

**ATTACHMENT E**

Conditions of Approval

**SAFeway REDEVELOPMENT PROJECT  
(BROADWAY AND PLEASANT VALLEY AVENUE)  
CASE FILE NO. CMDV09-135; CP09-090; ER09-007**

**CONDITIONS OF APPROVAL**

**PART A: STANDARD CONDITIONS OF APPROVAL**

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**1. Approved Use**

*Ongoing*

- a) The project shall be constructed and operated in accordance with the authorized use as described in the application materials, staff reports, EIR, and approved plans (dated August 30, 2013, received September 3, 2013), and as amended by the following Conditions of Approval. Any additional uses or facilities other than those approved with this permit, as described in the project description and the approved plans, will require a separate application and approval. Any deviation from the approved drawings, Conditions of Approval, or use shall required prior written approval from the Director of City Planning or designee.
- b) This action by the City Planning Commission (this “Approval”) includes the following approvals:
- i. **Regular Design Review for new construction;**
  - ii. **Interim Conditional Use Permit to apply the policies of the General Plan to the portions of the site in the R-50 Zone;**
  - iii. **Major Conditional Use Permit to allow a Drive-Through Nonresidential Facility;**
  - iv. **Major Conditional Use Permit to allow alcoholic beverage sales in conjunction with a new General Food Sales Commercial Activity (new Safeway store);**
  - v. **Minor Variance to allow a building height up to 80 feet in the C-30 Zone where the maximum allowed height is 45 feet; and**
  - vi. **Creek Protection Permit (Category IV) to allow development on a creekside property.**

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

*Ongoing*

This Approval shall expire in **two calendar years for Phase I of the project** and **four calendar years for Phase 2 of the project** from the Approval date, 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 dates referenced above, the Director of City Planning or designee may grant a one-year extension of such dates, with additional extensions subject to approval by the approving body. Expiration of any necessary building permit for this project may invalidate this Approval if the said extension period has also expired.

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

*Ongoing*

The project is approved pursuant to the **Planning Code** and **Creek Protection Ordinance** only. Minor changes to approved plans may be approved administratively by the Director of City Planning or designee. Major changes to the approved plans shall be reviewed by the Director of City Planning or designee to determine whether such changes require submittal and approval of a revision to the approved project by the approving body or a new, completely independent permit.

#### **4. Conformance with other Requirements**

##### ***Prior to issuance of a demolition, grading, p-job, building, or other construction-related permit***

- a) The project applicant shall comply with all other applicable federal, state, regional, and/or local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Building Services Division, Fire Marshal, or Public Works Agency. 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 3 above.
- b) The applicant shall submit approved building plans for project-specific needs related to fire protection to the Fire Services Division for review and approval, including, but not limited to, automatic extinguishing systems, water supply improvements and hydrants, fire department access, and vegetation management for preventing fires and soil erosion.

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

##### ***Ongoing***

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

#### **6. Signed Copy of the Conditions/Mitigation Measures**

##### ***With submittal of a demolition, grading, p-job, building, or other construction-related permit***

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

#### **7. Indemnification**

##### ***Ongoing***

- a) To the maximum extent permitted by law, the applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the City of Oakland Redevelopment Successor Agency, the Oakland City Planning Commission and its respective agents,

officers, and employees (hereafter collectively called City) from any liability, damages, claim, judgment, loss (direct or indirect) action, causes of action, or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul (1) an approval by the City relating to a development-related application or subdivision or (2) implementation of an approved development-related project. The City may elect, in its sole discretion, to participate in the defense of said Action and the applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.

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

**8. Compliance with Conditions of Approval**

***Ongoing***

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

**9. Severability**

***Ongoing***

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

**10. Job Site Plans**

***Ongoing throughout demolition, grading, and/or construction***

At least one (1) copy of the stamped approved plans, along with the Approval Letter and Conditions of Approval shall be available for review at the job site at all times.

**11. Special Inspector/Inspections, Independent Technical Review, Project Coordination and Management**

***Prior to issuance of a demolition, grading, p-job, building, or other construction-related permit***

The project applicant may be required to pay for on-call third-party special inspector(s)/inspections as needed during the times of extensive or specialized plan-check review or construction. The project applicant may also be required to cover the full costs of independent technical review and other types of peer review, monitoring and inspection, including without limitation, third party plan-check fees, including inspections of violations of Conditions of Approval. The project applicant shall establish a deposit with the Building Services Division, as directed by the Building Official, Director of City Planning, or designee.

## **12. Final Landscape Plan**

### ***Prior to issuance of a p-job or building permit***

Submittal and approval of a final Landscape Plan for the project is required. The Landscape Plan and the plant materials installed pursuant to the plan shall conform to all provisions of the Planning Code and Municipal Code, including the following:

- a) On streets with sidewalks where the distance from the face of the curb to the outer edge of the sidewalk is at least six feet, street trees shall be provided to the satisfaction of the Director of City Planning. Proposed street trees shall be selected from the City's Frequently Planted Tree Species List, as provided in Section 17.124.110. Alternative species may be approved by the Director of City Planning. Selection of street tree species shall be based upon compatibility with the existing tree plantings on the street, the mature size of the tree, space available for the tree to grow, the presence of underground and overhead utility lines, utility poles, streetlights, driveway approaches, and fire hydrants.
- b) All landscape plans shall show proposed methods of irrigation. The methods shall ensure adequate irrigation of all plant materials for at least one growing season.

## **13. Landscape Maintenance**

### ***Ongoing***

All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. All required irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.

## **14. Underground Utilities**

### ***Prior to issuance of a building permit***

The project applicant shall submit plans for review and approval by the Building Services Division and the Public Works Agency, and other relevant agencies, as appropriate, that show all new electric and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits, and similar facilities placed underground. The new facilities shall be placed underground along the project applicant's street frontage and from the project applicant's structures to the point of service. The plans shall show all electric, telephone, water service, fire water service, cable, and fire alarm facilities installed in accordance with standard specifications of the serving utilities.

## **15. Improvements in the Public Right-of-Way**

### ***Prior to the issuance of a p-job or building permit***

- a) The project applicant shall submit Public Improvement Plans to the Building Services Division for adjacent public rights-of-way (ROW) showing all proposed improvements and compliance with the Conditions/Mitigation Measures and City requirements including but not limited to curbs, gutters, sewer laterals, storm drains, street trees, paving details, locations of transformers and other above ground utility structures, the design specifications and locations of facilities required by the East Bay Municipal Utility District (EBMUD), street lighting, on-street parking and accessibility improvements compliant with applicable standards and any other improvements or requirements for the project as provided for in this Approval. Encroachment permits shall be obtained as necessary for any applicable improvements located within the public ROW.
- b) Review and confirmation of the street trees by the City's Tree Services Division is required as part of this Condition.

- c) The Planning and Zoning Division and the Public Works Agency will review and approve designs and specifications for the improvements. Improvements shall be completed prior to the final inspection for the building permit.
- d) The Fire Services Division will review and approve fire crew and apparatus access, water supply availability, and distribution to current codes and standards.

**16. Payment for Public Improvements**

*Prior to final inspection of a p-job or building permit*

The project applicant shall pay for and install public improvements made necessary by the project including damage caused by construction activity.

**17. Compliance Matrix**

*Prior to issuance of a demolition, grading, p-job, building, or other construction-related permit*

The project applicant shall submit to the Planning and Zoning Division and the Building Services Division a Conditions/Mitigation Measures compliance matrix that lists each Condition of Approval and Mitigation Measure, the City agency or division responsible for review, and how/when the project applicant has met or intends to meet the Condition/Mitigation Measure. The applicant will sign the Conditions of Approval attached to the approval letter and submit that with the compliance matrix for review and approval. The compliance matrix shall be organized per step in the plan-check/construction process unless another format is acceptable to the Planning and Zoning Division and the Building Services Division. The project applicant shall update the compliance matrix and provide it with each item submittal.

**18. Construction Management Plan**

*Prior to issuance of a demolition, grading, p-job, building, or other construction-related permit*

The project applicant shall submit to the Planning and Zoning Division and the Building Services Division for review and approval a Construction Management Plan that identifies the Conditions of Approval and Mitigation Measures related to construction of the project and explains how the project applicant will comply with these construction-related Conditions/Mitigation Measures.

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

*Ongoing*

All Standard Conditions of Approval and Mitigation Measures identified in the project EIR are included in the Standard Condition of Approval and Mitigation Monitoring Program (SCAMMRP) which is attached to these Conditions of Approval as **Exhibit A** and are incorporated herein by reference as Conditions of Approval of the project. The Standard Conditions of Approval identified in the EIR are included in the SCAMMRP and are, therefore, not repeated in these Conditions of Approval. To the extent that there is any inconsistency between the SCAMMRP and these Conditions, the more restrictive Conditions shall govern. The project sponsor (also referred to as the Developer or Applicant) shall be responsible for compliance with the recommendation in any submitted and 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. The SCAMMRP identifies the time frame and responsible party for implementation and monitoring for each mitigation measure. Overall monitoring of compliance with the Standard Conditions of Approval and Mitigation Measures will be the responsibility of the Planning and Zoning Division. Adoption of the SCAMMRP will constitute fulfillment of the CEQA monitoring and/or reporting requirement set forth in Section 21081.6 of CEQA.

Prior to the issuance of a demolition, grading, and/or construction permit, the project sponsor shall pay the applicable mitigation and monitoring fee to the City in accordance with the City's Master Fee Schedule.

## PART B: PROJECT-SPECIFIC CONDITIONS OF APPROVAL

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### 20. Applicable Zoning

#### *Ongoing*

The planning permits for the project are approved pursuant to the zoning regulations in effect at the time the application for the project was deemed complete, as explained in the staff reports and EIR for the project. Applications for future land use facilities/activities shall be considered pursuant to the zoning regulations in effect at the time future applications are submitted.

### 21. Parcel Merger

#### *Prior to issuance of a p-job or building permit*

The project applicant shall obtain City approval of a real estate instrument to merge the individual parcels on the site and shall record the approval at the Alameda County Recorder's Office.

### 22. Survey Monumentation

#### *Prior to issuance of a demolition, grading, p-job, building, or other construction-related permit*

The project applicant shall ensure that a licensed land surveyor document and reference all adjacent City Monuments and file the Corner Records with Alameda County pursuant to section 8771 of the State Business and Professions Code. The project applicant shall submit a copy of the filed documents to the City Surveyor. If any Monuments are to be removed or relocated, the project applicant shall obtain prior approval from the City Surveyor.

### 23. Final Project Design

#### *Prior to issuance of a p-job or building permit*

The project applicant shall obtain approval from the Director of City Planning of the final design for the project, including the final building elevations, massing, detailing, colors, materials, site design, landscape design, and right-of-way design. Proposed changes to the approved design will be processed in accordance with the provisions of **Condition 3** above. Changes to the specific locations of proposed land use activities within approved facilities are considered a minor change and may be approved administratively by the Director of City Planning.

### 24. Signage

#### *Prior to issuance of a sign permit*

The project applicant shall obtain approval from the City of a Master Sign Program pursuant to the provisions contained in section 17.104.070 of the Planning Code. The Master Sign Program shall cover all proposed on-site signage including tenant signage and project signage. For tenant signage, the Master Sign Program shall identify, at a minimum, allowable sign sizes, materials, colors, placement, construction, method of lighting, and other related sign requirements. For project signage, the Master Sign Program shall contain the specific signs proposed for the site, including, at a minimum, the specific sign lettering, logos, sizes, materials, colors, placement, construction, method of lighting, and other related sign requirements.



## **25. Site Security**

### ***a. Prior to issuance of a p-job or building permit***

The project shall be designed to enhance site security and reduce the potential for crime. The following site design measures, at a minimum, shall be incorporated into the final design, if feasible:

- i. All security/perimeter fencing shall be constructed of durable, transparent materials.
- ii. Access to the area located behind the Safeway store shall be secured and controlled at all times via a gate or other instrument.
- iii. The interior of all exterior stairwells shall be visible from the exterior.

### ***b. Prior to issuance of a p-job or building permit***

The Lighting Plan required by the SCAMMRP (SCA Aesth-1) shall include a photometric plan for City review and approval. The Lighting Plan shall include adequate lighting for site security.

### ***c. Prior to final inspection for a building permit; ongoing***

The final Landscape Plan required by **Condition 12** above shall contain trees, at mature growth, with limbs above six feet above ground and shrubs that grow no more than 42 inches tall in order to allow visibility into and through the site. Landscaping shall be maintained on an ongoing basis to comply with these height standards.

### ***d. Prior to final inspection for a building permit; ongoing***

The project applicant shall obtain City approval of a Security Plan that identifies physical and operational strategies to enhance site security and reduce the potential for crime and noise impacts. In addition to other strategies, the Security Plan shall contain strategies for security in structured parking areas and strategies to reduce nighttime noise. The project applicant shall implement the Security Plan during operation of the project.

## **26. Recycling Collection Areas**

### ***Prior to issuance of a p-job or building permit***

The final project drawings shall show the location and design of proposed public and private recycling collection areas for City review and approval. These areas shall be designed to reduce potential parking, aesthetic, and noise impacts.

## **27. External Loudspeakers**

### ***Prior to issuance of a building permit***

External loudspeakers shall be designed to adjust volumes according to ambient noise levels to reduce the potential for noise impacts. The project applicant shall submit documentation for City review and approval to document compliance with this requirement.

## **28. Public Art Program**

### ***Prior to issuance of a p-job or building permit***

The final project drawings shall identify the area reserved for art in public places (“public art”). Prior to the final inspection for the building permit, the project applicant shall obtain City approval of a public art program that includes the location and type of public art proposed. The public art may take the form of one or more permanent installations and/or one or more spaces for rotating exhibits.

## **29. Requirements for Landscape Plan**

### ***Prior to issuance of a p-job or building permit***

The final Landscape Plan required by **Condition 12** above shall comply with the following:

- a) The sites of proposed trees shall contain adequate soil characteristics for rapid, sustained, and healthy growth of proposed trees.

- b) Proposed plantings shall consist primarily of native and/or climate-adapted species.
- c) The markers commemorating the history of the site and/or neighborhood, as proposed by the project applicant, shall be included.

**30. Litter Control**

***Prior to issuance of a p-job or building permit***

During construction and operation of the project, the project applicant shall incorporate best management practices (BMPs) reasonably related to maintaining a “trash neutral site” including the control of litter and/or the mitigation of the impacts of litter. BMPS related to the physical design of the project shall be included on the project drawings. Such best management practices may include, without limitation:

- a) Installation and maintenance of trash receptacles and cigarette butt receptacles near building entryways, plazas, and walkways as needed to provide sufficient capacity for customers and employees.
- b) Measures to reduce the potential for litter discharge into the adjacent pond, such as the following:
  - i. No seating areas with tables near the pond. Seating without tables is allowed. Seating with tables is allowed when in conjunction with an adjacent activity that can provide supervision of the outdoor space, such as restaurants; and
  - ii. Outside curbing along walkways and impervious surfaces to prevent ground-borne trash spillover from the project site into the pond.
- c) Removal and disposal of litter by appropriate means within 24 hours.

**31. Off-Site Transportation Improvements Proposed by Project**

***Prior to final inspection for building permit for Phase 2***

The off-site transportation-related improvements proposed by the project applicant as part of the project, as described in the application materials, project drawings, and EIR, shall be installed by the project applicant prior to the final inspection for Phase 2 of the project. The project applicant shall obtain the necessary approvals/permits prior to installation of the improvements. For improvements involving existing or proposed bus-related facilities, the City should consult with AC Transit prior to approving the improvements.

**32. Requirements for Improvements in the Public Right-of-Way**

***a. Prior to issuance of a p-job permit; ongoing***

Landscape Improvements: The project applicant shall obtain City approval of the proposed landscape design for improvements in the public right-of-way. The Landscape Plan shall show proposed methods of irrigation. The methods shall ensure adequate irrigation of all plant materials for at least one growing season. The project applicant shall be responsible for installation of the irrigation system and planting materials in the public right-of-way, and shall be responsible for ongoing maintenance of all plant materials, but not ongoing maintenance of the irrigation system or ongoing water service, installed in the public right-of-way. All 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. Prior to the final inspection for the p-job permit, the project applicant shall obtain City approval of a maintenance agreement to be recorded at the County Recorder that assigns these maintenance responsibilities to the project applicant.

***b. Prior to final inspection for a p-job permit***

Roadway Paving: The City is planning to repave the roadway on Broadway, including along the project frontage. In the event that the City-sponsored project occurs prior to the project applicant installing the proposed street improvements, any work conducted by the project applicant that affects the new paving shall include repaving the roadway from the curb to the median (or to the street centerline if no median exists) to ensure that the quality of the City-sponsored repaving is not degraded.

**33. On-Site Bicycle and Pedestrian Improvements**

**[Note: This Condition implements elements of Recommendations Trans-17A and Trans-23 from the project EIR.]**

***Prior to issuance of a p-job or building permit; ongoing***

The final project drawings shall contain the following bicycle and pedestrian improvements, if feasible:

- a) Use different materials and/or striping patterns at all crosswalks within the site, including mid-block crossings, parking aisle crossings, bicycle crossings, and parking structure driveways. Also, consider using raised speed tables at crosswalks to reduce automobile speeds.
- b) Ensure adequate sight distance is provided at all crosswalks, especially at mid-block and parking structure driveways.
- c) Potential options to improve pedestrian circulation and safety along the internal street near the loading berths between Building F and G include:
  - Allow trucks to load/unload along the internal street during non-peak periods.
  - Provide a pull-out on Pleasant Valley Avenue that would allow trucks to parallel park without interfering with automobile or bicycle flow along Pleasant Valley Avenue. This strategy would also require direct access between the uses on the south side of the internal street and Pleasant Valley Avenue.
  - Enlarge the loading berth adjacent to Building J.<sup>1</sup> This strategy would require material to be manually delivered to the uses south of the internal street.
- d) Ensure that all pedestrian paths and sidewalks within the project site have a minimum width of six feet (10 feet preferred).
- e) Ensure that all shared paths within the project site have a minimum width of 10 feet.
- f) Ensure that all parking spaces adjacent to sidewalks and paths provide wheel stops, or other comparable mechanism, to minimize automobile overhang on paths.
- g) Ensure that all pedestrian facilities provide pedestrian scale lighting.
- h) Consider installing “NO BIKES ON SIDEWALK” signs on internal project sidewalks if excessive bicycling on sidewalks is observed.
- i) Refine the design elements for the on-site shared paths to minimize potential conflicts between pedestrians, bicyclists, and motorists.

**34. Loading Management**

**[Note: This Condition implements elements of Recommendations Trans-17A and Trans-25 from the project EIR.]**

***Prior to final inspection for a building permit; ongoing***

The project applicant shall obtain City approval of a Loading Management Program and shall implement the approved program during operation of the project. The Loading Management Program shall be

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<sup>1</sup> Recommendation Trans-17A from the project EIR recommends enlarging the loading berth at Buildings F & G. This condition clarifies that Recommendation Trans-17A intended to recommend enlarging the loading berth at Building M, not Buildings F & G.

designed to ensure that truck deliveries for all project buildings can be accommodated in a manner to reduce impacts to pedestrian, bicycle, and automobile access, circulation, and parking throughout the site. The Loading Management Program shall identify loading areas for all project buildings and truck waiting areas when truck loading areas are occupied.

### **35. Bicycle Parking**

**[Note: This Condition implements elements of Recommendation Trans-23 from the project EIR.]**

***Prior to issuance of a p-job or building permit; ongoing***

The project applicant shall comply with the bicycle parking requirements of the Planning Code (Chapter 17.117) and shall comply with the following requirements, if feasible:

- a) Locate long-term bicycle parking in the parking structures.
- b) Ensure that short-term bicycle parking on sidewalks does not block pedestrian circulation.
- c) Ensure that some short-term bicycle parking spaces can accommodate bicycles with trailers.
- d) Monitor the usage of long-term and short-term bicycle parking spaces and if necessary provide additional parking spaces.
- e) Provide shower and locker facilities in a central location that can be accessed by all site employees.

The project drawings submitting for construction-related permits shall contain the above information,

### **36. Parking and Transportation Demand Management Recommendations**

**[Note: This Condition implements elements of SCA Trans-1 and Recommendation Trans-24 from the project EIR.]**

***Prior to final inspection for a building permit; ongoing***

The project applicant shall consider implementing, if feasible, the following measures when preparing the Parking and Transportation Demand Management Plan required by SCA Trans-1:

- a) Encourage employees to use the least convenient parking spaces such as parking spaces on the top deck of the parking structures and behind the buildings.
- b) Install an automated parking counting system including variable message signs to inform motorists of the number of parking spaces available in the structured parking facilities and reduce potential traffic circulation.
- c) Implement strategies to manage parking demand and supply during the peak December periods. Potential options to consider include the following:
  - Provide attendant parking for employees and/or customers. Automobiles can park in the drive aisles with attendant parking and increase the overall parking capacity of the site.
  - Provide remote parking for site employees.

### **37. Off-Site Bicycle and Pedestrian Improvements**

**[Note: This Condition implements elements of Recommendations Trans-17A, Trans-17B, and Trans-18 from the project EIR.]**

***Prior to final inspection for building permit for Phase 2***

The project applicant shall implement the following off-site improvements with City approval:

- a) Install bulbouts at the west side of Broadway/Coronado Avenue and south side of Pleasant Valley Avenue/Gilbert Street intersections, if feasible. The City should consult with AC Transit prior to approval.
- b) Where street improvements are being made along Broadway and Pleasant Valley Avenue, reduce the width of the concrete gutter pan, if feasible, where it may conflict with proposed bicycle lanes.
- c) Provide minimal green time for the left-turn phase from westbound Pleasant Valley Avenue to southbound Gilbert Street at the Gilbert Street/Project Driveway/ Pleasant Valley Avenue

intersection, if feasible, in order to discourage cut-through traffic while providing safe access for the local residents.

- d) Ensure that placement of landscaping and other amenities on the sidewalks adjacent to the project site provides a minimum width of eight feet through passage zones, if feasible, consistent with City of Oakland Pedestrian Master Plan guidelines.
- e) As part of implementing Class 2 bicycle lanes on Broadway, provide buffered bicycle lanes, if feasible.
- f) Implement the following at the west approach of the Montgomery Street/ Pleasant Valley Avenue intersection:
  - Bulbouts on both sides of the existing marked crosswalk crossing Pleasant Valley Avenue
  - Rectangular Rapid Flash Beacons (RRFB) for both directions of Pleasant Valley Avenue
- g) Provide bus shelters, if feasible, at the bus stops on northbound and southbound Broadway north of Pleasant Valley Avenue/51<sup>st</sup> Street and on westbound Pleasant Valley Avenue west of the project driveway. The City should consult with AC Transit prior to approval.

**38. Broadway/College Avenue Intersection Improvements**

**[Note: This Condition implements elements of Recommendation Trans-15a from the project EIR.]**

***Prior to final inspection for building permit for Phase 2***

The project applicant shall obtain City approval to modify the Broadway/College Avenue intersection so that College Avenue intersects Broadway at a right angle, as described in the project EIR.

**39. Neighborhood Traffic-Calming Plan**

**[Note: This Condition implements elements of Recommendation Trans-15a from the project EIR.]**

***Prior to construction; ongoing as specified***

The neighborhood traffic-calming improvements proposed by the project applicant shall be installed by the project applicant pursuant to this Condition. The project applicant shall monitor traffic volumes and speeds on the following roadways before and after completion of the project:

- Whitmore Street between Gilbert Street and Broadway
- Gilbert Street between 41st Street and Pleasant Valley Avenue
- Terrace Avenue between 41st Street and Mather Street
- Mather Street between Broadway and Montgomery Street
- John Street between Gilbert Street and Piedmont Avenue
- Ridgeway Avenue between Broadway and Piedmont Avenue
- Montgomery Street between 41st Street and Pleasant Valley Avenue
- Howe Street between 41st Street and Pleasant Valley Avenue
- Desmond Street between 51st Street and Coronado Avenue
- Coronado Avenue between Desmond Street and Broadway

The project applicant shall collect daily and peak-hour traffic volume and speed data via pneumatic tubes for a seven-day period on the streets identified above at the following times:

- “Before” data – Collected prior to start of construction on the project site
- “After” data – Collected within six to 18 months after the reconstructed shopping center (Phase I and Phase II) has reached 80 percent or more occupancy

Both sets of data shall be collected when local schools are in normal session. To the extent feasible, the “After” data should be collected during approximately the same time of the year as the “Before” data to minimize seasonal fluctuations in traffic volumes. Prior to collecting data the project applicant shall obtain approval from the City of the proposed data collection methodology in consultation with City transportation staff.

Based on comparison of “Before” and “After” data, the above street segments meeting one of the following criteria may be eligible for implementation of traffic calming strategies, such as speed humps or other traffic calming devices, roadway closures, or temporary or permanent turn restrictions:

- Daily and/or peak hour traffic volume on a street segment have increased by 25 percent or more (typically, 25 percent fluctuation in traffic volumes on local streets is within expected day-to-day fluctuation in traffic volumes and would not be noticeable to most local residents); or
- 15 percent (85th percentile speed) of the vehicles on a street segment exceed 32 mph<sup>2</sup>

If either of the above criteria are met, the project applicant shall submit a proposed Neighborhood Traffic-Calming Plan for City review and approval, in consultation with City transportation staff, that includes proposed traffic-calming measures for streets meeting the above criterion. The traffic-calming measures and streets identified in the plan shall be prioritized based on the following considerations (not listed in a particular order):

- If the cut-through issues on the street(s) identified above are determined to be attributable to the proposed project;
- If the cut-through issues on the street(s) identified above can be resolved through implementation of traffic calming strategies;
- The increase in traffic volume (comparing “Before” data to “After” data);
- Traffic speeds;
- Roadway safety (for all modes, including motorists, bicyclists, and pedestrians);
- Locational characteristics (e.g., adjacent land uses, street design, street function);
- The appropriate strategy, location, and effectiveness of the strategy for each identified street segment; and
- Potential secondary effects of the proposed strategies, including impacts to adjacent local streets.

The proposed plan shall contain the estimated cost of each proposed traffic-calming strategy. The total estimated cost of implementing all proposed strategies shall not exceed \$225,000 (including both “hard” and “soft” costs). Prior to the final inspection for the building permit for Phase 2, the project applicant shall submit a bond, or other financial instrument deemed acceptable by the City, in the amount equivalent to implementation of the traffic-calming strategies. If the bond or other financial instrument is not called upon within three years from collection of the “After” data, the bond or financial instrument shall be released.

After City receipt of the proposed traffic-calming plan, the project applicant shall send public notices to interested parties and property owners and occupants located adjacent to the proposed traffic-calming strategies. A draft of the public notice shall be submitted to the City for review and approval prior to

distribution. The public shall have 17 calendar days to review and comment on the proposed plan. The City shall not issue a decision on the plan until after the 17-day public comment period. Once the traffic-calming plan is approved by the City, the project applicant shall fully implement the approved plan. The project applicant shall obtain all necessary permits/approvals to implement the plan. The plan shall be fully implemented within one year after City approval of the plan. The bond or other financial instrument for the improvements shall be released upon implementation of the traffic-calming plan to the satisfaction of the City.

## **STANDARD CONDITIONS OF APPROVAL / MITIGATION MONITORING AND REPORTING PROGRAM**

This Standard Conditions of Approval / Mitigation Monitoring and Reporting Program (SCAMMRP) is based on the Final Environmental Impact Report (EIR) prepared for the Safeway Redevelopment Project at Broadway and Pleasant Valley Avenue in the City of Oakland.

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

The following table presents the mitigation measures identified in the Safeway Redevelopment Project at Broadway at Pleasant Valley Avenue EIR that are necessary to mitigate potentially significant impacts. Each mitigation measure is numbered according to the section of the EIR from which it is derived. For example, Mitigation Measure Trans-1 is the first mitigation measure identified in the Transportation, Circulation and Parking chapter of the EIR. The Standard Conditions are identified with the prefix SCA (e.g., SCA Trans-1).

- The first column indicates the environmental impact as identified in the EIR,
- The second column identifies the Mitigation Measure or Standard Condition of Approval (SCA) applicable to that impact,
- The third column identifies the monitoring schedule or timing,
- The fourth column names the party responsible for monitoring the required action, and
- The fifth column outlines the steps for monitoring the required action.



Environmental Impact	Mitigation Measures / Standard Conditions of Approval	Mitigation Monitoring:		
		Schedule	Responsibility	Procedure
<b>Chapter 4.1: Aesthetics, Wind and Shadows</b>				
<b>Impact Aesth-4:</b> Lighting at the site would be modified as part of the proposed Project, but stores and parking areas at the site would still be illuminated in a manner similar to what is currently observed at the site.	<b>SCA Aesth-1: Lighting Plan.</b> Prior to the issuance of an electrical or building permit. The proposed lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties. Plans shall be submitted to the Planning and Zoning Division and the Electrical Services Division of the Public Works Agency for review and approval. All lighting shall be architecturally integrated into the site.	Submittal prior to the issuance of an electrical or building permit.	City of Oakland Planning & Zoning  City of Oakland Building Services Division, Zoning Inspection  City of Oakland Public Works Agency, Electrical Services Division	Review and approve plans  Confirm implementation of the design features during construction
<b>Chapter 4.2: Air Quality</b>				
<b>Air-1:</b> During construction, the proposed Project would generate fugitive dust from demolition, grading, hauling and construction activities.	<b>SCA Air-1: Construction-Related Air Pollution Controls (Dust and Equipment Emissions).</b> Ongoing throughout demolition, grading, and/or construction. During construction, the project applicant shall require the construction contractor to implement all of the following applicable measures recommended by the Bay Area Air Quality Management District (BAAQMD):  a. Water all exposed surfaces of active construction areas at least twice daily (using reclaimed water if possible). Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.  b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).  c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.  d. Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should	Ongoing throughout demolition, grading, and/or construction.	City of Oakland Building Services Division, Zoning Inspection  City of Oakland Planning & Zoning	Review and approve plan  Confirm that all dust control mitigation measures are being implemented

Environmental Impact	Mitigation Measures / Standard Conditions of Approval	Mitigation Monitoring:		
		Schedule	Responsibility	Procedure
	<p>be laid as soon as possible after grading unless seeding or soil binders are used.</p> <p>e. Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).</p> <p>f. Limit vehicle speeds on unpaved roads to 15 miles per hour.</p> <p>g. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations. Clear signage to this effect shall be provided for construction workers at all access points.</p> <p>h. 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>i. Post a publicly visible sign that includes the contractor's name and telephone number to contact regarding dust complaints. When contacted, the contractor shall respond and take corrective action within 48 hours. The telephone numbers of contacts at the City and BAAQMD shall also be visible. This information may be posted on other required on-site signage.</p> <p>j. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.</p> <p>k. All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.</p> <p>l. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.</p> <p>m. Hydroseed or apply (non-toxic) soil stabilizers to</p>			

Environmental Impact	Mitigation Measures / Standard Conditions of Approval	Mitigation Monitoring:		
		Schedule	Responsibility	Procedure
	<p>inactive construction areas (previously graded areas inactive for one month or more).</p> <p>n. Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.</p> <p>o. Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize windblown dust. Wind breaks must have a maximum 50 percent air porosity.</p> <p>p. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.</p> <p>q. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.</p> <p>r. All trucks and equipment, including tires, shall be washed off prior to leaving the site.</p> <p>s. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.</p> <p>t. Minimize the idling time of diesel-powered construction equipment to two minutes.</p> <p>u. The project applicant shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate matter (PM) reduction compared to the most recent California Air Resources Board (CARB) fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative</p>			

Environmental Impact	Mitigation Measures / Standard Conditions of Approval	Mitigation Monitoring:		
		Schedule	Responsibility	Procedure
	<p>fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as they become available.</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 CARB's most recent certification standard.</p> <p><b>SCA Air-2: Asbestos Removal in Structures.</b> Prior to issuance of a demolition permit. If asbestos-containing materials (ACM) are found to be present in building materials to be removed, the project applicant shall submit specifications signed by a certified asbestos consultant for the removal, encapsulation, or enclosure of the identified ACM in accordance with all applicable laws and regulations, including but not necessarily limited to: California Code of Regulations, Title 8; Business and Professions Code; Division 3; California Health &amp; Safety Code 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended.</p>	Prior to issuance of demolition, grading, and/or construction.	<p>City of Oakland Building Services Division, Zoning Inspection</p> <p>City of Oakland Planning &amp; Zoning</p>	Removal of asbestos-containing materials
<b>Impact Air-2:</b> During construction, the proposed Project would generate regional ozone precursor emissions and regional particulate matter emissions from construction equipment exhaust. However, Project-related construction emissions would not generate emissions of criteria air pollutants that would exceed the City's thresholds of significance.	Implement <b>SCA Air-1: Construction-Related Air Pollution Controls</b> above.	See SCA Air-1 above.	See SCA Air-1 above.	See SCA Air-1 above.
<b>Impact Air-4:</b> Once complete and occupied, the proposed Project would generate emissions of criteria pollutants (ROG, NO <sub>x</sub> and PM <sub>10</sub> ), primarily as a	Implement <b>SCA-Trans-1: Parking and Transportation Demand Management.</b> (see full text under Impact Trans-25 below)	See full text under Impact Trans-25 below	See full text under Impact Trans-25 below	See full text under Impact Trans-25 below

Environmental Impact	Mitigation Measures / Standard Conditions of Approval	Mitigation Monitoring:		
		Schedule	Responsibility	Procedure
result of increased motor vehicle traffic and also from area source emissions. Project-related traffic emissions, combined with anticipated area source emissions, would not generate emissions of criteria air pollutants that would exceed the City's thresholds of significance.				
<b>Chapter 4.3: Biological Resources</b>				
<b>Impact Bio-1:</b> Large trees and buildings within the Project site and its immediate vicinity provide potential nesting habitat for birds and roosting habitat for bats which could be disturbed during construction. The quarry pond adjacent to the Project site provides marginally suitable aquatic habitat for the western pond turtle and if present, pond turtles could be adversely affected by construction activities.	<p><b>SCA Bio-1: Tree Removal During Breeding Season.</b> To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of raptors shall not occur during the breeding season of December 15 and August 31.</p> <p>a. If tree removal must occur during the breeding season, all sites shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to start of work from December 15 through August 31. The pre-removal surveys shall be submitted to the Planning and Zoning Division and the Tree Services Division of the Public Works Agency.</p> <p>b. If the survey indicates the potential presences of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the CDFG, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.</p> <p><b>SCA Implementation: Roosting Bat Survey.</b> A pre-construction survey for roosting bats should be</p>	<p>Prior to issuance of a demolition, grading or building permit</p> <p>Prior to issuance of a demolition permit or tree</p>	<p>City of Oakland Public Works Agency-Tree Services Division</p> <p>City of Oakland Planning &amp; Zoning</p> <p>City of Oakland Building Services Division, Zoning Inspection</p> <p>City of Oakland Public Works Agency-Tree</p>	<p>Confirm issuance of a tree removal permit and that all conditions of that permit are being implemented and complied with</p> <p>Confirm issuance of a demolition permit and</p>

Environmental Impact	Mitigation Measures / Standard Conditions of Approval	Mitigation Monitoring:		
		Schedule	Responsibility	Procedure
	<p>performed by a qualified biologist within 30 days prior to any removal of trees or structures on the Project site. If no active roosts are found, then no further action would be warranted. If either a maternity roost or hibernacula (structures used by bats for hibernation) is present, the following minimization measures shall be implemented:</p> <p>a) If active maternity roosts or hibernacula are found in trees or structures which will be removed as part of Project construction, the Project should be redesigned to avoid the loss of the tree or structure occupied by the roost to the extent feasible. If an active maternity roost is located and the Project cannot be redesigned to avoid removal of the occupied tree or structure, demolition can commence before maternity colonies form (i.e., prior to March 1) or after young are volant (flying) (i.e., after July 31). Disturbance-free buffer zones as determined by a qualified biologist in coordination with CDFG shall be observed during the maternity roost season (March 1 through July 31).</p> <p>b) If a non-breeding bat hibernacula is found in a tree or structure scheduled for removal, the individuals should be safely evicted, under the direction of a qualified biologist (as determined by a memorandum of understanding [MOU] with CDFG), by opening the roosting area to allow air flow through the cavity. Demolition can then follow at least one night after initial disturbance for airflow. This action should allow bats to leave during darkness, thus increasing their chance of finding new roosts with a minimum of potential predation during daylight. Trees or structures with roosts that need to be removed will first be disturbed at dusk, just prior to removal that same evening, to allow bats to escape during the darker hours.</p> <p><b>Mitigation Measure Bio-1a: Western Pond Turtle Surveys:</b> A western pond turtle survey shall be conducted by a qualified biologist within two weeks prior to any disturbance or removal of upland vegetation</p>	removal permit	<p>Services Division</p> <p>City of Oakland Planning &amp; Zoning</p> <p>City of Oakland Building Services Division, Zoning Inspection</p>	tree removal permit; receive/review pre-construction survey and comply with measures in the event of roosting bats.
		Prior to removal of vegetation around quarry pond.	<p>City of Oakland Planning &amp; Zoning</p> <p>City of Oakland Building Services</p>	Receive/review pre-construction survey and comply with measures in the event of Western

Environmental Impact	Mitigation Measures / Standard Conditions of Approval	Mitigation Monitoring:		
		Schedule	Responsibility	Procedure
	<p>around the quarry pond. If a turtle is found, it shall be relocated out of harm's way in coordination with CDFG.</p> <p>a) If any turtles are encountered within the construction zone during construction, all work shall halt until the qualified biologist has determined whether it is a western pond turtle or some other species. If it is not a western pond turtle, work may continue.</p> <p>b) If a western pond turtle is found, the CDFG shall be notified regarding the presence of the western pond turtle and all work shall stop until additional exclusion measures have been defined and authorization to proceed is obtained from the CDFG. No person shall handle or otherwise harass any individual western pond turtle encountered during construction, with the exception of handling by the qualified biologist. A plan shall be developed in consultation with the CDFG to relocate the western pond turtle individuals to the nearest protected habitat outside the construction zone and to provide necessary on-site construction avoidance measures to prevent inadvertent take of this species.</p> <p><b>Mitigation Measure Bio-1b: Contractor Awareness.</b> Contractor education shall be conducted to make workers aware of measures being taken to protect resources on the site and to contribute to increased vigilance during their work. Before initiation of construction activities within close proximity to the quarry pond, all construction workers shall be trained by the qualified biologist regarding the potential presence of western pond turtle and the fact that this species is to be avoided, and if any turtles are seen, the job foreman must be notified and construction shall be halted until appropriate measures have been taken.</p>		<p>Division, Zoning Inspection</p> <p>City of Oakland Public Works Agency-Tree Services Division</p> <p>City of Oakland Planning &amp; Zoning</p> <p>City of Oakland Building Services Division, Zoning Inspection</p>	<p>Pond Turtle discovery</p> <p>Training of all construction workers by site supervisor.</p>
<p><b>Impact Bio-2:</b> No wetlands or sensitive natural communities are present at the Project site such that they would be disturbed by Project construction or operation. However, landscape improvements at the edge of the Project</p>	<p><b>SCA Bio-2: Creek Protection Plan.</b> (Prior to and ongoing throughout demolition, grading, and/or construction activities):</p> <p>a. The approved creek protection plan shall be included in the project drawings submitted for a</p>	<p>Submittal prior to the issuance of a demolition permit, grading or building permit; throughout construction</p>	<p>City of Oakland Public Works Agency-Tree Services Division</p> <p>City of Oakland Planning &amp; Zoning</p>	<p>Confirm issuance of a creek protection plan and that all conditions of that permit are being implemented and</p>

Environmental Impact	Mitigation Measures / Standard Conditions of Approval	Mitigation Monitoring:		
		Schedule	Responsibility	Procedure
site have the potential to adversely affect off-site wetland, riparian and sensitive natural communities.	<p>building permit (or other construction-related permit). The project applicant shall implement the creek protection plan to minimize potential impacts to the creek during and after construction of the project. The plan shall fully describe in plan and written form all erosion, sediment, stormwater, and construction management measures to be implemented on-site.</p> <p>b. If the plan includes a stormwater system, all stormwater outfalls shall include energy dissipation that slows the velocity of the water at the point of outflow to maximize infiltration and minimize erosion. The project shall not result in a substantial increase in stormwater runoff volume or velocity to the creek or storm drains.</p> <p><b>SCA Bio-3: Regulatory Permits and Authorizations.</b> (Prior to issuance of a demolition, grading, or building permit within vicinity of the creek). Prior to construction within the vicinity of the creek, the project applicant shall obtain all necessary regulatory permits and authorizations from the U.S. Army Corps of Engineers (Corps), Regional Water Quality Control Board (RWQCB), California Department of Fish and Game, and the City of Oakland, and shall comply with all conditions issued by applicable agencies. Required permit approvals and certifications may include, but not be limited to the following:</p> <p>a. U.S. Army Corps of Engineers (Corps): Section 404. Permit approval from the Corps shall be obtained for the placement of dredge or fill material in Waters of the U.S., if any, within the interior of the project site, pursuant to Section 404 of the federal Clean Water Act.</p> <p>b. Regional Water Quality Control Board (RWQCB): Section 401 Water Quality Certification. Certification that the project will not violate state water quality standards is required before the Corps can issue a 404 permit, above.</p> <p>c. California Department of Fish and Game (CDFG): Section 1602 Lake and Streambed Alteration</p>	<p>activities</p> <p>Submittal prior to the issuance of a demolition permit, grading or building permit; throughout construction activities</p>	<p>City of Oakland Building Services Division, Zoning Inspection.</p> <p>City of Oakland Planning &amp; Zoning</p> <p>City of Oakland Building Services Division, Zoning Inspection.</p>	<p>complied with</p> <p>Confirm issuance of regulatory permits and that all conditions of that permit are being implemented and complied with</p>



Environmental Impact	Mitigation Measures / Standard Conditions of Approval	Mitigation Monitoring:		
		Schedule	Responsibility	Procedure
	<p>Agreement. Work that will alter the bed or bank of a stream requires authorization from CDFG.</p> <p><b>SCA Bio-4: Creek Monitoring.</b> (Prior to issuance of a demolition, grading, or building permit within vicinity of the creek). A qualified geotechnical engineer and/or environmental consultant shall be retained and paid for by the project applicant to make site visits during all grading activities; and as a follow-up, submit to the Building Services Division a letter certifying that the erosion and sedimentation control measures set forth in the Creek Protection Permit submittal material have been instituted during the grading activities.</p> <p><b>SCA Bio-5: Creek Landscaping Plan.</b> (Prior to issuance of a demolition, grading, or building permit within vicinity of the creek). The project applicant shall develop a final detailed landscaping and irrigation plan for review and approval by the Planning and Zoning Division prepared by a licensed landscape architect or other qualified person. Such a plan shall include a planting schedule, detailing plant types and locations, and a system for temporary irrigation of plantings.</p> <p>a. Plant and maintain only drought-tolerant plants on the site where appropriate as well as native and riparian plants in and adjacent to riparian corridors. Along the riparian corridor, native plants shall not be disturbed to the maximum extent feasible. Any areas disturbed along the riparian corridor shall be replanted with mature native riparian vegetation and be maintained to ensure survival.</p> <p>b. All landscaping indicated on the approved landscape plan shall be installed prior to the issuance of a Final inspection of the building permit, unless bonded pursuant to the provisions of Section 17.124.50 of the Oakland Planning Code.</p> <p>All landscaping areas shown on the approved plans shall be maintained in neat and safe conditions, and all plants shall be maintained in good growing condition and, whenever necessary replaced with new plant materials to</p>	<p>Submittal prior to the issuance of a demolition permit, grading or building permit; throughout construction activities</p>	<p>City of Oakland Planning &amp; Zoning</p> <p>City of Oakland Building Services Division, Zoning Inspection.</p>	<p>Confirm issuance of detailed landscape and irrigation plans and that all conditions of that permit are being implemented and complied with</p>

Environmental Impact	Mitigation Measures / Standard Conditions of Approval	Mitigation Monitoring:		
		Schedule	Responsibility	Procedure
	ensure continued compliance with all applicable landscaping requirements. All paving or impervious surfaces shall occur only on approved areas.			
<b>Impact Bio-5:</b> Redevelopment of the Project site as proposed would result in removal of four (4) “protected trees” to accommodate new buildings, five (5) protected trees within roadway medians, and two (2) non-protected Monterey pines for improved access to the adjacent quarry pond.	<b>SCA Aesth-2: Tree Removal Permit.</b> Prior to issuance of a demolition, grading, or building permit. Prior to removal of any protected trees, per the Protected Tree Ordinance, located on the project site or in the public right-of-way adjacent to the project, the project applicant must secure a tree removal permit from the Tree Division of the Public Works Agency, and abide by the conditions of that permit.	Prior to issuance of a demolition, grading or building permit	City of Oakland Public Works Agency-Tree Services Division  City of Oakland Planning & Zoning  City of Oakland Building Services Division, Zoning Inspection	Confirm issuance of a tree removal permit and that all conditions of that permit are being implemented and complied with
	<b>SCA Aesth-3: Tree Replacement Plantings.</b> Prior to issuance of a final inspection of the building permit. Replacement plantings shall be required for erosion control, groundwater replenishment, visual screening and wildlife habitat, and in order to prevent excessive loss of shade, in accordance with the following criteria:  a. No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered.  b. Replacement tree species shall consist of Sequoia sempervirens (Coast Redwood), Quercus agrifolia (Coast Live Oak), Arbutus menziesii (Madrone), Aesculus californica (California Buckeye) or Umbellularia californica (California Bay Laurel) or other tree species acceptable to the Tree Services Division.  c. Replacement trees shall be at least of twenty-four (24) inch box size, unless a smaller size is recommended by the arborist, except that three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate.  d. Minimum planting areas must be available on site as follows:	Prior to issuance of final inspection	City of Oakland Public Works Agency-Tree Services Division  City of Oakland Planning & Zoning  City of Oakland Building Services Division, Zoning Inspection	Confirm replacement plantings

Environmental Impact	Mitigation Measures / Standard Conditions of Approval	Mitigation Monitoring:		
		Schedule	Responsibility	Procedure
	<p>i. For Sequoia sempervirens, three hundred fifteen square feet per tree;</p> <p>ii. For all other species listed in #2 above, seven hundred (700) square feet per tree.</p> <p>e. In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee as determined by the master fee schedule of the city may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians.</p> <p>f. Plantings shall be installed prior to the issuance of a final inspection of the building permit, subject to seasonal constraints, and shall be maintained by the project applicant until established. The Tree Reviewer of the Tree Division of the Public Works Agency may require a landscape plan showing the replacement planting and the method of irrigation. Any replacement planting which fails to become established within one year of planting shall be replanted at the project applicant's expense.</p> <p><b>SCA Aesth-4: Tree Protection During Construction.</b> Prior to issuance of a demolition, grading, or building permit. Adequate protection shall be provided during the construction period for any trees which are to remain standing, including the following, plus any recommendations of an arborist:</p> <p>a. Before the start of any clearing, excavation, construction or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the City Tree Reviewer. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree.</p>	<p>Prior to issuance of demolition, grading, or building permit issuance; throughout construction</p>	<p>City of Oakland Public Works Agency-Tree Services Division</p> <p>City of Oakland Planning &amp; Zoning</p> <p>City of Oakland Building Services Division, Zoning Inspection</p>	<p>Installation of adequate protection measures; confirmation compliance throughout construction</p>

Environmental Impact	Mitigation Measures / Standard Conditions of Approval	Mitigation Monitoring:		
		Schedule	Responsibility	Procedure
	<p>b. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the City Tree Reviewer from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree.</p> <p>c. No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the Tree Reviewer from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the tree reviewer. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.</p> <p>d. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.</p> <p>e. If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Agency of such damage. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer</p>			

Environmental Impact	Mitigation Measures / Standard Conditions of Approval	Mitigation Monitoring:		
		Schedule	Responsibility	Procedure
	<p>to compensate for the loss of the tree that is removed.</p> <p>f. All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations.</p>			
<p><b>Impact Bio-6:</b> Although the proposed Project would be subject to the provisions of the City of Oakland Creek Protection Ordinance, there is nothing about the Project that would fundamentally conflict with elements of the ordinance intended to protect biological resources. The Project would not discharge a substantial amount of pollutants into the creek or watercourse, it would not significantly modify the natural flow of water, it would not deposit substantial amounts of new material into a creek or cause substantial bank erosion or instability, nor would it adversely impact a riparian corridor by significantly altering vegetation or wildlife habitat.</p>	<p>Implement the following Standard Conditions of Approval, detailed above:</p> <p><b>SCA Bio-2: Creek Protection Plan</b></p> <p><b>SCA Bio-3: Regulatory Permits and Authorizations</b></p> <p><b>SCA Bio-4: Creek Monitoring</b></p> <p><b>SCA Bio-5: Creek Landscaping Plan</b></p>	See listed SCA Bio conditions above.	See listed SCA Bio conditions above.	See listed SCA Bio conditions above.
<b>Chapter 4.4: Cultural Resources</b>				
<p><b>Impact Cultural-2:</b> The Project would not cause a substantial adverse change in the significance of a known archaeological resource, nor would it directly or indirectly destroy a known unique paleontological resource or site, or unique geologic feature. It is possible that currently unknown archaeological or paleontological resources could be damaged during site grading and construction.</p>	<p><b>SCA Cultural-1: Archaeological Resources.</b> Ongoing throughout demolition, grading, and/or construction. Pursuant to CEQA Guidelines section 15064.5 (f), “provisions for historical or unique archaeological resources accidentally discovered during construction” should be instituted.</p> <p>a. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist or</p>	Prior to issuance of demolition, grading, or building permit issuance; throughout construction	City of Oakland Planning & Zoning  City of Oakland Building Services Division, Zoning Inspection	Adherence to measures in the event of resource discovery

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	<p>paleontologist to assess the significance of the find. If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified archaeologist would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination to be made by the City of Oakland. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards.</p> <p>b. In considering any suggested measure proposed by the consulting archaeologist in order to mitigate impacts to historical resources or unique archaeological resources, the project applicant shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while measures for historical resources or unique archaeological resources are carried out.</p> <p>c. Should an archaeological artifact or feature be discovered on-site during project construction, all activities within a 50-foot radius of the find would be halted until the findings can be fully investigated by a qualified archaeologist to evaluate the find and assess the significance of the find according to the CEQA definition of a historical or unique archaeological resource. If the deposit is determined to be significant, the project applicant and the qualified archaeologist shall meet to determine the appropriate avoidance measures or other appropriate measure, subject to approval by the City of Oakland, which shall assure implementation of appropriate measures recommended by the archaeologist. Should archaeologically-significant materials be recovered, the qualified archaeologist shall recommend appropriate analysis and treatment,</p>			

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	<p>and shall prepare a report on the findings for submittal to the Northwest Information Center.</p> <p><b>SCA Cultural-2: Paleontological Resources.</b> Ongoing throughout demolition, grading, and/or construction. In the event of an unanticipated discovery of a paleontological resource during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (per Society of Vertebrate Paleontology standards (SVP 1995,1996)). The qualified paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the City determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important, and such plan shall be implemented. The plan shall be submitted to the City for review and approval.</p> <p><b>SCA Cultural-3: Human Remains.</b> Ongoing throughout demolition, grading, and/or construction. In the event that human skeletal remains are uncovered at the project site during construction or ground-breaking activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains, and following the procedures and protocols pursuant to Section 15064.5 (e)(1) of the CEQA Guidelines. If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and all excavation and site preparation activities shall cease within a 50-foot radius of the find until appropriate arrangements are made. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance and avoidance measures</p>	<p>Prior to issuance of demolition, grading, or building permit issuance; throughout construction</p>	<p>City of Oakland Planning &amp; Zoning</p> <p>City of Oakland Building Services Division, Zoning Inspection</p>	<p>Adherence to measures in the event of resource discovery</p>
		<p>Prior to issuance of demolition, grading, or building permit issuance; throughout construction</p>	<p>City of Oakland Planning &amp; Zoning</p> <p>City of Oakland Building Services Division, Zoning Inspection</p>	<p>Adherence to measures in the event of resource discovery</p>

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	<p>(if applicable) shall be completed expeditiously.</p> <p><b>SCA Cultural-5: Archaeological Resources – Sensitive Areas.</b> (Prior to issuance of a demolition, grading, or building permit). The project applicant shall implement either Provision A (Intensive Pre-Construction Study) or Provision D (Construction ALERT Sheet). However, if in either case a high potential presence of historic-period archaeological resources on the project site is indicated, or a potential resource is discovered, the project applicant shall also implement all of the following provisions:</p> <ol style="list-style-type: none"> <li>a. Provision B (Construction-Period Monitoring),</li> <li>b. Provision C (Avoidance and/or Find Recovery), and</li> <li>c. Provision D (to establish a Construction ALERT Sheet if the Intensive Pre-Construction Study was originally implemented per Provision A, or to update and provide more specificity to the initial Construction ALERT Sheet if a Construction Alert Sheet was originally implemented per Provision D).</li> </ol> <p>Provisions A through Provisions D are detailed as follows:</p> <ol style="list-style-type: none"> <li>d. Provision A: Intensive Pre-Construction Study - The project applicant, upon approval from the City Planning and Zoning Division, may choose to complete a site-specific, intensive archaeological resources study prior to soil-disturbing activities occurring on the project site. The purpose of the site-specific, intensive archaeological resources study is to identify early the potential presence of history-period archaeological resources on the project site. If that approach is selected, the study shall be conducted by a qualified archaeologist approved by the City Planning and Zoning Division. If prepared, at a minimum, the study shall include: <ol style="list-style-type: none"> <li>i. An intensive cultural resources study of the project site, including subsurface</li> </ol> </li> </ol>	<p>Prior to issuance of demolition, grading, or building permit issuance; throughout construction</p>	<p>City of Oakland Planning &amp; Zoning</p> <p>City of Oakland Building Services Division, Zoning Inspection</p>	<p>Review pre-construction survey or ALERT sheet as specified</p> <p>Monitor during construction</p>



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	<p>presence/absence studies, of the project site. Field studies conducted by the approved archaeologist(s) may include, but are not limited to, auguring and other common methods used to identify the presence of archaeological resources;</p> <p>ii. A report disseminating the results of this research;</p> <p>iii. Recommendations for any additional measures that could be necessary to mitigate any adverse impacts to recorded and/or inadvertently discovered cultural resources.</p> <p>iv. If the results of the study indicate a high potential presence of historic-period archaeological resources on the project site, or a potential resource is discovered, the project applicant shall hire a qualified archaeologist to monitor any ground disturbing activities on the project site during construction (see Provision B, Construction-Period Monitoring, below), implement avoidance and/or find recovery measures (see Provision C, Avoidance and/or Find Recovery, below), and prepare an ALERT Sheet that details what could potentially be found at the project site (see Provision D, Construction ALERT Sheet, below).</p> <p>e. Provision B: Construction-Period Monitoring - Archaeological monitoring would include briefing construction personnel about the type of artifacts that may be present (as referenced in the ALERT Sheet, require per Provision D, Construction ALERT Sheet, below) and the procedures to follow if any are encountered, field recording and sampling in accordance with the Secretary of Interior's Standards and Guidelines for Archaeological Documentation, notifying the appropriate officials if human remains or cultural resources are discovered, or preparing a report to document negative findings after construction is completed. If a significant archaeological resource</p>			

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	<p>is discovered during the monitoring activities, adherence to Provision C, Avoidance and/or Find Recovery, discussed below), would be required to reduce the impact to less than significant. The project applicant shall hire a qualified archaeologist to monitor all ground disturbing activities on the project site throughout construction.</p> <p>f. Provision C: Avoidance and/or Find Recovery - If a significant archaeological resource is present that could be adversely impacted by the proposed project, the project applicant of the specific project site shall either:</p> <p>g. Stop work and redesign the proposed project to avoid any adverse impacts on significant archaeological resource(s); or,</p> <p>i. If avoidance is determined infeasible by the City, design and implement an Archaeological Research Design and Treatment Plan (ARDTP). The project applicant shall hire a qualified archaeologist who shall prepare a draft ARDTP that shall be submitted to the City Planning and Zoning Division for review and approval. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive</p>			

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	<p>methods are practical. The project applicant shall implement the ARDTP. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant.</p> <p>h. Provision D: Construction ALERT Sheet - The project applicant, upon approval from the City Planning and Zoning Division, may choose to prepare a construction ALERT sheet prior to soil disturbing activities occurring on the project site, instead of conducting site-specific, intensive archaeological resources pursuant to Provision A, above. The project applicant shall submit for review and approval by the City prior to subsurface construction activity an "ALERT" sheet prepared by a qualified archaeologist with visuals that depict each type of artifact that could be encountered on the project site. Training by the qualified archaeologist shall be provided to the project's prime contractor; any project subcontractor firms (including demolition, excavation, grading, foundation, and pile driving); and/or utilities firm involved in soil-disturbing activities within the project site.</p> <p>i. The ALERT sheet shall state, in addition to the basic archaeological resource protection measures contained in other standard conditions of approval, that in the event of discovery of the following cultural materials, all work must be stopped in the area and the City's Environmental Review Officer contacted to evaluate the find: concentrations of shellfish remains; evidence of fire (ashes, charcoal, burnt earth, fire-cracked rocks); concentrations of bones; recognizable Native American artifacts (arrowheads, shell beads, stone mortars [bowls], humanly shaped rock); building foundation remains; trash pits, privies (outhouse holes); floor remains; wells; concentrations of bottles, broken dishes, shoes, buttons, cut animal</p>			

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	<p>bones, hardware, household items, barrels, etc.; thick layers of burned building debris (charcoal, nails, fused glass, burned plaster, burned dishes); wood structural remains (building, ship, wharf); clay roof/floor tiles; stone walls or footings; or gravestones.</p> <p>j. Prior to any soil-disturbing activities, each contractor shall be responsible for ensuring that the ALERT sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, and supervisory personnel.</p> <p>If the project applicant chooses to implement Provision D, Construction ALERT Sheet, and a potential resource is discovered on the project site during ground disturbing activities during construction, the project applicant shall hire a qualified archaeologist to monitor any ground disturbing activities on the project site during construction (see Provision B, Construction-Period Monitoring, above), implement avoidance and/or find recovery measures (see Provision C, Avoidance and/or Find Recovery, above), and prepare an updated ALERT Sheet that addresses the potential resource(s) and other possible resources based on the discovered find found on the project site</p>			
<b>Chapter 4.5: Geology and Soils</b>				
<p><b>Impact Geo-1:</b> The Project site is located in an area that would be subject to very strong ground shaking and potential liquefaction in a major seismic event.</p>	<p><b>SCA Geo-2: Soils Report.</b> A preliminary soils report for each construction site within the project area shall be required as part of this project and submitted for review and approval by the Building Services Division. The soils reports shall be based, at least in part, on information obtained from onsite testing. Specifically, the minimum contents of the report should include:</p> <p>a. Logs of borings and/or profiles of test pits and trenches:</p> <p>i. The minimum number of borings acceptable, when not used in combination with test pits or trenches, shall be two (2), when in the opinion of the Soils Engineer such borings shall be sufficient to establish a soils profile suitable for the design of all the footings,</p>	<p>Prior to issuance of demolition, grading, or building permit issuance</p>	<p>City of Oakland Building Services Division</p>	<p>Confirmation that adequate report is submitted</p>

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	<p>foundations, and retaining structures.</p> <p>ii. The depth of each boring shall be sufficient to provide adequate design criteria for all proposed structures.</p> <p>iii. All boring logs shall be included in the soils report.</p> <p>b. Test pits and trenches</p> <p>i. Test pits and trenches shall be of sufficient length and depth to establish a suitable soils profile for the design of all proposed structures.</p> <p>ii. Soils profiles of all test pits and trenches shall be included in the soils report.</p> <p>c. A plat shall be included which shows the relationship of all the borings, test pits, and trenches to the exterior boundary of the site. The plat shall also show the location of all proposed site improvements. All proposed improvements shall be labeled.</p> <p>d. Copies of all data generated by the field and/or laboratory testing to determine allowable soil bearing pressures, sheer strength, active and passive pressures, maximum allowable slopes where applicable and any other information which may be required for the proper design of foundations, retaining walls, and other structures to be erected subsequent to or concurrent with work done under the grading permit.</p> <p>e. Soils Report. A written report shall be submitted which shall include, but is not limited to, the following:</p> <p>f. Site description;</p> <p>i. Local and site geology;</p> <p>ii. Review of previous field and laboratory investigations for the site;</p> <p>iii. Review of information on or in the vicinity of the site on file at the Information Counter,</p>			

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	<p>City of Oakland, Office of Planning and Building;</p> <p>iv. Site stability shall be addressed with particular attention to existing conditions and proposed corrective attention to existing conditions and proposed corrective actions at locations where land stability problems exist;</p> <p>v. Conclusions and recommendations for foundations and retaining structures, resistance to lateral loading, slopes, and specifications, for fills, and pavement design as required;</p> <p>vi. Conclusions and recommendations for temporary and permanent erosion control and drainage. If not provided in a separate report they shall be appended to the required soils report;</p> <p>vii. All other items which a Soils Engineer deems necessary;</p> <p>viii. The signature and registration number of the Civil Engineer preparing the report.</p> <p>g. The Director of Planning and Building may reject a report that she/he believes is not sufficient. The Director of Planning and Building may refuse to accept a soils report if the certification date of the responsible soils engineer on said document is more than three years old. In this instance, the Director may be require that the old soils report be recertified, that an addendum to the soils report be submitted, or that a new soils report be provided.</p>			
<p><b>Impact Geo-2:</b> The cut slope at the Project site's northerly boundary shows evidence of erosion and fallen debris, and could potentially be susceptible to slides.</p>	<p>Implement <b>SCA Geo-2: Soils Report</b> above.</p> <p><b>SCA Implementation: Catchment Structures.</b> Pursuant to recommendations from the 2007 Kleinfelder Geotechnical Investigation, the Project applicant shall reconstruct the on-site catchment structures at the toe of the cut slope along the northerly site boundary. Detailed catchment structure designs shall be included in the required soils report.</p>	<p>See SCA Geo-2 above.</p> <p>Submittal of detailed catchment structure design with soils report.</p>	<p>See SCA Geo-2 above.</p> <p>City of Oakland Building Services Division</p>	<p>See SCA Geo-2 above.</p> <p>Confirmation that detailed design is submitted</p>

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<b>Impact Geo-3:</b> Portions of the easterly side of the Project site near the quarry pond contain clayey soil with variable gravel content, potentially unsuitable as a sub-grade soil for building foundations.	Implement <b>SCA Geo-2: Soils Report</b> above. <b>SCA Implementation: Excavation of Unsuitable Soils.</b> Pursuant to recommendations from the 2007 Kleinfelder Geotechnical Investigation, in the event that unsuitable soil is encountered during the construction phase, such soils should be excavated to a firm bottom and the resulting hole should be backfilled with engineered fill or lean mix concrete.	See SCA Geo-2 above. During construction	See SCA Geo-2 above. City of Oakland Building Services Division	See SCA Geo-2 above. Adherence to measure in the event of unsuitable fill discovery during construction
<b>Impact Geo-4:</b> Site preparation and construction activity associated with the Project could result in soil erosion as the surface is disrupted.	Implement <b>SCA Geo-2: Soils Report</b> above.	See SCA Geo-2 above.	See SCA Geo-2 above.	See SCA Geo-2 above.
<b>Impact Geo-5:</b> Soils samples taken at the Project site indicate that near-surface soils are considered to have a low potential for expansion.	Implement <b>SCA Geo-2: Soils Report</b> above.	See SCA Geo-2 above.	See SCA Geo-2 above.	See SCA Geo-2 above.
<b>Cumulative Impact Geo-9:</b> Portions of Oakland are underlain by unstable geology and soil conditions, and cumulative development under these conditions could expose people or structures to substantial adverse effects. However, with required implementation of City of Oakland Standard Conditions of Approval, as well as other applicable local and State laws and regulations, cumulative impacts related to unstable geology and soil conditions would remain less than significant.	Implement <b>SCA Geo-2: Soils Report</b> above.	See SCA Geo-2 above.	See SCA Geo-2 above.	See SCA Geo-2 above.
<b>Chapter 4.7: Hazards and Hazardous Materials</b>				
<b>Impact Haz-1:</b> No portion of the Project site is included on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.  Environmental Site Assessments prepared for the Project site do not indicate the presence of on-site soil or	<b>SCA Haz-1: Phase I and/or Phase II Reports.</b> Prior to issuance of a demolition, grading, or building permit. Prior to issuance of demolition, grading, or building permits the project applicant shall submit to the Fire Prevention Bureau, Hazardous Materials Unit, a Phase I environmental site assessment report, and a Phase II report if warranted by the Phase I report for the project site. The reports shall make recommendations for	Prior to issuance of demolition, grading, or building permit issuance	City of Oakland Planning & Zoning  City of Oakland Building Services Division, Zoning Inspection  Fire Prevention Bureau,	Obtain samples and submit report.  Completion of remedial action.

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groundwater contamination at significant levels, and do not indicate that off-site contamination of soil or groundwater presents a concern to construction or operation of the Project. On-site building assessments do indicate that asbestos-containing materials are present in older portions of the shopping center.	<p>remedial action, if appropriate, and should be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer.</p> <p><b>SCA Haz-2: Environmental Site Assessment Reports/Remediation.</b> Prior to issuance of a demolition, grading, or building permit. If the environmental site assessment reports recommend remedial action, the project applicant shall:</p> <ol style="list-style-type: none"> <li>a. Consult with the appropriate local, State, and federal environmental regulatory agencies to ensure sufficient minimization of risk to human health and environmental resources, both during and after construction, posed by soil contamination, groundwater contamination, or other surface hazards including, but not limited to, underground storage tanks, fuel distribution lines, waste pits and sumps.</li> <li>b. Obtain and submit written evidence of approval for any remedial action if required by a local, State, or federal environmental regulatory agency.</li> <li>c. Submit a copy of all applicable documentation required by local, State, and federal environmental regulatory agencies, including but not limited to: permit applications, Phase I and II environmental site assessments, human health and ecological risk assessments, remedial action plans, risk management plans, soil management plans, and groundwater management plans.</li> </ol> <p><b>SCA Implementation: Soil Sampling.</b></p> <p>If additional investigation is performed, the following is recommended:</p> <ol style="list-style-type: none"> <li>a. Soil and grab-groundwater samples shall be sought from along the sanitary sewer line further</li> </ol>	Prior to issuance of demolition, grading, or building permit issuance	<p>Hazardous Materials Unit</p> <p>City of Oakland Planning &amp; Zoning</p> <p>City of Oakland Building Services Division, Zoning Inspection</p>	Obtain samples and submit report



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	<p>west, behind the existing Safeway store and toward Broadway. Based on the presence of groundwater within approximately 15 feet in depth at the former gas station at 5175 Broadway, it appears that field conditions may be more favorable for encountering groundwater closer to Broadway. Also, additional attempts to collect grab-groundwater samples could be made west of Boring SB-1. If grab-groundwater samples are successfully collected, then the laboratory results will also aid in evaluating the significance of the benzene detection at SB-2.</p> <p>b. Additional sampling activities for evidence of PCE impacts could be focused on the interior of the dry cleaning lease space. Further sampling across the site was not recommended because of the lack of laterally continuous groundwater, the lack of PCE in groundwater at SB-2 and SB-9, and the limited access along the sanitary sewer line behind the lessee spaces.</p> <p>c. These investigations shall be documented in a report which shall make recommendations for remedial action if appropriate and necessary, and shall be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer.</p> <p><b>SCA Haz-3: Radon or Vapor Intrusion from Soil or Groundwater Sources.</b> Ongoing. The project applicant shall submit documentation to determine whether radon or vapor intrusion from the groundwater and soil is located on-site as part of the Phase I documents. The Phase I analysis shall be submitted to the Fire Prevention Bureau, Hazardous Materials Unit, for review and approval, along with a Phase II report if warranted by the Phase I report for the project site. The reports shall make recommendations for remedial action, if appropriate, and should be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer. Applicant shall implement the approved recommendations.</p>	<p>Prior to issuance of demolition, grading, or building permit issuance</p>	<p>City of Oakland Planning &amp; Zoning</p> <p>City of Oakland Building Services Division, Zoning Inspection</p>	<p>Completion of remedial action in the event of radon or vapor discovery</p>

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	<p><b>SCA Haz-4: Lead-Based Paint/Coatings, Asbestos, or PCB Occurrence Assessment.</b> Prior to issuance of any demolition, grading or building permit. The project applicant shall submit a comprehensive assessment report to the Fire Prevention Bureau, Hazardous Materials Unit, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACM), lead-based paint, and any other building materials or stored materials classified as hazardous waste by State or federal law.</p> <p><b>SCA Haz-5: Site Review by the Fire Services Division.</b> Prior to the issuance of demolition, grading or building permit. The project applicant shall submit plans for site review and approval to the Fire Prevention Bureau Hazardous Materials Unit. Property owner may be required to obtain or perform a Phase II hazard assessment.</p> <p><b>SCA Haz-7: Other Materials Classified as Hazardous Waste.</b> Prior to issuance of any demolition, grading or building permit. If other materials classified as hazardous waste by State or federal law are present, the project applicant shall submit written confirmation to Fire Prevention Bureau, Hazardous Materials Unit that all State and federal laws and regulations shall be followed when profiling, handling, treating, transporting and/or disposing of such materials.</p> <p><b>SCA Haz-10: Lead-Based Paint Remediation.</b> Prior to issuance of any demolition, grading or building permit. If lead-based paint is present, the project applicant shall submit specifications to the Fire Prevention Bureau, Hazardous Materials Unit signed by a certified Lead Supervisor, Project Monitor, or Project Designer for the stabilization and/or removal of the identified lead paint in accordance with all applicable laws and regulations, including but not necessarily limited to: Cal/OSHA's Construction Lead Standard, 8 CCR1532.1 and DHS regulation 17 CCR Sections 35001 through 36100, as may be amended.</p> <p><b>SCA Haz-11: Health and Safety Plan per</b></p>	<p>Prior to issuance of demolition, grading, or building permit issuance</p> <p>Prior to the issuance of demolition, grading or building permit</p> <p>Prior to issuance of demolition, grading, or building permit issuance</p> <p>Prior to issuance of demolition, grading, or building permit issuance</p> <p>Prior to issuance of any</p>	<p>Fire Prevention Bureau, Hazardous Materials Unit</p> <p>Fire Prevention Bureau Hazardous Materials Unit</p> <p>Fire Prevention Bureau, Hazardous Materials Unit</p> <p>City of Oakland Planning &amp; Zoning City of Oakland Building Services Division, Zoning Inspection</p> <p>City of Oakland</p>	<p>Documentation of the presence or lack thereof of asbestos-containing materials (ACM), lead-based paint, and any other building materials or stored materials classified as hazardous waste by State or federal law</p> <p>approval of plans for site review</p> <p>Confirm that all applicable State and federal laws and regulations are followed when profiling, handling, treating, transporting and/or disposing of hazardous materials</p> <p>Completion of remedial action in the event lead-based paint is discovered</p> <p>Project applicant to</p>

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	<b>Assessment.</b> Prior to issuance of any demolition, grading or building permit. If the required lead-based paint/coatings, asbestos, or PCB assessment finds presence of such materials, the project applicant shall create and implement a health and safety plan to protect workers from risks associated with hazardous materials during demolition, renovation of affected structures, and transport and disposal.	demolition, grading or building permit.	Planning & Zoning  City of Oakland Building Services Division, Zoning Inspection	create and implement a Health and Safety Plan  Confirm that all applicable measures are being implemented or complied with pursuant to the Plan
<b>Impact Haz-2:</b> Construction workers, future commercial tenants and shoppers at the Project site may be exposed to hazardous materials during site demolition and construction phases.	<p><b>SCA Haz-6: Hazards Best Management Practices.</b> Prior to commencement of demolition, grading, or construction. The project applicant and construction contractor shall ensure that Best Management Practices (BMPs) are implemented as part of construction to minimize the potential negative effects to groundwater and soils. These shall include the following:</p> <ul style="list-style-type: none"> <li>a. Follow manufacture’s recommendations on use, storage, and disposal of chemical products used in construction;</li> <li>b. Avoid overtopping construction equipment fuel gas tanks;</li> <li>c. During routine maintenance of construction equipment, properly contain and remove grease and oils;</li> <li>d. Properly dispose of discarded containers of fuels and other chemicals.</li> <li>e. Ensure that construction would not have a significant impact on the environment or pose a substantial health risk to construction workers and the occupants of the proposed development. Soil sampling and chemical analyses of samples shall be performed to determine the extent of potential contamination beneath all UST’s, elevator shafts, clarifiers, and subsurface hydraulic lifts when on-site demolition, or construction activities would potentially affect a particular development or building.</li> <li>f. If soil, groundwater or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g.,</li> </ul>	Prior to issuance of demolition, grading, or building permit issuance	City of Oakland Planning & Zoning  City of Oakland Building Services Division, Zoning Inspection	Confirm that all applicable BMPs are being implemented or complied with

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	<p>identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notification of regulatory agency(ies) and implementation of the actions described in 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> <p><b>SCA Haz-8: Best Management Practices for Soil and Groundwater Hazards.</b> Ongoing throughout demolition, grading, and construction activities. The project applicant shall implement all of the following Best Management Practices (BMPs) regarding potential soil and groundwater hazards.</p> <p>a. Soil generated by construction activities shall be stockpiled onsite in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state and federal agencies laws, in particular, the Regional Water Quality Control Board (RWQCB) and/or the Alameda County Department of Environmental Health (ACDEH) and policies of the City of Oakland.</p> <p>b. Groundwater pumped from the subsurface shall be contained onsite in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies of the City of Oakland, the RWQCB and/or the ACDEH. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion</p>	Ongoing throughout demolition, grading, and construction activities	City of Oakland Planning & Zoning City of Oakland Building Services Division, Zoning Inspection	Confirm that all applicable BMPs are being implemented or complied with

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	<p>into the building (pursuant to the Standard Condition of Approval regarding Radon or Vapor Intrusion from Soil and Groundwater Sources).</p> <p>c. Prior to issuance of any demolition, grading, or building permit, the applicant shall submit for review and approval by the City of Oakland, written verification that the appropriate federal, state or county oversight authorities, including but not limited to the RWQCB and/or the ACDEH, have granted all required clearances and confirmed that the all applicable standards, regulations and conditions for all previous contamination at the site. The applicant also shall provide evidence from the City's Fire Department, Office of Emergency Services, indicating compliance with the Standard Condition of Approval requiring a Site Review by the Fire Services Division pursuant to City Ordinance No. 12323, and compliance with the Standard Condition of Approval requiring a Phase I and/or Phase II Reports.</p> <p>See <b>SCA Haz-10: Lead-Based Paint Remediation</b> above.</p> <p>See <b>SCA Air-2: Asbestos Removal in Structures</b> above.</p> <p><b>SCA Implementation: Asbestos Removal.</b></p> <p>a. The floor tile and mastic materials that were positive must be removed using floor abatement practices for asbestos in areas scheduled for renovation. All of the original and older floor tiles are considered asbestos containing material (ACM) due to the difficulty of separating and/or removing the asbestos containing mastic component. Any removal shall be performed using Wet methods, following all applicable regulatory guidelines. During the removal of any carpet floorings, areas of black mastic shall be treated as containing asbestos.</p> <p>b. The drywall materials that were positive must be removed using abatement practices for &gt; 1% asbestos, in areas scheduled for renovation. All of</p>	<p>See SCA Haz-10 above.</p> <p>See SCA Air-2 above.</p>	<p>See SCA Haz-10 above.</p> <p>See SCA Air-2 above.</p>	<p>See SCA Haz-10 above.</p> <p>See SCA Air-2 above.</p>

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	<p>the original or older gypsum board assemblies are considered asbestos containing construction material (ACCM), requiring the use of contractors, registered for asbestos-related work. Any removal shall be performed using Wet methods, following all applicable regulatory guidelines.</p> <p>c. The roofing materials that were positive must be removed using roofing abatement practices for asbestos, in areas scheduled for renovation. All of the roof cements are considered as asbestos containing material (ACM), due to the difficulty of separating and/or removing the asbestos containing mastic component. Any removal shall be performed using Wet methods, following all applicable regulatory guidelines.</p> <p>d. Renovation or demolition work in areas that are not specifically covered by this report shall be re-inspected prior to any disturbance of suspect materials.</p>			
<b>Impact Haz-3:</b> The Project site is located within one-quarter mile of Oakland Technical High School and Emerson Elementary School.	See <b>SCA Haz-2: Environmental Site Assessment Reports/Remediation</b> above.	See SCA Haz-2 above.	See SCA Haz-2 above.	See SCA Haz-2 above.
<b>Impact Haz-5:</b> With implementation of SCA Trans-2, the requirement to obtain an encroachment permit for work within street rights-of-way, and standard construction period notification requirements to first responders, potential Project impact related to interference with an emergency response plan or emergency evacuation plan would be less than significant.	Implement <b>SCA Trans-2: Construction Traffic and Parking</b> under Impact Trans-25, below.	See SCA Trans-2, below	See SCA Trans-2, below	See SCA Trans-2, below
<b>Chapter 4.8: Hydrology and Water Quality</b>				
<b>Impact Hydro-4:</b> Site preparation and construction activity associated with the proposed Project could result in soil erosion, which could have adverse effects on water quality. During site	<p><b>SCA Geo-1: Erosion and Sedimentation Control Plan.</b></p> <p>a. The project applicant shall obtain a grading permit if required by the Oakland Grading Regulations</p>	Prior to demolition, construction; ongoing throughout construction	City of Oakland Planning & Zoning; City of Oakland Building Services,	Review and approve the erosion and sedimentation control plan; Confirm that all applicable measures are

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preparation and construction activity at the site, potentially significant soil erosion impacts could occur.	<p>pursuant to Section 15.04.780 of the Oakland Municipal Code. The grading permit application shall include an erosion and sedimentation control plan for review and approval by the Building Services Division. The erosion and sedimentation control plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading operations. The plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the Director of Development or designee. The plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.</p> <p>b. The project applicant shall implement the approved erosion and sedimentation plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Building Services Division.</p>		Zoning Inspection	being implemented or complied with per the approved plan.
<b>Impact Hydro-5:</b> Site preparation and construction activity associated with the proposed Project site could result in degradation of stormwater quality.	<b>SCA Hydro-1: Stormwater Pollution Prevention Plan.</b> (Prior to and ongoing throughout demolition, grading, and/or construction activities): The project applicant must obtain coverage under the General Construction Activity	Prior to demolition, construction; ongoing throughout construction	City of Oakland Planning & Zoning; City of Oakland Building Services	Review and approve the stormwater pollution prevention plan; Confirm that all applicable measures are

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	<p>Storm Water Permit (General Construction Permit) issued by the State Water Resources Control Board (SWRCB). The project applicant must file a notice of intent (NOI) with the SWRCB. The project applicant will be required to prepare a stormwater pollution prevention plan (SWPPP) and submit the plan for review and approval by the Planning and Zoning Division and the Building Services Division. At a minimum, the SWPPP shall include a description of construction materials, practices, and equipment storage and maintenance; a list of pollutants likely to contact stormwater; site-specific erosion and sedimentation control practices; a list of provisions to eliminate or reduce discharge of materials to stormwater; Best Management Practices (BMPs), and an inspection and monitoring program. Prior to the issuance of any construction-related permits, the project applicant shall submit a copy of the SWPPP and evidence of approval of the SWPPP by the SWRCB to the Building Services Division. Implementation of the SWPPP shall start with the commencement of construction and continue through the completion of the project. After construction is completed, the project applicant shall submit a notice of termination to the SWRCB.</p>			being implemented or complied with per the approved plan.
<p><b>Impact Hydro-6:</b> Operational activities such as vehicular use, landscaping maintenance and other operational activities could potentially introduce pollutants into stormwater runoff, resulting in degradation of downstream water quality.</p>	<p><b>SCA Hydro-2: Post-construction Stormwater Pollution Management Plan.</b> (Prior to issuance of building permit or other construction-related permit). The applicant shall comply with the requirements of Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Alameda Countywide Clean Water Program. The applicant shall submit with the application for a building permit (or other construction-related permit) a completed Stormwater Supplemental Form for the Building Services Division. The project drawings submitted for the building permit (or other construction-related permit) shall contain a stormwater pollution management plan, for review and approval by the City, to limit the discharge of pollutants in stormwater after construction of the project to the maximum extent</p>	<p>Prior to demolition, construction; ongoing throughout construction</p>	<p>City of Oakland Planning &amp; Zoning;  City of Oakland Building Services</p>	<p>Review and approve the NPDES permit; Confirm that all applicable measures are being implemented or complied with per the approved plan.</p>



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	<p>practicable.</p> <p>a. The post-construction stormwater pollution management plan shall include and identify the following:</p> <ul style="list-style-type: none"> <li>i. All proposed impervious surface on the site;</li> <li>ii. Anticipated directional flows of on-site stormwater runoff; and</li> <li>iii. Site design measures to reduce the amount of impervious surface area and directly connected impervious surfaces; and</li> <li>iv. Source control measures to limit the potential for stormwater pollution; and</li> <li>v. Stormwater treatment measures to remove pollutants from stormwater runoff.</li> </ul> <p>b. The following additional information shall be submitted with the post-construction stormwater pollution management plan:</p> <p>c. Detailed hydraulic sizing calculations for each stormwater treatment measure proposed; and</p> <ul style="list-style-type: none"> <li>i. Pollutant removal information demonstrating that any proposed manufactured/mechanical (i.e., non-landscape-based) stormwater treatment measure, when not used in combination with a landscape-based treatment measure, is capable of removing the range of pollutants typically removed by landscapebased treatment measures. All proposed stormwater treatment measures shall incorporate appropriate planting materials for stormwater treatment (for landscapebased treatment measures) and shall be designed with considerations for vector/mosquito control. Proposed planting materials for all proposed landscapebased stormwater treatment measures shall be included on the landscape and irrigation plan for the project. The applicant is not required to include on-site stormwater treatment measures in the post-</li> </ul>			

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	<p>construction stormwater pollution management plan if he or she secures approval from Planning and Zoning of a proposal that demonstrates compliance with the requirements of the City’s Alternative Compliance Program.</p> <p>d. Prior to final permit inspection. The applicant shall implement the approved stormwater pollution management plan.</p> <p><b>SCA Hydro-3: Maintenance Agreement for Stormwater Treatment Measures.</b> (Prior to final zoning inspection). For projects incorporating stormwater treatment measures, the applicant shall enter into the “Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement,” in accordance with Provision C.3.e of the NPDES permit, which provides, in part, for the following:</p> <p>a. The applicant accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity; and</p> <p>b. 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 onsite stormwater treatment measures and to take corrective action if necessary. The agreement shall be recorded at the County Recorder’s Office at the applicant’s expense.</p>	Prior to demolition, construction; ongoing throughout construction	City of Oakland Planning & Zoning;  City of Oakland Building Services, Zoning Inspection	Review and approve the NPDES permit; Confirm that all applicable measures are being implemented or complied with per the approved plan.
<b>Impact Hydro-7:</b> Although the proposed Project would be subject to the provisions of the City of Oakland Creek Protection Ordinance, there is nothing about the Project that would fundamentally conflict with elements of the ordinance intended to protect	<p>Implement the following Standard Conditions of Approval detailed above:</p> <p><b>SCA Bio-2: Creek Protection Plan</b></p> <p><b>SCA Bio-3: Regulatory Permits and Authorizations</b></p> <p><b>SCA Bio-4: Creek Monitoring</b></p>	See SCA Bio-2, Bio-3, Bio-4 and Bio-5 above.	See SCA Bio-2, Bio-3, Bio-4 and Bio-5 above.	See SCA Bio-2, Bio-3, Bio-4 and Bio-5 above.

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hydrologic resources. The Project would not discharge a substantial amount of pollutants into the creek or watercourse, it would not significantly modify the natural flow of water, it would not deposit substantial amounts of new material into a creek or cause substantial bank erosion or instability, nor would it substantially endanger public or private property or threaten public health or safety.	<b>SCA Bio-5: Creek Landscaping Plan</b>			
<b>Chapter 4.10: Noise</b>				
<b>Impact Noise-1:</b> Noise generated by construction activities at the site would not be expected to violate the City of Oakland Noise Ordinance or violate the City of Oakland Noise Ordinance regarding nuisance of persistent construction-related noise, provided that standard construction noise controls are implemented at the site.	<p><b>SCA Noise-1: Days/Hours of Construction Operation.</b> (Ongoing throughout demolition, grading, and/or construction). The project applicant shall require construction contractors to limit standard construction activities as follows:</p> <p>a. Construction activities are limited to between 7:00 AM and 7:00 PM Monday through Friday, except that pile driving and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m. Monday through Friday.</p> <p>b. Any construction activity proposed to occur outside of the standard hours of 7:00 am to 7:00 pm Monday through Friday for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident’s preferences for whether the activity is acceptable if the overall duration of construction is shortened and such construction activities shall only be allowed with the prior written authorization of the Building Services Division.</p> <p>c. Construction activity shall not occur on Saturdays, with the following possible exceptions:</p> <p>i. Prior to the building being enclosed, requests for Saturday construction for special activities (such as concrete pouring which may require</p>	Ongoing throughout construction	City of Oakland Planning & Zoning;  City of Oakland Building Services, Zoning Inspection	Adherence to measures throughout duration of construction activities

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	<p>more continuous amounts of time), shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened. Such construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division.</p> <p>ii. After the building is enclosed, requests for Saturday construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division, and only then within the interior of the building with the doors and windows closed.</p> <p>d. No extreme noise generating activities (greater than 90 dBA) shall be allowed on Saturdays, with no exceptions.</p> <p>e. No construction activity shall take place on Sundays or Federal holidays.</p> <p>f. Construction activities include but are not limited to: truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.</p> <p>g. Applicant shall use temporary power poles instead of generators where feasible.</p> <p><b>SCA Noise-2: Noise Control (Ongoing throughout demolition, grading, and/or construction).</b> To reduce noise impacts due to construction, the project applicant shall require construction contractors to implement a site-specific noise reduction program, subject to the Planning and Zoning Division and the Building Services Division review and approval, which includes the following measures:</p> <p>a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment</p>	Ongoing throughout construction	City of Oakland Planning & Zoning;  City of Oakland Building Services, Zoning Inspection	Adherence to measures throughout duration of construction activities

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	<p>redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible).</p> <p>b. Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible 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 where feasible, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible.</p> <p>c. Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent feasible.</p> <p>d. If feasible, the noisiest phases of construction shall be limited to less than 10 days at a time.</p> <p><b>SCA Noise-3: Noise Complaint Procedures.</b> (Ongoing throughout demolition, grading, and/or construction). Prior to the issuance of each building permit, along with the submission of construction documents, the project applicant shall submit to the Building Services Division a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include:</p> <p>a. A procedure and phone numbers for notifying the Building Services Division staff and Oakland Police Department; (during regular construction hours and off-hours);</p> <p>b. A sign posted on-site pertaining with permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign shall also include a listing of</p>	Ongoing throughout construction	City of Oakland Planning & Zoning;  City of Oakland Building Services, Zoning Inspection	Adherence to measures throughout duration of construction activities

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	<p>both the City and construction contractor's telephone numbers (during regular construction hours and off-hours);</p> <p>c. The designation of an on-site construction complaint and enforcement manager for the project;</p> <p>d. Notification of neighbors and occupants within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities about the estimated duration of the activity; and</p> <p>e. A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed.</p> <p><b>SCA Noise-5: Pile Driving and Other Extreme Noise Generators.</b> (Ongoing throughout demolition, grading, and/or construction). To further reduce potential pier drilling, pile driving and/or other extreme noise generating construction impacts greater than 90dBA, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted for review and approval by the Planning and Zoning Division and the Building Services Division to ensure that maximum feasible noise attenuation will be achieved. This plan shall be based on the final design of the project. A third-party peer review, paid for by the project applicant, may be required to assist the City in evaluating the feasibility and effectiveness of the noise reduction plan submitted by the project applicant. A special inspection deposit is required to ensure compliance with the noise reduction plan. The amount of the deposit shall be determined by the Building Official, and the deposit shall be submitted by the project applicant concurrent with submittal of the noise reduction plan. The noise reduction plan shall include, but not be limited to, an evaluation of the following measures. These attenuation measures shall include as many of the following control strategies as feasible:</p>	Prior to demolition, construction; ongoing throughout construction	<p>City of Oakland Planning &amp; Zoning;</p> <p>City of Oakland Building Services, Zoning Inspection</p>	Submittal, review and approval of noise attenuation measures.

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	<ul style="list-style-type: none"> <li>a. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;</li> <li>b. Implement “quiet” pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;</li> <li>c. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;</li> <li>d. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example; and</li> <li>e. Monitor the effectiveness of noise attenuation measures by taking noise measurements.</li> </ul>			
<b>Impact Noise-5:</b> Temporary project construction activities would not expose adjacent residences to groundborne vibration at levels that could cause cosmetic or structural damage to structures or improvements, and Project occupancy and operation would not generate groundborne vibration at levels that would be perceptible beyond the property boundaries.	<p>Implement <b>SCA Noise-1: Days/Hours of Construction Operation</b> above.</p> <p>Implement <b>SCA Noise-3: Noise Complaint Procedures</b> above.</p> <p>Implement <b>SCA Noise-5: Pile Driving and Other Extreme Noise Generators</b> above.</p>	See SCA Noise-1, Noise-3, Noise-5 above.	See SCA Noise-1, Noise-3, Noise-5 above.	See SCA Noise-1, Noise-3, Noise-5 above.
<b>Chapter 4.11: Traffic</b>				
<i>Existing plus Project</i>				
<b>Impact Trans-1:</b> The proposed Project would degrade intersection operations from LOS D to LOS E during the Saturday PM peak hour at the signalized Shattuck Avenue/52nd Street	<p><b>Mitigation Measure Trans-1:</b> Implement the following measures at the Shattuck Avenue/52nd Street intersection:</p> <ul style="list-style-type: none"> <li>a) Optimize signal timing parameters (i.e., adjust the allocation of green time for each intersection</li> </ul>	Submittal of Plans, Specifications and Estimates (PS&E) prior to issuance of a building permit for Phase II <sup>1</sup>	City of Oakland, Dept. of Engineering & Construction, Transportation Services	Review and approve PS&E.  Confirm that improvements are designed and

<sup>1</sup> Per the Safeway Redevelopment Plan EIR, Phase I includes demolition of the existing CVS Pharmacy building, and construction and occupancy of a new Safeway store in that location. Phase II includes demolition of the remaining portion of the existing shopping center, followed by construction of the remaining portions of the new

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	<p>approach).</p> <p>b) Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group.</p>	<p>Implement approved improvements prior to final inspection of the building permit for Phase II</p>	<p>Division;</p> <p>City of Oakland Building Services Division, Zoning Inspection;</p> <p>City of Oakland Planning &amp; Zoning.</p>	<p>implemented pursuant to approved PS&amp;E</p>
<p>LOS E, in the would add or the ments he</p>	<p><b>Mitigation Measure Trans-2:</b> Implement the following measures at the Telegraph Avenue/51st Street intersection:</p> <p>a) Optimize signal timing parameters (i.e., adjust the allocation of green time for each intersection approach).</p> <p>b) Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group.</p>	<p>Submittal of Plans, Specifications and Estimates (PS&amp;E) prior to issuance of a building permit for Phase II</p> <p>Implement approved improvements prior to final inspection of the building permit for Phase II</p>	<p>City of Oakland, Dept. of Engineering &amp; Construction, Transportation Services Division;</p> <p>City of Oakland Building Services Division, Zoning Inspection;</p> <p>City of Oakland Planning &amp; Zoning.</p>	<p>Review and approve PS&amp;E.</p> <p>Confirm that improvements are designed and implemented pursuant to approved PS&amp;E</p>
<p>project ne nue M and r The our periods.</p>	<p><b>Mitigation Measure Trans-3:</b> Implementing one of the following measures at the Howe Street/ Pleasant Valley Avenue intersection would reduce the impact to a less than significant level:</p> <p>a) Signalize the intersection, providing actuated operation with permitted left turns and coordinate the signal timings with the adjacent intersections that would be in the same signal coordination group.</p> <p>b) Prohibit on-street parking for about 80 feet along northbound Howe Street just south of Pleasant Valley Avenue to allow right-turning vehicles to bypass the queued left-turning vehicles.</p> <p>c) Prohibit the left-turn movement from Howe Street to westbound Pleasant Valley Avenue during the</p>	<p>Because of the significant secondary impacts associated with each of the identified mitigation measures, these measures are considered infeasible and no other feasible mitigation measures are identified.</p>		



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	peak commute periods.			
<b>Impact Trans-4:</b> The signalized Piedmont Avenue/Pleasant Valley Avenue intersection currently operates at LOS E, even without increased traffic from the Project. The proposed Project would add traffic that would increase average delay at this intersection by more than four seconds during the weekday PM peak hour.	<p><b>Mitigation Measure Trans-4:</b> Implement the following measures at the Piedmont Avenue/Pleasant Valley Avenue intersection:</p> <ul style="list-style-type: none"> <li>a) Convert signal control equipment from pre-timed to actuated-coordinated operations</li> <li>b) Optimize signal timing parameters (i.e., adjust the allocation of green time for each intersection approach)</li> <li>c) Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group.</li> </ul>	<p>Submittal of Plans, Specifications and Estimates (PS&amp;E) prior to issuance of a building permit for Phase II. Implement approved improvements prior to final inspection of the building permit for Phase II</p>	<p>City of Oakland, Dept. of Engineering &amp; Construction, Transportation Services Division; City of Oakland Building Services Division, Zoning Inspection; City of Oakland Planning &amp; Zoning.</p>	<p>Review and approve PS&amp;E.  Confirm that improvements are designed and implemented pursuant to approved PS&amp;E</p>
<i>2015 Intersection Impacts</i>				
<b>Impact Trans-5:</b> The proposed Project would degrade intersection operations from LOS D to LOS E during the weekday PM peak hour at the Broadway/51st Street/Pleasant Valley Avenue (#7) intersection under 2015 Conditions. The proposed Project would also add traffic that would increase delay for the critical eastbound through movement by more than six seconds during the Saturday midday peak hour, which the intersection would operate at LOS E regardless of the proposed Project	<p><b>Mitigation Measure Trans-5:</b> Implementation of the following measures at the Broadway/51st Street/Pleasant Valley Avenue intersection would reduce the impact to a less-than-significant level:</p> <ul style="list-style-type: none"> <li>a) Install a left-turn lane on the westbound Pleasant Valley Avenue approach.</li> <li>b) Install a left-turn lane on the eastbound 51st Street approach.</li> </ul>	<p>Due to the secondary significant impacts on pedestrians, adverse effects on other travel modes and conflicts with City policies, the mitigation is considered infeasible. No other feasible mitigation measures are available that would mitigate the Project impacts at the Broadway/51st Street/Pleasant Valley Avenue intersection.</p>		
<b>Impact Trans-6:</b> The Shattuck Avenue/52nd Street intersection is projected to operate at LOS E under 2015 Conditions, even without increased traffic from the Project. The proposed Project would add traffic that would increase delay for the critical southbound through movement by more than six seconds during the Saturday PM peak hour, exceeding the City's threshold of significance.	<b>Mitigation Measure Trans-6:</b> Implement Mitigation Measure Trans-1.	See Mitigation Measure Trans-1 above.	See Mitigation Measure Trans-1 above.	See Mitigation Measure Trans-1 above.

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<b>Impact Trans-7:</b> The Telegraph Avenue/51st Street intersection is projected to operate at LOS E under 2015 Conditions, even without increased traffic from the Project. The proposed Project would add traffic that would increase delay for the critical southbound left-turn movement by more than six seconds during the weekday PM peak hour.	<b>Mitigation Measure Trans-7:</b> Implement Mitigation Measure Trans-2.	See Mitigation Measure Trans-2 above.	See Mitigation Measure Trans-2 above.	See Mitigation Measure Trans-2 above.
<b>Impact Trans-8:</b> The proposed Project would add more than 10 trips to the Howe Street/Pleasant Valley Avenue (#19) intersection during the weekday PM and Saturday midday peak hours under 2015 Plus Project conditions. The intersection would meet the peak hour signal warrant during both time periods.	<b>Mitigation Measure Trans-8:</b> Implement Mitigation Measure Trans-3	See discussion regarding the infeasibility of Mitigation Measure Trans-3, above		
<b>Impact Trans-9:</b> The proposed Project would degrade intersection operations from LOS E to LOS F during the weekday PM peak hour at the Piedmont Avenue/Pleasant Valley Avenue (#20) intersection under 2015 Conditions; the Project would also degrade the intersection operations during the Saturday midday and PM peak hour from LOS D to LOS E.	<b>Mitigation Measure Trans-9:</b> Implement Mitigation Measure Trans-4.	See Mitigation Measure Trans-4 above.	See Mitigation Measure Trans-4 above.	See Mitigation Measure Trans-4 above.
<i>2035 Intersection Impacts</i>				
<b>Impact Trans-10:</b> The proposed Project would increase volume-to-capacity (v/c) ratio for the intersection by 0.01 or more, and the critical movement v/c ratio for the eastbound left, eastbound through, westbound left, northbound through, and the southbound left movements by 0.02 or more during the weekday PM peak hour, and it would increase v/c ratio for the intersection by 0.01 or more and the	<b>Mitigation Measure Trans-10:</b> Implement Mitigation Measure Trans-5.	See discussion regarding the infeasibility of Mitigation Measure Trans-5, above		

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critical movement v/c ratio for the eastbound left, eastbound through, and, northbound through movements by 0.02 or more during the Saturday midday peak hour at the Broadway/51st Street/Pleasant Valley Avenue (#7) intersection under 2035 Conditions, which would operate at LOS F regardless of the Project.				
<b>Impact Trans-11:</b> The proposed Project would increase intersection volume-to-capacity (v/c) ratio by 0.01 or more during the Saturday PM peak hour at the Shattuck Avenue/52nd Street (#12) intersection under 2035 Conditions, which would operate at LOS F regardless of the Project.	<b>Mitigation Measure Trans-11:</b> Implement Mitigation Measure Trans-1.	See Mitigation Measure Trans-1 above.	See Mitigation Measure Trans-1 above.	See Mitigation Measure Trans-1 above.
<b>Impact Trans-12:</b> The proposed Project would increase delay for the critical southbound left-turn movement by more than six seconds during the weekday PM peak hour at the Telegraph Avenue/51st Street (#15) intersection under 2035 Conditions, which would operate at LOS E regardless of the Project; the Project would also increase delay for the critical westbound and southbound movements by more than six seconds during the Saturday midday peak hour; the Project would also degrade the intersection during the Saturday PM peak hour from LOS D to LOS E.	<b>Mitigation Measure Trans-12:</b> Implement Mitigation Measure Trans-2.	See Mitigation Measure Trans-2 above.	See Mitigation Measure Trans-2 above.	See Mitigation Measure Trans-2 above.
<b>Impact Trans-13:</b> The proposed Project would add more than 10 trips to the Howe Street/ Pleasant Valley Avenue (#19) during the weekday PM, Saturday midday, and Saturday PM peak hours under 2035 Plus Project conditions. The intersection would meet the peak hour signal warrant during the three time	<b>Mitigation Measure Trans-13:</b> Implement Mitigation Measure Trans-3	See discussion regarding the infeasibility of Mitigation Measure Trans-3, above		

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periods.				
<b>Impact Trans-14:</b> The proposed Project would increase volume-to-capacity (v/c) ratio for the intersection by 0.01 or more, and the critical movement v/c ratio for the eastbound, westbound, and northbound movements by 0.02 or more during the weekday PM, Saturday midday, and Saturday PM peak hours at the Piedmont Avenue/Pleasant Valley Avenue (#20) intersection under 2035 Conditions, which would operate at LOS F regardless of the Project.	<b>Mitigation Measure Trans-11:</b> Implement the following measures at the Piedmont Avenue/Pleasant Valley Avenue intersection: a) Mitigation Measure Trans-4. b) Modify signal control equipment to provide lagging protected phasing in the northbound direction.	Submittal of Plans, Specifications and Estimates (PS&E) prior to issuance of a building permit for Phase II. Implement approved improvements prior to final inspection of the building permit for Phase II	City of Oakland, Dept. of Engineering & Construction, Transportation Services Division; City of Oakland Building Services Division, Zoning Inspection; City of Oakland Planning & Zoning.	Review and approve PS&E.  Confirm that improvements are designed and implemented pursuant to approved PS&E
<b>Impact Trans-15:</b> The proposed Project would degrade intersection operations from LOS E to LOS F during the weekday PM peak hour at the Hudson Street/Manila Avenue/College Avenue (#24) intersection under 2035 Conditions.	<b>Mitigation Measure Trans-15:</b> Implement the following measures at the Hudson Street/Manila Avenue/College Avenue intersection: a) Optimize signal timing parameters (i.e., adjust the allocation of green time for each intersection approach). b) Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group.	Submittal of Plans, Specifications and Estimates (PS&E) prior to issuance of a building permit for Phase II. Implement approved improvements prior to final inspection of the building permit for Phase II	City of Oakland, Dept. of Engineering & Construction, Transportation Services Division; City of Oakland Building Services Division, Zoning Inspection; City of Oakland Planning & Zoning.	Review and approve PS&E.  Confirm that improvements are designed and implemented pursuant to approved PS&E
<b>Impact Trans-24:</b> The proposed Project would not fundamentally conflict with adopted City policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities adopted for the purpose of avoiding or mitigating an environmental effect and actually result in a physical change in the environment.	<b>SCA-Trans-1: Parking and Transportation Demand Management.</b> Prior to issuance of a final inspection of the building permit. The applicant shall pay for and submit for review and approval by the City a Transportation Demand Management (TDM) plan containing strategies to: <ul style="list-style-type: none"><li>Reduce the amount of traffic generated by new development and the expansion of existing development, pursuant to the City's police power and necessary in order to protect the public health, safety and welfare.</li><li>Ensure that expected increases in traffic resulting from growth in employment and housing opportunities in the City of Oakland will be</li></ul>	Initial TDM Plan required prior to issuance of a final inspection of the building permit for Phase I and subsequent Phase II.  The applicant shall submit an annual compliance report for review and approval by the City.	The TDM Plan and annual compliance reports shall be submitted for review by either City staff or a peer review consultant, chosen by the City and paid for by the applicant.	If timely reports are not submitted, if the annual reports indicate a failure to achieve the stated policy goals, or if the required alternative mode split is not achieved, staff will work with the applicant to find ways to meet their commitments and achieve trip reduction goals. If the issues cannot be resolved, the matter may be referred

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	<p>adequately mitigated.</p> <ul style="list-style-type: none"> <li>• Reduce drive-alone commute trips during peak traffic periods by using a combination of services, incentives, and facilities.</li> <li>• Promote more efficient use of existing transportation facilities and ensure that new developments are designed in ways to maximize the potential for alternative transportation usage.</li> <li>• Establish an ongoing monitoring and enforcement program to ensure that the desired alternative mode use percentages are achieved.</li> </ul> <p>The applicant shall implement the approved TDM plan. The TDM plan shall include strategies to increase bicycle, pedestrian, transit, and carpools/vanpool use. All four modes of travel shall be considered, and parking management and parking reduction strategies should be included. Actions to consider include the following:</p> <ol style="list-style-type: none"> <li>a. Inclusion of additional long term and short term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan, and Bicycle Parking Ordinance, shower, and locker facilities in commercial developments that exceed the requirement.</li> <li>b. Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority Bikeway Projects, on-site signage and bike lane striping.</li> <li>c. Installation of safety elements per the Pedestrian Master Plan (such as cross walk striping, curb ramps, count-down signals, bulb outs, etc.) to encourage convenient and safe crossing at arterials.</li> <li>d. Installation of amenities such as lighting, street trees, trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan.</li> <li>e. Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements.</li> <li>f. Direct on-site sales of transit passes purchased and sold at a bulk group rate (through programs such as</li> </ol>			to the Planning Commission for resolution.

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	<p>AC Transit Easy Pass or a similar program through another transit agency).</p> <p>g. Employees or residents can be provided with a subsidy, determined by the applicant and subject to review by the City, if the employees or residents use transit or commute by other alternative modes.</p> <p>h. Provision of shuttle service between the development and nearest mass transit station, or ongoing contribution to existing shuttle or public transit services.</p> <p>i. Guaranteed ride home program for employees, either through 511.org or through separate program.</p> <p>j. Pre-tax commuter benefits (commuter checks) for employees.</p> <p>k. Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants.</p> <p>l. Onsite carpooling and/or vanpooling program that includes preferential (discounted or free) parking for carpools and vanpools.</p> <p>m. Distribution of information concerning alternative transportation options</p> <p>n. Parking spaces sold/leased separately for residential units. Charge employees for parking, or provide a cash incentive or transit pass alternative to a free parking space in commercial properties.</p> <p>o. Parking management strategies; including attendant/valet parking and shared parking spaces.</p> <p>p. Requiring tenants to provide opportunities and the ability to work off-site.</p> <p>q. Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite.</p> <p>r. Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually</p>			

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	<p>determined work hours.</p> <p>The applicant shall submit an annual compliance report for review and approval by the City. This report will be reviewed either by City staff (or a peer review consultant, chosen by the City and paid for by the applicant). If timely reports are not submitted, the reports indicate a failure to achieve the stated policy goals, or the required alternative mode split is still not achieved, staff will work with the applicant to find ways to meet their commitments and achieve trip reduction goals. If the issues cannot be resolved, the matter may be referred to the Planning Commission for resolution. Applicants shall be required, as a condition of approval, to reimburse the City for costs incurred in maintaining and enforcing the trip reduction program for the approved Project.</p>			
<p><b>Impact Trans-25:</b> The proposed Project would result in a substantial, though temporary adverse effect on the circulation system during construction.</p>	<p><b>SCA Trans-2: Construction Traffic Management Plan.</b> Prior to the issuance of a demolition, grading or building permit, the Project applicant and construction contractor shall meet with appropriate City of Oakland agencies to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this Project and other nearby projects that could be simultaneously under construction. The project applicant shall develop a construction management plan for review and approval by the Planning and Zoning Division, the Building Services Division, and the Transportation Services Division. The plan shall include at least the following items and requirements:</p> <ol style="list-style-type: none"> <li>a. A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes.</li> <li>b. Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur.</li> </ol>	<p>Submittal prior to issuance of a grading, demolition, building or P-Job permit</p> <p>Ongoing through construction</p>	<p>City of Oakland Planning &amp; Zoning;</p> <p>City of Oakland Building Services,</p> <p>Zoning Inspection; and</p> <p>City of Oakland, - Transportation Services Division</p>	<p>Review and approve the construction management plan;</p> <p>Confirm that all applicable measures are being implemented or complied with per the approved plan.</p>

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	<ul style="list-style-type: none"> <li>c. Location of construction staging areas for materials, equipment, and vehicles at an approved location.</li> <li>d. A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an onsite complaint manager. The manager shall determine the cause of the complaints and shall take prompt action to correct the problem. Planning and Zoning shall be informed who the Manager is prior to the issuance of the first permit issued by Building Services.</li> <li>e. Provision for accommodation of pedestrian flow.</li> <li>f. Provision for parking management and spaces for all construction workers to ensure that construction workers do not park in on-street spaces.</li> <li>g. Any damage to the street caused by heavy equipment, or as a result of this construction, shall be repaired, at the applicant's expense, within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to issuance of a final inspection of the building permit. All damage that is a threat to public health or safety shall be repaired immediately. The street shall be restored to its condition prior to the new construction as established by the City Building Inspector and/or photo documentation, at the applicant's expense, before the issuance of a Certificate of Occupancy.</li> <li>h. Any heavy equipment brought to the construction site shall be transported by truck, where feasible.</li> <li>i. No materials or equipment shall be stored on the traveled roadway at any time.</li> <li>j. Prior to construction, a portable toilet facility and a debris box shall be installed on the site, and properly maintained through project completion.</li> <li>k. All equipment shall be equipped with mufflers.</li> <li>l. Prior to the end of each work day during construction, the contractor or contractors shall pick up and properly dispose of all litter resulting from or related to the project, whether located on the property, within the public rights-of-way, or</li> </ul>			



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	<p>properties of adjacent or nearby neighbors.</p> <p><b>SCA Implementation:</b> Construction Traffic Management. The Construction Traffic Management Plan developed for the Project shall include the following:</p> <p>a) A set of comprehensive traffic control measures for motor vehicles, transit, bicycle, and pedestrian access and circulation during each phase of construction.</p> <p>b) A construction period parking management plan to ensure that parking demands for construction workers, site employees, and customers are accommodated during each phase of construction.</p>			
<b>Chapter 4.12: Utilities and Public Services</b>				
<p><b>Impact Util-1:</b> Although the Project will result in the construction of new storm water drainage facilities, the construction of these facilities would not cause significant environmental effects.</p>	<p><b>SCA Util-2: Stormwater and Sewer.</b> Prior to completing the final design for the project's sewer service. Confirmation of the capacity of the City's surrounding stormwater and sanitary sewer system and state of repair shall be completed by a qualified civil engineer with funding from the project applicant. The project applicant shall be responsible for the necessary stormwater and sanitary sewer infrastructure improvements to accommodate the proposed project. In addition, the applicant shall be required to pay additional fees to improve sanitary sewer infrastructure if required by the Sewer and Stormwater Division. Improvements to the existing sanitary sewer collection system shall specifically include, but are not limited to, mechanisms to control or minimize increases in infiltration/inflow to offset sanitary sewer increases associated with the proposed project. To the maximum extent practicable, the applicant will be required to implement Best Management Practices to reduce the peak stormwater runoff from the project site. Additionally, the project applicant shall be responsible for payment of the required installation or hook-up fees to the affected service providers.</p> <p>Implement <b>SCA Air-1: Best Management Practices</b> above.</p>	<p>Prior to completing final design for project's sewer service.</p> <p>See SCA Air-1, Geo-1, Noise-1, Noise-2, Trans-</p>	<p>City of Oakland, Public Works Agency</p> <p>See SCA Air-1, Geo-1, Noise-1, Noise-2, Trans-</p>	<p>Confirmation of capacity prior to completing sewer service design; installation of adequate service; payment of required fees.</p> <p>See SCA Air-1, Geo-1, Noise-1, Noise-2, Trans-</p>

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	<p>Implement <b>SCA Geo-1: Erosion and Sedimentation Control Plan</b> above.</p> <p>Implement <b>SCA Noise-1: Days/Hours of Construction Operation</b> above.</p> <p>Implement <b>SCA Noise-2: Noise Control</b> above.</p> <p>Implement <b>SCA Trans-2: Construction Traffic Management Plan</b> above.</p>	1 above.	1 above.	1 above.
<p><b>Impact Util-3:</b> Although the Project will result in the construction of new on-site wastewater collection infrastructure, the construction of such infrastructure would not cause significant environmental effects.</p>	<p>Implement <b>SCA Air-1: Best Management Practices</b> above.</p> <p>Implement <b>SCA Geo-1: Erosion and Sedimentation Control Plan</b> above.</p> <p>Implement <b>SCA Noise-1: Days/Hours of Construction Operation</b> above.</p> <p>Implement <b>SCA Noise-2: Noise Control</b> above.</p> <p>Implement <b>SCA Trans-2: Construction Traffic Management Plan</b> above.</p>	See SCA Air-1, Geo-1, Noise-1, Noise-2, Trans-1 above.	See SCA Air-1, Geo-1, Noise-1, Noise-2, Trans-1 above.	See SCA Air-1, Geo-1, Noise-1, Noise-2, Trans-1 above.
<p><b>Impact Util-5:</b> Although the Project would result in the construction of certain new on-site water supply infrastructure, the construction of such infrastructure would not cause significant environmental effects.</p>	<p>Implement <b>SCA Air-1: Best Management Practices</b> above.</p> <p>Implement <b>SCA Geo-1: Erosion and Sedimentation Control Plan</b> above.</p> <p>Implement <b>SCA Noise-1: Days/Hours of Construction Operation</b> above.</p> <p>Implement <b>SCA Noise-2: Noise Control</b> above.</p> <p>Implement <b>SCA Trans-2: Construction Traffic Management Plan</b> above.</p>	See SCA Air-1, Geo-1, Noise-1, Noise-2, Trans-1 above.	See SCA Air-1, Geo-1, Noise-1, Noise-2, Trans-1 above.	See SCA Air-1, Geo-1, Noise-1, Noise-2, Trans-1 above.
<p><b>Impact Util-6:</b> The amount of solid waste generated by the proposed Project would not exceed the capacity of the Davis Street Transfer Station or the Altamont Landfill and would not require the construction or expansion of landfill facilities.</p>	<p><b>SCA Util-1: Waste Reduction and Recycling.</b> The project applicant will submit a Construction &amp; Demolition Waste Reduction and Recycling Plan (WRRP) and an Operational Diversion Plan (ODP) for review and approval by the Public Works Agency.</p> <p>a. Chapter 15.34 of the Oakland Municipal Code outlines requirements for reducing waste and optimizing construction and demolition (C&amp;D) recycling. Affected projects include all new</p>	Prior to demolition, construction; ongoing throughout construction	City of Oakland Planning & Zoning; City of Oakland Building Services	Submittal, review and approval of required plan; implementation throughout construction.

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	<p>construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3), and all demolition (including soft demo).The WRRP must specify the methods by which the development will divert C&amp;D debris waste generated by the proposed project from landfill disposal in accordance with current City requirements. Current standards, FAQs, and forms are available at <a href="http://www.oaklandpw.com/Page39.aspx">www.oaklandpw.com/Page39.aspx</a> or in the Green Building Resource Center. After approval of the plan, the project applicant shall implement the plan.</p> <p>b. The ODP will identify how the project complies with the Recycling Space Allocation Ordinance, (Chapter 17.118 of the Oakland Municipal Code), including capacity calculations, and specify the methods by which the development will meet the current diversion of solid waste generated by operation of the proposed project from landfill disposal in accordance with current City requirements. The proposed program shall be implemented and maintained for the duration of the proposed activity or facility. Changes to the plan may be re-submitted to the Environmental Services Division of the Public Works Agency for review and approval. Any incentive programs shall remain fully operational as long as residents and businesses exist at the project site.</p>			