Oakland City Planning Commission STAFF REPORT

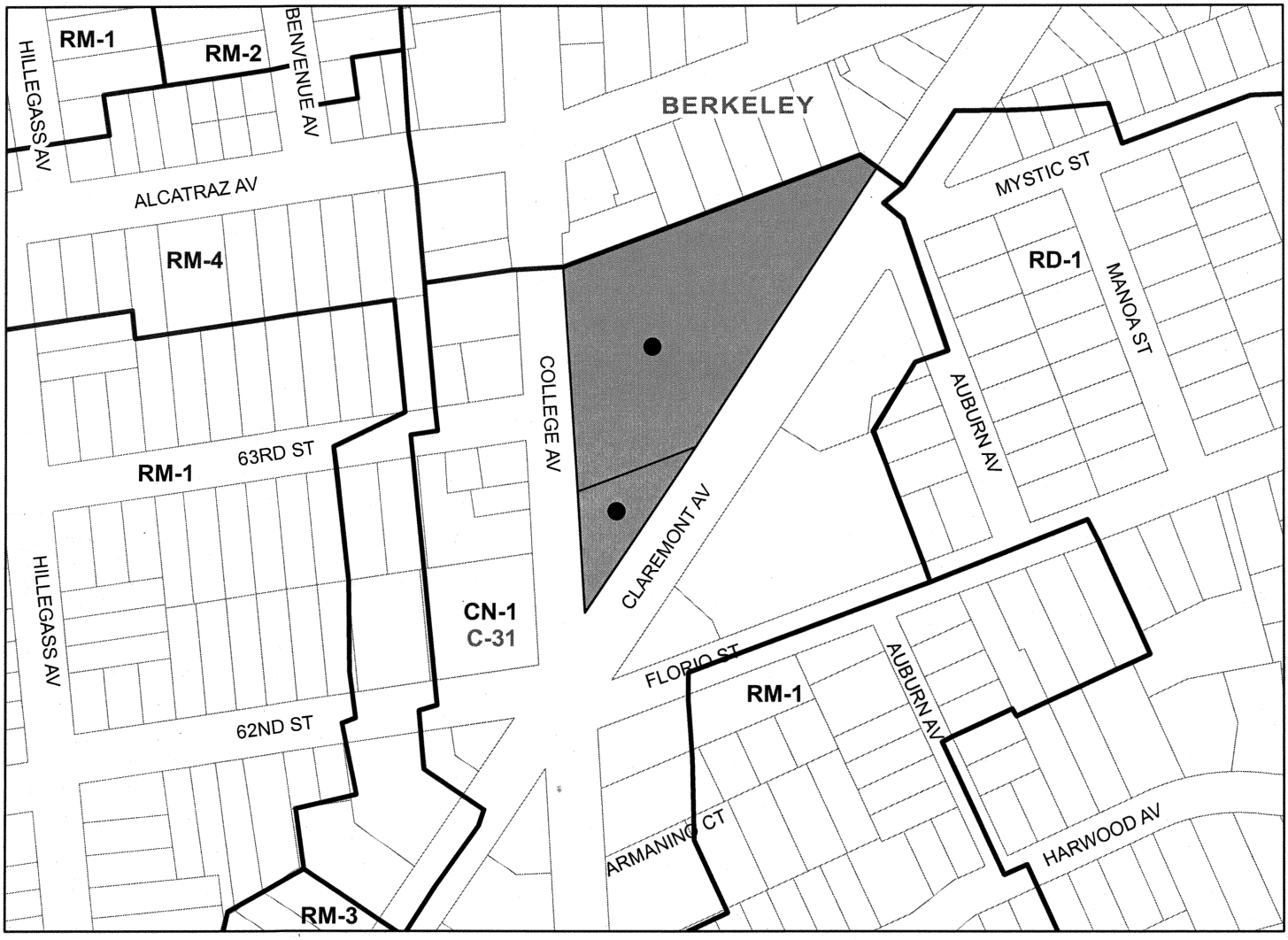
Case File Number ER09-0006, CMDV09-107, TPM-09889 July 25, 2012

Project Name:	**College Avenue Safeway**
Location:	6310 College Avenue (APN's: 048A-7070-001-01; & 007-01) See map on the reverse
Proposal:	The project would involve demolition of the existing approximately 25,000 square-foot store, parking lot and service station and construction of a two-story, approximately 62,000 square foot building that would contain Safeway supermarket of approximately 51,500 square feet, approximately 10,500 square feet of ground floor retail spaces (for approximately eight retail shops including one restaurant), and a partially below-grade and upper level parking garage with about 171 parking spaces
Applicant:	Lowney Architects
Contact Person/Phone Number:	Ken Lowney - (510) 836-5400
Owner:	Safeway Stores Inc.
Case File Number:	**ER09-0006, CMDV09-107, TPM-09889**
Planning Permits Required:	Major Conditional Use permits (General Food Sales, Commercial Square Footage in excess of 7,500 square feet, Driveway location, and Alcohol Sales), Regular Design Review for new construction, Minor Variances for required parking (186 stalls required; 171 proposed) and required loading berths (3 required; 2 proposed), and a Vesting Tentative Parcel Map for lot merger and commercial condominiums.
General Plan:	Neighborhood Center Mixed Use
Zoning:	C-31, Special Retail Commercial Zone (The subject site's zoning designation has been changed as part of the citywide zoning update and the subject property is now located within a CN-1 Zone, but the project is proceeding under the prior C-31 Zoning as allowed per the rezoning ordinance)
Environmental Determination:	Draft Environmental Impact Report (DEIR) was published for a 45-day review period from July 1, 2011 to August 15, 2011. The Final EIR was published on July 6, 2012.
Historic Status:	Not a Potentially Designated Historic Property; rating: X
Service Delivery District:	2
City Council District:	1
Action to be Taken:	Adopt the CEQA findings, including Certification of the Environmental Impact Report and Statement of Overriding Considerations, and decision on the applications based on staff report.
Finality of Decision	Appeal to City Council within 10 days.
For Further Information:	Contact project planner **Peterson Z. Vollmann** at (510) 238-6167 or by email pvollmann@oaklandnet.com

SUMMARY

Ken Lowney Architects, on behalf of Safeway Stores Inc., has filed an application for review and consideration of a proposal to demolish the existing 25,000 square foot grocery store and adjacent automotive service station to develop a new two story commercial building of approximately 62,000 square feet that would contain a 51,500 square foot Safeway grocery store and approximately 10,500 square feet of additional ground floor commercial space. The proposal would include a partially subterranean parking garage containing a total of 171 off-street parking spaces. The project site is located in the Rockridge Commercial district in North Oakland, at the northern end of the intersection of College and Claremont Avenues.

CITY OF OAKLAND PLANNING COMMISSION



0 125 250 500 750 1,000 Feet

Case File: ER09-0006, CMDV09-107 & TPM-09889
Applicant: Lowney Architects
Address: 6310 College Avenue
Zone: C-31 (now CN-1)

The City is the Lead Agency pursuant to the California Environmental Quality Act (CEQA) and has the responsibility to prepare the Environmental Impact Report (EIR) for the Project. A Draft Environmental Impact Report (DEIR) was prepared for the Project, under the requirements of CEQA, pursuant to Public Resources Code Section 21000 et. seq. The Notice of Availability for the DEIR was prepared and released on July 1, 2011 beginning a 45 day public comment period. The DEIR was heard before the Planning Commission on July 20, 2011 and continued onto August 3, 2011. The public review and comment period ended on August 16, 2011. A Final EIR (FEIR), responding to the comments received on the DEIR, was published on July 6, 2012.

On October 12, 2011, the proposed project appeared before the Oakland Planning Commission's Design Review Committee to receive comments from Committee members and the public on issues related to the architectural design of the project.

The purpose of this meeting is to take any remaining public testimony concerning the Project and to consider the application submitted for the Project summarized in the Project Description section. Staff has prepared recommended actions for the Planning Commission to review and consider. These actions are listed below:

(1) Adoption of the enclosed CEQA findings, including Certification of the EIR, rejection of alternatives as infeasible and a Statement of Overriding Considerations.

(2) Approval of the Major Conditional Use permits, Design Review, Minor Variances, and Vesting Tentative Parcel Map for the Project as described in the Project Description section of this report subject to the conditions (including the Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCAMMRP), requirements, and findings contained in this staff report.

SITE DESCRIPTION

Existing Conditions

The proposed project site is a triangular shaped parcel at the north side of the triangle formed by the intersection of College and Claremont Avenues in north Oakland. The site encompasses 2.1 acres and slopes gently from the northeastern corner, where the elevation is about 221 feet to the southern corner, at 203 feet. The site currently contains a Safeway store with about 25,000 square feet of floor area. It is a one-story masonry building on a flat concrete pad, at elevation 207. The Safeway store provides approximately 106 parking spaces on the east and south sides, and a loading dock at the north side. The existing surface parking lot can be accessed from two driveways on College Avenue and two on Claremont. The site has a retaining wall along the Claremont frontage, with a row of trees planted between the wall and the sidewalk.

The southern corner of the parcel houses a Union 76 gasoline and service station featuring a small building of about 1,120 square feet, a covered service area, a canopy over the gasoline pumps, and multiple curb cuts on College and Claremont Avenues to facilitate access. The former gas station site is paved with asphalt or concrete.

The northern boundary of the site lies along the Oakland/Berkeley City Limit line, and is marked by a wooden fence and by the northern wall of the Safeway store, which is built on the property line.

Surrounding Land Uses

The project site is located in the Rockridge Commercial District in North Oakland at the prominent intersection of College and Claremont Avenues. College and Claremont Avenues bound the project site on two sides. Both streets are major arterials, and the land uses opposite the site on both is predominately commercial. The land use adjacent to the site on the north is residential; the rear yards of eight single family homes abut the parcel. Six of these homes front on Alcatraz Avenue, while one faces College Avenue and one is on Claremont Avenue.

PROJECT DESCRIPTION

The proposed project would involve demolition and clearing of the entire site, followed by construction of a new two-story building with approximately 62,000 square feet of floor area, including a new Safeway store of 51,500 square feet and up to eight separate ground-floor commercial shops, totaling 10,500 square feet, fronting on College Avenue and on the proposed pedestrian "walk street" to be located near the College/Claremont corner. The sizes of the retail tenant spaces would range from 435 square feet to 2,729 square feet—the latter being the large shop at the College/Claremont corner, which has been proposed for a restaurant.

The proposal would include a parking garage that could accommodate 171 off-street parking stalls. The large majority of the off-street parking would be located in a partially underground garage with access off of College Avenue, and two access points on Claremont Avenue. A separate parking area would be provided above grade off of Claremont Avenue for employee parking as well as access for the proposed loading berths.

Project Revisions

As a result of comments received at the October 12, 2011 Design Review Committee, the applicant has submitted a revised project that made minor changes to the exterior architectural finishes of the building as well as a redesign for the College Avenue driveway entry. The architectural finishes include the following changes:

- Adjustments to the color scheme of the building to appear darker and more substantial;
- Redesign of the mullions at the upper level of the building on College and Claremont Avenue facades to add louvers and provide more variation to their size and location;
- Changing the exterior wall material on the "walk street" elevation of the restaurant building to stone;
- Comprehensive revisions to the Claremont Avenue façade to make it more visually appealing and more similar to the College Avenue façade;
- Modifications to the ten foot landscape buffer between the residential properties to the north to improve security measures for the area and adding small openings to the garage for ventilation and visual interest to the northern building wall.

As mentioned, the revised project also modified the College Avenue driveway for the project. The revised design reduced the size of the driveway from two outbound lanes to one outbound lane to prohibit left turns out of the store onto College Avenue. In addition, revisions have been made to the College Avenue/63rd Street/Safeway Driveway intersection that will prohibit left turns from College Avenue onto 63rd Street, as well as through movements from Safeway to 63rd Street.

These project revisions were evaluated in the Responses to Comments, and the City has determined that none of these revisions resulted in significant new impacts, substantially more severe impacts or otherwise constituted new information that necessitate recirculation of the DEIR.

GENERAL PLAN ANALYSIS

Land Use and Transportation Element of the General Plan

The General Plan's Land Use and Transportation Element (LUTE) classifies the project site as located in the Neighborhood Center Mixed Use General Plan area. This land use classification is intended to identify, create, maintain, and enhance mixed use neighborhood commercial centers. These centers are typically characterized by a smaller scale pedestrian oriented, continuous street frontage with a mix of retail, housing, office, active open space, eating and drinking places, personal and business services, and smaller scale educational, cultural, or entertainment uses. Future development within this classification should be commercial or mixed uses that are pedestrian oriented and serve nearby neighborhoods, or urban residential with ground floor commercial.

Among the General Plan Land Use and Transportation policies and objectives applicable to the proposed Project are the following:

- Objective N1: Provide for healthy, vital, and accessible commercial areas that help meet local consumer needs in the neighborhoods.
- Policy N1.1: Concentrating Commercial Development. Commercial development in the neighborhoods should be concentrated in areas that are economically viable and provide opportunities for small scale, neighborhood-oriented retail.
- Policy N1.2 Placing Public Transit Stops. The majority of commercial development should be accessible by public transit. Public transit stops should be placed at strategic locations in Neighborhood Activity Centers and Transit-Oriented Districts to promote browsing and shopping by transit users.
- Policy N1.4 Locating Large-Scale Commercial Activities. Commercial uses which serve long term retail needs or regional consumers and which primarily offer high volume goods should be located in areas visible or amenable to high volumes of traffic …
- Policy N1.5: Designing Commercial Development. Commercial development should be designed in a manner that is sensitive to surrounding residential uses.
- Policy N1.6: Reviewing Potential Nuisance Activities. The City should review any proposed new commercial activities that have the potential to create public nuisance or crime problems, and should monitor those that are existing. These may include isolated commercial or industrial establishments located within residential areas, alcoholic beverage sales activities (excluding restaurants, adult entertainment, or other entertainment activities).
- Policy N1.8: Making Compatible Development. The height and bulk of commercial development in "Neighborhood Mixed-Use Center" and "Community Commercial" areas should be compatible with that which is allowed for residential development.
- Objective N5: Minimize conflicts between residential and non-residential activities while providing opportunities for residents to live and work at the same location.
- Policy N5.2: Buffering Residential Areas. Residential areas should be buffered and reinforced from conflicting uses through the establishment of performance-based regulations, the removal of non-conforming uses and other tools.

- Objective N10: Support and create social, informational, cultural and active economic centers in the neighborhoods.
- Policy N10.1: Identifying Neighborhood "Activity Centers." Neighborhood Activity Centers[7] should become identifiable commercial, activity and communication centers for the surrounding neighborhood. The physical design of neighborhood activity centers should support social interaction and attract persons to the area. Some attributes that may facilitate this interaction include plazas, pocket parks, outdoor seating on public and private property, ample sidewalk width, street amenities such as trash cans and benches, and attractive landscaping.

The proposed Project meets the referenced policies and objectives; the general intent of the Neighborhood Center Mixed Use land use designation; and is a good fit for this area because the proposal would maintain the Safeway grocery store and add eight new pedestrian oriented commercial storefronts, including a restaurant, while eliminating one (long established, but recently closed) gasoline station and removing the prominence of the Safeway parking lot from the site. The net effect would to further concentrate commercial opportunities in this successful neighborhood-oriented retail district, which also has good accessibility to the AC Transit 51 Line. Policy N1.4 defines Large Scale Commercial activities as those that serve long term retail needs or regional consumer, although much larger than the existing Safeway store, the proposed store would continue to primarily stock groceries, which are typically replenished by households on a weekly or more frequent basis (short-term). The store would not be focused on a regional market (a characteristic of large-scale commercial) as there are many other grocery stores in the region.

The proposed project would be consistent with the height and bulk of what would be allowed as a residential development at the site, and the project will establish a landscape buffer between the adjacent homes that front on Alcatraz Avenue. In addition, the new loading area will be enclosed as well as the majority of the project parking, which will also lessen impacts onto adjacent residential uses. The Safeway component will continue to sell alcoholic beverage sales, which has been a long ongoing activity at this site, and are generally supported activities within full service grocery stores.

Pedestrian Master Plan Element (PMP)

The following Pedestrian Element policies and objectives apply to the proposed Project:

- Policy 1.1. Crossing Safety. Improve pedestrian crossings in areas of high pedestrian activity where safety is an issue.
- Action 1.1.1: Consider the full range of design elements – including bulb outs and refuge islands – to improve pedestrian safety.
- Policy 2.3. Safe Routes to Transit. Implement pedestrian improvements along major AC transit lines and at BART stations to strengthen connections to transit.
- Action 2.3.1. Develop and implement street designs (like bus bulb-outs) that improve pedestrian/bus connections.
- Policy 3.2. Land Use. Promote land uses and site designs that make walking convenient and enjoyable.
- Action 3.2.1. Use building and zoning codes to encourage a mix of uses, connect entrances and exits to sidewalks, and eliminate "blank walls" to promote street activity.
- Action 3.2.2. Promote parking and development policies that encourage multiple destinations within an area to be connected by pedestrian trips.
- Action 3.2.3. Consider implementing "pedestrian only" areas in locations with the largest pedestrian volumes.

Bicycle Master Plan

The following Bicycle Master Plan Element action applies to the proposed Project:

- Action 1A.1 – Bicycle Lanes (Class 2): Install bicycle lanes where feasible as the preferred bikeway type for all streets on the proposed bikeway network (except for the bicycle boulevards proposed for local streets with low traffic volumes and speeds).
- Action 1A.2 – Arterial Bicycle Routes (Class 3A): Install arterial bicycle routes on collector and arterial streets only when bicycle lanes are infeasible. These shared lane facilities shall include best practices for lane widths, signage, and striping.
- Action 1D.7 – Development Incentives: Consider reduced automobile parking requirements in exchange for bicycle facilities as part of transportation demand management strategies in new development.

The project is generally consistent with the goals of the Bicycle Master Plan, in that it would not adversely affect the feasibility of implementing bike lanes on Claremont Avenue, nor would it add new impediments to the operation of College Avenue as an Arterial Bike Route. The closure of the large curb cuts at the former gas station site may marginally reduce the potential for auto/bike conflicts and improve safety at a major approach to and from the Claremont/College intersection.

Finally, the project plans call for bike racks at numerous locations along the College Avenue frontage and on the Claremont frontage near the intersection with College Avenue. Bike parking will also be provided inside the garage. The project takes advantage of regulations that allow reduced required parking when providing an excess of bike parking above that required by Code.

ZONING ANALYSIS

The subject property is currently located within a CN-1 Zone, but at the time that the project was deemed complete and when the Notice of Preparation was sent out the property was located within the C-31 Zone. The C-31 zoning was subsequently eliminated from the City's Planning Code in April 2011, replaced by the Neighborhood Commercial Zone 1 (CN-1).

The ordinance authorizing the new zoning regulations, passed by resolution of the Oakland City Council on March 15, 2011, explicitly states that "this Ordinance shall be effective 30 days from the date of final passage by the City Council, but shall not apply to . . . zoning applications deemed complete by the City as of the date of final passage." Although the project site is now within a CN-1 zoning district, the zoning district was created after the City had deemed Safeway's application for the proposed project complete. Thus, the C-31 zoning regulations and not the new CN-1 zoning regulations apply to the project.

The C-31 zone is intended to create, preserve, and enhance areas with a wide range of retail establishments serving both short and long term needs in attractive settings oriented to pedestrian comparison shopping, and is typically appropriate along important shopping streets having a special or particularly pleasant character.

Conditional Use Permits

The proposed project would require approval of a Conditional Use permit for the following:

- General Food Sales (*Planning Code* 17.48.040)

- Alcohol Beverage Sales (*Planning Code* 17.48.040)
- Size in excess of 7,500 square feet (*Planning Code* 17.48.080)
- Driveways on College and Claremont Avenues (*Planning Code* 17.48.070)

Variances

Parking – Section 17.116.080 of the Oakland Planning Code requires that off-street parking be provided in the amount of one off street parking stall per 300 square feet of "General Food Sales" and one off-street parking stall per 600 square feet of "Retail". Based upon this amount the total parking required for the proposal would be 194 parking stalls. However, due to the project providing 47 more spaces for bicycle parking than required, the total off-street parking required is reduced to 186. Based upon the proposed project design that includes 171 off-street parking stalls, a minor variance for fifteen (15) off-street parking stalls would be required.

Loading – Section 17.116.140 of the Oakland Planning Code requires that three off-street loading berths be provided for developments between 50,000 – 99,999 square feet. The proposed project is including two loading berths and hence a minor variance for one loading berth would be required.

SUBDIVISION ORDINANCE

The applicant has filed an application for a Vesting Tentative Parcel Map to merge two parcels into one and to create new commercial condominiums.

DESIGN REVIEW

The demolition and new construction of the Safeway store and related ground floor commercial also is required to go through a Regular "Major" Design Review for new construction in excess of 25,000 square feet. As mentioned earlier the project appeared before the Design Review Committee on October 12, 2011. At that meeting a number of issues were raised related to the Claremont Avenue façade and its lack of visual interest, the rhythm of storefronts and materials on the College Avenue façade, and the orientation of the College Avenue driveway into and out of the project. As a result of those comments the architect has made revisions to the design of the project that as noted above in the "project revisions" section of this report.

Staff believes that the proposed project, while containing a larger square footage for the primary tenant than many other buildings in the area meets the design review criteria by locating ground floor commercial store fronts at the street level in a pedestrian oriented manner, which will replace the currently open surface parking lot that is significantly out of context with the character of the neighborhood. The applicant has also done a successful job in locating the new parking area to the rear of the ground floor commercial bays to shield it from the public view on College Avenue, which is the primary commercial street. The proposal successfully creates a pattern of commercial storefronts that break down the long horizontal façade of the building to relate to the context of the neighborhood as well as breaking up the upper level Safeway entries into two locations so that they feel like they are part of the general rhythm of storefronts along the block.

The exterior of the building will use high quality durable materials that will provide richness and texture to the building and allow for a successful modernly designed building. The exterior will consist of a stained concrete bulkhead along much of the building, and a mix of smooth painted stucco, dry-stack ledgestone and metal panel veneer to differentiate many of the individual storefronts. The storefront glazing will be in the form of a dark anodized aluminum storefront system, as will much of the upper

level of the building. The upper level glass has been applied in a manner that relates to the large transom windows seen on older buildings in the area, but in a modern representation. The two entrances to the Safeway grocery store on the upper level are accented with wood composite paneling as well as the "signature" tower element at the corner of the proposed "walk street" that connects through to Claremont Avenue. Staff believes that the applicant has done a successful job in the use of building materials to give a sense of overall quality to the project.

The Claremont façade, while functionally is the back side of the project, incorporates methods to improve its visual appearance along the street by wrapping the glazing of the last tenant space along the "walk street" onto Claremont to give interior visual connection, provided upper level glazing to the back of house area of the grocery store so that it does not appear as "dead space" from the street, and has incorporated a landscape trellis along the partially subterranean garage to help to screen out view of parked cars from the sidewalk. For the portion of the building that contains the loading berths for the project, the building steps back away from the street but contains the landscape trellis along the sidewalk edge to buffer the upper employee parking area and the loading activities as best as possible without preventing a visual connection for safety purposes.

ENVIRONMENTAL DETERMINATION

The City is the Lead Agency pursuant to CEQA and has the responsibility to prepare the EIR for the Project, under the requirements of CEQA, pursuant to Public Resources Code Section 21000 *et. seq.* An Initial Study was not prepared for the Project, as authorized under Section 15060(d) of the CEQA Guidelines.

Publication and Distribution of the DEIR

A Notice of Preparation was issued on October 30, 2009 and a scoping session held before the Planning Commission on November 18, 2009. The Initial Study screened out environmental factors that would not be further studied in the Draft EIR. These factors included: Aesthetics, Biological Resources, Hazards & Hazardous Materials, Mineral resources, Public Services, Utilities/Service Systems, Cultural resources, Hydrology/Water Quality, Recreation, Geology/Soils, Land Use/ Planning, Population/Housing, and Agricultural Resources. However, given the large numbers of comments received regarding Aesthetics and Land Use, they were added back into the scope of the DEIR. The College Avenue Safeway DEIR was prepared and released on July 1, 2011 beginning a 45 day public comment period. The DEIR was heard before the Planning Commission on July 20, 2011 and continued for additional public comment to August 3, 2011. The public review and comment period ended on August 16, 2011. The following environmental topics were addressed in detail in the DEIR:

- Aesthetics
- Air Quality and Greenhouse Gases
- Land Use, Plans and Policies
- Noise
- Transportation and Circulation

Potentially Significant Impacts Identified in the DEIR

Other than the impacts discussed below, all of the environmental effects of the Project can be reduced to less than significant levels through implementation of Standard Conditions of Approval or recommended Mitigation Measures.

The DEIR identifies the following **significant and unavoidable** environmental impacts related to Transportation and Circulation:

Transportation & Circulation

The DEIR identifies eleven significant and unavoidable traffic impacts at five intersections under "Existing plus Project", "2015 plus Project", and "Cumulative 2035 plus Project". The following summary of these impacts is organized by intersection with the impact statement (e.g., TRANS-11) and scenario (e.g., Cumulative 2035 plus Project) noted for easier comparison for the reviewer.

For each of these impacts, Mitigation Measures have been identified and recommended that, if implemented would reduce the impact to less than significant; however, in the interests of a conservative analysis, the EIR identifies the impacts as Significant and Unavoidable because the City of Oakland cannot ensure implementation of the proposed mitigation measures. Specifically, with one exception, the authority for approving and implementing the measures is outside of the City of Oakland's jurisdiction (City of Berkeley & CalTrans), and therefore the City of Oakland cannot ensure the measures' implementation. One of the identified Significant and Unavoidable impacts is located within the City of Oakland at the 63rd Street/ College Avenue/ Safeway entrance intersection and also contains proposed Mitigation Measures that would reduce that impact to Less than Significant. Conservatively the City identified this impact as Significant and Unavoidable due to potential secondary non-CEQA impacts that would be likely to occur given that 63rd Street could become a direct feed into the project entrance and substantially increase traffic on a residential side street. As a result, technical, environmental, social and other factors may cause this measure to be rejected as infeasible.

Intersection #1 – Ashby Avenue / College Avenue – City of Berkeley / CalTrans

- **Impact TRANS-1:** The proposed project would contribute to LOS E operations and increase the average intersection vehicle delay by more than three seconds during the weekday PM peak hour, and contribute to LOS F operations and increase the v/c ratio by more than 0.01 during the Saturday peak hour at the *Ashby Avenue/College Avenue (#1) intersection* under Existing Conditions.

- **Impact TRANS-5:** The proposed project would degrade intersection operations from LOS E to LOS F and increase the average intersection vehicle delay by more than three seconds during the weekday PM peak hour and contribute to LOS F operation and increase the v/c ratio by more than 0.01 during the Saturday peak hour at the *Ashby Avenue/College Avenue (#1) intersection* under 2015 Conditions.

- **Impact TRANS-9:** The proposed project would contribute to LOS F operation and increase the v/c ratio by more than 0.01 during both weekday and Saturday PM peak hours at the *Ashby Avenue/College Avenue (#1) intersection* under 2035 Conditions.

Intersection #2 – Ashby Avenue / Claremont Avenue – City of Berkeley & CalTrans

- **Impact TRANS-10:** The proposed project would contribute to LOS F operation and increase the v/c ratio by more than 0.01 during the weekday PM peak hour at the *Ashby Avenue/Claremont Avenue (#2) intersection* under 2035 Conditions.

Intersection #5 – Alcatraz Avenue / College Avenue – City of Berkeley

- **Impact TRANS-2:** The proposed project would contribute to LOS F operations and increase the v/c ratio by more than 0.01 during the PM peak hour at the *Alcatraz Avenue/College Avenue (#5) intersection* under Existing Conditions.

- **Impact TRANS-6:** The proposed project would contribute to LOS F operations and increase the v/c ratio by more than 0.01 during the PM peak hour and degrade intersection operations from LOS D to LOS E and increase intersection average delay by more than two seconds during the Saturday PM peak hour at the *Alcatraz Avenue/College Avenue (#5) intersection* under 2015 Conditions.

- **Impact TRANS-11:** The proposed project would contribute to LOS F operations and increase the v/c ratio by more than 0.01 during the PM peak hour and degrade intersection operations from LOS E to LOS F and increase intersection average delay by more than three seconds during the Saturday PM peak hour at the *Alcatraz Avenue/College Avenue (#5) intersection* under 2035 Conditions.

Intersection #6 – Alcatraz Avenue / Claremont Avenue – City of Berkeley

- **Impact TRANS-3:** The proposed project would contribute to LOS F operation at the side-street stop-controlled eastbound approach at the *Alcatraz Avenue/Claremont Avenue (#6) intersection,* which would meet the peak hour signal warrant under Existing Conditions.

- **Impact TRANS-7:** The proposed project would contribute to LOS F operation at the side street stop-controlled eastbound approach at the *Alcatraz Avenue/Claremont Avenue (#6) intersection* which would meet the peak hour signal warrant under 2015 Conditions.

- **Impact TRANS-12:** The proposed project would contribute to LOS F operation at the side-street stop-controlled eastbound approach at the *Alcatraz Avenue/Claremont Avenue (#6) intersection* which would meet the peak hour signal warrant under 2035 Conditions.

Intersection #7 – 63rd Street/ College Avenue/ Safeway Entrance – City of Oakland

- **Impact TRANS-13:** The proposed project would add more than 10 trips to the *63rd Street/College Avenue* (#7) intersection which would meet the peak hour signal warrant under 2035 Conditions.

With the proposed project revisions to the 63rd Street/ College Avenue/ Safeway entrance intersection as noted in this staff report, Impact Trans-13 would be eliminated.

Project 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. The five CEQA alternatives analyzed in Chapter 5 include:

- *Alternative 1 - Mixed Use Alternatives a & b* – This alternative includes two variants. One with regular housing and one with senior housing to maximize the allowable density on-site. The project would contain access points as proposed and contain ground floor commercial and the Safeway located on the second floor as proposed. The difference between the two variants is that the regular housing variant a) would provide 40 dwelling units, a 45,000 square foot Safeway, and 10,750 square feet of ground floor commercial space, and the senior housing variant b) would provide 54 senior housing units, a 30,000 square foot Safeway, and 11,820 square feet of ground floor commercial.

- *Alternative 2 – Reduced Size Project – 40,000 square feet & variants a & b* - This alternative was developed with the intent to reduce at least one Significant and Unavoidable transportation impact which ended up being a reduction of the proposed project to include only a 40,000 square foot new Safeway store, which was able to reduce the Significant and Unavoidable Impact at Ashby and College Avenue to Less than Significant. This alternative would likely be accomplished by creating a 15,000 square foot addition to the existing store and possibly providing rooftop parking to accommodate the loss of some surface parking from the building expansion.

  The reduced size alternative also included two variants which were developed by the neighborhood group Friends and Neighbors of College Avenue, and was obtained from their website. Variant a) consisted of a new one-story 25,000 square foot store with rooftop parking and loading accessed off of Claremont Avenue, and a new two story 10,000 square foot commercial building along College Avenue and a 750 square foot commercial building at the corner of College and Claremont Avenues, with surface parking retained between the three buildings. Variant b) would include a minor addition to the existing Safeway at the entrance and loading dock as well as a new 750 square foot commercial building at the corner of College and Claremont Avenues.

- *Alternative 3 – Full Project as Proposed with No Auto Access on College Avenue* – Due to the strong desire to keep auto access points off of College Avenue in order to enhance the pedestrian environment, this alternative was reviewed to see if potential impacts could be reduced as well as to study the feasibility of a project that only contained auto access off of Claremont Avenue.

- *Alternative 4 – Full Project as Proposed with only Inbound Access off College Avenue* – The project alternative was studied as a sort of variant to alternative 3, given the desire to have limited access and pedestrian interruption along College Avenue and due to the queuing and level of service issues that arose in the traffic analysis under alternative 3.

- *Alternative 5 - No Project/No Build Alternative* - CEQA requires a "no Project" alternative to be considered in the EIR. This Alternative is consistent with the existing environmental setting presented throughout Chapter 4 of the EIR, and it would be assumed that the gas station would re-open.

The Environmentally Superior Alternative is the No Project/No Build Alternative. Under CEQA, if a No Project Alternative is identified as the environmentally superior alternative, the EIR shall also identify an environmentally superior alternative development among the other alternatives. In this case, the environmentally superior development alternative is Alternative 2 the Reduced Size Alternative variant b, as it would likely avoid all of the Proposed Project's significant impacts that occur with the other

construction alternatives because it would only include a minor addition to the existing building and create a new small commercial building to replace the gas station. However, this alternative fails to meet a majority of the project objectives. Therefore, Alternative 2 the Reduced Size alternative of 40,000 square feet would be considered the next environmentally superior alternative because it would reduce impacts, though not to the level of variant b), and would also meet the project objectives to a greater extent.

Response to Comments Document

A Notice of Release and Availability along with the Response to Comments Document (which together with the DEIR make up the Final EIR (FEIR)) was published on July 6, 2012. The Response to Comments Document includes written responses to all comments received during the public review period on the DEIR and at the public hearings on the DEIR held by the Planning Commission. The FEIR was provided under separate cover for review and consideration by the Planning Commission, was sent to all who commented, and is available to the public at the Planning Department office and on the City's website at
http://www2.oaklandnet.com/Government/o/CEDA/o/PlanningZoning/s/Application/DOWD009157

All impacts, City Standard Conditions of Approval and Mitigation Measures, as they may have been revised/clarified from the DEIR, identified in the FEIR are summarized in Table 2-7 at the end of the Project Overview chapter, Chapter 2 of the FEIR. Table 2-7 also identifies the level of significance of the impacts after City Standard Conditions of Approval and recommended Mitigation Measures are implemented.

KEY ISSUES

Traffic Impacts

As noted above, the DEIR identified 11 significant and unavoidable impacts to five different intersections under "Existing plus Project", "2015 plus Project", and "Cumulative 2035 plus Project", however with the revised project this number is decreased to 10 significant and unavoidable impacts at four different intersections, all of which are located within the City of Berkeley. For each of these impacts, Mitigation Measures have been identified and recommended that, if implemented would reduce the impact to less than significant; however, in the interests of a conservative analysis, the EIR identifies the impacts as significant and unavoidable because the City of Oakland cannot ensure implementation of the proposed mitigation measures due to the intersections being located outside the City of Oakland's jurisdiction.

Staff has been in contact with the City of Berkeley Transportation Engineering staff and has been working on language to ensure that these Mitigation Measures, or other improvements preferred by the City of Berkeley, will be implemented through Conditions of Approval of the project and funded by the applicant. The Berkeley City Council held a hearing on July 17, 2012 to discuss the agreement for implementation of the necessary mitigation measures; however, the Berkeley City Council opted not to accept the agreement at this time because of their opposition to the project. Council members at the hearing stated that they would prefer to await the outcome of the project at the Oakland City Council prior to accepting any agreement regarding implementation of mitigations, and that in the event that the project is approved they would attempt to hold a future Council hearing to address the issue prior to the project being heard by the Oakland City Council upon appeal.

Staff is comfortable proceeding with the entitlements on the project given that it is very likely that measures will be taken to resolve the outstanding issues as they relate to intersections located within the

City of Berkeley. Staff has included as a Condition of Approval that the applicant must apply for an encroachment permit with the City of Berkeley prior to Certificate of Occupancy to attempt to implement the necessary mitigation measures as identified in the EIR.

Square Footage of the Proposal

The major issue that has been raised by individuals in opposition to the project is that of the proposed square footage of the rebuilt grocery store. The existing grocery store is approximately 25,000 square feet, and the reconstructed store would approximately double the size of the store to 51,000 square feet. As stated earlier in this report the C-31 Zone requires approval of a Conditional Use permit for any individual commercial space that is in excess of 7,500 square feet. Staff believes that the proposal meets the required Conditional Use permit criteria because the project would redevelop the existing site from a 1960's era development that was centered around a surface auto parking lot in a new urbanized site that includes new ground floor commercial spaces that will better relate to the pedestrian oriented commercial district along College Avenue and place the larger single user space as the grocery store at the upper level away from the sidewalk while still incorporating the store entrances into the fabric of the pattern of commercial storefronts.

The biggest issue raised by the concern of the store size has been that of increased traffic in an area that at present is very congested and the intersections operate with poor levels of service. With implementation of proposed Mitigation Measures as identified in the EIR, the existing level of service of nearby intersections at the peak hour would not be degraded beyond that of what currently exists, as described above, and many more pedestrian oriented improvements will be incorporated to the surrounding public right of way adjacent to the site.

Another major issue that has been raised is that of competition with other stores in the area. While Zoning does not specifically deal with issues of competition between private businesses, a detailed economic analysis was performed as part of the EIR that addresses concerns related to the potential for urban decay as a result of a new large store opening.

Parking

One of the other concerns related to the size of the store was the amount of parking being provided. As stated earlier in the staff report, the project as proposed would require 186 off-street parking stalls and a minor variance is required since the project is only proposing 171 stalls. Staff feels that the requested variance is supportable due to the fact that the number of stalls being provided actually meets the zoning requirements for the Safeway grocery store use. However, the project incorporates an additional approximately 10,000 square feet of commercial square footage as a means of allowing the project to fit in with the C-31 desired goal of developments that emphasize pedestrian oriented comparison shopping. As a result the project falls short of the ability to meet the increased parking requirements, both by the increase in the commercial square footage that raises the amount of parking required as well as the potential ground floor area on the site that could provide more parking dedicated to those active ground floor uses.

Furthermore, staff feels that the mix of uses at the site will be able to have a shared parking situation where individuals will come to the site to park and shop at the Safeway grocery store and may very likely visit other businesses in the development as well as other businesses in the College Avenue commercial district.

CONCLUSION AND RECOMMENDATION

In summary, based on the analysis contained within this report and the EIR, staff believes that the proposed Project, to demolish the existing 25,000 square foot grocery store and adjacent automotive service station to develop a new two story commercial building of approximately 62,000 square feet that would contain an approximately 51,500 square foot Safeway grocery store and approximately 10,500 square feet of additional ground floor commercial space, is an appropriate urban in-fill re-development project which will further the overall objectives of the General Plan.

Staff recommends that the Planning Commission:

(1) Adopt the enclosed CEQA findings, including Certification of the EIR, rejection of alternatives as infeasible and a Statement of Overriding Considerations.

(2) Approve the Major Conditional Use permits, Minor Variances, Design Review, and Vesting Tentative Parcel Map for the Project as described in this report subject to the conditions (including the Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCAMMRP))), requirements, and findings contained in this staff report.

Approved for forwarding to the
City Planning Commission:

SCOTT MILLER
Interim Planning and Zoning Director
Department of Planning, Building, and Neighborhood Preservation

Prepared by:

Peterson Z. Vollmann
Planner III

Attachments:

A. Findings, including CEQA Findings
B. Conditions of Approval
C. SCAMMRP
D. Project Plans
E. Vesting Tentative Parcel Map
F. Intersection Proposal for College and Alcatraz Avenues

NOTE:

The Draft and Final EIRs were provided under separate cover for review and consideration by the Planning Commission, and is available to the public at the Planning Department office at 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612 and on the City's website at http://www2.oaklandnet.com/Government/o/CEDA/o/PlanningZoning/s/Application/DOWD009157

ATTACHMENT A

FINDINGS FOR APPROVAL

This proposal meets all the required Use Permit criteria (Sections 17.134.050 & 17.48.100), Minor Variance Criteria (Section 17.148.050) and Design Review Criteria (Section 17.136.050) as set forth below and which are required to approve your application. This proposal does not contain characteristics that require denial pursuant to the Tentative Map Findings (Section 16.08.030) and is consistent with the Lot Design Standards (Section 16.24.040) of the Oakland Subdivision Regulations. Required findings are shown in **bold** type; reasons your proposal satisfies them are shown in normal type.

SECTION 17.134.050 –CONDITIONAL USE PERMIT FINDINGS:

1. **That the location, size, design, and operating characteristics of the proposed development will be compatible with, and will not adversely affect, the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities; to harmful effect, if any upon desirable neighborhood character; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development.**

   The proposed project will demolish the existing approximately 25,000 square foot Safeway grocery store and the abutting auto service station, which currently are set back from the street edge and surrounded by an expansive surface parking lot with numerous curb cuts along the street frontages. The new proposal will rebuild the site with a new two story approximately 62,000 square foot commercial facility that will contain a newly rebuilt Safeway grocery store located on the second level of the building and contain several ground floor pedestrian oriented commercial bays along College Avenue. The inclusion of the ground floor commercial spaces allows the development to be built to the pedestrian scale by removing the existing surface lot and replacing the College Avenue frontage with numerous commercial store fronts that will relate to the existing and desired context of the successful Rockridge shopping district on College Avenue. The proposal will cover the majority of the project site, which is quite typical for commercial properties in the area, however, given the large size of the site in comparison to other properties along College Avenue, methods were taken to create vertical architectural breaks along the frontage of the building including creating a new "walk street" or pedestrian arcade that breaks up the site and provides connection between College and Claremont Avenues. These measures help to successfully reduce the visual bulk of the project and provide a pedestrian friendly street edge that does not exist with the current suburban model store and surrounding surface parking lot

   An Environmental Impact Report (EIR) was prepared for the project, which identified numerous traffic impacts in the immediate vicinity of the project site. The EIR also proposes mitigation measures that are able to reduce the impacts to less than significant levels upon implementation. A number of the impacted intersections are located within the City of Berkeley, and thus the City of Oakland does not have jurisdiction and cannot ensure implementation of the mitigation measures. However, Conditions of Approval will require that the project applicant applies to the City of Berkeley to install the identified mitigation measures, or other methods that may be deemed more appropriate by the City of Berkeley.

The project site is located within a developed area and public utilities are readily available. In addition, the project site is located on the AC Transit 51 line, which is a major trunk line with frequent service providing the site with excellent public transit.

2. **That the location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrant.**

   The proposed development will be an attractive and functional shopping environment that will replace the existing 1960's era auto oriented development with a new pedestrian oriented development that establishes numerous commercial store fronts at the sidewalk edge and brings the site back into conformity with the existing and desired visual character of the College Avenue shopping district. Parking will still be provided for the site, but will be situated in a manner that largely shields it from view of the important pedestrian oriented College Avenue.

3. **That the proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region.**

   The development will enhance the area as a neighborhood shopping district by rebuilding the existing grocery store and locating it on the upper level of the building so that the pedestrian level at the ground floor can be occupied by smaller commercial bays more consistent with the character of the district.

4. **That the proposal conforms to all applicable design review criteria set forth in the DESIGN REVIEW PROCEDURE of Chapter 17.136 of the Oakland Planning Code.**

   See Design Review findings below.

5. **That the proposal conforms in all significant respects with the Oakland General Plan and with any other applicable plan or development control map which has been adopted by the City Council.**

   The General Plan's Land Use and Transportation Element (LUTE) classifies the project site as located in the Neighborhood Center Mixed Use General Plan area. This land use classification is intended to identify, create, maintain, and enhance mixed use neighborhood commercial centers. These centers are typically characterized by a smaller scale pedestrian oriented, continuous street frontage with a mix of retail, housing, office, active open space, eating and drinking places, personal and business services, and smaller scale educational, cultural, or entertainment uses. Future development within this classification should be commercial or mixed uses that are pedestrian oriented and serve nearby neighborhoods, or urban residential with ground floor commercial.

   Among the General Plan Land Use and Transportation policies and objectives applicable to the proposed Project are the following:

   - Objective N1: Provide for healthy, vital, and accessible commercial areas that help meet local consumer needs in the neighborhoods.

- Policy N1.1: Concentrating Commercial Development. Commercial development in the neighborhoods should be concentrated in areas that are economically viable and provide opportunities for small scale, neighborhood-oriented retail.
- Policy N1.2 Placing Public Transit Stops. The majority of commercial development should be accessible by public transit. Public transit stops should be placed at strategic locations in Neighborhood Activity Centers and Transit-Oriented Districts to promote browsing and shopping by transit users.
- Policy N1.4 Locating Large-Scale Commercial Activities. Commercial uses which serve long term retail needs or regional consumers and which primarily offer high volume goods should be located in areas visible or amenable to high volumes of traffic …
- Policy N1.5: Designing Commercial Development. Commercial development should be designed in a manner that is sensitive to surrounding residential uses.
- Policy N1.6: Reviewing Potential Nuisance Activities. The City should review any proposed new commercial activities that have the potential to create public nuisance or crime problems, and should monitor those that are existing. These may include isolated commercial or industrial establishments located within residential areas, alcoholic beverage sales activities (excluding restaurants, adult entertainment, or other entertainment activities).
- Policy N1.8: Making Compatible Development. The height and bulk of commercial development in "Neighborhood Mixed-Use Center" and "Community Commercial" areas should be compatible with that which is allowed for residential development.
- Objective N5: Minimize conflicts between residential and non-residential activities while providing opportunities for residents to live and work at the same location.
- Policy N5.2: Buffering Residential Areas. Residential areas should be buffered and reinforced from conflicting uses through the establishment of performance-based regulations, the removal of non-conforming uses and other tools.
- Objective N10: Support and create social, informational, cultural and active economic centers in the neighborhoods.
- Policy N10.1: Identifying Neighborhood "Activity Centers." Neighborhood Activity Centers[7] should become identifiable commercial, activity and communication centers for the surrounding neighborhood. The physical design of neighborhood activity centers should support social interaction and attract persons to the area. Some attributes that may facilitate this interaction include plazas, pocket parks, outdoor seating on public and private property, ample sidewalk width, street amenities such as trash cans and benches, and attractive landscaping.

The proposed Project meets the referenced policies and objectives; the general intent of the Neighborhood Center Mixed Use land use designation; and is a good fit for this area because the proposal would maintain the Safeway grocery store and add eight new pedestrian oriented commercial storefronts, including a restaurant, while eliminating one (long established, but recently closed) gasoline station and removing the prominence of the Safeway parking lot from the site. The net effect would to further concentrate commercial opportunities in this successful neighborhood-oriented retail district, which also has good accessibility to the AC Transit 51 Line. Policy N1.4 defines Large Scale Commercial activities as those that serve long term retail needs or regional consumer, although much larger than the existing Safeway store, the proposed store would continue to primarily stock groceries, which are typically replenished by households on a weekly or more frequent basis (short-term). The store would not be focused on a regional market (a characteristic of large-scale commercial) as there are many other grocery stores in the region.

The proposed project would be consistent with the height and bulk of what would be allowed as a residential development at the site, and the project will establish a landscape buffer between the adjacent homes that front on Alcatraz Avenue. In addition, the new loading area will be enclosed as well as the majority of the project parking, which will also lessen impacts onto adjacent residential uses. The Safeway component will continue to sell alcoholic beverage sales, which has been a long ongoing activity at this site, and is a generally supported activity within full service grocery stores.

SECTION 17.48.100 – C-31 USE PERMIT CRTIERIA:

A. That the proposal will not detract from the character desired for the area.

The desired character of the College Avenue shopping district is that of continuous ground floor commercial spaces that encourage pedestrian oriented comparison shopping. The development will enhance the area as a pedestrian oriented shopping district by rebuilding the existing grocery store and locating it on the upper level of the building so that the pedestrian level at the ground floor can be occupied by smaller commercial bays more consistent with the desired existing character of the district.

B. That the proposal will not impair a generally continuous wall of building facades.

The proposal will not remove an undesirable auto oriented surface parking lot and auto service station, and replace it with a new development that establishes a generally continuous wall of building facades with pedestrian oriented commercial store fronts along College Avenue. The project will create a generally continuous wall of building façade where none exists today.

C. That the proposal will not weaken the concentration and continuity of retail facilities at ground level, and will not impair the retention or creation of an important shopping frontage.

The proposal will not weaken the concentration and continuity of retail facilities at the ground level, as none such facilities exist at present. The existing site contains an auto oriented grocery store that sits in the middle of a surface parking lot and an auto service station with numerous curb cuts right at the important intersection of College and Claremont Avenues. The new development will establish a new restaurant building anchoring the corner, and develop a number of ground floor commercial bays that will create an important shopping frontage for the district. The project increases the concentration and continuity of ground-level retail facilities.

D. That the proposal will not interfere with the movement of people along an important pedestrian street.

The proposal does include one new curb cut along College Avenue, which is the important major pedestrian street in the area. However, it will be replacing the existing development that at present contains four such curb cuts. The new curb cut will be placed in a manner that reflects 63rd Street to the west of the project site so that it is a clear auto access point, and adequate sight lines will be provided so that motorists exiting the site will be able to see pedestrians. The proposed condition will be an improvement over the current situation with four existing curb cuts.

E. That no driveway shall connect directly with the area's principal commercial street unless:

1. Vehicular access cannot reasonably be provided from a different street or other way, and;

Vehicular access cannot reasonably be provided solely from Claremont Avenue. One of the project alternatives studied in the EIR was a project that would not have a driveway on College Avenue. The traffic study results of the alternative showed that without an entrance on College Avenue to accommodate south bound traffic to the site, the Intersection of College Avenue and Alcatraz Ave. would contain massive back ups in queuing as cars attempt to make a left turn on Alcatraz Avenue to get to Claremont Avenue to enter the store. In addition, Alcatraz Avenue is primarily a residential street and the increased traffic down the street from this scenario would be seen more as a negative than that of the presence of one driveway access point on College Avenue.

2. Every reasonable effort has been made to share means of vehicular access with abutting properties.

In the instance of this project two existing sites are being merged into one to accommodate the project, which as a result will share auto access provided for the most part off of Claremont Avenue.

F. That the amount of off-street parking, if any, provided in excess of the requirements of this code will not contribute significantly to an increased orientation of the area to automobile movement.

The amount of off street parking will not be in excess of that required by the Planning Code, whereas in fact measures were taken in the development review process to push for the proposed grocery store to be located at the upper story so that the ground floor could be occupied by pedestrian oriented commercial storefronts better suited to the area, which as a result takes away available parking space and ups the overall parking required. As a result of this design component of the project, the proposal is providing 15 stalls less than that required by the Planning Code.

G. That the proposal will conform in all significant respects with any applicable district plan which has been adopted by the City Council.

In general the establishment of a development that removes a surface parking lot and auto service station for a new project that incorporates pedestrian oriented commercial storefronts along College Avenue is consistent with the intent of the Neighborhood Center Mixed Use General Plan land use classification. See finding #5 above in "General Use Permit Criteria" for consistency with specific General Plan Objectives and Policies.

17.136.050(B) - NON-RESIDENTIAL DESIGN REVIEW CRITERIA:

1. **That the proposal will help achieve or maintain a group of facilities which are well related to one another and which, when taken together, will result in a well-composed design, with consideration given to site, landscape, bulk, height, arrangement, texture, materials, colors, and appurtenances; the relation of these factors to other facilities in the vicinity; and the relation of the proposal to the total setting as seen from key points in the surrounding area.**

   The proposal will redevelop an existing site that contains an auto oriented grocery store that sits in the middle of a surface parking lot as well as an automotive service station with numerous curb cuts on the street. The new development will be a new large facility that will fill out the majority of the block and reestablish the grocery store at the upper level of the building in order to allow for new ground floor pedestrian oriented commercial storefronts to face directly onto College Avenue. The new ground floor commercial bays will mimic the pattern of storefronts on the opposite side of the street. In addition, the new parking will largely be provided for in a partially subterranean garage that will be tucked back behind the ground floor commercial spaces along College Avenue so that its presence is obscured and minimizes any conflict with the pedestrian character of the commercial district.

   The proposal will include a new building at the corner of the important and highly visible intersection of Claremont and College Avenues that will contain a "flatiron" type appearance and takes advantage of the acute angle of the intersection as many other buildings in the area do.

   The height of the building is consistent with the height of other buildings in the vicinity, and consistent with the height maximum of 35 feet in the C-31 Zone. While the proposed building contains a large portion of the subject block, the design of the building contains vertical design elements that break down the horizontal plane of the buildings and differentiate individual commercial storefronts. In addition, the proposal creates a break in the project site be including a pedestrian arcade or "walk street" between the main building and the restaurant building at the corner that provides a storefront lined pedestrian access between College and Claremont Avenues.

   The proposal incorporates high quality and durable exterior materials such as stained concrete bulkheads, dry-stack ledgestone, smooth finish stucco, metal paneling, and a wood composite such as "parklex" that provide for an overall quality appearance to the project. The commercial store fronts will contain dark anodized aluminum framing, including large expanses of it on the upper level of the building which both helps provide relief at the upper story as well as plays off of the tall transom windows seen on other older commercial buildings in the area.

2. **That the proposed design will be of a quality and character which harmonizes with, and serves to protect the value of, private and public investments in the area.**

   The proposal will contain high quality and durable exterior materials that will provide for an attractive façade to the buildings. The replacement of the existing surface parking lot and auto service station will transform the site from an auto oriented relic of the 1960's into a pedestrian oriented commercial site that while modern would relate to the pedestrian

character of the district by its inclusion of numerous ground floor commercial store fronts replicating those across College Avenue.

3. **That the proposed design conforms in all significant respects with the Oakland General Plan and with any applicable design review guidelines or criteria, district plan, or development control map which have been adopted by the Planning Commission or City Council.**

   In general the establishment of a development that removes a surface parking lot and auto service station for a new project that incorporates pedestrian oriented commercial storefronts along College Avenue is consistent with the intent of the Neighborhood Center Mixed Use General Plan land use classification. See finding #5 above in "General Use Permit Criteria" for consistency with specific General Plan Objectives and Policies.

SECTION 17.148.050 - MINOR VARIANCE FINDINGS:

1. **That strict compliance with the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the purposes of the zoning regulations, due to unique physical or topographic circumstances or conditions of design; or as an alternative in the case of a minor variance, that such strict compliance would preclude an effective design solution improving livability, operational efficiency, or appearance.**

   Strict compliance with the required parking regulations would preclude an effective design solution that improves operational efficiency and appearance of the proposed building. The proposed development overall requires 186 off-street parking stalls, whereas only 171 are being provided. Parking is being provided in two locations. The main parking area will be located in the partially subterranean garage that is located to the rear of the ground floor commercial storefronts along College Avenue, and the other stalls are located at the rear of the upper level adjacent to the loading berths. The applicant on the project is Safeway, a large chain grocery store which currently exists at the site. The first intention of the applicant was to rebuild the existing store as a one story building with parking on the rooftop, however staff had informed the applicant that in order to receive support and comply with the required Use Permit criteria for the C-31 Zone they would need to establish ground floor commercial bays separate from the Safeway store itself. As a result the store was moved to the upper level and numerous ground floor commercial bays were added to the street front thus raising the amount of required parking for the project site. By the installation of the ground floor commercial at the project site the appearance of the building has been greatly improved in terms of neighborhood context, and the operational efficiency of the building has been improved in terms of the general function of the overall commercial district as a pedestrian oriented shopping district with smaller storefronts for comparison shopping. In addition, the parking as proposed can act as dual use shared parking that can accommodate different activities at differing times of the day, or separate peak periods or support parking for an individual making multiple shopping trips to different vendors.

   Strict compliance with the required three loading berths precludes an effective design solution improving appearance and operational efficiency. Typically most large Safeway stores only contain two loading berths and as stated by the applicant the third berth would exceed the operational needs for the store. This is also consistent with other recently approved large grocery stores of a similar size such as Whole Foods located on Bay Place with the loading docks accessed directly off of Harrison Street. The loading berths also sit adjacent to the

proposed upper level employee parking lot which will not have as frequent use as the general customer parking lot in the lower level. As a result smaller delivery trucks will be able to temporarily park in the employee lot while making deliveries. By allowing the reduction of the required loading berth from three to two the general appearance of the rear side of the building facing Claremont Avenue is improved because it minimizes the visual appearance of the loading dock, which in its nature is not a typically attractive design feature on a building.

2. **That strict compliance with the regulations would deprive the applicant of privileges enjoyed by owners of similarly zoned property; or, as an alternative in the case of a minor variance, that such strict compliance would preclude an effective design solution fulfilling the basic intent of the applicable regulation.**

   The basic intent of the commercial parking regulations is to provide ample off-street parking for customers and employees of specific commercial activities. The proposed development overall requires 186 off-street parking stalls, whereas only 171 are being provided. Parking is being provided in two locations. The main parking area will be located in the partially subterranean garage that is located to the rear of the ground floor commercial storefronts along College Avenue, and the other stalls are located at the rear of the upper level adjacent to the loading berths. The amount of parking being provided would meet the requirement for the Safeway store on its own, however with the inclusion of the additional ground floor commercial spaces the required parking goes beyond that of what is provided. Strict compliance would preclude an effective design solution that allows the inclusion of important ground floor commercial activities in the pedestrian oriented commercial district of College Avenue, in addition customers that come to the site will quite likely use the off-street parking provided and patronize multiple stores either at the project site or in the surrounding commercial district, which allows for a shard parking scenario for different activities. Furthermore, none of the proposed commercial storefronts by themselves would trip the threshold for which parking would be provided and similar other commercial storefronts in the area do not themselves contain any required off-street parking.

   The basic intent of the required commercial loading berths is to provide ample loading space for commercial activities. In this instance the main tenant of the site that will require large delivery trucks is Safeway, which will have two dedicated loading berths for the project, which the applicant has stated is typical of other stores of the same size, as well as other similar recently approved large grocery stores such as Whole Foods on Bay Place and Harrison Street. The loading berth is also located adjacent to the upper level employee parking lot which will allow independent smaller delivery trucks to park in the employee lot to deliver goods to the store in a situation away from the main customer auto circulation of the site. The smaller commercial tenant spaces will be located at the ground floor and will be directly accessible to the parking garage in which they would be able to receive deliveries from small vendors at off peak hours from within the garage, or will also be able to utilize existing on street loading zones directly across the street on 63rd Street as other commercial businesses in the district currently use. By allowing the reduction of the required loading berth from three to two the general appearance of the rear side of the building facing Claremont Avenue is improved because it minimizes the visual appearance of the loading dock, which in its nature is not a typically attractive design feature on a building.

3. **That the variance, if granted, will not adversely affect the character, livability, or appropriate development of abutting properties or the surrounding area, and will not be detrimental to the public welfare or contrary to adopted plans or development policy.**

The granting of the parking and loading berth variances will not adversely impact the character of the neighborhood, as the reduced requirements are making the inclusion of the ground floor commercial spaces at the College Avenue frontage a feasible option that makes the proposal more consistent with the pedestrian oriented character of the commercial district.

4. **That the variance will not constitute a grant of special privilege inconsistent with limitations imposed on similarly zoned properties or inconsistent with the purposes of the zoning regulations.**

   The granting of the variance would not constitute a grant of special privilege, as minor variances are generally granted when proved to create a better design solution to create a more compatible development for the neighborhood or improve operational efficiency.

5. **That the elements of the proposal requiring the variance (e.g., elements such as buildings, walls, fences, driveways, garages and carports, etc.) conform with the regular design review criteria set forth in the design review procedure at Section 17.136.050.**

   See design review findings above.

<u>16.08.030 - TENTATIVE MAP FINDINGS</u> (Pursuant also to California Government Code §66474 (Chapter 4, Subdivision Map Act)

The Advisory Agency shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:

A. **That the proposed map is not consistent with applicable general and specific plans as specified in the State Government Code Section 65451.**

   In general the establishment of a development that removes a surface parking lot and auto service station for a new project that incorporates pedestrian oriented commercial storefronts along College Avenue is consistent with the intent of the Neighborhood Center Mixed Use General Plan land use classification. See finding #5 above in "General Use Permit Criteria" for consistency with specific General Plan Objectives and Policies.

B. **That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.**

   In general the establishment of a development that removes a surface parking lot and auto service station for a new project that incorporates pedestrian oriented commercial storefronts along College Avenue is consistent with the intent of the Neighborhood Center Mixed Use General Plan land use classification. See finding #5 above in "General Use Permit Criteria" for consistency with specific General Plan Objectives and Policies.

C. **That the site is not physically suitable for the type of development.**

   The subject site is located within an established commercial district, is at present developed with commercial activities and is physically suitable for the proposed commercial development.

D. **That the site is not physically suitable for the proposed density of development.**

   The existing site is physically suitable to accommodate a development that would include a Floor

Area Ratio of less than 1.0, which is below the maximum of 4.0 set forth in the Neighborhood Center Mixed Use General Plan land use designation for the site.

E. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

This site has been previously developed and does not contain any wildlife habitat or waterways.

F. That the design of the subdivision or type of improvements is likely to cause serious public health problems.

There would be no adverse health effects as a result of the proposed development as identified in the EIR for the project. This is a commercial development that would occur within an established commercial district.

G. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. (This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.)

There are no easements on this property at present to allow public access.

H. That the design of the subdivision does not provide to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision

The site has ample southern exposure that will enhance natural solar access and heating and cooling opportunities.

SECTION 16.24.040 – LOT DESIGN STANDARDS

A. No lot shall be created without frontage on a public street, except lots created in conjunction with approved private access easements.

The merged parcels will have frontage on both College Avenue and Claremont Avenue. No new physical land subdivision would take place as a result of the Map other than the potential for new commercial condominiums.

B. The side lines of lots shall run at right angles or radially to the street upon which the lot fronts, except where impractical by reason of unusual topography.

The site would not contain side lot lines as it would contain two frontages along two major streets, and contain a rear lot line adjacent to residential properties to the north.

C. All applicable requirements of the zoning regulations shall be met.

Zoning requirements have been met by meeting the Variance criteria and the Conditional Use permit criteria above for the development.

D. Lots shall be equal or larger in measure than the prevalent size of existing lots in the surrounding area.

The merged lot would consist of approximately 90,000 square feet and would far exceed the prevalent lot size in the area.

E. Lots shall be designed in a manner to preserve and enhance natural out-croppings of rock, specimen trees or group of trees, creeks or other amenities.

No such characteristics exist at the subject site.

CEQA FINDINGS

I. INTRODUCTION

1. These findings are made pursuant to the California Environmental Quality Act (Pub. Res. Code section 21000 et seq; "CEQA") and the CEQA Guidelines (Cal. Code Regs. title 14, section 15000 et seq.) by the City of Oakland Planning Commission in connection with certification of the Environmental Impact Report ("EIR") for the Safeway Shopping Center – College and Claremont Avenues Project ("the Project"), SCH #2009112008, and approval of the Project.

2. These CEQA findings are attached and incorporated by reference into each and every staff report, resolution and ordinance associated with approval the Project.

3. These findings are based on substantial evidence in the entire administrative record and references to specific reports and specific pages of documents are not intended to identify those sources as the exclusive basis for the findings.

II. PROJECT DESCRIPTION

4. The Project site is located on 2.1 acres at the northwest corner of College and Claremont Avenues and is presently occupied by an existing Safeway store, with approximately 25,000 square feet of floor area, a 96-space surface parking lot, and a vacant gasoline station formerly owned and operated by Union 76. The proposed development studied in the Draft EIR ("DEIR"), referred to herein as the "DEIR Project," included demolition of the existing store, parking lot and service station and construction of a two-story, approximately 62,000 square foot building that would contain a Safeway store of approximately 51,150 square feet, approximately 10,500 square feet of ground floor retail spaces (for approximately eight retail shops including one restaurant), and a partially below-grade parking garage with about 171 parking spaces.

5. In response to issues raised during a series of public hearings held by the Planning Commission and the Design Review Committee, as well as during numerous meetings with City staff and members of the public, the Project sponsor proposed certain design and site access changes as compared to the DEIR Project. The result is the "Revised Project," which is more fully described in Chapter 2 of the Response to Comments and Final Environmental Impact Report ("FEIR"). The Revised Project is identical to the DEIR Project in most respects, including the overall size of the Project and the proposed Safeway store. The Revised Project differs from the DEIR Project only with respect to its aesthetic appearance and its proposed treatment of the store driveway and lane configuration at the intersection of 63rd Street and

College Avenue. These findings pertain to the Revised Project, and all references in these findings to the "Project" are references to the Revised Project unless the context clearly indicates otherwise.

III. ENVIRONMENTAL REVIEW OF THE PROJECT

6. Pursuant to CEQA and the CEQA Guidelines, a Notice of Preparation ("NOP") of a Draft Environmental Impact Report and an Initial Study ("IS") were published on October 30, 2009. The NOP/IS was distributed to state and local agencies, posted at the Project site, and mailed to Oakland property owners within 300 feet of the Project site. The public comment period on the NOP/IS ended on December 1, 2009. On November 18, 2009, the Planning Commission conducted a duly noticed public scoping hearing on the DEIR. The IS concluded that the Project did not have the potential to result in significant impacts to various environmental topics and that these topics would thus not be further studied in the DEIR. These topics included: Aesthetics, Agricultural Resources, Biological Resources, Cultural Resources, Geology/Soils, Hazards & Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Mineral Resources, Population/Housing, Public Services, Recreation and Utilities/Service Systems. Consistent with the conclusions reached by the IS, most of these topics were not studied in the DEIR. However, the categories of Land Use/Planning and Aesthetics were, in fact, examined in the DEIR. See, DEIR, Chapters 4.1 (Land Use, Plans and Policies) and Chapter 4.2 (Visual Quality).

7. A DEIR was prepared for the Project to analyze its environmental impacts. The Notice of Availability/Notice of Release of the DEIR was distributed to appropriate state and local agencies, posted on the Project site, mailed to Oakland property owners within 300 feet of the Project site as well as to any persons who had previously submitted comments on the Project to the City and/or requested to be included in future mailings about the Project, and e-mailed to individuals who had requested specifically to be notified of official City actions on the Project. Copies of the DEIR were also distributed to appropriate state and local agencies, City officials including the Planning Commission, and made available for public review at the office of the Planning, Building & Neighborhood Preservation Department (250 Frank H. Ogawa Plaza, Suite 2114) and on the City's website. The DEIR was properly circulated for a 46-day public review period on July 1, 2011. Duly noticed public hearings on the DEIR were held by the Planning Commission on July 20, 2011 and August 3, 2011.

8. The City received written and oral comments on the DEIR. The City prepared responses to comments on environmental issues and made changes to the DEIR. The responses to comments, changes to the DEIR, and additional information were published in the FEIR on July 6, 2012. The DEIR, the FEIR and all appendices thereto constitute the "EIR" referenced in these findings. The FEIR was made available for public review on July 6, 2012, 19 days prior to the duly noticed July 25, 2012 public hearing. The Notice of Availability/Notice of Release of the FEIR was distributed to those state and local agencies who commented on the DEIR, posted on the Project site, mailed to Oakland property owners within 300 feet of the Project site as well as to any persons who had previously submitted comments on the Project to the City and/or requested to be included in future mailings about the Project, and e-mailed to individuals who had requested specifically to be notified of official City actions on the Project. Copies of the FEIR were distributed to those state and local agencies who commented on the DEIR and to City officials (including members of the Planning Commission), and were made available for public review at the office of the Planning, Building & Neighborhood Preservation Department (250 Frank H. Ogawa Plaza, Suite 2114) and on the City's website. Pursuant to the CEQA Guidelines, responses to public agency comments have been published and made available to all commenting agencies at least 10 days prior to hearing. The Planning Commission has had an opportunity to

review all comments and responses thereto prior to consideration of certification of the EIR and prior to taking any action on the proposed Project.

IV. THE ADMINISTRATIVE RECORD

9. The administrative record, upon which all findings and determinations related to the approval of the Project are based, includes the following:

a. The EIR and all documents referenced in or relied upon by the EIR.

b. All information (including written evidence and testimony) provided by City staff to the Planning Commission relating to the EIR, the approvals, and the Project.

c. All information (including written evidence and testimony) presented to the Planning Commission by the environmental consultant and subconsultants who prepared the EIR or incorporated into reports presented to the Planning Commission.

d. All information (including written evidence and testimony) presented to the City from other public agencies relating to the Project or the EIR.

e. All final applications, letters, testimony and presentations presented by the Project sponsor and its consultants to the City in connection with the Project.

f. All final information (including written evidence and testimony) presented at any City public hearing or City workshop related to the Project and the EIR.

g. For documentary and information purposes, all City-adopted land use plans and ordinances, including without limitation, general plans, specific plans and ordinances, together with environmental review documents, findings, mitigation monitoring programs and other documentation relevant to planned growth in the area.

h. The Standard Conditions of Approval for the Project and Mitigation Monitoring and Reporting Program for the Project.

i. All other documents composing the record pursuant to Public Resources Code section 21167.6(e).

10. The custodian of the documents and other materials that constitute the record of the proceedings upon which the City's decisions are based is the Director of City Planning, Planning, Building & Neighborhood Preservation Department, or his/her designee. Such documents and other materials are located at 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, California, 94612.

V. CERTIFICATION OF THE EIR

11. In accordance with CEQA, the Planning Commission certifies that the EIR has been completed in compliance with CEQA. The Planning Commission has independently reviewed the record and the EIR prior to certifying the EIR and approving the Project. By these findings, the Planning Commission confirms, ratifies, and adopts the findings and conclusions of the EIR as supplemented and modified by these findings. The EIR and these findings represent the independent judgment and analysis of the City and the Planning Commission.

12. The Planning Commission recognizes that the EIR may contain clerical errors. The Planning Commission reviewed the entirety of the EIR and bases its determination on the substance of the information it contains.

13. The Planning Commission certifies that the EIR is adequate to support all actions in connection with the approval of the Project and all other actions and recommendations as described in the July 25, 2012 Planning Commission staff report. The Planning Commission certifies that the EIR is adequate to support approval of the Project described in the EIR, each component and phase of the Project described in the EIR, any alternative to or variant of the Project described in the EIR, and any minor modifications to the Project or to alternatives to or variants of the Project described in the EIR.

VI. ABSENCE OF SIGNIFICANT NEW INFORMATION

14. The Planning Commission recognizes that the FEIR incorporates information obtained and produced after the DEIR was completed, and that the FEIR contains some additions, clarifications, and modifications to the DEIR. The Planning Commission has reviewed and considered the FEIR and all of this information. The FEIR does not add significant new information to the DEIR that would require recirculation of the EIR under CEQA. The new information added to the EIR does not indicate 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 others previously analyzed that the Project sponsor declines to adopt and that would clearly lessen the significant environmental impacts of the Project. No information indicates that the DEIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the DEIR. Thus, recirculation of the EIR is not required.

15. The Planning Commission finds that the changes and modifications made to the EIR after the DEIR was circulated for public review and comment do not individually or collectively constitute significant new information within the meaning of Public Resources Code section 21092.1 or the CEQA Guidelines section 15088.5.

VII. STANDARD CONDITIONS OF APPROVAL AND MITIGATION MONITORING AND REPORTING PROGRAM

16. Public Resources Code section 21081.6 and CEQA Guidelines section 15097 require the City to adopt a monitoring or reporting program to ensure that the mitigation measures and revisions to the Project identified in the EIR to reduce significant Project impacts are implemented. The Standard Conditions of Approval and Mitigation Monitoring and Reporting Program ("SCAMMRP") is attached and incorporated by reference into the July 25, 2012 Planning Commission staff report prepared for the approval of the Project, is included in the conditions of approval for the Project, and is adopted by the Planning Commission. The SCAMMRP satisfies the requirements of CEQA.

17. The standard conditions of approval ("SCA") and mitigation measures set forth in the SCAMMRP are specific and enforceable and are capable of being fully implemented by the efforts of the City of Oakland, the applicant, and/or other identified responsible public agencies. As appropriate, some SCA and mitigation measures define performance standards to ensure that no significant environmental impacts will result. The SCAMMRP adequately describes implementation procedures and monitoring responsibility in order to ensure that the Project complies with the adopted SCA and mitigation measures.

18. The Planning Commission will adopt and impose the feasible SCA and mitigation measures as set forth in the SCAMMRP as enforceable conditions of approval. Implementation of these measures will avoid or substantially lessen all significant impacts of the Project where feasible.

19. The SCA and mitigation measures incorporated into and imposed upon the Project approval will not have new significant environmental impacts that were not analyzed in the EIR. In the event a standard condition of approval or mitigation measure recommended in the EIR has been inadvertently omitted from the conditions of approval or the SCAMMRP, that standard condition of approval or mitigation measure is adopted and incorporated from the EIR into the SCAMMRP by reference and adopted as a condition of approval.

VIII. FINDINGS REGARDING ENVIRONMENTAL IMPACTS

20. In accordance with Public Resources Code section 21081 and CEQA Guidelines sections 15091 and 15092, the Planning Commission adopts the findings and conclusions regarding impacts, SCA and mitigation measures that are set forth in the EIR and/or the SCAMMRP. These findings do not repeat the full discussions of environmental impacts, mitigation measures, standard conditions of approval, and related explanations contained in the EIR. The Planning Commission ratifies, adopts, and incorporates, as though fully set forth, the analysis, explanation, findings, responses to comments and conclusions of the EIR. The Planning Commission adopts the reasoning of the EIR, staff reports, and presentations provided by the staff and the Project sponsor as may be modified by these findings.

21. The Planning Commission recognizes that the environmental analysis of the Project raises controversial environmental issues, and that a range of technical and scientific opinion exists with respect to those issues. The Planning Commission acknowledges that there are differing and potentially conflicting expert and other opinions regarding the Project and its environmental impacts. The Planning Commission has, through review of the evidence and analysis presented in the record, acquired a better understanding of the breadth of this technical and scientific opinion and of the full scope of the environmental issues presented. In turn, this understanding has enabled the Planning Commission to make fully informed, thoroughly considered decisions after taking account of the various viewpoints on these important issues and reviewing the record. These findings are based on a full appraisal of all viewpoints expressed in the EIR and in the record, as well as other relevant information in the record of the proceedings for the Project.

IX. POTENTIALLY SIGNIFICANT BUT MITIGABLE ENVIRONMENTAL IMPACTS

22. Under Public Resources Code section 21081(a)(1) and CEQA Guidelines sections 15091(a)(1) and 15092(b), and to the extent reflected in the EIR and the SCAMMRP, the Planning Commission finds that changes or alterations have been required in, or incorporated into, the components of the Project that mitigate or avoid potentially significant effects on the environment. While some of the SCA ensure that the Project will result in no significant impacts, none of the SCA are mitigation measures. Thus, the SCA are not addressed in the findings below, but are included in the SCAMMRP to ensure that they will be implemented. The following potentially significant impacts will be reduced to a less than significant level through the implementation of Project mitigation measures:

23. Transportation, Circulation and Parking: The Project would result in significant but mitigable traffic impacts at several roadways and intersections under Existing Conditions, 2015 Conditions

and 2035 Conditions. The following summary of these impacts is organized in numeric order by relevant impact statement with the intersection noted for easier comprehension by the reviewer.

a) Impact TRANS-4 (College Avenue/Claremont Avenue)

Under Existing Conditions, the Project would contribute to LOS E operations and increase the average intersection delay by more than 4 seconds, and increase delay for the critical movements of northbound College Avenue and northeastbound Claremont Avenue by more than 6 seconds, during the weekday PM and Saturday midday peak hours at the College Avenue/Claremont Avenue intersection. The Project would also degrade intersection operations from LOS E to LOS F and increase the average intersection delay by more than 4 seconds, and increase delay for a critical movement by more than 6 seconds during the Saturday PM peak hour at the College Avenue/Claremont Avenue intersection. Mitigation Measure TRANS-4 requires the applicant to prepare plans, specifications and estimates to modify the intersection and to fund, prepare and install the approved plans and improvements. The proposed improvements relate to optimizing the signal timing parameters (i.e., adjusting the allocation of green time for each intersection approach) and coordinating the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group. After implementation of this measure, the intersection would improve to LOS D during the weekday PM peak hour and improve from LOS F to LOS E during the Saturday midday peak hour and continue to operate at LOS E during the Saturday PM peak hour. Although the intersection would continue to operate at an unacceptable level, the Project impact would be reduced to less than significant because the average intersection vehicle delay during the relevant peak hours would be less than under Existing Conditions and the increase in delay for all critical movements would be less than 4 seconds higher than under No Project conditions. No secondary significant impacts would result from implementation of this measure.

b) Impact TRANS-8 (College Avenue/Claremont Avenue)

Under 2015 Conditions, the Project would contribute to LOS F operations, increase the average intersection vehicle delay by more than 2 seconds, and increase delay for a critical movement by more than 4 seconds, during the weekday PM, Saturday midday, and Saturday PM peak hours at the College Avenue/Claremont Avenue intersection. Mitigation Measure TRANS-8 requires implementation of Mitigation Measure TRANS-4. After implementation of this measure, the intersection would continue to operate at LOS F during both weekday PM peak hour and Saturday PM peak hours and at LOS E during the Saturday midday peak hour. Although the intersection would continue to operate at an unacceptable level, the Project impact would be reduced to less than significant because the average intersection vehicle delay during the relevant periods would be less than under 2015 No Project conditions. No secondary significant impacts would result from implementation of this measure.

c) Impact TRANS-14 (College Avenue/Claremont Avenue)

Under 2035 Conditions, the Project would contribute to LOS F operations and increase the intersection volume to capacity (v/c) ratio by more than 0.03 during weekday PM, Saturday midday and Saturday PM peak hours at the College Avenue/Claremont Avenue intersection. Mitigation Measure TRANS-14 requires implementation of Mitigation Measure TRANS-4. After implementation of this measure, the intersection would continue to operate at LOS F during the weekday PM, Saturday midday and Saturday PM peak hours. Although the

intersection would continue to operate at an unacceptable level, the Project impact would be reduced to less than significant because the average intersection vehicle delay and v/c ratio during the relevant peak periods would be less than under 2035 No Project conditions. No secondary significant impacts would result from implementation of this measure.

d) Impact TRANS-15 (Forest Street/Claremont Avenue)

Under 2035 Conditions, the Project would contribute to LOS F operations, increasing the average intersection delay by more than 2 seconds and increasing delay for a critical movement by more than 4 seconds during the weekday PM peak hour and contribute to LOS E operations, increasing average delay by more than 4 seconds and increasing delay for the critical northbound movement by more than 6 seconds during the Saturday midday peak hour at the Forest Street/Claremont Avenue intersection. Mitigation Measure TRANS-15 requires the applicant to prepare plans, specifications and estimates to modify the intersection and to fund, prepare and install the approved plans and improvements. The proposed improvements relate to optimizing the signal timing parameters (i.e., adjusting the allocation of green time for each intersection approach) and coordinating the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group. After implementation of this measure, the intersection would improve from LOS F to LOS E during the weekday PM peak hour and remain at LOS E during the Saturday midday peak hour. Although the intersection would continue to operate at an unacceptable level, the Project impact would be reduced to less than significant because during the weekday PM peak hour the average intersection vehicle delay would be less than under 2035 No Project Conditions and during the Saturday midday peak hour the average intersection vehicle delay would be less than the 4 seconds and the critical movement delay would be less than the 6 seconds of delay caused by the Project. No secondary significant impacts would result from implementation of this measure.

e) Impact TRANS-16 (Hudson Street/Manila Avenue/College Avenue)

Under 2035 Conditions, the Project would contribute to LOS E operations, and increase the average intersection delay by more than 4 seconds during the weekday PM peak hours at the Hudson Street/Manila Avenue/College Avenue intersection. Mitigation Measure TRANS-16 requires the applicant to prepare plans, specifications and estimates to modify the intersection and to fund, prepare and install the approved plans and improvements. The proposed improvements relate to optimizing the signal timing parameters (i.e., adjusting the allocation of green time for each intersection approach) and coordinating the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group. With implementation of this measure, the intersection would improve from LOS E to LOS D and thus the impact would be reduced to a less than significant level. No secondary significant impacts would result from implementation of this measure.

24. Air Quality: Project construction activities would expose nearby sensitive receptors to substantial levels of $PM_{2.5}$ and toxic air contaminants, which may lead to adverse health impacts. This is considered a significant impact as described in Impact AIR-3. Mitigation Measure AIR-1 requires the applicant to develop a Diesel Emission Reduction Plan that addresses, among others, alternatively fueled equipment, engine retrofit technology, after-treatment products and add-on devices such as particulate filters and/or other options as they become available, capable of achieving a Project wide fleet-average of 70 percent particulate matter reduction compared to the most recent California Air Resources Board fleet average. The plan shall be submitted for review and approval by the City. With implementation of this measure, the calculated maximum excess

cancer risk from construction activities would be reduced from 30.9 in one million to 9.3 in one million, and thus reduced to a less than significant level.

X. SIGNIFICANT AND UNAVOIDABLE IMPACTS

25. Under Public Resources Code sections 21081(a)(3) and 21081(b), and CEQA Guidelines sections 15091, 15092, and 15093, and to the extent reflected in the EIR and the SCAMMRP, the Planning Commission finds that the following impacts of the Project remain significant and unavoidable, notwithstanding the imposition of all feasible SCA and mitigation measures, as set forth below. In particular, the Planning Commission finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

26. Transportation, Circulation and Parking – The proposed Project would result in significant and unavoidable traffic impacts at several roadways and intersections under Existing Plus Project Conditions, 2015 Plus Project Conditions and Cumulative 2035 Plus Project Conditions. The following summary of these impacts is organized in numeric order by relevant impact statement with the intersection and agency or agencies with jurisdiction over the intersection noted for easier comprehension by the reviewer.

a) Impact TRANS-1 (Ashby Avenue/College Avenue) – City of Berkeley/Caltrans Facility

Under Existing Conditions, the proposed Project would contribute to LOS E operations and increase the average intersection vehicle delay by more than 3 seconds during the weekday PM peak hour, and contribute to LOS F operations and increase the v/c ratio by more than 0.01 during the Saturday midday and PM peak hours at the Ashby Avenue/College Avenue intersection. Mitigation Measure TRANS-1 requires the applicant to prepare plans, specifications and estimates to modify the intersection and to fund the cost of preparing and implementing these plans. The proposed improvements relate to converting signal control equipment from pre-timed to actuated-uncoordinated operations and optimizing the signal timing parameters (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection). After implementation of this measure, the intersection would continue to operate at LOS E during the weekday PM peak hour and improve from LOS F to LOS E during the Saturday midday and PM peak hours. Although the intersection would continue to operate at an unacceptable level, the average intersection vehicle delay during the relevant peak periods would be less than under Existing Conditions. Thus, if Mitigation Measure TRANS-1 were to be implemented, the impact would be reduced to a less than significant level. No secondary significant impacts would result from implementation of this measure. Because this intersection is located in Berkeley, the City of Oakland, as lead agency, does not have jurisdiction over this intersection. Condition of Approval No. 57 requires the applicant to either file an encroachment permit application with the City of Berkeley to install the improvements or commit funds to be used by the City of Berkeley to install the improvements identified in Mitigation Measure TRANS-1 or other alternative traffic improvement measures within 1 year of receipt of the certificate of occupancy for the Project. While the substance of the condition reflects the results of prior collaboration between the applicant and Berkeley city staff, the Berkeley City Council has not yet embraced this proposal and has stated its opposition to the Project. Despite the possible implementation of the improvements identified in Mitigation Measure TRANS-1, given the uncertainty associated with the fact that Berkeley (and not Oakland) controls the timing and implementation of this mitigation measure, as well as the need for Caltrans approval, the

impact is considered potentially significant and unavoidable. For the reasons set forth in the Statement of Overriding Considerations, Project benefits outweigh this potentially unavoidable significant environmental impact.

b) Impact TRANS-2 (Alcatraz Avenue/College Avenue) – City of Berkeley Facility

Under Existing Conditions, the proposed Project would contribute to LOS F operations and increase the v/c ratio by more than 0.01 during the PM peak hour and contribute to LOS E operations and increase the intersection average delay by more than 3 seconds during the Saturday midday peak hour at the Alcatraz Avenue/College Avenue intersection. Mitigation Measure TRANS-2 requires the applicant to prepare plans, specifications and estimates to modify the intersection and to fund the cost of preparing and implementing these plans. The proposed improvements include the following: (a) provide left-turn lanes on northbound and southbound College Avenue by converting the existing angled parking spaces along College Avenue to parallel spaces, (b) convert signal control equipment from pre-timed to actuated-uncoordinated operations and provide protected/permissive left-turn phasing for the north/south approaches, (c) optimize signal timing parameters (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection) and (d) consider moving the AC Transit bus stops on both northbound and southbound College Avenue from near-side to far-side of the intersection (i.e., from before the signal to after the signal). After implementation of this measure, the intersection would improve from LOS F to LOS E during the weekday PM peak hour and from LOS E to LOS D during the Saturday midday peak hour. Thus, if Mitigation Measure TRANS-2 were to be implemented, the impact would be reduced to a less than significant level. Converting the existing angled parking spaces on College Avenue to parallel spaces would result in the elimination of three metered on-street parking spaces based on the detailed design of the mitigation measures presented in the FEIR, which is less than the loss of six parking spaces estimated in the DEIR. Parking demand on this segment of College Avenue is currently at or above capacity. Thus, the loss of these parking spaces would contribute to the expected parking shortage in the area. However, parking demand is not considered a significant environmental impact unless the lack of sufficient parking spaces results in significant secondary traffic or air quality impacts as described in the FEIR. The loss of a relatively small number of parking spaces will not result in significant secondary traffic or air quality impacts as described in the FEIR. No secondary significant impacts would result from implementation of this measure. The mitigation measure would also improve pedestrian safety by providing protected/permissive left-turn phasing on College Avenue and reducing potential conflicts between left-turning automobiles and pedestrians crossing along College Avenue. This impact is considered significant and unavoidable because it is not certain that the measure could be implemented. Because this intersection is located in Berkeley, the City of Oakland, as lead agency, does not have jurisdiction over this intersection. Condition of Approval No. 57 requires the applicant to file an encroachment permit application with the City of Berkeley to install the improvements identified in Mitigation Measure TRANS-2. While the substance of the condition reflects the results of prior collaboration between the applicant and Berkeley city staff, the Berkeley City Council has not yet embraced this proposal and has stated its opposition to the Project. Despite the possible implementation of the improvements identified in Mitigation Measure TRANS-2, given the uncertainty associated with the fact that Berkeley (and not Oakland) controls the timing and implementation of this mitigation measure, the impact is considered potentially significant and unavoidable. For the reasons set forth in the Statement of Overriding Considerations, Project benefits outweigh this potentially unavoidable significant environmental impact.

c) Impact TRANS-3 (Alcatraz Avenue/Claremont Avenue) – City of Berkeley Facility

Under Existing Conditions, the proposed Project would contribute to LOS F operations at the side-street stop-controlled eastbound approach at the Alcatraz Avenue/Claremont Avenue intersection which would meet the peak hour signal warrant. Mitigation Measure TRANS-3 requires the applicant to prepare plans, specifications and estimates to modify the intersection and to fund the cost of preparing and implementing these plans. The proposed improvements include the following: (a) conduct a complete traffic signal warrant analysis to verify that this location meets the California Manual on Uniform Traffic Control Devices signal warrants, and assuming signal warrants are met, (b) signalize the intersection, providing actuated operation, with permitted left turns and communication conduit/cabling connecting the traffic signal to the proposed traffic signal on Claremont Avenue at Safeway Driveway/Mystic Street/Auburn Avenue. After implementation of this measure, the intersection would operate at LOS B during the weekday PM peak hour and LOS A during the Saturday PM peak hour. Thus, if Mitigation Measure TRANS-3 were to be implemented, the impact would be reduced to a less than significant level. Pedestrians crossing at this intersection may experience more delay because they would need to wait for the appropriate signal phase. Pedestrian delay is not a significant impact under CEQA. Moreover, the mitigation measure would improve pedestrian safety by providing a protected pedestrian crossing. No secondary significant impacts would result from implementation of this measure. Because this intersection is located in Berkeley, the City of Oakland, as lead agency, does not have jurisdiction over this intersection. Condition of Approval No. 57 requires the applicant to either file an encroachment permit application with the City of Berkeley to install the improvements or commit funds to be used by the City of Berkeley to install the improvements identified in Mitigation Measure TRANS-3 or other alternative traffic improvement measures within 1 year of receipt of the certificate of occupancy for the Project. While the substance of the condition reflects the results of prior collaboration between the applicant and Berkeley city staff, the Berkeley City Council has not yet embraced this proposal and has stated its opposition to the Project. Despite the possible implementation of the improvements identified in Mitigation Measure TRANS-3, given the uncertainty associated with the fact that Berkeley (and not Oakland) controls the timing and implementation of this mitigation measure, the impact is considered potentially significant and unavoidable. For the reasons set forth in the Statement of Overriding Considerations, Project benefits outweigh this potentially unavoidable significant environmental impact.

d) Impact TRANS-5 (Ashby Avenue/College Avenue) – City of Berkeley/Caltrans Facility

Under 2015 Conditions, the Project would degrade intersection operations from LOS E to LOS F and increase the average intersection vehicle delay by more than 3 seconds during the weekday PM peak hour and contribute to LOS F operations and increase the v/c ratio by more than 0.01 during the Saturday midday and PM peak hours at the Ashby Avenue/College Avenue intersection. Mitigation Measure TRANS-5 requires implementation of Mitigation Measure TRANS-1. After implementation of this measure, the intersection would improve from LOS F to LOS E during the weekday PM peak hour and continue to operate at LOS F during the Saturday midday and PM peak hours. Although the intersection would continue to operate at an unacceptable level, the average intersection vehicle delay or v/c ratio during the relevant peak periods would be less than under 2015 No Project Conditions. Thus, if Mitigation Measure TRANS-5 were to be implemented, the impact would be reduced to a less than significant level. No secondary significant impacts would result from implementation of this measure. Because this intersection is located in Berkeley, the City of Oakland, as lead agency, does not have jurisdiction over this intersection. Condition of

Approval No. 57 requires the applicant to either file an encroachment permit application with the City of Berkeley to install the improvements or commit funds to be used by the City of Berkeley to install the improvements identified in Mitigation Measure TRANS-5 or other alternative traffic improvement measures within 1 year of receipt of the certificate of occupancy for the Project. While the substance of the condition reflects the results of prior collaboration between the applicant and Berkeley city staff, the Berkeley City Council has not yet embraced this proposal and has stated its opposition to the Project. Despite the possible implementation of the improvements identified in Mitigation Measure TRANS-5, given the uncertainty associated with the fact that Berkeley (and not Oakland) controls the timing and implementation of this mitigation measure, as well as the need for Caltrans approval, the impact is considered potentially significant and unavoidable. For the reasons set forth in the Statement of Overriding Considerations, Project benefits outweigh this potentially unavoidable significant environmental impact.

e) Impact TRANS-6 (Alcatraz Avenue/College Avenue) – City of Berkeley Facility

Under 2015 Conditions, the proposed Project would: contribute to LOS F operations and increase the v/c ratio by more than 0.01 during the PM peak hour, degrade intersection operations from LOS E to LOS F and increase the intersection average delay by more than 3 seconds during the Saturday midday peak, and degrade intersection operations from LOS D to LOS E and increase intersection average delay by more than 2 seconds during the Saturday PM peak hour, all at the Alcatraz Avenue/College Avenue intersection. Mitigation Measure TRANS-6 requires implementation of Mitigation Measure-TRANS-2. After implementation of this measure, the intersection would improve from LOS F to LOS E during the weekday PM peak hour. Although this intersection would continue to operate at an unacceptable level, the average intersection vehicle delay would be less than under 2015 No Project Conditions. The intersection would improve from LOS F to LOS D during the Saturday midday peak hour and from LOS E to LOS C during the Saturday PM peak hour. Thus, if Mitigation Measure TRANS-6 were to be implemented, the impact would be reduced to a less than significant level. No secondary significant impacts would result from implementation of this measure. Because this intersection is located in Berkeley, the City of Oakland, as lead agency, does not have jurisdiction over this intersection. Condition of Approval No. 57 requires the applicant to file an encroachment permit application with the City of Berkeley to install the improvements identified in Mitigation Measure TRANS-6. While the substance of the condition reflects the results of prior collaboration between the applicant and Berkeley city staff, the Berkeley City Council has not yet embraced this proposal and has stated its opposition to the Project. Despite the possible implementation of the improvements identified in Mitigation Measure TRANS-6, given the uncertainty associated with the fact that Berkeley (and not Oakland) controls the timing and implementation of this mitigation measure, the impact is considered potentially significant and unavoidable. For the reasons set forth in the Statement of Overriding Considerations, Project benefits outweigh this potentially unavoidable significant environmental impact.

f) Impact TRANS-7 (Alcatraz Avenue/Claremont Avenue) – City of Berkeley Facility

Under 2015 Conditions, the proposed Project would contribute to LOS F operations at the side-street stop-controlled eastbound approach at the Alcatraz Avenue/Claremont Avenue intersection. Mitigation Measure TRANS-7 requires the implementation of Mitigation Measure TRANS-3. After implementation of this measure, the intersection would operate at LOS B during the weekday PM peak hour and LOS A during the Saturday PM peak hour. Thus, if Mitigation Measure TRANS-7 were to be implemented, the impact would be reduced

to a less than significant level. No secondary significant impacts would result from implementation of this measure. Because this intersection is located in Berkeley, the City of Oakland, as lead agency, does not have jurisdiction over this intersection. Condition of Approval No. 57 requires the applicant to either file an encroachment permit application with the City of Berkeley to install the improvements or commit funds to be used by the City of Berkeley to install the improvements identified in Mitigation Measure TRANS-7 or other alternative traffic improvement measures within 1 year of receipt of the certificate of occupancy for the Project. While the substance of the condition reflects the results of prior collaboration between the applicant and Berkeley city staff, the Berkeley City Council has not yet embraced this proposal and has stated its opposition to the Project. Despite the possible implementation of the improvements identified in Mitigation Measure TRANS-7, given the uncertainty associated with the fact that Berkeley (and not Oakland) controls the timing and implementation of this mitigation measure, the impact is considered potentially significant and unavoidable. For the reasons set forth in the Statement of Overriding Considerations, Project benefits outweigh this potentially unavoidable significant environmental impact.

g) Impact TRANS-9 (Ashby Avenue/College Avenue) – City of Berkeley/Caltrans Facility

Under 2035 Conditions, the proposed Project would contribute to LOS F operations and increase the v/c ratio by more than 0.01 during the weekday PM peak hour, Saturday midday peak hour and Saturday PM peak hour at the Ashby Avenue/College Avenue intersection. Mitigation Measure TRANS-9 requires implementation of Mitigation Measure TRANS-1 and provision of a left-turn lane on southbound College Avenue. After implementation of this measure, the intersection would operate at LOS F during the weekday PM peak hour, Saturday midday peak hour and Saturday PM peak hour. Although the intersection would continue to operate at an unacceptable level, the average intersection vehicle delay during the relevant peak periods would be less than under 2035 No Project Conditions. Thus, if Mitigation Measure TRANS-9 were to be implemented, the impact would be reduced to a less than significant level. The DEIR stated that providing a left-turn lane on southbound College Avenue may result in secondary impacts. This segment of College Avenue currently provides adequate width to accommodate a southbound left-turn lane in addition to the existing southbound and northbound through lanes. However, provision of a southbound left-turn lane would narrow the northbound through lane. As a result, trucks may have difficulty turning right from westbound Ashby Avenue to northbound College Avenue. In addition, buses stopped at the existing bus stop on northbound College Avenue just north of Ashby Avenue may block northbound through traffic on the narrower travel lane. Because there is sufficient roadway width to add the left-turn lane and because the turn lane would improve overall operations at the intersection, the above-mentioned secondary impacts are not significant. No secondary significant impacts would result from implementation of this measure. Because this intersection is located in Berkeley, the City of Oakland, as lead agency, does not have jurisdiction over this intersection. Condition of Approval No. 57 requires the applicant to either file an encroachment permit application with the City of Berkeley to install the improvements or commit funds to be used by the City of Berkeley to install the improvements identified in Mitigation Measure TRANS-9 or other alternative traffic improvement measures within 1 year of receipt of the certificate of occupancy for the Project. While the substance of the condition reflects the results of prior collaboration between the applicant and Berkeley city staff, the Berkeley City Council has not yet embraced this proposal and has stated its opposition to the Project. Despite the possible implementation of the improvements identified in Mitigation Measure TRANS-9, given the uncertainty associated with the fact that Berkeley (and not Oakland) controls the timing and

implementation of this mitigation measure, as well as the need for Caltrans approval, the impact is considered potentially significant and unavoidable. For the reasons set forth in the Statement of Overriding Considerations, Project benefits outweigh this potentially unavoidable significant environmental impact.

h) Impact TRANS-10 (Ashby Avenue/Claremont Avenue) – City of Berkeley/Caltrans Facility

Under 2035 Conditions, the proposed Project would contribute to LOS F operations and increase the v/c ratio by more than 0.01 during the weekday PM peak hour at the Ashby Avenue/Claremont Avenue intersection. This is a significant impact based on the City of Berkeley's significance criteria. Mitigation Measure TRANS-10 requires the applicant to prepare plans, specifications and estimates to modify the intersection and to fund the cost of preparing and implementing the plans. The proposed improvements include the following: (a) reconfigure the westbound approach on Ashby Avenue to provide a dedicated left-turn lane and a shared through/right-turn lane, (b) convert signal control equipment from pre-timed to actuated-uncoordinated operations and (c) optimize signal timing parameters (i.e., adjust the allocation of green time for each intersection approach). After implementation of this measure, the intersection would continue to operate at LOS F during the weekday PM peak hour. Although the intersection would continue to operate at an unacceptable level, the average intersection vehicle delay during both peak hours would be less than under 2035 No Project Conditions. Thus, if Mitigation Measure TRANS-10 were to be implemented, the impact would be reduced to a less than significant level. No secondary significant impacts would result from implementation of this measure. Because this intersection is located in Berkeley, the City of Oakland, as lead agency, does not have jurisdiction over this intersection. Condition of Approval No. 57 requires the applicant to either file an encroachment permit application with the City of Berkeley to install the improvements or commit funds to be used by the City of Berkeley to install the improvements identified in Mitigation Measure TRANS-10 or other alternative traffic improvement measures within 1 year of receipt of the certificate of occupancy for the Project. While the substance of the condition reflects the results of prior collaboration between the applicant and Berkeley city staff, the Berkeley City Council has not yet embraced this proposal and has stated its opposition to the Project. Despite the possible implementation of the improvements identified in Mitigation Measure TRANS-10, given the uncertainty associated with the fact that Berkeley (and not Oakland) controls the timing and implementation of this mitigation measure, as well as the need for Caltrans approval, the impact is considered potentially significant and unavoidable. For the reasons set forth in the Statement of Overriding Considerations, Project benefits outweigh this potentially unavoidable significant environmental impact.

i) Impact TRANS-11 (Alcatraz Avenue/College Avenue) – City of Berkeley Facility

Under 2035 Conditions, the proposed Project would contribute to LOS F operations and increase the v/c ratio by more than 0.01 during the PM peak hour and Saturday midday peak hour and degrade intersection operations from LOS E to LOS F and increase intersection average delay by more than 3 seconds during the Saturday PM peak hour at the Alcatraz Avenue/College Avenue intersection. This is a significant impact based on the City of Berkeley's significance criteria. Mitigation Measure TRANS-11 requires implementation of Mitigation Measure TRANS-2. After implementation of this measure, the intersection would operate at LOS F during the weekday PM peak hour, LOS E during the Saturday midday peak hour, and LOS D during the Saturday PM peak hour. Although the intersection would

continue to operate at an unacceptable level during the weekday PM and Saturday midday peak hours, the average intersection vehicle delay during both periods would be less than under 2035 No Project Conditions. Thus, if Mitigation Measure TRANS-11 were to be implemented, the impact would be reduced to a less than significant level. No secondary significant impacts would result from implementation of this measure. Because this intersection is located in Berkeley, the City of Oakland, as lead agency, does not have jurisdiction over this intersection. Condition of Approval No. 57 requires the applicant to file an encroachment permit application with the City of Berkeley to install the improvements identified in Mitigation Measure TRANS-11. While the substance of the condition reflects the results of prior collaboration between the applicant and Berkeley city staff, the Berkeley City Council has not yet embraced this proposal and has stated its opposition to the Project. Despite the possible implementation of the improvements identified in Mitigation Measure TRANS-11, given the uncertainty associated with the fact that Berkeley (and not Oakland) controls the timing and implementation of this mitigation measure, the impact is considered potentially significant and unavoidable. For the reasons set forth in the Statement of Overriding Considerations, Project benefits outweigh this potentially unavoidable significant environmental impact.

j) Impact TRANS-12 (Alcatraz Avenue/Claremont Avenue) – City of Berkeley Facility

Under 2035 Conditions, the proposed Project would contribute to LOS F operations at the side-street stop sign controlled eastbound approach at the Alcatraz Avenue/Claremont Avenue intersection during the weekday PM, Saturday midday and Saturday PM peak hours. Mitigation Measure TRANS-12 requires implementation of Mitigation Measure TRANS-3. After implementation of this measure, the intersection would operate at LOS C during the weekday PM peak hour, LOS B during the Saturday midday peak hour and LOC A during the Saturday PM peak hour. Thus, if Mitigation Measure TRANS-12 were to be implemented, the impact would be reduced to a less than significant level. No secondary significant impacts would result from implementation of this measure. Because this intersection is located in Berkeley, the City of Oakland, as lead agency, does not have jurisdiction over this intersection. Condition of Approval No. 57 requires the applicant to either file an encroachment permit application with the City of Berkeley to install the improvements or commit funds to be used by the City of Berkeley to install the improvements identified in Mitigation Measure TRANS-12 or other alternative traffic improvement measures within 1 year of receipt of the certificate of occupancy for the Project. While the substance of the condition reflects the results of prior collaboration between the applicant and Berkeley city staff, the Berkeley City Council has not yet embraced this proposal and has stated its opposition to the Project. Despite the possible implementation of the improvements identified in Mitigation Measure TRANS-12, given the uncertainty associated with the fact that Berkeley (and not Oakland) controls the timing and implementation of this mitigation measure, the impact is considered potentially significant and unavoidable. For the reasons set forth in the Statement of Overriding Considerations, Project benefits outweigh this potentially unavoidable significant environmental impact.

XI. FINDINGS REGARDING ALTERNATIVES

27. The Planning Commission finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the alternatives to the Project as described in the EIR despite remaining impacts, as more fully set forth in the Statement of Overriding Considerations below.

28. Pursuant to CEQA Guidelines section 15126.6, an EIR must describe a range of reasonable alternatives to a project, or to the location of a project, that would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. Among the factors that may result in rejection of alternatives from detailed consideration in an environmental impact report or as part of the project approval process are: (1) failure to meet most of the basic project objectives, (2) infeasibility, or (3) inability to avoid significant environmental impacts. CEQA Guidelines section 15162.6(c). Feasible is defined as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." CEQA Guidelines section 15364.

29. The EIR evaluated a reasonable range of alternatives to the Project that was described in the DEIR. The City of Oakland, as lead agency, specified seven Project alternatives plus the required No Project Alternative for evaluation in the EIR. This range of alternatives was based on applicable planning and zoning regulations, comments from the public received at the Planning Commission meeting on the IS, and the need to consider feasible alternatives with the potential to avoid or lessen significant Project impacts. Based on these considerations, the following alternatives to the proposed Project were evaluated in the EIR: Alternative 1a: Mixed-Use Alternative with Regular Apartments; Alternative 1b: Mixed-Use Alternative with Senior Housing; Alternative 2: 40,000 Square Foot Reduced-Size Project; Alternative 2a: 35,750 Square Foot Reduced-Size Project; Alternative 2b: 25,250 Square Foot Reduced-Size Project; Alternative 3: Full Project with No Curb Cut on College Avenue; Alternative 4: Full Project with Inbound Only Driveway on College Avenue; and Alternative 5: No Project Alternative. As presented in the EIR, the alternatives were described and compared with each other and with the proposed Project. CEQA Guidelines section 15126.6 requires that an EIR identify the environmentally superior alternative. Based on its avoidance of the Project's significant traffic impacts, the No Project Alternative would be considered to be the environmentally superior alternative. Pursuant to CEQA Guidelines section 15126.6(e)(2), if the environmentally superior alternative is the no project alternative, the EIR must also identify an environmentally superior alternative among the other alternatives. In accordance with this provision, the EIR selects Alternative 2b, the 25,250 Square Foot Reduced-Size Project, as the next environmentally superior alternative. Unlike the proposed Project, Alternative 2b would not result in any significant unavoidable traffic impacts. However, Alternative 2b would not meet most of the basic Project objectives as required by CEQA Guidelines section 15126.6. Although Alternative 2, the 40,000 Square Foot Reduced-Size Project, would not avoid the Project's significant impacts to the same extent as Alternative 2b, it would meet the Project objectives to a greater degree than Alternative 2b. Therefore, after Alternative 2b, Alternative 2 would be considered to be the next environmentally superior alternative.

30. The Planning Commission certifies that it has independently reviewed and considered the information on alternatives provided in the EIR and in the record. The EIR reflects the Planning Commission's independent judgment as to alternatives. The Planning Commission finds that the Project provides the best balance between the Project sponsor's objectives, the City's goals and objectives, and the Project's benefits as described in the Staff Report and in the Statement of Overriding Considerations below. While the Project does result in some significant and unavoidable environmental impacts, the mitigation measures and SCAs contained in the SCAMMRP mitigate these impacts to the extent feasible. Furthermore, based on the conditions of approval described above reflecting the results of collaboration between the applicant and City of Berkeley staff, it appears that the significant and unavoidable traffic impacts may be mitigated to a less than significant level. Since the City of Berkeley controls the timing and implementation of these mitigation measures, however, the impacts are still considered significant and

unavoidable. The alternatives proposed and evaluated in the EIR are rejected for the following reasons. Each individual reason presented below constitutes a separate and independent basis to reject the Project alternative as being infeasible, and, when the reasons are viewed collectively, provide an overall basis for rejecting the alternative as being infeasible.

31. Alternative 1a: Mixed-Use Alternative with Regular Apartments: Under this alternative, the existing Safeway store would be replaced with a new 45,000 square foot store (i.e., larger than the existing store, but 6,150 square feet smaller than the store proposed as part of the Project) above parking and a row of seven small commercial shops along the College Avenue frontage. Up to 40 residential units, containing a mix of 1, 2 and 3 bedroom units, would be constructed along the Claremont Avenue frontage. This alternative would result in the same significant unavoidable impacts as the Project. All other impacts would be similar to the proposed Project although construction noise impacts would be increased compared to the Project due to a longer construction period. Like the Project, such construction noise impacts would be reduced to a less than significant level through implementation of SCA. Additional SCA would be applied to the housing component of this alternative to ensure that the City's interior noise standards would be met. Alternative 1a is rejected as infeasible because (a) it would not avoid or substantially lessen any significant environmental impacts of the Project; and/or (b) it would not achieve most of the basic Project objectives, including those related to: (i) providing sufficient store area for Safeway to offer a more comprehensive range of retail services and products, (ii) providing enhanced pedestrian amenities since the proposed walkthrough from College Avenue to Claremont Avenue would be eliminated under this alternative and (iii) establishing a gateway presence at this important intersection in the Rockridge neighborhood due to the elimination of the walkway and reduced prominence of the corner element and locational signage.

32. Alternative 1b: Mixed-Use Alternative with Senior Housing: Like Alternative 1a, Alternative 1b is a mixed-use alternative with a supermarket, small commercial spaces and housing. Under this alternative, the new Safeway store would be 30,000 square feet, i.e., roughly 17 percent larger than the existing store, but 41 percent smaller than the store proposed in the Project. There would be six commercial spaces, occupying 11,820 square feet, slightly more than the proposed Project, although the average size of the shops would be larger, as the Project includes eight storefront spaces. This alternative also includes 54 senior housing units (containing a mix of 1 and 2 bedroom units), 4 of which would be located on the ground floor along Claremont Avenue and 50 of which would be developed on the second and third floors along both the College and Claremont frontages. This alternative would result in most of the same significant unavoidable transportation-related impacts as the Project, although the magnitude of the impacts would be reduced compared to the proposed Project. This alternative would avoid the following significant and unavoidable traffic impacts: Impact TRANS-3, and -7. Impacts TRANS-1, -2, -5, -6, -9, -10, -11 and -12 would not be reclassified as they would all still require mitigation that is beyond the jurisdiction of the City of Oakland. All other impacts of this alternative would be similar to the proposed Project except for construction noise impacts, which would be increased due to a longer construction period. Like the Project, such construction noise impacts would be reduced to a less than significant level through implementation of SCA. Additional SCA would be applied to the housing component of this alternative to ensure that the City's interior noise standards would be met. Alternative 1b is rejected as infeasible because (a) it would not avoid or substantially lessen any significant environmental impacts of the Project; and/or (b) it would not achieve most of the basic Project objectives, including those related to: (i) providing sufficient store area for Safeway to offer a more comprehensive range of retail services and products, (ii) creating a more functional and efficient shopping area configuration to eliminate current "pinch points" in Safeway customers' path of travel, (iii) providing enhanced pedestrian amenities since the proposed walkthrough from College Avenue to Claremont Avenue would be eliminated under

this alternative, (iv) establishing a gateway presence at this important intersection in the Rockridge neighborhood due to the elimination of the walkway and reduced prominence of the corner element and locational signage and (v) adding approximately 77 full-time new union jobs at the Safeway store.

33. Alternative 2: 40,000 Square Foot Reduced-Size Project: Under this alternative, the proposed Safeway store would be reduced in size from 51,150 square feet to 40,000 square feet and certain retail and restaurant components of the proposed Project would be eliminated. All other aspects, including access driveways, would be the same as the proposed Project. Compared to the proposed Project, this alternative would avoid the following significant and unavoidable traffic impacts: Impacts TRANS-3, -7 and -10. Impacts TRANS-1, -2, -5, -6, -9, -11 and -12 would not be reclassified from significant and unavoidable as they would all still require mitigation that is beyond the jurisdiction of the City of Oakland. However, the magnitude of these impacts would be reduced compared to the proposed Project. All other impacts would be similar to the proposed Project. Alternative 2 is rejected as infeasible because (a) it would not avoid or substantially lessen several significant environmental impacts of the Project and/or (b) it would not achieve most of the basic Project objectives, including those related to: (i) replacing the existing 1960s suburban style development with a modern, urban design that de-emphasizes the prominence of surface-level parking as the existing store and site would likely be remodeled and reconfigured instead of redeveloped under this alternative, (ii) creating a mixed-use retail development project that promotes pedestrian activity and comparison shopping at the College/Claremont corner, (iii) providing more street-front retail opportunities similar in scope and scale to the retail frontage on College Avenue, (iv) providing sufficient store area for Safeway to offer a more comprehensive range of retail services and products, (v) creating a more functional and efficient shopping area configuration to eliminate current "pinch points" in Safeway customers' path of travel, and (vi) adding approximately 77 full-time new union jobs at the Safeway store.

34. Alternative 2a: 35,750 Square Foot Reduced-Size Project: Alternative 2a consists of a new one-story 25,000 square foot store with rooftop parking and loading docks along Claremont Avenue; a 10,000 square foot building on College Avenue that would contain 5,000 square feet of ground floor commercial and 5,000 square feet of office on the second floor; and a 750 square foot café/deli building and plaza on the south corner of the Project site. The alternative would feature surface parking and landscaping. Access would be provided through two driveways on Claremont Avenue and a driveway on College Avenue opposite 63rd Street. Compared to the proposed Project, this alternative would avoid the following significant and unavoidable traffic impacts: Impact TRANS-1, -3, -5, -7, -10 and -12. Impacts TRANS-2, -6, -9, -11 would not be reclassified from significant and unavoidable as they would all still require mitigation that is beyond the jurisdiction of the City of Oakland. However, the magnitude of these impacts would be reduced compared to the proposed Project. All other impacts would be similar to those of the proposed Project. Alternative 2a is rejected as infeasible because (a) it would not avoid or substantially lessen some significant environmental impacts of the Project; and/or (b) it would not achieve most of the basic Project objectives, including those related to: (i) replacing the existing 1960s suburban style development with a modern, urban design that de-emphasizes the prominence of surface-level parking, (ii) creating a mixed-use retail development project that promotes pedestrian activity and comparison shopping at the College/Claremont corner due to the lack of sufficient retail space, (iii) providing more street-front retail opportunities similar in scope and scale to the retail frontage on College Avenue, (iv) providing sufficient store area for Safeway to offer a more comprehensive range of retail services and products, (v) creating a more functional and efficient shopping area configuration to eliminate current "pinch points" in Safeway customers' path of travel, and (vi) adding approximately 77 full-time new union jobs at the Safeway store.

35. Alternative 2b: 25,250 Square Foot Reduced-Size Project: Alternative 2b would expand and renovate the existing Safeway store building, add a 2,000 square foot loading dock and a 750 square foot café/deli building and plaza on the south corner of the Project site. The alternative would feature surface parking and landscaping. Access would be provided through two driveways on Claremont Avenue and a mid-block driveway on College Avenue. Compared to the proposed Project, this alternative would avoid the significant and unavoidable traffic impacts associated with the Project. All other impacts would be similar to those of the proposed Project. Alternative 2b is rejected as infeasible because it would not achieve most of the basic Project objectives, including those related to: (i) replacing the existing 1960s suburban style development with a modern, urban design that de-emphasizes the prominence of surface-level parking, (ii) creating a mixed-use retail development project that promotes pedestrian activity and comparison shopping at the College/Claremont corner, (iii) providing sufficient store area for Safeway to offer a more comprehensive range of retail services and products, (iv) creating a more functional and efficient shopping area configuration to eliminate current "pinch points" in Safeway customers' path of travel and (v) adding approximately 77 full-time new union jobs at the Safeway store.

36. Alternative 3: Full Project with No Curb-Cut on College Avenue: This alternative assumes that the full Project consisting of a 51,150 square foot Safeway store and 10,500 square feet of other commercial uses would be developed. However, the Project would not have vehicular access to and from College Avenue under this alternative. While this alternative would generate the same number of vehicular trips as the proposed Project, all vehicular access would be through Claremont Avenue, and traffic patterns around the site would be modified. Compared to the proposed Project, Alternative 3 would result in the same significant and unavoidable traffic impacts, although the following impacts would be increased compared to the Project: Impacts TRANS-2, -3, -6, -7, -11 and -12. Additional improvements would also be needed to mitigate Impact TRANS-12. In addition, Impacts TRANS-4, -8 and -14, which can be mitigated under the proposed Project, would be significant and unavoidable under this alternative. All other impacts would be the same as with the proposed Project. Alternative 3 is rejected as infeasible because (a) it would not avoid or substantially lessen any significant environmental impacts of the Project and/or (b) it would not achieve the basic Project objective of retaining an important vehicular access point from College Avenue.

37. Alternative 4: Full Project with Inbound Only Driveway on College Avenue: This alternative assumes that the full Project consisting of a 51,150 square foot Safeway store and 10,500 square feet of other commercial uses would be developed. However, the Project would have inbound only access from College Avenue. Vehicles from northbound and southbound College Avenue would be able to turn into the Project driveway on College Avenue opposite 63rd Street. However, vehicles would not be able to exit the Project site onto College Avenue. Instead, all vehicles would exit the site to Claremont Avenue. While this alternative would generate the same number of vehicular trips as the proposed Project, all outbound vehicular access would be through Claremont Avenue, and traffic patterns around the site would be modified. Compared to the proposed Project, Alternative 4 would result in the same significant and unavoidable traffic impacts. Impacts TRANS-12 and -14 would be increased compared to the proposed Project and Impacts TRANS-2, -6, -11 would be reduced compared to the proposed Project. All other impacts would be the same as with the proposed Project. Alternative 4 is rejected as infeasible because (a) it would not avoid or substantially lessen any significant environmental impacts of the Project and/or (b) it would not accomplish the basic Project objective of retaining an important vehicular access point from College Avenue to the same degree as the proposed Project since it would only allow inbound traffic on College Avenue.

38. Alternative 5: No Project Alternative: Under this scenario, the Project site would not be redeveloped. The current Safeway store and parking lot would remain as they are and no aspect of the proposed Project would be constructed. It is also assumed that the Safeway store would remain open for the foreseeable future, providing groceries and related products for its customers. With the No Project Alternative, the former gas station on the site would not be demolished and could be re-opened and/or re-used. Alternative 5 would not result in any significant impacts. Alternative 5 is rejected as infeasible because it would not accomplish any of the basic Project objectives.

XII. STATEMENT OF OVERRIDING CONSIDERATIONS

39. The Planning Commission finds that each of the following specific economic, legal, social, technological, environmental, and other considerations and the benefits of the Project separately and independently outweigh these remaining significant, adverse impacts and is an overriding consideration independently warranting approval. The remaining significant adverse impacts identified above are acceptable in light of each of these overriding considerations that follow. Each individual benefit/reason presented below constitutes a separate and independent basis to override each and every significant unavoidable environmental impact, and, when the benefits/reasons are viewed collectively, provide an overall basis to override each and every significant unavoidable environmental impact.

40. The Project will develop a high-quality commercial/retail project which implements many of the City-wide General Plan goals, objectives, and policies including, among others, Land Use and Transportation Element Objectives N1, N10, T2, T6 and Policies N1.1, N1.2, N1.5, N1.6, N1.8, N5.2, N10.1, T2.2., T6.2; Pedestrian Master Plan Policies 1.1, 2.3, and 3.2 and Actions 1.1.1 and 2.3.1, 3.2.1, 3.2.2, 3.2.3.

41. The Project will revitalize the College Avenue/Claremont Avenue corner by replacing 1960s suburban style development with a modern, urban design that de-emphasizes surface-level parking and establishes a gateway presence at this important intersection in the Rockridge neighborhood. The Project would fill in a gap in what is otherwise a continuous row of storefronts lining College Avenue between Alcatraz Avenue and the Rockridge BART station by transforming a gas station, parking lot and blank wall (that currently take up over half of the block) into a row of pedestrian-oriented retail shops comparable to storefronts in neighboring blocks.

42. The Project will allow for a grocery store that offers a more comprehensive range of retail services and products to nearby residents and other Safeway customers.

43. The Project will enhance pedestrian activity at the College Avenue/Claremont Avenue intersection by, among others, consolidating and reducing the number of driveway entrances serving the Project site, creating publicly accessible open space areas and thoroughfares where none currently exist, and designing structures with a pedestrian scale similar to that of the surrounding neighboring commercial buildings along College Avenue.

44. The Project will greatly improve the aesthetics of the site and the entire southern end of the College Street shopping district by providing well-designed buildings that reduce the visibility of parking areas, enhanced site landscaping (including creation of a landscaped buffer between the Project and the residential lots to the north), and undergrounding of utilities.

45. The Project will promote the City's transit-first goals by providing an enhanced selection of necessary household goods (as well as other small-scale merchandise and services) in a transit-rich

area near the Rockridge BART line and multiple AC Transit lines and will further promote the use of alternative transportation by providing new bus stops, constructing various pedestrian improvements (including bulbouts, walkways, crosswalks, widened/repaired sidewalks, upgraded ramps and benches), and installing long-term and short-term bike parking in excess of City standards.

46. The Project will provide a 10 foot secured landscaped area with mature trees and other vegetation between the store and the northern property line, which forms a common boundary with a residential neighborhood, thus providing an important and appropriate buffer between the commercial and residential land uses where none currently exists.

47. The Project will eliminate site access to and from 63rd Street, thus reducing the amount of traffic on this primarily residential street.

48. The Project will replace the vacant gas station, perceived by some as visually unattractive and incompatible with surrounding land uses, with a restaurant filled with natural light and with a landscaped patio with tables for outdoor dining.

49. The Project will add many temporary construction jobs and approximately 108-128 jobs for other workers after Project construction (including 77 full-time new union jobs at the Safeway store), thereby achieving a better job-housing balance in the City.

50. The Project will result in increased property tax and sales tax revenues to the City and County in an estimated amount of approximately $422,500 per year.

51. The Project will meet the contemporary energy and green building objectives of the City and the State by incorporating several energy-efficient (or "green") features or components, including in the areas of lighting, refrigeration systems, display cases, heating/cooling systems and facilities.

ATTACHMENT B

CONDITIONS OF APPROVAL

1. **Approved Use**
   Ongoing
   a) The project shall be constructed and operated in accordance with the authorized use as described in the application materials, **staff report**, and the revised plans dated **July 2, 2012** and submitted on **July 3, 2012**, and as amended by the following conditions. Any additional uses or facilities other than those approved with this permit, as described in the project description and the approved plans, will require a separate application and approval. Any deviation from the approved drawings, Conditions of Approval or use shall require prior written approval from the Director of City Planning or designee.

   b) This action by the **Planning Commission** ("this Approval") includes the approvals set forth below. This Approval includes: **Major Conditional use permits, Minor Variances, Regular Design Review, and Vesting Tentative Parcel Map**

2. **Effective Date, Expiration, Extensions and Extinguishment**
   Ongoing
   Unless a different termination date is prescribed, this Approval shall expire **two years** from the approval date, unless within such period all necessary permits for construction or alteration have been issued, or the authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this permit, the Director of City Planning or designee may grant a one-year extension of this date, with additional extensions subject to approval by the approving body. Expiration of any necessary building permit for this project may invalidate this Approval if the said extension period has also expired.

3. **Scope of This Approval; Major and Minor Changes**
   Ongoing
   The project is approved pursuant to the **Planning Code and Subdivision Ordinance** only. Minor changes to approved plans may be approved administratively by the Director of City Planning or designee. Major changes to the approved plans shall be reviewed by the Director of City Planning or designee to determine whether such changes require submittal and approval of a revision to the approved project by the approving body or a new, completely independent permit.

4. **Conformance with other Requirements**
   Prior to issuance of a demolition, grading, P-job, or other construction related permit

a) The project applicant shall comply with all other applicable federal, state, regional and/or local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Building Services Division, the City's Fire Marshal, and the City's Public Works Agency. Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processed in accordance with the procedures contained in Condition of Approval 3.

b) The applicant shall submit approved building plans for project-specific needs related to fire protection to the Fire Services Division for review and approval, including, but not limited to automatic extinguishing systems, water supply improvements and hydrants, fire department access, and vegetation management for preventing fires and soil erosion.

5. **Conformance to Approved Plans; Modification of Conditions or Revocation**
Ongoing

a) Site shall be kept in a blight/nuisance-free condition. Any existing blight or nuisance shall be abated within 60-90 days of approval, unless an earlier date is specified elsewhere.

b) The City of Oakland reserves the right at any time during construction to require certification by a licensed professional that the as-built project conforms to all applicable zoning requirements, including but not limited to approved maximum heights and minimum setbacks. Failure to construct the project in accordance with approved plans may result in remedial reconstruction, permit revocation, permit modification, stop work, permit suspension or other corrective action.

c) Violation of any term, **Conditions/ Mitigation Measures** or project description relating to the Approvals is unlawful, prohibited, and a violation of the Oakland Municipal Code. The City of Oakland reserves the right to initiate civil and/or criminal enforcement and/or abatement proceedings, or after notice and public hearing, to revoke the Approvals or alter these **Conditions/ Mitigation Measures** if it is found that there is violation of any of the **Conditions/ Mitigation Measures** or the provisions of the Planning Code or Municipal Code, or the project operates as or causes a public nuisance. This provision is not intended to, nor does it, limit in any manner whatsoever the ability of the City to take appropriate enforcement actions. The project applicant shall be responsible for paying fees in accordance with the City's Master Fee Schedule for inspections conducted by the City or a City-designated third-party to investigate alleged violations of the Conditions of Approval.

6. **Signed Copy of the Conditions/ Mitigation Measures**
With submittal of a demolition, grading, and building permit

A copy of the approval letter and **Conditions/ Mitigation Measures** shall be signed by the property owner, notarized, and submitted with each set of permit plans to the appropriate City agency for this project.

7. Indemnification

Ongoing

a) To the maximum extent permitted by law, the applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the City of Oakland Redevelopment Agency, the Oakland City Planning Commission and its respective agents, officers, and employees (hereafter collectively called City) from any liability, damages, claim, judgment, loss (direct or indirect)action, causes of action, or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul, (1) an approval by the City relating to a development-related application or subdivision or (2) implementation of an approved development-related project. The City may elect, in its sole discretion, to participate in the defense of said Action and the applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.

b) Within ten (10) calendar days of the filing of any Action as specified in subsection A above, the applicant shall execute a Letter Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Letter of Agreement shall survive termination, extinguishment or invalidation of the approval. Failure to timely execute the Letter Agreement does not relieve the applicant of any of the obligations contained in this condition or other requirements or conditions of approval that may be imposed by the City.

8. Compliance with Conditions of Approval

Ongoing

The project applicant shall be responsible for compliance with the recommendations in any submitted and approved technical report and all the Conditions of Approval **and all applicable adopted mitigation measures** set forth below at its sole cost and expense, and subject to review and approval of the City of Oakland.

9. Severability

Ongoing

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

10. Job Site Plans

Ongoing throughout demolition, grading, and/or construction

At least one (1) copy of the stamped approved plans, along with the Approval Letter and Conditions of Approval **and/or mitigations**, shall be available for review at the job site at all times.

11. Special Inspector/Inspections, Independent Technical Review, Project Coordination and Management

Prior to issuance of a demolition, grading, and/or construction permit

The project applicant may be required to pay for on-call third-party special inspector(s)/inspections as needed during the times of extensive or specialized plancheck review or construction. The project applicant may also be required to cover the full costs of independent technical review and other types of peer review, monitoring and inspection, including without limitation, third party plan check fees, including inspections of violations of Conditions of Approval. The project applicant shall establish a deposit with the Building Services Division, as directed by the Building Official, Director of City Planning or designee.

12. Landscape Requirements for Street Frontages.

Prior to issuance of a final inspection of the building permit

On streets with sidewalks where the distance from the face of the curb to the outer edge of the sidewalk is at least six and one-half (6 ½) feet and does not interfere with access requirements, a minimum of one (1) twenty-four (24) inch box tree shall be provided for every twenty-five (25) feet of street frontage, unless a smaller size is recommended by the City arborist. The trees to be provided shall include species acceptable to the Tree Services Division.

13. Landscape Maintenance.

Ongoing

All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. All required irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.

14. Underground Utilities

Prior to issuance of a building permit

The project applicant shall submit plans for review and approval by the Building Services Division and the Public Works Agency, and other relevant agencies as appropriate, that show all new electric and telephone facilities; fire alarm conduits; street light wiring; and other wiring, conduits, and similar facilities placed underground. The new facilities shall be placed underground along the project applicant's street frontage and from the project applicant's structures to the point of service. The plans shall show all electric, telephone, water service, fire water service, cable, and fire alarm facilities installed in accordance with standard specifications of the serving utilities.

15. Improvements in the Public Right-of-Way (General)

Approved prior to the issuance of a P-job or building permit

a) The project applicant shall submit Public Improvement Plans to Building Services Division for adjacent public rights-of-way (ROW) showing all proposed improvements and compliance with the conditions **and/or mitigations** and City requirements including but not limited to curbs, gutters, sewer laterals, storm drains, street trees, paving details, locations of transformers and other above ground utility structures, the design specifications and locations of facilities required by the East Bay Municipal Utility District (EBMUD), street lighting, on-street parking and accessibility improvements compliant with applicable standards and any other improvements or requirements for the project as provided for in this Approval. Encroachment permits shall be obtained as necessary for any applicable improvements- located within the public ROW.

b) Review and confirmation of the street trees by the City's Tree Services Division is required as part of this condition **and/or mitigations**.

c) The Planning and Zoning Division and the Public Works Agency will review and approve designs and specifications for the improvements. Improvements shall be completed prior to the issuance of the final building permit.

d) The Fire Services Division will review and approve fire crew and apparatus access, water supply availability and distribution to current codes and standards.

16. <u>Improvements in the Public Right-of Way (Specific)</u>
Approved prior to the issuance of a grading or building permit
Final building and public improvement plans submitted to the Building Services Division shall include the following components:

a) Install additional standard City of Oakland streetlights **on College Avenue and Claremont Avenue**.
b) Remove and replace any existing driveway that will not be used for access to the property with new concrete sidewalk, curb and gutter.
c) Reconstruct drainage facility to current City standard.
d) Provide separation between sanitary sewer and water lines to comply with current City of Oakland and Alameda Health Department standards.
e) Construct wheelchair ramps that comply with Americans with Disability Act requirements and current City Standards at **all crosswalk locations adjacent to the project site.**
f) Remove and replace deficient concrete sidewalk, curb and gutter within property frontage **for all street frontages.**
g) Provide adequate fire department access and water supply, including, but not limited to currently adopted fire codes and standards.

17. <u>Payment for Public Improvements</u>
Prior to issuance of a final inspection of the building permit.
The project applicant shall pay for and install public improvements made necessary by the project including damage caused by construction activity.

18. <u>Compliance Matrix</u>
Prior to issuance of a demolition, grading, or building permit

The project applicant shall submit to the Planning and Zoning Division and the Building Services Division a **Conditions/ Mitigation Measures** compliance matrix that lists each condition of approval **and/or mitigation measure**, the City agency or division responsible for review, and how/when the project applicant has met or intends to meet the conditions **and/or mitigations**. The applicant will sign the Conditions of Approval attached to the approval letter and submit that with the compliance matrix for review and approval. The compliance matrix shall be organized per step in the plancheck/construction process unless another format is acceptable to the Planning and Zoning Division and the Building Services Division. The project applicant shall update the compliance matrix and provide it with each item submittal.

19. <u>Construction Management Plan</u>

Prior to issuance of a demolition, grading, or building permit

The project applicant shall submit to the Planning and Zoning Division and the Building Services Division for review and approval a construction management plan that identifies the conditions of approval **and mitigation measures** related to construction impacts of the project and explains how the project applicant will comply with these construction-related conditions of approval **and mitigation measures**.

20. <u>Parking and Transportation Demand Management</u>

Prior to issuance of a final inspection of the building permit.

The applicant shall submit for review and approval by the Planning and Zoning Division a Transportation Demand Management (TDM) plan containing strategies to reduce on-site parking demand and single occupancy vehicle travel. The applicant shall implement the approved TDM plan. The TDM shall include strategies to increase bicycle, pedestrian, transit, and carpools/vanpool use. All four modes of travel shall be considered. Strategies to consider include the following:

a) Inclusion of additional bicycle parking, shower, and locker facilities that exceed the requirement
b) Construction of bike lanes per the Bicycle Master Plan; Priority Bikeway Projects
c) Signage and striping onsite to encourage bike safety
d) Installation of safety elements per the Pedestrian Master Plan (such as cross walk striping, curb ramps, count down signals, bulb outs, etc.) to encourage convenient crossing at arterials
e) Installation of amenities such as lighting, street trees, trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan.
f) Direct transit sales or subsidized transit passes
g) Guaranteed ride home program
h) Pre-tax commuter benefits (checks)
i) On-site car-sharing program (such as City Car Share, Zip Car, etc.)
j) On-site carpooling program
k) Distribution of information concerning alternative transportation options
l) Parking spaces sold/leased separately
m) Parking management strategies; including attendant/valet parking and shared

parking spaces

21. <u>Construction Related Air Pollution Controls (Dust and Equipment Emissions</u>
Ongoing throughout demolition, grading, and/or construction
During construction, the project applicant shall require the construction contractor to implement all of the following applicable measures recommended by the Bay Area Air Quality Management District (BAAQMD):

a) Water all exposed surfaces of active construction areas at least twice daily (using reclaimed water if possible). Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.
b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
c) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
d) Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
e) Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).
f) Limit vehicle speeds on unpaved roads to 15 miles per hour.
g) Idling times shall be minimized either by shutting equipment off when not is use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations. Clear signage to this effect shall be provided for construction workers at all access points.
h) All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
i) Post a publicly visible sign that includes the contractor's name and telephone number to contact regarding dust complaints. When contacted, the contractor shall respond and take corrective action within 48 hours. The telephone numbers of contacts at the City and the BAAQMD shall also be visible. This information may be posted on other required on-site signage.
j) All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.
k) All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.

l) Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
m) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).
n) Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.
o) Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize wind blown dust. Wind breaks must have a maximum 50 percent air porosity.
p) Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
q) The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.
r) All trucks and equipment, including tires, shall be washed off prior to leaving the site.
s) Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.
t) Minimize the idling time of diesel-powered construction equipment to two minutes.
u) The project applicant shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate matter (PM) reduction compared to the most recent California Air Resources Board (CARB) fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as they become available.
v) Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings).
w) All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM.
x) Off-road heavy diesel engines shall meet the CARB's most recent certification standard.

22. <u>Days/Hours of Construction Operation</u>
Ongoing throughout demolition, grading, and/or construction
The project applicant shall require construction contractors to limit standard construction activities as follows:

a) Construction activities are limited to between 7:00 AM and 7:00 PM Monday through Friday, except that pile driving and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m. Monday through Friday.

b) Any construction activity proposed to occur outside of the standard hours of 7:00 am to 7:00 pm Monday through Friday for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened and such construction activities shall only be allowed with the prior written authorization of the Building Services Division.

c) Construction activity shall not occur on Saturdays, with the following possible exceptions:

i. Prior to the building being enclosed, requests for Saturday construction for special activities (such as concrete pouring which may require more continuous amounts of time), shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened. Such construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division.

ii. After the building is enclosed, requests for Saturday construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division, and only then within the interior of the building with the doors and windows closed.

d) No extreme noise generating activities (greater than 90 dBA) shall be allowed on Saturdays, with no exceptions.

e) No construction activity shall take place on Sundays or Federal holidays.

f) Construction activities include but are not limited to: truck idling, moving equipment (including trucks, elevators, etc) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.

g) Applicant shall use temporary power poles instead of generators where feasible.

23. <u>Noise Control</u>

Ongoing throughout demolition, grading, and/or construction

To reduce noise impacts due to construction, the project applicant shall require construction contractors to implement a site-specific noise reduction program, subject to the Planning and Zoning Division and the Building Services Division review and approval, which includes the following measures:

a) Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible).

b) <u>Except as provided herein,</u> Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically

or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.

c) Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction.

d) The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.

24. Noise Complaint Procedures

Ongoing throughout demolition, grading, and/or construction

Prior to the issuance of each building permit, along with the submission of construction documents, the project applicant shall submit to the Building Services Division a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include:

a) A procedure and phone numbers for notifying the Building Services Division staff and Oakland Police Department; (during regular construction hours and off-hours);

b) A sign posted on-site pertaining with permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours);

c) The designation of an on-site construction complaint and enforcement manager for the project;

d) Notification of neighbors and occupants within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities about the estimated duration of the activity; and

e) A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed.

25. Interior Noise

Prior to issuance of a building permit and Certificate of Occupancy

If necessary to comply with the interior noise requirements of the City of Oakland's General Plan Noise Element and achieve an acceptable interior noise level, noise

reduction in the form of sound-rated assemblies (i.e., windows, exterior doors, and walls), and/or other appropriate features/measures, shall be incorporated into project building design, based upon recommendations of a qualified acoustical engineer and submitted to the Building Services Division for review and approval prior to issuance of building permit. Final recommendations for sound-rated assemblies, and/or other appropriate features/measures, will depend on the specific building designs and layout of buildings on the site and shall be determined during the design phases. Written confirmation by the acoustical consultant, HVAC or HERS specialist, shall be submitted for City review and approval, prior to Certificate of Occupancy (or equivalent) that:

(a) Quality control was exercised during construction to ensure all air-gaps and penetrations of the building shell are controlled and sealed; and
(b) Demonstrates compliance with interior noise standards based upon performance testing of a sample unit.
(c) Inclusion of a Statement of Disclosure Notice in the CC&R's on the lease or title to all new tenants or owners of the units acknowledging the noise generating activity and the single event noise occurrences. Potential features/measures to reduce interior noise could include, but are not limited to, the following:
   i. Installation of an alternative form of ventilation in all units identified in the acoustical analysis as not being able to meet the interior noise requirements due to adjacency to a noise generating activity, filtration of ambient make-up air in each unit and analysis of ventilation noise if ventilation is included in the recommendations by the acoustical analysis.
   ii. Prohibition of Z-duct construction.

26. <u>Operational Noise-General</u>
Ongoing.
Noise levels from the activity, property, or any mechanical equipment on site shall comply with the performance standards of Section 17.120 of the Oakland Planning Code and Section 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the Planning and Zoning Division and Building Services.

27. <u>Construction Traffic and Parking</u>
Prior to the issuance of a demolition, grading or building permit
The project applicant and construction contractor shall meet with appropriate City of Oakland agencies to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project and other nearby projects that could be simultaneously under construction. The project applicant shall develop a construction management plan for review and approval by the Planning and Zoning Division, the Building Services Division, and the Transportation Services Division. The plan shall include at least the following items and requirements:

a) A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane

closure procedures, signs, cones for drivers, and designated construction access routes.

b) Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur.

c) Location of construction staging areas for materials, equipment, and vehicles at an approved location.

d) A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an onsite complaint manager. The manager shall determine the cause of the complaints and shall take prompt action to correct the problem. Planning and Zoning shall be informed who the Manager is prior to the issuance of the first permit issued by Building Services.

e) Provision for accommodation of pedestrian flow.

Major Project Cases:

f) Provision for parking management and spaces for all construction workers to ensure that construction workers do not park in on-street spaces.

g) Any damage to the street caused by heavy equipment, or as a result of this construction, shall be repaired, at the applicant's expense, within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to issuance of a final inspection of the building permit. All damage that is a threat to public health or safety shall be repaired immediately. The street shall be restored to its condition prior to the new construction as established by the City Building Inspector and/or photo documentation, at the applicant's expense, before the issuance of a Certificate of Occupancy.

h) Any heavy equipment brought to the construction site shall be transported by truck, where feasible.

i) No materials or equipment shall be stored on the traveled roadway at any time.

j) Prior to construction, a portable toilet facility and a debris box shall be installed on the site, and properly maintained through project completion.

k) All equipment shall be equipped with mufflers.

l) Prior to the end of each work day during construction, the contractor or contractors shall pick up and properly dispose of all litter resulting from or related to the project, whether located on the property, within the public rights-of-way, or properties of adjacent or nearby neighbors.

28. <u>Erosion and Sedimentation Control</u>

Ongoing throughout demolition grading, and/or construction activities

The project applicant shall implement Best Management Practices (BMPs) to reduce erosion, sedimentation, and water quality impacts during construction to the maximum extent practicable. Plans demonstrating the Best Management Practices shall be submitted for review and approval by the Planning and Zoning Division and the Building Services Division. At a minimum, the project applicant shall provide filter materials deemed acceptable to the City at nearby catch basins to prevent any debris and dirt from flowing into the City's storm drain system and creeks.

29. <u>Hazards Best Management Practices</u>

Prior to commencement of demolition, grading, or construction

The project applicant and construction contractor shall ensure that construction of Best Management Practices (BMPs) are implemented as part of construction to minimize the potential negative effects to groundwater and soils. These shall include the following:

a) Follow manufacture's recommendations on use, storage, and disposal of chemical products used in construction;
b) Avoid overtopping construction equipment fuel gas tanks;
c) During routine maintenance of construction equipment, properly contain and remove grease and oils;
d) Properly dispose of discarded containers of fuels and other chemicals.
e) Ensure that construction would not have a significant impact on the environment or pose a substantial health risk to construction workers and the occupants of the proposed development. Soil sampling and chemical analyses of samples shall be performed to determine the extent of potential contamination beneath all UST's, elevator shafts, clarifiers, and subsurface hydraulic lifts when on-site demolition, or construction activities would potentially affect a particular development or building.
f) If soil, groundwater or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notification of regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.

30. <u>Waste Reduction and Recycling</u>

The project applicant will submit a Construction & Demolition Waste Reduction and Recycling Plan (WRRP) and an Operational Diversion Plan (ODP) for review and approval by the Public Works Agency.

Prior to issuance of demolition, grading, or building permit

Chapter 15.34 of the Oakland Municipal Code outlines requirements for reducing waste and optimizing construction and demolition (C&D) recycling. Affected projects include all new construction, renovations/alterations/modifications with construction values of $50,000 or more (except R-3), and all demolition (including soft demo).The WRRP must specify the methods by which the development will divert C&D debris waste generated by the proposed project from landfill disposal in accordance with current City requirements. Current standards, FAQs, and forms are available at

www.oaklandpw.com/Page39.aspx or in the Green Building Resource Center. After approval of the plan, the project applicant shall implement the plan.

Ongoing

The ODP will identify how the project complies with the Recycling Space Allocation Ordinance, (Chapter 17.118 of the Oakland Municipal Code), including capacity calculations, and specify the methods by which the development will meet the current diversion of solid waste generated by operation of the proposed project from landfill disposal in accordance with current City requirements. The proposed program shall be in implemented and maintained for the duration of the proposed activity or facility. Changes to the plan may be re-submitted to the Environmental Services Division of the Public Works Agency for review and approval. Any incentive programs shall remain fully operational as long as residents and businesses exist at the project site.

31. Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCAMMRP)

Ongoing

All mitigation measures identified in the **College Avenue Safeway Project EIR** are included in the Standard Condition of Approval and Mitigation Monitoring Program (SCAMMRP) which is included in these conditions of approval and are incorporated herein by reference, as Attachment **C** as conditions of approval of the project. The Standard Conditions of Approval identified in the **College Avenue Safeway Project EIR** are also included in the SCAMMRP, and are therefore, not repeated in these conditions of approval. To the extent that there is any inconsistency between the SCAMMRP and these conditions, the more restrictive conditions shall govern. The project sponsor (also referred to as the Developer or Applicant) shall be responsible for compliance with the recommendation in any submitted and approved technical reports, all applicable mitigation measures adopted and with all conditions of approval set forth herein at its sole cost and expense, unless otherwise expressly provided in a specific mitigation measure or condition of approval, and subject to the review and approval of the City of Oakland. The SCAMMRP identifies the time frame and responsible party for implementation and monitoring for each mitigation measure. Overall monitoring and compliance with the mitigation measures will be the responsibility of the Planning and Zoning Division. Adoption of the SCAMMRP will constitute fulfillment of the CEQA monitoring and/or reporting requirement set forth in Section 21081.6 of CEQA. Prior to the issuance of a demolition, grading, and/or construction permit, the project sponsor shall pay the applicable mitigation and monitoring fee to the City in accordance with the City's Master Fee Schedule.

32. Pile Driving and Other Extreme Noise Generators

Ongoing throughout demolition, grading, and/or construction

To further reduce potential pier drilling, pile driving and/or other extreme noise generating construction impacts greater than 90dBA, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted for review and approval by the Planning and Zoning Division and

the Building Services Division to ensure that maximum feasible noise attenuation will be achieved. This plan shall be based on the final design of the project. A third-party peer review, paid for by the project applicant, may be required to assist the City in evaluating the feasibility and effectiveness of the noise reduction plan submitted by the project applicant. The criterion for approving the plan shall be a determination that maximum feasible noise attenuation will be achieved. A special inspection deposit is required to ensure compliance with the noise reduction plan. The amount of the deposit shall be determined by the Building Official, and the deposit shall be submitted by the project applicant concurrent with submittal of the noise reduction plan. The noise reduction plan shall include, but not be limited to, an evaluation of implementing the following measures. These attenuation measures shall include as many of the following control strategies as applicable to the site and construction activity:

a) Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;

b) Implement "quiet" pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;

c) Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;

d) Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and

e) Monitor the effectiveness of noise attenuation measures by taking noise measurements.

33. Lighting Plan

Prior to the issuance of an electrical or building permit

The proposed lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties. Plans shall be submitted to the Planning and Zoning Division and the Electrical Services Division of the Public Works Agency for review and approval. All lighting shall be architecturally integrated into the site.

34. Asbestos Removal in Structures

Prior to issuance of a demolition permit

If asbestos-containing materials (ACM) are found to be present in building materials to be removed, demolition and disposal, the project applicant shall submit specifications signed by a certified asbestos consultant for the removal, encapsulation, or enclosure of the identified ACM in accordance with all applicable laws and regulations, including but not necessarily limited to: California Code of Regulations, Title 8; Business and Professions Code; Division 3; California Health &

Safety Code 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended.

35. <u>Tree Removal During Breeding Season</u>

Prior to issuance of a tree removal permit

To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of raptors shall not occur during the breeding season of March 15 and August 15. If tree removal must occur during the breeding season, all sites shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to start of work from March 15 through May 31, and within 30 days prior to the start of work from June 1 through August 15. The pre-removal surveys shall be submitted to the Planning and Zoning Division and the Tree Services Division of the Public Works Agency. If the survey indicates the potential presences of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the CDFG, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.

36. <u>Tree Removal Permit</u>

Prior to issuance of a demolition, grading, or building permit

Prior to removal of any protected trees, per the Protected Tree Ordinance, located on the project site or in the public right-of-way adjacent to the project, the project applicant must secure a tree removal permit from the Tree Division of the Public Works Agency, and abide by the conditions of that permit.

37. <u>Tree Replacement Plantings</u>

Prior to issuance of a final inspection of the building permit

Replacement plantings shall be required for erosion control, groundwater replenishment, visual screening and wildlife habitat, and in order to prevent excessive loss of shade, in accordance with the following criteria:

a) No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered.

b) Replacement tree species shall consist of Sequoia sempervirens (Coast Redwood), Quercus agrifolia (Coast Live Oak), Arbutus menziesii (Madrone), Aesculus californica (California Buckeye) or Umbellularia californica (California Bay Laurel) or other tree species acceptable to the Tree Services Division.

c) Replacement trees shall be at least of twenty-four (24) inch box size, unless a smaller size is recommended by the arborist, except that three fifteen (15) gallon

size trees may be substituted for each twenty-four (24) inch box size tree where appropriate.

d) Minimum planting areas must be available on site as follows:

i. For Sequoia sempervirens, three hundred fifteen square feet per tree;

ii. For all other species listed in #2 above, seven hundred (700) square feet per tree.

e) In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee as determined by the master fee schedule of the city may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians.

f) Plantings shall be installed prior to the issuance of a final inspection of the building permit, subject to seasonal constraints, and shall be maintained by the project applicant until established. The Tree Reviewer of the Tree Division of the Public Works Agency may require a landscape plan showing the replacement planting and the method of irrigation. Any replacement planting which fails to become established within one year of planting shall be replanted at the project applicant's expense.

38. <u>Tree Protection During Construction</u>

Prior to issuance of a demolition, grading, or building permit

Adequate protection shall be provided during the construction period for any trees which are to remain standing, including the following, plus any recommendations of an arborist:

a) Before the start of any clearing, excavation, construction or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the City Tree Reviewer. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree.

b) Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the City Tree Reviewer from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree.

c) No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the Tree Reviewer from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the tree

reviewer. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.

d) Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.

e) If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Agency of such damage. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed.

f) All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations.

39. <u>Archaeological Resources</u>

Ongoing throughout demolition, grading, and/or construction

a) Pursuant to CEQA Guidelines section 15064.5 (f), "provisions for historical or unique archaeological resources accidentally discovered during construction" should be instituted. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified archaeologist would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination to be made by the City of Oakland. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards.

b) In considering any suggested measure proposed by the consulting archaeologist in order to mitigate impacts to historical resources or unique archaeological resources, the project applicant shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while measure for historical resources or unique archaeological resources is carried out.

c) Should an archaeological artifact or feature be discovered on-site during project construction, all activities within a 50-foot radius of the find would be halted until

the findings can be fully investigated by a qualified archaeologist to evaluate the find and assess the significance of the find according to the CEQA definition of a historical or unique archaeological resource. If the deposit is determined to be significant, the project applicant and the qualified archaeologist shall meet to determine the appropriate avoidance measures or other appropriate measure, subject to approval by the City of Oakland, which shall assure implementation of appropriate measure measures recommended by the archaeologist. Should archaeologically-significant materials be recovered, the qualified archaeologist shall recommend appropriate analysis and treatment, and shall prepare a report on the findings for submittal to the Northwest Information Center.

40. <u>Human Remains</u>
Ongoing throughout demolition, grading, and/or construction
In the event that human skeletal remains are uncovered at the project site during construction or ground-breaking activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains, and following the procedures and protocols pursuant to Section 15064.5 (e)(1) of the CEQA Guidelines. If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and all excavation and site preparation activities shall cease within a 50-foot radius of the find until appropriate arrangements are made. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance and avoidance measures (if applicable) shall be completed expeditiously.

41. <u>Paleontological Resources</u>
Ongoing throughout demolition, grading, and/or construction
In the event of an unanticipated discovery of a paleontological resource during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (per Society of Vertebrate Paleontology standards (SVP 1995,1996)). The qualified paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the City determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important, and such plan shall be implemented. The plan shall be submitted to the City for review and approval.

42. <u>Erosion and Sedimentation Control Plan</u>
Prior to any grading activities
a) The project applicant shall obtain a grading permit if required by the Oakland Grading Regulations pursuant to Section 15.04.660 of the Oakland Municipal

Code. The grading permit application shall include an erosion and sedimentation control plan for review and approval by the Building Services Division. The erosion and sedimentation control plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading operations. The plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the Director of Development or designee. The plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.

Ongoing throughout grading and construction activities

b) The project applicant shall implement the approved erosion and sedimentation plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Building Services Division.

43. <u>Site Review by the Fire Services Division</u>

Prior to the issuance of demolition, grading or building permit

The project applicant shall submit plans for site review and approval to the Fire Prevention Bureau Hazardous Materials Unit. Property owner may be required to obtain or perform a Phase II hazard assessment.

44. <u>Phase I and/or Phase II Reports</u>

Prior to issuance of a demolition, grading, or building permit

Prior to issuance of demolition, grading, or building permits the project applicant shall submit to the Fire Prevention Bureau, Hazardous Materials Unit, a Phase I environmental site assessment report, and a Phase II report if warranted by the Phase I report for the project site. The reports shall make recommendations for remedial action, if appropriate, and should be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer.

45. <u>Lead-Based Paint/Coatings, Asbestos, or PCB Occurrence Assessment</u>

Prior to issuance of any demolition, grading or building permit

The project applicant shall submit a comprehensive assessment report to the Fire Prevention Bureau, Hazardous Materials Unit, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing

materials (ACM), lead-based paint, and any other building materials or stored materials classified as hazardous waste by State or federal law.

46. <u>Environmental Site Assessment Reports Remediation</u>
Prior to issuance of a demolition, grading, or building permit
If the environmental site assessment reports recommend remedial action, the project applicant shall:

a) Consult with the appropriate local, State, and federal environmental regulatory agencies to ensure sufficient minimization of risk to human health and environmental resources, both during and after construction, posed by soil contamination, groundwater contamination, or other surface hazards including, but not limited to, underground storage tanks, fuel distribution lines, waste pits and sumps.

b) Obtain and submit written evidence of approval for any remedial action if required by a local, State, or federal environmental regulatory agency.

c) Submit a copy of all applicable documentation required by local, State, and federal environmental regulatory agencies, including but not limited to: permit applications, Phase I and II environmental site assessments, human health and ecological risk assessments, remedial action plans, risk management plans, soil management plans, and groundwater management plans.

47. <u>Lead-based Paint Remediation</u>
Prior to issuance of any demolition, grading or building permit
If lead-based paint is present, the project applicant shall submit specifications to the Fire Prevention Bureau, Hazardous Materials Unit signed by a certified Lead Supervisor, Project Monitor, or Project Designer for the stabilization and/or removal of the identified lead paint in accordance with all applicable laws and regulations, including but not necessarily limited to: Cal/OSHA's Construction Lead Standard, 8 CCR1532.1 and DHS regulation 17 CCR Sections 35001 through 36100, as may be amended.

48. <u>Other Materials Classified as Hazardous Waste</u>
Prior to issuance of any demolition, grading or building permit
If other materials classified as hazardous waste by State or federal law are present, the project applicant shall submit written confirmation to Fire Prevention Bureau, Hazardous Materials Unit that all State and federal laws and regulations shall be followed when profiling, handling, treating, transporting and/or disposing of such materials.

49. <u>Health and Safety Plan per Assessment</u>
Prior to issuance of any demolition, grading or building permit
If the required lead-based paint/coatings, asbestos, or PCB assessment finds presence of such materials, the project applicant shall create and implement a health and safety

plan to protect workers from risks associated with hazardous materials during demolition, renovation of affected structures, and transport and disposal.

50. <u>Best Management Practices for Soil and Groundwater Hazards</u>
Ongoing throughout demolition, grading, and construction activities
The project applicant shall implement all of the following Best Management Practices (BMPs) regarding potential soil and groundwater hazards.

a) Soil generated by construction activities shall be stockpiled onsite in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state and federal agencies laws, in particular, the Regional Water Quality Control Board (RWQCB) and/or the Alameda County Department of Environmental Health (ACDEH) and policies of the City of Oakland.
b) Groundwater pumped from the subsurface shall be contained onsite in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies of the City of Oakland, the RWQCB and/or the ACDEH. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building (pursuant to the Standard Condition of Approval regarding Radon or Vapor Intrusion from Soil and Groundwater Sources
c) Prior to issuance of any demolition, grading, or building permit, the applicant shall submit for review and approval by the City of Oakland, written verification that the appropriate federal, state or county oversight authorities, including but not limited to the RWQCB and/or the ACDEH, have granted all required clearances and confirmed that the all applicable standards, regulations and conditions for all previous contamination at the site. The applicant also shall provide evidence from the City's Fire Department, Office of Emergency Services, indicating compliance with the Standard Condition of Approval requiring a Site Review by the Fire Services Division pursuant to City Ordinance No. 12323, and compliance with the Standard Condition of Approval requiring a Phase I and/or Phase II Reports.

51. <u>Radon or Vapor Intrusion from Soil or Groundwater Sources</u>
Ongoing
The project applicant shall submit documentation to determine whether radon or vapor intrusion from the groundwater and soil is located on-site as part of the Phase I documents. The Phase I analysis shall be submitted to the Fire Prevention Bureau, Hazardous Materials Unit, for review and approval, along with a Phase II report if warranted by the Phase I report for the project site. The reports shall make recommendations for remedial action, if appropriate, and should be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer. Applicant shall implement the approved recommendations.

52. <u>Stormwater Pollution Prevention Plan (SWPPP)</u>

Prior to and ongoing throughout demolition, grading, and/or construction activities

The project applicant must obtain coverage under the General Construction Activity Storm Water Permit (General Construction Permit) issued by the State Water Resources Control Board (SWRCB). The project applicant must file a notice of intent (NOI) with the SWRCB. The project applicant will be required to prepare a stormwater pollution prevention plan (SWPPP) and submit the plan for review and approval by the Building Services Division. At a minimum, the SWPPP shall include a description of construction materials, practices, and equipment storage and maintenance; a list of pollutants likely to contact stormwater; site-specific erosion and sedimentation control practices; a list of provisions to eliminate or reduce discharge of materials to stormwater; Best Management Practices (BMPs), and an inspection and monitoring program. Prior to the issuance of any construction-related permits, the project applicant shall submit to the Building Services Division a copy of the SWPPP and evidence of submittal of the NOI to the SWRCB. Implementation of the SWPPP shall start with the commencement of construction and continue though the completion of the project. After construction is completed, the project applicant shall submit a notice of termination to the SWRCB.

53. <u>Post-Construction Stormwater Management Plan</u>

Prior to issuance of building permit (or other construction-related permit)

The applicant shall comply with the requirements of Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Alameda Countywide Clean Water Program. The applicant shall submit with the application for a building permit (or other construction-related permit) a completed Construction-Permit-Phase Stormwater Supplemental Form to the Building Services Division. The project drawings submitted for the building permit (or other construction-related permit) shall contain a stormwater management plan, for review and approval by the City, to manage stormwater run-off and to limit the discharge of pollutants in stormwater after construction of the project to the maximum extent practicable.

a) The post-construction stormwater management plan shall include and identify the following:
   - i. All proposed impervious surface on the site;
   - ii. Anticipated directional flows of on-site stormwater runoff; and
   - iii. Site design measures to reduce the amount of impervious surface area and directly connected impervious surfaces; and
   - iv. Source control measures to limit the potential for stormwater pollution;
   - v. Stormwater treatment measures to remove pollutants from stormwater runoff; and
   - vi. Hydromodification management measures so that post-project stormwater runoff does not exceed the flow and duration of pre-project runoff, if required under the NPDES permit.

b) The following additional information shall be submitted with the post-construction stormwater management plan:

i. Detailed hydraulic sizing calculations for each stormwater treatment measure proposed; and
ii. Pollutant removal information demonstrating that any proposed manufactured/mechanical (i.e. non-landscape-based) stormwater treatment measure, when not used in combination with a landscape-based treatment measure, is capable or removing the range of pollutants typically removed by landscape-based treatment measures and/or the range of pollutants expected to be generated by the project.

All proposed stormwater treatment measures shall incorporate appropriate planting materials for stormwater treatment (for landscape-based treatment measures) and shall be designed with considerations for vector/mosquito control. Proposed planting materials for all proposed landscape-based stormwater treatment measures shall be included on the landscape and irrigation plan for the project. The applicant is not required to include on-site stormwater treatment measures in the post-construction stormwater management plan if he or she secures approval from Planning and Zoning of a proposal that demonstrates compliance with the requirements of the City's Alternative Compliance Program.

Prior to final permit inspection
The applicant shall implement the approved stormwater management plan.

54. <u>Maintenance Agreement for Stormwater Treatment Measures</u>
Prior to final zoning inspection
For projects incorporating stormwater treatment measures, the applicant shall enter into the "Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement," in accordance with Provision C.3.e of the NPDES permit, which provides, in part, for the following:
i. The applicant accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity; and
ii. Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary. The agreement shall be recorded at the County Recorder's Office at the applicant's expense.

55. <u>Stormwater and Sewer</u>
Prior to completing the final design for the project's sewer service
Confirmation of the capacity of the City's surrounding stormwater and sanitary sewer system and state of repair shall be completed by a qualified civil engineer with funding from the project applicant. The project applicant shall be responsible for the necessary stormwater and sanitary sewer infrastructure improvements to accommodate the proposed project. In addition, the applicant shall be required to pay

additional fees to improve sanitary sewer infrastructure if required by the Sewer and Stormwater Division. Improvements to the existing sanitary sewer collection system shall specifically include, but are not limited to, mechanisms to control or minimize increases in infiltration/inflow to offset sanitary sewer increases associated with the proposed project. To the maximum extent practicable, the applicant will be required to implement Best Management Practices to reduce the peak stormwater runoff from the project site. Additionally, the project applicant shall be responsible for payment of the required installation or hook-up fees to the affected service providers.

PROJECT SPECIFIC CONDITIONS

56. Master Sign Program Required

Prior to Certificate of Occupancy

Prior to certificate of occupancy for the project the applicant shall submit a Master Sign Program pursuant to Planning Code Section 17.104.070 to develop a comprehensive sign program for all of the tenant spaces within the proposed development.

57. Transportation Improvements in the City of Berkeley

While the EIR for the proposed project identifies the impacts to four intersections within the City of Berkeley as Significant and Unavoidable due to the location of the intersection outside of the City of Oakland's jurisdiction, the EIR has identified traffic improvement measures that if implemented would reduce the impacts at each of these intersections to Less than Significant. These intersections are as follows:

- College Avenue/ Alcatraz Avenue
- Claremont Avenue/ Alcatraz Avenue
- College Avenue/ Ashby Avenue
- Claremont Avenue/ Ashby Avenue

a. College Avenue / Alcatraz Avenue Intersection

Prior to Issuance of a Building Permit

The applicant shall file an encroachment permit application with the City of Berkeley Public Works, Transportation Engineering Division to implement the following improvement measures at the intersection of College Avenue and Alcatraz Avenue, substantially in accordance with the plan in **Attachment *F*** and designed to the satisfaction of the City of Berkeley Public Works Director:

- Provide left-turn lanes on northbound and southbound College Avenue by converting the existing angled parking spaces along College Avenue to parallel spaces.
- Convert signal control equipment from pre-timed to actuated-uncoordinated operations and provide protected (or protected/permitted, if

preferred by the City of Berkeley) left-turn phasing for the north-south approaches. The signal control equipment shall be designed to applicable standards in effect at the time of construction.

- Optimize signal timing parameters (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection).

- Move the AC Transit bus stops on both northbound and southbound College Avenue from the near side to the far side of the intersection (i.e., from before the signal to after the signal).

The plan would also include eliminating the existing AC Transit bus stop on eastbound Alcatraz Avenue just west of College Avenue and replacing it with two parallel parking spaces.

If the encroachment permit and any other necessary approvals are approved by both the City of Berkeley and any other agencies having jurisdiction over the intersection and bus stops, and such approvals are subject only to terms and conditions that are consistent with those placed upon similar projects within the City of Berkeley, then the applicant shall install the improvement measures listed above within one year after receipt of the encroachment permit. The issuance of the encroachment permit and the permit work may take place after issuance of the Certificate of Occupancy.

b. Claremont Avenue/ Alcatraz Avenue Intersection
Prior to Issuance of a building permit
Prior to issuance of a building permit for the project, the project applicant shall do one of the following:

i. File an encroachment permit application with the City of Berkeley Public Works, Transportation Engineering Division to install the improvements identified in Mitigation Measure TRANS-3.

ii. Commit funds in an amount equal to $234,900 (the estimated cost of the improvements proposed as Mitigation Measure TRANS-3 in the EIR), to be used by the City of Berkeley to install the improvements identified in Mitigation Measure TRANS-3 or other alternative traffic improvement measures at the intersection of Claremont Avenue and Alcatraz Avenue, which shall be used by the City of Berkeley within one year of receipt of the Certificate of Occupancy for the project. Any portion of the funds that is not used by the City of Berkeley within this period shall be returned to the project applicant.

c. College Avenue/Ashby Avenue & Claremont Avenue/Ashby Avenue Intersections
Prior to Issuance of a building permit
Prior to issuance of a building permit for the project, the project applicant shall do one of the following:

- File an encroachment permit application with the City of Berkeley Public Works, Transportation Engineering Division to install the improvements identified in Mitigation Measures TRANS-1, TRANS-9, and TRANS-10

- Commit funds in an amount equal to $213,800 (the estimated total cost of the improvements proposed as Mitigation Measures TRANS-1, TRANS-9, and TRANS-10 in the EIR), to be used by the City of Berkeley to install the improvements identified in Mitigation Measures TRANS-1, TRANS-9, and TRANS-10 or other alternative traffic improvement measures at the intersection of College Avenue and Ashby Avenue and the intersection of Claremont Avenue and Ashby Avenue, which shall be used by the City of Berkeley within one year of receipt of the Certificate of Occupancy for the project. Any portion of the funds that is not used by the City of Berkeley within this period shall be returned to the project applicant.

58. <u>Parking</u>
In order to address any parking deficits at and around the project site and potential for intrusion in the adjacent residential neighborhoods, the applicant shall implement the following measures:

A. Time Limit on Parking
Ongoing
With the exception of parking for employees at the project site, a time limit of two hours or shall be applied to the off-street parking stalls in the project site.

B. Automated Parking Counting System
Ongoing
The applicant shall install an automated parking counting system including variable message signs to inform motorists of the number of parking spaces available in the underground parking garage.

C. Parking Meters on Claremont Avenue
Prior to Certificate of Occupancy
The applicant shall apply to the City of Oakland to have parking meters installed along the Claremont Avenue frontage of the project site.

D. Availability of Parking in the Underground Garage
Ongoing
All parking spaces in the underground garage of the project site shall be made available to the general public under the following terms:

- Parking spaces shall be made available free of charge to the customers of all merchants in the College Avenue shopping district.
- There shall be no dedication or designations of any particular individual tenant, as all spaces shall be available to all customers (except for required disabled parking spaces).
- The owner of the project site shall have the right to further limit the duration of parking by restricting parking to one hour for non-grocery store customers. During peak grocery shopping seasons such as Thanksgiving and the Winter Holidays, the owner shall have the right to further restrict parking for non-grocery store customers to 30 minutes.
- If in the future the project site owner determines that it is necessary to request further parking limitations on non-grocery store customers, the property owners within 300 feet of the project site shall be notified and the request shall be subject to approval to the Director of Planning & Zoning with an appeal to the Planning Commission, if necessary.

59. <u>Bicycle Parking</u>
Prior to issuance of a building permit
The applicant shall submit a refined bicycle parking plan for review by the Planning & Zoning Division that takes into account the following:

- Consider relocating the long-term bicycle parking from proposed locations distributed throughout the underground parking garage to the edges of the garage or the upper level parking lot. Some of the currently proposed spaces would require bicyclists to dismount from bicycles in the drive aisle.
- Ensure the long-term bicycle parking in the underground parking garage do not block drivers sight distance.
- Ensure the short-term bicycle parking on sidewalks do not block pedestrian circulation.

60. <u>Side Street Traffic Monitoring</u>
Prior to issuance of a building permit
Project applicant shall provide a plan to be approved by the Director of Planning & Zoning to monitor traffic volumes and speeds on the following roadways before construction of the project and within one year after certificate of occupancy of the proposed project:

- 62nd and 63rd Street between College Avenue and Colby Street
- Hillegass Avenue and Colby Street between Claremont Avenue and Alcatraz Avenue
- Mystic Street
- Auburn Avenue, Manoa Street, and Rockwell Street between Mystic Street and Florio Street
- Alcatraz Avenue between College and Claremont Avenues
- Woolsey Street between Benvenue and Eton Avenues
- Eton Avenue between Woolsey Street and Claremont Avenue
- Benvenue Avenue between Woolsey Street and Alcatraz Avenue

In consultation with local residents, and in accordance with all legal requirements, appropriate traffic calming measures, such as speed humps, should be considered if and when excessive traffic volumes or speeding are observed. These potential improvements shall be funded by the project applicant.

61. <u>Limiting Operational Noise</u>
Ongoing
The applicant shall install the following measures to further reduce operational noise impact to adjacent neighbors:

- To eliminate the potential for noise impact from the ventilation openings, acoustical louvers shall be installed in these vent openings facing the northern adjacent properties to reduce the transmission of garage sounds.
- To further reduce the noise levels within the garage and further reduce noise emanating from the garage, the underside of the garage ceiling shall be fully lined with spray-on thermal/acoustic insulation. This additional noise control measure would typically be provided on the garage ceiling directly below the grocery store.
- The Claremont Avenue driveway ramp shall avoid use of a polished (squeaky) concrete slab surface. Application of a sound-absorptive material to the ramp walls to further reduce noise from vehicle movements on the ramp should also be considered.
- Shopping cart power washing activities shall be conducted within the enclosed loading dock area, or at the far end of the service deck, or other location away from residential neighbors.

APPROVED BY:
City Planning Commission:_____(date)_____(vote)
City Council:_____(date)_____(vote)

CONDITIONS OF APPROVAL

ATTACHMENT C

STANDARD CONDITIONS OF APPROVAL AND MITIGATION MONITORING AND REPORTING PROGRAM

This Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCAMMRP) was formulated based on the findings of the Environmental Impact Report (EIR) prepared for the Safeway Shopping Center project at College and Claremont Avenues in the City of Oakland (referred to as "College and Claremont Safeway" in this document). This SCAMMRP is in compliance with Section 15097 of the *CEQA Guidelines*, which requires that the Lead Agency "adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects." The SCAMMRP lists mitigation measures recommended in the EIR and identifies mitigation monitoring requirements.

The table presents the mitigation measures identified in the College and Claremont Safeway EIR necessary to mitigate potentially significant impacts. Each mitigation measure is numbered according to the topical section to which it pertains in the EIR. As an example, Mitigation Measure TRANS-1 is the first mitigation measure identified in the EIR for the College and Claremont Safeway. The City's Standard Conditions of Approval (SCA) identified in the EIR or Initial Study as measures that would be imposed as conditions of approval on the project to ensure no significant impacts are also included in this SCAMMRP to ensure the conditions are implemented and monitored. The Standard Conditions are identified with a SCA prefix (e.g., SCA AES-1).

The first column of the table identifies the Standard Condition of Approval or Mitigation Measure. The second column identifies the monitoring schedule or timing, while the third column names the party responsible for monitoring the required action. The fourth column, "Monitoring Procedure," outlines the steps for monitoring the action identified in the mitigation measure. The fifth and sixth columns deal with reporting and provide spaces for comments and dates and initials. These last columns will be used by the City to ensure that individual mitigation measures have been monitored.

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
1. VISUAL QUALITY					
No significant visual quality impacts were identified and no mitigation measures were identified in the EIR. The following SCA is included to ensure no significant impacts occur.					
SCA AES-1, *Shielding of Lighting*: The proposed lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties. Plans shall be submitted to the Planning and Zoning Division and the Electrical Services Division of the Public Works Agency for review and approval. All lighting shall be architecturally integrated into the site.	Prior to the issuance of an electrical or building permit	City of Oakland, CEDA, Planning and Zoning Division, and Electrical Services Division of the Public Works Agency	Project sponsor shall submit plans to the monitoring agencies for review and approval		
2. TRANSPORTATION, CIRCULATION AND PARKING					
SCA TRANS-1 *Parking and Transportation Demand Management* The property owner shall pay for and submit for review and approval by the City a Transportation Demand Management (TDM) plan containing strategies to: • Reduce the amount of traffic generated by new development and the expansion of existing development, pursuant to the City's police power and necessary in order to protect the public health, safety and welfare. • Ensure that expected increases in traffic resulting from growth in employment and housing opportunities in the City of Oakland will be adequately mitigated. • Reduce drive-alone commute trips during peak traffic periods by using a combination of services, incentives, and facilities. • Promote more efficient use of existing transportation facilities and ensure that new developments are designed in ways to maximize the potential for alternative transportation usage. • Establish an ongoing monitoring and enforcement program to ensure that the desired alternative mode use percentages are achieved.	Prior to issuance of a final inspection of the building permit, and ongoing	City of Oakland, CEDA, Transportation Services Division	Review and approve TDM plan; review and approve annual compliance report thereafter for life of project.		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
The property owner shall implement the approved TDM plan. The TDM plan shall include strategies to increase bicycle, pedestrian, transit, and carpools/vanpool use. All four modes of travel shall be considered, and parking management and parking reduction strategies should be included. Actions to consider include the following:					
a. Inclusion of additional long term and short term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan, and Bicycle Parking Ordinance, shower, and locker facilities in commercial developments that exceed the requirement.					
b. Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority Bikeway Projects, on-site signage and bike lane striping.					
c. Installation of safety elements per the Pedestrian Master Plan (such as cross walk striping, curb ramps, count-down signals, bulb outs, etc.) to encourage convenient and safe crossing at arterials.					
d. Installation of amenities such as lighting, street trees, trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan.					
e. Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements.					
f. Direct on-site sales of transit passes purchased and sold at a bulk group rate (through programs such as AC Transit Easy Pass or a similar program through another transit agency).					
g. Employees or residents can be provided with a subsidy, determined by the property owner and subject to review by the City, if the employees or residents use transit or commute by other alternative modes.					
h. Provision of shuttle service between the development and nearest mass transit station, or ongoing contribution to existing shuttle or public transit services.					
i. Guaranteed ride home program for employees, either through 511.org or through separate program.					
j. Pre-tax commuter benefits (commuter checks) for employees.					
k. Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share					

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
membership for employees or tenants					
l. Onsite carpooling and/or vanpooling program that includes preferential (discounted or free) parking for carpools and vanpools.					
m. Distribution of information concerning alternative transportation options					
n. Parking spaces sold/leased separately for residential units. Charge employees for parking, or provide a cash incentive or transit pass alternative to a free parking space in commercial properties.					
o. Parking management strategies; including attendant/valet parking and shared parking spaces.					
p. Requiring tenants to provide opportunities and the ability to work off-site.					
q. Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite.					
r. Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours					
The property owner shall submit an annual compliance report for review and approval by the City. This report will be reviewed either by City staff (or a peer review consultant, chosen by the City and paid for by the property owner). If timely reports are not submitted, the reports indicate a failure to achieve the stated policy goals, or the required alternative mode split is still not achieved, staff will work with the property owner to find ways to meet their commitments and achieve trip reduction goals. If the issues cannot be resolved, the matter may be referred to the Planning Commission for resolution. Property owners shall be required, as a condition of approval, to reimburse the City for costs incurred in maintaining and enforcing the trip reduction program for the approved project.					

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
SCA TRANS-2 *Construction Traffic and Parking* The project applicant and construction contractor shall meet with appropriate City of Oakland agencies to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project and other nearby projects that could be simultaneously under construction. The project applicant shall develop a construction management plan for review and approval by the Planning and Zoning Division, the Building Services Division, and the Transportation Services Division. The plan shall include at least the following items and requirements: a. A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. b. Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur. c. Location of construction staging areas for materials, equipment, and vehicles at an approved location. d. A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an onsite complaint manager. The manager shall determine the cause of the complaints and shall take prompt action to correct the problem. Planning and Zoning shall be informed who the Manager is prior to the issuance of the first permit issued by Building Services. e. Provision for accommodation of pedestrian flow. Major Project Cases: a. Provision for parking management and spaces for all construction workers to ensure that construction workers do not park in on-street spaces. b. Any damage to the street caused by heavy equipment, or as a result of this construction, shall be repaired, at the applicant's expense, within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to issuance of a	Prior to the issuance of a demolition, grading or building permit	City of Oakland, CEDA, Transportation Services Division	Verify that the Construction Management Plan has been prepared and that it meets the standards listed in the mitigation measure.		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
final inspection of the building permit. All damage that is a threat to public health or safety shall be repaired immediately. The street shall be restored to its condition prior to the new construction as established by the City Building Inspector and/or photo documentation, at the applicant's expense, before the issuance of a Certificate of Occupancy. c. Any heavy equipment brought to the construction site shall be transported by truck, where feasible. d. No materials or equipment shall be stored on the traveled roadway at any time. e. Prior to construction, a portable toilet facility and a debris box shall be installed on the site, and properly maintained through project completion. f. All equipment shall be equipped with mufflers. g. Prior to the end of each work day during construction, the contractor or contractors shall pick up and properly dispose of all litter resulting from or related to the project, whether located on the property, within the public rights-of-way, or properties of adjacent or nearby neighbors.					
Mitigation Measure TRANS-1: The impact at the Ashby Avenue/College Avenue intersection can be mitigated by implementing the following: • Convert signal control equipment from pre-timed to actuated-uncoordinated operations. The signal control equipment shall be designed to applicable standards in effect at the time of construction. • Optimize signal timing parameters (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection) To implement this measure, the project sponsor shall submit the following to City of Berkeley and Caltrans for review and approval: • Plans, Specifications, and Estimates (PS&E) to modify the intersection to accommodate the signal timing changes supporting vehicle travel and alternative modes travel consistent with City of Berkeley and Caltrans requirements. • Signal timing plans for the signals in the coordination group.	*If measure is implemented,* Submit plans prior to the issuance of first building permit; Implement measures according to timeframes outlined in approved plan	*If measure is implemented,* City of Berkeley and Caltrans	If measure is implemented, Verify that PS&E to convert signal control equipment at the Ashby/ College Avenues intersection from pre-timed to actuated-uncoordinatetd operations have been adequately prepared. Verify that PS&E to optimize signal timing parameters at this intersection have been adequately prepared. Verify that the signal		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
The project sponsor shall fund the cost of preparing and implementing these plans. After implementation of this measure, the intersection would continue to operate at LOS E during the weekday PM peak hour and improve from LOS F to LOS E during the Saturday PM peak hour. Although the intersection would continue to operate at unacceptable conditions, the average intersection vehicle delay during both peak hours would be less than under Existing Conditions. No secondary significant impacts would result from implementation of this measure. As part of the Caldecott Tunnel Improvement Project Settlement Agreement, City of Berkeley is planning improvements at this intersection. These improvements are currently in the preliminary feasibility study phase, do not have final design, and do not have approvals. The improvements may include providing a northbound left-turn lane on College Avenue, changing the left-turn signal phasing, and/or providing a pedestrian scramble phase. These planned improvements would not mitigate the project impacts; however, the proposed mitigation measures would not conflict with these potential improvements. The implementation of the improvements under study at this intersection may increase delay experienced by automobiles. However, the potential increase in delay cannot be reasonably quantified because the details of the improvement that may be implemented at this intersection are not known at this time.			timing parameters for the signals in the coordination group have been adequately prepared. Ensure plan measures are implemented.		
Mitigation Measure TRANS-2: The impact at the Alcatraz Avenue/College Avenue intersection can be mitigated by implementing the following: • Provide left-turn lanes on northbound and southbound College Avenue by converting the existing angled parking spaces along College Avenue to parallel spaces. • Convert signal control equipment from pre-timed to actuated-uncoordinated operations and provide protected/permissive left-turn phasing for the north/south approaches. The signal control equipment shall be designed to applicable standards in effect at the time of construction. • Optimize signal timing parameters (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection).	*If measure is implemented,* Submit plans prior to the issuance of building permit; Implement measures according to timeframes	*If measure is implemented,* City of Berkeley and Caltrans	If measure is implemented, Verify that PS&E for the Alcatraz/College Avenues intersection have been adequately prepared and include left-turn lanes on northbound and southbound College Avenue by converting existing angled parking spaces along College into angled		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
• Consider moving the AC Transit bus stops on both northbound and southbound College Avenue from near-side to far-side of the intersection (i.e., from before the signal to after the signal). To implement this measure, the project sponsor shall submit the following to City of Berkeley and Caltrans for review and approval: • Plans, Specifications, and Estimates (PS&E) to modify the intersection to accommodate the signal timing changes supporting vehicle travel and alternative modes travel consistent with City of Berkeley and Caltrans requirements. • Signal timing plans for the signals in the coordination group. The project sponsor shall fund the cost of preparing and implementing these plans. After implementation of this measure, the intersection would improve from LOS F to LOS D during the weekday PM peak hour. Converting the existing angled parking spaces on College Avenue to parallel spaces would result in elimination of six metered on-street parking spaces. Parking demand on this segment of College Avenue is currently at or above capacity. Thus, the loss of these parking spaces would contribute to the expected parking shortage in the area (see page 4.3-12). The mitigation measure would also improve pedestrian safety by providing protected left-turn phasing on College Avenue and reducing potential conflicts between left-turning automobiles and pedestrians crossing along College Avenue. No other secondary significant impacts would result from implementation of this measure.	outlined in approved plan		spaces. Verify that PS&E to convert signal control equipment from pre-timed to actuated-uncoordinated operations and provide protected/ permissive left-turn phasing for the north/south approaches have been adequately prepared. Verify that PS&E to Optimize signal timing parameters has been adequately prepared. Verify that the signal timing parameters for the signals in the coordination group have been adequately prepared. Ensure plan measures are implemented.		
Mitigation Measure TRANS-3: Implement the following measures at the Alcatraz Avenue/Claremont Avenue intersection: • Signalize the intersection, providing actuated operation, with permitted left turns and communication conduit/cabling connecting the traffic signal to the proposed traffic signal on Claremont Avenue at Safeway Driveway/Mystic Street/Auburn Avenue. To implement this measure, the project sponsor shall submit the following to City of Berkeley and Caltrans for review and approval: • Plans, Specifications, and Estimates (PS&E) to modify the intersection to accommodate the signal timing changes supporting vehicle travel and alternative modes travel	*If measure is implemented,* Submit plans prior to the issuance of building permit; Implement	*If measure is implemented,* City of Berkeley and Caltrans	If measure is implemented, Verify that PS&E to signalize the Alcatraz/ Claremont Avenues intersection have been adequately prepared and includes the specifications in the measure. Prior to installation of		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
consistent with City of Berkeley and Caltrans requirements. • Signal timing plans for the signals in the coordination group. The project sponsor shall fund the cost of preparing and implementing these plans. Prior to the installation of the traffic signals, a complete traffic signal warrant analysis shall be conducted at this location to verify that this location meets the California Manual on Uniform Traffic Control Devices (MUTCD) signal warrants and be subject to review and approval of the City of Berkeley. After implementation of this measure, the intersection would operate at LOS B during the weekday PM peak hour and LOS A during the Saturday PM peak hour. Pedestrians crossing at this intersection would experience more delay because they would need to wait for the appropriate signal phase; however this mitigation measure would improve their safety by providing a protected pedestrian crossing. No other secondary significant impacts would result from implementation of this measure.	measures according to timeframes outlined in approved plan		traffic signals, verify that a complete traffic signal warrant analysis has been conducted to ensure that location meets signal warrants, subject to review and approval by the City of Berkeley. Verify that the signal timing parameters for the signals in the coordination group have been adequately prepared. Ensure plan measures are implemented.		
Mitigation Measure TRANS-4: Implement the following measures at the College Avenue/Claremont Avenue intersection: • Optimize signal timing parameters (i.e., adjust the allocation of green time for each intersection approach) • Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group. To implement this measure, the project sponsor shall submit the following to City of Oakland's Transportation Services Division for review and approval: • Plans, Specifications, and Estimates (PS&E) to modify the intersection. All elements shall be designed to City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection should be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for among other items the elements listed below:	Submit plans prior to the issuance of building permit; Implement measures according to timeframes outlined in approved plan	City of Oakland, CEDA, Transportation Services Division	Verify that PS&E to optimize signal timing parameters for the College/ Claremont Avenues intersection have been adequately prepared. Verify that the signal timing parameters for the signals in the coordination group have been adequately prepared. Ensure plan measures are implemented.		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
o 2070L Type Controller o GPS communication (clock) o Accessible pedestrian crosswalks according to Federal and State Access Board guidelines o City Standard ADA wheelchair ramps o Full actuation (video detection, pedestrian push buttons, bicycle detection) o Accessible Pedestrian Signals, audible and tactile according to Federal Access Board guidelines o Signal interconnect and communication to City Traffic Management Center for corridors identified in the City's ITS Master Plan o Signal timing plans for the signals in the coordination group. The project sponsor shall fund, prepare, and install the approved plans and improvements. After implementation of this measure, the intersection would continue to operate at LOS E during the weekday PM peak hour and improve from LOS F to LOS E during the Saturday PM peak hour. Although the intersection would continue to operate at unacceptable conditions, the project impact would be reduced to less than significant because the average intersection vehicle delay during both peak hours would be less than under Existing Conditions and the increase in delay for all critical movements would be less than four seconds higher than under 2015 No Project conditions. No secondary significant impacts would result from implementation of this measure. As part of the Caldecott Tunnel Improvement Project Settlement Agreement, City of Oakland is planning improvements at this intersection, consisting of installing bulbouts and upgrading traffic signal control equipment. These improvements are not currently expected to be funded. These planned improvements would not mitigate the project impacts; however, the proposed mitigation measure would not conflict with the planned improvements. These improvements are not expected to affect traffic operations at this intersection or cause significant secondary impacts.					

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
Mitigation Measure TRANS-5: The impact at the Ashby Avenue/College Avenue intersection can be mitigated by implementing the following: • Implement Mitigation Measure TRANS-1 After implementation of this measure, the intersection would improve from LOS F to LOS E during the weekday PM peak hour and continue to operate at LOS F during the Saturday PM peak hour. Although the intersection would continue to operate at unacceptable conditions, the average intersection vehicle delay during both peak hours would be less than under 2015 No Project Conditions. No secondary significant impacts would result from implementation of this measure. As part of the Caldecott Tunnel Improvement Project Settlement Agreement, City of Berkeley is planning improvements at this intersection. These improvements are currently in the preliminary feasibility study phase, do not have final design, and do not have approvals. The improvements may include providing a northbound left-turn lane on College Avenue, changing the left-turn signal phasing, and/or providing a pedestrian scramble phase. These planned improvements would not mitigate the project impacts; however, the proposed mitigation measures would not conflict with these potential improvements. The implementation of the improvements under study at this intersection may increase delay experienced by automobiles. However, the increase in delay cannot be reasonably quantified because the details of the improvement that may be implemented at this intersection are not known at this time.	*See Mitigation Measure TRANS-1*				
Mitigation Measure TRANS-6: The impact at the Alcatraz Avenue/College Avenue intersection can be mitigated by implementing the following: • Implement Mitigation Measure TRANS-2 After implementation of this measure, the intersection would improve from LOS F to LOS E during the weekday PM peak hour. Although the intersection would continue to operate at unacceptable conditions, the average intersection vehicle delay would be less than under 2015 No Project Conditions. The intersection would improve from LOS E to LOS C during the Saturday peak hour. No secondary significant impacts would result from implementation of this measure.	*See Mitigation Measure TRANS-2*				

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
Mitigation Measure TRANS-7: Implement the following measures at the Alcatraz Avenue/Claremont Avenue intersection: • Implement Mitigation Measure TRANS-3. Prior to the installation of the traffic signals, a complete traffic signal warrant analysis shall be conducted at this location to verify that this location meets MUTCD signal warrants and be subject to review and approval of the City of Berkeley. After implementation of this measure, the intersection would operate at LOS B during the weekday PM peak hour and LOS A during the Saturday PM peak hour. No secondary significant impacts would result from implementation of this measure.	*See Mitigation Measure TRANS-3*				
Mitigation Measure TRANS-8: Implement the following measures at the College Avenue/Claremont Avenue intersection: • Implement Mitigation Measure TRANS-4. After implementation of this measure, the intersection would continue to operate at LOS F during both weekday PM and Saturday PM peak hours. Although the intersection would continue to operate at unacceptable conditions, the project impact would be reduced to less than significant because the average intersection vehicle delay during both peak hours would be less than under 2015 No Project Conditions. No secondary significant impacts would result from implementation of this measure. As part of the Caldecott Tunnel Improvement Project Settlement Agreement, City of Oakland is planning improvements at this intersection, consisting of installing bulbouts and upgrading traffic signal control equipment. These planned improvements would not mitigate the project impacts; however, the proposed mitigation measure would not conflict with the planned improvements. These improvements are not expected to affect traffic operations at this intersection or cause significant secondary impacts.	*See Mitigation Measure TRANS-4*				
Mitigation Measure TRANS-9: The impact at the Ashby Avenue/College Avenue intersection can be mitigated by implementing the following: • Implement Mitigation Measure TRANS-1 • Provide a left-turn lane on southbound College Avenue After implementation of this measure, the intersection would	*See Mitigation Measure TRANS-1*				
	If measure is implemented,	*If measure is implemented,*	*If measure is implemented,*		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
continue to operate at LOS F during both weekday and Saturday PM peak hour. Although the intersection would continue to operate at unacceptable conditions, the average intersection vehicle delay during both peak hours would be less than under 2035 No Project Conditions. Providing a left-turn lane on southbound College Avenue may result in secondary impacts. This segment of College Avenue currently provides adequate width to accommodate a southbound left-turn lane in addition to the existing southbound and northbound through lanes. However, provision of a southbound left-turn lane would narrow the northbound through lane. As a result, trucks may have difficulty turning right from westbound Ashby Avenue to northbound College Avenue. In addition, buses stopped at the existing bus stop on northbound College Avenue just north of Ashby Avenue may block northbound through traffic on the narrower travel lane. As part of the Caldecott Tunnel Improvement Project Settlement Agreement, City of Berkeley is planning improvements at this intersection. These improvements are currently in the preliminary feasibility study phase, do not have final design, and do not have approvals. The improvements may include providing a northbound left-turn lane on College Avenue, changing the left-turn signal phasing, and/or providing a pedestrian scramble phase. These planned improvements would not mitigate the project impacts; however, the proposed mitigation measures would not conflict with these potential improvements. The implementation of the improvements under study at this intersection may increase delay experienced by automobiles. However, the potential increase in delay cannot be reasonably quantified because the details of the improvement that may be implemented at this intersection are not known at this time.	Submit plans prior to the issuance of building permit; Implement measures according to timeframes outlined in approved plan	City of Berkeley and Caltrans	Verify that PS&E to Ashby/College Avenues intersection by providing a left-turn lane on southbound College Avenue have been adequately prepared. Ensure plan measures are implemented.		
Mitigation Measure TRANS-10: The impact at the Ashby Avenue/Claremont Avenue intersection can be mitigated by implementing the following: • Reconfigure the westbound approach on Ashby Avenue to provide a dedicated left-turn lane and a shared through/right-turn lane • Convert signal control equipment from pre-timed to actuated-uncoordinated operations • Optimize signal timing parameters (i.e., adjust the allocation	*If measure is implemented,* Submit plans prior to the issuance of building permit;	*If measure is implemented,* City of Berkeley and Caltrans	*If measure is implemented,* Verify that PS&E to reconfigure westbound approach to Claremont on Ashby to provide a		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
of green time for each intersection approach) To implement this measure, the project sponsor shall submit the following to City of Berkeley and Caltrans for review and approval: • Plans, Specifications, and Estimates (PS&E) to modify the intersection to accommodate the signal timing changes supporting vehicle travel and alternative modes travel consistent with City of Berkeley and Caltrans requirements. • Signal timing plans for the signals in the coordination group. The project sponsor shall fund the cost of preparing and implementing these plans. After implementation of this measure, the intersection would continue to operate at LOS F during the weekday PM peak hour. Although the intersection would continue to operate at unacceptable conditions, the average intersection vehicle delay during both peak hours would be less than under 2035 No Project Conditions. No secondary significant impacts would result from implementation of this measure. As part of the Caldecott Tunnel Improvement Project Settlement Agreement, City of Berkeley is planning improvements at this intersection. These improvements are currently in the preliminary feasibility study phase and do not have approvals. The improvements may include converting one of the through lanes on eastbound and/or westbound Ashby Avenue to a dedicated left-turn lane. The proposed mitigation measure is one of the improvements under study by City of Berkeley. The proposed mitigation measures would not conflict with other improvements under study at this intersection. The implementation of the improvements under study at this intersection may increase delay experienced by automobiles. However, the potential increase in delay cannot be reasonably quantified because the details of the improvement that may be implemented at this intersection are not known at this time.	Implement measures according to timeframes outlined in approved plan		dedicated left-turn lane and a shared through/right-turn lane have been adequately prepared. Verify that PS&E to convert signal control equipment from pre-timed to actuated-uncoordinatetd operations have been adequately prepared. Verify that PS&E to optimize signal timing parameters for the Ashby/ Claremont Avenues intersection have been adequately prepared. Verify that the signal timing parameters for the signals in the coordination group have been adequately prepared. Ensure plan measures are implemented.		
Mitigation Measure TRANS-11: The impact at the Alcatraz Avenue/College Avenue intersection can be mitigated by implementing the following: • Implement Mitigation Measure TRANS-2 After implementation of this measure, the intersection would continue to operate at LOS F during the weekday PM peak hour. Although the intersection would continue to operate at	*See Mitigation Measure TRANS-2*				

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
unacceptable conditions, the average intersection vehicle delay would be less than under 2035 No Project Conditions. The intersection would improve from LOS F to LOS D during the Saturday peak hour. No secondary significant impacts would result from implementation of this measure.					
Mitigation Measure TRANS-12: Implement the following measures at the Alcatraz Avenue/Claremont Avenue intersection: • Implement Mitigation Measure TRANS-3. Prior to the installation of the traffic signals, a complete traffic signal warrant analysis shall be conducted at this location to verify that this location meets MUTCD signal warrants and be subject to review and approval of the City of Berkeley. After implementation of this measure, the intersection would operate at LOS C during the weekday PM peak hour and LOS A during the Saturday PM peak hour. No secondary significant impacts would result from implementation of this measure.	*See Mitigation Measure TRANS-3*				
There is no Mitigation Measure TRANS-13.	*N/A*				
Mitigation Measure TRANS-14: Implement the following measures at the College Avenue/Claremont Avenue intersection: • Implement Mitigation Measure TRANS-4. After implementation of this measure, the intersection would continue to operate at LOS F during both weekday PM and Saturday PM peak hours. Although the intersection would continue to operate at unacceptable conditions, the project impact would be reduced to less than significant because the average intersection vehicle delay and v/c ratio during both peak hours would be less than under 2035 No Project Conditions. No secondary significant impacts would result from implementation of this measure. As part of the Caldecott Tunnel Improvement Project Settlement Agreement, City of Oakland is planning improvements at this intersection, consisting of installing bulbouts and upgrading traffic signal control equipment. These improvements are not currently expected to be funded. These planned improvements would not mitigate the project impacts; however, the proposed mitigation measure would not conflict with the planned improvements. These improvements are not expected to affect traffic operations at this intersection or cause significant secondary impacts.	*See Mitigation Measure TRANS-4*				

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
Mitigation Measure TRANS-15: Implement the following measures at the Forest Street/Claremont Avenue intersection: • Optimize signal timing parameters (i.e., adjust the allocation of green time for each intersection approach). • Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group. To implement this measure, the project sponsor shall submit the following to City of Oakland's Transportation Services Division for review and approval: • Plans, Specifications, and Estimates (PS&E) to modify intersection to accommodate the signal installation. All elements shall be designed to City standards in effect at the time of construction and all new or upgraded signals should include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection should be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for among other items the elements listed below: o 2070L Type Controller o GPS communication (clock) o Accessible pedestrian crosswalks according to Federal and State Access Board guidelines o City Standard ADA wheelchair ramps o Full actuation (video detection, pedestrian push buttons, bicycle detection) o Accessible Pedestrian Signals, audible and tactile according to Federal Access Board guidelines Signal interconnect and communication to City Traffic Management Center for corridors identified in the City's ITS Master Plan o Signal timing plans for the signals in the coordination group. The project sponsor shall fund, prepare, and install the approved plans and improvements.	Submit plans prior to the issuance of first building permit; Implement measures according to timeframes outlined in approved plan	City of Oakland, CEDA, Transportation Services Division	Verify that PS&E to optimize signal timing parameters for the Forest Street/Claremont Avenue intersection have been adequately prepared. Verify that the signal timing parameters for the signals in the coordination group have been adequately prepared. Ensure plan measures are implemented.		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
After implementation of this measure, the intersection would improve from LOS F to LOS E during the weekday PM peak hour. Although the intersection would continue to operate at unacceptable conditions, the project impact would be reduced to less than significant because the average intersection vehicle delay would be less than under 2035 No Project Conditions. No secondary significant impacts would result from implementation of this measure.					
Mitigation Measure TRANS-16: Implement the following measures at the Hudson Street/Manila Avenue/College Avenue intersection: • Optimize signal timing parameters (i.e., adjust the allocation of green time for each intersection approach). • Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group. To implement this measure, the project sponsor shall submit the following to City of Oakland's Transportation Services Division for review and approval: • Plans, Specifications, and Estimates (PS&E) to modify the intersection. All elements shall be designed to City standards in effect at the time of construction and all new or upgraded signals should include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection should be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for among other items the elements listed below: o 2070L Type Controller. o GPS communication (clock) o Accessible pedestrian crosswalks according to Federal and State Access Board guidelines o City Standard ADA wheelchair ramps o Full actuation (video detection, pedestrian push buttons, bicycle detection) o Accessible Pedestrian Signals, audible and tactile according to Federal Access Board guidelines Signal	Submit plans prior to the issuance of first building permit; Implement measures according to timeframes outlined in approved plan	City of Oakland, CEDA, Transportation Services Division	Verify that PS&E to optimize signal timing parameters for the Hudson Street/Manila Avenue/College Avenue intersection have been adequately prepared. Verify that the signal timing parameters for the signals in the coordination group have been adequately prepared. Ensure plan measures are being implemented.		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
interconnect and communication to City Traffic Management Center for corridors identified in the City's ITS Master Plan o Signal timing plans for the signals in the coordination group. The project sponsor shall fund, prepare, and install the approved plans and improvements. After implementation of this measure, the intersection would improve from LOS E to LOS D during the weekday PM peak hour. No secondary significant impacts would result from implementation of this measure. As part of the Caldecott Tunnel Improvement Project Settlement Agreement, City of Oakland is planning improvements at this intersection, consisting of extending bulbouts at the west side of the intersection, installing new traffic signal control equipment to allow countdown pedestrian signal heads, and providing a new north-south crosswalk along the west side of College Avenue. These improvements are not currently expected to be funded. These planned improvements would not mitigate the project impacts; however, the proposed mitigation measure would not conflict with the planned improvements. These improvements are not expected to affect traffic operations at this intersection or cause significant secondary impacts.					
3. AIR QUALITY					
SCA AIR-1 *Dust Control.* During construction, the project applicant shall require the construction contractor to implement the following measures required as part of the City of Oakland's basic and enhanced dust control procedures required for construction sites. These include: a) Water all exposed surfaces of active construction areas at least twice daily (using reclaimed water if possible). Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible. b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).	Prior to issuance of a demolition, grading or building permit, and ongoing throughout construction activities.	City of Oakland, CEDA, Building Services Division	Make regular visits to the project site to ensure that all dust-control mitigation measures are being implemented. Verify that a designated dust control coordinator is on-call during construction periods.		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
c) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.					
d) Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.					
e) Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).					
f) Limit vehicle speeds on unpaved roads to 15 miles per hour.					
g) Idling times shall be minimized either by shutting equipment off when not is use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations. Clear signage to this effect shall be provided for construction workers at all access points.					
h) All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.					
i) Post a publicly visible sign that includes the contractor's name and telephone number to contact regarding dust complaints. When contacted, the contractor shall respond and take corrective action within 48 hours. The telephone numbers of contacts at the City and the BAAQMD shall also be visible. This information may be posted on other required on-site signage.					
The following enhanced control measures would also be required due to the need for demolition and extensive soil export (approximately 15,500 cubic yards):					
a) All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.					
b) All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.					

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
c) Install sandbags or other erosion control measures to prevent silt runoff to public roadways.					
d) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).					
e) Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.					
f) Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize wind blown dust. Wind breaks must have a maximum 50 percent air porosity.					
g) Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.					
h) The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.					
i) All trucks and equipment, including tires, shall be washed off prior to leaving the site.					
j) Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.					
k) Minimize the idling time of diesel-powered construction equipment to two minutes.					
l) The project applicant shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate matter (PM) reduction compared to the most recent California Air Resources Board (CARB) fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other					

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
options as they become available. m) Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings). n) All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM. o) Off-road heavy diesel engines shall meet the CARB's most recent certification standard.					
SCA AIR-2 *Construction Emissions.* Prior to issuance of a demolition, grading or building permit. To minimize construction equipment emissions during construction, the Project Applicant shall require the construction contractor to: a) Demonstrate compliance with BAAQMD Regulation 2, Rule 1 (General Requirements) for all portable construction equipment subject to that rule. BAAQMD Regulation 2, Rule 1 provides the issuance of authorities to construct and permits to operate certain types of portable equipment used for construction purposes (e.g., gasoline or diesel-powered engines used in conjunction with power generation, pumps, compressors, and cranes) unless such equipment complies with all applicable requirements of the "California Air Pollution Control Officers Association (CAPSCA)" Portable Equipment Registration Rule" or with all applicable requirements of the Statewide Portable Equipment Registration Program. This exemption is provided in BAAQMD Rule 2-1-105. b) Perform low- NOx tune-ups on all diesel-powered construction equipment greater than 50 horsepower (no more than 30 days prior to the start of use of that equipment).Periodic tune-ups (every 90 days) should be performed for such equipment used continuously during the construction period.	Prior to issuance of a demolition, grading, or building permit; and ongoing throughout construction	City of Oakland, CEDA, Building Services Division	Verify that applicable construction equipment meets requirements of SCA AIR-2.		
SCA AIR-3 *Asbestos Removal in Structures* Prior to issuance of a demolition permit. If asbestos-containing materials (ACM) are found to be present in building materials to be removed, demolished and disposed, the Project Applicant shall submit specifications signed by a certified asbestos consultant for the removal, encapsulation, or enclosure of the identified ACM in	Prior to issuance of a demolition permit; and ongoing	City of Oakland, CEDA, Building Services Division	If ACM are present, verify that specifications for removal, encapsulation, or enclosure of ACM		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
accordance with all applicable laws and regulations, including but not necessarily limited to: California Code of Regulations, Title 8; Business and Professions Code; Division 3; California Health & Safety Code 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended.	throughout construction		have been adequately prepared. Ensure plan measures being implemented.		
Mitigation Measure AIR-1: The project applicant shall develop a Diesel Emission Reduction Plan including, but not limited to alternatively fueled equipment, engine retrofit technology, after-treatment products and add-on devices such as particulate filters, and/or other options as they become available, capable of achieving a project wide fleet-average of 70 percent particulate matter (PM) reduction compared to the most recent California Air Resources Board (CARB) fleet average. This Plan shall be submitted for review and approval by the City, and the Project applicant shall implement the approved Plan.	Prior to issuance of a demolition, grading or building permit; and ongoing throughout construction	City of Oakland, CEDA, Building Services Division	Verify that Diesel Emission Reduction Plan has been adequately prepared. Make regular visits to the project site to ensure that the Diesel Emission Reduction Plan is being implemented.		
4. NOISE AND VIBRATION					
SCA NOISE-1 *Days/Hours of Construction Operation.* The project applicant shall require construction contractors to limit standard construction activities as follows: a) Construction activities are limited to between 7:00 AM and 7:00 PM Monday through Friday, except that pile driving and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 AM and 4:00 PM Monday through Friday. b) Any construction activity proposed to occur outside of the standard hours of 7:00 AM to 7:00 PM Monday through Friday for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened and such construction activities shall only be allowed with the prior written authorization of the Building Services Division. c) Construction activity shall not occur on Saturdays, with the following possible exceptions: i. Prior to the building being enclosed, requests for Saturday construction for special activities (such as concrete pouring which may require more	Ongoing throughout demolition, grading, and/or construction	City of Oakland, CEDA, Building Services Division	Make regular visits to the construction site to ensure that construction activities are restricted to the hours designated in SCA NOISE-1.		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
continuous amounts of time), shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened. Such construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division. ii. After the building is enclosed, requests for Saturday construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division, and only then within the interior of the building with the doors and windows closed. d) No extreme noise generating activities (greater than 90 dBA) shall be allowed on Saturdays, with no exceptions. e) No construction activity shall take place on Sundays or Federal holidays. f) Construction activities include but are not limited to: truck idling, moving equipment (including trucks, elevators, etc) or materials, deliveries, and construction meetings held on-site in a non-enclosed area. g) Applicant shall use temporary power poles instead of generators where feasible.					
SCA NOISE-2 *Noise Control.* To reduce noise impacts due to construction, the project applicant shall require construction contractors to implement a site-specific noise reduction program, subject to the Planning and Zoning Division and the Building Services Division review and approval, which includes the following measures: a) Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible). b) Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from	Prior to issuance of a demolition, grading or building permit; and ongoing throughout construction	City of Oakland, CEDA, Building Services Division	Verify that a site-specific noise reduction program has been prepared and implemented. Make regular visits to the construction site to ensure that noise from construction activities is appropriately controlled.		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible. c) Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent feasible. d) If feasible, the noisiest phases of construction shall be limited to less than 10 days at a time.					
SCA NOISE-3 *Noise Complaint Procedures. Ongoing throughout demolition, grading, and/or construction.* Prior to the issuance of each building permit, along with the submission of construction documents, the project applicant shall submit to the Building Services Division a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include: a) A procedure and phone numbers for notifying the Building Services Division staff and Oakland Police Department; (during regular construction hours and off-hours); b) A sign posted on-site pertaining with permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours); c) The designation of an on-site construction complaint and enforcement manager for the project; d) Notification of neighbors and occupants within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities about the estimated duration of the activity; and e) A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise measures and practices	Submit list prior to the issuance of a building permit; Ongoing throughout demolition, grading, and/or construction	City of Oakland, CEDA, Building Services Division	Verify submittal and implementation of the list of measures to respond to and track complaints pertaining to construction noise.		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
(including construction hours, neighborhood notification, posted signs, etc.) are completed.					
SCA NOISE-4 *Interior Noise.* If necessary to comply with the interior noise requirements of the City of Oakland's General Plan Noise Element and achieve an acceptable interior noise level, noise reduction in the form of sound-rated assemblies (i.e., windows, exterior doors, and walls), and/or other appropriate features/measures, shall be incorporated into project building design, based upon recommendations of a qualified acoustical engineer and submitted to the Building Services Division for review and approval prior to issuance of building permit. Final recommendations for sound-rated assemblies, and/or other appropriate features/measures, would depend on the specific building designs and layout of buildings on the site and shall be determined during the design phases. Written confirmation by the acoustical consultant, HVAC or HERS specialist, shall be submitted for City review and approval, prior to Certificate of Occupancy (or equivalent) that: a) Quality control was exercised during construction to ensure all air-gaps and penetrations of the building shell are controlled and sealed; and b) Demonstrates compliance with interior noise standards based upon performance testing of a sample unit. c) Prohibition of Z-duct construction.	Submit noise recommend-ations prior to the issuance of a building permit for each phase of construction containing residential units Implement recommend-ations according to timeframes outlined in plan	City of Oakland, CEDA, Building Services Division	Verify that appropriate sound-rated assemblies to reduce noise levels have been incorporated into the project building design.		
SCA NOISE-5 *Extreme Noise Generators. Ongoing throughout demolition, grading, and/or construction.* To further reduce extreme noise generating construction impacts greater than 90 dBA, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted for review and approval by the Planning and Zoning Division and the Building Services Division to ensure that maximum feasible noise attenuation would be achieved. This plan shall be based on the final design of the project. A third-party peer review, paid for by the project applicant, may be required to assist the City in evaluating the feasibility and effectiveness of the noise reduction plan submitted by the project applicant. A special inspection deposit is required to ensure compliance with the noise reduction plan. The amount of the deposit shall be determined by the Building Official, and	Submit plan prior to commencing construction activities involving pile driving or other extreme noise generators; Implement measures according to timeframes outlined in the plan	City of Oakland, CEDA, Building Services Division	Verify that a plan for reducing extreme noise generating construction impacts has been prepared. Verify that the plan will achieve the maximum feasible noise attenuation. Verify that a special inspection deposit has been submitted. Verify implementation of plan.		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
the deposit shall be submitted by the project applicant concurrent with submittal of the noise reduction plan. The noise reduction plan shall include, but not be limited to, an evaluation of the following measures. These attenuation measures shall include as many of the following control strategies as feasible: a) Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings; b) Implement "quiet" pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions; c) Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site; d) Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example; and e) Monitor the effectiveness of noise attenuation measures by taking noise measurements.					
SCA NOISE-6 *Operational Noise - General.* Noise levels from the activity, property, or any mechanical equipment on site shall comply with the performance standards of Section 17.120 of the Oakland Planning Code and Section 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the Planning and Zoning Division and Building Services.	Ongoing	City of Oakland, CEDA, Building Services Division	Verify that project applicant implements appropriate noise reduction measures after any noise exceedances		
5. BIOLOGICAL RESOURCES					
SCA BIO-1 *Tree Removal During Breeding Season.* To the extent feasible, removal of any tree and /or vegetation suitable for nesting of raptors shall not occur during the breeding season of March 15 to August 15. If tree removal must occur during the breeding season, all sites shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to the start of work from March 15 through May 31, and within 30 days prior to the start of work from June 1	Prior issuance of a tree removal permit	City of Oakland, CEDA, Building Services Division; Planning and Zoning Division and Tree Services Division of the Public Works Agency	If construction is to take place during breeding season, review pre-removal survey prepared by a qualified biologist. Ensure that any potential nesting raptors have an		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
through August 15. The pre-removal surveys shall be submitted to the Planning and Zoning Division and the Tree Services Division of the Public Works Agency. It the survey indicates the potential presence of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the CDFG, and will be base to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent the disturbance to birds nesting in the urban environment, but these may be increased or decreased, as appropriate, depending on the bird species and level of disturbance anticipated near the nest.			appropriate buffer zone, to be determined by the biologist in consultation with the CDFG.		
SCA BIO-2 *Tree Removal Permit* Prior to removal of any protected trees, per the Protected Tree Ordinance, located on the project site or in the public right of way adjacent to the project, the project applicant must secure a tree removal permit from the Tree Division of the Public Works Agency, and abide by the conditions of that permit.	Prior issuance of a demolition, grading, or building permit	City of Oakland, CEDA, Building Services Division; Planning and Zoning Division and Tree Services Division of the Public Works Agency	Verify project sponsor has secured a tree removal permit prior to removal of any tree		
SCA BIO-3 *Tree Protection During Construction* Adequate protection shall be provided during the construction period for any trees which are to remain standing, including the following, plus any recommendations of an arborist: a) Before the start of any clearing, excavation, construction or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the City Tree Reviewer. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree. b) Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree,	Prior issuance of a demolition, grading, or building permit and ongoing throughout construction activities	City of Oakland, CEDA, Building Services Division; Planning and Zoning Division and Tree Services Division of the Public Works Agency	City Tree Reviewer to ensure that any protected trees during construction activities are adequately protected		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the City Tree Reviewer from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree.					
c) No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the Tree Reviewer from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the tree reviewer. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.					
d) Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.					
e) If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Agency of such damage. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed.					
f) All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations.					

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
6. CULTURAL AND PALEONTOLOGICAL RESOURCES					
SCA CULT-1 *Archaeological Resources* Pursuant to CEQA Guidelines section 15064.5(f), "provisions for historical or unique archaeological resources accidentally discovered during construction" should be instituted. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant. Representatives of the project proponent and/or lead agency and the qualified archaeologist would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination toe made by the City of Oakland. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards. In considering any suggested measure proposed by the consulting archaeologist in order to mitigate impacts to historical resources or unique archaeological resources, the project applicant shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. Work may proceed on other parts of the project site while measures for mitigation for historic resources or unique archaeological resources is carried out. Should an archaeological artifact or feature be discovered on-site during project construction, all activities within a 50-foot radius of the find would be halted until the findings can be fully investigated by a qualified archaeologist to evaluate the find and sasses the significance of the find according to the CEQA definition of a historical or unique archaeological resource. If the deposit is determined to be significant, the project applicant and the qualified archaeologist shall meet to determine the appropriate avoidance measures or other appropriate measure, subject to approval by the City of Oakland, which shall assure implementation of appropriate mitigation measures recommended by the archaeologist. Should archaeologically significant materials be recovered, the qualified archaeologist	Ongoing throughout demolition, grading, and/or construction	City of Oakland, CEDA, Building Services Division and Planning and Zoning Division - Historic Preservation Staff	Ensure that all work within 50 feet of the site where any prehistoric or historic subsurface cultural resources are discovered is halted.		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
would recommend appropriate analysis and treatment and would prepare a report on the findings for submittal to the Northwest Information Center.					
SCA CULT-2 *Paleontological Resources* In the event of an unanticipated discovery of a paleontological resource during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (per Society of Vertebrate Paleontology standards. The qualified paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the City determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important, and such plan shall be implemented. The Plan shall be submitted to the City for review and approval.	Ongoing throughout demolition, grading, and/or construction	City of Oakland, CEDA, Building Services Division and Planning and Zoning Division	Ensure that excavations within 50 feet of any paleontological resource discovery are halted and that a qualified paleontologist is notified.		
SCA CULT-3 *Human Remains* In the event that human skeletal remains are uncovered at the project site during construction of ground-breaking activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains, and following the procedures and protocols pursuant to Section 15064.5 (e)(1) of the CEQA Guidelines. If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and all excavation and site preparation activities shall cease within a 50-foot radius of the find until appropriate arrangements are made. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance and avoidance measures (if applicable) shall be completed expeditiously.	Ongoing throughout demolition, grading, and/or construction	City of Oakland, CEDA, Building Services Division and Planning and Zoning Division	Ensure that all work is halted if any human skeletal remains are uncovered at the project site and that the Alameda County Coroner is contacted.		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
7. GEOLOGY AND SOILS					
SCA GEO-1 *Grading Permit* ***Prior to any grading activities*** The project applicant shall obtain a grading permit if required by the Oakland Grading Regulations pursuant to Section 15.04.780 of the Oakland Municipal Code. The grading permit application shall include an erosion and sedimentation control plan for review and approval by the Building Services Division. The erosion and sedimentation control plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials onto lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading operations. The plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the Director of Development or designee. The plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment. ***Ongoing throughout grading and construction activities*** The project applicant shall implement the approved erosion and sedimentation plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Building Services Division.	Prior to any grading activities, and ongoing throughout construction activities	City of Oakland, Building Services Division	Review and approve grading permit and erosion and sedimentation control plan if required. Ensure project applicant implements plan		
8. HAZARDS AND HAZARDOUS MATERIALS					
SCA HAZ-1 *Hazards Best Management Practices* The project applicant and construction contractor shall ensure that construction best management practices are implemented as part of construction to minimize the potential negative effects to groundwater and soils. These shall include the following:	Prior to commencement of demolition,	City of Oakland, CEDA, Building Services Division, and Planning and	Verify that construction BMPs are implemented.		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
a) Follow manufacturer's recommendations on use, storage, and disposal of chemical products used in construction; b) Avoid overtopping construction equipment fuel gas tanks; c) During routine maintenance of construction equipment, properly contain and remove grease and oils; d) Properly dispose of discarded containers of fuels and other chemicals. e) Ensure that construction would not have a significant impact on the environment or pose a substantial health risk to construction workers and the occupants of the proposed development. Soil sampling and chemical analyses of samples shall be performed to determine the extent of potential contamination beneath all UST's, elevator shafts, clarifiers, and subsurface hydraulic lifts when on-site demolition, or construction activities would potentially affect a particular development or building. f) If soil, groundwater or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notification of regulatory agency(ies) and implementation of the actions described in Standard Conditions of Approval 50 and 52, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.	grading or construction, and ongoing throughout construction activities	Zoning Division			
SCA HAZ-2 *Fire Safety Phasing Plan* The project applicant shall submit plans for site review and approval to the Fire Prevention Bureau Hazardous Materials Unit. Property owner may be required to obtain or perform a Phase II hazard assessment.	Submit plan prior to issuance of a demolition, grading, or building permit and	City of Oakland, CEDA, Building Services Division, and Planning and Zoning Division and Fire Services Division	Verify that a fire safety phasing plan has been prepared.		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
	concurrent with any p-job submittal permit				
SCA HAZ-3 *Phase I and/or Phase II Reports* Prior to issuance of demolition, grading, or building permits the project applicant shall submit to the Fire Prevention Bureau, Hazardous Materials Unit, a Phase I environmental site assessment report, and a Phase II report if warranted by the Phase I report for the project site. The reports shall make recommendations for remedial action, if appropriate, and should be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer.	Prior to issuance of a demolition, grading, or building permit	City of Oakland, CEDA, Building Services Division, and Planning and Zoning Division and Fire Prevention Bureau, Hazardous Materials Unit	Verify that a Phase I, and, if appropriate, Phase II, environmental site assessment report has been submitted to the Fire Prevention Bureau Hazardous Materials Unit. Ensure any approved recommended remediation actions are implemented.		
SCA HAZ-4 *Lead-Based Paint/Coatings, Asbestos, or PCB Occurrence Assessment* The project applicant shall submit a comprehensive assessment report to the Fire Prevention Bureau, Hazardous Materials Unit, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACM), lead-based paint, and any other building materials or stored materials classified as hazardous waste by State or federal law.	Prior to issuance of a demolition, grading, or building permit	City of Oakland, CEDA, Building Services Division, and Planning and Zoning Division and Fire Prevention Bureau, Hazardous Materials Unit	Verify that a comprehensive assessment report detailing materials classified as hazardous waste has been submitted.		
SCA HAZ-5 *Lead-Based Paint Remediation* If lead-based paint is present, the project applicant shall submit specifications to the Fire Prevention Bureau, Hazardous Materials Unit signed by a certified Lead Supervisor, Project Monitor, or Project Designer for the stabilization and/or removal of the identified lead paint in accordance with all applicable laws and regulations, including but not necessarily limited to: Cal/OSHA's Construction Lead Standard, 8 CCR1532.1 and DHS regulation 17 CCR Sections 35001 through 36100, as may be amended.	Prior to issuance of a demolition, grading, or building permit	City of Oakland, CEDA, Building Services Division, and Planning and Zoning Division	Verify that specifications for the stabilization or removal of any lead paint have been submitted.		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
SCA HAZ-6 *Other Materials Classified as Hazardous Waste* If other materials classified as hazardous waste by State or federal law are present, the project applicant shall submit written confirmation to Fire Prevention Bureau, Hazardous Materials Unit that all State and federal laws and regulations shall be followed when profiling, handling, treating, transporting and/or disposing of such materials.	Prior to issuance of a demolition, grading, or building permit	City of Oakland, CEDA, Building Services Division, and Planning and Zoning Division	Verify that written confirmation has been obtained that all State and federal laws will be followed when profiling, handling, treating, transporting and/or disposing of all hazardous waste.		
SCA HAZ-7 *Health and Safety Plan per Assessment* If the required lead-based paint/coatings, asbestos, or PCB assessment finds presence of such materials, the project applicant shall create and implement a health and safety plan to protect workers from risks associated with hazardous materials during demolition, renovation of affected structures, and transport and disposal.	Submit plan prior to issuance of a demolition, grading, or building permit; Implement measures in accordance with timeframes outlined in plan	City of Oakland, CEDA, Building Services Division, and Planning and Zoning Division	Verify that a health and safety plan to protect workers from hazardous waste has been adequately prepared.		
SCA HAZ-8 *Best Management Practices for Soil and Groundwater Hazards* The project applicant shall implement all of the following Best Management Practices (BMPs) regarding potential soil and groundwater hazards. a) Soil generated by construction activities shall be stockpiled onsite in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local,	Ongoing throughout demolition, grading, and construction activities	City of Oakland, CEDA, Building Services Division, and Planning and Zoning Division	Verify that BMPs for soil and groundwater have been adequately implemented		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
state and federal agencies laws, in particular, the Regional Water Quality Control Board (RWQCB) and/or the Alameda County Department of Environmental Health (ACDEH) and policies of the City of Oakland. b) Groundwater pumped from the subsurface shall be contained onsite in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies of the City of Oakland, the RWQCB and/or the ACDEH. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building (pursuant to the Standard Condition of Approval regarding Radon or Vapor Intrusion from Soil and Groundwater Sources c) Prior to issuance of any demolition, grading, or building permit, the applicant shall submit for review and approval by the City of Oakland, written verification that the appropriate federal, state or county oversight authorities, including but not limited to the RWQCB and/or the ACDEH, have granted all required clearances and confirmed that the all applicable standards, regulations and conditions for all previous contamination at the site. The applicant also shall provide evidence from the City's Fire Department, Office of Emergency Services, indicating compliance with the Standard Condition of Approval requiring a Site Review by the Fire Services Division pursuant to City Ordinance No. 12323, and compliance with the Standard Condition of Approval requiring a Phase I and/or Phase II Reports.					
SCA HAZ-9 *Radon or Vapor Intrusion from Soil or Groundwater Sources* The project applicant shall submit documentation to determine whether radon or vapor intrusion from the groundwater and soil is located on-site as part of the Phase I documents. The Phase I analysis shall be submitted to the Fire Prevention Bureau, Hazardous Materials Unit, for review and approval, along with a Phase II report if warranted by the Phase I report for the project site. The reports shall make recommendations for remedial action, if appropriate, and should be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer. Applicant shall implement the approved recommendations.	Ongoing	City of Oakland, CEDA, Building Services Division, and Planning and Zoning Division, and Fire Prevention Bureau, Hazardous Materials Unit	Review and approve Phase 1 report and if warranted Phase 2 report; verify that approved recommendations are implemented		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
SCA HAZ-10 *Environmental Site Assessment Reports Remediation* If the environmental site assessment reports recommend remedial action, the project applicant shall: 1) Consult with the appropriate local, State, and federal environmental regulatory agencies to ensure sufficient minimization of risk to human health and environmental resources, both during and after construction, posed by soil contamination, groundwater contamination, or other surface hazards including, but not limited to, underground storage tanks, fuel distribution lines, waste pits and sumps. 2) Obtain and submit written evidence of approval for any remedial action if required by a local, State, or federal environmental regulatory agency. 3) Submit a copy of all applicable documentation required by local, State, and federal environmental regulatory agencies, including but not limited to: permit applications, Phase I and II environmental site assessments, human health and ecological risk assessments, remedial action plans, risk management plans, soil management plans, and groundwater management plans.	Prior to issuance of a demolition, grading, or building permit	City of Oakland, CEDA, Building Services Division, and Planning and Zoning Division	Verify that written evidence of approval and related documentation for any remedial actions required has been obtained.		
9. HYDROLOGY AND WATER QUALITY					
SCA HYD-1 *Post-Construction Stormwater Pollution Management Plan* ***Prior to issuance of building permit (or other construction-related permit)*** The applicant shall comply with the requirements of Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Alameda Countywide Clean Water Program. The applicant shall submit with the application for a building permit (or other construction-related permit) a completed Stormwater Supplemental Form for the Building Services Division. The project drawings submitted for the building permit (or other construction-related permit) shall contain a stormwater pollution management plan, for review and approval by the City, to limit the discharge of pollutants in stormwater after construction of the project to the maximum extent practicable. The post-construction stormwater pollution management plan shall include and identify the following: • All proposed impervious surface on the site;	Submit plan prior to issuance of building permit (or other construction-related permit)	City of Oakland, CEDA, Building Services Division; Planning and Zoning Division	Verify that the applicant complies with the requirements of Provision C.3 of the NPDES permit issued to the Alameda Countywide Clean Water Program. Verify that a completed Stormwater Supplemental Form and a stormwater pollution management plan have been adequately prepared. Prior to final permit		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
• Anticipated directional flows of on-site stormwater runoff; and • Site design measures to reduce the amount of impervious surface area and directly connected impervious surfaces; and • Source control measures to limit the potential for stormwater pollution; and • Stormwater treatment measures to remove pollutants from stormwater runoff. 2) The following additional information shall be submitted with the post-construction stormwater pollution management plan: • Detailed hydraulic sizing calculations for each stormwater treatment measure proposed; and • Pollutant removal information demonstrating that any proposed manufactured/mechanical (i.e., non-landscape-based) stormwater treatment measure, when not used in combination with a landscape-based treatment measure, is capable or removing the range of pollutants typically removed by landscape-based treatment measures. All proposed stormwater treatment measures shall incorporate appropriate planting materials for stormwater treatment (for landscape-based treatment measures) and shall be designed with considerations for vector/mosquito control. Proposed planting materials for all proposed landscape-based stormwater treatment measures shall be included on the landscape and irrigation plan for the project. The applicant is not required to include on-site stormwater treatment measures in the post-construction stormwater pollution management plan if he or she secures approval from Planning and Zoning of a proposal that demonstrates compliance with the requirements of the City's Alternative Compliance Program. **Prior to final permit inspection** The applicant shall implement the approved stormwater pollution management plan.			inspection, verify that the stormwater pollution management plan is implemented.		
SCA HYD-2 *Stormwater Pollution Prevention Plan (SWPPP)* The project applicant must obtain coverage under the General Construction Activity Storm Water Permit (General Construction	Prior to and ongoing throughout	City of Oakland, CEDA, Building Services Division;	Verify that the applicant obtains coverage under the		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
Permit) issued by the State Water Resources Control Board (SWRCB). The project applicant must file a notice of intent (NOI) with the SWRCB. The project applicant will be required to prepare a stormwater pollution prevention plan (SWPPP) and submit the plan for review and approval by the Building Services Division. At a minimum, the SWPPP shall include a description of construction materials, practices, and equipment storage and maintenance; a list of pollutants likely to contact stormwater; site-specific erosion and sedimentation control practices; a list of provisions to eliminate or reduce discharge of materials to stormwater; Best Management Practices (BMPs), and an inspection and monitoring program. Prior to the issuance of any construction-related permits, the project applicant shall submit to the Building Services Division a copy of the SWPPP and evidence of submittal of the NOI to the SWRCB. Implementation of the SWPPP shall start with the commencement of construction and continue though the completion of the project. After construction is completed, the project applicant shall submit a notice of termination to the SWRCB.	demolition, grading, and/or construction activities	Planning and Zoning Division	General Construction permit issued by the State Water Resources Control Board Verify that applicant follows the specifications in the SWPPP		
SCA HYD-3 *Maintenance Agreement for Stormwater Treatment Measures* For projects incorporating stormwater treatment measures, the applicant shall enter into the "Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement," in accordance with Provision C.3.e of the NPDES permit, which provides, in part, for the following: • The applicant accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity; and • Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary. The agreement shall be recorded at the County Recorder's Office at the applicant's expense.	Prior to final zoning inspection for each phase of development	City of Oakland, CEDA, Building Services Division; Planning and Zoning Division	Verify that the applicant has entered into the "Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement," in accordance with Provision C.3.e of the NPDES permit.		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
SCA HYD-4 *Erosion and Sedimentation Control Plan* ***Prior to any grading activities*** 1) The project applicant shall obtain a grading permit if required by the Oakland Grading Regulations pursuant to Section 15.04.780 of the Oakland Municipal Code. The grading permit application shall include an erosion and sedimentation control plan. The erosion and sedimentation control plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading operations. The plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the Director of Development or designee. The plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment. ***Ongoing throughout grading and construction activities*** 2) The project applicant shall implement the approved erosion and sedimentation plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Building Services Division.	Prior to any grading activities, and ongoing throughout grading and construction activities	City of Oakland, CEDA, Building Services Division; Planning and Zoning Division	Ensure project applicant obtains a grading permit if required. Ensure project applicant implements the approved erosion and sedimentation plan. Ensure no grading occurs during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Building Services Division.		
SCA HYD-5 *Site Design Measures for Post-Construction Stormwater Management* ***Prior to issuance of building permit (or other construction-related permit)*** The project drawings submitted for a building permit (or other construction-related permit) shall contain a final site plan to be reviewed and approved by Planning and Zoning. The final site plan shall incorporate appropriate site design measures to	Prior to issuance of building permit (or other construction-related permit); and	City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Environmental	Confirm that any necessary stormwater and sanitary sewer infrastructure improvements required by the project are		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
manage stormwater runoff and minimize impacts to water quality after the construction of the project. These measures may include, but are not limited to, the following: i. Minimize impervious surfaces, especially directly connected impervious surfaces; ii. Utilize permeable paving in place of impervious paving where appropriate; iii. Cluster buildings; iv. Preserve quality open space; and v. Establish vegetated buffer areas. ***Ongoing*** The approved plan shall be implemented and the site design measures shown on the plan shall be permanently maintained.	ongoing	Services Division	implemented.		
SCA HYD-6 *Source Control Measures to Limit Stormwater Pollution* ***Prior to issuance of building permit (or other construction-related permit)*** The applicant shall implement and maintain all structural source control measures imposed by the Chief of Building Services to limit the generation, discharge, and runoff of stormwater pollution. ***Ongoing*** The applicant, or his or her successor, shall implement all operational Best Management Practices (BMPs) imposed by the Chief of Building Services to limit the generation, discharge, and runoff of stormwater pollution.	Prior to issuance of building permit (or other construction-related permit); and ongoing	City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Environmental Services Division	Confirm that any necessary structural source control measures improvements are implemented.		
SCA HYD-7 *Stormwater and Sewer* Confirmation of the capacity of the City's surrounding stormwater and sanitary sewer system and state of repair shall be completed by a qualified civil engineer with funding from the project applicant. The project applicant shall be responsible for the necessary stormwater and sanitary sewer infrastructure improvements to accommodate the proposed project. In addition, the applicant shall be required to pay additional fees to improve sanitary sewer infrastructure if required by the City. Improvements to the existing sanitary sewer collection system shall specifically include, but are not limited to, mechanisms to	Prior to completing the final design for the project's sewer service	City of Oakland, CEDA, Building Services Division	Confirm that any necessary stormwater and sanitary sewer infrastructure improvements required by the project are implemented. Verify that the project		

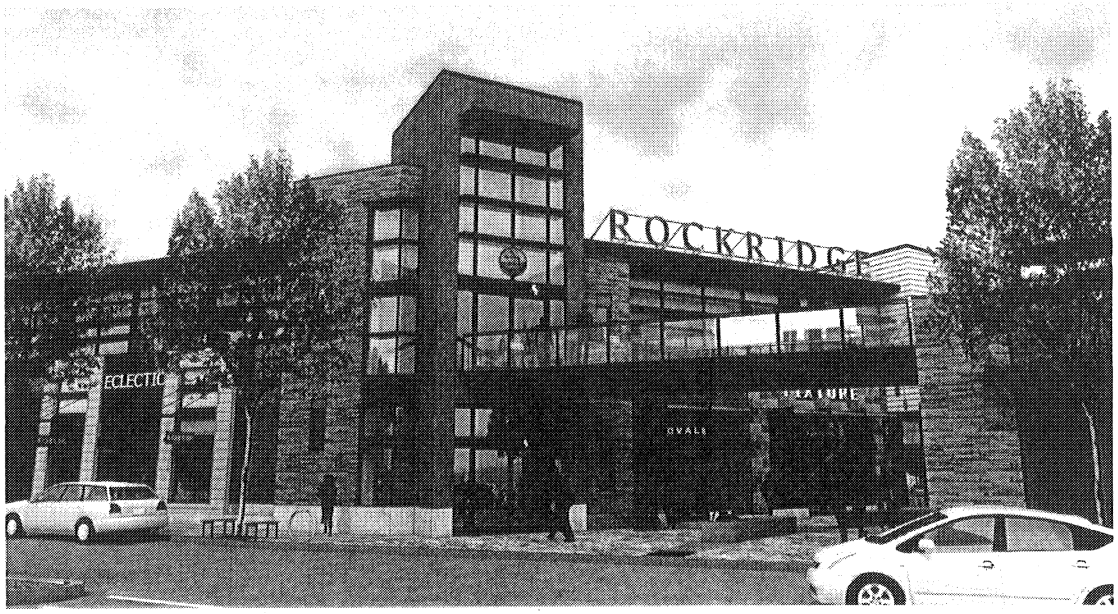
Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
control or minimize increases in infiltration/inflow to offset sanitary sewer increases associated with the proposed project. To the maximum extent practicable, the applicant will be required to implement Best Management Practices to reduce the peak stormwater runoff from the project site. Additionally, the project applicant shall be responsible for payment of the required installation or hook-up fees to the affected service providers.			applicant pays additional fees for any City improvements to the sanitary sewer system, as well as any fees to the affected service providers. Ensure that BMPs to reduce stormwater runoff are implemented.		
10. Utilities and Infrastructure					
SCA UTIL-1 (Same as SCA HYD-7) *Stormwater and Sewer* Confirmation of the capacity of the City's surrounding stormwater and sanitary sewer system and state of repair shall be completed by a qualified civil engineer with funding from the project applicant. The project applicant shall be responsible for the necessary stormwater and sanitary sewer infrastructure improvements to accommodate the proposed project. In addition, the applicant shall be required to pay additional fees to improve sanitary sewer infrastructure if required by the City. Improvements to the existing sanitary sewer collection system shall specifically include, but are not limited to, mechanisms to control or minimize increases in infiltration/inflow to offset sanitary sewer increases associated with the proposed project. To the maximum extent practicable, the applicant will be required to implement Best Management Practices to reduce the peak stormwater runoff from the project site. Additionally, the project applicant shall be responsible for payment of the required installation or hook-up fees to the affected service providers.	*See SCA HYD-7*				
SCA UTIL-2: *Waste Reduction and Recycling* ***Prior to issuance of demolition, grading, or building permit*** The project applicant will submit a Construction & Demolition Waste Reduction and Recycling Plan (WRRP) and an Operational Diversion Plan (ODP) for review and approval by the Public Works Agency. Chapter 15.34 of the Oakland Municipal Code outlines	Submit plan prior to issuance of demolition, grading, or building	City of Oakland, CEDA, Building Services Division	Verify that a Construction & Demolition Waste Reduction and Recycling Plan and an Operational Diversion		

Standard Conditions of Approval & Mitigation Monitoring and Reporting Program

Standard SCA/MM	Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/ Initials
requirements for reducing waste and optimizing construction and demolition (C&D) recycling. Affected projects include all new construction, renovations/alterations/modifications with construction values of $50,000 or more (except R-3), and all demolition (including soft demo). The WRRP must specify the methods by which the development will divert C&D debris waste generated by the proposed project from landfill disposal in accordance with current City requirements. Current standards, FAQs, and forms are available at www.oaklandpw.com/Page39.aspx or in the Green Building Resource Center. After approval of the plan, the project applicant shall implement the plan.	permit; Implement plan according to timeframes outlined in plan		Plan have been submitted.		
Ongoing The ODP will identify how the project complies with the Recycling Space Allocation Ordinance, (Chapter 17.118 of the Oakland Municipal Code), including capacity calculations, and specify the methods by which the development will meet the current diversion of solid waste generated by operation of the proposed project from landfill disposal in accordance with current City requirements. The proposed program shall be in implemented and maintained for the duration of the proposed activity or facility. Changes to the plan may be re-submitted to the Environmental Services Division of the Public Works Agency for review and approval. Any incentive programs shall remain fully operational as long as residents and businesses exist at the project site.	Ongoing	City of Oakland, CEDA, Building Services Division	Verify that the proposed program is implemented and maintained for the duration of the proposed activity or facility.		

SAFEWAY™



SAFEWAY - OAKLAND, CALIFORNIA

PLANNING RESUBMITTAL
JULY 03, 2012

LOWNEY ARCHITECTURE

PROJECT NAME

SAFEWAY™

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2076
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

DATE: 06/24/12
DRAWN BY: TS/TV

PROJECT NUMBER 09-003
SHEET TITLE
COVER

SHEET NUMBER
A0.0

7/02/12 9:26:56 AM

ATTACHMENT D

BIKE PARKING CALCULATIONS

GENERAL FOOD AND FULL SERVICE RESTAURANT:

LONG TERM BIKE STORAGE	1:12,000 =	4.5 STALLS
SHORT TERM BIKE RACKS	1:2,000 =	27.0 STALLS

GENERAL RETAIL SALES

LONG TERM BIKE STORAGE	1:12,000 =	2 STALLS
SHORT TERM BIKE RACKS	1:5,000 =	2 STALLS

TOTAL REQUIRED
LONG TERM = 7
SHORT TERM = 29

BIKE PARKING PROVIDED

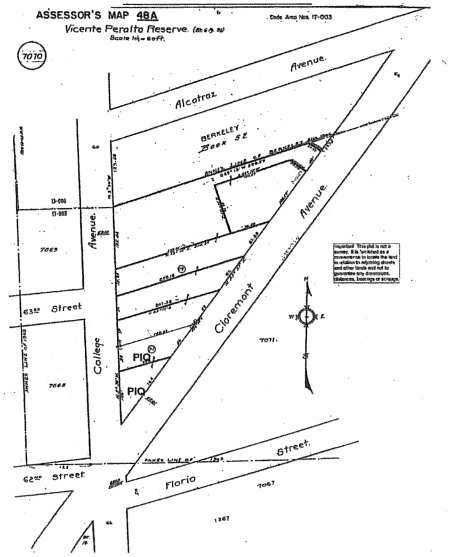
LONG TERM = 15 (WITH AN EXCESS OF 8)
SHORT TERM = 68 (WITH AN EXCESS OF 39)

MAXIMUM AUTOMOBILE CREDIT 7.8 AUTO STALLS

*SHORT TERM BIKE RACKS ARE ON-SITE AND OFF-SITE ALONG COLLEGE AND CLAREMONT STREETS. EACH RACK ACCOMMODATES AT LEAST(2) BIKES

EXISTING BUILDING INFORMATION

EXISTING BUILDING AREA: 24,258 SF
EXISTING PARKING SPACES: 96 (INCLUDING 5 ACCESSIBLE SPACES)



ZONING AND PLANNING SUMMARY

ZONING: C-31, NEIGHBORHOOD CENTER MIXED USE*

PROJECT FLOOR AREA:**
62,152 SF

FLOOR AREA RATIO
FAR MAX.: 4.0
PROPOSED FAR: 62,152 SF PROJECT FLOOR AREA / 89,999 SF LOT AREA = 0.69

CONDITIONAL USE PERMITS
- GENERAL FOOD SALES
- RESTRICTIONS ON GROUND FLOOR USE - OFF STREET PARKING, LOADING AREA OR DRIVEWAY (17.48.070)
- HEIGHT LIMITATION - 35'
- SIZE LIMITATION 7,500 SF
- ALCOHOL SALES

PARKING**

AREA NAME	NET AREA (SF)	STALL RATIO	PARKING STALLS
SAFEWAY (INCLUDING GROUND LEVEL LOBBIES)	51,391	1:300	171
RESTAURANT	2,729	1:300	9
RETAIL	8,032	1:600	13
SUBTOTAL			193 STALLS
AUTOMOBILE PARKING CREDIT (17.117.150)			(-7.8)
TOTAL PARKING REQUIRED			**185 STALLS**

TOTAL PROVIDED:

GROUND LEVEL	130
GROUND LEVEL - ADA	6
GROUND LEVEL - COMPACT	8
UPPER LEVEL	25
UPPER LEVEL - ADA	2
	171 STALLS

8 COMPACT PARKING SPACES / 171 TOTAL PARKING SPACES < 5% COMPACT

* CURRENT ZONING LOCATES THIS PROPERTY IN "C-N" ZONE. DUE TO SUBMITTAL DATE OF THIS PROJECT, "C-31" ZONING APPLIES.

** CALCULATED PER CITY OF OAKLAND MUNICIPAL CODE

VICINITY MAP

SHEET INDEX

SHEET NUMBER	SHEET NAME
A0.0	COVER
A0.1	PROJECT INFORMATION
A0.2	COMMUNITY INVOLVEMENT
A0.3	SITE PHOTOS
A0.4	SITE PHOTOS
A0.5	SITE PHOTOS
A1.0	EXISTING SITE PLAN
A1.1	EXISTING PLAN - FOR REFERENCE ONLY
A1.2	PROPOSED SITE PLAN
A2.1	GROUND FLOOR PLAN
A2.2	SAFEWAY FLOOR PLAN
A3.1	EXTERIOR ELEVATIONS
A3.2	EXTERIOR ELEVATIONS
A3.3	ENLARGED EXTERIOR ELEVATIONS
A3.4	SECTIONS
A3.5	SECTIONS
A3.6	ENLARGED SECTIONS
A3.7	SITE SECTIONS
A3.8	SITE SECTIONS
A3.10	ENLARGED PLANS - PUBLIC SPACE
A3.11	PUBLIC SPACE DIAGRAMS
A10.0	PERSPECTIVE VIEWS
A10.1	PERSPECTIVE VIEWS
A10.2	PERSPECTIVE VIEWS
A10.3	PERSPECTIVE VIEWS
L1.0	PRELIMINARY LANDSCAPE PLAN
L1.1	PRELIMINARY ROOF GARDEN PLAN
L1.2	ENLARGED STREET WALK PLAN
L1.3	ENLARGED RETAIL CORNER PLAN
L1.4	ENLARGED COLLEGE AND CLAREMONT CORNER PLAN
L1.5	SECTION AND ELEVATIONS
L1.6	SITE MATERIALS
C.1	BOUNDARY, TOPOGRAPHIC, & UTILITY SURVEY
C.2.1	PRELIMINARY GRADING, DRAINAGE & UTILITY PLAN
C.2.2	PRELIMINARY GRADING, DRAINAGE & UTILITY PLAN
C.3	EROSION CONTROL PLAN
C.4	STORM WATER QUALITY CONTROL PLAN

LOWNEY ARCHITECTURE
510 835 5400
LOWNEYarchitecture

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

DATE: 07/06/12
DRAWN BY: TV

PROJECT NUMBER 09-003

SHEET TITLE
PROJECT INFORMATION

SHEET NUMBER
A0.1

7/5/2012 9:56:08 AM

COMMUNITY/NEIGHBOR MEETINGS

JUNE 18, 2007
MEETING WITH ALCATRAZ AVE. NEIGHBORS
LOCATION: BYRNE RESIDENCE
ATTENDING: 15

JUNE 21, 2007
ROCKRIDGE COMMUNITY PLANNING COUNCIL (RCPC) TOWN HALL MEETING
LOCATION: COLLEGE AVE. PRESBYTERIAN CHURCH
ATTENDING: APPROX. 100

DECEMBER 18, 2007
ALCATRAZ NEIGHBORS/RCPC
ARCHITECT'S OFFICE
ATTENDING: 15

FEBRUARY 7, 2008
RCPC MEETING WITH ARCHITECT
ROCKRIDGE LIBRARY
ATTENDING: 20

JUNE 12, 2008
MEETING WITH ALCATRAZ AVE. NEIGHBORS
LOCATION: STEVE SCHOFIELD RESIDENCE
ATTENDING: 20

JUNE 13, 2008
MEETING WITH CONCERNED NEIGHBORS
RESIDENCE OF NANCY MCKAY
ATTENDING: 4

JUNE 17, 2008
MEETING WITH MEMBERS OF ROCKRIDGE DISTRICT ASSOCIATION (RDA)
ROCKRIDGE CAFE
ATTENDING: 10 RDA MEMBERS

JUNE 19, 2008
COMMUNITY MEETING SPONSORED BY COUNCILMEMBER BRUNNER
LOCATION: PERALTA ELEMENTARY SCHOOL
ATTENDING: APPROX. 350

SEPTEMBER 10, 2008
STAKEHOLDER MEETING #1*
LOCATION: CLAREMONT MIDDLE SCHOOL
ATTENDING: APPROX. 75

SEPTEMBER 22, 2008
STAKEHOLDER MEETING #2
LOCATION: CLAREMONT MIDDLE SCHOOL
ATTENDING: APPROX. 75

OCTOBER 1, 2008
STAKEHOLDER MEETING #3
LOCATION: CLAREMONT MIDDLE SCHOOL
ATTENDING: APPROX. 75

OCTOBER 22, 2008
STAKEHOLDER MEETING #4
LOCATION: CLAREMONT MIDDLE SCHOOL
ATTENDING: APPROX. 75

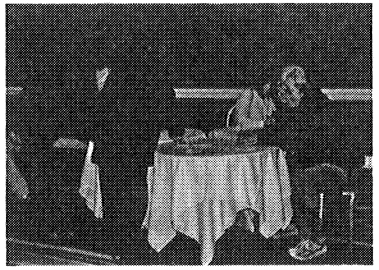
NOVEMBER 12, 2008
STAKEHOLDER MEETING #5
LOCATION: CLAREMONT MIDDLE SCHOOL
ATTENDING: APPROX. 75

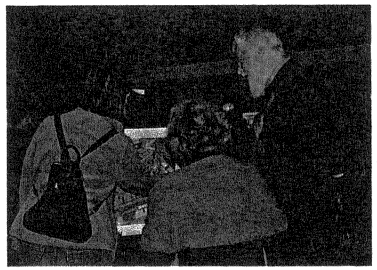
APRIL 1, 2009
ARCHITECTS MEETING
LOCATION: CONSULTANT'S CONFERENCE ROOM
ATTENDING: 10 NEIGHBORHOOD ARCHITECTS/DESIGN PROFESSIONALS

APRIL 29, 2009
COMMUNITY MEETING
LOCATION: CLAREMONT HOTEL
ATTENDING: 300+

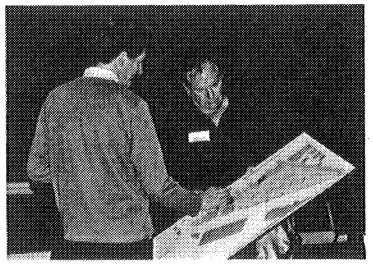
***STAKEHOLDERS GROUP MEMBERSHIP:**

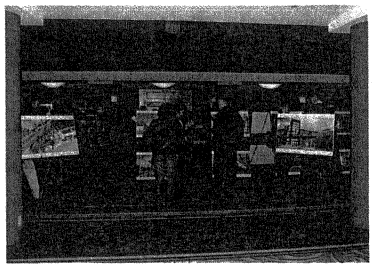
CONTIGUOUS NEIGHBORS - RESIDENTS OF PROPERTIES ABUTTING THE CURRENT STORE SITE
CLAREMONT-ELMWOOD NEIGHBORHOOD ASSOCIATION - A NEIGHBORHOOD ASSOCIATION OF MOSTLY BERKELEY RESIDENTS
ROCKRIDGE DISTRICT ASSOCIATION - A MERCHANTS ASSOCIATION OF COLLEGE AVE. BUSINESSES
ROCKRIDGE COMMUNITY PLANNING COUNCIL - A NEIGHBORHOOD PLANNING GROUP
CONCERNED NEIGHBORS - A GROUP OF NEIGHBORS FORMED AROUND THIS SPECIFIC PROJECT
COLLEGE AVE. MERCHANTS - MERCHANTS ON COLLEGE AVE. BETWEEN CLAREMONT AVE. AND ALCATRAZ AVE.





PHOTOS FROM THE APRIL 29, 2009 MEETING AT THE CLAREMONT HOTEL





LOWNEY ARCHITECTURE
510.835.5403 LOWNEYarch.com

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

DATE: 06/24/12
DRAWN BY: TS/TV

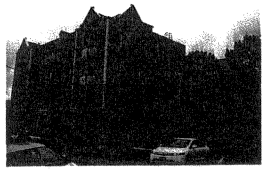
PROJECT NUMBER 09-003
SHEET TITLE
COMMUNITY INVOLVEMENT

SHEET NUMBER
A0.2

7/3/2012 9:27:00 AM

1. 6039 COLLEGE AVE

2. 6099 CLAREMONT AVE

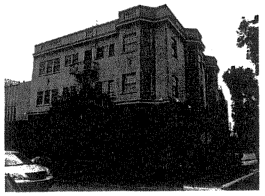


3. 320 62ND ST

4. 6201 COLLEGE AVE

5. 6239 COLLEGE AVE

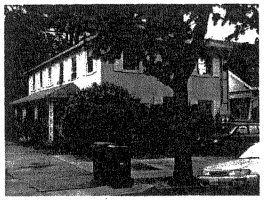
6. 6243-5 COLLEGE AVE



7. 6251-3 COLLEGE AVE/307 63RD ST

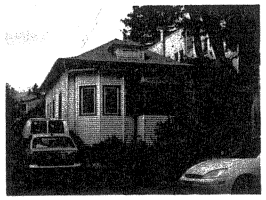
8. 321 63RD ST

9. 321 63RD ST



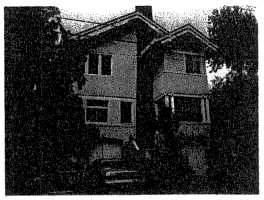
10. 323 63RD ST

11. 324 63RD ST

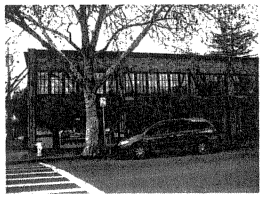


12. 320 63RD ST

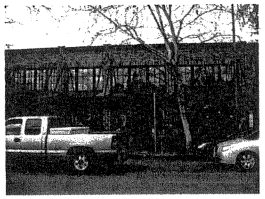
13. 316 63RD ST



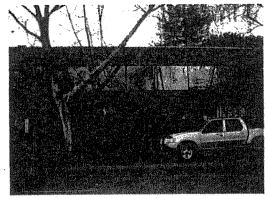
14. 310 63RD ST



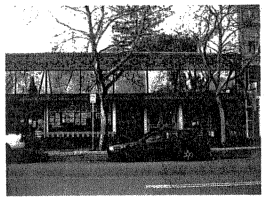
15. 6301-7 COLLEGE AVE



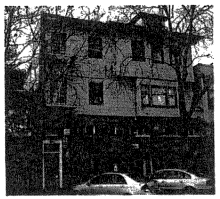
15. 6309-11 COLLEGE AVE



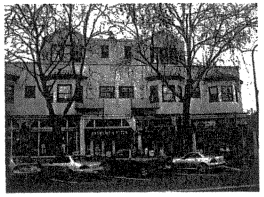
16. 6317-19 COLLEGE AVE



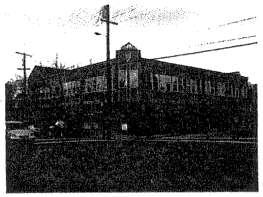
16. 6321-23 COLLEGE AVE



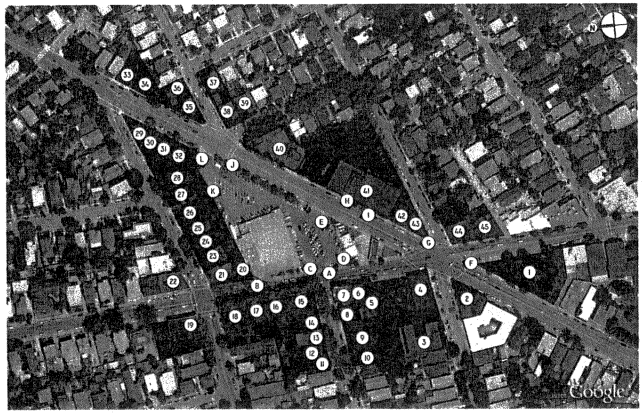
17. 3210-14 COLLEGE AVE



18. 3202-6 COLLEGE AVE



19. 3190 COLLEGE AVE



SITE KEY PLAN

7/20/2012 9:27:16 AM

LOWNEY ARCHITECTURE

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

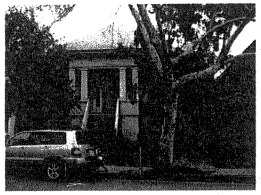
NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

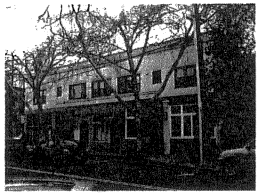
DATE: 06/24/12
DRAWN BY: TS/TV

PROJECT NUMBER 09-003
SHEET TITLE
SITE PHOTOS

SHEET NUMBER
A0.3

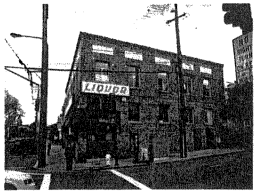


20. 3217 COLLEGE AVE

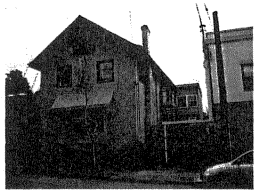


21. 3201-11 COLLEGE AVE

21. 3201-11 COLLEGE AVE



22. 3185 COLLEGE AVE



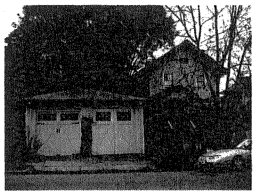
23. 2704 ALCATRAZ AVE

24. 2712 ALCATRAZ AVE

25. 2714 ALCATRAZ AVE

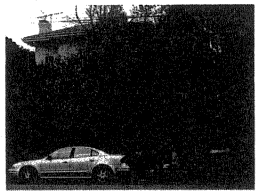
26. 2716 ALCATRAZ AVE

27. 2720 ALCATRAZ AVE



28. 2724 ALCATRAZ AVE

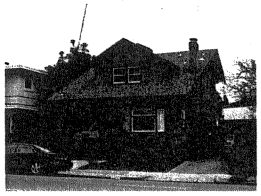
29. 3300 CLAREMONT AVE



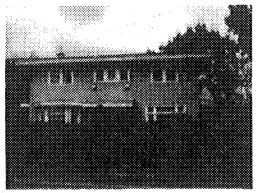
30. 3302 CLAREMONT AVE

31. 3304 CLAREMONT AVE

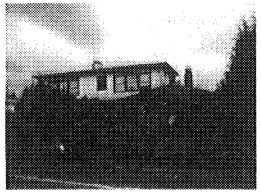
32. 3306 CLAREMONT AVE



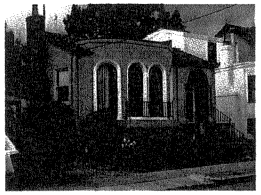
33. 3315 CLAREMONT AVE



34. 3323 CLAREMONT AVE



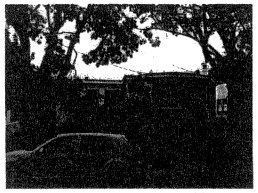
35. 6300 MYSTIC ST



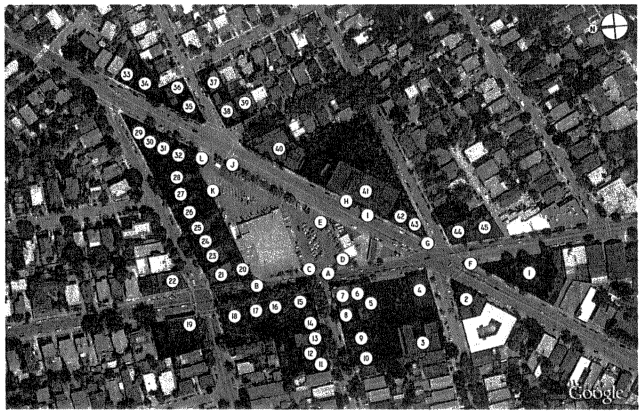
36. 6364 MYSTIC ST

37. 6249 MYSTIC ST

38. 6248 AUBURN AVE



39. 6240 AUBURN AVE



SITE KEY PLAN

LOWNEY ARCHITECTURE

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

NOT FOR CONSTRUCTION

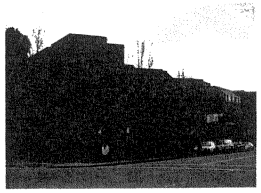
NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

DATE: 06/24/12
DRAWN BY: TS/TV

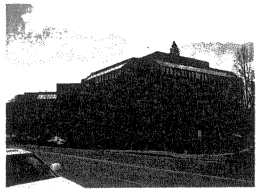
PROJECT NUMBER 09-003
SHEET TITLE
SITE PHOTOS

SHEET NUMBER
A0.4

7/3/2012 9:27:22 AM



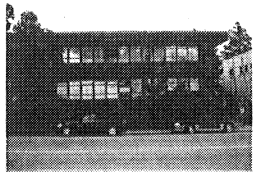
40. 6250 CLAREMONT AVE



40. 6250 CLAREMONT AVE

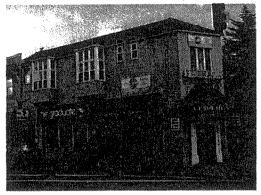
41. 6230 CLAREMONT AVE

41. 6230 CLAREMONT AVE



41. 6230 CLAREMONT AVE

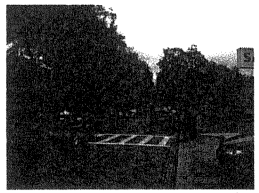
42. 6206-12 CLAREMONT AVE



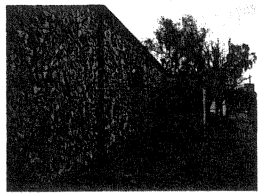
43. 6200-02 CLAREMONT AVE

44. 6058 COLLEGE AVE

45. 6050-2 COLLEGE AVE



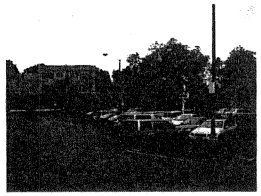
A. CROSSWALK - 63RD & COLLEGE



B. SAFEWAY WALL ON COLLEGE

C. SAFEWAY WALL ON COLLEGE

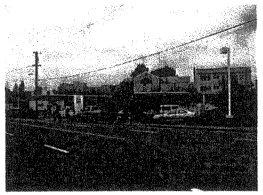
D. SAFEWAY & SURFACE PARKING



E. SAFEWAY SURFACE PARKING

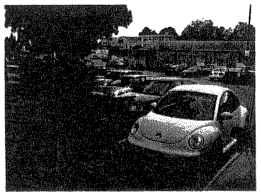
F. '76' GAS & SERVICE STATION

G. '76' & SAFEWAY SITE BEYOND



H. '76' GAS & SERVICE STATION

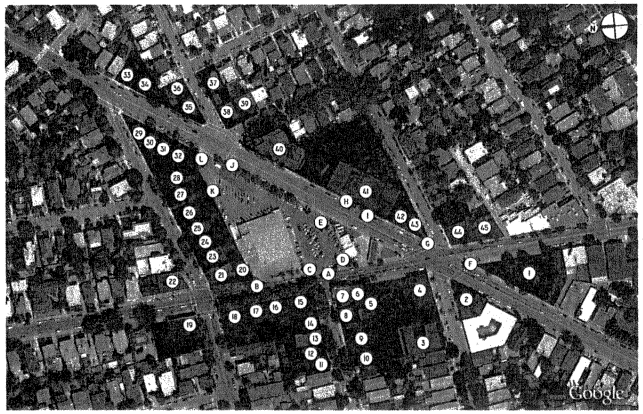
I. SAFEWAY FROM CLAREMONT



J. SIDEWALK AT CLAREMONT

K. SAFEWAY - CLAREMONT SIDE

L. NORTH SIDE PROPERTY EDGE



SITE KEY PLAN

LOWNEY ARCHITECTURE

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2891
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

NOT FOR CONSTRUCTION

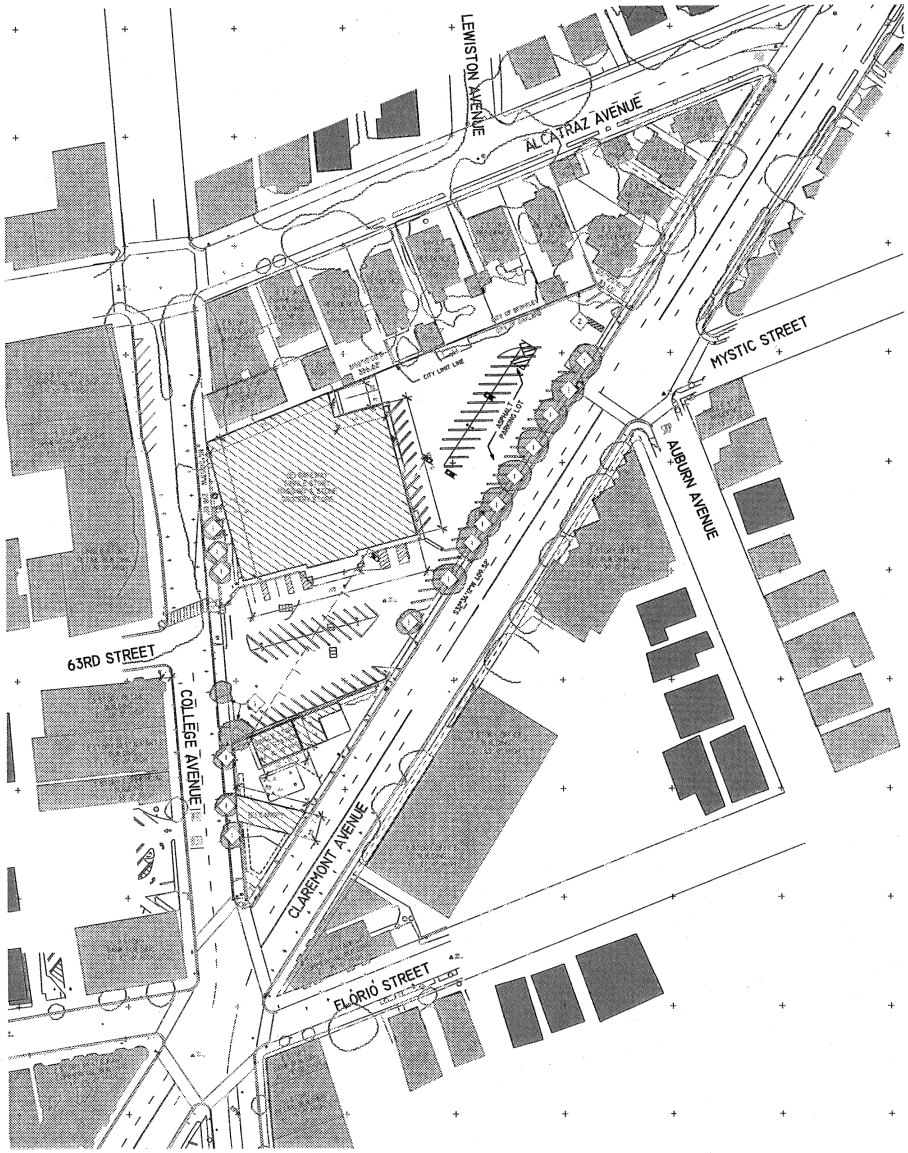
NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

DATE: 06/24/12
DRAWN BY: TS/TV

PROJECT NUMBER 09-003
SHEET TITLE
SITE PHOTOS

SHEET NUMBER
A0.5

7/02/2012 9:27:43 AM



1 EXISTING SITE PLAN
1" = 50'-0"

KEYNOTES

1. (E) TREE TO BE REMOVED. SEE TREE SURVEY FOR ADDITIONAL TREE INFORMATION.
2. (E) FENCE, APPROX 6'-0" TALL ON SOUTH SIDE OF PROPERTY LINE TO BE REMOVED.

LEGEND

- EXISTING STRUCTURE TO REMAIN
- EXISTING STRCTURE TO BE DEMOLISHED

LOWNEY ARCHITECTURE
510 836 5400 LOWNEYarch.com

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

N

NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

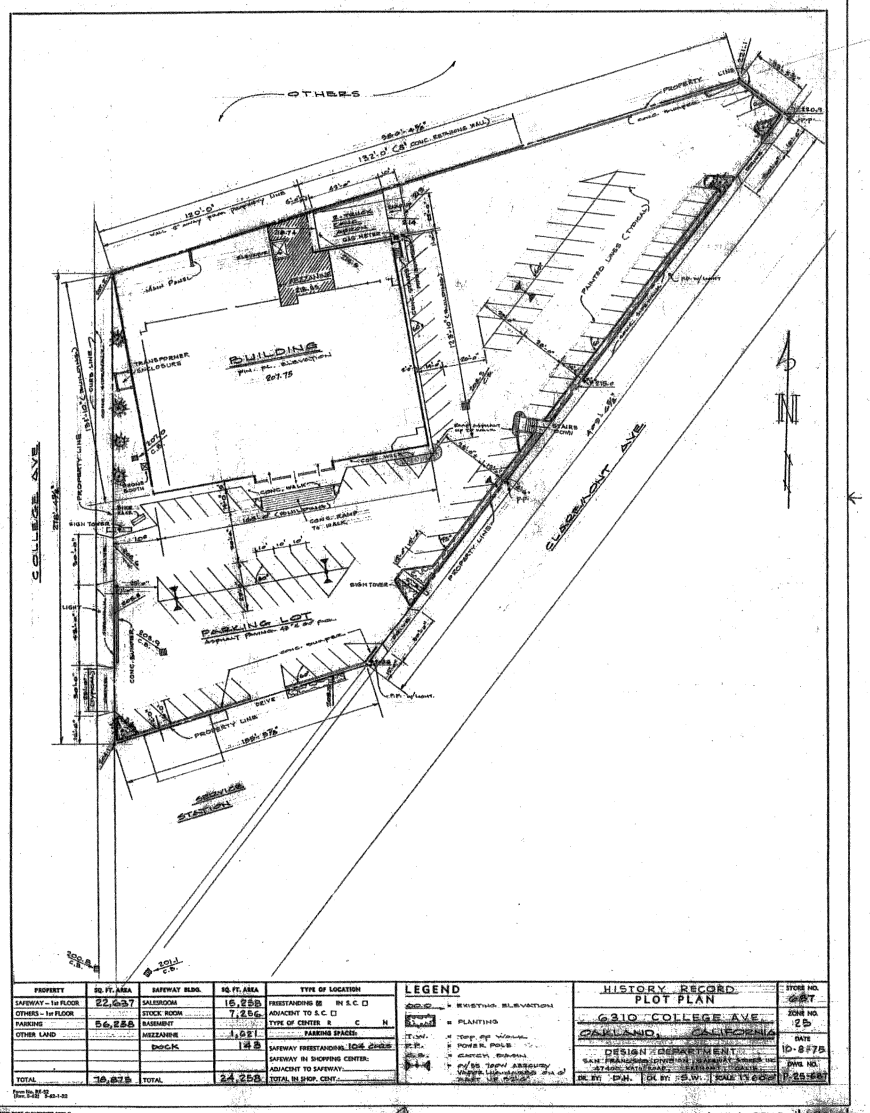
DATE: 06/24/12
DRAWN BY: TS/TV

PROJECT NUMBER 09-003

SHEET TITLE
EXISTING SITE PLAN

SHEET NUMBER
A1.0

7/20/2012 2:27:49 AM



PROPERTY	SQ. FT. AREA	SAFEWAY BLDG.	SQ. FT. AREA	TYPE OF LOCATION
SAFEWAY – 1st FLOOR	22,637	SALESROOM	16,258	FREESTANDING ☒ IN S.C. ☐
OTHERS – 1st FLOOR		STOCK ROOM	7,266	ADJACENT TO S.C. ☐
PARKING	56,258	BASEMENT		TYPE OF CENTER R C N
OTHER LAND		MEZZANINE	1,521	PARKING SPACES:
		DOCK	125	SAFEWAY FREESTANDING: 104 2002
				SAFEWAY IN SHOPPING CENTER:
				ADJACENT TO SAFEWAY:
TOTAL	78,875	TOTAL	24,258	TOTAL IN SHOP. CENT.

From Dr. M-G
Rev. 2-22 8-21-1-22

LEGEND
- = EXISTING ELEVATION
- = PLANTING
- T.W. = Top of Wall
- P.P. = POWER POLE
- C.B. = CATCH BASIN
- = F/SS 16FT ASSUMED VISIBLE LIGHTGRAY 3'x 3' INVERT 1.5' FROM

HISTORY RECORD
PLOT PLAN
6310 COLLEGE AVE
OAKLAND, CALIFORNIA
DESIGN DEPARTMENT
SAN FRANCISCO DIVISION - SAFEWAY STORES INC
4740 EAST SOUTH STREET - LONG BEACH, CALIFORNIA

STORE NO.	2870
ZONE NO.	25
DATE	10-8-75
DWG. NO.	1-25-587
DR. BY: D.H.	CK. BY: S.W.
SCALE 1"=20'-0"	

ACTUAL SCALE 1"=20'-0"

① EXISTING PLAN - FOR REFERENCE ONLY
1/32" = 1'-0"

LOWNEY ARCHITECTURE
510.839.3400 lowneyarch.com

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

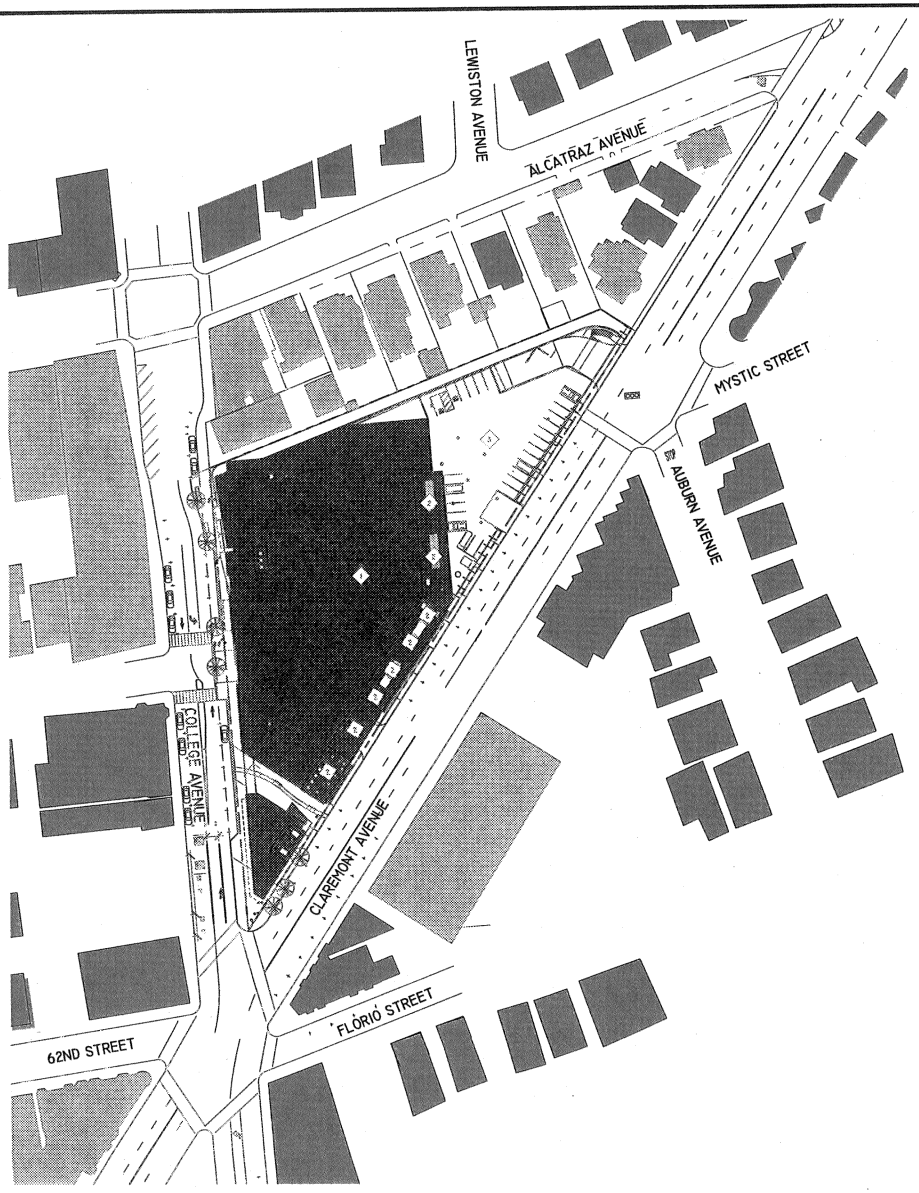
DATE: 06/24/12
DRAWN BY: TS/TV

PROJECT NUMBER 09-003

SHEET TITLE
EXISTING PLAN - FOR REFERENCE ONLY

SHEET NUMBER
A1.1

7/3/2012 8:28:02 AM



1 SITE
1" = 50'-0"

KEYNOTES

1. PROPOSED SAFEWAY PROJECT
2. PROPOSED LOCATION OF MECHANICAL EQUIPMENT
3. EMPLOYEE PARKING AT UPPER DECK

LOWNEY ARCHITECTURE
510.839.5403 LOWNEYarch.com

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

N

NOT FOR CONSTRUCTION

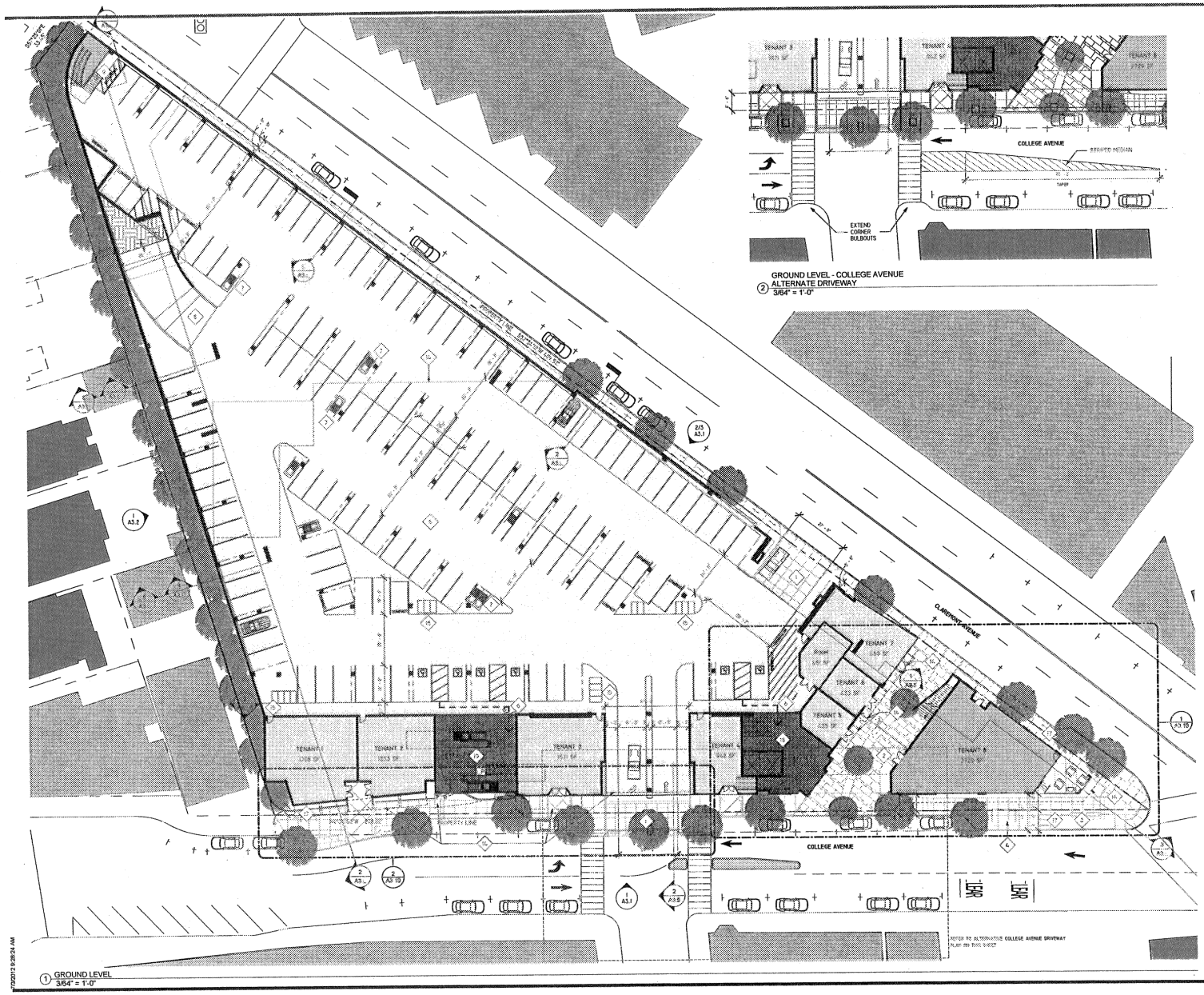
NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

DATE: 06/24/12
DRAWN BY: TS/TV

PROJECT NUMBER 09-003
SHEET TITLE
PROPOSED SITE PLAN

SHEET NUMBER
A1.2

7/30/2012 9:28:12 AM



1 GROUND LEVEL
3/64" = 1'-0"

2 GROUND LEVEL - COLLEGE AVENUE ALTERNATE DRIVEWAY
3/64" = 1'-0"

KEY NOTES

1. (N) CURB CUT FOR VEHICULAR ACCESS
2. (N) PEDESTRIAN STREET
3. PROPOSED BUS BULB LOCATION
4. PROPOSED BUS STOP LOCATION
5. (N) PARKING
6. ACCESSIBLE PATH OF TRAVEL
7. CART CORRALL
8. (N) VEHICULAR RAMP
9. STAIRWAY AND LIGHT WELL
10. (N) PEDESTRIAN BRIDGE
11. DELIVERY TRUCK ENTRANCE
12. EMPLOYEE PARKING
13. OPEN TO BELOW
14. LINE OF BUILDING ABOVE
15. LONG TERM BIKE STORAGE
16. DELIVERY TRUCK EXIT
17. BIKE LOOP - SEE LANDSCAPE PLAN
18. ELEVATOR LOBBY
19. ESCALATOR & LOBBY

PLAN LEGEND

- RESTAURANT
- RETAIL
- SAFEWAY
- PLAZA
- PARKING
- TREES / LANDSCAPE
- SERVICES

LOWNEY ARCHITECTURE
510.836.5400 LOWNEYarch.com

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

N

NOT FOR CONSTRUCTION

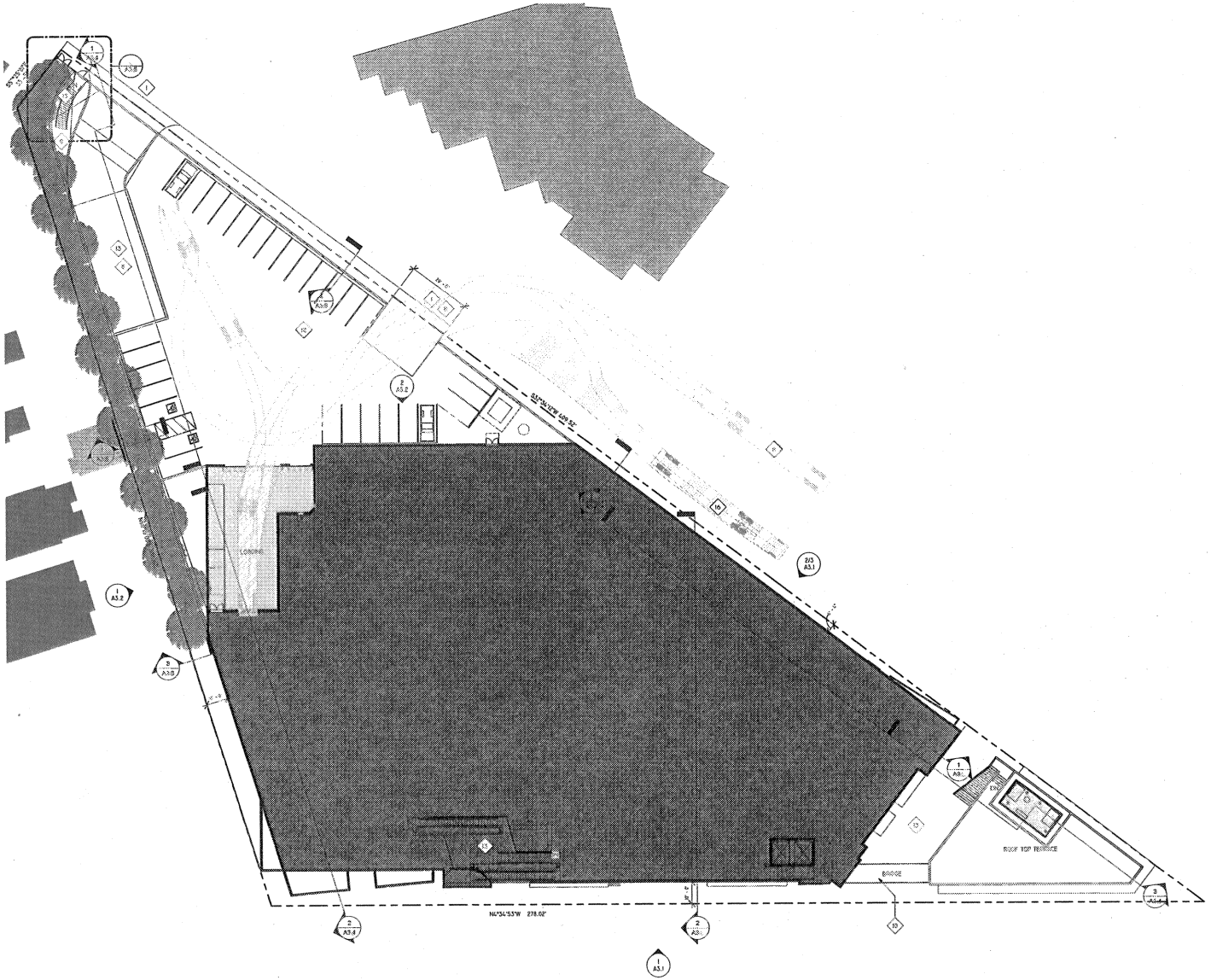
NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

DATE: 06/24/12
DRAWN BY: TS/TV

PROJECT NUMBER 09-003
SHEET TITLE
GROUND FLOOR PLAN

SHEET NUMBER
A2.1

7/25/2012 9:29:24 AM



KEYNOTE

1. (N) CURB CUT FOR VEHICULAR ACCESS
2. (N) PEDESTRIAN STREET
3. PROPOSED BUS BULB LOCATION
4. PROPOSED BUS STOP LOCATION
5. (N) PARKING
6. ACCESSIBLE PATH OF TRAVEL
7. CART CORRALL
8. (N) VEHICULAR RAMP
9. STAIRWAY AND LIGHT WELL
10. (N) PEDESTRIAN BRIDGE
11. DELIVERY TRUCK ENTRANCE
12. EMPLOYEE PARKING
13. OPEN TO BELOW
14. LINE OF BUILDING ABOVE
15. LONG TERM BIKE STORAGE
16. DELIVERY TRUCK EXIT
17. BIKE LOOP - SEE LANDSCAPE PLAN
18. ELEVATOR LOBBY
19. ESCALATOR & LOBBY

PLAN LEGEND

- RESTAURANT
- RETAIL
- SAFEWAY
- PLAZA
- PARKING
- TREES / LANDSCAPE
- SERVICES

LOWNEY ARCHITECTURE

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

N

NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

DATE: 06/24/12
DRAWN BY: TS/TV

PROJECT NUMBER 09-003

SHEET TITLE

SAFEWAY FLOOR PLAN

SHEET NUMBER

A2.2

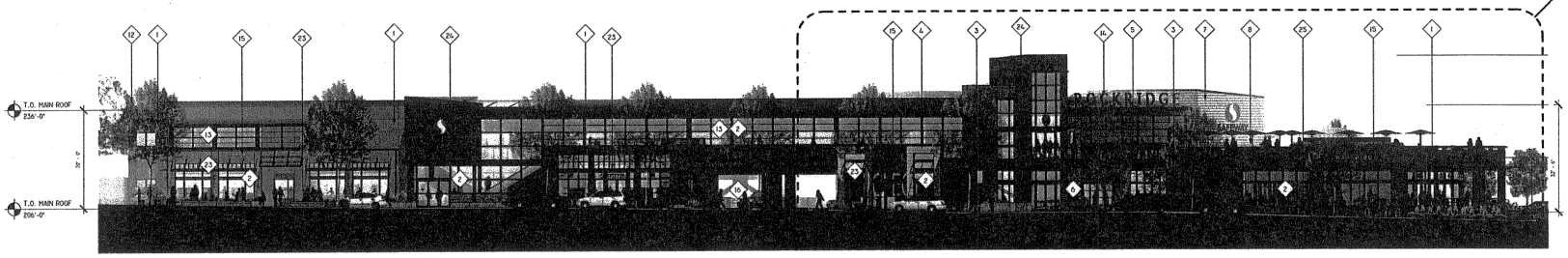
7/3/2012 9:28:31 AM

SAFEWAY MATERIALS PALETTE

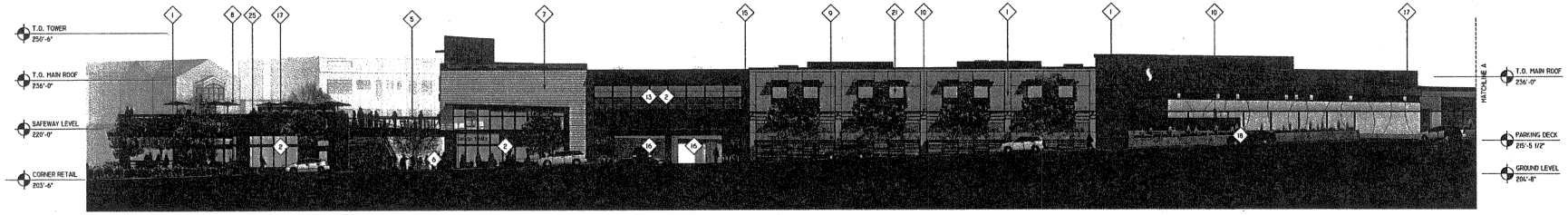
- WOOD COMPOSITE PANELING
- PAINTED PLASTER BENJAMIN MOORE GARGOYLE - BH1546
- PAINTED PLASTER BENJAMIN MOORE GRANT BEIGE - BH4C83
- PAINTED PLASTER DUNN EDWARDS BUNGALOW TAUPE - DE 6172
- PAINTED PLASTER DUNN EDWARDS DESERT GRAY - DEC 760
- DRY-STACK LEDGESTONE

KEYNOTES

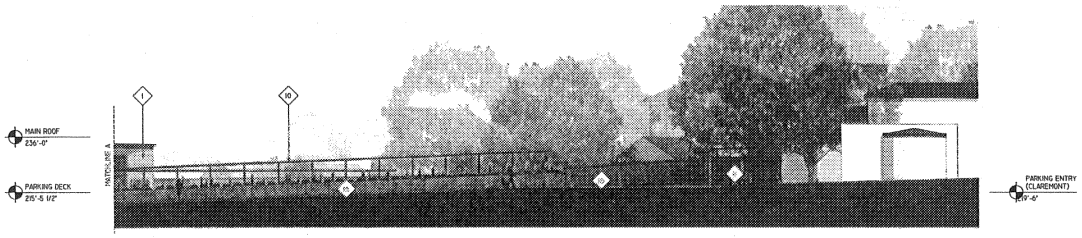
1. PAINTED SMOOTH STUCCO
2. DARK ANODIZED ALUMINUM STOREFRONT / TYP
3. DRY-STACK LEDGESTONE
4. METAL PANEL
5. PEDESTRIAN BRIDGE WITH GLASS GUARDRAIL
6. WALK STREET
7. CORRUGATED METAL
8. ROOF TERRACE
9. PLANTED METAL PARKING SCREEN
10. STEEL TRELLIS
11. LANDSCAPED SETBACK AND FENCING
12. NEW SCREEN TREES, SEE LANDSCAPE DRAWINGS
13. LOUVER SYSTEM
14. CUSTOM SIGNAGE
15. SIGNAGE T.B.D.
16. PARKING ENTRY / EXIT
17. METAL SCREEN
18. LINEAR PLANTER
19. WINDOW SYSTEM
20. CLEAR GLASS
21. SEMI-TRANSPARENT GLASS
22. SPANDREL GLASS OR METAL PANEL
23. METAL AND GLASS PEDESTRIAN CANOPIES
24. WOOD COMPOSITE PANELING
25. STAINED CONCRETE WALL BASE (1 / 3.3)



1 COLLEGE AVENUE ELEVATION
1/16" = 1'-0"



2 CLAREMONT AVENUE ELEVATION
1/16" = 1'-0"



3 CLAREMONT AVENUE ELEVATION (CONTINUED)
1/16" = 1'-0"

7/3/2012 2:22:39 AM

LOWNEY ARCHITECTURE
510.835.5400 LOWNEYarch.com

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

DATE: 06/24/12
DRAWN BY: TS/TV

PROJECT NUMBER 09-003

SHEET TITLE

EXTERIOR ELEVATIONS

SHEET NUMBER

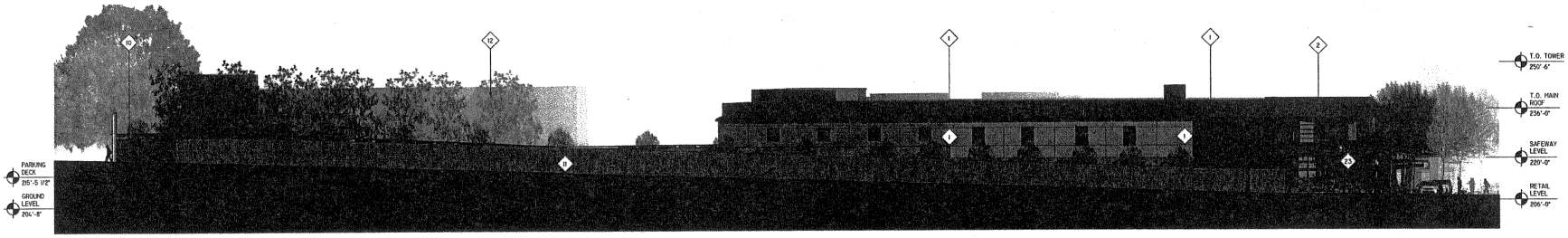
A3.1

SAFEWAY MATERIALS PALETTE

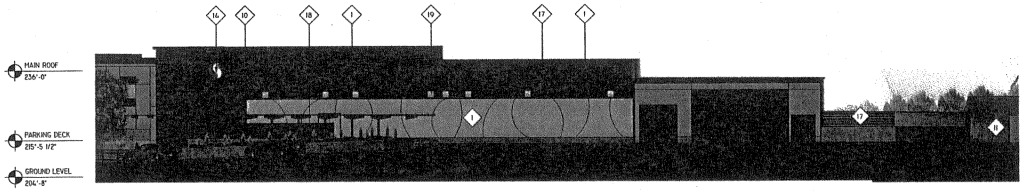
- WOOD COMPOSITE PANELING
- PAINTED PLASTER BENJAMIN MOORE GARGOYLE - BH1546
- PAINTED PLASTER BENJAMIN MOORE GRANT BEIGE - BH1083
- PAINTED PLASTER DUNN EDWARDS BUNGALOW TAUPE - DE 6172
- PAINTED PLASTER DUNN EDWARDS DESERT GRAY - DEC 760
- DRY-STACK LEDGESTONE

KEYNOTES

1. PAINTED SMOOTH STUCCO
2. DARK ANODIZED ALUMINUM STOREFRONT / TYP
3. DRY-STACK LEDGESTONE
4. METAL PANEL
5. PEDESTRIAN BRIDGE WITH GLASS GUARDRAIL
6. WALK STREET
7. CORRUGATED METAL
8. ROOF TERRACE
9. PLANTED METAL PARKING SCREEN
10. STEEL TRELLIS
11. LANDSCAPED SETBACK AND FENCING
12. NEW SCREEN TREES, SEE LANDSCAPE DRAWINGS
13. LOUVER SYSTEM
14. CUSTOM SIGNAGE
15. SIGNAGE T.B.D.
16. PARKING ENTRY / EXIT
17. METAL SCREEN
18. LINEAR PLANTER
19. WINDOW SYSTEM
20. CLEAR GLASS
21. SEMI-TRANSPARENT GLASS
22. SPANDREL GLASS OR METAL PANEL
23. METAL AND GLASS PEDESTRIAN CANOPIES
24. WOOD COMPOSITE PANELING
25. STAINED CONCRETE WALL BASE



1 NORTH ELEVATION
1/16" = 1'-0"



2 EAST ELEVATION
1/16" = 1'-0"

8/7/2012 2:28:42 AM

LOWNEY ARCHITECTURE
510 835 5460 LOWNEYARCH.COM

PROJECT NAME

SAFEWAY™

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

NOT FOR CONSTRUCTION

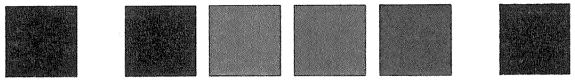
NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

DATE: 05/24/12
DRAWN BY: TS/TV

PROJECT NUMBER 09-003
SHEET TITLE
EXTERIOR ELEVATIONS

SHEET NUMBER
A3.2

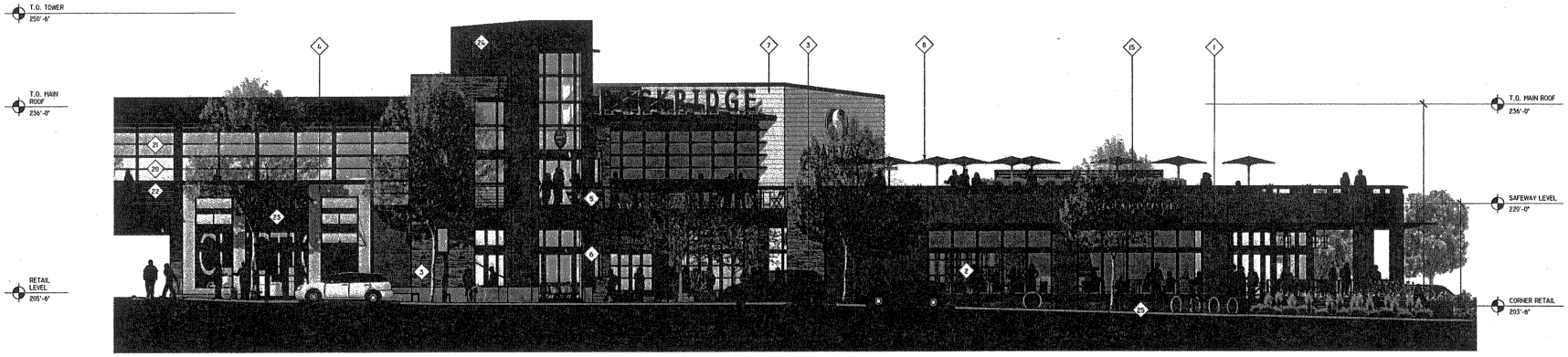
SA□E□ A□ MATERIALS □ALETTE



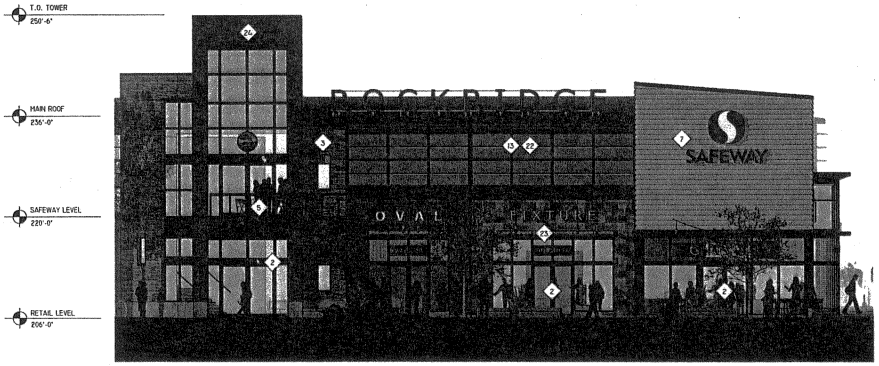
WOOD COMPOSITE PANELING | PAINTED PLASTER BENJAMIN MOORE GARGOYLE - BH6A6 | PAINTED PLASTER BENJAMIN MOORE GRANT BEIGE - BH4C83 | PAINTED PLASTER DUNN EDWARDS BUNGALOW TAUPE - DE 6172 | PAINTED PLASTER DUNN EDWARDS DESERT GRAY - DEC 760 | DRY-STACK LEDGESTONE

KEYNOTES

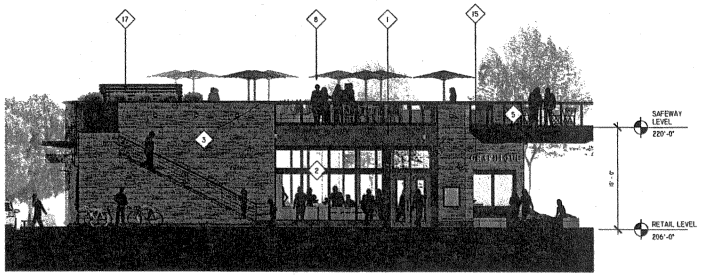
1. PAINTED SMOOTH STUCCO
2. DARK ANODIZED ALUMINUM STOREFRONT / TYP
3. DRY-STACK LEDGESTONE
4. METAL PANEL
5. PEDESTRIAN BRIDGE WITH GLASS GUARDRAIL
6. WALK STREET
7. CORRUGATED METAL
8. ROOF TERRACE
9. PLANTED METAL PARKING SCREEN
10. STEEL TRELLIS
11. LANDSCAPED SETBACK AND FENCING
12. NEW SCREEN TREES, SEE LANDSCAPE DRAWINGS
13. LOUVER SYSTEM
14. CUSTOM SIGNAGE
15. SIGNAGE T.B.D.
16. PARKING ENTRY / EXIT
17. METAL SCREEN
18. LINEAR PLANTER
19. WINDOW SYSTEM
20. CLEAR GLASS
21. SEMI-TRANSPARENT GLASS
22. SPANDREL GLASS OR METAL PANEL
23. METAL AND GLASS PEDESTRIAN CANOPIES
24. WOOD COMPOSITE PANELING
25. STAINED CONCRETE WALL BASE



1 COLLEGE AVENUE ELEVATION - ENLARGED
1/8" = 1'-0"



2 WALK STREET ELEVATION - NORTH
1/8" = 1'-0"



3 WALK STREET ELEVATION - SOUTH
1/8" = 1'-0"

LOWNEY ARCHITECTURE

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

NOT FOR CONSTRUCTION

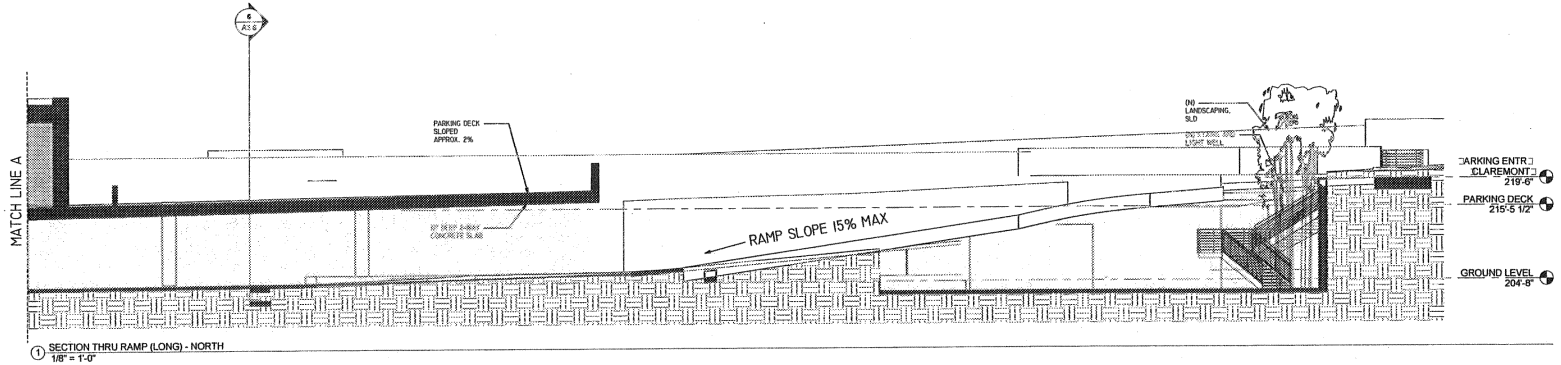
NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

DATE: 06/24/12
DRAWN BY: TS/TV

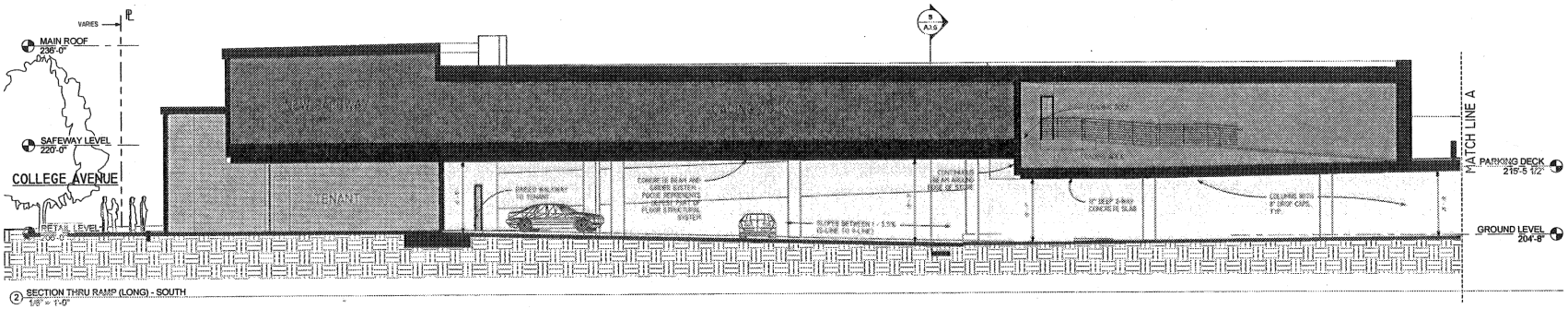
PROJECT NUMBER 09-003
SHEET TITLE
ENLARGED EXTERIOR ELEVATIONS

SHEET NUMBER
A3.3

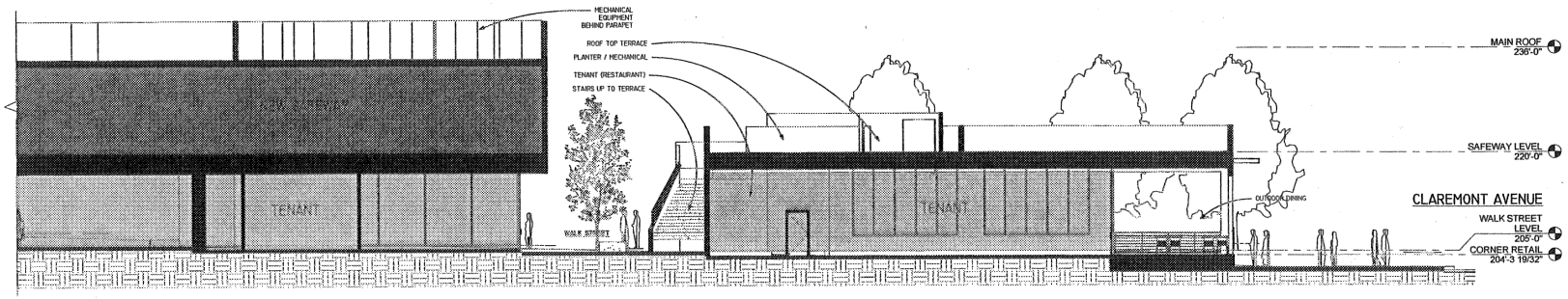
7/2/2012 2:28:45 AM



1 SECTION THRU RAMP (LONG) - NORTH
1/8" = 1'-0"



2 SECTION THRU RAMP (LONG) - SOUTH
1/8" = 1'-0"



3 SECTION THRU RESTAURANT/WALK STREET
1/8" = 1'-0"

7/30/2012 9:28:52 AM

LOWNEY ARCHITECTURE

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

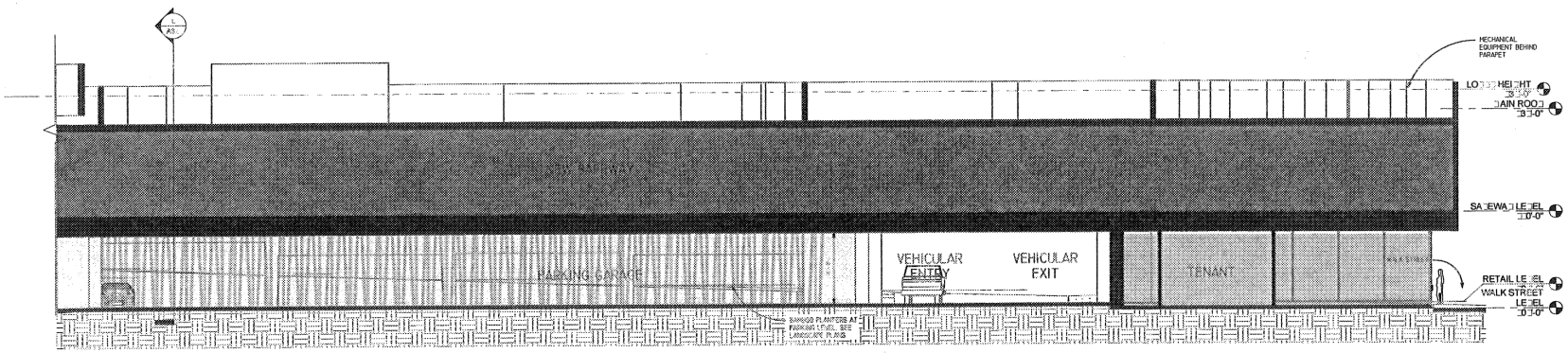
NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

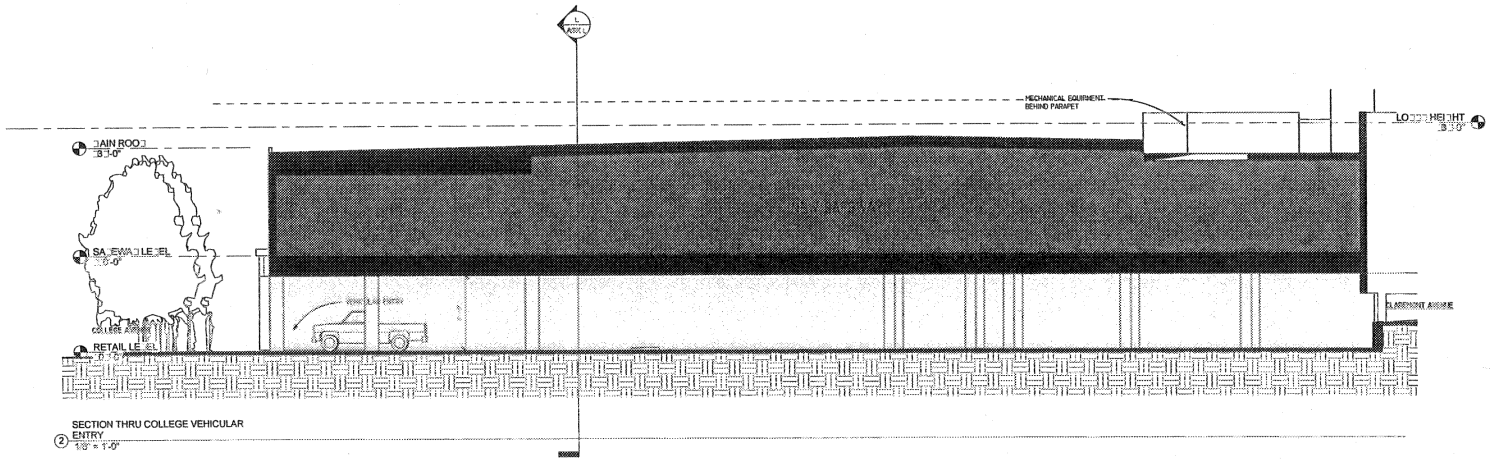
DATE: 06/24/12
DRAWN BY: TS/TV

PROJECT NUMBER 09-003
SHEET TITLE
SECTIONS

SHEET NUMBER
A3.4



① SECTION THRU REAR OF GROCERY
1/8" = 1'-0"



② SECTION THRU COLLEGE VEHICULAR ENTRY
1/8" = 1'-0"

LOWNEY ARCHITECTURE

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2991
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

NOT FOR CONSTRUCTION

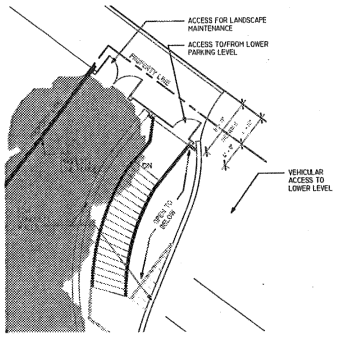
NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

DATE: 06/24/12
DRAWN BY: TS/TV

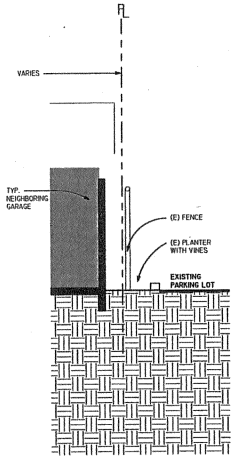
PROJECT NUMBER 09-003
SHEET TITLE
SECTIONS

SHEET NUMBER
A3.5

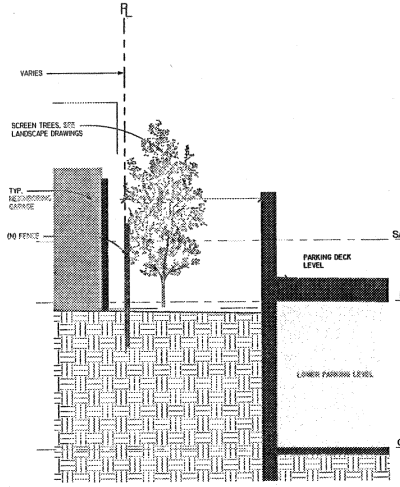
7/3/2012 2:28:53 AM



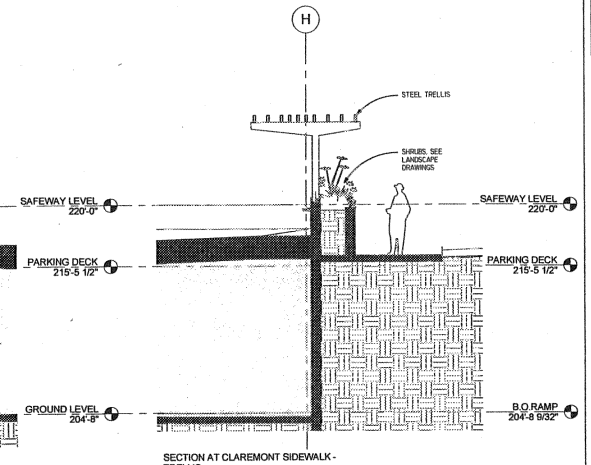
7 ENLARGED PLAN AT NORTHEAST CORNER
1/8" = 1'-0"



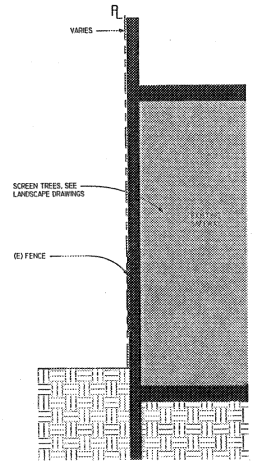
6 SECTION AT NORTH NEIGHBOR 2 - EXISTING CONDITION
1/4" = 1'-0"



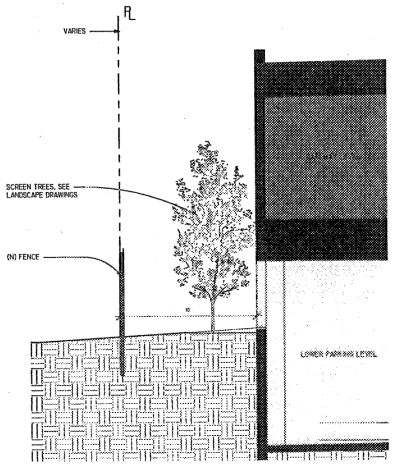
1 SECTION AT NORTH NEIGHBOR 2
1/4" = 1'-0"



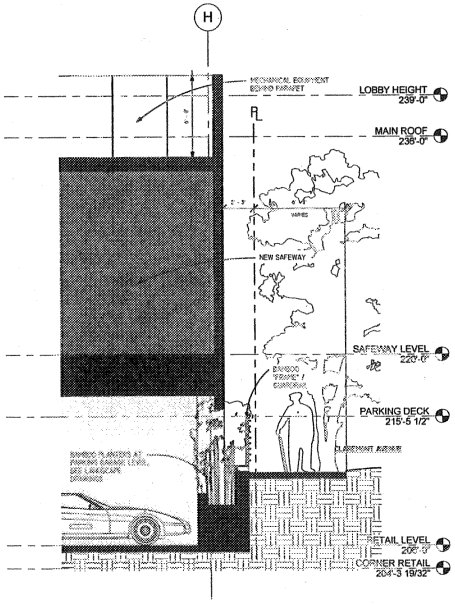
4 SECTION AT CLAREMONT SIDEWALK - TRELLIS
1/4" = 1'-0"



3 SECTION AT NORTH NEIGHBOR 1 - EXISTING CONDITION
1/4" = 1'-0"



5 SECTION AT NORTH NEIGHBOR 1
1/4" = 1'-0"



2 SECTION AT CLAREMONT SIDEWALK
1/4" = 1'-0"

LOWNEY ARCHITECTURE

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

NOT FOR CONSTRUCTION

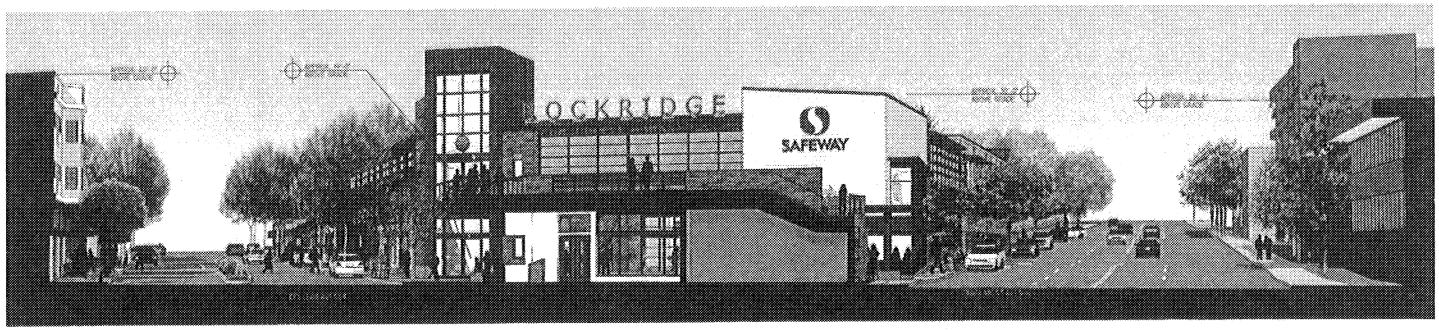
NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

DATE: 06/24/12
DRAWN BY: TS/TV

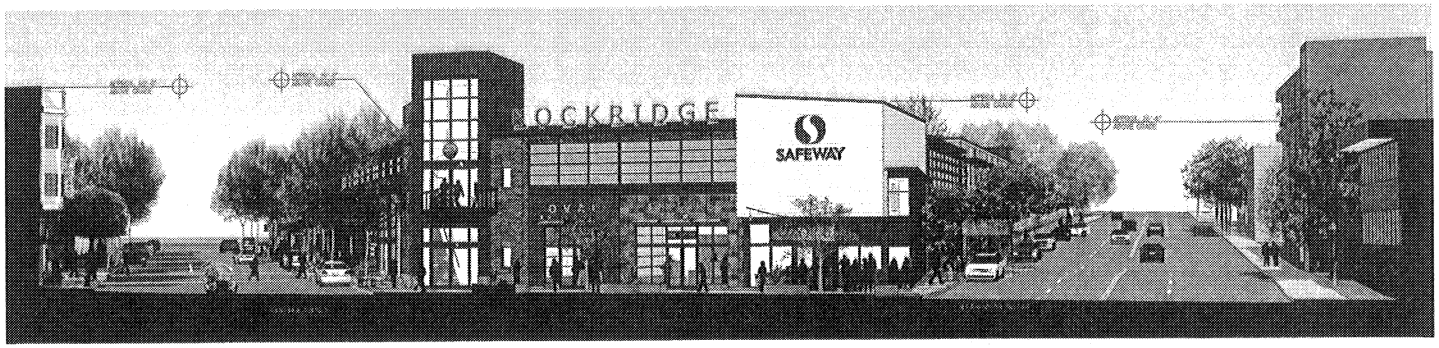
PROJECT NUMBER 09-003
SHEET TITLE
ENLARGED SECTIONS

SHEET NUMBER
A3.6

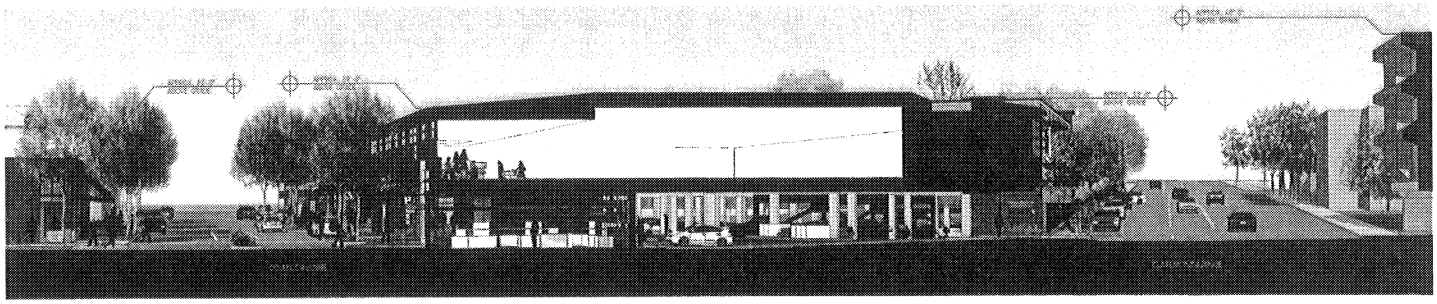
7/5/2012 9:28:55 AM



SITE SECTION AT CORNER BUILDING (N.T.S.)



SITE SECTION AT WALK STREET (N.T.S.)



SITE SECTION NEAR 63RD STREET (N.T.S.)

7/30/2012 9:29:04 AM

LOWNEY ARCHITECTURE

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

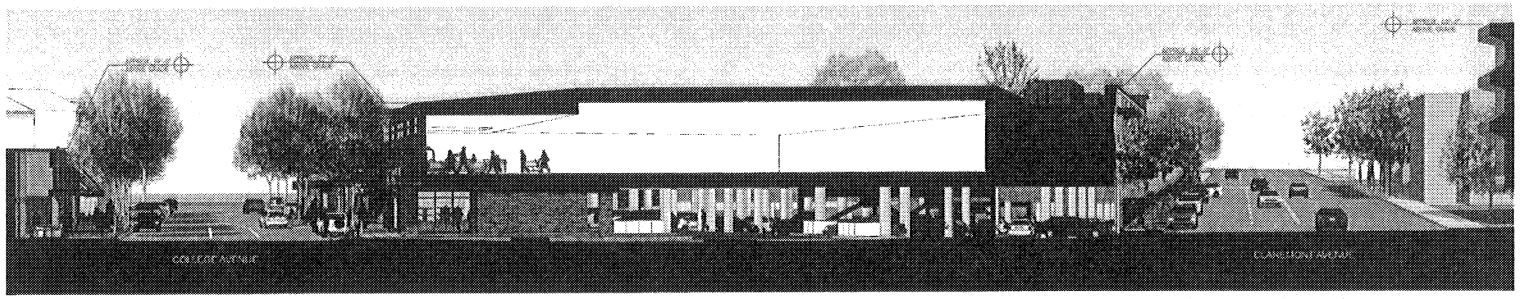
NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

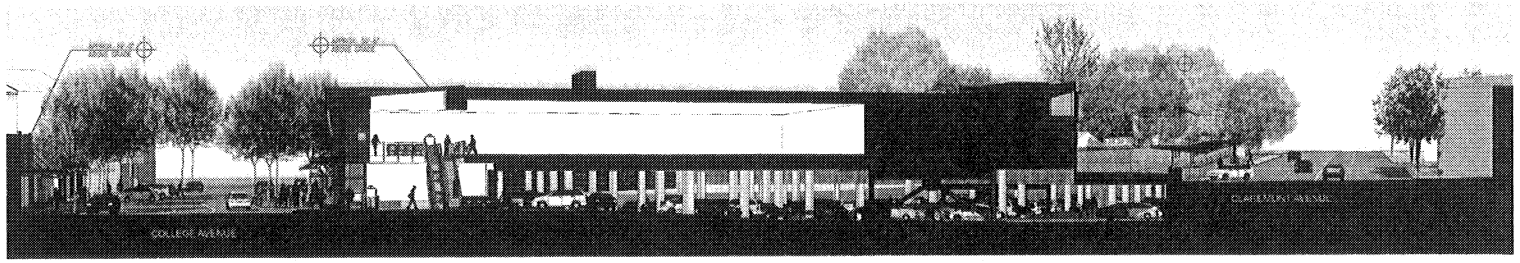
DATE: 05/24/12
DRAWN BY: TS/TV

PROJECT NUMBER 09-003
SHEET TITLE
SITE SECTIONS

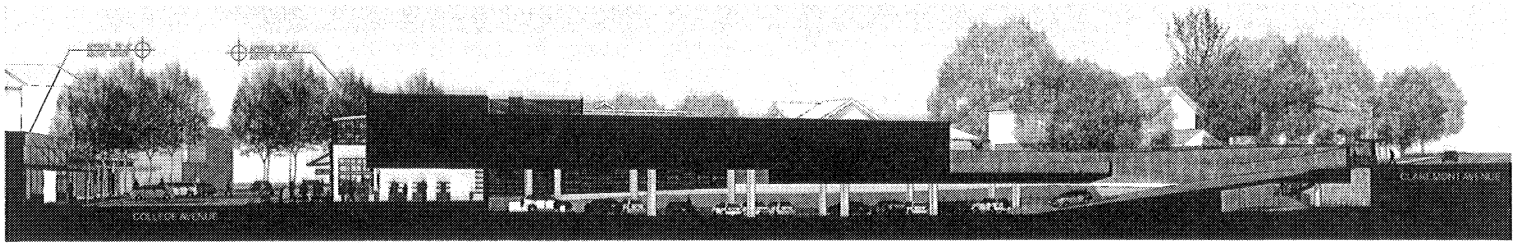
SHEET NUMBER
A3.7



SITE SECTION AT PARKING ENTRANCE (N.T.S.)



SITE SECTION THROUGH STORE AT NORTH END OF RETAIL (N.T.S.)



SITE SECTION AT NORTH END OF RETAIL (N.T.S.)

LOWNEY ARCHITECTURE

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2661
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

DATE: 06/24/12
DRAWN BY: TS/TV

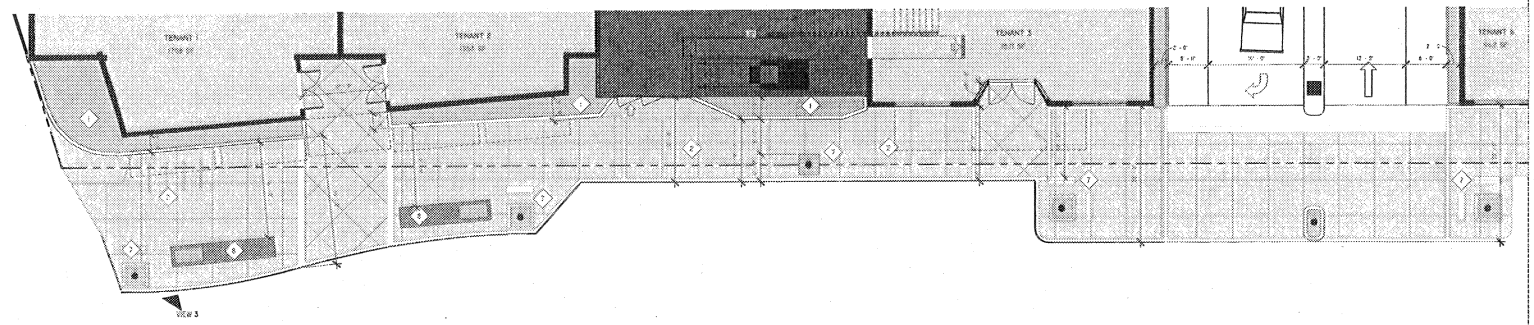
PROJECT NUMBER 09-003
SHEET TITLE

SITE SECTIONS

SHEET NUMBER

A3.8

7/3/2012 9:29:13 AM

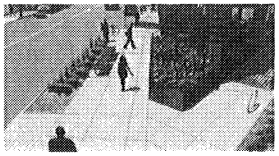


ENLARGED PLAN AT NORTH RETAIL SIDEWALK
2 1/8" = 1'-0"

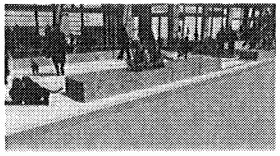
KEYNOTES

1. PLANTER, SEE LANDSCAPE DRAWINGS (SLD)
2. BIKE RACKS, SLD
3. PROPOSED BUS SHELTER LOCATION
4. PROPOSED PEDESTRIAN AND BUS BULB OUT
5. (N) BENCH
6. (N) RAISED SEATING AREA
7. (N) TREE, TREE GRATE, AND BENCH, SLD
8. RAISED CONCRETE BENCH AND PLANTER, TYP.

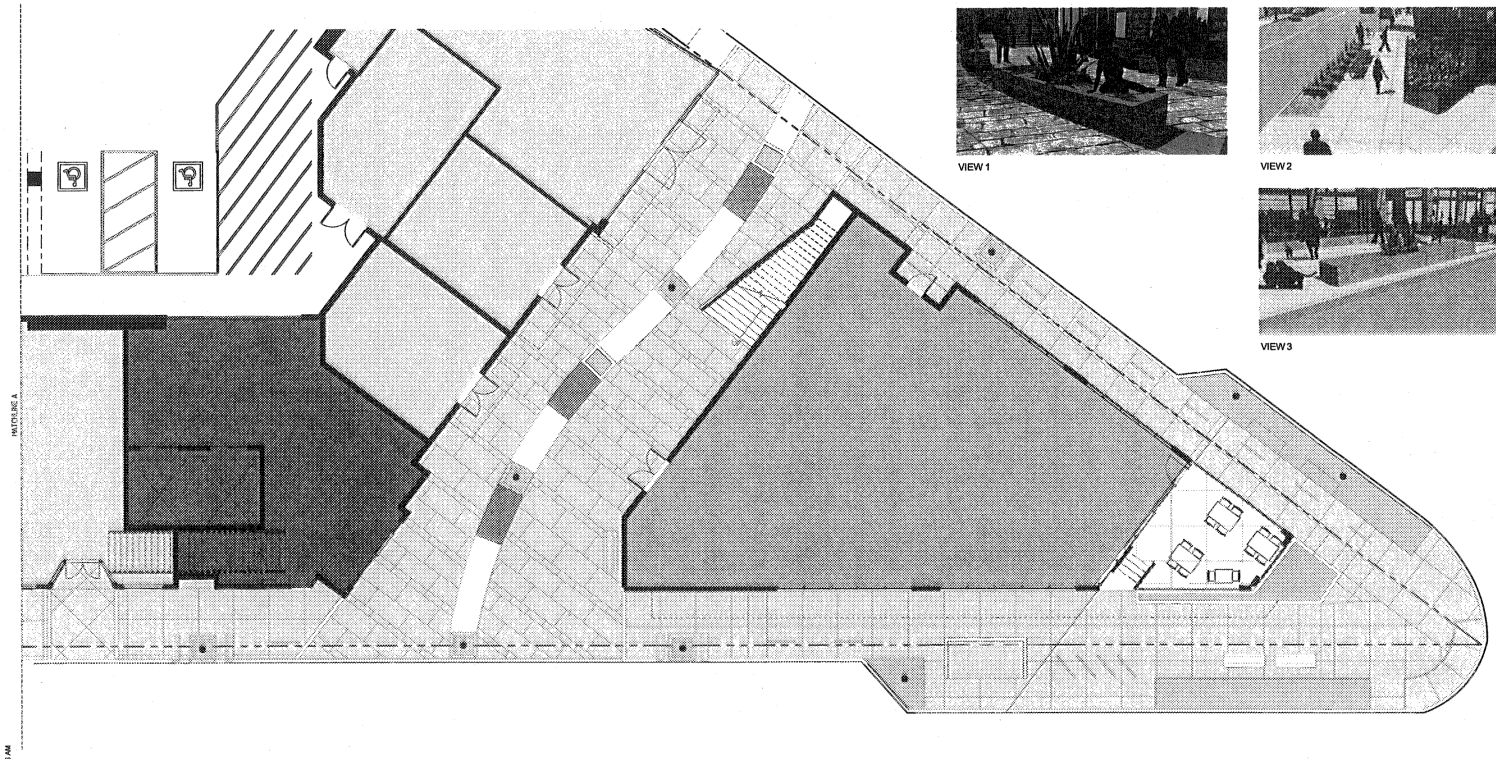
VIEW 1



VIEW 2



VIEW 3



ZZ ENLARGED PUBLIC SPACE PLAN - WEBSITE
1 1/8" = 1'-0"

7/3/2012 9:29:29 AM

LOWNEY ARCHITECTURE
510 835 5400 LOWNEYarch.com

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

NOT FOR CONSTRUCTION

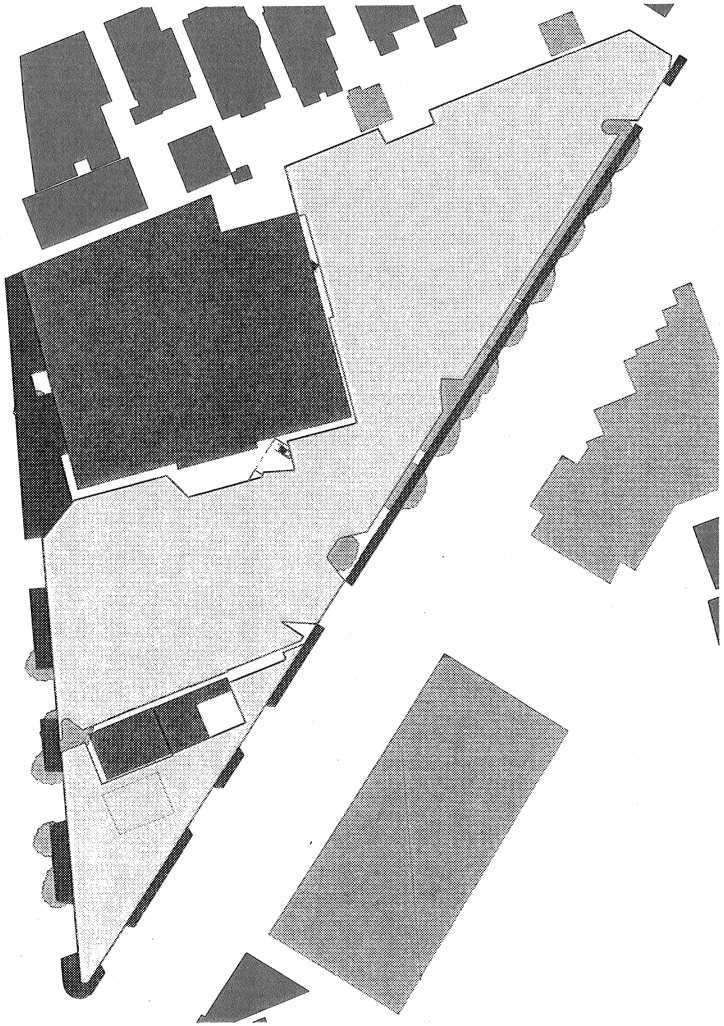
NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

DATE: 06/24/12
DRAWN BY: TS/TV

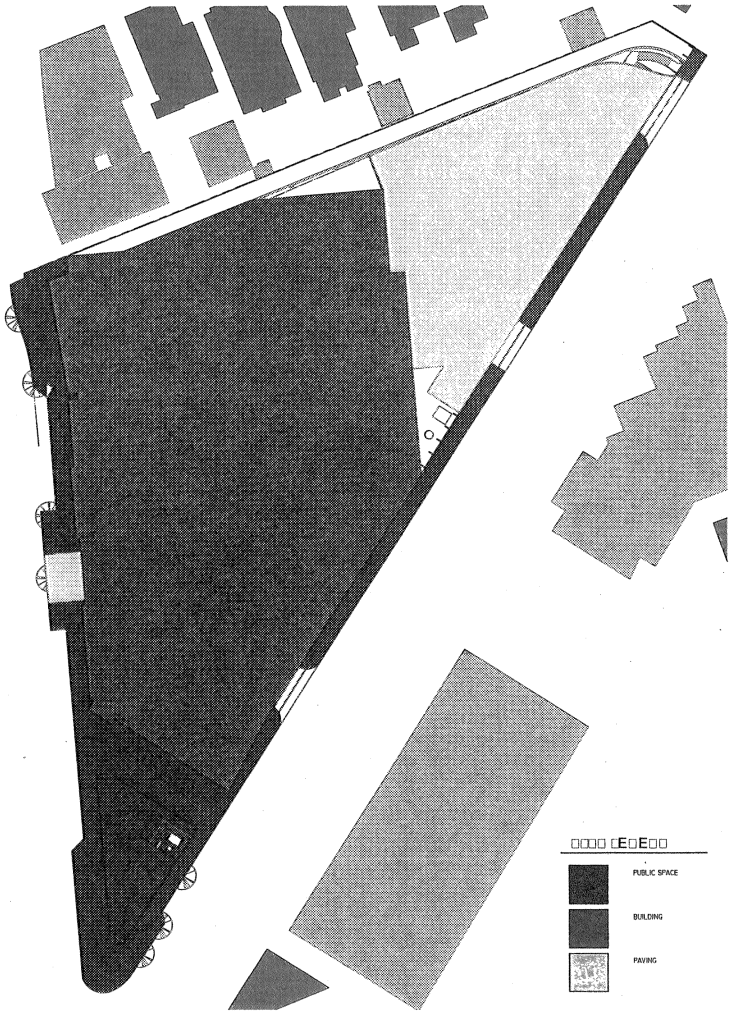
PROJECT NUMBER 09-003

SHEET TITLE
ENLARGED PLANS - PUBLIC SPACE

SHEET NUMBER
A3.10



1 PUBLIC SPACE SITE DIAGRAM - EXISTING
1/32" = 1'-0"



2 PUBLIC SPACE SITE DIAGRAM - NEW
1/32" = 1'-0"

7/20/2012 5:29:32 AM

LOWNEY ARCHITECTURE
510 836 3455 LOWNEYarch.com

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS I	
4.	07.03.2012	PLANNING RESUBMITTAL	

DATE: 06/24/12
DRAWN BY: TS/TV

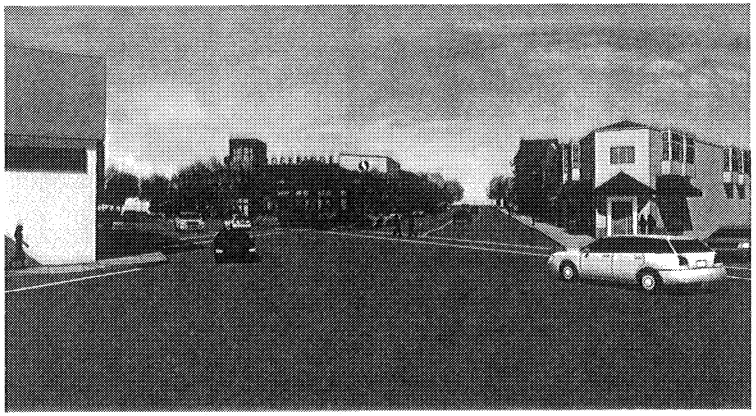
PROJECT NUMBER 09-003

SHEET TITLE

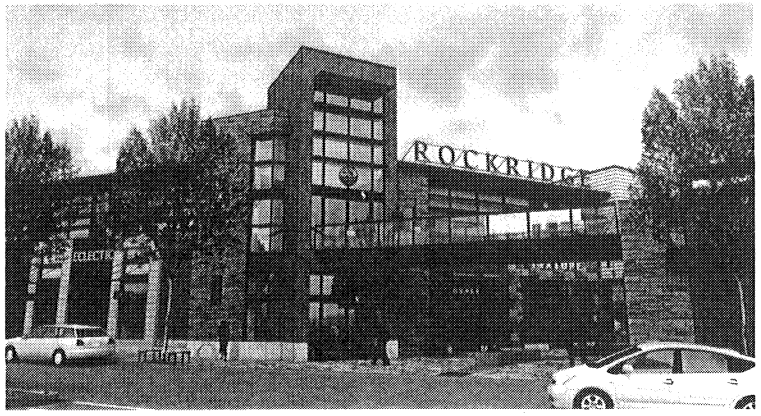
PUBLIC SPACE DIAGRAMS

SHEET NUMBER

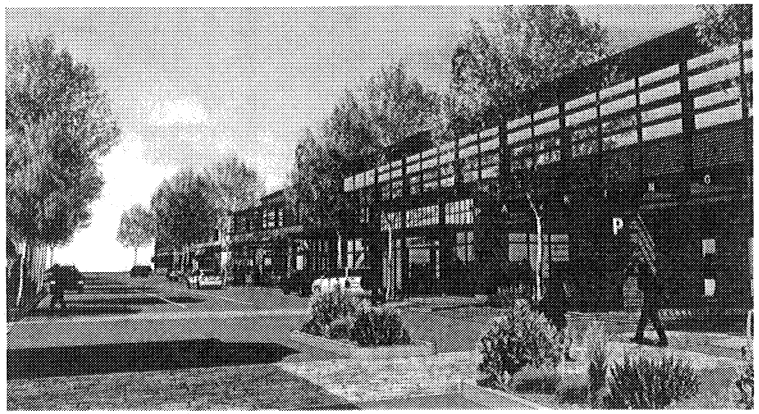
A3.11



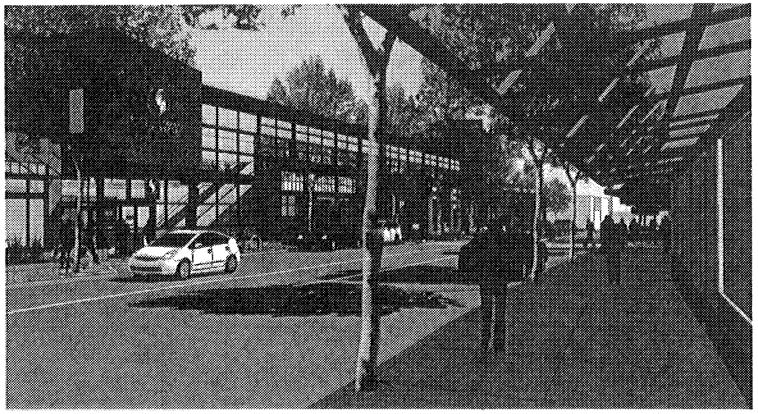
SOUTH CORNER OF PROJECT AS SEEN FROM INTERSECTION OF COLLEGE AVE. AND CLAREMONT AVE.



VIEW OF WALK STREET ENTRANCE FROM SOUTH CORNER OF 63RD ST. AND COLLEGE AVE.



LOOKING NORTH UP COLLEGE AVE. FROM CORNER OF 63RD ST.



LOOKING SOUTH DOWN COLLEGE AVE. FROM WOOD TAVERN

7/3/2012 5:29:41 AM

LOWNEY ARCHITECTURE

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

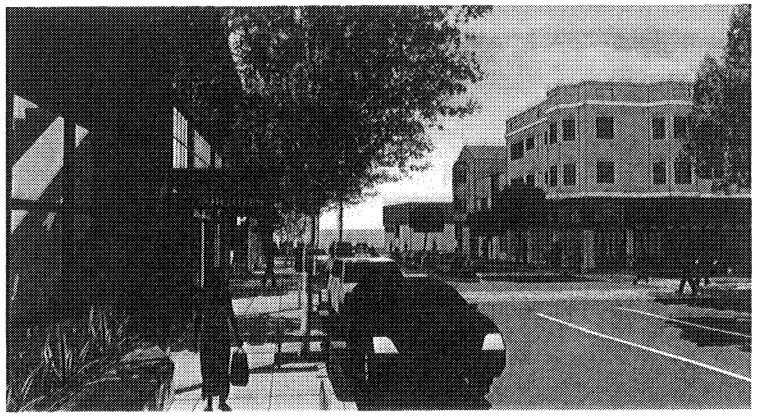
DATE: 06/24/12
DRAWN BY: TS/TV

PROJECT NUMBER 09-003
SHEET TITLE

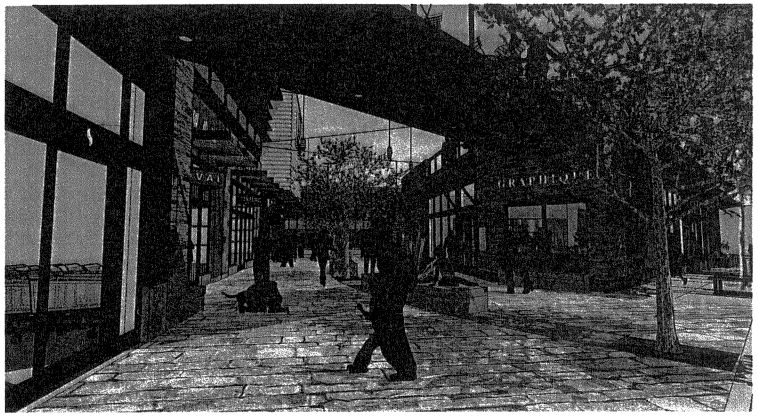
PERSPECTIVE VIEWS

SHEET NUMBER

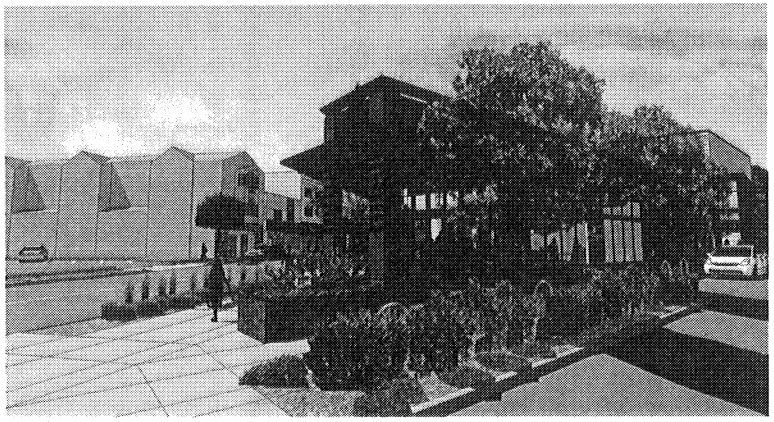
A10.0



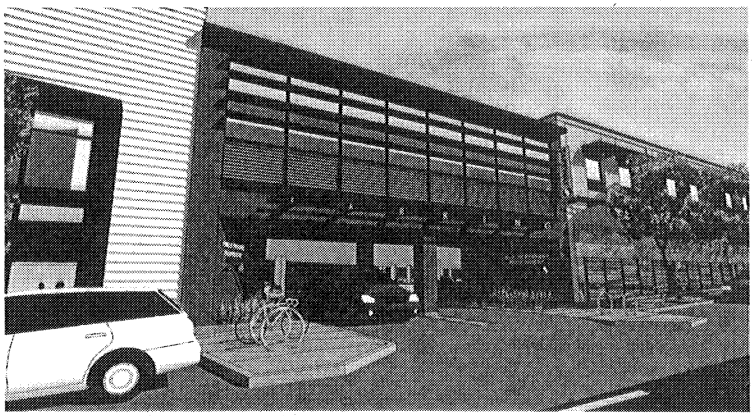
LOOKING SOUTH DOWN COLLEGE AVE. FROM SAFEWAY ENTRANCE



LOOKING EAST THROUGH WALK STREET FROM COLLEGE AVE.



VIEW OF RETAIL BUILDING AT CORNER OF CLAREMONT AVE. AND COLLEGE AVE.



SAFEWAY FACADE AND GARAGE ENTRANCE ALONG CLAREMONT AVE.

7/3/2012 9:29:48 AM

LOWNEY ARCHITECTURE

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
691B STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

DATE: 06/24/12
DRAWN BY: TS/TV

PROJECT NUMBER 09-003

SHEET TITLE

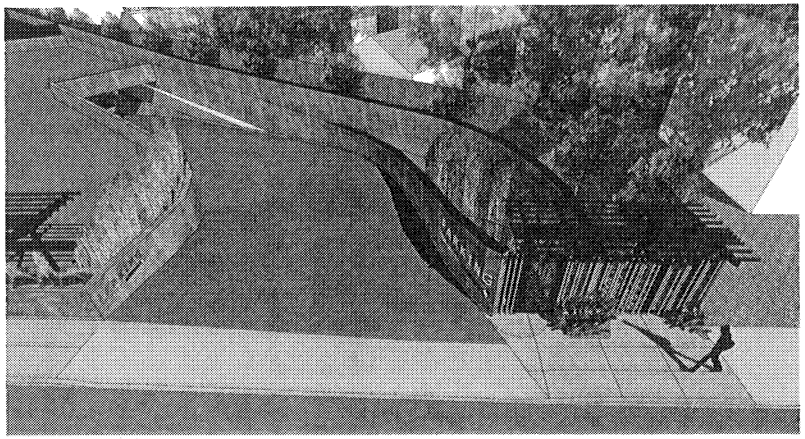
PERSPECTIVE VIEWS

SHEET NUMBER

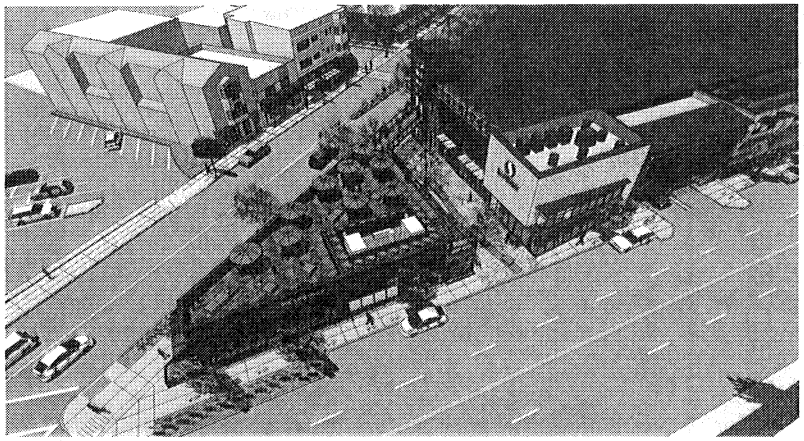
A10.1

VIEW OF RETAIL BUILDING AT CORNER OF COLLEGE AVE.

SAFEWAY REAR FACADE AND EMPLOYEE PARKING ALONG CLAREMONT AVE.



AERIAL VIEW OF PARKING RAMP AND SETBACK AT NEIGHBORS



AERIAL VIEW OF ROOF TERRACE AT CORNER OF COLLEGE AVE. AND CLAREMONT AVE.

7/3/2012 9:29:55 AM

LOWNEY ARCHITECTURE

510.839.5400 LOWNEYarch.com

PROJECT NAME

SAFEWAY.

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

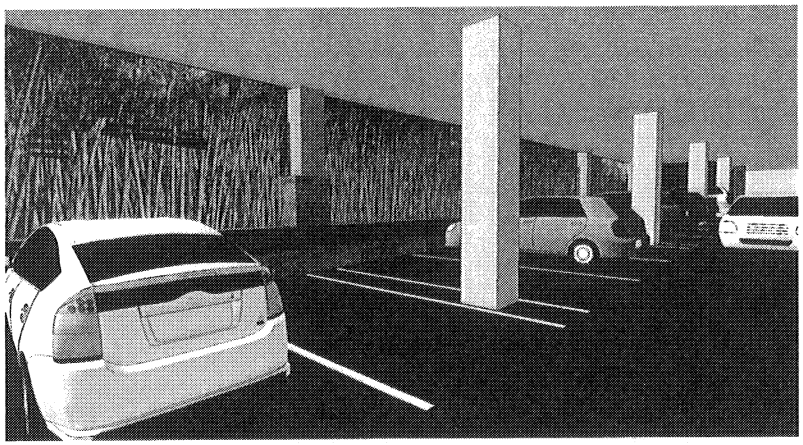
NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

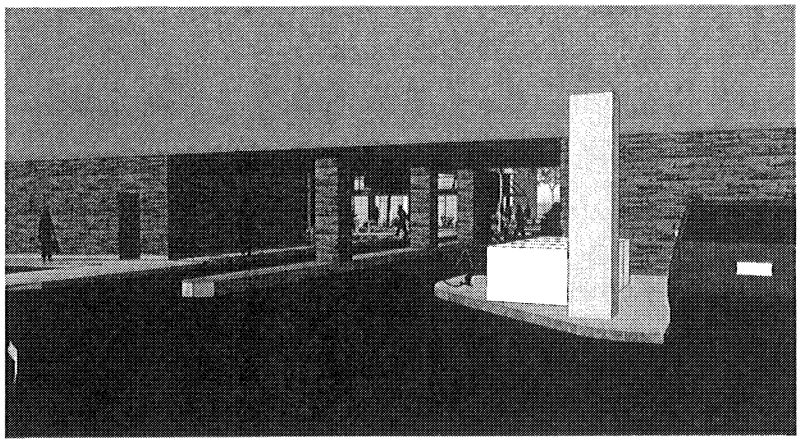
DATE: 06/24/12
DRAWN BY: TS/TV

PROJECT NUMBER 09-003
SHEET TITLE
PERSPECTIVE VIEWS

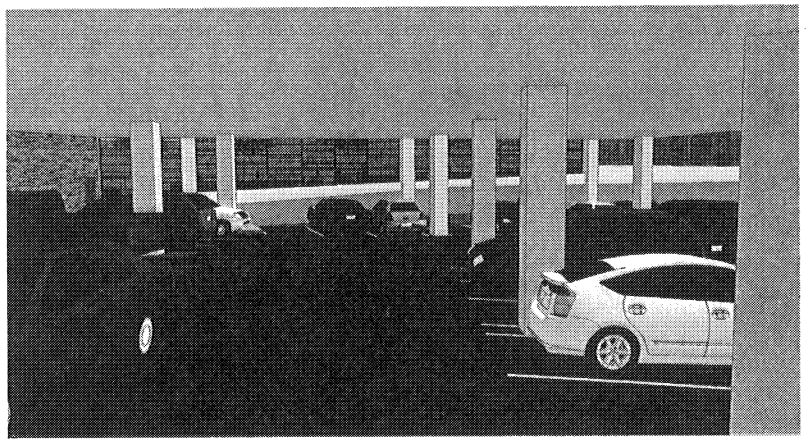
SHEET NUMBER
A10.2



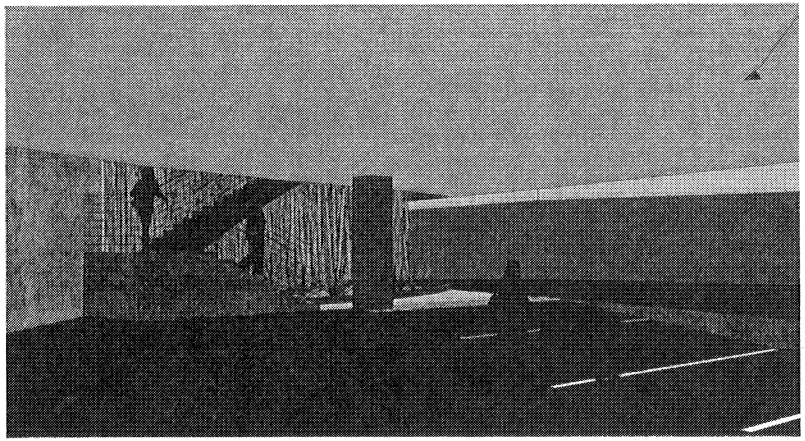
INTERIOR OF PARKING GARAGE ALONG CLAREMONT AVE.



INTERIOR OF PARKING GARAGE ALONG COLLEGE AVE. ENTRANCE / EXIT



INTERIOR OF PARKING GARAGE TOWARD NORTH NEIGHBOR



INTERIOR OF PARKING GARAGE AT CLAREMONT AVE. PEDESTRIAN ENTRANCE / EXIT

7/3/2012 9:30:02 AM

LOWNEY ARCHITECTURE

PROJECT NAME

SAFEWAY.

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	04.29.2009	COMMUNITY PRESENTATION	
2.	05.06.2009	PLANNING DEPT SUBMITTAL	
3.	07.28.2010	PLANNING REVISIONS 1	
4.	07.03.2012	PLANNING RESUBMITTAL	

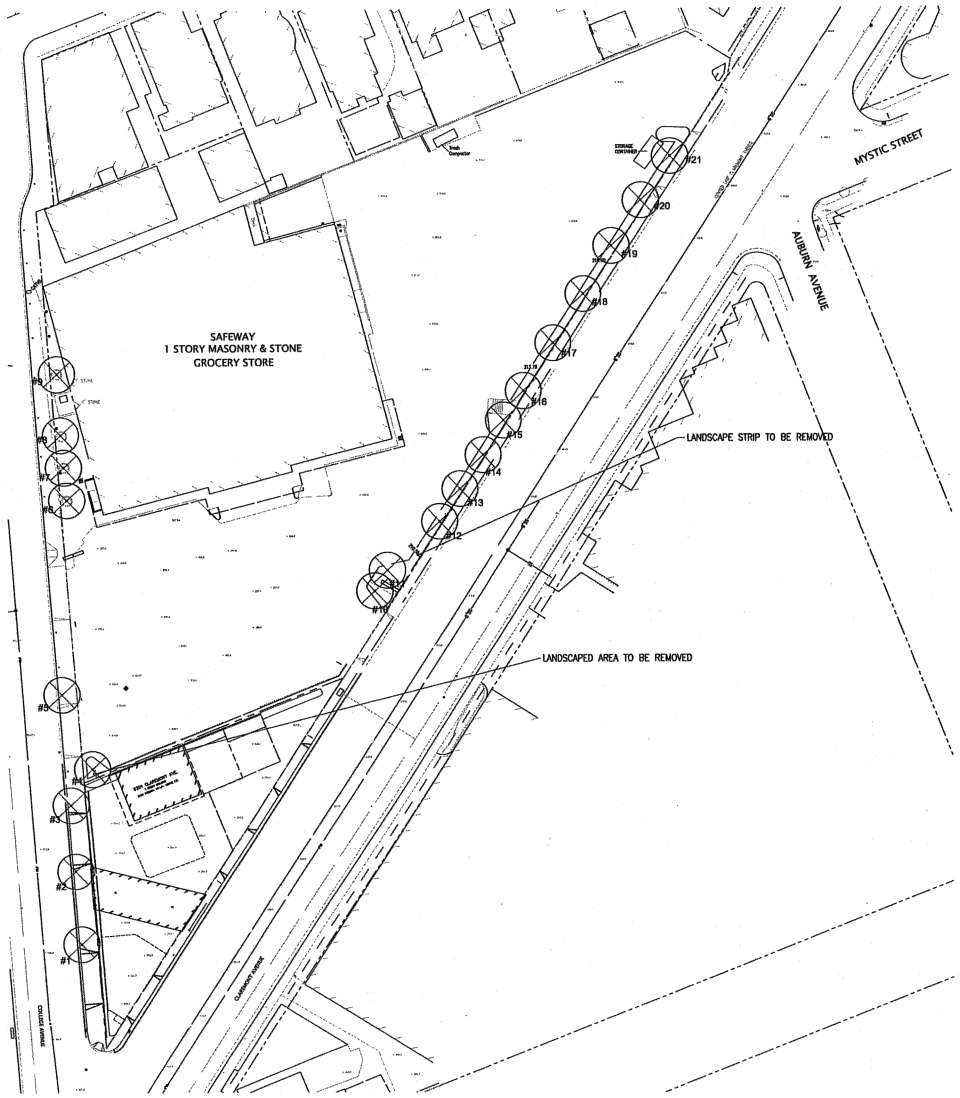
DATE: 06/24/12
DRAWN BY: TS/TV

PROJECT NUMBER 09-003
SHEET TITLE

PERSPECTIVE VIEWS

SHEET NUMBER

A10.3



TREE SURVEY		
TREES PROPOSED FOR REMOVAL		
#	SPECIES	DBH
1*	CALLISTEMON RIGIDUS	1'-1"
2*	CALLISTEMON RIGIDUS	0'-10"
3	CALLISTEMON RIGIDUS	0'-9"
4*	MAYTENUS BOARIA	1'-0"
5*	CALLISTEMON RIGIDUS	1'-0"
6	MAYTENUS BOARIA	0'-8"
7	MAYTENUS BOARIA	0'-8"
8	MAYTENUS BOARIA	0'-8"
9*	MAYTENUS BOARIA	1'-4"
10*	PINUS RADIATA	MULTI 4"-11"
11	PRUNUS CERASIFERA	0'-1"
12	MAGNOLIA GRANDIFLORA	0'-9"
13	PHOTINIA CRASSIFOLIA	MULTI 2"
14	MAGNOLIA GRANDIFLORA	0'-8"
15	PHOTINIA CRASSIFOLIA	MULTI 6"
16	MAGNOLIA GRANDIFLORA	0'-9"
17	MAGNOLIA GRANDIFLORA	0'-9"
18	MAGNOLIA GRANDIFLORA	0'-0"
19	MAGNOLIA GRANDIFLORA	0'-8"
20*	MAGNOLIA GRANDIFLORA	1'-0"
21	MAGNOLIA GRANDIFLORA	0'-9"

* INDICATES PROTECTED TREES THAT HAVE DBH THAT IS LARGER THAN 9" TO BE REMOVED

LEGEND:

TREES

TREES TO REMAIN

TREES TO BE REMOVED

NOTES

TOTAL NUMBER OF TREES TO REMAIN: 0
TOTAL NUMBER OF TREES TO BE REMOVED: 21
TOTAL NUMBER OF PROPOSED NEW TREES: 43

SEE PRELIMINARY LANDSCAPE PLAN L1.0 FOR PROPOSED NEW TREE LOCATIONS.

N

GRAPHIC SCALE

30 15 0 15 30 60 90

(IN FEET)

1 inch = 30 ft.

LOWNEY ARCHITECTURE
510.839.5400 LOWNEYarch.com

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

BRUCE JETT ASSOCIATES
landscape architects
CRLA #3335
510.523.0888 Fax: 510.523.0892
2470 Mariner Square Loop
Alameda CA 94501

REGISTERED LANDSCAPE ARCHITECT
BRUCE B. JETT
3335
Exp. 05/31/10
Date
STATE OF CALIFORNIA

NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	05.04.09	PLANNING DEPT. SUBMITTAL	

DATE:
DRAWN BY: EMJ

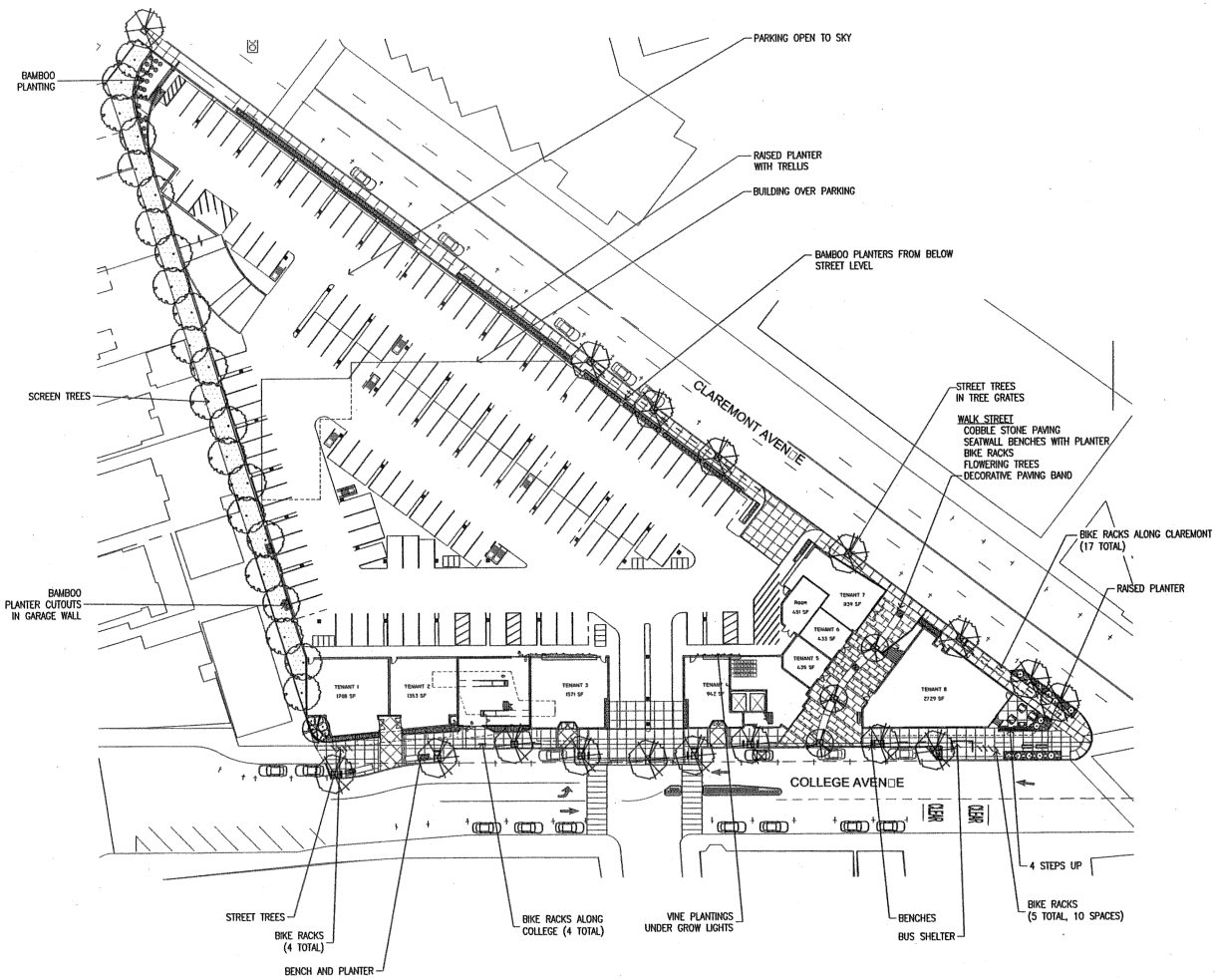
PROJECT NUMBER LOW 0902

SHEET TITLE

TREE SURVEY

SHEET NUMBER

L0.1



ALL EXISTING TREES ARE TO BE REMOVED. SEE SHEET L0.1

ALL PLANTING AREAS SHALL BE IRRIGATED PER THE "TURF AND LANDSCAPE IRRIGATION BEST MANAGEMENT PRACTICES" HANDBOOK, BY THE IRRIGATION ASSOCIATION - WATER MANAGEMENT COMMITTEE, UTILIZING A FULLY AUTOMATIC IRRIGATION SYSTEM WITH WATER CONSERVING METHODS IN CONFORMANCE WITH CITY OF OAKLAND CODES AND ORDINANCES.

ROOT BARRIERS SHALL BE PROVIDED FOR ALL TREES LOCATED WITHIN 4' OF SIDEWALKS, CURBS, OR WALLS.

STREET LIGHTING TO BE SELECTED AND LOCATED IN ACCORDANCE WITH THE CITY OF OAKLAND STANDARDS.

PLANT LIST (ALL SPECIES ARE TO BE APPROVED BY CITY LANDSCAPE SUPERVISOR)

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING
STREET TREES				
	CLAREMONT AVENUE			
	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	24" BOX	35' O.C.
	COLLEGE AVENUE			
	PLATANUS ACERIFOLIA	LONDON PLANE TREE	24" BOX	AS SHOWN
WALK STREET TREES				
	LAGERSTROEMIA INDICA	CRAPE MYRTLE	24" BOX	AS SHOWN
	PYRUS CALLERYANA	FLOWERING PEAR	24" BOX	AS SHOWN
SCREEN TREES				
	CELTIS SINENSIS	CHINESE HACKBERRY	24" BOX	AS SHOWN
	MAGNOLIA GRANDIFOLIA	SOUTHERN MAGNOLIA	24" BOX	AS SHOWN
	LOPHOSTEMON CONFERTUS	BRISBANE BOX	24" BOX	AS SHOWN
SHRUBS				
	PHORMIUM SPP.	NEW ZEALAND FLAX	5 GAL	5' O.C.
	DIETES VEGETA	FORTNIGHT LILY	5 GAL	3' O.C.
	PITTOSPORUM EUGENOIDES	NCN	15 GAL	AS SHOWN
	PITTOSPORUM TOBIRA	VARIEGATED TOBIRA	5 GAL	5' O.C.
	MYRTUS COMMUNIS	MYRTLE	5 GAL	4' O.C.
	EURYOPS PECTINATUS	YELLOW BUSH DAISY	5 GAL	4' O.C.
	ASPIDISTRA ELATIOR	CAST-IRON PLANT	5 GAL	4' O.C.
BAMBOO				
	PHYLLOSTACHYS AUREOSULCATA 'YELLOW GROVE'	YELLOW GROVE BAMBOO	30" BOX	4-6' O.C.
	PHYLLOSTACHYS NIGRA 'HENON'	BLACK BAMBOO	30" BOX	6-8'O.C.
MEDIAN PLANTING				
	HEMEROCALLIS HYBRID 'STELLA DE ORO'	HEMEROCALLIS HYBRID	1 GAL	2' O.C.
	NANDIA DOMESTICA 'WOODS DWARF'	NANDIA DOMESTICA 'WOODS DWARF'	1 GAL	2' O.C.
GROUND COVERS				
	LANTANA MONTEVIDENSIS	LANTANA	1 GAL	4' O.C.
	ROSA X CARPET 'NOATRUM'	CARPET ROSE	1 GAL	2' O.C.
	VINCA MINOR	PERIWINKLE		
VINES				
	FICUS PUMILA	CREEPING FIG	5 GAL	AS SHOWN

BIOSWALE MULCH

LEGEND

FURNITURE

- TREE GRATE - AT ALL STREET TREES
- BENCH
- BIKE RACK
- RAISED CONCRETE BENCH WITH PLANTER

PAVING

- SPECIALTY PAVING AT RETAIL ENTRIES
- SIDEWALK PAVING
- SPECIALTY PAVING AT PASEO
- SPECIALTY PAVING AT PASEO
- ACCENT BANDS

N

GRAPHIC SCALE

30 15 0 15 30 60 90

(IN FEET)

1 inch = 30 ft.

LOWNEY ARCHITECTURE
510.839.5400 LOWNEYarch.com

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

BRUCE JETT ASSOCIATES
landscape architects
4 Orinda Way, Suite 100
Orinda CA 94563
T) 925.254.5422
CELA # 3335

REGISTERED LANDSCAPE ARCHITECT
BRUCE B. JETT
3335
Exp. 05/31/14
Date 07/11/12
STATE OF CALIFORNIA

NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	05.04.09	PLANNING DEPT. SUBMITTAL	
2.	07.28.10	PLANNING REVISION 1	

DATE:
DRAWN BY: EMJ

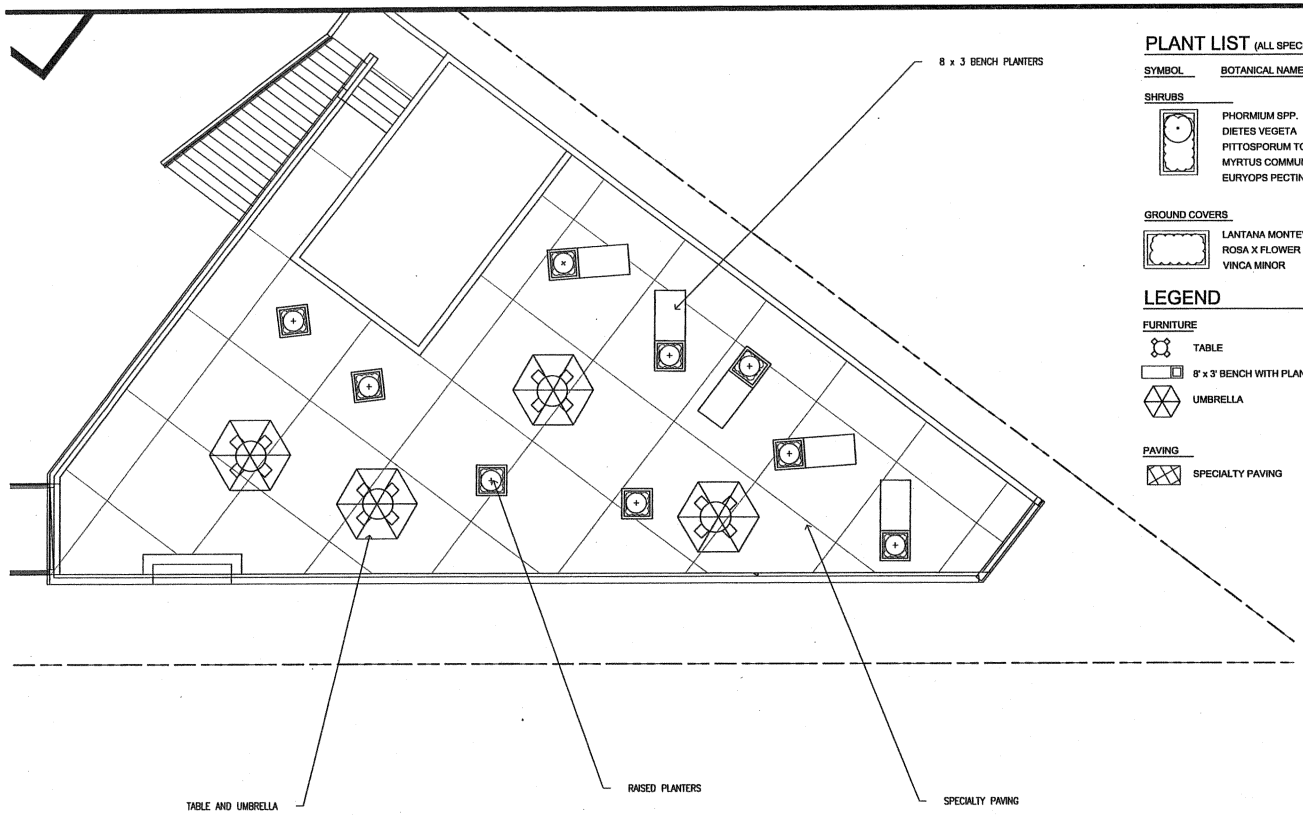
PROJECT NUMBER LOW 0902

SHEET TITLE

PRELIMINARY LANDSCAPE PLAN

SHEET NUMBER

L1.0



PLANT LIST (ALL SPECIES ARE TO BE APPROVED BY CITY LANDSCAPE SUPERVISOR)

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING
SHRUBS				
	PHORMIUM SPP.	NEW ZEALAND FLAX	5 GAL	5' O.C.
	DIETES VEGETA	FORTNIGHT LILY	5 GAL	3' O.C.
	PITTOSPORUM TOBIRA	VARIEGATED TOBIRA	5 GAL	5' O.C.
	MYRTUS COMMUNIS	MYRTLE	5 GAL	4' O.C.
	EURYOPS PECTINATUS	YELLOW BUSH DAISY	5 GAL	4' O.C.
GROUND COVERS				
	LANTANA MONTEVIDENSIS	LANTANA	1 GAL	4' O.C.
	ROSA X FLOWER CARPET 'NOATRUM'	CARPET ROSE	1 GAL	2' O.C.
	VINCA MINOR	PERIWINKLE		

LEGEND

FURNITURE

- TABLE
- 8' x 3' BENCH WITH PLANTER
- UMBRELLA

PAVING

- SPECIALTY PAVING

N

GRAPHIC SCALE

5.3 2.6 0 2.5 5 10 15

(IN FEET)

3/16" = 1'-0"

LOWNEY ARCHITECTURE
510.836.5410 LOWNEYarch.com

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

BRUCE JETT ASSOCIATES
landscape architects
CRLA #3335
510.523.0988 Fax: 510.523.0992
2470 Mariner Square Loop
Alameda CA 94501

REGISTERED LANDSCAPE ARCHITECT
BRUCE B. JETT
3335
Exp. 05/31/10
Date
STATE OF CALIFORNIA

NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	05.04.09	PLANNING DEPT. SUBMITTAL	

DATE:
DRAWN BY: EMJ

PROJECT NUMBER LOW 0902

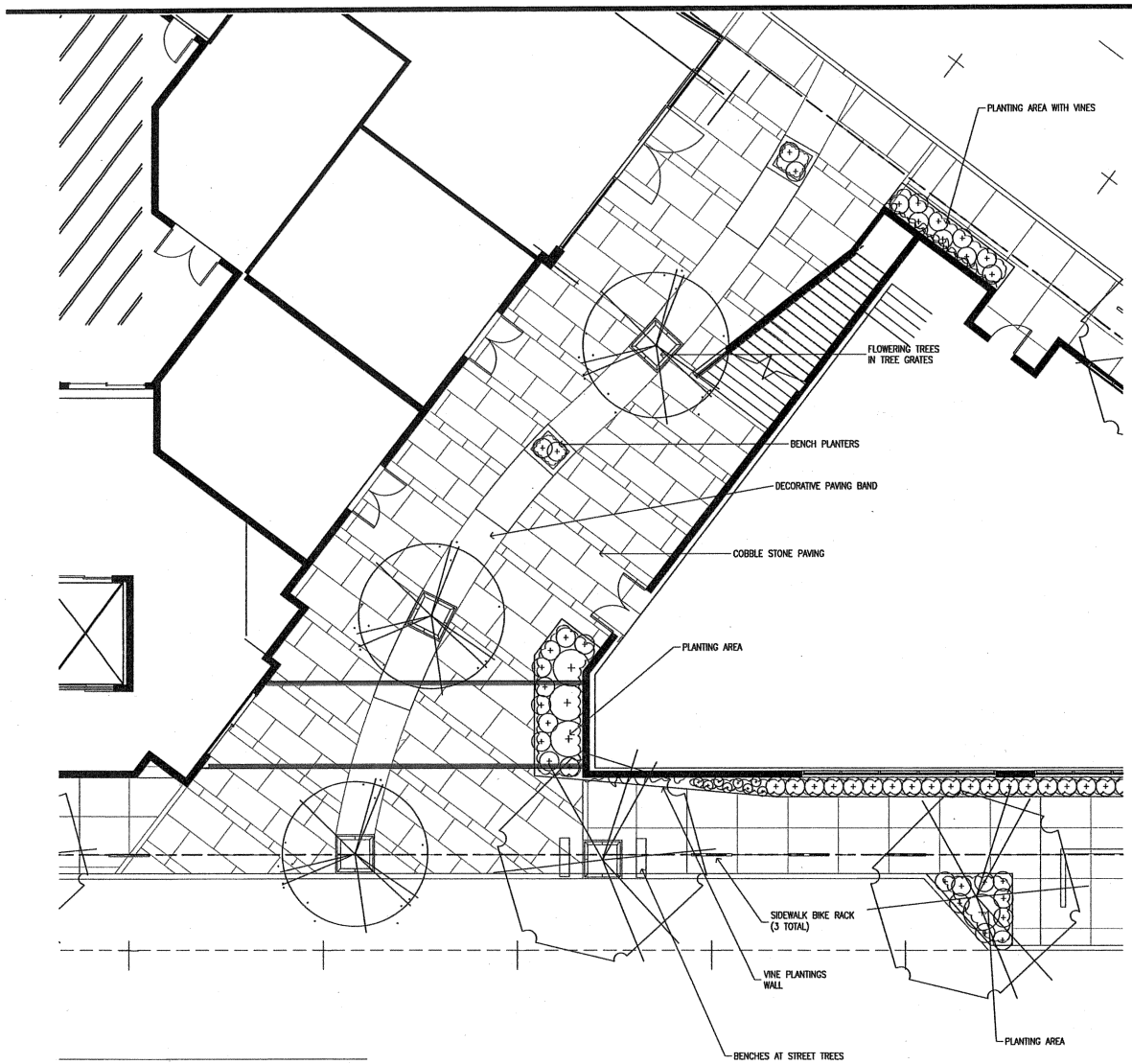
SHEET TITLE

PRELIMINARY ROOF GARDEN PLAN

SHEET NUMBER

L1.1

01 January 2009



PLANT LIST (ALL SPECIES ARE TO BE APPROVED BY CITY LANDSCAPE SUPERVISOR)

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING
STREET TREES				
	CLAREMONT AVENUE			
	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	24" BOX	35' O.C.
	COLLEGE AVENUE			
	PLATANUS ACERIFOLIA	LONDON PLANE TREE	24" BOX	AS SHOWN
WALK STREET TREES				
	LAGERSTROEMIA INDICA	CRAPE MYRTLE	24" BOX	AS SHOWN
	PYRUS CALLERYANA	FLOWERING PEAR	24" BOX	AS SHOWN
SCREEN TREES				
	CELTIS SINENSIS	CHINESE HACKBERRY	24" BOX	AS SHOWN
	MAGNOLIA GRANDIFOLIA	SOUTHERN MAGNOLIA	24" BOX	AS SHOWN
	LOPHOSTEMON CONFERTUS	BRISBANE BOX	24" BOX	AS SHOWN
SHRUBS				
	PHORMIUM SPP.	NEW ZEALAND FLAX	5 GAL	5' O.C.
	DIETES VEGETA	FORTNIGHT LILY	5 GAL	3' O.C.
	PITTOSPORUM EUGENOIDES	NCN	15 GAL	AS SHOWN
	PITTOSPORUM TOBIRA	VARIEGATED TOBIRA	5 GAL	5' O.C.
	MYRTUS COMMUNIS	MYRTLE	5 GAL	4' O.C.
	EURYOPS PECTINATUS	YELLOW BUSH DAISY	5 GAL	4' O.C.
	ASPIDISTRA ELATIOR	CAST-IRON PLANT	5 GAL	4' O.C.
BAMBOO				
	PHYLLOSTACHYS AUREOSULCATA 'YELLOW GROVE'	YELLOW GROVE BAMBOO	30" BOX	4-6' O.C.
	PHYLLOSTACHYS NIGRA 'HENON'	BLACK BAMBOO	30" BOX	6-8'O.C.
GROUND COVERS				
	LANTANA MONTEVIDENSIS	LANTANA	1 GAL	4' O.C.
	ROSA X CARPET 'NOATRUM'	CARPET ROSE	1 GAL	2' O.C.
	VINCA MINOR	PERIWINKLE		
VINES				
	FICUS PUMILA	CREEPING FIG	5 GAL	AS SHOWN

MULCH

LEGEND

FURNITURE

- TREE GRATE - AT ALL STREET TREES
- BENCH
- BIKE RACK

PAVING

- SPECIALTY PAVING AT RETAIL ENTRY'S
- SIDEWALK PAVING
- SPECIALTY PAVING AT PASEO
- SPECIALTY PAVING AT PASEO
- ACCENT BANDS

N

GRAPHIC SCALE

5 2.5 0 2.5 5 10 15

(IN FEET)

3/16" = 1'-0"

LOWNEY ARCHITECTURE

510.839.5400 LOWNEYarch.com

PROJECT NAME

SAFEWAY™

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2981
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

BRUCE JETT ASSOCIATES
landscape architects
CRLA #3335
510.523.0956 Fax: 510.523.0992
2470 Mariner Square Loop
Alameda CA 94501

REGISTERED LANDSCAPE ARCHITECT
BRUCE B. JETT
3335
Exp. 05/31/10
Date
STATE OF CALIFORNIA

NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	05.04.09	PLANNING DEPT. SUBMITTAL	

DATE:
DRAWN BY: EMJ

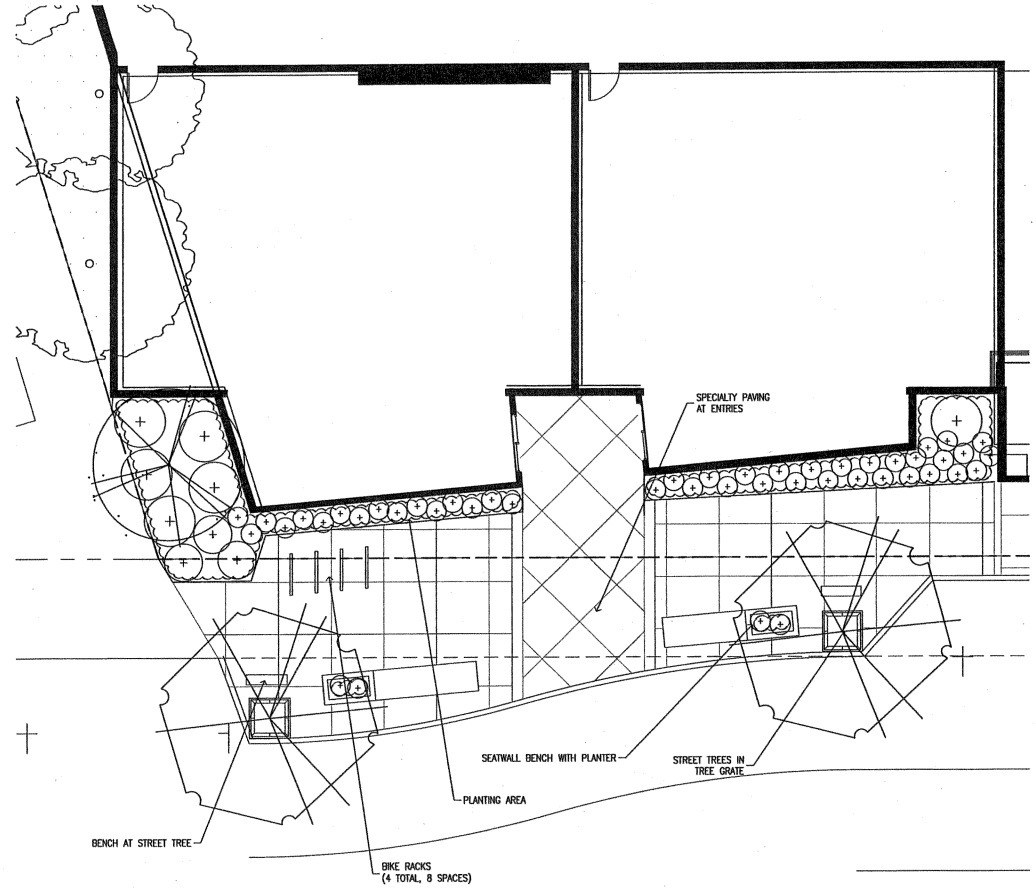
PROJECT NUMBER LOW 0901

SHEET TITLE

ENLARGED STREET WALK PLAN

SHEET NUMBER

L1.2



PLANT LIST (ALL SPECIES ARE TO BE APPROVED BY CITY LANDSCAPE SUPERVISOR)

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING
STREET TREES				
	CLAREMONT AVENUE			
	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	24" BOX	35' O.C.
	COLLEGE AVENUE			
	PLATANUS ACERIFOLIA	LONDON PLANE TREE	24" BOX	AS SHOWN
WALK STREET TREES				
	LAGERSTROEMIA INDICA	CRAPE MYRTLE	24" BOX	AS SHOWN
	PYRUS CALLERYANA	FLOWERING PEAR	24" BOX	AS SHOWN
SCREEN TREES				
	CELTIS SINENSIS	CHINESE HACKBERRY	24" BOX	AS SHOWN
	MAGNOLIA GRANDIFOLIA	SOUTHERN MAGNOLIA	24" BOX	AS SHOWN
	LOPHOSTEMON CONFERTUS	BRISBANE BOX	24" BOX	AS SHOWN
SHRUBS				
	PHORMIUM SPP.	NEW ZEALAND FLAX	5 GAL	5' O.C.
	DIETES VEGETA	FORTNIGHT LILY	5 GAL	3' O.C.
	PITTOSPORUM EUGENOIDES	NCN	15 GAL	AS SHOWN
	PITTOSPORUM TOBIRA	VARIEGATED TOBIRA	5 GAL	5' O.C.
	MYRTUS COMMUNIS	MYRTLE	5 GAL	4' O.C.
	EURYOPS PECTINATUS	YELLOW BUSH DAISY	5 GAL	4' O.C.
	ASPIDISTRA ELATIOR	CAST-IRON PLANT	5 GAL	4' O.C.
BAMBOO				
	PHYLLOSTACHYS AUREOSULCATA 'YELLOW GROVE'	YELLOW GROVE BAMBOO	30" BOX	4-6' O.C.
	PHYLLOSTACHYS NIGRA 'HENON'	BLACK BAMBOO	30" BOX	6-8'O.C.
GROUND COVERS				
	LANTANA MONTEVIDENSIS	LANTANA	1 GAL	4' O.C.
	ROSA X CARPET 'NOATRUM'	CARPET ROSE	1 GAL	2' O.C.
	VINCA MINOR	PERIWINKLE		
VINES				
	FICUS PUMILA	CREEPING FIG	5 GAL	AS SHOWN

MULCH

LEGEND

FURNITURE

- TREE GRATE - AT ALL STREET TREES
- BENCH
- BIKE RACK

PAVING

- SPECIALTY PAVING AT RETAIL ENTRY'S
- SIDEWALK PAVING
- SPECIALTY PAVING AT PASEO
- SPECIALTY PAVING AT PASEO
- ACCENT BANDS

N

GRAPHIC SCALE

5 2.5 0 2.5 5 10 15

(IN FEET)

3/16" = 1'-0"

LOWNEY ARCHITECTURE

Transforming Ideas Into Strength

510 836 5700 LOWNEYarch.com

PROJECT NAME

SAFEWAY™

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2961
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

BRUCE JETT ASSOCIATES
landscape architects
CSLA #3335
510.523.0668 Fax: 510.523.0693
2470 Mariner Square Loop
Alameda CA 94501

REGISTERED LANDSCAPE ARCHITECT
BRUCE B. JETT
3335
Exp. 06/31/10
Date
STATE OF CALIFORNIA

NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	05.04.09	PLANNING DEPT. SUBMITTAL	

DATE:
DRAWN BY: EMJ

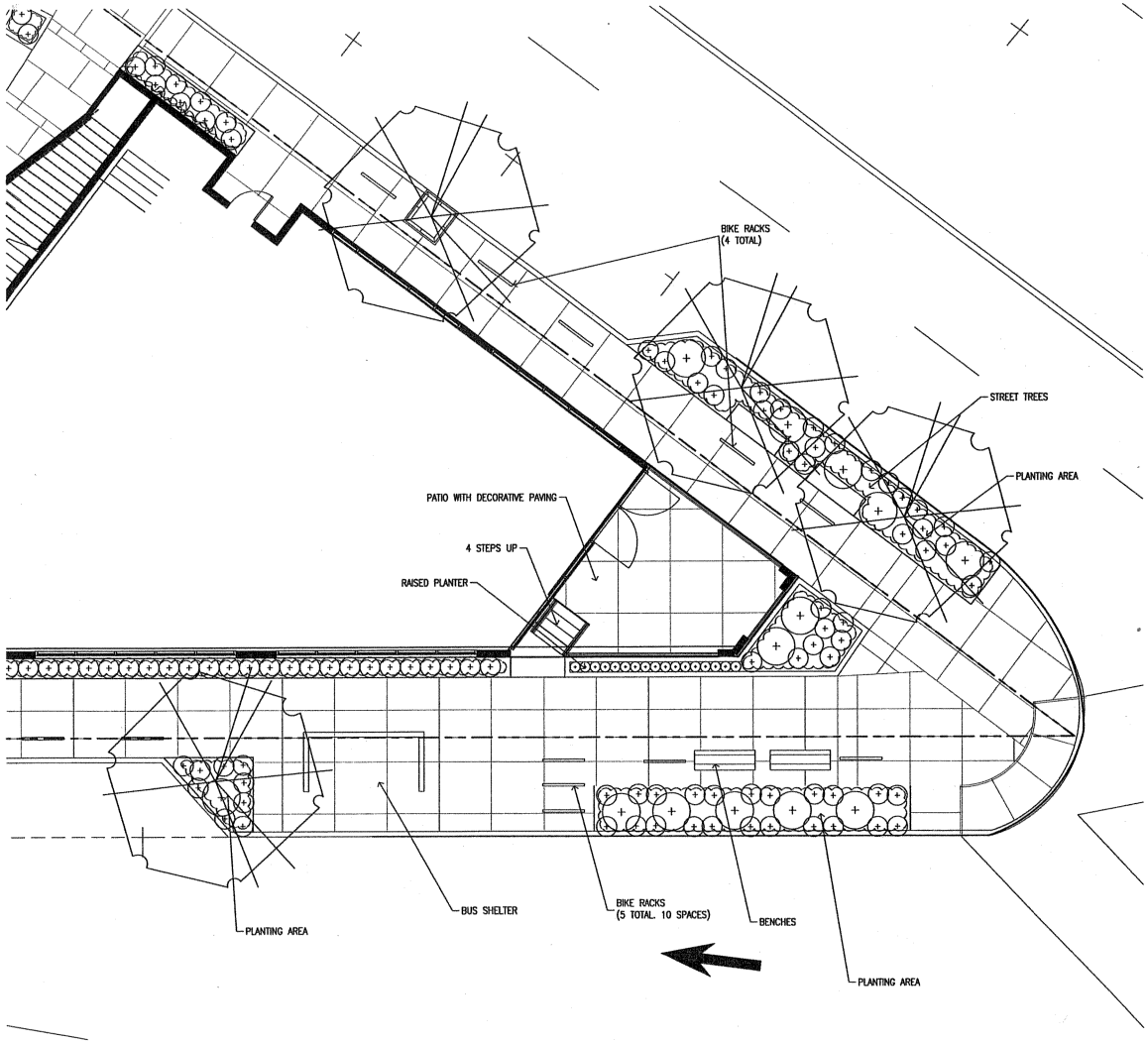
PROJECT NUMBER LOW 0902

SHEET TITLE

ENLARGED RETAIL CORNER PLAN

SHEET NUMBER

L1.3



PLANT LIST (ALL SPECIES ARE TO BE APPROVED BY CITY LANDSCAPE SUPERVISOR)

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING
STREET TREES				
	CLAREMONT AVENUE			
	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	24" BOX	35' O.C.
	COLLEGE AVENUE			
	PLATANUS ACERIFOLIA	LONDON PLANE TREE	24" BOX	AS SHOWN
WALK STREET TREES				
	LAGERSTROEMIA INDICA	CRAPE MYRTLE	24" BOX	AS SHOWN
	PYRUS CALLERYANA	FLOWERING PEAR	24" BOX	AS SHOWN
SCREEN TREES				
	CELTIS SINENSIS	CHINESE HACKBERRY	24" BOX	AS SHOWN
	MAGNOLIA GRANDIFOLIA	SOUTHERN MAGNOLIA	24" BOX	AS SHOWN
	LOPHOSTEMON CONFERTUS	BRISBANE BOX	24" BOX	AS SHOWN
SHRUBS				
	PHORMIUM SPP.	NEW ZEALAND FLAX	5 GAL	5' O.C.
	DIETES VEGETA	FORTNIGHT LILY	5 GAL	3' O.C.
	PITTOSPORUM EUGENOIDES	NCN	15 GAL	AS SHOWN
	PITTOSPORUM TOBIRA	VARIEGATED TOBIRA	5 GAL	5' O.C.
	MYRTUS COMMUNIS	MYRTLE	5 GAL	4' O.C.
	EURYOPS PECTINATUS	YELLOW BUSH DAISY	5 GAL	4' O.C.
	ASPIDISTRA ELATIOR	CAST-IRON PLANT	5 GAL	4' O.C.
BAMBOO				
	PHYLLOSTACHYS AUREOSULCATA 'YELLOW GROVE'	YELLOW GROVE BAMBOO	30" BOX	4-6' O.C.
	PHYLLOSTACHYS NIGRA 'HENON'	BLACK BAMBOO	30" BOX	6-8'O.C.
GROUND COVERS				
	LANTANA MONTEVIDENSIS	LANTANA	1 GAL	4' O.C.
	ROSA X CARPET 'NOATRUM'	CARPET ROSE	1 GAL	2' O.C.
	VINCA MINOR	PERIWINKLE		
VINES				
	FICUS PUMILA	CREEPING FIG	5 GAL	AS SHOWN
	MULCH			

LEGEND

FURNITURE

- TREE GRATE - AT ALL STREET TREES
- BENCH
- BIKE RACK

PAVING

- SPECIALTY PAVING AT RETAIL ENTRY'S
- SIDEWALK PAVING
- SPECIALTY PAVING AT PASEO
- SPECIALTY PAVING AT PASEO
- ACCENT BANDS

N

GRAPHIC SCALE

5 2.5 0 2.5 5 10 15

(IN FEET)

3/16" = 1'-0"

LOWNEY ARCHITECTURE
MACHADO & SILVETTI ASSOCIATES
510.839.5100 LOWNEY@ms.com

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2861
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

BRUCE JETT ASSOCIATES
landscape architects
CRLA #3335
510.523.0898 Fax: 510.523.0092
2470 Mariner Square Loop
Alameda CA 94501

REGISTERED LANDSCAPE ARCHITECT
BRUCE B. JETT
3335
Exp. 05/31/10
Date
STATE OF CALIFORNIA

NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	05.04.09	PLANNING DEPT. SUBMITTAL	

DATE:
DRAWN BY: EMJ

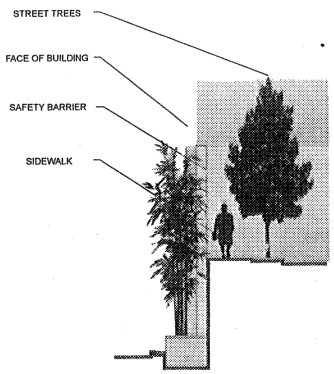
PROJECT NUMBER LOW 0902

SHEET TITLE

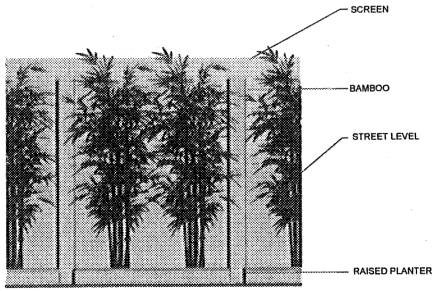
ENLARGED COLLEGE AND CLAREMONT CORNER PLAN

SHEET NUMBER

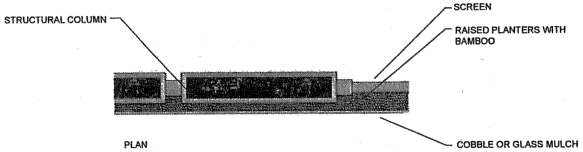
L1.4



SECTION AT CLAREMONT



ELEVATION INSIDE GARAGE

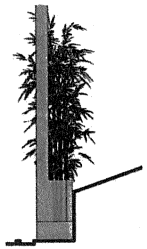


PLAN

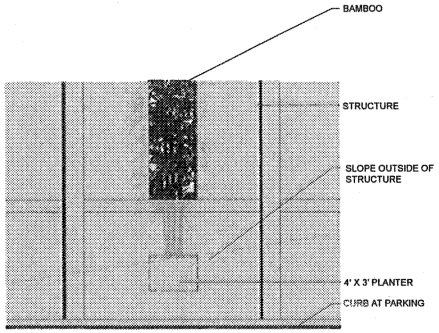
BAMBOO AT CLAREMONT

SECTION

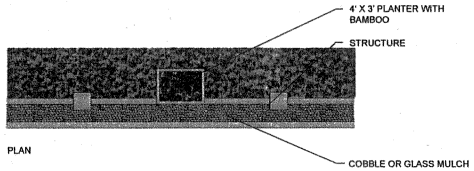
SCALE: 1/4"=1'-0"



SECTION



ELEVATION INSIDE GARAGE



PLAN

BAMBOO NORTH OF GARAGE

SECTION

SCALE: 1/4"=1'-0"

LOWNEY ARCHITECTURE

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.3981
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

BRUCE JETT ASSOCIATES
landscape architects
CRLA #3335
510.523.0666 Fax: 510.523.0692
2470 Mariner Square Loop
Alameda CA 94501

REGISTERED LANDSCAPE ARCHITECT
BRUCE B. JETT
3335
Exp. 05/31/10
Date
STATE OF CALIFORNIA

NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	05.04.09	PLANNING DEPT. SUBMITTAL	

DATE:
DRAWN BY: EMJ

PROJECT NUMBER LOW 0902

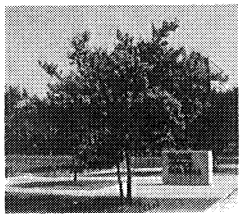
SHEET TITLE

SECTIONS AND ELEVATIONS

SHEET NUMBER

L1.5

PASEO TREES

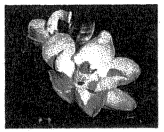


LAGERSTROEMIA INDICA
CRAPE MYRTLE

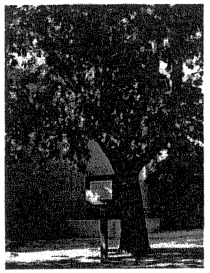
SCREEN TREES

LOPHOSTEMON CONFERTUS
BRISBANE BOX

STREET TREES



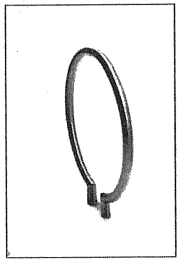
MAGNOLIA GRANDIFLORA
SOUTHERN MAGNOLIA



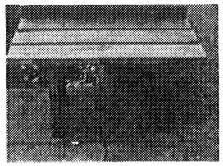
PLANTANUS ACERFOLIA
LONDON PLANE TREE

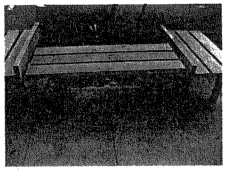
SITE FURNISHINGS

BIKE RACKS

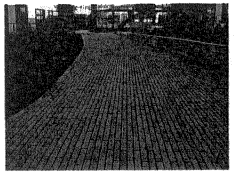


BENCHES AT STREET TREES

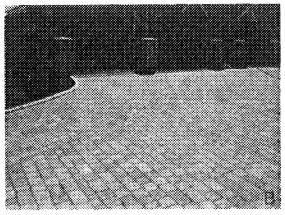


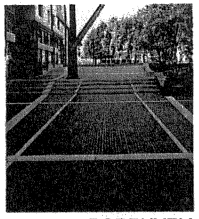


PAVING

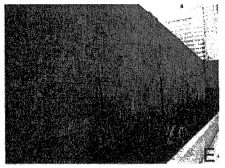


STEPSTONE
Modular Linear Paver

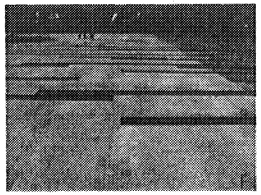




PORPHYRY
Image above for texture
NOT color



Black Basalt at "S" Band



LOWNEY ARCHITECTURE
310 Sansome Street, San Francisco, CA 94104
415 956 5555 LOWNEYarch.com

PROJECT NAME

SAFEWAY

6310 COLLEGE AVENUE
OAKLAND, CA 94618
STORE #2870

CURRENT OWNER: SAFEWAY
TENANT: SAFEWAY
STORE NUMBER: 2870

CONTACT PERSON:
TODD PARADIS
5918 STONERIDGE MALL ROAD
PLEASANTON, CA 94588-3229
P) 925.467.2078
F) 925.467.2981
E-MAIL - Todd.Paradis@safeway.com

ASSESSOR'S PARCEL NUMBER: 048A707000101

CONSULTANTS

BRUCE JETT ASSOCIATES
landscape architects
CBLA #3335
510.523.0888 Fax: 510.523.0992
2470 Mariner Square Loop
Alameda CA 94501

REGISTERED LANDSCAPE ARCHITECT
BRUCE B. JETT
3335
Exp. 05/31/10
Date
STATE OF CALIFORNIA

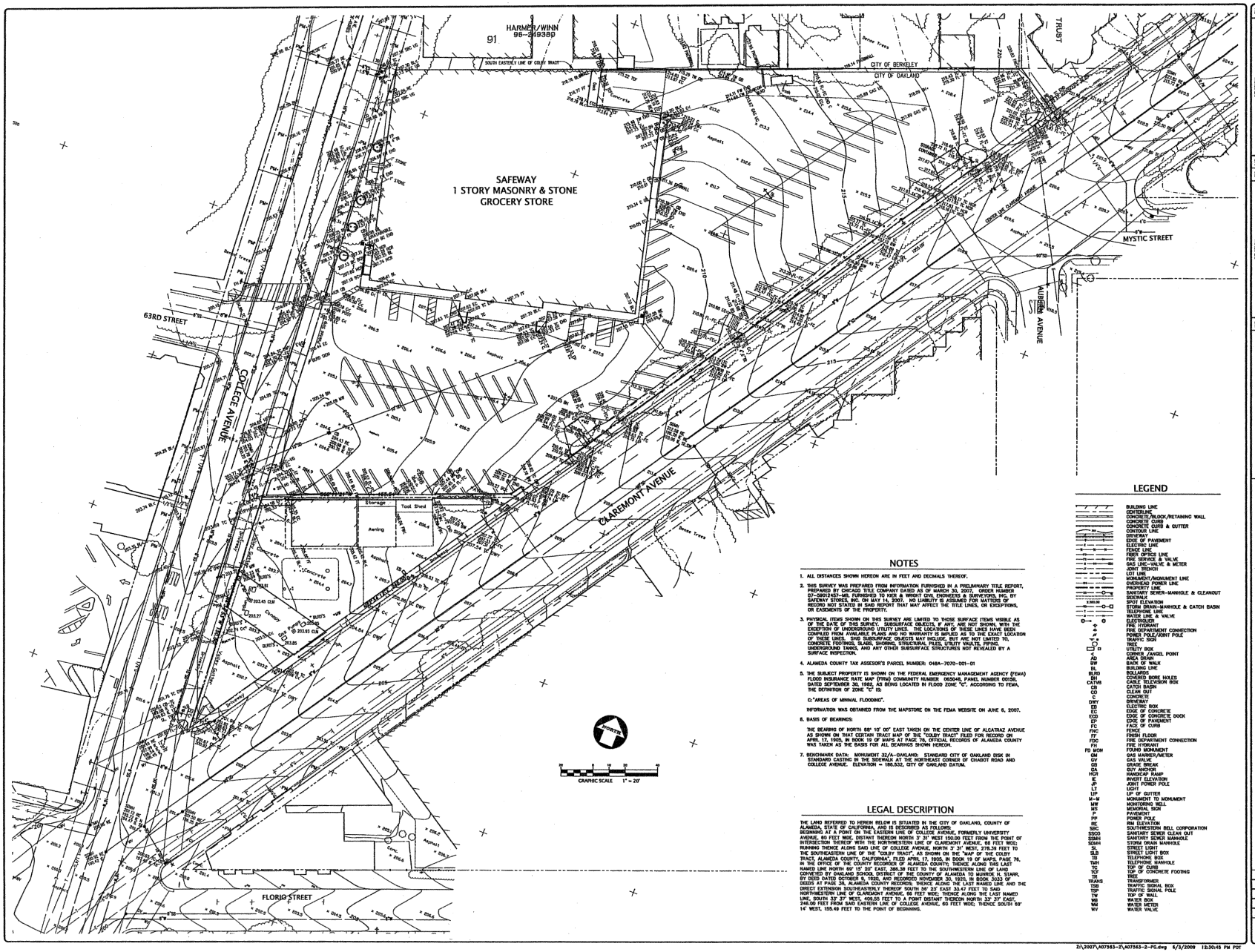
NOT FOR CONSTRUCTION

NO.	DATE	ISSUES AND REVISIONS	BY
1.	05.04.09	PLANNING DEPT. SUBMITTAL	

DATE:
DRAWN BY: EMJ

PROJECT NUMBER LOW 0902
SHEET TITLE
SITE MATERIALS

SHEET NUMBER
L1.6



LEGEND

	BUILDING LINE
	CENTERLINE
	CONCRETE/BLOCK/RETAINING WALL
	CONCRETE CURB
	CONCRETE CURB & GUTTER
	CONTOUR LINE
	DRIVEWAY
	EDGE OF PAVEMENT
	EASEMENT LINE
	FENCE LINE
	FIBER OPTICS LINE
	FIRE SERVICE & VALVE
	GAS LINE-VALVE & METER
	JOINT TRENCH
	LOT LINE
	MONUMENT/MONUMENT LINE
	OVERHEAD POWER LINE
	PROPERTY LINE
	SANITARY SEWER-MANHOLE & CLEANOUT
	SIDEWALK
3.96	STORM ELEVATION
	STORM DRAIN-MANHOLE & CATCH BASIN
	TELEPHONE LINE
	WATER LINE & VALVE
	ELECTROLIER
	FIRE HYDRANT
	FIRE DEPARTMENT CONNECTION
	POWER POLE/JOINT POLE
	TRAFFIC SIGN
	TREE
	UTILITY BOX
	CORNER /ANGEL POINT
AD	AREA DRAIN
BW	BACK OF WALK
BL	BUILDING LINE
BLRD	BOLLARDS
BH	COVERED BORE HOLES
CATVB	CABLE TELEVISION BOX
CB	CATCH BASIN
CO	CLEAN OUT
C	CONCRETE
DWY	DRIVEWAY
EB	ELECTRIC BOX
EC	EDGE OF CONCRETE
ECD	EDGE OF CONCRETE DOCK
EP	EDGE OF PAVEMENT
FC	FACE OF CURB
FNC	FENCE
FF	FINISH FLOOR
FDC	FIRE DEPARTMENT CONNECTION
FH	FIRE HYDRANT
FD MON	FOUND MONUMENT
GM	GAS MARKER/METER
GV	GAS VALVE
GB	GRADE BREAK
GA	GUY ANCHOR
HCR	HANDICAP RAMP
IE	INVERT ELEVATION
LP	LIGHT POWER POLE
LT	LIGHT
LIP	LIP OF GUTTER
M-M	MONUMENT TO MONUMENT
MW	MONITORING WELL
MS	MEMORIAL SIGN
P	PAVEMENT
PP	POWER POLE
RE	RIM ELEVATION
SBC	SOUTHWESTERN BELL CORPORATION
SSCO	SANITARY SEWER CLEAN OUT
SSMH	SANITARY SEWER MANHOLE
SDMH	STORM DRAIN MANHOLE
SL	STREET LIGHT
SLB	STREET LIGHT BOX
TB	TELEPHONE BOX
TMH	TELEPHONE MANHOLE
TC	TOP OF CURB
TG	TOP OF CONCRETE FOOTING
TR	TREE
TRANS	TRANSFORMER
TSB	TRAFFIC SIGNAL BOX
TSP	TRAFFIC SIGNAL POLE
TW	TOP OF WALL
WB	WATER BOX
WM	WATER METER
WV	WATER VALVE

NOTES

1. ALL DISTANCES SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
2. THIS SURVEY WAS PREPARED FROM INFORMATION FURNISHED IN A PRELIMINARY TITLE REPORT, PREPARED BY CHICAGO TITLE COMPANY DATED AS OF MARCH 30, 2007, ORDER NUMBER 07-5901245T-MB, FURNISHED TO KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS, INC. BY SAFEWAY STORES, INC. ON MAY 14, 2007. NO LIABILITY IS ASSUMED FOR MATTERS OF RECORD NOT STATED IN SAID REPORT THAT MAY AFFECT THE TITLE LINES, OR EXCEPTIONS, OR EASEMENTS OF THE PROPERTY.
3. PHYSICAL ITEMS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE SURFACE ITEMS VISIBLE AS OF THE DATE OF THIS SURVEY. SUBSURFACE OBJECTS, IF ANY, ARE NOT SHOWN, WITH THE EXCEPTION OF UNDERGROUND UTILITY LINES. THE LOCATIONS OF THESE LINES HAVE BEEN COMPILED FROM AVAILABLE PLANS AND NO WARRANTY IS IMPLIED AS TO THE EXACT LOCATION OF THE LINES SHOWN. SUBSURFACE OBJECTS MAY INCLUDE, BUT ARE NOT LIMITED TO, CONCRETE FOOTINGS, ABANDONED STRUCTURES, PRESSURE UTILITY VAULTS, FUEL UNDERGROUND TANKS, AND ANY OTHER SUBSURFACE STRUCTURES NOT REVEALED BY A SURFACE INSPECTION.
4. ALAMEDA COUNTY TAX ASSESSOR'S PARCEL NUMBER: 048A-7070-001-01
5. THE SUBJECT PROPERTY IS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY NUMBER 065048, PANEL NUMBER 00106, DATED SEPTEMBER 30, 1982, AS BEING LOCATED IN FLOOD ZONE "C". ACCORDING TO FEMA, THE DEFINITION OF ZONE "C" IS:

   C: "AREAS OF MINIMAL FLOODING".

   INFORMATION WAS OBTAINED FROM THE MAPSTORE ON THE FEMA WEBSITE ON JUNE 6, 2007.
6. BASIS OF BEARINGS:

   THE BEARING OF NORTH 88° 10' 00" EAST TAKEN ON THE CENTER LINE OF ALCATRAZ AVENUE AS SHOWN ON THAT CERTAIN TRACT MAP OF THE "COLBY TRACT" FILED FOR RECORD ON APRIL 17, 1905, IN BOOK 19 OF MAPS AT PAGE 76, OFFICIAL RECORDS OF ALAMEDA COUNTY WAS TAKEN AS THE BASIS FOR ALL BEARINGS SHOWN HEREON.
7. BENCHMARK DATA: MONUMENT 32/A-OAKLAND: STANDARD CITY OF OAKLAND DISK IN STANDARD CASTING IN THE SIDEWALK AT THE NORTHEAST CORNER OF CHABOT ROAD AND COLLEGE AVENUE. ELEVATION = 180.532, CITY OF OAKLAND DATUM.

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE EASTERN LINE OF COLLEGE AVENUE, FORMERLY UNIVERSITY AVENUE, 60 FEET WIDE, DISTANT THEREON NORTH 3° 31' WEST 150.09 FEET FROM THE POINT OF INTERSECTION THEREOF WITH THE NORTHWESTERN LINE OF CLAREMONT AVENUE, 66 FEET WIDE; RUNNING THENCE ALONG SAID LINE OF COLLEGE AVENUE, NORTH 3° 31' WEST, 278.35 FEET TO THE SOUTHEASTERN LINE OF THE "COLBY TRACT", AS SHOWN ON THE "MAP OF THE COLBY TRACT, ALAMEDA COUNTY, CALIFORNIA", FILED APRIL 17, 1905, IN BOOK 19 OF MAPS, PAGE 76, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY; THENCE ALONG THIS LAST NAMED LINE NORTH 69° 13' 20" EAST, 386.39 FEET TO THE SOUTHWESTERN LINE OF LAND CONVEYED BY OAKLAND SCHOOL DISTRICT OF THE COUNTY OF ALAMEDA TO MUNROE H. STARR, BY DEED DATED OCTOBER 9, 1920, AND RECORDED NOVEMBER 30, 1920, IN BOOK 3033 OF DEEDS AT PAGE 38, ALAMEDA COUNTY RECORDS; THENCE ALONG THE LAST NAMED LINE AND THE DIRECT EXTENSION SOUTHEASTERLY THEREOF SOUTH 34° 33' EAST 33.47 FEET TO SAID NORTHWESTERN LINE OF CLAREMONT AVENUE, 66 FEET WIDE; THENCE ALONG THE LAST NAMED LINE, SOUTH 33° 37' WEST, 409.20 FEET TO A POINT DISTANT THEREON NORTH 33° 37' EAST, 248.00 FEET FROM SAID EASTERN LINE OF COLLEGE AVENUE, 60 FEET WIDE; THENCE SOUTH 89° 14' WEST, 155.49 FEET TO THE POINT OF BEGINNING.

NO.	REVISION	BY	NO.	REVISION	BY

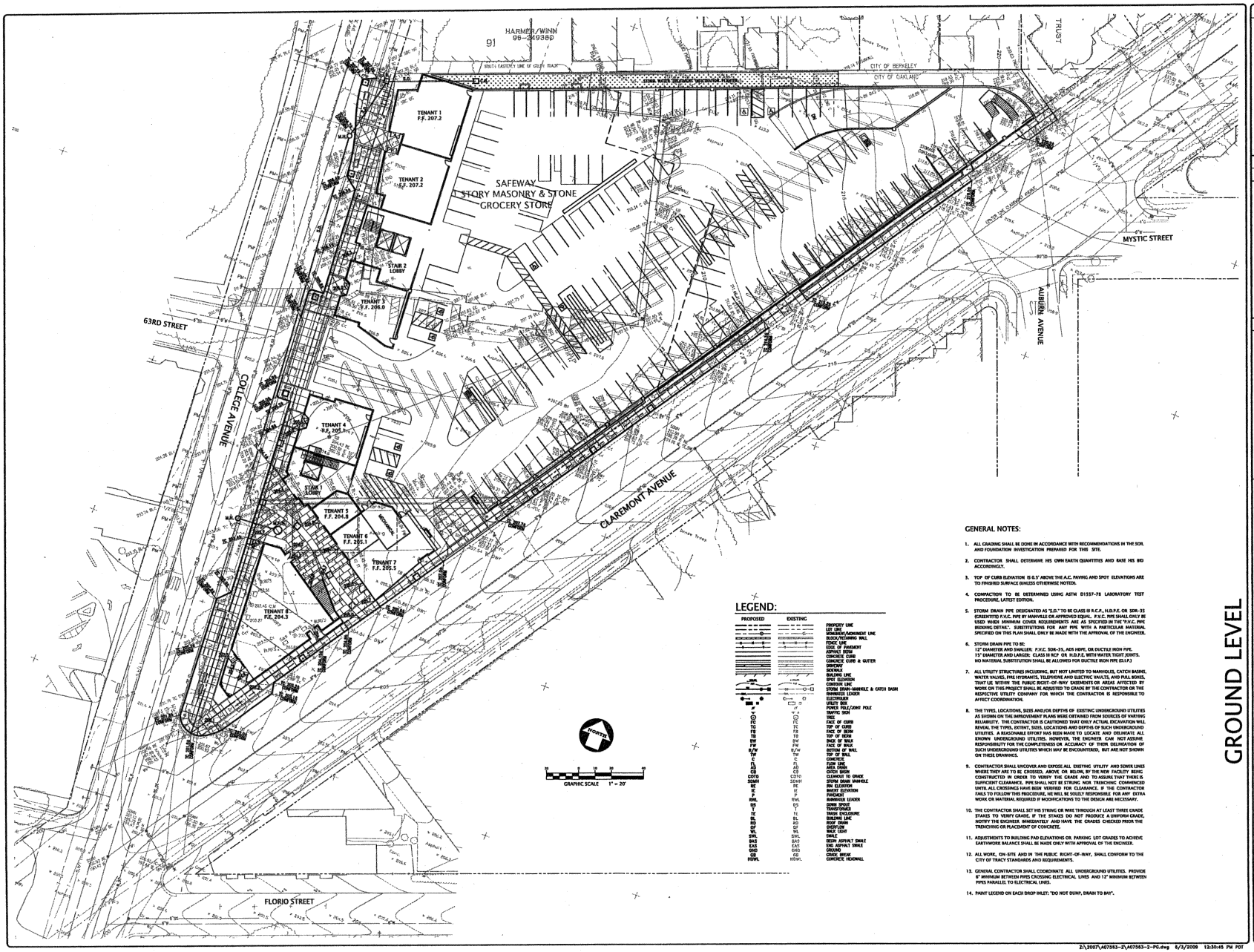
KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
2850 Collier Canyon Road
Pleasanton, California 94566
(925) 245-8788
Fax (925) 245-8789

BOUNDARY, TOPOGRAPHIC & UTILITY SURVEY
6310 COLLEGE AVENUE
SAFEWAY STORES INCORPORATED

OAKLAND CALIFORNIA

DATE	06/01/2009
SCALE	1" = 20'
SURVEYOR	A.C.K.
DRAFTER	R.E.G.
JOB NO.	A07563-2
SHEET	C.1
OF	5 SHEETS

Z:\2007\A07563-2\A07563-2-PG.dwg 6/3/2009 12:30:45 PM PDT



LEGEND:

PROPOSED	EXISTING	
		PROPERTY LINE
		LOT LINE
		VOIA/BOIA/ARRANGEMENT LINE
		BLOCK/RETAINING WALL
		FENCE LINE
		EDGE OF PAVEMENT
		ASPHALT BERM
		CONCRETE CURB
		CONCRETE CURB & GUTTER
		SIDEWALK
		SIDEWALK
		BUILDING LINE
		SPOT ELEVATION
		CONTOUR LINE
		STORM DRAIN-MANHOLE & CATCH BASIN
		DRAINAGE LEADER
		ELECTROLIER
		UTILITY BOX
		POWER POLE/JOINT POLE
		TRAFFIC SIGN
		TREE
FC	FC	FACE OF CURB
TC	TC	TOP OF CURB
FG	FG	FACE OF BERM
TG	TG	TOP OF BERM
BW	BW	BACK OF WALK
FW	FW	FACE OF WALK
BW	BW	BOTTOM OF WALL
TW	TW	TOP OF WALL
C	C	CONCRETE
FL	FL	FLOW LINE
AD	AD	AREA DRAIN
CB	CB	CATCH BASIN
CO/TD	CO/TD	CLEANOUT TO GRADE
SDMH	SDMH	STORM DRAIN MANHOLE
HC	HC	HANDICAP ACCESS
BE	BE	BASIN ELEVATION
P	P	PAVEMENT
DWL	DWL	DRAINAGE LEADER
DS	DS	DOWN SPOUT
T	T	TRANSFORMER
TE	TE	TRASH ENCLOSURE
BL	BL	BUILDING LINE
RD	RD	ROOF DRAIN
SD	SD	STORM DRAIN
WL	WL	WALL LIGHT
SWL	SWL	SWALE
BAS	BAS	BEGIN ASPHALT SWALE
EAS	EAS	END ASPHALT SWALE
GND	GND	GROUND
GB	GB	GRADE BREAK
HGWL	HGWL	CONCRETE HEADWALL

GENERAL NOTES:

1. ALL GRADING SHALL BE DONE IN ACCORDANCE WITH RECOMMENDATIONS IN THE SOIL AND FOUNDATION INVESTIGATION PREPARED FOR THIS SITE.
2. CONTRACTOR SHALL DETERMINE HIS OWN EARTH QUANTITIES AND BASE HIS BID ACCORDINGLY.
3. TOP OF CURB ELEVATION IS 0.5' ABOVE THE A.C. PAVING AND SPOT ELEVATIONS ARE TO FINISHED SURFACE UNLESS OTHERWISE NOTED.
4. COMPACTION TO BE DETERMINED USING ASTM D1557-78 LABORATORY TEST PROCEDURE, LATEST EDITION.
5. STORM DRAIN PIPE DESIGNATED AS "S.D." TO BE CLASS III R.C.P., H.D.P.E. OR SDR-35 (GREENTITED P.V.C. PIPE BY MANVILLE OR APPROVED EQUAL. P.V.C. PIPE SHALL ONLY BE USED WHEN MINIMUM COVER REQUIREMENTS ARE AS SPECIFIED IN THE "P.V.C. PIPE BEDDING DETAIL". SUBSTITUTIONS FOR ANY PIPE WITH A PARTICULAR MATERIAL SPECIFIED ON THIS PLAN SHALL ONLY BE MADE WITH THE APPROVAL OF THE ENGINEER.
6. STORM DRAIN PIPE TO BE:
   12" DIAMETER AND SMALLER: P.V.C. SDR-35, ADS HDPE, OR DUCTILE IRON PIPE.
   15" DIAMETER AND LARGER: CLASS III RCP OR H.D.P.E. WITH WATER TIGHT JOINTS.
   NO MATERIAL SUBSTITUTION SHALL BE ALLOWED FOR DUCTILE IRON PIPE (D.I.P.)
7. ALL UTILITY STRUCTURES INCLUDING, BUT NOT LIMITED TO MANHOLES, CATCH BASINS, WATER VALVES, FIRE HYDRANTS, TELEPHONE AND ELECTRIC VAULTS, AND PULL BOXES, THAT LIE WITHIN THE PUBLIC RIGHT-OF-WAY EASEMENTS OR AREAS AFFECTED BY WORK ON THIS PROJECT SHALL BE ADJUSTED TO GRADE BY THE CONTRACTOR OR THE RESPECTIVE UTILITY COMPANY FOR WHICH THE CONTRACTOR IS RESPONSIBLE TO AFFECT COORDINATION.
8. THE TYPES, LOCATIONS, SIZES AND/OR DEPTHS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THE IMPROVEMENT PLANS WERE OBTAINED FROM SOURCES OF VARYING RELIABILITY. THE CONTRACTOR IS CAUTIONED THAT ONLY ACTUAL EXCAVATION WILL REVEAL THE TYPES, EXTENT, SIZES, LOCATIONS AND DEPTHS OF SUCH UNDERGROUND UTILITIES. A REASONABLE EFFORT HAS BEEN MADE TO LOCATE AND DELINEATE ALL KNOWN UNDERGROUND UTILITIES. HOWEVER, THE ENGINEER CAN NOT ASSUME RESPONSIBILITY FOR THE COMPLETENESS OR ACCURACY OF THEIR DELINEATION OF SUCH UNDERGROUND UTILITIES WHICH MAY BE ENCOUNTERED, BUT ARE NOT SHOWN ON THESE DRAWINGS.
9. CONTRACTOR SHALL UNCOVER AND EXPOSE ALL EXISTING UTILITY AND SEWER LINES WHERE THEY ARE TO BE CROSSED, ABOVE OR BELOW, BY THE NEW FACILITY BEING CONSTRUCTED IN ORDER TO VERIFY THE GRADE AND TO ASSURE THAT THERE IS SUFFICIENT CLEARANCE. PIPE SHALL NOT BE STRUNG NOR TRENCHING COMMENCED UNTIL ALL CROSSINGS HAVE BEEN VERIFIED FOR CLEARANCE. IF THE CONTRACTOR FAILS TO FOLLOW THIS PROCEDURE, HE WILL BE SOLELY RESPONSIBLE FOR ANY EXTRA WORK OR MATERIAL REQUIRED IF MODIFICATIONS TO THE DESIGN ARE NECESSARY.
10. THE CONTRACTOR SHALL SET HIS STRING OR WIRE THROUGH AT LEAST THREE GRADE STAKES TO VERIFY GRADE. IF THE STAKES DO NOT PRODUCE A UNIFORM GRADE, NOTIFY THE ENGINEER IMMEDIATELY AND HAVE THE GRADES CHECKED PRIOR THE TRENCHING OR PLACEMENT OF CONCRETE.
11. ADJUSTMENTS TO BUILDING PAD ELEVATIONS OR PARKING LOT GRADES TO ACHIEVE EARTHWORK BALANCE SHALL BE MADE ONLY WITH APPROVAL OF THE ENGINEER.
12. ALL WORK, ON-SITE AND IN THE PUBLIC RIGHT-OF-WAY, SHALL CONFORM TO THE CITY OF TRACY STANDARDS AND REQUIREMENTS.
13. GENERAL CONTRACTOR SHALL COORDINATE ALL UNDERGROUND UTILITIES. PROVIDE 6" MINIMUM BETWEEN PIPES CROSSING ELECTRICAL LINES AND 12" MINIMUM BETWEEN PIPES PARALLEL TO ELECTRICAL LINES.
14. PAINT LEGEND ON EACH DROP INLET: "DO NOT DUMP, DRAIN TO BAY".

GROUND LEVEL

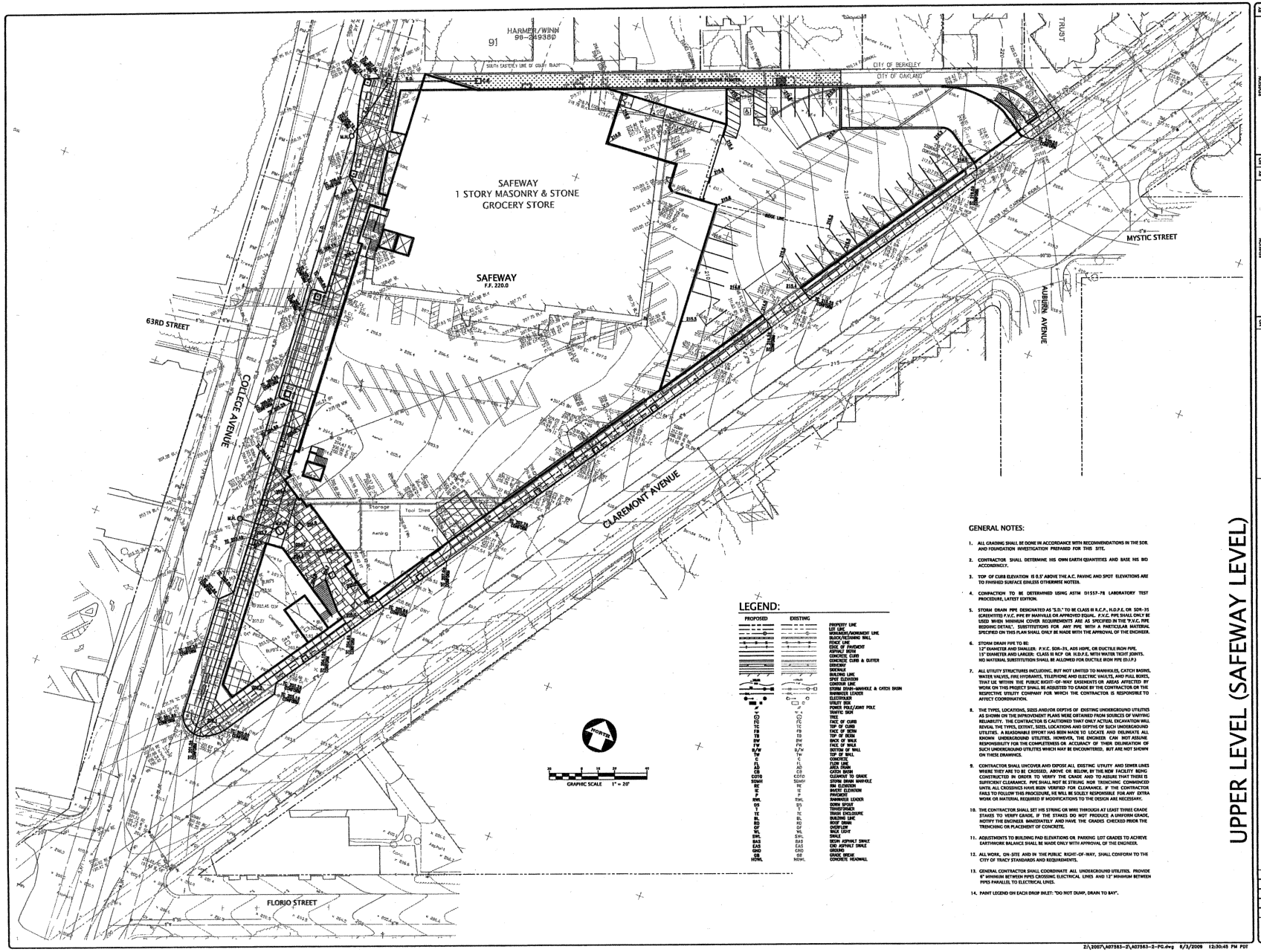
NO.	REVISION	BY	NO.	REVISION	BY

KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
2850 Collier Canyon Road
Pleasanton, California 94566
(925) 245-8051
Fax (925) 245-8583

PRELIMINARY GRADING, DRAINAGE & UTILITY PLAN
6310 COLLEGE AVENUE
SAFEWAY STORES INCORPORATED
OAKLAND CALIFORNIA

DATE	06/01/2009
SCALE	1" = 20'
ENGINEER	M.F.B.
DRAFTER	R.E.G.
JOB NO.	A07563-2
SHEET	C.2.1
OF	5 SHEETS

Z:\2007\A07563-2\A07563-2-PG.dwg 6/3/2009 12:30:45 PM PDT



LEGEND:

PROPOSED	EXISTING	
		PROPERTY LINE
		LOT LINE
		RIGHT OF WAY/EASEMENT LINE
		BLOCK/RETAINING WALL
		FENCE LINE
		EDGE OF PAVEMENT
		ASPHALT DETAIL
		CONCRETE CURB
		CONCRETE CURB & GUTTER
		DRIVEWAY
		SIDEWALK
		BUILDING LINE
		SPOT ELEVATION
		CONTOUR LINE
		STORM DRAIN-MANHOLE & CATCH BASIN
		RAINWATER LEADER
		ELECTRIAER
		UTILITY BOX
		POWER POLE/LIGHT POLE
		TRAFFIC SIGN
		TREE
TC	TC	TOP OF CURB
TE	TE	TOP OF CURB
FG	FG	FACE OF DECK
TD	TD	TOP OF DECK
BW	BW	BACK OF WALK
FW	FW	FACE OF WALK
B/W	B/W	BOTTOM OF WALL
TW	TW	TOP OF WALL
C	C	CONCRETE
AB	AB	AREA DRAIN
CB	CB	CATCH BASIN
CO/FD	CO/FD	CLEANOUT TO GRADE
SDMH	SDMH	STORM DRAIN MANHOLE
RE	RE	RIM ELEVATION
IE	IE	INVERT ELEVATION
PM	PM	PAVEMENT
RWL	RWL	RAINWATER LEADER
DS	DS	DOWN SPOUT
T	T	TRANSFORMER
TE	TE	TRASH ENCLOSURE
BL	BL	BUILDING LINE
RD	RD	ROOF DRAIN
OF	OF	OVERFLOW
WL	WL	WALL LIGHT
SMH	SMH	SEWER
BAS	BAS	BEGIN ASPHALT SWALE
EAS	EAS	END ASPHALT SWALE
GND	GND	GROUND
GB	GB	GRADE BREAK
HDWL	HDWL	CONCRETE HEADWALL

GENERAL NOTES:

1. ALL GRADING SHALL BE DONE IN ACCORDANCE WITH RECOMMENDATIONS IN THE SOIL AND FOUNDATION INVESTIGATION PREPARED FOR THIS SITE.
2. CONTRACTOR SHALL DETERMINE HIS OWN EARTH QUANTITIES AND BASE HIS BID ACCORDINGLY.
3. TOP OF CURB ELEVATION IS 0.5' ABOVE THE A.C. PAVING AND SPOT ELEVATIONS ARE TO FINISHED SURFACE UNLESS OTHERWISE NOTED.
4. COMPACTION TO BE DETERMINED USING ASTM D1557-78 LABORATORY TEST PROCEDURE, LATEST EDITION.
5. STORM DRAIN PIPE DESIGNATED AS "S.D." TO BE CLASS III R.C.P., H.D.P.E. OR SDR-35 (GREENFITED P.V.C. PIPE BY MANVILLE OR APPROVED EQUAL. P.V.C. PIPE SHALL ONLY BE USED WHEN MINIMUM COVER REQUIREMENTS ARE AS SPECIFIED IN THE "P.V.C. PIPE BEDDING DETAIL". SUBSTITUTIONS FOR ANY PIPE WITH A PARTICULAR MATERIAL SPECIFIED ON THIS PLAN SHALL ONLY BE MADE WITH THE APPROVAL OF THE ENGINEER.
6. STORM DRAIN PIPE TO BE:
   12" DIAMETER AND SMALLER: P.V.C. SDR-35, ADS HDPE, OR DUCTILE IRON PIPE.
   15" DIAMETER AND LARGER: CLASS III RCP OR H.D.P.E. WITH WATER TIGHT JOINTS.
   NO MATERIAL SUBSTITUTION SHALL BE ALLOWED FOR DUCTILE IRON PIPE (D.I.P.)
7. ALL UTILITY STRUCTURES INCLUDING, BUT NOT LIMITED TO MANHOLES, CATCH BASINS, WATER VALVES, FIRE HYDRANTS, TELEPHONE AND ELECTRIC VAULTS, AND PULL BOXES, THAT LIE WITHIN THE PUBLIC RIGHT-OF-WAY EASEMENTS OR AREAS AFFECTED BY WORK ON THIS PROJECT SHALL BE ADJUSTED TO GRADE BY THE CONTRACTOR OR THE RESPECTIVE UTILITY COMPANY FOR WHICH THE CONTRACTOR IS RESPONSIBLE TO AFFECT COORDINATION.
8. THE TYPES, LOCATIONS, SIZES AND/OR DEPTHS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THE IMPROVEMENT PLANS WERE OBTAINED FROM SOURCES OF VARYING RELIABILITY. THE CONTRACTOR IS CAUTIONED THAT ONLY ACTUAL EXCAVATION WILL REVEAL THE TYPES, EXTENT, SIZES, LOCATIONS AND DEPTHS OF SUCH UNDERGROUND UTILITIES. A REASONABLE EFFORT HAS BEEN MADE TO LOCATE AND DELINEATE ALL KNOWN UNDERGROUND UTILITIES. HOWEVER, THE ENGINEER CAN NOT ASSUME RESPONSIBILITY FOR THE COMPLETENESS OR ACCURACY OF THEIR DELINEATION OF SUCH UNDERGROUND UTILITIES WHICH MAY BE ENCOUNTERED, BUT ARE NOT SHOWN ON THESE DRAWINGS.
9. CONTRACTOR SHALL UNCOVER AND EXPOSE ALL EXISTING UTILITY AND SEWER LINES WHERE THEY ARE TO BE CROSSED, ABOVE OR BELOW, BY THE NEW FACILITY BEING CONSTRUCTED IN ORDER TO VERIFY THE GRADE AND TO ASSURE THAT THERE IS SUFFICIENT CLEARANCE. PIPE SHALL NOT BE STRUNG NOR TRENCHING COMMENCED UNTIL ALL CROSSINGS HAVE BEEN VERIFIED FOR CLEARANCE. IF THE CONTRACTOR FAILS TO FOLLOW THIS PROCEDURE, HE WILL BE SOLELY RESPONSIBLE FOR ANY EXTRA WORK OR MATERIAL REQUIRED IF MODIFICATIONS TO THE DESIGN ARE NECESSARY.
10. THE CONTRACTOR SHALL SET HIS STRING OR WIRE THROUGH AT LEAST THREE GRADE STAKES TO VERIFY GRADE. IF THE STAKES DO NOT PRODUCE A UNIFORM GRADE, NOTIFY THE ENGINEER IMMEDIATELY AND HAVE THE GRADES CHECKED PRIOR THE TRENCHING OR PLACEMENT OF CONCRETE.
11. ADJUSTMENTS TO BUILDING PAD ELEVATIONS OR PARKING LOT GRADES TO ACHIEVE EARTHWORK BALANCE SHALL BE MADE ONLY WITH APPROVAL OF THE ENGINEER.
12. ALL WORK, ON-SITE AND IN THE PUBLIC RIGHT-OF-WAY, SHALL CONFORM TO THE CITY OF TRACY STANDARDS AND REQUIREMENTS.
13. GENERAL CONTRACTOR SHALL COORDINATE ALL UNDERGROUND UTILITIES. PROVIDE 6" MINIMUM BETWEEN PIPES CROSSING ELECTRICAL LINES AND 12" MINIMUM BETWEEN PIPES PARALLEL TO ELECTRICAL LINES.
14. PAINT LEGEND ON EACH DROP INLET: "DO NOT DUMP, DRAIN TO BAY".

UPPER LEVEL (SAFEWAY LEVEL)

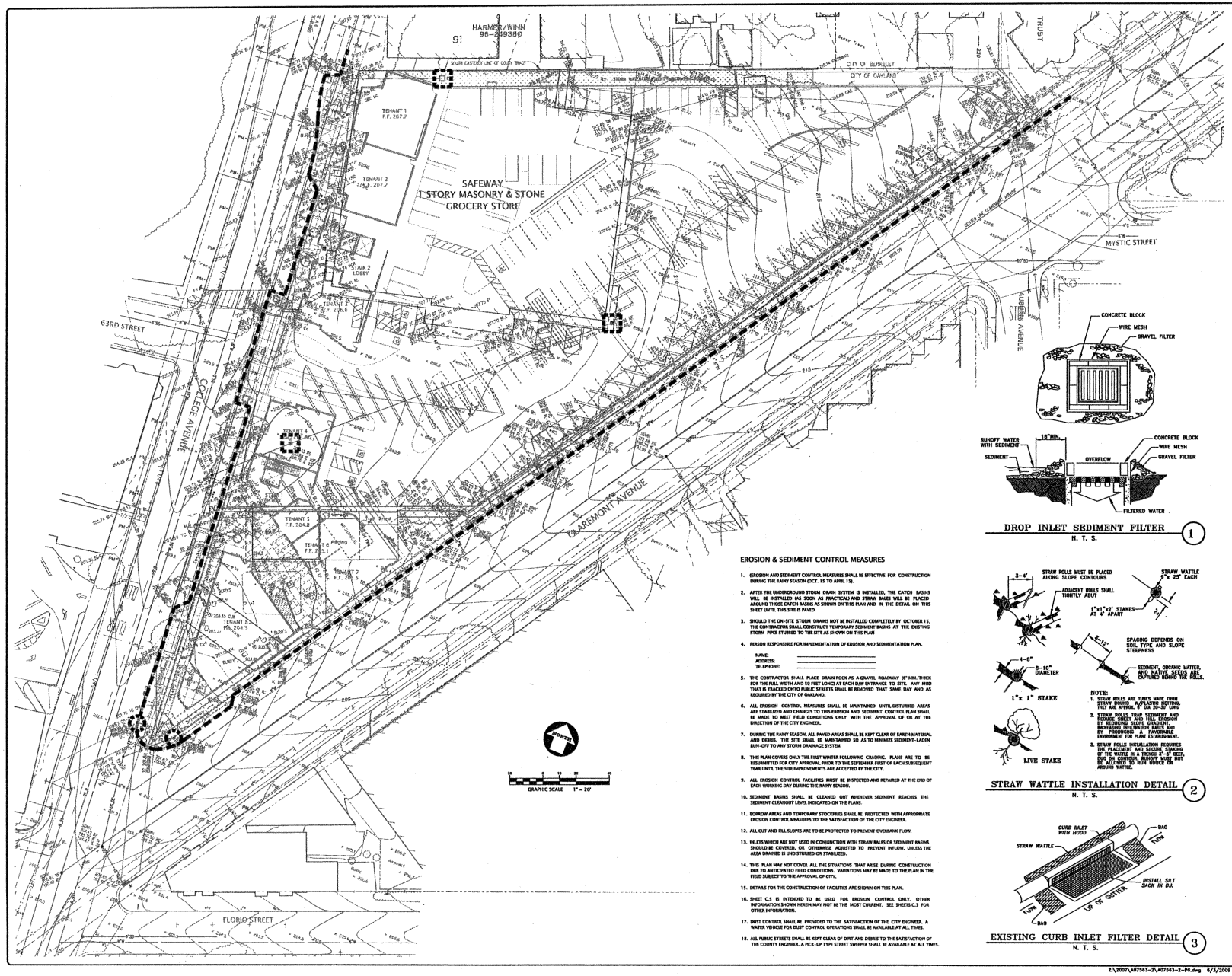
NO.	REVISION	BY	NO.	REVISION	BY

KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
2850 Collier Canyon Road, Suite B
Pleasanton, California 94566
(925) 245-8788 Fax (925) 245-8789

PRELIMINARY GRADING, DRAINAGE & UTILITY PLAN
6310 COLLEGE AVENUE
SAFEWAY STORES INCORPORATED
OAKLAND CALIFORNIA

DATE	06/01/2009
SCALE	1" = 20'
ENGINEER	M.F.B.
DRAFTER	R.E.G.
JOB NO.	A07583-2
SHEET	C.2.2
OF	3 SHEETS

Z:\2007\A07583-2\A07583-2-PG.dwg 8/3/2009 12:30:45 PM PDT



EROSION & SEDIMENT CONTROL MEASURES

1. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE EFFECTIVE FOR CONSTRUCTION DURING THE RAINY SEASON (OCT. 15 TO APRIL 15).
2. AFTER THE UNDERGROUND STORM DRAIN SYSTEM IS INSTALLED, THE CATCH BASINS WILL BE INSTALLED (AS SOON AS PRACTICAL) AND STRAW BALES WILL BE PLACED AROUND THOSE CATCH BASINS AS SHOWN ON THIS PLAN AND IN THE DETAIL ON THIS SHEET UNTIL THIS SITE IS PAVED.
3. SHOULD THE ON-SITE STORM DRAINS NOT BE INSTALLED COMPLETELY BY OCTOBER 15, THE CONTRACTOR SHALL CONSTRUCT TEMPORARY SEDIMENT BASINS AT THE EXISTING STORM PIPES STUBBED TO THE SITE AS SHOWN ON THIS PLAN
4. PERSON RESPONSIBLE FOR IMPLEMENTATION OF EROSION AND SEDIMENTATION PLAN.

   NAME: _____
   ADDRESS: _____
   TELEPHONE: _____

5. THE CONTRACTOR SHALL PLACE DRAIN ROCK AS A GRAVEL ROADWAY 6" MIN. THICK FOR THE FULL WIDTH AND 50 FEET LONG) AT EACH D/W ENTRANCE TO SITE. ANY MUD THAT IS TRACKED ONTO PUBLIC STREETS SHALL BE REMOVED THAT SAME DAY AND AS REQUIRED BY THE CITY OF OAKLAND.
6. ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED UNTIL DISTURBED AREAS ARE STABILIZED AND CHANGES TO THIS EROSION AND SEDIMENT CONTROL PLAN SHALL BE MADE TO MEET FIELD CONDITIONS ONLY WITH THE APPROVAL OF OR AT THE DIRECTION OF THE CITY ENGINEER.
7. DURING THE RAINY SEASON, ALL PAVED AREAS SHALL BE KEPT CLEAR OF EARTH MATERIAL AND DEBRIS. THE SITE SHALL BE MAINTAINED SO AS TO MINIMIZE SEDIMENT-LADEN RUN-OFF TO ANY STORM DRAINAGE SYSTEM.
8. THIS PLAN COVERS ONLY THE FIRST WINTER FOLLOWING GRADING. PLANS ARE TO BE RESUBMITTED FOR CITY APPROVAL PRIOR TO THE SEPTEMBER FIRST OF EACH SUBSEQUENT YEAR UNTIL THE SITE IMPROVEMENTS ARE ACCEPTED BY THE CITY.
9. ALL EROSION CONTROL FACILITIES MUST BE INSPECTED AND REPAIRED AT THE END OF EACH WORKING DAY DURING THE RAINY SEASON.
10. SEDIMENT BASINS SHALL BE CLEANED OUT WHENEVER SEDIMENT REACHES THE SEDIMENT CLEANOUT LEVEL INDICATED ON THE PLANS.
11. BORROW AREAS AND TEMPORARY STOCKPILES SHALL BE PROTECTED WITH APPROPRIATE EROSION CONTROL MEASURES TO THE SATISFACTION OF THE CITY ENGINEER.
12. ALL CUT AND FILL SLOPES ARE TO BE PROTECTED TO PREVENT OVERBANK FLOW.
13. INLETS WHICH ARE NOT USED IN CONJUNCTION WITH STRAW BALES OR SEDIMENT BASINS SHOULD BE COVERED, OR OTHERWISE ADJUSTED TO PREVENT INFLOW, UNLESS THE AREA DRAINED IS UNDISTURBED OR STABILIZED.
14. THIS PLAN MAY NOT COVER ALL THE SITUATIONS THAT ARISE DURING CONSTRUCTION DUE TO ANTICIPATED FIELD CONDITIONS. VARIATIONS MAY BE MADE TO THE PLAN IN THE FIELD SUBJECT TO THE APPROVAL OF CITY.
15. DETAILS FOR THE CONSTRUCTION OF FACILITIES ARE SHOWN ON THIS PLAN.
16. SHEET C.5 IS INTENDED TO BE USED FOR EROSION CONTROL ONLY. OTHER INFORMATION SHOWN HEREIN MAY NOT BE THE MOST CURRENT. SEE SHEETS C.3 FOR OTHER INFORMATION.
17. DUST CONTROL SHALL BE PROVIDED TO THE SATISFACTION OF THE CITY ENGINEER. A WATER VEHICLE FOR DUST CONTROL OPERATIONS SHALL BE AVAILABLE AT ALL TIMES.
18. ALL PUBLIC STREETS SHALL BE KEPT CLEAR OF DIRT AND DEBRIS TO THE SATISFACTION OF THE COUNTY ENGINEER. A PICK-UP TYPE STREET SWEEPER SHALL BE AVAILABLE AT ALL TIMES.

DROP INLET SEDIMENT FILTER (1)
N. T. S.

NOTE:
1. STRAW ROLLS ARE TUBES MADE FROM STRAW BOUND W/PLASTIC NETTING. THEY ARE APPROX. 8" DIA 25-30' LONG
2. STRAW ROLLS TRAP SEDIMENT AND REDUCE SHEET AND RILL EROSION BY REDUCING RUNOFF VELOCITY, INCREASING INFILTRATION RATES AND BY PROVIDING A FAVORABLE ENVIRONMENT FOR PLANT ESTABLISHMENT.
3. STRAW ROLLS INSTALLATION REQUIRES THE PLACEMENT AND SECURE STAKING OF THE WATTLE IN A TRENCH 2"-3" DEEP DUG ON CONTOUR. RUNOFF MUST NOT BE ALLOWED TO RUN UNDER OR AROUND WATTLE.

STRAW WATTLE INSTALLATION DETAIL (2)
N. T. S.

EXISTING CURB INLET FILTER DETAIL (3)
N. T. S.

GROUND LEVEL

EROSION CONTROL PLAN
6310 COLLEGE AVENUE
SAFEWAY STORES INCORPORATED

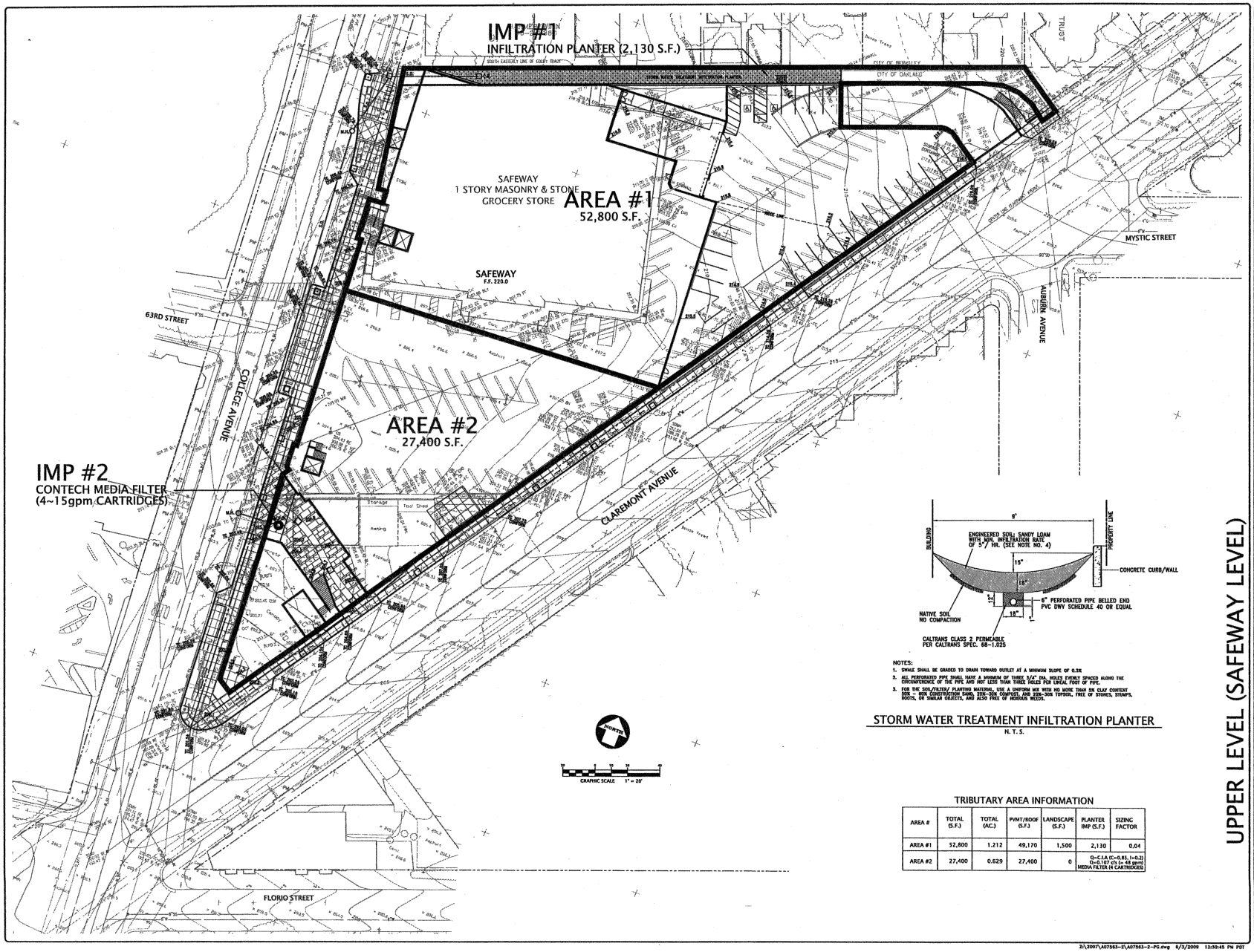
OAKLAND CALIFORNIA

NO.	REVISION	BY	NO.	REVISION	BY

KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
3350 Shelby Street, Suite 200
Pleasanton, California 94566
(925) 426-0080
Fax (925) 426-0593

DATE	06/01/2009
SCALE	1" = 20'
ENGINEER	M.F.B.
DRAFTER	R.E.G.
JOB NO.	A07363-2
SHEET	C.3
OF	5 SHEETS

Z:\2007\A07363-2\A07363-2-PG.dwg 6/3/2009 12:30:45 PM PDT



NOTES:

1. SWALE SHALL BE GRADED TO DRAIN TOWARD OUTLET AT A MINIMUM SLOPE OF 0.5%
2. ALL PERFORATED PIPE SHALL HAVE A MINIMUM OF THREE 5/4" DIA. HOLES EVENLY SPACED ALONG THE CIRCUMFERENCE OF THE PIPE AND NOT LESS THAN THREE HOLES PER LINEAL FOOT OF PIPE.
3. FOR THE SOIL/FILTER/ PLANTING MATERIAL, USE A UNIFORM MIX WITH NO MORE THAN 5% CLAY CONTENT 50% – 80% CONSTRUCTION SAND, 20%–50% COMPOST, AND 20%–30% TOPSOIL, FREE OF STONES, STUMPS, ROOTS, OR SIMILAR OBJECTS, AND ALSO FREE OF NOXIOUS WEEDS.

STORM WATER TREATMENT INFILTRATION PLANTER

N. T. S.

TRIBUTARY AREA INFORMATION

AREA #	TOTAL (S.F.)	TOTAL (AC.)	PVMT/ROOF (S.F.)	LANDSCAPE (S.F.)	PLANTER IMP (S.F.)	SIZING FACTOR
AREA #1	52,800	1.212	49,170	1,500	2,130	0.04
AREA #2	27,400	0.629	27,400	0	Q=C.I.A (C=0.85, I=0.2) Q=0.107 cfs (= 48 gpm) MEDIA FILTER (4 CARTRIDGES)	

UPPER LEVEL (SAFEWAY LEVEL)

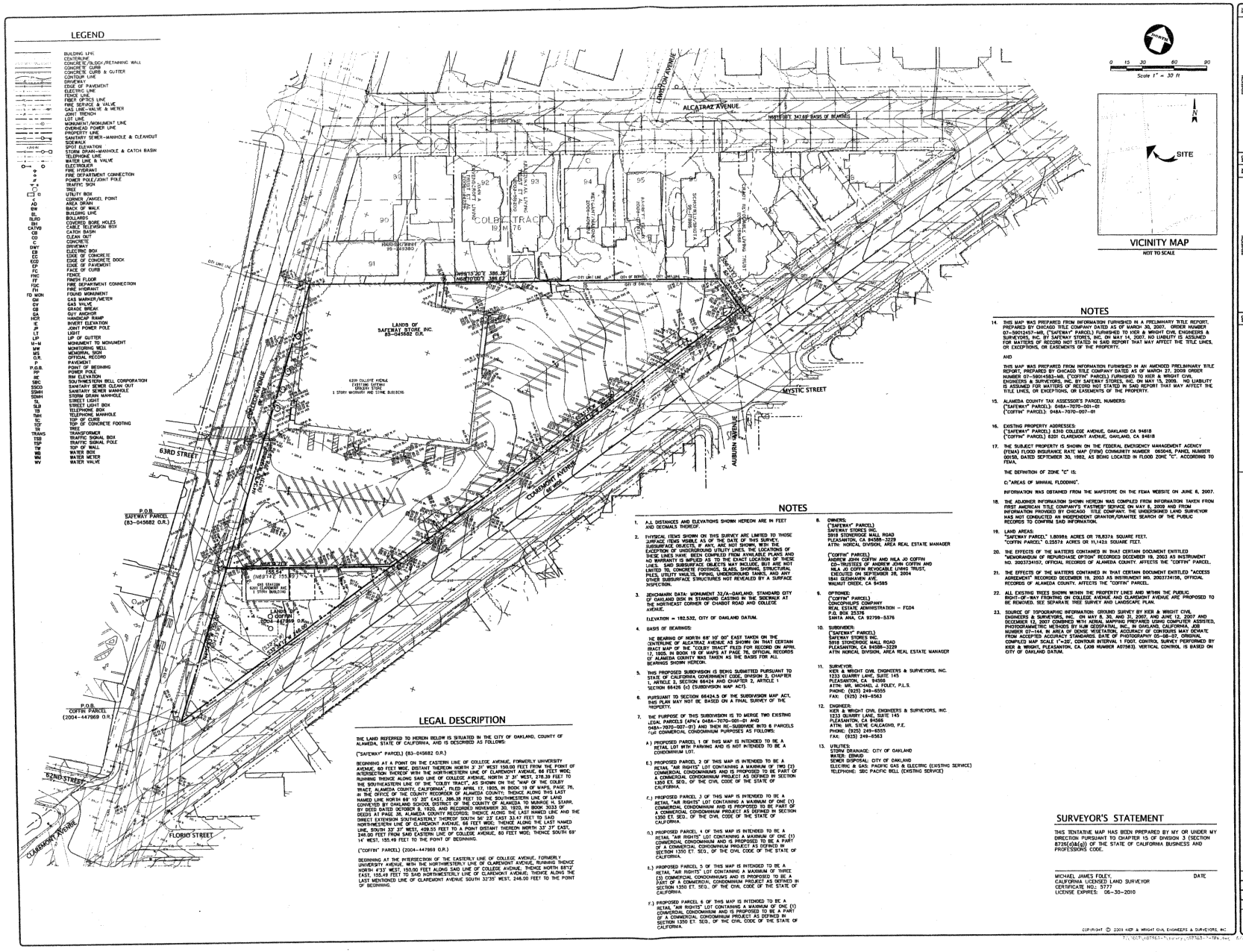
NO.	REVISION	BY	NO.	REVISION	BY

KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
2850 Collier Canyon Road, Suite 100
Pleasanton, California 94566
(925) 245-8088
Fax (925) 245-0393

STORM WATER QUALITY CONTROL PLAN
6310 COLLEGE AVENUE
SAFEWAY STORES INCORPORATED
OAKLAND CALIFORNIA

DATE	06/01/2009
SCALE	1" = 20'
ENGINEER	M.F.B.
DRAFTER	R.E.C.
JOB NO.	A07563-2
SHEET	C.4
OF	5 SHEETS

Z:\2007\A07563-2\A07563-2-PG.dwg 6/3/2009 12:50:45 PM PDT



NOTES

1. ALL DISTANCES AND ELEVATIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
2. PHYSICAL ITEMS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE SURFACE ITEMS VISIBLE AS OF THE DATE OF THIS SURVEY, SUBSURFACE OBJECTS, IF ANY, ARE NOT SHOWN, WITH THE EXCEPTION OF UNDERGROUND UTILITY LINES. THE LOCATIONS OF THESE LINES HAVE BEEN COMPILED FROM AVAILABLE PLANS AND NO WARRANTY IS IMPLIED AS TO THE EXACT LOCATION OF THESE LINES. SAID SUBSURFACE OBJECTS MAY INCLUDE, BUT NOT LIMITED TO, CONCRETE FOOTINGS, UNDERGROUND STRUCTURAL PILES, UTILITY VAULTS, UNDERGROUND TANKS, AND ANY OTHER SUBSURFACE STRUCTURES NOT REVEALED BY A SURFACE INSPECTION.
3. BENCHMARK DATA: MONUMENT 32/A-OAKLAND, STANDARD CITY OF OAKLAND DISK IN STANDARD CASTING IN THE SIDEWALK AT THE NORTHEAST CORNER OF CHABOT ROAD AND COLLEGE AVENUE.

   ELEVATION = 192.532, CITY OF OAKLAND DATUM.
4. BASIS OF BEARINGS:

   THE BEARING OF NORTH 69° 10' 00" EAST TAKEN ON THE CENTERLINE OF ALCATRAZ AVENUE AS SHOWN ON THAT CERTAIN MAP OF THE "COLBY TRACT" FILED FOR RECORD ON APRIL 17, 1905, IN BOOK 19 OF MAPS AT PAGE 76, OFFICIAL RECORDS OF ALAMEDA COUNTY WAS TAKEN AS THE BASIS FOR ALL BEARINGS SHOWN HEREON.
5. THIS PROPOSED SUBDIVISION IS BEING SUBMITTED PURSUANT TO STATE OF CALIFORNIA GOVERNMENT CODE, DIVISION 2, CHAPTER 1, ARTICLE 2, SECTION 66424 AND CHAPTER 2, ARTICLE 1 SECTION 66426 (c) (SUBDIVISION MAP ACT).
6. PURSUANT TO SECTION 66424.5 OF THE SUBDIVISION MAP ACT, THIS PLAN MAY NOT BE BASED ON A FINAL SURVEY OF THE PROPERTY.
7. THE PURPOSE OF THIS SUBDIVISION IS TO MERGE TWO EXISTING LEGAL PARCELS (APN's 048A-7070-001-01 AND 048A-7070-007-01) AND THEN RE-SUBDIVIDE INTO 6 PARCELS FOR COMMERCIAL CONDOMINIUM PURPOSES AS FOLLOWS:

   A.) PROPOSED PARCEL 1 OF THIS MAP IS INTENDED TO BE A RETAIL LOT WITH PARKING AND IS NOT INTENDED TO BE A CONDOMINIUM LOT.

   B.) PROPOSED PARCEL 2 OF THIS MAP IS INTENDED TO BE A RETAIL "AIR RIGHTS" LOT CONTAINING A MAXIMUM OF TWO (2) COMMERCIAL CONDOMINIUMS AND IS PROPOSED TO BE PART OF A COMMERCIAL CONDOMINIUM PROJECT AS DEFINED IN SECTION 1350 ET. SEQ., OF THE CIVIL CODE OF THE STATE OF CALIFORNIA.

   C.) PROPOSED PARCEL 3 OF THIS MAP IS INTENDED TO BE A RETAIL "AIR RIGHTS" LOT CONTAINING A MAXIMUM OF ONE (1) COMMERCIAL CONDOMINIUM AND IS PROPOSED TO BE PART OF A COMMERCIAL CONDOMINIUM PROJECT AS DEFINED IN SECTION 1350 ET. SEQ., OF THE CIVIL CODE OF THE STATE OF CALIFORNIA.

   D.) PROPOSED PARCEL 4 OF THIS MAP IS INTENDED TO BE A RETAIL "AIR RIGHTS" LOT CONTAINING A MAXIMUM OF ONE (1) COMMERCIAL CONDOMINIUM AND IS PROPOSED TO BE A PART OF A COMMERCIAL CONDOMINIUM PROJECT AS DEFINED IN SECTION 1350 ET. SEQ., OF THE CIVIL CODE OF THE STATE OF CALIFORNIA.

   E.) PROPOSED PARCEL 5 OF THIS MAP IS INTENDED TO BE A RETAIL "AIR RIGHTS" LOT CONTAINING A MAXIMUM OF THREE (3) COMMERCIAL CONDOMINIUMS AND IS PROPOSED TO BE A PART OF A COMMERCIAL CONDOMINIUM PROJECT AS DEFINED IN SECTION 1350 ET. SEQ., OF THE CIVIL CODE OF THE STATE OF CALIFORNIA.

   F.) PROPOSED PARCEL 6 OF THIS MAP IS INTENDED TO BE A RETAIL "AIR RIGHTS" LOT CONTAINING A MAXIMUM OF ONE (1) COMMERCIAL CONDOMINIUM AND IS PROPOSED TO BE A PART OF A COMMERCIAL CONDOMINIUM PROJECT AS DEFINED IN SECTION 1350 ET. SEQ., OF THE CIVIL CODE OF THE STATE OF CALIFORNIA.
8. OWNERS:
   ("SAFEWAY" PARCEL)
   SAFEWAY STORES INC.
   5918 STONERIDGE MALL ROAD
   PLEASANTON, CA 94588-3229
   ATTN: NORICAL DIVISION, AREA REAL ESTATE MANAGER

   ("COFFIN" PARCEL)
   ANDREW JOHN COFFIN AND MILA JO COFFIN
   CO-TRUSTEES OF ANDREW JOHN COFFIN AND MILA JO COFFIN REVOCABLE LIVING TRUST, EXECUTED ON SEPTEMBER 28, 2004
   1841 GLENHAVEN AVE.
   WALNUT CREEK, CA 94595
9. OPTIONEE:
   ("COFFIN" PARCEL)
   CONCEPHILIPS COMPANY
   REAL ESTATE ADMINISTRATION - FC04
   P.O. BOX 25376
   SANTA ANA, CA 92799-5376
10. SUBDIVIDER:
    ("SAFEWAY" PARCEL)
    SAFEWAY STORES INC.
    5918 STONERIDGE MALL ROAD
    PLEASANTON, CA 94588-3229
    ATTN NORICAL DIVISION, AREA REAL ESTATE MANAGER
11. SURVEYOR:
    KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS, INC.
    1233 QUARRY LANE, SUITE 145
    PLEASANTON, CA 94566
    ATTN: MR. MICHAEL J. FOLEY, P.L.S.
    PHONE: (925) 249-6555
    FAX: (925) 249-6563
12. ENGINEER:
    KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS, INC.
    1233 QUARRY LANE, SUITE 145
    PLEASANTON, CA 94566
    ATTN: MR. STEVE CALCAGNO, P.E.
    PHONE: (925) 249-6555
    FAX: (925) 249-6563
13. UTILITIES:
    STORM DRAINAGE: CITY OF OAKLAND
    WATER: EBMUD
    SEWER DISPOSAL: CITY OF OAKLAND
    ELECTRIC & GAS: PACIFIC GAS & ELECTRIC (EXISTING SERVICE)
    TELEPHONE: SBC PACIFIC BELL (EXISTING SERVICE)

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

("SAFEWAY" PARCEL) (83-045682 O.R.)

BEGINNING AT A POINT ON THE EASTERN LINE OF COLLEGE AVENUE, FORMERLY UNIVERSITY AVENUE, 60 FEET WIDE, DISTANT THEREON NORTH 3° 31' WEST 150.00 FEET FROM THE POINT OF INTERSECTION THEREOF WITH THE NORTHWESTERN LINE OF CLAREMONT AVENUE, 80 FEET WIDE; RUNNING THENCE ALONG SAID LINE OF COLLEGE AVENUE, NORTH 3° 31' WEST, 278.39 FEET TO THE SOUTHEASTERN LINE OF THE "COLBY TRACT", AS SHOWN ON THE "MAP OF THE COLBY TRACT, ALAMEDA COUNTY, CALIFORNIA" FILED APRIL 17, 1905, IN BOOK 19 OF MAPS, PAGE 76, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY; THENCE ALONG THIS LAST NAMED LINE NORTH 69° 10' 00" EAST, 386.38 FEET TO THE SOUTHWESTERN LINE OF LAND CONVEYED BY THE CITY OF OAKLAND, DISTRICT OF THE COUNTY OF ALAMEDA TO MUNROE H. STARR, BY DEED DATED OCTOBER 8, 1920, AND RECORDED NOVEMBER 30, 1920, IN BOOK 3033 OF DEEDS AT PAGE 35, ALAMEDA COUNTY RECORDS; THENCE ALONG THE LAST NAMED LINE AND THE DIRECT EXTENSION SOUTHEASTERLY THEREOF SOUTH 56° 23' EAST 33.47 FEET TO SAID NORTHWESTERN LINE OF CLAREMONT AVENUE, 66 FEET WIDE; THENCE ALONG THE LAST NAMED LINE, SOUTH 33° 37' WEST, 409.55 FEET TO A POINT DISTANT THEREON NORTH 33° 37' EAST, 240.00 FEET FROM SAID EASTERN LINE OF COLLEGE AVENUE, 80 FEET WIDE; THENCE SOUTH 69° 14' WEST, 155.49 FEET TO THE POINT OF BEGINNING.

("COFFIN" PARCEL) (2004-447969 O.R.)

BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF COLLEGE AVENUE, FORMERLY UNIVERSITY AVENUE, WITH THE NORTHWESTERLY LINE OF CLAREMONT AVENUE, RUNNING THENCE NORTH 4°33' WEST, 150.00 FEET ALONG SAID LINE OF COLLEGE AVENUE; THENCE NORTH 88°12' EAST, 155.49 FEET TO SAID NORTHWESTERLY LINE OF CLAREMONT AVENUE; THENCE ALONG THE LAST MENTIONED LINE OF CLAREMONT AVENUE SOUTH 33°35' WEST, 246.00 FEET TO THE POINT OF BEGINNING.

SURVEYOR'S STATEMENT

THIS TENTATIVE MAP HAS BEEN PREPARED BY MY OR UNDER MY DIRECTION PURSUANT TO CHAPTER 15 OF DIVISION 3 (SECTION 8726(a)(a)) OF THE STATE OF CALIFORNIA BUSINESS AND PROFESSIONS CODE.

MICHAEL JAMES FOLEY, DATE
CALIFORNIA LICENSED LAND SURVEYOR
CERTIFICATE NO.: 3777
LICENSE EXPIRES: 06-30-2010

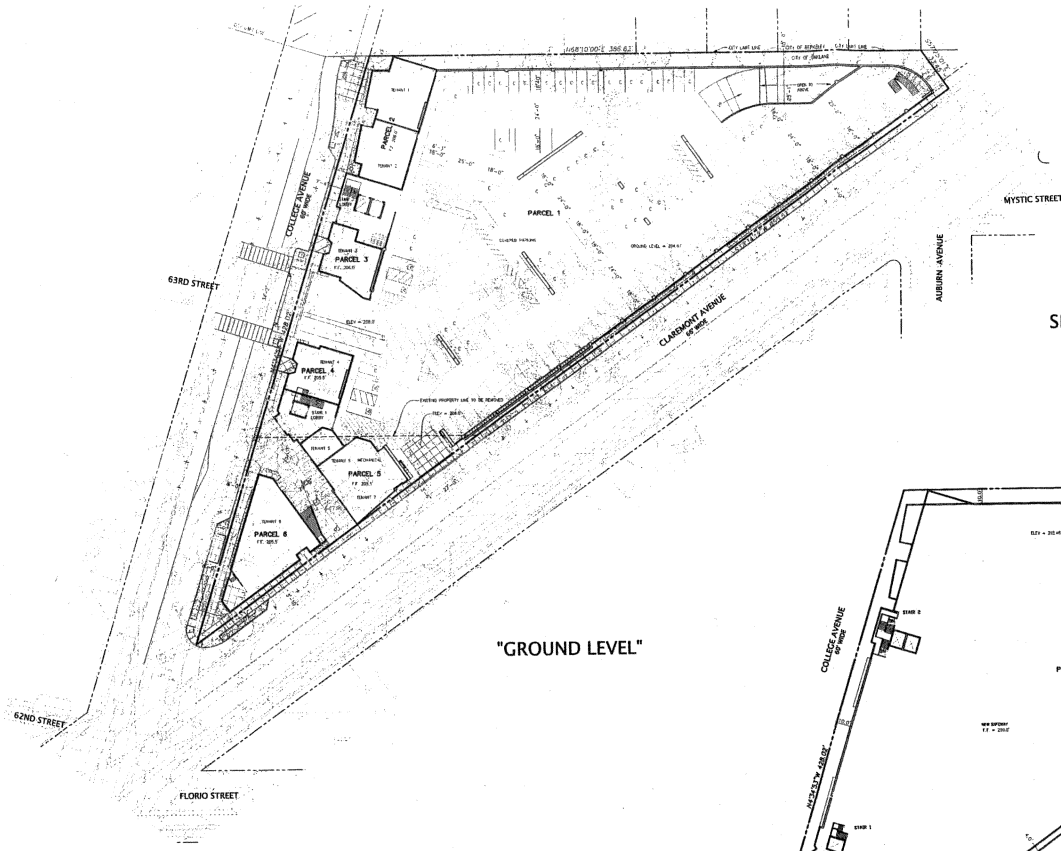
NO.	REVISION	BY

KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
1233 Quarry Lane, Suite 145
Pleasanton, California 94566
(925) 249-6555
Fax (925) 249-6563

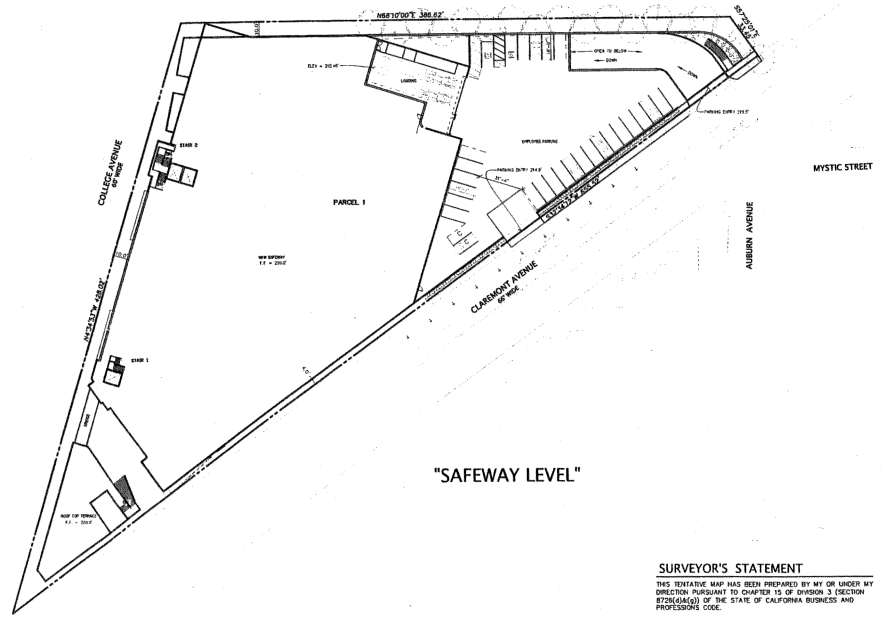
VESTING TENTATIVE MAP; PARCEL MAP NO. 9889
OF
6310 COLLEGE AVENUE
FOR
SAFEWAY STORES INCORPORATED
OAKLAND, ALAMEDA COUNTY, CALIFORNIA

DATE	MAY 22, 2009
SCALE	1" = 30'
SURVEYOR	MJF
JOB NO.	A07563-2
SHEET	TM1
OF	3 SHEETS

ATTACHMENT E



FOR DETAILS
SEE PRELIMINARY DESIGN REVIEW
SUBMITTAL PLANS SUBMITTED
CONCURRENT HEREWITH.



SURVEYOR'S STATEMENT

THIS TENTATIVE MAP HAS BEEN PREPARED BY MY OR UNDER MY DIRECTION PURSUANT TO CHAPTER 15 OF DIVISION 3 (SECTION 8726(a)&(g)) OF THE STATE OF CALIFORNIA BUSINESS AND PROFESSIONS CODE.

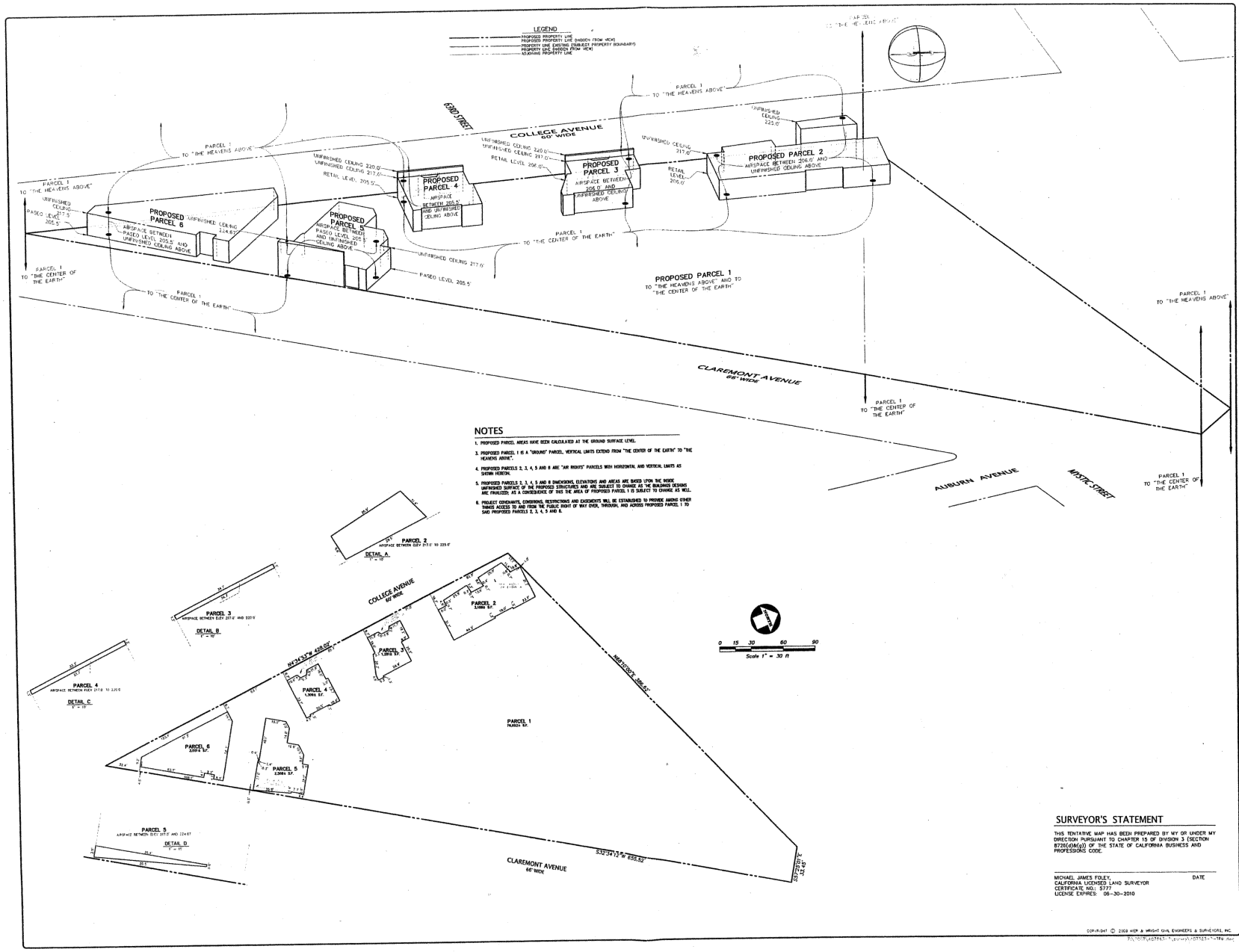
MICHAEL JAMES FOLEY, DATE
CALIFORNIA LICENSED LAND SURVEYOR
CERTIFICATE NO.: 5777
LICENSE EXPIRES: DE-30-2010

NO.	REVISION	BY	NO.	REVISION	BY
△			△		
△			△		
△			△		
△			△		
△			△		

KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
2850 Collier Canyon Road
Pleasanton, California 94566
Fax (925) 245-8593

VESTING TENTATIVE MAP; PARCEL MAP NO. 9889
OF
6310 COLLEGE AVENUE
FOR
SAFEWAY STORES INCORPORATED
ALAMEDA COUNTY,
OAKLAND, CALIFORNIA

DATE	MAY 22, 2009
SCALE	1" = 30'
SURVEYOR	MJF
JOB NO.	A07563-2
SHEET	TM2
OF	3 SHEETS



NOTES

1. PROPOSED PARCEL AREAS HAVE BEEN CALCULATED AT THE GROUND SURFACE LEVEL.
3. PROPOSED PARCEL 1 IS A "GROUND" PARCEL, VERTICAL LIMITS EXTEND FROM "THE CENTER OF THE EARTH" TO "THE HEAVENS ABOVE".
4. PROPOSED PARCELS 2, 3, 4, 5 AND 6 ARE "AIR RIGHTS" PARCELS WITH HORIZONTAL AND VERTICAL LIMITS AS SHOWN HEREON.
5. PROPOSED PARCELS 2, 3, 4, 5 AND 6 DIMENSIONS, ELEVATIONS AND AREAS ARE BASED UPON THE INSIDE UNFINISHED SURFACE OF THE PROPOSED STRUCTURES AND ARE SUBJECT TO CHANGE AS THE BUILDINGS DESIGNS ARE FINALIZED; AS A CONSEQUENCE OF THIS THE AREA OF PROPOSED PARCEL 1 IS SUBJECT TO CHANGE AS WELL.
6. PROJECT COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS WILL BE ESTABLISHED TO PROVIDE AMONG OTHER THINGS ACCESS TO AND FROM THE PUBLIC RIGHT OF WAY OVER, THROUGH, AND ACROSS PROPOSED PARCEL 1 TO SAID PROPOSED PARCELS 2, 3, 4, 5 AND 6.

SURVEYOR'S STATEMENT

THIS TENTATIVE MAP HAS BEEN PREPARED BY MY OR UNDER MY DIRECTION PURSUANT TO CHAPTER 15 OF DIVISION 3 (SECTION 8726(d)&(g)) OF THE STATE OF CALIFORNIA BUSINESS AND PROFESSIONS CODE.

MICHAEL JAMES FOLEY, DATE
CALIFORNIA LICENSED LAND SURVEYOR
CERTIFICATE NO.: 5777
LICENSE EXPIRES: 06-30-2010

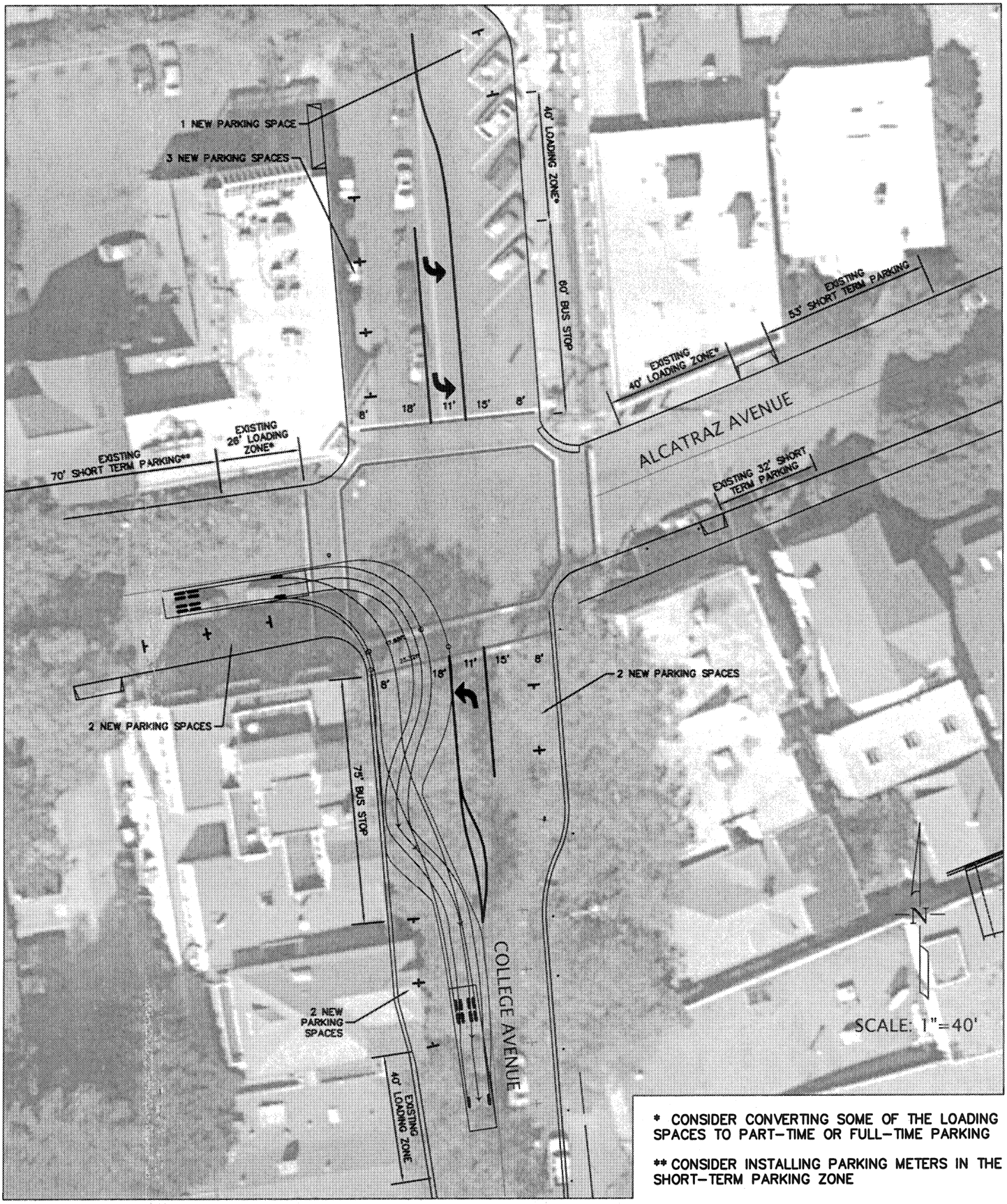
NO.	BY	REVISION

NO.	BY	REVISION

KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
2850 Collier Canyon Road, Suite 100
Livermore, California 94551
Pleasanton, California 94566
Fax (925) 245-8243

VESTING TENTATIVE MAP, PARCEL MAP NO. 9889
OF
6310 COLLEGE AVENUE
FOR
SAFEWAY STORES INCORPORATED
ALAMEDA COUNTY,
OAKLAND, CALIFORNIA

DATE	MAY 22, 2009
SCALE	VARIES
SURVEYOR	MJF
JOB NO.	A07563-2
SHEET	TM3
OF	3 SHEETS



* CONSIDER CONVERTING SOME OF THE LOADING SPACES TO PART-TIME OR FULL-TIME PARKING

** CONSIDER INSTALLING PARKING METERS IN THE SHORT-TERM PARKING ZONE

FEHR & PEERS

Jun 03, 2012 FPA
N:\PROJECTS_WC07\WC07-2483 Safeway on C

ATTACHMENT F

COLLEGE AVENUE/ALCATRAZ AVENUE INTERSECTION IMPROVEMENTS

FIGURE 1

Correspondence For College Avenue Safeway

Item #1

Vollmann, Peterson

From: Peter Calthorpe [Peter@calthorpe.com]

Sent: Saturday, July 07, 2012 4:18 PM

To: Vollmann, Peterson; vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Quan, Jean; Brunner, Jane; Wald, Zachary; Lee, Heather

Cc: Kernighan, Pat; Nadel, Nancy; Schaaf, Libby; De La Fuente, Ignacio; Brooks, Desley; Reid, Larry; Kaplan, Rebecca; gwozniak@ci.berkeley.ca.us; safewayproject@gmail.com; elisabeth@ajepartners.com

Subject: I SUPPORT THE NEW SAFEWAY ON COLLEGE AVE

Not sure why there would be any opposition but as a neighbor and one that would use it, this expansion would be great. Also the sidewalk treatment is excellent. Lets overcome the do-nothing syndrome. Pc

Peter Calthorpe

CALTHORPEASSOCIATES
2095 Rose Street
Berkeley, CA 94709
Phone: 510-548-6800
Fax: 510-548-6848
http://www.calthorpe.com/

Vollmann, Peterson

From: Rob Gendreau [rob.gendreau@gmail.com]
Sent: Monday, July 09, 2012 4:35 PM
To: Vollmann, Peterson
Cc: Brunner, Jane
Subject: Safeway on College Project ER09-0006

I am a resident of Rockridge (since 1976) and was prompted by the RCPC to review the EIR for the College Safeway and comment upon it.

Although I haven't been in the planning field since college, I find the EIR more than adequately addresses the impacts upon our area.

I urge you to accept it and move ahead with the approval of the project. It would be an asset to our area.

Although I must say that I don't concur with all the design choices and mitigations Safeway has proposed, none are particularly objectionable, and certainly nothing comes to mind that would prompt delay of the project.

I am particularly pleased by the prospect of minimizing the number of entry points to the property as opposed to the current configuration. And by the addition of a traffic signal. My neighbors were almost killed in the crosswalk at Mystic and Claremont; this project will finally promote needed changes in pedestrian and traffic safety in the immediately area. My elderly neighbors deserve at least as much protection as any other endangered species….

While I feel the EIR adequately analyzes the impact on traffic in the area, I do not feel it sufficiently recognizes that this project may in fact lessen traffic in a wider area. This Safeway is one of only two supermarkets south of UC Berkeley to the north, and is far more often accessed by students via walking, bus or bike than the Telegraph Avenue store. Expansion of the Safeway on College may prevent these users from having to go further afield. And it is within an easy walk of BART; in-filling like this should be encourage, not discouraged.

Thank you for your thorough work,

Rob Gendreau
6043 Rockwell Street
Oakland, CA 94618

6200 Manoa Street
Oakland, CA 94618
July 9, 2012

Mr. Scott Miller
Interim Planning & Zoning Director
Dept. of Planning, Building and Neighborhood Preservation
Environmental Review Officer
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612

Re: Safeway Shopping Center—College and Claremont Avenues;
File ER09-0006

Dear Mr. Miller:

I was able to get a complete copy of the EIR for the above-reference project on Saturday night, July 7. I also saw the notice posted on the Telephone Pole by the Safeway. That Notice says:

"If you challenge the environmental document or other actions pertaining to the Project in court, you may be limited to raising only those issues raised at the public hearing described above [i.e., on July 25, 2012] or in written correspondence received by the Community and Economic Development Agency on or prior to July 25, 2012."

I am close to being insulted by this Notice and the EIR. The EIR is in two volumes. Volume One of the total package (which weighs 7.5 pounds) consists of 934 pages; I calculate that Volume Two is at least 2/3 the size of Volume One, so it has over 600 pages. Let's say 1,500 pages total. We neighbors are given a total of 20 days to read, understand, digest and form intelligent comments on 1,500 pages of material that has been put together by the Staff over a period of a year, with cooperation and input from Safeway. I would be willing to wager that Safeway has paid well over $100,000 for lawyers, architects, consultants, and ordinary everyday lobbyists during that year in an effort to get every possible thing into the EIR that might help its case. Yet we are expected to provide intelligent comments in less than three weeks.

Think about it. If one had the full 20 days between and including July 6 and July 25, that is a reading assignment of 75 pages a day. More likely, since most of the neighbors work full time, and have other duties and responsibilities, are on vacation, are hosting visitors, etc., it almost certain that five of those days are totally out of the question. So, reading assignment is 100 pages a day. Then, consider this. Most of us are not experts in land use, architecture, zoning, or even general government procedural requirements for this type of project. I am a lawyer with over 43 years of practice, and am used to having to read lots of complicated regulations, laws, and position papers. But I don't practice in this area of law (land use and zoning). So, just reading 100 pages a day is not all I have to contend with. I have to understand what I am reading, and how all of it fits together and then formulate intelligent comments, write them down and submit them. I would find myself committing malpractice if I was given three

weeks to do this for a client. Imagine what non-lawyers are confronted with trying to accommodate this arbitrary and needless rush to a hearing and comment cutoff.

The long and the short of it is: GIVING THE NEIGHBORS WHO WILL BE DIRECTLY AND ADVERSELY IMPACTED IF THIS PROJECT PROCEEDS Only TWENTY DAYS TO READ, REVIEW, STUDY AND FORM INTELLIGENT COMMENTS ON A 1,500 PAGE TECHNICAL DOCUMENT, IS VIRTUALLY THE SAME AS DENYING THE NEIGHBORS ANY OPPORTUNITY TO COMMENT ON THE EIR.

This comment is intended to cover and eliminate the provision of the Notice quoted above that purports to limit future court inquiry into matters that are not specifically raised in writing by July 25, 2012.

It is requested that a copy of this letter be distributed to the full Planning Commission, and to each member of the City Council.

It is further requested that the review and comment period be extended for a period of at least two months to provide a fair and reasonable period in which lay people, unaccustomed to reviewing and commenting upon the type of information set forth in the 1,500 page EIR, have at least a decent chance to understand what they are reading, and a possibility of formulating other than purely emotional comments.

Very truly yours,

Gerald V. Niesar

Cc: Peterson Z. Vollman (pvollmann@oaklandnet.com)
Hon. Jane Brunner (jbrunner@oaklandnet.com)
Mayor Jean Quan (officeof the mayor@oaklandnet.com)
acampbellwashington@oaklandnet.com

Vollmann, Peterson

From: Dov Rosenfeld [dov@inventek.com]

Sent: Monday, July 09, 2012 5:59 PM

To: Vollmann, Peterson; Planning Commission member; Planning Commission member; Planning Commission member; Planning Commission member; Planning Commission member; Planning Commission member; Planning Commission member

Cc: Brunner, Jane; Office of the Mayor; Campbell-Washington, Anne

Subject: We support the Safeway Shopping Center - College and Claremont Avenues (File ER09-0006)

July 09, 2012

TO: City Planner Peterson Vollman <pvollman@oaklandnet.com>,
Planning Commission member <vienv.truong@gmail.com>,
Planning Commission member <sgalvez@phi.org>,
Planning Commission member <Blake.Huntsman@seiu1021.org>,
Planning Commission member <michael.colbruno@gmail.com>,
Planning Commission member <mzmdesignworks@gmail.com>,
Planning Commission member <jaw1123@aol.com>,
Planning Commission member <Pattillo@pgadesign.com>

CC: Council Member Jane Brunner <jbrunner@oaklandnet.com >,
Mayor Jean Quan < officeofthemayor@oaklandnet.com>,
< acampbell-washington@oaklandnet.com>

FROM: Dov Rosenfeld <dov@inventek.com>

SUBJECT: Safeway Shopping Center - College and Claremont Avenues (File ER09-0006)

Dear City Planner Peterson Vollman and Planning Commission members:

My wife and I own property close to College Ave in Rockridge, live and work in Rockridge, and frequently walk on College Avenue. This is to let you know that I strongly favor the Safeway plan. Perhaps the proposed Safeway sign can be smaller and less intrusive. Otherwise, the project looks good and the streetscape fits the neighborhood. The present site is an eyesore-- not at all pleasant to walk past. The present store is small and awful and not at all pleasant to shop at. I can hardly wait for the project to be completed. We are glad that Safeway is willing to invest in this neighborhood to improve it. I hope the project moves ahead.

Please acknowledge receipt by replying to this email.

Respectfully,

Dov Rosenfeld, PhD
5566 Lawton Ave
Oakland, CA 94618
dov@inventek.com

Vollmann, Peterson

From: Claudine Jones [missjones@dotcomdetox.com]

Sent: Monday, July 09, 2012 6:48 PM

To: vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Vollmann, Peterson

Subject: Safeway on College Project ER09-0006

Dear City Planner and Planning Commissioners,

This letter is in response to the Safeway on College Project ER09-0006.

I would very much like to weigh in on this proposed project, as it greatly impacts me and my neighbors, many of whom have lived in the immediate vicinity, as I have, for more than 30 years. (I might also mention that my mom has lived a few blocks away for 12 years, and my brother & sister-in-law have lived on Claremont for 23 years.)

We have grown pretty familiar with our 'turf' over the years: we walk it, bike it, drive through some of its congested sections cussing under our breaths--we find ways to maneuver anyway, avoiding the hot spots--and we are particularly proud of the way we have ameliorated the place--sprucing up Claremont Middle School, making the most of our new Library. The list goes on. Retail comes & goes; some of our favorites leave (mine was Samiches--used to take my kids there all the time) and are replaced by other favorites--Zachary's Pizza, for one. Even though this occurs on a regular basis, the neighborhood still has a 'settled' feeling.

I think my reaction to the proposed Safeway project is fairly typical, although I can only speak for myself. I **want** to like it. I've shopped there going back to my University days back in 1970. However, I've studied the DEIR, gone to meetings, talked to people on the street. I just can't get around the Size. The scale is frankly scary. It's as though the Queen Mary decided to dock in Lake Merritt. The logic of this escapes me: Safeway has a built-in customer base coming both from Rockridge & Elmwood, and yet it seems with this plan as though they would propose bringing 50% more folks (why double the store?) Ah! In order to provide us with more 'choices', which would include more of what we already have in the neighborhood.

But the elephant in the dining room, as they say, is that our present site, while it could be renovated & still provide sufficient service for the existing client-base, is just about **this** close to inaccessible on a **busy** time of the day. College Avenue is clogged all the way through from BART up to Elmwood; this route is like making a left a ways up at Ashby & trying to get home past Telegraph on time. Anyone with any brains doesn't take either route. You just find another way. However, you don't count on the typical scenario being the equivalent of Game Day when the guys all want more beer.

This appears to be what the Safeway project is somehow deaf to: we have already got **too much traffic**; our neighborhood cannot take the brunt of increased activity at this site and still maintain the character of Rockridge.

I would really appreciate a fresh approach to this dilemma that would take into account the desire of Safeway's client-base to enter a modern facility suitable to its surroundings. I believe it is also, coincidentally or not, an unavoidable conflict to place two Lifestyle Safeways of the size proposed within 1 mile of each other.

Sincerely,

Claudine Jones
5925 Ross Street
510 655 1984

Vollmann, Peterson

From: Peter Grame and Sean Maguire [petensean@dc.rr.com]
Sent: Monday, July 09, 2012 8:20 PM
To: Vollmann, Peterson
Cc: Campbell-Washington, Anne; Office of the Mayor; Brunner, Jane
Subject: Safeway on College Project ER09-0006

Still a supporter.

I still think that the main entrances should be on Claremont...a much larger thoroughfare...especially since College Ave. is already severely congested during certain times of the day. Curious as to why all on College when Claremont can handle the increase in vehicle traffic?

While I feel for the North border resident's shadow concerns, they'll have to deal with it...height limits are what they are. Unless they want to buy the land and build a park, Safeway has the right to build up to the set limits.

Also, still don't want to see national chain stores in the new storefronts. I feel strongly that the new spaces should reflect the rest of the neighborhood rather than an AT&T, Baskin Robins, WeightWatchers, Subway, Build-A-Bear strip mall.

All that being said, we still would like to see the project go forward. The current store is too small, dirty and unattractive. The new store would add a clean, new vibrancy to the area.

Thanks, Peter Grame and Sean Maguire

Vollmann, Peterson

From: Leigh Hollowgrass [leighzal@earthlink.net]
Sent: Monday, July 09, 2012 9:53 PM
To: Vollmann, Peterson
Subject: Safeway on College Project ER09-0006

I live near Dana St. and Alcatraz. I favor the Safeway expansion at College and Claremont. I like the design of various levels, sitting areas (of which now there are so few), and the change from the current old store. I think the neighborhood can handle it well enough. Those who want to still go to the local butcher can, while others who want to shop at Safeway (which is not me) can do that. I just like the newness of the design despite its large size. Leigh Hollowgrass 6524 Dana St. Oakland, CA

Vollmann, Peterson

From: Martin and Nancy Thomas [mnthomas46@gmail.com]
Sent: Tuesday, July 10, 2012 9:40 AM
To: Vollmann, Peterson
Subject: Safeway on College Project ER09-0006

Dear Mr. Vollman,

The Safeway proposed remodel is too large. It does not fit with the scale of our neighborhood and it will cause a large increase in auto traffic in an already congested area. Please cut back the scale of this massive overbuild.

Sincerely,

Martin Thomas
6071 Rockridge Blvd.
Oakland

6200 Manoa Street
Oakland, CA 94618
July 10, 2012

Mr. Scott Miller
Interim Planning & Zoning Director
Dept. of Planning, Building and Neighborhood Preservation
Environmental Review Officer
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612

Re: Safeway Shopping Center---College and Claremont Avenues;
File ER09-0006

Dear Mr. Miller:

One of the critical issues involved in the subject Project is the fact that it will draw a lot more automobile traffic to the area, which problem is compounded by its being built on a very narrow College Avenue. In the EIR that has just been published and made available for comment, there is a picture on the front of each of the two Volumes, and near the beginning of Volume One there are a number of pictures that purport to show the project as it would be built, if approved. I point in particular to the pictures on 2-14 to 2-16 in Volume One.

The saying is that a picture is worth a thousand words. The obvious interpretation of that saying is that one picture has the persuasive power of a thousand words of text. Thus, a misleading and false pictorial representation will be vastly more damaging to establishing truth, than a thousand words trying to correct the misleading impression conveyed by the picture. There are four pictures (one of which is prominently featured on the front of the two Volumes) that convey a totally false impression of what College Avenue, in the block between Alcatraz and Claremont, looks like now, and would look like if the Project were to be allowed to proceed.

If one looks at the picture on the front of the Volumes, one gets the impression that College Avenue is a broad street, with little or no parking on it. College Avenue looks to be almost the same width as Claremont. I compared the width of the two streets (College and Claremont) in the picture and calculate that Claremont is 1.3 times as wide as College. Actual measurement of the two streets shows that Claremont is 1.57 times as wide as College. Moreover, having lived in the area for over 40 years, I do not ever recall a time when no cars were parked on both sides of College Avenue; generally every available parking space is in use on both sides of that narrow street. I believe the distortion in this picture was done intentionally to influence decision makers into thinking that traffic on College Avenue will not be a problem, even with more cars, because it is a broad suburban street which can accommodate all the traffic that will be thrown at it. The artist's lack of concern for accuracy is further demonstrated by showing a car coming down the wrong way on Florio Street (far right part of the picture) whereas that street is a one-way street going away from College Avenue.

I would also call your attention to the pictures on page 2-15 and the top picture on page 2-16. Only someone who intended to mislead the reviewer would have drawn anything so out of scale. These imaginary scenes would appear to be right out of Walnut Creek or any other suburban town built up after the 60s with very broad streets and an automobile oriented street layout. They certainly have nothing to do with College Avenue in North Oakland and they should be stricken from the EIR and replaced with accurate depictions of the congested area that actually exists at College/Claremont in North Oakland.

I am very much concerned that, because pictures can be so powerful in carrying a message about a place or setting, these pictures may influence the decision makers who will ultimately rule on approving or disapproving the Project into believing that our neighborhood's concerns with even more traffic are misplaced or irrelevant.

I request and will greatly appreciate your staff providing a copy of this letter to each member of the full Planning Commission and to each member of the City Council.

Very truly yours,

Gerald V. Niesar

Cc: Peterson Z. Vollman (pvollmann@oaklandnet.com)
Hon. Jane Brunner (jbrunner@oaklandnet.com)
Mayor Jean Quan (officeofthemayor@oaklandnet.com)
acampbellwashington@oaklandnet.com

Vollmann, Peterson

From: Annette Oliveira [annetteo@earthlink.net]

Sent: Wednesday, July 11, 2012 1:39 PM

To: Vollmann, Peterson; vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Quan, Jean; Brunner, Jane; Wald, Zachary; Lee, Heather

Cc: Kernighan, Pat; Nadel, Nancy; Schaaf, Libby; De La Fuente, Ignacio; Brooks, Desley; Reid, Larry; Kaplan, Rebecca; %20gwozniak@ci.berkeley.ca.us; safewayproject@gmail.com; elisabeth@ajepartners.com

Subject: I SUPPORT THE NEW SAFEWAY ON COLLEGE AVE

The new plan for the Safeway store looks good to me!

Annette Amelia Oliveira
annetteo@earthlink.net
Paz y Amor

Vollmann, Peterson

From: John Dal Pino [jdalpino@degenkolb.com]

Sent: Tuesday, July 10, 2012 6:08 PM

To: vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Vollmann, Peterson; info@fansco.org

Subject: Safeway on College Project ER09-006

I have read through the Final EIR, specifically the responses to the written comments on the Draft EIR. I submitted many myself.

I find the additional data and the conclusions drawn from that data unconvincing. As an engineer, but as a layperson when it comes to city planning, it seems quite obvious to me and much in keeping with common sense (which is usually right) that a much larger Safeway store on the present site will increase traffic on the main streets, increase cut-through traffic on the side streets, increase noise, increase pollution, make walking and biking more dangerous, and negatively impact the existing locally-owned businesses that make Rockridge an attractive place to live. No amount of industry data, clever analysis and obfuscation and excuses (CEA doesn't address this, this is for Planning to consider, the extra traffic will be within the capacities of the existing streets, etc.) will ever convince me otherwise. In addition, there are likely to be many unintended consequences that we won't know about until later, when it will be too late.

I urge the Planning Commission to cut through all of the "data" and reject the request by Safeway for a larger store. Please only approve a new, slightly larger store that is in keeping with the wishes of the neighborhood. After all, we are the ones that will have to live with the actual consequences, not anyone at Safeway.

By the way, despite what the EIR says, Safeway employees currently park in front of my house on Florio Street, even with the "surplus" parking in the current lot.

Thank you.

John A. Dal Pino

6364 Florio Street
Oakland, CA 94618

John A. Dal Pino, Senior Principal, S.E. 3114

Degenkolb Engineers
235 Montgomery Street, Suite 500
San Francisco, CA. 94104
p: 415.354.6430
f: 415.544.0783
www.degenkolb.com

san francisco | los angeles | portland | oakland | san diego | seattle

Vollmann, Peterson

From: Benson Mary Ann [wwmabenson@gmail.com]
Sent: Wednesday, July 11, 2012 3:19 PM
To: Vollmann, Peterson; vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Quan, Jean; Brunner, Jane; Wald, Zachary; Lee, Heather
Cc: Kernighan, Pat; Nadel, Nancy; Schaaf, Libby; De La Fuente, Ignacio; Brooks, Desley; Reid, Larry; Kaplan, Rebecca; gwozniak@ci.berkeley.ca.us; safewayproject@gmail.com; elisabeth@ajepartners.com
Subject: I SUPPORT THE NEW SAFEWAY ON COLLEGE AVE

I am thinking ahead to my grandchildren's children. A new modernized store will serve the neighborhood well for the next thirty years. It's time to remove the abandoned gas station and provide a new store and other small business locations in this prime neighborhood.

Thank you,

Mary Ann Benson

Vollmann, Peterson

From: Do Freeman [vansplunt@me.com]
Sent: Wednesday, July 11, 2012 4:56 PM
To: Vollmann, Peterson; vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Quan, Jean; Brunner, Jane; Wald, Zachary; Lee, Heather
Cc: Kernighan, Pat; Nadel, Nancy; Schaaf, Libby; De La Fuente, Ignacio; Brooks, Desley; Reid, Larry; Kaplan, Rebecca; gwozniak@ci.berkeley.ca.us; safewayproject@gmail.com; elisabeth@ajepartners.com
Subject: I SUPPORT THE NEW SAFEWAY ON COLLEGE AVE

Sent from my iPad

Vollmann, Peterson

From: John Jobst [jwjobst@hotmail.com]

Sent: Wednesday, July 11, 2012 9:42 PM

To: Vollmann, Peterson; vienv.truong@gmail.com; sgalvez@phi.org; blake.huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; pattillo@pgadesign.com; Quan, Jean; Brunner, Jane; Wald, Zachary; Lee, Heather

Cc: Kernighan, Pat; Nadel, Nancy; Schaaf, Libby; De La Fuente, Ignacio; Brooks, Desley; Reid, Larry; Kaplan, Rebecca; gwozniak@ci.berkeley.ca.us; safewayproject@gmail.com; elisabeth@ajepartners.com

Subject: I SUPPORT THE NEW SAFEWAY ON COLLEGE AVE

Just build it already!

Vollmann, Peterson

From: Peter Grame and Sean Maguire [petensean@dc.rr.com]
Sent: Thursday, July 12, 2012 8:04 AM
To: Vollmann, Peterson; vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Quan, Jean; Brunner, Jane; Wald, Zachary; Lee, Heather
Cc: Kernighan, Pat; Nadel, Nancy; Schaaf, Libby; De La Fuente, Ignacio; Brooks, Desley; Reid, Larry; Kaplan, Rebecca; gwozniak@ci.berkeley.ca.us; safewayproject@gmail.com; elisabeth@ajepartners.com
Subject: I SUPPORT THE NEW SAFEWAY ON COLLEGE AVE

It's time and it looks fantastic for the neighborhood and for Oakland! Jobs, growth, clean, new, etc. Let's not stand in the way of progress!!!

Vollmann, Peterson

From: Christine Acker [ctoc1@sbcglobal.net]
Sent: Thursday, July 12, 2012 8:42 AM
To: Vollmann, Peterson
Subject: Safeway on College--deny

Please consider very carefully your decision regarding the proposed Safeway expansion on College Avenue.
1. Consider the views of the local inhabitants who live and work close to the store and who will be most severely impacted by the expansion.
2. Consider the land use general plan's "preserve and enhance" designation for Rockridge.
3. Consider the several meetings called by Safeway to try to change the minds of Rockridge inhabitants, at which the overwhelming consensus was to modestly expand and remodel and not to double the size of the store.
4. Consider the town hall meeting held by Jane Brunner at which a huge majority of the people who spoke did so against Safeway's plans.
5. Consider the traffic chaos that will happen if this becomes a destination store—College is a narrow street, and Claremont already has problems with in-and-out traffic to the store.
6. Consider the views of local merchants who are against this threat to their livelihood.
7. Consider that just up the road at 51st and College there will be a huge new big box Safeway.

Please consider and reflect—and do not act in an arrogant and uninformed manner. Curtail the Safeway expansion plans.

Christine Acker

Vollmann, Peterson

From: William Cass [williamcass68@yahoo.com]
Sent: Thursday, July 12, 2012 7:22 PM
To: Vollmann, Peterson; vienv.truong@gmail.com; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Quan, Jean; Brunner, Jane; Wald, Zachary; Lee, Heather
Cc: Kernighan, Pat; Nadel, Nancy; Schaaf, Libby; De La Fuente, Ignacio; Brooks, Desley; Reid, Larry; Kaplan, Rebecca; gwozniak@ci.berkeley.ca.us; safewayproject@gmail.com; elisabeth@ajepartners.com
Subject: Safeway on College

To whom it may concern,

I can't think of any one thing that could destroy the culture of this small community more than this proposed project. Rockridge is a place we love because of the variety of small, quality businesses and restaurants that are family owned. What we don't need is a strip mall full of franchised mediocrity complete with an abomination of a parking structure to add to the already too congested College Avenue thoroughfare.

Please do not continue to push this project on us residents. We do not want this!

Sincerely,

Bill Cass
6006 Claremont Ave. Apt 1
Oakland, CA 94618

Sent from my iPhone

Vollmann, Peterson

From: Glenn Alex [galex@att.net]

Sent: Friday, July 13, 2012 1:25 AM

To: vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Vollmann, Peterson

Subject: Comments on Safeway Project, 6310 College Ave., Oakland, Case # ER09-0006; Alameda County APNs 048A-7070-007-01 and 048A-7070-001-01; FEIR

Attachments: FEIR.GA comments.7-9-12.docx

Please see my comments, attached in WORD format, on the Safeway Project at 6310 College Ave., Oakland, Case Number ER09-0006; Alameda County Assessor's Parcel Nos. 048A-7070-007-01 and 048A-7070-001-01; and on the corresponding Final Environmental Impact Report. I ask that these be distributed to all of the Oakland Planning Commissioners as far in advance of the July 25, 2012 hearing as possible.

I believe that the proposed project violates the zoning, and that the Final Environmental Impact Report does not comply with the California Environmental Quality Act, for the reasons stated. The matter should be remanded to staff with instructions to develop significantly smaller alternative projects.

By Certified U.S. Mail, return receipt, and by email

July 12, 2012

2715 Alcatraz Avenue
Berkeley, California 94705

Peterson Z. Vollmann, Planner III
City of Oakland Community & Economic Development Agency
Planning Division
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, CA 94612-2031
pvollman@oaklandnet.com

Re: Comments on the Safeway Project at 6310 College Ave., Oakland, Case Number ER09-0006; Alameda County Assessor's Parcel Nos. 048A-7070-007-01 and 048A-7070-001-01; and on the corresponding Final Environmental Impact Report:

Dear Mr. Vollmann:

I am writing to comment to the Oakland Planning Commission on the proposed large-scale build-out of the Safeway and gas station properties at College and Claremont Avenues in Oakland, Alameda County Assessor's Parcel Nos. 048A-7070-007-01 and 048A-7070-001-01, Case Number ER09-0006; and on the corresponding Final Environmental Impact Report ("FEIR"), prepared under the California Environmental Quality Act ("CEQA"). I continue to object to the environmental review documents for the project as inadequate, and I object to the project as proposed because of its adverse environmental effects and for other reasons.[1] I urge the Planning Commission not to approve the project or the FEIR as proposed, but instead to call for a project significantly smaller in size, consistent with the area's applicable former C-31 zoning.

The proposed project alternatives and CEQA mitigation for this project are inadequate because they are based on the Safeway Corporation's self-serving objectives designed to support its preferred alternative. The proposal championed by Safeway would adversely affect the neighborhood and the environment in ways that a proper alternative would not, specifically with respect to traffic and circulation, zoning/land use, hazardous substances, and greenhouse-gas emissions. As discussed below, many commentators, the Chair of Oakland's Design Review Committee, the City of Berkeley's City Manager, and indeed even the Safeway Corporation to a limited extent (as indicated in the statement of Todd Paradis,

[1] I have previously and timely commented on the Draft Environmental Impact Report ("DEIR") orally and in writing; those and these current comments are intended to constitute a part of the administrative record in this matter.

Real Estate Manager for Safeway, quoted below on p. 11), have recognized that Safeway could meet most of its objectives with a smaller project. Oakland city planning staff have apparently declined to arrive at this conclusion.

Introduction

Section 2.3.1 of the FEIR first states that the "revised project"[2] was subject to two public hearings of the Planning Commission, and an October 12, 2011 hearing of the Planning Commission Design Review Committee.[3] The section continues, "the project sponsor has refined the project to address issues that were identified through public and staff input and the DEIR [Draft Environmental Impact Report, July 1, 2011[4]] analysis. These revisions ultimately culminated in the revised project. . . ." Yet the very next paragraph states that the revised project "is identical to the DEIR project," excepting only aesthetics and a harmful proposed change to the driveway and lane configuration at 63rd St. and College Ave.

This result surprises in light of the many hundreds of pages of significant critical community comments on the DEIR about many shortcomings, but most particularly about size of the project in comparison to the zoning requirements. Objectors have included the City Manager of Berkeley, and the City Councilmember of Berkeley with jurisdiction just north of the project site. Further, at the 10/12/11 Oakland Design Review Committee meeting, the Chair, Ms. Zayas-Mart, expressed concern about the size of the proposed project and requested other changes, as well. She declared her intent that Safeway return with changes to a second meeting of the Committee. Scott Miller, currently the city's interim Planning Director,[5] indicated strong reluctance to having Safeway return to the Design Committee with proposed changes, and, indeed, a second meeting was not held. The city planning staff's/proponent's response comments in the FEIR read more like a rebuttal in defense of the DEIR and Safeway's preferred alternative than a serious analysis of the asserted shortcomings of the DEIR and the project.

Without reiterating all of the concerns expressed in my previous oral and written comments on this matter, I incorporate them here by reference.[6] In the remainder of this letter, I

---

[2] Safeway apparently submitted its application for the revised project a day before the July 4 holiday and just three days before issuance of the lengthy FEIR; compare FEIR § 2.3 and the cover memorandum dated July 6, 2012, signed by Scott Miller, Oakland's Interim Planning and Zoning Director; Department of Planning, Building, and Neighborhood Preservation Environmental Review Officer.

[3] I attended the second Planning Commission meeting and the Design Review Committee meeting.

[4] The FEIR incorporates the DEIR. See FEIR at p. 1-1.

[5] See fn. 2, above, for identification of Mr. Miller.

[6] It is also not possible to address in the few summer days granted all of the information that Safeway and city planning staff have accumulated over the course of nearly a year.

highlight a few specific concerns about traffic, zoning, hazardous substances, greenhouse gases, and project objectives and alternatives.

Discussion

1. CEQA mitigation and project alternatives

   a. The standard

Under CEQA, public agencies must mitigate for significant (adverse) environmental effects of proposed projects. Public agencies may not approve projects as proposed if there are viable project alternatives that would reduce environmental effects, even though the alternatives may not achieve all project objectives or may cost more.

"Once a significant effect has been identified, the EIR must propose and describe mitigation measures that will minimize [that effect]." *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 360. A public agency cannot approve a project that will harm the environment unless the agency has adopted all feasible mitigation for that harm. Public Resources Code sections 21002, 21081(a).

"[P]ublic agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects. . . ." Public Resources Code section 21002. "'A major function of an EIR "is to ensure that all reasonable alternatives to proposed projects are thoroughly assessed by the responsible official." [Citation.]'" *Save Round Valley Alliance v. County of Inyo* (2007) 157 Cal.App.4th 1437, 1456, quoting *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 735. The alternatives analysis must focus on alternatives "capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly." CEQA Guidelines section 15126.6(b). The range of alternatives discussed must include "those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects." CEQA Guidelines section 15126.6(c).

CEQA "charges the agency, not the applicant, with the task of determining whether alternatives are feasible. . . ." *Kings County Farm Bureau v. City of Hanford, supra*, 221 Cal.App.3d, at 736. "'Feasible' means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." Public Resources Code sections 21061.1. "[T]he circumstances that led the applicant in the planning stage to select the project for which approval is sought and to reject alternatives cannot be determinative of their feasibility. The lead agency must *independently* participate, review, analyze and discuss the alternatives in good faith." *Kings County Farm Bureau, supra.*

Further,

> An environmentally superior alternative cannot be deemed infeasible absent evidence the additional costs or lost profits are so severe the project would become impractical. (*Citizens of Goleta Valley v. Board of Supervisors, supra,* 197 Cal.App.3d at p. 1181, 243 Cal.Rptr. 339.) Nor can an agency avoid an objective consideration of an alternative simply because, prior to commencing CEQA review, an applicant made substantial investments in the hope of gaining approval for a particular alternative. (*Laurel Heights Improvement Assn. v. Regents of University of California, supra,* 47 Cal.3d at p. 425, 253 Cal.Rptr. 426, 764 P.2d 278.)

Kings County Farm Bureau, supra, at 736.

b. Proposed project alternatives and mitigation for this project

As noted in the many public comments (including my own previous written and oral comments) on the DEIR, the proposed project would impose significant effects on the environment in both its implementation and in its later operation. The proposed project poses problems primarily because its size and scale are incompatible with the neighborhood and the zoning, and because the project would admittedly impose significant, unavoidable adverse traffic and circulation effects. The proposed project would replace an approximately 24,000-square-foot, building with a three-story development of over 62,000 square feet, including a parking garage.

The proposed alternatives (see Chapter 5 of the DEIR) are inadequate, as discussed elsewhere in the existing administrative record.[7] But even the discussion of alternatives in the DEIR indicates that a feasible, smaller project alternative would impose lesser environmental effects than the proposed project. Under CEQA, a feasible alternative that imposes fewer environmental effects must be adopted in place of a more environmentally deleterious alternative. (Even Todd Paradis, Real Estate Manager for Safeway, recognized that Safeway could meet many of its objectives in a smaller, alternative project. See his statement, quoted below on p. 11).

(1) Traffic and circulation

The FEIR and DEIR acknowledge that the proposed project will cause serious traffic effects, including ten significant, unmitigable effects. DEIR at p. 5-62. Some of these project effects would be avoided with one of the smaller project alternatives, as the DEIR admits. For example, some of the alternatives would result in hundreds fewer vehicle trips, thus

[7] See, for example, the 9/2/11 comment letter of Oakland Planning Commissioner and Design Review Committee Chair Madeleine Zayas-Mart, FEIR at p. 5-104: "The EIR fails to consider feasible Mixed-Use residential scenarios."

eliminating some of the significant, unavoidable traffic effects of the proposed project. DEIR at p. 5-63; see also FEIR at p. 5-214.[8]

Some of the proposed mitigation measures for traffic circulation problems that the proposed project would cause depend on the City of Berkeley, whose jurisdiction begins immediately north of the project. Yet Berkeley has shown no inclination to adopt these problematic proposed measures. And Berkeley's City Manager, in a comment letter stated,

> Do not approve the project nor certify the EIR until the Safeway store itself is altered to minimize traffic congestion, reduce parking demand. . . . All of the alternatives to the proposed expansion listed in the DEIR have been rejected by Safeway as not sufficiently meeting their objectives. A project of this significance in such a unique area must give more weight to the desires and concerns of the community. . . . Several of these alternatives must be analyzed in detail to afford the opportunity to make an informed decision as to the impacts on the neighborhood. In particular there should be an alternative for which the store is scaled back sufficiently that the resultant parking demand does not exceed the proposed parking supply.[9]

FEIR, at pp. 5-76 to 5-77. City staff's response states in part that "[t]he proposed project has been substantially revised in response to community concerns expressed at a series of 16 community meetings of various formats dating back to June 2007." FEIR at p. 5-82.[10] To the extent that this statement refers to meetings with Safeway, what this response fails to mention is that Safeway picked its interlocutors, chose a mediator without consultation, and unceremoniously walked away when it became clear that the community, like Berkeley's City Manager, objected to the large size of the project.[11]

---

[8] Alternative 2, which would limit the development to a one-story, still outsized market of 40,000 square feet; and alternatives 2a and 2b, which would provide, respectively for a 35,750 square-foot project and a remodeled market of 25,250 square feet with an additional small cafe, address, if only partially, the admitted traffic effects and the zoning issues discussed in the next section of these comments.

[9] The DEIR indicates at p. 4.3-56, citing *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656, that a shortage of parking resulting from a proposed project does not require discussion under CEQA. Then, the DEIR correctly implies that parking *would* need to be considered if it created secondary effects. While "[t]he social inconvenience of having to hunt for scarce parking spaces is not an environmental impact; the secondary effect of scarce parking on traffic and air quality *is*. An EIR must 'address the *secondary physical* impacts that could be triggered by a social impact.' [CEQA] Guidelines, § 15131, subd. (a).)" *San Franciscans Upholding the Downtown Plan, supra*, 102 Cal.App.4th, at 697.

[10] See also similar comments in many of the other FEIR responses to comments.

[11] At the 10/12/11 Design Review Committee hearing, Commissioner Chris Patillo stated, "I'm also gonna agree with one of the other speakers who is frustrated that, in their perspective, Safeway has been stonewalling and not really being responsive to comments from the neighborhood. And I must say that I, I share that frustration, and I'm going to say that to you because I know that we have another Safeway coming up in Rockridge and I hope maybe you'll consider doing it a little differently. Um, I fully expected to see a revised set of plans before us today. And the fact that I'm looking at the exact same set of plans that I had back in, I think, June, is completely baffling to me. Why did we spend all that time listening to the public speak? Why did you ask the commissioners our opinions and then completely ignore everything you heard? Um, I find that very frustrating." City audio recording, my transcription; see the Declaration of Glenn C. Alex, attached to this letter as Exhibit A.

Finally, the only significant change to the proposed project in the FEIR concerns traffic routing, and will have serious adverse effects that the public must have a chance to comment on through a partially recirculated environmental document. The revised project would force all drivers leaving Safeway who want to head south on College Ave. instead to go north. This will clog Alcatraz Ave. in Berkeley between College and Claremont; drivers needing to head south on College Ave. but forced to go north will turn east on Alcatraz in order to turn right and drive south on Claremont Ave. Coincidentally, on the afternoon of July 8, 2012, I observed that, following an automobile accident on Claremont at Alcatraz, police temporarily directed southbound traffic on Claremont instead westbound on Alcatraz. Westbound Alcatraz and College Ave. southbound, both north and south of the intersection with Alcatraz, became completely congested during this time. The proposed traffic change in the FEIR, based on the large proposed project, will impose similar, but permanent, serious congestion eastbound on this stretch of Alcatraz Ave. The FEIR fails to address this problem adequately.

(2) Zoning

Land-use impacts constitute a central issue in the city's consideration whether to approve the project as proposed or adopt the corresponding FEIR. The conclusion in the FEIR that the proposed project would be consistent with former C-31 zoning ignores the facts and violates common sense.

(a) Generally

The neighborhood contains multiple, unique, small shops, and enjoys substantial foot traffic. Significant change of neighborhood and community character almost certainly will result from construction of a large-scale shopping complex in one of the best local, pedestrian communities in the San Francisco Bay area. The proposed project would triple the square footage and the number of stories, nearly double the parking, and cause significant, unavoidable traffic problems. Imposition of a grocery store more than double the size of the current store, together with new franchised retail and food stores, will almost certainly alter the character of the neighborhood and create new pressure on existing small businesses, particularly those that compete directly with new services that will be provided in the larger store.

Development in a C-31 zone must aim to <u>maintain and enhance</u> the area, not, as in some other zones, to grow and change the area. In rezoning last year from C-31 to CN-1, the city showed its concern with size in this zone by <u>reducing</u> the threshold for a conditional use permit from 7,500 to 5,000 square feet. The proposed project, <u>62,000 square feet</u>, does not fit the applicable old C-31 Special Retail Commercial zone or the character of the neighborhood, despite the bald assertion in the FEIR that "[t]he proposed project would be pedestrian in scale, in keeping with the general character of the other development along

College Avenue." FEIR at p. 5-65. Yet the FEIR concludes that the project is consistent with the zoning, and provides only cursory analysis or evidence about how Safeway might qualify for the required major conditional use permit and variances.

In order to obtain the necessary Major Conditional Use Permit, Safeway must meet many Municipal Code requirements. The project proponent, not the community, bears the burden of showing that this inordinately large-scale proposed project does not have a significant environmental impact on land use. Oakland may grant Safeway the required Major Conditional Use permit, in accordance with section 17.134.040, only if the project meets all of the requirements of section 17.134.050. Those requirements include:

> That the location, size, design, and operation characteristics of the proposed development will be compatible with and will not adversely affect the livability or appropriate development of the abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; . . . to harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development.

The FEIR also ignores the fact that the existing Safeway store was originally "grandfathered in" to the C-31 zone; the store was built around 1962, and the C-31 zone was created around 1971. In other words, though the existing store did not meet the requirements of the C-31 zone, such as the 7,500-square-foot maximum size, it was able to remain because it preexisted the zone. If Safeway proposed rebuilding its store on a similar scale, the same logic would likely apply. But tripling the square footage and adding national franchise stores, all for an "auto-oriented" development, does not "maintain and enhance" the neighborhood. As the FEIR determines, these actions will harm the neighborhood from the perspective of traffic and parking. They will change the basic nature of business in the area. The massive new proposal thus does not qualify for the same treatment as the existing store; as a matter of law, it would violate the C-31 zone absent a specific exemption or zoning change. As such, the proposed project is simply illegal.

(b) Physical effects of economic decline

Various courts have rejected EIRs and project approvals for failure to adequately consider indirect decay and blight to an area through a spiral of closures and vacancies.[12] The proposed project risks physical decay to the affected neighborhood through economic decline. Among other things, the project will set national companies and franchises against neighborhood shops.

---

[12] See, for example, *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184; *Citizens Assn. for Sensible Development of Bishop Area v. County of Inyo* (1985) 172 Cal.App.3d 151; *Citizens for Quality Growth v. City of Mt. Shasta* (1988) 198 Cal.App.3d 433; and CEQA Guidelines section 15064.

The project proponents attach a new study ("the new decay study") to the FEIR[13] to refute these cited possible effects. The new decay study adduces a lot of data. But it admits that 80 percent of "net new stabilized Project sales" will be "generated by residents of the Project's market area. . . ." FEIR, Appx. A, at p. 2.[14] And Safeway Chief Executive Officer and Chairman Steve Burd stated during a conference call with investors on July 21, 2011 that, for growth, Safeway is relying on gaining market share from competitors. *San Francisco Chronicle*, July 22, 2011, at D-2.

While the new decay study contends that the project would capture some money that currently "leaks" from the local area because demand cannot be satisfied, FEIR, Appx. A, at p. 2, the study does not adequately address the deleterious effects of the direct competition between and expanded Safeway and its franchised retailers on the one hand, and the locally owned stores in the neighborhood.[15] Instead, the new decay study simply asserts that "[i]t will be incumbent on these small stores to continue to build customer loyalty and provide quality products. * * * * As experienced retailers, [three specified stores] are anticipated to be able to counterbalance product-based sales losses with new merchandising strategies, and thereby retain loyal customers." FEIR, Appx. A, at p. 4. These hopeful assertions do not constitute an economic analysis. Indeed, how could the new decay study know that the local stores won't be undercut, given that Safeway has not specified the franchises that will occupy its retail spaces? Nor does the study analyze the significant economic effects of traffic and the parking deficit on local businesses; these could in themselves contribute to blight.

The Declaration of Annette Floystrup dated August 10, 2011 provides evidence of another potential decay problem—future abandonment of a large store by Safeway. See Comment Letter C-87, FEIR at pp. 5-404, 5-405. Ms. Floystrup's declaration points out that Safeway has abandoned Oakland stores in the broader area at Claremont Ave. and Clifton, 40th Street and Telegraph Ave., 29th Street and Broadway, and 27th Street and West at San Pablo Ave.; as well as a store near Shattuck and Adeline Avenues in Berkeley. The Claremont/Clifton site, for example, "sports a vast expanse of chain link fencing, and today needs remediation

---

[13] Appendix A to the FEIR.

[14] See DEIR at 4.3-113. If Safeway admitted relying instead on a wider, more regional draw of customers, this would raise additional questions about the adequacy and accuracy of the traffic discussion and conclusions in the DEIR. See the traffic discussion in the text above.

[15] Neighborhood shops near the existing Safeway at College and Claremont in Oakland currently include a bakery, a floral shop, a wine shop, a meat and fish market, a small produce market, several small cafes and restaurants, and a liquor store, among others. The expanded Safeway, with admitted plans for a "'from scratch' bakery, a pharmacy, expanded floral offerings, and expanded deli. . . , [and] a 'service' meat and seafood service," DEIR at 5-11 and elsewhere, will compete more extensively with each of these shops. Safeway has already bought out the small Chimes pharmacy across College Avenue from its store and intends to move it into the proposed new building, creating a vacancy on College Ave. Nationally franchised stores, rented or sold by Safeway in eight "condominium" sites, will apparently compete with existing shops.

to remove the stump of the old Safeway sign and the weeds from the parking lot." Id., at 5-404.[16]

The proposed project thus poses potential risk to the businesses of the local merchants so essential to the character of the neighborhood, and could bankrupt some—potentially endangering this vibrant area with economic and physical decay, deterioration, or blight. In this light, it is hard to see how the City could view the proposed Safeway project as consistent with the zoning, which is designed to "create, preserve, and enhance mixed use neighborhood commercial centers," which are "typically characterized by smaller scale pedestrian oriented continuous and active store fronts with opportunities for comparison shopping." Oakland Ordinances Ch. 17.33.

(3) Hazardous substances

The FEIR has failed to examine possible toxic/hazardous substances under the existing store and parking lot, despite the evidence. This failure could result in serious effects to water, air, and human health. Comment Letter C-86, FEIR at pp. 5-387 et seq., makes a strong case, with supporting documentation, that the DEIR missed significant potential toxic issues on the project site. The FEIR response to this comment refers to responses B-4-8 and B-4-16 through -19 to Comment Letter B-4. These responses are completely inapposite and inadequate. In fact, Response B-4-16 says that "the issue of hazards, including soil and groundwater contamination, was not addressed in the DEIR because it was focused out of the EIR. . ."; "standard conditions of approval" would render the matter less than significant.[17] The problem is not described in the environmental documents; indeed, the project proponent and city staff may well have been unaware of the specific potential problem caused by past uses. In any event, they did not study the potential problem or discuss the evidence, in derogation of CEQA. The remaining B-4 responses pertain to potential leaks and other hazards at the gas station that Safeway bought and closed. But Commenter C-86 raises

[16] The DEIR also refers repeatedly to the closed or vacant gas station on the corner of Claremont and College, now part of the project site. But the DEIR fails to mention that it was *Safeway* that over a year ago bought, closed, and fenced the site with cyclone fencing along this busy pedestrian and vehicle road, raising questions about Safeway's concern for the economic and physical condition of the neighborhood.

[17] The DEIR, in section 2.1, simply states that hazards and hazardous materials, along with the majority of other subject areas of which CEQA requires consideration, "were found to be potentially less-than-significant and are addressed in the Initial Study." DEIR at p. 2-1. The Initial Study and Environmental Review Checklist, dated October 30, 2009, in turn states that a "Phase I and Screening Level Phase II Environmental Assessment Report . . . found no evidence of environmentally hazardous conditions on that parcel," Initial Study at p. 42, and then tosses in some stock conditions about what to do if hazards are encountered, id. at pp. 44-47. While the term "parcel" is ambiguous as used in this section of the Initial Study, the likely reference in context is the southern portion of the project site, which now contains a closed gas station. Indeed, the remainder of the discussion in this section of the Initial Study refers to the gas station and the possibility of leaking underground storage tanks. Contrast this with the commenter's credible evidence of hazardous substances possibly underlying the entire property, based on pre-Safeway uses.

significant issues regarding toxic substances that likely underlie not (just) the gas station but the parking lot and the store. The point of Commenter C-86's letter is that the DEIR missed this potentially very significant environmental/human health issue, in violation of CEQA.

(4) Greenhouse gas emissions

The environmental document improperly "annualizes" GHG *construction* emissions and adds them to expected annual *operation* emissions. DEIR at p. 4.5-47; see also FEIR at p. 5-55. As the DEIR itself points out, id., the Bay Area Air Quality Management District Guidelines do not provide for this. Instead, the construction emissions must be independently evaluated for significance, and minimized to the extent possible.

2. Smaller alternatives

The Chair of Oakland's own Design Review Committee, Berkeley's City Manager, and many members of the public have all objected to or expressed serious concerns about the size of the project due to the significant environmental effects and other potentially deleterious effects on the area and its unique zoning. The Berkeley City Councilmember with jurisdiction over the area immediately north of the proposed project has called for rejection of the proposed project and the environmental documentation, stating that "the DEIR is inadequate and incomplete. The full-build design is ranked 4th in terms of minimizing environmental impact. . . . [Y]et these dramatic increases in bulk and scale are deemed insignificant." FEIR at p. 5-91. Under CEQA, feasible alternatives with lesser environmental effects must be accepted. Nonetheless, Oakland planning staff have given no serious consideration to requiring a reduction in the size of the proposed Safeway project.

The DEIR rejects alternative 2 because it would not meet several of the "primary objectives of the *applicant*," DEIR at p. 5-11 (emphasis added)—rather than the objectives of the *City*. Among these "primary objectives" are

> a new Safeway store *sufficient in size* to offer a more comprehensive range of commercial services and products to Safeway's customers, including an on-site, "from scratch" bakery, a pharmacy, expanded floral offerings, and expanded deli. . . , a "service" meat and seafood service (as compared to the pre-packaged items currently available[18]), and a greatly expanded produce section; and create a more functional and efficient shopping area configuration to eliminate current "pinch points" in Safeway customers' path of travel and enhance the overall shopping experience of customers.

DEIR at p. 5-11 (emphasis added). The DEIR (at p. 5-12), rejects alternative 2b, described as the "environmentally superior alternative," DEIR at p. 5-63, and alternative 2a, id., for

[18] Having lived nearby and shopped regularly at this Safeway store for 23 years, I know from observation and memory that the existing store used to have a "service" meat counter—until Safeway removed it.

very similar reasons. True, the project alternatives in the DEIR are not adequate from the standpoint of the environment. But even so, they demonstrate, and the DEIR concludes, that a smaller project would have lesser adverse environmental effects. But since the applicant's main objective is expressly a large Safeway, and since city staff has refused to reframe the alternatives, any purported alternative that does not allow a large Safeway is preordained to be rejected. Safeway's stated objectives such as more product choices unduly narrow the available project alternatives, to the detriment of the neighborhood and the environment.

Yet even Safeway acknowledges that Safeway has built smaller "Lifestyle" stores and could do so here. The city made an audio recording of the October 12, 2011 Design Review Committee hearing, and I later transcribed a portion of it. Almost two hours into the hearing, Commissioner Chris Patillo asked that the Safeway representative "explain to everyone present what is the rationale of why you feel you need a 50,000 square-foot building here, wherein you do have examples, seemingly, that do work, uh, at 30,000?" Todd Paradis, who identified himself as real estate manager for Safeway responded:

> Um, we are not, those, there are stores certainly in the Bay Area, I mean, the Fruitvale store was expanded, or not expanded, but remodeled a few years ago, and it is a smaller store, and um, and so, there's no debating that. The, what we're, what we're finding is, is that, it's not so much all the extra items that the store's gonna carry. It's the extra aisle widths that you get in the store that allows people to, to get around in the store a lot easier than some of our smaller stores. So, while our smaller stores can have a good number of items, it's still a frustrating experience for our customers because there are a lot of pinch points in the store. . . .
>
> Um, right now this store has always been a very successful store for us, and, as a result of that we have a lot of products that either have to be stored up above the gondolas, which takes away from the shopping experience inside that particular store, because up in the overhead stuff you see regular cardboard boxes storing different types of merchandise. And, and if it is there, we run out of stuff a lot of times, we have out-of-stock situations in this particular store as a result of not having the right holding capacity. So, there's, so it's really a combination of being able to spread out the aisles, spread out the merchandising displays, get a little bit more of it, and, um, in between all that, you get up to a store that's 50,000 square feet, without, without really offering, in many instances, you know, a whole lot more in that store. * * * *[19]

Is the City of Oakland prepared, on behalf of a large corporation and its potential national franchise renters or commercial condominium buyers, to defy its own zoning rules at the expense of a very successful and livable neighborhood, at the cost of significant, unavoidable damage to traffic circulation and possible damage to small, locally owned businesses in Berkeley and Oakland, and creation of tension in the relationship with the City of Berkeley, so that the Safeway Corporation can improve the aesthetics of the shopping experience, "spread out the aisles, spread out the merchandising displays, get a little bit more of it"?

---

[19] City audio recording, my transcription; see the Declaration of Glenn C. Alex, attached to this letter as Exhibit A.

Conclusion

The FEIR improperly identifies as the *project* objectives the project *proponent's* objectives, rather than the independent objectives of the *City* on behalf of the public. As a result, the FEIR doomed the proffered project alternatives from the outset because they cannot meet the objectives as defined by the project proponent, which include, among other things, a large Safeway. This misidentification of project objectives precluded meaningful evaluation of alternatives and adequate analysis of traffic, zoning, hazardous substances, and greenhouse gas emissions.

Even so, the FEIR admits that several of the potential alternatives in the FEIR which provide for a smaller project would avoid some of the serious traffic and circulation effects (and related parking problems) of the Safeway-preferred alternative. These smaller alternative projects would meet many if not most of the reasonable project objectives, excluding those objectives designed by Safeway to bolster its desire for a large project. Unlike city planning staff, even the Safeway Corporation has acknowledged to a limited extent that a smaller store could meet most of its objectives. The Planning Commission should recognize this by ordering revisions to the FEIR and by postponing approval of a project until adequate, smaller, lawful alternatives are presented.

Sincerely,

/s/

Glenn C. Alex
Attorney at Law

Declaration of Glenn C. Alex

I, Glenn C. Alex, declare that:

1. I am submitting this Declaration in conjunction with consideration by the City of Oakland, California of a proposed construction project, the Safeway Project at 6310 College Ave., Oakland, Case Number ER09-0006; Alameda County Assessor's Parcel Nos. 048A-7070-007-01 and 048A-7070-001-01 ("the project").

2. I have lived just north of the proposed project site for 23 years.

3. On October 12, 2011, I attended a meeting regarding the project at Oakland city hall held by the City of Oakland Design Review Committee of the Planning Commission from approximately 5 p.m. to 8 p.m. The city made or caused to be made an audio recording of this meeting. Among others present and speaking were Commissioners Chris Patillo and Madeleine Zayas-Mart, Mr. Todd Paradis, who identified himself as real estate manager for the Safeway Corporation, and Ken Lowney, identified as Safeway's architect.

4. On October 21, 2011, at approximately 3 p.m., I obtained in person from employees of the Oakland Planning Department in Ogawa Plaza, downtown Oakland an electronic copy of the audio recording of the October 12 Design Review Committee meeting, which the employees copied onto my electronic "flash drive."

5. On October 21 and 22, 2011, I typed a partial transcription of the October 12 Design Review Committee meeting from the electronic copy of the audio recording that I received from the Oakland Planning Department.

6. I believe the partial transcript to be accurate, though a few words of the speakers were difficult to understand or inaudible on the recording. I have attached a full copy of my partial transcript as Attachment 1 to this Declaration.

Executed under penalty of perjury on July 12, 2012 at Berkeley, California.

/s/

_____

Glenn C. Alex

Attachment 1, Partial Transcription of 10/12/11 Meeting
Design Review Committee of the Oakland Planning Commission
(Exhibit A, Declaration of Glenn C. Alex)

About 1 hour 50 minutes into the meeting:

Planning Commissioner Chris Patillo: Could, could I start by asking the applicant, Safeway representative, to briefly respond to the last comment and explain to everyone present what is the rationale of why you feel you need a 50,000 square-foot building here, wherein you do have examples, seemingly that, that do work, uh, at 30,000?

Todd Paradis: Good evening, my name is Todd Paradis, real estate manager for Safeway. Um, we are not, those, there are stores certainly in the Bay Area, I mean, the Fruitvale store was expanded, or not expanded, but remodeled a few years ago, and it is a smaller store, and um, and so, there's no debating that. The, what we're, what we're finding is, is that, it's not so much all the extra items that the store's gonna carry. It's the extra aisle widths that you get in the store that allows people to, to get around in the store a lot easier than some of our smaller stores. So, while our smaller stores can have a good number of items, it's still a frustrating experience for our customers because there are a lot of pinch points in the store where they get stuck behind a freezer door that opens up, a column that's in the way, uh, other items in the way, people in the way and so forth, and so, uh, even though the store is going from 25,000 square feet and I, that's [inaudible] a couple of times, the store is it's not quite 25, it's a little under 25,000 square feet, there's a mezzanine in the store, so if you're to take a look at a Google maps and you can get a dimension on there you're going to find that it's smaller and that's because it's not accounting for the mezzanines in the store, where all the loading comes in. So, out of the store's size, I would say that the actual increase in items is a small percentage to the actual increase in the store's size itself. The store, and in fact I, what didn't get mentioned is, we're talking a lot here about the store being 50,000 square feet, and, while measured that way, it is in fact 50,000 square feet, because of the dimensions of the store, we're not getting 50,000 square feet. We're getting essentially somewhere around the holding capacity of about a 45,000 square-foot store because it has some geometry to it that's making it less efficient.

Um, right now this store has always been a very successful store for us, and, as a result of that we have a lot of products that either have to be stored up above the gondolas, which takes away from the shopping experience inside that particular store, because up in the overhead stuff you see regular cardboard boxes storing different types of merchandise. And, and if it is there, we run out of stuff a lot of times, we have out-of-stock situations in this particular store as a result of not having the right holding capacity. So, there's, so it's really a combination of being able to spread out the aisles, spread out the merchandising displays, get a little bit more of it, and, um, in between all that, you get up to a store that's 50,000 square feet, without, without really offering, in many instances, you know, a whole lot more in that store. So for us, we look at this store, and we've heard the comments a lot of times that why don't you just keep the store, make it a little bit larger,

add 5,000 square feet to it. Well, certainly, the idea of tearing down a store and rebuilding it for a small, 5 or 10,000 square-foot, um, increase, would never make sense. So, you really would be, at that point, stuck with, with not doing anything at that location, is the honest answer to it from an economic standpoint, although sometimes economics don't always wanna, people don't always wanna address those at commissions and so forth, but we, um, we feel that the plan that we've come up with is, is a neighborhood-serving grocery store. And in fact, um, there is such a demand there, at this particular store, that we do experience these runouts that I'm referring to. And, um, and so, I think that the best that we can do and what we spent a lot of time doing is, is making that size, or that square footage look like it's in context with what's happening in the neighborhood. And, um, and then I think we've done a really good job doing that, I think that, I think that, if you are an observer from the street, coming from either direction, and I, and I, and we know that there is still work to be done on the Claremont Street side, I think that's been mentioned by several people. But I think, aside from that, I think, the College Street side, with 50,000 square feet, lays in very well with the fabric of what's happening, um, in and around there.

One of the other things, since I'm up here, that I think I would like to mention is, um, we, someone came up and talked about the trees, the magnolia trees, on Claremont, and, it turns out that we found, we found an expert that can remove those trees and store those trees. It has a high—can do that without killing the trees, so that they don't have to be removed or destroyed. That they can come back onto the site. And so that's one, one of the things that we're still looking at, but it's looking very promising that we can do that and I think that the only thing that I suggested to the landscape architect in doing so is that we would really want to make sure that we know what we're saving, that they're, that they're, that each of the ones that would be saved would be healthy trees and not distressed trees or trees that probably didn't have much of a life anyway, but if there are trees that are perfectly healthy, that can, ah, that should be saved, we think we've found a way that we can do that. They don't have to go to that same location when they go back, they can go anywhere within, within the project. So, yeah.

Patillo: Thank you. Don't go too far away. I have a lot of comments, and they may not be all in the perfect order.

I'm going to start by saying that I agree with one of the speakers, John Chailik, and his comment that the process is flawed. Um, being a new commissioner, I'm somewhat dismayed with, things are coming to us that don't seem to have been vetted in an ideal way. And it's too bad that this issue didn't get addressed when, when Commissioner Jarvis was on the Commission—you should have solved this when you were sitting here. [Audience laughter.] Um, you know, and I don't know what can be done about it, but I don't think we can do anything about it for this particular, uh, project. I think everyone's

been mentioning that this project has been ongoing for two years or more, and, um, we've received, I've received over 200 letters, and there's a good number of people who really want us to move this thing along and get it done. So I'm not going to try to, um, I, I wouldn't support sending them back to the drawing board for a wholesale redo, but I do think that there are issues with the process. Shortly we're going to be looking at a 46-story building on the shores of Lake Merritt. And that's what we're starting with. And, um, that troubles me a lot.

I'm also gonna agree with one of the other speakers who is frustrated that, in their perspective, Safeway has been stonewalling and not really being responsive to comments from the neighborhood. And I must say that I, I share that frustration, and I'm going to say that to you because I know that we have another Safeway coming up in Rockridge and I hope maybe you'll consider doing it a little differently. Um, I fully expected to see a revised set of plans before us today. And the fact that I'm looking at the exact same set of plans that I had back in, I think, June, is completely baffling to me. Why did we spend all that time listening to the public speak? Why did you ask the commissioners our opinions and then completely ignore everything you heard? Um, I find that very frustrating.

So, with that, I'm going to move into sort of regular comments. * * * *

About 2 hours 54 minutes into meeting:

[Design Review Committee Chair Madeleine Zayas-Mart discussing design with Safeway architect Ken Lowney:]

Planning Commissioner Zayas-Mart: I feel I share your opinion about the fact that the [design review] process is not working, that this is not the project to change it.

But, I think that we really need to see this project come back to the DRC. The reason is, is for some of the reasons that she [Commissioner Patillo] explained. But I also think that we need more information on all these public right of way changes. I don't really have a lot of information about the street, of the width of streets and sidewalks. I'm very uncomfortable about some of these ideas about, you know, adding turning lanes and things like that and adding more asphalt and making streets wider. So I really have to have a better understanding of how that works, and, uh, I don't feel like the package really addresses that very much, or the staff report addresses it in detail.

And I also think that the big issue of size and mixed use needs to be addressed. And we won't have a chance to look at that unless we ask you to come back.

Ken Lowney: Yeah, and this is a good time for me to just be very frank with you. Um, we're not able to live with the, reduce the size of the store. So, we're gonna try to accommodate all of the things we said, best we can, within the parameters of a 50,000 square-foot store.

Zayas-Mart: Does the applicant want to speak, uh, on that point?

Todd Paradis: Um, yeah, I do. I'm not sure exactly to comment about the process, it doesn't work, 'cause. . . The time that we've been at this, to design this and I'm sure you probably [inaudible] met with three architects. We started with a project that was completely different than what we have today. We started with a store—and we've actually been at this for going over five years now; and, so, I feel that we've spent a lot of time redesigning and working with different architects and finding the one that could really understand how to do a store that fits into this community and so through that whole process we've already reduced the store size from what we wanted, which was 60,000 square feet when we first started. So, anything less, and so, maybe the mistake that we made here is that we left nothing for negotiating later. Because now, I'm at the point where it's not worth it for us to proceed with a project smaller than 50,000 square feet. And so I don't want to say that, to expect anything to shrink because I don't see it happenin'. And I just want to be honest about that because that is, and I don't want to make it sound like an ultimatum, because I feel that, in many instances when I'm going to do the DRCs and Planning Commissions, these things do get whittled down further but I'm never in this position where we've been at it for five years and I've already made those alterations. So that's just, you know, I'm not saying that I couldn't take ten square feet off, you know, here and there, and a total of, you know a thousand, but we're not talking significant changes or reductions.

Lowney: And so I want to make clear that, within those parameters, talking about the Claremont, I think we can address your needs, your concerns. For one thing, no, I've written it all down and I think I can respond to what you're saying. It's just that it's within the context of that size limitation.

Zayas-Mart: Appreciate that. And I just want to address the comment from Planning. I know, and actually you've done, um you're really wise to have gone through the series of architects because I think that you have finally hit one that is doing a good job and we can actually discuss the designing process. I think that I want to compliment you for that, uh, for, you know, for really pushing the design further, and I think that that is really important to this community and to this commission. But I think that the issue of size is

something that is beyond this meeting, perhaps, but it affects the kind of comment that we give you. So I think that it needs to be addressed in something that, uh. . . .

Paradis: Right. I can address size from the standpoint of the way that it feels from the street. But I can't address size from the standpoint of less square foot inside the store.

Zayas-Mart: Well, there's a traffic impact. And I think that, if you can address it, if you can address both of those, then I think, I don't think, personally have a problem with 50,000 square feet, I just have a problem with the impacts of 50,000 [inaudible]. I think that's really where the work lies. You have to [inaudible] prove to us if you're going to stick to that number, how it really works. And, uh, but I think you've heard us and you've heard what we'd like to see next, so, I mean, I don't want to, um, discourage your process; I think that you have done some improvements over time, I just, there are still some concerns that I trust you will address with the neighbors and, you know, with us, so [inaudible]. But, but, you know, my, my concern about the process is not that you haven't [inaudible] the process, but that the size really hasn't been properly addressed yet.

Paradis: Right. And I'm only bringing it up because I, I, just I'd hate to come back in a month and whenever the next one gets scheduled, and we address pretty much everything else on the list but you still see the size, and then we're we're all focused on, we did everything but you didn't do *this* thing. And, I, uh, and so I just, I just feel that, I'm sort of at, I know that it's the rock bottom number at this point. I just don't want to walk away knowing that's the case and not say it. That's all.

Zayas-Mart: Well, your job, then, is to prove that it doesn't have an impact.

Paradis: Sure. Absolutely.

Voice in the back: Now you know what it's like to talk to Safeway. [Audience laughter.]

Zayas-Mart: Please restrain comments.

Scott Miller: *[in July 2012, Oakland's Interim Planning and Zoning Director; Department of Planning, Building, and Neighborhood Preservation Environmental Review Officer]*: And I'd like to make just a statement. 'Cause, um, we've taken your comments, we've both written notes, we've got the audio, um, it sounds like Safeway is resigned to the fact of a second DRC. I'm going to bring up your request to the deputy director and see if he wants to move in that direction. You've heard Safeway clearly state that they're not able to reduce the size. We heard Safeway at the draft EIR hearing say that they were not going to be able to add housing because they weren't a housing

developer, so I don't know what going to another DRC is really going to get us in terms of details that can't already be presented to the full commission. Because ultimately we might find out that there's six or seven different opinions on what's the ideal plan for this site. Um, but again, I will take that under advisement to Director Angstadt and see where he wants to go with it in terms of the next steps. But ultimately it may be that you, as individual commissioners or a combined number of commissioners on the DRC may agree to disagree with the project that's ultimately brought forward to you in the full commission. There's nothing we can do about that. The project is what they're proposing. We can offer guidance and suggestions and our opinion on how it should be changed. Um, we've done that to a great extent. But ultimately I hope you realize that it might come to you and you might not be happy with it as an individual commissioner.

Zayas-Mart: We're ready to take that risk. And I think that the majority of the DRC committee is asking for it come back. So, that is the commission's direction and sort of mandate.

Miller: And like I said, I'll bring it up to Director Angstadt.

Patillo: Am I incorrect, is it not normal to expect to see the materials at a DRC meeting?

Miller: It is odd that we didn't have that, that may have been an oversight in staff sort of preparing the applicant for that, so I do apologize, it was our oversight, but, yeah, it's certainly something that you should expect to see at a DRC.

Zayas-Mart: I think we're done with the Safeway project for tonight. Are there any other issues that [inaudible].

Miller: No other issues, so we can call for an adjournment?

Zayas-Mart: Ok, so we're adjourned. Thank you very much.

Vollmann, Peterson

From: peter fowler [upperbound@sbcglobal.net]

Sent: Friday, July 13, 2012 12:54 PM

To: Vollmann, Peterson; vienv.truong@gmail.com; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Quan, Jean; Brunner, Jane; Wald, Zachary; Lee, Heather

Cc: Kernighan, Pat; Nadel, Nancy; Schaaf, Libby; De La Fuente, Ignacio; Brooks, Desley; Reid, Larry; Kaplan, Rebecca; gwozniak@ci.berkeley.ca.us; safewayproject@gmail.com; elisabeth@ajepartners.com

I strongly disapprove of Safeway's plan to put in a mega-store on College Avenue. Such a store would completely change the great neighborhood that exists there now.
Thank you. Peter Fowler 445 60th Street

Vollmann, Peterson

From: David Diamond [david.diamond@att.net]

Sent: Saturday, July 14, 2012 8:50 AM

To: Vollmann, Peterson; vienv.truong@gmail.com; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Quan, Jean; Brunner, Jane; Wald, Zachary; Lee, Heather

Cc: Kernighan, Pat; Nadel, Nancy; Schaaf, Libby; De La Fuente, Ignacio; Brooks, Desley; Reid, Larry; Kaplan, Rebecca; gwozniak@ci.berkeley.ca.us; safewayproject@gmail.com; elisabeth@ajepartners.com

Subject: Support for College Avenue Safeway Store

Dear Mr. Vollman,

I am writing to express my support for Safeway's plan to build a new larger store at the College and Claremont Rockridge location. I live one block from this location (at Hillegass and 62nd), and I think that this gorcery store provides a valuable service to our neighborhood. My biggest fear is that if Safeway's proposal is rejected, then they will just close the store and abandon this location (much like they did 30+ years ago with the store on Claremont Avenue next to the DMV), and this will ultimately be much worse for the neighborhood than a larger store. We would then all be forced to drive to the store at 51st and Broadway instead of having a store within easy walking distance of BART and our homes.

I don't doubt that Safeway wants a larger, more modern store to make their current business model succeed. The exisitng building is probably almost 50 years old, in need of significant repair, and extremely cramped inside (the aisles are too narrow for a modern grocery store). Additionally, if increased floor area would allow Safeway to expand their selection (i.e. in deli, bakery, and cooked food offerings), I think this would also benefit the neighborhood.

As for the design of the porposed store, I do not believe that their proposal is out of scale with the neighborhood, which is a commercial district. (There are other buildings directly across the street on College Avenue that are three or more stories in height.) I'm not a traffic expert, but I feel that the concerns about traffic are also being exaggerated. (The Trader Joe's parking lot on College Avenue is much more congested than it ever was when that store was a Lucky/Albertson's, but in spite of this, the impact to the traffic on College Avenue seems to be minimal.)

I just wanted to write to let you know that not all Rockridge neighbors are opposed to Safeway's plans, and I believe that the potential loss of Safeway as a business would be a greater detriment to the neighborhood than a bigger store. Thank you for you earnest consideration on this issue.

David Diamond
Rockridge Resident

Vollmann, Peterson

From: Danica Truchlikova [danicat05@comcast.net]
Sent: Saturday, July 14, 2012 10:38 AM
To: Vollmann, Peterson
Subject: DENY COLLEGE AVENUE SAFEWAY EXPANSION AS PROPOSED

Dear Mr. Vollman,

I appreciate the opportunity to submit comments for the hearing on July 25, 2012 on the EIR for the Safeway Shopping Center – College and Claremont Avenues (File ER09-0006). It is obvious, that there are legitimate issues with this project and the EIR document. From the very first community meeting, there was a huge opposition to the massive size of the proposal. Any statement by Safeway, that the proposal was developed with the community input and consent, is disingenuous.

• The project grossly violates the C-31 zoning (C-N1 in the new designation). Its approval requires 4 CUP and 2 variances and, for this alone, should have been rejected up front in the proposed form. Zoning laws need to carry some weight; otherwise the City may as well eliminate the costly process of planning reviews and approvals.

• Safeway's stated objective is to "revitalize" College Avenue by proposed "Safeway Shopping Center". This designation by itself is an anomaly on College Avenue. <u>There is no opposition to modernization of the store on a more modest and appropriate scale.</u> Safeway took this option off the table, even though at one of the first public meetings it was mentioned as an alternative. This site, its shape, and its location cannot support such a large project without major detrimental effects on the character and scale of College Avenue.

• The other Safeway's objective is to provide more comprehensive services, by offering exact replicas of the stores across the street. It is more than obvious that Safeway's intent is to get rid of all local competition across the street. Why would City of Oakland support such intent over the legitimate demands of residents who live, work, pay property taxes and shop in Rockridge? Shopping on the second floor is pedestrian unfriendly and foreign to College Avenue. It will not provide more functional and efficient shopping experience. It will set a precedent that may change College Avenue, as we know it, forever. Some supporters of the project stated that it is better to have shops on both sides of the street. It was not clear at the previous meetings how many of these people actually live and frequently shop there. Having a 400' long mass of a two story building on a relatively narrow street is not better in this case. A reference to the larger scale commercial development on Claremont Avenue is not a valid argument. Claremont Avenue is considerably wider street, and the mentioned buildings have much smaller footprints than the proposed project.

• College Avenue is relatively narrow in this block and tends to be jammed on any day of the week and at any hour of the day. The four-way lights at intersection of Claremont and College take longer to yield green, and even if there is green at College and Alcatraz intersection, cars are not moving, and often are lined half a block past Alcatraz. Adding any additional traffic to this situation will be irresponsible, and none of the proposed mitigation measures will make the conditions better.

• The proposed parking is insufficient and does not comply with the code requirements. In addition, elimination of parking along the small stores across the street confirms that Safeway's major objective is to eliminate all local competition.

• General Plan encourages creation of pocket open spaces in the urban fabric. This is the only block on College that provides an open view of Oakland hills across the Safeway parking lot. I am not proposing that open parking lots are a desirable feature, but Safeway could hugely improve the block by opening the store to the street with glass façade and improving parking lot by redesign and new landscape, and providing a

small plaza with benches to rest or wait for taxis. Covered parking is dangerous; robberies in Rockridge are on an upswing. Open seating on the second level may become a gathering place for rowdy teens, and vagrants at night, as well as may provide danger from falling or thrown down objects onto the sidewalks below.

Cities of Berkeley, Albany and Burlingame down-scoped similar large projects proposed by Safeway. And surprisingly, Safeway did not leave, but agreed to build smaller "lifestyle "stores. Does Oakland care less about the character of the city? Especially since another huge Safeway store is proposed about a mile down the block. I urge you to take into consideration the destructive effect that this project will have on what is one the most successful streets in Oakland. There are neighborhoods where a large Safeway store would do much more good that it would in Rockridge. The City has the power to enforce more balanced approach to development

I am an experienced registered architect, long time resident of Rockridge, and am well familiar with the area of the proposed project. I strongly urge you to approve a reduced size project like was done in Berkeley, Albany and Burlingame. College Avenue is recognized as one of the most appreciated Oakland's assets for its scale, character and pedestrian friendly ambiance. There is no planning justification for approval of this project, which does not comply with the zoning requirements and is totally out of scale and character of College Avenue.

Thank you for your attention and consideration of my comments.

Sincerely,

Danica Truchlikova, AIA, Architect

Vollmann, Peterson

From: pcc [pcc@ix.netcom.com]

Sent: Sunday, July 15, 2012 8:13 AM

To: Vollmann, Peterson; vienv.truong@gmail.com; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Quan, Jean; Brunner, Jane; Wald, Zachary; Lee, Heather

Cc: Kernighan, Pat; Nadel, Nancy; Schaaf, Libby; De La Fuente, Ignacio; Brooks, Desley; Reid, Larry; Kaplan, Rebecca; gwozniak@ci.berkeley.ca.us; safewayproject@gmail.com; elisabeth@ajepartners.com

Subject: Safeways on College

The proposed remodel of the Safeway at College and Claremeont seems short-sighted to me. How does it fit in with the plans for the mega-Safeway proposed at Rockridge? Can this neighborhood support two within less than a mile (plus Trader Joe's and non-chain specialty stores)? Or are you planning to kill all the mom-and-pops?

As far as I can tell from the drawing, the proposed architecture is a style that I personally find offensive: bland, tasteless, not at all related to the local setting. And likely to be dated in a decade. As ugly as the current store is, there is a clue that it isn't in Atlanta.

Explain the parking and traffic flow again. You mention them, but I don't see the underlying diagrams.

Bayle Emlein

Vollmann, Peterson

From: Dan wajsman [dan_wajsman@hotmail.com]
Sent: Sunday, July 15, 2012 3:50 PM
To: Vollmann, Peterson

I live in rockridge on Locksley----please support the new safeway.

Dan Wajsman

Vollmann, Peterson

From: Susan Shawl [jazzfan101@gmail.com]
Sent: Sunday, July 15, 2012 5:40 PM
To: vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Vollmann, Peterson; info@fansco.org
Cc: Vollmann, Peterson
Subject: Safeway on College Project ER09-0006

Dear Commissioners;

This comment email on the FEIR, specifically pages re: Pages 2-2 & 2-5, plus Figure 2-4 on page 2-8, is concerning the **intersection of 63rd Street and College Avenue.**

The "**revised project**" intends to prohibit *"left-turn and through movements from the store driveway to southbound College Avenue and westbound 63rd Street, respectively ....". "... prohibit the existing left-turn movement from northbound College Avenue to westbound 63rd Street...."*
"Prohibit left-turn and through movements from eastbound 63rd to northbound College Avenue and Project driveway."

Two options are suggested; one would "enforce" the prohibited movements through signs and striping. (? How?) This is admitted to be the least effective option. The other one provides a small bulb-out type "median" that protrudes about 9' north from the side of the crosswalk. HOWEVER, it doesn't prevent people driving eastbound on 63rd Street from driving across College Ave and straight into the Safeway garage entrance. If this were to happen, a narrow residential 63rd Street becomes a primary access point.

Figure 2-4 on page 2-8, the Revised Ground Floor Plan shows the "median".
"The median cannot be wider than six feet in order to allow trucks to turn right from northbound College to the project driveway and from eastbound 63rd Street to southbound College Ave."

Safeway states that trucks are to be using the upper parking area off of Claremont Ave adjacent to the loading dock area, so I do not understand why the median cannot be extended beyond where it is shown on the plan.

Per Planning Staff person Robert Merkamp, the median as shown is ~9' (north/south dim) x ~5' (east/west dim). **This median should be lengthened to align with the center of 63rd Street so that it totally blocks vehicles from driving directly into the Safeway garage from 63rd Street. The width could be decreased to that of a standard curb if it is really necessary** *"to allow trucks to turn right from northbound College to the project driveway ....."*

I do not understand the need for pedestrian bulb-outs on a street as narrow as College Avenue. They would be very handy if installed on Claremont Avenue which is much wider.

Respectfully,

Susan Shawl
326 63rd Street
Oakland, CA 94618

Vollmann, Peterson

From: Susan Shawl [jazzfan101@gmail.com]
Sent: Sunday, July 15, 2012 7:15 PM
To: vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Vollmann, Peterson; info@fansco.org
Cc: Vollmann, Peterson
Subject: Safeway on College Project ER09-006

This comment email on the FEIR, specifically pages re: Pages 2-2 & 2-5, plus Figure 2-4 on page 2-8, is concerning the **intersection of 63rd Street and College Avenue.**

The "**revised project**" intends to prohibit *"left-turn and through movements from the store driveway to southbound College Avenue and westbound 63rd Street, respectively ....". "... prohibit the existing left-turn movement from northbound College Avenue to westbound 63rd Street...."*
"Prohibit left-turn and through movements from eastbound 63rd to northbound College Avenue and Project driveway."

Two options are suggested; one would "enforce" the prohibited movements through signs and striping. (? How?) This is admitted to be the least effective option. The other one provides a small bulb-out type "median" that protrudes about 9' north from the side of the crosswalk. HOWEVER, it doesn't prevent people driving eastbound on 63rd Street from driving across College Ave and straight into the Safeway garage entrance. If this were to happen, a narrow residential 63rd Street becomes a primary access point.

Figure 2-4 on page 2-8, the Revised Ground Floor Plan shows the "median".
"The median cannot be wider than six feet in order to allow trucks to turn right from northbound College to the project driveway and from eastbound 63rd Street to southbound College Ave."

Safeway states that trucks are to be using the upper parking area off of Claremont Ave adjacent to the loading dock area, so I do not understand why the median cannot be extended beyond where it is shown on the plan.

Per Planning Staff person Robert Merkamp, the median as shown is ~9' (north/south dim) x ~5' (east/west dim). **This median should be lengthened to align with the center of 63rd Street so that it totally blocks vehicles from driving directly into the Safeway garage from 63rd Street. The width could be decreased to that of a standard curb if it is really necessary** *"to allow trucks to turn right from northbound College to the project driveway ....."*

I do not understand the need for pedestrian bulb-outs on a street as narrow as College Avenue. They would be very handy if installed on Claremont Avenue which is much wider.

Respectfully,

Susan Shawl
326 63rd Street
Oakland, CA 94618

Vollmann, Peterson

From: Karen Carlson [karencarlson5@gmail.com]

Sent: Sunday, July 15, 2012 11:06 PM

To: Vollmann, Peterson; vienv.truong@gmail.com; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Quan, Jean; Brunner, Jane; Wald, Zachary; Lee, Heather

Cc: Kernighan, Pat; Nadel, Nancy; Schaaf, Libby; De La Fuente, Ignacio; Brooks, Desley; Reid, Larry; Kaplan, Rebecca; gwozniak@ci.berkeley.ca.us; safewayproject@gmail.com; elisabeth@ajepartners.com

Subject: Safeway on College

I strongly do NOT support the huge new Safeway project on College Avenue. I agree that the current store is not very nice and too small, and that a somewhat larger and more attractive store would be welcome. The proposed one, however, will literally overshadow and try to replace the local treasures that we already have – the small independent merchants across the street: the family run café, green grocer, wine store, butcher and bakery which together make this part of College Avenue so vibrant. What's wrong with one of the other 2 more modest proposals which will keep Safeway profitable and our neighborhood with a large local presence? I recently asked the manager of the Safeway why they didn't have any local salmon now that it's in season. He faintly blushed and admitted that the buying is top down and that he can't stock anything that the other Safeways don't have. He could offer frozen farmed Atlantic salmon – that's it. I asked if having a bigger store would change this situation and he said that sadly, probably not. So, to repeat, I love our local guys – let them co-exist with a modestly sized Safeway.

Karen Carlson
Rockridge resident for 35 years

Vollmann, Peterson

From: Stephen D. Sugarman [sugarman@law.berkeley.edu]

Sent: Sunday, July 15, 2012 11:22 PM

To: Vollmann, Peterson; vienv.truong@gmail.com; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Quan, Jean; Brunner, Jane; Wald, Zachary; Lee, Heather; ","@berkeley.edu; Nadel, Nancy; Schaaf, Libby; De La Fuente, Ignacio; Brooks, Desley; Reid, Larry; Kaplan, Rebecca; gwozniak@ci.berkeley.ca.us; safewayproject@gmail.com

Subject: Mega Safeway on College

I am confident that most of us in the Rockridge neighborhood to NOT want the mega Safeway that is being proposed for College and Claremont.

If this project is successful, the traffic would be a mess and we'd all be worse off.

College Avenue is a precious and delicate jewel. It has thrived because of RCPC and the limits on what sorts of businesses can exist here. A mega Safeway is completely inconsistent with that vision and with the success we have had. Don't tamper.

Let Safeway build a giant store at 51st where that shopping complex is not a success. Maybe Safeway can revive things there. Let them demonstrate that first. And if they have a successful giant store at 51st, would they really want or would the neighborhood really need another one at Claremont?

Trader Joe's is a good replacement for the old Lucky store. It is smaller and better.

A mega Safeway would be a mega traffic nightmare.

Stephen D. Sugarman
Rockridge resident since 1976

Vollmann, Peterson

From: Julie Hardgrove [julie@hcccom.net]

Sent: Monday, July 16, 2012 12:14 PM

To: Vollmann, Peterson; vienv.truong@gmail.com; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Quan, Jean; Brunner, Jane; Wald, Zachary; Lee, Heather

Cc: Kernighan, Pat; Nadel, Nancy; Schaaf, Libby; De La Fuente, Ignacio; Brooks, Desley; Reid, Larry; Kaplan, Rebecca; gwozniak@ci.berkeley.ca.us; safewayproject@gmail.com; elisabeth@ajepartners.com; 'Susan Shawl'

Subject: AGAINST New Behemoth Safeway on College

To all,

We received a flyer from Safeway asking us to tell the city how much we support this exciting project.

Let me express how much I **DO NOT** want to see this overdevelopment occur. Rockridge is a charming neighborhood of one & two story bungalows and nestled together with a delightful tree-lined avenue of locally owned shops and restaurants. My husband and I have lived in Rockridge for over 20 years. We enjoy walking to our little neighborhood stores – Ver Brugge Meats, Yasai groceries, La Farine, Cole Coffee, Vino and more. We do not need a Safeway that is designed both spatially and architecturally for suburbia!

Some specific reasons against:

1. TOO BIG! Besides blocking the views of the Oakland Hills it will NOT fit in with the neighborhood. We do not need a huge Safeway with another even larger Safeway planned for 51st & Broadway, *not even one mile away*. The additional services and amenities they say they will provide are more than already provided for w/ our existing shops.
2. TRAFFIC CONGESTION! The area already is a bottleneck, especially during rush hours and when UC Berkeley is in session. MORE vendors trucks, MORE and probably bigger Safeway trucks. We live on Alcatraz just two blocks from the Safeway. Safeway runs their semis up/down our street with no regard to the neighbors as if it were a highway.
3. EXISTING BIZ! We are gravely concerned that the new store will run our small locally owned shops out of business. Is that what Oakland is trying to achieve here? Could vacant stores lead to blight?

Regards,
Julie Hardgrove

Julie Hardgrove, President & CEO
510.655.1193 / Cell: 510.812.7133
www.hcccom.net

Like us on Facebook
Connect on LinkedIn

Vollmann, Peterson

From: dnacrady@aol.com

Sent: Monday, July 16, 2012 12:17 PM

To: vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Vollmann, Peterson

Subject: Safeway College Avenue FEIR

Dear Members of the Oakland City Council,

We are Safeway neighbors on Claremont Avenue and were present from the very beginning at the meetings Safeway conducted for the College and Claremont neighborhood. While Safeway was willing to listen to some of our concerns, their representative consistently reiterated that they were not willing to listen to our most frequently stated concern: that the proposed 70,000 sq ft Safeway plus retail project was outscale for this neighborhood.

We are not NIMBYS - we LIKE having Safeway as our neighbor and would love to see a beautiful renovation or a modest rebuild at the site. Safeway has proven (on Grand Avenue, for one example) that a smaller footprint can yield an economically satisfactory result that will enhance (and not degrade) a neighborhood. This is the solution that the great majority of Rockridge and Claremont neighbors would like Safeway to pursue.

In your final EIR, you have minimized the concerns of all the neighbors as being insignificant while indicating that all Safeway's needs (for greater market share and dominance) can and should be met. This lopsided analysis does not consider that, even with the traffic mitigations proposed, the traffic along College Avenue (which will have three stoplights in a one block stretch) and Claremont Avenue (which will also have three stoplights in a one-block stretch) will be tremendously impacted: residents on Claremont and on Alcatraz will find it more difficult to park and to enter and exit driveways; Safeway shoppers will be subjected to 6 stoplights in a two block circuit; given the current, often gridlocked state of College Avenue, it would be naive to think that these six stoplights would solve problems that are strategically insoluble.

There is no evidence to support the proposal that a light at Alcatraz & Claremont, followed by a light at Mystic & Claremont (five or six car lengths away) will do anything to improve the flow of traffic on Claremont Avenue. The proposed light at 63rd Street may improve egress for Safeway but will eliminate street parking for the small shops along College Avenue (impacting their survivability significantly). You state that, once shoppers realize that the traffic is untenable, they will shop elsewhere. If this speculation has merit, then is there any need for this store to more than double it's size? Wouldn't the point of doubling it imply that Safeway hopes to double it's shoppers? You can't seriously believe that any significant number of Safeway shoppers will do their weekly shopping on their bicycles.

Our larger concern is that the EIR seems to suggest that the C-31 zoning is irrelevant to this project. Nothing could be further from the truth.
Rockridge has been a tremendously successful retail zone for the City of Oakland BECAUSE of C-31. The individuals who have found it viable, walkable, charming, livable and desirable have done so because of the delicate balance that has been maintained in the retail sector and the perception of Rockridge as being predominantly small scale, single owner, locally owned and staffed. A retail mall such as the Safeway proposal runs counter to the intent and spirit of C-31. It neither maintains nor enhances. It is not fulfilling any unmet neighborhood need. It effectively re-characterizes the neighborhood by massively rebranding the corner of College and Claremont with unsightly Safeway-centric signage.

We urge you to reject Safeway's current, outsize proposal and insist that Safeway return to the table with a smaller and more site appropriate solution as they have shown themselves able to do in other neighborhoods.

Sincerely,

Adele and David Crady
Claremont Avenue homeowners.
510.547.4908

Vollmann, Peterson

From: dnacrady@aol.com

Sent: Monday, July 16, 2012 2:38 PM

To: vienv.truong@gmail.com; sgalvez@phi.org; blake.huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; pattillo@pgadesign.com; Vollmann, Peterson

Subject: Fwd: Safeway College Avenue FEIR (slight correction!)

Dear Oakland City Council,

In paragraph 3, I misstated the total number of stoplights as 6 instead of 5. But it will definitely feel like 6!
Thank you for your consideration.
Best,
Adele Crady

-----Original Message-----
From: dnacrady <dnacrady@aol.com>
To: vienv.truong <vienv.truong@gmail.com>; sgalvez <sgalvez@phi.org>; Blake.Huntsman <Blake.Huntsman@seiu1021.org>; michael.colbruno <michael.colbruno@gmail.com>; mzmdesignworks <mzmdesignworks@gmail.com>; jaw1123 <jaw1123@aol.com>; Pattillo <Pattillo@pgadesign.com>; pvollman <pvollman@oaklandnet.com>
Sent: Mon, Jul 16, 2012 12:16 pm
Subject: Safeway College Avenue FEIR

Dear Members of the Oakland City Council,

We are Safeway neighbors on Claremont Avenue and were present from the very beginning at the meetings Safeway conducted for the College and Claremont neighborhood. While Safeway was willing to listen to some of our concerns, their representative consistently reiterated that they were not willing to listen to our most frequently stated concern: that the proposed 70,000 sq ft Safeway plus retail project was outscale for this neighborhood.

We are not NIMBYS - we LIKE having Safeway as our neighbor and would love to see a beautiful renovation or a modest rebuild at the site. Safeway has proven (on Grand Avenue, for one example) that a smaller footprint can yield an economically satisfactory result that will enhance (and not degrade) a neighborhood. This is the solution that the great majority of Rockridge and Claremont neighbors would like Safeway to pursue.

In your final EIR, you have minimized the concerns of all the neighbors as being insignificant while indicating that all Safeway's needs (for greater market share and dominance) can and should be met. This lopsided analysis does not consider that, even with the traffic mitigations proposed, the traffic along College Avenue (which will have three stoplights in a one block stretch) and Claremont Avenue (which will also have three stoplights in a one-block stretch) will be tremendously impacted: residents on Claremont and on Alcatraz will find it more difficult to park and to enter and exit driveways; Safeway shoppers will be subjected to 6 stoplights in a two block circuit; given the current, often gridlocked state of College Avenue, it would be naive to think that these six stoplights would solve problems that are strategically insoluble.

There is no evidence to support the proposal that a light at Alcatraz & Claremont, followed by a light at Mystic & Claremont (five or six car lengths away) will do anything to improve the flow of traffic on Claremont Avenue. The proposed light at 63rd Street may improve egress for Safeway

but will eliminate street parking for the small shops along College Avenue (impacting their survivability significantly). You state that, once shoppers realize that the traffic is untenable, they will shop elsewhere. If this speculation has merit, then is there any need for this store to more than double it's size? Wouldn't the point of doubling it imply that Safeway hopes to double it's shoppers? You can't seriously believe that any significant number of Safeway shoppers will do their weekly shopping on their bicycles.

Our larger concern is that the EIR seems to suggest that the C-31 zoning is irrelevant to this project. Nothing could be further from the truth.
Rockridge has been a tremendously successful retail zone for the City of Oakland BECAUSE of C-31. The individuals who have found it viable, walkable, charming, livable and desirable have done so because of the delicate balance that has been maintained in the retail sector and the perception of Rockridge as being predominantly small scale, single owner, locally owned and staffed. A retail mall such as the Safeway proposal runs counter to the intent and spirit of C-31. It neither maintains nor enhances. It is not fulfilling any unmet neighborhood need. It effectively re-characterizes the neighborhood by massively rebranding the corner of College and Claremont with unsightly Safeway-centric signage.

We urge you to reject Safeway's current, outsize proposal and insist that Safeway return to the table with a smaller and more site appropriate solution as they have shown themselves able to do in other neighborhoods.

Sincerely,

Adele and David Crady
Claremont Avenue homeowners.
510.547.4908

6200 Manoa Street
Oakland, CA 94618
July 16, 2012

Mr. Scott Miller
Interim Planning & Zoning Director
Dept. of Planning, Building and Neighborhood Preservation
Environmental Review Officer
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612

Re: Safeway Shopping Center---College and Claremont Avenues;
File ER09-0006

Dear Mr. Miller:

This letter will address the issue of zoning requirements for the proposed project that Safeway plans at Claremont and College Avenues.

The area is currently zoned CN-1 but, as I understand from the proposed EIR it is actually grandfathered under the previous C-31. However, according to the notes in the proposed EIR, "the zoning regulations for the [CN-1 and C-31] districts are largely the same, and the findings required under the C-31 zoning for conditional use authorization were largely carried over to the CN-1 zoning." I attempted to get my hands on the actual C-31 zoning provisions. A city official was only able to send me the entire current Oakland Zoning Regulations (printed out at 378 pages) which included the CN-1 but not the C-31 zoning. Hence my comments will refer to CN-1 and I presume they are applicable to C-31. If not, I trust the City will take the time to respond to this comment letter with a copy of the C-31 regulations. As pointed out in my letter of July 9, this inability to be precise must be expected when we are presented with a 1,500 page EIR, and now 378 pages of zoning regulations, to review and comment upon in less than three weeks. The words "denial of due process" come to mind.

Chapter 17.33 of the Zoning regulations contains the CN Neighborhood Center Commercial Zones Regulations. Page 138 (Section 17.33.010(b) contains a Description of Zones. As to CN-1 the description is as follows:

The intent of the CN-1 zone is to maintain and enhance vibrant commercial districts with a wide range of retail establishments serving both short and long term needs in attractive settings <u>oriented to pedestrian comparison shopping.</u> (bolding and underlining supplied by me.)

For most ordinary citizens with average reading skills, that sentence would put to rest any discussion of the proposed Safeway project. The project does nothing to maintain or enhance the current vibrant commercial district in which it is proposed to be situated. It is impossible to see that it will not detract from the current wide range of retail establishments in that district. Indeed, Safeway has already bought out the independent pharmacy that was across

the street from its proposed project, and has forced closure of two other independent, locally owned businesses, the service station (referred to in the EIR as "now closed") and the Cupa Tea at Alcatraz and College (now occupied by the first national chain store that has ever existed on College other than supermarkets).

Then there is the business about the new buildings in the district being required to be "oriented to pedestrian comparison shopping". Only someone who is a paid advocate for Safeway could advance the preposterous position that a 51,500 square foot store, not even on the first floor, would be considered oriented to pedestrian comparison shopping. OK. Someone disagrees. Then why is at least half of the 1,500 page EIR devoted to trying to explain away the traffic problems that will be created by this massive expansion? As discussed in the comments, responses to comments, exhaustive tables and charts, the proposed mitigation approaches (some of which depend on Berkeley taking action which we all know won't happen, therefore leaving several "significant and unavoidable" traffic impacts), and even the discussion about "in the future" Safeway working with residents of nearby streets such as Manoa, Mystic andAuburn, to install traffic bumps, etc., ----this "traffic" is not comprised of pedestrians. When a good half of a massive EIR deals with automobile created messes that have to be mitigated, if possible, then the project cannot possibly be one that is "oriented to pedestrian comparison shopping"; or, as I believe it was characterized in the C-31 zoning, simply "pedestrian oriented".

Safeway's FEIR admits this in the Responses to Comments. See, for example, Response to Comment C-86-5 on page 5-402: "As far as the 'car-oriented nature' of the project, by its very nature, a full-service grocery store <u>will of necessity be auto-oriented</u> (my emphasis). That comment then goes on with an incredible, unsupported and unsubstantiated statement: "...the design of the proposed project is more pedestrian-friendly than the existing store." There is absolutely no support given for that ridiculous statement for the simple reason that it is not capable of support, it is false, and anybody with a shred of sense can see that. I should also call attention to another statement in that Response to Comment, one that makes it clear that there is no need for this massive store on this fragile overburdened street: "...<u>within about 2 miles of the proposed project there are 17 other full-size supermarkets.</u> (again, my emphasis)" So, there is absolutely no need, and no compelling reason, why Safeway should be allowed to inflict this additional traffic mess on the Rockridge neighborhood, and under those circumstances there is no justification for allowing this not permitted use to be approved.

I should also like to call your attention to Safeway's Response to Comment B-4-3 on page 5-166. "In fact, the DEIR identifies <u>15 transportation impacts</u>, including 11 impacts n College Avenue traffic and <u>11 significant and unavoidable impacts</u> (my emphasis)." Under what stretch of logic can one even contemplate a conclusion that this is a project that is consistent with the objective of promoting pedestrian comparison shopping"? And if it cannot be shown that the project is consistent with that objective, it simply is not allowed in the C-31 or CN-1 zoned area.

CN-1 zoning requires that any new building over 5,000 square feet may only be approved under a conditional use permit. (I believe under C-31 it was 7,000 square feet.) My family was

extensively involved thirty years ago in the neighborhood struggle to maintain and enhance the neighborhood orientation of College Avenue. The square foot restriction was included for the very reason that it would not allow massive, automobile-oriented projects to be built. Thus, the size standard is intricately intertwined with the pedestrian-oriented requirement of C-31; or, as it is phrased in CN-1 the orientation "to pedestrian comparison shopping". For the reasons expressed above, it is clear that Safeway's massive new building at 51,500 square feet presents not even a faint illusion to the requirements of the zoning ordinance and, therefore, should be denied.

But wait, there's more. Table 17.33.01 in the CN-1 regulations lists a host of types of uses that are permitted, permitted only with a conditional use permit, subject to certain limitations or, as is applicable here: **prohibited except as accessory activities according to the regulations contained in Section 17.010.040.** (Section 17.010.040 is not applicable as far I as can tell from a review of its provisions.)

One of the prohibited commercial activities is: "Large-Scale Combined Retail and Grocery Sales". The regulations do not specifically define any of the words used in describing that activity. Thus, we need to apply common usage and common sense to discern what is meant by "a large-scale combined retail and grocery sales activity". Clearly Safeway's project fits the latter part of that phrase: it intends to sell groceries, but also it will sell household items like dishes, cutlery, pots and pans, it will operate a pharmacy, it will operate a liquor store, it will sell propane, etc.; and that is just based upon the current, much smaller facility and the little bit they have said about their proposed activity in the large-scale proposed successor. Safeway's project also clearly fits the first part of the description: "large-scale". Absent a definition in the zoning regulations we need to look at what common sense dictates would be considered large-scale. In this regard, I believe the most important feature to use as a base for "regular scale" would be the 5,000 square foot limitation on stores that is generally applicable (or 7,000 if I am correct that is what C-31 provided). It is hard to envision a legitimate argument that a store that is either 7.5 or 10.3 times the size of the permitted stores would not be considered "large-scale". Moreover, looking at the other stores along College Avenue, it is obvious that a 51,500 foot store would be large-scale by comparison to any but the other grandfathered store now occupied by Trader Joe near Bart. Finally, I would point out that many people have referred to the proposed Safeway store as a large-scale project. For instance, Comment Letter A-4 submitted April 15, 2011 by Gordon Wozniak of the Berkeley City Council, line two: "the proposed large-scale build-out of the Safeway....."

In the absence of a codified definition, my analysis of what that prohibited activity is, i.e., a "large-scale combined retail and grocery sales" store, is precisely what a Court will be required to do if and when this project is approved and challenged. I submit that no rational person can conclude that Safeway's proposed insult to the North Oakland neighborhood would result in anything other than a prohibited "Large-Scale Combined Retail and Grocery Sales" building.

For the reasons stated above, i.e., the proposed Safeway store

a) is not likely to maintain and enhance the existing vibrant commercial district;

b) already has, and will continue to, eliminate more of the wide range of retail establishments currently existing, as well as discourage those varied retail businesses which might otherwise be tempted to locate in the commercial district; and

c) is totally inconsistent with the requirement of a "setting oriented to pedestrian comparison shopping",

the project should not be approved. It fails to comply with the zoning requirement, even if it were possible to obtain conditional use permits and variances necessary to work around the many CEQA and land use problems it would create.

I request that a copy of this letter be given to each member of the full Planning Commission and to each member of the City Council.

Very truly yours,

Gerald V. Niesar

Cc: Peterson Z. Vollman (pvollmann@oaklandnet.com)
Hon. Jane Brunner (jbrunner@oaklandnet.com)
Mayor Jean Quan (officeofthemayor@oaklandnet.com)
acampbellwashington@oaklandnet.com

Vollmann, Peterson

From: Alison Woods [alisonwoodz@yahoo.com]

Sent: Monday, July 16, 2012 8:07 PM

To: vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Vollmann, Peterson

Subject: Safeway Project on College and Claremont

Dear Planning Commission,

I am writing as a concerned neighbor who lives within walking distance of the Safeway store located at College and Claremont.

The traffic congestion and parking in that area is already very difficult. College Avenue is already nearly impossibly snarled most hours of the day. The proposed Safeway expansion will make matters even worse. Parking will be a nightmare, and if the project is approved, expect to see lines of cars waiting to get into an inadequate parking lot.

Rockridge is a very special neighborhood, and this particular stretch of College avenue has a very charming collection of one of a kind businesses including restaurants, cafes, florists and vegetable markets. We are already well-served by Market Hall, Trader Joes, and charming specialty markets all within walking distance of each other. We don't want to lose these businesses to the strip mall style development Safeway is proposing. Rockridge is already served by a mega-safeway at the corner of Broadway and Pleasant Valley. We don't need another one in the neighborhood. We don't want to lose the wonderful businesses we already have on College Avenue.

I agree that the current Safeway is in need of a facelift and the boarded up gas station is an eyesore. The current ratio of store to parking lot is appropriate for the location. Please ask Safeway to scale this project back to a more suitable size. We don't want Safeway to use unfair competition to steal business away from the family run businesses on College avenue. Please protect our very special neighborhood.

Alison Woods
alisonwoodz@yahoo.com

Vollmann, Peterson

From: Lee Grossman [leegrossman@sleeveofcare.com]
Sent: Monday, July 16, 2012 9:14 PM
To: vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Vollmann, Peterson; info@fansco.org
Cc: Vollmann, Peterson
Subject: Safeway on College Project ER09-0006

Dear Commissioners:

My wife and I have been Rockridge residents for twenty years. During that time we have enjoyed the unique character of the small shops and restaurants on College Avenue. That commercial community, built around foot traffic, was a large part of the draw that brought us here. Unfortunately, during that time we have also seen a major increase in traffic along that corridor, so that at peak times it borders on impassable.
The Safeway expansion plan promises to take that situation and make it much worse.
Safeway is the one generic megastore on the block
already; it has never fit in with the ambience of the neighborhood.
Now it is threatening to add even more traffic to a highly congested area. Furthermore, it promises to destroy the unique character of the area. For an example of the latter, you need look no further than Safeway's overtaking of Chimes pharmacy, changing it from a personal neighborhood fixture into a characterless dump they don't even bother to keep clean.
We strongly urge you to prevent the expansion of Safeway on College.
There is a Trader Joe's a few blocks away, and a larger Safeway easily accessible. No useful purpose is served by the expansion, and the damage to the neighborhood will be irreversible.
Please vote to protect our community.
Sincerely,
Lee Grossman, MD

Vollmann, Peterson

From: mary jane weatherbee [mjane13@yahoo.com]
Sent: Tuesday, July 17, 2012 8:43 AM
To: Vollmann, Peterson
Subject: Safeway on College Project ER09-0006

Dear Peterson Vollman,
I am writing to express my strong opposition to the proposed Safeway expansion on College Avenue. The proposed project is inappropriate for the neighborhood. It is too big and will change the flavor of the neighborhood that will not benefit its residents and existing businesses. It will have a negative impact on the already congested traffic in the area.
The Safeway expansion at 51st and Broadway is much more appropriate for that site, while creating an enormous store and parking lot at College and Claremont does not make sense.
I have been a Rockridge resident for 12 years, and greatly value the neighborhood that will be effected if Safeway is allowed to go ahead with their plan. There is a strong sense of community among the small business owners and the neighbors who support them, and this will be destroyed by this proposal. I hope you will listen to the majority of residents who are opposed to this project.

Sincerely,
Dr. Mary Jane Weatherbee
5329 Locksley Ave.
Oakland, CA 94618

Vollmann, Peterson

From: Judy Rowe [judylrowe@gmail.com]
Sent: Tuesday, July 17, 2012 9:24 AM
To: Vollmann, Peterson; vienv.truong@gmail.com; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Quan, Jean; Brunner, Jane; Wald, Zachary; Lee, Heather
Cc: Kernighan, Pat; Nadel, Nancy; Schaaf, Libby; De La Fuente, Ignacio; Brooks, Desley; Reid, Larry; Kaplan, Rebecca; gwozniak@ci.berkeley.ca.us; safewayproject@gmail.com; elisabeth@ajepartners.com
Subject: Safeway on College

As a former planning commissioner and neighbor, I think the design is good. The only change that I would recommend is to close off the parking entry on College and have all traffic enter and exit on Claremont.

Thanks, Judy Rowe, FAIA

Vollmann, Peterson

From: Ethel Ruymaker [eruymaker@yahoo.com]
Sent: Tuesday, July 17, 2012 4:01 PM
Subject: Planning Commission

July 18. 2012

To the Planning Commission:

I am one of many who are extremely frustrated with the EIR report, not only because of its vagueness about most of the concerns of Rockridge residents, but also with its failure to take into account the impact this project would have on both neighboring streets, as well as its weakening of the present, successful zoning laws in Oakland.

1) This report totally ignores the reality of the impact that College Avenue traffic has on the residents of Rockridge. Nowhere does it note that too often buses must wait from two to three changes of light before they can proceed. They have not taken into account the increased gridlock when it's football season at the University. They have ignored AC Transit's finding that this is the most heavily impacted area in the city.

2) I have lived on Hillegass Avenue between Alcatraz and 63rd St. since 1956. My block of Hillegass is a particularly dangerous stretch because it is narrower than the rest of the street, and because it is one of the cut-through streets that drivers use to avoid College Avenue. Despite the speed bumps, traffic has NOT lessened; in fact, it is worse than ever.

3) The increase of traffic on College has resulted in more large delivery trucks on Hillegass, something that has been illegal but is not being enforced. This report does not adequately consider the impact of these inappropriate vehicles on residential streets.

4) This proposed project IS NOT COMPATIBLE AND NOT CONSISTENT WITH SURROUNDING DEVELOPMENT: This is why the residents of Rockridge are so utterly in disagreement with the project. The drawing shows an attractive building, more suitably designed for a suburban area than for a densely populated, heavily congested area; it does NOT show the lineup of buses, trucks and cars waiting to proceed and resulting gridlock. It does NOT reflect the Rockridge reality.

5) This project makes a mockery of C-31 zoning, which was initiated & developed by the citizens, the residents of Rockridge. WE RESIDENTS were responsible for the development of THE most successful and economically feasible neighborhood in the city. The success of Rockridge is largely due to the cooperation, dedication, and commitment of neighborhood residents in efforts to enrich the neighborhood and the city. It is pedestrian oriented rather than to the automobile -- unlike this project. If C-31 is destroyed, then this may well be the goose that killed the golden egg. We might as well forget about any zoning requirements anywhere in the city.

6) It is puzzling to me and I'm sure to others why this report only deals with a larger Safeway rather than the impact a smaller Safeway would have on the community. Why is it that the out-of-scale enlargement of Safeways is addressed but a reasonably-sized Safeway is not. Why when only one mile away-- there is an mammoth-sized Safeway is the impact of that store so vaguely addressed? If there

were any logic to this report it would recommend the Rockridge Safeway be a feeder store to the Pleasant Valley store.

7) Safeway has NOT been a good neighbor. Despite several very well attended community meetings, Safeway has stubbornly refused to make any kind of accommodation and finally refused to participate in the last scheduled meeting. It is significant, too, that the few people who are in favor of the project are primarily students (a temporary population.

8) Does Rockridge really need the second story; does it really need a special gathering place for people to meet when they are going grocery shopping? After all, just across the street there are two coffee/tea sites where people can and do meet to chat. A second story grocery can hardly be considered pedestrian oriented; and will have a significant impact on the stores across the street.

9) I am concerned too about the proposed stores on the street level. What kind of businesses will they be? We already have 5 restaurants nearby, in addition to many in the Elmwood district just blocks away. There are sandwiches available at Noah's (across the street) as well as at the liquor store on the corner. What assurances do we have with regard to the suitability of these stores in this neighborhood? I found nothing in the report with re: to this although there was much conjecture about other items.

Too much of this report is based on an attitude of 'we'll fix it later,' when it is precisely NOW that the problems and criticisms raised by local residents need to be addressed.

I strongly urge you to deny the desired expansion of Safeway. Our neighborhood has recommended a smaller expansion, something Safeway has done in another Oakland location. Further we have urged that Safeway consider other areas in Oakland that are truly in need their store unlike us. Big is Not necessarily better whereas small is beautiful.

Thank you

Ethel S. Ruymaker

Vollmann, Peterson

From: Robert Mueller [rmueller@pacbell.net]

Sent: Tuesday, July 17, 2012 6:32 PM

To: vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; gwozniak@cityofberkeley.info; mayor@ci.berkeley.ca.us; JHarrison@CityofBerkeley.info; Brunner, Jane; Wald, Zachary; Office of the Mayor; Vollmann, Peterson; tory@fansco.org; susan@fansco.org; Nancy Mueller; Fansco/Concerned Neighbors

Subject: Safeway on College Project ER09-0006

We have been and remain opposed to the expansion of the College Ave Safeway in the manner proposed in the current application. The FEIR conveniently asserts that the project is in compliance with the essential features of the zoning ordinance, e.g. it is "small scale" "neighborhood compatible", that the parking and traffic impacts will be small and that there will be no adverse impacts on the small stores in the area.

These are all assertions. There is no mechanism to make Safeway responsible for any adverse impacts that materialize after the construction. What if adequate parking is really not available? Will Safeway be prevented from implementing a "parking for Safeway customers only" policy? Will they actually build mechanically stacked parking for their employees in the employee parking area if employee overflow fills up the employee area and uses too many spaces in the customer parking area? Will they actually pay to have safety mitigation measures implemented in the surrounding neighborhood. Who are the tenants in the 8 retail shops? Who will run the "restaurant". Note that there are empty store fronts on Ashby just below College. These are brand new, in a prime location and have been vacant for some time. I am not interested in Safeway calling up their buddies at Jamba Juice, Starbucks and similar to come and lease space across from Cole Coffee and the other small LOCAL stores that line the west side of College Avenue.

The bottom line is that this project is not the right project for the site. It is a prominent site in the fabric of Oakland. It should be developed in a forward looking, urban (New Urbanist manner, if you will),i.e mixed use way.

Bob and Nancy Mueller

Vollmann, Peterson

From: Lynne Costain [lynnecostain@yahoo.com]
Sent: Wednesday, July 18, 2012 11:17 AM
To: Vollmann, Peterson
Subject: Safeway on College Project ER09-0006

July 17th, 2012

Dear Planning Commission Members:

The FEIR prepared for the **Safeway Shopping Center on College (FileER09-0006**) had the following omissions:

<!--[if !supportLists]--> <!--[endif]-->**A failure to understand and address cut-through traffic approaching from the south east.** Motorists using the College Avenue off ramp on Highway 24 do not want to get caught up in traffic at College and Miles, by the Jr. High. Instead they turn right via Presley, Rockwell and Florio to reachClaremont on the back of Safeway, where a new traffic light is proposed. **There is significant impact for residents.**

<!--[if !supportLists]--> <!--[endif]-->Recent work on Ashby and at the 4th Bore has caused motorists to select an alternative east-west route. The result has been a major increase in traffic on Chabot Road in the past 6 months. Going west on Chabot and turning right on Ivanhoe to Rockwell, Florio and Claremont dumps even more traffic on the back side of this project, at a new traffic light. **This DEIR did not examine that. There is significant impact for residents.**

<!--[if !supportLists]--> <!--[endif]-->**There is a failure to analyze and address traffic congestion on "Game Days" at UC with buses, autos and pedestrians in the mix.**

<!--[if !supportLists]--> <!--[endif]-->**There is a failure to understand the impact of suggested changes on 63rd Street for all the truck deliveries to the warehouses behind Yasai, Vino, Ver Brugge, etc.**

<!--[if !supportLists]--> <!--[endif]-->**There is a disingenuous failure to address traffic changes while their own massive Safeway project at Pleasant Valley (one mile away) is first demolished and then rebuilt.**

In the 35 years that I have lived in Rockridge I have seen the area rebound from the devastation of building BART. I remember the boarded up storefronts and the lack of vitality. Now, with the careful zoning that protects small businesses, tax revenue along College Avenue is a "Golden Goose" for Oakland. The area has bloomed to create a "pedestrian oriented comparative shopping district."

"Pedestrian oriented" does not fit this massive "Shopping Center" development. Where so many of their shoppers are students, toting groceries in backpacks and on bikes, Safeway's plan is for an auto oriented mega store only one mile from another such store. It violates our careful planning for our neighborhood. **It is, simply, too big.**

Respectfully submitted,

Lynne Ross Costain
6400 Chabot Road

Vollmann, Peterson

From: Lanford Weingrod [lanny@weingrod.com]
Sent: Wednesday, July 18, 2012 11:31 AM
To: vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Vollmann, Peterson; info@fansco.org
Cc: Vollmann, Peterson
Subject: Safeway on College Project ER09-0006

> Dear Sirs, I am writing to strongly object to the Safeway Project. I like many Oakland and Berkeley Citizens often take AC transit. The 51B which I regularly take down college to Ashby is so slow by 4:00 pm that I often find it faster to get off a few stops before and walk. If the megastore gets built traffic on college which is already horrible will inevitably be far worse. It will make it impossible for the Buses to maintain any reasonable schedule.
> Lanford Weingrod
> 2814 Russell St. Berkeley 94705
> Lanny Weingrod
> lanny@weingrod.com
> 510-549-0587
Lanny Weingrod
lanny@weingrod.com
510-549-0587

Vollmann, Peterson

From: Elizabeth Byrne [ebyrne3@me.com]
Sent: Wednesday, July 18, 2012 12:24 PM
To: vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com
Cc: Vollmann, Peterson
Subject: Safeway on College Project ER09-0006

We would like to put on record our opposition to the vastly oversized Safeway on College Project. It is not consistent with the zoning and planning that have made this area so economically successful and such a great part of our community. As a long-time residents of Rockridge, we are saddened and shocked to think of the demise of such a great community that this project would cause.

Aside from traffic problems it would present, we do not need another huge Safeway when there are much larger Safeways nearby: at 51st and Broadway, and on Grand Lake Avenue, all appropriately located.

This commercial and residential mix is appropriate scale and thrives because of its diversity and acceptance by the community. Not only is there no need for such a "WalMart-type" grocery here, but it is inappropriate for the neighborhood. Other neighborhoods are clamoring for grocery stores, so why not encourage Safeway to locate to an area that wants and needs it?

The EIR fails to adequately address this issue.

Please do not approve this unwanted project.

Sincerely,

Elizabeth A. D. Byrne
Charles J. Byrne
5528 Lawton Avenue
Oakland, CA 94618

Vollmann, Peterson

From: David Abel [dabel35@gmail.com]
Sent: Wednesday, July 18, 2012 2:53 PM
To: Vollmann, Peterson
Subject: safeway shopping center college and claremont aves. from David Abel

subject: case no er909-0006

Reading the area in the report on 62nd st. and the college/ claremont intersection reveals the following facts:

1. Subjects raised in previous letters were not well addressed, to wit:

a. traffic jams resulting in 62nd st. due to cars using the Bank of America parking lot as a cut through to avoid the college/ claremont intersection due to traffic jams. This is a regular experience due to delivery trucks parked east bound behind Noodle Theory restaurant.

b. mitigation of the traffic jams at college/claremont already existing (see more below on this)

c. increased traffic on 62nd st. from the project due to 62nd st. being used as a cut through to to Hillegass st. , resulting in even more problems backing out of driveways and walking in the area than exists already.This a clear safety issue.

d. It is stated that college/claremont intersection will be made even worse than it is already by the project. It is then stated that the situation cannot be mitigated. It is then stated/ and/or implied
the project will go forward. This is proven by the statement that if problems occur in the future, safeway "Should" study (arrange, examine, consider?) mitigation by road closing, speed bumps,
traffic barriers, etc in the future, if necessary. Who will cause safeway to do this? Planning Council? City Council? If safeway refuses, who will enforce reconsideration?
This is flawed logic, to be polite about it. This should be in my opinion be addressed now, not in the future.

e. Observation will confirm that college/claremont intersection is often backed up as far as Ashby ave. in berkeley during hours 4:00 to 6:00 pm. One can observe this for oneself with no trouble.
Time limitation has confined me to reading the pages regarding 62nd st., but since those issues have been in my opinion not properly addressed , as not important enough to need
mitigation now, before it gets even worse, one wonders what else may fall into a list of equal reduction of quality of life issues. This is the fundamental point. The consideration of the people
who live here and have made the area what it is, seems to not being looked at now, while putting off to the future mitigation of what is already a questionable situation. Why is this so?
To allow safeway to operate as they wish with little or no regard to the effects so doing will have on those of us who live here? That will be the effect, regardless. So then the question is to
whom to go to for a remedy and relief.

Respectfully, David W. Abel dabel35@gmail.com

Vollmann, Peterson

From: Judith Brown [brown.judith20@yahoo.com]
Sent: Wednesday, July 18, 2012 3:07 PM
To: Vollmann, Peterson
Subject: Proposed Safeway expansion at 6310 College Ave

July 18, 2012

Peterson Z. Vollmann, Planner III
City of Oakland Community & Economic Development Agency
Planning Division
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, CA 94612-2031

Re the Proposed Expansion of Safeway at 6310 College Ave

Dear Mr. Vollmann:

I live three blocks from the Safeway located at 6310 College Avenue and am writing to ask you to oppose the expansion plan that Safeway proposes for its store. The plan is too big for the site and will create major adverse effects on traffic, noise, and pollution that cannot be adequately mitigated. The size of the store and the large amount of traffic it will generate will create the kind of gridlock that will destroy what is now a vibrant neighborhood. No number of traffic lights, stop signs, or signs directing traffic in certain directions can adequately make up for the overriding issue -- the number of cars, trucks, bicycles, and pedestrians that will swamp the area.

Because I live three blocks away I have seen on a daily basis the congestion that already takes place, not just during rush hour but at many hours of the day and not just on weekdays but on weekends at College between the Rockridge BART station in the south and Alcatraz and Ashby in the north, as well as on the northern and southern approaches to Claremont Ave at College. Already without a vastly expanded Safeway I frequently have to detour to side streets to try to avoid the gridlock, thus delaying my return home or to my places of destination and contributing to making pass-through thoroughfares of small neighborhood streets that were not intended and cannot carry this kind of traffic. Even as a pedestrian, who often walks to Safeway, I find the traffic already at the limit of what is safe and have been close to being hit by cars on more than one occasion. Because of the large number of vehicles trying to approach the area from different directions one takes one's life in one's hands simply trying to cross the nearby streets. With the exapansion that Safeway proposes, all this would be even worse and would spill over into nearby streets that have not yet been drawn in a major way into this congestion.

I am not against change or even against some expansion and improvement of the current Safeway. But I am utterly opposed to any plan that is on the scale that Safeway proposes. Safeway's plan is all the more puzzling in light of the fact that the company is embarking on a major expansion of its store on Pleasant Valley Avenue, just a little over 1 mile away. By trying to add another megastore on College Avenue, Safeway is not contributing to the improvement of Oakland. If Safeway really cared to provide better supermarket coverage in Oakland, it would plan a considerably scaled-back expansion of the College Avenue store and the opening of an adequately sized supermarket in

Oakland neighborhoods that currently lack supermarkets where residents can buy fresh food at reasonable prices.

These are the kinds of issues that I would like for you, as a city planner, to keep in mind as you consider Safeway's proposal -- a proposal that can destroy what's best in one of Oakland's nicest neighborhoods without improving the overall economy or urban fabric of the city as a whole.

Sincerely,

Judith C. Brown

Vollmann, Peterson

From: Jeremy Kaplan [jkaplan@builtriteindustries.com]
Sent: Wednesday, July 18, 2012 8:10 PM
To: Vollmann, Peterson
Subject: Safeway Shopping Center - College and Claremont Avenues (File ER09-0006)

Dear City Planner Vollman,

I am writing with regard to the Safeway shopping center project at College and Claremont Avenues (File ER09-006).

Both my wife and I are very concerned about the potential negative impact of the project on the surrounding neighborhood. We worry that the project will bring additional traffic and parking concerns to an already congested area, and also fear that the project is not in keeping with the small business oriented neighborhood.

Please consider limiting the scale of this potentially neighborhood defining project.

Thanks you,

Jeremy Kaplan & Stephanie Hanor

Vollmann, Peterson

From: Marcia Hofer [hofer36@gmail.com]

Sent: Wednesday, July 18, 2012 5:05 PM

To: vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Vollmann, Peterson; info@fansco.org

Subject: Safeway on College Project ER09-0006

To the Planning Commission:

I am a resident of Rockridge, and live on 63rd Street, one and one-half blocks from the College Avenue Safeway. I am writing to express my strong opposition to the Safeway project as presented in the Final EIR, or "revised project". Despite hundreds of pages of serious, thoughtful and consistent criticisms by concerned citizens, Safeway has seen fit to offer so few modifications, and of such minimal nature, that staff correctly states that the "revised" project is identical to the DEIR in almost all respects. This is hardly a revised project. It is the same project to which this community has been opposed during this entire process and to which, over the years, Safeway has basically made only cosmetic alterations.

Even a cursory reading of the massive Final EIR shows that this is a flawed assessment of the proposed Safeway project. Not only are the issues raised in the comment letters, as well as by those who spoke at the public hearings, insufficiently addressed, the Final EIR reads as though it were prepared by Safeway's public relations department, rather than an agency of city government. I will give just one example of this clear bias in the Final EIR, of which I and many other community members have personal knowledge.

In her letter dated August 8, 2011, Susan Shawl wrote:

"The bottom line is that Safeway has not (yet) been willing to negotiate with the community who wants Safeway to remain at the site with a smaller development, one that does not bring so much traffic to the area that it causes substantial and unavoidable negative impacts and ruins the profitability for the current merchants AND the City of Oakland. Safeway canceled the 6th scheduled Stakeholder meeting in November of 2009 because they refused to consider anything smaller than their 50,000 sq ft at this site. The Stakeholder groups are still interested in working with Safeway to come to a reasonable win-win solution." (Final EIR, 5-728, #11)

The response to this portion of Ms. Shawl's letter includes this paragraph:

"Safeway did not cancel the sixth stakeholder meeting, but postponed it because following the fifth stakeholder meeting in November 2008, there was a change in architects. Lowney Architecture assumed responsibility for design of the project in January 2009. Because of the transition in architects it took several months to redesign the project. Once the revised plans were completed, Safeway conducted the sixth stakeholder meeting at the Claremont Hotel on April 29, 2009. Regardless, the level of cooperation between the project sponsor and the community is not an environmental issue under CEQA and hence beyond the scope of this DEIR." (Final EIR, 5-732)

Having attended the five stakeholder meetings, as well as what the report refers to as a "the sixth stakeholder meeting" at the Claremont Hotel, I affirm Ms. Shawl's version of events. The Safeway representative became visibly angry at the fifth meeting, made it clear that Safeway had no intention of making any compromise whatsoever on the issue of size, and subsequently cancelled the sixth meeting.

What the Final EIR refers to as a "stakeholder meeting" at the Claremont, was merely a fancy presentation of the latest project design in the upscale setting of the hotel. To call this event a "meeting" is ludicrous. There were no presentations, and no exchanges of opinion. Some members of the community attempted to discuss the issue of the proposed project's size with Safeway representatives who were present; they refused to address the issue.

Let me make it clear why I am even bothering to refute the Final EIR response to Ms. Shawl's letter, given that the report states that Safeway's lack of interest in working with the community, despite their many statements to the contrary, is beyond the scope of this report. I do not have expertise on the more technical aspects of the project. Others do, and I trust they will address the shortcomings of the Final EIR that they are able to identify. But if Mr. Vollman and his staff are so willing to accept and repeat in the Final EIR Safeway's version of the dismal end of the stakeholder meetings without bothering to check on its accuracy, how many other issues have they considered only from Safeway's interested point of view, without appropriate evaluation? It seems only reasonable to request that the Final EIR be re-done in a fair and objective manner. A report that reads as though it was prepared by Safeway itself, rather than by an agency that works for the citizens of Oakland, is not a report that should be accepted by the Planning Commission of this city.

The size of the proposed store is the overriding issue that has been raised consistently by residents of Rockridge and of the Claremont-Elmwood neighborhood of Berkeley, who would also be severely affected by the proposed project. The negative impacts that would result from this project--a massive increase in traffic and congestion on neighboring streets, the degradation of the vibrant College Avenue retail corridor and the visual blight caused by a massive shopping-center type facility--are all a function of its size, which is completely out of scale for its location and the neighborhood in which the site is located. It is striking that the architectural renderings of the proposed project are totally unrealistic, making the building appear positively petite in relation to neighboring buildings (figure 2-10), and making College Avenue appear as though it were several times wider than it actually is (figure 2-11). (Interestingly, these renderings show a total of four or five cars on College Avenue; perhaps this is an attempt at humor, given that gridlock is likely to be a permanent condition of the Avenue if this project is built.) Several of the Commissioners, during one of the public hearings, acknowledged that the planning process with respect to this proposal has been a flawed one, and that the issue of size should have been considered well before any of the other issues with respect to it were presented to the Planning Commission.
There is still time to remedy this oversight. I urge the Planning Commission to reject this proposal in its present form, and to demand that Safeway either submit a plan for a smaller project, (which was requested by a Commissioner at one of the hearings and rejected out of hand by Safeway's representative) or abandon this extremely problematic expansion altogether.

Sincerely yours,
Marcia Hofer

Vollmann, Peterson

From: Susan Poncelet [sgdalsh@gmail.com]
Sent: Wednesday, July 18, 2012 8:57 PM
To: vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Vollmann, Peterson; info@fansco.org
Cc: Vollmann, Peterson
Subject: Safeway on College Project ER09-0006

Dear Planning Commissioners,

I am a resident of Rockridge and shop at least once a week at my local Safeway on Claremont & College ave. I strongly oppose the current plan to enlarge the Safeway to the proposed size. I am deeply concerned about the environmental impact and the loss of the "small community feel" of College avenue that we residents adore. It will increase traffic and likely worsen the air quality. I believe it will harm the local surrounding shops and bring in larger chain stores that we don't want in this neighborhood and that violate the current zoning. I walk to Safeway and College ave. and worry about the safety of pedestrians with the proposed plans for enlargement. My elderly neighbors were struck by a car on Claremont a few years ago and I can only imagine that type of accident becoming more common with more traffic and congestion on Claremont ave. I love that the shopping area is friendly to pedestrians of all ages and don't want to see that change.

I want to see Safeway work with the stakeholders to come up with a plan that is better suited for our neighborhood and that will stay within the zoning regulations for the area. Although I am happy with the current size of that Safeway, I support the company in renovating the existing building, improving the surrounding area and perhaps expanding on a smaller scale. The current plan for expansion is too big and will hurt our neighborhood. Please help stop the current plan!

Thank you for supporting the residents and helping to brainstorm a new vision for the Safeway plan that will be in keeping with the Rockridge neighborhood. I love my walkable neighborhood and think it is a true gem in Oakland.

Susan Poncelet
6021 Rockwell Street, Oakland

From: Sandra Hamburg [sandrahamburg22@gmail.com]
Sent: Thursday, July 19, 2012 9:54 AM
To: vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Vollmann, Peterson; info@fansco.org; vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Vollmann, Peterson; info@fansco.org; vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Vollmann, Peterson; info@fansco.org; vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Vollmann, Peterson; info@fansco.org; vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Vollmann, Peterson; info@fansco.org; vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Vollmann, Peterson; info@fansco.org; vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Vollmann, Peterson; info@fansco.org; vienv.truong@gmail.com; sgalvez@phi.org; Blake.Huntsman@seiu1021.org; michael.colbruno@gmail.com; mzmdesignworks@gmail.com; jaw1123@aol.com; Pattillo@pgadesign.com; Vollmann, Peterson; info@fansco.org
Cc: Vollmann, Peterson
Subject: Safeway on College Project ER09-0006

Dear Planning Commission Members,

I am a 30 year long resident in the Rockridge neighborhood and live very close to the Safeway on Claremont and College Avenues. I am writing to let you know I strongly oppose the proposed remodel of Safeway that will almost double its size and severely effect not only the character of our neighborhood, but the already congested traffic situation. Adding more cars, signals and congestion to our more pedestrian friendly small scale shop neighborhood would be dangerous and is completely unnecessary. The look and size of the proposed building are totally out of character for our neighborhood and I fear being able to walk to my store in safety with the added cars not to mention how the beauty of our small shop neighborhood would be forever taken away.

If I want to go to a large Safeway there is one I can drive to that is close by on 51st ST. Why on earth would it make sense to add another one that is so out of scale for our neighborhood. This is something we don't need, don't want and don't support. I am happy to have a small, Safeway--the size we currently have--and there is no reason why it can't be remodeled and be very nice the size it is. Bigger is not always better. An appealing, functional and very nice place can be made in a smaller space that will fit in our neighborhood and that the neighborhood will support. Everything we would need from a Safeway store could be easily housed in a smaller space and would fit in the neighborhood without adding traffic, jeopardizing our safety and changing the character of our neighborhood.

I sincerely hope you will consider the above points when making your decision. It is heartbreaking to think that our neighborhood could be changed forever for reasons that in the end are wholly unnecessary.

Sincerely,