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OAKLAND
2015 APR 26 AM 12:54

AGENDA REPORT

TO: John A. Flores
INTERIM CITY ADMINISTRATOR

FROM: Rachel Flynn

SUBJECT: Children's Hospital and Research Center Oakland
Master Plan Project

DATE: April 6, 2015

City Administrator
Approval

Date

4/15/15

COUNCIL DISTRICT: 1

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing and, upon conclusion, consider adopting, as recommended by the Oakland City Planning Commission:

1) A Resolution (A) Certifying The Environmental Impact Report And Adopting Related CEQA Findings; (B) Amending The General Plan For A Portion Of The Project Site From Mixed Housing Type Residential To Institutional; (C) Adopting Preliminary Planned Unit Development Permit, Final Planned Unit Development Permit For Phase 1, Conditional Use Permits, Variances, Phased Vesting Tentative Tract Map And Other Development Related Land Use Permits; (D) Approving A Helistop Permit As Recommended By The City Administrator's Office; And (E) Approving A Tree Removal Permit As Recommended By The Public Works Agency, For Children's Hospital And Research Center Oakland's Master Plan, Located At 747 52nd Street, Oakland; And

2) An Ordinance (A) Adopting CEQA Findings, Including Certification Of Environmental Impact Report; And (B) Rezoning A Portion Of The Project Site From RM-2, Mixed Housing Type Residential Zone - 2 To S-1 Medical Center Zone, For Children's Hospital And Research Center Oakland's Master Plan, Located At 747-52 Street, Oakland.

OUTCOME

The Children's Hospital and Research Center Oakland's ("CHRCO" or "Hospital") proposed master plan, General Plan Amendment, rezoning, and other planning-related actions ("Project") are intended to better integrate hospital campus facilities; improve patient care; and, create a cohesively designed hospital campus and guide future development over the ten year life of the master plan while respecting the surrounding community. Approval will allow the Project to proceed.

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EXECUTIVE SUMMARY

CHRCO submitted an application to create new acute care facilities that meet the seismic safety requirements of California State Senate Bill 1953 ("SB 1953") at the main campus at 747 52nd Street. CHRCO's master plan would provide individual patient rooms instead of shared rooms or multi-bed wards, and expand and modernize existing buildings and property to increase hospital services and efficiency. Specifically, the master plan would demolish certain existing buildings, renovate existing structures, construct new and replacement hospital facilities and associated infrastructure, and redesign the campus's access points and internal street layout.

The City prepared an Environmental Impact Report (EIR) to analyze the environmental impacts from the development of the Project pursuant to the California Environmental Quality Act (CEQA). Based on the analysis contained in the EIR, implementation of the City's Standard Conditions of Approval would reduce all environmental impacts to a less than significant level.

On April 1, 2015, Oakland City Planning Commission and a Hearing Officer of the City Administrator's Office conducted a joint public hearing. The Planning Commission heard public comment and voted to recommend that the City Council adopt the CEQA findings and certify the EIR. The Planning Commission also recommended that the City Council approve the planning-related permits including, the Planned Unit Development Permit for the Project, the Final Development Plan for Phase 1, Design Review, Major Conditional Use Permits, Minor Variances, exception from ground floor transparency, and Phased Vesting Tentative Tract Map, as well as the Rezoning and General Plan Amendment, subject to the findings and revised conditions of approval. On April 14, 2015, the Oakland Public Works, Tree Services Unit recommended that the City Council approve the tree permit for Phase 1. On April 6, 2015, City Administrator's Office recommended that the City Council approve the helistop relocation permit.

BACKGROUND/LEGISLATIVE HISTORY

Hospital Campus

CHRCO has operated at this location since 1913. In 1926, the Baby Hospital ("A/B Wing") was constructed. The B/C Wing and an addition to the A/B Wing were completed in the 1940's. The Hospital campus expanded, and subsequent buildings were constructed from the 1950's through the late 1990's.

Hospital Seismic Safety Act

The California legislature passed the Alfred E. Alquist Hospital Seismic Safety Act in response to an earthquake in 1971, which severely damaged several hospitals. The Hospital Seismic Safety Act mandated that all new hospitals meet strict seismic safety requirements. As a result of

Northridge earthquake in 1994, the State Legislature passed Senate Bill 1953 as an amendment to the Hospital Seismic Safety Act. SB 1953 requires all hospitals in California providing acute care be designed and constructed to withstand a major earthquake and remain operational immediately after the quake. The deadline for compliance is December 31, 2019. Hospitals not in compliance after this date may not offer acute care services to patients. The A/B Wing and the B/C Wing have been deemed seismically unsafe and after this date may no longer be used for acute hospital care or to provide access to acute facilities.

Ongoing Hospital Operations

CHRCO will continue to operate as an acute pediatric care facility with or without the proposed Project. If the Project is not approved, services within the A/B Wing and B/C Wing would be relocated either on- or off-site to seismically compliant buildings by December 31, 2019. Utility re-routing would also occur.

Proposed Master Plan

CHRCO's proposed master plan would be constructed in two phases as summarized below and detailed in the Oakland City Planning Commission report dated April 1, 2015 (*Attachment A*).

Phase 1 would demolish one residential structure, relocate the existing parking garage entrance from 52nd Street to Martin Luther King Jr. Way and construct a maintenance access driveway off of Dover Street, a new Outpatient Center ("OPC2") building at the corner of Martin Luther King Jr. Way and 52nd Street and a small addition to the Central Utility Plant. The number of on-site hospital beds would be reduced from 170 to 140 (a loss of thirty beds) as a result of approximately 95,000 sq. ft. interior renovations. Off-site beds would increase from 20 to 40 beds. Phase 1 construction would eliminate two parking spaces as a result of the parking garage entrance relocation and construction of OPC2. Total Phase 1 Project construction is anticipated to take approximately 58 months (2015-2020), of which about 22 months would be interior renovations.

Phase 2 would demolish approximately 65,000 sq. ft. of building area. Phase 2 construction includes the Link Building with a relocated helistop on the roof, Patient Pavilion, Family Residence Building, parking garage, Clinical Support Building, and expansion of the Central Utility Plant. Interior renovations include approximately 42,000 sq. ft. of building area. Other Project improvements include grading and retaining wall construction within the Caltrans right-of-way adjacent to State Route 24 (SR-24) if acquired, restriping of 52nd Street to provide one through-lane and bicycle lanes, landscaping, and utility upgrades. Total Phase 2 Project construction is anticipated to take approximately 60 months (2020-2025), of which about 12 months would be interior renovations.

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The table in *Attachment B* compares each phase and total build-out to existing conditions. Specifically, full build-out of the Project (Phase 1 and 2) would result in approximately 210 beds (increase of 40 on-site), 988 daily patients and outpatient visitors (increase of 113), 761 daily inpatient visitors (increase of 157), and 2,371 daily staff (increase of 205). In addition, the proposed Project would include a total of 1,373 parking spaces on-site and on adjacent off-site lots (increase of 286).

The design of the master plan will unify the campus by incorporating façade materials from existing buildings and adding new elements from the proposed structures to existing buildings. Façade materials include brick and light colored, neutral plaster walls punctuated by windows with colored frames, colored portal elements identifying entrances and colored glass curtain walls (*Attachment C*).

General Plan Amendment

The Project site is located within three General Plan Land Use and Transportation Element ("LUTE") classifications: Institutional, Mixed Housing Type Residential, and Neighborhood Center Mixed Use (*Attachment D*). The Hospital is requesting a General Plan Amendment to change a portion of the Project site, bounded by 52nd Street to the south, 53rd Street to the north, Dover Street to the west and SR-24 to the east, from Mixed Housing Type Residential to Institutional (*Attachment E*). The City is proposing to change the General Plan for the non-hospital owned property at 675 53rd Street, within this area, also from Mixed Housing Type Residential to Institutional. The main campus and two properties (670 53rd Street and 770 53rd Street) would not have their General Plan designations changed.

Rezoning

The Project site is located within three different zoning districts: S-1 Medical Center Zone, Mixed Housing Type Residential Zone - 2 ("RM-2") and Neighborhood Center Commercial Zone - 3 ("CN-3"). The Hospital is requesting a rezoning for a portion of the Project site bounded by 52nd Street to the south, 53rd Street to the north, the Outpatient Center 1 ("OPC1") Building and the existing parking garage to the west and SR-24 to the east from the RM-2 to the S-1 Zone (*Attachment D and E*). This area includes two non-hospital owned properties at 720 52nd Street and 675 53rd Street, which the City is proposing to rezone also from RM-2 to the S-1 Zone. The property at 670 53rd Street would remain in the RM-2 Zone and the property at 770 53rd Street would remain in the CN-2 Zone and the RM-2 Zone. The table in *Attachment F* further clarifies the proposed zoning changes.

Planned Unit Development Permit and Design

CHRCO is requesting approval of a preliminary Planned Unit Development permit ("PUD") for the entire Master Plan area and a Final Development Plan ("FDP") for Phase 1. The Applicant

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has not submitted any detailed design plans for Phase 2 at this time. The Hospital will need to submit a Final Development Plan for Phase 2 for review and approval by the City Planning Commission. The Final Development Plan for Phase 2 will need to conform to PUD and be sufficiently detailed to show the ultimate operation and appearance of the development.

Major Conditional Use Permits

CHRCO is requesting approval of Conditional Use Permits for the farmer's market in front of the OPC1 Building, conversion of a structure from a Residential activity to a Non-Residential activity in the S-1 and the CN-3 Zones, Health Care Civic activities in the RM-2 and CN-3 Zones, and demolition of rooming units in the S-1 Zone.

Minor Variances

CHRCO is requesting approval of Minor Variances for the farmer's market facility type (unenclosed non-residential), one loading berth and the location of parking for the Family Residence Building. In addition, CHRCO requested an exception from the required minimum ground floor transparency percentage in the CN-3 Zone.

Phased Vesting Tentative Tract Map

CHRCO is requesting approval of a Phase Vesting Tentative Tract map (*Attachment G*) to merge all of the parcels owned by the Hospital (with the exception of 670 53rd Street and 770 53rd Street) into three parcels. Specifically, Parcel A would merge 29 parcels into a 128,563 sq. ft. parcel. Parcel B would merge ten parcels into a 35,541 sq. ft. parcel. Parcel C would merge 35 parcels into a 251,354 sq. ft. parcel. If the Caltrans right-of-way property along SR-24 is acquired in the future, that parcel will be merged with Parcels B and C. Final Maps will be submitted in Phases.

Tree Removal Permit

CHRCO is requesting approval of a tree removal permit to remove nineteen trees and preserve seven trees as part of Phase 1. The tree permit was posted on March 10, 2015, and the comment period closed on April 7, 2015.

Helistop Relocation Permit

In 1999, the City Administrator granted CHRCO a permit to operate a stand-alone, 36' tall helistop structure at the south end of the hospital campus. CHRCO has complied with all provisions of the existing helistop permit. Furthermore, the helistop has been operated in a safe manner in compliance with all requirements of the Federal Aviation Administration and Caltrans Division of Aeronautics. The existing helistop will be demolished to facilitate construction of the

Patient Pavilion and a parking garage during Phase 2. Therefore, a new permit is necessary for construction of the relocated helistop on the roof of the Link Building.

However, with or without the implementation of the master plan, CHRCO anticipates a one percent increase in helicopter flights largely due to natural population growth in the region. In 2013, 559 helicopters used the facility and it is expected that 630 helicopters (1,260 helicopter operations, arrival, and take-off) would use the helistop in 2025.

Planning Commission, City Administrator's Office, and Oakland Public Works Tree Services Unit's Actions on the Project

At a duly noticed joint hearing before the Oakland City Planning Commission and a Hearing Officer of the City Administrator's Office on April 1, 2015, the Planning Commission unanimously recommended that the City Council adopt the CEQA findings (***Attachment H***), certify the EIR, and approve the planning related permits based on findings (***Attachment I***) and conditions (***Attachment J***). The Planning Commission also adopted revisions to the Conditions of Approval proposed by the Hospital (***Attachment N***) that would (1) implement several helistop related noise 60 days after approval as opposed to after operation of the helistop in Phase 2, including logging helicopter activity, development of protocols to respond to noise complaints, and adding flight plans approved by a regulatory agency with jurisdiction over helicopters to their contracts (Condition #44); (2) make clarifying revisions to the Public Art Condition (#60), which conforms to the adopting ordinance; (3) require that in order to be eligible for a public transit subsidy, employees cannot also receive subsidized parking; and (4) change the boundaries of the Residential Permit Parking area to increase its efficacy.

On April 6, 2015, the City Administrator's Office issued a written determination recommending to the City Council approval of the helistop permit based on findings and conditions (***Attachment K***). On April 14, 2015, the Tree Services Unit of the Oakland Public Works Department recommended that the City Council approve the tree removal permit based on findings and conditions (***Attachment L***).

Pursuant to Section 17.130.080 of the Oakland Planning Code, the entire development application for the Project must be considered by the City Council for final action because the application requires both legislative and adjudicatory actions. Therefore, the City Council is the body that must adopt the CEQA findings and certify the EIR before it approves the Project's development application or any action that comprises that application. Therefore, the Planning Commission, the City Administrator's Office, and the Oakland Public Works Tree Services Unit acted as advisory bodies with recommendations to the City Council.

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ANALYSIS

During the course of the planning, design, and environmental review process, staff has heard significant concerns related to several components of the Project which are summarized below.

Transportation Demand Management and Residential Parking Permit

City staff proposed that the Hospital fund a residential parking program ("RPP") for the neighborhood as part of a Transportation Demand Management ("TDM") program (*Attachment M*). Staff's proposal includes a one-fourth mile radius around the site. The program would need to be in place prior to issuance of a permit for Phase 1. Residents within the RPP area with driveways would have one parking permit funded while residents without a driveway would have two permits funded. The Hospital would fund the program for an initial ten year period, at which time the City will reevaluate the effectiveness of the program and whether the Hospital would continue to fund the RPP with the City Planning Commission making a recommendation to the City Council.

The Hospital proposed a different area for the RPP at the April 1, 2015 Planning Commission meeting. The Hospital's proposal would focus the RPP on residents within certain blocks near in the neighborhood instead of a one-fourth mile radius. The new RPP area is bounded by 56th Street to the north, Genoa Street between 56th and 54th Streets, Market Street between 54th and 44th Street to the west, Martin Luther King Jr. Way and State Route 24 to the south, and Shattuck Avenue to the east (*Attachment N*).

City staff has received comments that the RPP area should be extended a one-half mile (as compared to the originally recommended one fourth mile) as persons currently parking near the hospital campus will be willing to walk a little further for free parking.

Staff is recommending that the City Council approve the TDM as proposed by staff with the Hospital's amendment for the following reasons. First, the TDM requires short and a long term goals to reduce single occupant vehicles at the site. Specifically, the Hospital shall be required to meet a 10 percent reduction by the end of Phase 1 and a 20 percent reduction by the end of phase 2. To meet these goals, the Hospital is proposing a public transit subsidy, continuance of the shuttle system, bike lanes and bike parking, and a carpool/vanpool program among alternative transportation options. On-street parking occupancy rates will be reduced with implementation of the TDM. Second, one-fourth mile is the accepted transportation and transit standard for how far a person is willing to walk. A one-half mile radius RPP area would extend past 59th Street to the north, Adeline Street to the west, 39th Street to the south and Shafter to the east, which is well beyond the area that Hospital employees are parking (*Attachment O*).

In addition, staff received comments that funding of the RPP program should extend beyond ten years. Staff is not recommending a timeframe extension at this time for the following reasons:

- 1) If the Hospital meets the TDM goals, it is likely that persons will choose not to drive and will take advantage of transit and alternative transportation options. As a result, the amount of available on-street parking will increase, and funding of the RPP program will no longer be necessary.
- 2) Staff's proposal already requires the RPP to be evaluated ten years after the initial implementation. City staff will present the results of a parking survey to the Planning Commission for a recommendation either within six months after the issuance of a certificate of occupancy if Phase 2 commences or ten years after Phase 1 commences if Phase 2 is delayed. The Planning Commission will make a recommendation to the City Council on whether the Hospital shall continue to fund the RPP program. In sum, an evaluation and decision to continue or discontinue funding is already part of the proposal.

Helistop Relocation Permit

The adjacent community is concerned with the relocation of the helistop approximately 250 feet to the north and west to the roof of the Link Building. However, Section 21662.4 of the California Public Utilities Code severely limits the local jurisdiction's ability to impose noise standards or limitations for emergency medical aircraft flights. Specifically, the City cannot apply a local noise ordinance, dictate maximum noise standard, restrict times of day, flight paths, the type of helicopter, or impose noise mitigations on helicopters such as mufflers.

Nevertheless, staff thoroughly analyzed the noise from the helistop in the EIR using a conservative modeling analysis. The analysis concluded that helicopter noise would decrease for sites south while sites to the north would experience an increase. However, the neighborhood is already located in a noisy environment due to the BART and the highway. When noise from the helicopter, SR-24 and BART are combined, the maximum increase would be 1.92 A-weighted decibels (dBA) and only noise levels of 3 dBA or more are considered perceptible by the human ear. Therefore, relocation of the helistop would not result in a substantial permanent increase in ambient noise levels pursuant to the City's adopted CEQA Thresholds of Significance.

The EIR describes an alternative considered, but rejected from further study which evaluated the feasibility of locating the helistop at the south end of the campus or an off-site location. This alternative was rejected because the helicopter landing site needs to be located near the hospital and emergency facilities in order not to increase ground transport time and risks to the patient. In addition, CHRCO is the only Level 1 pediatric trauma center in the Bay Area, and removal of the helistop would result in the Hospital's inability to operate in this capacity. The helistop needs to be operational at all times including during construction. Relocating the helistop to another portion of the site would result in phasing and site constraint issues as the helistop and proposed Patient Pavilion and existing parking garage overlap.

In addition, the Alameda County Land Use Commission ("ALUC") reviewed the relocation proposal and evaluated it in regards to four Airport Compatibility Planning Factor's including

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noise, safety, airspace protection, and overflight (*Attachment K*). The ALUC determined the proposed project is compatible with all four compatibility factors. Therefore, the ALUC did not require a public hearing for the relocation of the helistop.

The Hospital has submitted a proposal to refine the Conditions of Approval to further address the neighborhood concerns within the context of the California Public Utilities Code. The Hospital's proposal would implement several measures 60 days after approval, as opposed to after operation of the helistop in Phase 2, including logging helicopter activity, development of protocols to respond to noise complaints, and adding flight plans approved by a regulatory agency with jurisdiction over helicopters to their contracts. On April 1, 2015, the Planning Commission reviewed the Hospital's proposal and unanimously recommended that the City Council approve the Hospital's amendments to the Conditions of Approval.

Construction Management Plan

City staff received comments from the public concerned with the duration of construction and related construction impacts. Construction-related impacts, including but not limited to, noise, dust, construction staging, construction traffic and parking, and truck routes, are addressed in the Standard Conditions of Approval, which implement the City's and other regulatory agency's adopted guidelines, policies, and practices. In addition, these issues shall be addressed within the final Construction Management Plan. The Construction Management Plan is approved by City staff based on information in each relevant SCA and is completed prior to issuance of a construction permit. To further address community concerns, staff has required that the Hospital prepare and submit plans for a construction-period community engagement program to the City for review and approval also prior to issuance of a construction permit.

Landmark Status for the A/B Wing

The A/B Wing is considered a Potentially Designated Historic Property ("PDHP"), a CEQA historic resource, and eligible to become an Oakland Landmark as confirmed by the Landmarks Preservation Advisory Board (LPAB) on August 12, 2013.

The owner, LPAB, or the Planning Commission may initiate Landmark status. Landmarks are treated as zones pursuant to the Oakland Planning Code. Therefore, both the LPAB and the Planning Commission are authorized to make a recommendation regarding a proposal to City Council, which makes the final decision. The property owner may submit an objection to the Landmark designation. If the owner objects, Landmark designation shall only be approved if the City Council determines that 1) the objection is without substantial merit or 2) the proposed Landmark is of exceptional significance.

The LPAB, Planning Commission and City staff agree that the A/B Wing is worthy of Landmark status given the important role this structure plays in the Hospital's and the City of Oakland's

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history, the excellent condition of the building, and the high quality of its architectural design. The LPAB, Planning Commission and City staff have encouraged, though not required, the Hospital to submit an application to Landmark the structure. Prior to City Council’s adoption of demolition findings for historic resources in 2010, designated Heritage Properties, PDHP’s with an Oakland Cultural Heritage Survey (“OCHS”) rating of A or B, or PDHP’s located within an Area of Primary Importance, did not have equal protection under the Oakland Planning Code. With adoption of the 2010 demolition findings, however, all are considered to be Category I historic resources and the same findings are required to demolish these resources. Therefore, the major difference between the A/B Wing’s current historic status and Landmark status is 1) additional design review findings are required to alter (as compared to demolishing) a Landmark and 2) the potentially greater public opposition regarding changes to a Landmark, including demolition. As the Hospital’s ten-year Master Plan does not propose to demolish the A/B Wing, there is no imminent threat to the building. The Hospital strongly objects to Landmark status for the A/B Wing.

General Plan and Rezoning

City staff has met with the two residential property owners located within the proposed General Plan Amendment and Rezoning area to discuss the proposed changes. The owners of 720 52nd Street are not supportive of the change. They are concerned that if the S-1 zone would be implemented surrounding their property then non-desirable uses and construction could occur around them, as permitted by the Planning Code. They are concerned that they will not be able to enjoy their property if the changes occur. The owner of the property at 675 53rd Street submitted a comment letter on the Draft EIR, but has not expressly stated concerns to staff. A further discussion of the General Plan Amendment and Rezoning alternatives is discussed in the *Policy Alternative* section below.

POLICY ALTERNATIVES

General Plan Amendment and Rezoning Alternatives

Alternative # 1	No General Plan and Rezoning Change This proposal would not change the General Plan classification for a portion of the Project site from Mixed Housing Type to Institutional. This proposal would also not change the zoning district for a portion of the Project site from RM-2 Zone to S-1 Zone.
Pros	The property owners of 720 52 nd Street would be supportive of this proposal. The neighborhood north of 53 rd Street would also be supportive as they want to ensure a continued buffer between their community and the Hospital. They believe that restrictions on the uses permitted by the General Plan and restrictions within the Planning Code would create this buffer. The development standards would remain the same.

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Cons	The Hospital is requesting the General Plan Amendment and Rezoning along with other permits, including the PUD, FDP, Conditional Use permits, and Tentative Tract Map to create a coherent and comprehensive campus and to ensure that their health care mission and objectives can be pursued in accordance with a General Plan classification and zoning district that are intended for health care uses. The development standards for the residential properties would not increase in terms of density, reduced setbacks, lot coverage, and height.
Reason for not recommending	Staff is not recommending this alternative for several reasons. First, the General Plan Amendment and Rezoning reflect existing uses for the majority of the area (except for two properties). Second, a portion of the site to be rezoned is already located within the Institutional General Plan classification. A Rezoning of this area would ensure consistency between the General Plan and zoning districts. Third, health care uses are allowed with a Conditional Use Permit, and staff has already included a Condition of Approval that would limit heights along the south side of 53 rd Street. Therefore, a buffer shall be in place along 53 rd Street. Fourth, the Hospital’s mission could not be pursued within a General Plan classification and zoning district intended for residential uses. Fifth and finally, residential uses are permitted within the Institutional classification and S-1 Zone. These existing uses will not become legal non-conforming.

Alternative #2	General Plan and Rezoning Change Only for Hospital Owned Properties This proposal would change the General Plan classification only for Hospital owned properties from Mixed Housing Type to Institutional. This proposal would also change the zoning district for Hospital owned properties from RM-2 to S-1 Zone.
Pros	City staff does not see a favorable outcome to implementing this alternative.
Cons	For the parcel at 720 52 nd Street, the General Plan and Zoning would be inconsistent. Staff is unsure whether the property owners at 720 52 nd Street would be supportive of this proposal as the zoning would still change for immediately surrounding area. Hospital development adjacent to this parcel would be restricted as both the side and rear lot lines would abut another zone. This would require Hospital development to step back away from the property. The Hospital is requesting the General Plan Amendment and Rezoning along with other permits, including the PUD, FDP, Conditional Use permits and Tentative Tract Map to create a coherent and comprehensive campus and to ensure that their health care mission and objectives can be pursued in accordance with a General Plan classification and zoning district intended for health care uses.
Reason for not	This alternative would create two individual parcels with a separate

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<i>recommending</i>	zoning than the rest of the blocks. This action could be considered spot zoning and is inconsistent with accepted Planning practices. The General Plan Amendment and Rezoning reflect existing uses for the majority of the area (except for two properties). The Hospital’s mission could not be pursued within a General Plan classification and zoning district intended for health care uses.
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Alternative #3	<i>Implement the Rezoning for a portion of the Project Site only (and not the general plan amendment)</i> This proposal would only change the zoning district from RM-2 to S-1 for the area bounded by 53 rd Street to the north, OPC1 Building and parking garage to the west, 52 nd Street to the south, and Dover Street to the east. The portion of the Project Site to the east of Dover Street between 53 rd Street and 52 nd Street would remain in the Mixed Housing Type General Plan classification and within the RM-2 zoning district.
Pros	The General Plan and zoning would be consistent.
Cons	The property owners of 720 52 nd Street would not be supportive of this proposal. The Hospital is requesting the General Plan Amendment and Rezoning along with other permits, including the PUD, FDP, Conditional Use permits and Tentative Tract Map to create a coherent and comprehensive campus and to ensure that their health care mission and objectives can be pursued in accordance with a General Plan classification and zoning district that are intended for health care uses.
Reason for not recommending	First, the General Plan Amendment and Rezoning reflect existing uses for the majority of the area (except for two properties). The Hospital’s mission could not be pursued within a General Plan classification and zoning district intended for residential uses.

As noted above, City staff does not recommend any of the above alternatives, but rather the rezoning and general plan amendments as recommended by the Planning Commission. However, if the City Council were to consider the alternatives described above, City staff would recommend Alternative #3. Alternative #3 would not change the Hospital’s master plan. All proposed construction, including the Family Residence Building and Clinical Support Building could proceed as envisioned in the PUD. In addition, Alternative #3 would at least maintain coherent zoning districts for both blocks as is accepted Planning practice.

PUBLIC OUTREACH/INTEREST

CHRCO conducted 32 community meetings starting with a visioning session in March of 2012. These community meetings resulted in several significant changes to the Project including:

- Relocation of the main parking garage entrance from Dover Street to Martin Luther King Jr. Way.

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- Retention, partial retention, or relocation of eight residential structures originally proposed for demolition.
- Elimination of the second, temporary helistop and construction of a taller Link Building to accommodate the permanent helistop.
- Additional landscaping surrounding the Project site.
- Funding of a residential parking program ("RPP").
- Commitment of funds for improvements to Helen McGregor Park.

In addition, the following public hearings/meetings were held before City Boards, Committees, and Commissions:

- Oakland Bicyclist and Pedestrian Advisory Commission (formerly Bicycle and Pedestrian Advisory Committee) – August 15, 2013 and September 18, 2014.
- Landmarks Preservation Advisory Board – August 12, 2013, November 18, 2013, September 8, 2014, December 8, 2014, and March 9, 2015.
- Design Review Committee on November 20, 2013 and December 10, 2014.
- Oakland City Planning Commission – August 28, 2013, September 17, 2014, and April 1, 2015.

COORDINATION

The following City departments reviewed the Project, related requested permits as well as provided technical assistance on the EIR:

- Planning and Building Department,
- Oakland Public Works (Transportation Planning & Funding Division, Transportation Services Division, Department of Engineering and Construction, and the Tree Services Division),
- Oakland Police Department,
- Oakland Fire Department,
- City Administrator's Office, and
- City Attorney's Office.

This report was also reviewed by the Controller's Bureau.

COST SUMMARY/IMPLICATIONS

Approval of the Project and related permits would result in no direct costs to the City. CHRCO is required per the Standard Conditions of Approval to repave roadways and sidewalks damaged during construction, maintain trees, landscaping and stormwater infrastructure within the public right-of-way, and install bike lanes and additional bike parking. Community grants are expected

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to fund improvements to Helen McGregor Park. Oakland Public Works already maintains the park and ongoing maintenance is expected to continue in the future. However, maintenance of the additional improvements is expected to be partially accomplished by the Santa Fe Community Association & Neighbors (Santa Fe CAN) and the Longfellow Community Association as they already have a formal agreement through the OPW Adopt a Spot program.

SUSTAINABLE OPPORTUNITIES

Economic: The proposed Project is anticipated to provide 205 skilled long term jobs at the hospital. In addition, Project is anticipated to generate approximately 100 short term construction jobs.

Environmental: The proposed project is designed to exceed Oakland's local Green Building Ordinance and achieve a U.S. Green Building Council Leadership in Energy and Environmental Design Gold for Health Care rating for the OPC2 Building. Green building features would include efficient electrical and mechanical systems and insulated building envelope design to reduce energy consumption; low flow fixtures, process water systems and drought tolerant planting to reduce water consumption; cool roofs; sustainable materials; and implementation of a transportation demand management ("TDM"). Other new construction proposed as part of Phase 2 would either meet or exceed Oakland's Green Building Ordinance. In addition, the Hospital would replace the existing generators, cooling towers, and other mechanical equipment with more efficient systems to reduce greenhouse gas emissions.

Social Equity: The Hospital is a non-profit facility that provides state of the art pediatric care regardless of family income level. The proposed Project will increase these services to Oakland and regional children. Furthermore, as part of the proposed Project, the Hospital is proposing to continue the farmer's market outside OPC1, fund community visioning process for improvements to Helen McGregor Park, and implement bicycle lanes among other community benefits.

CEQA

An EIR has been prepared for the CHRCO Master Plan Project pursuant to the CEQA. The EIR was provided to the City Council under separate cover, and is available to the public, through the City's website:

<http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DQWD009157>
under item 8. Limited copies of the Draft and Final EIR are also available, at no charge, at the Oakland Planning Permit Counter, 250 Frank Ogawa Plaza, Suite 2214, Oakland, California 94612.

On April 1, 2015, the Oakland Planning Commission heard public testimony and recommended that the City Council certify the EIR and adopt the CEQA findings. The April 1, 2015 Planning

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Commission staff report includes a detailed summary of the CEQA process, timelines, findings and overall summary of the environmental review for the project. Below is a brief summary.

Publication and Distribution of the Draft EIR

A Notice of Preparation was issued on July 26, 2013 and scoping sessions were held before the LPAB, the BPAC and the Oakland City Planning Commission. The City prepared a Draft EIR which addresses all environmental topics identified in the City of Oakland's CEQA Thresholds of Significance. These topics include: Land Use and Planning, Aesthetics and Shadow, Cultural and Historic Resources, Transportation and Circulation, Air Quality, Greenhouse Gas Emissions, Noise, Geology, Seismicity and Soils, Hydrology and Water Quality, Hazards and Hazardous Materials, and Utilities. Other topics including Agricultural and Forestry Resources, Biological Resources (although a detailed evaluation of the Southern magnolia tree was performed), Mineral Resources, Population and Housing, Public Services and Recreation were found to not be directly relevant to the proposed Project, and therefore were not evaluated in detail in Chapter IV-D of the Draft EIR. The Draft EIR was released on August 7, 2014 beginning a 45 day public comment period. Public hearings on the Draft EIR were held before the LPAB, OBPAC, and the Planning Commission. Implementation of Standard Conditions of Approval would reduce all of environmental effects of the Project to less than significant levels.

Project Alternatives

Chapter V of the Draft EIR includes the detailed analysis of four alternatives to the Proposed Project that meet the requirements of CEQA, to analyze a range of reasonable alternatives to the Project that would feasibly attain most of the Project's basic objectives and avoid or substantially lessen any of the significant effects of the Project. The four CEQA alternatives analyzed in Chapter V include: (a) the No Project Alternative; (b) the Dover Street Closure Alternative, (c) the No Caltrans Property Acquisition Alternative; and (d) the Existing General Plan and Zoning Alternative. In addition to these four alternatives, the following five alternatives were considered but rejected from further evaluation: the Expansion of Campus Uses to the Existing Parking Lot Annex Alternative, Reduction in the Number of Parking Spaces Alternative, Increased Building Heights Alternative, Relocated Helistop Location Alternative, and an Off-Site Alternative. The Draft EIR identifies the environmentally superior alternative as the No Project Alternative. After the No Project Alternative, the environmentally superior alternative is the Existing General Plan and Zoning Alternative.

However, the Draft EIR concluded the Project would not result in any significant and unavoidable or cumulative impacts, and therefore, there is no reason to accept the Existing General Plan and Zoning Alternative. Nevertheless, in the interest of being conservative, staff has made the findings that there are specific economic, social, environmental, technological, legal or other considerations to reject the alternatives including the Existing General Plan and Zoning Alternative.

Response to Comments Document

A Notice of Availability and Release, along with the Response to Comments Document (which together with the Draft EIR make up the EIR) was published on February 27, 2015. The Response to Comments Document includes written responses to all comments received during the public review period on the Draft EIR and at the public hearings on the Draft EIR.

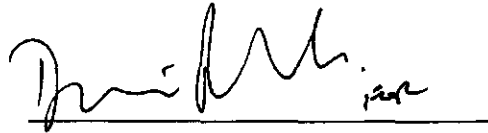
CONCLUSIONS

Staff recommends that the City Council take public testimony, close the public hearing, and adopt, as recommended by the Oakland City Planning Commission:

- 1) A Resolution (A) Certifying The Environmental Impact Report And Adopting Related CEQA Findings; (B) Amending The General Plan For A Portion Of The Project Site From Mixed Housing Type Residential To Institutional; (C) Adopting Preliminary Planned Unit Development Permit, Final Planned Unit Development Permit For Phase 1, Conditional Use Permits, Variances, Phased Vesting Tentative Tract Map And Other Development Related Land Use Permits; (D) Approving A Helistop Permit As Recommended By The City Administrator's Office; And (E) Approving A Tree Removal Permit As Recommended By The Public Works Agency, For Children's Hospital And Research Center Oakland's Master Plan, Located At 747 52nd Street, Oakland; and
- 2) An Ordinance (A) Adopting CEQA Findings, Including Certification Of Environmental Impact Report; And (B) Rezoning A Portion Of The Project Site From RM-2, Mixed Housing Type Residential Zone - 2 To S-1 Medical Center Zone, For Children's Hospital And Research Center Oakland's Master Plan, Located At 747-52 Street, Oakland.

For questions regarding this report, please contact Heather Klein, Planner III, at (510)238-3659.

Respectfully submitted,



RACHEL FLYNN

Director, Planning & Building Department

Reviewed by:

Robert Merkamp, Development Planning Manager
Bureau of Planning

Prepared by:

Heather Klein, Planner III
Bureau of Planning

ATTACHMENTS:

- A: (Approved/revised) Planning Commission Staff Report (no attachments)
- B: Comparison Table of Existing Conditions to Phase 1 and Total Build-out
- C: Project Plans, dated February 6, 2015
- D: Existing General Plan and Zoning on Project Site (Figure)
- E: Proposed General Plan and Zoning on Project Site (Figure)
- F: Existing and Proposed General Plan Classifications and Zoning Designations on the Project Site (Table)
- G: Phased Vesting Tentative Parcel Map, December 18, 2014
- H: CEQA Findings
- I: Planning -related Findings, including historic demolition findings
- J: (Revised) Conditions of Approval, including SCAMMRP
- K: Recommendation from the City Administrator's Office regarding the helistop, dated April 6, 2015, Helistop Permit Related Findings, and ALUC Land Use Compatibility Determination Letter, dated March 18, 2015
- L: Recommendation from the Oakland Public Work's Tree Services Unit regarding the tree permit for Phase 1, dated April 14, 2015 and Tree Related Findings
- M: Transportation Demand Management Program (TDM), dated March 25, 2015
- N: Letter from Children's Hospital and Research Center Oakland, dated April 1, 2015 and further revised Residential Permit Parking Program Boundary.

Item: _____

Community & Economic Development Committee

April 28, 2015

- O: Figure Showing $\frac{1}{4}$ mile and $\frac{1}{2}$ mile radius around the Hospital
- P: Environ Peer Review Letter, dated March 18, 2015
- Q: Comments/Conditions from the Oakland Fire Prevention Bureau, Bureau of Building, City Surveyor and EBMUD on the Phased Vesting Tentative Tract Map
- R: Public Comments received through April 15, 2015

Mark P. Wald
Office of the City Attorney

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2015 APR 26 AM 12:54

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

A RESOLUTION, AS RECOMMENDED BY THE CITY PLANNING COMMISSION, (A) CERTIFYING THE ENVIRONMENTAL IMPACT REPORT AND ADOPTING RELATED CEQA FINDINGS; (B) AMENDING THE GENERAL PLAN FOR A PORTION OF THE PROJECT SITE FROM MIXED HOUSING TYPE RESIDENTIAL TO INSTITUTIONAL; (C) ADOPTING PRELIMINARY PLANNED UNIT DEVELOPMENT PERMIT, FINAL PLANNED UNIT DEVELOPMENT PERMIT FOR PHASE 1, CONDITIONAL USE PERMITS, VARIANCES, PHASED VESTING TENTATIVE TRACT MAP AND OTHER DEVELOPMENT RELATED LAND USE PERMITS; (D) APPROVING A HELISTOP PERMIT AS RECOMMENDED BY THE CITY ADMINISTRATOR’S OFFICE; AND (E) APPROVING A TREE REMOVAL PERMIT AS RECOMMENDED BY THE PUBLIC WORKS AGENCY, FOR CHILDREN’S HOSPITAL AND RESEARCH CENTER OAKLAND’S MASTER PLAN, LOCATED AT 747 52ND STREET, OAKLAND

WHEREAS, Children’s Hospital and Research Center Oakland (“CHRCO”), now UCSF Benioff Children’s Hospital Oakland, is an existing hospital facility that contains a complex of medical buildings on a triangular site, located at 747 52nd Street, in the northern portion of the City of Oakland, Alameda County; and

WHEREAS, California State Senate Bill 1953 (“SB 1953”) requires all hospitals in California providing acute care to be designed and constructed to withstand a major earthquake and remain operational after the quake; and

WHEREAS, in order to comply with SB 1953, certain structures and facilities must be retrofitted, replaced, or removed from acute care services by December 31, 2019; and

WHEREAS, CHRCO has developed a Campus Master Plan Project that provides for the development of new and replacement facilities within the existing 11-acre CHRCO campus, and on or about May 2, 2014, submitted development applications for: a General Plan Amendment; Rezoning; a Preliminary Planned Unit Development Permit for Phases 1 and 2; a Final Planned Unit Development Permit for Phase 1; Conditional Use Permits to convert residential structures to non-residential in the S-1 and CN-3 Zones, permit health care use in the RM-2 and CN-3 Zones, demolish rooming units in the S-1 Zone, and permit commercial uses in the S-1 Zone; Design Review for residential facilities, non-residential facilities, Potentially Designated Historic Properties, and demolition of historic structures; Minor Variances for open facilities, number of loading berths, and Family Residence Building parking; an exception from ground floor

transparency percentage in the CN-3 Zone; a Phased Vesting Tentative Tract Map; a Helistop permit; and a Tree Removal Permit for Phase 1 (“Project”); and

WHEREAS, the main purpose of the Project is to create new seismically compliant acute care facilities that meet the seismic safety requirements of SB 1953 at the earliest practical date and within mandated state deadlines; and

WHEREAS, other Project goals include renovating existing structures, constructing new and replacement hospital facilities and associated infrastructure, and redesigning the CHRCO campus’ access points and internal street layout to improve site access, intermodal circulation, and pedestrian safety within the campus and adjacent City streets; and

WHEREAS, the Project will be developed in two phases; and

WHEREAS, Phase 1 of the Project would include: (a) demolition of one residential building; (b) minor rear yard additions on two residential buildings; (c) construction of a 6-story, 89,100 sq. ft. Outpatient Center (“OPC2”) and a 1,100 sq. ft. addition to the Central Plant Building; (d) construction of a new entrance to the existing parking garage off Martin Luther King Jr. Way; (e) landscaping and circulation improvements; (f) renovation of 95,500 sq. ft. within the existing CHRCO site; and (g) removal of nineteen trees, preservation of seven trees, and the installation of new native landscaping and bio-filtration planting areas around the OPC2 building; and

WHEREAS, Phase 2 of the Project would include: (a) demolition of one residential building, a modular building, the rear portions of three residential buildings, the B/C Wing, the existing heli-stop structure, the Bruce Lyon Memorial Research Center, the HemOnc Administrative Building, and several trailers; (b) construction of a 2-story, 14,500 sq. ft. Family Residence Building with 12 to 16 residential units, a 3-story 31,300 sq. ft. Clinical Support Building, a 5-story, 43,500 sq. ft. Link Building with a heli-stop on the roof; a 5-story, 101,000 sq. ft. Patient Pavilion, a 3,800 sq. ft. Central Utility Plant Building, and a 4-story, 114,900 sq. ft. parking structure with 334 stalls; (c) acquisition and improvement of 1.5 acres of Caltrans Right-of-Way; (d) improvement of site access and circulation to 52nd Street and Dover Street; (e) landscaping and utilities improvements; (f) renovation of 42,342 sq. ft. within the existing CHRCO site; (g) relocation of two residential buildings east of the Family Residence Building; and (h) removal of 89 trees, preservation of 36 trees, and the installation of new native landscaping and bio-filtration planting areas; and

WHEREAS, thirty-one community meetings were held to create dialogue with community members, provide information and updates on the Project, and address concerns; and

WHEREAS, CHRCO held a community visioning event to discuss the Project in July 2012, which was attended by neighbors, CHRCO patients, staff, donors, and local community leaders; and

WHEREAS, on July 26, 2013, a Notice of Preparation of a Draft Environmental Impact Report (“EIR”) for the Project was published; and

WHEREAS, in order to receive comments on the scope and content of the Draft EIR for the Project, duly noticed Draft EIR scoping hearings were held before the Oakland Landmarks Preservation Advisory Board (“LPAB”) on August 12, 2013; before the Oakland Bicycle and Pedestrian Advisory Committee (“BPAC”) on August 15, 2013; and before the Oakland City Planning Commission on August 28, 2013; and

WHEREAS, a Combined Notice of Availability and Release of a Draft EIR and Notice of Public Hearings on the Draft EIR for the Project was published on August 4, 2014, and a Draft EIR was released on August 7, 2014, both of which were made available to the public/governmental agencies for review and comment; and

WHEREAS, duly noticed public hearings on the Draft EIR for the Project were held before the Oakland LPAB on September 8, 2014; before the Oakland City Planning Commission on September 17, 2014 ; and before the Oakland BPAC on September 18, 2014; and

WHEREAS, an LPAB Design Review public hearing was held on December 8, 2014, and a hearing also was held before the Design Review Committee of the Planning Commission on December 10, 2014; and

WHEREAS, on February 27, 2015, a Notice of Availability/Notice of Release of a Final EIR, as well as a Responses to Comment/Final EIR, which responded to comments received on the Draft EIR, were published and made available for public review and comment; and

WHEREAS, on March 9, 2015 a duly noticed public hearing was attempted to be held before the LPAB to consider the EIR and Project land use entitlements, but there was no quorum. Individual members of the LPAB recommended approval of the Project, with minor revisions; and

WHEREAS, on March 18, 2015, California Airport Land Use Commission staff found the Project as currently proposed to be compatible with each of the four Airport Compatibility Planning Factors: noise, safety, airspace protection, and overflight criteria; and

WHEREAS, on April 1, 2015 a duly noticed joint public hearing was held before the City Planning Commission and City Administrator’s Hearing Officer to consider the EIR and Project development applications; and

WHEREAS, on April 1, 2015, the City Planning Commission, after conducting and closing the public hearing, recommended that the City Council: (a) adopt the required California Environmental Quality Act (“CEQA”) findings, including certifying the EIR and rejecting alternatives as infeasible; (b) adopt the Project Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (“SCAMMRP”); and (c) approve, as revised at the Planning Commission, the Project based, in part, upon the Project Findings and conditions of approval contained in the April 1, 2015 City Planning Commission Agenda Report and attachments (“City Planning Commission Report”); and

WHEREAS, pursuant to Chapter 5.28 of the Oakland Municipal Code, a Helistop Permit from

the City Administrator's Office is necessary to relocate the existing helistop on the CHRCO campus as part of Phase 2 of the Project; and

WHEREAS, California Public Utilities Code Section 21661.5 requires that the City Council approve the proposal to construct and operate a helistop located within City boundaries before Caltrans Division of Aeronautics can issue its final approval; and

WHEREAS, on April 6, 2015, the Hearing Officer from the City Administrator's Office, after receiving comments from the public and the City Planning Commission at the April 1, 2015 joint public hearing, recommended that the City Council approve the Helistop Permit; and

WHEREAS, pursuant to Chapter 12.36 of the Oakland Municipal Code, a Tree Removal Permit from the Tree Services Division of the City Public Works Agency is necessary to remove protected trees on the CHRCO campus; and

WHEREAS, on April 14, 2015, the Public Works Agency Tree Services Division, after properly noticing the Tree Removal Permit, recommended that the City Council approve the Tree Removal Permit for Phase 1 of the Project; and

WHEREAS, the EIR and Project were considered at a regular, duly noticed meeting of the City Council's Community and Economic Development Committee on April 28, 2015, which recommended certification of the EIR and approval of the Project;

WHEREAS, the Project and EIR were considered at a regular, duly noticed, public hearing of the City Council on May 5, 2015; now, therefore be it

RESOLVED, that the City Council, as the final decision-making body for the lead agency, has independently reviewed, considered, and analyzed the Project EIR and the CEQA findings of the City Planning Commission contained in the approved City Planning Commission Report and the April 28, 2015 City Council's Community and Economic Development Committee's Agenda Report and attachments ("City Council Agenda Report"); and be it

FURTHER RESOLVED, that the City Council, as the final decision-making body for the lead agency, hereby confirms, adopts, and incorporates by reference into this Resolution (as if fully set forth herein) all the CEQA findings contained in the approved City Planning Commission Report and the City Council Agenda Report prior to taking action in approving the Project; and be it

FURTHER RESOLVED, that the City Council adopts and incorporates by reference into this Resolution (as if fully set forth herein), as conditions of approval of the Project, the SCAMMRP contained in the approved City Planning Commission Report and the City Council Agenda Report; and be it

FURTHER RESOLVED, that the City Council hereby adopts the General Plan Amendment as detailed in *Exhibit A*, attached hereto and hereby incorporated by reference, based in part upon the findings contained in the approved City Planning Commission Report and the City Council Agenda Report; and be it

FURTHER RESOLVED, that the City Council hereby adopts all the Project's planning-related permits/approvals, the Helistop Permit, and the Tree Removal Permit for Phase 1, based in part on the findings identified above as well as the approved City Planning Commission Report and the City Council Agenda Report, the April 6, 2015 City Administrator Helistop Permit recommendation, and the April 14, 2015 Public Works Agency Tree Removal Permit recommendation; and be it

FURTHER RESOLVED, that nothing in this Resolution shall be interpreted or applied so as to create any requirement, power, or duty in conflict with any federal or state law; and be it

FURTHER RESOLVED, that the Environmental Review Officer, or designee, is directed to cause to be filed a Notice of Determination with the appropriate agencies; and be it

FURTHER RESOLVED, that the record before this Council relating to these actions include, without limitation, the following:

1. The May 2, 2014 development application, as may be amended or supplemented, and all related materials, including all accompanying maps, papers and appendices;
2. All final staff reports, final decision letters, and other final documentation and information produced by or on behalf of the City, including without limitation the EIR and supporting technical studies and appendices, and all related/supporting final materials, and all final notices relating to the Project and attendant hearings;
3. All oral and written evidence received by the Oakland LPAB, BPAC, City Planning Commission, City Administrator's Office, and City Council during the public hearings on the Project as well as all written evidence received by the relevant City Staff (including the Public Works Agency Tree Division) before and during the public hearings on the Project;
4. All matters of common knowledge and all official enactments and acts of the City, such as: (a) the General Plan; (b) Oakland Municipal Code; (c) Oakland Planning Code; (d) other applicable City policies and regulations; and (e) all applicable state and federal laws, rules and regulations; and be it

FURTHER RESOLVED, that the custodians and locations of the documents or other materials which constitute the record of proceedings upon which the City Council's decision is based, are respectively: (a) Planning and Building Department – Bureau of Planning, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, California; (b) City Administrator's Office, One Frank H. Ogawa Plaza, 11th Floor, Oakland California; (c) Public Works Agency Tree Services Division, 7101 Edgewater Dr, Bldg 4 Oakland California; and (d) Office of the City Clerk, One Frank H. Ogawa

Plaza, 1st Floor, Oakland California; and be it

FURTHER RESOLVED, that the recitals contained in this resolution are true and correct and are an integral part of the City Council's decision.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, GALLO, GUILLEN, KALB, KAPLAN, REID, WASHINGTON, and PRESIDENT GIBSON
MCELHANEY

NOES –

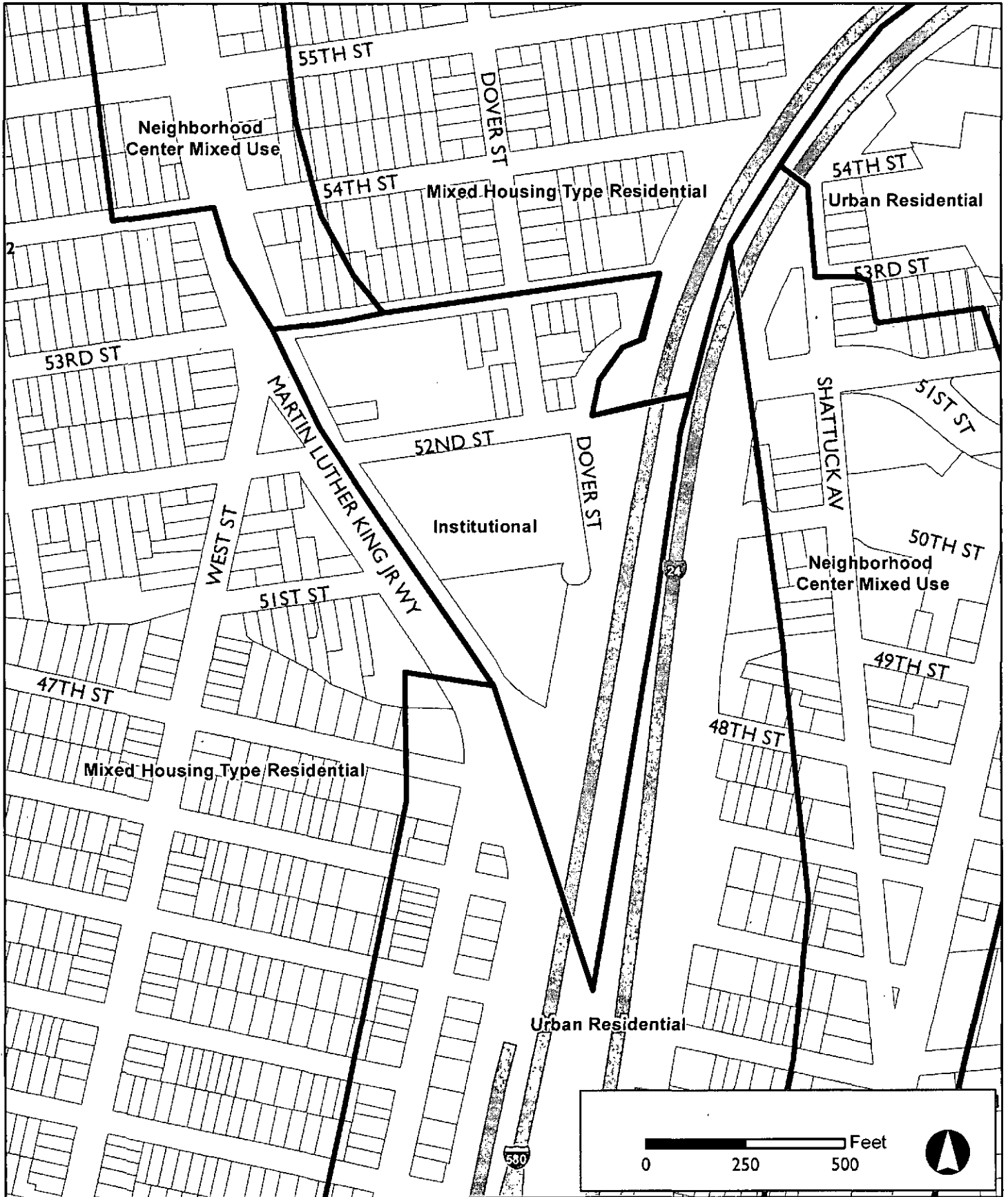
ABSENT –

ABSTENTION –

ATTEST _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION _____



Planning & Building Department
 April 28, 2015



Mark P. Ward

Office of the City Attorney

OAKLAND CITY COUNCIL

ORDINANCE No. _____ C.M.S.

Introduced by Councilmember _____

AN ORDINANCE, AS RECOMMENDED BY THE CITY PLANNING COMMISSION, (A) ADOPTING CEQA FINDINGS, INCLUDING CERTIFICATION OF ENVIRONMENTAL IMPACT REPORT; AND (B) REZONING A PORTION OF THE PROJECT SITE FROM RM-2, MIXED HOUSING TYPE RESIDENTIAL ZONE – 2 TO S-1 MEDICAL CENTER ZONE, FOR CHILDREN’S HOSPITAL AND RESEARCH CENTER OAKLAND’S MASTER PLAN, LOCATED AT 747-52 STREET, OAKLAND

WHEREAS, Children’s Hospital and Research Center Oakland (“CHRCO”), now UCSF Benioff Children’s Hospital Oakland, is an existing hospital facility that contains a complex of medical buildings on a triangular site, located at 747 52nd Street, in the northern portion of the City of Oakland, Alameda County; and

WHEREAS, California State Senate Bill 1953 (“SB 1953”) requires all hospitals in California providing acute care to be designed and constructed to withstand a major earthquake and remain operational after the quake; and

WHEREAS, in order to comply with SB 1953, certain structures and facilities must be retrofitted, replaced, or removed from acute care services by December 31, 2019; and

WHEREAS, CHRCO has developed a Campus Master Plan Project that provides for the development of new and replacement facilities within the existing 11-acre CHRCO campus, and on or about May 2, 2014, submitted development applications for: a General Plan Amendment; Rezoning; a Preliminary Planned Unit Development Permit for Phases 1 and 2; a Final Planned Unit Development Permit for Phase 1; Conditional Use Permits to convert residential structures to non-residential in the S-1 and CN-3 Zones, permit health care use in the RM-2 and CN-3 Zones, demolish rooming units in the S-1 Zone, and permit commercial uses in the S-1 Zone; Design Review for residential facilities, non-residential facilities, Potentially Designated Historic Properties, and demolition of historic structures; Minor Variances for open facilities, number of loading berths, and Family Residence Building parking; an exception from ground floor transparency percentage in the CN-3 Zone; a Phased Vesting Tentative Tract Map; a Helistop permit; and a Tree Removal Permit for Phase 1 (“Project”); and

WHEREAS, the main purpose of the Project is to create new seismically compliant acute care facilities that meet the seismic safety requirements of SB 1953 at the earliest practical date and within mandated state deadlines; and

WHEREAS, other Project goals include renovating existing structures, constructing new and replacement hospital facilities and associated infrastructure, and redesigning the CHRCO campus' access points and internal street layout to improve site access, intermodal circulation, and pedestrian safety within the campus and adjacent City streets; and

WHEREAS, the Project will be developed in two phases; and

WHEREAS, Phase 1 of the Project would include: (a) demolition of one residential building; (b) minor rear yard additions on two residential buildings; (c) construction of a 6-story, 89,100 sq. ft. Outpatient Center ("OPC2") and a 1,100 sq. ft. addition to the Central Plant Building; (d) construction of a new entrance to the existing parking garage off Martin Luther King Jr. Way; (e) landscaping and circulation improvements; (f) renovation of 95,500 sq. ft. within the existing CHRCO site; and (g) removal of nineteen trees, preservation of seven trees, and the installation of new native landscaping and bio-filtration planting areas around the OPC2 building; and

WHEREAS, Phase 2 of the Project would include: (a) demolition of one residential building, a modular building, the rear portions of three residential buildings, the B/C Wing, the existing heli-stop structure, the Bruce Lyon Memorial Research Center, the HemOnc Administrative Building, and several trailers; (b) construction of a 2-story, 14,500 sq. ft. Family Residence Building with 12 to 16 residential units, a 3-story 31,300 sq. ft. Clinical Support Building, a 5-story, 43,500 sq. ft. Link Building with a heli-stop on the roof; a 5-story, 101,000 sq. ft. Patient Pavilion, a 3,800 sq. ft. Central Utility Plant Building, and a 4-story, 114,900 sq. ft. parking structure with 334 stalls; (c) acquisition and improvement of 1.5 acres of Caltrans Right-of-Way; (d) improvement of site access and circulation to 52nd Street and Dover Street; (e) landscaping and utilities improvements; (f) renovation of 42,342 sq. ft. within the existing CHRCO site; (g) relocation of two residential buildings east of the Family Residence Building; and (h) removal of 89 trees, preservation of 36 trees, and the installation of new native landscaping and bio-filtration planting areas; and

WHEREAS, approximately thirty-one community meetings were held to create dialogue with community members, provide information and updates on the Project, and address concerns; and

WHEREAS, CHRCO held a community visioning event to discuss the Project in July 2012, which was attended by neighbors, CHRCO patients, staff, donors, and local community leaders; and

WHEREAS, on July 26, 2013, a Notice of Preparation of a Draft Environmental Impact Report ("EIR") for the Project was published; and

WHEREAS, in order to receive comments on the scope and content of the Draft EIR for the Project, duly noticed Draft EIR scoping hearings were held before the Oakland Landmarks Preservation Advisory Board ("LPAB") on August 12, 2013; before the Oakland Bicycle and Pedestrian Advisory Committee ("BPAC") on August 15, 2013; and before the Oakland City Planning Commission on August 28, 2013; and

WHEREAS, a Combined Notice of Availability and Release of a Draft EIR and Notice of Public Hearings on the Draft EIR for the Project was published on August 4, 2014, and a Draft EIR was released on August 7, 2014, both of which were made available to the public/governmental agencies for review and comment; and

WHEREAS, duly noticed public hearings on the Draft EIR for the Project were held before the Oakland LPAB on September 8, 2014; before the Oakland City Planning Commission on September 17, 2014 ; and before the Oakland BPAC on September 18, 2014; and

WHEREAS, an LPAB Design Review public hearing was held on December 8, 2014, and a hearing also was held before the Design Review Committee of the Planning Commission on December 10, 2014; and

WHEREAS, on February 27, 2015, a Notice of Availability/Notice of Release of a Final EIR, as well as a Responses to Comment/Final EIR, which responded to comments received on the Draft EIR, were published and made available for public review and comment; and

WHEREAS, on March 9, 2015 a duly noticed public hearing was attempted to be held before the LPAB to consider the EIR and Project land use entitlements, but there was no quorum. Individual members of the LPAB recommended approval of the Project, with minor revisions; and

WHEREAS, on March 18, 2015, California Airport Land Use Commission staff found the Project as currently proposed to be compatible with each of the four Airport Compatibility Planning Factors: noise, safety, airspace protection, and overflight criteria; and

WHEREAS, on April 1, 2015 a duly noticed joint public hearing was held before the City Planning Commission and City Administrator's Hearing Officer to consider the EIR and Project development applications; and

WHEREAS, on April 1, 2015, the City Planning Commission, after conducting and closing the public hearing, recommended that the City Council: (a) adopt the required California Environmental Quality Act ("CEQA") findings, including certifying the EIR and rejecting alternatives as infeasible; (b) adopt the Project Standard Conditions of Approval and Mitigation Monitoring and Reporting Program ("SCAMMRP"); and (c) approve, as revised at the Planning Commission, the Project based, in part, upon the Project Findings and conditions of approval contained in the April 1, 2015 City Planning Commission Agenda Report and attachments ("City Planning Commission Report"); and

WHEREAS, pursuant to Chapter 5.28 of the Oakland Municipal Code, a Helistop Permit from the City Administrator's Office is necessary to relocate the existing helistop on the CHRCO campus as part of Phase 2 of the Project; and

WHEREAS, California Public Utilities Code Section 21661.5 requires that the City Council approve the proposal to construct and operate a helistop located within City boundaries before Caltrans Division of Aeronautics can issue its final approval; and

WHEREAS, on April 6, 2015, the Hearing Officer from the City Administrator’s Office, after receiving comments from the public and the City Planning Commission at the April 1, 2015 joint public hearing, recommended that the City Council approve the Helistop Permit; and

WHEREAS, pursuant to Chapter 12.36 of the Oakland Municipal Code, a Tree Removal Permit from the Tree Services Division of the City Public Works Agency is necessary to remove protected trees on the CHRCO campus; and

WHEREAS, on April 14, 2015, the Public Works Agency Tree Services Division, after properly noticing the Tree Removal Permit, recommended that the City Council approve the Tree Removal Permit for Phase 1 of the Project; and

WHEREAS, the EIR and Project were considered at a regular, duly noticed meeting of the City Council’s Community and Economic Development Committee on April 28, 2015, which recommended certification of the EIR and approval of the Project;

WHEREAS, the Project and EIR were considered at a regular, duly noticed, public hearing of the City Council on May 5, 2015; and

WHEREAS, immediately after closing the public hearing, the City Council, via Resolution No. XXXX C.M.S.: (a) made appropriate CEQA findings, including certification of the EIR and rejecting alternatives as infeasible; (b) adopted the Project Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (“SCAMMRP”); (c) approved, as revised at the Planning Commission, the Project, the Helistop Permit, and the Tree Permit for Phase 1, subject to findings and conditions of approval; and (d) introduced this Ordinance;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. The City Council, as the final decision-making body for the lead agency, has independently reviewed, considered, and analyzed the Project EIR and the CEQA findings of the City Planning Commission contained in the approved City Planning Commission Report and the City Council Agenda Report and hereby reconfirms, readopts, and incorporates by reference into this Ordinance (as if fully set forth herein) all the CEQA findings, including certification of the Project EIR, relative to the proposed rezoning of a portion of the Project site from RM-2, Mixed Housing Type Residential Zone – 2 to S-1, Medical Center Zone, as contained in the approved City Planning Commission Report and the City Council Agenda Report prior to adopting this Ordinance.

Section 2. The City Council hereby adopts the proposed rezoning, as detailed in *Exhibit A*, attached hereto and hereby incorporated by reference, based in part upon the findings contained in the approved City Planning Commission Report and the City Council Agenda Report.

Section 3. Nothing in this Ordinance shall be interpreted or applied so as to create any requirement, power, or duty in conflict with any federal or state law.

Section 4. The Environmental Review Officer, or designee, is directed to cause to be filed a Notice of Determination with the appropriate agencies.

Section 5. The record before this Council relating to this Ordinance include, without limitation, the following:

1. The May 2, 2014 development application, as may be amended or supplemented, and all related materials, including all accompanying maps, papers and appendices;
2. All final staff reports, final decision letters, and other final documentation and information produced by or on behalf of the City, including without limitation the EIR and supporting technical studies and appendices, and all related/supporting final materials, and all final notices relating to the Project and attendant hearings;
3. All oral and written evidence received by the Oakland LPAB, BPAC, City Planning Commission, City Administrator's Office, and City Council during the public hearings on the Project as well as all written evidence received by the relevant City Staff (including the Public Works Agency Tree Division) before and during the public hearings on the Project; and
4. All matters of common knowledge and all official enactments and acts of the City, such as: (a) the General Plan; (b) Oakland Municipal Code; (c) Oakland Planning Code; (d) other applicable City policies and regulations; and (e) all applicable state and federal laws, rules and regulations.

Section 6. The custodians and locations of the documents or other materials which constitute the record of proceedings upon which the City Council's decision is based, are respectively: (a) Planning and Building Department – Bureau of Planning, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, California; (b) City Administrator's Office, One Frank H. Ogawa Plaza, 11th Floor, Oakland California; (c) Public Works Agency Tree Services Division, 7101 Edgewater Dr., Bldg 4, Oakland California; and (d) Office of the City Clerk, One Frank H. Ogawa Plaza, 1st Floor, Oakland California.

Section 7. The recitals contained in this Ordinance are true and correct and are an integral part of the City Council's decision.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, GALLO, GUILLEN, KALB, KAPLAN, REID, WASHINGTON, and PRESIDENT GIBSON
MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION. _____



Planning & Building Department
 April 28, 2015



Children's Hospital Proposed Rezoning

EXHIBIT A

mpw

NOTICE & DIGEST

AN ORDINANCE (A) ADOPTING THE CEQA FINDINGS, INCLUDING CERTIFICATION OF ENVIRONMENTAL IMPACT REPORT; AND (B) REZONING A PORTION OF THE PROJECT SITE FROM RM-2, MIXED HOUSING TYPE RESIDENTIAL ZONE – 2 TO S-1 MEDICAL CENTER ZONE, FOR CHILDREN’S HOSPITAL AND RESEARCH CENTER OAKLAND’S MASTER PLAN, LOCATED AT 747-52 STREET, OAKLAND.

This Ordinance (a) adopts the CEQA Findings, including certification of the Environmental Impact Report for the Children’s Hospital and Research Center Oakland’s Master Plan Project and (b) amends the zoning district for a portion of the Children’s Hospital and Research Center Oakland’s Project site bounded by 52nd Street to the south, 53rd Street to the north, the Outpatient Center 1 (“OPC1”) Building and the existing parking garage to the west and SR-24 to the east. Specifically, the zoning district would be amended from the RM-2, Mixed Housing Type Residential Zone – 2 to the S-1, Medical Center Zone. This area includes two non-hospital owned properties at 720 52nd Street and 675 53rd Street, which the City is proposing to rezone also from RM-2 to the S-1 Zone.

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FILED
OFFICE OF THE CITY CLERK
OAKLAND

Location:	Children's Hospital and Research Center Oakland (CHRCO) is located at 747 52 nd Street and is generally bounded by 53 rd Street to the north, State Route 24 (SR-24) to the east, and MLK Jr. Way and the elevated BART tracks to the south and west. APNs: Multiple
Proposal:	The Project would occur in two phases. Phase I would (a) demolish one residential building and minor rear yard additions on two residential buildings; (b) construct a 6-story, 89,100 sq. ft. Outpatient Center (OPC2) and a 1,100 sq. ft. addition to the existing Central Plant Building; (c) construct a new entrance to the existing parking garage off Martin Luther King Jr. Way; (d) improve landscaping and utilities; and (e) renovate 95,500 sq. ft. within the existing Hospital. Phase II would (a) demolish one residential building, a modular building, the rear portions of three residential buildings, the B/C Wing, the existing heli-stop structure, the Bruce Lyon Memorial Research Center, the HemOnc Administrative Building and several trailers; (b) construct a 2-story, 14,500 sq. ft. Family Residence Building with 12 to 16 residential units; a 3-story, 31,300 sq. ft. Clinical Support Building; a 5-story, 43,500 sq. ft. Link Building with a heli-stop on the roof; a 5-story, 101,000 sq. ft. Patient Pavilion; a 3,800 sq. ft. Central Utility Plant Building; and a 4-story, 114,900 sq. ft. parking structure with 334 stalls; (c) acquire and improve 1.5 acres of Caltrans Right-of-Way; (d) improve site access and circulation to 52nd Street and Dover Street; (e) improve landscaping and utilities; and (f) renovate 42,342 sq. ft. within the existing Hospital. Full Project build-out would result in 210 beds (increase of 40 on-site), 988 patients and outpatient visitors (increase of 113), 761 inpatient visitors (increase of 157) and 2,371 staff (increase of 205).
Applicant:	Children's Hospital and Research Center Oakland, Doug Nelson
Phone Number:	(510) 428-3066
Owner:	Children's Hospital and Research Center Oakland
Case File Number:	PLN14-170; ER12-0013
Planning Permits Required:	General Plan Amendment; Rezoning; Preliminary Planned Unit Development Permit for Phases 1 & 2; Final Planned Unit Development Permit for Phase 1; Conditional Use Permits to convert residential structures to non-residential in the S-1 and CN-3, permit health care use in RM-2 and CN-3, demolition of rooming units in the S-1 Zone, and commercial uses in the S-1 Zone; Design Review for residential facilities, non-residential facilities, Potentially Designated Historic Properties and demolition of historic structures; Minor Variances for open facilities, number of loading berths and Family Residence Building parking; exception from ground floor transparency percentage in the CN-3 Zone; a Vesting Tentative Tract Map.
City Administrator Permit:	A heli-stop permit from the City Administrator's Office pursuant to Oakland Municipal Code Chapter 5.28 is necessary to relocate the existing heli-stop on the main campus. The heli-stop would be relocated approximately 250' to the north and approximately 45' higher than the existing heli-stop as part of Phase 2 of the Project. The existing heli-stop would be decommissioned and demolished.
General Plan:	Current: Institutional, Mixed Housing Type, Neighborhood Center Proposed: Amend a portion of the project site from Mixed Housing Type Residential to Institutional.
Zoning:	Current: S-1, Medical Center Zone; RM-2, Mixed Housing Type Residential Zone-2; CN-3, Neighborhood Commercial Zone – 3 Proposed: Rezone a portion of the project site from RM-2, Mixed Housing Type Residential Zone – 2 to S-1 Medical Center Zone.
Environmental Determination:	The Draft Environmental Impact Report (EIR) was published for a 49-day review period from August 7, 2014 to September 22, 2014. The Response to Comments/Final EIR was published on February 27, 2015.
Historic Status:	The A/B Wing (Baby Hospital) on the CHRCO campus is considered a Potentially Designated Historic Property (PDHP) and a CEQA historic resource with a current (revised) rating of B3 by the Oakland Cultural Heritage Survey (OCHS), as confirmed by the Landmarks Preservation Advisory Board (LPAB) on August 12, 2013. The proposal includes certain properties within the 55th and Dover Residential District Area of Secondary Importance that are considered PDHPs. The District appears eligible for the California Register of Historic Places and is a CEQA historic resource.

Location:	Children's Hospital and Research Center Oakland (CHRCO) is located at 747 52 nd Street and is generally bounded by 53 rd Street to the north, State Route 24 (SR-24) to the east, and MLK Jr. Way and the elevated BART tracks to the south and west. APNs: Multiple
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Service Delivery District:	II – North Oakland/North Hills
City Council District:	I – Kalb
Actions to be Taken:	
Planning Commission:	Receive public comments and Planning Commission comments. Planning Staff recommends the Planning Commission (1) recommend to the City Council adoption of the CEQA findings, including certification of the EIR; (2) recommend to the City Council approval of the Project's Planning-related permits, and (3) recommend to the City Council approval of the rezoning and general plan amendment.
City Administrator:	The Hearing Officer from the City Administrator's Office will receive public and Commission comments regarding the helistop permit. Planning Staff recommends the Hearing Officer recommend to the City Council approval of the helistop permit (through issuance of a separate, written determination after the close of the public hearing).
Appeal:	All of the Planning Commission's and City Administrator's recommendations as to the CEQA findings, certification of the EIR and the Project will automatically be considered by the City Council at a later date, for its independent review, consideration and final action, and thus no appeal of these actions is necessary. However, all interested parties must exhaust their administrative remedies by raising any and all issues and/or evidence at this public hearing or in a writing received by the Project Planner Heather Klein no later than 4:00pm on April 1, 2015.
For Further Information:	Contact project planner Heather Klein at (510) 238-3659 or hklein@oaklandnet.com

CITY OF OAKLAND PLANNING COMMISSION



0 250 500 1,000 1,500 2,000 Feet



Case File: PLN14170, ER12-0013
Applicant: Children's Hospital Research Center Oakland &
Children's Hospital Oakland Research Institute
Address: 747 52nd Street (bounded by 53rd street, SR-24, MLK Jr Way
and BART tracks) and 5700 Martin Luther King Jr Way
Zone: S-1, RM-2, CN-3

This is a joint public hearing before the Planning Commission and a Hearing Officer of the City Administrator's Office to consider the Planning related actions and the permit for the relocation of the existing helistop.

SUMMARY

Children's Hospital and Research Center Oakland (CHRCO), now UCSF Benioff Children's Hospital Oakland, submitted an application to create new acute care facilities which meet the strict seismic safety requirements of California State Senate Bill 1953 (SB 1953) at the main campus at 747 52nd Street. SB 1953 is an amendment to the 1973 Hospital Seismic Safety Act which requires all hospitals in California providing acute care be designed and constructed to withstand a major earthquake and remain operational immediately after the quake. To comply with SB 1953, Children's Hospital is proposing a Master Plan that includes demolishing certain existing buildings, renovating existing structures, constructing new and replacement hospital facilities and associated infrastructure, and redesigning the campus's access points and internal street layout. Full build-out of the Project (Phases 1 and 2) would result in approximately 210 beds (increase of 40 on-site), 988 daily patients and outpatient visitors (increase of 113), 761 daily inpatient visitors (increase of 157) and 2,371 daily staff (increase of 205). In addition, the proposed Project would include a total of 1,373 parking spaces on-site and an adjacent off-site parking lot (increase of 286).

The City is the Lead Agency pursuant to the California Environmental Quality Act (CEQA) and has the responsibility to prepare the Environmental Impact Report (EIR) for the Project. A Draft Environmental Impact Report (Draft EIR) was prepared for the Project, under the requirements of CEQA, pursuant to Public Resources Code Section 21000 et seq. A Notice of Preparation was issued on July 26, 2013 and scoping sessions were held before the Landmarks Preservation Advisory Board (LPAB) on August 12, 2013, the Bicycle and Pedestrian Advisory Committee (BPAC) on August 15, 2013 and the City Planning Commission on August 28, 2013. The Draft EIR was prepared and released on August 7, 2014 beginning a 49-day public comment period. Public hearings on the Draft EIR were held on September 8, 2014 before the LPAB, September 17, 2014 before the Planning Commission and September 18, 2014 before the Oakland Bicyclist and Pedestrian Advisory Commission (OBPAC, formerly the BPAC). The public review and comment period ended on September 22, 2014. A Response to Comments/Final EIR, responding to the comments received on the DEIR, was published on February 27, 2015.

The purpose of this meeting is to receive any remaining public testimony and Planning Commission comments concerning the design, requested permits and environmental review issues associated with the Project. Staff has prepared the following recommended actions for the Planning Commission to review and consider:

- (1) Recommend to the City Council, adoption of the CEQA findings, including certification of the EIR;
- (2) Recommend to the City Council, approval of the Project's Planning-related permits, noted in this report subject to the conditions (including the Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCAMMRP)), requirements, and findings contained in this staff report, and
- (3) Recommend to the City Council approval of the rezoning and general plan amendment, subject to the requirements and findings contained in this staff report.

Hearing Officer from the City Administrator's Office Consideration of Helistop Permit

As discussed above, a Hearing Officer from the City Administrator's Office will also consider the permit application to relocate the existing helistop at this meeting. Staff has prepared the following recommended actions for the Hearing Officer from the City Administrator's Office to review and consider:

- (1) Receive public and Planning Commission comments regarding the helistop permit, and
- (2) Recommend to the City Council approval of the helistop permit (through issuance of a separate, written determination after the close of the public hearing).

BACKGROUND

Existing Conditions

The approximately 11-acre CHRCO campus is generally bounded by 53rd Street to the north, State Route 24 (SR-24) to the east, and Martin Luther King Jr. Way and the elevated BART tracks to the south and west. The campus is an existing, approximately 459,850 sq. ft. hospital with 190 beds, 170 of which are located at the main campus and 20 of which are located off-site.

Surrounding Area

The CHRCO campus is surrounded by residential uses with some neighborhood serving commercial uses to the north, residential uses and the elevated BART tracks to the south and west, and State Route 24 off-ramp, right-of-way and freeway to the south and east. Certain one and two-story residential buildings to the north are located within the 55th and Dover Street historic district. This district is designated as an Area of Secondary Importance per the Oakland's Cultural Heritage Survey (OCHS). In addition, Children's Hospital owns one parking lot (west-lot) with 182 striped spaces to the west across Martin Luther King Jr. Way, which is used for employee parking.

CONTINUED ONGOING HOSPITAL OPERATIONS

With or without the proposed Project, the Hospital will continue to operate as an acute care facility for children. However, in order to meet the seismic requirements of SB 1953, interior renovations and some utility re-routing would need to occur. Specifically, services within the A/B Wing and B/C Wing would be relocated either on- or off-site to seismically compliant buildings.

In addition, continued ongoing operations include emergency helicopter flights for trauma patients. CHRCO estimates that helicopter flights would increase at the rate of approximately 1% per year over the life of the Master Plan (through 2025) with or without the proposed Project. In 2013, 559 helicopters utilized the CHRCO helistop. Each landing/takeoff is counted as an aircraft operation, meaning that a total of 1,118 helicopter operations occurred at the existing helistop during this time period or 3.1 daily flights. In 2025, approximately 1,260 helicopter operations would occur at the relocated helistop or approximately 3.5 daily flights.

PROJECT DESCRIPTION

Proposed Project

CHRCO's Master Plan proposal would create new seismically compliant acute care facilities to meet the seismic safety requirements of SB 1953, provide individual patient rooms, as opposed to the current ward conditions, for the Pediatric Intensive Care and Neo-Natal Intensive Care Units, and expand and renovate the existing buildings and property to increase hospital services given the development constraints on the campus. The proposed Project would be constructed in two phases as detailed further below. (See Attachment A for a table that compares each phase and total build-out to existing conditions and Attachment B for Project Plans.)

The design of the Master Plan proposes to unify the campus by incorporating façade materials from the existing buildings and adding new elements from the proposed structures to existing structures. The Outpatient Center 2 (OPC2) Building, Link Building and Clinical Support Building grade/pedestrian levels are clad primarily in brick. Light colored, neutral plaster walls are punctuated by windows in an ordered pattern, with some windows bordered by colored frames. This strategy of incorporating textures and coloration of the existing A/B Wing and Outpatient buildings aids in stitching together both the campus proper and the surrounding neighborhood. Upper floors of the OPC2, Patient Pavilion, existing D&T Wing and Patient Tower will use glass and metal panels to bring a sense of color to their glazed areas.

Phase 1

Phase 1 includes:

- Demolition of a 1,041 sq. ft. former residential building at 5204 Martin Luther King Jr. Way (currently owned by CHRCO and used as offices) south of the existing parking garage.
- Relocation of the main existing parking garage entrance and exit from 52nd Street to Martin Luther King Jr. Way to facilitate construction of the OPC2 building. Both the entrance and exit would be right-in/right-out only; however, vehicles could also make a right turn only onto 52nd Street. To accommodate the new entrance/exit and queuing inside the existing garage, seventeen parking spaces would be removed. New bicycle parking would be located within the existing garage.
- Construction of the six-story, 89,100 sq. ft. OPC2 building adjacent to and with a direct connection to the existing OPC1 building and existing parking garage. The OPC2 building would provide space for outpatient clinical visits or treatment not requiring an overnight stay in the hospital. The first floor of the OPC2 building would include fifteen parking spaces for emergency department patients. The floors above would include exam rooms, treatment rooms, procedure rooms, occupational therapy rooms, physician offices, cubicles, clinical lab and associated space including waiting rooms, reception areas, conference rooms, and break rooms. To facilitate compliance with SB 1953 on the main campus, the following departments will be relocated to OPC2: Outpatient Rehabilitation, Cardiology, Pediatric Surgical Associates, Urology, Neurology, Neurosurgery, Laboratory and Facility Design and Construction.
- Demolition of minor rear yard additions (approximately 500 sq. ft.) at 707 and 715 53rd Street to accommodate a new driveway off of Dover Street to the existing maintenance area adjacent to the existing parking structure and OPC1.

- Construction of a 1,100 sq. ft. addition at the existing Central Utility Plant to accommodate the installation of two 750-ton water cooled chillers with two draft cooling towers. Additional mechanical improvements to the heating, ventilating and air conditioning systems would occur under Phase 1 to serve the renovated areas.
- Renovation of 95,500 sq. ft. of interior hospital space including: the Pediatric Intensive Care Unit, Neo-Natal Intensive Care Unit, Surgery/Post-Anesthesia Care Unit, Pharmacy, Central Sterile Processing Department, Morgue, Private Branch Exchange, Environmental Services, Inpatient Rehabilitation and Medical/Surgery Beds and Endocrinology.
- Removal of nineteen trees, preservation of seven trees and the installation of new native landscaping and bio-filtration planting areas around the OPC2 building.
- Construction of water, sanitary sewer, storm drains and other utility and infrastructure improvements.

Building Design

The ground floor plan of the existing parking garage shows the main entrance relocated to Martin Luther King Jr. Way. There will be one dedicated ingress and egress with another lane that can be changed to either ingress or egress depending on peak traffic flows. New bicycle parking will be located within the existing garage. The exterior façade of the garage will largely remain the same except for a curved metal awning and a green portal to denote the new entrance.

The OPC2 base is proposed to be brick clad. A multi-colored glass panel curtain wall fronts 52nd Street supported by white columns. Another multi-colored glass panel curtain wall tilts away from Martin Luther King Jr. Way to define the corner and entrance to the hospital campus. The rest of the building façade is neutral beige stucco with yellow stucco on two sides of the stair tower. Colored boxes frame the windows in a random pattern, punctuating the façade. The main entrance to the OPC buildings is via a yellow portal element off of 52nd Street with children's art proposed along the interior wall. A metal awning curves around the building providing the opportunity for signage. The garage is screened with metal mesh panels and landscaping.

The ground floor of the OPC2 building contains the main entrance to the OPC buildings, mechanical rooms and 15 parking stalls for the emergency department across 52nd Street. Another egress is provided from the existing garage through the emergency department parking area. The 2nd through 6th level plans show exam rooms, offices and other areas for outpatient services. New landscaping and street trees are shown all along the block with a "plaza" like element at the corner of 52nd Street and Martin Luther King Jr. Way.

The new Central Plant building will have a neutral stucco base and metal screens above to mask equipment.

Phase 1 Operational Summary

Phase 1 would reduce the on-site hospital beds from 170 to 140 (a loss of thirty beds) as a result of interior renovations. During Phase 1, CHRCCO would increase the number of off-site beds from twenty to forty beds. Two parking spaces would be lost during Phase 1 as a result of the construction of fifteen spaces on the ground floor of the OPC2 building and the loss of seventeen parking spaces in the existing garage. Total Phase 1 Project construction is anticipated to take approximately 58 months (2015-2020).

Phase 2

Phase 2 includes.

- Acquisition of approximately 1.5 acres of right-of-way from Caltrans, adjacent to SR-24, to facilitate construction of the Clinical Support Building and the parking structure. Improvements to the area would also include grading and construction of a series of retaining walls to retain the slope.
- Demolition of the 2,253 sq. ft. residential building at 5212 Dover Street, the 2,800 sq. ft. modular office building at 665 53rd Street, and the rear portions of the residential buildings at 671-679 53rd Street.
- Construction of a 14,500 sq. ft. Family Residence Building behind the front facades of 671-679 53rd Street and connected to the existing Family House. The Family Residence Building will be approximately two stories (33' tall) and provide twelve to sixteen rooming units for families of children in the hospital.
- Relocation of two residential buildings at 688 and 682 52nd Street east of the Family Residence Building. These structures will continue to be used as hospital office space.
- Construction of the 3-story (40' tall), 31,300 sq. ft. Clinical Support Building at the corner of 52nd and Dover Street to house administrative and hospital support services. This building will include departments and operations currently located in the B/C Wing and temporary trailers.
- Demolition of the 33,510 sq. ft. B/C Wing, temporary trailers on the main campus, the 12,570 sq. ft. Bruce Lyon Memorial Research Laboratory, and the 4,500 sq. ft. Oncology Offices.
- Construction of the five-story, 43,500 sq. ft. Link Building between the existing 1982 Tower and the proposed Patient Pavilion. The Link building will include space for Material Management, Facility Planning, Family Resources and other departments currently housed in temporary trailers or other locations on campus.
- Relocation and construction of a new 24-hour emergency heli-stop on the roof of the Link Building. The heli-stop will consist of a 2,100 sq. ft. raised pad marked by an "H" and will be surrounded by a safety net and required lighting per Federal Aviation Administration guidelines. The heli-stop will be used for trauma patients or hospital transfers.
- Construction of the five-story, 101,000 sq. ft. Patient Pavilion adjacent to the Link Building. The Patient Pavilion would provide acute care facilities including medical/surgery beds.
- Construction of a 3,800 sq. ft. Central Utility Plant to accommodate the Phase 2 construction and renovations. The building would include an emergency water tank, emergency waste tanks and underground storage tanks to provide 72 hours of fuel to the emergency generators.
- Construction of a four-story, 334 space parking structure between the Patient Pavilion and SR-24 for employees and visitors.
- Renovation of 42,340 sq. ft. within CHRCO including the Emergency, Radiology and Surgical Magnetic Resonance Imaging (MRI) departments.

- Improvements to circulation and hospital access including the existing hospital emergency drop-off, shuttle parking and ambulance parking as well as the CHRCO owned portion of Dover Street south of 52nd Street to provide access to the parking garage and a drop-off area in front of the Patient Pavilion. Other improvements include restriping of 52nd Street to provide one through-lane and a new Class 2 bicycle lane in each direction between Martin Luther King Jr. Way and Dover Street.
- Removal of 89 trees, preservation of 36 trees and the installation of new native landscaping and bio-filtration planting areas around the Family Residence Building, existing and proposed hospital entrance, Central Utility Plant, parking structure and 52nd Street.
- Construction of water, sanitary sewer, storm drains and other utility and infrastructure improvements to serve Phase 2 construction. The existing PG&E underground duct bank will be relocated to the southern area of the campus.

Full build-out of the Project (Phase 1 and 2) would result in approximately 210 beds (increase of 40 on-site), 988 daily patients and outpatient visitors (increase of 113), 761 daily inpatient visitors (increase of 157), and 2,371 daily staff (increase of 205). In addition, the proposed Project would include a total of 1,373 parking spaces on-site and on adjacent off-site lots (increase of 286). Total Phase 2 Project construction is anticipated to take approximately 60 months (2020-2025). An outdoor farmer's market is included in the proposal on the sidewalk in front of the OPC1 building.

GENERAL PLAN ANALYSIS

Existing Project Site Classifications per the General Plan's Land Use and Transportation Element

The Project site has three different General Plan Land Use and Transportation Element (LUTE) classifications (see Attachment C).

- *Institutional*: The main hospital area, bounded by Martin Luther King Jr. Way, SR-24 and 52nd Street is classified Institutional. In addition, the area bounded by 52nd Street to the south, 53rd Street to the north, Martin Luther King Jr. Way to the east, and Dover Street to the west is also classified Institutional. The Institutional classification is intended to "create, maintain and enhance areas appropriate for educational facilities, cultural and institutional uses, health services and medical uses as well as other uses of similar character." Hospital uses are permitted in the Institutional classification and the maximum allowable Floor Area Ratio (FAR) is 8.0.
- *Mixed Housing Type Residential*: The area bounded by 52nd Street to the south, 53rd Street to the north, Dover Street to the west and SR-24 to the east is classified as Mixed Housing Type Residential. In addition, one hospital owned property across 53rd Street to the north (670 53rd Street) is also classified Mixed Housing Type Residential. The Mixed Housing Type Residential classification is intended to "create, maintain, and enhance residential areas typically located near the City's major arterials and characterized by a mix of single family homes, townhomes, small multi-unit buildings, and neighborhood businesses where appropriate." Small scale civic uses are possible in appropriate locations. The Mixed Housing Type Residential classification does not have an FAR requirement.
- *Neighborhood Center Mixed Use*: The Hospital also owns property at the corner of Martin Luther King Jr. Way and 53rd Street (770 53rd Street). This property is used for medical service activities and has a parking lot with nine stalls accessed from 53rd Street. This area is classified as

Neighborhood Center Mixed Use. The Neighborhood Center Mixed Use classification is intended to “identify, create, maintain, and enhance mixed use neighborhood commercial centers.” The maximum allowable FAR is 4.0.

Proposed Project Site Classifications per the General Plan’s Land Use and Transportation Element

The Hospital is requesting a General Plan Amendment to change a portion of the Project site from Mixed Housing Type Residential to the Institutional LUTE classification (see Attachment D). Specifically, the designation for the area bounded by 52nd Street to the south, 53rd Street to the north, Dover Street to the west and SR-24 to the east would be amended to Institutional. This area includes one non-hospital owned property at 675 53rd Street. The main campus and two properties (670 53rd Street and 770 53rd Street) would not have their General Plan designations changed. The table in Attachment E further clarifies the proposed General Plan land use classification changes. The Project is consistent with the proposed General Plan classifications and is under the maximum FAR permitted by the Institutional designation. Furthermore, with the Citywide rezoning that occurred in 2011, uses that are permitted or conditionally permitted per the Zoning Code would be consistent with the General Plan. Staff has identified proposed findings in the *Findings* section of this report.

Consistency with the General Plan Element’s Policies

LUTE Consistency

The project conforms to LUTE objectives and policies, as discussed in the Draft EIR, hereby incorporated by reference, and as summarized below and in the *Findings* section of this report:

- *Objective N2 states: Encourage adequate civic, institutional and educational facilities located within Oakland, appropriately designed and sited to serve the community.* The proposed project meets the overall objective. As noted above, the Hospital has been located in the same area for over 100 years and has operated in a manner that is sensitive to its surrounding. As detailed below, larger more intense uses and buildings are proposed for construction away from residential neighborhoods while smaller less intense office uses are located closer to residential areas. The project will include a Transportation Demand Management Plan (TDM) among other SCA’s and recommended measures that will enhance and protect residential areas. The project retains six buildings and relocates two buildings to 53rd Street to ensure continuation and improvement of the residential character of the neighborhood. The Hospital is already a source of community pride. With the improvements associated with the seismic retrofit and modernization, the Hospital will maintain its status as a premier location of pediatric and trauma care in the East Bay and the region.
- *Policy N2.1 Designing and Maintaining Institutions* The proposed project meets this policy. As noted above, the Hospital is already a source of pride, providing care to all of Oakland’s and the region’s children regardless of income. The Hospital developed in conjunction with the neighborhood and the modernization of its facilities continues to be compatible with its surroundings. The required seismic retrofit will ensure that the Hospital can continue to provide acute care services to Oakland and Bay Area children. The design in terms of size, bulk, massing, texture, and material is similar to the existing hospital buildings. Color is intended to unite campus facilities in a way that is comforting and welcoming to children, identify the campus and define street corners and important elements, and reduce the mass and bulk of the proposed buildings.

- *Policy N2.2: Providing and Distributing Services:* The project will enhance the ability of the Hospital to provide pediatric care and trauma services, in seismically compliant, state of the art, facilities to all of Oakland's and regional children.
- *Policy N2.3 Supporting Institutional Facilities:* As detailed throughout the findings, the staff report, and the Response to Comments/Final EIR document, the project is compatible with surrounding uses, the site currently is developed with hospital uses, and the site can accommodate the expansion of those uses with minimal expansion of the overall campus.
- *Policy N2.4 Locating Services Along Major Streets:* The project is located along MLK Jr. Way and 52nd Street which are major arterial streets in this area. Where uses are proposed along neighborhood streets, they are low scale and low intensity in nature. The project site is located within easy access of freeways and is bounded by SR-24.
- *Policy N2.5 Balancing City and Local Benefits of Institutions:* As detailed in the Draft EIR, the project will not result in any significant and unavoidable impacts. In fact, all impacts from the project were determined to be less than significant. However, City staff is still recommending several measures to further reduce (already less than significant) impacts and improve the surrounding community including alternative transportation, noise and historic resource related measures.
- *Policy N2.7 Designing Community Facilities.* As detailed in the findings section, the project is compatible with the area's existing and desired character. Ordinance No. 13275 C.M.S., establishing a public art requirement for private development projects, will be applied to the project.
- *Policy N2.8 Long Range Development Planning:* The proposed project is a 10-year Master Plan and represents the current long range plans for the Hospital. The Hospital is not proposing at this time any additional work beyond this 10-year time frame.

Historic Preservation Element (HPE) Consistency

The proposed project is consistent with the HPE policies and objectives, as discussed in the Draft EIR, and as detailed below

- *Policy 3.1: Avoid or Minimize Adverse Historic Preservation Impacts Related to Discretionary City Actions.* The Project includes several features that avoid or reduce adverse impacts related to historic resources. First, the Project would retain the majority of two PDHPs and the front portions of three other PDHPs along 53rd Street along with all their character defining features. Second, two PDHPs would be relocated from 52nd Street to 53rd Street. Third, the A/B Wing will be retained. All impacts related to the removal of the magnolia tree and the courtyard on the A/B Wing were found to be less than significant. In addition, all other impacts related to adjacent construction on the A/B Wing were found to be less than significant. With approval of the recommended measures, discussed in the *Key Issues* section of this report, these already less than significant impacts would be further reduced. As such, the Project is consistent with Policy 3.1.
- *Policy 3.5: Historic Preservation and Discretionary Permit Approvals.* The proposed Project would demolish the property located at 5204 Martin Luther King Jr. Way, the B/C Wing and the Bruce Lyon Memorial Research Laboratory. Staff has made the appropriate findings for demolition in the *Findings* section of this report. In addition, three properties along 53rd Street would be significantly altered. Although the Planning Code does not address whether demolition findings should be made for the removal of the rear additions and facades of these properties, staff has nevertheless

conservatively included the demolition findings related to the portions of these buildings. Therefore and as further evaluated in the *Findings* section, the Project is consistent with Policy 3.5.

- *Policy 3.7: Property Relocation Rather than Demolition as Part of Discretionary Projects* As noted above, three properties are being proposed for complete demolition. Two of these buildings (B/C Wing and the Bruce Lyon Memorial Research Laboratory) cannot be relocated due to the size and construction type. However, the Applicant will make a reasonable effort to relocate the house at 5204 Martin Luther King Jr. Way to an appropriate location. Therefore, the Project is consistent with Policy 3.7.
- *Policy 4.1. Archaeological Resources.* As discussed on pages 253-254 of the Draft EIR, there are no prehistoric or archaeological deposits recorded on the project site. The Project site is largely developed and it is unlikely that archeological resources would be found on site. However, the Project site is sensitive to archaeological resources due to the presence of Temescal Creek outside of the south border of the main campus. The Project will implement the City's Standard Conditions of Approval related to archeological resources and will be consistent with Policy 4.1.

Furthermore, as shown in the Draft EIR Chapter 4A, the proposed project is consistent with the City's Open Space Conservation and Recreation (OSCAR), Housing Element, Noise Element, Safety Element, Energy and Climate Action Plan, Complete Streets Policy, Green Building Ordinance, and Bicycle and Pedestrian Master Plans.

ZONING ANALYSIS

Existing Project Site Zoning

The project site has three different zoning districts (see Attachment C).

- *S-1, Medical Center Zone:* The main hospital area, bounded by Martin Luther King Jr. Way, SR-24 and 52nd Street, is located within the S-1 Medical Center Zone. In addition, the area bounded by 52nd Street to the south, 53rd Street to the north, Martin Luther King Jr. Way to the east, and interior side lot line of the existing parking garage and the OPC1 building to the west is also located within the S-1 Zone. The S-1 zone is intended to create, preserve, and enhance areas devoted primarily to medical facilities and auxiliary uses, and is typically appropriate to compact areas around large hospitals. The property is used as a hospital and Health Care Civic activities are permitted in the S-1 Zone.
- *RM-2, Mixed Housing Type Residential Zone - 2:* The Project site bounded by 52nd Street to the south, 53rd Street to the north, the interior side lot line of the existing parking garage and the OPC1 building to the west, and SR-24 to the east is located within the RM-2 Zone. In addition, one hospital owned property across 53rd Street to the north (670 53rd Street) is also located in the RM-2 Zone. A portion of the property owned by the Hospital across 53rd Street to the north at the corner of Martin Luther King Jr. Way and 53rd Street (770 53rd Street) is also located in the RM-2 Zone. The intent of the RM-2 zone is to create, maintain, and enhance residential areas characterized by a mix of single family homes, duplexes, townhouses, small multi-unit buildings, and neighborhood businesses where appropriate. This area is currently used for health care activities. In the RM-2 Zone, Health Care Civic activities are permitted with approval of a Conditional Use Permit and Semi-transient Residential Uses are prohibited.

- *CN-3, Neighborhood Center Commercial Zone – 3:* The Hospital owns property at the corner of Martin Luther King Jr. Way and 53rd Street (770 53rd Street). A portion of this property is located within the CN-3 Zone. The intent of the CN-3 zone is to create, improve, and enhance area neighborhood commercial centers that have a compact, vibrant pedestrian environment. This property is used for health care activities and has a parking lot with nine stalls accessed from 53rd Street. In the CN-3 Zone, Health Care Civic activities are permitted with approval of a Conditional Use Permit.

Proposed Project Site Zoning

The Hospital is requesting a rezoning to change the RM-2 portion of the Project site (with the exception of the house located at 670 53rd Street) to the S-1 Zone (see Attachment D). This area includes two non-hospital owned properties at 720 52nd Street and 675 53rd Street. The property across 53rd Street at 670 53rd Street would remain in the RM-2 Zone and the property at 770 53rd Street would remain in the CN-2 Zone and the RM-2 Zone. The table in Attachment E further clarifies the proposed zoning changes. If these properties were to be rezoned to the S-1 Zone, then Health Care Civic Activities and the Semi-Transient Activities would be permitted by right per the Planning Code. Staff has made the appropriate findings in the *Findings* section of this report.

Zoning Consistency

The following table depicts the Project’s comparison to the proposed S-1 Zone development standards:

Zoning Regulation Comparison Table

Criteria	Proposed S-1 Zone	Proposed Project	Comment
Parcel A Yard – Front MLK	10’ min.	10’	In Compliance
Parcel A Yard – Corner Lot Line 52 nd Street	10’ min.	27’	In Compliance
Parcel B Yard – Front 52 nd Street	10’ min.	10’	In Compliance
Parcel B Yard – Corner Lot Dover Street	10’ min.	20’	In Compliance
Parcel B Yard – Interior Lot Line Caltrans Prop/ Onramp	No min.	15’	In Compliance
Parcel B Yard – Interior Lot Line Adjacent to 685 53 rd Street	5’ min.	5’	In Compliance
Parcel B Yard Rear 53 rd Street	10’ min.	8’-4” through 15’-5”	Apply PUD bonus waiver of yards
Parcel C Yard – Corner Lot Line ML King	10’ min.	10-20’	In Compliance
Parcel C Yard – Interior Lot Line	No min.	20’+	In Compliance
Parcel C Yard Rear	10’ min.	30’	In Compliance
Parcel C Court	10’ min.	30’	In Compliance
Height	No maximum	5-6 stories	In Compliance
Lot Coverage	N/A	N/A	N/A
Open Space for Family House	75 sq. ft. per rooming unit = 2,250 sq. ft. for 30 rooming units	3,548 sq. ft.	In Compliance

Criteria	Proposed S-1 Zone	Proposed Project	Comment
=Bike Parking Spaces- Hospital	Phase 1	199,761 sf = 3 long term & 5 short term	Existing 40 short term racks 17 long term and 42 short term
	Phase 2	Based on employees = 10 long & 9 short term	
	Location	Long-term on-site or within 500' of main building entrance Short term 50' from main entrance	176' long term 36' short term
Bike Parking- Semi-Transient Rooming House	1 per 8 residents/ Min 2	2	In Compliance
Parking - Hospital	1 per 4 beds + 1 for each 4 employees + 1 space for each staff doctor = 210 beds (52.5 spaces) 205 employees (51.6 spaces) 266 Doctors (21 spaces) = 125	286 parking spaces	In Compliance
Parking -Rooming House	1 per 2 rooming unit = 7 spaces located on-site	0 located on-site (7 spaces to be designated in parking garage)	Minor Variance Required
Loading	299,999 -2 berths additional 100,000 -berth 399,200 sq. ft. new = 3 berths	2 berths at build-out	Minor Variance Required
Loading Dimensions	33x14	33x14	In Compliance
Recycling Space	2 cubic ft per 1,000 sf floor area	1 20yd container	In Compliance

Planned Unit Development Permit

The Applicant has requested a preliminary Planned Unit Development permit (PUD) for the entire Master Plan area and a Final Development Plan for Phase 1. A PUD is a large, integrated development adhering to a comprehensive plan and located on a single tract of land of sixty thousand (60,000) square feet or more, or on two (2) or more tracts of land equaling sixty thousand (60,000) square feet or more in total which may be separated only by a street or other right-of-way. In developments that are approved pursuant to the Planned Unit Development regulations, certain uses may be permitted in addition to those otherwise allowed in the underlying zone, and certain of the other regulations applying in said zone may be waived or modified. The Project applicant is requesting a PUD bonus permitted per section 17.142.100G for a waiver of the rear yard setback for Parcel B. The proposed Project meets the requirements of a Planned Unit Development Permit and staged Final Development Plans. The Applicant has not submitted any detailed design plans for Phase 2 at this time and a Final Development Plan for Phase 2 will need to be subsequently submitted. The Final Development Plan for each phase will be sufficiently detailed to show the ultimate operation and appearance of the development. The criteria for review and approval of a Planned Unit Development Permit is in Section 17.140.080 of the Oakland Planning Code. Staff has identified proposed in the *Findings* section of this report.

Major Conditional Use Permits

The Applicant is requesting approval of several Conditional Use Permits including the following:

- The Farmer’s Market that occurs in front of the OPC1 Building (Section 17.74.040 and 17.74.090)
- Conversion from a Residential Activity to a Non-Residential Activity in the S-1 and the CN-3 Zones (17.74.080 and 17.102.230)

- Health Care Civic Activities in the RM-2 and CN-3 Zones (17.134.050 and 17.33.030), and the
- Demolition of rooming units in the S-1 Zone (17.135.050 and 17.102.230).

The criteria for review and approval of the Conditional Use Permits are listed in the Sections of the Oakland Planning Code above. Staff has identified proposed findings in the *Findings* section of this report.

Minor Variances

The Applicant is requesting Minor Variances for the farmer's market facility type (unenclosed non-residential), the number of loading berths, and the location of parking for the Family Residence Building. In addition, the Applicant is requesting an exception from the required minimum ground floor transparency percentage in the CN-3 Zone. The criteria for review and approval of the Minor Variances is in Section 17.148.050 of the Oakland Planning Code. Staff has identified proposed findings in the *Findings* section of this report.

Vesting Tentative Tract Map

The Applicant has submitted a vesting tentative tract map (see Attachment F) to merge all of the parcels owned by the Hospital and subject to the Master Plan (with the exception of 670 53rd Street and 770 53rd Street) into three parcels. Specifically, Parcel A would merge 29 parcels into a 128,563 sq. ft. parcel. Parcel B would merge 10 parcels into a 35,541 parcel. Parcel C would merge 35 parcels into a 251,354 sq. ft. parcel. If the Caltrans right-of-way property along SR-24 is acquired in the future, that parcel will be merged with Parcels B and C. Final Maps will be submitted in Phases. The criteria for review and approval of the vesting tentative tract map is in Section 16.08.030 of the Oakland Municipal Code. Staff has identified proposed findings in the *Findings* section of this report.

ENVIRONMENTAL REVIEW

Publication and Distribution of the DEIR

The Draft EIR addresses all environmental topics identified in the City of Oakland's CEQA Thresholds of Significance and each environmental topic at a level of detail warranted by each topic. A Notice of Preparation was issued on July 26, 2013 and scoping sessions were held before the LPAB on August 12, 2013, the BPAC on August 15, 2013 and the City Planning Commission on August 28, 2013. The Draft EIR was prepared and released on August 7, 2014 beginning a 45 day public comment period. Public hearings on the Draft EIR were held on September 8, 2014 before the LPAB, September 17, 2014 before the Planning Commission and September 18, 2014 before the OBPAC. The public review and comment period ended on September 22, 2014. The following environmental topics are addressed in detail.

- A. Land Use and Planning
- B. Aesthetics and Shadow
- C. Cultural and Historic Resources
- D. Transportation and Circulation
- E. Air Quality
- F. Greenhouse Gas Emissions
- G. Noise
- H. Geology, Seismicity and Soils
- I. Hydrology and Water Quality
- J. Hazards and Hazardous Materials

K. Utilities

Other topics including Agricultural and Forestry Resources, Biological Resources (although a detailed evaluation of the magnolia tree was performed), Mineral Resources, Population and Housing, Public Services and Recreation were found to not be directly relevant to the proposed Project, and therefore were not evaluated in detail in the Draft EIR (see Draft EIR pages 607-616).

All of the environmental effects of the Project can be reduced to less than significant levels through implementation of Standard Conditions of Approval, attached to this report. Furthermore, the City is recommending several Recommended Measures to further reduce the already less than significant impacts. These Recommended Measures are discussed in the *Key Issues* section of this report.

Project Alternatives

Chapter V of the DEIR includes the detailed analysis of four alternatives to the Proposed Project that meet the requirements of CEQA, to analyze a range of reasonable alternatives to the Project that would feasibly attain most of the Project's basic objectives and avoid or substantially lessen any of the significant effects of the Project. The four CEQA alternatives analyzed in Chapter V include: (a) the No Project Alternative; (b) the Dover Street Closure Alternative, (c) the No Caltrans Property Acquisition Alternative; and (d) the Existing General Plan and Zoning Alternative. In addition to these four alternatives, the following five alternatives were considered but rejected from further evaluation: the Expansion of Campus Uses to the Existing Parking Lot Annex Alternative, Reduction in the Number of Parking Spaces Alternative, Increased Building Heights Alternative, Relocated Helistop Location Alternative, and an Off-Site Alternative.

As noted above, the Draft EIR concluded the Project would not result in any significant and unavoidable or cumulative impacts. However, CEQA requires identification of an environmentally superior alternative which would feasibly attain most of the Project Applicant's objectives while avoiding or lessening the Project's significant effects on the environment. The Draft EIR identifies the environmentally superior alternative as the No Project Alternative because no demolition or new construction activities would occur in that alternative. Under CEQA, if a No Project Alternative is identified as the environmentally superior alternative, the EIR shall identify a second environmentally superior development alternative among the other alternatives. In this case, the environmentally superior development alternative is the Existing General Plan and Zoning Alternative. This alternative would retain the existing rear facades of the two contributory buildings along 53rd Street, eliminate construction of the proposed Family Residence Building, and reduce the size and height of the Clinical Support Building. Given the slightly smaller development area, there would be a corresponding slight reduction in the already less than significant environmental impacts identified for the proposed Project.

Response to Comments Document

A Notice of Availability and Release (NOA/R), along with the Response to Comments Document (which together with the DEIR make up the Final EIR) was published on February 27, 2015. The Response to Comments Document includes written responses to all comments received during the public review period on the Draft EIR and at the public hearings on the Draft EIR held by the LRAB, Planning Commission, and the OBPAAC as well as revised or clarified text. The Final EIR was provided under separate cover for review and consideration by the LPAB; the NOA/R was sent to all commenters. The Final EIR is available to the public at the Planning Department office and on the City's website at <http://www2.oaklandnet.com/Government/o/CEDA/o/PlanningZoning/s/Application/DOWD009157> under item 8.

Lozeau Drury, LPP on behalf of the Committee of Interns and Residents submitted a comment letter (B-2 of the RTC/Final EIR) expressing concerns related to the health risk assessment within the Draft EIR and the potential for air quality impacts. In response to this comment letter, the City requested that a consultant conduct an independent peer review of certain aspects of the air quality analysis and also review the responses contained within the RTC/Final EIR (See Attachment G). The consultant's analysis concluded that the responses in the RTC/Final EIR adequately address all the comments within the Lozeau Drury letter related to air quality impacts and these response are consistent with their previous conclusions which are Appendix C of the RTC/Final EIR.

KEY ISSUES

General Plan and Rezoning

As mentioned in the General Plan and Rezoning sections above, the Hospital is requesting a General Plan Amendment and Rezoning for the portions of its property located east of the existing parking garage and OPC1 Building. However, this area also includes two non-Hospital owned properties. Specifically, the City is proposing to change the zoning of the property at 720 52nd Street from the RM-2 district to the S-1 district to be consistent with the underlying existing General Plan classification which is Institutional. In addition, the City is proposing to change the property located at 675 53rd Street from the Mixed Housing Type Residential General Plan classification to the Institutional classification and the zoning from the RM-2 district to the S-1 district.

City staff has met with the two property owners to discuss the proposed changes. The owners of 720 52nd Street are not supportive of the change. They are concerned that if the S-1 zone would be implemented surrounding their property then non-desirable uses and construction could occur around them, as permitted by the Planning Code. The owner of the property at 675 53rd Street submitted a comment letter (C-42) which requested further clarification of General Plan and Rezoning issues north of 53rd Street but has not expressly stated concerns to staff. The Response to Comments/Final EIR contains a response to this document and the referenced figures are included as Attachment C and D.

Staff is supportive of the General Plan Amendment because it reflects the existing uses on the site which are health care civic uses not residential uses. Staff is also supportive of the rezoning request for the following reasons. First, a portion of the area to be rezoned is already located within the Institutional General Plan classification. Second, the major land uses in this area are Health Care civic uses not residential. Therefore, the rezoning reflects actual on-the-ground uses. Third, although two Residential uses are located within the area, changing the zoning district would not result in this use becoming legal non-conforming. Residential uses would still be permitted.

However, City Council could choose not to approve the rezoning for the properties within the RM-2 zone. While semi-transient activities (Family Residence Building) are prohibited under the RM-2 zoning and building height is limited to 30', this use and a height waiver are permitted as a PUD bonus under Planning Code section 17.142.100 E and G and approval of the PUD. Therefore, even if the rezoning did not occur, the Project may proceed as envisioned.

Project Design Issues

OPC2 Streetfront Design

City staff received comments on the Draft EIR regarding the need for ground floor and active pedestrian uses instead of an emergency parking lot within the proposed OPC2 Building. This concern was also discussed during both the November 2013 and December 2014 meetings before the Design Review Committee (DRC). The Hospital has indicated to staff that the ground floor emergency department parking is necessary to better facilitate emergency department operations. Currently there are only four spaces directly adjacent to the emergency department to drop off patients. According to the Hospital, the current situation is more than just inconvenient for patients in an emergency. Adding retail or placing parking underground would be inconsistent with the Hospital's objectives. Furthermore, the Hospital is not in the business of providing commercial services. City staff recognized the need for these facilities and recommended that in lieu of active ground floor uses, the Hospital create pedestrian interest through art, decorative screens, and/or landscaping. The Hospital has revised the streetscape design around OPC2 to provide a more urban streetscape design as shown on the plans. Staff is supportive of the changes. The DRC did not specifically address active spaces on the ground floor of the OPC2 Building at the public hearing. The DRC members agreed that the pedestrian entrance needed more refinement and that art and decorative screens, not just planting, should screen the emergency department parking area. One member liked the plaza idea at the corner of Martin Luther King Jr. Way and 52nd Street but thought the area should be moved back from the street. Staff agrees with this recommendation.

OPC2 Building Entrance

At the November 2013 and the December 2014 DRC meetings, City staff noted concern that the pedestrian entrance was not prominent enough or visually interesting. Furthermore, vehicular ingress and egress off of 52nd Street is more prominent than the pedestrian entrances to the OPC Buildings. Current plans show the entrance as a portal opening constrained by the ADA ramps, the parking garage entrance and an OPC1 structural column. Staff recommends the following design suggestion be further considered which is included as Condition of Approval (See Condition 47a).

The garage entrance should be moved toward Martin Luther King Jr. Way. This might require reducing the width of travel lanes into the garage and possible loss of an emergency vehicle parking space. The proposed second pedestrian entrance into the garage flanking the driveway should be removed or reduced to accommodate relocation of the parking garage entrance further west. Finally further increasing the entrance to the OPC2 building would provide a larger gathering area out front, allow some landscaping and provide room for short term bicycle parking.

Use of Color within the Campus Design

At the December 8, 2014 LPAB Design Review public hearing, several commenters found the Project design jarring and the use of color throughout the project too extensive. Staff presented these comments to the DRC of the Planning Commission on December 10, 2014. The Committee did not direct staff or the Applicant to redesign the façade of the Patient Pavilion or the Link Building in response to those comments. The Committee was generally supportive of the use of color and did not recommend substantive changes. The DRC thought that the color in the Central Utility Plant area should be more subdued and that the applicant should consider additional refinement of the area into a garden as part of Phase 2 plans. The applicant has revised the colors in this area to be more neutral and will consider this input as part of the final plan for Phase 2.

Construction Management Plan

City staff received comments on the Draft EIR and during several community meetings regarding the duration of construction and construction impacts such as noise, dust, construction staging, construction traffic and parking, truck routes, road closures, re-paving, pedestrian and bicycle safety and construction notifications. Responses to these comments are discussed in Master Response 1 of the Response to Comments/Final EIR document and will be addressed within the final Construction Management Plan. The Construction Management Plan is approved by City staff based on information in each relevant SCA, and other City guidelines, policies, and typical practices and is completed prior to issuance of a grading, demolition, or construction permit. However, to ensure that the public has the opportunity to review and comment on the construction process before it is finalized, the following measure is included as part of SCA TRA-2:

The project applicant shall prepare and submit plans for a construction-period community engagement program to the City for review and approval prior to issuance of a grading, demolition, or building permit. The process for engaging the community (via newsletter, website notification, or meetings) prior to and throughout the construction period shall be detailed in the plan.

Transportation Demand Management Program

City staff received comments on the Draft EIR and during several community meetings regarding the implementation of a transportation demand management program (TDM) and a Residential Parking Permit (RPP) program in the surrounding neighborhood. Responses to these comments are discussed in Master Response 3 of the Response to Comments/Final EIR document. City staff has prepared a final TDM per SCA-TRA-1 from the Draft EIR for review and approval. The TDM requires the Hospital to reduce the number of single occupancy vehicle trips by 10% during Phase 1 and by 20% in Phase 2 through a combination of mandatory and optional measures to reach the stated goals. The final TDM is included as Attachment H to this Report.

While the Hospital is expected to meet its parking demand with construction of the proposed parking garage in Phase 2, it is possible that employees and visitors may continue to use free on-street parking instead of paying to park in the garage. To address this issue City staff is proposing to create an RPP area approximately ¼ mile around the Hospital, assuming there is the requisite neighborhood support for the establishment of an RPP, in accordance with standard City practices and procedures. If the RPP is established, within the RPP area, the Hospital will be required to pay for one permit for eligible residences with one driveway and two permits for eligible residences without a driveway for the 10 year life of the Master Plan. After ten years, the obligation of the Hospital to pay for RPP permits would be re-evaluated by the City Council with a recommendation from the Planning Commission. The neighbors would still be required to submit the parking surveys and signatures for the permit application, as well as follow all other applicable procedures/processes to establish the RPP.

Cultural Resource Related Issues

Historic District Compatibility

City staff received several comments on the Draft EIR concerning the General Plan and Rezoning and compatibility with the 55th and Dover Residential District as well as buffering of residential uses and historic character. As discussed in the Response to Comment/Final EIR Master Response #4, the Hospital has been located in the area for over 100 years; the General Plan and zoning districts allow for health care civic uses with permits near residential areas; and a General Plan and Rezoning change will

not result in a physical change to a resource such that the resource or the surroundings such that the resource (the District) will be materially impaired.

In addition, the proposed project does buffer the residential neighborhood from institutional uses by locating more intense uses away from residential areas, retaining existing homes, relocating houses to "fill in" the block, moving the maintenance access drive off of 53rd Street, and re-landscaping the block. In addition, City staff has included a Recommended Measure that will retain the look and feel of the residential character and RM-2 zoning for the lots facing 53rd Street.

Feasibility of Relocating the Magnolia Tree

City staff received comments on the Draft EIR concerning the removal of the magnolia tree and the feasibility of relocating the tree. The Draft EIR identified two locations (one off-site and one on-site) that were deemed feasible and the LPAB and Planning Commission requested that relocation be further explored. As discussed in Master Response #6 of the Response to Comments/Final EIR (beginning on page 51), Valley Crest Tree Company, which is experienced in relocating large trees, analyzed the tree and surrounding area and determined, in its expert opinion, that the tree could not be successfully relocated either on or off-site. In addition, the City's Tree Services Unit reviewed all the reports completed to date regarding relocation and concurred that relocating the tree was neither feasible nor recommended. However, to address the less than significant loss of the tree, the City's Tree Services Unit recommended two additional measures which are summarized below.

Dover Street Closure

City staff received comments during the EIR scoping sessions and on the Draft EIR concerning the closure of Dover Street between 52nd and 53rd Street. As noted in the Response to Comment/Final EIR comment A2-2, the street grid and block pattern are character defining features of the 55th and Dover Residential District. Changing the street grid would result in a minor impact to the District but this impact would be less than significant. As further detailed in Response to Comment/Final EIR comment C5-3, City staff has several concerns regarding the closure of the street during construction of Phase 1 and Phase 2. However, the Response to Comment/Final EIR includes a Recommended Measure that requires the Hospital to conduct a transportation study after the completion of Phase 2 and submit the study to the City who will further evaluate whether vacation of closure is necessary and the related findings can be satisfied.

Landmarking of A/B Wing

At the August 12, 2013 EIR scoping session before the LPAB, the A/B Wing was determined to be eligible for Landmark status. City staff received comments on the Draft EIR encouraging the applicant to landmark the A/B Wing. City staff agrees that this structure is worthy of Landmark status and is an important structure in the Hospital's history and City of Oakland's history. Landmark status provides additional protection of the A/B Wing. The Hospital's ten-year Master Plan includes protection of the A/B Wing. Staff did not include a Condition of Approval to landmark the A/B Wing as there is no imminent threat to the building. However, staff encourages the Hospital to support Landmark status, given the important role this structure plays in the Hospital's long history, the excellent condition of the building, and the high quality of its architectural design.

LPAB Recommendation to the Planning Commission Regarding the Project

The project was presented to the LPAB on March 9, 2015 in order to receive final comments and recommendation to the Planning Commission regarding the design, requested project permits and environmental review related cultural resources. The LPAB did hear the item and take public testimony. However, the LPAB did not have a quorum and therefore, could not give a formal recommendation to the Planning Commission on these issues. However, the LPAB members individually noted that maintenance of all historic structures should be ongoing in order to protect these buildings, that the design of and adjacent to historic resources should continue to be refined and that landmarking of the A/B Wing was highly encouraged.

Recommended Measures to be Included as Conditions of Approval

The EIR contains six cultural resource-related Recommended Measures (Recommendations CUL-1a, -1b, -2, -3, LU-1 and BIO-1), eight transportation-related Recommended Measures (Recommendations TRA-1 through 8), and one noise-related Recommended Measure (Recommendation NOI-1). The Recommended Measures are not required by CEQA and are not necessary to address or mitigate any environmental impacts of the Project. Nevertheless, they are recommended by City staff to address cultural, transportation, and noise related planning issues as well as community, LPAB and Planning Commission comments on the Draft EIR. The Recommended Measures are summarized as follows:

Cultural Issues

- The Hospital shall enter into a contract with a qualified tree company to grow a specimen magnolia tree and incorporate the tree into the site plan and as close as possible to the tree's historic location.
- Installation of a permanent high-quality plaque or interpretive panel near the replacement magnolia tree that includes information about the history of the tree.
- Installation of a new courtyard that retains the same level of openness as the existing courtyard.
- Refinement of the design of the eastern portion of the Patient Pavilion as it transitions into the Link Building, and/or incorporating more direct design cues from the A/B Wing.
- Maintaining the low density residential character of CHRCO-owned properties along 53rd Street and conformance with the RM-2 setbacks and height limitations and other specific requirements for residential properties.
- Children's Hospital shall retain a qualified tree company to take seeds or cuttings from the existing Southern magnolia, propagate the seeds or cuttings and grow them into trees to be planted along the Dover Street entrance to the main campus as part of the Phase 2 proposed landscape plan.

Transportation Issues

- Relocate the gate between the Main Garage and OPC-2 to provide queuing space for vehicles exiting the Main Garage to 52nd Street; conduct field observations to evaluate the safety and operations of U-turns on northbound Martin Luther King Jr. Way and if excessive queuing is observed implement additional measures; and provide signage directing motorist to make U-turns at 54th or 55th Streets.
- Implement a variety of safety improvements at the Dover Street-Hospital Driveway/52nd Street intersection.
- Widen the pedestrian zone along Martin Luther King Jr. Way adjacent to the existing garage and OPC2 Building.
- Implement bike improvements along 52nd Street between Market Street and Shattuck Ave.

- Coordinate with AC Transit regarding the bus stop.
- Consider other shuttle stop locations
- Implement additional bike parking.
- Better manage the on-site parking supply.

Noise Issues

- Prior to operation of the replacement helistop under Phase 2 of the project:
 - CHRCO shall offer to provide forced air ventilation or an air conditioning unit and sound-insulating windows for the residence located at 720 52nd Street so that windows may remain closed for prolonged periods.
 - A log of helicopter activity shall be maintained which shall include a detailed record of the date and time of arrival and departure.
 - CHRCO shall develop a protocol to respond to noise complaints about helicopter over flight related to Hospital helicopters and submit that protocol to City staff prior to certification of the helistop.
 - CHRCO shall coordinate with FAA to request a waiver to allow mufflers or other sound reducing equipment on helicopters.

Staff recommends approval of these Recommended Measures and imposition of them as Project Specific Conditions of Approval.

CITY ADMINISTRATOR'S OFFICE CONSIDERATION OF THE HELICOPTER PERMIT

The Hospital has submitted an application to the City Administrator's Office to dismantle the existing helistop, permitted in 1999, and relocate it to the top of the new Link Building to be constructed as part of Phase 2. The proposed helistop on the Link Building will consist of a 46' by 46' helideck, approximately 250' north and slightly west from its current location. The proposed helistop will be 45' higher than the existing helistop.

The permitting of the helistop requires approvals/consistency determinations by the Alameda County Airport Land Use Commission (ALUC), the Oakland City Administrator's Office and the Caltrans Division of Aeronautics. The City referred the Hospital's land use compatibility determination request to the ALUC staff for review and consideration of the helistop proposal on February 23, 2015. The ALUC reviewed the application and evaluated it in regards to four Airport Compatibility Planning Factor's including noise, safety, airspace protection, and overflight (See Attachment I). The ALUC found that the proposed project is compatible with all four of the compatibility factors. The Caltrans Division of Aeronautics will review the request upon approval of the helistop permit from the City.

Per O.M.C. Section 5.28.020, a permit is required from the City Administrator's Office for a helistop. A Hearing Officer of the City Administrator's Office must hold a public hearing to consider the permit per Section 5.02.050 of the O.M.C. Notice of the hearing was provided in accordance with this section as well as Section 5.02 040 including:

- Newspaper Notice in the Oakland Tribune (February 28, 2015)
- Posting on site
- Mailing to owners and residents within 300' of the project site
- Mailing to registered Neighborhood and Community Groups
- Mailing to Executive Director of the Port Commission
- Mailing to all interested officers of the City (Oakland Police Department and Oakland Fire Department)

This joint public hearing fulfils all the necessary requirements. The criteria for review and approval of a helistop permit are in O.M.C Sections 5.02.060 and 5.28.020. Staff has made the appropriate findings in the *City Administrator Helistop Permit Related Findings* section of this report (Attachment J).

PLANNING COMMISSION AND CITY ADMISTRATOR'S OFFICE ACTION ON THE PROJECT

Pursuant to Section 17.130.080 of the Oakland Planning Code, the entire development application for the Project must be considered by the City Council for final action because the application requires both legislative and adjudicatory actions. As such, the Planning Commission and the City Administrator's Office are acting as recommending bodies, not as decision-making bodies, as to these actions. Under the Oakland Planning Code, the decision-making body is the City body that must adopt CEQA findings and certify the EIR, after a recommendation from the Planning Commission. Because the decision-making body for the Project's entire development application is the City Council, the City Council is the body that must adopt the CEQA findings and certify the EIR before it approves the Project's development application or any action that comprises that application. Therefore, the Planning Commission and the City Administrator's Office are acting here as advisory bodies to the City Council, and may only recommend or not recommend to the City Council adoption of the CEQA findings, certification of the EIR and approval of the Project's development application.

Because all of the Planning Commission's and City Admonistrator's recommendarions will automatically be considered by the City Council at a later date, for its independent review, consideration and final action, no appeal of these actions is necessary. However, all interested parties must exhaust their administrative remedies by raising any and all issues and/or evidence at this public hearing or in a writing received by the Project Planner Heather Klein no later than 4.00pm on April 1, 2015.

CONCLUSION FOR PLANNING RELATED PERMITS

In summary, based on the analysis contained within this report and the EIR, staff believes that the proposed Project is an appropriate development project which will further the overall objectives of the General Plan. Specifically, the Project will provide new seismically updated and sustainable acute care facilities for children in the East Bay and the region; reorganize the campus to provide a more efficient hospital operation, ensuring its ability to provide world class patient care; and improve vehicle, pedestrian and bicycle circulation in the area. Finally, the Project is generally compatible with the surrounding residential area. Major new facilities are located away from residential areas, and the Hospital-owned parcels closest to the neighborhood will retain a residential look and feel.

RECOMMENDATION FOR PLANNING COMMISSION

Staff recommends that the Planning Commission:

- (1) Recommend to the City Council, adoption of the CEQA findings, including certification of the EIR;
- (2) Recommend to the City Council, approval of the Project's Planning-related permits, subject to the conditions (including the Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCAMMRP)), requirements, and findings contained in this staff report, and

(3) Recommend to the City Council approval of the rezoning and general plan amendment, subject to the requirements and findings contained in this staff report.

CONCLUSION FOR HELISTOP RELATED PERMITS

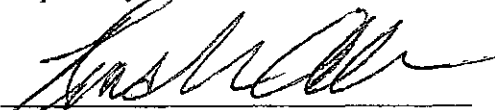
The operation of a helistop at Children's Hospital is an important aspect of providing Level 1 trauma care and is used solely for children with life threatening emergencies. The EIR analyzed helicopter noise, vibration, sleep and speech interference. The analysis concluded that the Project would result in a less than significant impact. In addition, the ALUC found that the proposed project is compatible with all four of the compatibility factors. In sum, the helistop is a necessary and integral element of the Hospital's 10-year Master Plan and the health, safety, and general public welfare will be maintained and protected to the extent permitted by the California Public Utilities Code.

RECOMMENDATION FOR THE CITY ADMINISTRATOR'S OFFICE REGARDING THE HELISTOP PERMIT

City staff recommends that:

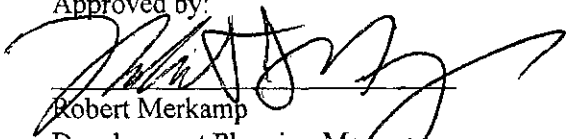
- (1) The Hearing Officer from the City Administrator's Office receive public and Planning Commission comments regarding the helistop permit, and
- (2) The Hearing Officer recommend to the City Council approval of the helistop permit (through issuance of a separate, written determination after the close of the public hearing), based upon the findings and conditions in Attachment J.

Prepared by:




Heather Klein
Planner III

Approved by:



Robert Merkamp
Development Planning Manager
Bureau of Planning

Approved for forwarding to the
Oakland City Planning Commission:



Darin Ranelletti
Deputy Director
Bureau of Planning

ATTACHMENTS:

- A. Comparison Table of Existing Conditions to Phase 1 and Total Build-out
- B. Project Plans, dated February 6, 2015
- C. Existing General Plan and Zoning on Project Site (Figure)
- D. Proposed General Plan and Zoning on Project Site (Figure)
- E. Existing and Proposed General Plan Classifications and Zoning Designations on the Project Site (Table)
- F. Vesting Tentative Parcel Map, December 18, 2014
- G. Environ Peer Review Letter, dated March 18, 2015
- H. Transportation Demand Management Program (TDM), dated March 25, 2015
- I. ALUC Land Use Compatibility Determination Letter, dated March 18, 2015
- J. City Administrator Helistop Permit Related Findings
- K. Planning -related Findings, including historic demolition findings
- L. Conditions of Approval, including SCAMMRP
- M. CEQA Findings
- N. Comments from the Oakland Fire Prevention Bureau, Bureau of Building, City Surveyor and EBMUD on the Vesting Tentative Tract Map
- O. Public Comments

NOTE:

The Draft and Final EIRs were provided under separate cover for review and consideration by the Planning Commission, and are available to the public at the Planning Department office at 250 Frank H. Ogawa Plaza, Suite 2214, Oakland, CA 94612 and on the City's website at <http://www2.oaklandnet.com/Government/o/CEDA/o/PlanningZoning/s/Application/DOWD009157> under item 8.

Table III-3: Proposed Development by Phase and Total Buildout

	Existing	Proposed Increase Phase 1 ^a	Campus Total with Implementation of Phase 1 (Existing + Phase 1)	Proposed Increase Phase 2 ^a	Proposed Increase Phase 1 + Phase 2	Campus Total at Buildout (Existing + Phase 1 + Phase 2)
Site Acres	11.0	-	11.0	1.5	1.5	12.5
Demolished Building Area		(1,541)		(65,041)	(66,582)	
New Building Area		90,200		309,000	399,200	
Net Building Area (sq ft)	692,416	88,659	781,075	243,959	332,618	1,025,034
Removed Parking Spaces		(17)		(48)	(67)	
New Parking Spaces		15		334	349	
Net Parking Spaces	1,107	(2)	1,105	286	284	1,391
On-Site Hospital Beds (#)	170	(30)	140	70	40	210
Off-Site Hospital Beds (#)	20	20	40	(40)	(20)	0
Patients and Outpatient Visitors ^b (daily)	875	43	918	70	113	988
Hospital (Inpatient) Visitors ^c (daily)	604	0	604	157	157	761
Total Staff ^d (daily)	2,166	25	2,191	180	205	2,371

^a Phase 1 is estimated to be completed in 58 months; Phase 2 is anticipated to begin in 2020 and is estimated to be completed in 60 months.

^b Includes inpatient census, emergency department patients, and outpatient visitors

^c Includes visitors (parents, siblings, vendors, and contractors)

^d Staff includes Outpatient staff, hospital staff, physicians, scientists and "lease" employees

Source HDR, November 2013

ATTACHMENT B



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Coro.2.2016.

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Client

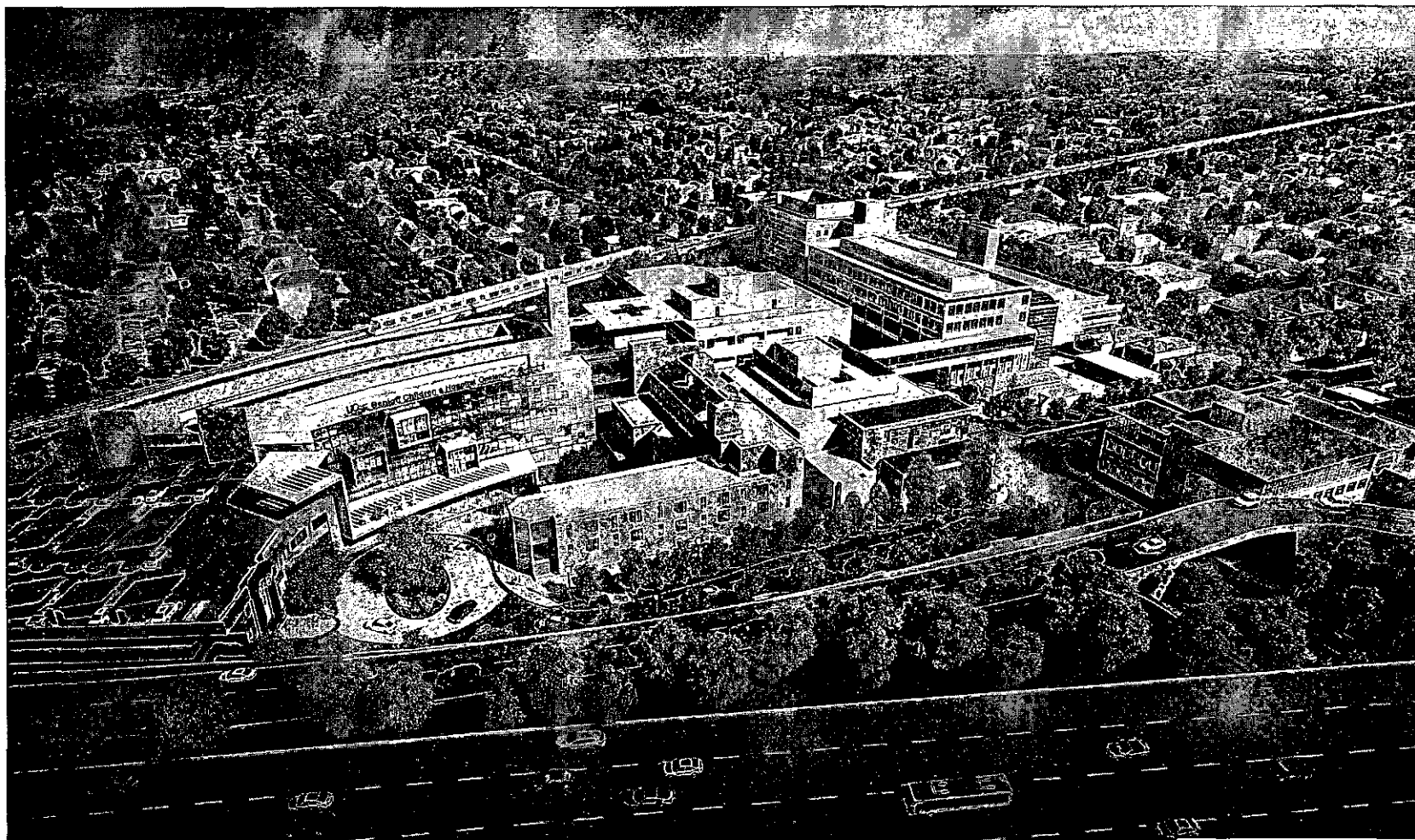
Children's Hospital &
Research Center Oakland
741 52nd Street Oakland CA 94609



Submitted

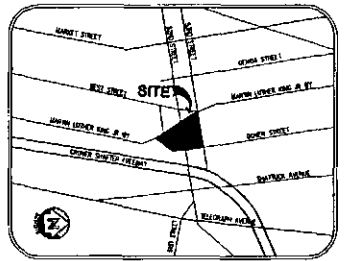
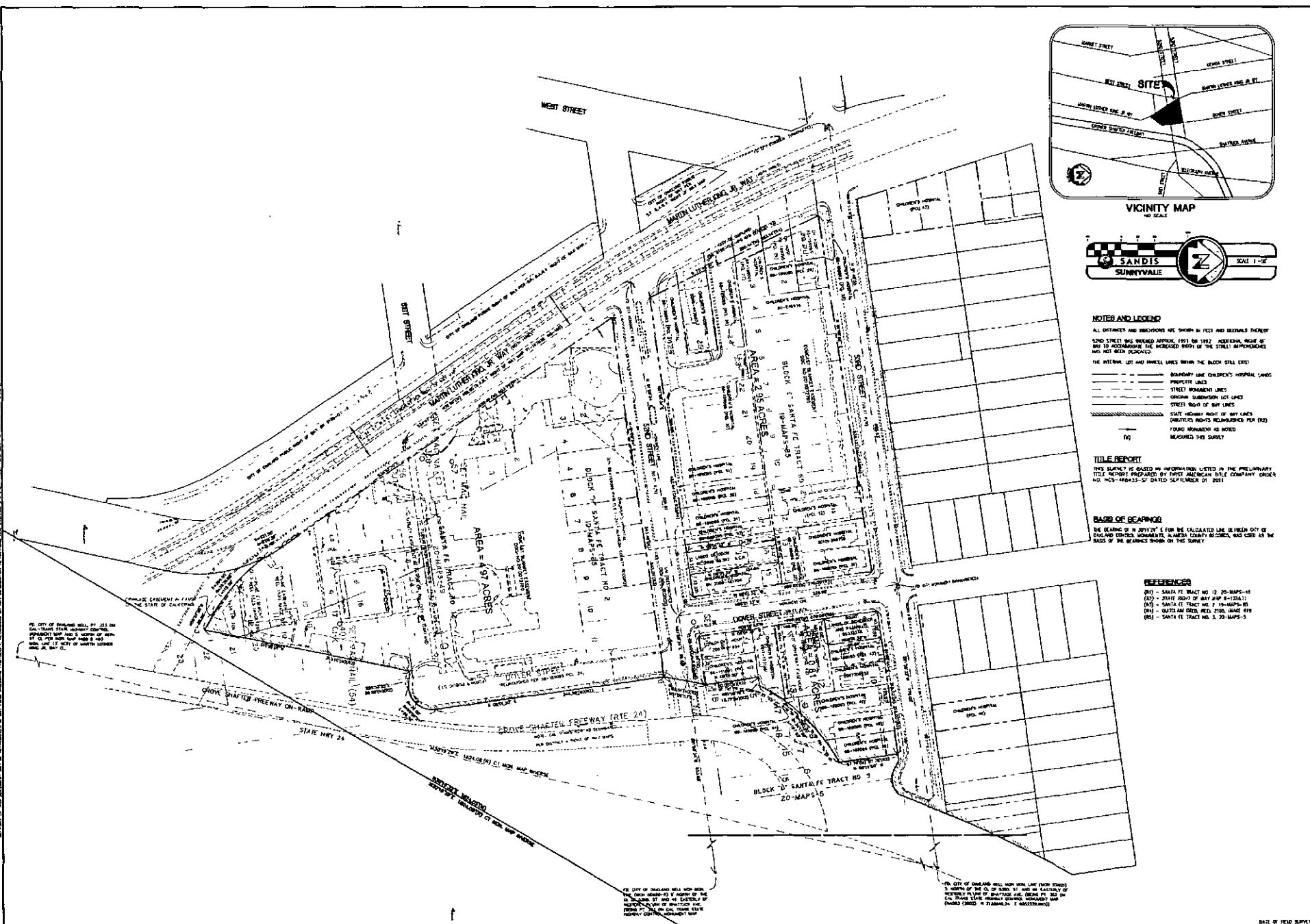
Planned Unit Development
Permit Application

February 06, 2015



CHILDREN'S HOSPITAL AND RESEARCH CENTER OAKLAND
Master Plan Project

ATTACHMENT C



VICINITY MAP
NO SCALE



NOTES AND LEGEND

- ALL DISTANCES AND DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF
- SAND STREET WAS REDEVELOPED APPROX. 1911 OR 1912. ACCORDING TO RECORDS OF THE CITY OF SAN JOSE, THE INCREASED WIDTH OF THE STREET APPROXIMATES 40 FEET AND HAS NOT BEEN REDEVELOPED.
- THE INTERNAL LOT AND PARCEL LINES WITHIN THE BLOCK STILL EXIST.
- BOUNDARY LINE CHILDREN'S HOSPITAL, LINES
- PROPERTY LINES
- STREET MONUMENT LINES
- ORIGINAL SUBDIVISION LOT LINES
- STREET RIGHT OF WAY LINES
- STATE HIGHWAY RIGHT OF WAY LINES
- UNDEVELOPED RIGHTS RELINQUISHED PER (R2)
- 1/8" MONUMENT AS SHOWN
- MEASURED THIS SURVEY

TITLE REPORT

THIS SURVEY IS BASED ON INFORMATION LISTED IN THE PRELIMINARY TITLE REPORT PREPARED BY FIRST AMERICAN TITLE COMPANY ORDER NO. MCS-488413-SJ DATED SEPTEMBER 01, 2011.

BASES OF BEARINGS

THE BEARING OF N 20°10'11" E FOR THE CALCULATED LINE BETWEEN CITY OF OAKLAND COUNTY, ALAMOSA COUNTY RECORDS, WAS USED AS THE BASIS OF THE BEARINGS SHOWN ON THIS SURVEY.

REFERENCES

- (R1) - SANTA FE TRACT NO. 12, 20-MAPS-41
- (R2) - STATE RIGHT OF WAY MAP 8-120413
- (R3) - SANTA FE TRACT NO. 3, 17-16029-85
- (R4) - QUITS AND DEED, WELLS, WARE 819
- (R5) - SANTA FE TRACT NO. 3, 20-MAPS-5

TO: CITY OF SAN JOSE, 1111 N. CALIFORNIA STREET, SAN JOSE, CA 95128
 FROM: SANDIS, 1111 N. CALIFORNIA STREET, SAN JOSE, CA 95128
 DATE: 11-14-11
 SCALE: 1"=50'
 DRAWN BY: JH
 APPROVED BY: JH
 DRAWING NO: 612034

SANDIS CIVIL ENGINEERING
 1111 N. CALIFORNIA STREET, SAN JOSE, CA 95128
 (408) 281-1111
 www.sandis.com

SUNNYVALE ROSEVILLE OAKLAND

File: X:\P\1412034\PLAN SETS\SUBELEMENTS\1412034.dwg Date: May 01 2014 - 1:25pm, jph

NO.	REVISION/ISSUE	DATE	BY
1	ADDED PARCELS	4/18/11	JSC
1	ADDED PARCELS 48-47	5/25/13	JSC

BLOCK 'Q' AND 'H' - SANTA FE TRACT NO. 2, BK. 19 OF MAPS, PG. 85
 PORTION OF SANTA FE TRACT NO. 12, BK. 20 OF MAPS, PG. 49
 PORTION OF SANTA FE TRACT NO. 3, BK. 20 OF MAPS, PG. 5

BOUNDARY SURVEY
 CHILDREN'S HOSPITAL AND RESEARCH CENTER

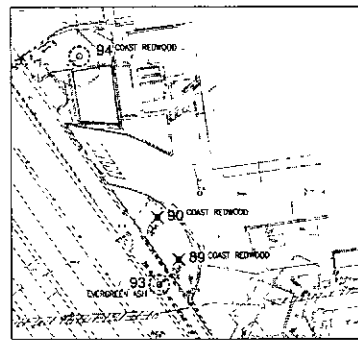
OAKLAND

DATE OF FIELD SURVEY: 8-2-11

SHEET

A0.10

CALIFORNIA OF SURVEYORS



CUP TREE SURVEY PLAN

TREE REMOVAL MITIGATION

TREE NUMBER	TREE SPECIES	DBH (INCHES)	TREES REMOVED	PROTECTED TREE REMOVED	NATIVE TREE REWOVED	MITIGATION TREES REQUIRED
1	Golden a/n tree	11	1	1		0
2	Goldenrain tree	11	1	1		0
3	Goldenrain tree	11	1	1		0
4	Goldenrain tree	14	1	1		0
5	Fig	21	1	1		0
6	Fig	20	1	1		0
7	Flaxleaf paperbark	15	1	1		0
8	Flaxleaf paperbark	10,10	1	1		0
9	Flaxleaf paperbark	15	1	1		0
10	Flaxleaf paperbark	12	1	1		0
11	Flaxleaf paperbark	14	1	1		0
12	Flaxleaf paperbark	20	1	1		0
13	Flaxleaf paperbark	15	1	1		0
14	Flaxleaf paperbark	11	1	1		0
15	Flaxleaf paperbark	15	1	1		0
16	Flaxleaf paperbark	12	1	1		0
17	London plane	7	1	1		0
89	Coast redwood	23	1	1	1	1
90	Coast redwood	27	1	1	1	1
TOTAL			19	18	2	2



140 Mission Street, Suite 900 San Francisco, CA 94108
 Consultants

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 Irvine CA 92614

BANKS (Civil Engineer)
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 Oakland CA 94607

CARDUCCI & ASSOCIATES (Landscape Architects)
 555 Beach Street, 4th Floor
 San Francisco CA 94133

Owner
 Children's Hospital &
 Research Center Oakland
 747 52nd Street, Oakland, CA, 94620



Submit
 Planned Unit Development
 Permit Application

MARK	DATE	DESCRIPTION
PROJECT NUMBER		
ORIGINAL ISSUE	February 14, 2011	
PROJECT DESIGNER	SD	
PROJECT ARCHITECT	SP	
LANDSCAPE ARCHITECT	SD	
CIVIL ENGINEER	ME	
DRAWN BY		

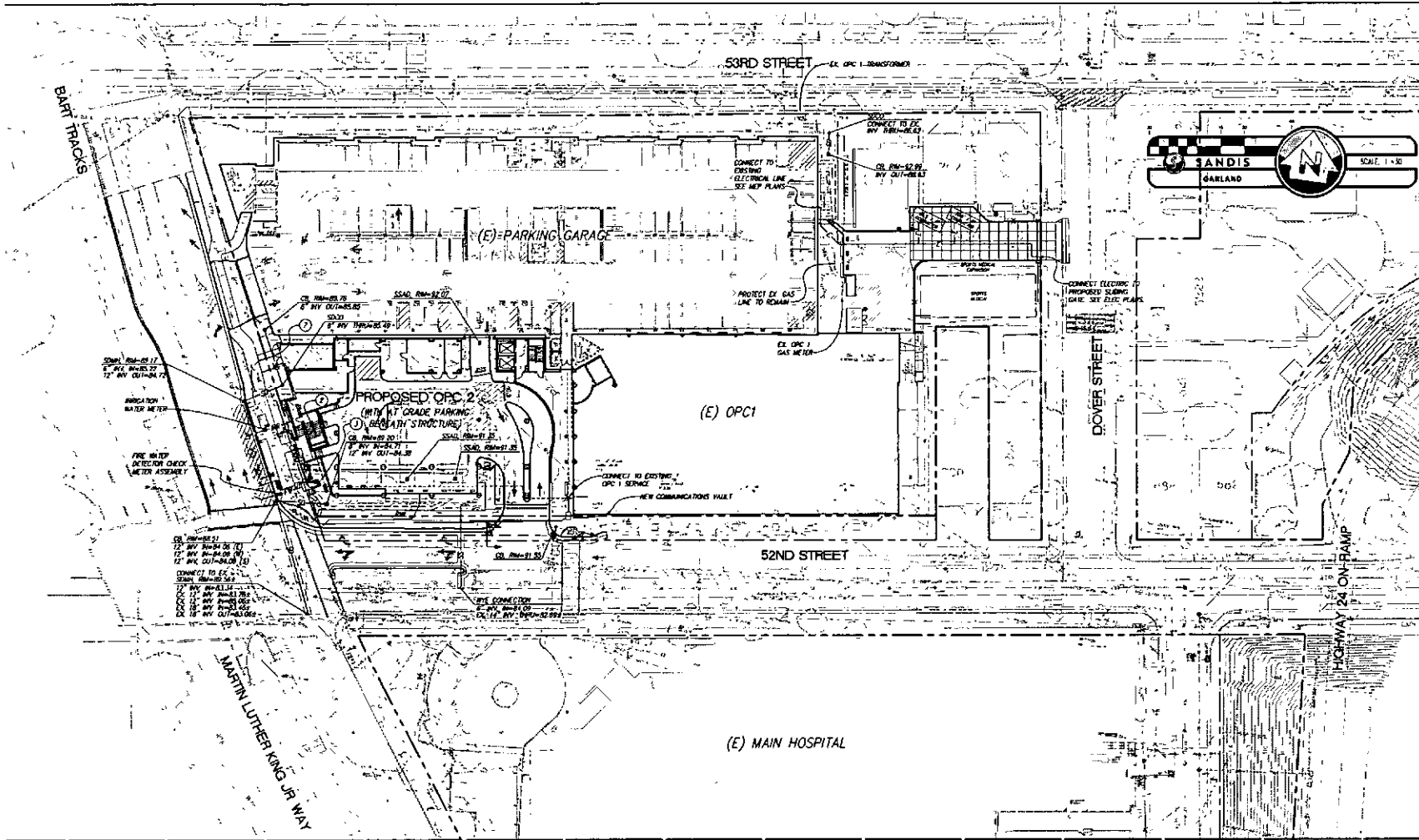
MasterPlan PHASE 1

TREE SURVEY PLAN

SCALE 1" = 30'

A1.01

PUD PERMIT APPLICATION



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Submittal
 Planned Unit Development
 Permit Application

NO.	DATE	DESCRIPTION
1	February 04, 2015	ORIGINAL SUBMIT
2		PROJECT DESIGNER
3		PROJECT ARCHITECT
4		LANDSCAPE ARCHITECT
5		CIVIL ENGINEER
6		DRAWN BY

MATCHLINE - SEE A312

UTILITY NOTES

- 1 NEW GAS P.O.C.
- 2 NEW GAS METER LOCATION
- 3 FIRE DEPARTMENT CONNECTION
- 4 PUBLIC FIRE HYDRANT
- 5 DOMESTIC WATER SERVICE P.O.C.
- 6 SANITARY SEWER P.O.C.
- 7 ELECTRICAL P.O.C.

LEGEND

- SANITARY SEWER MAIN
- STORM DRAIN MAIN
- COMMUNICATION LINE
- WATER MAIN
- FIRE WATER MAIN
- DOMESTIC WATER MAIN
- GAS MAIN
- ELECTRIC AND SIGNAL DUCT BANK
- JOINT TRENCH

EXISTING	PROPOSED
8"	8"
15"	15"
COMM	COMM
8"	8"
8"	8"
8"	8"
8"	8"
8"	8"
8"	8"
8"	8"

MasterPlan PHASE 1

**Phase 1
 Utility Plan**

SCALE 1" = 30'

A1.12

PUD PERMIT APPLICATION



960 Mission Street, Suite 202, San Francisco, CA, 94105

Consultants

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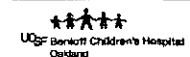
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Summary

Planned Unit Development
Permit Application

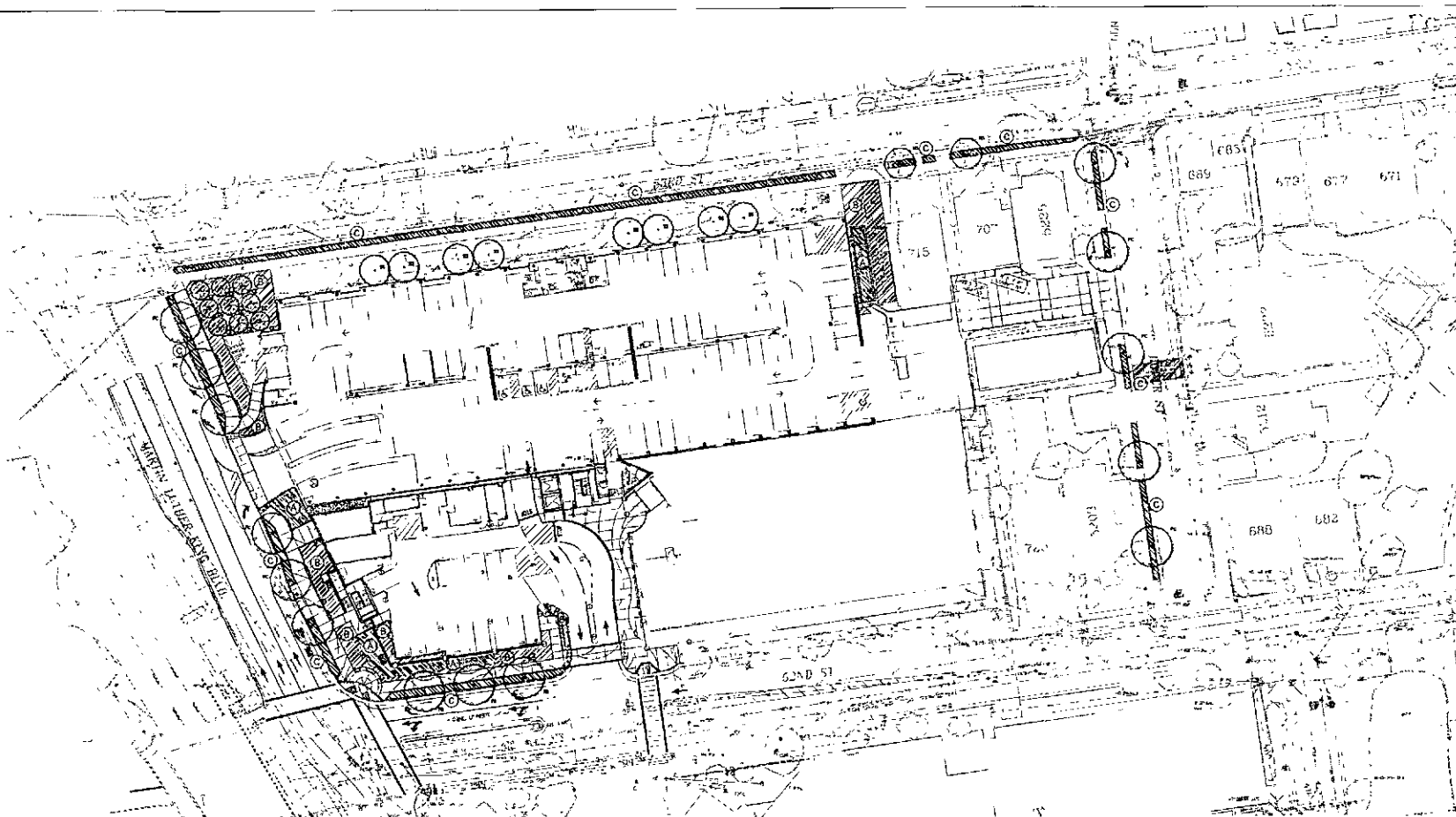
DATE	DESCRIPTION
February 04, 2014	PROJECT NUMBER
	PROJECT DESIGNER
	PROJECT ARCHITECT
	LANDSCAPE ARCHITECT
	CIVIL ENGINEER
	DRAWN BY

MasterPlan PHASE 1
PARTIAL SITE PLAN -
OPC2 NEW LANDSCAPE
PLAN

SCALE 1" = 30'

A1.13

PUD PERMIT APPLICATION

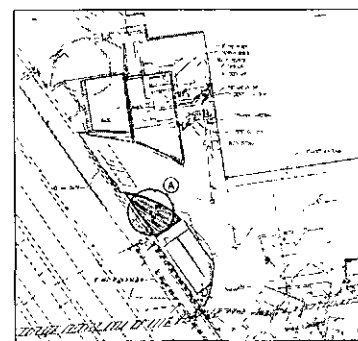


LANDSCAPE LEGEND

- A** BIO-FILTRATION PLANTING WITH 16" DEEP INFILTRATION SOIL. PLANTS BASED ON RIPARIAN PLANT COMMUNITY TO INCLUDE REDWOOD TREES. BIO-FILTRATION SOIL [MUSCIELLA PACIFICA - FESTUCA FLURIDA MONATE - HORDEUM BRACHYANTHERUM CALIFORNICUM] NATIVE JUNCUS NATIVE SEDGES NATIVE EVERGREEN SHRUBS FOR SCREENING. IRRIGATION HYDROZONE LOW TO HIGH WATER USE
- B** CALIFORNIA NATIVE ORNAMENTAL SHRUB GROUND COVER ORNAMENTAL GRASSES AND SUCCULENT PLANTING PLANTS WILL BE DROUGHT TOLERANT TO CONSERVE WATER TREE SUGGESTIONS LONDON PLANE TREE YARWOOD WESTERN REDGUD
- C** STREETSCAPE PLANTING WILL BE CALIFORNIA NATIVE ORNAMENTAL LOW EVERGREEN SHRUB ORNAMENTAL GRASSES AND GROUNDCOVER TREE SUGGESTIONS CHINESE PISTACHE SOUTHERN MAGNOLIA GINKGO BILBOA IRRIGATION HYDROZONE LOW TO MEDIUM WATER USE

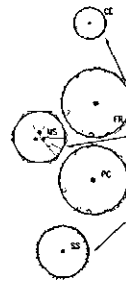
NOTES

1. SEE SHEET A1.00 FOR ALL EXISTING TREES TO BE REMOVED WITHIN THE PHASE 1 LIMITS
2. SEE SHEET A1.11 FOR ALL FINISH CURBS AND SIDEWALKS
3. LEED OPPORTUNITIES FOR THE FOLLOWING CREDITS:
 - 3.1 SSC 3.1 - CASE 2 PROVIDE 20% OF THE TOTAL SITE AREA, INCLUDING BUILDING FOOTPRINT, WHICH EVER IS GREATER, WITH NATIVE OR ADAPTED VEGETATION
 - 3.2 SSC 7.1 - ALL HARDSCAPE ON THE PROJECT WILL UTILIZE MATERIAL WITH AN SR VALUE OF 25 OR HIGHER
4. THE FOLLOWING BAY-FRIENDLY LANDSCAPES BEST MANAGEMENT PRACTICES WILL BE USED:
 - 4.1 AMEND THE SOIL WITH COMPOST BEFORE PLANTING TO CREATE DROUGHT RESISTANT SOIL.
 - 4.2 WATER REGULARLY
 - 4.3 USE DROUGHT TOLERANT CALIFORNIA NATIVE OR MEDITERRANEAN PLANTS
 - 4.4 IMPLEMENT HYDROZONING BY GROUPING PLANTS WITH SIMILAR WATER NEEDS
 - 4.5 DESIGN AND INSTALL HIGH EFFICIENCY IRRIGATION SYSTEM THAT USES AN ET BASE SCHEDULE
 - 4.6 INSTALL DEDICATED WATER METER TO MONITOR LANDSCAPE WATER USE.



CUP LANDSCAPE PLAN

PLANTING LEGEND



TREES

Count	BOTANICAL NAME	COMMON NAME	ORIGIN	SPACING	SIZE	WATER_USE_(WUCOLS_1)	NOTES
9	CERCIS OCCIDENTALIS	WESTERN REDBUD	CA	AS SHOWN	24" BOX VL	---	---
3	FRAXINUS QUERCIFOLIA	RAYWOOD ASH	MEDITERRANEAN	AS SHOWN	36" BOX M	---	---
2	MAGNOLIA GRANDIFLORA	SANT MARY MAGNOLIA	---	AS SHOWN	24" BOX M	---	---
6	PISTACHIA CHINENSIS	CHINESE PISTACHE	CHINA	AS SHOWN	36" BOX L	---	---
5	PISTACHIA CHINENSIS	CHINESE PISTACHE	CHINA	AS SHOWN	24" BOX L	---	---
8	SEQUOIA SEMPERVIRENS	COAST REDWOOD	CA, CENTRAL TO OR SOUTH ALONG COAST	AS SHOWN	48" BOX H	---	---

SHRUBS, GRASSES AND GROUNDCOVERS

Count	KEY	BOTANICAL NAME	COMMON NAME	ORIGIN	SPACING	SIZE	WATER USE (WUCOLS1)	NOTES
28	AI*	ARCTOSTAPHYLOS DENSIFLORA HOWARD MOENNI	HOWARD MONNIN MANZANITA	CA, SONOMA AREA	4 OC	1 GAL	VL	---
27	D	DRYOPTERIS ARGUTA	CALIFORNIA WOOD FERN	CA	3 OC	1 GAL	M	---
40	EF	EROGONIUM FASCICULATUM	CALIFORNIA BUCKWHEAT	CA	3 OC	1 GAL	L	---
320	F	FESTUCA CALIFORNICA	CALIFORNIA FESCUE	CA, OR	1-6" OC	1 GAL	L	EVERY 2-3 YEARS DRYCUT AND REPLANT MATURE CLUMPS
18	I	IRIS DOUGLASSIANA	DOUGLAS IRIS	CA TO OREGON	2 OC	1 GAL	L	---
317	J	JUNCUS PATENS	CALIFORNIA GRAY BUSH	CA, OR	2' OC	1 GAL	L	---
230	MC	MUHLENBERGIA CAPITULARIS	PINK MUHLY	EASTERN US	2-8" OC	1 GAL	L	CUT BACK FINISHED FOLIAGE IN LATE WINTER BEFORE NEW GROWTH EMERGES
78	MR	MUHLENBERGIA RIENSIS	DEER GRASS	CA, TX MEXICO	4 OC	5 GAL	L	CUT BACK ONCE A YEAR BEFORE THE NEW GROWTH STARTS
112	MP	MYOPORUM PARVIFOLIUM	MYOPORUM	AUSTRALIA	3 OC	1 GAL	L	---
9	M	MYRICA CALIFORNICA	PACIFIC BAK MYRTLE	CA TO WA	3 OC	15 GAL	L	---
36	PV	POLYSTICHUM MUNITUM	SWORD FERN	CA TO ALASKA	3 OC	5 GAL	M	---
13	RC	RIBES SANQUINELM GLUTINOSUM	PINK WINTER CURRIENT	CA TO BRITISH COLUMBIA COAST	6 OC	5 GAL	L	---
8	WF	WOODWARDIA TIMBRATA	GIANT CHAIN FERN	CA, BRITISH COLUMBIA TO MEXICO	4 OC	1 GAL	M	---



100 Mission Street, Suite 900, San Francisco, CA 94105
Contributors

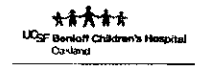
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Children's Hospital &
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Submitted
Planned Unit Development
Permit Application

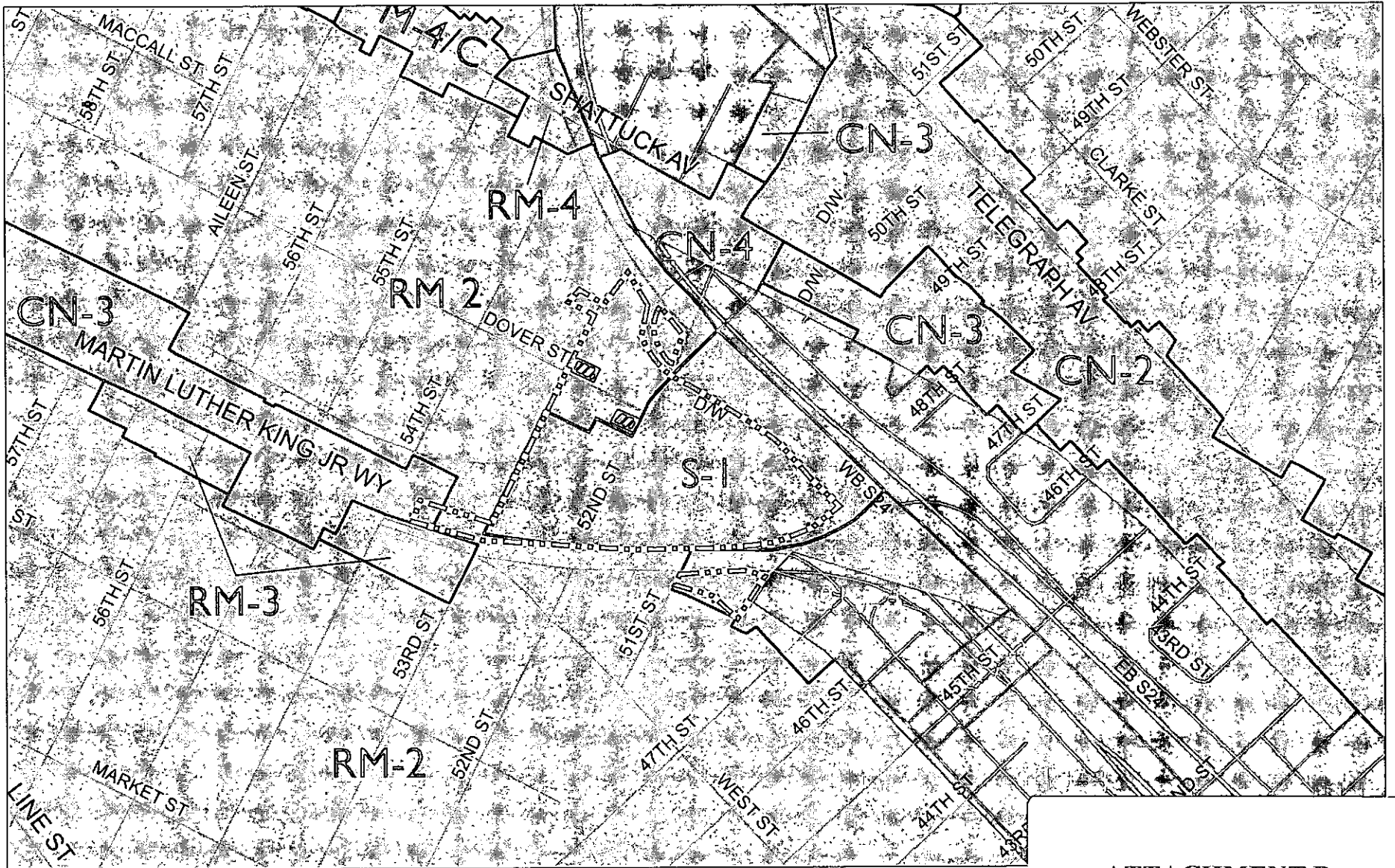
NAME	DATE	DESCRIPTION
PROJECT NUMBER	February 19, 2013	
DESIGNED BY		
PROJECT DESIGNER	DR	
PROJECT ARCHITECT	JZ	
LANDSCAPE ARCHITECT	JD	
CIVIL ENGINEER	HW	
DRAWN BY		

**MasterPlan PHASE 1
PHASE 1 LANDSCAPE
PLANT LIST**

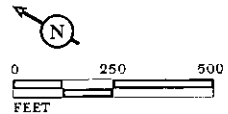
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

A1.14

PUD PERMIT APPLICATION








LSA



-  Project Sites
-  Private Residence, Parcel Not Owned by CHRCO

GENERAL PLAN LAND USE DESIGNATIONS

-  Mixed Housing Type Residential
-  Urban Residential
-  Neighborhood Center Mixed Use
-  Community Commercial
-  Institutional

RESIDENTIAL ZONING

- Mixed Housing [RM]
- Urban [RU]

COMMERCIAL ZONING

- Neighborhood Center [CN]

SPECIAL & COMBINING ZONING

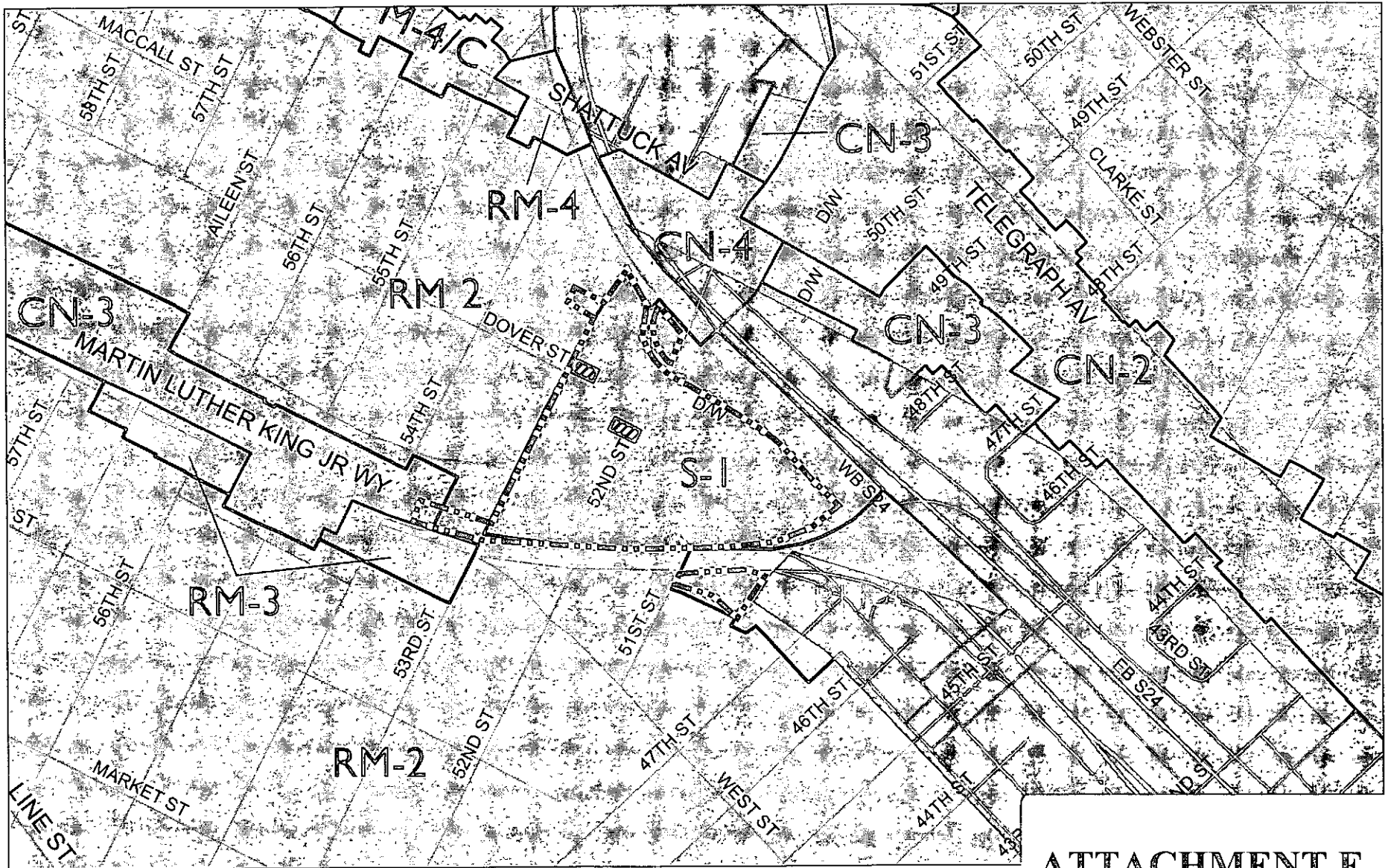
- Medical Center [S1]

ATTACHMENT D

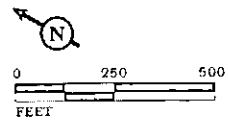
CHRCO Campus Master Plan Project EIR
Existing General Plan and
Zoning Map in Project Area

SOURCE CITY OF OAKLAND, COMMUNITY & ECONOMIC DEVELOPMENT AGENCY, APRIL 2011

[\CHR1201 Childrens Hospital\Figures\Fig_H15 at (7/29/14)



LSA



- | | |
|--|-------------------------------|
| Project Sites | Urban Residential |
| Private Residence, Parcel Not Owned by CHRCO | Neighborhood Center Mixed Use |
| GENERAL PLAN LAND USE DESIGNATIONS | Community Commercial |
| Mixed Housing Type Residential | Institutional |

- RESIDENTIAL ZONING**
 Mixed Housing [RM]
 Urban [RU]
- COMMERCIAL ZONING**
 Neighborhood Center [CN]
- SPECIAL & COMBINING ZONING**
 Medical Center [S1]

ATTACHMENT E

CHRCO Campus Master Plan Project EIR
 Proposed Revisions to the
 General Plan and Zoning Map

SOURCE: CITY OF OAKLAND, COMMUNITY & ECONOMIC DEVELOPMENT AGENCY, APRIL 2011

Existing and Proposed General Plan Classifications on the Project Site

Number on Draft EIR Figure III-6	Street Address	General Plan Designation	
		Current	Future
11 ^a	685 53 rd Street	Mixed Housing Type Residential	Institutional
12	679 53 rd Street	Mixed Housing Type Residential	Institutional
13	675 53 rd Street	Mixed Housing Type Residential	Institutional
14	671 53 rd Street	Mixed Housing Type Residential	Institutional
15	665 53 rd Street	Mixed Housing Type Residential	Institutional
16	5222 Dover Street	Mixed Housing Type Residential	Institutional
17	5212 Dover Street	Mixed Housing Type Residential	Institutional
18	688 52 nd Street	Mixed Housing Type Residential	Institutional
19	682 52 nd Street	Mixed Housing Type Residential	Institutional
36	Caltrans ROW	Mixed Housing Type Residential	Institutional

All other parcels/buildings retain their existing General Plan classification.

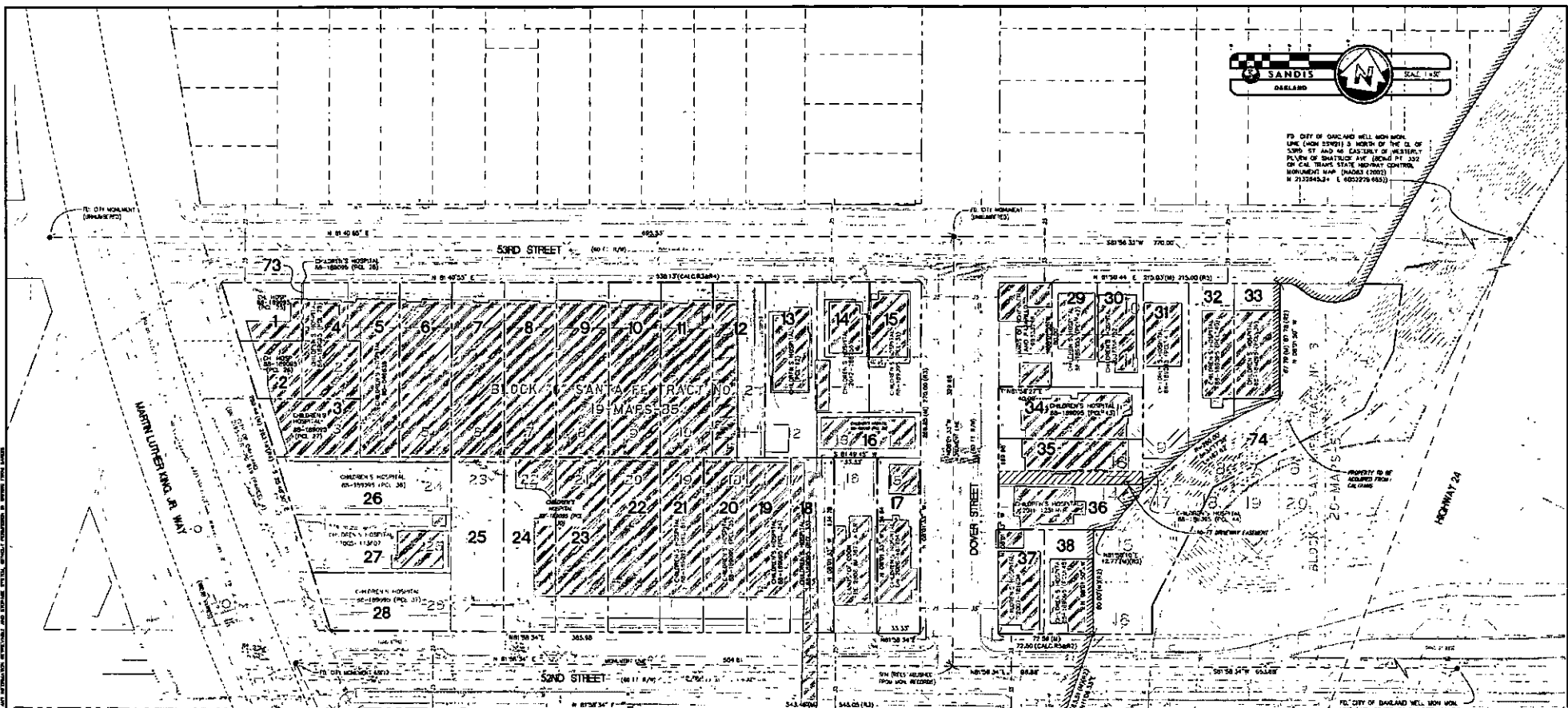
Existing and Proposed Zoning Designations on the Project Site

Number on Draft EIR Figure III-6	Street Address	Zoning	
		Current	Future
4	715 53 rd Street	RM-2	S-1
5	707 53 rd Street	RM-2	S-1
6	5225 Dover Street	RM-2	S-1
7/8	744 52 nd Street	RM-2	S-1
9 ^a	720 52 nd Street	RM-2	S-1
10	5203 Dover Street	RM-2	S-1
11 ^a	685 53 rd Street	RM-2	S-1
12	679 53 rd Street	RM-2	S-1
13	675 53 rd Street	RM-2	S-1
14	671 53 rd Street	RM-2	S-1
15	665 53 rd Street	RM-2	S-1
16	5222 Dover Street	RM-2	S-1
17	5212 Dover Street	RM-2	S-1
18	688 52 nd Street	RM-2	S-1
19	682 52 nd Street	RM-2	S-1
36	Caltrans ROW	RM-2	S-1

All other parcels/buildings retain their existing zoning designations



PL. CITY OF OAKLAND WILL MON. MON.
 LINE (FROM 2700' S. NORTH OF THE E.L. OF
 52ND ST AND 44' EASTLY OF WESTLY
 PL. OF SHATTUCK AVE. (SECTION 17, 32)
 ON CAL. TRANS. STATE HIGHWAY CENTER
 (SECTION 18, 32) (TR. 1000)
 N. 212544.3' E. 605279.953')



SEE SHEET T-3 FOR CONTINUATION

PARCEL #	USE	LOT SIZE (SQ. FT.)	APN	OWNER
1	PARKING	2,168	014-1208-028-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
2	PARKING	1,987	014-1208-028-02	CHILDREN'S HOSPITAL AND RESEARCH CENTER
3	PARKING	2,100	014-1208-028-03	CHILDREN'S HOSPITAL AND RESEARCH CENTER
4	PARKING	2,014	014-1208-028-04	CHILDREN'S HOSPITAL AND RESEARCH CENTER
5	PARKING	4,481	014-1208-028-05	CHILDREN'S HOSPITAL AND RESEARCH CENTER
6	PARKING	4,128	014-1208-028-06	CHILDREN'S HOSPITAL AND RESEARCH CENTER
7	PARKING	3,187	014-1208-028-07	CHILDREN'S HOSPITAL AND RESEARCH CENTER
8	PARKING	3,378	014-1208-028-08	CHILDREN'S HOSPITAL AND RESEARCH CENTER
9	PARKING	3,770	014-1208-028-09	CHILDREN'S HOSPITAL AND RESEARCH CENTER
10	PARKING	3,172	014-1208-028-10	CHILDREN'S HOSPITAL AND RESEARCH CENTER
11	PARKING	3,379	014-1208-028-11	CHILDREN'S HOSPITAL AND RESEARCH CENTER
12	PARKING	3,481	014-1208-028-12	CHILDREN'S HOSPITAL AND RESEARCH CENTER
13	WAREHOUSE	3,287	014-1208-028-13	CHILDREN'S HOSPITAL AND RESEARCH CENTER
14	WAREHOUSE	4,180	014-1208-028-14	CHILDREN'S HOSPITAL AND RESEARCH CENTER
15	WAREHOUSE	4,000	014-1208-028-15	CHILDREN'S HOSPITAL AND RESEARCH CENTER
16	WAREHOUSE	7,780	014-1208-028-16	CHILDREN'S HOSPITAL AND RESEARCH CENTER
17	WAREHOUSE	4,088	014-1208-028-17	CHILDREN'S HOSPITAL AND RESEARCH CENTER
18	HOSPITAL	4,474	014-1208-028-18	CHILDREN'S HOSPITAL AND RESEARCH CENTER
19	HOSPITAL	4,467	014-1208-028-19	CHILDREN'S HOSPITAL AND RESEARCH CENTER
20	HOSPITAL	4,440	014-1208-028-20	CHILDREN'S HOSPITAL AND RESEARCH CENTER
21	HOSPITAL	4,440	014-1208-028-21	CHILDREN'S HOSPITAL AND RESEARCH CENTER
22	HOSPITAL	5,372	014-1208-028-22	CHILDREN'S HOSPITAL AND RESEARCH CENTER
23	HOSPITAL	5,120	014-1208-028-23	CHILDREN'S HOSPITAL AND RESEARCH CENTER
24	HOSPITAL	3,387	014-1208-028-24	CHILDREN'S HOSPITAL AND RESEARCH CENTER
25	OFFICE	3,343	014-1208-028-25	CHILDREN'S HOSPITAL AND RESEARCH CENTER
26	OFFICE	3,370	014-1208-028-26	CHILDREN'S HOSPITAL AND RESEARCH CENTER
27	HOSPITAL	3,889	014-1208-028-27	CHILDREN'S HOSPITAL AND RESEARCH CENTER
28	HOSPITAL	4,424	014-1208-028-28	CHILDREN'S HOSPITAL AND RESEARCH CENTER
29	PARKING	3,7	014-1208-028-29	CHILDREN'S HOSPITAL AND RESEARCH CENTER

TOTAL (Parcels 1 to 28, 73) 124,563 SQUARE FEET

PARCEL #	USE	LOT SIZE (SQ. FT.)	APN	OWNER
29	WAREHOUSE	2,781	04-1213-023-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
30	WAREHOUSE	2,800	04-1213-023-02	CHILDREN'S HOSPITAL AND RESEARCH CENTER
31	WAREHOUSE	4,380	04-1213-023-03	CHILDREN'S HOSPITAL AND RESEARCH CENTER
32	WAREHOUSE	4,028	04-1213-023-04	CHILDREN'S HOSPITAL AND RESEARCH CENTER
33	WAREHOUSE	2,565	04-1213-023-05	CHILDREN'S HOSPITAL AND RESEARCH CENTER
34	WAREHOUSE	4,352	04-1213-023-06	CHILDREN'S HOSPITAL AND RESEARCH CENTER
35	WAREHOUSE	2,677	04-1213-023-07	CHILDREN'S HOSPITAL AND RESEARCH CENTER
36	WAREHOUSE	2,145	04-1213-023-08	CHILDREN'S HOSPITAL AND RESEARCH CENTER
37	WAREHOUSE	2,885	04-1213-023-09	CHILDREN'S HOSPITAL AND RESEARCH CENTER
38	WAREHOUSE	1,304	04-1213-023-10	CHILDREN'S HOSPITAL AND RESEARCH CENTER

TOTAL 35,541 SQUARE FEET

SANDIS CIVIL ENGINEERS ARCHITECTS

1200 West Street | Oakland, CA 94612 | P. 510.477.8888 | www.sandis.com

SUNNYVALE PALMISTO OAKLAND

DATE: 12/18/2014
 SCALE: 1" = 30'
 DRAWN BY: JMS
 CHECKED BY: JMS
 PROJECT NO.: 612034

DATE: 12/18/2014
 SCALE: 1" = 30'
 DRAWN BY: JMS
 CHECKED BY: JMS
 PROJECT NO.: 612034

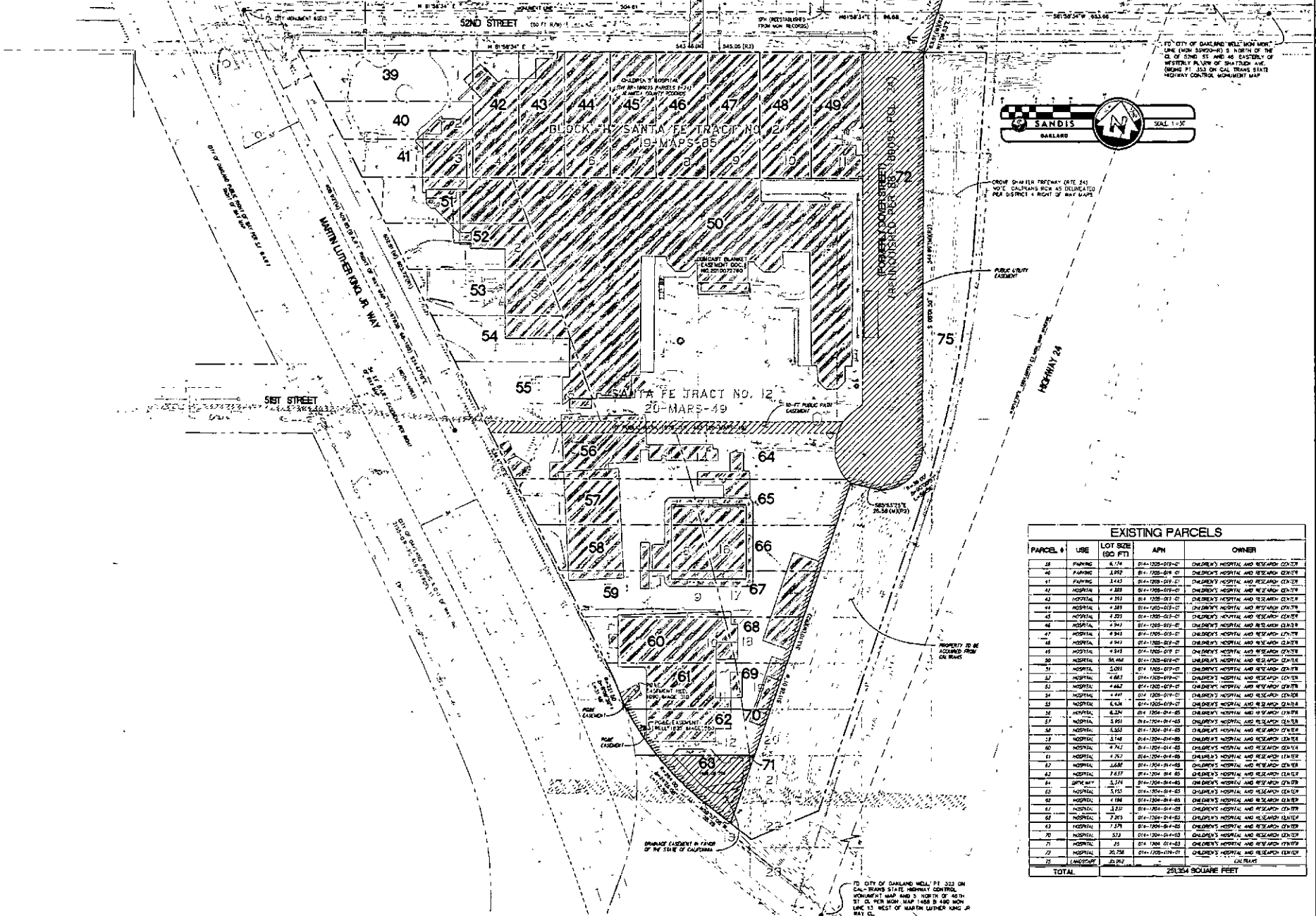
CHILDREN'S HOSPITAL AND RESEARCH CENTER

OAKLAND CALIFORNIA

VESTING TENTATIVE TRACT MAP NO. 8194
 EXISTING BOUNDARY AND INTERNAL PROPERTY LINES
 NORTH OF 52ND STREET

SHEET
T-2
 OF 7 SHEETS

SEE SHEET T-2 FOR CONTINUATION



EXISTING PARCELS				
PARCEL #	USE	LOT SIZE (SQ. FT.)	APN	OWNER
39	PARKING	6,176	014-1208-019-02	CHILDREN'S HOSPITAL AND RESEARCH CENTER
40	PARKING	1,992	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
41	PARKING	1,413	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
42	HOSPITAL	4,283	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
43	HOSPITAL	4,283	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
44	HOSPITAL	4,283	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
45	HOSPITAL	4,283	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
46	HOSPITAL	4,283	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
47	HOSPITAL	4,283	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
48	HOSPITAL	4,283	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
49	HOSPITAL	4,283	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
50	HOSPITAL	54,464	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
51	HOSPITAL	3,093	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
52	HOSPITAL	4,687	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
53	HOSPITAL	4,687	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
54	HOSPITAL	4,687	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
55	HOSPITAL	4,687	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
56	HOSPITAL	6,126	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
57	HOSPITAL	6,126	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
58	HOSPITAL	6,126	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
59	HOSPITAL	6,126	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
60	HOSPITAL	6,126	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
61	HOSPITAL	6,126	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
62	HOSPITAL	6,126	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
63	HOSPITAL	6,126	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
64	HOSPITAL	6,126	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
65	HOSPITAL	6,126	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
66	HOSPITAL	6,126	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
67	HOSPITAL	6,126	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
68	HOSPITAL	6,126	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
69	HOSPITAL	6,126	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
70	HOSPITAL	6,126	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
71	HOSPITAL	6,126	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
72	HOSPITAL	20,758	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
73	HOSPITAL	3,313	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
74	HOSPITAL	1,188	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
75	LANDSCAPE	20,758	014-1208-019-01	CHILDREN'S HOSPITAL AND RESEARCH CENTER
TOTAL				25,834 SQUARE FEET

SANDIS CIVIL ENGINEERS
 1000 West 11th Street, Suite 100
 Oakland, CA 94612
 (415) 763-1000
 www.sandis.com

DATE: 11/28/2014	DATE:	DATE:
SCALE: 1"=50'	SCALE:	SCALE:
DRAWN BY: JMS	CHECKED BY: JMS	DATE: 11/28/2014
PROJECT NO: 612034	PROJECT NO: 612034	PROJECT NO: 612034

NO.	REVISION	DATE	BY

CHILDREN'S HOSPITAL AND RESEARCH CENTER
 OAKLAND CALIFORNIA

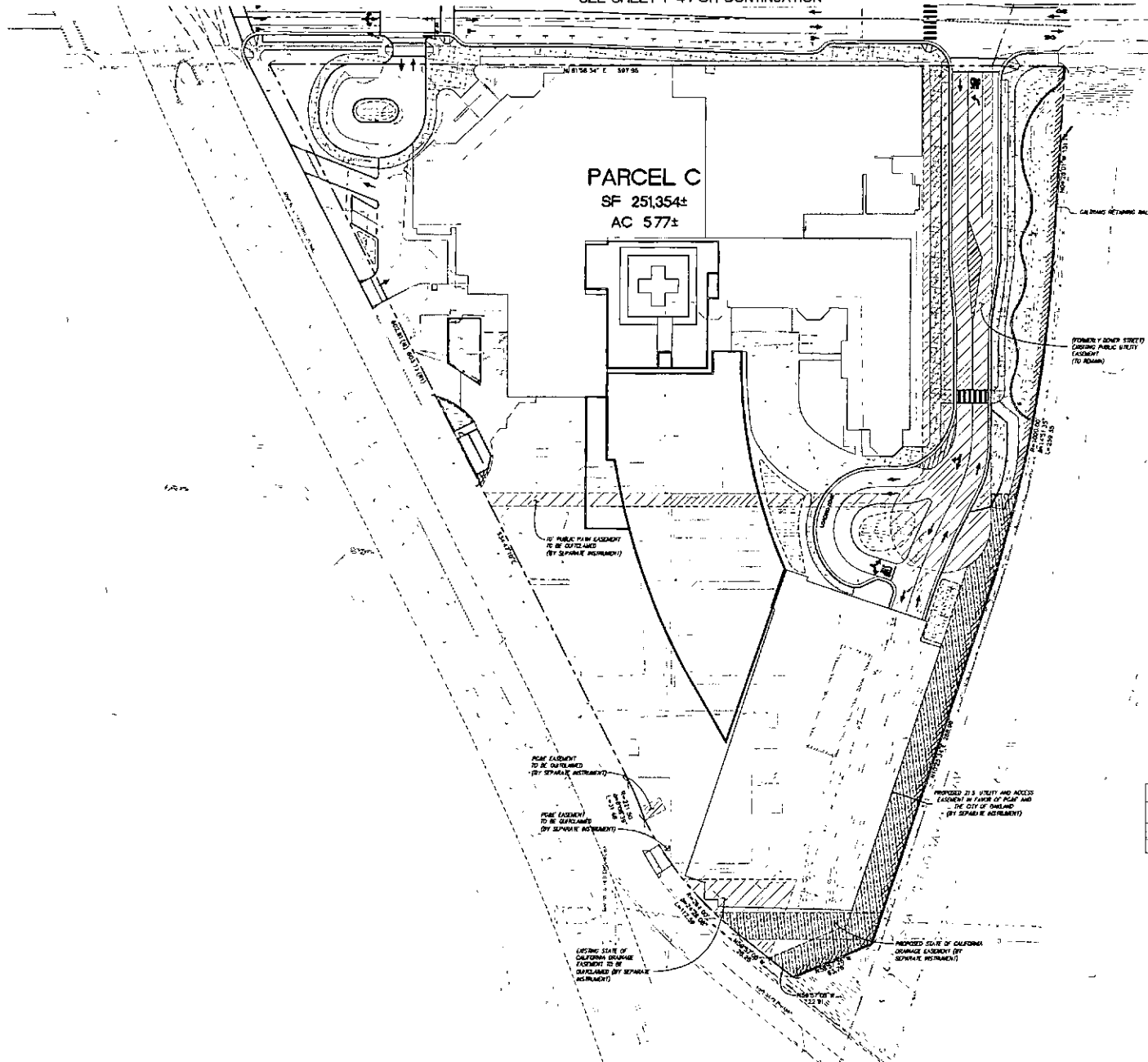
VESTING TENTATIVE TRACT MAP NO 8194
 EXISTING BOUNDARY AND INTERNAL PROPERTY LINES
 SOUTH OF 52ND STREET

SHEET **T-3**
 OF 7 SHEETS

SEE SHEET T-4 FOR CONTINUATION



PARCEL C
SF 251,354±
AC 577±



PROPOSED PARCELS			
PARCEL #	USE	LOT SIZE (SQ. FT.)	LOT DESCRIPTION
C	HOSPITAL FACILITY	251,354	HOSPITAL FACILITIES
TOTAL		251,354 SQUARE FEET	



DATE: 12/18/2014
SCALE: 1" = 30'
DRAWN BY: SJB
CHECKED BY: JMC
PROJECT NO.: 612034

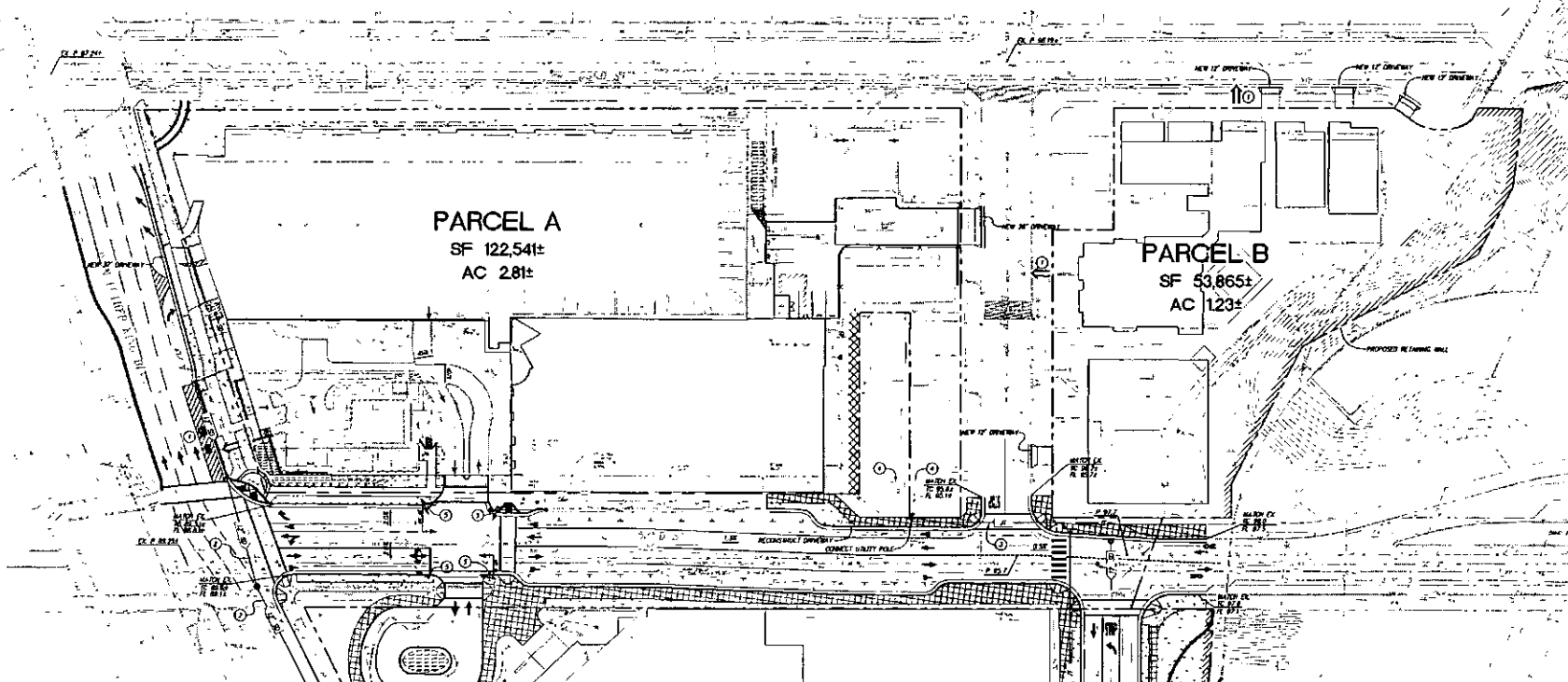
DATE: _____
NO. _____
REVISION _____
DATE BY _____
DRAWN BY: BETHAN
P.L.S. NO. 1007
EXPIRES: 12-31-18

CHILDREN'S HOSPITAL AND RESEARCH CENTER
OAKLAND CALIFORNIA

VESTING TENTATIVE TRACT MAP NO 8194
TENTATIVE MAP SOUTH OF 52ND ST

SHEET
T-5
OF 7 SHEETS

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SEE SHEET T-7 FOR CONTINUATION

UTILITY NOTES

- ① VERIFY LATERALS FOR FUTURE PROJECTS TO CONNECT TO EXISTING UTILITY MAINS IN STREET
- ② NEW STORM DRAIN TO CONNECT TO EX. STORM DRAIN SYSTEM
- ③ UNDERPASS UNDERHEAD ELECTRICAL LINE BETWEEN THE EXISTING UPG LAMAR HOSPITAL BUILDING 24 BURGESS
- ④ RECONNECT LAMAR OVERHEAD ELECTRIC TO EXISTING BUILDING
- ⑤ PROVIDE INDICATION OF FASTING BURIED SIGNALS AT THE INTERSECTION OF DEPARTMENT STREET/52ND STREET IN PROJECTION TO ACCOMMODATE AIRCRAFT OBSTRUCTION

GRADING NOTES

THE PROPOSED SITE GRADING WILL MATCH OR NEARLY MATCH THE EXISTING GRADING AND SIGNIFICANT ALIQUOTS IN STREET SPACES AND AIRPORTS

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 520 West Street | Oakland, CA 94607 | P 510.273.8848 | www.sandis.com
 SUNNYVALE | RIVERVILLE | OAKLAND

SHEET NO.	DATE	BY	REVISION	DATE	BY
1-20					
612034					

APPROVED BY: JMS
 DRAWING NO: 612034
 JEFFREY WONG, SCTR
 P.E. NO. 62493
 LICENSED 10-20-11

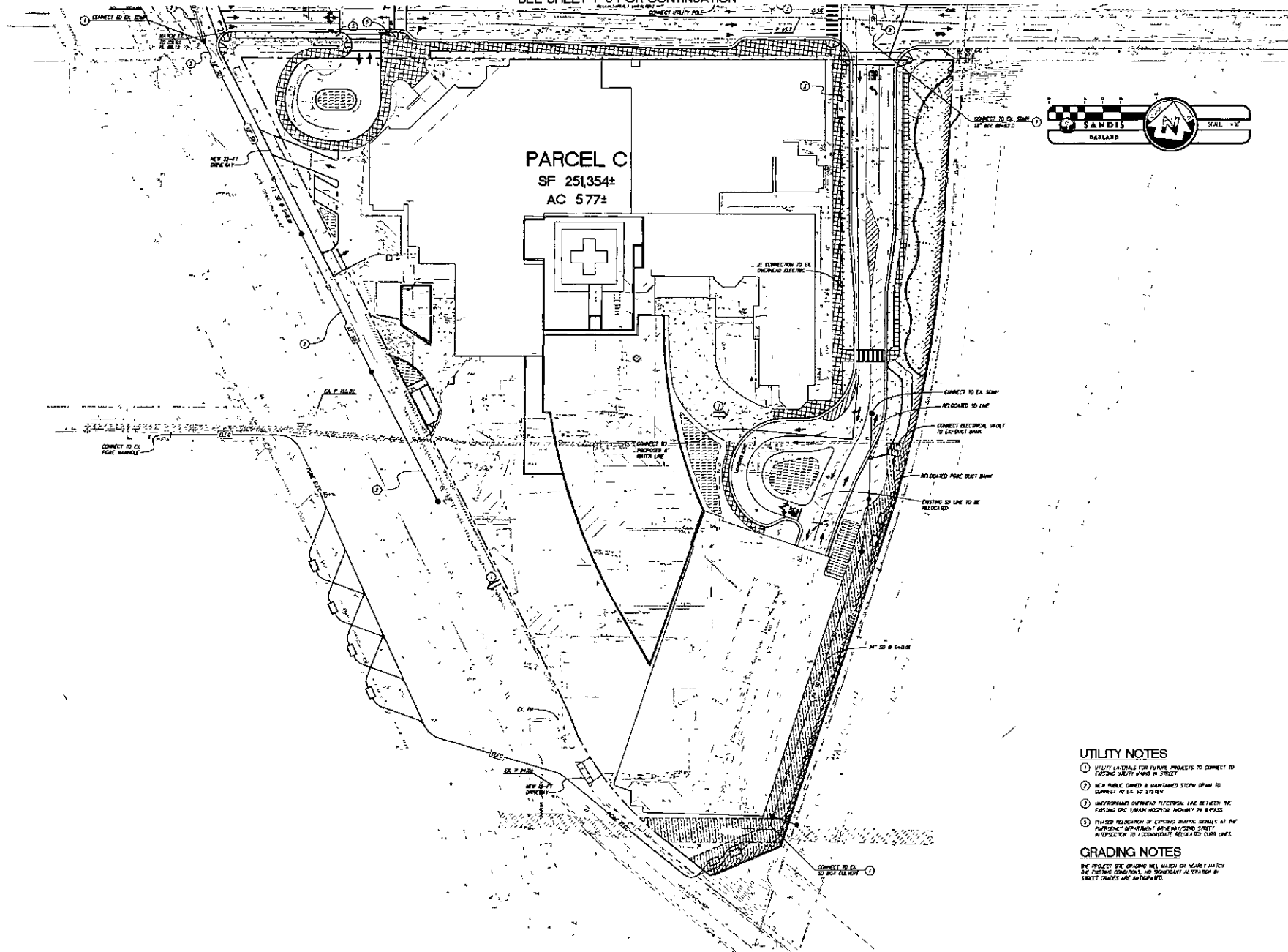
DAVID W. BETHAM
 P.E. NO. 7047
 LICENSED 12-11-16

CHILDREN'S HOSPITAL AND RESEARCH CENTER

 OAKLAND CALIFORNIA

VESTING TENTATIVE TRACT MAP NO 8194
 TENTATIVE UTILITY AND GRADING PLAN
 NORTH OF 52ND ST

SEE SHEET T-6 FOR CONTINUATION



PARCEL C
SF 251,354±
AC 577±



- UTILITY NOTES**
- ① UTILITY LATERALS FOR FUTURE PROJECTS TO CONNECT TO EXISTING UTILITY MAINS IN STREET
 - ② NEW PUBLIC OWNED & MAINTAINED STORM DRAIN TO CONNECT TO EX. STORM
 - ③ UNDERGROUND OVERHEAD ELECTRICAL LINE BETWEEN THE EXISTING SPC USMAN HOSPITAL HIGHWAY IN-BYPASS
 - ④ PHASED RELOCATION OF EXISTING TRAFFIC SIGNALS AT THE INTERSECTION OF 52ND ST AND CROSSING STREET IN ACCORDANCE TO FUTURE/EXISTING RELOCATED CURB LINES
- GRADING NOTES**
- THE PROJECT SITE GRADING WILL MATCH OR NEARLY MATCH THE EXISTING CONDITIONS, NO SIGNIFICANT ALTERATION IN STREET GRADES ARE ANTICIPATED.



DATE: 02/13/2014	DATE:	DATE:	NO.	REVISIONS	DATE	BY
SCALE: 1" = 20'						
DRAWN BY: RAS						
APPROVED BY: RAS						
DRAWING NO: 612034	CLIENT: MICHEL SERVA	PROJECT: PLS NO 7041				
	PROJECT: 10-2014	DATE: 02-13-14				

CHILDREN'S HOSPITAL AND RESEARCH CENTER
OAKLAND CALIFORNIA

VESTING TENTATIVE TRACT MAP NO 8194
TENTATIVE UTILITY AND GRADING PLAN
SOUTH OF 52ND ST

SHEET
T-7
OF 7 SHEETS

NO PART OF THIS DOCUMENT SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM, INCLUDING PHOTOCOPIING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM SANDIS.

CEQA FINDINGS, INCLUDING CERTIFICATION OF THE EIR AND REJECTION OF ALTERNATIVES

I. INTRODUCTION

1. These findings are made pursuant to the California Environmental Quality Act (Pub. Res. Code section 21000 et seq; "CEQA") and the CEQA Guidelines (Cal. Code Regs. title 14, section 15000 et seq.) by the City of Oakland City Council in connection with the Environmental Impact Report ("EIR") prepared for the Children's Hospital and Research Center Oakland Campus Master Plan Project (the "Project"), SCH #2013072058.
2. These CEQA findings are attached and incorporated by reference into each and every staff report, resolution and ordinance associated with approval of the Project.
3. These findings are based on substantial evidence in the entire administrative record, and references to specific reports and specific pages of documents are not intended to identify those sources as the exclusive basis for the findings.

II. PROJECT DESCRIPTION

4. The Project, which is the subject of the EIR, is the development of new and replacement facilities within the existing 11-acre Children's Hospital and Research Center Oakland ("CHRCO") campus, located at 747 52nd Street, in the northern portion of the City of Oakland, Alameda County. The CHRCO campus, which consists of 31 parcels, is an existing hospital facility that contains a complex of medical buildings on a triangular site. The main purpose of the proposed Project is to create new seismically compliant acute care facilities that meet the seismic safety requirements of Senate Bill 1953. Other Project goals include renovating existing structures, constructing new and replacement hospital facilities and associated infrastructure, and redesigning the campus' access points and internal street layout to improve site access, intermodal circulation, and pedestrian safety within the CHRCO campus and adjacent City streets. Specifically, the Project would demolish a total of 66,582 square feet of existing uses on the campus and construct a total of 399,200 square feet of new building area, for a total of 332,618 square feet of net new building area. Upon Project completion, total building area at the CHRCO campus would be 1,025,034 square feet. In addition, a total of 284 net new parking spaces would be located on the campus at Project completion, for a total of 1,391 parking spaces. The proposed Project would be developed in two phases, as described immediately below.
5. Phase 1 would include the demolition of one residential building, minor rear yard additions on two residential buildings, and construction of the 6-story Outpatient Center Building 2 ("OPC2"). Circulation improvements would also occur. Phase 1 would also include internal renovations in the OPC1 Building, the 1982 Tower, the D&T Building, and the Cardiac Catheterization Lab building, as well as an addition to the Central Utility Plant to provide utilities to the renovated areas. As part of Phase 1, approximately 1,541 square feet of use would be demolished, 90,200 square feet would be constructed, and 95,550 square feet would be renovated.
6. Phase 2 would include the demolition of the following structures: one residential building and one modular office building, the rear portions (facades would be maintained) of three residential buildings, the B/C Wing, Bruce Lyon Memorial Research Center, HemOnc Administrative Building, the helistop structure and trailers. Phase 2 would include construction of a Family Residence Building, Clinical Support Building, Link Building with a helistop on the roof, Acute Care Patient Pavilion, expansion of the Central Utility Plant, and a Parking Structure. Phase 2

would also include interior renovations to the 1982 Tower. In addition, site and circulation improvements would be constructed. Phase 2 would include the acquisition and improvement of a portion of the SR 24 right-of-way adjacent to the hospital on the east side and currently owned by Caltrans. Phase 2 would include an increase of 40 hospital beds and an increase of 286 parking spaces on the CHRCO campus. As part of Phase 2, approximately 65,041 square feet of use would be demolished, approximately 309,000 square feet would be constructed, and approximately 42,342 square feet would be renovated.

7. The proposed Project includes a General Plan Amendment and Rezoning. The current General Plan designation for a portion of the Project site is Mixed Housing Type Residential. The proposed General Plan designation for this area will be Institutional. In addition, a portion of the Project site is zoned RM-2, Mixed Housing Type Residential Zone – 2. The proposed zoning for this area will be S-1 Medical Center Zone.

8. The Project also includes a number of other permits/approvals from the City, including but not limited to a Planned Unit Development Permit, Conditional Use Permits, Design Review, minor Variances, Vesting Tentative Map and Final Map(s), a Helistop Permit, and a Tree Removal Permit.

III. ENVIRONMENTAL REVIEW OF THE PROJECT

9. Pursuant to CEQA and the CEQA Guidelines, a Notice of Preparation (“NOP”) of an EIR was published on July 26, 2013. The NOP was distributed to state and local agencies, posted at the Project site, and mailed to property owners within 300’ of the Project site. Public scoping meetings were held before the Oakland Landmarks Preservation Advisory Board on August 12, 2013; before the Oakland Bicycle and Pedestrian Advisory Committee on August 15, 2013; and before the Oakland City Planning Commission on August 28, 2013. The public comment period on the NOP ended on August 28, 2013.

10. A Draft EIR (“DEIR”) was prepared for the Project to analyze its environmental impacts. Pursuant to CEQA and the CEQA Guidelines, a Combined Notice of Availability and Release of a DEIR and Notice of Public Hearings on the DEIR was published on August 4, 2014. The Notice of Availability and Release of the DEIR was distributed to appropriate state and local agencies, posted at the Project site, mailed to property owners within 300 feet of the Project site, and mailed to individuals who have requested to specifically be notified of official City actions on the Project. Copies of the DEIR were also distributed to appropriate state and local agencies, City officials including the Planning Commission, and made available for public review at the City of Oakland’s Department of Planning and Building, Planning and Zoning Division (250 Frank H. Ogawa Plaza, Suite 2214) and on the City’s website.

11. As a result of an evaluation of the potential environmental impacts of the Project, consultation with City staff and other agencies, and review of comments received as part of the scoping process, the following environmental topics are addressed in detail as separate sections of the DEIR: Land Use and Planning; Aesthetics and Shadow; Cultural and Historic Resources; Transportation and Circulation; Air Quality; Greenhouse Gas Emissions; Noise; Geology, Seismicity, and Soils; Hydrology and Water Quality; Hazards and Hazardous Materials; and Utilities. Other factors including Agricultural and Forestry Resources; Biological Resources;¹

¹ The DEIR evaluated biological resources impacts to nesting raptors and trees located on the Project site, concluding that the implementation of certain specified Standard Conditions of Approval, which impose certain requirements with respect to tree removal, would ensure that such impacts would be less than

Mineral Resources; Population and Housing; Public Services; and Recreation are also covered in Chapter VI.D (Effects Found Not To Be Significant) of the DEIR.

12. Duly noticed public hearings were conducted by the Oakland Landmarks Preservation Advisory Board on September 8, 2014; the Oakland City Planning Commission on September 17, 2014; and the Oakland Bicycle and Pedestrian Advisory Committee on September 18, 2014. The DEIR was properly circulated for a 49- (forty-nine) day public review period ending on September 22, 2014.

13. The City received written and oral comments on the DEIR. The City prepared responses to comments on environmental issues and made changes to the DEIR. The responses to comments, changes to the DEIR, and additional information were published in a Response to Comments/Final EIR ("FEIR") on February 27, 2015. The DEIR, the FEIR and all appendices thereto constitute the "EIR" referenced in these findings. The FEIR was made available for public review on February 27, 2015, ten (10) days before the duly noticed March 9, 2015 Oakland Landmarks Preservation Advisory Board public hearing and thirty-two (32) days prior to the duly noticed April 1, 2015 Planning Commission public hearing. The Notice of Availability/Notice of Release of the FEIR was distributed to those state and local agencies who commented on the NOP and DEIR, posted on the Project site, mailed to property owners within 300 feet of the Project site, and mailed/emailed to individuals who have requested to specifically be notified of official City actions on the Project. Copies of the DEIR and FEIR were also distributed to those state and local agencies who commented on the DEIR, City officials including the Landmarks Preservation Advisory Board and Planning Commission, and made available for public review at the City's Department of Planning and Building, Planning and Zoning Division (250 Frank H. Ogawa Plaza, Suite 2214) and on the City's website. Pursuant to CEQA Guidelines, responses to public agency comments on the Draft EIR have been published and made available to all commenting agencies at least 10 days prior to the public hearing to consider certification of the EIR. The City Council has had an opportunity to review all comments and responses thereto prior to consideration of certification of the EIR and prior to taking any action on the proposed Project.

IV. THE ADMINISTRATIVE RECORD

14. The record, upon which all findings and determinations related to the approval of 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 Landmarks Preservation Advisory Board, Oakland City Planning Commission and/or City Council relating to the EIR, the approvals, and the Project.
- c. All information (including written evidence and testimony) presented to the Landmarks Preservation Advisory Board, Oakland City Planning Commission and/or City Council by the environmental consultant and sub-consultants who prepared the EIR or incorporated into reports presented to the City Council.

significant. However, the DEIR concluded that the proposed Project otherwise would not result in any impacts on biological resources.

- 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 final applications, letters, testimony and presentations presented by the Project sponsor and its consultants to the City in connection with the Project.
- f. All final information (including written evidence and testimony) presented at any City public hearing or City workshop related to the Project and the EIR.
- g. For documentary and information purposes, all City-adopted land use plans and ordinances, including without limitation general plans, specific plans and ordinances, together with environmental review documents, findings, mitigation monitoring programs and other documentation relevant to planned growth in the area.
- h. The Standard Conditions of Approval for the Project and Mitigation Monitoring and Reporting Program for the Project.
- i. All other documents composing the record pursuant to Public Resources Code section 21167.6(e).

15. The custodian of the documents and other materials that constitute the record of the proceedings upon which the City's decisions are based is the Director of City Planning, Department of Planning and Building, Planning and Zoning Division, or his/her designee. Such documents and other materials are located at 250 Frank H. Ogawa Plaza, Suite 2214, Oakland, California, 94612.

V. CERTIFICATION OF THE EIR

16. In accordance with CEQA, the City Council, after receiving a recommendation from the City Planning Commission, certifies that the EIR has been completed in compliance with CEQA. The City Council has independently reviewed the record and the EIR prior to certifying the EIR and approving the Project. By these findings, the City Council confirms, ratifies, and adopts the findings and conclusions of the EIR as supplemented and modified by these findings. The EIR and these findings represent the independent judgment and analysis of the City and the City Council.

17. The City Council recognizes that the EIR may contain clerical errors. The City Council reviewed the entirety of the EIR and bases its determination on the substance of the information it contains.

18. The City Council certifies that the EIR is adequate to support all actions in connection with the approval of the Project and all other actions and recommendations as described in the April 28, 2015 City Council Agenda report. The City Council certifies that the EIR is adequate to support approval of the Project described in the EIR, each component and phase of the Project described in the EIR, any variant of the Project described in the EIR, any minor modifications to the Project or variants described in the EIR and the components of the Project.

VI. ABSENCE OF SIGNIFICANT NEW INFORMATION

19. The City Council recognizes that the FEIR incorporates information obtained and produced after the DEIR was completed, and that the FEIR contains additions, clarifications, and

modifications. The City Council has reviewed and considered the FEIR and all of this information. The new information added in the FEIR merely clarifies and makes insignificant changes to an adequate DEIR, and does not add significant new information to the DEIR that would require recirculation of the EIR under CEQA. The new information added to the EIR does not involve a new significant environmental impact, a substantial increase in the severity of a previously identified significant environmental impact, or a feasible mitigation measure or alternative 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. No information indicates that the DEIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the DEIR. Thus, recirculation of the EIR is not required.

20. The City Council finds that the changes and modifications made to the EIR after the DEIR was circulated for public review and comment do not individually or collectively constitute significant new information within the meaning of Public Resources Code section 21092.1 or CEQA Guidelines section 15088.5.

VII. STANDARD CONDITIONS OF APPROVAL AND MITIGATION MONITORING AND REPORTING PROGRAM

21. Public Resources Code section 21081.6 and CEQA Guidelines section 15097 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 Standard Conditions of Approval and Mitigation Monitoring and Reporting Program ("SCAMMRP") is attached and incorporated by reference into the XXX, 2015 City Council Agenda report prepared for the approval of the Project, is included in the conditions of approval for the Project, and is adopted by the City Council. The SCAMMRP satisfies the requirements of CEQA.

22. The standard conditions of approval ("SCA") set forth in the SCAMMRP are specific and enforceable and are capable of being fully implemented by the efforts of the City of Oakland, the applicant, and/or other identified public agencies of responsibility. As appropriate, some standard conditions of approval define performance standards to ensure no significant environmental impacts will result. The SCAMMRP adequately describes implementation procedures and monitoring responsibility in order to ensure that the Project complies with the adopted standard conditions of approval.

23. The City Council will adopt and impose the feasible standard conditions of approval as set forth in the SCAMMRP as enforceable conditions of approval. All potentially significant impacts will remain at a less than significant level, or be reduced to a less than significant level through the implementation of Standard Conditions of Approval.

24. The standard conditions of approval incorporated into and imposed upon the Project approval will not themselves have new significant environmental impacts or cause a substantial increase in the severity of a previously identified significant environmental impact that were not analyzed in the EIR. In the event a standard condition of approval recommended in the EIR has been inadvertently omitted from the conditions of approval or the SCAMMRP, that standard condition of approval is adopted and incorporated from the EIR into the SCAMMRP by reference and adopted as a condition of approval.

VIII. FINDINGS REGARDING IMPACTS

25. In accordance with Public Resources Code section 21081 and CEQA Guidelines sections 15091 and 15092, the City Council adopts the findings and conclusions regarding impacts and standard conditions of approval that are set forth in the EIR and summarized in the SCAMMRP. These findings do not repeat the full discussions of environmental impacts, standard conditions of approval, and related explanations contained in the EIR. The City Council ratifies, adopts, and incorporates, as though fully set forth herein, the analysis, explanations, findings, responses to comments and conclusions of the EIR. The City Council adopts the reasoning of the EIR, staff reports, and presentations provided by the staff and the Project sponsor as may be modified by these findings.

26. The City Council recognizes that the environmental analysis of the Project raises controversial environmental issues, and that a range of technical and scientific opinion exists with respect to those issues. The City Council acknowledges that there are differing and potentially conflicting expert and other opinions regarding the Project. The City Council has, through review of the evidence and analysis presented 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. In turn, this understanding has enabled the City Council to make fully informed, thoroughly considered decisions after taking account of the various viewpoints on these important issues and reviewing the record. These findings are based on a full appraisal of all viewpoints expressed in the EIR and in the record, as well as other relevant information in the record of the proceedings for the Project.

IX. POTENTIALLY SIGNIFICANT BUT MITIGABLE IMPACTS

27. Under Public Resources Code section 21081(a)(1) and CEQA Guidelines sections 15091(a)(1) and 15092(b), and to the extent reflected in the EIR, the SCAMMRP, and the City's Standard Conditions of Approval, the City Council finds that changes or alterations have been required in, or incorporated into, the components of the Project that mitigate or avoid potentially all significant effects on the environment.

28. The following potentially significant impacts will remain at a less than significant level, or be reduced to a less than significant level through the implementation of Standard Conditions of Approval, referenced in the EIR (which are an integral part of the SCAMMRP):

29. Aesthetics and Shadow: Construction of the Project could create new sources of light and glare, as noted in the DEIR (Chapter IV.B), but any potential impact of new lighting will be reduced to a less than significant level through implementation of SCA AES-1, which requires approval of plans to adequately shield lighting to a point below the light bulb and reflector to prevent unnecessary glare onto adjacent properties and minimize mirrored or reflective façade surfaces. Moreover, compliance with various policies and goals contained in the City's General Plan would ensure there would not be significant adverse aesthetic and shadow impacts.

30. Cultural and Historic Resources: Significant impacts to archeological resources, human remains, paleontological resources, and historic resources could result as part of demolition, grading, and/or construction activities, as noted in the DEIR (Chapter IV.C). Any such impacts would be reduced to a less than significant level through application of Standard Conditions of Approval SCA CUL-1 through 4 and SCA NOI-7. These conditions include, among other items, pre-construction studies, construction-period monitoring, and avoidance strategies. Moreover, compliance with various policies and goals contained in the City's General Plan and other

regulatory requirements would ensure there would not be significant adverse cultural and historic resources impacts.

31. Transportation and Circulation: Construction of the Project could result in traffic impacts, as noted in the DEIR (Chapter IV.D), but any such potential impacts would be reduced to a less than significant level through application of Standard Conditions of Approval SCA TRA-1 and 2, which require the development of traffic and parking management strategies, including the creation of a Transportation and Parking Demand Management Plan. Moreover, compliance with various policies and goals contained in the City's General Plan and other regulatory requirements would ensure there would not be significant adverse transportation and circulation impacts.

32. Air Quality: The proposed Project's construction activities would generate fugitive dust and equipment exhaust emissions, and the Project's operations could result in exposure to air pollution, as noted in the DEIR (Chapter IV.E). However, compliance with the City's Standard Conditions of Approval SCA AIR-1 through 3 would reduce these impacts to a less than significant level. These conditions include, among other items, construction-related air pollution controls and incorporation of appropriate measures to reduce potential health risks due to exposure to diesel particulate matter and toxic air contaminants. Moreover, compliance with various policies and goals contained in the City's General Plan and other regulatory requirements would ensure there would not be significant adverse air quality impacts.

33. Greenhouse Gas Emissions: Construction of the Project could result in greenhouse gas emissions impacts, as noted in the DEIR (Chapter IV.F). However, compliance with the City's Standard Conditions of Approval SCA GHG-1 through 2, SCA HYD-1 through 4, and SCA UTL-1 would reduce these impacts to a less than significant level. These conditions include, among other items, compliance with California Green Building Standards and creation of a Construction and Demolition Waste Reduction and Recycling Plan. (The creation of a Greenhouse Gas Reduction Plan is not required because the Project does not exceed the City's Threshold of Significant and is not considered a "large" project). Moreover, compliance with various policies and goals contained in the City's General Plan and other regulatory requirements would ensure there would not be significant adverse greenhouse gas emissions impacts.

34. Noise: Project construction and operation would potentially increase construction and traffic noise levels as well as excessive ground borne vibration, as noted in the DEIR (Chapter IV.G). This impact will be reduced to a less than significant level through the implementation of Standard Conditions of Approval SCA NOI-1 through 7, which require practices and procedures to reduce noise generation during construction and Project operational noise on the surrounding area. Specifically, compliance with Standard Conditions of Approval SCA NOI-1 through 7 would, among other things, limit hours and days of construction, require a site-specific noise reduction program, track and respond to noise complaints, require construction and operation of the building to limit noise, attenuate pile-driving and other extreme noise generators, and requires a vibration analysis for vibration sensitive structures and activities. These Standard Conditions of Approval would reduce construction, operation, and traffic noise impacts from development to a less than significant level. Moreover, compliance with various policies and goals contained in the City's General Plan and other regulatory requirements would ensure there would not be significant adverse noise and vibration impacts.

35. Geology and Soils: Development of the proposed Project could expose people or structures to seismic hazards such as groundshaking or liquefaction, could be subjected to geologic hazards including expansive soils, subsidence, seismically induced settlement and differential settlement, or could result in erosion, as noted in the DEIR (Chapter IV.H). These impacts will be reduced to

a less than significant level through the implementation of Standard Conditions of Approval SCA GEO-1 through 3, which require erosion and sedimentation control plans, soils reports, and geotechnical reports to be prepared and recommendations implemented. Moreover, compliance with various policies and goals contained in the City's General Plan and other regulatory requirements, including compliance with all applicable building codes, would ensure there would not be significant adverse geology, seismicity, and soils impacts.

36. Hydrology and Water Quality: The proposed Project would involve activities that could result in erosion and generation of pollutants that could be carried off site and/or alter the existing drainage pattern of the site and surrounding area, as noted in the DEIR (Chapter IV.I). Implementation of Standard Conditions of Approval SCA HYD-1 through 4 and SCA GEO-1 would ensure that the Project would have a less than significant impact on hydrology and water quality. These Standard Conditions require, among other things, best management practices to reduce erosion and pollutants during construction and pollutant discharge during Project operation, and preparation of a post-construction Stormwater Pollution Management Plan. Moreover, compliance with various policies and goals contained in the City's General Plan and other regulatory requirements would ensure there would not be significant adverse hydrology and water quality impacts.

37. Hazards and Hazardous Materials: Construction of the proposed Project could result in risks associated to construction workers and/or the public from hazardous materials due to demolition of structures that could contain hazardous materials, disturbance of soil and groundwater that could have been impacted by historic hazardous material use, and onsite use of hazardous materials such as solvents during construction activities and operations, as noted in the DEIR (Chapter IV.J). This impact will be reduced to a less than significant level through implementation of Standard Conditions of Approval SCA HAZ-1 through 13 and SCA AIR-2. Moreover, compliance with various policies and goals contained in the City's General Plan and other regulatory requirements would ensure there would not be significant adverse utilities impacts.

38. Utilities: The proposed Project could result in new or expanded stormwater infrastructure on site and increased demand for solid waste collection, as noted in the DEIR (Chapter IV.K). These impacts will be reduced to a less than significant level through the implementation of Standard Conditions of Approval SCA UTL-1 through 5, SCA HYD-2 through 4, and SCA GHG-1. Moreover, compliance with various policies and goals contained in the City's General Plan and other regulatory requirements would ensure there would not be significant adverse utilities impacts.

39. Biological Resources: As discussed and evaluated in Chapter VI of the DEIR, development of the Project could result in biological resources impacts to nesting raptors and trees located on the Project site, as noted in the DEIR (Chapter VI.D.2). These impacts will be reduced to a less than significant level through the implementation of Standard Conditions of Approval SCA BIO-1 through 4, which impose certain requirements with respect to tree removal. Moreover, compliance with various policies and goals contained in the City's General Plan and other regulatory requirements would ensure there would not be significant adverse biological resources impacts to nesting raptors and trees. (See discussion in section 42 below for discussion of other biological resources).

X. NO IMPACT

40. Under Public Resources Code section 21081(a)(1) and CEQA Guidelines sections 15091(a)(1) and 15092(b), and to the extent reflected in the EIR, the City Council finds that there are no significant impacts with respect to the following environmental topics: Agricultural and Forestry Resources; Biological Resources; Mineral Resources; Population and Housing; Public Services; and Recreation. These environmental topics are covered in Chapter VI.D (Effects Found Not To Be Significant) of the DEIR and were determined to have no impacts for the reasons summarized below and detailed in the DEIR, hereby incorporated by reference as if fully set forth herein.

41. Agricultural and Forestry Resources: The proposed Project would be located in an urban area in the City of Oakland and there are no agricultural or forestry uses within or adjacent to the Project site. The proposed Project therefore would have no impact on agricultural or forestry resources.

42. Biological Resources: No special-status plant or animal species are expected to occur on or in the vicinity of the Project site due to its completely urbanized condition and lack of suitable habitats. The Project would not interfere with local wildlife movement or corridors. Common wildlife species that are adapted to urban environments would continue to use the site after Project implementation. No riparian vegetation, other sensitive natural communities, federally protected wetlands, or other aquatic features are present on the site. In addition, the Project site is not subject to a local, regional, or State habitat conservation plan or natural community plan. Thus, the proposed Project will have no impact on biological resources. (See discussion in section 39 above for discussion of tree removal-related impacts).

43. Mineral Resources: The proposed Project site has no known mineral resources. The Project therefore would not result in the loss of availability of a known mineral resource of value to the region or residents of the State or the loss of availability of a locally-important mineral resource recovery site. The proposed Project therefore would not impact mineral resources.

44. Population and Housing: The proposed Project would not include new homes or businesses and would not result in the extension of new roads or other major infrastructure, such that direct population growth would result. In addition, the jobs created during both the construction and operation phases of the Project would represent only about 0.2 percent of the total job growth expected to occur in Oakland between 2010 and 2040. Because this increase would be small, the regional supply of housing would be expected to accommodate any indirect demand for housing generated by future employees over the 10-year Master Plan build-out period. Further, none of the buildings to be demolished or relocated currently function as residences or provide housing. Thus, the proposed Project would neither directly nor indirectly lead to substantial or unforeseen economic or population growth and would not otherwise displace existing housing or people.

45. Public Services: The Oakland Police Department and Oakland Fire Department currently provide police and fire protection to the proposed Project site. Although implementation of the Project would increase staff, patients, and visitors on the site, such increase would be relatively minor and would not result in the need for new or physically altered government facilities that could in turn result in adverse physical impacts. Further, implementation of SCA UTL-3 would ensure that adequate fire flows are available to the Oakland Fire Department to adequately provide continued fire protection services to the Project site. Because the proposed Project does not include housing, it would not result in an adverse effect on school facilities. Finally, although unlikely, the Project may incrementally increase use of area parks and community and regional

recreational facilities; however, this increase is not expected to result in substantial physical deterioration of local parks and recreational facilities. Therefore, the proposed Project would not result in an adverse effect on school or recreational services and would not require the construction of new facilities that could in turn result in adverse physical impacts.

46. Recreation: The area near the Project site is served by two community parks, three neighborhood parks, one active mini-park, one passive mini-park, two linear parks, and one swimming pool/arts studio complex. Because the Project does not include any permanent housing, it would not directly increase the population of the site or vicinity and therefore would not directly increase the use of these local parks. New employees at the campus could incrementally increase the use of these parks as they access the facilities on their breaks or before or after their shifts; however, the increase in employment on the site is relatively minor, and the 205 additional employees would not be expected to increase the use of these facilities such that physical deterioration would occur or be accelerated. The Project therefore would not result in an adverse effect on recreational services and would not require the construction of new facilities.

XI. SIGNIFICANT AND UNAVOIDABLE IMPACTS

47. Under Public Resources Code sections 21081(a)(3) and 21081(b), and CEQA Guidelines sections 15091, 15092, and 15093, and to the extent reflected in the EIR and the SCAMMRP, the City Council finds that there are **NO** significant and unavoidable impacts.

XII. FINDINGS REGARDING ALTERNATIVES

48. The City Council finds that because there are no significant unavoidable impacts, alternatives need not be rejected as infeasible. Nevertheless, in the interest of being conservative and providing information to the public and decision-makers, the City Council finds that there are specific economic, social, environmental, technological, legal or other considerations that make infeasible the alternatives to the Project described in the EIR for the reasons stated below.

49. The EIR evaluated a reasonable range of alternatives to the Project that was described in the DEIR (Chapter V), which are hereby incorporated by reference. The four alternatives analyzed in detail in the EIR represent a reasonable range of potentially feasible alternatives that reduce one or more of the already less than significant impacts of the Project and/or provide decision makers with additional information about the Project. These alternatives include: Alternative 1: the No Project Alternative; Alternative 2, the Dover Street Closure Alternative; Alternative 3, the No Caltrans Property Acquisition Alternative; and Alternative 4, the Existing General Plan and Zoning Alternative. After the No Project Alternative, the Existing General Plan and Zoning Alternative was identified as the environmental superior development alternative. In addition, the DEIR evaluated, but rejected as infeasible, a number of other alternatives. These include: the Expansion of Campus Uses to the Existing Parking Lot Annex Alternative; the Reduction in the Number of Parking Spaces Alternative; the Increased Building Heights Alternative; the Relocated Helistop Location Alternative; and the Off-Site Alternative. The reasons stated in the DEIR for rejecting these other alternatives are hereby adopted and incorporated herein by reference.

50. The City Council certifies that it has independently reviewed and considered the information on the alternatives provided in the EIR and in the record. The EIR reflects the City Council's independent judgment as to alternatives. The City Council finds that the Project provides the best balance between the Project sponsor's objectives, the City's goals and objectives, and the Project's benefits as described in the Staff Report. The alternatives proposed and evaluated in the EIR are rejected for the following reasons. Each individual reason presented below constitutes a separate

and independent basis to reject the Project alternative as being infeasible, and, when the reasons are viewed collectively, provide an overall basis for rejecting the alternative as being infeasible.

51. Alternative 1 – No Project Alternative: CEQA requires a “no project” alternative to be considered in the EIR. This Alternative is consistent with the existing environmental setting presented throughout Chapter IV of the EIR and assumes that no demolition or construction activities would occur on the campus, existing acute care functions would be relocated on- or off-site, and that existing non-seismically compliant buildings would be backfilled with non-acute care uses in conjunction with SB 1953. If the No Project Alternative were implemented, none of the impacts associated with the proposed Project would occur. However, none of the Project’s objectives would be met by this Alternative. Specifically, it would not provide seismically compliant acute care facilities for the community that meet the seismic safety requirements of SB 1953 by the mandated State deadline. Accordingly, Alternative 1 is rejected as infeasible because: (1) it would not accomplish any of the basic Project objectives; (2) it would not provide seismically compliant acute care facilities for the community that meet the seismic safety requirements of SB 1953 by the mandated State deadline; (3) it would require the relocation or elimination of a number of hospital services, including the out-patient clinics, support space for those clinics, and clinical lab functions; (4) it would prevent the renovation and improvement of a number of hospital facilities, including the Post Anesthesia Care Unit; and (5) it would constrain the hospital’s overall development, including constraining the hospital’s ability to provide institutional and medical center uses east of Dover Street.

52. Alternative 2 – Dover Street Closure Alternative: This Alternative assumes the closure of Dover Street to through traffic between 53rd and 52nd Streets. The northern segment of Dover Street, between 53rd and 52nd Streets, could be vacated or closed by the City and barricaded or reconfigured into a cul-de-sac. With street closure, the City would maintain this portion of the roadway as public property, with limited vehicle access. Given that development activities associated with Alternative 2 would only differ from the proposed Project with the closure of Dover Street, most of the less than significant impacts of the proposed Project would be identical to those identified for this Alternative. This Alternative would not substantially reduce any of the impacts identified for the Project, nor would it create new or more severe impacts. With respect to traffic and transportation impacts, the Dover Street Closure Alternative would result in a very slight decrease in the already less than significant impact identified for this topic because operation of one of the study intersections would slightly improve compared to project conditions. With respect to cultural resource impacts, the Dover Street Alternative would result in a minor increase in the already less than significant impacts to the character defining features (street grid and block pattern) of the 55th and Dover Residential District. Although Alternative 2 would meet the project objectives, Alternative 2 is rejected as infeasible because: (1) it would not substantially reduce any of the impacts identified for the Project; (2) traffic calming measures are already in place on Dover Street and assist in diverting traffic to arterial streets; (3) Dover Street is used periodically by Oakland Fire Department and Oakland Police Department personnel to respond to emergencies, requiring the street remain open to emergency vehicles, which would not be possible with closure of the street; (4) closure of Dover Street would require constant monitoring and action to ensure the street remains unobstructed, which is beyond the scope of this EIR; (5) traffic along Dover Street would maintain a free traffic flow typical of a neighborhood street; (6) the street grid is a character defining feature of the historic neighborhood; and (7) City staff has recommended that City Council postpone action on the Dover Street closure until after street improvements have been made as part of Phase 2 of the Project, as the street will be used during construction of the Project.

53. Alternative 3 – No Caltrans Property Acquisition Alternative: Alternative 3 assumes that the existing 1.5-acre area of Caltrans right-of-way located immediately adjacent to and east of the campus would not be acquired or developed as part of Phase 2 the proposed Project. The proposed Project incorporates this property into the overall redevelopment of the campus in order to accommodate development of the Clinical Support Building and development of the Parking Garage at the south end of the campus. Implementation of the No Caltrans Property Acquisition Alternative would differ from the proposed Project in that the proposed Clinical Support Building, Patient Pavilion, and Parking Garage would be reduced in size. This would result in fewer parking spaces and fewer hospital beds on the campus. This Alternative would not substantially reduce any of the impacts identified for the Project; as there are no impacts that are specifically associated with the acquisition or improvement of the existing Caltrans property, nor would it create new or more severe impacts. This Alternative would generally meet the Project objectives. Alternative 3 is rejected as infeasible because: (1) it would not substantially reduce any of the impacts identified for the Project; (2) it would not provide the maximum number of single-family rooms for patients currently in shared rooms or multi-bed wards on the campus to the same extent as the proposed Project; and (3) it would reduce the number of parking spaces provided within the campus.

54. Alternative 4 – Existing General Plan and Zoning Alternative: This Alternative assumes that the existing General Plan and zoning designations that apply to the site would not be changed and that development of the site would be regulated by existing land use controls. Implementation of this Alternative would only differ from the proposed Project in that the Family Residence Building would not be developed and other demolition and construction activities east of Dover Street would be slightly reduced in scale. Alternative 4 would not substantially reduce any of the impacts identified for the Project, nor would it create new or more severe impacts, although less than significant Project impacts related to aesthetics and shadow would be slightly reduced. Alternative 4 is rejected as infeasible because: (1) it would not substantially reduce any of the impacts identified for the Project; (2) it would constrain the hospital's ability to provide institutional and medical center uses east of Dover Avenue; (3) it would restrict the size of the Clinical Support Building and require the hospital to repurpose other hospital facilities for office use; and (4) it would not enhance family-centered care to the same extent as the proposed Project.

XIII. STATEMENT OF OVERRIDING CONSIDERATIONS

55. The City Council finds that **NO** Statement of Overriding Considerations is necessary since there are **NO** significant unavoidable impacts.

FINDINGS FOR APPROVAL

The City Planning Commission recommends the City Council finds and determines:

The proposed project meets the required findings per the Land Use and Transportation Element

General Plan Amendment

The proposed project meets the required findings under Planning Code Sections:

Rezoning (Chapter 17.144)

Planned Unit Development

- 17.140.080 (Preliminary Planned Unit Development Criteria for the Entire Site)
- 17.140.040 (Final Development Plan for Phase 1, OPC2)

Conditional Use Permits

- 17.74.040 (Conditional Use Permit Criteria for General Food Sales in the S-1 Zone) and 17.74.090 (Additional Conditional Use Permit Criteria)
- 17.74.080 (Conditional Use Permit for Conversion from a Residential Activity to a Non Residential Activity in the S-1 and CN-3 Zones) and 17.102.230 (Additional Conditional Use Permit Criteria)
- 17.134.050 (Conditional Use Permit for Health Care Civic Activities in the RM-2 Zone)
- 17.134.050 (Conditional Use Permit for Health Care Civic Activities in the CN-3 Zone) and 17.33.030 (Additional Conditional Use Permit Criteria)
- 17.134.050 (Conditional Use Permit Criteria for Demolition of Rooming Units) and 17.102.230 (Additional Conditional Use Permit Criteria)

Design Review

- 17.136.050 A, B and D (Regular Design Review Criteria for Residential Facilities, Non-Residential Facilities, and Potential Designated Historic Properties that are not Local Register Properties (consistent with Historic Preservation Element HPE Policy 3.5)
- 17.136.075 (Historic Resource Category III Demolition Findings)

Variances

- 17.148.050 (Minor Variance for open facilities (Farmer's Market) in S-1, number of required loading berths, and number of required parking spaces for the Family Residence Building)

Exceptions

- 17.33.050(9) (Minimum ground floor transparency in CN-3 Zone)

The proposed project meets the required findings under Oakland Municipal Code Sections:

- 16.24.040 (Lot Design Standards)
- 16.08.030 and California Government Code §66474 (Tentative Tract Map Findings)

Required findings are shown in bold type; explanations as to why these findings can be made are in normal type. Required findings are also contained within other sections of this report and the administrative record, including the Environmental Impact Report (EIR, hereby incorporated by reference).

LAND USE AND TRANSPORTATION ELEMENT OF THE GENERAL PLAN

General Plan Amendment

The Hospital Master Plan proposal includes a General Plan Amendment for the portion of the project site bounded by 53rd Street to the north, SR-24 to the east, 53rd Street to the south, and Dover Street to the west. The General Plan Amendment includes one non-hospital owned property 685 53rd Street which is used for residential purposes. The project would change the General Plan classification from Mixed Housing Type Residential to Institutional. The Institutional classification is intended to create, maintain, and enhance areas appropriate for education facilities, cultural and institutional uses, health services and medical uses as well as other uses of a similar character. The area proposed for the General Plan Amendment (minus the residential structure) is currently used by the Hospital for health care civic uses which are already located to the west and south. The General Plan Amendment is being sought to reflect the current uses and consolidate the area into one unified campus which permits health care uses. City staff is recommending that the one non-hospital owned property also be changed to Institutional as it is located within the area. Changing the General Plan classification for this parcel would not be inconsistent with the Institutional classification as residential uses are permitted within Institutional areas.

Policy A3 of the General Plan LUTE states that the City may amend its General Plan, if deemed to be in the public interest, up to four times per year per mandatory element, subject to specific findings including: a) how the amendment advances Plan implementation; b) how it is consistent with the policies in the Element; c) any inconsistencies that would need to be reconciled; and d) examination of citywide impacts to determine if the amendment is contrary to achievement of citywide goals.

1. **The General Plan Amendment is consistent with Policy A3 of the Land Use and Transportation Element (LUTE) of the Oakland General Plan.**
 - a. The General Plan Amendment is consistent with and will further advance the Oakland General Plan including the LUTE. By way of example and not by limitation, the following summary lists the major goals and policies of the LUTE and discusses how the Hospital Master Plan and Related Actions are consistent with these goals and policies:
 - i. The General Plan LUTE's Policy Framework organizes the City into six general planning areas, each with distinct sets of key geographic areas targeted for community and economic expansion. The Policy Framework indicates where the City anticipates changes and which areas are to be maintained and enhanced. In general the objectives and policies of the Neighborhood Planning Area apply to the project. These are discussed below. The Strategy Diagram, while not a regulatory diagram, provides a graphic tool for implementing the LUTE's Policy framework. The project site is located within the Maintain and Enhance Land Use Diagram. This is consistent with the Hospital Master Plan which would modernize and enhance the existing Hospital. Furthermore, the Hospital has been located at the project site for over 100 years.
 - ii. Transportation and Transit-Oriented Development objectives and policies to encourage alternative means of transportation; to include bikeways and pedestrian walks in new streets; and to improve the visual quality of streetscapes. Applicable LUTE Transportation-related policies include, but are not limited to, *Policies T3.5, T3.6, T4.1 and T6.2*. The project's consistency with these policies is discussed in Chapter IV.D:

Transportation and Circulation of the EIR (hereby incorporated by reference throughout these findings, as if fully set forth herein). In addition, the applicable Standard Conditions of Approval also support the LUTE policies referenced above.

- iii. Neighborhood objectives and policies to ensure compatible development in terms of density, scale, design and existing or desired character of surrounding development; and to recognize and support the identification of distinct neighborhoods. The General Plan's existing policy directions on compatible land uses would apply to future development under the Specific Plan, including, but not limited to: *Policies N2.1 through N2.5*. The project's consistency with these policies is discussed in Chapter IV.D: Transportation and Circulation of the EIR (hereby incorporated by reference throughout these findings, as if fully set forth herein). In addition, the applicable Standard Conditions of Approval also support the LUTE policies referenced above.

b) The General Plan Amendment is consistent with and will further advance the Oakland General Plan including the LUTE (as described above), Open Space, Conservation and Recreation (OSCAR), Historic Preservation, Safety, and Housing Elements, as well as the Bicycle and Pedestrian Master Plans. By way of example and not by limitation, the following summary lists the major goals and policies of these elements of the General Plan and discusses how the General Plan Amendment is consistent with these goals and policies.

- i. The General Plan Amendment is consistent with policies of the Bicycle Master Plan to support safe and convenient bicycle access and to ensure that the needs of bicyclists are considered in the design of new development. Applicable Bicycle Master Plan-related policies include, but are not limited to, Policies 1-A, 1-D, 1-E, and 3-B. The project's consistency with these policies is discussed in Chapter IV.D: Transportation and Circulation of the EIR (hereby incorporated by reference throughout these findings, as if fully set forth herein). In addition, the applicable Standard Conditions of Approval also support the Bicycle Master Plan policies referenced above.
- ii. The General Plan Amendment is consistent with policies of the Pedestrian Master Plan including pedestrian safety and access and improving streetscapes. Pedestrian Master Plan-related policies include, but are not limited to, Policies 1.1, 1.3, 2.1, and 3.1. The project's consistency with these policies is discussed in Chapter IV.D: Transportation and Circulation of the EIR (hereby incorporated by reference throughout these findings, as if fully set forth herein). In addition, the applicable Standard Conditions of Approval also support the Pedestrian Master Plan policies referenced above.
- iii. The General Plan Amendment is consistent with the policies of the OSCAR of the General Plan to maintain open space buffers and landscaping along freeways and at institutions, encourage water conservation and water recycling efforts, use of drought tolerant plants and irrigation, and promote and improve regional air quality; expand existing transportation systems management to reduce congestion; require implementation of best practices during construction to minimize dust emissions; encourage the use of energy-efficient construction; protect habitat; control urban runoff; and minimize soil contamination hazards through appropriate storage and disposal of toxic substances. Applicable OSCAR-related policies include, but are not limited to, Policies OS-3.1, OS-3.6 and Policies CO-4.1, CO-4.2, CO-7.1, CO-7.4, CO-12.4, CO-12.6 and CO-13.3. The project's consistency with these policies is discussed in Chapter IV.A: Land Use and Planning of the EIR (hereby incorporated by reference throughout these findings, as if fully set forth herein). In addition, the applicable Standard Conditions of Approval also support the OSCAR policies referenced above.
- iv. The General Plan Amendment is consistent with the policies of the Historic Preservation Element (HPE) to encourage the reuse of existing buildings and building materials; incentivize the preservation of historic resources; avoid or minimize adverse historic preservation impacts; encourage the relocation of

structures instead of demolition; and protect archeological and paleontological resources. Applicable HPE-related policies include, but are not limited to, Policies 3.1, 3.5, 3.7, and 4.1. The project's consistency with these policies is discussed in Chapter IV.A: Land Use and Planning and Chapter IV.C: Cultural and Historic Resources of the EIR (hereby incorporated by reference throughout these findings, as if fully set forth herein). In addition, the applicable Standard Conditions of Approval also support the HPE policies referenced above.

- v. The General Plan Amendment is consistent with the policies of the Safety Element to maintain and enhance the city's capacity for emergency response and reduce structural hazards pertaining to new and existing buildings. Applicable Safety Element-related policies include, but are not limited to, Policies PS-1 and GE-1. The project's consistency with these policies is discussed in Chapter IV.A: Land Use and Planning, Chapter IV.H: Geology, Seismicity, and Soils, and Chapter IV.J: Hazards and Hazardous Materials of the EIR (hereby incorporated by reference throughout these findings, as if fully set forth herein). In addition, the applicable Standard Conditions of Approval also support the Safety Element policies referenced above.
- vi. The General Plan Amendment is consistent with the goals and policies of the Housing Element to provide adequate sites for housing, conserve and improve older housing and neighborhoods, and promote sustainable development and sustainable communities. The project site contains thirteen residential buildings. All but two will be retained or partially retained as part of the project, although they will be used for health care civic uses, not residential uses. Applicable Standard Conditions of Approval will ensure that these buildings retain their residential character. The project includes construction of the Family Residence Building which will provide temporary accommodation for 14 to 16 families whose children are receiving hospital services.
- vii. The General Plan Amendment is consistent with the policies of the Noise Element to ensure compatibility of existing and proposed development with the surrounding noise environment and reduce the community's exposure to noise by minimizing noise levels. Applicable Noise Element-related policies include, but are not limited to, Policies 1 and 2. The project's consistency with these policies is discussed in Chapter IV.A: Land Use and Planning and Chapter IV.G: Noise of the EIR (hereby incorporated by reference throughout these findings, as if fully set forth herein). In addition, the applicable Standard Conditions of Approval also support the Noise Element policies referenced above.
- viii. The proposed project and the General Plan Amendment are consistent with the Scenic Highways Element as the project is not located near designated Scenic Highways.
- ix. The Sustainable Communities Development Initiative, the Energy and Climate Action Plan, the Green Building Ordinance, and Complete Streets all include provisions to make the City more sustainable and reduce energy consumption and greenhouse gas emissions. The project will meet these goals by locating close to and encouraging travel by transit and other alternative non-vehicular methods; and providing LEED and GreenPoint Rated facilities that reduce water and energy use, increase indoor air quality, and reduce greenhouse gas emissions with more efficient mechanical systems. The Hospital Master Plan and General Plan Amendment would fund street, bicycle, pedestrian and sewer infrastructure upgrades, hereby implementing capital improvement plans in the area. Applicable Greenhouse Gas Emissions - related policies in the LUTE include but are not limited to T.2.1, T.2.2, T.3.5, T.3.6, T.4.2, T.4.5, and T.3.2 and OSCAR policies include but are not limited to OS-1.1, OS-2.1, CO-5.3, CO-12.3, CO-12.5, CO-13.2, CO-13.3 and CO-13.4. The project's consistency with these policies is discussed in Chapter IV.A: Land Use and Planning and Chapter IV.F: Greenhouse Gas Emissions).

- c) There are no inconsistencies between the General Plan Amendment and the Oakland General Plan which need to be reconciled. The Hospital Master Plan is consistent with and will further advance achievement of citywide goals, as detailed herein and in the April 1, 2015 Staff Report to the City Planning Commission. The site is located within the Maintain and Enhance Land Use Diagram. The Hospital has been located in the area and adjacent to the residential neighborhood for over 100 years. The expansion and development of the Hospital is consistent with the maintain and enhance diagram.
 - d) As noted in the above findings and in the analysis contained within the EIR, an examination of environmental and citywide impacts was conducted to determine if the amendment is contrary to achievement of citywide goals. The project would not result in significant environmental impacts and is consistent with the policies and objectives contained with the City's adopted governing documents. The Amendment is being sought to reflect the current uses and consolidate area into one unified campus which has been in the same general location for over 100 years.
2. **Adoption of the General Plan Amendment meets the provisions of California Government Code Section 65351 et seq., specifically:**
- a. The City provided "opportunities for the involvement of citizens, California Native American Indian tribes, public agencies, public utility companies, and civic, education, and other community groups, through public hearings and any other means the planning agency deems appropriate." (Government Code section 65351.) Specifically, the Hospital held 30 community workshops between May 2009 and July 2013. Four public hearings were held concerning the design of the project including two each before the Landmarks Preservation Advisory Board (LPAB) and the Design Review Committee in November of 2013 and December of 2014. Numerous public hearings were also held related to the EIR before the LPAB, Bike and Pedestrian Advisory Committee (now, the Oakland Bicyclist and Pedestrian Advisory Commission), and Planning Commission, including three scoping sessions in August of 2013 and three public hearings to gather comments on the Draft EIR in September of 2014.
 - b. The City provided newspaper notice of the public hearings by the Planning Commission to consider the General Plan Amendment in the Oakland Tribune, and provided notice of the proposed action to the entities listed below in compliance with Government Code Section 65352 through (1) the July 26, 2013, Notice of Preparation of the Environmental Impact Report; (2) the August 7, 2014, Notice of Availability/Notice of Release of the Draft EIR; and (3) the February 27, 2015, Notice of Availability/Notice of Release of the Final EIR and public hearings to consider the Hospital Master Plan and related actions, which were sent to:
 - i. The neighboring cities of Alameda, Berkeley, Emeryville, Piedmont, San Francisco, San Leandro; the County of Alameda; the County of San Francisco; the Port of Oakland;
 - ii. Oakland Unified School District;
 - iii. Alameda Local Agency Formation Commission;
 - iv. Association of Bay Area Governments; Metropolitan Transportation Commission; Regional Water Quality Control Board;
 - v. East Bay Municipal Utility District (which the City consulted during the preparation of the EIR, and which commented on the Draft EIR).
 - vi. The Bay Area Air Quality Management District
 - vii. Property owners both within the Project area and up to 300 feet beyond the Project area boundaries;
 - viii. Individuals who specifically requested to be notified about the project; and
 - ix. There are no California Native American tribes with traditional lands in Oakland's jurisdiction; however, a notice to the California Native American tribes registered in Alameda County was sent by staff. There are no Federal agencies with "operations or lands" that would be significantly affected by adopting the

General Plan Amendment; there is no branch of the US Armed Forces that have military installations or airspace that could be affected by adopting the General Plan Amendment.

OAKLAND PLANNING CODE

Chapter 17.44 Rezoning

The Hospital Master Plan proposal includes a Rezoning for the portion of the project site bounded by 53rd Street to the north, SR-24 to the east, 52nd Street to the south, and the Hospital's existing garage and OPC1 Building to the west. The Rezoning includes two non-hospital owned properties at 720 52nd Street and 685 53rd Street which are used for residential purposes. The project would change the Zoning District from the RM-2, Mixed Housing Type Residential Zone - 2 to the S-1 Medical Center Zone. The S-1 Zone is intended to create, maintain, and enhance areas devoted primarily to medical facilities. The area proposed for the rezoning (minus the residential structures) is currently used by the Hospital for health care civic uses which are already located to the west and south. Furthermore, a portion of the area for the rezoning is already located within the Institutional General Plan classification. The Rezoning is being sought to reflect the current uses and consolidate the area into one unified campus which permits health care uses. City staff recommends that the two non-hospital owned properties also be changed to the S-1 Zone as the majority of the area is used for health care services. Changing the zoning for these parcels would not result in these activities being considered legal non-conforming as the existing residential uses are permitted within the S-1 Zone.

The Hospital Master Plan and Rezoning are adequate and promote the public interest by unifying the campus; the current rezoning is inadequate because it is inconsistent with the General Plan and the uses existing on site. The rezoning implements the current and proposed Institutional General Plan classification, recognizes the existing uses on the site, and unifies the campus into one area.

Section 17.140.080 Preliminary Planned Unit Development Permit criteria (For Entire Site)

A Preliminary Planned Unit Development Permit may be granted only if it is found that the development (including conditions imposed under the authority of Sections 17.142.060 and 17.140.030) conforms to all of the following criteria, as well as to the planned unit development regulations in Chapter 17.142:

A. That the location, design, size, and uses are consistent with the Oakland General Plan and with any other applicable plan, development control map, or ordinance adopted by the City Council;

The proposed project includes the expansion of existing hospital uses to (health care civic and semi-transient residential) and is consistent with Oakland's General Plan. The site is largely classified as Institutional per the City's Land Use and Transportation Element (LUTE). However, a small portion east of Dover Street is classified as Mixed Housing Type Residential. The Hospital is proposing to amend the General Plan from Mixed Housing Type to Institutional for this area. The intent of the Institutional classification is to "create, maintain and enhance areas appropriate for educational facilities, cultural and institutional uses, health services and medical uses as well as other uses of similar character." Hospital uses are permitted in the Institutional classification and the project would be in conformance with the General Plan.

However, even if the General Plan Amendment is not approved, the project would still be in conformance with the General Plan. The Mixed Housing Type classification allows for compatible civic uses in appropriate locations. The Hospital was established at this location 100 years ago and has continued operation ever since with the residential neighborhood developing at the same time (historic period of significance) as substantiated in the historic resource appendices in the Draft EIR. The applicant is requesting a General Plan Amendment to designate the entirety of the site as Institutional because it serves to create a cohesive land use regulatory unit for the site, and is more consistent with

existing and proposed uses throughout the entirety of the site. Furthermore, the project conforms with LUTE objectives and policies, as discussed in the Draft EIR, and as summarized below:

Objective N2 states: Encourage adequate civic, institutional and educational facilities located within Oakland, appropriately designed and sited to serve the community: The proposed project meets the overall objective. As noted above, the Hospital has been located in the same area for over 100 years and has operated in a manner that is sensitive to its surrounding. As detailed below, larger more intense uses and buildings are proposed for construction away from residential neighborhoods while smaller less intense office uses are located near residential areas. The project will include a Transportation Demand Management Plan (TDM) among other SCA's and recommended measures that will enhance and protect residential areas. The project retains six buildings and relocates two buildings to 53rd Street to ensure continuation and improvement of the residential character of the neighborhood. The Hospital is already a source of community pride. With the improvements associated with the seismic retrofit and modernization, the Hospital will maintain its status as a premier location of pediatric and trauma care in the East Bay and the region.

Policy N2.1 Designing and Maintaining Institutions: The proposed project meets this policy. As noted above, the Hospital is already a source of pride, providing care to all of Oakland and the region's children regardless of income. The Hospital developed in conjunction with the neighborhood and the modernization of its facilities continues to be compatible with its surroundings. The required seismic retrofit will ensure that the Hospital can continue to provide acute care services to Oakland and Bay Area children. The design in terms of size, bulk, massing, texture, and material is similar to the existing hospital buildings. Color is intended to unite campus facilities in a way that is comforting and welcoming to children, identify the campus and define street corners and important elements, and reduce the mass and bulk of the proposed buildings.

Policy N2.2: Providing and Distributing Services: The project provides pediatric care and trauma services to all East Bay and regional children:

Policy N2.3 Supporting Institutional Facilities: As detailed throughout the findings, the staff report, and the Response to Comments/Final EIR document, the project is compatible with surrounding uses, the site currently is developed with hospital uses, and the site can accommodate the expansion of those uses.

Policy N2.4 Locating Services Along Major Streets: The project is located along MLK Jr. Way and 52nd Street which are major arterial streets in this area. Where uses are proposed along neighborhood streets, they are low scale and low intensity in nature. The project site is located within easy access of freeways and is bounded by SR-24.

Policy N2.5 Balancing City and Local Benefits of Institutions: As detailed in the Draft EIR, the project will not result in any significant and unavoidable impacts. In fact, all impacts from the project were determined to be less than significant. However, City staff is still recommending several measures to further reduce impacts and improve the surrounding community including alternative transportation, noise and historic resource related measures.

Policy N2.7 Designing Community Facilities: As detailed in the findings section, the project is compatible with the area's existing and desired character. The City recently adopted Ordinance No.13275 C.M.S., establishing a public art requirement for private development projects, which will be applied to the project.

Policy N2.8 Long Range Development Planning: The proposed project is a 10-year Master Plan and represents the current long range plans for the Hospital. The Hospital is not proposing at this time any additional work beyond this 10-year time frame.

As detailed in the staff report, the project is consistent with HPE goals and policies 3.1, 3.5., 3.7 and 4.1. Furthermore, as shown in the Draft EIR Chapter 4A, the proposed project is consistent with the City's Open Space Conservation and

Recreation(OSCAR), Housing Element, Noise Element, Safety Element, Energy and Climate Action Plan, Complete Streets Policy, Green Building Ordinance, and Bicycle and Pedestrian Master Plans.

The proposed structures are of a similar height, bulk and massing of existing hospital buildings. The texture and materials (stucco, glass, and brick) are similar to the existing hospital building materials. While the use of color is a departure from the current buildings, its use will not be visually obtrusive. Instead, color is intended to unite campus facilities in a way that is comforting and welcoming to children, moving away from the sterile, medical office design now on the campus. Furthermore, color is used to announce the campus to visitors, define street corners and identify hospital entrances, and “break down” the mass and bulk of buildings.

The proposed project is consistent with the proposed zoning designation which outright permits health care civic and semi-transient uses. As noted in the staff report, a portion of the site would be re-zoned from RM-2 to S-1. The Commercial Corridor Guidelines do not apply as the project is located in the S-1 Zone (Applicability, page 4 of the Guidelines) and the project site is not adjacent to a primary or secondary commercial corridor (Map on page 5 of the Guidelines).

B. That the location, design, and size are such that the development can be well integrated with its surroundings, and, in the case of a departure in character from surrounding uses, that the location and design will adequately reduce the impact of the development;

The proposed OPC2 and Clinical Support Buildings will be constructed on 52nd Street, which is already developed with hospital uses. The six-story OPC2 Building will be located behind the existing parking garage while the three-story Clinical Support Building will be located behind the existing and proposed Family Residence Building. In general, the existing buildings will screen the proposed structures from the adjacent neighborhood to the north. The majority of the taller project construction will occur on the main campus to the south. However, the Link Building, Patient Pavilion, and the proposed parking garage will be located behind the existing hospital patient tower, the Ford Diagnostic Treatment Center and the A/B Wing. The height of these proposed buildings will be consistent with the existing building heights on campus. As such, these buildings will not be visible from most surrounding vantage points. Therefore, the proposed location and size are well-integrated into the surrounding area.

The proposed project also includes construction closer to the residential neighborhood to the north. Two homes will be relocated from 53rd Street to 52nd Street and are proposed for low-intensity hospital offices uses. The more recent rear additions of two buildings along 53rd Street will be removed to construct a maintenance access driveway off of Dover Street. The existing maintenance driveway will be re-landscaped. Finally, three buildings also on 53rd Street will have their rear facades removed to accommodate construction of the Family Residence Building. In sum, the current residential character of 53rd Street will be maintained and improved with these proposed improvements. However, staff is including a recommended measure requiring additional design development of the Family Residence Building to ensure compatibility with the structures being altered and the residential neighborhood. Finally, the entire project site will be re-landscaped with ornamental shrubs, groundcover and street trees.

C. That the location, design, size, and uses are such that traffic generated by the development can be accommodated safely and without congestion on major streets and will avoid traversing other local streets;

As detailed in the EIR, while the Hospital does bring traffic to the surrounding area, the proposed Project will not result in a significant impact on the local streets in the area. Furthermore, the EIR also notes that traffic from the proposed Project will not result in a significant impact to the 55th and Dover Residential District since additional traffic will not affect the character defining features of the District. However, to further reduce the already less than significant traffic impacts, the City is recommending approval of several transportation-related measures including bicycle and pedestrian improvements.

Second, the City of Oakland adopted several policies that address traffic congestion on city streets. The "Transit First Policy" adopted in 1996 recognized the importance of a balance between economic opportunities and the ability of those to travel by transit. In the policy, priority is given to transit over single occupancy vehicles (SOV). In addition, the LUTE, adopted in 1998, contains objectives and policies stating that congestion can be lessened by promoting alternative transportation. Finally, the City adopted a "Complete Streets Policy" resolution in 2013 which expressed Oakland's commitment to providing safe, comfortable, and convenient travel through a comprehensive and integrated transportation network for all modes of travel and users.

One of the SCA requires the Hospital to implement a TDM. While the Hospital already encourages its employees and visitors to use alternative modes of travel, implementation of the TDM will further decrease the number of SOV trips to the hospital and, therefore, traffic on local streets. Specifically, the TDM requires that the Hospital achieve a 20% reduction in SOV trips by the end of Phase 2. SOV reduction strategies include the sale of transit passes, bike parking and bicycle changing facilities, preferential parking for carpools and vanpools and a ride matching program, and enhancements of the existing shuttle service. In addition to the TDM, the EIR contains several recommended measures for approval to enhance the pedestrian and bicyclist experience. These measures include, but are not limited to, increasing the size of the sidewalks along MLK Jr. Way, implementing bike lanes and adding bike parking above Planning Code requirements, improvements to the bus stop area, improving shuttle stops, conducting field observations to evaluate traffic volumes along Dover Street and MLK Jr. Way, and better management of the parking garages. All of these measures will further reduce congestion on local streets surrounding the hospital.

In sum, the Project traffic can be accommodated safely.

D. That the location, design, size, and uses are such that the residents or establishments to be accommodated will be adequately served by existing or proposed facilities and services:

The proposed project is located in an area that is adequately served by existing utilities and service systems, including water, sewer, solid waste and recycling, natural gas, and telecommunications. The project is located near major freeway on and off ramps, along a bus line, near bicycle lanes on Genoa and Shattuck, and within walking/shuttle distance of the Macarthur BART station. The project will include open space areas for children; vehicular, bicycle and pedestrian improvements along 52nd Street; and landscaping in the surrounding area. The Hospital has also been working with neighbors to make improvements to the adjacent park. The project also includes the continuation of the Farmer's Market outside OPC1.

The purpose of the project master plan is to relocate, replace, and renovate the Hospital in accordance with state seismic safety requirements; ensure efficiency of in-patient and out-patient uses; provide the maximum number of single-family rooms for patients currently in shared rooms or multi-bed wards; maintain its designation as the Bay Area's Level 1 pediatric center; and create a high-quality designed facility for children. These objectives can be accommodated within the project site as the proposed project is an expansion of an existing institutional hospital use. Furthermore, the project will include an expansion of the Central Utility Plant.

The proposed project was designed to provide efficient and state of the art hospital services to East Bay children and the region. In addition, the design of the new structures and the incorporation of color are intended to be comforting and welcoming to children. As the Hospital is located within an existing residential neighborhood, larger health care buildings and uses are located away from residences, either on the main campus or along 52nd Street which already includes 5-6 story hospital uses. The Hospital is also proposing to largely retain the smaller buildings along 53rd Street and relocate two additional small residential buildings from 52nd Street to 53rd Street to "fill in" the residential character along the street. These buildings will be used for low impact office spaces associated with the Hospital. A Family Residence Building to house families with sick children being treated at the hospital will be constructed using the front facades of three residential structures. This will ensure that residential character and use is retained when viewed from

the street. All of these improvements are designed to ensure a healthful, attractive, efficient and stable environment for patients, visitors and staff while maintaining and improving neighborhood character.

The proposed project would largely retain the existing uses, General Plan classification and zoning. However, one portion of the project site would be changed from Mixed Housing Type Residential to the Institutional General Plan classification and the S-1 zoning would be applied to this area. As noted in the RTC/Final EIR, health care civic uses are not incompatible with residential uses and the small scale healthcare and semi-transient uses proposed in this area can be adequately accommodated.

In sum, the project can be adequately accommodated with the existing and proposed facilities and services.

E. That the location, design, size, and uses will result in an attractive, healthful, efficient, and stable environment for living, shopping, or working, the beneficial effects of which environment could not otherwise be achieved under the zoning regulations;

As noted above, the purpose of the project is to comply with the state seismic safety requirements and modernize the hospital to ensure a healthful, attractive, efficient and stable environment for patients, visitors and staff. The Planned Unit Development permit will ensure a more cohesive and campus-like land use setting for the Hospital while buffering adjacent neighborhoods from more intensive hospital uses.

As currently zoned, hospital properties straddle two zoning districts: S-1 to the south and west and RM-2 to the north and east. The Hospital has requested a rezoning to S-1 for the entire project site. While the RM-2 zoning allows health care civic activities with a conditional use permit, a rezoning would reflect the existing uses on the site and allow construction of the Family Residence Building. Furthermore, the PUD permit would ensure an integrated and comprehensive development plan, as the project includes the integration of development located on multiple blocks.

In sum, the PUD permit ensures the phased construction of an integrated campus, protections for adjacent neighborhoods, necessary and ancillary permitted uses, as well as street and landscape improvements that might not have been possible with separate development applications for each building.

F. That the development will be well integrated into its setting, will not require excessive earth moving or destroy desirable natural features, will not be visually obtrusive and will harmonize with surrounding areas and facilities, will not substantially harm major views for surrounding residents, and will provide sufficient buffering in the form of spatial separation, vegetation, topographic features, or other devices.

As noted above, the proposed project would be an expansion of already existing land uses on the site. As such, the development will be well integrated into its setting. Larger buildings and more intense uses will be located south, away from residential areas. Smaller scale office uses will be located in existing buildings closer to the neighborhood.

Minimal disruption to the existing hospital, which will be open during construction of the project, as well as the surrounding community, is a principal project objective. The project will not result in excessive earth moving as the site is flat and already developed. Temescal Creek is culverted. The large magnolia tree, which is the only other natural feature on-site, has surpassed its normal life span and cannot feasibly be relocated off-site as thoroughly analyzed in the RTC/Final EIR. Recommended measures have been included to recognize the importance of the tree and to further reduce this less than significant impact.

The proposed project will result in an alteration of visual character through demolition of existing buildings and construction of new structures. However, the majority of proposed construction is located on the main campus between SR-24 and the BART tracks or behind existing large structures and along 52nd Street, which is currently developed with hospital uses and tall buildings. Therefore, views will not be harmed. The proposed structures will maintain a similar

height and massing of the existing campus buildings. Furthermore, the proposed buildings and renovations will ensure visual interest to children and families and promote a cohesively designed campus.

The proposed project employs a variety of spatial and environmental buffering including retention of existing residential buildings along 53rd Street and the relocation of two structures from 52nd Street to 53rd Street to retain residential character. In addition, the proposed landscaping plan includes native ornamental plants and shrubs, new street trees, and bio-filtration planters along the perimeter of the site.

In sum, the project will be well integrated into an existing institutional and residential setting that already includes hospital uses.

Section 17.140.040 Final Development Plan Finding for Phase 1 (OPC2)

The final plan shall conform in all major respects with the approved preliminary development plan.

The final development plan for Phase 1 conforms in all respects to the preliminary development plan. The final development plan for Phase 2 will be submitted at a later date.

Section 17.74.040 Conditional Use Permit criteria (General Food Sales in the S-1 Zone) (Farmer's Market)

Except as different criteria are prescribed elsewhere in the zoning regulations, a conditional use permit shall be granted only if the proposal conforms to all of the following general use permit criteria, as well as to any and all other applicable use permit criteria:

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

The Hospital, in conjunction with Phat Beets Produce, currently operates a small outdoor Farmer's Market in front of the OPC1 Building underneath the colonnade once a week. This General Food Sales Activity does not adversely affect the livability or development of abutting properties and the neighborhood as the area is largely already developed with hospital uses. While the farmer's market is a commercial use, it complements the hospital's health care mission and objectives. The farmer's market provides an active use along 52nd Street which is devoid of pedestrian interest. The farmer's market does generate substantial pedestrian traffic that would not already normally be going to the hospital and is a benefit to the hospital and the surrounding area.

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

The farmer's market is located adjacent to the OPC1 Building. It is a temporary use once a week consisting of tables and tents against the building façade. The farmer's market provides both a convenient and functional shopping and civic environment. The farmer's market use is compatible with the hospital's mission to provide modern and efficient health care services which includes preventive care like healthy eating. Furthermore, 52nd Street is not an active street front as the existing hospital is largely internally focused. The farmer's market provides an active and pedestrian oriented use along 52nd Street.

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

Locating a farmer's market on-site enhances the successful operation of the hospital and the surrounding community by providing fresh produce to the community. The Hospital recognizes that the healthy eating is a part of maintaining long term wellness. This use complements the hospital's mission of providing modern and state of the art health care as well as promoting preventive care.

D. That the proposal conforms to all applicable regular design review criteria set forth in the regular design review procedure at Section 17.136.050;

The farmer's market consists of tables and tents which are removed after the event. The proposal conforms to all applicable design review criteria given the temporary nature of the use.

E. That the proposal conforms in all significant respects with the Oakland General Plan and with any other applicable guidelines or criteria, district plan or development control map which has been adopted by the Planning Commission or City Council.

The proposal conforms in all significant respects to Oakland's General Plan. Specifically, Policy N2.3 encourages the City to support many uses occurring at the institutional facilities if compatible with surrounding activities. The farmer's market supports Oakland's healthy food-related policies including Actions MW-28 in the Energy and Climate Action Plan.

Section 17.74.090 Additional Conditional Use Permit criteria for Commercial Activities

A conditional use permit for any conditionally permitted Commercial Activity may be granted 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 both of the following additional use permit criteria:

A. That the proposed activity is intended primarily to serve the medical center area in which it is located or the patients, practitioners, or employees of the center;

The proposed activity is intended to primarily serve the patients, practitioners and employees and to promote healthy eating among the hospital community.

B. That the proposed activity will not create or aggravate traffic congestion or interfere with the movement of traffic generated by permitted activities.

The use is generally intended to promote healthy eating among the hospital community. As such it is generally used by patients, visitors, and employees and does not generate substantial traffic that would otherwise not come to the hospital.

Section 17.74.080 Conditional Use Permit criteria (Conversion of a Living Unit to a Nonresidential Activity in the S-1 and CN-3 Zones)

The Hospital owns several properties in the RM-2 Zone, listed below and one in the CN-3 Zone. These properties were built as residential structures and contained residential activities. The Hospital converted these to non-residential activities absent a permit. The project is requesting a rezoning for this area to the S-1 zone. Staff has made the findings for conversion of these structures from residential to non-residential in the S-1 Zone as this is the preferred zoning. The Hospital-owned properties in the RM-2 Zone include the following:

707 52nd Street
715 52nd Street
5203 Dover Street
5212-5214 Dover Street
5225 Dover Street
682 52nd Street
688 52nd Street
770 53rd Street

Except as different criteria are prescribed elsewhere in the zoning regulations, a conditional use permit shall be granted only if the proposal conforms to all of the following general use permit criteria, as well as to any and all other applicable use permit criteria:

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

The properties proposed for conversion are existing residential buildings. However, the buildings are currently used as offices for the hospital. The project is proposing to formally change the use of this building from residential to non-residential.

The project is not proposing to alter the buildings in terms of location of the site, size, scale, bulk, coverage, floor area, or design. The re-use of these existing buildings will not have a harmful effect on desirable neighborhood character. In addition, the change in use for the properties will not adversely affect the livability or appropriate development of abutting properties. As described in the Response to Comments/Final EIR, low intensity office uses generally are compatible with the residential neighborhood.

The change in use of this building will not result in a substantial generation of traffic, as described in the Draft EIR. Finally, the project is required to implement a Transportation Demand Management (TDM) program to reduce Single Occupancy Vehicle (SOV) trips, and will include a number of recommended measures that will improve vehicular, pedestrian, and bicycle circulation.

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

The project is proposing to change the use of these buildings from residential to a health care civic activity and specifically a low intensity office use. The change in land use activity for this building will provide a convenient and functional civic health care environment as the hospital is in need of office space close to the campus and its existing services. The project is not proposing to change the location, design or site planning of the building located at 670 53rd Street. The exterior façade will not be altered and the residential look and feel of the neighborhood will remain the same. As such the change in use will not affect the current residential neighborhood.

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

The proposed change in use for these buildings will result in the successful operation of the hospital which needs additional office space. The building's exterior will not be altered and it will retain the look and feel of a residential structure. The low intensity office use of the building will not be detrimental to the successful character of the residential neighborhood.

D. That the proposal conforms to all applicable regular design review criteria set forth in the regular design review procedure at Section 17.136.050;

As noted above, the change in use from a residential activity to a non-residential (health care civic) activity does not require any physical changes to these building including location, size, scale, bulk, coverage, floor area, or exterior design. Therefore, this finding is not applicable.

E. That the proposal conforms in all significant respects with the Oakland General Plan and with any other applicable guidelines or criteria, district plan or development control map which has been adopted by the Planning Commission or City Council.

The project, including the change in use of these buildings, conforms to all significant aspects of the General Plan. These buildings are already used as a low intensity office use for a health care civic activity. Health care uses are permitted in an S-1 Zone.

17.102.230 Additional Conditional Use Permit Criteria for One-Family or Two-Family Residential Facilities

Conversion of One-Family or Two-Family Residential Facilities may be granted only upon determination that the proposed conversion conforms to the general use permit criteria set forth in the conditional use permit procedure and to at least one of the following additional use permit criteria:

- 1. That the facility proposed for demolition or the living unit proposed for conversion is unoccupied and is, or is situated in, a residential building that has been found, determined, and declared to be substandard or unsafe pursuant to Subsection 15.08.350.B of the Oakland Municipal Code; or**
- 2. That a replacement rental unit, comparable in affordability and type to each unit proposed for demolition or conversion, will be added to the City's housing supply prior to the proposed demolition or conversion taking place; or**
- 3. That the benefits to the City resulting from the proposed demolition or conversion will outweigh the loss of a unit from the City's housing supply; or**
- 4. That the conversion will be an integral part of a rehabilitation project involving both residential and nonresidential activities, and that the rehabilitation project would not be economically feasible unless some nonresidential activity were permitted within it.**

The proposed project would convert seven buildings from residential to non-residential uses. In Phase 2, one building with two units at 5212-5214 Dover Street would be demolished to facilitate construction of the Clinical Support Building. The units are unoccupied but they are not substandard. The project is not proposing any replacement rental units or additions to the City's housing supply other than semi-transient uses for families with sick children at the Hospital. The demolition and conversion is not part of a rehabilitation project involving both residential and non-residential uses and is not considered economically infeasible without the non-residential portion. Therefore, the City has made findings that the benefits of the conversion outweigh the loss of a unit from the City's overall housing supply. These buildings are currently used as health care civic activities and have been used in this way for many years. The project is not proposed to displace people. The hospital is in need of

administrative space which cannot be located on campus due to the space constraints. If the units were not available for this use, the Hospital would need to find office space away from the campus and the Hospital services. Axillary Hospital-related functions and services located within proximity to the Hospital provide a convenient and functional working and civic area for both patients and employees. The loss of seven units on the City's overall housing supply is insignificant.

Section 17.134.050 Conditional Use Permit criteria.(Health Care Civic Activities in the RM-2 Zone)

670 53rd Street

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

The property located at 670 53rd Street is a residential building that is currently used as offices for the hospital. The project is proposing to formally change the use of this building to a health care civic activity.

The project is not proposing to alter the building in terms of location of the site, size, scale, bulk, coverage, floor area, or design. The re-use of an existing building will not have a harmful effect on desirable neighborhood character. In addition, the change in use for this building will not adversely affect the livability or appropriate development of abutting properties as the project is not proposing to change the zoning for this parcel. As described in the Response to Comments/Final EIR, low intensity office uses generally are compatible with the residential neighborhood.

The change in use of this building will not result in a substantial generation of traffic, as described in the Draft EIR. Finally, the project is required to implement a TDM program to reduce SOV trips , and will include a number of recommended measures that will improve vehicular, pedestrian, and bicycle circulation.

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

The project is proposing to change the use of this building from residential to a health care civic activity and specifically a low intensity office use. The change in land use activity for this building will provide a convenient and functional civic health care environment as the hospital is in need of office space close to the campus and its existing services. The project is not proposing to change the location, design or site planning of the building located at 670 53rd Street. The exterior façade will not be altered and the residential look and feel of the neighborhood will remain the same. As such the change in use will not affect the current residential neighborhood.

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

The proposed change in use for this building will result in the successful operation of the hospital which needs additional office space. The building's exterior will not be altered and it will retain the look and feel of a residential structure. The low intensity office use of the building will not be detrimental to the successful character of the residential neighborhood.

D. That the proposal conforms to all applicable regular design review criteria set forth in the regular design review procedure at Section 17.136.050;

As noted above, the change in use from a residential activity to a non-residential (health care civic) activity does not require any physical changes to the building including location, size, scale, bulk, coverage, floor area, or exterior design. Therefore, this finding is not applicable.

E. That the proposal conforms in all significant respects with the Oakland General Plan and with any other applicable guidelines or criteria, district plan or development control map which has been adopted by the Planning Commission or City Council.

The project, including the change in use of this building, conforms to all significant aspects of the General Plan. This building is already used as a low intensity office use for a health care civic activity. The Residential Mixed Use classification states that small low scale civic can be appropriate in these neighborhoods.

Section 17.134.050 Conditional Use Permit criteria (Health Care Civic Activities in the CN-3 Zone)

770 53rd Street

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

The property located at 770 53rd Street is an existing building that is currently used as offices for the psychiatric department and has nine parking stalls. The project is proposing to formally change the use of this building to a health care civic activity.

The project is not proposing to alter the building in terms of location of the site, size, scale, bulk, coverage, floor area, or design. The re-use of an existing building will not have a harmful effect on desirable neighborhood character. In addition, the change in use for this building will not adversely affect the livability or appropriate development of abutting properties. Currently, there is not an active retail presence or vibrant pedestrian environment in the immediate vicinity along Martin Luther King Jr. Way north of the building. While the intent of the CN-3 Zone is create, improve, and enhance neighborhood commercial centers that have a vibrant pedestrian environment, the adopted Commercial Corridor Guidelines provide more specific design direction on how these corridors can be achieved. It is important to note that the Guidelines and the map depicting the primary and secondary corridors specifically excluded the parcel at 770 53rd Street. Furthermore, to the south, the surrounding area is already largely developed for hospital and health care uses and low intensity office uses generally are compatible with the residential neighborhood to the east.

The change in use of this building will not result in a substantial generation of traffic, as described in the Draft EIR, and the parking structure is located directly across 53rd Street for use by patients. Finally, the project is required to implement a TDM program to reduce SOV trips, and will include a number of recommended measures that will improve vehicular, pedestrian, and bicycle circulation.

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

The project is not proposing to change the location, design or site planning of the building. The exterior façade will not be altered. The building's use will change from a residential activity to a non-residential activity. The change in use of

this building will provide a convenient and functional civic health care environment as hospital and outpatient services will be located in the same general area.

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

The project is proposing to formally change the use of this building which is currently housing the psychiatric department. The area is already largely developed with hospital uses and providing a multitude of health care related services adjacent to each other will enhance the successful operation of the hospital for the community. While the parcel is located within the CN-3 Zone, the Commercial Guidelines do not apply to this parcel and it is assumed the building would not contribute to a vibrant commercial shopping corridor. Furthermore, the low intensity health care office uses are generally compatible with the residential neighborhood to the east as detailed throughout the findings.

D. That the proposal conforms to all applicable regular design review criteria set forth in the regular design review procedure at Section 17.136.050;

As noted above, the change in use from a residential activity to a non-residential (health care civic) activity does not require any physical changes to the building including location, size, scale, bulk, coverage, floor area, or exterior design. Therefore, this finding is not applicable.

E. That the proposal conforms in all significant respects with the Oakland General Plan and with any other applicable guidelines or criteria, district plan or development control map which has been adopted by the Planning Commission or City Council.

The project, including the change in use of this building, conforms to all significant aspects of the General Plan. This building is already used as a health care civic activity and Policy N2.4 of the LUTE specifically encourages institutional and office uses to be located along major streets.

Section 17.33.030 Additional Conditional Use Permit criteria for Health Care Activities in a CN-3 Zone

Any Conditional Use Permit (CUP) required shall conform to the CUP criteria contained in Section 17.134.050 and to each of the following additional criteria:

1. That the proposal will not detract from the character desired for the area;

As noted above the proposal to change the use of an existing building will not detract from the desired character for the area.

2. That the proposal will not impair a generally continuous wall of building facades;

There is not a continuous wall of building facades along this stretch of Martin Luther King Jr. Way. Furthermore, a driveway separates the structure to the north and the one being proposed for conversion.

3. That the proposal will not weaken the concentration and continuity of retail facilities at ground level, and will not impair the retention or creation of an important shopping frontage;

The proposed project will not weaken the concentration or continuity of retail facilities at the ground level or impair the creation of an important shopping frontage. The area to the south is already developed with health care civic uses. To the north are a convenience market and a small retail sign shop. Further to the north is a church and parking lot. There is not

a current concentration or continuity of retail facilities. The BART tracks located within the middle of Martin Luther King Jr. Way further discourage creation of a retail shopping frontage and connectivity between both sides of the street.

4. That the proposal will not interfere with the movement of people along an important pedestrian street; and

The proposed project will not interfere with the movement of people along Martin Luther King Jr. Way. The project is proposing to change the use of an existing building from a residential to a non-residential activity. The building's location, size, scale, bulk, or exterior design is not being altered. Currently, pedestrians can easily move along the existing sidewalk. A fence, small landscape strip and mature trees separate the inside edge of the sidewalk from the building.

5. That the proposal will conform in all significant respects with any applicable district plan which has been adopted by the City Council.

The proposal is not located in an applicable district plan. As noted above the project conforms in all significant aspects to the General Plan and other applicable guidelines and policies.

Section 17.134.050 Conditional Use Permit criteria (Demolition of Rooming Units in the S-1) (5204 MLK Jr. Way)

Except as different criteria are prescribed elsewhere in the zoning regulations, a conditional use permit shall be granted only if the proposal conforms to all of the following general use permit criteria, as well as to any and all other applicable use permit criteria:

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

The structure at 5204 Martin Luther King Jr. Way was originally used for residential uses and is located in the S-1 Medical Center Zone. The building is currently used as offices for the hospital. The structure is proposed for demolition in order to construct the OPC2 building. The location, size, and design of the OPC2 Building is compatible with the abutting properties and surrounding neighborhood in terms of scale, bulk, coverage, and floor area. As noted in the findings and attached project plans, the OPC2 building has approximately the same height, bulk, and massing as the existing parking garage directly to the north; the OPC1 building to the east and the rest of the main campus to the south. These buildings screen the residential neighborhood to the north from the proposed OPC2 building. Furthermore, the BART tracks screen the OPC2 Building from the neighborhood to the west. As detailed in the staff report, there is no lot coverage requirement in the S-1 Zone. However, the project will meet the required setbacks once all of the parcels are merged (Parcel A). The project is under the Floor Area Ratio (FAR) requirement required by zoning.

The proposed project will not affect the development of abutting properties. The project is located on the corner of MLK Jr. Way and 52nd Street and all abutting properties are developed with hospital uses. The project will not affect the livability of the surrounding area. As shown in the Draft EIR, all impacts associated with the OPC2 building were reduced to less than significant with implementation of the Standard Conditions of Approval (SCAs). The project's traffic impacts are reduced to less than significant with implementation of a TDM program to reduce SOV trips as well as approval of the recommended measures to improve vehicular, pedestrian, and bicycle circulation. The proposed project will also include extensive new landscaping and bio-filtration planters and street trees around the OPC2 building.

The project is a health care civic use and will be located in an area already developed with such uses. Construction of the OPC2 building will enhance operations of the hospital and especially outpatient services by combining services in one centrally located area. Furthermore, the hospital will be compliant with the state's seismic safety requirements with the construction of the OPC2 building and the relocation of certain hospital departments to this building. As detailed above, the site is adequately served by existing utilities.

Finally, although buildings are proposed for demolition, the project applicant is required to make a good faith effort to relocate them to an acceptable site per SCA CUL-4 and the HPE.

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

Construction of the OPC2 building and specifically, the location and site planning, will provide a convenient and functional civic environment. As noted above and in the Draft EIR, construction of the building is necessary in order to relocate existing services from the main hospital and renovate those areas to comply with the state's seismic safety requirements. In addition, the relocated services will serve outpatients and integrating those services together (OPC1 and OPC2) is important for convenient and efficient hospital operations. Furthermore, the proposed OPC2 building includes parking for the emergency department across 52nd Street. As the existing main campus is too constrained to provide this parking close to the emergency entrance, the OPC2 building is the most logical and appropriate location for this necessary project component. Providing additional parking will ensure convenient and functional hospital operations.

The proposed project design will be a departure from the existing visual character, both in terms of scale, height, massing and color as a one and one-half story home is currently located on-site. However, as noted above, the OPC2 building will be screened from the residential neighborhoods by the BART tracks and existing nearby hospital buildings are of a similar height, bulk, and massing. The design and materials provide visual interest at the corner and for children visiting the hospital. The project includes high-quality materials such as glass curtain walls and brick that are used in existing buildings and throughout the other buildings proposed in the PUD to create a cohesive campus design.

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

Hospital uses have existed at this site for over 100 years. The Hospital currently serves East Bay children and is an essential Oakland and regional service. Furthermore, the Hospital is the only Level 1 pediatric trauma center in the Bay Area. As noted above, the Hospital must comply with the state's seismic safety requirements or it cannot continue to provide acute care services to children. Construction of the OPC2 building allows the Hospital to comply with the seismic requirements by relocating services and renovating those areas for acute care. Furthermore, construction of the OPC2 building results in convenient and efficient operations by co-locating non-acute care outpatient services.

D. That the proposal conforms to all applicable regular design review criteria set forth in the regular design review procedure at Section 17.136.050;

As noted above, the project conforms to all the PUD criteria, the regular design review criteria as well as the Commercial Corridor Guidelines that pertain to Institutional uses.

E. That the proposal conforms in all significant respects with the Oakland General Plan and with any other applicable guidelines or criteria, district plan or development control map which has been adopted by the Planning Commission or City Council.

The proposal to demolish the structure at 5204 MLK Jr. Way and construct of the OPC2 building conforms in all significant respects with the General Plan and all other adopted planning-related documents as noted above. In addition, City staff has made the findings for demolition of this building if the building cannot be relocated pursuant to CUL-4 and HPE Policy 3.7.

Section 17.102.230 Additional Conditional Use Permit criteria (Demolition of Rooming Units in the S-1 Zone) (5204 MLK Jr. Way)

Such permit may be granted only upon determination that the proposed demolition or conversion conforms to the general use permit criteria set forth in the conditional use permit procedure and to at least one of the following additional use permit criteria:

1. That the facility proposed for demolition or the living unit proposed for conversion is unoccupied and is, or is situated in, a residential building that has been found, determined, and declared to be substandard or unsafe pursuant to Subsection 15.08.350.B of the Oakland Municipal Code; or
2. That a replacement rental unit, comparable in affordability and type to each unit proposed for demolition or conversion, will be added to the City's housing supply prior to the proposed demolition or conversion taking place; or
3. That the benefits to the City resulting from the proposed demolition or conversion will outweigh the loss of a unit from the City's housing supply; or
4. That the conversion will be an integral part of a rehabilitation project involving both residential and nonresidential activities, and that the rehabilitation project would not be economically feasible unless some nonresidential activity were permitted within it.

The structure at 5204 MLK Jr. Way is not being used for residential purposes. It is being occupied by offices associated with the Hospital and has not been declared unsafe or substandard. The project is not proposing any residential uses to be added to the housing supply to make up for the loss of this single family home. The proposal is not part of a rehabilitation project involving residential and non-residential activities. Therefore, Finding 3, above, has been met.

In order to meet the state's seismic safety goals, the Hospital would need to move to a different location, rebuild the acute care facility or reorganize, renovate and replace existing functions. The Hospital chose to stay at the current location in order to serve East Bay children and to retain the existing acute facilities on the campus instead of building completely new facilities. In order to comply with the seismic requirements, several departments would need to move from non-compliant structures to compliant ones. The Hospital also needs to ensure continued and efficient operations. To meet both goals, the Hospital is proposing to demolish the structure at 5204 MLK Jr. Way and construct the OPC2 building. The OPC2 building will include additional outpatient services so it is important to have OPC2 adjacent to OPC1. Table III-5 and Table III-6 on pages 110 and 113-115 of the Draft EIR show the reorganization of hospital departments in order to meet the seismic requirements and maintain efficient hospital services.

The construction of the OPC2 building and compliance with the seismic requirements will ensure that the hospital will be functioning as a place for acute children's care after an earthquake. This is a local and regional benefit. However, it is important to note that SCA CUL-4 will require that the Hospital demonstrate a good faith effort to relocate this structure prior to demolition in accordance with Policy 3.7.

Section 17.136.050 A, B, and D (Regular Design Review Criteria for Residential Facilities, Non-Residential Facilities, and Potential Designated Historic Properties that are not Local Register Properties)

A: Residential Facilities: Family Residence Building

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

The proposed project includes construction of the Family Residence Building which is considered a Semi-Transient Residential use. This building will provide facilities for families with children being treated at the Hospital. The proposed Family Residence Building will be located behind but connected to three existing structures along 53rd Street. This building will be similar to the existing height, bulk, massing and setback context. A recommended measure has been included which will ensure compatibility between these existing structures and the proposed new construction as well as the retention of historic details. This improvement, along with relocation of the maintenance access driveway to Dover Street and new landscaping, will enhance the existing residential character of 53rd Street. The buildings will retain the same texture, materials and color as the existing residential neighborhood buildings.

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

The project will retain the front facades of the three buildings located at 671-679 53rd Street and the Family Residence Building will be constructed behind but attached to these structures. Retention of these buildings along with new landscaping will protect, preserve, and enhance desirable neighborhood characteristics. Furthermore, the building will be used to house families with sick children and is residential in use. Approval of the recommended measures will ensure that the design of the Family Residence Building will be compatible with the existing structures and the neighborhood.

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

The proposed site of the Family Residence Building is flat. As detailed above, the rear facades will be removed to construct the Family Residence Building. New landscaping will be proposed as part of the Final PUD permit for this site.

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

The project is not located on a hill.

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

As detailed throughout the findings, the project is in conformance with the Oakland General Plan. The City does not have specific design review guidelines for multi-family, semi transient residential uses and the One and Two Unit Design Guidelines do not apply.

B: Non-Residential Facilities

- OPC2 Building**
- Link Building**
- Patient Pavilion**
- Proposed Parking Garage**
- Clinical Support Building**
- Central Utility Plant**

Existing Parking Garage

- 1. That the proposal will help achieve or maintain a group of facilities, which are well related to one another and which, when taken together, will result in a well-composed design, with consideration given to site, landscape, bulk, height, arrangement, texture, materials, colors, and appurtenances; the relation of these factors to the other facilities in the vicinity; and the relation of the proposal to the total setting as seen from key points in the surrounding area. Only elements of the design which will have some significant relationship to outside appearance shall be considered, except as otherwise provided in Section 17.36.060.**

The proposed project includes construction of several new buildings: OPC2, Link Building, Patient Pavilion, parking garage, Clinical Support Building and Central Utility Plant additions. Several other buildings will be altered to construct the proposed project including: the entrance to existing parking garage, rear yard additions, rear building facades, relocation of two structures, and minor façade alterations on main campus buildings. As detailed in the Preliminary PUD findings above for the entire project and the Final PUD findings for Phase 1, the proposed project will achieve a group of facilities that are well-related to one another. When taken together, the result is a well composed, cohesive and integrated design.

Specifically, the OPC2 Building and the Clinical Support Building are located along 52nd Street, which is currently developed with hospital uses. These proposed buildings have similar bulk, height, setbacks, lot coverage and massing as the other medical buildings along 52nd Street. Furthermore, existing buildings and the BART tracks will screen these proposed structures from the adjacent neighborhoods. The Link Building, Patient Pavilion, and proposed parking garage will be constructed on the main hospital campus. These proposed structures are of a similar height, bulk and massing of existing hospital buildings. The texture and materials (stucco, glass, and brick) are similar to the existing hospital building materials. While the use of color is a departure from the current buildings, its use will not be visually obtrusive. Instead, color is intended to unite campus facilities in a way that is comforting and welcoming to children, moving away from the sterile, medical office design now on the campus. Furthermore, color is used to announce the campus to visitors, define street corners and identify hospital entrances, and “break down” the mass and bulk of buildings. The project will relocate two buildings to 53rd Street to replace an existing portable structure. These facilities will not be physically altered and will continue to be used as offices associated with the Hospital.

The Draft EIR analyzed visual and aesthetic impacts of the project. The before and after visualizations show that the proposed buildings will not result in a substantial departure from the current conditions with the exception of the corner of MLK Jr. Way and 52nd Street. However, even in this location the new OPC2 building will not be visually obtrusive as it is adjacent to other hospital structures of a similar size, massing and bulk.

- 2. That the proposed design will be of a quality and character which harmonizes with, and serves to protect the value of private and public investments in the area.**

As noted above, construction of the OPC2 building, Link Building, Patient Pavilion, Clinical Support building and parking garage are located within an established hospital campus. The proposed structures will be similar in height, bulk, massing and design as the surrounding hospital buildings. The proposed project includes high-quality materials (brick, glass, and stucco) that reflect the existing materials of the current hospital. The use of color provides visual interest from the street and a welcoming environment for children; integrates the entire campus visually and identifies the location of the hospital. The high-quality design and hospital modernization will protect the value of the public and private investment in the area and ensure a premier pediatric facility for children in Oakland and the region.

Low-scale and low-intensity hospital uses are proposed for the homes along 53rd Street. Retaining existing structures, “filling in” the rest of the block face south of 53rd Street, moving the maintenance access from 53rd Street, and extensive landscaping improves the area and ensures the protection of private investments.

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

As detailed above and within Chapter 4 of the Draft EIR, the proposed project is consistent with the General Plan.

D. Potential Designated Historic Properties that are not Local Register Properties (consistent with HPE Policy 3.5: Historic Preservation and Discretionary Approvals)

A/B Wing
B/C Wing
Bruce Lyon Memorial Research Center,
682-688 52nd Street
720 52nd Street
670 53rd Street,
671 -679 53rd Street
685-689 53rd Street,
707-715 53rd Street
5203 Dover Street
5212-5214 Dover Street
5225 Dover Street
5204 MLK Jr. Way

That for additions or alterations:

1. The design matches or is compatible with, but not necessarily identical to, the property's existing or historical design; or
2. The proposed design comprehensively modifies and is at least equal in quality to the existing design and is compatible with the character of the neighborhood; or
3. The existing design is undistinguished and does not warrant retention.

Per Chapter 17.09 of the Planning Code and the HPE, a Potential Designated Historic Property (PDHP) means any building or property that is determined by the City's Cultural Heritage Survey to have an existing or contingency rating of "A", "B", or "C", or to contribute or potentially contribute to an Area of Primary Importance (API) or an Area of Secondary Importance (ASI).

City staff presented updated historic ratings for buildings located within the project site so that staff could thoroughly analyze impacts to historic resources at the EIR scoping session before the Landmarks Preservation Advisory Board (LPAB) on August 12, 2013. The LPAB confirmed the updated historic ratings at that meeting, and those revised ratings are included in the Draft EIR in Appendix B1.

Per that analysis several buildings on the project site meet the definition of a PDHP including: the A/B Wing, the B/C Wing, the Bruce Lyon Memorial Research Center, 682 52nd Street, 688 52nd Street, 720 52nd Street, 670 53rd Street, 671 53rd Street, 675 53rd Street, 677-679 53rd Street, 685-689 53rd Street, 707 53rd Street, 715 53rd Street, 5203 Dover Street, 5212-5214 Dover Street, 5225 Dover Street and 5204 MLK Jr. Way.

The A/B Wing, 720 52nd Street, 670 53rd Street, 685 53rd Street, 5225 Dover Street and 5203 Dover Street are being retained in their entirety. Therefore, this finding does not apply. However, some construction will occur at the point where the A/B Wing currently joins the B/C Wing as a result of the demolition of the B/C Wing. Staff has included recommended measures for approval to ensure compatibility between the A/B Wing and the proposed new construction. The B/C Wing, the Bruce Lyon Memorial Research Center, 5212-5214 Dover Street and 5204 MLK Jr. Way are not being added to or altered. Instead, these structures are proposed for demolition. Staff has made the appropriate demolition findings in Attachment K of this staff report. However, SCA CUL-4 would require that the applicant make a good faith effort to relocate these structures. Therefore, this finding does not apply.

Two properties located at 682 and 688 53rd Street will be relocated in their entirety to 52nd Street. These buildings will replace the portable structure on the south side of 53rd Street east of Dover Street and improve neighborhood character. As the proposed relocation will not add or alter these buildings, staff can make Finding 1 that the design matches the design of existing properties.

The properties at 707 and 715 53rd Street will have more recent rear yard additions removed to facilitate the construction of a maintenance access driveway off Dover Street. This alteration is in conformance with Finding 1. Specifically, for 715 53rd Street, the rear addition will be removed, and the roofline returned to its original location. The small rear yard landing and egress stair will be refocused to the side property line. The rear façade will be patched to match the existing wood siding material. The structure at 707 53rd Street will have the 2-story rear egress stair removed and relocated to the side property line. A new 2-story smaller deck will be built, a window removed and the rear façade patched to match the existing material. In sum, the new rear building facade is not visible from the street and is compatible with the existing design. However, to be conservative, staff has also made the demolition findings for the removal of these minor rear additions in Attachment K of the staff report.

The updated historic ratings confirmed by the LPAB for the following properties are C2+ for 671 53rd Street, D2+ for 675 53rd Street, and C2+ for 677-679 53rd Street. However, the updated 55th and Dover Street Residential District analysis prepared for the Draft EIR noted that the property at 675 53rd Street is a contributor to the District while the property at 677-679 53rd Street is not.

The rear portion of all of these properties will be removed to facilitate the construction of the Family Residence Building behind but attached to the front façade portions. Although 677-679 53rd Street is not considered a contributor and 675 53rd Street has an updated D rating, to be conservative, staff has made Finding 2 for all three buildings. The three buildings will be comprehensively modified with the incorporation of the Family Residence Building. However, when viewed from the street, these buildings will still retain a sense of visual separation as the new construction is at least 10' back from the front façade. Furthermore, the proposed second story has a similar hipped roofline as two of the existing buildings. The new front façade windows also have a similar style and portion as the existing structures. Staff has also included a recommended measure requiring design refinement to ensure all three structures are compatible, and the retention of historic front façade details. In sum, the design of the new building is of equal quality and is compatible with the character and height of the neighborhood. However, to be conservative, staff has also made the demolition findings for the removal of the rear portions of these buildings in Attachment K.

Section 17.136.075 Historic Resource Category III Demolition Findings

- 1. The design quality of the proposed replacement project is at least equal to that of the original structure and the proposed replacement project is compatible with the character of the neighborhood; or**
- 2. The public benefits of the proposed replacement project outweigh the benefit of retaining the original structure and the proposed replacement project is compatible with the character of the neighborhood; or**

3. The existing design is undistinguished and does not warrant retention and the proposed design is compatible with the character of the neighborhood.

Page and Turnbull, a qualified historic resource architectural firm, prepared a July 29, 2014 Demolition Findings Report, which City Planning Staff has reviewed and approved. The Report concludes that the proposed Project meets the requirements for Category III Findings 1 and 2. The Report is attached hereto and hereby incorporated by reference.

Section 17.148.050 Minor Variance Criteria for open facilities (Farmer's Market) in S-1 (17.74.070), number of required loading berths (17.116.130A) and number of required parking spaces for the Family Residence Building (17.116.060A)

1. That strict compliance with the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the purposes of the zoning regulations, due to unique physical or topographic circumstances or conditions of design; or, as an alternative in the case of a minor variance, that such strict compliance would preclude an effective design solution improving livability, operational efficiency, or appearance.

The applicant is requesting a Minor Variance for open facilities associated with the farmer's market. The farmer's market is located adjacent to the OPC1 Building under the colonnade. Per section 17.74.070 of the Planning Code a farmer's market is a conditionally permitted Commercial Activities and shall be conducted entirely within enclosed buildings. As noted in the findings above, the farmer's market provides an essential service to the Hospital's community and complements the Hospital's mission to provide state of the art health care as well as preventive care and wellness. The farmer's market also provides an active pedestrian use along 52nd Street since the hospital activities are largely oriented toward the campus. Farmer's markets are temporary uses occupying non-permanent spaces and are most often held outdoors. This is because vendors need easy access to the retail area and space to load, unload, and store the produce. Strict compliance with this criteria would eliminate the farmer's market entirely as the Hospital is short on available extra space indoors and there is no unused space adjacent to the street. Strict compliance would also eliminate an active use that improves the pedestrian experience along 52nd Street.

The applicant is also requesting a Minor Variance for the number of required loading berths. Per section 17.116.130A of the Planning Code, with the additional construction associated with the project, three additional loading berths would be required. The Hospital already provides two berths and adequate loading areas on-site. In addition, the master plan is proposing to add two additional loading berths. Therefore, the Minor Variance is for one required loading berth. The campus is already largely developed with existing hospital uses and there is no additional space near either the central utility plant or the existing loading areas for the construction of one new loading berth. Strict compliance with this criteria would reduce operational efficiency. For security purposes the Hospital maintains one access point for deliveries. Either the patient pavilion or the proposed parking garage would need to be reduced to accommodate these spaces near the existing delivery area. One of the main goals of the master plan is to eliminate the ward-style patient rooms in favor of individual rooms. This means that the building square footage will increase but there is not a corresponding increase in the number of patients. Specifically, the master plan only includes 40 additional patient beds. Therefore, the actual operation of the hospital in terms of deliveries would only marginally increase and can be easily accommodated by the existing and the proposed berths.

The applicant is requesting a Minor Variance for the number of parking spaces for the Family Residence Building. Per section 17.116.060A of the Planning Code seven parking spaces are required and none are provided. Strict compliance with this condition would require that the existing garages and driveways be retained and the number of semi-transient units be reduced. As currently proposed, the garage areas would be converted to units. The Family Residence Building provides an important service. Families with sick children can stay close to their children without having to travel back and forth. For families not in the area this is an important amenity of the Hospital. The proposed

project also includes construction of a parking garage two blocks away which exceeds the number of parking spaces required by the Planning Code. Parking for the Family Residence Building can easily be accommodated within the proposed parking garage.

- 2. That strict compliance with the regulations would deprive the applicant of privileges enjoyed by owners of similarly zoned property; or, as an alternative in the case of a minor variance, that such strict compliance would preclude an effective design solution fulfilling the basic intent of the applicable regulation.**

Strict compliance with the regulations would preclude an effective design solution fulfilling the basic intent of the regulation for all the requested Variances. The intent of the S-1 regulations is to preserve and enhance areas devoted to medical facilities. As such the regulations limit non-medical uses including general food sales. However, the farmer's market complements the Hospital's mission to provide health care in all forms including preventive care. Eating a healthy diet including fresh fruits and vegetables has been show to increase general wellness. The addition of the farmer's market at a Hospital fulfills the basic intent of the regulation and enhances areas devoted to medical uses.

In regards to the number of loading berths, the intent is to ensure that uses have adequate loading facilities and do not use the public street for these activities. As described above, the Hospital is increasing square footage but is not significantly increasing the number of annual patients. The Hospital is increasing square footage to provide individual rooms instead of the outdated ward-style areas. The Hospital's existing 2 loading berths already provide adequate facilities on-site and the project will not result in the need to use on-street areas for loading.

Required off-street parking is intended to increase the availability of on-street parking for the public's use. The Hospital will locate these spaces within its proposed parking garage which is only two blocks away and directly adjacent to the proposed patient pavilion. The relocation of the spaces to the garage provides an effective solution which fulfils the intent of the regulation.

- 3. That the variance, if granted, will not adversely affect the character, livability, or appropriate development of abutting properties or the surrounding area, and will not be detrimental to the public welfare or contrary to adopted plans or development policy.**

The Minor Variance for the outdoor farmer's market will not adversely affect the character, livability, development of abutting properties or be detrimental to the public welfare or contrary to adopted plans. The farmer's market provides an active pedestrian oriented use along 52nd Street and complements the Hospital's mission. The adjacent properties are already developed and the character of the area will not be affected. The farmer's market is beneficial in promoting healthy eating and is consistent with Oakland's Energy and Climate Action Plan.

The Minor Variance for one additional loading berth will not adversely affect the character, livability, development of abutting properties or be detrimental to the public welfare or contrary to adopted plans. The Hospital is not proposing a dramatic increase in the number of patient beds, visitors or employees. The existing berths can accommodate any increase in loading needs and the Hospital can manage deliveries by using various approaches such as staggering delivery times to avoid any impact on the surrounding area.

The Minor Variance for the number of parking spaces at the Family Residence Building will not adversely affect the character, livability, development of abutting properties or be detrimental to the public welfare or contrary to adopted plans. There is adequate space in the proposed parking garage two blocks away to accommodate these spaces. The City is proposing that the Hospital fund a residential parking permit requirement to ensure that these visitors will not use existing neighborhood spaces. Furthermore, the Family Residence Building is located near Temescal shops and services as well as near a bus route so using a vehicle often will not be necessary.

- 4. That the variance will not constitute a grant of special privilege inconsistent with limitations imposed on similarly zoned properties or inconsistent with the purposes of the zoning regulations.**

The requested Minor Variances will not constitute a grant of special privileges of similarly zoned properties and activities. The request for an outdoor farmer's market is unique in that it is a specific commercial activity that complements the Hospital. Farmer's markets are typically outdoors and contribute to pedestrian activity on streets. The Variance for the loading berths is supportable based on the fact that the Hospital is moving from more than one patient per room to individual rooms and an increase in building square footage does not necessarily translate into increased delivery activity or the need for an increased number of loading berths. The Family House, which houses families with sick children, is not a typical semi-transient use. In this case, most families will be spending time at the Patient Pavilion with their children. Parking spaces are provided in the garage adjacent to the Pavilion.

- 5. That the elements of the proposal requiring the variance (e.g., elements such as buildings, walls, fences, driveways, garages and carports, etc.) conform to the regular design review criteria set forth in the design review procedure at Section 17.136.050.**

The farmer's market use is temporary meaning that no permanent structures are used to support or house the activity. The market includes tents and tables which are removed after the market is over. The proposal conforms to all applicable design review criteria given the temporary nature of the use. The elimination of one loading berth and the design of the proposed expansion of the Central Utility Plant conform to the design review criteria. As shown in the plans, there is an enclosed loading area and the facades are a brick material similar to the existing hospital buildings. In addition, this area will be screened with additional planting. The reduction in Family House parking and the elimination of the existing garages per the conceptual plans conforms to the design criteria. The front yards will be landscaped and a condition of approval has been added that these buildings retain the look and feel of the residential neighborhood. Covering the front yard setback in parking or impervious surface is not permitted without approval of an additional Variance. Furthermore, staff will further review the front facades of the buildings to ensure that all character defining features are retained.

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

As noted in the staff report, throughout the findings, and in Chapter IV of the Draft EIR, the proposal conforms in all significant respects to the Oakland General Plan and all applicable guidelines and criteria.

- 7. For proposals involving one (1) or two (2) residential dwelling units on a lot: That, if the variance would relax a regulation governing maximum height, minimum yards, maximum lot coverage or maximum floor area ratio, the proposal also conforms with at least one of the following additional criteria:**

- a. The proposal when viewed in its entirety will not adversely impact abutting residences to the side, rear, or directly across the street with respect to solar access, view blockage and privacy to a degree greater than that which would be possible if the residence were built according to the applicable regulation and, for height variances, the proposal provides detailing, articulation or other design treatments that mitigate any bulk created by the additional height; or**
- b. Over sixty percent (60%) of the lots in the immediate vicinity are already developed and the proposal does not exceed the corresponding as-built condition on these lots and, for height variances, the proposal provides detailing, articulation or other design treatments that mitigate any bulk created by the additional height. The immediate context shall consist of the five (5) closest lots on each side of the project**

site plus the ten (10) closest lots on the opposite side of the street (see illustration I-4b); however, the Director of City Planning may make an alternative determination of immediate context based on specific site conditions. Such determination shall be in writing and included as part of any decision on any variance.

The project applicant has requested three Minor Variances for 1) an open facility associated with the farmer's market, 2) the number of non-residential loading berths, and 3) required parking for the Family Residence Building. The Minor Variances do not involve one and two unit/dwelling units. The Family Residence Building will involve a Semi-transient residential use with 14-16 rooming units. Therefore, these findings are not applicable.

17.33.050(A) Exception for minimum ground floor transparency in CN-3 Zone (Additional Regulation 9)

Per section 17.33.050(A)(Additional Regulation 9) of the Planning Code, a non-residential building must provide a minimum ground floor transparency of 65% to facades located within 20 feet of a street frontage and facing a principal street. The purpose of this regulation is to provide active street fronts and allow views in and out of indoor commercial space. However, this section of the Planning Code also allows exceptions (not Variances) for unique facilities. The applicant has requested such an exception determination for the structure located at 770 53rd Street. The building was originally used as a multi-family residential building. The building is now used by the Hospital for the psychiatric department and offices and is not an active commercial space. While a convenience market and sign store are located directly north of the building, this is not an active retail area.

The façade along Martin Luther King Jr. Way has a window pattern typical of a residential building including windows at grade level. The building does not have a main entrance off of Martin Luther King Jr. Way but is accessed off of the internal parking lot. A small, approximately 5' wide landscape strip with several mature trees is located between the building façade and the sidewalk. Staff recommends that the exception be granted as this is a unique situation and re-use of an existing building, not new construction. Furthermore, the design of the building, its siting on the lot, and the existing setting is not conducive to an active retail space and window transparency requirements.

The findings above allow conversion of the properties listed below from a residential use to a non-residential use assuming rezoning to the S-1 Zone. However, if the City Council decides not to approve the rezoning for these properties, then alternatively, the following findings allow the health care civic uses for these properties under the current zoning:

Section 17.134.050 Conditional Use Permit criteria (Health Care Civic Activities in the RM-2 Zone)

- 707 52nd Street
- 715 52nd Street
- 5203 Dover Street
- 5212-5214 Dover Street
- 5225 Dover Street
- 682 52nd Street
- 688 52nd Street

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

generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development;

The properties listed above are residential buildings that are currently used as offices for the hospital. The project is proposing to formally change the use of this building to a health care civic activity. The project is not proposing to alter the building in terms of location of the site, size, scale, bulk, coverage, floor area, or design. The re-use of the existing buildings will not have a harmful effect on desirable neighborhood character. In addition, the change in use for these buildings will not adversely affect the livability or appropriate development of abutting properties as the majority of the area is used as health care civic uses. As described in the Response to Comments/ Final EIR, low intensity office uses generally are compatible with the residential neighborhood. The change in use of these buildings will not result in a substantial generation of traffic, as described in the Draft EIR. Finally, the project is required to implement a TDM program to reduce SOV trips, and will include a number of recommended measures that will improve vehicular, pedestrian, and bicycle circulation.

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

The project is proposing to change the use of the buildings listed above from residential to a health care civic activity and specifically a low intensity office use. The change in land use activity for these buildings will provide a convenient and functional civic health care environment as the hospital is in need of office space close to the campus and its existing services. The project is not proposing to change the location, design or site planning of the buildings. The exterior façades will not be altered and the residential look and feel of the neighborhood will remain the same. As such the change in use will not affect the current residential neighborhood.

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

The proposed change in use for the buildings listed above will result in the successful operation of the hospital which needs additional office space. The building exteriors will not be altered and they will retain the look and feel of a residential structure. The low intensity office use of these buildings will not be detrimental to the successful character of the residential neighborhood.

D. That the proposal conforms to all applicable regular design review criteria set forth in the regular design review procedure at Section 17.136.050;

As noted above, the change in use from a residential activity to a non-residential (health care civic) activity does not require any physical changes to the buildings including location, size, scale, bulk, coverage, floor area, or exterior design. Therefore, these findings are not applicable.

E. That the proposal conforms in all significant respects with the Oakland General Plan and with any other applicable guidelines or criteria, district plan or development control map which has been adopted by the Planning Commission or City Council.

The project, including the change in use for these buildings, conforms to all significant aspects of the General Plan. These buildings are already used as a low intensity office use for a health care civic activity. The Residential Mixed Use classification states that small low scale civic can be appropriate in these neighborhoods.

OAKLAND MUNICIPAL CODE

Section 16.24.040 Lot Design Standards

1. **No lot shall be created without frontage on a public street, as defined by Section 16.04.030, except:**
 - a. **Lots created in conjunction with approved private access easements;**
 - b. **A single lot with frontage on a public street by means of a vehicular access corridor provided that in all cases the corridor shall have a minimum width of twenty (20) feet and shall not exceed three hundred (300) feet in length. Provided further, the corridor shall be a portion of the lot it serves, except that its area (square footage) shall not be included in computing the minimum lot area requirements of the zoning district.**

The project is proposing to merge lot lines in order to create three parcels. Specifically, Parcel A will merge 29 lots into one 122,541 square foot parcel bounded by Martin Luther King Jr. Way, 52nd Street, 53rd Street and Dover Street. Parcel B will merge 10 lots into one 53,865 square foot parcel bounded by 52nd Street, 53rd Street, Dover Street, and the Caltrans right-of-way (SR-24). Parcel C will merge 35 lots into one 251,354 square foot parcel bounded by Martin Luther King Jr. Way, 52nd Street and the Caltrans right-of-way (SR-24). All parcels created by the map shall have frontage on a public street.

2. **The side lines of lots shall run at right angles or radially to the street upon which the lot fronts, except where impractical by reason of unusual topography.**

The project will eliminate existing interior lot lines and will not create new interior lot lines. All side lot lines run at right angles except where parcels abut a street (Martin Luther King Jr. Way) or right of way (SR-24) which is already not at a right angle.

3. **All applicable requirements of the zoning regulations shall be met.**

The project will be in compliance with all the zoning regulations with approval of the requested permits including but not limited to the PUD Permit (including the permitted PUD bonus for the rear setback for Parcel B), Design Review, Conditional Use Permits, and Variances.

4. **Lots shall be equal or larger in measure than the prevalent size of existing lots in the surrounding area except:**
 - a. **Where the area is still considered acreage;**
 - b. **Where a deliberate change in the character of the area has been initiated by the adoption of a specific plan, a change in zone, a development control map, or a planned unit development.**

The project is proposing to merge lots to create three parcels. The project is not proposing to subdivide parcels into smaller lots. The proposed parcels are larger in measure than the size of existing lots in the surrounding area.

5. **Lots shall be designed in a manner to preserve and enhance natural out-croppings of rock, specimen trees or group of trees, creeks or other amenities.**

The project is proposing to merge lots, not subdivide larger lots into smaller parcels. There are no rock croppings on-site. Temescal Creek near the southern boundary of the site is already culverted. There is a large Southern Magnolia, which is a specimen tree, located on the main campus. The merger of lots into one parcel does not affect the tree. While the tree will be removed as part of Phase 2 construction of the Project, the Draft EIR concluded that the removal of the tree is a less than significant impact.

Section 16.08.030 & California Government Code §66474 Tentative Tract Map Findings

1. The proposed map is consistent with applicable general and specific plans as specified in the State Government Code Section 65451.

The project is proposing a General Plan Amendment for the Parcel B area. As noted in the staff report and throughout the findings, the proposed merger of lots into three parcels is consistent with the applicable General Plan elements including the LUTE and the HPE. There is a not a specific plan for this area.

2. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

As noted in the staff report and throughout the findings, the proposed merger of lots into three parcels and the design and improvements associated with the merger and the construction is consistent with the applicable General Plan elements including the LUTE and the HPE. There is a not a specific plan for this area.

3. The site is physically suitable for the type of development.

The proposed project is located in an area that is adequately served by existing utilities and service systems, including water, sewer, solid waste and recycling, natural gas, and telecommunications. The project will include an expansion of the Central Utility Plant. The project is located near major freeway on and off ramps, along a bus line, near bicycle lanes on Genoa and Shattuck, and within walking/shuttle distance of the MacArthur BART station. The purpose of the project master plan is to relocate, replace, and renovate the Hospital in accordance with state seismic safety requirements. Therefore, the site is physically suitable for the type of development proposed. The project site is already developed with hospital uses.

4. The site is physically suitable for the proposed density of development.

As described above, the project is an expansion of an existing use and the site is physically suitable for the type of development proposed. The project is proposing a General Plan Amendment and Rezoning for a portion of the site. With approval of these permits the site will be governed by a floor area ratio requirement (FAR). The maximum allowable FAR for the site is 8.0 per the General Plan and 4.0 per the zoning regulations. Parcel A will result in a FAR of .78. Parcel B will result in a FAR of 2.35. Parcel C will result in a FAR of 2.14. Therefore, the site is suitable for the proposed density of development.

5. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The proposed project is an expansion of an existing hospital and the site is already developed. As noted in the Draft EIR, the project site does not contain any wildlife habitat. Furthermore, all environmental effects can be reduced to less than significant with implementation of the City's standard conditions of approval. Therefore, the merger of lots and the proposed improvements will not cause substantial environmental damage.

6. The design of the subdivision or the type of improvements is not likely to cause serious public health or safety problems.

The purpose of the project master plan is to relocate, replace, and renovate the Hospital in accordance with state seismic safety requirements. The merger of lots into three parcels and the type of improvements will not result in a public health or safety problem. As noted above, the Draft EIR concluded that all environmental effects can be reduced to less than significant with implementation of the City's standard conditions of approval.

7. **The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. (This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction).**

A 10' public path is currently shown on Attachment F (page 3) bisecting the main campus, the future Parcel C. This path is not accessible to the public and a building has been constructed over the path. As such, the path has not been used for many years. City staff has reviewed the easement and found that it is no longer necessary to provide public access to the site which is currently used as a Hospital. Furthermore, the public path is not necessary to access public areas since Dover Street was vacated by the City and is considered a private road along this portion. Furthermore, the path cannot provide public access from Martin Luther King Jr. Way to other public streets to the east due to the construction of SR-24. Within this easement is a PG&E duct bank which will be relocated as part of the project. Therefore, this path is also not necessary to provide utility easements.

8. **The design of the subdivision provides to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.**

The proposed project includes a merger of lots to create three parcels for hospital uses. The resulting parcels provide to the extent feasible natural heating and cooling opportunities. As described in the project plans, the project will meet green building requirements and include cool roofs, energy efficient features, and efficient building envelope design.

9. **The design of the subdivision, if located in a designated water reuse area pursuant to Section 13550 of the Water Code does not provide for the use of recycled water pursuant to Government Code Sections 65601-65607, water reuse notwithstanding that recycled water has been determined to be available pursuant to Section 13550 of the Water Code and no finding has been made that there is an alternative higher or better use for the recycled water, its use is not economically justified for the project, and its use is not financially and technically feasible for the project.**

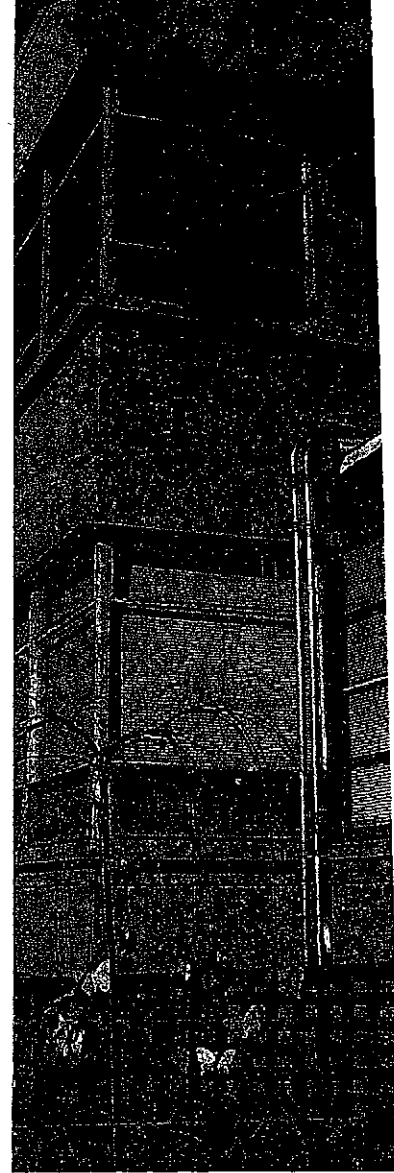
As noted in the EIR, the project site is located more than one mile away from any existing or planned recycled water supply facility and is likely not a candidate for recycled water. However, the applicant will coordinate with EBMUD as the project develops regarding the feasibility of using recycled water. Furthermore, as described in the project plans, the project will meet green building requirements and include water conservation measures to reduce consumption.

OAKLAND CHILDREN'S HOSPITAL
AND RESEARCH CENTER

OAKLAND DEMOLITION FINDINGS REPORT

OAKLAND, CALIFORNIA
[14087]

Prepared for
OAKLAND CHILDREN'S
HOSPITAL AND RESEARCH
CENTER



PAGE & TURNBULL

JULY 29, 2014

imagining change in historic environments through design, research, and technology

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I. INTRODUCTION

This Demolition Findings Report has been prepared at the request of Children's Hospital Oakland (Children's Hospital), in anticipation of the Children's Hospital and Research Center Oakland Master Plan Project. This report is based on the findings of Page & Turnbull's Historic Resource Evaluation of Children's Hospital (Final, August 2013). Buildings that are included in the analysis of this report include two hospital-use buildings on the Children's Hospital campus and five residential buildings near the hospital campus that are owned by Children's Hospital. These buildings include:

- The B/C Wing, Children's Hospital (APN 014 1205 19 1),
- The Bruce Lyon Memorial Research Center, Children's Hospital (APN 014 1204 14 5),
- 5204 Martin Luther King Jr Way (APN 014 1206 14 2),
- 5212-5214 Dover Street (APN 014 1215 23 1);
- 671 53rd Street (APN 014 1215 27 2),
- 675 53rd Street (APN 014 1215 26), and
- 677-679 53rd Street (APN 014 1215 25).

All buildings are located in the City of Oakland's Temescal District, between Martin Luther King Jr Way at the west and State Route 24 at the east (**Figures 1 through 8**).



Figure 1: Parcel map showing the locations of the buildings included in this demolition findings report, in red. Source: Alameda County Office of the Assessor Parcel Viewer Map; edited by author.



Figure 2: B/C Wing, Children's Hospital Oakland, south facade, facing northwest.



Figure 3: The Bruce Lyon Memorial Research Center, Children's Hospital Oakland, west facade, facing northeast.



Figure 4: 5204 Martin Luther King Jr. Way, west facade, facing east.



Figure 5: 5212-5214 Dover Street, west facade, facing east.



Figure 6: 671 53rd Street, north facade, facing south.

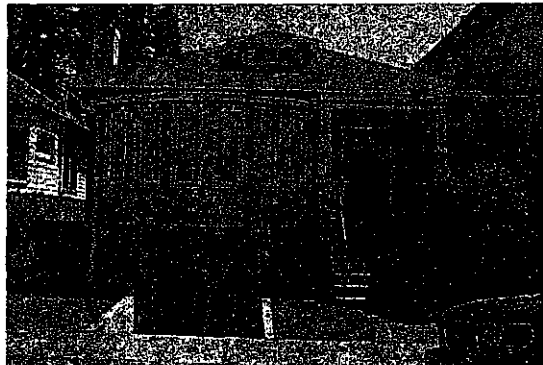


Figure 7: 675 53rd Street, north facade, facing south.



Figure 8: 677-679 53rd Street, north façade, facing south.

SUMMARY OF HISTORIC STATUS

The Oakland Cultural Heritage Survey (OCHS) was established in 1981 and since then has been evaluating buildings to determine if they are historic resources for the City of Oakland. Buildings are evaluated according to a system which uses fourteen evaluation criteria. These criteria are grouped into four categories: architecture, history, context, and integrity. The ratings are then converted to numerical scores and added together for a total score, which is then converted into an overall rating—A, B, C, D, or E. An “A” property is of highest importance, a “B” property is of major importance, a “C” property is of secondary importance, and a “D” property is of minor importance. E properties are “of no particular interest.” A property that has been altered or that is less than fifty years old may also have a contingency rating shown by a lowercase letter, indicating that the property may be eligible for a higher rating if alterations are removed or as the property becomes age-eligible in the future. Buildings also receive a numerical rating indicating their association with a district: 1 indicates the building is in an Area of Primary Importance (API), 2 indicates that the building is in an Area of Secondary Importance (ASI), and 3 indicates that the building is not associated with a district. A “+” indicates that a building is a contributor to the district, a “-” indicates that it is not a contributor, and a “*” indicates that it is a potential contributor.

The 55th & Dover Residential District was identified by the Oakland Cultural Heritage Survey (OCHS) in 1996 through a reconnaissance (windshield) survey, and evaluated using a State of California Department of Parks and Recreation Primary Record (DPR 523A) Form. This survey determined that the District was not eligible for the National Register of Historic Places, and assigned the District a local OCHS rating as an Area of Secondary Importance (ASI). The buildings within the district were given OCHS ratings for local significance. Of the five residential buildings that are included in this report, four were given ratings of D or Dc (minor importance) and one was given a rating of C (secondary importance); all five were considered contributors to the District. The two buildings on the Children’s Hospital campus were not surveyed or rated at that time because they were outside of the District boundary (see summary of ratings, below).

As part of a Historic Resource Evaluation prepared in 2013 by Page & Turnbull for Children’s Hospital, the seven buildings included in this report were evaluated or reevaluated through an intensive survey and assigned updated ratings to determine if they qualified as Oakland Designated Historic Properties (ODHP). The two Hospital buildings included in this report were given ratings of C (secondary importance). Of the five residential buildings included in this report, 5212-5214 Dover Street and 675 53rd Street were given a rating of D (minor importance) and 5204 Martin Luther King Jr Way, 671 53rd Street, and 677-679 53rd Street were given a rating of C (secondary importance). The 55th & Dover ASI was not re-evaluated as part of the Historic Resource Evaluation report, and

thus, the residences were still considered to be contributors to the ASI (see summary of ratings, below)

Building	1996 OCHS Reconnaissance Survey Rating	2013 Page & Turnbull ODHHP Rating	Contributor to 55th & Dover Residential District (ASI)
B/C Wing	N/A (not evaluated)	C3	N/A (outside of boundary)
Bruce Lyon Memorial Research Center	N/A (not evaluated)	C3	N/A (outside of boundary)
5212-14 Dover Street	Dc2	D2+	Yes
5204 MLK Jr Way	D2+	C2+	Yes
671 53rd Street	C2+	C2+	Yes
675 53rd Street	Dc2+	D2+	Yes
677-679 53rd Street	D2+	C2+	Yes

In 2014, Page & Turnbull completed an updated evaluation of the 55th & Dover Residential District using the State of California Department of Parks and Recreation District Record (DPR 523D) Form, in order to determine if the District would be considered eligible for the California Register of Historical Resources. The District was determined eligible for listing the California Register because it is representative of the pattern of residential development that took place in Oakland after the 1906 Earthquake and the provision of improved streetcar service by the Key Route System, as well as its ownership during this time by Key Route vice-president E. A. Heron. Of the five residential buildings included in this Demolition Findings Report, three were not included within the updated boundaries of the District: 5204 Martin Luther King Jr. Way and 677-679 53rd Street because they were constructed outside of the established period of significance (1906-1913), and 5212-14 Dover Street because it was considered to have lost integrity.

Although the most recent evaluation of the five residential buildings has determined that only two would be included in the California Register-eligible 55th & Dover Residential District, the analysis in this Demolition Findings Report will be based on the findings of Page & Turnbull's Historic Resource Evaluation for Children's Hospital (2013), which gave the buildings updated individual ODHHP ratings and retained the OCHS finding that the buildings were contributors to an ASI, because these ratings have been adopted by the Oakland Landmarks Preservation Board.

CATEGORY III BUILDINGS AND DEMOLITION FINDINGS

If a Regular Design Review application is submitted to demolish a historic structure in the City of Oakland, findings are required by Section 17.136.075 of the Planning Code. Different findings are required for the demolition of three categories of historic structures:

- **Category I** includes any Landmark, Heritage Property; property rated "A" or "B" by the Oakland Cultural Heritage Survey; or Preservation Study List Property. This category excludes any property that falls into Category II.
- **Category II** includes properties in an S-7 or S-20 zone or an Area of Primary Importance. Any building in the boundary of such a district, including those that do not contribute to the historic quality of the district, falls into this category.

- **Category III** includes properties rated "C" by the Oakland Cultural Heritage Survey or contributors to an Area of Secondary Importance. This category excludes any property that falls into Category II.

All seven buildings included in this demolition finding report fall under **Category III**. The B/C Wing, the Bruce Lyon Memorial Research Center, 5204 Martin Luther King Way, 671 53rd Street, and 677-679 53rd Street are "C" rated buildings, and 5212-14 Dover Street and 675 53rd Street are "D" rated buildings that are contributors to an Area of Secondary Importance, the 55th & Dover Residential District, according to the findings of Page & Turnbull's Historic Resource Evaluation for Children's Hospital (2013).

A proposal to demolish a **Category III** historic resource must conform to the Planning Code's general design review criteria, all other applicable design review criteria, and meet one of three findings:

Finding 1: The design quality of the proposed replacement project is at least equal to that of the original structure and the proposed replacement project is compatible with the character of the neighborhood.

Finding 1 submittal requirements:

Analysis of 'equal quality' and compatibility prepared by historic architect, or professional with equivalent experience. This analysis should include:

1. A discussion of design quality in terms of visual or design value, quality of surface materials, quality of detailing, composition, construction detail, and architectural integrity.
2. For proposals in an ASI, the analysis should compare the integrity of the ASI with the proposal to the integrity of the ASI with the structure proposed for demolition. This analysis should include a discussion of consistency with street frontage patterns, fenestration patterns, contribution to the visual quality of the district, and cohesiveness of the district.
3. A discussion of the historic significance of the structure proposed for demolition.
4. A discussion of whether incorporation of the historic structure into the proposal will result in a project that has a design quality that is least equal to or better than the original structure.

Finding 2: The public benefits of the proposed replacement project outweigh the benefit of retaining the original structure.

Finding 2 submittal requirements: Analysis should include a discussion of the replacement structure and the existing historic structure, prepared by appropriate qualified consultants. The analysis should include a discussion of the following topics, as applicable:

1. Civic, community and neighborhood identity;
2. The economy, including the City's tourism industry and local commercial district. This includes the number of post construction jobs provided;
3. The services provided to the community, including social services;
4. Fulfilling the intent of (1) the Land Use and Transportation Element of the General Plan for the area and (2) other General Plan policies as applicable;
5. Housing opportunities;
6. Cultural heritage and the image of the City and local neighborhood, and
7. Educational opportunities and cultural resources regarding architectural and local history.

Finding 3: The existing design is undistinguished and does not warrant retention, and the proposed design is compatible with the character of the neighborhood

Finding 3 submittal requirements:

- 1 The submittal shall include an analysis, to be reviewed by the Oakland Cultural Heritage Survey, to determine if the building is of "no particular interest" as defined by the Historic Preservation Element survey evaluation methods and criteria. If the applicant submits a claim that the structure proposed for demolition is "of no particular interest", then the applicant may provide materials such as photos, written analysis or expert opinion that provides evidence that the building should be so rated,
- 2 Analysis of 'compatibility with the neighborhood' prepared by historic architect (see discussion point 2 for Finding 1, above)

The seven buildings in this Demolition Findings Report will be analyzed primarily using **Finding 1**, with supporting analysis from **Finding 2**

II. DEMOLITION FINDING I ANALYSIS

The design quality of the proposed replacement project is at least equal to that of the original structure and the proposed replacement project is compatible with the character of the neighborhood

I DISCUSSION OF DESIGN QUALITY

A discussion of design quality in terms of: visual or design value; quality of surface materials; quality of detailing; composition; construction detail; and architectural integrity.

This project description is based on drawings by HDR and Taylor Architects dated November 1, 2013. The project is proposed to occur in two phases and includes the demolition and construction of multiple buildings. Demolition and construction relevant to this demolition findings report is outlined below

Phase 1 would

- Demolish the residential building at 5204 Martin Luther King Jr Way,
- Construct a six-story, 89,100 sq ft Outpatient Center 2 at the northeast corner of Martin Luther King Jr Way and 52nd Street (OPC2) (current site of 5204 Martin Luther King Jr Way),

Phase 2 would

- Demolish the residential building at 5212-5214 Dover Street,
- Construct a three-story 31,300 sq ft Clinical Support Building at the northeast corner of 52nd and Doyer streets (current site of 5212-5214 Dover Street and 682 and 688 52nd Street; the 52nd Street buildings are being relocated);
- Demolish the B/C Wing;
- Demolish the Bruce Lyon Memorial Research Building,
- Construct a five-story, 43,500 sq. ft Link Building with a helistop (former site of the B/C Wing),
- Construct a five-story, 101,000 sq ft Patient Pavilion (former site of the B/C Wing),
- Construct a four-story, 114,900 sq ft Parking Structure (former site of the Bruce Lyon Memorial Research Building); and
- Demolish the rear portions of residential buildings at 671, 675, and 677-679 53rd Street and construct a two-story 14,500 sq. ft Family Residence Building attached to the rear of the retained facades that will connect to the existing family services building at 5222 Dover Street

Outpatient Center

The Outpatient Center (OPC2) at the northeast corner of Martin Luther King Jr. Way and 52nd Street is a six-story building that will nearly fill the lot on which it is sited. The building will provide space for outpatient clinical visits (treatment that does not require overnight hospital stays) and will have interior connectivity to the existing Outpatient Center 1 (OPC1) to the east and the existing parking garage to the north.

The quality of design, material, and composition of the proposed OPC2 is overall very good. The massing of the OPC2 is broken down into smaller massings using façade setbacks, height differences at the roofline, differing façade treatments, glass curtain walls, and areas of sloped façade (south

portion of the west façade) Façade materials at the OPC2 include scored plaster, multi-colored brick, and curtain wall. The design of the building is contemporary and uses brightly colored spandrel glass and painted metal canopies, cut away aluminum signage and landscape screens to provide visual interest and convey the building's association with children. These contemporary and colorful design details are repeated at other proposed new Children's Hospital buildings including the Link Building, Patient Pavilion and the Parking Structure. These design details are already present at existing Hospital buildings including the Patient Tower and the Ford Diagnostic and Treatment Center, both of which are located on the south side of 52nd Street, across from the proposed OPC2. Exposed structural support posts at the south façade of the first story reference similar support posts at the OPC1. The inclusion of multi-colored brick references the historic A/B Wing at the Children's Hospital campus which is clad in a similar brick; this multi-colored brick cladding will also be used at the new Link Building, Patient Pavilion, and parking structure as a way to provide visual continuity at the Hospital campus. Overall, the design of the OPC2 includes high quality of design, materials, and detailing.

Clinical Support Building

The Clinical Support Building at the northeast corner of 52nd and Dover streets is a three-story building. The building will provide clinical support functions for the Hospital.

The quality of design, material, and composition of the proposed Clinical Support Building is overall very good. The building has a rectangular footprint, and the massing is broken up by façade setbacks, height differences at the roofline, differing façade treatments, and large areas of glazing, including a continuously glazed curtain wall at all facades of the third story. The primary façade faces south onto 52nd Street and includes the primary entrance at the recessed center bay. This center bay is recessed to the full height of the building, and rises above the rest of the roofline. The primary entrance is set within a double-height glass wall, the transparency of which further breaks down the building's massing. The building is primarily clad in stucco, which ties it visually to hospital buildings south across 52nd Street, including the Patient Tower and the Ford Diagnostic and Treatment Center. The primary façade also includes areas of multi-color brick cladding, which references the historic A/B Wing which is clad in a similar brick; this multi-colored brick cladding will also be used at the new OPC2, Link Building, Patient Pavilion, and parking structure as a way to provide visual continuity at the Hospital campus. Fenestration at the Clinical Support Building has aluminum sash, in keeping with the window treatment at other Children's Hospital buildings.

The building does not include the bright colorful façade treatments that will be used at the OPC2, Patient Tower, Ford Diagnostic and Treatment Center, Patient Pavilion, and Parking Structure; this difference reflects this building's clinical use and the fact that it will not interface directly with the Hospital's young clients. Overall, the design of the Clinical Services Building includes high quality of design, materials, and detailing.

Link Building

The Link Building is located at the center of the Children's Hospital campus, south of the Patient Tower, west of the A/B Wing, north of the Patient Pavilion, and east of the Central Utility Plant. It is a five story building with a square footprint that will be topped by a helistop. The building will provide space for materials management, facilities planning, family resources, and other departments currently housed in other areas of the Children's Hospital campus. The design of the Link Building includes a glass curtain wall at the exposed stories of the east and west facades, with multi-colored brick cladding at the roofline and at some vertical edges of the building's mass. Massing is somewhat divided by façade setbacks and by the large areas of glazing at all stories. The roofline is flat, with the helistop on the roof of the building. The design of this building is relatively subdued, with glazing and multi-colored brick serving as the only façade material treatment. Overall, however, the building

has a high quality of design and materials, with minimal detailing, reflecting its function as a "link" between more visually detailed buildings on the Hospital campus

Patient Pavilion

The Patient Pavilion is located at the center of the Children's Hospital campus, south of the Link Building, east of the Central Utility Plant, west of the A/B Wing and the courtyard, and north of the Parking Structure. It is a five-story building with a curving footprint. The building will be connected to the Link Building and the parking structure, and will provide space for acute care, including medical and surgical beds and associated patient and family amenities.

The quality of design, material, and composition of the proposed Patient Pavilion is overall very good. The massing of the Patient Pavilion is broken down into smaller massings using façade setbacks, height differences at the roofline, differing façade treatments, and expansive glass curtain walls. Both the east and west facades feature these large curtain walls, which include colored spandrel glass, projecting aluminum square and rectangular frames, and may include aluminum cut-away signage at the upper edge that reads "Children's Hospital Oakland." The upper portions of the east and west facades are set back and are clad in light multi-colored brick, which references the cladding at the historic A/B Wing. The east façade includes the primary entrance to the building, which is shaded by a broad aluminum canopy which turns 90 degrees at the southern end of the building, rises up to the fifth story, and continues on to the top story of the parking structure, tying the two buildings together visually. The aluminum canopy may also include cut-away signage with the Children's Hospital graphic logo (children holding hands). The bright colors and graphic exuberance of the primary façade of the Patient Pavilion is intended to broadcast its mission as a children's hospital and to provide visual interest and comfort to its young clients. Overall the Patient Pavilion includes high quality of design, materials and detailing.

Parking Structure

The proposed Parking Structure is located at the southernmost portion of the Children's Hospital campus, south of the Patient Pavilion and the A/B Wing. It is a four-story open-walled building with a generally rectangular footprint. The building will contain 334 parking stalls. The top story may include solar panels which will provide shade to cars. The massing of this building is broken up by the open horizontal areas at each story, which also provide the building with natural ventilation. The building is clad in areas of stucco and multi-colored brick, which ties it to contemporary buildings on the campus as well as the historic A/B Wing. The building also repeats some of the decorative façade details from the Patient Pavilion, including brightly colored painted geometric areas (stucco or concrete at the parking structure), a brightly colored vertically-oriented frame with large aluminum cut-away signage, and a continuation of the Patient Pavilion's main entrance aluminum canopy. Overall, the parking structure has high quality of design, materials and detailing.

Family Residence Building

The proposed Family Residence Building is located on the south side of 53rd Street, east of Dover Street and west of State Route 24. The building is two stories in height and incorporates the front one-third portions of the existing buildings at 671, 675, and 677-679 53rd Street. These existing buildings will be moved and aligned so that they have uniform setbacks from the street, and new construction will be located toward the rear of the lot and will connect the three facades to each other, as well as connect to the existing family residential building at 5222 Dover Street. The new building will provide temporary and extended housing for families of Children's Hospital patients, and as planned includes 14 bedrooms as well as kitchens, dining area, television rooms, and a central garden.

Design details for the Family Residence Building have not been finalized, this evaluation is based on massing and expansion studies submitted February 4, 2014. Based on these studies, the quality of

design and composition of the proposed Family Residence Building is overall very good. The design of the building incorporates existing residential structures that have been determined to be contributors to the 55th and Dover Residential District. The design will incorporate approximately the front third of the existing buildings, and construct a two-story connective building at the rear, which will extend south at the east portion to connect with the existing three-story family residential building at 5222 Dover Street. The design of the new portion of the building is residential in character. The roofline designs that are being considered both mimic the rooflines of the existing buildings: one includes a hipped roof similar to those found at 671 and 675 53rd Street, while the other includes a flat roof that simply extends from the roofline of 677-679 53rd Street. The eave overhang on both designs replicates the existing eave overhang at 677-679 53rd Street. The fenestration pattern also broadcasts the building's residential use, with three discrete pairs of two-over-two windows suggesting an interior layout of private quarters. The massing of the building allows the existing buildings to continue to express their individual "single family" character yet provides sufficient space for the building's programmatic needs. The inclusion of an interior garden court improves the building's massing in relation to the property at 685 53rd Street, which includes one-story portions that would have potentially been overshadowed by a multi-story construction that could have been placed where the garden court is planned.

Although surface materials have not been finalized for the building, it is expected that surface materials will be in keeping with the residential character of the area and the existing buildings to which new construction will be adjoined. This would include stucco similar to 675 and 677-679 53rd Street, or wood (or similar composite) shingle similar to 671 53rd Street.

Providing that surface materials for the building are compatible with the type already in use at 671, 675, and 677-679 53rd Street, overall the design of the Family Residence Building embodies high quality of design, massing, materials, and detailing.

2. COMPATIBILITY WITH AREA OF SECONDARY IMPORTANCE (ASI)

For proposals in an ASI, the analysis should compare the integrity of the ASI with the proposal to the integrity of the ASI with the structure proposed for demolition. This analysis should include a discussion of consistency with street frontage patterns, fenestration patterns, contribution to the visual quality of the district, and cohesiveness of the district.

Buildings Not Within the 55th & Dover Residential District ASI

Two of the buildings included in this Demolition Findings Report, the B/C Wing and the Bruce Lyon Memorial Research Center, are not included in an ASI. However, the demolition of these two buildings and the construction in their place of the Link Building, the Patient Pavilion, and the parking structure would be compatible with the character of the immediately surrounding area, which is characterized by hospital-use buildings on the campus, framed by the busy surface street of Martin Luther King Jr. Way and the elevated BART tracks to the west and State Route 24 to the east.

Buildings Within the 55th & Dover Residential District ASI

Five of the buildings included in this Demolition Findings Report are considered contributors to the 55th & Dover Residential District, which was identified as an ASI in 1996 by the OCHS, and again in 2013 by Page & Turnbull's Historic Resource Evaluation of Children's Hospital.¹ These buildings

¹ As discussed in an earlier section of this report, the 55th & Dover Residential District was evaluated by Page & Turnbull in 2014 for eligibility for listing in the California Register using a more intensive survey process (DPR 523D form), and these two residential buildings were not included in the District boundaries. This Demolition Findings Report is based on the findings of Page & Turnbull's 2013 Historic Resource Evaluation of Children's Hospital which has been adopted by the Oakland Landmarks Preservation Advisory Board.

include 5204 Martin Luther King Jr Way, 5212-5214 Dover Street, 671 53rd Street, 675 53rd Street, and 677-679 53rd Street

The integrity of the ASI would not be greatly decreased due to the demolition of 5204 Martin Luther King Jr Way. This structure is located at the far southwestern corner of this ASI, and is already severed from any physical or visual relationship with the rest of the residential buildings in the ASI by the OPC1 at the east and the existing parking garage at the north. 5204 Martin Luther King Jr Way is used currently as an office for Children's Hospital, and a large portion of the lot is given over to surface parking. Overall, although 5204 Martin Luther King Jr Way retains good material integrity, it has almost no integrity of setting and association, and because of this contributes little to the ASI to which it was previously determined to contribute.

5212-5214 Dover Street, on the other hand, is not severed from the ASI, the building is located on one of nine continuous block faces that make up the ASI and is located across the street from two other residential buildings that contribute to the ASI (5203 Dover Street and 5225 Dover Street). However, the building is located near the southernmost edge of the ASI, and the two residential buildings that are located further south (682 and 688 52nd Street) are going to be relocated in advance of the construction of the Clinical Support Services Building. Additionally, 5212-5214 Dover Street is not a particularly good example of a building within this ASI, indicated by its D rating. It has undergone a series of alterations that have significantly lowered its integrity of materials, design, and workmanship, and lowered its ability to express its historic significance. With the moving of 682 and 688 52nd Street, 5212-5214 Dover Street will be the southernmost contributor to this ASI, the loss of a low-rated building from the edge of the ASI does not significantly threaten the integrity of the ASI, which includes approximately 150 other contiguous properties.

671, 675, and 677-679 53rd Street, likewise, are located on one of nine contiguous block faces that make up the ASI, and they are located across the street from one other residential building that contributes to the ASI (670 53rd Street). After the demolition of 5212-5214 Dover Street (discussed above) these houses will represent the southern perimeter of the ASI east of Dover Street. For these reasons, the proposed plan for new construction of the Family Residence Building includes the retention of the front one-third of 671, 675, and 677-679 53rd Street. The retention of the front thirds of 671, 675, and 679 53rd Street enables the ASI to retain its integrity, as it preserves the visual pattern of single family residential buildings, the appearance of rectangular lot shape, and residential use. The characteristic setbacks will be preserved, although the setbacks are being made uniform in advance of new construction, the uniform setback is of a distance that conforms to other properties in the ASI. General height in the district will also be preserved, although new construction is two stories in height, which is taller than 671 and 675 53rd Street, height of new construction is the same as 677-679 53rd Street and is in keeping with the characteristic height of other residential buildings in the ASI. Fenestration proposed for new construction at the Family Residence Building will be pairs of one-over-one hung sash, which is in keeping with the fenestration at other residential buildings in the district. Overall, the retention of the front one-third of 671, 675, and 677-679 53rd Street, the continued residential use, and the sensitive design of the new construction that will be part of the Family Residence Building will not degrade the integrity of the 55th & Dover Residential District ASI.

In all cases, planned demolition allows for the construction of three new hospital-use buildings, which are compatible with the existing hospital-use buildings to which they are adjacent. The OPC2 is similar in size, massing and ornament to the OPC1 and to the Patient Tower located south across 52nd Street. The Clinical Support Building will be similar in size and massing to the Ford Diagnostic and Treatment Building, located south across 52nd Street. The Family Residence Building will be similar in size and massing to the existing family service building at 5222 Dover Street and to 677-

679 53rd Street, parts of which will be included in new construction. As such, these proposed structures are compatible with the ASI.

3 DISCUSSION OF HISTORIC SIGNIFICANCE

A discussion of the historic significance of the structures proposed for demolition.

B/C Wing

The B/C Wing was formally evaluated for historic significance for the first time as part of a Historic Resource Evaluation report that was prepared by Page & Turnbull in 2013. The B/C Wing was evaluated at that time for potential listing in the California Register of Historical Resources and as a City of Oakland Designated Historic Property. The B/C Wing was determined not to possess historic significance for its association with any event, pattern of events, persons, or its quality of architecture or design, and as such, Page & Turnbull determined that it would not be eligible for listing in the California Register.

In the evaluation of the B/C Wing for eligibility as a City of Oakland Designated Historic Property, the building received ratings in the 14 evaluative categories ranging from E (excellent) to F (fair), with most categories receiving a G (good) rating, including the building's quality of design, construction, style, association with Children's Hospital services expansion, patterns, and condition. It was noted in this evaluation that the B/C Wing had undergone several renovations that had significantly reduced its integrity, including a third story addition, the enclosure of the building's original terrace, and the construction of adjacent buildings (the Patent Tower and the Central Utility Plant) that obscured the B/C Wing's north and west facades significantly if not entirely. After tabulation, the B/C Wing was assigned a rating of C3, meaning that it is a building of secondary importance, not located in a district or area of importance.

Bruce Lyon Memorial Research Center

The Bruce Lyon Memorial Research Center was also formally evaluated for historic significance for the first time as part of a Historic Resource Evaluation that was prepared by Page & Turnbull in 2013. The building was evaluated at that time for potential listing in the California Register of Historical Resources and as a City of Oakland Designated Historic Property. The Bruce Lyon Memorial Research Center was determined not to possess historic significance for its association with any event, pattern of events, persons, or its quality of architecture or design, and as such Page & Turnbull determined that it would not be eligible for listing in the California Register.

In the evaluation of the Bruce Lyon Memorial Research Center for eligibility as a City of Oakland Designated Historic Property, the building received ratings in the 14 evaluative categories ranging from E (excellent) to F (fair), with most categories receiving a G (good) rating, including the building's quality of design, construction, style, association with Children's Hospital research expansion, patterns, and condition. It was noted in this evaluation that the Bruce Lyon Memorial Research Center has undergone a series of alterations that have significantly lowered its integrity, including the construction of a large second story addition, a reorientation of the building away from its original Martin Luther King Jr. Way entry, and an addition at the south of the building. After tabulation, the Bruce Lyon Memorial Research Center was assigned a rating of C3, meaning that it is a building of secondary importance, not located in a district or area of importance.

5204 Martin Luther King Jr. Way

5204 Martin Luther King Jr. Way was surveyed by the Oakland Cultural Heritage Survey (OCHS) in 1996 and given a rating of D2+, indicating that it is a building of minor importance located in an Area of Secondary Importance (ASI, the 55th and Dover Residential District), and contributes to

that district. The building was reevaluated in the Historic Resource Evaluation that was prepared by Page & Turnbull in 2013. The building was evaluated at that time for potential listing in the California Register of Historical Resources and as a City of Oakland Designated Historic Property. 5204 Martin Luther King Jr. Way was determined not to possess historic significance for its association with any event, pattern of events, or persons, nor its quality of architecture or design, and as such Page & Turnbull determined that it would not be eligible for listing in the California Register.²

In the evaluation of 5204 Martin Luther King Way Jr. Way for eligibility as a City of Oakland Designated Historic Property, the building received ratings in the 14 evaluative categories ranging from E (excellent) to F (fair), with most categories receiving a G (good) rating, including the building's quality of design, construction, style (Mediterranean Revival style architecture), patterns (residential development in North Oakland), continuity of character in an ASI, and condition. The building was also noted to have excellent integrity with very few exterior alterations. After tabulation, 5204 Martin Luther King Jr. Way was assigned a rating of C2+, meaning that it is a building of secondary importance, located in an ASI (the 55th and Dover Residential District), and contributes to that district.

5212-5214 Dover Street

5212-5214 Dover Street was surveyed by the Oakland Cultural Heritage Survey (OCHS) in 1996 and given a rating of Dc2, indicating that it is a building of minor importance that could be a building of secondary importance (if improvements were made to architectural façade alterations), located in an Area of Secondary Importance (ASI, the 55th and Dover Residential District), but not a contributor to that district. The building was reevaluated in the Historic Resource Evaluation that was prepared for Children's Hospital by Page & Turnbull in 2013. The building was evaluated at that time for potential listing in the California Register of Historical Resources and as a City of Oakland Designated Historic Property. 5212-5214 Dover Street was determined not to have historic significance for its association with any event, pattern of events, or persons, nor its quality of architecture or design, and as such Page & Turnbull determined that it would not be eligible for listing in the California Register.

In the evaluation of 5212-5214 Dover Street for eligibility as a City of Oakland Designated Historic Property, the building received ratings in the 14 evaluative categories ranging from E (excellent) to F (fair), with most categories receiving an F or FP (fair or fair/poor). The building was noted to have good (G) ratings for its construction, patterns (association with residential development in North Oakland), age (built in 1910), and condition. It was noted in this evaluation that 5212-5214 Dover Street has undergone a series of alterations that have significantly lowered its integrity, including a façade reconfiguration, new cladding, a new porch, and new windows. After tabulation, 5212-5214 Dover Street was assigned a rating of D2+, meaning that it is a building of minor importance, located in an ASI (the 55th and Dover Residential District), and contributes to that district.

671 53rd Street

671 53rd Street was surveyed by the Oakland Cultural Heritage Survey (OCHS) in 1996 and given a rating of C2+, indicating that it is a building of secondary importance, located in an Area of Secondary Importance (ASI, the 55th and Dover Residential District), and a contributor to that

² As discussed in an earlier section of this report, the 55th and Dover Residential District was evaluated by Page & Turnbull in 2014 for eligibility for listing in the California Register using a more intensive survey process (DPR 523D form), and these two residential buildings were not included in the District boundaries. This Demolition Findings Report is based on the findings of Page & Turnbull's 2013 Historic Resource Evaluation of Children's Hospital which has been adopted by the Oakland Landmarks Preservation Advisory Board.

district. The building was reevaluated in the Historic Resource Evaluation that was prepared for Children's Hospital by Page & Turnbull in 2013. The building was evaluated at that time for potential listing in the California Register of Historical Resources and as a City of Oakland Designated Historic Property. 671 53rd Street was determined not to have historic significance for its association with any event, pattern of events, or persons, nor its quality of architecture or design, and as such Page & Turnbull determined that it would not be eligible for listing in the California Register.

In the evaluation of 671 53rd Street for eligibility as a City of Oakland Designated Historic Property, the building received ratings in the 14 evaluative categories ranging from E (excellent) to F (fair), with most categories receiving a G (good) or FP (fair or fair/poor). The building was noted to have good (G) ratings for its design, construction, style/type, patterns (association with residential development in North Oakland), age (built in 1906), continuity, and condition. It was noted in this evaluation that 671 53rd Street has undergone very few alterations and retains excellent integrity. After tabulation, 671 53rd Street was assigned a rating of C2+, meaning that it is a building of secondary importance, located in an ASI (the 55th and Dover Residential District), and contributes to that district.

675 53rd Street

675 53rd Street was surveyed by the Oakland Cultural Heritage Survey (OCHS) in 1996 and given a rating of Dc2+, indicating that it is a building of minor importance that could be a building of secondary importance (if improvements were made to architectural façade alterations), located in an Area of Secondary Importance (ASI, the 55th and Dover Residential District), and is a contributor to that district. The building was reevaluated in the Historic Resource Evaluation that was prepared for Children's Hospital by Page & Turnbull in 2013. The building was evaluated at that time for potential listing in the California Register of Historical Resources and as a City of Oakland Designated Historic Property. 675 53rd Street was determined not to have historic significance for its association with any event, pattern of events, or persons, nor its quality of architecture or design, and as such Page & Turnbull determined that it would not be eligible for listing in the California Register.

In the evaluation of 675 53rd Street for eligibility as a City of Oakland Designated Historic Property, the building received ratings in the 14 evaluative categories ranging from E (excellent) to F (fair), with most categories receiving a G (good) or FP (fair or fair/poor). The building was noted to have good (G) ratings for its design, construction, style/type, patterns (association with residential development in North Oakland), age (built in 1911), continuity, and condition. It was noted in this evaluation that 675 53rd Street has only fair integrity due to the addition of a large semicircular bay at the primary façade. After tabulation, 675 53rd Street was assigned a rating of D2+, meaning that it is a building of minor importance, located in an ASI (the 55th and Dover Residential District), and contributes to that district.

677-679 53rd Street

677-679 53rd Street was surveyed by the Oakland Cultural Heritage Survey (OCHS) in 1996 and given a rating of D2+ indicating that it is a building of minor importance, located in an Area of Secondary Importance (ASI, the 55th and Dover Residential District), and is a contributor to that district. The building was reevaluated in the Historic Resource Evaluation that was prepared for Children's Hospital by Page & Turnbull in 2013. The building was evaluated at that time for potential listing in the California Register of Historical Resources and as a City of Oakland Designated Historic Property. 677-679 53rd Street was determined not to have historic significance for its association with any event, pattern of events, or persons, nor its quality of architecture or design, and as such Page & Turnbull determined that it would not be eligible for listing in the California Register.

In the evaluation of 677-679 53rd Street for eligibility as a City of Oakland Designated Historic Property, the building received ratings in the 14 evaluative categories ranging from E (excellent) to F

(fair), with most categories receiving a G (good) or FP (fair or fair/poor). The building was noted to have good (G) ratings for its design, construction, patterns (association with residential development in North Oakland), age (built in 1921), and continuity. It was noted in this evaluation that 677-679 53rd Street has good integrity with minor alterations of new first story windows and doors. After tabulation, 677-679 53rd Street was assigned a rating of C2+, meaning that it is a building of secondary importance, located in an ASI (the 55th and Dover Residential District), and contributes to that district.

4. INCORPORATION OF HISTORIC STRUCTURE INTO PROPOSAL

A discussion of whether incorporation of the historic structure into the proposal will result in a project that has a design quality that is at least equal to or better than the original structure.

In general, the programmatic needs of Children's Hospital that will be met by new construction would be very difficult to meet while incorporating the existing Category III buildings. Likewise, in general, the historical significance and material integrity of the existing Category III buildings does not appear to be compelling enough to warrant the effort it would take to incorporate these existing buildings into the new project plans. Where it does appear possible to meet the programmatic needs of Children's Hospital with the retention of some portion of the existing Category III buildings (the Family Residence Building), the proposed project does so.

B/C Wing

The B/C Wing is a two-story building that does not provide the space for new medical and surgical care that Children's Hospital requires. Therefore, retention of the B/C Wing does not meet the requirements of the project. If the existing footprint and facades of the building were retained, a new addition to the building would need to be substantially higher to accommodate the spatial needs of the project. Likewise, because of the long narrow footprint of the B/C Wing, there is not sufficient room for new construction to be set back in any substantive way that would differentiate it from the historic portion of the structure, a resulting design would likely overwhelm the historic portion of the building, which is not a desirable outcome. Finally, because the B/C Wing has already undergone several substantial alterations that have lowered its design and material integrity, the design quality of the proposed Patient Pavilion and proposed Link Building will likely be higher than the design quality of a project design that would incorporate the existing B/C Wing.

Bruce Lyon Memorial Research Center

The Bruce Lyon Memorial Research Center is a two-story building with a square footprint. The building is about half of the height and about one-third of the footprint size of the proposed Parking Structure that has been designed to replace it. Partial or complete retention of the Bruce Lyon Memorial Research Center would not meet the project needs because it is not a parking structure, nor would any retention of the building for incorporation into the parking structure result in a high-quality design since the uses are at odds. Thus, the design quality of the proposed Parking Structure will likely be higher than the design quality of a new project design that would incorporate the Bruce Lyon Memorial Research Center.

5204 Martin Luther King Jr. Way and 5212-5214 Dover Street

Both 5204 Martin Luther King Jr. Way and 5212-5214 Dover Street were constructed as single-family residences and are of a scale that is completely incompatible with project objectives that include the construction of the 89,100 sq. ft. OPC2 and the 31,300 sq. ft. Clinical Support Building. The programmatic objectives of these buildings could not feasibly be met by the complete retention of these original residential buildings, nor could additions to the original buildings meet the project objectives—the spatial difference between the original buildings and the project requirements is too

great Retention of the primary facades of the residences for incorporation into the façade designs of the new institutional buildings would reveal incongruent property types, scales, and styles. Furthermore, as outlined in the above two sections, 5204 Martin Luther King Jr Way has lost integrity of setting and association and 5212-5214 Dover Street has lost integrity of design, materials, and workmanship Neither are especially strong examples that would warrant their incorporation into a new design Therefore, the design quality of the OPC2 and the Clinical Services Building as currently designed is likely higher than the design quality of a new project design that would incorporate these structures.

671, 675, and 677-679 53rd Street

671, 675, and 677-679 53rd Street are residential buildings, and the programmatic need of Children's Hospital at this site is also residential This congruency has enabled the proposed project to incorporate these buildings into the design for the new Family Residence Building, which enables the new Family Residence Building to house more families and to offer more amenities such as large kitchens, dining areas, and television rooms The design quality of the new Family Residence Building is at least equal to the original structures. Because it retains sufficient portions of the existing structures, these structures will be able to continue to convey their historic character and appearance Changes that are part of new construction for the new Family Residence Building are in keeping with the character of the existing structures and the neighborhood, which also enables the new building to demonstrate design quality that is equal to the original structures

III. DEMOLITION FINDING 2 ANALYSIS

The following two discussions based on Finding 2 suggested discussion points are relevant to the Children's Hospital project as it pertains to demolition of the Category III buildings For the following reasons, the public benefits of the proposed replacement project outweigh the benefit of retaining the original structures

2. THE PROPOSED PROJECT BENEFITS THE OAKLAND ECONOMY, INCLUDING THE NUMBER OF POST-CONSTRUCTION JOBS PROVIDED

According to information included in the Staff Report to the Landmarks Preservation Advisory Board dated November 18, 2013, at the completion of the proposed project at Children's Hospital, it is projected that Children's Hospital will have 210 on-site beds, which is a total increase of 40 over the 170 current on-site beds and the 20 beds currently located at Alta Bates Medical Campus It is expected that a total of approximately 1,749 patients and visitors and 2,371 staff would visit the Hospital daily when the proposed project is complete The capacity for Children's Hospital to offer short term housing to families of Hospital patients will be increased from the 16 rooms at the existing family housing building at 5222 Dover Street by an additional 14 rooms at the new Family Residence Building Staff increase is estimated to be 205 individuals, according to reporting in *The San Francisco Business Times*, dated August 23, 2013 (Blanca Torres, "Children's Hospital Oakland Plans Ahead", accessed online at <http://www.bizjournals.com/sanfrancisco/print-edition/2013/08/23/childrens-hospital-oakland-plans-ahead.html>).

3 THE PROPOSED PROJECT WILL PROVIDE SERVICES TO THE COMMUNITY, INCLUDING SOCIAL SERVICES

As outlined above, the proposed project both increases the capacity of Children's Hospital to provide medical services to patients and consolidates these services onto the campus. While Children's Hospital already provides medical and social services to Oakland and beyond, the increase in the size and modernization of their facilities will enable Children's Hospital to see more patients,

to provide temporary housing for more families of patients, and to offer the most up-to-date medical services to these patients

Additional services that will be provided to the community as part of the proposed project include site improvements along 52nd Street to facilitate improved vehicular, pedestrian and bicycle safety. Extensive landscape improvements at the interior of the Hospital campus as well as at the street frontages of the Hospital campus are also included in the proposed project

IV. CONCLUSION

This assessment concludes that the proposed project for the Children's Hospital Oakland meets the requirements for Category III Demolition Finding 1 because the design quality of the proposed replacement project is at least equal to that of the original structures and the proposed replacement project is compatible with the character of the neighborhood. Furthermore, the proposed project meets the requirements for Category III Demolition Finding 2 because the public benefits of the proposed replacement project outweigh the benefit of retaining the original structures

Modifications to the conditions of approval as directed by the City Planning Commission and Hearing Officer for the City Administrator at the April 1, 2015 joint public hearing, as well as other revisions, are indicated in underlined type for additions and ~~cross-out~~ type for deletions.

GENERAL CONDITIONS OF APPROVAL

1. Approved Use

Ongoing

- a) The project shall be constructed and operated in accordance with the authorized use as described in the application materials, staff report, and the plans dated **February 6, 2015** and submitted on **February 6, 2015**, and as amended by the following conditions. Any additional uses or facilities other than those approved with this permit, as described in the project description and the approved plans, will require a separate application and approval. Any deviation from the approved drawings, Conditions of Approval or use shall required prior written approval from the Director of City Planning or designee.
- b) This Approval includes the approvals set forth below:
 - I. General Plan Amendment of a portion of the site from Mixed Housing Type Residential to Institutional
 - II. Rezoning of a portion of the site from RM-2 Zone to S-1 Zone.
 - III. (Preliminary) Planned Unit Development Permit for Phases 1 and 2 per Planning Code section 17.140.080
 - IV. Final Development Plan for Phase 1 per Planning Code section 17.140.040
 - V. Design Review Permit per Planning Code section 17.136.050A, B, and D
 - VI. Demolition of Historic Structures per Planning Code 17.136.075
 - VII. Minor Conditional Use Permit for Food Sales in the S-1 Zone per Planning Code Section 17.74.040
 - VIII. Minor Conditional Use Permit for Demolition of Rooming Units in the S-1 Zone per Planning Code sections 17.134.050 and 17.102.230.
 - IX. Minor Conditional Use Permit for Conversion of Structures from Residential to Health Care Civic in the S-1 zone and CN-3 Zone per Planning Code section 17.74.080/17.102.230.
 - X. Minor Conditional Use Permit for Health Care Civic in the RM-2 Zone and CN-3 Zone per Planning Code sections 17.17.030 and 17.33.030.
 - XI. Minor Variance for Open Facilities (Farmer's Market) in the S-1 Zone per Planning Code section 17.74.070.
 - XII. Minor Variance for Loading Berths per Planning Code section 17.116.130A.
 - XIII. Minor Variance for Family Residence Building parking per Planning Code section 17.116.060A.
 - XIV. Exception to Ground Floor Transparency in the CN-3 per Planning Code section 17.33.050A (Additional Regulation 9).
 - XV. Vesting Tentative Tract Map per Oakland Municipal Code section 16.08.040.

2. Effective Date, Expiration, Extensions and Extinguishment

Ongoing

Pursuant to the City's Subdivision Code, an approved tentative map expires two years after its approval but may be extended for an additional year for a maximum of a three-year period. The California Subdivision Map Act, however, specifies that an approved tentative map expires two years after its approval, and that upon application of the subdivider filed prior to the expiration of the approved tentative map, the life of the tentative map may be extended for an additional six years. Case law indicates that these provisions in the California Subdivision Map Act preempt the City's Subdivision Code. CHRCO has requested that the Vesting Tentative Tract Map (VTTM) for the Project be extended an additional six years pursuant to the California Subdivision Map Act. Accordingly, the VTTM shall expire eight years from the date of this Approval. Nothing herein shall be in derogation of any additional extensions to the VTTM arising by operation of law under the Subdivision Map Act. The Preliminary Development Plan (PDP) Approval for the Planned Unit Development Permit shall expire if each stage (phase) of Final Development Plan is not submitted within the time frame for the Final Development Plan staging set forth below.

FDP Staging Submittal and Expiration Dates

Submittal of Final Development Plans (FDP's) for Phase 2 shall be permitted as set forth below.

- (a) **Phase II.** Phase II FDP for the project will include: acquisition of approximately 1.5 acres of right-of-way from Caltrans; demolition of the 2,253 sq. ft. residential building at 5212 Dover Street, the 33,510 sq. ft. B/C Wing, temporary trailers on the main campus, the 12,570 sq. ft. Bruce Lyon Memorial Research Laboratory, and the 4,500 sq. ft. Oncology Offices, the 2,800 sq. ft. modular office building at 665 53rd Street, and the rear portions of the residential buildings at 671-679 53rd Street; relocation of two residential buildings at 688 and 682 52nd Street east of the Family Residence Building; construction of the Link Building with the helistop, the Patient Pavilion, the Central Utility Plant, the Family Residence Building, the Clinical Support Building and a 334 space parking structure; renovations; improvements to circulation and hospital access and utility upgrades.

CHRCO has requested that the one-year time limit imposed by Section 17.140.040 of the Oakland Planning Code be extended by four additional years. Because of the relatively long construction period (approximately five years) associated with Phase I, and because Phase I is necessary for construction of Phase II to commence, the City has approved this request and requires that the Phase II FDP application shall be submitted to the Planning and Zoning Division for review and processing within five years from the date demolition and construction associated with Phase I FDP commences in earnest and thereafter the applicant shall make regular and consistent progress toward approval of Phase II FDP. If approved, demolition and construction associated with Phase II FDP shall commence in earnest by no later 2 years from the date of Phase II FDP approval.

- (b) For purposes of this condition, the term "commence in earnest" shall mean to initiate activities based on City-issued demolition or building permit(s) and other necessary permit(s) and diligently prosecute such permit(s) in substantial reliance thereon and make regular and consistent progress toward completion of construction and issuance of final certificate of occupancy, including successful completion of building inspections to keep the building permit and other permits active without benefit of extension.
- (c) For purposes of this condition, the term "complete" or "completion" means issuance of a final certificate of occupancy.
- (d) If the Phase II FDP is not submitted within the time frame outlined above, the PDP for Phase II shall be considered null and void.
- (e) Upon written request and payment of appropriate fees submitted no later than the applicable dates noted above, the Director of City Planning or his/her designee may grant (i) two one-year extensions of the PDP expiration date; and/or (ii) extensions of the VTTM. In addition, the approving body may grant further extensions of the PDP and/or the VTTM.
- (f) Upon written request and payment of appropriate fees submitted no later than the applicable dates noted above, the approving body may grant one or more extensions of the FDP construction timeframes concurrently with or subsequent to approval of each FDP Stage.

3. **Scope of This Approval; Major and Minor Changes**

Ongoing

The project is approved pursuant to the Planning Code and Subdivision Ordinance only. Minor changes to approved plans may be approved administratively by the Director of City Planning or designee. Major changes to

the approved plans shall be reviewed by the Director of City Planning or designee to determine whether such changes require submittal and approval of a revision to the approved project by the approving body or a new, completely independent permit.

4. **Conformance to Approved Plans; Modification of Conditions or Revocation**

Ongoing

- a) Site shall be kept in a blight/nuisance-free condition. Any existing blight or nuisance shall be abated within 60-90 days of approval, unless an earlier date is specified elsewhere.
- b) The City of Oakland reserves the right at any time during construction to require certification by a licensed professional that the as-built project conforms to all applicable zoning requirements, including but not limited to approved maximum heights and minimum setbacks. Failure to construct the project in accordance with approved plans may result in remedial reconstruction, permit revocation, permit modification, stop work, permit suspension or other corrective action.
- c) Violation of any term, Conditions or project description relating to the Approvals is unlawful, prohibited, and a violation of the Oakland Municipal Code. The City of Oakland reserves the right to initiate civil and/or criminal enforcement and/or abatement proceedings, or after notice and public hearing, to revoke the Approvals or alter these Conditions if it is found that there is violation of any of the Conditions or the provisions of the Planning Code or Municipal Code, or the project operates as or causes a public nuisance. This provision is not intended to, nor does it, limit in any manner whatsoever the ability of the City to take appropriate enforcement actions. The project applicant shall be responsible for paying fees in accordance with the City's Master Fee Schedule for inspections conducted by the City or a City-designated third-party to investigate alleged violations of the Conditions of Approval.

5. **Signed Copy of the Conditions**

With submittal of a demolition, grading, and building permit

A copy of the approval letter and Conditions shall be signed by the property owner, notarized, and submitted with each set of permit plans to the appropriate City agency for this project.

6. **Indemnification**

Ongoing

- a) To the maximum extent permitted by law, the applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Redevelopment Successor Agency, the Oakland City Planning Commission and its respective agents, officers, volunteers and employees (hereafter collectively called City) from any liability, damages, claim, judgment, loss (direct or indirect) action, causes of action, or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul: (1) this Approval or (2) implementation of this Approval. The City may elect, in its sole discretion, to participate in the defense of said Action and the applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.
- b) Within ten (10) calendar days of the filing of any Action as specified in subsection A above, the applicant shall execute a Letter Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Letter of Agreement shall survive termination, extinguishment or invalidation of the approval. Failure to timely execute the Letter Agreement does not relieve the applicant of any of the obligations contained in this condition or other requirements or conditions of approval that may be imposed by the City.

7. **Compliance with Conditions of Approval**

Ongoing

The project applicant shall be responsible for compliance with the recommendations in any submitted and approved technical report and all the Conditions of Approval set forth below at its sole cost and expense, and subject to review and approval of the City of Oakland.

8. **Severability**

Ongoing

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

9. **Job Site Plans**

Ongoing throughout demolition, grading, and/or construction

At least one (1) copy of the stamped approved plans, along with the Approval Letter and Conditions of Approval, shall be available for review at the job site at all times.

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

Prior to issuance of a demolition, grading, and/or construction permit

The project applicant may be required to pay for on-call third-party special inspector(s)/inspections as needed during the times of extensive or specialized plancheck review or construction. The project applicant may also be required to cover the full costs of independent technical review and other types of peer review, monitoring and inspection, including without limitation, third party plan check fees, including inspections of violations of Conditions of Approval. The project applicant shall establish a deposit with the Building Services Division, as directed by the Building Official, Director of City Planning or designee.

11. **Required Landscape Plan for New Construction and Certain Additions to Residential Facilities**

Prior to issuance of a building permit

Submittal and approval of a landscape plan for the entire site is required for the establishment of a new residential unit (excluding secondary units of five hundred (500) square feet or less), and for additions to Residential Facilities of over five hundred (500) square feet. The landscape plan and the plant materials installed pursuant to the approved plan shall conform with all provisions of Chapter 17.124 of the Oakland Planning Code, including the following:

- a) Landscape plan shall include a detailed planting schedule showing the proposed location, sizes, quantities, and specific common botanical names of plant species.
- b) Landscape plans for projects involving grading, rear walls on downslope lots requiring conformity with the screening requirements in Section 17.124.040, or vegetation management prescriptions in the S-11 zone, shall show proposed landscape treatments for all graded areas, rear wall treatments, and vegetation management prescriptions.
- c) Landscape plan shall incorporate pest-resistant and drought-tolerant landscaping practices. Within the portions of Oakland northeast of the line formed by State Highway 13 and continued southerly by Interstate 580, south of its intersection with State Highway 13, all plant materials on submitted landscape plans shall be fire-resistant. The City Planning and Zoning Division shall maintain lists of plant materials and landscaping practices considered pest-resistant, fire-resistant, and drought-tolerant.
- d) All landscape plans shall show proposed methods of irrigation. The methods shall ensure adequate irrigation of all plant materials for at least one growing season.

12. **Landscape Requirements for Street Frontages.**

Prior to issuance of a final inspection of the building permit

- a) All areas between a primary Residential Facility and abutting street lines shall be fully landscaped, plus any unpaved areas of abutting rights-of-way of improved streets or alleys, provided, however, on streets without

sidewalks, an unplanted strip of land five (5) feet in width shall be provided within the right-of-way along the edge of the pavement or face of curb, whichever is applicable. Existing plant materials may be incorporated into the proposed landscaping if approved by the Director of City Planning.

- b) In addition to the general landscaping requirements set forth in Chapter 17.124, a minimum of one (1) fifteen-gallon tree, or substantially equivalent landscaping consistent with city policy and as approved by the Director of City Planning, shall be provided for every thirty (30) feet of street frontage. On streets with sidewalks where the distance from the face of the curb to the outer edge of the sidewalk is at least six and one-half (6 ½) feet, the trees to be provided shall include street trees to the satisfaction of the Director of Parks and Recreation.

13. Assurance of Landscaping Completion.

Prior to issuance of a final inspection of the building permit

The trees, shrubs and landscape materials required by the conditions of approval attached to this project shall be planted before the certificate of occupancy will be issued; or a bond, cash, deposit, or letter of credit, acceptable to the City, shall be provided for the planting of the required landscaping. The amount of such or a bond, cash, deposit, or letter of credit shall equal the greater of two thousand five hundred dollars (\$2,500.00) or the estimated cost of the required landscaping, based on a licensed contractor's bid.

14. Landscape Requirements for Street Frontages.

Prior to issuance of a final inspection of the building permit

On streets with sidewalks where the distance from the face of the curb to the outer edge of the sidewalk is at least six and one-half (6 ½) feet and does not interfere with access requirements, a minimum of one (1) twenty-four (24) inch box tree shall be provided for every twenty-five (25) feet of street frontage, unless a smaller size is recommended by the City arborist. The trees to be provided shall include species acceptable to the Tree Services Division.

15. Landscape Maintenance.

Ongoing

All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. All required irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.

16. Compliance Matrix

Prior to issuance of a demolition, grading, or building permit

The project applicant shall submit to the Planning and Zoning Division and the Building Services Division a compliance matrix that lists each condition of approval, the City agency or division responsible for review, and how/when the project applicant has met or intends to meet the conditions. The applicant will sign the Conditions of Approval attached to the approval letter and submit that with the compliance matrix for review and approval. The compliance matrix shall be organized per step in the plancheck/construction process unless another format is acceptable to the Planning and Zoning Division and the Building Services Division. The project applicant shall update the compliance matrix and provide it with each item submittal.

17. Construction Management Plan

Prior to issuance of a demolition, grading, or building permit

The project applicant shall submit to the Planning and Zoning Division and the Building Services Division for review and approval a construction management plan that identifies the conditions of approval related to construction impacts of the project and explains how the project applicant will comply with these construction-related conditions of approval.

18. Asbestos Removal in Structures

Prior to issuance of a demolition permit

If asbestos-containing materials (ACM) are found to be present in building materials to be removed, demolition and disposal, the project applicant shall submit specifications signed by a certified asbestos consultant for the removal, encapsulation, or enclosure of the identified ACM in accordance with all applicable laws and regulations, including but not necessarily limited to: California Code of Regulations, Title 8; Business and Professions Code; Division 3; California Health & Safety Code 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended.

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

Ongoing

All Standard Conditions of Approval identified in the Children's Hospital Research Center Oakland Campus (CHRCO) Master Plan EIR are included in the Standard Condition of Approval and Mitigation Monitoring Program (SCAMMRP) which is included in these conditions of approval and incorporated herein by reference, as Attachment I, and are therefore not repeated in these conditions of approval. To the extent that there is any inconsistency between the SCAMMRP and these conditions, the more restrictive conditions shall govern; to the extent any Standard Conditions of Approval identified in the CHRCO Master Plan Draft EIR were inadvertently omitted, they are automatically incorporated herein by reference. The Project applicant (also referred to as the Applicant) shall be responsible for compliance with the recommendation in any submitted and approved technical reports, and with all conditions of approval set forth herein at its sole cost and expense, unless otherwise expressly provided in a specific condition of approval, and subject to the review and approval of the City of Oakland. The SCAMMRP identifies the time frame and responsible party for implementation and monitoring for each condition of approval. Overall monitoring and compliance with the conditions of approval will be the responsibility of the Planning and Zoning Division. Adoption of the SCAMMRP will constitute fulfillment of the CEQA monitoring and/or reporting requirement set forth in Section 21081.6 of CEQA. Prior to the issuance of a demolition, grading, and/or construction permit, the Project applicant shall pay the applicable mitigation and monitoring fee to the City in accordance with the City's Master Fee Schedule.

PROJECT SPECIFIC CONDITIONS

20. Farmer's Market

Ongoing

The approval of a General Food Sales and outdoor facility only applies to the Farmer's Market. The Farmer's Market shall only occur outside the OPC1 Building. The Farmer's Market shall be limited to no more than twice a week and shall not block public right-of-way. The project applicant shall develop a litter control plan for the Farmer's Market for City review and approval to ensure that litter associated with the Farmer's Market will be picked up. The Farmer's Market will not involve any permanent structures or other physical improvements.

21. Magnolia Tree Replacement

a) Prior to approval of Final Development Plans for Phase 2

The Project applicant shall incorporate a new magnolia tree into the site plan of the proposed project, as close as possible to the historic location of the existing magnolia tree (#82), within the constraints of the site plan.

b) Prior to issuance of a demolition, grading or building permit for Phase 1

Children's Hospital shall enter into a contract with a qualified tree company, to grow a specimen magnolia tree. The Hospital shall select the largest, good quality, boxed specimen, and the tree company shall grow the tree for five more years. The tree shall be installed on the main hospital campus as part of Phase 2 development. The cost to contract grow the Southern magnolia shall not exceed the \$45,800 appraised value of the existing magnolia tree (#82). (Recommendation CUL-1a)

22. Magnolia Tree Plaque

Prior to issuance of a final inspection of the building permit for the Patient Pavilion

The Project applicant shall install a permanent high-quality plaque or simple interpretive panel near the replacement magnolia tree that includes information about the magnolia tree, including its historic relation to the site and its influence on naming of the "Branches." (Recommendation CUL-1b)

23. Magnolia Tree Propagation

Prior to issuance of a building permit for Phase 1 for propagation, and Prior to Approval of Phase 2 Landscape Plan for Location of the Propagated Trees

Children's Hospital shall retain a qualified tree company to take seeds or cuttings from the existing Southern magnolia (#82). The contracted firm shall propagate these seeds or cuttings and continue to grow them until they reach a typical landscape tree size, 24" box minimum. The trees shall be planted along the Dover Street entrance to the main campus as part of the Phase 2 proposed landscape plan. (Recommendation BIO-1)

24. Design of the Patient Pavilion

Prior to approval of Final Development Plans for Phase 2

The Project applicant and its design team shall consider a refinement of the design of the eastern portion of the Patient Pavilion, subject to review and approval of the Planning Director or designee. Assuming that changes to the façade design will have no negative effect on the programmatic needs of CHRCCO, recommendations include refining the curtain wall façade of the Pavilion as it transitions into the Link Building, and/or incorporating more direct design cues from the A/B Wing. Applicant shall implement the City-approved design refinements. (Recommendation CUL-3)

25. Courtyard between Patient Pavilion and A/B Wing

Prior to approval of Final Development Plans for Phase 2

The Project applicant shall design, subject to review and approval of the Planning Director or designee, and install a new courtyard that retains a level of spatial openness similar to the level of spatial openness at the extant courtyard. (Recommendation CUL-2)

26. Link Building, Patient Pavilion, and Family Residence Building Design

Prior to approval of Final Development Plans for Phase 2

The Project applicant shall refine the design of the Link Building and Patient Pavilion incorporating more direct design cues from the A/B Wing. The Project applicant shall also refine the design of the Family Residence Building to ensure that the new building is compatible with the existing facades prior to a decision on the Final Development Plan for Phase 2. All historic details of the facades used to construct the Family Residence Building shall be retained. All such design refinements shall be submitted to the City for review and approval of the Planning Director or designee and the Applicant shall implement the City-approved design refinements.

27. Salvage of Elements of B/C Wing

Prior to issuance of a demolition permit for the B/C Wing

The Project applicant shall retain a qualified historic architect to prepare a salvage plan, subject to review and approval of the Planning Director or designee, to evaluate the feasibility of salvaging and the possible use of the character defining elements of the B/C Wing, such as the terracotta frieze, the B/C Wing bay, and its possible use on the façade of the Link Building to provide a further transition from the A/B Wing to the Patient Pavilion. The salvage plan will include a process for the historic elements to be stored prior to being installed on the building, if such salvage is feasible. The applicant shall implement the City-approved plan.

28. Historic Maintenance

Ongoing

The Applicant shall keep in good repair all exterior portions of all of the CHRCCO-owned CEQA or potentially designated historic resources, the maintenance of which is necessary to prevent deterioration and decay of any

exterior portion. Furthermore, all interior elements that directly affect the exterior portions of the buildings shall also be kept in good repair.

29. Demolition Permit for Demolition of Historic Resources

Concurrent with Building Permit Issuance for each Phase.

A demolition permit to demolish the historic resources (5204 MLK Jr. Way, B/C Wing, and Bruce Lyon Memorial Research Laboratory, or as described in the record), shall not be issued prior to payment and issuance of the building permit application and demonstrated compliance with applicable SCAMMRP related conditions/mitigation measures.

30. Residential Buffer

Ongoing

The Project applicant shall maintain the low density residential character of CHRCO-owned properties along 53rd Street, including 707-715 53rd Street, 671-679 53rd Street, 5225 Dover Street, and the new addresses for two properties relocated from 52nd Street to 53rd Street. Any additional construction at these properties shall conform to the RM-2 Zoning only with respect to setbacks and height limitations, as well as landscaping requirements, maximum impervious surface coverage within the front yard setback, and except for existing driveways used for parking at previously-residential properties, no unenclosed parking shall be permitted in the front yard setback. However, the Project applicant may request a Minor Variance to deviate from these requirements. (Recommendation LU-1)

31. Health care operations adjacent to 720 52nd Street

Ongoing

The Project Applicant shall not locate trash, recycling, generators and/or other service equipment which may generate nuisance-related impacts directly adjacent or within 25' feet of the lot lines of the 720 52nd Street. Furthermore, the Project applicant will ensure compliance with the Performance Standards in Section 17.120 of the Planning Code.

32. Family Residence Building Parking

Phase 2 and Ongoing

The project applicant shall record an agreement acceptable to the City Attorney that seven parking spaces required for the Family Residence Building shall be made available free of charge within the existing or the proposed Hospital parking garages solely for use by families staying at the Family Residence Building. The agreement shall guarantee that such facilities will be maintained and reserved for the activity served, for the duration of said activity.

33. Martin Luther King Jr. Way Traffic Improvements

As part of relocating the Main Garage driveway to Martin Luther King Jr. Way in Phase 1 of the CHRCO project, the Project applicant shall submit a plan for City review and approval and implement the approved plan, at the Hospital's sole cost and expense, for the following:

Prior to issuance of a final inspection of the building permit for Phase 1

- a) Relocate the gate between the Main Garage and OPC-2 about 20 feet to the south to provide about 40 feet (corresponding to about two passenger vehicles) queuing space for vehicles exiting the Main Garage to 52nd Street.)
- b) Provide signage at the proposed Garage exit on Martin Luther King Jr. Way to direct motorists traveling south to make U-turns at 54th and/or 55th Streets.

Two months after final inspection of the building permit for Phase 1

- c) Two months after the relocation of the Main Garage driveway, the Project applicant shall conduct field observations and evaluate the safety and operations of U-turns at on northbound Martin Luther King Jr. Way at 54th Street (intersection #5) and submit the study to the City of Oakland for review and approval. If excessive queuing is observed, the Project applicant shall coordinate with the City of Oakland to either provide a 100-foot left-turn lane on northbound Martin Luther King Jr. Way at 54th Street (intersection #5) or prohibit U-turns and

left-turns at this location. If a new left-turn lane is provided at this location, the median on Martin Luther King Jr. Way shall be modified to provide a median nose to improve pedestrian safety. (Recommendation TRA-1)

34. Martin Luther King Jr. Way Pedestrian Improvements

Prior to issuance of a final inspection of the building permit for Phase 1

The Project applicant shall submit a plan for City review and approval and implement the approved plan to widen the through pedestrian zone to a minimum of 8-feet on the sidewalk along Martin Luther King Jr. Way fronting OPC-2 and Main Garage to be consistent with the City of Oakland's Pedestrian Master Plan. (Recommendation TRA-3)

35. Dover Street Improvements

Prior to issuance of a final inspection of the building permit for Phase 2

The Project applicant shall submit a plan for City review and approval and implement the approved plan, at the Hospital's sole cost and expense, for the following in order to improve safety at the Dover Street-Hospital Driveway/52nd Street intersection (#12):

a) Provide marked crosswalks with directional curb ramps on all four approaches of intersection.

Six months after final inspection of the building permit for Phase 2

- b) Six months after the main hospital and the new garage have been issued a Certificate of Occupancy, the Project applicant shall conduct field observations to evaluate traffic volumes using Dover Street to access the main hospital, and pedestrian activity crossing 52nd Street at Dover Street and submit the study to the City of Oakland for review and approval. If either of the following two conditions are satisfied: 1) the average vehicle delay for either Dover Street or Hospital Driveway intersection approach exceeds 35 seconds per vehicle (approach level of service degrades to LOS E) or 2) safety challenges for vehicles and/or pedestrians are observed due to the offset intersection, lack of left-turn pockets or other reasons, the Project applicant shall coordinate with the City of Oakland to implement one of the following options to reduce traffic volumes at the intersection:
- i. Close Dover Street to automobile traffic just south of 53rd Street, which would convert Dover Street between 52nd and 53rd Streets to a cul-de-sac (*See Condition 33*); or
 - ii. Prohibit left-turns from southbound Dover Street to eastbound 52nd Street and/or, except for hospital delivery vehicles, prohibit left-turns from eastbound 52nd Street to northbound Dover Street during peak congestion periods.(Recommendation TRA-2)

36. Dover Street Closure

Six months After Occupancy of Phase 2

The Project applicant shall cause to be conducted a transportation engineering study, by a qualified consultant, at Dover Street between 52nd and 53rd Street and shall submit the study to City Departments for review and approval six months after the occupancy of Phase 2. At that time, the City Planning Department and other relevant City Departments will further evaluate whether vacation or closure is necessary and whether the required findings can be satisfied. If the City Planning Department and other relevant City Departments determines based on the transportation engineering study and in consultation with the Hospital that vacation or closure is necessary, the Hospital will implement the City's recommendation at the Hospital's sole cost and expense.

37. 52nd Street Bicycle Improvements

Prior to issuance of a final inspection of the building permit for Phase 2

The Project applicant shall submit a plan for City review and approval and implement the approved plan, at the Hospital's sole cost and expense, for bikeway and improvements on 52nd Street between Market Street and Shattuck Avenue as illustrated on Figure IV.D-24 and also as described below consisting of the following:

- a) Provide a Class 3B bicycle boulevard on 52nd Street between Market and West Streets within the current street right-of-way. In addition, consider installing physical traffic calming measures as appropriate on this segment of 52nd Street to reduce automobile speeds and potential for cut-through traffic.

- b) Provide Class 2 bike lanes (with buffers where feasible) between West and Dover Streets, and a combination of Class 2 bike lanes (with buffers where feasible) and Class 3A arterial bicycle routes on 52nd Street between Dover Street and Shattuck Avenue, which will require following street modifications:
 - i. Reduce eastbound 52nd Street to one travel lane between West Street and SR 24 Ramps.
 - ii. Reduce westbound 52nd Street to one travel lane between SR 24 Ramps and the existing Garage Driveway.
 - iii. Reconfigure westbound 52nd Street at SR 24 On-Ramp to provide two right-turn lanes, one bicycle lane, and one through lane.
 - iv. Adjust signal timing at the Martin Luther King Jr. Way/52nd Street (#10) and Garage Driveway/52nd Street (#11) intersections.
- c) Provide bulbouts on the northeast and southeast corners of the Garage Driveway/52nd Street intersection (#11)
- d) Create a refuge on the south crosswalk at Martin Luther King Jr. Way/52nd Street intersection by installing a median nose.
- e) Provide median pedestrian push-buttons for the north and south crosswalks at the Martin Luther King Jr. Way/52nd Street intersection.
- f) Install directional curb ramps at the northwest and southwest corners of the Martin Luther King Jr. Way/52nd Street intersection.
- g) To the extent feasible, maintain or widen sidewalk widths on both sides of 52nd Street between Martin Luther King Jr. Way and Dover Street.
- h) Consider providing pedestrian-scale lighting on 52nd Street along project frontage and under the freeway underpass.
- i) The City of Oakland will consider elements of the Alternative Design as suggested by Bike East Bay and shown on Figures RTC-V-2a through RTC-V-2d as part of the final design for the improvements on 52nd Street. These elements may include advanced yield markings at the uncontrolled crosswalks, additional pedestrian bulbouts, and/or other design features. Elements found to be feasible shall be incorporated in the final design. (Recommendation TRA-4)

38. AC Transit Bus Stop

Prior to issuance of a final inspection of the building permit for Phase 1

The Project applicant shall coordinate with AC Transit, at the Hospital's sole cost and expense, to implement the following:

- a) Move the northbound Route 18 bus stop from mid-block between 52nd and 53rd Streets to just north of 52nd Street.
- b) Ensure that the new bus stop location would have adequate space for a shelter, bench, and trash receptacle, and maintain a pedestrian passage zone on the adjacent sidewalk. Also, provide pedestrian-scale lighting at the bus stop. (Recommendation TRA-5)

39. Shuttle Stops

Prior to issuance of a final inspection of the building permit for Phase 1

The Project applicant shall submit a plan for City review and approval and implement the approved plan to provide shuttle stops at the following locations:

- a) Either along eastbound 52nd Street just east of the signalized pedestrian crossing to primarily serve OPC-1 and OPC-2 or within the reconfigured plaza at the southeast corner of the Martin Luther King Jr. Way/52nd Street intersection.
- b) In the new entrance area for the hospital that can be accessed through the extension of Dover Street to primarily serve the main hospital. (Recommendation TRA-6)

40. Bicycle Parking

Prior to issuance of a final inspection of the building permit for Phase 2

The Project applicant shall:

- a) Consistent with the Oakland Bicycle Parking Ordinance, provide a total of 110 long-term and 20 short-term bicycle parking spaces at end of Phase 1 and a total of 119 long-term and 26 short-term bicycle parking spaces at the end of Phase 2.
- b) Monitor the usage of long-term and short-term bicycle parking spaces and if necessary provide additional bicycle parking spaces. (Recommendation TRA-7)

41. Parking Management

Prior to issuance of a final inspection of the building permit for Phase 2 and Ongoing

The Project applicant shall, as part of the TDM program required by SCA TRA-1, implement the following to reduce parking demand and better manage the available parking supply:

- a) Install an automated parking counting system including variable message signs to inform motorists approaching CHRCO of the number of unoccupied parking spaces in the two garages in order to reduce potential traffic circulation. In addition, provide a variable message sign at the entrance to the Main Garage basement that shows the number of unoccupied parking spaces in the basement.
- b) Continue to restrict parking in the basement of the existing garage to parking for physicians and hospital senior management only.
- c) Continue to provide attendant parking at the West Lot and consider providing attendant parking at the existing and/or proposed garage during peak parking demand periods if necessary.
- d) Install parking meters at all on-street parking spaces on 52nd Street between Martin Luther King Jr. Way and SR 24 Ramps and on segments of Martin Luther King Jr. Way within two blocks of the project site with non-residential frontage.
- e) Limit parking on 52nd Street along project frontage to 30 minutes. (Recommendation TRA-8)

42. Delivery Management

Ongoing

The project applicant shall ensure that deliveries are managed effectively including any necessary staggering or scheduling to ensure that delivery vehicles are accommodated with the existing berths and are not parking or idling on the City streets. If requested the applicant shall submit a delivery management plan for review and approval.

43. Proposed Garage Emergency Access to MLK Jr. Way

Prior to issuance of a final inspection of the building permit for Phase 2

The project applicant will design the Phase 2 buildings including the Patient Pavilion and Parking Garage to retain an emergency access for vehicles from the garage to MLK Jr. Way. All necessary street improvements shall be implemented to accommodate this access including but not limited to a gate, signage, street lights to stop or warn oncoming freeway traffic, etc.

44. Helicopter Noise Management

Ongoing and Prior to issuance of a final inspection of the building permit replacement helistop in Phase 2

Measures (b), (c) and (e) are recommended for implementation within 60 days of final approval of the project. The remainder of the following multipart measures are is recommended for implementation by CHRCO prior to operation of the replacement helistop under Phase 2 of the project:

- a) CHRCO shall offer to provide forced air ventilation or an air conditioning unit and sound insulating windows for the residence located at 720 52nd Street so that windows may remain closed for prolonged periods.
- b) A log of helicopter activity shall be maintained which shall include a detailed record of the reason for the trip, and date and time of arrival and departure.
- c) CHRCO shall develop a protocol to respond to noise complaints about helicopter over flight related to Hospital operations and submit that protocol to City staff for its review and approval—prior to certification of the helistop. The protocols shall include, at a minimum: (i) designate and publicize the

name and contact information (phone and email) of a helistop contact person; and (ii) means/methods to track complaints, follow-up investigations, and corrective action taken.

- d) CHRCO shall coordinate with FAA to request a waiver to allow mufflers or other sound reducing equipment on helicopters. Such coordination shall include, at a minimum, the following: (i) two years prior to operation of the replacement helistop, developing a strategy, subject to city review and approval; (ii) implementing approved strategy; (iii) documenting communications with the FAA; (iv) informing City of progress; and (v) implementing approved waiver, if granted.
- e) The City acknowledges that emergency helicopter operations and flight paths are dictated by the helicopter pilot based on the pilot's professional judgment, and that the City has no regulatory authority over the operations of emergency helicopters. To the extent any state or federal agency with jurisdiction over helicopter operations (e.g., Federal Aviation Administration or Caltrans Division of Aeronautics) has approved a flight plan related to helicopter operations at the hospital, the Hospital shall include those approved flight plans in contracts for services with air medical companies

45. Helicopter Noise Management

Prior to issuance of a final inspection of the building permit replacement helistop in Phase 2

The following multipart measure is recommended for implementation by CHRCO prior to operation of the replacement helistop under Phase 2 of the project:

- a) CHRCO shall offer, at its sole cost and expense, to provide forced air ventilation or an air conditioning unit and sound-insulating windows for the residence located at 720 52nd Street so that windows may remain closed for prolonged periods.
- b) A log of helicopter activity shall be maintained which shall include a detailed record of the date and time of arrival and departure.
- c) CHRCO shall develop a protocol to respond to noise complaints about helicopter over flight related to Hospital operations and submit that protocol to City staff prior to certification of the helistop.
- d) CHRCO shall coordinate with FAA to request a waiver to allow mufflers or other sound reducing equipment on helicopters. (Recommendation NOI-1)

46. Helicopter Vibration Management

Prior to issuance of the final inspection of the building permit for the helistop in Phase 2

The following recommended for implementation by CHRCO prior to operation of the replacement helistop under Phase 2 of the project:

- a) The Project applicant shall offer, at its sole cost and expense, to conduct a Vibration Analysis by an acoustical and/or structural engineer or other appropriate qualified professional for City review and approval that establishes pre-construction baseline and threshold levels of vibration that could damage the chimney, roof, or foundation of the property at 720 52nd Street. The Vibration Analysis shall identify design means and methods to reduce the vibration impacts on the chimney, roof, and foundation, including replacement.

Six months after commencement of the helistop operation

The Project applicant shall offer, at its sole cost and expense, to conduct an additional Vibration Analysis of the conditions of the structure at 720 52nd Street against the pre-helistop implementation Vibration Analysis. If the Analysis concludes that vibration from the helistop has damaged the structure above the baseline conditions, the Project Applicant shall, at its sole cost and expense, offer to implement the design methods identified above to address the damage to the chimney, roof, and/or foundation.

47. Components of Final Development Plans.

Prior to approval of Any Final Development Plans

In accordance with Planning Code Chapter 17.140, each stage (phase) of Final Development Plan shall:

- (a) Conform in all major respects with the approved Preliminary Development Plan;
- (b) Comply with development standards and other zoning regulations unless a Variance application is submitted;
- (c) Include all information included in the approved Preliminary Development Plan plus the following:

- i. the location of water, sewerage, and drainage facilities;
 - ii. detailed building floor plans, elevations and landscaping plans;
 - iii. the character and location of signs;
 - iv. plans for street improvements; and
 - v. grading or earth-moving plans;
- (d) Be sufficiently detailed to indicate fully the ultimate operation and appearance of the development stage;
- (e) Copies of legal documents required for dedication or reservation of group or common spaces, or for performance bonds, shall be submitted with each Final Development Plan; and
- (f) Comply with all of the City's design review related findings.

48. Final Design of OPC2

Prior to issuance of a building permit for the OPC2 building

As the design development of the building proceeds, the design elements listed below shall be revised and be submitted for review and approval by the Planning Director or designee prior to issuance of a building permit for the OPC2 building. Only high quality materials will be approved.

- a) The Project applicant shall revise the ground floor of the OPC2 building to widen the pedestrian entrance to the OPC Buildings and reduce the width of the parking entrance area off of 52nd Street. This might require reducing the width of travel lanes into the garage and possible loss of an emergency vehicle parking space. The proposed second pedestrian entrance into the garage flanking the driveway should be removed or reduced to accommodate relocation of the parking garage entrance further west. Finally further increasing the entrance to the OPC2 building would provide a larger gathering area out front, allow some landscaping and provide room for short term bicycle parking.
- b) Final colors and materials shall be submitted for City review and approval including the metal screens for the parking structure and plaza at the corner of MLK and 52nd Street and the Central Utility Plant, vents, screens, railings, cornices, stucco joints, etc. Staff will not accept foam for the portals of window frames.
- c) The applicant will provide examples to staff of how the curtain wall plane meets the stucco plane. If requested a scaled mock-up of this detail shall be provided for review.
- d) The applicant will submit information that affirms that any metal treatment used on the building will be coated or sealed to prevent rusting including the signage canopy.
- e) The applicant must provide staff with cut sheets for all windows and details showing the window profiles. The applicant shall provide a minimum 2" window recess.
- f) The applicant shall submit a detail or "cut-sheet" of the garage, service, and loading doors for staff review and approval.
- g) Screen all rooftop mechanical equipment. Design the screening and select its color to be integral with the overall architectural design.

49. PG&E Transformers

Prior to issuance of a building permit

The Project applicant shall coordinate with PG&E regarding the placement of transformers. These utilities shall be located within the proposed building and not within the public right of way or sidewalk.

50. Master Signage Program.

Prior to sign permit

The Project applicant shall submit a master signage plan for review and approval per the Planning and Zoning regulations, including but not limited to location, dimensions, materials and colors.

51. Landscape Plan or Improvements to the Annex Parking Lot

Prior to issuance of a final inspection of the building permit for Phase 2

In addition to landscaping shown on the plans dated February 6, 2015, the Project applicant shall also install landscaping or other visual improvement to the wall along MLK Jr. Way, 47th and 51st Streets adjacent to the Annex Parking lot. The improvement plan shall be submitted to the Bureau of Planning for review and approval.

52. Community Policing By Environmental Design (CPTED)

Ongoing

- a) The Project applicant shall continue the security escort program which walks employees to their vehicles to maintain and improve safety in the area.

Prior to issuance of a final inspection of the building permit for Phase 1

- b) The Project applicant shall ensure that cameras or other security measures are installed within the emergency department parking lot and the entrance portal to the OPC2 Buildings to ensure safety within these areas. The Project Applicant shall submit for review and approval of a Planning and Building permit if a gate is proposed for these areas.

Prior to issuance of a building permit Phase 2

- c) The Project applicant shall submit the preliminary design of the Caltrans area to be acquired between 52nd and 53rd Street and the Annex Parking Lot to the Bureau of Planning. The Bureau of Planning shall consult with the Oakland Police Department in the review of the area for CPTED purposes. The Project applicant shall implement all feasible measures to improve safety in this area. Recommendations could include fencing such cyclone with plastic inlay slats and additional lighting for the Caltrans property and additional lighting, transparent fencing or low landscaping to improve visibility in the Annex Parking Lot.

53. Lighting within the Existing Garage

Prior to issuance of a final inspection of the building permit for Phase 1

The Project applicant shall ensure that the lighting fixtures within the existing parking lot are shielded to a point below the light bulb and reflector.

54. Helistop Lighting

Upon completion of the relocated helistop and ongoing

Unless necessary and required by the FAA or other governing body, the helistop lighting shall be turned off at night and only turned on during helicopter arrival and departures.

55. Rodent Control

Prior to issuance of a demolition, grading or a building permit

The Project applicant shall submit a rodent control plan during construction to the City and approval. City staff shall forward the plan to Alameda County Vector Control for their review and comment. The Project applicant shall implement Vector Control's recommended measures.

56. Pre-Construction Meeting with the Neighborhood

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

A preconstruction meeting shall be held with the immediate neighbors within 300' of the job site to discuss neighborhood notification, location of staging areas, major deliveries, detours and lane closures etc. Both Planning staff and the building coordinator shall attend this meeting.

57. Pre-construction Meeting with the City

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

A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager with the City's project building coordinator to confirm that conditions of approval that must be completed prior to issuance of a grading, demolition, or building permit have been completed (including pre-construction meeting with neighborhood, construction hours, neighborhood notification, posted signs, etc.). The project applicant shall coordinate and schedule this meeting with City staff.

58. Demolition Permit for Demolition of Historic Resources Concurrent with Building Permit Issuance

A demolition permit to demolish structures on the Project site and as described in the record shall not be issued prior to payment and issuance of a building permit application and demonstrated compliance with applicable SCAMMRP related conditions of approval.

59. Helen McGregor Park

The Project applicant shall provide in-kind project management; landscape architecture, surveyor, arborist and grant writing services to the neighborhood to identify and design the consensus option for the park. The Project applicant's in-kind services should not exceed \$100,000 dollars.

60. Litter Removal

Ongoing

The Project applicant shall continue to ensure the pick-up of litter along 53rd Street to the southern end of the Hospital property either by paying into the Temescal Business Improvement District or by continuing to engage the services of a litter-removal or landscape contractor.

61. Public Art for Private Development Condition of Approval

Prior to issuance of Final Certificate of Occupancy for each Phase and Ongoing

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

62. Water Efficient Landscape Ordinance

Prior to issuance of a demolition, grading, or building permit

The Project Applicant shall submit plans to the Bureau of Planning showing compliance with the California Model Water Efficient Landscape Ordinance for review and approval.

63. Scope of Vesting Tentative Tract Map

Ongoing

The project is approved pursuant to the Subdivision Regulations of the Municipal Code only and shall comply with all other applicable codes, requirements, regulations and guidelines, including but not limited to those imposed by the City's Building Services Division, Public Works City Surveyor and the City's Fire Marshal. The proposal shall specifically comply with the conditions required by the Fire Prevention Bureau per the attached memorandum, dated February 3, 2015, Bureau of Building per the attached memorandum dated January 21, 2015, City Surveyor per the attached e-mail dated January 21, 2015 and EBMUD per attached letter dated January 16, 2015. (Attachment M)

64. Changes to Vesting Tentative Tract Map

Ongoing

Changes to approved plans that would amend the Tentative Map shall be submitted to and approved by the Zoning Administrator prior to recordation of the Vesting Tentative Tract Map 8194.

RECOMMENDED BY:

City Planning Commission: April 1, 2015 (date) (vote) 7 ayes, 0 noes, 0 abstentions

Applicant and/or Contractor Statement

I have read and accept responsibility for the Conditions of Approval, as APPROVED by the City Council action on _____, 2015 . I agree to abide by and conform to these conditions, as well as to all provisions of the Oakland Zoning Code and Municipal Code pertaining to the project.

Signature of Owner/Applicant: _____(date)
Signature of Contractor _____(date)

**CHILDREN'S HOPITAL AND RESEARCH CENTER OAKLAND
CAMPUS MASTER PLAN PROJECT
STANDARD CONDITIONS OF APPROVAL/
MITIGATION MONITORING AND REPORTING PROGRAM
(APRIL 1, 2015)**

This Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCAMMRP) is based on the Final Environmental Impact Report (EIR) prepared for the Children's Hospital & Research Center Oakland (CHRCO) Campus Master Plan Project (project) in the City of Oakland.

This SCAMMRP is in compliance with *CEQA Guidelines* §15097, which requires that the Lead Agency "adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects." Mitigation measures were not identified in the Draft EIR; therefore, no mitigation measures are listed. However, the City's Standard Conditions of Approval identified in the EIR, which are measures that would minimize potential adverse effects that could result from implementation of the project, are identified in this SCAMMRP to ensure the conditions are implemented and monitored. To the extent any Standard Conditions of Approval are inadvertently omitted herein, they are automatically incorporated herein by reference.

Table 1 presents the Standard Conditions of Approval identified in the CHRCO Campus Master Plan EIR that are necessary to ensure that all potential impacts would be less than significant. Standard Conditions of Approval are identified with the prefix SCA (e.g., SCA AES-1).

- The first column identifies the environmental impact,
- The second column identifies the Standard Condition of Approval (SCA),
- The third column identifies the monitoring schedule or timing,
- The fourth column names the party responsible for monitoring the required action, and
- The fifth column outlines the steps for monitoring the required action.

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

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
A. LAND USE AND PLANNING				
No significant land use or planning impacts would occur	<u>No Applicable SCA</u>			
B. AESTHETICS AND SHADOW				
No significant impacts related to visual resources, light, glare, or shadow would occur with implementation of the City Standard Condition of Approval listed in this table	SCA AES-1: Lighting Plan <i>Prior to the issuance of an electrical or building permit</i> The proposed lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties. Plans shall be submitted to the Planning and Zoning Division and the Electrical Services Division of the Public Works Agency for review and approval. All lighting shall be architecturally integrated into the site.	Prior to issuance of an electrical or building permit	City of Oakland Bureau of Planning City of Oakland – Bureau of Building, Zoning, Inspection City of Oakland Public Works Agency - Electrical Services Division	Review and approve lighting plan and confirm the implementation and compliance of all measures in the plan
C. CULTURAL AND HISTORIC RESOURCES				
No significant impacts to archaeological resources would occur with implementation of the City Standard Conditions of Approval listed in this table	SCA CUL-1: Archaeological Resources. <i>Ongoing throughout demolition, grading, and/or construction</i> a Pursuant to <i>CEQA Guidelines</i> section 15064.5 (f), “provisions for historical or unique archaeological resources accidentally discovered during construction” should be instituted. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified archaeologist would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination to be made by the City of Oakland. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards.	Ongoing throughout demolition, grading, and/or construction Upon discovery of archaeological resources cease construction within a 50-foot radius of the find Submit alternative plans prior to resuming construction	City of Oakland Bureau of Planning City of Oakland Bureau of Building, Zoning Inspection	Confirm adherence to provisions a, b, and c of SCA CUL-1 Specific requirements include in the event of the discovery of archaeological resources, confirm work stoppage within a 50-foot radius of the find; consult with a qualified archaeologist or paleontologist, determine and implement avoidance or other appropriate measures
SCA CUL-1 <i>Continued</i>	b In considering any suggested measure proposed by the consulting archaeologist in order to mitigate impacts to historical resources or unique archaeological resources, the project applicant shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If			

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
	<p>avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while measure for historical resources or unique archaeological resources is carried out.</p> <p>c. Should an archaeological artifact or feature be discovered on-site during project construction, all activities within a 50-foot radius of the find would be halted until the findings can be fully investigated by a qualified archaeologist to evaluate the find and assess the significance of the find according to the CEQA definition of a historical or unique archaeological resource. If the deposit is determined to be significant, the project applicant and the qualified archaeologist shall meet to determine the appropriate avoidance measures or other appropriate measure, subject to approval by the City of Oakland, which shall assure implementation of appropriate measure measures recommended by the archaeologist. Should archaeologically-significant materials be recovered, the qualified archaeologist shall recommend appropriate analysis and treatment, and shall prepare a report on the findings for submittal to the Northwest Information Center.</p>			
	<p>SCA CUL-1a: Intensive Pre-Construction Study. Prior to demolition, grading and/or construction. The project applicant, upon approval from the City Planning Department, may choose to complete a site-specific, intensive archaeological resources study prior to soil-disturbing activities occurring on the project site. The purpose of the site-specific, intensive archaeological resources study is to identify early the potential presence of history-period archaeological resources on the project site. If that approach is selected, the study shall be conducted by a qualified archaeologist approved by the City Planning Department.</p>	<p>Prior to issuance of demolition, grading, or building permits and ongoing throughout construction.</p>	<p>City of Oakland Bureau of Planning City of Oakland Bureau of Building, Zoning Inspection</p>	<p>Confirm adherence to SCA CUL-1a. If the presence of archaeological resources is indicated on the site, confirm adherence to SCA CUL-1b, SCA CUL-1c and SCA CUL-1d.</p>

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
SCA CUL-1a <i>Continued</i>	<p>If prepared, at a minimum, the study shall include:</p> <ul style="list-style-type: none"> An intensive cultural resources study of the project site, including subsurface presence/absence studies, of the project site. Field studies conducted by the approved archaeologist(s) may include, but are not limited to, auguring and other common methods used to identify the presence of archaeological resources; A report disseminating the results of this research; Recommendations for any additional measures that could be necessary to mitigate any adverse impacts to recorded and/or inadvertently discovered cultural resources <p>If the results of the study indicate a high potential presence of historic-period archaeological resources on the project site, or a potential resource is discovered, the project applicant shall hire a qualified archaeologist to monitor any ground disturbing activities on the project site during construction (see SCA CUL-1b, Construction-Period Monitoring, below), implement avoidance and/or find recovery measures (see SCA CUL-1c, Avoidance and/or Find Recovery, below), and prepare an ALERT Sheet that details what could potentially be found at the project site (see SCA CUL-1d, Construction ALERT Sheet, below) If no potential resources is discovered during the preconstruction study, SCA CUL-1, Archaeological Resources, shall apply and be adequate to reduce any potentially significant impact to less-than-significant</p>			<p>Specific requirements include:</p> <p>Review and approve qualified archaeologist who will prepare the Intensive Pre-Construction Study</p> <p>Review and approve Intensive Pre-Construction Study</p> <p>Confirm compliance with applicable measures</p>
	<p>SCA CUL-1b: Construction-Period Monitoring. <i>Ongoing throughout demolition, grading and/or construction</i> Archaeological monitoring would include briefing construction personnel about the type of artifacts that may be present (as referenced in the ALERT Sheet, require per SCA CUL-1d, Construction ALERT Sheet, below) and the procedures to follow if any are encountered, field recording and sampling in accordance with the Secretary of Interior's <i>Standards and Guidelines for Archaeological Documentation</i>, notifying the appropriate officials if human remains or cultural resources are discovered, or preparing a report to document negative findings after construction is completed. If a significant archaeological resource is discovered during the monitoring activities, adherence to SCA CUL-1c, Avoidance and/or Find Recovery, discussed below), would be required to reduce the impact to less than significant. The project applicant shall hire a qualified archaeologist to monitor all ground-disturbing activities on the project site throughout construction</p>	Ongoing throughout demolition, grading and/or construction	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p>	<p>Confirm adherence to SCA CUL-1b. If a significant archaeological resource is discovered during the monitoring activities, confirm adherence to SCA CUL-1c</p> <p>Specific requirements include</p> <p>Review and approve qualified archeologist</p> <p>Briefing of construction personnel as to artifacts potentially located on-site and</p>

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
				procedures to be implemented Confirm implementation of all applicable measures
	<p>SCA CUL-1c: Avoidance and/or Find Recovery. <i>Ongoing and throughout demolition, grading and/or construction</i></p> <p>If a significant archaeological resource is present that could be adversely impacted by the proposed project, the project applicant of the specific project site shall either:</p> <ul style="list-style-type: none"> • Stop work and redesign the proposed project to avoid any adverse impacts on significant archaeological resource(s), or, • If avoidance is determined infeasible by the City, design and implement an Archaeological Research Design and Treatment Plan (ARDTP) The project applicant shall hire a qualified archaeologist who shall prepare a draft ARDTP that shall be submitted to the City Planning Department for review and approval. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions The ARDTP shall include the analysis and specify the curation and storage methods Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practical. The project applicant shall implement the ARDTP. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant 	<p>Ongoing and throughout demolition, grading and/or construction</p> <p>Submittal of ARDTP prior to construction resuming in event of finding a significant archeological resource</p>	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building , Zoning Inspection</p>	<p>Confirm adherence to SCA CUL-1c</p> <p>Specific requirements include:</p> <p>Review and approve qualified archeologist who will prepare the ARDTP plan</p> <p>Review and approve ARDTP plan</p> <p>Confirm implementation of all applicable measures</p>

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
	<p>SCA CUL-1d: Construction ALERT Sheet. <i>Prior to and during all subsurface construction activities for the Project</i></p> <p>The project applicant, upon approval from the City Planning Department, may choose to prepare a construction ALERT sheet prior to soil-disturbing activities occurring on the project site, instead of conducting site-specific, intensive archaeological resources pursuant to SCA CUL-1a, above. The project applicant shall submit for review and approval by the City prior to subsurface construction activity an "ALERT" sheet prepared by a qualified archaeologist with visuals that depict each type of artifact that could be encountered on the project site. Training by the qualified archaeologist shall be provided to the project's prime contractor, any project subcontractor firms (including demolition, excavation, grading, foundation, and pile driving); and/or utilities firm involved in soil-disturbing activities within the project site. The ALERT sheet shall state, in addition to the basic measures of SCA CUL-1, that in the event of discovery of the following cultural materials, all work must be stopped in the area and the City's Environmental Review Officer contacted to evaluate the find: concentrations of shellfish remains, evidence of fire (ashes, charcoal, burnt earth, firecracked rocks); concentrations of bones, recognizable Native American artifacts (arrowheads, shell beads, stone mortars [bowls], humanly shaped rock), building foundation remains; trash pits, privies (outhouse holes), floor remains, wells, concentrations of bottles, broken dishes, shoes, buttons, cut animal bones, hardware, household items, barrels, etc., thick layers of burned building debris (charcoal, nails, fused glass, burned plaster, burned dishes); wood structural remains (building, ship, wharf), clay roof/floor tiles, stone walls or footings, or gravestones</p> <p>Prior to any soil-disturbing activities, each contractor shall be responsible for ensuring that the ALERT sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, and supervisory personnel. If the project applicant chooses to implement SCA CUL-1d, Construction ALERT Sheet, and a potential resource is discovered on the project site during ground disturbing activities during construction, the project applicant shall hire a qualified archaeologist to monitor any ground disturbing activities on the project site during construction (see SCA CUL-1b, Construction-Period Monitoring, above), implement avoidance and/or find recovery measures (see SCA CUL-1c, Avoidance and/or Find Recovery, above), and prepare an updated ALERT Sheet that addresses the potential resource(s) and other possible resources based on the discovered find found on the project site. If no potential resource(s) are discovered during ground disturbing activities during construction pursuant to the construction ALERT sheet, SCA CUL-1, Archaeological Resources, shall apply and be adequate to reduce any potentially significant impact to less than significant.</p>	<p>Prior to and during all subsurface construction activities</p>	<p>City of Oakland Bureau of Planning Bureau of Building, Zoning Inspection</p>	<p>Confirm adherence to SCA CUL-1d or SCA CUL-1a. If a potential resource is discovered on the project site during ground disturbing activities during construction, confirm adherence to SCA CUL-1b and SCA CUL-1c</p> <p>Specific requirements of SCA CUL-1d include</p> <p>Review and approve qualified archeologist who will prepare the Construction Alert Sheet</p> <p>Review and approve Construction ALERT Sheet</p> <p>Confirm that a qualified archaeologist provides training to the project's construction contractors and subcontracts and that ALERT Sheet is circulated to all field personnel</p>

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
No significant impacts to human remains would occur with implementation of the City Standard Conditions of Approval listed in this table	SCA CUL-2: Human Remains. <i>Ongoing throughout demolition, grading, and/or construction</i> In the event that human skeletal remains are uncovered at the project site during construction or ground-breaking activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains, and following the procedures and protocols pursuant to Section 15064 5 (e)(1) of the CEQA Guidelines. If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of Section 7050 5 of the Health and Safety Code, and all excavation and site preparation activities shall cease within a 50-foot radius of the find until appropriate arrangements are made. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance and avoidance measures (if applicable) shall be completed expeditiously	Ongoing throughout demolition, grading and/or construction Upon discovery of human remains, cease construction within a 50-foot radius of the find Submit alternative plans prior to resuming construction	City of Oakland Bureau of Planning City of Oakland Bureau of Building, Zoning Inspection Alameda County Coroner	Confirm adherence to SCA CUL-2 in the event of the discovery of human remains, and confirm work stoppage within a 50-foot radius of the find, Confirm required agency notifications and consultations if resources are found Prepare alternative plan and implement the plan
No significant impacts to paleontological resources would occur with implementation of the City Standard Conditions of Approval listed in this table	SCA CUL-3: Paleontological Resources. <i>Ongoing throughout demolition, grading, and/or construction</i> In the event of an unanticipated discovery of a paleontological resource during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (per Society of Vertebrate Paleontology standards (SVP 1995,1996)) The qualified paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in Section 15064 5 of the CEQA Guidelines. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the City determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important, and such plan shall be implemented. The plan shall be submitted to the City for review and approval	Ongoing throughout demolition, grading and/or construction Cease construction within 50 feet upon discovery of paleontological resources until examination by a qualified paleontologist and submittal of a discovery and excavation plan prior to resuming construction	City of Oakland Bureau of Planning City of Oakland Bureau of Building, Zoning Inspection	Confirm adherence to SCA CUL-3 in the event of a paleontological resource discovery, and confirm work stoppage within 50 feet of the find until an alternative plan is prepared and implemented Specific requirements of CUL-3 include Review and approve qualified paleontologist Confirm required agency notifications and consultations if resources are found Review and approve the excavation plan

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
				and confirm the plan is implemented or complied with
No significant impacts to historic resources would occur with implementation of the City Standard Condition of Approvals listed in this table	<p>SCA CUL-4: Compliance with Policy 3.7 of the Historic Preservation Element (Property Relocation Rather than Demolition). <i>Prior to issuance of a demolition permit</i> The project applicant shall make a good faith effort to relocate the buildings located at 5204 Martin Luther King Jr. Way to a site acceptable to the Planning and Zoning Division and the Oakland Cultural Heritage Survey. Good faith efforts include, at a minimum, the following:</p> <ul style="list-style-type: none"> a Advertising the availability of the building by (1) posting of large visible signs (such as banners, at a minimum of 3' x 6' size or larger) at the site, (2) placement of advertisements in Bay Area news media acceptable to the City; and (3) contacting neighborhood associations and for-profit and not-for-profit housing and preservation organizations, b Maintaining a log of all the good faith efforts and submitting that along with photos of the subject building showing the large signs (banners) to the Planning and Zoning Division, c Maintaining the signs and advertising in place for a minimum of 90 days, and d Making the building available at no or nominal cost (the amount to be reviewed by the Oakland Cultural Heritage Survey) until removal is necessary for construction of a replacement project, but in no case for less than a period of 90 days after such advertisement. 	Prior to issuance of a demolition permit	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p> <p>Oakland Cultural Heritage Survey</p>	Confirm adherence to Policy 3.7 of the Historic Preservation Element (property relocation rather than demolition)
D. TRANSPORTATION AND CIRCULATION				
No significant operational impacts related to transportation and circulation would occur with implementation of the City Standard Conditions of Approval listed in this table	<p>SCA TRA-1: Parking and Transportation Demand Management <i>Prior to issuance of a final inspection of the building permit</i></p> <p>The project applicant shall submit a Transportation and Parking Demand Management (TDM) plan for review and approval by the City. The intent of the TDM plan shall be to reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable consistent with the potential traffic and parking impacts of the project. The goal of the TDM shall be to achieve the following project vehicle trip reductions (VTR).</p> <ul style="list-style-type: none"> • Projects generating 50 to 99 net new AM or PM peak hour vehicle trips: 10 percent VTR • Projects generating 100 or more net new AM or PM peak hour vehicle trips: 20 percent VTR <p>The TDM plan shall include strategies to increase pedestrian, bicycle, transit, and carpool use, and reduce parking demand. All four modes of travel shall</p>	Prior to issuance of a final inspection of the building permit and ongoing throughout project operation	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p> <p>City of Oakland Transportation Services Division</p>	The Final TDM Plan was prepared and included in the permit approvals. If approved, this component of the SCA has been satisfied. Confirm that the project implements and complies with the approved plan.

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
No significant construction-related transportation and circulation impacts would occur with implementation of the City Standard Conditions of Approval listed in this table	<p>SCA TRA-2: Construction Traffic and Parking. <i>Prior to issuance of a demolition, grading, or building permit</i></p> <p>The project applicant and construction contractor shall meet with appropriate City of Oakland agencies to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project and other nearby projects that could be simultaneously under construction. The project applicant shall develop a construction management plan for review and approval by the Planning and Zoning Division, the Building Services Division, and the Transportation Services Division. The plan shall include at least the following items and requirements:</p> <ul style="list-style-type: none"> a) A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes b) Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur c) Location of construction staging areas for materials, equipment, and vehicles at an approved location. d) A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an onsite complaint manager. The manager shall determine the cause of the complaints and shall take prompt action to correct the problem. Planning and Zoning shall be informed who the Manager is prior to the issuance of the first permit issued by Building Services e) Provision for accommodation of pedestrian flow f) Provision for parking management and spaces for all construction workers to ensure that construction workers do not park in on-street spaces. g) Any damage to the street caused by heavy equipment, or as a result of this construction, shall be repaired, at the project sponsor's expense, within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to issuance of a final inspection of the building permit. All damage that is a threat to public health or safety shall be repaired immediately. The street shall be restored to its condition prior to the new construction as established by the City Building Inspector and/or photo documentation, at the project sponsor's expense, before the issuance of a Certificate of Occupancy. 	Prior to issuance of demolition, grading, or building permits and ongoing throughout construction	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p> <p>City of Oakland Transportation Services Division</p>	<p>Review and approve a Construction Management Plan that includes the requirements identified by SCA TRA-2.</p> <p>Confirm that the project implements and complies with the plan measures</p>

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Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
SCA TRA-2 <i>Continued</i>	<p>h) Any heavy equipment brought to the construction site shall be transported by truck, where feasible</p> <p>i) No materials or equipment shall be stored on the traveled roadway at any time</p> <p>j) Prior to construction, a portable toilet facility and a debris box shall be installed on the site, and properly maintained through project completion.</p> <p>k) All equipment shall be equipped with mufflers.</p> <p>l) Prior to the end of each work day during construction, the contractor or contractors shall pick up and properly dispose of all litter resulting from or related to the project, whether located on the property, within the public rights-of-way, or properties of adjacent or nearby neighbors</p> <p>m) A set of comprehensive traffic control measures for motor vehicles, transit, bicycle, and pedestrian access and circulation during each phase of construction</p> <p>n) A construction period parking management plan to ensure that parking demands for construction workers, site employees, and patrons/visitors are accommodated during each phase of construction.</p> <p>o) Limit construction truck traffic to the streets identified in Figure IV.D-25 as part of the contract for project construction</p> <p>To further implement Standard Condition of Approval TRA-2</p> <p>p) If construction staging is to be located along the north side of 52nd Street adjacent to OPC1, then the project applicant shall not locate construction staging of equipment or materials past the second parking meters (east of MLK. Jr Way) located along the street. This construction staging area shall be submitted for review and approval as part of the construction management plan.</p> <p>q) The project applicant shall submit a study showing all exits and entrances from the OPC1 Building and the feasibility of using each of these entrance/exits as an alternative ingress and egress during Phase I for City review and approval. The City shall consider the adjacency of the property at 720 52nd Street when finalizing alternative access to/from OPC1</p> <p>r) The project applicant shall prepare and submit plans for a construction period community engagement program to the City for review and approval prior to issuance of a grading, demolition, or building permit. The process for engaging the community (via newsletter, website notification, or meetings) prior to and throughout the construction period shall be detailed in the plan</p>			

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Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
E. AIR QUALITY				
No significant construction-related air quality impacts would occur with implementation of the City Standard Conditions of Approval listed in this table	<p>SCA AIR-1: Construction-Related Air Pollution Controls (Dust and Equipment Emissions). <i>Ongoing throughout demolition, grading, and/or construction</i></p> <p>During construction, the project applicant shall require the construction contractor to implement all of the following applicable measures recommended by the Bay Area Air Quality Management District (BAAQMD)</p> <ul style="list-style-type: none"> a) Water all exposed surfaces of active construction areas at least twice daily (using reclaimed water if possible). Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible. b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer) c) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. d) Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. e) Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.). f) Limit vehicle speeds on unpaved roads to 15 miles per hour. g) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points. h) All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. i) Post a publicly visible sign that includes the contractor's name and telephone number to contact regarding dust complaints. When contacted, the contractor shall respond and take corrective action within 48 hours. The telephone numbers of contacts at the City and the BAAQMD shall also be visible. This information may be posted on other required on-site signage. 	Ongoing throughout demolition, grading, and/or construction	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p>	Confirm that all dust and pollution control measures are being implemented and that the project maintains compliance with the measures in SCA AIR-1 throughout the construction period.

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Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
SCA AIR-1 <i>Continued</i>	<p>j) All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.</p> <p>k) All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.</p> <p>l) Install sandbags or other erosion control measures to prevent silt runoff to public roadways.</p> <p>m) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).</p> <p>n) Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.</p> <p>o) Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize wind-blown dust. Wind breaks must have a maximum 50 percent air porosity.</p> <p>p) Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.</p> <p>q) The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.</p> <p>r) All trucks and equipment, including tires, shall be washed off prior to leaving the site.</p> <p>s) Site accesses to a distance of 100 feet from the paved road shall be treated with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel.</p> <p>t) Minimize the idling time of diesel-powered construction equipment to two minutes.</p> <p>u) The project applicant shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate matter (PM) reduction compared to the most recent California Air Resources Board (ARB) fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as they become available.</p>			

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Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
SCA AIR-1 <i>Continued</i>	<ul style="list-style-type: none"> v) Use low VOC (e.g., ROG) coatings beyond the local requirements (e.g., BAAQMD Regulation 8, Rule 3: Architectural Coatings) w) All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM x) Off-road heavy diesel engines shall meet the ARB's most recent certification standard. 			
No significant operation-related air quality impacts associated with toxic air contaminants (particulate matter) would occur with implementation of the City Standard Conditions of Approval listed in this table	<p>SCA AIR-2: Exposure to Air Pollution (Toxic Air Contaminants: Particulate Matter). <i>Prior to issuance of a demolition, grading, or building permit</i></p> <p>A Indoor Air Quality In accordance with the recommendations of the California Air Resources Board (ARB) and the Bay Area Air Quality Management District, appropriate measures shall be incorporated into the project design in order to reduce the potential health risk due to exposure to diesel particulate matter to achieve an acceptable interior air quality level for sensitive receptors. The appropriate measures shall include one of the following methods</p> <ol style="list-style-type: none"> 1 The project applicant shall retain a qualified air quality consultant to prepare a health risk assessment (HRA) in accordance with the ARB and the Office of Environmental Health and Hazard Assessment requirements to determine the exposure of project residents/occupants/users to air pollutants prior to issuance of a demolition, grading, or building permit. The HRA shall be submitted to the Planning and Zoning Division for review and approval. The applicant shall implement the approved HRA recommendations, if any. If the HRA concludes that the air quality risks from nearby sources are at or below acceptable levels, then additional measures are not required. 2 The applicant shall implement all of the following features that have been found to reduce the air quality risk to sensitive receptors and shall be included in the project construction plans. These features shall be submitted to the Planning and Zoning Division and the Building Services Division for review and approval prior to the issuance of a demolition, grading, or building permit and shall be maintained on an ongoing basis during operation of the project <ol style="list-style-type: none"> a) Redesign the site layout to locate sensitive receptors as far as possible from any freeways, major roadways, or other sources of air pollution (e.g., loading docks, parking lots) b) Do not locate sensitive receptors near distribution center's entry and exit points. 	Prior to issuance of a demolition, grading, or building permit and ongoing throughout project operation	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p>	<p>Confirm adherence to the pollution control measures in SCA AIR-2</p> <p>The HRA for the proposed project has already been reviewed and approved. This component of the SCA has been satisfied.</p>

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
SCA AIR-2 <i>Continued</i>	<p>c) Incorporate tiered plantings of trees (redwood, deodar cedar, live oak, and/or oleander) to the maximum extent feasible between the sources of pollution and the sensitive receptors</p> <p>d) Install, operate and maintain in good working order a central heating and ventilation (HV) system or other air take system in the building, or in each individual residential unit, that meets or exceeds an efficiency standard of MERV 13. The HV system shall include the following features: Installation of a high efficiency filter and/or carbon filter to filter particulates and other chemical matter from entering the building. Either HEPA filters or ASHRAE 85 percent supply filters shall be used.</p> <p>e) Retain a qualified HV consultant or HERS rater during the design phase of the project to locate the HV system based on exposure modeling from the pollutant sources.</p> <p>f) Install indoor air quality monitoring units in buildings.</p> <p>g) Project applicant shall maintain, repair and/or replace HV system on an ongoing and as needed basis or shall prepare an operation and maintenance manual for the HV system and the filter. The manual shall include the operating instructions and the maintenance and replacement schedule. This manual shall be included in the CC&Rs for residential projects and distributed to the building maintenance staff. In addition, the applicant shall prepare a separate homeowners manual. The manual shall contain the operating instructions and the maintenance and replacement schedule for the HV system and the filters.</p> <p>B Outdoor Air Quality: To the maximum extent practicable, individual and common exterior open space, including playgrounds, patios, and decks, shall either be shielded from the source of air pollution by buildings or otherwise buffered to further reduce air pollution for project occupants.</p>			

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
No significant operation-related air quality impacts associated with toxic air contaminants (gaseous emissions) would occur with implementation of the City Standard Conditions of Approval listed in this table	<p>SCA AIR-3: Exposure to Air Pollution (Toxic Air Contaminants: Gaseous Emissions). <i>Prior to issuance of a demolition, grading, or building permit</i></p> <p>A. Indoor Air Quality In accordance with the recommendations of the California Air Resources Board (ARB) and the Bay Area Air Quality Management District, appropriate measures shall be incorporated into the project design in order to reduce the potential risk due to exposure to toxic air contaminants to achieve an acceptable interior air quality level for sensitive receptors. The project applicant shall retain a qualified air quality consultant to prepare a health risk assessment (HRA) in accordance with the ARB and the Office of Environmental Health and Hazard Assessment requirements to determine the exposure of project residents/occupants/users to air pollutants prior to issuance of a demolition, grading, or building permit. The HRA shall be submitted to the Planning and Zoning Division for review and approval. The applicant shall implement the approved HRA recommendations, if any. If the HRA concludes that the air quality risks from nearby sources are at or below acceptable levels, then additional measures are not required.</p> <p>B Exterior Air Quality: To the maximum extent practicable, individual and common exterior open space, including playgrounds, patios, and decks, shall either be shielded from the source of air pollution by buildings or otherwise buffered to further reduce air pollution for project occupants.</p>	Prior to issuance of a demolition, grading or building permit	City of Oakland Bureau of Building, Zoning Inspections	<p>The HRA for the proposed project has already been reviewed and approved. This component of the SCA has been satisfied.</p> <p>Confirm adherence to the recommendations in the HRA.</p>

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
F. GREENHOUSE GAS EMISSIONS				
No significant impacts associated with greenhouse gas emissions would occur with implementation of the City Standard Conditions of Approval listed in this table	<p>For OPC2, Clinical Support Building and Family Residence Building: SCA GHG-1a: Compliance with the Green Building Ordinance, OMC Chapter 18.02.</p> <p><i>Prior to issuance of a demolition, grading, or building permit</i></p> <p>The applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the Green Building Ordinance, OMC Chapter 18.02.</p> <p>a) The following information shall be submitted to the Building Services Division for review and approval with the application for a building permit</p> <ol style="list-style-type: none"> i. Documentation showing compliance with the most recent Title 24 California Building Energy Efficiency Standards. ii. Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit iii. Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (b) below iv. Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance. v. Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit. vi. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance <p>b) The set of plans in subsection (a) shall demonstrate compliance with the following</p> <ol style="list-style-type: none"> i. CALGreen mandatory measures ii. All pre-requisites per LEED for the OPC2 and the Clinical Support Building and GreenPoint Rated checklist for the Family Residence Building approved during the review of the Planning and Zoning permit, or if applicable. iii. LEED Silver for the OPC2 and the Clinical Support Building and 23 GreenPoint Rated points for the Family Residence per the appropriate checklist approved during the Planning entitlement 	<p>Prior to issuance of a demolition, grading or building permit and/or during construction for OPC2, Clinical Support Building and Family Residence Building</p> <p>After construction, submit final certificate to Bureau of Planning</p>	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building</p>	<p>Confirm adherence to the requirements of the Green Building Ordinance, OMC Chapter 18 02, outlined in SCA GHG-1a</p> <p>Review and approve final certificate</p>

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
SCA GHG-1a <i>Continued</i>	<p>process</p> <p>iv All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Planning and Zoning Division that shows the previously approved points that will be eliminated or substituted.</p> <p>v The required green building point minimums in the appropriate credit categories</p>			
	<p><i>During construction</i></p> <p>The applicant shall comply with the applicable requirements CALGreen and the Green Building Ordinance, Chapter 18.02</p> <p>a) The following information shall be submitted to the Building Inspections Division of the Building Services Division for review and approval:</p> <ol style="list-style-type: none"> i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. <p><i>After construction, as specified below</i></p> <p>Within sixty (60) days of the final inspection of the building permit for the project, the Green Building Certifier shall submit the appropriate documentation to Build It Green for the Family Residence Building and GBCI for the OPC2 and the Clinical Support Building and attain the minimum certification/point level identified in subsection (a) above. Within one year of the final inspection of the building permit for the project, the applicant shall submit to the Planning and Zoning Division the Certificate from the organization listed above demonstrating certification and compliance with the minimum point/certification level noted above.</p>			

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
No significant impacts associated with greenhouse gas emissions would occur with implementation of the City Standard Conditions of Approval listed in this table	<p>For OPC1 renovations, B/C Wing, and Landscaping: SCA GHG-1b: Compliance with the Green Building Ordinance, OMC Chapter 18.02, for Building and Landscape Projects Using the StopWaste.Org Small Commercial and the Bay Friendly Basic Landscape Checklist.</p> <p><i>Prior to issuance of a building permit</i></p> <p>The applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the Green Building Ordinance, (OMC Chapter 18.02.) for projects using the StopWaste Org Small Commercial or Bay Friendly Basic Landscape Checklist</p> <p><i>Prior to issuance of a demolition, grading, or building permit</i></p> <p>The applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the Green Building Ordinance, OMC Chapter 18.02</p> <p>a) The following information shall be submitted to the Building Services Division for review and approval with the application for a Building permit</p> <ol style="list-style-type: none"> i. Documentation showing compliance with the most recent Title 24 California Building Energy Efficiency Standards ii. Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit. iii. Permit plans that show in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (b) below. iv. Other documentation to prove compliance <p>b) The set of plans in subsection (a) shall demonstrate compliance with the following</p> <ol style="list-style-type: none"> i. CALGreen mandatory measures. ii. All applicable green building measures identified on the StopWaste Org checklist and Bay Friendly Basic Landscape Checklist approved during the review of a Planning and Zoning permit, or submittal of a Request for Revision Plan-check application that shows the previously approved points that will be eliminated or substituted. 	Prior to issuance of a demolition, grading or building permit and/or during construction for OPC1 renovations, B/C Wing and landscaping	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building</p>	<p>Review and approve green building checklist and confirm compliance with Green Building Ordinance</p> <p>Review permit plans and confirm compliance with CAL GREEN mandatory measures</p>

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
SCA GHG-1b <i>Continued</i>	<p><i>During construction</i></p> <p>The applicant shall comply with the applicable requirements of CALGreen and Green Building Ordinance, Chapter 18 02 for projects using the StopWaste Org Small Commercial and Bay Friendly Basic Landscape Checklist.</p> <p>a) The following information shall be submitted to the Building Inspections Division for review and approval:</p> <ul style="list-style-type: none"> i Completed copy of the green building checklists approved during review of the Planning and Zoning permit and during the review of the Building permit. ii Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance 			
No significant impacts associated with greenhouse gas emissions would occur with implementation of the City Standard Conditions of Approval listed in this table	SCA GHG-2: Waste Reduction and Recycling. (See SCA UTIL-1)	See SCA UTIL-1	See SCA UTIL-1	See SCA UTIL-1
No significant impacts associated with greenhouse gas emissions would occur with implementation of the City Standard Conditions of Approval listed in this table. Less than Significant without SCA.	<p>SCA GHG-3: Greenhouse Gas (GHG) Reduction Plan.</p> <p><i>Prior to issuance of a construction-related permit and ongoing as specified</i></p> <p>The project applicant shall retain a qualified air quality consultant to develop a Greenhouse Gas (GHG) Reduction Plan for City review and approval. The applicant shall implement the approved GHG Reduction Plan.</p>	Not applicable	City of Oakland Bureau of Planning	The project does not exceed the metric tons threshold. Furthermore the City has determined that the project is not considered a “large project” per the threshold in the City’s Standard Conditions of Approval and, therefore, the project does not need to comply with the SCA requiring a GHG Reduction Plan. Less than Significant without SCA

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
G. NOISE				
No significant construction period noise or vibration impacts would occur with implementation of the City Standard Condition of Approval listed in this table	<p>SCA NOI-1: Days/Hours of Construction Operation. <i>Ongoing throughout demolition, grading, and/or construction</i></p> <p>The project applicant shall require construction contractors to limit standard construction activities as follows:</p> <p>a) Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that 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 Friday.</p> <p>b) Any construction activity proposed to occur outside of the standard hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened and such construction activities shall only be allowed with the prior written authorization of the Building Services Division</p> <p>c) Construction activity shall not occur on Saturdays, with the following possible exceptions</p> <p>i. Prior to the building being enclosed, requests for Saturday construction for special activities (such as concrete pouring which may require more continuous amounts of time), shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened. Such construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division.</p> <p>ii. After the building is enclosed, requests for Saturday construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division, and only then within the interior of the building with the doors and windows closed</p>	Ongoing throughout demolition, grading and construction	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p>	Confirm adherence to the noise reduction measures identified in SCA NOI-1 throughout demolition, grading and construction activities

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
SCA NOI-1 <i>Continued</i>	<p>d) No extreme noise generating activities (greater than 90 dBA) shall be allowed on Saturdays, with no exceptions.</p> <p>e) No construction activity shall take place on Sundays or Federal holidays</p> <p>f) Construction activities include but are not limited to truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area</p> <p>g) Applicant shall use temporary power poles instead of generators where feasible.</p>			
No significant construction period noise or vibration impacts would occur with implementation of the City Standard Condition of Approval listed in this table.	<p>SCA NOI-2: Noise Control. <i>Ongoing throughout demolition, grading, and/or construction</i></p> <p>To reduce noise impacts due to construction, the project applicant shall require construction contractors to implement a site-specific noise reduction program, subject to the Planning and Zoning Division and the Building Services Division review and approval, which includes the following measures:</p> <p>a) Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible)</p> <p>b) Except as provided herein, Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.</p> <p>c) Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction.</p>	Ongoing throughout demolition, grading and construction	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p>	Review and approve the site-specific noise reduction program and confirm implementation and compliance with SCA NOI-2 and the noise reduction program measures

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
SCA NOI-2 <i>Continued</i>	<p>d) The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented</p> <p>e) Temporary Noise Barrier. To further implement SCA NOI-2, during all construction activities, a 15-foot-high temporary noise barrier shall be placed between the proposed construction site and receptor locations. The noise barrier shall require a maximum 10-foot return on each end and be oriented 45 degrees into the construction site. The temporary noise barrier could be constructed of a sound blanket system hung on scaffolding to achieve a minimum height and to allow the system to be moved or adjusted if necessary. An alternative temporary noise barrier design could consist of plywood installed on top of a portable concrete K-Rail system that also allows the ability to move or adjust the wall location</p>			
No significant construction period noise or vibration impacts would occur with implementation of the City Standard Condition of Approval listed in this table	<p>SCA NOI-3: Noise Complaint Procedures. Ongoing throughout demolition, grading, and/or construction</p> <p>Prior to the issuance of each building permit, along with the submission of construction documents, the project applicant shall submit to the Building Services Division a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include:</p> <p>a) A procedure and phone numbers for notifying the Building Services Division staff and Oakland Police Department, (during regular construction hours and off-hours);</p> <p>b) A sign posted on-site pertaining with permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours);</p> <p>c) The designation of an on-site construction complaint and enforcement manager for the project;</p> <p>d) Notification of neighbors and occupants within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities about the estimated duration of the activity; and</p> <p>e) A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed</p>	Submit list prior to issuance of a building permit and ongoing throughout demolition, grading, and construction	City of Oakland Bureau of Planning City of Oakland Bureau of Building, Zoning Inspection	Confirm the receipt of and compliance with measures to respond to and track complaints related to construction noise as outlined in SCA NOI-3.

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
No significant interior noise impacts would occur with implementation of the City Standard Condition of Approval listed in this table	<p>SCA NOI-4: Interior Noise. <i>Prior to issuance of a building permit and Certificate of Occupancy</i></p> <p>If necessary to comply with the interior noise requirements of the City of Oakland's General Plan Noise Element and achieve an acceptable interior noise level, noise reduction in the form of sound-rated assemblies (i.e., windows, exterior doors, and walls), and/or other appropriate features/measures, shall be incorporated into project building design, based upon recommendations of a qualified acoustical engineer and submitted to the Building Services Division for review and approval prior to issuance of building permit. Final recommendations for sound-rated assemblies, and/or other appropriate features/measures, will depend on the specific building designs and layout of buildings on the site and shall be determined during the design phases. Written confirmation by the acoustical consultant, HVAC or HERS specialist, shall be submitted for City review and approval, prior to Certificate of Occupancy (or equivalent) that:</p> <ol style="list-style-type: none"> a) Quality control was exercised during construction to ensure all air-gaps and penetrations of the building shell are controlled and sealed, and b) Demonstrates compliance with interior noise standards based upon performance testing of a sample unit. c) Inclusion of a Statement of Disclosure Notice in the CC&Rs on the lease or title to all new tenants or owners of the units acknowledging the noise generating activity and the single event noise occurrences. Potential features/measures to reduce interior noise could include, but are not limited to, the following <ol style="list-style-type: none"> i. Installation of an alternative form of ventilation in all units identified in the acoustical analysis as not being able to meet the interior noise requirements due to adjacency to a noise generating activity, filtration of ambient make-up air in each unit and analysis of ventilation noise if ventilation is included in the recommendations by the acoustical analysis. ii. Prohibition of Z-duct construction 	Prior to issuance of building permits and certificate of occupancy	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p>	Review and approve final confirmation by acoustic consultant regarding recommendations for sound-rated assemblies and appropriate measures in SCA NOI-4 that must be implemented, prior to issuance of a certificate of occupancy
No significant operational noise impacts would occur with implementation of the City Standard Condition of Approval listed in this table	<p>SCA NOI-5: Operational Noise-General. <i>Ongoing</i></p> <p>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</p>	Ongoing throughout project operation	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p>	Confirm compliance with SCA NOI-5

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
No significant extreme noise impacts would occur with implementation of the City Standard Condition of Approval listed in this table.	<p>SCA NOI-6: Pile Driving and Other Extreme Noise Generators. Ongoing throughout demolition, grading, and/or construction</p> <p>To further reduce potential pier drilling, pile driving and/or other extreme noise generating construction impacts greater than 90 dBA, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted for review and approval by the Planning and Zoning Division and the Building Services Division to ensure that maximum feasible noise attenuation will be achieved. This plan shall be based on the final design of the project. A third-party peer review, paid for by the project applicant, may be required to assist the City in evaluating the feasibility and effectiveness of the noise reduction plan submitted by the project applicant. The criterion for approving the plan shall be a determination that maximum feasible noise attenuation will be achieved. A special inspection deposit is required to ensure compliance with the noise reduction plan. The amount of the deposit shall be determined by the Building Official, and the deposit shall be submitted by the project applicant concurrent with submittal of the noise reduction plan. The noise reduction plan shall include, but not be limited to, an evaluation of implementing the following measures. These attenuation measures shall include as many of the following control strategies as applicable to the site and construction activity:</p> <ul style="list-style-type: none"> a) Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings; b) Implement "quiet" pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions, c) Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site, d) Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts, and e) Monitor the effectiveness of noise attenuation measures by taking noise measurements. 	Prior to commencing construction and ongoing throughout demolition, grading, and/or construction	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p>	<p>Review and approve a site-specific noise attenuation plan</p> <p>Confirm the retention of an acoustical consultant and a third-party peer review if necessary, to achieve maximum feasible noise attenuation. Confirm the implementation of site-specific noise attenuation features at the project site.</p> <p>Confirm the receipt of a special inspection deposit as determined by the Building Official</p>

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
No significant vibration impacts would occur with implementation of the City Standard Condition of Approval listed in this table	<p>SCA NOI-7: Vibration Impacts on Adjacent Historic Structures or Vibration-Sensitive Activities. <i>Vibration analysis required prior to issuance of a demolition, grading or building permit</i></p> <p>The project applicant shall submit a Vibration Analysis prepared by an acoustical and/or structural engineer or other appropriate qualified professional for City review and approval that establishes pre-construction baseline conditions and threshold levels of vibration that could damage the structure and/or substantially interfere with activities located at hospital and A/B Wing. The Vibration Analysis shall identify design means and methods of construction that shall be used in order to not exceed the thresholds. The applicant shall implement the recommendations during construction.</p> <p>To further implement Standard Condition of Approval NOI-7:</p> <p>a) The FTA's established groundborne vibration impact criteria for Category I and Category II land uses for infrequent events should not be exceeded</p> <p>b) The applicant shall retain an historic preservation architect (who meets the Secretary of the Interior's Standards and Guidelines for Historic Preservation Professional Qualifications) and a structural engineer (Monitoring Team), who shall undertake an Existing Conditions Study (Study) of the A/B Wing. The purpose of the Study is to establish the baseline condition of the building prior to construction of the Project, including but not limited to the location and extent of any visible cracks or spalls on the building. The Study shall be reviewed and approved by the City of Oakland's Deputy Director and Building Official.</p> <p>c) Initial construction activities shall be monitored by the Monitoring Team and if vibrations are above threshold levels, appropriate measures shall be taken to reduce vibrations to below established levels. The Monitoring Team shall continue to regularly monitor the buildings during construction and report any changes to the existing conditions, including but not limited to, expansion of cracks, new spalls, or other exterior deterioration. If there are such changes, appropriate corrective measures shall be taken to reduce vibrations to below established levels, or other measures taken to prevent damage to the building.</p>	Prior to issuance of a demolition, grading or building permit and ongoing through construction	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building, Building Official</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p>	<p>Review and approve Vibration Analysis prepared by a qualified professional</p> <p>Preparation of an Existing Conditions Survey by a historic preservation architect and structural engineer</p> <p>Monitoring of vibration levels</p> <p>Confirm implementation of recommendations during construction</p>

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
SCA NOI-7 <i>Continued</i>	<p>d) Written monitoring reports shall be submitted to the City's Deputy Director and Building Official on a periodic basis as determined by the Monitoring Team. The structural engineer shall consult with the historic preservation architect, especially if any problems with character defining features of a historic resource are discovered. If in the opinion of the structural engineer, in consultation with the historic preservation architect, substantial adverse impacts to historic resources related to construction activities are found during construction, the Monitoring Team shall immediately inform, both orally and in writing, the project sponsor and/or the project sponsor's designated representative responsible for construction activities and the City Planning and Zoning Division. The project sponsor shall follow the Monitoring Team's recommendations for corrective measures, including halting construction activities in situations where further construction work would damage historic resources, or taking other measures to protect the building. The historic preservation architect shall establish the frequency of monitoring and reporting prior to the issuance of a demolition, grading, or building permit.</p> <p>e) The historic preservation architect shall establish a training program for construction workers involved in the project that emphasizes the importance of protecting historic resources. The program shall include directions on how to exercise care when working around and operating equipment near historic structures, including storage of materials away from historic buildings. A provision for establishing this training program shall be included in the construction contract, and the contract provisions shall be reviewed and approved by the City of Oakland.</p>	Establish frequency of monitoring and reporting during construction		<p>Confirm submittal of monitoring reports</p> <p>If adverse impacts to character defining features are identified, notify the project sponsor and follow recommendations</p> <p>Establish a training program for construction workers to protect historic resources during construction. Review and approve language requiring adherence to the program in the construction contract.</p>
H. GEOLOGY AND SOILS				
No significant soil, geology, and seismicity impacts would occur with implementation of the City Standard Condition of Approval listed in this table.	<p>SCA GEO-1: Erosion and Sedimentation Control Plan. <i>Applies to all projects requiring a Grading Permit. Prior to any grading activities.</i></p> <p>The project applicant shall obtain a grading permit. The grading permit application shall include an erosion and sedimentation control plan for review and approval by the Building Services Division. The erosion and sedimentation control plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading operations. The plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and</p>	Prior to issuance of a grading permit and ongoing throughout grading and construction activities	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p>	Review and approve erosion and sedimentation control plan that includes applicable BMPs as required by SCA GEO-1. Confirm compliance with the erosion and sedimentation control plan including no grading between Oct 15 and April 15.

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Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
	<p>stormwater retention basins Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the Director of Development or designee. The plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment</p> <p><i>Ongoing throughout grading and construction activities</i></p> <p>The project applicant shall implement the approved erosion and sedimentation plan No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Building Services Division</p>			Upon completion, storm drain system shall be inspected and cleared of debris.
No significant soil, geology, and seismicity impacts would occur with implementation of the City Standard Condition of Approval listed in this table	<p>SCA GEO-2: Soils Report. <i>Required as part of the submittal of a Tentative Tract or Tentative Parcel Map</i></p> <p>A preliminary soils report for each construction site within the project area shall be required as part of this project and submitted for review and approval by the Building Services Division. The soils reports shall be based, at least in part, on information obtained from on-site testing</p>	Completed	City of Oakland Bureau of Building	A Soils Report was submitted for review and approval. This SCA has been satisfied

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Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
No significant soil, geology, and seismicity impacts would occur with implementation of the City Standard Condition of Approval listed in this table	<p>SCA GEO-3: Geotechnical Report. <i>Required as part of the submittal of a tentative Tract Map or tentative Parcel Map</i></p> <p>A site-specific, design level, landslide or liquefaction geotechnical investigation for each construction site within the project area shall be required as part of this project and submitted for review and approval to the Building Services Division</p>	Completed	City of Oakland Bureau of Building	A Geotechnical Report was submitted for review and approval This SCA has been satisfied.

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
I. HYDROLOGY AND WATER QUALITY				
No significant construction-period hydrology or water quality impacts would occur with implementation of the City Standard Condition of Approval listed in this table	<p>SCA HYD-1: Stormwater Pollution Prevention Plan (SWPPP). <i>Prior to and ongoing throughout demolition, grading, and/or construction activities</i></p> <p>The project applicant must obtain coverage under the General Construction Activity Storm Water Permit issued by the SWRCB. The project applicant must file a notice of intent (NOI) with the SWRCB. The project applicant will be required to prepare a stormwater pollution prevention plan (SWPPP) and submit the plan for review and approval by the Planning and Zoning Division and the Building Services Division. At a minimum, the SWPPP shall include a description of construction materials, practices, and equipment storage and maintenance, a list of pollutants likely to contact stormwater; site-specific erosion and sedimentation control practices, a list of provisions to eliminate or reduce discharge of materials to stormwater, Best Management Practices (BMPs), and an inspection and monitoring program. Prior to the issuance of any construction-related permits, the project applicant shall submit a copy of the SWPPP and evidence of approval of the SWPPP by the SWRCB to the Building Services Division. Implementation of the SWPPP shall start with the commencement of construction and continue through the completion of the project. After construction is completed, the project applicant shall submit a notice of termination to the SWRCB.</p>	Prior to issuance of demolition, grading, and building permits and throughout construction	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Planning, Zoning Inspection</p>	<p>Confirm the receipt of a Construction General Permit</p> <p>Confirm the filing of an NOI. Review and approve the SWPPP, and confirm that all conditions of the SWPPP are implemented at the commencement of the project and throughout construction until completion of the project. Confirm the submittal of a notice of termination.</p>
No significant operation-period hydrology or water quality impacts would occur with implementation of the City Standard Condition of Approval listed in this table	<p>SCA HYD-2: Post-Construction Stormwater Pollution Management Plan. <i>Prior to issuance of building permit (or other construction-related permit)</i></p> <p>The applicant shall comply with the requirements of Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Alameda Countywide Clean Water Program. The applicant shall submit with the application for a building permit (or other construction-related permit) a completed Construction-Permit-Phase Stormwater Supplemental Form to the Building Services Division. The project drawings submitted for the building permit (or other construction-related permit) shall contain a stormwater management plan, for review and approval by the City, to manage stormwater run-off and to limit the discharge of pollutants in stormwater after construction of the project to the maximum extent practicable.</p>	Prior to issuance of building permit (or other construction-related permit)	<p>City of Oakland Bureau of Building</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p> <p>City of Oakland Public Works Agency Watershed Division</p>	<p>Review and approve project drawings and confirm that the drainage plan reduces post-construction volume and velocity of stormwater runoff, as required by SCA HYD-2.</p> <p>Review and approve post construction stormwater pollution management plan. Confirm compliance with Provision C.3 Requirements of NPDES permit.</p>

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
SCA HYD-2 <i>Continued</i>	<p>The post-construction stormwater management plan shall include and identify the following:</p> <ul style="list-style-type: none"> ○ All proposed impervious surface on the site; ○ Anticipated directional flows of on-site stormwater runoff, and ○ Site design measures to reduce the amount of impervious surface area and directly connected impervious surfaces, and ○ Source control measures to limit the potential for stormwater pollution, and ○ Stormwater treatment measures to remove pollutants from stormwater runoff <p>The following additional information shall be submitted with the post-construction stormwater pollution management plan:</p> <ul style="list-style-type: none"> ○ Detailed hydraulic sizing calculations for each stormwater treatment measure proposed, and ○ Pollutant removal information demonstrating that any proposed manufactured/mechanical (i.e., non-landscape-based) stormwater treatment measure, when not used in combination with a landscape-based treatment measure, is capable of removing the range of pollutants typically removed by landscape-based treatment measures <p>All proposed stormwater treatment measures shall incorporate appropriate planting materials for stormwater treatment (for landscape-based treatment measures) and shall be designed with considerations for vector/mosquito control. Proposed planting materials for all proposed landscape-based stormwater treatment measures shall be included on the landscape and irrigation plan for the project. The applicant is not required to include on-site stormwater treatment measures in the post-construction stormwater pollution management plan if he or she secures approval from Planning and Zoning of a proposal that demonstrates compliance with the requirements of the City's Alternative Compliance Program.</p> <p>Prior to final permit inspection, the applicant shall implement the approved stormwater pollution management plan.</p>			

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Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
No significant hydrology or water quality impacts would occur with implementation of the City Standard Condition of Approval listed in this table	<p>SCA HYD-3: Maintenance Agreement for Stormwater Treatment Measures. <i>Prior to final zoning inspection</i></p> <p>For projects incorporating stormwater treatment measures, the applicant shall enter into the "Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement," in accordance with Provision C.3 e of the NPDES permit, which provides, in part, for the following:</p> <p>The applicant accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity, and</p> <p>Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary. The agreement shall be recorded at the County Recorder's Office at the applicant's expense.</p>	Prior to final zoning inspection and ongoing throughout project operation	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p>	<p>Review, approve and confirm acceptance of Maintenance Agreement for Stormwater Treatment Measures</p> <p>Verify implementation, operation and maintenance</p>
No significant hydrology or water quality impacts related to stormwater or sewer capacity would occur with implementation of the City Standard Condition of Approval listed in this table	<p>SCA HYD-4: Stormwater and Sewer. <i>Prior to completing the final design for the project's sewer service</i></p> <p>Confirmation of the capacity of the City's surrounding stormwater and sanitary sewer system and state of repair shall be completed by a qualified civil engineer with funding from the project applicant. The project applicant shall be responsible for the necessary stormwater and sanitary sewer infrastructure improvements to accommodate the proposed project. In addition, the applicant shall be required to pay additional fees to improve sanitary sewer infrastructure if required by the Sewer and Stormwater Division. Improvements to the existing sanitary sewer collection system shall specifically include, but are not limited to, mechanisms to control or minimize increases in infiltration/inflow to offset sanitary sewer increases associated with the proposed project. To the maximum extent practicable, the applicant will be required to implement Best Management Practices to reduce the peak stormwater runoff from the project site. Additionally, the project applicant shall be responsible for payment of the required installation or hook-up fees to the affected service providers</p>	Prior to completing the final design for the project's sewer service	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p> <p>City of Oakland Public Works –Sewer and Stormwater Division</p>	<p>Confirm capacity of the City's surrounding stormwater and sanitary sewer system and state of repair.</p> <p>Confirm implementation of the BMPs in SCA HYD-4</p>

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Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
J. HAZARDS AND HAZARDOUS MATERIALS				
No significant public health or hazards impacts would occur with implementation of the City Standard Condition of Approval listed in this table.	<p>SCA HAZ-1: Hazards Best Management Practices. <i>Prior to commencement of demolition, grading, or construction</i> The project applicant and construction contractor shall ensure that construction of Best Management Practices (BMPs) are implemented as part of construction to minimize the potential negative effects to groundwater and soils. These shall include the following:</p> <ul style="list-style-type: none"> Follow manufacturer’s recommendations on use, storage, and disposal of chemical products used in construction, Avoid overtopping construction equipment fuel gas tanks; During routine maintenance of construction equipment, properly contain and remove grease and oils, Properly dispose of discarded containers of fuels and other chemicals Ensure that construction would not have a significant impact on the environment or pose a substantial health risk to construction workers and the occupants of the proposed development. Soil sampling and chemical analyses of samples shall be performed to determine the extent of potential contamination beneath all USTs, elevator shafts, clarifiers, and subsurface hydraulic lifts when on-site demolition or construction activities would potentially affect a particular development or building. If soil, groundwater or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notification of regulatory agency(ies) and implementation of the actions described in Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate 	Prior to the start of demolition, grading, or construction activities	City of Oakland Bureau of Planning City of Oakland Bureau of Building, Zoning Inspection City of Oakland Public Works	Confirm adherence to the BMPs outlined in SCA HAZ-1

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Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
No significant public health or hazards impacts would occur with implementation of the City Standard Condition of Approval listed in this table	<p>SCA HAZ-2: Conformance with Other Requirements. Prior to the issuance of a demolition, grading, P-job, or other construction related permit</p> <p>a) The project applicant shall comply with all other applicable federal, state, regional and/or local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Building Services Division, the City's Fire Marshal, and the City's Public Works Agency. Compliance with other applicable requirements may require changes to the approved use and/or plans</p> <p>b) The applicant shall submit approved building plans for project-specific needs related to fire protection to the Fire Services Division for review and approval, including, but not limited to automatic extinguishing systems, water supply improvements and hydrants, fire department access, and vegetation management for preventing fires and soil erosion.</p>	Prior to issuance of demolition, grading, P-job, or construction permits	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p> <p>City of Oakland Fire Services Division, Fire Prevention Bureau Hazardous Materials Unit</p> <p>City of Oakland Public Works</p>	<p>Confirm conformance with federal, state, regional and local law requirements in SCA HAZ-2.</p> <p>Confirm submittal of the plans for review and approval and compliance with any additional measures</p>
No significant public health or hazards impacts would occur with implementation of the City Standard Condition of Approval listed in this table	<p>SCA HAZ-3: Phase I and/or Phase II Reports. <i>Prior to issuance of a demolition, grading, or building permit</i> Prior to issuance of demolition, grading, or building permits the project applicant shall submit to the Fire Prevention Bureau, Hazardous Materials Unit, a Phase I environmental site assessment report, and a Phase II report if warranted by the Phase I report for the project site. The reports shall make recommendations for remedial action, if appropriate, and should be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer. The applicant shall implement the approved recommendations.</p>	Prior to issuance of a demolition, grading or building permit	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p> <p>City of Oakland Fire Services Division, Fire Prevention Bureau Hazardous Materials Unit</p> <p>City of Oakland Public Works – Environmental Services Division</p>	<p>A Phase I Report has been reviewed and approved and no Phase II Reports are required. This component of the SCA has been satisfied.</p> <p>Confirm compliance with the recommendations outlined in the Phase I Report as applicable</p>

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Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
No significant public health or hazards impacts would occur with implementation of the City Standard Condition of Approval listed in this table	SCA HAZ-4: Lead-Based Paint/Coatings, Asbestos, or PCB Occurrence Assessment. <i>Prior to issuance of any demolition, grading or building permit</i> The project applicant shall submit a comprehensive assessment report to the Fire Prevention Bureau, Hazardous Materials Unit, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACM), lead-based paint, and any other building materials or stored materials classified as hazardous waste by state or federal law for review and approval	Prior to issuance of any demolition, grading or building permit	City of Oakland Fire Services Division, Fire Prevention Bureau Hazardous Materials Unit City of Oakland Bureau of Building, Zoning Inspection	Review and approve comprehensive assessment report prepared by a qualified environmental professional Confirm implementation of the report
No significant public health or hazards impacts would occur with implementation of the City Standard Condition of Approval listed in this table.	SCA HAZ-5: Environmental Site Assessment Reports Remediation. <i>Prior to issuance of a demolition, grading, or building permit</i> If the environmental site assessment reports recommend remedial action, the project applicant shall: <ul style="list-style-type: none"> Consult with the appropriate local, state, and federal environmental regulatory agencies to ensure sufficient minimization of risk to human health and environmental resources, both during and after construction, posed by soil contamination, groundwater contamination, or other surface hazards including, but not limited to, underground storage tanks, fuel distribution lines, waste pits and sumps Obtain and submit written evidence of approval for any remedial action if required by a local, state, or federal environmental regulatory agency. Submit a copy of all applicable documentation required by local, state, and federal environmental regulatory agencies, including but not limited to: permit applications, Phase I and II environmental site assessments, human health and ecological risk assessments, remedial action plans, risk management plans, soil management plans, and groundwater management plans 	Complete	City of Oakland Bureau of Planning City of Oakland Bureau of Building, Zoning Inspection City of Oakland Fire Services Division, Fire Prevention Bureau Hazardous Materials Unit City of Oakland Public Works – Environmental Services Division	A Phase I Report has been reviewed and approved and no Phase II Reports are required. As the Phase I Report did not recommend remedial action, this SCA has been satisfied
No significant public health or hazards impacts would occur with implementation of the City Standard Condition of Approval listed in this table.	SCA HAZ-6: Lead-based Paint Remediation. <i>Prior to issuance of any demolition, grading or building permit</i> If lead-based paint is present, the project applicant shall submit specifications to the Fire Prevention Bureau, Hazardous Materials Unit signed by a certified Lead Supervisor, Project Monitor, or Project Designer for the stabilization and/or removal of the identified lead paint in accordance with all applicable laws and regulations, including but not necessarily limited to: Cal/OSHA’s Construction Lead Standard, 8 CCR1532.1 and DHS regulation 17 CCR Sections 35001 through 36100, as may be amended	Prior to issuance of a demolition, grading or building permits	City of Oakland Bureau of Planning City of Oakland Bureau of Building, Zoning Inspection City of Oakland Fire Services Division, Fire Prevention Bureau Hazardous	Confirm compliance with SCA HAZ-6

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Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
No significant public health or hazards impacts would occur with implementation of the City Standard Condition of Approval listed in this table	SCA HAZ-7: Other Materials Classified as Hazardous Waste. <i>Prior to issuance of any demolition, grading or building permit</i> If other materials classified as hazardous waste by state or federal law are present, the project applicant shall submit written confirmation to Fire Prevention Bureau, Hazardous Materials Unit that all state and federal laws and regulations shall be followed when profiling, handling, treating, transporting and/or disposing of such materials	Prior to issuance of any demolition, grading or building permit.	Materials Unit City of Oakland Bureau of Planning City of Oakland Bureau of Building, Zoning Inspection City of Oakland Fire Services Division, Fire Prevention Bureau Hazardous Materials Unit	Confirm adherence to SCA HAZ-7
No significant public health or hazards impacts would occur with implementation of the City Standard Condition of Approval listed in this table	SCA HAZ-8: Health and Safety Plan per Assessment. <i>Prior to issuance of any demolition, grading or building permit</i> If the required lead-based paint/coatings, asbestos, or PCB assessment finds presence of such materials, the project applicant shall create and implement a health and safety plan to protect workers from risks associated with hazardous materials during demolition, renovation of affected structures, and transport and disposal The applicant shall implement the approved plan.	Prior to issuance of a demolition, grading or building permit	City of Oakland Bureau of Planning City of Oakland Bureau of Building, Zoning Inspection	Confirm adherence to SCA HAZ-8
No significant public health or hazards impacts would occur with implementation of the City Standard Condition of Approval listed in this table	SCA HAZ-9: Best Management Practices for Soil and Groundwater Hazards. <i>Ongoing throughout demolition, grading, and construction activities</i> The project applicant shall implement all of the following Best Management Practices (BMPs) regarding potential soil and groundwater hazards <ul style="list-style-type: none"> • Soil generated by construction activities shall be stockpiled onsite in a secure and safe manner All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state and federal agencies laws, in particular, the Regional Water Quality Control Board (RWQCB) and/or the Alameda County Department of Environmental Health (ACDEH) and policies of the City of Oakland 	Ongoing throughout demolition, grading and construction activities	City of Oakland Bureau of Planning City of Oakland Bureau of Building, Zoning Inspection	Confirm adherence to BMPs in SCA HAZ-9

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Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
SCA HAZ-9 <i>Continued</i>	<ul style="list-style-type: none"> Groundwater pumped from the subsurface shall be contained onsite in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies of the City of Oakland, the RWQCB and/or the ACDEH. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building (pursuant to the Standard Condition of Approval regarding Radon or Vapor Intrusion from Soil and Groundwater Sources Prior to issuance of any demolition, grading, or building permit, the applicant shall submit for review and approval by the City of Oakland, written verification that the appropriate federal, state or county oversight authorities, including but not limited to the RWQCB and/or the ACDEH, have granted all required clearances and confirmed that the all applicable standards, regulations and conditions for all previous contamination at the site. The applicant also shall provide evidence from the City's Fire Department, Office of Emergency Services, indicating compliance with the Standard Condition of Approval requiring a Site Review by the Fire Services Division pursuant to City Ordinance No 12323, and compliance with the Standard Condition of Approval requiring a Phase I and/or Phase II Reports. 			
No significant public health or hazards impacts would occur with implementation of the City Standard Condition of Approval listed in this table	<p>SCA HAZ-10: Radon or Vapor Intrusion from Soil or Groundwater Sources. <i>Ongoing</i> The project applicant shall submit documentation to determine whether radon or vapor intrusion from the groundwater and soil is located on-site as part of the Phase I documents. The Phase I analysis shall be submitted to the Fire Prevention Bureau, Hazardous Materials Unit, for review and approval, along with a Phase II report if warranted by the Phase I report for the project site. The reports shall make recommendations for remedial action, if appropriate, and should be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer. Applicant shall implement the approved recommendations.</p>	Complete	City of Oakland Bureau of Planning	The Phase I prepared for the project did not identify the need for further soil sampling or chemical analysis and no remedial actions are needed. This SCA has been satisfied

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program.

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
No significant public health or hazards impacts would occur with implementation of the City Standard Condition of Approval listed in this table	<p>SCA HAZ-11: Hazardous Materials Business Plan. <i>Prior to issuance of a business license</i> The project applicant shall submit a Hazardous Materials Business Plan for review and approval by Fire Prevention Bureau, Hazardous Materials Unit. Once approved this plan shall be kept on file with the City and will be updated as applicable. The purpose of the Hazardous Materials Business Plan is to ensure that employees are adequately trained to handle the materials and provides information to the Fire Services Division should emergency response be required. The Hazardous Materials Business Plan shall include the following:</p> <ul style="list-style-type: none"> • The types of hazardous materials or chemicals stored and/or used on site, such as petroleum fuel products, lubricants, solvents, and cleaning fluids • The location of such hazardous materials • An emergency response plan including employee training information • A plan that describes the manner in which these materials are handled, transported and disposed. 	Prior to issuance of a business license	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p> <p>City of Oakland Fire Services Division, Fire Prevention Bureau Hazardous Materials Unit</p>	<p>Review and approve the Hazardous Materials Business Plan</p> <p>Ensure that the plan is updated as applicable</p>
No significant public health or hazards impacts would occur with implementation of the City Standard Condition of Approval listed in this table	<p>SCA HAZ-12: Fire Safety Phase Plan. <i>Prior to issuance of a demolition, grading, and/or construction and concurrent with any p-job submittal permit</i> The project applicant shall submit a separate fire safety phasing plan to the Planning and Zoning Division and Fire Services Division for their review and approval. The fire safety plan shall include all of the fire safety features incorporated into the project and the schedule for implementation of the features. Fire Services Division may require changes to the plan or may reject the plan if it does not adequately address fire hazards associated with the project as a whole or the individual phase.</p>	Prior to issuance of a demolition, grading, and/or construction permit and concurrent with any p-job submittal permit	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Fire Services Division, Fire Prevention Bureau Hazardous Materials Unit</p>	<p>Review and approve Fire Safety Phasing Plan</p> <p>Confirm implementation of the plan</p>
No significant public health or hazards impacts would occur with implementation of the City Standard Condition of Approval listed in this table	<p>SCA HAZ-13: Site Review by the Fire Services Division. <i>Prior to the issuance of demolition, grading, or building permit</i> The project applicant shall submit plans for site review and approval to the Fire Prevention Bureau Hazardous Materials Unit. Property owner may be required to obtain or perform a Phase II hazard assessment</p>	Prior to issuance of demolition, grading, or building permits	<p>City of Oakland Fire Services Division, Fire Prevention Bureau Hazardous Materials Unit</p>	<p>Confirm submittal of the plans for review and approval and compliance with any additional measures</p>

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Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
K. UTILITIES				
No significant impacts would occur to utilities or infrastructure with implementation of the City Standard Condition of Approval listed in this table	<p>SCA UTL-1: Waste Reduction and Recycling. The project applicant will submit a Construction & Demolition Waste Reduction and Recycling Plan (WRRP) and an Operational Diversion Plan (ODP) for review and approval by the Public Works Agency.</p> <p><i>Prior to issuance of demolition, grading, or building permit</i></p> <p>Chapter 15 34 of the Oakland Municipal Code outlines requirements for reducing waste and optimizing construction and demolition (C&D) recycling. Affected projects include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3), and all demolition (including soft demo). The WRRP must specify the methods by which the development will divert C&D debris waste generated by the proposed project from landfill disposal in accordance with current City requirements. Current standards, FAQs, and forms are available at www.oaklandpw.com/Page39.aspx or in the Green Building Resource Center. After approval of the plan, the project applicant shall implement the plan</p> <p><i>Ongoing</i></p> <p>The ODP will identify how the project complies with the Recycling Space Allocation Ordinance, (Chapter 17 118 of the Oakland Municipal Code), including capacity calculations, and specify the methods by which the development will meet the current diversion of solid waste generated by operation of the proposed project from landfill disposal in accordance with current City requirements. The proposed program shall be implemented and maintained for the duration of the proposed activity or facility. Changes to the plan may be re-submitted to the Environmental Services Division of the Public Works Agency for review and approval. Any incentive programs shall remain fully operational as long as residents and businesses exist at the project site.</p>	Prior to issuance of demolition, grading, or building permit and ongoing throughout project operation	<p>City of Oakland Planning and Zoning Division</p> <p>City of Oakland Public Works, Environmental Services Division</p>	<p>Review and approve WRRP and ODP.</p> <p>Confirm implementation of the plans</p>

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Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
No significant impacts would occur to utilities or infrastructure with implementation of the City Standard Condition of Approval listed in this table	<p>SCA UTL-2: Underground Utilities. <i>Prior to issuance of a building permit</i></p> <p>The project applicant shall submit plans for review and approval by the Building Services Division and the Public Works Agency, and other relevant agencies as appropriate, that show all new electric and telephone facilities, fire alarm conduits, street light wiring; and other wiring, conduits, and similar facilities placed underground. The new facilities shall be placed underground along the project applicant's street frontage and from the project applicant's structures to the point of service. The plans shall show all electric, telephone, water service, fire water service, cable, and fire alarm facilities installed in accordance with standard specifications of the serving utilities</p>	Prior to issuance of a building permit	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p> <p>City of Oakland Public Works Agency</p>	<p>Review and approve utility plan.</p> <p>Confirm adherence to utility standards in SCA UTL-2</p>
No significant impacts would occur to utilities or infrastructure with implementation of the City Standard Condition of Approval listed in this table	<p>SCA UTL-3: Improvements in the Public Right-of-Way (General). <i>Approved prior to the issuance of a P-job or building permit</i></p> <p>a) The project applicant shall submit Public Improvement Plans to Building Services Division for adjacent public rights-of-way (ROW) showing all proposed improvements and compliance with the conditions and/or mitigations and City requirements including but not limited to curbs, gutters, sewer laterals, storm drains, street trees, paving details, locations of transformers and other above ground utility structures, the design specifications and locations of facilities required by the East Bay Municipal Utility District (EBMUD), street lighting, on-street parking and accessibility improvements compliant with applicable standards and any other improvements or requirements for the project as provided for in this Approval. Encroachment permits shall be obtained as necessary for any applicable improvements- located within the public ROW.</p> <p>b) Review and confirmation of the street trees by the City's Tree Services Division is required as part of this condition and/or mitigations</p> <p>c) The Planning and Zoning Division and the Public Works Agency will review and approve designs and specifications for the improvements. Improvements shall be completed prior to the issuance of the final building permit.</p> <p>d) The Fire Services Division will review and approve fire crew and apparatus access, water supply availability and distribution to current codes and standards. New flow tests or hydraulic simulations will be conducted by EBMUD to verify availability of adequate water supplies and distribution infrastructure to maintain minimum fire flow standards and to serve the new structures (which may require more than the minimum due to the size of the proposed buildings). In addition, the Fire Services Division will review the final site plans and fire flow testing to be conducted at the site to confirm that adequate firefighting infrastructure is installed at the site prior to approval of final construction plans.</p>	Prior to the issuance of P-job or building permit	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p> <p>City of Oakland Public Works Agency</p> <p>City of Oakland Fire Services Department</p>	<p>Review and approve Public Improvement Plan</p> <p>Confirm compliance with City requirements and other measures in SCA UTL-3</p> <p>Review and approve final site plans prior to approval for construction plan</p>

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
No significant impacts would occur to utilities or infrastructure with implementation of the City Standard Condition of Approval listed in this table.	<p>SCA UTL-4: Improvements in the Public Right-of Way (Specific). <i>Approved prior to the issuance of a grading or building permit</i></p> <p>Final building and public improvement plans submitted to the Building Services Division shall include the following components. Examples include</p> <ul style="list-style-type: none"> a) Install additional standard City of Oakland streetlights b) Remove and replace any existing driveway that will not be used for access to the property with new concrete sidewalk, curb and gutter c) Reconstruct drainage facility to current City standard d) Provide separation between sanitary sewer and water lines to comply with current City of Oakland and Alameda Health Department standards e) Construct wheelchair ramps that comply with Americans with Disability Act requirements and current City Standards. f) Remove and replace deficient concrete sidewalk, curb and gutter within property frontage g) Provide adequate fire department access and water supply, including, but not limited to currently adopted fire codes and standards. 	Prior to issuance of grading or building permit	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p> <p>City of Oakland Public Works Agency</p> <p>City of Oakland Fire Services Department</p>	<p>Review and approve final building and public improvement plans</p> <p>Confirm adherence to measures in SCA UTL-4</p>
No significant impacts would occur to utilities or infrastructure with implementation of the City Standard Condition of Approval listed in this table.	<p>SCA UTL-5: Payment for Public Improvements. <i>Prior to issuance of a final inspection of the building permit</i></p> <p>The project applicant shall pay for and install public improvements made necessary by the project including damage caused by construction activity.</p>	Prior to issuance of a final inspection of the building permit	<p>City of Oakland Bureau of Planning</p> <p>City of Oakland Bureau of Building, Zoning Inspection</p> <p>City of Oakland Public Works Agency</p> <p>City of Oakland Fire Services Department</p>	<p>Confirm receipt of payment and implementation of public improvements</p>

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
No significant impacts to biological resources on the project site would occur with implementation of the City Standard Condition of Approval listed in this table	SCA BIO-1: Tree Removal During Breeding Season. <i>Prior to issuance of a tree removal permit</i> To the extent feasible, removal of any tree and/or other vegetation suitable for nesting birds shall not occur during the breeding season of March 15 to August 15. If tree removal must occur during the breeding season, all sites shall be surveyed by a qualified biologist to verify the presence or absence of nesting birds. Pre-removal surveys shall be conducted within 15 days prior to the start of work from March 15 through May 31, and within 30 days prior to the start of work from June 1 through August 15. The pre-removal surveys shall be submitted to the Planning and Zoning Division and the Tree Services Division of the Public Works Agency. If the survey indicates the potential presence of nesting birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the CDFW, and will be based to a large extent on the nesting species and its sensitivity to disturbance.	Prior to issuance of a tree removal permit If construction occurs during the breeding season conduct surveys within 15 days prior to start of work from March 15 through May 31 and 30 days prior to start of work from June 1 through August 15	City of Oakland Bureau of Planning City of Oakland Public Works – Tree Services Division Qualified biologist and CDFW	If construction occurs during breeding season, retain a qualified biologist to conduct a pre-removal survey for review and approval Confirm appropriate buffer around nest and confirm no work until young have fledged
No significant impacts to biological resources on the project site would occur with implementation of the City Standard Condition of Approval listed in this table.	SCA BIO-2: Tree Removal Permit. <i>Prior to issuance of a demolition, grading, or building permit</i> Prior to removal of any protected trees, per the Protected Tree Ordinance, located on the project site or in the public right-of-way adjacent to the project, the project applicant shall secure a tree removal permit from the Tree Division of the Public Works Agency, and abide by the conditions of that permit.	Prior to issuance of a demolition, grading, or building permit	City of Oakland Planning and Zoning Division City of Oakland Public Works – Tree Services Division City of Oakland Bureau of Building, Zoning Inspection	Review and approve tree removal permit Confirm implementation of conditions of permit
No significant impacts to biological resources on the project site would occur with implementation of the City Standard Condition of Approval listed in this table	SCA BIO-3: Tree Replacement Plantings. <i>Prior to issuance of a final inspection of the building permit</i> Replacement plantings shall be required for erosion control, groundwater replenishment, visual screening and wildlife habitat, and in order to prevent excessive loss of shade, in accordance with the following criteria: <ul style="list-style-type: none">• No tree replacement shall be required for the removal of non-native species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered• Replacement tree species shall consist of <i>Sequoia sempervirens</i> (Coast Redwood), <i>Quercus agrifolia</i> (Coast Live Oak), <i>Arbutus menziesii</i> (Madrone), <i>Aesculus californica</i> (California Buckeye) or <i>Umbellularia californica</i> (California Bay Laurel) or other tree species acceptable to the Tree Services Division.	Prior to issuance of a final inspection of the building permit Planting shall be maintained until established Planting that fails to become established within one year of planting shall be replanted	City of Oakland Planning and Zoning Division City of Oakland Bureau of Building, Zoning Inspection City of Oakland Public Works – Tree Services Division	Confirm implementation of the measures in SCA BIO-3

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
	<ul style="list-style-type: none"> Replacement trees shall be at least of twenty-four (24) inch box size, except that three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate 			
SCA BIO-3 <i>Continued</i>	<ul style="list-style-type: none"> Minimum planting areas must be available on site as follows: <ul style="list-style-type: none"> For Sequoia sempervirens, three hundred fifteen square feet per tree, For all other species listed in #2 above, seven hundred (700) square feet per tree In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee as determined by the master fee schedule of the city may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians. Plantings shall be installed prior to the issuance of a final inspection of building permit, subject to seasonal constraints, and shall be maintained by the project applicant until established. The Tree Reviewer of the Tree Division of the Public Works Agency may require a landscape plan showing the replacement planting and the method of irrigation. Any replacement planting which fails to become established within one year of planting shall be replanted at the project applicant's expense 			
No significant impacts to biological resources on the project site would occur with implementation of the City Standard Condition of Approval listed in this table	<p>SCA BIO-4: Tree Protection During Construction. <i>Prior to issuance of a demolition, grading, or building permit</i> Adequate protection shall be provided during the construction period for any trees which are to remain standing, including the following, plus any recommendations of an arborist</p> <ul style="list-style-type: none"> Before the start of any clearing, excavation, construction or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the City Tree Reviewer. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the City Tree Reviewer from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or 	Prior to issuance of a demolition, grading, or building permit and ongoing throughout construction	City of Oakland Bureau of Planning City of Oakland Bureau of Building, Zoning Inspection City of Oakland Public Works – Tree Services Division	Confirm adherence to protection measures outlined in SCA BIO-4

Table 1: Standard Conditions of Approval Mitigation Monitoring and Reporting Program

Environmental Impact	Standard Conditions of Approval (SCA)	Mitigation Monitoring		
		Schedule	Responsibility	Procedure
SCA BIO-4 <i>Continued</i>	<p>within the protected perimeter of any protected tree.</p> <ul style="list-style-type: none"> No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the Tree Reviewer from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the tree reviewer. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration. If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Agency of such damage. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed. All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations. 			

Source LSA Associates, Inc , 2015.



CITY of OAKLAND

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City Administrator's Office

Greg Minor, *Assistant to the City Administrator*

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SENT VIA EMAIL AND US MAIL

April 6, 2015

Mr. Doug Nelson
Executive Director, Facilities Development & Construction
UCSF Benioff Children's Hospital Oakland
747 52nd Street
Oakland, California 94609-1809

RE: City Administrator's Recommendation on Children's Hospital and
Research Center Oakland's (Hospital) Helistop Relocation Permit
Application

Dear Mr. Nelson,

On May 2, 2014, the Hospital submitted an application to the City Administrator's Office to dismantle the existing helistop, permitted in 1999, and relocate it to the top of the new Link Building to be constructed as part of Phase 2 of the Hospital's Master Plan. The proposed helistop on the Link Building consists of a 46' by 46' helideck, approximately 250' north and slightly west from its current location. The proposed helistop will be 45' higher than the existing helistop.

The permitting of the helistop requires approvals/consistency determinations by the Alameda County Airport Land Use Commission (ALUC), the Oakland City Administrator's Office (per Oakland Municipal Code section 5.28.020), and other government agencies. The City referred the Hospital's land use compatibility determination request to the ALUC staff for review and consideration of the helistop proposal on February 23, 2015. ALUC staff reviewed the application and evaluated it in regards to the four Airport Compatibility Planning Factor's including noise, safety, airspace protection, and overflight (see enclosed). The ALUC found that the proposed project is compatible with all four of the compatibility factors.

A duly noticed public hearing to consider the helistop permit per Oakland Municipal Code Section 5.02.040 was held on April 1, 2015 in conjunction with a City Planning Commission hearing on other permits and approvals required for the Hospital's Master Plan.

I have independently reviewed and considered the Hospital's May 2, 2014 Application for a relocated helistop; the August 2014 Draft Environmental Impact Report; the February 2015 Response to Comment/Final EIR document; the comments submitted during and as part of the duly noticed April 1, 2015 joint public hearing conducted with the City Planning Commission; the April 1, 2015 Planning Commission Staff Report and relevant attachments; the February 23, 2015 submittal to ALUC and the March 18, 2015 ALUC letter; and other relevant materials as appropriate, including Oakland's General Plan and Oakland Municipal Code.

Based upon my independent review and analysis, I have adopted all the recommendations, findings and conditions of approval contained in the April 1, 2015 City Planning Commission Staff Report, as it was revised/approved by the City Planning Commission (see enclosed), attached hereto and incorporated herein by reference. Accordingly, I am recommending to the City Council that your May 2, 2014 Application for a relocated helistop be approved based upon the enclosed findings and conditions.

Although concerns have been expressed about noise related to the proposed helistop, I recommend its approval for all the reasons outlined in the City Planning Staff report, not least of which is the fact that the operation of a helistop at Children's Hospital is an important aspect of providing Level 1 trauma care for children with life threatening emergencies. Additionally, the EIR analyzed helicopter noise, vibration, sleep and speech interference and concluded that the Project would result in a less than significant impact.

Furthermore, while the City cannot restrict flight departures or arrivals to particular hours, noise level or types of aircraft (pursuant to California Public Utilities Code Section 21662.4(a)), the City Planning Commission has included Conditions of Approval #44 (as revised) and #45 which the hospital will implement to address noise/vibration compatibility. These conditions require the Hospital to maintain logs of helicopter activity, develop protocols to respond to noise complaints, coordinate with the FAA to request a waiver to allow mufflers or other sound reducing equipment on helicopters, and making certain sound/vibration improvements to the residence located at 720 52nd Street (see enclosed (Findings and (revised) Conditions for details).

In sum, the helistop is a necessary and integral element of the Hospital's 10-year Master Plan and the health, safety, and general public welfare will be maintained and protected to the extent permitted by the California Public Utilities Code.

Pursuant to Section 17.130.080 of the Oakland Planning Code, the entire development application for the Hospital Project must be considered by the City Council for final action because the application requires both legislative and adjudicatory actions. As such, the City

Mr. Doug Nelson

April 6, 2015

Administrator's Office is acting as recommending body, not as decision-making body for the helistop permit. Because the City Administrator's recommendations will automatically be considered by the City Council at a later date, for its independent review, consideration and final action, no appeal of this advisory decision is necessary.

Very truly yours,



GREGORY MINOR
Assistant to the City Administrator/Hearing
Officer

Enclosures: Revised Helistop Findings and Conditions (Attachment J to 4/1/15 Planning Commission Report)
ALUC Compatibility Determination (Attachment I to the 4/1/15 Planning Commission Report)

cc: Robert Merkamp, Development Planning Manager, Planning and Building Department
Heather Klein, Case Planner, Planning and Building Department
Mark Wald, Senior Deputy City Attorney (via email)
Heather Lee, Senior Deputy City Attorney (via email)

Modifications to the conditions of approval as directed by the City Planning Commission and Hearing Officer for the City Administrator at the April 1, 2015 joint public hearing, as well as other revisions, are indicated in underlined type for additions and ~~cross-out type~~ for deletions.

REVISED FINDINGS FOR HELISTOP RELOCATION APPROVAL

The proposed project meets the required findings under Oakland Municipal Code Sections:

- 5.02.060 (Action on Application) and 5.28.020 (Helistop Permit Required)

Required findings are shown in bold type; explanations as to why these findings can be made are in normal type. Required findings are also contained within other sections of this report and the administrative record, including the Environmental Impact Report (EIR) (hereby incorporated by reference).

OAKLAND MUNICIPAL CODE

Helistop Permit Findings (Sections 5.02.060 and 5.28.020)

The City Administrator, or the investigating official acting thereon, shall deny the granting of any permit applied for if it shall appear to his or her satisfaction that the applicant is not a fit and proper person, either for financial, moral, or other reasons, to conduct or maintain the business, establishment, place, or other thing, to which the application appertains; that the applicant has not complied with the provisions of this code which directly appertain to the maintenance or conduct of the business, establishment, place, or other thing in question or for the violation of any law appertaining thereto; or for any other reason hereinafter in this chapter more specifically set forth.

In granting or denying such permit, and in specifying the conditions, if any, upon which it is granted, the City Administrator or other official acting thereon, shall consider the character of the applicant as respects morality, honesty and integrity, and all pertinent acts which may concern the health, safety, and general welfare of the public, and shall exercise a reasonable and sound discretion in the premises.

As detailed below, a helistop permit from the City Administrator's Office pursuant to Oakland Municipal Code Chapter 5.28 is necessary to relocate the existing helistop on the main campus. The helistop would be relocated approximately 250' to the north and approximately 45' higher than the existing helistop as part of Phase 2 of the Project. The existing helistop would be decommissioned and demolished.

Children's Hospital was granted a permit in 1999 to construct a stand-alone, 36' tall helistop structure. The helistop is used exclusively for emergency medical services. Patients arrive on top of the helistop platform and are carried down via elevator to ground level and then into the hospital through the A/B Wing entrance.

The A/B Wing has been deemed seismically unsafe and can no longer be used for acute hospital care or access to acute facilities. To meet the current seismic safety requirements and comply with State Bill 1953, the Hospital has submitted an application to develop a master plan with new medical facilities. As part of the 10 year plan, the Hospital would construct a new Patient Pavilion during Phase 2. This building will be constructed

Attachment J

Revised City Administrator Helistop Permit Related Findings

on the site of the existing helistop. In order to retain the helistop, Children's Hospital has submitted an application to the City Administrator to dismantle the existing helistop and relocate it to the top of the proposed Link Building. The Link Building will connect the proposed Patient Pavilion to the existing main hospital. The proposed helistop on the Link Building will consist of a 46' by 46' helideck, approximately 250' north and slightly west from its current location and will be 45' higher than the existing helistop. The existing helistop would be decommissioned and demolished.

Children's Hospital provides important hospital services to children in Oakland, the East Bay and the region and is a valued asset to the community. Children's Hospital is the Bay Area's only Level 1 pediatric trauma center (one of five in state of California). Per the American Trauma Society and as a Level 1 pediatric trauma center, Children's Hospital "is capable of providing total care for every aspect of injury – from prevention through rehabilitation" especially for children. The operation of a helistop at Children's Hospital is an important aspect of providing Level 1 care and is used solely for children with life threatening emergencies. Furthermore, the Hospital is a non-profit health care facility providing state of the art health care to children regardless of family income level. Based on the valuable services the Hospital provides locally and regionally, it is a fit and proper organization of reputable character to conduct or maintain the helistop.

Children's Hospital has complied with all aspects of the existing helistop permit and the provisions of this code. The Hospital remains in good standing with the existing permit and City staff has not needed to take action to revoke or suspend the permit since it was previously approved. Furthermore, the helistop has been operated in a safe manner in compliance with all requirements of the FAA and Caltrans Division of Aeronautics. As a respected organization and based on previous compliance, Children's Hospital is capable of fully complying with the new helistop permit.

The Hospital anticipates a 1% increase in helicopter flights with or without the implementation of the master plan. In 2013, 559 helicopters used the facility and it is expected that 630 helicopters (1,260 helicopter operations, arrival and take-off) would use the helistop in 2025. The relocation would not result in a significant increase in usage or in the type of aircraft accessing the helipad. Designated flight paths would remain the same and helicopters would primarily use the SR-24 corridor for ingress and egress, weather permitting.

An EIR was prepared that evaluated, among other environmental factors, the possible environmental effects, including safety, noise and vibration, of relocating the helistop to the top of the Link Building. As part of the EIR, long and short term measurements were conducted and the existing noise levels are 65+ Ldn across the project site and in the vicinity. In addition, the EIR modeled the proposed noise associated with the relocation of the helistop using very conservative inputs for the analysis.

The EIR concluded that the relocation of the helistop approximately 45' higher would result in a slight decrease for overall sensitive receptors as the helicopters would not need to descend as low to access the helipad. However, the slight location shift to the north would mean a change in the sensitive receptors (residential properties) impacted. Specifically, sensitive receptors to the south would be less impacted while receptors to the north would be slightly more impacted. However, the overall length of an emergency helicopter flight is short and the project site is located in an area with high levels of noise due to the freeway and the BART tracks. The ambient noise levels would increase by 2.0 dBA and only noise levels greater than 3.0 dBA are considered perceptible. Furthermore, the City's CEQA Thresholds of Significance state that a significant impact will result if the noise levels increase by 5.0 dBA. In sum, noise from the helicopter will continue to be loud; however, the

average person will not notice a considerable difference between the existing and proposed noise levels and the noise from the helistop relocation will not result in a significant impact. Furthermore, vibration from the proposed helistop is expected to result in fewer impacts as the helistop will be at a higher elevation and will not need to descend as low.

The EIR also analyzed speech interference. The analysis shows that with the 1% increase in trips not attributable to the project, interior noise levels would increase by 2.8 minutes with the existing helistop in 2025. With the proposed helistop on the Link Building, interior noise levels would increase by 1.3 minutes in 2025. Therefore, the number of minutes of speech interference would be less than significant.

The EIR further analyzed sleep interference. Approximately 24% of annual helicopter flights are assumed to occur during the evening between 10 pm and 7 am. This means that there will continue to be less than one nighttime flight per day on an annual basis. It is expected that the maximum percent of the population which would awaken during the evening would increase by 1.7% at receptors closest to the helistop (along 52nd Street) which is less than significant.

The permitting of the helistop includes approvals by the Alameda County Airport Land Use Commission (ALUC). The City referred the Hospital's land use compatibility determination request to the ALUC staff for review and consideration of the helistop proposal, via the City, for review and consideration of the helistop relocation proposal on February 23, 2015. The ALUC reviewed the application and evaluated it in regards to four Airport Compatibility Planning Factor's including noise, safety, airspace protection, and overflight (See enclosed Attachment I). The ALUC found that the proposed project is compatible with all four of the compatibility factors.

Furthermore, the City recognizes that per Section 21662.4 of the California Public Utilities Code, emergency aircraft flights for medical purposes are exempt from local noise ordinances and the City cannot restrict flight departures or arrivals to particular hours of the day or night or restrict the operation of certain types of aircraft based upon the aircraft's noise level. The City also cannot dictate abatement measures for helicopter noise, such as restricting helicopters by type.

Nevertheless, City staff has included recommendation NOI-1, which was included as Condition of Approval #44, and was revised at a joint public hearing before the Oakland City Planning Commission and a Hearing officer of the City Administrator's Office on April 1, 2015, as part of the project which and would require:

Condition of Approval #44:

Helicopter Noise Management

Ongoing and Prior to issuance of a final inspection of the building permit replacement helistop in Phase 2

Measures (b), (c) and (e) are recommended for implementation within 60 days of final approval of the project. The remainder of the following multipart measures are is recommended for implementation by CHRCO prior to operation of the replacement helistop under Phase 2 of the project:

- a) CHRCO shall offer to provide forced air ventilation or an air conditioning unit and sound insulating windows for the residence located at 720 52nd Street so that windows may remain closed for prolonged periods.
- b) A log of helicopter activity shall be maintained which shall include a detailed record of the reason for the trip, and date and time of arrival and departure.
- c) CHRCO shall develop a protocol to respond to noise complaints about helicopter over flight related to Hospital operations and submit that protocol to City staff for its review and approval ~~prior to certification of the helistop~~. The protocols shall include, at a minimum: (i) designate and publicize the name and contact information (phone and email) of a helistop contact person; and (ii) means/methods to track complaints, follow-up investigations, and corrective action taken.
- d) CHRCO shall coordinate with FAA to request a waiver to allow mufflers or other sound reducing equipment on helicopters. Such coordination shall include, at a minimum, the following: (i) two years prior to operation of the replacement helistop, developing a strategy, subject to city review and approval; (ii) implementing approved strategy; (iii) documenting communications with the FAA; (iv) informing City of progress; and (v) implementing approved waiver, if granted.
- e) The City acknowledges that emergency helicopter operations and flight paths are dictated by the helicopter pilot based on the pilot's professional judgment, and that the City has no regulatory authority over the operations of emergency helicopters. To the extent any state or federal agency with jurisdiction over helicopter operations (e.g., Federal Aviation Administration or Caltrans Division of Aeronautics) has approved a flight plan related to helicopter operations at the hospital, the Hospital shall include those approved flight plans in contracts for services with air medical companies.

In addition, City staff has included a Condition of Approval # 45 as part of the project which would require, prior to issuance of building permit for Phase 2:

- a) CHRCO to offer, at its sole cost and expense, to conduct a Vibration Analysis by an acoustical and/or structural engineer or other appropriate qualified professional for City review and approval that establishes pre-construction baseline and threshold levels of vibration that could damage the chimney, roof, or foundation of the property at 720 52nd Street. The Vibration Analysis shall identify design means and methods to reduce the vibration impacts on the chimney, roof, and foundation, including replacement.
- b) Six months after commencement of the helistop operation, CHRCO shall offer, at its sole cost and expense, to conduct an additional Vibration Analysis of the conditions of the structure at 720 52nd Street against the pre-helistop implementation Vibration Analysis. If the Analysis concludes that vibration from the helistop has damaged the structure above the baseline conditions, the Project Applicant shall offer, at its sole cost and expense, to implement the design methods above to address the damage to the chimney, roof, and/or foundation.

The following additional conditions are required pursuant to Oakland Municipal Code section 5.28.050:

- A. That all applicable laws, and all applicable regulations, rules and orders having the effect of law, shall be complied with including, but not limited to, agencies of the federal government and of the state of California charged with the licensing, establishment, operation and maintenance of airports, heliports and helistops, their operators, and pilots of aircraft using same.

Attachment J

Revised City Administrator Helistop Permit Related Findings

- B. That the permittee shall not authorize, allow or permit the use of his or her facilities by persons, firms, or corporations violating any provision of said aforementioned laws, rules, regulations or orders;
- C. That the surface of any such facility shall be such that no dust, dirt, or other objectionable matter will be blown on adjoining property by the users thereof;
- D. That, with respect to a rooftop heliport or helistop, no fueling, refueling, storage of aircraft parts or flammable liquids, or repairing, except emergency repairs, shall be permitted;
- E. That smoking shall be prohibited in and on the facilities, except in such areas as may be approved for such use by the Fire Marshal;
- F. That the permittee of any private heliport or helistop shall procure and maintain insurance covering all liability to anyone who might be killed or injured or whose property might be damaged, by reason of the negligence or nonfeasance of said permittee, his or her agents, officers or employees, in the operation of said heliport or helistop. Said insurance shall be in such limits as the City Manager shall specify. The city shall be named as an additional insured on all policies. A duplicate policy or a certificate thereof shall be filed with the City Clerk. Said insurance shall inure to the benefit of anyone killed, injured or whose property has been damaged, by the negligent operation of said facility. The policy may not be cancelled nor the amount of the coverage thereof be reduced until ten days after receipt of the City Manager of the city of a written notice of such cancellation or reduction in coverage, as evidenced by receipt of a registered letter.

Therefore, based on the above analysis and implementation of the recommended measures, the health, safety, and general public welfare will be maintained and protected to the extent permitted by the California Public Utilities Code and the Hospital will continue to provide the same level of emergency medical services to the community. As such, the Helistop permit should be approved.

Moreover, because the helistop is a necessary and integral element of the Hospital's 10-year Master Plan, the Hospital's authorization to relocate and construct the helistop under this permit shall remain valid and automatically renew until completion of Phase 2, provided the Hospital makes reasonable good faith efforts to complete, carry on, and maintain construction of both Phase 1 and Phase 2 of the Project. In addition, the Hospital's authorization to operate the relocated helistop under this permit shall remain valid and automatically renew, provided the Hospital continues to carry on and maintain those operations.



PLANNING DEPARTMENT

March 18, 2015

Heather Klein, Planner III
City of Oakland, Bureau of Planning
250 Frank Ogawa Plaza, Suite 2114
Oakland, CA 94612-2032

SUBJ: Children's Hospital and Research Center Helistop Relocation, Oakland CA

Dear Ms. Klein,

Thank you for the opportunity to review the materials you submitted regarding the relocation of the helistop at Children's Hospital and Research Center Oakland (CHRCO). This project is a relocation of the current helipad at the hospital to the top of a proposed new structure located on the hospital property, and is a part of a larger Master Plan Project for the hospital. I have completed an Administrative Review of the materials provided and have the following comments for your consideration as this project moves through the approval process.

Airport Land Use Compatibility

The Alameda County Airport Land Use Commission (ALUC) has adopted an updated Airport Land Use Compatibility Plan (ALUCP) for all three public use airports in Alameda County (the Oakland International Airport 2010, Hayward Executive Airport 2012, and Livermore Municipal Airport 2012). These documents and other reference material can be accessed online at this location:

<http://www.acgov.org/cda/planning/generalplans/airportlandplans.htm>

The new proposed helistop project location is not within the Airport Influence Area (AIA) for the Oakland International Airport, the nearest airport to the project location. However, Section 2.6.1.2.c - *Airport and Helipad Plans* require that "Any proposal for a new airport, helipad, or helistop whether, for public use or private use, if the facility requires a State Airport Permit" be submitted for review by the ALUC. The overall Master Plan project is proposed in two phases, with the helistop relocation portion occurring in Phase II. Key features of the project include relocating the existing helistop approximately 250 feet to the north and slightly to the west. It will be elevated roughly 45 feet higher than the existing helistop, and consist of a 46' by 46' helideck on top of the planned 5 story "Link" building. The existing helistop will be dismantled upon completion of the "Link" building in Phase II.

The existing helistop has two primary flight paths (arrive from the east and depart to the west) and the proposed new helistop will also have two primary flight paths that shift slightly north and west as described above. The future flight paths will remain similar to the existing situation, using the SR 24 corridor for ingress and egress for most flight operations. According to CHRCO, 559 helicopter flights occurred at the existing helistop in 2013. Each flight includes landing and departure, for a total of 1,118 helicopter operations that year. With or without the helistop replacement project, helistop use at CHRCO is expected to increase at a rate of approximately 1% per year through 2025 when the replacement helistop would be operational. The projected number of helistop operations for 2025 is 1,260.

This review consists of an evaluation of the Project with regard to the four Airport Compatibility Planning Factors: Noise, Safety, Airspace Protection, and Overflight.

Noise

Noise compatibility policies are established in order to prevent the development of noise-sensitive land uses in portions of the airport environ that are exposed to significant levels of aircraft noise. The applicant commissioned a Noise Study for this project that was completed in July 2014. The Study analyzed current and future CNEL levels at specific sensitive receptors (single-family and multifamily residential developments within the flight paths). The study notes that existing ambient noise levels at the current location (primarily Martin Luther King Way, SR 24 and BART) are 65 to greater than 70Ldn across the project site. The study concludes that the relocated helistop will not result in new noise impacts that cannot be sufficiently mitigated to Less Than Significant (LTS) under CEQA.

The existing helistop is 36 feet above grade. The proposed rooftop helistop would be about 45 feet higher at approximately 81 feet above grade. Although new sensitive noise receptors as a result of the relocated helistop have been identified, the increase in height over the existing facility would result in an overall decrease in noise impacts to sensitive residential receptors. It should be noted that during the Master Plan Development, CHRCO has actively engaged the surrounding community regarding future increases in noise, especially at the newly identified sensitive noise receptors. Although the CEQA Analysis concludes that the noise standard thresholds will not be exceeded, as a demonstration of its commitment to be responsive to community concerns, CHRCO has gone *beyond* what is required by CEQA, and included the following recommendations for implementation prior to the operation of the new helistop:

NON CEQA REQUIRED RECOMMENDED PROJECT SPECIFIC CONDITIONS

Recommendation NOI-1: The following multipart measure is recommended for implementation by CHRCO prior to operation of the replacement helistop under Phase 2 of the project:

- CHRCO shall offer to provide forced air ventilation or an air conditioning unit and sound-insulating windows for the residence located at 720 52nd Street so that windows may remain closed for prolonged periods.
- A log of helicopter activity shall be maintained which shall include a detailed record of the date and time of arrival and departure.
- CHRCO shall develop a protocol to respond to noise complaints about helicopter over flight and submit that protocol to City staff prior to certification of the helistop.
- CHRCO shall coordinate with FAA to request a waiver to allow mufflers or other sound reducing equipment on helicopters.

Safety

Land use safety compatibility criteria are developed to minimize the risks to people and property on the ground, as well as those people in an aircraft in the event of an accident or emergency landing occurring outside the airport boundary.

Safety Zones are not established for either the current or proposed helipad. Staff recommends that the applicant review Section 3.3.2-Safety, Table 3-2 - *Safety Compatibility Zones*, and Appendix B: *Airport Land*



Use *Compatibility Concepts* for more information on risk factors and safety in the vicinity of airports and heliports.

Airspace Protection

Similar to safety policies, airspace protection criteria is intended to reduce the risk of harm to people and property resulting from an aircraft accident. At the appropriate point in the process, the applicant will submit an FAA 7480- *Landing Area Proposal* as part of the project evaluation. The 7480 study is conducted by the FAA to determine if there are potential obstructions to the safe and efficient use of navigable airspace by aircraft.

Overflight

Overflight policies address noise from the overhead flight of aircraft, which can be annoying and intrusive in locations beyond the limits of the noise contours. CHRCO could consider requiring Avigation Easements or other forms of Real Estate Disclosure with nearby residential properties, especially if there have been noise complaints associated with the current helipad operations in the past. However, project staff has indicated that Avigation Easements have not been executed for the current helistop, which has existed for decades. Should CHRCO decide at some future point to institute such notification, Section 3.3.3.8 *Avigation Easement Dedication*, and Appendix E: *Sample Implementation Documents* of the Livermore Airport ALUCP provide sample Avigation Easement forms and Sample Deed Notices. For information on the enabling legislation, please refer to Appendix I: *Real Estate Disclosure Law and Legislation*.

Consistency Review Findings

In summary, this project as currently proposed is found to be Compatible with noise, safety, airspace protection and overflight criteria. It is assumed that the project sponsor will consult the sections of the Plan as noted above during future project development.

Again, thank you for the opportunity to review this project. Please do not hesitate to contact me at (510) 670-6511 if you have any questions about this determination or require additional information as this project moves forward.

Sincerely,

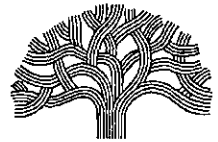


Cindy Horvath
Senior Transportation Planner

- c: Members, Alameda County Airport Land Use Commission
Albert Lopez, Alameda County Planning Director, ALUC Administrative Officer



CITY OF OAKLAND



MUNICIPAL SERVICE CENTER • 7101 EDGEWATER DRIVE • OAKLAND, CALIFORNIA 94601

Public Works Department
Bureau of Facilities and Environment
Parks and Tree Service Division

(510) 615-5934
FAX (510) 615-5845
TDD (510) 238-3254

SENT VIA EMAIL AND US MAIL

April 14, 2015

Mr. Doug Nelson
Executive Director of Facilities Development & Construction
UCSF Benioff Children's Hospital Oakland 747 52nd Street
Oakland, CA 94609

Re: Public Works Tree Services Unit's Recommendation on Children's Hospital and Research Center Oakland's (Hospital) Tree Removal Permit Application

Dear Mr. Nelson,

On May 2, 2014, the Hospital has submitted an application to the City to remove nineteen (19) trees as part of the Phase 1 of Hospital's Master Plan. The Tree Removal Permit application was properly noticed on March 10, 2015, and the public comment period closed on April 7, 2015. No comments were received.

I have independently reviewed and considered the Hospital's May 2, 2014 Application for a Tree Removal Permit, as supplemented by the Tree Inventory Report prepared by Hortscience dated May 2014; the August 2014 Draft Environmental Impact Report; the February 2015 Response to Comment/Final EIR document; the April 1, 2015 City Planning Commission Report and attachments; and other relevant materials as appropriate, including the Oakland Municipal Code and previous site visits by the Tree Services Unit.

Based upon my independent review and analysis, I am recommending to the City Council that your May 2, 2014 Application for a Tree Removal Permit be approved based upon the attached Tree Permit Recommendation, including findings and conditions.

Pursuant to 17.130.080 of the Oakland Planning Code, the entire development application for the project must be considered by the City Council for final action because the application requires both legislative and adjudicatory actions. As such, the Oakland Public Works Tree Services Unit will be acting as recommending body, not as decision-making body, with respect to the Tree Removal Permit. Because the Tree Services Unit's recommendation on the Tree Removal Permit will automatically be considered by the City Council at a later date, for its independent review, consideration and final action, no appeal of this action is necessary.



An American Public Works Association A

ATTACHMENT L

Sincerely,

A handwritten signature in cursive script that reads "Robert Zahn". The signature is written in black ink and is positioned above the printed name.

Robert Zahn

Senior Tree Supervisor

Attachment: Tree Permit Recommendation

cc:

Honorable City Council

Robert Merkamp, Development Planning Manager, Planning and Building Department

Heather Klein, Case Planner, Planning and Building Department

Lee & Marion Odem, Property Owner

TREE PERMIT RECOMMENDATION

City of Oakland, Public Works Agency
 Tree Services Division, 7101 Edgewater Drive, Oakland, CA 94621, (510) 615-5934
 Chapter 12.36, Oakland Municipal Code, Protected Trees Ordinance

Permit # T14-065
Address: 747 52nd Street
Expires: One year from date of issuance

Recommendation: 4-13-15
Applicant: Children's Hospital
Permit Type: Development

Recommended for Removal		Preservation Required		Replacement Tree Required	In Lieu Fee- \$475 per tree
Tree Quantity	Identified As	Tree Quantity	Identified As		
4	Golden Rain	6	Evergreen ash		
2	Fig	1	Coast redwood		
10	Flaxleaf paperbark				
1	London plane				
2	Coast redwood				

PERMIT REVIEW – FINDINGS (A)

The applicant's request accomplished the following objective(s):

The nineteen (19) trees need to be removed because they are within the footprint of the proposed Children's Hospital construction site plan located at 747 52nd Street.

Eleven (11) of these trees are within the footprint of the Outpatient Clinic II. Six (6) trees are at the new garage entrance and two (2) trees are at the Central Utility Plant. Redesign of Phase 1 is not feasible as the

- 1) Outpatient Clinic II is lot-line to lot-line,
- 2) Outpatient Clinic II this will replace the new parking garage entrance necessitating a new garage opening, and
- 3) the Central Utility Plant is in an already constrained location and the Plant needed to be expanded to accommodate the proposed Outpatient Clinic II operations.

- 1. Insured the public health and safety as it related to the health of the tree, potential hazard to life or property, proximity to existing or proposed structures, or interference with utilities or sewers.
- 2. Avoided an unconstitutional regulatory taking of property.
- 3. Took reasonable advantage of views, including such measures mandated by the resolution of a view claim in accordance with the view preservation ordinance (Chapter 15.52 of the Oakland Municipal Code).
- 4. Pursued accepted, professional practices of forestry or landscape design. Submission of a landscape plan acceptable to the Director of Public Works shall constitute compliance with this criterion.
- 5. Implemented the vegetation management prescriptions in the S-11 site development review zone.
- None of the objectives above were accomplished by the proposed removal(s).

PERMIT REVIEW – FINDINGS (B)

Any one of the following situations was grounds for permit denial, regardless of the findings in section (A) above:

- 1. Removal could be avoided by reasonable redesign of the site plan, prior to construction.
- 2. Removal could be avoided by trimming, thinning, tree surgery or other reasonable treatment.
- 3. Adequate provisions for drainage, erosion control, land stability or windscreen were not made.
- 4. The tree(s) were a member of a group of trees in which each tree was dependent upon the others for survival.
- There were no grounds to deny the permit.*


OAKLAND MUNICIPAL CODE SECTION 12.36.060 CONDITIONS OF APPROVAL

The following conditions were imposed. Conditions #11 - #13 were imposed if they were check marked:

1. **Defense, Indemnification and Hold Harmless.** To the maximum extent permitted by law, the applicant and its contractor shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Public Works Agency and its respective agents, officers, employees and volunteers (hereafter collectively called City) from any liability, damages, claim, judgment, loss (direct or indirect), action, causes of action or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City for or on account of any damage to property or bodily injury, including death, or damage sustained or arising out of, related to or caused by in any way from the performance of work in this tree permit matter. The City may elect, in its sole discretion, to participate in the defense of said Action and the applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.
2. **Defense, Indemnification and Hold Harmless.** To the maximum extent permitted by law, the applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Public Works Agency and its respective agents, officers, employees and volunteers (hereafter collectively called City) from any liability, damages, claim, judgment, loss (direct or indirect), action, causes of action or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul, (a) an approval by the City relating to this tree permit matter, City's CEQA approvals and determination, and/or notices in the tree permit matter; or (b) implementation of such. The City may elect, in its sole discretion, to participate in the defense of said Action and the applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.
3. **Letter of Agreement.** Within ten (10) calendar days of the filing of any Action as specified in conditions 1 or 2 above, the applicant and/or its contractor shall execute a Letter of Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Letter of Agreement shall survive termination, extinguishment or invalidation of the approval. Failure to timely execute the Letter of Agreement does not relieve the applicant of any of the obligations contained in this Section or any other requirements or conditions of approval that may be imposed by the City.
4. **Debris.** All debris created as a result of any tree removal work shall be removed from the property by the applicant within two weeks of debris creation, and such debris shall be properly disposed of by the applicant in accordance with all applicable laws, ordinances, and regulations.
5. **Hazards.** The removal of extremely hazardous, diseased, and/or dead trees shall be required where such trees have been identified by the City Arborist.
6. **Insurance.** Workers compensation, public liability, and property damage insurance shall be provided by any person(s) performing tree removal work authorized by a tree removal permit.
7. **Nesting Birds.** To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of raptors shall not occur during the breeding season of March 15 and August 15. If tree removal must occur during the breeding season, all sites shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to start of work from March 15 through May 31, and within 30 days prior to the start of work from June 1 through August 15. The pre-removal surveys shall be submitted to the Planning and Zoning Division and the Tree Services Division of the Public Works Agency. If the survey indicates the

potential presences of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the CDFG, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.

8. **Permit.** Tree removal, as defined in the Protected Trees Ordinance, Section 12.36.020 of the Oakland Municipal Code, may not start unless and until the applicant has received this permit from Tree Services.
9. **Posting.** The applicant shall post a copy of the tree removal permit in plain view on site while tree removal work is underway.
10. **Tree Damage.** If any damage to a protected tree should occur during or as a result of work on the site, the applicant shall immediately notify the Tree Services Division of such damage. If, in the professional opinion of the City Arborist, such tree cannot be preserved in a healthy state, the Arborist shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Arborist to compensate for the loss of the tree that is removed.
11. **In Lieu Fee.** If replacement trees are required, but cannot be planted due to site constraints, an in lieu fee as determined by the City's master fee schedule may be substituted for required replacement plantings. The permit is valid and issued only after payment is received by Tree Services.
12. **Replacement Trees.** The property owner shall plant 2 replacement trees on the property. The replacement trees shall be excellent quality nursery stock and maintained by the applicant until established. Any replacement planting which fails to become established within one year of installation shall be replanted at the applicant's expense. Plantings shall be installed within 30 days of tree removal. A photograph of the replacement trees, installed in the landscape of the property, shall be mailed or emailed to Tree Services within one week of the replacement trees being installed.
 - a. The minimum size replacement tree shall be a twenty-four (24) inch box, except that three, fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate, if approved by the City Arborist.
 - b. Replacement tree species shall consist of *Sequoia sempervirens* (coast redwood), *Quercus agrifolia* (coast live oak), *Arbutus menziesii* (madrone), *Aesculus californica* (California buckeye) or *Umbellularia californica* (California bay laurel).
13. **Sidewalks.** The damaged sidewalk shall be repaired in compliance with the rules and regulations of the City of Oakland. A sidewalk repair permit is required if more than 25 square feet of sidewalk will be repaired. Contact the Sidewalk Division at 238-3499 for more information.
14. **Other Tree Related Conditions.** Other tree-related conditions of approval contained within the standard conditions of approval/mitigation monitoring and reporting program (SCAMMPR) for the Children's Hospital and Research Center Oakland Campus Master Plan Project are hereby incorporated by reference.

 4/14/15
Robert Zahr Date
Senior Forester
Certified Arborist @ WE-8102A



MEMORANDUM

Date: March 25, 2015
To: Heather Klein, City of Oakland
From: Sam Tabibnia
Subject: **Children's Hospital and Research Center Oakland – Transportation Demand Management Program**

WC12-2940

Children's Hospital and Research Center Oakland (CHRCO), located at 747 52nd Street in Oakland, is proposing a Master Plan project to create new seismically compliant acute care facilities and to renovate certain existing structures within the CHRCO Campus. City of Oakland published the *CHRCO Campus Master Plan Draft Environmental Impact Report (EIR)* in August 2014. The Draft EIR identifies the City of Oakland's Standard Condition of Approval (SCA) TRA-1, which is provided below, and requires preparation of a Transportation Demand Management (TDM) program for CHRCO:

SCA TRA-1: Parking and Transportation Demand Management. *Prior to issuance of a final inspection of the building permit.*

The project applicant shall submit a Transportation and Parking Demand Management (TDM) plan for review and approval by the City. The intent of the TDM plan shall be to reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable consistent with the potential traffic and parking impacts of the project.

The goal of the TDM shall be to achieve the following project vehicle trip reductions (VTR):

- Projects generating 50 to 99 net new AM or PM peak hour vehicle trips: 10 percent VTR
- Projects generating 100 or more net new AM or PM peak hour vehicle trips: 20 percent VTR

The TDM plan shall include strategies to increase pedestrian, bicycle, transit, and carpool use, and reduce parking demand. All four modes of travel shall be considered, as appropriate. VTR strategies to consider include, but are not limited to, the following:

ATTACHMENT M



- a) Inclusion of additional long term and short term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan, and Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement.
- b) Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority Bikeway Projects, on-site signage and bike lane striping
- c) Installation of safety elements per the Pedestrian Master Plan (such as cross walk striping, curb ramps, count-down signals, bulb outs, etc.) to encourage convenient and safe crossing at arterials, in addition to safety elements required to address safety impacts of the project.
- d) Installation of amenities such as lighting, street trees, trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan.
- e) Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements.
- f) Direct on-site sales of transit passes purchased and sold at a bulk group rate (through programs such as AC Transit Easy Pass or a similar program through another transit agency).
- g) Provision of a transit subsidy to employees or residents, determined by the project sponsor and subject to review by the City, if the employees or residents use transit or commute by other alternative modes.
- h) Provision of an ongoing contribution to AC Transit service to the area between the development and nearest mass transit station prioritized as follows: 1) Contribution to AC Transit bus service; 2) Contribution to an existing area shuttle or streetcar service; and 3) Establishment of new shuttle or streetcar service. The amount of contribution (for any of the above scenarios) would be based upon the cost of establishing new shuttle service (Scenario3)
- i) Guaranteed ride home program for employees, either through 511.org or through separate program.
- j) Pre-tax commuter benefits (commuter checks) for employees.
- k) Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants.
- l) Onsite carpooling and/or vanpooling program that includes preferential (discounted or free) parking for carpools and vanpools.
- m) Distribution of information concerning alternative transportation options.
- n) Parking spaces sold/leased separately for residential units. Charge employees for parking, or provide a cash incentive or transit pass alternative to a free parking space in commercial properties.
- o) Parking management strategies; including attendant/valet parking and shared parking spaces.



- p) Requiring tenants to provide opportunities and the ability to work off-site.
- q) Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite (e.g., working four, ten-hour days; allowing employees to work from home two days per week).
- r) Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours.

The TDM Plan shall indicate the estimated VTR for each strategy proposed based on published research or guidelines. For TDM Plans containing ongoing operational VTR strategies, the Plan shall include an ongoing monitoring and enforcement program to ensure the Plan is implemented on an ongoing basis during project operation. If an annual compliance report is required, as explained below, the TDM Plan shall also specify the topics to be addressed in the annual report.

The project applicant shall implement the approved TDM Plan on an ongoing basis. For projects that generate 100 or more net new AM or PM peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR. If deemed necessary, the City may elect to have a peer review consultant, paid for by the project applicant, review the annual report. If timely reports are not submitted and/or the annual reports indicate that the project applicant has failed to implement the TDM Plan, the project will be considered in violation of the Conditions of Approval and the City may initiate enforcement action as provided for in these Conditions of Approval. The project shall not be considered in violation of this Condition if the TDM Plan is implemented but the VTR goal is not achieved.

In response to this requirement, Fehr & Peers has prepared this TDM program.

CHRCO already has TDM strategies in place, and this proposed program builds on that and includes additional TDM strategies to further encourage non-automobile travel to and from the hospital and reduce automobile travel and parking demand, as required, by SCA TRA-1. This memorandum documents the following:

- (1) Summarizes the existing TDM strategies, parking conditions, and travel mode share at CHRCO
- (2) Describes the proposed CHRCO Master Plan
- (3) Establishes short-term and long-term goals for the TDM Program
- (4) Summarizes the infrastructure improvements that CHRCO would implement to encourage bicycling, walking, and transit
- (5) Describes the TDM strategies that CHRCO can implement to achieve the goals of this TDM program, their effectiveness, and their estimated relative costs and benefits. This section also lists the mandatory



strategies that CHRCO shall implement as part of Phase 1 of the project and the voluntary strategies that can be implemented as part of Phase 1 or after Phase 2.

- (6) Establishes parameters for monitoring, evaluating, funding, and enforcing the TDM program.

The strategies included in this program are based on current available best-practices and are anticipated to achieve the goals of SCA TRA-1.

I. EXISTING CONDITIONS

The current TDM strategies at CHRCO, parking conditions, and mode share are described below.

Existing TDM Strategies

CHRCO has existing TDM strategies to encourage travel to/from its facilities by modes other than single-occupancy vehicles and reduce parking demand. The existing TDM program includes:

- *Shuttles* – CHRCO currently operates two free weekday shuttle services for employees, patients and visitors. CHRCO operates a free shuttle between the MacArthur BART Station and the main campus for its employees, patients, and visitors. The Children's BART shuttle connects the Main Hospital to the MacArthur BART Station. The Claremont Clinics Shuttle connects the Claremont Clinics to the main hospital. Currently, the shuttles operate on weekdays from 6:00 AM to midnight with approximately 15 minute headways. CHRCO operates 24-passenger shuttles during the day and eight-passenger shuttles during the evening and night. The shuttles currently transport about 455 passengers each day.
- *Commuter Tax Incentive* – Employees have the option to deduct a predetermined amount from their paychecks to be used for transit-related expenses.
- *Bicycle Parking* – Bicycle parking for approximately 40 bicycle parking spaces is provided on the ground level of the Main Garage.
- *TDM Management* – CHRCO has an on-site parking and shuttle manager. In addition, transportation information is provided to all new employees during orientation.
- *Priced Parking* – CHRCO currently charges all employees and patients/visitors for on-site parking, which can discourage some to either park on nearby streets or to not drive and use other travel modes.

These programs have helped reduce the number of people driving alone to CHRCO's campus and offer a useful starting point for the proposed TDM program.

Parking Conditions

CHRCO currently can accommodate up to about 1,100 parked vehicles in various off-street parking facilities. More than 70 percent of the parking spaces are in the Main Garage/Physicians' Garage, which is located north of 52nd Street and is used by employees and patients/visitors. Other parking facilities, such as the West and South Lots, are generally restricted to employees only.



Based on data collected in 2013 and summarized in the Draft EIR, The overall parking occupancy at CHRCO facilities is generally above 85 percent between 9:00 AM and 3:00 PM. The overall peak parking demand is at around 1:30 PM when off-street parking demand is about 90 percent of the parking supply. In addition, it is estimated that about 10 percent of the CHRCO parking demand, corresponding to about 124 parked vehicles at peak times, uses on-street parking. CHRCO employees and patients/visitors who park on-street mostly use the residential streets, north of the project site, such as 53rd, 54th, and Dover Streets, because they provide unrestricted and non-metered parking.

CHRCO currently charges all employees for parking. Public parking at the main garage costs \$1.50 per one-half hour up to \$7.50 per day. For employees, day-time parking permits cost \$30 and night-time parking costs \$20 for a two-week period. Parking booklets with 10 one-day passes are offered for regular hospital visitors and employees for \$50. In-and-out privileges are provided with use of a receipt. Employee parking permits at the West Lot and South Lot cost about \$16.50 per two-week period.

Current Mode Share

Table 1 summarizes the existing mode share for the CHRCO main campus based on employee and patient/visitor surveys.¹ As shown in Table 1, the majority of employee trips (81 percent) are by single-occupant vehicles. Since most patients at CHRCO cannot drive (i.e., they are underage), the majority of trips by patients/visitors (58 percent) is by carpool. About 21 percent of patients/visitors drive alone to campus. These vehicle trips are mostly by visitors to the hospital. Walking and bicycling were the access modes for approximately three percent of both employees and patients/visitors.

TABLE 1: CHRCO MODE CHOICE		
Person Trips	Employees	Patients/Visitors
Drive Alone	81%	21%
Carpool ¹	7%	58%
Drop off/Pick-up	1%	8%
BART and Shuttle ²	7%	4%
AC Transit	<1%	5%
Walk/Bike	3%	3%
Other (Includes Taxis, Paratransit)	<1%	1%
Total	100%	100%

1 Average carpool occupancy is 2.4 passengers per vehicle for employees and 2.7 passengers per vehicle for patients and visitors

2 It is assumed that all employees and patients/visitors that use BART also use the shuttle to travel between CHRCO and the BART Station

Source: Data collected by Fehr & Peers in 2007

¹ The employee and patient/visitor surveys were conducted in 2007. However, as documented in the Draft EIR (see page 298), conditions at CHRCO have remained generally the same and the survey results continue to be valid.



II. CHRCO MASTER PLAN

The proposed CHRCO Master Plan would be completed in two phases:

- Phase 1 would construct Outpatient Center Building 2 (OPC-2) at the northeast corner of the Martin Luther King Jr. Way/52nd Street intersection. The construction of OPC-2 would require the relocation of the Main Garage driveway from 52nd Street to Martin Luther King Jr. Way, which would result in net loss of two parking spaces. Phase 1 of the project would also include interior renovation of the existing hospital which would result in temporary displacement of 30 hospital beds. Overall, Phase 1 is estimated to increase the campus population by 25 employees and 43 patients/visitors.² It is estimated that Phase 1 would result in 240 net new daily trips, 18 net new AM peak hour trips, and 19 new PM peak hour trips.³ The net loss of parking spaces at the Main Garage under Phase 1 and the additional demand generated by Phase 1 uses would result in a parking deficit of 71 spaces after completion of Phase 1.⁴
- Phase 2 would modify, remove, or relocate certain existing structures along 52nd Street and the south side of 53rd Street east of Dover Street and construct the Family Residence Building and Clinical Support Building. Phase 2 would also demolish several buildings on the main campus and acquire the right-of-way adjacent to the SR 24 freeway to construct the Link Building, Patient Pavilion, and a new 334-space parking garage. Compared to existing conditions, Phase 2 is estimated to increase the campus population by 205 employees and 270 patients/visitors.⁵ It is estimated that Phase 2 would result in 1,230 net new daily trips, 96 net new AM peak hour trips, and 102 new PM peak hour trips over existing conditions.⁶ The net addition of parking spaces constructed under Phase 2 and the additional demand generated by Phase 2 uses would result in a parking surplus of 17 spaces after completion of Phase 2.⁷

As previously described, CHRCO employees and patients/visitors currently use on-street parking. This corresponds to about 124 vehicles parked on-street at peak times. If the use of on-street parking spaces surrounding CHRCO is restricted by providing additional parking meters along the non-residential frontages and/or implementing Residential Parking Permit (RPP) along the residential frontages, it is estimated that the on-site CHRCO parking facilities would not be adequate to meet the parking demand under current conditions and at the end of Phase 1. If the use of on-street parking is restricted, the Draft EIR estimates that CHRCO would have a parking deficit of six spaces under current conditions and a deficit of 71 spaces after completion

² See Table IV D-12 on page 305 of the Draft EIR for more detail

³ See Table IV D-13 on page 307 of the Draft EIR for more detail.

⁴ Table IV D-22 on page 357 of the Draft EIR.

⁵ See Table IV.D-12 on page 305 of the Draft EIR for more detail

⁶ See Table IV.D-13 on page 307 of the Draft EIR for more detail

⁷ Table IV D-22 on page 357 of the Draft EIR



of Phase 1. CHRCO is estimated to accommodate all its parking demand during typical conditions at the end of Phase 2 of the project, regardless of RPP implementation.

III. TDM PROGRAM GOALS

Typically, TDM programs are most effective for developments, such as office buildings, where most trips are daily peak period commute trips where travelers make the same trip at the same time every day. Many hospital employees do not work every day, have irregular shifts, may start and/or end their work shift outside the peak commute periods, and may on occasion need to work after their designated shift ends. In addition, most hospital patients and visitors do not regularly travel to CHRCO, may not be familiar with non-auto options in the area, and are often traveling with sick children. As a result, non-automobile modes may not be available to many hospital employees or patients/visitors. Therefore, the TDM strategies outlined in this memorandum are aimed at reducing the auto travel and parking demand, especially on-street parking demand in the surrounding neighborhoods, by day shift employees at the hospital. However, non-day employees and patients/visitors can also benefit from many of these strategies.

SCA TRA-1 requires the TDM program to reduce automobile trips by 10 percent for projects generating between 50 and 99 net new peak hour trips and by 20 percent for projects generating 100 or more net new peak hour trips. As previously described, Phase 1 of the project is estimated to generate less than 20 peak hour trips at the end of Phase 1 and about 100 peak hour trips at the end of Phase 2. Although Phase 1 of the project would generate fewer trips than the SCA TRA-1 Threshold, it is recommended that the CHRCO TDM program be expanded prior to start of Phase 1 construction to reduce construction-period automobile trips and parking demand and to accommodate the expected parking deficit that would result from implementation of RPP and a reduction in the on-site parking supply.

Therefore, this TDM program establishes the following goals:

- Reduce the employee drive alone mode share by 10 percent from 81 percent to 73 percent after the completion of the Phase 1 project.
- Reduce the employee drive alone mode share by 20 percent from 81 percent to 65 percent after the completion of the Phase 2 project.
- Reduce construction-period automobile trips and parking generation.

These goals are consistent with the TDM Programs established at the Oakland Kaiser and Alta Bates Summit Medical Centers. The Oakland Kaiser TDM Program reduced the employee drive alone mode share by 20 percent from 76 percent in 2006 to 61 percent in 2014.⁸ The TDM Program at Alta Bates Medical Center reduced the drive alone employee mode share by 11 percent from 80 percent in 2009 to 71 percent in 2013.⁹

⁸ *Employee Transportation Survey Results for Kaiser Permanente Oakland Medical Center, 2014.*

⁹ *Alta Bates Summit Medical Center Annual TDM Report, February 2014*



It is estimated that a 10 percent reduction in employee drive alone mode share would result in 360 fewer daily trips after completion of Phase 1, which would offset the 240 additional new daily trips that CHRCO is estimated to generate at the end of Phase 1 and result in lower auto trip generation than current conditions. A 20 percent reduction in drive alone mode share would result in 780 fewer daily trips at the end of Phase 2, which would reduce the net new trips generated after completion of Phase 2 by about 60 percent.¹⁰

Table 2 summarizes the estimated effects of the proposed TDM program on parking demand at CHRCO. It is estimated that a 10 percent reduction in employee drive alone mode share would eliminate the projected parking deficit at the end of Phase 1 and a 20 percent reduction in employee drive alone mode share would increase the parking surplus at the end of Phase 2 to 192 spaces, which can result in a smaller Phase 2 garage.

Based on available research, the CHRCO TDM Program includes strategies that can reduce the employee drive alone mode share by as much as 23 percent. Although not required by this TDM program, it is also expected that patients and visitors auto mode share would also decrease by two to five percent.

TABLE 2: ESTIMATED EFFECTS OF TDM ON PARKING DEMAND AT CHRCO			
	Existing	Phase 1	Phase 2 (i.e., Buildout)
Parking Supply	1,107	1,105	1,391
Peak Parking Demand (Current TDM Program) ¹	1,113	1,176	1,374
Surplus (Deficit)	-6	-71	+17
10 percent Drive Alone Mode Share Reduction ²		-75	-90
Peak Parking Demand		1,101	1,284
Surplus (Deficit)		+4	+107
20 percent Drive Alone Mode Share Reduction ²			-175
Peak Parking Demand			1,199
Surplus (Deficit)			+192
<p>1 Based on Table IV D-22 in the Draft EIR. Parking demand includes total parking demand generated by CHRCO and includes motorists parking on-street</p> <p>2 Parking reduction assumes that about 70 percent of the peak parking demand is generated by employees and about 10 percent of the shift from drive alone would be to carpool</p> <p>Source: Fehr & Peers, 2015</p>			

¹⁰ Trip reduction estimated by assuming CHRCO would have 2,191 employees at the end of Phase 1 and 2,371 employees at the end of Phase 2 (Table IV D-12 on page 305 of the Draft EIR), each employee makes 2.5 trips per day, and about 10 percent of the shift from drive alone would be to carpool



IV. INFRASTRUCTURE IMPROVEMENTS

The proposed CHRCO project and the Draft EIR Recommendations include several infrastructure improvements that would encourage bicycling, walking and transit usage. These improvements, which are considered part of this TDM Program include:

- Phase 1:
 - The project would provide shower and locker facilities. These facilities are important support facilities that encourage bicycle access to the hospital.
 - The CHRCO project would relocate the Main Garage driveway from its current location on 52nd Street to Martin Luther King Jr. Way, which would reduce potential conflicts between motorists turning into and out of the driveway and pedestrians crossing 52nd Street to walk between the Main Garage, OPC-1 and OPC-2 on the north side of 52nd Street and the Main Hospital on the south side of 52nd Street.
 - Recommendation TRA-3 would widen the sidewalk along Martin Luther King Jr. Way adjacent to OPC-2 and the Main Garage.
 - Recommendation TRA-5 would move the bus stop on northbound Martin Luther King Jr. Way closer to CHRCO and provide amenities, such as shelter, bench, trash receptacle, and lighting, at the bus stop.
 - Recommendation TRA-7 would provide short-term and long-term bicycle parking spaces that would exceed the City's bicycle parking requirements for both long-term and short term bicycle parking.
- Phase 2:
 - Recommendation TRA-2 would provide marked crosswalks and directional curb-ramps on all four approaches of the Dover Street-Hospital Driveway/52nd Street intersection.
 - Recommendation TRA-4 would provide a bikeway on 52nd Street between Market Street and Shattuck Avenue. The bikeway, consisting of Class 3 bicycle boulevard between Market and West Streets, Class 2 bicycle lanes (with buffers where feasible) between West and Dover Streets, and a combination of Class 2 bicycle lanes (with buffers where feasible) and Class 3 arterial bicycle routes between Dover Street and Shattuck Avenue, would connect CHRCO to existing bicycle facilities on Market Street, Genoa Street, West Street, and Shattuck Avenue. Recommendation TRA-4 would also include several pedestrian improvements along 52nd Street, such as directional curb ramps, widened sidewalks, pedestrian-scale lighting, bulbouts at the Garage Driveway, and median refuge and pedestrian push-bottoms at the Martin Luther King Jr. Way/52nd Street intersection.
 - Recommendation TRA-6 would provide separate shuttle stops to conveniently serve OPC-1 and OPC-2 and the new main entrance for the Main Hospital.
 - Recommendation TRA-8 includes several parking management improvements such as installing variable message signs that inform motorists on the number of available parking



spaces in each garage and installation of parking meters along non-residential frontages within two blocks of the site to discourage long-term parking.

V. TDM STRATEGIES

This section provides details on the mandatory TDM measures that CHRCO shall implement and voluntary measures that CHRCO could implement to meet the goals of this TDM program. CHRCO shall continue the current TDM strategies, construct the infrastructure improvements described above, and implement a combination of the mandatory and voluntary TDM strategies described below.

Mandatory Strategies

CHRCO shall implement the following mandatory strategies:

Shuttle and Transit Strategies

- *Shuttle Expansion and/or New Routes* – CHRCO shall maintain existing shuttle routes and services and shall evaluate, and when needed, increase the service frequency and/or shuttle size on the current shuttle routes to meet the expected increase in demand. In addition, CHRCO shall explore expanding and/or rerouting the existing current shuttles to provide extended service to Telegraph Avenue and connect hospital employees and visitors to restaurants and services that they might otherwise use a vehicle to access.
- *Shuttle Information* – Information regarding the new shuttle service shall be disseminated to employees and patients/visitors. This may include providing a shuttle map on the CHRCO website, advertising shuttle service directly to employees, and/or providing a shuttle smartphone application (“app”) that tracks real-time arrivals. Providing a real-time app would make shuttle use more reliable and convenient for those who already take a shuttle and may help others decide to use it.
- *Public Transit Subsidy* – Subsidizing public transit is one of the most effective strategies to encourage employees to use public transit as their primary commute mode. CHRCO shall implement one of the following strategies. CHRCO can offer a monthly commuter check (or alternatively Clipper Card, which is accepted by BART, AC Transit, and other major transit providers in the Bay Area) to employees who use public transit. As part of this strategy, CHRCO would provide a subsidy of up to \$30 per month per employee for up to 200 employees during Phase 1 and consider increasing the subsidy to up to \$60 per month after Phase 2.¹¹ Alternatively, CHRCO can participate in AC Transit’s EasyPass program, which enables employers to purchase annual bus passes for their employees in bulk at a deep discount. The passes allow unlimited rides on all AC Transit buses for all CHRCO employees. See www.actransit.org/rider-info/easypass for more

¹¹ Assuming a 20-day workweek, this corresponds to a subsidy of \$1.50 per person per day for Phase 1 and \$3.00 per person per day for Phase 2. Based on CAPCOA research, these subsidies would reduce the employee automobile mode share by as much as five percent during Phase 1 and nine percent during Phase 2.



information. CHRCO shall also explore methods to discourage the purchase of parking passes for employees receiving the transit subsidy, in order to ensure that these employees use the subsidy for their commute only (For example, CHRCO may prohibit purchase of the two-week parking passes for employees receiving the transit subsidy but allow them to purchase daily passes at a discount).

Carpool and Vanpool Strategies

- *Carpool and Ride-Matching Assistance Program* – Although ride-matching is best suited for employees with standard work shifts, CHRCO can reduce auto mode share by promoting a ride-matching program. Ride-matching would increase the occupancy of vehicles, thus resulting in fewer vehicles trips traveling to and from the CHRCO. CHRCO shall offer personalized ride-matching assistance to pair employees interested in forming commute carpools. As an enhancement, CHRCO may consider using Zimride services, which can offer carpool matching specifically for CHRCO employees. Zimride is a social networking website that allows employees to sign in to find carpool rides in real time. The site would be tailored so CHRCO employees would be matched with other hospital employees. CHRCO can also consider using TwoGo by SAP, Enterprise RideShare, or 511.org RideShare.
- *Vanpool Program* – Similar to the shuttle service, in areas with a critical mass of employees not served by regional transit, vanpools may be a popular commute choice. CHRCO shall implement a vanpool program and subsidize 50 percent of the cost. Each vanpool shall be established when twelve or more employees living within the same community or neighborhood sign-up. Currently Alta Bates Summit Medical Center has a vanpool program with eight vanpool vehicles and 40 participants. Each participating employee receives a 50 percent subsidy per month for the vanpool service.¹²
- *Preferential Carpool Parking* – Offering preferential parking for carpools and vanpools is an important complementary strategy to a carpool, vanpool and ride-matching program. Preferential parking would further encourage commuters to choose a travel mode which saves them gas and parking costs, and also provides them with premium parking at their employment site. CHRCO shall offer free or discounted preferential carpool parking for eligible commuters. To be eligible for carpool parking, the carpool shall consist of three or more people. CHRCO shall monitor and provide adequate carpool spaces to meet and exceed potential demand. Considering the limited parking supply at CHRCO, all or some of the unoccupied parking spaces designated for carpool shall be available for general use after 10:00 AM.

Parking Strategies

- *On-street Parking Management* – As described in the Draft EIR, the majority of on-street parking within walking distance of CHRCO is unregulated. Since the on-street parking costs less than the

¹² Alta Bates Summit Medical Center Annual TDM Report, February 2014



on-site parking and may be easier to access, many CHRCO employees and patients/visitors currently use these spaces. Furthermore, if on-site parking prices are increased, CHRCO employees would have more incentive to use the unregulated on-street spaces. In order to discourage on-street parking and driving, CHRCO shall coordinate with the City of Oakland to install parking meters on all eligible non-residential frontages and implement a residential parking permit (RPP) program on residential frontages on streets within one-fourth mile of CHRCO that meet eligibility requirements.

City of Oakland allows establishment of RPP zones where on-street parking for non-residents is typically restricted to two-hours during weekday business hours. Since most employees, patients, and visitors remain at CHRCO for more than two hours, establishing an RPP zone would reduce the demand for on-street parking.

City of Oakland has the following requirements for establishing a RPP zone:

- A petition must be submitted to the City containing signatures representing at least 51 percent of the residential units in each of the blocks within the proposed RPP.
- At least six adjacent block fronts should be included in each area.
- At least 80 percent of each block front must be residentially zoned.
- At least 75 percent of all on-street parking spaces in the proposed area must be occupied during any two one-hour period between 8:00 AM and 6:00 PM.

Based on the parking occupancy data on Figure IV.D-6 of the Draft EIR, the following streets may be eligible for RPP:

- 51st Street between West Street and Martin Luther King Jr. Way
- 52nd Street between Genoa Street and Martin Luther King Jr. Way
- 53rd Street between Martin Luther King Jr. Way and SR 24 freeway
- 54th Street between Martin Luther King Jr. Way and Telegraph Avenue
- West Street between Martin Luther King Jr. Way and 47th Street
- West side of Martin Luther King Jr. Way between 51st and 55th Streets
- Dover Street between 52nd and 55th Streets

If an RPP zone is established on these or other streets, it is expected that the current CHRCO motorists parking on these streets would use the CHRCO parking facilities, park on-street further away from CHRCO, or shift to other travel modes. Therefore, the following project specific condition is included in this TDM program and added to SCA TRA-1:

- In coordination with City of Oakland staff, CHRCO shall implement the following changes to on-street parking designations, as shown on Figure A:



- Install parking meters along streets with non-residential frontage within one-quarter mile of CHRCO that satisfy all City requirements for parking meters.
- If an RPP zone is established, then CHRCO shall:
 - Provide funding to City of Oakland to establish the RPP zone along streets with residential frontage within one-quarter mile of CHRCO that currently meet the parking occupancy requirements and satisfy other City requirements for establishing RPP.
 - Establish the RPP zone prior to the start of Phase 1 construction.
 - Pay for up to one permit per household for eligible residences with one driveway and up to two permits per household for eligible houses without driveways for a period of ten (10) years after the first RPP permit is issued, subject to extension by the City Council as described below.
 - Monitor parking occupancies on other streets with residential frontage within one-quarter mile of CHRCO that currently do not meet the parking occupancy requirements three months after the initial RPP zones are established. Expand the RPP zone to these streets if City of Oakland receives a petition to expand RPP to these streets and the streets satisfy the parking occupancy and other criteria for an RPP zone.
- If operation of Phase 2 of the Project commences in 2025, then within six months after the issuance of a certificate of occupancy for Phase 2, City staff will present the results of the regular parking utilization studies (see item 2c on page 20 of this memorandum for more detail) to City Planning Commission for their evaluation of the RPP program. If operation of Phase 2 of the Project is delayed beyond 2025, then City staff will present the results of these studies to City Planning Commission for this evaluation ten years after the initial implementation of the RPP. In either scenario, the City Planning Commission shall make a recommendation to City Council regarding 1) whether the Hospital can achieve the reduction goals established by the TDM program while eliminating Hospital-related parking in the RPP area in the absence of the RPP program and 2) the continuation or discontinuance of Hospital funding of the RPP program.

Bicycle Strategies

- *Bicycle Facility Monitoring*– As previously described, the Draft EIR includes Recommendations to expand the existing bicycle parking and provide shower/locker facilities which will encourage bicycling to and from the site. CHRCO shall monitor the usage of these facilities and expand the facilities if necessary.



Outreach Strategies

- *TDM Outreach Program* – Outreach is a key component of a successful TDM program. Employees who participate in commute surveys often state they are unaware of certain transportation benefits that their employers provide. CHRCO shall improve its outreach efforts by providing the following:
 - Provide an appropriately staffed commute assistance center to assist in trip planning and ride-sharing, manage the shuttle service, monitor the effectiveness of the various TDM measures, and conduct regular outreach to employees.
 - Regularly inform all employees of various commuter options and benefits including publishing newsletters, holding “Transportation Fairs”, and posting information on commuter benefits and TDM programs at centralized locations throughout CHRCO and online. The outreach program should emphasize the benefits of using non-automobile modes such as time and money savings, health and environmental benefits, and others.
 - Provide outreach in a central location, such as lobby or cafeteria, would educate employees as well as patients and visitors about transportation alternatives to reach the hospital.
 - As part of regular communication with patients and visitors, inform them of the various transportation options to and from CHRCO.

Other Strategies

- *Guaranteed Ride Home* – Employees may be hesitant to commute by any other means, besides driving alone, since they lose the flexibility of leaving work in case of an emergency. Guaranteed Ride Home (GRH) programs encourage alternative modes of transportation by offering free rides home in the case of an illness or crisis, if the employee is required to work unscheduled overtime, if a carpool or vanpool is unexpectedly unavailable, or if a bicycle problem arises. The Alameda County Transportation Commission offers a GRH service for all registered permanent employees who are employed within Alameda County, live within 100 miles of their worksite, and do not drive alone to work. The GRH program is offered at no cost to the employer, and employers are not required to register in order for their employees to enroll and use the program. CHRCO shall promote and encourage use of the program by providing information on the CHRCO website and designating a contact person who would inform employees about the program.

Construction Period TDM Program

Subject to City review and approval, prior to the start of each phase of construction, a construction period TDM program shall be implemented to encourage construction workers to carpool or use alternative transportation modes in order to reduce the vehicle trips associated with construction workers, and to address potential construction-period parking availability issues.

Considering that the existing Main Garage operates at or near capacity and a parking deficit is expected at the end of Phase 1, it is expected that CHRCO will provide adequate off-site parking for construction workers.



Although no sites have been identified, it is expected that CHRCO would use a shuttle to transport workers between the parking and work site and take measures identified in the TDM program to reduce the likelihood that construction workers would park on the nearby residential streets.

Voluntary Measures

The TDM strategies listed below should be considered for inclusion in the TDM program if the implementation of the mandatory strategies does not meet the goals of this program. The annual monitoring program would inform the success of the recommended strategies as well as the potential success of the below strategies.

- *On-site Parking Pricing* – Implementing market rate parking fees for employees signals to employees the true cost of driving, and highlights that other modes may be less expensive, including transit, walking, and bicycling. It is estimated that doubling the cost of parking for employees would reduce automobile mode share by about two percent. CHRCO should consider increasing prices for long-term parking (such as employee parking passes).¹³ The increased parking revenue may be used to fund the TDM measures discussed in this memorandum.
- *Personalized Trip Planning* – Personalized trip planning, in the form of in-person assistance or as a web tool, provides employees with a customized menu of options for commuting. Trip planning reduces the barriers the employees see to making a walk, bike, or transit trip to the employment site. Transit trip making tools, such as those available from Google or 511.org, could be promoted to inform employees of transit options to/from work. Providing a map of preferred walking routes to employees living within one mile of the site and a map of bicycling routes to all employees living within five miles of the site would be a proactive strategy to encourage those employees to use alternatives to driving. As part of new employee orientation or as periodic on-going events for all employees, CHRCO can offer personalized trip planning to encourage walking, bicycling, or use of public transit. In addition, trip planning tools can be made available on the employee website to provide easy access to this information.
- *Wayfinding and Signage* – CHRCO should develop a campus-wide signage program for patients and visitors to identify access and location for major buildings, bicycle parking, automobile parking, shuttle and bus stops, and other nearby destinations such as the Temescal commercial corridor. The signs should be updated after completion of each phase of the project.
- *On-site Car Share Program* – Car share allows people to have on-demand access to a vehicle during the day, if needed, on an hourly or daily basis. Car share vehicles serve as an alternative mid-day mode for those who take transit, walk, or bike to campus and may need to drive for a mid-day trip. CHRCO should explore with Zipcar, City Car Share, or another provider to provide car sharing, and designate a few spaces in the parking garages for car share vehicles. Car sharing vehicles provided at CHRCO should be restricted to CHRCO employees.

¹³ For comparison, employee monthly parking passes at the Oakland Kaiser Medical Center is \$55 for day-time on-site parking and \$20 for off-site and evening on-site parking



- *Regional Shuttle Service* – from areas with a “critical mass” of employees. Shuttle services which target areas not served by regional transit may be important opportunities for further trip reduction.
- *Bicycle Share Pilot Program* – Employees could check out a bicycle from a secure facility and use it to bicycle for errands or to other CHRCO campuses throughout the day. Williams-Sonoma recently began a company-operated bicycle share program using Public Bikes (www.publicbikes.com). Employees use bicycles at the company's three buildings in the Fisherman's Wharf and Jackson Square neighborhoods of San Francisco.
- *Concierge Services* – Employees can use a concierge service to complete errands that would otherwise require a trip off-site. The availability of this service may negate the desire for an employee to drive to work.
- *Telecommuting* – In general, telecommuting is not a viable option for most hospital employee. However, clerical and non-medical staff may be able to telecommute from home part-time or full-time and reduce the automobile trips. CHRCO can explore establishing a telecommuting policy for qualified employees

TDM Effectiveness

Table 3 summarizes the effectiveness of the TDM strategies discussed above for CHRCO based on research compiled in *Quantifying Greenhouse Gas Mitigation Measures* (California Air Pollution Control Officers Association (CAPCOA), August 2010). This report is a resource for local agencies to quantify the benefit, in terms of reduced travel demand (and therefore greenhouse gases), of implementing various TDM strategies.

As shown, the effectiveness of any individual strategy ranges from minimal (<1 percent) to about nine percent. A low quantified effectiveness does not necessarily imply that the strategy is ineffective. This only demonstrates that at the time of the CAPCOA report development, existing literature did not provide a robust methodology for calculating its effectiveness. In addition, many strategies are complementary to each other and isolating their specific effectiveness may not be feasible.

It is estimated that the implementation of all the TDM strategies can reduce the drive alone mode for CHRCO employees by as much as 23 percent. Although this TDM program does not target patients and visitors at CHRCO, it is estimated that the TDM program would reduce their drive alone mode share by as much as five percent.



TABLE 3: ESTIMATED TDM PROGRAM EFFECTIVENESS					
Proposed Strategy	CAPCOA Strategy ¹	Drive Alone Trip Reduction			
		Employees		Patients/Visitors	
		Low	High	Low	High
Shuttle and Transit					
Shuttle Expansion and New Routes	Employer-sponsored shuttle	1%	2%	1%	2%
Public Transit Subsidy	Transit Fare Subsidy	3%	9%	--	--
Carpool/ Vanpool					
Carpool and Ride-matching Assistance	Ride-Share Program	1%	5%	--	--
Vanpool	Employer Sponsored Vanpool	Negligible	1%	--	--
Preferential Carpool/Vanpool Parking ²	Complementary to Ride-Share Program	--	--	--	--
Parking					
On-site Parking Priced and On-Street Parking Management	Workplace Parking Pricing	1%	2%	--	--
Bicycle					
Bicycle Racks and Covered, Secure Bicycle Lockers	Complementary Bicycle Strategy	Negligible	< 1%	Negligible	< 1%
Shower Facilities	Complementary Bicycle Strategy	Negligible	< 1%	Negligible	< 1%
Outreach					
TDM Outreach Program	Commute Trip Reduction Marketing	2%	3%	1%	2%
Personalized Trip Planning ²	Complementary to Commute Trip Reduction Marketing	--	--	--	--
Other					
Guaranteed Ride Home Program ²	Complementary	--	--	--	--
On-Site Car Share Program	Car-share Program	< 1%	1%	< 1%	1%
Total		8%	23%	2%	5%

1 Subset of 49 transportation demand management strategies identified within the CAPCOA framework

2 These strategies were not quantified in the CAPCOA report. This does not imply the strategy is ineffective. It only demonstrates that at the time of the report development, existing literature did not provide a proper methodology for calculating its effectiveness.

Source: CAPCOA, 2010, Fehr & Peers, 2015

Implementation Timeline

Table 4 lists the TDM measures discussed above and the timing for their implementation, including the mandatory strategies that shall be implemented as part of Phase 1.

In addition to the infrastructure improvements listed on page 9 of this memorandum, CHRCO shall implement the following TDM-strategies as part of the Phase 1 project:

- Shuttle Expansion and/or New Routes
- Shuttle Information
- Public Transit Subsidy (consider \$30/month for up to 200 employees)
- Carpool and Ride-Matching Assistance
- Vanpool Program
- Preferential Carpool Parking
- On-Street Parking Management



- Bicycle Facility Monitoring
- TDM Outreach Program
- Guaranteed Ride Home Program
- Construction Period TDM Program

Based on the data provided in Table 3, these strategies combined are estimated to reduce the CHRCO employees drive alone mode share by at least 10 percent and by as much as 18 percent, which would satisfy the goals of the TDM program to reduce the employee drive alone mode share by 10 percent after the completion of the Phase 1 project.

TABLE 4: TDM PROGRAM COMPONENTS				
Proposed Strategy	Existing Program	Phase 1 Construction	Phase 1 Completion/Phase 2 Construction	Phase 2 Completion
Existing Measures to be Continued				
Shuttle Service	Yes	Modify as needed	Modify as needed	Modify as needed
Commuter Tax Incentive	Yes	Continue	Continue	Continue
Bicycle Parking	Yes	Modify as needed	Modify as needed	Modify as needed
TDM Management	Yes	Modify as needed	Modify as needed	Modify as needed
Additional TDM Measures				
Infrastructure Improvements (includes expanded bicycle parking and shower facilities, etc.)		Yes ¹	Yes ¹	
Shuttle Expansion and/or New Routes		Mandatory	Modify as needed	Modify as needed
Shuttle Information		Mandatory	Continue	Continue
Public Transit Subsidy		Mandatory at \$30/month for up to 200 employees	Modify as needed	Modify as needed
Carpool and Ride-matching Assistance		Mandatory	Continue	Continue
Vanpool Program		Mandatory	Continue	Continue
Preferential Carpool Parking		Mandatory	Modify as needed	Modify as needed
On-Street Parking Management		Mandatory	Continue	Modify as needed
Bicycle Facility Monitoring		Mandatory	Continue	Continue
TDM Outreach Program		Mandatory	Expand as needed	Expand as needed
Guaranteed Ride Home Program		Mandatory	Continue	Continue
Construction Period TDM Program		Mandatory	Mandatory	
On-site Parking Pricing			Voluntary	Voluntary
Personalized Trip Planning		Voluntary	Voluntary	Voluntary
Wayfinding and Signage		Voluntary	Voluntary	Voluntary
On-Site Car Share Program		Voluntary	Voluntary	Voluntary
Regional Shuttle Service		Voluntary	Voluntary	Voluntary
Bicycle Share Pilot Program		Voluntary	Voluntary	Voluntary
Concierge Services		Voluntary	Voluntary	Voluntary
Telecommuting		Voluntary	Voluntary	Voluntary

¹ See Section IV of this memorandum for details
Source: Fehr & Peers, 2015



This TDM program does not establish mandatory strategies for Phase 2 of the project. Based on the effectiveness of the strategies implemented during Phase 1 as determined by the required monitoring program (See item 2 starting on page 20 of this memorandum for more detail on the monitoring program), the City shall determine if the mandatory Phase 1 strategies would be continued, expanded, or discontinued and if CHRCO shall implement additional strategies, such as the voluntary measures described above, to meet the goals of the TDM program.

Benefit and Costs Considerations

Table 5 summarizes the relative effectiveness and costs related to most of the strategies. For example, although providing a transit subsidy offers substantial benefits in terms of reduced private vehicle trips, it comes at a higher cost than some of the other transportation strategies. On the other hand, priced parking, ride-matching, and TDM marketing are the least expensive of the strategies and provide a medium level of effectiveness. Providing car-share and bicycle facilities would come at a low cost but would have low effectiveness as well. A shuttle service expansion would have a medium level of effectiveness at a relatively high cost.

TABLE 5: TDM STRATEGIES EFFECTIVENESS AND COSTS				
Effectiveness	High	--	Public Transit Subsidy (3 - 9%)	--
	Medium	Carpool and Ride-Matching Assistance (1 - 5%) TDM Outreach Program (2 - 3%)	--	Shuttle Expansion and New Routes (1 - 2%) On-Street Parking Management (1 - 2%)
	Low	On-site Car-Share Program (0 - 1%)	Bicycle Racks/Lockers (< 1%) Shower Facilities (< 1%)	--
		Low	Medium	High
				Cost

Source: Fehr & Peers, 2015

VI. MONITORING, EVALUATION, FUNDING, AND ENFORCEMENT

Consistent with the requirements of SCA TRA-1, this TDM program requires regular periodic evaluation of the program to determine if the program goals in reducing employee drive alone mode share are satisfied and assess the effectiveness of the various strategies implemented. The program evaluation shall begin after the start of Phase 1 construction and continue over the life of the buildings (estimated to be at least 50 years). This program ensures the implementation of the mandatory TDM measures and related requirements through



compliance with the Mitigation Monitoring and Reporting Program, as implemented through the Conditions of Approval adopted for the project.

The following would ensure compliance with the approved CHRCO TDM Program:

1. Baseline Employee and Patient/Visitor Transportation Survey – The CHRCO employee and patient/visitor surveys summarized in the Draft EIR and this memorandum were conducted in 2007. Although as documented in the Draft EIR, conditions at CHRCO remained generally the same and the survey results continue to be valid, the new surveys, consistent with the requirements below, shall be conducted prior to start of Phase 1 construction to establish a more recent baseline condition.
2. CHRCO shall prepare an Annual TDM Report to summarize CHRCO's transportation program over the preceding year, intended upcoming changes, and compliance with the conditions of this program. The reports shall be submitted to the City of Oakland and be reviewed by an independent reviewer of the City's choosing to be paid for by CHRCO. The Annual TDM Report shall consist of the following:
 - a. *Annual Employee Transportation Survey* – Shall be conducted annually and distributed to all CHRCO employees. Preferably the same survey template and method shall be used at the same time of the year to avoid incomparable survey results, which shall be subject to review and approval by the City. The response rate shall be a minimum of 30 percent. If a 30 percent response rate cannot be obtained, a non-response survey shall be conducted. A survey response database shall be created with audit trail (each entry has a separate ID number, but without link to each individual). If a survey shows that the drive alone mode share reduction goal is achieved, CHRCO shall not be required to conduct the following two annual Transportation Surveys. A new Annual Employee Transportation Survey shall be conducted during the third year after the last survey.
 - b. *Triennial Patient/Visitor Transportation Survey* – Shall be conducted every three (3) years by interviewing a representative sample of patients/visitors, with the sample size being no less than 300 (corresponding to about 20 percent of the daily patients/visitors) and increasing with the increasing patient/visitor population, about their travel behavior on the day of the survey. The patient/visitor survey shall be conducted at the same time as the employee survey, and shall be subject to review and approval by the City. If there is no employee survey, then the patient/visitor survey will be postponed until the first year of a new employee survey. The Annual Report will during these years include a brief summary of the last survey results.
 - c. *Triennial Parking Utilization Study* – Shall be conducted every three (3) years by studying both off-street CHRCO facilities and on-street parking within approximately one-fourth mile of CHRCO (similar to Figure IV.D-5 in the Draft EIR). The Parking Utilization Study shall also include counts of automobiles entering and exiting all CHRCO driveways. The Parking Utilization Survey shall be completed at the same time as the employee survey, and shall be subject to review and approval by the City. If there is no employee survey, then the parking utilization survey will be postponed until the first year of a new employee survey. The Annual Report will during these years include a brief summary of the last survey results.
 - d. *Annual Evaluation* – CHRCO shall on an annual basis report major accomplishments achieved for and changes made to each of the measures in operation as well as effectiveness and performance metrics of each measure (e.g., shuttle ridership, number of transit passes issued, etc.) and actual headcount of employees and patients/visitors by shift. City of Oakland shall use the annual report



prepared prior to the start of Phase 2 of project to determine if the mandatory Phase 1 strategies should be continued, expanded, or discontinued, and if CHRCO shall implement additional strategies to meet the goals of the TDM program.

3. CHRCO shall, upon adoption of the EIR, fund an escrow-type account to be used exclusively for preparation of future Annual Reports and review and evaluation by the City, or its selected peer reviewers. The escrow-type account shall be initially funded by CHRCO in an amount determined by the City and shall be replenished by CHRCO so that the amount does not fall below an amount determined by the City. The mechanism of this account shall be mutually agreed upon by CHRCO and the City, including the ability of the City to access the funds if CHRCO is not complying with the TDM requirements, and/or to reimburse the City for its monitoring and enforcement costs
4. If the third Annual Report, or any report thereafter, indicates that, CHRCO is not achieving the TDM goals, CHRCO shall prepare a report for City review and approval, which proposes additional TDM measures to achieve the TDM goals, including without limitation a discussion on the feasibility and effectiveness of the menu of other strategies (Corrective Action Plan). CHRCO shall then implement the approved Corrective Action Plan. In addition, if the third Annual Report, or any report thereafter, indicates that any of the mandatory measures are not effective in achieving the TDM goals, CHRCO shall have the option to modify or discontinue the mandatory measure, with approval from City of Oakland.
5. If, one year after the Corrective Action Plan is implemented, the required drive alone mode share reduction target is still not being achieved, or if CHRCO fails to submit a report as described above, or if the reports do not meet City requirements outlined above, the City may, in addition to its other remedies, (a) assess CHRCO a financial penalty based on the observed reduction in the drive alone mode share compared to the target; or (b) refer the matter to the City Planning Commission for scheduling of a compliance hearing to determine whether CHRCO's approvals should be revoked, altered or additional conditions of approval imposed. The penalty as described in (a) above shall be determined by translating the drive alone mode share reduction goal not achieved up to 10 percent in Phase 1 and 20 percent in Future Phases, into number of employees by multiplying the difference in the reduction with the most recent employee FTE count. Assuming the cost per new alternative commuter is \$26/day¹⁴ and that there are 261 workdays per year, the annual cost per new alternative commuter is \$6,790. CHRCO shall therefore pay a penalty of \$6,790 per year for each employee that should have been using an alternative mode if the 10 percent reduction in the drive alone mode share by the end of Phase 1 or if a 20 percent reduction after completion of Phase 2 of the project had been achieved.

¹⁴ MTC's *Transportation Blueprint for the 21st Century* (2000) and Alameda Contra Costa Transit District's *AC Transit Berkeley /Oakland/San Leandro Corridor MIS, Final Report Volume 3: Evaluation of Alternatives* (2002) are two studies that indicate that the cost per new transit rider varies from \$6 per boarding to \$100 per boarding (in 1999-2001 dollars) For each commuter, this equals a daily cost of between \$12 and \$200 (in 1999-2001 dollars) It is therefore assumed that each new alternative commuter would cost CHRCO \$26 per day in 2014 dollars at the low end of the range, or \$6,790 per year, based on 261 workdays per year



6. In determining whether a financial penalty or other remedy is appropriate, the City shall not impose a penalty if CHRCO has made a good faith effort to comply with the TDM program. The City would only have the ability to impose a monetary penalty after a reasonable cure period and in accordance with the enforcement process outlined in Planning Code Chapter 17.152. If a financial penalty is imposed, such penalty sums shall be used by the City solely toward the implementation of the TDM plan.

Attachment:

Figure A – Recommended On-Street Parking Designations

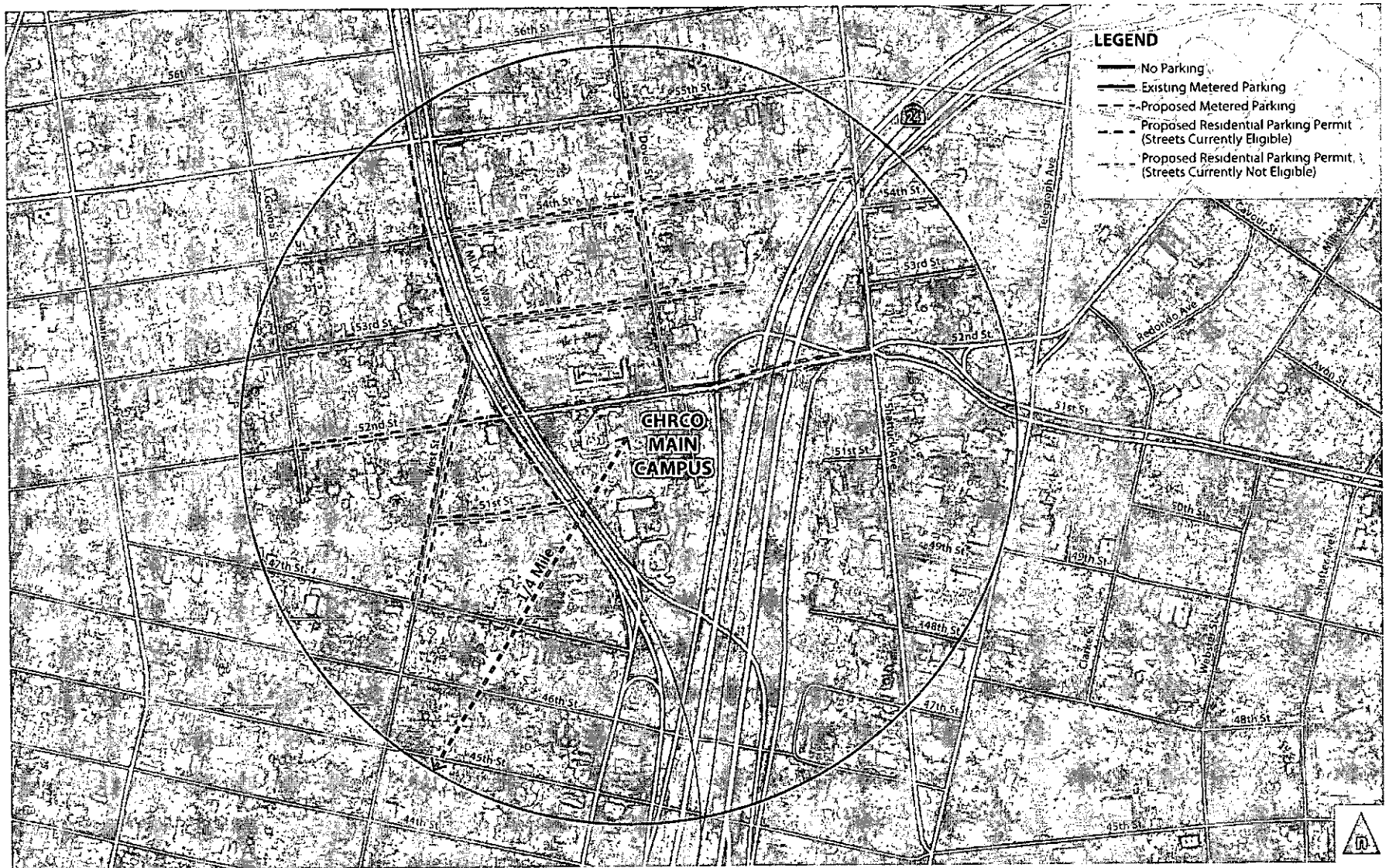


Figure A

Recommended On-Street Parking Designations

1/11/2024 1:4:00 PM ST_Parking_2



April 1, 2015

Oakland City Planning Commission
250 Frank H. Ogawa Plaza
Oakland, CA 94612

Re: Children's Hospital & Research Center Oakland Campus Master Plan Project

Dear Planning Commissioners:

Children's Hospital & Research Center Oakland (CHRCO) has reviewed the Staff Report for the Oakland City Planning Commission meeting on April 1, 2015. As indicated below, we have some suggested refinements we would like to offer regarding certain items in the Transportation Demand Management (TDM) Program (Attachment H) and the Conditions of Approval (Attachment L) attached to the Staff Report as Attachment L and Attachment H, respectively.

TDM Program

As an initial matter, the Hospital notes that it has facilities located elsewhere around the Bay Area. We would request that the Planning Commission and Planning Department staff make clear, either in a revision or a supplement to the TDM Program, that the TDM Program applies only to the Hospital facilities located at 747 and 744 52nd Street, i.e., the addresses for the Master Plan Project.

1. Public Transit Subsidy

The TDM Program requires CHRCO to implement a public transit subsidy. (Attachment H, p. 10.) The Hospital supports the intent of the TDM Program to reduce vehicle traffic and parking demand generated by the Master Plan Project. However, we believe that subsidizing the use of public transit by employees *who already use transit* will not encourage employees *who do not use transit* to instead opt for public transit to commute to the hospital. In effect, this public transit subsidy merely rewards good citizenship. As such, the Hospital requests that the TDM Program be modified to specify that the Hospital will offer subsidies to employees who use public transit so long as those employees do not also receive a parking pass to park in the Hospital's parking structures.

2. Residential Permit Parking (RPP) Program

ATTACHMENT N

Helicopter Noise Management

Ongoing and Prior to issuance of a final inspection of the building permit replacement helistop in Phase 2

Measures (b), (c) and (e) are recommended for implementation within 60 days of final

The Hospital has worked in close collaboration with City Councilmember Dan Kalb's office, Planning Department staff, and the community to help shape the scope and parameters of an RPP Program, should the neighborhood decide to implement such a program. In general, the Hospital supports the RPP approach identified in the TDM Program. (Attachment H, pp. 12-13.) However, the Hospital believes it is more practical to administer an RPP Program that focuses on residents within certain blocks of those portions of the neighborhood that appear to be more impacted by the use of unregulated on-street parking spaces by CHRCO employees. The Hospital has prepared the attached figure depicting this "block" approach to the RPP Program area. As shown in the figure, the Hospital would support the inclusion of residents within the RPP Program that are located to the north and east of the hospital (green and red shaded areas within and outside the ¼ mile radius circle), rather than to the east of SR 24 (unshaded area within the ¼ mile radius circle), because those areas are most likely to benefit from the RPP Program. The Hospital requests that the Planning Commission consider modifying the TDM Program to incorporate this approach.

Conditions of Approval

1. Helicopter Noise Management (COA #44)

As a result of the community meeting organized by City Councilmember Dan Kalb, the Hospital and Planning Department staff have worked together to bolster the condition of approval related to Helicopter Noise Management. Neither the Hospital nor the City has jurisdiction over the emergency helicopter traffic routes or equipment modifications. In fact, the Hospital receives emergency patients via helicopter from a variety of government agencies (e.g., California Highway Patrol, U.S. Coast Guard, etc.) and private emergency service providers. Further, helicopter routes, equipment, etc. are regulated by the Caltrans Division of Aeronautics and/or the Federal Aviation Administration. Nevertheless, this condition of approval can be modified to include additional details and requirements related to addressing helicopter noise, and that would further reduce the already less-than-significant impacts associated with helicopter noise at the relocated helistop. Please see below for suggested edits to this condition that provide those additional details and requirements (additional text shown in underlining and deleted text shown in strikethrough).

Condition of Approval #44:

Helicopter Noise Management

Ongoing and Pprior to issuance of a final inspection of the building permit replacement helistop in Phase 2

Measures (b), (c) and (e) are recommended for implementation within 60 days of final approval of the project. The remainder of the following multipart measures are is recommended for implementation by CHRCO prior to operation of the replacement helistop under Phase 2 of the project:

- a) CHRCO shall offer, at its sole cost and expense, to provide forced air ventilation or an air conditioning unit and sound-insulating windows for the residence located at 720 52nd Street so that windows may remain closed for prolonged periods.
- b) A log of helicopter activity shall be maintained which shall include a detailed record of the reason for the trip, and date and time of arrival and departure.
- c) CHRCO shall develop a protocol to respond to noise complaints about helicopter over flight related to Hospital operations and submit that protocol to City staff ~~prior to certification of the helistop.~~ The protocols shall include, at a minimum: (i) designate and publicize the name and contact information (phone and email) of a helistop contact person; and (ii) means/methods to track complaints, follow-up investigations, and corrective action taken.
- d) CHRCO shall coordinate with FAA to request a waiver to allow mufflers or other sound reducing equipment on helicopters. Such coordination shall include, at a minimum, the following: (i) two years prior to operation of the replacement helistop, developing a strategy, subject to city review and approval; (ii) implementing approved strategy; (iii) documenting communications with the FAA; (iv) informing City of progress; and (v) implementing approved waiver, if granted.
- e) The City acknowledges that emergency helicopter operations and flight paths are dictated by the helicopter pilot based on the pilot's professional judgment, and that the City has no regulatory authority over the operations of emergency helicopters. To the extent any state or federal agency with jurisdiction over helicopter operations (e.g., Federal Aviation Administration or Caltrans Division of Aeronautics) has approved a flight plan related to helicopter operations at the hospital, the Hospital shall include those approved flight plans in contracts for services with air medical companies.

We note that 44(a) refers to 720 52nd Street, which is the noise receptor most impacted by the relocation of the helistop, as described in the Environmental Impact Report for the Project. As such, condition of approval 44(a) is specific to that location to further minimize noise impacts at that address.

2. Public Art for Private Development (COA #60)

As currently drafted, the Condition of Approval related to the public art requirement is not entirely consistent with recently enacted Public Art Ordinance No. 13275 C.M.S. We request that the Planning Commission consider modifying this Condition of Approval to ensure that it tracks the language in the new Ordinance. Please see below for suggested edits to this condition that provide these modifications (additional text shown in underlining and deleted text shown in strikethrough).

Condition of Approval #60

Public Art for Private Development Condition of Approval

Prior to issuance of Final Certificate of Occupancy for each Phase and Ongoing

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

* * *

Thank you for your attention to these issues. The Hospital looks forward to continued and further productive dialogue with the City regarding its Master Plan Project.

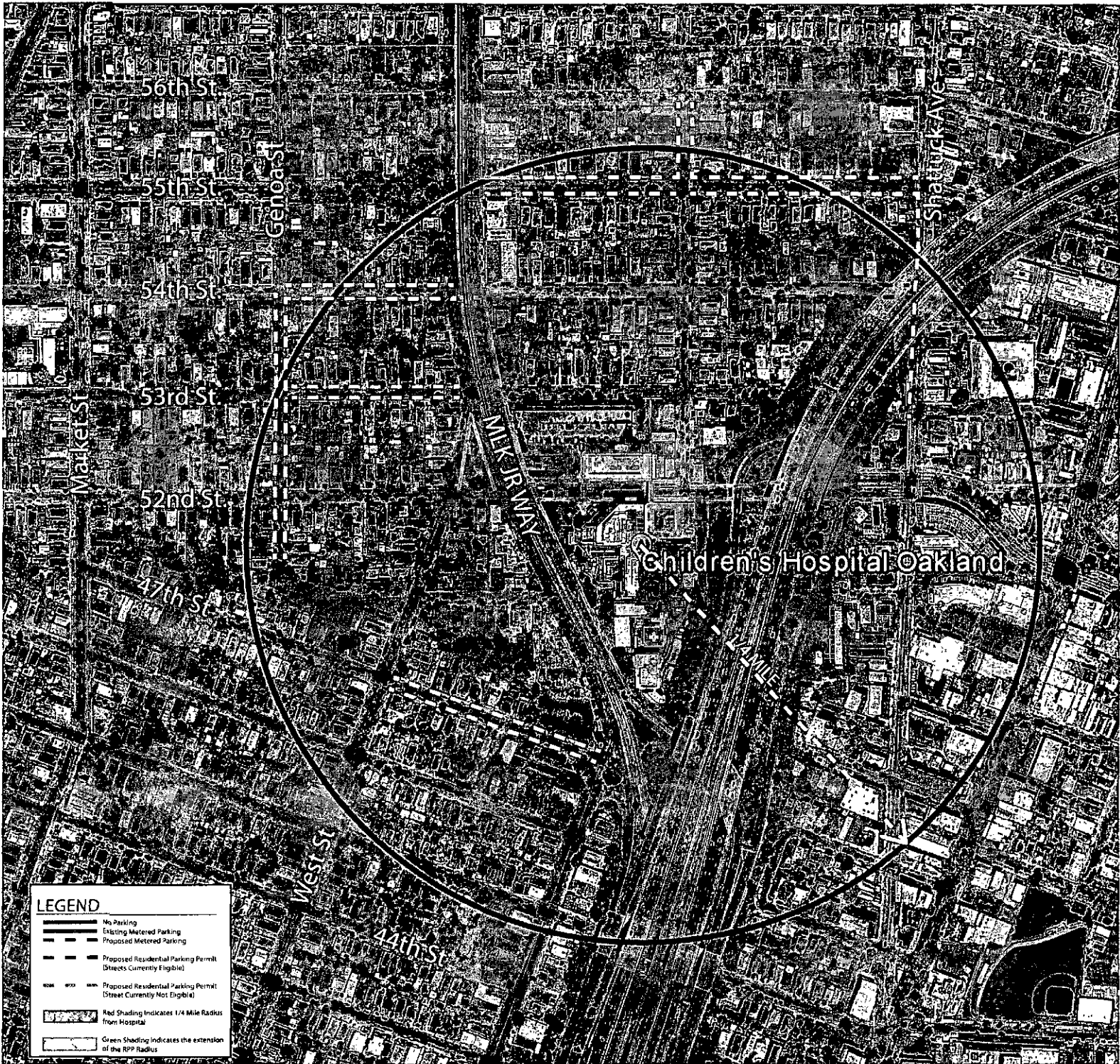
Sincerely,



Doug Nelson
Executive Director of Development & Construction
UCSF Benioff Children's Hospital Oakland

cc: Heather Klein, City Planning Department

Attachment





March 18, 2015

Via Electronic Mail

Ms. Heather Klein
City of Oakland, Bureau of Planning
250 Frank H. Ogawa Plaza, Suite 2214
Oakland, CA 94612
Fax: (510) 238-4730
Email: hklein@oaklandnet.com

Re: Children's Hospital & Research Center Oakland Campus Master Plan Project Final EIR (SCH No. 2013072058); Review of Responses to CIR's Comments Regarding Potential Air Quality Impacts

Dear Ms. Klein:

At the request of the City of Oakland ("City"), this letter provides ENVIRON's independent review of responses included in the Response to Comment/Final Environmental Impact Report ("FEIR") to comments made by the Committee of Interns and Residents ("CIR") regarding the proposed Children's Hospital & Research Center Oakland¹ Campus Master Plan Project's ("Project") potential impacts to air quality.

The City published a Draft Environmental Impact Report (DEIR) (SCH No. 2013072058) for the Project in August 2014. The DEIR evaluated the Project's impacts to air quality and prepared a health risk assessment (HRA) to evaluate the Project's potential for air quality and human health impacts. On behalf of CIR, Lozeau Drury LLP submitted a comment letter expressing concerns regarding the DEIR's analysis of air quality impacts and in particular certain calculations in the HRA. Exhibit A to the Lozeau Drury letter is a technical review of these issues by the consulting firm Soil / Water / Air Protection Enterprise (SWAPE). The Lozeau Drury letter together with Exhibit A to the letter is included in the FEIR as Comment Letter B2. The comments raised in Comment Letter B2 are subsequently addressed in the FEIR as Responses B2-1 through B2-58.

In our review of these responses to comments contained in the FEIR, ENVIRON reviewed all the responses related with the Project's air quality impacts, especially related with the Project's construction HRA.

To summarize ENVIRON's conclusions based on this review, the responses presented in the FEIR adequately address all the comments raised in the Lozeau Drury letter related to the Project's air quality impacts. These responses are also consistent with ENVIRON's previous conclusions based on the independent review of these comments as well as the DEIR, which are included as Appendix C of the FEIR.

¹ ENVIRON understands that the Hospital's official name changed as of January 1, 2014 to UCSF Benioff Children's Hospital Oakland. For consistency, this letter still uses the previous name Children's Hospital & Research Center Oakland.

The following discussion identifies the main comments raised in the Lozeau Drury letter regarding the Project's potential air quality impacts and the adequacy of those responses to comments in the FEIR:

1. Analysis of Cancer Risk

The Lozeau Drury letter states that the DEIR "significantly underestimated" the cancer risk created by construction of the Project because it inappropriately shortened the exposure duration assumed for the nearby sensitive receptors. The responses to this comment are numbered as B2-14, B2-15, and B2-16. These responses correctly point out that the construction duration of 9 years 10 months includes the interior renovation work which will generate minimal amount of outdoor construction activities involving diesel equipment, the major sources of toxic air contaminants (TAC) considered in the HRA. Therefore, it is reasonable and accurate to reduce the exposure duration of the overall construction period to a duration when a measureable amount of outdoor construction emissions would occur. This shorter duration of 3 years for Phase I and 4 years for Phase II, when the demolition and construction work will occur, as pointed out in the responses to comment, is consistent with the period analyzed in the HRA.

The responses also correctly point out that SWAPE calculated the cancer risks assuming that the intensity of the construction would be constant over the entire phase duration of 9 years and 10 months. ENVIRON agrees that because SWAPE's approach did not reduce the overall exposure period to account for the minimal TAC emissions associated with the interior renovation activities, SWAPE overestimated the overall emissions associated with the Project.

In addition, the responses correctly note that the off-site maximally exposed individual (MEI) determined in the DEIR for Phases I and II are located at different locations because the construction areas of these two phases are in different locations, and the composite cancer risk from Phases I and II will always be smaller than the summed risks of the two MEIs independently. Therefore, ENVIRON agrees that SWAPE's methodology of adding the adjusted risk values at the two MEIs, despite revising exposure assumptions, results in an overestimation of impacts.²

As a summary, the responses to comments adequately address the comments in the Lozeau Drury letter regarding the EIR's analysis of cancer risks related to air quality impacts. These responses are consistent with ENVIRON's own assessment and conclusions based on its independent review of these comments, as shown in Appendix C of the FEIR.

2. Use of the ISCST3 Model

The Lozeau Drury letter states that the HRA was conducted using an outdated air dispersion model, ISCST3, and therefore has to be redone using the more current AERMOD model. The response to this comment is numbered as B2-13. This response correctly points out that ISCST3 is an appropriate air dispersion model for the Project. ISCST3 is a recommended model for refined modeling analysis as stated in the Bay Area Air Quality Management District (BAAQMD) Recommended Methods for Screening and Modeling Local Risks and Hazards³ and continues to be

² We note that Response B2-15 indicates that SWAPE did not adjust the Cancer Risk Adjust Factor (CRAF) when attempting to process the MEI risks for the individual phases to a cumulative risk. Although it is not clear if SWAPE in fact adjusted the CRAF, we believe SWAPE may have adjusted the phase II CRAFs to be 3 for all construction years for the cumulative risk scenario. Regardless of whether the CRAF was adjusted, SWAPE's methodology would still result in an overestimation of the Project's impacts because the methodology makes incorrect assumptions about the intensity of the construction period and the propriety of simply adding the risks of the two MEIs independently.

³ BAAQMD 2012 Recommended Methods for Screening and Modeling Local Risks and Hazards. May. Available at <http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/Risk%20Modeling%20Approach%20May%202012.ashx?la=en>. Accessed November 2014.

used by BAAQMD and other air quality agencies in California for health risk assessments under a variety of regulatory programs.

As a summary, the responses to comments adequately address the comments in the Lozeau Drury letter regarding use of the ISCST3 for the Project analysis. These responses are consistent with ENVIRON's own assessment and conclusions based on its independent review of these comments, as shown in Appendix C of the FEIR.

3. Application of BAAQMD's Screening Levels

The Lozeau Drury letter states that because the net square footage expansion of the Project exceeds the screening level sizes as put forward in Table 3-1 of the May 2010 BAAQMD CEQA Guidance, the Project has significant air quality impacts. The response correctly points out that this comment is inaccurate and misleading, and is based on Lozeau Drury's misunderstanding of the use of BAAQMD's screening criteria. The response further explains that if the project exceeds the screening criteria, this only means that a refined analysis may be warranted to evaluate a project's potential air quality operational impacts.

As a summary, the responses to comments adequately address the comments in the Lozeau Drury letter regarding the BAAQMD screening levels. These responses are consistent with ENVIRON's own assessment and conclusions based on its independent review of these comments, as shown in Appendix C of the FEIR.

4. The DEIR's Description of the Project's Construction Period

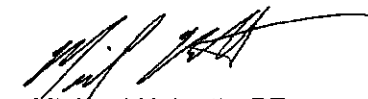
The Lozeau Drury letter states that the DEIR's description of the Project's construction duration in the DEIR itself and in the DEIR's Air Quality Appendix (Appendix E) is inconsistent. As discussed above, the responses to comments B2-14, B2-15, and B2-16 explain how the overall construction duration referenced in the DEIR itself includes the overall construction period – which includes the construction time associated with interior renovations of several hospital buildings – while the DEIR's Air Quality Appendix analyzed health impact for the construction duration when construction TAC emissions from outdoor equipment that generate diesel emissions and other TACs occur.

As a summary, the responses to comments adequately address the comments in the Lozeau Drury letter regarding the shortened construction duration. These responses are consistent with ENVIRON's own assessment and conclusions based on its independent review of these comments, as shown in Appendix C of the FEIR.

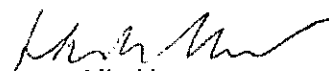
Conclusion

Based on ENVIRON's independent review of the FEIR responses to comments raised in the Lozeau Drury letter regarding the Project's potential air quality impacts, we conclude that these responses adequately and accurately address these comments.

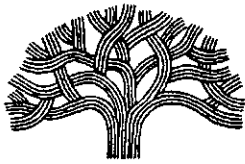
Sincerely,



Michael Keinath, PE
Principal



Min Hou
Sr. Associate



MEMORANDUM

250 Frank Ogawa Plaza, Suite 3341
Oakland, CA 94612
(510) 238-3851 - VOICE
(510) 238-6739 - FAX

To: City Planning
Attn: Heather Klein
From: Philip C. Basada, P.E.
Date: 02.03.2015, Rev. 2
Re: PLN14170 AND PLN14173 – 747 52ND ST. – Children's Hospital Master Plan – Application to merge lot lines and create 3 separate parcels. Parcel A to merge 29 lots into 1, Parcel B to merge 11 lots into 1, and Parcel C to merge 35 lots into 1
Approval: AFM Leroy Griffin:

Summary:

Children's Hospital Master Plan – Application to merge lot lines and create 3 separate parcels. Parcel A to merge 29 lots into 1, Parcel B to merge 11 lots into 1, and Parcel C to merge 35 lots into 1

If the project is to be approved by the Advisory Agency, please attach the following conditions of approval:

1. Property address signs per 2010 CFC 505.
2. Provide on-site and off-site (public streets) water supply (hydrants) per CFC Appendices B and C. OFD requires 300 feet maximum spacing between hydrants on through roads and 200 feet on dead ends. CFC Appendices B and C.
3. Provide fire truck access per CFC Appendix D and City Ordinance 13208.
4. The applicant/s shall agree to the transferability of these conditions to subsequent owners.

Notes on new private road (formerly Dover Street) between 52nd and 53 Streets:

1. Turn around or hammer-head is not required, however a 26-foot wide road removable will be needed for fire ladder operations when serving building/s over 30 feet high.

Notes on reconfigured new private dead-end road (Dover Street):

1. 100-foot-diameter circular turn around or 60-foot-long legs for hammer-head turn-around are required on required 26-foot wide fire access road leading to the proposed garage.



Memorandum

TO: Heather Klein, Zoning Division, Bureau of Planning

FROM: David Harlan, Engineering Manager, Bureau of Building *D.H.*
Ellen Ellsworth, Assistant Engineer II, Bureau of Building

DATE: January 21, 2015

SUBJECT: Children's Hospital Master Plan Vesting Tentative Map (3 Parcels)
Conditions of Approval for 747 52nd Street, 9.5 Acres; Parcel A - 29 lots
merger, Parcel B - 10 lots merger & Parcel C - 35 lots merger

If the project is to be approved by the Advisory Agency, please attach the following
"Conditions of Approval."

1. The project sponsor is required to underground the existing utilities between OPC 1/Main Hospital Highway 24 Bypass as identified on the Vesting Tentative Map.
 - a. Prior to issuance of a construction permit, the project sponsor shall obtain all necessary approvals and permits from affected utilities, including PG&E and telecommunications.
 - b. Improvement plans shall include work necessary to restore the right-of-way, including but not limited to, replacement of sidewalk, curb and gutter, driveway approaches, asphalt paving, landscaping and irrigation, streetlight replacements, relocation of other utilities such as water, sewer, gas lines, signals, or hydrants and any other infrastructure disturbed by the undergrounding work.
 - c. The project sponsor shall be responsible for all reconnections affected by the proposed utility undergrounding work.
 - i. PG&E shall approve all reconnections and those that require a riser pole.
 - ii. Plans for any new riser poles shall be submitted to the City Engineer review and approval prior to installation. Riser poles and guy wires shall be placed in landscaped areas and shall not interfere with existing driveways or sidewalks.

- iii. The project sponsor shall be responsible for all work and costs associated with recording any new easements required by PG&E.
- 2. Prior to issuance of a building permit for the for the new 334-stall parking garage structure, for the inpatient campus population, the project sponsor shall provide a current title report for the land acquired from Caltrans demonstrating the project sponsor is the owner of the Caltrans property shown in the Vesting Tentative Tract Map.
- 3. Prior to issuance of a building permit for the new 334-stall parking garage structure, the project sponsor shall obtain Caltrans approval and encroachment permit for the new emergency access driveway on Martin Luther King Jr. Way at the Highway 24th off ramp.
 - a. The new emergency driveway shall be designed with barriers and signage to prevent vehicle access by the public.
 - b. Plans for barriers, such as bollards pr gates, and signs, such as Do Not Enter, Emergency Vehicles Only, shall be identified on the improvement plans and shall meet all the requirements of the City Engineer and the Oakland Fire Prevention Bureau, including any required Knox Boxes.
 - c. All barriers and signs shall be installed within the private property behind the City's right-of-way.
- 4. The project sponsor shall comply with all NPDES requirements, RWQCB General Construction Permit requirements and City regulations for all stormwater runoff.
- 5. Prior to issuance of a building permit for any portion of the project, the project sponsor shall submit the Oakland Bureau of Building a site specific, design level, geotechnical investigation prepared by a licensed Geotechnical Engineer.
 - a. The investigation shall comply with all applicable state and local code requirements, including but not limited to, expected ground motions at the site from known active faults, liquefaction risks and mitigations, settlement, soil improvements, minimum design criteria for foundations, walls, asphalt and concrete pavements.
 - b. The project structural engineer shall review the site specific investigations, provide any additional necessary initigation to meet Building Code requirements, and incorporate all applicable mitigations form the investigation in the structural design plans and shall ensure that all structural plans for the project meet current Building Code requirements.
 - c. As determined by the Building Official, Oakland Bureau of Building, and at the project sponsor's expense, a registered geotechnical engineer shall be retained to peer review the geotechnical reports, review each site-specific geotechnical investigation, and approve the final report. The project sponsor shall comply with all geotechnical mitigations contained in the peer review and incorporate required measures into the plans submitted for the grading, foundation, structural, infrastructure and all other relevant construction permits to the satisfaction of the Building Official.

- d. All project plans for grading, foundations, structural infrastructure and all other relevant construction permits shall comply with the applicable final geotechnical and other applicable code requirements.
6. Prior to issuance of a construction permit for work in the City's right-of-way, requirements, mitigation measures, in the final Environmental Impact Report (EIR) for the traffic design and circulation shall be incorporated into the improvement plans to the satisfaction of the City Engineer.
7. As a result of reconfiguring the lanes on 52nd Street, the project sponsor shall obtain Caltrans approval for any necessary adjustments to the signal timing at the intersection of Martin Luther King Jr. Way and 52nd Street. Costs and work associated with changing the signal timing at this intersection shall be the responsibility of the project sponsor.
8. All improvements shall be designed and constructed in accordance with the most recent edition of the City of Oakland Guidelines & Standards, available on the City's website; Standard Details for Public Works Construction, Bicycle Facility Design Guidelines, Sewer Design Standards, Storm Drainage Design Standards, and Street Design Guidelines, and all applicable state and local ordinances, standards and requirements. Should a conflict arise, such as a mitigation measure required by the EIR, the governing specification shall be determined by the City Engineer.
9. The intersection of Martin Luther King Jr. Way and 52nd Street is greater than 15 degrees from a right angle, which is noncompliant with the Geometric Design criteria specified in the July 2006 City of Oakland Street Design Guidelines. The project sponsor's engineer shall evaluate and provide recommendations for truck turning radius and bus turning radius from Northbound Martin Luther King Jr. Way onto Eastbound 52nd Street. Based upon the engineer's recommendations, required mitigation measures, and traffic analysis of this intersection the project sponsor shall provide the necessary design changes to improve the operation of this intersection, which may or may not require obtaining additional right-of-way from the adjacent parcel owned by the project sponsor.
10. The project sponsor shall provide a Drainage Report, hydrology and hydraulic study, prepared by a Registered Civil Engineer for the project.
11. The project sponsor shall provide a Sanitary Sewer Report for project's sanitary sewer improvements prepared by a Registered Civil Engineer.
12. The final improvement plans shall incorporate the recommendations made in the Drainage and Sanitary Sewer reports to the satisfaction of the City Engineer.
13. The project sponsor shall provide and show on the final map all necessary easements for access, streets, alleys, sewer and water facilities, utilities and drainage facilities, irrigation facilities and other facilities as requested by the City.
14. The project sponsor shall obtain a demolition permit from the Oakland Bureau of Building prior to demolition of any existing structures.

15. The project sponsor shall obtain approval from AC Transit for the relocation of the bus stop on Martin Luther King Jr. Way between 52nd and 53rd Streets prior to issuance of a City permit for work within the City's right-of-way.
16. The project sponsor shall provide and record an "Emergency Access Easement" for Fire protection within the existing driveway access, utility easement area, previously known as Dover Street as shown on Sheet T-5 of the Vesting Tentative Map. The Emergency Access Easement shall be reviewed and approved by the Oakland Fire Prevention Bureau and the City Engineer prior recordation.
17. If any existing utilities require relocation or improvements within the existing driveway access, utility easement area, previously known as Dover Street as shown on Sheet T-5 of the Vesting Tentative Map, the project sponsor shall obtain necessary approvals and permits from the affected utilities. The project sponsor shall provide for any abandonment and recording of any new easements that may be required by the utility service.
18. The project sponsor shall obtain all necessary approvals from governing agencies; such as Federal Aviation Administration (FAA) and Caltrans, for the proposed new roof Helistop. All agency approvals and permits shall be obtained prior to issuance of a building permit to construct a new Helistop or a demolition permit to remove the existing Helistop.

Klein, Heather

From: Hayes, Gil
Sent: Wednesday, January 21, 2015 10:45 AM
To: Klein, Heather
Subject: RE: Children's Hospital Tentative Tract Map comments

Heather:

My comments are pretty simple yet will remain open pending receipt of the staged maps.

- 1) The applicant shall install standard City of Oakland monuments as directed by the City Surveyor to perpetuate the alignment of streets and boundaries around and within the property.
- 2) The applicant shall install standard City of Oakland benchmarks as directed by the City Surveyor to establish (and/or replace) elevation control on the site area and adjacent intersections.
- 3) At the sole discretion of the City Surveyor, minor City Monuments may be required to establish the limits of any Public access easement or RoW

The exact locations of these items shall be determined at the time of the submission of a/any final map(s). The City Monument standards shall be those in effect at the time of the final map submission(s)

g

GILBERT E. HAYES, PS - City Surveyor

Oakland Public Works Department

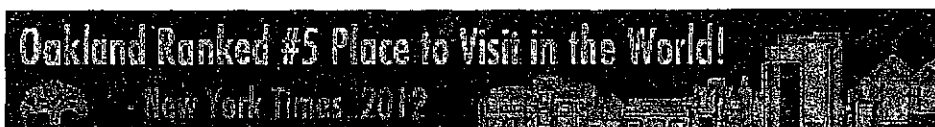
250 Frank Ogawa Plaza, Suite 4344

Oakland, California - 94612

510-238-3697 (Voice) - 510-238-6633 (Fax)

N 2120485.74096 ◊ E 6049710.38229

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From: Klein, Heather
Sent: Wednesday, January 21, 2015 9:44 AM
To: Harlan, David; Ellsworth, Ellen; Basada, Philip; Griffin, Leroy; Hayes, Gil
Cc: Merkamp, Robert
Subject: Children's Hospital Tentative Tract Map comments
Importance: High

All,
The Tentative Tract Map was routed to you on December 22nd. I requested comments back today. Please let me know if you will be able to provide comments today and, if not, when you will be providing final tentative tract map comments.

Thanks!



REVIEW OF AGENCY PLANNING APPLICATION

THIS IS NOT A PROPOSAL TO PROVIDE WATER SERVICES

The technical data supplied herein is based on preliminary information, is subject to revision, and is to be used for planning purposes ONLY.

DATE 01/16/2015	EBMUD MAP(S): 1488B492, 1488B490	EBMUD FILE S-9827
AGENCY City of Oakland Planning and Zoning Services Division Attn: Heather Klein 250 Frank Ogawa Plaza, Suite 2114 OAKLAND, CA 94612	AGENCY FILE 8194	FILE TYPE Tentative Map
APPLICANT Children's Hospital and Research Center 747 52nd Street Oakland, CA 94609		OWNER Children's Hospital and Research Center 747 52nd Street Oakland, CA 94609

DEVELOPMENT DATA

ADDRESS/LOCATION 747 52nd Street City OAKLAND Zip Code 94609

ZONING: Hospital PREVIOUS LAND USE Hospital

DESCRIPTION Children's Hospital requests approval of a Master Plan to create new acute care facilities. Phase 1 would renovate 95,000 sq ft and construct 90,000 sq ft. Phase 2 would demolish 65,000 sq ft, renovate 42,000 sq ft, and construct 300,000 sq ft of new hospital area

TOTAL ACREAGE 7.33 ac

TYPE OF DEVELOPMENT
Other 593500 Sqft

WATER SERVICES DATA

PROPERTY in EBMUD	ELEVATION RANGES OF STREETS 80-100	ELEVATION RANGE OF PROPERTY TO BE DEVELOPED 95-100							
Part of development may be served from existing main(s) Location of Main(s) 52nd and 53rd Streets, Dover Street, and Martin Luther King Jr Way	Part of development must be served from main extension(s) Location of Existing Main(s) 52nd Street								
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">PRESSURE ZONE</th> <th style="width: 70%;">SERVICE ELEVATION RANGE</th> </tr> </thead> <tbody> <tr> <td>G1AB</td> <td>100-200</td> </tr> </tbody> </table>	PRESSURE ZONE	SERVICE ELEVATION RANGE	G1AB	100-200	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">PRESSURE ZONE</th> <th style="width: 70%;">SERVICE ELEVATION RANGE</th> </tr> </thead> <tbody> <tr> <td>G1AB</td> <td>100-200</td> </tr> </tbody> </table>	PRESSURE ZONE	SERVICE ELEVATION RANGE	G1AB	100-200
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G1AB	100-200								
PRESSURE ZONE	SERVICE ELEVATION RANGE								
G1AB	100-200								

COMMENTS

EBMUD owns and operates a 6-inch water distribution pipeline in Dover Street located within the boundary of this property (i.e., Parcel C). This pipeline provides water service to the existing Children's Hospital facilities. The integrity of this pipeline needs to be maintained at all times. Any proposed construction activity near the pipeline would need to be coordinated with EBMUD and may require relocation of the pipeline, at the project sponsor's expense. No buildings or structures shall be constructed in EBMUD's right of way unless specific approval is given by EBMUD.

A main extension, at the project sponsor's expense, may be required depending on EBMUD metering requirements and fire flow requirements set by the local fire department. Off-site pipeline improvements, also at the project sponsor's expense, may be required to serve the proposed development. Off-site pipeline improvements include, but are not limited to, replacement of existing pipelines to the project site. When the development plans are finalized, the project sponsor should contact EBMUD's New Business Office and request a water service estimate to determine the costs and conditions of providing water service to the development. Engineering and installation of water mains and meters requires substantial lead time, which should be provided for in the project sponsor's development schedule. The project sponsor should be aware that Section 31 of EBMUD's Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all the applicable water-efficiency measures described in the regulation are installed at the project sponsor's expense. No water meters are allowed to be located in driveways. Due to EBMUD's limited water supply, all customers should plan for shortages in time of drought.

ELE

CHARGES & OTHER REQUIREMENTS FOR SERVICE:
Contact the EBMUD New Business Office at (510)287-1008.

David J. Rehrstrom, Senior Civil Engineer, DATE 1/20/15
 WATER SERVICE PLANNING SECTION

Klein, Heather

From: Colin Dentel-Post <dentelpost@gmail.com>
Sent: Sunday, March 15, 2015 2:09 AM
To: Klein, Heather
Subject: Comments on Children's Hospital project design

Dear Ms. Klein,

I recently reviewed the proposed major changes to the Oakland Children's Hospital complex. In general, I strongly support upgrades to the complex. However, I am concerned that the proposed design would further degrade the pedestrian environment at the intersection of 52nd Street & MLK Way by placing auto parking and circulation at ground level on both the northeast and southeast corners of the intersection.

As a resident of Temescal, I value our neighborhood's walkability, allowing easy access to local businesses, and other destinations. MLK Way, however, is an unpleasant place to walk due to high traffic volumes, speeding, and lots of unattractive, auto-oriented, and/or low-activity uses along the street. The Children's Hospital rebuild offers an opportunity to reorient a major anchor of the corridor towards pedestrians and transform the key intersection of MLK/52nd. It could also help make walking along 52nd between the Temescal business district, the hospital, and neighborhoods to the west more attractive.

Unfortunately, the current plans showed that the new building on the northeast corner of the intersection would have parking on the ground floor, and that the southeast corner would continue to have a driveway and parking in front of the building. Adding more parking and driveways at pedestrian level will only make the experience of walking here less pleasant, reinforcing the current auto-oriented nature of the area.

I hope the designs can be revised to tuck the parking and auto circulation behind more active and transparent uses that would offer a pleasant and interesting walking experience. The new Kaiser buildings at Broadway & MacArthur Blvd are a good example - they did a nice job of lining the sidewalks with transparent, active uses (conference rooms, cafeteria, pedestrian entrances, etc).

Please recommend that the project's designers work to address this issue and ensure that the hospital design contributes to a healthy, vibrant, and pedestrian-friendly community.

Thank you,

Colin Dentel-Post
511 42nd Street

Attachment R

DEPARTMENT OF TRANSPORTATION

DISTRICT 4
P.O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-5528
FAX (510) 286-5559
TTY 711
www.dot.ca.gov



*Serious Drought
Help save water!*

March 12, 2015

ALA024036
ALA-24-PM 2.764
SCH# 2013072058

Ms. Heather Klein
Planning Division
City of Oakland
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612

Dear Ms. Klein:

**Children's Hospital and Research Center Oakland Master Plan Project – Final
Environmental Impact Report**

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. We have reviewed the Final Environmental Impact Report and have the following comments to offer.

Preliminary Design Issues

Please be advised there are technical concerns with the preliminary design of the proposed retaining wall. Design comments in the evaluation of the Preliminary Design/Advance Planning Study Submittal indicate Caltrans Division of Engineering Services **cannot concur** with the proposed alignment and preliminary design on October 2014. We advise you to continue this design review with Caltrans Division of Program & Project Management for coordination of State facility improvement commitments in Alameda County. For further assistance, please contact Jack Siau, Caltrans Project Manager, Program/Project Management – East at (510) 622-8824.

Caltrans Response to Comments A3-2, A3-3

Please ensure geotechnical related project impacts designated "Less than significant" are mitigated with the implementation of the City's Standard Conditions of Approval and are properly integrated into the project's Mitigation Monitoring and Reporting Program. The type of mitigation, specific location, implementation schedule, and lead agency contact responsible for mitigation reporting should be identified. Required roadway improvements should be completed prior to issuance of the Certificate of Occupancy.

Caltrans Response to Comments A3-5

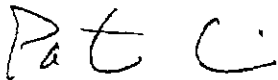
The Children's Hospital & Research Center Oakland (CHRCO), as the project applicant, is

Ms. Heather Klein, City of Oakland
March 12, 2015
Page 2

responsible for coordinating with Caltrans staff during the design process to address technical concerns of the retaining wall and other design related criteria within the State right-of-way.

Should you have any questions regarding this letter, please contact Sherie George at 510-286-5535 or sherie.george@dot.ca.gov.

Sincerely,

Handwritten signature of Patricia Maurice in cursive script.

PATRICIA MAURICE
Acting District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse

Klein, Heather

From: Edward On-Robinson <anigbrowl@gmail.com>
Sent: Wednesday, March 11, 2015 7:00 PM
To: Klein, Heather
Subject: Re Children's Hospital- Joint Meeting of the Oakland City Planning Commission and the City Administrator - April 1st at 6.00 PM

Dear Ms Klein,

I will attend the meeting if possible, but I would like to say that I am sick to the back teeth of the Children's Hospital development almost invariably being the last item on the agenda. I have had to leave previous meetings because they dragged on so long about other topics that I was unable to remain to hear testimony on the hospital project. The commission knows full well that this is a huge project on which large numbers of people wish to submit their input, and which will easily fill any time allocated for it; why can it never have a dedicated meeting, be first on the agenda, or have meetings take place at a more reasonable hour, like during the day time on a weekend? At least that way people could attend and be sure of hearing testimony on the issue instead of sitting there wondering if the commission will even get around to discussing it after it hears testimony on smaller planning questions.

While I am broadly supportive of the development, the fact that it is consistently scheduled last on the agenda is exclusionary and unfairly limits our ability to participate in the planning process.

On Wed, Mar 11, 2015 at 6:48 PM, Klein, Heather <HKlein@oaklandnet.com> wrote:

Dear Interested Parties,

This e-mail is a reminder that the Response to Comments/Final EIR document was published on February 27, 2015. Notice of document's advanced release was e-mailed to you on February 20th and notice of the release was also given on February 27, 2015.

This e-mail also provides notice that:


The Oakland City Planning Commission and Office of the City Administrator will conduct a joint public hearing on the Final EIR on April 1, 2015, at 6:00 p.m. in Hearing Room 1, City Hall, 1 Frank H. Ogawa Plaza to consider certification of the Final EIR and project approvals and recommendations to City Council.

Attached is the agenda for the meeting. Staff Reports will be published toward the end of the week starting March 23rd.

If you have any questions, as always, please contact me.

Best regards,

Heather Klein, Planner III | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 2114 | Oakland, CA 94612 |
Phone: [\(510\)238-3659](tel:5102383659) | Fax: [\(510\) 238-6538](tel:5102386538) | Email: hklein@oaklandnet.com | Website: www.oaklandnet.com/planning

 **Please** consider the environment before printing this email

--

Edward

--

Edward On-Robinson
5207 West Street
Oakland
CA 94608
(415) 374 3970



March 18, 2015

Heather Klein
Planning and Building Department
250 Frank H. Ogawa Plaza
Suite 3315
Oakland, CA 94612

SUBJECT: Final Environmental Impact Report for the Children's Hospital & Research Center
Oakland Campus Master Plan Project

Thank you for the opportunity to review the Final Environmental Impact Report for the Children's Hospital & Research Center Oakland Campus Master Plan Project. We have no additional comments on this project. The requirements under the Congestion Management Program Land Use Analysis element are satisfied.

Please contact me at (510) 208-7428 or Daniel Wu of my staff at (510) 208-7453 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Tess Lengyel". The signature is fluid and cursive.

Tess Lengyel
Deputy Director of Planning and Policy

cc: Daniel Wu, Assistant Transportation Planner

file: CMP/Environmental Review Opinions/2015

TEMESCAL TELEGRAPH BUSINESS IMPROVEMENT DISTRICT

DD: March 30, 2015

RE: Case No. PLN14-170; ER12-0013.

TO: Heather Klein, Project Planner and Oakland Planning Commissioners:

The Temescal/ Telegraph Business Improvement District (TTBID) is writing this letter in enthusiastic support of the UCSF Benioff Children's Hospital Oakland (UCBCHO) modernization project.

Since TTBID's inception in 2005, Children's Oakland has been a property owner member of the business district, and we have witnessed their commitment to the community. They demonstrated their support of the commercial district by voting to assess their buildings as a major contributor of TTBID twice. We have been impressed with the myriad of meetings they have held with community groups to seek input on the proposed modernization project, and we have supported their outreach efforts as needed to ensure they reach all major neighborhood stakeholders.

We understand the need for Children's Oakland to undertake this major renovation project to meet new state seismic safety standards, to upgrade facilities to support advancements in medical technology and to improve patient care with required individual patient rooms.

We appreciate that Children's Oakland plans to maximize the use of existing land and buildings in order to minimize neighborhood impacts and aims to keep the height of any new buildings consistent with the height of existing facilities.

The Temescal Telegraph Business Improvement District represents approximately 350 property owners along the Telegraph Avenue and 40th Street corridors. At our Board meeting on January 28, Damon Barda of Taylor Design presented an overview of the modernization project. He showed visuals of the project design and answered questions from the Board and other attendees. At our March 25th Board meeting, the board voted unanimously in favor of supporting the project.

We view Children's Oakland as an economic asset to the Temescal/Telegraph District and as a vital pediatric healthcare provider to the East Bay region. We ask for the Planning Commission's approval of the project's final EIR certification and allow for the positive momentum in the district to continue by supporting their project.

Sincerely,

Roy Alper
Interim President
Temescal Telegraph Business Improvement District

**TEMESCAL
TELEGRAPH
BUSINESS IMPROVEMENT DISTRICT**

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Sincerely,

Roy Alper
Interim President
Temescal Telegraph Business Improvement District

Klein, Heather

From: Steve Means <skmeans@comcast.net>
Sent: Monday, March 30, 2015 3:48 PM
To: Klein, Heather
Subject: Public Comment for Children's Hospital project

Dear Heather,

I am the owner of 5201 West Street, right across MLK from Children's Hospital.

I am sorry about this last minute public comment, but it just occurred to me last night. Please put the following 3 comments in the public record. Also, please let me know whether any action on them can be taken:

Comment 1: The triangular "public park" bounded by MLK, West Street, and 52nd Street is a neighborhood problem, and perhaps this project can provide an opportunity to do something about it with some private money. The problem is not necessarily that the "park" is a de-facto homeless encampment, but that this de-facto homeless encampment does not have any public restrooms. The result is that homeless citizens and their friends tend to defecate and urinate in the yards of--and upon the walls of--adjacent private houses! Either a public restroom should be constructed on that land, or it should be converted to some inaccessible private use (i.e. deeded to the hospital for some purpose). I know that many projects have a "10% for Art" requirement. I am sure the neighborhood would much prefer that money--or ANY money spinning off this project--to be spent constructing a public restroom in that public park.

Comment 2: Hospital staff, patients, and patients' families seem to prefer to park their cars throughout surrounding neighborhoods. This has created a huge parking inconvenience for virtually every Oakland resident who lives within a six block radius of Children's Hospital. I read an earlier summary of this project, and I don't recall the exact number of proposed parking garage stalls, but I do remember that it seemed woefully inadequate. I think the bare minimum number of parking stalls to be provided should be four (4) for every single hospital bed. Furthermore, there should be a requirement written into their Use Permit that on-site parking should be inexpensive... say no more than the typical public parking meter. On-site parking should definitely be free for all staff. Short of that, the City of Oakland should institute a parking permit scheme for residents only in this area (similar to the permit system throughout Berkeley). There might also be other ways that Hospital staff could be encouraged to ride public transit.

Comment 3: There is a huge tree that partially blocks the public sidewalk in front of 5201 and 5207 West Street. Is there any way that tree can be taken down as part of this project?

Thank you for considering my comments, for referring them as needed to appropriate staff, and for including them in the public comments.

Sincerely, and with the best of intentions,

Steve Means
Owner, 5201 West Street

Klein, Heather

From: Bob Schenker <bobschenkerdesign@gmail.com> on behalf of Robert Schenker <ris@schenkerdesign.com>
Sent: Monday, March 30, 2015 9:37 PM
To: Klein, Heather
Subject: parking meters on Dover

Hi Heather,

I would like to put forward a couple of issues.

One is the idea of parking meters on Dover between 52nd and 53rd streets. Currently there are no parking restrictions or limits aside from the usual corner and hydrant red zones (and driveways). When I first heard about the meter idea, last week, I thought it would be great, mostly because spaces would then be marked and it could make it more obvious that parking where our driveway is would not be an option. Currently no spaces are marked. People can park wherever they want as long as (in theory) they are legal.

Then it dawned on me that it would also cause a lot of people to try to park on the next blocks to avoid the meters. That could make things worse for all the residents, since every single local resident lives on a block that would not have the meters. It might cause problems and I think it should be thought out more thoroughly.

The other thing, which I didn't mention this evening, is that the reorientation of the maintenance access from 53rd to Dover is going to result in trucks coming and going in front of our house. Most houses have living rooms in front facing the street, but in our case that driveway will be right across from our bedroom. Like everyone else around here, we have no air conditioning and have to have windows open most of the day. Jovita has asthma and is worried about diesel fumes (and noise). That access drive will also be used for staging and during construction, it will be far worse than just the occasional maintenance vehicle. Also, we're both here most of every day—Jovita is retired and I work at home.

I'm not sure what could be done about either of these, but would value your input.

Thank you,
Bob Schenker
685 53rd St.

Klein, Heather

From: Lynn <roc_roc8@hotmail.com>
Sent: Tuesday, March 31, 2015 1:33 PM
To: Klein, Heather
Subject: Proposed RPP for North Oakland

Hi Heather,

I attended the meeting with Dan Kalb last night and had one thing that I wanted to clarify.

Someone mentioned the boundaries of the proposed RPP. They said it would end at 55th street???

It was my understanding from last weeks meeting with the representatives of Children's Hospital that it would include Dover street, all the way to 56th street. And it would include 56th street, between MLK and Shattuck. Can you please tell me if that is correct?

Thanks so much for being so patient last night! And you were still smiling!

Best regards,

Lynn Beldner
5528 Dover St. (56th + Dover)

March 31, 2015

RE: Children's Hospital (PLN14-170; ER12-0013)

Dear Ms. Klein,

I don't think I will be able to attend the Planning Commission meeting tomorrow night and had a few thoughts about the proposed RPP.

I wonder if the City of Oakland and Children's Hospital would take the initiative and deem the proposed RPP as an established parking area. Our neighborhood is impacted by the hospital, staff and visitors and now we are being asked to undertake a complicated task to ensure that we can park on our own street. So it makes sense to me that Children's Hospital owns the process to get the RPP approved. This could be done if the City of Oakland made acceptance for the permitting process.

Asking the residents to do the petitioning, provide detailed information on a complicated process, and then still have the possibility that it could be denied is daunting to me.

The City of Oakland could send a letter to all of the residents with an explanation about the proposal. If residents don't want to participate then they wouldn't have to reply to the letter or something like that.

I think Children's Hospital would find that the community would be very grateful to have this parking permit process simplified and know that it could actually come to fruition with less hoops to jump through.

Please let me know if you have any questions. Thanks so much for all of your help.

Regards,

Lynn Beldner
5528 Dover Street
Oakland, CA 94609

Klein, Heather

From: Lynn <roc_roc8@hotmail.com>
Sent: Tuesday, March 31, 2015 1:36 PM
To: Klein, Heather
Subject: RPP process for North Oakland

March 31, 2015

RE: Children's Hospital (PLN14-170; ER12-0013)

Dear Ms. Klein,

I don't think I will be able to attend the Planning Commission meeting tomorrow night and had a few thoughts about the proposed RPP.

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Please let me know if you have any questions. Thanks so much for all of your help.

Regards,

Lynn Beldner
5528 Dover Street
Oakland, CA 94609

Klein, Heather

From: Lynn <roc_roc8@hotmail.com>
Sent: Wednesday, April 01, 2015 12:47 PM
To: Klein, Heather
Subject: RE: RPP process for North Oakland

I know you are super busy but when you get a chance can you please check that Dover Street is included all the way to 56th street?
(This is for the proposed RPP.)


And that 56th street is included from Shattuck to MLK.

Another giant thank-you!
lb

From: HKlein@oaklandnet.com
To: roc_roc8@hotmail.com
Subject: RE: RPP process for North Oakland
Date: Wed, 1 Apr 2015 19:45:01 +0000

Sure thing!

Heather Klein, Planner III | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 2114 | Oakland, CA 94612 | Phone: (510)238-3659 | Fax: (510) 238-6538 | Email: hklein@oaklandnet.com | Website: www.oaklandnet.com/planning

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From: Lynn [mailto:roc_roc8@hotmail.com]
Sent: Wednesday, April 01, 2015 12:44 PM
To: Klein, Heather
Subject: RE: RPP process for North Oakland

Hi Heather,

I did send it to Dan and Olga. Thanks again!

best,
lb

From: HKlein@oaklandnet.com
To: roc_roc8@hotmail.com
Subject: RE: RPP process for North Oakland
Date: Wed, 1 Apr 2015 16:49:48 +0000
Lynn,

I will forward to the Planning Commissioners tonight. Did you send this along to Councilmember Kalb's office?

Heather Klein, Planner III | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 2114 | Oakland, CA 94612 |
Phone: (510)238-3659 | Fax: (510) 238-6538 | Email: hklein@oaklandnet.com | Website: www.oaklandnet.com/planning
 **Please** consider the environment before printing this email

From: Lynn [mailto:roc_roc8@hotmail.com]
Sent: Tuesday, March 31, 2015 1:36 PM
To: Klein, Heather
Subject: RPP process for North Oakland

March 31, 2015

RE: Children's Hospital (PLN14-170; ER12-0013)

Dear Ms. Klein,

I don't think I will be able to attend the Planning Commission meeting tomorrow night and had a few thoughts about the proposed RPP.

I wonder if the City of Oakland and Children's Hospital would take the initiative and deem the proposed RPP as an established parking area. Our neighborhood is impacted by the hospital, staff and visitors and now we are being asked to undertake a complicated task to ensure that we can park on our own street. So it makes sense to me that Children's Hospital owns the process to get the RPP approved. This could be done if the City of Oakland made acceptance for the permitting process. **Asking the residents to do the petitioning, provide detailed information on a complicated process, and then still have the possibility that it could be denied is daunting to me.**

The City of Oakland could send a letter to all of the residents with an explanation about the proposal. If residents don't want to participate then they wouldn't have to reply to the letter or something like that.

I think Children's Hospital would find that the community would be very grateful to have this parking permit process simplified and know that it could actually come to fruition with less hoops to jump through.

Please let me know if you have any questions. Thanks so much for all of your help.

Regards,

Lynn Beldner
5528 Dover Street
Oakland, CA 94609

Klein, Heather

From: Lynn <roc_roc8@hotmail.com>
Sent: Wednesday, April 01, 2015 6:07 PM
To: Klein, Heather; Kalb, Dan, Bolotina, Olga
Subject: RE: Children's Hospital Oakland Suggested Changes/Enhancements to COAs and TDM

Hi Heather,

This makes me really cranky. I have attended every meeting to advocate that my block of Dover be included in the RPP. In fact Doug Nelson stated that it was to be included at the meeting that I attended last week on Thursday, March 26th.

At this meeting Doug stated that it would include "Dover street, between 55th + 56th. And it would include 56th street between MLK and Shattuck".

I just told my neighbors that we didn't have to worry about this issue any longer and now I feel betrayed. Can my comments please be included as part of the record to the Planning Commission?


Thanks so much!

Lynn Beldner
5528 Dover St.
Oakland, CA 94609

From: HKlein@oaklandnet.com
To: roc_roc8@hotmail.com
Subject: FW: Children's Hospital Oakland Suggested Changes/Enhancements to COAs and TDM
Date: Thu, 2 Apr 2015 00:14:58 +0000

Lynn,
FYI, this is the Hospital's RPP proposal which shows a different boundary then previous recommended.

Heather Klein, Planner III | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 2114 | Oakland, CA 94612 | Phone: (510) 238-3659 | Fax: (510) 238-6538 | Email: hklein@oaklandnet.com | Website: www.oaklandnet.com/planning

 Please consider the environment before printing this email

From: Doug Nelson [<mailto:DNelson@mail.cho.org>]

Sent: Wednesday, April 01, 2015 5:00 PM

To: EW.Oakland@gmail.com; jahazielbonillaoaklandpc@gmail.com; Moore, Jim;

jmyres.oakplanningcommission@gmail.com; nagrajplanning@gmail.com; Coleman, Michael; Pattillo, Chris

Cc: Klein, Heather

Subject: Children's Hospital Oakland Suggested Changes/Enhancements to COAs and TDM

Dear Planning Commissioners,

Please find attached some suggested refinements we would like to offer regarding certain items in the TDM program and the Conditions of Approval attached to the Staff Report. I will bring 15 hard copies to the Planning Commission meeting this evening and I'll briefly review during my presentation.

Thank you.

Doug Nelson, MBA
Executive Director of Facilities Development & Construction
UCSF Benioff Children's Hospital Oakland
Office Phone: 510-428-3066
Cell: 925-708-5679

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Klein, Heather

From: Carmen Getit <carmengetit@gmail.com>
Sent: Wednesday, April 01, 2015 10:18 PM
To: Merkamp, Robert; Klein, Heather
Cc: Kalb, Dan
Subject: public comment on the CHO modernization project

Dear Planning Commission and interested parties,

I have some additional comments regarding the Children's Hospital Modernization and Expansion project. Thank you for taking public comment. I understand comments were due today, April 1. Here are some of my issues I feel were not addressed in my letter to the commission during the DEIR public comment period, nor in my spoken comments made in person at the public hearing for the Draft EIR.

1) Outpatient Building proposed at the northeast corner of 52nd Street and MLK. Some time ago in 2014 the CHO staff presented to our Santa Fe Community Association of Neighbors (Santa Fe CAN), I asked why the proposed OPC2 building couldn't have parking in the basement, instead of the ground floor, to allow for a more walkable, pedestrian friendly, safer MLK/52nd Street corridor. We were told by CHO that the water table was too low. I responded with, you mean too high? Last week I was told by City Planner Heather Klein that if drivers to the ER had to park in the basement, it would result in a longer to walk to the ER than if they had parked on ground level.

Here are two solutions to that proposed problem:

1a) What about the large parking structure which is already there, with the entrance directly across from the entrance to the ER on 52nd Street? Why not designate ER parking on the ground floor in that existing parking structure? Wouldn't that satisfy Heather Klein's requirement of creating minimal walk time for ER parking to ER? You could move parking to the basement of the new OPC2 building, to make room for such designated ER parking in the existing parking structure..

1b) Or how about utilizing valet parking like other area hospitals?

Regardless, having parking in the basement is a better design for the following reasons:

1c) Less people relieve themselves on the sides of buildings which have windows, whereas parking structures are much more appealing, as witnessed by residents observing the number of people who choose to urinate on or near the existing CHO parking structure on 53rd Street.

1d) Public safety. It's simply safer to walk near enclosed, walled structures with windows, than partially open-air parking structures where criminals and animals can hide.

1e) Pedestrian friendly. It's more appealing to walk next to buildings with windows and doors than a parking structure.

1f) By putting parking in the basement, the overall height of the building could be lower, matching the rest of the CHO campus, and the entire surrounding neighborhood, thereby reducing shadow and reflected light on existing residential. As soon as you allow buildings to rise above the average of the existing buildings, you bring the 'average' up, and set the stage for future developments to be increasingly higher. You've got to put a stop to this now.

2) Please correct the description of 52nd Street to reflect reality, and do not send trucks intentionally down the residential portion of 52nd Street. 52nd Street west of West Street, and probably between West St and MLK, is most certainly a residential street.

2a) Yet the FEIR states that "trucks will be limited to non-residential streets 52nd Street": on page 26 of 051846.pdf,

"To the extent feasible, trucks are limited to non-residential streets, such as Martin Luther King Jr. Way, Telegraph Avenue, 55th Street, and 52nd Street."

2b) page 7 of Attachment K, Policy N2.4, states "Locating Services Along Major Streets. The Project is located along MLK and 52nd Streets which are major arterial streets in this area." Again, not true. Please correct and describe the portion of 52nd Street located East of MLK as major arterial. The portion of 52nd Street West of MLK is NOT major arterial, and if traffic flow is forced onto this residential street, the project will hamper the City's Master Bicycle Plan. 52nd Street west of West Streets and east of Genoa requires traffic calming per the Master Bike Plan. **This past year it has been increasingly difficult to turn south bound onto market street from west bound 52nd street, because of all the southbound Market Street traffic choosing to head eastbound on 52nd, essentially using the skinny, residential part of 52nd street from Market - West as a cut-through.**

3) Still asking for the helipad to be placed in the rear of the CHO campus as promised by CHO. In this way, the incredible noise impact to neighbors of the helicopters will be minimized. My eight year old is regularly awakened by helicopters, and that's after replacing all the windows in our 1907 house with double-paned insulated windows.

4) I believe another round of public comment is in order due to the fact that CHO has misled the public with content on their website, www.chonext100.org. Back in the Spring of 2012, I was directed to that website by CHO staff, specifically by Bernardette Arellano. At that time, the website indicated "in the future we would like to keep the helipad in the back of our facility near the highway and BART lines so it will not disrupt residential activities." As of March 30, 2015, www.chonext100.org, still indicated the same. This means the general public, the thousands of people living in the vicinity of CHO, who receive the paper fliers from CHO in the mail directing people to www.chonext100.org, have continued to believe that CHO was doing the right thing by moving the helipad in the southern most portion of their campus. Another round of public comment should be facilitated before the Commission moves forward with this project, and this time the Hospital should be honest about their plans with the heli-pad. We've lived in North Oakland since 1992, and we would have thought long and hard about purchasing here, had we known that it would turn into living in a war zone setting like the TV series M.A.S.H. because of the low flying helicopters directly overhead.

Check it out from the FAQ at [chonext100.org](http://www.chonext100.org), http://www.chonext100.org/?page_id=146:

"We don't want the helicopters to be more disruptive to the neighborhood, so are you planning on moving the helipad? What can you do about helicopters that are currently not following the agreed upon flight path?"

It's been brought to our attention that some helicopters have not been following the agreed upon flight path over Route 24. We've contacted our helicopter providers and notified them of the correct flight path and asked them to stick to it. However, many helicopters that fly in the area are from the Oakland Police Department, and we do not have control over their flight paths. We do not want to bring more noise into the neighborhood than necessary, so in the future we would like to keep the helipad in the back of our facility near the highway and BART lines so it will not disrupt residential activities."

5) page 9 of oak052361.pdf says "The project will include open space areas for children." Where? And will these be open to the general public, if not, why not?

6) Parking and RPPs.

Again, since moving here in the 90s, the parking problem has only increased. I take my daughter to school in the morning, roundtrip total of 7 minutes, and when I return, there is nowhere to park, and the Hospital smocked employees are walking away from their newly parked cars. Councilmember Dan Kalb said at the Monday March 20, 2015 meeting with the public and CHO, that he would not make the public jump through extra hoops to make Residential Parking Permits happen. Here are some issues that I think need to be addressed:

6a) The Hospital shall pay for RPPs for at least the extent of the construction project with delays. The neighbors ask that RPPs be paid for in perpetuity.

6b) the current City application for RPPs require a parking study revealing a certain percentage of unavailability of street parking. There is no provision for what happens on blocks which didn't pass the initial %, yet would most certainly pass after RPPs are in place for adjoining streets. The 5100 block of Genoa fits that description. Do the right thing and include streets in the 1/4 mile vicinity of the hospital. If you install RPPs on 52nd from MLK to Genoa, and do NOT include the 5100 block of Genoa, for example, we all know that parkers will turn the corner and park on Genoa, 15 feet away. They already park here.

6c) The number of RPPs per residence should take into account the fact that although some houses have driveways, the driveways are either too short to accommodate most vehicles on the road, or driveways are shared between residences. In the case of short driveways, those driveways should not be considered as parkable, and those affected residences should be allowed 2 permits. Otherwise the cars may block the sidewalk, preventing children from riding bikes safely on the sidewalk, and preventing physically challenged people from utilizing the sidewalk.

In the case of shared driveways, like my own, where the two next door neighbor homeowners signed a document and registered it with the County in the 1940s, that neither neighbor could use the driveway for parking, as it should remain unparked, providing both residences with access to the back yards, these residences should be allowed two permits as well, as neither neighbor is allowed to park in the driveway.

7) Elementary school located within .25 miles of the construction site. I brought this point up in a letter during comment period on the DEIR, and the commission responded that the Santa Fe school site was .26 miles from the site. I call that splitting hairs. Please do the right thing and consider safety issues regarding that public school. The school board voted to move an elementary school back in that site beginning Fall 2016. The play structure for the youngest students, the kinder through 3rd grades, is located at the extreme eastern edge of the Santa Fe school site, on Market at 53rd. I'm surprised that location is not within 1/4 mile. Take another look. Currently that location is being utilized by Emeryville Secondary, so it currently has school-aged children on campus.

8) The hospital's website for the public to find out more info about the project, chonext100.org, also states that public art will be incorporated. I've heard zero plans for that. Is that another misleading topic? When CHO presented to our Santa Fe CAN, we asked if the hospital had any plans for public art on MLK or west of MLK, and the answer was no.

Thanks for your time,
Patricia "Patsy" Smith
5111 Genoa St
Oakland, CA 94608

Santa Fe CAN board, public safety committee co-chair
Longfellow Community Association member
Block Captain

Klein, Heather

From: Lynn <roc_roc8@hotmail.com>
Sent: Thursday, April 02, 2015 8:25 AM
To: DNelson@mail.cho.org; Klein, Heather; Kalb, Dan, Bolotina, Olga
Subject: Proposed RPP area

Hello Doug,

I am writing to ask you to please verify that the block of Dover, between 55th and 56th street is included in the RPP?

Also does the RPP include 56th street, between MLK and Shattuck?

Heather had sent me a copy of the map but I am having a hard time understanding it.

So a written reply would really be appreciated. Your help is much appreciated!

Regards,

Lynn Beldner
5528 Dover Street
(corner of 56th + Dover)

Klein, Heather

From: Doug Nelson <DNelson@mail.cho.org>
Sent: Thursday, April 02, 2015 8:32 AM
To: Lynn; Kalb, Dan, Klein, Heather; Bolotina, Olga
Subject: Re: Proposed RPP area

Hi Lynn,

We are offering to pay for the RPP for both of those areas you've asked about. I believe that a parking survey will be performed to evaluate whether those streets are over 75% occupancy, which would make them eligible for establishment of an RPP. If you have any other questions please let me know.

Thanks.

Doug Nelson, MBA
Executive Director of Facilities Development & Construction
UCSF Benioff Children's Hospital Oakland
Office Phone: 510-428-3066
Cell: 925-708-5679

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>>> Lynn <roc_roc8@hotmail.com> 4/2/2015 8:25 AM >>>
Hello Doug,

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Also does the RPP include 56th street, between MLK and Shattuck?

Heather had sent me a copy of the map but I am having a hard time understanding it.

So a written reply would really be appreciated. Your help is much appreciated!

Regards,

Lynn Beldner
5528 Dover Street
(corner of 56th + Dover)

Klein, Heather

From: Cathy Leonard <cathy@santafecan.org>
Sent: Wednesday, April 15, 2015 3:15 PM
To: Klein, Heather
Cc: Cathy Leonard
Subject: Re: Children's Hospital - Upcoming City Council public hearings

Thanks so much Heather.

A. I can see from Attachment N (the map) and page 12 of Attachment M that problems are going to arise with the boundaries. Santa Fe CAN and residents requested the following:

1. 52nd and 53rd Streets from MLK to Market Street. Residents are still calling and emailing me about parking issues stemming from Children's Hospital.

2. 54th and 55th Streets from MLK to Market Street. Just yesterday, I received a call from a resident on 55th Street close to Market Street and she says that Children's employees park in front of her house and on that block of her street.

3. Genoa from Temescal Creek (south of 52nd Street) to 55th Street.

B. Page 12 of Attachment M

1. Interestingly, Fehr & Peers are recommending RPPs for 54th Street to Telegraph, the west side of MLK is not being considered. The same goes for 53rd Street.

Lastly, it appears that the map boundaries may differ from that set forth at page 12.

I'll give the whole document a closer look this evening.

Does your office agree with Fehr & Peers' report? And what is the next step in this process?

Thanks so much.

Cathy Leonard (510) 473-7943
Co-Chair
Public Safety Co-Chair
Santa Fe Community Association & Neighbors (Santa Fe CAN)