

## Attachment C

### KAISER PERMANENTE OAKLAND MEDICAL CENTER CAMPUS MASTER PLAN

#### CONDITIONS OF APPROVAL PERTAINING TO PHASE 2 DESIGN AND CONSTRUCTION APPROVALS

#### **Specific Conditions:**

##### **8. Existing Hospital Tower Demolition**

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

##### **9. Transportation Demand Management (TDM) Program and Shuttle**

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

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

In addition to the CEQA requirements for a TDM program, the TDM program described in MMRP Mitigation Measure B.1.a. is also designed to promote the City's Transit First Policy of the general plan, reduce parking demand and lessen parking impacts on adjacent neighborhoods and to promote good

urban design by reducing the number and size of parking facilities. Therefore MMRP Mitigation Measure B.1.a. also is imposed as a separate non-CEQA condition of approval.

#### **10. Reducing Traffic Conflicts at New Hospital**

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

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

#### **13. Reducing Traffic Conflicts on Richmond Boulevard Neighborhoods**

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

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

#### **16. Residential Parking Permits**

Kaiser shall work with the City of Oakland to implement, expand or further continue a Residential Parking Permit (RPP) or Residential Parking Benefits Assessment District (RPBAD) program in the residential neighborhoods west of Broadway, north of MacArthur Boulevard, east of Piedmont Avenue and south of 42<sup>nd</sup> Street, including the Richmond neighborhood immediately east of the Phase 2 hospital site. At a minimum, the streets to be included in the RPP program are listed in Exhibit 2-C. The RPP

restricts on-street parking by non-residents to less than two hours during the weekdays. If approved by the City, Kaiser shall fund the RPP programs for 50 years. Kaiser funding shall be used for establishment efforts needed to create or expand the RPP/RPBAD area, as well as increased enforcement and maintenance of the program, including the annual permit fee for residents (including those residents who already have their fee paid by Kaiser as mitigation for the Fabiola Building). If approved, the RPP programs should be considered for implementation before the demolition of the M/B Center parking garage or upon completion of the Phase 2 parking garage, depending on the level of success that the TDM program may achieve as well as the level of success that Kaiser may achieve in their efforts to locate additional satellite parking. To the extent possible, the City will explore using surplus/excess revenues from enforcement of the RPP program to reimburse Kaiser for costs of establishing and maintaining the RPP programs.

### **18. Piedmont Avenue/Howe Street Parking Garage**

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

#### **18.4 Central Utility Plant**

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

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

#### **18.5 Ambulance Sirens**

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

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

#### **19. Construction Management**

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

- a) A site security and safety plan to assure that grading and construction activities are adequately secured during off-work hours.
- b) A fire safety management plan for all phases of work, including provisions for access, water, and other protection measures during grading and construction activities.
- c) A construction litter/debris control plan to ensure the site and surrounding area is kept free of litter and debris

## **20. Recycling Space Allocation Requirements**

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

## **21. Lighting Plan**

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

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

## **22. Special Inspector**

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

### **23. Litter Control**

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

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

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

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

### **25. Electrical Facilities**

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

### **26. Bicycle Parking.**

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

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

- a) Landscape and Irrigation Plan, *Pursuant to Design Review:* The applicant shall submit for review and approval by the Planning and Zoning Division, a detailed landscape and irrigation plan prepared by a licensed landscape architect or other qualified person. Such plan shall show all landscaping on the site maintained by an automatic irrigation system or other comparable system.

The landscaping plan shall include a detailed planting schedule showing sizes, quantities, and specific common and botanical names of plant species. Fire and drought-resistant species are encouraged.

- b) Landscaping Maintenance, *Ongoing*: All landscaping areas and related irrigation shown on the approved plans shall be permanently maintained in neat and safe conditions, and all plants shall be maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with all applicable landscaping requirements. All landscaping shall be served by an automatic irrigation system. All paving or other impervious surfaces shall occur only on approved areas.
- c) Installation of Landscaping and Bonding, *Prior to issuance of certificate of occupancy*: The applicant shall install all proposed landscaping indicated on the approved landscape plan prior to the issuance of a certificate of occupancy, unless bonded pursuant to the provisions of Section 17.124.50 of the Oakland Planning Code. The amount of such bond or cash deposit shall equal the greater of \$2500 or the estimated cost of the required landscaping, based on a licensed contractor's bid.
- d) Street Trees, *Prior to issuance of building permit*: The number of street trees, their spacing and location and species types shall be subject to review and approval by the Public Works Agency and Building Services.
- e) Tree Removal Permit, *prior to issuance of the demolition or grading permit*: The project sponsor must obtain a tree removal permit, and/or tree protection permit as needed, from the Public Works Agency, and abide by the conditions of that permit, prior to construction adjacent to, or removal of, any protected trees located on the project site or in the public right-of-way adjacent to the project site.

## **28. Parking and Driveways**

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

sunrise, and that shall be adequately shielded to a point below the bulb and reflector, and that shall prevent unnecessary glare onto adjacent properties.

- e) Designated Carpool Parking, *Ongoing*: The applicant shall designate on-site parking spaces by marking, either with a small sign at the head of the parking stalls or stenciled lettering painted within the parking stalls that reads: "Carpool Parking Only".
- f) Uncovered Rooftop Parking, *Ongoing*: Parking on the top level of the West Broadway parking structure shall be prohibited after 6:00 pm. The applicant shall place signage at conspicuous location within the garage stating this limitation.
- g) Recharge Stations for Electric Vehicles, *Prior to issuance of building permits and ongoing*: The applicant shall submit for review and approval of the Planning and Zoning Division, plans that show parking spaces designed to accommodate and function as recharge stations for electric vehicles. Electrical conduit shall be stubbed in accordingly as part of construction of the project and shall be documented in the final building permit plans approved for the project.

## **29. Public Improvements (Specific)**

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

- a) Install additional standard City of Oakland streetlights.
- b) Remove and replace any existing driveway that will not be used for access to the property with new concrete sidewalk, curb and gutter.
- c) Reconstruct drainage facilities to current City standards.
- d) Provide separation between sanitary sewer and water lines to comply with current City of Oakland and Alameda Health Department standards.
- e) Construct wheelchair ramps that comply with Americans with Disability Act requirements and current City Standards.
- f) Remove and replace deficient concrete sidewalk, curb and gutter within property frontage.
- g) *Prior to commencement of construction activity*: Concrete sidewalks shall be constructed to connect the existing sidewalk to all internal sidewalks and paths. This sidewalk shall be constructed to the specifications of the Building Services Division and the Public Works Agency, and it shall be the applicant's responsibility to secure all necessary City permits, including but not limited to an encroachment permit.

## **30. Underground Utilities and Meter Shielding**

*Prior to issuance of building permits*: The applicant shall submit plans for review and approval of the Planning and Zoning Division, Building Services Division and the Public Works Agency, and other relevant agencies as appropriate, plans that show all new electric and telephone facilities; fire alarm conduits; street light wiring; and other wiring, conduits, and similar facilities placed underground by the

developer from the applicant's structures to the point of service. The plans shall show all electric and telephone facilities installed in accordance with standard specifications of the serving utilities.

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

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

### **31. Payment for Public Improvements**

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

### **32. Traffic Safety Signage**

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

### **33. On-site Clean-up**

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

### **34. Right-of-way Clean-up**

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