reduction and Recycling</b> <u>Requirement:</u> The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at www.greenhalosystems.com or manually at the City’s Green Building Resource Center. Current standards, FAQs, and forms are available on the City’s website and in the Green Building Resource Center.</p>	Prior to approval of construction-related permit	City of Oakland Public Works Department, Environmental Services Division
<p><b>SCA UTIL-2 (Standard Condition of Approval 75) Underground Utilities</b> <u>Requirement:</u> 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&amp;E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities.</p>	During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections
<p><b>SCA UTIL-3 (Standard Condition of Approval 76) Recycling Collection and Storage Space</b> <u>Requirement:</u> The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two cubic feet of storage and collection space per residential unit is required, with a minimum of ten cubic feet. For nonresidential projects, at least two cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten cubic feet.</p>	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
<p><b>SCA UTIL-4 (Standard Condition of Approval 77) Green Building Requirements</b></p> <p><i>a. Compliance with Green Building Requirements During Plan-Check</i> <u>Requirement:</u> The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code).</p> <p><i>i.</i> The following information shall be submitted to the City for review and approval with the application for a building permit:</p> <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> </ul>	<p>a. Prior to approval of construction-related permit.</p> <p>b. During construction.</p> <p>c. After project completion as specified.</p>	<p>a. City of Oakland Bureau of Building Services Division, Zoning Inspections</p> <p>b. City of Oakland Bureau of Building Services Division, Zoning Inspections</p> <p>c. City of Oakland Bureau of Planning and Building</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Utilities and Service Systems (cont.)</b>		
<ul style="list-style-type: none"> <li>• Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance.</li> <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 pre-requisites per the green building checklist approved during the review of the Planning and Zoning permit, or, if applicable, all the green building measures approved as part of the Unreasonable Hardship Exemption granted during the review of the Planning and Zoning permit.</li> <li>• [INSERT: Green building point level/certification requirement: (See Green Building Summary Table; for New Construction of Residential or Non- residential projects that remove a Historic Resource (as defined by the Green Building Ordinance) the point level certification requirement is 53 points for residential and LEED Gold for non-residential)] per the appropriate checklist approved during the Planning entitlement process.</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><u>Requirement:</u> The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project.</p> <p>The following information shall be submitted to the City for review and approval:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.</li> </ol> <p><b>c. Compliance with Green Building Requirements After Construction</b></p> <p><u>Requirement:</u> Within sixty (60) days of the final inspection of the building permit for the project, the Green Building Certifier shall submit the appropriate documentation to Build It Green or Green Building Certification Institute and attain the minimum required certification/point level. Within one year of the final inspection of the building permit for the project, the applicant shall submit to the Bureau of Planning the Certificate from the organization listed above demonstrating certification and compliance with the minimum point/certification level noted above.</p>		

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
<b>Utilities and Service Systems (cont.)</b>		
<p><b>SCA UTIL-5 (Standard Condition of Approval 79) Sanitary Sewer System</b>  <u>Requirement:</u> 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.	City of Oakland Public Works Department, Department of Engineering and Construction
<p><b>SCA UTIL-6 (Standard Condition of Approval 80) Storm Drain System</b>  <u>Requirement:</u> The project storm drainage system shall be designed in accordance with the City of Oakland's Storm Drainage Design Guidelines. To the maximum extent practicable, peak stormwater runoff from the project site shall be reduced by at least 25 percent compared to the pre-project condition.</p>	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
<p><b>SCA UTIL-7 (Standard Condition of Approval 81) Recycled Water</b>  <u>Requirement:</u> Pursuant to section 16.08.030 of the Oakland Municipal Code, the project applicant shall provide for the use of recycled water in the project for landscape irrigation purposes unless the City determines that there is a higher and better use for the recycled water, the use of recycled water is not economically justified for the project, or the use of recycled water is not financially or technically feasible for the project. The project applicant shall contact the New Business Office of the East Bay Municipal Utility District (EBMUD) for a recycled water feasibility assessment by the Office of Water Recycling. If recycled water is to be provided in the project, the project drawings submitted for construction-related permits shall include the proposed recycled water system and the project applicant shall install the recycled water system during construction.</p>	Prior to approval of construction-related permit.	City of Oakland Bureau of Planning and Building ; City of Oakland Bureau of Building Services Division, Zoning Inspections
Also SCA HYD-1, <b>Erosion and Sedimentation Control Plan for Construction.</b> See <i>Hydrology and Water Quality</i> , above.		
Also SCA HYD-2, <b>Site Design Measures to Reduce Stormwater Runoff.</b> See <i>Hydrology and Water Quality</i> , above.		

# **ATTACHMENT D**

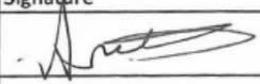
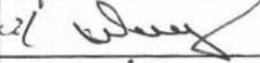
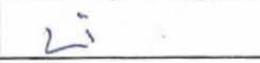
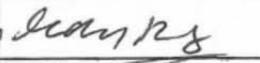
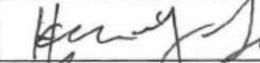
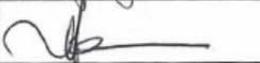
## **WRITTEN PUBLIC COMMENTS**

(Received since Design Review Commission meeting on June 22, 2016)

301 & 285 12th Street Project

On August 2, 2016, the Planning Commission will consider a proposal to develop a 416-unit mixed use residential development with ground floor retail at 301 & 285 12th Street (12th and Webster). The project will replace a former car dealership with much needed housing and high quality, well designed new building with active ground floor commercial uses that will support local businesses, and encourage vibrant and safer streets. Oakland needs more housing and more businesses on 12th Street that will strengthen 12th Street as an important commercial corridor, consistent with the Lake Merritt Area District Plan.

By signing below, I hereby support the development at 285 & 301 12th Street and believe it is a good fit for the neighborhood and will bring much needed housing to the City of Oakland.

#	Name & Company	Address	Contact Number	Email Address	Signature
1	Espresso Gourmet				
2	Phahed	417 14th St			
3	Doug cho	408 12th St		icam4226@hotmail.com	
4	RTS club	414 12th St			
5	Pacific Hood	389 12th St			
6	Spices 3	369 12th St.		sindydeng@yahoo.com	
7	Bo Gao	357 12th St			
8	Wu	1121 Webster St			
9	Henry Jan	100 Webster			
10	Metro PCS	986 Broadway			
11	Wally	388 #162			
12	Lucky Holiday	388 #160			

Lucky Holiday

	name	address			Signature
13	Jennie Ong	388 9th Street Suite 298		Jennie Yong	Jennie Ong
14	Kyle Ng	388 9th St Suite 123			Kyle Ng
15	Kenny Li	388 9th St. #127			Kenny Li
16	Maggie Tam	1 Cornutt St. Alameda CA 94601			Maggie Tam
17	Qi Ruan	1006 Webster St			Qi Ruan
18	Winnie Yin	321 - 10th St #119 Oakland CA 94607			Winnie Yin
19	T SEA				T SEA
20	Ming S. J.	918 9th Webster 94607			Ming S. J.
21	Zhao Jig.	321 9th St			Zhao Jig.
22	Maribonny	312 10th St, Oakland			Maribonny
23	Francois Chau	360 8th / Oakland			Francois Chau
24					
25					
26					
27					
28					
29					

Thursday, July 23, 2016

Dear Planning Commission & Staff,

We write to you as a coalition of community-based organizations and individuals in Oakland Chinatown with sincere concerns about the proposed W12 project in the heart of our neighborhood.

Our neighborhood has been here since the 1870s, and we face a current crisis in the face of development pressures that threaten the history, culture and residents that have defined this area for over 130 years. While San Francisco Chinatown has zoning protections, Oakland Chinatown does not currently have protections to keep current properties from flipping to corporate development that could diminish and eventually erase our community.

Since we have seen other Chinatowns such as in DC disappear from the process of gentrification manifested through luxury housing and corporate retail development, we are concerned that this development could be part of the beginning of the disappearance of Oakland Chinatown. Taking a full block or more of Chinatown will have a huge impact on Chinatown's boundaries, and impact the culture, identity and composition of the neighborhood. As it stands, this project will increase other high-end development that could displace our small businesses, community organizations, and low-income residents, and contribute to our neighborhood's demise if it does not sufficiently meet the following concerns:

- The current plan to have 416 market-rate units with no guaranteed affordable units could bring upwards of over 1,000 high-income residents into our low-income community that has an average median income of \$25,000 per year. Other new development will add thousands more high-income residents, increasing economic tension and displacement pressures.
- The over 25,000 square feet of retail space, if too expensive for Chinatown businesses and organizations, could bring non-Chinatown businesses into the heart of our neighborhood, which could create a disruption in the coherence of the Chinatown landscape, and begin the process of shrinking our boundaries. High-income tenants able to pay current market-rates in Oakland are disproportionately white due to economic inequalities in this country, and these tenants will demand services and businesses that will demand higher prices unaffordable to our families and be able to pay higher commercial rents, which will create more displacement pressures on our mom and pop family-run stores, many of which are just barely getting by on small profit margins.

- The current ground floor design shared with us does not show a lighting plan to provide sufficient brilliant lighting. Public safety and graffiti are current problems for Chinatown, partly due to the lack of lighting in the area.
- The current plan to hire a general contractor from San Carlos does not bode well for local hire and inclusion of Asian and minority contractors in Oakland. Not ensuring local diverse hire, living wages, high safety standards, or apprenticeship opportunities does not contribute to the city's goals for economic equity and opportunity. Too many developers cut costs at the expense of workers and the profits of corporations, which can lead to unsafe conditions and low wages for workers that perpetuate economic inequality. CIWI internships are not a sustainable model of economic development as they only provide a short-term experience of only 12 weeks, 20 hours per week, totaling 240 hours of experience at \$19/hour with no benefits. CIWI interns have to be in college, while apprenticeships only require a GED, so there is a class difference in who gets to access those internships, and this usually does not include re-entry residents who desperately need work in fields like construction for a stronger and safer community.
- The building designs completely disregard guidelines in the Lake Merritt Station Area Plan to include publicly accessible space in any development over half a block. In fact, this particular site was identified as an opportunity site for including open public space in the area plan, and yet no one discussed this in the process of development. Chinatown's current open spaces are extremely over-capacity, and our seniors and families desperately need more green space in a neighborhood with high levels of traffic and pollution.
- The current design is quite colorless and does not signal Chinatown at such a critical site and gateway to our neighborhood, and the ground floor does not currently provide a lot of visual interest.
- The plans to displace the schools on site may disrupt the learning of 720 Chinatown youth, which is an unacceptable outcome of the construction timeline.

Based on the above concerns, our organizations representing thousands of Chinatown families have made the following requests of The Martin Group:

- To sign a legally-binding Community Benefits Agreement and Memorandum of Understanding codifying commitments addressing the stated concerns and including the following requests before Planning Commission approval, to ensure anti-displacement mitigation and integration into the neighborhood, to avoid an unnecessary appeal process:
  - We appreciate The Martin Group's quick willingness to begin talks with EBALDC and other nonprofit affordable housing developers to purchase the 285 12th Street site for affordable senior and family housing and community space on the

ground floor. We request that a reasonable price be offered, and that the intention to sell the parcel to a nonprofit affordable housing developer be written into the proposal to the Planning Commission as a condition of approval to ensure that this project includes and mitigates displacement of Chinatown families that is happening right now in Oakland, in nearby SRO and apartment buildings where landlords are pushing out long-time families. We simply cannot support a project in the middle of our neighborhood that does not include equitable access for our Chinatown families who make the neighborhood what it is, to mitigate the impact of thousands of high-income residents flooding the area. So the guaranteed inclusion of the 285 12th Street site for affordable housing is critical to prevent major and prolonged opposition to this project.

- We request a target of about 40% of the over 25,000 square feet of retail space as affordable retail space for Chinatown community and small business needs, including the 285 12th Street site space. That would equal about 8,000 square feet remaining to be designated in the 301 12th Street site. To provide coherence and flow with Lincoln Recreation Center and the EBALDC buildings, we request that one of the Harrison Street spaces in the 301 12th Street site be designated for affordable retail space for the creation of a collaborative cooperative small business incubation space that can be a launching pad and resource space for the future of Chinatown's small business economic life, and also provide high-traffic with the inclusion of a teahouse or similar gathering space for the community with included meeting space and gallery space for the Oakland Asian Cultural Center. In addition, this space can be used for a monthly or weekly night market for pop-up food purveyors, a long-time wish of the Chinatown community. We define affordable at around \$1 per square foot per month or below for micro-businesses, all costs included with WIFI service, and request long-term leases and build-out. Extra parking spaces should be first offered to these small businesses.
- We request that the lighting fixtures be designed to signal Chinatown through a lantern-like Chinese-inspired design by a local or Asian Pacific American artist or manufacturer, and that they be provided at least every 20 feet along the sides of the ground floor facade to light up the sidewalks for pedestrians.
- To ensure local hire, living wages, and apprenticeships for our young people, we request a community workforce agreement that codifies goals and targets for including our local residents and contractors in the building of a project in their city and neighborhood. These workers and contractors should include Asian and other minority local contractors and workers with living wages, advancement opportunities, and safety measures that are guaranteed by a written agreement made with local trade unions who facilitate apprenticeships that support young

workers to establish themselves in a successful and economically sustainable career.

- In lieu of providing public open space because the design did not include it as recommended by the Lake Merritt Area Plan, we request financial support for Chinatown's crumbling public infrastructure, including Lincoln and Madison Parks per the neighborhood's open space goals, and the Chinatown Art, Preservation & Environment Committee's projects to preserve and beautify Chinatown for the long-term sustainability of the neighborhood and success of our small business and cultural district. The impact fees will not necessarily be re-directed back to Chinatown, unfortunately. Since the Lake Merritt Station Area Plan, the City has not been able to identify funds to implement most of the community goals, and the neighborhood should benefit from new development as a national best practice to strengthen low-income neighborhoods to be resilient to prevent displacement. The current immediate upgrade needs for Lincoln Recreation Center are estimated at \$200,000, and the current immediate upgrade needs for Madison Park are estimated at \$300,000 to provide much-needed quality of life improvements for Chinatown residents. The Oakland Chinatown Art, Preservation & Environment Committee is also currently working to beautify and preserve the neighborhood through murals, public art, and place-making initiatives.
- To sufficiently mitigate displacement of small businesses, we request financial support for the Chinatown Chamber's Small Business Support program, which requires \$80,000 to run for one year, and APEN's Sustainable Jobs Worker Cooperative Center to build job capacity for local residents to create economic equity.
- We appreciate The Martin Group's intentions to include Chinatown artists in the use of the Public Art Fee, and we would like to put that commitment in writing to include extensive public art on the external facades and sidewalk spaces that affirms and reflects our neighborhood and cultural history and identity, including benches for public seating, murals, mosaics, light art, and sidewalk insignias and markings for place-making. We also request that, if legal outcomes allow, some portion of the estimated \$500,000 for public art be designated for the Oakland Asian Cultural Center to be able to continue their programs for the community. We also request a commitment to spend these funds for these purposes, even if pending litigation overturns the Public Art Ordinance, as other developers have done. We also request that sidewalk trees include ones that are familiar to Asian communities, and also visually signal Chinatown's identity, such as cherry blossom and ginkgo trees, or similar trees as permitted for sidewalk tree inclusion. We request that The Martin Group work with a committee of Chinatown stakeholders, architects, and artists on these overall design plans.

- As many of our children attend the schools on this site, we request a commitment in writing to allow the schools to stay in their building until June 9, 2017 as part of the community agreement, and to work closely with the school administrators to ensure that the students' learning is not disrupted by the project.
- We request a clause that codifies the commitments in the event that the project is sold so that any new owner would have to honor the community agreement.

While The Martin Group is amenable to some of our requests, they have not sufficiently satisfied all of our concerns regarding displacement at this time, therefore we cannot currently support the project as is until a meaningful Community Benefits Agreement is signed by all parties that mitigates harm to our neighborhood and families. We sincerely hope that that The Martin Group will lead by example in implementing responsible development without displacement in Oakland by respecting and mitigating our concerns. And we ask that you as a Planning Commission respect our historic and culturally important neighborhood by not approving the project until that Community Benefits Agreement is in place. Please follow the lead of the Berkeley Planning Commission and other progressive Planning Commissions that require developers to include meaningful community benefits before giving them the green light. Oakland and Chinatown are at a critical junction right now, and we will not stand by quietly and let irresponsible decisions and a lack of leadership destroy our neighborhood.

We believe it is a dangerous precedent for our city in this moment for the Planning Commission to continue approving projects without CBAs, a national best practice, in place to mitigate displacement in our neighborhoods, particularly in our historic and cultural districts. We urge you as our Planning Commission to immediately act to propose and implement meaningful protections for our historic and cultural districts, as other cities across the country have done to ensure protection for low-income communities during periods of rapid development. Lastly, we continue to urge you to require that developers actually read and use the Area Plans to incorporate the guidelines, recommendations and wishes of local neighborhoods to develop housing while meeting the community's needs with their projects.

Thank You,

AYPAL: Building API Community Power  
Asian Pacific Environmental Network (APEN)  
Asian Pacific Islander Legal Outreach  
The Wa Sung Community Service Club  
Karen Dea, Wa Sung Community Service Club  
Chinese American Citizens Alliance  
Buddhist Church of Oakland

Robert Noguchi, Buddhist Church of Oakland Board President  
Steve Terusaki, Buddhist Church of Oakland Board President Emeritus  
Filipino Advocates for Justice  
Alan Yee, Siegel & Yee Law Firm  
Corinne Jan, Family Bridges  
Chinese Community United Methodist Church  
Reverend Emily Lin, Lead Pastor, Chinese Community United Methodist Church  
Richard Fong, Board Chair, Chinese Community United Methodist Church  
Rebecca Wong, Lay Leader, Chinese Community United Methodist Church  
Reverend Deborah Lee, Interfaith Movement for Human Integrity  
Bruce Quan, Member of the Oakland Lodge of the Four Family Association  
Eduardo Collaço 高華德, Long-Time Chinatown Safety Volunteer  
Lailan Sandra Huen, Block by Block Organizing Network  
Oakland Residents for Responsible Development  
Friends of Lincoln Square