

	Location: West Oakland Specific Plan Area is generally bounded by Interstate-580 (MacArthur Freeway) to the north, Interstate-980 to the east, and the re-located Interstate-880 (Nimitz Freeway) wrapping around the south and west. A small portion of the Plan Area is in the East Bay Bridge Shopping Center and below I-880 near Linden Street.
	Proposal: Conduct a Public Hearing to consider certifying the Final Environmental Impact Report (FEIR) for the West Oakland Specific Plan, and recommending to the City Council adoption of the Final West Oakland Specific Plan and Associated General Plan Amendments, Planning Code Amendments, Zoning Maps, Height Maps, and Design Guidelines (collectively called "Related Actions").
	Applicant: City of Oakland
	Case File Numbers: ER12-0018, GP14-010, RZ14-011, ZS14-012, ZT14-013
	General Plan: Neighborhood Center, Mixed Housing Type, Institutional, Urban Open Space, Urban Residential, Business Mix, Community Commercial, Housing and Business Mix, Regional Commercial, Light Industry 1 (Estuary Plan Area).
	Zoning: RM-1, RM-2, RM-3, RM-4, RM-4/C, RU-1, RU-2, RU-3, RU-5, OS-(LP), OS-(NP), OS-(AMP), OS-(AF), OS-(CP), CC-1, CC-2, CC-3, C-40, HBX-2, CR-1, M-30, IG, CIX-1, S-4, S-7, S-S-15, S-19, S-20, Wood Street.
Environmental Determination:	All comments that were received during the Draft Environmental Impact Report (DEIR) public comment period have been compiled and responded to in the Response to Comments (RTC) Document, along with changes and clarifications to the DEIR. The RTC Document, together with the DEIR, constitutes the Final EIR (FEIR) for the Specific Plan.
Historic Status:	The Plan Area includes cultural/historic resources that may be eligible for, or are on an historical resource list (including the California Register of Historic Resources, the National Register of Historical Resources, and/or the Local Register); and many cultural/historic resources designated locally as Areas of Primary Importance (API); Areas of Secondary Importance (ASI); properties individually rated A, B, C, or D; and Landmark properties.
Service Delivery District:	1, 2
City Council District:	3, and a small portion of 1
Status:	The Final Specific Plan and RTC/FEIR is scheduled to be released on May 29, 2014.
Action to be Taken:	Receive public comments, close the hearing and consider certifying the FEIR, and recommending to the City Council adoption of the Final Specific Plan and Related Actions. Contact project planner Ulla-Britt Jonsson at 510-238-3322 or ujonsson@oaklandnet.com
Further Information:	Project message line: 510-238-3322 Project email address: westoaklandspecificplan@oaklandnet.com Project website: www.oaklandnet.com/r/wosp

SUMMARY

The West Oakland Specific Plan (WOSP) provides the guiding framework for realizing the vision of a healthy, vibrant West Oakland. It reflects the desires and aspirations of a wide range of community members, stakeholders, steering committee participants, City staff, and the Planning Commission and City Council. The objectives of the Specific Plan are to bring to life the community's longstanding vision for a West Oakland that contains viable employment opportunities, provides needed goods and services, supports abundant and affordable housing resources, and facilitates sustainable development. The Specific Plan provides guidelines and development standards that support this vision; and includes an implementation action plan to achieve its key objectives. The Plan provides comprehensive, consistent and multi-faceted strategies for the reuse of vacant and/or underutilized properties in West Oakland. Toward that end, this Specific Plan establishes a land use framework, identifies needed transportation and infrastructure improvements, and recommends strategies needed to implement those improvements.

The WOSP contains over 350 recommendations for guiding future development patterns within the West Oakland district. It identifies actions required to implement the recommendations in the Plan and requires changes to the Oakland General Plan (text and map changes) and Zoning Code to reconcile conflicting land use priorities, the development of new design guidelines specifically tailored to West Oakland development issues, and the implementation of transportation and infrastructure improvements to address current development issues. Although not required by Specific Plan law, the WOSP additionally includes recommendations for encouraging social equity and community health as these concerns are equally important in sustaining a vibrant community. The purpose of this Planning Commission hearing is to receive comments from the Commission and the public, before considering the following actions:

- Adoption of the CEQA findings for the WOSP and FEIR in **Attachment A** of this report, which include certification of the EIR, rejection of alternatives as infeasible, and a Statement of Overriding Considerations;
- Adoption of the Standard Conditions of Approval and Mitigation Monitoring Reporting Program (SCAMMRP) in **Attachment B**;
- Recommend the City Council adopt the WOSP, new Design Guidelines and General Plan and Planning Code Amendments based, in part, upon the WOSP Adoption Findings in **Attachment C**; and
- Authorize staff to make minor ongoing revisions to the adopted West Oakland Specific Plan Design Guidelines and to make non-substantive, technical conforming edits to the Planning Code that may have been overlooked in deleting old sections and cross-referencing new sections to the new West Oakland Specific Plan Zones Regulations (which are essentially correction of typographical and/or clerical errors).

Staff recommends that the City Planning Commission recommend to the City Council the adoption of the West Oakland Specific Plan (WOSP), associated General Plan and Planning Code Amendments, new West Oakland Specific Plan Design Guidelines, and certification of the associated Final Environmental Impact Report.

This staff report includes the draft General Plan and Zoning Amendment Map as **Attachment D**; Planning Code Amendment (Key Concepts) as **Attachment E1**; Specific Amended Text and Zoning as **Attachment E2**; Heights Amendment Map as **Attachment E3**; and Design Guidelines as **Attachment F**. These documents are also available for review on the City's website at: www.oaklandnet.com/r/wosp.

Numerous comments were received on the Public Review Draft Specific Plan during the public comment period. A 'Response to Specific Plan Comments' is included in this staff report as **Attachment G**. Responses to comments on the Draft Environmental Impact Report are included in the FEIR.

The WOSP and associated materials were previously furnished separately to the Planning Commission (e.g., Public Review Draft Specific Plan and Draft Environmental Impact Report (DEIR)) and are available to the public, through the City's website at: www.oaklandnet.com/r/wosp.

The Final Environmental Impact Report (FEIR) may be viewed on the City's "Current Environmental Review Documents" webpage:

<http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157>

Information regarding the Project, including the Draft Plan and other related draft documents, can be viewed online at:

<http://www2.oaklandnet.com/Government/o/PBN/OurOrganization/PlanningZoning/OAK028334>

(under the section called 'Documents and Presentations'). Documents are also available for review at the Oakland Main Public Library's Social Science and Documents section (125 14th Street), the West Oakland Public Library (1801 Adeline Street), and the City of Oakland Planning Department (250 Frank Ogawa Plaza, Suite 3315).

Limited copies of the FEIR, Final West Oakland Specific Plan, Design Guidelines, Planning Code and General Plan Amendments, and Responses to Comments documents are also available, at no charge, at the Oakland Planning Division office, 250 Frank Ogawa Plaza, Suite 3315, Oakland, California 94612.

PLANNING CONTEXT

The West Oakland Specific Plan Area (Planning Area) comprises approximately 1,900 acres, subdivided into 6,340 parcels. It has a current population of approximately 25,000 people, and contains employment opportunities for more than 15,000 current employees. Residential uses occupy approximately 60 percent of the land in West Oakland, generally concentrated in the northern, eastern and southwestern portions of the area. Industrial, commercial and truck-related uses occupy about 23 percent of the land area. Industrial uses are concentrated primarily around Mandela Parkway and West Grand Avenue and in the vicinity of 3rd Street. Commercial activities primarily occur at the northern end of the Planning Area near Emeryville, along San Pablo Avenue, at the eastern end of West Grand Avenue on Market Street, and on 7th Street. Government/institutional and utilities uses occupy the remaining 17 percent of the Planning Area. Lands devoted to government, institutional and utilities uses include properties owned by Caltrans, Union Pacific Railroad, U.S. Postal Service, Bay Area Rapid Transit District (BART), East Bay Municipal Utility District (EBMUD), Oakland Unified School District, Oakland Housing Authority, and City of Oakland (*see Plan Area Map below*).

West Oakland Specific Plan Area Map



The Planning Area has a household median income of 60% of the City-wide median, which in turn is lower than the area median income. Compared to the rest of the City, West Oakland households are overwhelmingly renters - 78% versus 58% city-wide.

West Oakland includes a mix of industrial and commercial activities and jobs. It has a mix throughout the district of older and newer business types including custom manufacturing, construction, transportation, environmental services and recycling, arts and creative businesses, and professional service and related businesses typically in older industrial buildings. The Planning Area also contains many older, established residential neighborhoods - such as Acorn, Oak Center, South Prescott, Prescott, Ralph Bunche, Clawson, Hoover/Foster and McClymonds neighborhoods.

The Planning Area contains a number of challenges to development. As delineated by the West Oakland Commerce Association (WOCA), the nine barriers to West Oakland economic development are:

1. An extremely substandard public infrastructure;
2. Abandoned rail lines in the middle of the streets (with large impassable potholes);
3. Excessive crime of all types, with a need for improved means of response, communication, reporting and prosecution;
4. Excessive amounts of illegal dumping;
5. Massive amounts of graffiti on public and private property;
6. Weeds and debris on public and private property;
7. Homeless encampments;
8. Excessive blight of all types, with a need for improved means of response, communication, reporting and prosecution; and
9. Lack of immediate removal of hazardous material on public streets and sidewalks causing environmental damage.

The objectives and strategies outlined in the West Oakland Specific Plan directly address many of these long-standing barriers to achieving the full revitalization potential of the West Oakland area.

PROJECT DESCRIPTION

The WOSP is intended to serve as the road map for the physical development of the West Oakland district over the next 20-25 years and presents an extraordinary opportunity to guide West Oakland's future development in a direction that improves the quality of life for existing and future residents, and supports existing businesses and industry while encouraging new development, services and land uses that have significant job generation. Created over a 2 ½-year planning process that included more than 90 meetings with various community stakeholders, the WOSP contains recommendations that collectively aid the West Oakland area by:

- | | |
|--|--|
| ❖ <i>Attracting new, desired businesses & industries</i> | ❖ <i>Ensuring equitable economic development</i> |
| ❖ <i>Addressing Crime</i> | ❖ <i>Fostering community health</i> |
| ❖ <i>Combating blight</i> | ❖ <i>Enhancing residential neighborhoods</i> |
| ❖ <i>Improving area infrastructure</i> | ❖ <i>Remediating contaminated sites</i> |

- | | |
|---|---|
| ❖ <i>Fostering the arts</i> | ❖ <i>Supporting affordable housing</i> |
| ❖ <i>Enhancing transit</i> | ❖ <i>Retaining educational resources</i> |
| ❖ <i>Attracting more retail establishments</i> | ❖ <i>Encouraging open space</i> |
| ❖ <i>Preserving historic resources</i> | ❖ <i>Increasing residential development</i> |
| ❖ <i>Retaining Industrial land and jobs</i> | ❖ <i>Augmenting design guidelines</i> |
| ❖ <i>Identifying preferred development concepts</i> | ❖ <i>Establishing appropriate land use policies & regulations</i> |

The West Oakland Specific Plan

- establishes a land use and development framework and serves as a tool for attracting developers to key sites and for encouraging new, targeted economic development,
- identifies transportation and infrastructure improvements, and recommends implementation strategies needed to develop parcels,
- includes strategies for reducing blight, maintaining and supporting existing compatible businesses and industry, while additionally attracting new industry and promoting smart growth that serves a range of incomes,
- encourages mass transit and the creation of living wage jobs in new construction, new retail, and new industry and businesses for West Oakland residents,
- recommends approaches for minimizing displacement of existing residents and for developing training and career pathways to help West Oakland youth move from educational and training programs into paid positions, and
- promotes healthy environmental conditions in West Oakland that foster healthy individuals, families, and institutions.

It maximizes the advantages of West Oakland's combination of a rich cultural legacy in the very heart of an economically productive region and establishes a long-term vision for West Oakland, including the addition of up to 4.7 million square feet of new industrial and commercial space, over 28,000 new jobs throughout the Plan Area, and 5,000 new residential units accommodating 7,500 - 11,000 new residents.

The WOSP facilitates new growth and development that is most likely to occur on many longstanding dormant and /or underutilized properties, development sites available as a result of the relocated I-880 freeway, and additional sites expected to be vacated as their current uses relocate to the former Oakland Army Base. These sites are identified in the Plan as "Opportunity Sites."

The WOSP groups similar "Opportunity Sites" concentrated in a compact location into larger geographic units termed "Opportunity Areas." The Plan recommends a land use vision and strategies for guiding future development of four Opportunity Areas:

- **Opportunity Area 1:** consisting of the Opportunity Sites surrounding the West Grand and Mandela Parkway intersection;
- **Opportunity Area 2:** consisting of the Opportunity Sites along the 7th Street corridor, near the West Oakland BART Station, Oakland Main Post Office, and along Pine Street near the I-880 Frontage Road;
- **Opportunity Area 3:** consisting of the Opportunity Sites along the 3rd Street corridor, near the Port of Oakland; and
- **Opportunity Area 4:** consisting of the Opportunity Sites along the San Pablo Avenue corridor, between West Grand Avenue and the I-580 Freeway.

Opportunity Sites & Opportunity Areas

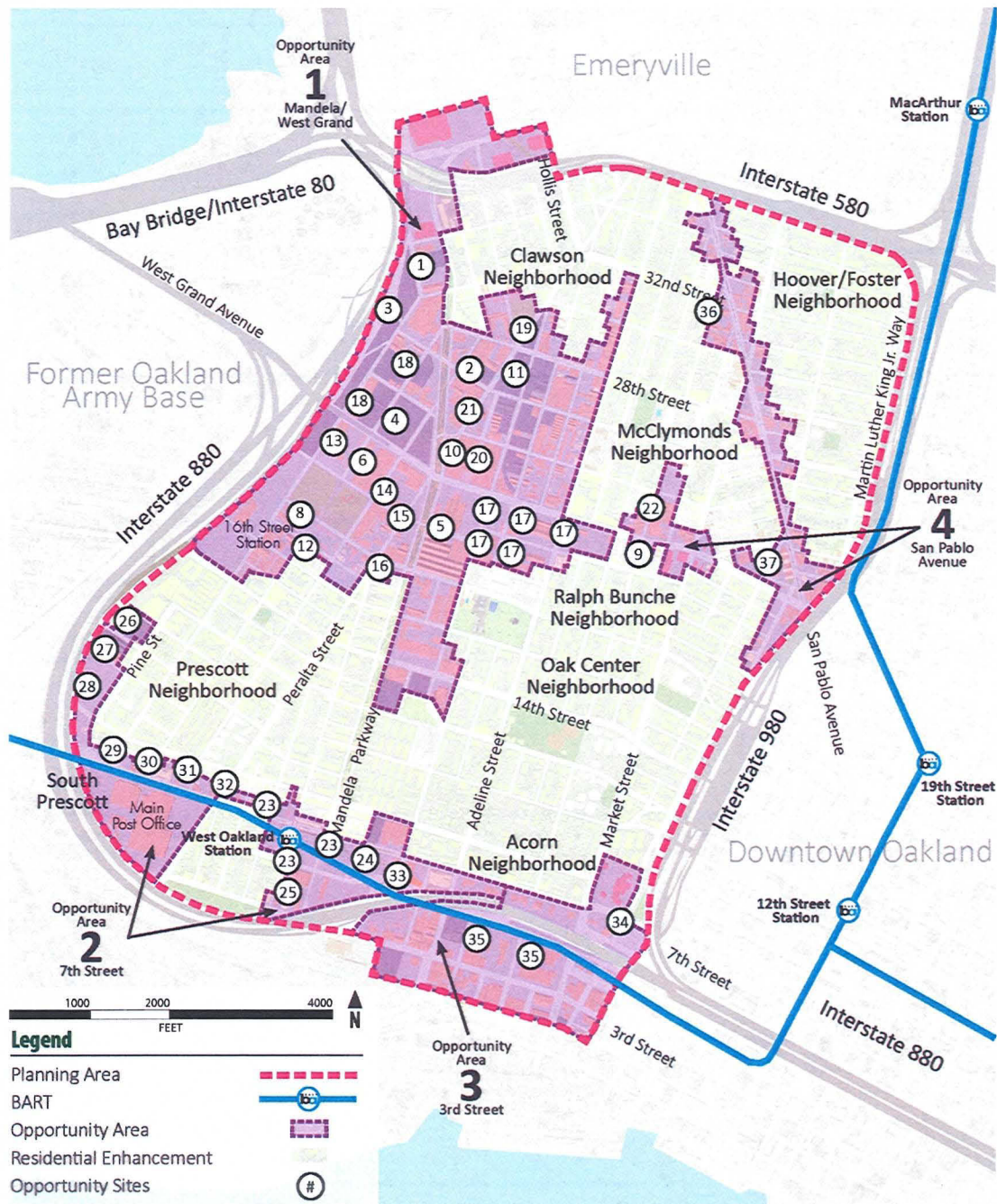


Table 1.1-1 West Oakland Opportunity Sites

Site #	Assessor's Parcel Number(s)	Address/Location/Descriptor	Area (acres)
Mandela/West Grand Opportunity Area			
1	7-059-900	1650 32nd Street	1.22
2	7-586-2	2601 Peralta Street	1.70
3		Upper Wood Street	5.37
4	7-576-1-11 and -15	2240 Wood Street (West Grand / Campbell)	3.54
5	5-402-4-2, -5-2 and -6; 5-419-1-4; 420-1-3 and -5	Pacific Pipe / American Steel	12.63
6	7-571-3-1	1699 West Grand Avenue	4.75
8	7-562-1; 7-563-1	Roadway Express	4.32
10	5-422-2-3	2300 Peralta Street (Mandela / Peralta / West Grand)	3.18
11	5-449-1-1	2701 Poplar (Custom Alloy Scrap Sales – CASS)	2.84
12	7-559-1-2; 7-559-4	Half block at Willow / Campbell / 17th Street	0.98
13	7-572-1-1; 7-572-1-2, 7-572-2-1, -2, -4 and -5	1700 Willow (Wood / Willow / W. Grand / 20th Street)	4.77
14	7-570-2	2001 Peralta (portion of block at Campbell / 20th / Peralta)	0.87
15	5-421-2-2; 5-421-3	Triangle – (Mandela / Peralta / 20 th Street)	0.81
16	5-399-1-3	North portion of block (Mandela / Peralta / 20th Street)	0.88
17	7-572-2-4	Poplar to Linden, West Grand to 20th Street	13.02
18A	7-576-1-12 and -14;	West Grand to 32nd, Campbell to Wood	17.79
18B	7-575-1, -2-3, -2-5, -4, -3-3;		
18C	7-579-4, -1-7, -1-8, -1-10, -2-2;		
18D	7-580-3-1, -5, -2-2, -1-1		
19	5-460-1, -2 and -6-2	Triangle (Peralta / Poplar / 28th Street)	0.76
20	5-423-1-1	Kirkham to Poplar, West Grand to 24th Street	3.48
21	5-441-1 and -2	Triangle (Peralta / Kirkham / 24th Street)	1.40
7th Street Opportunity Area			
23	4-49-1, -2-1, -2, -3 and -4; 4-51-18-2; 4-69-1, -2-1, -2-2, -3 and -4; 4-73-1, -2, -3, -4, -5, -6 and -7; 4-77-3	Caltrans/BART properties	9.44
24	18-390-10-7	Alliance Site	3.95
25	4-73-10-2; 4-73-9	EPA Site	0.92
26	6-29-3-2; 6-29-4-3	10 th to 11 th , Pine to Frontage	2.94
27	6-49-25 and -26	9 th to 10 th , Pine to Frontage	1.62
28	6-47-1	Phoenix Iron Works	5.49
29	6-19-8; 6-19-28-2	7th and Wood	0.42
30	6-19-22	7th and Willow	0.25
31	6-17-17, -18, -19, -20, -21 and -22	7th and Campbell	0.73
32	4-97-13, -14 and -15	7th and Peralta	0.17
33		South half block between Union and Magnolia	0.69
3rd Street Opportunity Area			
34	1-221-14-1	Brush and Castro	1.36
35	4-3-2	425 Market	2.67
San Pablo Avenue Opportunity Area			
36	5-467-1, -2-1 and -2-3	North portion of block, Filbert / 30th / San Pablo	0.91
37	3-21-10; 3-25-3; 3-25-5-1	San Pablo / W. Grand / 23rd / West	
9	5-411-1-4; 5-411-2-5	West Grand Avenue / Market Street	1.89
22	5-490-13-4; 5-430-17-2	West Grand / Filbert / Myrtle / 24 th Street	2.92

To support the need for employment opportunities, the Plan recommends the Mandela Parkway and West Grand Avenue area (Opportunity Area 1) be promoted as the major business and employment center for West Oakland. Land use recommendations here encourage a mix of business activities and development that will generate a range of jobs at varying skill and educational levels.

To capitalize on the area's proximity and access to the West Oakland BART station, the Plan recommends that the 7th Street area (Opportunity Area 2) support development of a Transit-Oriented Development (TOD) project on the surface parking lots surrounding the BART Station, and integrates the cultural history of West Oakland's storied 7th Street corridor.

To enhance the current industrial and commercial areas adjacent to the Port of Oakland, the Specific Plan recommends that the 3rd Street area (Opportunity Area 3) promote uses that continue to support business activities and jobs, capitalizing on its proximity to the Port of Oakland, the adjacent regional freeway network, as well as Downtown Oakland and Jack London Square.

To acknowledge the potential development opportunity for one of West Oakland's major commercial corridors, the West Oakland Specific Plan recommends that the San Pablo Avenue area (Opportunity Area 4) be developed with additional residential and commercial mixed-used development.

Additionally:

- Existing open space resources are encouraged to be enhanced.
- Existing residential neighborhoods are expected to retain their current character.
- For the most part, existing commercial/industrial uses are expected to remain (some are expected to relocate to the former Oakland Army Base).
- Future manufacturing activities are to operate under provisions that minimize conflict with nearby sensitive uses.
- Major development actions already in process, such as redevelopment of the former Oakland Army Base for civilian use and restoration of the historic 16th Street Train Station, are also supported by WOSP recommendations designed to work in conjunction with these ongoing efforts.

Plan's Vision and Goals

The WOSP includes policies and actions for reducing blight, attracting new industry, maintaining and supporting existing compatible businesses and industry, promoting smart growth and Transit-Oriented Development (TOD) that serves a range of incomes, encouraging mass transit and creating living wage jobs for West Oakland residents. Its vision and goals provide an important framework for its policies and actions, and are summarized in the form of future intent statements below:

- Industrial areas have been preserved and contribute to economic vitality, supporting clean, low-impact industries that provide living wage jobs for local residents;
- Housing continues to be affordable and the character of historic neighborhoods has been maintained. Successful new mixed income neighborhoods provide a range of housing options, and new housing development is transit-oriented and transit served;
- Transit connections between the West Oakland BART station, residential neighborhoods and existing and new employment, cultural and commercial centers are improved, and street and transit better connect West Oakland to surrounding areas;

- Neighborhood commercial areas (particularly 7th Street and San Pablo Avenue) have been revitalized with vibrant small businesses that provide the daily goods and services needed by local residents;
- Environmental quality and community health have been improved, and contaminated sites have been remediated. New development and new land uses are designed to encourage physical activity and healthy lifestyles for residents;
- West Oakland continues to be a socially and culturally diverse area with a strong sense of community, and West Oakland's thriving artist community has been preserved; and
- Safety has been improved through a reduction in crime and the provision of safe and attractive new private and public spaces.

A key element of the WOSP is the identification of important community assets, an acknowledgement of their critical importance, and inclusion of strategies to ensure their retention. The existing assets for which this Plan sets forth objectives and strategies to ensure retention and preservation include:

- **Jobs & Industrial Lands:** Recognizing West Oakland's industrial lands as a vital, fundamental basis for future economic growth and retaining the area's current solid and diversified jobs base, which provide wages that support and sustain middle-class incomes;
- **Residential Neighborhoods:** Preserving West Oakland's residential neighborhoods, which need only enhancement of their existing strengths;
- **Historic Resource Preservation:** Preserving Oakland's oldest and most historic neighborhoods and industrial areas, ensuring their legacy of cultural, educational, aesthetic and inspirational benefits for future generations;
- **Arts & Culture:** Fostering West Oakland's fully-emerged arts and culture movement; and
- **Plan Area Schools:** Acknowledging the importance of retaining educational resources for Plan Area residents.

Public Participation and Planning Process

An intensive community-based planning process has been a crucial component in WOSP's development; preparation of the Plan benefited from the guidance of a 14-member Steering Committee comprised of volunteers representing West Oakland community organizations, residential neighborhoods and businesses. The WOSP Steering Committee's role has been to:

- Provide guidance to the Specific Plan regarding key community issues and concerns relating to the Opportunity Sites;
- Suggest recommendations and approaches that should be considered for the Plan;
- Identify community concerns regarding the analyses leading up to this Plan and its recommendations;
- Receive information for review and discussion prior to dissemination to the larger West Oakland community;
- Serve as a "sounding board" for Specific Plan recommendations;
- Recommend approaches and locations for communicating information to the larger West Oakland community, and approaches for receiving feedback from the community at large throughout the process; and
- Provide feedback on the preliminary versions of the Specific Plan.

The Steering Committee provided guidance regarding key community issues and concerns, and made recommendations on strategies and actions that should be considered in the Plan.

The ideas and strategies contained in the Specific Plan were also vetted through a 23-member Technical Advisory Committee (TAC) made up of public agency representatives and advocacy groups. Membership in the TAC included representatives from the following organizations and agencies:

- Bay Area Rapid Transit (BART);
- AC Transit;
- Alameda County Public Health;
- San Pablo Avenue neighborhood;
- Bay Area Air Quality Management District;
- Oakland Housing Authority;
- Amicus Environmental;
- Port of Oakland;
- City of Oakland Planning Division (Department of Planning & Building);
- Oakland Heritage Alliance;
- City of Oakland Army Base Project Team;
- City of Oakland Transportation Services Division;
- City of Oakland Economic Development Department;
- City of Oakland Housing & Community Development Department;
- City of Oakland Environmental Services Department;
- City of Oakland Office of Parks & Recreation;
- U.S. Environmental Protection Agency;
- Oakland Unified School District;
- Office of former City Council Member Nancy Nadel, and current City Council member Lynette Gibson McElhaney.

As a complement to the Steering Committee, the TAC provided guidance, review and input vis-à-vis institutional and/or regulatory development issues that warranted special attention during the Specific Plan process. In total, twelve (12) Steering Committee meetings, seven (7) TAC meetings and ten (10) joint Steering Committee and TAC meetings have been held to date in shaping the Plan. To ensure continued community involvement in shaping the results of the Specific Plan should it be adopted by the City Council, the WOSP includes a recommendation for a citizen and stakeholder process to help select and guide the priority and timing of this Plan's implementation strategies, providing advice and recommendations through City staff to the City Council.

Additionally, the community participation process included a very robust public outreach effort highlighted by six Community Workshops / Community Meetings where the Steering and Technical Advisory Committees' ideas were shared with the general public, additional public input and suggestions were solicited, and community consensus achieved through a facilitated public process. Approximately 100-200 West Oakland stakeholders attended each workshop.

Previous Review by Advisory Boards and the Planning Commission

Since the project's July 2011 initiation date periodic status reports were provided to the Oakland City Planning Commission on October 5, 2011, and May 16, 2012, and to the Landmarks Preservation

Advisory Board (LPAB) on September 19, 2011 and April 9, 2012. Both the Landmarks Preservation Advisory Board and Planning Commission reviewed the project again during the Draft EIR Notice of Preparation Scoping Sessions, held November 5, 2012 and November 14, 2014, respectively. Periodic presentations were also made to the former West Oakland Project Area Committee, West Oakland Community Advisory Group, Neighborhood Crime Prevention Councils, Oakland Metropolitan Chamber of Commerce Committees, and various neighborhood associations and community groups to offer these bodies opportunities to shape the Specific Plan.

Formal review of the Public Review Draft Specific Plan and Draft Environmental Impact Report (DEIR) occurred during the 45-day public comment period which began on January 29, 2014 and concluded on March 17, 2014. During this period, the Plan and DEIR was considered by the Landmarks Preservation Advisory Board on February 10, 2014, City Planning Commission on February 24, 2014, and the City Parks and Recreation Advisory Commission on March 12, 2014.

Addressing Comments Received during the Previous Public Review Period

Staff received numerous comments on the WOSP, its associated General Plan and Zoning Amendments and Design Guidelines, and on the DEIR during the public review period. Many of the comments have resulted in minor revisions to the DEIR and reorganization of the Plan itself to help readers better locate information, and refinements the Plan's major concepts (such as shifting from the original land use Overlays format for proposed new zones to a new CIX base zones format); however no departure from the original themes presented in the Public Review Draft Plan has occurred. A summary of the comments on the DEIR is contained in the Final EIR/Response to Comments document; a summary of the Specific Plan-related comments and staff's responses is presented in **Attachment G** with staff's responses to a few of the more recurring, universal themes reflected in the comments discussed in greater detail under the section titled '**KEY ISSUES / COMMENTS ON THE SPECIFIC PLAN AND REVISIONS TO THE PLAN**' later in this staff report.

General Plan Conformity Analysis

Consistency of Project with General Plan Policies

The Specific Plan establishes a link between policies of the City's General Plan and implementation action for individual development proposals, focusing on the physical development of West Oakland's various subareas. The Specific Plan also includes objectives and strategies that support and facilitate desired development as indicated in the General Plan, and as such:

- promoting high density development near the West Oakland BART station;
- identifying a development vision for other major locations throughout the Specific Plan area;
- encouraging residential and neighborhood-serving commercial establishments on major corridors such as San Pablo Avenue;
- redirecting more intensive commercial activities to locations closer to the Port of Oakland and away from residential areas;
- protecting and enhancing West Oakland's residential neighborhoods; and
- encouraging an enhanced multimodal transportation system to better link residents and businesses.

It accomplishes these objectives and strategies through a variety of actions, including creation of distinct land use strategies to guide future development of key parcels throughout the Specific Plan area and through a limited number of recommended General Plan and Zoning amendments.

Land Use and Transportation Element (LUTE)

The Land Use and Transportation Element (LUTE) is the “heart” of the City of Oakland General Plan. The LUTE presents a Strategy Diagram that shows areas of expected growth and change, a Transportation Diagram that lays out the basic transportation network, planned Transportation Improvements to support the growth and change recommended in the Strategy Diagram, and a Land Use Diagram and land use designations that guide the location, types and character of the various land uses throughout the city. For West Oakland, the LUTE encourages maintaining and enhancing established neighborhood areas, business expansion to take advantage of the I-880 alignment, resolving land use conflicts between business and residents, access to the waterfront, better transportation linkages, and overall improvements to the appearance of the community. The LUTE seeks to resolve land use conflicts through the use of “good neighbor” policies, encourage commercial activity and urban density housing along West Grand Avenue, retain general industrial areas toward the core of the Mandela/West Grand industrial area away from residential areas, develop a transit village at the West Oakland BART Station, and revitalize 7th Street and Jack London Gateway Shopping Center. The LUTE includes direction to support the character of established neighborhoods and guide development of housing with ground floor commercial along major corridors such as San Pablo Avenue, 7th Street, and West Grand Avenue.

The Specific Plan supports and helps to implement these strategies in West Oakland, focusing on both public and private investment opportunities. Many of the LUTE’s “target areas” for growth and change are encompassed within the Specific Plan’s Opportunity Areas and include many of its Opportunity Sites, including the West Oakland BART station, 7th Street, Wood Street, Pine Street, San Pablo Avenue, and West Grand Avenue. This Specific Plan supports specific LUTE recommendations for West Oakland, including:

- maintaining and enhancing established neighborhood areas;
- retaining industrial uses toward the core of the Mandela/West Grand industrial area and away from residential areas;
- locating new trucking services away from residential neighborhoods;
- encouraging business expansion;
- reducing land use incompatibilities between industrial and residential uses;
- improving transportation linkages;
- enhancing the overall appearance of the community;
- developing housing with ground floor commercial along San Pablo Avenue, 7th Street, and West Grand Avenue; and
- promoting a transit village at the West Oakland BART Station; and revitalizing 7th Street.

Housing Element

The 2007-2014 Housing Element of the City of Oakland General Plan was adopted by the City Council on December 21, 2010. California law requires that each city and county periodically adopt a housing element that includes an assessment of housing needs; a statement of the community’s goals, objectives and policies related to housing; a five-year schedule of actions to implement the goals and objectives; and City-identified opportunity sites for new housing.

The Housing Element opportunity sites include a number of the West Oakland Opportunity Sites identified in the Specific Plan, specifically within the 7th Street Opportunity Area and San Pablo Avenue Opportunity Area, which are identified in this Specific Plan for residential or mixed-use.

How the WOSP Implements the General Plan

The WOSP implements the Oakland General Plan by refining General Plan policies through selected General Plan Amendments tailored to West Oakland development concerns. It further implements the General Plan by creating six (6) new zoning designations and instituting various zoning text amendments for the West Oakland area that collectively refine the City's preferred development pattern for the West Oakland area, generally by:

- creating a more clearly defined boundary between industrial and residential land uses at the edge of existing residential and industrial areas;
- directing locations of new industrial and commercial development to provide flexibility and adaptability over time and minimize inconsistent development patterns and address longstanding land use conflicts and, relatedly, by directing more intensive development to strategically located parcels;
- supporting long-desired transit-oriented development (TOD) at the West Oakland BART Station, in particular among other features, providing for transition in TOD building heights for developments immediately adjacent to surrounding residential communities;
- emphasizing and facilitate revitalization of the Plan Area's major commercial corridors;
- conforming selected areas within the Plan Area to existing land use planning policies and regulations, in particular clarifying the boundaries between Business Mix and Housing & Business Mix land use designations;
- increasing opportunities for mixture of businesses by applying Business Mix land use designations and Commercial Industrial Zoning (CIX) to appropriate locations;
- protect existing residential areas from incompatible land uses;
- applying Open Space General Plan land use and zoning designations to selected City-owned parks and medians where necessary to ensure these areas remain open space resources;
- creating new Design Guidelines to address specific West Oakland development and aesthetic characteristics; and
- promoting development of economically viable market sectors that the City has desired to attract.

The specific draft General Plan and Zoning Amendment Map is included as **Attachment D**; Planning Code Amendments (Key Concepts) as **Attachment E1**; Specific Amended Text and Zoning as **Attachment E2**; Heights Amendment Map as **Attachment E3**; and Design Guidelines as **Attachment F**.

KEY ISSUES / COMMENTS ON THE SPECIFIC PLAN AND REVISIONS TO THE PLAN

Staff received 24 comment letters and heard oral testimonials from over 50 speakers during the public review period. As indicated in **Attachment G** the comments reflected a wide variety of topics. The more prevalent / recurring topics related to:

- (1) the length and organization of the Plan;
- (2) the proposed land use Overlays, proposed rezoning of certain sites, and other related zoning issues;

- (3) the opinion that the Plan did not adequately address West Oakland social concerns such as displacement, gentrification, access to future jobs and community benefits;
- (4) proposed lane reductions (road diets), roundabouts and other traffic-related recommendations;
- (5) the opinion that the Plan was not providing benefits to existing residents;
- (6) the Specific Plan's lack of recommendations specifically geared towards West Oakland's African American population and other specific populations; and
- (7) the need for additional information in selected chapters.

These topics and the manner by which they were addressed are highlighted below. (*Refer also to Attachment G for a detailed description of the responses to Specific Plan comments.*)

(1) Plan Length and Organization

The WOSP addresses all of the topics required by California State Law governing Specific Plans:

- Text and diagrams showing the distribution, location and extent of all land uses;
- Proposed distribution, location, extent and intensity of major components of public and private transportation and other essential public facilities needed to support the land uses;
- Standards and guidelines for development, and standards for the conservation, development and utilization of natural resources, where applicable;
- Program of implementation measures including regulations, programs, public works projects and financing measures; and
- Statement of the Specific Plan's relationship to the General Plan.

It also includes substantial sections on topics not required by law but of particular interest to West Oakland stakeholders (Equitable Economic Development, Community Health). WOSP contents speak to combatting blight, addressing crime, securing infrastructure, addressing brownfields, preserving historic resources, fostering the arts and art-related industries, retaining educational resources, targeting key business/market sectors, increasing retail opportunities and residential facilities, identifying and facilitating street and transit enhancements, increasing affordable housing and encouraging open space resources. Commenters indicated that while these topics merited attention, the resulting Draft Specific Plan document itself was too lengthy, that it was difficult to find particular material, and that by including this variety of topics the Draft Plan might have veered away from its mandated, prescribed purpose of being a planning document designed to regulate physical development and implement the issues under General Plan purview since many of the topics covered are not controlled by a General Plan. Staff has responded to these concerns as follows:

- (a) The Final Specific Plan has been reorganized to now follow the more traditional format of other Specific Plans, making information easier to locate. The organizational format of the Draft Specific Plan and Final Specific Plan is presented below for comparison:

Public Review Draft Specific Plan Organization		Final Specific Plan Organization	
1.0	Executive Summary	1.0	Introduction
2.0	Introduction	2.0	Vision & Goals
3.0	Vision Statement	3.0	Market Analysis
4.0	Removing Barriers to Economic & Community Development	4.0	Land Use
5.0	Retaining Existing Assets	5.0	Circulation
6.0	Identifying the Opportunities	6.0	Public Infrastructure
7.0	Building to the Plan's Potential	7.0	Obstacles to Community & Economic Development
8.0	Supporting the Plan	8.0	Cultural Assets
9.0	Tending to a Broader Vision	9.0	Open Space
10.0	Implementation Program	10.0	Social Equity
		11.0	Implementation Program

- (b) The *Executive Summary* has been eliminated to avoid redundancy of information.
- (c) The level of detail previously included in many of the prior Public Review Draft chapters (i.e., the '*Residential Development Potential*,' '*Crime*,' and '*Brownfields*' chapters) has been reduced to shorten the overall Plan document.
- (d) The land use discussion - one of the major elements of a Specific Plan - previously located in the second half of the document has been relocated closer to the front of the document.
- (e) The text of other required Specific Plan topics (infrastructure, circulation, open space) has been edited so that information is presented in a more streamlined, 'tighter' format.
- (f) '*Community Health*' and other supplementary sections have been relocated to the Appendices.
- (g) Superfluous graphics have been eliminated.

Although there are now eleven chapters instead of the prior ten of the Public Review Draft Specific Plan, the overall Final Specific Plan document is less pages in length. It is intended that these changes now result in a Plan document that is easier for readers to follow and locate information.

(2) Proposed Land Use Overlays / Proposed Rezoning of Certain Sites & Other Zoning Concerns

In the period since the Commission's February 24, 2014 consideration of the Plan staff conducted three subsequent Joint WOSP Steering Committee/TAC meetings with other Community stakeholders regarding the zoning recommendations on March 25, 2014, May 13, 2014 and May 20, 2014. The Public Review Draft Plan included recommendations for creating various land use Overlays that would be mapped over the existing Commercial Industrial Mix-1 (CIX-1) Zone in order to direct preferred future land uses and enhance operation of existing commercial and industrial businesses. Commenters expressed concerns over potential conflicts that could result between the provisions of the new Overlays and those of the underlying CIX base zone.

Staff has responded to these concerns as follows:

- (a) The former five proposed Overlays (Large Format Retail, High Intensity Business, Low Intensity Business, Business Enhancement, and High Density Mixed-Use Transit Oriented Development) have been replaced with the following recommended four new CIX Zoning designations:
 - a) CIX-1A (Business Enhancement) Zone, intended to create, preserve and enhance industrial areas in West Oakland that are appropriate for incubator space for specific industry groups, adaptable space for artisans and craftspeople, and flexible small space for start-up businesses.
 - b) CIX-1B (Low Intensity Business) Zone, intended to support industrial areas in West Oakland that are appropriate for a broad range of new custom and light manufacturing, light industrial, warehouse, research and development, and service commercial uses.
 - c) CIX-1C (High Intensity Business) Zone, intended to support industrial areas in West Oakland that are appropriate for a broad range of higher intensity commercial, retail, office and advanced manufacturing –type uses. This zone will be applied to areas with strong locational advantages that make possible the attraction of high intensity commercial and light industrial land uses and development types.
 - d) CIX-1D (Retail Commercial Mix) Zone, intended to create, preserve, and enhance industrial areas in West Oakland that are appropriate for a broad range of large-scale retail and commercial uses. This district will be applied to certain areas with a prominent street location.

In order to improve air quality and decrease truck traffic in the neighborhoods, the draft zoning provisions would restrict the allowed location of certain heavy impact land uses such as freight/truck terminals, truck yards, and primary waste collection centers, to designated areas outside of the West Oakland “freeway ring” (defined as I-980 to the east, I-880 to the south and west, and I-580 to the north). These new restrictions would be implemented through the creation and mapping of a new “T” (for ‘Trucks’) Combining Zone Overlay to indicate areas where such heavy impact land uses would not be problematic:

- The proposed “T” Combining Zone Overlay can be combined with any of the new CIX-1A, CIX-1B, CIX-1C, or CIX-1D base zones in order to designate the allowed areas for heavy impact land uses (e.g., ‘CIX-1C/T). The “T” Overlay will primarily be applied within the 3rd Street Opportunity Area below the I-880 freeway.
- (b) The prior proposed High Density Mixed Use Transit-Oriented Development (TOD) Overlay has been replaced by the new recommended S-15W Zoning designation intended to maximize the locational asset of the West Oakland BART Station by promoting commercial and high-density housing near this major transit resource, while additionally mandating reductions in TOD building heights near the adjacent South Prescott neighborhood among other features, to better direct development of the prospective BART TOD project in accordance with WOSP objectives.
- (c) Several parcels were previously recommended to change from CIX Zoning to Housing and Business Mix (HBX) in order to better reflect existing land use patterns and establish more

clearly defined buffers in West Oakland between existing residential neighborhoods and less compatible commercial and industrial areas. However, some commenters expressed concern regarding the proposed rezoning of the Coca Cola/Mayway site on 12th Street. This site has been eliminated from rezoning consideration.

- (d) Many of the new HBX-zoned sites would be designated with a new type of HBX zone: Housing and Business Mix Zone-4 (HBX-4), intended to provide standards that allow live/work, work/live, and housing to compatibly co-exist in areas with a strong presence of industrial and heavy commercial activities. 'Live/work' and 'Work/Live' developments would be outright permitted, but 'Residential' developments would only be conditionally permitted.

(3) Displacement, Gentrification, Access to Anticipated Future Jobs, and Community Benefits

Staff has received numerous comments relating to the effect of the Plan on causing future gentrification of the West Oakland district and displacement of existing residents. *It is important to note that demographic statistics reveal that West Oakland has increasingly been experiencing gentrification, and possibly displacement of some residents, over the past two decades; hence the Specific Plan cannot be attributed with creating the circumstances cited in commenters' remarks.* There were also related social equity concerns regarding a perceived lack of future participation of existing residents in future employment opportunities unless the Specific Plan included definitive requirements for local hiring programs at specific wage levels. Each concern is discussed below.

Displacement. Implementation of the Specific Plan would not result in the direct displacement of housing or people. No housing is proposed to be removed or changed to a non-residential use. The Specific Plan does not propose significant development outside the identified Opportunity Areas. The existing residential neighborhoods of West Oakland are identified in the Specific Plan as "Enhancement Areas," where only minor land use changes are proposed. The Specific Plan also proposes to retain the limited number of existing housing units located within the Opportunity Areas. However, as development proceeds in accordance with the Specific Plan, there may be a renewed interest in investment in the district. As a result, property prices are expected to rise. While existing West Oakland homeowners can benefit financially from the increase in the value of their properties, renters and prospective owners could face challenges, such as renters facing higher rents and potential homebuyers trying to compete with outside investors for single-family homes. This type of displacement is likely to be more indirect and is different from the broad scale displacement of communities that was commonly associated with the redevelopment projects in the 1960s. However, because it is likely to be more incremental and dispersed in nature, indirect displacement is difficult to track and counteract and control with City actions alone. To further protect existing residents from the indirect displacement that might result over time, staff has responded to these concerns as follows:

- a) Staff has added the following new recommendations from Just Cause's '*Development Without Displacement Report*' to new WOSP Chapter 10 Social Equity Chapter (Affordable Housing section, formerly Chapter 9 Tending to a Broader Vision) [added text shown in underline; deleted text in strikethrough (~~strikethrough~~) font]:
 - Consider creating set-asides in low-home ownership districts to increase the rate of ownership in these districts, especially by low income households.

- Help existing low to moderate income homeowners use the City's programs for rehabilitating units, take Unity Council classes on budgeting and maintenance, and if needed seek out assistance to avoid foreclosure in the event of financial crises.
- Increase coordination between rent adjustment and code enforcement to advise tenants regarding landlord anti-harassment policies. Consider strengthening to cover current and educating tenants.
- Strengthen local relocation policies to ensure that any resident displaced as a result of a no-fault eviction, including building closure due to uninhabitable conditions, or publicly funded development activity receives just compensation and comprehensive relocation assistance.
- Explore legal mechanisms for getting non-responsive owners to address code violations.
- Study the feasibility to enact a "right of first refusal" policy, where not in place, to require that housing units that are renovated through redevelopment, rehabilitation (including due to code enforcement activities), to be offered to existing tenants first, before being sold or re-rented on the private market.
- Consider establishing a forum to support community-based training for residents to participate in planning and development processes.
- Explore ways to evaluate and mitigate displacement by individual development projects.

These additional recommendations, in conjunction with the prior recommendations, are anticipated to further strengthen existing residents' ability to remain in their community as the area continues to revitalize.

Gentrification. Gentrification is typically defined as a shift in an urban community toward wealthier residents and/or businesses and increasing property values, sometimes at the expense of the poorer residents of the community; and in studies has been associated with increases in educational attainment and household incomes as well as an appreciation in housing prices. It is also often associated, but not directly linked to, an overall change in the racial or ethnic makeup of a community. The Specific Plan's original, underlying intent has always been to facilitate development of underutilized properties as a means of furthering continued revitalization of the West Oakland district as a whole, for both existing and future residents. The Specific Plan contains several goals and recommended actions regarding assisting and sustaining existing residents, neighborhoods and businesses; however, it is limited in its ability to curtail gentrification: a planning document cannot legally dictate the characteristics of new residents that would be allowed to live, work, purchase property, or participate in any other way in the community of their choice.

Access to Anticipated Future Jobs. The WOSP anticipates creation of approximately 28,000 new jobs throughout the Plan Area over the 20 to 25 year Plan horizon; and targets in particular, a variety of business market sectors that offer a wide range of positions at varying educational and

skills levels. The WOSP includes a number of strategies for empowering existing residents and businesses to participate in and benefit from the new development and economic activity planned for West Oakland by building on and connecting existing governmental and community-based equitable economic development programs. It includes strategies that seek to empower residents at a range of education and skill levels to find high quality and well-paying jobs, either in West Oakland or elsewhere in the region; to support, develop and retain small businesses including locally-owned neighborhood-serving businesses, as well as the growing industrial arts and urban manufacturing sectors; to cultivate a business environment that contributes to West Oakland's overall economic competitiveness; and to ensure that households have access to neighborhood-serving retail and other goods and services to support a high quality of life.

To further enhance existing residents' ability to access the jobs expected to result from development in accordance to the Plan, Staff has responded to these concerns as follows:

- b) Staff has added the following new language and /or recommendations to the Plan's Chapter 11 'Social Equity' [added text shown in underline; deleted text in strikethrough (~~strikethrough~~) font]:
 - Encouraging a mix of land uses that will generate a range of jobs—retail, medical, office and other professional service uses, as well as short term construction jobs—and a range of housing types is a key component of the Plan. The City imposes a number of employment and contracting programs and requirements on City public works projects, as well as private development projects that receive a City subsidy. These include the Local and Small Local Business Enterprise Program, the Local Employment/ Apprenticeship Program, Living Wage requirements, and prevailing wage requirements. However, the City of Oakland has very limited legal authority to apply these programs to private projects, including sites sold by the City for fair market value, or public works-type projects funded by private parties, including street or sidewalk improvements built as part of a new development. The City also has very limited legal authority to impose its employment and contracting programs and requirements on projects that do not involve City funding and/or other City participation. As such, the Plan supports continuing to provide private developers and business owners with information about workforce development programs, including those administered by the City or other organizations, in order to encourage opportunities for the creation of high quality, local jobs and job training programs.
 - EED-18: Encourage a mix of land uses and development that will generate a range of job and career opportunities, including permanent, well-paying, and green jobs (including short-term, prevailing wage construction jobs and living wage-permanent jobs) that could provide work for local residents.
 - EED-19: Encourage consideration of Project Labor Agreements (PLAs) for projects that involve City subsidy.
- c) Existing text in this chapter was revised as follows [added text shown in underline; deleted text in strikethrough (~~strikethrough~~) font]:
 - **Workforce and Economic Development:** The City plays a role in supporting and attracting businesses and helping job seekers gain employment. The City of Oakland

directly operates or serves as a key partner in offering a number of economic development resources, including the Department of Economic & Workforce Development, the Workforce Investment Board, the Oakland Business Assistance Center, the Oakland Business Development Corporation, the West Oakland Job Resource Center, and the West Oakland Public Library. In general, these agencies tend to connect job seekers and businesses with funding and referrals for services, rather than directly providing job training, business technical support, or other programming. These services should be publicized and in a manner that is accessible to Planning Area Oakland residents.

- **EED-2:** Continue to work with local job readiness, training, and placement organizations to establish career pathways in construction and operations- and support the provision of local job training opportunities for jobs being developed both in the Planning Area and the region, particularly those accessible via the transit network.
- **EED-56:** Work with regional employers, Community-Based Organizations, educational institutions to establish career pathways for residents in a range of industries at the regional level.

In addition to better connecting West Oakland residents to jobs within the neighborhood, the City should explore long-term opportunities to partner with regional employers, Community-Based Organizations, and educational institutions throughout the East Bay and other parts of the Bay Area. This should include opportunities in industries that also exist in West Oakland, such as construction and manufacturing, as well as sectors projected to experience growth at the regional level, such as professional services, healthcare and educational services, and leisure and hospitality. These sectors are expected to create employment opportunities at a range of wage and training levels. For example, jobs in the professional services will range from management positions to entry-level administrative support jobs that could start workers on a career pathway; occupations in the healthcare sector can include everything from doctors and nurse practitioners, to medical assistants and home health care aids.

Local businesses should be encouraged to offer internship, mentoring and apprenticeship programs to high school and college students.

Community Benefits: Several commenters expressed the need to incorporate a Community Benefits package in the Specific Plan. It should be noted that the imposition of public requirements on private development projects generally requires that the City demonstrate a nexus between the burdens created by the proposed development and the benefits to be obtained through the program. For example, the City does not generally have the authority to impose inclusionary affordable housing requirements on private development without having first conducted a study demonstrating the nexus between the new development and the inclusionary requirement. Staff has responded to these concerns as follows:

- a) Staff has added the following new language in the Specific Plan Chapter 11 ‘Social Equity’ [added text shown in underline; deleted text in strikethrough (~~strikethrough~~) font]:

Affordable Housing and Community Benefits:

The City will analyze, as part of a citywide policy, to require large developments in those areas throughout the city that are most prime for development, such as Priority Development Areas (PDAs), to make contributions to assist in the development of affordable housing and other community benefits, such as open space. Options that may be included, but not limited to, are: impact fees, land dedication, and a Housing Overlay Zone (HOZ). Among other actions, the City will conduct a nexus study and an economic feasibility study to evaluate new programs to achieve this objective, including inclusionary zoning and impact fees for new housing development.

Criteria to consider as part of this analysis are:

- Study and selection of appropriate policy mechanism(s) to provide the public benefits. The City will conduct a nexus study for the target public benefits mechanism.
- Quantification of the costs of providing the desired benefits as well as the value of corresponding bonuses and incentives.
- Creating a potential system of “tiers” of bonuses and incentives given and benefits provided, that could effectively phase requirements, prioritize benefits, and create effective evaluation criteria to improve the program delivery over time.
- Increasing benefit to developer as more benefits and amenities are added.
- Numerically linking the financial value of the bonus or incentive given (defined by value of gross floor area added) to the cost of benefit or amenity provided.
- Establishing a potential “points” system to link incentives and benefits. For example, the City may devise a menu of community benefits and amenities and assign points to each item. The points earned then determine the amount of bonus and/or incentive a development may claim.
- Identifying the economic feasibility of development to inform the amount of community benefits and amenities to be provided by a particular project in exchange for additional height or density.
- Clear direction on the relationship between city-wide mechanisms and the implementation in specific plans

Please also refer to **Attachment G: Responses to Specific Plan Contents** for more detailed discussion of these important social equity issues.

(4) Lane Reductions (Road Diets), Roundabouts & Other Traffic-Related Recommendations

Commenters expressed concerns regarding the proposed lane reduction recommendations for narrowing Adeline Street from existing four travel lanes to two travel lanes, and well as the proposed lane reduction on 12th Street, 14th Street, and 18th Street. Commenters also expressed concerns regarding the proposed roundabouts on Adeline Street, as well as any truck restrictions in the areas near the Schnitzer Steel business located in the vicinity of the 3rd Street Opportunity Area.

Staff has responded to these concerns as follows:

- (a) As confirmed by the City's Public Works Agency, the lane reductions are needed to facilitate creation of bike lanes pursuant to the City's adopted Bicycle Master Plan. Additionally, both Public Works Agency engineers and the WOSP traffic consultant have confirmed that the potential for the lane reduction's negative impact on economic development and safety concerns is not as prevalent as some commenters may expect. Thus the conversion of travel lanes to bike lanes is still recommended in the Final Specific Plan. (More information regarding bike lanes is presented later in this report.)
- (b) All previously recommended roundabouts have been eliminated in the Final Specific Plan because they do pose logistic circulation concerns, particularly for buses.
- (c) To acknowledge and support the reliance many businesses have for significant truck use in selected areas of the Plan Area, the Specific Plan has been amended to recommend the creation and mapping of the majority of the 3rd Street Opportunity Area with the new "T" (Truck) Zone Overlay discussed earlier in this staff report (refer to the map in **Attachment D**). Per above, areas within the "T" Zone Overlay allows for land uses that have heavy truck activities. The proposed "T" Zone Overlay would encompass areas in immediate vicinity of Adeline Street / Middle Harbor Road, a major arterial for Port-related traffic and near I-880 Freeway access and an area where lane reductions to accommodate bike traffic would not occur.

(5) Specific Plan's Benefit to Existing Residents

Several commenters expressed concerns that the Specific Plan does not benefit existing residents, in particular, related to the gentrification concerns previously noted, that the Plan was attempting to attract a new population to West Oakland and to displace existing residents. The Public Review Draft Specific Plan contained several chapters of recommendations geared to acknowledge and protect existing populations, as examples:

- The former '*Chapter 5 Retaining Existing Assets*,' contained a number of strategies for retaining existing industrial jobs;
- Former Chapter 5 included strategies for retaining and enhancing existing residential neighborhoods (the WOSP includes no recommendations for changing the location, scale or development character of the existing residential areas);
- Former Chapter 5 included strategies for retaining historic resources which includes the current historically designated neighborhoods within which many of West Oakland's existing population live;

- Former Chapter 5 spoke to the need for retaining adequate educational resources for the existing population and the DEIR noted that the existing school facilities could accommodate the existing population as well as future anticipated additional populations that might result from the new development envisioned in the Plan;
- None of the Opportunity Sites /Opportunity Areas where the major growth and development is anticipated to occur are designated in residential neighborhoods, hence the Plan does not promote change to these areas that would result in direct displacement of existing residents;
- Former *Chapter 7 Building to the Plan's Potential*' promotion of the West Oakland BART TOD project for intensive mixed-use development is intended to not only encourage and support TOD projects, but also to redirect development pressure away from the existing residential neighborhoods, lessening an incentive property owners might have to remove existing residential resources (and displace current residents) and replace with other types of developments;
- Per the discussion above regarding gentrification and displacement, the former *Chapter 9 Tending to the Broader Vision*' contained numerous strategies for keeping existing housing resources affordable for current residents;
- Former Chapter 9 additionally included recommendations for maximizing existing resident's participation in current and future economic development and employment opportunities expected from development envisioned in the Specific Plan;
- Former Chapter 9 (and the Air Quality section of the DEIR) additionally included recommendations and mitigation measures, respectively to ensure that existing residents would not be subjected to worsening air quality impacts from future development envisioned in the Specific Plan. As an aside, parking garage that was illustrated on the edge of the proposed West Oakland BART TOD project, immediately adjacent to the I-880 freeway was recommended to not only reduce BART-related parking within the adjacent residential areas, but also to serve as a physical buffer between freeway impacts and adjacent neighborhoods and existing residents.

Each of these recommendations – as well as the new recommendations added per the above 'Gentrification and Displacement' discussion - are retained in the Final Specific Plan to benefit existing residents. As further benefits to existing residents staff has responded by adding the recommendations as follows:

- (a) The Secondary Unit regulations for West Oakland will be relaxed to eliminate the existing requirement for a separate non-tandem parking space. The new zoning changes will also remove the current prohibition against Secondary Units in the side and rear setback, as long as the Secondary Unit doesn't exceed existing size limits and can meet all the same standards that allow a garage or accessory structure in the same location.

This code amendment is intended to provide West Oakland homeowners with expanded opportunities for an accessory unit on their lot if desired, as a means of generating additional income to support their mortgages.

- (b) Additionally, staff has recommended adding new zoning regulations for home-based businesses or "Home Occupations."

The Home Occupation regulations will be modified for properties within the West Oakland Specific Plan area to allow (unlike in the rest of the city) business operations in detached garages or accessory structures, and up to one (1) non-resident employee.

This amendment is intended to facilitate West Oakland residents who wish to operate home-based businesses as a means of augmenting their income.

(6) Lack of Recommendations Specifically Geared towards West Oakland's African American population and other Specific Populations

The West Oakland district has historically maintained a large African American population since the 1940s and 1950s. Although it has declined in recent years, the percentage of African American residents still represents a significant percentage of West Oakland's demographic composition. Staff received several comments stating that the Specific Plan did not contain recommendations specifically geared towards the African American population; for example, commentors noted the absence of strategies that help elderly African Americans retain their homes, that support African American business ventures, and that require African American themes be reflected in future development projects and in the type of business establishments allowed on 7th Street in particular.

Although the Specific Plan acknowledges the historic and current demographic composition of African Americans vis-à-vis the total West Oakland population, and the contribution of this ethnicity in establishing a vibrant, cultural atmosphere along 7th Street which the Plan's recommendations seek to reestablish, it does not contain recommendations specifically for this (or any other) particular segment of the West Oakland community, because of the legal prohibitions against specifying that housing, businesses or other community resources be focused to a particular ethnic group. The Specific Plan's recommendations are intended to support development that benefits all West Oakland ethnic groups. With reference to future development projects, public art and similar installations, should decision-makers wish to recognize or reflect a particular cultural group, the Specific Plan does not contain language that prohibits such representation; in this manner it provides flexibility on the part of the designers to reflect whatever is deemed important given the nature, location and other characteristics of the project.

(7) Additional Information in Selected Chapters

Various comments reflected the need to clarify and/or expand the information contained in the Specific Plan. Staff has revised text and maps in the Final Specific Plan as necessary to respond to comments as follows

- a) Augmented the Infrastructure Improvements map to add additional locations where rail lines were in the streets;
- b) Refined the Cultural Resources chapter to better describe historic buildings & areas, incorporate references to the Secretary of Interior where necessary, and make other related edits;
- c) Revised the Truck Routes Map to add selected streets as necessary as "Truck Routes;

- d) Added neighborhood information to the Opportunity Area discussions to better emphasize the relationship between development of the Opportunity Areas and the benefits to the adjacent neighborhoods. The intent is for future development to be viewed not only as an Opportunity Area issue, but also as an issue for the surrounding West Oakland neighborhood;
- e) Remove miscellaneous text references to Emeryville to emphasize the WOSP's longstanding premise that future development is intended to benefit West Oakland and the City of Oakland as a whole and not be viewed as an attempt to redefine the West Oakland as an extension of Emeryville;
- f) Updated the information regarding the proposed Gateway Park project;
- g) Included additional park facilities on Public Facilities Map;
- h) Included a recommendation for formation of a citizen and stakeholder-based committee, similar to the former West Oakland Redevelopment Plan Project Area Committee (WOPAC). This committee could be comprised of current Steering Committee / TAC members and new volunteers willing and interested to serve on a fixed-term basis to help select and guide the priority and timing of this Plan's implementation strategies, providing advice and recommendations through City staff to the City Council.

The discussion in this **KEY ISSUES / COMMENTS ON THE SPECIFIC PLAN AND REVISIONS TO THE PLAN** section highlights some of the more recurring comments. A more complete summary of Specific Plan comments and staff's responses is contained in *Attachment G*.

WEST OAKLAND SPECIFIC PLAN IMPLEMENTATION

Chapter 10 of the WOSP contains an Implementation Matrix listing all recommendations discussed throughout the Specific Plan, the time period during which the action is best implemented, and the parties responsible for the action. Implementation of Plan recommendations will be most successful when undertaken as part of an overall strategy that involves five key components:

1. Removal of Constraints that are Barriers to Community and Economic Development

While there is potential for increased activity and new development in West Oakland, there also are obstacles to realizing the potential growth and revitalization envisioned in the Plan. Thus early efforts should focus on improving conditions in the area that constrain revitalization. The Implementation Matrix summarizes actions and capital improvement projects for removal of existing obstacles so as to encourage the desired growth and development. The recommendations include those to abate blight, address crime and safety concerns, invest in basic infrastructure improvements, and identify mechanisms for addressing brownfield sites.

2. Ensuring that existing residents, local workers, households, and businesses can participate in, and benefit from, future development in West Oakland

The chapter on Social Equity provides information about existing resources and future strategies for softening negative impacts of development on the existing West Oakland population. It is important to note that this issue is not limited to West Oakland and the City is therefore interested

in focusing on it from a city-wide perspective. The strategies listed in the Social Equity chapter and the same part of the Implementation Matrix can therefore be seen as becoming part of a larger effort on the part of the City of Oakland and will include participation from the community.

3. *Actions to Provide the Regulatory, Economic Development, and Administrative Foundation for Plan Implementation*

Many of the recommendations in the Implementation Matrix identify policy changes, regulatory actions, planning efforts, new procedures, and outreach and marketing efforts. The land use policy and regulatory planning actions identified earlier in this staff report and in Chapter 4: "Land Use," are included in this category as are recommendations for policies and procedures to protect important existing assets as described in Chapter 8: "Cultural Assets." The marketing and outreach strategies for economic development from Chapter 3: "Market Analysis," also are included in this component. All of these recommendations require City actions and efforts for implementation. They establish new policies, regulations, plans, and outreach efforts that will provide the foundation for Plan implementation.

4. *Leadership and Priority Setting*

Achievement of the Plan's vision for West Oakland goes well beyond approval of the Plan. Over time, there will be ongoing needs for prioritizing actions and capital improvements, identifying and organizing resources, and managing implementation efforts. These will require commitment by and leadership from City decision-makers and high-level staff, coordination across city departments, identification of City staff to manage efforts, priority given to allocating adequate staff resources for ongoing support, and priority to securing public funding for important catalyst improvements. It also requires close coordination with the community and property owners in the area, and outreach efforts to the broader business and development communities. Actions in this category are ongoing through the life of the Specific Plan.

5. *Improvements to Support Plan Development Over Time*

As growth and revitalization occur as envisioned under the Plan, improvements to the transportation and open space systems will be needed, as well as additional infrastructure improvements beyond those completed under the early phase removal of constraints (see first item above). Although the timing varies, many of the improvements under this category are identified for the mid-and longer-term futures, to support the growth that occurs over time. A joint public/private funding approach for improvements is envisioned, with public funding and implementation likely for improvements of area-wide benefit (such as transit enhancements) and private funding and implementation for improvements done as part of new development (such as urban green spaces or sidewalk and streetscape improvements). The responsibility and funding for improvements to support growth and development will gradually shift over time, from (a) the need for public investments in the early years to remove constraints and attract growth to the area, to (b) a stronger market context that will enhance the private sector's ability to provide improvements over time, both as part of development projects and through area wide funding mechanisms supported by the private sector

In addition to the actions identified in the Implementation Matrix, an immediate implementation action relating to West Oakland area bike lanes is being transmitted for City Council consideration along with the Specific Plan and FEIR. The City of Oakland's Bicycle Master Plan proposes bike lanes on Adeline

Street and on West Grand Avenue. Both projects will close gaps in the citywide bikeway network. The project on Adeline Street will create a continuous bikeway through Oakland and Emeryville. The project will intersect with existing bikeways on West Oakland streets. The West Grand Avenue project will close a key gap and connect to the existing bikeway on Grand Avenue between Market Street and El Embarcadero in the Grand Lake neighborhood. In conjunction with the proposed Gateway Park project, the West Grand Avenue bike lanes will provide direct access to the Eastern Span of the San Francisco - Oakland Bay Bridge from West Oakland, downtown, and the Lake Merritt neighborhoods.

The Adeline Street project will reconfigure the roadway from two travel lanes in each direction to one travel lane and one bike lane in each direction plus a two-way center turn lane. The West Grand Avenue project will reconfigure the roadway from three travel lanes in each direction to two travel lanes and one bike lane in each direction. The projects will be implemented in coordination with the City's Pavement Management Program through the City's update to the Five Year Paving Plan. If the roadways are not part of the updated Five Year Paving Plan, the projects will be implemented as restriping projects funded by the City's Capital Improvement Program for Bicycle Master Plan Implementation.

ENVIRONMENTAL REVIEW

An Environmental Impact Report (EIR) has been prepared for the WOSP. The EIR was provided to the Planning Commission under separate cover, and is available to the public, through the City's website: <http://www2.oaklandnet.com/oakcal/groups/ceda/documents/report/oak047431.pdf>. The EIR is also available at no charge at the Oakland Planning Department, Strategic Planning Division, 250 Frank Ogawa Plaza, Suite 3315, Oakland, California 94612.

A summary of the environmental review for the project is as follows:

- The Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) was published on October 22, 2012;
- An EIR Scoping meeting was held before the Landmarks Board on November 5, 2012;
- An EIR Scoping meeting was held before the Planning Commission on November 14, 2012;
- The public comment period on the NOP closed on November 21, 2012;
- A "Notice of Availability / Notice of Release of a Draft EIR" was issued on January 29, 2014;
- The Draft EIR was published on January 29, 2014;
- A Landmarks Preservation Advisory Board Meeting on the Draft EIR was held on February 10, 2014;
- A Planning Commission hearing on the Draft EIR was held on February 24, 2014;
- A Public Hearing before the City of Oakland Parks and Recreation Advisory Commission on the Draft EIR was held on March 12, 2014;
- The public comment period on the Draft EIR closed on March 17, 2014;
- A "Notice of Availability/Release of a Final EIR" and the Final EIR was published on May 30, 2014;
- A Landmarks Preservation Advisory Board Meeting on the Final EIR was held on June 9, 2014;
- Planning Commission certification of the Final EIR is recommended at this June 11, 2014 public hearing.

CEQA Threshold Effects of Concern

The following CEQA topic issues are among the issues of concern as expressed in letters commenting on the Draft EIR and from public comments made at hearings on the Draft EIR:

- emissions of diesel PM and other toxic air contaminants during construction and operation of new development pursuant to the Specific Plan;
- the contribution of Project-related traffic to local and regional traffic congestion;
- the potential adverse health and safety effects that may result from new development occurring in proximity to contaminated and toxic soil and groundwater conditions;
- additional demands on public infrastructure (especially water supply and wastewater collection facilities) associated with new growth and development.

Less-than-Significant Impacts

The WOSP Draft EIR has been prepared to evaluate environmental impacts of development of the program of land use changes that would allow for up to 4.7 million square feet of new industrial and commercial space, 28,000 new jobs throughout the Plan Area, and 5,000 new residential units accommodating 7,500 - 11,000 new residents. The following environmental topics were evaluated: aesthetics; air quality; cultural and historic resources; greenhouse gas emissions; hazards and hazardous materials; hydrology and water quality; land use, plans and policies; noise and vibration; transportation, circulation and parking; utilities and public services.

Additionally, the following potentially significant impacts will be reduced to a less than significant level through the implementation of Project mitigation measures or through the implementation of Standard Conditions of Approval (which are an integral part of the SCAMMRP) (see **Attachment B** – the Standard Conditions of Approval and Mitigation Monitoring and Reporting Program):

Aesthetics: Impact Aesth-4.

Air Quality: Project Level Impact Air-4, Project Level Impact Air-5, Project Level Impact Air-6, Project Level Impact Air-7, Project Level Impact Air-9, Air-10.

Cultural Resources: Impact CR-1, Impact CR-2.

Greenhouse Gas Emissions: Impact GHG-3, Impact GHG-4.

Hazards and Hazardous Materials: Impact Haz-1, Impact Haz-2, Impact Haz-3, Impact Haz-4, Impact Haz-6.

Noise: Impact Noise-1, Impact Noise-2, Impact Noise-4, Impact Noise-7.

Public Services and Recreation: Impact PSR-1.

Traffic: Existing Plus Project: Impact Trans-1, Impact Trans-2.

Year 2035 Cumulative Intersection Impacts: Impact Trans-3, Impact Trans-4, Impact Trans-6, Impact Trans-7, Impact Trans-8, Impact Trans-16.

Utilities and Service Systems: Impact Util-1, Impact Util-2, Impact Util-3, Impact Util-4.

Other Less than Significant Effects: Impact Bio-1, Impact Bio-4, Impact Bio-5, Impact Geo-2, Impact Geo-4, Impact Geo-5, Impact Hydro-3, Impact Hydro-4.

Significant and Unavoidable Environmental Impacts

The proposed WOSP will result in significant and unavoidable impacts associated with the environmental topics (Air Quality, Greenhouse Gas Emissions, and Transportation/Traffic), as discussed below. Therefore, in order to approve the Final Specific Plan, the City will have to adopt Statements of Overriding Consideration for these significant unavoidable impacts, finding that the benefits of the Project outweigh any significant unavoidable impacts (see **Attachment A: CEQA Findings**). A discussion of significant and unavoidable environmental impacts is provided below.

Air Quality

- Air-3: Odor Impacts.** Development in accordance with the Specific Plan could expose a substantial number of new people to existing and new objectionable odors. Potential effects of the environment on a project are legally not required to be analyzed or mitigated under CEQA. This EIR nevertheless analyzes potential effects of the environment on the project (i.e. siting new receptors near existing and potential new odor sources) in order to provide information to the public and decision-makers.
- Air-5: Construction-Period Emissions of Criteria Pollutants.** During construction, individual development projects pursuant to the Specific Plan will generate regional ozone precursor emissions from construction equipment exhaust. For most individual development projects, construction emissions will be effectively reduced to a level of Less Than Significant with implementation of required City of Oakland Standard Conditions of Approval (SCA). However, larger individual construction projects could generate emissions of criteria air pollutants that would exceed the City's thresholds of significance.
- Air-7: Operational Criteria Pollutant Emissions.** Once buildout of the Specific Plan is complete and all of the expected new development is fully occupied, new development pursuant to the Specific Plan will generate emissions of criteria pollutants (ROG, NOx PM10 and PM2.5) as a result of increased motor vehicle traffic and area source emissions. Traffic emissions combined with anticipated area source emissions would generate levels of criteria air pollutants that would exceed the City's project-level thresholds of significance.
- Air-9: Operational Toxic Air Contaminant Emissions.** Development pursuant to the West Oakland Specific Plan would include new light industrial, custom manufacturing and other similar land uses, as well as the introduction of new diesel generators that could emit toxic emissions resulting in (a) a cancer risk level greater than 10 in one million, (b) a chronic or acute hazard index greater than 1.0, or (c) an increase of annual average PM2.5 concentration of greater than 0.3 micrograms per cubic meter; or under cumulative conditions, resulting in a) a cancer risk level greater than 100 in a million, b) a chronic or acute hazard index greater than 10.0, or c) annual average PM2.5 of greater than 0.8 micrograms per cubic meter.
- Air-10: Toxic Air Contaminant Exposure.** Certain future development projects in accordance with the West Oakland Specific Plan could result in new sensitive receptors exposed to existing levels of toxic air contaminants (TACs) or concentrations of PM2.5 that could result in increased cancer risk or other health hazards. CEQA requires the analysis of potential adverse effects of a project on the environment. Potential effects of the environment on a project are legally not required to be analyzed or mitigated under CEQA. However, this EIR nevertheless analyzes potential effects of the environment on the project (i.e. siting new receptors near existing TAC sources) in order to provide information to the public and decision-makers.

Greenhouse Gas (GHG) Emissions

GHG-3: GHG Emissions. It is possible that on an individual basis, certain development projects envisioned and enabled under the Specific Plan could exceed, on an individual and project-by-project basis, the project-level GHG threshold. Under the City's required SCAs, individual development projects exceeding project-level screening criteria are required to undergo project-specific GHG emissions forecasts and, as appropriate, implement project-specific GHG reduction plans with the goal of increasing energy efficiency and reducing GHG emissions to the greatest extent feasible below both applicable numeric City of Oakland CEQA Thresholds. However, not until these tiered projects are proposed and evaluated can the efficacy of each individual project's design characteristics, applicable SCAs and other City policies (particularly SCA 'F') in reducing GHG emissions to below relevant thresholds be determined.

Traffic and Transportation

Trans-1: (Existing plus Project) and -3: (Cumulative plus Project): Intersection LOS at Hollis and 40th Streets. The addition of traffic generated by the full development of the proposed Project to both Existing conditions and Cumulative 2035 conditions would cause PM peak hour southbound left turn 95th percentile queue length at the signalized intersection of Hollis and 40th Street (#1) located in Emeryville to exceed the available queue storage. Because this intersection is within the City of Emeryville's jurisdiction, the timing and implementation of the improvements are not under the City of Oakland's control. Therefore, the improvement cannot be assured to be completed.

Trans-2: (Existing plus Project) and -4: (Cumulative plus Project): Intersection LOS at San Pablo Avenue and 40th Streets. The addition of traffic generated by the full development of the proposed Project to both Existing Conditions and Cumulative 2035 Conditions would cause PM peak hour traffic operations at the signalized intersection of San Pablo Avenue and 40th Street (#2) located in Emeryville to degrade from Level of Service (LOS) D to LOS E under Existing plus Project conditions. Additionally, the eastbound left and northbound left turn 95th percentile queue length would exceed the available queue storage in the AM peak hour. Because this intersection is within the City of Emeryville's jurisdiction, the timing and implementation of the improvements are not under the City of Oakland's control. Therefore, the improvement cannot be assured to be completed.

Trans-5: (Cumulative plus Project) Intersection LOS at Mandela Parkway and West Grand Avenue. The addition of traffic generated by the full development of the Specific Plan under Cumulative 2035 conditions would degrade operation from LOS D to LOS F in the AM peak hour, and from LOS E to LOS F in the PM peak hour at the signalized intersection at Mandela Parkway and West Grand Avenue (#7) located outside the Downtown Area and would increase the volume-to-capacity ratio beyond the threshold of significance. The recommended mitigation measures would encroach into Memorial Park within the Mandela Parkway median, and the provision of four westbound lanes would preclude planned installation of a bicycle facility on West Grand Avenue which is a City priority (Resolution 84197, Nov 2012). Therefore, these additional improvements are not recommended.

CEQA Alternatives

Chapter 5 of the Draft EIR includes the analysis of four alternatives to the proposed project that meet the requirements of CEQA, which include a reasonable range of alternatives to the Project that would feasibly

attain most of the Project's basic objectives, and avoid or substantially lessen many of the Project's significant environmental effects. Other than the No Project Alternative, neither of the other alternatives would fully avoid all of the significant and unavoidable impacts identified for the Project. These alternatives include:

- Alternative 1: No Project
- Alternative 2: Reduced Project
- Alternative 3: Commercial and Jobs-Focused Alternative
- Alternative #4: Maximum Theoretical Buildout Alternative

Alternative 1 – No Project Alternative – CEQA requires a “no Project” alternative to be considered in the EIR. Alternative 1 would be the environmentally superior alternative due to its substantially lower expectation of population growth and new job opportunities as compared to the Project and other alternatives.

Alternative 2 – Reduced Project Alternative. This alternative would be considered environmentally superior in the absence of the *No Project alternative* because it, too, would substantially lower expectations of population growth and new job opportunities as compared to the Project or Alternative #3, resulting in fewer vehicle trips. However, the Reduced Alternative would also not achieve as many of the basic Project objectives as would the Project or Alternative #3.

A full discussion of the Alternatives are provided in the CEQA Findings (see **Attachment A**) and Draft EIR.

A Statement of Overriding Considerations is recommended for adoption despite the Project's significant and unavoidable environmental impacts (see **Attachment A**) as the specific economic, legal, social, technological, environmental, and other considerations and the benefits of the Project separately and independently outweigh the remaining significant unavoidable adverse impacts, and is an overriding consideration independently warranting approval.

Responses to Draft EIR Comments (Final EIR)

City staff received comments on the Draft EIR from nine public agencies and several individuals and organizations. Additional oral comments were provided at the Planning Commission hearing on February 24, 2014. Responses to all of the comments provided by these agencies and individuals are provided in the Final EIR document, including certain revisions and changes to text in the Draft EIR. None of these changes to the Draft EIR involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation measure or alternative considerably different from that presented in the Draft EIR. Recirculation of the Draft EIR is not warranted.

Level of Analysis and Streamlining Future Environmental Review

The degree of specificity in an EIR corresponds to the degree of specificity in the underlying activity described in the EIR. As CEQA specifies, a Program EIR is appropriate for a Specific Plan, under which there will be future development proposals that are: 1) related geographically, 2) logical parts in a chain of contemplated actions, 3) connected as part of a continuing program, and 4) carried out under the same authorizing statute or regulatory authority and have similar environmental impacts that can be mitigated in similar ways (CEQA Guidelines Section 15168). For some site-specific purposes, a program-level environmental document may provide sufficient detail to enable an agency to make informed site-specific decisions within the program. This approach would allow agencies the ability to consider program-wide

mitigation measures and cumulative impacts that might be slighted in a case-by-case analysis approach, and to carry out an entire program without having to prepare additional site-specific environmental documents. In other cases, the formulation of site-specific issues is unknown until subsequent design occurs leading to the preparation of later project-level environmental documentation. Preparation of a program-level document simplifies the task of preparing subsequent project-level environmental documents for future projects under the Specific Plan for which the details are currently unknown. This EIR presents an analysis of the environmental impacts of adoption and implementation of the Specific Plan. Specifically, it evaluates the physical and land use changes from potential development that could occur with adoption and implementation of the Specific Plan.

Further, where feasible, and where an adequate level of detail is available such that the potential environmental effects may be understood and analyzed, this EIR provides a project-level analysis to eliminate or minimize the need for subsequent CEQA review of projects that could occur under the Specific Plan. Although not required under CEQA, some “project-level” impacts of reasonably foreseeable level of build-out of the Specific Plan are discussed to the extent that such impacts are known. The West Oakland Specific Plan includes physical development plans for certain Opportunity Areas and Opportunity sites, and it provides a prescribed development envelope in terms of density and intensity, height and bulk, and location of specific anticipated future development and public infrastructure and transportation improvements. Where specific details are not available, the analysis of potential physical environmental impacts is based on reasonable assumptions about future development that could occur in the Plan Area. The assumed future development is described in Chapter 3: Project Description. Pursuant to CEQA Guidelines Sections 15162-15164, 15168, 15183 and 15183.5, future program- and project-level environmental analyses may be tiered from this EIR.

The City intends to use the streamlining/tiering provisions of CEQA to the maximum feasible extent, so that future environmental review of specific projects are expeditiously undertaken without the need for repetition and redundancy, as provided in CEQA Guidelines Section 15152 and elsewhere. Specifically, pursuant to CEQA Guidelines Section 15183, streamlined environmental review is allowed for projects that are consistent with the development density established by zoning, community plan, specific plan, or general plan policies for which an EIR was certified, unless such a project would have environmental impacts peculiar/unique to the project or the project site. Likewise, Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 also provides for streamlining of certain qualified, infill projects. In addition, CEQA Guidelines Sections 15162-15164 allow for the preparation of a Subsequent (Mitigated) Negative Declaration, Supplemental or Subsequent EIR, and/or Addendum, respectively, to a certified EIR when certain conditions are satisfied. Moreover, California Government Code Section 65457 and CEQA Guidelines Section 15182 provide that once an EIR is certified and a specific plan adopted, any residential development project, including any subdivision or zoning change that implements and is consistent with the specific plan is generally exempt from additional CEQA review under certain circumstances. The above are merely examples of possible streamlining/tiering mechanisms that the City may pursue and in no way limit future environmental review of specific projects.

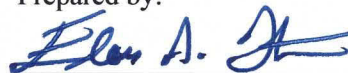
CEQA requires the analysis of potential adverse effects of a project on the environment. Potential effects of the environment on a project are legally not required to be analyzed or mitigated under CEQA. However, this EIR nevertheless analyzes potential effects of “the environment on the project” in order to provide information to the public and decision-makers. Where a potential significant effect of the environment on the project is identified, the document, as appropriate, identifies City Standard Conditions of Approval and/or project-specific non-CEQA recommendations to address these issues.

RECOMMENDATIONS:

Staff recommends that the Planning Commission take public testimony, close the public hearing, and:

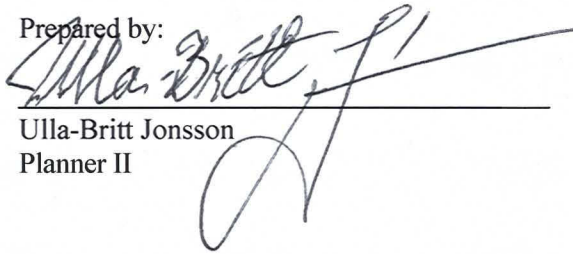
1. Adopt the CEQA findings for the West Oakland Specific Plan in **Attachment A**, which include certification of the EIR, rejection of alternatives as infeasible, and a Statement of Overriding Considerations;
2. Adopt the Standard Conditions of Approval and Mitigation Monitoring Reporting Program (SCAMMRP) in **Attachment B**;
3. Recommend the City Council adopt the West Oakland Specific Plan, Design Guidelines and General Plan and Planning Code Amendments based, in part, upon the WOSP Adoption Findings in **Attachment C**;
4. Recommend the City Council adopt the General Plan and Zoning Amendments (**Attachment D**);
5. Recommend the City Council adopt the Zoning Code Amendments (**Attachment E2**) and Zoning Heights Amendments Map (**Attachment E3**);
6. Recommend the City Council adopt the West Oakland Specific Plan Design Guidelines in **Attachment F**. Once the Design Guidelines are adopted, the Planning Commission is being asked to authorize staff to make minor updates to the new Guidelines administratively as needed (consistent with Oakland Planning Code Section 17.03.030 which states: "The Commission may adopt, or may authorize the director of City Planning to adopt, reasonable guidelines for the administration, interpretation, or requirements of this code or portions of this code");
7. Authorize staff to make minor ongoing revisions to the adopted Design Guidelines for the West Oakland Specific Plan and to make non-substantive, technical conforming edits to the Planning Code that may have been overlooked in deleting old sections and cross-referencing new sections to the new West Oakland Specific Plan Regulations (which are essentially correction of typographical and/or clerical errors), and to return to the Planning Commission for major revisions only; and
8. Authorize staff to make minor ongoing revision to the West Oakland Specific Plan Implementation Program (Chapter 11) to reflect changes in market conditions and the availability of City and other funding sources, which could potentially affect timeframes, responsibilities and potential funding mechanisms; and to make minor, non-substantive, technical conforming edits (which are essentially correction of any existing typographical and/or clerical errors) to the West Oakland Specific Plan that may have been overlooked during printing of the Final Plan, and to return to the Planning Commission for major revisions only.

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Approved for forwarding to the
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Darin Ranelletti, Deputy Director
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NOTE: The WOSP and associated materials were previously furnished separately to the Planning Commission (e.g., Public Review Draft Specific Plan and Draft Environmental Impact Report (DEIR)) and are available to the public, through the City's website at: www.oaklandnet.com/r/wosp.

The Final Environmental Impact Report (FEIR) may be may be viewed on the City's "Current Environmental Review Documents" webpage:

<http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157>

Information regarding the Project, including the Draft Plan and other related draft documents, can be viewed online at:

<http://www2.oaklandnet.com/Government/o/PBN/OurOrganization/PlanningZoning/OAK028334>

(under the section called 'Documents and Presentations'). Documents are also available for review at the Oakland Main Public Library's Social Science and Documents section (125 14th Street), the West Oakland Public Library (1801 Adeline Street), and the City of Oakland Planning Department (250 Frank Ogawa Plaza, Suite 3315).

Limited copies of the FEIR, Final West Oakland Specific Plan, Design Guidelines, Planning Code and General Plan Amendments are also available, at no charge, at the Oakland Planning Division office, 250 Frank Ogawa Plaza, Suite 3315, Oakland, California 94612.

ATTACHMENTS

- A. CEQA Findings: Certification of the FEIR, Rejection of Alternatives and Statement of Overriding Considerations For the West Oakland Specific Plan
- B. Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCA/MMRP)

- C.** WOSP Adoption Findings
- D.** General Plan & Zoning Amendment Map
- E.** (1) Planning Code Amendments (Key Concepts)
(2) Planning Code Amendments (Specific Amended Text)
(3) Zoning Heights Amendments Map
- F.** Design Guidelines
- G.** Summary of Specific Plan Comments and Responses
- H.** The West Oakland Specific Plan and related documents, herein incorporated by reference