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AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Rachel Flynn
Director, PBD

SUBJECT: 2400 Valdez Street Appeal

DATE: May 31, 2016

City Administrator Approval

Date:

6/9/16

RECOMMENDATION

Staff Recommends That The City Council Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Denying An Appeal By Oakland Residents For Responsible Development And Thus Upholding The Planning Commission's Approval Of A Proposal To Construct 225 Dwelling Units Over Approximately 23,000 Square Feet Of Retail Located At 2400 Valdez Street, Oakland CA (Project Case No. PLN15-336), Including Adopting CEQA Exemptions And An Addendum (Relying On The Previously Certified 2014 Broadway Valdez District Specific Plan EIR).

EXECUTIVE SUMMARY

On April 20, 2016, the Oakland Planning Commission approved (by a 4-0 vote) case number PLN15- 336, a proposal to construct a new seven story mixed use building containing 23,000 square feet of retail and 225 dwelling units, which would demolish the vacant surface parking lot ("Project"). The Project site is the entire city block frontage of Valdez Street between 24th and 27th Streets and is Retail Priority Site 4A in the Broadway Valdez District Specific Plan. The April 20, 2016 Planning Commission staff report is included as **Attachment A**. Following the Planning Commission action, an appeal was filed challenging the approval of the Project. The appeal (PLN15-336-A01) was filed on May 2, 2016 by a group opposed to the Project solely on the basis that the proposal is in violation of the California Environmental Quality Act (CEQA) (**Attachment B**). Staff recommends the City Council deny the appeal and uphold the Planning Commission decision to approve the Project.

BACKGROUND / LEGISLATIVE HISTORY

The Hanover Company filed an application to develop a mixed use project at 2400 Valdez that would consist of a new seven story building containing 23,000 square feet of retail and 225 dwelling units. The proposal would require the demolition of the existing surface parking lot that presently exists on the site. The Project site is located within the Broadway Valdez District Specific Plan (BVDSP) area and is Retail Priority Site 4A in the plan. The BVDSP was adopted by the City Council in July 2014 and provides a vision and planning framework for the future growth and development in the 95-acre area along Oakland's Broadway corridor between

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Grand Avenue and I-580. The BVDSP was developed by way of thorough analysis of the area's economic and environmental conditions, as well as input from City decision-makers, landowners, developers, real estate experts, and community stakeholders.

On February 24, 2016 the proposal appeared before the Planning Commission's Design Review Committee, during which the Committee recommended the item move forward to the full Planning Commission for consideration.

On April 20, 2016, the Planning Commission reviewed and approved the Project by a (+4, -0) vote.

On May 2, 2016 Laura Horton, on behalf of Oakland Residents for Responsible Development, filed an appeal (PLN15-336-A01) of the Planning Commission approval of the Project.

ANALYSIS AND POLICY ALTERNATIVES

The appellants raise four issues identified below. The appellant's full submitted arguments have been included as **Attachment B** to this report. More detailed responses to the appellate issues are contained in the ICF memorandum, **Attachment C** to this report.

A. The City May Not Rely Upon Exemptions and an Addendum to the BVDSP EIR

Appellant argument: The appellant argues the Planning Commission inappropriately relied upon three provisions in CEQA to approve the Project without a new or subsequent EIR, including the Community Plan Exemption, Qualified Infill Exemption and an Addendum to the BVDSP Environmental Impact Report (BVDSP EIR). The appellant argues that the City's reliance on these provisions was inappropriate because the Project would have more severe significant impacts than previously identified in the BVDSP EIR. Also, appellant claims that the Addendum here is improper because it is too long, exceeding 2,000 pages.

Staff response:

First, the appellant did not raise the issue of the use of the two CEQA exemptions at/before the Planning Commission hearing on April 20, 2016; but rather only objected to the City's use of the Addendum to the BVDSP EIR. Therefore, pursuant to Oakland Planning Code sections 17.030.050 and 17.134.070A, the argument against the use of the two cited CEQA Exemptions is not properly before the City Council.

Nevertheless, the BVDSP EIR analyzed the environmental impacts of the adoption and implementation of the BVDSP at full build out and provided project-level review for reasonably foreseeable development, such as the Project. The City Council certified the BVDSP EIR in accordance with CEQA on June 7, 2014 and the analysis now is presumptively valid under California law. Since that certification, the City has created and relied upon a framework for analyzing projects within the BVDSP area called "CEQA Analysis," which separately and independently provides a basis for CEQA compliance. This framework relies on the applicable

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streamlining and tiering sections of CEQA: Community Plan Exemption, Qualified Infill Exemption and/or Addendum, as detailed in the CEQA section of this report below.

The City has relied upon the BVDSP CEQA Analysis framework since 2014 for at least five projects—all of which have been approved and gone unchallenged. Therefore, not only is this the first comment letter of its kind on the City's CEQA Analysis for BVDSP projects, but the appellant disregards the City's reliance on separate and independent grounds for the Project's CEQA compliance. As outlined in exhausting detail, the assumptions and conclusions in the Project's CEQA Analysis are supported by substantial evidence in accordance with CEQA, while none of the assertions presented by the appellant provide credible, persuasive, or substantial evidence that the Project would result in a new, peculiar, significant environmental impact or a substantial increase in the severity of an environmental impact than determined in the BVDSP EIR. In fact, the appellant makes numerous misinterpretations of applicable CEQA thresholds for determining significance, and misrepresents many material facts about the Project to justify its conclusions.

Moreover, contrary to appellant's claim, the length of CEQA Analysis is not relevant to a determination of whether an Addendum is appropriate. Rather, the only relevant test is whether any provisions of CEQA Section 15162 can be satisfied. As the CEQA Analysis correctly concludes, none of these provisions requiring preparation of a subsequent EIR or Negative Declaration apply to the Project. Therefore, an Addendum is appropriate. While the Addendum may have been lengthy, it merely documents the Project's consistency with the BVDSP and its EIR and satisfies CEQA's primary function as a disclosure document. Indeed, its length is primarily a result of the various air quality, GHG and transportation model runs and should not be criticized for being overly informative in the context of an Addendum.

Therefore, staff believes that the conclusions in the CEQA Analysis are valid and preparation of an EIR is not warranted. The Planning Commission appropriately relied on the CEQA Analysis to support its approval of the Project.

B. The City Failed to Adequately Analyze Greenhouse Gas Emissions (GHG)

Appellant argument: The appellant argues that the City failed to provide support for its conclusion that the Project would have a less than significant GHG impact because the City's analysis failed to include certain demolition material and ignored data on energy use that substantially underestimated the Project's GHG impact. The appellant provides their own GHG analysis by SWAPE that concluded the Project would generate 21,007 metric tons of annual GHG emissions, which would exceed both significance thresholds of 1,100 metric tons and 4.6 metric tons per service population.

Staff response:

The SWAPE analysis stands in stark contrast to the emissions outputs provided by the City's consultant team (ICF), which projected 2,027 metric tons of annual GHG emissions and a 3.2 metric tons per service population. Appellant asserts that the Project would generate 10x the amount of GHG emissions estimated in the CEQA Analysis. Staff does not find this estimation to be credible for a project of this kind in the BVDSP area. As shown below, ICF's analysis

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correctly concludes that the Project would not exceed the significance threshold of 4.6 metric tons per service population, while the SWAPE model relied on incorrect operational inputs for the Project's energy uses in order to reach its exaggerated results.

In addition to receiving the construction data sheet from the Project applicant, ICF also received operational inputs for energy uses from the Project applicant. Although the Project applicant's construction data appeared to be in-line with other similar projects, **ICF determined that the operational inputs for energy uses were not representative of typical energy usage for a project of this type.** Therefore, ICF used its professional judgment and elected to use standard CalEEMod default values, which would be more typical for urban infill development such as this, rather than the incorrect information provided by the applicant. The use of the incorrect applicant-supplied data, which SWAPE did utilize, greatly overstates the GHG emissions. Thus, the appellant inaccurately asserts that ICF "ignored Applicant-provided data on energy use."

ICF actually ran two CalEEMod models (the "Construction Emissions" CalEEMod run and the "Operational Emissions" CalEEMod run), which resulted in two output files. The "Construction Emissions" CalEEMod output files in Appendix F-1 of the CEQA Analysis show unused "Operational Emissions" CalEEMod inputs, including the inaccurate operational energy usage data provided by the applicant, while the "Construction Emissions" CalEEMod run omitted this data. Nevertheless, the results from both CalEEMod runs indicate that Project emissions would be well below the Bay Area Air Quality Management District (BAAQMD) significance threshold.

In response to the appeal, ICF ran one consolidated CalEEMod model using the same inputs as reported in the CEQA Analysis. The results are identical to those included in Attachment F of the CEQA Analysis. As shown in Attachment A to the ICF memorandum (see **Attachment C**), the Project's GHG emissions are well below the threshold that would trigger the requirement of a GHG Reduction Plan, contrary to appellant's assertion.

Moreover, the GHG emission results presented by SWAPE—the emissions per service population (SP) estimate of **45.1 metric tons** (MT) carbon dioxide equivalent (CO₂e) per year—is highly unusual for any kind of urban infill project and grossly overstated when considering the appropriate BAAQMD methodology. ICF has subsequently discovered that SWAPE used incorrect inputs, which substantially skewed the results of the model run.

Lastly, the GHG emissions in the CEQA Analysis are conservatively overstated because no credit was taken for CEQA streamlining via various targeted exemptions for qualifying projects under Senate Bill 375. Specifically, Public Resources Code Section 21159.28 states that, if a residential or mixed-use residential project like the Project, is consistent with the use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy; and if the project incorporates the mitigation measures required by an applicable prior environmental document (in this case, the BVDSP EIR), then any findings or other determinations for CEQA documentation shall not be required. As indicated in Table F-2 of the GHG and Climate Change Screening Analysis included as Attachment F of the CEQA Analysis, the Project's service population (SP) emissions are 4.3 MT CO₂e per SP, which is below BAAQMD's threshold of 4.6

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MT CO₂e per SP. Based on a rough estimate, it is anticipated that elimination of cars and light duty trucks from the Project's emissions would result in SP emissions of approximately 1.72 MT CO₂e per SP¹. Even though this estimate is based on removal of all motor vehicle emissions and thus removes some vehicles not exempt from the analysis under Senate Bill 375 (e.g., motorcycles, etc.), in all events, application of this exemption would result in the disclosure of even lower emissions than what is currently reported for the Project in the CEQA Analysis.

Therefore, based on the Project's CEQA Analysis and ICF's supplemental model runs, staff has determined that the GHG analysis prepared for the Project by ICF is accurate, adequate, and supported by substantial evidence.

C. The City Failed to Quantify the Project-Specific Health Risk

Appellant argument: The appellant argues that the City's CEQA Analysis for the Project failed to evaluate the health risk posed to nearby sensitive receptors from the exposure to diesel particulate matter (DPM) released during construction of the Project. The appellant states that the DPM emissions related to construction may result in a potentially significant health risk impact and, therefore, a revised Health Risk Assessment (HRA) must be completed and disclosed in an EIR.

Staff response:

The BVDSP EIR concluded that construction health risks from DPM were conservatively determined to be significant and unavoidable (Impact Air-4). Therefore, staff believes that the construction health risk has been adequately addressed by the planning-level review and the Project's conditions of approval. Furthermore, there is nothing in the BVDSP EIR indicating that a stand-alone health risk assessment (HRA) for construction-related impacts is required on a project-by-project basis. Preparing a construction-related HRA would result in unnecessary and duplicative studies that would ultimately reach the same conclusions and control measures established in the BVDSP EIR.² Moreover, the Project site's proximity to sensitive receptors (See Figure E-1 to Appendix E of the CEQA Analysis) is typical of other project sites in the

¹ 2,027 MT CO₂e/yr (total project emissions) – 1,225 MT CO₂e/yr (motor vehicle emissions) = 802 MT CO₂e/yr
802 MT CO₂e/yr / 466 Service Population (SP) = 1.72 MT CO₂e/yr/SP

² As discussed in Attachment B of the CEQA Analysis prepared for the Project, the Project is consistent with the development density established by zoning, community plan, specific plan, or general plan policies. Contrary to appellant's assertion, construction associated with the Project (and other projects in the BVDSP area) would not result in a more severe impact than what was previously disclosed in the BVDSP EIR. Appellant offers no credible evidence that the Project would have peculiar or unusual impacts or impacts that are new or more significant than previously analyzed in the BVDSP EIR. Therefore, the Project is consistent with the applicable CEQA streamlining provisions (i.e., Public Resources Code Section 21083.3 and State CEQA Guidelines Section 15183, Public Resources Code Section 21094.5 and State CEQA Guidelines Section 15183.3, and Public Resources Code Section 21094.5 and State CEQA Guidelines Section 15183.3) and the CEQA Analysis is appropriately tiered from the BVDSP EIR and streamlined environmental review is allowed for the Project.

BVDSP area and other urban areas. Therefore, there would be nothing unique or peculiar about the Project's proximity to sensitive receptors. Consequently, the analysis and conclusions of the BVDSP EIR are still valid for this Project.

Importantly, Page 4.2-27 of the BVDSP Draft EIR specifies that the construction health risks would be minimized through application of SCA-AIR-1 (former SCA A), which requires the following: exposed surfaces be watered; trucks hauling sand, soil, and other loose materials be covered; visible dirt track-out be removed daily; new roads, driveways, sidewalks be paved within one month of grading or as soon as possible, stockpiles be enclosed, covered, and watered twice daily; vehicle speeds on unpaved roads be limited; and idling time be limited. Diesel emissions would be minimized through the application of SCA-AIR-1.

Specifically, subsections (g) and (h) of SCA-AIR-1 minimize idling; subsection (i) ensures that construction equipment is running in proper condition; subsection (j) specifies that portable equipment would be powered by electricity if available; subsection (u) requires that equipment meet emissions and performance requirements; subsection (v) requires the use of low volatile organic compound coatings; subsection (w) requires that equipment and diesel trucks be equipped with Best Available Control Technology; and subsection (x) requires that off-road heavy diesel engines meet the California Air Resources Board's most recent certification standard. The Project sponsor would ensure that construction equipment would meet Tier 4 emissions standards in order to comply with subsections (w) and (x); this equipment is considered the best available technology.

Beyond SCA-AIR-1, according to ICF, there are no additional feasible control measures available to further reduce construction-related diesel particulate matter (DPM) emissions.

Lastly, appellant incorrectly suggests that OEHHA's recommended methodology is a formal part of the BAAQMD's applicable guidance. In fact, the OEHHA has no binding authority on the project that would require a stand-alone construction HRA for the Project.

D. The City Failed to Adequately Analyze and Mitigate Project-Specific Hazards

Appellant argument: The appellant argues that, since the Phase I and Phase II Environmental Site Assessments were not done under regulatory oversight, the conclusions reached in the CEQA Analysis for the Project are unreliable for decision making purposes. The appellant argues that the application of Standard Conditions of Approval (SCA's) were not sufficient because they failed to include provisions for a "soil management plan" to govern safe handling of contaminated soils. Appellant therefore asserts that an EIR should be prepared for the Project to include the requirement for a soil management plan to be submitted to the Regional Water Quality Control Board (RWQCB).

Staff response:

The appellant ignores the fact that the Project applicant already must implement SCA-HAZ-2, which requires a Health and Safety Plan to protect construction workers from risks associated with hazardous materials. This Health and Safety Plan will include, but not be limited to, measures related to personal protective equipment, exposure monitoring, emergency response plan, and a training program. These measures correspond to similar measures that are typically included in soil management plans. Therefore, although a soil management plan is not required and does not need to be prepared for the Project, public health would be protected through implementation of SCA-HAZ-2, which is the functional equivalent of the soils management plan requested by the appellant.

In addition, as discussed further in the letter prepared by ENGEO dated May 26, 2016 (See **Attachment C**), the Phase I Environmental Site Assessment (ESA) and Phase II ESA, found no evidence of significant environmental concerns associated with the site. The Phase I did not identify any current or prior onsite operations or issues as recognized environmental concerns. Indeed, the existing on-site contaminants identified in the Phase II are typical of the area and are neither unique nor peculiar. Consequently, based on these results, no regulatory oversight of the Project is required that would trigger the need for preparation of an EIR or a soil management plan.

E. Issues Not Properly Before the City Council

As acknowledged by the appellant, Oakland Planning Code section 17.134.070A, requires that an appellant must raise any and all issues in its appeal and failure to do so prevents the appellant from doing so during the appeal. Specifically, section 17.134.070A states:

'The appeal itself must raise each and every issue that is contested, along with all the arguments and evidence in the record. previously presented to City Planning Commission prior to the close of its public hearing on the item, which supports the basis of the appeal; failure to do so will preclude the appellant from raising such issues and/or evidence during the appeal and/or in court. The appeal is not de novo.'

The following issues, although raised by the appellants during the public hearing before the City Planning Commission, were not raised in the appeal itself, and thus are not properly before the City Council:

- (1) The Addendum is inconsistent with the BVDSP;
- (2) The Addendum fails to adequately describe the Project, specifically with respect to construction dewatering;
- (3) The Addendum fails to incorporate Mitigation Measure AIR-4: Risk Reduction Plan to address the Project's use of an emergency generator; and/or
- (4) The Addendum fails to include any documentation that groundwater monitoring wells were abandoned.

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To the extent these issues are now raised, the City Council rejects them for the same reasons as did the Planning Commission, based, in part, on ICF's April 20, 2016 Memo (See **Attachment B**).

Policy Alternatives

The following options are available to the City Council and staff could be directed to return to City Council at a future date:

1. Deny the appeal, uphold the Planning Commission's decision, and allow the project to proceed as approved by the Planning Commission with amendments to the Conditions of Approval, solely related to the appellate issues;
2. Grant the appeal, reverse the Planning Commission's decision, and thereby deny the project. Under this option, the matter would return to the City Council at a future meeting for adoption of appropriate findings. The applicant would have the option of not pursuing the project or of submitting a new application to the Bureau of Planning;
3. Continue the item to a future meeting for further information or clarification, solely related to the appellate issues; or
4. Refer the matter back to the Planning Commission for further consideration on specific issues/concerns of the City Council, solely related to the appellate issues. Under this option, the appeal would be forwarded back to the City Council for final decision.

FISCAL IMPACT

The project involves a private development and does not request or require public funds and has no direct fiscal impact on the City of Oakland. If constructed, the project would provide a positive fiscal impact through increased property taxes, sales taxes, utility user taxes, and business license taxes, while at the same time increasing the level of municipal services that must be provided.

PUBLIC OUTREACH / INTEREST

This item has appeared before a community meeting and public hearings on a couple occasions. The Project appeared before the City Planning Commission Design Review Committee on February 24, 2016, and the full Planning Commission for decision on the development application on April 20, 2016.

COORDINATION

The Agenda report on the appeal has been reviewed by the City Attorney's Office and the Controller's Bureau.

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SUSTAINABLE OPPORTUNITIES

Economic: Allowing the development to proceed creates commercial square footage within a priority development site of the Broadway Valdez District Specific Plan area that was established by the City Council in order to create an area for comparison goods shopping for the residents of the City and region. The development of the project would increase the sales tax base, raise the property tax for the site due to the proposed improvements, and provide temporary construction jobs, as well as future permanent jobs within the new retail stores.

Environmental: Developing in already urbanized environments reduces pressure to build on agricultural and other undeveloped land. Sites near mass transit enable residents to reduce dependency on automobiles and further reduce adverse environmental impacts.

Social Equity: The project benefits the community by adding increased commercial and housing opportunities in the City of Oakland, as well as temporary jobs during the construction of the project and permanent jobs within the new retail stores as well.

CEQA

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

A detailed CEQA Analysis document was prepared, entitled "2400 Valdez Project CEQA Analysis" dated March 28, 2016, which evaluates the potential project-specific environmental effects of the proposed Project and whether such impacts were adequately covered by the BVDSP EIR to allow the below-listed streamlining and/or tiering provisions of CEQA to apply.

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

- 1. Community Plan Exemption.** Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 allow streamlined environmental review for projects that are "consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site." Section 15183(c) specifies that "if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards..., then an EIR need not be prepared for the project solely on the basis of that impact."

As set out in detail in the CEQA Analysis' Attachment B, the City finds that, pursuant to CEQA Guidelines section 15183 and Public Resources Code section 21083.3, the

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Project is consistent with the development density established by the BVDSP and analyzed in the BVDSP EIR and that there are no environmental effects of the Project peculiar to the Project or the Project Site which were not analyzed as significant effects in the BVDSP EIR; nor are there potentially significant off-site impacts and cumulative impacts not discussed in the BVDSP EIR; nor are any of the previously identified significant effects which, as a result of substantial information not known at the time of certification of the BVDSP EIR, are now determined to present a more severe adverse impact than discussed in the BVDSP EIR. As such, no further analysis of the environmental effects of the Project is required.

2. **Qualified Infill Exemption.** Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 allow streamlining for certain qualified infill projects by limiting the topics subject to review at the project level, if the effects of infill development have been addressed in a planning level decision, or by uniformly applying development policies or standards. Infill projects are eligible if they are located in an urban area on a site that either has been previously developed or that adjoins existing qualified urban uses on at least 75 percent of the site's perimeter; satisfy the performance standards provided in CEQA Guidelines Appendix M; and are consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy. No additional environmental review is required if the infill project would not cause any new specific effects or more significant effects, or if uniformly applicable development policies or standards would substantially mitigate such effects.

The City finds that, pursuant to CEQA Guidelines section 15183.3, the CEQA Analysis contains in Attachment C a written analysis consistent with Appendix M to the CEQA Guidelines examining whether the Project will cause any effects that require additional review under CEQA. The contents of Attachment C document that the Project is located in an urban area satisfying the requirements of CEQA Guidelines section 15183.3 and satisfies the applicable performance standards set forth in Appendix M to the CEQA Guidelines. It also explains how the effects of the Project were analyzed in the BVDSP EIR; and indicates that the Project incorporates all applicable mitigation measures and SCAs from the BVDSP EIR. Attachment C also determines that the Project will cause no new specific effects not analyzed in the BVDSP EIR; determines that there is no substantial new information showing that the adverse environmental effects of the Project are more significant than described in the BVDSP EIR, determines that the Project will not cause new specific effects or more significant effects, and documents how uniformly applicable development policies or standards (including, without limitation, the SCAs) will mitigate environmental effects of the Project. Based upon the CEQA Analysis and other substantial evidence in the record, the City finds and determines that no further environmental analysis of the effects of the Project is required.

3. **Addendum.** Public Resources Code Section 21166 and CEQA Guidelines Section 15164 state that an addendum to a certified EIR is allowed when minor changes or additions are necessary and none of the conditions for preparation of a subsequent EIR or Negative Declaration pursuant to Section 15162 are satisfied.

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The City finds and determines that the CEQA Analysis constitutes an Addendum to the BVDSP EIR and that no additional environmental analysis of the Project beyond that contained in the BVDSP EIR is necessary. The City further finds that no substantial changes are proposed in the Project that would require major revisions to the BVDSP EIR because of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; no substantial changes occur with respect to the circumstances under which the Project will be undertaken which will require major revisions of the BVDSP EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and there is no new information of substantial importance not known and which could not have been known with the exercise of reasonable diligence as of the time of certification of the BVDSP EIR showing that the Project will have one or more significant effects not discussed in the BVDSP EIR; significant effects previously examined will be substantially more severe than shown in the BVDSP EIR, mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project; or mitigation measures or alternatives which are considerably different from those analyzed in the BVDSP EIR would substantially reduce one or more significant effects on the environment.

The City Council was previously provided a copy of the 2014 BVDSP EIR and the March 28, 2016 CEQA Analysis Document was provided under separate cover for review and consideration by the City Council, and is available to the public at the Bureau of Planning office at 250 Frank H. Ogawa Plaza, 2nd Floor, Oakland, CA 94612 and on the City's website at: <http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157>

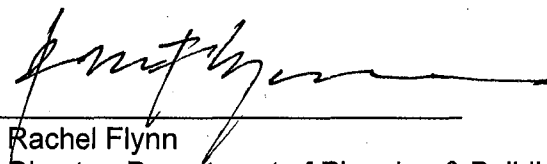
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ACTION REQUESTED OF THE CITY COUNCIL

1. **Staff Recommends that The City Council Adopt A Resolution denying an appeal by Oakland Residents for Responsible Development and upholding the Planning Commission's approval of a proposal to construct 225 dwelling units over approximately 23,000 square feet of retail located at 2400 Valdez Street, Oakland CA (Project Case No. PLN15-336), including adopting (CEQA) exemptions and an Addendum (relying on the previously certified 2014 Broadway Valdez District Specific Plan EIR).**

For questions regarding this report, please contact Pete Vollmann, Planner III, at (510) 238-6167.

Respectfully submitted,



Rachel Flynn
Director, Department of Planning & Building

Reviewed by:
Scott Miller, Zoning Manager

Prepared by:
Pete Vollmann, Planner III
Bureau of Planning

Attachments:

- A. April 20, 2016 Planning Commission Staff report
- B. May 2, 2016 Appeal by Oakland Residents for Responsible Development (including April 29, 2016 Adams Broadwell letter, April 20, 2016 Sheppard Mullin letter and April 20, 2016 ICF memorandum)
- C. May 27, 2016 ICF memorandum (including May 26, 2016 ENGO letter)

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Approved as to Form and Legality

OAKLAND CITY COUNCIL

Mark F. Walsh
City Attorney

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RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

A RESOLUTION DENYING AN APPEAL BY OAKLAND RESIDENTS FOR RESPONSIBLE DEVELOPMENT AND THUS UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF A PROPOSAL TO CONSTRUCT 225 DWELLING UNITS OVER APPROXIMATELY 23,000 SQUARE FEET OF RETAIL LOCATED AT 2400 VALDEZ STREET, OAKLAND CA (PROJECT CASE NO. PLN15-336), INCLUDING ADOPTING CEQA EXEMPTIONS AND AN ADDENDUM (RELYING ON THE PREVIOUSLY CERTIFIED 2014 BROADWAY VALDEZ DISTRICT SPECIFIC PLAN EIR).

WHEREAS, the project applicant, The Hanover Company, filed an application on October 16, 2015, to construct a 225 unit residential building over approximately 23,000 square feet of ground floor retail at 2400 Valdez Street, Oakland Ca. (Project); and

WHEREAS, the Design Review Committee of the Planning Commission considered the design review aspects of the Project at a duly noticed public meeting on February 24, 2016; and

WHEREAS, the City Planning Commission took testimony and considered the project at its duly noticed public meeting of April 20, 2016. At the conclusion of the public hearing, the Commission deliberated the matter and voted (4-0-0) to approve the Project; and

WHEREAS on May 2, 2016, an appeal of the Planning Commission's approval and a statement setting forth the basis of the appeal was filed by Laura Horton on behalf of Oakland residents for Responsible Development; and

WHEREAS, after giving due notice to the Appellant, the Applicant, all interested parties and the public, the Appeal came before the City Council at a duly noticed public hearing on June 21, 2016; and

WHEREAS, the Appellant, the Applicant, supporters of the application, those opposed to the application and interested neutral parties were given ample opportunity to participate in the public hearing by submittal of oral and/or written comments; and

WHEREAS, the public hearing on the Appeal was closed by the City Council on June 21, 2016; now, therefore be it

RESOLVED: That, the City Council hereby independently finds and determines that the requirements of the California Environmental Quality Act (CEQA) of 1970, as prescribed by the Secretary of Resources, and the City of Oakland's environmental review requirements, have been satisfied, and, the adoption of this resolution is exempt from CEQA pursuant to CEQA Guidelines Section 15183 and/or Section 15183.3; and furthermore none of the factors requiring further CEQA review are met and the City can rely on an Addendum to the previously Certified 2014 Broadway Valdez District Specific Plan EIR, pursuant to CEQA Guidelines section 15162-15164, each of the foregoing provides a separate and independent basis for CEQA compliance; and be it

FURTHER RESOLVED: That, the City Council, having heard, considered and weighed all the evidence in the record presented on behalf of all parties and being fully informed of the Application, the Planning Commission's decision, and the Appeal, finds that the Appellant has not shown, by reliance on evidence already contained in the record before the City Planning Commission that the Commission's decision on April 20, 2016 was made in error, that there was an abuse of discretion by the Planning Commission or that the Commission's decision was not supported by substantial evidence in the record, based on the April 20, 2016 Staff Report to the City Planning Commission and the June 21, 2016, City Council Agenda Report hereby incorporated by reference as if fully set forth herein. Accordingly, the Appeal is denied, the Planning Commission's CEQA Determination is upheld, based upon the April 20, 2016 Staff Report to the City Planning Commission and the June 21, 2016, City Council Agenda Report, each of which is hereby separately and independently adopted by this Council in full; and be it

FURTHER RESOLVED: That, in support of the Planning Commission's decision to approve the Project, the City Council affirms and adopts the April 20, 2016 Staff Report to the City Planning Commission (including without limitation the discussion, findings, conclusions and conditions of approval each of which is hereby separately and independently adopted by this Council in full), as well as the June 21, 2016, City Council Agenda Report, (including without limitation the discussion, findings, conclusions and conditions of approval, each of which is hereby separately and independently adopted by this Council in full), except where otherwise expressly stated in this Resolution; and be it.

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 Exemption and Notice of Determination with the appropriate agencies; and be it

FURTHER RESOLVED: That, the record before this Council relating to this application and appeal includes, without limitation, the following:

1. the application, including all accompanying maps and papers;
2. all plans submitted by the Applicant and his representatives;
3. the notice of appeal and all accompanying statements and materials;
4. all final staff reports, final decision letters and other final documentation and information produced by or on behalf of the City, including without limitation and all

related/supporting final materials, and all final notices relating to the application and attendant hearings;

5. all oral and written evidence received by the City Planning Commission and City Council during the public hearings on the appeal; and all written evidence received by relevant City Staff before and during the public hearings on the application and appeal;

6. all matters of common knowledge and all official enactments and acts of the City, including, without limitation (a) the General Plan; (b) Oakland Municipal Code (c) Oakland Planning Code; (d) other applicable City policies and regulations; and, (e) all applicable state and federal laws, rules and regulations; and be it

FURTHER RESOLVED: That, the custodians and locations of the documents or other materials which constitute the record of proceedings upon which the City Council's decision is based are respectively: (a) Department of Planning & Building, Bureau of Planning, 250 Frank H. Ogawa Plaza, 2114, 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, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, AND PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

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

Attachment A

April 20, 2016 Planning Commission Staff Report

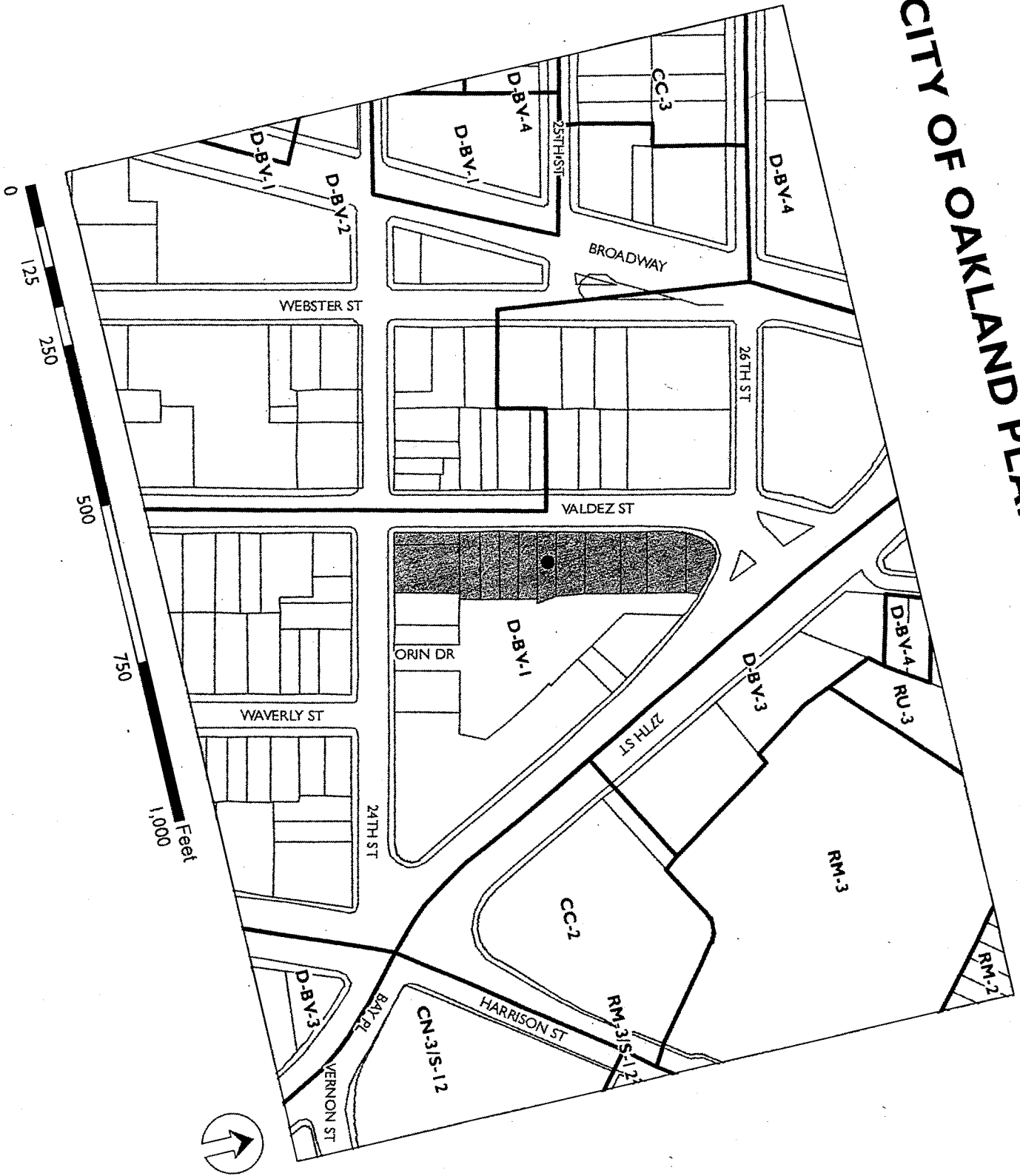
Location:	2400 Valdez Street (See map on reverse)
Assessors Parcel Number:	008-0671-026; -027; -028; -029; -030; -031; -032; -033; -034; -035; -036; -037-03
Proposal:	Proposal to construct a new seven story mixed use building containing 225 dwelling units and approximately 23,000 square feet of ground floor retail. The project site is Retail Priority Site 4A in the Broadway Valdez District Specific Plan.
Applicant:	Scott Youdall, The Hanover Company
Owner:	Masri Family Limited Partnership & Valdez Street Properties LLC
Planning Permits Required:	Regular Design Review for New Construction; Major Conditional Use Permit to allow D-BV-1 Zone Bonuses and transfer of development rights from 2630 Broadway; Off-street loading minor variance (four berths required and two proposed); and Vesting Tentative Parcel Map for new condominiums.
General Plan:	Central Business District
Zoning:	D-BV-1, Broadway Valdez District Retail Priority Sites Commercial Zone
Environmental Determination:	A detailed CEQA Analysis was prepared for this project which concluded that the proposed project satisfies each of the following CEQA provisions: 15183 - Projects consistent with a community plan, general plan, or zoning; 15183.3 – Streamlining for in-fill projects; and/or 15164 – Addendum to the 2014 certified Broadway Valdez District Specific Plan EIR; Each of which provides a separate and independent basis for CEQA compliance. The CEQA Analysis document may be reviewed at the Planning Bureau offices at 250 Frank Ogawa Plaza, 2 nd Floor or on-line at http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DO_WD009157
Historic Status:	Not a historic property
Service Delivery District:	Metro
City Council District:	3
Action to be Taken:	Decision on Application
Staff Recommendation:	Approve with the attached conditions.
Finality of Decision:	Appealable to City Council within 10 days
For Further Information:	Contact case planner Peterson Z. Vollmann at 510-238-6167 or by e-mail at pvollmann@oaklandnet.com .

SUMMARY

The Hanover Company has filed an application with the Bureau of Planning to develop a mixed use project at "2400" Valdez Street that would consist of a new seven story building containing approximately 23,000 square feet of retail and 225 dwelling units. The project site is located within the Broadway Valdez District Specific Plan (BVDSP) area and is Retail Priority Site 4A in the plan.

The project appeared before the Design Review Committee on February 24, 2016, during which the Committee recommended the item move forward to the full Planning Commission for consideration.

CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN15336
Applicant: The Hanover Company
Address: 2400 Valdez Street
Zone: D-BV-1

Staff recommends approval of the Project, subject to the attached findings and conditions.

PROPERTY DESCRIPTION

The subject property consists of several small lots that front primarily onto Valdez Street. The site makes up the entire eastern block frontage of Valdez Street between 24th and 27th Streets. The site is currently used as a surface parking lot for auto fee parking as well as for storage of auto dealership vehicles in the area.

The site is within the BVDSP. The BVDSP, which was adopted in July 2014, provides a comprehensive vision for the Plan area along with goals, policies, and development regulations to guide the Plan area's future development. The Plan area is divided into two distinct subareas: the Valdez Triangle and the North End. The project site is located within the Valdez Triangle and within a Retail Priority Site, meaning that there are restrictions on residential activities in favor of development of retail uses.

PROJECT DESCRIPTION

The proposed project would demolish the existing surface parking lot in order to construct a new seven story building that would contain 6 stories of residential units above a double height ground floor commercial space consisting of approximately 23,000 square feet fronting onto Valdez Street. The two large retail spaces would be oriented toward the corners of the site with the larger one oriented towards 27th Street and the proposed pedestrian plaza at the intersection. The auto parking facilities will be located below grade with access off of a driveway adjacent to the lobby entrance. Bike parking would be provided at the ground floor with direct access out to 24th Street, with additional bike parking in lower garage levels as well.

GENERAL PLAN ANALYSIS

The General Plan's Land Use and Transportation Element (LUTE) classifies the Project site as being located in the Central Business District (CBD) General Plan area. This land use classification is intended to encourage, support, and enhance the downtown area as a high density, mixed use urban center of regional importance and a primary hub for business, communications, office, government, high technology, retail, entertainment, community facilities, and visitor uses. The CBD classification includes a mix of large-scale offices, commercial, urban high rise residential, institutional, open-space, cultural, educational, arts, entertainment, service, community facilities, and visitor uses.

The Project is consistent with the following General Plan Land Use and Transportation policies and objectives:

Policy D6.1 – Developing Vacant Lots – Construction on vacant land or to replace surface parking lots should be encouraged throughout the downtown, where possible.

Policy D10.1 – Encouraging Housing – Housing in the downtown should be encouraged as a vital component of a 24-hour community.

Policy D10.2 – Locating Housing – Housing in the downtown should be encouraged in identifiable districts, within walking distance of the 12th Street, 19th Street, City Center, and Lake Merritt BART stations to encourage transit use, and in other locations where compatible with surrounding uses.

Policy N3.1 – Facilitating Housing Construction – Facilitating the construction of housing units should be considered a high priority for the City of Oakland.

Policy N3.2 – Encourage In-fill Development – In order to facilitate the construction of needed housing units, in-fill development that is consistent with the General Plan should take place throughout the City of Oakland.

The Project meets the referenced policies and objectives and the general intent of the Central Business District land use designation by constructing a new, high density, residential building above a large commercial ground floor of approximately 23,000 square feet that replaces a large surface parking lot in the downtown core within walking distance of the 19th Street BART station.

Broadway Valdez District Specific Plan

The BVDSP provides a vision and planning framework for future growth and development in the approximately 95 acre area along Oakland’s Broadway corridor between Grand Avenue and I-580. The Plan was developed by way of a thorough analysis of the area’s economic and environmental conditions, as well as input from City decision-makers, landowners, developers, real estate experts, and the community at large. The Plan provides a comprehensive vision for the Plan area, along with goals, policies, and development regulations, to guide future public and private actions relating to the area’s development. The Plan also serves as the mechanism for ensuring that future development will be coordinated and occur in an orderly and well-planned manner.

The Project is consistent with the following BVDSP goals and policies:

BVDSP Goal LU-1— A destination retail district that addresses the City’s deficiency in comparison goods shopping and significantly reduces sales tax leakage.

BVDSP Goal LU-8—The establishment of the Valdez Triangle as a dynamic new retail destination that caters to the comparison shopping needs for Oakland and the broader East Bay.

BVDSP-Policy LU-1.1—Prioritize development and tenancing of comparison goods retailers in the Broadway Valdez District.

BVDSP-Policy LU-1.2—Enhance the identity and function of the Broadway Valdez District as a retail destination for Oakland and the East Bay.

BVDSP-Policy LU-1.3—Balance retail uses with a mix of residential, office, and service uses that complement and support the economic viability of the commercial core, and contribute to the creation of a new “24-hour” neighborhood with around-the-clock vitality.

BVDSP-Policy LU-2.1 – Establish the Broadway Valdez District as an attractive pedestrian and transit oriented, mixed use neighborhood with a core of retail and complementary commercial uses.

BVDSP-Policy LU-4.1—Encourage the gradual transition of the Plan Area toward uses that will contribute to the creation of a vibrant, pedestrian-oriented, mixed-use district.

BVDSP-Policy LU-8.1—Promote the development of the Valdez Triangle as a dynamic pedestrian-oriented retail district within a mixed use setting that includes a complementary mix of retail, office, entertainment, and residential uses.

BVDSP-Policy LU-8.3—Broadway, Valdez Street, 24th Street, 23rd Street, and 27th Street will be the primary shopping streets that give structure to the retail district and physically integrate the Triangle with adjacent areas by providing active retail frontages and pedestrian-friendly streetscapes that extend along both sides of these key streets.

BVDSP-Policy LU-8.4—The land use concept for the Valdez Triangle is to have a core of comparison goods retail complemented with local-serving retail, dining, entertainment, office, and service uses.

BVDSP-Policy LU-8.5—The Valdez Triangle is intended to be a unique shopping district with an authentic Oakland character that includes a mix of local and national retailers.

BVDSP-Policy LU-8.6—The Valdez Triangle will feature street-oriented retail in an attractive pedestrian-oriented environment that includes vibrant, active sidewalks, and safe and attractive public spaces.

BVDSP-Policy LU-9.2—The intent is to promote a complementary mix of retail, office, entertainment, and residential uses that creates a vibrant urban corridor that is active both day and night, and on weekdays and weekends.

The Project is consistent with the above mentioned goals and policies by creating a new, mixed use development located in a retail priority site of the Valdez Triangle. The Project proposes an active ground floor commercial presence with approximately 23,000 square feet of new retail space that will promote a vibrant, pedestrian-oriented environment for the entirety of the eastern side of Valdez Street between 24th & 27th Streets, which should serve to accelerate the transformation of the BVDSP area. The new retail space will contain floor plates that will be suitable for mid-size or smaller -scale comparison goods retailers. It also will provide a concentration of sub dividable retail of sufficient depth and parking to attract a variety of local and national retailers who will recognize the district as a viable opportunity for destination retail, especially as it grows and develops over time. The Project also will create high density, upper level residential uses that will be in close proximity to transit access and help to create a 24-hour neighborhood.

ZONING ANALYSIS

The subject property is located within the D-BV-1, Broadway Valdez District Retail Priority Sites Commercial Zone, and is within a 45 Height/Intensity Area. The intent of the D-BV-1 zone is to establish Retail Priority Sites in the Plan area in order to encourage a core of comparison goods retail with a combination of small, medium, and large scale retail stores. Priority Sites 3 and 5 are further divided into subareas a, b, and c and Priority Site 4 into subareas a and b, as shown in the Height Area Map. Each Retail Priority Site and subarea has a specified minimum square footage of retail required prior to residential or transient habitation activities and facilities being permitted. The Project site is located within Priority Site 4a, which calls for a minimum retail of 23,465 square feet prior to the allowance of any residential units or height bonus above 45 feet. A proposal with 23,465 square feet (50% of the site area) of retail may permit a maximum of one dwelling unit per 125 square feet of retail provided, which would allow for 187 units. A proposal that includes retail square footage of 28,157 or more (60% of the site area) would allow for dwelling units at a ratio of one dwelling per 100 square feet of retail provided.

Major Conditional Use Permit

The D-BV-1 Zone requires a Conditional Use Permit for any development that includes residential facilities, which must be part of a larger development project that includes retail development. As noted above, the Project is located within the D-BV-1 Retail Priority Site 4a, which requires a minimum of 23,465 square feet of retail prior to the allowance of any residential facilities or a bonus to the height limit above 45 feet.

The proposed project includes 22,780 square feet of retail along with the 5,012 square foot plaza for a total of 27,792 square feet that may be allocated toward the residential density, which results in 222 dwelling units. The remaining units above the 222 will either come in the form of a transfer of units created by the 2630 Broadway (across the street) project, which is also being developed by the same applicant, or a mezzanine will be provided within one of the two retail spaces to meet the minimum requirement. Meeting the minimum retail square footage requirement also allows an increase in height above the 45 foot height limit to 200 feet. The proposed project would not exceed a height of 85 feet.

Parking

The project meets all of the required auto and bike parking pursuant to Planning Code Section 17.116 & 17.117. Auto and Bike parking is required and proposed as set forth in the following tables.

Use	Amount	Required Auto Parking	Stalls Provided
Residential	225 units	0.5: unit = 113 stalls	182
Commercial	22,780 sq.ft.	1: 500 sq.ft. = 46 stalls	49
TOTAL		159	231

Use	Amount	Required Bike Parking	Provided
Residential	225 units	1: 2units = 113	113
Commercial	22,780 sq.ft.	1:8,000 sq.ft. = 3	3
TOTAL		116	116

Use	Amount	Required Bike Parking	Provided
Residential	225 units	1:15 units = 15	15
Commercial	22,780 sq.ft.	1:2,000 sq.ft. = 11	11
TOTAL		26	26

Off-Street Loading –Minor Variance

Pursuant to Planning Code Section 17.116 a total of three off-street loading berths are required for the Project -- one berth is required for the retail component since the amount of new square feet is between 10,000 and 24,999 and two additional loading berths are required for the residential use, because the building includes in excess of 150,000 square feet of new residential floor area. The Project proposes to provide a total of two off-street loading berths.

The Project would provide one off-street loading berth for the larger retail towards 27th Street and one berth within the garage for the residential uses. Given that the retail character of the Valdez & 24th Street spaces will likely be populated by smaller neighborhood scale shops, staff feels that one off-street loading berth is adequate. Moreover, accommodation for on-street loading zones can also be provided and are very typical for this type of retail setting. Lastly, staff believes that grouping three loading berths along the side of the building would greatly detract from the desired pedestrian-friendly character of the neighborhood.

Design Review

The proposed design occupies the entire Valdez Street block face between 24th & 27th Streets. The proposed building is anchored at each end with large retail ground floor uses that contain ceiling heights in excess of 15 feet. The linear mass of the building is broken down by adding a large recess at the mid-block point of the building for the residential lobby entrance and courtyard above. The design further breaks down the mass of the building with the application of varying exterior materials such as corrugated metal siding, stucco, metal paneling, and window walls at corner locations. The primary corner at the 27th & Valdez Streets contains a rounded building element that will face onto the new plaza at the intersection. In addition, this rounded elevation will also relate to the proposed building across Valdez where a similar rounded elevation will front onto the opposing plaza as well.

Design Review Committee

As previously mentioned, this item appeared before the Design Review Committee (DRC) on February 24, 2016. At this meeting the DRC recommended to move the item forward to consideration by the full Planning Commission. At the meeting a couple items were raised with regard to the façade along 27th Street. Staff had concerns with the “cut out” element of the rounded corner at 27th and Valdez Streets. Staff had recommended that the window patterns towards Valdez Street should be continued instead of the “cut out”, or alternatively, the rounded corner should be stopped short and change to a different elevation type seen elsewhere in the development. The Committee members didn’t completely agree with staff as they felt that the horizontal elements within the “cut out” brought the scale of the building down so it didn’t feel so massive at this elevation. The project architect redesigned this element of the building to accommodate staff’s concerns as well as the Committee members concerns by removing the “cut out” element while adding other horizontal elements and step backs to reduce the visual mass of the building at this location.

Staff believes the proposed design is consistent with the Corridor Design Guidelines as well as the Broadway Valdez Specific Plan Design Guidelines by creating a mixed use development that establishes a strong pedestrian oriented commercial ground floor which is the desired character for the Broadway Valdez Area versus that of the existing 1960’s auto oriented setting of the site that presently exists. The project also provides interesting corner features at important intersections, appropriately locates parking access off of side streets while screening parking garages, contains clearly identified residential lobby entrances, and provides a well-designed façade that incorporates high quality exterior materials and a series of treatments that break up the mass and visual bulk of the building.

ENVIRONMENTAL DETERMINATION

The *Broadway Valdez District Specific Plan Environmental Impact Report* (EIR) analyzed the environmental impacts of adoption and implementation of the BVDSP and, where the level of detail available was sufficient to adequately analyze the potential environmental effects, provided a project-

level CEQA review for reasonably foreseeable development. This project-level analysis allows the use of CEQA streamlining and/or tiering provisions for projects developed under the BVDSP.

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

1. Community Plan Exemption. Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 allow streamlined environmental review for projects that are “consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.” Section 15183(c) specifies that “if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards..., then an EIR need not be prepared for the project solely on the basis of that impact.”

2. Qualified Infill Exemption. Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 allow streamlining for certain qualified infill projects by limiting the topics subject to review at the project level, if the effects of infill development have been addressed in a planning level decision, or by uniformly applying development policies or standards. Infill projects are eligible if they are located in an urban area on a site that either has been previously developed or that adjoins existing qualified urban uses on at least 75 percent of the site’s perimeter; satisfy the performance standards provided in CEQA Guidelines Appendix M; and are consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy. No additional environmental review is required if the infill project would not cause any new specific effects or more significant effects, or if uniformly applicable development policies or standards would substantially mitigate such effects.

3. Addendum. Public Resources Code Section 21166 and CEQA Guidelines Section 15164 state that an addendum to a certified EIR is allowed when minor changes or additions are necessary and none of the conditions for preparation of a subsequent EIR or Negative Declaration pursuant to Section 15162 are satisfied.

Note:

A detailed CEQA Analysis was prepared for the project and was provided under separate cover for review and consideration by the Planning Commission, and is available to the public at the Planning Department office at 250 Frank H. Ogawa Plaza, 2nd Floor, Oakland, CA 94612 and on the City’s website at: <http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157>

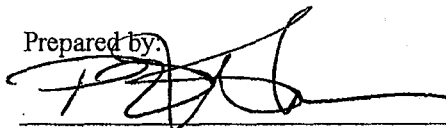
CONCLUSION

Staff feels that the Project is well designed and helps to implement the vision of the BVDSF by developing the entire eastern side of the block's frontage with retail. This, especially when combined with the three other entitled developments along Valdez Street, will help to establish Valdez Street as a new retail shopping street extending north from downtown and will help to act as a catalyst for future projects to take place within the Broadway-Valdez Plan area.

RECOMMENDATIONS:

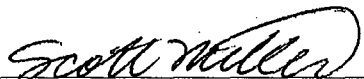
1. Affirm staff's environmental determinations.
2. Approve the Major Conditional Use Permit and Design Review, Minor Variance, and Vesting Tentative Parcel Map subject to the attached findings and conditions.

Prepared by:



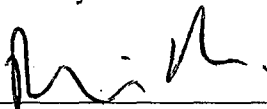
PETERSON Z. VOLLMANN
Planner III

Reviewed by:



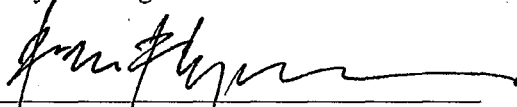
SCOTT MILLER
Zoning Manager
Bureau of Planning

Reviewed by:



DARIN RANELETTI
Deputy Director
Bureau of Planning

Approved for Forwarding to the
City Planning Commission:



RACHEL FLYNN, Director
Department of Planning and Building

ATTACHMENTS:

- A. Findings for Approval
- B. Conditions of Approval
- C. SCA/MMRP from the 2400 Valdez Project CEQA Analysis Checklist
- D. Plans of the Project Site

ATTACHMENT A

FINDINGS FOR APPROVAL

This proposal meets all the required Conditional Use Permit Criteria (Section 17.134.050), Design Review Criteria (Sections 17.136.050 & 17.136.075), and Minor Variance Findings (Section 17.148.050) as set forth below and which are required to approve your application. This proposal does not contain characteristics that require denial pursuant to the Tentative Map Findings (Section 16.08.030) and is consistent with the Lot Design Standards (Section 16.24.040) of the Oakland Subdivision Regulations. Required findings are shown in **bold type**; reasons your proposal satisfies them are shown in normal type. (Note: the Project's conformance with the following findings is not limited to the discussion below, but is also included in all discussions in this report and elsewhere in the record).

SECTION 17.134.050 –CONDITIONAL USE PERMIT FINDINGS:

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

The proposed mixed use development is consistent with the desired character for the area as set forth in the Broadway Valdez Specific Plan Area by helping to establish a new pedestrian oriented retail development on Valdez Street with 23,000 square feet of new ground floor retail and providing for the density desired for a 24 hour neighborhood. The proposed project establishes the desired mixed use character and density envisioned for the area.

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

The proposal will provide a functional mixed use environment with new ground floor retail opportunities on an important shopping street with upper level residential activities that are located in close proximity to local and regional transit and contains ample on-site open space as well as being a few blocks away from Lake Merritt.

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

The development will help to enhance the area as a neighborhood and regional shopping district by establishing new commercial uses that will help to bring more activity to the area while creating an attractive pedestrian environment around the project site.

FINDINGS

- 4. That the proposal conforms to all applicable design review criteria set forth in the DESIGN REVIEW PROCEDURE of Chapter 17.136 of the Oakland Planning Code.**

See Design Review findings below.

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

As detailed earlier in the report, and hereby incorporated by reference, the General Plan's Land Use and Transportation Element (LUTE) classifies the project site as being located in the Central Business District (CBD) General Plan area. This land use classification is intended encourage, support, and enhance the downtown area as a high density mixed use urban center of regional importance and a primary hub for business, communications, office, government, high technology, retail, entertainment, community facilities, and visitor uses. The CBD classification includes a mix of large-scale offices, commercial, urban high rise residential, institutional, open-space, cultural, educational, arts, entertainment, service, community facilities, and visitor uses.

The proposed Project meets the referenced policies and objectives and the general intent of the Central Business District land use designation by constructing a new high density residential building above a large commercial ground floor of 23,000 square feet on an important commercial street within the downtown core within walking distance to the 19th Street BART station.

The Broadway Valdez District Specific Plan provides a vision and planning framework for future growth and development in the approximately 95 acre area along Oakland's Broadway corridor between Grand Avenue and I-580. The Specific Plan, which has been developed with a thorough analysis of the area's economic and environmental conditions and input from City decision-makers, landowners, developers, real estate experts, and the community at large, provides a comprehensive vision for the Plan Area along with goals, policies, and development regulations to guide future public and private actions relating to the area's development. The Plan also serves as the mechanism for insuring that future development will be coordinated and occur in an orderly and well-planned manner.

The Project is consistent with the above mentioned goals and policies by creating a new, mixed use development located in a retail priority site of the Valdez Triangle. The proposal will contain an active ground floor commercial presence with 23,000 square feet of new retail space that will promote a vibrant, pedestrian-oriented environment for Valdez Street. The proposal will include the reconfiguration of 27th and Valdez to implement the pedestrian plaza at that location as envisioned by the Specific Plan. The Project also will create high density, upper level residential uses that will be in close proximity to transit access and help to create a 24-hour neighborhood.

FINDINGS

17.136.050(A) - RESIDENTIAL DESIGN REVIEW CRITERIA:

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

The proposed project is located on a Retail Priority Site of the Broadway Valdez Specific Plan that envisions a high density mixed use project. The proposed ground floor along Valdez Street provides for a double height retail space. The proposed building has elements that enhance the corners of the building to call out its important location as an entry point into the district and the structure contains vertical breaks in the horizontal mass of the building that break down the visual bulk of the structure.

- 2. The proposed design will protect, preserve, or enhance desirable neighborhood characteristics.**

The proposed design will enhance the desirable neighborhood characteristics by filling in an underdeveloped surface parking lot with a new mixed use building with 23,000 square feet of new ground floor retail on a priority site within the Broadway Valdez Specific Plan, as well as provide for a dense residential environment in close proximity to downtown jobs, local and regional transit and open space.

- 3. The proposed design will be sensitive to the topography and landscape.**

The site is relatively flat.

- 4. If situated on a hill, the design and massing of the proposed building relates to the grade of the hill.**

The site is relatively flat.

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

The project site is consistent with the City's Corridor Design Guidelines and the Broadway Valdez Design Guidelines. The Project is consistent with the goals and policies of the LUTE and BVDSPP as indicated in Findings in Sections 17.134.050 above and the City Planning Commission Report, hereby incorporated by reference.

FINDINGS

SECTION 17.148.050 – MINOR VARIANCE FINDINGS:

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

Strict compliance with the required three loading berths would preclude an effective design solution that improves the appearance and operational efficiency of the building. The required three loading berths would begin to impact the retail presence of the building at the pedestrian level. By only providing one loading berth the needs of the site are pretty much met without compromising the design of the building as well as providing the second loading berth for residential uses on the inside of the parking garage out of sight. By granting the variance to allow only two loading berths where three are required allows a superior design while still allowing for two berths to serve the large retail component of the project and with building management, one of the berths can also be reserved as needed for residential move-ins. A condition of approval is proposed that requires a loading berth management plan be submitted for City review/approval.

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

The basic intent of the loading berth requirements for retail and residential is to allow for a functional loading area for retail tenant deliveries to occur and, in the case of residential units, to allow for a functional location to accommodate tenants moving into and out of units. The two loading berths being provided can meet this need by arranging times for the loading berth to be used for residential move-ins while not encroaching into the retail floorplate as would be required for the full three loading berths.

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

The granting of the variance for reduced loading berths will not affect the character, livability, or appropriate development of the area as the reduced loading berths allows for a better design of the building while still meeting the needs of the proposed uses.

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

The granting of the variance to reduce the loading berths would not constitute a grant of special privilege as many other buildings in the area do not contain loading berths and many other smaller scale local commercial streets do not have commercial buildings with numerous loading berths but rather are serviced by curbside loading zones. Further the proposal has the opportunity to share loading berths amongst the two uses so that the needs of those uses are met.

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

See Design Review Findings above. The lack of the additional loading berth doors allows for a superior design to the exterior of the building.

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

The Project is consistent with the goals and policies of the LUTE and BVDSP as indicated in Findings in Sections 17.134.050 above and the City Planning Commission Report, hereby incorporated by reference.

SECTION 17.101.C.050C.4 – TRANSFER OF DEVELOPMENT RIGHTS

- a) **The applicant has acquired development rights from the owner(s) of lots within a Retail Priority Site Zone, restricting the number of residential units which may be developed thereon so long as the facilities proposed by the applicant are in existence;**

The applicant will transfer the development right for three additional units from the proposed project at 2630 Broadway across the street. The Final Certificate of Occupancy for 2400 Valdez shall not be granted until the earlier of: a) the issuance of the Temporary Certificate of Occupancy for the building at 2630 Broadway; or b) the issuance of a tenant improvement permit for the anchor retail space in the 2630 Broadway building, if the transfer of those development rights is to be utilized.

- b) **The owners of all such lots shall prepare and execute an agreement, approved as to form and legality by the City Attorney and filed with the Alameda County Recorder, incorporating such restriction;**

The transfer of development rights agreement shall be reviewed, approved and recorded prior to the project receiving a certificate of occupancy.

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- c) **The proposed location and site planning of any transferred residential bonus units will not make infeasible future construction of the minimum retail square footage required at that Retail Priority Site;**

The minimum retail will be provided within the project site (priority development site 4a).

- d) **Residential bonus units can only be transferred to a lot that cannot meet the minimum retail square footage required in that Retail Priority Site to build residential;**

The intent of this regulation was to not hinder the development of important retail square footage within a priority development site. In this instance the minimum retail square footage is being provided as required, but additional excess dwelling units from one site (2630 Broadway) are being utilized across the street at the project site (2400 Valdez Street).

- e) **The site receiving the transferred residential units must include retail area on the ground floor pursuant to the requirements of the D-BV-1 Broadway Retail Priority Sites Zone; and**

Nearly 23,000 square feet of retail will be provided in the proposed development as required within the D-BV-1 Zoning regulations.

- f) **Retail floor area that existed prior to the effective date of this Chapter (July 31, 2014) cannot count towards the retail square footage needed for transfer of development rights for residential bonus units to other Retail Priority Sites.**

The retail area being proposed for density transfer from 2630 Broadway was not in existence on July 31, 2014.

16.08.030 - TENTATIVE MAP FINDINGS (Pursuant also to California Government Code §66474 (Chapter 4, Subdivision Map Act))

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

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

The proposal is consistent with the Central Business District General Plan designation and with the Broadway Valdez District Specific Plan by creating a mixed use development with viable street fronting retail for Valdez Street. See additional General Plan Conformity findings above.

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

The proposal is consistent with the Central Business District General Plan designation and with the Broadway Valdez District Specific Plan by creating a mixed use development with viable street fronting retail along Valdez Street. See additional General Plan Conformity findings above.

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

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

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

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

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

This site has been previously developed and does not contain any wildlife habitat or waterways.

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

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

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

There are no easements on this property at present to allow the public access to anything.

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

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

SECTION 16.24.040 – LOT DESIGN STANDARDS

As a one lot subdivision for condominium purposes these standards are not applicable.

CEQA COMPLIANCE FINDINGS

I. Introduction These findings are made pursuant to the California Environmental Quality Act (Public Resources Code section 21000 et seq.; “CEQA”) and the CEQA Guidelines (Cal. Code Regs. title 14, section 15000 et seq.; “CEQA Guidelines”) by the City Planning Commission in connection with the environmental analysis of the effects of implementation of the 27th &

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Broadway project, as more fully described elsewhere in this Staff Report and City Of Oakland (“City”)-prepared CEQA Analysis document entitled “2400 Valdez Project CEQA Analysis” dated March 28, 2016 (“CEQA Analysis”) (the “Project”). The City is the lead agency for purposes of compliance with the requirements of CEQA. These CEQA findings are attached and incorporated by reference into each and every decision associated with approval of the Project and are based on substantial evidence in the entire administrative record.

II. Adoption of BVDSP and Certification of BVDSP EIR: The City finds and determines that (a) the Oakland City Council on June 17, 2014 adopted Resolution No. 85065 C.M.S. which adopted the Broadway Valdez District Specific Plan (“BVDSP”), made appropriate CEQA findings, including certification of the BVDSP Environmental Impact Report (“EIR”); and (b) the BVDSP satisfies the description of “Community Plan” set out in Public Resources Code section 21083.3(e) and in CEQA Guidelines section 15183 as well the description of “Planning Level Document” set out in Public Resources Code section 21094.5 and in CEQA Guidelines section 15183.3. The City Council, in adopting the BVDSP following a public hearing, approved as a part thereof Standard Conditions of Approval (“SCAs”) which constitute uniformly applied development policies or standards (together with other City development regulations) and determined that the uniformly applicable development policies or standards, together with the mitigation measures set out in the BVDSP EIR, would substantially mitigate the impacts of the BVDSP and future projects thereunder.

III. CEQA Analysis Document: The CEQA Analysis and all of its findings, determinations and information is hereby incorporated by reference as if fully set forth herein. The CEQA Analysis concluded that the Project satisfies each of the following CEQA provisions, qualifying the Project for two separate CEQA statutory exemptions and that the CEQA Analysis constitutes an addendum to the BVDSP EIR, as summarized below and provides substantial evidence to support the following findings.

The City hereby finds that, as set forth below and in the checklist attached as part of the CEQA Analysis, the Project is exempt from any additional CEQA Analysis under the “Community Plan Exemption” of Public Resources Code section 21083.3 (CEQA Guidelines §15183) and/or the “Qualified Infill Exemption” under Public Resources section 21094.5 (CEQA Guidelines §15183.3) and that the CEQA Analysis also constitutes an Addendum to the BVDSP EIR pursuant to Public Resources Code section 21166 (CEQA Guidelines §15162) and that such Addendum determines that none of the three events requiring subsequent or supplemental environmental analysis as stipulated in Public Resources Code section 21166 have occurred, thus no additional environmental analysis beyond the BVDSP EIR and the CEQA Analysis is necessary. The specific statutory exemptions and the status of the CEQA Analysis as an Addendum are discussed below in more detail.

A. Community Plan Exemption; Public Resources Code Section 21083.3 (CEQA Guidelines §15183): The City finds and determines that, for the reasons set out below and in the CEQA Analysis, the Community Plan Exemption applies to the Project. Therefore, no further environmental analysis is required because all of the Project’s effects on the environment were adequately analyzed and mitigation measures provided in the BVDSP EIR; there are no significant effects on the environment which are peculiar to the Project or to the parcel upon

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which it is located not addressed and mitigated in the BVDSP EIR; and there is no new information showing that any of the effects shall be more significant than described in the BVDSP EIR.

As set out in detail in Attachment B to the CEQA Analysis, the City finds that, pursuant to CEQA Guidelines section 15183 and Public Resources Code section 21083.3, the Project is consistent with the development density established by the BVDSP and analyzed in the BVDSP EIR and that there are no environmental effects of the Project peculiar to the Project or the Project Site which were not analyzed as significant effects in the BVDSP EIR: nor are there potentially significant off-site impacts and cumulative impacts not discussed in the BVDSP EIR; nor are any of the previously identified significant effects which, as a result of substantial information not known at the time of certification of the BVDSP EIR, are now determined to present a more severe adverse impact than discussed in the BVDSP EIR. As such, no further analysis of the environmental effects of the Project is required.

B. Qualified Infill Exemption; Public Resources Code Section 21094.5 (CEQA Guidelines §15183.3): The City finds and determines that, for the reasons set forth below and in the CEQA Analysis, a Qualified Infill Exemption applies to the Project and no further environmental analysis is required since all the Project's effects on the environment were adequately analyzed and mitigation measures provided in the BVDSP EIR; the Project will cause no new specific effects not addressed in the BVDSP EIR that are specific to the Project or the Project Site; and there is no substantial new information showing that the adverse environmental effects of the Project are more significant than described in the BVDSP EIR.

The City finds that, pursuant to CEQA Guidelines section 15183.3, the CEQA Analysis contains in Attachment C a written analysis consistent with Appendix M to the CEQA Guidelines examining whether the Project will cause any effects that require additional review under CEQA. The contents of Attachment C documents that the Project is located in an urban area satisfying the requirements of CEQA Guidelines section 15183.3 and satisfies the applicable performance standards set forth in Appendix M to the CEQA Guidelines. It also explains how the effects of the Project were analyzed in the BVDSP EIR; and indicates that the Project incorporates all applicable mitigation measures and SCAs from the BVDSP EIR. Attachment C also determines that the Project will cause no new specific effects not analyzed in the BVDSP EIR; determines that there is no substantial new information showing that the adverse environmental effects of the Project are more significant than described in the BVDSP EIR, determines that the Project will not cause new specific effects or more significant effects, and documents how uniformly applicable development policies or standards (including, without limitation, the SCAs) will mitigate environmental effects of the Project. Based upon the CEQA Analysis and other substantial evidence in the record, the City finds and determines that no further environmental analysis of the effects of the Project is required.

C. CEQA Analysis Constitutes an Addendum; Public Resources Code Section 21166 (CEQA Guidelines §15164): The City finds and determines that the CEQA Analysis constitutes an Addendum to the BVDSP EIR and that no additional environmental analysis of the Project beyond that contained in the BVDSP EIR is necessary. The City further finds that no substantial changes are proposed in the Project that would require major revisions to the BVDSP EIR

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because of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; no substantial changes occur with respect to the circumstances under which the Project will be undertaken which will require major revisions of the BVDSP EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and there is no new information of substantial importance not known and which could not have been known with the exercise of reasonable diligence as of the time of certification of the BVDSP EIR showing that the Project will have one or more significant effects not discussed in the BVDSP EIR; significant effects previously examined will be substantially more severe than shown in the BVDSP EIR, mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project; or mitigation measures or alternatives which are considerably different from those analyzed in the BVDSP EIR would substantially reduce one or more significant effects on the environment.

Based on these findings and determinations, the City further finds that no Subsequent or Supplemental EIR or additional environmental analysis shall be required because of the Project. The City has considered the CEQA Analysis along with the BVDSP EIR prior to making its decision on the Project and a discussion is set out in the CEQA Analysis explaining the City's decision not to prepare a Subsequent or Supplemental EIR pursuant to Guidelines sections 15162 and/or 15163.

IV. Severability: The City finds that all three CEQA provisions discussed and determined to be applicable in Section III above are separately and independently applicable to the consideration of the Project and should any of the three be determined not to be so applicable, such determinations shall have no effect on the validity of these findings and the approval of the Project on any of the other grounds.

V. Incorporation by Reference of Statement of Overriding Considerations: The BVDSP EIR identified seven areas of environmental effects of the BVDSP that presented significant and unavoidable impacts. Because the Project may contribute to some significant and unavoidable impacts identified in the BVDSP EIR, but a Subsequent and/or Supplemental EIR is not required in accordance with CEQA Guidelines sections 15162, 15163, 15164, 15183 and 15183.3, a Statement of Overriding Considerations is not legally required. Nevertheless, in the interest of being conservative, the Statement of Overriding Consideration for the BVDSP EIR, approved as Section XII of the CEQA Findings adopted by the City Council on June 17, 2104, via Resolution No. 86065 C.M.S., is hereby incorporated by reference as if fully set forth herein.

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CONDITIONS OF APPROVAL

ATTACHMENT B

CONDITIONS OF APPROVAL

STANDARD ADMINISTRATIVE CONDITIONS:

1. Approved Use

The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, **staff report** and the approved plans **dated March 28, 2016**, as amended by the following conditions of approval and mitigation measures, if applicable (“Conditions of Approval” or “Conditions”).

2. Effective Date, Expiration, Extensions and Extinguishment

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

3. Compliance with Other Requirements

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

4. Minor and Major Changes

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

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with the procedures required for the original permit/approval. A new independent permit/approval shall be reviewed in accordance with the procedures required for the new permit/approval.

5. Compliance with Conditions of Approval

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

6. Signed Copy of the Approval/Conditions

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

7. Blight/Nuisances

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

8. Indemnification

- a. To the maximum extent permitted by law, the project applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Redevelopment Successor Agency, the Oakland City Planning Commission, and their respective agents, officers, employees, and volunteers (hereafter collectively called "City") from any liability, damages, claim,

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judgment, loss (direct or indirect), action, causes of action, or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul this Approval or implementation of this Approval. The City may elect, in its sole discretion, to participate in the defense of said Action and the project applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.

- b. Within ten (10) calendar days of the serving of any Action as specified in subsection (a) above on the City, the project applicant shall execute a Joint Defense Letter of Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Joint Defense Letter of Agreement shall survive termination, extinguishment, or invalidation of the Approval. Failure to timely execute the Letter of Agreement does not relieve the project applicant of any of the obligations contained in this Condition or other requirements or Conditions of Approval that may be imposed by the City.

9. Severability

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

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

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

11. Public Improvements

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

12. Compliance Matrix

The project applicant shall submit a Compliance Matrix, in both written and electronic form, for review and approval by the Bureau of Planning and the Bureau of Building that lists each Condition of Approval (including each mitigation measure if applicable) in a

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sortable spreadsheet. The Compliance Matrix shall contain, at a minimum, each required Condition of Approval, when compliance with the Condition is required, and the status of compliance with each Condition. For multi-phased projects, the Compliance Matrix shall indicate which Condition applies to each phase. The project applicant shall submit the initial Compliance Matrix prior to the issuance of the first construction-related permit and shall submit an updated matrix upon request by the City.

13. Construction Management Plan

Prior to the issuance of the first construction-related permit, the project applicant and his/her general contractor shall submit a Construction Management Plan (CMP) for review and approval by the Bureau of Planning, Bureau of Building, and other relevant City departments such as the Fire Department and the Public Works Department as directed. The CMP shall contain measures to minimize potential construction impacts including measures to comply with all construction-related Conditions of Approval (and mitigation measures if applicable) such as dust control, construction emissions, hazardous materials, construction days/hours, construction traffic control, waste reduction and recycling, stormwater pollution prevention, noise control, complaint management, and cultural resource management (see applicable Conditions below). The CMP shall provide project-specific information including descriptive procedures, approval documentation, and drawings (such as a site logistics plan, fire safety plan, construction phasing plan, proposed truck routes, traffic control plan, complaint management plan, construction worker parking plan, and litter/debris clean-up plan) that specify how potential construction impacts will be minimized and how each construction-related requirement will be satisfied throughout construction of the project.

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

- a. All mitigation measures identified in the 27th & Broadway CEQA Analysis Document are included in the Standard Condition of Approval / Mitigation Monitoring and Reporting Program (SCAMMRP) which is included in these Conditions of Approval and are incorporated herein by reference, as Attachment C, as Conditions of Approval of the project. The Standard Conditions of Approval identified in the 27th & Broadway CEQA Analysis Document are also included in the SCAMMRP, and are, therefore, incorporated into these Conditions by reference but are not repeated in these Conditions. To the extent that there is any inconsistency between the SCAMMRP and these Conditions, the more restrictive Conditions shall govern. In the event a Standard Condition of Approval or mitigation measure recommended in the 27th & Broadway CEQA Analysis Document has been inadvertently omitted from the SCAMMRP, that Standard Condition of Approval or mitigation measure is adopted and incorporated from the 27th & Broadway CEQA Analysis Document into the SCAMMRP by reference, and adopted as a Condition of Approval. The project applicant and property owner shall be responsible for compliance with the requirements of any submitted and approved technical reports, all applicable mitigation measures adopted, and with all Conditions of Approval set forth herein at his/her sole cost and expense, unless otherwise expressly provided in a specific mitigation measure or Condition of Approval, and subject to the review and approval by the City of Oakland. The

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SCAMMRP identifies the timeframe and responsible party for implementation and monitoring for each Standard Condition of Approval and mitigation measure. Monitoring of compliance with the Standard Conditions of Approval and mitigation measures will be the responsibility of the Bureau of Planning and the Bureau of Building, with overall authority concerning compliance residing with the Environmental Review Officer. Adoption of the SCAMMRP will constitute fulfillment of the CEQA monitoring and/or reporting requirement set forth in section 21081.6 of CEQA.

- b. Prior to the issuance of the first construction-related permit, the project applicant shall pay the applicable mitigation and monitoring fee to the City in accordance with the City's Master Fee Schedule.

PROJECT SPECIFIC CONDITIONS:

15. Public Improvements Consistent with the BVDSP

Requirement: Plans shall be submitted for review and approval that include public right of way improvements that are consistent with the Broadway Valdez District Specific Plan. This shall apply to all four project frontages.

When Required: Prior to issuance of Building Permit

Initial Approval: Bureau of Planning; Public Works

Monitoring/Inspection: Bureau of Building

16. Public Plaza Design Review

Requirement: Plans shall be submitted to install a public plaza at the intersection of 27th & Valdez Streets as called for in the BVDSP, and if approved shall be constructed with the project public improvements. The details of the proposed public plaza at the intersection of 27th & Valdez Streets shall be presented to the Planning Commission's Design Review Committee.

When Required: Submittal of plaza design prior to approval of a p-job permit

Initial Approval: Bureau of Planning; Public Works

Monitoring/Inspection: Bureau of Building

17. Master Sign Program required

Requirement: The applicant shall prepare a Master Sign Program for the proposed project if the proposed signage shall exceed 200 square feet, which shall include all commercial signage and residential signage.

When Required: Prior to issuance of a Sign Permit

Initial Approval: Bureau of Planning

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18. Exterior Finishes

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

When Required: Prior to issuance of a Building Permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Planning

19. Public Art for Private Development Condition of Approval

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

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

Initial Approval: Bureau of Planning

20. Management of Loading Berths

Requirement: The applicant shall submit a loading berth management plan for City review and approval, including requiring residents to reserve the residential loading berth prior to moving in or out of the building.

When Required: Prior to issuance of a building permit

Initial Approval: Bureau of Planning

21. Covenants, Conditions and Restrictions & Homeowner's Association

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

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

22. Miscellaneous Transportation Improvement Measures

Requirement #1: Ensure that the project has adequate sight distance between motorists who are exiting the driveway and pedestrians on adjacent sidewalks. This may require redesigning and/or widening the driveway. If adequate sight distance cannot be provided, provide audio/visual warning devices at the driveway.

Requirement #2: Provide short-term bicycle parking spaces consistent with the City of Oakland Bicycle Parking Ordinance, and ensure that sidewalks continue to provide adequate width for pedestrians when bicycle racks are installed. If feasible, consider relocating long-term bicycle parking for building residents from levels B2 to a more convenient location, such as a ground level location so that they are directly accessible from the adjacent streets. If necessary, the long-term residential and commercial bike parking could be consolidated.

Requirement #3: Consistent with the BVDSPP, consider implementing the following strategies as part of the TDM program for the proposed project:

- Designate dedicated on-site parking spaces for car-sharing.
- Provide long-term and short-term bicycle parking beyond the minimum required by the City of Oakland Planning Code.
- Designate a TDM coordinator for the project.
- Provide all new residents and retail employees with information on the various transportation options that are available.
- Explore option of AC Transit EasyPass for residents and/or funding towards the Free B Broadway Shuttle.

When Required: Prior to Certificate of Occupancy

23. Transfer of Development Rights

Requirement: Given that the applicant may potentially use transfer of development rights from the project at 2630 Broadway, that project shall either obtain at least a Temporary Certificate of Occupancy for the building or the Ground Floor Retail fronting on Broadway shall have been issued a tenant improvement permit and be under construction. Alternatively if the transfer of units is not included from 2630 Broadway, then the proposed development shall include additional retail square footage for a total of at least 28,125 square feet to accommodate the proposed 225 dwelling units.

When Required: Prior to Certificate of Occupancy

CONDITIONS OF APPROVAL

ATTACHMENT C STANDARD CONDITIONS OF APPROVAL AND MITIGATION MONITORING AND REPORTING PROGRAM

This Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCAMMRP) is based on the CEQA Analysis prepared for the Hanover Waverly mixed-use residential development.

This SCAMMRP is in compliance with Section 15097 of the CEQA Guidelines, which requires that the Lead Agency "adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects." The SCAMMRP lists mitigation measures ("MM") recommended in the EIR and identifies mitigation monitoring requirements, as well as the City's Standard Conditions of Approval ("SCA") identified in the EIR as measures that would minimize potential adverse effects that could result from implementation of the project, to ensure the conditions are implemented and monitored.

All MMs and SCAs identified in the CEQA Analysis, which is consistent with the measures and conditions presented in the BVDSP EIR, are included herein. To the extent that there is any inconsistency between the SCA and MM, the more restrictive conditions shall govern; to the extent any MM and/or SCA identified in the CEQA Analysis were inadvertently omitted, they are automatically incorporated herein by reference.

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

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

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
Aesthetics, Shadow and Wind			
<p>SCA-AES-1 (Standard Condition of Approval 16): Graffiti Control.</p> <p>a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation:</p> <ul style="list-style-type: none"> i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces. ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces. iii. Use of paint with anti-graffiti coating. iv. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED). v. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement. <p>b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include:</p> <ul style="list-style-type: none"> i. Removal through scrubbing, washing, sanding, and/or scraping (or similar method) without damaging the surface and without discharging wash water or cleaning detergents into the City storm drain system. ii. Covering with new paint to match the color of the surrounding surface. iii. Replacing with new surfacing (with City permits if required). 	Ongoing	N/A	Bureau of Building
<p>SCA-AES-2 (Standard Condition of Approval 17): Landscape Plan.</p> <p>a. <i>Landscape Plan Required</i></p> <p>The project applicant shall submit a final Landscape Plan for City review and approval that is consistent with the approved Landscape Plan. The Landscape Plan shall be included with the set of drawings submitted for the construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code.</p> <p>b. <i>Landscape Installation</i></p> <p>The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of City Planning, is provided. The financial instrument shall equal the greater of \$2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid.</p>	Prior to approval of construction-related permit Prior to building permit final Ongoing	Bureau of Planning Bureau of Planning N/A	N/A Bureau of Building Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
<p>c. <i>Landscape Maintenance</i></p> <p>All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.</p>			
<p>SCA-AES-3 (Standard Condition of Approval 18): <i>Lighting.</i></p> <p>Proposed new exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector to prevent unnecessary glare onto adjacent properties.</p>	Prior to building permit final	N/A	Bureau of Building
Air Quality			
<p>SCA-AIR-1 (Standard Condition of Approval 19): <i>Construction-Related Air Pollution Controls (Dust and Equipment Emissions).</i> The project applicant shall implement all of the following applicable air pollution control measures during construction of the project:</p> <p>a. Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible.</p> <p>b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).</p> <p>c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</p> <p>d. Pave all roadways, driveways, sidewalks, etc. within one month of site grading or as soon as feasible. In addition, building pads should be laid within one month of grading or as soon as feasible unless seeding or soil binders are used.</p> <p>e. Enclose, cover, water twice daily, or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).</p> <p>f. Limit vehicle speeds on unpaved roads to 15 miles per hour.</p> <p>g. Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points.</p>	During construction	N/A	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
<p>h. Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations").</p> <p>i. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</p> <p>j. Portable equipment shall be powered by electricity if available. If electricity is not available, propane or natural gas shall be used if feasible. Diesel engines shall only be used if electricity is not available and it is not feasible to use propane or natural gas.</p> <p>k. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.</p> <p>l. All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.</p> <p>m. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.</p> <p>n. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).</p> <p>o. Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.</p> <p>p. Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize wind blown dust. Wind breaks must have a maximum 50 percent air porosity.</p> <p>q. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.</p> <p>r. Activities such as excavation, grading, and other ground-disturbing construction activities shall be phased to minimize the amount of disturbed surface area at any one time.</p> <p>s. All trucks and equipment, including tires, shall be washed off prior to leaving the site.</p>			

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
<p>t. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.</p> <p>u. All equipment to be used on the construction site and subject to the requirements of Title 13, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations") must meet emissions and performance requirements one year in advance of any fleet deadlines. Upon request by the City, the project applicant shall provide written documentation that fleet requirements have been met.</p> <p>v. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings).</p> <p>w. All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM.</p> <p>x. Off-road heavy diesel engines shall meet the California Air Resources Board's most recent certification standard.</p> <p>y. Post a publicly-visible large on-site sign that includes the contact name and phone number for the project complaint manager responsible for responding to dust complaints and the telephone numbers of the City's Code Enforcement unit and the Bay Area Air Quality Management District. When contacted, the project complaint manager shall respond and take corrective action within 48 hours.</p>			
<p>SCA-AIR-2 (Standard Condition of Approval 11): Stationary Sources of Air Pollution (Toxic Air Contaminants).</p> <p>The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to on-site stationary sources of toxic air contaminants. The project applicant shall choose one of the following methods:</p> <p>a. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk associated with proposed stationary sources of pollution in the project. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the</p>	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City.</p> <p style="text-align: center;">- or -</p> <p>b. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:</p> <ul style="list-style-type: none"> i. Installation of non-diesel fueled generators, if feasible, or; ii. Installation of diesel generators with an EPA-certified Tier 4 engine or engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy, if feasible. 			
<p>SCA-TRANS-4 (Standard Condition of Approval 71): <i>Transportation and Parking Demand Management (TDM) Plan Required. Refer to SCA-TRANS-4 under Transportation.</i></p>	See below.	See below.	See below.
Biological Resources			
<p>SCA-BIO-1 (Standard Condition of Approval 26): <i>Tree Removal During Bird Breeding Season.</i> To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of birds shall not occur during the bird breeding season of February 1 to August 15 (or during December 15 to August 15 for trees located in or near marsh, wetland, or aquatic habitats). If tree removal must occur during the bird breeding season, all trees to be removed shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to the start of work and shall be submitted to the City for review and approval. If the survey indicates the potential presence of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the California Department of Fish and Wildlife, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.</p>	Prior to removal of trees	Bureau of Building.	Bureau of Building.

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
Cultural Resources			
<p>SCA-CUL-1 (Standard Condition of Approval 29): Archaeological and Paleontological Resources – Discovery During Construction. Pursuant to CEQA Guidelines section 15064.5(f), in the event that any historic or prehistoric subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are implemented.</p> <p>In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practicable. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant. The project applicant shall implement the ARDTP at his/her expense.</p> <p>In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant</p>	During construction	N/A	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.			
SCA-CUL-2 (Standard Condition of Approval 31): Human Remains – Discovery During Construction. Pursuant to CEQA Guidelines section 15064.5(e)(1), in the event that human skeletal remains are uncovered at the project site during construction activities, all work shall immediately halt and the project applicant shall notify the City and the Alameda County Coroner. If the County Coroner determines that an investigation of the cause of death is required or that the remains are Native American, all work shall cease within 50 feet of the remains until appropriate arrangements are made. In the event that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance, and avoidance measures (if applicable) shall be completed expeditiously and at the expense of the project applicant.	During construction	N/A	Bureau of Building
Geology, Soils and Geohazards			
SCA-GEO-1 (Standard Condition of Approval 33): Construction-Related Permit(s). The project applicant shall obtain all required construction-related permits/approvals from the City. The project shall comply with all standards, requirements and conditions contained in construction-related codes, including but not limited to the Oakland Building Code and the Oakland Grading Regulations, to ensure structural integrity and safe construction.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
SCA-GEO-2 (Standard Condition of Approval 34): Soils Report. The project applicant shall submit a soils report prepared by a registered geotechnical engineer for City review and approval. The soils report shall contain, at a minimum, field test results and observations regarding the nature, distribution and strength of existing soils, and recommendations for appropriate grading practices and project design. The project applicant shall implement the recommendations contained in the approved report during project design and construction.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
Hazards and Hazardous Materials			
SCA-HAZ-1 (Standard Condition of Approval 39): Hazardous Materials Related to Construction. The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative	During construction	N/A	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
<p>effects on groundwater, soils, and human health. These shall include, at a minimum, the following:</p> <ul style="list-style-type: none"> a. Follow manufacture's recommendations for use, storage, and disposal of chemical products used in construction; b. Avoid overtopping construction equipment fuel gas tanks; c. During routine maintenance of construction equipment, properly contain and remove grease and oils; d. Properly dispose of discarded containers of fuels and other chemicals; e. Implement lead-safe work practices and comply with all local, regional, state, and federal requirements concerning lead (for more information refer to the Alameda County Lead Poisoning Prevention Program); and f. If soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notifying the City and applicable regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate. 			
<p>SCA-HAZ-2 (Standard Condition of Approval 40): Site Contamination.</p> <ul style="list-style-type: none"> a. <i>Environmental Site Assessment Required</i> The project applicant shall submit a Phase I Environmental Site Assessment report, and Phase II Environmental Site Assessment report if warranted by the Phase I report, for the project site for review and approval by the City. The report(s) shall be prepared by a qualified environmental assessment professional and include recommendations for remedial action, as appropriate, for hazardous materials. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency. b. <i>Health and Safety Plan Required</i> 	<p>Prior to approval of construction-related permit</p> <p>Prior to approval of construction-related permit</p> <p>During construction</p>	<p>Oakland Fire Department</p> <p>Bureau of Building</p> <p>N/A</p>	<p>Oakland Fire Department</p> <p>Bureau of Building</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>The project applicant shall submit a Health and Safety Plan for review and approval by the City to protect project construction workers from risks associated with hazardous materials. The project applicant shall implement the approved Plan.</p> <p>c. <i>Best Management Practices Required for Contaminated Sites</i></p> <p>The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential soil and groundwater hazards. These shall include the following:</p> <ul style="list-style-type: none"> i. Soil generated by construction activities shall be stockpiled on-site in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state, and federal requirements. ii. Groundwater pumped from the subsurface shall be contained on-site in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building. 			
<p>SCA-HAZ-3 (Standard Condition of Approval 41): <i>Hazardous Materials Business Plan</i>. The project applicant shall submit a Hazardous Materials Business Plan for review and approval by the City, and shall implement the approved Plan. The approved Plan shall be kept on file with the City and the project applicant shall update the Plan as applicable. The purpose of the Hazardous Materials Business Plan is to ensure that employees are adequately trained to handle hazardous materials and provides information to the Fire Department should emergency response be required. Hazardous materials shall be handled in accordance with all applicable local, state, and federal requirements. The Hazardous Materials Business Plan shall include the following:</p> <ul style="list-style-type: none"> a. The types of hazardous materials or chemicals stored and/or used on-site, such as petroleum fuel products, lubricants, solvents, and cleaning fluids. b. The location of such hazardous materials. c. An emergency response plan including employee training information. d. A plan that describes the manner in which these materials are handled, transported, and disposed. 	Prior to building permit final	Oakland Fire Department	Oakland Fire Department

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
Hydrology and Water Quality			
<p>SCA-HYD-1 (Standard Condition of Approval 45): Erosion and Sedimentation Control Plan for Construction.</p> <p><i>a. Erosion and Sedimentation Control Plan Required</i></p> <p>The project applicant shall submit an Erosion and Sedimentation Control Plan to the City for review and approval. The Erosion and Sedimentation Control Plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading and/or construction operations. The Plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the City. The Plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.</p> <p><i>b. Erosion and Sedimentation Control During Construction</i></p> <p>The project applicant shall implement the approved Erosion and Sedimentation Control Plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Bureau of Building.</p>	<p>Prior to approval of construction-related permit</p> <p>During construction</p>	<p>Bureau of Building</p> <p>N/A</p>	<p>N/A</p> <p>Bureau of Building</p>
<p>SCA-HYD-2 (Standard Condition of Approval 46): State Construction General Permit. The project applicant shall comply with the requirements of the Construction General Permit issued by the State Water Resources Control Board (SWRCB). The project applicant shall submit a Notice of Intent (NOI), Stormwater Pollution Prevention Plan (SWPPP), and other required Permit Registration Documents to SWRCB. The project applicant shall submit evidence of compliance with Permit requirements to the City.</p>	<p>Prior to approval of construction-related permit</p>	<p>State Water Resources Control Board;</p> <p>evidence of compliance submitted to Bureau of Building</p>	<p>State Water Resources Control Board</p>
<p>SCA-HYD-3 (Standard Condition of Approval 50): NPDES C.3 Stormwater Requirements for Regulated Projects.</p> <p><i>a. Post-Construction Stormwater Management Plan Required</i></p> <p>The project applicant shall comply with the requirements of Provision C.3 of the Municipal Regional Stormwater Permit</p>	<p>Prior to approval of construction-related permit</p> <p>Prior to building permit final</p>	<p>Bureau of Planning;</p> <p>Bureau of Building</p>	<p>Bureau of Building</p> <p>Bureau of Building</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>issued under the National Pollutant Discharge Elimination System (NPDES). The project applicant shall submit a Post-Construction Stormwater Management Plan to the City for review and approval with the project drawings submitted for site improvements, and shall implement the approved Plan during construction. The Post-Construction Stormwater Management Plan shall include and identify the following:</p> <ul style="list-style-type: none"> i. Location and size of new and replaced impervious surface; ii. Directional surface flow of stormwater runoff; iii. Location of proposed on-site storm drain lines; iv. Site design measures to reduce the amount of impervious surface area; v. Source control measures to limit stormwater pollution; vi. Stormwater treatment measures to remove pollutants from stormwater runoff, including the method used to hydraulically size the treatment measures; and vii. Hydromodification management measures, if required by Provision C.3, so that post-project stormwater runoff flow and duration match pre-project runoff. <p>b. <i>Maintenance Agreement Required</i></p> <p>The project applicant shall enter into a maintenance agreement with the City, based on the Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement, in accordance with Provision C.3, which provides, in part, for the following:</p> <ul style="list-style-type: none"> i. The project applicant accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity; and ii. Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary. <p>The maintenance agreement shall be recorded at the County Recorder's Office at the applicant's expense.</p>		Bureau of Building	

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
Noise			
<p>SCA-NOI-1 (Standard Condition of Approval 58): Construction Days/Hours. The project applicant shall comply with the following restrictions concerning construction days and hours:</p> <ul style="list-style-type: none"> a. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m. b. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday. c. No construction is allowed on Sunday or federal holidays. Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area. <p>Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents'/occupants' preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.</p>	During construction	N/A	Bureau of Building
<p>SCA-NOI-2 (Standard Condition of Approval 59): Construction Noise. The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following:</p> <ul style="list-style-type: none"> a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible. 	During construction	N/A	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
<p>b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.</p> <p>c. Applicant shall use temporary power poles instead of generators where feasible.</p> <p>d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction.</p> <p>e. The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.</p>			
<p>SCA-NOI-3 (Standard Condition of Approval 60): Extreme Construction Noise.</p> <p>a. <i>Construction Noise Management Plan Required</i> Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90dBA), the project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following:</p> <p>i. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;</p> <p>ii. Implement "quiet" pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;</p>	<p>Prior to approval of construction-related permit</p> <p>During construction</p>	<p>Bureau of Building</p> <p>Bureau of Building</p>	<p>Bureau of Building</p> <p>Bureau of Building</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;</p> <p>iv. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and</p> <p>v. Monitor the effectiveness of noise attenuation measures by taking noise measurements.</p> <p>b. <i>Public Notification Required</i> The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.</p>			
<p>SCA-NOI-4 (Standard Condition of Approval 62): <i>Construction Noise Complaints</i>. The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include:</p> <p>a. Designation of an on-site construction complaint and enforcement manager for the project;</p> <p>b. A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the project complaint manager and City Code Enforcement unit;</p> <p>c. Protocols for receiving, responding to, and tracking received complaints; and</p> <p>d. Maintenance of a complaint log that records received complaints and how complaints were addressed, which shall be submitted to the City for review upon the City's request.</p>	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
<p>SCA-NOI-5 (Standard Condition of Approval 64): <i>Operational Noise</i>. Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.</p>	Ongoing	N/A	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
Transportation and Circulation			
<p>Mitigation Measure TRANS-2: Implement the following measures at the Perry Place / I 580 Eastbound Ramps/Oakland Avenue intersection:</p> <ul style="list-style-type: none"> Optimize signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection) for the PM peak hour Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group. This intersection is under the jurisdiction of Caltrans so any equipment or facility upgrades must be approved by Caltrans prior to installation. <p>To implement this measure, the project sponsor shall submit the following to City of Oakland's Transportation Services Division and Caltrans for review and approval:</p> <ul style="list-style-type: none"> Plans, Specifications, and Estimates (PS&E) to modify intersection. All elements shall be designed to City and Caltrans standards in effect at the time of construction and all new or upgraded signals should include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection should be brought up to both City standards and Americans with Disabilities Act (ADA) standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for the elements listed below: <ul style="list-style-type: none"> 2070L Type Controller with cabinet assembly GPS communications (clock) Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile) Countdown pedestrian head module switch out City standard ADA wheelchair ramps Video detection on existing (or new, if required) Mast arm poles, full actuation (where applicable) Polar push buttons (full actuation) Bicycle detection (full actuation) Pull boxes Signal interconnect and communication with trenching (where applicable), or through (E) conduit (where applicable) - 600 feet maximum Conduit replacement contingency Fiber Switch PTZ Camera (where applicable) Transit Signal Priority (TSP) equipment consistent with other signals along corridor Signal timing plans for the signals in the coordination group. 	<p>Investigation of the need for this mitigation shall be studied and submitted for review and approval to the City of Oakland, at the time when about 15 percent of the Development Program is operational and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first.</p> <p>The City of Oakland will notify the Project Sponsor when this threshold is reached.</p> <p>If investigations at the required intervals show this mitigation is still required, the Project Sponsor will submit Plans, Specifications, and Estimates (PS&E) for review and approval by the City for implementation of this mitigation.</p>		<p>City of Oakland Planning and Building Department</p> <p>City of Oakland - Building Services Division, Zoning Inspection</p> <p>City of Oakland Transportation Services Division</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<p>The project sponsor shall fund the cost of preparing and implementing these plans. However, if the City adopts a transportation impact fee program prior to implementation of this mitigation measure, the project sponsor shall have the option to pay the applicable fee in lieu of implementing this mitigation measure and payment of the fee shall be considered the equivalent of implementing the mitigation measure, which would still result in significant unavoidable impacts.</p> <p>A straight line interpolation of intersection traffic volume between Existing and Existing Plus Project conditions indicates that mitigation at this intersection may be required when about 15 percent of the Development Program is developed. Investigation of the need for this mitigation shall be studied at the time when this threshold is reached and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first.</p>			
<p>Mitigation Measure TRANS-10: Implement the following measures at the 27th Street/24th Street/Bay Place/Harrison Street intersection:</p> <ul style="list-style-type: none"> • Reconfigure the 24th Street approach at the intersection to restrict access to 24th Street to right turns only from 27th Street and create a pedestrian plaza at the intersection approach. • Convert 24th Street between Valdez and Harrison Streets to two-way circulation and allow right turns from 24th Street to southbound Harrison Street south of the intersection, which would require acquisition of private property in the southwest corner of the intersection. • Modify eastbound 27th Street approach from the current configuration (one right-turn lane, two through lanes, and one left-turn lane) to provide one right-turn lane, one through lane, and two left-turn lanes. • Realign pedestrian crosswalks to shorten pedestrian crossing distances. • Reduce signal cycle length from 160 to 120 seconds, and optimize signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection). • Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group. <p>To implement this measure, the project sponsor shall submit the following to City of Oakland's Transportation Services Division for review and approval:</p> <ul style="list-style-type: none"> • PS&E to modify intersection as detailed in Mitigation Measure TRANS-2. • Signal timing plans for the signals in the coordination group. 	<p>Investigation of the need for this mitigation shall be studied and submitted for review and approval to the City of Oakland, in 2016 (one year prior to the horizon date) and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first.</p> <p>If investigations in 2016, or subsequent years, as stipulated above, show this mitigation is still required, submit Plans, Specifications, and Estimates (PS&E) for</p>		<p>City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection City of Oakland Transportation Services Division</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
<p>The project sponsor shall fund the cost of preparing and implementing these plans. However, if the City adopts a transportation impact fee program prior to implementation of this mitigation measure, the project sponsor shall have the option to pay the applicable fee in lieu of implementing this mitigation measure and payment of the fee shall be considered the equivalent of implementing the mitigation measure, which would still result in significant unavoidable impacts.</p> <p>A straight line interpolation of intersection traffic volume between Existing and 2020 Plus Project conditions indicates that mitigation at this intersection may be required by 2017. Investigation of the need for this mitigation shall be studied at that time and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first.</p>	<p>review and approval by the City for implementation of this mitigation.</p> <p>This requirement may be requested at an earlier date than listed if the improvements are needed as reasonably determined by the City.</p>		
<p>Mitigation Measure TRANS-22: Implement the following measures at the 27th Street / Broadway intersection:</p> <ul style="list-style-type: none"> • Upgrade traffic signal operations at the intersection to actuated-coordinated operations • Reconfigure westbound 27th Street approach to provide a 150-foot left-turn pocket, one through lane, and one shared through/right-turn lane. • Provide protected left-turn phase(s) for the northbound and southbound approaches. • Optimize signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection). • Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group. <p>To implement this measure, the project sponsor shall submit the following to City of Oakland's Transportation Services Division for review and approval:</p> <ul style="list-style-type: none"> • PS&E to modify intersection as detailed in Mitigation Measure TRANS-2. Signal timing plans for the signals in the coordination group. <p>The project sponsor shall fund the cost of preparing and implementing these plans. However, if the City adopts a transportation impact fee program prior to implementation of this mitigation measure, the project sponsor shall have the option to pay the applicable fee in lieu of implementing this mitigation measure and payment of the fee shall be considered the equivalent of implementing the mitigation measure, which would still result in significant unavoidable impacts.</p>	<p>Investigation of the need for this mitigation shall be studied and submitted for review and approval to the City of Oakland, in 2023 (one year prior to the horizon date), and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first.</p> <p>If investigations in 2023, or subsequent years as stipulated above, show this mitigation is still required, submit Plans, Specifications, and Estimates (PS&E) for</p>		<p>City of Oakland Planning and Building Department</p> <p>City of Oakland - Building Services Division, Zoning Inspection</p> <p>City of Oakland Transportation Services Division</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
<p>A straight line interpolation of intersection traffic volume between Existing and 2035 Plus Project conditions indicates that mitigation at this intersection may be required by 2024. Investigation of the need for this mitigation shall be studied at that time and every three years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first.</p>	<p>review and approval by the City for implementation of this mitigation. This requirement may be requested at an earlier date than listed if the improvements are needed as reasonably determined by the City.</p>		
<p>SCA-TRANS-1: (Standard Condition of Approval 68): <i>Construction Activity in the Public Right-of-Way.</i></p> <p>a. <i>Obstruction Permit Required</i> The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets and sidewalks.</p> <p>b. <i>Traffic Control Plan Required</i> In the event of obstructions to vehicle or bicycle travel lanes, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian detours, including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The project applicant shall implement the approved Plan during construction.</p> <p>c. <i>Repair of City Streets</i> The project applicant shall repair any damage to the public right-of way, including streets and sidewalks caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.</p>	<p>Prior to approval of construction-related permit Prior to approval of construction-related permit Prior to building permit final</p>	<p>Bureau of Building Public Works Department, Transportation Services Division N/A</p>	<p>Bureau of Building Bureau of Building Bureau of Building</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
<p>SCA-TRANS-2 (Standard Condition of Approval 69): <i>Bicycle Parking.</i> The project applicant shall comply with the City of Oakland Bicycle Parking Requirements (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall demonstrate compliance with the requirements.</p>	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building
<p>SCA-TRANS-3 (Standard Condition of Approval 70): <i>Transportation Improvements.</i> The project applicant shall implement the recommended on- and off-site transportation-related improvements contained within the Transportation Impact Study for the project (e.g., signal timing adjustments, restriping, signalization, traffic control devices, roadway reconfigurations, and pedestrian and bicyclist amenities). The project applicant is responsible for funding and installing the improvements, and shall obtain all necessary permits and approvals from the City and/or other applicable regulatory agencies such as, but not limited to, Caltrans (for improvements related to Caltrans facilities) and the California Public Utilities Commission (for improvements related to railroad crossings), prior to installing the improvements. To implement this measure for intersection modifications, the project applicant shall submit Plans, Specifications, and Estimates (PS&E) to the City for review and approval. All elements shall be designed to applicable City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements as required by the City. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for, among other items, the elements listed below:</p> <ul style="list-style-type: none"> a. 2070L Type Controller with cabinet accessory b. GPS communication (clock) c. Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile) d. Countdown pedestrian head module switch out e. City Standard ADA wheelchair ramps f. Video detection on existing (or new, if required) g. Mast arm poles, full activation (where applicable) h. Polara Push buttons (full activation) i. Bicycle detection (full activation) j. Pull boxes k. Signal interconnect and communication with trenching (where applicable), or through existing conduit (where applicable), 600 feet maximum 	Prior to building permit final or as otherwise specified	Bureau of Building; Public Works Department, Transportation Services Division	Bureau of Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
l. Conduit replacement contingency m. Fiber switch n. PTZ camera (where applicable) o. Transit Signal Priority (TSP) equipment consistent with other signals along corridor p. Signal timing plans for the signals in the coordination group			
SCA-TRANS-4 (Standard Condition of Approval 71): Transportation and Parking Demand Management. a. <i>Transportation and Parking Demand Management (TDM) Plan Required</i> The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City. i. The goals of the TDM Plan shall be the following: <ul style="list-style-type: none"> • Reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable, consistent with the potential traffic and parking impacts of the project. • Achieve the following project vehicle trip reductions (VTR): <ul style="list-style-type: none"> o Projects generating 50-99 net new a.m. or p.m. peak hour vehicle trips: 10 percent VTR o Projects generating 100 or more net new a.m. or p.m. peak hour vehicle trips: 20 percent VTR • Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate. • Enhance the City's transportation system, consistent with City policies and programs. ii. TDM strategies to consider include, but are not limited to, the following: <ul style="list-style-type: none"> • Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement. • Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping. • Installation of safety elements per the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.) to encourage 	Prior to approval of construction-related permit Prior to building permit final Ongoing	Bureau of Planning Bureau of Building Bureau of Planning	N/A Bureau of Building Bureau of Planning

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
<p>convenient and safe crossing at arterials, in addition to safety elements required to address safety impacts of the project.</p> <ul style="list-style-type: none"> • Installation of amenities such as lighting, street trees, and trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan. • Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements. • Direct on-site sales of transit passes purchased and sold at a bulk group rate (through programs such as AC Transit Easy Pass or a similar program through another transit agency). • Provision of a transit subsidy to employees or residents, determined by the project applicant and subject to review by the City, if employees or residents use transit or commute by other alternative modes. • Provision of an ongoing contribution to transit service to the area between the project and nearest mass transit station prioritized as follows: 1) Contribution to AC Transit bus service; 2) Contribution to an existing area shuttle service; and 3) Establishment of new shuttle service. The amount of contribution (for any of the above scenarios) would be based upon the cost of establishing new shuttle service (Scenario 3). • Guaranteed ride home program for employees, either through 511.org or through separate program. • Pre-tax commuter benefits (commuter checks) for employees. • Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants. • On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools. • Distribution of information concerning alternative transportation options. • Parking spaces sold/leased separately for residential units. Charge employees for parking, or provide a cash incentive or transit pass alternative to a free parking space in commercial properties. • Parking management strategies including attendant/valet parking and shared parking spaces. 			

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/ Inspection
<ul style="list-style-type: none"> • Requiring tenants to provide opportunities and the ability to work off-site. • Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite (e.g., working four, ten-hour days; allowing employees to work from home two days per week). • Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours. <p>The TDM Plan shall indicate the estimated VTR for each strategy, based on published research or guidelines where feasible. For TDM Plans containing ongoing operational VTR strategies, the Plan shall include an ongoing monitoring and enforcement program to ensure the Plan is implemented on an ongoing basis during project operation. If an annual compliance report is required, as explained below, the TDM Plan shall also specify the topics to be addressed in the annual report.</p> <p>b. <i>TDM Implementation – Physical Improvements</i> For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/approvals from the City and install the improvements prior to the completion of the project.</p> <p>c. <i>TDM Implementation – Operational Strategies</i> For projects that generate 100 or more net new a.m. or p.m. peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR achieved by the project during operation. If deemed necessary, the City may elect to have a peer review consultant, paid for by the project applicant, review the annual report. If timely reports are not submitted and/or the annual reports indicate that the project applicant has failed to implement the TDM Plan, the project will be considered in violation of the Conditions of Approval and the City may initiate enforcement action as provided for in these Conditions of Approval. The project shall not be considered in violation of this Condition if the TDM Plan is implemented but the VTR goal is not achieved.</p>			

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
Utilities and Service Systems			
<p>SCA-UTIL-1 (Standard Condition of Approval 74): <i>Construction and Demolition Waste Reduction and Recycling.</i> The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at www.greenhalosystems.com or manually at the City's Green Building Resource Center. Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center.</p>	Prior to approval of construction-related permit	Public Works Department, Environmental Services Division	Public Works Department, Environmental Services Division
<p>SCA-UTIL-2 (Standard Condition of Approval 75): <i>Underground Utilities.</i> The project applicant shall place underground all new utilities serving the project and under the control of the project applicant and the City, including all new gas, electric, cable, and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits, and similar facilities. The new facilities shall be placed underground along the project's street frontage and from the project structures to the point of service. Utilities under the control of other agencies, such as PG&E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities.</p>	During construction	N/A	Bureau of Building
<p>SCA-UTIL-3 (Standard Condition of Approval 76): <i>Recycling Collection and Storage Space.</i> The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two cubic feet of storage and collection space per residential unit is required, with a minimum of ten cubic feet. For nonresidential projects, at least two cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten cubic feet.</p>	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building

<p>SCA-UTIL-4 (Standard Condition of Approval 77): Green Building Requirements.</p> <p><i>a. Compliance with Green Building Requirements During Plan-Check</i></p> <p>The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code).</p> <p>i. The following information shall be submitted to the City for review and approval with the application for a building permit:</p> <ul style="list-style-type: none"> • Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards. • Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit. • Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit. • Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below. • Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance. • Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit. • Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. <p>ii. The set of plans in subsection (i) shall demonstrate compliance with the following:</p> <ul style="list-style-type: none"> • CALGreen mandatory measures. • All pre-requisites per the green building checklist approved during the review of the Planning and Zoning permit, or, if applicable, all the green building measures approved as part of the Unreasonable Hardship Exemption granted during the review of the Planning and Zoning permit. • Minimum of 23 points per the appropriate checklist approved during the Planning entitlement process. • All green building points identified on the checklist approved during review of the Planning and Zoning 	<p>Prior to approval of construction-related permit</p> <p>During construction</p> <p>After project completion as specified</p>	<p>Bureau of Building</p> <p>N/A</p> <p>Bureau of Planning</p>	<p>N/A</p> <p>Bureau of Building</p> <p>Bureau of Building</p>
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Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
<p>permit, unless a Request for Revision Plan-check application is submitted and approved by the Bureau of Planning that shows the previously approved points that will be eliminated or substituted.</p> <ul style="list-style-type: none"> The required green building point minimums in the appropriate credit categories. <p>b. <i>Compliance with Green Building Requirements During Construction</i></p> <p>The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project.</p> <p>The following information shall be submitted to the City for review and approval:</p> <ol style="list-style-type: none"> Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. <p>c. <i>Compliance with Green Building Requirements After Construction</i></p> <p>Within sixty (60) days of the final inspection of the building permit for the project, the Green Building Certifier shall submit the appropriate documentation to Build It Green and attain the minimum required certification/point level. Within one year of the final inspection of the building permit for the project, the applicant shall submit to the Bureau of Planning the Certificate from the organization listed above demonstrating certification and compliance with the minimum point/certification level noted above.</p>			
<p>SCA-UTIL-5 (Standard Condition of Approval 79): Sanitary Sewer System. The project applicant shall prepare and submit a Sanitary Sewer Impact Analysis to the City for review and approval in accordance with the City of Oakland Sanitary Sewer Design Guidelines. The Impact Analysis shall include an estimate of pre-project and post-project wastewater flow from the project site. In the event that the Impact Analysis indicates that the net increase in project wastewater flow exceeds City-projected increases in wastewater flow in the sanitary sewer system, the project applicant shall pay the Sanitary Sewer Impact Fee in accordance with the City's Master Fee Schedule for funding improvements to the sanitary sewer system.</p>	<p>Prior to approval of construction-related permit</p>	<p>Public Works Department, Department of Engineering and Construction</p>	<p>N/A</p>

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/Monitoring		
	When Required	Initial Approval	Monitoring/Inspection
SCA-UTIL-6 (Standard Condition of Approval 80): <i>Storm Drain System</i> . The project storm drainage system shall be designed in accordance with the City of Oakland's Storm Drainage Design Guidelines. To the maximum extent practicable, peak stormwater runoff from the project site shall be reduced by at least 25 percent compared to the pre-project condition.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building



2400 VALDEZ

PLANNING COMMISSION
2016-03-28 TCA # 2015-057

FILE #: 15-336



2400 VALDEZ LLC



PROJECT TEAM

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W: www.hanoverco.com
E: mshearer@hanoverco.com

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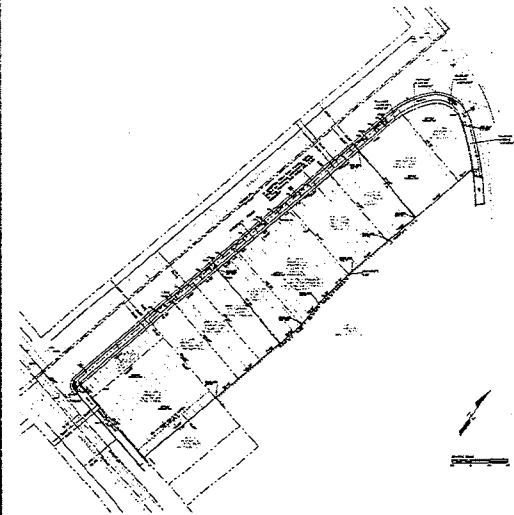
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- C4.01 Conceptual Grading
- C5.01 Conceptual Utilities
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ASSESSOR'S PARCEL MAP



2400 VALDEZ
2400 VALDEZ STREET OAKLAND, CA



2400 VALDEZ LLC
TCA # 2015-037



Planning Commission
March 25, 2016

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G-1.0

Unit Type	Levels	Count	Net SF	Total Net SF	Avg. SF	Unit Mix
Studios						
S1	2-7	30	516	15,480		
S2.1	2-7	20	571	11,420		
S2.2	3-7	15	571	8,565		
S3	2	1	555	555		
S4	2	1	613	613		
S5	2	1	690	690		
S-Subtotal		68		27,323	536	30.22%
One Bedrooms						
A1a	2	1	690	690		
A1b	3-7	5	662	3,310		
A2	2-7	24	675	16,200		
A3	2-7	5	700	4,200		
A4.1a	2-7	5	794	3,970		
A4.1b	3-6,7	13	785	10,205		
A4.2a	2	4	765	3,144		
A4.2b	3-5	12	914	9,768		
A4.2c	6-7	8	781	6,248		
A5.1a	2	1	859	859		
A5.1b	3-7	5	801	4,005		
A5.2	3-7	5	873	4,365		
A6	2-7	6	683	5,298		
A-Subtotal		95		72,262	752	42.22%
2 Bedrooms						
B1	3-7	5	982	4,910		
B2	2-7	6	1,100	6,600		
B3.1a	2	1	1,151	1,151		
B3.1b	3-7	5	1,102	5,515		
B3.2	3-7	5	1,175	5,875		
B4	2-7	5	1,128	5,798		
B5	2-7	5	1,135	5,610		
B6	2-7	5	1,194	7,194		
B7a	2	2	1,225	2,450		
B7b	3-7	15	1,192	17,880		
B-Subtotal		57		65,123	1,046	25.33%
3 Bedrooms						
C1	3-7	5	1,300	6,500		
B-Subtotal		5		6,500	1,132	0.08%
TOTAL		225		181,208	806	

Retail	SF
North Retail	16,555
South Retail	6,225
Retail Plaza	665
Total Retail	23,445

Parking	Provided	Retail	Residential
Required	159	46	112.5
Level L1	7	7	
Level B1	105	40	65
Level B2	117		117
Total	229	47	182

Bike Parking	Retail	Residential	Total
Required Long Term	3	113	116
Required Short Term	11	15	26
Provided Long Term	3	113	116
Provided Short Term	11	15	26

GFA		
Level 1	Amenity-Lobby/Lease	1,270
	Circulation	3,204
	Service	1,679
	Retail	22,780
Total		31,933
Level 2	Amenity	3,777
	Residential	26,615
	Service	5,946
	Circulation	553
Total		36,921
Level 3	Residential	10,205
	Service	30,713
	Circulation	582
Total		36,543
Level 4	Residential	30,713
	Service	583
	Circulation	5,247
Total		36,543
Level 5	Residential	30,713
	Service	583
	Circulation	5,247
Total		36,543
Level 6	Residential	30,713
	Service	583
	Circulation	5,247
Total		36,543
Level 7	Residential	30,515
	Service	580
	Circulation	5,223
Total		36,418
Total		251,444

Level	Use	Area
Level 1	Garage/Move In	9,245
	Bike Storage	884
	Loading	758
Total		10,887
B1	Parking	41,241
	Service/Circ./Stor.	2,972
Total		44,213
B2	Parking	41,088
	Service/Circ./Stor.	3,109
Total		44,197
Total Non GFA		99,297
Building Total		350,741

Open Space	Area
Use	
Street Entry Court	652
South Podium Court	1,121
West Podium Court	2,006
North Podium Court	2,317
Balcony (45 of each)- 130 units	5,850
Ground Fl. Lobby/Lounge	1,379
Second Floor Amenity	3,000
Total	16,875
** Open Space SF Req'd = 225 (D1) x 75(SF) = 16875	
Open Space Total	16,875

2400 VALDEZ
2400 VALDEZ STREET OAKLAND, CA



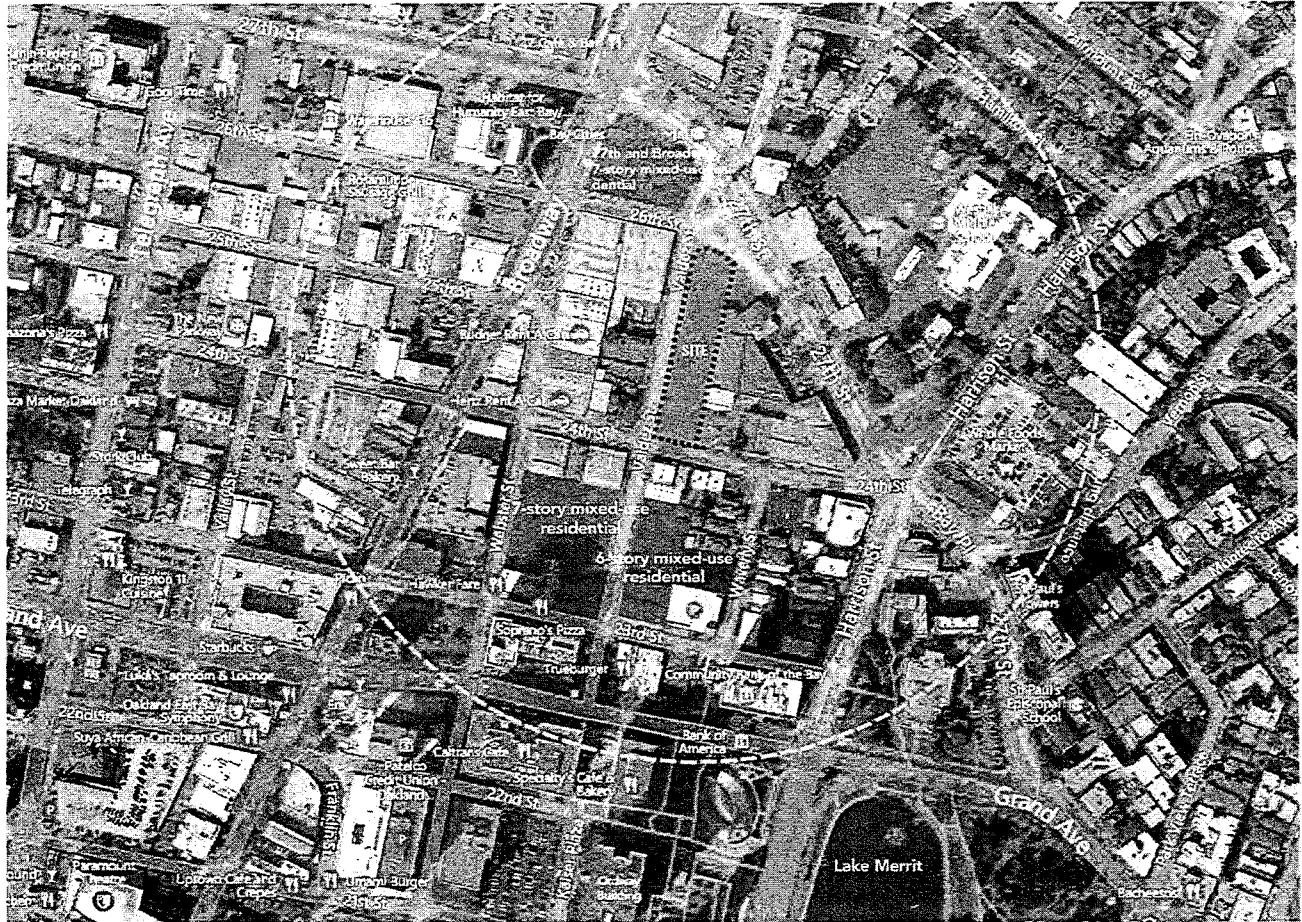
2400 VALDEZ LLC
TCA # 2015-057



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March 28, 2016

STATISTICS

G-2.0



2400 VALDEZ
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2400 VALDEZ LLC
 TCA # 2015-057

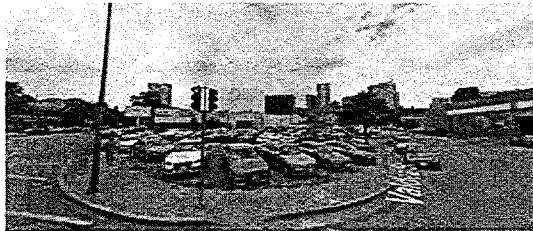


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 March 23, 2016



VICINITY MAP





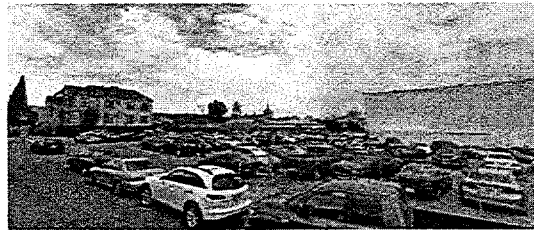
View 1: 26th and Valdez



View 4: 24th Street



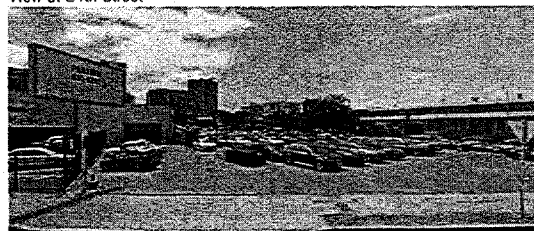
View 2: Valdez



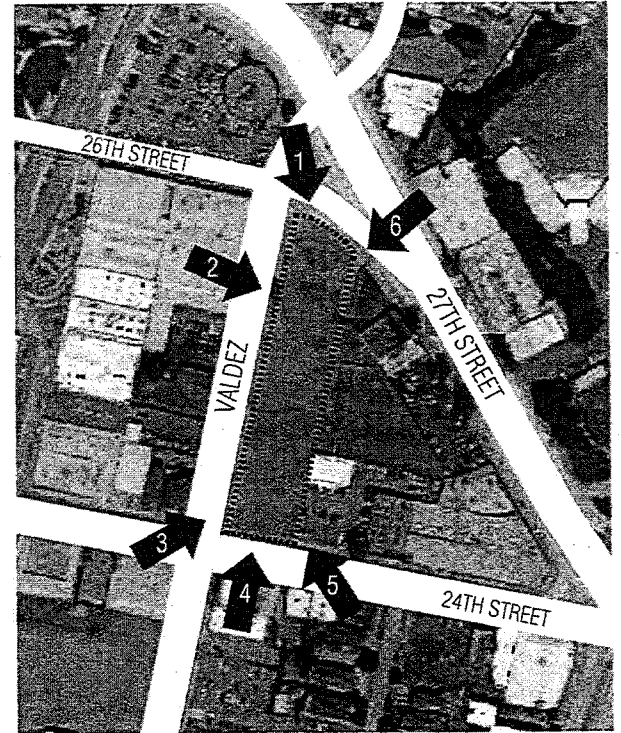
View 5: 24th Street



View 3: 24th and Valdez



View 6: 27th Street



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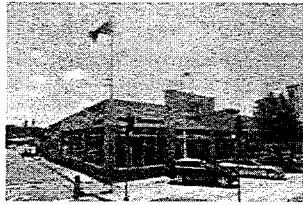


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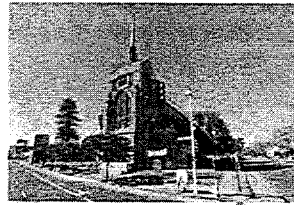


EXISTING SITE PHOTOS

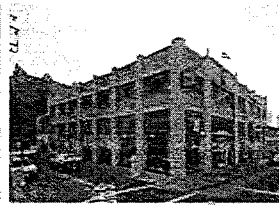
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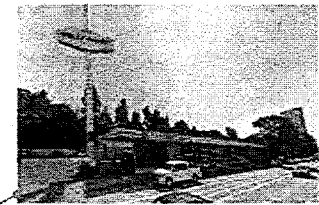
First Presbyterian Church
2474 Broadway, Oakland, CA 94612



Volkswagen of Oakland
2740 Broadway, Oakland, CA 94612



300 27th Street, Oakland, CA 94612



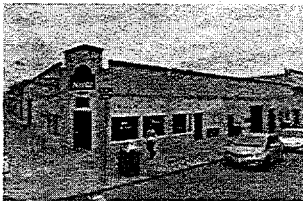
Kelly Papp
300 27th Street, Oakland, CA 94612



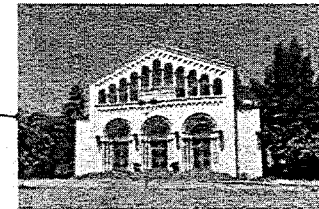
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Label Art of California
2801 Broadway, Oakland, CA 94612



Hertz
2410 Webster Street, Oakland, CA 94612



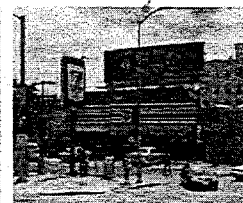
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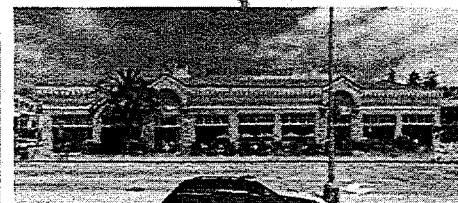
Creative Growth
353 24th Street, Oakland, CA 94612



Oakland Alura
277 27th Street, Oakland, CA 94612



2250 Harrison Street, Oakland, CA 94612



230 Bay Pl, Oakland, CA 94612

2400 VALDEZ
2400 VALDEZ STREET, OAKLAND, CA



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TCA # 2015-057

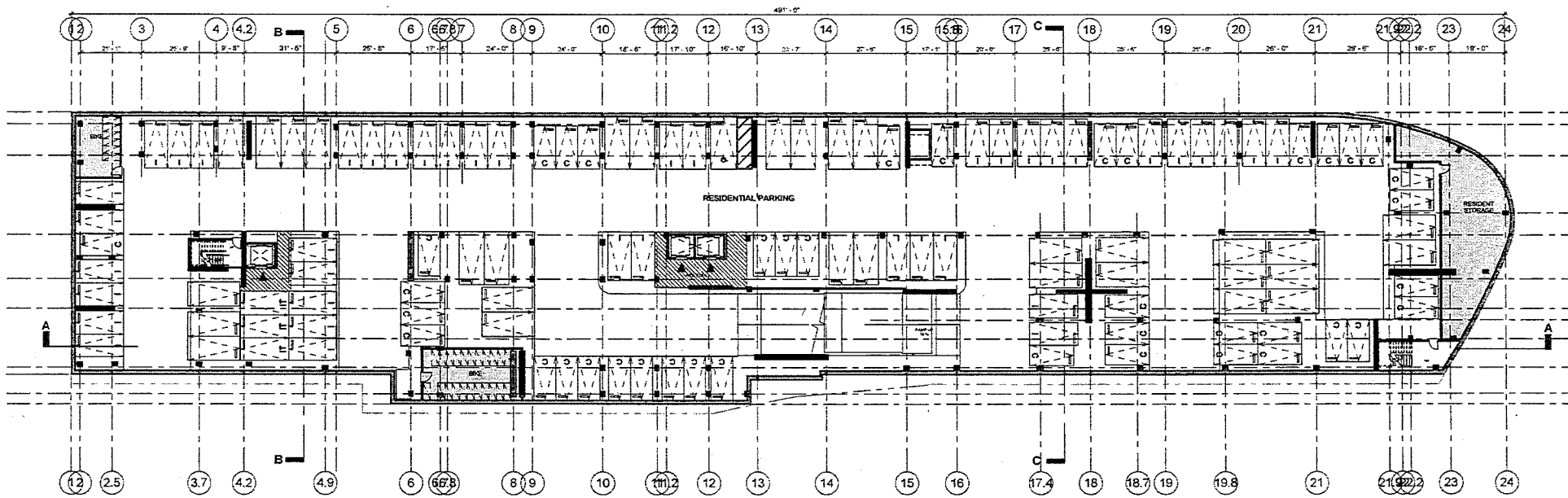


Planning Commission
March 28, 2018



SURROUNDING BUILDING PHOTOS

G-4.1

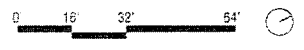


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 2400 VALDEZ STREET, OAKLAND, CA

TCA
 2400 VALDEZ LLC
 TCA # 2015-057

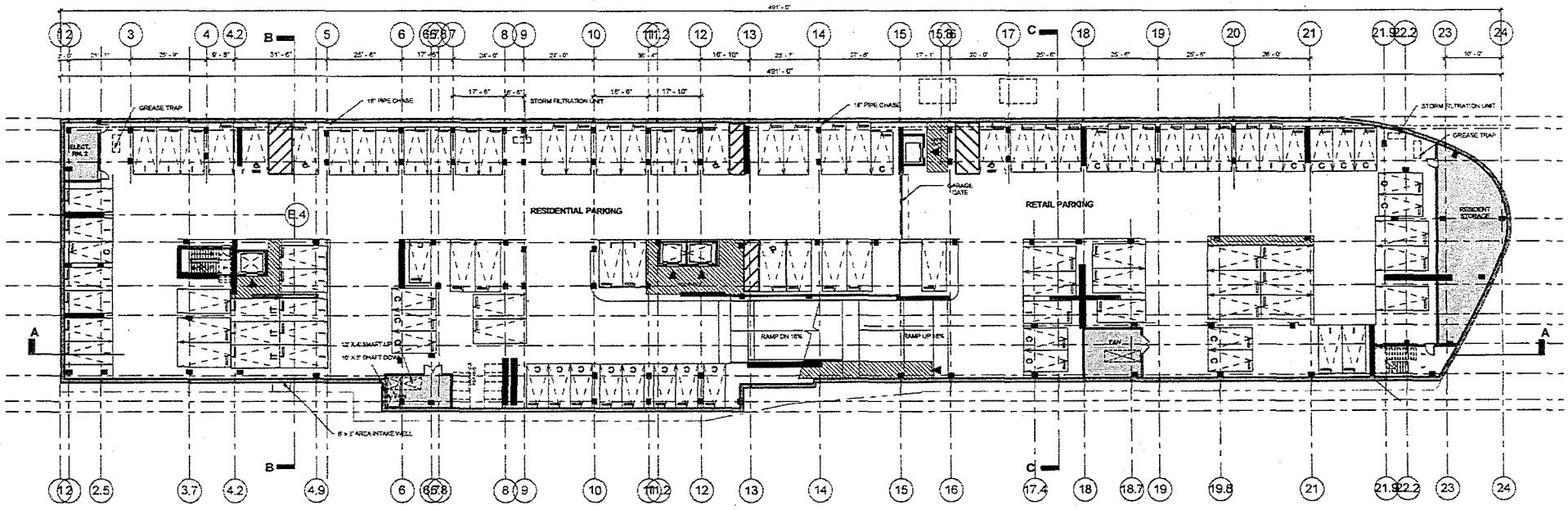
BKF
 ARCHITECTS
 DESIGN • SERVICES • PLANNING

Planning Commission
 March 28, 2015



FLOOR PLAN - LEVEL B2

A-1.1



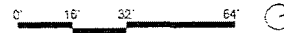
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2400 VALDEZ LLC
TCA # 2015-057

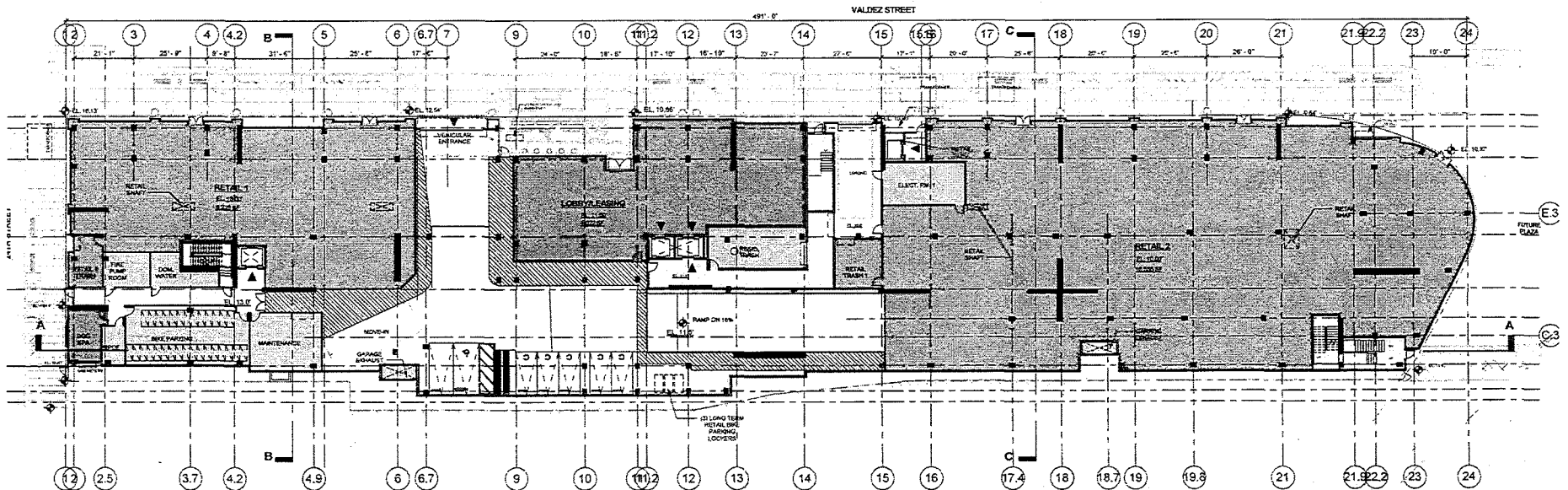


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FLOOR PLAN - LEVEL B1

A-1.2



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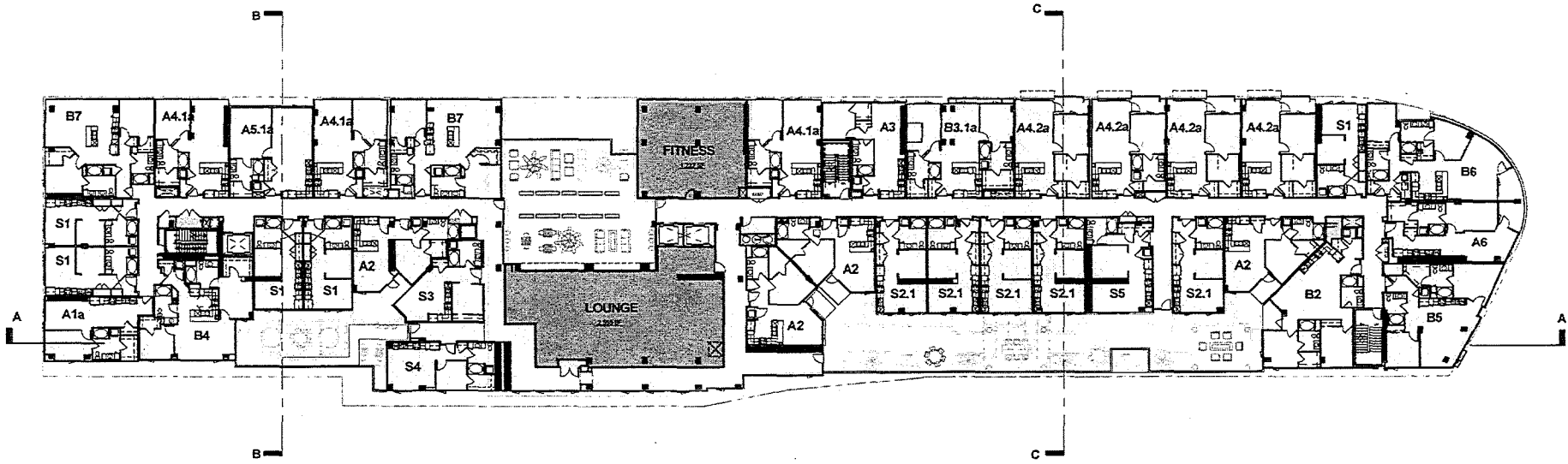
Planning Commission
March 28, 2016



FLOOR PLAN - GROUND LEVEL

A-13

VALDEZ STREET



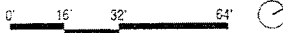
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2400 VALDEZ LLC
 TCA # 2015-057

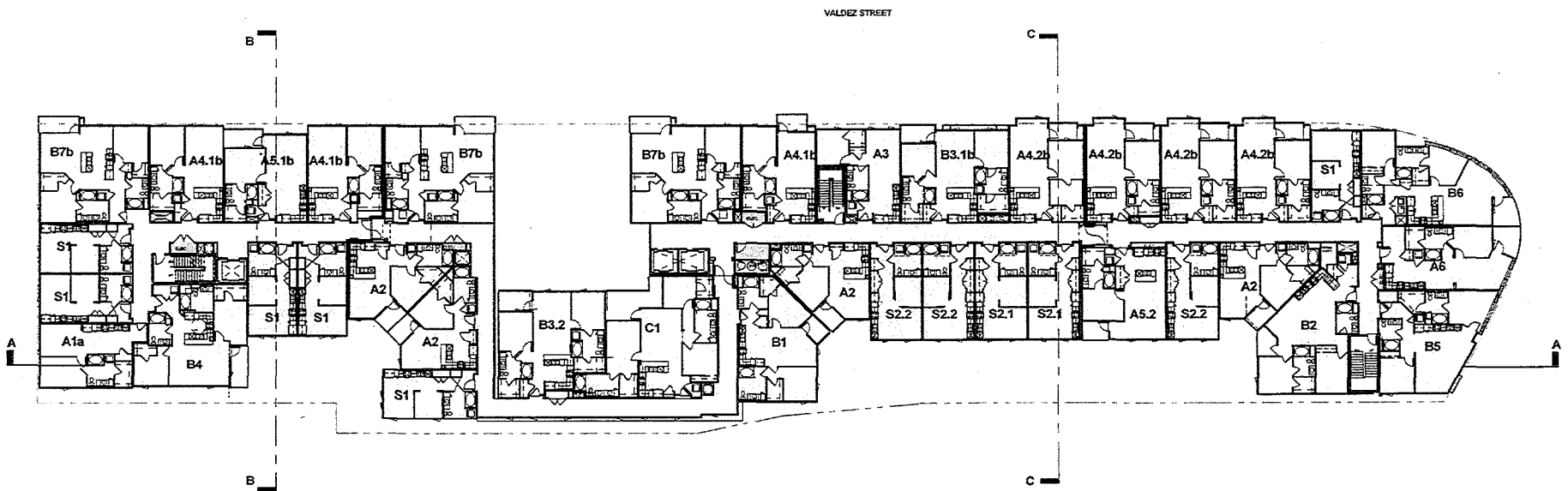


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 March 28, 2016



FLOOR PLAN - LEVEL 2

A-14



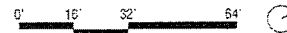
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2400 VALDEZ LLC
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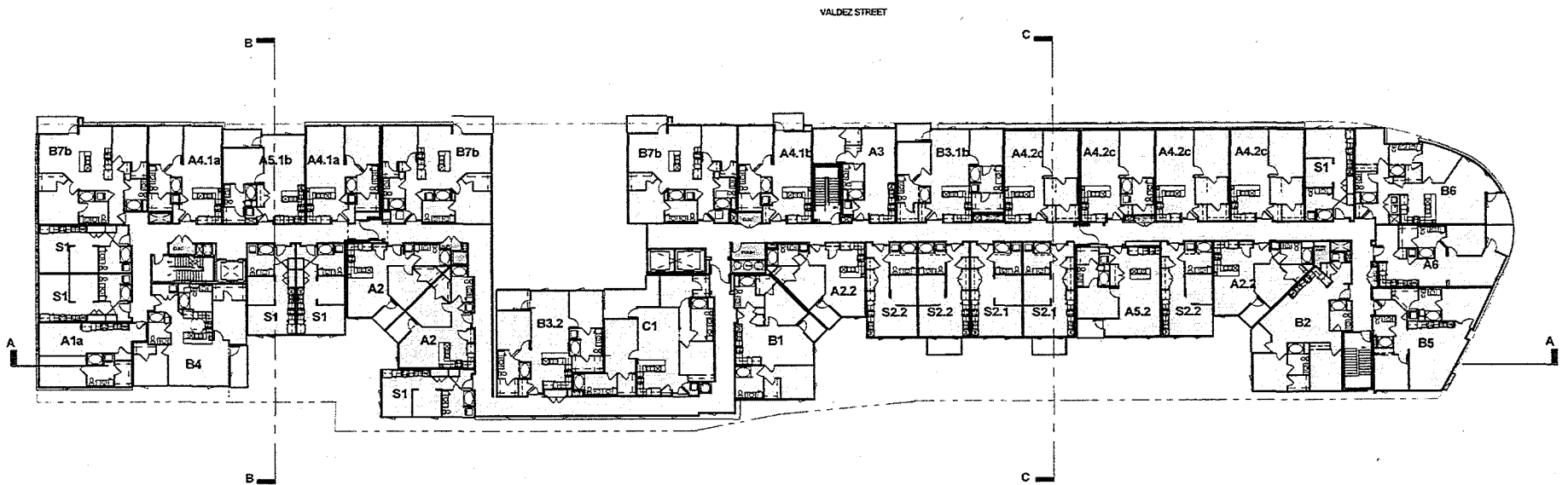


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March 29, 2016



FLOOR PLAN - LEVEL 3 - LEVEL 6

A-1.5



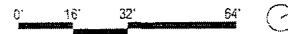
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2400 VALDEZ STREET, OAKLAND, CA



2400 VALDEZ LLC
TCA # 2015-057

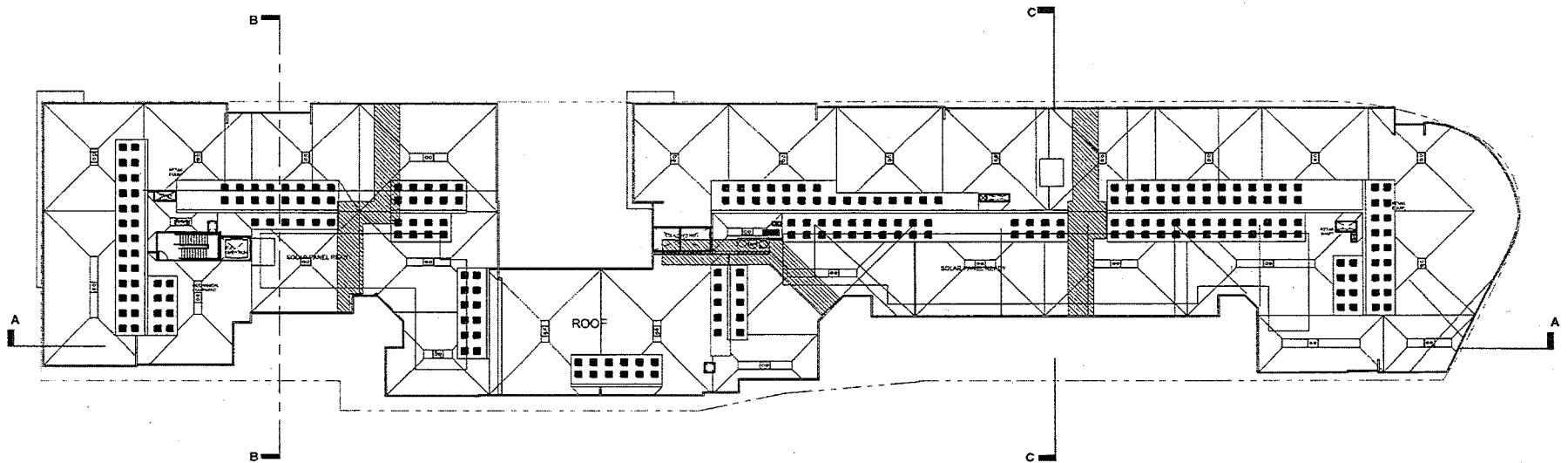


Planning Commission
March 28, 2016



FLOOR PLAN - LEVEL 7

A-1.6



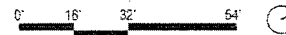
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2400 VALDEZ LLC
 TCA # 2015-057

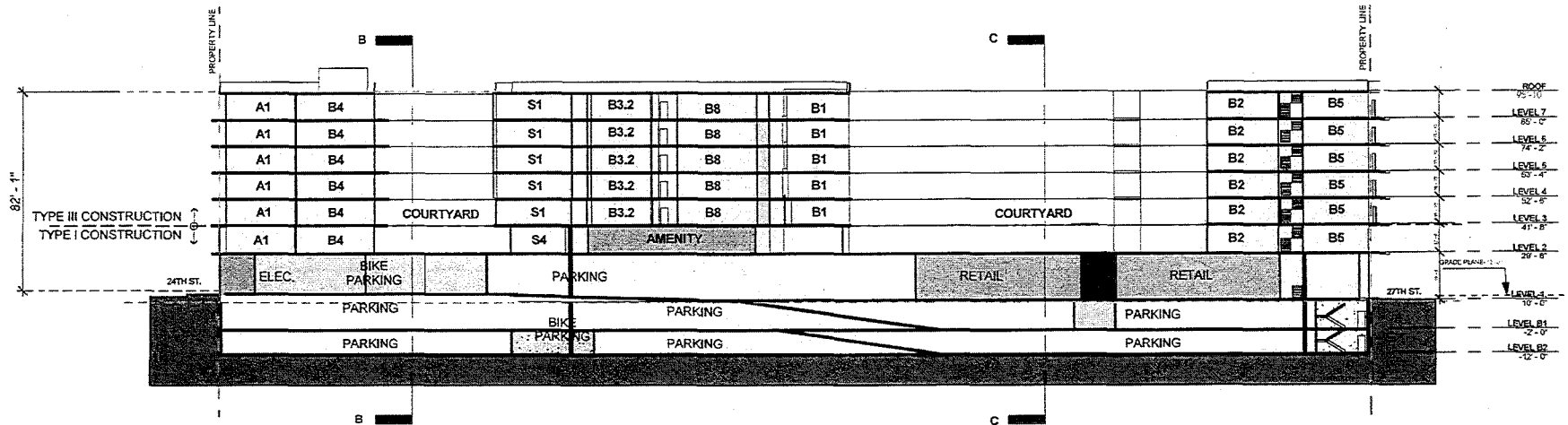


Planning Commission
 March 28, 2016

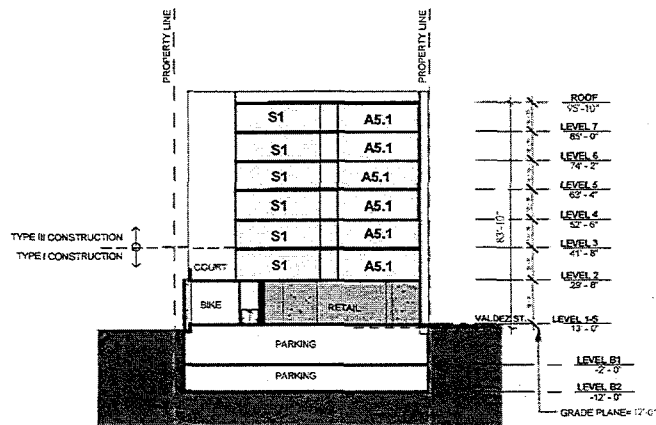


ROOF PLAN

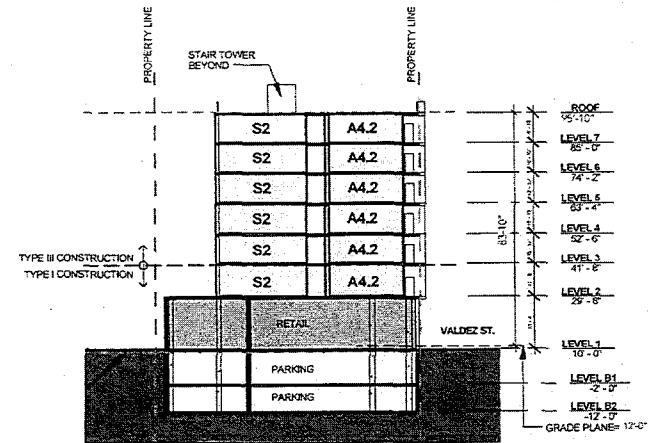
A-17



SECTION A



SECTION B



SECTION C

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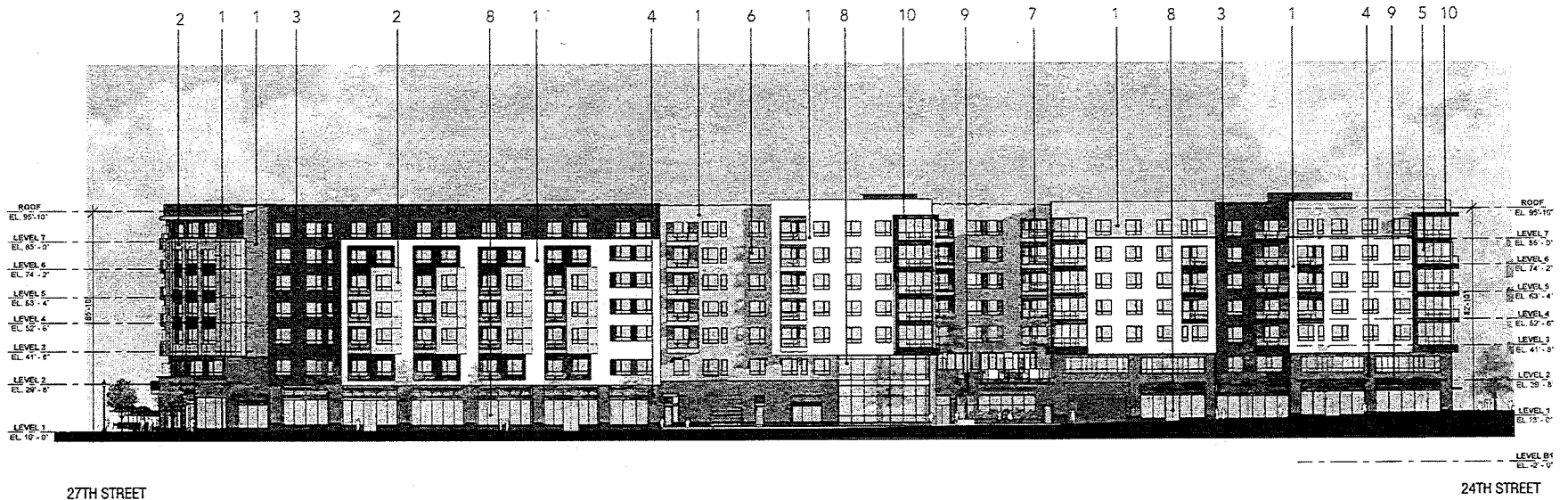
Planning Commission
March 26, 2016



BUILDING SECTIONS

A-2.0

- 1. EXTERIOR PLASTER
- 2. METAL PANEL
- 3. CORRUGATED MTL. PANEL
- 4. STONE VENEER AND BASE
- 5. WINDOW WALL
- 6. VINYL WINDOW
- 7. GLASS RAIL SYSTEM
- 8. ALUMINUM STOREFRONT
- 9. PAINTED METAL SUNSHADE
- 10. PAINTED METAL FIN



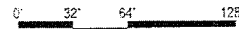
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2400 VALDEZ STREET, OAKLAND, CA



2400 VALDEZ LLC
TCA # 2015-057

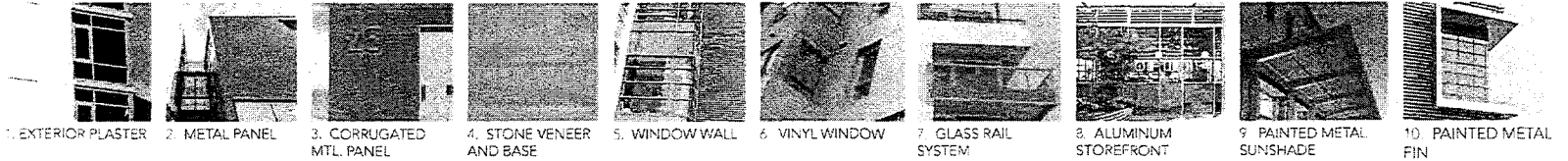


Planning Commission
March 25, 2016



VALDEZ ST. ELEVATION- COMPOSITE

A-3.0



27TH STREET

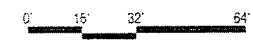
2400 VALDEZ
2400 VALDEZ STREET, OAKLAND, CA



2400 VALDEZ LLC
TCA # 2015-057

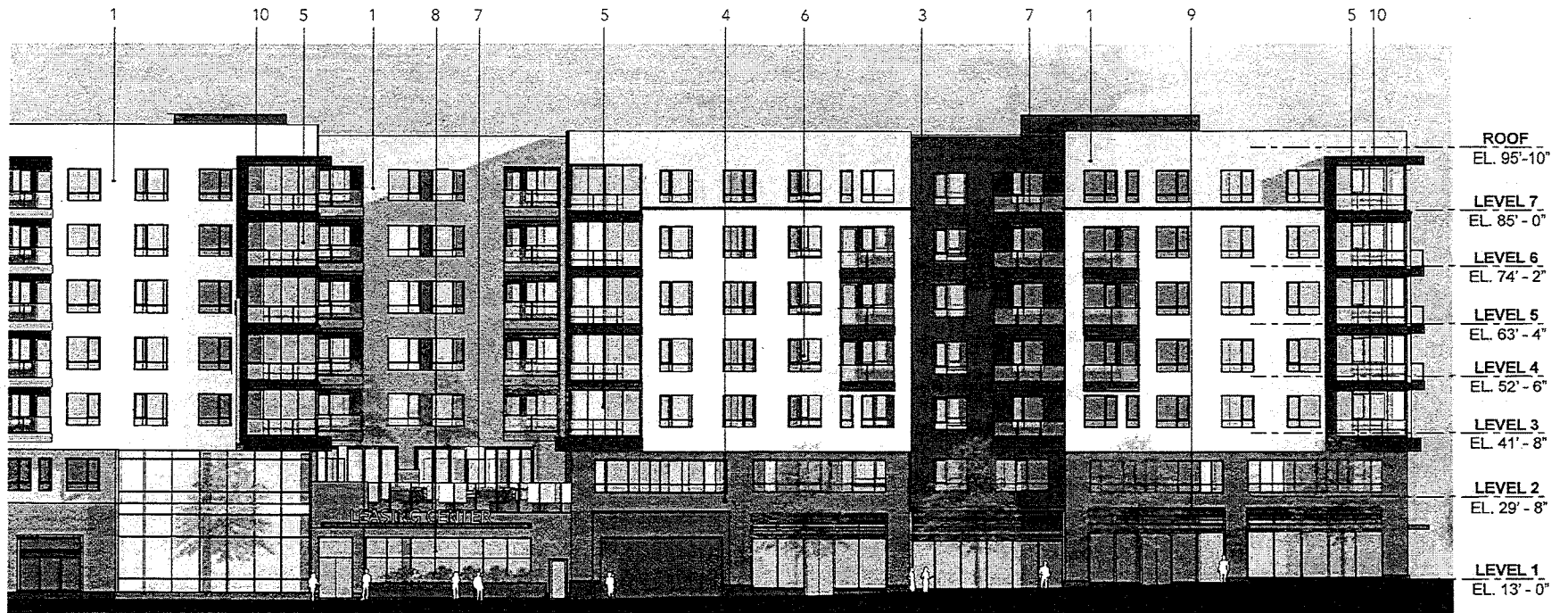
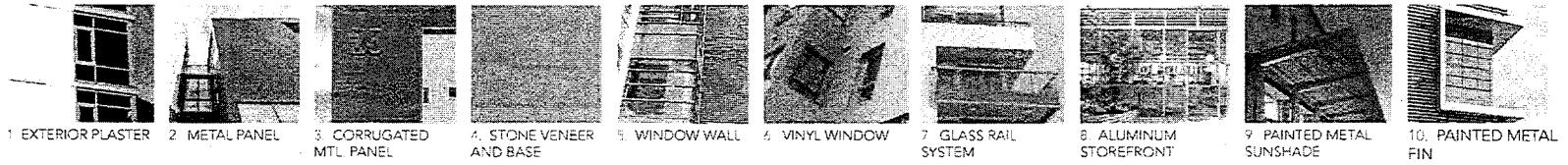


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March 28, 2015



VALDEZ ST. ELEVATION- NORTH

A-3.1



24TH STREET

2400 VALDEZ
2400 VALDEZ STREET, OAKLAND, CA



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TCA # 2015-057

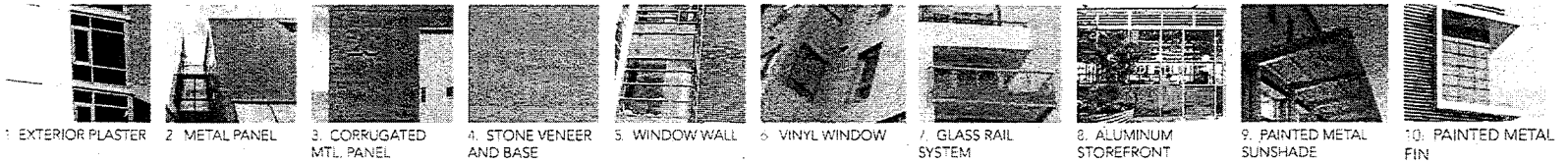


Planning Commission
March 28, 2016



VALDEZ ST. ELEVATION- SOUTH

A-3.2



24TH STREET ELEVATION

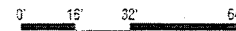
2400 VALDEZ
2400 VALDEZ STREET, OAKLAND, CA



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TCA # 2015-057



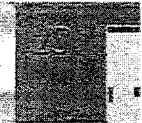






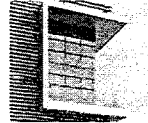


Planning Commission
March 28, 2015



SOUTH ELEVATION

A-33

- 
 1. EXTERIOR PLASTER
- 
 2. METAL PANEL
- 
 3. CORRUGATED
MTL. PANEL
- 
 4. STONE VENEER
AND BASE
- 
 5. WINDOW WALL
- 
 6. VINYL WINDOW
- 
 7. GLASS RAIL
SYSTEM
- 
 8. ALUMINUM
STOREFRONT
- 
 9. PAINTED METAL
SUNSHADE
- 
 10. PAINTED METAL
FIN



27TH STREET ELEVATION

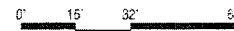
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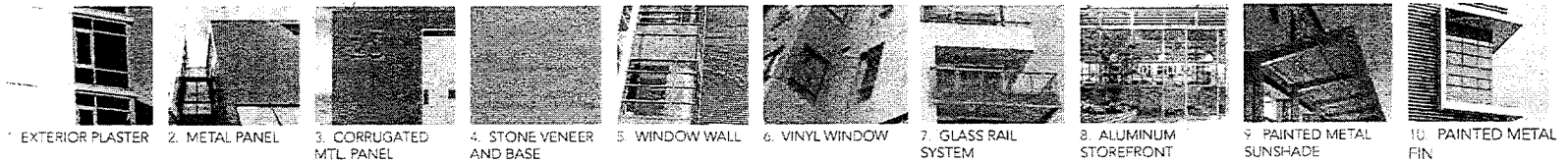
2400 VALDEZ LLC
TCA # 2015-057



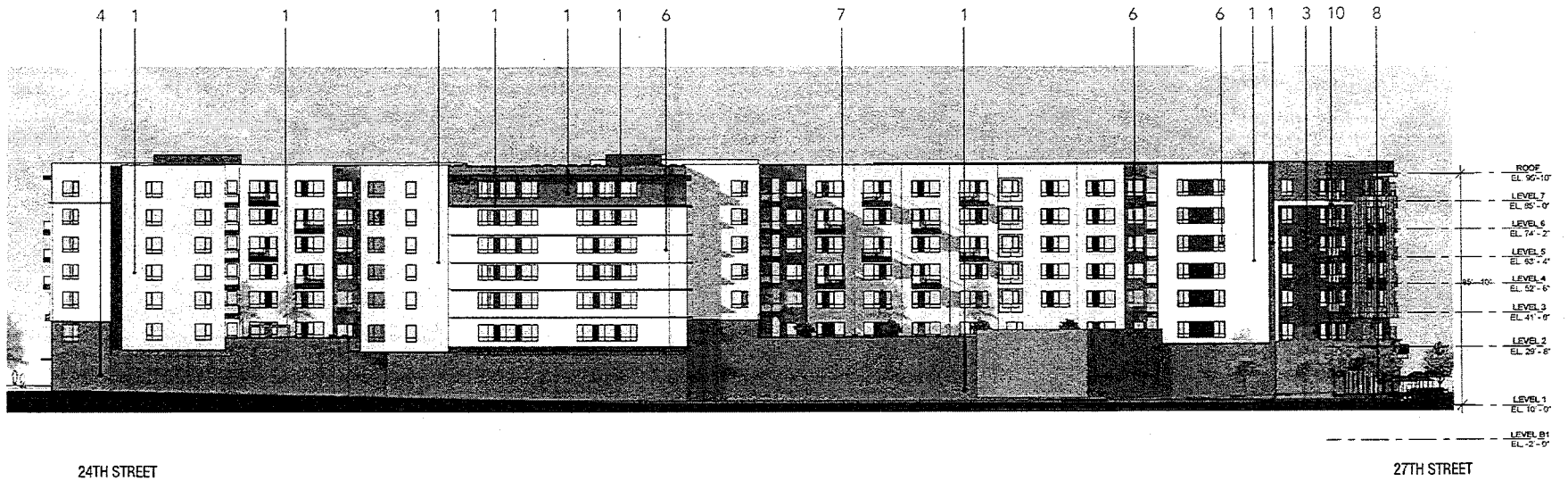
Planning Commission
March 28, 2015



NORTH ELEVATION



- 1. EXTERIOR PLASTER
- 2. METAL PANEL
- 3. CORRUGATED MTL PANEL
- 4. STONE VENEER AND BASE
- 5. WINDOW WALL
- 6. VINYL WINDOW
- 7. GLASS RAIL SYSTEM
- 8. ALUMINUM STOREFRONT
- 9. PAINTED METAL SUNSHADE
- 10. PAINTED METAL FIN

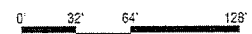


2400 VALDEZ
2400 VALDEZ STREET, OAKLAND, CA

TX
2400 VALDEZ LLC
TCA # 2015-057

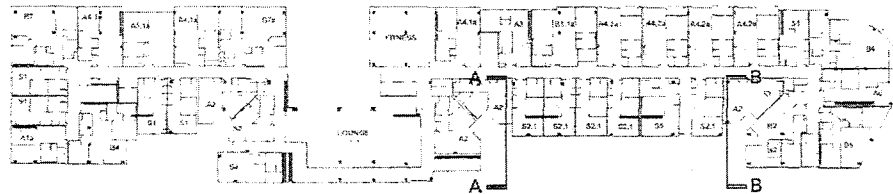
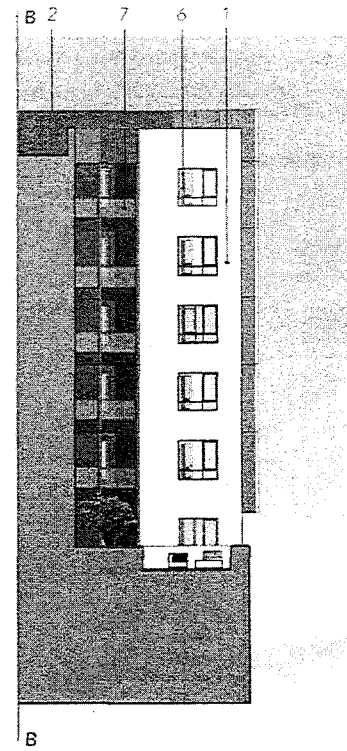
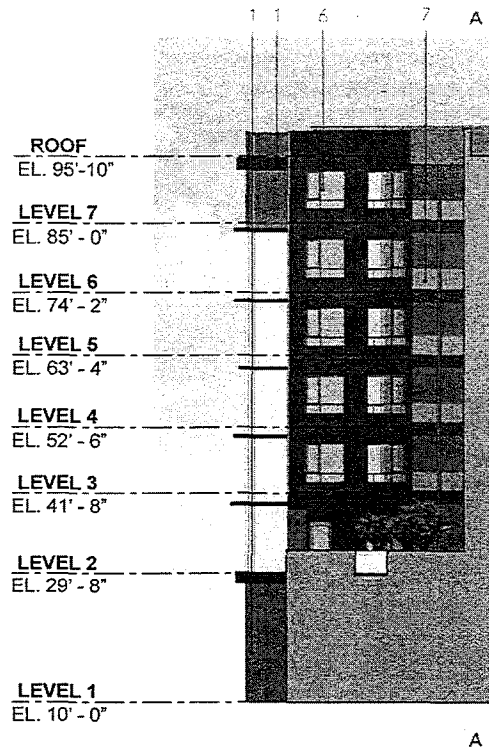
BKF
ENGINEERS - SURVEYORS - PLANNERS

Planning Commission
March 29, 2016



EAST ELEVATION

A-3.5



1. EXTERIOR PLASTER
2. METAL PANEL
3. CORRUGATED MTL. PANEL
4. STONE VENEER AND BASE
5. WINDOW WALL
6. VINYL WINDOW
7. GLASS RAIL SYSTEM
8. ALUMINUM STOREFRONT
9. PAINTED METAL SUNSHADE
10. PAINTED METAL FIN

2400 VALDEZ
2400 VALDEZ STREET, OAKLAND, CA



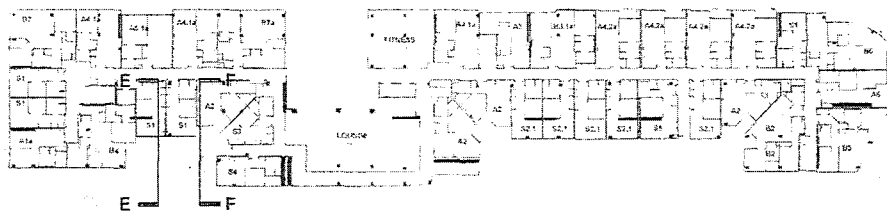
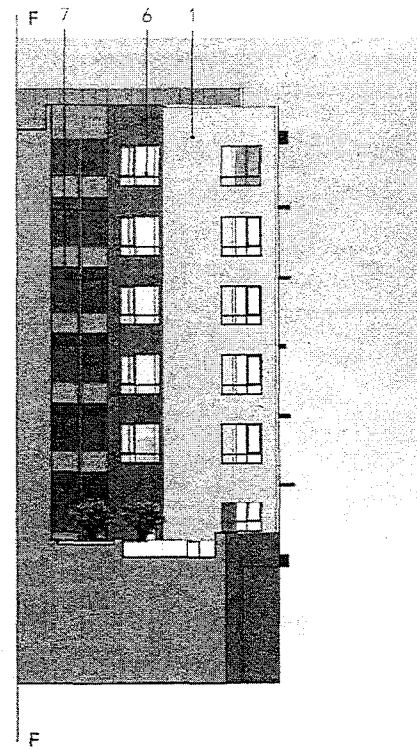
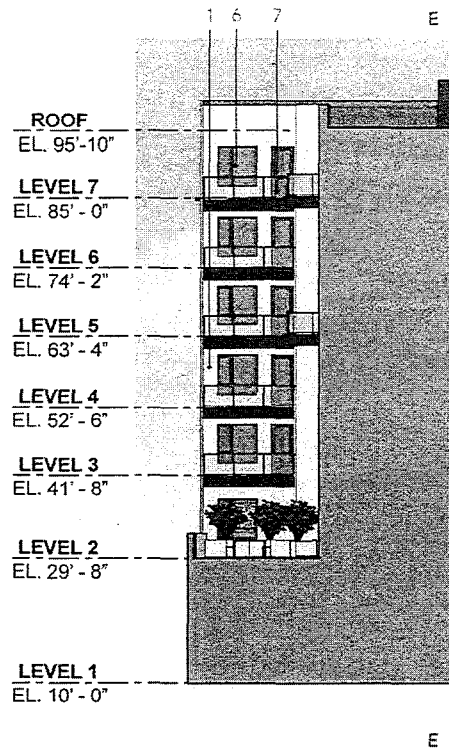
2400 VALDEZ LLC
TGA # 2015-057



Planning Commission
March 26, 2015



**PARTIAL COURTYARD
ELEVATIONS**



1. EXTERIOR PLASTER
2. METAL PANEL
3. CORRUGATED MTL. PANEL
4. STONE VENEER AND BASE
5. WINDOW WALL
6. VINYL WINDOW
7. GLASS RAIL SYSTEM
8. ALUMINUM STOREFRONT
9. PAINTED METAL SUNSHADE
10. PAINTED METAL FIN

2400 VALDEZ
2400 VALDEZ STREET, OAKLAND, CA



2400 VALDEZ LLC
TCA # 2015-057



Planning Commission
March 23, 2016



**PARTIAL COURTYARD
ELEVATIONS**

A-3.8



PREVIOUS DESIGN- REVIEWED AT DRC

REVISED DESIGN

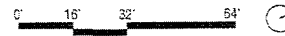
2400 VALDEZ
2400 VALDEZ STREET, OAKLAND, CA



2400 VALDEZ LLC
TCA # 2015-057



Planning Commission
March 28, 2016

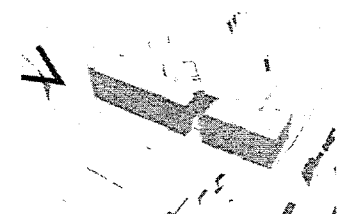


DESIGN REVIEW COMMITTEE
RESPONSE

A-4.0



PROPOSED 27TH AND BROADWAY PROJECT



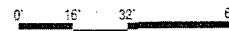
2400 VALDEZ
2400 VALDEZ STREET, OAKLAND, CA



2400 VALDEZ LLC
TCA # 2015-057



Planning Commission
March 26, 2016

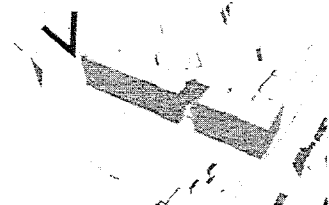


AERIAL VIEW OF 27TH STREET PLAZA

A-4.1



PROPOSED 27TH AND BROADWAY PROJECT



2400 VALDEZ
2400 VALDEZ STREET, OAKLAND, CA



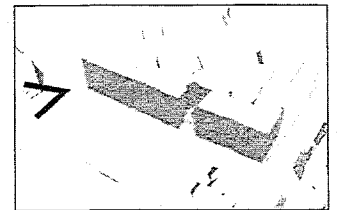
2400 VALDEZ LLC
TCA # 2015-057



Planning Commission
March 26, 2018

AERIAL VIEW FROM NORTHEAST

A-12



2400 VALDEZ
2400 VALDEZ STREET, OAKLAND, CA



2400 VALDEZ LLC
TCA # 2015-057



Planning Commission
March 28, 2016

VIEW FROM 27TH STREET PLAZA

A-4.3



2400 VALDEZ
2400 VALDEZ STREET, OAKLAND, CA



2400 VALDEZ LLC
TCA # 2018-057



Planning Commission
March 28, 2016

AERIAL VIEW ALONG VALDEZ ST.

A-4.4



2400 VALDEZ
2400 VALDEZ STREET, OAKLAND, CA



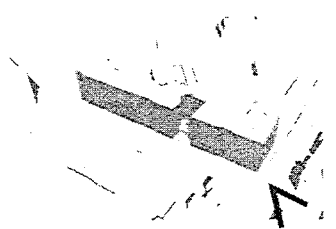
2400 VALDEZ LLC
TCA # 2015-057



Planning Commission
March 26, 2016

MID-BLOCK VIEW ALONG VALDEZ

A-4.5



2400 VALDEZ
2400 VALDEZ STREET, OAKLAND, CA



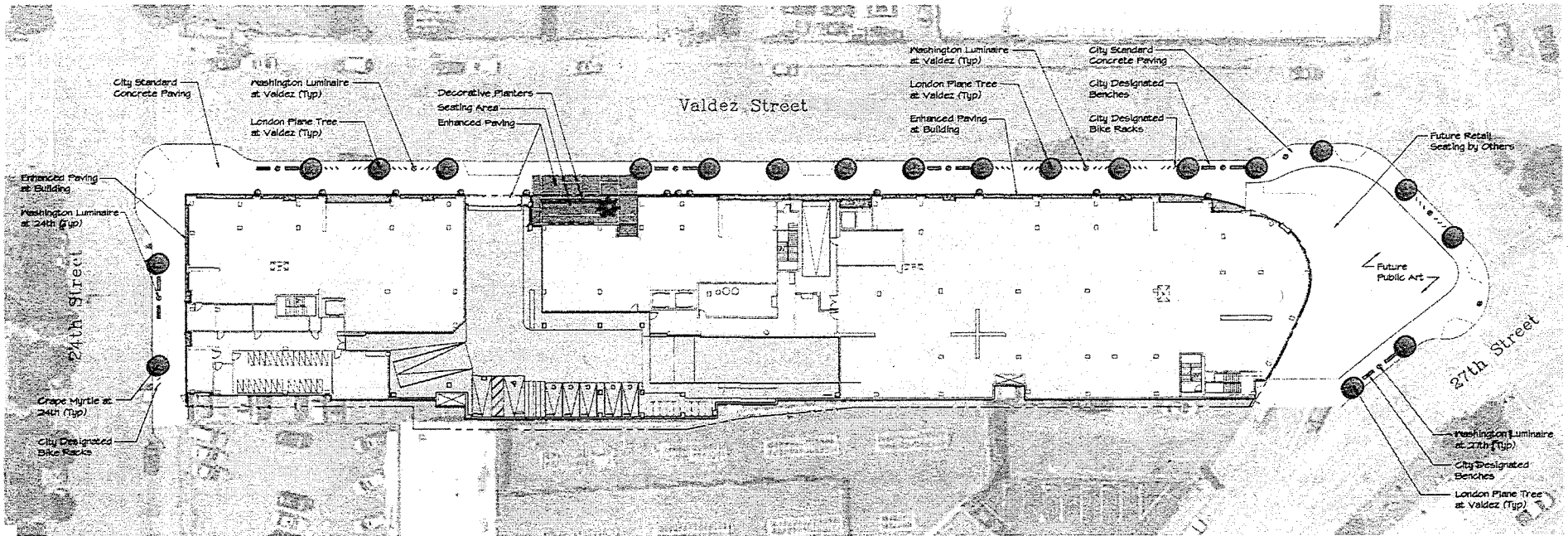
2400 VALDEZ LLC
TGA # 2015-057



Planning Commission
March 26, 2015

VIEW AT 24TH STREET AND VALDEZ

A-4.6



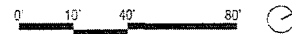
2400 VALDEZ
2400 VALDEZ STREET, OAKLAND, CA



2400 VALDEZ LLC
TCA # 2015-057

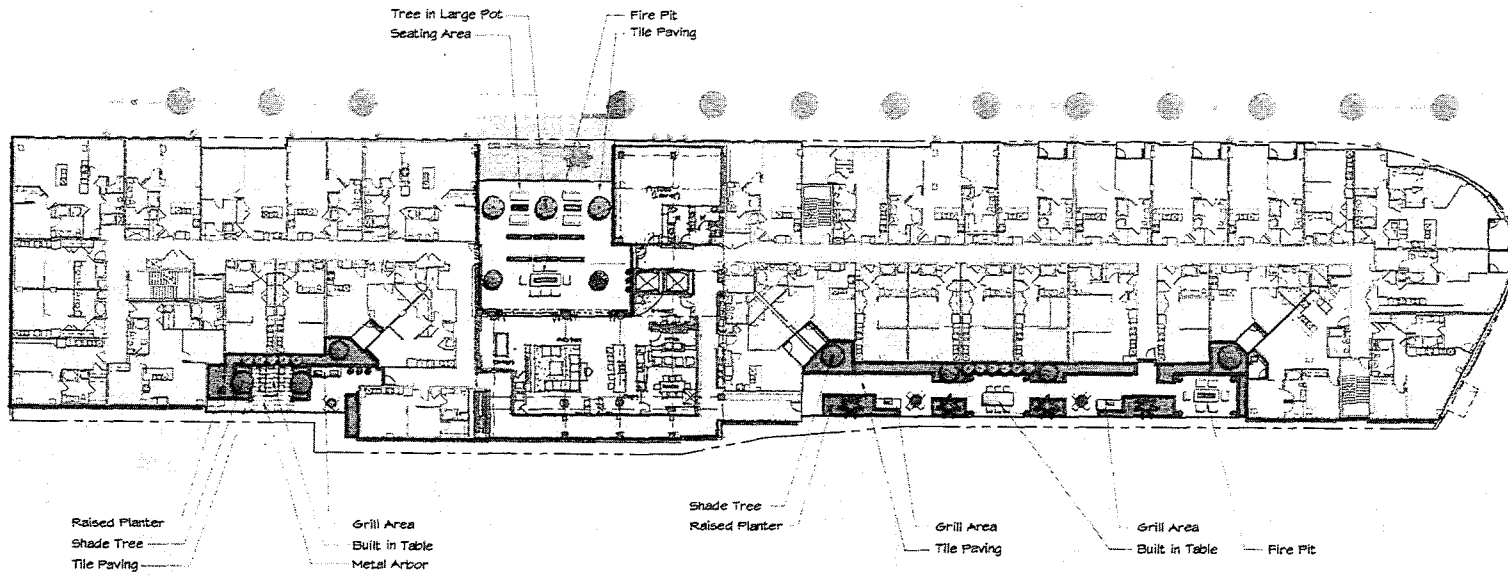


Planning Commission
March 28, 2016



**LANDSCAPE PLAN
STREETSCAPE**





2400 VALDEZ
2400 VALDEZ STREET, OAKLAND, CA



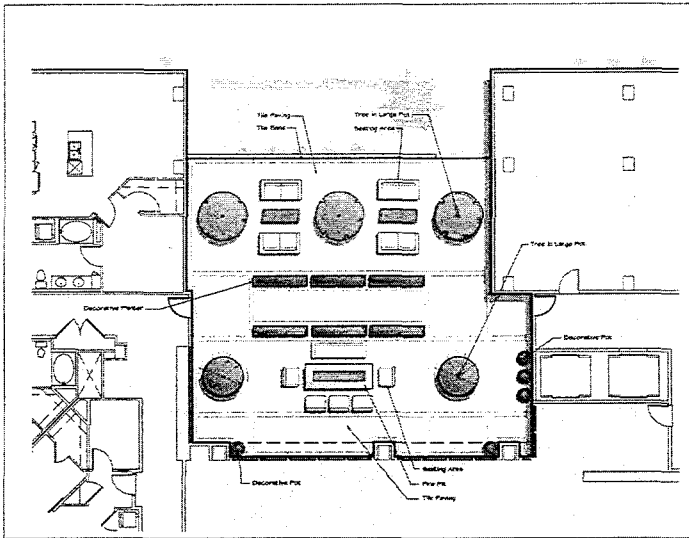
2400 VALDEZ LLC
TCA # 2015-057



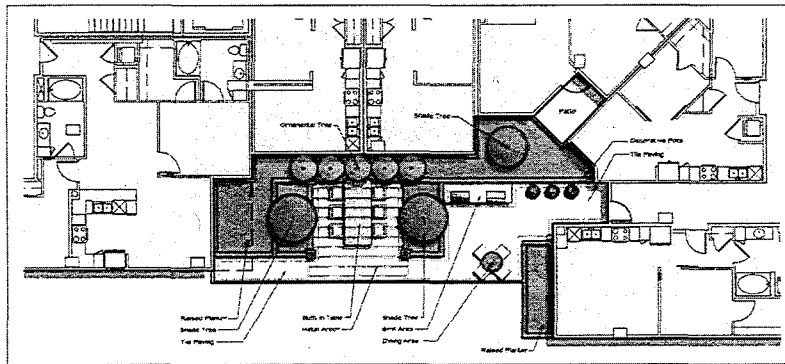
Planning Commission
March 23, 2016



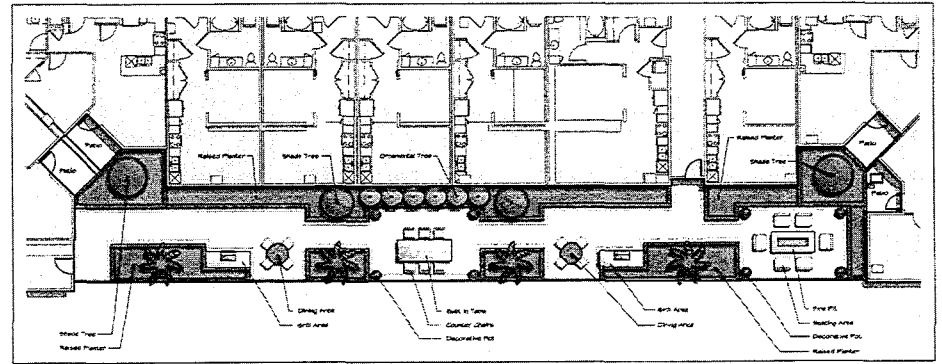
LANDSCAPE PLAN
PODIUM COURTYARD



WEST PODIUM COURTYARD



SOUTHEAST PODIUM COURTYARD



SOUTHWEST PODIUM COURTYARD

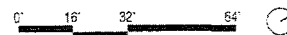
2400 VALDEZ
2400 VALDEZ STREET, OAKLAND, CA



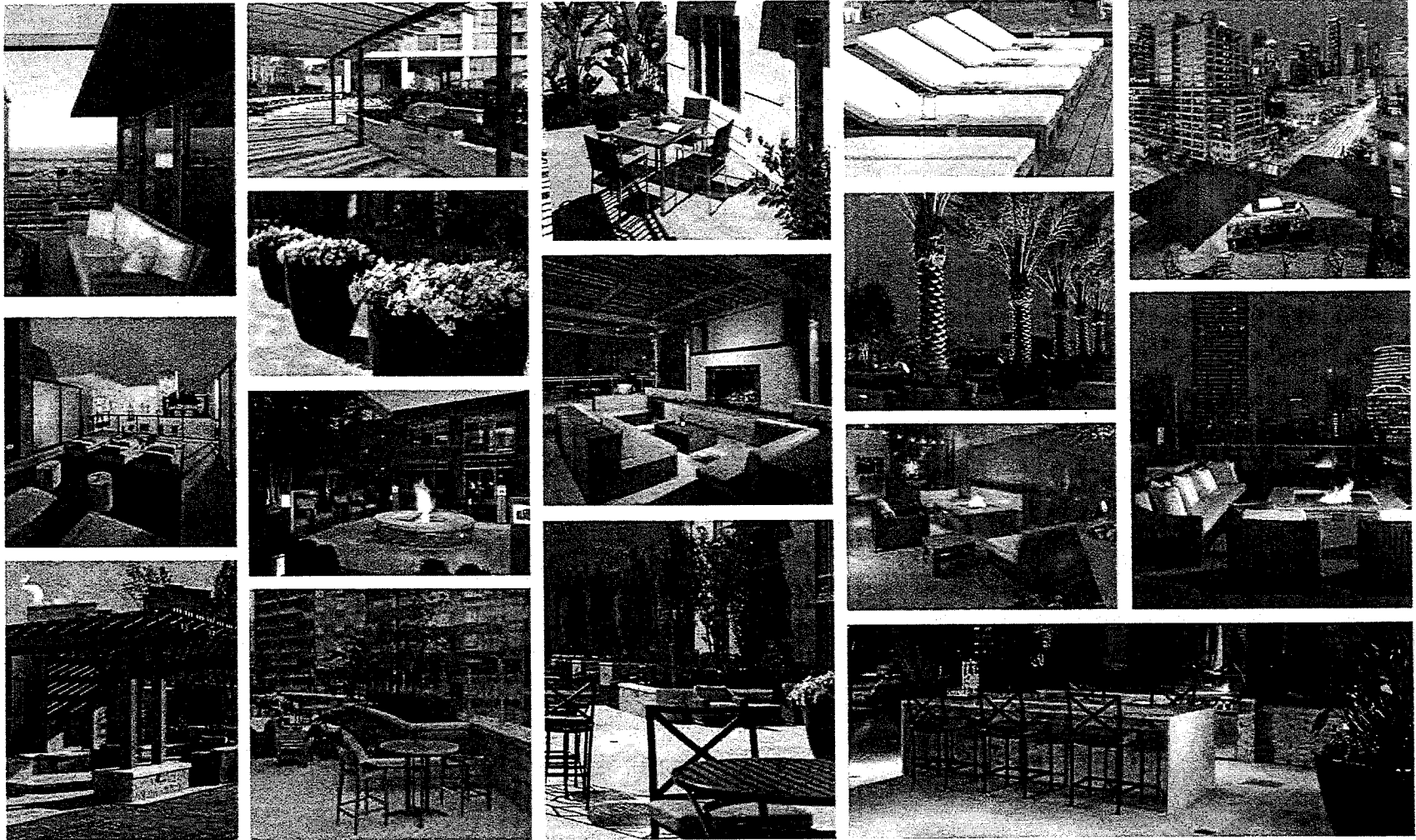
2400 VALDEZ LLC
TCA # 2015-057



Planning Commission
March 23, 2015



ENLARGED
PODIUM COURTYARD PLANS



2400 VALDEZ
 2400 VALDEZ STREET, OAKLAND, CA



2400 VALDEZ LLC
 TCA # 2015-057



Planning Commission
 March 23, 2016



LANDSCAPE IMAGERY

2400 VALDEZ - VESTING TENTATIVE PARCEL MAP NO. 10458

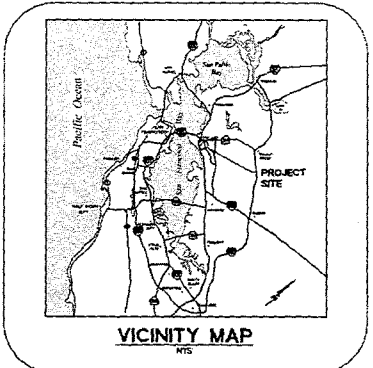
ONE LOT SUBDIVISION FOR CONDOMINIUM PURPOSES

1 RESIDENTIAL CONDOMINIUM AND 2 COMMERCIAL CONDOMINIUMS

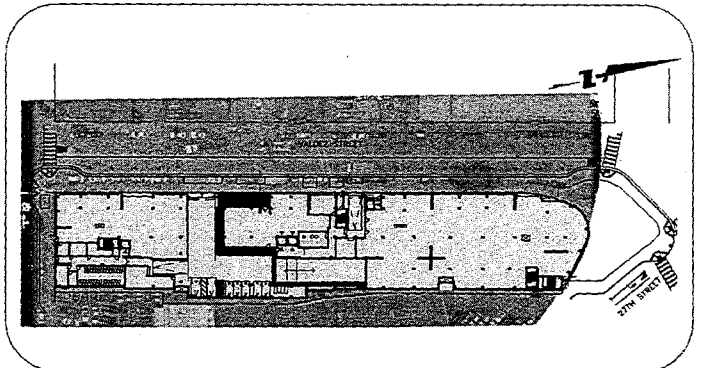
CITY OF OAKLAND, ALAMEDA COUNTY, CALIFORNIA



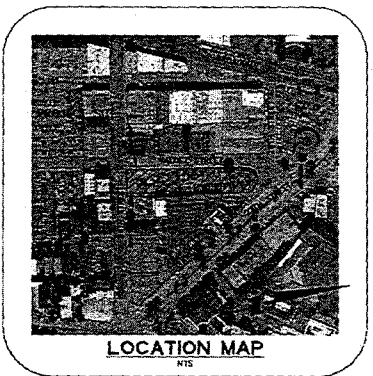
2400 VALDEZ VESTING TENTATIVE PARCEL MAP FOR CONDOMINIUM PURPOSES NO. 10458 TITLE SHEET ALAMEDA COUNTY CALIFORNIA



VICINITY MAP



KEY MAP



LOCATION MAP

APPLICANT
SCOTT TODDALL
HANGOVER R.S. LIMITED PARTNERSHIP
2010 CROW CANYON PLACE, SUITE 100
SAN RAFAEL, CA 94583
925.277.3445

OWNER
AS TO APN 009-071-027-2, -026, -028-2, -29-2, -30-2
THE MASSE FAMILY LIMITED PARTNERSHIP C, L.P.
AS TO APN 009-071-31-2, -32-2, -33-2, -34-2, -35-2, -36-2, -37-3
VALDEZ STREET PROPERTIES, LLC

ARCHITECT
JONATHAN COHEN
TCA ARCHITECTS
1111 BROADWAY, SUITE 1320
OAKLAND, CA 94607
510.545.4222

LANDSCAPE ARCHITECT
WATT SHEPARD
OWH LANDSCAPE ARCHITECTS
3847 SAN HELENE SUITE 3000
HOUSTON, TEXAS 77007
713.267.3100

CIVIL ENGINEER
MIKE O'DONNELL, PE
BKF ENGINEERS
150 CALIFORNIA STREET, SUITE 850
SAN FRANCISCO, CA 94111
415.830.7900

SHEET INDEX

Sheet Number	Sheet Title
C1.01	TITLE SHEET
C2.01	EXISTING CONDITIONS AND BOUNDARY SURVEY
C3.01	CONCEPTUAL SITE PLAN
C4.01	CONCEPTUAL GRADING
C5.01	CONCEPTUAL UTILITIES
C6.01	CONCEPTUAL STORMWATER CONTROL PLAN
C7.01	CONCEPTUAL SECTIONS
C8.01	CONCEPTUAL EROSION CONTROL
INT1	JOINT TRENCH TITLE SHEET
INT2	JOINT TRENCH INTENT

LEGEND

Symbol	Proposed	Existing
LOT LINE	---	---
BOUNDARY LINE	---	---
FENCE	---	---
STORM DRAIN (30" 35 PVC)	---	---
SANITARY SEWER (30" 35 PVC)	---	---
WATER MAIN (30" 60 PVC)	---	---
GAS LINE	---	---
JOINT TRENCH	---	---
SANITARY SEWER CLEANOUT	---	---
SANITARY SEWER MANHOLE	---	---
STORM DRAIN CURB INLET	---	---
STORM DRAIN OFFSET MANHOLE	---	---
STORMWATER	---	---
DETECTOR CHECK & METER	---	---
COMPOUND METER	---	---
FIRE DEPARTMENT CONNECTION	---	---
FIRE HYDRANT	---	---
WATER VALVE	---	---
CAF	---	---
MONUMENT	---	---

ENGINEER'S STATEMENT
THIS VESTING TENTATIVE MAP FOR CONDOMINIUM PURPOSES HAS BEEN PREPARED BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH STANDARD ENGINEERING PRACTICE.

DRAWING NUMBER: 2.A.2016
DATE: _____
MICHAEL A. O'DONNELL, P.E.
PROJECT MANAGER
BKF ENGINEERS

ABBREVIATIONS	
A	DELTA
AB	AGGREGATE BASE
AC	ASPHALT CONCRETE
AD	AREA DRAIN
AW	BILOCK WALK
B/P	BACKFLOW PREVENTER
B/S	BUILDING
BTM	BOTTOM
BVC	BEGIN VERTICAL CURVE ELEVATION
BVCS	BEGIN VERTICAL CURVE STATION
C&G	CURB AND GUTTER
CB	CATCH BASIN
CC	CONCRETE CATCHER PIPE
CL	CENTER LINE
CONC	CONCRETE
CTV	CABLE TELEVISION
DCDA	DOUBLE CHECK DETECTOR ASSEMBLY
DOC	DOCUMENT
DW	DOMESTIC WATER
D/W	DRAINAGE
E	EAST
EG	EXISTING GROUND
ELEC	ELECTRIC
ELEV	ELEVATION
EP	EDGE OF PAVEMENT
ESMT	EASMENT
EVCS	END VERTICAL CURVE ELEVATION
EVCS	END VERTICAL CURVE STATION
EX	EXISTING
FDC	FIRE DEPARTMENT CHECK
FF	FINISHED FLOOR
FG	FINISHED GRADE
FL	FIRE HYDRANT
FL/PL	FLUPLANE
FNC	FENCE
FT	FREET
FW	FIRE WATER
GND	GROUND
GR	GRATE
HORIZ	HORIZONTAL
INVT	INVERT
IRR	IRRIGATION
L	LENGTH
L/C	LANDSCAPE
LF	LINEAR FEET
LP	LIP OF GUTTER
LID	LOW IMPACT DEVELOPMENT
LT	LIGHT
N	NORTH
NTS	NOT TO SCALE
OH	OVERHEAD
DR. OR.	OFFICIAL RECORD
REF.	REFER
PG&E	PACIFIC GAS & ELECTRIC
PL	PROPERTY LINE
PR	PROPOSED
PVC	POLYVINYL CHLORIDE
R	RADIUS
RC	REINFORCED CONCRETE PIPE
S	SOUTH
S/W	SIDEWALK
S.A.D.	SEE ARCHITECTURAL DRAWINGS
SD	STORM DRAIN
SDAD	STORM DRAIN AREA DRAIN
SDCD	STORM DRAIN CLEANOUT
SDI	STORM DRAIN DROP INLET
SDMH	STORM DRAIN MANHOLE
S.L.P.	SEE LANDSCAPE PLANS
SS	SANITARY SEWER
SSCD	SANITARY SEWER CLEANOUT
SSMH	SANITARY SEWER MANHOLE
ST	STATION
STB	TO BE DETERMINED
STA	STATION
TEL	TELEPHONE
TCD	TYPICAL TOP OF CURB
TWELL	TRENCH WELL
TYP	TYPICAL
VC	VERTICAL CURVE
VERT	VERTICAL
W	WEST
WM	WATER METER
WV	WATER VALVE
W/T	WITH

BASIS OF BEARINGS
THE BEARING OF NORTH 27°34'42" EAST BETWEEN FOUND MONUMENTS, 41200 BROADWAY AT THE INTERSECTIONS OF 25TH STREET AND 28TH STREET AS SHOWN ON THAT CERTAIN RECORD OF SURVEY NO. 2005 FILED FOR RECORD ON MAY 22, 2014 IN BOOK 39 OF MAPS AT PAGES 65-67, ALAMEDA COUNTY, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS MAP.

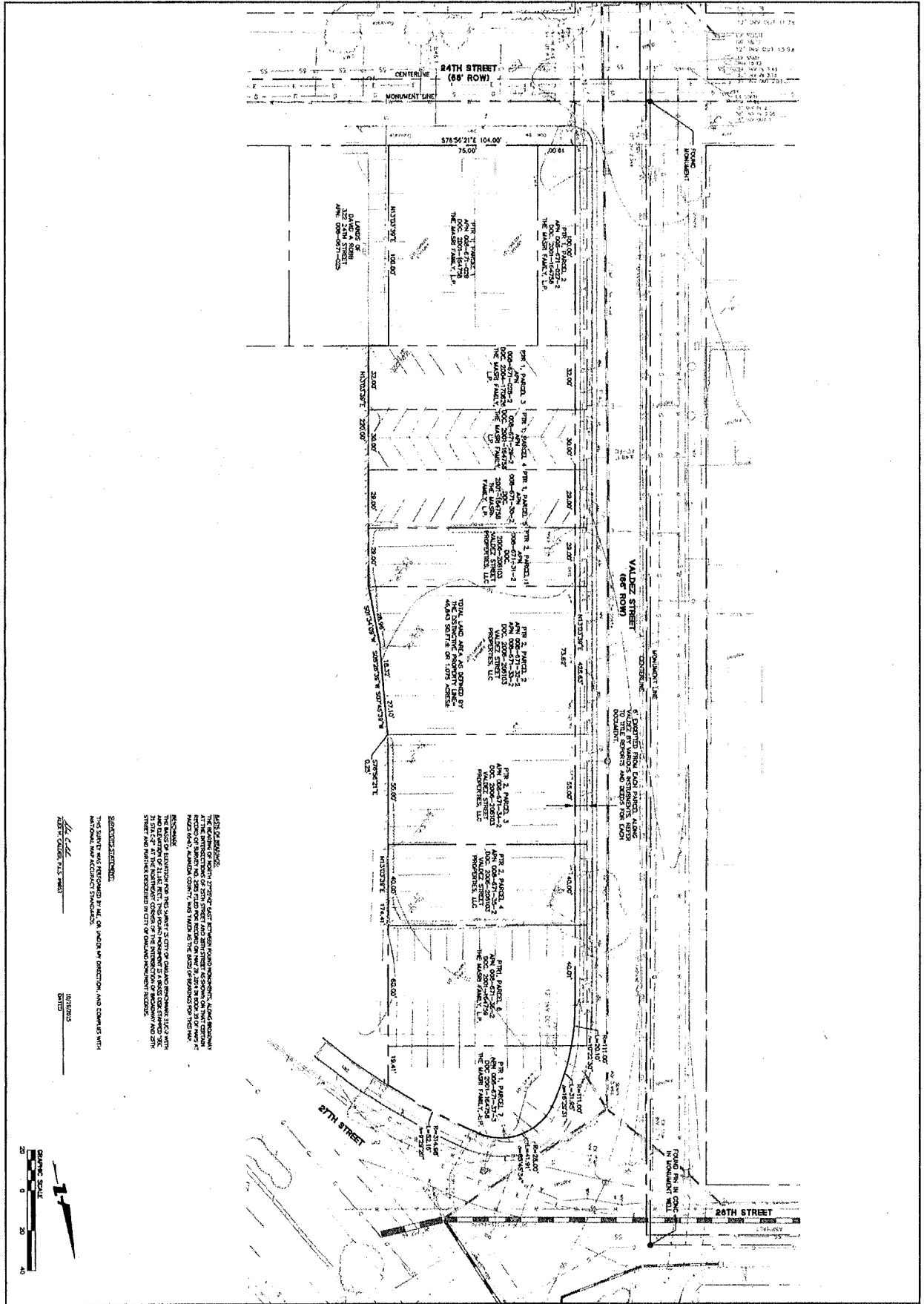
BENCHMARK
THE BASIS OF ELEVATION FOR THIS SURVEY IS CITY OF OAKLAND BENCHMARK 31/0-2 WITH AN ELEVATION OF 2,193 FEET. THIS FOUND MONUMENT IS A BRASS DISK STAMPED "SEC 31 STA C-2" AT THE NORTHEAST CORNER OF THE INTERSECTION OF BROADWAY AND 20TH STREET AND FURTHER DESCRIBED IN CITY OF OAKLAND MONUMENT RECORDS.

UTILITY NOTE
THE UTILITY LINES SHOWN ON THIS PLAN ARE DERIVED FROM SURFACE OBSERVATIONS AND ARE APPROXIMATE ONLY. NO WARRANTY IS IMPLIED AS TO THE ACTUAL LOCATION, SIZE OR PRESENCE OF ANY LINES SHOWN HEREON OR ANY ADDITIONAL UTILITY LINES NOT SHOWN ON THIS PLAN.

PURPOSE
SUBDIVIDE SUBJECT SITE WITH ONE RESIDENTIAL CONDOMINIUM UNITS AND TWO COMMERCIAL UNITS.

DRAWING NAME: 05-2016-10458-2400 VALDEZ VESTING TENTATIVE PARCEL MAP FOR CONDOMINIUM PURPOSES NO. 10458 TITLE SHEET
PLAT DATE: 05-2016-18
PLOT DATE: 05-2016-18

BOOK 39 - NOT FOR CONSTRUCTION

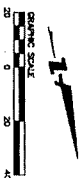


NOTICE OF RECORDATION:
 THE CITY OF OAKLAND, CALIFORNIA, HAS REVIEWED THIS PARCEL MAP AND CERTIFIES THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF ITS KNOWLEDGE AND BELIEF. THE CITY OF OAKLAND, CALIFORNIA, DOES NOT WARRANT THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE CITY OF OAKLAND, CALIFORNIA, IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PARCEL MAP. THE CITY OF OAKLAND, CALIFORNIA, IS NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR FROM THIS PARCEL MAP. THE CITY OF OAKLAND, CALIFORNIA, IS NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR FROM THIS PARCEL MAP.

RECORDATION:
 THIS PARCEL MAP IS BEING SUBMITTED TO THE CITY OF OAKLAND, CALIFORNIA, FOR RECORDATION. THE CITY OF OAKLAND, CALIFORNIA, IS NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR FROM THIS PARCEL MAP.

CONTRACTORS' STATEMENT:
 THIS SURVEY WAS PERFORMED BY M. G. WALKER IN ACCORDANCE WITH THE PROFESSIONAL STANDARDS AND ETHICS OF THE SURVEYING PROFESSION. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE PROFESSIONAL STANDARDS AND ETHICS OF THE SURVEYING PROFESSION.

M. G. WALKER
 LICENSED SURVEYOR
 LICENSE NO. 15014

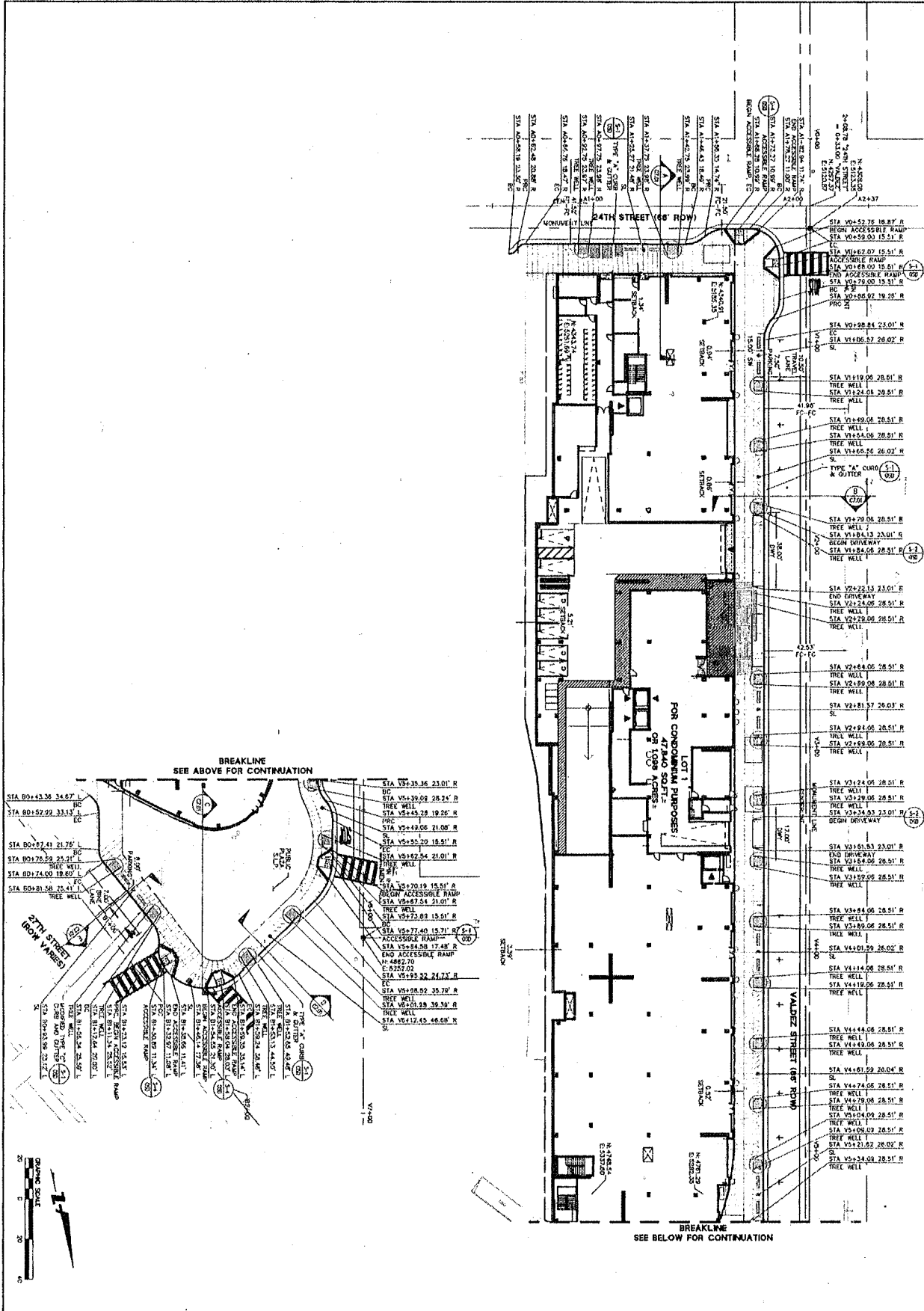


Date	By	Revisions
2.8.2018		

2 of 8

2400 VALDEZ
 VESTING TENTATIVE PARCEL MAP FOR CONDOMINIUM PURPOSES NO. 10458
 EXISTING CONDITIONS AND BOUNDARY SURVEY
 CITY OF OAKLAND ALAMEDA COUNTY CALIFORNIA

BKF100
 ENGINEERS/SURVEYORS/PLANNERS
 150 CALIFORNIA STREET
 SUITE 200
 SAN FRANCISCO, CA 94111
 415.931.7200



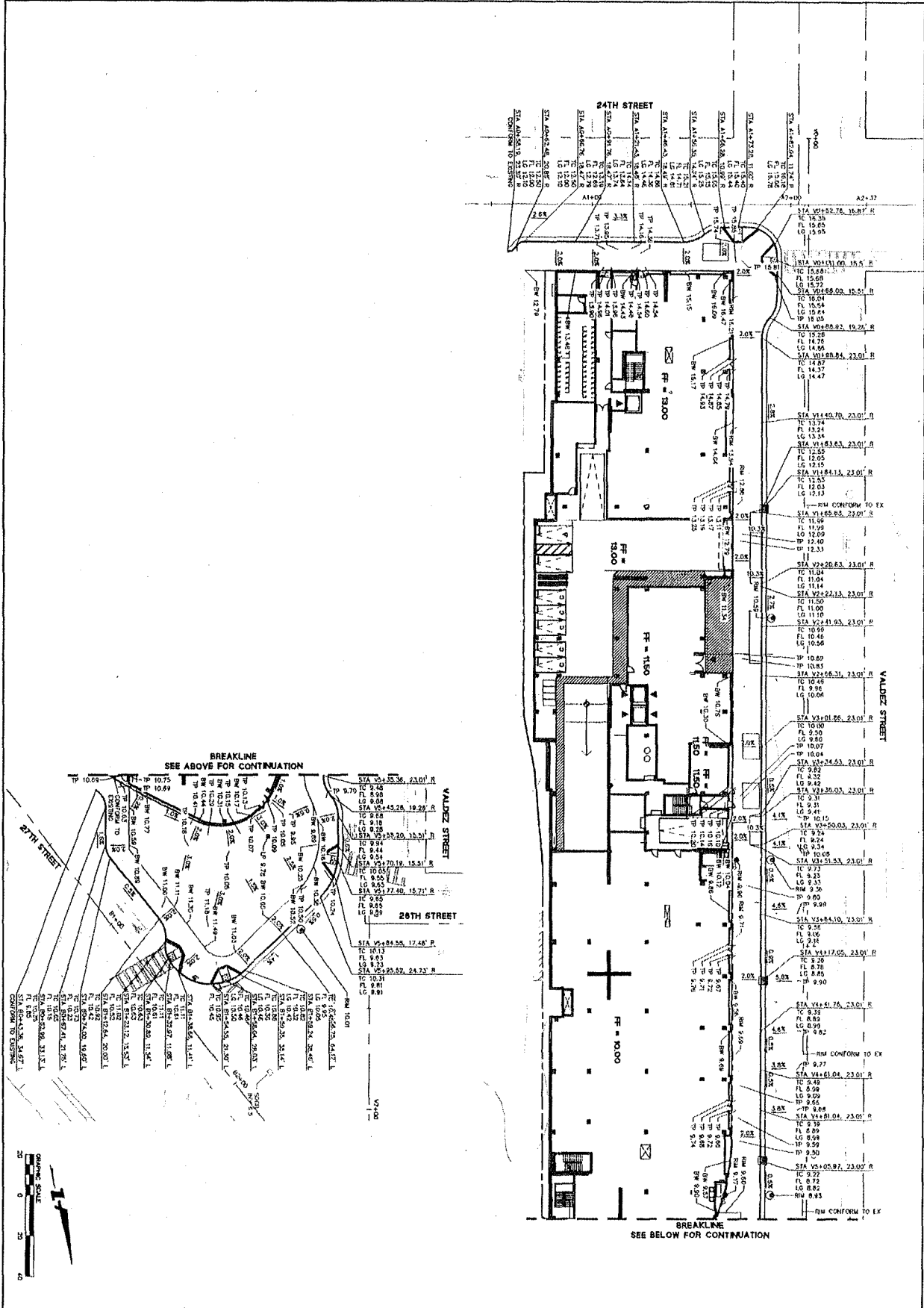
Drawing Number C3.01 of 3 of 8	Date	2.8.2016	No.		Revisions
	Scale	1"=20'			
	Design	JCW			
	Drawn	JCW			
	Approved	WAG			
Job No	20150142				

2400 VALDEZ
VESTING TENTATIVE PARCEL MAP FOR CONDOMINIUM PURPOSES NO. 10458
CONCEPTUAL SITE PLAN
 CITY OF OAKLAND ALAMEDA COUNTY CALIFORNIA


BKF100
 ENGINEERS / SURVEYORS / PLANNERS
 170 CALIFORNIA STREET
 SUITE 600
 SAN FRANCISCO, CA 94111
 415.930.7900

100X SD - NOT FOR CONSTRUCTION

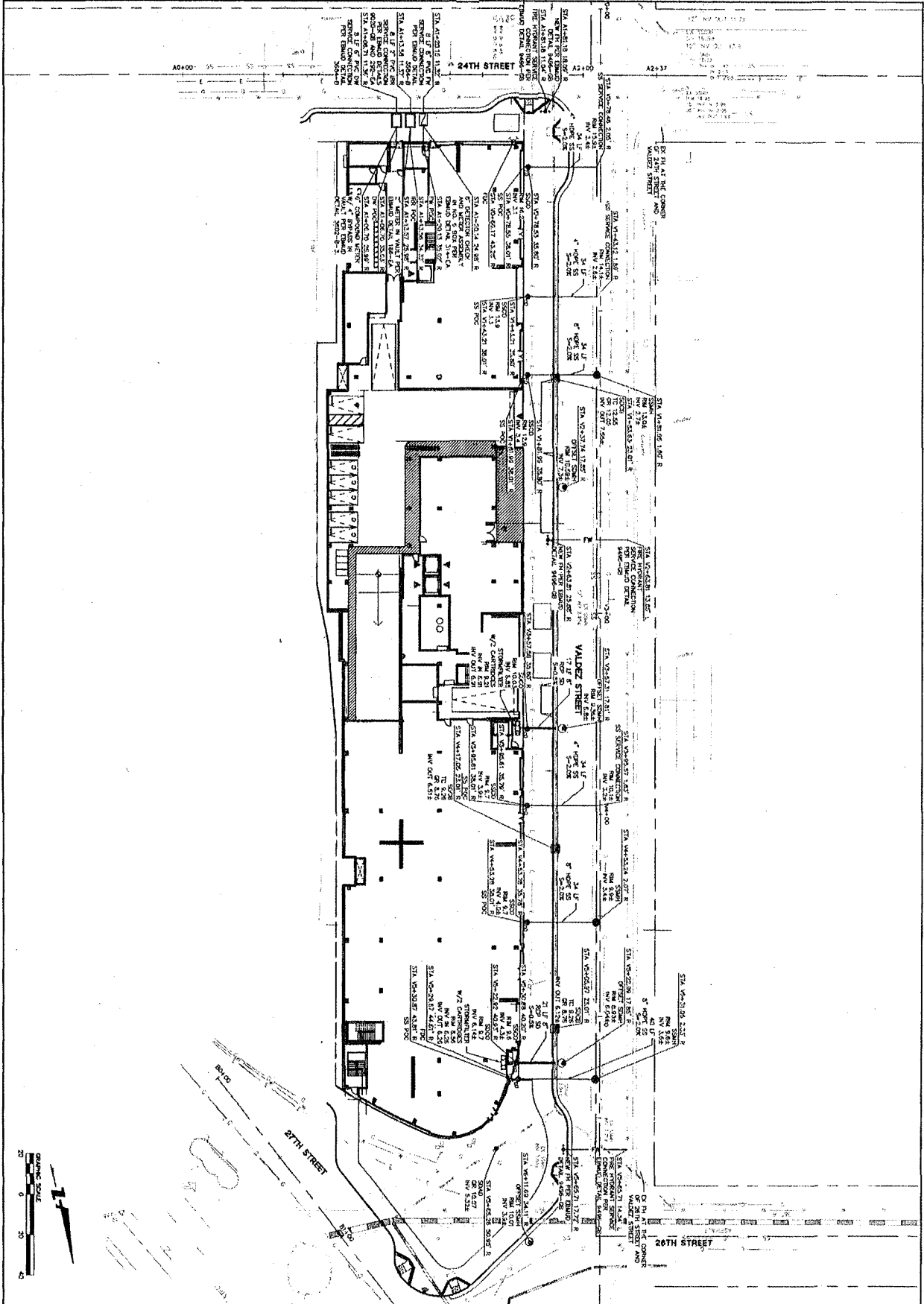
© BKF Engineers



Date: 1.6.2016 Scale: 1" = 20' Design: JMW Drawn: JMW Approved: MMD Job No: 20150142	No. System	
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2400 VALDEZ
VESTING TENTATIVE PARCEL MAP FOR CONDOMINIUM PURPOSES NO. 10458
CONCEPTUAL GRADING
 CITY OF OAKLAND ALAMEDA COUNTY CALIFORNIA

BKF100
 ENGINEERS/SURVEYORS/PLANNERS
 150 CALIFORNIA STREET
 SUITE 240
 SAN FRANCISCO, CA 94111
 415.930.7000



Date	No.	Revisions
2.8.2018		
Scale 1" = 20'		
Design JCV		
Drawn JCV		
Approved MAA		
Job No 20160142		



2400 VALDEZ
 VESTING TENTATIVE PARCEL MAP FOR CONDOMINIUM PURPOSES NO. 10458
 CONCEPTUAL UTILITIES

CITY OF OAKLAND ALAMEDA COUNTY CALIFORNIA

BKF100 ENGINEERS / SURVEYORS / PLANNERS
 150 CALIFORNIA STREET, SUITE 450
 SAN FRANCISCO, CA 94111
 415.392.7909

LEGEND

- FLOOD-THROUGH PLANTERS TREATMENT AREA
- LANDSCAPED (NEW PERVIOUS AREA)
- ROOF OR PAVED (REPLACED IMPERVIOUS AREA)

STORMWATER COMPLIANCE DATA

FOR THE MAINTENANCE SECTION, STORMWATER TREATMENT FACILITIES SHALL BE PROVIDED FOR ALL IMPERVIOUS AREAS. THE TREATMENT FACILITIES SHALL BE PROVIDED FOR ALL IMPERVIOUS AREAS EXCEPT FOR THE FOLLOWING:

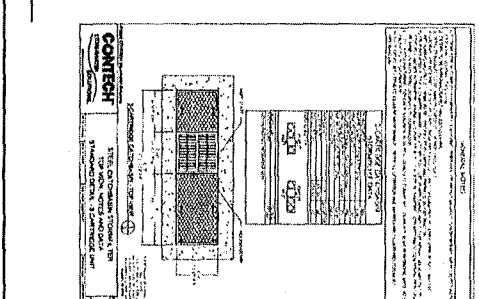
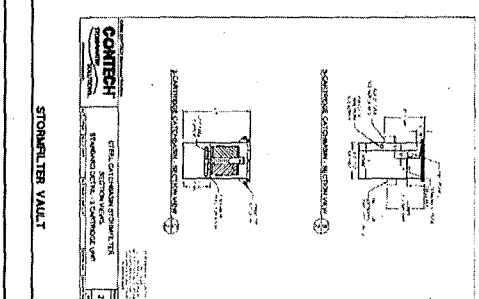
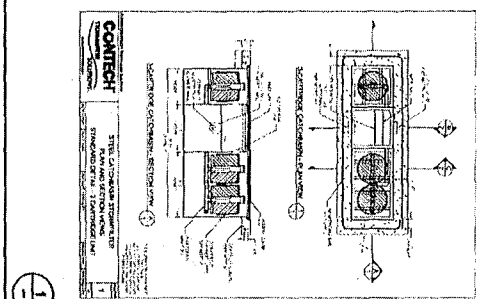
1. AREAS WITH AN IMPERVIOUS AREA OF LESS THAN 1,000 SQ. FT.
2. AREAS WITH AN IMPERVIOUS AREA OF 1,000 TO 2,000 SQ. FT. WITH A SPECIAL PROJECT REDUCTION CREDIT OF 75% AS DESCRIBED BELOW.
3. AREAS WITH AN IMPERVIOUS AREA OF 2,000 TO 5,000 SQ. FT. WITH A SPECIAL PROJECT REDUCTION CREDIT OF 75% AS DESCRIBED BELOW.
4. AREAS WITH AN IMPERVIOUS AREA OF 5,000 TO 10,000 SQ. FT. WITH A SPECIAL PROJECT REDUCTION CREDIT OF 75% AS DESCRIBED BELOW.
5. AREAS WITH AN IMPERVIOUS AREA OF 10,000 TO 20,000 SQ. FT. WITH A SPECIAL PROJECT REDUCTION CREDIT OF 75% AS DESCRIBED BELOW.
6. AREAS WITH AN IMPERVIOUS AREA OF 20,000 TO 50,000 SQ. FT. WITH A SPECIAL PROJECT REDUCTION CREDIT OF 75% AS DESCRIBED BELOW.
7. AREAS WITH AN IMPERVIOUS AREA OF 50,000 TO 100,000 SQ. FT. WITH A SPECIAL PROJECT REDUCTION CREDIT OF 75% AS DESCRIBED BELOW.
8. AREAS WITH AN IMPERVIOUS AREA OF 100,000 TO 200,000 SQ. FT. WITH A SPECIAL PROJECT REDUCTION CREDIT OF 75% AS DESCRIBED BELOW.
9. AREAS WITH AN IMPERVIOUS AREA OF 200,000 TO 500,000 SQ. FT. WITH A SPECIAL PROJECT REDUCTION CREDIT OF 75% AS DESCRIBED BELOW.
10. AREAS WITH AN IMPERVIOUS AREA OF 500,000 TO 1,000,000 SQ. FT. WITH A SPECIAL PROJECT REDUCTION CREDIT OF 75% AS DESCRIBED BELOW.

STORMWATER TREATMENT AREA DATA

THE FOLLOWING TABLES PROVIDE THE REQUIRED TREATMENT FACILITIES FOR THE IMPERVIOUS AREAS OF THE PROJECT.

PERCENT DOWN ABSORPTION

Impervious Area (sq. ft.)	Permitted Impervious Area (sq. ft.)	Permitted Impervious Area (%)	Reduction Credit (%)
0 - 1,000	0	0	0
1,000 - 2,000	200	20	75
2,000 - 5,000	500	10	75
5,000 - 10,000	1,000	5	75
10,000 - 20,000	2,000	2	75
20,000 - 50,000	4,000	1	75
50,000 - 100,000	8,000	0.5	75
100,000 - 200,000	16,000	0.25	75
200,000 - 500,000	32,000	0.125	75
500,000 - 1,000,000	64,000	0.0625	75



STORMWATER VULT

1

Date	2.8.2016
Scale	1" = 20'
Design	JCW
Drawn	WML
Approved	MAO
Job No	20150142

2400 VALDEZ

VESTING TENTATIVE PARCEL FOR CONDOMINIUM PURPOSES NO. 10458

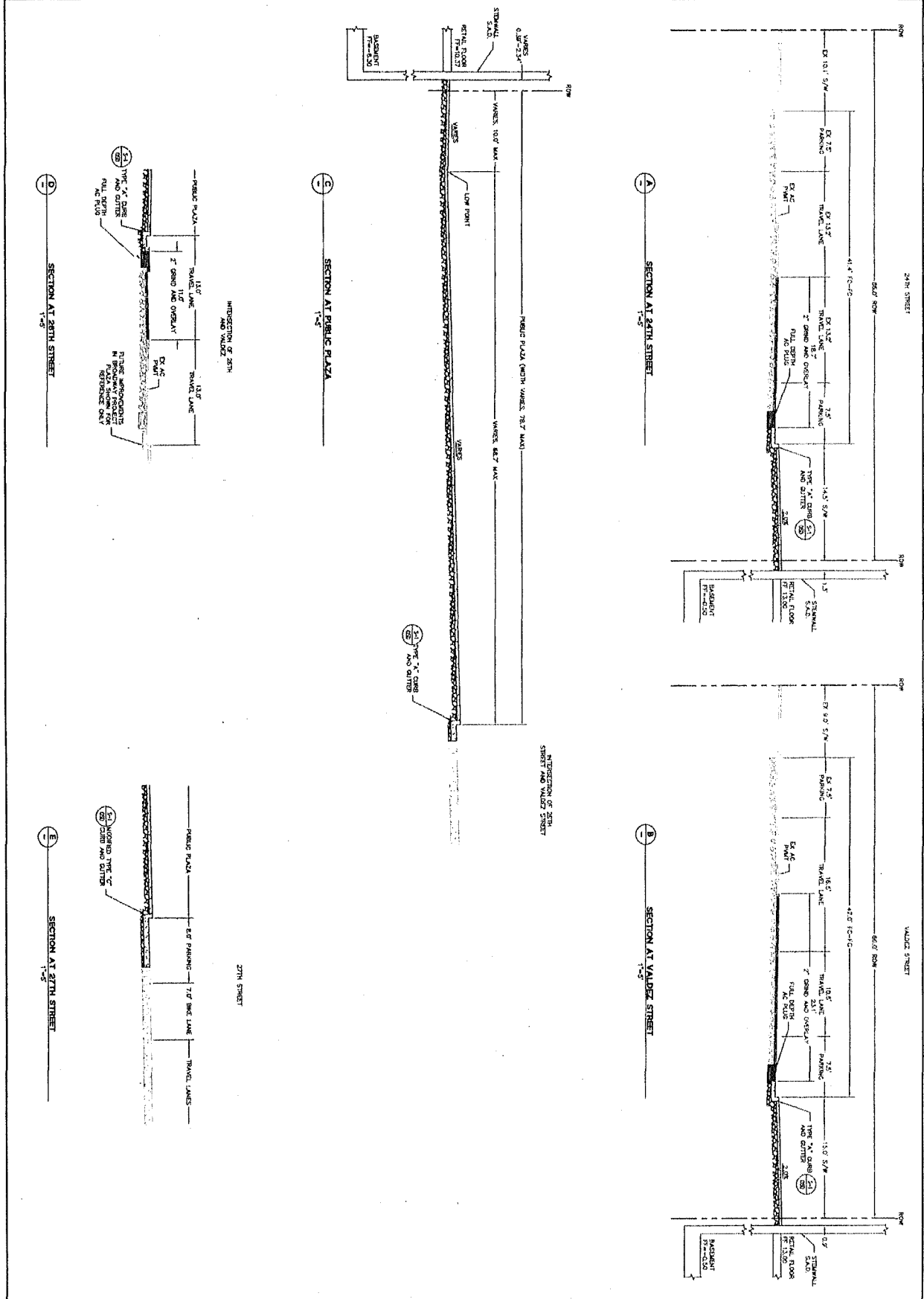
CONCEPTUAL STORMWATER CONTROL PLAN

CITY OF OAKLAND ALAMEDA COUNTY CALIFORNIA

BKF100
YEARS
ENGINEERS / SURVEYORS / PLANNERS

100 CALIFORNIA STREET
SUITE 500
SAN FRANCISCO, CA 94111
415.839.7000

CGE Engineers



Date	By	Revisions
2.8.2016		
Scale 1" = 20'		
Design JCM		
Drawn JCM		
Approved MWD		
Job No. 20150142		

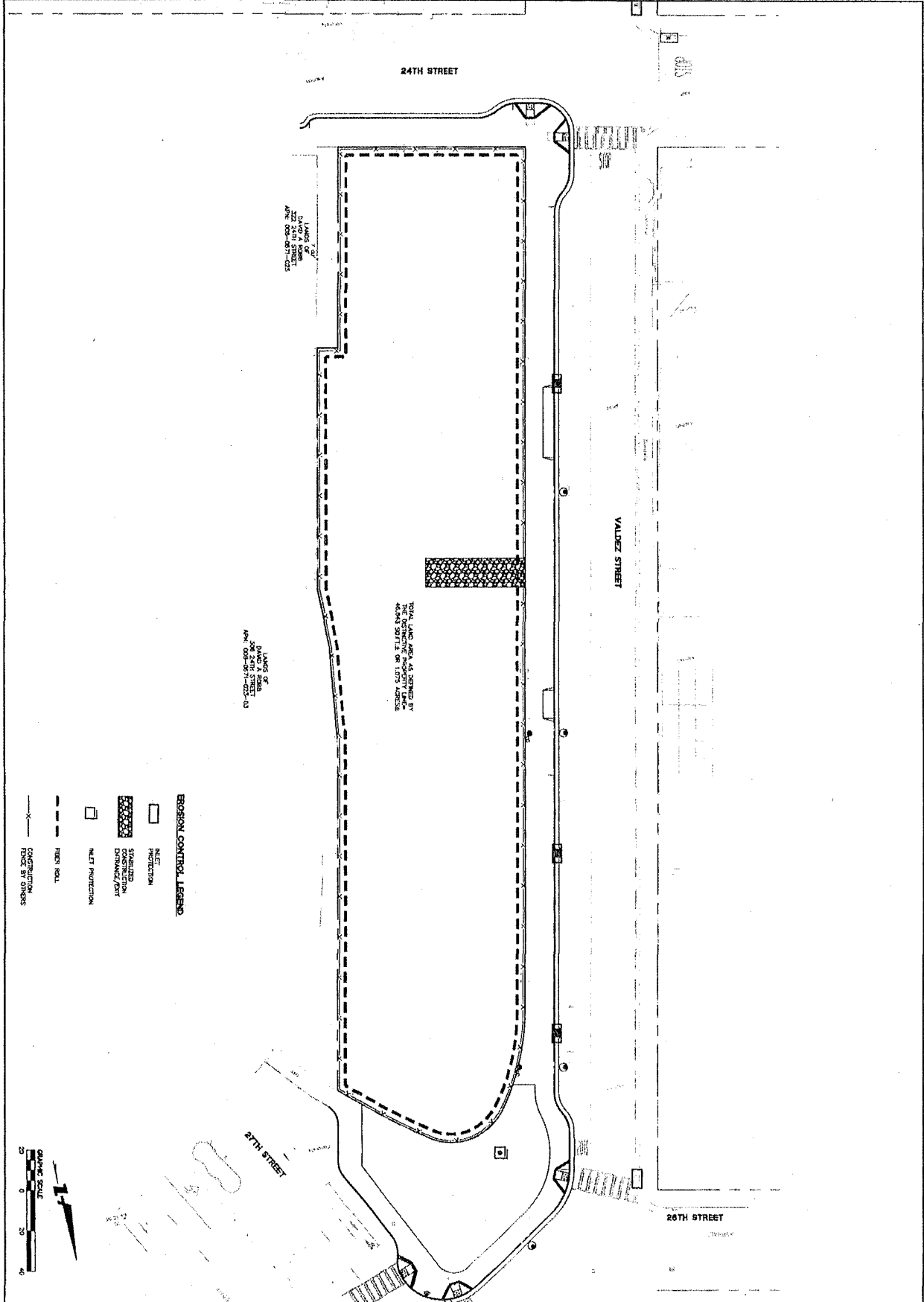
7 of 8
 C7.01

2400 VALDEZ
 VESTING TENTATIVE PARCEL MAP FOR CONDOMINIUM PURPOSES NO. 10458
 CONCEPTUAL SECTIONS

CITY OF OAKLAND ALAMEDA COUNTY CALIFORNIA

BKF100
 ENGINEERS / SURVEYORS / PLANNERS

1100 CALIFORNIA STREET
 SUITE 450
 SAN FRANCISCO, CA 94109
 415.555.5500



8 of 8	Date: 2.8.2018	No.	Revised
8 of 8	Scale: 1" = 20'		
	Drawn: JCK		
	Checked: CK		
	Approved: MAD		
	Job No: 20150142		



2400 VALDEZ
 VESTING TENTATIVE PARCEL MAP FOR CONDOMINIUM PURPOSES NO. 10458
 CONCEPTUAL EROSION CONTROL

CITY OF OAKLAND ALAMEDA COUNTY CALIFORNIA

BKF100
 ENGINEERS / SURVEYORS / PLANNERS

150 CALIFORNIA STREET
 SUITE 250
 SAN FRANCISCO, CA 94111
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