

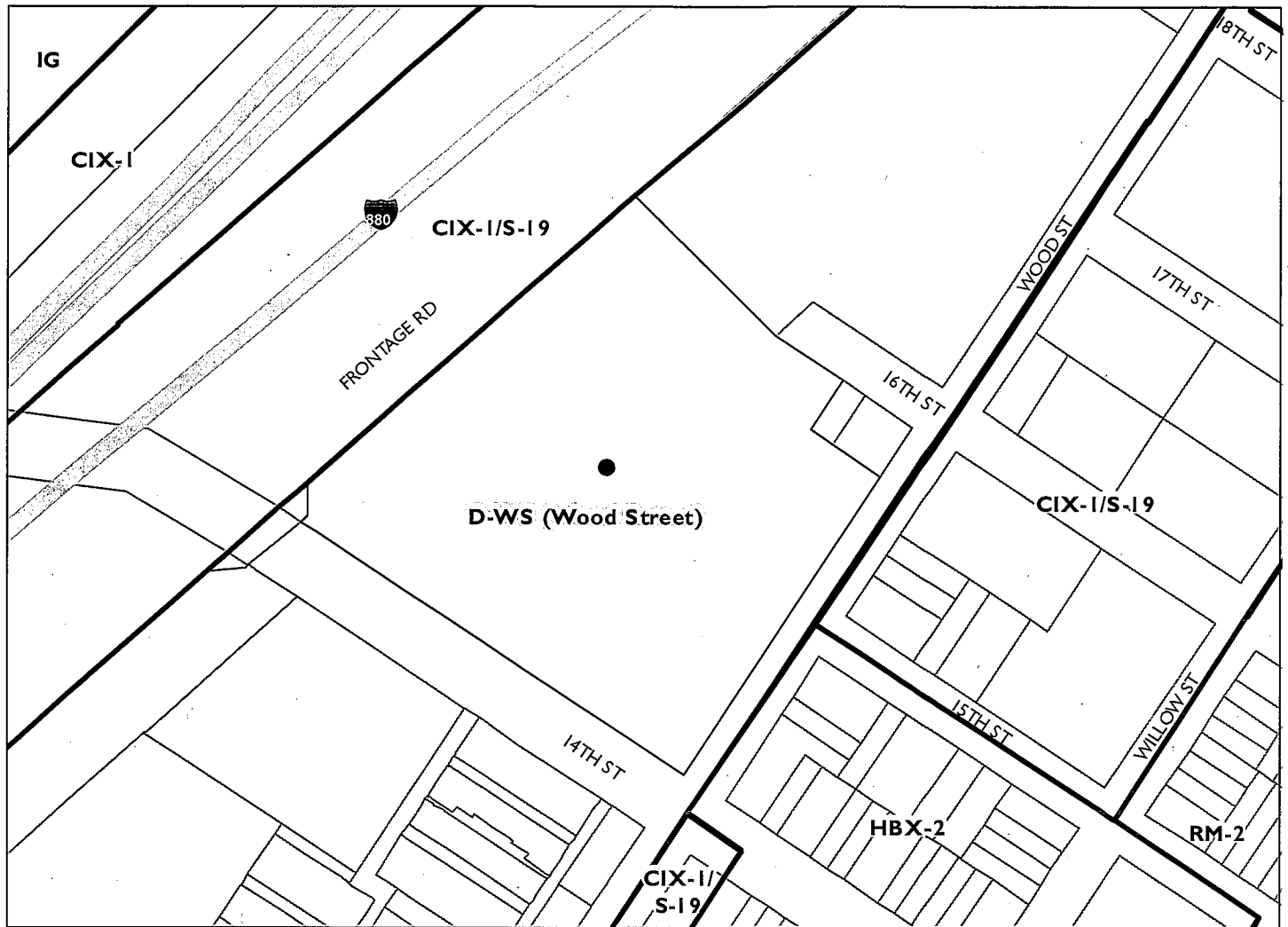
**Case File Number: PLN14-076-PUDF01****August 6, 2014**

<b>Location:</b>	<b>1401 Wood Street (Development Area 4, a 6.16-Acre block bounded by Wood Street, 14<sup>th</sup> Street, 16<sup>th</sup> Street, and Frontage Road)</b> <b>(See map on reverse)</b>
<b>Assessors Parcel Number:</b>	<b>018-0310-012-01</b>
<b>Proposal:</b>	To construct a new 171-unit townhouse-style residential and 5 commercial condominium development involving text amendment to the Wood Street Zoning District (WSZD) to apply the Development Area 3 minimum density, maximum height, and minimum useable open space standards to Development Area 4.
<b>Owner:</b>	Andy Getz – HFH Central Station Village LLC
<b>Applicant:</b>	City Ventures – Molly Maybrun (510) 846-6540
<b>Planning Permits Required:</b>	Zoning Text Amendments; Preliminary and Final Development Plan; Design Review for construction of 171 townhouse-style residential and 5 commercial condominiums; Vesting Tentative Parcel Map for a one-lot subdivision to create 171 new townhouse-style residential and 5 commercial condominium units
<b>General Plan:</b>	Urban Residential
<b>Zoning:</b>	Wood Street Zoning District
<b>Environmental Determination:</b>	State CEQA Section 21166 and CEQA Guidelines Sections 15162 and 15163, the project relies on previous EIR (ER03-0023) for Wood Street certified on March 16, 2005 ;
<b>Historic Status:</b>	Potential Designated Historic Property (PDHP); Survey Rating:
<b>Service Delivery District:</b>	1
<b>City Council District:</b>	3
<b>Status:</b>	Pending
<b>Action to be Taken:</b>	Decision on application based on staff report
<b>Staff Recommendation:</b>	Approval subject to conditions
<b>Finality of Decision:</b>	Appealable to City Council
<b>For Further Information:</b>	Contact case planner Maurice Brenyah-Addow at <b>(510) 238-6342</b> or by email at <a href="mailto:mbrenyah@oaklandnet.com">mbrenyah@oaklandnet.com</a> or Scott Miller at <b>(510) 238-2235</b> or by email at <a href="mailto:smiller@oaklandnet.com">smiller@oaklandnet.com</a>

**SUMMARY**

City Ventures is requesting approval of a combined Preliminary and Final Development Plan and Design Review for a new 171-unit townhouse-style residential and 5 commercial condominium development. The project is proposed to be constructed in eight (8) phases at Development Area 4 (vacant block between 14<sup>th</sup> and 16<sup>th</sup> Streets) of the Wood Street Zoning District (WSZD). Development Area 4 of the WSZD requires a minimum residential density of 1 unit per 1,000 sq. ft. of lot area and a maximum density of 1 unit per 614 sq. ft. of lot area, which translates into a minimum of 268 and a maximum of 437 units for the 6.16-acre project site. Since the proposed 171 units are below the required minimum of units of 268, the project applicant proposes a zoning text amendment to the WSZD regulations to change the minimum required residential density for Development Area 4 from 1 unit per 1000 sq. ft. and apply the same minimum density as Development Area 3 (currently occupied

# CITY OF OAKLAND PLANNING COMMISSION



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Case File: PLN14076 / PUDF01

Applicant: City Ventures: Molly Mayburn

Address: 1401 Wood Street (Wood Street Development Area 4 -  
6.16-acre block bounded by Wood Street, 14th Street  
and Frontage Road

Zone: D-WS (Wood Street Zoning District)

by the combined Zephyr Gate and Ironhorse developments) which is 1 unit per 2,000 sq. ft. of site area. The proposed text amendments will also change the maximum height from 65 feet to 50 feet and the minimum required open space will change from 75 square feet per unit to 100 square feet per dwelling unit.

With the exception of the required minimum residential density, the proposed project is generally consistent with the applicable land use regulations and property development standards as specified in the Wood Street Zoning District (WSZD) for approving a Preliminary Development Plan and Final Development Plan, Tentative Parcel Map and Regular Design Review for new construction (See "Findings" section of this report for details).

Staff believes that the project will complement the Wood Street neighborhood and therefore recommend that the Commission confirm the environmental determination and approve the Preliminary and Final Development Plans, Tentative Parcel Map, and Design Review application for the proposed project subject to the attached Conditions of Approval.

## **BACKGROUND**

The Wood Street Zoning District (WSZD) Project is a mixed-use redevelopment of under-utilized industrial land around the vacant 16<sup>th</sup> Street Train Station in West Oakland with the goal of creating an active, pedestrian-oriented urban community in West Oakland. The 29-acre Wood Street Development Project, including five vesting tentative parcel maps, was approved by the City Council in June 2005. The plan area lies between 10<sup>th</sup> Street to the south, West Grand Avenue to the north, Wood Street to the east and 1-880 Frontage Road to the west.

The WSZD regulations include Land Use Regulations, Development Standards and Design Guidelines aimed at ensuring that individual developments will be visually and functionally integrated, and that collectively the project will be compatible with the existing neighborhood. For the purposes of appropriate regulations, the WSZD is divided into nine (9) Development Areas, each subject to specific regulations and to be developed within specific timelines by the respective owners.

Since the WSZD regulations were adopted, three main development projects have been completed for Development Areas 2 and 3. These include 1.) the 163-unit Pacific Cannery Lofts by Holliday developments; 2.) the 130-units Zephyr Gate townhomes by Pulte Homes; and 3.) the 99-unit Ironhorse rental apartments by Bridge Housing. Within Development Area 4 the WSZD requires a minimum residential density of 1 unit per 1,000 sq. ft. of lot area and allows a maximum density of 1 unit per 614 sq. ft. of lot area, which translates into a minimum of 268 and a maximum of 437 units for the subject 6.16-acre site. In 2007 the Planning Commission approved the HFH Apartments project (a 301-unit apartment development) for Development Area 4 but the project was not built.

## **PROPERTY DESCRIPTION**

The WSZD Development Area 4 comprises a 6.16-acre vacant site adjacent to Bea's Hotel and the historic 16th Street Train Station to the north and the Zephyr Gate and Ironhorse housing developments to the south. The site is bounded by 14<sup>th</sup> Street, Wood Street, 16<sup>th</sup> Street and Frontage Road. Opposite the site on Wood Street are a vacant set of smaller lots (between 14<sup>th</sup> and 15<sup>th</sup> Streets) and a small warehouse building (between 15<sup>th</sup> and 16<sup>th</sup> Streets). In addition to the Zephyr Gate and Ironhorse housing developments, the project surroundings include the Pacific Cannery Lofts and a mixture of uses including the Bea's Hotel, the historic 16<sup>th</sup> Street Train Station, the California Waste Solutions recycling facility, Raimondi Park, historic Victorian homes, warehouses, and a construction/light industrial yard.

## **PROJECT DESCRIPTION**

The proposed project involves the construction of 171 new townhouse-style condominiums and 5 commercial units. The approximately 1200–1800 square-foot two and three bedroom townhouse style condos will be three stories with at-grade parking. A mix of private front patios, balconies and backyards will provide useable open space for most of the units.

The site planning of the proposed development organizes some of the townhomes around the perimeter of the site while the remaining townhouses are organized along internal streets/alleys and around three main pockets of landscaped group open areas. The alleys apply decorative paving to enhance the visual quality of the alley spaces. These include a new publicly accessible open space (pocket park) within the 16<sup>th</sup> Street right-of-way and adjacent to the historic 16th Street Train Station. The development provides on-site guest parking and additional public parking within the improved 16<sup>th</sup> St and Wood Street right-of-way adjacent to the site. Overall, the site will be parked at 1.7 spaces/DU, well in excess of WSZD minimums. The Wood Street fronting units provide entry stoops and landscaped front yards.

## **ENVIRONMENTAL DETERMINATION**

An Environmental Impact Report (EIR) ER03-0023 was prepared for the Wood Street Development Project and was certified on March 16, 2005. The 2005 EIR evaluated two development scenarios for DA4 a "max trips" and "max residential" scenario, which looked at 393 and 450 residential units for the site, respectively. Following certification of the EIR, the 301-unit HFH Apartments project was approved in 2007 and found to be within the scope of the 2005 EIR. Although the proposed 171-unit development is lesser in density, it has been further analyzed for potential changed circumstances and new information including the West Oakland Specific Plan (WOSP). The study concludes that the refinements incorporated into the less dense/intense and predominantly residential development do not represent changes that would result in new or more severe environmental impacts beyond those identified in the Wood Street EIR. The previous EIR (ER03-0023) for Wood Street certified on March 16, 2005 is adequate for the 2014 project and no subsequent or supplemental environmental

review is warranted. Therefore, under CEQA Sections 21166 and CEQA Guidelines Sections 15162 and 15163, no further environmental review is required. See "Key Issues and Impacts" section of this report for further CEQA analysis. (See attachment "C" for details).

## GENERAL PLAN ANALYSIS

The subject site is located in the Urban Residential land use classification according to the City of Oakland General Plan Land Use and Transportation Element (LUTE). According to the LUTE, the intent of the Urban Residential classification is to "create, maintain, and enhance areas of the City that are appropriate for multi-unit, mid-rise or high-rise residential structures in locations with good access to transportation and other services." Furthermore, the primary future use in this classification is residential. Mixed use buildings that house ground floor commercial uses and public facilities of compatible character are also encouraged. The proposed 171-townhouse condominium development is consistent to the general plan in that it is located within the Wood Street Development Project Area with easy access to major arterial streets such as West Grand Avenue and has good access to public transit such as Bart and Ac Transit.

The proposed project is consistent in all significant respects with the following General Plan objectives and policies:

- Objective N3: Encourage the construction, conservation, and enhancement of housing resources in order to meet the current and future housing needs of the Oakland community. The project provides the Oakland community with 171 new dwelling units.
- Policy N3.1, Facilitating Housing Construction: Facilitating the construction of housing units should be considered a high priority for the City of Oakland. The City of Oakland's Planning and Zoning Department has streamlined its systems in order to facilitate the construction of new homes by assisting developer to navigate the permitting process smoothly and in a timely manner.
- Policy N3.2, Encouraging Infill Development: In order to facilitate the construction of needed housing units, infill development that is consistent with the General Plan should take place throughout the City Oakland. The project is proposed for a site located in an urban area of West Oakland. The new development will be an infill development for the vacant site.
- Policy N6.2, Increased Home Ownership: Housing developments that increase home ownership opportunities for households of all incomes are desirable. The project will provide home ownership opportunities for 171 new households. The townhouse condominium approach will make the units more affordable.

## ZONING ANALYSIS

The WSZD regulations include Land Use Regulations, Development Standards and Design Guidelines aimed at ensuring that individual developments will be visually and functionally integrated, and that collectively the project will be compatible with the existing neighborhood.

The WSZD requires both a Preliminary and a Final Development Plan which shows such details as streets, location of details of structures, uses, estimated population, landscaping features, phasing plan, public and private infrastructure, etc. for each development area.

#### Preliminary and Final Development Plan (Wood Street Zoning District)

The Preliminary Development Plan (PDP) and Final Development Plan (FDP) in the context of the Wood Street Zoning District are unique and although similar in concept to a Planned Unit Development (PUD), it is different in format and review criteria from the PUD process in the Planning Code. The procedure for Design Review for PDP/FDP in the WSZD follow the schedule outlined in Section 17.136.060 of the Planning Code, but not the criteria. The WSZD limits Design Review to a determination of whether or not the proposed design is in substantial compliance with the design guidelines specified in WSZD regulations. (See findings and attachment "B" for checklist).

#### Land Use Regulations

The proposed 171 residential units (Permanent Residential Activities), and the 5 commercial units (General Food Sales, General Retail Sales, Administrative Commercial Activities) are either permitted or conditionally permitted uses in Development Area 4 of the WSZD. No specific non-residential activity is proposed at this juncture in the commercial spaces as part of this application. Future conditionally permitted uses would be required to apply for Conditional Use Permits (CUP) prior to operation.

In order to approve the project, the WSZD regulations require the Planning Commission to make written findings that the Preliminary and Final Development Plan for the project is in substantial conformance with the Wood Street Zoning Regulations - Design Review criteria (See Findings) and the WSZD development standards (See attachment B).

#### Proposed Text Amendments to Development Standards

The project proposes a zoning text amendment to the WSZD regulations to change the minimum required residential density for Development Area 4 to that of Development Area 3 (similar to the Zephyr Gate and Ironhorse development sites), which is 1 unit per 2,000 sq. ft. of site area. The proposed text amendments will also change the maximum height from 65 feet to 50 feet and the minimum required open space will change from 75 square feet per unit to 100 square feet per dwelling unit.

The proposed text amendments to the Development Standards are shown in the table below as follows: Standards proposed to be changed are shown in ~~striketrough~~, proposed new standard are shown in **boldtype**, and current standards remaining the same are shown in normaltype.

Table 5.10.1	Development Area 4	Development Area 3
Max. Residential Density		
1. Min land area/dwelling unit	613.75 sq. ft.	1217.50 sq. ft.
2. Max. dwelling unit/acre	71.1 DU/A	35.8 DU/A
3. Max number of units	450	200
Min. Residential Density	<del>1 unit per 1000sf of site area</del> (44 DU/A)	1 unit /2000sf of site area (22 DU/A)

	<b>1 unit /2000sf of site area (22 DU/A)</b>	
Max. FAR	2.02:1	N/A
Max. Area - non-residential uses	40,000 sq. ft.	0
Max. Height	<del>65 ft. (some exceptions apply)</del> <b>50 ft. (some exceptions apply)</b>	50 ft. (some exceptions apply)
Min. Street setbacks		
-Wood Street	10ft.	10 ft.
-12 <sup>th</sup> Street	0	0
-Frontage Road	0	0
-14 <sup>th</sup> Street	0	0
-Public Access Areas	0	0
Min. Interior setbacks	5 ft.	10 ft.
Min. useable open space	<del>75 sq. ft.</del> <b>100 sq. ft.</b>	100 sq. ft.
Reqd. off-street parking- - Residential	1.1 space/DU	1.1 space/DU
Reqd. off-street parking-- Live/work	1.2 space/LWU	1.2 space/LWU
Reqd. off-street parking - Non-residential	Depends on actual activity	Depends on actual activity

## KEY ISSUES AND IMPACTS

Overall, the proposed site plan and design for the proposed project is successful and similar to the adjacent Zephyr Gate development. The townhouse style condominium units provide a hybrid between the detached single family homes in the surrounding West Oakland community and the multi-family residential buildings such as the Ironhorse development in the neighborhood. The key issues and impacts are discussed below:

### Text Amendment

The proposal to lower the minimum density requirement and apply the same density, height and open space standard as Development Area 3 (See details under zoning analysis) is to allow a development that is not only market-driven but also consistent with the development pattern in the area. While an earlier multi-family project approved 301 units for the site however the cost of building such a project was too exorbitant and the project applicant could not find a developer who could build it in an economically viable manner. Hence, the site has been vacant since the 301 units were approved in 2007. The lower density is driven by townhouse style approach, which is a more appropriate form of development for the site. These text amendments were also included in the recent West Oakland Specific Plan (WOSP) zoning code amendments (which were passed on 2<sup>nd</sup> reading July 29<sup>th</sup>), but are re-introduced as part of this project proposal independent of the WOSP zoning code amendments as a cautionary measure in case a challenge is filed to the WOSP.

### Density/ Setbacks/Parking

If the Planning Commission approves the requested text amendment, the project will be consistent with the amended minimum density for the Wood Street Development Area 4. The project complies with the 10-foot building setback along Wood Street and 5-foot building setback in the Plaza Overlay zone. The project also complies with the requirement for 20 feet deep occupied space on the ground floor of critical streets. The project provides garage parking for all the units. Whereas the

WSZD Development Area 4 requires 1.1 off street parking spaces per unit, the project provides 1.7 spaces per unit for a total of 295 spaces (8 of this total are guest parking on the main internal street). (See table below for compliance with amended density).

### Project Consistency with Amended Development Standards

Table 5.10.1	Required	Proposed
Max. Residential Density		
1. Min land area/dwelling unit	613.75 sq. ft.	1569 sq. ft.
2. Max. dwelling unit/acre	71.1 DU/A	27.8 DU/A
3. Max number of units	450	171
Min. Residential Density	<b>1 unit /2000sf of site area (22 DU/A)</b>	1 unit /1569sf of site area (27.8 DU/A)
Max. FAR	2.02:1	1:1.04
Max. Area - non-residential uses	40,000 sq. ft.	5,100 sq. ft.
Max. Height	<b>50 ft. (some exceptions apply)</b>	40 ft.
Min. Street setbacks		
-Wood Street	10ft.	13 ft.
-12 <sup>th</sup> Street	0	0
-Frontage Road	0	0
-14 <sup>th</sup> Street	0	0
-Public Access Areas	0	0
Min. Interior setbacks	5 ft.	5 ft.
Min. useable open space	<b>100 sq. ft.</b>	157 sq. ft.
Reqd. off-street parking-- Residential	1.1 space/DU	1.7 space/DU
Reqd. off-street parking-- Live/work	1.2 space/LWU	N/A
Reqd. off-street parking -- Non-residential	6 (1/1000 sq. ft. for retail)	6 (for 5,100 sq. ft. retail spaces)

### **Site Plan and Building Design**

The site plan presents a hybrid urban/suburban layout that responds to the context of urbanized development in the vicinity and also creates four internal enclaves with shared open spaces.

The proposed buildings are designed to have a contemporary style that blend-in with the recent developments in the Wood Street District and other traditional buildings in the neighborhood. The mostly three-story structures apply similar exterior materials and treatments such as cement plaster, wood siding, shingles, cement board panels, etc. The designs incorporate various elements and detailing such as projecting bays, varied material breaks, etc. to achieve a group of well-composed building volumes that are proportionally scaled to fit each section of the site. Together, the buildings form a cluster of row houses with both shared and private open spaces

### **Useable Open Space**

The WSZD requires 100 square feet of useable open space per dwelling unit for a total of 17,100 square feet for the proposed 171 units. The project provides a total of 26,805 of open space of which 12,840 square feet is group open spaces divided into three (3) mini parks enclosed by clusters of buildings within the development. The project incorporates landscaping (both softscape and hardscape) to enhance the open areas to achieve a 12% net reduction of peak flow stormwater run-off.



**Pocket Parks**

The pocket park concept is different from the internal open spaces in that they are to be developed within the right of way of a number of identified streets including 16<sup>th</sup> street with the aim of preventing direct vehicular access to the Frontage Road. The pocket park located on 14<sup>th</sup> Street is already completed. The project includes construction of the 16<sup>th</sup> Street pocket park.

**Internal Streets and Alleys**

The project provides a network of 26-foot wide streets and alleys for internal circulation. Of these the main street (Prescott Street) runs through the middle of the site to connect 16<sup>th</sup> street adjacent to the northern property line to 14<sup>th</sup> Street adjacent to the southern property line. The other streets and alleys circulate traffic directly or indirectly off of the Prescott Street. From Wood Street and Frontage Road, one can access the site either via 14<sup>th</sup> Street or 16<sup>th</sup> Street. The alleys are paved with decorative pavers to enhance the visual appearance of the internal spaces.

**Landscaping**

The project incorporates various landscaping elements to achieve an attractive street and courtyard ambience. All the streets and alleys have street trees and shrubs while all the open areas and parks have a combination of varieties of trees, shrubs, ground cover, as well as hardscape such as decorative pavers, planters and other sculptural features that enhance the visual quality, functionality, and experience of the open areas.

**Project Phasing**

The project is proposed to be completed in 9 phases with schedules as follows:

- Phase 1 – Infrastructure only (construct Pullman Way, Prescott Street and the western stretch of Myrtle Alley) – April 2015
- Phase 2 – Construct southwest quadrant - May 2015
- Phase 3 – Construct units abutting Frontage Road - August 2015
- Phase 4 – Construct northwest quadrant - November 2015
- Phase 5 – Infrastructure only (construct Natchez, Eastern stretch of Myrtle and Ironwood Alleys) – August 2015
- Phase 6 – Construct central eastern block of development - February 2016
- Phase 7 – Construct southeast quadrant - May 2016
- Phase 8 – Construct northeast quadrant - August 2016
- Phase 9 – Infrastructure only (public improvements within Wood Street and 16<sup>th</sup> Street) – February 2017

**Wood Street Improvements**

The project would be required to upgrade the segment of Wood Street fronting the project site.

**Historic 16<sup>th</sup> Street Train Station**

The project site is adjacent to the historic 16<sup>th</sup> Street train station. The development is not expected to change any the significance of any impacts on the train station. Instead the project involves public improvements that include a pocket park within the 16<sup>th</sup> Street right-of-way adjacent to the train station as well as paving of a portion of 16<sup>th</sup> Street as the main vehicular access into the subject

development. This will include providing sidewalks, curbs and gutters on both sides of 16<sup>th</sup> Street. The project involves commercial spaces that are oriented towards the train station plaza as a catalyst for economic development in the area. The façade of the structures fronting on the 16<sup>th</sup> Street Train Station Plaza echo the Train Station with tall and recessed window systems and canopy-balconies.

**Bea's Hotel**

The project site is adjacent to Bea's Hotel, which is located at the corner of Wood Street and 16<sup>th</sup> Street and across from the 16<sup>th</sup> Street Train Station Plaza. The project responds to the historic character of Bea's hotel with building elements such as clerestory windows and patterns that are contemporary but complementary to the Traditional style of Bea's Hotel.

**CEQA Addendum**

Urban Planning Partners Inc. analyzed the current proposal for 171 units, which is a 42% reduction in density compared to the previously approved 301 units that were determined to be within the scope of the 2005 EIR and a 56 - 61% reduction over the development scenarios analyzed in the 2005 EIR to determine whether the environmental effects are adequately analyzed in the 2005 certified Wood Street Project Environmental Impact Report (EIR).

The addendum examined each of the topics evaluated in the EIR to see if there was new information or change in circumstances that would result in new significant or substantially more severe impacts.

The study concludes that the refinements incorporated into the less dense/intense and predominantly residential development do not represent changes that would not result in new or more severe environmental impacts beyond those identified in the Wood Street EIR. The study further finds that no substantial changes in the project circumstances, and no new information of substantial importance, which could not have been known with the exercise of reasonable diligence when the EIR was certified and that would require major revisions of the certified 2005 EIR, because of a new significant effect or an increase in the severity of a previously identified significant effect. The previous EIR (ER03-0023) for Wood Street certified on March 16, 2005 is adequate for the 2014 project and no subsequent or supplemental environmental review is warranted. Therefore, under CEQA Sections 21166 and CEQA Guidelines Sections 15162 and 15163, no further environmental review is required. (See attachment "C" for details).

**Traffic Mitigation and fair Share Contributions**

As part of mitigation measures for the Wood Street Project, certain traffic mitigation measures were identified to study and improve specific intersections. The project shall be required to comply with the Traffic Mitigations and Fair Share contributions as per the mitigation measures associated with VTPM8553 and ER03-0023 for the Wood Street project with details as follows:

VTPM Condition 25 (Fair Share Contribution to Improvements at Frontage Road and W. Grand);  
VTPM Condition 26 (Fair Share of Modifications at the West Grand Avenue/Mandela Parkway Intersection);

VTPM Condition 27 (Fair Share of Modifications at the 7<sup>th</sup> Street/Mandela Parkway Intersection);  
VTPM Condition 28 (Fair Share of Improvements at West Grand Avenue/Maritime Street and 3<sup>rd</sup> Street/Market Street Intersections): See Attachment "D" (letter of May 29, 2009 from Eric

Angstadt, establishing a Fair Share Payment of \$26,679 for COA's 25, 26, 27 and 28 for the "HFH Apartments" site);

VTPM 8553 Condition 76 (Public or Private Shuttle Service between the Project Area and the West Oakland BART Station): From 2007 to 2009, the Project Sponsors engaged in a study of this topic, soliciting a number of bids for private shuttle service, surveying residents and future residents about their potential utilization of such service, and engaging in discussions with AC Transit and BART. As a result of this study, the Project Sponsors elected not to utilize a private shuttle, for the following reasons:

- AC Transit opposed the private shuttle service, which they believed would negatively impact their ridership
- In surveys conducted at the time, incoming homeowners expressed very low levels of support for a private shuttle, a strong indicator that the shuttle was unlikely to be "used sufficiently to result in a substantial reduction in private vehicle use by Project residents and occupants"
- In consultation with AC Transit, the Project Sponsors provided a new stop on the 26 line at 12th and Wood
- In response to anticipated new peak hour utilization, AC Transit agreed to reduce peak hour headways at the new stop to 15 minutes, with a 5 minute travel time to the West Oakland BART station
- Condition 76 explicitly allows latitude on the parts of both the Project Sponsors and the Planning Director to implement the best solution to facilitate use of transit and reduce private vehicle use. Due to more recent budget cutbacks and ridership analysis, headways at the local stop have increased during peak hours to 18 - 20 minutes, although travel time to the West Oakland BART station remains 5 minutes.

For VTPM8553 COA's 26, 27, and 28, the applicant would be required to pay the Fair Share contribution identified in Eric Angstadt's letter of May 29, 2009 prior to issuance of building permit (See Attachment D).

VTPM8553 COA's 29 and 30, which addresses BART ridership and fare gate capacity are no longer CEQA thresholds however they are required as mitigation for traffic impacts. Staff recommends that the applicant collaborate with the other Wood Street Project sponsors to re-engage discussions with BART to see if they have completed and implemented methods to address capacity impacts on BART for new developments.

For VTPM8553 COA 76, the applicant should re-engage discussions with AC Transit to see if service on the 26 line can be returned to 15 minute headways, and as development of the Wood Street Zoning District progresses to the north, in coordination with AC Transit, locate an additional AC Transit stop proximate to the new uses.

**City Engineer's Report**

Section 3.20 and 3.40 of the WSZD regulations require that the City Engineer review the plans and determine whether the submittal is complete. The PDP/FDP plans were circulated for review and comment to the Public Works agency, Building Services, and Fire Prevention Services and all departments have reviewed and cleared the project for approval subject to the conditions of approval. (See Conditions of Approval).

**Old and New Vesting Tentative Parcel Maps (VTPM10242 & VTPM8553)**

Due to the fact that the current proposal involves condominiums as opposed to the previous 301-unit rental apartment development, the applicant has prepared a new Vesting Tentative Parcel Map (VTPM10242) for a one-lot subdivision for condominium purposes for this particular development which replaces the previous Vesting Tentative Parcel Map (VTPM8553) that was associated with the HFH Apartment development. In order not to confuse the two, the Oakland City Engineer require that the old VTPM8553 be voided and replaced with the new VTPM10242 on condition that all the terms and conditions that applied to VTPM8553 shall still apply to the new VTPM10242. Condition of Approval #63 has been added to this effect.

**CONCLUSION:**

The proposed 171 townhouse style condominiums and 5 commercial spaces is a hybrid urban/suburban development that is appropriate for the WSZD of West Oakland. The project is consistent with the development standards of the WSZD land use regulations of the Oakland Planning Code. Whereas the HFH Apartments (301 units) was approved in 2007 for the subject site, that project did not get off the ground. The current market dictates a less intense townhouse style type of development such as the proposed 171-unit residential and 5 commercial project. The zoning text amendment to the WSZD regulations to allow the reduction in density would not result in new or more severe environmental impacts beyond those identified in the Wood Street EIR and therefore no subsequent or supplemental environmental review is warranted. The site plan, building designs, layout, heights, materials, colors, open areas, landscaping, and the internal circulation of the project work as a cohesive whole that is appropriate for the subject site. Staff believes that this project will serve as a catalyst for further development within the Wood Street Project area and eventually lead to the rehabilitation and reuse of the 16<sup>th</sup> Street Train Station and Plaza.

**RECOMMENDATIONS:**

Based on the analysis contained in this report, the findings, and the conditions of approval attached to this report and elsewhere within the administrative record, staff believes that the proposed project is an appropriate development that will further the overall objectives of the WSZD and the Oakland General Plan, particularly related to new housing development. Thus, staff recommends that the Commission:

1. Adopt the CEQA Addendum (Attachment C) confirm the no subsequent or supplemental environmental review is required, under CEQA

Sections 21166 and CEQA Guidelines Sections 15162 and 15163; and

2. Approve the Zoning Text Amendment (to apply the minimum density, open space, and height limit of Development Area 3 of the WSZD to Development Area 4), Preliminary and Final Development Plan, Tentative Parcel Map, and Design Review subject to the attached findings and conditions of approval.

Prepared by:

MBA (out of office)

MAURICE BRENYAH-ADDOW - Planner III

Approved:

Scott Miller

SCOTT MILLER - Zoning Manager

Approved for forwarding to the  
City Planning Commission:

Darin Ranelletti

DARIN RANELLETTI – Deputy Director  
Bureau of Planning

- ATTACHMENTS:**
- A. Tentative Tract Map and Project Plans
  - B. Project Conformance Checklist
  - C. CEQA Addendum
  - D. Fair Share Payments for Intersection Improvements

**FINDINGS FOR APPROVAL:**

This proposal meets the required findings and standards under Section 16.04.010, *Purpose*, Section 16.24.040, *Lot Design Standards*, and Section 16.08.030 *Tentative Maps*, of the Oakland Subdivision Regulations, and Section 17.101A DW-S Review and Development Standards of the Oakland Planning Code as set forth below. Required findings are shown in **bold type**; explanations as to why these findings can be made are in normal type.

**Section 16.04.010, Purpose:**

**“...ensure that the development of subdivisions is consistent with the goals and policies of the Oakland General Plan.”**

The proposed project involves the development of 171 new residential units and 4 commercial spaces in the Urban Residential classification general plan area which is intended to “create, maintain, and enhance areas of the City that are appropriate for multi-unit, mid-rise or high-rise residential structures in locations with good access to transportation and other services.” Furthermore, the primary future use in this classification is residential. Mixed use buildings that house ground floor commercial uses and public facilities of compatible character are also encouraged. The proposed 171-unit residential and 4 commercial unit development located on Development Area 4 of the WSZD with easy access to public transit and services is consistent with the intended character, land uses, and densities of the General Plan.

**Section 16.24.040 Lot design standards.**

Lot design shall be consistent with the provisions of Section 16.04.010, Purpose, and the following provisions:

- A. No lot shall be created without frontage on a public street, as defined by Section 16.04.030, except:
1. Lots created in conjunction with approved private access easements; or
  2. A single lot with frontage on a public street by means of a vehicular access corridor provided that in all cases the corridor shall have a minimum width of twenty (20) feet and shall not exceed three hundred (300) feet in length. Provided further, the corridor shall be a portion of the lot it serves, except that its area (square footage) shall not be included in computing the minimum lot area requirements of the zoning district.
- N/A. The project does not create new lots. It only creates 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.
- N/A. No new lots are created.

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

The project proposes a zoning text amendment to the WSZD to change the minimum required residential density for Development Area 4 to be the same as the minimum required residential density for Development Area 3 (similar to the Zephyr Gate and Ironhorse development sites) which is 1 unit per 2,000 sq. ft. of site area. The proposed text amendments will also change the maximum height from 65 feet to 50 feet and the minimum required open space will change from 75 square feet per unit to 100 square feet per dwelling unit. If the text amendments are approved, the project will comply with all applicable requirements of the Development Area 4 of the WSZD.

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

- 1. Where the area is still considered acreage;**
- 2. Where a deliberate change in the character of the area has been initiated by the adoption of a specific plan, a change in zone, a development control map, or a planned unit development.**

N/A. No new lots are proposed.

**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.**

N/A. No new lots are proposed.

**Section 16.08.030 Tentative Map (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.**

The Urban Residential classification general plan area is intended to "create, maintain, and enhance areas of the City that are appropriate for multi-unit, mid-rise or high-rise residential structures in locations with good access to transportation and other services." Furthermore, the primary future use in this classification is residential. Mixed use buildings that house ground floor commercial uses and public facilities of compatible character are also encouraged. The proposed 171-unit residential and 4 commercial unit development located on Development Area 4 of the WSZD with easy access to public transit and services is consistent with the intended character, land uses, and densities of the General Plan.

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

See "A" above. The project is consistent with the Urban Residential General Plan and the development standards of the WSZD. There is no specific plan that governs this area.

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

There are no known physical constraints that make the site unsuitable for the proposed type of development.

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

The project proposes a zoning text amendment to the WSZD to change the minimum required residential density for Development Area 4 to that of Development Area 3 (similar to the Zephyr Gate and Ironhorse development sites), which is 1 unit per 2,000 sq. ft. of site area. The proposed site is physically suitable to accommodate the proposed 171 residential units and the 4 commercial spaces.

**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.**

The subject site is located in an urbanized area. There is no known fish or wildlife habitat at the site.

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

The attached standard conditions of approval are to ensure that best management practices are followed during construction of buildings. No serious public health problems are anticipated from the proposed development.

**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).**

N/A

**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.**

Energy efficient techniques such as south facing fenestration have been incorporated into the site planning and home designs to take advantage of natural solar heating and cooling opportunities.



**Findings for Approval of Preliminary development Plan/Final Development Plan**

Approval of the PDP/FDP for the Development Area 4 Wood Street project is supported by the following findings: The project conformance with the Wood Street Zoning District is not limited to the findings identified below, but is also included in the previous analysis of this staff report, the Wood Street Development EIR, and the Statement of Compliance with Wood Street Zoning District prepared by Baran Studio Architecture (incorporated by reference into these findings) as well as elsewhere in the record of proceedings leading up to these approvals.

**I. California Environmental Quality Act (CEQA) Findings**

An Environmental Impact Report (EIR) ER03-0023 was prepared for the Wood Street Development Project and was certified on March 16, 2005. The 2005 EIR evaluated two development scenarios for DA4 a "max trips" and "max residential" scenario, which looked at 393 and 450 residential units for the site, respectively. Following certification of the EIR, the 301-unit HFH Apartments project was approved in 2007 and found to be within the scope of the 2005 EIR. Not only is the revised 171-unit project lesser in density but it has been further reviewed for changed circumstances and new information as well as the West Oakland Specific Plan (WOSP). The study concludes that the refinements incorporated into the less dense/intense and predominantly residential development do not represent changes that would result in new or more severe environmental impacts beyond those identified in the Wood Street EIR. The previous EIR (ER03-0023) for Wood Street certified on March 16, 2005 is adequate for the 2014 project and no subsequent or supplemental environmental review is warranted. Therefore, under CEQA Sections 21166 and CEQA Guidelines Sections 15162 and 15163, no further environmental review is required. (See attachment "C" for details). In addition, the project also meets the CEQA Special Situation, Section 15183, for projects consistent with a community plan, general plan or zoning.

**II. Findings for Approval of Preliminary Development Plan (Section 3.20) and Final Development Plan (Section 3.40)**

The Planning Commission finds that the Preliminary Development Plan (PDP) and final Development Plan (FDP) for the project is in substantial conformance with the Wood Street Zoning District.

- A. The PDP and FDP have been prepared by a professional design team consisting of a licensed architect (Baran Studio Architecture), registered civil engineer (Sandis), and professional landscape architect (Einwiller Kuehl Landscape Architecture).
- B. The layout, design and size of the proposed project are appropriate for the location and compatible with the surrounding area, which has a variety of land uses and building types.
- C. The proposed project is consistent with the applicable Wood Street Zoning District regulations and development standards relating to density (as amended by this application), height, building frontage, projections over the street line, useable open space, number of off-street parking spaces and location of garages, public improvements.
- D. The proposed project's substantial conformance to the Wood Street Zoning District regulations and development standards, including the manner in which various project features implement the stated intent behind certain regulations, is described fully in the Statement of Compliance with the Wood Street Zoning District prepared by Baran Studio Architecture. The analysis contained in the

***FINDINGS***

Statement of Compliance is carried forward by the Planning Commission and made part of these findings.

- E. The utility and infrastructure plans meet the requirement of the Wood Street Zoning District.
- F. The public facilities financing plan for the proposed project has improvements to Wood Street and 16<sup>th</sup> Street being funded in cash by the applicant (Proof of 40M bond provided).

### **III. Findings for Final Design Review – Sections 3.50 and 6.00 of the Wood Street Zoning District Regulations**

The Planning Commission finds that the project is substantially in compliance with the Section 6.00 design Guidelines, of the Wood Street Zoning District.

#### **General Guidelines**

1. **Each development project shall by use of massing, articulation, materials and detail establish a coherent integrated architectural character that is consistent with each development project. All built aspects of the development project shall be considered as contributing to the architectural character of the development project, including but not limited to; site structures and furnishings, exterior lighting, paving and signage.**

The three story structures apply similar exterior materials and treatments such as cement board siding, shingles, stucco, glass, and steel. The design incorporates various architectural elements and detailing such as projecting bays, varied rooflines, decks, etc. to achieve a series of distinct and well-composed building volumes that are proportionally scaled for each unit. Together, the buildings form an enclave of townhouse structures with private yards organized around a central landscaped open space, courtyard, or alleyway that also serves as a community space.

2. **Buildings are not restricted to any specific architectural style. Within the overall scope of the Wood Street Zoning District, a variety of architectural styles are encouraged as a means of enhancing the mixed-use character of the development project.**

The proposed buildings have Contemporary designs with elements typical of the mixture of traditional designs in the neighborhood and recent non-traditional developments. The proposed development will preserve the urban residential character of the neighborhood. The proposed Contemporary designs will also be consistent with the other traditional buildings in the neighborhood. The new residents will serve as potential new patrons to the local businesses.

The proposed project is a residential development that is consistent in all significant regards with the Urban Residential General Plan designation.

#### **Compliance with Guidelines:**

- A. The Planning Commission finds that the project satisfies the design intent set forth in the Wood Street Zoning District Design guidelines. The proposed new project is well related to the completed developments (PCL, Zephyr Gate, Ironhorse), planned open spaces (16<sup>th</sup> Street Train Station Plaza), the planned development (remaining sites) within the Wood Street project and the adjacent uses.
- B. The proposed materials and textures will complement both the residential developments as well as the non-residential structures in the existing neighborhood. The use of multiple building materials and textures will provide some variety and differentiation between project units while

## ***FINDINGS***

enhancing desirable neighborhood characteristics in the area.

- C. The architectural character, pedestrian connections, building massing, building articulation, parking garages, fenestration, exterior materials, colors, lighting, open spaces and landscaping are consistent the Design Guidelines of the Wood Street Zoning District.

**IV. Findings relation got Phasing of Development and processing of Final Maps**

- A. The Planning Commission finds that it is in the best interest of the City to provide for phased development of the PDP/FDP as proposed by the applicant to commence and completed in nine (9) phases between April 2015 and February 2017.
- B. The Planning Commission find that the phasing plan for the proposed project is appropriate, in the best interest of the City, and will result in the optimal development scenario of the proposed 171 residential and 4 commercial project for Development Area 4.
- C. The Planning Commission finds that this phasing plan is consistent with VTPM10242, which replaces VTPM8553.
- D. The Planning Commission finds and directs that in the future processing relating to VTPM10242, City staff take all actions necessary to implement this phasing plan, including without limitation, an administrative amendment/adjustment to the phasing plan as needed to extend it as needed.

**V. Conditions of Approval for the proposed project including the Preliminary Development Plan, Final Development Plan, and Vesting Tentative Parcel Map 10242(8553) – Section 1.30 Wood Street Zoning District**

- A. The project shall be constructed and operated in accordance with the authorized use as described in the application materials, staff report, and the plans dated July 20, 2014.
- B. Each of the Conditions of Approval and Mitigation measures referenced in the Mitigation Monitoring Reporting Program relating to Vesting Tentative Parcel Map 8553 and incorporated herein by reference shall apply to the subject project site as specified in the conditions themselves.
- C. Public improvements shall be completed to the satisfaction of the City Engineer as set forth in the Subdivision Improvement Agreement.
- D. The project applicant has provided proof of bonding capacity of \$40 Million to assure the city that all required public improvements including the 16<sup>th</sup> Street pocket park, and street improvements within Wood and 16<sup>th</sup> Street shall be completed as part of this development.
- E. Site improvement and building permit plans shall include information related to site design and security features that may include parking signs and lighting: retail business identification signs, lighting for project identification signs (and/or monument sign); functional security light; street lights and nighttime light.

**Note:**

The entire text of the Wood Street Zoning District regulations and associated documents including EIR, is available at:

<http://www2.oaklandnet.com/Government/o/PBN/OurOrganization/PlanningZoning/DOWD008410>

**CONDITIONS OF APPROVAL**

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**1. Approved Use**

***Ongoing***

- a) The project shall be constructed and operated in accordance with the authorized use as described in the application materials, **and/or staff report**, and the plans dated **June 20, 2014** and submitted on **June 20, 2014**, 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 required prior written approval from the Director of City Planning or designee.
- b) This action by the City Planning Commission ("this Approval") includes the approvals set forth below. This Approval includes:
  - Zoning Text Amendments;
  - Design Review for Preliminary and Final Development Plan for construction of 171 new townhouse-style residential and 4 commercial condominiums;
  - Vesting Tentative Parcel Map for a one-lot subdivision to create 171 new townhouse-style residential and 4 commercial condominium units

**2. Effective Date, Expiration, Extensions and Extinguishment**

***Ongoing***

Unless a different termination date is prescribed, this Approval shall expire **two calendar 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 **Subdivision Regulations and the Oakland Planning Code** 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** 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** if it is found that there is violation of any of the **Conditions** 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**

***With submittal of a demolition, grading, and building permit***

A copy of the approval letter and **Conditions** 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 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 if one or more of such conditions is found to be invalid by a court of competent jurisdiction this Approval would not have been granted without requiring other valid conditions 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, 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. Required Landscape Plan for New Construction and Certain Additions to Residential Facilities*****Prior to issuance of a building permit***

Submittal and approval of a landscape plan for the entire site is required for the establishment of a new residential unit (excluding secondary units of five hundred (500) square feet or less), and for additions to Residential Facilities of over five hundred (500) square feet. The landscape plan and the plant materials installed pursuant to the approved plan shall conform with all provisions of Chapter 17.124 of the Oakland Planning Code, including the following:

- a) Landscape plan shall include a detailed planting schedule showing the proposed location, sizes, quantities, and specific common botanical names of plant species.
- b) Landscape plans for projects involving grading, rear walls on downslope lots requiring conformity with the screening requirements in Section 17.124.040, or vegetation management prescriptions in the S-11 zone, shall show proposed landscape treatments for all graded areas, rear wall treatments, and vegetation management prescriptions.
- c) Landscape plan shall incorporate pest-resistant and drought-tolerant landscaping practices. Within the portions of Oakland northeast of the line formed by State Highway 13 and continued southerly by Interstate 580, south of its intersection with State Highway 13, all plant materials on submitted landscape plans shall be fire-resistant. The City Planning and Zoning Division shall maintain lists of plant materials and landscaping practices considered pest-resistant, fire-resistant, and drought-tolerant.
- d) All landscape plans shall show proposed methods of irrigation. The methods shall ensure adequate irrigation of all plant materials for at least one growing season.

**13. Landscape Requirements for Street Frontages.*****Prior to issuance of a final inspection of the building permit***

- a) All areas between a primary Residential Facility and abutting street lines shall be fully landscaped, plus any unpaved areas of abutting rights-of-way of improved streets or alleys, provided, however, on streets without sidewalks, an unplanted strip of land five (5) feet in width shall be provided within the right-of-way along the edge of the pavement or face of curb, whichever is applicable. Existing plant materials may be incorporated into the proposed landscaping if approved by the Director of City Planning.
- b) In addition to the general landscaping requirements set forth in Chapter 17.124, a minimum of one (1) fifteen-gallon tree, or substantially equivalent landscaping consistent with city policy and as approved by the Director of City Planning, shall be provided for every twenty-five (25) feet of street frontage. 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, the trees to be provided shall include street trees to the satisfaction of the Director of Parks and Recreation.

**14. Assurance of Landscaping Completion.*****Prior to issuance of a final inspection of the building permit***

The trees, shrubs and landscape materials required by the conditions of approval attached to this project shall be planted before the certificate of occupancy will be issued; **or a bond, cash, deposit, or letter of credit, acceptable to the City**, shall be provided for the planting of the required landscaping. The amount of such **or a bond, cash, deposit, or letter of credit** shall equal the greater of two thousand five hundred dollars (\$2,500.00) or the estimated cost of the required landscaping, based on a licensed contractor's bid.

**15. Landscape Requirements for Downslope Lots.*****Prior to issuance of a final inspection of the building permit***

On downslope lots where the height of the rear elevation of the primary Residential Facility exceeds twenty-eight (28) feet, landscaping that meets the following requirements shall be planted to screen the rear face of the building:

- a) A minimum of one (1) fifteen-gallon tree or five (5) five-gallon shrubs, or substantially equivalent landscaping as approved by the Director of City Planning, shall be provided for each fifteen (15) feet of lot width, measured at the rear face of the residence.
- b) The landscape screening shall be elected and maintained such that it is sufficient in size within five (5) years of planting to screen, at a minimum, the lower ten (10) feet of the structure.

**16. 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.

**17. 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 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.
- 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.

**18. Improvements in the Public Right-of Way (Specific)**

***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 (**Wood Street and 16<sup>th</sup> Street. Improvements to Wood Street shall be required to go to the gutter on the east side of Wood Street between 14<sup>th</sup> Street and 16<sup>th</sup> Street. Curb, sidewalk, ramps, streetlights and other improvements on the east side of Wood Street shall be constructed by future developers of properties fronting on the east side of Wood Street.**)
- 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 (**Wood Street and 16 Street**).
- 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 and address path-of-travel within or around the proposed development such that wheelchairs access is provided at **Wood Street and 16 Street. Improvements to Wood Street shall be required to go to the gutter on the east side of Wood Street between 14<sup>th</sup> Street and 16<sup>th</sup> Street. Curb, sidewalk, ramps, streetlights**

and other improvements on the east side of Wood Street shall be constructed by future developers of properties fronting on the east side of Wood Street..

- f) Remove and replace deficient concrete sidewalk, curb and gutter within property frontage (Wood Street and 16 Street).
- g) Provide adequate fire department access and water supply, including, but not limited to currently adopted fire codes and standards. (Wood Street and 16 Street).

#### **19. Payment for Public Improvements**

##### ***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. The applicant shall replace all street paving and sidewalk that will be damaged or compromised by construction activities. The proposed sewer discharge of 33,380 gallon per day submitted for the project exceeded the sub-basin allocation and mitigation fee will be required. The estimated sewer mitigation fee is \$58,930 based on the Construction Cost Index (CCI) of June 2014 (10899.59). This fee will be adjusted using CCI when the actual date of paying the final approval of the building permit. The applicant will be responsible to calculate the capacity of local sewer main (where the lateral discharge to the sewer main) by assuming that the main pipe is flowing at 30% full.

#### **20. Compliance Matrix**

##### ***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.

#### **21. Construction Management Plan**

##### ***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**.

#### **22. Parking and Transportation Demand Management**

##### ***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

### **23. Dust Control**

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

During construction, the project applicant shall require the construction contractor to implement the following measures required as part of Bay Area Air Quality Management District's (BAAQMD) basic and enhanced dust control procedures required for construction sites. These include:

- a) Water all active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever 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) Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- d) Sweep daily (with water sweepers using reclaimed water if possible) all paved access roads, parking areas and staging areas at construction sites.

- e) Sweep streets (with water sweepers using reclaimed water if possible) at the end of each day if visible soil material is carried onto adjacent paved roads.
- f) Limit the amount of the disturbed area at any one time, where feasible.
- g) Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
- h) 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.
- i) Replant vegetation in disturbed areas as quickly as feasible.
- j) Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).
- k) Limit traffic speeds on unpaved roads to 15 miles per hour.
- l) Clean off the tires or tracks of all trucks and equipment leaving any unpaved construction areas.
- m) All "Basic" controls listed above, plus:
- n) Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- o) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).
- p) 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. The name and telephone number of such persons shall be provided to the BAAQMD prior to the start of construction as well as posted on-site over the duration of construction.
- q) Install appropriate wind breaks at the construction site to minimize wind blown dust.

#### **24. 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 Bay Area Air Quality Management District (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 "CAPCOA" 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) shall be performed for such equipment used continuously during the construction period.

**25. Days/Hours of Construction Operation**

***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.

**26. Noise Control*****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) Except as provided herein, Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.
- 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.

**27. 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.

**28. 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:
  - a) 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.
  - b) Prohibition of Z-duct construction.

**29. Operational Noise-General**

***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.

### **30. Construction Traffic and Parking**

#### ***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 **Wood Street and 14<sup>th</sup> Street**.
- 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.

### **31. Erosion and Sedimentation Control**

#### ***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.

### **32. Hazards Best Management Practices**

#### ***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.

**33. Waste Reduction and Recycling**

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](http://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 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.

**34. Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCAMMRP)*****Ongoing***

All mitigation measures identified in the **ER030023** 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. The Standard Conditions of Approval identified in the **ER030023** 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.

### **35. 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.

**36. 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.

**37. Asbestos Removal in Soil**

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

To minimize the release of naturally occurring asbestos in the soil during construction, the project applicant shall require the construction contractor to demonstrate compliance with Bay Area Air Quality Management District's (BAAQMD) Asbestos Airborne Toxic Control Measures for Construction, Grading, Quarrying and Surface Mining Operations (implementing CCR section 93105) for activities that disturb the soil, such as grading, etc.

***Administrative (Prior to the start of work)***

- a) Asbestos Dust Minimization Plan shall be submitted to BAAQMD and approved prior to engaging in the any construction or grading operation.
- b) The Asbestos Dust Minimization Plan provisions shall be implemented at the beginning and maintained throughout the duration of the construction or grading activity.

***Dust Control Requirements***

The Asbestos Dust Minimization Plan shall include one or more provisions to address the following topics:

- a) Control for traffic on on-site unpaved roads, parking lots, and staging areas shall include: limiting vehicle speed to less than 15 mph, and one or more of the following: watering every two hours of active operations or sufficiently often to keep area wetted; applying chemical dust suppressants to consistent with manufacturer's directions; maintaining gravel cover with a silt content less than 5% and asbestos content less than .25% as determined using the asbestos bulk test method; or any other measure as effective as those listed above.
- b) Control for earthmoving activities shall include one or more of the following: pre-wetting the ground to the depth of the anticipated cuts; suspending grading operations when wind speeds are high enough to result in dust emissions crossing the property line despite applicable of dust measures; application of water prior to any land clearing; or any other measure as effective.
- c) Storage piles shall be kept adequately wetted or covered with tarps when the material is not being added or removed.
- d) Storage piles must be stabilized when inactive for more than 7 days by implementing one or more of the following: adequately wetting the site, establishing and maintaining surface crusting material, chemical dust suppressant or stabilizer, covering with tarps or

vegetative cover, installation of wind barriers of 50% porosity around three sides of the pile areas, or any measure as effective.

- e) Equipment must be washed down before moving from the property onto paved roadway.

Track-out prevention and control measures shall include:

- i. Removal of visible track-out on paved public road at any location where vehicles exit the work site using wet sweeping or High Efficiency Particulate Air (HEPA) filter equipped vacuum device at least one time per day.
  - ii. Installation of one or more of the following track-out prevention devices: gravel pad, tire shaker, wheel wash system, not less than 50 feet of pavement extending from intersection with paved public road, or other measure as effective.
- f) Control for offsite-transport shall include the following: maintenance of trucks such that no spillage can occur from holes or openings in cargo compartments; loads are adequately wetted; and either covered with tarps or loaded such that the material does not touch the front, back, or sides of the cargo compartment at any point less than 6" from the top and that at no point of the load extends above the top of the cargo compartment.
  - g) Post project stabilization of disturbed surfaces shall occur using one or more of the following: establishing vegetative cover; placement of at least 3" of non-asbestos-containing material, paving, or other measure deemed sufficient to prevent 10 mph winds from causing visible emissions.

*Administrative (After completion of work)*

- a) If required by the BAAQMD's APCO, the plan must include an air-monitoring component which shall specify the following: type of air sampling device; siting of the device; sampling of the device; sampling duration and frequency; and analytical method.
- b) The plan shall state the frequency with which the information will be reported to BAAQMD.
- c) The owner/operator shall keep maintain the following records for at least 7 years following completion of the project: results of any required air monitoring; documentation for any geologic evaluation conducted for the purposes of obtaining an exemption; and results of any bulk sampling conducted by the owner/operator to document applicability done or at the request of APCO.

**38. Tree Removal During Breeding Season**

***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.

**39. Tree Removal Permit**

***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.

**40. Tree Replacement Plantings**

***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.

#### **41. Tree Protection During Construction**

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

Adequate protection shall be provided during the construction period for any trees that 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 that 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.

#### **42. Archaeological Resources**

##### ***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.



**43. Human Remains*****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.

**44. Paleontological Resources*****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.

**45. Erosion and Sedimentation Control Plan*****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.

**46. Vibrations Adjacent Historic Structures**

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

The project applicant shall retain a structural engineer or other appropriate professional to determine threshold levels of vibration and cracking that could damage the **16<sup>th</sup> Street Train Station** (Historic Structure) and design means and methods of construction that shall be utilized to not exceed the thresholds.

**47. Radon or Vapor Intrusion from Soil or Groundwater Sources**

***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.

**48. Fire Safety Phasing Plan**

***Prior to issuance of a demolition, grading, and/or construction and concurrent with any p-job submittal permit***

The project applicant shall submit a separate fire safety phasing plan to the Planning and Zoning Division and Fire Services Division for their review and approval. The fire safety plan shall include all of the fire safety features incorporated into the project and the schedule for implementation of the features. Fire Services Division may require changes to the plan or may reject the plan if it does not adequately address fire hazards associated with the project as a whole or the individual phase.

**49. Hazardous Materials Business Plan*****Prior to issuance of a business license***

The project applicant shall submit a Hazardous Materials Business Plan for review and approval by Fire Prevention Bureau, Hazardous Materials Unit. Once approved this plan shall be kept on file with the City and will be updated as applicable. The purpose of the Hazardous Materials Business Plan is to ensure that employees are adequately trained to handle the materials and provides information to the Fire Services Division should emergency response be required. The Hazardous Materials Business Plan shall include the following:

- a) The types of hazardous materials or chemicals stored and/or used on site, such as petroleum fuel products, lubricants, solvents, and cleaning fluids.
- b) The location of such hazardous materials.
- c) An emergency response plan including employee training information
- d) A plan that describes the manner in which these materials are handled, transported and disposed.

**50. Stormwater Pollution Prevention Plan (SWPPP)*****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 through the completion of the project. After construction is completed, the project applicant shall submit a notice of termination to the SWRCB.

**51. Post-Construction Stormwater 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 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 of 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.

**52. Maintenance Agreement for Stormwater Treatment Measures**

***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.

**53. Regulatory Permits and Authorizations**

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

Prior to construction within the floodway or floodplain, the project applicant shall obtain all necessary regulatory permits and authorizations from the Alameda County Flood Control and Water Conservation District and shall comply with all conditions issued by that agency.

**54. Structures within a Floodplain**

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

- a) The project applicant shall retain the civil engineer of record to ensure that the project's development plans and design contain finished site grades and floor elevations that are elevated above the Base Flood Elevation (BFE) if established within a 100-year flood event.
- b) The project applicant shall submit final hydrological calculations that ensure that the structure will not interfere with the flow of water or increase flooding.

**55. Stormwater and Sewer**

***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.

**56. Indoor Air Quality**

In order to comply with the California Air Resources Board Air Quality and Land Use Handbook (June 2005) and achieve an acceptable interior air quality level for sensitive receptors, appropriate measures, shall be incorporated into project building design. The appropriate measures shall include one of the following methods:

- a) The project applicant shall retain a qualified air quality consultant to prepare a health risk assessment (HRA) in accordance with the California Air Resources Board and the Office of Environmental Health and Hazard Assessment requirements to determine the exposure of project residents/occupants/users to stationary air quality pollutants prior to issuance of a demolition, grading, or building permit. The HRA shall be submitted to the Planning and Zoning Division for review and approval. The applicant shall implement the approved HRA recommendations, if any. If the HRA concludes that the air quality risks from nearby sources are at or below acceptable levels, then additional measures are not required.
- b) The applicant shall implement the following features that have been found to reduce the air quality risk to sensitive receptors and shall be included in the project construction plans. These shall be submitted to the Planning and Zoning Division and the Building Services Division for review and approval prior to the issuance of a demolition, grading, or building permit and ongoing.
  - a) Do not locate sensitive receptors near distribution center's entry and exit points.
  - b) Do not locate sensitive receptors in the same building as a perchloroethylene dry cleaning facility.
  - c) Maintain a 50' buffer from a typical gas dispensing facility (under 3.6 million gallons of gas per year).
  - d) Install, operate and maintain in good working order a central heating and ventilation (HV) system or other air take system in the building, or in each individual residential unit, that meets the efficiency standard of the MERV 13. The HV system shall include the following features: Installation of a high efficiency filter and/or carbon filter to filter particulates and other chemical matter from entering the building. Either HEPA filters or ASHRAE 85% supply filters shall be used.
  - e) Retain a qualified HV consultant or HERS rater during the design phase of the project to locate the HV system based on exposure modeling from the mobile and/or stationary pollutant sources.
  - f) Maintain positive pressure within the building.
  - g) Achieve a performance standard of at least one air exchange per hour of fresh outside filtered air.
  - h) Achieve a performance standard of at least 4 air exchanges per hour of recirculation
  - i) Achieve a performance standard of .25 air exchanges per hour of in unfiltered infiltration if the building is not positively pressurized.

- j) Project applicant shall maintain, repair and/or replace HV system or prepare an Operation and Maintenance Manual for the HV system and the filter. The manual shall include the operating instructions and maintenance and replacement schedule. This manual shall be included in the CC&R's for residential projects and distributed to the building maintenance staff. In addition, the applicant shall prepare a separate Homeowners Manual. The manual shall contain the operating instructions and maintenance and replacement schedule for the HV system and the filters. It shall also include a disclosure to the buyers of the air quality analysis findings.

**57. Air Pollution Buffering for Private Open Space**

***Prior to approval of Final Development Plan for each stage***

To the maximum extent practicable, private (individual and common) exterior open space, including playgrounds, patios, and decks, shall either be shielded from the stationary source of air pollution by buildings or otherwise buffered to further reduce air pollution for project occupants.

**58. Submittal of Final Map and Final Map Requirements**

***Within two years of the effective date of approval, and ongoing***

A Final Map shall be submitted to the Building Services Department, within 2 years of the approval of this permit. The Final Map shall include: all easements for right-of-way provided for public services or utilities; all property which is offered for dedication for public use; and all property that may be reserved by deed or covenant for common use of the property owners in the subdivision, in a form acceptable to the City Engineer and acceptance language by the City Engineer, along with all other supplementary maps or plans required as conditions of approval. The applicant shall record the Final Map and a written legal description of the reconfigured parcels as part of the deed with the Alameda County Recorder's Office and proof of such recordation shall be provided to the Planning Department prior to issuance of Building Permits. Failure to file a Final Parcel Map within these time limits shall nullify the previous approval or conditional approval of the Tentative Parcel Map.

**59. Certification of Parcel Map**

***Ongoing***

A Parcel Map may be certified by the City Engineer at the expiration of the ten-day appeal period from the date of this approval.

**60. Covenants, Conditions and Restrictions & Homeowner's Association**

***Prior to certificate of occupancy.***

The Covenants, Conditions and Restrictions (CC&Rs) for the units shall be submitted to the Planning and Zoning Division for review. The CC&Rs shall provide for the establishment of a non-profit homeowners association for the maintenance and operation of all on-site, pathways, common open space and all common landscaping, driveways, and other facilities, in accordance with approved plans. Membership in the association shall be made a condition of ownership. The developer shall be a member of such association until all units are sold.

**61. Traffic Mitigation**

***Prior to issuance of a certificate of occupancy for the first unit***

The project shall be required to comply with the Traffic Mitigations and Fair Share contributions to study and improved identified intersections as per the mitigation measures associated with VTPM8553 and ER03-0023 for the Wood Street project.

For VTPM8553 COA's 26, 27, and 28, the applicant would be required to pay the Fair Share contribution identified in Eric Angstadt's letter of May 29, 2009 (See Attachment D) prior to issuance of building permit.

For VTPM8553 COA 76, the applicant in collaboration with the other Wood Street Project sponsors shall re-engage discussions with AC Transit to see if service on the 26 line can be returned to 15 minute headways, and as development of the Wood Street Zoning District progresses to the north, in coordination with AC Transit, locate an additional AC Transit stop proximate to the new uses.

**62. Public Improvements – Vesting Tentative Parcel map 8553**

***Ongoing***

All public improvements shall be constructed in substantial conformance with the individual vesting tentative maps submitted by the project sponsors for each Development Area for the approval of the Wood Street Project. The project Sponsor for Development Area 4 shall construct all public improvements to 14<sup>th</sup> Street, 16<sup>th</sup> Street and Wood Street between 14<sup>th</sup> Street and 16<sup>th</sup> Street, unless development has occurred on an adjacent parcel and the public improvements are already installed. Except as otherwise provided in this condition, the improvements referred to in this condition include complete street width, curb, gutter, sidewalk, and installation of utilities in accordance with the standards of the City of Oakland to the limits shown on VTPM8553 and as amended by VTPM10242. Sidewalks on the opposite side of Wood Street Zoning District perimeter streets (i.e. outside the District) will get minor repairs only.

**63. Conditions of approval associated with VTPM8553 not covered by VTPM10242**

***Ongoing***

All the conditions of approval associated with VTPM8553 shall apply to VTPM10242 unless expressly modified by those associated with VTPM10242.

**APPROVED BY:**

City Planning Commission: \_\_\_\_\_ (date) \_\_\_\_\_ (vote)

***CONDITIONS OF APPROVAL***



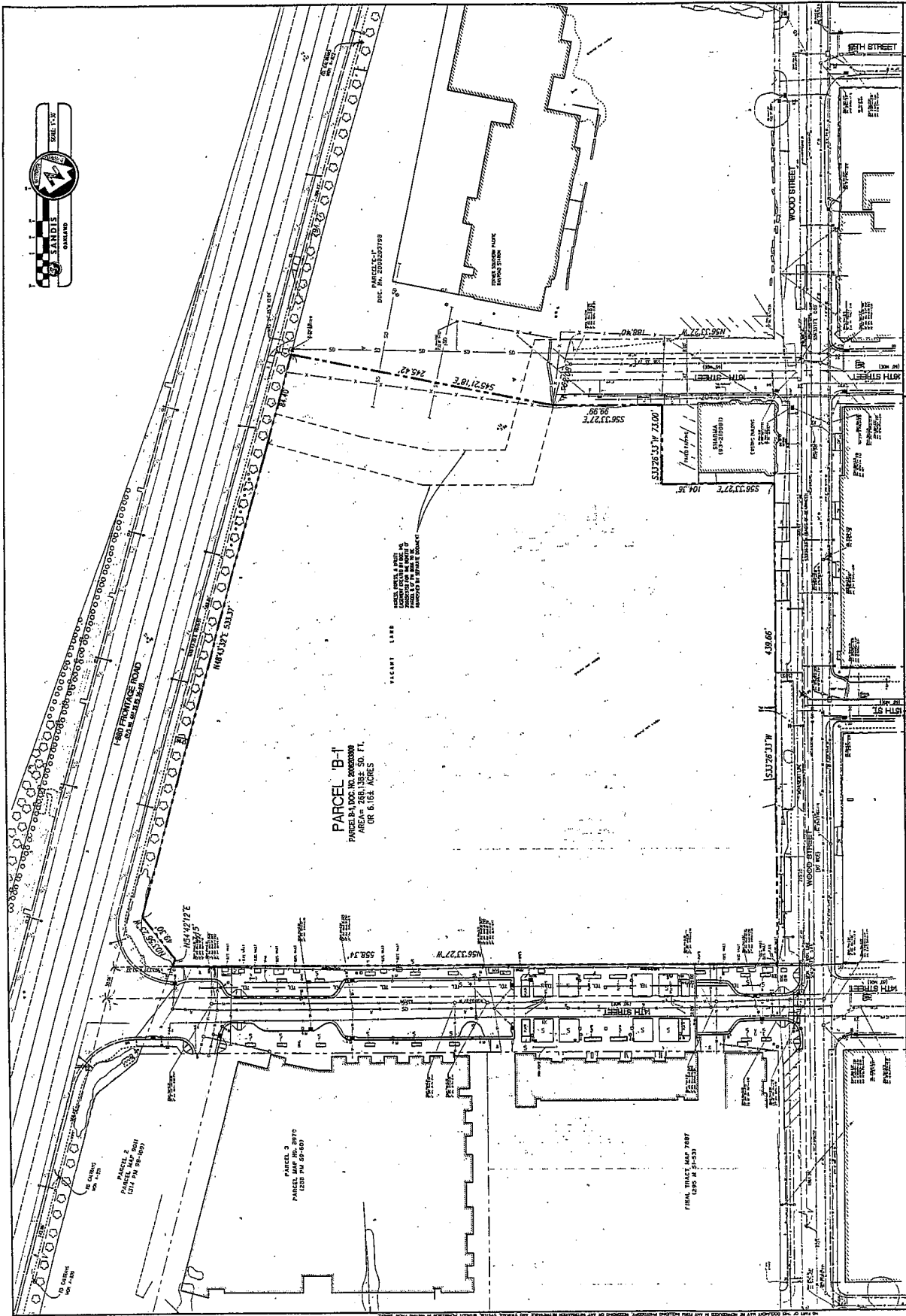
**Applicant and/or Contractor Statement**

I have read and accept responsibility for the Conditions of Approval, as approved by Planning Commission action on August 6, 2014. I agree to abide by and conform to these conditions, as well as to all provisions of the Oakland Zoning Code and Municipal Code pertaining to the project.

Signature of Owner/Applicant: \_\_\_\_\_(date)

Signature of Contractor \_\_\_\_\_(date)





PARCEL 1-B-I  
PARCEL 1-B-I NO. 200000000  
AREA= 288,384 SQ. FT.  
OR 6.66 ACRES

PARCEL 2  
PARCEL 2 MAP 7887  
1217 PM 82-100

PARCEL 3  
PARCEL 3 MAP 7887  
1220 PM 82-100

FINAL TRACT MAP 7887  
1220 M 82-100

SHEET  
T-2  
OF 8 SHEETS

VESTING TENTATIVE MAP 10242  
EXISTING BOUNDARY & TOPOGRAPHIC SURVEY

1401 WOOD STREET  
OAKLAND  
CALIFORNIA

SANDIS	
DATE: 12-11-14	DATE: 12-11-14
BY: [Signature]	BY: [Signature]
APPROVED: [Signature]	APPROVED: [Signature]
PROJECT: 10242	PROJECT: 10242
FILE NO: 10242	FILE NO: 10242
614004	614004



1400 FRONTAGE ROAD  
171' 0" W 71' 0" S 141' 0" E

PARCEL 2  
PARKING LOT  
171' 0" W 71' 0" S 141' 0" E

PARCEL 3  
PARKING LOT  
171' 0" W 71' 0" S 141' 0" E

PARCEL 1B-1  
AREA = 288,132 SQ. FT.  
OR 6.662 ACRES

PARCEL 1  
A SINGLE LOT SUBDIVISION  
FOR CONDOMINIUM PURPOSES  
(174 RESIDENTIAL UNITS  
5 COMMERCIAL UNITS)

FINAL TRACT MAP 7837  
1255 M 81-523

- LEGEND**
- EXISTING PROPERTY LINE TO BE SHOWN
  - PROPOSED PROPERTY LINE
  - EXISTING (LEGALLY) TO BE SHOWN
  - EXISTING (LEGALLY) TO BE DELETED
  - POINT OF BEGINNING TO BE SHOWN
  - PROPOSED LAYOUT
  - PROPOSED LAYOUT TO BE SET
  - PROPOSED LAYOUT TO BE DELETED

**SANDIS**

1401 WOOD STREET  
OAKLAND, CALIFORNIA 94612

1400 FRONTAGE ROAD  
OAKLAND, CALIFORNIA 94612

**VESTING TENTATIVE PARCEL MAP 10242**

**TENTATIVE MAP**

**T-3**

**OF 8 SHEETS**

WOOD STREET ZONING DISTRICT  
DEVELOPMENT AREA 4  
FINAL DEVELOPMENT PLAN - JULY 25, 2014



CITY VENTURES  
BARAN STUDIO ARCHITECTURE  
SANDIS  
EINWILLER KUEHL

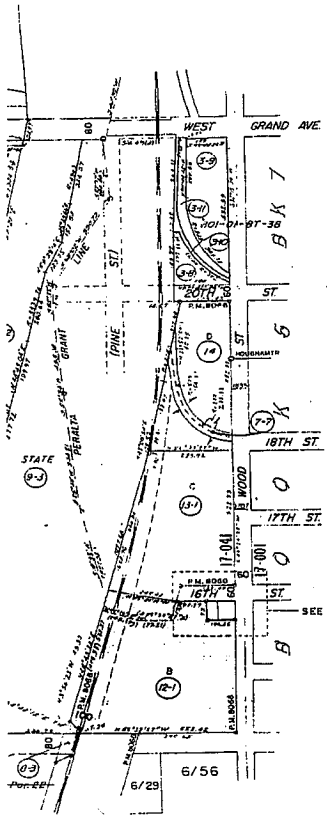
**CITY VENTURES**  
444 Spear Street, Suite 105  
San Francisco, CA 94105  
P: 510.846.6540  
www.cityventures.com

**BARAN STUDIO  
ARCHITECTURE**  
5621 Lowell Street, Suite F  
Oakland, CA 94608  
O: 510.595.6744  
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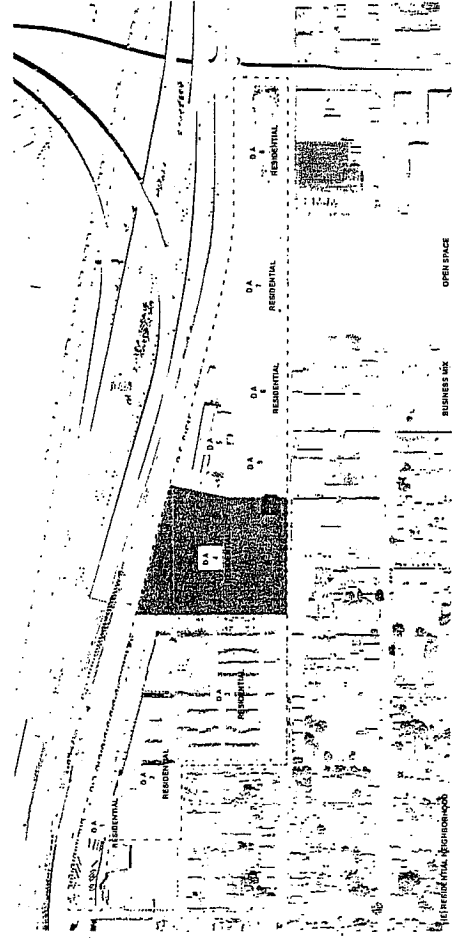
**SANDIS**  
636 Ninth Street Oakland,  
CA 94607 P: 510.873.8866  
F: 510.873.8868  
www.sandis.net

**EINWILLER KUEHL**  
874 41st Street Oakland,  
CA 94608  
O: 510.891.1696  
www.einwillerkuehl.com

<b>COVER SHEET</b>	<b>UNIT PLANS</b>
<b>ARCHITECTURAL</b>	A-1.01 ENLARGED FLOOR PLAN UNIT A1.01
<b>SITE PLANS AND DATA</b>	A-1.02 ENLARGED FLOOR PLAN UNIT A2.02
A-0.00 SHEET INDEX & SITE LOCATION DATA	A-1.03 ENLARGED FLOOR PLAN UNIT A3.03
A-0.01 PROJECT OVERVIEW GREEN KEY	A-1.04 ENLARGED FLOOR PLAN UNIT A4.04
A-0.02 GREEN BUILDING FEATURES	A-1.05 ENLARGED FLOOR PLAN UNIT A5.05
A-0.03 NEIGHBOR PHOTOS	A-1.06 ENLARGED FLOOR PLAN UNIT A6.06
A-0.04 MASSING DIAGRAM	A-1.07 ENLARGED FLOOR PLAN UNIT A7.07
A-0.05 PARKING PLAN & FRONTAGE DIAGRAM	A-1.08 ENLARGED FLOOR PLAN UNIT A8.08
A-0.06 ARCHITECTURAL SITE PLAN	A-1.09 ENLARGED FLOOR PLAN UNIT A9.09
A-0.07 PROJECT RENDERINGS	A-1.10 ENLARGED FLOOR PLAN UNIT A10.10
A-0.08 PROJECT RENDERINGS	A-1.11 ENLARGED FLOOR PLAN UNIT A11.11
A-0.09 PROJECT RENDERINGS	
A-0.10 PROJECT RENDERINGS	
<b>MATERIALS BOARD</b>	<b>CIVIL</b>
M-001 WOOD STREET	C-1.1 STORMWATER MITIGATION PLAN
M-002 16TH STREET	C-1.2 ORNSTEIN UTILITY PLAN
M-003 17TH STREET	C-1.3 OFFSITE UTILITY PLAN
M-004 18TH STREET	<b>LANDSCAPE</b>
M-005 OPEN SPACE	L-0.01 MATERIALS BOARD
M-006 LIGHT FIXTURES	L-0.02 LIGHTING PLAN
<b>BUILDING PLANS AND ELEVATIONS</b>	L-0.03 ENLARGED MATERIALS AND PLANTING PLAN
A1-0.01 STITCH (A) BUILDING PLANS	L-0.04 ENLARGED MATERIALS AND PLANTING PLAN
A1-1.01 STITCH (A) ELEVATIONS	L-0.05 ENLARGED MATERIALS AND PLANTING PLAN
A2-0.01 NEST RENDERINGS	L-0.06 WEST SECTION
A2-1.01 NEST GROUND FLOOR	L-0.07 FULLMAN WAY SECTIONS
A2-1.02 NEST 1ST FLOOR	L-0.08 FRONTAGE ROAD AND 14TH ST. SECTIONS
A2-1.03 NEST 2ND FLOOR	L-0.09 HORSEMAN SECTIONS
A2-2.01 NEST (A) ELEVATIONS	L-0.10 BAY SECTIONS
A2-2.02 NEST (A) ELEVATIONS	<b>SUPPLEMENTAL PLANTING PLAN</b>
A3-0.01 LINK RENDERINGS	SHEET-1 WOOD STREET PLANT PALETTE
A3-1.01 LINK (B) GROUND FLOOR	SHEET-2 PULLMAN STREET PLANT PALETTE
A3-1.02 LINK (B) 1ST FLOOR	SHEET-3 ONK ALLEY PLANT PALETTE
A3-1.03 LINK (B) 2ND FLOOR	SHEET-4 MATCHES ALLEY PLANT PALETTE
A3-2.01 LINK (B) ELEVATIONS	SHEET-5 IRONWOOD ALLEY PLANT PALETTE
A4-0.01 ENGINE RENDERINGS	SHEET-6 BAY ALLEY PLANT PALETTE
A4-1.01 ENGINE (C) GROUND FLOOR	SHEET-7 PULLMAN STREET PLANT PALETTE
A4-1.02 ENGINE (C) 1ST FLOOR	SHEET-8 PULLMAN STREET PLANT PALETTE
A4-1.03 ENGINE (C) 2ND FLOOR	SHEET-9 PULLMAN STREET PLANT PALETTE
A4-2.01 ENGINE (C) ELEVATIONS	SHEET-10 PULLMAN STREET PLANT PALETTE
A5-0.00 FRAME RENDERINGS	SHEET-11 PULLMAN STREET PLANT PALETTE
A5-1.01 FRAME (A) GROUND FLOOR	SHEET-12 PULLMAN STREET PLANT PALETTE
A5-2.01 FRAME (A) ELEVATIONS	
A6-0.00 MOVE RENDERINGS	
A6-1.01 MOVE (A) BUILDING PLANS	
A6-2.01 MOVE (A) ELEVATIONS	
A7-0.01 PLAZA MIXED USE BUILDING RENDERINGS	
A7-1.01 PLAZA MIXED USE BUILDING GROUND FLOOR	
A7-1.02 PLAZA MIXED USE BUILDING 1ST FLOOR	
A7-2.01 PLAZA MIXED USE BUILDING 2ND FLOOR	
<b>BUILDING SECTIONS</b>	
A-3.00 SECTION KEY PLAN	
A-3.01 BUILDING SECTIONS	



ASSESSOR'S PARCEL MAP



WOOD STREET DEVELOPMENT AREA

Background and Overview.

Development Area 4 is comprised of approximately 6.16 acres of vacant land located at 1401 Wood Street within the Wood Street Zoning District (WSZD), an identified Priority Development Area. This District, established in 2005, called for Development Area 4 to be developed, along with 23 surrounding acres, into housing and mixed uses. Within Development Area 4, the WSZD allows a minimum of 268 and maximum of 438 residential units, or up to 40,000 SF of non-residential development, or some combination thereof. City Ventures' proposed development of the site conforms in all respects, including use and excepting only minimum density, with the WSZD. Effects of the WSZD on neighborhood character, traffic, cultural resources and other relevant impacts were studied as part of that previously approved rezoning, and will in many cases be less than previously anticipated and approved due to the reduced density proposed herein.

To date, Holiday Development's Pacific Cannery Lofts project, comprised of 163 residential and live/work condominiums, Bridge Housing's Ironhorse project, comprised of 99 below-market rate rental apartments, and Pulte Homes' Zephyr Gate project, comprised of 130 residential and live/work condominiums, have been completed within Development Areas 2 and 3 of the WSZD, respectively. In 2007, a FDP for development of 301 market-rate rental apartments and 2,770 square feet of commercial space was approved for Development Area 4, but the plan proved infeasible and the project was never built.

Development Area 4 is situated northwest of Wood Street between 14th and 16th Streets. Immediately adjacent across 14th Street are the aforementioned Ironhorse and Zephyr Gate projects, as well as the 14th Street pocket park. Across 16th Street is the historic 16th Street train station, currently vacant. Opposite the site on Wood Street are a vacant lot (between 14th and 15th Streets) and small warehouse buildings (between 15th and 16th Streets). Further down 14th and 15th Streets are single and small multi-family housing. To the northwest, the site is bounded by the Frontage Road and Interstate 880 beyond. The proposed development will help alleviate existing land use conflicts in the area and create an active, pedestrian oriented urban community, a primary goal of the WSZD.

Description of Proposal.

City Ventures proposes to construct 171 new residential and live/work condominiums and 5,100 square feet of new ground floor commercial space within Development Area 4 of the Wood Street Zoning District. Most new homes will be three-story, attached townhome style condominiums with private, at-grade garages, varying in size from approximately 1,200 to 1,800 square feet and containing between two or three bedrooms. Twenty percent of new homes will include private backyards; thirty percent will receive semi-private front patios oriented to common open space; many of the remaining homes will feature upper floor decks and balconies.

The site will feature an extensive network of usable group open spaces, a new publicly accessible open space within the 16th Street right-of-way adjacent to the historic 16th Street station, an additional access point to Frontage Road, on-site guest parking, and additional public parking within the improved 16th and Wood Street rights-of-way adjacent to the site. Overall, the site will be parked at 1.7 spaces/DU, well in excess of WSZD minimums.

	Development Area 3 Zephyr Gate (complete)	Development Area 4 WSZD (undeveloped)	Development Area 4 City Ventures (proposed)
Minimum Density for Residential Uses	1 unit per 2,000sf of site area (22DU/AC)	1 unit per 1,000sf of site area (44 DU/AC)	1 unit per 2,000sf of site area (22DU/AC)
Maximum Height	50 ft	65 ft	50 ft
Minimum Usable Open Space	100 sq ft	75 sq ft	100 sq ft

Rationale for Proposed Text Amendment to the WSZD.

As stated in the WSZD regulations dated 7 June 2005, the Wood Street project was intended to redevelop underutilized industrial land around the vacant 16th Street Station in order to "create an active, pedestrian oriented urban community that addresses the demand for high quality residential units in the urban neighborhoods of downtown Oakland". Following adoption of the WSZD in 2005, construction of the market-rate, for-sale projects within Development Areas 2 and 3 of the WSZD (Pacific Cannery Lofts and Zephyr Gate, respectively) proceeded quickly, and this goal appeared within reach. However, in the eight years since those projects were approved, no new market rate development has been proposed within the WSZD, and the vast majority of the project area remains vacant and disused, a direct contravention of the goal of an active, pedestrian-oriented community.

City Ventures proposed project within Development Area 4, while less dense than originally envisioned, fulfills the goals of the WSZD, providing high-quality new workforce and live/work housing in West Oakland, continuing public street improvements along Wood and 16th Streets, and creating a new publicly accessible open space adjacent to the historic 16th Street Station. Further, the proposed project represents a natural northerly progression of development, directly adjacent to and like in kind and character to that of Pulte's completed Zephyr Gate project, located just south of Development Area 4.

Finally, the proposed project provides economic benefits to the City of Oakland and the residents and businesses of West Oakland in the form of approximately \$1.1 million in new City transfer tax revenues, \$1.6 million in City fees, over \$750,000 in school fees, new construction related jobs and sales taxes, property tax revenues to the City estimated at \$250,000 per annum, and approximately five hundred new West Oakland workers, residents and homeowners providing critical support to local businesses.

Project Phasing.

Assuming all project entitlements are in place in fall 2014, City Ventures anticipates commencing construction during the first quarter of 2015, with public infrastructure serving the project installed and the first residential units completed by the end of 2015.

Project Financing.

All public and private improvements within and surrounding Development Area 4 will be privately financed by City Ventures, a well capitalized developer with over \$365 million of discretionary funds. The cost of constructing 16th Street, including the proposed parklet, will be shared between City Ventures and the original WSZD project sponsors pursuant to their 2008 cost sharing agreement. The City's cost to maintain these improvements will be fully reimbursed through existing CFD 2007-1.

Social Benefits of Homeownership:

Homeownership is associated with higher levels of housing maintenance and property price appreciation. Homeowners spend both more in dollar terms and personal labor on maintaining their residences than do landlords of comparable rental properties.

Homeownership is associated with positive impacts on children, including increased educational attainment, fewer behavior problems, a lower teenage pregnancy rate, and a higher lifetime annual income.

Homeowners are more involved in their communities. For instance, owners participate in a greater number of non-professional organizations, have higher church attendance, and higher voter participation rates. Owners also remain in their homes approximately four times longer, adding stability and familiarity to the neighborhood.

Homeowners are more satisfied with their homes and neighborhoods.

Homeowner equity can provide an important link to entrepreneurship. Home equity tends to be one of the largest sources of collateral for bank loans to start new businesses.

Source: HUD, Habitat for Humanity



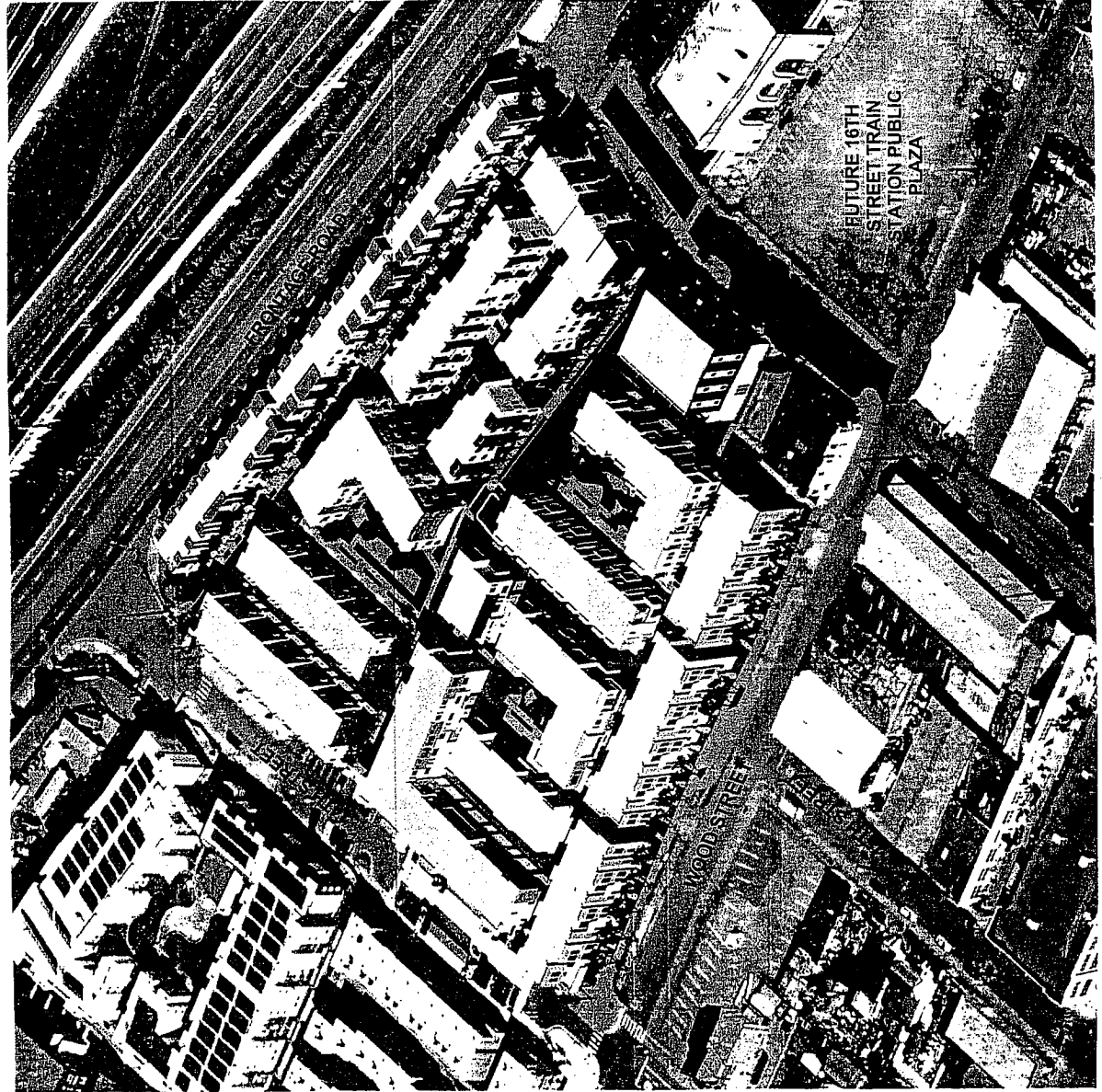
WOOD STREET  
DEVELOPMENT AREA 4

PROJECT  
OVERVIEW /  
GREEN KEY

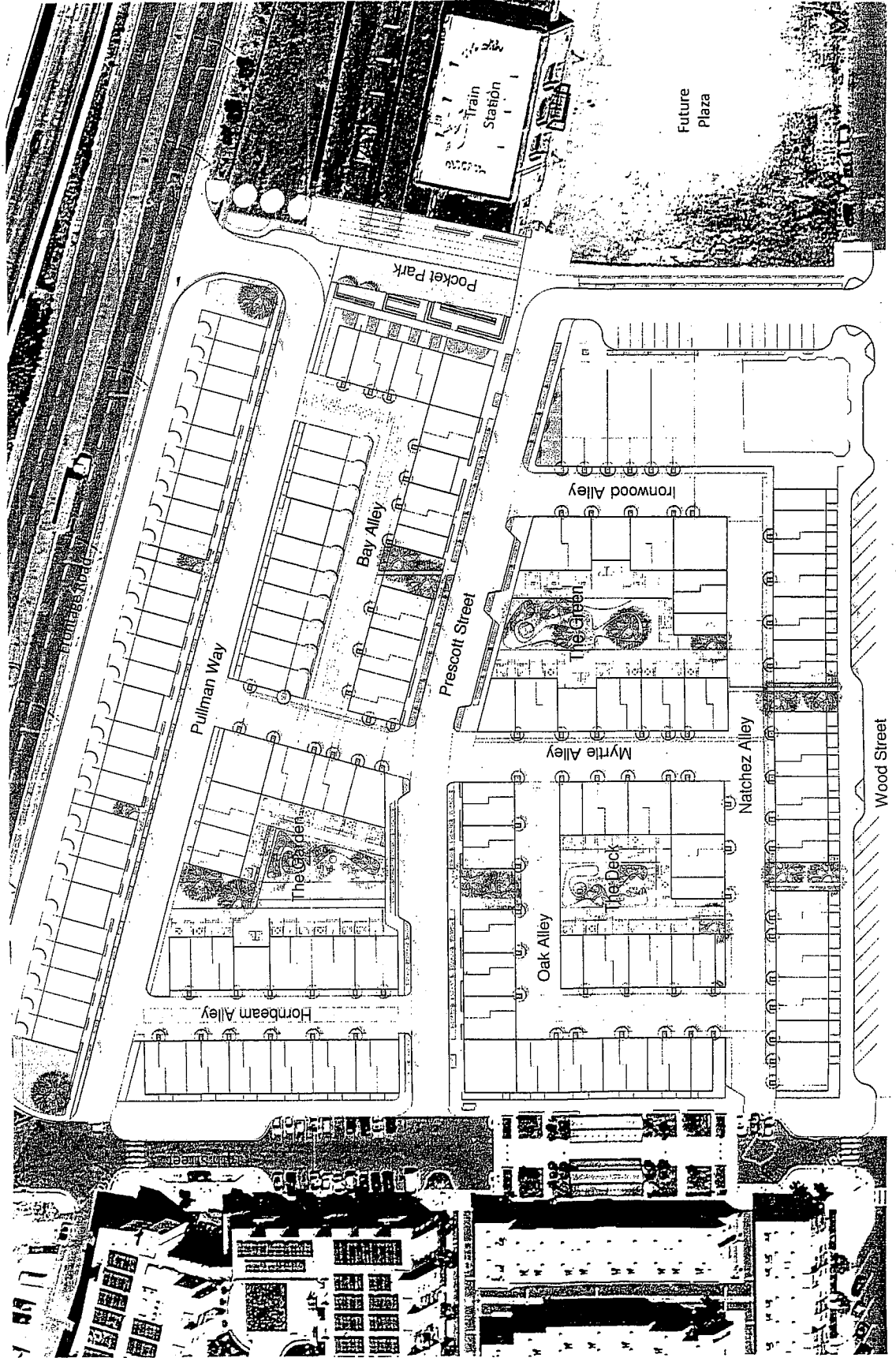
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Date	01/11/2015
Drawn by	Author
Checked by	Designer

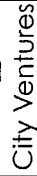
A-0.01

Scale









WOOD STREET  
DEVELOPMENT AREA 4

ARCHITECTURAL  
SITE PLAN

Project number	000001
Date	2014/07/14
Drawn by	Author
Checked by	Checker

A-1.01

## A-1.01

<b>PROJECT CHARACTERISTICS</b>	
APN:	018 03001201
ZONING:	WOOD STREET
GENERAL PLAN:	URBAN RESIDENTIAL
ESTIMATED POPULATION: (3 PER UNIT)	513 PERSONS
SITE AREA:	284,138 SF 6.16 ACRES
RESIDENTIAL FOOTPRINT:	102,352 SF
COMMERCIAL FOOTPRINT:	5,100 SF
TOTAL BUILDING FOOTPRINT:	107,452 SF
LOT COVERAGE:	40%
GROSS FLOOR AREA (3 STORY STRUCTURES)	322,065 SF

Development Area 1 Developed Area 1	Development Area 2 Developed Area 2	Project Location Project Location	Characteristics of Proposed Project
50 ft 370 sq ft 44 ZONING	50 ft 65 ft 44 ZONING	50 ft	27.8 DUA 40 ft
10 ft 100 sq ft	5 ft 75 sq ft	5 ft	5 ft Bay View House P.L. 15 ft Bay View House P.L.
		100 sq ft	157 sq ft

NO WARRANTIES OR REMEDIES SHALL BE APPLIED TO THE INFORMATION PROVIDED

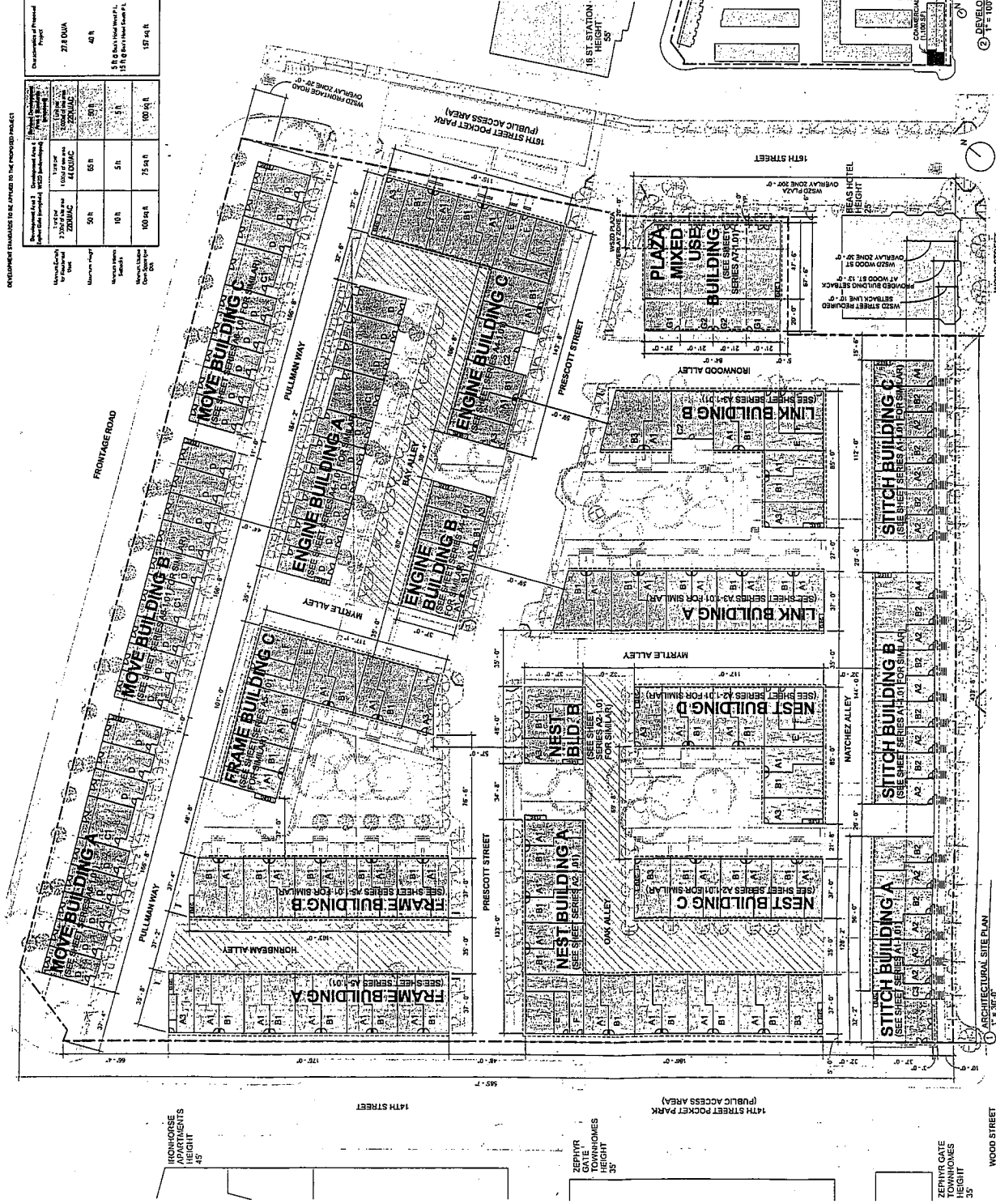
Development Area 3 (Capitol Gate Example)	Development Area 4 WEDS Interlocking	Development Area 5 WEDS Interlocking	Development Area 6 WEDS Interlocking
17,205 sq ft ZONUAC	17,205 sq ft 100 ft x 172 ft 44 DU/AC	17,205 sq ft 100 ft x 172 ft 44 DU/AC	17,205 sq ft 100 ft x 172 ft 44 DU/AC
50 ft	65 ft	5 ft	100 ft
10 ft	5 ft	5 ft	100 ft
100 sq ft	75 sq ft	75 sq ft	100 sq ft

RESIDENTIAL UNITS	171
AVERAGE RESIDENTIAL DENSITY:	27.76 DUA
(DOWELLING UNITS PER ACRE)	
RESIDENTIAL UNIT COUNT	
(see Sheet Summary A-100 for enlarged plans)	
UNIT TYPE A1 (2 BEDROOM)	42
UNIT TYPE A2 (2 BEDROOM)	1
UNIT TYPE A3 (2 BEDROOM)	9
UNIT TYPE A4 (12	65
SUB TOTAL:	65
UNIT TYPE B1 (2 BEDROOM)	4
UNIT TYPE B2 (2 BEDROOM)	3
UNIT TYPE B3 (3 BEDROOM)	3
SUB TOTAL:	53
UNIT TYPE C1 (3 BEDROOM)	4
UNIT TYPE C2 (4 BEDROOM)	7
UNIT TYPE C3 (3	2
SUB TOTAL:	13
UNIT TYPE D1 (2 BEDROOM)	33
UNIT TYPE D2 (2 BEDROOM)	5
UNIT TYPE D3 (2 BEDROOM)	2
UNIT TYPE G2 (2 BEDROOM)	2
TOTAL:	171

**COMMERCIAL UNIT COUNT  
(SEE BUILDING PLANS)**

**WOOD STREET:  
PLAZA OVERLAY ZONE:**

**TOTAL:**





WOOD STREET  
DEVELOPMENT AREA 4

PROJECT  
RENDERINGS

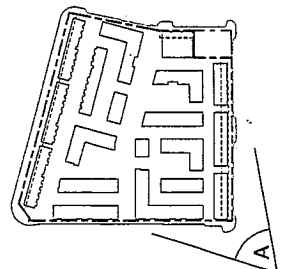
Project Name	WOOD
Client	City Ventures
Architect	bargan studio architecture
City Planner	City Ventures

A-2.01

Scale 1" = 160'-0"



VIEW A: WOOD STREET AT 14TH STREET



① VIEW D KEY PLAN  
1" = 160'-0"



WOOD STREET  
DEVELOPMENT AREA 4

PROJECT  
RENDERINGS

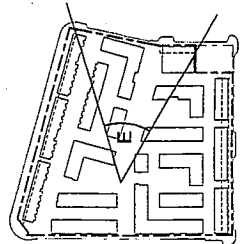
Project Number: 0001  
Date: 2010/01/11  
Drawn By: J. Smith  
Checked By: C. Smith

A-2.05

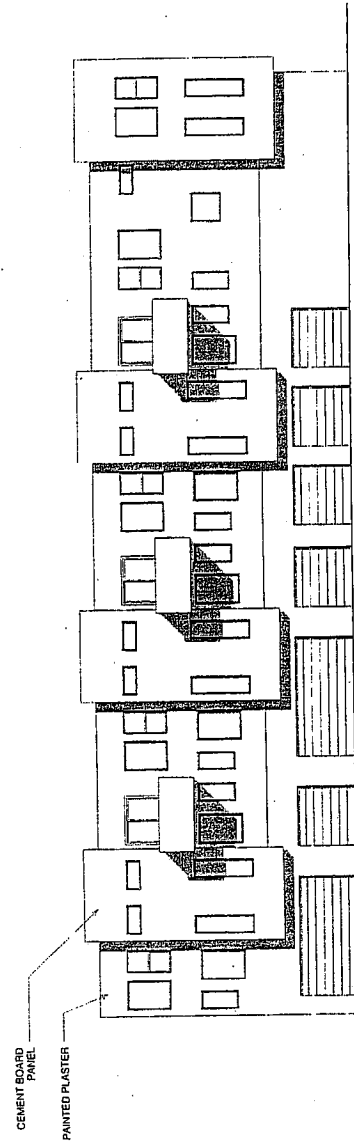
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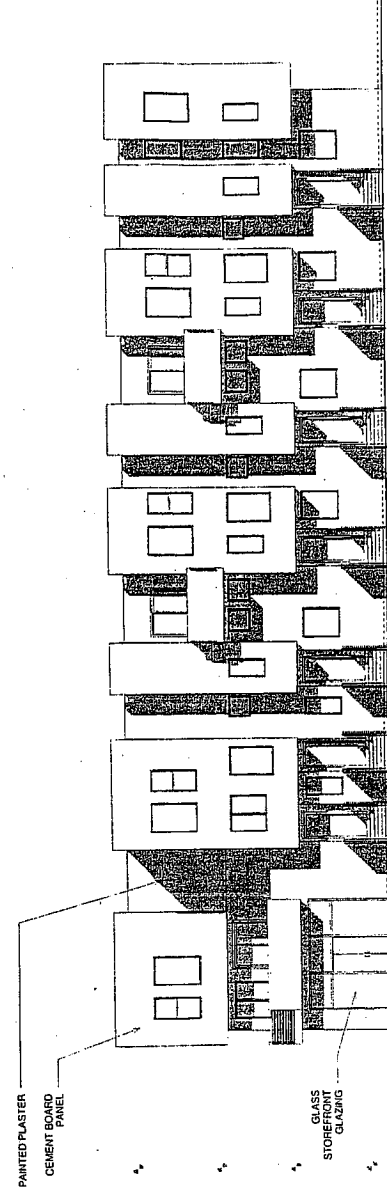
VIEW E: NORTH ON PRESCOTT STREET TO 16TH STREET TRAIN STATION AND FUTURE PUBLIC PLAZA



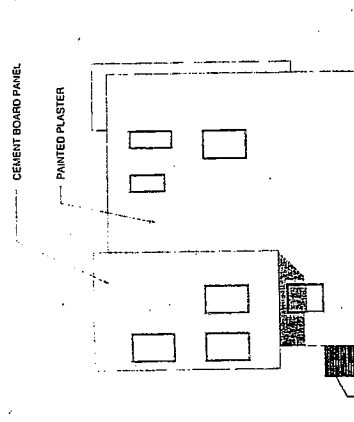
① VIEW E KEY PLAN  
1" = 150'-0"



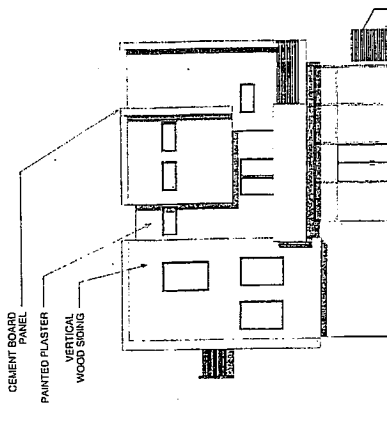
STITCH (A) NATCHIEZ ALLEY WEST  
2. ELEVATION  
1/8" = 1'-0"



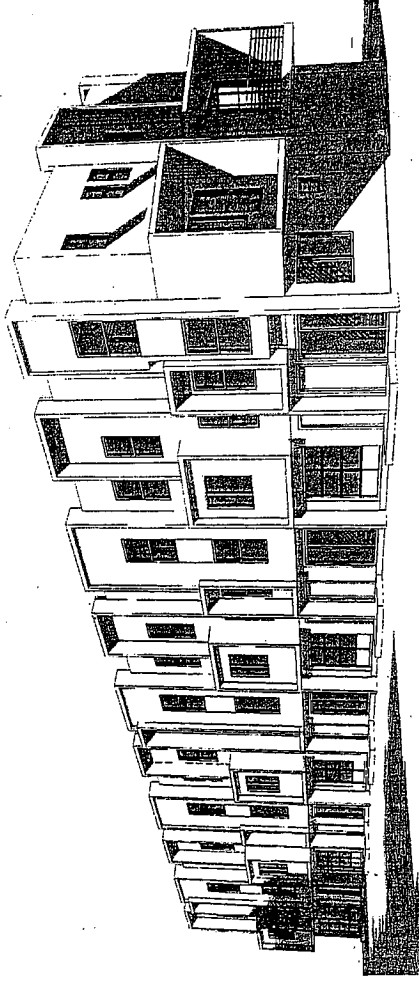
STITCH (A) WOOD STREET EAST  
1. ELEVATION  
1/8" = 1'-0"



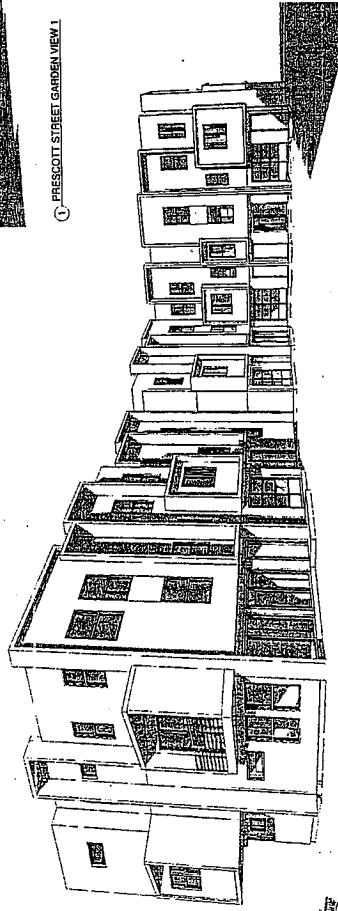
STITCH (A) WALKWAY NORTH  
3. ELEVATION  
1/8" = 1'-0"



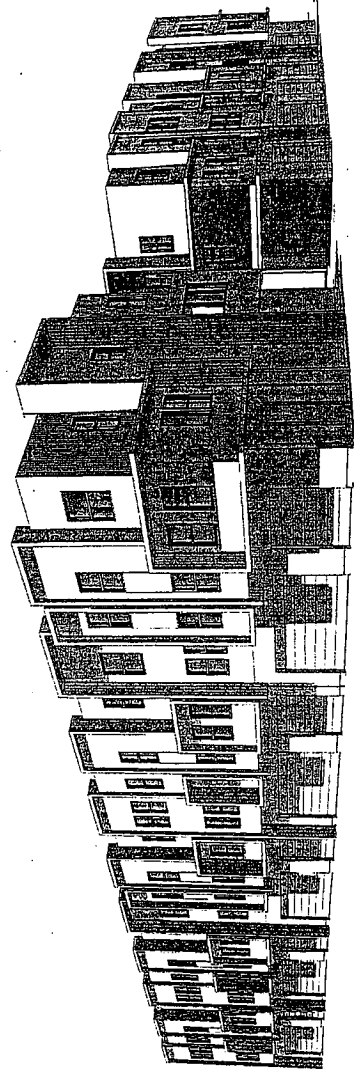
STITCH (A) 14TH STREET SOUTH  
3. ELEVATION  
1/8" = 1'-0"



1 PRESOTT STREET GARDEN VIEW 1



2 PRESOTT STREET GARDEN VIEW 2



3 MYRTLE ALLEY VIEW



City Ventures

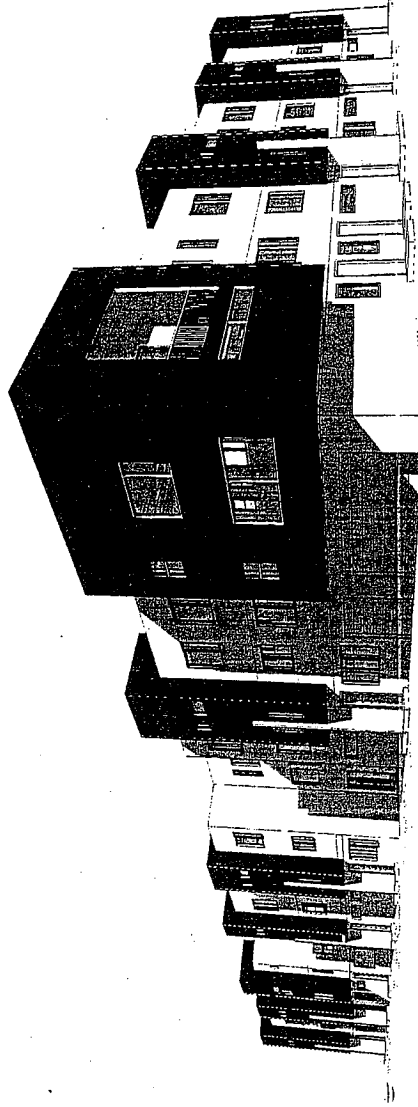


# WOOD STREET DEVELOPMENT AREA 4

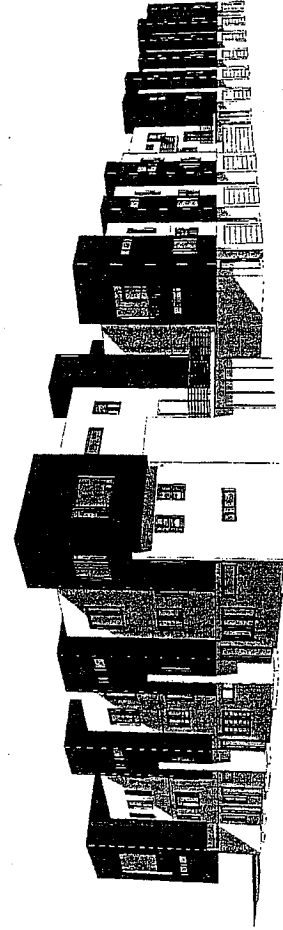
ENGINE  
RENDERINGS

PROJECT NUMBER	0001
DATE	10/1/10
DESIGNED BY	ARCHITECT
ENGINEERED BY	ENGINEER

A4-0.01



18TH STREET AND PRESCOTT STREET  
① SITE ENTRANCE



② 18TH AND PULLMAN STREETS



City Ventures



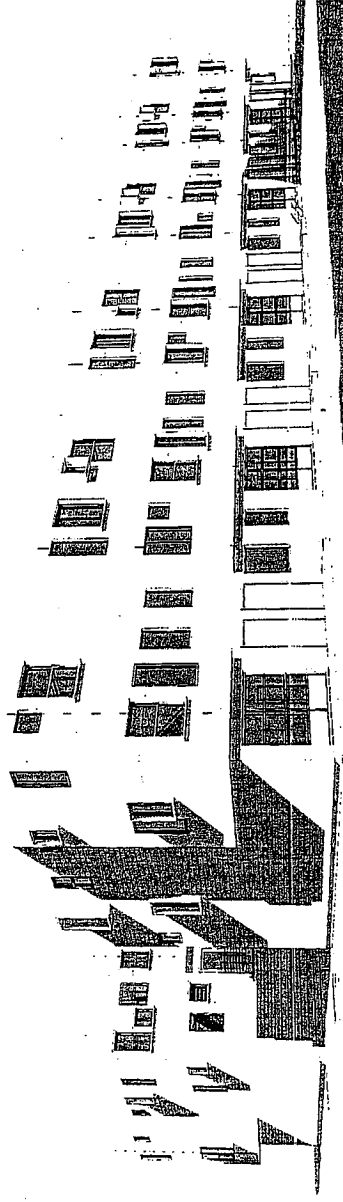
# WOOD STREET DEVELOPMENT AREA 4

## FRAME RENDERINGS

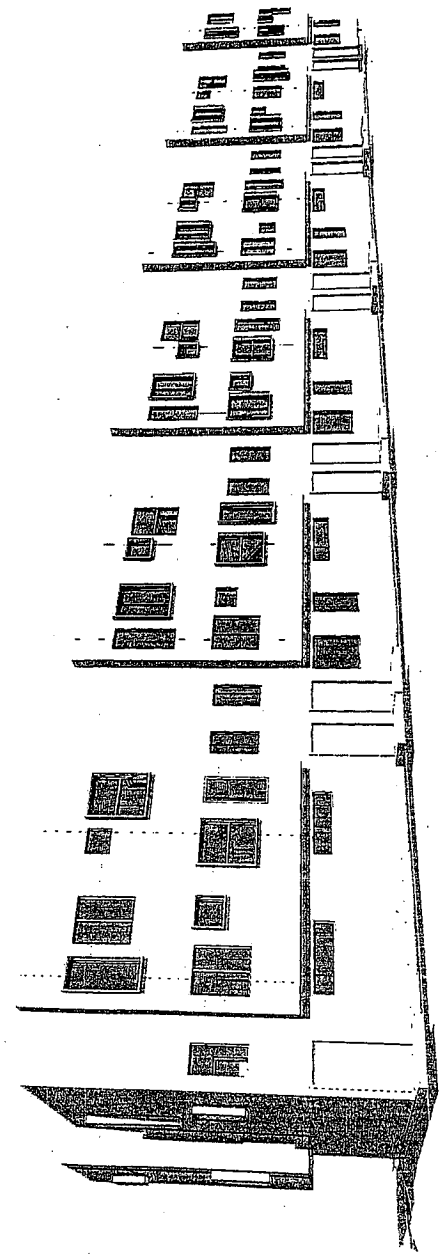
Project Number: 00001  
Date: 2014/07/14  
Drawn by: Author  
Checked by: Designer

A5-0.01

Scale:



② FRAME (B) GARDEN ELEVATION



① FRAME (A) 14TH STREET ELEVATION  
LOOKING EAST





City Ventures



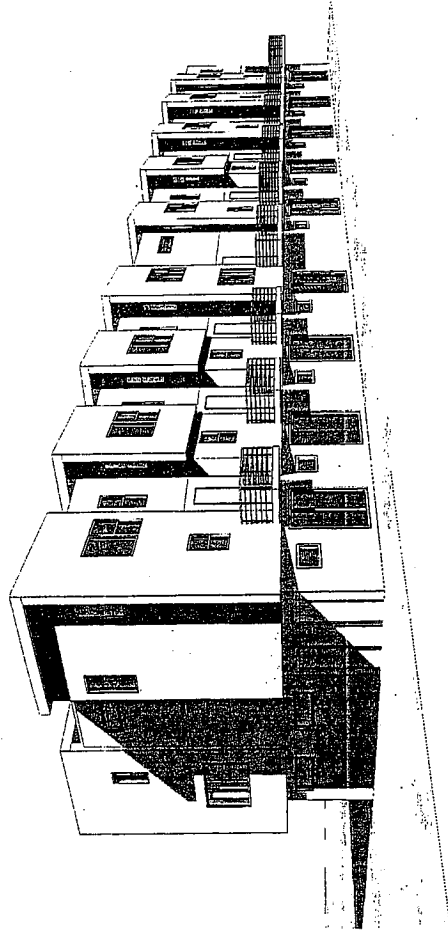
# WOOD STREET DEVELOPMENT AREA 4

MOVE RENDERINGS

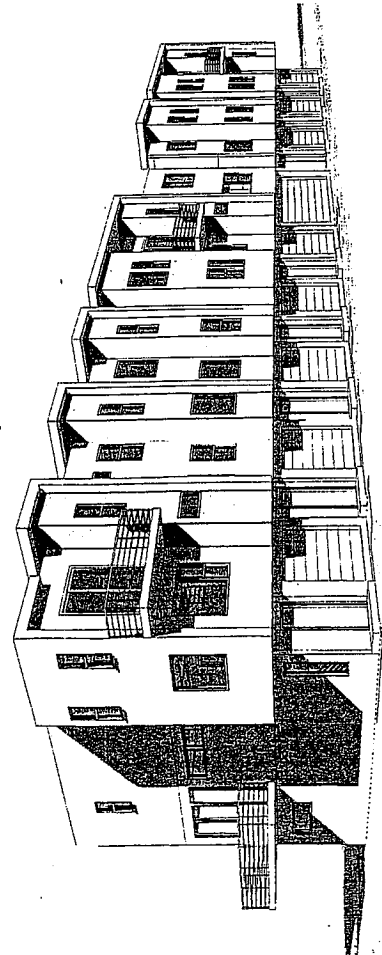
PROJECT NUMBER	00000
DATE	00/00/00
DESIGNED BY	00/00/00
CHECKED BY	00/00/00
DATE	00/00/00

A6-0.01

SCALE



② FRONTAGE ROAD VIEW SOUTH



PULLMAN WAY SITE ENTRANCE AT 14TH  
③ STREET

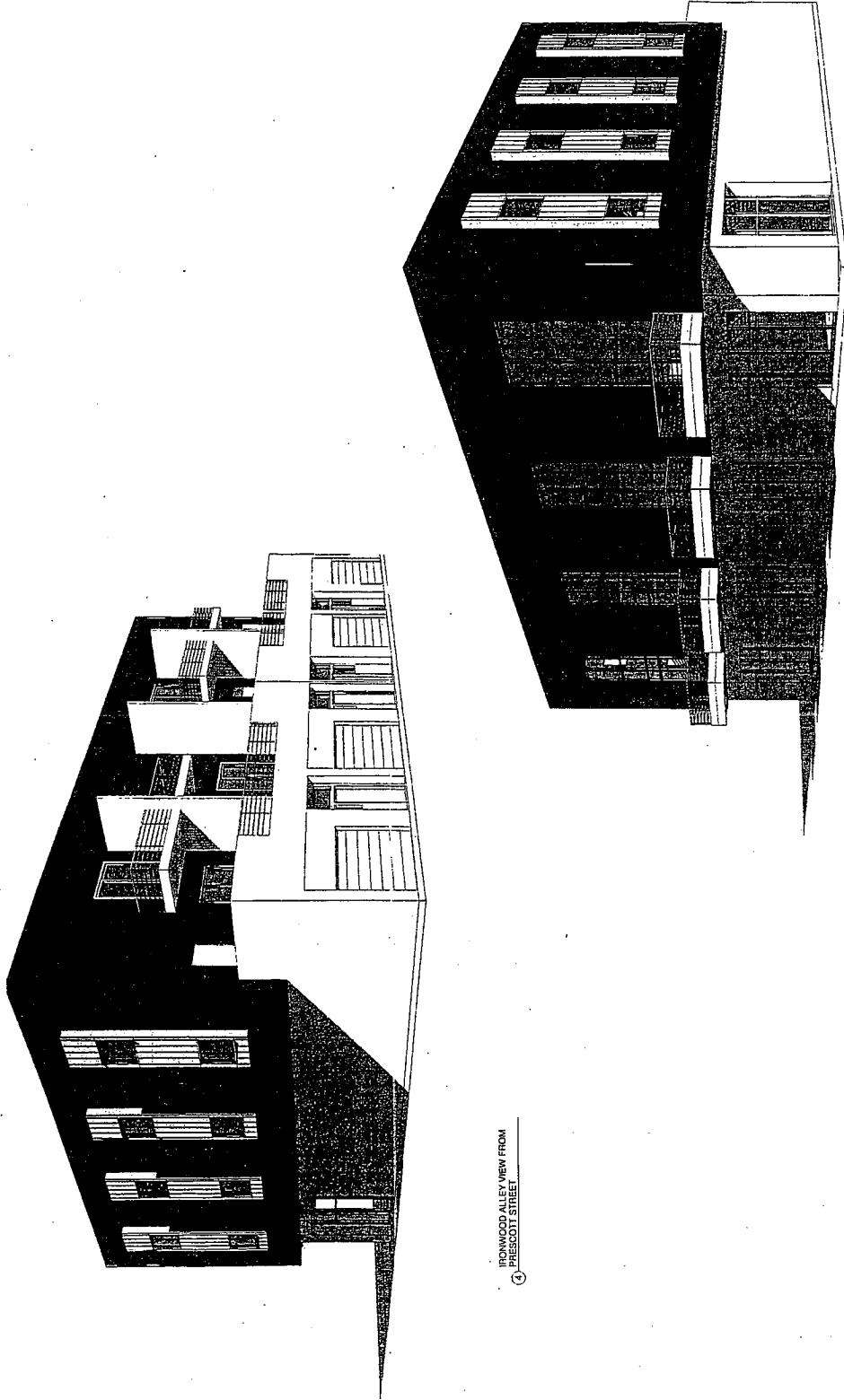


WOOD STREET  
DEVELOPMENT AREA 4

RENDERING

PROJECT NUMBER  
0001  
DATE  
2011/05/13  
DRAWN BY  
J. ALLEN  
CHECKED BY  
C. GORDON

A7-0.01



100 WOOD ALLEY VIEW FROM  
PRESOTT STREET

2 VIEW FROM 16TH STREET PARKLET



City Ventures



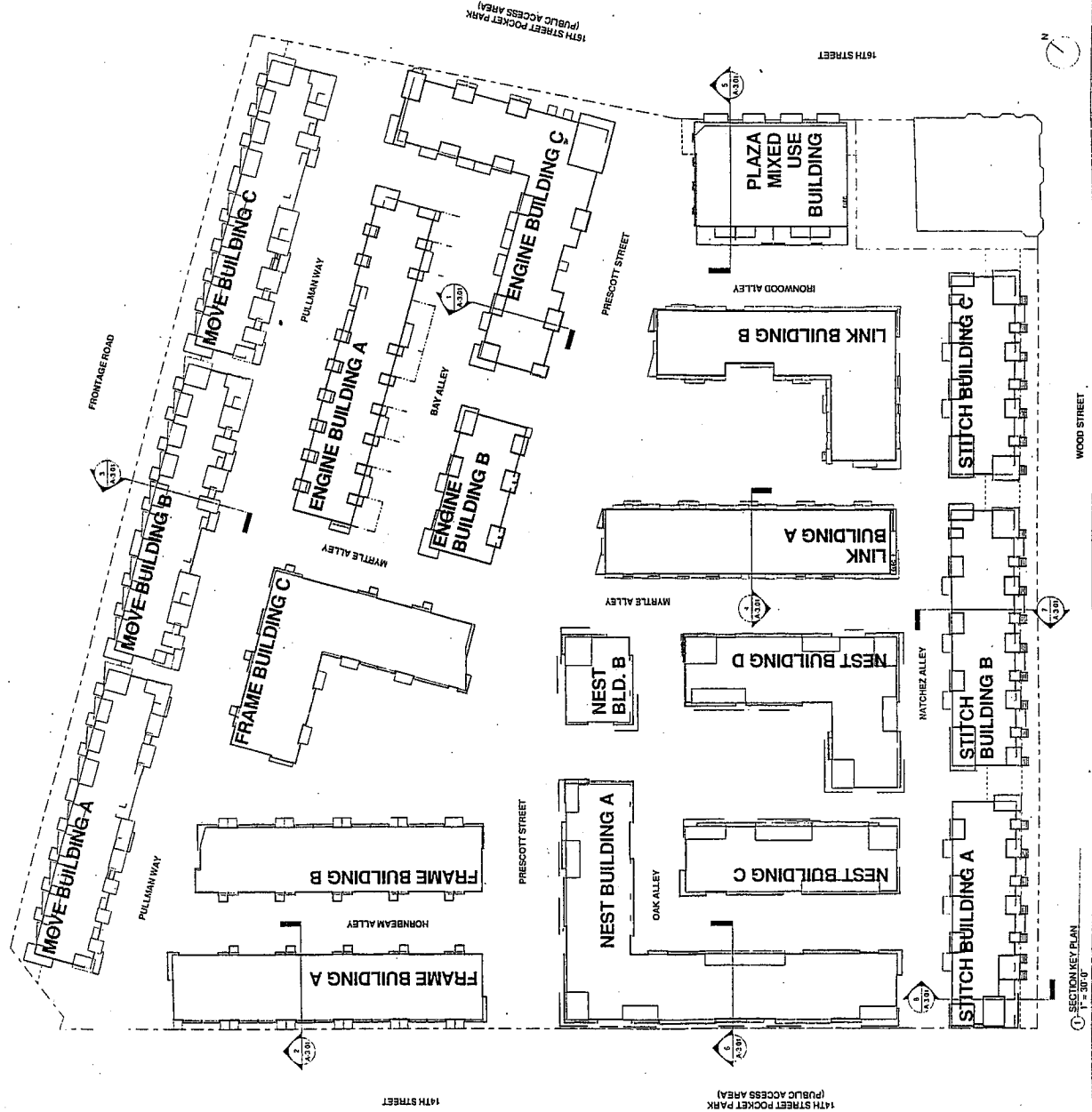
# WOOD STREET DEVELOPMENT AREA 4

SECTION KEY PLAN

Project Number	0001
Date	01/11/11
Drawn By	Archie
Checked By	Chad

A-3.00

Scale 1" = 30' 0"





**Wood Street Development Area 4**

**Statement of Compliance with Wood Street Zoning District**

June 20, 2014

The proposed project includes a Text Amendment to the Wood Street Zoning District (WSZD) which replaces the minimum density, maximum height, and minimum usable open space standards previously approved for Development Area 4 with the corresponding approved standards for Development Area 3, as shown on Table 5.10-1 of the WSZD. The rationale for this substitution is summarized on sheet A-0.01.

The following text addresses, in a narrative format, the way in which the project proposed for Wood Street Development Area 4 complies with the applicable Development Standards and Design Guidelines of the Wood Street Zoning District, as amended.

Pursuant to Section 3.50 of the WSZD regulations, "Design Review shall be limited to a determination of whether or not the proposed design is in substantial compliance with the design guidelines specified in these Wood Street Zoning Regulations."

**Development Standards**

**5.20 Maximum Density & 5.21 Minimum Density**

The density standards, as revised, allow a maximum residential density is 71.1 dwelling units per acre (DU/A) and require a minimum density of 22 DU/A. The proposed project provides 27.8 DU/A, which is within the allowable range.

**5.22 Floor Area Ratio**

The proposed project provides limited non-residential uses in key locations identified within the Wood Street Zoning District. The proposed commercial area of 5,100 square feet does not exceed the maximum FAR or maximum area (40,000 square feet) allowed for non-residential uses within Development Area 4.

### 5.23 Maximum Height

The building heights as proposed vary throughout the site, with a maximum of 35 ft for the residential uses, and a maximum of 40 ft for the proposed mixed-use building within the Plaza Overlay Zone. All buildings are below the 50 ft maximum height.

### 5.24 Minimum Setbacks

- Minimum Street Setbacks
  - The proposed project provides a street setback of 13 ft at Wood Street, which is in excess of the 10 ft street setback required. The remainder of the site does not require a street setback.
- Minimum Interior Setbacks
  - The proposed project provides a 5 ft interior setback between the existing Bea's Hotel property, on the corner of 16th and Wood Streets, and the proposed mixed-use building within the Plaza Overlay Zone on 16th Street. At Wood Street, there is a 15 ft 8 in interior setback between Bea's Hotel and the adjacent proposed residential structure. Both setbacks meet or exceed the 5 ft standard.

### 5.30 Building Frontage

As illustrated on Sheet A-0.11, the percentage of building frontage calculated for each location noted below exceeds the minimum standards set forth in Section 5.30. The building frontage included in the calculation is:

- A maximum of 5 ft from the street line or setback line;
- Greater than 15 ft in height;
- More than 20 ft in depth; and
- Contains occupied space at the ground floor.

Location	Required%	Proposed%
a. Wood Street Overlay Zone	75%	87%
b. Plaza Overlay Zone	90%	94%
c. 14th & 16th Streets	50%	50%

### Plaza Overlay Zone

The ground floor occupied space within the Plaza Overlay Zone contains commercial uses that are 48 ft deep with 14 ft clear interior ceiling height. Two floors of residential space are provided above the ground floor commercial space. This conforms to the special requirements for the Plaza Overlay Zone.

### **5.31 Building Frontage at Corner Locations on Wood Street**

The corner of Wood Street and 14th Street, the only applicable corner within the proposed project area, has a continuous building frontage along Wood Street for 128 ft, well in excess of the minimum of 30 ft. It also has a continuous building frontage along the intersecting street line (14th Street) of 37 ft, exceeding the minimum of 20 ft. The qualifying building frontage:

- Is 16 to 35 ft in height, more than the minimum of 15 ft;
- Is 37 ft in depth, more than minimum of 20 ft; and
- Contains occupied space at the ground floor.

Pedestrian entry to the corner commercial unit is provided at the building corner, within the required 30 ft from intersecting streets. In addition, pedestrian entries are also provided to all townhomes along Wood Street, which start at 32 ft from the intersecting streets.

### **5.32 Street Front Entries**

Pedestrian entries to individual units or commercial spaces, at the street line or street setback line, are provided at:

- 15 ft intervals along the Wood Street Overlay Zone, less than the maximum distance of 60 ft;
- 28 ft intervals along the Plaza Overlay Zone, less than the maximum distance of 60 ft; and
- A maximum of 30 ft intervals along the 14th Street and 16th Street Public Access Areas, less than the maximum distance of 100 ft.

All of the proposed project pedestrian entries in the areas noted above, in compliance with the applicable design standards:

- Are visible from the street;
- Are located within 20 ft of the street;
- Provide direct path of travel to the public right of way;
- Are marked by building articulation; and
- Incorporate exterior lighting at point of entry.

### **5.33 Street Front Openings**

The ground floor of the proposed project exceeds the minimum requirement that 25% of ground floor area shall consist of transparent openings, pedestrian entries, or a combination of the two for building frontages along street lines. Each 16 ft wide townhouse, with 192 sf of wall area, is provided on average a minimum of 50 sf of door and window area. This provides street front openings at 26% of wall area, which meets the minimum requirement. In other street line locations

separation for buildings that are more than 30 ft in height, but less than 50 ft. In many cases, the buildings face the public way, an interior private street, or a shared courtyard in excess of 50 ft wide. Projections such as bay windows and balconies do not extend more than 3' into the required separation between facing buildings.

The following special instances occur:

- Where there is a break between linear townhome buildings along Wood Street and Frontage Road, the typical double aspect end unit is provided a third wall for access to light and air, and the separation between opposite end walls is typically reduced to fewer than 30 ft. As these end units already possess 'reasonable access to light and air' as required by the Standard, the width of the separation is instead governed by considerations of site access, open space, building massing, building frontage standards, and code required minimum setbacks for unprotected openings. A similar condition occurs at Zephyr Gate, where interior end units facing Wood Street are separated by 10 ft.
- Along Natchez Alley, at two points the side wall of an end unit (with access to 'light and air' on three sides) faces a townhouse building's 'front wall' at a distance between 20' and 30'. This occurs where two buildings with the same architectural expression enclose a shared garden. These units are provided with 'reasonable access to light and air' with two, or in most cases three exposures, and via direct tangential connections to both private and group open space.

## **5.50 Required Off-Street Parking**

### **Residential Use**

The proposed project provides 287 private spaces in enclosed garages and 8 guest spaces along Prescott Street. This is a total of 295 spaces. The development standard for residential uses is 1.1 parking spaces per dwelling unit, which requires 189 total spaces. In order achieve the fractional 1.1 parking space count, each unit is provided with at least one parking space, and a majority have an additional tandem space within the unit garage or the garage is a more traditional side-by-side configuration, yielding an average of 1.7 spaces per unit.

### **Commercial Use**

The proposed commercial uses are smaller than the minimum threshold of 3,000 sf, which triggers a parking space requirement.

- The commercial space at the corner of Wood Street and 14th Street is 1,100 sf.
- The four commercial spaces within the Plaza Overlay Zone are each 900 sf.

parking spaces, the quantity, size, and installation of which exceed the requirements of this development standard.

#### **5.62 and 5.63 Location and Screening of Tuck Under Parking and Parking Garages**

The proposed project does not include tuck under parking or parking garages.

#### **5.70 Limitations on Signs**

All signage in the proposed project will meet the requirements of this development standard. The applicant will submit a complete signage package as a condition of approval prior to the issuance of a building permit.

#### **5.80 16th Street Station and 16th Signal Tower & 5.90 16th Street Plaza**

These development standards are not applicable to the proposed project.

### **Design Guidelines**

#### **6.20 Architectural Character**

The proposed project both establishes a coherent and integrated architectural character and expresses a range of architectural styles. The 19 independent structures are grouped into 7 thematic zones, each with its own architectural expression and language. The variation responds to site conditions, such as elevated front stoops along Wood Street, and assists in wayfinding and homeowner identification.

#### **6.21 Pedestrian Connections**

The building frontages in all locations, excluding the Frontage Road Overlay Zone, are split by pedestrian entrances and site access roads. The maximum building frontages are all less than 200' in length as follows:

- Wood Street: 144 ft, with two pedestrian entrances between building elements leading to garden areas and the central north south street;
- 14th Street: 186 ft, with one alley and two streets provided with sidewalks; and
- 16th Street: 117 ft, with two streets provided with sidewalks.

Security gates and fences at the pedestrian entrances and site access roads are not included in the proposed project.

#### **6.23 Building Massing**



### **6.27 Awnings and Canopies**

The proposed project provides canopies at the entrances of ground floor commercial spaces. At the Plaza Overlay Zone, metal entrance canopies are provided in a consistent pattern above the entrance of each potential commercial space. At the commercial space at the corner of 14th Street and Wood Street, the entrance canopy and material expression is integrated into the design of the overall building.

### **6.30 Windows**

The proportion and patterning of windows reflects and reinforces the character of the buildings. Window materials and construction details will conform to the requirements of this section. Security screens are not included in the proposed project.

### **6.31 Garage Doors**

As the project does not include garages containing three or more parking spaces, the requirements of this section do not apply.

### **6.32 Service Access**

All service doors for electrical equipment alcoves are designed as integral elements of the building, are perpendicular to the street line, and comply with the prescriptive requirements of the design guidelines. There are no service access points facing Wood Street or the Plaza Overlay Zone.

### **6.33 Underground Utility Connections**

All utility connections in the proposed project will be underground.

### **6.34 Screening of Equipment**

Where exterior equipment occurs it will be screened in the following method.

- Electrical Transformers: adjoining planting will reach a sufficient height to screen the equipment within three years.
- Roof Mounted equipment will be obscured by the use of parapets and will not be visible from the street.

### **6.35 Mechanical Penetrations at Facades and Roofs**

Mechanical penetrations which are visible on the street, such as appliance vents, will be coordinated and aligned with building features to present an organized appearance. The material finish of mechanical penetrations will match the adjacent surface.

Planting is mindful of best contemporary practices for storm water management, safety, and the importance of street life. The project is designed to be a good neighbor and in particular the planting does not interfere with the site lines or movement of motorists, pedestrians.

#### Section 6.62 Planting Areas Guidelines for Planting at Street Frontage

The planting design as proposed maximizes planting in the required 10 foot setback at Wood Street while meeting the functional requirements of the proposed building type, but does not achieve the 75% target for planting of the setback listed in this Design Guideline.

Along Wood Street, the proposed project provides front door and entry pathways to each individual residential and commercial unit, pursuant to Development Standards 5.24 through 5.32 of the WSZD code, which govern Setbacks, Frontage and Entries. The residential units are also served by individual elevated stoops / entry porches, per the request of the Planning Director. This entry pathway and stair is typically 60 in wide. It provides a generous entry sequence to each unit, emphasizes the stoop, and allows landscaping to flank both sides of the walkway. The average percentage of planting, at the area noted above, is 68%. If entry pathways were excluded from the calculation, almost 100% of the street frontage would be landscaped. For these reasons, the proposed design solution meets the stated intent of the Design Guideline, which states "setback areas between the back of sidewalk and the building line shall be designed to provide the maximum amount of planted area", while conforming to Development Standards, the functional requirements of the proposed building type, and the guidance of the Planning Director.

Planting in the required street setbacks does not exceed 36" in height to maintain sight lines for pedestrians and residents except for trees limbed to provide visibility through and below the canopy.

Streetscapes are composed of trees, foundation plantings, and vegetated flow through planters for storm water treatment. Street trees have been selected for long term performance as well as character.

#### Section 6.63 Pot Sizes

All pots have a minimum soil depth of 18".

#### Section 6.64 Selection of Plant Material

Plants for the project have been selected for both functional performance and aesthetics. The majority of plants for the project are Mediterranean or low water, easily maintained, and durable. In a few featured recreational areas turf lawn has been used as a special amenity. Plant material has been selected for texture, color, and seasonal change and has been composed to showcase the existing and proposed architecture and open space. Microclimates and solar aspect inform plant selection as do anticipated maintenance practices. Plants selected include both deciduous and evergreen species.

Plant sizes at time of planting are at a minimum as follows:

- a. Deciduous shade trees: 2 inch caliper



505 17<sup>TH</sup> STREET  
2<sup>ND</sup> FLOOR  
OAKLAND, CA 94612  
510.251.8210  
WWW.UP-PARTNERS.COM

## MEMORANDUM

DATE: July 1, 2014

TO:  
Maurice Brenyah-Addow  
Planner III  
Department of Planning and Building  
City of Oakland (City)

FROM:  
Lynette Dias, AICP  
P. 510.251.8210  
E. ldias@up-partners.com

RE: CEQA Compliance for Wood Street DA 4 – 1401 Wood Street

## OVERVIEW/SUMMARY

### Current Proposal

The City is in receipt of applications for a Zoning Text Amendment (ZT), Vesting Tentative Parcel Map, Preliminary and Final Development Plans (PDP and FDP, respectively), and Design Review (collectively referred to as the "requested subsequent approvals" or "2014 Project") for 1401 Wood Street, also known as Development Area (DA) 4 (Project site) within the Wood Street Zoning District (WSZD). The proposed Project includes 174 new residential condominiums and 5,580 square feet of new ground floor commercial space within DA 4 of the WSZD<sup>1</sup>. The ZT would reduce the minimum required residential density for DA 4 from 44 DU/AC to 22 DU/AC, consistent with the fully developed DA 3 adjacent. The proposed ZT would also lower the maximum height from 65 feet to 50 feet and increase the minimum required open space from 75 square feet per dwelling unit to 100 square feet per dwelling unit. The key purpose of this review is to determine whether the environmental effects of this Project are adequately analyzed in the 2005 certified Wood Street Project Environmental Impact Report (Wood Street EIR).

As described below, development of DA 4 with predominantly residential uses pursuant to the requested subsequent approvals was, with one exception, considered in the Wood Street EIR and as proposed would not result in new or more severe environmental impacts beyond those identified in the Wood Street EIR. As a result, the City does not need to prepare a Subsequent or Supplemental EIR to satisfy the

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<sup>1</sup> Subsequent to the analysis summarized in this memo, the development proposed by the applicant as part of the 2014 Project was reduced slightly to 171 dwelling units and 5,100 square feet of commercial space. This refinement of the Project does not change any of the findings or analysis contained herein.

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environmental review requirements of CEQA. The Wood Street EIR remains adequate for the proposed Tentative Map, PDP, FDP, and Design Review. Further, although the proposed ZT was not an anticipated subsequent approval, the analysis below adequately demonstrates that this change in the project, which would result in significantly less development within DA 4, will not create new or more severe environmental impacts beyond those already identified in the Wood Street EIR.

The discussion below summarizes the following items:

- (1) Overview of project approvals and environmental review;
- (2) Relationship of the current proposal for DA 4 and associated requested subsequent approvals to the approved WSZD and the project analyzed in the Wood Street EIR; and
- (3) Findings that the requested subsequent approvals fall within the scope of the Wood Street EIR and do not require preparation of subsequent or supplemental environmental review pursuant to CEQA Guidelines Section 15162 and Section 15163.

#### **Prior Project Approvals and Environmental Review**

The City has taken several actions to review and plan for the future development of the Wood Street project area. These include, without limitation: (1) certification of an EIR, (SCH No. 2004012110) on March 16, 2005, by the Planning Commission and subsequently by the City Council on May 3, 2005; (2) adoption of Ordinances No. 12763 and 12764, establishing the WSZD and adopting the proposed Standards and Guidelines for Development and Use of Property within the WSZD, and rezoning the Wood Street project area, including the 2014 Project site, to the WSZD, all on June 7, 2005.

The WSZD was intended to facilitate the mixed-use redevelopment of the under-utilized industrial land around the vacant 16th Street Train Station in West Oakland. The expressly stated goal of the Wood Street project is to create an active, pedestrian oriented urban community that addresses the demand for high quality residential units in the urban neighborhoods of downtown Oakland. The Wood Street project includes in aggregate up to 1,500 residential and live-work units, retail and office space, the creation of publicly accessible open spaces, and the rehabilitation and adaptive re-use of the historic 16th Street Train Station and Signal Tower.

The Wood Street project comprises approximately 29.20 acres in total, and is generally bounded by 10th Street, Wood Street, West Grand Avenue and Frontage Road/I-880. The various parcels of land that constitute the Wood Street project are collectively zoned as the WSZD. The District Regulations include Land Use Regulations, Development Standards and Design Guidelines. The purpose of these regulations is to ensure that each development within the WSZD will be visually and functionally integrated, and that, collectively, the WSZD will be compatible with the existing neighborhood. For the purposes of appropriate regulation, the WSZD is divided into nine DAs, each subject to specific regulations. It is anticipated that each DA will be developed independently by its respective owner. In effect, the WSZD as adopted operates as planned unit development zoning and, in approving this framework, the City declared that it "shall supersede, without limitation, those [regulations] set forth in Title 17 of the Oakland Municipal Code." (WSZDR, § 1.11, p. 4; *see, e.g.*, OPC, § 17.101A.010(B).)

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The Project site is a 6.16-acre tract that constitutes the majority of DA 4 (of the nine DAs). In approving entitlements for its development, the City certified an EIR for a Higher Density Project that included residential and live-work units, with a density of between 44 and 71 dwelling units per acre — or 268 to 450 units total (WSZDR, §§ 4.30, Table 4.10-1; 5.10, Table 5.10-1).<sup>2</sup>

The EIR was designed to provide developers with flexibility, having established various “maximum” buildout scenarios (e.g., a maximum residential scenario and a maximum commercial scenario); the EIR further provided that within “these development parameters, the future use of each DA is intended to be somewhat flexible to respond to market demands.” (Draft EIR, p. 3.1-3.)<sup>3</sup> By design, then, the EIR was fashioned to “provide CEQA clearance for all potential uses anticipated, and to ensure that the full range of impacts of cumulative development of the Project Area at the individual DAs is disclosed ....” (Draft EIR, p. 3.1-3.)

In 2007, the City approved an FDP proposal for the Project site that included 301 residential units (PUD-07-025/PUD-F07-026, the 2007 Project). No further discretionary approvals are needed to build the 301 dwellings contemplated by the 2007 Project approval.

#### **Summary**

Urban Planning Partners reviewed the requested subsequent approvals and found that there are no substantial project changes, no substantial changes in the project circumstances, and no new information of substantial importance, which could not have been known with the exercise of reasonable diligence when the EIR was certified and that would require major revisions of the certified 2005 EIR, because of a new significant effect or an increase in the severity of a previously identified significant effect. Under CEQA section 21166 and CEQA Guidelines sections 15162 and 15163, no further environmental review is required.

A summary of the relationship of these approvals relative to the WSZD approval and the certified EIR is provided below.

#### **RELATIONSHIP OF PROPOSED PROJECT TO APPROVED WSZD AND WOOD STREET EIR (PROJECT CHANGES)**

##### **Relationship to WSZD**

The 2014 Project site is comprised of approximately 6.16 acres of vacant land located at 1401 Wood Street within DA 4 of the WSZD, which is also part of an identified Priority Development Area (PDA) designation through SB 375 and AB 32. On the 2014 Project site, the WSZD currently allows a minimum of 268 and maximum of 436 residential units, or up to 40,000 SF of non-residential development, or some

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<sup>2</sup> The City approved this residential density, up to 40,000 square feet of nonresidential development, or a combination thereof, allowing for flexibility in the buildout of the site.

<sup>3</sup> These maximum buildout scenarios are separate and apart from project alternatives considered in the EIR. That is, the proposed project included three different permutations that varied the amount of residential and commercial development and studied each of the permutations in great detail. Each permutation was identified as a “maximum” in order to conservatively assess impacts, and the EIR implicitly contemplated lesser intensities of use.

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combination thereof<sup>4</sup>. City Ventures' proposed development of the site conforms in all respects, including use and excepting only minimum density, with the WSZD Standards and Guidelines (see Baran Studio Architecture Statement of Compliance with Wood Street Zoning District, dated June 20, 2014).

The 2014 Project represents a reduction in the overall residential unit count, reduction in the amount of retail/commercial space, no new or changed uses, no new facilities, a reduction in the height, and an increase in open space. Each of the changes are associated with developing a project that has approximately 60 percent of the density/intensity of the permitted 2007 project and 40 percent of the density/intensity that would otherwise be permitted by the WSZD, as evaluated in the Wood Street EIR. Table 1 shows the 2014 Project relative to what is currently permitted in the WSZD. It also shows the WSZD regulations for DA 3, which is already developed, as a point of comparison to what is proposed for DA 4.

**Table 1: 2014 Project and WSZD**

	DA 4 WSZD (undeveloped)	DA 4 City Ventures (Proposed 2014 ZT)	DA 3 Zephyr Gate (complete)
Minimum Density for Residential Uses	1 unit per 1,000 sf of site area (44 DU/AC)	1 unit per 2,000 sf of site area (22 DU/AC)	1 unit per 2,000 sf of site area (22 DU/AC)
Maximum Height	65 ft	50 ft	50 ft
Minimal Useable Open Space	75 sf	100 sf	100 sf

#### **Relationship of 2014 Project to Project Evaluated in EIR for DA 4**

The 2014 Project is within the scope of the project evaluated in the EIR and would not trigger any new significant impacts or a substantial increase in the severity of previously identified impacts. The development scenarios for DA 4 analyzed in the 2005 EIR and proposed as part of the 2014 Project are shown in Table 2 below.

**Table 2: 2014 Project Comparison**

	2014 Project for DA 4	Wood Street Project EIR <sup>a</sup>		Net Change			
		DA 4 Max Residential	DA 4 Max Trips	Current – Max Residential	% change	Current – Max Trips	% change
Residential Townhouses	174						
Apartments		426	393				
Live/Work		24	24				
<b>Total Residential Units</b>	<b>174</b>	<b>450</b>	<b>393</b>	<b>-276</b>	<b>-61%</b>	<b>-219</b>	<b>-56%</b>
Retail	5,580	7,000	40,000	-1,420	-20%	-34,420	-86%

Note:

<sup>a</sup> These maximum buildout scenarios are separate and apart from project alternatives considered in the EIR. That is, the proposed project included three different permutations that varied the amount of residential and commercial development and studied each

<sup>4</sup> The 171 units proposed as part of the 2014 Project will be situated on 6.16 of the total 6.33 acres comprising DA 4. Pursuant to the WSZD regulations, DA 4 as a whole can accommodate up to 450 residential units or up to 40,000 SF of non-residential development (the latter to a maximum FAR of 2.02:1), or some combination thereof.

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of the permutations in great detail. Each permutation was identified as a "maximum" in order to conservatively assess impacts, and the EIR implicitly contemplated lesser intensities of use.

As shown in Table 2, the 2014 Project would reduce the total number of residential units by over 55 percent. The live/work units are proposed to be eliminated and the retail would also be reduced by at least 20 percent and over 86 percent when compared to the Max Trip Development Scenario. The WSZD regulations and mitigation measures detailed in the Wood Street EIR and the adopted Mitigation Monitoring and Reporting Program adequately address significant impacts identified for DA 4 in the Wood Street EIR. No new significant impacts or substantial increases in the severity of previously identified impacts would occur with the development of DA 4 as the proposed Project is significantly less dense/intense than the project considered and analyzed in the Wood Street EIR. Consequently, there are no substantial changes in the project or the project circumstances and no other new information that would require major revisions of the certified Wood Street EIR, because of a new adverse significant effect or an increase in the severity of a previously identified significant effect.

#### **CHANGED CIRCUMSTANCES AND NEW INFORMATION**

In the nine years since certification of the EIR, there have been two intervening events with the potential to affect the Project: (1) approximately a mile east of DA 4, West Grand Avenue has been improved to facilitate bicycle and pedestrian travel, resulting in the loss of some vehicle travel lanes; and (2) in June 2014, the Planning Commission approved the West Oakland Specific Plan, which includes the Project site. The West Oakland Specific Plan (WOSP) EIR was also certified by the Planning Commission.

In addition, a portion of the Wood Street Zoning District project, as evaluated and contemplated in the 2005 EIR, has been built out, including approximately 400 units in the southerly portion of the District (i.e., the 163-unit Pacific Cannery Lofts project, the 130-unit Zephyr Gate project, and the 99-unit Ironhorse Apartments project, which are fully built out and occupied). However, this development constitutes implementation of the WSZD project as contemplated in the Wood Street EIR, and thus would not qualify as "cumulative" development or "changed circumstances" under CEQA. Finally, since the 2005 EIR was certified, there have been updates to local, regional and State policies that are applicable to the 2014 Project.

The authors of this memorandum utilized the findings and analysis in the WOSP EIR to assist in determining whether the changes referenced above or other new information, including changes to City, State, and regional policies and regulations, would constitute (1) a change in circumstances under which the Project would be taken or (2) new information of substantial importance that would require major revisions of the certified Wood Street EIR, because of a new significant impact or an increase in the severity of a previously identified significant impact under CEQA section 21166 and CEQA Guidelines sections 15162 and 15163. It is noted that the WOSP includes the same text amendment for DA 4 as the proposed project. No other changes that would affect DA 4 are proposed as part of the WOSP.

#### **ASSESSMENT OF POTENTIAL CHANGES TO ENVIRONMENTAL EFFECTS**

The following describes the environmental impacts that could occur as a result of the proposed changes to DA 4, changed circumstances or new information. This discussion is organized by the environmental topics that were addressed in detail in the certified Wood Street Final EIR.

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### **Land Use**

The Wood Street EIR did not identify any significant impacts related to land use. The 2014 Project, including the reduction in the minimum density and the reduced development proposed for the Project site, would not result in any changes in the types of project land uses considered in the Wood Street EIR. Following adoption of the ZT (either via the requested subsequent approvals for the proposed Project or the WOSP planning process), the 2014 Project will be consistent with the site's General Plan designation and zoning and all other planning related policies (see Staff Report, dated August 6, 2014).

Additionally, although the WOSP includes some changes in land uses within the WOSP area, none of the changes are in the immediate vicinity of the Project site and the WOSP EIR, which considered land uses for DA 4 consistent with the WSZD and the proposed Project, did not identify any significant land use impacts.

As a result, there are no changes in the project, or changes in the circumstances in which the project is being undertaken that would result in new significant or substantially more severe land use impacts. No new information has become available since the previous EIR that indicates that the 2014 Project would result in any new significant or more severe land use impacts, nor are mitigation measures or alternatives warranted to address potential land use impacts. No significant land use impacts would result and no mitigation measures or Standard Conditions of Approval (SCAs) are required, consistent with the findings of the Wood Street EIR.

### **Visual Quality**

The Wood Street EIR did not identify any significant impacts related to visual quality. The 2014 Project, including the reduction in the minimum density and the reduced development proposed for Project site, would incrementally reduce the mass and bulk of development on the site and incrementally reduce the level of impact for each of the less-than-significant impacts identified in the Wood Street EIR. Following adoption of the ZT (either via the requested subsequent approvals for the proposed Project or the WOSP planning process), the 2014 Project will be consistent with the site's General Plan designation and zoning and all other planning related policies (see Staff Report, dated August 6, 2014).

Additionally the WOSP EIR finds that implementation of the WOSP, including public realm improvements and infill development and redevelopment, would improve visual quality and reinforce community identity. The WOSP EIR, which considered land uses for DA 4 consistent with the WSZD (at approximately 50% greater density than that proposed under 2014 Project), did not identify any significant aesthetic impacts. The WOSP EIR includes the City's SCA requiring a lighting plan, but does not require any mitigation measures. The City will require a lighting plan for the 2014 Project consistent with its SCAs and the WSZD regulations.

As part of its review of the 2014 Project, to ensure that no new significant impacts will occur as a result of changed circumstance or new information, the City will impose its SCAs (which were also included in the WOSP EIR) on the 2014 Project. The City's SCAs are incorporated into projects as conditions of approval regardless of a project's environmental determination. Because these SCAs are mandatory City requirements, the impact analysis assumes that these will be imposed and implemented by the project. If an SCA would reduce a potentially significant impact to a less-than-significant level, the impact will be determined to be less than significant and no mitigation will be imposed. Where there are peculiar



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circumstances associated with a project or project site that will result in significant environmental impacts despite implementation of the SCAs, the City will determine whether there are feasible mitigation measures to reduce the impact to a less-than-significant level. The addition of these SCAs does not constitute changed circumstances or new information that would result in new significant or substantially more severe impacts.

As a result, there are no changes in the project, or changes in the circumstances in which the project is being undertaken, that would result in new significant or substantially more severe aesthetic impacts. No new information has become available since the previous EIR that indicates that the 2014 Project would result in any new significant or more severe aesthetic impacts, nor are mitigation measures or alternatives warranted to address potential aesthetic impacts. No significant aesthetic impacts would result and no mitigation measures are required, consistent with the findings of the Wood Street EIR. The City will require a lighting plan consistent with its SCAs, the WSZD regulations, and the findings of the WOSP EIR.

#### **Transportation, Circulation, and Parking**

As described in the attached transportation memorandum, there are no changes in the 2014 Project, or changes in the circumstances in which the 2014 Project is being undertaken, that would result in new significant or substantially more severe transportation, circulation, or parking impacts. No new information has become available since the 2005 Wood Street EIR that indicates that the 2014 Project would result in any new significant or more severe transportation, circulation, or parking transportation, circulation, or parking impacts, nor are new mitigation measures, SCAs, or alternatives warranted to address potential transportation, circulation, or parking impacts. No new significant transportation, circulation, or parking impacts would result and no new mitigation measures or SCAs are required, consistent with the findings of the Wood Street EIR.

#### **Noise**

The Wood Street EIR identified construction-related noise as a significant impact for both typical construction and pile driving. Mitigation measures were recommended to reduce the construction-period noise impacts to a less-than-significant level. Noise impacts for the operation period and cumulative noise impacts were identified as less than significant. As stated in the WOSP EIR (page 4.7-7), "[t]here are numerous sources of noise measurements that have been taken in and around West Oakland over the past several years. Some of these sources are as much as ten years old, while other sources are quite recent. In general, the noise levels measured from each of these sources are compatible to each other, indicating that noise levels have not changed substantially within West Oakland in recent times." As a result, the 2014 Project, including the reduction in the minimum density and the amount of development proposed for the Project site, would incrementally reduce both construction- and operation-period noise over what was projected in the Wood Street EIR for the Project site.

For purposes of cumulative noise impacts, the WOSP EIR was referenced as it considered development of the Project site together with other sites within the WOSP area and the construction of new bike lanes at West Grand Avenue. The WOSP EIR finds that implementation of the WOSP together with cumulative development could result in both construction- and operation-period impacts, but that each of these

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potentially significant impacts would be mitigated to a less-than-significant level if the City's SCAs related to noise are implemented. No mitigation measures are required.

As a result, there are no changes in the project, or changes in the circumstances in which the project is being undertaken, that would result in new significant or substantially more severe noise impacts. No new information has become available since the previous EIR that indicates that the 2014 Project, in its reduced form, would result in any new significant or more severe noise impacts, nor are new mitigation measures or alternatives warranted to address potential noise impacts. Implementation of the City's SCAs related to noise together with the measures included in the Wood Street EIR (mostly captured in the SCAs) would ensure no significant noise impacts would result and no new mitigation measures are required.

As discussed above, the addition of these SCAs do not constitute changed circumstances or new information that would result in new significant or substantially more severe impacts.

#### **Air Quality**

The Wood Street EIR concluded that the project would not result in any significant air quality impacts. For construction-related air quality impacts, the BAAQMD dust control measures were identified as a mitigation measure to ensure a less-than-significant impact. No other mitigation measures were required. No changes in the Project or existing conditions warrant any new analysis.

It is acknowledged that certain information on air quality and global climate has become more readily available; however, such information was known or could have been known in 2005 and later. As such, it is not legally "new information" as specifically defined under CEQA. As a result, an analysis of the MTV project according to the recommended May 2011 Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines and Thresholds is not required.

There are no changes in the project, or changes in the circumstances in which the project is being undertaken that would result in new significant or substantially more severe air quality or impacts. No new information has become available since the previous EIR that could have not been known previously and that indicates that the approval of the project would result in any new significant or more severe air quality impacts, nor are new mitigation measures or alternatives warranted to address potential air quality impacts. No significant land use impacts would result and no mitigation measures are required, consistent with the findings of the Wood Street EIR.

#### **Cultural Resources**

The Wood Street EIR identified the potential for the Project to disturb previously unknown archaeological resources, including human burials, or paleontological resources in the Wood Street project area. Mitigation measures are recommended to reduce the construction-period cultural resources impacts to a less-than-significant level. The mitigation measures are very similar to the City's SCAs included in the WOSP EIR to ensure similar impacts are reduced to a less-than-significant level.

The Wood Street EIR also identifies two significant and unavoidable impacts related to the historic train station, including demolition of a portion of the station and the effects of surrounding development on

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the historic significance of the train station. The reduced amount of development proposed on DA 4 would not change the significance of these two impacts.

The reduced size of the 2014 Project may incrementally reduce the Project's impact on cultural resources over what was projected in the Wood Street EIR for the Project site due to the potential corresponding reduction in the extent of grading that may result from the lower density project. Consistent with the findings of the Wood Street EIR, the 2014 Project impacts to archeological resources, human remains and paleontological resources would be less than significant so long as recommended mitigation measures are implemented. The City's SCAs as identified in the WOSP EIR would also ensure that no significant impacts would result. The WOSP EIR identified impacts to archeological resources, human remains, and paleontological impacts as less-than-significant with implementation of the City's SCAs.

As a result, there are no changes in the 2014 Project, or changes in the circumstances in which the 2014 Project is being undertaken, that would result in new significant or substantially more severe cultural resources impacts. No new information has become available since the previous EIR that indicates that the 2014 Project, in its reduced form, would result in any new significant or more severe cultural resources impacts, nor are new mitigation measures or alternatives warranted to address potential cultural resources impacts. Implementation of the City's SCAs related to cultural resources would ensure no significant cultural resources impacts would result and no new mitigation measures are required. As discussed above, the addition of these SCAs do not constitute changed circumstances or new information that would result in new significant or substantially more severe impacts.

#### **Geology and Soils, Hazardous Materials and Hydrology and Water Quality**

The Wood Street EIR identifies two significant impacts that can be mitigated to a less-than-significant level for these topics. One relates to the potential for construction workers to encounter contaminated soils during construction, and the other relates to the potential for construction workers to be exposed to hazardous materials in existing building components. The first impact is applicable to the 2014 Project and there is no new information or change in circumstances under which the Project is being undertaken that would change this finding. The second impact is not applicable to the 2014 Project as the site is vacant and no buildings would be demolished as part of the Project.

The Wood Street EIR found that impacts related to geology and soils, the other thresholds for hazardous materials, and hydrology and water quality would all be less than significant and no mitigation would be required. Because the 2014 Project would be constructed on the same site and in conformance with the latest State building codes and other local and regional requirements (i.e., C3 Stormwater Regulations), the 2014 Project would result in the same less-than significant impacts with respect to geology and soils, hazardous materials (except the impact mentioned above), and hydrology and water quality.

The 2014 Project would not result in a new significant impact with respect to geology and soils, hazardous materials, or hydrology and water quality, or result in a substantial increase in the severity of impacts previously identified in the Wood Street EIR. Therefore, impacts would be similar to or less severe than those addressed in the Wood Street EIR, and would continue to be less than significant. No new mitigation measures are required. No new information would result in new significant environmental effects with respect to geology and soils, hazardous materials, and hydrology and water quality.

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### **Biological Resources**

The Project site is void of vegetation or biological habitat or resources. The Wood Street EIR identified some impacts and mitigation measures related to biological resources, but they are not applicable to DA 4 given the lack of biological resources present on the site (DA 4).

The 2014 Project would not result in a new significant impact with respect to biological resources or a substantial increase in the severity of impacts previously identified in the Wood Street EIR. Therefore, impacts would be similar to or less severe than those addressed in the Wood Street EIR, and would continue to be less than significant for DA 4. No new mitigation measures are required. No new information would result in new significant environmental effects with respect to biological resources.

### **Population, Employment and Housing**

The Wood Street EIR did not identify any significant impacts related to population, employment or housing. When compared with the Wood Street EIR development scenarios for DA 4, the 2014 Project would reduce the number of residential units by more than 50 percent. Thus, the 2014 Project represents a reduced potential for any adverse effects related to population, employment and housing growth.

The WOSP EIR, which considered land uses for DA 4 consistent with the WSZD (at approximately 50 percent greater density than that proposed under 2014 Project), did not identify any significant project or cumulative impacts related to population, employment or housing.

As a result, there are no changes in the project, or changes in the circumstances in which the project is being undertaken that would result in new significant or substantially more severe population, employment or housing impacts. No new information has become available since the previous EIR that indicates that the 2014 Project would result in any new significant or more severe population, employment or housing impacts, nor are mitigation measures or alternatives warranted to address potential population, employment or housing impacts. No significant population, employment or housing impacts would result and no mitigation measures or Standard Conditions of Approval (SCAs) are required for the 2014 Project, consistent with the findings of the Wood Street EIR.

### **Utilities and Services**

The Wood Street EIR did not identify any significant impacts related to services or utilities. When compared with the Wood Street EIR development scenarios for DA 4, the 2014 Project would reduce the number of residential units by more than 50 percent. Thus, the 2014 Project represents a reduced potential for any adverse effects related to services or utilities.

The WOSP EIR, which considered land uses for DA 4 consistent with the WSZD (approximately 50 percent more density than the proposed 2014 Project) and changes in existing conditions and new information that have occurred since preparation of the Wood Street EIR, identified significant impacts that could be reduced to a less-than-significant level with SCAs for the following topics:

- Fire
- Schools
- Stormwater runoff and wastewater
- Solid waste/landfill and recycling

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- Wastewater

Impacts associated with each of the other subtopics including police, parks and recreation, electricity and gas, were all identified as less than significant.

As a result, there are no changes in the project, or changes in the circumstances in which the project is being undertaken, that would result in new significant or substantially more severe services or utilities impacts. No new information has become available since the previous EIR that indicates that the 2014 Project would result in any new significant or more severe services or utilities impacts, nor are new mitigation measures or alternatives warranted to address potential services or utilities impacts. No significant services or utilities impacts would result and no mitigation measures are required for the 2014 Project, consistent with the findings of the Wood Street EIR. As discussed above, the addition of these SCAs do not constitute changed circumstances or new information that would result in new significant or substantially more impacts.

#### **Greenhouse Gas Emissions**

Climate change and greenhouse gas emissions were not expressly addressed in the Wood Street EIR. However, since information on climate change and greenhouse gas emissions was known or could have been known in 2004, it is not legally "new information" as specifically defined under CEQA and thus is not legally required to be analyzed as a part of this Addendum. The WOSP EIR evaluated greenhouse gas emissions and climate change and found that emissions resulting from the buildout of the WOSP would not exceed the Bay Area Air Quality Management District's numeric thresholds at either the Plan or Project level. The WOSP Plan also includes several policy-based design features that would be effective in reducing GHG emissions on an area-wide basis. Future development pursuant to the West Oakland Specific Plan would comply with the applicable requirements of the City's recently approved Energy and Climate Action Plan (ECAP).

As a result, there are no changes in the project, or changes in the circumstances in which the project is being undertaken that would result in new significant or substantially more severe greenhouse gas emission impacts. No new information has become available since the previous EIR that indicates that the 2014 Project would result in any new significant or more severe greenhouse gas emission impacts, nor are new mitigation measures or alternatives warranted to address potential greenhouse gas impacts.

#### **CONCLUSION**

As discussed above, the development associated with the 2014 Project was adequately considered in the Wood Street EIR. The refinements incorporated into the application do not represent changes that would result in new or more severe impacts (or require new or significantly altered mitigation measures) beyond those already identified in the Wood Street EIR. The EIR is adequate for the 2014 Project and no subsequent or supplemental environmental review is warranted.

The following discussion summarizes the reasons why no supplemental or subsequent CEQA review is necessary pursuant to *CEQA Guidelines* Section 15162 and the City can rely on the previously certified EIR.

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Substantial Changes to the Project. The refinements incorporated into the 2014 Project lessen the adverse impacts of the project. The reduction in the overall residential unit count, reduction in the amount of retail/commercial space, a reduction in the height, and increase in open space would not result in new significant environmental impacts or a substantial increase in the severity of impacts already identified in the Wood Street EIR. Therefore, the proposed changes included in the 2014 project are considered *minor* refinements, not *substantial* changes.

Project Circumstances. Since certification of the EIR, conditions in and around the DA 4 and the Wood Street project area have not substantially changed and thus implementation of the 2014 Project would not result in new significant environmental effects or a substantial increase in the severity of environmental effects already identified in the Wood Street EIR. No substantial changes in noise levels, air quality, traffic, or other conditions have occurred within and around the project site since certification of the EIR.

New Information. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Wood Street EIR was certified, has been identified which is expected to result in: 1) new significant environmental effects or a substantial increase in the severity of environmental effects already identified in the EIR; or 2) mitigation measures or alternatives which were previously determined to be infeasible would in fact be feasible, or which are considerably different from those recommended in the Wood Street EIR, and which would substantially reduce significant effects of the project, but the project applicant declines to adopt them.

As described previously, changes to the 2014 Project would not result in significant environmental effects (including effects that would be substantially more severe than impacts identified in the Wood Street EIR). Existing regulations (including City General Plan policies and ordinances in the Municipal Code) and mitigation measures included in the Wood Street EIR would be adequate to reduce the impacts resulting from the 2014 Project to less-than-significant levels.

Consequently, there are no substantial project changes, no substantial changes in the project circumstances, and no new information of substantial importance that would require major revisions of the certified Wood Street EIR, because of a new significant effect or an increase in the severity of a previously identified significant effect. Under CEQA section 21166 and CEQA Guidelines sections 15162 and 15163, no further environmental review is required. Thus, in considering approval of the 2014 Project, the City should rely on the previously certified Wood Street EIR.

Attachment  
Transportation Memorandum



# KITTELSON & ASSOCIATES, INC.

TRANSPORTATION ENGINEERING / PLANNING

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## MEMORANDUM

Date: July 31, 2014

Project #: 17770

To: Lynette Dias  
Urban Planning Partners

From: Mark Bowman, P.E., Debbie Yueh, and Ribeka Toda

Project: 1401 Wood Street Addendum Traffic Assessment

Subject: Changes to Wood Street Development

Kittelison & Associates (KAI) prepared an evaluation of proposed changes to the Wood Street Project that was previously evaluated in the Wood Street Project EIR. The Wood Street EIR had two development scenarios: a Maximum Residential Scenario and a Maximum Trips Scenario. The applicant proposes to reduce the amount of development in Development Area 4 (DA 4) under either scenario to approximately a third of the original proposal.

The revised project consists of 174 new residential and live/work condominiums and 5,580 square feet of new ground floor commercial space within DA 4 of the Wood Street Zoning District. Approval of this project requires approval of zoning text amendments to reduce the minimum density from 44 du/ac to 22 du/ac.

An evaluation was performed to determine if the changes to the project, changes to the circumstances under which the project is being undertaken, or new information that was not or could not previously have been known, would result in additional impacts to the extent that would require a subsequent EIR under Title 14, CCR §15162 of the California Code of Regulations. The evaluation was limited to the potential effect on the transportation environment.

The evaluation found that no subsequent EIR would be required to address transportation. A summary of our findings is provided below.

## PROPOSED CHANGES TO THE PROJECT

To determine if changes to the project would require a subsequent EIR, trip generation estimates were developed for the revised project using methods consistent with the City of Oakland Transportation Impact Study Guidelines (2013). Trip generation for the revised project was compared against the trip generation for the project evaluated in the Wood Street Project EIR. Trip generation for AM and PM peak hours were compared and a qualitative assessment was made of the effect of the changes to the project on the findings of the Wood Street Project EIR.

The revised project includes both residential and commercial components. The City's current Transportation Impact Study Guidelines apply multimodal trip generation adjustment factors to account for the proximity of a development to a BAR or Amtrak station. Since the proposed Wood Street development is located in a 0.5-1.0 mile range from a BART station (it is approximately 0.7 miles), the trip generation is reduced by 21.4% (resulting in a trip generation of 78.6% of the original ITE trip generation for motor vehicle trips). This reduction was applied to the residential component of the revised Wood Street project. A 65% pass-by reduction was applied to the retail component, as was done in the Wood Street Project EIR based on the ITE Trip Generation Manual Volume 1: User's Guide and Handbook (9<sup>th</sup> Edition).

The trip generation estimates are shown in Table 1 and compare the daily, AM and PM peak hour trip generation estimates between the revised project, and the two scenarios from the Wood Street Project EIR for DA 4, the maximum residential scenario and the maximum trips scenario. Table 2 shows the relative differences between the revised project trip generation estimates and the two scenarios studied in the Wood Street EIR.

**Table 1: Trip Generation Comparison**

Source	Scenario	ITE LU	LU Description	Amt	Units	Daily	AM			PM		
							In	Out	Total	In	Out	Total
Revised Project		230	Residential Condominium/Townhouse <sup>1</sup>	174	du	1041	14	67	80	63	31	95
			City of Oakland Multimodal Trip Generation Adjustment Factors <sup>2</sup>			819	11	52	63	50	25	74
			Residential Total			819	11	52	63	50	25	74
		820	Shopping Center <sup>3</sup>	5,580	sf	1041	3	2	5	42	45	87
			(65% pass-by) <sup>4</sup>			676	2	1	3	27	29	56
			Retail Total			364	1	1	2	15	16	31
			REVISED PROJECT TOTAL			1,183	12	53	65	65	40	105
Wood St. DEIR	DA 4 Max Residential		Apartments	426	du	2,711	42	170	212	164	88	252
			Live/Work	24	units	191	5	12	17	7	8	15
			Retail <sup>4</sup>	7,000	sf	422	7	4	11	18	20	38
			DA 4 Max Residential Total			3,324	54	186	240	189	116	305
	DA 4 Max Trips		Apartments	393	du	2,512	39	157	196	152	82	234
			Live/Work	24	units	191	5	12	17	7	8	15
			Retail <sup>4</sup>	40,000	sf	1,310	19	12	32	57	62	120
			DA 4 Max Trips Total			4,013	63	181	245	216	152	369
	Total Max Residential for all Development Areas				Total	9,630	176	615	791	502	337	840
	Total Max Trips for all Development Areas				Total	11,768	514	566	1,080	525	634	1,160

<sup>1</sup>Fitted Curve Equation used.  $\ln(T) = 0.80\ln(X) + 0.26$  for AM and  $\ln(T) = 0.82 \ln(X) + 0.32$  for PM, where X = Number of Dwelling Units and T = Average Vehicle Trip Ends

<sup>2</sup>City of Oakland Multimodal Trip Generation Adjustment Factor from City of Oakland Transportation Impact Study Guidelines was applied.

<sup>3</sup>Rate of 0.96 trips/1000 sf gross leasable area used for AM ( $R^2=0.56$  for Fitted Curve is lower than 0.75). Fitted Curve Equation used for PM.  $\ln(T) = 0.67 \ln(X) + 3.31$

<sup>4</sup>65% pass-by reduction was applied. This rate is based on data from Table 5.6 of the ITE Trip Generation Volume 1: User's Guide and Handbook (9<sup>th</sup> Edition) for Shopping Centers of less than 20,000 square feet.



**Table 2: Differences in Trip Generation**

Differences from Revised Project trips		Daily	AM			PM		
			In	Out	Total	In	Out	Total
Revised Project - DA 4 Max Residential	trips	-2141	-42	-133	-175	-124	-76	-200
	%	-64%	-78%	-72%	-73%	-66%	-66%	-66%
Revised Project - DA 4 Max Trips	trips	-2830	-51	-128	-180	-151	-112	-264
	%	-71%	-81%	-71%	-73%	-70%	-74%	-72%
Impact to Total Max Residential Scenario	(Revised Project - DA 4 Max Residential) / Total Max Residential							
	%	-22%	-24%	-22%	-22%	-25%	-23%	-24%
Impact to Total Max Trips Scenario	(Revised Project - DA 4 Max Trips) / Total Max Trips							
	%	-24%	-10%	-23%	-17%	-29%	-18%	-23%

As shown in Table 2, the revised project generates 2,141 fewer daily trips than the DA 4 maximum residential scenario and 2,830 fewer than the DA 4 maximum trips scenario, 64% and 71% reductions, respectively. Similarly in the AM and PM peak hour trip generation estimates, the reduction is between 64-78% for the DA 4 maximum residential scenario and between 71-81% for the DA 4 maximum trips scenario. Generally, the changes to the project have resulted in trip reductions of two-thirds to three-quarters of the trip generation for DA 4 of the Wood Street Project EIR.

Overall, the revision to DA 4 results in reductions in daily trips for the total Wood Street Project of 22% for the maximum residential scenario and 24% for the maximum trips scenario.

## CHANGES IN CIRCUMSTANCES

This memo also considers whether changes to the circumstances under which the project is being undertaken or new information (that was not known and could have not been known when the EIR was prepared) would require a subsequent environment review. Since the Wood Street EIR was certified, the City of Oakland has prepared an EIR for the West Oakland Specific Plan (WOS). The City also has new Transportation Impact Analysis Guidelines (see above). The WOSP EIR provides good documentation of how circumstances under which the project may be undertaken have or may change. To help determine how such changes may affect the findings of the Wood Street EIR, the proposed project was considered in the context of the findings of the WOSP EIR. The evaluation includes a comparison of existing and cumulative conditions.

The WOSP EIR included several changes in circumstances and/or new information that are considered to determine if those changes and/or new information would result in new or substantially more severe impacts than what was identified in the Wood Street EIR. The changes in circumstances and/or new information include changes in:

- Background traffic volumes as reflected in existing traffic counts and forecasts for the future
- Modifications to the number of lanes on roadways

- Potential changes in traffic control strategies
- Methods used to evaluate potential impacts
- Criteria used to determine significant impacts

To evaluate the change in circumstances, the intersections that were found to operate below standards in the WOSP EIR were identified. In the City of Oakland, an intersection is considered to operate below standards if it operates at LOS F for intersections within downtown, or if it operates at LOS E or worse for intersections outside of downtown. Using vehicular delay as the relative form of measure of impact at an intersection, the change in circumstances were quantified and compared with the impacts in the Wood Street EIR.

In the WOSP EIR, seven (7) intersections were identified to operate below standard that were also studied in the Wood Street EIR: Hollis Street & 40th Street, Frontage Road & Grand Avenue, Market Street & Grand Avenue, San Pablo Avenue & Grand Avenue, Northgate Avenue & Grand Avenue, Adeline & 5<sup>th</sup> Street, and Mandela Parkway & Grand Avenue. There was an additional intersection, Mandela Parkway & 7th Street, with a significant impact that was identified in the Wood Street EIR but not in the WOSP EIR. Table 3 shows that all intersections would operate within the city's standards for circumstances evaluated in the WOSP EIR for existing no-project and existing with-project conditions. The operations at these eight (8) intersections are shown in Table 3.

The intersections that are not shown in Table 3 were not found to be impacted by either the WOSP EIR or the Wood Street EIR, and are not expected to be impacted by neither the change in circumstances nor by the revision to the project. The operations at these intersections can be found in the Appendix.

### Findings Regarding Changes in Circumstances

To estimate the impact that the revised Wood Street project would have on an intersection given the change in circumstances and in the project, Table 4 compares the revised Wood Street project to the Wood Street EIR Maximum Residential scenario and Table 5 to the Maximum Trips scenario. These tables quantify the changes in circumstances using the findings of the Wood Street EIR, the findings of the WOSP EIR, and the trip generation for the revised Wood Street project, as shown in Table 1.

The effect of the revised Wood Street project, which only changes DA 4, was estimated using interpolation. Interpolation was used to estimate the impact on average vehicle delay attributed to DA 4 in the original Wood Street EIR and to estimate how the revised Wood Street project would affect vehicle delay in conditions evaluated in the WOSP EIR.

The delay impact of the original Wood Street project is the difference between the cumulative with-project and no-project scenarios for the entire Wood Street project.

Table 3: Significantly Impacted Locations

		AM												PM													Meet standards?	Significant Impact?
		Existing						Future						Existing						Future								
		NP	LOS	Delay	Ex+Proj	LOS	Delay	NP	LOS	Delay	Cum+Proj	LOS	Delay	NP	LOS	Delay	Cum+Proj	LOS	Delay	Cum+Proj	LOS	Delay	Cum+Proj					
Intersection	Reference	C	25.9	C	26.3	C	25.5	C	25.5	C	25.5	C	31.6	C	31.8	D	37.7	D	38.3	D or better	Yes	No						
	Hollis St & 40th St	WOSP EIR	C	27.4	C	30.3	F	247.9	F	237.3	C	26.6	C	27.1	F	212.8	F	230.8	D or better	No	Yes							
Frontage Rd & Grand Ave	Wood St EIR <sup>1</sup>	C	29.3	C	30.5	D	50.4	E	71.4	C	33	C	33	D	35.7	E	69.1	F	94.9	D or better	No	Yes						
	WOSP EIR	C	21.6	D	36.1	F	171.0	F	169.1	C	22.5	C	22.5	C	32.6	F	142.7	F	134.4	D or better	No	No						
Market St & Grand Ave	Wood St EIR <sup>1</sup>	B	12.2	B	12.1	B	12.6	B	12.7	B	12.2	B	12.2	B	12.2	B	13.0	B	13.3	D or better	Yes	No						
	WOSP EIR	B	14.5	C	20.3	D	39.9	E	60.4	B	14.4	B	14.4	C	27.1	F	143.5	E	61.5	E or better	No	No						
San Pablo Ave & Grand Ave	Wood St EIR <sup>1</sup>	B	12.4	B	12.3	B	14.1	B	14.1	B	13.7	B	13.7	B	13.7	B	15.6	B	15.7	D or better	Yes	No						
	WOSP EIR	B	13.7	B	13.3	D	45.0	D	38.9	C	21.1	C	21.1	E	64.7	F	292.1	F	270.4	E or better	No	No						
Northgate Ave & Grand Ave	Wood St EIR <sup>1</sup>	B	18.1	B	18.4	B	19.0	B	19.3	C	20.1	C	20.1	C	23.4	D	35.8	D	42.1	E or better	Yes	No						
	WOSP EIR	C	22.4	C	24.7	F	102.3	F	100.7	B	16.1	B	16.1	C	21.6	D	40.5	D	37.5	E or better	No	No						
Adeline St & 5th St	Wood St EIR <sup>1</sup>	C	21.8	C	22.2	F	180.8	F	177.5	D	38.7	D	38.7	D	38.5	F	168.8	F	166.8	D or better	No	No						
	WOSP EIR	C	21.3	C	27.5	C	26.4	D	53.4	C	22.5	C	22.5	D	47.6	D	35.7	F	81.0	D or better	No	Yes						
Mandela Pkwy & Grand Ave	Wood St EIR <sup>1</sup>	B	11.4	B	11.8	C	23.9	C	26	B	13.4	B	13.4	B	13.9	E	77.0	F	90	D or better	No	Yes						
	WOSP EIR	A	5.7	B	12.1	D	40.1	F	130.3	A	6.9	A	6.9	D	38.8	E	72.8	F	215.2	E or better	No	Yes						
Mandela Pkwy & 7th St	Wood St EIR <sup>1</sup>	B	18	B	18.1	E	64.0	E	72.8	B	20	B	20	B	20	F	209.7	F	203.1	D or better	No	Yes						
	WOSP EIR	C	28.7	C	22.4	C	22.9	C	24.1	C	24.9	C	24.9	C	21.7	C	30.1	D	37.5	E or better	Yes	No						

<sup>1</sup>The higher delay between the Maximum Residential scenario and the Maximum Trips scenario is shown for the Wood Street EIR in this table

<sup>2</sup>The City of Oakland LOS Standards changed between the Wood Street EIR and WOSP EIR

Intersection delay for DA 4 in the original Wood Street EIR was computed by multiplying the Wood Street project impact delay by the ratio of trips generated by the original DA 4 to the trips generated by the entire Wood Street project. Intersection delay for revised Development Area 4 was computed by multiplying the estimated DA 4 delay impact by the ratio of trips generated by revised DA 4 to the trips generated by the original DA 4.

A factor was developed by dividing the delay for the WOSP to the delay for the Wood Street project under cumulative conditions. This factor takes into account the relative cumulative delay between the Wood Street EIR and the WOSP EIR and assumes that DA 4 would add more delay at an intersection with higher total cumulative delay than it would add at an intersection with lower total cumulative delay, as delay is a non-linear function.

The delay impact of DA 4 was multiplied by the factor to estimate the effect of developing DA 4 under the circumstances evaluated in the WOSP. Finally, traffic delays for cumulative conditions for the WOSP without Wood Street DA 4 were estimated by subtracting the factored impact of DA 4 from the cumulative delay reported in the WOSP EIR.

For intersections estimated to operate at substandard levels without DA 4, this analysis assumes an impact would occur as a result of the project if the delay that would be added for DA 4 would be four (4) seconds or more, as stated in the City of Oakland Transportation Study Guidelines. For intersections that are already at LOS F, an impact would occur as a result of the project if the overall v/c ratio increase is 0.03 or more or if the v/c ratio of the critical movement increases by 0.05 or more.

A sensitivity analysis was conducted using Synchro on intersections from the WOSP EIR to see if delay can serve as a surrogate for v/c. The findings of the sensitivity analysis were that for intersections that are already at LOS F, the increase in delay of four (4) seconds correlates to a v/c ratio increase of less than 0.03 overall and less than 0.05 for the critical movement. In other words, if the revised Wood Street project has not impacted an intersection by adding four (4) seconds of delay or more, it has also not impacted an intersection by increasing the v/c ratio by 0.03 overall or by 0.05 for the critical movement. Therefore, since none of the study intersections were found to have an increase in delay of four (4) seconds of delay with the addition of the revised Wood Street project, it can be assumed that none of the study intersections have an increase in v/c ratio of 0.03 overall or 0.05 for the critical movement. No intersections that operate at or above minimum city standards would fall below standard.

No new findings of significant impacts were identified for the intersections studied in the Wood Street Project EIR or in the WOSP EIR. Given that there are no new significant impacts associated with the revised Wood Street project either in the original circumstances studied in the Wood Street Project EIR or the WOSP EIR, there are no measures needed to mitigate the impact of the proposed revisions to DA 4.

**Table 4: Quantifying Change in Circumstances Compared to Wood Street Maximum Residential Scenario**

Intersection	AM or PM	Wood Street EIR					West Oakland Specific Plan EIR			
		Cumulative No Project	Cumulative Plus Project	Project Impact	DA 4 Impact <sup>1</sup>	Revised DA 4 Impact <sup>2</sup>	Cumulative Plus WOSP	WOSP/ Wood St Ratio <sup>3</sup>	Revised DA 4 Impact <sup>4</sup>	Cumulative No Wood St Project
Hollis St / 40th St	AM	25.5	25.3	-0.2	-0.1	0.0	237.3	9.4	-0.2	237.5
	PM	37.7	38.3	0.6	0.2	0.1	230.8	6.0	0.5	230.3
Frontage Rd / Grand Ave	AM	50.4	67.4	17	5.2	1.4	169.1	2.5	3.5	165.6
	PM	69.1	88.4	19.3	7.0	2.4	134.4	1.5	3.7	130.7
Market St / Grand Ave	AM	12.6	12.6	0	0.0	0.0	60.4	4.8	0.0	60.4
	PM	13	13.2	0.2	0.1	0.0	61.5	4.7	0.1	61.4
San Pablo Ave / Grand Ave	AM	14.1	14	-0.1	0.0	0.0	38.9	2.8	0.0	38.9
	PM	15.6	15.7	0.1	0.0	0.0	270.4	17.2	0.2	270.2
Northgate Ave / Grand Ave	AM	19	19.3	0.3	0.1	0.0	100.7	5.2	0.1	100.6
	PM	35.8	39.3	3.5	1.3	0.4	37.5	1.0	0.4	37.1
Adeline St / 5th St	AM	180.8	177.3	-3.5	-1.1	-0.3	53.4	0.3	-0.1	53.5
	PM	168.8	166.8	-2	-0.7	-0.2	81	0.5	-0.1	81.1
Mandela Pkwy / Grand Ave	AM	23.9	26	2.1	0.6	0.2	130.3	5.0	0.9	129.4
	PM	77	89.8	12.8	4.6	1.6	215.2	2.4	3.8	211.4
Mandela Pkwy / 7th St	AM	64	72.8	8.8	2.7	0.7	24.1	0.3	0.2	23.9
	PM	209.7	203.1	-6.6	-2.4	-0.8	37.5	0.2	-0.2	37.7

Note: All values (except the WOSP/Wood St Ratio) are shown as seconds of average vehicle delay for the entire intersection.

<sup>1</sup> Intersection delay for Development Area 4 was computed by multiplying the Wood Street project impact delay by the ratio of trips generated by the original DA 4 to the trips generated by the entire Wood Street project. The ratio is 0.303 for the AM and 0.363 for the PM.

<sup>2</sup> Intersection delay for revised Development Area 4 was computed by multiplying the estimated DA 4 impact delay by the ratio of trips generated by revised DA 4 to the trips generated by the original DA 4. The ratio is 0.271 for the AM and 0.344 for the PM.

<sup>3</sup> This ratio was developed by dividing the delay for the WOSP to the delay for the Wood Street project under cumulative conditions.

<sup>4</sup> Delay for DA 4 was factored by the WOSP/Wood St Ratio to estimate the potential impact with conditions shown in the WOSP EIR.

**Table 5: Quantifying Change in Circumstances Compared to Wood Street Maximum Trips Scenario**

Intersection	AM or PM	Wood Street EIR					West Oakland Specific Plan EIR			
		Cumulative No Project	Cumulative Plus Project	Project Impact	DA 4 Impact <sup>1</sup>	Revised DA 4 Impact <sup>2</sup>	Cumulative Plus WOSP	WOSP/ Wood St Ratio <sup>3</sup>	Revised DA 4 Impact <sup>4</sup>	Cumulative No Wood St Project
Hollis St / 40th St	AM	28.5	28.5	0	0.0	0.0	237.3	8.3	0.0	237.3
	PM	37.7	38.2	0.5	0.2	0.0	230.8	6.0	0.3	230.5
Frontage Rd / Grand Ave	AM	50.4	71.4	21	4.8	1.3	169.1	2.4	3.0	166.1
	PM	69.1	94.9	25.8	8.2	2.3	134.4	1.4	3.3	131.1
Market St / Grand Ave	AM	12.6	12.7	0.1	0.0	0.0	60.4	4.8	0.0	60.4
	PM	13	13.3	0.3	0.1	0.0	61.5	4.6	0.1	61.4
San Pablo Ave / Grand Ave	AM	14.1	14.1	0	0.0	0.0	38.9	2.8	0.0	38.9
	PM	15.6	15.7	0.1	0.0	0.0	270.4	17.2	0.2	270.2
Northgate Ave / Grand Ave	AM	19	19.3	0.3	0.1	0.0	100.7	5.2	0.1	100.6
	PM	35.8	42.1	6.3	2.0	0.6	37.5	0.9	0.5	37.0
Adeline St / 5th St	AM	180.8	177.5	-3.3	-0.7	-0.2	53.4	0.3	-0.1	53.5
	PM	168.8	166	-2.8	-0.9	-0.3	81	0.5	-0.1	81.1
Mandela Pkwy / Grand Ave	AM	23.9	25.9	2	0.5	0.1	130.3	5.0	0.6	129.7
	PM	77	90	13	4.1	1.2	215.2	2.4	2.8	212.4
Mandela Pkwy / 7th St	AM	64	70.9	6.9	1.6	0.4	24.1	0.3	0.1	24.0
	PM	209.7	201.8	-7.9	-2.5	-0.7	37.5	0.2	-0.1	37.6

Note: All values (except the WOSP/Wood St Ratio) are shown as seconds of average vehicle delay for the entire intersection.

<sup>1</sup> Intersection delay for Development Area 4 was computed by multiplying the Wood Street project impact delay by the ratio of trips generated by the original DA 4 to the trips generated by the entire Wood Street project. The ratio is 0.303 for the AM and 0.363 for the PM.

<sup>2</sup> Intersection delay for revised Development Area 4 was computed by multiplying the estimated DA 4 impact delay by the ratio of trips generated by revised DA 4 to the trips generated by the original DA 4. The ratio is 0.271 for the AM and 0.344 for the PM.

<sup>3</sup> This ratio was developed by dividing the delay for the WOSP to the delay for the Wood Street project under cumulative conditions.

<sup>4</sup> Delay for DA 4 was factored by the WOSP/Wood St Ratio to estimate the potential impact with conditions shown in the WOSP EIR.



# CITY OF OAKLAND

Community and Economic Development Agency, Planning & Zoning Division  
250 Frank H. Ogawa Plaza, Suite 3315, Oakland, California, 94612-2032

May 29, 2009

Mr. Andy Getz  
HFI, Ltd.  
6450 Hollis Street  
Emeryville, CA 94608

## Fair Share Payments for Intersection Improvements Oakland Army Base Redevelopment Area

Dear Mr. Getz:

This letter is being sent to all property owners in the Oakland Army Base Wood Street Sub-Area, as shown on the attached map, which includes all of the Wood Street Development Project as well as three parcels to the south of the Wood Street Development Project.

When the Army Base Redevelopment Area was adopted, the Environmental Impact Report (EIR) prepared for the project identified a number of intersections that needed to be improved based on the expected amount of new traffic that would be passing through the intersections. The Mitigation Measures adopted in the EIR specified that the costs of improving these intersections would be shared among all property owners, including the Port of Oakland, the Oakland Redevelopment Agency, and the private property owners within the Sub-District. These Mitigation Measures were also adopted as part of the Wood Street Development EIR and included as Conditions of Approval 25, 26, 27 and 28 in the Wood Street Development Project.

A consultant was hired by staff to calculate the fair share costs of funding these improvements. As shown in Table 2, attached, the Wood Street Sub-Area is responsible for \$162,196 of the intersection improvement costs.

Using the same method that was used for the formation of the Community Facilities District for the Wood Street Development Project, staff allocated the costs based on the number of acres for each approved parcel. Dividing the total improvement cost of \$162,196 by the total number of acres in the sub-area, 37.45, yielded a per acre cost of \$4,331. The allocation of the costs per property owner is shown in the attached table.

A property owner is required to pay this fair share cost only when a building permit is approved for **new construction** on each individual site. If no new development is proposed or approved, then the fair share cost does not need to be paid. To date, the only new project that has been completed and has paid its fair share is the Pacific Cannery Lofts.

If you have any questions about this information, please contact Marge Stanzione, Project Planner, at (510) 238-4932 or by email at [mstanzione@oaklandnet.com](mailto:mstanzione@oaklandnet.com).

Sincerely,

Eric Angstadt, Deputy Director  
Community and Economic Development Agency  
City of Oakland  
250 Frank H. Ogawa Plaza, Suite 3315  
Oakland, CA 94612-2032

**ATTACHMENT D**

**PROPERTY OWNERS MAILING LIST  
FAIR SHARE INTERSECTION IMPROVEMENTS**

Wood Street Developers

Lydia Tan  
BUILD West Oakland, LLC  
345 Spear Street, Suite 700  
San Francisco, CA 94105-1673

Ben Metcalf  
Project Manager  
BRIDGE Housing  
345 Spear Street, Suite 700  
San Francisco, CA 94105-1673

Andy Cost  
Pulte Homes  
Land Department-Bay Area Division  
6210 Stoneridge Mall Road, 5<sup>th</sup> Floor  
Pleasanton, CA 94588

Richard Holliday  
Holliday Development  
1500 Park Avenue, Suite 200  
Emeryville, CA 94608

Andy Getz  
HFH, Ltd.  
6450 Hollis Street  
Emeryville, CA 94608

David Truong Duong  
California Waste Solutions  
1820 10<sup>th</sup> Street  
Oakland, CA 94607-1450

Vishav Bhushan  
1755 16<sup>th</sup> Street  
Oakland, CA 94607-1545

Al Auletta, Redevelopment Agency  
Diana Downton, Housing  
City of Oakland Redevelopment Agency  
250 Frank H. Ogawa Plaza  
Oakland, CA 94612

Remaining Parcels

Clyde D., Gail S. & Clar Mark Batavia  
P.O. Box 217  
Carnelian Bay, CA 96140-0217

State of California  
P.O. Box 7444  
San Francisco, CA 94120-7444

David Truong Duong  
California Waste Solutions  
1820 10<sup>th</sup> Street  
Oakland, CA 94607-1450



## Land Use Map



March 2005

Table 2: Intersection Improvements - Fair-Share Cost Allocations (2009 with North Gateway Mixed Use)									
	Total Cost	Cost Attributable to OARB Redevelopment	Split of OARB		Split of City Share				
			Port Share	City Share	North Gateway	West Gateway	Central Gateway	East Gateway	16th/Wood
W. Grand & Maritime	\$7,554,000	\$7,554,000	9%	91%	26%	27%	41%	3%	2%
			\$679,860	\$6,874,140	\$1,787,276	\$1,856,018	\$2,818,397	\$206,224	\$137,483
7th Street & Maritime	\$1,600,000	\$1,600,000	63%	37%	29%	14%	54%	3%	0%
			\$1,008,000	\$592,000	\$171,680	\$82,880	\$319,680	\$17,760	\$0
7th Street & I-880	\$50,000	\$50,000	55%	45%	14%	34%	24%	0%	27%
			\$18,150	\$14,850	\$2,079	\$5,049	\$3,564	\$0	\$4,010
3rd Street & Adeline	\$150,000	\$150,000	100%	0%	0%	0%	0%	0%	0%
			\$97,500	\$0	\$0	\$0	\$0	\$0	\$0
3rd Street & Market	\$150,000	\$150,000	74%	26%	0%	0%	0%	0%	100%
			\$88,830	\$20,670	\$0	\$0	\$0	\$0	\$20,670
12th Street & Brush	\$150,000	\$150,000	100%	0%	0%	0%	0%	0%	0%
			\$4,500	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$9,654,000	\$9,654,000	20%	80%	26%	26%	42%	3%	2%
			\$1,866,840	\$7,501,660	\$1,961,035	\$1,943,947	\$3,141,641	\$223,984	\$162,162
Difference from 2007:	\$0	\$4,500	\$42,900	(\$38,400)	\$907,671	\$865,717	(\$2,046,069)	\$223,984	\$10,148
Additional Intersections:									
S. Auto Mall & Maritime	\$250,000	\$250,000	10%	90%	7%	32%	56%	5%	0%
			\$22,250	\$200,250	\$14,018	\$84,080	\$112,140	\$10,013	\$0
Parcel I & Maritime	\$250,000	\$250,000	12%	88%	8%	42%	51%	0%	0%
			\$30,000	\$220,000	\$17,600	\$92,400	\$112,200	\$0	\$0
Total	\$10,154,000	\$10,154,000	20%	80%	25%	27%	42%	3%	2%
			\$1,919,090	\$7,921,910	\$1,992,653	\$2,100,427	\$3,365,981	\$233,997	\$162,162
Difference from 2007:	\$500,000	\$477,000	\$95,150	\$381,850	\$939,288	\$1,022,197	(\$1,821,729)	\$233,997	\$10,148

OAKLAND ARMY BASE REDEVELOPMENT AREA  
FAIR SHARE CALCULATION  
WOOD STREET SUB-AREA

PROPERTY OWNER	VTPM No.	No. Acres	Fair Share Cost/Acre	Share of Total Cost
Cal Waste Solutions	8551/1	0.78	\$4,331	\$3,378
BUILD	8551/2	2.52	\$4,331	\$10,914
Icehouse/Holliday	8552/1	0.94	\$4,331	\$4,071
Pacific Cannery Lofts	8552/2	2.74	\$4,331	\$11,867
14th Street Apts - BRIDGE	8551/3	1.56	\$4,331	\$6,756
Zephyr Gate - Pulte	8551/4	4.03	\$4,331	\$17,454
HFH Apts	8553/1	5.67	\$4,331	\$24,557
HFH Apts	8553/2	0.49	\$4,331	\$2,122
Bea's Hotel	8553/3	0.17	\$4,331	\$736
BUILD - Train Station Plaza	8554/1	0.75	\$4,331	\$3,248
BUILD - Train Station	8554/2	1.19	\$4,331	\$5,154
BUILD	8554/3	2.71	\$4,331	\$11,737
Oakland Redevel Agency	8555/1	2.65	\$4,331	\$11,477
Central Station LLC	8555/2	2.01	\$4,331	\$8,705
<b>WOOD STREET DEVELOPMENT PROJECT</b>		<b>28.21</b>		<b>\$122,178</b>
<b>REMAINING PARCELS</b>				
800 Cedar Street (State of CA)	006 004700100	5.49	\$4,331	\$23,777
1819 10th Street	006 004902501	1.6	\$4,331	\$6,930
1820 10th Street (Cal Waste)	006 002900302	2.15	\$4,331	\$9,312
<b>SUB-TOTAL REMAINING</b>		<b>9.24</b>		<b>\$40,018</b>
<b>TOTAL</b>		<b>37.45</b>	<b>\$4,331</b>	<b>\$162,196</b>