

2006 JUN -1 PM 2:18

OAKLAND CITY COUNCIL

RESOLUTION NO. 80103 C.M.S.

RESOLUTION ADOPTING THE KAISER PERMANENTE OAKLAND MEDICAL CENTER MASTER PLAN

WHEREAS, the 20.6-acre site of the Kaiser Permanente Oakland Medical Center (OMC) campus, located generally at the intersection of Broadway and MacArthur Boulevard, is currently located in the S-1 Medical Center, C-40 Community Thoroughfare Commercial, C-25 Office Commercial, R-50 Medium Density Residential, R-70 High Density Residential, R-19 Broadway Auto Row Interim Study Combining Zoning, and S-18 Mediated Design Review Combining Zone by the Oakland Zoning Regulations; and

WHEREAS, the current zoning does not provide for a consistent nor comprehensive set of regulations, development standards or design guidelines that recognize the OMC Campus; and

WHEREAS, the Project proposes to provide a comprehensive set of land use regulations, development standards and design guidelines that would be consistently applied to the long term development of the entire OMC Campus; and

WHEREAS, in accordance with the California Environmental Quality Act ("CEQA"), the City issued a Notice of Preparation ("NOP"), indicating an intent to prepare an Environmental Impact Report ("EIR") on the Project; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the scope of the Draft EIR ("DEIR") on April 13, 2005; and

WHEREAS, a DEIR on the Project, SCH #2005032134, was released by the City and circulated for public review and comment from March 2, 2006 to April 17, 2006; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the DEIR and the Project on March 22, 2006; and

WHEREAS, the Final EIR ("FEIR") was published on May 26, 2006; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on the FEIR and the Project on June 7, 2006; and

WHEREAS, on June 7, 2006, the Planning Commission certified the EIR and adopted related CEQA findings, and recommended approval of a General Plan amendment to the City Council, recommended approval of a Redevelopment Plan Amendment to the Redevelopment Agency and the City Council, and recommended approval of termination of the previously approved contract rezoning, creation of a new KX zone, rezoning the OMC to the new KX zone, and approval of a Master Plan to the City Council; and

WHEREAS, the Planning Commission found, in part, that the OMC Campus Master Plan (“Master Plan”) is consistent with the overall goals, objectives, and policies of the General Plan to help create, maintain and enhance an area that is appropriate for health services and medical uses; and

WHEREAS, the Planning Commission also found that the Master Plan is consistent with and integral to the OMC Campus (KX) zoning district and will assist in guiding development of the OMC Campus; and

WHEREAS, the Community and Economic Development Committee of the City Council held a duly noticed meeting on June 13, 2006; and

WHEREAS, the City Council and the Oakland Redevelopment Agency held a duly noticed joint public hearing on June 27, 2006; and

WHEREAS, all interested parties were given the opportunity to participate in the public hearing by submittal of oral and written comments; and

WHEREAS, the public hearing was closed by the City Council and the Redevelopment Agency on June 27, 2006; now, therefore, be it

RESOLVED: That the City Council, as the final decision-making body of the lead agency, confirms and adopts (i) the environmental findings made and adopted by the Planning Commission, as set forth in *Exhibit 1* (“CEQA Findings”) of this resolution, prior to taking action on the Project and (ii) the Conditions of Approval and Mitigation Monitoring and Reporting Program attached as *Exhibit 2* of this resolution; all incorporated by reference herein.

FURTHER RESOLVED: That the City Council finds that it is necessary, desirable, and in the public interest to adopt the Master Plan as an integral component of the OMC Campus (KX) Zoning District for the reasons set forth herein and in the June 27, 2006 City Council Agenda Report.

FURTHER RESOLVED: That the City Council adopts the Master Plan attached to this resolution as *Exhibit 6*, and the findings of the City Planning Commission as summarized in the above recitals, as well as findings in the June 27, 2006 City Council Agenda Report.

FURTHER RESOLVED: That the City Council finds and determines that this Resolution complies with CEQA and the Environmental Review Officer 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 this Project application includes, without limitation, the following:

1. the Project application, including all accompanying maps and papers;
2. all plans submitted by the Project applicant and his representatives;
3. all staff reports, decision letters and other documentation and information produced by or on behalf of the City, including without limitation the EIR and supporting technical studies, and all related/supporting materials, and all notices relating to the Project application and attendant hearings;
4. all oral and written evidence received by the City staff, City Planning Commission and City Council before and during the public hearings on the application and appeal;
5. all matters of common knowledge and all official enactments and acts of the City, such as (a) the General Plan; (b) Oakland Municipal Code, including, without limitation, the Oakland real estate regulations, Oakland Fire 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) Community & Economic Development Agency, Planning & Zoning Division, 250 Frank H. Ogawa Plaza, 3rd Floor, Oakland CA.; and (b) Office of the City Clerk, 1 Frank H. Ogawa Plaza, 1st floor, Oakland, CA; 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, JUN 27 2006, 2006

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL,
REID, QUAN, AND PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: Latonda Simmons
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

Exhibit 1

CEQA Findings

EXHIBIT 1

CEQA Findings and Statement of Overriding Considerations for the Approval of the Kaiser Permanente Oakland Medical Center Master Plan Project

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 Planning Commission in connection with the EIR prepared for the Kaiser Permanente Oakland Medical Center Master Plan Project ("the Project"), EIR SCH # 2005032134.

2. These findings are attached and incorporated by reference into the June 7, 2006 staff report prepared for the approval of the Project. 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

3. The Project, which is the subject of the EIR, is located on several noncontiguous properties concentrated at the intersection of Broadway and MacArthur/West MacArthur Boulevard, including the existing 16.3-acre Kaiser Permanente medical center containing approximately 1.1 million square feet of building area. The project site consists of 22 parcels comprising approximately 20.6 acres. The project site is bound roughly by Manila Avenue on the west, Piedmont Avenue on the east, 38th Street on the north, and Interstate 580 (I-580) on the south. The project site is located directly east and north of Mosswood Park.

4. The maximum Project analyzed in the EIR would result in a new medical center of approximately 1.78 million square feet of building area, exclusive of parking structures.

5. The new medical center campus would be developed in three phases over a period of approximately 14 years, from year 2006 to 2020 (buildout). The proposed phasing would ensure that the medical center could continue to provide uninterrupted medical service at the existing hospital location during implementation of the project.

6. Phase 1 of the Project (2006-2008) would establish the new West Broadway Medical Services Building ("MSB") (approx. 165,000 sq. ft.) and related parking (between 440 and 540 parking spaces depending upon final design) with ground level retail uses, which would be located on Site 7 (west side of Broadway, between West MacArthur Boulevard to 38th Street). All of the existing structures on the site of the new MSB would be demolished to allow the new construction. Demolition of the existing MacArthur-Broadway Center ("M/B Center"), located on Site 4 (the block southeast of the Broadway/West MacArthur Boulevard

intersection), would occur during the latter part of Phase 1. This description of Phase 1 is very similar to, and consistent with the description of Alternative 3 from the EIR, and is hereafter referred to as Phase 1 of the Project.

7. Phase 2 of the Project (2008-2012) would establish the new Replacement Hospital, outpatient services and a new central utility plant (approx. 957,000 sq. ft. total) and hospital parking garage (approx. 1,216 spaces) on Site 4. One overhead pedestrian bridge would be constructed over Broadway to link the hospital garage to the existing Mosswood MSB.

8. Phase 3 of the Project (2013-2020) would demolish the existing hospital structure (tower and low-rises building) and establish the new Central Administration MSB (approx. 223,000 sq. ft.) and parking facility on the site of the existing hospital structure on Site 2 (located on the block northeast of the Broadway/West MacArthur Boulevard intersection). The recent emergency department building addition on that site may be retained and converted to medical support uses. Existing medical services from the MRI Trailer located near 38th and Broadway would relocate to the Replacement Hospital (constructed in Phase 2). Phase 3 may, if ultimately permitted by the City pursuant to future Conditional Use Permit and Design Review processes, also include construction of two overhead pedestrian bridges: one over MacArthur Boulevard, east of Broadway, to link the Replacement Hospital to the Central Administration MSB, and one over Broadway, north of MacArthur Boulevard, to link the Central Administration MSB to the West Broadway MSB (constructed in Phase 1).

III. ENVIRONMENTAL REVIEW OF THE PROJECT

9. Pursuant to CEQA and the CEQA Guidelines, the City determined that an EIR would be required for the Project. On April 1, 2005, the City issued a Notice of Preparation for the EIR and an Initial Study, which was circulated to responsible agencies and interested groups and individuals for review and comment. A copy of this Notice and the comments thereon are included in Appendix A of the Draft EIR.

10. A Draft EIR was prepared for the Project to analyze its environmental impacts. The Draft EIR was properly circulated for a 47-day public review period from March 2, 2006 to April 17, 2006, which exceeds the legally required 45-day comment period. The Planning Commission held hearings on the Draft EIR on March 22, 2006.

11. The City received written and oral comments on the Draft EIR. The City prepared responses to comments on environmental issues and made changes to the Draft EIR. The responses to comments, changes to the Draft EIR and additional information were published in a Final EIR on May 26, 2006. The Draft EIR, the Final EIR and all appendices thereto constitute the "EIR" referenced in these findings.

IV. THE ADMINISTRATIVE RECORD

12. 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 Planning Commission relating to the EIR, the approvals, and the Project.

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

d. All information (including written evidence and testimony) presented to the City from other public agencies relating to the Kaiser Permanente Oakland Medical Center Master Plan 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 Mitigation Monitoring and Reporting Program for the Project.

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

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

V. CERTIFICATION OF THE EIR

14. In accordance with CEQA, the Planning Commission certifies that the EIR has been completed in compliance with CEQA. The Planning Commission has independently reviewed the record and the EIR prior to certifying the EIR and approving the Project. By these findings, the Planning Commission 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 Planning Commission.

15. The Planning Commission recognizes that the EIR may contain clerical errors. The Planning Commission reviewed the entirety of the EIR and bases its determination on the substance of the information it contains.

16. The Planning Commission certifies that the EIR is adequate to support the approval of the General Plan Amendment, Redevelopment Plan Amendment, establishment of the Kaiser Permanente Oakland Medical Center Campus Master Plan, establishment of the Kaiser Permanente Oakland Medical Center Zoning District (KX Zone) as Chapter 17.XX in the Oakland Planning Code, rezoning the Project site from various zones to the KX Zone, terminating the March 1992 Contract Rezoning Agreement (authorized by Ordinance No. 11361 C.M.S.) and taking all other actions and recommendations that is the subject of the staff report to which these CEQA findings are attached. The Planning Commission 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

17. The Planning Commission recognizes that the Final EIR incorporates information obtained and produced after the Draft EIR was completed, and that the EIR contains additions, clarifications, and modifications. The Planning Commission has reviewed and considered the Final EIR and all of this information. The Final EIR does not add significant new information to the Draft EIR 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 an 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 Draft EIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the Draft EIR. Thus, recirculation of the EIR is not required.

18. The Planning Commission finds that the changes and modifications made to the EIR after the Draft EIR 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 the CEQA Guidelines section 15088.5.

VII. MITIGATION MEASURES, CONDITIONS OF APPROVAL, AND MITIGATION MONITORING AND REPORTING PROGRAM

19. 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 Mitigation Monitoring and Reporting Program ("MMRP") is attached and incorporated by reference into the June 7, 2006 staff report prepared for the approval of the Project, is included in the conditions of approval for the Project, and is adopted by the Planning Commission. The MMRP satisfies the requirements of CEQA.

20. The mitigation measures set forth in the MMRP 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 mitigation measures define performance standards to ensure no significant environmental

impacts will result. The MMRP adequately describes implementation procedures, monitoring responsibility, reporting actions, compliance schedule, non-compliance sanctions, and verification of compliance in order to ensure that the Project complies with the adopted mitigation measures.

21. The Planning Commission will adopt and impose the feasible mitigation measures as set forth in the MMRP as enforceable conditions of approval. The City has adopted measures to substantially lessen or eliminate all significant effects where feasible.

22. The mitigation measures incorporated into and imposed upon the Project approval will not have new significant environmental impacts that were not analyzed in the EIR. In the event a mitigation measure recommended in the EIR has been inadvertently omitted from the conditions of approval or the MMRP, that mitigation measure is adopted and incorporated from the EIR into the MMRP by reference and adopted as a condition of approval.

VIII. FINDINGS REGARDING IMPACTS

23. In accordance with Public Resources Code section 21081 and CEQA Guidelines sections 15091 and 15092, the Planning Commission adopts the findings and conclusions regarding impacts and mitigation measures that are set forth in the EIR and summarized in the MMRP. These findings do not repeat the full discussions of environmental impacts contained in the EIR. The Planning Commission ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments and conclusions of the EIR. The Planning Commission 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.

24. The Planning Commission 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 Planning Commission acknowledges that there are differing and potentially conflicting expert and other opinions regarding the Project. The Planning Commission 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 Planning Commission 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.

SIGNIFICANT BUT MITIGATABLE IMPACTS

25. 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 and the MMRP, the Planning Commission finds that changes or alterations have been required in, or incorporated into, the components of the Project that mitigate or avoid potentially significant effects on the environment. The following potentially significant impacts will be reduced to a less than significant level through the implementation of Project mitigation measures, or where indicated

through the implementation of standard conditions of approval (which are treated as mitigation measures and an integral part of the MMRP):

a. Transportation, Circulation, and Parking: Impact B.1b finds that traffic generated by the Project would cause the eastbound approach at the unsignalized intersection of Broadway / 38th Street (North) (#8) to degrade from LOS D to LOS F during the AM peak hour and LOS C to LOS F during the PM peak hour, would add more than ten vehicles to the intersection, and the peak-hour volumes would meet the Caltrans peak-hour traffic signal warrant. This impact will be mitigated through the implementation of Mitigation Measure B.1b, which requires a complete traffic signal warrant analysis and installation of traffic signals at the unsignalized Broadway / 38th Street (North) intersection.

Impact B.1c finds that the signalized intersection of Broadway / West MacArthur Boulevard (#16) would degrade from LOS E to LOS F during the AM peak hour, and LOS D to LOS E during the PM peak hour with the addition of traffic generated by the project. This impact will be mitigated through implementation of Mitigation Measure B.1c, which requires the Project applicant to pay for changing the signal cycle length to 120 seconds and optimizing traffic signal timing at the Broadway / West MacArthur Boulevard intersection during both the AM and PM peak hours, and modifying and coordinating signal cycle lengths and phasing at Howe Street / MacArthur Boulevard, Broadway / Piedmont Avenue, and Broadway / Hawthorne Avenue and Brook Street intersections.

Impact B.1d finds that the LOS F conditions at the signalized intersection of Piedmont Avenue/West MacArthur Boulevard (#18), which would prevail during the AM peak hour under 2010 baseline conditions, would worsen with the addition of traffic generated by the Project. The Project-generated increases in vehicle delay on a critical movement would exceed the two-second threshold of significance. This impact will be mitigated through implementation of Mitigation Measure B.1d, which requires the Project applicant to pay for modifying the signal at the Piedmont Avenue / West MacArthur Boulevard intersection to provide simultaneous protected left-turn phasing for the northbound and southbound approaches, and changing signal cycle length to 120 seconds and optimizing traffic signal timing during the AM peak hour.

Impact B.1e finds that the westbound approach at the proposed-created unsignalized intersection of Broadway / Main Hospital Entrance (#29) would operate at LOS E during the AM peak hour and LOS F during the PM peak hour, the Project would add more than 10 vehicles to the intersection, and the peak-hour volumes would meet the Caltrans peak-hour traffic signal warrant. This impact will be mitigated through implementation of Mitigation Measure B.1.e, which requires a complete traffic signal warrant analysis and installation of traffic signals at the unsignalized Broadway / Main Hospital Entrance intersection.

Impact B.2c finds that the signalized intersection of Broadway and Hawthorne Avenue / Brook Street (#25) would degrade from LOS D to LOS E during the PM peak hour with the addition of traffic generated by the project. This impact will be mitigated through implementation of Mitigation Measure B.2c, which requires the Project applicant to pay for optimizing the traffic signal timing for the PM peak period at the signalized intersection of Broadway and Hawthorne Avenue / Brook Street.

Impact B.3b finds that traffic generated by the project would contribute at least five percent of the cumulative traffic increases at the unsignalized intersection of Shafter Avenue / West MacArthur Boulevard (#14) during the AM peak hour, as measured by the difference between existing and cumulative (with project) conditions. This impact will be mitigated through implementation of Mitigation Measure B.3b, which requires extension of the existing median on MacArthur Boulevard at the intersection of Shafter Avenue / West MacArthur Boulevard to eliminate left turns out and left turns into Shafter Avenue.

Impact B.3c finds that traffic generated by the Project would contribute at least five percent of the cumulative traffic increases at the unsignalized intersection of Manila Avenue / West MacArthur Boulevard (#15) during the AM peak hour, as measured by the difference between existing and cumulative (with project) conditions. This impact will be mitigated through implementation of Mitigation Measure B.3c, which requires extension of the existing median on MacArthur Boulevard at the intersection of Manila Avenue / West MacArthur Boulevard to eliminate left turns out and left turns into Manila Avenue.

Impact B.3e finds that traffic generated by the Project would contribute more than five percent of the cumulative traffic increases at the signalized intersection of Broadway / Hawthorne Avenue / Brook Street (#29) during the PM peak hour, as measured by the difference between existing and cumulative (with project) conditions. This impact will be mitigated through implementation of Mitigation Measure B.2c (optimize traffic signal timing), which is described above.

Impact B.7 finds that the Project would increase the potential for conflicts among different traffic streams. This impact will be mitigated through implementation of Mitigation Measures B.7a, B.7b, B.7c, B.7d, B.7e, B.7f, B.7g, B.7h, B.7i, and B.7j. Mitigation Measure B.7a requires the provision of an unsignalized striped cross-walk just north of the West Broadway Garage driveway, with bulb-outs on both sides Broadway and a median with minimum landscaping, if the City selects Broadway Design Alternative A (West Broadway Garage driveway on Broadway would be unsignalized and left-turns out of the driveway would be prohibited). Mitigation Measure B.7b requires the provision of a signalized crosswalk across Broadway at the signalized Broadway / West Broadway Garage driveway intersection, if the City selects Broadway Design Alternative B (West Broadway garage driveway on Broadway would be signalized and all vehicle movements would be allowed at the intersection). Mitigation Measure B.7c requires construction of a barrier on the median of Broadway between 38th Street and MacArthur Boulevard, if the City selects Broadway Design Alternative C (Broadway would have a continuous median adjacent to the West Broadway Garage and movement at the West Broadway Garage driveway would be limited to right-in/right-out only). Mitigation Measures B.7d and B.7e require that to the extent possible, driveways shall be designed to maximize the visibility of both pedestrians and vehicles and to minimize vehicle speeds. Mitigation Measure B.7f requires that if driveway intersections are signalized, then pedestrian signal heads and appropriate crossing times shall be provided for pedestrians crossing the driveway. Mitigation Measure B.7g requires that if driveway intersections are not signalized and exiting vehicles do not have adequate sight distance, then an audio and/or visual warning system shall be installed to warn pedestrians when vehicles are exiting the garage. Mitigation Measure B.7h requires that to the extent possible, large truck deliveries (60-foot trucks) should not be scheduled between 7:00 to 9:00 AM and 4:00 to 6:00 PM. Mitigation Measure B.7i requires that turning right from

southbound Piedmont Avenue into the loading dock driveway, and turning left from the loading dock driveway into northbound Piedmont Avenue shall be prohibited for large trucks. Mitigation Measure B.7j requires that truck routes shall be established so that larger trucks accessing the site would turn into the loading driveway from northbound Piedmont Avenue and trucks leaving the loading driveway would turn onto southbound Piedmont Avenue.

The following potentially significant impacts will be reduced to a less than significant level through the implementation of standard conditions of approval (which are treated as mitigation measures and an integral part of the MMRP):

b. Transportation, Circulation, and Parking: Impact B.10 finds that Project construction would temporarily affect traffic flow and circulation, parking, and pedestrian safety. This impact will be reduced to a less than significant level through the implementation of Standard Condition B.10, which imposes specific requirements for the preparation, review and approval of a construction management plan prior to the issuance of each building permit.

c. Air Quality: Impact C.1 finds that activities associated with demolition, site preparation and construction would generate short-term emissions of criteria pollutants, including suspended and inhalable particulate matter and equipment exhaust emissions. This impact will be reduced to a less than significant level through the implementation of Standard Conditions C.1a and C.1b. Standard Condition C.1a requires that if asbestos were found to be present in building materials to be removed, demolition and disposal would be required to be conducted in accordance with procedures specified by the Bay Area Air Quality Management District's ("BAAQMD's") regulations. Standard Condition C.1b imposes BAAQMD's basic and enhanced dust control procedures for sites larger than four acres, including demonstration of compliance with BAAQMD Regulation 1, Rule 2 regarding emissions from portable equipment and reduced NOx emissions from all diesel-powered equipment.

d. Noise. Impact D.1 finds that the Project construction activities would intermittently and temporarily generate noise levels above existing ambient levels in the project vicinity. This impact will be reduced to a less than significant level through the implementation of Standard Conditions D.1a, D.1b, D.1c, D.1d, D.1e, and D.1f, which impose requirements for construction hours, equipment and truck requirements, site-specific noise attenuation measures to be completed under the supervision of a qualified acoustical consultant, procedures for responding to and tracking construction noise complaints, installation by the Project sponsor of a sound-rated fence/barrier along the Project site property line located closest to any noise-sensitive receiver(s) (to the extent feasible), and location of removal areas for demolition debris as far as possible from noise-sensitive receptors.

Impact D.4 finds that given the measured exterior noise levels in the vicinity of the project site, the interior noise levels within hospital buildings, especially in rooms used for overnight use such as patient wards, could exceed DNL 45 dBA, the interior noise standard for hospitals according to the City of Oakland General Plan Noise Element. This impact will be reduced to a less than significant level through the implementation of Standard

Condition D.4, which requires noise reduction in the form of sound-rated assemblies (i.e., windows, exterior doors, and walls) to be incorporated into Project building design.

e. Cultural Resources: Impact E.1 finds that the Project could cause substantial adverse changes to the significance of currently unknown cultural resources at the site, potentially including archaeological resources and human remains. This impact will be reduced to a less than significant level through the implementation of Standard Conditions E.1a and E.1b, which impose requirements for procedures to be followed, including certain halting of construction activities and consultation with a cultural resources professional,, should an archaeological artifact be discovered on-site during construction, and specific procedures and protocols to be followed in the event that human skeletal remains are uncovered on-site during construction.

Impact E.2 finds that the Project may adversely affect unidentified paleontological resources at the site. This impact will be reduced to a less than significant level through the implementation of Standard Condition E.2, which calls for examination by a qualified paleontologist of unanticipated discoveries, evaluation and assessment of any finds, and halting or diverting of certain construction activities for certain discoveries followed by implementation of certain procedures and, if necessary, an excavation plan.

f. Geology, Soils, and Seismicity: Impact F.1 finds that in the event of a major earthquake in the region, seismic ground shaking could potentially injure people and cause collapse or structural damage to existing and proposed hospital structures. This impact will be reduced to a less than significant level through the implementation of Standard Condition F.1, which imposes specific requirements for the preparation, review and approval of a site-specific, design level geotechnical investigation for each construction site within the project area.

Impact F.3 finds that the development proposed as part of the project, when combined with other reasonably foreseeable development in the vicinity, could potentially injure people and cause collapse or structural damage to existing and proposed structures and result in significant cumulative impacts with respect to geology, soils, or seismic conditions. This impact will be reduced to a less than significant level through the implementation of Standard Condition F.1 (geotechnical investigation), which is described above, and adherence to all federal, state, and local programs, requirements and policies pertaining to building safety and construction permitting.

g. Hydrology and Water Quality: Impact G.1 finds that Project construction would involve activities (excavation, soil stockpiling, pier drilling, grading, and dredging, etc.) that would generate loose, erodible soils that, if not properly managed, could violate any water quality standards or waste discharge requirements; result in substantial erosion or siltation; create or constitute substantial polluted runoff; or otherwise substantially degrade water quality. This impact will be reduced to a less than significant level through the implementation of Standard Conditions G.1a, G.1b, and G.1c. Standard Condition G.1a requires that prior to and during Project demolition, grading and construction activities, the Project shall comply with all City Grading Permit requirements (including preparation of a grading plan, erosion and sedimentation control plan, and drainage plan) and that the Project sponsor apply for and comply with all requirements of the ACCWP NPDES General Construction Permit

(including preparation of a Construction Stormwater Pollution Prevention Plan). Standard Condition G.1b requires that prior to and during Project demolition, grading, and construction activities, the Project shall obtain a City of Oakland Category 4 Creek Protection Permit and comply with all Creek Protection Permit requirements and practices. Consistent with the Creek Protection Permit requirements, the Project sponsor has prepared and submitted a Creek Protection Plan, Hydrology Report, and Creek Restoration Plan for review and approval by the City. Standard Condition G.1c requires the project sponsor to design for City review and approval, and implement a temporary bypass culvert for Glen Echo Creek for demolition and construction activities adjacent to Glen Echo Creek during the wet season.

Impact G.4 finds that the Project would not result in a net increase in impervious surfaces and would not cause an increase in the volume of Project-related stormwater runoff. The Project would not violate any waste discharge requirements that would create substantial runoff and result in substantial flooding onsite or offsite. Nor would the Project exceed the capacity of the stormwater drainage system. This impact will be reduced to a less than significant level through the implementation of Standard Conditions G.4a and G.4b. Standard Condition G.4a requires implementation of site design/landscape characteristics as feasible, which maximize infiltration (where appropriate), provide retention or detention, slow runoff, and minimize impervious land coverage, and requires that, where feasible, the Project shall introduce measures to help reduce the rate and volume of stormwater runoff. Standard Condition G.4b requires implementation of the control measures addressed in the C.3 provision, to the maximum extent practicable, to ensure that post-project runoff does not exceed pre-project levels for such pollutants.

h. Public Health and Safety: Impact H.1 finds that demolition or renovation of existing structures that contain hazardous building materials, such as lead-based paint, asbestos, and PCBs could expose workers, the public, or the environment to these hazardous materials and would generate hazardous waste. This impact will be reduced to a less than significant level through the implementation of Standard Conditions H.1a, H.1b, H.1c, H.1d, and H.1e, which impose requirements for a pre-demolition or pre-renovation assessment for the presence of lead-based paint or coatings, asbestos, or PCB-containing equipment, development and implementation of a worker health and safety plan (if the assessment finds presence of such materials), development and implementation of a lead-based paint removal plan (if the assessment finds presence of lead-based paint), and asbestos and/or PCB abatement prior to building demolition or renovation (if the assessment finds the presence of such materials).

Impact H.2 finds that implementation of the Project would disturb soil and groundwater impacted by historic hazardous material use, which could expose construction workers, the public, or the environment to adverse conditions related to hazardous materials handling. This impact will be reduced to a less than significant level through the implementation of Standard Conditions H.2a, H.2b, and H.2c, which impose requirements for assessment and remediation related to soil and groundwater, preparation of a Soil Management Plan, proper handling and disposal of any impacted soil, onsite containment of groundwater pumped from the subsurface prior to treatment and disposal to ensure resolution of environmental and health issues pursuant to oversight agencies, and utilization of engineering controls.

i. Biological Resources/Wetlands: Impact I.1 finds that within the vicinity of Glen Echo Creek, demolition of existing structures and construction on Site 7 in Phase 1 (West Broadway MSB and parking structure) could result in impacts to potentially jurisdictional wetlands or waters of the U.S. under the jurisdiction of the U.S. Army Corps of Engineers (the “Corps”) under Section 404 of the Clean Water Act and waters of the state under the jurisdiction of the State Regional Water Quality Control Board (SWRCB) or Regional Water Quality Control Board (RWQCB) under Section 401 of the Clean Water Act and Porter-Cologne Act. This disturbance would affect both areas classified as wetland and channels that are considered “other waters of the U.S.” No formal wetland delineation was conducted, however, Glen Echo Creek would be considered a water of U.S. and fall under regulatory jurisdiction of the agencies identified above. This impact will be reduced to a less than significant level through the implementation of Standard Conditions I.1a, I.1b, and I.1c, which require the Project sponsor to obtain the necessary regulatory permits and authorizations from the Corps, RWQCB, the California Department of Fish and Game (“CDFG”), and the City of Oakland, to comply with all conditions issued by applicable agencies, to prepare for review and approval by all applicable agencies a Restoration and Mitigation Plan outlining specific measures to restore the daylight portion of Glen Echo Creek, and, if required by permits and authorizations for the Project, to provide compensatory mitigation for temporary and/or permanent impacts to Glen Echo Creek.

Impact I.2 finds that installation of the temporary bypass culvert within Glen Echo Creek waterway (Standard Condition G.1c) during Phase 1 (West Broadway MSB and parking structure) would result in temporary disturbance to pond turtle habitat. This impact will be reduced to a less than significant level through the implementation of Standard Condition I.2, which requires pond turtle surveys to be performed by a qualified biologist prior to installation of the temporary bypass culvert and construction activities, relocation of adult turtles to suitable habitat outside the Project area, and screening of the temporary bypass culvert to prevent individual turtles from entering.

Impact I.3 finds that construction activities on Site 7 adjacent to Glen Echo Creek during Phase 1 (West Broadway MSB and parking structure) would result in disturbance to nesting habitat for breeding raptors and passerine birds including nesting Cooper’s hawk. This impact will be reduced to a less than significant level through the implementation of Standard Condition I.3, which requires that, to the extent feasible, removal of large trees and other vegetation suitable for nesting shall not occur during the breeding season, and that if tree removal must occur during this period, all sites shall be surveyed by a qualified biologist and if the survey indicates that potential presences of nesting birds or raptors, suitable avoidance measures would be developed and implemented in coordination with CDFG. Standard Condition I.3 also requires construction to observe the CDFG avoidance guidelines.

Impact I.4 finds that the Project would conduct construction activities near several protected trees and would potentially remove approximately 34 protected trees located within or adjacent to the project site and would conducted these activities in compliance with the City of Oakland’s Tree Preservation and Removal Ordinance. This impact will be reduced to a less than significant level through the implementation of Standard Conditions I.4a, I.4b, I.4c, I.4d, I.4e, I.4f, and I.4g. Standard Condition I.4a requires implementation of measures to provide adequate protection during the construction period for any trees which are to remain

standing. Standard Condition I.4b requires replacement plantings (in accordance with specified criteria) in order to prevent excessive loss of shade, erosion control, groundwater replenishment, visual screening, and wildlife habitat. Standard Condition I.4c requires provision of workers compensation, public liability, and property damage insurance for the performance of tree removal work. Standard Conditions I.4d, I.4e, I.4f, and I.4g require removal of extremely hazardous, diseased and/or dead trees, implementation of specified General Tree Protection Activities, London Plane Tree Preservation Guidelines, and Coast Redwood Tree Preservation Guidelines (to the extent feasible and subject to City review and approval).

SIGNIFICANT AND UNAVOIDABLE IMPACTS

26. 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 MMRP, the Planning Commission finds that the following impacts of the Project remain significant and unavoidable, notwithstanding the imposition of all feasible mitigation measures, as set forth below. The Planning Commission also finds that any alternative discussed in the EIR that may reduce the significance of these impacts is rejected as infeasible for the reasons given below.

a. Transportation, Circulation, and Parking: Impact B.1a finds that the LOS F conditions at the signalized intersection of Broadway / 51st Street / Pleasant Valley Avenue (#3), which would prevail during the PM peak hour under 2010 baseline conditions, would worsen with the addition of traffic generated by the Project. The Project-generated increases in vehicle delay on a critical movement would exceed the two-second threshold of significance. Mitigation Measure B.1a, which requires the Project applicant to pay for changing signal cycle length to 120 seconds and optimizing traffic signal timing at the Broadway / 51st Street / Pleasant Valley Avenue intersection during the PM peak hour, and to expand the existing Transportation Demand Management (“TDM”) program to include more aggressive TDM measures that would encourage more Kaiser employees, visitors and patients to switch from driving alone to other modes, to regularly monitor and (if necessary) adjust the TDM Program, and to submit the TDM program to the City for review and approval, would reduce the impact but not to a less than significant level. This potential unavoidable significant impact is overridden as set forth below in the Statement of Overriding Considerations.

Impact B.2a finds that the LOS F conditions at the signalized intersection of Broadway / 51st Street / Pleasant Valley Avenue (#3), which would prevail during the PM peak hour under 2010 baseline conditions, would worsen with the addition of traffic generated by the Project. The Project-generated increases in vehicle delay on a critical movement would exceed the two second threshold of significance. Mitigation Measure B.2a, which requires the Project applicant to pay for changing signal cycle length to 120 seconds and optimizing traffic signal timing at the Broadway / 51st Street / Pleasant Valley Avenue intersection during the PM peak hour, and to expand the existing Transportation Demand Management (“TDM”) program to encourage more Kaiser employees, visitors and patients to switch from driving alone to other modes, to regularly monitor and (if necessary) adjust the TDM Program, and to submit the TDM program to the City for review and approval, would reduce the impact but not to a less than significant level. This potential unavoidable significant impact is overridden as set forth below in the Statement of Overriding Considerations.

Impact B.2b finds that the LOS E conditions at the signalized intersection of Broadway / West MacArthur Boulevard (#16) would continue during the PM peak hour. The Project-generated increases in vehicle delay on a critical movement would exceed the six-second threshold of significance. Mitigation Measure B.2b, which requires the Project applicant to pay for changing signal cycle length to 120 seconds and optimizing traffic signal timing at the Broadway / West MacArthur Boulevard intersection during the both the AM and PM peak hours, to expand the existing Transportation Demand Management (“TDM”) program to include more aggressive TDM measures that would encourage more Kaiser employees, visitors and patients to switch from driving alone to other modes, to regularly monitor and (if necessary) adjust the TDM Program, and to submit the TDM program to the City for review and approval, would reduce the impact but not to a less than significant level. This potential unavoidable significant impact is overridden as set forth below in the Statement of Overriding Considerations.

Impact B.3a finds that traffic generated by the Project would contribute more than five percent of the cumulative traffic increases at the signalized intersection of Broadway / 51st Street / Pleasant Valley Avenue (#3) during the AM and PM peak hours, as measured by the difference between existing and cumulative (with project) conditions. No feasible mitigation measures are available that would fully improve operations at Broadway / 51st Street / Pleasant Valley Avenue to acceptable levels. See discussion under Mitigation Measure B.2a. This potential unavoidable significant impact is overridden as set forth below in the Statement of Overriding Considerations.

Impact B.3d finds that Traffic generated by the Project would contribute more than five percent of the cumulative traffic increases at the signalized intersection of Broadway / West MacArthur Boulevard (#16) during the AM and PM peak hours, as measured by the difference between existing and cumulative (with project) conditions. No feasible mitigation measures are available that would fully improve operations at Broadway / West MacArthur Boulevard to acceptable levels. See discussion under Mitigation Measure B.2b. This potential unavoidable significant impact is overridden as set forth below in the Statement of Overriding Considerations.

b. Air Quality: Impact C.2 finds that the Project (at build-out in year 2020) would result in increased long-term emissions of criteria pollutants from vehicular traffic to and from the Project site and from the operation of the Central Utility Plant. The increase in emissions would exceed BAAQMD significance criteria for daily emissions of PM-10. Mitigation Measure C.2, which requires (as required by Mitigation Measures B.1a, B.2a, and B.2b to address intersection impacts), expansion of the existing TDM program to include more aggressive TDM measures that would encourage more Kaiser employees, visitors and patients to switch from driving alone to other modes, implementation of the TDM program, to the extent feasible, and regular monitoring and (if necessary) adjustment of the TDM Program, would reduce the impact but not to a less than significant level. This potential unavoidable significant impact is overridden as set forth below in the Statement of Overriding Considerations.

Impact C.5 finds that the proposed Project together with anticipated future development in the area, could result in long-term traffic increases and could cumulatively increase regional air pollutant emissions and conflict with or obstruct implementation of the Bay Area Clean Air Plan. Mitigation Measure C.2, described above, would reduce the impact but not

to a less than significant level. This potential unavoidable significant impact is overridden as set forth below in the Statement of Overriding Considerations.

IX. FINDINGS REGARDING ALTERNATIVES

27. The Planning Commission finds that specific economic, social, environmental, technological, legal or other considerations make infeasible the alternatives to the Project as described in the EIR other than Alternative 3, and justify approval of the Project as it now incorporates Alternative 3 despite remaining impacts, as more fully set forth in the Statement of Overriding Considerations below. The only remaining significant unavoidable impacts of the Project that cannot be fully mitigated through the mitigation measures and standard conditions described in the EIR are certain near-term 2010, 2025 conditions-with-Project, and 2025 cumulative impacts to transportation, circulation and parking, certain direct and cumulative impacts to air quality, as detailed above.

28. The EIR evaluated a reasonable range of alternatives to the original project that was described in the Draft EIR. The DEIR identified five alternatives (one of which consists of four different scenarios) and one sub-alternative (which could be combined with any of the alternatives) to the proposed project. Several additional alternatives or alternative components were initially rejected as infeasible for the reasons stated in the DEIR. The Planning Commission adopts the EIR's analysis and conclusions regarding alternatives eliminated from further consideration.

29. The five potentially feasible alternatives analyzed in the DEIR represent a reasonable range of potentially feasible alternatives that reduce one or more significant impacts of the Project or address Non-CEQA urban design issues. These alternatives include the (1) No Project Alternative, which consists of four different scenarios: Alternative 1A: No Project / Closure of the Entire Kaiser Oakland Medical Center (OMC), Alternative 1B: No Project / Closure and Demolition of Existing Hospital Building (non-hospital services continue), Alternative 1C: No Project / Closure of Existing Hospital and Retrofit for Non-Hospital Medical Services, and Alternative 1D: No Project / Seismic Retrofit of the Existing Hospital for Hospital Services; (2) Alternative 2: Reduced Development; (3) Alternative 3: Reduced Phase 1 Parking Garage / Full Retail (Non-CEQA Alternative); (4) Alternative 4: Consolidated Campus (Non-CEQA Alternative); and (5) Alternative 5: Historic Resource. The sub-alternative, which could be combined with any of the five alternatives, is Underground Pedestrian Tunnels (Reduced Sky Bridges). As presented in the DEIR and FEIR, the alternatives were described and compared with each other and with the proposed project. The No Project Alternative (under each of the four scenarios identified as Alternatives 1A, 1B, 1C, and 1D) was identified as the environmentally superior alternative. Under CEQA Guidelines section 15126.6(e)(2), if the No Project Alternative is identified as the environmentally superior alternative, the EIR must also identify an environmentally superior alternative among the other alternatives. Alternative 2 (Reduced Development) is the second environmentally superior alternative. The Draft EIR identified a combination of Alternative 2 and Alternative 5 as the environmentally superior alternative, but the Final EIR clarified that the Honda Building is not considered an historic resource. Therefore, Alternative 5 is moot and the combined alternative is no longer considered the environmentally superior alternative.

30. The Planning Commission certifies that it has independently reviewed and considered the information on alternatives provided in the EIR and in the record. The EIR reflects the Planning Commission's independent judgment as to alternatives. The Planning Commission finds that the Project as it now incorporates Alternative 3 provides the best balance between the project sponsor's objectives, the City's goals and objectives, the project's benefits as described below in the Statement of Overriding Considerations, and mitigation of environmental impacts to the extent feasible. The other alternatives proposed and evaluated in the EIR are rejected for the reasons stated in the EIR and 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.

31. **Under Alternative 1A: No Project / Closure of the Entire Kaiser Oakland Medical Center**, the Project would not be undertaken. In this scenario, the existing hospital would close by December 31, 2012, to comply with state law, since the existing hospital would not meet the state-mandated seismic safety standards of the Alfred E. Alquist Hospital Safety Act-State Senate Bill (SB) 1953. Hospitals that do not meet certain seismic safety standards established by SB 1953 on or before January 1, 2013, must close. In this scenario, all hospital services would move to other existing and/or proposed Kaiser hospitals, and Kaiser would also relocate all other existing services at the Kaiser Oakland Medical Center (OMC) to other locations. All existing Kaiser OMC properties (including sites recently acquired by Kaiser) would be backfilled with other institutional, commercial, or office uses that are consistent with the existing zoning and General Plan land use classifications. This alternative would avoid the significant and unavoidable near-term 2010, 2025 conditions-with-Project, and 2025 cumulative transportation, circulation and parking impacts, the significant and unavoidable direct and cumulative air quality impacts, and the significant and unavoidable direct and cumulative cultural resources impacts of the Project. This alternative is rejected as infeasible because it would not achieve any of the Project sponsor's objectives for the Project because (a) there is not sufficient reserve bed nor ancillary capacity to accommodate the forecasted demand generated by the almost 186,000 Kaiser Foundation Health Plan members residing within the Oakland and Richmond Residence Area; and (b) the Project Sponsor has explored and evaluated a number of sites for the Kaiser OMC and has not found any alternative sites that meet its objective of providing integrated inpatient and outpatient care services that are convenient and accessible to its members.

32. **Under Alternative 1B: No Project / Closure and Demolition of Existing Hospital (Non-Hospital Services Continue)**, the Project would not be undertaken. In this scenario, the existing hospital closes by December 31, 2012, to comply with state law. All hospital services would move to other existing and/or proposed Kaiser hospitals. The existing hospital would be demolished and the hospital site would be backfilled with development consistent with the existing zoning and General Plan. All existing non-hospital services would remain in their current locations. No new development would occur on these sites. The sites recently acquired by Kaiser, and not currently used by Kaiser, would be utilized by development consistent with the existing zoning and General Plan classifications. The existing structures on these sites would be retained. The existing hospital would be demolished and that portion of Site 2 would be available for redevelopment in accordance with the existing General Plan and zoning classifications. The replacement structure would be limited to medical uses and would be of

similar floor area, height, and site configuration as the proposed project (new, lower Administrative Services Building). The remaining medical-related development on Site 2 (not located in the existing hospital) is retained. The existing structures and uses on Sites 1, 3, 4, 5, 7, 8, 9 remain as set forth in Table V-2 in the EIR. This alternative would avoid the significant and unavoidable near-term 2010, 2025 conditions-with-Project, and 2025 cumulative transportation, circulation and parking impacts, the significant and unavoidable direct and cumulative air quality impacts, and the significant and unavoidable direct and cumulative cultural resources impacts of the Project. This alternative is rejected as infeasible because: (a) it would not achieve any of the Project sponsor's objectives for the Project as discussed under Alternative 1A; and (b) it is infeasible to retain the balance of the uses without the hospital because Kaiser's integrated model of health care delivery cannot be achieved with the hospital separate from the medical service functions. Kaiser's model requires that it co-locate the hospital and specialty medical service uses.

33. Under Alternative 1C: No Project / Closure of Existing Hospital and Retrofit for Non-Hospital Medical Services, the Project would not be undertaken. In this scenario, the existing hospital closes by December 31, 2012, to comply with state law. All hospital services would move to other existing and/or proposed Kaiser hospitals. The existing hospital structure would be retrofitted and used for non-hospital medical services. All existing non-hospital services would remain in their current locations, and no new development would occur on these sites. The sites recently acquired by Kaiser, and not currently used by Kaiser, would be utilized by development consistent with the existing zoning and General Plan. The existing structures on these sites would be retained. Alternative 1C is different from Alternative 1B in that Alternative 1C would retrofit the existing hospital building for non-hospital medical services, and Alternative 1B would construct a new building of smaller size for non-hospital medical service (similar to the new Central Administration MSB proposed by the project). Under this scenario, the existing hospital on Site 2 is retrofitted for non-hospital medical uses. The remaining development on Site 2 is retained. Sites 1, 3, 4, 5, 7, 8, 9 remain as set forth in Table V-2 in the EIR. This alternative would avoid the significant and unavoidable near-term 2010, 2025 conditions-with-Project, and 2025 cumulative transportation, circulation and parking impacts, the significant and unavoidable direct and cumulative air quality impacts, and the significant and unavoidable direct and cumulative cultural resources impacts of the Project. This alternative is rejected as infeasible because: (a) it would not achieve any of the Project sponsor's objectives for the Project as discussed under Alternative 1A; and (b) it is infeasible to retain the balance of the uses without the hospital because Kaiser's integrated service delivery model, as discussed above under Alternative 1B.

34. Under Alternative 1D: No Project / Seismic Retrofit of the Existing Hospital for Hospital Services, the Project would not be undertaken. In this scenario, the existing hospital would be retrofitted, by December 31, 2012, for continued use as hospital. All existing non-hospital services would remain in their current locations, and no new development would occur on these sites. The sites recently acquired by Kaiser, and not currently used by Kaiser, would be utilized by development consistent with the existing zoning and General Plan. The existing structures on these sites would be retained. Under this scenario, the existing hospital on Site 2 is retrofitted for hospital medical uses. The remaining development on Site 2 is retained. The existing structures and uses on Sites 1, 3, 4, 5, 7, 8, 9 remain as set forth in Table V-2 in the EIR. This alternative would avoid the significant and unavoidable near-term

2010, 2025 conditions-with-Project, and 2025 cumulative transportation, circulation and parking impacts, the significant and unavoidable direct and cumulative air quality impacts, and the significant and unavoidable direct and cumulative cultural resources impacts of the Project. This alternative is rejected as infeasible because: (a) there would be total disruption of key hospital services. Relocation of key hospital service departments into a new structure is not feasible due to lack of site capacity adjacent to the existing hospital, square footage requirements, key departmental adjacencies, and phasing/renovation issues. It is essential to Kaiser's operations to have medical services close to OMC because of Kaiser's integrated care delivery model. Relocating the hospital or medical services offsite (even temporarily) would significantly affect Kaiser's operations and effective provision of health care. Kaiser has previously looked for buildings in which to temporarily locate certain medical services and has found no space feasible to meet the needs of services provided on the Kaiser OMC; (b) due to the location of seismic upgrading with the addition of shear walls and other structural strengthening, departmental circulation would be severely compromised with a significant loss of square footage that would negatively impact the functional effectiveness of the facility; and (c) Kaiser has determined that it is infeasible to retrofit the existing hospital for medical services due to structural considerations of the existing hospital building, the amount of floor area expansion needed to meet Kaiser's operational standards, and the logistics and risk of retrofitting a partially occupied structure. Operationally, it is infeasible to maintain the hospital and retrofit the structure at the same time. Therefore, Kaiser has determined that it is neither reasonable nor feasible for it to seismically upgrade the hospital to post-event functionality, particularly while continuing operations.

35. **Under Alternative 2: Reduced Development**, approximately 93,000 square feet of building area associated with medical services functions on the new hospital site in Phase 2 would not be developed. A two-story portion of the four-story podium proposed at the corner of Broadway and MacArthur Boulevard would be eliminated. This alternative would also result in a reduction of approximately 236 employees. This alternative would not necessarily result in fewer parking spaces, but could result in a shorter structure on the new hospital site by elimination 240 spaces from the proposed hospital garage. The remaining development on the new hospital site would remain as proposed by the Project. Development proposed for the West Broadway MSB on Site 7 (Phase 1) and the Central Administration MSB on Site 2 (Phase 3) would remain as proposed by the Project. This alternative would avoid the significant and unavoidable near-term 2010, 2025 conditions-with-Project, and 2025 cumulative transportation, circulation and parking impacts, and the significant and unavoidable direct and cumulative air quality impacts of the Project and thus is considered the environmentally superior alternative. This alternative is rejected as infeasible because: (a) it is Kaiser's objective to remain in Oakland at its existing medical center location. Kaiser indicates that it is not feasible to permanently remove 93,000 square feet of medical service functions without impacting operational adjacencies, efficiencies, and member service and access. Therefore, under this Reduced Development Alternative, Kaiser would need to lease or construct another medical service building (MSB) offsite, which would incur additional expense and ongoing operational issues due to additional sites. These include staff having to divide work time between two MSB facilities (within the Replacement Hospital building and offsite) and the added complications of delivering and distributing materials between two MSB facilities; and (b) Kaiser's integrated model of health care delivery requires that it maximize opportunities to co-locate the hospital and medical service uses. Kaiser's specialty services in particular are very closely linked with

hospital services. Kaiser's doctors do not operate as separate independent doctors' offices. Instead, they operate in departments that require they be located in immediate proximity to each other. This also would impact members' ability to access services if located at multiple sites, and would relocate existing health care services and jobs to locations likely outside of Oakland.

36. **Under Alternative 3: Reduced West Broadway Parking Garage/Full Retail (Non-CEQA Alternative)**, the number of parking spaces provided on Site 7 in Phase 1 would be limited to approximately the number needed to meet the parking needs of the medical office use. This is not a CEQA-mandated alternative and is not an environmentally superior alternative. It has however been incorporated into the Project. The option identified under this alternative of providing temporary parking at Mosswood Park is rejected as infeasible because such parking would likely result in significant and potentially unavoidable impacts on: (a) the Mosswood Park historic landmark building and grounds, (b) the trees and other biological resources in Mosswood Park, and (c) recreational resources of the City of Oakland.

37. **Under Alternative 4: Consolidated Campus Alternative (Non-CEQA Alternative)**, development of Kaiser Uses on Site 7, where the West Broadway Medical Services Building (MSB) and Garage are proposed under the Project, would not be developed. This alternative would instead shift these uses to Site 2 where the existing hospital is located. Assumptions for this alternative include: (1) total buildout (hospital beds, medical office space, all other uses) would remain the same as proposed by the Project; (2) existing commercial buildings on Site 7 would be demolished and used for temporary surface parking during construction of the Replacement Hospital and its associated parking facility on the M/B Center on Site 4; (3) existing medical service uses on the M/B Center site would be temporarily relocated offsite during construction of the Replacement Hospital on Site 4; (4) the Replacement Hospital (Site 4) would include less medical service uses than proposed under the Project. The remainder of medical service space would be shifted to the existing hospital site on Site 2; (5) certain existing medical service uses on the existing hospital site not relocated to the new hospital would be temporarily relocated offsite during construction of a new Central Administration MSB on Site 2; and (6) a mixed-use development of approximately 280 dwelling units in a four- to five-story building with ground-floor retail and onsite parking would be constructed at the northwest corner of Broadway and West MacArthur Boulevard (Site 7) when it is no longer needed for interim parking. The approximately 280 dwelling units with ground-floor retail would generate nearly 150 AM and 200 PM peak hour trips, thus worsening traffic conditions at the already identified locations with significant and unavoidable impacts and potentially resulting in additional impacts at other intersections, and the significant and unavoidable air quality impacts would remain and worsen. Thus, this is not a CEQA-mandated alternative and is not an environmentally superior alternative. Kaiser has provided the City with substantial evidence demonstrating why this alternative is infeasible. This evidence is compiled in the Final EIR, Appendix E, and is incorporated by reference herein. This alternative is rejected as infeasible for each of the reasons outlined in Appendix E of the Final EIR, which in summary is because: (a) it would not achieve the Project sponsor's objective to remain in Oakland at its existing medical center location. Kaiser purchased the properties on Site 7 (west side of Broadway, between West MacArthur Boulevard to 38th Street) on which to develop the West Broadway MSB because of their proximity to the Kaiser OMC. It is essential to Kaiser's operations to have these medical services close to OMC because of Kaiser's integrated care delivery model. Kaiser has looked for other buildings close by in which to temporarily locate

certain medical services and has found no space feasible to meet the needs of those services currently conducted in the M/B Center, or for those medical service functions currently provided on the existing hospital site; and (b) this alternative would require Kaiser to temporarily relocate existing medical service uses on the M/B Center site and the existing hospital site to offsite facilities. This would require Kaiser to relocate services and employees twice (once to offsite locations, and then again, back to the Kaiser OMC), which is counter to its Project objectives of providing uninterrupted operation of services, minimizing departmental moves, and maintaining the continuity of care at the Kaiser OMC during construction.

38. **As discussed in the FEIR, Alternative 5: Historic Resources** has been rendered moot because the Oakland Landmarks Preservation Advisory Board confirmed that the former Honda Building at 3741-47 Broadway did not qualify as an historic resource under CEQA. Therefore, the impact of its demolition would be less than significant.

39. **The Underground Pedestrian Tunnels (Reduced Sky Bridges) Sub-Alternative (Non-CEQA)**, would provide for three underground pedestrian tunnels to be constructed instead of three overhead pedestrian bridges. As a sub-alternative, this scenario could be combined with any of the alternatives analyzed in the EIR, or the Project. The sub-alternative assumes that three tunnels would be located in approximately the same location as the three proposed bridges: (1) between the new hospital and the Mosswood MSB; (2) between the new hospital and the new Central Administration MSB; and (3) between the new Central Administration MSB and the new West Broadway MSB. This sub-alternative would *not* avoid the significant and unavoidable transportation, circulation and parking impacts, and the significant and unavoidable direct and cumulative air quality impacts of the Project. Thus, this is not a CEQA-mandated alternative and is not an environmentally superior alternative. This sub-alternative is neither fully rejected nor approved, but remains at least partially capable of being combined with the Project at a future date. The portion of this sub-alternative that assumes a tunnel between the new hospital and the Mosswood MSB instead of a pedestrian bridge is rejected because a pedestrian bridge at this location would not block existing view corridors nor would it decrease the likelihood for a more active pedestrian environment on the sidewalk, which are the reasons why this sub-alternative was conceived. The two other key pedestrian connections across the public right of way are not needed until the completion of Phase 3 (estimated at year 2020). No determination regarding accepting or rejecting the two other tunnels under this sub-alternative need be made at this time.

X. STATEMENT OF OVERRIDING CONSIDERATIONS

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

41. The Project will play a significant role in planning for a major earthquake by ensuring that Kaiser Permanent's Oakland Medical Center facilities are the safest available to serve the needs of Oakland and the greater Oakland community. California State Senate Bill 1953 requires that all acute care hospitals in the state retrofit, rebuild, or close their general acute

care inpatient hospital buildings by specific dates if they do not meet strict new seismic safety requirements. The Project is designed to comply with these requirements, resulting in a new, seismically safe, inpatient medical facility capable of functioning in a seismic emergency to provide high quality medical care to Kaiser Permanente members, Oakland's citizens, and the greater Oakland community.

42. The Project will replace aging, increasingly functionally obsolete existing facilities at the Oakland Medical Center. The demand for services is straining existing facilities, as current multiple patient rooms are cramped and offer little privacy, and operating rooms are less than half the size of the current hospital standard. As medical treatments have advanced, those patients who are hospitalized suffer from more acute conditions, requiring more modern medical equipment for their care. Hospital rooms are now expected to accommodate larger patient beds, heart monitors, automatic dosage machines, breathing apparatus and other equipment for multiple patients. The new hospital will include private rooms with restrooms that can comfortably accommodate patients, visiting family, and efficient treatment. New operating rooms and outpatient facilities will allow members, patients, physicians, and staff to move forward using new medical developments.

43. The Project will enable Kaiser to fulfill its commitment to keeping accessible, up-to-date medical facilities in the heart of Oakland. The OMC campus is well situated near BART and other public transit, and is centrally located to serve Kaiser Permanente's growing membership in the community of Oakland and the greater Oakland Service Area. The Oakland Medical Center currently serves approximately 186,000 Oakland/East Bay members. Maintaining the Oakland Medical Center at this location will allow Kaiser to continue to provide its members with easily accessible and convenient services. The new facility will provide members, patients, physicians and staff with a state-of-the-art facility in the heart of Oakland.

44. The Project will enable Kaiser Permanente to maintain its significant and long-standing presence in Oakland. Kaiser Permanente opened its first hospital at this site and has invested significantly in facilities and services at this location for more than 60 years. In addition, Kaiser Permanente's National and Regional Headquarters are located nearby in Oakland, and Kaiser Permanente has a long-standing involvement and interest in the economic and physical health of Oakland. The renovation of the Oakland Medical Center and the replacement of the M/B Center will bring significant community benefits and contribute to building a strong foundation for the future of Oakland.

45. The Project will replace the existing facilities at OMC in accordance with Kaiser Permanente's integrated model of health care delivery. This model requires Hospital and Specialty Medical Services to share service space and to be co-located to provide the best patient care. Currently, due to space issues, OMC patients often travel to other Kaiser facilities for various treatments and services, and many services are currently split across different parts of the OMC campus. Split services in multiple buildings can complicate visits to the Medical Center. The new campus is logically and cohesively planned, with services conveniently located next to other appropriate services, in order to minimize patients' inconvenience between services and to continue to provide safe methods for patients to move throughout the campus.

46. The Project will result in the construction of a new facility designed in a manner that allows Kaiser Permanente to remain competitive in the Health Care market and retain and increase high quality jobs in Oakland.

47. The Project will facilitate neighborhood revitalization and to improve the neighborhood aesthetics in the area of the Medical Center through the creation of a contemporary, architecturally integrated Medical Center.

48. The Project will allow the Medical Center to continue to support businesses along Piedmont Avenue, in the MacArthur Broadway neighborhood, and elsewhere in Oakland. Kaiser's employees provide significant patronage to the many business, restaurants and cafes along Piedmont Avenue. Kaiser's members also are active patrons of Piedmont Avenue and other Oakland businesses, restaurants, and cafes.

49. The Project will redevelop the M/B Center site – currently an outdated “superblock” building.

Exhibit 2

Conditions of Approval and Mitigation Monitoring and Reporting Program

EXHIBIT 2

KAISER PERMANENTE OAKLAND MEDICAL CENTER CAMPUS MASTER PLAN

CONDITIONS OF APPROVAL

General Conditions:

1. Conditions of Approval/Mitigation Monitoring and Reporting Program

All mitigation measures and standard conditions of approval identified in the Kaiser Permanente Oakland Medical Center Master Plan EIR (Kaiser EIR) are included in the Mitigation Monitoring and Reporting Program (MMRP) which is included in these conditions of approval and are incorporated herein by reference, as Exhibit A, as conditions of approval of the project. The MMRP, in certain instances, has been further refined and/or clarified by the conditions of approval contained herein. To the extent that there is an inconsistency between the MMRP and the conditions, the more restrictive conditions shall govern. The project sponsor (also referred to as the Applicant or Kaiser) shall be responsible for compliance with all applicable mitigation measures adopted and with all conditions of approval set forth below at its sole cost and expense, and subject to the review and approval of the City of Oakland. The MMRP identifies the time frame and responsible party for implementation and monitoring for each mitigation measure. Overall monitoring and compliance with the mitigation measures will be the responsibility of the Planning and Zoning Division.

2. Severability

Approval of the Kaiser Zoning District, rezoning to the Kaiser Zoning District, rezoning to the Kaiser Zoning District, Master Plan, General Plan Amendment and Redevelopment Plan Amendment (collectively called "Approvals") would not have been granted but for the applicability and validity of each and every one of the specified mitigations and conditions, and if any one or more of such conditions and mitigations is found to be invalid by a court of competent jurisdiction, these Approvals would not have been granted without requiring other valid conditions and/or mitigations consistent with achieving the purpose and intent of such approval.

3. Effectiveness

Except for the general plan amendment and Agency approval of the Redevelopment Plan amendment, each of the Approvals shall not become effective unless and until all the Approvals are all granted/adopted by the Oakland City Council and/or Oakland Redevelopment Agency, as appropriate.

4. Modification of Conditions or Revocation

Violation of any term, condition, mitigation measure or project description relating to the Approvals is unlawful, prohibited and a violation of the Oakland Municipal Code. The City reserves the right, after notice and public hearing, to revoke the Approvals or alter these Conditions/Mitigation Measures or to initiate civil and/or criminal enforcement and/or abatement proceedings if it is found that the approved facility is violating any of the Conditions/Mitigation Measures or the provisions of the Planning Code or Municipal Code, or operates as or causes a public nuisance.

5. Recording of Conditions of Approval and Mitigation Monitoring Plan

Prior to issuance of demolition or building permit or commencement of activity: The project sponsor shall execute and record with the Alameda County Recorder's Office a copy of these Conditions and the MMRP on a form approved by the Zoning Administrator. Proof of recordation shall be provided to the Zoning Administrator.

6. Reproduction of Conditions and Mitigations on Demolition and Building Plans

Prior to issuance of demolition permit or building permit or commencement of activity: These Conditions and the MMRP shall be reproduced on page one of all plans submitted for a demolition or building permit for this project.

7. Indemnification

The project sponsor shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Oakland and the Oakland Redevelopment Agency, its agents, officers, and employees (collectively called "City") from any claim, action, or proceeding (including legal costs and attorney's fees) against the City to attack, set aside, void or annul, the Approvals by the City of Oakland, the Office of Planning and Building, Planning Commission, City Council, or Redevelopment Agency. The City shall promptly notify the project sponsor of any claim, action or proceeding and the City shall cooperate fully in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding. The project sponsor shall enter into an agreement acceptable to the Office of the City Attorney which memorializes this condition within ten (10) business days of a claim, action or proceeding being filed challenging the Approvals. This condition shall survive any termination/ extinguishment of the Approvals by a court of competent jurisdiction.

Specific Conditions:

8. Existing Hospital Tower Demolition

Prior to issuance of Design Review approvals for Phase 2, Kaiser shall provide to the City of Oakland adequate assurances that Kaiser has sufficient financial resources to completely demolish the existing Hospital (Tower and Podium level), and completely clear and landscape the site, within thirty-six months of completion of Phase 2. This plan must include appropriate financial guarantees assuring faithful performance, such as corporate guaranty from a corporate entity with a net worth of at least \$2 billion or an Irrevocable Letter of Credit, in form and amounts which are acceptable to the City. Kaiser shall complete the demolition, site clearance and landscape beautification of the former hospital structure within the specified timeframes. The City of Oakland shall condition the issuance of a final certificate of occupancy (or its equivalent) for the parking garage serving the new hospital in Phase 2, on the actual demolition, site clearance and landscape beautification of the former hospital structure within thirty-six months from the date of completion of Phase 2.

9. Transportation Demand Management (TDM) Program and Shuttle

Final approvals for Phase 1 shall be conditioned upon implementation of a TDM program to be implemented by Kaiser and effectively monitored by the City, as required in MMRP Mitigation Measure

B.1.a, which is the May 24, 2006 Nelson-Nygaard Report (but **not** the May 23, 2006 Alternative Transportation Solutions (Altrans) report), as revised herein. Funding for monitoring, reporting and review of the TDM program shall be provided by Kaiser through an escrow-type funding mechanism with the City. The escrow-type account should be funded for five (5) years in advance assuming a cost of \$20,000 for the survey and \$10,000 for the City review, or \$30,000 per year for 5 years, = \$150,000. The fund shall be replenished by Kaiser such that it does not drop to below \$50,000. Enforcement of the TDM program, as with other conditions of approval, shall be in accordance with the enforcement process outlined in Planning Code Chapter 17.152

Kaiser shall make best faith efforts to investigate providing satellite parking, particularly between Phase 1 and completion of Phase 2 when there will be a parking shortage, and provide such parking if it is available. Free shuttle service shall bring employees between OMC and the parking facility throughout the day and with on-call service during the night. Kaiser shall report, in writing, on a monthly basis to the City of Oakland of potential satellite parking and its efforts to obtain such, starting no later than 9 months before demolition of the MB Garage. If Kaiser cannot achieve a 12.5% decrease of the baseline SOV rate before the end of Phase 1, Kaiser shall prepare a report for City review and approval which proposes additional TDM measures to achieve the TDM goals.

In addition to the CEQA requirements for a TDM program, the TDM program described in MMRP Mitigation Measure B.1.a. is also designed to promote the City's Transit First Policy of the general plan, reduce parking demand and lessen parking impacts on adjacent neighborhoods and to promote good urban design by reducing the number and size of parking facilities. Therefore MMRP Mitigation Measure B.1.a. also is imposed as a separate non-CEQA condition of approval.

10. Reducing Traffic Conflicts at New Hospital

Prior to issuance of Building Permits for Phase 2 and subject to City Design Review and approval, final design and construction for the new Replacement Hospital and parking garage should consider the following :

- a) An extended median on Main Hospital Entrance to prevent traffic exiting the M/B garage from turning left.
- b) No perpendicular parking spaces on Main Hospital Entrance; all spaces at this location shall be parallel parking spaces.
- c) Limited parking in the parking spaces on Main Hospital Entrance to 15 minutes.
- d) Entrance gates for the hospital parking garage driveway shall be on the inside the garage to reduce potential for queuing on Broadway to the degree it does not interfere with internal garage circulation.

11. Reducing Traffic Conflicts, at Broadway MOB

Prior to issuance of Building Permits for Phase 1 and subject to City Design Review and approval, final design and construction for the parking facility associated with the new Broadway medical office building should consider the following:

- a) Safe and efficient vehicular and pedestrian movements at the Broadway entrance.

- b) Entrance gates for the West Broadway parking garage on Broadway shall be inside the garage to reduce potential for queuing on Broadway.
- c) The 38th Street driveway for West Broadway garage shall generally be limited to employees only, with exceptions of radiation therapy patients.
- d) Create design solutions to encourage drivers exiting the garage heading northbound to use Broadway rather than using Manila or Shafter Streets.

12. Reducing Traffic Conflicts on Manila Avenue and Shafter Avenue

Subject to City review and approval, public improvements to be provided as part of Phase 1 shall include the extension of the existing median on MacArthur Boulevard at the intersections with Shafter Avenue and Manila Avenue to eliminate left turns to and from these roadways.

- a) Kaiser shall monitor traffic volumes and speeds on Manila Avenue and Shafter Avenue between MacArthur Boulevard and 38th Street prior to October 31, 2006 to establish a baseline, and then immediately after completion of Phase I and then annually for a period of 2 years after the West Broadway MSB and Garage are in full operation. Additionally, Kaiser shall monitor traffic volumes and speeds on Manila Avenue and Shafter Avenue between MacArthur Boulevard and 38th Street immediately after completion of Phase 2 and then annually for a period of 2 years after the new hospital and parking garage are in full operation.
- b) In consultation with local residents, and in accordance with all legal requirements, appropriate traffic calming measures, such as speed humps, prohibitions on right turns from MacArthur Boulevard onto Manila or Shafter Avenues, or other potential roadway or turning movement closures, should be considered if and when excessive traffic volumes or speeding are observed. If determined necessary and approved by the City, Kaiser shall fund the improvements.
- c) Install signage on major roadways in the area to direct patients/visitors to the appropriate Kaiser parking facilities. If approved by the City, Kaiser shall fund the improvements.

13. Reducing Traffic Conflicts on Richmond Boulevard Neighborhoods

Subject to City review and approval, public improvements to be provided as part of Phase 2 shall include the extension of the existing median on MacArthur Boulevard at this intersection to eliminate left turns from westbound MacArthur Boulevard to Richmond Boulevard and a "no U-turn" sign at the median opening at Leighton to prohibit hospital traffic from using residential streets in this neighborhood.

- a) Kaiser shall regularly monitor traffic volumes and speeds on Richmond Boulevard, Westall Avenue, Warren Avenue, Croxton Avenue and Randwick Avenue prior to October 31, 2006 to establish a baseline, and then immediately after completion of Phase 2 and then annually for a period of 2 years after the Replacement Hospital is in full operation and shall also provide written reports to the city, prepared by a qualified traffic engineer.
- b) In consultation with local residents and in accordance with all legal requirements, appropriate traffic calming measures such as speed humps or other potential roadway or turning movement closures should be considered if and when excessive cut-through traffic volumes or speeding, or vehicles traveling the wrong way on a one way street are observed. If determined necessary and approved by the City, Kaiser shall fund the improvements.

- c) Install signage on major roadways in the area to direct patients/visitors to the appropriate Kaiser parking facilities. If approved by the City, Kaiser shall fund the improvements.

14. Reducing Cut-through Traffic on Howe Street

The City shall, upon approval of the Master Plan and in consultation with local residents, and in accordance with all legal requirements, initiate all steps necessary to close Howe Street as a through street between MacArthur Boulevard and 38th Street. If approved by the City, Kaiser shall fund the improvements.

15. Parking Management

Kaiser shall implement the following, subject to review and approval by the City, to ensure that the provision of parking spaces in conjunction with measures to lessen parking demand would result in minimal adverse effects to project occupants and visitors and surrounding neighborhoods (where there are no restrictions on on-street parking and on-street parking is free), and that any secondary effects (such as on air quality due to drivers searching for parking spaces) would be minimized:

- a) In the interim Phase 1 period, before completion of the new garage in Phase 2, provide valet parking in the existing Howe and West Broadway Garages for employees.
- b) Implement an automated parking space counting system into the overall design and construction of each of the major parking facilities, including the existing Howe Street Garage. Electronic changeable message signs shall be installed at parking entrances and at the major roadways providing access in the area to inform drivers of the location and number of available parking spaces. This would maximize utilization of all parking facilities and reduce excessive circulation and driver frustration.
- c) Designate and clearly sign or delineate parking areas for either employees or patients and visitors. In the multistory garages (Howe, West Broadway, and M/B Garages), patients and visitors should be assigned to the lower levels and employees to the upper levels. Since employees generally have lower turn-over rates, assigning them to the upper levels reduces overall vehicle circulation in the garages.
- d) Provide separate entrances and exits for employees and patients/visitors where possible.
- e) Regularly monitor parking occupancy for employees and patients/visitors and modify parking designations if necessary.
- f) Provide preferential parking for employee carpools at the Howe, West Broadway and M/B Garages, and shall regularly monitor carpool parking demand and supply and modify the carpool parking supply if necessary.
- g) Pursue the extension of the current lease at the Caltrans Parking Lot located under the I-580 freeway.
- h) If possible satellite parking locations suitable for Kaiser are identified during development of the project, the project sponsor should conduct additional detailed analysis for the City to consider and evaluate at that time.

16. Residential Parking Permits.

Kaiser shall work with the City of Oakland to implement, expand or further continue a Residential Parking Permit (RPP) or Residential Parking Benefits Assessment District (RPBAD) program in the residential neighborhoods west of Broadway, north of MacArthur Boulevard, east of Piedmont Avenue and south of 42nd Street, including the Richmond neighborhood immediately east of the Phase 2 hospital site. At a minimum, the streets to be included in the RPP program are listed in Exhibit 2-C. The RPP restricts on-street parking by non-residents to less than two hours during the weekdays. If approved by the City, Kaiser shall fund the RPP programs for 50 years. Kaiser funding shall be used for establishment efforts needed to create or expand the RPP/RPBAD area, as well as increased enforcement and maintenance of the program, including the annual permit fee for residents (including those residents who already have their fee paid by Kaiser as mitigation for the Fabiola Building). If approved, the RPP programs should be considered for implementation before the demolition of the M/B Center parking garage or upon completion of the Phase 2 parking garage, depending on the level of success that the TDM program may achieve as well as the level of success that Kaiser may achieve in their efforts to locate additional satellite parking. To the extent possible, the City will explore using surplus/excess revenues from enforcement of the RPP program to reimburse Kaiser for costs of establishing and maintaining the RPP programs.

17. Signage

Install signage on major roadways in the area to direct patients/visitors to the appropriate Kaiser parking facilities. If approved by the City, Kaiser shall fund the improvements.

18. Piedmont Avenue/Howe Street Parking Garage

Prior to issuance of permits for Phase 2, Kaiser shall submit improvement plans for the existing Piedmont Avenue/Howe Street parking garage. Such improvements may include, but are not limited to landscaping and streetscape enhancements, façade beautification improvements and adding retail space into the ground floor subject to a physical feasibility analysis for such a use and shall include additional lighting and signage and other appropriate amenities for the existing pedestrian path connecting between Howe and Piedmont. All identified improvements shall be subject to additional Design Review and shall be completed prior to occupancy of Phase 2

18.1 Landscape on Broadway

Prior to issuance of Phase 1 building permit, Kaiser shall submit a landscaping plan for the utility shed area near the current patient entrance to the existing hospital on Broadway for City review and approval. If approved by the City, Kaiser shall fund and implement the improvements immediately.

18.2 Landscape and Park Improvements

Kaiser shall add landscaping to the medians around the project area, and make a negotiated financial contribution to the City towards the maintenance of the medians and Mosswood Park as set forth in an agreement to be reached before the issuance of any building permit for Phase 1.

18.3 Serenity Garden

The serenity garden as proposed by Kaiser along Manila Street shall remain as a private open space garden and shall not be used or redeveloped for any other use.

18.4 Central Utility Plant

As described in the Kaiser Master Plan Project EIR, the design and construction of the Central Utility Plant (CUP) shall include:

- a) Cooling towers shall be located within the enclosed structure of the CUP to meet the Oakland Noise Ordinance standards.
- b) Boilers shall be of the low nitrogen oxide (NOx) type to control nitrogen oxide emissions and shall be natural gas fired to minimize particulate matter emissions.
- c) Operations of the CUP shall be subject to permits pursuant to the Bay Area Air Quality Management District's Regulation 2 requirements.

18.5 Ambulance Sirens

Consistent with current Kaiser policy and practice, it shall be the continuing policy to encourage all ambulances turn off sirens within 3 blocks of the hospital.

18.6 Reducing Traffic Conflicts on 38th Street and Cerrito

Kaiser shall regularly monitor traffic volumes and speeds on 38th Street east of Broadway and on Cerrito Avenue prior to October 31, 2006 to establish a baseline, and then immediately after completion of Phase 1, and then annually for a period of 2 years after the West Broadway MSB and Garage are in full operation.

- a) Kaiser shall also provide written reports to the city, prepared by a qualified traffic engineer.
- b) In consultation with local residents and in accordance with all legal requirements, appropriate traffic calming measures such as speed humps or other potential roadway or turning movement closures should be considered if and when excessive cut-through traffic volumes or speeding, or vehicles traveling the wrong way on a one way street are observed. If determined necessary and approved by the City, Kaiser shall fund the improvements.

Other Conditions of Approval, to be Implemented as part of Subsequent Project Approvals

19. Construction Management

Prior to issuance of building permit: The project sponsor shall submit a Construction Phasing and Management Plan, incorporating all applicable mitigation measures contained in the MMRP (especially B.10) for the Project. This plan shall also include the following additional measures and standards:

- a) A site security and safety plan to assure that grading and construction activities are adequately secured during off-work hours.
- b) A fire safety management plan for all phases of work, including provisions for access, water, and other protection measures during grading and construction activities.

- c) A construction litter/debris control plan to ensure the site and surrounding area is kept free of litter and debris

20. Recycling Space Allocation Requirements

Prior to issuance of building permit: The design, location and maintenance of recycling collection and storage areas shall substantially comply with the provision of the Oakland City Planning Commission "Guidelines for the Development and Evaluation of Recycling Collection and Storage Areas", Policy 100-28 and with the recycling space requirements of the Planning Code. The recycling location and area shall be clearly delineated on the plans. All trash areas shall be adequately screened as provided on the plans reviewed as part of this approval.

21. Lighting Plan

Prior to issuance of building permit: An exterior lighting plan shall be submitted for review and approval by the Planning Director prior to issuance of any building permits. The lighting plan shall include the design and location of all exterior lighting fixtures or standards, and said lighting shall be installed such that it is adequately shielded and does not cast glare onto adjacent properties or into the public right-of-way (unless advantageous to the operation of adjacent public facilities). This plan shall include details and specifications shall be provided for all exterior lighting on the project site, including within the public right-of-way, such as decorative light poles, wall-mounted fixtures, recessed fixtures, architectural lighting, pathway and garden lights, and similar fixtures.

The applicant shall maintain all on-site lighting to meet the State Business and Professions Code Section 25612, providing enough illumination to identify loiterers standing in the immediate vicinity of the site. Such illumination shall remain on during all hours of darkness when the campus is open, but shall be shielded to a point below the light bulb and reflector and not cast unnecessary glare onto adjacent residential properties.

22. Special Inspector

Throughout demolition and construction: The project sponsor shall be required to pay for the staff time of the on-call special inspector(s) as stipulated by the prevailing labor management agreement, or as directed by the Building Official. Prior to issuing any construction-related permits (including demolition and grading permits), the project sponsor shall establish a deposit, in an amount determined by the Building Official, with the Building Services Division to fund a special inspector who shall be available as needed, as determined by the Building Official or the Planning Director. If the deposited amount proves to be insufficient, then within five (5) calendar days of a written request from the Building Official/Planning Director to provide additional funding, the project sponsor shall deposit said amount with the Building Services Division.

23. Litter Control

Prior to issuance of the first building permit for each Phase: A litter control plan that ensures that the premises and surrounding area are kept free of litter shall be submitted to and approved by the Zoning Administrator. The Plan shall include, but not be limited to:

- a) Distribution of proposed locations of litter receptacles on site and in the public right-of-way;

- b) A management schedule for keeping the premises and surrounding area in a one-block radius free from litter originating from the operation of the future medical center activities. The number of times per day litter is to be collected will be based on the results of a baseline study, to be completed by Kaiser within two months of Master Plan approval; and
- c) Sweeping and trash collection of the premises, the public sidewalk, and the gutter area of the public street immediately adjacent to the project, as needed to keep the area free of litter.

24. Master Improvement Plan and Improvements in the Public Right-of-Way

Prior to Finalization of P-Job: The project sponsor shall submit a detailed improvement plan prepared by a licensed Civil Engineer, with all conditions and requirements as set forth in these Conditions of Approval, for the private property and the public rights of way, including but not limited to curbs, gutters, pedestrian ways, sewer laterals, storm drains, street trees, paving details, locations of transformers and other above ground utility structures, the design, specifications and locations of the water pumping facilities required by the East Bay Municipal Utility District (EBMUD), street lighting, on-street parking, accessibility and all other required public improvements required to comply with all applicable City standards, including the landscaping plans, the street tree locations, and planting specifications. This plan shall be reviewed and approved by the City Engineer. Encroachment permits shall be obtained as necessary for any applicable improvements.

25. Electrical Facilities

Prior to Installation: All electrical and telephone facilities, fire alarm conduits, street light wiring, and similar facilities shall be placed underground. Electric and telephone facilities shall be installed in accordance with standard specifications of the servicing utilities. Street lighting and fire alarm facilities shall be installed in accordance with the standard specifications of the Building Services Division.

26. Bicycle Parking.

Prior to the issuance of certificate of occupancy: The applicant shall submit for review and approval of the Planning and Zoning Division, plans that show bicycle storage and parking facilities in an amount determined by the Development Director. The plans shall show the design and location of bicycle racks within the secure bicycle storage areas. The applicant shall pay for the cost and installation of any bicycle racks in the public right of way.

27. Landscape, Irrigation and Street Tree Permit and Tree Removal Permit

- a) *Landscape and Irrigation Plan, Pursuant to Design Review:* The applicant shall submit for review and approval by the Planning and Zoning Division, a detailed landscape and irrigation plan prepared by a licensed landscape architect or other qualified person. Such plan shall show all landscaping on the site maintained by an automatic irrigation system or other comparable system. The landscaping plan shall include a detailed planting schedule showing sizes, quantities, and specific common and botanical names of plant species. Fire and drought-resistant species are encouraged.
- b) *Landscaping Maintenance, Ongoing:* All landscaping areas and related irrigation shown on the approved plans shall be permanently maintained in neat and safe conditions, and all plants shall be maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with all applicable landscaping requirements. All

landscaping shall be served by an automatic irrigation system. All paving or other impervious surfaces shall occur only on approved areas.

- c) Installation of Landscaping and Bonding, *Prior to issuance of certificate of occupancy*: The applicant shall install all proposed landscaping indicated on the approved landscape plan prior to the issuance of a certificate of occupancy, unless bonded pursuant to the provisions of Section 17.124.50 of the Oakland Planning Code. The amount of such bond or cash deposit shall equal the greater of \$2500 or the estimated cost of the required landscaping, based on a licensed contractor's bid.
- d) Street Trees, *Prior to issuance of building permit*: The number of street trees, their spacing and location and species types shall be subject to review and approval by the Public Works Agency and Building Services.
- e) Tree Removal Permit, *prior to issuance of the demolition or grading permit*: The project sponsor must obtain a tree removal permit, and/or tree protection permit as needed, from the Public Works Agency, and abide by the conditions of that permit, prior to construction adjacent to, or removal of, any protected trees located on the project site or in the public right-of-way adjacent to the project site.

28. Parking and Driveways

- a) Parking and Driveway Design, *Prior to issuance of building permit*: All parking and driveways shall be designed according to all City codes and be approved by the Building Services Division.
- b) Closure of Parking Lot after Hours, *Ongoing*: To the extent practical, parking lots or portions of parking lots not used for 24-hour hospital operations shall be secured by an approved barrier chain and locking device within one (1) hour after the close of business and shall remain secured until one (1) hour prior to the opening of business, pursuant to the standards included in City Ordinance No. 12390, with access only granted to tenants and police. This condition shall not apply to necessary hospital-related parking facilities.
- c) Parking and Circulation Plan, *Prior to issuance of building permit and prior to final inspection*: The applicant shall submit a Parking and Traffic Circulation Plan for review and approval by the Planning and Zoning Division. This plan shall include wheel stops for all parking spaces, and pavement marking and striping that delineate the driveways and traffic paths to be used by the general public and deliveries. All wheel stops, pavement markings and striping, as approved by the Planning and Zoning Division shall be installed prior to final inspection.
- d) Parking Lot Lighting, *Ongoing*: The exterior lighting fixtures which serve the parking area shall be equipped with daylight sensors that will automatically turn the lights on at dusk and off at sunrise, and that shall be adequately shielded to a point below the bulb and reflector, and that shall prevent unnecessary glare onto adjacent properties.
- e) Designated Carpool Parking, *Ongoing*: The applicant shall designate on-site parking spaces by marking, either with a small sign at the head of the parking stalls or stenciled lettering painted within the parking stalls that reads: "Carpool Parking Only".

- f) Uncovered Rooftop Parking, *Ongoing*: Parking on the top level of the West Broadway parking structure shall be prohibited after 6:00 pm. The applicant shall place signage at conspicuous location within the garage stating this limitation.
- g) Recharge Stations for Electric Vehicles, *Prior to issuance of building permits and ongoing*: The applicant shall submit for review and approval of the Planning and Zoning Division, plans that show parking spaces designed to accommodate and function as recharge stations for electric vehicles. Electrical conduit shall be stubbed in accordingly as part of construction of the project and shall be documented in the final building permit plans approved for the project.

29. Public Improvements (Specific)

Prior to issuance of any building permits: Final building and improvement plans shall include the following components:

- 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 facilities to current City standards.
- 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) *Prior to commencement of construction activity*: Concrete sidewalks shall be constructed to connect the existing sidewalk to all internal sidewalks and paths. This sidewalk shall be constructed to the specifications of the Building Services Division and the Public Works Agency, and it shall be the applicant's responsibility to secure all necessary City permits, including but not limited to an encroachment permit.

30. Underground Utilities and Meter Shielding

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

Prior to Installation: All electrical and telephone facilities, fire alarm conduits, street light wiring, and similar facilities shall be placed underground. Electric and telephone facilities shall be installed in accordance with standard specifications of the servicing utilities. Street lighting and fire alarm facilities shall be installed in accordance with the standard specifications of the Building Services Division.

Prior to issuance of building permits: The applicant shall submit for review and approval by the Planning and Zoning Division, plans showing the location of any and all utility meters, transformers, and the like located within a box set within the building, located on a non-street facing elevation, or screened from view from any public right of way.

31. Payment for Public Improvements

Prior to receiving first occupancy permit: The applicant shall pay for and install public improvements made necessary by the project.

32. Traffic Safety Signage

Upon completion of the public street improvements and prior to acceptance of such improvements by the City: The applicant shall implement a sign and pavement marking system consistent with City Standards, Fire Department standards, and Traffic Division requirements that clearly delineate the street frontages to be used for on-street parking, and those areas where parking is prohibited. Other directional traffic signs shall also be included in this system for all new and existing public street frontages of the project.

33. On-site Clean-up

Ongoing: The applicant shall clear litter and debris from the premises at least once daily, or as needed to maintain a litter free environment. A portable ashtray, if used, shall remain outside in a location near the entrance and common areas during all times that the building is open for business. The ashtray and litter receptacle shall be emptied as often as needed to prevent overflowing.

34. Right-of-way Clean-up

Ongoing: The applicant shall clear the sidewalk and gutter areas along the OMC campus edge of litter and debris at least once daily or as needed to control litter. The applicant shall sweep or mechanically clean the sidewalk with steam or equivalent measures at least once per month.

35. Creek Protection Permit, Standard Conditions

Prior to approval of Design Review for Phase I: The design for Phase I of the OMC Master Plan (the Broadway Medical office building and parking garage) may be modified by creek protection conditions and design review conditions as may be attached and incorporated.

- a) Creek Protection Permits shall become effective upon satisfactory compliance with all conditions. Permits shall expire one (1) calendar year from the date of the permit, unless actual construction or alteration, or actual commencement of the authorized activities in the case of a permit not involving construction or alteration, has begun under necessary permits. Upon written request and payment of appropriate fees submitted no later than the expiration date, the Zoning Administrator may grant an extension of this date.
- b) Projects approved pursuant to the Creek Protection Ordinance shall comply with all other applicable codes, requirements, regulations and guidelines imposed by other affected departments, including but not limited to the City's Planning and Zoning Division, Building Services Division, and the Fire Chief. Minor changes to approved plans may be approved administratively by the Zoning Administrator. Major changes to the approved plans shall be reviewed by the Zoning Administrator.

- c) No deviation shall be made from any required creek protection measures without prior written approval from the City Planning & Zoning Department. 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 with all applicable Creek Protection Ordinance requirements. Failure to construct the project in accordance with Creek Protection Ordinance requirements, approved plans and Conditions of Approval may result in the City taking enforcement action, including without limitation: issuing a stop work order, remedial reconstruction, delays in obtaining any Certificate of Occupancy, imposing additional conditions, and/or revocation of permits.
- d) At least one (1) copy of the approved plans, along with the Approval Letter and Conditions of Approval, shall be available for review at the job site at all times.
- e) The project sponsor shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Oakland and the Oakland Redevelopment Agency, its agents, officers, and employees (collectively called "City") from any claim, action, or proceeding (including legal costs and attorney's fees) against the City to attack, set aside, void or annul, the Approvals by the City of Oakland, the Office of Planning and Building, Planning Commission, City Council, or Redevelopment Agency. The City shall promptly notify the project sponsor of any claim, action or proceeding and the City shall cooperate fully in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding. The project sponsor shall enter into a agreement acceptable to the Office of the City Attorney which memorializes this condition within ten (10) business days of a claim, action or proceeding being filed challenging the Approvals. This condition shall survive termination/extinguishment of the Approvals by a court of competent jurisdiction.
- f) Final plans submitted for Building Permit shall be in substantial compliance with all Creek Ordinance requirements and Creek Protection Permit Conditions of Approval. The Building Permit shall not be issued until reviewed and approved by the Building Official.
- g) The applicant/owner(s) shall record the conditions of approval attached to the creek protection permit with the Alameda County Recorder's Office in a form prescribed by the Director of City Planning.

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
B. Transportation, Circulation and Parking			
<p>B.1a: (Near-Term 2010) The LOS F conditions at the signalized intersection of Broadway / 51st Street / Pleasant Valley Avenue (#3), which would prevail during the PM peak hour under 2010 baseline conditions, would worsen with the addition of traffic generated by the project. The project-generated increases in vehicle delay on a critical movement would exceed the two-second threshold of significance.</p>	<p>Mitigation B.1a:</p> <ul style="list-style-type: none"> • Change signal cycle length to 120 seconds and optimize traffic signal timing at the Broadway / 51st Street / Pleasant Valley Avenue intersection during the PM peak hour. Optimization of traffic signal timing shall include determination of green time allocation for each intersection approach relative to the approach traffic volumes, and coordination with signal phasing and timing of adjacent intersections. <p>To ensure that signal timing optimization occurs, the project applicant shall pay for this measure.</p> <ul style="list-style-type: none"> • The City adopts as the Transportation Demand Management (TDM) program the recommendations made in the May 2006 Nelson/Nygaard Consulting Associates report entitled Kaiser Oakland TDM Recommendations (Appendix A to the Final EIR).. As detailed in the TDM Recommendations report, the TDM program: <ul style="list-style-type: none"> a) contains certain TDM goals and specific travel mode-split goals, b) describes the current Kaiser TDM program and their current (Non-Single Occupancy Vehicle (SOV)) mode-split of 23.7% c) provides for mandatory TDM components to maintain, at a minimum, the current Non-SOV mode split of 23.7% into the future. 	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p>	<p>Prior to occupancy of Phase 1 development</p> <p>January 2007</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<ul style="list-style-type: none"> d) contains goals for future, increased mode split to further achieve the TDM goals and to reduce to the maximum reasonable and feasible extent the significant and unavoidable impacts to air quality and traffic. e) describes mandatory components to be implemented in January 2007 to increase the current mode split. f) contains a menu of additional potential TDM components that may be implemented to further achieve TDM goals, and g) shall be funded, reported, evaluated, monitored, enforced and revised as necessary. Specifically, the effectiveness of the program shall be regularly monitored by Kaiser's TDM coordinator/consultant and the results reported in writing to the City. If determined necessary by the City, the written monitoring reports may be peer reviewed at Kaiser's sole cost and expense. The City may require adjustments/revisions to the TDM program to better achieve the stated TDM goals and Kaiser shall implement said adjustments/revisions. 		
<p>\B.1b: (Near-Term 2010) Traffic generated by the project would cause the eastbound approach at the unsignalized intersection of Broadway / 38th Street (North) (#8) to degrade from LOS D to LOS F during the AM peak hour and LOS C to LOS F during the PM peak hour, would add more than ten vehicles to the intersection, and the peak-hour volumes would meet the Caltrans peak-hour traffic signal</p>	<p>Mitigation B.1b: Project sponsor shall install traffic signals at the unsignalized intersection of Broadway / 38th Street (North). The signals shall have actuated controls with protected left-turn phasing, which would require a separate left-turn arrow. Installation of traffic signals shall include the traffic signal equipment and optimization of signal phasing and timing (i.e., allocation of green time for each intersection approach) in</p>	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p>	<p>Prior to occupancy of Phase 1 development</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
warrant.	<p>tune with the relative traffic volumes on those approaches, and coordination with signal phasing and timing of adjacent intersections. Traffic signal equipment shall include pedestrian signal heads (with adequate time for pedestrians to cross the streets). Signal installation shall meet City of Oakland design standards and be subject to review and approval of the City.</p> <p>Prior to the installation of this traffic signal, a complete traffic signal warrant analysis shall be conducted at this location, by the project sponsor, to verify that this location meets MUTCD signal warrants, which include both daily and peak-hour volume, accidents, and pedestrian volumes and be subject to review and approval of the City. The mitigation shall be implemented in conjunction with the West Broadway Garage.</p>		
B.1c: (Near-Term 2010) The signalized intersection of Broadway / West MacArthur Boulevard (#16) would degrade from LOS E to LOS F during the AM peak hour, and LOS D to LOS E during the PM peak hour with the addition of traffic generated by the project.	<p>Mitigation B.1c: Change signal cycle length to 120 seconds and optimize traffic signal timing at the Broadway / West MacArthur Boulevard intersection during both the AM and PM peak hours. Optimization of traffic signal timing shall include determination of green time allocation for each intersection approach relative to the approach traffic volumes, and coordination with signal phasing and timing of adjacent intersections. In addition to the Broadway / West MacArthur Boulevard intersection, signal cycle lengths and phasing would also need to be modified and coordinated at Howe Street / MacArthur Boulevard, Broadway / Piedmont Avenue, and Broadway / Hawthorne Avenue and Brook Street intersections. To ensure that signal timing optimization occurs, the project applicant shall pay for this measure.</p>	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p>	<p>Prior to occupancy of Phase 1 development</p>
B.1d: (Near-Term 2010) The LOS F conditions at the signalized intersection of Piedmont Avenue/West MacArthur Boulevard (#18), which would prevail during the AM peak hour under 2010 baseline conditions, would worsen with the addition of traffic generated by the project. The	<p>Mitigation B.1d: Modify the signal at the Piedmont Avenue / West MacArthur Boulevard intersection to provide simultaneous protected left-turn phasing for the northbound and southbound approaches, and change signal cycle length to 120 seconds and optimize traffic</p>	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p>	<p>Prior to occupancy of Phase 2 development</p>

EXHIBIT 2-A

MITIGATION MONITORING AND REPORTING PROGRAM FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
<p>project-generated increases in vehicle delay on a critical movement would exceed the two-second threshold of significance.</p>	<p>signal timing during the AM peak hour. Optimization of traffic signal timing shall include determination of green time allocation for each intersection approach relative to the approach traffic volumes, and coordination with signal phasing and timing of adjacent intersections. To ensure that signal timing optimization occurs, the project applicant shall pay for this measure.</p>		
<p>B.1e: (Near-Term 2010) The westbound approach at the proposed-created unsignalized intersection of Broadway / Main Hospital Entrance (#29) would operate at LOS E during the AM peak hour and LOS F during the PM peak hour, the project would add more than ten vehicles to the intersection, and the peak-hour volumes would meet the Caltrans peak-hour traffic signal warrant.</p>	<p>Mitigation B.1e: Project sponsor shall install traffic signals at the unsignalized intersection of Broadway / Main Hospital Entrance. The signals shall have actuated controls with protected left-turn phasing, which would require a separate left-turn arrow. Installation of traffic signals shall include the traffic signal equipment and optimization of signal phasing and timing (i.e., allocation of green time for each intersection approach) in tune with the relative traffic volumes on those approaches, and coordination with signal phasing and timing of adjacent intersections. Traffic signal equipment shall include pedestrian signal heads (with adequate time for pedestrians to cross the streets). Signal installation shall be subject to City review and approval and meet City of Oakland design standards.</p> <p>Prior to the installation of this traffic signal, a complete traffic signal warrant analysis shall be conducted at this location, by the project sponsor, to verify that this location meets MUTCD signal warrants, which include both daily and peak-hour volume, accidents, and pedestrian volumes and be subject to review and approval of the City.. The mitigation shall be implemented in conjunction with the occupancy of the Replacement Hospital or M/B Garage.</p>	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p>	<p>Prior to occupancy of Phase 2 development</p>
<p>B.2a: (2025 Conditions – Project) The LOS F conditions at the signalized intersection of Broadway / 51st Street / Pleasant Valley Avenue (#3), which would prevail during the PM peak hour under 2010 baseline conditions, would worsen with the addition of traffic</p>	<p>Mitigation B.2a:</p> <ul style="list-style-type: none"> • Same as B.1.a 	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p>	<p>Prior to occupancy of Phase 1 development (Same as B.1a)</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
<p>generated by the project. The project-generated increases in vehicle delay on a critical movement would exceed the two-second threshold of significance.</p> <p>B.2b: (2025 Conditions – Project) The LOS E conditions at the signalized intersection of Broadway / West MacArthur Boulevard (#16) would continue during the PM peak hour. The project-generated increases in vehicle delay on a critical movement would exceed the six-second threshold of significance.</p> <p>B.2c: The signalized intersection of Broadway and Hawthorne Avenue / Brook Street (#25) would degrade from LOS D to LOS E during the PM peak hour with the addition of traffic generated by the project.</p> <p>B.3a: (2025 Cumulative) Traffic generated by the project would contribute more than five percent of the cumulative traffic increases at the signalized intersection of Broadway / 51st Street / Pleasant Valley Avenue (#3) during the AM and PM peak hours, as measured by the difference between existing and cumulative (with project) conditions.</p> <p>B.3b: (2025 Cumulative) Traffic generated by the project would contribute at least five percent of the cumulative traffic increases at the unsignalized intersection of Shafter Avenue / West MacArthur Boulevard (#14) during the AM peak hour, as measured by the difference between existing and cumulative (with project) conditions.</p> <p>3c: (2025 Cumulative) Traffic generated by the project would contribute at least five percent of</p>	<p>Mitigation B.2b:</p> <ul style="list-style-type: none"> • Same as B.1.c • Same as B.1.a <p>Mitigation B.2c: Optimize the traffic signal timing for the PM peak period at the signalized intersection of Broadway and Hawthorne Avenue / Brook Street. Optimization of traffic signal timing shall include determination of allocation of green time for each intersection approach in tune with the relative traffic volumes on those approaches, and coordination with signal phasing and timing of adjacent intersections. To ensure that signal timing optimization occurs, the project applicant shall pay for this measure.</p> <p>Mitigation B.3a:</p> <ul style="list-style-type: none"> • Same as B.1.a. <p>Mitigation B.3b: Project sponsor shall extend the existing median on MacArthur Boulevard at the intersection of Shafter Avenue / West MacArthur Boulevard to eliminate left turns out and left turns into Shafter Avenue, subject to review and approval by the City.</p> <p>Mitigation B.3c: Project sponsor shall extend the existing median on MacArthur Boulevard at</p>	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p> <p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p> <p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p> <p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p> <p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p>	<p>Prior to occupancy of Phase 1 development (Same as B.1c and a)</p> <p>Prior to occupancy of Phase 1 development</p> <p>Prior to occupancy of Phase 1 development (Same as B.1a)</p> <p>Prior to occupancy of Phase 1 development</p> <p>Prior to occupancy of Phase 1</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
the cumulative traffic increases at the unsignalized intersection of Manila Avenue / West MacArthur Boulevard (#15) during the AM peak hour, as measured by the difference between existing and cumulative (with project) conditions.	the intersection of Manila Avenue / West MacArthur Boulevard to eliminate left turns out and left turns into Manila Avenue, subject to review and approval by the City..	Zoning Division; Public Works Agency, Traffic Engineering Section	development
B.3d: (2025 Cumulative) Traffic generated by the project would contribute more than five percent of the cumulative traffic increases at the signalized intersection of Broadway / West MacArthur Boulevard (#16) during the AM and PM peak hours, as measured by the difference between existing and cumulative (with project) conditions.	Mitigation B.3d: <ul style="list-style-type: none"> • Same as B.1.c 	City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section	Prior to occupancy of Phase 1 development (Same as B.1c)
B.3e: (2025 Cumulative) Traffic generated by the project would contribute more than five percent of the cumulative traffic increases at the signalized intersection of Broadway / Hawthorne Avenue / Brook Street (#29) during the PM peak hour, as measured by the difference between existing and cumulative (with project) conditions.	Mitigation B.3e: Implement Measure B.2c (optimize traffic signal timing).	City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section	Prior to occupancy of Phase 1 development (Same as B.2c)
B.7: The project would increase the potential for conflicts among different traffic streams.	Mitigation B.7a: If the City selects Broadway Design Alternative A (West Broadway Garage driveway on Broadway would be unsignalized and left-turns out of the driveway would be prohibited), provide an unsignalized striped cross-walk just north of the West Broadway Garage driveway, with bulb-outs on both sides Broadway and a median with minimum landscaping. Mitigation B.7b: If the City selects Broadway Design Alternative B (West Broadway garage driveway on Broadway would be signalized and all vehicle movements would be allowed at the intersection), provide a signalized crosswalk across Broadway at the signalized Broadway / West Broadway Garage driveway intersection. Mitigation B.7c: If the City selects Broadway Design Alternative C (Broadway would have a continuous median adjacent to the West	City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section	Prior to occupancy of Phase 1 development

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>Broadway Garage and movement at the West Broadway Garage driveway would be limited to right-in/right-out only), construct a barrier on the median of Broadway between 38th Street and MacArthur Boulevard.</p> <p>The project sponsor shall fund or implement the City selected alternative.</p>		
	<p>Mitigation B.7d: To the extent possible, driveways shall be designed to maximize the visibility of both pedestrians and vehicles.</p> <p>Mitigation B.7e: To the extent possible, driveways shall be designed to minimize vehicle speeds.</p> <p>Mitigation B.7f: If driveway intersections are signalized, then pedestrian signal heads and appropriate crossing times shall be provided for pedestrians crossing the driveway, subject to City review and approval.</p> <p>Mitigation B.7g: If driveway intersections are not signalized and exiting vehicles do not have adequate sight distance, then an audio and/or visual warning system shall be installed to warn pedestrians when vehicles are exiting the garage, subject to City review and approval.</p>	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p>	<p>Prior to issuance of permits for each parking facility</p>
	<p>Mitigation B.7h: To the extent possible, large truck deliveries (60-foot trucks) should not be scheduled between 7:00 to 9:00 AM and 4:00 to 6:00 PM.</p> <p>Mitigation B.7i: Turning right from southbound Piedmont Avenue into the loading dock driveway, and turning left from the loading dock driveway into northbound Piedmont Avenue shall be prohibited for large trucks.</p> <p>Mitigation B.7j: Truck routes shall be established so that larger trucks accessing the site would turn into the loading driveway from northbound</p>	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p>	<p>Prior to occupancy of Phase 2 development</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
<p>B.10: Project construction would temporarily affect traffic flow and circulation, parking, and pedestrian safety.</p>	<p>Piedmont Avenue and trucks leaving the loading driveway would turn onto southbound Piedmont Avenue.</p> <p>Condition B.10: Prior to the issuance of each demolition, grading or building permit, the project applicant and construction contractor shall meet with the Traffic Engineering and Parking Division of the Oakland Public Works Agency and other 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 City Traffic Engineering Division. The plan shall include at least the following items and requirements:</p> <ul style="list-style-type: none"> • 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. • Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur. • Location of construction staging areas for materials, equipment, and vehicles (must be located on the project site). • Identification of haul routes for movement of construction vehicles that would minimize impacts on vehicular and pedestrian traffic, circulation and safety; and provision for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks 	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p>	<p>Prior to issuance of each demolition, grading or building permit for each phase</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>can be identified and corrected by the project applicant.</p> <ul style="list-style-type: none"> • Temporary construction fences to contain debris and material and to secure the site. • Provisions for removal of trash generated by project construction activity. • A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an onsite complaint manager. • Provisions for monitoring surface streets used for truck routes so that any damage and debris attributable to the trucks can be identified and corrected. Subject to City review and approval, Kaiser shall fund a study that assess the pre and post-project condition of public streets to be used for construction trucks/vehicles/equipment routes, and shall correct any damage or loss of expected life to the public streets. • Subject to City review and approval, prior to start of construction, a construction worker transportation demand management (TDM) program shall be implemented to require that construction workers carpool or use alternative transportation modes in order to reduce the overall number of vehicle trips associated with construction workers. The Sears parking garage, located at Telegraph Avenue and 27th Street, with access from 27th Street, was recently acquired by Kaiser to provide construction worker parking. This garage has a capacity of about 560 striped parking spaces, with the potential to provide a minimum of 120 additional spaces with stacked, or valet parking, for a total of 680 parking spaces. Shuttles would transport workers between the parking garage and construction site. As part of their construction worker TDM 		

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>program, Kaiser shall create a monitoring program to ensure that construction workers are indeed parking in the Sears Garage and not in the surrounding neighborhood. The monitoring program shall be subject to review and approval by the City and shall identify appropriate documentation methods and corrective actions as may be necessary.</p> <ul style="list-style-type: none"> A detailed analysis of the parking layout of the Sears Garage shall be performed to maximize parking use at this location. 		
<p>C. Air Quality and Meteorological Conditions</p> <p>C.1: Activities associated with demolition, site preparation and construction would generate short-term emissions of criteria pollutants, including suspended and inhalable particulate matter and equipment exhaust emissions.</p>	<p>Condition C.1a: If asbestos were found to be present in building materials to be removed, demolition and disposal would be required to be conducted in accordance with procedures specified by Regulation 11, Rule 2 (Asbestos Demolition, Renovation and Manufacturing) of BAAQMD's regulations.</p> <p>Condition C.1b: During construction, the project sponsor shall require the construction contractor to implement the following measures required as part of BAAQMD's basic and enhanced dust control procedures required for sites larger than four acres. These include:</p> <ul style="list-style-type: none"> Water all active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer). 	<p>City of Oakland, CEDA, Building Services Division</p> <p>City of Oakland, CEDA, Building Services Division</p>	<p>Throughout all demolition, grading and construction activities.</p> <p>Throughout all demolition, grading and construction activities.</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<ul style="list-style-type: none"> • Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites. • Sweep daily (with water sweepers using reclaimed water if possible) all paved access roads, parking areas and staging areas at construction sites. • Sweep streets (with water sweepers using reclaimed water if possible) at the end of each day if visible soil material is carried onto adjacent paved roads. • Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more). • Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.). • Limit traffic speeds on unpaved roads to 15 miles per hour. • Limit the amount of the disturbed area at any one time, where feasible. • 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. • Replant vegetation in disturbed areas as quickly as feasible. • Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph. • 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 		

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the BAAQMD prior to the start of construction as well as posted on-site over the duration of construction.</p> <ul style="list-style-type: none"> • Wash off the tires or tracks of all trucks and equipment leaving any unpaved construction areas. • Install appropriate wind breaks at the construction site to minimize wind blown dust. • Demonstrate compliance with BAAQMD Regulation 2, Rule 1 (General Requirements) for all portable construction equipment subject to that rule. BAAQMD Regulation 2, Rule 1, requires an authority to construct and permit to operate certain types of portable equipment used for construction purposes (e.g., gasoline or diesel-powered engines used in conjunction with power generation, pumps, compressors, and cranes) unless such equipment complies with all applicable requirements of the "CAPCOA" Portable Equipment Registration Rule" or with all applicable requirements of the Statewide Portable Equipment Registration Program. This exemption is provided in BAAQMD Rule 2-1-105. • Perform low- NOx tune-ups on all diesel-powered construction equipment greater than 50 horsepower (no more than 30 days prior to the start of use of that equipment). Periodic tune-ups (every 90 days) should be performed for such equipment used continuously during the construction period. 		

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
<p>C.2: The project would result in increased long-term emissions of criteria pollutants from vehicular traffic to and from the project site and from the operation of the Central Utility Plant. The increase in emissions would exceed Bay Area Air Quality Management District significance criteria for daily emissions of PM-10.</p>	<p>Mitigation C.2: As required by Mitigation Measures B.1a, B.2a and B.2b to address intersection impacts (Impacts B.1 and B.2), Kaiser shall prepare and demonstrate full funding of a Transportation Demand Management (TDM) program (See Mitigation B.1.a)</p>	<p>City of Oakland, CEDA, Planning and Zoning Division</p>	<p>See below.</p>
<p>C.5: The proposed project together with anticipated future development in the area, could result in long-term traffic increases and could cumulatively increase regional air pollutant emissions and conflict with or obstruct implementation of the Bay Area Clean Air Plan.</p>	<p>Same as Mitigation C.2.</p>	<p>City of Oakland, CEDA, Planning and Zoning Division</p>	<p>Same as Mitigation C.2.</p>
<p>D. Noise</p> <p>D.1: Construction activities would intermittently and temporarily generate noise levels above existing ambient levels in the project vicinity.</p>	<p>Standard Condition D.1a: The project sponsor shall require construction contractors to limit standard construction activities as required by the City Building Department.</p> <ul style="list-style-type: none"> a) Such activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, with extreme noise generating activities greater than 90 dBA limited to between 8:00 a.m. and 4:00 p.m. Monday through Friday. Pile driving shall not be permitted but pile/pier drilling shall be permitted. • Any construction activity proposed to occur outside of the standard hours of 7:00 am to 7:00 pm 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 survey of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened 	<p>City of Oakland, CEDA, Building Services Division</p>	<p>Ongoing throughout all demolition, grading and construction activities.</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>and such construction activities shall only be allowed with the prior authorization of the Building Services Division.</p> <p>b) Construction activity shall not occur on Saturdays, with the following possible exceptions:</p> <ul style="list-style-type: none"> • 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 survey 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 authorization of the Building Services Division. • After the building is enclosed, requests for Saturday construction activities shall only be allowed on Saturdays with the prior authorization of the Building Services Division, and only then within the interior of the building with the doors and windows closed. <p>c) No extreme noise generating activities shall be allowed on Saturdays, with no exceptions.</p> <p>d) No construction activity shall take place on Sundays or Federal holidays.</p> <p>For clarification, construction activities include but are not limited to: tuck idling, moving equipment (including trucks, elevators, etc) or materials, deliveries, and construction meetings held on-site in a non-enclosed area</p> <p>Standard Condition D.1b: To reduce daytime noise impacts due to construction, the project</p>	<p>City of Oakland, CEDA, Building</p>	<p>Ongoing throughout all demolition,</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>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 City to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:</p> <ul style="list-style-type: none"> • Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings; • 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; • Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site; • Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings; and • Monitor the effectiveness of noise attenuation measures by taking noise measurements. <p>Condition D.1d: Prior to the issuance of each building permit, along with the submission of construction documents, the project sponsor shall submit to the City Building Department a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include:</p> <ul style="list-style-type: none"> • A procedure for notifying the City Building Division staff and Oakland Police 	<p>City of Oakland, CEDA, Building Services Division</p>	<p>activity. Implementation of Condition D.1c: throughout all demolition, grading and construction activities.</p> <p>Prior to the issuance of each building permit, any pile driving or other extreme noise generating activities on the site, and throughout all demolition, grading and construction</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>Department;</p> <ul style="list-style-type: none"> • A plan for posting signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem; • A listing of telephone numbers (during regular construction hours and off-hours); • The designation of an on-site construction complaint manager for the project; • Notification of neighbors within 300 feet of the project construction area at least 30 days in advance of pile-driving activities about the estimated duration of the activity; and • A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed. 		activities.
	<p>Condition D.1.e: Consistent with Standard Condition D.1b and D.1c and prior to the issuance of each building permit, the project sponsor shall install a sound-rated fence/barrier along the project site property line located closest to any noise-sensitive receiver(s), in accordance with the February 2006 Construction Noise Assessment Report prepared by Charles M. Salter Associates</p>	<p>City of Oakland, CEDA, Building Services Division</p>	<p>Prior to the issuance of each building permit and throughout all demolition, grading and construction activities.</p>
	<p>Standard Condition D.1f: Consistent with Standard Condition D.1b and D.1c and throughout all noise-generating construction activities, the project application shall locate removal areas for demolition debris as far as possible from noise-sensitive receptors, in accordance with the February 2006 Construction Noise Assessment Report prepared by Charles</p>	<p>City of Oakland, CEDA, Building Services Division</p>	<p>Prior to the issuance of each building permit and throughout all demolition, grading and construction activities.</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	M. Salter Associates.		
D.4: Given the measured exterior noise levels in the vicinity of the project site, the interior noise levels within hospital buildings, especially in rooms used for overnight use such as patient wards, could exceed DNL 45 dBA, the interior noise standard for hospitals according to the City of Oakland General Plan Noise Element.	Condition D.4: To comply with the interior noise requirements of the City of Oakland's General Plan Noise Element and achieve an interior noise level of less than 45 dBA, noise reduction in the form of sound-rated assemblies (i.e., windows, exterior doors, and walls) shall be incorporated into project building design. Final recommendations for sound-rated assemblies will depend on the specific building designs and layout of buildings on the site and shall be determined during the design phase.	City of Oakland, CEDA, Building Services Division	Prior to the issuance of each building permit and upon final inspection of each building.
E. Cultural Resources			
E.1: Construction of the project could cause substantial adverse changes to the significance of currently unknown cultural resources at the site, potentially including an archaeological resource pursuant to CEQA Guidelines Section 15064.5 or CEQA Section 21083.2(g), or the disturbance of any human remains, including those interred outside of formal cemeteries.	Condition E.1a: Pursuant to CEQA Guidelines 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 sponsor 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 mitigation, 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. In considering any suggested mitigation proposed by the consulting archaeologist in order to mitigate impacts to historical resources or unique archaeological resources, the project sponsor shall determine whether avoidance is necessary and feasible in light of factors such as	City of Oakland, CEDA, Building Services Division and Planning and Zoning Division	Throughout all demolition, grading and construction activities.

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>the nature of the find, project design, costs, and other considerations. If 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 mitigation for historical resources or unique archaeological resources is carried out.</p> <p>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 sponsor and the qualified archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation, subject to approval by the City of Oakland, which shall assure implementation of appropriate mitigation measures recommended by the archaeologist. Should archaeologically-significant materials be recovered, the qualified archaeologist would recommend appropriate analysis and treatment, and would prepare a report on the findings for submittal to the Northwest Information Center.</p>	<p>City of Oakland, CEDA, Building Services Division</p>	<p>Throughout all demolition, grading and construction activities.</p>
	<p>Condition E.1b: 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</p>		

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>a 50-foot radius of the find until appropriate arrangements are made.</p> <p>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.</p>		
E.2: The project may adversely affect unidentified paleontological resources at the site.	<p>Condition E.2: In the event of an unanticipated discovery of a brea true, and/or trace fossil 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.</p>	<p>City of Oakland, CEDA, Building Services Division and Planning and Zoning Division</p>	<p>Throughout all demolition, grading and construction activities.</p>
E.3: The proposed project would result in the demolition of the building at 3741-47 Broadway	<p>The project sponsor will implement the following measures:</p> <p>Archival Documentation. Kaiser Permanente shall document the building at 3741-47 Broadway prior to its demolition through the use of large-format black and white photography and a brief historical report, meeting the specifications of the Historic American Building Survey (HABS). The historic report should briefly describe the building and its historic</p>	<p>City of Oakland, CEDA, Planning and Zoning Division</p>	<p>Prior to issuance of demolition permit for 3741-47 Broadway.</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
<p>E.4b: Increased shadow resulting from construction of the Replacement Hospital and Garage would result in increased shadow that, combined with poor existing soils conditions, may adversely impact six (6) Giant Sequoia Redwoods that contribute to the historic setting of the J. Mora Moss House, a historic resource.</p>	<p>significance to the City of Oakland. The documentary photographs and report would be archived locally at the Oakland History Room (OHR) of the Oakland Public Library along with a copy on archival paper. Digital copies of the photographs would be forwarded to the Oakland Cultural Heritage Survey.</p> <p>- Interpretive Materials: Kaiser Permanente shall prepare interpretive materials as directed by the City, including, but not limited to on-site interpretive signage, brochures, or any combination thereof.</p> <p>Mitigation E.4b.1: Prior to start of Phase 2 construction, the project sponsor shall coordinate with the City Arborist and perform an initial assessment of the six Redwood trees to determine, after the City's consideration of the following possible treatments outlined in the <i>May 22, 2006 Mosswood Park Shading – Tree Shading Impact Report</i> by Stephen Batchelder, specific treatments that would result in the most positive impact on the existing and future health of the Giant Sequoia Redwood trees in poor existing condition and located within the area of new shadow cast by the Replacement Hospital and Garage. Possible Treatments include, but are not limited to, the following, subject to review and determination by the City Arborist:</p> <ol style="list-style-type: none"> 1. Water Audit – A water audit that would provide information on the amount of water being applied to and around the affected trees and the uniformity with which the watering occurs. The water audit would also evaluate soil type and infiltration rate, or consider adjustments to eliminate water spray within 10 to 20 feet from the base of affected trees. 2. Mulch – Create mulch areas around affected trees to reduce soil compaction and restrict mowing equipment in areas where mower damage on the affected trees 	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Tree Division</p>	<p>Prior to start of Phase 2 construction; periodic monitoring per City-approved treatment plan</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>is evident. The mulch will further reduce the need for supplemental irrigation water.</p> <p>3. Soil Amendment – Implement a good-quality compost in the area of affected trees. Limit fertilization to areas where poor conditions are identified through soil and leaf tissue analyses.</p> <p>4. Treatment of Soil Compaction – Possible treatments include, without exclusion:</p> <p>a) Radial Trenching – A method used to mitigate and replace soil inside the tree root protection zone. Soil is removed from trenches that are 8-12 inches wide and 18-36 inches deep. Trenches are excavated in direct lines toward the base of the tree using air spade, hydraulic excavation or hand careful hand excavation. Backfill can be amended soil, structural soil, a mix of sand and compost, or any combination deemed to be appropriate for the situation.</p> <p>b) Vertical Core Venting – A that procedure that creates vertical holes, usually about 2-inches in diameter, that extend down through compacted soil. The holes can be from 18-inches to over 3-feet deep. Holes are spaced from 6-inches to 2-feet depending upon the site soil conditions. Holes are crated with an augur, water jet or using an air spade.</p> <p>c) Water Jet - A procedure that uses high-pressure water and a probe to create air passages in the soil. Primary reason for use is mitigation for compacted soil. Water Jet can be used in conjunction with liquid fertilization only when soil and leaf tissue analysis indicate nutrient</p>		

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	limitation.		
	<p>The Project sponsor shall fund the evaluation and implementation of the approved treatment plan and shall pay for periodic monitoring of the effectiveness of the plan and implementation of any necessary revisions to the plan.</p>		
<p>E.5: The proposed project, in combination with cumulative development that would involve demolition of other automobile-related historic resources in Oakland, would not result in cumulative impacts to automobile-related historic resources.</p>	<p>The project sponsor shall implement the following measures:</p> <p>Kaiser Permanente shall prepare or cause to be prepared a historic context report of Oakland's 1920s-era automobile dealerships in order to document this relatively rare and threatened building type. The context should be prepared by a qualified architectural historian. The context report would be archived locally at the Oakland History Room (OHR) of the Oakland Public Library along with a copy on archival paper. Copies would be forwarded to the Oakland Cultural Heritage Survey.</p>	<p>City of Oakland, CEDA, Planning and Zoning Division</p>	<p>Prior to issuance of demolition permit for 3741-47 Broadway.</p>
<p>F. Geology, Soils, and Seismicity</p> <p>F.1: In the event of an earthquake in the region, seismic groundshaking could potentially injure people and cause collapse or structural damage to existing and proposed hospital structures.</p>	<p>Condition F.1: A site-specific, design level geotechnical investigation for each construction site within the project area (which is typical for any large, phased development project) shall be required as part of this project. Specifically:</p> <ul style="list-style-type: none"> • Each investigation shall include an analysis of expected ground motions at the site from known active faults. The analyses shall be in accordance with applicable City ordinances and policies, OSHPD requirements, and consistent with the most recent version of the California Building Code, which requires structural design that can accommodate ground accelerations expected from known active faults. • The investigations shall determine final design parameters for the walls, foundations, foundation slabs, and 	<p>City of Oakland, CEDA, Building Services Division</p>	<p>Prior to the issuance of each building permit and upon final inspection of each building.</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>surrounding related improvements (utilities, roadways, parking lots and sidewalks).</p> <ul style="list-style-type: none"> • The investigations shall be reviewed and approved by a registered geotechnical engineer. All recommendations by the project engineer, geotechnical engineer, and OSHPD will be included in the final design. • Recommendations that are applicable to foundation design, earthwork, and site preparation that were prepared prior to or during the project design phase, shall be incorporated in the project. • For structures not subject to OSHPD permitting, the final seismic considerations for the site shall be submitted to and approved by the City of Oakland Building Services Division prior to the commencement of the project. 		
<p>F.3: The development proposed as part of the project, when combined with other reasonably foreseeable development in the vicinity, could potentially injure people and cause collapse or structural damage to existing and proposed structures and result in significant cumulative impacts with respect to geology, soils, or seismic conditions.</p>	<p>Same as Condition F.1.</p>	<p>Same as Condition F.1.</p>	<p>Same as Condition F.1.</p>
<p>G. Hydrology and Water Quality</p> <p>G.1: Project construction would involve activities (excavation, soil stockpiling, pier drilling, grading, and dredging, etc.) that would generate loose, erodable soils that, if not properly managed, could violate any water quality standards or waste discharge requirements; result in substantial erosion or siltation; create or constitute substantial polluted runoff; or otherwise substantially degrade water quality.</p>	<p>Standard Condition G.1a: Prior to and during project demolition, grading and construction activities, the project shall comply with all City of Oakland Grading Permit requirements and all NPDES Permit requirements as follows:</p> <p><i>Grading Plan, Erosion and Sedimentation Control Plan, and Drainage Plan</i></p> <p>City of Oakland Municipal Code Chapter 13.16 and Section 15.04.780 require that the project</p>	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division</p>	<p>Prior to the issuance of each demolition and/or grading permit and throughout all construction activities and ongoing. Notice of termination to RWQCB at</p>

¹ Total estimated excavation includes 69,000 cu.yds. for Phase 1 and 38,600 cu.yds. for Phase 2. No excavation is proposed for Phase 3.

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>applicant prepare a grading plan for the proposed project. Because during project construction the volume of the excavated fill material would exceed 50 cubic yards (estimated maximum 107,600¹ cu.yds. proposed) and involve depths of excavation that exceed five feet (estimated approximately 30 feet proposed) and involve pier drilling to a maximum dept of 70 feet, the project sponsor must prepare a grading plan, erosion and sedimentation control plan, and drainage plan.</p> <ul style="list-style-type: none"> • The required grading plan shall include drainage, erosion, and sediment control measures and incorporate construction BMPs to prevent pollutants from entering the storm sewer to the maximum extent practicable. • The grading plan shall discuss existing, temporary, and final drainage facilities. Erosion and sediment control must combine interim and permanent measures to minimize erosion, stormwater runoff, and sedimentation. Such measures, at a minimum, shall include provision of filter materials at the catch basin to prevent debris or dirt from flowing into the storm drain system. According to the City Public Works Agency, such filter materials shall be applied to batch basins within private areas. As proposed by the project, filter protection at catch basins and inlets will include filter fabric covering the grates, straw bales or wattles circling the inlet, or some combination of these and/or other measures. • The plan shall specify that, after construction is complete, the sponsor shall ensure that the storm drain system shall be inspected and that the sponsor shall clear the system of any debris or 		completion of construction activities.

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p style="text-align: center;">sediment.</p> <ul style="list-style-type: none"> • Preparation and implementation of the grading plan would include preparation of the construction stormwater pollution prevention plan (SWPPP) (discussed below). <p><i>NPDES Permit and Construction Stormwater Pollution Prevention Plan (SWPPP)</i></p> <p>The project sponsor shall apply for and comply with all requirements of the ACCWP NPDES General Construction Permit. As required by the permit:</p> <ul style="list-style-type: none"> • The sponsor shall prepare a SWPPP in coordination with a project's grading plan. The SWPPP shall describe erosion and sedimentation control measures as recommended in the California Stormwater Best Management Practice Handbook (Stormwater Quality Task Force, 2003). • The project sponsor shall prepare the SWPPP and submit a notice of intent to the RWQCB prior to construction activities, as required by the RWQCB. Implementation of the SWPPP shall start with the commencement of construction and continue through the completion of the project. • 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 inspection and monitoring program. • After construction is completed, the 		

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>project sponsor shall submit a notice of termination to the RWQCB.</p>		
	<p>Condition G.1b: Prior to and during project demolition, grading and construction activities, the project shall comply with all Creek Protection Permit requirements and practices as follows:</p> <p><i>Creek Protection Permit</i></p> <ul style="list-style-type: none"> • Project construction would occur within approximately 17 feet of the Glen Echo Creek centerline (at the closest point) and would involve construction activities in proximity to Glen Echo Creek, including creek bank repair and stabilization, and creek bank shoring to prevent bank failure (discussed also under Biological Resources Impact (1.1, impacts on jurisdictional waters of the U.S.). Therefore, the project sponsor is required to obtain and comply with all requirements of a City of Oakland Category 4 Creek Protection Permit. • Consistent with the Category 4 Creek Protection Permit requirements outlined in the City's Guide to Oakland's Creek Ordinance, the project sponsor has prepared and submitted the following for review and approval by the City: <ul style="list-style-type: none"> a) Creek Protection Plan prepared by the project owner, an architect, engineer, or contractor, that describes proposed protection measure for the creek, creek banks, riparian vegetation, wildlife, surrounding habitat, and the creek's natural appearance during and after construction; b) Hydrology Report prepared by a licensed engineer with creek hydrology expertise, that shall at a minimum specify the quantity and quality of pre-and post-work creek 	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Environmental Services Division</p>	<p>Prior to the issuance of each demolition and/or grading permit and throughout all construction activities and ongoing.</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	flows; and c) Creek Restoration Plan (see Standard Condition I.1b)		
	Condition G.1c: For demolition and construction activities adjacent to Glen Echo Creek during the wet season (generally October 15th to April 15th), the project sponsor shall design for City review and approval, and implement a temporary bypass culvert for Glen Echo Creek. The bypass culvert shall involve rerouting rain water leaders to prevent direct drainage to the creek, which would ensure water quality and control erosion and sedimentation, consistent with the General NPDES Permit for Construction Activities (Standard Condition G.1a). The bypass culvert shall be removed immediately after completion of construction activities.	City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Environmental Services Division	Prior to the issuance of each demolition and/or grading permit and throughout all construction activities and ongoing.
G.4: The project would not result in a net increase in impervious surfaces and would not cause an increase in the volume of project-related stormwater runoff. The project would not violate any waste discharge requirements that would create substantial runoff and result in substantial flooding onsite or offsite. Nor would the project exceed the capacity of the stormwater drainage system.	Condition G.4a: The project sponsor shall implement site design/landscape characteristics as feasible, which maximize infiltration (where appropriate), provide retention or detention, slow runoff, and minimize impervious land coverage, so that post-development pollutant loads from the site have been reduced to maximum extent possible. Where feasible, the project shall introduce measures to help reduce the rate and volume of stormwater runoff.	City of Oakland, CEDA, Building Services Division; Planning and Zoning Division	Prior to approval of final site plan and landscape plan.
	Condition G.4b: For the proposed project, which will discharge directly to water bodies listed as impaired (under section 303(d) of CWA), ensure that post-project runoff does not exceed pre-project levels for such pollutants through implementation of the control measures addressed in the C.3 provision, to the maximum extent practicable.	City of Oakland, CEDA, Building Services Division; Planning and Zoning Division	Upon final inspection of each development Phase.
H. Public Health and Safety			
H.1: Demolition or renovation of existing structures that contain hazardous building materials, such as lead-based paint, asbestos, and PCBs could expose workers, the public, or	Condition H.1a: Future demolition or renovation activities shall require the project sponsor to prepare an assessment for the potential presence of lead-based paint or coatings,	City of Oakland, CEDA, Building Services Division	Prior to the issuance of each demolition permit and throughout all

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
<p>H.2: Implementation of the project would disturb soil and groundwater impacted by historic hazardous material use, which could expose construction workers, the public, or the environment to adverse conditions related to hazardous materials handling.</p>	<p>a high efficiency particulate air (HEPA) filter.</p> <ul style="list-style-type: none"> • Collect, segregate, and profile waste for disposal determination. • Properly dispose of all waste. <p>Condition H.1d: If the assessment required by Standard Condition H.1a finds presence of asbestos, the project sponsor shall ensure that asbestos abatement shall be conducted prior to building demolition or renovation.</p> <p>Condition H.1e: If the assessment required by Standard Condition H.1a finds presence of PCBs, the project sponsor shall ensure that PCB abatement shall be conducted prior to building demolition or renovation.</p>		
	<p>Standard Condition H.2a: The project applicant shall ensure that environmental assessment and remediation would either be performed under the oversight of the ACDEH or other agencies, (e.g. RWQCB and DTSC) or be conducted by qualified professionals with experience in soil and groundwater contamination remediation. In cases where regulatory involvement is not necessary, soil and groundwater removal and disposal would still occur to mitigate the potential hazards that could result from removal of soil and/or groundwater during construction.</p>	<p>City of Oakland, CEDA, Building Services Division</p>	<p>Prior to the issuance of each demolition, grading and/or building permit and throughout all construction</p>
	<p>Standard Condition H.2b: To reduce environmental risks associated with encountering contaminated soil that is discovered during grading and construction, the project applicant shall ensure that impacted soil is handled in accordance with Kaiser's Soil Management Plan, which shall be prepared to outline required procedures for handling and disposing impacted soil. All disposal and transportation of contaminated soil shall be done in accordance with state and federal agencies and under federal (RCRA) and state laws. All contaminated soil determined to be hazardous</p>	<p>City of Oakland, CEDA, Building Services Division</p>	<p>Prior to the issuance of each demolition, grading and/or building permit and throughout all construction</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>or non-hazardous waste must be adequately profiled for acceptable disposal before it can be removed from the site.</p> <p>Standard Condition H.2c: Groundwater pumped from the subsurface would be contained onsite prior to treatment and disposal to ensure environmental and health issues are resolved pursuant to oversight agencies (Refer to Impact G.2). Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building..</p>	<p>City of Oakland, CEDA, Building Services Division</p>	<p>Prior to the issuance of each demolition, grading and/or building permit and throughout all construction</p>
<p>I. Biological Resources / Wetlands</p> <p>I.1: Within the vicinity of Glen Echo Creek, demolition of existing structures and construction on Site 7 in Phase 1 (West Broadway MSB and parking structure) could result in impacts to potentially jurisdictional wetlands or waters of the U.S. under the jurisdiction of the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act and waters of the state under the jurisdiction of the State Regional Water Quality Control Board (SWRCB) or Regional Water Quality Control Board (RWQCB) under Section 401 of the Clean Water Act and Porter-Cologne Act. This disturbance would affect both areas classified as wetland and channels that are considered "other waters of the U.S." No formal wetland delineation was conducted, however, Glen Echo Creek would be considered a Water of U.S. and fall under regulatory jurisdiction of the agencies identified above.</p>	<p>Condition I.1a: Prior to construction within the vicinity of Glen Echo Creek, the project sponsor shall obtain the necessary regulatory permits and authorizations from the Corps, RWQCB, CDFG and the City of Oakland, and shall comply with all conditions issued by applicable agencies. Required permit approvals and certifications shall include, but not be limited to the following:</p> <ul style="list-style-type: none"> • U.S. Army Corps of Engineers (Corps): Section 404. Permit approval from the Corps shall be obtained for the placement of dredge or fill material in waters of the U.S., if any, within the interior of the project site, pursuant to Section 404 of the federal Clean Water Act. • Regional Water Quality Control Board (RWQCB): Section 401 Water Quality Certification. Certification that the project will not violate state water quality standards is required before the Corps can issue a 404 permit, above. • California Department of Fish and Game (CDFG): Section 1602 Lake and Streambed Alteration Agreement. Work that will alter the bed or bank of a stream 	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Environmental Services Division</p>	<p>Prior to issuance of a any demolition, grading and/or building permit for Phase 1.</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>requires authorization from CDFG.</p> <ul style="list-style-type: none"> City of Oakland: Creek Protection Permit. Work within 20 feet of the center line of a creek within the City of Oakland requires a Category 4 Creek Protection Permit. As detailed in Standard Condition G.1a, information to be included in the City's permit application includes a Creek Restoration Plan and hydrologic analysis (per Mitigation Measure I.1b). 		
	<p>Standard Condition I.1b : The project sponsor shall prepare for review and approval by all applicable review and permitting agencies, a Restoration and Mitigation Plan (RMP) that shall outline specific measures to restore the daylighted portion of Glen Echo Creek. Specific measures proposed by the project and included in the RMP include, but would not necessarily be limited to, the following:</p> <ul style="list-style-type: none"> Upon completion of construction of the West Broadway parking garage in Phase 1 (Site 7), the eastern bank of Glen Echo Creek shall be regraded and recontoured to maximum 2:1 slope. Native riparian vegetation shall be planted to provide bank stabilization and to restore the daylighted reach of the creek and to provide riparian habitat. The RMP shall outline what species of native plants shall be planted. Plantings shall include trees and understory that are native to the area and that provide both bank stabilization and riparian habitat. Monitoring of the restored areas shall continue for a period of five years after implementation of the restoration 	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Environmental Services Division</p>	<p>Upon completion of construction of the West Broadway parking garage in Phase 1 (Site 7). Monitoring of the restored areas shall continue for a period of five years after implementation of the restoration planting. The project sponsor or qualified designees shall prepare and submit annual monitoring reports to the Corps, RWQCB, CDFG, and City of Oakland.</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>planting. The project sponsor or qualified designees shall prepare and submit annual monitoring reports to the Corps, RWQCB, CDFG, and City of Oakland. The RMP shall outline monitoring methods and success criteria for each of the monitoring years and at the end of the five-year monitoring period.</p> <ul style="list-style-type: none"> The RMP shall provide contingency measures to be implemented in the event one or more success criteria are not met. <p>Condition 1.1c: If required by permits and authorizations for the project, the project sponsor shall provide compensatory mitigation for temporary and/or permanent impacts to Glen Echo Creek. If deemed appropriate by the permitting agencies, mitigation can be provided by a donation of funds for off-site riparian restoration. If required, compensatory mitigation will be provided at a minimum of 1.1:1 ratio.</p>	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Environmental Services Division</p>	<p>Upon completion of construction of the West Broadway parking garage in Phase 1 (Site 7).</p>
<p>I.2: Installation of the temporary bypass culvert within Glen Echo Creek waterway (Standard Condition G.1c) during Phase 1 (West Broadway MSB and parking structure) would result in temporary disturbance to pond turtle habitat.</p>	<p>Condition I.2: Prior to the installation of the temporary bypass culvert (Standard Condition G.1c) and construction activities, a qualified biologist shall perform pond turtle surveys within Glen Echo Creek. Surveys may include nests as well as individual turtles. The project biologist shall be responsible for the survey and for the relocation of adult turtles to an appropriate area with suitable habitat outside the project area. Construction shall not proceed until the project area can be deemed free of turtles. The temporary bypass culvert shall be screened both upstream and downstream to prevent individual turtles from entering the bypass culvert and project area.</p>	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Environmental Services Division</p>	<p>Prior to the installation of the temporary bypass culvert (Standard Condition G.1c) and any demolition, grading and/or construction activities.</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
<p>I.3: Construction activities on Site 7 adjacent to Glen Echo Creek during Phase 1 (West Broadway MSB and parking structure) would result in disturbance to nesting habitat for breeding raptors and passerine birds including nesting Cooper's hawk.</p>	<p>Condition I.3: To the extent feasible, removal of the large trees and other vegetation suitable for nesting 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 birds or raptors. If the survey indicates that potential presences of nesting birds or raptors, the results would be coordinated with CDFG and suitable avoidance measures would be developed and implemented. Construction shall observe the CDFG avoidance guidelines which are a minimum 500-foot buffer zone surrounding active raptor nests and a 250-foot buffer zone surrounding nests of other birds. Buffer zones shall remain until young have fledged.</p>	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Environmental Services Division</p>	<p>Throughout all demolition, grading and/or construction activities.</p>
<p>I.4: The project would conduct construction activities near several protected trees and would potentially remove approximately 34 protected trees located within or adjacent to the project site and would conducted these activities in compliance with the City of Oakland's Tree Preservation and Removal Ordinance.</p>	<p>Condition I.4a: Adequate protection shall be provided during the construction period for any trees which are to remain standing. Measures deemed necessary by the Tree Reviewer in consideration of the size, species, condition and location of the trees to remain may include any of the following:</p> <ol style="list-style-type: none"> 1. 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. 2. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special 	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Tree Services</p>	<p>Throughout all demolition, grading and/or construction activities.</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filling, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the 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 within the protected perimeter of any protected tree.</p> <p>3. 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.</p> <p>4. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.</p> <p>5. 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 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</p>		

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed.</p> <p>6. All debris created as a result of any tree removal work shall be removed by the applicant from the property 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.</p> <p>Condition 1.4b: Replacement plantings shall be required in order to prevent excessive loss of shade, erosion control, groundwater replenishment, visual screening and wildlife habitat in accordance with the following criteria:</p> <ol style="list-style-type: none"> 1. No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered. 2. Replacement tree species shall consist of <i>Sequoia sempervirens</i> (Coast Redwood), <i>Quercus agrifolia</i> (Coast Live Oak), <i>Ancutis merciesii</i> (Madrone), <i>Aesculus californica</i> (California Buckeye) or <i>Umbelluiana californica</i> (California Bay Laurel). 3. Replacement trees shall be 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. 4. Minimum planting areas must be available on site as follows: <ol style="list-style-type: none"> a) For <i>Sequoia sempervirens</i>, three hundred fifteen square feet per tree; 	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Tree Services</p>	<p>Throughout all demolition, grading and/or construction activities.</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>b) For all other species listed in #2 above, seven hundred (700) square feet per tree.</p> <p>5. 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.</p> <p>6. Plantings shall be installed prior to the issuance of a certificate of occupancy, subject to seasonal constraints, and shall be maintained by the applicant until established. The Tree Reviewer 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 applicant's expense.</p>		
	<p>Condition 1.4c: 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.</p>	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Tree Services</p>	<p>Throughout all demolition, grading and/or construction activities and ongoing.</p>
	<p>Condition 1.4d: The removal of extremely hazardous, diseased, and/or dead trees shall be required where such trees have been identified by the Tree Reviewer.</p>	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Tree Services</p>	<p>Throughout all demolition, grading and/or construction activities and ongoing.</p>
	<p>Condition 1.4e: Implement the following recommended General Tree Protection Activities, to the extent feasible and subject to review and approval by the City's Public Works Agency:</p>		

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>1. Completion of Tree Protection. All designated tree protection measures shall be in place and approved by the project arborist prior to the beginning of construction activity, subject to final approval by the City's Public Works Agency and Office of Parks.</p> <p>2. Pre-Construction Meeting. Personnel working on site shall be provided an orientation to tree preservation measures and rules by the monitoring arborist.</p> <p>3. Monitoring Tree Health and Stability. The need and frequency of monitoring will be determined by the extent to which the trees are compromised during pruning and construction activities.</p> <p>4. Tree Protection to Remain During Construction. None of the recommended preservation guidelines or activities shall be removed before completion of construction activities with out approval of the project arborist.</p> <p>Heath Mitigation. Tree health mitigation treatments will depend on the level of pruning and root loss that occurs. Possible activities could include water application, the use of compost or compost tea and sugar water solution application. Procedures known as radial trenching and core venting can be used as well as structural soils, as described in the Tree Impact Report provided as Appendix E of the EIR.</p> <p>Standard Condition I.4f: Implement the following recommended London Plane Tree Preservation Guidelines, to the extent feasible and subject to review and approval by the City's Public Works Agency:</p> <p>1. Pruning. Clearance pruning should be conducted for both London Plane Trees located within the City of Oakland right-of-</p>	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Tree Services</p>	<p>Throughout all demolition, grading and/or construction activities and ongoing.</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>way along Broadway (on Site 7). All pruning should be conducted in accordance with Appendix 2 to Pruning Standards, published by Western Chapter, International Society of Arboriculture. Pruning should be directed by a qualified project arborist, subject to review and approval by the Oakland City Arborist.</p> <p>2. Trunk and Scaffold Protection. The London Plane trees should be protected from mechanical damage as follows:</p> <p>a) Wrap trunk and all exposed limbs of each tree with orange plastic fencing to a thickness of two inches.</p> <p>b) Strap 2-inch by 4-inch boards to the trunk and scaffold branches of each tree in locations where damage is most likely to occur.</p> <p>c) Extra trunk protection can be provided by strapping one to four straw bales (place on end) around the base of each tree.</p> <p>3. Root Protection.</p> <p>a) Allow the cement sidewalk to remain in place until the end of construction activity to provide the best root protection.</p> <p>b) If the cement sidewalk is removed, the treatment for all exposed areas within 15 feet of the base of each tree (surface roots and soils) must be protected with a 12-inch thick layer of wood chips, with a 1-1/8-inch piece of plywood placed on top of the wood chips.</p> <p>c) Excavation within 15 feet of the base of each tree is to be conducted under the supervision</p>		

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>of a qualified arborist. Excavation within this area is to be conducted by hand digging or with the use of a tool referred to as the "air spade." This method of removing soils from around tree roots uses air pressure to minimize root damage. Generally requires a compressor with the minimum capacity of 150 cubic feet per minute and requires pre-wetting of soil for best results.</p> <p>4. Pest Management Program. Health monitoring will determine if there are any serious problems with the London Plane trees. Potential problems include Powdery Mildew, anthracnose and sycamore scale. The presence of such pathogens and pests are an indication of low energy reserves (poor health). If pathogens or insects are found to be present at a damaging level, appropriate measures can be prescribed for control by the project arborist until the tree's natural resistance returns, subject to review by the City Arborist.</p>		
	<p>Standard Condition 1.4g: Implement the following recommended Coast Redwood Tree Preservation Guidelines, to the extent feasible and subject to review and approval by the City's Public Works Agency:</p> <ol style="list-style-type: none"> 1. Maintain Fence. Maintain the existing chain-link fencing in place during construction activities, to the extent feasible. 2. Protect Main Stem. Protect vulnerable areas by securing two-inch by four-inch board to the main upright stem(s) of the trees where possible damage could occur. 3. Root Protection. Cover the bank and 	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Tree Services</p>	<p>Throughout all demolition, grading and/or construction activities and ongoing.</p>

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
	<p>exposed roots with four layers of burlap or other acceptable material and an outer layer of geotextile fabric. The burlap is used to a depth of three feet. [Clarify.] Alternatively, protected tree roots with a 12-inch thick layer of wood chips, with either a metal plate or 1-1/8-inch piece of plywood placed on top of the wood chips at critical root areas. The project arborist should direct placement of root protections.</p>		
	<p>4. Construction Details. Develop and consider specific construction details that aim to limit the amount of tree roots that would be cut to accommodate construction. Specific details would address a) the location and spacing of soldier piles at the perimeter of the excavation area; and b) the design and placement of shoring relative to the soldier beams.</p>		
	<p>5. Trenching. Consider trenching wide enough to allow for root inspection by the project arborist.</p>		
	<p>6. Root Pruning. Consider additional cutting of the bank to allow root pruning by hand.</p>		
	<p>7. Health Mitigation. Health mitigation treatments would be prescribed based on the site conditions and level of adverse impact suffered by the trees, but should be administered before adverse impacts occur. Possible treatments include the following mulching (to prevent soil compaction); installation of temporary water system where roots are lost; compost and compost tea; sugar-water solutions applied to cut roots; removal of existing asphalt to expand soil surface; soil and leaf tissue analysis prior to fertilizing; and regular health monitoring for insects, disease, and soil moisture conditions.</p>		

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
M. Utilities and Service Systems			
<p>M.1: The project would not exceed water supplies available to serve the project from existing entitlements and resources, nor require or result in construction of water facilities or expansion of existing facilities, construction of which could cause significant environmental effects.</p>	<p>Standard condition: As feasible and applicable, the project sponsor shall implement the following water-efficient equipment and devices into building design and project plans, consistent with the Landscape Water Conservation section of the City of Oakland Municipal Code (Chapter 7, Article 10): low-, ultra-low, and dual flush flow toilets and showerheads; water efficient irrigation systems that include drip irrigation and efficient sprinkler heads; evapotranspiration (ET) irrigation controllers; drought-resistant and native plants for landscaping; and minimization of turf areas.</p>		
<p>M.4: The project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs, and would not require or result in construction of landfill facilities or expansion of existing facilities, construction of which could cause significant environmental effects. Additionally, the project would not impede the ability of the City to meet the waste diversion requirements of the California Integrated Waste Management Act or the Alameda County Waste Reduction and Recycling Initiative or cause the City to violate other applicable federal, state, and local statutes and regulations related to solid waste.</p>	<p>Standard Condition M.4: The project sponsor shall prepare, and subjected to review and approval by the City, implement a Construction and Demolition Debris Waste Reduction and Recycling Plan (WRRP) to ensure diversion of at least 50 percent of the construction and demolition debris from each stage of project implementation as well as throughout operations of the project.</p>		

785 Market Street, Suite 1300
San Francisco, CA 94103
(415) 284-1544 FAX: (415) 284-1554

MEMORANDUM

To: Natalie Faye, City of Oakland
CC: Gary Patton, City of Oakland; Scott Gregory, Lamphier-Gregory
From: Jeffrey Tumlin, Jessica ter Schure
Date: 5/24/06 As approved by the Oakland City Council, June 27, 2006
Subject: Kaiser Oakland TDM Recommendations

Introduction

Nelson\Nygaard Consulting Associates has been retained by the City of Oakland to assist in the peer review of the draft Transportation Demand Management (TDM) program developed by Kaiser's TDM coordinator Altrans. This document provides a summary of Kaiser's TDM program and recommends goals, components, and monitoring tools. The recommendations are based on communication with city officials, Kaiser Oakland, Altrans and Fehr & Peers as well as a review of the following documents:

- ESA (March, 2006). *Kaiser Permanente Oakland Medical Center Master Plan Project, Draft Environmental Impact Report.*
- ESA (May, 2006). *Kaiser Permanente Oakland Medical Center Master Plan Project, Final Environmental Impact Report.*
- Fehr & Peers Transportation Consultants (March, 2006). *Kaiser Permanente Oakland Medical Center Project Final Traffic Study.*
- Altrans (May, 2006). *Oakland Kaiser TDM Program – Analysis and Recommendations of Current & Proposed Services, Projects and Programs.*
- Altrans (March, 2006). *Survey Results for Kaiser Permanente Oakland Medical Center.*

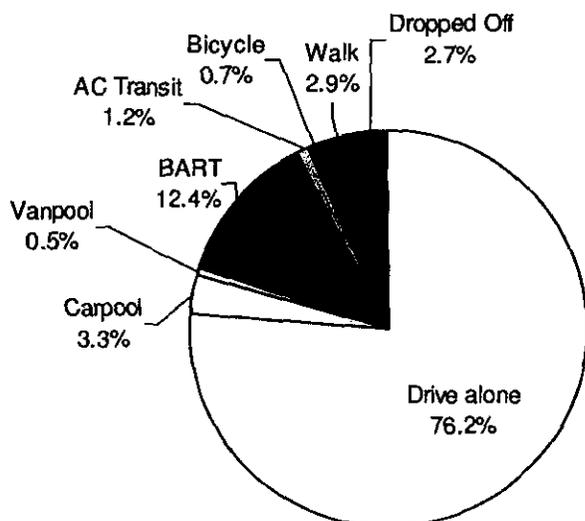
Goals

The TDM program sets the following goals:

1. To maintain current mode split (Baseline) into the future (CEQA REQUIRED)
2. To reduce Single Occupancy Vehicles (SOV) trips, and thus reduce impacts on air quality and traffic congestion to the maximum feasible extent (CEQA REQUIRED)
3. Reduce parking demand and lessen parking impacts on the adjacent neighborhoods (NON-CEQA)
4. Promote the City of Oakland's Transit First! Policy (NON-CEQA)
5. Promote urban design by reducing the number and size of parking facilities (NON-CEQA)

Maintain Baseline Mode Split (CEQA REQUIRED)

Kaiser conducted a Baseline Employee Transportation Survey in February 2006. With a current population of 4,072 employees, 2000 surveys were distributed among the day-time employee population. 786 responses were collected, yielding a representative response rate of 39%. The current mode split is shown in the figure below.



The Draft Environmental Impact Report (DEIR)¹ and the accompanying Traffic Study² are "based on the assumption that the current trip generation rates would continue to be applicable in the future. This assumption presumes similar percentages of employees and visitor/patients will use transit, carpool, biking, and walking. Thus, current TDM program components need to continue in the future and be modified as the Medical Center population grows to maintain the employee alternative mode share (carpool, transit, bike, walk, etc.) at current levels."

Kaiser needs to maintain a SOV rate equal or lower than 76.2% and an alternative mode rate equal or higher than 23.8% in order to maintain the baseline mode split.

¹ ESA, Kaiser Permanente Oakland Medical Center Master Plan Project, Draft Environmental Impact Report, March 2006.

² Fehr & Peers Transportation Consultants, Kaiser Permanente Oakland Medical Center Project Final Traffic Study, March 2006.

Reduce Impacts on Traffic Congestion and Air Pollution (CEQA REQUIRED)

Transportation and air quality impacts are identified as being significant and unavoidable due to the project. The negative impacts on transportation and air quality can be reduced by an effective TDM program. The following text outlines the significant and unavoidable impacts as well as what it would take to bring the impacts to less than significant levels. One of the goals of this TDM program is to strive to achieve these reductions to the maximum feasible extent.

Traffic Congestion

In the DEIR, intersection impacts have been analyzed to forecast 2010 and 2025 AM and PM peak-hour traffic volumes at local intersections. The following intersections experience significant and unavoidable impacts (after mitigation) in 2010 and 2025:

- **Broadway / 51st Street / Pleasant Valley Avenue.** The total project trip generation would have to be reduced by 173 trips during the PM peak hour to reduce the project impact at this intersection to a less than significant level (DEIR p. IV.B-27).
- **Broadway / West MacArthur Boulevard.** The total project trip generation would have to be reduced by 70 trips during the PM peak hour to reduce project impact at this intersection to a less than significant level (DEIR p. IV.B-35, 36).

Air Pollution

The increase in emissions at buildout (year 2020) would exceed Bay Area Air Quality Management District significance criteria for daily emissions of PM-10. A reduction of at least approximately 350 daily vehicle trips, or at least 1% of the total daily vehicle trips, would effectively reduce PM-10 emissions by at least approximately 2.7 pounds per day, which could reduce the impact of PM-10 emissions to less than significant (DEIR p. IV.C-21,22).

Reductions in SOV Rate Required

In order to reduce the significant impacts to less than significant, the SOV rate needs to be reduced by up to 10.2%, see table below.

Significant Unavoidable Impacts	Reduction in SOV Rate Required:
PM10	2.5%
Broadway/MacArthur	4.1%
Broadway/51 st /Pleasant Valley Avenue	10.2%

Reduce Parking Demand and Lessen Parking Impacts on Surrounding Neighborhoods (NON-CEQA)

Currently, it is estimated that about 235 Kaiser employees and visitors park in the surrounding neighborhoods. With an expansion of the facilities this problem will most likely continue. Some neighborhoods have already been converted to residential permit parking (RPP) districts, which limits non-residential on-street parking. The City shall require several other neighborhood streets that currently have free, unrestricted on-street parking be considered for residential permit parking districts. If the City approves the RPP, Kaiser shall fully fund the RPP program, including enforcement costs.

Interim Impact

If the City approves Project Alternative # 3, or some variation³, the on-site parking supply would be at a deficit of approximately 257 spaces from the end of Phase 1 (2008) until the construction of the Phase 2 parking structure (2012), even with Valet parking at the Howe Street and New West Broadway Garage. More aggressive TDM measures would need to be employed to prevent parking spillover in the neighborhoods. ***In order to reduce the parking shortage, the employee SOV rate needs to be reduced by 12.5% to 66.7% at the end of Phase 1 to completely eliminate the interim parking shortage***

Long-Term Impacts

An alternative to the already established RPP program is to implement a residential parking benefit assessment district (RPBAD) funded by Kaiser. In brief, this strategy is based on similar prerequisites – all residents will receive a limited number of parking permits (based on vehicle ownership etc). The major difference is that vacant parking spaces be made available to visitors and patients during daytime (when many residents use their vehicles) at a market-rate fee. One strategy would be to install multi-space parking meters on blocks with low day-time occupancy. The revenue (after operations and maintenance) can then be used to pay for the residents' permit production and distribution as well as physical improvements (lighting, sidewalk improvements, street trees etc) in the blocks that have implemented the program. The City may want to consider reimbursing Kaiser for its up-front program costs out of program revenues.

The implementation of either a Kaiser-funded residential permit parking district or a Kaiser-funded residential parking benefit assessment district would be decided through a public process and in accordance with City procedures, including resident participation and approval. See Attachment A for a map of the proposed and existing RPP areas. The timing of a new and expanded program needs to be carefully considered as it may increase the Interim parking impacts (at end of Phase 1 when the current M/B Center garage is demolished until the new

³ Alternative # 3 would eliminate the Manila lot (-34 spaces), add ground level retail in phase 1 (-38 spaces), reduce height of garage by two levels (-260 spaces), and add one more level underground (+100 spaces). The reduced size garage would also accommodate fewer valet parking (-25 spaces). In comparison to the DEIR project, the redesigned project would result in a shortage of 257 spaces between phases 1 and 2.

garage is built) discussed above and may need to await an evaluation of the effectiveness of the other components of the TDM program.

Existing TDM Program

Kaiser currently provides the following TDM services:

- *BART Shuttle* – Oakland Kaiser currently operates a free shuttle service to the MacArthur BART Station, with three shuttles operating with headways of four to five minutes from 5:00 AM to 9:30 PM on weekdays. Two shuttles operate directly between the BART station and the main hospital entrance on Howe Street. The third shuttle makes an interim stop at the Mosswood MSB. Kaiser has also extended the shuttle service from 9:30 PM to midnight in April 2006 (one shuttle in operation between these hours). Each shuttle has a capacity of 20 to 22 seated passengers. The shuttles provide about 330 seats during the peak hours, and currently transport about 1,200 passengers each day. The shuttle is available to non-Kaiser affiliated persons, but based on the mode choice survey results, the shuttle is almost exclusively used by Oakland Kaiser employees, patients, and visitors.
- *Commuter Checks* – A \$20 commuter check is available to all Oakland Kaiser employees every two months. The commuter checks can be used to purchase AC Transit, BART, or other transit tickets. Currently, between 350 and 400 commuter checks are issued every other month.
- *Bicycle Parking* – A secure bicycle cage with 40 bicycle parking spaces available to all Oakland Kaiser employees currently is provided in Howe Parking Garage, and about 7 to 12 bicycles a day are parked in the cage.
- *Preferential Carpool Parking* – Currently, 68 parking stalls are reserved for employee carpools in the Howe Street garage. These parking spaces are available to employees who sign up and there is no cost for these parking spaces. There are about 35 to 45 vehicles parked in the carpool designated spaces on weekdays.
- *Concierge Services* – Services, such as picking-up/dropping-off dry-cleaning or running other errands, are currently available to Oakland Kaiser employees, providing an incentive to use transit to commute to work.
- *TDM Coordinator* – The Oakland Kaiser Medical Center has in January 2006 hired a full-time experienced TDM coordinator to coordinate, monitor and publicize TDM activities.
- *Telecommute* – Kaiser currently has a tele-commute policy for all non-union employees, intended to minimize commute congestion and pollution in the KP community. The policy has not been marketed and usage is currently unknown.

Mandatory Components to Maintain Current Mode Split (CEQA REQUIRED)

In order to maintain a SOV rate of 76.2% or lower in the future, the following TDM strategies are required, due to an increase in employee population:

- *BART Shuttle* – The current shuttle service shall expand as new buildings are completed and occupied. It is anticipated that the shuttles should provide about 470 seats during the peak hours in order to maintain the current 0.08 peak seats per total employee ratio. Thus, it is estimated that:
 - One additional shuttle is required after the completion of the West Broadway MSB
 - Another shuttle is required after the completion of the Replacement Hospital to accommodate the new growth and the potential increase in headways resulting from the expanded route.
 - If the shuttle leaves riders behind during peak hours, then a larger vehicle may be more appropriate than more frequent service.
- *Commuter Checks* –The current commuter check program shall continue to be made available to all Oakland Kaiser employees.
- *Bicycle Parking* – In addition to maintaining the existing bicycle cage in the Howe Garage, at least 4 secure bicycle cages shall be installed at the West Broadway and the M/B Garages.
- *Preferential Carpool Parking* – In addition to maintaining the current carpool parking spaces, preferential carpool parking shall be provided at the West Broadway and M/B Garages as they become operational. It is estimated that:
 - About 70 preferential parking spaces are required at the end of Phase 1
 - An additional 80 spaces are required at the end of Phases 2 and 3, respectively

The number and location of preferential carpool parking shall be monitored and adjusted as necessary. Kaiser shall consider providing designated parking spaces to employees with electric or alternative fuel vehicles.

- *Concierge Services* – The concierge services shall continue to be made available to all Oakland Kaiser employees.
- *TDM Coordinator* – The Oakland Kaiser Medical Center shall continue to have a full-time experienced TDM coordinator to coordinate, monitor and publicize TDM activities.

- *Tele-commute Policy and Program* – As part of the expanded TDM program, the policy shall be marketed to non-union employees and monitored, evaluated and improved as necessary.

Mandatory Components to Reduce SOV Rate (BOTH CEQA AND NON-CEQA)

As mentioned in the introduction, the employee population will have increased by 44% at full buildout. The SOV rate needs to be reduced by 10.2% in order to achieve the CEQA-related goal of reducing significant unavoidable traffic and air quality impacts. An additional reduction of 2.3% is needed to address the possible interim parking shortfall between Phases 1-2, for a total SOV reduction of 12.5%. The following TDM measures are recommended to reduce the significant unavoidable impacts on congestion and pollution, and to reduce possible interim parking shortfall between Phases 1-2:

- *Increased Commuter Check Subsidy* – Kaiser shall in 2006/2007 increase the current subsidy of \$10 per month to \$20 per month for employees who choose transit, BART or van-pooling modes to work.
- *Commuter Tax Incentive* – Employees shall have the option to deduct a predetermined amount up to \$105 from their paychecks to be used for transit-related expenses.
- *Vanpool Program* – Kaiser shall lease at least five (5) 15-passenger vans from a vanpool provider. Employees who participate in the vanpool program will be partially subsidized by Kaiser and pay \$100 per month, excluding fuel costs.
- *Shower Facilities* – Showers and changing facilities shall be included in the new buildings for employees who bike or walk to work.
- *Transit Facilities* – Kaiser shall work with city officials and AC Transit in the design, construction and development of bus stops, pedestrian access, shelters, signage and lighting in and around the site. Kaiser shall fund such transit improvements.
- *Expanded TDM Outreach and Encouragement Program:*
 - *Improved Transportation Website* – A new transportation website emphasizing TDM programs shall be developed. Safe walking and biking routes will be posted on this website.
 - *Transit Information Center* – An adequately sized, full-time, on-site transit information center shall be developed and staffed to serve employees, patients and visitors in a central and visible location.

- *Thrive, Don't Drive (Alone) Campaign* – An outreach program shall be designed using existing “Thrive” infrastructure (Emphasizing health benefits of alternative transportation modes).
- *Adjacent Hospital Discussion* – Kaiser shall work with adjacent hospitals to address common TDM challenges and solutions.
- *Neighborhood Representation* – Kaiser shall provide transportation representation at Piedmont neighborhood group meetings.
- *MacArthur BART Redevelopment Involvement* – Kaiser shall work with consultants and the City of Oakland to make shuttle operations run more efficiently and compatible with the new proposed transit village project.
- *TDM Operation and Maintenance Budget Development* – Kaiser shall establish a fully funded budget for the TDM program on an annual basis.
- *Preferred Walking Routes to Kaiser* – Kaiser shall in 2006 develop a map of preferred walking routes to Kaiser.
- *Preferred Bike Routes to Kaiser* – Kaiser shall in 2006 develop a map of preferred bike routes to Kaiser.
- *Bicycle Safety & Riding Classes* – Kaiser shall provide 4 training sessions per year to five cyclists at a time.
- *Pro-Active Trip Plans* – Kaiser will provide trip planning to identify which commuter option is optimal for each employee. The type of Pro-Active Trip Plan depends on distance between the home address and OMC:
 - *Walking Trip Plans* – Shall be distributed annually to all employees living within 1 mile of OMC. The package includes the preferred walking routes to work.
 - *Bicycle Trip Plans* – Shall be distributed annually to all employees living within 5 miles of OMC. The package includes the preferred cycling routes to work. Bicycle commuting tips and information will be included in the package.
 - *AC Transit Trip Plans* – Shall be distributed annually to all employees living within 10 miles of OMC. Each employee will receive a transit map with written instructions on direct and connecting transit routes, with the approximate time the trip will take. A corresponding map will show the employee's home location and will highlight the appropriate transit routes. In addition, the employee will be encouraged to visit 511.org for a more detailed trip plan and/or call the on-site TDM coordinator for a personalized transit trip plan.

- *BART Trip Plans* – Shall be distributed annually to all employees living in BART’s catchment area (0-25 miles from OMC). Each employee will receive a transit map with written instructions on how to get to the closest BART station, with the approximate time the trip will take. In addition, , the employee will be encouraged to visit 511.org for a more detailed trip plan and/or call the on-site TDM coordinator for a personalized transit trip plan.
- *Carpool Trip Plans* – Shall be distributed annually to all employees living within 1-20 miles of OMC. The package will include a map showing the employee’s origin point in relation to other employees in a predetermined zone. The employee will be invited to register onto www.carpooltokaiser.com so that they can get in contact with employees who live close by.
- *Vanpool Trip Plans* - Shall be distributed annually to all employees living further than 20 miles away from OMC. The package will include the phone number and website of Kaiser’s vanpool provider and additional material showing current vanpool routes and suggestions on how to establish a new vanpool connection.
- *Valet Parking* – Kaiser shall provide valet parking at the Broadway MSB (100 spaces) and Howe Street (150 spaces) garages between the end of Phase 1 and the end of Phase 2, when the Replacement Hospital Garage will be built.
- *Expanded Shuttle Program* – Kaiser shall draft suggestions for possible shuttle connections from OMC to downtown Oakland, KP Corporate and Richmond Medical Center, for review and approval by the City. Kaiser shall implement the approved program.
- *Enhanced, Expanded RPP/RPBAD* – If approved by the City, Kaiser shall fund an expanded RPP/RPBAD program, including funding for increased enforcement and maintenance of the program, as determined necessary by the City. The City may want to consider reimbursing Kaiser for its up-front program costs out of program revenues. The timing of a new and expanded program needs to be carefully considered as it may increase the Interim parking impacts (at end of Phase 1 when the current M/B Center garage is demolished until the new garage is built) discussed above and may need to await an evaluation of the effectiveness of the other components of the TDM program at the end of Phase 1.

Menu of Other Strategies that can be Used to Reduce SOV Rate (CEQA AND NON-CEQA)

Nelson\Nygaard believes that the above presented mandatory TDM Program components will reduce SOV rate by between 10% and 15%, particularly if the individual trip planning tool is fully implemented. If Kaiser can not achieve the CEQA-related 10.2% decrease of SOV rate before the end of Phase 1, Kaiser shall, in addition to the monitoring/evaluation/enforcement recommendations that follow later in this report, 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 following programs and Kaiser shall implement the approved plan:

- *Eco Pass Program* – AC Transit currently provides employers the option to invest in an EcoPass program, where the employer bulk purchases transit passes for all employees at a significantly reduced cost per rider. The City of Berkeley is currently an EcoPass member, providing free transit passes to all city employees. According to the City of Berkeley, if the EcoPass were not available 59% of respondents would reduce their use of AC Transit Service and 25% would stop using AC Transit entirely.⁴ In the coming years, the AC Transit Pass may be replaced by a TransLink EcoPass, which would provide free or highly subsidized traveling in the entire Bay Area.
- *Parking Cash-Out* – Parking pricing can be a disincentive in attracting new employees to Kaiser. Parking cash-out should be viewed as the direct opposite of a parking fee, but with similar (although somewhat lower) SOV reductions. Instead of charging more for parking, all employees who arrive at OMC without a car receive a subsidy similar to the existing transit subsidy. However, the parking cash-out amount is not only provided to transit riders but also car-/vanpoolers, walkers and bikers. The City of Pleasanton, the City of Palo Alto and several private employers in the Bay Area and across North America have implemented such a program. If Kaiser considers implementing parking cash-out, the existing parking fee should be eliminated to reduce confusion. In addition, both increased parking fees and parking cash-out may result in more employees parking in the surrounding neighborhoods, which strengthens the need for residential permit parking/parking benefit districts.
- *Extended Valet Parking Program* – Kaiser shall consider extending the valet parking program into the future as a parking management tool and also as an amenity to various users (patients, visitors and employees). Valet parking is a highly efficient strategy to maximize the usage in a parking facility.
- *Car-sharing* - Car-sharing operators such as City CarShare, Flexcar and ZipCar, using telephone and Internet-based reservation systems, allow their members a hassle-free way to rent cars by the hour, with members receiving a single bill at the end of the month for all their usage. This strategy has proven successful in reducing both household vehicle ownership and the percentage of employees who drive alone because of the need to have a car for errands during the workday. As a result, car sharing can be an important tool to reduce parking demand. A car-sharing program will thus enable Kaiser commuters to carpool, take transit, bike, or walk to work by ensuring that a shared car will be available for work and/or personal trips when needed. In order to help establish the car sharing service, Kaiser should consider replacing existing under-utilized Kaiser-owned fleet vehicles with fewer car-sharing vehicles and even partially or fully subsidize operation costs for a specified term.
- *Increased Parking Fees for employees* – A parking fee program is a very delicate subject in a hospital environment where many people work irregular hours and have to work evenings

⁴ City of Berkeley, Office of the City Manager (12/13/05) Consent Calendar, Contract: EcoPass Program.

and nights. Also, parking fees are for a large share of the employee population bound by union agreement. In addition, Kaiser has expressed serious concerns about its ability to attract and retain staff if there is an increase in parking fees. On the other hand, parking fees have perhaps the largest impact on SOV rate compared to any other TDM program. Therefore, in order to strike a balance, increases in parking fees may be considered as an option only if other feasible options have been fully explored and found not to achieve the TDM goals. Kaiser Oakland currently has a small monthly parking fee of \$20-\$40 in most parking facilities.

Any of the above mentioned measures can reduce parking demand. If one or more of these measures are implemented early in the reconstruction of OMC, Kaiser may be faced with the possibility of building fewer parking spaces in later phases. Considering the fact that a parking space in a structure costs upwards of \$20,000, which translates into a monthly cost to Kaiser of \$150 per space, a significant cost saving can be done if Kaiser invests in more TDM measures.

Construction Worker TDM Program (CEQA REQUIRED)

Subject to City review and approval, prior to start of construction, a construction worker transportation demand management (TDM) program shall be implemented to encourage construction workers to carpool or use alternative transportation modes in order to reduce the overall number of vehicle trips associated construction workers. The Sears parking garage, located at Telegraph Avenue and 27th Street, with access from 27th Street, was recently acquired by Kaiser to provide construction worker parking. This garage has a capacity of about 560 striped parking spaces, with the potential to provide a minimum of 120 additional spaces with stacked, or valet parking, for a total of 680 parking spaces. Shuttles would transport workers between the parking garage and construction site.

TDM Implementation Timeline

The following table lists all the TDM measures described above and locates them on a timeline. The symbol "→" represents that the specific TDM measure shall be maintained into the future. Subject to City review and approval, any strategy can be discontinued if it can be proven that it is not effective, however, the strategy shall be replaced by either a new strategy or improvements in an already existing and effective measure.

Program Components	In Existing Program	January 2007	In Phase 1	In Phase 2	In Phase 3	At Full Buildout
A. Mandatory Measures to Maintain Existing Mode Split						
BART Shuttle (1 add'l bus in Phase 1, 1 add'l bus in Phase 2)	Yes	→	+ 1 bus	→	+ 1 bus	→
Commuter Checks	Yes	→	→	→	→	→
Bicycle Parking	Yes	→	1 new cage	1 new cage	1 new cage	1 new cage
Preferential Carpool Parking	Yes	→	+ 70 spaces	+ 80 spaces	+ 80 spaces	→
Concierge Service	Yes	→	→	→	→	→
TDM Coordinator	Yes	→	→	→	→	→
B. Mandatory Measures to Reduce SOV Rate						
Increased Commuter Check Subsidy		\$20/month	→	→	→	→
Commuter Tax Incentive		Yes	→	→	→	→
Vanpool Program		2 vanpools	+ 1 vanpool	+ 1 vanpool	+ 1 vanpool	→
Shower Facilities			New facility	→	New facility	→
Expanded TDM Outreach and Encouragement Program:		Yes	→	→	→	→
Improved Transportation Website		Yes	→	→	→	→
Transit Information Center		Yes	→	→	→	→
Thrive, Don't Drive (Alone) Campaign		Yes	→	→	→	→
Adjacent Hospital Discussion			Yes	→	→	→
Neighborhood Representation		Yes	→	→	→	→
MacArthur BART Redevelopment Involvement		Yes	→	→	→	→
Preferred Walking Routes to Kaiser		Yes	→	→	→	→
Preferred Biking Routes to Kaiser		Yes	→	→	→	→
Bicycle Safety & Riding Classes		Yes	→	→	→	→
Pro-Active Trip Plans:		Yes	→	→	→	→
Walking Trip Plans		Yes	→	→	→	→
Bicycle Trip Plans		Yes	→	→	→	→
Transit Trip Plans		Yes	→	→	→	→
Carpool Trip Plans		Yes	→	→	→	→
Vanpool Trip Plans		Yes	→	→	→	→

Program Components	In Existing Program	January 2007	In Phase 1	In Phase 2	In Phase 3	At Full Buildout
Valet Parking			Yes	→	→	→
Tele-Commute Policy and Program		Yes	→	→	→	
Expanded Shuttle Program			Yes	→	→	→
Enhanced, Expanded RPP/RPBAD				Possible**	→	→
C. Additional Measures to Reduce SOV Rate						
Eco-Pass						
Parking Cash-Out						
Extended Valet Parking Program						
Car-Sharing						
Possible Increased Parking Fees (as a last resort)						

** The timing of a new and expanded program needs to be carefully considered as it may increase the interim parking impacts (at end of Phase 1 when the current M/B Center garage is demolished until the new garage is built) discussed above and may need to await an evaluation of the effectiveness of the other components of the TDM program at the end of Phase 1.

Funding, Monitoring, Evaluation and Enforcement

This TDM program requires regular periodic evaluation over the life of the Project (estimated to be at least 50 years) to determine how the program is achieving maintenance of required baseline mode split over time, as well as the efficacy of the specific TDM measures.

Implementation of the mandatory TDM measures and related requirements shall be ensured through Kaiser's compliance with the Mitigation Monitoring and Reporting Program, as implemented through Conditions of Approval adopted for the project. The following are recommended to ensure compliance with the approved Kaiser TDM Program:

1. Kaiser shall prepare each year for the life of the Project, subject to City review and approval, an Annual TDM Report that summarizes Kaiser'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 in April, based upon surveys done in February/March, as detailed below.
2. The Annual Report shall be prepared and presented in the following manner:
 - a. The Annual Report shall include a comparison to historical findings. If participation rate has changed significantly, a detailed description as to why the rate has changed is required. Each Annual Report shall consist of the following:
 - Annual Employee Transportation Survey – Shall be conducted annually and distributed to approximately half the employee population. Preferably the same survey template and method shall be used every 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%. If a 30% response rate can not 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 SOV rate has dropped by more than 15% since the baseline survey, Kaiser shall **not** be required to conduct the following two annual Transportation Surveys. Upon the celebration of the third year of the previous Transportation Survey a new Survey shall be conducted. The Annual Report will during years without an Employee Transportation Survey include a brief summary of the last survey results.
 - 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 350 and increasing with the increasing patient/visitor population, about their travel behavior on the day of the survey. The patient/visitor survey shall be carried out at the same time as the employee survey is conducted, 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.

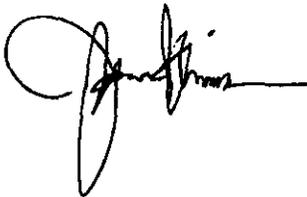
- Triennial Parking Utilization Study – Shall be conducted every three (3) years by studying both on-street and off-street Kaiser facilities as well as spill-over problems in surrounding neighborhoods. The parking utilization survey shall be carried out at the same time as the employee survey is conducted, 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.
 - Annual Process Evaluations – Kaiser shall on an annual basis report major accomplishments achieved for and changes made to each of the measures in operation as well as participation in each measure (e.g. number of participants in Commuter Tax Incentive, Commuter Check Subsidy, carpool program) and actual number of Full Time Equivalent staff (both am/pm peak and non-peak).
3. Kaiser shall, upon adoption of the Master Plan, 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 Kaiser in an amount determined by the City and shall be replenished by Kaiser 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 Kaiser and the City, including the ability of the City to access the funds if Kaiser is not complying with the TDM requirements, and/or to reimburse the City for its monitoring and enforcement costs.
 4. In addition to the Annual Report funding requirements above, Kaiser shall fully fund a Residential Permit Parking Program/Parking Benefit Assessment District if approved by the City in neighborhoods identified in the EIR. Within 30 days of approval of the RPPP/RBAD, Kaiser shall fund an escrow-type account to be used exclusively for the establishment, maintenance and enforcement of the RPPP/RBAD. The escrow-type account shall be initially funded by Kaiser in an amount determined by the City and shall be replenished by Kaiser 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 Kaiser and the City, including the City's ability to access the funds if Kaiser is not complying with the TDM requirements, and/or to reimburse the City for its monitoring and enforcement costs.
 5. If the third Annual Report, or any report thereafter, indicates that, in spite of the changes in the final TDM plan, Kaiser can not achieve the TDM goals, Kaiser 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). Kaiser shall implement the approved Corrective Action Plan.

6. If, one year after the Corrective Action Plan is implemented, the required alternative mode use is still not being achieved, or if Kaiser fails to submit a report at the times described above, or if the reports do not meet City requirements outlined above, the City may, in addition to its other remedies, (a) assess Kaiser a financial penalty based upon actual percentage alternative mode use as compared to the percent alternative mode use established in this TDM program; or (b) refer the matter to the City Planning Commission for scheduling of a compliance hearing to determine whether Kaiser'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 percentage SOV reduction not achieved up to 10.2% into number of employees by multiplying the difference in SOV reduction with the most recent employee FTE count. Assuming the cost per new alternative commuter is \$20/day⁵ and that there are 261 workdays per year, the annual cost per new alternative commuter is \$5,220. Kaiser shall therefore pay a penalty of \$5,220 per year for each employee that should have been using an alternative mode if the 10.2% reduction in SOV rate had been achieved.

7. In determining whether a financial penalty or other remedy is appropriate, the City shall not impose a penalty if Kaiser has made a good faith effort to achieve the required alternative mode use and/or comply with the TDM program. If a financial penalty is imposed, such penalty sums shall be used by the City toward the implementation of the TDM plan.

Sincerely,



Jeffrey Tumlin
Principal, Nelson\Nygaard

⁵ 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 Kaiser \$20 per day in 2006 dollars at the low end of the range, or \$5,220 per year, based on 261 workdays per year.

EXHIBIT 2-C

Condition of Approval #16: Minimum Number of Street in the Kaiser-Sponsored Residential Parking Permit (RPP) Program

West of Broadway/ North of MacArthur:

Clarke Street	38 th Street to 40 th Street	Eligible for new RPP
Latimer Street	MacArthur to 38 th Street	Eligible for new RPP
Ruby Street	MacArthur to 40 th Street	Eligible for new RPP
Webster Street	MacArthur to 40 th Street	Eligible for new RPP
Shafter Avenue	MacArthur to 40 th Street	Eligible for new RPP
Opal Street	38 th Street to 40 th Street	Eligible for new RPP
Manila Avenue	MacArthur to 38 th Street	Existing RPP, eligible for extension
Manila Avenue	38 th Street to 40 th Street	Eligible for new RPP
38 th Street	Telegraph to Manila	Eligible for new RPP

West of Broadway/ South of MacArthur:

Webster Street	MacArthur to 36 th Street	Eligible for new RPP
37 th Street	Telegraph to Webster	Eligible for new RPP
36 th Street	Telegraph to Webster	Eligible for new RPP

East of Broadway/ South of MacArthur:

Richmond Boulevard	loop	Existing RPP, eligible for extension
Warren Avenue	Piedmont to Richmond	Eligible for new RPP
Westall Avenue	Piedmont to Richmond	Existing RPP, eligible for extension
Croxton Avenue	Piedmont to Richmond	Eligible for new RPP
Randwick Avenue	Piedmont to Richmond	Eligible for new RPP
Richmond Street	Broadway to Richmond Blvd.	Eligible for new RPP
Brooks Street	Broadway to Richmond St.	Eligible for new RPP
Kempton Way	loop	Eligible for new RPP

East of Broadway/ West of Piedmont/ North of MacArthur:

38 th Street	Broadway to Cerrito	Existing RPP, eligible for extension
Cerrito Avenue	38 th Street to 40 th Street	Existing RPP, eligible for extension
Gilbert Street	41 st Street to Ridgeway	Existing RPP, eligible for extension
Montgomery Street	41 st Street to Ridgeway	Existing RPP, eligible for extension
Howe Street	Ridgeway to south of 40 th	Existing RPP, eligible for extension
Ridgeway Avenue	Montgomery to Howe St	Existing RPP, eligible for extension
41 st Street	Broadway to Howe Street	Existing RPP, eligible for extension
40 th Street Way	Broadway to Howe Street	Existing RPP, eligible for extension
40 th Street	Broadway to Howe Street	Existing RPP, eligible for extension

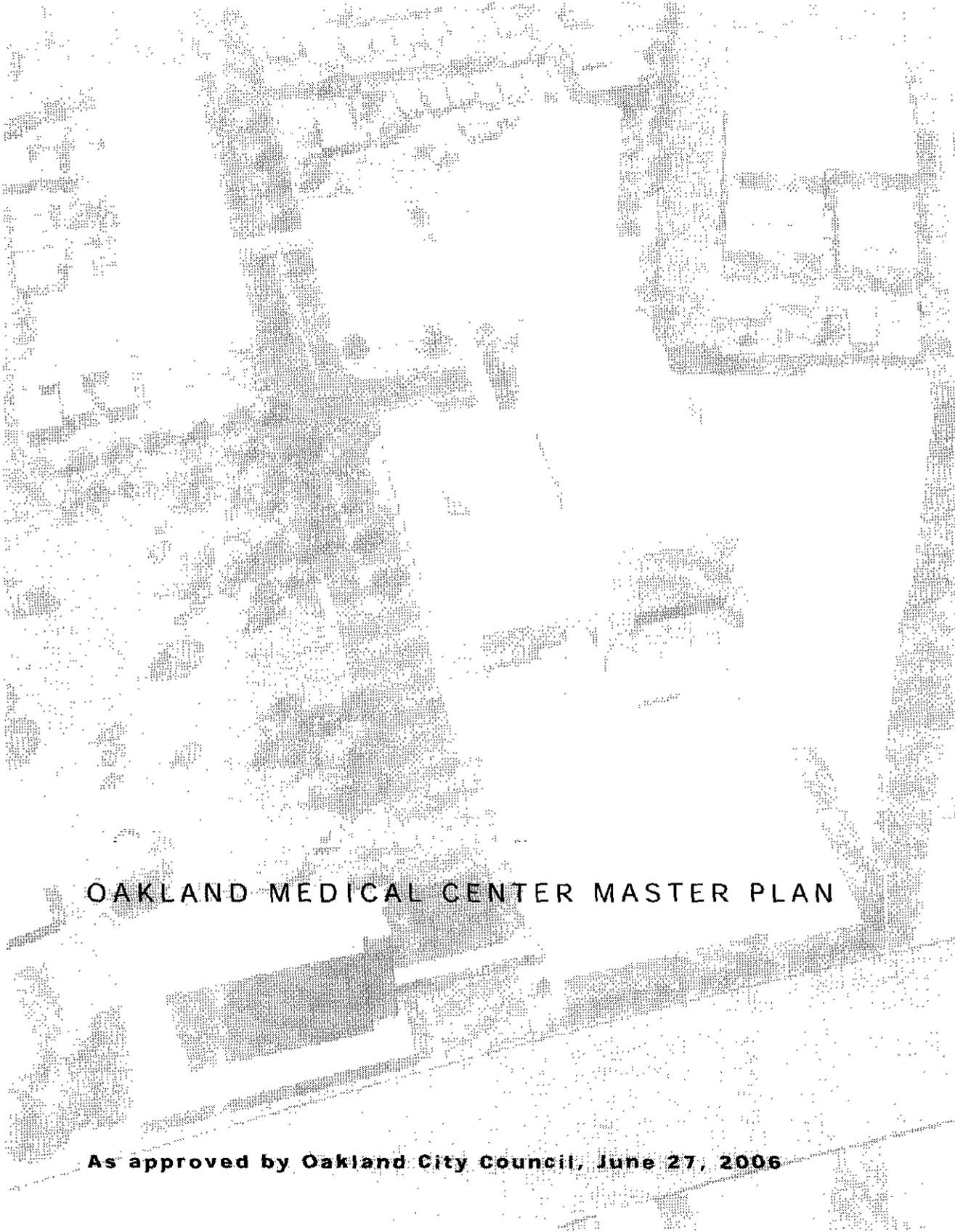
East of Piedmont/ North of MacArthur

Monte Vista Avenue	Piedmont to Fairmount Ave.	Existing RPP, eligible for extension
Montel Street	Piedmont to Wilda	Eligible for new RPP
Rio Vista Ave	Piedmont to end of street	Eligible for new RPP
Yosemite Ave	Piedmont to Fairmount Ave.	Existing RPP, eligible for extension
Moss Way	Leighton to Fairmount Ave.	Existing RPP, eligible for extension
Fairmount Avenue	MacArthur to Monte Vista	Existing RPP, eligible for extension
Leighton	MacArthur to end of street	Existing RPP, eligible for extension

EXHIBITS 3-5 INTENTIONALLY OMITTED

Exhibit 6

Kaiser Permanente Oakland Medical Center Master Plan



OAKLAND MEDICAL CENTER MASTER PLAN

As approved by Oakland City Council, June 27, 2006

**KAISER PERMANENTE OAKLAND MEDICAL CENTER
MASTER PLAN**

This Master plan is organized into two sections: Master Plan Description and Design Goals, Objectives, Principles and Guidelines.

I. MASTER PLAN DESCRIPTION

A. Master Plan

This Master Plan is intended to guide the phased replacement of the existing Oakland Medical Center with an expanded and improved medical center campus of approximately 1.76 million square feet on approximately 19.5 acres.

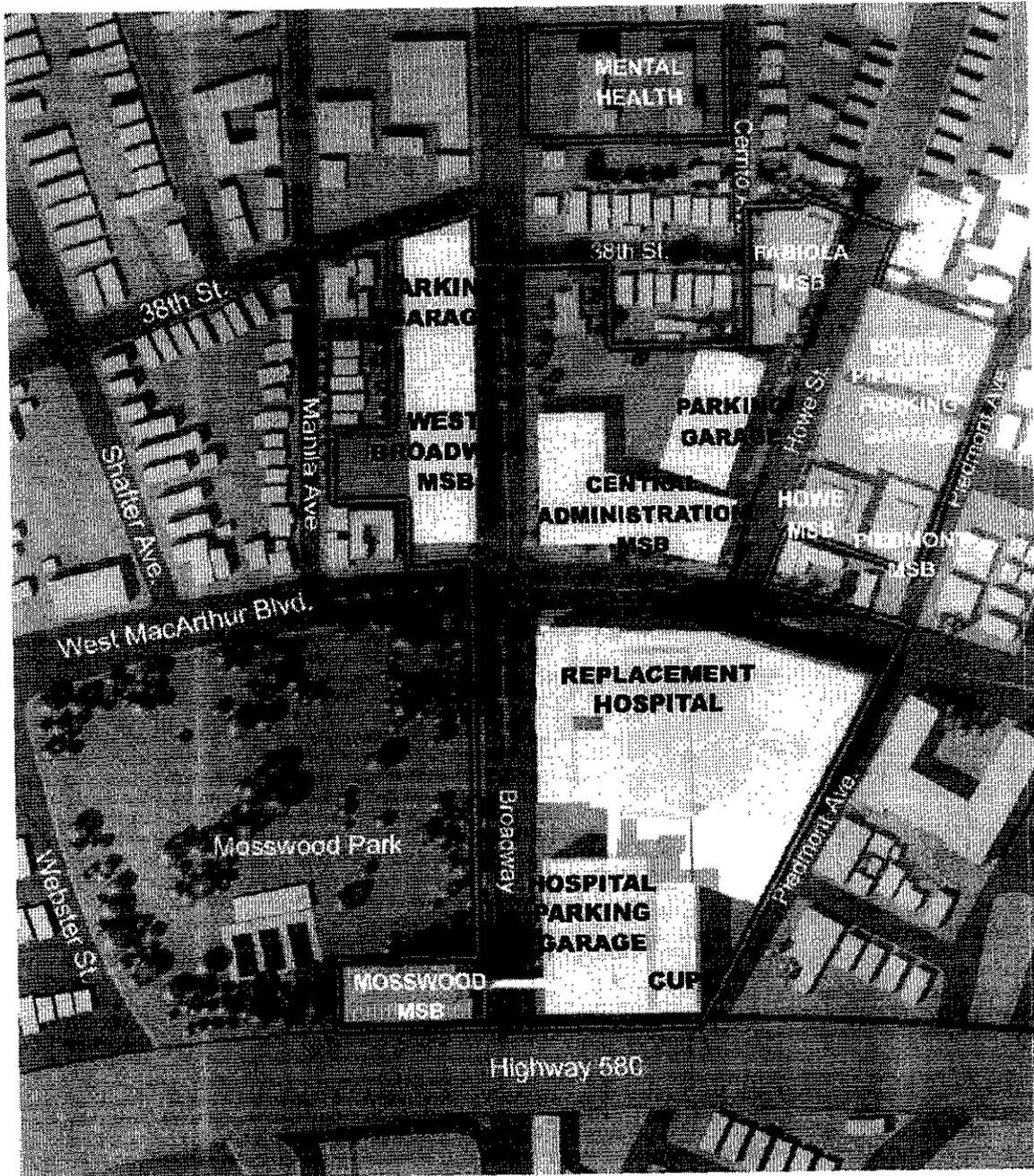
The new Oakland Medical Center would be completed by approximately 2020. The Oakland Medical Center would continue to provide uninterrupted medical service on-site during construction and implementation of the Master Plan, and implementation policies of the Master Plan would ensure that the medical center functions are not obstructed at any time.

The overall vision of this Master Plan is to provide a "development blueprint" for the redevelopment and construction of an urban medical campus that is connected with the community it serves. A conceptual illustration of the Kaiser Permanente Oakland Medical Center Master Plan is attached as **Figure OMC-1**.

1. KX-1 Zone

The KX-1 zone includes the existing Mosswood Medical Services Building (MSB) along Broadway at I-580, and the new West Broadway MSB and its associated parking. New construction within this zone will include:

- The West Broadway MSB, approximately 165,000 square feet in size and 5-stories (approximately 86 feet) tall at its highest point,
- Approximately 7,700 square feet of retail space primarily located along the Broadway street frontage. The street level retail use shall be included in the design and construction of Phase 1 and the space shall be actively marketed by Kaiser.
- At a minimum, a parking facility capable of meeting the parking needs associated with the programmed use of the West Broadway Medical Office Building (estimated at approximately 438 spaces), although more parking spaces could be provided depending upon final design.



KAISER PERMANENTE OAKLAND MEDICAL CENTER MASTER PLAN

final design of the medical office building and parking garage should be determined pursuant to Design Review for Phase 1 of the Master Plan.

2. KX-2 Zone

The KX-2 zone includes the new Replacement Hospital, outpatient services, a new central utility plant and a structured parking garage. Upon completion of the new hospital and out-patient services building, all existing in-patient hospital services and remaining out-patient and administration support services would be relocated from the existing hospital to the new hospital. New construction within this zone will include:

- The new Replacement Hospital Building of up to a maximum of 957,000 square feet in size. An additional 60,000 square feet of space may be added to this building (to a maximum of 1,107,000 square feet) provided that Kaiser submit a schematic development plan that delineates the development program for Phase 3. In order to qualify for this option, the schematic development plan for Phase 3 must be submitted for review by the City Planning Commission prior to occupancy of the Phase 2 parking garage. The Replacement Hospital Building would include approximately 700,000 square feet of new hospital space (346 hospital beds), approximately 60,000 square feet for the new central utility plant, and the remaining space used as new outpatient services. An interstitial floor of strictly mechanical space is excluded from the maximum building size.
- The design for the new hospital will include a 3-4 story podium base, with a nursing tower generally centered on the podium's north-south axis between Broadway and the extension of Howe Street. The nursing tower could measure up to a maximum of 240 feet in height from existing grade, including approximately 30 feet at the top for roof equipment and screening.
- The parking garage associated with the new Replacement Hospital is proposed at ten stories above grade and two below, and designed to accommodate approximately 1,216 parking spaces.

3. KX-3 Zone

- The KX-3 Zone includes replacement of the existing hospital structure (tower and low-rise building) with a new Central Administration / Medical Services Building. The design and program of the KX-3 Zone is conceptual only. However, the total amount of new space that may be constructed within the KX-3 Zone is 223,000 square feet, which may contain medical services, medical offices, central administration space, conference rooms and a conference center and other related uses. However, should Kaiser select to add the additional 60,000 square feet of space to Phase 2 as described in B above, then the maximum floor area of Phase 3 would be correspondingly

reduced by as much as 60,000, to a maximum of 163,000 square feet. The new building(s) and primary facades should front on both MacArthur Boulevard and Broadway. This building could include the potential conversion of the existing Emergency Department to Outpatient Services.

- As many as 587 parking spaces could be provided in a parking structure.
- The other existing buildings within the KX-3 Zone will remain, including the historical landmark building at 3900 Broadway (the King's Daughter Mental Health Building), Biola MSB, Howe MSB, Piedmont MSB, Mosswood MSB and the Howe Street parking structure.

4. KX-4 Zone

The KX-4 Zone is primarily comprised of single family residential properties on the east side of Manila Avenue, some of which are owner by Kaiser. Those properties owned by Kaiser will be restricted such that they may only be used for the following activities:

- single family residential uses;
- sleeping rooms for medical center staff; or
- temporary housing for families of members receiving long-term care at the Kaiser Permanente Oakland Medical Center.

These restrictions are more restrictive than otherwise allowed under the current R-70 zoning regulations.

The existing single family residential buildings on the east side of Manila within the KX-4 Zone shall remain.

5. Parking

Parking shall be determined on a phase-by phase basis, and the amount, location and distribution of parking shall be determined as part of the Design Review Process. The parking demand study prepared for adoption of this Master Plan determined that upon completion of new construction to the full 1.76 million square feet of total space 3,510 parking spaces will be required. The actual amount of required parking shall be imposed as a condition of approval for each phase or new building, based on the current or updated parking study and the adopted Transportation Demand Management program as approved by the City.

As currently anticipated under the Master Plan, the following parking is anticipated within the Oakland Medical Center as detailed in **Table 1**. A parking summary by property under the conceptual build-out is attached as **Figure OMC-2**.



	EXISTING	END OF PHASE 1	END OF PHASE 2	END OF PHASE 3
3900 BROADWAY MENTAL HEALTH	65	65	65	65
HOWE PARKING GARAGE	1173	1323	1173	1173
MB CENTER PARKING	1176	0	0	0
MOSSWOOD-CALTRANS	242	242	132	132
WEST BROADWAY MSB GARAGE	0	564	541	541
REPLACEMENT HOSPITAL GARAGE	0	0	1216	1216
CENTRAL ADMIN MSB	0	0	0	457
TOTAL	2656	2194	3127	3584

**PARKING SUMMARY FOR EACH
KAISER OWNED PROPERTY AT
THE OAKLAND MEDICAL CENTER**

Table 1: Kaiser OMC Master Plan

Parking Program by Zone

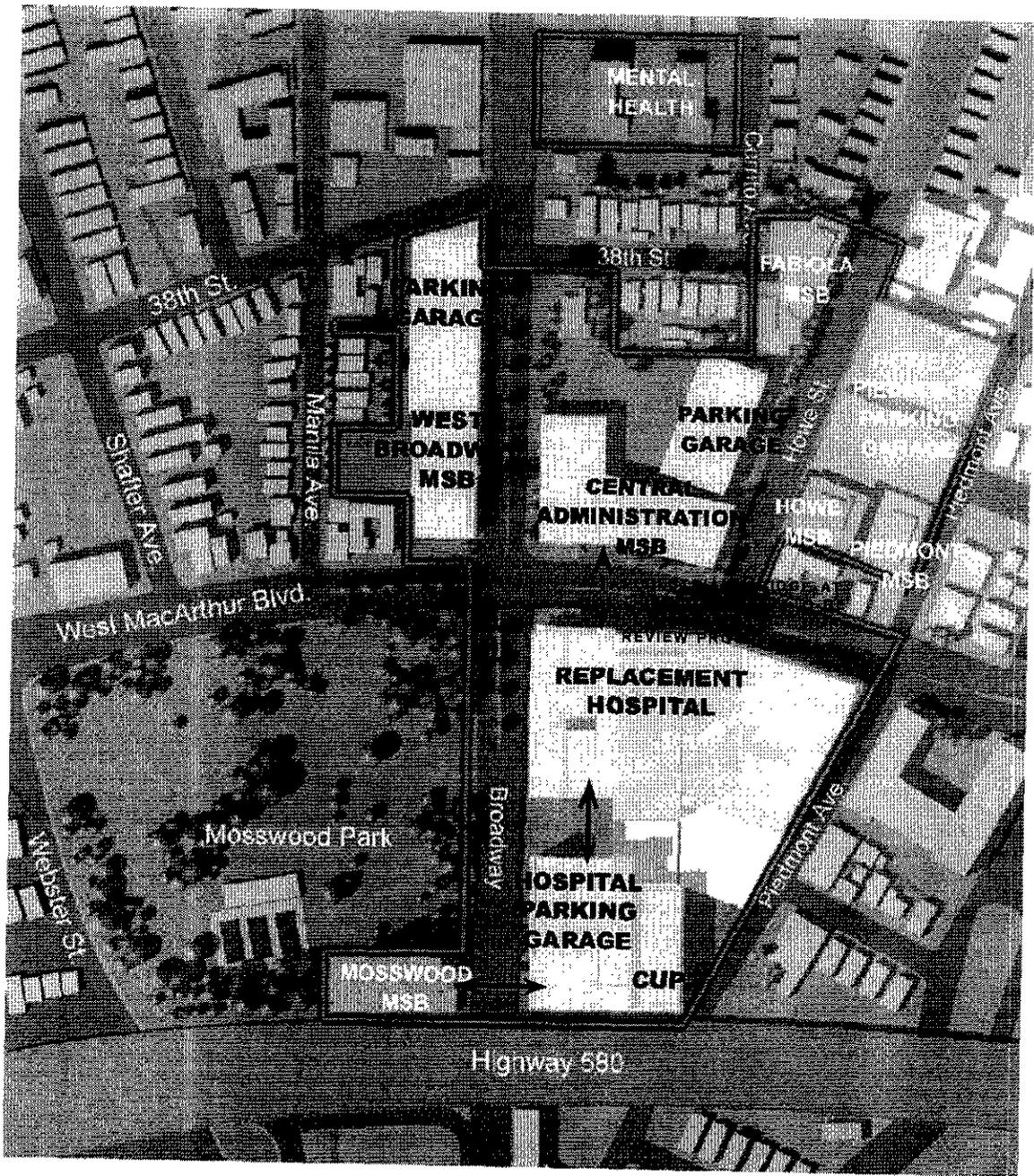
KX-1 Zone (new)	390 to 540
KX-2 Zone (new)	1,216
KX-3 Zone (new)	534
Sub-total	2,140
Other OMC locations (existing)	1,370
Total	3,510

This Master Plan provides for a net increase of 853 parking spaces on the Oakland Medical Center site, for a total of 3,510 parking spaces. The total number of spaces is intended to meet the projected total parking demand. Most of the new parking is intended to be provided in two or three new parking structures, depending upon the ultimate development in Phase 3.

6. Overhead Pedestrian Bridges (Skybridges)

The Master Plan identifies the need for three crossings of public streets to connect with each of the KX zones. The pedestrian crossings are described below and depicted in Figure OMC-3.

- One pedestrian skybridge over the public right of way of Broadway, adjacent to Highway 580 (connecting KX-1 and KX-2) is permitted. The design and final location of this skybridge is to be determined during the Design Review process for Phase 2.
- The other proposed pedestrian skybridge over the public right-of-way on MacArthur Boulevard is not needed until the completion of Phase 3 of the project (KX-3 Zone). Design Review for Phase 2 should consider means to ensure that a choice of skybridge versus tunnel versus surface street crossings at this location is preserved. The need for and final design and final location of a potential MacArthur Boulevard skybridge versus tunnels or surface street crossings will be determined during the Design Review process and pursuant to Conditional Use Permits for Phase 3.
- No other skybridge over Broadway shall be permitted. Design Review for Phase 2 should consider other means by which to provide a safe and convenient crossing of Broadway from the Phase 1 Medical Office Building on Broadway to the Phase 3 site, such as a tunnel or safe at-grade street crossings.



LOCATION OF OVERHEAD PEDESTRIAN BRIDGES (SKYBRIDGES)

7. Demolition

Implementation of the Master Plan will be facilitated by establishing a procedure which will allow the removal of several recently acquired vacant campus buildings which are not appropriate for medical use. The properties at 3799, 3793, 3789, 3781, 3757, 3741, 3737, 3735 3701 Broadway, as shown in **Figure OMC-4**, were recently acquired by Kaiser and have never been occupied for Medical Center use. These properties are generally not appropriate for Medical Center use and will likely remain vacant. The design review process for the site is underway, but may not be completed before demolition could begin. Demolition permits may be issued for all buildings located on these parcels with these addresses prior to the issuance of building permits.

8. Signs

In order to achieve the cohesive campus design vision, exceptions may be required from strict application of signage standards. Therefore, the KX zoning District provides that if a comprehensive sign program is adopted as part of the Master Plan, the provisions of the comprehensive sign program shall govern and shall supersede the provisions of Chapter 17.104. A comprehensive sign program will need to be developed by Kaiser Permanente and would be adopted through the Master Plan amendment process set forth in section 17.XX.080.

9. Conditions of Approval and MMRP

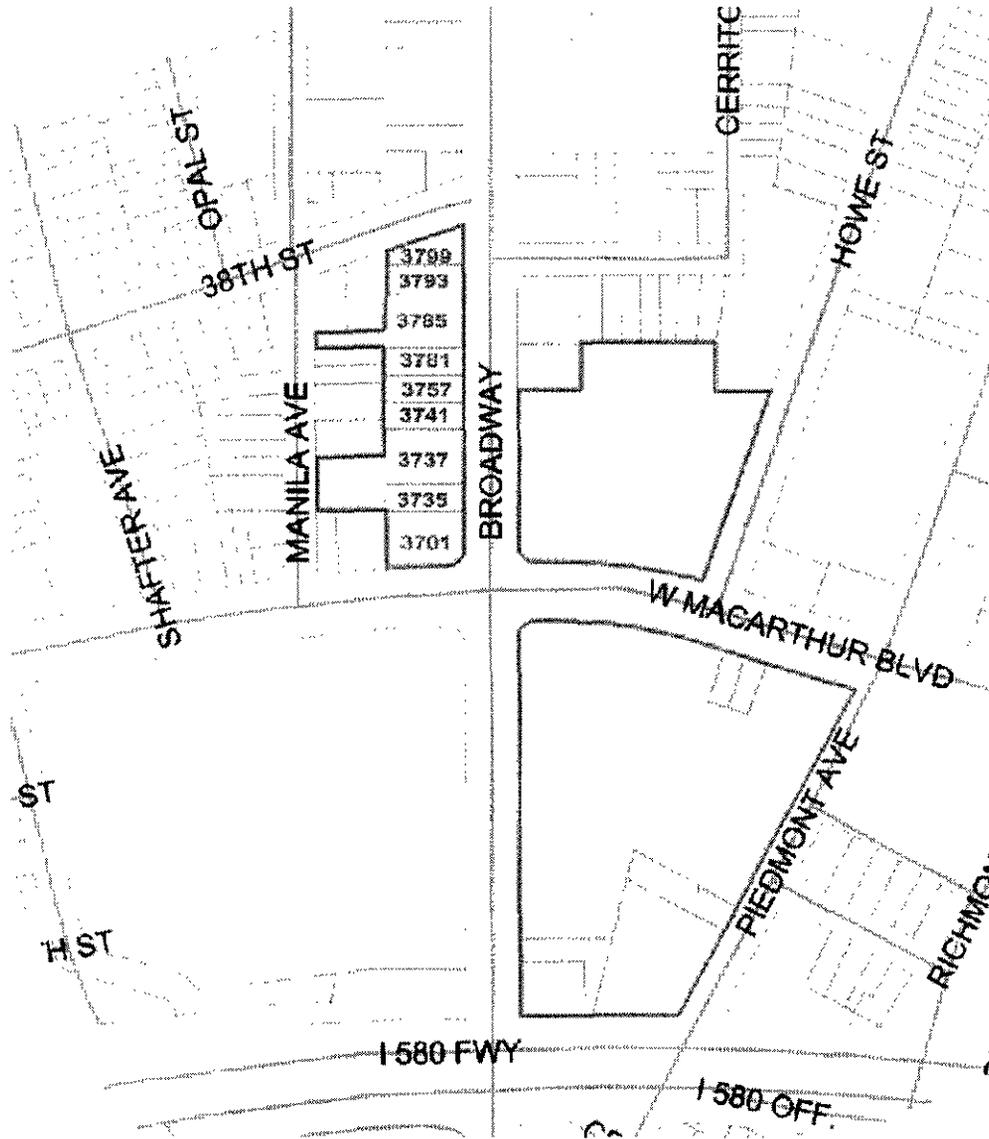
The Conditions of Approval and the Mitigation Monitoring and Reporting Program (MMRP) adopted by the City Council in conjunction with the approval of this Master Plan are attached hereto as Appendix A and are incorporated herein by reference as an integral part of this Master Plan.

10. Zoning and Design Review

Conformance with this Master Plan and the design review criteria contained in Section 17.XX.040 of Planning Code, along with other expressly referenced provisions of the Planning Code, as well as other applicable provisions of the Oakland Municipal Code, is required to receive City of Oakland approval for construction in the KX-1, KX-2, KX-3 and KX-4 zones.

B. Zoning Subareas

This Master Plan provides distinct design guidelines for separate portions of the Kaiser Permanente Oakland Medical Center (Oakland Medical Center). These separate portions of the OMC correspond to the KX-1, KX-2, KX-3 and KX-4 zones of the Kaiser

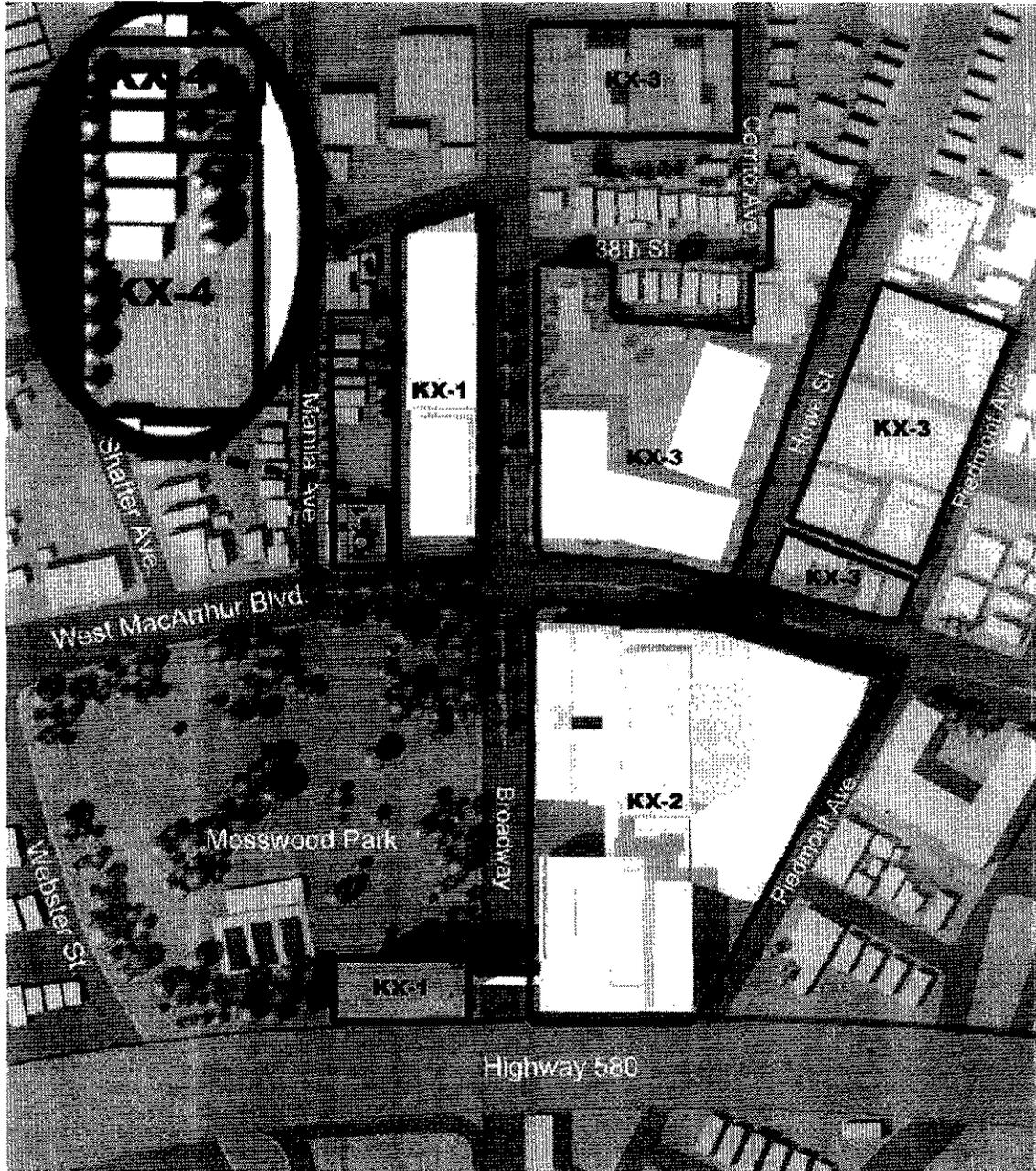


**VACANT BUILDINGS ON KAISER CAMPUS
THAT MAY BE DEMOLISHED PRIOR TO ISSUANCE OF BUILDING PERMITS**

Permanente Oakland Medical Center (KX) Planning Code (Chapter Section 17.XX) that have also been established for the Master Plan area.

- The KX-1 zone is intended for those properties along the west side of Broadway north of MacArthur Boulevard and south of 38th Street, plus the Mosswood Building west of Broadway adjacent to I-580.
- The KX-2 zone is intended for those properties south of MacArthur Boulevard between Broadway and Piedmont Avenue, comprised mostly of the former M/B Center.
- The KX-3 zone is intended for those properties north of MacArthur Boulevard between Broadway and Piedmont Avenue comprising the old hospital site and several existing medical office buildings and a parking garage between Piedmont Avenue and Howe Street.
- The KX-4 zone is for those residential properties on the east side of Manila Avenue.

An illustration of the KX-1, KX-2, KX-3 and KX-4 Zone Districts is attached as **Figure OMC-5**.



AN ILLUSTRATION OF THE KX-1, KX-2, KX-3 AND KX-4 ZONING DISTRICTS

II. DESIGN GOALS, OBJECTIVES, PRINCIPLES AND GUIDELINES

The Design Goals, Objectives, Principles and Guidelines have been developed to provide a framework for the buildout of the Kaiser Permanente Oakland Medical Center.

The Goals of this Master Plan are:

- GOAL #1: TO ENSURE THAT THE OAKLAND MEDICAL CENTER WILL BE ARCHITECTURALLY AND FUNCTIONALLY INTEGRATED, AND THAT THE OAKLAND MEDICAL CENTER WILL BE COMPATIBLE WITH THE EXISTING NEIGHBORHOOD.**
- GOAL #2: TO ENSURE THAT KAISER PERMANENTE'S MEDICAL PROGRAMS ARE ACCOMMODATED IN STATE-OF-THE-ART FACILITIES WITHOUT INTERRUPTING CURRENT SERVICES WHILE AS THEY ARE INTEGRATED INTO THE LOCAL AND LARGER COMMUNITY.**
- GOAL #3: TO PROVIDE POSITIVE PHYSICAL CONNECTIONS BETWEEN THE OAKLAND MEDICAL CENTER AND THE NEIGHBORHOODS.**
- GOAL #4: TO RECOGNIZE THAT KAISER PERMANENTE PROVIDES AN IMPORTANT INSTITUTIONAL FUNCTION FOR SURROUNDING NEIGHBORHOODS AND THE CITY AS A WHOLE.**
- GOAL #5: TO PROMOTE GOOD URBAN DESIGN SO AS TO PROVIDE STREET CHARACTER AND ACTIVITY.**

The following Objectives, Principles and Guidelines support these Goals and should be implemented and applied to each project where feasible as it is processed through the design review process.

Objective #1: Unify the Oakland Medical Center through site design and architecture

The KX-1, KX-2, KX-3 zones are not contiguous. This critical mass of non-contiguous functional space creates a unique opportunity to create a clear and cohesive sense of campus adjacent to and involving Mosswood Park as part of the campus identity.

A conceptual 3-dimensional view of buildout of the Master Plan is shown in **Figure OMC-6**.

Principle 1.1: Create an architecturally integrated campus.

Guideline 1.1.1: Bring the Oakland Medical Center properties into a new sense of unity through the effective use of building design and materials, landscaping, treatment of entrances and signage.

Guideline 1.1.2: Massing of the buildings should relate to each other in scale, and work together to help define a coherent street edge along Broadway, MacArthur Boulevard and Piedmont Avenue.

Guideline 1.1.3: The Oakland Medical Center buildings should work as an ensemble to enhance the area, serving as an attractive campus appropriate to a respected institution in the City.

Guideline 1.1.4: Consistent campus streetscapes should be created by providing street landscaping, street furniture and lighting.

Guideline 1.1.5: Provide unified campus site lighting in public spaces, pedestrian ways and public streets.

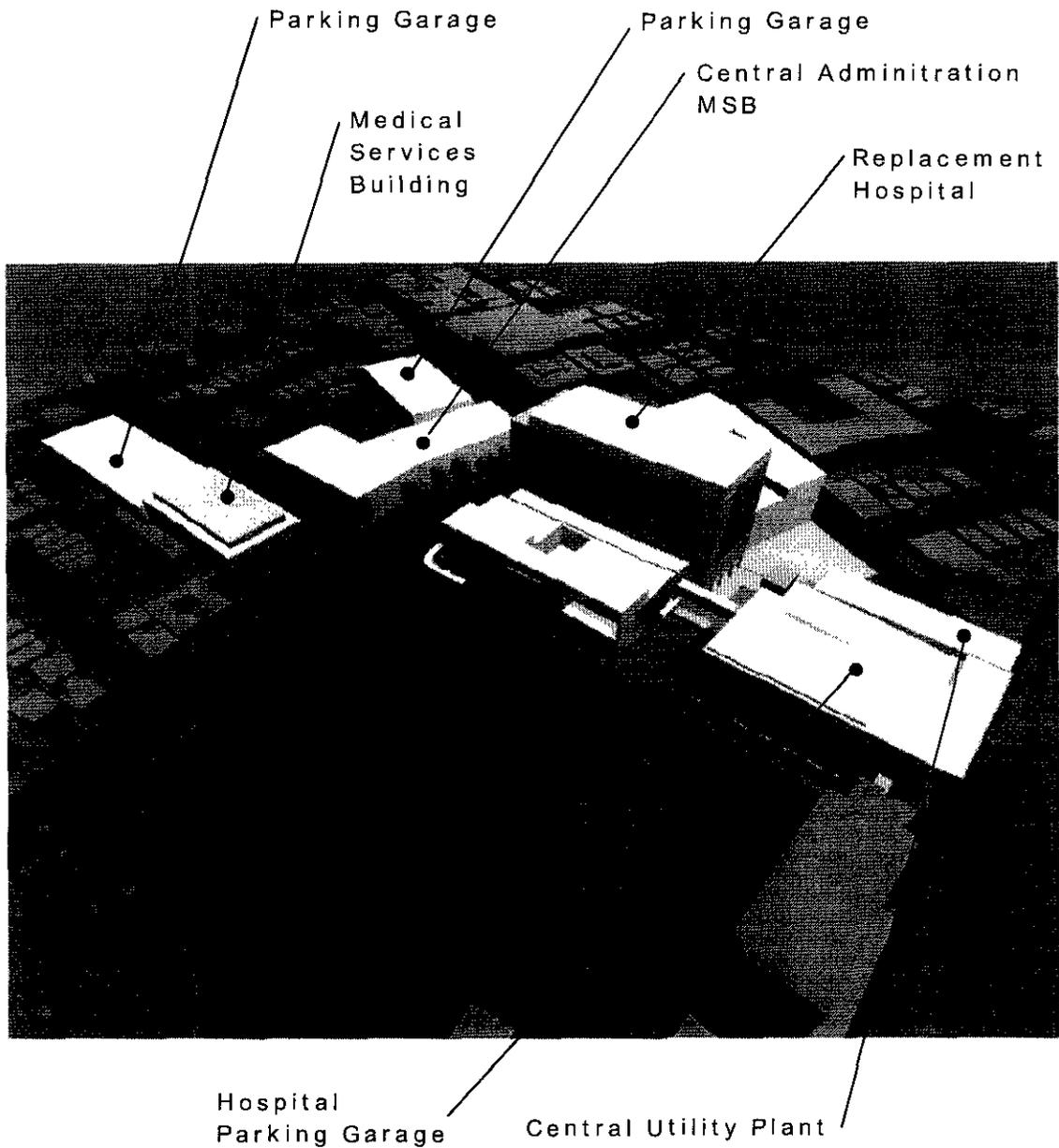
Principle 1.2: Buildings should be attractive and well designed and their form, massing, and height should respect the adjoining neighborhoods in terms of size and scale while some flexibility should generally be employed to accommodate necessary medical functions.

Guideline 1.2.1: The overall campus massing concept is to locate the most intense activities and concentrated building massing in the center of the campus.

Guideline 1.2.2: Building massing should transition to surrounding campus elements and adjacent neighborhoods.

Guideline 1.2.3: The tower elements of the new hospital buildings should be set back from Broadway a minimum of 150 feet so as to minimize shading of Mosswood Park and other public open spaces.

Guideline 1.2.4: Buildings should address the streets and employ architectural design elements such as articulation and step-backs in order to help break down their scale.



**THREE DIMENSIONAL VIEW OF OAKLAND MEDICAL CENTER MASTER PLAN
FROM SOUTH WEST LOOKING NORTH**

Principle 1.3: Some flexibility in the future building massing may be required given evolving and varied healthcare demands, while balancing good urban design principles and seeking to minimize impacts on the adjacent neighborhoods.

Guideline 1.3.1: Replace the facilities at the **M** C in accordance with Kaiser Permanente's integrated model of health care delivery. This model requires Hospitality and Specialty Medical Services to share service space and to be co-located to provide the best patient care.

Guideline 1.3.2: Construct new facilities in a manner that allows uninterrupted operation of service, minimizes departmental moves and maintains the continuity of care at the Medical Center during construction.

Guideline 1.3.3: Design new facilities in a manner consistent with Kaiser's accountability as responsible financial stewards of its members' dues.

Objective #2: Activate pedestrian activity on Broadway, MacArthur Boulevard and Piedmont Avenue.

As this is an urban campus, there is the opportunity to contribute to good urban setting, and to an already pedestrian friendly neighborhood.

Conceptual images of the streets surrounding the Oakland Medical Center are shown in **Figure OMC-7, Figure OMC-8, Figure OMC-9 and Figure OMC-10.**

Principle 2.1: Create street fronts that promote pedestrian activity.

Guideline 2.1.1: Building entrances should face the street or other publicly accessible courts.

Guideline 2.1.2: Buildings along Broadway should promote the commercial character of the street. The buildings along MacArthur Boulevard, Howe and Piedmont may utilize setbacks to promote the streetscape activities or to provide public open space.

Guideline 2.1.3: Maximize the transparency of buildings along major streets (Broadway, MacArthur Boulevard and Piedmont Avenue) with non-mirror reflective glazing, especially at the ground level.

Guideline 2.1.4: Buildings along Broadway and MacArthur Boulevard and at the MacArthur/Piedmont corner should have ground floor active uses that are visible from the public streets.

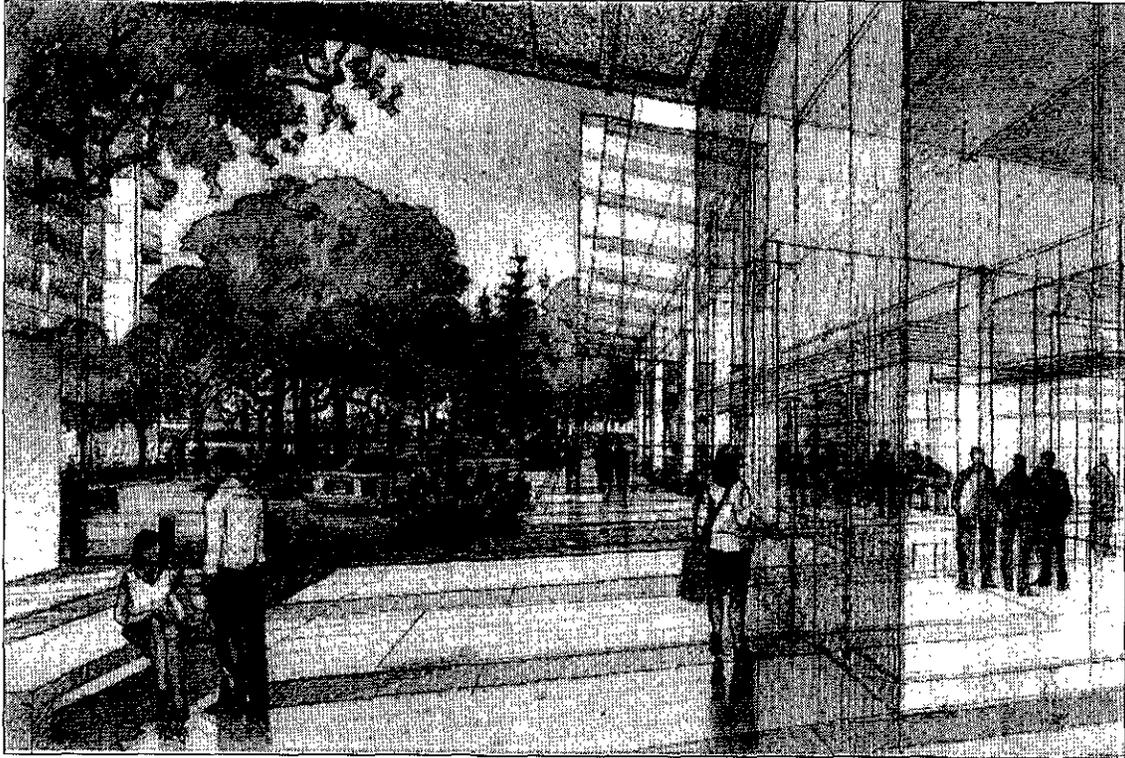
Principle 2.2: Create a walkable environment.

Guideline 2.2.1: Open space and sidewalks should provide safe pedestrian environments.

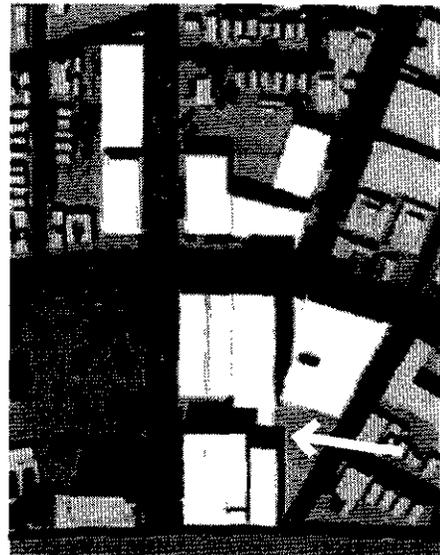
Guideline 2.2.2: Provide enhanced crosswalks, street furniture, pedestrian safety improvements, and other site amenities.

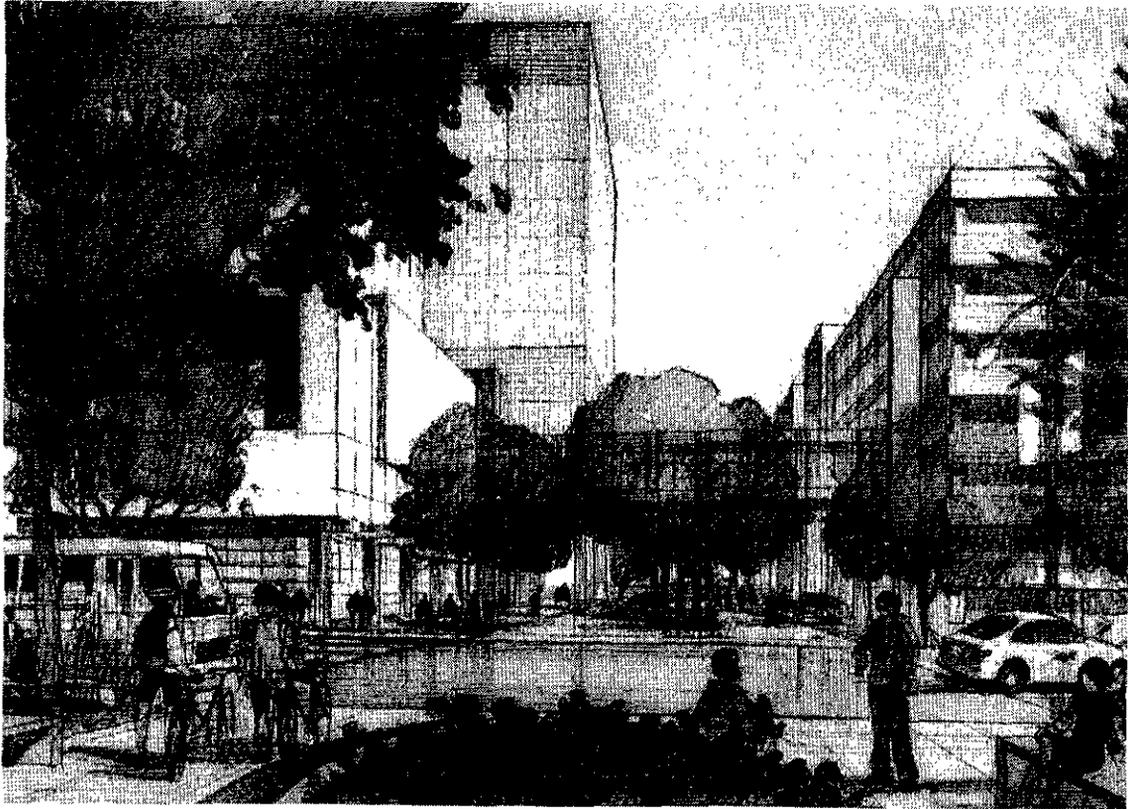
Guideline 2.2.3: Curb cuts should be minimized.

Guideline 2.2.4: Strengthen the campus connection with Mosswood Park by adding crosswalks and other pedestrian safety improvements.

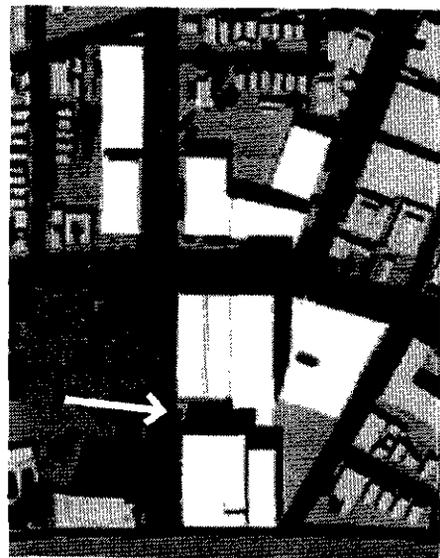


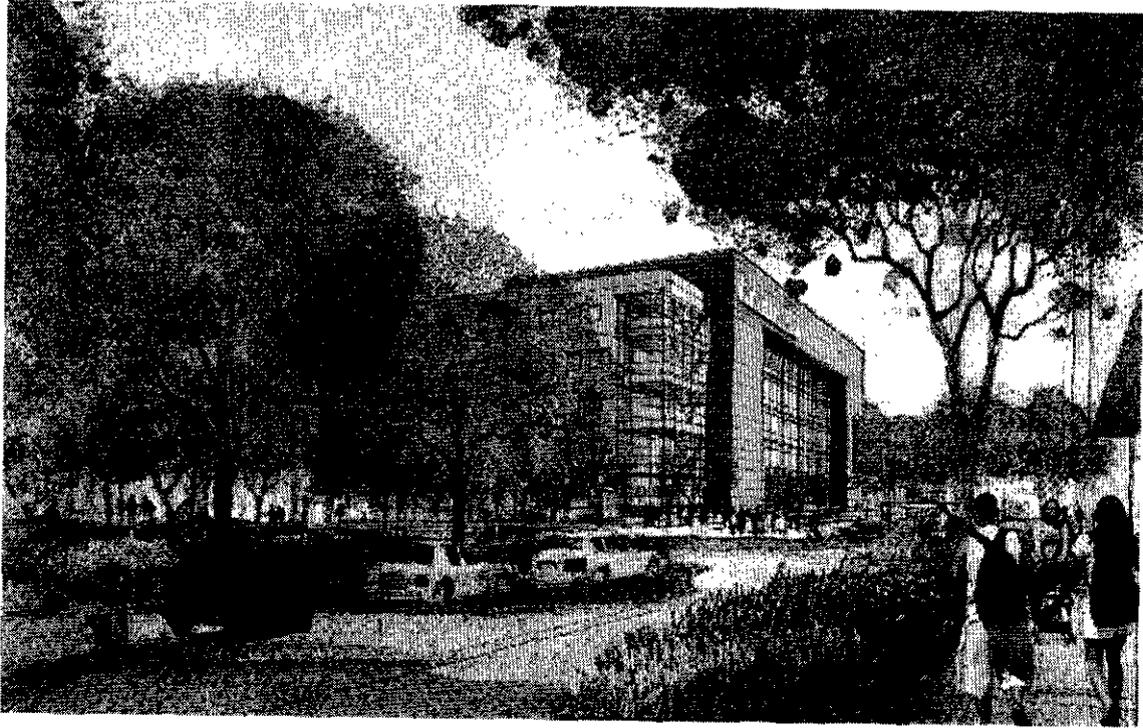
CONCEPTUAL IMAGE OF HOSPITAL ENTRANCE - LOOKING TOWARD MOSSWOOD PARK



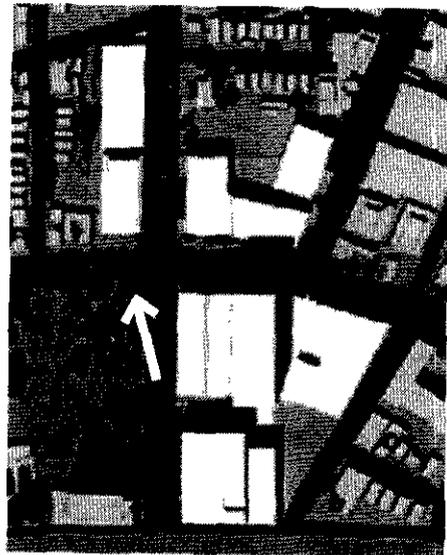


STREET LEVEL IMAGE LOOKING FROM MOSSWOOD PARK TO HOSPITAL ENTRANCE



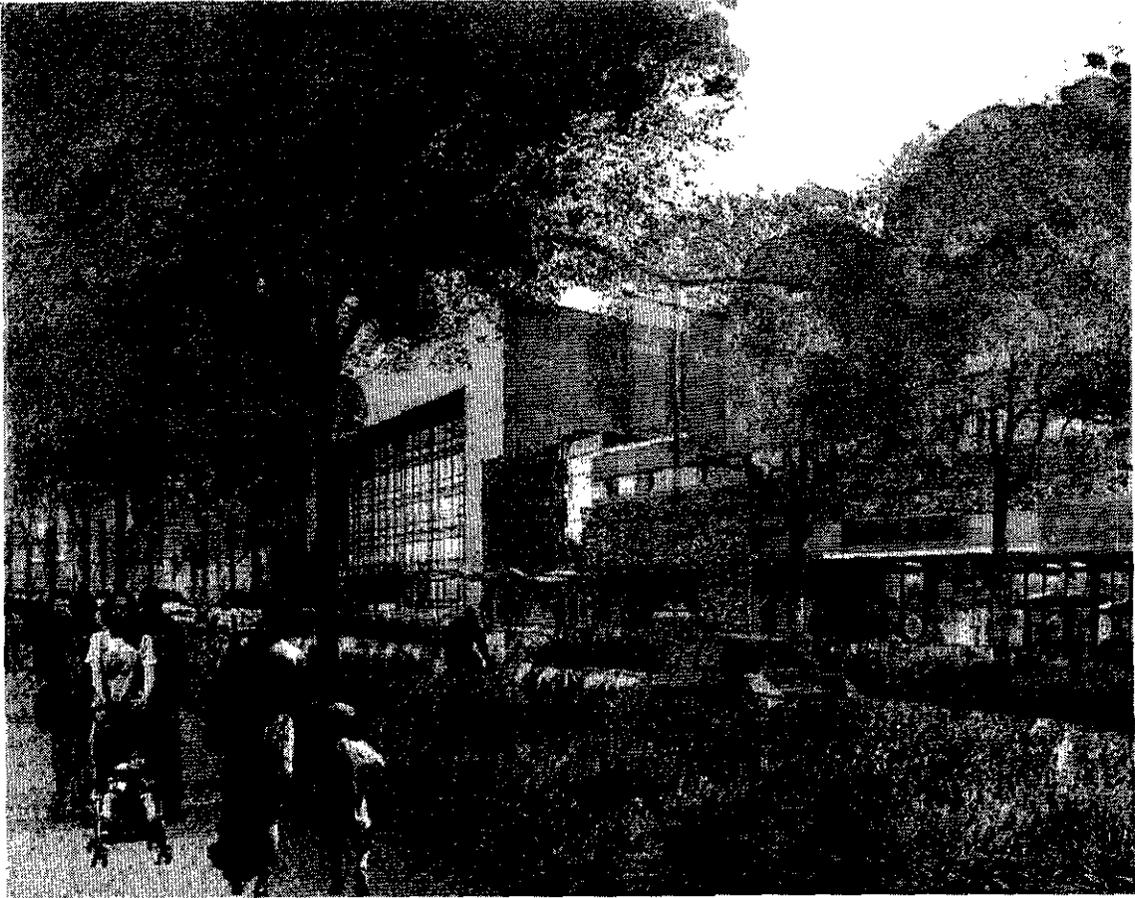


LOOKING NORTH ON BROADWAY TOWARD NEW MEDICAL SERVICES BUILDING

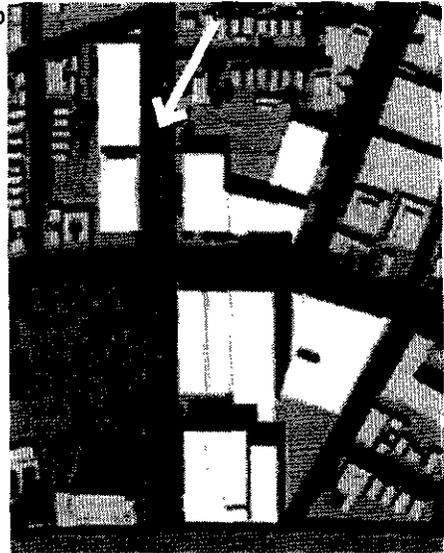


KAISER PERMANENTE OAKLAND MEDICAL CENTER MASTER PLAN

FIGURE OMC-9



ALONG BROADWAY, LOOKING AT NEW RETAIL AND



Objective #3: Implement a clear campus circulation plan

One of the most critical measures of success for a large, complex, medical center is its clarity of movement. There will be six distinct circulation categories: 1) Kaiser members using inpatient and outpatient facilities, 2) Kaiser members and non-members using the emergency department, 3) pedestrians from mass transit, 4) emergency vehicles, 5) service/ deliveries, and 6) staff. Planning for each of these categories should be done with neighborhood sensitivity, knowledge of street capacities and with peak hour trip studies, and the goal of an increasingly pedestrian friendly campus environment.

A campus circulation diagram is shown in **Figure OMC-11**.

Principle 3.1: The pedestrian and vehicular circulation plan should address the Oakland Medical Center as a single unit.

Guideline 3.1.1: Develop a clear and comprehensive campus sign and wayfinding program to assist patients and visitors

Principle 3.2: Minimize vehicular conflicts with pedestrians.

Guideline 3.2.1: Provide well defined vehicular entrances for the public and staff.

Guideline 3.2.2: Separate public circulation from hospital service and ambulance circulation to promote safety.

Guideline 3.2.3: The campus should have an interior pedestrian circulation system that connects to the adjoining neighborhoods and should create a walkable and safe pedestrian environment along the building and campus edges.

Guideline 3.2.4: Provide enhanced crosswalks at major intersections for pedestrian safety.

Principle 3.3: When permitted, provide pedestrian bridges that support Kaiser's integrated model of care by linking buildings where medical care is delivered.

Guideline 3.3.1: Overhead pedestrian bridges should maximize the use of transparent glass.

Guideline 3.3.2: The width of the pedestrian bridges should be the minimum required to accommodate functional and structural needs.

Guideline 3.3.3: Pedestrian bridges should be located at least 100 feet from street intersections and shall be constructed at no lower than the third floor (or equivalent) building level.

CAMPUS CIRCULATION PLAN



Major East West Streets

I-580
MACARTHUR

BROADWAY
PIEDMONT

New Pedestrian Links

SOUTH COURT AT PHASE 2 SITE
NORTH COURT AT PHASE 3 SITE

Objective #4: Landscaping along streets and outdoor public spaces should be provided to create a campus-like setting

A landscaping plan shall be submitted for every project that requires approval pursuant to the design review process. Street trees shall be consistent with the neighborhood. All landscaping shall be maintained in perpetuity in a healthful state.

Figure OMC-12 shows the Campus Landscape Master Plan.

Principle 4.1: Improve Glen Echo Creek by smoothing the slope and planting native vegetation.

Guideline 4.1.1: Restore the daylighted portion of Glen Echo Creek in a more natural state, consistent with the long term Oakland efforts to restore an attractive network of creeks throughout the City.

Principle 4.2: Create inviting outdoor spaces.

Guideline 4.2.1: Provide gathering spaces that relate to the public street and that are provided with natural light.

Guideline 4.2.2: Incorporate outdoor spaces, plazas and courts into the campus site plan.

Guideline 4.2.3: Improve the environment through substantial new landscape plantings on the campus and on City streets.

Guideline 4.2.4: New street trees should be of consistent or compatible species as the existing trees within the neighborhood.

Guideline 4.2.5: Building and site design should incorporate the use of natural daylighting.

Guideline 4.2.6: Provide landscape and street furniture along streets and public spaces to encourage pedestrian activity.

Objective #5: Provide adequate, appropriately located and signed parking, loading and service areas

Parking locations and site access points are shown in **Figure OMC-2**.

Principle 5.1: Adequate, appropriately located and signed parking, loading and service areas should be provided.

Guideline 5.1.1: The amount, location and distribution of parking shall be determined as part of the Design Review Process for each building or phase. The actual amount of required parking shall be imposed as a condition of approval for each phase or new building based on the current or updated parking study and the goals and objectives of the adopted Transportation Demand Management program.

Guideline 5.1.2: Parking garages should have designated parking for car pools, staff and visitors.

Guideline 5.1.3: Separate vehicular drop off zones, service parking and trucks from pedestrian activity.

Guideline 5.1.4: New drop-off and pick-up areas should be designed to minimize traffic conflicts.

Guideline 5.1.5: Design parking garages so that direct light from cars and lighting fixtures is shielded, especially near residences.

Guideline 5.1.6: Loading docks, service area and free standing equipment should be concealed from public view.

Guidelines 5.1.7: Appropriate parking garage signs should be included as part of the circulation and signage plans.

Principle 5.2: Parking garages should respect the adjoining neighborhoods in terms of size and scale, while some flexibility should generally be acknowledged in order to accommodate necessary parking demands.

Guideline 5.2.1: Minimize the height of parking garages adjoining neighborhoods to reduce impact to neighbors.

Guideline 5.2.2: Parking garages should have architecturally interesting elements (such as modulated horizontal and vertical openings and vertical pilasters) to help breakdown their scale.

Guideline 5.2.3: Retail uses shall be included at the street level of new parking garages in the KX-1 Zone.

Objective #6: Incorporate sustainable design elements and features

Sustainable design practices can benefit both the property owner and the community.

Principle 6.1: Sustainable design elements and features should be incorporated.

Guideline 6.1.1: Building design and site planning should incorporate Green Guidelines for Healthcare.”

Guideline 6.1.2: Site design should support alternative modes of transportation use by staff and visitors.

Guideline 6.1.3: Restore to a more natural condition the daylighted portion of Glen Echo Creek that is located within the Oakland Medical Center.

Guideline 6.1.4: Use native plants for landscaping.

Guideline 6.1.5: Efficiently use water in site design, utility uses, cooling systems and landscape irrigation.

Guideline 6.1.6: Use permeable site surfaces to reduce surface runoff.

Guideline 6.1.7: Design energy efficient buildings.

Guideline 6.1.8: Recycle waste generated by demolition, construction and operations.

Guideline 6.1.9: Use sustainable materials and resources.

Objective #7: Unique design elements for each district

Each sub-district within the OMC campus should have unique design elements that address specific location issues.

An illustration of the KX-1, KX-2, KX-3 and KX-4 Zone Districts is attached as **Figure OMC-5**.

Principle 7.1: The KX-1 District along the west side of Broadway should be an integral component of the campus.

Guideline 7.1.1: The KX-1 District should be anchored by a medical office building located at the corner of Broadway and MacArthur, with associated parking.

Guideline 7.1.2: Ground floor retail uses shall be included in any new building or parking structure.

Guideline 7.1.3: The eastern bank of Echo Creek should be re-contoured for greater slope stability.

Guideline 7.1.4: The daylighted portion of Glen Echo Creek should be restored with native vegetation.

Principle 7.2: Final design of the medical office building and parking garage should be determined pursuant to Design Review for Phase 1 of the Master Plan, in consideration of the following design guidelines:

Guideline 7.2.1: At a minimum, any parking facility shall be capable of meeting the parking needs associated with the programmed use of the 165,000 square foot West Broadway Medical Office Building (estimated at approximately 438 spaces).

Guideline 7.2.2: Consideration shall be given to combining the design of the medical office building and the parking garage into one integrated building. Whether an integrated building or freestanding parking garage, street-level retail use shall be included along as much of the Broadway frontage as possible. The street level retail use shall be included in the design and construction of Phase 1 and the space shall be actively marketed by Kaiser.

Guideline 7.2.3: If a free-standing parking garage is determined acceptable during Design Review, the parking structure should be designed to incorporate the following:

- a) The parking structure shall be set back from the face of the Medical Office Building by at least 3 feet.

- b) There may be 2 stories of parking above the retail ground floor (3 decks of parking above retail with rooftop parking). Rooftop parking shall include a wall or solid barricade of 4 feet in height (or no higher than the headlights of a Sports Utility Vehicle)

Guideline 7.2.4: The design of any parking facility at this location should seek to maximize underground parking, providing no less than 2 decks below ground.

Guideline 7.2.5: The design for the parking facility associated with the new Broadway medical office building shall provide for safe and efficient vehicular and pedestrian movements at the Broadway entrance. Design options may include:

- a) The driveway onto Broadway could be un-signalized and left-turns out of the driveway would then be prohibited, or
- b) The driveway on Broadway could be signalized so all vehicle movements would be allowed at the intersection, or
- c) Broadway could have a continuous median adjacent to the West Broadway Garage, so that vehicle movement at the driveway would be limited to right-in/right-out only.

Principle 7.3: The former M/B Center (the KX-2 Zone) should be redeveloped as an attractive, modern, state-of-the-art new hospital facility.

Guideline 7.3.1: The new Central Utility Plant (CUP) should be located near the freeway to minimize impacts on the surrounding neighborhood.

Guideline 7.3.2: The large parking structure should be located near the freeway, with a pedestrian bridge from the parking structure to the hospital. Entry to the parking structure should generally be limited to the main hospital entrance off of Broadway.

Guideline 7.3.3: The hospital design should include a podium with a tower element.

Guideline 7.3.4: The tower element should be set back from Broadway to reduce shadows on Mosswood Park.

Guideline 7.3.5: Active type uses are encouraged at the ground level of the Hospital building, potentially along Broadway and MacArthur and at the MacArthur/Piedmont corner.

Guideline 7.3.6: A pedestrian path should connect Piedmont Avenue to Mosswood Park through the KX-2 Zone.

Guideline 7.3.7: Subject to City review and approval, public improvements to be provided as part of Phase 2 should include streetscape improvements along lower Piedmont Avenue between West MacArthur Boulevard and Broadway. Such improvements may include widened sidewalks, landscaped medians and planter

strips, permanent streetscape furniture, improved bus stops/shelters, and improved street lighting.

Principle 7.4: The site of the current Kaiser Hospital (the KX-3 Zone) should be redeveloped as an attractive medical support center for the new hospital

Guideline 7.4.1: Locate new buildings along the street edge of Broadway and MacArthur.

Guideline 7.4.2: New structured parking shall only be included if it is needed to meet parking demand.

Guideline 7.4.3: The City shall, upon approval of the Master Plan and in consultation with local residents, and in accordance with all legal requirements, initiate all steps necessary to close Howe Street as a through street between MacArthur Boulevard and 38th Street. If approved by the City, Kaiser shall fund the improvements.

Guideline 7.4.3: A pedestrian path should connect Howe Street to Broadway through the KX-3 Zone.

Guideline 7.4.4: The existing Central Utility Plant (CUP) shall remain to serve the existing uses and may serve any new uses within the KX-3 Zone.

Guideline 7.4.5: The historic building at 3900 Broadway shall be retained.

Guideline 7.4.6: Improvement should be made to the existing Piedmont Avenue/Howe Street parking garage. Such improvements may include, but are not limited to landscaping and streetscape enhancements, façade beautification improvements and adding retail space into the ground floor subject to a physical feasibility analysis for such a use.

Principle 7.5: Within the KX-4 District, existing buildings shall remain and continue as residential type uses as set forth in the KX-4 Zone regulations.