

# 8520 Pardee Drive Warehouse and Office Project

## CEQA Analysis

June 2023

**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

<b>1. Project Title:</b>	8520 Pardee Drive Warehouse and Office Project
<b>2. Lead Agency Name and Address:</b>	Port of Oakland Environmental Programs and Planning Division 530 Water Street Oakland, CA 94607
<b>3. Contact Person and Phone Number:</b>	Colleen Liang, Acting Director of Environmental Programs and Planning 510.627.1198 cliang@portoakland.com
<b>4. Project Location:</b>	8520 Pardee Drive Oakland, CA Assessor's Parcel No. 042-4420-4
<b>5. Project Sponsor's Name and Address:</b>	First Industrial Realty Trust, Inc. 3620 Happy Valley Road, Suite 201 Lafayette, CA 94569
<b>6. Existing General Plan Designations:</b>	Regional Commercial (Regional Commercial Mixed Use, Coliseum Area Specific Plan)
<b>7. Existing Zoning:</b>	Oakland Airport Business Park, Commercial Corridor (Port Land Use Development Code)  Coliseum Area Commercial District Zone-3 (D-CO-3, Coliseum Area Specific Plan)
<b>8. Requested Permits:</b>	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 8520 Pardee Drive Warehouse and Office Project (Proposed 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 Proposed Project. The applicable CEQA section that provides a basis for CEQA compliance is described below.

### 8520 Pardee Drive Warehouse and Office 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 the applicable general plan designation, general plan policies, and zoning designations and regulations
- Occur within city limits on a project site of no more than 5 acres substantially surrounded by urban uses
- Are located on a project site with 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 Proposed 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) are applicable to the Proposed Project. Therefore, no further review or analysis under CEQA is required.

### III. Project Description

This section describes the proposed 8520 Pardee Drive Warehouse and Office Project evaluated in this CEQA analysis and includes a description of the Proposed Project site, existing site conditions, the proposed development, and the required project approvals.

#### Project Location

As shown in **Figure 1**, the approximately 3-acre (130,423-square-foot) Proposed Project site consists of one parcel at 8520 Pardee Drive (Assessor's Parcel Number 42-4420-4) in the southern portion of the City of Oakland (the City of Oakland, or City). The Proposed Project site is bounded by Pardee Drive, Hegenberger Road, and adjacent retail and commercial development. Regional access is provided by Interstate 880 (I-880), and Alameda–Contra Costa Transit (AC Transit). AC Transit bus routes 73, 98, and 805 are all within 0.25 mile of the Proposed Project site.

#### Existing Conditions and Surrounding Land Uses

The Proposed Project site was formerly occupied by a one-story building operated as a restaurant, which was demolished in 2017. The Proposed Project site now consists of an undeveloped parcel, remnant paved parking areas, and landscaping associated with the former use of the site. Existing land uses in the Proposed Project vicinity include a mix of commercial, hotel, logistics and distribution, retail, and restaurant uses; freeway and elevated transit lines; a public golf course; and Oakland International Airport. Hegenberger Road, a major arterial roadway 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 off-site airport parking lots with shuttle service to the airport. Several office buildings, up to eight stories in height, also line Hegenberger Road. Pardee Drive, which bounds the site to the south, provides access to developments that serve distribution, warehouse, and light industrial land uses. A City of Oakland fire station (Fire Station No. 27) is just south of the Proposed Project site on Pardee Drive. Land uses surrounding the Proposed Project site are shown in **Figure 2**. Photographs of the existing condition of the site are shown in **Figure 3**.

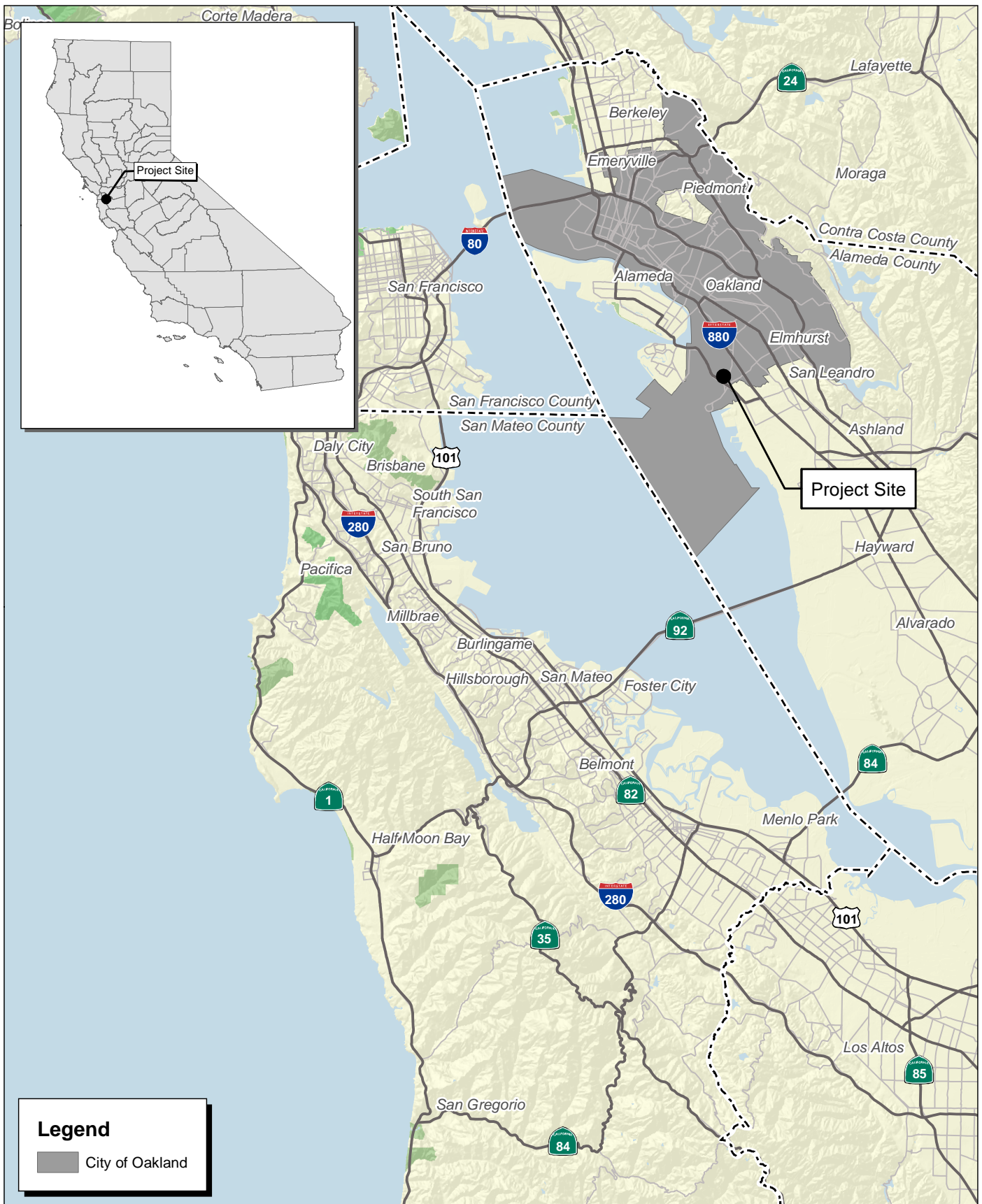
#### General Plan and Zoning Designations

The Proposed Project site is in an area of Oakland where land use jurisdiction and authorities are granted to the Port of Oakland (Port or Port Area) per the City of Oakland Charter. The site is in the Port's Oakland Airport Business Park and is subject to the Port's land use designations and regulations, pursuant to the Port's Land Use Development Code (LUDC).<sup>1</sup> The LUDC is the prevailing land use regulation governing the construction, alteration, and operation of buildings and structures in Oakland Airport Business Park. Additionally, given its location within Oakland city limits, the Proposed Project site is subject to the City of Oakland General Plan.<sup>2</sup> Therefore, the Proposed Project would be required to comply with both the City's General Plan and the Port's LUDC. The City Zoning requirements do not apply to the Port Area, because the Port's LUDC supersedes the City's zoning regulations. Nonetheless, consistency with the provisions of both the Port's LUDC and the City's zoning regulations is discussed in Section VI of this document because zoning regulations typically advance the intent and purpose of the General Plan.

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<sup>1</sup> Port of Oakland. 2016. Land Use and Development Code for the Oakland Airport Business Park. April.

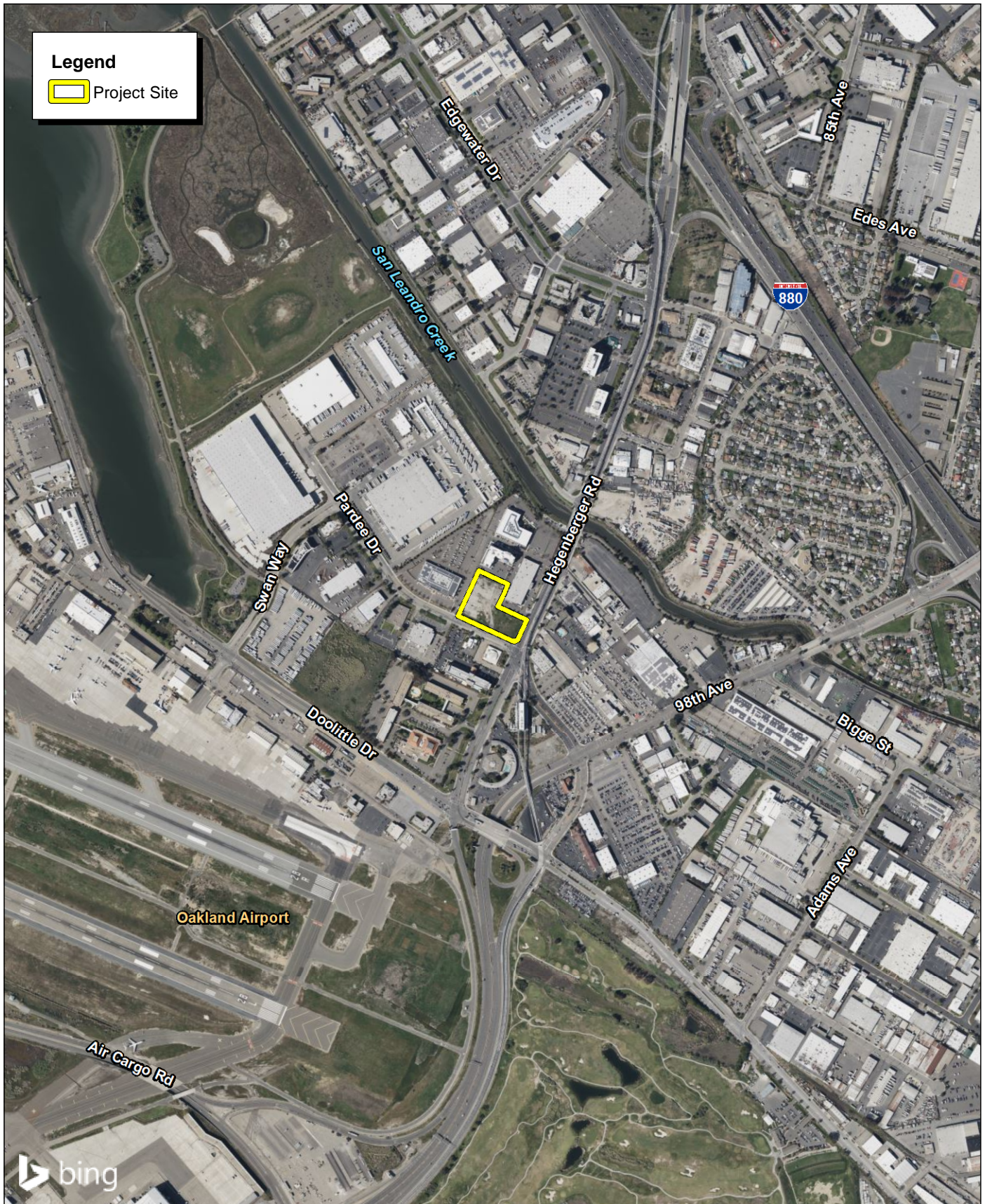
<sup>2</sup> City of Oakland. 1998. Envision Oakland – City of Oakland General Plan. March.



**Figure 1**  
Regional Location Map







Source: Bing Aerial Imagery.

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1,000 500 0 1,000  
Feet

**Figure 2**  
**Local Vicinity Map**





Photograph 1: Looking northeast from Pardee Drive.



Photograph 2: Looking south from Pardee Drive.

Source: FirstCarbon Solutions, 2022.

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## Figure 3 Site Photographs

FIRST INDUSTRIAL REALTY TRUST, INC.  
8520 PARDEE DRIVE PROJECT  
PROJECT DESCRIPTION

The Proposed Project site is in 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. Corner lots such as the Proposed Project site are required to conform to the front setbacks (i.e., 20 feet) of each adjacent street. 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 Oakland International Airport. In the Business Park, truck loading and unloading are restricted to the rear of the site, and may not project onto any street per the development standards of the LUDC. Truck doors and loading docks are not permitted to face Hegenberger Road in this area.

The LUDC identifies the maximum floor area ratio (FAR) as that which is set by the City of Oakland General Plan. The City of Oakland General Plan designates the Proposed Project site and vicinity as Regional Commercial. The intent of the Regional Commercial designation is to maintain, support, and create areas of the City that serve as region-drawing centers of activity. The maximum nonresidential FAR in areas designated as Regional Commercial is 4.0.

The site is also within the boundaries of the Coliseum Area Specific Plan (CASP),<sup>3</sup> 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 in the CASP have been incorporated in the City of Oakland's General Plan and Zoning Code and the Port's LUDC. The Proposed Project site is in 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.

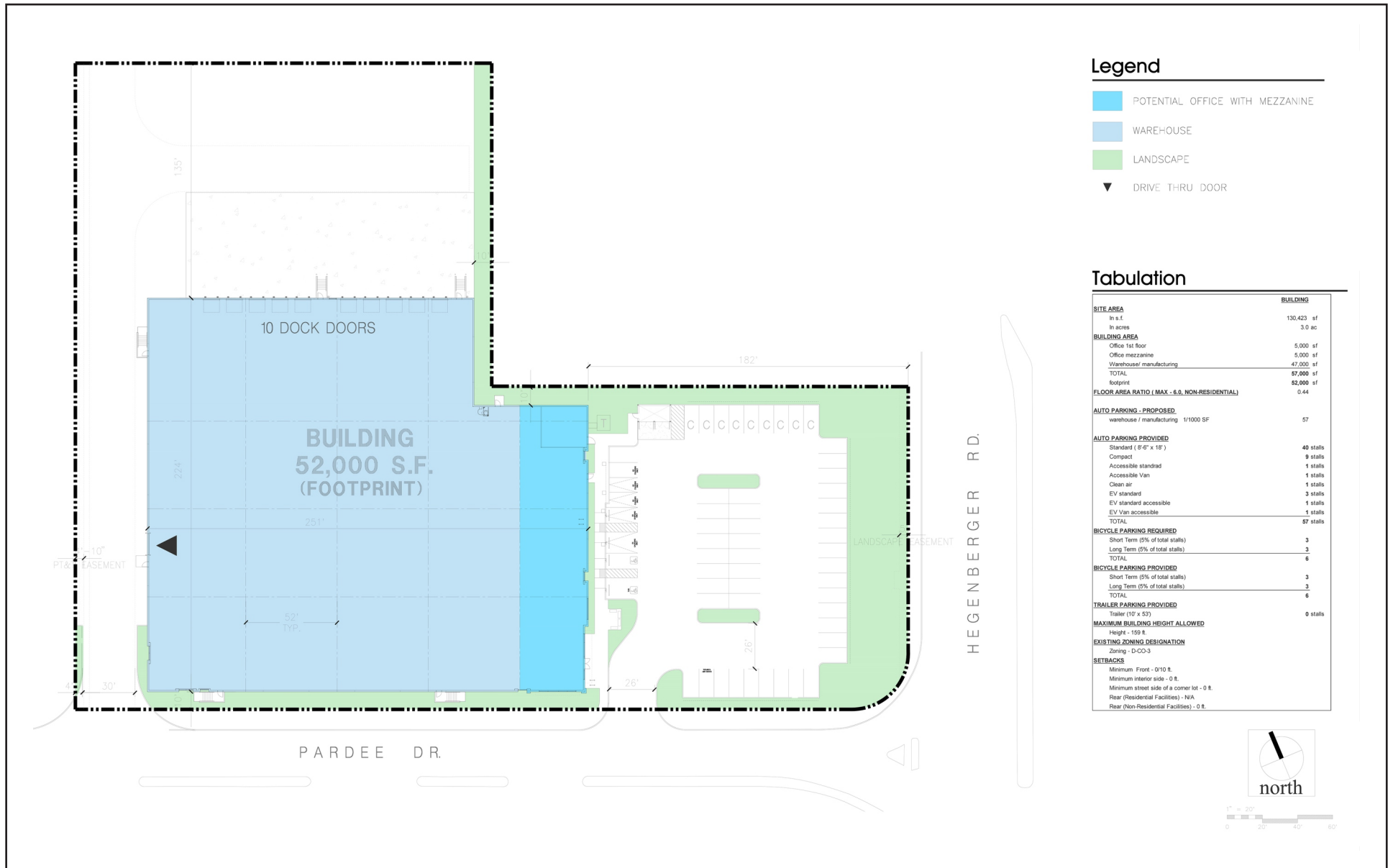
## Proposed Project

The Proposed Project sponsor (First Industrial Realty Trust, Inc.) is proposing development of a 57,000-square-foot warehouse and office facility on an approximately 3-acre site at 8520 Pardee Drive (**Figure 4**). The Proposed Project would include removal of the on-site landscaping and pavement, and construction of an approximately 45-foot-tall, 1-story tilt-up concrete building. The total building footprint would be approximately 52,000 square feet (approximately 40 percent lot coverage) and would have an FAR of 0.41. The building components would consist of 47,000 square feet of warehouse/manufacturing space, 5,000 square feet of office space on the first floor, and an additional 5,000 square feet of office space in a mezzanine area. The proposed building would be set back 167 feet from the lot line on Hegenberger Road.

The proposed building would be developed speculatively, providing a distribution warehouse for a tenant that has not yet been identified, with office space on the ground floor and on the mezzanine. Potential uses include fulfillment, assembly and storage, wholesale trade and distribution, and wholesale retail distribution. The warehouse activity would be at the rear of the building and would not be visible from Hegenberger Road. In addition to warehouse and office space, the Proposed Project would include 300 square feet of usable outdoor area.

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<sup>3</sup> City of Oakland. 2015. Coliseum Area Specific Plan. April.



Source: HPA Architecture, August 02, 2022.

**Figure 4**  
**Proposed Site Plan**



Access to the Proposed Project site would be provided from two new driveways on Pardee Drive. The eastern proposed driveway would provide automobile access and would be 26 feet wide. The western proposed driveway would provide truck access and would be 32 feet wide. The proposed driveways would be 285 feet apart. A total of 10 dock doors would be provided in the rear (north) of the site to allow for truck access and deliveries. Trucks would enter the western driveway and proceed along the western perimeter of the site to access the delivery area in the rear of the site. The Proposed Project would also provide a new paved parking area in the southeastern portion of the site. A total of 57 automobile parking spaces would be provided (one space per 1,000 square feet of developed space), along with six bicycle parking spaces (three short-term and three long-term).

The proposed building would be constructed of concrete tilt-up panels, with increased articulation and double-height glazing at building corners to highlight these areas as locations of interior lobby and office space. The ten dock doors would be roll-up doors, oriented to the interior of the block. The building façades would feature changes in plane to create relief and shadow lines, with bands of clerestory glass, a variety of color accents, and vertical sections of roofline variation to provide additional interest to the building. Lighting and solar panels would be installed per the City of Oakland Green Building Code.

Development of the Proposed Project would replace greater than 5,000 square feet of impervious surface area (98,344 square feet of the existing 102,900 square feet). Therefore, the Proposed 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 Proposed Project is also subject to the Port's National Pollutant Discharge Elimination System (NPDES) permit for small municipal separate storm sewer systems (MS4 permit)<sup>4</sup> issued by the State Water Resources Control Board (SWRCB), and the Port's Stormwater Ordinance.<sup>5</sup> The Proposed Project would be landscaped to meet the applicable stormwater treatment requirements, subject to Port approval. The Proposed Project includes landscaped parkway strips in the setback from Hegenberger Road, which also provide screening from the roadway, along with landscaped areas along the southern and eastern site perimeters.

The Proposed 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. The site is currently served by all required utilities, including East Bay Municipal Utility District (water, recycled water, and sewer), Pacific Gas and Electric Company (gas and electricity), City of Oakland (storm drainage), and Waste Management of Alameda County (trash collection, composting, and recycling).

## Proposed Project Construction

Construction of the Proposed Project is anticipated to take approximately 1 year. Site clearing and grading would require 6 weeks. Utility improvements and paving would take place over 4 to 5 months following site clearing and grading. Building construction, landscaping, fencing, and finishing would be completed within the following 6 months.

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<sup>4</sup> State Water Resources Control Board. Phase II Small MS4 General Permit. Water Quality Order 2013-0001-DWQ NPDES No. CAS000004 (as amended). February 2013.

<sup>5</sup> Port of Oakland. Port Ordinance No. 4311 – Adopting Rules and Regulations for the Municipal Storm Water Program. April 2015.

Site clearance and removal of the asphalt surface parking lot and landscaping would include grinding and reusing the asphalt material at an off-site location by using construction and demolition debris recycling services at a regional transfer station or landfill. 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 in the Proposed Project site. Street frontages and parking lanes will need to be used at times for deliveries and removals of materials and equipment. Driving lanes 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 in each direction, with appropriate traffic controls.

The Proposed 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, and no extreme noise generating activities will be allowed on weekends and holidays.

## Project Approvals

The Proposed Project site is in 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 Proposed Project are the responsibility of the Port. The Proposed Project is also subject to the Port's Standard Conditions of Approval, as shown in **Attachment A** of this document.

Because of the site's proximity to Oakland International Airport, the Proposed Project is subject to the Alameda County Airport Land Use Policy Plan guidelines related to land use, and FAA requirements for building height.<sup>6</sup> The Proposed Project would comply with the Alameda County Airport Land Use Policy Plan guidelines. Pursuant to the Port's LUDC Standard Conditions of Approval, the Proposed Project applicant shall confirm that an aviation easement in favor of Oakland International Airport is recorded on the property in a form approved by the Port Attorney.

The Proposed Project will require building and grading permits from the City of Oakland. The Proposed Project would therefore also be subject to the City of Oakland's Standard Conditions of Approval (City of Oakland or City SCAs) related to required building permits to receive permit approval. These SCAs are listed in **Attachment B** of this document.

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<sup>6</sup> Alameda County Airport Land Use Commission. 2010. Oakland International Airport – Airport Land Use Compatibility Plan. December.

## IV. Summary of CEQA Findings

An evaluation of the Proposed Project is provided in the CEQA analysis below. This evaluation concludes that the Proposed Project qualifies for an exemption from additional environmental review. The Proposed Project would be consistent with the Port's Oakland 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 Environmental Impact Report (EIR) was certified. The Proposed Project would be required to comply with any applicable City of Oakland SCAs (see **Attachment B**) recommended to reduce the potential for significant impacts. Because standard conditions are applied to all applicable development projects in the City of Oakland, these conditions are considered part of the Proposed Project. With implementation of the applicable SCAs, the Proposed Project would not result in a substantial increase in the severity of significant impacts that were previously identified in the General Plan, or result in 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 Proposed Project qualifies for an exemption because the following findings can be made:

- **Class 32 Exemption:** The Proposed Project is of a class of urban infill projects that 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 Proposed 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 Proposed Project is consistent with Criterion 15332 (a), (b), (c), (d), and (e), and no exceptions per CEQA Guidelines Section 15300.2 apply to the Proposed 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 Proposed Project is exempt from further environmental review.

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

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Colleen Liang  
Acting Director of Environmental Programs and Planning

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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 5 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 in 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 Proposed 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** to an exemption that apply to the Proposed Project or its site, 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 Proposed 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 and 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 Proposed Project site is in the Commercial Corridor of the Oakland Airport Business Park as identified in the Port's LUDC. The Proposed Project would construct warehouse and office 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. 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 Proposed Project would result in a warehouse and office development, with potential use for fulfillment, assembly and storage, wholesale trade and distribution, and wholesale retail distribution. These potential uses are consistent with the Regional Commercial intent by providing economic opportunities at a regional scale and supporting the regional drawing power envisioned for areas with the Regional Commercial land use designation. Further, the Proposed Project is aligned with applicable General Plan Land Use and Transportation Element policies, 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/C1.9: Locating Industrial and Commercial Area Infrastructure. Adequate public infrastructure should be ensured within existing and proposed industrial and commercial areas to retain viable existing uses, improve the marketability of existing vacant and underutilized sites, and encourage future use and development of these areas with activities consistent with the goals of this Plan.

- 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.<sup>7</sup> 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 six 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 Proposed 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 Proposed Project proposes development of a warehouse and office facility with a total building footprint of approximately 52,000 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 warehouse and office uses proposed for the Proposed Project site are consistent with the land uses identified for the Commercial Corridor in the Port's LUDC. Warehouse, storage, and distribution uses are conditionally permitted in the Commercial Corridor area by the LUDC; the Proposed Project would not meet any of the warehouse land uses precluded by definition in the Commercial Corridor (e.g., mini-storage, container storage, automobile salvage/junk yards).
- The Proposed 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.

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<sup>7</sup> These requirements apply specifically to projects in the Seaport and Airport areas of the Port. The Proposed Project is in the Airport Business Park; therefore, requirements for coordination with the Director of City Planning for General Plan conformance would not be applicable.

- The Proposed Project would limit truck loading and unloading to the rear of the site, and loading activities would not project onto any street, consistent with the development standards of the Port's LUDC.
- 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 height would be approximately 45 feet. The single-story height of the proposed building 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 Proposed Project would be consistent with FAA provisions set forth in the LUDC.
- The LUDC requires that new development provide adequate parking for the type of building and proposed use, with a general requirement of 2.4 parking spaces per 1,000 square feet of gross floor area (or 0.83 space per employee when the number of employees is known). If this ratio is not met, a parking study shall be prepared to demonstrate why a lower ratio is adequate. The Proposed Project includes a total of 57 automobile parking spaces, at a rate of one space per 1,000 square feet. Although this is below the standard of 2.4 spaces per 1,000 square feet, a project-specific parking study was prepared that notes that industrial buildings typically have a lower vehicle parking demand, and the proposed ratio is consistent with (or more stringent than) parking ratios for industrial land uses in adjacent jurisdictions, including the cities of Richmond, Hayward, San Leandro, and Oakland. Therefore, the Proposed Project would be consistent with the parking provisions of the LUDC.
- The LUDC identifies the maximum FAR as that which is set by the City of Oakland General Plan. With a FAR of 0.41, the Proposed 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 D-CO-3 allows for a maximum building height of 159 feet, and a maximum nonresidential FAR of 6.0. The Proposed Project would be consistent with the maximum building height for the D-CO-3 zone and the maximum allowable FAR. As noted previously, the Port's LUDC supersedes the City's Zoning Code, and compliance with the Zoning Code is not explicitly required. Consistency with the Zoning Code is provided here for informational purposes, and because the Zoning Code advances the intent and purpose of the General Plan.
- The proposed warehouse and office uses for the Proposed Project site are consistent with the land use and intent for the D-CO-3 zone per the City of Oakland Planning Code Section 17.101H—to create, maintain, and enhance areas suitable for a wide variety of retail, commercial, and industrial operations along the Oakport Street and Hegenberger Road corridors, and in region-drawing centers of Commercial, and Light Industrial Activities.

Therefore, the Proposed Project adheres to the criteria of CEQA Guidelines Section 15332(a) by 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 zoning regulations for the site.



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

Yes      No

- ☒      ☐      The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses

The Proposed Project site is in a highly urbanized area in 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 2**. Therefore, the Proposed Project is consistent with 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 Proposed Project site was formerly occupied by 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 Bay Area Rapid Transit (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.<sup>8</sup> The Proposed Project site has no value as habitat for endangered, rare, or threatened species, and impacts would be **less than significant**. Therefore, the Proposed 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 Proposed 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

According to the City of Oakland Transportation Impacts Review Guidelines,<sup>9</sup> a project would have a significant transportation impact if it would:

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<sup>8</sup> City of Oakland. 2015. Coliseum Area Specific Plan EIR. February.

<sup>9</sup> City of Oakland. 2017. Transportation Impact Review Guidelines for Land Use Development Projects. April.

- 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 vehicle miles traveled (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.

A transportation memorandum was prepared for the Proposed Project by CHS Consulting Group (**Attachment C**) to determine project impacts in accordance with the above criteria. The results of the transportation memorandum are summarized below.

### Project Trip Generation

A program-based trip generation analysis was conducted to estimate the weekday daily and peak hour project travel demand. The Proposed Project would generate employee commute trips and truck delivery trips, which are described in detail below:

- **Employee Trips.** The Proposed Project would have up to 25 employees in total and generate employee commute trips to and from the Proposed Project site. There would be two shifts on a typical weekday. Approximately half of the employees would work the morning shift from 6 a.m. to 2 p.m., and the other half would work the afternoon shift from 2 p.m. to 10 p.m. The peak inbound commute trips are anticipated to occur up to 1 hour before the start of each shift, and outbound commute trips are expected to occur up to 1 hour after the end of each shift. Therefore, the Proposed Project would generate 13 inbound employee trips between 5 a.m. and 6 a.m., and another 13 outbound employee trips between 2 p.m. and 3 p.m. for the morning shift. For the afternoon shift, there would be 13 inbound employee trips between 1 p.m. and 2 p.m. and 13 outbound employee trips between 10 p.m. and 11 p.m. As a result, none of the employee commute trips would occur during the typical weekday commute peak periods of 7 to 9 a.m. and 4 to 6 p.m.
- **Delivery Truck Trips.** The Proposed Project would have 10 loading docks, and each loading dock would accommodate up to one truck per day. Trucks would arrive at the Proposed Project site around 9 a.m. and leave at 2 p.m. As a result, the Proposed Project would generate up to 10 inbound truck trips and 10 outbound truck trips per day, with the 10 inbound trips occurring during the AM peak hour.

Based on the above analysis, the Proposed Project is anticipated to generate approximately 70 weekday daily vehicle trips, including 10 AM peak hour trips and no PM peak hour trips, as shown in **Table 1**.

Table 1 Proposed Project Trip Generation

Trip Type	Weekday Daily Trips	AM Peak Hour Trips	PM Peak Hour Trips
Employee	50	0	0
Truck	20	10	0
<i>Total</i>	<i>70</i>	<i>10</i>	<i>0</i>

Source: CHS Consulting Group Transportation Memo (Attachment C).

### Conflict with Plans, Ordinances, or Policies

The City of Oakland General Plan Land Use and Transportation Element policies state that truck services should be concentrated in areas adjacent to freeways and near the seaport and airport, while ensuring the attractiveness of the environment for visitors, local businesses, and nearby neighborhoods. The Proposed Project site is in the Port Area in proximity to the Oakland Airport, I-880, and other industrial uses. Truck services associated with the Proposed Project would occur in areas consistent with General Plan policies. The Proposed Project loading areas would be to the rear of the site and would not reduce the attractiveness of the area for visitors and local businesses.

The City of Oakland Pedestrian Master Plan<sup>10</sup> and Bicycle Master Plan<sup>11</sup> promote a pedestrian- and bicycle-friendly environment with increased accessibility and mobility through a network of safe and comfortable rights-of-way for everyone to enjoy. Pedestrian and bicycle access to the Proposed Project site would be provided by the sidewalk adjacent to the Proposed Project site on the eastern and southern sides. The Proposed Project would maintain and improve the existing 6-foot-wide sidewalk along Hegenberger Road, and two curb cuts would be retained along Pardee Drive. The Proposed Project would improve the pedestrian condition by providing a continuous sidewalk along the Pardee Drive frontage where the sidewalks currently discontinue. The Proposed Project driveways would be clearly visible to westbound traffic, bicycles, or pedestrians, and would not pose significant safety conflicts for pedestrians or bicyclists. The Proposed Project would also include six bicycle parking spaces, which would encourage the use of alternative modes of transportation by employees. The Proposed Project would not modify any existing bicycle facilities or interfere with implementation of any future facilities.

Construction activities associated with the Proposed Project could potentially temporarily disrupt transportation, bicycle, and pedestrian movement; however, with appropriate traffic control, construction would result in **less than significant** impacts. Implementation of City SCA #75: Construction Activities in the Public Right-of-Way, will be required by the City of Oakland in conjunction with its issuance of building and other applicable permits, which will reduce these short-term and temporary impacts.

### Vehicle Miles Traveled

According to the City of Oakland Transportation Impacts Review Guidelines, Section 5.4 VMT Screening Criteria, project VMT impacts would be less than significant if any of the following three screening criteria are met:

<sup>10</sup> City of Oakland. 2017. 2017 Pedestrian Plan Update.

<sup>11</sup> City of Oakland. 2019. 2019 Oakland Bike Plan. July.

- Small Project: If the project generates fewer than 100 vehicle trips per day
- Low-VMT Area: If the project is in an area with below-threshold VMT (15 percent below the regional average VMT)
- Near Transit Stations: If the project is in a Transit Priority Area within 0.5 mile of a major transit corridor or stop, and either a) has a floor-area-ratio of more than 0.75; b) provides less parking; or c) is consistent with the applicable Sustainable Communities Strategy.

As shown in **Table 1**, the Proposed Project would generate approximately 70 vehicle trips per day, which is below the 100-trip threshold. Therefore, the Proposed Project meets the Small Project screening criterion, and its VMT impact would be ***less than significant***.

#### Induced Automobile Travel

The Proposed Project would not increase physical roadway capacity by adding new roadways to the network, or modify the roadway network surrounding the Proposed Project site. Therefore, the Proposed Project would not induce automobile traffic, and the impact would be ***less than significant***.

#### Transportation Hazards, including Air Traffic and Inadequate Emergency Access

The design of the Proposed Project would be required to meet all local design and construction standards. Access to and from the Proposed Project site would be provided by driveway curb cuts on Pardee Drive, spaced approximately 285 feet apart. The western driveway would be 32 feet wide and provide truck access to the rear of the site, and the eastern driveway would be 26 feet wide, and provide automobile access to the proposed parking lot. Separate driveways used for automobile and truck access would minimize potential vehicle conflicts when entering and exiting the site.

The Proposed 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.

The Proposed Project would redevelop an existing site in an urbanized area and would not inhibit emergency access in the surrounding area. As described above, implementation of City SCA #75: Construction Activities in the Public Right-of-Way, will be required by the City of Oakland in conjunction with its issuance of building and other applicable permits. This standard condition of approval would ensure that traffic control is implemented during construction as needed to minimize obstructions to circulation throughout the Proposed Project area, including for emergency vehicles.

Therefore, impacts related to transportation hazards and inadequate emergency access would be ***less than significant***.

#### Conclusion

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

#### Standard Conditions of Approval

**NOTE: All Port Standard Conditions of Approval (Port of Oakland or Port SCAs) 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 is subject to Port and City agreement.**

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

- Port 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 Proposed Project as discussed above. Required City of Oakland SCAs are listed by their SCA number as indicated in the December 2020 update.<sup>12</sup> The full text of the following SCA can be found in **Attachment B** to this CEQA analysis:

- City SCA #75: Construction Activity in the Public Right-of-Way

## Noise

Proposed 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 with implementation of the following SCAs, as required by the City of Oakland in conjunction with its issuance of building and other applicable permits: City SCA #62: Construction Days/Hours, City SCA #63 Construction Noise, City SCA #64: Extreme Construction Noise, and City SCA #66: Construction Noise Complaints. 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 Proposed Project would generate noise from new sources such as heating, ventilation, and air conditioning equipment, and from vehicle trips to and from the site. Operational noise generated by the Proposed Project would be typical of a small warehouse facility and consistent with noise levels at surrounding facilities. The nearest noise-sensitive receptors (i.e., residences) are approximately 0.25 mile from the Proposed Project site. Therefore, the Proposed Project is unlikely to generate operational noise in violation of the City of Oakland Noise Ordinance, and impacts from operational noise would be ***less than significant***.

As noted above, the Proposed Project is anticipated to generate up to 70 new weekday daily trips. Although a minor increase in vehicle noise would occur with the new daily vehicle trips, this increase would not substantially affect the ambient noise environment, given the existing traffic volumes in the area and other noise sources nearby such as the Oakland airport, I-880, and transit lines. The Proposed Project would not have a substantial increase above existing traffic noise levels, and would not generate significant traffic noise. Impacts related to traffic noise would be ***less than significant***.

The Proposed 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-A-weighted-decibel (dBA) contour associated with the airport in 2004. Likewise, contour lines

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<sup>12</sup> Please note that the SCAs listed in this CEQA analysis are not intended to be all-inclusive; the SCAs provided herein are relevant to the environmental issue area in question, and additional SCAs may be prescribed for the Proposed Project as part of the City development review process.

for airport operations in 2010 also indicate that the site would be outside the 65 dBA contour. Therefore, impacts from the airport on future Proposed Project employees would be *less than significant*.

### Conclusion

The Proposed Project would not result in significant effects related to noise and vibration. Therefore, the Proposed 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 Proposed Project and its consistency with the Port's land use policies and building permits would be issued by the City of Oakland. The Proposed Project is also subject to the following SCA as listed in the Port's LUDC, which pertains to an acceptance of aircraft noise and other restrictions on the property due to its proximity to the Oakland International Airport:

- Port SCA #4: The 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.

Under the City's jurisdiction for the building permit review and approval process, the following SCAs are applicable to the Proposed Project as discussed above. Required City of Oakland SCAs are listed by their SCA number as indicated in the December 2020 update. The full text of the following SCAs can be found in **Attachment A** to this CEQA analysis:

- City SCA #62: Construction Days/Hours
- City SCA #63: Construction Noise
- City SCA#64: Extreme Construction Noise
- City SCA#66: Construction Noise Complaints

### Air Quality

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

#### Criteria Pollutants

The Bay Area Air Quality Management District (BAAQMD) 2017 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 Proposed 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 particulate matter less than 10 microns and 2.5 microns in diameter (PM<sub>10</sub> and PM<sub>2.5</sub>, respectively), on a temporary and intermittent basis during the construction period. The Proposed Project would use standard construction equipment such as loaders, backhoes, and haul trucks, similar to other projects under construction in Oakland. Implementation of the following SCAs will be required by the City of Oakland in conjunction with its issuance of building and other applicable permits: City SCA #20: Dust Controls – Construction Related and City SCA #21: Criteria Air Pollutant Controls – Construction Related,

as well as compliance with dust-control requirements found under the City of Oakland Municipal Code (Section 15.36.100; Dust Control Measures).

The proposed warehouse and office uses are below the warehouse and office construction-related screening sizes of 259,000 square feet (sf) and 277,000 sf, respectively, set forth by BAAQMD in its 2017 CEQA Guidelines. The Proposed 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 Proposed Project would not exceed applicable operational screening level sizes for criteria pollutants (864,000 sf for warehouse uses and 346,000 sf for office uses) 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 Proposed Project would generate construction-related toxic air contaminant (TAC) emissions, specifically diesel particulate matter, from on-road haul trucks and off-road equipment exhaust emissions. These emissions could result in increased cancer risk or non-cancer health concerns for nearby sensitive receptors. However, due to the short-term, temporary nature of construction activity and the distance of the project site from sensitive receptors (approximately 0.25 mile), the generation of TAC emissions would not result in the exposure of sensitive receptors to substantial concentrations of TACs. The Proposed Project would use standard construction equipment such as loaders, backhoes, cranes, and haul trucks, similar to other projects under construction in Oakland. There is no evidence that the Proposed 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 SCA will be required by the City of Oakland in conjunction with its issuance of building and other applicable permits: City SCA #22: Diesel Particulate Matter Controls – Construction Related. This SCA will further reduce the potential for air quality impacts due to construction-period TACs. Therefore, impacts from construction-period TAC emissions of the Proposed Project would be ***less than significant***.

It is unknown what types of work environments or businesses may be in the Proposed Project area in the future, but all such uses will be required to adhere to City of Oakland Planning Code Regulations, including 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 Proposed Project.<sup>13</sup> If back-up diesel generators or other stationary sources of air pollution are ultimately proposed, the Proposed Project would be required to adhere to the following SCA by the City of Oakland: City SCA #24: Stationary Sources of Air Pollution (Toxic Air Contaminants). Implementation of this SCA will require a health risk assessment of any stationary sources or appropriate emission control technology to be incorporated into any stationary sources of air pollution proposed by future Proposed Project tenants. The Proposed Project would also result in additional truck traffic in the area, which would contribute TACs to the local environment. The Proposed Project will be required to adhere to the following SCA by the City of Oakland: City SCA #25: Truck-Related Risk Reduction Measures (Toxic Air Contaminants), which will ensure adverse health effects from truck

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<sup>13</sup> A 1,000-foot radius is the recommended evaluation zone by BAAQMD for assessing impacts from new pollutant sources on sensitive receptors.

traffic are avoided. The Proposed Project would not otherwise have the potential to create a health risk to others. Impacts would therefore be *less than significant*.

## Conclusion

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

## Standard Conditions of Approval

The Port would issue a Development Permit based on its evaluation of the Proposed Project and its consistency with the Port's land use policies, and building permits would be issued by the City of Oakland. Under the City's jurisdiction for building permit review and approval process, the following SCAs are applicable to the Proposed Project as discussed above. Required City of Oakland SCAs are listed by their SCA number as indicated in the December 2020 update. The full text of the following SCAs can be found in **Attachment B** to this CEQA analysis:

- City SCA #20: Dust Controls – Construction Related
- City SCA #21: Criteria Air Pollutant Controls – Construction Related
- City SCA #22: Diesel Particulate Matter Controls – Construction Related
- City SCA #24: Stationary Sources of Air Pollution (Toxic Air Contaminants) (if diesel generators or other stationary pollutant sources are ultimately proposed by the Project)
- City SCA #25: Truck-Related Risk Reduction Measures (Toxic Air Contaminants)

## Water Quality

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

Construction of the Proposed 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 SWRCB.

Project site grading would require excavation and off-haul of soil. As indicated in City of Oakland Code of Ordinances Section 15.04.660, projects in the City that propose to excavate more than 500 cubic yards of soil are required to obtain a grading permit. Although estimated quantities of excavated soil are not available at the time of this analysis, it is anticipated that the Proposed Project would excavate more than 500 cubic yards of soil based on the dimensions of the site and area proposed for development. The grading permit would require the Proposed Project to comply with local and state construction requirements, including the California Building Code, for the design and construction of the Proposed 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: City SCA #48: Erosion and Sedimentation Control Measures for Construction, and SCA #49: Erosion and Sedimentation Control Plan for Construction. Implementation of these measures would reduce the Proposed Project's potential to cause erosion and sedimentation from construction activities.



Development of the Proposed Project would replace greater than 5,000 square feet of impervious surface area (98,344 square feet of the existing 102,900 square feet); therefore, the Proposed 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 Proposed Project is also subject to the Port's NPDES MS4 permit and Stormwater Ordinance requirements.

Pursuant to Port of Oakland SCA #10, the Proposed Project will comply with the stormwater treatment requirement through various site design and/or stormwater treatment measures, subject to Port approval, likely to include the use of runoff treatment measures such as swales and filtered landscaped catch basins, or equivalent measures. Landscaped areas intended to treat stormwater runoff are proposed by the Proposed Project in a setback from Hegenberger Road on the eastern boundary of the site. The Proposed 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. Therefore, the potential of the Proposed Project to substantially alter drainage patterns or increase the flow of runoff would not be significant.

Implementation of the following SCA 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: City SCA #50: 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 Proposed Project, and impacts would be ***less than significant***. Therefore, the Proposed 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 Proposed Project and its consistency with the Port's land use policies, and building permits would be issued by the City of Oakland. The Proposed Project is also subject to the following specific SCA as listed in the Port's LUDC:

- Port 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 are applicable to the Proposed Project, as discussed above. Required City of Oakland SCAs are listed by their SCA number as indicated in the December 2020 update. The full text of the following SCAs can be found in **Attachment B** to this CEQA Analysis:

- City SCA #48: Erosion and Sedimentation Control Measures for Construction
- City SCA #49: Erosion and Sedimentation Control Plan for Construction
- City SCA #50: 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 Proposed Project would incrementally increase demand on utilities and service systems, but not to a degree that it would impose a burden on existing 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: City SCA #82: Construction and Demolition Waste Reduction and Recycling, City SCA #85: Green Building Requirements, City SCA #87: Sanitary Sewer System, and City SCA #88: Storm Drain System (if a new storm drain connection to the City's system is required). Implementation of these SCAs will also reduce potential impacts related to utilities.

Development of the Proposed Project would slightly increase the demand for local fire and police service, and may 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 Proposed 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 Proposed 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 Proposed 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 Proposed Project and its consistency with the Port's land use policies, and building permits would be issued by the City of Oakland. Under the City's jurisdiction for building permit review and approval process, the following SCAs are applicable to the Proposed Project as discussed above. Required City of Oakland SCAs are listed by their SCA number as indicated in the December 2020 update. As noted above, City SCA #88 would only be applicable if a new connection to the City's storm drain system is required; otherwise, storm drain design would fall under the Port's jurisdiction per its Stormwater Ordinance. The full text of the following SCAs can be found in **Attachment B** to this CEQA analysis:

- City SCA #82: Construction and Demolition Waste Reduction and Recycling
- City SCA #85: Green Building Requirements
- City SCA #87: Sanitary Sewer System
- City SCA #88: Storm Drain System (if determined applicable)

## 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 Proposed 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. Because the Proposed Project qualifies as a Class 32 urban infill exemption, this criterion is not applicable, and is provided here for informational purposes only. There are no environmental resources of hazardous or critical concern that are designated, precisely mapped, or officially adopted near the Proposed Project site, or that could be adversely affected by the Proposed 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 Proposed 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 Proposed Project overall would be less than significant, and the Proposed Project would not contribute to significant cumulative impacts.

Pursuant to the streamlining provisions of CEQA Guidelines Section 15183, which allows for streamlined review of infill development projects when environmental effects have been addressed in a planning-level decision or by uniformly applicable development policies, the cumulative effect of successive projects of the same type in the same place, would not be significant over time. An exception under CEQA Guidelines Section 15300.2(b) regarding cumulative effects does not apply to the Proposed 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 Proposed 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 Proposed 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 Proposed 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 the California Department of Transportation.<sup>14</sup> The nearest officially designated scenic highway is Interstate 580, approximately 3 miles east of the Proposed Project site. Therefore, the exception under CEQA Guidelines Section 15300.2(d) does not apply to the Proposed 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, the SWRCB, the California Department of Public Health, 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 storage tank sites, and/or hazardous materials releases to the Secretary of California Environmental Protection Agency. The Proposed Project site is not identified on any lists compiled pursuant to Section 65962.5 of the Government Code;<sup>15</sup> therefore, an exception to the exemption under CEQA Guidelines Section 15300.2(e) does not apply to the Proposed 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?

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<sup>14</sup> Department of Transportation, California. 2018. *State Scenic Highway Map*. Accessed December 30, 2022, at: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>

<sup>15</sup> State Water Resources Control Board GeoTracker Database, website accessed December 30, 2022 at <http://geotracker.waterboards.ca.gov/>; Department of Toxic Substances Control EnviroStor Database, website accessed December 30, 2022 at <http://www.envirostor.dtsc.ca.gov/public/>.

## Built Historic Resources

There are no built historic resources on the Proposed Project site, because it is vacant, or in the immediate vicinity, based on a review of the City's Historic Preservation Element. The exception under CEQA Guidelines Section 15300.2(f) does not apply.

## Archaeological Resources

The Proposed Project site is in an urbanized area of the City of Oakland and is surrounded by developed lands. Archaeological and paleontological resources are not anticipated at or near the surface in the Proposed Project 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.<sup>16</sup>

Construction-related subsurface disturbance of the Proposed Project site could damage or destroy previously unidentified prehistoric archaeological or paleontological resources. There is low potential for the presence of archaeological and paleontological resources in the artificial fill, but Proposed 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 SCAs 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: City SCA #32: Archaeological and Paleontological Resources – Discovery During Construction, and City SCA #34: 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 infeasible. With implementation of the applicable SCAs, 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 Proposed Project and its consistency with the Port's land use policies, and building permits would be issued by the City of Oakland. Under the City's jurisdiction for building permit review and approval process, the following SCAs are applicable to the Proposed Project as discussed above. Required City of Oakland SCAs are listed by their SCA number as indicated in the December 2020 update. The full text of the following SCAs can be found in **Attachment B** to this CEQA analysis:

- City SCA #32: Archaeological and Paleontological Resources – Discovery During Construction
- City SCA #34: Human Remains – Discovery During Construction

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<sup>16</sup> City of Oakland. 2014. Coliseum Area Specific Plan EIR. February.

## 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 Proposed Project site or in the vicinity, and the site is not in an Alquist-Priolo fault zone. As is true for the seismically active San Francisco Bay region, however, the Proposed Project site is susceptible to very strong seismic ground shaking. The Association of Bay Area Governments Hazard Viewer Map indicates the site has high potential for liquefaction.<sup>17</sup> In general, the Proposed 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.<sup>18</sup>

Seismic hazards associated with the Proposed 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: City SCA #37: Soils Report, and City SCA #39: Seismic Hazards Zone (Landslide/Liquefaction), to address geologic hazards and ensure that potential impacts associated with liquefaction and ground shaking are *less than significant*.

The Proposed 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 Proposed Project and its consistency with the Port's land use policies, and building permits would be issued by the City of Oakland. Under the City's jurisdiction for building permit review and approval process, the following SCAs are applicable to the Proposed Project as discussed above. Required City of Oakland SCAs are listed by their SCA number as indicated in the December 2020 update. The full text of the following SCAs can be found in **Attachment B** to this CEQA analysis:

- City SCA #37: Soils Report
- City SCA #39: Seismic Hazards Zone (Landslide/Liquefaction)

### Greenhouse Gas Emissions

Construction and operation of the Proposed Project would contribute additional sources of greenhouse gas (GHG) emissions, primarily through consumption of fuel for transportation and energy usage on an ongoing basis. The Proposed Project tenants would include fulfillment, assembly and storage, wholesale trade and distribution, or wholesale retail distribution uses. However, the Proposed Project is not anticipated to include stationary sources of GHGs that would generate emissions approaching the

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<sup>17</sup> Association of Bay Area Governments, Hazard Viewer. Website accessed December 30, 2022, at: <https://abag.ca.gov/our-work/resilience/data-research/hazard-viewer>

<sup>18</sup> City of Oakland. 2015. Coliseum Area Specific Plan EIR.

stationary source threshold of 10,000 metric tons of carbon dioxide equivalent 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 in a community with an adopted qualified GHG Reduction Strategy would have a less-than-significant GHG emissions impact if it is consistent with the GHG Reduction Strategy. The City of Oakland 2030 Equitable Climate Action Plan (ECAP), adopted in July 2020, recommends GHG reduction actions to meet the goal of reducing 2005 GHG emissions 56 percent by 2030 and 83 percent by 2050; and establishes a framework for coordinating implementation, as well as monitoring and reporting on progress. The Proposed Project consists of an infill development that will comply with all relevant City SCAs to minimize environmental impacts, including those that reduce GHG emissions in line with the 2030 ECAP (e.g., green building measures, construction emission controls, improving sidewalks to maintain pedestrian access and encourage walking, and recycling construction waste). By connecting to existing utility services and providing employment opportunities in proximity to existing transit and commercial/retail services, the proposed infill development will further minimize GHG emissions. Additionally, the Proposed Project is consistent with the General Plan land use designation for the site and the Port LUDC, and would not deviate from development projections anticipated in the City's General Plan or its 2030 ECAP. If required by the City, the Proposed Project will submit a ECAP Consistency Checklist to verify consistency with the ECAP and corresponding GHG reduction targets. The checklist will be submitted in accordance with the following City of Oakland SCA to be issued in conjunction with its issuance of building and other applicable permits: City SCA #41: Project Compliance with the Equitable Climate Action Plan Consistency Checklist. By being consistent with the ECAP, the Proposed Project would not exceed City of Oakland GHG significance thresholds. Project impacts would be *less than significant*.

### Standard Conditions of Approval

The Port would issue a Development Permit based on its evaluation of the Proposed Project and its consistency with the Port's land use policies, and building permits would be issued by the City of Oakland. 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 December 2020 update. The full text of the following SCA can be found in **Attachment B** to this CEQA analysis:

- City SCA #41: Project Compliance with the Equitable Climate Action Plan (ECAP) Consistency Checklist

## Acronyms and Terms

AC Transit	Alameda–Contra Costa Transit District
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit
CASP	Coliseum Area Specific Plan
CEQA	California Environmental Quality Act
City	City of Oakland
dBA	A-weighted decibel
ECAP	Equitable Climate Action Plan
EIR	Environmental Impact Report
FAA	Federal Aviation Administration
FAR	floor area ratio
GHG	greenhouse gas
I-880	Interstate 880
LUDC	Land Use Development Code
MS4	municipal separate storm sewer systems
NPDES	National Pollution Discharge Elimination System
PM <sub>2.5</sub>	particulate matter, 2.5 micrometers or less
PM <sub>10</sub>	particulate matter, 10 micrometers or less
Port	Port of Oakland
Project	8520 Pardee Drive Warehouse and Office Project
SCA	Standard Condition of Approval
sf	square feet
SWPPP	stormwater pollution prevention plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminant
VMT	Vehicle Miles Traveled



# Attachment A: Port of Oakland Standard Conditions of Approval

The Port may attach conditions of approval as it deems reasonable or necessary to achieve the purposes of the LUDC, to reduce or to mitigate environmental impacts, to address the project's anticipated burden on the Business Park and the Port, and/or which otherwise promote public health, safety, and welfare. Other specific conditions will be added based on the findings and details of each project. The combined standard and specific conditions will be known as the conditions of approval for the project and must be incorporated into the approved plan set.

The applicant is the primary contact for the project representing the occupant of the property, under the authority of the property owner if different. The applicant is responsible for communicating these conditions along with any other requirements to the property owner, construction contractor, and all parties acting on behalf of the applicant to complete the permitted project, and each will be held responsible for meeting the standard and specific conditions of approval. The follow standard conditions of approval apply to each project.

## Standard Conditions of Approval

1. All conditions of approval shall be printed on the final permit set of plans.
2. The project shall conform to the Port-stamped approved plans, including the conditions of approval, unless otherwise approved by the Port. The applicant is responsible for including all details agreed upon, or conditions made by the Port, during the approval process. Failure to include any such details will not exempt the applicant from including them at a later time. The applicant is responsible for obtaining approval from the Port for any changes prior to construction.
3. The use shall be fully described on the plans and is deemed approved by the Port approval stamp. Any modifications or clarifications will be included in the Specific Conditions. Any changes from the approved plans must be approved in writing by the Port.
4. The applicant shall confirm that an aviation easement in favor of Oakland International Airport in a form approved by the Port of Attorney has been recorded on the subject property. If not, the applicant shall grant and record an aviation easement.
5. The applicant shall make improvements for sidewalk(s) as required. Such improvements shall be included in the approved plans, unless otherwise specified in the Specific Conditions.
6. The applicant shall meet all conditions and requirements of all outside agencies having jurisdiction over the project, including but not limited to: the City of Oakland, Federal Aviation Administration, Regional Water Quality Control Board, Airport Land Use Commission, Alameda County Health Department, and State Lands Commission. The applicant shall report any conflicts with Port requirements to the Port prior to construction. Any such conflicts must be resolved by the applicant to the satisfaction of the Port and the outside agency involved.
7. The applicant shall agree to comply with the Land Use and Development Code for the Oakland Airport Business Park and consents to the enforcement procedures set forth in section 5.8 of this Code.

8. The applicant shall comply with the requirements of all environmental documents prepared under the California Environmental Quality Act applicable to the subject project including mitigation and monitoring requirements approved for the Development Permit.
9. The applicant shall defend, indemnify, and hold harmless the Port and its agents, officers, and employees from any claim, action or proceeding against the Port or its agents, officers, or employees to attack, set aside, void, annul, or invalidate any Port approval concerning the subject project provided that the Port has promptly notified the Applicant of any such claim, action or proceeding and cooperates in the defense. Counsel retained in such defense shall be subject to the mutual approval of the Applicant and the Port. The Applicant shall reimburse the Port for its reasonable attorney and consultant fees incurred in such defense including amounts attributable to the Port Attorney's legal services.
10. The Applicant shall comply with applicable stormwater quality requirements including Low Impact Development site design.

## Attachment B 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 B-1. City of Oakland Standard Conditions of Approval for the Project (December 2020 update)

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/Inspection
<i>Air Quality</i>			
<b>Construction Management Plan (#13)</b> 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, Department of Transportation, 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.	Prior to Approval of Construction-Related Permit	Bureau of Planning, Bureau of Building, et al.	Bureau of Planning, Bureau of Building, et al.
<b>Dust Controls (Construction-Related) (#20)</b> The project applicant shall implement all of the following applicable air pollution control measures during construction of the project: <ol style="list-style-type: none"> <li>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.</li> <li>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).</li> <li>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.</li> <li>Limit vehicle speeds on unpaved roads to 15 miles per hour.</li> <li>All demolition activities (if any) shall be suspended when average wind speeds exceed 20 mph.</li> <li>All trucks and equipment, including tires, shall be washed off prior to leaving the site.</li> <li>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> </ol>	During construction	N/A	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/Inspection
<p><b>Criteria Air Pollutant Controls – Construction-Related (#21)</b></p> <p>a. 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 two minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points.</p> <p>b. 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 two 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 OffRoad Diesel Regulations”).</p> <p>c. 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. Equipment check documentation should be kept at the construction site and be available for review by the City and the Bay Area Air Quality District as needed.</p> <p>d. Portable equipment shall be powered by grid electricity if available. If electricity is not available, propane or natural gas generators shall be used if feasible. Diesel engines shall only be used if grid electricity is not available and propane or natural gas generators cannot meet the electrical demand.</p> <p>e. Low VOC (i.e., ROG) coatings shall be used that comply with BAAQMD Regulation 8, Rule 3: Architectural Coatings.</p> <p>f. All equipment to be used on the construction site shall comply with the requirements of Title 13, Section 2449, of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”) and upon request by the City (and the Air District if specifically requested), the project applicant shall provide written documentation that fleet requirements have been met.</p>	During construction	N/A	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/Inspection
<p><b>Diesel Particulate Matter Controls – Construction-Related (#22)</b></p> <p><i>a. Diesel Particulate Matter 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 <u>one</u> of the following methods:</p> <ul style="list-style-type: none"> <li>i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with current guidance from the California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment to determine the health risk to sensitive receptors exposed to DPM from project construction emissions. The HRA shall be submitted to the City (and the Air District if specifically requested) for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then DPM reduction measures are not required. If the HRA concludes that the health risk exceeds acceptable levels, DPM reduction measures shall be identified to reduce the health risk to acceptable levels as set forth under subsection b below. Identified DPM reduction measures shall be submitted to the City for review and approval prior to the issuance of building permits and the approved DPM reduction measures shall be implemented during construction.</li> <li>– or –</li> <li>ii. All off-road diesel equipment shall be equipped with the most effective Verified Diesel Emission Control Strategies (VDECS) available for the engine type (Tier 4 engines automatically meet this requirement) as certified by CARB. The equipment shall be properly maintained and tuned in accordance with manufacturer specifications. This shall be verified through an equipment inventory submittal and Certification Statement that the Contractor agrees to compliance and acknowledges that a significant violation of this requirement shall constitute a material breach of contract.</li> </ul>	Prior to Approval of Construction-Related Permit	Bureau of Planning	Bureau of Building
<p><i>b. Construction Emissions Minimization Plan (if required by above)</i></p> <p>The project applicant shall prepare a Construction Emissions Minimization Plan (Emissions Plan) for all identified DPM reduction measures (if any). The Emissions Plan shall be submitted to the City (and the Bay Area Air Quality District if specifically requested) for review and approval prior to the issuance of building permits. The Emissions Plan shall include the following:</p> <ul style="list-style-type: none"> <li>i. An equipment inventory summarizing the type of off-road equipment required for each phase of construction, including the equipment manufacturer, equipment identification number, engine model year, engine certification (tier rating), horsepower, and engine serial number. For all VDECS, the equipment inventory shall also include the technology type, serial number, make, model, manufacturer, CARB verification number level, and installation date.</li> <li>ii. A certification statement that the Contractor agrees to comply fully with the Emissions Plan and acknowledges that a significant violation of the Emissions Plan shall constitute a material breach of contract.</li> </ul>	Prior to issuance of a construction-related permit	Bureau of Planning	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/Inspection
<b>Stationary Sources of Air Pollution (Toxic Air Contaminants) (#24)</b> <p>The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to on-site stationary sources of toxic air contaminants. The project applicant shall choose <u>one</u> of the following methods:</p> <p>a. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk associated with proposed stationary sources of pollution in the project. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the 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. The approved risk reduction measures shall be implemented during construction and/or operations as applicable</p> <p>– or –</p> <p>b. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:</p> <p>i. Installation of non-diesel fueled generators, if feasible, or;</p> <p>ii. Installation of diesel generators with an EPA-certified Tier 4 engine or engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy, if feasible.</p>	Prior to approval of a construction-related permit	Bureau of Planning	Bureau of Building
<b>Truck-Related Risk Reduction Measures (Toxic Air Contaminants) (#25)</b> <p>a. Truck Loading Docks</p> <p>The project applicant shall locate proposed truck loading docks as far from nearby sensitive receptors as feasible.</p>	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/Inspection
<p>b. Truck Fleet Emission Standards</p> <p>The project applicant shall comply with all applicable California Air Resources Board (CARB) requirements to control emissions from diesel engines and demonstrate compliance to the satisfaction of the City. Methods to comply include, but are not limited to, new clean diesel trucks, higher-tier diesel engine trucks with added Particulate Matter (PM) filters, hybrid trucks, alternative energy trucks, or other methods that achieve the applicable CARB emission standard. Compliance with this requirement shall be verified through CARB's Verification Procedures for In-Use Strategies to Control Emissions from Diesel Engines.</p>	Prior to building permit final; ongoing	Bureau of Planning	Bureau of Building
<i>Cultural Resources</i>			
<p><b>Archaeological and Paleontological Resources – Discovery During Construction. (#32)</b></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 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.</p>	During construction	N/A	Bureau of Building



Standard Conditions of Approval	When Required	Initial Approval	Monitoring/Inspection
<p>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><b>Human Remains – Discovery During Construction. (#34)</b></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 (if applicable) shall be completed expeditiously and at the expense of the project applicant.</p>	During Construction	N/A	Bureau of Building
<i>Geology and Soils</i>			
<p><b>Soils Report (#37)</b></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

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/Inspection
<b>Seismic Hazards Zone (Landslide/Liquefaction) (#39)</b> 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.	Prior to Approval of Construction-Related Permit	Bureau of Building	Bureau of Building
<b><i>Greenhouse Gas Emissions/Global Climate Change</i></b>			
<b>Project Compliance with the Equitable Climate Action Plan (ECAP) Consistency Checklist (#41)</b> The project applicant shall implement all the measures in the Equitable Climate Action Plan (ECAP) Consistency Checklist that was submitted during the Planning entitlement phase. a. For physical ECAP Consistency Checklist measures to be incorporated into the design of the project, the measures shall be included on the drawings submitted for construction-related permits.	Prior to Approval of Construction-Related Permit	Bureau of Planning	Bureau of Planning
b. For physical ECAP Consistency Checklist measures to be incorporated into the design of the project, the measures shall be implemented during construction	During construction	Bureau of Planning	Bureau of Building
c. For ECAP Consistency Checklist measures that are operational but not otherwise covered by these SCAs, including but not limited to the requirement for transit passes or additional Transportation Demand Management measures, the applicant shall provide notice of these measures to employees and/or residents and post these requirements in a public place such as a lobby or work area accessible to the employees and/or residents.	Ongoing	N/A	Bureau of Planning
<b><i>Hydrology and Water Quality</i></b>			
<b>Erosion and Sedimentation Control Measures for Construction (#48)</b> The project applicant shall implement Best Management Practices (BMPs) to reduce erosion, sedimentation, and water quality impacts during construction to the maximum extent practicable. At a minimum, the project applicant shall provide filter materials deemed acceptable to the City at nearby catch basins to prevent any debris and dirt from flowing into the City's storm drain system and creeks.	During construction	N/A	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/Inspection
<p><b>Erosion and Sedimentation Control Plan for Construction (#49)</b></p> <p><i>a. Erosion and Sedimentation Control Plan Required</i></p> <p>The project applicant shall submit an Erosion and Sedimentation Control Plan to the City for review and approval. The Erosion and Sedimentation Control Plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading and/or construction operations. The Plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the City. The Plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.</p> <p><i>b. Erosion and Sedimentation Control During Construction</i></p> <p>The project applicant shall implement the approved Erosion and Sedimentation Control Plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Bureau of Building.</p>	<p>Prior to Approval of Construction-Related Permit</p> <p>During Construction</p>	<p>Bureau of Building</p> <p>N/A</p>	<p>N/A</p> <p>Bureau of Building</p>
<p><b>State Construction General Permit (#50)</b></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>	<p>Prior to approval of construction-related permit</p>	<p>State Water Resources Control Board; evidence of compliance submitted to Bureau of Building</p>	<p>State Water Resources Control Board</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/Inspection
<i>Noise</i>			
<p><b>Construction Days/Hours (#62)</b></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> <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. Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents'/occupants' preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.</p>	During Construction	N/A	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/Inspection
<b>Construction Noise (#63)</b> 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: <ul style="list-style-type: none"> <li>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.</li> <li>b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.</li> <li>c. Applicant shall use temporary power poles instead of generators where feasible.</li> <li>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.</li> <li>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.</li> </ul>	During Construction	N/A	Bureau of Building
<b>Extreme Construction Noise (#64)</b> <i>a. Construction Noise Management Plan Required</i> Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90 dBA), 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: <ul style="list-style-type: none"> <li>i. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;</li> </ul>	Prior to Approval	Bureau of Building	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/Inspection
<ul style="list-style-type: none"> <li>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;</li> <li>iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;</li> <li>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</li> <li>v. Monitor the effectiveness of noise attenuation measures by taking noise measurements.</li> </ul> <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><b>Construction Noise Complaints (#66)</b></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> <ul style="list-style-type: none"> <li>a. Designation of an on-site construction complaint and enforcement manager for the project;</li> <li>b. A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the project complaint manager and City Code Enforcement unit;</li> <li>c. Protocols for receiving, responding to, and tracking received complaints; and</li> <li>d. Maintenance of a complaint log that records received complaints and how complaints were addressed, which shall be submitted to the City for review upon the City’s request.</li> </ul>	Prior to Approval of Construction-Related Permit	Bureau of Building	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/Inspection
<i>Transportation and Traffic</i>			
<p><b>Construction Activity in the Public Right-of-Way (#75)</b></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 construction-related obstruction in the public right-of-way, including City streets, sidewalks, bicycle facilities, and bus stops.</p> <p><i>b. Traffic Control Plan Required</i></p> <p>In the event of obstructions to vehicle or bicycle travel lanes, bus stops, or sidewalks, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian accommodations (or detours, if accommodations are not feasible), including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The Traffic Control Plan shall be in conformance with the City's Supplemental Design Guidance for Accommodating Pedestrians, Bicyclists, and Bus Facilities in Construction Zones. The project applicant shall implement the approved Plan during construction.</p> <p><i>c. Repair City Streets</i></p> <p>The project applicant shall repair any damage to the public right-of way, including streets and sidewalks, caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.</p>	<p>Prior to Approval of Construction Related Permit</p> <p>Prior to Approval of Construction Related Permit</p> <p>Prior to Building Permit Final</p>	<p>Department of Transportation</p> <p>Department of Transportation</p> <p>N/A</p>	<p>Department of Transportation</p> <p>Department of Transportation</p> <p>Department of Transportation</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/Inspection
<i>Utilities and Service Systems</i>			
<p><b>Construction and Demolition Waste Reduction and Recycling (#82)</b></p> <p>The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at <a href="http://www.greenhalosystems.com">www.greenhalosystems.com</a> or manually at the City's Green Building Resource Center. Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center.</p>	Prior to Approval of Construction-Related Permit	Public Works Department, Environmental Services Division	Public Works Department, Environmental Services Division
<p><b>Green Building Requirements (#85)</b></p> <p><i>a. Compliance with Green Building Requirements During Plan-Check</i></p> <p>The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code).</p> <p>i. The following information shall be submitted to the City for review and approval with the application for a building permit:</p> <ul style="list-style-type: none"> <li>• Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards.</li> <li>• Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit.</li> <li>• Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit.</li> <li>• Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below.</li> <li>• 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.</li> </ul>	Prior to Approval of Construction-Related Permit	Bureau of Building	N/A



Standard Conditions of Approval	When Required	Initial Approval	Monitoring/Inspection
<ul style="list-style-type: none"> <li>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.</li> <li>Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.</li> </ul> <p>ii. The set of plans in subsection (i) shall demonstrate compliance with the following:</p> <ul style="list-style-type: none"> <li>CALGreen mandatory measures.</li> <li>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 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.</li> <li>The required green building point minimums in the appropriate credit categories.</li> </ul> <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"> <li>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.</li> <li>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.</li> <li>Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.</li> </ol> <p><i>c. Compliance with Green Building Requirements After Construction</i></p> <p>Prior to finalizing the Building Permit, the Green Building Certifier shall submit the appropriate documentation to City staff and attain the minimum required point level.</p>	<p></p> <p>During Construction</p> <p>Prior to Final Approval</p>	<p></p> <p>N/A</p> <p>Bureau of Planning</p>	<p></p> <p>Bureau of Building</p> <p>Bureau of Building</p>

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/Inspection
<b>Sanitary Sewer System (#87)</b> 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.	Prior to Approval of Construction-Related Permit	Public Works Department, Department of Engineering and Construction	N/A
<b>Storm Drain System (#88)</b> The project storm drainage system shall be designed in accordance with the City of Oakland's Storm Drainage Design Guidelines. To the maximum extent practicable, peak stormwater runoff from the project site shall be reduced by at least 25 percent compared to the pre-project condition.	Prior to Approval of Construction-Related Permit	Bureau of Building	Bureau of Building

## Attachment C: Transportation Assessment

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## Memorandum

**Date:** March 29, 2023

**To:** Nick Duffort, AECOM

**From:** Migi Lee and Siqing Yi, CHS Consulting Group

**Re:** 8520 Pardee Drive Transportation Memo

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This technical memorandum summarizes the trip generation analysis and transportation impact findings for the proposed project at 8520 Pardee Drive in Oakland (herein referred to as the "Project").

### Project Description

The Project site is located at the northwest corner of the Hegenberger Road and Pardee Drive intersection within the Oakland International Airport Industrial Business Park in the City of Oakland. The site is bounded by Pardee Drive to the south, Hegenberger Road to the east, a motorcycle dealership building and a hotel to the north, and a Comcast office and business center to the west. The Project would construct a 57,000-square-foot, approximately 45-foot-tall, one-story distribution warehouse building. Potential uses of the building would include fulfillment, assembly and storage, wholesale trade and distribution, and wholesale retail distribution, but it would also include approximately 10,000 square feet of office space. The site is currently vacant.

The Project site would provide a total of 57 parking spaces in the parking lot on the east side of the building, including 49 general spaces, two accessible spaces, and six spaces for zero emission vehicles. The Project would also provide three short-term and three long-term bicycle parking spaces. There would be 10 loading docks on the north side of the building. Access to and from the Project site includes two driveways along the north side of Pardee Drive; the one on the east side of the building would be 26 feet wide and provide access to the parking lot and the main entrance of the building, while the one on the west side of the building would be 30 feet wide and offer truck access to the loading docks. **Appendix A** includes the site plan.

## Project Trip Generation

CHS performed a program-based trip generation analysis to estimate the weekday daily and peak hour project travel demand. The Project would generate employee commute trips and truck delivery trips. They are described in detail below.

- **Employee Trips** – The Project would have up to 25 employees in total and generate employee commute trips to and from the Project site. There will be two shifts on a typical weekday. Approximately half of the employees would work for the morning shift from 6 a.m. to 2 p.m., and the other half would work for the afternoon shift from 2 p.m. to 10 p.m. The peak inbound commute trips are anticipated to occur up to one hour before the start of each shift, and outbound commute trips are expected to occur up to one hour after the end of each shift. Therefore, the Project would generate 13 inbound employee trips between 5 a.m. and 6 a.m., and another 13 outbound employee trips between 2 p.m. and 3 p.m. For the afternoon shift, there would be 13 inbound employee trips between 1 p.m. and 2 p.m. and 13 outbound employee trips between 10 p.m. and 11 p.m. As a result, none of the employee commute trips would occur during the typical weekday commute peak periods of 7 to 9 a.m. and 4 to 6 p.m. For a conservative analysis, all employees are assumed to drive alone to the Project site.
- **Delivery Truck Trips** - The Project would have 10 loading docks, and each loading dock would accommodate up to one truck per day. Trucks would arrive at the Project site around 9 a.m. and leave at 2 p.m. As a result, the Project would generate up to 10 inbound truck trips and 10 outbound truck trips a day, and the 10 inbound trips would occur during AM peak hour.

**Table 1** summarizes the project trips generated by employees and trucks. It shows that the Project would generate a total of 70 daily vehicle trips on a typical weekday, 10 vehicle trips during the AM peak hour, and none during the PM peak hour.

**Table 1 – Project Trip Generation**

Trip Type	Daily			AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total	In	Out	Total
Employee	25	25	50	0	0	0	0	0	0
Truck	10	10	20	10	0	10	0	0	0
Total	35	35	70	10	0	10	0	0	0

Source: Port of Oakland and CHS Consulting Group, 2023.

## Project Traffic Impact Analysis

According to the *City of Oakland Transportation Impacts Review Guidelines (TIRG)*, a project would have a significant effect on the environment if it would:<sup>19</sup>

- 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.

### Conflict with a plan, ordinance, or policy addressing the safety or performance of the circulation system (Criterion 1)

The Project is consistent with applicable plans, ordinances, and policies, and would not cause a significant impact by conflicting with adopted plans, ordinances, or policies addressing the safety and performance of the circulation system, including transit, roadways, bicycle lanes, and pedestrian paths.

The City's *General Plan Land Use and Transportation Element* policies state that truck services should be concentrated in areas adjacent to freeways and near the seaport and airport, while ensuring the attractiveness of the environment for visitors, local businesses, and nearby neighborhoods. The Project site is located near the Oakland Airport and the Interstate 880 on- and off-ramps at Hegenberger Road in an industrial area away from residential uses; therefore, truck trips associated with the Project's warehousing use would have minimal adverse effects in residential areas. The Project site's truck loading area would be located behind the warehouse building away from the main access roads and therefore would not reduce the attractiveness of the area for visitors and local businesses.

The City's *Pedestrian Master Plan and Bicycle Master Plan* promote a pedestrian- and bicycle-friendly environment with increased accessibility and mobility through a network of safe and comfortable rights-of-way for everyone to enjoy. The Project would improve the pedestrian condition by providing a continuous sidewalk along the north side of Pardee Drive adjacent to the Project site where the sidewalks currently discontinue. The Project site would not introduce a new curb cut since the two project driveways would replace the two existing curb cuts along Pardee Drive. These project driveways would be clearly visible to westbound traffic, bicycles, or pedestrians and would not pose significant safety conflicts for pedestrians or bicyclists. The Project also encourages the use of non-automobile travel by providing six bicycle parking spaces – three

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<sup>19</sup> *Transportation Impact Review Guidelines for Land Use Projects*, City of Oakland (April 14, 2017).

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for short-term parking and three for long-term parking. The Project would not modify any existing bicycle facilities surrounding the Project site and would not adversely affect the installation of future facilities.

Overall, the Project is consistent with applicable plans, ordinances, and policies addressing the safety and performance of the circulation system. Therefore, the Project impact would be **less than significant**; no mitigation measures are required.

## Vehicle Miles Traveled (VMT) Assessment (Criterion 2)

According to *TIRG*, Section 5.4 VMT Screening Criteria, project VMT impacts would be less than significant if any of the following three screening criteria are met:

- Small Project: If the project generates fewer than 100 vehicle trips per day
- Low-VMT Area: If the project is located in an area with below-threshold VMT (15 percent below the regional average VMT)
- Near Transit Stations: If the project is located in a Transit Priority Area within one-half mile of a major transit corridor or stop and either a) has a floor-area-ratio of more than 0.75, b) provides less parking, or c) is consistent with the applicable Sustainable Communities Strategy.

As summarized in **Table 1** above, the Project would generate up to 70 vehicle trips per day, which is below the 100-trip threshold. Therefore, the Project meets the Small Project screening criterion, and its VMT impact would be considered **less than significant**.

The Project would not meet the Low-VMT Area or Near Transit Stations screening criteria because the Project site is located in TAZ 445, which has an average of 18.39 VMT per employee above the VMT threshold of 13.7 VMT per employee.<sup>20</sup> The nearest major transit facility is the Coliseum Bay Area Rapid Transit Station located approximately two miles south of the Project site.

## Induced Automobile Travel (Criterion 3)

The Project would not increase physical roadway capacity by adding new roadways to the network or modify the roadway network surrounding the Project site. Thus, the Project would not induce additional automobile traffic. Therefore, the Project impact would be **less than significant**; no mitigation measures are required.

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<sup>20</sup> The production, distribution, and repair (PDR) land use uses the same VMT screening and analysis as office land use.

## Conclusions

The Project would construct a 57,000-square-foot distribution warehouse and generate a total of 70 daily vehicle trips including 10 vehicle trips during the AM peak hour. The Project would have ***less-than-significant*** impacts related to Criterion 1 because the Project would generally improve the pedestrian condition and would not conflict with any plan, ordinance, or policy addressing the safety or performance of the circulation system. The Project VMT impacts (Criterion 2) would be ***less than significant*** as the Project would generate less than 100 daily vehicle trips and would qualify as a Small Project. The Project would have ***less-than-significant*** impact related to Criterion 3 because it would not include any features inducing additional automobile traffic.



## Appendix A – Project Site Plan

