

To: Oakland City Council, Community and Economic Development Committee
From: Members of the Oakland City Planning Commission
Re: **Recommendations Regarding the Tassafaronga Village Residential Project and related City approvals**
Date: September 26, 2006

OFFICE OF THE CITY CLERK
2006 SEP 21 PM 4:05

On Wednesday, September 20, 2006 the members of the Planning Commission voted unanimously (5-0) to adopt the CEQA findings for the Tassafaronga Village Residential Project and to certify the Mitigated Negative Declaration, and recommended that the Oakland City Council/Redevelopment Agency approve the General Plan Amendment, approve the Coliseum Redevelopment Plan Amendment and rezone portions of the property, subject to conditions of approval and the Mitigation Monitoring and Reporting Program.

As part of the Commissions actions of September 20th, the Commission also recommended the following modifications to the Tassafaronga materials as included in both the Planning Commission and City Council agenda packets. Changes that are shown over the original document text in standard redline format (~~strike out of deleted language~~ and underscore of new language) consist of those changes recommended at the September 20th hearing by staff, and which the Planning Commission concurred:

12. State, Federal, or County Authority Environmental Approval.

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

Prior to issuance of a building permit, the applicant shall demonstrate, through written verification, that required clearances have been granted and any applicable conditions have been met for previous contamination at the site from the appropriate State, Federal or County authorities, ~~or the applicant shall submit a Phase I and/or Phase II report for the existing buildings.~~ The Planning Director shall review and provide a determination on the completeness of the reports.

14. Remediation Oversight

The project applicant shall ensure that environmental assessment and remediation is either performed under the oversight of the ACDEH or other agencies, (e.g. RWQCB and DTSC); ~~or conducted by qualified professionals with experience in soil and groundwater contamination remediation. In cases where regulatory involvement is not necessary, soil and groundwater removal and disposal shall still occur to mitigate the potential hazards that could result from removal of soil and/or groundwater during construction.~~

31. Parks and Open Space

Required prior to approval of tentative map

a. All common areas and open space in the development, excluding streets, shall be privately owned and maintained by the Oakland Housing Authority.

b. The applicant shall submit a common area landscaping plan for approval by the Planning and Zoning Division. The landscaping plan shall show the proposed landscaping for all common areas in the development and shall contain the following:

1. Landscaping details, such as planting types, sizes, and quantities, surfaces, landscape features and structures, and all perimeter fencing and walls.
2. Irrigation details.
3. Proposed landscaping in all open spaces shall be designed to maintain clear lines of sight into the interior of the space from nearby residences and streets.
4. A public kiosk or similar community notice board shall be placed in one of the open space areas located near the center of the development. This kiosk is to be used for displaying community-related information and shall be maintained and managed by the Oakland Housing Authority. The location and design of the kiosk shall be included on the landscaping plan.

c. The applicant shall submit the following for review and approval by the Planning and Zoning Division:

1. Landscaping maintenance plan.
2. Parking rules for the use of parking spaces.
3. Enforcement plan for enforcing the parking rules.

d. Ongoing

Landscaping maintenance and the enforcement of park rules are the responsibility of the Oakland Housing Authority. Landscaping shall be maintained in a healthy condition.

Prior to the Commission's actions on this item, staff presented the comments received on the Mitigated Negative Declaration (MND). In summary, the East Bay Municipal Utility District (EBMUD), Department of Toxic Substance Control (DTSC) and Caltrans provided comments on the MND for a total of three comment letters. The EBMUD letter requested clarification that there is adequate wastewater capacity in the existing infrastructure; staff responded with a minor edit to the Initial Study indicating that there is capacity for the minimal net gain in wastewater as a result of the proposed project. The DTSC letter requested a minor change to conditions of approval number 12 and 14 to insure that required clearances have been granted from the appropriate State, Federal or County authorities and ensure that environmental assessment and remediation is either performed under the oversight of the ACDEH or other agencies; staff responded with the revisions noted above. The Caltrans letter requested clarification of the traffic projections and the Level of Service (LOS) impacts on intersections within the study area that currently operate at LOS F. The traffic study is being revised and will reflect the comment letter from Caltrans. No new significant impacts result from the minor revisions discussed above and no new mitigation measures are required.

In addition to the revisions to Conditions 12, 14 and 31, staff provided the following revisions to the staff report prior to the Commission's action on this item:

Page 5: "These units would range in size from 466 square feet to 989 square feet ~~and would be intended for artists.~~"

Page 7: "The applicant requests variances for these provisions to implement the proposed redevelopment of a public housing site, and renovation of an industrial building with ~~artist~~ lofts."

Page 4: The Public Works Department has reviewed the proposed development concept and has recommended conditions of approval related to submittal of the Tentative Map (see Condition # ~~1530~~).

Page 12: Therefore, it is recommended that the Tentative Map submitted for the subdivision include public easements over all streets within the project area (see condition of approval #~~1530~~) while being privately maintained.