

Hegenberger Business Center Project

CEQA Analysis

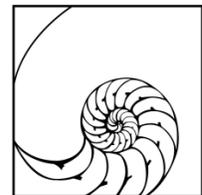
October 2017

Lead Agency:

Port of Oakland
Environmental Programs and Planning Division
530 Water Street
Oakland, CA 94607

Prepared By:

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I. Project Characteristics

- 1. Project Title:** Hegenberger Business Center Project
- 2. Lead Agency Name and Address:** Port of Oakland
Environmental Programs and Planning Division
530 Water Street
Oakland, CA 94607
- 3. Contact Person and Phone Number:** Colleen Liang, Port Environmental Supervisor
510.627.1198
cliang@portoakland.com
- 4. Project Location:** 111 Hegenberger Road
(formerly 8520 Pardee Drive)
Oakland, CA
Assessor's Parcel No. 042-4420-4
- 5. Project Sponsor's Name and Address:** 8520 Pardee Drive LLC
Attn: Steve Hanson
6899 Bristol Drive
Berkeley, CA 94705
- 6. Existing General Plan Designations:** Regional Commercial (Regional Commercial Mixed Use,
Coliseum Area Specific Plan)
- 7. Existing Zoning:** Oakland Airport Business Park (Port Land Use
Development Code)

Regional Commercial (CR-1); Height Limit – 90 feet;
Maximum Floor Area Ratio – 4.0

Coliseum Area Commercial District Zone-3 (D-CO-3,
Coliseum Area Specific Plan)
- 8. Requested Permits:** Development Permit (Port of Oakland Permit #5147),
Building and other applicable permits (City of Oakland)

II. Purpose and Summary of this CEQA Document

This California Environmental Quality Act (CEQA) Analysis evaluates the proposed Hegenberger Business Center Project (Project). Specifically, the Project is considered an urban infill development project, and is in the class of projects that is exempt from CEQA review under CEQA Guidelines Section 15332 (Class 32 exemption).

The purpose of this document is to evaluate the CEQA compliance of the Project as proposed. The applicable CEQA section is described below which provides a basis for CEQA compliance.

Hegenberger Business Center Project CEQA Compliance

Class 32 Categorical Exemption. Pursuant to Public Resources Code Section 21084 and State CEQA Guidelines Section 15332, a Class 32 Categorical Exemption applies to infill development projects that meet the following criteria:

- Are consistent with applicable general plan policies and zoning designations
- Occur within a project site smaller than five acres and are substantially surrounded by urban uses
- Have no value as habitat for endangered, rare or threatened species
- Would not result in any significant effects relating to traffic, noise, air quality, or water quality
- Are located on a site that can be adequately served by all required utilities and public services

The analysis presented in the following pages of this document provides substantial evidence that the Project qualifies for an exemption under CEQA Guidelines Section 15332 as a Class 32 urban infill development, and would not result in any new significant effects on the environment. In addition, none of the specific exceptions to CEQA categorical exemptions (CEQA Guidelines Section 15300.2) is applicable to the Project. Therefore, no further review or analysis under CEQA is required.

III. Project Description

This section describes the proposed Hegenberger Business Center Project evaluated in this CEQA Analysis and includes a description of the Project site, existing site conditions, the proposed development, and the required project approvals.

Project Location

As shown in **Figure 1**, the approximately 3-acre (130,462-square-foot) Project site in the City of Oakland is bounded by Pardee Drive, Hegenberger Road, and adjacent retail and commercial development. The Project site consists of one parcel at 111 Hegenberger Road (Assessor Parcel Number 42-4420-4). Regional access is provided by I-880, and Alameda–Contra Costa Transit (AC Transit) bus routes 73, 314, 356, 805 are all within 0.25 mile of the Project site.

Existing Conditions and Surrounding Land Uses

After recent demolition of the one-story building formerly housing Francesco’s Restaurant, the Project site now consists of a surface parking lot accessible from Pardee Drive and remnants of previous landscaping. Existing land uses in the Project vicinity include a mix of commercial, hotel, logistics and distribution, retail, and restaurant uses; elevated freeways and transit lines; a public golf course; and Oakland International Airport. Hegenberger Road, a major arterial bounding the site on the east, is lined with a variety of commercial uses, many of which provide direct and indirect support to the airport, such as hotels, restaurants, and private offsite airport parking lots with shuttle service to the airport. A number of office buildings, up to eight stories in height, also line Hegenberger Road. Pardee Drive, which bounds the site to the south, provides access to distribution, warehouse, and light industrial land uses.

General Plan and Zoning Designations

This particular site is somewhat unusual in that it is in an area of Oakland where land use jurisdiction and authorities are, in essence, shared between the City of Oakland and the Port of Oakland (Port or Port Area). The site is within the Port’s Oakland Airport Business Park and therefore subject to the Port’s land use designations and regulations that are administered pursuant to the Port’s Land Use Development Code (LUDC). Therefore, the Project would be required to comply with both the City’s General Plan and the Port’s LUDC. While there are differences between the provisions of the Port’s LUDC and the City’s zoning, the Project as proposed is consistent with the provisions of both, as discussed below.

Note: The City Zoning requirements are cited for comparison purposes only. The Coliseum Specific Plan includes recommended zoning designations that were adopted in the Zoning Ordinance but do not apply in the Port Area. The zoning designations indicate the intent of the General and Specific Plans.

The Project site is within the Commercial Corridor of the Oakland Airport Business Park and is restricted to the primary land uses specified in Table 2.1 of the Port’s LUDC. Setback requirements for the Commercial Corridor include a 10-foot minimum at the side and rear of the parcel, with a 20-foot minimum at the front of the parcel. Pursuant to the LUDC, “[t]he height limit for any building in the Business Park shall be the maximum height allowed by the Federal Aviation Administration (FAA) that does not place any restrictions on aviation activities at the Oakland International Airport.”

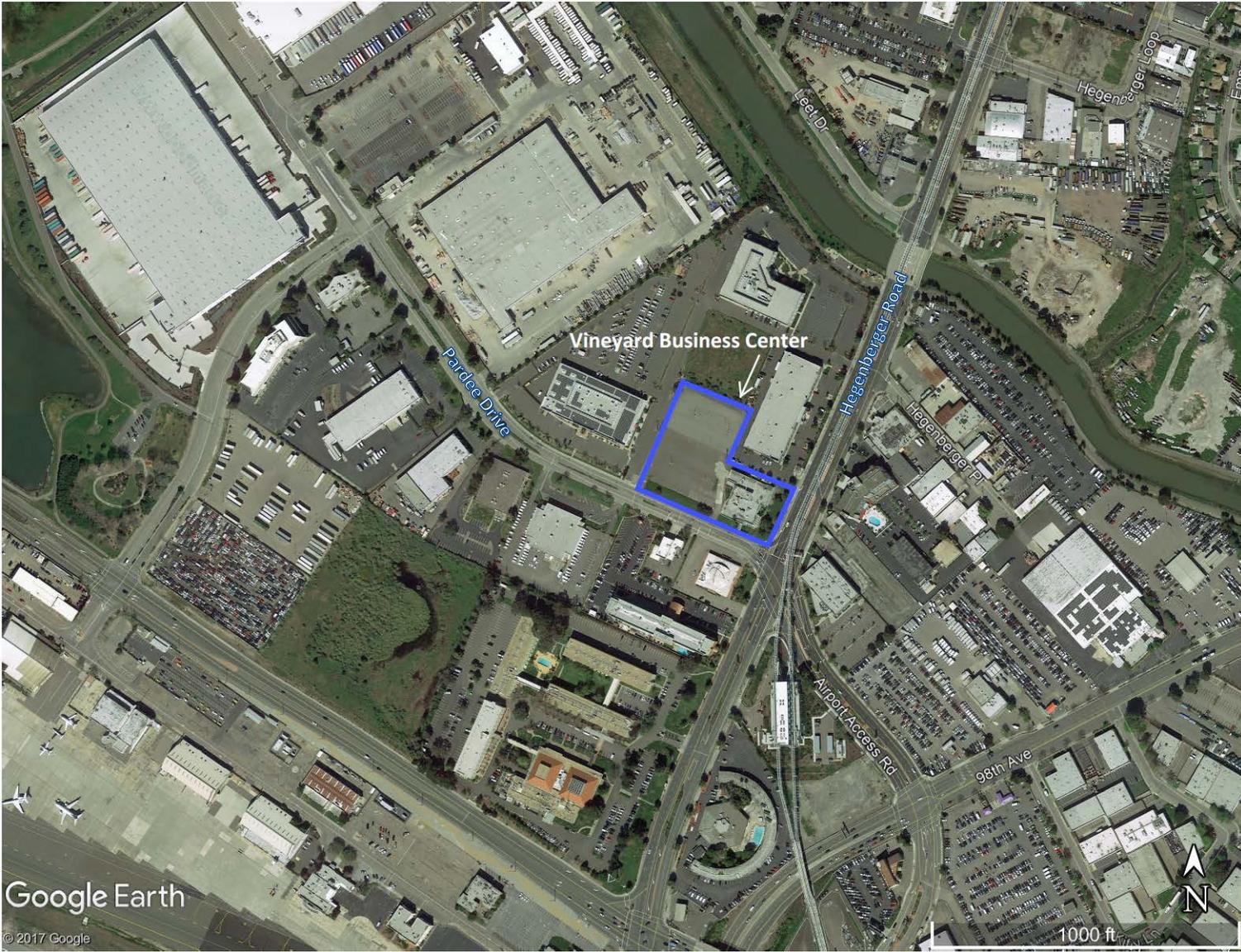


Figure 1. Project Location

The LUDC identifies the maximum floor area ratio (FAR) as that which is set by the City of Oakland General Plan. The proposed commercial and warehouse uses for the Project site are consistent with the land uses identified for the Commercial Corridor of the Oakland Airport Business Park in the Port's LUDC.

The City of Oakland General Plan designates the Project site and vicinity as Regional Commercial with Regional Commercial (CR-1) zoning. The intent of the Regional Commercial and CR-1 classifications are to maintain, support, and create areas of the City that serve as region-drawing centers of activity. The building height limit in the CR-1 zone is 90 feet with a maximum of eight stories (not including underground construction), and the maximum nonresidential FAR is 4.0.

The site is also within the boundaries of the Coliseum Area Specific Plan (CASP), which has been adopted by the City of Oakland and has become part of the City's General Plan. Land use designations and related restrictions generated as part of the CASP have been incorporated in the City of Oakland's Zoning Code. The Project site is within Sub-Area D of the CASP, which is envisioned as a mixed-use district for hotels, retail, and logistic businesses that benefit from proximity to Oakland International Airport. The CASP designates Sub-Area D as Regional Commercial Mixed Use with D-CO-3 zoning, which includes a mix of offices, light industrial, logistics and distribution, government/utility, auto-related, and retail/restaurant uses. The building height limit in the D-CO-3 zone is 159 feet, and the maximum nonresidential FAR is 6.0. The proposed commercial and warehouse uses for the Project site are consistent with the land uses identified for the area in the CASP and analyzed in the 2015 CASP EIR.

Proposed Project

The Project sponsor is proposing development of a commercial/light industrial facility on an approximately 3-acre site at 111 Hegenberger Road (**Figure 2**). The Project would include removal of site landscaping and surface parking lot, and construction of three single-story buildings accommodating commercial, light industrial, warehousing uses, supported by surface parking for 125 vehicles. Demolition of the restaurant structure has been considered under a separate CEQA review. Proposed Building A, as shown in **Figure 3**, would consist of 4 units of approximately 2,663 square feet each, totaling 10,653 square feet. Building B would consist of 4 units of approximately 2,077 square feet each, totaling 8,309 square feet. A one-story warehouse flex building (Building C) would be constructed along the Pardee Drive frontage, consisting of 12 units—6 of the units would be approximately 2,608 square feet and the remaining 6 units would be approximately 2,571 square feet, totaling 31,225 square feet. Building heights would be approximately 20 feet, and the clock tower would rise to 44 feet (**Figure 4**). The total building footprint would be approximately 50,188 square feet (approximately 38% lot cover) and would have a FAR of 0.38. Of the proposed 125 parking spaces, 71 would be standard spaces, 49 would be compact spaces, and 5 would be accessible (including 1 van-accessible space). Night lighting for the site would be designed to comply with the Port's Exterior Lighting Policy. The Project site would be landscaped with a mix of trees and shrubs around the perimeter and would include the planting of approximately 17 new trees.

Primary access to the site would be via Hegenberger Road with secondary access from Pardee Drive. Three vehicular entrances would be provided to the site, one from Hegenberger Road (right-in only) and two from Pardee Drive. Perimeter steel fencing would be included along the Hegenberger and Pardee frontages, with electronically controlled gates at each of the three entrances.



PARDEE ROAD ELEVATION



WEST ELEVATION



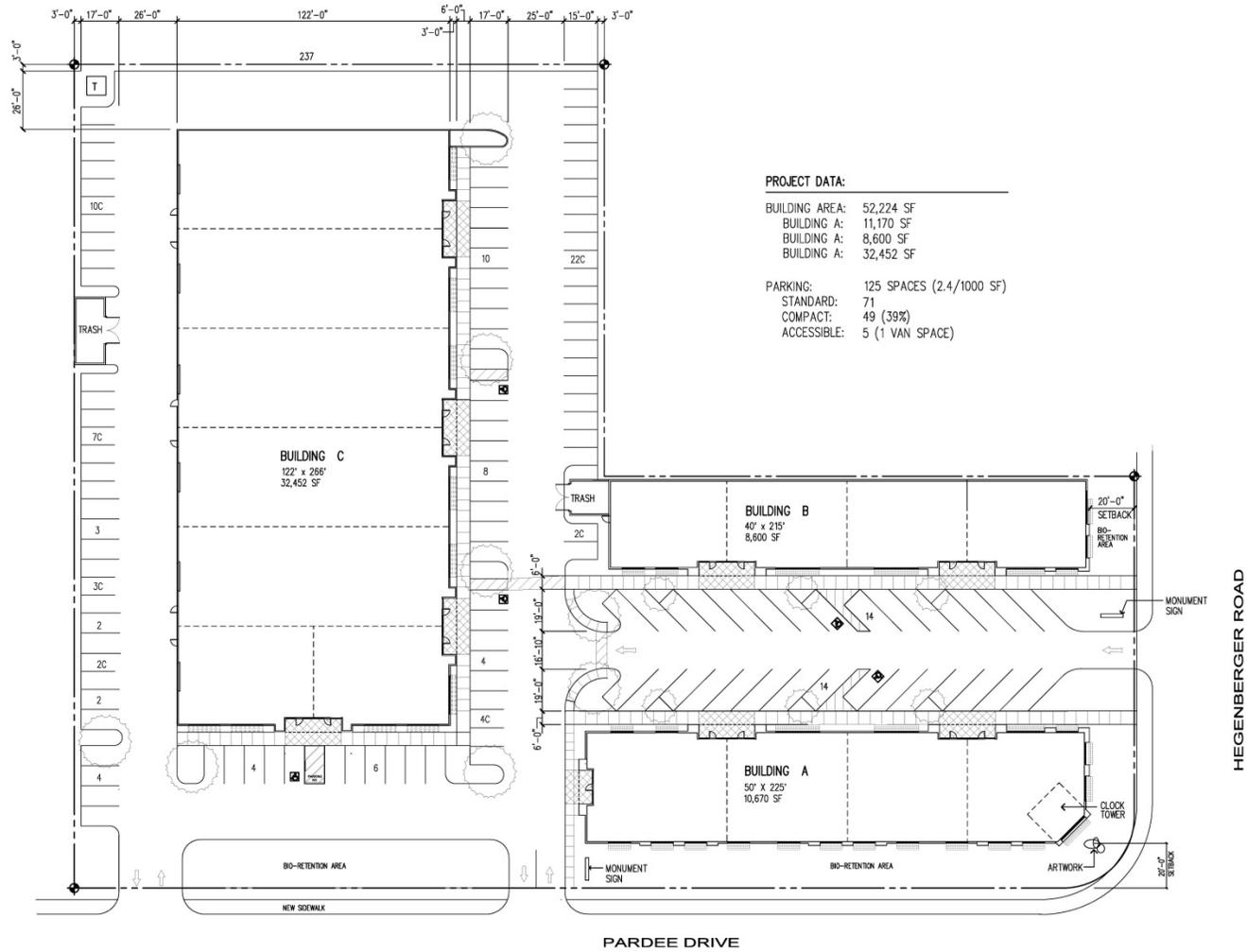
HEGENBERGER ROAD ELEVATION



NORTH (FRONT) ELEVATION

Figure 3. Project Elevations – Building A

Source: Choi + Robles Architecture



SITE PLAN
1" = 20'-0"

HEGENBERGER BUSINESS CENTER
111 HEGENBERGER ROAD, OAKLAND, CA

Figure 2. Project Site Plan
Source: Choi + Robles Architecture



BUILDING B – NORTH (REAR) ELEVATION



BUILDING C – SOUTH (PARDEE ROAD) ELEVATION



BUILDING C – EAST (FRONT) ELEVATION

Figure 4. Project Elevations – Buildings B and C
Source: Choi + Robles Architecture

Development of the Project would replace 98,344 sf of the existing 102,900 sf impervious area. Because this area is in excess of 5,000 square feet, the Project is subject to the requirements for regulated projects in the Port's 2015 Post-Construction Stormwater Design Manual, including implementation of source control, site design, and treatment measures as well as development and implementation of a post-construction stormwater management plan. The Project is also subject to the Port's National Pollutant Discharge Elimination System (NPDES) permit for small municipal separate storm sewer systems (MS4 permit) issued by the SWRCB as well as the Port's Stormwater Ordinance. As such, the Project will comply with the stormwater treatment requirement through various site design and/or stormwater treatment measures, which will be subject to the approval of the Port.

The Project includes other associated improvements such as hardscape, storm drain, and utility connections. On-site utilities would include gas, electricity, domestic water, wastewater, and storm drainage. All on-site utilities would be designed in accordance with applicable codes and current engineering practices.

Project Construction

The Project is currently in the design phase and no details are as-yet available regarding the construction schedule and phasing or site grading. For the purpose of this analysis, however, the following is assumed: On-site construction work is expected to span approximately 12 months. The first month would consist of grading and site preparation. The remainder of the construction period would consist of installing utilities, building construction, site paving, and implementing the landscape plan.

Site clearance and removal of the asphalt surface parking lot and landscaping would include grinding and reusing the asphalt material offsite to the extent feasible (e.g., as base material for new walkways at the City of Alameda's municipal golf course). Grading activities would include surface preparation, utility connections, and excavations for the foundation, footings, and utility services.

Typical equipment used during construction would include an excavator, backhoe, trencher, forklift, and paving equipment. Staging would occur as much as possible within the Project site. Street frontages and parking lanes will need to be used at times for deliveries and removals of materials and equipment. Driving lanes on along the Pardee Drive frontage may be temporarily reduced or closed for concrete trucks, pumps, and compressors; however, at least one traffic lane will remain open each direction, with appropriate traffic controls.

The Project sponsor will require construction contractors to limit standard construction activities as required by the City of Oakland Building Department. Such activities are generally limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday. No construction activities will be allowed on weekends until after the building is enclosed, without prior authorization of the Port of Oakland, and no extreme noise generating activities shall be allowed on weekends and holidays.

Project Approvals

The Project site is within the Port land use jurisdiction and the Port is the Lead Agency responsible for approval of the CEQA Analysis. Design review and other discretionary planning approvals for the Project are the responsibility of the Port. The Project is also subject to the Port's Standard Conditions of Approval as detailed in Appendix B of the LUDC.

Because of the site's proximity to Oakland International Airport, the Project is subject to the Alameda County Airport Land Use Policy Plan guidelines related to building height. The Project would comply with the Alameda County Airport Land Use Policy Plan guidelines. Pursuant the Port's LUDC Standard

Conditions of Approval, the Project applicant shall confirm that an aviation easement in favor of Oakland International Airport in a form approved by the Port Attorney has been recorded on the property.

The Project will require building and other applicable permits from the City of Oakland due to the overlapping land use jurisdiction of the Port and the City of Oakland. The Project would therefore also be subject to the City of Oakland's Standard Conditions of Approval (SCAs) in order to receive permit approval. These SCAs are listed in **Attachment A** of this document.

IV. Summary of CEQA Findings

An evaluation of the proposed Project is provided in the CEQA Analysis below. This evaluation concludes that the Project qualifies for an exemption from additional environmental review. The Project would be consistent with the Port's Airport Business Park land use policies and the provisions of the LUDC, as well as with the development density and land use characteristics established by existing zoning and General Plan policies for which an EIR was certified. As such, the Project would be required to comply with any applicable City of Oakland SCAs and mitigation measures (see Attachment A) recommended to reduce the potential for significant impacts. With implementation of the applicable mitigation measures and SCAs, the Project would not result in a substantial increase in the severity of significant impacts that were previously identified in the General Plan or any new significant impacts.

In accordance with Public Resources Code Sections 21083.3, 21094.5, and 21166 and State CEQA Guidelines Section 15332, and as set forth in the CEQA Analysis below, the Project qualifies for an exemption because the following findings can be made:

- **Class 32 Exemption:** The Project is of a class of urban infill projects which have been determined by the State Secretary for Resources not to have a significant effect on the environment and which are therefore exempt from the provisions of CEQA. The Project does not have a reasonable probability of having a significant effect on the environment due to unusual circumstances that would pose an exception to this determination. The Project is consistent with Criterion 15332 (a), (b), (c), (d), and (e), and no exceptions per CEQA Guidelines Section 15300.2 apply to the Project that have not been previously identified and mitigated under the City of Oakland General Plan and its supporting EIRs. In accordance with CEQA Guidelines Section 15332, the Project is exempt from further environmental review.

Each of the above findings provides a separate and independent basis for CEQA compliance.

Date

V. Class 32 Categorical Exemption Overview

Article 19 of the CEQA Guidelines Sections 15300 to 15333, includes a list of classes of projects determined to not have a significant effect on the environment, and therefore are exempt from CEQA. Among the classes of projects that are exempt from CEQA review are those projects that are characterized as urban infill development, as defined by CEQA Guidelines Section 15332 (Class 32 exemption). Infill projects must meet the following conditions to be exempt:

- (a) *The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.*
- (b) *The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.*
- (c) *The project site has no value as habitat for endangered, rare or threatened species.*
- (d) *Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.*
- (e) *The site can be adequately served by all required utilities and public services.*

Even if a project is ordinarily exempt under any of the potential categorical exemptions, CEQA Guidelines Section 15300.2 provides specific instances where exceptions to otherwise applicable exemptions apply. In these cases, the CEQA exemption would not apply to a project. Exceptions to a categorical exemption would occur under the following circumstances:

- (a) *Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. A project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*
- (b) *Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*
- (c) *Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*
- (d) *Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.*
- (e) *Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.*
- (f) *Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

The analysis presented in the following section provides substantial evidence that the Project properly qualifies for an exemption under CEQA Guidelines Section 15332 as a Class 32 urban infill development, and would **not** have a significant effect on the environment. In addition, the analysis also presents substantial evidence that there are **no exceptions** that apply to the Project or its site, that the Project would not have a significant effect on the environment, and that the Class 32 exemption remains applicable.

VI. Class 32 Categorical Exemption Analysis

The following analysis provides substantial evidence to support a conclusion that the Project qualifies for an exemption under CEQA Guidelines Section 15332 as a Class 32 urban infill development, and would not have a significant effect on the environment.

Criterion §15332(a): General Plan & Zoning Consistency

Yes No

- The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

General Plan

The Project site is within the Commercial Corridor of the Oakland Airport Business Park of the Port's LUDC. The Project would construct proposed commercial and warehouse uses consistent with the land uses identified for the Commercial Corridor in the Port's LUDC and with the policies detailed below for the Oakland General Plan.

The Oakland General Plan land use designation for the site is Regional Commercial (Retail/Commercial). The intent of the Regional Commercial classification is to maintain, support, and create areas of the City that serve as region-drawing centers of activity. The Regional Commercial classification includes a mix of commercial, office, entertainment, arts, recreation, sports, and visitor-serving activities, as well as residential, mixed use development, and other uses of similar character or supportive of regional drawing power.

Development of the Project would result in an urban commercial/light industrial development, which is consistent with the Regional Commercial intent and aligned with the General Plan Land Use and Transportation Element policies set forth in the CASP, as listed below.

- Policy I/C1.1: Attracting New Business. The City will strive to attract new businesses to Oakland which have potential economic benefits in terms of jobs and/ or revenue generation. This effort will be coordinated through a citywide economic development strategy /marketing plan which identifies the City's existing economic base, the assets and constraints for future growth, target industries or activities for future attraction, and geographic areas appropriate for future use and development.
- Policy I/C1.2: Retaining Existing Business. Existing businesses and jobs within Oakland which are consistent with the long-range objectives of this Plan should, whenever possible, be retained.
- Policy I/C3.1: Locating Commercial Business. Commercial uses, which serve long term retail needs of regional consumers and which primarily offer durable goods, should be located in areas adjacent to the I-880 freeway or at locations visible or amenable to high volumes of vehicular traffic, and accessible by multiple modes of transportation.
- Policy W1.1: General Plan Conformance of Projects in the Seaport and Airport Areas. The Port shall make a written determination on General Plan conformity for each project, plan, and/ or land use guideline it approves in the Port area. Prior to making such determination the Port will forward its proposed determination to the Director of City Planning, who may provide the Port with written comments within a specified time period. Any comments so provided shall be considered and responded to in writing by the Port in its conformity determination. For projects in the Port Area

outside the seaport and airport areas, the Port's determination of General Plan conformity may be appealed to the City Council within 10 days. If not appealed within 10 days, the Port's determination shall be deemed final. If appealed, the City Council, by a vote of a least 6 members, shall make a final determination on the appeal within 30 days. The City Planning Commission shall provide recommendation to the City Council for consideration in hearing on appeal of the Port's conformity determination.

- Policy W1.2: Planning with the Port of Oakland. Plans for maritime and aviation operations as well as activities on all lands in Port jurisdiction should be coordinated with, and generally consistent with the Oakland General Plan.
- Policy W7.2: Encouraging Commercial and Industrial Uses. Other commercial and industrial uses should be encouraged at appropriate locations (Port owned or not) where they can provide economic opportunity to the community at large.

The Project would be consistent with the Port's Airport Business Park land use policies and the provisions of the LUDC, as well as with the land use policies of the City of Oakland General Plan.

Zoning

The Project proposes development of a commercial/light industrial facility with a total building footprint of approximately 50,188 square feet at Hegenberger Road and Pardee Drive. The proposed design complies with design standards and regulations of the Port's LUDC and the City of Oakland's Planning Code, including but not limited to the following:

- The proposed commercial and warehouse uses for the Project site are consistent with the land uses identified for the Commercial Corridor in the Port's LUDC.
- The Project would conform to the 20-foot front and 10-foot side and rear setbacks pursuant to the LUDC, unless a variance is approved by the Port.
- Pursuant to the LUDC, "[t]he height limit for any building in the Business Park shall be the maximum height allowed by the Federal Aviation Administration (FAA) that does not place any restrictions on aviation activities at the Oakland International Airport." The building heights would be approximately 20 feet, with the clock tower rising to 44 feet. The single-story height of the proposed buildings would be similar to that of surrounding buildings and would not be expected to exceed the elevation of a Part 77 surface or require FAA review under Part 77.13—Construction or Alteration Requiring Notice. The Project would be consistent.
- The LUDC identifies the maximum FAR as that which is set by the City of Oakland General Plan. With a FAR of 0.38, the Project would be consistent with the General Plan's maximum nonresidential FAR of 4.0 and therefore also consistent with the LUDC.
- The City of Oakland's zoning district CR-1 allows for a maximum building height of 90 feet with a maximum of 8 stories (not including underground construction). The Project would be consistent with the maximum building height for the CR-1 zone. (Not required.)
- The proposed commercial and warehouse uses for the Project site are consistent with the land use and intent for the CR-1 zone per the City of Oakland Planning Code Section 17.58.01—to maintain, support, and create areas of the City that serve as region-drawing centers of activities. (Not required.)

Therefore, the Project adheres to the criteria of CEQA Guidelines Section 15332(a) as being consistent with the Port's Airport Business Park land use policies and the provisions of the LUDC, the land use policies of the General Plan, and applicable zoning regulations for the site.

Criterion §15332(b): Project Location, Size & Context

Yes No

- The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses

The Project site is in a highly urbanized area within the City of Oakland on an approximately 3-acre site, and is surrounded by parcels developed with urban land uses and paved public roads as described above in the Project Description and shown in Figure 1. Therefore, the Project is consistent with the Section 15332(b).

Criterion §15332(c): Endangered, Rare or Threatened Species

Yes No

- The project site has no value as habitat for endangered, rare or threatened species.

The Project site was formerly the site of a free-standing, full-service restaurant building with a paved surface parking lot and front and side-yard landscaping consisting of mature palm trees and shrubs. As noted previously, the site is surrounded by urban commercial uses, roadways, and the elevated BART connector to the Oakland Airport. The trees associated with the former restaurant use have been removed. Vegetation remaining on-site consists of landscaped grass and shrubs and includes ruderal species. As an urban site, there is limited if any wildlife activity in the area due to the absence of suitable habitat, the proximity of streets and development, and the lack of protective cover. The highly urbanized nature and commercial and industrial uses have degraded the natural habitat of the site and vicinity.¹ The Project site has no value as habitat for endangered, rare or threatened species and impacts would be *less than significant*. Therefore, the Project is consistent with Section 15332(c).

Criterion §15332(d): Traffic, Noise, Air Quality, Water Quality

Yes No

- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

As described in the analysis below, development of the Project would not result in significant effects related to the resource topics in this criterion, organized as follows: traffic, noise, air quality, and water quality.

Traffic

A Trip Generation Study and Traffic Study were prepared for the Project by CHS Consulting Group (**Attachment B**), the results of which are summarized below.

¹ City of Oakland, 2015. Coliseum Area Specific Plan EIR.

Project Trip Generation

The Project is anticipated to generate approximately 350 weekday daily vehicle trips, including 46 AM peak hour trips and 49 PM peak hour trips, as shown in **Table 1**. Project trip generation would not result in a net increase in daily vehicle trips when compared against the historical land use. Although the former restaurant building is currently vacant (i.e., generates zero trips), recent CEQA caselaw provides that historical use of a building may serve as the CEQA baseline where it is possible for an applicant to fully reoccupy vacant space without additional discretionary approvals.² Therefore, the comparison nets out the trips associated with the prior restaurant use against the trips expected from the proposed land use as shown below.

Table 1. Project Trip Generation as Compared with Previous Land Use

Land Use	Weekday Daily Trips	AM Peak Hour Trips	PM Peak Hour Trips
Project Land Use:			
General Light Industrial	350	46	49
Previous Land Use:			
Quality Restaurant	1,556	14	130
<i>Net Difference</i>	<i>(1,206)</i>	<i>32</i>	<i>(81)</i>

Source: CHS Consulting Group Trip Generation and Traffic Study included as Attachment B.

Compared with the previous land use, the Project is anticipated to generate 1,206 fewer daily trips on a typical weekday, 32 more AM peak hour trips, and 81 fewer PM peak hour trips.

The proposed land use under the Project would generate fewer automobile trips than the previous land use. The Project therefore would have a ***less than significant*** impact.

Vehicle Circulation and Congestion

Intersection analysis is considered for projects that generate 50 or more vehicle trips during a peak hour. The Project would generate 46 gross vehicle trips during the AM peak hour and 49 gross vehicle trips during the PM peak hour. Because the Project would not result in an increase of 50 or more net vehicle trips during the critical PM peak hour, intersection analysis has not been conducted.

A previous analysis conducted for the 195 Hegenberger Road Hotel development project analyzed the LOS at the intersection of Pardee Drive and Hegenberger Road (see Attachment B). The ESA memorandum concluded that the intersection of Pardee Drive and Hegenberger Road operated at LOS C during both the AM and PM peak hours in both the existing condition and the existing-plus-project condition. The CHS Consulting Group study determined that, based on the conclusion of the intersection LOS analysis presented in the ESA technical memorandum, the addition of the Project's vehicle trips would not cause significant delay to the intersection of Pardee Drive and Hegenberger Road.

Construction activities associated with the Project could potentially temporarily disrupt transportation, bicycle, and pedestrian movement and result in ***less than significant*** impacts. Implementation of the following SCA will be required by the City of Oakland in conjunction with its issuance of building and other applicable permits: SCA #68: Construction Activities in the Public Right-of-Way, which will reduce these short-term and temporary impacts.

² See *North County Advocates v. City of Carlsbad* (2015)—Cal.App.4th—Case No. D066488.

Transportation Hazards, including Air Traffic and Inadequate Emergency Access

The design of the Project would be required to meet all local design and construction standards and would be of adequate width pursuant to existing standards. Access to and from the Project site would include a driveway curb cut along the west side of Hegenberger Road between Buildings A and B, as well as driveway curb cuts along the north side of Pardee Drive.

The Hegenberger Road access driveway would be for “right-in” access only. The Pardee Drive access driveways would be accessible to and from both eastbound and westbound Pardee Drive. These access driveways would not pose a safety conflict with respect to vehicle stopping sight distances and would provide convenient access to northbound and southbound Hegenberger Road with a traffic signal.

Pedestrian and bicycle access to the Project site would be provided by the continuous sidewalk adjacent to the Project site. The Project would maintain the existing 6-foot-wide sidewalk along Hegenberger Road, and the existing curb cuts along Pardee Drive would remain. The new curb cut along Hegenberger Road would not pose significant safety conflicts for pedestrians or bicyclists traveling to or from the Project site.

The Project would not contain any features or characteristics that would result in a change in air traffic patterns nor would any feature be of sufficient height to affect air traffic.

Impacts related to site hazards would be *less than significant*.

Alternative Modes of Transportation

Existing transit facilities and pedestrian routes would adequately serve the Project. The Project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. There would be no impact on alternative modes of transportation.

Conclusion

The Project would not result in significant effects related to traffic. Therefore, the Project is consistent with Section 15332(d), traffic.

Standard Conditions of Approval

NOTE: All Port Standard Conditions of Approval (SCA) are subject to enforcement by the Port. City of Oakland SCAs enforced by Building are applicable to the project, those enforced by Zoning are not. Final determination of applicable SCAs are subject to Port and City agreement.

The Port would issue a Development Permit based on its evaluation of the Project and its consistency with the Port’s land use policies, and building permits would be issued by City of Oakland. The Project is also subject to the following specific SCA as listed in the Port’s LUDC:

- SCA #5: The applicant shall make improvements for sidewalk(s) as required.

Under the City’s jurisdiction for building permit review and approval process, the following SCA is applicable to the Project as discussed above. Required City of Oakland SCAs are listed by their SCA number as indicated in the April 2017 update. The full text of the following SCA can be found in Attachment A to this CEQA Analysis:

- SCA #68: Construction Activity in the Public Right-of-Way

Noise

Project construction would generate noise from activities such as site grading, foundation work, and framing. These construction activities would generate noise levels that could conflict with the City of Oakland Noise Ordinance on a short-term and temporary basis. Construction noise would not violate the City of Oakland Noise Ordinance or the City of Oakland nuisance standards regarding persistent construction-related noise, and the following SCAs will be implemented as required by the City of Oakland in conjunction with its issuance of building and other applicable permits: SCA #58: Days/Hours of Construction Operation, SCA #59 Construction Noise, SCA #62: Construction Noise Complaints, SCA #60: Extreme Construction Noise. These SCAs are comprehensive in their content and for practical purposes represent all feasible measures available to reduce construction noise. Impacts from construction noise would be ***less than significant***.

Operation of the Project would generate noise from new sources such as heating, ventilation, and air conditioning equipment, and from commercial uses. All future uses will be required to adhere to City of Oakland Planning Code regulations. Implementation of the following SCA will be required by the City of Oakland in conjunction with its issuance of building and other applicable permits: SCA #64: Operational Noise. The Project would not generate operational noise in violation of the City of Oakland Noise Ordinance, based upon required compliance with City of Oakland operational noise standards including for noise generated by the rooftop mechanical equipment (e.g., heating, ventilating, air conditioning, and refrigeration equipment) and delivery trucks, and require the incorporation of noise reduction measures into the building's design. Therefore, impacts from operational noise would be ***less than significant***.

As noted above, the Project is anticipated to generate 1,206 fewer daily trips on a typical weekday, 32 more am peak hour trips, and 81 fewer pm peak hour trips when compared with the previous land use on the site. The significant reduction in the number of average daily trips compared with the prior use of the site indicates that the Project would not have an increase above existing traffic noise levels, and would not generate significant traffic noise. Impacts related to traffic noise would be ***less than significant***.

The Project site lies approximately 0.5 mile east of Runway 10L-28R at Oakland International Airport. Based on analysis conducted for the Noise Element of the Oakland General Plan, the site is outside of the 65-dBA contour associated with the airport in 2004. Likewise, contour lines for airport operations in 2010 also indicate that the site would be outside the 65-dBA contour. Therefore, impacts from the airport on future Project employees would be ***less than significant***.

Conclusion

The Project would not result in significant effects related to noise and vibration. Therefore, the Project is consistent with Section 15332(d), noise.

Standard Conditions of Approval

The Port would issue a Development Permit based on its evaluation of the Project and its consistency with the Port's land use policies, and building permits would be issued by City of Oakland. The Project is also subject to the following specific SCA as listed in the Port's LUDC:

- SCA #4: The applicant shall confirm that an avigation easement in favor of Oakland International Airport in a form approved by the Port Attorney has been recorded on the property.

Under the City's jurisdiction for building permit review and approval process, the following SCAs are applicable to the Project as discussed above. Required City of Oakland SCAs are listed by their SCA number as indicated in the April 2017 update. The full text of the following SCAs can be found in Attachment A to this CEQA Analysis:

- SCA #58: Days/Hours of Construction Operation
- SCA #59: Construction Noise
- SCA#60: Extreme Construction Noise
- SCA#62: Construction Noise Complaints
- SCA#64: Operational Noise

Air Quality

The Project would not result in significant impacts related to air quality, as discussed below.

Criteria Pollutants

The Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines include operational and construction-period screening criteria that provide lead agencies and project applicants with a conservative indication of whether a proposed project could result in potentially significant air quality impacts related to emission of criteria air pollutants. If a proposed project does not exceed the screening criteria for the applicable period, then the lead agency or applicant need not perform a detailed air quality assessment of the Project's criteria air pollutant emissions, and impacts are deemed to be less than significant.

Construction activities would result in emissions of fugitive dust and criteria pollutants, including PM₁₀ and PM_{2.5}, on a temporary and intermittent basis during the construction period. The Project would use standard construction equipment such as loaders, backhoes, and haul trucks, similar to other projects under construction in Oakland and the site's distance from sensitive receptors is similar to other project sites in this urbanized area. Implementation of the following SCA will be required by the City of Oakland in conjunction with its issuance of building and other applicable permits: SCA #19: Construction-Related Air Pollution Controls (Dust and Equipment Emissions), as well as compliance with the requirements found under the City of Oakland Municipal Code (Section 15.36.100; Dust Control Measures).

The proposed commercial flex and warehouse flex uses are below the general light industrial and warehouse screening sizes (259,000 sf) and the Project can therefore be determined to be below threshold levels with respect to construction criteria air pollutants. Impacts related to construction-period fugitive dust and criteria pollutants would be **less than significant**.

The Project would not exceed applicable operational screening level sizes for criteria pollutants (864,000 sf for warehouse use and 541,000 sf for general light industrial use) or substantially contribute additional criteria pollutant emissions. Impacts related to operational criteria pollutant emissions would be **less than significant**.

Toxic Air Contaminants

Construction activities associated with the Project would generate construction-related TAC emissions, specifically diesel particulate matter, from on-road haul trucks and off-road equipment exhaust emissions, resulting in increased cancer risk or non-cancer health concerns for nearby sensitive receptors. Due to the short-term and temporary nature of construction activity, the generation of TAC emissions would be temporary, especially considering the short amount of time such equipment is

typically within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations. The Project would use standard construction equipment such as loaders, backhoes, cranes, and haul trucks, similar to other projects under construction in Oakland and the site's proximity to sensitive receptors is typical of other project sites in this urbanized area. There is no evidence that the Project would generate uncharacteristically high TAC emissions during construction or otherwise have impacts related to construction-period TACs and health risk.

Implementation of the following SCAs will be required by the City of Oakland in conjunction with its issuance of building and other applicable permits: SCA #19: Construction-Related Air Pollution Controls (Dust and Equipment Emissions) and SCA #20: Exposure to Air Pollution (Toxic Air Contaminants). There are no existing receptors within 1,000 feet of the Project, and the Project would not generate uncharacteristically high diesel particulate matter and PM_{2.5} emissions during construction. Impacts from construction-period TAC emissions of the Project would be ***less than significant***.

It is unknown what types of work environments or businesses may be located within the Project in the future, but all such uses will be required to adhere to City of Oakland Planning Code Regulations, including those found in Section 17.120.080. No significant impacts on new and existing receptors are anticipated from new operational sources, such as backup diesel generators or other industrial type uses, and there are no existing receptors within 1,000 feet of the Project. The Project would not otherwise have the potential to act as a substantial source of health risk to others. Impacts would therefore be ***less than significant***.

Conclusion

The Project would not result in significant effects related to air quality. Therefore, the Project is consistent with Section 15332(d), water quality.

Standard Conditions of Approval

The Port would issue a Development Permit based on its evaluation of the Project and its consistency with the Port's land use policies, and building permits would be issued by City of Oakland. Under the City's jurisdiction for building permit review and approval process, the following SCAs are applicable to the Project as discussed above. Required City of Oakland SCAs are listed by their SCA number as indicated in the April 2017 update. The full text of the following SCAs can be found in Attachment A to this CEQA Analysis:

- SCA #19: Construction-Related Air Pollution Controls (Dust and Equipment Emissions)
- SCA #20: Exposure to Air Pollution (Toxic Air Contaminants)

Water Quality

The Project is in a highly urbanized environment; the San Francisco Bay lies approximately 2 miles to the southwest of the Project site, and the San Leandro Bay lies approximately 0.4 mile to the west. All surface water from the Project site would drain to these bays.

Construction of the Project would involve excavation, grading, and construction on an approximately 3-acre site, which could result in erosion and/or sedimentation of downstream receiving waters. A Stormwater Pollution Prevention Plan (SWPPP) is required for coverage under the General Construction Activity Storm Water Permit (General Construction Permit) issued by the State Water Resources Control Board (SWRCB).

Project site grading would require excavation of up to 2,395 cubic yards. As indicated in City of Oakland Code of Ordinance Section 15.04.660, projects within the City that propose to excavate more than 500 cubic yards of soil are required to obtain a grading permit. The grading permit would require the Project to comply with local and state construction requirements, including the California Building Code, for the design and construction of the Project. Implementation of the following SCAs will be required by the City of Oakland in conjunction with its issuance of building and other applicable permits: SCA #45: Erosion and Sedimentation Control Plan for Construction to reduce the Project's potential to cause erosion and sedimentation from construction activities.

Development of the Project would replace 98,344 sf of the existing 102,900 sf impervious area and the Project is therefore subject to the requirements for regulated projects in the Port's 2015 Post-Construction Stormwater Design Manual, including implementation of source control, site design, and treatment measures as well as development and implementation of a post-construction stormwater management plan. The Project is also subject to the Port's NPDES MS4 permit and Stormwater Ordinance requirements.

Pursuant to Port of Oakland SCA #10, the Project will comply with the stormwater treatment requirement through various site design and/or stormwater treatment measures, subject to Port approval, to include but not be limited to the use of swales and filtered landscaped catch basins to treat runoff from Project rooftops and parking areas. Therefore, the potential of the Project to substantially alter drainage patterns or increase the flow of runoff would not be significant. The Project will also incorporate stormwater treatment measures in compliance with the NPDES MS4 permit requirements as well as construction best management practices to capture, filter, and divert runoff prior to it entering storm drains.

Implementation of the following SCAs will be required by the City of Oakland in conjunction with its issuance of building and other applicable permits, in addition to other regulatory requirements for drainage and water quality: SCA #45: Erosion and Sedimentation Control Plan for Construction, SCA #46: State Construction General Permit.

With implementation of the required SCAs and compliance with NPDES Permit requirements, potential impacts related to water quality would be reduced for the Project and impacts would be ***less than significant***. Therefore, the Project is consistent with Section 15332(d), water quality.

Standard Conditions of Approval

The Port would issue a Development Permit based on its evaluation of the Project and its consistency with the Port's land use policies, and building permits would be issued by City of Oakland. The Project is also subject to the following specific SCA as listed in the Port's LUDC:

- SCA #10: The applicant shall comply with applicable stormwater quality requirements including Low Impact Development site design. (This condition will be enforced by the Port.)

Under the City's jurisdiction for building permit review and approval process, the following SCAs that are applicable to the Project as discussed above. Required City of Oakland SCAs are listed by their SCA number as indicated in the April 2017 update. The full text of the following SCAs can be found in Attachment A to this CEQA Analysis:

- SCA #45: Erosion and Sedimentation Control Plan for Construction
- SCA #46: State Construction General Permit

Criterion §15332(e): Utilities and Public Services

Yes No

 The site can be adequately served by all required utilities and public services.

On-site utilities would include storm drainage, electricity, gas, water, and wastewater. Existing utility connections would be reused or maintained where possible. All on-site utilities would be designed in accordance with applicable codes and current engineering practices. Development of the Project may increase demand on utilities and service systems, but not to a substantial degree that it would impose a burden on existing utilities and service systems. The applicant will pay applicable Sewer Mitigation Fees, which would be used either to replace pipes as part of the local collection system repair, or to perform inflow and infiltration rehabilitation projects off-site. Impacts related to utilities would be ***less than significant***.

Implementation of the following SCAs will be required by the City of Oakland in conjunction with its issuance of building and other applicable permits: SCA #74: Construction and Demolition Waste Reduction and Recycling, SCA #79: Sanitary Sewer System and SCA #80: Storm Drain System, and SCA #77: Green Building Requirements. Implementation of these SCAs will also reduce potential impacts related to utilities.

Development of the Project would slightly increase the demand for local fire and police service and result in an associated increase in service calls, but not to an extent that would result in the need for new or physically altered fire or police protection facilities. The Project would be subject to the policies, regulations, and standards of the Port, including appropriate standards for emergency access roads, emergency water supply, and fire preparedness, capacity, and response. The Project would not substantially increase the permanent population and would not substantially affect other public services such as schools or libraries. Impacts related to public services would be ***less than significant***.

The Project site can be adequately served by all required utilities and public services and therefore, would not result in significant effects, consistent with Section 15332(e).

Standard Conditions of Approval

The Port would issue a Development Permit based on its evaluation of the Project and its consistency with the Port's land use policies, and building permits would be issued by City of Oakland. Under the City's jurisdiction for building permit review and approval process, the following SCAs are applicable to the Project as discussed above. Required City of Oakland SCAs are listed by their SCA number as indicated in the April 2017 update. The full text of the following SCAs can be found in Attachment A to this CEQA Analysis:

- SCA #74: Construction and Demolition Waste Reduction and Recycling
- SCA #77: Green Building Requirements
- SCA #79: Sanitary Sewer System
- SCA #80: Storm Drain System (Port and City)

VII. Exceptions to Categorical Exemptions Checklist

Under the Class 32 Categorical Exemption Overview, even if a project is ordinarily exempt under any of the potential categorical exemptions, CEQA Guidelines Section 15300.2 provides specific instances where exceptions to otherwise applicable exemptions apply. The following section addresses whether any of the exceptions to the CEQA exemption apply to the Project, consistent with CEQA Guidelines Section 15300.2.

Criterion 15300.2(a): Location

Yes No

- Is there an exception to the Class 32 exemption for the project due to its location in a particularly sensitive environment, such that the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies?

This exception applies only to CEQA exemptions under Classes 3, 4, 5, 6 or 11. Since the Project qualifies as a Class 32 urban infill exemption, this criterion is not applicable and is provided here for information purposes only. There are no environmental resources of hazardous or critical concern that are designated, precisely mapped or officially adopted near the Project site, or that could be adversely affected by the Project. Therefore, exception under CEQA Guidelines Section 15300.2(a) does not apply.

Criterion 15300.2(b): Cumulative Impact

Yes No

- Is there an exception to the Class 32 exemption for the project due to significant cumulative impacts of successive projects of the same type and in the same place, over time?

As demonstrated under Criterion Section 15332(a), General Plan and Zoning Consistency, the Project is consistent with the development allowed under the Port's LUDC, the City of Oakland General Plan, and the zoning for the site. The effects of the Project overall would be less than significant and the Project would not contribute to significant cumulative impacts.

Pursuant to the streamlining provisions of CEQA Guidelines Section 15183, the cumulative effect of successive projects of the same type in the same place, over time would not be significant. An exception under CEQA Guidelines Section 15300.2(b) regarding cumulative effects does not apply to the Project.

Criterion 15300.2(c): Significant Effect

Yes No

- Is there an exception to the Class 32 exemption for the project because there is a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances?

There are no known unusual circumstances applicable to the Project or its site that have not already been discussed herein, that may result in a significant effect on the environment. Therefore, the exception under CEQA Guidelines Section 15300.2(c) does not apply to the Project.

Criterion 15300.2(d): Scenic Highway

Yes No

- Is there an exception to the Class 32 exemption for the project because the project may result in damage to scenic resources including but not limited to, trees, historic buildings, rock outcroppings or similar resources, within a highway officially designated as a state scenic highway?

The Project site is not visible from any state scenic highways described in the City of Oakland General Plan Scenic Highway Element or as identified by California Department of Transportation.³ Therefore, the exception under CEQA Guidelines Section 15300.2(d) does not apply to the Project.

Criterion 15300.2(e): Hazardous Waste Sites

Yes No

- Is there an exception to the Class 32 exemption for the project because the project is located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code?

The provisions of Government Code Section 65962.5 are commonly referred to as the "Cortese List." The provisions require the Department of Toxic Substance Control (DTSC), the SWRCB, the California Department of Public Health (DPH), and the California Department of Resources Recycling and Recovery to submit information pertaining to sites associated with solid waste disposal, hazardous waste disposal, leaking underground tank sites, and/or hazardous materials releases to the Secretary of California Environmental Protection Agency (CalEPA). The Project site is not identified on any lists compiled

³ Department of Transportation, California. 2016. *Officially Designated State Scenic Highways and Historic Parkways, Alameda County*. Accessed August 3, 2017, at: www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm.

pursuant to Section 65962.5 of the Government Code;⁴ therefore, an exception to the exemption under CEQA Guidelines Section 15300.2(e) does not apply to the Project.

Criterion 15300.2(f): Historical Resources

Yes No

- Is there an exception to the Class 32 exemption for the project because the project may cause a substantial adverse change in the significance of a historical resource?

Historic Architectural Resources

There are no historic resources on the Project site or in the immediate vicinity. The exception under CEQA Guidelines Section 15300.2(f) does not apply.

Archaeological Resources

The Project site is in urbanized Oakland and is surrounded by urban development. Archaeological and paleontological resources are not anticipated at or near the surface within the entire plan area due to historic development and the amount of existing artificial fill covering the area. The artificial fill is considered to have very low sensitivity for archaeological and paleontological resources.⁵

Construction-related subsurface disturbance of the Project site could damage or destroy previously unidentified prehistoric archaeological or paleontological resources. There is a low potential for the identification of archaeological and paleontological resources within the artificial fill, but Project development may enter an archaeologically sensitive area or stratum if excavation is deep enough to encounter soil types where archeological and paleontological resources are possible.

Implementation of the following SCA will be required by the City of Oakland in conjunction with its issuance of building and other applicable permits and in the event of accidental discovery of archaeological resources, paleontological resources, or human remains: SCA #29: Archaeological and Paleontological Resources – Discovery During Construction and SCA #31: Human Remains – Discovery During Construction. These SCAs require that excavations within 50 feet of the find be temporarily halted or diverted until the discovery is examined by a qualified archaeologist or paleontologist, documented and evaluated for significance, and procedures established to consider avoidance of the resource or preparation of an excavation plan if avoidance is unfeasible. Impacts would be **less than significant**. Therefore, the exception under CEQA Guidelines Section 15300.2(f) does not apply to the Project.

Standard Conditions of Approval

The Port would issue a Development Permit based on its evaluation of the Project and its consistency with the Port’s land use policies, and building permits would be issued by City of Oakland. Under the

⁴ State Water Resources Control Board GeoTracker Database, website accessed May 23, 2016 at <http://geotracker.waterboards.ca.gov/>; Department of Toxic Substances Control EnviroStor Database, website accessed May 23, 2016 at <http://www.envirostor.dtsc.ca.gov/public/>.

⁵ City of Oakland, 2015. Coliseum Area Specific Plan EIR.

City's jurisdiction for building permit review and approval process, the following SCAs are applicable to the Project as discussed above. Required City of Oakland SCAs are listed by their SCA number as indicated in the April 2017 update. The full text of the following SCAs can be found in Attachment A to this CEQA Analysis:

- SCA #29: Archaeological and Paleontological Resources – Discovery During Construction
- SCA #31: Human Remains – Discovery During Construction

Criterion 15300.2: Other Potential Effects

Yes No

- Is there an exception to the Class 32 exemption for the project because the project may result in substantial adverse impacts other than those discussed above?

Geology and Soils – Seismic Hazards

No faults have been identified on the Project site or in the vicinity, and the site is not within an Alquist-Priolo zone. As is true for the seismically active San Francisco Bay region, however, the Project site is susceptible to very strong seismic ground shaking. The Association of Bay Area Governments (ABAG) Liquefaction Susceptibility Map indicates the site has high potential for liquefaction.⁶ In general, the Project vicinity is classified as a seismic hazard zone due to the secondary seismic hazard of liquefaction susceptibility, which triggers certain SCAs with the City of Oakland.⁷

Seismic hazards associated with the Project site are fully addressed through compliance with the Seismic Hazards Mapping Act (in liquefaction hazard zones) and the California Building Code, as well as the seismic requirements of the City of Oakland Building Code. Implementation of the following SCAs will be required by the City of Oakland in conjunction with its issuance of building and other applicable permits: SCA #34: Soils Report and SCA #36: Seismic Hazards Zone (Landslide/Liquefaction) to address geologic hazards and ensure the level of potential impacts associated with liquefaction and ground shaking would be *less than significant*.

The Project would not result in any significant environmental effects related to geology and soils.

Standard Conditions of Approval

The Port would issue a Development Permit based on its evaluation of the Project and its consistency with the Port's land use policies, and building permits would be issued by City of Oakland. Under the City's jurisdiction for building permit review and approval process, the following SCAs are applicable to the Project as discussed above. Required City of Oakland SCAs are listed by their SCA number as indicated in the April 2017 update. The full text of the following SCAs can be found in Attachment A to this CEQA Analysis:

- SCA #34: Soils Report
- SCA #36: Seismic Hazards Zone (Landslide/Liquefaction)

⁶ Website accessed August 14, 2017, at: <http://gis.abag.ca.gov/website/Hazards/?hlyr=liqSusceptibility>

⁷ City of Oakland, 2015. Coliseum Area Specific Plan EIR.

Greenhouse Gases Emissions

Construction and operation of the Project would contribute additional sources of greenhouse gas (GHG) emissions, though primarily through consumption of fuel for transportation and energy usage on an ongoing basis. The business mix for the Project is unknown; however, the Project is not anticipated to include stationary sources of GHGs that would generate emissions approaching the stationary source threshold of 10,000 MTCO₂e per year. Any new stationary sources will be subject to BAAQMD's requirement for New Source Review, and BAAQMD may impose conditions that would lead to emissions reductions from any new stationary sources that may be proposed.

Pursuant to BAAQMD screening criteria for GHG emissions, a project located in a community with an adopted qualified GHG Reduction Strategy may be considered less than significant if it is consistent with the GHG Reduction Strategy. The City of Oakland Energy and Climate Action Plan, adopted on December 4, 2012, recommends GHG reduction actions to meet the goal of reducing 2005 GHG emissions by 36% in 15 years, and establishes a framework for coordinating implementation, as well as monitoring and reporting on progress. The City of Oakland considers a project to exceed the GHG threshold of significance for GHGs if the project's emissions exceed 1,100 metric tons carbon dioxide equivalent (MTCO₂e) per year AND the efficiency threshold of 4.6 MTCO₂e per service population per year.

The Project would not exceed BAAQMD screening levels for GHG and therefore the Project would not be expected to exceed City of Oakland GHG significance thresholds (i.e., produce emissions of more than 1,100 MTCO₂e per year or 4.6 MTCO₂e per service population per year). The Project would be consistent with the City of Oakland's GHG Reduction Strategy and impacts would be ***less than significant***.

The Project would not result in any significant environmental effects related to GHG emissions.

Acronyms and Terms

AC Transit	Alameda–Contra Costa Transit District
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit
CalEPA	California Environmental Protection Agency
CASP	Coliseum Area Specific Plan
CEQA	California Environmental Quality Act
EIR	Environmental Impact Report
FAR	floor area ratio
GHG	greenhouse gas
I-880	Interstate 880
NPDES	National Pollution Discharge Elimination System
PM _{2.5}	particulate matter, 2.5 micrometers or less
PM ₁₀	particulate matter, 10 micrometers or less
Project	Hegenberger Business Center Project
SCA	Standard Condition of Approval
sf	square feet
SWPPP	stormwater pollution prevention plan
SWRCB	State Water Resources Control Board

Attachment A: City of Oakland Standard Conditions of Approval

The Port of Oakland would issue a Development Permit based on its evaluation of the Project and its consistency with the Port's land use policies, and the City of Oakland would issue building permits. Under the City's jurisdiction for building permit review and approval process, the SCAs that are discussed in this CEQA Analysis are applicable to the Project.

The City of Oakland's Uniformly Applied Development Standards adopted as Standard Conditions of Approval (Standard Conditions of Approval, or SCAs) were originally adopted by the City in 2008 (Ordinance No. 12899 C.M.S.) pursuant to Public Resources Code section 21083.3) and have been incrementally updated over time. The SCAs incorporate development policies and standards from various adopted plans, policies, and ordinances (such as the Oakland Planning and Municipal Codes, Oakland Creek Protection, Stormwater Water Management and Discharge Control Ordinance, Oakland Tree Protection Ordinance, Oakland Grading Regulations, National Pollutant Discharge Elimination System (NPDES) permit requirements, Housing Element-related mitigation measures, Green Building Ordinance, historic/Landmark status, California Building Code, and Uniform Fire Code, among others), which have been found to substantially mitigate environmental effects. Some regulations, such as zoning and stormwater, are superseded by Port jurisdiction. Related SCAs may therefore be subject to Port regulation and enforcement instead of the City.

These SCAs are incorporated into projects as conditions of approval, regardless of the determination of a project's environmental impacts. As applicable, the SCAs are adopted as requirements of an individual project, and are designed to, and will, avoid or substantially reduce a project's environmental effects.

The City and Port determine which SCAs apply based upon the zoning district, community plan, and the type of permits/approvals required for the project, depending on the specific characteristics of the project type and/or project site. Because these SCAs are mandatory City requirements imposed on a city-wide basis, environmental analyses assume that these SCAs will be imposed and implemented by the project, and are not imposed as mitigation measures under CEQA.

All SCAs identified in the CEQA Analysis are included herein. To the extent that any SCA identified in the CEQA Analysis was inadvertently omitted, it is automatically incorporated herein by reference.

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

In addition to the SCAs identified and discussed in the CEQA Analysis, other SCAs that are applicable to the Project are included herein.

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

Table A-1. City of Oakland Standard Conditions of Approval for the Project

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<i>Air Quality</i>			
<p>Construction Management Plan. (#13)</p> <p>Prior to the issuance of the first construction-related permit, the project applicant and his/her general contractor shall submit a Construction Management Plan (CMP) for review and approval by the Bureau of Planning, Bureau of Building, and other relevant City departments such as the Fire Department and the Public Works Department as directed. The CMP shall contain measures to minimize potential construction impacts including measures to comply with all construction-related Conditions of Approval (and mitigation measures if applicable) such as dust control, construction emissions, hazardous materials, construction days/hours, construction traffic control, waste reduction and recycling, stormwater pollution prevention, noise control, complaint management, and cultural resource management (see applicable Conditions below). The CMP shall provide project-specific information including descriptive procedures, approval documentation, and drawings (such as a site logistics plan, fire safety plan, construction phasing plan, proposed truck routes, traffic control plan, complaint management plan, construction worker parking plan, and litter/debris clean-up plan) that specify how potential construction impacts will be minimized and how each construction-related requirement will be satisfied throughout construction of the project.</p>	<p>Prior to Approval of Construction-Related Permit</p>	<p>Bureau of Planning, Bureau of Building, et al.</p>	<p>Bureau of Planning</p>
<p>Construction-Related Air Pollution Controls (Dust and Equipment Emissions). (#19)</p> <p>The project applicant shall implement all of the following applicable air pollution control measures during construction of the project:</p> <ol style="list-style-type: none"> a. Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible. b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer). 	<p>During construction</p>	<p>N/A</p>	<p>Bureau of Planning</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<ul style="list-style-type: none"> 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. within one month of site grading or as soon as feasible. In addition, building pads should be laid within one month of grading or as soon as feasible unless seeding or soil binders are used. e. Enclose, cover, water twice daily, or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.). f. Limit vehicle speeds on unpaved roads to 15 miles per hour. g. Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points. h. Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”). i. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. j. Portable equipment shall be powered by electricity if available. If electricity is not available, propane or natural gas shall be used if feasible. Diesel engines shall only be used if electricity is not available and it is not feasible to use propane or natural gas. k. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe. 			

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<ul style="list-style-type: none"> <li data-bbox="212 249 829 342">l. All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph. <li data-bbox="212 352 829 415">m. Install sandbags or other erosion control measures to prevent silt runoff to public roadways. <li data-bbox="212 426 829 518">n. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more). <li data-bbox="212 529 829 684">o. Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. <li data-bbox="212 695 829 850">p. Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize wind blown dust. Wind breaks must have a maximum 50 percent air porosity. <li data-bbox="212 861 829 989">q. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established. <li data-bbox="212 999 829 1127">r. Activities such as excavation, grading, and other ground-disturbing construction activities shall be phased to minimize the amount of disturbed surface area at any one time. <li data-bbox="212 1138 829 1201">s. All trucks and equipment, including tires, shall be washed off prior to leaving the site. <li data-bbox="212 1211 829 1304">t. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel. <li data-bbox="212 1314 829 1625">u. All equipment to be used on the construction site and subject to the requirements of Title 13, Section 2449, of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”) must meet emissions and performance requirements one year in advance of any fleet deadlines. Upon request by the City, the project applicant shall provide written documentation that fleet requirements have been met. <li data-bbox="212 1635 829 1728">v. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings). <li data-bbox="212 1738 829 1866">w. All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM. 			

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<ul style="list-style-type: none"> x. Off-road heavy diesel engines shall meet the California Air Resources Board's most recent certification standard. y. Post a publicly-visible large on-site sign that includes the contact name and phone number for the project complaint manager responsible for responding to dust complaints and the telephone numbers of the City's Code Enforcement unit and the Bay Area Air Quality Management District. When contacted, the project complaint manager shall respond and take corrective action within 48 hours. 			
<p>Exposure to Air Pollution (Toxic Air Contaminants). (#20)</p> <p><i>a. Health Risk Reduction Measures</i></p> <p>The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants. The project applicant shall choose one of the following methods:</p> <ul style="list-style-type: none"> i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents/occupants/users to air pollutants. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes that the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City. <p>– or –</p> <ul style="list-style-type: none"> ii. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City: 	<p>Prior to Approval of Construction-Related Permit</p>	<p>Bureau of Planning</p>	<p>Bureau of Building</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<ul style="list-style-type: none"> • Installation of air filtration to reduce cancer risks and Particulate Matter (PM) exposure for residents and other sensitive populations in the project that are in close proximity to sources of air pollution. Air filter devices shall be rated MERV-13 or higher. As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required. • Where appropriate, install passive electrostatic filtering systems, especially those with low air velocities (i.e., 1 mph). • Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible. • The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall be located as far away as feasible from a loading dock or where trucks concentrate to deliver goods. • Sensitive receptors shall be located on the upper floors of buildings, if feasible. • Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping PM shall be planted, including one or more of the following: Pine (<i>Pinus nigra</i> var. <i>maritima</i>), Cypress (<i>x Cupressocyparis leylandii</i>), Hybrid poplar (<i>Populus deltoids x trichocarpa</i>), and Redwood (<i>Sequoia sempervirens</i>). • Sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible. • Existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible. • Emissions from diesel trucks shall be reduced through implementing the following measures, if feasible: <ul style="list-style-type: none"> • Installing electrical hook-ups for diesel trucks at loading docks. • Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards. 			

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<ul style="list-style-type: none"> • Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels. • Prohibiting trucks from idling for more than two minutes. • Establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented. 			
<p><i>b. Maintenance of Health Risk Reduction Measures</i></p> <p>The project applicant shall maintain, repair, and/or replace installed health risk reduction measures, including but not limited to the HVAC system (if applicable), on an ongoing and as-needed basis. Prior to occupancy, the project applicant shall prepare and then distribute to the building manager/operator an operation and maintenance manual for the HVAC system and filter including the maintenance and replacement schedule for the filter.</p>	Ongoing	N/A	Bureau of Building
Cultural Resources			
<p>Archaeological and Paleontological Resources – Discovery During Construction. (#29)</p> <p>Pursuant to CEQA Guidelines section 15064.5(f), in the event that any historic or prehistoric subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are implemented.</p> <p>In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for</p>	During construction	N/A	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practicable. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant. The project applicant shall implement the ARDTP at his/her expense.</p> <p>In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.</p>			
<p>Human Remains – Discovery During Construction. (#31)</p> <p>Pursuant to CEQA Guidelines section 15064.5(e)(1), in the event that human skeletal remains are uncovered at the project site during construction activities, all work shall immediately halt and the project applicant shall notify the City and the Alameda County Coroner. If the County Coroner determines that an investigation of the cause of death is required or that the remains are Native American, all work shall cease within 50 feet of the remains until appropriate arrangements are made. In the event that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance, and avoidance measures</p>	During Construction	N/A	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
(if applicable) shall be completed expeditiously and at the expense of the project applicant.			
Geology and Soils			
<p>Soils Report. (#34)</p> <p>The project applicant shall submit a soils report prepared by a registered geotechnical engineer for City review and approval. The soils report shall contain, at a minimum, field test results and observations regarding the nature, distribution and strength of existing soils, and recommendations for appropriate grading practices and project design. The project applicant shall implement the recommendations contained in the approved report during project design and construction.</p>	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
<p>Seismic Hazards Zone (Landslide / Liquefaction). (#36)</p> <p>The project applicant shall submit a site-specific geotechnical report, consistent with California Geological Survey Special Publication 117 (as amended), prepared by a registered geotechnical engineer for City review and approval containing at a minimum a description of the geological and geotechnical conditions at the site, an evaluation of site-specific seismic hazards based on geological and geotechnical conditions, and recommended measures to reduce potential impacts related to liquefaction and/or slope stability hazards. The project applicant shall implement the recommendations contained in the approved report during project design and construction.</p>	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
Hydrology and Water Quality			
<p>Erosion and Sedimentation Control Plan for Construction. (#45)</p> <p>a. <i>Erosion and Sedimentation Control Plan Required</i></p> <p>The project applicant shall submit an Erosion and Sedimentation Control Plan to the City for review and approval. The Erosion and Sedimentation Control Plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading and/or construction operations. The Plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms</p>	Prior to Approval of Construction-Related Permit	Bureau of Building	N/A

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the City. The Plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.</p> <p><i>b. Erosion and Sedimentation Control During Construction</i></p> <p>The project applicant shall implement the approved Erosion and Sedimentation Control Plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Bureau of Building.</p>	During Construction	N/A	Bureau of Building
<p>State Construction General Permit. (#46)</p> <p>The project applicant shall comply with the requirements of the Construction General Permit issued by the State Water Resources Control Board (SWRCB). The project applicant shall submit a Notice of Intent (NOI), Stormwater Pollution Prevention Plan (SWPPP), and other required Permit Registration Documents to SWRCB. The project applicant shall submit evidence of compliance with Permit requirements to the City.</p>	Prior to approval of construction-related permit	State Water Resources Control Board; evidence of compliance submitted to Bureau of Building	State Water Resources Control Board
Noise			
<p>Construction Days/Hours. (#58)</p> <p>The project applicant shall comply with the following restrictions concerning construction days and hours:</p> <p>a. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m.</p> <p>b. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday.</p>	During Construction	N/A	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>c. No construction is allowed on Sunday or federal holidays.</p> <p>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>Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents'/occupants' preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.</p>			
<p>Construction Noise. (#59)</p> <p>The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following:</p> <ol style="list-style-type: none"> a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible. b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, 	During Construction	N/A	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>whenever such procedures are available and consistent with construction procedures.</p> <p>c. Applicant shall use temporary power poles instead of generators where feasible.</p> <p>d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction.</p> <p>e. The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.</p>			
<p>Extreme Construction Noise. (#60)</p> <p>a. <i>Construction Noise Management Plan Required</i></p> <p>Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90dBA), the project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following:</p> <p>i. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;</p> <p>ii. Implement “quiet” pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;</p> <p>iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;</p> <p>iv. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and</p> <p>v. Monitor the effectiveness of noise attenuation measures by taking noise measurements.</p>	<p>Prior to Approval</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p><i>b. Public Notification Required</i></p> <p>The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.</p>			
<p>Construction Noise Complaints. (#62)</p> <p>The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include:</p> <ol style="list-style-type: none"> Designation of an on-site construction complaint and enforcement manager for the project; A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the project complaint manager and City Code Enforcement unit; Protocols for receiving, responding to, and tracking received complaints; and Maintenance of a complaint log that records received complaints and how complaints were addressed, which shall be submitted to the City for review upon the City's request. 	Prior to Approval of Construction-Related Permit	Bureau of Building	Bureau of Building
<p>Operational Noise. (#64)</p> <p>Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.</p>	Ongoing	N/A	Bureau of Building
Transportation and Traffic			
<p>Construction Activity in the Public Right-of-Way. (#68)</p> <p><i>a. Obstruction Permit Required</i></p> <p>The project applicant shall obtain an obstruction permit from the City prior to placing any temporary</p>	Prior to Approval of Construction Related Permit	Bureau of Building	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center.</p>			
<p>Green Building Requirements. (#77)</p> <p>a. <i>Compliance with Green Building Requirements During Plan-Check</i></p> <p>The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code).</p> <p>i. The following information shall be submitted to the City for review and approval with the application for a building permit:</p> <ul style="list-style-type: none"> • Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards. • Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit. • Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit. • Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below. • Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance. • Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit. • Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. <p>ii. The set of plans in subsection (i) shall demonstrate compliance with the following:</p> <ul style="list-style-type: none"> • CALGreen mandatory measures. • All pre-requisites per the green building checklist approved during the review of the Planning and 	<p>Prior to Approval of Construction-Related Permit</p>	<p>Bureau of Building</p>	<p>N/A</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>Zoning permit, or, if applicable, all the green building measures approved as part of the Unreasonable Hardship Exemption granted during the review of the Planning and Zoning permit.</p> <ul style="list-style-type: none"> • A minimum of 23 points (3 Community; 6 IAQ/Health; 6 Resources; 8 Water) as defined by the Green Building Ordinance for Residential New Construction. • All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Bureau of Planning that shows the previously approved points that will be eliminated or substituted. • The required green building point minimums in the appropriate credit categories. <p><i>b. Compliance with Green Building Requirements During Construction</i></p> <p>The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project.</p> <p>The following information shall be submitted to the City for review and approval:</p> <ol style="list-style-type: none"> i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit. ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance. iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. 	<p>During Construction</p>	<p>N/A</p>	<p>Bureau of Building</p>
<p><i>c. Compliance with Green Building Requirements After Construction</i></p> <p>Within sixty (60) days of the final inspection of the building permit for the project, the Green Building Certifier shall submit the appropriate documentation to Build It Green and attain the minimum required certification/point level. Within one year of the final inspection of the building permit for the project, the applicant shall submit to the Bureau of Planning the Certificate from the organization listed above demonstrating certification and compliance with the minimum point/certification level noted above.</p>	<p>After Project Completion as Specified</p>	<p>Bureau of Planning</p>	<p>Bureau of Building</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
<p>Sanitary Sewer System. (#79)</p> <p>The project applicant shall prepare and submit a Sanitary Sewer Impact Analysis to the City for review and approval in accordance with the City of Oakland Sanitary Sewer Design Guidelines. The Impact Analysis shall include an estimate of pre-project and post-project wastewater flow from the project site. In the event that the Impact Analysis indicates that the net increase in project wastewater flow exceeds City-projected increases in wastewater flow in the sanitary sewer system, the project applicant shall pay the Sanitary Sewer Impact Fee in accordance with the City's Master Fee Schedule for funding improvements to the sanitary sewer system.</p>	<p>Prior to Approval of Construction-Related Permit</p>	<p>Public Works Department, Department of Engineering and Construction</p>	<p>N/A</p>
<p>Storm Drain System. (#80)</p> <p>The project storm drainage system shall be designed in accordance with the City of Oakland's Storm Drainage Design Guidelines. To the maximum extent practicable, peak stormwater runoff from the project site shall be reduced by at least 25 percent compared to the pre-project condition.</p>	<p>Prior to Approval of Construction-Related Permit</p>	<p>Bureau of Building</p>	<p>Bureau of Building</p>

Attachment B: Transportation Assessment



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Technical Memorandum

Date: August 31, 2017
To: Steve Hanson, Westwind Real Estate Consulting
From: Andrew Kluter, PE
Ben Miller
Charles Felder
Re: **Vineyards Business Center Trip Generation & Traffic Study in the City of Oakland**

Study Purpose and Project Description

The purpose of this technical memorandum is to conduct a focused evaluation of the proposed Vineyards Business Center Project in Oakland (herein referred to as the "Project") in terms of potential traffic impacts relative to a prior use of the site and the Project site safety and accessibility for all travel modes. The Project is located at the intersection of Hegenberger Road and Pardee Drive in Oakland, California. The Project site fronts Hegenberger Road to the east and Pardee Drive to the south. The site is also bounded by the Oakland Harley-Davidson dealership and repair center to the north and Comcast office and business center to the west.

The existing site was home to Francesco's Restaurant. According to the former restaurant's website, the restaurant served lunch and dinner Monday through Friday and dinner service only on Saturdays. Francesco's was open between 11:00 a.m. and 9:45 p.m. on weekdays, 4:00 p.m. and 9:45 p.m. on Saturdays, and was closed Sundays. The restaurant also provided banquet services for parties up to 225 persons for lunch and dinner.

The Project would demolish the existing single-story restaurant structure and construct three new structures that would contain warehouse and commercial flex space. According to the Project site plan (see Appendix A), Building 'A' would contain approximately 10,657 gross square feet (gsf) of commercial flex space. Building 'B' would contain approximately 8,314 gsf of commercial flex space. A third structure (termed Building 'C' for purposes of this study) would contain approximately 31,272 gsf of warehouse flex space. The Project would also provide 94 standard parking spaces and 21 compact parking spaces for a total of 115 parking spaces onsite. Parking is provided via a surface parking lot between Buildings A and B with additional parking around the periphery of Building C.

Access to and from the Project site include a 28 foot-long curb cut along the west side of Hegenberger Road between Buildings A and B, as well as 26 foot-long and 30 foot-long curb cuts along the north side of Pardee Drive.

Project Trip Generation and Comparison with Previously Entitled Use

The existing site contains the now-closed Francesco's Restaurant, which is most closely related to the Quality Restaurant (Land Use: 931) land use category contained in the Institute of Transportation Engineers' (ITE) standard reference *Trip Generation*. A Quality Restaurant land use is defined by ITE as a full-service eating

establishment with typical turn-over rates of at least one hour or longer, typically not serving breakfast, usually requiring reservations, and generally not part of a restaurant chain.¹ The now-vacant restaurant structure is approximately 17,300 gsf in area.

The proposed land use is most closely related to the General Light Industrial (Land Use: 110) land use category from ITE. This category is defined as a free-standing facility devoted to a single use with an emphasis on activities other than manufacturing and typically having minimal office space. Typical light industrial activities include printing, materials testing, and assembly of data processing equipment.² The Project proposes the construction of approximately 50,242 gsf of general light industrial use within three separate structures.

CHS derived expected vehicle trip generation for both the previous restaurant use and the Project from ITE's *Trip Generation*, 9th Edition. The ITE land use most closely matching the Project's current land use is Code 931, Quality Restaurant. **Table 1** shows a comparison of daily, AM peak hour, and PM peak hour trip generation for the previous restaurant use with the proposed Project.

As shown in **Table 1**, the proposed Vineyards Business Center Project is estimated to generate 350 weekday daily trips on a typical weekday, including 46 AM peak hour vehicle trips, and 49 PM peak hour vehicle trips based on the *ITE Trip Generation* rates. Peak hour trips are defined as the highest number of expected trips occurring over one hour within the typical weekday commute peak periods of 7:00 to 9:00 a.m. and 4:00 to 6:00 p.m. In addition, compared to the prior restaurant use, the proposed use is expected to generate 1,206 fewer daily trips on a typical weekday, 32 more AM peak hour trips, and 81 fewer PM peak hour trips than the previous restaurant use.

Table 1 – Proposed and Previous Project Trip Generation

Land Use (ITE Code)	Size (sq.ft.)	Weekday Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
			In	Out	Total	In	Out	Total
Proposed Land Use								
General Light Industrial	50,242	350	41	6	46	6	43	49
Previous Land Use								
Quality Restaurant	17,300	1,556	14	0	14	87	43	130
Net Difference								
Proposed - Existing		(1,206)	27	6	32	(81)	(0)	(81)

- Notes:**
1. General Light Industrial, 9th Edition utilizes the following assumptions: Average rate of 6.97 daily weekday vehicles trips per 1,000 gsf; AM peak hour rate of 0.92 trips per 1,000 gsf with a split of 88% entering and 12% exiting; PM peak hour rate of 0.97 trips per 1,000 gsf with a split of 12% entering and 88% exiting.
 2. Quality Restaurant, 9th Edition utilizes the following assumptions: Average rate of 89.95 daily weekday trips per 1,000 gsf; AM peak hour rate of 0.81 trips per 1,000gsf with no applicable split; PM peak hour rate of 7.49 trips per 1,000 gsf with a split of 67% entering and 33% exiting.
 3. Numbers may differ by (+/- 1) due to rounding.

Source: *Trip Generation* (9th Edition), Institute of Transportation Engineers (2012).

¹ Source: *ITE Trip Generation*, 9th Edition.

² Source: *ITE Trip Generation*, 9th Edition.

It should be noted that while *Trip Generation* provides an AM peak hour trip generation rate for the Quality Restaurant land use, no inbound/outbound splits were observed in the data, as restaurants under this category are typically not open for breakfast, consistent with prior operations at Francesco's Restaurant. Therefore, for the purposes of this study, it was assumed that all AM peak hour trips associated with the previous quality restaurant use are inbound employee trips.

During the AM peak hour, the Project would produce an additional 32 vehicle trips compared to the prior restaurant use. The AM peak hour would be the only period during a typical weekday where the Project is expected to generate additional vehicle trips onsite when compared to the previous restaurant use. The AM peak hour increase is due to the previous land use not being open to customers during the typical AM peak hour, as documented previously. This limits the number of trips generated to employees that would have arrived at Francesco's to prepare for lunch service, which had started at 11:00 a.m. on a typical weekday. However, the Project would substantially reduce the number of vehicle trips during all other hours of the day.

During the PM peak hour, the Project would reduce vehicle trips by approximately 62 percent or 81 fewer vehicle trips, compared to the previous restaurant use. The Project would reduce inbound vehicle trips by 93 percent or 81 fewer vehicle trips, while generating the same amount of outbound vehicle trips, 43 vehicle trips, as the previous restaurant use during the PM peak hour. The Project would reduce the total number of weekday daily vehicle trips by approximately 78 percent or 1,206 fewer vehicle trips, compared to the previous restaurant use. Thus, the slight increase in AM peak hour vehicle trips is offset by the substantial overall decrease in weekday daily and PM peak hour trips estimated for the proposed Project industrial use.

Traffic Impact Analyses

The City of Oakland revised its Transportation Impact Study (TIS) significance guidelines to replace intersection Level of Service (LOS) with Vehicle Miles Traveled (VMT) impact criteria in September 2016.³ Per the City's updated significance criteria for VMT impacts, the Project would have a significant impact on the environment if it resulted in the following effects:⁴

- Conflict with a plan, ordinance, or policy addressing the safety or performance of the circulation system, including transit, roadways, bicycle lanes, and pedestrian paths; or
- Cause substantial additional VMT per capita, per service population or other appropriate efficiency measure; or
- Substantially induce additional automobile travel by increasing physical roadway capacity in congested areas or by adding new roadways to the network.

The Project would not conflict with a plan, ordinance, or policy addressing the safety or performance of the circulation system, including transit, roadways, bicycle lanes, and pedestrian paths. The Project would result in a net reduction of 1,206 vehicle trips to the Project site compared to the previous restaurant use, and would therefore not cause substantial VMT per capita or per employee. The Project would not increase physical roadway capacity in congested areas or add new roadways to the network, and would therefore not induce

³ Oakland City Planning Commission Staff Report, September 21, 2016:

<http://www2.oaklandnet.com/oakca1/groups/ceda/documents/agenda/oak060721.pdf>

⁴ *Transportation Impact Review Guidelines for Land Use Projects*, City of Oakland (April 14, 2017).

additional automobile travel. Therefore, the Project VMT would not have a significant impact on the environment.

Under the City's previous LOS significance guidelines, intersection analysis was necessary for projects that generated 50 or more vehicle trips during a peak hour. The Project would generate 46 gross vehicle trips during the AM peak hour and 49 gross vehicle trips during the PM peak hour (see **Table 1**). The net increase in vehicles trips would be 32 during the AM peak hour, and there would be a net decrease of 81 vehicle trips during the PM peak hour (see **Table 1**). Because the Project would not result in an increase of 50 or more net vehicle trips during the critical PM peak hour, the Project would not have required intersection analysis under the old LOS significance guidelines.

CHS also reviewed the technical memorandum produced by ESA from April 13, 2015 for the 195 Hegenberger Road Hotel development project that analyzed the LOS at the intersection of Pardee Drive and Hegenberger Road.⁵ The ESA memorandum concluded that the intersection of Pardee Drive and Hegenberger Road operated at LOS C during both the AM and PM peak hours in both the existing condition and the existing-plus-project condition. Based on the conclusion of the intersection LOS analysis presented in the ESA technical memorandum, the addition of the Project's vehicle trips would not cause significant delay to the intersection of Pardee Drive and Hegenberger Road.

Project Site Access & Safety

Access to and from the Project site includes a 28 foot-long driveway curb cut along the west side of Hegenberger Road between Buildings A and B, as well as 26 foot-long and 30 foot-long curb cuts along the north side of Pardee Drive, respectively. The 28 foot-long curb cut on Hegenberger Road would be located approximately 80 feet north of the intersection at Pardee Drive, and would be for "right-in/right-out" access only. The 30 foot-long curb cut on Pardee Drive would be located approximately 235 feet west of the intersection at Hegenberger Road, and would be accessible to and from eastbound and westbound Pardee Drive. The 26 foot-long curb cut on Pardee Drive would be located approximately 405 feet west of the intersection at Hegenberger Road, and would be accessible to and from both eastbound and westbound Pardee Drive.

Sight Distance Analyses

The posted speed limit for both Hegenberger Road and Pardee Drive is 35 miles per hour, respectively. According to the *Caltrans Highway Design Manual* (HDM) geometric design and structure standards, required sight distances on a 35 mile per hour facility are as follows:

- Stopping Sight Distance: 250 feet⁶

According to measurements obtained from Google Maps at the Project location, the available sight distance on Hegenberger Road is approximately 700 feet to the north of the Project's proposed curb cut on Hegenberger Road. Per Google Maps measurements at the Project location, available site distance on Pardee Drive is approximately 280 feet to the east of the proposed 30 foot-wide curb cut on Pardee Drive, and approximately 360 feet to the west of the proposed 25 foot-wide curb cut on Pardee Drive. Therefore, the Project's curb cut on

⁵ 195 Hegenberger Road Hotel: Level of Service at Two Intersections on Pardee Drive (with 100% Outbound Peak Hour Project Trips using the Pardee Drive Site Access Driveway, ESA, April 13, 2015.

⁶ Table 201.1, Sight Distance Standards. *The Caltrans Highway Design Manual*, 2016.

Hegenberger Road and the curb cuts on Pardee Drive would not pose a safety conflict with respect to vehicle stopping sight distances.

Access Conflict Analyses

The majority of outbound vehicles are anticipated to travel toward I-880 direction, with some traveling to Doolittle Drive (approximately 0.25 miles south of the Project site) toward Alameda and western San Leandro. Vehicles exiting to Hegenberger Road would be required to cross the southbound exclusive right turn lane before they enter into the southbound traffic stream. Vehicles attempting to make a u-turn movement at the intersection of Hegenberger Road and Pardee Drive in order to travel toward I-880 to the north would only have approximately 80 feet to cut across four lanes of traffic to access the left-turn lane. The proposed right-in and right-out design off Hegenberger Road could pose a potential safety conflict with oncoming vehicle traffic along southbound Hegenberger Road. CHS recommends that the vehicular access off Hegenberger Road be limited to entering only. This change would not cause circulation impacts on the project site. The Project's proposed curb cuts along the north side of Pardee Drive would provide convenient access to northbound and southbound Hegenberger Road with a traffic signal.

Pedestrian and bicycle access to the Project site would be provided by the continuous sidewalk adjacent to the Project site. The Project would maintain the existing 6 foot-wide sidewalks along both Hegenberger Road and Pardee Drive. The new curb cut along Hegenberger Road would not pose significant safety conflicts for pedestrians or bicyclists traveling to or from the Project site. There would be no change along Pardee Street because the Project's two proposed curb cuts would be the same number of curb cuts as what existed for the previous use.

Summary

The Project would demolish the former 17,300 gsf Francesco's Restaurant and construct three new structures that would accommodate approximately 50,242 gsf of commercial and warehouse flex spaces. The Project would substantially reduce the weekday daily vehicle trips by approximately 78 percent or 1,206 fewer vehicle trips per day. While the Project would generate a very small increase in vehicle trips during a typical weekday AM peak hour, this increase would be for only one hour of a typical weekday that would otherwise see substantial reductions in vehicle trips during all other periods of the day, including the critical PM commute peak hour occurring between 4:00-6:00 PM. As such, it is therefore concluded that the Project would not generate any new impacts with respect to traffic operations.

However, it is recommended that the curb cut design along Hegenberger Road be modified to provide inbound vehicle access only, so as to avoid potential conflicts between outbound vehicles and vehicle traffic along southbound Hegenberger Road.

Thank you for the opportunity to prepare this trip generation study for your Project. Should you have any questions, please call us at (415) 392-9688.

Attachment

A: Project Site Plan



Attachment A: Project Site Plan

