

**8. Severability.**

***Ongoing***

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

**9. Subsequent Conditions or Requirements.**

***Ongoing***

This approval shall be subject to the conditions of approval contained in any subsequent Tentative Tract Map, Tentative Parcel Map or mitigation measures contained in the approved environmental document for this project.

**10. Compliance Review and Matrix**

**Within 1 year of implementation of the revised Conditions.**

Planning staff shall submit a compliance status report to the Planning Commission one year after implementation of the revised Conditions with the exact date to be agreed upon between the two parties (School and neighborhood).

***Ongoing.*** On October 1 of each year, the project applicant shall submit to the Planning and Zoning Division and the Building Services Division a Conditions/ Mitigation Measures compliance matrix that lists each condition of approval and mitigation measure, including those addressing the summer program, the City agency or division responsible for review, and how/when the project applicant has met or intends to meet the conditions and mitigations. The applicant will sign the Conditions of Approval attached to the approval letter and submit that with the compliance matrix for review and approval.

**11. Mitigation Monitoring and Reporting Program.**

***Ongoing***

The following mitigation measures shall be incorporated into the project. The measures are taken from the Mitigated Negative Declaration for the Head Royce Master Plan Project (2006). In addition, the applicant has proposed other measures as part of a Transportation Demand Management Plan. For each measure, this Mitigation Monitoring and Reporting Program (MMRP) indicates the entity (generally, an agency or department within the City of Oakland) that is responsible for carrying out the measure (“**Responsible Implementing Entity**”); the actions necessary to ensure compliance with the applicable measure (“**Monitoring Action(s)**”) and the entity responsible for monitoring this compliance (“**Monitoring Responsibility**”); and the time frame during which monitoring must occur (“**Monitoring Timeframe**”).

**TRAFFIC AND CIRCULATION**

**Impact T1:** The increase in enrollment at the completion of the 2006 Master Plan could result in extension of the parking queue (defined as the cars waiting curb-side along Lincoln) during the morning drop-off and the after-school pickup period.

**Mitigation T1:** The project sponsor shall monitor the morning drop-off and afternoon pick-up queue during the school year as well as during any summer program operations. The procedures and monitoring forms are included in the TDM Plan. The project sponsor shall implement the monitoring procedures by either: 1) retaining a qualified independent traffic consultant to

monitor the extent of the queue along Lincoln Avenue or 2) hire a qualified independent traffic consultant, approved by the Bureau of Planning, to train at least two (2) supervising monitors to implement and supervise the monitoring procedures. Any new supervising monitor must be trained directly by the independent traffic consultant. If the school's drop-off or pick-up queue extends for more than 60 seconds in any single monitoring period (excluding delays due to extenuating circumstances such as a traffic accident) past the school's upper driveway and the red "no parking" zone above the driveway along the north side of Lincoln Avenue and extending into the "Keep Clear" zone, the school shall implement as many of the following actions and continue to implement these actions as would be necessary to accomplish the necessary reduction in the length of the queue:

- Implement staggered morning drop-off and afterschool pickup times.
- Stagger the afterschool bus pick-up times so that the buses are loaded and leave prior to the start of pickup.
- Discourage early arrival for pickup within the Transportation Policy Guide and during an annual back to school traffic presentation.
- Increase public and private bus ridership in addition to those already in effect at the time of the queuing violation.
- If the previous measures do not reduce the queue, work with the City to restrict on-street parking during morning drop-off and afternoon pickup on Lincoln Avenue to allow for a longer queue. The School shall retain a qualified traffic consultant to prepare an analysis of the queue extension for review by the City's Transportation Services and Oakland Police Department Traffic Safety Divisions. The School shall pay any required review fee. The City may decline to restrict on-street parking to allow a longer queue, in which case other measures noted above must be pursued.

**Responsible Implementing Entity:** Bureau of Planning and Public Works Agency, Traffic Engineering Division

**Monitoring Action(s):** Monitoring and reporting shall take place for four one-week periods, once at the beginning of each School semester, and once at the beginning of each Summer Program session. After 2017, the number of monitoring sessions and the duration of the monitoring period for each school year shall be determined by the City of Oakland's Transportation Services Division, Oakland Traffic Safety Division and Bureau of Planning based in part of the school's performance in reducing the queue. In accordance with the TDM, either a qualified independent traffic consultant or two (2) trained monitors shall monitor the Lincoln Avenue queues during after-school pick-up (3:00 to 3:45 p.m.) and morning drop-off (7:55 to 8:30 a.m.) by recording observations of the length of the each queue, reporting on the number of vehicles in the queue every 15 minutes, and the maximum number of vehicles in the queue during the daily monitoring period using the form provided as an appendix to the TDM. The monitoring persons shall also note the number of buses in the queue at each monitoring time. The Director of Operations shall prepare a report at the end of every week during each monitoring period based on the information gathered, sign the report, and submit to the Bureau of Planning. In addition to monitoring forms, the School shall also submit video documentation of the queue during the time

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periods referenced above eight (8) days each year (two days during each of the four (4) monitoring weeks) for a total of sixteen (16) video clips.

If the results of any of the monitoring periods show that the queue of vehicles extends for a period of 60 seconds or more during each monitoring period past the school's upper driveway, the School shall consult with Bureau of Planning, Transportation Services Division, and Oakland Police Department Safety Division and determine which of the above actions shall be implemented in what order to reduce the length of the queue.

Monitoring and reporting shall continue for an additional three (3) weeks following implementation of each of the above actions and shall continue as long as the City deems necessary to show that it has been effective in reducing the length of the queue.

**Monitoring and Reporting Responsibility:** Head Royce School  
**Monitoring and Reporting Review:** Bureau of Planning

## **12. School Grades/Enrollment / Verification.**

### ***Ongoing***

- a) Head Royce School is permitted to operate a K-12 Community Education Facility.
- b) The School is permitted to increase its enrollment to 875 students with this approval. Enrollment may increase by up to 15 students each year The City met with the School in 2010 and agreed to stay enforcement proceedings if the School would come into compliance with its conditions of approval and submit a TDM program. The School hired a traffic consultant in 2011 to look at ways it could implement improvements to drop off and pick up operations and develop a TDM program. The maximum school enrollment at Head Royce School is 906 students. No enrollment fluctuation resulting in enrollment above 906 students is allowed.
- c) The school shall submit the enrollment numbers to the Bureau of Planning no later than October 15th each year.
- d) In accordance with state law, the school shall also submit its enrollment figures to the California Department of Education no later than October 15th of each year.

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

### ***Ongoing***

The project applicant may be required to cover the full costs of independent technical review and other types of peer review, monitoring and inspection, including without limitation, inspections of violations of Conditions of Approval. The project applicant shall establish a deposit with the Building Services Division, as directed by the Building Official, Director of City Planning or designee.

## **14. Hours of Operations (Academic, Childcare and After School Program).**

### ***Ongoing***

Head Royce School's hours of operation, which include academic, childcare and afterschool programs, are from 7:00 a.m. to 6:30 p.m. Monday through Friday. Athletic practices, including outdoor practices, may commence at 6:30 a.m. on weekdays. Outdoor athletic practices and games shall end by 7:30 p.m. or sundown, whichever is earlier. Indoor activities involving only School students, faculty, staff and members of the board of trustees such as play rehearsals, standardized testing, band practices, and meetings of student organizations, faculty committees

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