

ATTACHMENT M

Recommendations to the City Council Regarding General Plan Amendment, Wood Street Zoning District, Zoning Maps, and Redevelopment Plan Amendment

Exhibit A – CEQA Findings

Exhibit B – Mitigation Monitoring and Reporting Program (MMRP)

Exhibit C – Conditions of Approval

Exhibit D – General Findings

Exhibit E – Proposed Zoning Ordinance and District Regulations

Exhibit F – Proposed Zoning Ordinance Amending the Zoning Map

Exhibit G – Proposed General Plan Resolution

Exhibit H-1 and H-2 – Proposed Redevelopment Plan Ordinance and Resolution

EXHIBIT A

CEQA FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS RELATED TO APPROVAL OF THE WOOD STREET PROJECT

I. INTRODUCTION

1. These CEQA findings are adopted by the City of Oakland as lead agency for the Wood Street Project. These findings pertain to the Environmental Impact Report prepared for that project, SCH #2004012110 ("EIR").

2. These CEQA findings are attached as Exhibit A and incorporated by reference into a staff report presented to the Commission, and into each ordinance or resolution approving the Wood Street Project. That staff report, ordinance or resolution also includes an Exhibit B, which contains the Mitigation Monitoring and Reporting Program (MMRP), and which references impacts, mitigation measures, levels of significance before mitigation, and resulting levels of significance after mitigation. Also attached is an Exhibit C, which contains the conditions of approval, and an Exhibit D that contains findings regarding other matters, including compliance with the Municipal Code and General Plan consistency. In addition, the Zoning Ordinance has an Exhibit E, which sets forth the Wood Street Zoning District Regulations. All Exhibits are incorporated by reference into each other, and into the staff report, ordinance and resolution. Capitalized terms in any of these documents that are not defined in these documents have the same meaning as they have in the EIR. These findings are based upon the entire record, described below, and some findings are based on specific references, as noted below. References to specific reports and specific pages of documents are not intended to identify those sources as the exclusive basis for the findings.

II. THE PROJECT

3. The Wood Street Project is a collection of nine separate development proposals being pursued by various developers in West Oakland. All nine development proposals combined occupy approximately 29.2 acres. The site is approximately two miles from downtown Oakland, and is surrounded by the I-880 freeway to the west; the elevated portion of Grand Avenue to the north; a mixture of single family homes, warehouses and Raimondi Park across Wood Street to the east; and the California Waste Solutions directly to the south. While the development proposals are being pursued by different applicants and along different timelines, the applicants have jointly proposed a General Plan amendment for the Project Area and a new zoning district to accommodate the proposed uses. The zoning district is entitled the "Wood Street Zoning District." It allows a range of mixed uses, with flexibility in the combinations of uses allowed, all resulting in a range of potential development scenarios. The zoning district could be implemented through development of the Maximum Residential Scenario, which would involve approximately 1,557 residential units, 27,847 square feet of commercial space, and 122,925 square feet of proposed open space. Another development scenario could be the Maximum Commercial Scenario, under which there would be approximately 1,084 residential units, 539,626 square feet of commercial uses and 88,350 square feet of open space. The range of development allowed under the Wood Street Zoning District, as it is enacted by the Council, is the "Project" referenced in these findings. The Project, the

General Plan Amendment, the Redevelopment Plan Amendment, the Rezoning and the Vesting Tentative Parcel Maps are within the range of uses studied in the EIR.

III. ENVIRONMENTAL REVIEW OF THE PROJECT

4. Pursuant to CEQA, the CEQA Guidelines, and the Oakland Environmental Review Guidelines, Oakland Muni. Code Chapter 17.158 (collectively, "CEQA"), the City determined that an EIR would be prepared. The City issued a Notice of Preparation, which was circulated to responsible agencies and interested groups and individuals for review and comment. A copy of the Notice of Preparation and comments thereon are included in Appendix A of the Draft EIR.

5. A Draft EIR was prepared for the Wood Street Project to analyze its environmental effects. The DEIR was circulated for public review and comment from September 21, 2004 to November 15, 2004. The Landmarks Preservation Advisory Board and the Planning Commission held public hearings on the DEIR and received oral comments on October 18, 2004 and October 20, 2004, respectively.

6. The City received numerous written and oral comments on the DEIR. The City prepared responses that describe the disposition of significant environmental issues raised by the comments, and made changes to the DEIR. The comments, responses to comments, changes to the DEIR and additional information were published in a Final EIR on February 7, 2005. The DEIR, the FEIR, and all the appendices comprise the "EIR" referenced in these findings.

7. The Planning Commission held two additional hearings on the Project and on the EIR on January 26, 2005 and March 16, 2005. The Landmarks Advisory Board held an additional public hearing on February 28, 2005. At all public hearings, the City staff and its engineering and environmental consultants provided information about the Project. At each hearing, members of the public had the opportunity to ask questions and express their concerns and interest about the Project.

8. The City prepared an EIR on the range of development that would be permitted under the Wood Street Zoning District. The EIR evaluates the basic framework proposed for future development of the Project Area, as well as the various development scenarios that may emerge from the application of the proposed zoning district, and the environmental impacts the Project would cause if it were approved and developed. The EIR provides a project-level analysis of such environmental impacts of the Project, and supports all levels of approval necessary to implement the Project.

IV. THE RECORD

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

- a. The EIR, and all documents referenced in or relied upon by the EIR.
- b. All information (including written evidence and testimony)

provided by City staff to the Planning Commission and the City Council relating to the EIR, the proposed approvals for the Project, the Project or its alternatives.

c. All information (including written evidence and testimony) presented to the Planning Commission and the City Council by the environmental consultant and sub consultants who prepared the EIR, or incorporated into reports presented to the Commission and the Council.

d. All information (including written evidence and testimony) presented to the City from other public agencies relating to the Project or the EIR.

e. All applications, letters, testimony and hearing presentations given by any of the project sponsors or their consultants to the City in connection with the Project.

f. All information (including written evidence and testimony) presented at any public hearing related to the Project and the EIR.

g. For documentary and information purposes, all locally-adopted land use plans and ordinances, including, without limitation, general plans, specific plans, redevelopment plans and ordinances, together with environmental review documents, findings, mitigation monitoring programs and other documentation relevant to planned growth in the area.

h. The Mitigation Monitoring and Reporting Program for the Project.

i. All other documents comprising the record pursuant to Public Resources Code section 21167.6(e).

10. The custodian of the documents and other materials that constitute the record of proceedings on which the City's decision is based is Claudia Cappio, Development Director, Community and Economic Development Agency, or designee. Such documents and other materials are located at 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, California 94612.

11. These findings are based upon substantial evidence in the entire record before the City. The reference to certain pages or sections of the EIR set forth in these findings are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

V. CERTIFICATION OF THE EIR

12. In accordance with CEQA, the City certifies that the EIR has been completed in compliance with CEQA, that the EIR was presented to the decisionmaking body and that the decisionmaking body reviewed and considered the information contained in the EIR prior to approving any aspect of the Project. Preparation of the EIR has been overseen by the Environmental Review Officer or his/her representative, and the conclusions and recommendations in the document represent the independent conclusions and recommendations of the City. The EIR and these findings represent the independent judgment and analysis of the

City. By these findings, the City confirms, ratifies and adopts the findings and conclusions of the EIR, as supplemented and modified by these findings.

13. The City recognizes that the EIR contains clerical errors. The City has reviewed the entirety of the EIR and bases its determinations on the substance of the information it contains.

14. The City certifies that the EIR is adequate to support the approval of the Project and of each entitlement or approval that is the subject of the staff report to the Commission and the Council, ordinance or resolution to which these CEQA findings are attached.

15. The City recognizes that additional modifications have been made to the text of the Wood Street Zoning District regulations and to the Project since the EIR was published; all resulting in the Project in the form it is approved by the City. The zoning regulations have been modified from the draft version contained in the EIR to incorporate minor refinements, including revised regulations for live/work, new standards for the 16th Street Plaza, and additional parking requirements. The live/work regulations regarding allowable numbers of employees have been revised to incorporate specific standards rather than simply referring to provisions of the Oakland Planning Code, however the impacts are unchanged. The new standards for the Plaza are consistent with the original intent and concept of the Plaza as described in the DEIR, and merely provide additional detail to ensure that the Plaza is developed as a publicly accessible outdoor space that provides an appropriate foreground setting for the Train Station. Parking requirements have been increased slightly for all residential activities, providing a small amount of additional parking for Project residents. However, there has been no change in the standards related to screening or buffering of parking from the surrounding streets and open space areas. The above-described refinements to the Wood Street Zoning District regulations have little to no effect on physical impacts of the Project and do not raise additional environmental concerns. Other changes were made to incorporate mitigation measures, or to make the Project more environmentally beneficial. Other changes were made to address planning, practical, financial or logistical concerns and these changes have little to no effect on physical impacts of the Project.

16. The City is apprised of all these modifications, and determines that the EIR is adequate to support approval of the Project. The impacts of the Project as it is approved are within the range of impacts studied in the EIR. The City certifies that the EIR is also adequate to support approval of each component of the Project, any project within the range of alternatives described and evaluated in the EIR, each component of any of these alternatives, and any minor modifications to the Project or the alternatives. The City also certified that the EIR is adequate to support any future discretionary approvals needed to implement the Project.

VI. ABSENCE OF SIGNIFICANT NEW INFORMATION

17. The City recognizes that the EIR incorporates information obtained and produced after the DEIR was completed, and that it contains additions, clarification, and modifications. The City further recognizes that the additional modifications have been made as noted above. The City has reviewed and considered the FEIR and all of this information. Neither the FEIR, nor any of these modifications, adds significant new information to the DEIR that would require recirculation of the EIR under CEQA. The new information does not involve

a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible project alternative or mitigation measure considerably different from others previously analyzed that the project sponsor declines to adopt and that would clearly lessen the significant environmental impacts of the Project. The EIR adequately addresses the Project as it is approved by the City. No information indicates that the DEIR was inadequate or conclusory.

18. Accordingly, no information has revealed the existence of (1) a significant new environmental impact that would result from the Project or an adopted mitigation measure; (2) a substantial increase in the severity of an environmental impact; (3) a feasible project alternative or mitigation measure not adopted that is considerably different from others analyzed in the DEIR that would clearly lessen the significant environmental impacts of the Project; or (4) information that indicates that the public was deprived of a meaningful opportunity to review and comment on the DEIR. The City finds that the changes and modifications made to the Project and to the EIR after the DEIR was circulated for public review and comment do not collectively or individually constitute significant new information within the meaning of Public Resources code section 21092.1, CEQA Guidelines section 15088.5, or the Municipal Code.

VII. MITIGATION MEASURES, CONDITIONS OF APPROVAL AND MMRP

19. Public Resources Code section 21081.6, CEQA Guidelines section 15097 and provisions with Chapter 17.158 of the Oakland Municipal Code, require the City to adopt a monitoring or reporting program to ensure that the mitigation measures and revisions to the Project identified in the EIR are implemented. The Mitigation and Monitoring Program (“MMRP”) is included in Exhibit B, and is adopted by the City. The MMRP satisfies the requirements of CEQA and of the Oakland Municipal Code.

20. The mitigation measures recommended by the EIR as reflected in the conditions of approval are specific and enforceable. As appropriate, some mitigation measures define performance standards to ensure no significant environmental impacts. The MMRP adequately describes conditions, implementation, verification, a compliance schedule and reporting requirements to ensure the Project complies with the adopted mitigation measures. The MMRP ensures that the mitigation measures are in place, as appropriate, throughout the life of the Project.

21. The mitigation measures set forth in Exhibit B and corresponding conditions of approval in Exhibit C are derived from the mitigation measures set forth in the DEIR. The City has modified the language of some of the mitigation measures in the FEIR and the corresponding conditions for purposes of clarification and consistency, to enhance enforceability, to defer more to the expertise of other agencies with jurisdiction over the affected resources, to summarize or strengthen their provisions, and/or to make the mitigation measure more precise and effective, all without making any substantive changes to the mitigation measures.

22. The City adopts and imposes the mitigation measures recommended in the EIR, as modified, as enforceable conditions of the Project. The recommended General Plan Amendment, Zoning Ordinance and Redevelopment Plan Amendment, include an enforceable condition requiring that these mitigation measures be made enforceable conditions of approval of any Vesting Tentative Parcel Map or Preliminary Development Plan for any aspect of the

Project, with the measures to be accomplished within the deadlines set forth in the MMRP and as geographically appropriate to the Map or Development Plan at issue. It is the City's intent to incorporate all mitigation measures referenced in the EIR into the Project or into the Conditions of Approval, as reflected in the MMRP attached as Exhibit B. It is also the City's intent to incorporate all applicable conditions of the Oakland Army Base Redevelopment Plan, which were part of the project studied in the EIR, as separate conditions of approval of each Vesting Parcel Map or Preliminary Development Plan, as appropriate in light of the time for compliance indicated in Exhibit B (the MMRP).

23. The City acknowledges that there is controversy regarding the mitigation measures imposed to reduce the impacts arising from loss of a portion of the historic train station. In particular, the City acknowledges controversy regarding the best use to be made of the Main Hall upon its potential rehabilitation. Suggestions have been made regarding uses the commentators consider the most beneficial to the West Oakland neighborhood, or the most reflective of the Station's history. The suggestions are in many instances mutually exclusive or contradictory. The City finds that the restrictions and processes imposed by Mitigation Measures CR-2.1 through CR-2.8 represent a reasonable means of ensuring that the proposed restored Main Hall will be used in a manner that emphasizes its historical significance in a way that will reduce the Project's impact to the fullest extent feasible. Other processes or uses of the proposed restored Main Hall would not achieve a greater degree of mitigation. Disagreements about the best reuse are disagreements about the merits of any given reuse proposal.

24. The mitigation measures comprise the measures necessary to reduce significant impacts to a level less than significant wherever it is feasible to do so. The City has substantially lessened or eliminated all significant environmental effects where feasible. The mitigation measures incorporated into and imposed upon the Project will not have new significant environmental impacts that were not analyzed in the DEIR. In the event a mitigation measure recommended in the EIR has been inadvertently omitted from the conditions of approval or the MMRP, that mitigation measure is adopted and incorporated from the EIR into the MMRP by reference and adopted as a condition of approval.

VIII. FINDINGS REGARDING ENVIRONMENTAL CONCLUSIONS

25. In accordance with Public Resources Code section 21081, CEQA Guidelines sections 15091 and 15092, and Oakland Municipal Code Chapter 17.158, the City adopts the findings and conclusions regarding impacts and mitigation measures that are set forth in the EIR, and summarized in Exhibit B (the MMRP), both before and after mitigation. These findings do not repeat the full discussions of environmental impacts contained in the EIR. The City ratifies, adopts and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the EIR. The City adopts the reasoning of the EIR, of the staff reports presented to the Commission and the Council, and of staff and the presentations provided by the project sponsor.

26. The City recognizes that the environmental analysis of the Project raises several controversial environmental issues, and that a range of technical and scientific opinion exists with respect to those issues. The City acknowledges that there are differing and conflicting expert and other opinions regarding the Project. Some of the differences of opinion and expert opinion pertain to the methodologies the EIR employed, the historical significance of

buildings and other facilities within the Project area, the feasibility of mitigating impacts to historic resources, the best means of encouraging use of public transit, trip generation rates, trip distribution modeling, vulnerability of the West Oakland neighborhood to gentrification, the causes of any projected or existing gentrification, whether housing prices or hiring practices would affect physical impacts, population projections, and the ability to make reliable forecasts regarding physical impacts that might result from socio-economic impacts. The City has, by its review of the evidence and analysis presented in the EIR and in the record, acquired a better understanding of the breadth of this technical and scientific opinion and of the full scope of the environmental issues presented by the Project. In turn, this understanding has enabled the City to make fully informed, thoroughly considered decisions after taking account of the various viewpoints on these important issues. These findings are based on full appraisal of all viewpoints expressed in the EIR and in the record as well as other relevant information in the record of proceedings for the Project. The City adopts the analysis, methodology and opinions that support these findings for the reasons stated in the EIR, in staff reports presented to the Commission and the Council, and in presentations made by the applicants.

27. The City acknowledges that there is substantial controversy, differences of expert opinion, and conflicting evidence regarding the impacts of the Project to historic resources, and regarding whether the Project will cause socioeconomic impacts that will lead to physical impacts. The City has reviewed extensive information presented by commentators, some of whom are experts, and some of whom, in turn, cite other expert reports and studies, regarding these issues. The City adopts the conclusions of the several experts whose opinions support the conclusions stated in the EIR, for the reasons stated in the EIR, in staff reports presented to the Commission and Council, and in presentations made by the applicants.

28. With respect to historic resources, the experts whose analyses and opinions support the City's conclusions include Alan Dreyfus, Neil Brower, Rodney Jeung, other personnel at EIP, and employees of the City with substantial experience in Oakland's extensive history of evaluating historic resources. In addition, the City has considered the determinations and conclusions it adopted previously regarding the importance of resources claimed to be significant historic resources, which were made in consultation with community members and experts participating in the Oakland Cultural Heritage Survey. The City has also considered the conclusions of the Historic Preservation Element of the City's General Plan, likewise already adopted by the City prior to consideration of this Project. The EIR results from an extensive and comprehensive examination of anecdotal and documented evidence regarding the times and circumstances surrounding the Project Area, including those involving the 16th Street Train Station, the Signal Tower, Bea's Hotel, the four buildings comprising the Pacific Coast Canning Company (and the Cannery Building in particular), and the historic districts in and near the Project Area. This evidence and these analyses are reflected in the EIR, especially in section 3.7 of the Draft EIR and Master Response 4 of the Final EIR. The City bases its determination regarding impacts of the Project to historic resources on the totality of evidence, including these expert analyses and opinions.

29. Other experts support the City's conclusions regarding whether social, cultural and economic issues (including but not limited to gentrification, housing, jobs and displacement) will in turn cause any significant effects on the environment. The experts whose opinions support the City's conclusions regarding these subjects include Hausrath Economics Group, Bay Area Economics, Conley Consulting Group, Mundie and Associates, Rodney Jeung

of EIP Associates, and members of the City Staff with expertise. To the extent the social, cultural and economic issues were claimed to affect circulation impacts, the experts also include Dowling Associates. The City acknowledges the voluminous evidence and numerous citations to studies and reports presented in support of conclusions opposite to those reached by the City. However, that evidence and the studies cited were reviewed by other experts, who explained how the evidence and analysis submitted by the commentators did not establish a reasonable probability that the Project's social, cultural or economic impacts would cause physical impacts. (See, for example, Appendix B of the Final EIR, and the discussion of Gentrification in Chapter 4 of Appendix C of the Final EIR.) The City finds these explanations reasonable. In particular, the City agrees with commentators that it is reasonable to project that the Project may likely contribute toward some rise in property values in the surrounding area, that gentrification can in some instances be quantified, and that the West Oakland neighborhood's vulnerability to gentrification can be assessed. However, it is not reasonable to quantify or project what contribution the Project would make toward gentrification, or assess the Project's possible contribution to it in any meaningful way. It is especially difficult to ascertain what contribution the Project may make to rising property values in light of other planned redevelopment in the area, which is itself intended to raise property values. Other redevelopment is planned for the entirety of the OARB Redevelopment Area (which includes the Project Area), and the West Oakland Redevelopment Plan Area (which does not include the Project Area). The West Oakland Redevelopment Plan Area contains many of the residences where commentators suggest gentrification may occur. It is difficult to ascertain any Project contribution also in light of expert opinion that gentrification appears to have begun before the Project was proposed, that the process is likely to continue with implementation of the West Oakland Redevelopment Plan (which does not include the Project), and that these factors, independent of the Project, virtually assure that housing prices in the area will continue to rise. The City also finds it speculative to conclude that any Project-caused displacement would cause the physical impacts the commentators claim.

30. Under Public Resources Code section 21081(a)(2), CEQA Guidelines section 15091(a)(2) and 15092(b)(2)(A), and Chapter 17.158 of the Municipal Code, the City recognizes that some mitigation measures require action by, or cooperation from, other agencies. Similarly, mitigation measures requiring a project sponsor to contribute towards improvements planned by other agencies will require the relevant agencies to receive the funds and spend them appropriately. The City also recognizes that some cumulative impacts will be feasibly mitigated when other agencies build the relevant improvements, which also requires action by these other agencies. For each mitigation measure that requires the cooperation or action of another agency, identified as such in the MMRP, the City finds that adoption and/or implementation of each of those mitigation measures is within the responsibility and jurisdiction of another public agency, and that the measures can and should be adopted and/or implemented by that other agency. If such other agency did not implement these mitigation measures, the level of significance would remain as stated in the MMRP before mitigation.

31. Under Public Resources Code section 21081(a)(3) and (b), CEQA Guidelines sections 156091(a)(3), 15092(b)(2)(B) and 15093, and Chapter 17.158 of the Municipal Code, the City determines that the remaining significant effects on the environment, as reflected in the EIR and in Exhibit B, are unavoidable and are acceptable due to the overriding considerations described below.

IX. FINDINGS REGARDING FEASIBILITY OF PRESERVING ENTIRE TRAIN STATION

32. The Project includes retention of the Main Hall, a portion of the elevated tracks, and a portion of the platform, and the Signal Tower. Restoration of the retained portions of the Station is proposed using tax increment financing, if approved by the Redevelopment Agency. Restoration of the Signal Tower is required using private funding as a condition of approval. It proposes demolition of the remainder of the elevated tracks and platform, and the baggage wing. The City concludes that the following things are not feasible: to retain the entirety of the elevated tracks and platform, or the baggage wing; to retain and restore the entirety of the elevated tracks and platform, or the baggage wing; to require the Project Sponsor to fund restoration of the retained portions; to rehabilitate the baggage wing into housing units; to limit the height of new construction adjacent to the main station and along Wood Street to 25 feet instead of 65 feet. Dreyfus-proposed measure on page 4 of appendix D of DEIR. The City concludes that these things are not feasible, regardless whether these things are considered mitigation measures or alternatives. Both the Preservation Alternative and the Reduced Project Alternative are not feasible.

33. The evidence supporting these conclusions is contained within the EIR. In addition, evidence of economic infeasibility is contained in materials presented by the Project Sponsor, including an appraisal prepared by Carneghi-Blum & Partners, Inc.

34. The City finds that demolition of portions of the elevated platform (roughly 40 of the 60 feet extending west of the Main Hall and the portions extending north and south of the Main Hall) is necessary to: a) allow continuation of 16th Street in keeping with the existing neighborhood street pattern, b) provide emergency access to the Project Area from Wood Street and the frontage road, c) facilitate public access to the future rear entrance of the Main Hall, and d) provide access directly to the frontage road from future projects in Development Areas 6, 7 and 8 in order to minimize traffic impacts on the surrounding neighborhood.

35. The City finds that retention of the entire station is not economically feasible. As explained in the appraisal presented by the Project Sponsor of Area 6, in the cover letter submitted by BUILD, and in the staff report for the March 16, 2005 meeting, development of the land occupied by the portions of the train station proposed for demolition, at the density proposed, is necessary to enable any reasonable rate of return on the investment represented by reasonable acquisition costs. The City considered shifting the development proposed for that portion of the property over to the other portions of Area 6, which would result in dramatic increases in density on those other portions. The increased density would not result in increased value, since construction costs would increase, and the market desirability of each unit would decrease, decreasing market values. Requiring development of fewer, larger units in that other portion would likewise not appreciably increase values. The development would remain high-density and located in an area where housing prices are not high. The end result would be lower revenues, which in turn would drive entitled land values down further. The City also considered restoration of the entire train station, and its commercial use. However, commercial activities would not generate sufficient revenue to support rehabilitation, and tax increment financing would not be sufficient to fund rehabilitation of the entire station.

36. The Main Hall is proposed for retention, rather than the baggage wing, because the resulting combination of preserved structures and new plaza would emphasize the most prominent and significant aspects of the historic buildings and improve their access and visibility from Wood Street. Retention of the 20-foot section of elevated platform highlights the most useable portion of the structure – the waiting platform and decorative canopy immediately adjacent to the station building – while removing the unusable sunken track beds and inaccessible far platform. Removal of these portions of the elevated platform and its northern and southern extensions opens up the back and sides of the station to view. The 62-foot tall Main Hall structure proposed for preservation figured most prominently in the experience of passengers and railroad workers alike, while the Baggage Wing was built as a private, utilitarian space to support the publicly accessible Main Hall. The City considered the Main Hall better suited for retention and possible restoration also for the reasons stated in Master Response 4.

37. In addition, the City adopts the conclusions of feasibility contained in Master Response 4 of the Final EIR. The conclusions reached by BUILD, as referenced in that master response, have been explained, substantiated and confirmed as indicated in the preceding paragraphs. Destruction of a portion of the elevated tracks is necessary to allow access by emergency vehicles. The City does not think it likely that additional funds or opportunities are available for preserving or rehabilitating the entire train station, or any portion of it, that would provide greater mitigation than arises from Mitigation Measures CR-2.1 through CR-2.8. The City concludes that it is unlikely another party could purchase the site and preserve and restore the entire train station complex in reasonable time. The City concludes that the Main Hall and portions of the Elevated Tracks and Platform should be preserved, rather than the Baggage Wing, for the reasons stated in the EIR, especially in Master Response 4.

38. The City concludes that it is feasible to rehabilitate and reuse the retained portions of the train station, using the funding procedures identified in Mitigation Measures CR-2.1 through CR-2.8. The evidence supporting these conclusions is contained within the EIR and in materials presented by the Project Sponsor, including an estimate of construction costs prepared by BBI Construction, drawings illustrating potential reuses of the Main Hall, and a report from Conley Consulting Group entitled “Tax Increment and Bonding Capacity Supported by Wood Street Projects.”

39. The City finds that specific economic, social, environmental, technological, legal or other considerations make infeasible the alternatives to the Project as discussed in the EIR, and justify approval of the Project despite remaining impacts, as more fully discussed in the Statement of Overriding Considerations.

40. The City adopts the EIR’s analysis and conclusions regarding alternatives eliminated from further consideration, both during the scoping process and in response to comments.

41. The EIR evaluated a reasonable range of alternatives to the Project, which are described below. The City certifies that it has independently reviewed and considered the information on alternatives provided in the EIR and in the record. The EIR reflects the City’s independent judgment as to alternatives. The City finds that the Project provides the best balance between satisfaction of the project objectives, mitigation of environmental impacts,

implementation of General Plan goals, policies and programs, and feasibility. The alternatives are rejected as infeasible, for the reasons stated in the EIR and for the following reasons.

42. *No Project/No Action Alternative.* Under this alternative, all existing structures would remain on site in the current use and location. None of the Project components would be constructed. This is the environmentally superior alternative. It is rejected as infeasible for the following reasons. This alternative would not attain most of the Project objectives. In addition, this alternative would facilitate further deterioration of the historic 16th Street Train Station. This alternative would hinder implementation of General Plan policies to use historic preservation to foster the economic vitality and quality of life in Oakland (Historic Preservation Element, Goal 1), and especially to do so by stabilizing neighborhoods, enhancing property values, and increasing public and private economic and financial benefits (Historic Preservation Element, Goal 1(4)). It would hinder implementation of the directive in the Historic Preservation Element that “any physical environmental feature related to human activity that enhance Oakland’s quality of life through historical, aesthetic, or education value should at least be considered for preservation. (Historic Preservation Element, page 2-2). It would fail to realize the benefits identified in the Historic Preservation Element, which include enhanced quality of life and urban revitalization (Historic Preservation Element, page 2-3), employment opportunities (Historic Preservation Element, page 2-6), economic development opportunities, community identity, public relations and “image” (Historic Preservation Element, page 2-6), and educational, cultural and artistic values. (Historic Preservation Element, page 2-6). The entirety of the Train Station would remain private property, off limits to the public, without facilitation of opportunities to restore and enhance portions of the Station. This alternative would continue the current conflict between nearby residential uses and the trucking and other industrial uses presently operating on the site. It would also fail to implement the Redevelopment Plan, or any of the Redevelopment Plan goals. With no change in the visual setting, Project Area would remain blighted in appearance, which would not advance the OARB Area Redevelopment Plan goal to eliminate physical blighting influences in the Project Area. It would not advance the City’s General Plan policy of promoting economic investment in economically distressed areas of the City. It would hinder implementation of the Key West Oakland Implementation Strategies found on pages 187 and following in the Land Use and Transportation Element (LUTE) of the City’s General Plan. This section of the LUTE references improvement of Wood and Pine Street infrastructure and landscaping. (LUTE, page 186). It references community desire for economic development assistance, better transportation linkages and overall improvements to the appearance of the community, investment and maintenance of infrastructure. (LUTE, page 187). It references establishment and enforcement of development guidelines and City codes, development of new codes specific to the various types of conditions found on each block, and “a comprehensive overhaul of the City’s Zoning Ordinance, including development of new zoning districts, criteria and standards for development, and a set of clear and concise design guidelines.” (LUTE, pp. 187-188) In addition, this alternative would not implement economic and environmental sustainability provisions on page 27 of the LUTE.

43. *No Project/OARB Alternative.* Under this Alternative, the Project Area would be developed as evaluated in the *OARB Area Redevelopment Plan EIR*. The development envisioned would be a mix of commercial, research and development, and retail space along with live/work units and light industrial space. This Alternative would not substantially reduce significant impacts while achieving most of the Project objectives. This Alternative is not environmentally superior to the Project. Compared to the Project, this Alternative would cause

greater impacts relating to freeway segments, air quality, noise and hazardous materials, while causing lesser impacts relating to BART capacity. This alternative could create internal land use conflicts due to the proximity of industrial or container storage uses to live/work units or park uses. In addition, the OARB Alternative could introduce high-intensity industrial or high-traffic container storage uses into areas adjacent to existing residential uses, which could worsen land use compatibility to a greater degree than the Project. Construction and operational noise impacts could be more severe under this alternative than under the Project due to a larger proportion of the Project Area allocated to industrial and commercial uses which typically have larger heating, ventilation and air conditioning demands. The larger number of trucks under this alternative would result in greater vehicular noise than the Project which could impact nearby residences. Impacts to air quality could be more severe than the Project due to increases in truck traffic, and the fact that light industrial facilities have higher emissions than residential and commercial uses. This Alternative also does not meet most of the Project objectives, as noted on page 5-25 of the Draft EIR.

44. *No Project/General Plan Alternative.* Under this Alternative, the Project Area would be built out entirely with Business Mix uses, as specified by the *City of Oakland General Plan*. This Alternative would not substantially reduce significant impacts while achieving most of the Project objectives. This Alternative is not environmentally superior to the Project. Under this alternative, the introduction of industrial development could lead to greater land use conflicts with adjacent residential uses. Noise impacts under this alternative would be more severe than under the Project, due to the addition of heavy industrial uses and the associated noise of mechanical equipment, loading activities and truck traffic. Impacts to air quality could be more significant than under the Project due to truck traffic and the construction of heavy industrial facilities which have high emissions compared to the residential emphasis of the Project. The potential for neighborhood exposure to odors and toxic air contaminants would increase under this alternative and could create a potentially significant impact. The impacts to the 16th Street Train Station would remain significant. This Alternative also does not meet most of the Project objectives, as noted on page 5-25 of the Draft EIR.

45. *Preservation Alternative.* This alternative would involve a mix of commercial and residential uses. It proposes 1,570 dwelling units and 36,700 square feet of commercial space. Impacts to the 16th Street Train Station would be avoided by preserving the Station and its components, setting, and the relationship among existing elements. This Alternative is considered potentially environmentally superior to the Project. However, while this alternative avoids Project impacts to the Station complex, it assumes a significant capital investment beyond that contemplated by the Project and does not meet the Project objective of constructing financially feasible developments with reasonable returns on investment. See the findings in section IX above, "Findings Regarding Feasibility Of Preserving Entire Train Station." This alternative would also provide less open space than would the Project. The requirement of greater setbacks and lower building heights near the Station would necessitate the placement of residential buildings in areas that would be Private Open Space under the Project in order to maintain the same development potential.

46. *Reduced Project Alternative.* Under this Alternative, the Project's development program would be reduced in order to preserve historic resources, mitigate traffic impacts and reduce construction noise impacts by shortening the construction time. Under this alternative, there would be more commercial development, and less residential development,

than proposed by the Project, with preservation of the entire Train Station. This Alternative is considered potentially environmentally superior to the Project. However, because it requires preservation of the entire train station, it is not feasible. See the findings in section IX above, "Findings Regarding Feasibility of Preserving Entire Train Station."

47. *No Redevelopment of Bea's Hotel Alternative.* Under this Alternative, the development would be essentially the same as the Project, but without redevelopment of the Bea's Hotel property. This alternative would create greater impacts than the Project in the areas of conflicts with land use plans, policies or regulations; and conformance to General Plan policies concerning design and visual resources. Unlike the Project, it would not create a significant impact regarding cumulative impacts on MTS roadway segments. The alternative would be inconsistent with the OARB Area Redevelopment Plan goals of integrated development and elimination of blight, as Bea's Hotel would be inconsistent in scale and design with adjacent structures, and the retention of the hotel would contribute to the perception of blight in the area. Based on these factors, this alternative creates significant unavoidable land use impacts that are more severe than those under the Project. This alternative also impedes the goal of visual integrated development as Bea's Hotel is situated at the key location of 16th and Wood Streets. The inability to integrate this key site would be noticeable and would create a significant and unavoidable visual impact.

X. STATEMENT OF OVERRIDING CONSIDERATIONS

48. The City finds that each of the following specific economic, legal, social, technological, environmental and other considerations and benefits of the Project independently outweigh these remaining significant, adverse impacts and is an overriding consideration independently warranting approval. The remaining significant adverse impacts of the Project are acceptable in light of each of these overriding considerations.

49. The Project will bring private investment to an economically distressed area of the City, eliminate blight, and help promote revitalization of the area, in keeping with the broad, general goals of both the OARB Redevelopment Plan and the West Oakland Redevelopment Plan.

50. The Project will provide much-needed urban infill housing near the center of the Bay Area with convenient access to public transit and an existing major freeway, promoting smart growth principles and helping Oakland to meet its fair share of regional housing. The Project will therefore implement Policies 1.7, 7.3 and 7.4 of the Housing Element of the General Plan as well as with Policies T2.3 and N3.1 of the Land Use and Transportation Element of the General Plan (LUTE).

51. The Project will redevelop and revitalize underutilized and vacant land within the Oakland Army Base Redevelopment Project Area to create pedestrian-friendly, mixed-use, residential and commercial developments including live/work units. The Project would be more consistent with surrounding uses than are the existing uses, thus promoting LUTE Policies N5.3 and N6.1 which support and encourage live/work units and projects which provide a variety of housing types and sizes. The Project is also consistent with City of Oakland Housing Policy 2 which encourages the development of a variety of types of housing opportunities including live/work units. Through revitalization of the area, the Project furthers the goals of Housing Element Policy 4.3. Finally, the Project is consistent with LUTE Pedestrian

Master Plan Policy 3.2 which promotes land uses and site designs that make walking convenient and enjoyable.

52. The Project creates and will promote viable economic investment in an economically distressed area of the City. This action is fully consistent with LUTE Policy I/C1.4.

53. The Project will preserve and rehabilitate the historic 16th Street Train Station's Main Hall, Signal Tower and a portion of the platform and Elevated Tracks to the extent economically feasible. This action is consistent with LUTE Policy N9.8 and N9.9, and also with Historic Preservation Element Policy 3.1. Without the Project, the historic structures would likely continue to deteriorate.

54. The Project will create a publicly accessible plaza directly in front of the 16th Street Train Station. This action implements the objective of creating new civic open spaces in neighborhood commercial areas and in high-intensity redevelopment areas contained in Policy OS-11.2 of the Open Space, Conservation and Recreation Element of the General Plan (OSCAR).

55. The Project will provide for the undergrounding of utilities, in addition to providing extensive off-site improvements to streetscape, sidewalks, lighting and parking. This action is consistent with LUTE Policy N12.4 and with the goals of the OARB Area Redevelopment Plan which include strengthening the economic base of the community by the construction and installation of infrastructure and other needed site improvements.

EXHIBIT B
CEQA MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
Land Use					
LU-1. The Project would not physically divide an established community. (NI)	None required.		NI		
LU-2. Proposed higher-density land uses associated with the Project could potentially result in land use compatibility impacts on existing low-density units relating to increased noise, light and glare, and traffic, and to visual encroachment/loss of views. However, provisions of the proposed Wood Street Zoning Regulations would reduce these potential land use conflicts to less than significant. (LTS)	None required.		LTS		

¹ This column describes the Level of Significance resulting from the Project, together with imposition of all reasonably feasible mitigation measures. For purposes of this Mitigation Monitoring and Reporting Program, Mitigated to Less Than Significant ("LTS") means that, under Public Resources Code section 21081(a)(1) and CEQA Guidelines sections 15091(a)(1) and 15092(b)(2)(A), changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment. Mitigated to Less Than Significant Other Agency ("LTS Other Agency") means that, under Public Resources Code section 21081(a)(2) and CEQA Guidelines section 15091(a)(2) and 15092(b)(2)(A), all or part of the mitigation measures are within the responsibility and jurisdiction of another public agency (including situations which require the cooperation of another public agency), and such changes either have been adopted by the other agency or can and should be adopted by such other agency. Significant and Unavoidable ("SU") means that, under Public Resources Code section 21081(a)(3) and (b), and CEQA Guidelines sections 15091(a)(3), 15092(b)(2)(B) and 15093, no mitigation measures are available, or specific economic, legal, social, technological or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR or elsewhere; these impacts are acceptable due to the overriding considerations referenced in Exhibit A to the staff report to which this Exhibit B is attached.

² Compliance date, and inspection or field survey dates to be noted in this column by the responsible agency.

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
LU-3. The Project would not be consistent with the current General Plan land use classification and zoning districts for the Project Area. (PS)	<p><i>LU-3.1 General Plan Amendment.</i> The Project Sponsors shall apply for a General Plan Amendment (GPA) to apply the Urban Residential (UR) land use classification to the Project Area for approval by the City. According to the General Plan, this classification allows multi-unit, mid-rise, or high-rise residential structures and allows ground-floor commercial uses and public facilities of compatible character. The GPA, if approved, would eliminate any inconsistencies with the existing General Plan land use classification.</p> <p><i>LU-3.2 Zoning Code Amendment.</i> The Project Sponsors shall apply for a Zoning Code Amendment to add the Wood Street Zoning District and to rezone the Project Area to this new zoning district. The Project would be required to adhere to the Wood Street Zoning Regulations, which set forth land use regulations, development standards, design guidelines, and other requirements, including allowable uses, requirements for circulation, open space, streets and public improvements, building heights, massing, maximum densities, setbacks, landscaping, and parking. The change in zoning from the existing industrial and industrial/residential combining districts to the Wood Street Zoning District, if approved, would eliminate any inconsistencies with the existing zoning.</p>		LTS	Project Sponsors	Concurrent with rezone.
LU-4. The Project would conflict with applicable land use plans, policies, or regulations in certain respects. However, these inconsistencies would not result in a significant	None required.		LTS	Project Sponsors	Concurrent with General Plan Amendment

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
physical environmental effect and, therefore, the impact would be less than significant. (LTS)					
Cumulative Land Use Impacts					
LU-5. Implementation of the Project, in combination with other related projects, would not result in a cumulative impact associated with physically dividing an established community. (NI)	None required.		NI		
LU-6. Implementation of the Project, in combination with other related projects, would not result in cumulative land use incompatibility impacts. (LTS)	None required.		LTS		
LU-7. Implementation of the Project, in combination with other related projects, would not result in cumulative inconsistencies with the City's General Plan or zoning districts. (LTS)	None required.		LTS		
LU-8. Implementation of the Project, in combination with other related projects, would not result in conflicts with applicable plans, policies, or regulations in a manner that would result in a significant physical environmental effect. (LTS)	None required.		LTS		
Visual Quality					
VQ-1. Implementation of the Project would not result in a substantial adverse effect on a scenic vista. (LTS)	None required.		LTS		
VQ-2. Implementation of the Project would not substantially damage scenic resources within a state scenic highway. (LTS)	None required.		LTS		
VQ-3. Implementation of the Project would not substantially degrade the existing visual character	None required.		LTS		
Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact					

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
or quality of the Project Area and its surroundings. (LTS)					
VQ-4. Since construction of the Project would be implemented in phases, parts of the Project Area could be visually fragmented as construction occurs, and as individual development areas serve as staging or storage areas for construction equipment and materials. However, because portions of the Project Area are currently vacant or used for storage, views of construction activities or zones would not constitute a substantial degradation in visual quality. (LTS)	None required.		LTS		
VQ-5. Implementation of the Project would alter the existing nighttime light and glare characteristics of the Project Area with the introduction of building, parking, and landscaping elements. However, the proposed Wood Street Zoning Regulations include guidelines that ensure that potential light and glare impacts would not adversely affect nighttime views or visibility in the area and would be less than significant. (LTS)	None required.		LTS		
VQ-6. Implementation of the Project would alter existing daytime glare characteristics of the Project Area with the introduction of building elements. However, design features incorporated as part of the Project would ensure that these impacts would be less than significant. (LTS)	None required.		LTS		
VQ-7. Implementation of the Project would cast shadows that could result in a long-term change in the shade effects in the area. However, shadows cast by proposed development would not impair the beneficial use of the 16th Street Train Station, Raimondi Park, or solar collectors in the area, and	None required.		LTS		

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
would result in a less-than-significant impact. (LTS)					
VQ-8. The Project would be consistent with General Plan policies concerning design and visual resources. (LTS)	None required.		LTS		
VQ-9. The Project would not result in adverse wind effects. (LTS)	None required.		LTS		
Cumulative Impacts					
VQ-10. Implementation of the Project, in combination with related projects, would not result in a substantial adverse cumulative effect on a scenic vista. (LTS)	None required.		LTS		
VQ-11. Implementation of the Project, in combination with related projects, would not result in substantial cumulative scenic resource impacts within a state scenic highway. (LTS)	None required.		LTS		
VQ-12. Implementation of the Project, in combination with related projects, would not substantially contribute to cumulative loss of visual character or quality of the Project Area and its surroundings. (LTS)	None required.		LTS		
VQ-13. Implementation of the Project, in combination with related projects, would not result in cumulative visual impacts during construction. (NI)	None required.		NI		
VQ-14. Implementation of the Project, in combination with related projects, would alter the existing nighttime light and glare characteristics of the area with the introduction of building, parking, and landscaping elements. However, the	None required.		LTS		

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
proposed Wood Street Zoning Regulations include guidelines that ensure that potential cumulative light and glare impacts would be less than significant. (LTS)					
VQ-15. Implementation of the Project, in combination with related projects, would alter existing daytime glare characteristics of the Project Area with the introduction of building elements. However, design features would ensure that these cumulative impacts would be less than significant. (LTS)	None required.		LTS		
VQ-16. Implementation of the Project, in combination with related projects, would cast shadows that could result in a long-term change in the shade effects in the area. However, shadows cast by proposed development would not impair the beneficial use of the 16 th Street Train Station, Raimondi Park, or solar collectors in the area, and would result in a less-than-significant cumulative impact. (LTS)	None required.		LTS		
VQ-17. The Project, in combination with related projects, would be consistent with General Plan policies concerning design and visual resources. (LTS)	None required.		LTS		
VQ-18. The Project, in combination with related projects, would not result in cumulative adverse wind effects. (NI)	None required.		NI		
Transportation, Circulation, and Parking					
TR-1. Construction would generate a maximum of 3,300 trips daily. Construction-related traffic delays, detours, utility improvements, and activities could adversely affect local circulation.	<i>TR-1.1 Construction Traffic Management Plan.</i> The Project Sponsors shall prepare and implement a construction phasing plan and traffic management plan that defines how		LTS	City of Oakland Traffic Engineering Department,	Items a-b: Prior to issuance of the first
Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact					

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
As a result, construction-related transportation impacts would be considered potentially significant. (PS)	<p>traffic operations would be managed and maintained during each phase of construction. The plan shall be developed with the direct participation of the City of Oakland; AC Transit shall be given the opportunity to review and comment on the plan. In addition, the property owners of all businesses adjacent to the construction areas shall be consulted. To the maximum practical extent, the plan shall:</p> <ol style="list-style-type: none"> a. Detail how access will be maintained to individual businesses where construction activities may interfere with ingress and egress. Any driveway closures shall take place during non-business hours. b. Specify predetermined haul routes from staging areas to construction sites and to disposal areas of agreement with the City prior to construction. The routes shall follow streets and highways that provide the safest route and have the least impact on traffic c. During construction, require the contractor to provide information to the public using signs, press releases, and other media tools of traffic closures, detours or temporary displacement of left-turn lanes. d. Identify a single phone number that property owners and businesses can call for construction scheduling, phasing, and duration information, as well as for complaints. e. Identify construction activities that 			Public Works Agency and Planning and Zoning Department	building permit for the respective Development Area. Items c-e: During construction phase of Project.

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
	<p>must take place during off-peak traffic hours or result in temporary road closures due to concerns regarding traffic safety or traffic congestion. Any road closures will be done at night under ordinary circumstances. If unforeseen circumstances require road closing during the day, the City of Oakland shall be consulted.</p>				
<p>TR-2. The Project would increase traffic at study area intersections but would not substantially impact access or traffic load and capacity of the street system. (LTS)</p>	<p>None required.</p>		<p>LTS</p>		
<p>TR-3. The Project would add traffic to some roadway segments on the Metropolitan Transportation System (MTS), but would not cause any freeway segments on the MTS to operate at LOS F, or increase the V/C ratio by more than three percent for segments that would operate at LOS F without Project traffic. (LTS)</p>	<p>None required.</p>		<p>LTS</p>		
<p>TR-4. The Project could substantially increase traffic hazards to motor vehicles, bicycles, or pedestrians due to a design feature. (PS)</p>	<p>TR-4.1 Turn-Arounds at 11th Street and the 18th and 20th Street Extensions. The Project Sponsor for Development Areas Two, Six, Seven, and Eight shall incorporate the design of a cul-de-sac or other appropriate turn-around at the end of 11th Street and at the end of the 18th and 20th Street extensions and construct these extensions in compliance with City of Oakland Design Standards. Appropriate turn-around designs would allow vehicles to return along 11th Street and enter Wood Street in a front-end-first manner.</p>		<p>LTS</p>	<p>City of Oakland Traffic Engineering Department, Public Works Agency and Planning and Zoning Department</p>	<p>Prior to approval of Final Development Plan and specifications for the respective Development Area.</p>
<p>TR-5. Development of the Project could</p>	<p>TR-5.1 Bicycle Parking. The Project</p>		<p>LTS</p>	<p>City of Oakland</p>	<p>Prior to the</p>

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
fundamentally conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks). (PS)	Sponsors shall incorporate into the final design plans the number of bicycle parking spaces specified by the parking space requirements in Table 3.4-7 and install the bicycle parking in compliance with City standards.			Planning and Zoning Department	issuance of the first building permit for the respective Development Area.
TR-6. The Project would increase the average ridership on AC Transit lines by more than three percent on transit lines serving the Project Area, but the average load factor with the Project would not exceed 125 percent over a peak 30-minute period. (LTS)	None required.		LTS		
TR-7. The Project would increase the passenger volume such that passenger volume could exceed the standing capacity of BART trains, but the increase would not raise peak-hour average ridership by three percent. (LTS)	None required.		LTS		
TR-8. The Project would increase peak-hour average ridership at the West Oakland BART Station by three percent where average waiting time at fare gates could exceed one minute. (S)	<i>TR-8.1 Fare Gate Capacity.</i> The Project Sponsors for all development areas except Development Areas Five and Nine shall participate in efforts to provide adequate fare gate capacity at the West Oakland BART Station to accommodate the Project. The City and the Project Sponsors shall provide detailed information regarding development to BART to enable BART to conduct a comprehensive fare gate capacity assessment at the West Oakland BART Station. Based on the results of that assessment, the Project Sponsors shall fund their fair share for adding one or more new fare gates at the West Oakland BART Station.		SU	BART	Prior to issuance of the first certificate of building occupancy for the respective Development Area.

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
TR-9. The Project, in combination with other related projects and background growth, would cause some signalized intersections to operate at unacceptable levels of service. (S)	<p><i>TR-9.1. West Grand Avenue/Frontage Road.</i> The Project Sponsors shall fund, on a fair share basis, the following improvements that would reduce the cumulative operations impact at the intersection of West Grand Avenue/frontage road:³</p> <ol style="list-style-type: none"> 1. Revise the northbound frontage road lanes to provide: <ul style="list-style-type: none"> - one left-turn lane - one combination left-through lane - one through lane - one right-turn lane with overlap signal phasing (green arrow) 2. Revise the southbound I-80 East Ramp lanes to provide: <ul style="list-style-type: none"> - one left-turn lane - one combination left-through lane - one through lane - one right-turn lane with overlap signal phasing (green arrow) 3. Revise the eastbound West Grand Avenue lanes to provide: <ul style="list-style-type: none"> - one left-turn lane - one through lane - one combination through-right lane 4. Revise the westbound West Grand Avenue lanes to provide: <ul style="list-style-type: none"> - one left-turn lane 	SU	City Public Works Agency, Caltrans	Prior to issuance of the first certificate of building occupancy for the respective Development Area.	

³ The mitigation measure from the *OARB Area Redevelopment Plan EIR* for the intersection of West Grand Avenue/frontage road would not result in less-than-significant impacts under the PM peak-hour conditions.

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
	<ul style="list-style-type: none"> - two through lanes - one right-turn lane <p>While these improvements would reduce the cumulative operations impacts at the West Grand Avenue/frontage road intersection to an acceptable level of service, improvements would be outside the City of Oakland's jurisdiction and would require Caltrans approvals. As a result, the improvements may not be feasible, and the impact at this intersection would remain significant and unavoidable.</p>				
	<p><i>TR-9.2 West Grand Avenue/Mandela Parkway Intersection.</i> The Project Sponsors shall contribute their fair share of modifications at the West Grand Avenue/Mandela Parkway intersection. The modifications at the intersection shall include providing protected left-turn signal phasing (left-turn green arrows) for the West Grand Avenue approaches to the intersection.</p>		LTS	City Public Works Agency	Prior to issuance of the first certificate of building occupancy for the respective Development Area.
	<p><i>TR-9.3 7th Street/Mandela Parkway Intersection.</i> The Project Sponsors shall contribute their fair share of modifications at the 7th Street/Mandela Parkway intersection. The modifications at the intersection shall include adding a northbound lane on the 3rd Street extension to provide one left-turn lane, one combination through-right turn lane, and protected left-turn signal phasing (left-turn green arrows) for all four approaches to the intersection.</p>		LTS	City Public Works Agency	Prior to issuance of the first certificate of building occupancy for the respective Development Area.
	<p><i>TR-9.4 West Grand Avenue/Maritime Street</i></p>		LTS	City Public	Prior to issuance
<p>Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact</p>					

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
TR-10. The cumulative impact of the Project in combination with other related projects and background growth would cause some roadway segments on the MTS to operate at LOS F and increase the V/C ratio by more than three percent on segments that would already operate at LOS F under the future baseline conditions. Therefore, the cumulative contribution of the Project under the Maximum Trips Scenario would be significant. (S)	and 3 rd Street/Market Street Intersections. As part of the cumulative growth of the OARB Area Redevelopment Plan, the Project Sponsors shall contribute their fair share, as defined in the OARB Area Redevelopment Plan EIR, 2002, to future improvements at these locations.			Works Agency	of the first certificate of building occupancy for the respective Development Area.
	TR-10.1 Transportation Demand Management. The Project Sponsors shall distribute materials concerning the availability of public transit to initial Project residents and prior to certificate of occupancy shall pay the fee adopted by the City on residential units to assist the City in implementing traffic demand management programs.		SU	City Public Works Agency	Prior to issuance of the first certificate of building occupancy for the respective Development Area; upon City adoption of traffic demand management programs in West Oakland.
	TR-10.2 Shuttle Service. The Project Sponsors shall provide a shuttle service between the Project Area and the West Oakland BART Station and incorporate shuttle stops into the final design plans. In the event Project Sponsors elect not to use a private shuttle service, Project Sponsors will work with AC Transit and BART to design a shuttle service and shall incorporate public transit stops into the final development plans in consultation with AC Transit. The shuttle or transit stops shall be located within the Project Area and would be dispersed such that Project residents would be no more than one-quarter mile from a		SU		Prior to approval of Final Development Plans and specifications for the respective Development Area; within three months following the issuance of a Certificate of Occupancy of the 300 th residential

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
	<p>shuttle or transit stop.</p> <p>Shuttle or transit stops at the existing AC transit bus stop on Wood Street by Development Area Three, in front of the 16th Street Plaza (Development Area Nine), and on Wood Street at 20th Street by Development Area Seven should be considered. The shuttle service would operate at 15-minute peak-hour headways during commute hours. The shuttle service shall be designed to meet City of Oakland standards, link with pedestrian access, and be reviewed for approval by the City.</p> <p>The shuttle service shall be implemented within three months following the issuance of a Certificate of Occupancy of the 300th residential dwelling within the Project Area. At that time, the Project Sponsors, or their successors in interest, will fund operation and maintenance of the shuttle. Thereafter, and every two years until such time as the Planning Director determines that the shuttle service is no longer necessary, the Project Sponsors or their successors shall report to the Planning Director on the amount of shuttle use by Project residents and occupants, and the availability of other means to reduce the use of private vehicles by Project residents and occupants. The Planning Director shall permit discontinuation of the shuttle service upon finding either that (a) the shuttle is not being used sufficiently to result in a substantial reduction in private vehicle use by Project residents and occupants, or (b) another means of reducing the use of private vehicles by Project residents and occupants would be</p>				<p>dwelling within the Project Area; every two years thereafter until the Planning Director determines the shuttle service is no longer necessary.</p>

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
	feasible and cost the same or less than the shuttle, would create a greater reduction in private vehicle use than would the shuttle, and would result in a substantial reduction in private vehicle use by Project residents and occupants. If the Planning Director determines item (b), above, is the basis for discontinuing the shuttle service, then the Project Sponsors or their successors shall implement other means of reducing private automobile use by Project residents and occupants.				
TR-11. The cumulative impact of the Project in combination with other related projects and background growth would increase average ridership on AC Transit lines serving the Project Area by more than three percent. However, the average load factor with the Project would not exceed 125 percent over a peak 30-minute period. (LTS)	None required.		LTS		
TR-12. The cumulative impact of the Project, in combination with other related projects and background growth, could increase the overall passenger volume such that the passenger volume could exceed the standing capacity of BART trains and could increase peak-hour average ridership by three percent. (S)	<i>TR-12.1 BART Train Capacity.</i> The Project Sponsors shall participate in efforts to ensure that adequate BART train capacity will be available for riders to and from the Project Area, and fund BART train capacity improvements on a fair share basis.		SU	BART	Prior to issuance of the first certificate of building occupancy in the respective Development Area.
TR-13. The cumulative impact of the Project in combination with other related projects and background growth, would increase peak-hour average ridership at the West Oakland BART Station by three percent where average waiting time at fare gates could exceed one minute. (S)	See Mitigation Measure TR-8.1.		SU	BART	

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
Noise					
NO-1. The Project would result in short-term increases in noise and vibration levels due to construction over the course of multiple years. This would be considered a significant impact. (S)	<p><i>NO-1.1 City Council-Adopted Best Management Practices to Reduce Construction Noise.</i> The Project Sponsors shall incorporate the following practices into the construction documents to be implemented by the Project's contractor, and these practices shall be provided to the Department of Building Inspection for approval prior to the issuance of building permits:</p> <p>a. The Project Sponsors shall require construction contractors to limit standard construction activities as required by the City Building Department. Such activities are generally limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, with pile driving and/or other extreme noise generating activities greater than 90 dBA limited to between 8:00 a.m. and 4:00 p.m. Monday through Friday, with no extreme noise generating activity permitted between 12:30 and 1:30 p.m. No construction activities shall be allowed on weekends, without prior authorization of the Building Services Division, and no extreme noise-generating activities shall be allowed on weekends and holidays.</p> <p>b. Equipment and trucks used for construction shall utilize the best available noise control techniques (improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds) in order to minimize construction</p>	LTS	City Building Services Department	Prior to issuance of the first building permit for the respective Development Area; inspections during construction phase of Project.	

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
	<p>noise impacts.</p> <p>c. The physical separation between noise generators and noise receptors shall be maximized as feasible. Such separation includes, but is not limited to, the following measures:</p> <ul style="list-style-type: none"> - Use shields, impervious fences, or other physical sound barriers to inhibit transmission of noise to sensitive receptors; - Locate stationary equipment to minimize noise impacts on the community; and - Minimize backing movements of equipment. <p>d. Impact equipment (e.g., jack hammers and pavement breakers) used for Project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Compressed air exhaust silencers shall be used on other equipment. Other quieter procedures, such as drilling rather than impact equipment, shall be used whenever feasible.</p> <p>e. Prohibit unnecessary idling of internal combustion engines</p> <p>f. Schedule construction activity that produces higher noise levels during less noise-sensitive hours (normally 8:00 a.m. to 4:00 p.m. on weekdays). Minimize noise-intrusive impacts during the most noise-sensitive hours by planning noisier</p>				
<p>Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact</p>					

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
	<p>operations during times of highest ambient noise levels.</p> <p>g. Select routes for movement of construction-related vehicles and equipment so that noise-sensitive areas, including residences, hotels, and outdoor recreation areas, are avoided as much as possible. Include these routes in materials submitted to the Department of Building Inspection for approval prior to the issuance of building permits.</p> <p>h. Designate a noise disturbance coordinator who will be responsible for responding to complaints about noise during construction. The telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site and shall be provided to the Department of Building Inspection. Copies of the construction schedule shall also be posted at nearby noise-sensitive areas.</p> <p><i>NO-1.2 Pile Driving Noise and Vibration Effects on Structures.</i> To mitigate potential pile driving or other extreme noise-generating impacts, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. This plan shall be submitted for review and approval by the Department of Building Inspection to ensure that feasible noise attenuation is achieved to satisfy the City's standards contained in Section 17.120.050 of the Planning Code. These attenuation</p>		LTS	City Building Services Department	Prior to any pile driving or other extreme noise generating activities on the site.

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
	<p>measures shall include as many of the following control strategies as feasible and shall be implemented prior to any required pile driving activities:</p> <ul style="list-style-type: none"> a. Implement "quiet" pile driving technology (e.g., vibratory pile driving or pre-drilled pile holes), where feasible, in consideration of geotechnical and structural requirements and conditions; b. Erect temporary plywood noise barriers around the entire construction site; c. Adjust the scheduling and duration of pile driving; d. Utilize noise control blankets on the building structures as the building is erected to reduce noise emissions from the site; e. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings; and f. Monitor the effectiveness of noise attenuation measures by taking noise measurements during pile driving activities. 				
	<p><i>NO-1.3 Proper Noticing Procedures.</i> Prior to the issuance of each building permit, along with the submission of construction documents, the Project Sponsors shall submit to the City Building Department a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include:</p>		LTS	City Building Services Department, Police Department	Prior to issuance of the first building permit in the respective Development Area.

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
<p>NO-2. The Project would introduce residential land uses in an area where noise levels would be "Conditionally Acceptable" for such uses. Existing regulations would ensure that these new uses would not substantially contribute to existing ambient noise levels. Consequently, changes in the acceptable noise levels for land use compatibilities would be less than significant. (LTS)</p>	<p>a. A procedure for notifying the City Building Division staff and Oakland Police Department;</p> <p>b. A plan for posting signs on site pertaining to permitted construction days and hours, complaint procedures, and who to notify in the event of a problem;</p> <p>c. A listing of telephone numbers (during regular construction hours and off hours);</p> <p>d. The designation of an on-site construction complaint manager for the Project; and</p> <p>e. Notification of neighbors within 300 feet of the Project construction area at least 30 days in advance of pile-driving activities about the estimated duration of the activity.</p> <p>A preconstruction meeting to be held with the job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices (including construction hours, neighborhood notification, and posted signs) are completed.</p>		LTS		
<p>NO-3. Under all of the development scenarios for the Project, increased traffic noise levels due to implementation of the Project would not result</p>	<p>None required.</p>		LTS		

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
-------------------------------------------------------------------	------------------------	-------------------------------------	----------------------------------------------------	----------------------------------------------	-------------------------

Cumulative Noise Impacts

in an increase in ambient noise levels of an amount greater than 5 dBA. (LTS)					
NO-4. The Project, in combination with related projects, could result in short-term cumulative increases in noise and vibration levels due to construction; however, compliance with the controls imposed under the City's Noise Ordinance would reduce significant cumulative construction noise impacts to less than significant. (LTS)	None required.		LTS		
NO-5. Traffic generated from either the Maximum Residential Scenario or the Maximum Trips Scenario in combination with other related projects and background growth would not significantly contribute to cumulative noise impacts. (LTS)	None required.		LTS		

Air Quality

AQ-1. Construction activities for the Project could result in short-term increases in PM ₁₀ emissions that could violate City and BAAQMD air quality standards. (PS)	<i>AQ-1.1 Construction Dust Control Measures.</i> The Project Sponsors shall require that the following practices be implemented by including them in the contractor construction documents: a. Water all active construction areas at least twice daily. b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard. c. Pave, apply water three times daily, or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and		LTS	City Building Services Department	Prior to issuance of the first demolition, grading or building permit in the respective Development Area.
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	-----	-----------------------------------	-----------------------------------------------------------------------------------------------------------

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
AQ-2. The regional air emissions due to the Project would not violate any City or BAAQMD air quality standard or contribute substantially to	None required.		LTS		
	<ul style="list-style-type: none"> d. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at the construction sites. e. Sweep public streets adjacent to construction sites daily (with water sweepers) if visible soil material is carried onto the streets. f. Hydroseed or apply non-toxic soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more). g. Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.). h. Limit traffic speeds on unpaved roads to 15 miles per hour. i. Install sandbags or other erosion control measures to prevent silt runoff to public roadways. j. Replant vegetation in disturbed areas as soon as possible. k. Install wheel washers for all exiting trucks or wash off the tires or tracks of all trucks and equipment leaving the construction site. l. Install wind breaks at the windward sides of the construction areas. m. Suspend excavation and grading activities when wind (as instantaneous gusts) exceeds 25 miles per hour. 				

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
an existing air quality problem. (LTS)					
AQ-3. The Project would not contribute to CO concentrations exceeding the State Ambient Air Quality Standard. (LTS)	None required.		LTS		
AQ-4. The Project would not create objectionable odors affecting a substantial number of people. Accordingly, the Project would have less than significant odor impacts. (LTS)	None required.		LTS		
AQ-5. The Project would not be a significant source of Toxic Air Contaminants. (NI)	None required.		NI		
<i>Cumulative Air Quality Impact</i>					
AQ-6. The Project would not conflict with the applicable air quality plan or result in a fundamental conflict with the General Plan, and, therefore, would not have cumulatively considerable air quality impacts. (LTS)	None required.		LTS		
<i>Cultural Resources</i>					
CR-1. Ground-disturbing activities have the potential to directly impact previously unknown archaeological resources, including human burials, or paleontological resources in the Project Area by disturbing both surface and subsurface soils. Such disturbance could result in the loss of integrity of cultural deposits. (PS)	<i>CR-1.1 Archaeological Monitoring.</i> The Project Sponsors shall retain a qualified archaeologist, upon any discovery of prehistoric remains or buried historic features. The archaeologist shall prepare a preliminary evaluation to assess the archaeological sensitivity of the specific site(s) under consideration and shall recommend actions to protect archaeological resources. If the archaeologist's evaluation indicates a more detailed site assessment is warranted, a testing program shall be initiated under the supervision of the qualified archaeologist. If, after testing, the archaeologist determines that the discovery		LTS	City of Oakland Planning and Zoning Department and Building Services Department	During all construction activities.
Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact					

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
	<p>is not significant as defined in CEQA, no further investigations or precautions are necessary to safeguard the find. The archaeologist shall prepare a final report to be sent to the responsible agency, the Oakland Landmarks Advisory Board, and the California Historical Resources Information System Northwest Information Center. If, however, after testing, the archaeologist determines that the discovery is significant as defined in CEQA, ground-disturbing activities in the immediate vicinity of the discovery shall remain suspended until an appropriate mitigation plan can be agreed upon by the archaeologist and the City and implemented by the Project Sponsors as discussed in Mitigation Measure CR-1.2.</p>				
	<p><i>CR-1.2 Cultural Resources Management/Mitigation Plan.</i> If further investigations or precautions are necessary or appropriate, as determined by Mitigation Measure CR 1.1, the City of Oakland and the archaeologist shall jointly determine the additional procedures necessary to protect the resource and/or mitigate any significant impacts. Additional measures to be implemented by the Project Sponsors might include a redesign of the Project, data recovery excavations, or a program to monitor all site excavation, during which the archaeologist shall record observations in a permanent log. The archaeologist shall prepare a final report to be sent to the responsible agency, the Oakland Landmarks Advisory Board, and the California Historical Resources Information System</p>		LTS	City of Oakland Planning and Zoning Department and Building Services Department	During all construction activities.

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
	Northwest Information Center.				
	<p><i>CR-1.3 Discovery of Human Remains.</i> Should any human remains be encountered, work in the vicinity shall halt and the County Coroner notified immediately. If the remains are determined to be Native American, the coroner shall contact the California Native American Heritage Commission (NAHC) pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code. The NAHC in Sacramento would identify a Most Likely Descendant (MLD) pursuant to subdivision (a) of Section 5097.98 of the Public Resources Code. The City of Oakland and the archaeologist shall consult with the MLD. The MLD may, with the permission of the owner of the land, or his or her authorized representative inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The descendants shall complete their inspection and make their recommendations within 24 hours of their notification by the NAHC. The recommendation may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Work may not commence until the coroner's approval has been received.</p>		LTS	City of Oakland with Alameda County Coroner	During all construction activities; immediately upon determination by qualified archaeologist of human remains discovery in the respective Development Area.
CR-2. The Project would involve demolition of portions of the 16 th Street Train Station, a City landmark and a designated historic structure, which would be considered a significant impact.	<p><i>CR-2.1 HABS Recordation of the 16th Street Train Station.</i> The Project Sponsor of Development Areas Five, Six, and Nine shall, within 12 months of the effective date of the</p>		SU	National Park Service	Within 12 months of the effective date of the Wood Street
<p>Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact</p>					

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
(S)	Wood Street Zoning District, record the 16 th Street Train Station and the Signal Tower in accordance with the procedures of the Historical American Building Survey (HABS). In accordance with the HABS recordation process, the Project Sponsor shall consult with the National Park Service (NPS) to determine the appropriate level of documentation, and all documentation shall be subject to review and approval by NPS with approval determined by compliance with HABS procedures				Zoning District.
	<i>CR-2.2 Salvage of Original Building Materials from Structures Proposed for Demolition.</i> The Project Sponsor of Development Areas Five, Six, and Nine shall, within 12 months of the effective date of the Wood Street Zoning District, submit a study to the City of Oakland detailing those portions of the Baggage Wing and Elevated Tracks that can be feasibly salvaged. The study shall include an assessment of the feasibility of salvaging terracotta cladding, windows, doors and hardware. The City's Planning Director may approve, disapprove, or modify the study to ensure its adequately identifies those parts that can be feasibly salvaged. Following City approval of the study, the Project Sponsor shall salvage parts as indicated in the approved study and shall make the salvaged materials available for reuse in rehabilitating the Main Hall or Signal Tower		SU	City Planning Director	Within 12 months of the effective date of the adoption of the conditions of approval pertaining to the parcels within Development Areas Five, Six and Nine.
	<i>CR-2.3 Stabilization of Main Hall and Signal Tower.</i> The Project Sponsor of Development Areas Five, Six, and Nine shall, within three months of the effective date of the Wood Street		SU	City Planning Director	Within three months of the effective date of the adoption of
Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact					

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
	Zoning District, take measures designed to preclude further deterioration of the Main Hall and the Signal Tower from rain and to exclude trespassers. These measures must be approved by the City's Planning Director, who shall find them acceptable if they preclude deterioration or vandalism that would occur in the absence of these measures. These measures shall remain in place until the decision regarding reuse of the Main Hall is made. The facilities preserved and protected by this measure include the canopy at the Wood Street entrance to the Main Hall.				the conditions of approval pertaining to the parcels within Development Areas Five, Six and Nine.
	CR-2.4 <i>Restriction on Alteration of the Main Hall and the Signal Tower.</i> The property owner of property containing the Main Hall and the Signal Tower shall not make any alteration to the Main Hall that is not consistent with the preservation, rehabilitation, or reuse recommendations contained in the <i>OARB Area Redevelopment Plan</i> (as amended); the <i>City of Oakland General Plan</i> (as amended); the Wood Street Zoning District; and Secretary of the Interior's Standards for the Treatment of Historic Buildings. Alterations shall be further restricted in accordance with any additional design standards, guidelines, or recommendations when the development plan, adopted pursuant to Mitigation Measure CR-2.5, becomes effective.		SU	City Planning and Zoning Department	Prior to demolition or renovation of any structures.
	CR-2.5 <i>Application for Redevelopment Agency Funding Approval for Train Station Preservation, Rehabilitation, and Stabilization.</i> Consistent with the <i>OARB Area Redevelopment</i>		SU	Redevelopment Agency, City Planning Director	Prior to issuance of the first building permit in the respective

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
	<p><i>Plan</i> goals as set out in Section 100, the property owner of the property containing the Main Hall shall submit an application to the Agency requesting that the Agency make available tax increment funds provided for in Section 502 of the <i>OARB Area Redevelopment Plan</i> for the preservation, rehabilitation, and stabilization of the Main Hall. In connection with such application, the property owner shall submit the following materials and information to the Agency:</p> <ul style="list-style-type: none"> a. a finance plan demonstrating the prudent use of tax increment funds in restoring, preserving, and reusing the Main Hall, including a commitment by the property owner to maximize the leverage of the tax increment funds by seeking additional public funding, tax credits, private financing, and/or private philanthropic grants; b. a management plan demonstrating exemplary and continued stewardship of the Main Hall, with recognition of its cultural and historical importance to the City of Oakland and which is accountable to the goals and policies of the <i>OARB Area Redevelopment Plan</i> and the <i>City of Oakland General Plan</i>; c. a community participation plan providing for input by Oakland community members in decisions concerning the Main Hall's preservation and reuse; and 				Development Area.

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
	<p>d. a development plan demonstrating that the proposed renovation and reuse of the Main Hall is consistent with the design standards, policies, and goals of the <i>OARB Area Redevelopment Plan</i> (as amended); the <i>City of Oakland General Plan</i> (as amended); and the <i>Wood Street Zoning District</i>; as well as with any other design criteria that the Agency determines is appropriate to meet said goals and policies.</p>		SU	Redevelopment Agency, City Planning Director	Within six months of the effective date of the adoption of the conditions of approval pertaining to the parcel within Development Area Five.
	<p>CR-2.6 <i>Facilitate Rehabilitation and Reuse of Main Hall, Platform and Signal Tower.</i> Upon determination by the OARB Redevelopment Agency of sufficient funding (through Redevelopment Agency approval of the use of sufficient tax increment funding, realization of that funding, and realization of any additional funding referenced in Mitigation Measure CR-2.5 above, all as determined by the Redevelopment Agency), the Project Sponsor of Development Area Five shall use such funding to rehabilitate the facilities depicted for retention in Figure 2-4 of the Draft EIR, in accordance with the Secretary of the Interior's <i>Standards for the Treatment of Historic Buildings</i>, and in conformance with the General Standards referenced in the Dreyfuss report, page 5.⁴ This rehabilitation shall</p>				

⁴ These are: (1) Any renovation, modification or addition to the 16th Street Station shall conform with the standards set forth in the Planning Code "Special regulations of designated landmarks." (2) Any reuse of the 16th Street Station shall include stabilization and repair of exterior materials to improve the exterior appearance and to ensure a water tight building envelope. (3) For the purpose of the standards, the primary portion of the station is defined as the General Waiting Room and the symmetrical wings to the north and south. A water tight building envelope refers to measures designed to preclude rain from entering the building. The General Waiting Room and symmetrical wings to the north and south comprise the Main Hall as that term is used in this EIR.

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
	<p>include using salvaged materials to the extent feasible, and seismically strengthening and rehabilitating the exterior of the Main Hall, including the portions of the platform that are to be preserved. No additions to the structures would be permitted except as specified in the Dreyfuss report, page 5.⁵ Plaques shall be installed on the exterior façade of the station and the Signal Tower that identify their historic uses and include additional historical information. A display shall be created on the interior of the Station using historic photos and documents to give a more complete history of the Station and the Signal Tower.</p>				
	<p><i>CR-2.7 Reuse of the Main Hall.</i> The reuse of the Main Hall shall incorporate exhibit space commemorating the site's cultural history and its function as the end of the trans-continental railroad and the gateway arrival point in the West. The exhibit space could also serve as a venue for private and public events, facilitating greater exposure of persons to the historical significance of the Station. Oral histories shall be recorded and made available to the extent feasible. The building would not be subjected to extensive night lighting. Reuse shall proceed according to the finance, management, community participation, and development plans submitted pursuant to Mitigation Measure CR-2.5, as approved by the Redevelopment</p>		SU	Redevelopment Agency, City Planning Director	Prior to issuance of the first certificate of building occupancy in the respective Development Area; upon approval of funding by the Redevelopment Agency as specified in CR-2.5.

⁵ The standards for additions are: 1(a). No addition to the existing train station shall exceed a total building footprint greater than 20 percent of the existing structure to be retained. 1(b). No addition to the existing train station shall exceed the height of the north or south wings that flank the General Waiting Room (approximately 25 feet in height). 1(c). No addition shall be made to either the primary façade facing the 16th Street Plaza or the southern façade, facing the 14th Street non-development area. 2. No additions are permitted to the Signal Tower.

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
	Agency, as well as any other design criteria that the City Planning Director determines is appropriate to meet the City's goals and policies.				
	<i>CR-2.8 Enhancement of the Train Station Setting.</i> The Project Sponsor of Development Area Nine shall construct and landscape the plaza area to provide an enhanced visual setting for the Main Hall, to provide a visual focus and view corridor, to increase public accessibility to the 16 th Street Train Station, and to create a feature that recalls the historic use of the Station. All these improvements shall be completed with private financing by the Project Sponsor; no public funds would be requested with respect to the Plaza.		SU	Project Sponsor	Prior to issuance of certificate of building occupancy of the restored Main Hall or issuance of a certificate of occupancy for the 600th residential dwelling within the Project Area, whichever occurs first.
CR-3. The Project would adversely affect the historical setting and views of the historic 16 th Street Train Station and the 16 th Street Signal Tower. (S)	No mitigation is available to reduce the impact on the views of the 16 th Street Train Station and Signal Tower, the physical relationship between the two, and the loss of Bea's Hotel. Thus, this impact would remain significant and unavoidable.		SU		
CR-4. The Project would not adversely affect the historical setting and views of other historic resources in the vicinity of the Project Area. (LTS)	None required.		LTS		
Cumulative Evaluation Impact					
CR-5. The Project, in combination with other related development and background growth, would not result in a significant cumulative loss of	None required.		LTS		

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
the City's historic fabric. (LTS)					
Hazardous Materials					
HM-1. Project-related demolition or renovation could disturb hazardous materials in existing building components and thereby could cause adverse health or safety effects. (PS)	<i>HM-1.1 Pre-Construction Hazardous Materials Surveys and Management of Hazardous Materials Properly if Identified.</i> Prior to demolition or renovation of any structures, the Project Sponsor of Development Areas Two, Four, Five, and Six shall retain a qualified environmental specialist (e.g., a certified consultant or lead inspector/assessor or similarly qualified individual) to inspect existing buildings subject to demolition or renovation for the presence of as yet unidentified asbestos, PCBs, mercury, lead, or other hazardous materials. If after inspection and analytical testing, hazardous building materials are found at levels that require special handling (e.g., special packaging prior to transport, separation from other non-hazardous solid waste, keeping material damp with water, etc.), the Project Sponsors and their contractors shall manage these materials as required by law and according to federal and state regulations and guidelines, including those of DTSC, RWQCB, BAAQMD, Cal/OSHA, and any other agency with jurisdiction over these hazardous materials. The Project Sponsors shall obtain permits for demolition and show proof that the building materials have been tested and/or removed by a certified environmental professional.		LTS (other agency)	City Building Services Department	Prior to issuance of the first demolition permit in the respective Development Area and on-going during demolition.
HM-2. Site grading and landscaping, excavation, and construction of proposed building foundations, utility trenches, and roadwork for the	<i>HM-2.1 Site Health and Safety Plan.</i> Because historic uses at the Project Area have led to soil and groundwater contamination, the Project		LTS	City Building Services Department,	Prior to issuance of the first grading or
Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact					

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
Project could expose construction personnel and the public to existing contaminated soil and/or groundwater if approved remediation cleanup levels have not been achieved. (PS)	<p>Sponsor and its contractors shall comply with the <i>Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities</i> regulatory requirements for hazardous materials/waste health and safety plans. The site health and safety plan shall establish policies and procedures to protect workers and the public from potential hazards posed by residual contamination in the development area. The plan shall identify contaminants, potential hazards, material handling procedures, dust suppression measures, personal protection clothing and devices, access controls to the site, health and safety training requirements, monitoring equipment used during construction to verify health and safety of workers and the public, measures to protect public health and safety, and emergency response procedures. If petroleum hydrocarbons or VOCs are present in the soil and/or groundwater proposed for the use of backfill or disposal, the handling and disposal of the contaminated soil and groundwater shall be in accordance with applicable local and federal hazardous materials regulations.</p> <p><i>HM-2.2 Compliance with Soil Remediation Standards.</i> Since the RWQCB has already approved the soil remediation standards, the Project Sponsor and its contractors shall be responsible for ensuring that potentially exposed soils containing concentrations exceeding TTLCs and soils above the proposed remediation standards shall be removed or treated on site prior to development. The soil remediation standards are included in a May</p>	LTS (other agency)	LTS (other agency)	Public Works Agency	building permit in the respective Development Area and during all construction activities affecting soil and groundwater if petroleum hydrocarbons or VOCs are present.
				RWQCB, City Planning and Zoning Department	Prior to issuance of the first building permit in the respective Development Area.

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
HM-3. Routine use or accidental release of hazardous materials during operations of the Project could expose people or the environment to these materials. However, management of hazardous materials shall comply with applicable laws so that the impact from accidental releases is considered less than significant. (LTS)	18, 2004, letter from Geomatrix to the RWQCB. Successful completion of remediation activities cannot be confirmed until closure reports have been submitted to and approved by RWQCB that the development areas have been satisfactorily remediated. None required.		LTS		
Cumulative Hazardous Materials Impacts					
HM-4. The Project, in combination with other related projects and background growth, would not significantly contribute to cumulative impacts associated with hazardous materials use, generation, disposal, transport, or clean-up. (LTS)	None required.		LTS		
Soils, Geology, and Seismicity					
GE-1. Buildings and infrastructure associated with implementation of the Project could be subject to potentially damaging, seismically induced groundshaking during the life of the Project, but compliance with seismic standards would reduce impacts to a less-than-significant level. (LTS)	None required.		LTS		
GE-2. The Project would be subject to RWQCB requirements that regulate erosion. Conformance with these standards would ensure that erosion would not be a substantial hazard in the Project	None required.		LTS		
Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact					

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
Area. (LTS)					
GE-3. Buildings and infrastructure associated with implementation of the Project would be subject to hazards from development on weak and <i>potentially expansive soils and undocumented fill</i> , but compliance with existing building codes would reduce these hazards to less than significant. (LTS)	None required.		LTS		
Cumulative Soils, Geology and Seismic Impacts					
GE-4. The Project, in combination with other <i>related projects and background growth</i> , would not significantly contribute to cumulative impacts associated with erosion, seismic groundshaking, or unstable soils. (LTS)	None required.		LTS		
Hydrology and Water Quality					
HY-1. The Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the groundwater table. (LTS)	None required.		LTS		
HY-2. Implementation of the Project would involve construction activities that could increase <i>amounts of silt and sediment and degrade</i> receiving water quality, resulting in a significant impact. However, compliance with state and federal regulations would reduce potential construction-period water quality impacts to less than significant. (LTS)	None required.		LTS		
HY-3. Implementation of the Project would involve the development of impervious surfaces and urban uses. Stormwater runoff from these	None required.		LTS		
Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact					

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
uses would contain silt, sediment, and other pollutants that could degrade receiving water quality. However, existing regulations would require the Project Sponsors to prepare a SWPPP for each development area and implement BMPs to control stormwater runoff. Therefore, water quality impacts from long-term operations of each individual development area would be less than significant. (LTS)	None required.		LTS		
HY-4. The Project would increase impervious surface in the Project Area, which could increase surface runoff. However, the Project would comply with the City's flood protection regulations, which require that the Project Sponsors ensure that stormwater collection and drainage systems could accommodate runoff from the developed site. Therefore, the Project would not create or contribute runoff that would exceed the capacity of existing or planned stormwater drainage systems, and the impact of each development area would be considered less than significant. (LTS)	None required.		NI		
Cumulative Hydrology and Water Quality Impacts					
HY-6. The Project, in combination with other related projects and background growth, would not significantly contribute to cumulative impacts associated with groundwater recharge or groundwater quality; surface water quantity (stormwater), flooding, or other water-related hazards; or surface water quality. (LTS)	None required.		LTS		

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
Biological Resources					
BR-1. Removal of protected trees within the Project Area would be in compliance with the City of Oakland Tree Preservation and Protection Ordinance. Therefore, all potential impacts to trees within the Project Area would be considered less than significant. (LTS)	None required.		LTS		
BR-2. Demolition of structures and removal of vegetation from within the Project Area could result in destruction of bird nests. (PS)	<i>BR-2.1 Preconstruction Surveys and Protection Measures for Nesting Birds.</i> If vegetation is removed outside the nesting season (typically February 1 to August 31), there would be no effect on nesting birds and the following surveys would not be required. Construction activities shall, therefore, be timed to avoid vegetation removal or demolition during the nesting season. If this cannot be accomplished, then a qualified biologist shall conduct preconstruction nesting surveys no more than one week prior to vegetation or building removal to determine if nesting birds are present. If nesting birds are present, an appropriate buffer zone shall be developed by the biologist and construction activities shall be suspended in this zone until future surveys indicate that the chicks have fully fledged (left the nest). Completion of preconstruction surveys and avoidance of bird nests would result in no impacts to nesting birds. Survey results shall be valid for a period of 21 days from the date of the survey. Should vegetation or building removal fail to be conducted within this time frame, a second survey shall be undertaken.		LTS	City of Oakland Building Services Department and Planning and Zoning Department	Prior to issuance of the first demolition permit in the respective Development Area; survey prior to construction no more than one week prior to vegetation removal; if present, repeat surveys until birds have fledged and repeat every 21 days from the date of the first survey; resurvey if construction schedule changes.

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
Cumulative Biological Resource Impact					
BR-3. The Project, in combination with other related projects and background growth, would not significantly contribute to cumulative impacts associated with biological resources. (LTS)	None required.		LTS		
Population, Employment, and Housing					
PH-1. The Project would increase population in the population study area, but the projected growth would not result in direct or indirect effects such that additional infrastructure is required. (LTS)	None required.		LTS		
PH-2. The Project and the associated change in land use from commercial/industrial to residential mixed-use would increase the amount of land designated for residential development in Oakland and would not displace any residents or housing units. (NI)	None required.		NI		
Cumulative Population, Employment, and Housing Impact					
PH-3. The Project proposes additional housing that would increase the amount of land designated for residential development in Oakland, but would not displace any residents or housing units or contribute to a cumulatively considerable effect on population and housing in Oakland. (LTS)	None required.		LTS		
Utilities					
UT-1. The Project would not exceed the wastewater treatment requirements of the applicable Regional Water Quality Control Board. (LTS)	None required.		LTS		

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
UT-2. The Project would require the construction of new stormwater drainage facilities within the Project Area. However, the existing drainage pattern would not be altered, extensions of storm drains would connect to existing drains, and construction-related mitigation measures would be imposed. Therefore, impacts would be considered less than significant. (LTS)	None required.		LTS		
UT-3. EBMUD would have sufficient water supplies available to serve the Project from existing entitlements and resources. (LTS)	None required.		LTS		
UT-4. The Project would increase sewer flows to EBMUD facilities, but would not require the construction of new wastewater treatment facilities or expansion of existing facilities. (LTS)	None required.		LTS		
UT-5. The Project would not result in solid waste disposal needs beyond the permitted capacity of the local landfill and would comply with federal, state, and local statutes and regulations related to solid waste. (LTS)	None required.		LTS		
UT-6. The Project would incrementally increase the demand for energy provided by PG&E. (LTS)	None required.		LTS		
Cumulative Utilities Impacts					
UT-7. The Project, in combination with other related projects and background growth, would not significantly contribute to cumulative utilities impacts. (LTS)	None required.		LTS		
Public Services					
PS-1. Increases in employees and residents as	None required.		LTS		

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
well as increased building density in the Project Area would increase demand for fire and first responder emergency medical services; however, this would not trigger the need for new or expanded facilities. (LTS)					
PS-2. Increases in residential population as a result of the Project would increase demand for police services. However, implementation of the Project would not require new or altered police facilities in order to maintain acceptable service ratios. As a result, impacts to police services would be considered less than significant. (LTS)	None required.		LTS		
PS-3. Increase in residential population as a result of the Project would increase student enrollment in the Oakland Unified School District. (LTS)	None required.		LTS		
PS-4. Development of the Project would increase the demand for library services; however, because the Project would not require any expansion or construction of new library facilities beyond those already planned, the Project's impacts would be less than significant. (LTS)	None required.		LTS		
PS-5. The Project would generate new residents in the Project Area, thereby increasing the demand for park and recreational facilities and other open space. However, this increase in demand would be considered less than significant under CEQA. (LTS)	None required.		LTS		
PS-6. Increases in employees and residents as well as increased building density in the City	None required.		LTS		

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

ENVIRONMENTAL IMPACT (LEVEL OF SIGNIFICANCE BEFORE MITIGATION)	MITIGATION MEASURES	CONDITION OF APPROVAL NOS.	RESULTING LEVEL OF SIGNIFICANCE ¹	MONITORING RESPONSIBILITY ²	MONITORING TIMEFRAME
would increase the cumulative demand for police protection, fire protection, and emergency response services and could result in the need for new or expanded facilities.					
PS-7. Increases in the residential population of the City would increase the cumulative student enrollment in the Oakland Unified School District and could result in the need for new or expanded facilities.	None required.		LTS		
PS-8. Increases in employees and residents in the City would increase the cumulative demand for library services; however, the City is preparing a Master Facilities Plan to address long-term community needs. Consequently, cumulative library impacts are considered less than significant.	None required.		LTS		
PS-9. Increases in the residential population of the City would increase the cumulative demand for park and recreational facilities or other open space areas and could result in the need for new or expanded facilities.	None required.		LTS		

Legend: (S) Significant Adverse Impact (PS) Potentially Significant Impact (LTS) Less-than-significant Impact (NI) No Impact (SU) Significant and Unavoidable Impact

EXHIBIT C

CONDITIONS OF APPROVAL

PROJECT SPONSORS: BUILD WEST OAKLAND, LLC; PCL ASSOCIATES LLC;
HFH CENTRAL STATION VILLAGE, LLC; CENTRAL STATION LAND, LLC

PROJECT: WOOD STREET ZONING DISTRICT

VESTING TENTATIVE PARCEL MAP NO. _____

General Notes and Definitions:

- Many conditions reference operation and construction details which are not required to be completed before a final map is approved, but are to be completed in accordance with the schedule set forth in the Mitigation Monitoring and Reporting Program for the Wood Street Project.
- These Conditions of Approval are general and not all of them apply to each of the five vesting tentative parcel maps. These conditions will be later separated based on their applicability to each respective vesting tentative parcel map.
- “Project Sponsor” is defined as the owner(s) of the parcels represented on the particular final parcel map for the Wood Street Project.
- Unless noted otherwise, the phrase “prior to the issuance of a [or any] building [or demolition or grading] permit” refers to the first permit issued for work on a particular parcel represented on one of the five vesting parcel maps. The requirement that a condition occur prior to the issuance of any permit means that such condition must be satisfied as with regard to all parcels within the applicable final parcel map, not all parcels that constitute the Wood Street Project.

NOTE: This document contains all the conditions applicable to all Vesting Tentative Parcel Maps (“VTPMs”). Staff is directed to break out the conditions applicable to each VTPM, and attach only the conditions relevant to the VTPM at issue as Exhibit C to the document approving that VTPM. Condition numbers should be kept static. This means that some condition numbers will not be used for some VTPMs, and staff should indicate when a condition number is intentionally left blank.

1. Applicable Zoning District Regulations.

Development shall comply with each of the provisions of the Wood Street Zoning District Standards, Guidelines and Regulations dated _____ 2005, and adopted by the City Council on _____ 2005.

TABLE OF CONTENTS

	<u>Page</u>
ADMINISTRATIVE DRAFT	1
CONDITIONS OF APPROVAL.....	1
VESTING TENTATIVE PARCEL MAP NO. ____	1
BICYCLE PARKING.....	1
BIOLOGICAL RESOURCES.....	1
BUILDING ADDRESS SIGNS	2
building requirements	2
Construction Hours & Activities	3
EMERGENCY PREPAREDNESS	9
ENVIRONMENTAL REVIEW	10
FAIR Share IMPROVEMENTS.....	10
GRADING, GEOTECHNICAL, EROSION CONTROL, stormwater & DRAINAGE.....	12
HAZARDOUS MATERIALS & CONTAMINATION.....	18
HISTORIC, CULTURAL & ARCHAEOLOGICAL RESOURCES.....	19
LANDSCAPING & TREE PERMIT.....	24
NOISE (OPERATIONAL) & OTHER NUISANCES	25
PARKING AND DRIVEWAYS	25
PARKING & TRANSPORTATION MANAGEMENT	27
Public improvements	27
SHARED MAINTENANCE (TO BE DETERMINED)	28
SUBDIVISIONS.....	28
WASTE REDUCTION AND RECYCLING	28
WATER	30

BICYCLE PARKING

2. Bicycle Parking.

Prior to the issuance of the first building permit.

The Project Sponsor shall submit final design plans for review and approval of the Planning and Zoning Division that show bicycle storage and parking facilities to accommodate long-term bicycle parking spaces consistent with the City of Oakland Bicycle Master Plan (July 1999). The plans for each parcel shall show the design and location of bicycle racks within secure bicycle storage areas. The Project Sponsor shall pay for the cost and installation of any bicycle racks in the public right of way and shall be in compliance with City standards. [WS MM TR-5.1]

BIOLOGICAL RESOURCES

3. Preconstruction Surveys and Protection Measures for Nesting Birds.

Prior to issuance of first demolition permit; survey prior to construction no more than one week prior to vegetation removal; if present, repeat surveys until birds have fledged and repeat every 21 days from the date of the first survey; resurvey if construction schedule changes.

Construction activities shall be timed to avoid vegetation removal or demolition during the nesting season (typically February 1 to August 31), where possible. If this cannot be accomplished, then a qualified biologist shall conduct preconstruction nesting surveys no more than one week prior to vegetation or building removal to determine if nesting birds are present. If nesting birds are present, an appropriate buffer zone shall be developed by the biologist and construction activities shall be suspended in this zone until future surveys indicate that the chicks have fully fledged (left the nest). Completion of preconstruction surveys and avoidance of bird nests would result in no impacts to nesting birds. Survey results shall be valid for a period of 21 days from the date of the survey. Should vegetation or building removal fail to be conducted within this time frame, a second survey shall be undertaken. [WS MM BR-2.1]

BUILDING ADDRESS SIGNS

4. Building Address Signs.

Prior to issuance of first certificate of occupancy.

The Project Sponsor shall submit for review and approval of the Planning and Zoning Division, plans showing the design and location of the building address signs of each residential or commercial unit. All address signs shall be clearly posted, lighted and permanently maintained.

BUILDING REQUIREMENTS

5. Sustainable Development Policies.

Prior to issuance of any building permit and ongoing.

The Project Sponsor shall include energy-conserving fixtures and designs, as required by Title 24 of the Uniform Building Code (UBC). [OARB MM 4.4-6]

6. Solar Systems.

Prior to issuance of any building permit.

New active or passive solar systems within or adjacent to the Project Area shall be set back from the property line a minimum of 25 feet. Proposed solar systems shall be located in a manner that will not unduly restrict design of future development. Such conflicts, if any, shall be resolved in

- c. Specify predetermined haul routes from staging areas to construction sites and to disposal areas by agreement with the City prior to construction. The routes shall follow streets and highways that provide the safest route and have the least impact on traffic. [WS MM TR-1.1]
- d. Provide for parking management and spaces for all construction workers to ensure that construction workers do not park in on-street spaces.
- e. Provide notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur.
- f. Provide for accommodation of pedestrian flow.
- g. Locate construction staging areas.
- h. Provide for monitoring of surface streets used for haul routes so that any damage and debris attributable to haul trucks can be identified and corrected.
- i. Locate a temporary construction fence to contain debris and material and to secure the site.
- j. Provide for removal of trash generated by project construction activity.
- k. Provide dust control measures set forth in [Condition No. 15] [See WS MM AQ-1.1].
- l. Noise control measures as set forth in [Condition No. 17] [See WS MM NO-1.1].
- m. Require the contractor to provide information to the public during construction, using signs, press releases, and other media tools of traffic closures, detours or temporary displacement of left-turn lanes. [WS MM TR-1.1]
- n. Provide a process for responding to, and tracking, complaints pertaining to construction activity, including the identification of an on-site Project Manager.
- o. Provide a single phone number for the Project Manager that property owners and businesses can call for construction scheduling, phasing, and duration information, as well as for complaints. [WS MM TR-1.1]
- p. Identify construction activities that must take place during off-peak traffic hours or result in temporary road closures due to concerns regarding traffic safety or traffic congestion. Any road closures will be done at night under ordinary circumstances. If unforeseen circumstances require road closing during the day, the City of Oakland shall be consulted. [WS MM TR-1.1]

10. Construction Site Project Manager.

Prior to issuance of first demolition, grading or building permit and during all construction activity.

The Project Sponsor shall designate a Project Manager who shall be responsible for responding to any complaints from the neighborhood residents and businesses about excessive noise or

- e. Hydroseed or apply non-toxic soil stabilizers to inactive construction areas;
- f. Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.);
- g. Install sandbags or other erosion control measures to prevent silt runoff onto public roadways; and
- h. Replant vegetation in disturbed areas as quickly as possible.
- i. Pave, apply water three times daily, or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas at the construction sites.
- j. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at the construction sites.
- k. Install wheel washers for all exiting trucks or wash off the tires or tracks of all trucks and equipment leaving the construction site.
- l. Install wind breaks at the windward sides of the construction areas.
- m. Suspend excavation and grading activities when wind (as instantaneous gusts) exceeds 25 miles per hour.
- n. Limit traffic speeds on unpaved roads to 15 miles per hour.

[WS MM AQ-1.1]

16. Construction-Related Water and Fire Service.

Prior to issuance of grading or building permit.

The Project Sponsor shall secure from the East Bay Municipal Utilities District verification of water service and fire hydrant flow prior to delivery or storage of combustible materials (e.g., lumber, plywood, etc.) on site and as required by the Fire Department.

17. Construction-Related Noise Control.

Prior to issuance of the first building permit; inspections during construction phase of Project.

To reduce daytime noise impacts due to construction to the maximum feasible extent, the Project Sponsor shall develop a site-specific noise reduction program, subject to City review and approval. The following practices shall be incorporated into the construction documents to be implemented by the Project Sponsor's contractor, and these practices shall be provided to the Department of Building Inspection for approval prior to the issuance of building permits:

- i) Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a day and evening contact number for the City and Project Manager in the event of complaints. Pile driving 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. Monday through

- Minimize backing movements of equipment.
- viii) Prohibit unnecessary idling of internal combustion engines.
- ix) Select routes for movement of construction-related vehicles and equipment so that noise-sensitive areas, including residences, hotels, and outdoor recreation areas, are avoided as much as possible. Include these routes in materials submitted to the Department of Building Inspection for approval prior to the issuance of building permits.

[WS MM NO-1.1]

18. Pile Driving - Noise Attenuation.

Prior to any pile driving or other extreme noise generating activities on the site.

As part of a noise reduction plan, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. This noise reduction plan shall be submitted for review and approval by the City Building Services Department to ensure that maximum feasible noise attenuation is achieved to satisfy the City’s standards contained in Section 17.120.050 of the Planning Code. A third-party peer review, paid for by the Project Sponsor, shall be required to assist the City in evaluating the feasibility and effectiveness of the noise reduction plan submitted by the Project Sponsor. A special inspection deposit to pay for the City’s reasonable costs of determining compliance with the noise reduction plan shall be paid by the Project Sponsor concurrent with submittal of the noise reduction plan. These attenuation measures shall include as many of the following control strategies as feasible and shall be implemented prior to any required pile-driving activities:

- i) Implement “quiet” pile-driving technology, where feasible, in consideration of geotechnical and structural requirements and conditions;
- ii) Erect temporary plywood noise barriers around the entire construction site;
- iii) Adjust the scheduling and duration of pile driving;
- iv) Utilize noise control blankets on the building structure as it is erected to reduce noise emission from the site;
- v) Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings; and
- vi) Monitor the effectiveness of noise attenuation measures by taking noise measurements during pile driving activities. [WS MM NO-1.2]

19. Pile Driving - Complaint Response.

Prior to the issuance of the first building permit.

Prior to the issuance of each building permit, along with the submission of construction documents, the Project Sponsor shall submit to the City Building Department a list of measures to respond to and track complaints pertaining to pile driving construction noise. These measures shall include:

Act (CEQA) for the project. The MMRP identifies the time frame and specific responsible party for implementation and monitoring for each mitigation measure. Overall monitoring and compliance with the mitigation measures will be the responsibility of the Planning and Zoning Division.

24. Recordation of Mitigation Monitoring and Reporting Program and Conditions of Approval.

Prior to issuance of first demolition, grading or building permit.

The Project Sponsor shall execute and record with the Alameda County Recorder's Office a copy of the Mitigation Monitoring and Reporting Program and Conditions of Approval for the project, on a form approved by the Planning and Zoning Division. Proof of recordation shall be provided to the Planning and Zoning Division.

FAIR SHARE IMPROVEMENTS

25. West Grand Avenue/Frontage Road Intersection.

Prior to issuance of the first certificate of building occupancy.

Subject to provision by the City of Oakland of a reasonable formula, calculation or analytical approach for the allocation of "fair share" responsibility for contribution to improving the intersection of West Grand Avenue and frontage road estimated at \$1.596 million, the Project Sponsor shall fund, on a fair share basis, the following improvements at the intersection of West Grand Avenue/frontage road:

- Revise the northbound frontage road lanes to provide:
 - one left-turn lane
 - one combination left-through lane
 - one through lane
 - one right-turn lane with overlap signal phasing (green arrow)
- Revise the southbound I-80 East Ramp lanes to provide:
 - one left-turn lane
 - one combination left-through lane
 - one through lane
 - one right-turn lane with overlap signal phasing (green arrow)
- Revise the eastbound West Grand Avenue lanes to provide:
 - one left-turn lane
 - one through lane
 - one combination through-right lane
- Revise the westbound West Grand Avenue lanes to provide:
 - one left-turn lane
 - two through lanes
 - one right-turn lane

31. Cul-de-Sac or other Turn-Arounds.

Prior to approval of Final Development Plan and specifications.

The Project Sponsor of Parcel ___ of Vesting Tentative Parcel Map 855 shall incorporate the design of a cul-de-sac or other appropriate turn-around at the end of 11th Street and at the end of the 18th and 20th Street extensions and construct these extensions in compliance with City of Oakland Design Standards. Appropriate turn-around designs would allow vehicles to return along 11th Street and enter Wood Street in a front-end-first manner. ***[This condition will be attached to the subdivision maps for Parcels 1 and 2 of VTPM 8552, Parcel 3 of VTPM 8554, and Parcels 1 and 2 of VTPM 8555 only.]*** [WS MM TR-4.1]

32. Underground Utilities.

Prior to issuance of a building permit.

The Project Sponsor shall submit plans for review and approval of the Planning and Zoning Division, Building Services Division and the Public Works Agency, and other relevant agencies as appropriate. The plans shall show all new electric and telephone facilities; fire alarm conduits; street light wiring; other wiring, conduits, and similar facilities placed underground by the developer from the Project Sponsor's structures to the point of service; and all electric and telephone facilities installed in accordance with standard specifications of the serving utilities.

33. Maintenance of Land Dedicated to Public.

Prior to recordation of the Final Map.

The Project Sponsor shall record a covenant, in a form satisfactory to the City Attorney, which obligates the owner(s) of each parcel included in the parcel map to pay, on a fair share basis, for the City's reasonable costs of maintaining the public access areas (also referred to as pocket parks), that are located between the terminus of 14th, 16th, 18th and 20th Streets and frontage road to be offered for dedication to the City. As used herein, "fair share" means dividing the number of residential units owned by the number of residential units built within Parcels 1, 2, 3 and 4 of VTPM 8551, Parcels 1 and 2 of VTPM 8552, Parcels 1, 2 and 3 of VTPM 8553, Parcel 3 of VTPM 8554, and Parcels 1 and 2 of VTPM 8555. This covenant shall expire as to any streets or parks which are modified to meet City standards, as determined by the Planning Director. ***[This condition will be attached to the subdivision maps for Parcels 1, 2, 3 and 4 of VTPM 8551, Parcels 1 and 2 of VTPM 8552, Parcels 1, 2 and 3 of VTPM 8553, Parcel 3 of VTPM 8554, and Parcels 1 and 2 of VTPM 8555.]***

GRADING, GEOTECHNICAL, EROSION CONTROL, STORMWATER & DRAINAGE

34. Grading, Erosion and Drainage Plan.

Prior to issuance of grading permit and during all construction activities.

To the extent any grading is necessary, the Project Sponsor shall submit for review and approval by the Building Services Division a Site Grading and Drainage plan in conformance with City standards and "Best Management Practices" (BMP) for use during construction. The plan shall indicate the methods, means, and design to conduct site run-off, attenuate storm drainage flow, and minimize sedimentation and erosion during and after construction activity (utilizing a combination of permeable surfaces, subsurface-drainage, silt debris barriers, drainage retention systems, and/or filtration swale landscaping). All graded slopes or disturbed areas shall be temporarily protected from erosion by implementing seeding, mulching and/or erosion control blankets/mats until permanent erosion control measures are in place. No grading shall occur without a valid grading permit issued by the Building Services Division or within the period of

All construction activities shall be undertaken in accordance with requirements of the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction Activity (General Permit). The General Permit requires that all dischargers develop and implement a SWPPP that specifies BMPs that would prevent construction pollutants from contacting stormwater with the intent of keeping products of erosion from moving off site into receiving waters.

Additional SWPPP sediment control measures may include, and are not limited to, the following:

- Stabilize the construction entrance;
- Silt fencing;
- Temporary straw bale dike;
- Sand/gravel bag;
- Brush/rock filter;
- Inlet protection;
- Catch basin inlet filter; and
- Sediment basin or trap.

SWPPP pollution control measures generally are “good housekeeping” BMPs, and may include, and are not limited to, establishing practices and protocols for the following:

- Solid and demolition waste management;
- Hazardous materials and waste management;
- Spill prevention and control;
- Vehicle and equipment maintenance;
- Covered materials storage;
- Handling and disposal of concrete/cement;
- Pavement construction management;
- Contaminated soil and water management; and
- Sanitary/septic waste management.

An erosion control professional is required to be on site to supervise the implementation of the designs and maintenance of facilities throughout the site clearing, grading and construction period. [OARB MM 4.13-3, OARB MM 4.15-3, with language from Wood Street DEIR page 3.10-10]

Non-structural BMPs may include and are not limited to good housekeeping and other source control measures, such as the following:

- Stencil catch basins and inlets to inform the public they are connected to the Bay;
- Sweep streets on a regular schedule;
- Use and dispose of paints, solvents, pesticides, and other chemicals properly;
- Keep debris bins covered; and
- Clean storm drain catch basins and properly dispose of sediment.

Structural BMPs may include and are not limited to the following:

- Minimize impervious areas directly connected to storm sewers;
- Include drainage system elements in design as appropriate such as:
 - infiltration basins
 - detention/retention basins
 - vegetated swales (biofilters)
 - curb/drop inlet protection.

[OARB MM 4.15-5]

40. Geotechnical Compliance.

Prior to issuance of building permits.

Project elements shall be designed in accordance with criteria established by the uniform building code (UBC), soil investigation and construction requirements established in the Oakland General Plan, and the Bay Conservation and Development Commission Safety of Fill Policy.

The UBC requires structures in the San Francisco Bay Area to be designed to withstand a ground acceleration of 0.4 g. A licensed engineer should monitor construction activities to ensure that the design and construction criteria are followed.

The Health and Safety element of the Oakland General Plan requires a soils and geologic report be submitted to the Department of Public Works (DPW) prior to the issuance of any building permit. The Oakland General Plan also requires all structures of three or more stories to be supported on pile foundations that penetrate Bay Mud deposits, and to be anchored in firm, non-compressible materials unless geotechnical findings indicate a more appropriate design. The General Plan also provides for the identification and evaluation of existing structural hazards and abatement of those hazards to acceptable levels of risk. [OARB MM 4.13-1]

41. Geotechnical Evaluation.

Prior to issuance of building permits and during all construction activities.

Project elements shall be designed and constructed in accordance with requirements of a site-specific geotechnical evaluation.

certified environmental professional. *[This condition will be attached to the subdivision maps for Parcels 1 and 2 of VTPM 8552, Parcels 1, 2, and 3 of VTPM 8553, and Parcels 2 and 3 of VTPM 8554 only.]* [WS MM HM-1.1]

46. Hazardous Materials Assessment and Reporting Program.

Prior to issuance of any demolition, grading or building permit.

The Project Sponsor shall provide evidence from the City's Fire Department, Office of Emergency Services, indicating compliance with the City of Oakland Hazardous Material Assessment and Reporting Program, pursuant to City Ordinance No. 12323, including the removal or abatement of asbestos and lead.

47. Site Health and Safety Plan.

Prior to issuance of the first grading or building permit and during all construction activities affecting soil and groundwater if petroleum hydrocarbons or VOCs are present.

The Project Sponsor and its contractors shall comply with the *Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities* (National Institute for Occupational Safety and Health (NIOSH), Occupational Safety and Health Administration (OSHA), U.S. Coast Guard (USCG), and Environmental Protection Agency (EPA), October, 1985) regulatory requirements for hazardous materials/waste health and safety plans. The site health and safety plan shall establish policies and procedures to protect workers and the public from potential hazards posed by residual contamination in the development area. The plan shall identify contaminants, potential hazards, material handling procedures, dust suppression measures, personal protection clothing and devices, access controls to the site, health and safety training requirements, monitoring equipment used during construction to verify health and safety of workers and the public, measures to protect public health and safety, and emergency response procedures. If petroleum hydrocarbons or VOCs are present in the soil and/or groundwater proposed for the use of backfill or disposal, the handling and disposal of the contaminated soil and groundwater shall be in accordance with applicable local and federal hazardous materials regulations. [WS MM HM-2.1]

48. Soil Management Plan and Compliance with Soil Remediation Standards.

Prior to issuance of the first building permit.

The Project Sponsor shall submit all applicable documentation and plans required by the Cal-EPA/RWQCB, the Alameda County Public Health Department, and the City's Fire Department, Office of Emergency Services, regarding remediation of the contaminated soil and groundwater identified on the site. These documents and plans shall be submitted to the Planning and Zoning Division, and shall demonstrate to the satisfaction of each agency with jurisdiction that all applicable standards and regulations have been met for the construction and site work to be undertaken pursuant to the permit.

In conformance with the Cal-EPA/RWQCB approved soil remediation standards, the Project Sponsor and its contractors shall be responsible for ensuring that any soils within ten feet of the surface (but not below the groundwater table) containing concentrations exceeding TTLCS and soils above such remediation standards shall be removed or treated on site prior to development. [The soil remediation standards are included in a May 18, 2004, letter from Geomatrix to the RWQCB. Successful completion of remediation activities cannot be confirmed until closure reports have been submitted to and approved by RWQCB and they agree that the development areas have been satisfactorily remediated.] [WS MM HM-2.2]

shall contact the California Native American Heritage Commission (NAHC) pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code. The NAHC in Sacramento would identify a Most Likely Descendant (MLD) pursuant to subdivision (a) of Section 5097.98 of the Public Resources Code. The City of Oakland and the archaeologist shall consult with the MLD. The MLD may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The descendants shall complete their inspection and make their recommendations within 24 hours of their notification by the NAHC. The recommendation may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Work may not commence until the coroner's approval has been received. [WS MM CR-1.3]

53. HABS Recordation of the 16th Street Train Station.

Within 12 months of effective date of Wood Street Zoning District.

The Project Sponsor of Parcel __ of Vesting Tentative Parcel Map 855_ shall, within 12 months of the effective date of the Wood Street Zoning District, record the 16th Street Train Station and the Signal Tower in accordance with the procedures of the Historical American Building Survey (HABS). In accordance with the HABS recordation process, the Project Sponsor shall consult with the National Park Service (NPS) to determine the appropriate level of documentation, and all documentation shall be subject to review and approval by NPS with approval determined by compliance with HABS procedures. *[This condition will be attached to the subdivision maps for Parcel 2 of VTPM 8553, and Parcels 1, 2, 3 and 4 of VTPM 8554 only.]* [WS MM CR-2.1]

54. Salvage of Original Building Materials from Structures Proposed for Demolition.

Within 12 months of effective date of the adoption of the condition of approval.

The Project Sponsor of Parcel __ of Vesting Tentative Parcel Map 855_ shall, within twelve months of the effective date of the Wood Street Zoning District, submit a study to the City of Oakland detailing those portions of the 16th Street Train Station's Baggage Wing and Elevated Tracks that can be feasibly salvaged. The study shall include an assessment of the feasibility of salvaging terra-cotta cladding, windows, doors and hardware. The study must be approved by the City's Planning Director, who shall find the study acceptable if it demonstrates which parts can be feasibly salvaged. Following City approval of the study, the Project Sponsor shall salvage parts as indicated in the approved study and shall make the salvaged materials available for reuse in rehabilitating the 16th Street Train Station's Main Hall or Signal Tower. *[This condition will be attached to the subdivision maps for Parcel 2 of VTPM 8553, and Parcels 1, 2, 3 and 4 of VTPM 8554 only.]* [WS MM CR-2.2]

55. Stabilization of Main Hall and Signal Tower.

Within three months of the effective date of the adoption of the condition of approval.

The Project Sponsor of Parcels 2 and 3 of Vesting Tentative Parcel Map 8554 shall, within three months of the effective date of the Wood Street Zoning District, take measures designed to preclude further deterioration of the Main Hall and the Signal Tower from rain and to exclude trespassers. Within 45 days of the effective date of the adoption of this condition of approval, the Project Sponsor shall submit to the Planning Director a description of the proposed measures. The Planning Director shall review, and may approve, disapprove, or modify the measures intended to eliminate deterioration or vandalism. These measures shall remain in place until the decision regarding reuse of the Main Hall is made. The facilities preserved and protected by this

is accountable to the goals and policies of the *OARB Area Redevelopment Plan* and the *City of Oakland General Plan*;

c. a community participation plan providing for input by Oakland community members in decisions concerning the Main Hall's preservation and reuse; and

d. a development plan demonstrating that the proposed renovation and reuse of the Main Hall is consistent with the design standards, policies, and goals of the *OARB Area Redevelopment Plan* (as amended); the *City of Oakland General Plan* (as amended); and the Wood Street Zoning District; as well as with any other design criteria that the Agency determines is appropriate to meet said goals and policies. *[This condition will be attached to the subdivision map for Parcel 2 of VTPM 8554 only.]*

[WS MM CR-2.5]

59. Facilitate Rehabilitation and Reuse of Main Hall, Platform and Signal Tower.

Within six months of the effective date of the adoption of this condition of approval for establishment of a 501(c)(3) nonprofit organization to oversee the rehabilitation and reuse of the historic Train Station; within twelve months of the effective date of the adoption of this condition of approval to prepare a business plan for the retention of historic resources and the reuse of the 16th Street Station..

Within six months of adoption of this condition of approval, the Project Sponsor will establish a 501(c)(3) nonprofit organization to oversee the rehabilitation and reuse of the historic Train Station. Within twelve months of adoption of this condition of approval, the project sponsor and/or the new nonprofit corporation for the historic Train Station shall prepare a business plan for the retention of historic resources and the reuse of the 16th Street Station. The business plan will establish a framework for the funding of rehabilitation efforts and identify the grant source(s) and the funding mechanisms for the work. The business plan will also establish the information needed for requesting tax increment financing and the timing and sequencing of such funding in relation to the phasing of the historic restoration efforts. Within two years of approval of the Wood Street Zoning District, the Project Sponsor will complete a schematic set of plans and specifications for the restoration of the 16th Street Train Station. The plans shall include an analysis of the feasibility of restoration and reuse of the structure and establish a budget for the project to demonstrate the viability of proposals related to possible use of historic resources and identify important details about how modifications to historic resources will be integrated into the final project. To assure that efforts to restore historic resources run concurrently with residential construction, prior to the issuance of a certificate of occupancy for the 800th home in the Wood Street Zoning District, and in accordance with the plans and specifications for the restoration of the Train Station, the Project Sponsor of Parcel 2 of Vesting Tentative Parcel Map 8554 shall use such funding to rehabilitate the facilities depicted for retention in Figure 2-4 of the Draft EIR of the proposed project, in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Buildings, and in conformance with the General Standards referenced in the report of Alan Dreyfus, page 5, included as Appendix D to the Draft EIR.¹ This rehabilitation shall include using salvaged materials to the extent feasible,

¹ These are: (1) Any renovation, modification or addition to the 16th Street Station shall conform with the standards set forth in the Planning Code "Special regulations of designated landmarks." (2) Any reuse of the 16th Street Station shall include stabilization and repair of exterior materials to improve the exterior appearance and to

with respect to the Plaza. *[This condition will be attached to the subdivision map for Parcel 1 of VTPM 8554 only.]* [WS MM CR-2.8]

LANDSCAPING & TREE PERMIT

62. Installation of Landscaping and Bonding.

Prior to issuance of certificate of occupancy, unless bonded.

The Project Sponsor shall install all proposed landscaping indicated on the approved landscape plan prior to the issuance of a certificate of occupancy, unless bonded pursuant to the provisions of Section 17.124.50 of the Oakland Planning Code. The amount of such bond or cash deposit shall equal the greater of \$2,500 or the estimated cost of the required landscaping, based on a licensed contractor's bid.

63. Tree Removal Permit.

Prior to the removal of subject trees.

The Project Sponsor shall obtain a Tree Removal Permit prior to removing trees subject to Chapter 12.36 of the Oakland Municipal Code. [OARB MM 4.12-7]

64. Securing Future Residents' Acknowledgment of Potential Future Land Uses.

Prior to lease or sale of any unit and ongoing.

The Project Sponsor shall ensure that future residents sign a notice acknowledging that they are aware of and accept the possible noise levels related to Frontage Road located near the project site.

65. Reduced Water Usage.

Prior to issuance of the building permits for the mechanical system.

The Project Sponsor shall confer with East Bay Municipal Utility District (EBMUD) to examine incorporating water saving techniques such as dual piping for recycled water into the final design of the mixed-use project.

66. Internal Landscaping.

Prior to issuance of the certificate of occupancy.

The Project Sponsor shall ensure that internal landscaping conforms with City design standards as contained in the City Planning Code.

NOISE (OPERATIONAL) & OTHER NUISANCES

67. Operational Noise.

Ongoing.

Noise levels from the activity, property, or any mechanical equipment on site shall comply with the performance standards of Section 17.120 of the Oakland Planning Code and Section 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 Planning and Zoning Division and Building Services.

73. Parking Spaces

Ongoing.

The Project Sponsor shall include parking spaces in the Project Area as required by the Wood Street Zoning District.

74. Designated Parking.

Ongoing.

The Project Sponsor shall designate all on-site parking spaces consistent with the Oakland Municipal Code by marking, either with a small sign at the head of the parking stalls or stenciled lettering painted with the parking stalls, that read "resident-only," or "employee-only" parking as appropriate.

PARKING & TRANSPORTATION MANAGEMENT

75. Transportation Demand Management.

Prior to issuance of the certificate of building occupancy; upon City adoption of a traffic demand management program in West Oakland.

The Project Sponsor shall distribute materials concerning the availability of public transit to initial Project residents, and prior to certificate of occupancy shall pay the fee adopted by the City on residential units to assist the City in implementing traffic demand management programs. [WS MM TR-10.1]

76. Shuttle Service.

Prior to approval of Final Development Plans and specifications; within three months following the issuance of a certificate of occupancy of the 300th residential dwelling with the Project Area; every two years thereafter until the Planning Director determines the shuttle service is no longer necessary.

The Project Sponsors shall provide a shuttle service between the Project Area and the West Oakland BART Station and incorporate shuttle stops into the final design plans. In the event the Project Sponsors elect to not use a private shuttle service, the Project Sponsors shall work with AC Transit and BART to design a public shuttle service and incorporate public transit stops into the final development plans in consultation with AC Transit. The shuttle or transit stops shall be located within the Project Area and would be dispersed such that Project residents would be no more than one-quarter mile from a shuttle or transit stop. Shuttle or transit stops at the existing AC transit bus stop on Wood Street by Parcel 3 of Vesting Tentative Parcel Map 8553, in front of the 16th Street Plaza (Parcel 1 of Vesting Tentative Parcel Map 8554), and on Wood Street at 20th Street by Parcel 1 of Vesting Tentative Parcel Map 8555 should be considered. The shuttle service would operate at 15-minute peak-hour headways during commute hours. The shuttle service shall be designed to meet City of Oakland standards, link with pedestrian access, and be reviewed for approval by the City.

The shuttle service shall be implemented within three months following the issuance of a Certificate of Occupancy of the 300th residential dwelling within the Project Area. At that time, the Project Sponsors, or their successors in interest, will fund operation and maintenance of the shuttle. Thereafter, and every two years until such time as the Planning Director determines that the shuttle service is no longer necessary, the Project Sponsors or their successors shall report to the Planning Director on the amount of shuttle use by Project residents and occupants, and the availability of other means to reduce the use of private vehicles by Project residents and

accordance with the standards of the City of Oakland to the limits shown on VTPM 8552. Sidewalks on the opposite side of Wood Street Zoning District perimeter streets (i.e. outside the District) will get minor repairs only.

80. Public Improvements – Vesting Parcel Map 8553.

Prior to the issuance of certificate of occupancy for development on each parcel.

The Project Sponsor of the first development project within VTPM 8553 shall construct all public improvements to 14th Street, 16th Street, and Wood Street between 14th Street and 16th Street, unless development has occurred on an adjacent parcel and the public improvements are already installed.

Except as otherwise provided in this condition, the street improvements referred to in this condition include complete street width, curb, gutter, sidewalk, and installation of utilities in accordance with the standards of the City of Oakland to the limits shown on VTPM 8553. Sidewalks on the opposite side of Wood Street Zoning District perimeter streets (i.e. outside the District) will get minor repairs only.

81. Public Improvements – Vesting Parcel Map 8554.

Prior to the issuance of certificate of occupancy for development on each parcel.

The Project Sponsor of the first to be developed of Parcel 1, 2 or 3 of VTPM No. 8554 shall construct or cause the construction of improvements to 16th Street. The Project Sponsor of Parcel 3 shall construct or cause the construction of improvements to the 16th Street Train Station Public Plaza on Parcel 1. The Project Sponsor of Parcel 3 shall construct or cause the construction of improvements to 18th Street. Improvements to Wood Street, between 16th and 17th Streets, will be constructed prior to the completion of Parcel 1 (plaza). Wood Street between 17th and 18th Streets will be constructed when Parcel 3 is developed.

Except as otherwise provided in this condition, the street improvements referred to in this condition include complete street width, curb, gutter, sidewalk, and installation of utilities in accordance with the standards of the City of Oakland to the limits shown on VTPM 8554. Sidewalks on the opposite side of Wood Street Zoning District perimeter streets (i.e. outside the District) will get minor repairs only.

82. Public Improvements – Vesting Parcel Map 8555.

Prior to the issuance of certificate of occupancy for development on each parcel.

The Project Sponsor of Parcel 1 of VTPM No. 8555 shall construct or cause the construction of improvements to Wood Street, from 18th Street to 20th Street, (unless preceded by Parcel 2 of VTPM 8555), 18th Street (unless preceded by Parcel 3 of Map 8554), and 20th Street if needed for access. The Project Sponsor of Parcel 2 of VTPM No. 8555 shall construct or cause to be constructed public improvements to Wood Street, from 20th Street to West Grand Avenue (unless it precedes the development of Parcel 1 of VTPM 8555, in which case I shall construct Wood Street from 18th Street to West Grand Avenue), and 20th Street, if not already installed by Project Sponsor of Parcel 1.

Except as otherwise provided in this condition, the street improvements referred to in this condition include complete street width, curb, gutter, sidewalk, and installation of utilities in accordance with the standards of the City of Oakland to the limits shown on VTPM 8555.

- Goals,
- Key personnel,
- Quantification of waste,
- Identification of waste materials,
- Program elements,
- Monitoring requirements and performance standards, and
- Reporting.

[OARB MM 4.9-9]

87. Recycling Space Allocation Requirements.

Prior to issuance of a building permit and ongoing.

The design, location and maintenance of recycling collection and storage areas must substantially comply with the provision of the Oakland City Planning Commission “Guidelines for the Development and Evaluation of Recycling Collection and Storage Areas,” Policy 100-28. Pursuant to Section 17.118.020 of the Oakland Planning Code, this condition shall apply to 1) new residential development of five or more units, 2) new commercial and industrial development that requires a building permit and, 3) additions that increase the gross floor area of the aforementioned projects by more than 30 percent. A minimum of two cubic feet of storage and collection area shall be provided for each dwelling unit and for each 1,000 square feet of commercial space.

WATER

88. Irrigation - Recycled Water.

Prior to issuance of any building permits and ongoing.

Individual actions with landscaping requirements of one or more acres shall plumb landscape areas for irrigation with recycled water and shall include a reclaimed landscaping irrigation system if required by the City at the time of permit approval. [OARB MM 4.9-4]

89. Plumbing - Recycled Water.

Prior to issuance of any building permits and ongoing.

Commercial buildings with gross floor area exceeding 10,000 square feet shall install dual plumbing for both potable and recycled water, unless determined to be infeasible by the City. Reclaimed water may be used for certain industrial uses, and for landscape irrigation, toilet flushing, and other appropriate purposes. [OARB MM 4.9-5]

90. Site Design - Recycled Water.

Prior to issuance of any building permits and ongoing.

The site design of the Project Area shall facilitate the use of recycled water, and shall comply with the requirements of CCR Title 22 regarding prohibitions of site run-off to surface waters. The Project Sponsors should coordinate these efforts with the reclaimed water supplier, EBMUD. [OARB MM 4.9-6]

95. Indemnification Requirements.

Ongoing.

To the maximum extent permitted by law, the Project Sponsor shall defend, hold harmless, and indemnify the City and its respective officers, agents and employees (the "Indemnified Parties") against any and all liability damages, claims, demands, judgments or other losses (including, without limitation, attorneys' fees, expert witness and consultant fees and other litigation expenses), or an initiative relating to, resulting from or caused by, or alleged to have resulted from or caused by any action or approval associated with the Project.

This indemnity includes, without limitation, any legal or administrative challenge, or initiative filed or prosecuted to overturn, set-aside, stay or otherwise rescind any or all approvals granted in connection with the Project, certification of the Environmental Impact Report ("EIR") for the Project, and granting any permit issued in accordance with the Project. This indemnity includes, without limitation, payment of all direct and indirect costs associated with any action specified herein. Direct and indirect costs as used herein shall include, without limitation any attorneys' fees, expert witness and consultant fee, court costs and other litigation fees, City Attorney time and overhead costs, and other City Staff overhead costs and normal day-to-day business expenses incurred by the City ("Litigation Expenses"). The Indemnified Parties shall have the right to select counsel to represent the Indemnified Parties, at the Project Applicant's expense, in the defense of any action specified in this Condition of Approval No. 95. The Indemnified Parties shall take all reasonable steps to promptly notify the Project Sponsor of any claim, demand, or legal actions that may create a claim for indemnification under these Conditions of Approval.

96. Additional Indemnification Requirements.

Ongoing.

Not in limitation of the foregoing Condition of Approval No. 95, Project Sponsors shall defend, hold harmless and indemnify the Indemnified Parties and their insurers against any and all liability, damage, claims, demands, judgments, losses ("Indemnified Claims") or other forms of legal or equitable relief related to implementation of the Project, including, without limitation, design, construction or maintenance of the Project and any private or public improvements. The foregoing indemnity shall not be released upon completion of the Project. A Project Sponsor may be released from this indemnity obligation, including the Indemnification Agreement referred to in the following Condition of Approval No. 97, only in the event (a) it is assigned to and assumed by and binding upon a subsequent owner of the Property, and (b) such Project Sponsor gives 30 days' written notice of such proposed assignment to the City Administrator, and the City Administrator approves such assignment in writing, which approval may be withhold if the City Council determines, in its discretion, that the proposed assignee's net worth or other financial resources are not sufficient to fulfill the foregoing indemnity obligation. Provided, however, that with respect to public improvements, this indemnity shall apply only to Indemnified Claims that arise prior to the City's acceptance of the public improvement and the expiration of any maintenance obligations of the Project Sponsors, unless the Indemnified Claim (i) arose as a result of a hidden defect in the public improvement; or (ii) arose as a result of direct or indirect action or inaction by Project Sponsors, including, without limitation, construction maintenance or operational activities, prior to the City's acceptance of the public improvement. In the case of the foregoing (i) or (ii), this indemnification shall apply regardless of whether the public improvement has been accepted by the City. "Public improvements" include all

99. Conflict with Notes on Vesting Tentative Parcel Maps.

Ongoing.

In the event of a conflict between these conditions of approval and one or more notes appearing on the face of one or more vesting tentative parcel maps, these conditions of approval shall prevail.

EXHIBIT D

GENERAL FINDINGS RELATED TO APPROVAL OF THE WOOD STREET PROJECT

I. INTRODUCTION

1. These general findings are adopted by the City of Oakland and the Redevelopment Agency of the City of Oakland for the Wood Street Project. These findings refer to the EIR prepared for that project, SCH #2004012110, and are based upon that EIR. Capitalized terms are defined in Exhibit A (CEQA Findings). These findings are based upon all materials contained in the record of proceedings, as identified in Exhibit A (CEQA Findings). Some findings are based especially on specific reports, or upon specific pages of the EIR, as noted below. However, all findings are based upon the entire record. References to specific reports and specific pages of documents are not intended to identify those sources as the exclusive basis for the finding.

2. These general findings are attached as Exhibit D and incorporated by reference into several approval documents pertaining to the Wood Street Project – a resolution amending the General Plan, an ordinance amending the Oakland Army Base Redevelopment Plan, an ordinance rezoning the Project Area to the Wood Street Zoning District, a resolution from the Redevelopment Agency regarding the amendments to the Oakland Army Base Redevelopment Plan, and a staff report or Resolution approving five separate Vesting Tentative Parcel Maps for five sites within the Project Area. For ease of reference, all the relevant findings under the Planning and Zoning Law, the Municipal Code, the Redevelopment Law and other applicable policies or regulations are included in this one document.

3. Attached to these same approval documents is an Exhibit A that contains CEQA findings. Also attached is an Exhibit B that references impacts, mitigation measures, and resulting levels of significance, and sets forth the Mitigation Monitoring and Reporting Program. Also attached is an Exhibit C that contains the conditions of approval. All Exhibits are incorporated by reference into each other, and into the approval documents.

4. References to title, chapter and to code sections are references to the Oakland Municipal Code unless the context clearly indicates otherwise. References to Exhibits are references to the other exhibits to which this Exhibit D is attached.

II. GENERAL PLAN CONSISTENCY

5. The Project is governed by the *City of Oakland General Plan* and any decision by the City affecting land use and development must be consistent with the General Plan. In order to achieve consistency between the Wood Street Project and the General Plan, the Project sponsors have requested a General Plan Amendment to change the designation of the Project Area from “Business Mix” to “Urban Residential.” The proposed Amendment is discussed in the DEIR, especially at pages 3.2-6 through 3.2-18 along with a discussion of General Plan policies that are consistent with the Project. The proposed General Plan Amendment is also discussed in the staff reports presented to the City. The City adopts the conclusions, analysis and explanations contained in the EIR and staff reports.

6. The intent of the Business Mix land use category is to “create, preserve and enhance areas of the City that are appropriate for a wide variety of business and related

commercial and industrial establishments.” When the General Plan Land Use and Transportation Element (LUTE) was adopted in 1998, it was anticipated that the Project Area would be developed with light industrial, manufacturing, bioscience, and research and development facilities. However, there was no demand for the light industrial land uses envisioned for this area. Instead, there was a demand for residential land uses, which are not permitted under the Business Mix designation.

7. The Project Sponsors have requested a General Plan Amendment to change the land use designation in the Project Area to Urban Residential, and have proposed the development of up to 1,570 residential units, including 186 live/work units, some in converted warehouses, 13,000 square feet of neighborhood serving commercial uses, and 14,487 square feet of community and civic uses associated with the historic 16th Street Train Station. The Project Sponsors propose to preserve and restore the main hall of the historic 16th Street Train Station and the signal tower, and to construct a public plaza in front of the train station.

8. The Project, including the General Plan Amendment, Redevelopment Plan Amendment, Rezoning, and Vesting Tentative Parcel Map, is consistent with the General Plan and/or will result in an internally consistent General Plan.

9. The General Plan Amendment approved for this Project will not cause the General Plan to become internally inconsistent. The General Plan Amendment and the remainder of the General Plan comprise an integrated, internally consistent and compatible statement of policies for the City. The various land uses authorized for the Project are compatible with the objectives, policies, general land uses, and programs specified in the General Plan, as amended. The Project is compatible with and conforms to the objectives, policies, general land uses and programs specified in the General Plan. The Project furthers the objectives and policies of the General Plan and does not obstruct their attainment. The Project, as conditioned through conditions of approval set forth in Exhibit C, is compatible with, and in harmony with, General Plan goals and policies. The Project is in harmony with surrounding neighborhoods, and the site is physically suitable for the development proposed.

10. The General Plan comprises many objectives, policies, principles, programs, standards, proposals and action plans (collectively “policies”), as well as performance standards. The City recognizes that the policies necessarily compete with each other. Examples of the tensions between General Plan policies are found between those policies that promote managed growth and encourage new residential construction, and those that provide for protection of historical resources that exist on undeveloped land. The Council has considered all applicable General Plan policies and the extent to which the Project conforms to and potentially competes with each of those policies.

11. The City has fully evaluated the extent to which the Project achieves each policy, including those pertaining to compatibility of land uses, protection of open space, standards regarding geology, soils and earthquake risks, hazardous materials, flood hazards and drainage, protection of water quality, protection of biological resources, transportation standards and goals, regional and local housing needs, jobs/housing balance, noise, protection of air quality, protection of visual resources, standards for public services and utilities, protection of archeological and historical resources, the provision of housing for all sectors of the economic community, economic incentives, and the provision of employment opportunities for residents of Oakland in general, and West Oakland in particular. The City has also fully considered the Project’s compliance with all goals, policies and objectives in the General Plan, and finds the Project in compliance with the General Plan.

12. For the reasons stated in the EIR, in staff reports presented to the Commission and the Council, in these findings, and in the CEQA findings for the Project (Exhibit A), the City finds that the balance achieved by the Project among competing General Plan policies is acceptable, and that the Project complies with all performance standards in the General Plan. The Project represents a reasonable accommodation of all applicable competing policies in the General Plan. The Project promotes the General Plan goals referenced in the CEQA statement of overriding considerations (Exhibit A). Specifically, the implementation of the approved project will result in the fulfillment of several important General Plan policies including investment in an economically distressed area, the encouragement of infill development, meeting regional fair share of housing needs, the creation of a new civic open space, and the preservation of a designated City landmark.

13. The City acknowledges the controversy and difference of opinion regarding the consistency of the Project with the General Plan. In some instances, commentators have urged that the City consider the Project inconsistent with the General Plan unless the Project is redesigned to incorporate attributes desired by the commentators. Examples include affordable housing; redesign of architectural elements, project intensity or density to provide what the commentators believe is a better degree of compatibility with adjacent neighborhoods; economic incentives; job creation; retention of existing businesses; and job training opportunities. To the extent these subjects are reflected in the Oakland General Plan, the City finds that the controversy is about the extent to which the Project will achieve each General Plan provision, and not whether the Project is inconsistent with any of those provisions. However, the City has never interpreted its General Plan to require that every single development project incorporate every ideal referenced in the General Plan to fullest extent possible. Rather, the City has historically interpreted its General Plan to provide City-wide goals, objectives, policies and programs designed to make Oakland as a whole a balanced, inviting, viable community with sufficient housing to meeting the City's fair share of regional housing needs. The City has reviewed carefully the role the Project will play in achieving city-wide goals, policies, objectives and programs, and finds the extent and manner in which the Project will participate acceptable and desirable.

14. The City has also carefully reviewed the goals, policies, objectives and programs specifically applicable to the West Oakland neighborhood, and finds the extent and manner in which the Project will participate to be acceptable and desirable. The City finds that the Project particularly advances certain General Plan goals, policies, objectives and programs that are specific to the West Oakland neighborhood. The Project will improve neighborhood land use compatibility through the development of pedestrian-oriented mixed-use development rather than industrial or transportation related uses, and will contribute to moving high impact industrial uses away from residences. The Project will invest in neighborhood infrastructure by modernizing the existing sewer and storm drains to serve the site, undergrounding utilities and providing new streetscape, sidewalks and lighting. The Project will address disinvestment in West Oakland by redeveloping and revitalizing underutilized or vacant land. The Project will meet the goal of adaptive reuse through the preservation and rehabilitation of the 16th Street Train Station. Finally, the Project will provide the neighborhood with compatible infill development that includes live-work units.

III. WOOD STREET ZONING DISTRICT

15. The Wood Street Zoning District is attached to the rezoning ordinance as Exhibit E. The City adopts the conclusions, analysis and explanations contained in the EIR, staff reports and presentations by the Project Sponsors relating to the zoning district.

16. Pursuant to Chapter 17.144, the City finds the rezoning of the Project Area to the Wood Street Zoning District is consistent with the goals and policies of the General Plan and the proposed General Plan Amendment related to this site, as noted above. The notice required by section 17.144.060 has been given.

17. The Wood Street Zoning District is based on regulations from the existing Oakland Zoning Code and sets forth land use regulations, development standards, design guidelines and other requirements. The adoption of the Wood Street Zoning District will apply exclusively to the 29.2 acre Wood Street Project, and will allow for a residential mixed-use development in the Project Area, consistent with the proposed land use designations under the General Plan Amendment related to this site. The rezoning will promote local and regional welfare by allowing housing to be developed on a site which is currently underutilized or vacant, in a manner that accommodates a unique site that faces many development challenges. This significant addition to Oakland's housing stock will help satisfy local and regional housing needs to a much greater degree than would the current zoning designations, none of which are appropriate for residential development. The Project will provide a variety of housing types, making the development accessible to a range of needs in the market. The Wood Street Zoning District will allow the development of pedestrian-oriented, live-work, mixed-use development near the center of the Bay Area, with convenient access to public transit and freeways. The type of development will promote the public health, safety and welfare by reducing pollution associated with both long distance commuting and industrial truck traffic, as well as redeveloping and revitalizing an economically distressed area of the City. The rezoning will facilitate private investment into an economically depressed area, and will promote the goals and purposes of the Oakland Army Base Redevelopment Plan.

18. The Wood Street Zoning District does not create an incompatibility with the surrounding area. The area to the northwest of the Project Area, across I-880, contains mostly transportation-related uses. The majority of the land to the south and east of the Project Area is zoned for residential uses. Other land to the south contains industrial uses including a recycling center. Limitations have been incorporated into the requirements for the project to assure adequate setbacks and buffering between the surrounding industrial and commercial uses and the approved residential uses. Implementation of the Project will help to alleviate existing land use conflicts in the area by introducing pedestrian-oriented mixed-use development into the Project Area. Retaining the existing zoning, in contrast, would result in the expansion of new industrial and transportation related uses in the Project Area in an area immediately adjacent to existing residential uses. Limiting the expansion of these industrial and transportation uses promotes the public health, safety and welfare by restricting and re-directing heavy truck traffic and the accompanying impacts on air quality. Further, the Project would serve to buffer the existing adjacent homes from current high levels of noise from I-880 and the frontage road.

19. The Wood Street Zoning District will not create visual incompatibility with the surrounding districts. The Wood Street Zoning District promotes the public interest by identifying three "overlay zones" within the Project Area, to ensure that there is a transition in scale from the existing neighborhood to the Project, that new development fronting the 16th Street Plaza creates a well-defined urban space and is complementary to the scale of the 16th Street Train Station, and that there is greater flexibility for development facing onto the busy frontage road. The Wood Street Zoning District proposes a base set of development standards for each Development Area. These include maximum and minimum densities, floor area ratios, height limits, setbacks, and parking. The Zoning District also includes design guidelines to be applied to future development in the Project Area which emphasize physical design features that

promote visual interest, pedestrian friendliness, attractive streetscape and visual compatibility with existing nearby development.

IV. OAKLAND ARMY BASE AREA REDEVELOPMENT PLAN AMENDMENT

20. The Project Area is within the 16th/Wood sub-area of the Oakland Army Base (OARB) Redevelopment Project Area. The OARB Redevelopment Plan did not mandate a specific development program for the Project Area, deferring instead to the range of land use activities allowed by the Oakland General Plan and Zoning Code. The Project includes a General Plan Amendment to change the designation of the Project Area from "Business Mix" to "Urban Residential." The Project also includes a Redevelopment Plan Amendment, to amend the Redevelopment Plan land use map for the 16th/Wood sub-area to "Urban Residential," consistent with the General Plan. The proposed OARB Redevelopment Plan Amendment is discussed in the EIR, especially at pages 3.2-18 through 3.2-21 of the DEIR, and contains a discussion of Redevelopment Plan goals with which the Project is consistent. The proposed Redevelopment Plan Amendment is also discussed in the staff reports presented to the City and in materials presented by the applicant. The City adopts the conclusions, analysis and explanations contained in the EIR and staff reports.

21. Pursuant to Health and Safety Code sections 33450 and 33458, the City Council and the Redevelopment Agency, meeting jointly, find that the amendment to the OARB Redevelopment Plan is necessary and desirable. The proposed amendment has been submitted to the Planning Commission pursuant to Health and Safety Code section 33453. The Planning Commission has independently reviewed and considered the proposed amendment and has recommended that the City Council and the Redevelopment Agency amend the OARB Redevelopment Plan. The notice required by section 17.144.060 was duly given prior to the Planning Commission consideration of this action, and the City gave proper public notice prior to City Council and Redevelopment Agency consideration as required by Health and Safety Code section 33452.

22. The Redevelopment Plan Amendment is consistent with the General Plan Amendment included in the Project and consistent with the Redevelopment Plan goals. The OARB Redevelopment Plan is a long-term plan, designed to retain flexibility so the Agency can respond to changes in market and economic conditions, developer interest, and redevelopment opportunities. The proposed Amendment is desirable as it will allow for residential mixed-use development that will help to eliminate physical and economic blighting influences in the Redevelopment Project Area, a central goal of the Redevelopment Plan. Amending the Redevelopment Plan to allow for the development of the Project will help to mitigate the economic and social degradation faced by the City due to the closure of the Oakland Army Base. It will allow for the subdivision of land into parcels suitable for modern integrated development with improved pedestrian and vehicular circulation. It will strengthen the economic base of the community through the construction of infrastructure and site improvements that will in turn stimulate new development, through private investment in an economically depressed area of the City, and through development of a Project likely to implement Redevelopment Plan goals of raising property values and generating tax increment revenue.

23. Pursuant to Redevelopment law and the Redevelopment Plan, the Redevelopment Agency has several options available to it to meet the Redevelopment Plan's requirement for the provision of affordable housing. The Plan requires that 25% of all tax increment revenue generated by redevelopment within the Redevelopment Project Area be set aside for the provision of affordable housing, which could be used to assist in the development of

such housing. As explained in the staff reports presented to the City, such tax increment will be more than sufficient to ensure that the affordable housing requirements of the Redevelopment Plan will be met. Conley Consulting Group has estimated that such housing set aside tax increment will be \$96 - \$106 million by 2030, and that the Wood Street Project alone will generate \$36.8 million by 2030.

V. VESTING TENTATIVE PARCEL MAPS

24. Pursuant to Title 16 of the Oakland Municipal Code, the City finds that each of the Vesting Tentative Parcel Maps (VTPMs) 8551, 8552, 8553, 8554 and 8555, independently and collectively, are consistent with the goals and policies of the General Plan and the General Plan Amendment related to this site, as noted above. The VTPMs are discussed in the staff reports presented to the City and also in accompanying text. The City adopts the conclusions, analysis and explanations contained in the staff reports and in the VTPMs. The City approves VTPMs 8551-8555 for the Project, subject to the Conditions of Approval (Exhibit C to the staff report). The Planning Commission's approval of each VTPM is also conditioned upon enactment by the Council of the General Plan Amendment and Rezoning included in the Project.

25. VTPMs 8551, 8552, 8553, 8554 and 8555 each contain all information required by State Law and by the Oakland Municipal Code, including all information referenced in section 16.08.010. Each VTPM provides, to the extent feasible given the nature of the site and the challenges faced in designing a viable development project, for future passive or natural heating or cooling opportunities.

26. Final maps may be filed in phases, as set forth in the VTPMs and in the Conditions of Approval (Exhibit C). In addition, a Final Map cannot be recorded unless the City has first approved a Final Development Plan for the area subject to the Final Map.

27. Each VTPM meets all design standards of Chapter 16.16 and all improvement standards of Chapter 16.20 through the requirements of the Wood Street Zoning District Zoning Standards, Guidelines and Regulations for Development and Use of Property with the Wood Street Zoning District, and through the items shown on each VTPM.

28. Pursuant to section 16.20.040, the City has given due consideration of the allocation of suitable areas for open space, schools, parks and playgrounds.

29. The conditions of approval require submittal of a preliminary soils report, in accordance with section 16.20.060. As required by section 16.20.070, all grading work shall be done under the direction of a registered civil engineer, who shall submit the certificate required by section 16.20.070 prior to acceptance of subdivision improvements.

EXHIBIT E

APPROVED AS TO FORM AND LEGALITY

DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

ORDINANCE NO. _____ C.M.S.

AN ORDINANCE ADOPTING THE WOOD STREET ZONING DISTRICT FOR 29.2 ACRES IN WEST OAKLAND BETWEEN 10TH STREET TO THE SOUTH, WEST GRAND AVENUE TO THE NORTH, WOOD STREET TO THE EAST, AND THE I-880 FRONTAGE ROAD TO THE WEST

WHEREAS, on December 2, 2003, in accordance with the California Environmental Quality Act ("CEQA"), City staff issued a initial Notice of Preparation ("NOP"), with a revised NOP issued on January 21, 2004, indicating an intent to prepare an Environmental Impact Report ("EIR") for the land use entitlements, including the requested General Plan Amendment, the Wood Street Zoning District Regulations, the Oakland Army Base Area Redevelopment Plan Amendment, and five Vesting Tentative Parcel Maps, for the proposed Wood Street Project; and

WHEREAS, as part of the proposed development, the Project applicant requested a rezoning of the Project Area to the proposed Wood Street Zoning District, to allow for a residential mixed-use development on the site; and

WHEREAS, the Wood Street Zoning District Regulations are described in the Draft Environmental Impact Report ("DEIR"), in Master Response 1 of the Final Environmental Impact Report ("FEIR"), in Exhibits A and D attached hereto, and in the staff reports presented to the City; and

WHEREAS, the Wood Street Zoning District Regulations are attached hereto as Exhibit E; and

WHEREAS, on September 21, 2004, the DEIR, SCH #2004012110, was released by the City for a 56-day public review and comment period and on October 18, 2004 and October 20, 2004, respectively, the Landmarks Preservation Advisory Board and the Planning Commission held public hearings to provide the public with additional opportunities to comment on the DEIR; and

WHEREAS, on January 26, 2005, the Planning Commission conducted another public hearing to discuss the major environmental and policy issues pertaining to the Project; and

WHEREAS, on February 7, 2005, the Final Environmental Impact Report (“FEIR”) on the Wood Street Project was released; and

WHEREAS, on March 16, 2005, the Planning Commission conducted another public hearing, took testimony and determined that the EIR (consisting of the DEIR and the FEIR) was adequate for decision-making on the requested land use entitlements for the Project and certification of the EIR; and

WHEREAS, on March 16, 2005, the Planning Commission certified the EIR, adopted CEQA Findings and a Statement of Overriding Considerations, adopted a Mitigation Monitoring and Reporting Program, adopted General Findings, recommended adoption of a General Plan Amendment, approved five Vesting Tentative Parcel Maps and adopted accompanying Conditions of Approval; and

WHEREAS, on March 16, 2005, the Planning Commission recommended that the Council adopt the proposed Wood Street Zoning District Regulations, attached hereto as Exhibit E; and

WHEREAS, the Planning Commission affirmed and adopted the General Findings attached hereto as Exhibit D; and

WHEREAS, the City Council affirms and adopts the Planning Commission’s findings and further finds, based on the General Findings attached hereto as Exhibit D and incorporated by this reference, that the adoption of the Wood Street Zoning District Regulations will promote the public health, safety and welfare; and

WHEREAS, the notice required by section 17.144.060 has been given; now, therefore,

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. The Wood Street Zoning District is hereby established.

SECTION 2. The Zoning Regulations, Standards, and Guidelines for Development and Use of Property within the Wood Street Zoning District are hereby adopted and attached to this Ordinance as Exhibit E.

SECTION 3. The City of Oakland’s Zoning Code is hereby amended to include the Wood Street Zoning District established by Section 1 and Zoning Regulations, Standards, and Guidelines for Development and Use of Property within the Wood Street Zoning District.

SECTION 4. This ordinance is based in part on the findings set forth above, the CEQA Findings and Statement of Overriding Considerations Related to Approval of the Wood Street Project, Mitigation Monitoring and Reporting Program, Conditions of Approval and General Findings Related to Approval of the Wood Street Project attached as Exhibits A-D and incorporated by this reference.

SECTION 5. Except as specifically set forth herein, this ordinance suspends and supersedes all conflicting resolutions, ordinances, plans, codes, laws and regulations.

SECTION 6. If any provisions of this ordinance or application thereof to any person of circumstances is held invalid, the remainder of this ordinance and the application of provisions to the other persons or circumstances shall not be affected thereby.

SECTION 7. This ordinance shall become effective 30 days after passage and within 15 days of passage shall be published once with the names of the City Council Members voting for and against it in the Oakland Tribune, a newspaper which is published in this City and in Alameda County.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

AYES-	BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, AND PRESIDENT DE LA FUENTE
NOES-	_____
ABSENT-	_____
ABSTENTION-	_____

ATTEST: _____
LATONDA SIMMONS
Interim City Clerk and Clerk of the Council
of the City of Oakland, California

**AN ORDINANCE ADOPTING THE WOOD STREET
ZONING DISTRICT FOR 29.2 ACRES IN WEST
OAKLAND**

Attachment A

Wood Street Zoning District

Zoning Regulations, Standards, and Guidelines for Development
and Use of Property within the Wood Street Zoning District

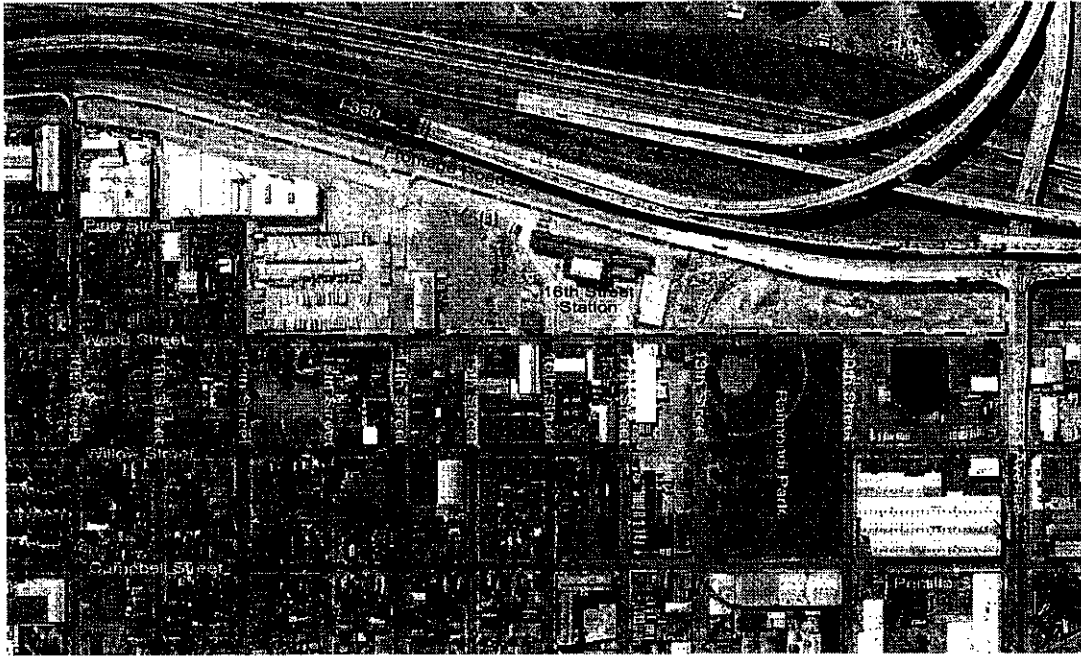
**AN ORDINANCE ADOPTING THE WOOD STREET
ZONING DISTRICT FOR 29.2 ACRES IN WEST
OAKLAND BETWEEN 10TH STREET TO THE SOUTH,
WEST GRAND AVENUE TO THE NORTH, WOOD
STREET TO THE EAST, AND THE I-880 FRONTAGE
ROAD TO THE WEST**

NOTICE AND DIGEST

This Ordinance established the Wood Street Zoning District. The Zoning Regulations, Standards, and Guidelines for Development and Use of Property within the Wood Street Zoning District are hereby adopted and attached to this Ordinance as Exhibit E. The City of Oakland's Zoning Code is hereby amended to include the Wood Street Zoning District and Zoning Regulations, Standards, and Guidelines for Development and Use of Property within the Wood Street Zoning District.

Wood Street Zoning District

Oakland, California



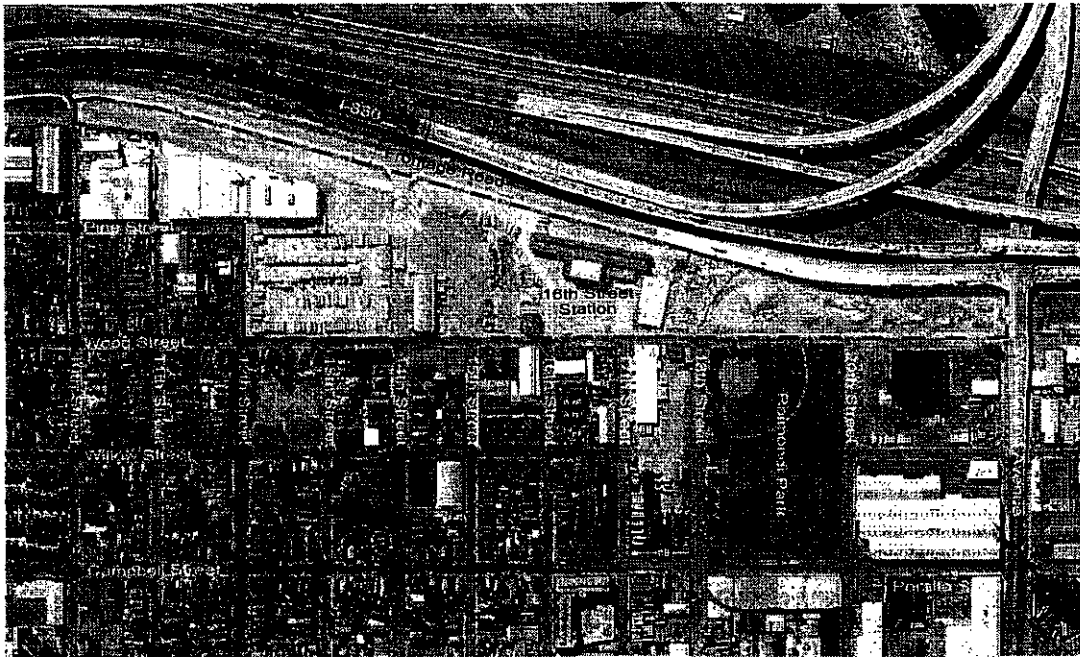
Zoning Regulations, Standards, and Guidelines for
Development and Use of Property within the Wood
Street Zoning District

D r a f t

16 March, 2005

Wood Street Zoning District

Oakland, California



Zoning Regulations, Standards, and Guidelines for
Development and Use of Property within the Wood
Street Zoning District

D r a f t

16 March, 2005
(Printed 8 March 2005)

TABLE OF CONTENTS

Title Page		
Table of Contents		i - iii
1.00 Overview		4
1.10 Overview of Wood Street Zoning District		
1.11 Application of the Wood Street Zoning District		
1.20 Components of Zoning Regulations		
1.30 Conditions on Vesting Tentative Maps		
<i>Figure 1.20-1 'Vicinity Map'</i>		
<i>Figure 1.20-2 'Zoning District - Aerial Photograph'</i>		
<i>Figure 1.20-3 'District Boundary and Development Areas'</i>		
2.00 Area Designations and Definition of Terms		9
2.10 Area Designations		
2.20 Overlay Zones		
<i>Figure 2.10-1 'Area Designations'</i>		
2.30 Definition of Terms		
3.00 Development Plans and Design Review		15
3.10 Preliminary Development Plan		
3.20 Review of Preliminary Development Plan		
3.30 Final Development Plan		
3.40 Review of Final Development Plan		
3.50 Design Review		
3.60 Modifications and Extensions		
4.00 Land Use Regulations		21
4.10 Land Use Regulations		
4.20 Activity Classifications		
4.21 Accessory Activities		
4.30 Joint Living and Working Quarters		
<i>Table 4.10-1 'Activity Regulations'</i>		
5.00 Development Standards		28
5.10 Introduction to Development Standards		
<i>Table 5.10-1 'Development Standards Summary'</i>		
5.20 Maximum Density		
5.21 Minimum Density		
5.22 Floor Area Ratio		
5.23 Maximum Height		
<i>Figure 5.23-1 'Height Zones'</i>		
5.24 Minimum Setbacks		
<i>Figure 5.24-1 'Minimum Street Setbacks'</i>		

5.30 Building Frontage
5.31 Building Frontage at Corner Locations on Wood Street
5.32 Street Front Entries
5.33 Street Front Openings
5.34 Projection over the Street Line or Street Setback Line
5.40 Usable Open Space for Residential Uses
5.41 Minimum Separation between Opposite Walls on the Same Lot
5.50 Required Off-Street Parking
Table 5.50-1 'Off-street Parking Requirements for Non-Residential Uses'
5.51 Dimensional Requirements for Off-Street Parking
5.52 Joint Use Parking
5.53 Curb Cuts
5.54 Off-Street Loading Requirements
5.60 Location and Screening of Surface Parking
5.61 Trees at Surface Parking Lots
5.62 Location and Screening of Tuck-under Parking
5.63 Location and Screening of Parking Garages
5.70 Limitations on Signs
5.80 16th Street Station and 16th Street Signal Tower
5.90 16th Street Plaza

6.00 Design Guidelines

61

6.10 Introduction to Design Guidelines
6.20 Architectural Character
6.21 Pedestrian Connections
6.22 Not Used
6.23 Building Massing
6.24 Building Articulation
6.25 Facades at Parking Garages
6.26 Balconies
6.27 Awnings and Canopies
6.30 Windows
6.31 Garage Doors
6.32 Service Access
6.33 Underground Utility Connections
6.34 Screening of Exterior Equipment
6.35 Mechanical Penetrations at Facades and Roofs
6.36 Waste Handling Areas
6.40 Exterior Materials
6.41 Exterior Color
6.42 Exterior Lighting
6.50 Signage and Graphics
6.60 Planting Areas

1.00

OVERVIEW



1.10 Overview of Wood Street Zoning District

The Wood Street Project is a proposed mixed-use redevelopment of the under-utilized industrial land around the vacant 16th Street Station in West Oakland. The goal of the Project is to create an active, pedestrian oriented urban community that addresses the demand for high quality residential units in the urban neighborhoods of downtown Oakland. The Project includes in aggregate up to 1,500 residential and live-work units, retail and office space, creation of publicly accessible open space, and rehabilitation and adaptive re-use of the historic 16th Street Train Station and Signal Tower.

The Wood Street Project consists of approximately 29.20 acres in total, and is generally bounded by 10th Street, Wood Street, West Grand Avenue and Frontage Road/I-880, as more particularly described in Figure 1.20-3. The various parcels of land that constitute the Wood Street project are collectively zoned as the Wood Street Zoning District.

The Wood Street Zoning District Regulations include Land Use Regulations, Development Standards and Design Guidelines. The purpose of these regulations is to ensure that the individual developments will be visually and functionally integrated, and that collectively the Project will be compatible with the existing neighborhood. For the purposes of appropriate regulation, the Wood Street Zoning District is divided into nine Development Areas, each subject to specific regulations. It is anticipated that each Development Area will be developed on an individual time line by the respective owner.

1.11 Application of Wood Street Zoning District

The zoning, standards, guidelines, regulations and other requirements for the development and use of property within the Wood Street Zoning District (Wood Street Zoning Regulations) shall be those set forth herein and where herein set forth shall supersede, without limitation, those set forth in Title 17 of the Oakland Municipal Code.

All applications for development and use of property within the Wood Street Zoning District, including, without limitation, Preliminary and Final Development Plans (as further described herein), shall be consistent with the provisions of Wood Street Zoning Regulations.

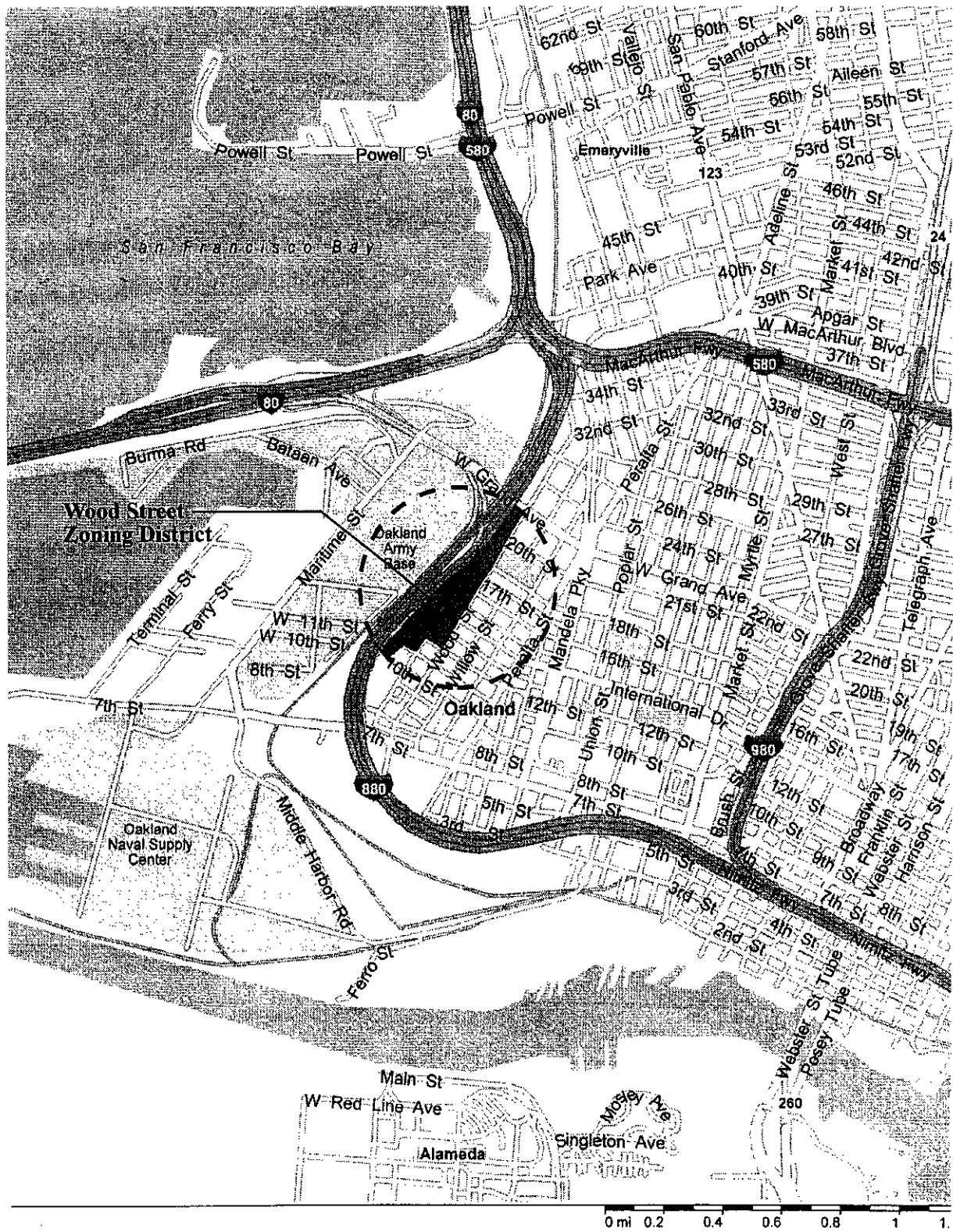
1.20 Components of Zoning Regulations

The primary components of the Wood Street Zoning Regulations are described below.

<i>Section No.</i>	<i>Title</i>
2.0	<i>Area Designations and Definition of Terms</i> Organization and Definitions describe the categorization of each area within the Wood Street Zoning District as either a Development Area, Public Access Area or Public Street and describe the elements of the Wood Street Zoning Regulations that govern each designated area.
3.0	<i>Development Plans and Design Review</i> This section describes the process for approval of applications for development and use of property within the Wood Street Zoning District.
4.0	<i>Land Use Regulations</i> The Land Use Regulations describe the allowable land uses and set forth land use regulations for each of the Development Areas within the Wood Street Zoning District.
5.0	<i>Development Standards</i> The Development Standards set forth mandatory requirements for all development and use of property within the Wood Street Zoning District.
6.0	<i>Design Guidelines</i> The Design Guidelines set forth design parameters for all development and use of property within the Wood Street Zoning District.

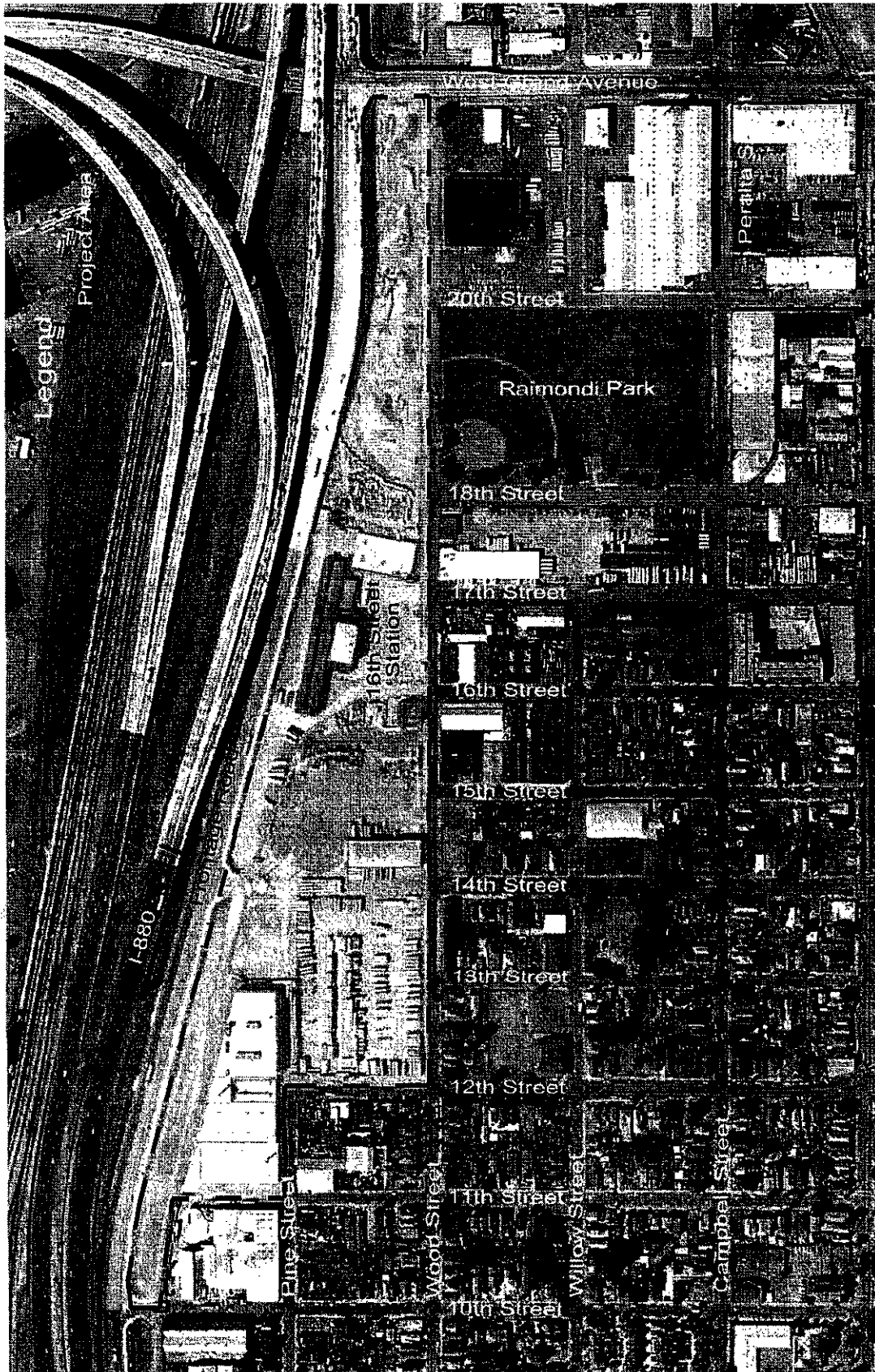
1.30 Conditions on Vesting Tentative Maps

Each of the conditions of approval on each of the vesting tentative maps approved for development in the Wood Street Zoning District is hereby incorporated as if set forth as a land use regulation, development standard, or design guideline, as the case may be.



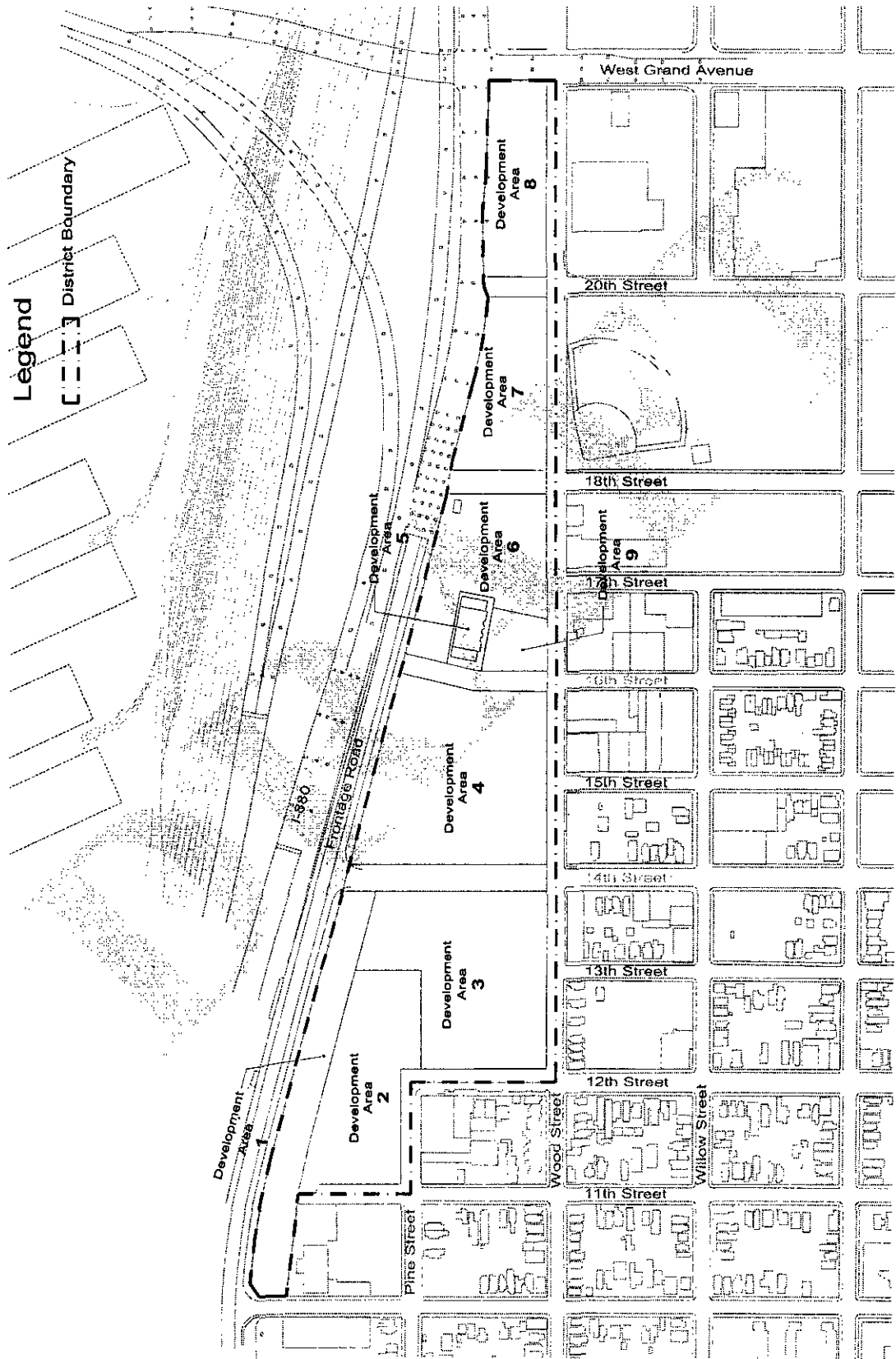
Vicinity Map

Figure 1.20-1



Zoning District - Aerial Photograph

Figure 1.20-2



District Boundary and Development Areas

Figure 1.20-3

2.00

AREA DESIGNATIONS AND
DEFINITION OF TERMS



2.10 Area Designations

All land areas within the Wood Street Zoning District are designated as either Development Areas, Public Access Areas or Public Streets, as described below. *See Figure 2.10-1*

1. **Development Areas** are comprised of one or more privately owned lots that are intended for development. The Wood Street Zoning District includes nine Development Areas designated by the number one (1) through nine (9)
2. **Public Access Areas** are comprised of lots on which no permanent buildings are allowed. Public Access Areas include publicly accessible open space, parking areas, vehicular and pedestrian access areas, loading zones, and landscaped recreational spaces.

Public Access Areas include the extensions of 14th Street, 16th Street, 18th Street, and 20th Street. These areas provide pedestrian, bicycle, and emergency access only between Frontage Road and Wood Street. Vehicular through traffic from Wood Street to the Frontage Road is prohibited.
3. **Public Streets** are comprised of public rights-of-ways developed and maintained as public streets.

Refer to Chapter 17.09.040 for definition of "street".

2.20 Overlay Zones

Three Overlay Zones are established to provide for regulation of Development Areas in response to specific adjoining conditions, see Figure 2.10-1. Regulations applicable to Overlay Zones modify or replace the regulations otherwise applicable to the underlying Development Area as specified herein.

1. **Wood Street Overlay Zone** – The purpose of the Wood Street Overlay Zone is to establish a transition in scale between the Development Areas and the existing neighborhood, and to promote an active and pedestrian-scaled street frontage.

The Wood Street Overlay Zone is 30 feet in depth as measured from the street line at Wood Street, and parallels Wood Street between 12th Street and 20th Street.

2. **Plaza Overlay Zone** – The purpose of the Plaza Overlay Zone is to ensure that new development bordering the 16th Street Plaza creates a well-defined urban space with active ground floor uses facing the 16th Street Plaza, and to ensure that the scale of new buildings is complimentary to the scale of the 16th Street Train Station.

The Plaza Overlay Zone is twenty (20) feet in depth as measured from the Development Area Boundary. At Development Area 4 the Plaza Overlay Zone extends two hundred (200) feet from the street line at Wood Street. At Development Area 6 the Plaza Overlay Zone extends one hundred and fifty (150) feet from the street line at Wood Street, measured along the boundary of the Development Areas.

3. **Frontage Road Overlay Zone** – The purpose of the Frontage Road Overlay Zone is to allow greater flexibility for development fronting a major arterial street.

The Frontage Road Overlay Zone is twenty (20) feet in depth, as measured from the street line at Frontage Road, and extends from 10th Street north to the 16th Street.

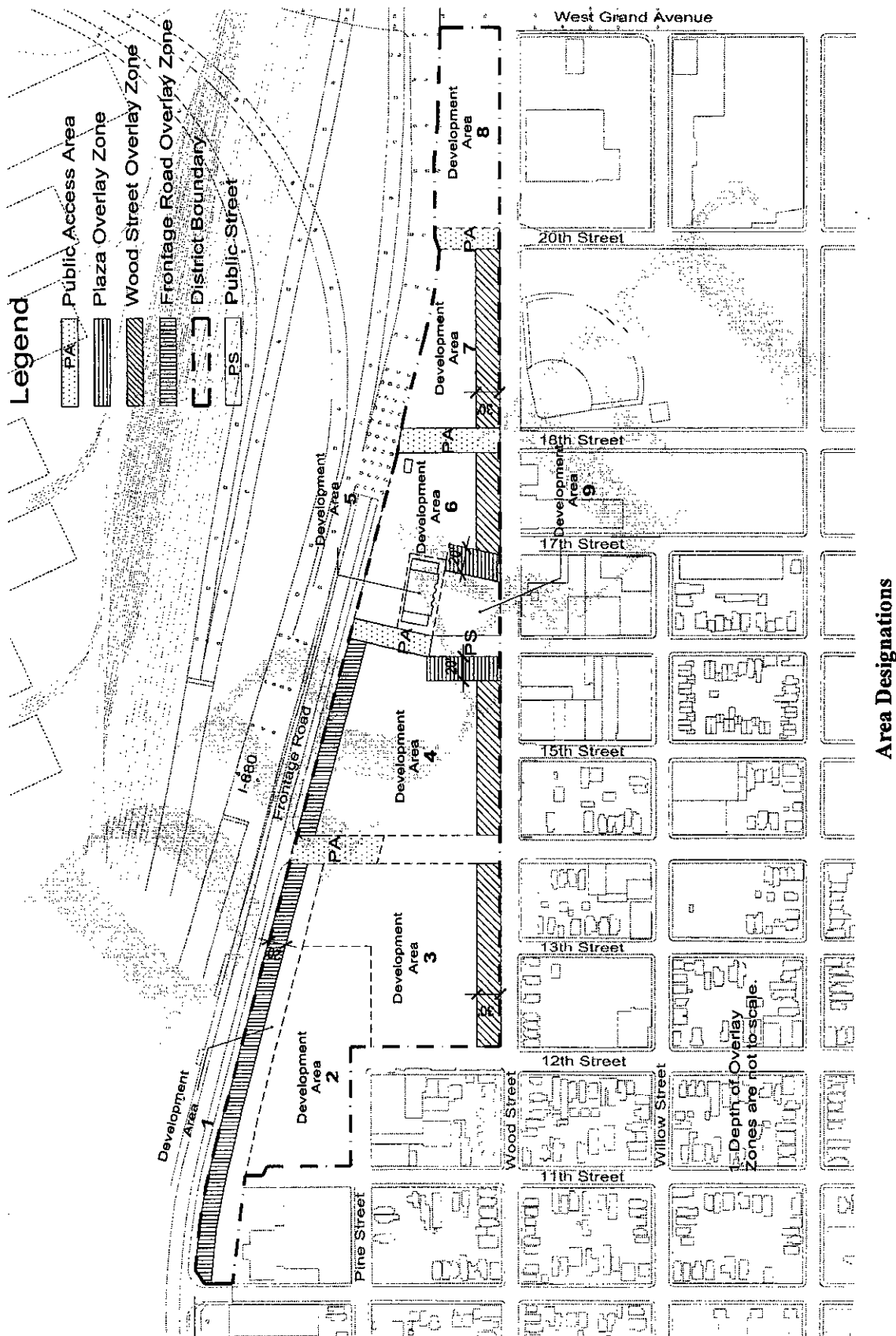


Figure 2.10-1

2.40 Definition of Terms

For the purpose of the Wood Street Zoning District Regulations the following definitions apply. For terms not defined below, the definition shall be as set forth in Section 17.09 of the Oakland Planning Code.

<i>At-grade</i>	Facilities or activities located on the ground with no structure or occupied space located below.
<i>Above grade</i>	Facilities or activities located over a parking garage or occupied space.
<i>Awning (or Canopy)</i>	A device that projects from the exterior facade of a building and is intended to shelter an opening or window below.
<i>Balcony</i>	A usable outdoor space located above the ground floor and projecting from the face of the building with no enclosed space immediately below.
<i>Bay Window</i>	An occupied space cantilevered from the face of the building and located above the ground floor.
<i>Below Grade Parking Garage</i>	A parking garage located below grade such that the first finished floor or outdoor area above the parking level is not more than five (5) feet above grade.
<i>Building Frontage</i>	Buildings or portions of buildings containing occupied space and located parallel and immediately adjacent to a street line or street setback line.
<i>Development Project</i>	Any facility constructed on a private parcel within a Development Area.
<i>Development Area</i>	See Section 3.10 of this Zoning District.
<i>Elevated Roadway</i>	Any roadway or portions of Frontage Road or West Grand Avenue more than five (5) feet above the average adjacent grade measured at the adjoining lot line.
<i>Equipment</i>	Utility meters, transformers, back flow preventers, check valves, heating, Satellite Dishes, ventilation and cooling equipment, and other devices associated with utility services or building systems. Equipment does not include plumbing and appliance vents, serving individual residential units, louvers, lighting and other minor devices.
<i>Facade</i>	The exterior wall of a building.
<i>Ground Floor</i>	The first story of a building located not more than five (5) feet above and not more than three (3) feet below the average finished grade at the adjoining street line or lot line. A ground floor may be located above a below grade parking garage.
<i>Ground Floor Parking Garage</i>	A parking garage located at the ground floor, as defined above.
<i>Interior Lot Line</i>	A lot line that separates private lots, not including lot lines adjoining Public Access Areas.
<i>Landscape Area</i>	Any portion of a Development Area that is not occupied by a building, parking area, service area or vehicular circulation area.

<i>Mixed-Use Development-</i>	An integrated development containing both residential and non-residential uses.
<i>Occupied Space</i>	A space within a building that contains activities associated with human occupation, excluding parking garages, storage areas, utility or service spaces and waste handling areas.
<i>Overlay Zone</i>	See Section 3.10 of this Zoning District.
<i>Parking Garage</i>	Any structure or portion of a structure containing parking stalls.
<i>Private Parking Garage</i>	Any parking garage serving an individual dwelling unit.
<i>Parallel</i>	A line shall be considered parallel to another line if the least angle created by their intersection (if any) is not more than 30 degrees.
<i>Perpendicular</i>	A line shall be considered perpendicular to another line if the least angle created by their intersection is not less than 60 degrees.
<i>Planning Code</i>	The City of Oakland Planning Code Title 17 of the Oakland Municipal Code, the most recent revision date as of the adoption of the Wood Street Zoning District.
<i>Public Access Area</i>	See Section 2.10 of this Zoning District.
<i>Public Streets</i>	See Section 2.10 of this Zoning District.
<i>Setback</i>	The distance from a lot line or street line to the face of a building or structure.
<i>Street Line</i>	A lot line dividing a lot from a public street, or a Public Access Area
<i>Street Frontage</i>	Any portion of a development project adjoining a street line
<i>Street Setback</i>	The required setback at a street line
<i>Street Setback Line</i>	The line established by the required setback from the street line
<i>Surface Parking</i>	Parking located at grade and not enclosed in a structure. Surface parking may have an overhead shelter.
<i>Tuck-under Parking</i>	Partially enclosed parking located below or partially below occupied space
<i>Visible from the street</i>	Visible from any point five (5) feet above the surface of a public street or Public Access Area immediately adjoining a lot or Development Area.

3.00

DEVELOPMENT PLANS AND
DESIGN REVIEW



3.10 Preliminary Development Plan

The following provisions have been written to accommodate the unique challenges facing development within the Wood Street Zoning District, and comprise the exclusive regulations for Preliminary and Final Development Plans within that District.

Development of each Development Area within the Wood Street Zoning District requires submittal and approval of a Preliminary Development Plan and a Final Development Plan. More than one Development Area may be included in a Preliminary Development Plan. Both the Preliminary and Final Development Plans shall be prepared by a professional design team consisting of a registered civil engineer, or licensed architect, planner or licensed building designer, and other qualified professionals that the City may require. Other applications required for development and use of property within the Wood Street Zoning District (e.g., subdivision map) may be submitted before or concurrently with a Preliminary Development Plan.

The Preliminary Development Plan for one or more Development Areas shall include the following:

1. Streets, driveways, sidewalks, pedestrian and bike ways, and off-street parking and loading areas, including integration with surrounding uses;
2. Location and approximate dimensions of structures;
3. Utilization of property for residential and non-residential use;
4. Estimated population;
5. Reservations for public uses, including schools, parks, playgrounds, and other open spaces;
6. Major landscaping features, including trees protected by O.M.C. Chapter 12.36, as it may be amended;
7. Creeks protected by O.M.C. Chapter 13.16, as it may be amended; or as identified by the Site Context Map submitted pursuant to Section 17.XX.060B;
8. Historic resources pursuant to the City's Historic Preservation Element Policy 3.8 or as defined in Section 15064.5 of Title 22 of the California Code of Regulations; and
9. Plan and elevation drawings establishing the scale, character, and relationship of buildings, streets, and open spaces.
10. A tabulation of the land use area and gross floor area to be devoted to various uses and a calculation of the average residential density per net acre and per net residential acre.
11. Preliminary Phasing Plan generally depicting projected development time frames including quantitative data, such as population, housing units, land use acreage, and other data sufficient to illustrate the relationship between the phasing of development and the provision of public facilities and services.
12. Preliminary public services and facilities plan including proposed location, extent and intensity of essential public facilities and services such as public and private streets and transit facilities, pedestrian access, bikeways, sanitary sewer service, water service, storm drainage structures, solid waste disposal and other utilities; and a table comparing the description to the existing location, extent, and intensity of such essential public facilities and services.
13. A public facilities financing plan.

Each of the conditions to the vesting tentative map, and each of the mitigation measures, for the Development Area for which the Preliminary Development Plan is proposed, shall be made conditions of approval of the Preliminary Development Plan.

3.20 Review of Preliminary Development Plan

The Planning Director shall forward the Preliminary Development Plan to the City Engineer for review no later than 10 days after a determination that the submittal is complete. The Planning Commission shall hold a public hearing on the Preliminary Development Plan no later than seventy-five days after it is sent to the City Engineer or within thirty days of the Planning Commission receiving a report from the City Engineer, whichever is earlier. Notice of the hearing shall be given by the City Clerk or Planning Director, as set forth in O.M.C. Section 17.140.030. The Planning Commission shall approve the Preliminary Development Plan if it makes written findings that the Preliminary Development Plan is in substantial conformance with the Wood Street Zoning Regulations. The Planning Commission shall disapprove the Preliminary Development Plan if it makes written findings that the Preliminary Development Plan is not in substantial conformance with the Wood Street Zoning Regulations and that it is not possible to require changes or impose conditions of approval as are reasonably necessary to ensure conformity to the Wood Street Zoning Regulations. The decision of the Planning Commission on the Preliminary Development Plan shall become final ten calendar days after the adoption of the findings, unless the Planning Commission decision is appealed to the City Council in accordance with O.M.C. Section 17.140.070. In the event the last date to file an appeal falls on a weekend or holiday when City offices are closed, the next date such offices are open for business shall be the last date of appeal.

If the Preliminary Development Plan for a Development Area satisfies the requirements for a Final Development Plan (as described in Section 3.30), the Preliminary Development Plan may also serve as a Final Development Plan, and the applicant shall not be required to file a separate Final Development Plan for that Development Area. In such case the development plan shall be entitled the Preliminary and Final Development Plan for the Development Area under consideration.

3.30 Final Development Plan

Unless an extension is granted pursuant to Section 2.40 below, a Final Development Plan for a Development Area or Public Access Area shall be submitted no later than one year after the final approval of the Preliminary Development Plan. The Final Development Plan shall include all information contained in the Preliminary Development Plan plus the following in sufficient detail to fully indicate the operation and appearance of all development shown on the Final Development Plan.

1. The location of all public infrastructure that provides water, sewage, and drainage facilities and other utility services;
2. The location of all private infrastructure that provides gas, electric, and other utility services;
3. Detailed building plans, elevations, sections, and a description of all exterior materials;
4. Landscape plans prepared by a landscape architect;
5. The character and location of signs;
6. Improvement plans for all public and private streets, driveways, sidewalks, pedestrian and bike ways, and off-street parking and loading areas;
7. Grading or other earth-moving plans; and
8. The public facilities financing plan approved as part of the Preliminary Development Plan modified as necessary to reflect changed conditions or new information.

If the Final Development Plan is not submitted within one year of the date of approval of the Preliminary Development Plan, the Preliminary Development Plan shall be void and of no further force and effect unless an extension is approved pursuant to Section 3.40 below.

An applicant shall submit all legal documents required for dedication or reservation of land and for all bonds or other forms of financial assurances acceptable to the City required for timely completion of public improvements necessitated by the project (including, without limitation, for guaranteeing 100% of the costs of completion and faithful performance of the work), with the Final Development Plan.

Construction pursuant to the Final Development Plan must commence no later than three years from the recordation of the final map for the Development Area to which the Final Development Plan applies.

3.40 Review of Final Development Plan

The Planning Director shall forward the Final Development Plan to the City Engineer for review no later than 10 days after a determination that the submittal is complete. The Planning Commission shall hold a public hearing on the Final Development Plan no later than seventy-five days after the Plan is sent to the City Engineer or within thirty days of the Planning Commission receiving a report from the City Engineer, whichever is earlier. Notice of the hearing shall be given by the City Clerk or Planning Director as set forth in O.M.C. Section 17.140.030

The Planning Commission shall approve the Final Development Plan if it makes written findings that the Final Development Plan is in substantial conformance with the Preliminary Development Plan and the Wood Street Zoning Regulations. The Planning Commission shall disapprove the Final Development Plan if it makes written findings that the Final Development Plan is not in substantial conformance with either the Preliminary Development Plan or the Wood Street Zoning Regulations and that it is not possible to require changes or impose conditions of approval as are reasonably necessary to ensure such conformity.

The decision of the Planning Commission on the Final Development Plan shall be final ten calendar days after the adoption of the findings unless the Planning Commission decision is appealed to the City Council in accordance with O.M.C. Section 17.140.070. In the event the last date to file an appeal falls on a weekend or holiday when City offices are closed, the next date such offices are open for business shall be the last date of appeal.

Approval of a Final Development Plan shall expire and be of no further force and effect if: (1) three years after the approval of the Final Development Plan substantial construction pursuant to a building permit has not commenced; or (2) construction has not continued in conformance with the approved phasing plan, as determined by the Planning Director and set forth in writing and provided to the applicant. The decision of the Planning Director may be appealed in writing to the Planning Commission within ten days of the date of the decision. The decision of the Planning Commission shall be final and not appealable.

3.50 Design Review

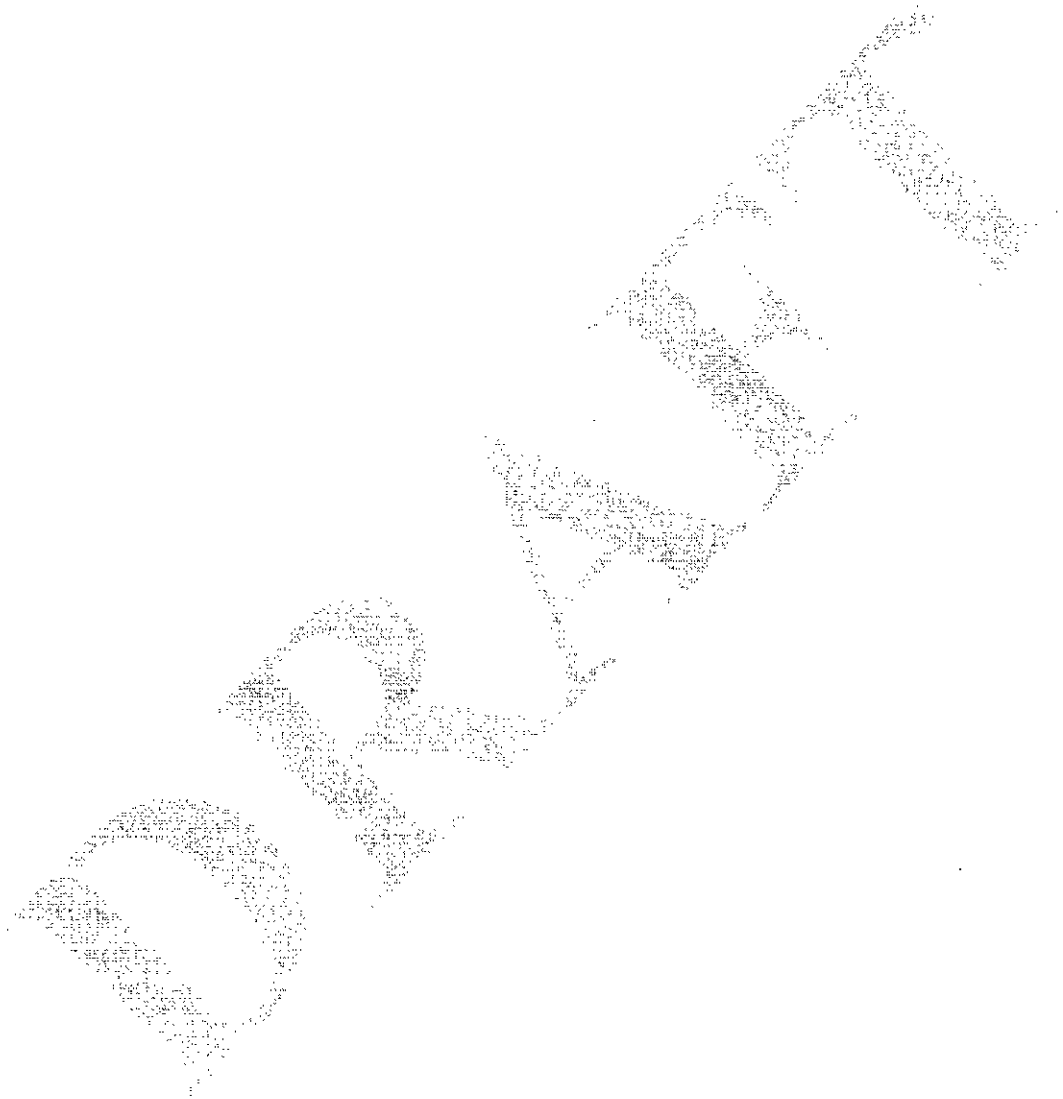
Design Review shall be required as part of the approval process for a Final Development Plan. After design review approval, no further design review approvals of the Development Area shown on the Final Development Plan shall be required except to the extent that the application for Final Design Review did not provide adequate information regarding one or more uses within the Development Area or Public Access Area to allow for Final Design Review. The procedure for Design Review shall follow the schedule outlined in Section 17.136.060. Design Review shall be limited to a determination of whether or not the proposed design is in substantial compliance with the design guidelines specified in these Wood Street Zoning Regulations. Remodels and additions to the buildings and sites within a Development Area after issuance of a certificate of occupancy shall be conducted pursuant to O.M.C. Section 17.136.060.

3.60 Modifications and Extensions

Minor changes in an approved Preliminary or Final Development Plan may be approved by the Director of City Planning if such changes are consistent with the purposes and character of the development plan. Proposed extensions to the one-year time limit, upon application filed at any time before said period has expired, shall be referred to the City Planning Commission, and the Commission may approve, modify, or deny such proposals. The decision of the Commission is appealable to the City Council.

4.00

LAND USE REGULATIONS



4.10 Land Use Regulations

Applicability

The provisions of this section apply to all Development Areas within the Wood Street Zoning District.

Land Use Regulations

The following table lists the permitted, conditionally permitted, and prohibited activities in the Wood Street Zoning District. The descriptions of these activities are contained in Chapter 17.10.

- “P”. Designates permitted activities in the corresponding development area.
- “C”. Designates activities that are permitted only upon the granting of a conditional use permit in the corresponding zone.
- “L”. Designates activities subject to certain limitations listed at the bottom of the table.
- “--”. Designates uses that are prohibited in the corresponding development area.

4.20 Activity Classifications

Activity classifications are as set forth in Section 17.10 of the Planning Code.

4.21 Accessory Activities

Accessory activities shall be allowed as set forth in the Planning Code, Section 17.10.040.

4.30 Joint Living and Working Quarters

1. General Definitions.
 - a. Joint Living and Working Quarters: An integrated working space and residential space, either in single unit or multi-unit structure, that has been designed or structurally modified to accommodate joint residential occupancy and work activity and which:
 1. Is regularly used for such purpose by one or more persons residing in the unit;
 2. Includes complete kitchen space and sanitary facilities in compliance with the Building Code;
 3. Allows employees with associated required amenities as consistent with the building code; and
 4. Includes working space reserved and regularly used by one or more occupants of the unit.
 - b. "Category I Live/Work Unit." A unit specifically created to accommodate both residential and nonresidential activities but that emphasizes accommodating the residential activity. Any percentage of floor area in a Category I Live/Work Unit can be devoted to residential activities. A Category I Live/Work Unit is considered a residential facility.
 - c. "Category II Work/Live Unit." A unit specifically created to be used for both nonresidential and residential activities but that emphasizes accommodating the nonresidential activity. This type of unit only contains incidental residential accommodations, has no less than two-thirds of floor area devoted to work activities, and contains an active business. A Category II Live/Work is considered a nonresidential facility.
 - d. "Conversion." The rehabilitation of an existing nonresidential structure, including commercial and civic buildings, to a Live/Work or Work/Live facility, consistent with all other regulations for Category I and II.
2. General Provisions. Joint living and working quarters are permitted according to the following:
 - a. Category I Live/Work Units, including New Construction and Converted facilities, are permitted in all Development Areas.
 - b. Category II Work/Live Units, including New Construction and Converted facilities, are permitted in all Development Areas upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and subject to the Conditional Use Permit Criteria listed in Section 17.102.190E.
 - c. Permitted and Conditionally Permitted Activities. The permitted and conditionally permitted nonresidential activities in joint living and working quarters are restricted to those listed in the underlying Development Area except that permitted activities also include those allowed as Home Occupations described in Sections 17.112.030 and 17.112.040 of the Home Occupation regulations.

3. Use Permit Criteria. A conditional use permit required under Section 2b may be issued only upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and to the following criteria:
 - a. Workers and residents will neither interfere with nor impair the purposes of the Wood Street Zoning District;
 - b. On site parking spaces for sites outside light industrial zones are screened from the street;
 - c. The site plan minimizes conflicts between pedestrians and vehicles;
 - d. The proposal will not impair the retention or creation of custom manufacturing or small scale light industrial facilities, where allowed in the Wood Street Zoning District;
 - e. The proposal is designed to minimize the impacts of nonresidential activities on residential activities in terms of noise, lights, glare, vibrations, dust, vapors, smoke, odors, electrical disturbance, or other factors;
 - f. The proposal incorporates sound attenuation and similar protective measures to protect residents from noise outside and within the development;
 - g. The location and design of the proposed development is adequately buffered, visually and spatially, from adjacent general industrial uses, if any, through appropriate on-site landscaping, screening and other buffering devices, and
 - h. Residents of the Project will not be exposed to toxic and/or hazardous materials that exceed local, state, and/or federal standards.
4. Development and Parking Standards for Joint Working Living Quarters
 - a. Development Standards for new construction will include all those listed in the underlying Development Area for Residential Activities and that apply to the Building Code occupancy type.
 - b. Off-street Parking for ~~Parking standards for new construction~~ Live/Work Category I facilities and Live/Work Category II facilities shall be ~~1.2 parking spaces per unit~~ provided as set forth in Table 5.10-1.

Land Use Regulations

TABLE 4.10-1

Land Use Classifications	Development Areas									Additional regulations
	1	2	3	4	5	6	7	8	9	
Residential Activities										
Permanent	P	P	P	P	--	P	P	P	--	
Residential Care occupying Single-Family Dwelling	C	C	C	C	--	C	C	C	--	17.102.212
Residential Care occupying Multi-Family Dwelling										17.102.212
Service-Enriched Permanent Housing	P(L1)	P(L1)	P(L1)	P(L1)	P(L1)	P(L1)	P(L1)	P(L1)	--	17.102.212
Transitional Housing	--	--	--	--	--	--	--	--	--	
Emergency Shelter	--	--	--	--	--	--	--	--	--	
Semi-Transient Residential	--	--	--	--	--	--	--	--	--	
Civic Activities										
Essential Services	--	P	--	P	P	P	--	P	--	
Limited Child-Care	--	P	--	P	P	P	--	P	--	
Community Assembly	--	P(L2)	--	P(L2)	C	P(L2)	--	P(L2)	--	
Community Education	C	C	C	C	C	C	C	C	C	
Non-Assembly Cultural	--	P	--	P	P	P	--	P	--	
Administrative	--	P(L3)	--	P(L3)	P	P(L3)	--	P	--	
Health Care	--	P(L3)	--	C	C	C	--	P	--	
Special health care	--	--	--	--	--	--	--	--	--	
Utility and Vehicular	--	P(L4)	--	P(L4)	P(L4)	P(L4)	--	P(L4)	--	
Extensive Impact	--	--	--	--	--	--	--	--	--	
Telecommunications	P	P	P	P	P	P	P	P	--	17.128
Commercial Activities										
General Food Sales	--	P(L5)	--	P(L5)	P(L5)	P(L5)	--	P(L5)	--	
Convenience Market	--	C(L6)	--	C(L6)	C(L6)	C(L6)	--	C(L6)	--	17.102.210
Fast-Food Restaurant	--	--	--	C	C	C	--	C	--	17.102.210
Alcoholic Beverage Sales	--	C(L7)	--	C(L7)	C(L7)	C(L7)	--	C(L7)	--	17.102.210
Convenience Sales and Service	--	P(L3)	--	P(L3)	P(L3)	P(L3)	--	P	--	
Mechanical or Electronic Games	--	--	--	--	--	--	--	--	--	
Medical Service	--	P(L8)	--	P(L8)	P(L8)	P(L8)	--	P(L8)	--	
General Retail Sales	--	P(L3)	--	P(L3)	P(L3)	P(L3)	--	P	--	
General Personal Service	--	P(L3)	--	P(L3)	P(L3)	P(L3)	--	P	--	
Consultative and Financial Service	--	P(L3)	--	P(L3)	P(L3)	P(L3)	--	P	--	
Consumer Laundry and Repair Service	--	--	--	--	--	--	--	--	--	
Group Assembly	--	--	--	--	C	--	--	P	--	
Administrative	--	P(L3)	--	P(L3)	P	P(L3)	--	P	--	
Business and Communication Services	--	C	--	C	C	C	--	P	--	
Retail Business Supply	--	P(L9)	--	P(L9)	P(L9)	P(L9)	--	P	--	

Land Use Regulations

TABLE 4.10-1

Land Use Classifications	Development Areas									Additional regulations
	1	2	3	4	5	6	7	8	9	
Research Service	--	--	--	--	--	--	--	P	--	
General Wholesale Sales	--	--	--	--	--	--	--	P	--	
Transient Habitation	--	--	--	--	--	--	--	P	--	
Construction Sales and Services	--	P(L10)	--	P(L10)	P(L10)	P(L10)	--	P(L10)	--	
Automotive Sales, Rental, and Delivery	--	--	--	--	--	--	--	--	--	
Automotive Servicing	--	--	--	--	--	--	--	--	--	
Automotive Repair and Cleaning	--	--	--	--	--	--	--	--	--	
Automotive Fee Parking	--	--	--	--	--	--	--	--	--	
Animal Care	--	--	--	--	--	--	--	--	--	
Undertaking Services	--	--	--	--	--	--	--	--	--	
Scrap Operation	--	--	--	--	--	--	--	--	--	
Manufacturing Activities										
Custom	--	P	--	C	C	C	--	P	--	
Light	--	C	--	--	--	--	--	C	--	
General	--	--	--	--	--	--	--	C	--	
Heavy	--	--	--	--	--	--	--	--	--	
Small Scale Transfer and Storage Hazardous Waste Management	--	--	--	--	--	--	--	--	--	
Industrial Transfer/Storage Hazardous Waste Management	--	--	--	--	--	--	--	--	--	
Residuals Repositories Hazardous Waste Management	--	--	--	--	--	--	--	--	--	
Agricultural and Extractive Activities										
NO AGRICULTURAL AND EXTRACTIVE ACTIVITIES PERMITTED IN ANY ZONE										
Plant Nursery	--	--	--	--	--	--	--	--	--	
Crop and Animal Raising	--	--	--	--	--	--	--	--	--	
Mining and quarrying	--	--	--	--	--	--	--	--	--	
Off-street parking for prohibited activities										17.102.100A

Limitations:

- L1- Service Enriched Permanent Housing Residential activities for residents aged sixty (60) years or under requires the granting of a conditional use permit (see 17.134).
- L2- Only the following activities are permitted: 1) places of worship, churches, temples, mosques, and synagogues with a total floor area 3,000 square feet or less and 2) public, parochial, private non-profit clubs and lodges, meeting halls, recreation centers, gymnasiums 5,000 square feet or less
- L3- Activities with a total floor area greater than 3,000 square require the granting of a conditional use permit (see 17.134) and activities with a floor area over 5,000 square feet are prohibited.
- L4- Only police substations and neighborhood serving post offices that have a total floor area not exceeding 1,000 square feet are permitted. Other Utility and Vehicular Civic activities are prohibited.
- L5- Grocery markets shall 1) be limited to a maximum floor area of 3,000 square feet 2) only be open between 6:00 AM to 10:00 PM.
- L6- Convenience markets shall not be greater than 5,000 square feet.
- L7- Alcoholic Beverage Sales is limited to sale of beer and wine.
- L8- Floor area devoted to Medical Service Commercial activities limited to a maximum 2,500 square feet.
- L9- Retail Business supply stores are limited to office and art supply stores and shall be limited to a maximum 3,000 square feet.
- L10- Activities with a total floor area greater than 5,000 square require the granting of a conditional use permit (see 17.134) and activities with a floor area over 10,000 square feet are prohibited. This activity is limited to neighborhood serving construction product sales and services. (Note: Hardware Stores are a General Retail Commercial Activity, Refer to L3)



5.10 Introduction to Development Standards

Statement of intent

Each set of standards includes a statement of intent which sets forth the underlying purpose of that standard.

Applicability

The Development Standards are mandatory provisions that apply to all Development Areas in the Wood Street Zoning District, except as specified herein. Each section of the Development Standards includes a statement which indicates any limits of applicability within a particular Development Area and any conditions or locations that are exempt from the standards contained in that section.

Variances to Development Standards shall be considered in accordance with the provisions of Section 17.148 of the Planning Code, Variance Procedures.

General standards and standards applicable only to specific Development Areas

All sections include general standards that apply to all Development Areas. Certain sections also include standards only applicable to a specific Overlay Zone or Development Area. In the case of conflict, standards applicable to a specific Overlay Zone or Development Area shall take precedence over general standards.

Summary of Development Standards

Key Development Standards are summarized in Table 5-10-1 Summary of Development Standards. Refer to individual sections for full description of standards.

Table 5.10-1
Development Standards Summary

Standard	Development Area 1	Development Area 2	Development Area 3	Development Area 4	Development Area 5	Development Area 6	Development Area 7	Development Area 8	Development Area 9
Maximum Residential Density [1] 1-Min. land area per dwelling unit 2-Max. dwelling units per acre 3-Max. number of units	1535.22 sf 28.4 DU/A 82	848.85 sf 51.5 DU/A 189	1217.50 sf 35.8 DU/A 200	613.75 sf 71.1 DU/A 450	NA NA 0	615.92 sf 70.7 DU/A 215	679.02 sf 64.2 DU/A 170	331.65 sf 131.3 DU/A 264	NA
Minimum Density for Residential Uses	1 unit per 2,000sf of site area (22 DU/A)	1 unit per 2,000sf of site area (22 DU/A)	1 unit per 2,000sf of site area (22 DU/A)	1 unit per 1,000sf of site area (44 DU/A)	NA	1 unit per 1,000sf of site area (44 DU/A)	1 unit per 1,000sf of site area (44 DU/A)	1 unit per 1,000sf of site area (44 DU/A)	NA
Maximum FAR (for non-residential uses)	NA	1.38 : 1	NA	2.02 : 1	0.640:1	2.02 : 1	NA	2.947 : 1	NA
Max. Area of Non-Residential Uses	0	220,779sf	0	40,000sf	14,487sf	6,000sf	0	258,000sf	NA
Maximum Height	65 ft [2]	65 ft [2]	50 ft [2][3]	65 ft [2]	[3]	65 ft [2]	90 ft [4]	90 ft [4]	NA
Minimum Street Setbacks [5] -Wood Street -12th Street -Frontage Road -14th Street -Public Access Areas	10 ft 0 ft 0 ft 0 ft 0 ft	10 ft 0 ft 0 ft 0 ft 0 ft	10 ft 0 ft 0 ft 0 ft 0 ft	10 ft 0 ft 0 ft 0 ft 0 ft	10 ft 0 ft 0 ft 0 ft 0 ft	10 ft 0 ft 0 ft 0 ft 0 ft	10 ft 0 ft 0 ft 0 ft 0 ft	10 ft 0 ft 0 ft 0 ft 0 ft	NA
Minimum Interior Setbacks	5 ft	5 ft	10 ft	5 ft	5 ft	5 ft	0 ft	0 ft	NA
Minimum Usable Open Space (per dwelling unit, DU) -Minimum area per unit	100 sq ft	75 sq ft	100 sq ft	75 sq ft	NA	75 sq ft	75 sq ft	50 sq ft	NA
Required Off-Street Parking for Residential Uses	1.1 space per D.U.	1.1 space per D.U.	1.1 space per D.U.	1.1 space per D.U.	1.1 space per D.U.	1.1 space per D.U.	1.1 space per D.U.	1.1 space per D.U.	NA
Required Off-Street Parking for Joint Living & Working Quarters	1.2 space per L/W.U.	1.2 space per L/W.U.	1.2 space per L/W.U.	1.2 space per L/W.U.	1.2 space per L/W.U.	1.2 space per L/W.U.	1.2 space per L/W.U.	1.2 space per L/W.U.	NA
Required Off-Street Parking for Non-Residential Uses	See Table 5.50-1	See Table 5.50-1	See Table 5.50-1	See Table 5.50-1	See Table 5.50-1	See Table 5.50-1	See Table 5.50-1	See Table 5.50-1	See Table 5.50-1

- Density based on regular dwelling units.
- Reference Section 5.23 and Figure 5.23-1 for height restrictions in Overlay Areas.
- See Section 5.80 for restrictions on additions to 16th Street Train Station.
- Reference Section 5.23 for height restrictions on Wood Street Frontage.
- Reference Minimum Street Setbacks, Figure 5.24-1
- Reference Section 5.80 for Standards applicable to Development Area 5.
- Reference Section 5.90 for Standards applicable to Development Area 9.

Development Standards Summary

Table 5.10-1

5.20 Maximum Density

Statement of Intent

The intent of the maximum density standard is to establish a limit on the number of dwelling units allowed in a specific Development Area. Maximum density is regulated by means of a required minimum land area per regular dwelling unit.

Applicability

The following standards apply to all residential uses.

General Standards

1. The maximum allowable density for residential development in each Development Area shall be as set forth in *Table 5.10-1 Development Standards Summary*.
2. For efficiency dwelling units, the minimum allowable lot area per unit shall be the same as for regular dwelling units.
3. One additional unit is allowed if after division of the total lot area by the minimum lot area the remainder is equal to $\frac{2}{3}$ or greater of the minimum lot area.
4. Refer to the Planning Code for Definition of Regular Dwelling Unit and Efficiency Dwelling Unit.

5.21 Minimum Density

Statement of Intent

The intent of the minimum density standard is to ensure that residential development in the Wood Street Zoning District provides a number of dwelling units sufficient to create an active, mixed use, urban development. Minimum density is regulated by means of a maximum allowable lot area per regular dwelling unit.

Applicability

The following standards apply to all residential uses.

General Standard

1. The minimum allowable density for residential development in each Development Area shall be as set forth in *Table 5.10-1 Development Standards Summary*.
2. For rooming units, there is no minimum density standard.

5.22 Floor Area Ratio

Statement of Intent

The intent of the floor area ratio standard is to establish a maximum allowable floor area for non-residential uses on a given lot.

Applicability

The following standard applies to all non-residential uses except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the standards set forth in this section:

1. Non-residential uses located in existing buildings

General Standard

1. The allowable FAR for each Development Area shall be as set forth in *Table 5.10-1 Development Standards Summary*.
2. On lots containing both residential and non-residential uses, no portion of the lot area used to meet the minimum lot area per dwelling unit set forth in the density standard shall be used as a base for computing the allowable floor area for any non-residential facility on the same lot.

5.23 Maximum Height

Statement of Intent

The intent of the maximum height standard is to establish a maximum allowable height of buildings to ensure a compatible relationship with surrounding development.

Applicability

The following standards apply to all uses facilities.

General Standards

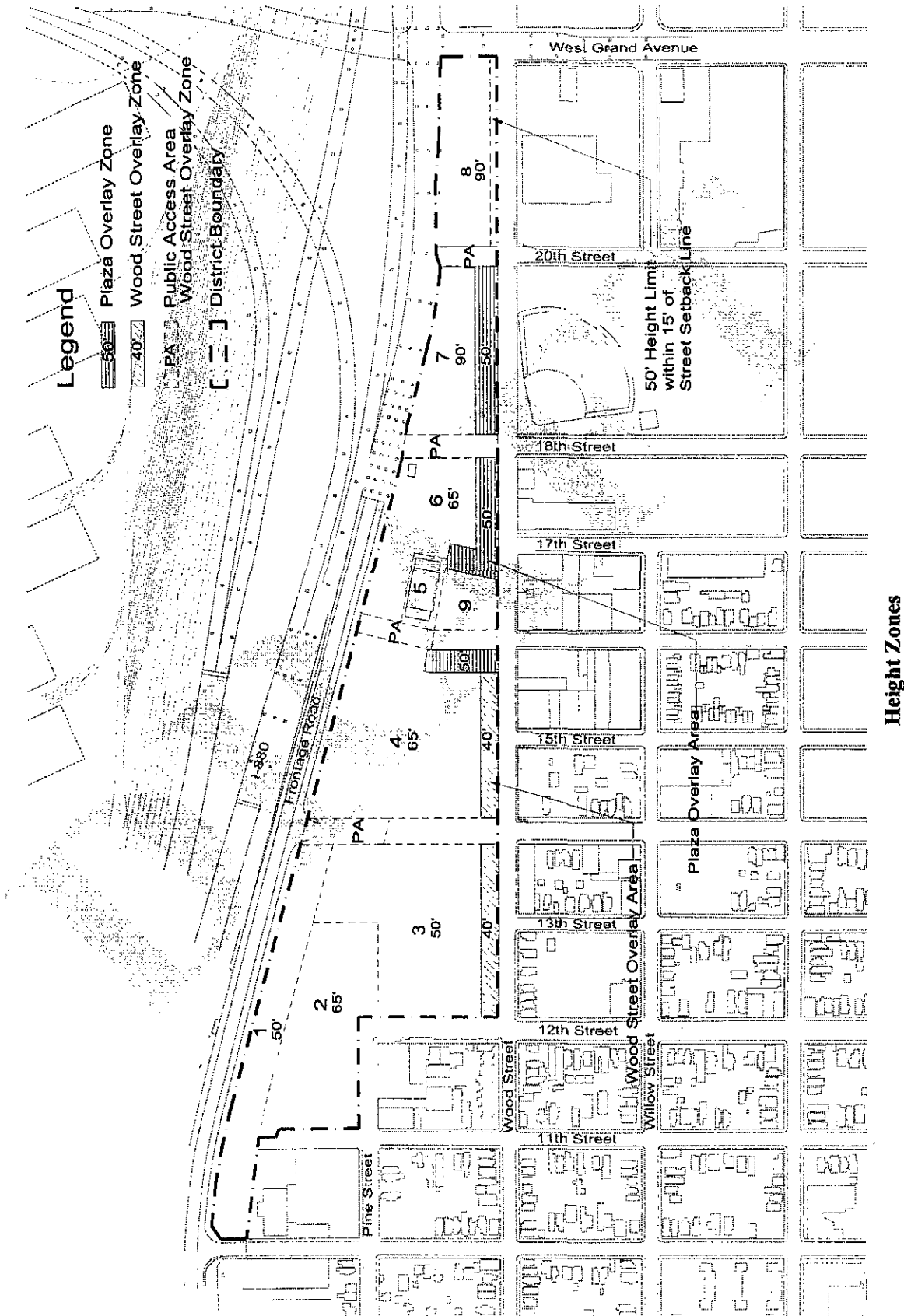
1. The maximum height allowed in each Development Area shall be as set forth in *Table 5.10-1 Development Standards Summary*, except as noted otherwise below. See height zones, *Figure 5.23-1* for graphic illustration of maximum height.
2. Projections above height limits are allowed as set forth in Section 17.108.30 of the Planning Code.

Standards for Development Area 3

3. A maximum height of sixty five (65) feet shall apply to any portion of a structure located within that portion of Development Area 3 indicated in *Figure 5.23-1*.

Standards for Development Area 6

4. A maximum height of thirty five (35) feet shall apply to any portion of a new structure located on that portion of Development Area 6 located between the 16th Street Station/ Development Area 5 and the Frontage Road.



Height Zones
Figure 5.23-1

Standards for Development Area 8

5. A maximum height of fifty (50) feet shall apply to any portion of a structure located within fifteen (15) feet of the street setback line at Wood Street.

5.24 Minimum Setbacks

Statement of Intent

The intent of the minimum setbacks standard is to establish a minimum required distance between the building face and the property line.

Applicability

The following standards apply to all uses.

Exceptions

The locations or conditions indicated below are exempt from the standards set forth in this section:

1. Existing buildings

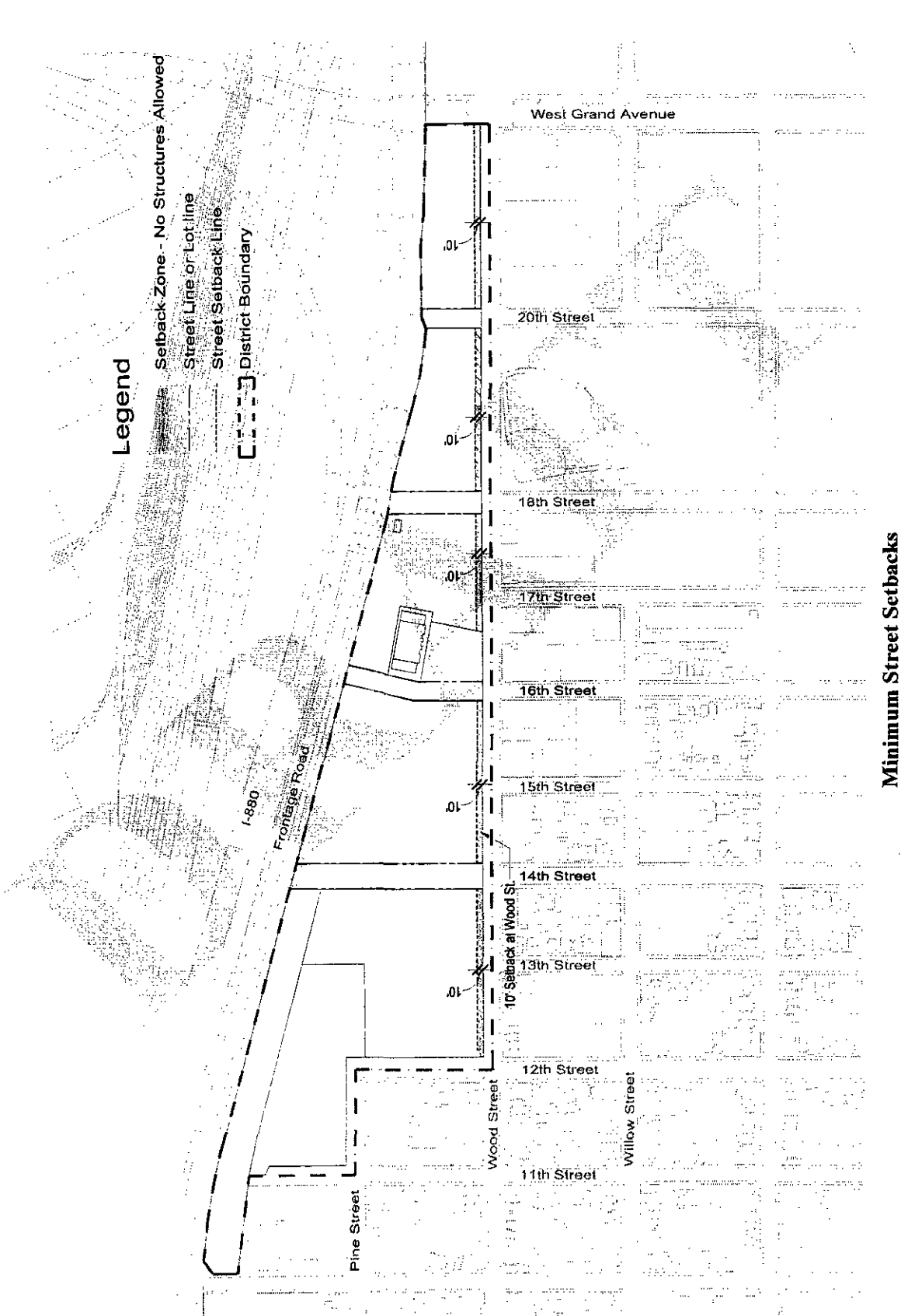
Setback Classifications

For the purposes of the Wood Street Zoning District Regulations, the typical classifications of front, side, and rear yards are replaced by the setback classifications described below.

1. **Street setbacks** refer to required setbacks from street lines adjoining Public Streets or Public Access Areas.
2. **Interior setbacks** refer to required setbacks at all lot lines separating privately owned lots within a Development Area.

General Standards

1. Minimum required setbacks shall be as set forth in *Table 5.10-1, Development Standards Summary*. See Figure 5.24-1 for graphic illustration of minimum street setbacks.
2. The required setback area shall be unobstructed except for facilities allowed by Section 17.108.130 of the Planning Code.



Minimum Street Setbacks

Figure 5.24-1

5.30 Building Frontage

Statement of Intent

The intent of building frontage standards is to ensure that building frontage containing occupied space is provided at the street line (or street setback line) to create an active, well defined street.

Applicability

The following standards apply to all uses except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the standards set forth in this section:

1. Existing buildings
2. Development located adjacent to elevated roadways
3. Development located in the Frontage Road Overlay Zone

General Standards

1. For each lot, a minimum percentage of each street line or street setback line shall be occupied by building frontage as indicated below. See *Figure 5.30-1*.

a. Wood Street Overlay Zone	75%
b. Plaza Overlay Zone	90%
c. All other locations	50%
2. The required building frontage, shall be located within five feet of the street line or street setback line.
3. Required building frontage shall be at least one story or fifteen (15) feet in height, at least twenty (20) feet in depth and shall contain occupied space at the ground floor.
4. Covered arcades, porches, gate houses and similar architectural elements that create sheltered outdoor space may be considered building frontage, provided these elements adjoin or provide access to occupied space.

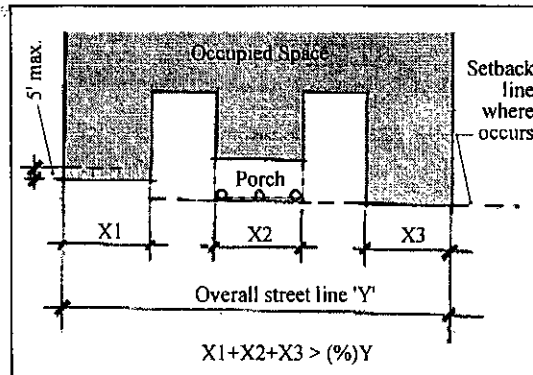


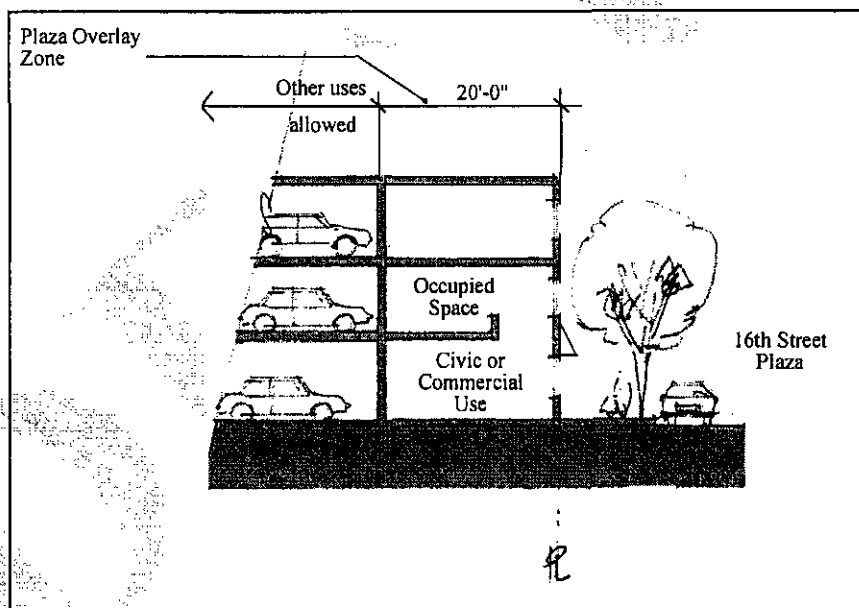
Figure 5.30-1

Standards for Development Area 8

1. A minimum of 50% of the required building frontage at Wood Street shall contain occupied space. The remainder of the required building frontage may contain parking or other non-occupied uses.

Standards for the Plaza Overlay Zone

1. At ground level, buildings within the Plaza Overlay Zone shall contain occupied space accommodating one of the following:
 - a. Civic or commercial uses accessible to the public during business hours.
 - b. Lobbies serving occupied space above
2. Upper floors within the Plaza Overlay Zone shall contain occupied space.
See *Figure 5.30-7*



Building frontage at Plaza Overlay Zone

Figure 5.30-3

5.31 Building Frontage at Corner Locations on Wood Street

Statement of Intent

The intent of the standards contained in this section is to ensure that occupied building frontage is provided at corner locations to define and activate the street frontage.

Applicability

The following standards apply to all uses located on Wood Street at intersections with public streets or with Public Access Areas:

Exceptions

The locations and conditions indicated below are exempt from the standards set forth in this section:

1. The intersection of Wood Street and West Grand Avenue, (West Grand Avenue is elevated at this location)

General Standards

1. At corner locations on Wood Street a continuous building frontage shall be provided at the street setback line for a distance of thirty (30) feet minimum along Wood Street, and twenty (20) feet minimum along the intersecting street line. See Figure 5.31-1
2. Required building frontage at corner locations shall be at least one story or fifteen (15) feet in height, at least twenty (20) feet in depth and shall contain occupied space at the ground floor.
3. Recessed or beveled corner entries are acceptable at corner frontages.
4. A of one pedestrian entry into the building is required to be provided from either Wood Street or the intersecting streets (or Public Access Area). Required entry shall be within thirty (30) feet of the corner, as measured from the intersection of the street line at Wood Street and the street line or at the intersecting street.

Standards for Plaza Overlay Zone

5. Corner setbacks are allowed to provide outdoor seating areas for cafes, restaurants or similar General Food Sale activities.

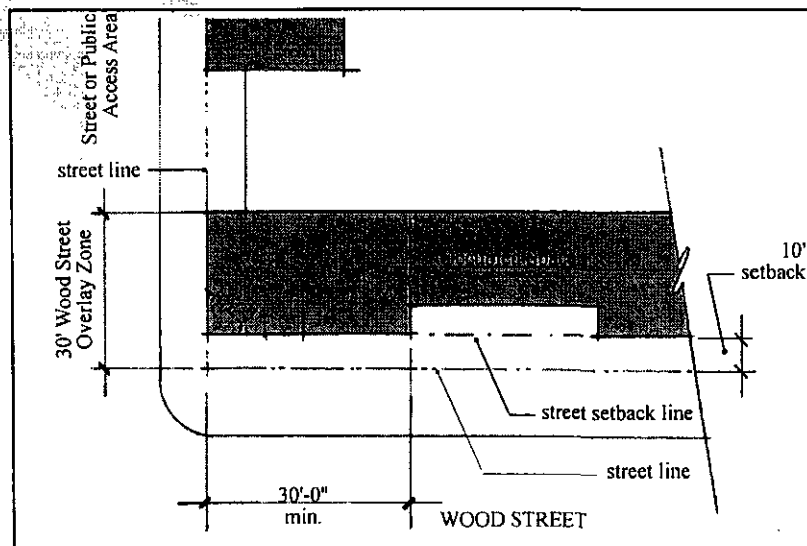


Figure 5.31-1

5.32 Street Front Entries

Statement of Intent

The intent of the street front entries standard is to ensure a consistent pattern of street oriented pedestrian entries.

Applicability

The following standards shall apply to all uses located within the Wood Street and Plaza Overlay Zones, and all uses adjacent to the street line at public Access Areas.

Exceptions

The locations and conditions indicated below are exempt from the standards set forth in this section:

1. Building frontage located in Development Area 8
2. Building frontage located in the Frontage Road Overlay Zone
3. Building frontage adjacent to elevated roadways
4. Existing buildings

General Standards

1. For each lot, the average distance and the maximum distance between pedestrian entries at the street line or street setback line shall not exceed the distances set forth below. The distance between entries shall be measured from center line of entry to center line of entry.

	Maximum Distance Between Adjacent Entries
Wood Street Overlay	60'
Plaza Overlay Area	60'
All Other Street Frontages	100'

2. For the purpose of this standard, pedestrian entries include the following:
 - a. Entry to individual units or commercial spaces
 - b. Common entry to a building containing more than one unit
 - c. Outdoor entry leading to common outdoor space
3. The followings are not considered entries for the purpose of this standard:
 - a. Emergency exits
 - b. Access to service or utility enclosures

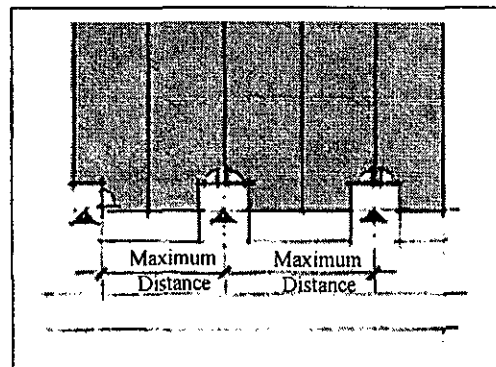


Figure 5.23-1

4. Required entries must be visible from and located within twenty (20) feet of the street line or street setback line.
5. Entry access shall be direct from the public right-of-way by means of walks, stairs, ramps, gates, or combination there of.
6. All required pedestrian entries shall be marked by either an overhang, awning, building articulation, and/or architectural feature
7. All entries shall incorporate exterior lighting at the point of entry

5.33 Street Front Openings

Statement of Intent

The intent of the street front openings standard is to encourage street oriented development.

Applicability

The following standards apply at all ground floor building frontage located within the Wood Street Overlay Zone.

General Standards

1. Ground level openings in the form of a door, window, or passage way shall be located no more than twenty-five (25) feet apart measured parallel to the street line. (See Figure 5.33-1)
2. A minimum of 25% of the ground floor wall area shall consist of transparent openings, pedestrian entries, or a combination of the two. See *Figure 5.33-1*
 - a. The ground floor wall area shall be measured from the first floor above grade to the floor level above, or to a point twelve (12) feet above the first floor, whichever is less.
 - b. Service area and utility doors, emergency exists, and ventilation grills are not considered openings for the purposes of this standard.
 - c. The vertical distance between the window sill of a required opening and the adjacent sidewalk shall not exceed 4'-6"
 - d. In the case where occupied space is located over a below grade garage, The vertical distance between the window sill of required opening and the first floor level shall not exceed 3'-0"

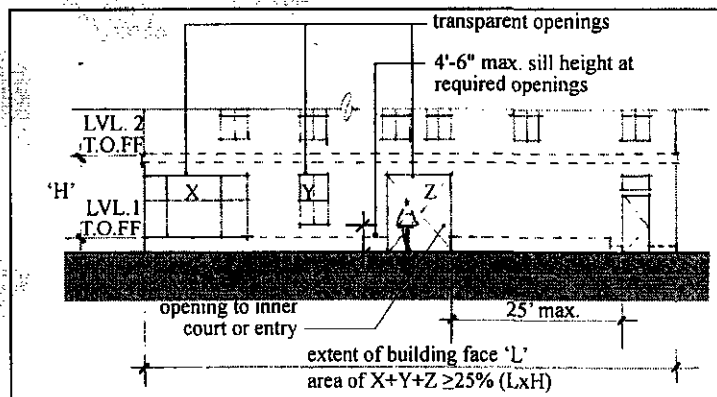


Figure 5.33-1

5.34 Projections over the Street Line or Street Setback Line

Statement of Intent

Bay windows at street frontages provide articulation to the building form and improve security by allowing residents to overlook the street. Bay windows are allowed to project over the street line subject to the standards set forth in this section.

Applicability

The following standards apply to all uses.

General Standards

1. Bay windows projecting over the street line or street setback line must meet the following criteria:
 - a. Bays must be self supporting and the bottom of the bay window must be no less than ten (10) feet above the height of the adjoining sidewalk
 - b. Overall width of a single bay shall not exceed fourteen (14) feet
 - c. The horizontal distance between bays shall be a minimum of three (3) feet
 - d. Bays greater than eighteen (18) inches in depth must have windows on at least two separate wall planes.
2. The maximum allowable horizontal projection over the street line or street setback line is three (3) feet.
3. Within any one-hundred foot length of street frontage, the overall width of bays projecting over the street line or street setback line shall not exceed sixty percent (60%) of the corresponding horizontal wall dimension.
4. These standards supersede the provisions of Section 17.108.120 of the Planning Code related to projections of bays into required front yards.

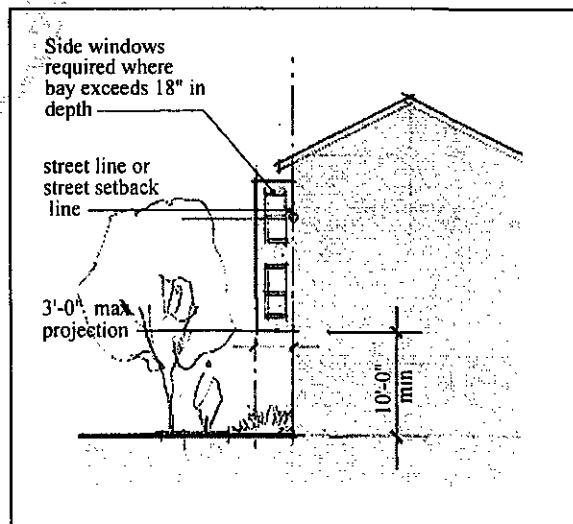


Figure 5.34-1

5.40 Usable Open Space for Residential Uses

Statement of Intent

The intent of the standards set forth in this section is to ensure provision of open areas to serve the residents' need for outdoor leisure and recreation areas.

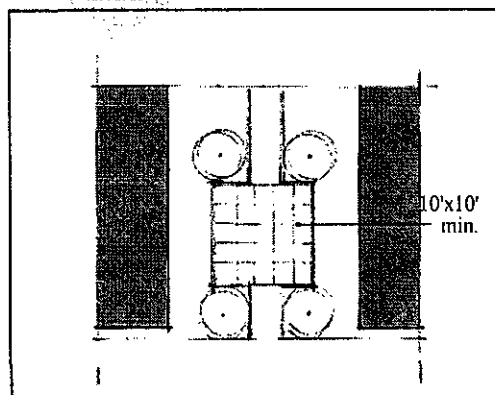
Applicability

The following standards apply to all residential uses.

General Standards

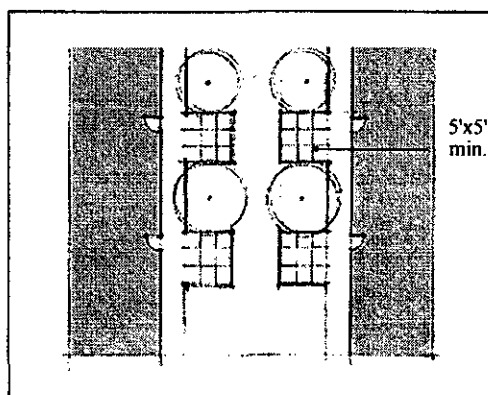
1. On each lot containing Residential Facilities, usable open space shall be provided as set forth in *Table 5.10-1 Development Standards Summary*.
2. A minimum of 30% of the required usable open space shall be group open space. The remainder of required usable open space may consist of either group or private open space, or a combination of the two.
3. Location of group usable open space:
 - a. No more than fifty percent (50%) of the required group open space shall be located on the roof of a building.
4. Private usable open space shall be adjacent to and readily accessible from the living unit served.
5. Size and shape: An area of contiguous space shall be of such size and shape that a rectangle inscribed within it shall have no dimension less than the dimensions shown in the following table:

a. Private usable open space:	5 Feet
b. Group usable open space:	10 Feet
6. Except as otherwise provided in the standards set forth in this section, the requirements for accessibility, openness usability, and enclosure shall be as set forth in Section 17.99.050 (s-17 zone) of the Planning Code.
7. The requirements for Landscaping at usable open space shall be as set forth in Section 17.99.060 (s-17 zone).



Group Open Space

Figure 5.40-1



Private Open Space

Figure 5.40-2

5.41 Minimum Separation Between Opposite Walls on the Same Lot

Statement of Intent

The intent of the standards set forth in this section is to ensure that all occupied spaces have reasonable access to light and air.

Applicability

The following standards apply to all uses.

Exceptions

The locations and conditions indicated below are exempt from the standards set forth in this section:

1. Opposite walls of existing buildings

General Standards

1. The minimum separation between walls on the same lot containing windows of habitable rooms shall be equal to the average height of the two opposite walls containing those windows. See *Figure 5.41-1*
2. The minimum allowable separation is twelve (12) feet
3. The maximum required separation is thirty (30) feet, except as indicated in item 4.
4. Where any Opposite wall exceeds 50 feet in height, the maximum required separation is forty (40) feet.
5. Self-supporting bay windows located not less than ten (10) feet above the lowest point of either opposite wall are allowed to project a maximum of three (3) feet into the required separation provided that a minimum separation of twelve (12) feet is maintained from the face of bay and the opposite wall or opposite bay.
6. The total area of bays projecting into the minimum separation shall not exceed 50% of the wall area of either wall.
7. Except as otherwise provided in the standards set forth in this section, the requirements for projections into required separation shall be as set forth in Section 17.108.120 of the Planning Code.

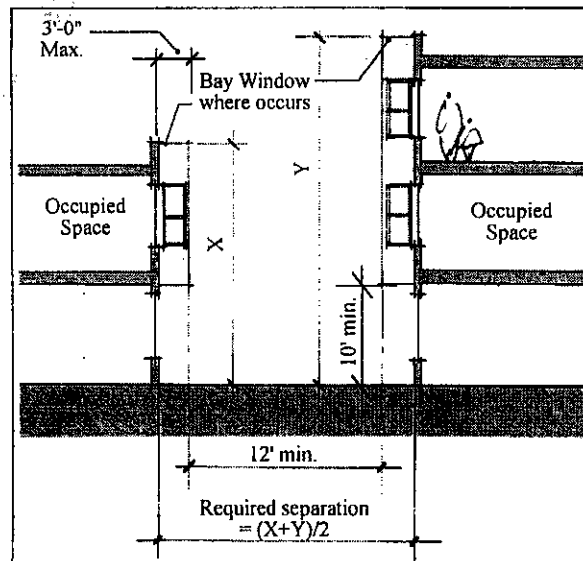


Figure 5.41-1

5.50 Required Off-Street Parking

Statement of Intent

The intent of the required off-street parking standard is to require adequate off-street parking for the intended activity.

Applicability

The following standards apply to all uses.

General Standards

1. Residential Uses: Off-street parking for Residential Uses shall be provided as set forth in Table 5.10-1.
2. Non-Residential Uses: Off-street Parking for Non-residential Uses shall be provided as set forth in Table 5.50-1, below:

Table 5.50-1		
Civic Activity	Minimum Total Floor Area for Which Parking Required	Requirement
A. Essential Service. Limited Childcare.	No Minimum.	No Spaces required
B. Community Assembly: Temporarily nonprofit festivals.	No Minimum.	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040
Private non-profit clubs and lodges.	No Minimum.	No Spaces required.
Churches and all other.	3,000 Square Feet	One space for each 20 seats or for each 150 square feet area where seats are not fixed, in principal meeting rooms.
C. Community Education: high schools.	No Minimum	One Space for each three employees plus one space for each 10 students of planned capacity.
D. Nonassembly Cultural Administrative.	10,000 square Feet	One space for each 1,400 square feet of floor area.
E. Health Care: hospitals.	3,000 Square Feet.	One space for each staff or regular visiting doctor.
Clinics.	3,000 Square Feet.	One space for each staff or regular visiting doctor.
All others.	3,000 Square Feet.	One space for each staff or regular visiting doctor.
F. Utility and Vehicular.	10,000 Square Feet.	One space for each vehicle used in connection with activities.
Commercial Activity	Minimum Total Floor Area for Which Parking Required	Requirement
A. General Food Sales, Convenience Market, Alcoholic Beverages Sales.	3,000 Square Feet	One space for each 450 square feet of floor area.
B. Convenience Sales and Service Mechanical or Electronic Games. Medical Service. General Retail Sales, except when sales are primarily of bulky merchandise such as furniture or large appliances. General Personal Service. Consumer Laundry and Repair Service, except when services consist primarily of repair or cleaning of large items such as furniture or carpets. General Wholesales, whenever 50 percent or more of all sales on the lot are at retail. Undertaking Service	3,000 Square Feet	One space for each 900 square feet of floor area.
C. Consultative and Financial Services. Administrative. Business Supply, whenever 50 percent or more of all sales on the lot are at retail. Research Service.	3,000 Square Feet	One space for each 900 square feet of floor area.
D. Retail Business Supply, whenever less than 50 percent of all sales on the lot are at retail. General Wholesale Sales, whenever less than 50 percent of all sales on the lot are at retail. Construction Sales and Services. Automotive Sales and Service.	3,000 Square Feet	One space for each 1,000 square feet of floor area, or for each three employees, whichever requires fewer spaces.

Development Standards

Table 5.50-1

Commercial Activity	Minimum Total Floor Area for Which Parking Required	Requirement
Automotive Sales, Rental and Delivery.		
E. Group Assembly.	Total of 75 Seats in indoor places of assembly with fixed seats, or 750 square feet of floor area in dance halls or other places of assembly without fixed seats, or 5,000 square feet of outdoor assembly areas.	One space for each eight seats in indoor places of assembly with fixed seats, plus one space for each 80 square feet of floor area in indoor places of assembly with out fixed seats, plus a number pf spaces to be prescribed by the Director of City Planning, pursuant to Section 17.116.040, for outdoor assembly areas.
F. Transient Habitation.	No Minimum.	One space for each unit in a motel and one space for each two units in a hotel.
G. General Retail Sales, whenever sales are primarily of bulky merchandise such as furniture appliances. Consumer Laundry and Repair Service, whenever services consist primarily of repair or cleaning of large items such as furniture or carpets. Animal care.	3,000 Square Feet	One space for each 1,000 square feet of floor area.
H. Fast-Food Restaurant.	2,000 Square Feet	One space for each 300 square feet of floor area.

5.51 Dimensional Requirements for Off-Street Parking

Statement of Intent

The intent of the standards set forth in this section is to ensure that the dimensions of stalls and maneuvering areas are adequate to serve the needs of the users.

Applicability

The following standards apply to required off-street parking spaces serving all uses.

General Standards for Parking Serving Residential Uses

1. The following subsections of Section 17.94 (S-12 Residential Parking combining zone regulations) of the Planning Code shall apply to the Wood Street Zoning District.
 - a. Section 17.94.060 Parking Spaces (Items A,B & C), with additional standards indicated below.
 - b. Section 17.94.070 Maneuvering aisles (all)
 - c. Section 17.94.090 Other Dimensional Requirements (all)

Additional Standards For Parking Serving Residential Uses

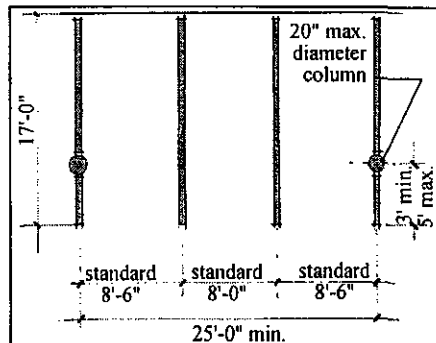
2. A standard parking stall size of 8'x17' may be provided for all required spaces serving residential uses.
3. In parking garages where the layout of stalls conforms to a regular grid of structural columns, the dimensions indicated in *Figure 5.51-1* shall be considered to provide the minimum allowable clearance related to the obstruction created by the structural columns.

Standards For Parking Serving Uses Other Than Residential Uses

4. Required dimensions for parking serving activities other than residential shall be as set forth in Section 17.116 of the Planning Code.

Standards For Other Parking Arrangements

5. Mechanical Parking Systems:
 - a. Mechanical parking systems including vertical stacking systems are allowed subject to approval by the Building Official. The Parking Stall Dimension for such systems shall be as required for safe operation of the systems.
6. Tandem Parking:
 - a. Tandem parking is allowed provided at least one independent parking space is provided for each dwelling unit.



Residential Parking Parking Garage, minimum dimensions *Figure 5.51-1*

5.52 Joint Use Parking

Statement of Intent

The intent of the joint use parking standard is to provide for efficient and effective joint use parking.

Applicability

The following standards apply to all uses.

General Standards

1. Residential uses shall be allowed to utilize off-street parking serving other uses, provided the following conditions are met.
 - a. Joint use parking shall be located on the same lot or within three hundred (300) feet of the uses served.
 - b. Joint use parking spaces are guaranteed to be available for residential use between the hours of 6:00 PM and 8:00 AM.
 - c. Joint use parking shall be arranged to provide security and access at least equal to other required off-street parking.
 - d. Joint use parking arrangements shall be included as Conditions of Approval for the development project.
2. Joint use parking shall not account for more than thirty percent (30%) of the required off-street residential parking.

5.53 Curb Cuts

Statement of Intent

The intent of the curb cuts standards is to ensure that the width and spacing of curb cuts provides for efficient on-street parking and is consistent with a pedestrian-oriented development project.

Applicability

The following standards apply to all curb cuts at street lines except as specified below.

Exceptions

The locations and conditions indicated below are exempt from the standards set forth in this section:

1. Existing curb cuts serving existing buildings

General Standards

1. The maximum total allowable width of an individual curb cut is twenty-four (24) feet.
2. The distance between curb cuts on public streets shall not be less than twenty-four (24) feet.

Standards for Wood Street Overlay Zone

3. In the Wood Street Overlay Zone, the aggregate width of curb cuts shall not exceed 20% of the lot frontage.
4. The distance between curb cuts shall not be less than forty-four (44) feet.

5.54 Off-Street Loading Requirements

Applicability

The following standards apply to uses except as specified below.

Exceptions

The locations and conditions indicated below are exempt from the standards set forth in this section:

1. Existing loading areas serving existing buildings

Statement of Intent

The intent of the off-street loading standards is ensure that all development projects have adequate access to loading areas.

General Standards

1. Designated loading zones shall be provided at Public Access Areas subject to approval by the Planning Official.
2. There is no requirement for off-street loading areas other than those provided at Public Access Areas.

5.60 Location and Screening of Surface Parking

Applicability

The following standards apply to all surface parking areas except as specified below.

Exceptions

The locations and conditions indicated below are exempt from the standards set forth in this section:

1. Facilities located adjacent to elevated roadways

Statement of Intent

The intent of these standards is to ensure that surface parking shall be screened from view from the public rights-of-way or Public Access Areas.

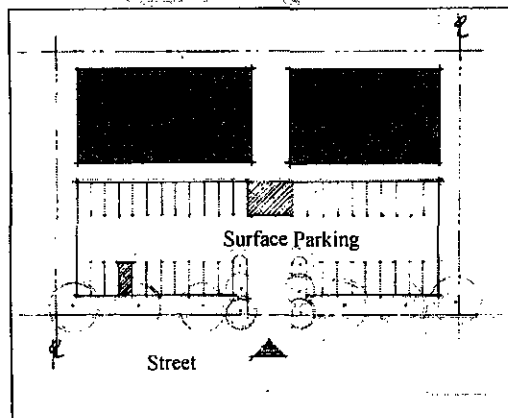


Figure 5.60-1

Not Allowed

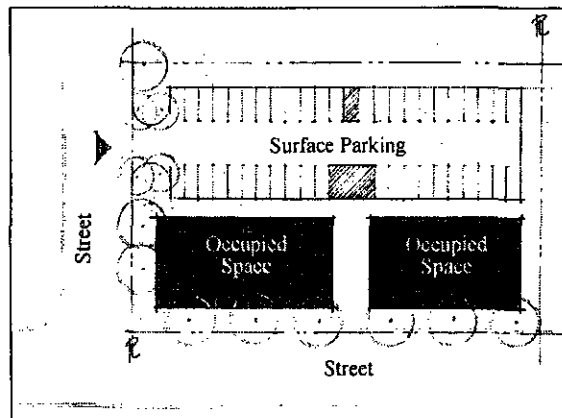


Figure 5.60-2

Allowed

General Standards

1. Surface parking areas containing more than four stalls are not allowed less than twenty (20) feet from a street line or street setback line unless each of the following conditions is met. See *Figure 5.60-1*.
 - a. The width of the surface parking does not exceed sixty five (65) feet, measured from curb to curb
 - b. The surface parking is screened from view from the Public Rights-of-way or Public Access Areas by one of the following means.
 1. A solid fence or wall with a minimum height of four (4) feet located between the street line and the parking area with maximum transparent area of thirty percent (30%).
 2. An open fence with a minimum height of four (4) feet with adjoining planting that will create an opaque screen at least equal in height to the fence within three years of planting.
2. Individual surface parking areas less than twenty (20) feet from the street line or street setback line must be separated by a minimum of sixty (60) feet. The intervening space shall contain occupied building frontage, usable open areas, or a combination of the two.

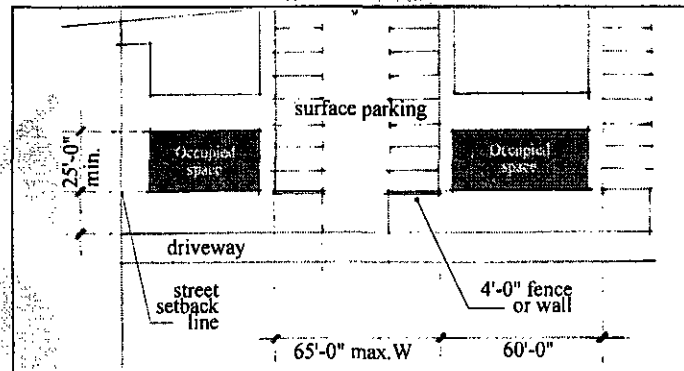


Figure 5.60-1

Standards for Wood Street Overlay Zone

3. No surface parking is permitted within the Wood Street Overlay Zone.

Standards for Frontage Road Overlay Zone

4. Surface parking is allowed in the Frontage Road Overlay Zone subject to the following limitations:
 - a. The width of surface parking in the Frontage Road Overlay Zone shall not exceed two hundred (200) feet or an aggregate maximum of fifty percent (50%) of the street frontage of any lot, whichever is less.
 - b. Surface parking in the Frontage Road Overlay Zone shall be screened as indicated in item 1b above.

5.61 Shade Trees Surface Parking Areas

Statement of Intent

The intent of these standards is to ensure the provision of shade trees at surface parking areas.

Applicability

The following standards apply at all off-street surface parking areas containing 10 or more stalls.

General Standards

1. For every eight (8) parking spaces, a minimum of one tree shall be provided.
2. All required trees shall be 15 gal. minimum size at time of planting and shall be provided with an automatic irrigation system.
3. Tree wells shall be a minimum of 9 square feet in an area, measured to the inside face of curb or paving.
4. Required trees shall be located within the parking area and shall be distributed evenly. See *Figure 5.61-1*
5. All required trees shall be protected from vehicular traffic by a curb, bollard or metal tree guard.
6. Trees may be omitted where a covered structure is provided at parking stalls.

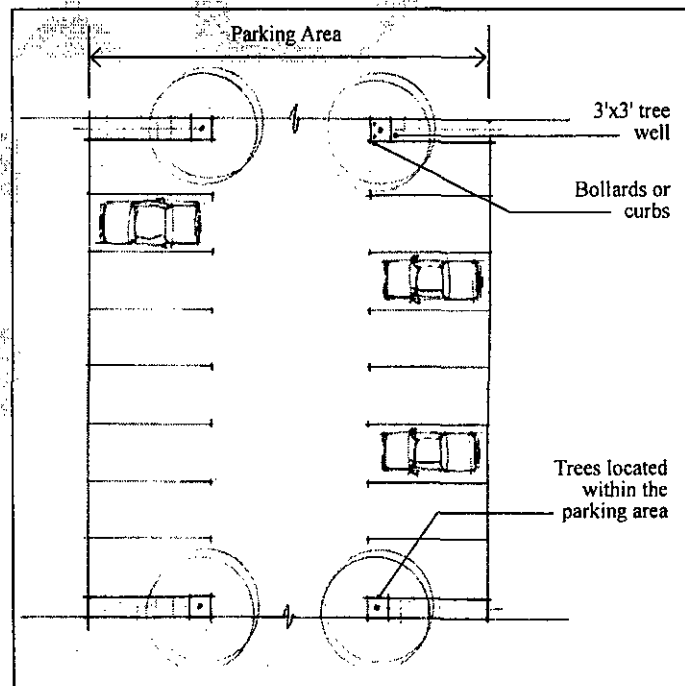


Figure 5.61-1

5.62 Location and Screening of Tuck-under Parking

Statement of Intent

The intent of these standards is to limit the impact of tuck-under parking on the street frontage.

Applicability

The following standards apply to all Residential Uses except as specified below.

Exceptions

The locations and conditions indicated below are exempt from the standards set forth in this section:

1. Existing Buildings
2. Adjacent to elevated roadways

General Standards

1. Tuck-under parking is not allowed less than twenty (20) feet from the street line or street setback line unless the following conditions are met.
 - a. The width of the tuck-under parking does not exceed sixty-five (65) feet, measured from end of stall to end of stall, or curb to curb. See *Figure 5.62-1*
 - b. The tuck-under parking area is screened by a wall or fence with a minimum height of six (6) feet. Openings in the wall or fence shall not exceed 40% of the area of the wall or fence.
2. Individual tuck-under parking areas located less than twenty (20) feet from the street line or street setback line must be separated by a minimum of sixty (60) feet. The intervening space shall contain occupied building frontage, usable open areas, or a combination thereof.

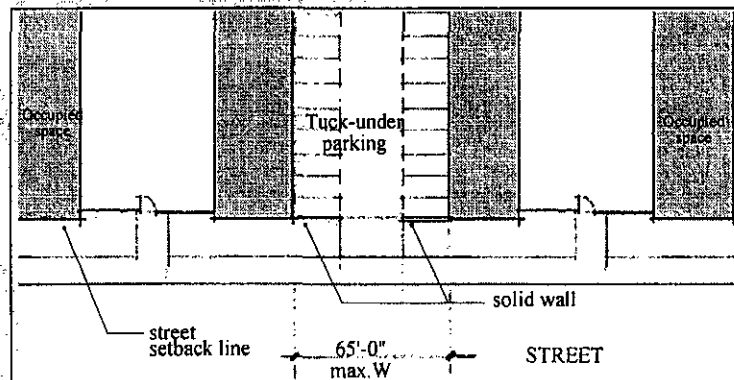


Figure 5.62-1

Standards for Wood Street Overlay Zone.

3. No tuck-under parking is permitted within the Wood Street Overlay Zone.

Standards for Frontage Road Overlay Zone

4. Tuck-under parking is allowed in the Frontage Road Overlay Zone subject to the following requirements.
 - a. Tuck-under parking shall be screened from view from the public right-of-way by a wall or fence with a minimum height of six (6) feet. Openings in the wall shall not exceed forty percent (40%) of the area of the wall or fence.
 - b. Occupied space or usable open space shall be located above the tuck-under parking.

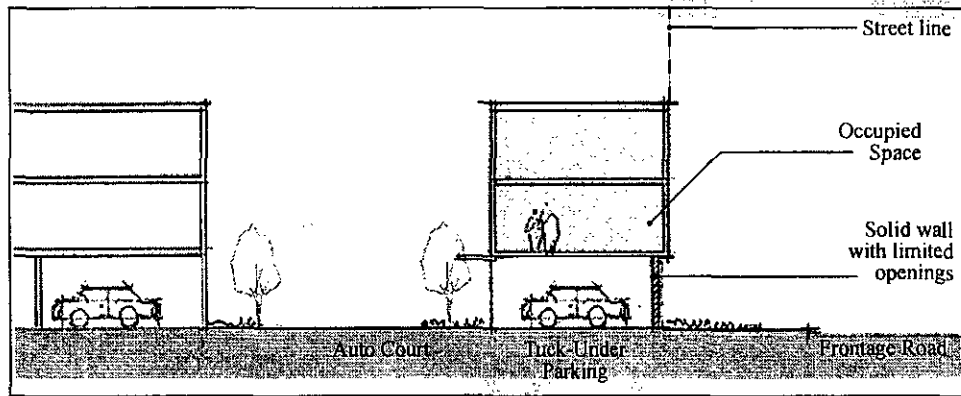


Figure 5.62-2

5.63 Location & Screening of Parking Garages

Statement of Intent

The intent of standards related to the location and screening of parking garages is to ensure that parking garages are screened from the street frontage. Three acceptable strategies for screening structured parking adjacent to the street line or street setback line are set forth below.

Option I - Below-grade parking with occupied space at the ground floor, See *Figure 5.63-1*

Option II - Occupied space at the ground floor, with parking above. See *Figure 5.63-2*

Option III - Parking garage screened by a "liner" of occupied space with minimum depth of twenty (20) feet. See *Figure 5.63-3*

Applicability

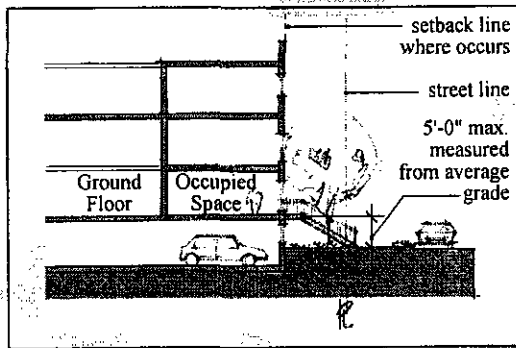
The following standards apply to parking garages containing three or more parking stalls except as specified below.

Exceptions

The locations and conditions indicated below are exempt from the standards set forth in this section:

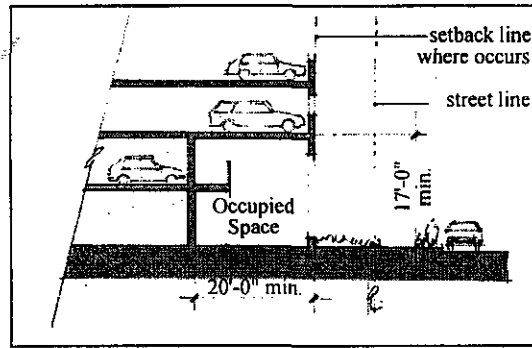
1. Parking garages developed within the shell of existing buildings
2. Parking garages adjacent to elevated roadways

Reference Section 6.25 for guidelines for parking garage facades.



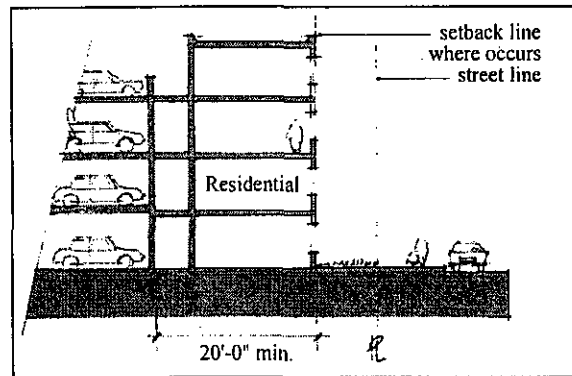
Option I
Below grade parking

Figure 5.63-1



Option II
Parking structure on setback line with occupied space at ground level.

Figure 5.63-2



Option III
Residential liner between parking structure public right-of-way (R.O.W.)

Figure 5.63-3

General Standards

1. Ground floor parking garages are not permitted within twenty (20) feet of the street line, except as specifically allowed by other standards set forth in this section.
2. Parking garage frontage may be located at the ground floor and less than twenty (20) feet from the street line or street setback line, provided the width of the garage frontage does not exceed sixty-five (65) feet. See *Figure 5.63-4*.
3. Above grade parking garages are allowed to extend to the street line or street setback line where occupied space is provided at the ground floor with a minimum depth of twenty (20) feet and a minimum height of seventeen (17) feet, measured to top of finish floor above. See *Figure 5.63-2*.
4. Below grade parking garages are allowed less than twenty (20) feet from the street line or the street setback line provided occupied space at least one story in height occurs immediately above. See *Figure 5.63-1*.

Standards for Wood Street Overlay Zone

5. No ground floor parking garages are permitted within the Wood Street Overlay Zone.
6. Vehicular entries to parking garages shall not exceed twenty-four (24) feet in width.
7. No more than two (2) vehicular entries to parking garages may occur from Wood Street within any two-hundred (200) foot distance measured at the street line.

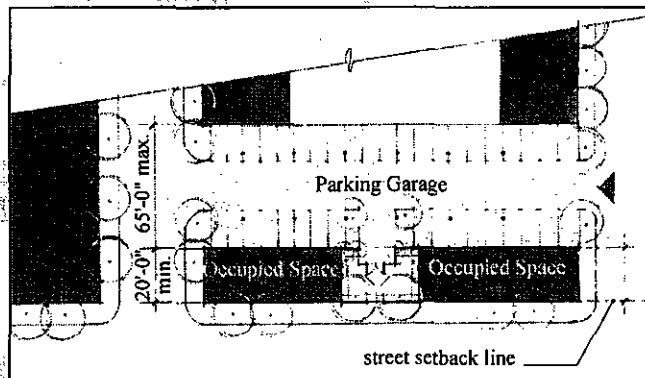


Figure 5.63-4

Standards for Frontage Road Overlay Zone

8. A ground floor parking garage not exceeding one (1) story or sixteen (16) feet in height measured from average exterior grade to the floor above may be located less than twenty (20) feet from the street line, provided occupied space or usable open space is located immediately above.
9. A parking garage or garages not exceeding two (2) stories or twenty-four (24) feet in height may be located less than twenty (20) feet from the street line, provided the aggregate length of the parking garage does not exceed two hundred (200) feet or fifty percent (50%) of the street line of any individual lot, and provided occupied space or usable open space is located immediately above.

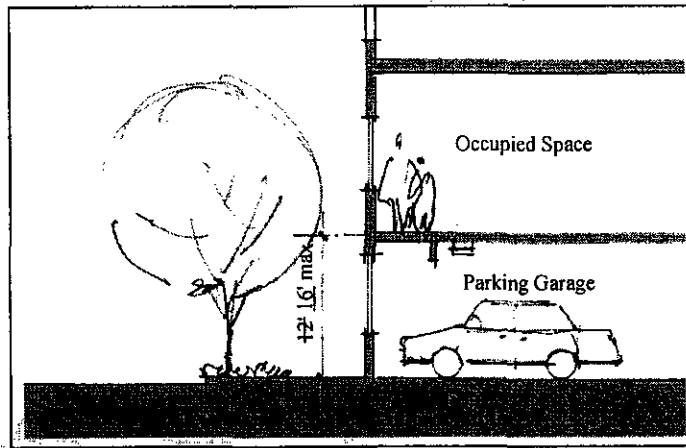


Figure 5.63-5

Allowable garage frontage
at Frontage Road Overlay Zone

5.70 Limitations on Signs

Statement of Intent

The intent of these standards is to ensure that the display area of signs is compatible with the proposed development.

Applicability

The following standards apply at all private signs visible from a Public Street or Public Access Area except as specified below.

General Standards

1. All signage shall be subject to the standards set forth in Planning Code Section 17.104.010 *General Limitations On Signs in Residential and Open Space Zones* except as otherwise provided in the following standards.
2. The display area and number of signs shall conform to the limitations set forth in Table 5.70-1, Summary of Signs Standards.
3. For activities with frontage exceeding seventy-five (75) feet on two or more public streets or Public Access Areas, the allowable aggregate display area and allowable number of signs may be doubled.
4. Billboards and other free standing commercial signs are not allowed.

Use Activity	Sign Type	Aggregate Display Surface (square feet)	Allowable Number of Individual Signs
Residential	Home Occupation Signs	1	No signs allowed
Residential Facilities of three or more units		6	1 sign per project
Commercial	Business Sign	15	1 sign for each commercial establishment
Commercial Activities greater than 10,000 SF in floor area	Business Sign	35	2 signs for each commercial establishment
All Uses	Development Sign	75	1 sign for each separate development project
	Realty Sign	6	1 sign per project
Civic Activities	Civic Sign	1	1 sign per civic use
Civic Activities greater than 10,000 SF in Floor Area	Civic Sign	30	2 signs for each civic establishment

5.80 16th Street Station and 16th Street Signal Tower

Statement of Intent

The intent of these standards is to ensure that renovation of the Station and the scale and location of adjacent development is consistent with the Station's status as a City of Oakland Landmark.

Applicability

The following standards apply to the existing 16th Street Station located in Development Area 5 or and new buildings or additions to the Train Station located within Development Area 5. These standards also apply to the existing 16th Street Signal Tower located in Development Area 6, as specified below.

General Standards

1. Any renovation, modification or addition to the Station shall conform with the standards set forth in Section 17.102.030 of the Planning Code "Special regulations for designated landmarks" and to the Secretary of the Interior's Standards for Rehabilitation of Historic Structures.
2. Any renovation, modification or addition to the station will be subject to review by the Landmarks Preservation Advisory Board, as set forth in Section 17.136.040 of the Planning Code.
3. Any re-use of the 16th Street Train Station shall include stabilization and repair of existing exterior materials to improve the exterior appearance and to ensure a weather tight building envelope.
4. For the purposes of these standards, the 16th Street primary portion of the Station shall be defined as the Main Hall and the (including symmetrical flanking wings to the north and south).

Standards for Additions to 16th Street Train Station

1. Additions to the Station shall not exceed a maximum height of thirty-five (35) feet as set forth in Table 5.10-1, Development Standards Summary.
2. No addition shall be made to the primary portion of the 16th Street Station on the facade facing the 16th Street Plaza or on the southern facade facing the 16th + 14th Street Public Access Area.

Standards for New Buildings adjacent to the 16th Street Signal Tower

1. Additions to the Signal Tower are not permitted.
2. New structures shall be set back from the existing Signal Tower a minimum distance of fifteen (15) feet.

5.90 16th Street Plaza

Statement of Intent

The intent of these standards is to ensure that the 16th Street Station Plaza (Development Area 9) is developed as a publicly accessible outdoor space that provides an appropriate foreground setting for the 16th Street Train Station.

Applicability

The following standards apply to Development Area 9, also known as the 16th Street Plaza.

General Standards

1. No enclosed structures of any kind are allowed. (This would mean no restrooms, storage spaces, etc.)
2. Site Development shall not adversely affect the special character, interest or value of the 16th Street Train Station and its site. (From Section 17.102.030)
3. Site lines shall be maintained across the Plaza between Wood Street and the façade of the main hall at the 16th Street Train Station.
4. The Development Area shall be landscaped with an appropriate dust free surface that may include a combination of paving and planting that is suitable for walking, sitting and similar activities.
5. Site development shall accommodate and promote the following specific activities.
Passive recreation
Occasional activities such as farmers-markets and craft-fairs
Vehicular drop at main entry to 16th Street Train Station
Occasional use of open space to accommodate overflow parking serving activities at the 16th Street Station
6. Site development shall not accommodate or promote the following specific activities
Active recreation
Overnight camping
7. The total area exclusively dedicated to vehicular circulation and parking shall not exceed 25% of the Development Area.
8. There shall be no obstructions above the plaza except for statues, awnings, trellises or similar devices to enhance its usability.
9. Site lighting shall be provided in accordance with City of Oakland Standards for Public Rights-of-way.
10. An average of one shade tree shall be provided for every 3,000 SF of Development Area. Trees shall be not be less than 15 gallon at time of planting.
11. All planting shall be provided with an automatic irrigation system.
12. All planting and irrigation shall be permanently maintained in good condition and, whenever necessary, replaced with new materials.

6.00

DESIGN GUIDELINES



6.10 Introduction to Design Guidelines

Introduction

The Design Guidelines establish the design parameters for the Wood Street Zoning District and address aspects of building and site design not otherwise regulated by the Development Standards. Each development project within a Development Area shall be evaluated in terms of how the design satisfies the design intent set forth in the Design Guidelines, in accordance with Section 3.30 above (Final Development Plan/Final Design Review). Subject to determination by the Planning Director, design solutions may be approved on the basis of conformance with the intent of the Design Guidelines without conforming to the specific recommendations set forth in those guidelines.

Applicability and Exceptions

The Design Guidelines are generally applicable to all Development Areas. Each set of guidelines includes a statement which identifies any limits of applicability within a Development Area as well as any locations or conditions that are exempt from the guidelines contained in that section.

Guidelines - Encouraged, Discouraged and Not Allowed

As a means of illustrating intent, certain guidelines provide examples under the categories of "encouraged," "discouraged" or "not allowed". These examples are representative and are not an exhaustive list of all possible examples in each category. Elements that are indicated as discouraged may be allowed subject to the determination by the Planning Director that a certain design solution in a particular application is consistent with the intent of that Guideline.

Optional Prescriptive Guidelines

For certain guidelines, a set of optional prescriptive guidelines is provided. Design solutions which adhere to the prescriptive guidelines shall be deemed to have met the intent of the Design Guidelines. Design solutions which do not adhere to the prescriptive guidelines must be consistent with the intent of the Design Guidelines, subject to determination by the Planning Director.

Guidelines for specific locations

Guidelines applicable to specific Overlay Zones or Development Areas are included in some sections. In case of conflict, guidelines applicable to a specific Overlay Zone or Development Area shall take precedence over general guidelines.

6.20 Architectural Character

Applicability

The following guidelines apply to all Development Areas.

General Guidelines

1. Each development project shall by use of massing, articulation, materials and detail establish a coherent, integrated architectural character that is consistent within each development project. All built aspects of the development project shall be considered as contributing to the architectural character of the development project, including but not limited to; site structures and furnishings, exterior lighting, paving and signage.
2. Buildings are not restricted to any specific architectural style. Within the overall scope of the Wood Street Zoning District, a variety of architectural styles are encouraged as a means of enhancing the mixed-use, urban character of the development project.

6.21 Pedestrian Connections

Applicability

The following guidelines apply to all Development Areas except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the guidelines contained in this section:

1. Existing buildings
2. Development Area 8
3. Frontage Road Overlay Zone
4. Plaza Overlay Zone
5. Adjacent to elevated roadways

General Guidelines

1. Provide multiple street facing openings and pedestrian entries into the site. Particular emphasis should be placed on visual and pedestrian connections at Wood Street. See Figure 6.21-1.

Encouraged

- a. Multiple pedestrian connections with Public Streets or Public Access Areas
- b. Ground level views into the site from the public streets or Public Access Areas
- c. Ground level pedestrian lanes or auto/pedestrian lanes that subdivide larger Development Areas.

Discouraged

- a. Building frontage at street lines or street set back lines exceeding 200 feet in length without provision of ground level pedestrian access and views into the interior portion of the development site.
2. Security gates and fences at pedestrian entries should have an average transparency of 50% or greater.

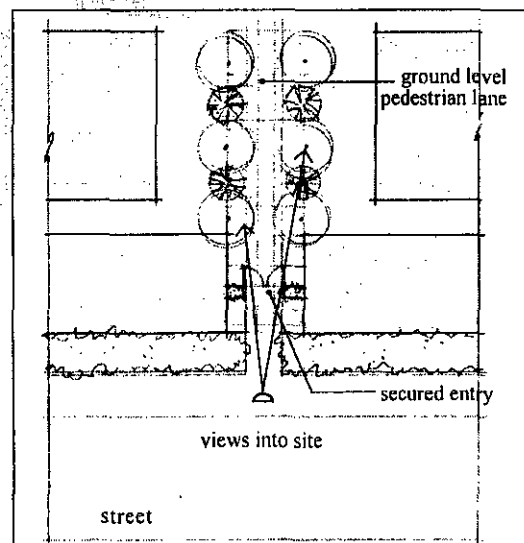


Figure 6.21-1, (Illustrative Only)

6.23 Building Massing

Applicability

The following guidelines apply to portions of buildings located within sixty (60) feet of the street line or street setback line and greater than two (2) stories or twenty five (25) feet in height except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the guidelines contained in this section:

1. Building frontage on 10th Street
2. Building frontage on the 20th Street Public Access Area
3. Building frontage adjacent to elevated roadways
4. Existing buildings
5. Commercial uses at Development Area 8

General Guidelines

1. Massing should reduce the visual scale of large development projects and to respond to specific adjoining conditions.

Encouraged

- a. Articulation of separate building volumes.
- b. Building massing that emphasizes corner locations
- c. Building massing that emphasizes major entry points into the site
- d. Creation of a varied building silhouette by incorporating significant changes in massing at the roof lines

Guidelines for Wood Street Overlay Zone

1. Significant changes in building massing are strongly encouraged to reduce the perceived scale of buildings fronting Wood Street. See *Figure 6.23-1*.
 - a. A significant change in massing is defined as a building offset having a width and depth of not less than eight (8) feet and a height of not less than one story.

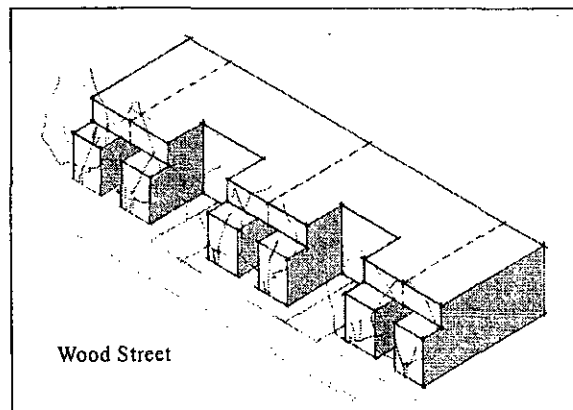


Figure 6.23-1, (Illustrative Only)

6.24 Building Articulation

Applicability

The following guidelines apply to all building facades located parallel to and less than twenty (20) feet from a street line or street setback line except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the guidelines contained in this section:

1. Building frontage on 10th Street
2. Building frontage on the 20th Street Public Access Area
3. Building frontage adjacent to elevated roadways
4. Existing buildings
5. Commercial uses at Development Area 8

General Guidelines

1. Building facades shall be articulated by means of recesses, changes in plane, bays, projecting elements, variations in exterior finishes or a combination thereof. Articulation strategies may include emphasizing groupings of dwelling units or occupied spaces, establishing vertical and horizontal rhythms, creating a varied building silhouette, adding visual accents and similar architectural strategies.

Prescriptive Guidelines (Optional)

1. Any building plane greater than sixty (60) feet in width and more than one story in height shall be articulated by a recess or projection extending at least two stories in height with a minimum width of four (4) feet and a minimum depth of two (2) feet. See *Figure 6.24-1*
2. The maximum length for a single building plane may be increased to one hundred (100) feet when building articulation is provided in the form of a recess or projection extending at least two stories in height with a minimum width of two (2) feet, a minimum depth of one and one half (1 1/2) feet, and occurring a minimum of three times within any one hundred (100) foot length of building facade. See *Figure 6.24-2*
3. The allowable length of a single uninterrupted plane may be doubled at the first story.

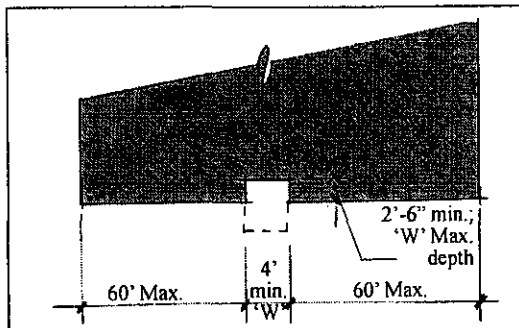


Figure 6.24-1, (Illustrative Only)

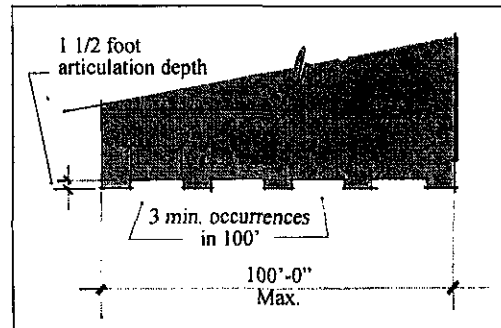


Figure 6.24-2, (Illustrative Only)

6.25 Parking Garages Facades

Applicability

The following guidelines apply to all parking garage facades visible from and located within sixty (60) feet of a street line or street setback line except as specified below except as specified below.

Exceptions

The locations indicated below are exempt from the guidelines contained in this section:

1. Building frontage on 10th Street
2. Building frontage on 20th Street
3. Building frontage located adjacent to and below elevated roadways.
4. Facades of garages that will be concealed by subsequent phased construction.

Coordination with Development Standards

Refer to Section 5.64 of the *Development Standards* for limitation on the location of parking garages.

General Guidelines

1. The architectural character of the parking garage facade shall be integrated with the facade of the occupied space served by the garage. See *Figure 6.25-1*
 - a. Patterns of openings at garage facades should be similar in rhythm and scale to openings at the occupied spaces served by the garage.
 - b. Garage facades should incorporate awnings, canopies, sunscreens planters, ornamental railings and other elements to provide a visual richness comparable to that of facades at the occupied space served by the garage.
2. Transparent openings at garage facades, including unglazed openings or openings with clear glazing shall not exceed 50% of the wall area visible from the exterior at any story of a parking garage.
 - a. There is no limitation on the area of permanent translucent materials at garage facades, such as glass block or etched glazing.
3. Lighting at parking garages shall be located or screened to prevent direct view of light source from streets or public access areas, to the greatest degree practical.

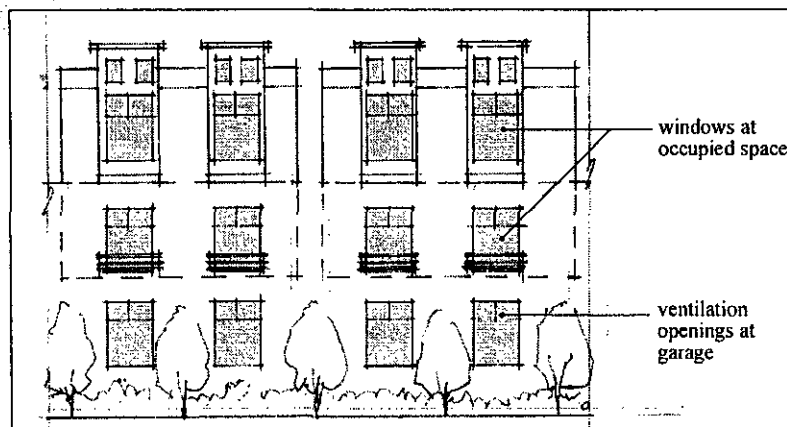


Figure 6.25-1

6.26 Balconies

Applicability

The following guideline applies to balconies at all buildings.

General Guidelines

1. Where provided, balconies shall be visually integrated with the architectural character of the project and shall not be the predominant element on any facade facing the street line. See *Figure 6.26-1*

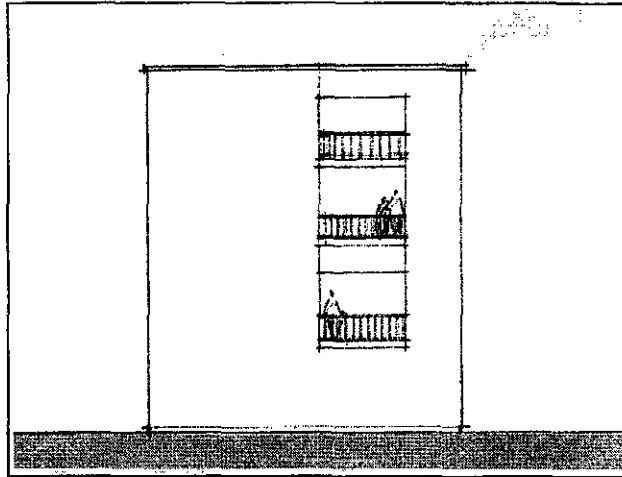


Figure 6.26-1, (Illustrative Only)

6.27 Awnings & Canopies

Applicability

The following guidelines apply to all buildings or portions of buildings parallel to and located less than twenty (20) feet from a street line or street setback line except as specified below.

Coordination with Development Standards

Refer to Section 5.32 of the Development Standards for requirements related to building entries at building frontage.

General Guidelines

1. Storefront awnings and/or canopies are encouraged at ground level commercial locations to provide articulation to the building facade, sun and rain protection to pedestrians, and shield large window areas from glare.
2. Awnings and canopies shall be divided into sections that relate to and emphasize vertical elements of the building façade
3. Awnings and canopies shall align with horizontal datum lines at the building façade
4. Awnings and canopies shall be constructed of durable materials. Fabrics designed for exterior use are acceptable.

Guidelines for Plaza Overlay Zone

5. At building facades within the Plaza Overlay Zone, a consistent pattern of awnings or canopies shall be provided at the ground floor of each facade fronting the plaza.
 - a. These awning or canopy treatments are not required to be consistent with those at other buildings fronting the plaza.
 - b. This requirement does not apply where an arcade, porch or other sheltering architectural element is provided at the ground floor.

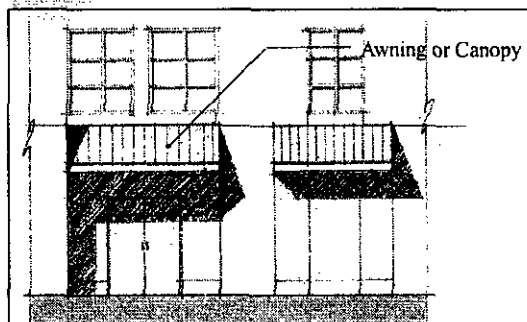


Figure 6.27-1, (Illustrative Only)

6.30 Windows

Applicability

The following guidelines apply to all buildings or portions of buildings visible from and within sixty (60) feet of the public rights-of-way except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the guidelines contained in this section:

1. Existing Buildings

General Guidelines

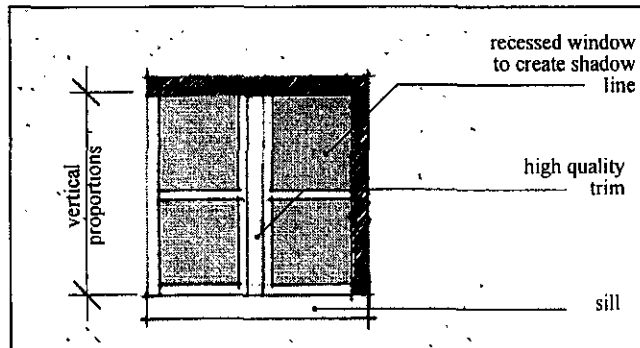
1. The proportion and subdivision of typical windows should reflect the overall proportion and character of the building. Exceptions for special windows are allowed.
2. Window materials, trim (if any), and detailing should be of good quality and consistent with the architectural character of the building and compatible with the other exterior materials.
3. Windows set flush with cement plaster (stucco) finish without provision of trim, projecting sills, or other perimeter detailing are discouraged.
4. Glazing shall be transparent to the greatest degree practical.

Encouraged: clear glazing, Low-E glazing where needed for sun control

Discouraged: tinted glazing except at special locations, or at commercial occupancies located above the ground floor

Not Allowed: reflective glazing, except at spandrels or other special conditions consistent with overall architectural design

5. Window grills or security screens are discouraged, particularly at locations less than twenty (20) feet from a street line or street setback line.
 - a. Where necessary due to specific security concerns, window grills or security screens shall be fabricated of high quality materials and be designed as an integral part of the architectural character of the development project



Example of window articulation

Figure 6.30-1, (Illustrative Only)

6.31 Garage Doors

Applicability

The following guidelines apply to all garage doors visible from and located less than sixty (60) feet from a street line or street setback line, and serving parking garages containing three or more parking spaces except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the guidelines contained in this section:

1. Existing Buildings

Coordination with Development Standards

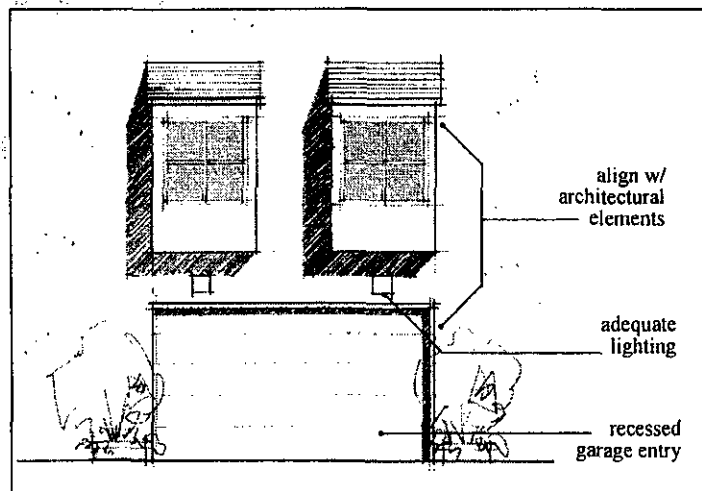
Refer to Section 5.63 of the *Development Standards* for limitations on the location of garage doors within in the Wood Street Overlay Zone.

General Guidelines

1. Automatic, motor operated garage doors shall be provided at all vehicular entries to parking garages
2. Garage door openings shall be aligned with windows, bays or other architectural elements to create an integrated composition consistent with the overall architectural character of a development project. See *Figure 6.31-1*
3. Garage doors shall be recessed a minimum of one (1) foot from the face of the adjoining building facade.
4. Garage doors shall be constructed of high quality durable materials:

Encouraged: Single panel sliding-type garage doors
Sectional overhead doors

Discouraged: Residential grade garage doors
Single panel overhead doors



Example of garage door articulation

Figure 6.31-1, (Illustrative Only)

6.32 Service Access

Applicability

The following guidelines apply to all ground level service doors or gates visible from and located less than twenty (20) feet from a street line or street setback line, and which provide access to waste handling areas, electrical or mechanical equipment, gas or electric meters, or other non-occupied service spaces except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the guidelines contained in this section:

1. Building frontage adjacent to elevated roadways
2. Existing service access doors at existing buildings.

General Guidelines

1. All service doors and gates shall be designed as integral elements of the building design.
2. The aggregate width of service doors shall not exceed fifteen (15) feet within any 60 feet of street frontage
3. Doors exceeding thirty (30) square feet in area (such as doors to waste handling areas or electric transformers) shall be recessed a minimum of 9 inches from the primary building plane
4. Service doors or gates shall not allow any view into space served. Louvers required for venting or ventilation purposes are acceptable provided they do not allow visibility into service areas.

Guidelines for Wood Street & Plaza Overlay Zones

1. Service openings facing Wood Street are discouraged, where service openings are necessary they shall be subject to the following limitations.
 - a. The maximum combined width of the service access openings shall not exceed eight (8) feet in any 60 feet of street frontage
 - b. No individual service access opening shall exceed eight (8) feet in width

6.33 Underground Utility Connections

Applicability

The following guidelines apply to all Development Areas, except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the guidelines contained in this section:

1. Existing buildings

General Guidelines

All utility lines serving lots within the Wood Street Zoning District shall be underground to point of entry at building, including electrical, telephone, data and cable services.

6.34 Screening of Equipment

Applicability

The following guidelines apply to all Development Areas except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the guidelines contained in this section:

1. Adjacent to elevated roadways

General Guidelines

1. All equipment located within twenty (20) feet of a street line or adjoining setback line shall be screened by one of the following means. (Refer to 3.40 *Definition of Terms* for definition of equipment).
 - a. By enclosure entirely within the structure of the building with access provided by opaque service access door. (A portion of Electric meters may be exposed to allow reading of meter without opening door.)
 - b. By enclosure in a below grade vault or structure
 - c. By provision of a fence or wall with a maximum average transparency of 50 percent. The top of the fence or wall shall be at least equal in height to the equipment screened, but shall not exceed eight (8) feet maximum in height. See *Figure 6.34-1*,
 - d. By combination of an open fence and adjoining planting that will reach a height sufficient to screen the equipment within three years

Exceptions

The following equipment is not required to be screened.

- a. Residential gas meters serving individual dwelling units in groups not exceeding four meters.
 - b. Individual commercial gas meters.
 - d. Back flow preventers for irrigation systems not exceeding 2" nominal size.
2. Equipment located more than twenty (20) feet from a street setback line or street setback line shall be integrated into the overall building and site design.
 3. All equipment located on the roof of a building shall be screened by one of the following means.
 - a. By location such that no portion of the equipment is visible from the street.
 - b. By provision of a screening device consistent with the architectural character of the development project and with an open area not exceeding forty (40) percent that screens equipment visible from the street.

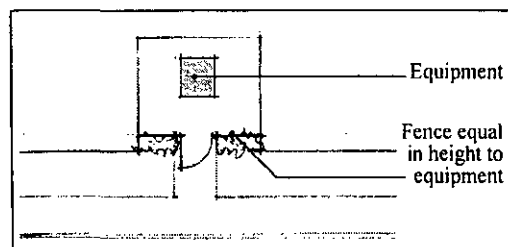


Figure 6.34-1, (Illustrative Only)

6.35 Mechanical Penetrations at Facades and Roofs

Applicability

The following guidelines apply to all Development Areas except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the guidelines contained in this section:

1. Existing Buildings

General Guidelines

1. The following guidelines apply to roof penetrations at buildings located less than sixty (60) feet from a street line or street setback line.
 - a. Appliance vents, exhaust fans, and similar roof penetrations shall be located so as to not be visible from the street, to the greatest degree practical.
 - b. Where visible from street, roof penetrations shall be aligned to present an organized appearance.
 - c. All exposed metal penetrations and roof accessories shall be finished to match or blend with the roof color.
2. Mechanical penetrations at building facades, including kitchen and dryer vents, bath exhausts and other penetrations shall be aligned horizontally and vertically with other penetrations, window openings and/or other architectural features to present an organized appearance consistent with the architectural character of the building. See *Figure 6.35-1*

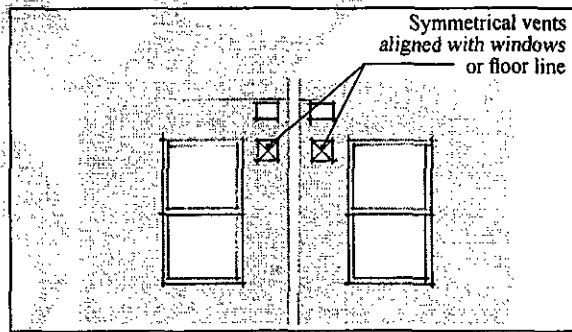


Figure 6.35-1, (Illustrative Only)

6.36 Waste Handling Areas

Applicability

The following guidelines apply at all Development Areas.

General Guidelines

1. All waste handling areas shall either be enclosed in the structure of the building or screened by a wall or fence consistent with architectural character of the building and adequate to prevent view of trash or recycling containers from the street, public access areas, common circulation areas or group open space areas.
2. At dwelling units to be served by individual waste bins, provide a dedicated location for bins, screened as indicated in item 1. above.
3. Adequate lighting shall be provided at the path leading to the waste handling enclosure as well as within the enclosure.
4. Space allocated for recycling shall be consistent with the requirements of Section 17.118 of the Planning Code.

Guidelines for Wood Street Overlay Zones

5. Waste Handling areas are not allowed in the Wood Street or Plaza Overlay Zones unless they conform to the following requirements.
 - a. The waste handling area shall be enclosed entirely within the structure of the building, with access provided by opaque service door.
 - b. The service doors accessing the waste handling shall not face Wood Street or the 16th Street Plaza.

6.40 Exterior Materials

Applicability

The following guidelines apply to all Development Areas except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the guidelines contained in this section:

1. Existing exterior materials on existing buildings

Guidelines.

1. All exterior materials and building components shall be durable and of a high-quality.

2. Exterior Wall Materials

Encouraged: cement plaster (stucco), cement board (panels or planks); wood panels, planks; metal – corrugated panels, flat panels; stone; brick & split face block.

Discouraged: EIFS (Exterior Insulation and Finish Systems), unfinished concrete block, hardboard or plywood siding

Not Allowed: vinyl or aluminum siding

3. Roofing Materials at Sloped Roofs where visible from the street (*roofs of 2:12 slope or greater*)

Encouraged: concrete or clay tile, (s-barrel or flat); high-quality composition shingles; fire-treated wood shakes or shingles; standing seam metal roofing

Discouraged: sheet or roll roofing; synthetic shakes or shingles; high-glaze tiles or glossy painted concrete tiles

4. Roofing Materials at flat roofs (*roofs less than 2:12 slope*)

No limitations

6.41 Exterior Color

Applicability

The following guidelines apply to all Development Areas.

General Guidelines.

1. Each project shall create a cohesive color palette that takes into consideration the finish of all exterior elements.
2. Projects are encouraged to employ more than one body color to articulate the form, rhythm and scale of the building.
3. Accent colors are encouraged where they enhance the architectural character of the development project.

6.42 Exterior Lighting

Applicability

The following guidelines apply to all Development Areas.

Guidelines

1. A minimum average lighting level of one foot candle shall be provided along all designated paths of travel between dwelling units, buildings and site entrances, public streets, and open spaces.
2. Exterior lighting shall be provided immediately adjacent to all entries to the site, buildings, dwelling units and commercial spaces.
3. All exterior light fixtures shall be designed and situated to avoid glare at occupied space.
4. Exterior light fixtures shall be compatible in location, design and finish with the architectural character of the development project.
5. The location and design of exterior lighting adjacent to a street or public access area shall be coordinated with lighting at the adjoining streetscape design.
6. High-pressure and low-pressure sodium lamps are not allowed due to poor color rendition.

6.50 Signage & Graphics

Applicability

The following guidelines apply to all Development Areas.

Coordination with Development Standards

Refer to Section 5.70 of the Development Standards for limitations on the display area and number of signs.

General Guidelines

1. Signs shall respect the architectural elements of the buildings they identify and shall be designed as architectural elements in their own right.
2. Signs shall not obscure architectural elements such as transoms or columns.
3. All exterior signage shall be professionally designed and fabricated of high-quality durable materials.
4. The size of signs and sign letters shall be in scale and proportion to the space in which they are located.
5. The design and alignment of adjacent signs shall be coordinated in order to achieve an organized appearance.
6. The following sign types are not allowed
 - a. Internally lit 'cabinet' signs
 - b. Moving signs
 - c. Blinking or flashing signs
7. Sign lighting shall utilize spotlighting or exposed neon and shall not create glare for pedestrians or motorists.

Guidelines for Projecting Signs

1. Location of projecting signs shall be coordinated to avoid obscuring other signage.

Guidelines for Freestanding Project Signs Serving Residential Uses

1. Free standing signs shall be designed to avoid blocking vehicular or pedestrian site lines.
2. Free standing signs shall not exceed five (5) feet in height.

6.60 Planting Areas

Applicability

The following guidelines apply to all Development Areas.

Coordination with Development Standards

Refer to Section 5.61 of the Development Standards for standards related to provision of trees at surface parking areas

General Guidelines

1. Planting areas should be designed to be attractive year round through provision of a variety of textures and seasonal color.
2. Planting shall be utilized for the following purposes:
 - a. to emphasize and enhance pedestrian and vehicular entries.
 - b. to screen service areas
 - c. to provide buffering between non-compatible site uses.
 - d. to provide buffering between private and group usable outdoor space
 - e. to improve appearance and usability of outdoor space.
3. Planting shall take into consideration public safety, and shall not interfere with the site lines or movement for motorists, pedestrians, or bicyclists.

Guidelines for Planting at Street Frontage

1. Setback areas between the back of sidewalk and the building line shall be designed to provide the maximum amount of planted area. A minimum of 75% of the required setback areas shall be planted.
2. Planting in required street setbacks shall be designed to not exceed 36" in height to maintain sight lines for pedestrian and residents. Higher planting are acceptable adjacent to buildings to provide privacy at street facing windows.
3. Trees shall be limbed to provide visibility through and below the canopy.
4. Where no street setback is required, planting areas are encouraged between the building face and the back of sidewalk to soften and enhance the street frontage.

Pot Sizes

1. Soil depth in pots should not be less than 18 inches.

Selection of Plant Materials

1. Trees, shrubs and ground covers should be selected primarily from drought tolerant native or Mediterranean species.
2. Selection of plant materials should take into account solar orientation, building shadow and soil characteristics to ensure sustained growth.
3. Trees should be a mix of deciduous and evergreen, and should be selected on the basis of hardiness and ease of maintenance.
4. Plant sizes should meet the following minimum sizes at the time of planting
 - a. Deciduous Shade Trees: 2 inch caliper
 - b. Ornamental trees: 1.5 inch caliper
 - c. Evergreen trees: 2 inch caliper
 - d. Multi-stem ornamental trees: 6-8 feet in height
 - e. Shrubs: 5 gallon container
 - f. Vines: 1 gallon container
 - g. Ground cover and perennials: 2-1/4 inch pots

Irrigation

1. All planting areas should be provided with an automatic irrigation system that meets the following criteria
 - a. Utilization of bubblers, drip systems, and other water efficient strategies
 - b. Provision of sufficient coverage to all landscape areas
 - c. Minimum overspray on non-planted areas.
 - d. Easily maintained.

Maintenance of Planted Areas

1. All landscape areas shall be maintained in conformance with standards set forth in Section 17.124.020 of the Planning Code.