

**CITY OF OAKLAND
AGENDA REPORT**

OFFICE OF THE CITY CLERK
2005 JUN -2 PM 7:21

TO: Office of the City Manager
ATTN: Deborah Edgerly
FROM: Community and Economic Development Agency
DATE: June 14, 2005

RE: **A RESOLUTION TO CHANGE THE GENERAL PLAN DESIGNATION OF A 25,000 SQUARE-FOOT PORTION OF THE BLOCK BOUNDED BY SAN PABLO TO THE WEST, WILLIAM STREET TO THE NORTH, TELEGRAPH AVENUE TO THE EAST AND 19TH STREET TO THE SOUTH FROM CENTRAL BUSINESS DISTRICT TO PARK AND URBAN OPEN SPACE; AND AN ORDINANCE TO A 25,000 SQUARE-FOOT PORTION OF THE BLOCK BOUNDED BY SAN PABLO TO THE WEST, WILLIAM STREET TO THE NORTH, TELEGRAPH AVENUE TO THE EAST AND 19TH STREET TO THE SOUTH FROM CENTRAL BUSINESS DISTRICT FROM C-51 CENTRAL BUSINESS SERVICE DISTRICT/S-17 DOWNTOWN RESIDENTIAL OPEN SPACE COMBINING ZONE TO OS OPEN SPACE (NEIGHBORHOOD PARK)**

SUMMARY

Approval of this resolution will amend the General Plan Land Use Designations for the subject site to Park and Urban Open Space, and will rezone the subject site to OS Open Space (Neighborhood Park) (see map included as Attachment B). These actions will enable the development of the City park component of the proposed Uptown Project (Uptown Project). The Uptown Project will redevelop a 6.34-acre area of downtown Oakland (generally bounded by San Pablo Avenue to the west, Thomas L. Berkley Way to the north, Telegraph Avenue to the east and 19th Street to the south) with up to 665 residential units, 9,000 square feet of commercial space, new and reconfigured streets, extensive streetscape improvements and a new 25,000 square-foot City park. As of this writing, the Planning Commission is scheduled to consider a recommendation to the City Council for approval of the General Plan Amendment and Rezoning at its June 1, 2005 regular meeting. At the same meeting, the Planning Commission will be asked to approve land use entitlements for the project conditioned upon the adoption of the General Plan Amendment and Rezoning. Environmental review for these items is covered by the Uptown Mixed Use Project EIR, certified by the Planning Commission on February 18, 2004 and affirmed by the City Council/Agency on July 20, 2004. .

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FISCAL IMPACT

There is no direct fiscal impact resulting from City Council approval of the proposed resolution and ordinance. Staff costs related to the rezoning and General Plan Amendment are covered by fees established in the Master Fee Schedule. Costs associated with the construction and maintenance of the park are addressed in the Lease Development and Disposition Agreement (LDDA) between the Oakland Redevelopment Agency (ORA) and the project sponsor, FC Oakland, Inc.

BACKGROUND

Lease Disposition and Development Agreement

The project site is proposed for redevelopment in two distinct phases. On July 20th, 2004, the ORA authorized and approved execution of a LDDA between ORA and FC Oakland, Inc. to redevelop the project site. Phase 1 includes the development of Parcel 1, 2 and 3, the public park (Parcel 5) and related streetscape improvements. The second project phase includes development of Parcel 4 and related streetscape improvements. On October 14, 2004, the ORA and the applicant executed a LDDA for the Phase 1. The Redevelopment Agency and the applicant have not executed a LDDA for the second phase of the Uptown project.

Key terms of the LDDAs for both phases of the project include the following:

- ORA will assemble and transfer 38 properties to the applicant under a 66-year ground lease with an option to extend the lease for an additional 33 years;
- The applicant will develop at least 700 residential units, with 25 percent affordable units in the Uptown area, in two project phases (20% affordable to 50% AMI and below; and 5% affordable to 120% AMI and below); and
- The applicant will develop at least 14,500 square feet of neighborhood-serving commercial space and parking facilities in the Uptown area.
- The ORA will provide gap financing assistance to the applicant for the development project.
- The applicant shall develop a 25,000 square-foot public park.

Planning Commission Review

The Planning Commission will consider approval of Phase 1 land use entitlements on June 1, 2005. The first phase of development is designed to meet the terms of the LDDA and includes 665 residential units, 9,000 square feet of commercial space, on-site parking, and the proposed City park. The Planning Commission previously reviewed the potential environmental impact related to the proposed project during the environmental review process required under the California Environmental Quality Act (CEQA). On October 15, 2003 the Planning Commission held a public hearing to receive comments on the Draft Environmental Impact Report (DEIR).

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On February 18, 2004 the Planning Commission certified the Final Environmental Impact report (FEIR). In addition, the Design Review Committee (DRC) reviewed and commented on the project description on December 10, 2003, and then again on May 25, 2005.

Parks and Recreation Advisory Commission Review

The Parks and Recreation Advisory Commission (PRAC) reviewed the proposed project at their regularly scheduled meeting on April 13, 2005. The PRAC unanimously recommended approval of the General Plan Amendment and Rezoning.

Community Participation

The applicant has held five community meetings since March 2003 in order to provide information to the community regarding the project and to solicit community input and comment (see Attachment A: Planning Commission Staff Report dated June 1, 2005 for further information and analysis).

KEY ISSUES AND IMPACTS

General Plan Amendment

The entire Uptown Project area is located within the Central Business District General Plan land use designation. This land use designation is appropriate to all proposed development with the exception of the City park. The proposed General Plan Amendment would change the land use designation of the City park site to Urban Open Space.

The proposed park would enhance the overall Uptown project and would be consistent with several General Plan policies, as explained below. Project benefits would not be achieved without the General Plan Amendment (GPA). Accordingly, a General Plan Amendment (GPA) is recommended in order to change the land use designation for the proposed park site to Urban Open Space.

The proposed park land use is consistent with the Urban Open Space land use designation of the General Plan. The park will include a focal point feature (a sculpture or water feature), site furnishings, vegetation (including trees, shrubs and groundcover), and grass or other surface to accommodate casual gathering and recreation activities. Final design will be subject to review and approval by the Parks and Recreation Advisory Commission and the Planning Commission.

The Uptown Project is consistent with the General Plan including the following policies in the Land Use and Transportation Element (LUTE) and the Open Space, Conservation, and Recreation Element (OSCAR):

Land Use and Transportation Element of the General Plan

The General Plan Land Use and Transportation Element (LUTE) includes the following specific policies (identified in bold text) that are applicable to the Uptown project (analysis of how the project supports the policies is provided in indented, italicized text:

Policy I/C3.3: Clustering Activity in “Nodes.” Retail uses should be focused in “nodes” of activity, characterized by geographic clusters of concentrated commercial activity, along corridors that can be accessed through many modes of transportation.

The project includes retail space along Telegraph Avenue, in support of and adding to existing, concentrated commercial activity along the Telegraph Avenue corridor. The entire project is located within one-quarter mile of AC Transit bus stops serving both regional and local bus lines and the BART 19th Street station serving this regional transportation mode.

I/C3.4: Strengthening Vitality. The vitality of existing neighborhood mixed use and community commercial areas should be strengthened and preserved.

The project includes high-density residential uses adjacent to the downtown area. This use expands and strengthens the market for commercial, entertainment and employment land uses in the vicinity.

I/C3.5: Promoting Culture, Recreation, and Entertainment. Cultural, recreational, and entertainment uses should be promoted within the Downtown, particularly in the vicinity of the Fox and Paramount Theaters, and within the Jack London Square area.

The project includes high-density residential near the Fox and Paramount Theaters. This use expands and strengthens the market cultural, recreation and entertainment activities in the area.

Policy I/C4.1: Protecting Existing Activities. Existing industrial, residential, and commercial activities and areas which are consistent with long term land use plans for the city should be protected from the intrusion of potentially incompatible land uses.

Although the proposed use would replace existing an existing single-resident occupancy facility and underutilized commercial land uses, the project is consistent with long term plans for strengthening the community and providing synergistic uses in the downtown area.

Policy T2.1: Encouraging Transit-Oriented Development. Transit-oriented development should be encouraged at existing or proposed transit nodes, defined by the convergence of two or more modes of public transit such as BART, bus, shuttle service, light rail or electric trolley, ferry, and inter-city or commuter rail.

The project includes high-density residential and commercial uses located within one-quarter mile of AC Transit bus stops serving both regional and local bus lines and the BART 19th Street station serving this regional transportation mode.

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Policy T2.2: Guiding Transit-Oriented Development. Transit-oriented development should be pedestrian-oriented, encourage night and day time use, provide the neighborhood with needed goods and services, contain a mix of land uses, and be designed to be compatible with the character of surrounding neighborhoods.

The project includes extensive streetscape improvements, pedestrian safety features, retail uses, and a City park, all intended to enrich the pedestrian and general public experience of the area.

Policy T2.3: Promoting Neighborhood services. Promote neighborhood-serving commercial development within one-quarter to one-half mile of established transit routes and nodes.

The project includes 9,000 square feet of ground floor commercial space along Telegraph Avenue and within close proximity to BART and AC Transit. The proposed commercial space enhances the existing commercial district in the project vicinity.

Policy T2.3: Linking Transportation and Activities. Link transportation facilities and infrastructure improvements to recreational uses, job centers, commercial nodes, and social services (i.e., hospitals, parks, or community centers).

The project involves intensifying recreational uses and housing opportunities near existing transit and transportation facilities, including BART, AC Transit and Interstate 880.

Policy D5.1: Encouraging Twenty-Four Hour Activity. Activities and amenities that encourage pedestrian traffic during the work week, as well as evenings and weekends should be promoted.

The project provides residential and commercial uses adjacent to the downtown area. Proposed residential activities will complement existing commercial and cultural activities in the downtown and immediate vicinity for which there is otherwise no audience during non-work hours. In addition, residential and recreational activities will encourage pedestrian traffic to and from the project at all hours of the day and all days of the week.

Policy D6.1: Developing on vacant land or to replace surface parking lots should be encouraged throughout the downtown, where possible.

The project would replace an existing surface parking lot and garage, as well as other underutilized land uses, in the downtown area with residential, recreational and commercial uses.

Policy D10.1: Encouraging Housing. Housing in the downtown should be encouraged as a vital component of a 24-hour community presence.

The project would provide 665 residential units in the downtown area.

Policy D10.2: Locating Housing. Housing in the downtown should be encouraged in identifiable districts, within walking distance of the 12th Street, 19th Street, City Center, and

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Lake Merritt BART stations to encourage transit use, and in other locations where compatible with surrounding uses.

The project would provide 665 residential units within one-quarter mile of the 19th Street BART station.

Policy D10.6: Creating Infill Housing. Infill housing that respects surrounding development and the streetscape should be encouraged in the downtown to strengthen or create distinct districts.

The project would provide 665 residential units in approximately six-story mid-rise buildings similar to the surrounding area and complementary to the nearby high-rise downtown district.

D11.1: Promoting Mixed-Use Development. Mixed use developments should be encouraged in the downtown for such purposes as to promote its diverse character, provide for needed goods and services, support local art and culture, and give incentive to reuse existing vacant or underutilized structures.

The proposed project is a predominantly residential mixed-use project that includes commercial and recreational uses. The proposed uses enhance the existing diverse character of the area by increasing the market for existing commercial, entertainment and employment uses in the area.

Policy N1.1: Concentrating Commercial Development. Commercial development in the neighborhoods should be concentrated in areas that are economically viable and provide opportunities for smaller-scale, neighborhood-oriented retail.

The proposed project includes new ground floor commercial space along Telegraph Avenue, an existing commercial district. The new commercial uses would contribute to a continuous commercial street frontage that is currently disrupted by a surface parking lot.

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 of Oakland.

The proposed project is located within a completely urbanized area and constitutes residential infill development within Oakland.

Policy N8.1: Development of Transit Villages. "Transit Village" areas should consist of attached multi-story development on properties near or adjacent to BART stations or other well-used or high volume transit facilities, such as light rail, train, ferry stations, or multiple-bus transfer locations. While residential units should be encouraged as part of any transit village, other uses may be included where they will not negatively affect the residential living environment.

The proposed project is a multi-story residential mixed-use project located near BART and AC Transit and is consistent with the "Transit Village" terminology.

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Open Space, Conservation and Recreation Element of the General Plan

The Uptown project includes the development of a 25,000 City park that is subject to the policies included in the Open Space, Conservation and Recreation (OSCAR) element of the General Plan. The following policies apply to the proposed project:

Policy OS-4.1: Provision of Useable Open Space. Continue to require new multi-family development to provide useable outdoor open space for its residents.

The proposed project exceeds the zoning requirements for on-site usable open space for the new multi-family residential land uses (see Zoning Analysis subsection below). In addition, the project includes the provision of a 25,000 square-foot City park to meet the needs of downtown residents for public open space.

Policy OS-11.1: Access to Downtown Open Space. Provide better access to attractive, sunlit open spaces for persons working or living in downtown Oakland. The development of rooftop gardens is encouraged, especially on parking garages.

The proposed project exceeds the zoning requirements for on-site usable open space for the new multi-family residential land uses (see Zoning Analysis subsection below). In addition, the project includes the provision of a 25,000 square-foot City park to meet the needs of downtown residents for public open space.

Policy REC-3.1: Level of Service Standards. Use the level of service of standards in Table 15 (Level of Service Standards for Oakland Parks) as a means of determining where unmet needs exist and prioritizing future capital investments.

The OSCAR establishes a goal of 4.0 acres of local-serving park acreage per 1,000 residents. The project would result in an overall increase in population by 1060 residents (this calculation assumes the provision of 665 new residential units, replacing 34 existing units with a formula of 1.68 persons per unit, based on The Uptown Mixed use Project EIR--see discussion below). Accordingly, 4.24 acres of local new local-serving park is required in order to meet the stated goal. The proposed project includes 0.57 acre of parkland. However, the OSCAR also acknowledges that, "While the ultimate goal is to achieve these standards in every Oakland neighborhood, the city's built-out character presents a major obstacle in most cases. The immediate goal is to make significant inroads in the gap between what exists now and what is ultimately desired. The City should work towards reducing that gap in its annual capital improvement program." (page 4-40) The proposed project meets the overall intent and spirit of the policy by providing a significant amount of new public open space in the downtown area.

Rezoning

The proposed park site is located within the combined C-51 Central Business Service District and S-17 Downtown Residential Open Space Combining Zone. The regulations do not allow development of a City park. Staff recommends rezoning the proposed park site to the OS Open

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Space (Neighborhood Park) zoning classification, which best fits the proposed passive park design. The rezoning would also provide consistency with the proposed General Plan Amendment to the Park and Urban Open Space land use category.

Environmental Determination

The City of Oakland Planning Commission certified the Uptown Mixed Use Project EIR on February 18, 2004. On July 20, 2004, the Oakland Redevelopment Agency adopted Resolution No. 78728 authorizing approval and execution of the LDDA governing this project and finding that the Uptown Mixed Use Project EIR was prepared and certified in compliance with the California Environmental Quality Act (CEQA). The current proposals involve portions of Phase 1 of the project evaluated in the EIR. The proposal for Phase 1 has been modified since certification of the EIR. Staff has reviewed the modifications and circumstances surrounding the project and has determined that none of these factors would result in any new significant environmental impacts or a change in the level of significance of impacts previously identified. None of the circumstances calling for preparation of a subsequent or supplemental EIR are present. Revisions to the project description since certification of the EIR include changes to the number of residential units (a slight reduction), amount of commercial space (a slight increase), roadway configurations and driveway locations. Additional traffic analysis (included in Attachment C.3) indicates no substantial change in project effects as a result of the changes to the project description. In addition, no changes to the surrounding area or presentation of substantial new information have occurred that would require preparation of a Subsequent or Supplemental EIR. (see Attachment A).

The EIR identified several impacts and mitigation measures that have been incorporated to lessen or eliminate the potential environmental impacts of the project. These are described in the Mitigation Monitoring and Reporting Program (MMRP) in Chapter VI of the Responses to Comments document and are summarized as follows:

Significant, Unavoidable Impacts

The following significant unavoidable project impacts were identified in the DEIR. Revisions to the mitigation measures for Impact AIR-2, Impact HIST-4a, and Impact HIST-8 were included in the Responses to Comments document.

AIR QUALITY

Impact AIR-2: (DEIR pages 157 to 159) - The project would result in increased regional emissions of criteria air pollutants exceeding BAAQMD thresholds, primarily from increased traffic. Implementation of the identified mitigation measures would minimize this impact, but would not reduce it to a less-than-significant level.

HISTORIC RESOURCES

Impact HIST-4a, HIST-4b, HIST-5, and HIST-8: (DEIR pages 222 to 225, and 226 to 227) - The project may entail site clearance, modification, or full or partial demolition of the Great Western Power Company Building, which is a local historic resource. In addition, project demolition and construction could result in a significant cumulative impact on the 19th and San Pablo Commercial district. In accordance with Mitigation Measure HIST 8-a, and as specified in the Mitigation Monitoring and Reporting Program adopted for the project, the feasibility of retaining the buildings on the site within the 19th and San Pablo Commercial District is being analyzed. As previously determined by the Council/Agency, implementation of the identified mitigation measures would minimize these impacts, but may not reduce them to a less-than-significant level. Note that Mitigation Measures HIST-8a and HIST-8b have been expanded in the FEIR to address comments received about the 19th and San Pablo Commercial District.

TRANSPORTATION

Impacts TRANS-3 and TRANS-11: (DEIR pages 124 to 125, and 133 to 134) – The project would increase the delay at the Frontage Road/West Grand Avenue intersection by two or more seconds under both Year 2010 and Year 2025 conditions. Because this intersection is under the jurisdiction of Caltrans and intersection improvements are not economically feasible, these are significant and unavoidable impacts.

Significant Impacts Which May be Mitigated to a Less Than Significant Level

The following significant project impacts that may be mitigated to a less-than-significant level were identified in the DEIR. Revisions to the mitigation measures for Impact HIST-2 were included in the Responses to Comments document.

AESTHETIC RESOURCES

Impacts AES-1 and AES-2: (DEIR pages 243 to 258) - The project would alter the architectural character of the site and would provide additional sources of nighttime lighting. (Mitigation: Implementation of measures to minimize the visual impacts of the design and measures to reduce light and glare would reduce the impacts to a less-than-significant level.)

AIR QUALITY

Impact AIR-1: (DEIR pages 155 to 157) – Construction activities associated with the project would generate short-term emissions of criteria pollutants. (Mitigation: Implementation of measures to reduce construction emissions would reduce the impacts to a less-than-significant level.)

HAZARDOUS MATERIALS

Impacts HAZ-1, HAZ-2, HAZ-3, HAZ-4, and HAZ-5: (DEIR pages 187 to 192) – Construction activities associated with the project could entail exposure to hazardous materials. (Mitigation: Implementation of measures which require adherence to existing hazardous materials regulations and development of a site-specific health and safety plan and a soil and groundwater management plan would reduce the impacts to a less-than-significant level.)

HISTORIC RESOURCES

Impacts HIST-1, HIST-2, HIST-3, HIST-6, and HIST-13: (DEIR pages 219 to 221, 225 to 226, and 230) – Construction activities and project design may result in impacts to paleontological, archaeological, and architectural resources. (Mitigation: Implementation of measures to develop pre-construction archaeological testing and construction-period monitoring plans, documentation of potential designated historic properties proposed for demolition, and review of streetscape design for compatibility with historic resources would reduce the impacts to a less-than-significant level.) Note that Mitigation Measures HIST-2a and HIST-2b have been expanded in the Responses to Comments document to address comments received about the potential historic Chinese settlement in the Uptown area.

HYDROLOGY

Impacts HYD-1, HYD-2, and HYD-3: (DEIR pages 81 to 84) – Construction activities and project operation could result in water quality impacts. (Mitigation: Implementation of measures to develop a stormwater pollution prevention plan and compliance with the requirements of the stormwater management plan would reduce the impacts to a less-than-significant level.)

NOISE

Impacts NOISE-1, NOISE-2, and NOISE-3: (DEIR pages 169 to 176) – Construction activities, off-site traffic, and on-site noise could result in exposure to increased noise levels. (Mitigation: Implementation of measures to reduce short-term construction and long-term operational noise would reduce the impacts to a less-than-significant level.)

TRANSPORTATION

Impacts TRANS-1, TRANS-2, TRANS-4, TRANS-5, TRANS-6, TRANS-7, TRANS-8, TRANS-9, TRANS-10, TRANS-12, TRANS-13, TRANS-14: (DEIR pages 123 to 124, and 131 to 135) – An increase in vehicle traffic from the project in Year 2010 and Year 2025 conditions could result in increased vehicle delay at several intersections. (Mitigation: Implementation of measures to optimize signal timing and coordination, as well as lane restriping, at these intersections would reduce the impacts to a less-than-significant level.)

WIND

Impact WIND-1: (DEIR page 261) – Construction of 19-story buildings on Blocks 5 and 7 could result in high wind speeds. (Mitigation: Implementation of measures to incorporate wind speed reduction features into the design would reduce the impacts to a less-than-significant level.)

The mitigation measures are identified in the Mitigation Monitoring and Reporting Program (MMRP) included in Attachment A. Staff has reviewed the modifications and circumstances surrounding the project and has determined that none of these factors would result in any new significant environmental impacts or a change in the level of significance of impacts previously identified. None of the circumstances calling for preparation of a subsequent or supplemental EIR are present. Revisions to the project description since certification of the EIR include changes to the number of residential units (a slight reduction), amount of commercial space (a slight increase), roadway configurations and driveway locations. Additional traffic analysis (included in Attachment C.3) indicates no substantial change in project effects as a result of the changes to the project description. In addition, no changes to the surrounding area or presentation of substantial new information have occurred that would require preparation of a Subsequent or Supplemental EIR. A copy of the EIR was submitted to the City Council under separate cover and is available for public review at the City Clerk's office and at the Planning and Zoning Division office.

SUSTAINABLE OPPORTUNITES

Economic: The project would expand housing inventory, enhance the desirability of the surrounding area, and generate short-term construction jobs. A new City park would enhance the desirability of downtown venues for residents and visitors.

Environmental: This urban infill development will provide increased affordable housing opportunities with community amenities close to public transit. The City park will increase much needed park acreage in Oakland in an area that is currently underserved.

Social Equity: The project would provide high-quality affordable housing and improved recreational amenities for this area of Oakland.

DISABILITY AND SENIOR CITIZEN ACCESS

The proposed General Plan Amendment and Rezoning would not directly affect accessibility for disabled community members or senior citizens. However, the Uptown project must meet all the applicable accessibility requirements as part of the building permit process.

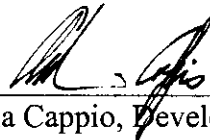
RECOMMENDATION(S) AND RATIONALE

Staff recommends that the City Council approve the proposed General Plan Amendment and Rezoning for the City park site located within the Uptown Project area.

ACTION REQUESTED OF THE CITY COUNCIL

1. To adopt a City Council Resolution based on the attached findings to amend the General Plan designation of the Uptown Project Parcel 5, a 25,000 square-foot area located in the middle of the block bounded by San Pablo Avenue to the west, William Street to the north, Telegraph Avenue to the east and 19th Street to the south, from Central Business District to Park and Urban Open Space.
2. To introduce a City Council Ordinance based on the attached findings to rezone a 25,000 square-foot area located in the middle of the block bounded by San Pablo Avenue to the west, William Street to the north, Telegraph Avenue to the east and 19th Street to the south, from C-51 Central Business Service District/S-17 Downtown Residential Open Space Combining Zone to OS Open Space (Neighborhood Park).


Respectfully submitted,



Claudia Cappio, Development Director

Prepared by:
Catherine Payne, Planner IV
Planning and Zoning

APPROVED AND FORWARDED TO THE
COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE:



OFFICE OF THE CITY ADMINISTRATOR

ATTACHMENTS:

- A: June 1, 2005 Staff Report to the Planning Commission
- B: Vesting Tentative Map showing changes in General Plan land use designations and zoning classifications

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APPROVED AS TO FORM AND LEGALITY:


DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C. M. S.

INTRODUCED BY COUNCILMEMBER _____

A RESOLUTION TO CHANGE THE GENERAL PLAN DESIGNATION OF A 25,000 SQUARE-FOOT PORTION OF THE BLOCK BOUNDED BY SAN PABLO AVENUE TO THE WEST, WILLIAM STREET TO THE NORTH, TELEGRAPH AVENUE TO THE EAST AND 19TH STREET TO THE SOUTH FROM CENTRAL BUSINESS DISTRICT TO PARK AND URBAN OPEN SPACE.

WHEREAS, the General Plan Amendment will allow implementation of the Uptown Project which includes infill mixed-use development in close proximity to mass transit consistent with General Plan policies; and

WHEREAS, according to the City of Oakland's "Guidelines for Determining Project Conformity with the General Plan and Zoning Regulations" (Guidelines), passed by the Planning Commission on May 6, 1998, the site's current General Plan land use designations do not allow the proposed recreation use; and

WHEREAS, according to the Guidelines, Park and Urban Open Space General Plan land use designation would allow the proposed recreation use; and

WHEREAS, the City Council finds that a General Plan Amendment to facilitate development of the Uptown Project is in the public interest; and

WHEREAS, the City Council makes the following findings (a) through (d) as required by the General Plan Administration Section of the General Plan for a General Plan Amendment (as specified in Objective a3 of the Land Use and Transportation Element (LUTE):

- **Findings (a) and (b).** The amendment advances General Plan implementation and is consistent with the General Plan, including without limitation, the policies in the LUTE. Amending the General Plan land use designations for the City park site from Central Business District to Park and Urban Open Space to facilitate development of the Uptown Project implements the LUTE and other General Plan policies. The General Plan Amendment and the project are consistent with and implement the following LUTE and OSCAR policies:

Policy I/C3.3: Clustering Activity in "Nodes." Retail uses should be focused in "nodes" of activity, characterized by geographic clusters of concentrated commercial activity, along corridors that can be accessed through many modes of transportation.

The project includes retail space along Telegraph Avenue, in support of and adding to existing, concentrated commercial activity along the Telegraph Avenue corridor. The entire project is located within one-quarter mile

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of AC Transit bus stops serving both regional and local bus lines and the BART 19th Street station serving this regional transportation mode.

I/C3.4: Strengthening Vitality. The vitality of existing neighborhood mixed use and community commercial areas should be strengthened and preserved.

The project includes high-density residential uses adjacent to the downtown area. This use expands and strengthens the market for commercial, entertainment and employment land uses in the vicinity.

I/C3.5: Promoting Culture, Recreation, and Entertainment. Cultural, recreational, and entertainment uses should be promoted within the Downtown, particularly in the vicinity of the Fox and Paramount Theaters, and within the Jack London Square area.

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The project includes high-density residential and commercial uses located within one-quarter mile of AC Transit bus stops serving both regional and local bus lines and the BART 19th Street station serving this regional transportation mode.

Policy T2.2: Guiding Transit-Oriented Development. Transit-oriented development should be pedestrian-oriented, encourage night and day time use, provide the neighborhood with needed goods and services, contain a mix of land uses, and be designed to be compatible with the character of surrounding neighborhoods.

The project includes extensive streetscape improvements, pedestrian safety features, retail uses, and a City park, all intended to enrich the pedestrian and general public experience of the area.

Policy T2.3: Promoting Neighborhood services. Promote neighborhood-serving commercial development within one-quarter to one-half mile of established transit routes and nodes.

The project includes 9,000 square feet of ground floor commercial space along Telegraph Avenue and within close proximity to BART and AC Transit. The proposed commercial space enhances existing the existing commercial district in the project vicinity.

Policy T2.3: Linking Transportation and Activities. Link transportation facilities and infrastructure improvements to recreational uses, job centers, commercial nodes, and social services (i.e., hospitals, parks, or community centers).

The project involves intensifying recreational uses and housing opportunities near existing transit and transportation facilities, including BART, AC Transit and Interstate 880.

Policy D5.1: Encouraging Twenty-Four Hour Activity. Activities and amenities that encourage pedestrian traffic during the work week, as well as evenings and weekends should be promoted.

The project provides residential and commercial uses adjacent to the downtown area. Proposed residential activities will complement existing commercial and cultural activities in the downtown and immediate vicinity for which there is otherwise no audience during non-work hours. In addition, residential and recreational

activities will encourage pedestrian traffic to and from the project at all hours of the day and all days of the week.

Policy D6.1: Developing on vacant land or to replace surface parking lots should be encouraged throughout the downtown, where possible.

The project would replace an existing surface parking lot and garage, as well as other underutilized land uses, in the downtown area with residential, recreational and commercial uses.

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The project would provide 665 residential units in the downtown area.

Policy D10.2: Locating Housing. Housing in the downtown should be encouraged in identifiable districts, within walking distance of the 12th Street, 19th Street, City Center, and Lake Merritt BART stations to encourage transit use, and in other locations where compatible with surrounding uses.

The project would provide 665 residential units within one-quarter mile of the 19th Street BART station.

Policy D10.6: Creating Infill Housing. Infill housing that respects surrounding development and the streetscape should be encouraged in the downtown to strengthen or create distinct districts.

The project would provide 665 residential units in approximately six-story mid-rise buildings similar to the surrounding area and complementary to the nearby high-rise downtown district.

D11.1: Promoting Mixed-Use Development. Mixed use developments should be encouraged in the downtown for such purposes as to promote its diverse character, provide for needed goods and services, support local art and culture, and give incentive to reuse existing vacant or underutilized structures.

The proposed project is a predominantly residential mixed-use project that includes commercial and recreational uses. The proposed uses enhance the existing diverse character of the area by increasing the market for existing commercial, entertainment and employment uses in the area.

Policy N1.1: Concentrating Commercial Development. Commercial development in the neighborhoods should be concentrated in areas that are economically viable and provide opportunities for smaller-scale, neighborhood-oriented retail.

The proposed project includes new ground floor commercial space along Telegraph Avenue, an existing commercial district. The new commercial uses would contribute to a continuous commercial street frontage that is currently disrupted by a surface parking lot.

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 of Oakland.

The proposed project is located within a completely urbanized area and constitutes residential infill development within Oakland.

Policy N8.1: Development of Transit Villages. "Transit Village" areas should consist of attached multi-story development on properties near or adjacent to BART stations or other well-used or high volume transit facilities, such as light rail, train, ferry stations, or multiple-bus transfer locations. While residential units should be encouraged as part of any transit village, other uses may be included where they will not negatively affect the residential living environment.

The proposed project is a multi-story residential mixed-use project located near BART and AC Transit and is consistent with the "Transit Village" terminology.

Policy OS-4.1: Provision of Useable Open Space. Continue to require new multi-family development to provide useable outdoor open space for its residents.

The proposed project exceeds the zoning requirements for on-site usable open space for the new multi-family residential land uses (see Zoning Analysis subsection below). In addition, the project includes the provision of a 25,000 square-foot City park to meet the needs of downtown residents for public open space.

Policy OS-11.1: Access to Downtown Open Space. Provide better access to attractive, sunlit open spaces for persons working or living in downtown Oakland. The development of rooftop gardens is encouraged, especially on parking garages.

The proposed project exceeds the zoning requirements for on-site usable open space for the new multi-family residential land uses (see Zoning Analysis subsection below). In addition, the project includes the provision of a 25,000 square-foot City park to meet the needs of downtown residents for public open space.

Policy REC-3.1: Level of Service Standards. Use the level of service of standards in Table 15 (Level of Service Standards for Oakland Parks) as a means of determining where unmet needs exist and prioritizing future capital investments.

The OSCAR establishes a goal of 4.0 acres of local-serving park acreage per 1,000 residents. The project would result in an overall increase in population by 1060 residents (this calculation assumes the provision of 665 new residential units, replacing 34 existing units with a formula of 1.68 persons per unit, based on The Uptown Mixed use Project EIR--see discussion below). Accordingly, 4.24 acres of local new local-serving park is required in order to meet the stated goal. The proposed project includes 0.57 acre of parkland. However, the OSCAR also acknowledges that, "While the ultimate goal is to achieve these standards in every Oakland neighborhood, the city's built-out character presents a major obstacle in most cases. The immediate goal is to make significant inroads in the gap between what exists now and what is ultimately desired. The City should work towards reducing that gap in its annual capital improvement program." (page 4-40) The proposed project meets the overall intent and spirit of the policy by providing a significant amount of new public open space in the downtown area.

- **Finding (c).** There are no General Plan inconsistencies to be reconciled. The project would be consistent with the policies of the General Plan.
- **Finding (d).** The General Plan Amendment would not have a citywide impact, except that it is consistent with and would promote LUTE and other General Plan policies, including without limitation, LUTE and OSCAR policies related to the provision of infill housing and creation of new public open space; and

WHEREAS, at the duly noticed February 18, 2004 Planning Commission meeting, the Commission independently reviewed and considered an Environmental Impact Report (EIR) for the Uptown Project and (1) certified the EIR; and (2) adopted a Mitigation and Monitoring Reporting Program in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines; and

WHEREAS, the City has reviewed the proposed changes to the project and circumstances surrounding the project and hereby finds and determines on the basis of substantial evidence in the record that the EIR fully analyzes the potential environmental effects of the project and incorporates mitigation measures to substantially lessen or avoid any potentially significant impacts in accordance with CEQA. None of the circumstances necessitating preparation of additional CEQA review as specified in CEQA and the CEQA Guidelines, including without limitation Public Resources Code Section 21166 and CEQA Guidelines Section 15162, are present in that (1) there are no substantial changes proposed in the project or the circumstances under which the project is undertaken that would require major revisions of the EIR due to the involvement of new environmental effects or a substantial increase in the severity of previously identified significant effects; and (2) there is no "new information of substantial importance" as described in CEQA Guidelines Section 15162(a)(3); and

WHEREAS, at the duly noticed June 1, 2005 Planning Commission meeting, the Commission took the following actions: 1) Conditionally approved the Preliminary Planned Unit

Development for the Uptown project (Parcels 1, 2, 3, 4 and park), the Final Planned Unit Development for Parcels 1, 2, 3 and park, Design Review, Conditional use Permit and Variance applications; 2) Conditionally approved the Vesting Tentative Map; 3) Found that the proposed street vacations are consistent with the General Plan and recommended that the City Council adopt an ordinance to conditionally vacate portions of Thomas L. Berkley Way, William Street, and 19th Street between San Pablo Avenue and Telegraph Avenue and quit claiming the underlying fee interests in the vacated rights-of-way to the Oakland Redevelopment Agency; and 4) Recommended approval of the proposed General Plan Amendment and Rezoning to the City Council; now, therefore be it

RESOLVED: That the Community and Economic Development Agency is directed (1) to take all steps necessary to revise the General Plan diagrams to facilitate development of the approved Uptown Project, including changes to the land use designations of a 25,000 square-foot portion of the block bounded by San Pablo Avenue to the west, William Street to the north, Telegraph Avenue to the east and 19th Street to the south from Central Business District to Park and Urban Open Space; and (2) to file a Notice of Determination with the Clerk of Alameda County in accordance with CEQA Guidelines Section 15075.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

Brunner, Kernighan, Nadel, Quan, De La Fuente, Brooks, Reid, Chang

AYES--

NOES--

ABSENT--

ABSTENTION--

ATTEST:

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

Heather White

NOTICE AND DIGEST

AN ORDINANCE TO REZONE A 25,000 SQUARE-FOOT SITE LOCATED IN THE MIDDLE OF THE BLOCK BOUNDED BY SAN PABLO AVENUE TO THE WEST, THOMAS L. BERKLEY WAY TO THE NORTH, TELEGRAPH AVENUE TO THE EAST AND 19TH STREET TO THE SOUTH FROM C-51 CENTRAL BUSINESS SERVICE DISTRICT/S-17 DOWNTOWN RESIDENTIAL OPEN SPACE COMBINING ZONE TO OS OPEN SPACE (NEIGHBORHOOD PARK).

7-1

**COMMUNITY & ECONOMIC
DEVELOPMENT CMTE**

JUN 14 2005

2005 JUN -2 PM 7:22

APPROVED AS TO FORM AND LEGALITY:



DEPUTY CITY ATTORNEY

INTRODUCED BY CONCILMEMBER _____

ORDINANCE NO. _____ C. M. S.

AN ORDINANCE TO REZONE A 25,000 SQUARE-FOOT SITE LOCATED IN THE MIDDLE OF THE BLOCK BOUNDED BY SAN PABLO AVENUE TO THE WEST, THOMAS L. BERKLEY WAY TO THE NORTH, TELEGRAPH AVENUE TO THE EAST AND 19TH STREET TO THE SOUTH FROM C-51 CENTRAL BUSINESS SERVICE DISTRICT/S-17 DOWNTOWN RESIDENTIAL OPEN SPACE COMBINING ZONE TO OS OPEN SPACE (NEIGHBORHOOD PARK).

WHEREAS, by the publication and posting of the notices as required, the Council of the City of Oakland did initiate proceedings for the proposed rezoning of a 25,000 square-foot portion of the block bounded by San Pablo Avenue to the west, William Street to the north, Telegraph Avenue to the east and 19th Street to the south, from C-51 Business Service District/S-17 Downtown Residential Open Space Combining Zone to OS Open Space (Neighborhood Park); and

WHEREAS, the rezoning of the subject properties will allow implementation of the Uptown Project which includes infill mixed-use development in close proximity to mass transit and new public open space consistent with General Plan policies; and

WHEREAS, the City Council finds that the existing zoning classifications for the site of C-51 Business Service District/S-17 Downtown Residential Open Space Combining Zone is inadequate or otherwise contrary to the public interest because they would preclude development of the City park component of the Uptown Project. The existing zoning classifications do not allow the recreation uses that are included in the project. As a result, the project benefits will not be realized without the proposed rezoning. Furthermore, the existing zoning classifications are inconsistent with the new General Plan land use designation for the site of Park and Urban Open

7-2

COMMUNITY & ECONOMIC
DEVELOPMENT CMTE

JUN 14 2005

Space. The proposed rezoning will remedy this inconsistency. Therefore, the City Council approves the Commission's recommendation to rezone the project site; and

WHEREAS, the rezoning of the subject site will be consistent with the amended General Plan land use designation of Park and Urban Open Space; and

WHEREAS, at the duly noticed February 18, 2004 Planning Commission meeting, the Commission independently reviewed and considered an Environmental Impact Report (EIR) for the Uptown Project and (1) certified the EIR; and (2) adopted a Mitigation and Monitoring Reporting Program in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines; and

WHEREAS, the City hereby finds and determines on the basis of substantial evidence in the record that the EIR fully analyzes the potential environmental effects of the project and incorporates mitigation measures to substantially lessen or avoid any potentially significant impacts in accordance with CEQA. None of the circumstances necessitating preparation of additional CEQA review as specified in CEQA and the CEQA Guidelines, including without limitation Public Resources Code Section 21166 and CEQA Guidelines Section 15162, are present in that (1) there are no substantial changes proposed in the project or the circumstances under which the project is undertaken that would require major revisions of the EIR due to the involvement of new environmental effects or a substantial increase in the severity of previously identified significant effects; and (2) there is no "new information of substantial importance" as described in CEQA Guidelines Section 15162(a)(3); and

WHEREAS, at the duly noticed June 1, 2005 Planning Commission meeting, the Commission took the following actions: 1) Conditionally approved the Preliminary Planned Unit Development for the Uptown project (Parcels 1, 2, 3, 4 and park), the Final Planned Unit Development for Parcels 1, 2, 3 and park, Design Review, Conditional use Permit and Variance applications; 2) Conditionally approved the Vesting Tentative Map; 3) Found that the proposed street vacations are consistent with the General Plan and recommended that the City Council adopt an ordinance to conditionally vacate portions of Thomas L. Berkley Way, William Street, and 19th Street between San Pablo Avenue and Telegraph Avenue and quit claiming the underlying fee interests in the vacated rights-of-way to the Oakland Redevelopment Agency; and 4) Recommended approval of the proposed General Plan Amendment and Rezoning to the City Council; and

WHEREAS, said ordinance was duly published and notice thereof and of the time and place of hearing thereon was duly posted in accordance with the requirements; and

WHEREAS, this Council has, at the time of said hearing, heard and considered all the evidence, both oral and written, offered by all persons interested in or objecting to the proposed rezoning of the subject site; and

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. That the Council of the City of Oakland does hereby find and determine the foregoing recitals to be true and correct and hereby makes them part of this ordinance.

- SECTION 2. That the requirements of the California Environmental Quality Act and National Environmental Policy Act have been met through approval by the Planning Commission in February 2004 of an EIR.
- SECTION 3. The City Clerk and Clerk of this Council is hereby directed to have a certified copy of this ordinance recorded in the Office of the Recorder of Alameda County, California, immediately upon its final passage. Upon such recordation of this ordinance, the rezoning of the project site as described above is complete.
- SECTION 4. The Community and Economic Development Agency is directed (1) to take all steps necessary to revise the zoning classification diagrams to facilitate development of the approved Uptown Project, including changes to the zoning classifications for the City park site to OS Open Space (Neighborhood Park) in substantial conformance with Attachment B to this report; and (2) to file a Notice of Determination with the Clerk of Alameda County in accordance with CEQA Guidelines Section 15075.
- SECTION 5. If any provision of this ordinance or the application thereof is held invalid, the remainder of this ordinance and the application that is not invalid shall not be affected thereby.
- SECTION 6. This ordinance shall govern to the extent any provisions of the Planning Code conflict with this ordinance.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

Brunner, Kernighan, Nadel, Quan, De La Fuente, Brooks, Reid, Chang

AYES-

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the
Council of the City of Oakland,
California

**ATTACHMENT A:
PLANNING COMMISSION STAFF REPORT**

7

**COMMUNITY & ECONOMIC
DEVELOPMENT CMTE**

JUN 14 2005

Planning Commission

June 1, 2005

Case Files: PUD05037;PUDF05047;TTM7616;ER030007;GP05105;RZ05106

**ATTACHMENT A:
PROJECT PLANS AND ELEVATIONS**

UPTOWN OAKLAND

DEVELOPMENT PLAN RESUBMITTAL

Open Space Summary

Parcel	Open Space	Units	Ratio
Parcel 1	28,000 sq ft	250 du	100% 28,000
Parcel 2	120,000 sq ft	1,100 du	90% 120,000
Parcel 3	28,000 sq ft	217 du	137% 28,000
Total	176,000 sq ft	1,667 du	111% 176,000
Park	220,000 sq ft	1,600 du	138% 220,000
Total including park	396,000 sq ft	3,267 du	187% 396,000

Parking Summary

Parcel	Max. Avail.	Required	ADA	Handicap	Other	Total
Existing spaces	1	0	0	0	0	1
BR package w/ diagonal parking along San Pablo Avenue	127	0	0	0	0	127
BR package w/ parallel parking along San Pablo Avenue	115	0	0	0	0	115
Original PUD submital w/ parallel parking along San Pablo Avenue	119	0	0	0	0	119
Current PUD submital	94	0	0	0	0	94

Developer:
E.C. Oakland, Inc.
3785 Market Street, 14th Floor
San Francisco, CA 94103
Contact: Susan Smartt
Ph: 415.836.5980

Architect:
McLarand Vasquez Emsiek & Partners
350 Frank Ogawa Plaza, Suite 1000
Oakland, CA 94612
Contact: Scott R. Gellera
Ph: 510.263.3181

Civil Engineer:
Koyve Engineering
155 Grand Avenue, Suite 400
Oakland, CA 94612
Contact: Scott Argeneek, PE
Ph: 510.769.2929

Landscape Architect:
Ken Kay & Associates
1045 Sansome Street, Studio 321
San Francisco, CA 94111
Contact: Ken Kay
Ph: 415.956.4472

Project Summary

Project Summary Parcels 1,2&3 Development Plan Resubmittal

Unit Type	Area	Parcel #1	Parcel #2	Parcel #3	Total Density	Percentage	Subtotal
STANDARD							
Junior 1 Bedrooms							
PLAN-JA 22x30	846 avg. s.f.	25 du	30 du	12	67 du	10.08%	15.79%
PLAN-JB 22x30	844 avg. s.f.	38 du	0 du	0	38 du	5.71%	
1 Bedrooms							
PLAN-1A 25x32	775 avg. s.f.	0 du	30 du	0	30 du	4.51%	44.81%
PLAN-1B 25x30	733 avg. s.f.	99 du	84 du	85 du	268 du	40.30%	
2 Bedrooms							
PLAN-2B 35x30	1,068 avg. s.f.	87 du	30 du	61 du	158 du	23.78%	74.51%
PLAN-2C 35x30	1,080 avg. s.f.	0 du	5 du	0	5 du	0.75%	
CUSTOM P1							
Junior 1 Bedrooms							
PLAN-P1-A	739 avg. s.f.	5 du			5 du	0.75%	0.75%
2 Bedrooms							
PLAN-P1-2B	1,044 avg. s.f.	2 du			2 du	0.30%	0.30%
PLAN-P1-2C	1,210 avg. s.f.	5 du			5 du	0.75%	
3 Bedrooms							
PLAN-P1-3A	1,110 avg. s.f.	5 du			5 du	0.75%	1.50%
PLAN-P1-3B	1,591 avg. s.f.	5 du			5 du	0.75%	
PLAN-P1-3D	1,717 avg. s.f.	4 du			4 du	0.60%	
CUSTOM P2							
2 Bedrooms							
PLAN-P2-2A	1,036 avg. s.f.		5 du		5 du	0.75%	0.80%
PLAN-P2-2B	1,251 avg. s.f.		1 du		1 du	0.15%	
3 Bedrooms							
PLAN-P2-3A	1,650 avg. s.f.		4 du		4 du	0.60%	1.20%
PLAN-P2-3B	1,489 avg. s.f.		4 du		4 du	0.60%	
CUSTOM P3							
Studios							
PLAN-P3-SA	526 avg. s.f.		23 du	20 du	43 du	3.01%	3.01%
1 Bedroom							
PLAN-P3-1B	879 avg. s.f.		2 du	2 du	4 du	0.51%	0.51%
PLAN-P3-1C	902 avg. s.f.		1 du	1 du	2 du	0.15%	
2 Bedrooms							
PLAN-P3-2A	1,084 avg. s.f.		8 du	6 du	14 du	1.26%	1.26%
PLAN-P3-2B	1,013 avg. s.f.		1 du	1 du	2 du	0.15%	
PLAN-P3-2C	1,104 avg. s.f.		4 du	4 du	8 du	0.60%	
PLAN-P3-2D	1,063 avg. s.f.		10 du	10 du	20 du	3.32%	
3 Bedrooms							
PLAN-P3-3A	1,208 avg. s.f.		10 du	10 du	20 du	1.50%	1.50%
PLAN-P3-3B	1,541 avg. s.f.		3 du	3 du	6 du	0.45%	
Parcels 1,2&3 Totals							
		Parcel 1	Parcel 2	Parcel 3	Total # of Units		
		255 du	103 du	217 du	675 du		
Parcels 1,2&3 Unit Percentages							
Studios	526 avg. s.f.	0 du	0 du	20 du	20 du	3.01%	
Junior 1 Bedrooms	651 avg. s.f.	68 du	30 du	12 du	110 du	16.34%	
1 Bedrooms	739 avg. s.f.	99 du	114 du	86 du	301 du	44.60%	
2 Bedrooms	1,032 avg. s.f.	74 du	41 du	84 du	199 du	29.48%	
3 Bedrooms	1,504 avg. s.f.	14 du	6 du	13 du	33 du	4.89%	
TOTAL	848 avg. s.f.	255 du	193 du	217 du	675 du	100.00%	
Parcels 1,2 & 3 On-Site Parking Totals							
Parcel	Compad	Accessible	Standard	Total	Parking Ratio		
Parcel 1	66 spaces	1 spaces	143 spaces	210	89%		
Parcel 2	11 spaces	5 spaces	117 spaces	133	96%		
Parcel 3	84 spaces	6 spaces	110 spaces	190	67%		
TOTAL	161 spaces	12 spaces	370 spaces	543	80%		

UPTOWN OAKLAND

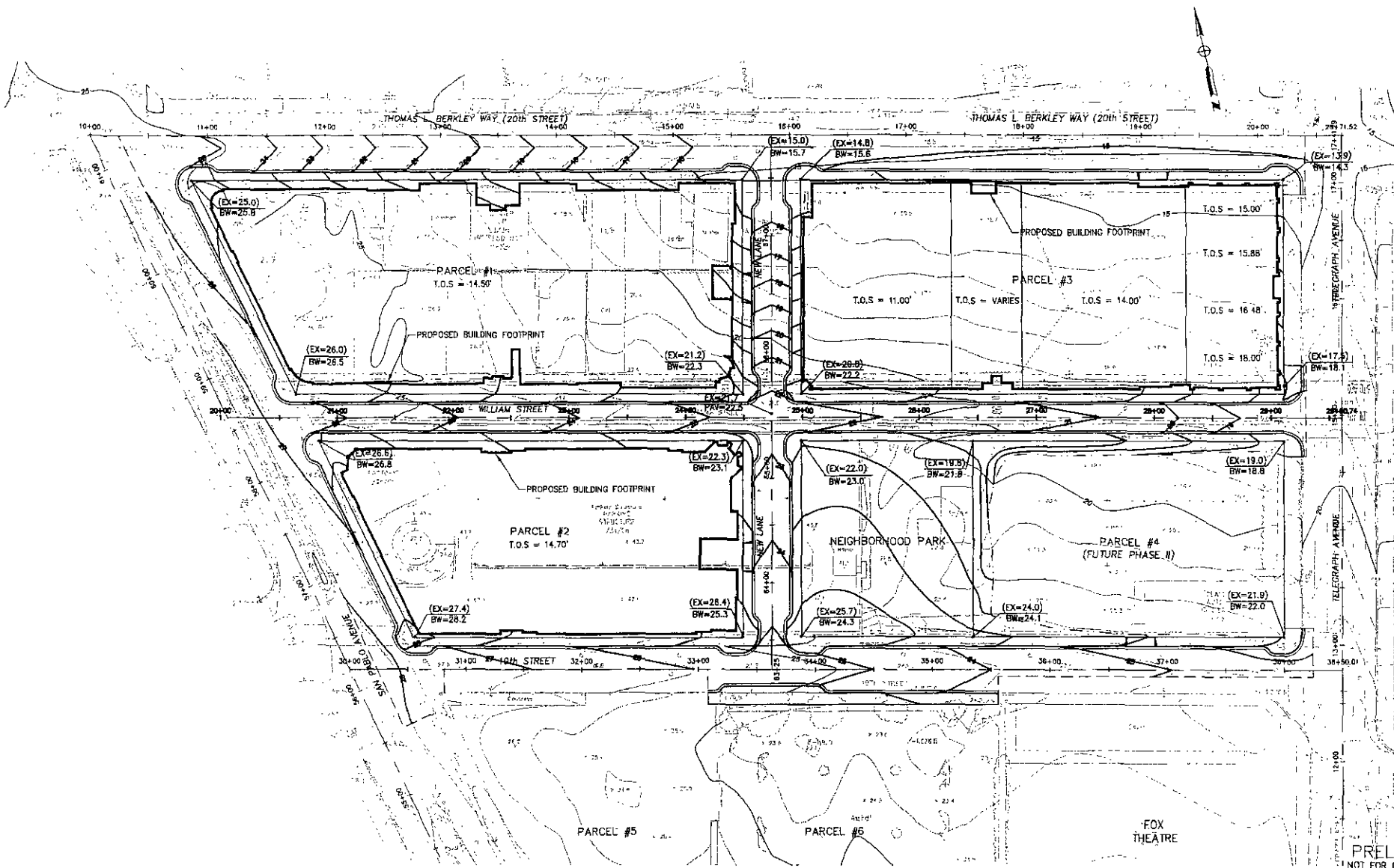


DEVELOPMENT PLAN RESUBMITTAL

McLarand Vasquez Emsiek & Partners

Oakland, California

SCALE: No Scale



PRELIMINARY
NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION	REVISED	CHECKED	APPROVED
REVISIONS					

DESIGNED	BLW
DRAWN	LRF
CHECKED	
REVIEWED	SJA
APPROVED	
DATE	

K Korve Engineering
 155 GRAND AVENUE, SUITE 400
 OAKLAND, CALIFORNIA 94612
 (916) 763-2528

FOREST CITY DEVELOPMENT
 785 MARKET STREET, 14TH FLOOR
 SAN FRANCISCO, CALIFORNIA 94103

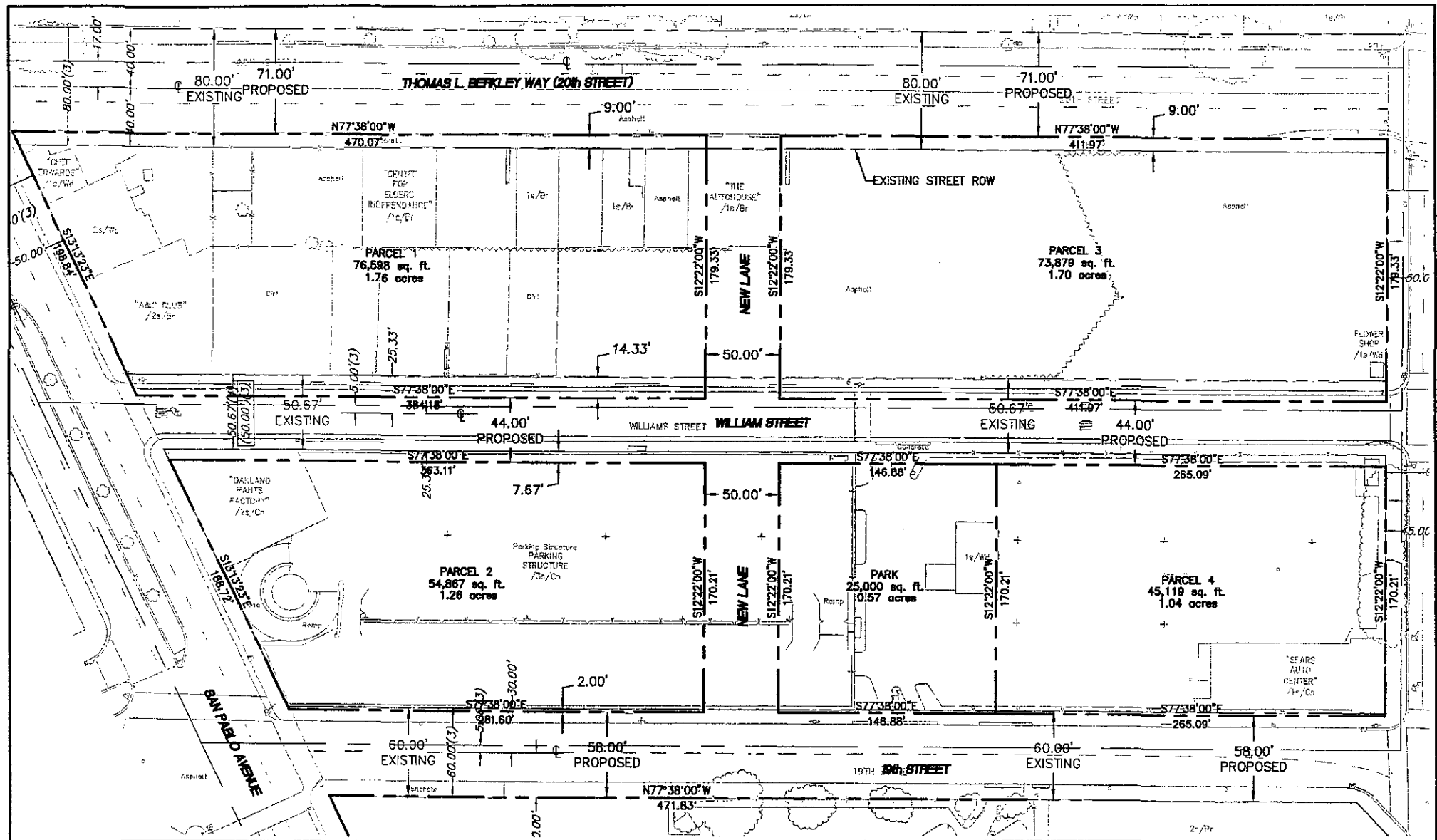
OAKLAND UPTOWN DISTRICT DEVELOPMENT PROJECT
 PHASE I - PARCELS 1 THRU 4 INFRASTRUCTURE

SITE GRADING PLAN
 PHASE I

SCALE 1"=40'
 N/A

DATE 04/12/05

PROJECT NO. C2.0



NO.	DATE	REVISION	DESIGNED	CHECKED	APPROVED
REVISIONS					

TITLE	
DATE	
SCALE	
PROJECT	
CLIENT	
DESIGNED BY	
CHECKED BY	
APPROVED BY	
DATE	

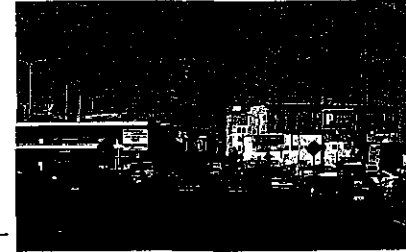
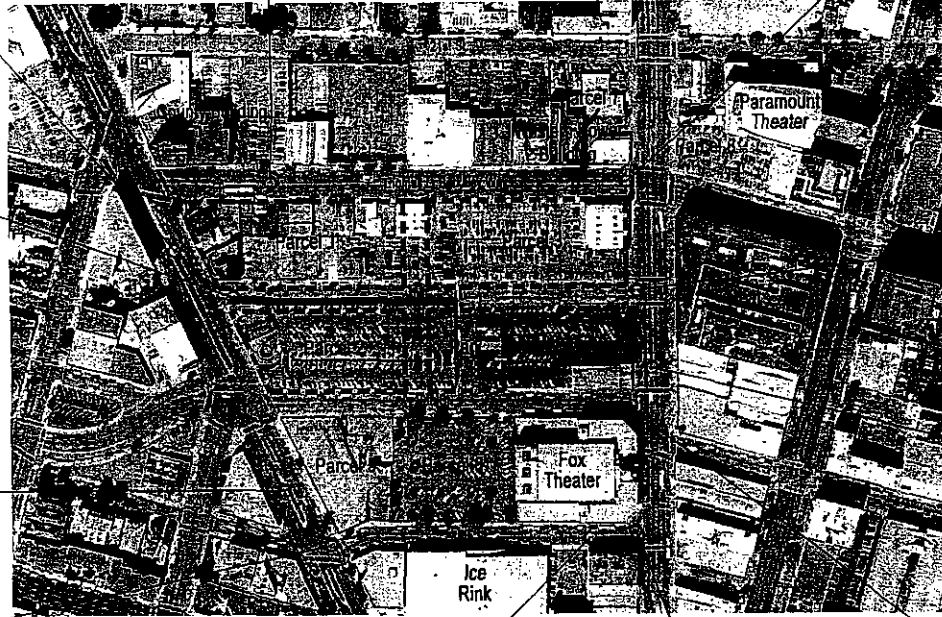
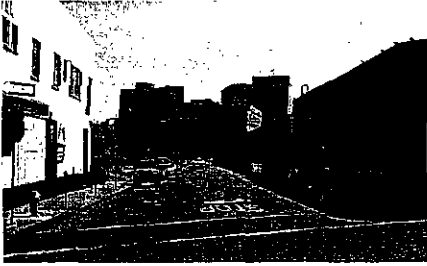


FOREST CITY DEVELOPMENT
 200 MARKET STREET, 14th FLOOR
 SAN FRANCISCO, CALIFORNIA 94102

OAKLAND UPTOWN DISTRICT DEVELOPMENT PROJECT
PARCELS 1 THRU 6 INFRASTRUCTURE

PARCEL DESCRIPTION EXHIBIT
 PARCELS 1, 2, 3, 4 AND PARK

SCALE	1"=50'
DATE	03/02/05
PROJECT	
EX-1	



UPTOWN OAKLAND

FOREST CITY

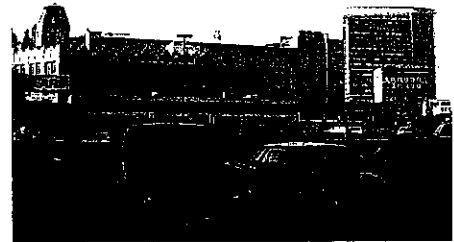
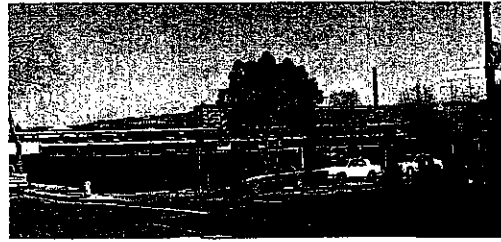
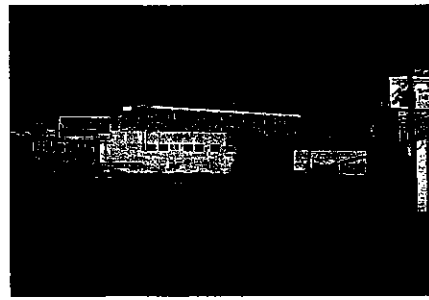
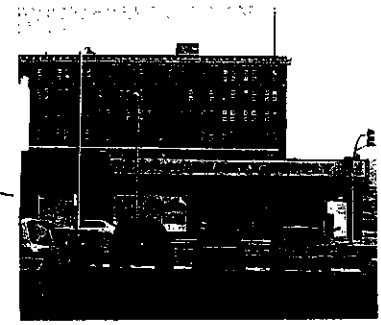
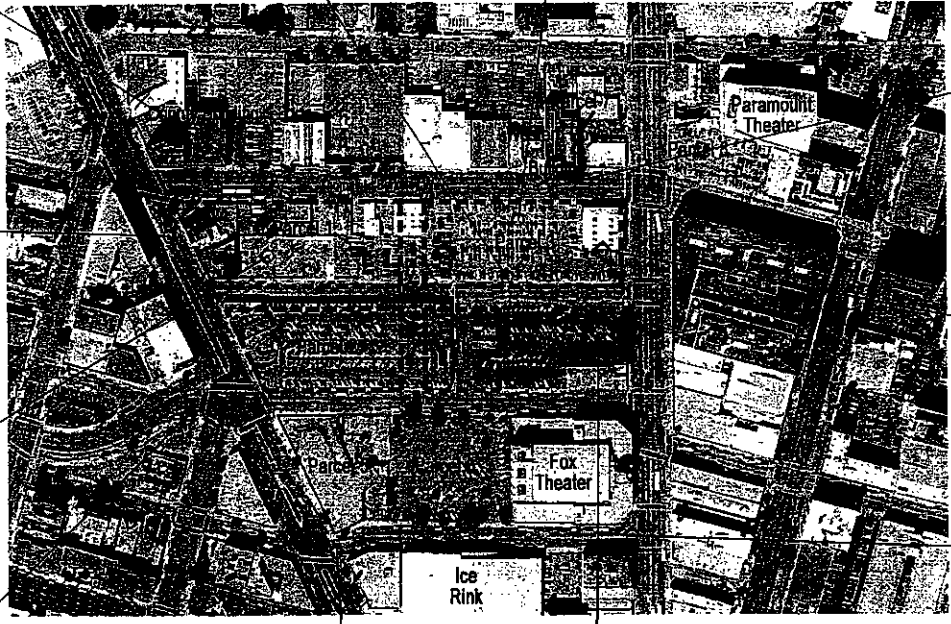
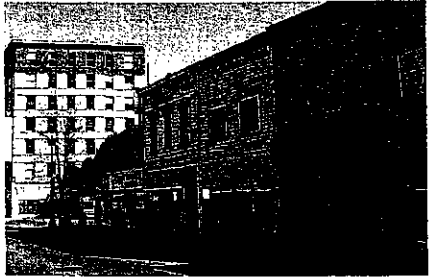
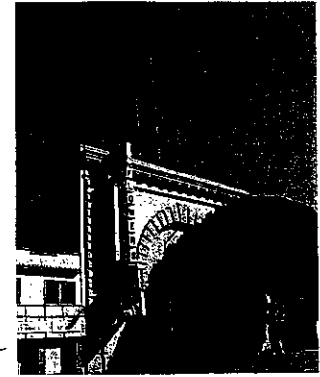
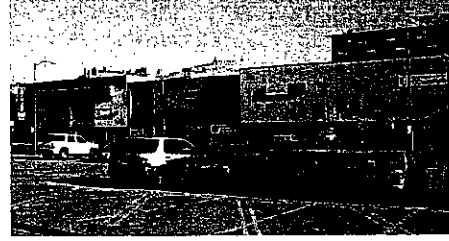
KEN KAY



ASSOCIATES

DEVELOPMENT PLAN
RESUBMITTAL
04 15 2005
DEVELOPMENT PLAN
RESUBMITTAL
12 01 2004 02.22





UPTOWN OAKLAND

FOREST CITY

KEN KAY



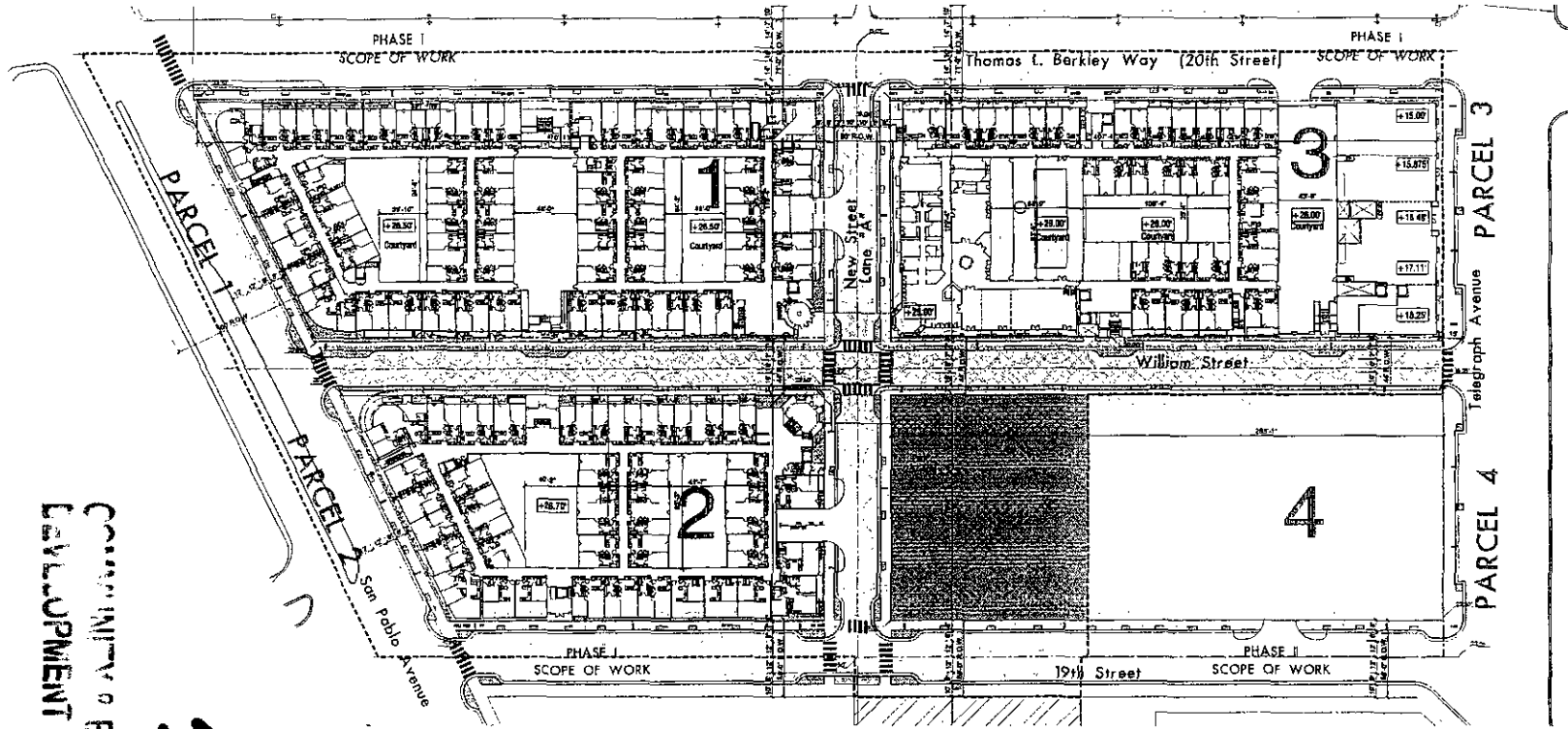
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RESUBMITTAL
04.18.2005
DEVELOPMENT PLAN
SUBMITTAL
12.01.2004 02.05



JUN 14 2005

COMMUNITY & ECONOMIC
DEVELOPMENT CMTTEE

7



UPTOWN OAKLAND

FOREST CITY
CONSULTANTS



LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

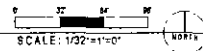
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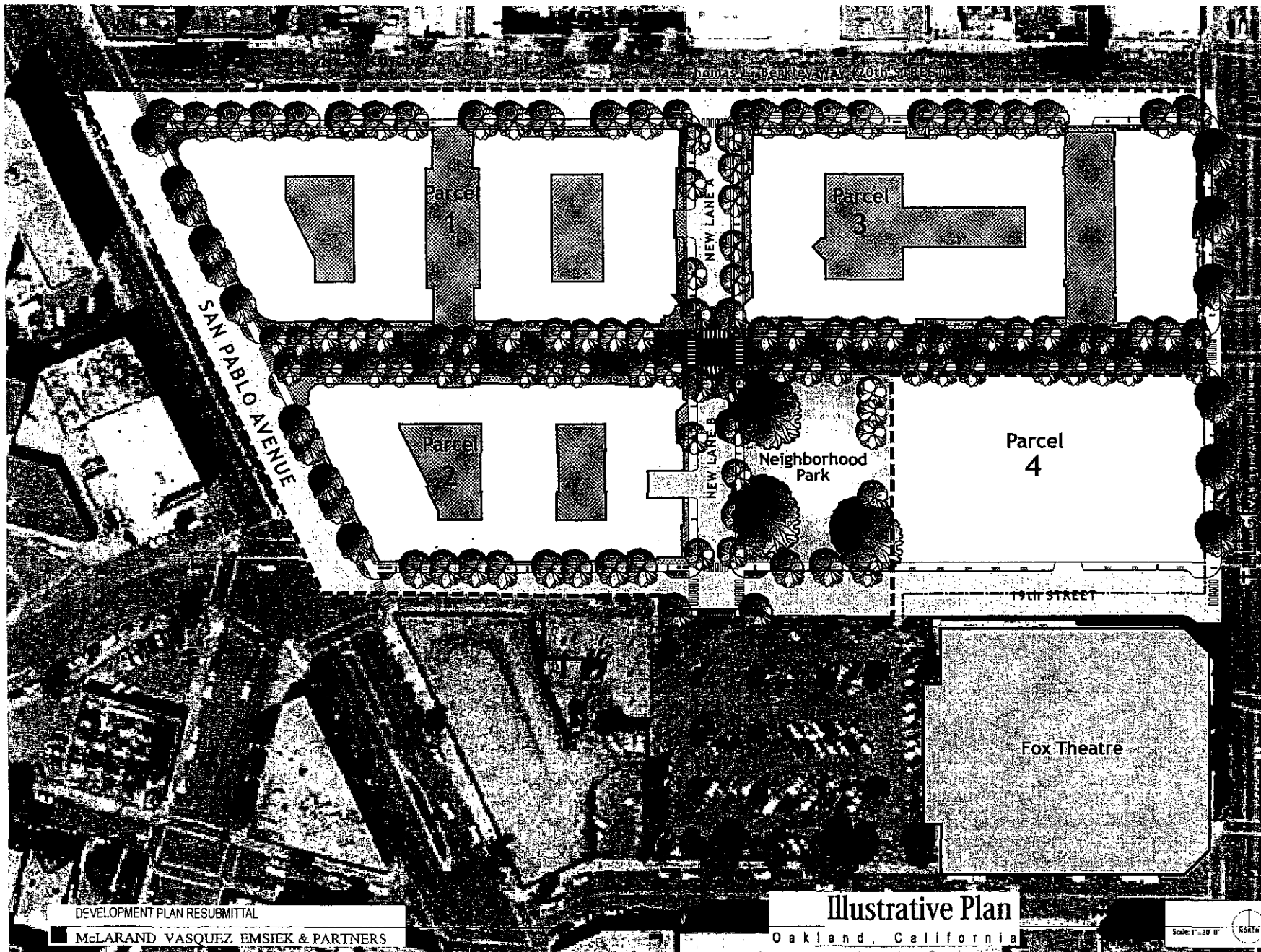
DEVELOPMENT PLAN
SUBMITTAL
12.01.2004 02.23



SITE PLAN

Oakland, California





UPTOWN OAKLAND

FORESTCITY

KENKAY



ASSOCIATES

DEVELOPMENT PLAN RESUBMITTAL

04.18.2005

DEVELOPMENT PLAN SUBMITTAL

12.01.2004

02.00

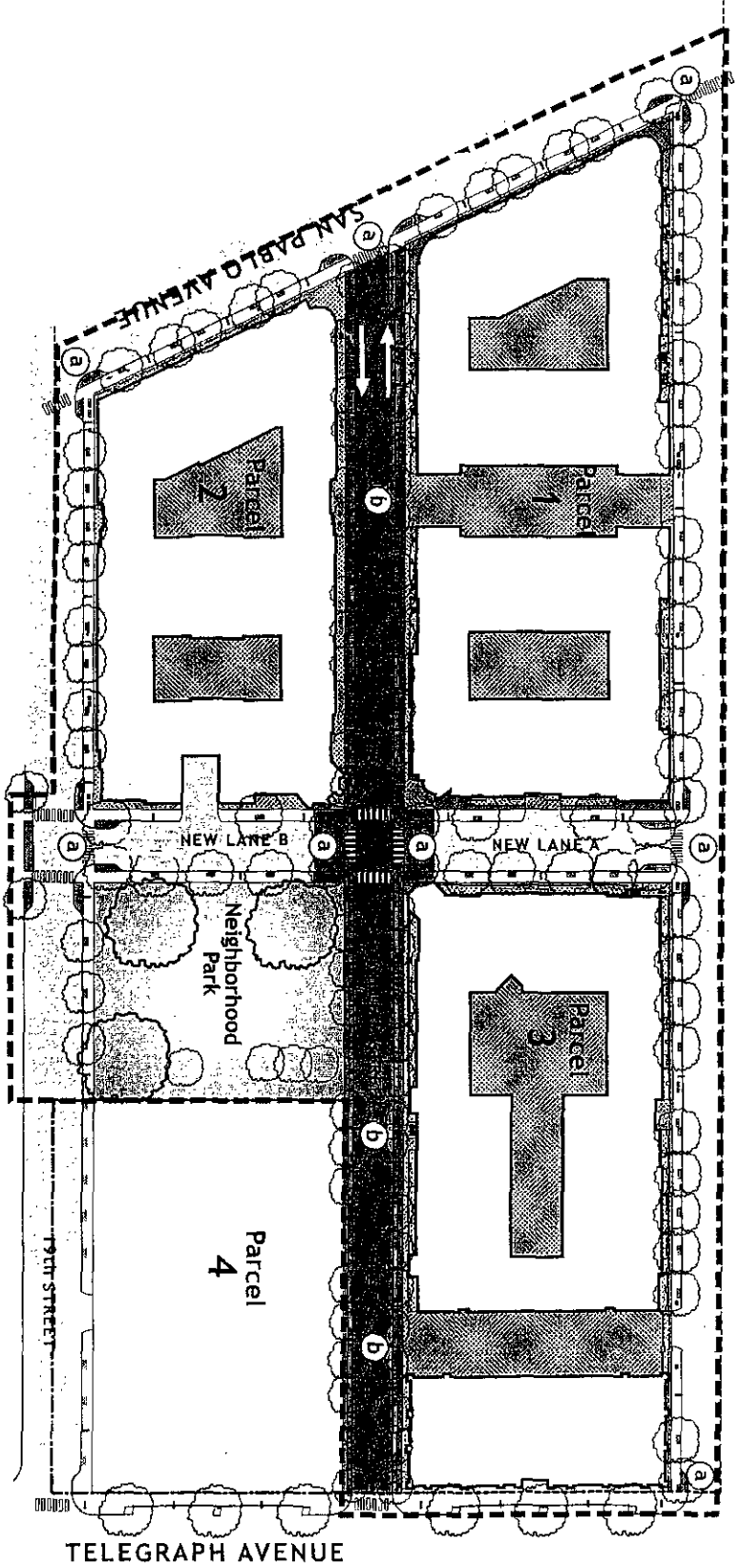


DEVELOPMENT PLAN RESUBMITTAL
McLARAND VASQUEZ EMSIEK & PARTNERS

Illustrative Plan
Oakland, California

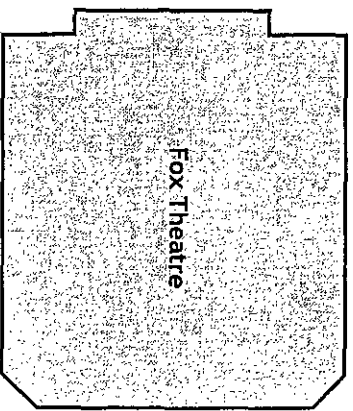
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02414

Thomas L. Berkeley Way (20th Street)



Symbol Legend

- 6' x 3' tree grates on all street sidewalks except for William Street
- Planting @ William Street edges only
- Enhanced paving
- Bollards along both sides of William Street only
- Intersection planting bulb outs
- Midblock planting bulb outs



Landscape Site Plan

Oakland, California

Scale: 1" = 30' 0"



UPTOWN OAKLAND

FOREST CITY

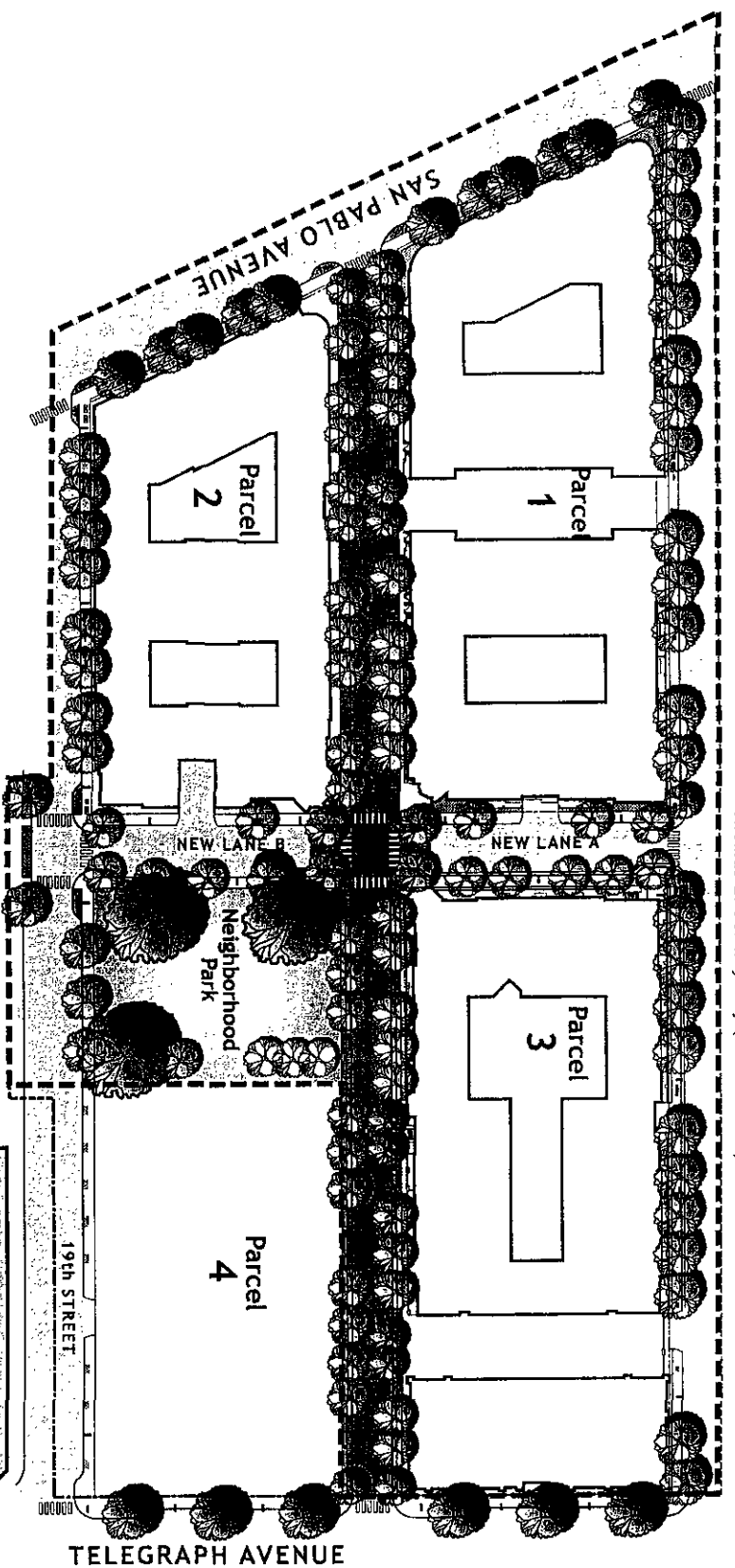
KEN KAY ASSOCIATES

DEVELOPMENT PLAN
RECOMMENDATIONS
14.15.2009

DEVELOPMENT PLAN
RECOMMENDATIONS
17.01.2008

2222

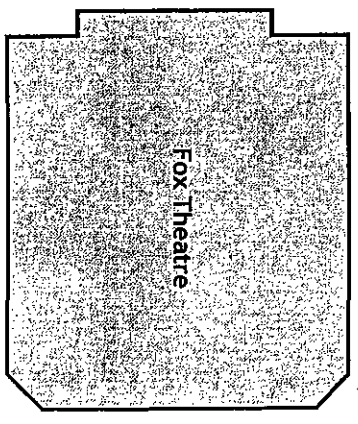
Thomas L. Berkeley Way (20th Street)



CONCEPTUAL TREE LIST

Street Name	Tree Name
WILLIAM STREET	London Plane Tree - <i>Platanus acerifolia</i> 'Varwood'; Maidenhair Tree - <i>Gingko biloba</i> , Chinese Flame Tree - <i>Koelreuteria bipinnata</i> (accent trees at William Street and beginning of New Lane A)
20th STREET	Brisbane Box - <i>Lophostemon confertus</i> (<i>Tristania conferta</i>)
19th STREET	American Ash Tree - <i>Fraxinus oxycarpa</i> 'Raywood'
SAN PABLO AVENUE	London Plane Tree - <i>Platanus acerifolia</i> 'Varwood'
NEW LANES	Artisocrat Pear Tree - <i>Pyrus calleryana</i> 'Artisocrat'

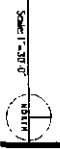
Park	Tree Name
Neighborhood Park	Coast Live Oak Tree - <i>Quercus agrifolia</i> Maidenhair Tree - <i>Gingko biloba</i> Japanese Maple Tree - <i>Acer palmatum</i>



Tree Plan

Oakland, California

DEVELOPMENT PLAN RESUBMITTAL
McLARRAND VASQUEZ EMSIEK & PARTNERS

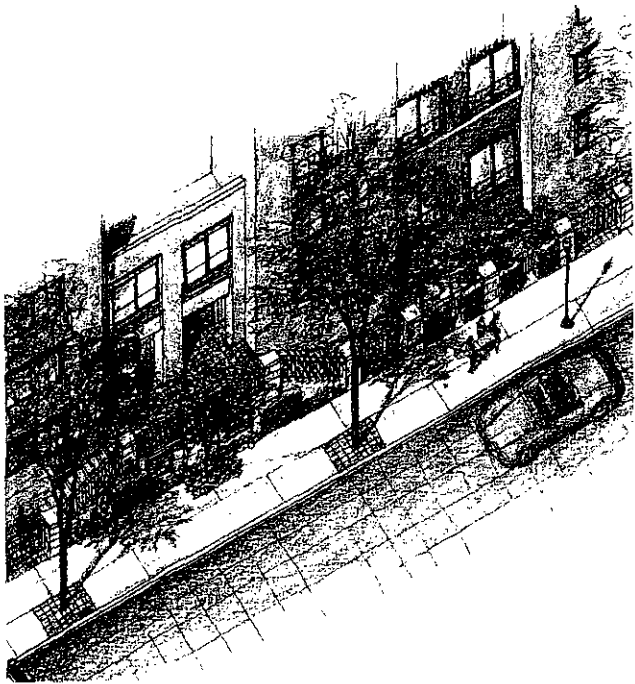


UPTOWN OAKLAND

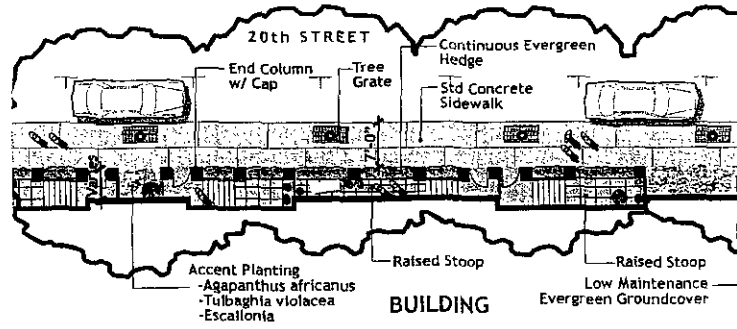
ForestCity ASSOCIATES

KENKAY ASSOCIATES

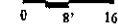
DEVELOPMENT PLAN RESUBMITTAL
McLARRAND VASQUEZ EMSIEK & PARTNERS
12.13.2004
8/20



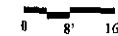
AXONOMETRIC



STOOP CONDITION
PLAN ⊗



STOOP CONDITION
ELEVATION



Note: All plantings will be irrigated by an automatic controller.

Stoop Condition

Oakland, California

DEVELOPMENT PLAN RESUBMITTAL

McLARAND VASQUEZ EMSIEK & PARTNERS

UPTOWN OAKLAND

FOREST CITY

KEN KAY



ASSOCIATES

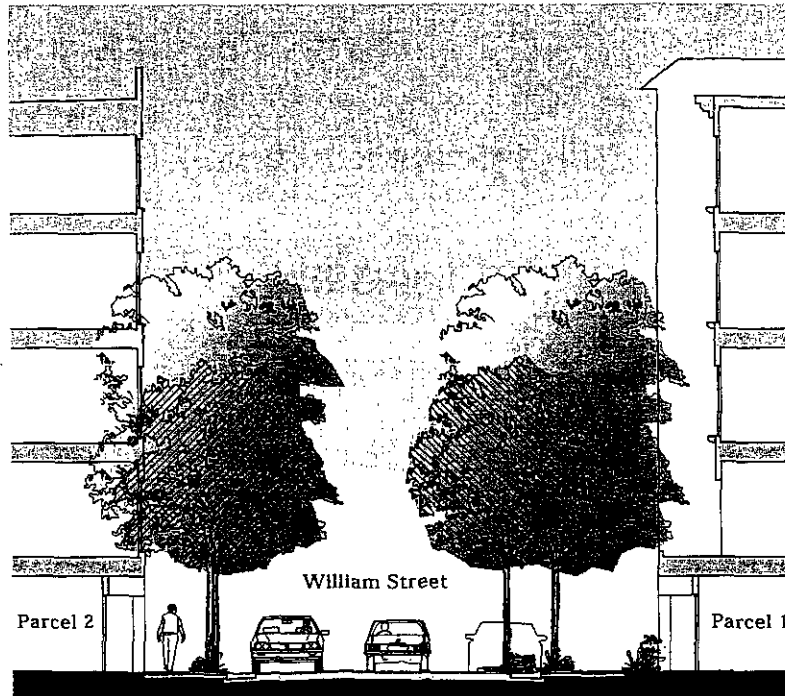
DEVELOPMENT PLAN RESUBMITTAL

04.15.2005

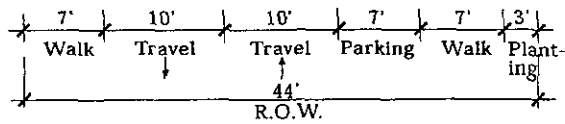
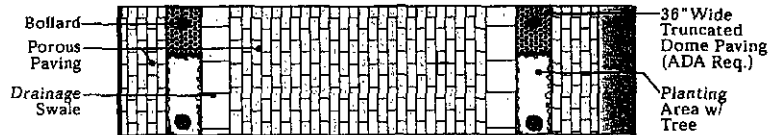
DEVELOPMENT PLAN SUBMITTAL

12.01.2004 02.23





Section



DEVELOPMENT PLAN RESUBMITTAL

McLARAND VASQUEZ EMSIEK & PARTNERS

William Street Detail
Oakland, California

Scale: 1/4" = 6' 0"

UPTOWN OAKLAND

FOREST CITY

KEN KAY
ASSOCIATES

DEVELOPMENT PLAN
RESUBMITTAL

04.15.2003

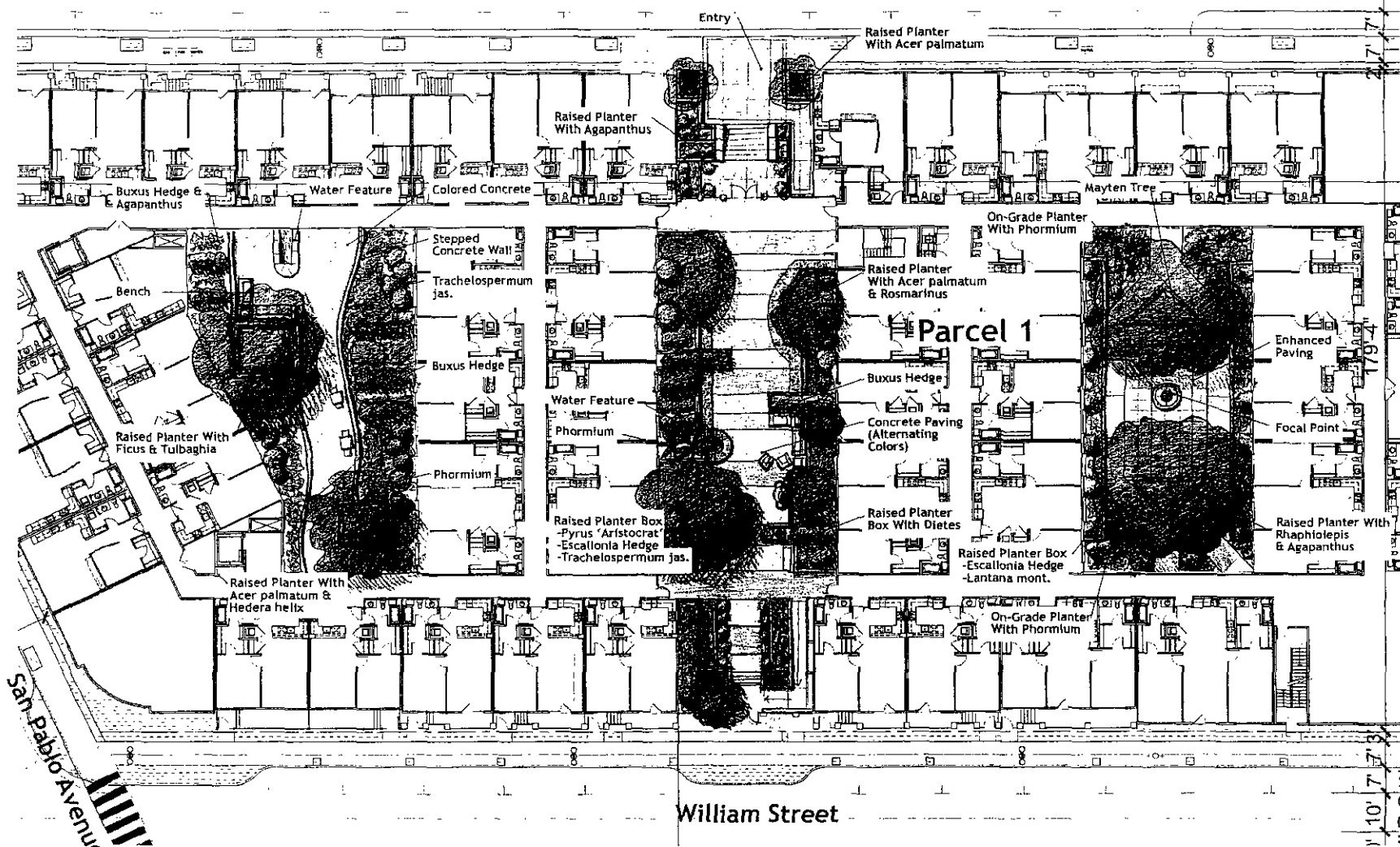
DEVELOPMENT PLAN
SUBMITTAL

12.01.2004

02.00



Thomas L. Berkley Way (20th Street)



Raised Planter With Acer palmatum

Raised Planter With Agapanthus

Buxus Hedge & Agapanthus

Water Feature

Colored Concrete

Mayten Tree

Stepped Concrete Wall

Trachelospermum jas.

Buxus Hedge

Phormium

Water Feature

Phormium

Raised Planter Box - Pyrus 'Aristocrat' - Escallonia Hedge - Trachelospermum jas.

Raised Planter With Acer palmatum & Rosmarinus

Buxus Hedge

Concrete Paving (Alternating Colors)

Raised Planter Box With Dietes

Raised Planter Box - Escallonia Hedge - Lantana mont.

On-Grade Planter With Phormium

Enhanced Paving

Focal Point

Raised Planter With Rhipidolepis & Agapanthus

Raised Planter With Acer palmatum & Hedera helix

On-Grade Planter With Phormium

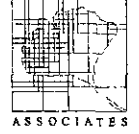
William Street

San Pablo Avenue

UPTOWN OAKLAND

FOREST CITY

KEN KAY



ASSOCIATES

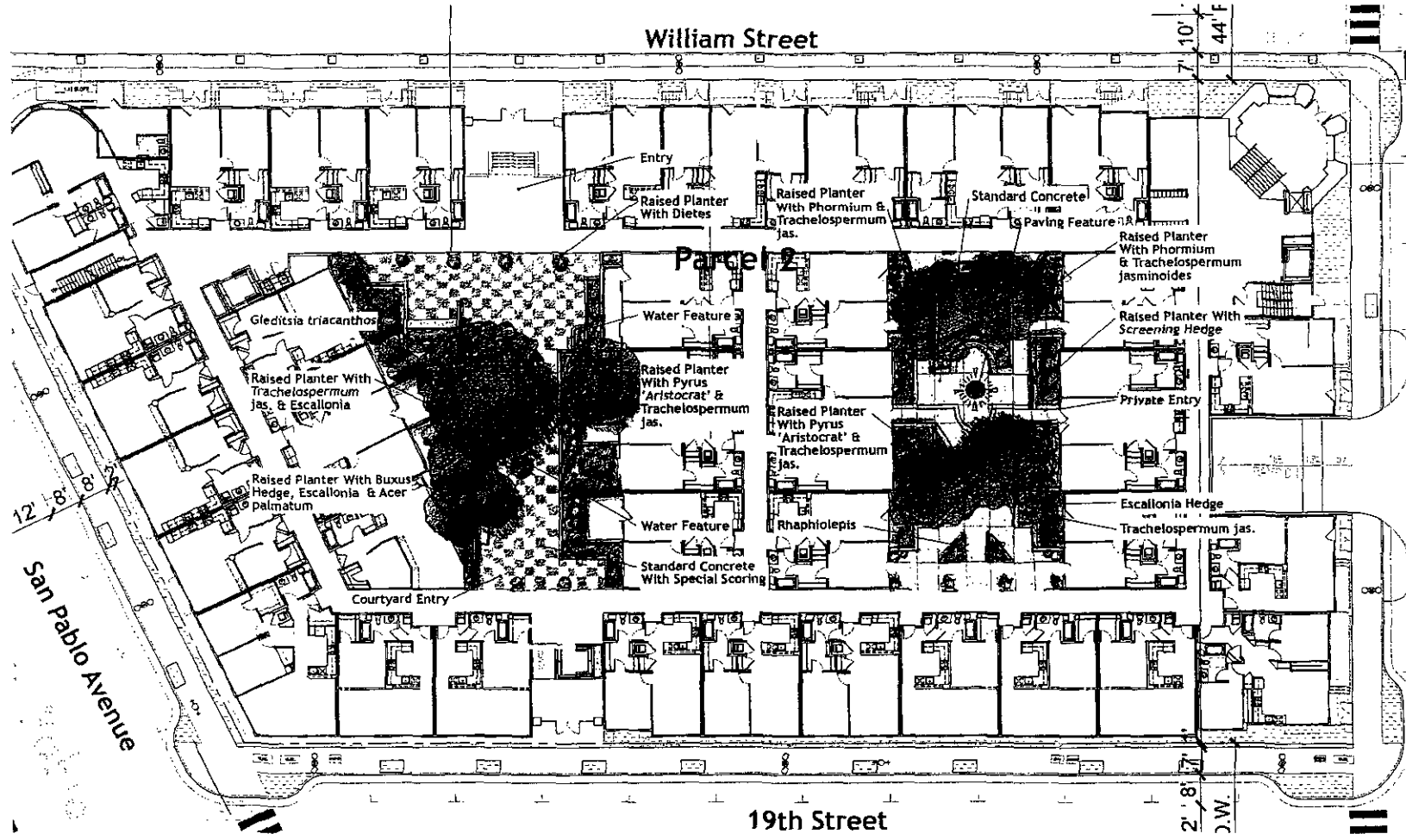
DEVELOPMENT PLAN RESUBMITTAL
 04.15.2005
 DEVELOPMENT PLAN RESUBMITTAL
 12.01.2004 02.20



DEVELOPMENT PLAN RESUBMITTAL
 McLARAND VASQUEZ EMSIEK & PARTNERS

Parcel 1 - Conceptual Courtyard Plans
 Oakland, California

Scale: 1" = 10' 0" (PORT)



UPTOWN OAKLAND

FOREST CITY

KEN KAY



ASSOCIATES

DEVELOPMENT PLAN
RESUBMITTAL
04.15.2005
DEVELOPMENT PLAN
SUBMITTAL
12.01.2004 02.20



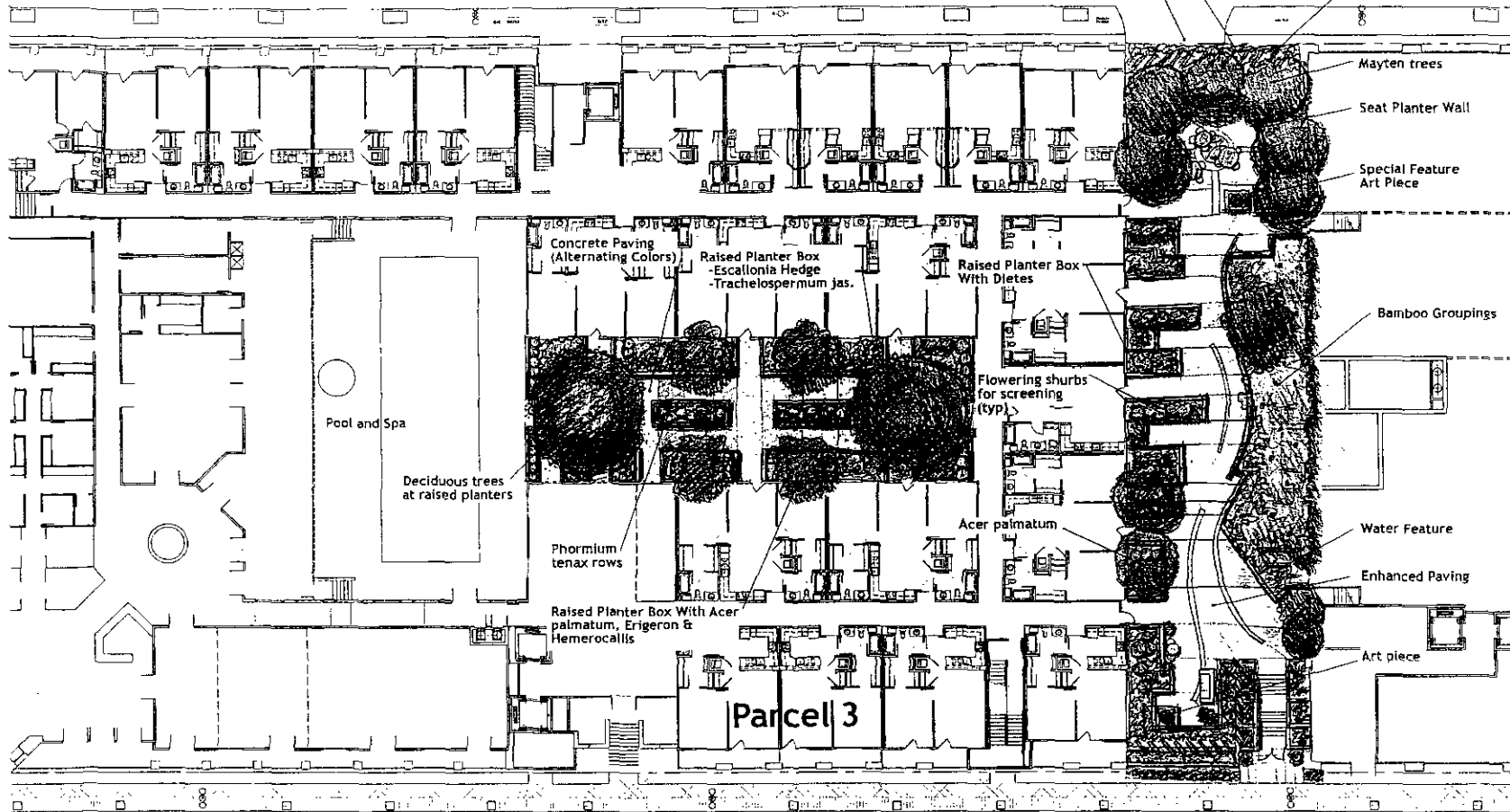
DEVELOPMENT PLAN RESUBMITTAL
McLARAND VASQUEZ EMSIEK & PARTNERS

Parcel 2 - Conceptual Courtyard Plans

Oakland, California

SCALE: 1" = 10' 0"
NORTH

Thomas L. Berkley Way (20th Street)



Trailing Vine on Trellis

Parking Garage Entry

Courtyard Wall

Mayten trees

Seat Planter Wall

Special Feature Art Piece

Concrete Paving (Alternating Colors)

Raised Planter Box - Escallonia Hedge - Trachelospermum jas.

Raised Planter Box With Dietes

Bamboo Groupings

Pool and Spa

Deciduous trees at raised planters

Flowering shrubs for screening (typ.)

Phormium tenax rows

Acer palmatum

Water Feature

Raised Planter Box With Acer palmatum, Erigeron & Hemerocallis

Enhanced Paving

Parcel 3

Art piece

William Street

UPTOWN OAKLAND

FOREST CITY PARTNERS

KEN KAY



DEVELOPMENT PLAN RESUBMITTAL

04.15.2002

DEVELOPMENT PLAN SUBMITTAL

12.01.2004

02.23



DEVELOPMENT PLAN RESUBMITTAL

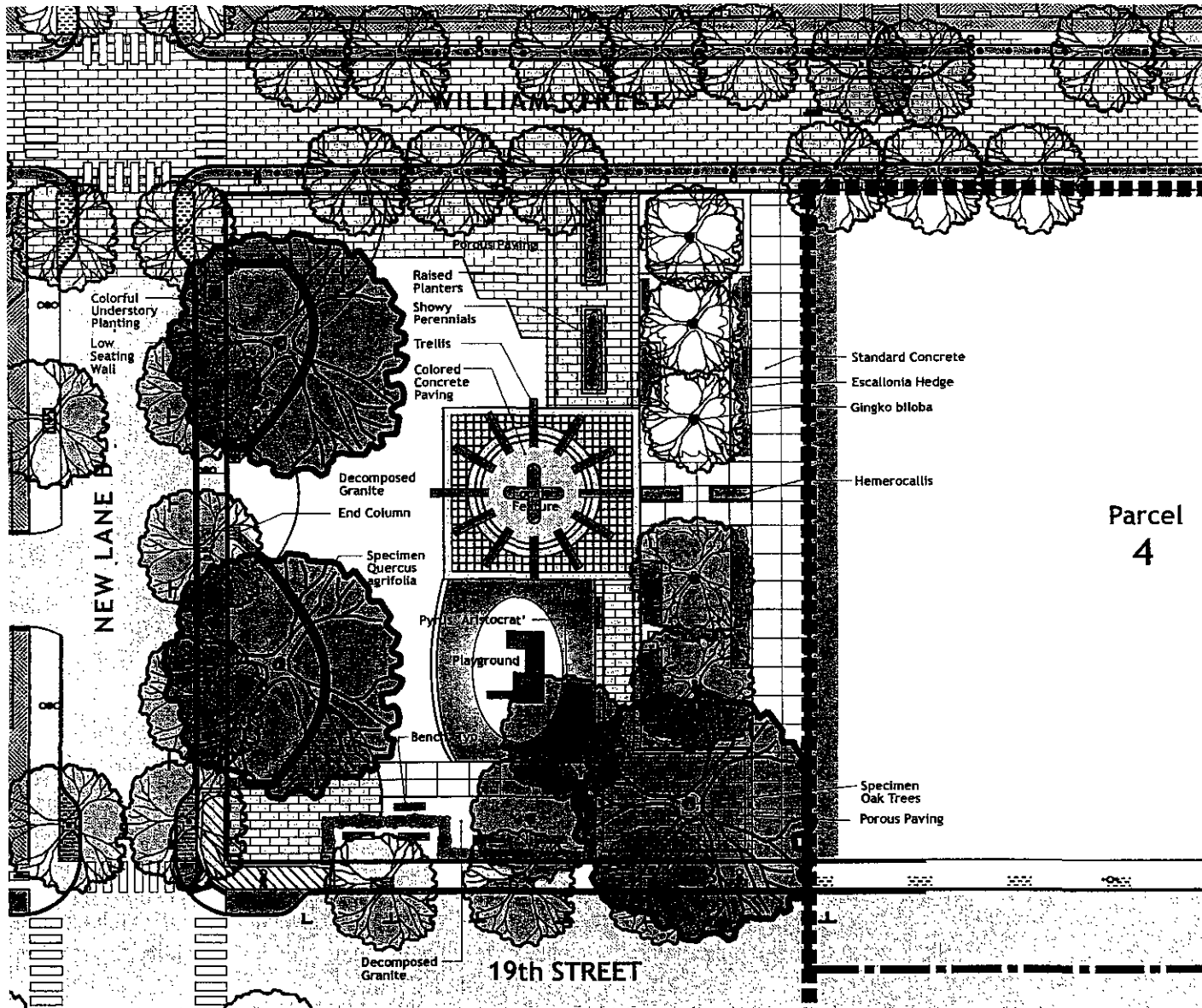
McLARAND VASQUEZ EMSIEK & PARTNERS

Parcel 3 - Conceptual Courtyard Plans

Oakland, California

Scale 1" = 10' 0"





UPTOWN OAKLAND

FOREST CITY

KEN KAY



Parcel 4

Standard Concrete
Escallonia Hedge
Ginkgo biloba

Hemerocallis

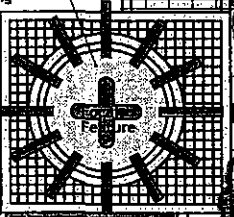
Specimen Oak Trees
Porous Paving

Colorful Understory Planting
Low Seating Wall

NEW LANE B

Raised Planters
Showy Perennials
Trellis
Colored Concrete Paving

Decomposed Granite
End Column
Specimen Quercus agrifolia



Bench

Decomposed Granite

19th STREET

DEVELOPMENT PLAN RESUBMITTAL

McLARAND VASQUEZ EMSIEK & PARTNERS

Conceptual Park Plan
Oakland, California

1"=20'-0" NORTH

DEVELOPMENT PLAN
RESUBMITTAL
04.15.2005
DEVELOPMENT PLAN
SUBMITTAL
12.07.2004 02.23

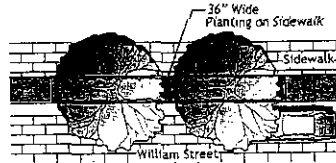




Tree and Groundplane Planting on William Street Sidewalk

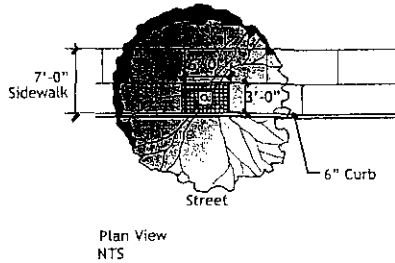
A. Goals

1. Increase trees and planting in the streetscape.
2. Create a visual separation between buildings and street.
3. Provide a buffer for pedestrians between the street and sidewalk.



B. Design Criteria

1. Location: William Street.
2. Dimensions: 3' wide x 6'-12' long. (Varies)
3. Consider planting to provide easy access to parked cars.
4. Provide automatic deep irrigation system at initial installation.
5. Provide adequate planting area for sufficient drainage.
6. Use root barriers to avoid lifting pavements.
7. Provide electrical for seasonal/special event lighting at initial installation.
8. Use 36" or 48" box trees with a minimum 14' vertical clearance.



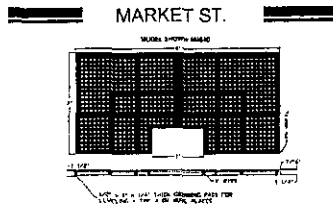
Tree Planting on Sidewalk with Tree Grates

A. Goals

1. Increase trees in the streetscape
2. Trees help to "narrow" the width of streets
3. Provide visual separation between buildings and street.
4. Provide shade for parked cars and pedestrians
5. Tree grates around tree allow water to reach root system

B. Design Criteria

1. Location: Along all streets except William Street.
2. Material: Cast iron ADA approved grate.
3. Dimensions: 3' wide x 6' long.
4. Provide automatic deep irrigation system at initial installation
5. Provide adequate planting area for sufficient drainage.
6. Use root barriers to avoid lifting pavements
7. Provide electrical for seasonal/special event lighting at initial installation
8. Use 36" or 48" box trees with a 14' minimum vertical clearance

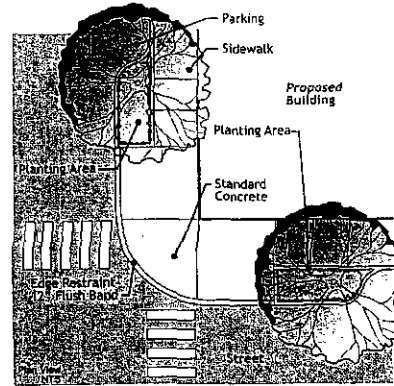


GRADE	SIZE	TYPE	WIDTH	LENGTH	WEIGHT
STANDARD	36"	18"	72"	72"	25
STANDARD	48"	18"	72"	72"	35
STANDARD	36"	24"	72"	72"	35
STANDARD	48"	24"	72"	72"	45

- Cast with 1/2" maximum slot openings to meet ADA guidelines.
- Tree openings can be oversized to accommodate growth or openings with the larger opening.
- Available in cast iron, steel or cast aluminum. These Grates are designed to carry pedestrian loads only.
- Aluminum grates should be topped with flame and spike steel bolts to prevent unauthorized removal.
- For pricing options, please see section on "Pavers".



IRONSMITH TREE GRATES FOR LANDSCAPE ARCHITECTS (415) 338-4700



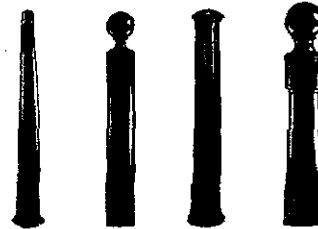
Intersection Bulb-Out with Planting

A. Goals

1. Bulb-outs increase awareness for pedestrians and motorists.
2. Shorten length of cross-walks for pedestrians.
3. Increase trees in the streetscape.
4. Planting adds color, richness, and variety to streetscape.
5. Decreases the visual width of streets.

B. Design Criteria

1. Location: At all street intersections (except Telegraph Avenue and William Street)
2. Materials: Standard concrete curb.
3. Dimensions: Vary.
4. Provide ADA-compliant wheelchair ramps or depressed curbs.
5. Provide automatic deep irrigation system at initial installation.
6. Provide adequate planting area for sufficient drainage.
7. Use root barriers to avoid lifting pavements.
8. Provide electrical for seasonal/special event lighting at initial installation.
9. Use 36" or 48" box trees with adequate visual clearance
10. Maintain low planting at corners for maximum pedestrian visibility.



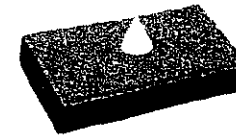
Character of Bollards

A. Design Criteria

1. Bollards provide additional quality to the urban design.
2. Additional safety from vehicular traffic.
3. Provides a rhythm to the otherwise monotony of a street.

B. Design Criteria

1. Location: Along both sides of William Street sidewalks
2. Material: Cast Aluminum
3. Paint: Powder coat finish
4. Color: Black



from Airostone Corp.

EkoPaver Description:

1. Allows infiltration of rainwater
2. Minimizes storm water runoff and erosion.
3. Increases groundwater recharge
4. Assures cost-effective compliance with the National Pollutant Discharge Elimination System (NPDES) permit program.
5. Meets and exceeds most local rain and storm water runoff control requirements.
6. Increases surface water quality.
7. Installs like conventional pavers without perforated openings
8. Lasts longer than conventional pavements.
9. Cleans and maintains easily
10. Meets and exceeds ASTM C-936, with an average minimum compressive strength of 8000 PSI. EkoPaver is appropriate for handling everything from foot traffic in decorative courtyards and walkways to heavy traffic in vehicular driveway.

DEVELOPMENT PLAN RESUBMITTAL

McLARAND VASQUEZ EMSIEK & PARTNERS

Landscape Images
Oakland, California

UPTOWN OAKLAND

FOREST CITY

KEN KAY



ASSOCIATES

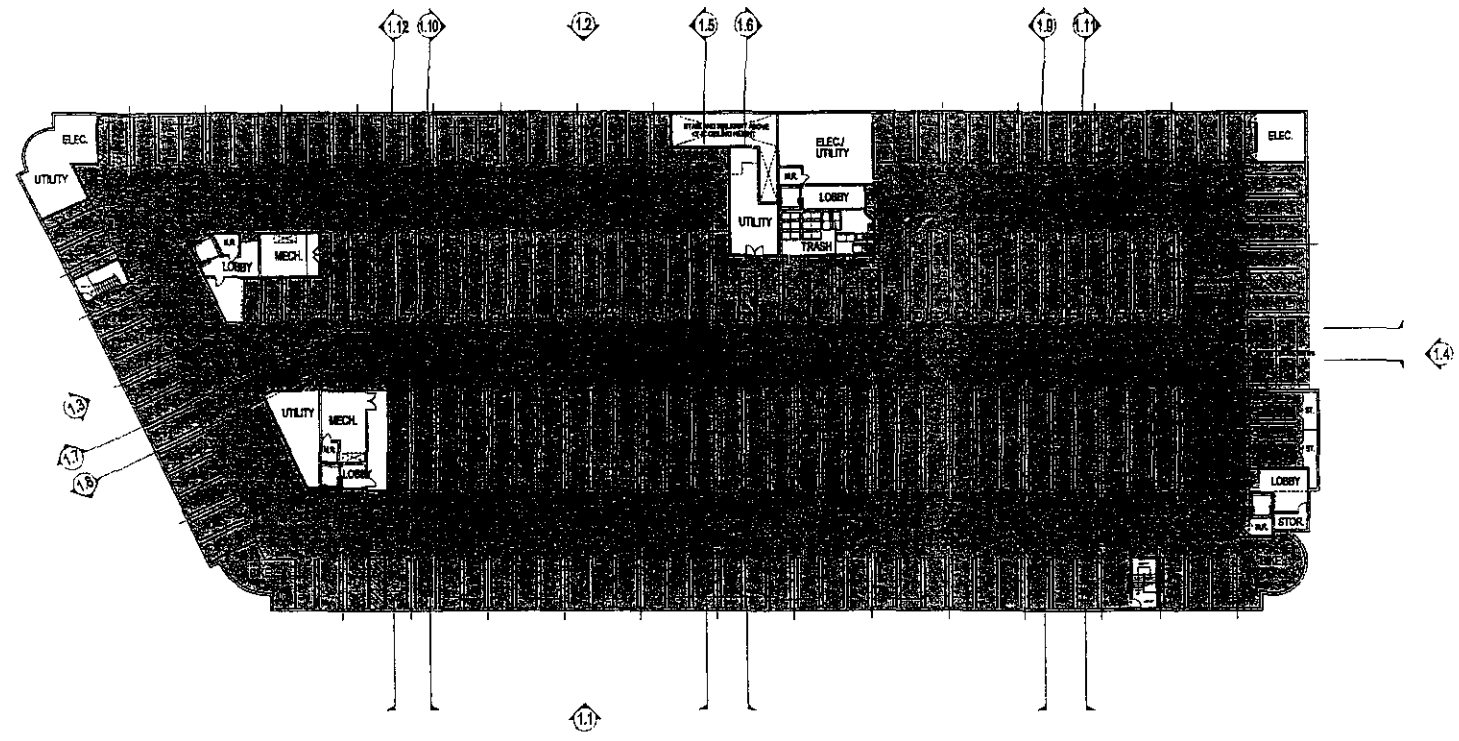
DEVELOPMENT PLAN RESUBMITTAL

04.15.2009

DEVELOPMENT PLAN RESUBMITTAL

12.01.2004





PARKING COUNT

145	STANDARD
69	COMPACT (31%)
7	ACCESSIBLE
220	TOTAL SPACES

LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

DEVELOPMENT PLAN
RESUBMITTAL

04.15.2003

DEVELOPMENT PLAN
SUBMITTAL

12.01.2004

02.03



UPTOWN OAKLAND

FOREST CITY

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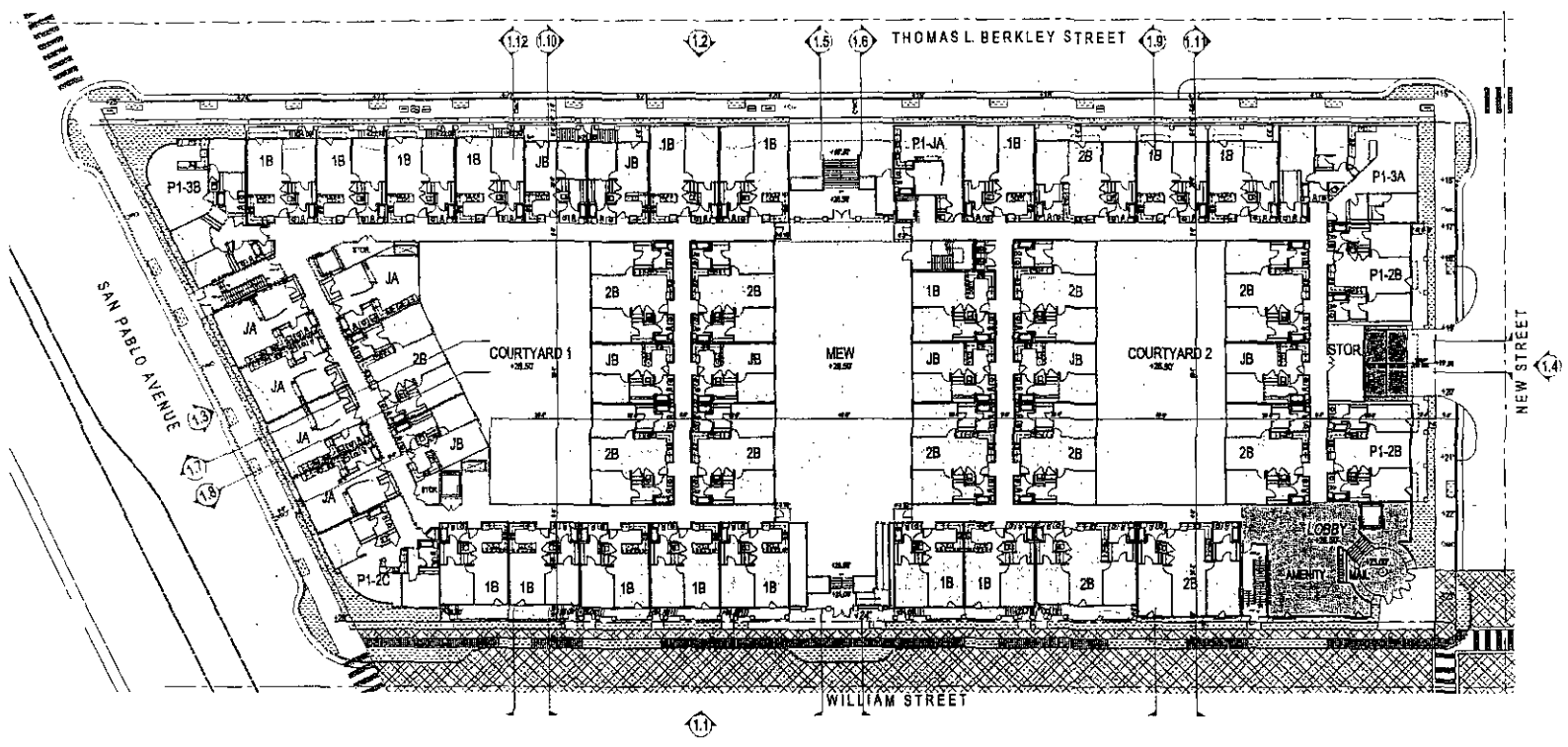


LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

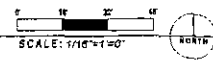
DEVELOPMENT PLAN
RESUBMITTAL
04.15.2005

DEVELOPMENT PLAN
SUBMITTAL
12.01.2004 (0.22)



DEVELOPMENT PLAN RESUBMITTAL
McLARAND VASQUEZ EMSIEK & PARTNERS

PARCEL 1 LEVEL 1
Oakland, California



UPTOWN OAKLAND

FOREST CITY

KEN KAY



LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

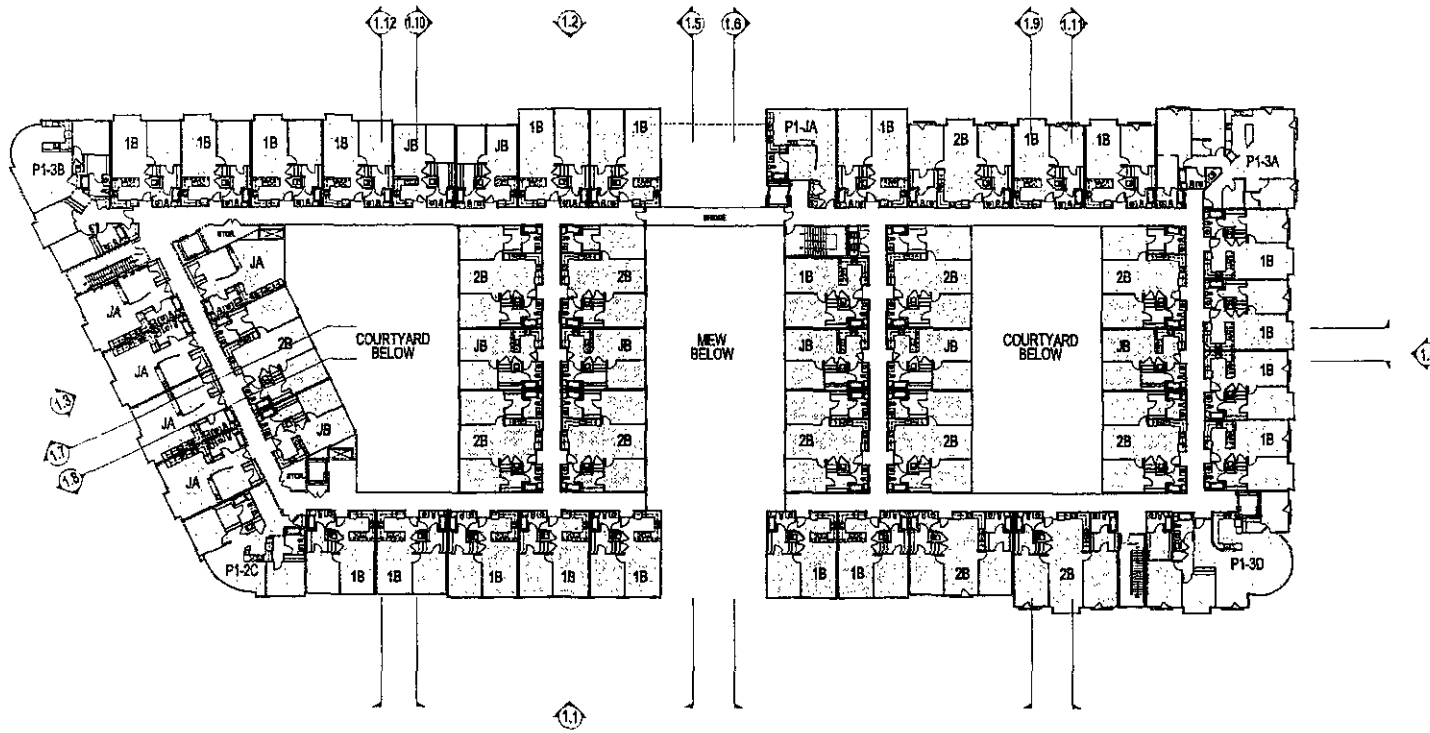
DEVELOPMENT PLAN
RESUBMITTAL

04.15.2020

DEVELOPMENT PLAN
SUBMITTAL

12.01.2004

02.20

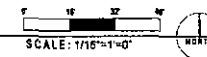


DEVELOPMENT PLAN RESUBMITTAL

McLARAND VASQUEZ EMSIEK & PARTNERS

PARCEL 1 LEVEL 2

Oakland, California



SCALE: 1/16"=1'-0"

UPTOWN OAKLAND

FOREST CITY

KEN KAY

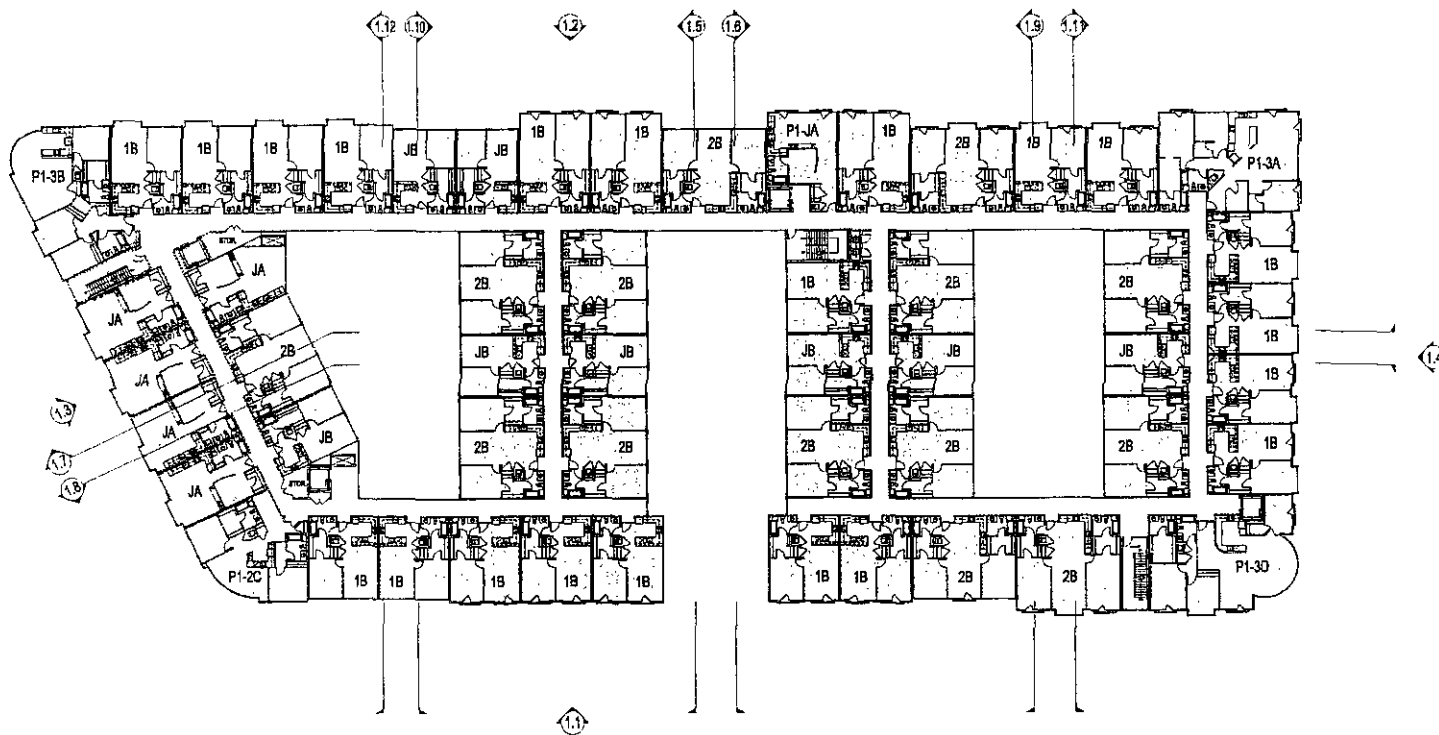


ASSOCIATES

LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

DEVELOPMENT PLAN
RESUBMITTAL
04.15.2005
DEVELOPMENT PLAN
RESUBMITTAL
12.01.2004 02.03



DEVELOPMENT PLAN RESUBMITTAL

McLARAN VASQUEZ EMSIEK & PARTNERS

PARCEL 1 LEVEL 3

Oakland, California

SCALE: 1/16"=1'-0"



UPTOWN OAKLAND

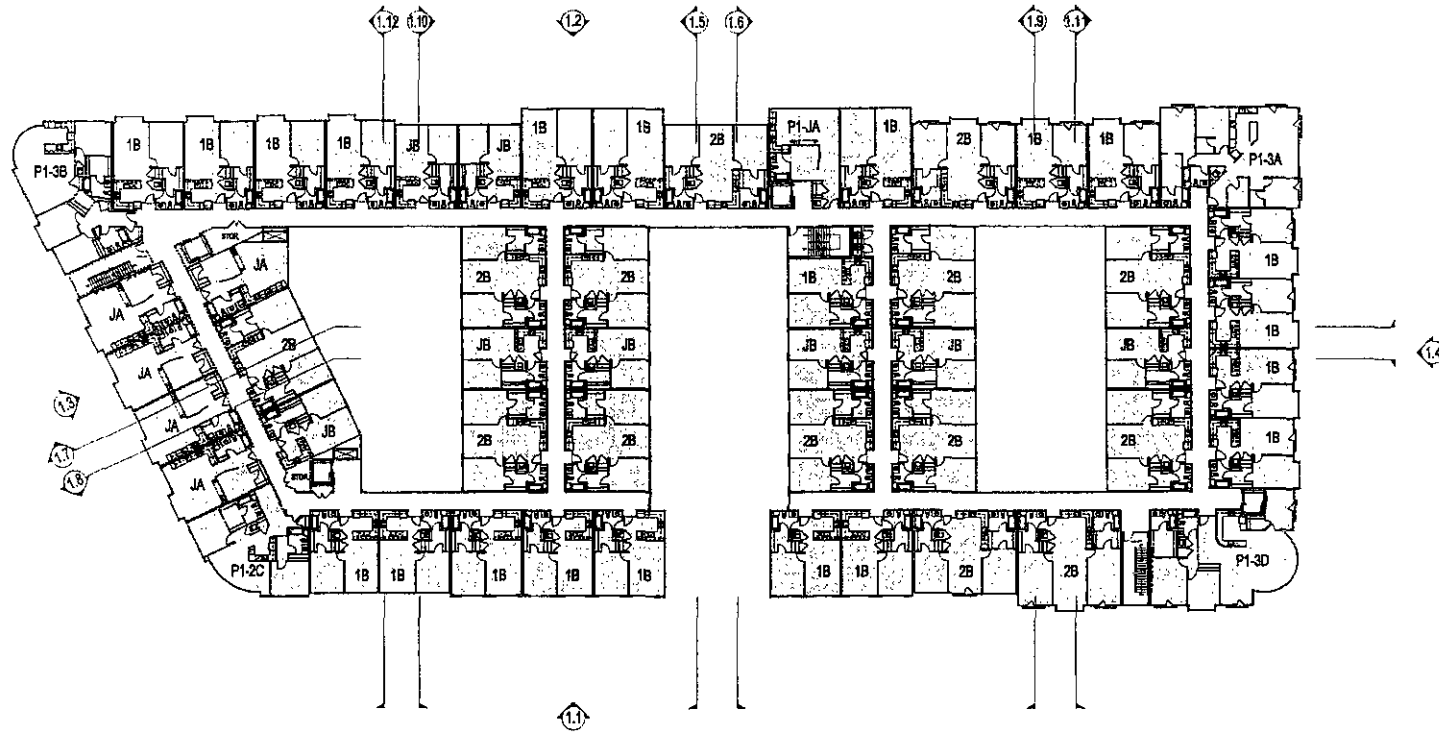
FOREST CITY
RESIDENTIAL



LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

DEVELOPMENT PLAN
RESUBMITTAL
04.15.2009
DEVELOPMENT PLAN
SUBMITTAL
12.01.2004 02.23

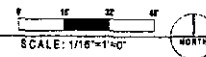


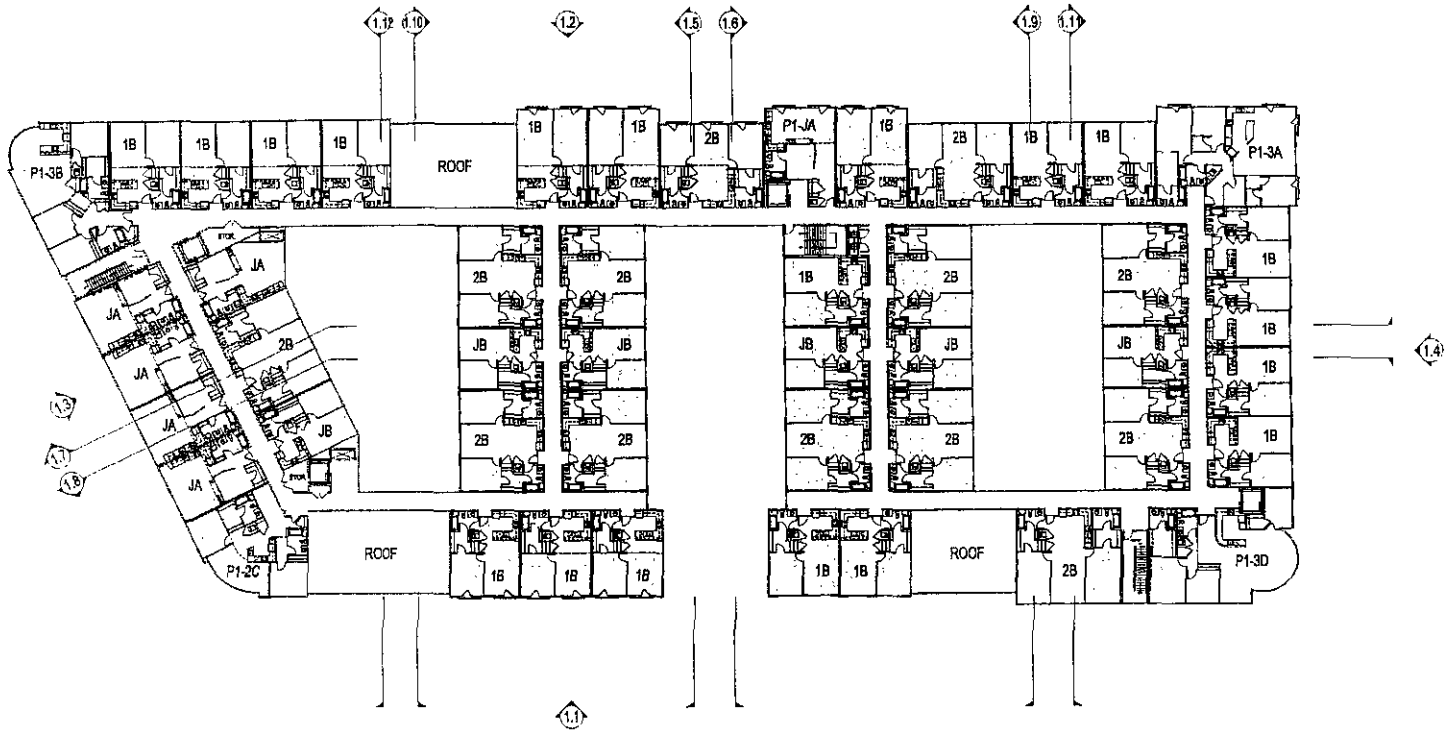
DEVELOPMENT PLAN RESUBMITTAL

McLARAND VASQUEZ EMSIEK & PARTNERS

PARCEL 1 LEVEL 4

Oakland, California

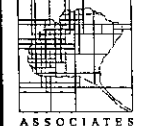




UPTOWN OAKLAND

FOREST CITY

KEN KAY



ASSOCIATES

LEGEND:

- RESIDENTIAL
- AMENITY
- GARAGE
- OPEN SPACE

DEVELOPMENT PLAN
RESUBMITTAL
04.18.2005
DEVELOPMENT PLAN
RESUBMITTAL
12.01.2004 EJD

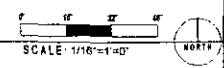


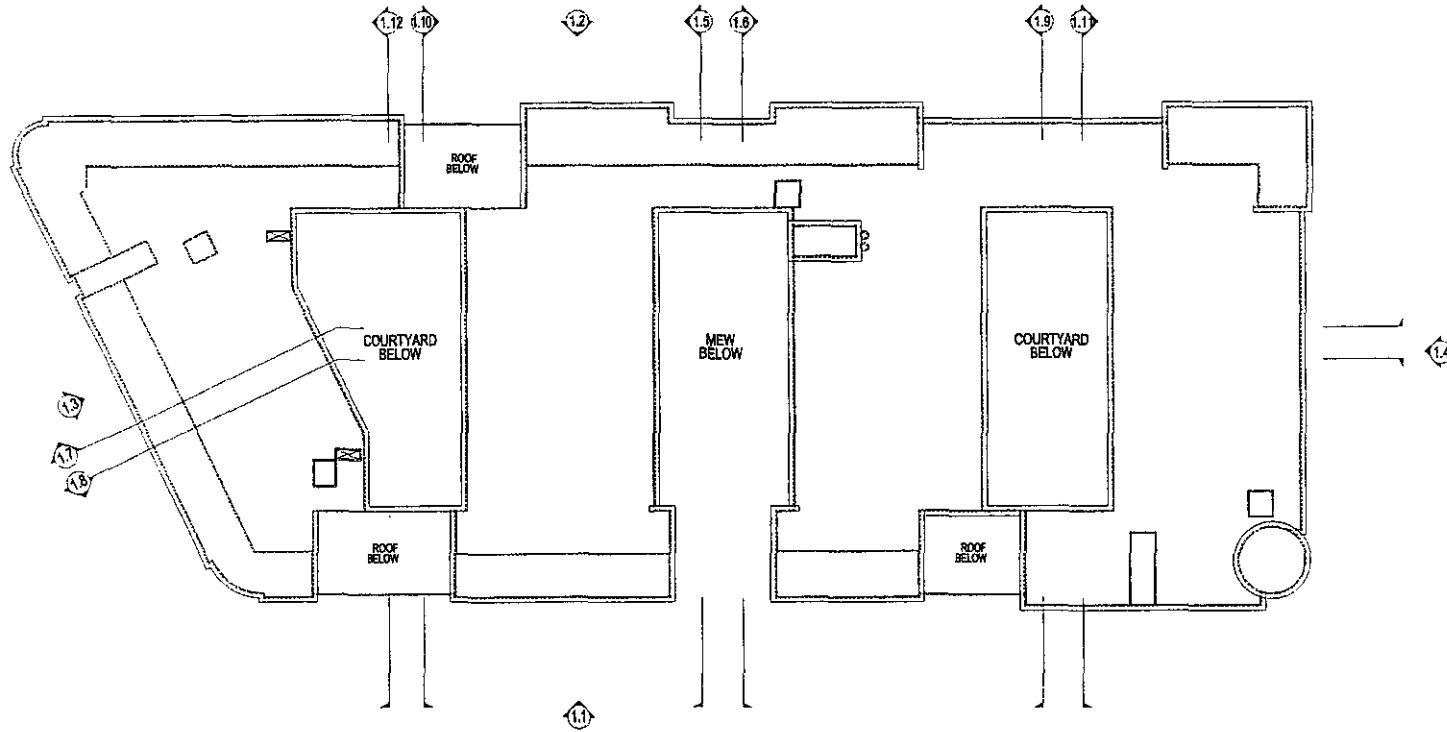
DEVELOPMENT PLAN RESUBMITTAL

McLARAND VASQUEZ EMSIEK & PARTNERS

PARCEL 1 LEVEL 5

Oakland, California





LEGEND:

-  RESIDENTIAL
-  RETAIL
-  AMENITY
-  GARAGE
-  OPEN SPACE

DEVELOPMENT PLAN
RESUBMITTAL

04.15.2009

DEVELOPMENT PLAN
SUBMITTAL

12.01.2004 02.22



UPTOWN OAKLAND

FOREST CITY

KEN KAY



ASSOCIATES

LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

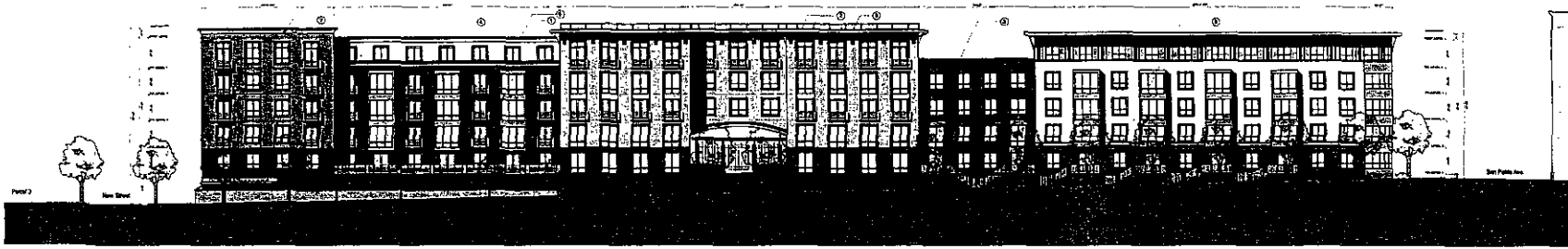
- FINISH LEGEND
1. PAINTED METAL PANEL
 2. PLASTER WALLS
 3. CORRUGATED METAL FINISH
 4. TIBB VENEER BRICK
 5. ALUMINUM WINDOWS
 6. PAINTED METAL RAILINGS
 7. METAL AWNING WITH BRACKETS
 8. LIMEWOOD BRICK
 9. METAL CANOPY WITH BRACKETS
 10. ENHANCED PLASTER
 11. PRECAST FINISH
 12. CEMENT BOARD LAP SIDING

DEVELOPMENT PLAN
RESUBMITTAL

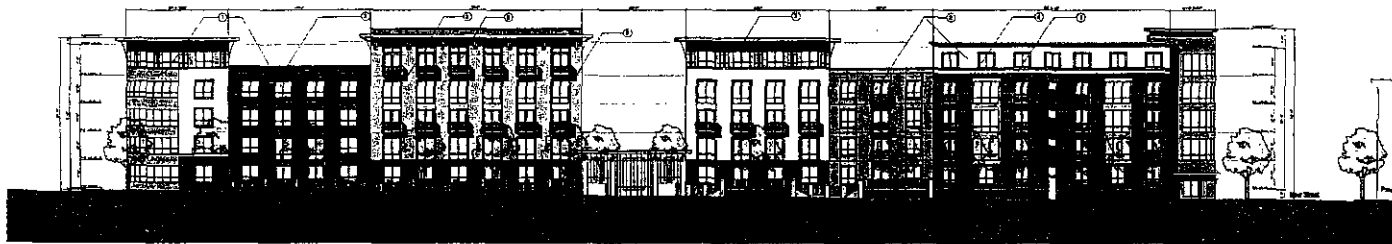
04.15.2003

DEVELOPMENT PLAN
SUBMITTAL

12.01.2004 02.23.05



1.2 North Elevation - Thomas L. Berkley Way

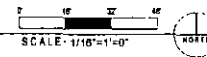


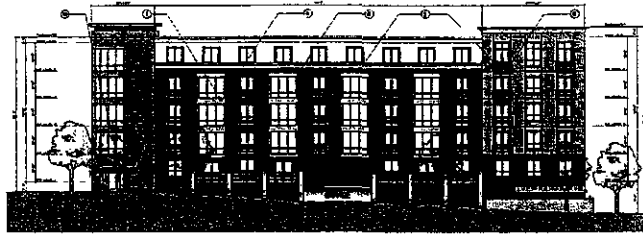
1.1 South Elevation - William Street

DEVELOPMENT PLAN RESUBMITTAL

McLARAND VASQUEZ EMSIEK & PARTNERS

PARCEL 1 ELEVATIONS
Oakland, California





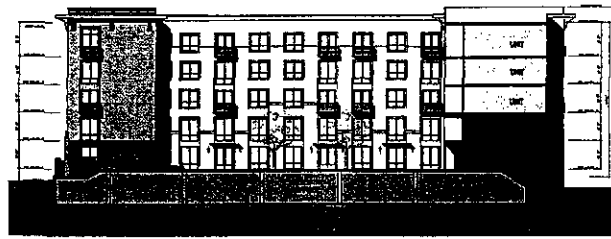
1.1 Building 1B East Elevation - New Street Lane "A"



1.3 Building 1A West Elevation - San Pablo Avenue



1.5 Building 1A East Elevation - New



1.5 Building 1B West Elevation - New

UPTOWN OAKLAND

FOREST CITY

KEN KAY
ASSOCIATES

LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

- FRESH LEGEND
1. PAINTED METAL PANEL
 2. PLASTER WALLS
 3. CORRUGATED METAL FRESH
 4. THIN VENEER BRICK
 5. ALUMINUM WINDOWS
 6. PAINTED METAL BALANCE
 7. METAL FINISH WITH BRACKETS
 8. STOOD 1/2" METAL GATE
 9. LIVE/WORK BRONZE
 10. METAL CANOPY WITH BRACKETS
 11. ENHANCED PLASTER
 12. PICKET FINISH
 13. CONCRETE BOARD LAP BRICK

DEVELOPMENT PLAN
RESUBMITTAL

04.15.2008

DEVELOPMENT PLAN
REVISION

12.01.2004

02.23

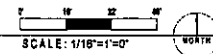


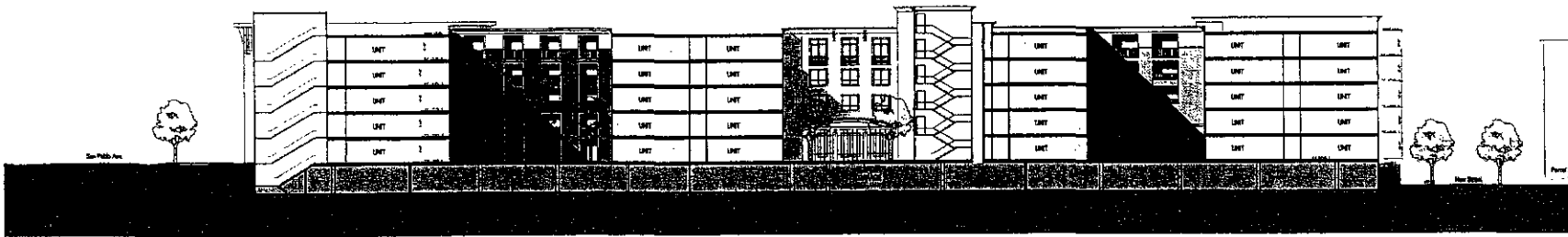
DEVELOPMENT PLAN RESUBMITTAL

McLARAND VASQUEZ EMSIEK & PARTNERS

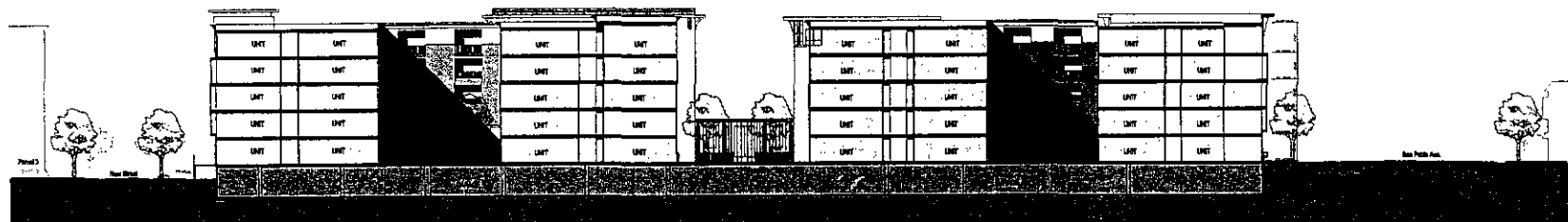
PARCEL 1 ELEVATIONS

Oakland, California

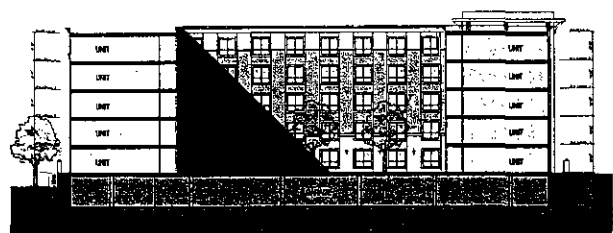




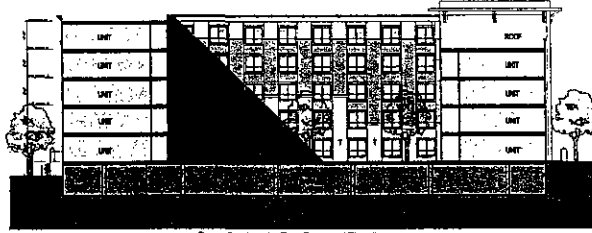
1.7 Longitudinal Section- North Courtyard Elevation



1.8 Longitudinal Section- South Courtyard Elevation



1.11 Cross Section- 1B East Courtyard Elevation



1.10 Cross Section- 1A East Courtyard Elevation



1.9 Cross Section- 1B West Courtyard Elevation



1.12 Cross Section- 1A West Courtyard Elevation

- FINISH LEGEND**
1. PAINTED METAL PANEL
 2. PLASTER WALLS
 3. CORRUGATED METAL FINISH
 4. THIN VENEER BRICK
 5. ALUMINUM WINDOWS
 6. PAINTED METAL BALCONIES
 7. METAL AWNING WITH BRACKETS
 8. STOOD BY METAL GATE
 9. LITE/WORK SIGNAGE
 10. METAL CANOPY WITH BRACKETS
 11. ENRICHED PLASTER
 12. PRECAST FORM
 13. CONCRETE BOARD LAP BOARD

LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

DEVELOPMENT PLAN
RESUBMITTAL
04.15.2005
DEVELOPMENT PLAN
SUBMITTAL
12.31.2004 02.23



UPTOWN OAKLAND

FOREST CITY PARTNERS

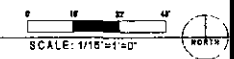
KEN KAY

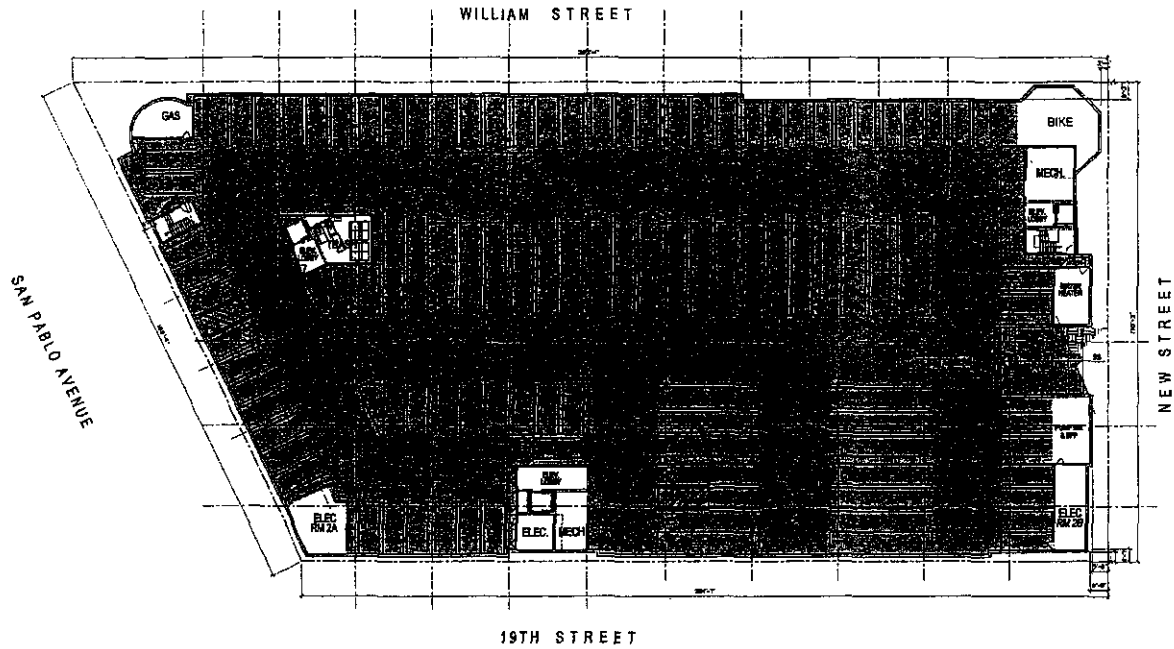


DEVELOPMENT PLAN RESUBMITTAL

McLARAND VASQUEZ EMSIEK & PARTNERS

PARCEL 1 ELEVATIONS
Oakland, California





PARKING COUNT

117	STANDARD
11	COMPACT (8%)
5	ACCESSIBLE
133	TOTAL SPACES

UPTOWN OAKLAND

FOREST CITY

KEN KAY



ASSOCIATES

LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

DEVELOPMENT PLAN RESUBMITTAL

04.15.2003

DEVELOPMENT PLAN RESUBMITTAL

12.01.2004

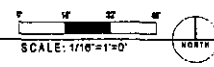


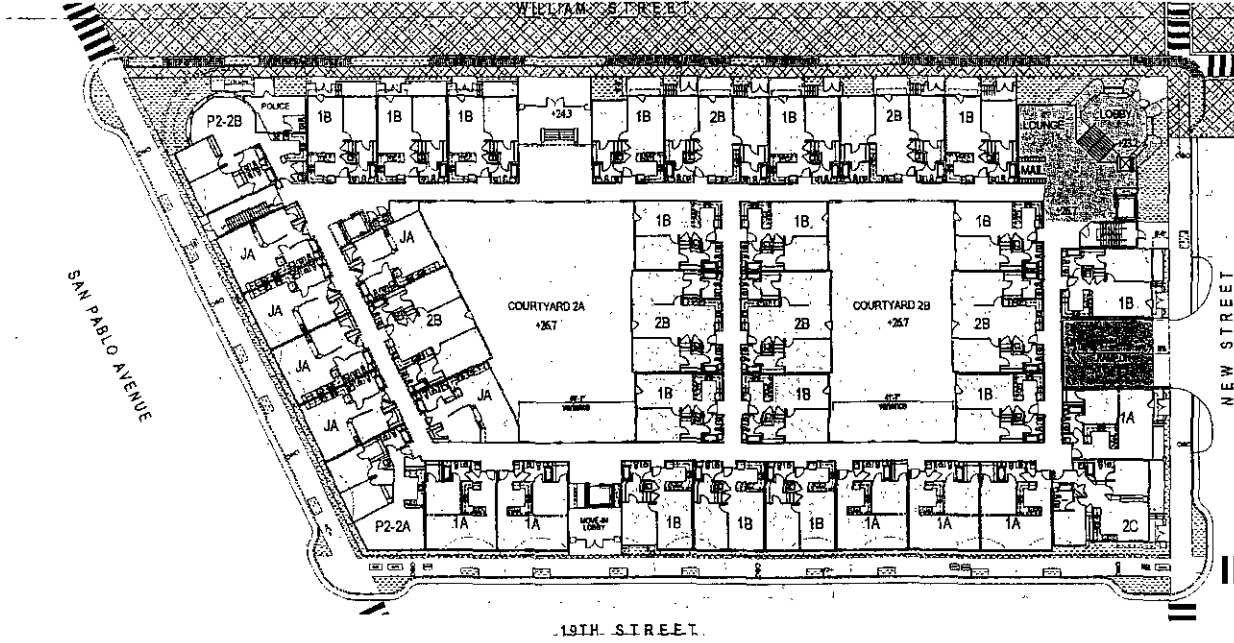
DEVELOPMENT PLAN RESUBMITTAL

McLARAM VASQUEZ EMSIEK & PARTNERS

PARCEL 2 GARAGE LEVEL

Oakland, California





UPTOWN OAKLAND

FOREST CITY

KEN KAY



ASSOCIATES

LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

DEVELOPMENT PLAN

RESUBMITTAL

04.16.2005

DEVELOPMENT PLAN

RESUBMITTAL

12.01.2004

02.003

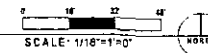


DEVELOPMENT PLAN RESUBMITTAL

McLARAND VASQUEZ EMSIEK & PARTNERS

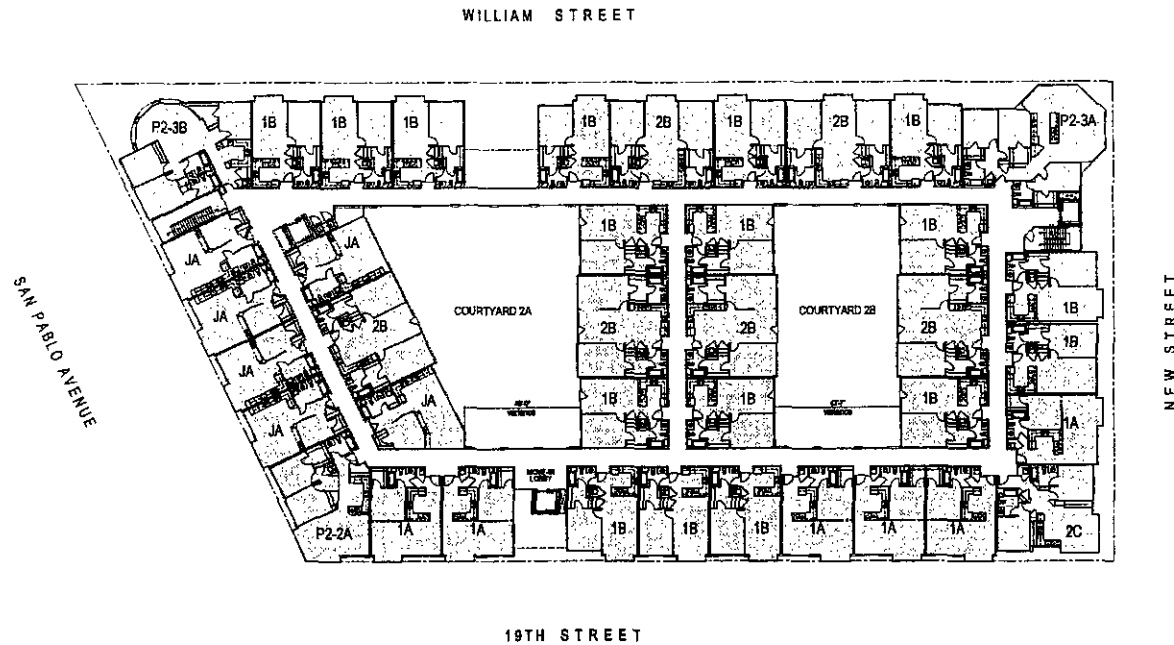
PARCEL 2 LEVEL 1

Oakland, California



UPTOWN OAKLAND

FOREST CITY
PARTNERS



LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

DEVELOPMENT PLAN
RESUBMITTAL
04.15.2005
DEVELOPMENT PLAN
SUBMITTAL
12.01.2004 02.20

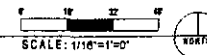


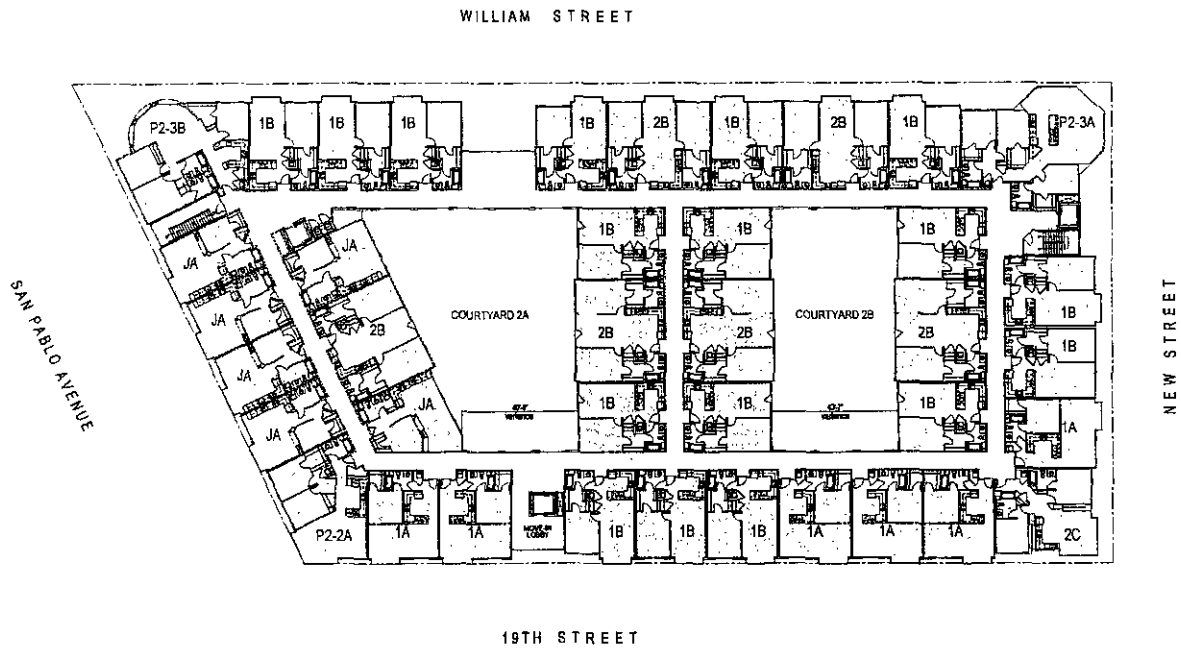
DEVELOPMENT PLAN RESUBMITTAL

McLARAN VASQUEZ EMSIEK & PARTNERS

PARCEL 2 LEVEL 2

Oakland, California





UPTOWN OAKLAND

FOREST CITY

KEN KAY



ASSOCIATES

LEGEND:

-  RESIDENTIAL
-  RETAIL
-  AMENITY
-  GARAGE
-  OPEN SPACE

DEVELOPMENT PLAN RESUBMITTAL

04.15.2005

DEVELOPMENT PLAN SUBMITTAL

12.01.2004

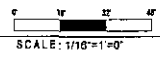


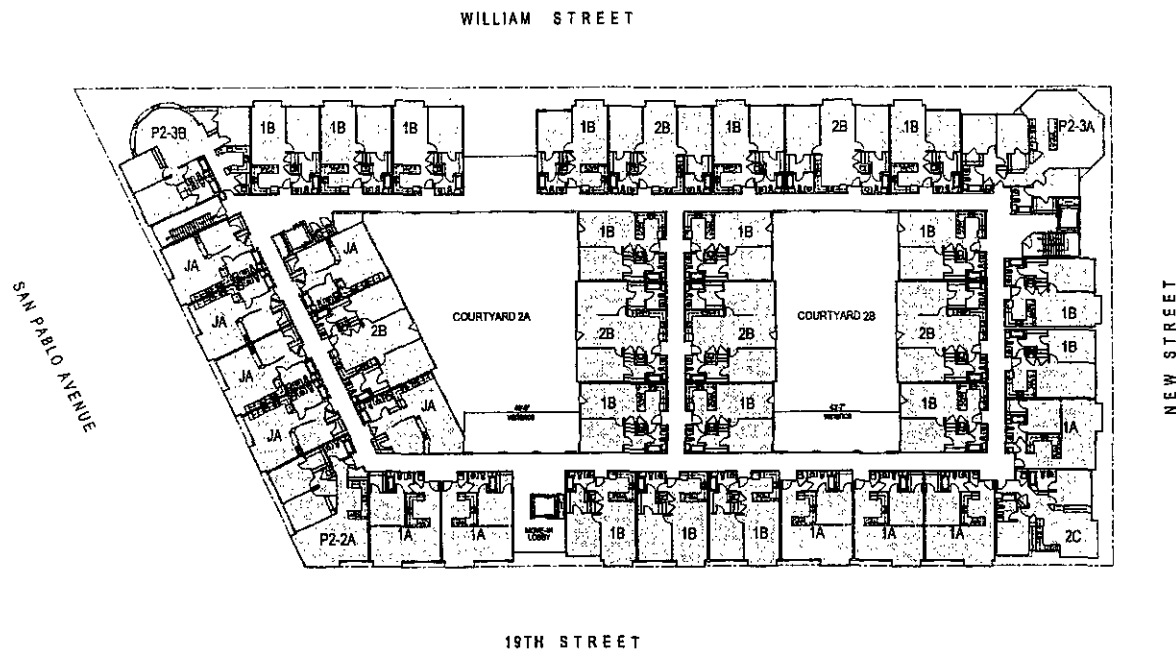
DEVELOPMENT PLAN RESUBMITTAL

McLARAND VASQUEZ EMSIEK & PARTNERS

PARCEL 2 LEVEL 3

Oakland, California










UPTOWN OAKLAND

FOREST CITY

KEN KAY



LEGEND:

-  RESIDENTIAL
-  RETAIL
-  AMENITY
-  GARAGE
-  OPEN SPACE

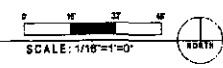
DEVELOPMENT PLAN
RESUBMITTAL
04.15.2009

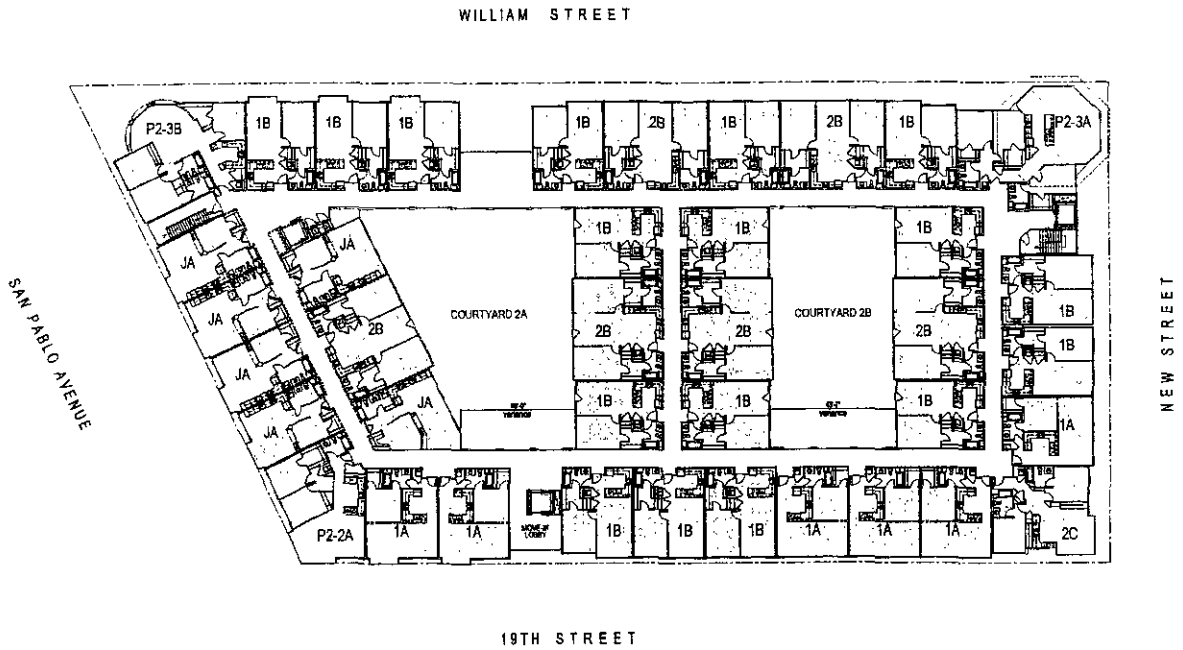
DEVELOPMENT PLAN
SUBMITTAL
12.01.2004 03.20



DEVELOPMENT PLAN RESUBMITTAL
McLARAND VASQUEZ EMSIEK & PARTNERS

PARCEL 2 LEVEL 4
Oakland, California





UPTOWN OAKLAND

FOREST CITY
RESIDENTIAL



LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

DEVELOPMENT PLAN
RESIDENTIAL
04.13.2005

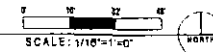
DEVELOPMENT PLAN
SUBMITTAL
11.01.2004 02.22

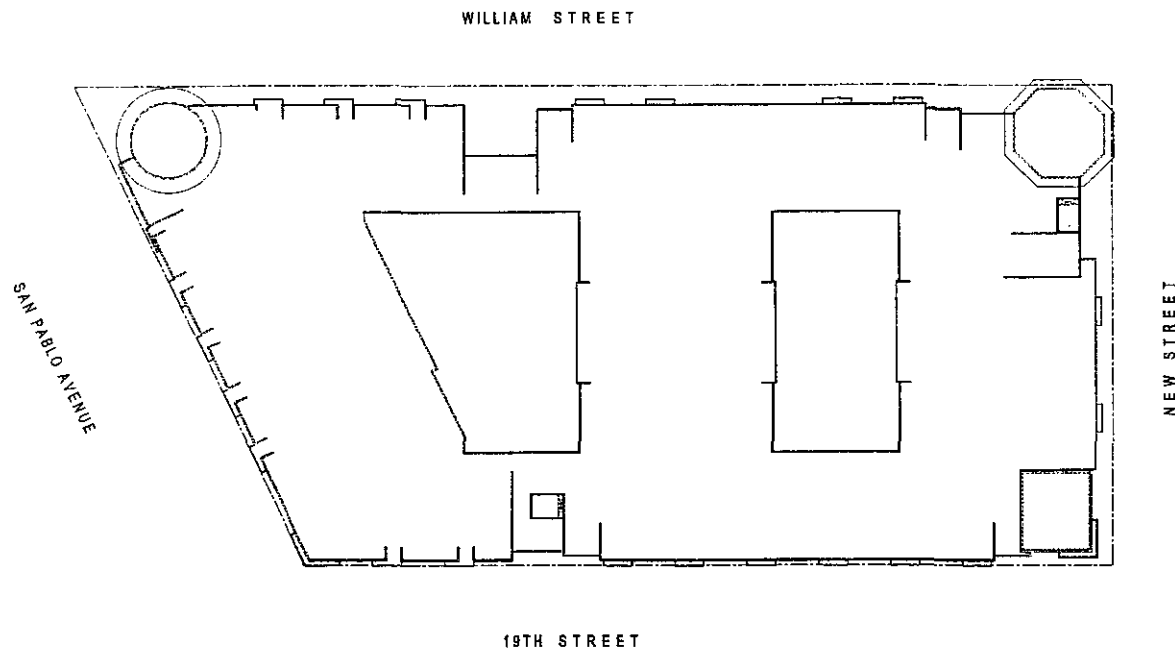


DEVELOPMENT PLAN RESUBMITTAL

McLARAND VASQUEZ EMSIEK & PARTNERS

PARCEL 2 LEVEL 5
Oakland, California





UPTOWN OAKLAND

FOREST CITY
INDUSTRIALS



LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

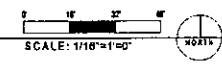
DEVELOPMENT PLAN
RESUBMITTAL
04.18.2023

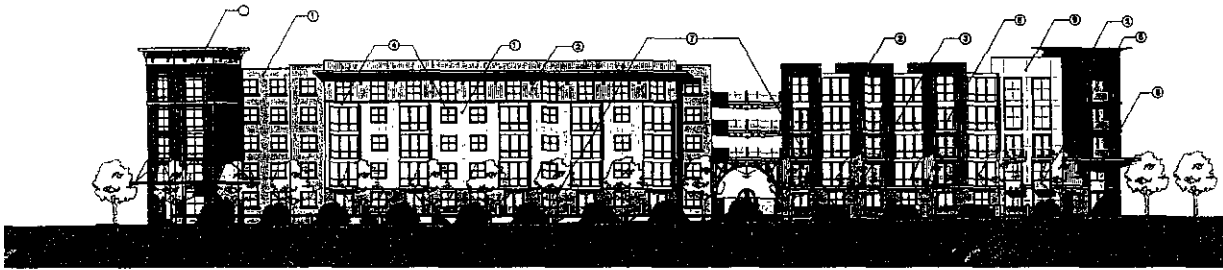
DEVELOPMENT PLAN
SUBMITTAL
12.01.2024 02.23



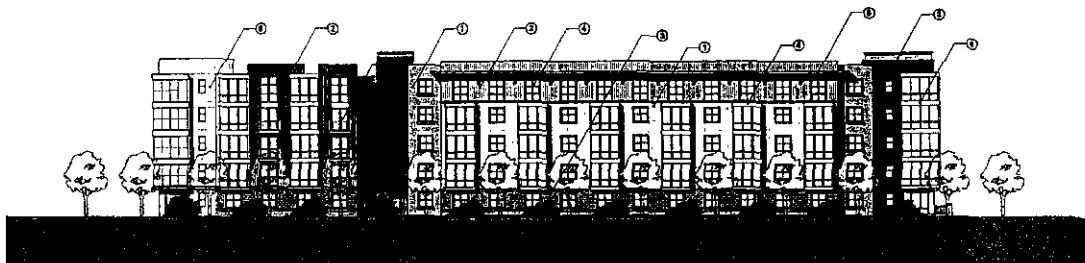
DEVELOPMENT PLAN RESUBMITTAL
McLARAND VASQUEZ EMSIEK & PARTNERS

PARCEL 2 ROOF LEVEL
Oakland, California



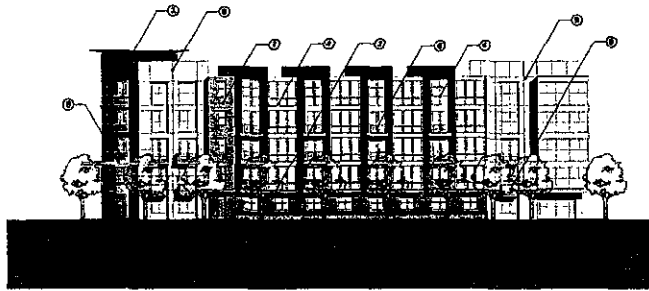


2.1 North Elevation - William Street

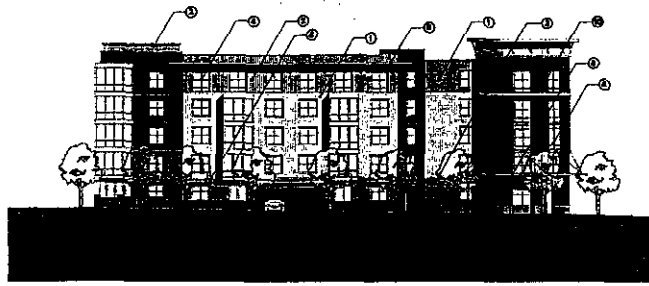


2.2 South Elevation - 19th Street

- FINISH LEGEND
- 1. PLASTER WALLS
 - 2. CORRUGATED METAL FINISH
 - 3. THIN VENEER BRICK
 - 4. ALUMINUM SHOOKS
 - 5. PAINTED METAL BRACKETS
 - 6. METAL SHOOKS WITH BRACKETS
 - 7. STOOD 3/4" METAL GRATE
 - 8. METAL CANOPY WITH BRACKETS
 - 9. ENHANCED PLASTER



2.3 West Elevation - San Pablo Avenue



2.4 East Elevation - New Street Lane "A"

- FINISH LEGEND**
- 1. PLASTER WALLS
 - 2. CORRUGATED METAL FINISH
 - 3. THIN WOODEN SINGLES
 - 4. ALUMINUM WINDOWS
 - 5. PAINTED METAL BALCONIES
 - 6. METAL FRAMING WITH BRACKETS
 - 7. STOOP W/ METAL GATE
 - 8. METAL CANOPY WITH BRACKETS
 - 9. FINISHED PLASTER

UPTOWN OAKLAND

FOREST CITY

KEN KAY



DEVELOPMENT PLAN
RESUBMITTAL
04.15.2023
DEVELOPMENT PLAN
SUBMITTAL
12.01.2024 02.23

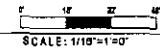


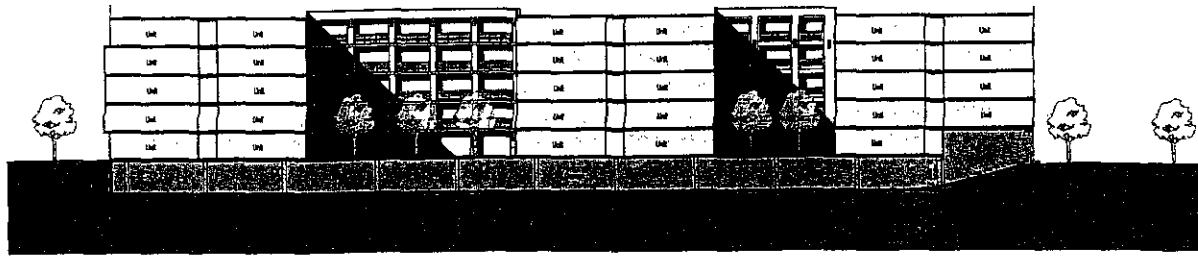
DEVELOPMENT PLAN RESUBMITTAL

McLARAND VASQUEZ EMSIEK & PARTNERS

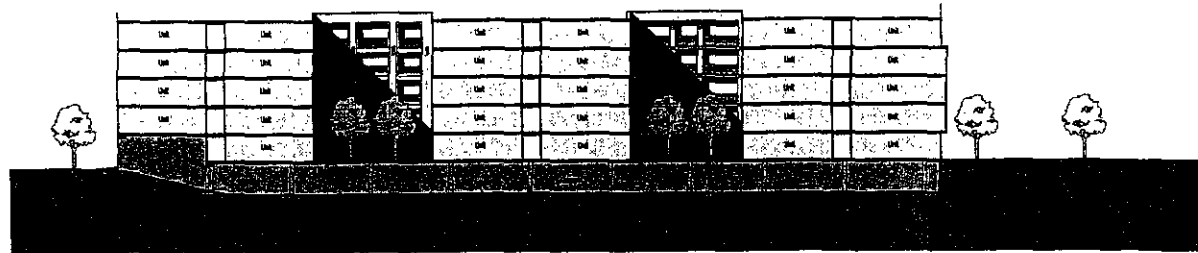
PARCEL 2 Elevations

Oakland, California

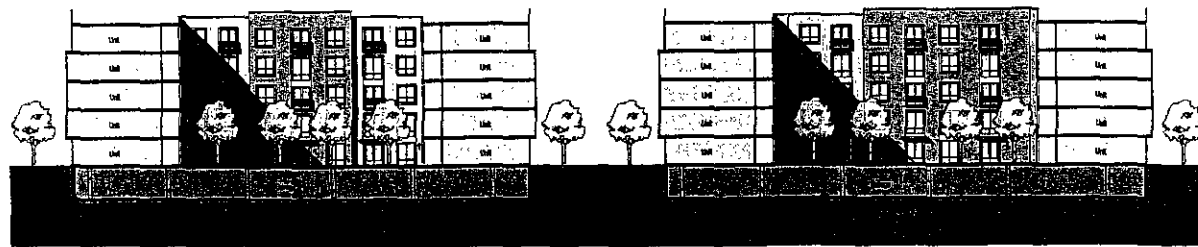




Courtyard 2A & 2B - South Elevation



Courtyard 2A & 2B - North Elevation



Courtyard 2A - West/ Courtyard 2B East & West

Courtyard 2A - East

UPTOWN OAKLAND

FOREST CITY
RESIDENTIAL

KEN KAY
ASSOCIATES

DEVELOPMENT PLAN
RESUBMITTAL
04/15/2005
DEVELOPMENT PLAN
SUBMITTAL
12/01/2004 02/22

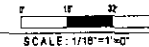


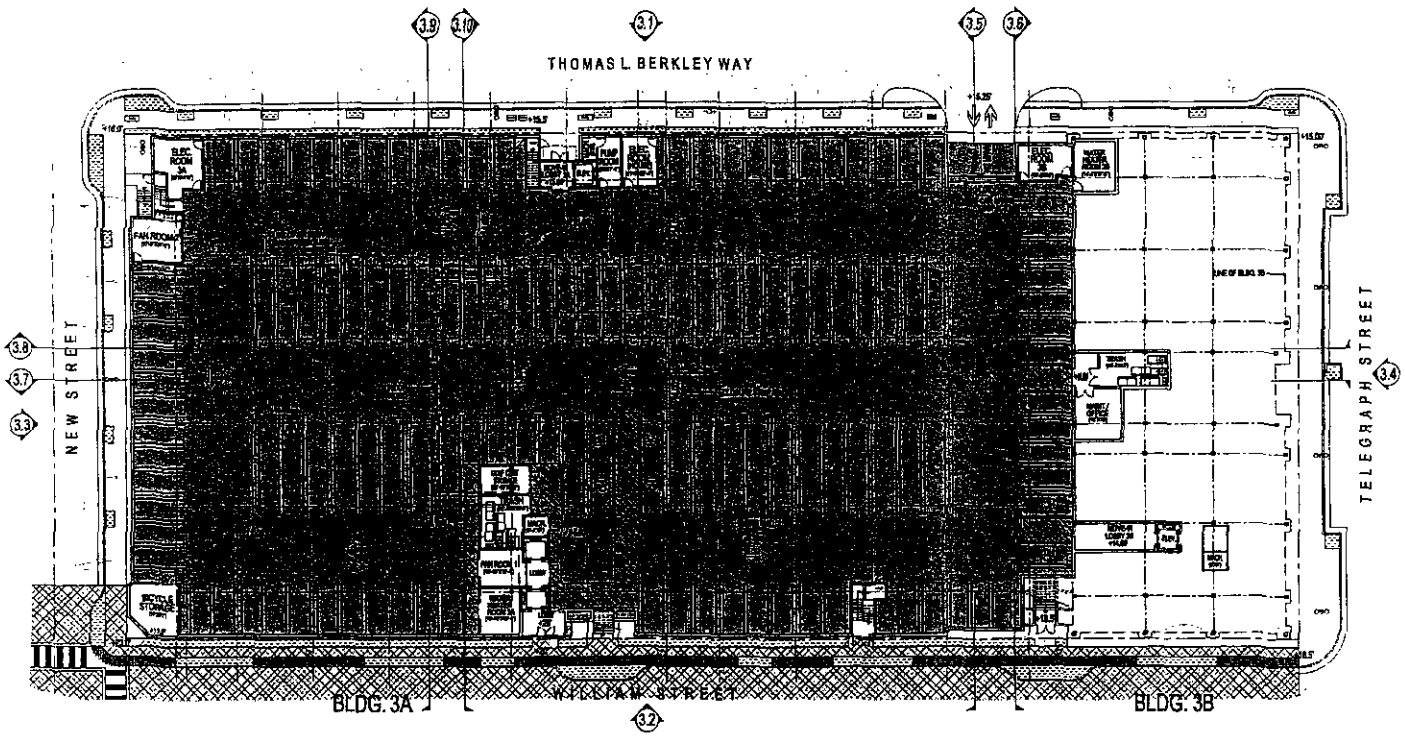
DEVELOPMENT PLAN RESUBMITTAL

McLARAN VASQUEZ EMSIEK & PARTNERS

PARCEL 2 Sections & Courtyard Elevations

Oakland, California

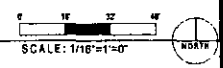




PARKING COUNT

110	STANDARD
64	COMPACT (35%)
6	ACCESSIBLE
180	TOTAL SPACES

PARCEL 3 GARAGE LEVEL
Oakland, California



DEVELOPMENT PLAN RESUBMITTAL
McLARAN VASQUEZ EMSIEK & PARTNERS

UPTOWN OAKLAND

FOREST CITY

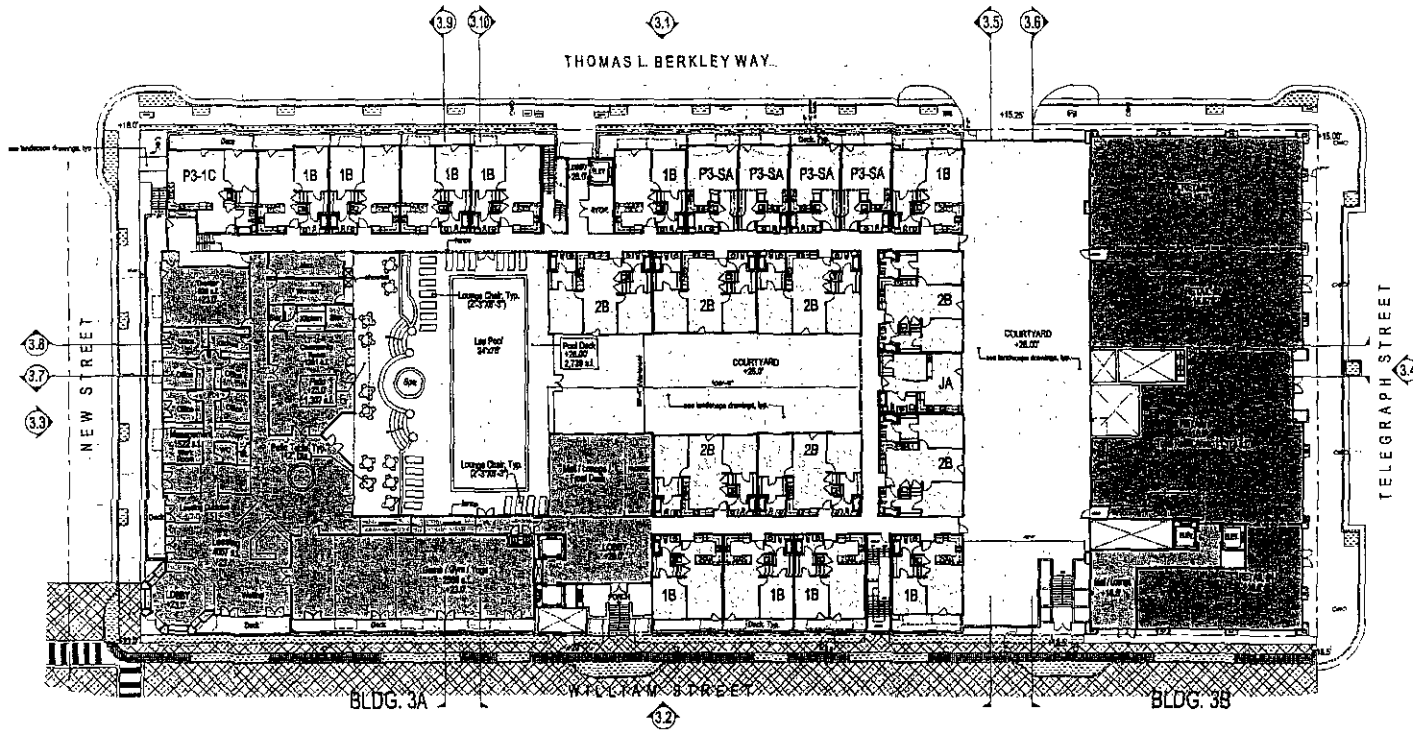


LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

DEVELOPMENT PLAN
RESUBMITTAL
04.18.2008
DEVELOPMENT PLAN
SUBMITTAL
12.01.2004





UPTOWN OAKLAND

FOREST CITY
CONSTRUCTION



LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

DEVELOPMENT PLAN
RESUBMITTAL
04.15.2006
DEVELOPMENT PLAN
SUBMITTAL
12.01.2004 ©2004

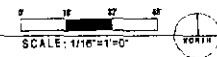


DEVELOPMENT PLAN RESUBMITTAL

McLARAND VASQUEZ EMSIEK & PARTNERS

PARCEL 3 LEVEL 1

Oakland, California



UPTOWN OAKLAND

FOREST CITY
RESIDENTIAL

KEN KAY



ASSOCIATES

LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

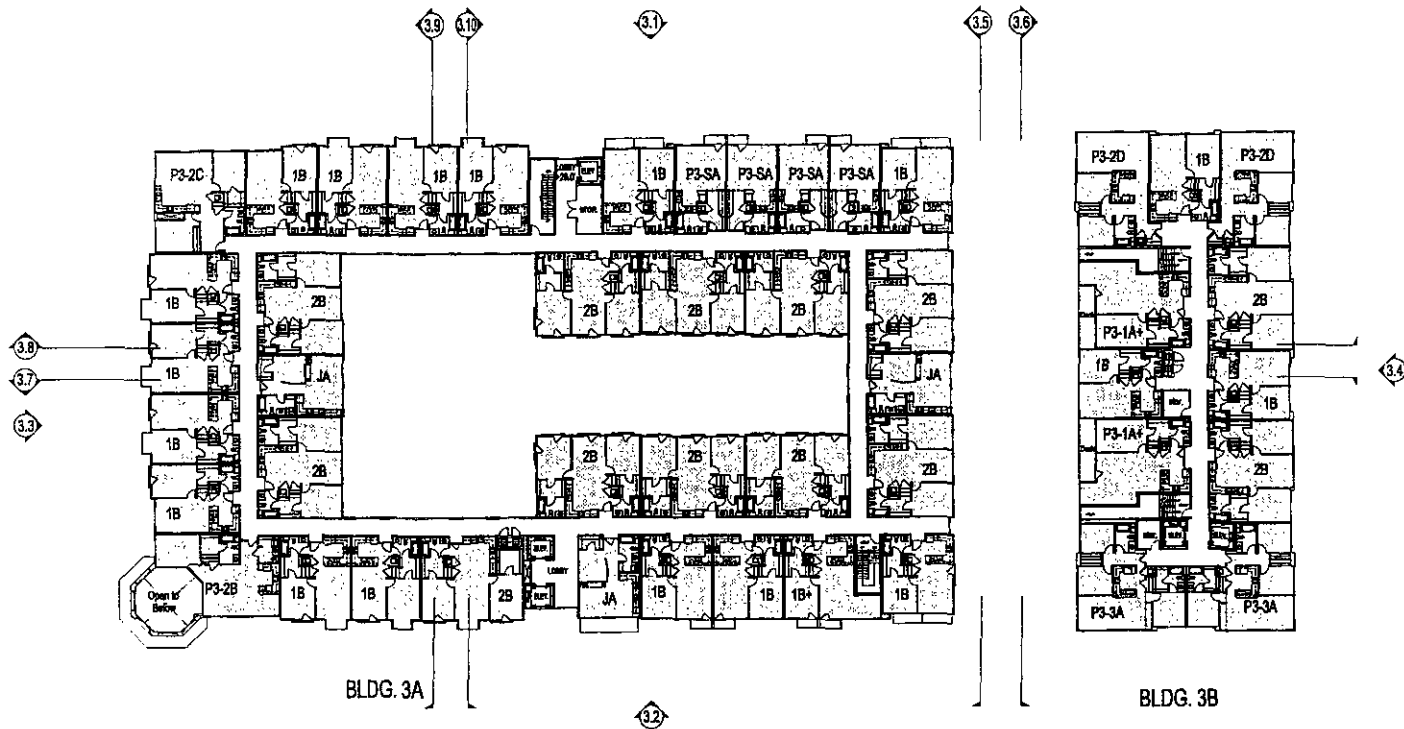
DEVELOPMENT PLAN
RESUBMITTAL

04.13.2005

DEVELOPMENT PLAN
SUBMITTAL

12.21.2004

02.23



DEVELOPMENT PLAN RESUBMITTAL

McLARAND VASQUEZ EMSIEK & PARTNERS

PARCEL 3 LEVEL 2

Oakland, California

SCALE: 1/16"=1'-0"



UPTOWN OAKLAND

FOREST CITY

KEN KAY



ASSOCIATES

LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

DEVELOPMENT PLAN

RESUBMITTAL

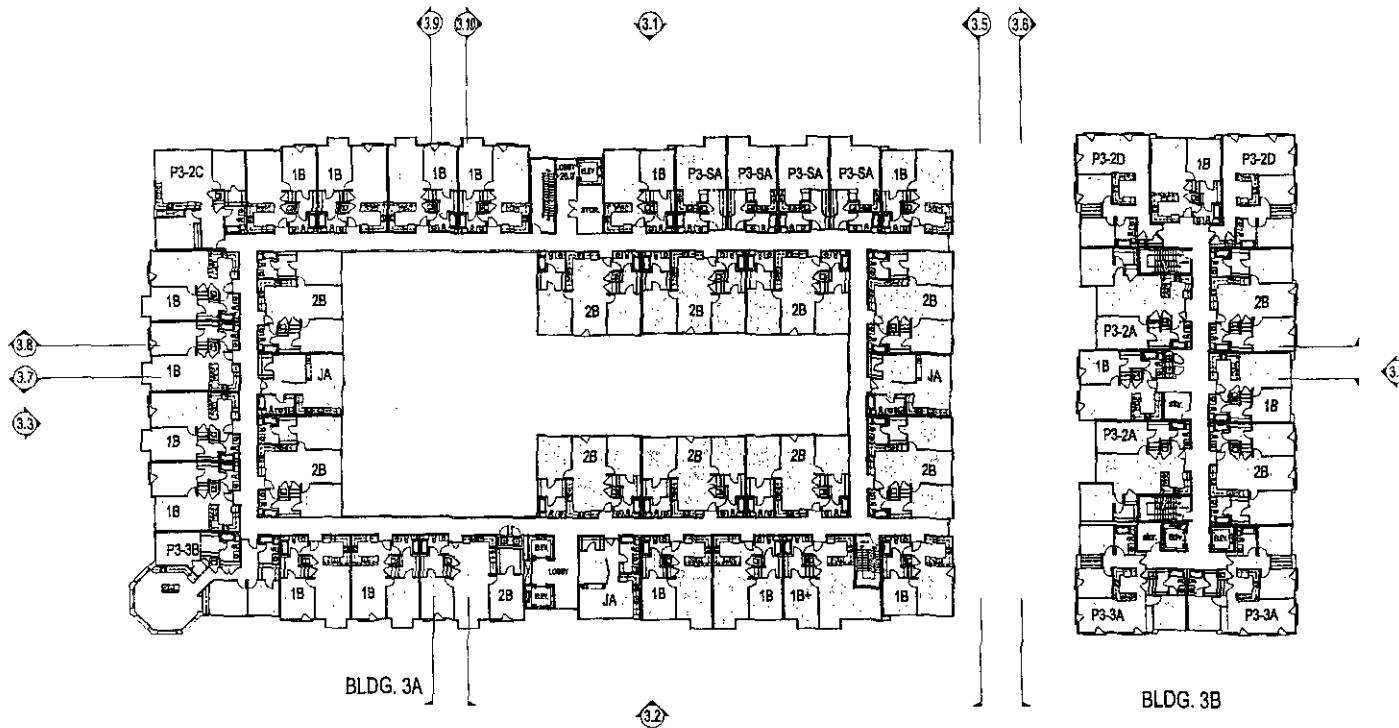
04.15.2005

DEVELOPMENT PLAN

SUBMITTAL

12.07.2004

BL.03



BLDG. 3A

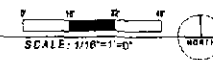
BLDG. 3B

DEVELOPMENT PLAN RESUBMITTAL

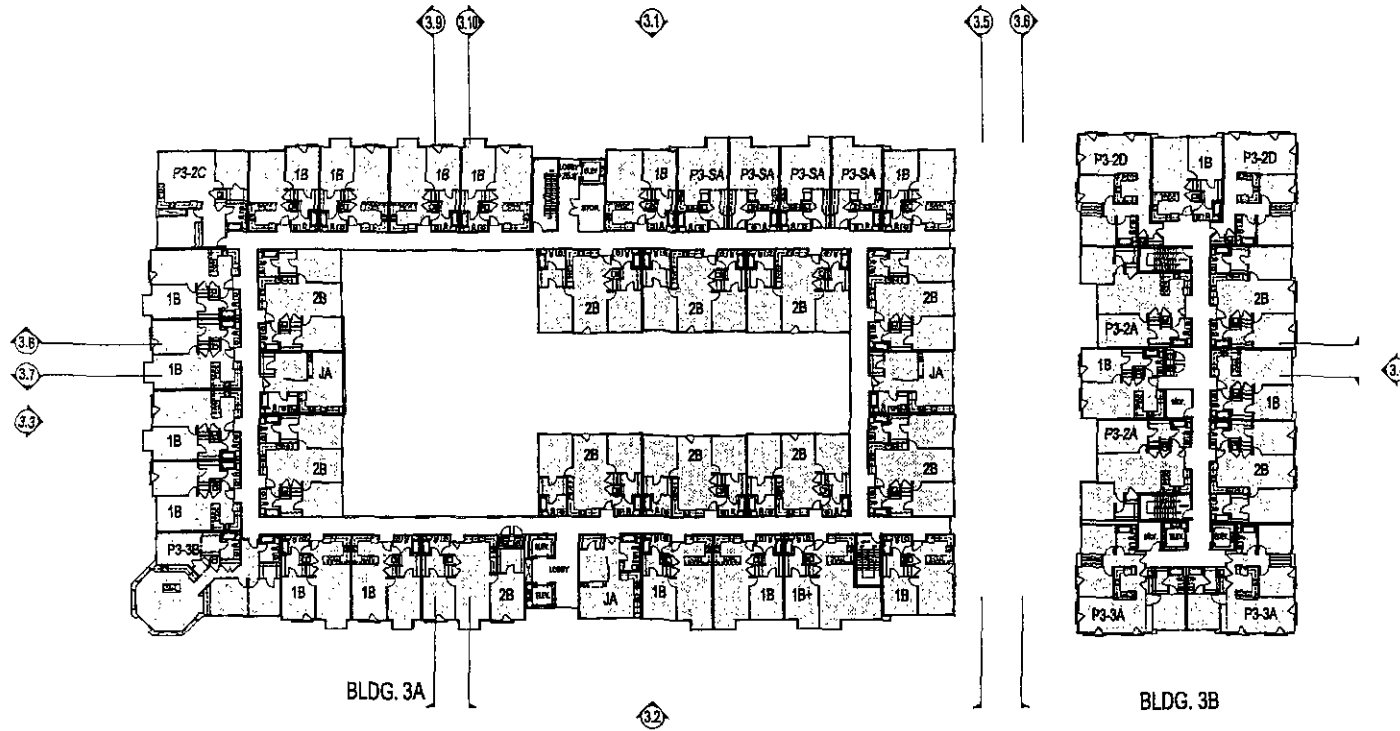
McLARAND VASQUEZ EMSIEK & PARTNERS

PARCEL 3 LEVEL 3

Oakland, California



SCALE: 1/16"=1'-0"



LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

DEVELOPMENT PLAN
RESUBMITTAL
04.18.2009
DEVELOPMENT PLAN
RESUBMITTAL
12.01.2004 02.22

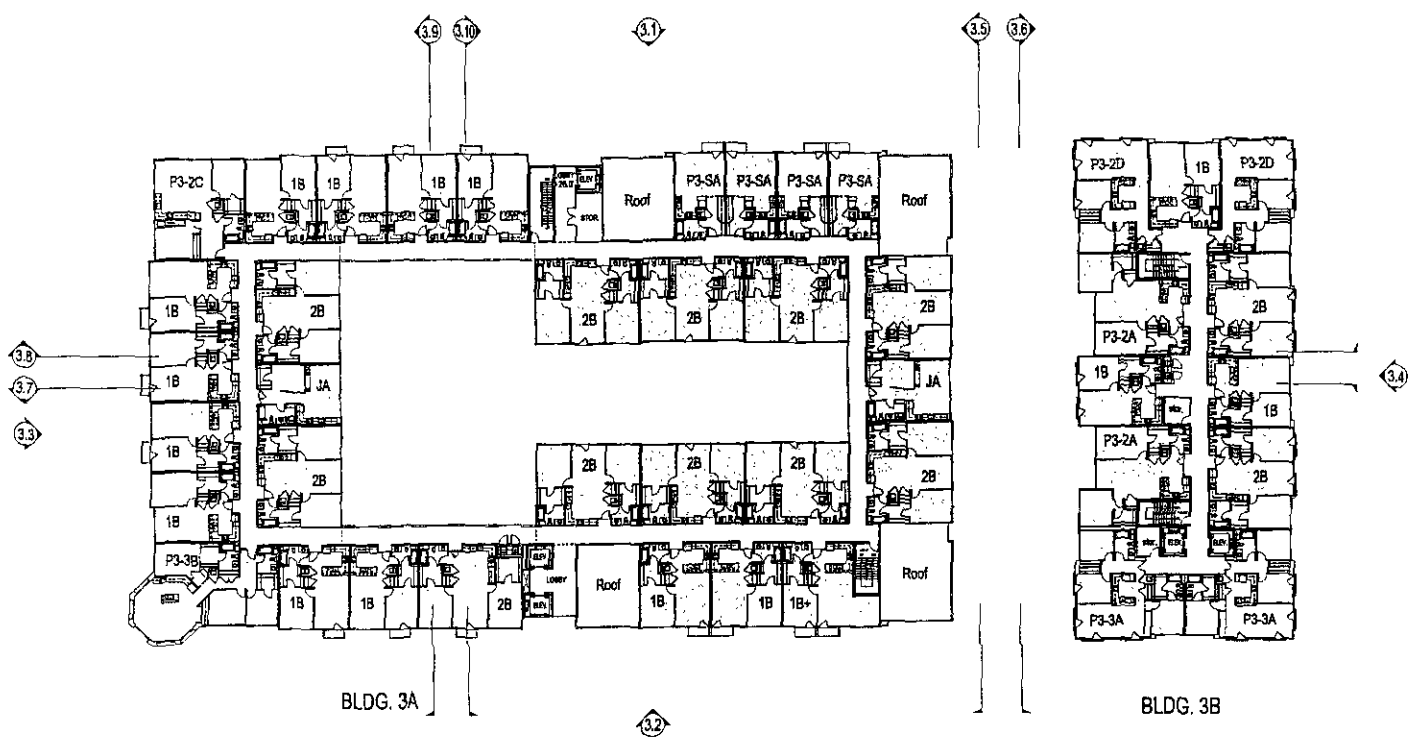




LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

DEVELOPMENT PLAN
RESUBMITTAL
04.15.2006
DEVELOPMENT PLAN
RESUBMITTAL
12.01.2004



UPTOWN OAKLAND

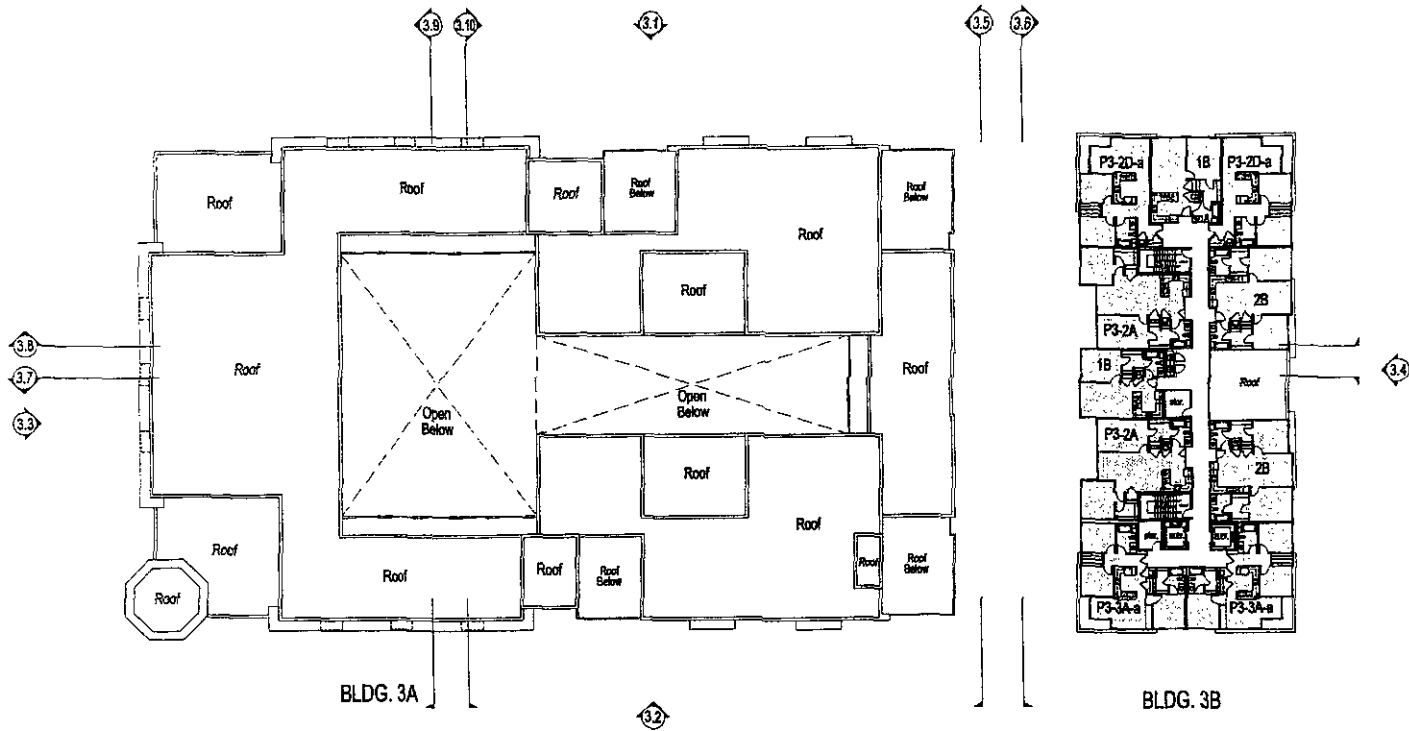
FOREST CITY
PARTNERS



LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

DEVELOPMENT PLAN
RESUBMITTAL
04.15.2008
DEVELOPMENT PLAN
RESUBMITTAL
12.01.2004 02.20

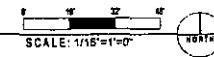


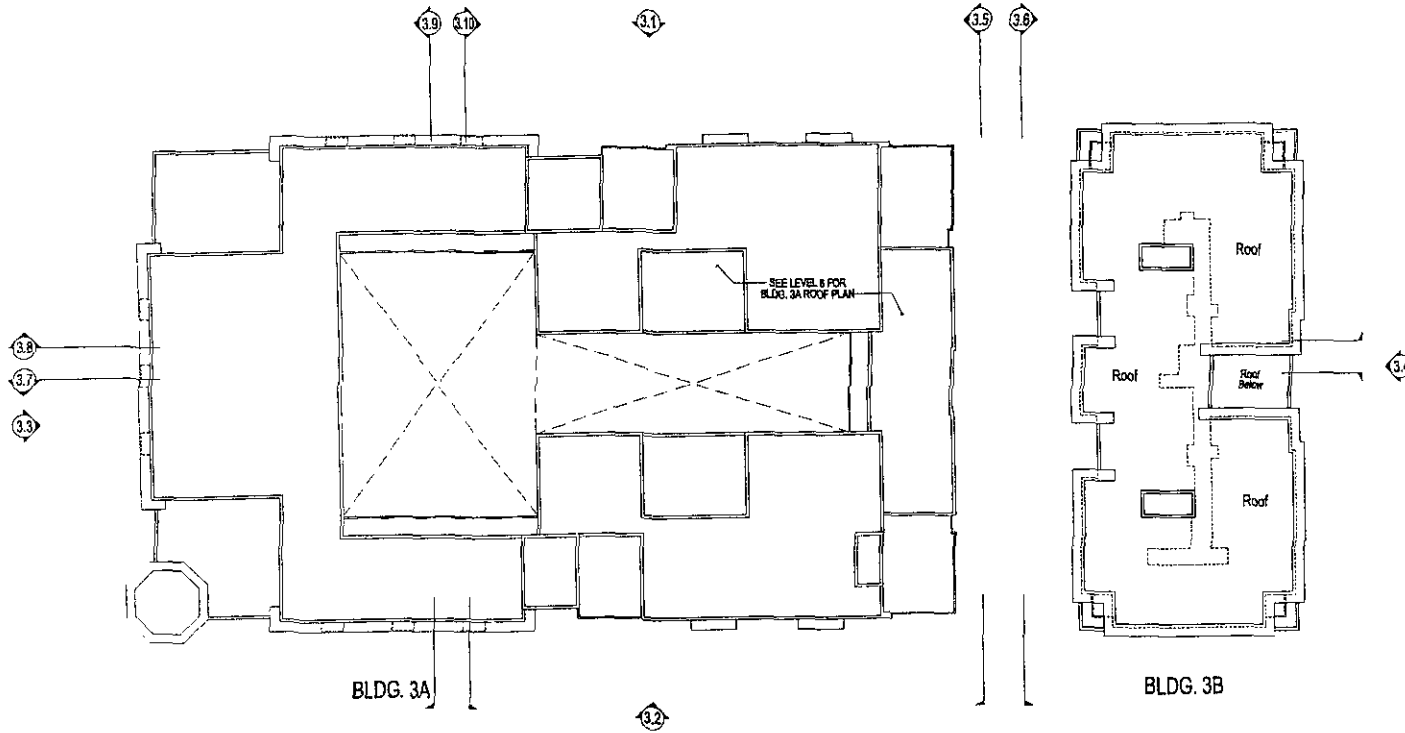
DEVELOPMENT PLAN RESUBMITTAL

McLARAND VASQUEZ EMSIEK & PARTNERS

PARCEL 3 LEVEL 6

Oakland, California





LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

DEVELOPMENT PLAN
RESUBMITTAL
04.15.2008
DEVELOPMENT PLAN
SUBMITTAL
12.01.2004 02.22.08

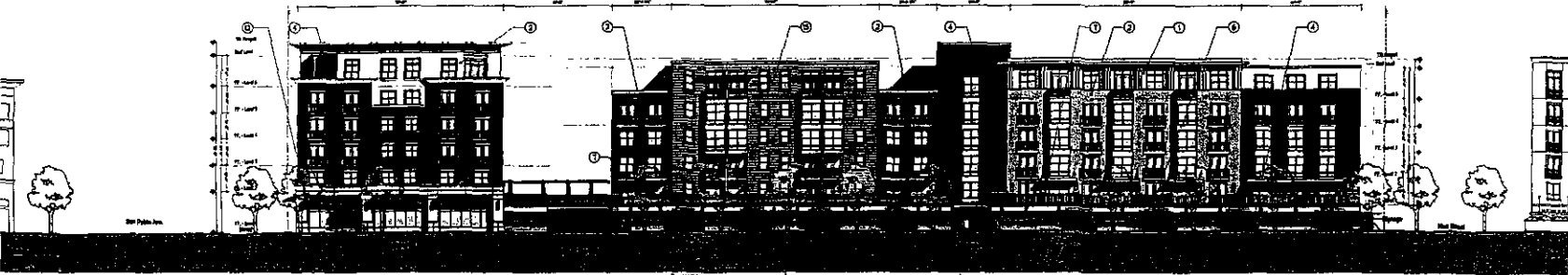


1. PAINTED METAL PANEL
2. PLASTER WALLS
3. CORRUGATED METAL FINISH
4. THIN YELLOW BRICK
5. ALUMINUM SHIMCOE
6. PAINTED METAL BALCONIES
7. METAL BRIMING WITH BRACKETS
8. STYROP W/ METAL GATE
9. LIVE/POSSIB BRIMING
10. METAL CANOPY WITH BRACKETS
11. BRANCHED PLASTER
12. POLYCAST FINISH
13. CEMENT BOARD LAP BOARD

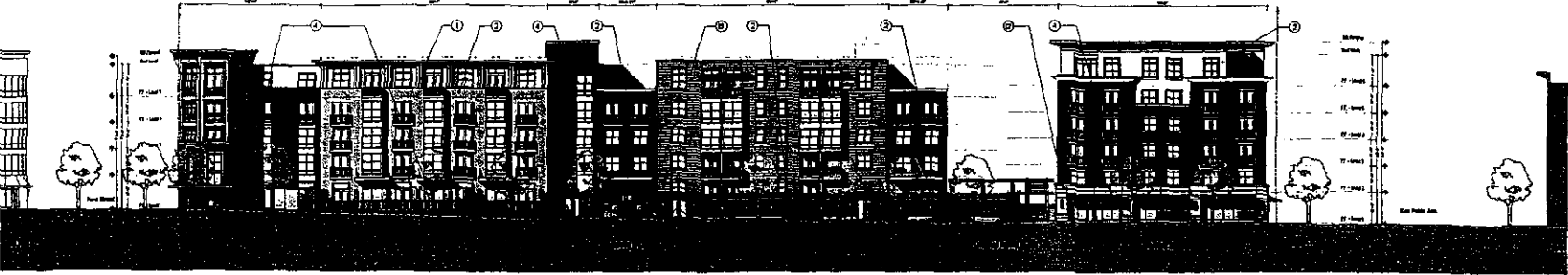
UPTOWN OAKLAND

FOREST CITY
CONCRETE

KEN KAY



31 North Elevation - Thomas L. Berkeley Way Elevation

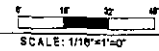


32 South Elevation - Wilkam Street Elevation

DEVELOPMENT PLAN RESUBMITTAL
McLARAND VASQUEZ EMSTEK & PARTNERS

PARCEL 3 ELEVATIONS

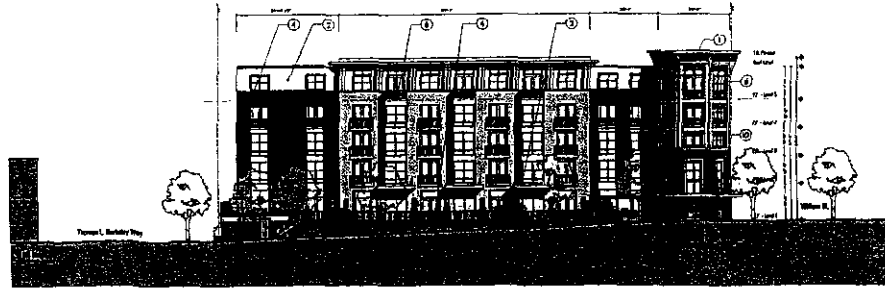
Oakland, California



DEVELOPMENT PLAN
RESUBMITTAL
04.16.2005
DEVELOPMENT PLAN
SUBMITTAL
12.01.2004 02.20



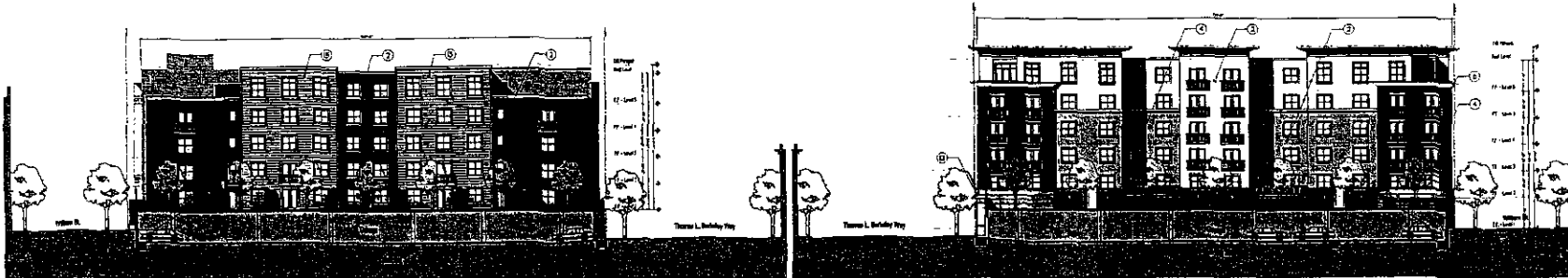
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2. PLASTER WALLS
3. CORRUGATED METAL FINISH
4. TRIM VENEER BRICK
5. ALUMINUM WINDOWS
6. PAINTED METAL BALCONIES
7. METAL HANDS WITH BRACKETS
8. STOOD W/ METAL GRATE
9. LIVE/WORK BRONZE
10. METAL CANOPY WITH BRACKETS
11. ENHANCED PLASTER
12. PRECAST FINISH
13. CEMENT BOARD LAP BOARD



3.3 Building 3A West Elevation - New Street



3.4 Building 3B East Elevation - Telegraph Avenue



3.5 Building 3A East Elevation - Courtyard



3.6 Building 3B West Elevation - Courtyard

UPTOWN OAKLAND

FOREST CITY

KEN KAY



DEVELOPMENT PLAN
RESUBMITTAL
04.15.2005
DEVELOPMENT PLAN
SUBMITTAL
12.01.2004 03.23



DEVELOPMENT PLAN RESUBMITTAL

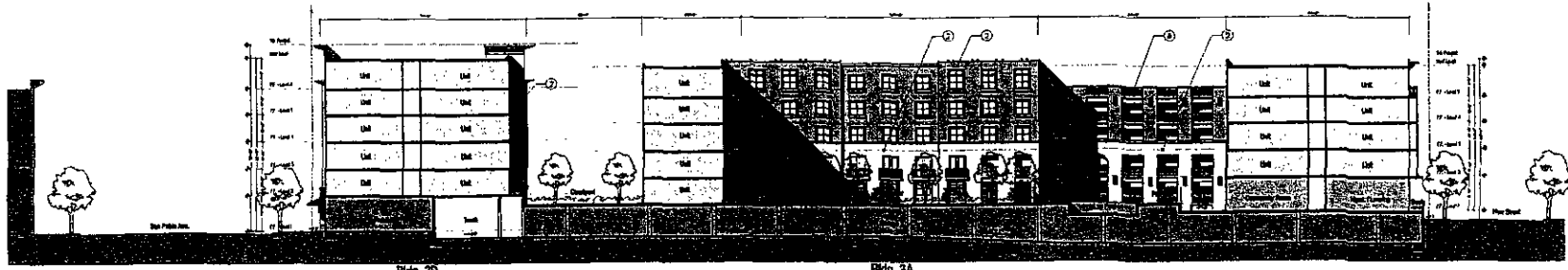
McLarand Vasquez Emsiek & Partners

PARCEL 3 ELEVATIONS

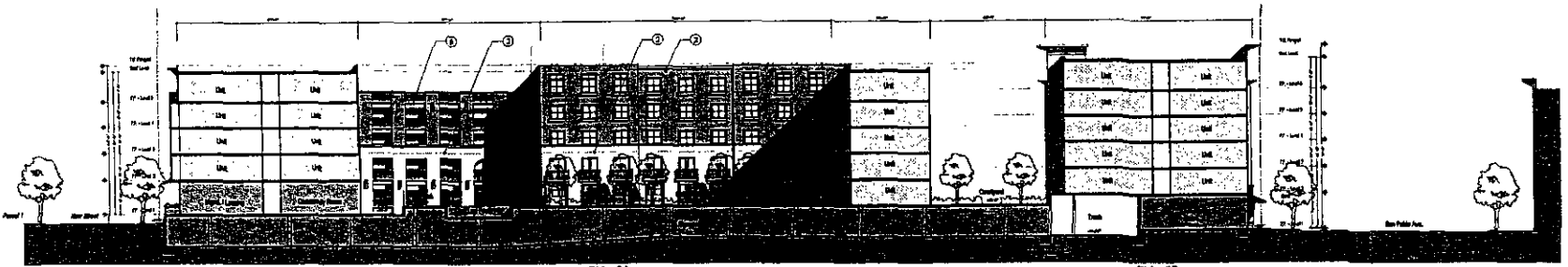
Oakland, California

SCALE: 1/16"=1'-0"

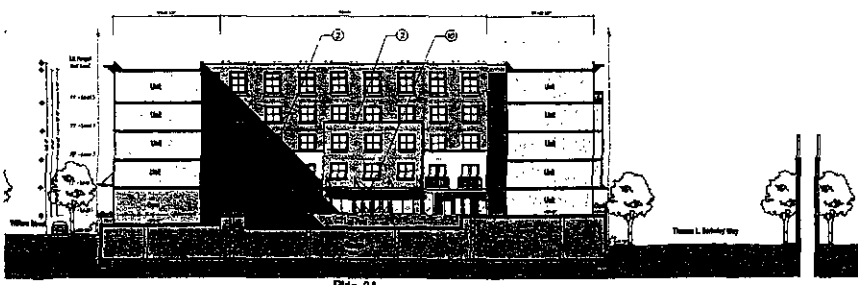
1. PAINTED METAL PANEL
2. PLASTER WALLS
3. CORRUGATED METAL FROTH
4. TIMBER VENEER BLOCK
5. ALUMINUM WINDOWS
6. PAINTED METAL BRACKETS
7. METAL BRACKET WITH BRACKET
8. TYPICAL METAL GATE
9. LIFEPORE BRIDGE
10. METAL GLOSSY WITH BRACKET
11. BRANCHED PLASTER
12. PRECAST FURN
13. CONCRETE BOARD LAP JOINT



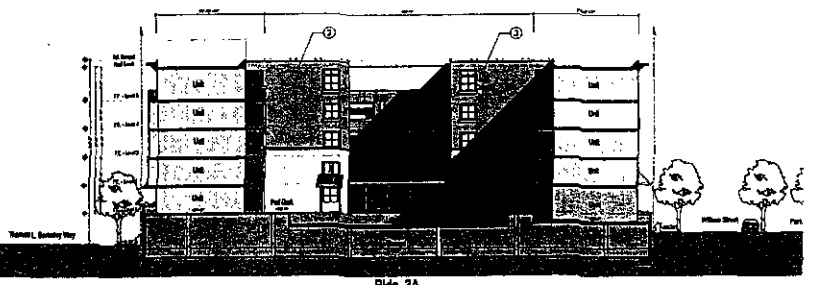
3.7 Longitudinal Section - North Courtyard Elevation



3.8 Longitudinal Section - South Courtyard Elevation



3.9 Cross Section - East Courtyard Elevation



3.10 Cross Section - West Courtyard Elevation

UPTOWN OAKLAND

FOREST CITY

KEN KAY



LEGEND:

- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

DEVELOPMENT PLAN RESUBMITTAL

04.18.2009

DEVELOPMENT PLAN RESUBMITTAL

12.01.2004

02.23



DEVELOPMENT PLAN RESUBMITTAL

McLARAND VASQUEZ EMSIEK & PARTNERS

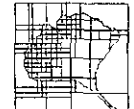
PARCEL 3 ELEVATIONS
Oakland, California



UPTOWN OAKLAND

FORESTCITY

KEN KAY



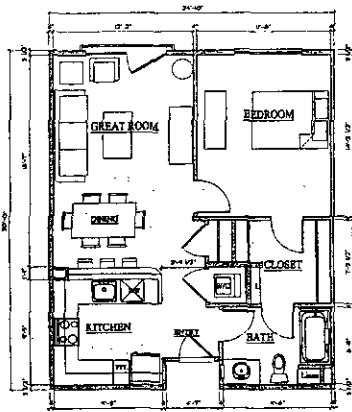
ASSOCIATES

LEGEND:

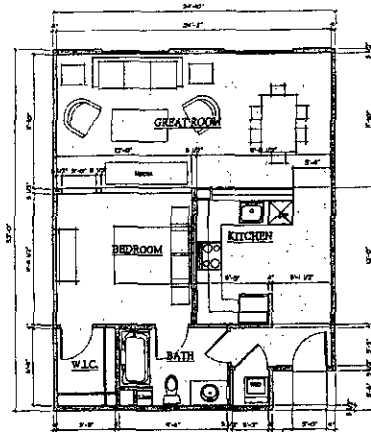
- RESIDENTIAL
- RETAIL
- AMENITY
- GARAGE
- OPEN SPACE

DEVELOPMENT PLAN
RESUBMITTAL
04.15.2009
DEVELOPMENT PLAN
SUBMITTAL

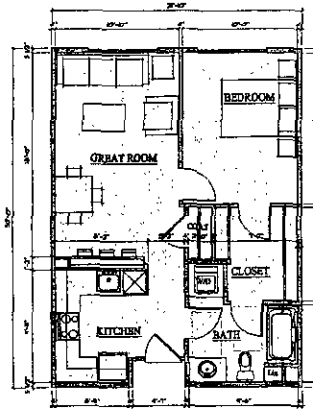
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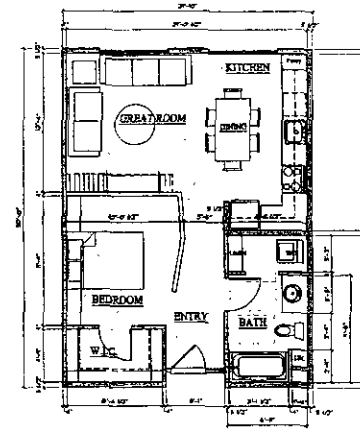
PLAN 1B 280 D.U.
1 BED/1 BATH 733 SF



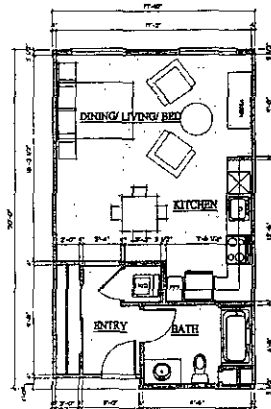
PLAN 1A 300 D.U.
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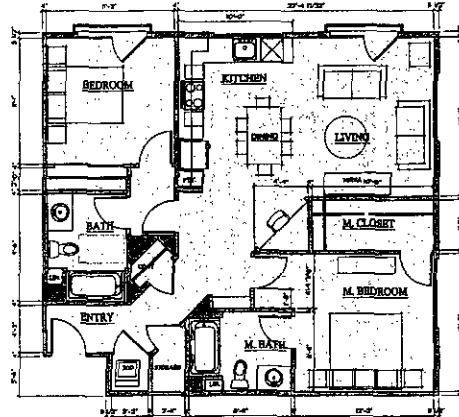
PLAN 1B 360 D.U.
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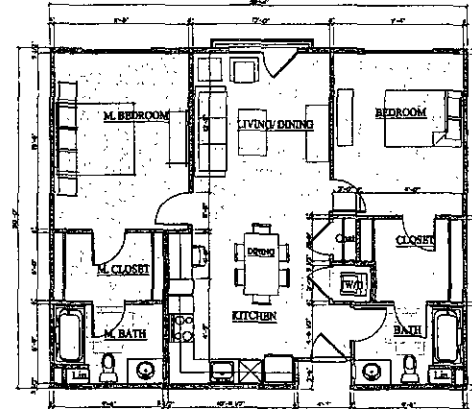
PLAN 1A 670 D.U.
1 BED/1 BATH 848 SF



PLAN P3-SA 20 D.U.
STUDIO 628 SF



PLAN 2C 50 D.U.
2 BED/2 BATH 1,090 SF



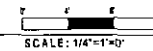
PLAN 2B 156 D.U.
2 BED/2 BATH 1,098 SF

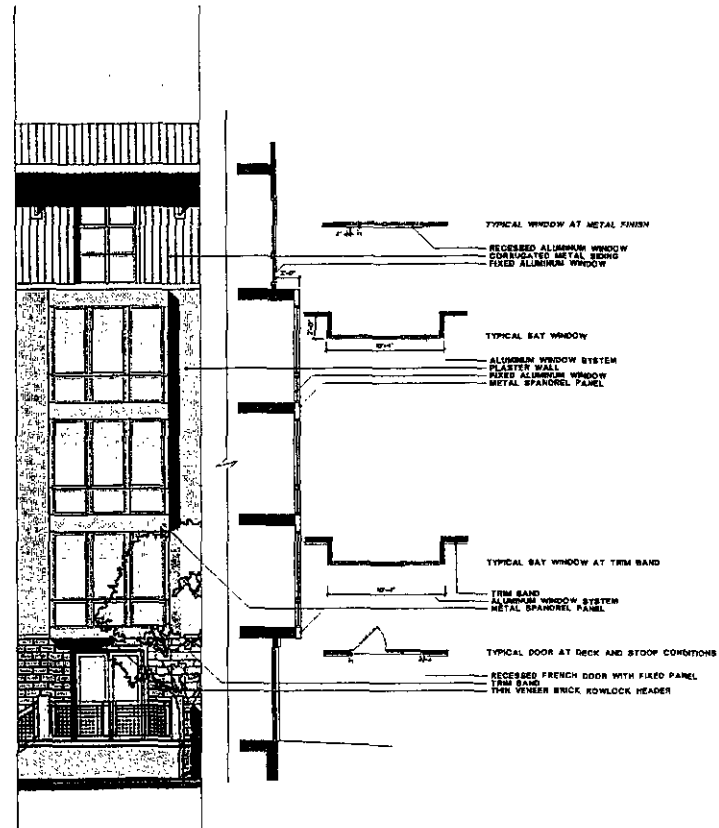
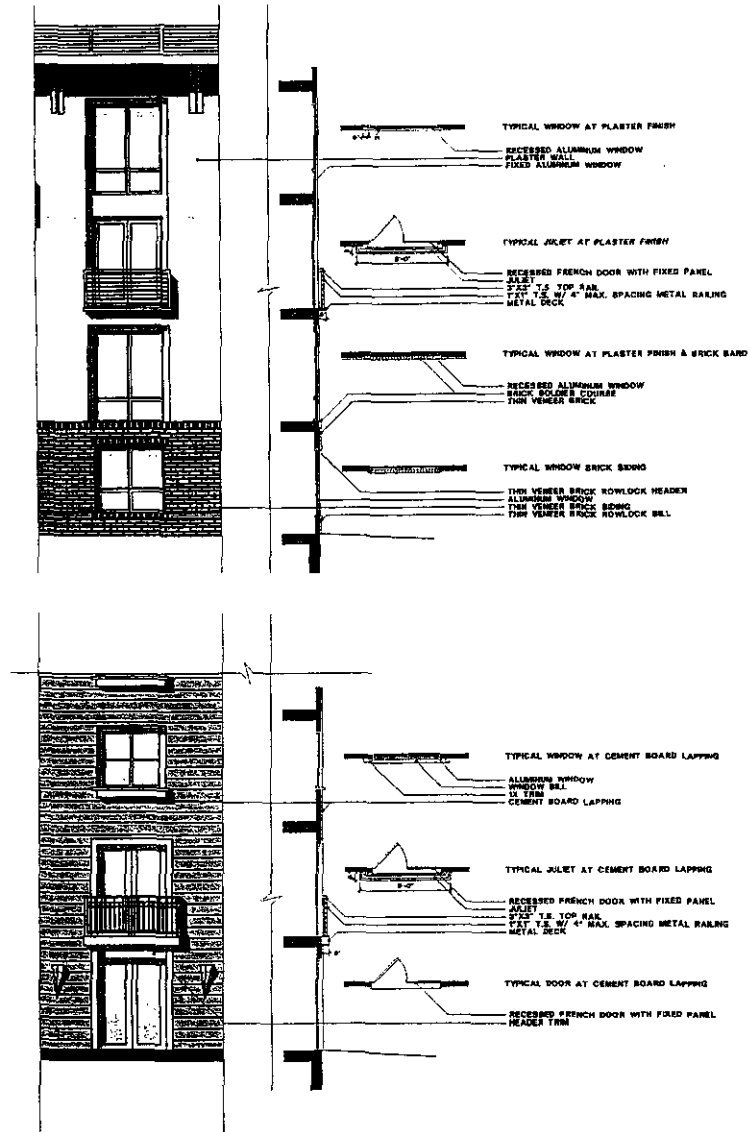
DEVELOPMENT PLAN RESUBMITTAL

McLARAN VASQUEZ EMSIEK & PARTNERS

TYPICAL UNIT PLANS

Oakland, California





UPTOWN OAKLAND

FOREST CITY PARTNERS

KEN KAY



DEVELOPMENT PLAN
RESUBMITTAL

04.15.2009

DEVELOPMENT PLAN
SUBMITTAL

12.01.2004

02.03



DEVELOPMENT PLAN RESUBMITTAL

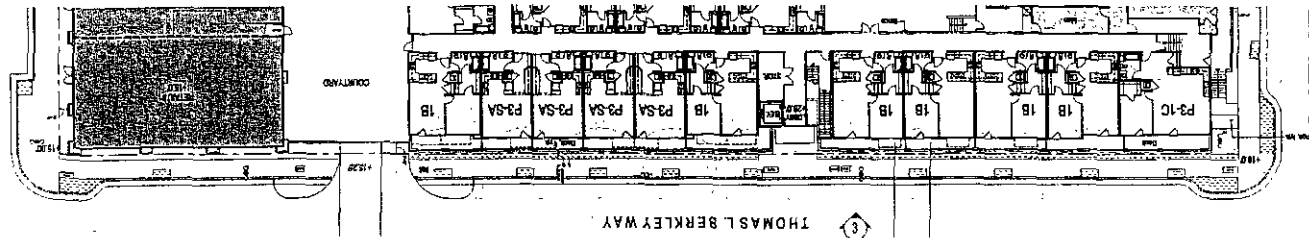
McLARAND VASQUEZ EMSIEK & PARTNERS

TYPICAL ENLARGED ELEVATIONS

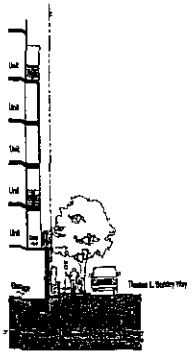
Oakland, California



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



1 Partial Plan - Parcel 3
1/2" = 1'-0"



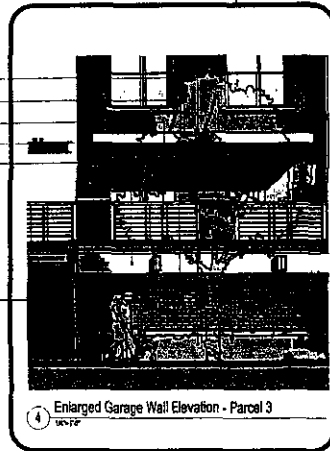
2 Garage Wall Section - Parcel 3
3/8" = 1'-0"



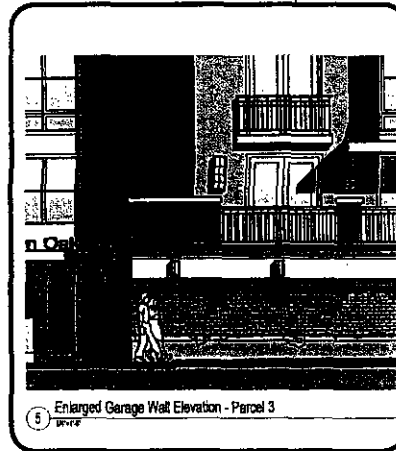
3 Garage Wall Elevation - Parcel 3
1/2" = 1'-0"

- Planter, See Landscape Drawings
- Thin Brick or Alternate Material
- Metal Railing
- Plaster
- Precast Trim

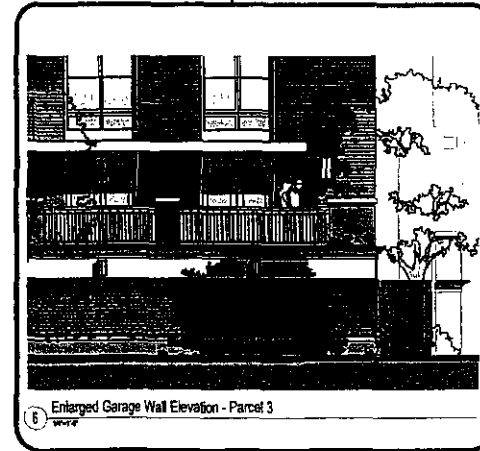
Surface Mtd. Light Fixture



4 Enlarged Garage Wall Elevation - Parcel 3
1/8" = 1'-0"



5 Enlarged Garage Wall Elevation - Parcel 3
1/8" = 1'-0"



6 Enlarged Garage Wall Elevation - Parcel 3
1/8" = 1'-0"

UPTOWN OAKLAND

FOREST CITY

KEN KAY



DEVELOPMENT PLAN
RESUBMITTAL

04.15.2005

DEVELOPMENT PLAN
SUBMITTAL

12.01.2004



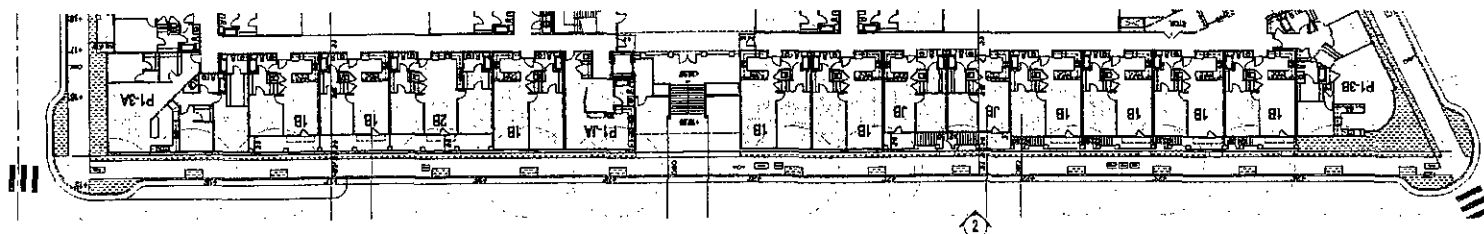
DEVELOPMENT PLAN RESUBMITTAL

McLARAND VASQUEZ EMSIEK & PARTNERS

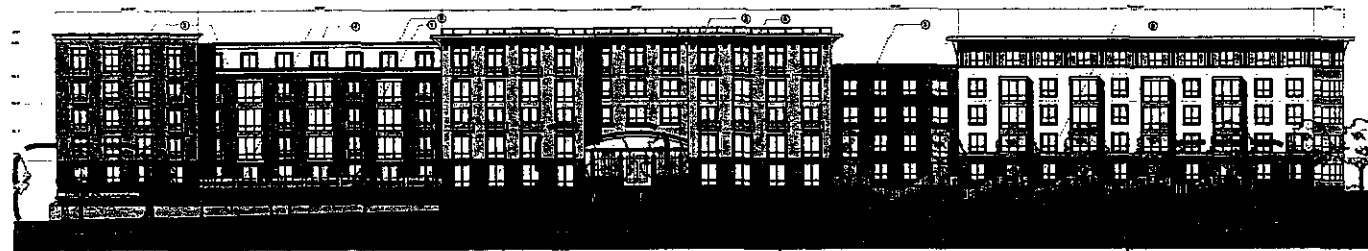
PARCEL 3 GARAGE WALL

Oakland, California

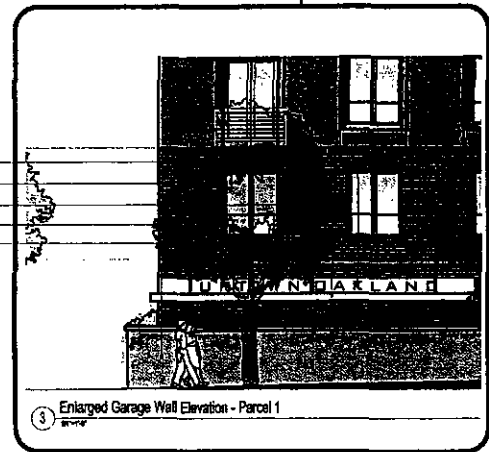
SCALE: As Noted



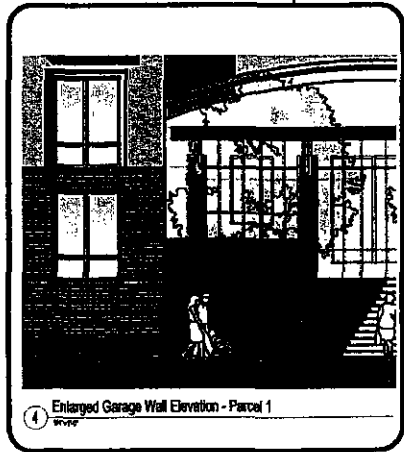
1 Partial Plan - Parcel 1



2 Garage Wall Elevation - Parcel 1



3 Enlarged Garage Wall Elevation - Parcel 1



4 Enlarged Garage Wall Elevation - Parcel 1



5 Enlarged Garage Wall Elevation - Parcel 1

- District Signage
- Thin Brick
- Metal Canopy
- Thin Brick Banding
- Planter

UPTOWN OAKLAND

FOREST CITY

KEN KAY



ASSOCIATES

DEVELOPMENT PLAN
RESUBMITTAL
04.16.2000
DEVELOPMENT PLAN
RESUBMITTAL
12.01.2004 02.23



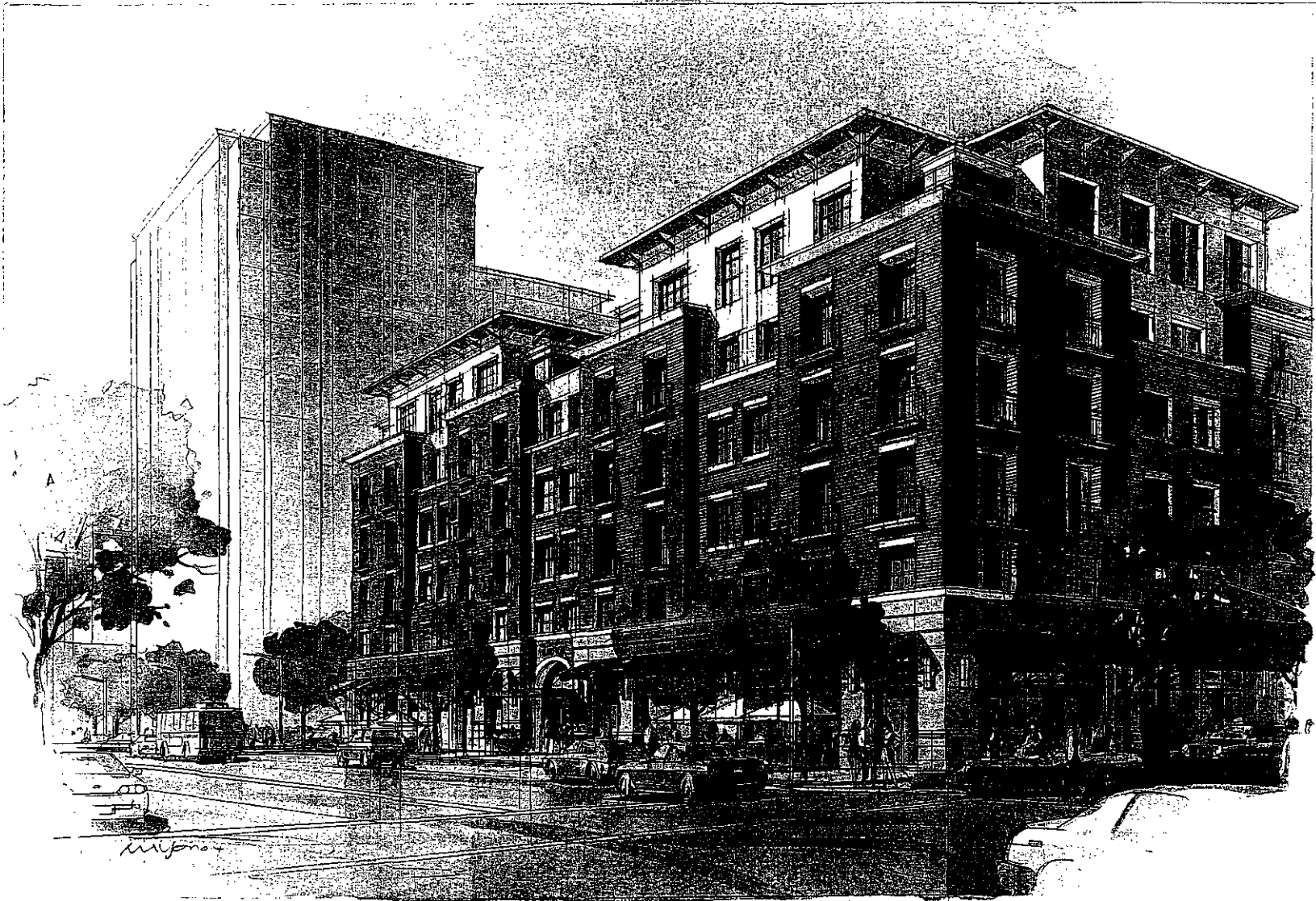
DEVELOPMENT PLAN RESUBMITTAL

McLARAN VASQUEZ EMSIEK & PARTNERS

PARCEL 1 GARAGE WALL

Oakland, California

SCALE: As Noted



View of Corner of Telegraph Avenue and Thomas L. Berkeley Way

UPTOWN OAKLAND

FORESTCITY
CONSULTANTS



DEVELOPMENT PLAN
RESUBMITTAL
04.15.2005
DEVELOPMENT PLAN
SUBMITTAL
12.01.2004 12.20



DEVELOPMENT PLAN RESUBMITTAL

McLARAND VASQUEZ EMSIEK & PARTNERS

Oakland, California

SCALE: No Scale



View of Park Looking Northwest

UPTOWN OAKLAND

FOREST CITY
PARTNERS

KEN KAY



ASSOCIATES

DEVELOPMENT PLAN
RESUBMITTAL

04.18.2005

DEVELOPMENT PLAN
SUBMITTAL

12.01.2004

02.02



DEVELOPMENT PLAN RESUBMITTAL

McLARAND VASQUEZ EMSIEK & PARTNERS

Oakland, California

SCALE: No Scale



View of New Street Looking South from Thomas L. Berkeley Way

UPTOWN OAKLAND

FOREST CITY
RESIDENTIAL

KEN KAY
ASSOCIATES

DEVELOPMENT PLAN
RESUBMITTAL
04.18.2009
DEVELOPMENT PLAN
RESUBMITTAL
12.01.2004 0222



DEVELOPMENT PLAN RESUBMITTAL

McLARAN VASQUEZ EMSIEK & PARTNERS

Oakland, California

SCALE: No Scale



View of William Street Looking East

DEVELOPMENT PLAN RESUBMITTAL

McLARAN VASQUEZ EMSIEK & PARTNERS

Oakland, California

SCALE: No Scale

UPTOWN OAKLAND

FOREST CITY
RECREATION

KEN KAY



ASSOCIATES

DEVELOPMENT PLAN
RESUBMITTAL

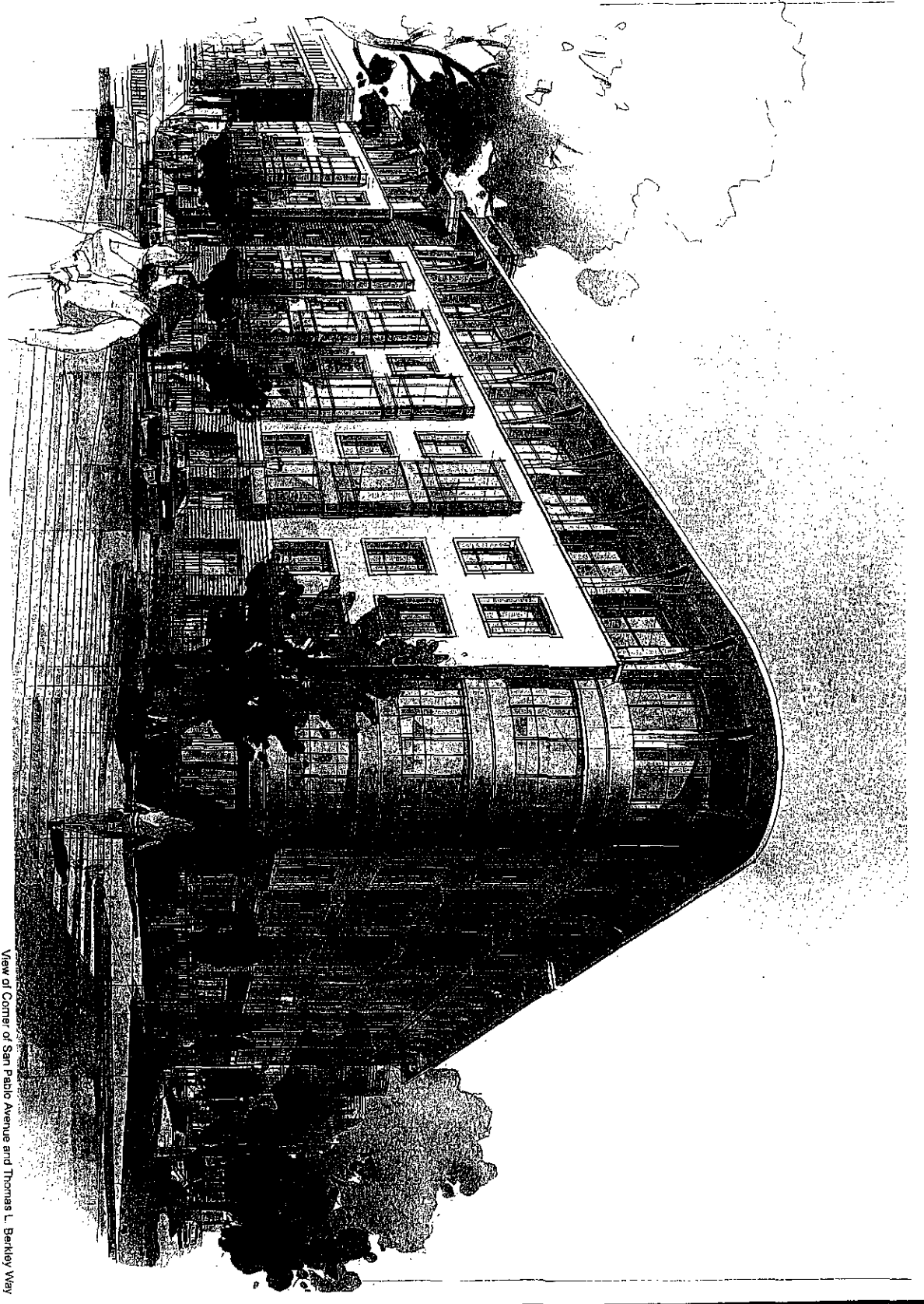
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DEVELOPMENT PLAN
#SUBMITTAL

12.01.2004

02.23





View of Corner of San Pablo Avenue and Thomas L. Bentley Way

DEVELOPMENT PLAN RESUBMITTAL
 McLARAND VASQUEZ EMSIEK & PARTNERS

O a k l a n d , C a l i f o r n i a

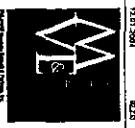
SCALE: No Scale

UPTOWN OAKLAND

FOREST CITY

KENKAY
 ASSOCIATES

DEVELOPMENT PLAN
 RESUBMITTAL
 BY: 11.2009
 DEVELOPMENT PLAN
 RESUBMITTAL
 11.2012 2009
 11.2012





View of Corner of San Pablo Avenue and William Street Looking East

UPTOWN OAKLAND

FOREST CITY
RESIDENTIAL

KEN KAY



DEVELOPMENT PLAN
RESUBMITTAL
04.18.2004
DEVELOPMENT PLAN
SUBMITTAL
12.01.2004 02.03



DEVELOPMENT PLAN RESUBMITTAL

McLARAN VASQUEZ EMSIEK & PARTNERS

Oakland, California

SCALE: No Scale

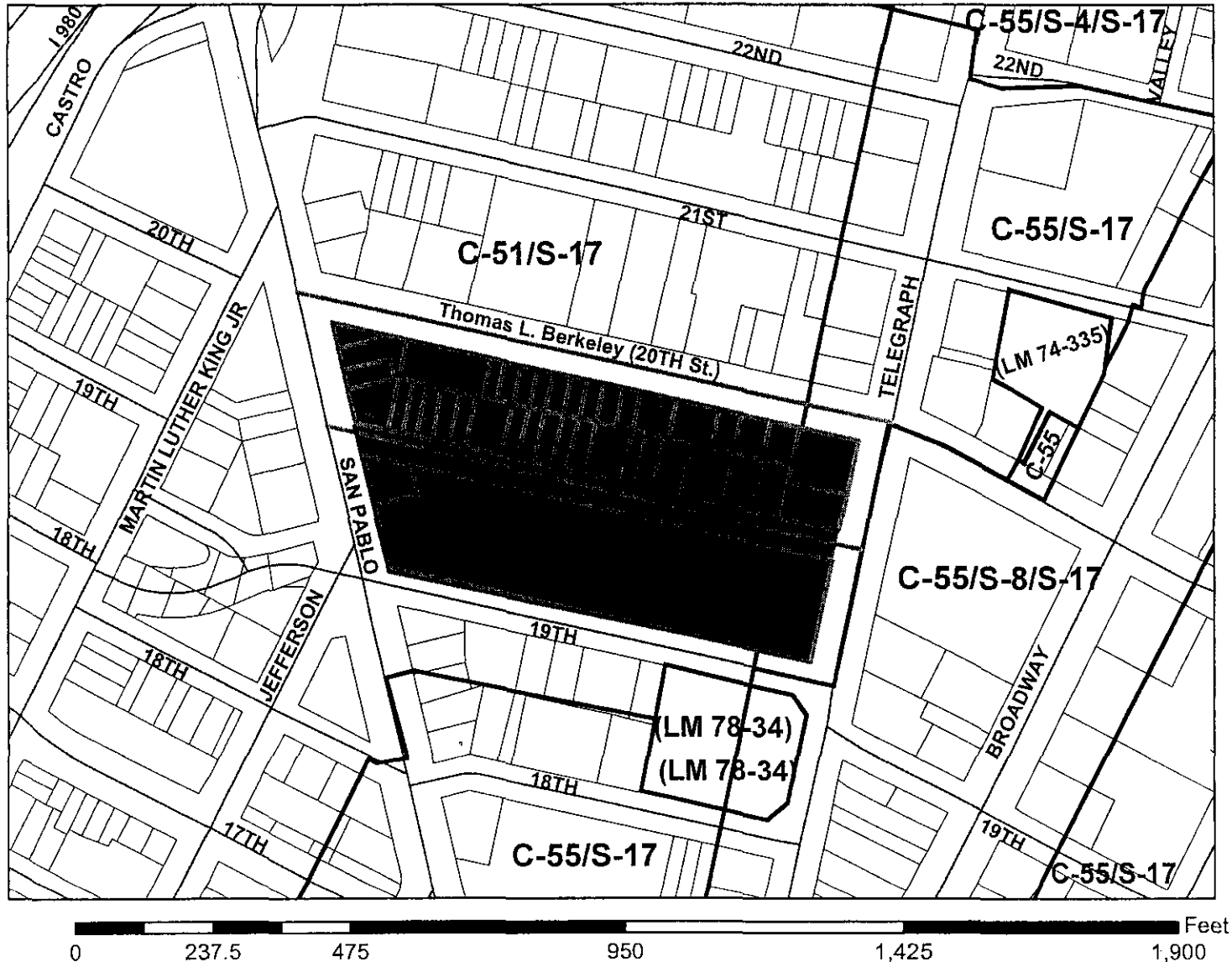
Location:	Uptown Area (generally bounded by San Pablo Avenue to the west, Thomas L. Berkley Way to the north, Telegraph Avenue to the east, and 19th Street to the south).
Proposal:	Construction of a mixed-use project with up to 665 rental residential units, 9,000 square feet of ground-floor commercial space, 533 structured parking spaces, and a 25,000 square-foot City Park.
Project sponsor:	FC Oakland, Inc.
Owner:	City of Oakland Redevelopment Agency
Case File Number(s):	PUD05037; TTM7616; GP05105; RZ05106;PUDF05047 CMV05197; ER03-0007; ZP03-0122
Planning Permits Required:	PUD (preliminary and final), Major CUP, Minor Variance, VTM, Final Map, GPA, Rezone.
General Plan:	Central Business District
Zoning:	C-51 Central Business Service Commercial Zone/C-55 Central Core Commercial Zone /S-17 Downtown Residential Open Space <i>Combining Zone</i>
Environmental Determination:	The EIR for this project was certified on on February 18, 2004 by the Planning Commission.
Historic Status:	Site includes four historic buildings with ratings ranging from B to Dc, and a portion of one historic district rated ASI.
Service Delivery District:	I – Downtown/West Oakland/Harbor
City Council District:	3
Status:	Staff report includes findings for approval; City Council to consider amendment to the Disposition and Development Agreement, General Plan Amendment, Rezone, Street Vacations, Street Dedications and Final Map
Action to be Taken:	Consider approval of PUD, Major CUP, Minor Variance, VTM. Make recommendation to City Council for General Plan Amendment and Rezone, street vacations and dedications.
Finality of Decision:	Appealable to City Council
For further information:	Contact case planner Catherine Payne at (510) 238-6168 or by email at lwagner@oaklandnet.com

SUMMARY

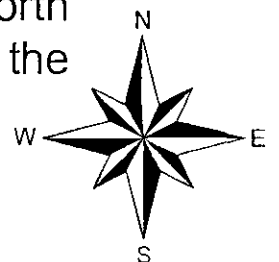
The purpose of this report is to recommend approval of the proposed first phase of the Uptown Oakland redevelopment project (Uptown Project) generally located on a 6.34-acre site generally bounded by San Pablo Avenue to the west, Thomas L. Berkley Way (formerly 20th Street) to the north, Telegraph Avenue to the east, and 19th Street to the south. The proposal under consideration is for a Planned Unit Development (PUD) that would allow for redevelopment of the currently underutilized site. The Uptown Project will be developed in two phases. The first phase, which will be developed on Parcels 1, 2 and 3, and the public park parcel, consists of the following the components:

7
**COMMUNITY & ECONOMIC
 DEVELOPMENT CMTE**
 JUN 14 2005

CITY OF OAKLAND PLANNING COMMISSION



Case File: PUD05-037,TTM7616
Applicant: FC Oakland Inc.
Address: The Uptown Oakland Project:
the blocks generally bounded by San Pablo Ave.
to the west, Thomas L. Berkeley Way to the north
Telegraph Ave. to the east, and 19th Street to the
South
Zone: C-51 / C-55 / S-17



- Mid-rise buildings (podium with five stories of residential development above, and up to 65 feet tall) accommodating 665 residential units, 9,000 square feet of ground-floor commercial space, and 533 parking spaces;
- A 25,000 square-foot public park;
- A new street located between (and running generally perpendicular to) Thomas L. Berkley Way and 19th Street; and
- Streetscape improvements, including reconfigured and relocated streets, new street trees, lights, furniture and other special design features.

The applicant has not submitted any design and construction details for the second phase of the Uptown Project, which will be developed on Parcel 4. Preliminary and Final PUDs will be subject to additional review and approval by the Planning Commission upon submission of appropriate documentation.

The Design Review Committee previously reviewed the proposed Uptown Project on December 10, 2003, in conjunction with the Oakland Redevelopment Agency consideration of a Lease Development and Disposition Agreement (LDDA) with the developer. The project is also scheduled for additional review by the Design Review Committee on May 25, 2005.

BACKGROUND

Lease Disposition and Development Agreement

The project site is proposed for redevelopment in two distinct phases. On July 20th, 2004, the Oakland Redevelopment Agency (ORA), authorized a Lease Disposition and Development Agreement (LDDA) between ORA and FC Oakland, Inc. to allow redevelopment of the subject site. Phase 1 includes the development of Parcel 1, 2 and 3, the public park and related streetscape improvements. The second project phase includes development of Parcel 4 and related streetscape improvements. On October 14, 2004, the ORA and the applicant executed a LDDA for Phase 1. The Redevelopment Agency and the applicant have not executed a LDDA for the second phase of the Uptown Project.

Key terms that guided the ORA's approval and authorization of the LDDAs for both phases of the project include the following:

- Assemblage and transfer of 38 properties by ORA to the applicant under a 66-year ground lease with an option to extend the lease for an additional 33 years.
- The applicant will develop at least 700 residential units, with 25 percent affordable units in the Uptown area, in two project phases (20% affordable to 50% AMI and below; and 5% affordable to 120% AMI and below).
- The applicant will develop at least 14,500 square feet of neighborhood-serving commercial space and parking facilities in the Uptown area.

- The applicant shall develop a 25,000 square-foot public park.
- The ORA will provide gap financing assistance to the applicant for the development project.

The current PUD application for Phase 1 is consistent with the terms of the LDDA. The PUD application includes 665 residential units, 9,000 square feet of commercial space, and on-site parking, consistent with the requirements of the LDDA for the first phase of the project. In addition, the associated Vesting Tentative Map (VTM) application constitutes one component of assembling a developable site to accommodate the proposed project.

Planning Commission Review

The Planning Commission previously reviewed the potential environmental impacts related to the proposed project during the environmental review process completed in accordance with the California Environmental Quality Act (CEQA). On October 15, 2003 the Planning Commission held a public hearing to receive comments on the Draft Environmental Impact Report (DEIR). On February 18, 2004 the Planning Commission certified the Final Environmental Impact report (FEIR). In addition, and as noted above, the Design Review Committee (DRC) reviewed and commented on the project description on December 10, 2003, and on May 25, 2005.

Community Participation

The applicant has held five community meetings since March 2003 in order to provide information to the community regarding the project and to solicit community input and comment. Comments received are summarized as follows:

- There has not been sufficient community outreach.
- Will the streets and the park be public or private?
- How will the City track compliance with the EIR Mitigation Monitoring and Reporting Plan (MMRP)?
- Why is the park proposed to be relocated from Telegraph Avenue to “New Street”? What facilities and design features are included in the new park?
- How will traffic flow on Thomas L. Berkley Way (the proposed project includes lane reconfigurations)?
- Will there be a new traffic signal on 19th Street at the intersection with “New Street”?
- Will bicycles be accommodated in the project?
- How will curb bulbouts and pedestrian curbcuts be designed to achieve public safety?
- Existing “Victorian” buildings on San Pablo Avenue should be retained.
- Is the proposed project coordinated with existing and planned public transit?
- Will existing on-street parking be replaced?
- Is there any information regarding the potential for finding components of the historic Chinatown located on the site?
- How many units are affordable?

PROPERTY DESCRIPTION AND SURROUNDING AREA

The current applications pertain to redevelopment of Phase 1 of the Uptown Project site (see Attachment A: December 10, 2003 Design Review Committee Staff Report). The Phase 1 area is a 6.34-acre site generally bounded by San Pablo Avenue to the west, Thomas L. Berkley Way to the north, Telegraph Avenue to the east, and 19th Street to the south. The Phase 1 site is currently occupied by auto fee parking, commercial, and residential uses. The surrounding area includes a mix of commercial, residential, and civic uses.

PROJECT DESCRIPTION

Phase 1 of the proposed Uptown Project occupies four city blocks (6.34 acres), and includes residential mixed-use development and related on-site open space and parking, a new City park, a new street, and streetscape improvements. Specific components of the project include the following (and are shown in Attachment B: Project Plans):

- Three mid-rise buildings accommodating 665 residential units, 9,000 square feet of ground-floor commercial space, and 533 parking spaces:
 - Parcel 1: Parcel 1 (occupying the northwest block) includes a five-story building over a partially below-grade parking podium.
 - Residential Dwelling Units: 255;
 - Parking: The parking garage is accessed from “New Street” and includes 220 parking spaces (.86 parking space per d.u.)
 - 145 standard spaces (including a space reserved for City Car Share)
 - 68 compact spaces (31% of total)
 - 7 accessible spaces
 - Open Space: 26,992 square feet (106 sf/d.u.)
 - Group Open Space: The building includes three courtyards, one of which provides a mid-block visual connection from Thomas L. Berkley Way to William Street through secured building openings above the podium level.
 - Private Open Space: The building includes ground-level stoops along the William Street frontage, and along the western portion of the Thomas L. Berkley Way frontage.
 - Parcel 2: Parcel 2 (occupying the southwest block) includes a five-story building over a partially below-grade parking podium.
 - Residential Dwelling Units: 193;
 - Police substation located on the corner of William Street and San Pablo Avenue;
 - Parking: 133 parking spaces (.69 parking space per d.u.)
 - 117 standard spaces

- 11 compact spaces (8% of total)
 - 5 accessible spaces
 - Open Space: 18,910 square feet (98 sf/d.u.)
 - Group Open Space: The building includes two courtyards, one of which provides a mid-block visual connection from William Street through a secured building opening above the podium level.
 - Private Open Space: The building includes ground-level stoops along the William and New Street frontages.
 - Parcel 3: Parcel 3 (occupying the northwest block) includes two buildings, including a five-story building over a partially below-grade parking podium on the western portion of the block, and a six-story building on the eastern portion of the block with retail space on the ground floor and five stories of residential units above.
 - Ground Floor Retail Use: 9,000 square feet;
 - Residential Dwelling Units: 217;
 - Parking: 180 parking spaces (.83 parking space per d.u.) in a garage located within the western building and accessed from Thomas L. Berkley Way:
 - 110 standard spaces (including one space reserved for City Car Share)
 - 64 compact spaces (35% of total)
 - 6 accessible spaces
 - Open Space: 29784 square feet (137 sf/d.u.)
 - Group Open Space: The site includes two courtyards: one located on the parking podium between the two buildings provides a visual connection from Thomas L. Berkley Way to William Street; the other courtyard is internal to the western building and provides amenities, including a pool and spa, intended to serve the entire project.
 - Private Open Space: Podium-level patios are located on all street frontages for the western building.
 - Parcel 4: The current application is for a preliminary PUD for Parcel 4. There are currently no plans available. However, an amended preliminary PUD would be required for any development proposal on Parcel 4 and both the preliminary and final PUD would be subject to discretionary review and approval by the DRC and the Planning Commission.
 - Site Planning:
 - Main building lobbies for all buildings would be located at the William Street/New Street intersection;
 - Single-entry garage access, with no access along William Street:
 - Parcel 1: New Street garage entry;
 - Parcel 2: New Street garage entry; and

- Parcel 3: Thomas Berkley Way (near Telegraph Avenue), between the two buildings proposed on that block
- Building openings, as described above, to reduce the scale and massing of buildings, and to provide a visual connection between public and private realms;
- A 25,000 square-foot City park: A 25,000 square-foot portion of parcel 5 (the western portion of the southeastern block) would be dedicated to the City as a park. Components of the park include:
 - A “focal feature”: This could be a water feature or sculpture located at the center of the park to draw people in;
 - Tot lot: This would meet an existing community need as well as the increased population in the area resulting from development of the project;
 - Seating and gathering areas; and
 - Extensive plantings, including mature trees, shrubs, and groundcovers.
- A new street located mid-block between (and running generally perpendicular to) Thomas L. Berkley Way and 19th Street: This street is proposed to have a 50-foot ROW, with two sidewalks, two parking lanes and one travel lane in each direction; and
- Streetscape improvements, including reconfigured and relocated streets, new street trees, lights, furniture and other special design features.
 - San Pablo Avenue: The ROW dimension would remain unchanged (100 feet wide); however, sidewalk bulbouts would be provided at corners, and on-street parking would be restriped as parallel parking (the existing parking configuration is diagonal, although this is temporary to accommodate ongoing construction projects, and is historically parallel).
 - Thomas L. Berkley Way: The Thomas L. Berkley Way ROW dimension would be reduced by nine feet. This would be accommodated by reducing the number of travel lanes from four (existing) to three (proposed). One travel lane would be provided in each direction, accommodating a Class III bike lane, and a dedicated turn lane would also provide passing opportunities for AC Transit buses.
 - Telegraph Avenue: Changes to the Telegraph Avenue ROW are part of a separate streetscape improvement project sponsored by the City of Oakland Redevelopment Agency, the Latham Square and Telegraph Avenue Streetscape Improvement Project. No change to the width of the Telegraph Avenue ROW would occur adjacent to the project site. However, the building edge proposed along Telegraph Avenue would be set back from the ROW to allow for café seating.
 - 19th Street: The 19th Street ROW dimension would be reduced by two feet. This reduction would be entirely captured by a reduction in the northern sidewalk width from ten to eight feet. In addition, bulbouts would be provided at all corners and intersections. Parallel parking would remain, although restriping would be necessitated by the location of new bulbouts.
 - William Street: The existing William Street ROW would be shifted approximately 10 feet to the south and would be reduced from 50.67 feet to 44 feet. The street currently has two sidewalks, two parking lanes, and one

westbound travel lane. The proposed configuration includes two sidewalks, one parking lane on the north side of the street, and both a westbound and eastbound travel lane.

GENERAL PLAN ANALYSIS

The General Plan designation for the Uptown Project site is Central Business District, which is intended as a high-density mixed-use urban center. The maximum floor area ratio (FAR) allowed by this designation is 20.0, and the proposed FAR is approximately 2.4. Thus the proposed project, which includes approximately 650,066 square feet of residential space and 9,000 square feet of ground-floor commercial space, falls well within the maximum allowable FAR. The General Plan states that the desired character and uses in the district include a mix of large-scale offices, commercial, urban (high-rise) residential, institutional, open space, cultural, educational, arts, entertainment, service, community facilities, and visitor uses. The proposed residential, commercial and park uses are consistent with the General Plan.

Land Use and Transportation Element of the General Plan

The General Plan Land Use and Transportation Element (LUTE) includes the following specific policies (identified in bold text) that are applicable to the Uptown Project (analysis of how the project supports the policies is provided in indented, italicized text:

Policy I/C3.3: Clustering Activity in “Nodes.” Retail uses should be focused in “nodes” of activity, characterized by geographic clusters of concentrated commercial activity, along corridors that can be accessed through many modes of transportation.

The project includes retail space along Telegraph Avenue, in support of and adding to existing, concentrated commercial activity along the Telegraph Avenue corridor. The entire project is located within one-quarter mile of AC Transit bus stops serving both regional and local bus lines and the BART 19th Street station serving this regional transportation mode.

I/C3.4: Strengthening Vitality. The vitality of existing neighborhood mixed use and community commercial areas should be strengthened and preserved.

The project includes high-density residential uses adjacent to the downtown area. This use expands and strengthens the market for commercial, entertainment and employment land uses in the vicinity.

I/C3.5: Promoting Culture, Recreation, and Entertainment. Cultural, recreational, and entertainment uses should be promoted within the Downtown, particularly in the vicinity of the Fox and Paramount Theaters, and within the Jack London Square area.

The project includes high-density residential uses near the Fox and Paramount Theaters. This use expands and strengthens the audience for cultural, recreation and entertainment activities in the area.

Policy I/C4.1: Protecting Existing Activities. Existing industrial, residential, and commercial activities and areas which are consistent with long term land use plans for the city should be protected from the intrusion of potentially incompatible land uses.

Although the proposed use would replace an existing single-resident occupancy facility and underutilized commercial land uses, the project is consistent with long term plans for strengthening the community and providing synergistic uses in the downtown area.

Policy T2.1: Encouraging Transit-Oriented Development. Transit-oriented development should be encouraged at existing or proposed transit nodes, defined by the convergence of two or more modes of public transit such as BART, bus, shuttle service, light rail or electric trolley, ferry, and inter-city or commuter rail.

The project includes high-density residential and commercial uses located within one-quarter mile of AC Transit bus stops serving both regional and local bus lines and the BART 19th Street station, thereby serving this regional transportation mode.

Policy T2.2: Guiding Transit-Oriented Development. Transit-oriented development should be pedestrian-oriented, encourage night and day time use, provide the neighborhood with needed goods and services, contain a mix of land uses, and be designed to be compatible with the character of surrounding neighborhoods.

The project includes extensive streetscape improvements, pedestrian safety features, retail uses, and a City park, all intended to enrich the pedestrian and general public experience of the area.

Policy T2.3: Promoting Neighborhood services. Promote neighborhood-serving commercial development within one-quarter to one-half mile of established transit routes and nodes.

The project includes 9,000 square feet of ground floor commercial space along Telegraph Avenue and within close proximity to BART and AC Transit. The proposed commercial space enhances the existing commercial district in the project vicinity.

Policy T2.3: Linking Transportation and Activities. Link transportation facilities and infrastructure improvements to recreational uses, job centers, commercial nodes, and social services (i.e., hospitals, parks, or community centers).

The project involves intensifying recreational uses and housing opportunities near existing transit and transportation facilities, including BART, AC Transit and Interstate 880.

Policy D5.1: Encouraging Twenty-Four Hour Activity. Activities and amenities that encourage pedestrian traffic during the work week, as well as evenings and weekends should be promoted.

The project provides residential and commercial uses adjacent to the downtown area. Proposed residential activities will complement existing commercial and cultural activities in the downtown and immediate vicinity for which there is otherwise no audience during non-work hours. In addition, residential and recreational activities will encourage pedestrian traffic to and from the project at all hours of the day and all days of the week.

Policy D6.1: Developing on vacant land or to replace surface parking lots should be encouraged throughout the downtown, where possible.

The project would replace an existing surface parking lot and garage, as well as other underutilized land uses, in the downtown area with residential, recreational and commercial uses.

Policy D10.1: Encouraging Housing. Housing in the downtown should be encouraged as a vital component of a 24-hour community presence.

The project would provide 665 residential units in the downtown area.

Policy D10.2: Locating Housing. Housing in the downtown should be encouraged in identifiable districts, within walking distance of the 12th Street, 19th Street, City Center, and Lake Merritt BART stations to encourage transit use, and in other locations where compatible with surrounding uses.

The project would provide 665 residential units within one-quarter mile of the 19th Street BART station.

Policy D10.6: Creating Infill Housing. Infill housing that respects surrounding development and the streetscape should be encouraged in the downtown to strengthen or create distinct districts.

The project would provide 665 residential units in mid-rise buildings similar to the surrounding area and complementary to the nearby high-rise downtown district.

D11.1: Promoting Mixed-Use Development. Mixed use developments should be encouraged in the downtown for such purposes as to promote its diverse character, provide for needed goods and services, support local art and culture, and give incentive to reuse existing vacant or underutilized structures.

The proposed project is a predominantly residential mixed-use project that includes commercial and recreational uses. The proposed uses enhance the existing diverse character of the area by increasing the market for existing commercial, entertainment and employment uses in the area.

Policy N1.1: Concentrating Commercial Development. Commercial development in the neighborhoods should be concentrated in areas that are economically viable and provide opportunities for smaller-scale, neighborhood-oriented retail.

The proposed project includes new ground floor commercial space along Telegraph Avenue, an existing commercial district. The new commercial uses would contribute to a continuous commercial street frontage that is currently disrupted by a surface parking lot.

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 of Oakland.

The proposed project is located within a completely urbanized area and constitutes residential infill development within Oakland.

Policy N8.1: Development of Transit Villages. “Transit Village” areas should consist of attached multi-story development on properties near or adjacent to BART stations or other well-used or high volume transit facilities, such as light rail, train, ferry stations, or multiple-bus transfer locations. While residential units should be encouraged as part of any transit village, other uses may be included where they will not negatively affect the residential living environment.

The proposed project is a multi-story residential mixed-use project located near BART and AC Transit and is consistent with the “Transit Village” terminology.

Open Space, Conservation and Recreation Element of the General Plan

The Uptown Project includes the development of a 25,000 City park that is subject to the policies included in the Open Space, Conservation and Recreation (OSCAR) element of the General Plan. The following policies apply to the proposed project:

Policy OS-4.1: Provision of Useable Open Space. Continue to require new multi-family development to provide useable outdoor open space for its residents.

The proposed project exceeds the zoning requirements for on-site usable open space for the new multi-family residential land uses (see Zoning Analysis subsection below). In addition, the project includes the provision of a 25,000 square-foot City park to meet the needs of downtown residents for public open space.

Policy OS-11.1: Access to Downtown Open Space. Provide better access to attractive, sunlit open spaces for persons working or living in downtown Oakland. The development of rooftop gardens is encouraged, especially on parking garages.

The proposed project exceeds the zoning requirements for on-site usable open space for the new multi-family residential land uses (see Zoning Analysis subsection below). In addition, the project includes the provision of a 25,000 square-foot City park to meet the needs of downtown residents for public open space.

Policy REC-3.1: Level of Service Standards. Use the level of service of standards in Table 15 (Level of Service Standards for Oakland Parks) as a means of determining where unmet needs exist and prioritizing future capital investments.

The OSCAR establishes a goal of 4.0 acres of local-serving park acreage per 1,000 residents. The project would result in an overall increase in population by 1060 residents (this calculation assumes the provision of 665 new residential units, replacing 34 existing units with a formula of 1.68 persons per unit, based on The Uptown Mixed use Project EIR--see discussion below). Accordingly, 4.24 acres of local new local-serving park is required in order to meet the stated goal. The proposed project includes 0.57 acre of parkland. However, the OSCAR also acknowledges that, “While the ultimate goal is to achieve these

standards in every Oakland neighborhood, the city's built-out character presents a major obstacle in most cases. The immediate goal is to make significant inroads in the gap between what exists now and what is ultimately desired. The City should work towards reducing that gap in its annual capital improvement program." (page 4-40) The proposed project meets the overall intent and spirit of the policy by providing a significant amount of new public open space in the downtown area.

ZONING ANALYSIS

The proposed project site **for the applications considered in this report** is located within two zoning districts: the majority of the project site is designated C-51 Central Business Service Commercial/S-17 Downtown Residential Open Space Combining Zone; and a portion of the site located along Telegraph Avenue is zoned C-55 Central Core Commercial Zone/S-17 Downtown Residential Open Space Combining Zone. Both zoning district combinations allow the proposed residential and commercial uses. The maximum FAR allowed under both zoning classifications is 7.0, and may be exceeded by ten percent on any corner lot. Therefore, the maximum FAR allowed for this site by the Zoning Regulations is 7.7, and the proposed project is within the allowable FAR, as shown in the table below.

The current applications for Phase 1 of the Uptown Project are as follows: Planned Unit Development (PUD): As part of the PUD, both a Preliminary and Final Development Plan (PDP and FDP) are required (on Parcel 4, the applicant is only applying for a Preliminary Development Plan at this time); In addition, the proposed project must be generally consistent with the use standards for the underlying zoning districts, therefore a Major Conditional Use Permit is required for development greater than 100,000 square feet in the C-51 district, for development of a site greater than 1.0 acre, and for demolition of facilities containing rooming units; and, a Minor Variance is required for parking and loading deficits. The PUD regulations allow many development standards required by the underlying zoning regulations to be waived (see analysis below).

- Vesting Tentative Map: A Vesting Tentative Map (VTM) is required for establishing five or more new developable lots. The applicant proposes creating five developable lots, one on each block (Parcels 1, 2 and 3), with the exception of the southeastern block which will have two parcels (one for future development on Parcel 4 and one for the proposed park on Parcel 5). The VTM also includes new and reconfigured existing streets. The proposed parcels and public ROWs are consistent with both the zoning regulations and the subdivision regulations contained within Title 16 of the Municipal Code. The City Engineer has reviewed and recommends approval of the VTM subject to the attached conditions of approval.
- General Plan Amendment: A General Plan Amendment is required to change the land use designation on the proposed park site from "Central Business District" to "Park and Urban Open Space". City parks can only be developed on land under the "Park and Urban Open Space" General Plan land use designation.

- Rezone: Because zoning must be consistent with the General Plan land use designation, a rezone is required to change the zoning district for the proposed park site from “C51/S-17” to “OS-Open Space” in order to allow development of a City park.
- Street Vacations and Dedications: Street vacations are required for portions of 19th Street, William Street, and Thomas L. Berkley Way in order to accommodate the proposed street reconfigurations. A street dedication is required for “New Street.”

Table 1: Comparison of Proposed Project to Development Standards

Development Standards	Applicable Zoning Regulations		Proposal	Comments
	C-51/S-17 District	C-55/S-17 District		
Land Use	A variety of residential, civic, commercial, and light manufacturing uses are allowed.	A variety of residential, civic, commercial uses are allowed.	665 units Multifamily Residential; 9,000 sf Commercial (may include General Retail Sales, General Food Sales, and/or General Personal Service); 25,000 sf new City park	Multifamily residential use is permitted; General Plan Amendment and Rezone required for development of new City park
Floor Area Ratio/Residential Density	7.7 FAR (corner lot)/1 d.u. per 150 sf. lot area	7.7 FAR (corner lot)/1 d.u. per 150 sf. lot area	2.4 FAR over entire site; 1 d.u. per 417 sf. lot area	Within allowable FAR
Front Yard	None required unless adjacent to residential zone	None required unless adjacent to residential zone	N/A	Site not adjacent to residential zone
Street Side Yard	None required unless lot to rear is in residential zone	None required unless lot to rear is in residential zone	N/A	Lot to rear is not in residential zone
Interior Side Yard	Required opposite legally required windows, except when abutting a path	Required opposite legally required windows, except when abutting a path	N/A	No setback required since each developable lot (as proposed) would occupy entire City block (and allowed as part of PUD)
Courts	Required opposite legally required windows – 50’		36’ to >40’	Reduction of court width allowed as part of PUD (Planning Code Section 17.122.100(G))
Rear Yard	15’	15’ (residential use)	N/A	No rear yard requirement since site includes all through lots (and allowed as part of PUD)
Building Height	No maximum height unless adjacent to certain residential zones	No maximum height unless adjacent to certain residential zones	51’ to 64’	Site not adjacent to residential zones so no maximum height is prescribed
Open Space	75 s.f./unit	75 s.f./unit	Provides 75,686 sf. usable open space (114 sf/d.u.);	Exceeds spatial requirement (calculation does not include proposed City park); Meets dimensional requirements
Parking	1 space/residential unit; 1 space/450 square feet of floor area for General	1 space/residential unit; 1 space/400 square feet of floor area for General	533 residential spaces (.8 space/d.u.), 0 commercial spaces	Minor Variance required for deficit of residential and commercial parking spaces; Meets dimensional standards and compact space ratio. (Planning

	Food Sales; 1 space/900 square feet of floor area for General Retail Sales or General Personal Service	Retail Sales or General Personal Service		Code Sections 17.116.060, 17.116.080, and 17.116.120)
Loading	2 residential loading berths; none required for commercial space	3 residential loading berths (for 665,066sf. development)	0 loading berths	Minor Variance required for deficit of 3 loading berths
Bicycle Parking				1,000 sf provided;
Minimum Lot Size	4,000 sf; 25' street frontage	4,000 sf; 25' street frontage	Smallest parcel is 25,000 sf (park); all other parcels are >1 ac.	Subdivision regulations also require minimum 30' roadway width; Minimum proposed width is 44'. Project meets standards
Recycling Space	2 cubic feet of space per unit, and per 1,000 square feet of commercial space	2 cubic feet of space per unit, and per 1,000 square feet of commercial space	Amount of area not shown on plans; however, every floor includes both a trash and recycling chute	Condition of Approval to require provision of adequate recycling space (1,360 cubic feet)

ENVIRONMENTAL REVIEW

The City of Oakland Planning Commission certified the Uptown Mixed Use Project EIR on February 18, 2004. On July 20, 2004, the Oakland Redevelopment Agency adopted Resolution No. 78728 authorizing approval and execution of the LDDA governing this project and finding that the Uptown Mixed Use Project EIR was prepared and certified in compliance with the California Environmental Quality Act (CEQA). The current proposals involve portions of Phase 1 of the project evaluated in the EIR. The proposal for Phase 1 has been modified since certification of the EIR. Staff has reviewed the modifications and circumstances surrounding the project and has determined that none of these factors would result in any new significant environmental impacts or a change in the level of significance of impacts previously identified. None of the circumstances calling for preparation of a subsequent or supplemental EIR are present. Revisions to the project description since certification of the EIR include changes to the number of residential units (a slight reduction), amount of commercial space (a slight increase), roadway configurations and driveway locations. Additional traffic analysis (included in Attachment C.3) indicates no substantial change in project effects as a result of the changes to the project description. In addition, no changes to the surrounding area or presentation of substantial new information have occurred that would require preparation of a Subsequent or Supplemental EIR. (see Attachment C.3).

The EIR identified several impacts and mitigation measures which have been incorporated to lessen or eliminate the potential environmental impacts of the project. These are described in the

Mitigation Monitoring and Reporting Program (MMRP) in Chapter VI of the Responses to Comments document and are summarized as follows:

Significant, Unavoidable Impacts

The following significant unavoidable project impacts were identified in the DEIR. Revisions to the mitigation measures for Impact AIR-2, Impact HIST-4a, and Impact HIST-8 were included in the Responses to Comments document.

AIR QUALITY

Impact AIR-2: (DEIR pages 157 to 159) - The project would result in increased regional emissions of criteria air pollutants exceeding BAAQMD thresholds, primarily from increased traffic. Implementation of the identified mitigation measures would minimize this impact, but would not reduce it to a less-than-significant level.

HISTORIC RESOURCES

Impact HIST-4a, HIST-4b, HIST-5, and HIST-8: (DEIR pages 222 to 225, and 226 to 227) - The project may entail site clearance, modification, or full or partial demolition of the Great Western Power Company Building, which is a local historic resource. In addition, project demolition and construction could result in a significant cumulative impact on the 19th and San Pablo Commercial district of the identified mitigation measures would reduce these impacts, but may not reduce them to a less-than-significant level. Note that Mitigation Measures HIST-8a and HIST-8b have been expanded in the FEIR to address comments received about the 19th and San Pablo Commercial District.

TRANSPORTATION

Impacts TRANS-3 and TRANS-11: (DEIR pages 124 to 125, and 133 to 134) – The project would increase the delay at the Frontage Road/West Grand Avenue intersection by two or more seconds under both Year 2010 and Year 2025 conditions. Because this intersection is under the jurisdiction of Caltrans and intersection improvements are not economically feasible, these are considered significant and unavoidable impacts.

Significant Impacts Which May be Mitigated to a Less Than Significant Level

The following significant project impacts which may be mitigated to a less-than-significant level were identified in the DEIR. Revisions to the mitigation measures for Impact HIST-2 were included in the Responses to Comments document.

AESTHETIC RESOURCES

7

COMMUNITY & ECONOMIC
DEVELOPMENT CMTE

Impacts AES-1 and AES-2: (DEIR pages 243 to 258) - The project would alter the architectural character of the site and would provide additional sources of nighttime lighting. (Mitigation: Implementation of measures to minimize the visual impacts of the design and measures to reduce light and glare would reduce the impacts to a less-than-significant level.)

AIR QUALITY

Impact AIR-1: (DEIR pages 155 to 157) – Construction activities associated with the project would generate short-term emissions of criteria pollutants. (Mitigation: Implementation of measures to reduce construction emissions would reduce the impacts to a less-than-significant level.)

HAZARDOUS MATERIALS

Impacts HAZ-1, HAZ-2, HAZ-3, HAZ-4, and HAZ-5: (DEIR pages 187 to 192) – Construction activities associated with the project could entail exposure to hazardous materials. (Mitigation: Implementation of measures which require adherence to existing hazardous materials regulations and development of a site-specific health and safety plan and a soil and groundwater management plan would reduce the impacts to a less-than-significant level.)

HISTORIC RESOURCES

Impacts HIST-1, HIST-2, HIST-3, HIST-6, and HIST-13: (DEIR pages 219 to 221, 225 to 226, and 230) – Construction activities and project design may result in impacts to paleontological, archaeological, and architectural resources. (Mitigation: Implementation of measures to develop pre-construction archaeological testing and construction-period monitoring plans, documentation of potential designated historic properties proposed for demolition, and review of streetscape design for compatibility with historic resources would reduce the impacts to a less-than-significant level.) Note that Mitigation Measures HIST-2a and HIST-2b have been expanded in the Responses to Comments document to address comments received about the potential historic Chinese settlement in the Uptown area.

HYDROLOGY

Impacts HYD-1, HYD-2, and HYD-3: (DEIR pages 81 to 84) – Construction activities and project operation could result in water quality impacts. (Mitigation: Implementation of measures to develop a stormwater pollution prevention plan and compliance with the requirements of the stormwater management plan would reduce the impacts to a less-than-significant level.)

NOISE

Impacts NOISE-1, NOISE-2, and NOISE-3: (DEIR pages 169 to 176) – Construction activities, off-site traffic, and on-site noise could result in exposure to increased noise levels. (Mitigation: Implementation of measures to reduce short-term construction and long-term operational noise would reduce the impacts to a less-than-significant level.)

TRANSPORTATION

Impacts TRANS-1, TRANS-2, TRANS-4, TRANS-5, TRANS-6, TRANS-7, TRANS-8, TRANS-9, TRANS-10, TRANS-12, TRANS-13, TRANS-14: (DEIR pages 123 to 124, and 131 to 135) – An increase in vehicle traffic from the project in Year 2010 and Year 2025 conditions could result in increased vehicle delay at several intersections. (Mitigation: Implementation of measures to optimize signal timing and coordination, as well as lane restriping, at these intersections would reduce the impacts to a less-than-significant level.

WIND

Impact WIND-1: (DEIR page 261) – Construction of 19-story buildings on Blocks 5 and 7 could result in high wind speeds. (Mitigation: Implementation of measures to incorporate wind speed reduction features into the design would reduce the impacts to a less-than-significant level.)

KEY ISSUES

The proposed Uptown Project is a large development in close proximity to the downtown. The project would occupy four City blocks (a 6.34-acre site) and would have a significant presence due to its large scale alone. The project includes new buildings, new street configurations and extensive streetscape improvements. These features combined will create a strong project identity.

The project site context includes a range of office, retail, entertainment, residential and automotive fee uses, as well as a variety of building types. Building heights generally range from two to six stories within a block of the project area. The proposed development would provide a transition in height between taller City Center office buildings, which generally range in height from 17-22 stories, and the two- to four-story Victorian structures north of Thomas L. Berkley Way.

The Uptown Project includes the following major design features:

- **Site Design:** The project is designed to accentuate the urban setting as well as provide a unique project identity. Specific design characteristics that support this objective include the following:
 - *Project Entry Points:* Each street intersection within the project includes punctuated building features (such as towers, main lobbies, or special design features), project markers (such as signage, street furniture, special paving) and special street design features (such as pavers, sidewalk bulbouts, and lighting).
 - *Provision of New Street:* The project includes a “New Street” running north-south from Thomas L. Berkley Way to 19th Street. New Street reduces the block size in

the area to a scale more consistent with an established downtown area. In addition, New Street provides an additional opportunity for public and resident access to the site. Two of the three off-site parking garages serving the Uptown Project are located off of New Street. In addition, the street provides public access to the main building entries, and to the proposed new City park (located on New Street between William Street and 19th Street, and further discussed below).

- *William Street Redesign:* In addition to a reconfiguration (see discussion below), William Street is redesigned to include a variety of special features. In place of standard curbs and gutters, William Street would have rolled curbs that provide a more gradual transition from street to sidewalk. In addition, the street and sidewalks would be paved with pavers instead of asphalt and concrete, respectively. Street trees would be fairly small and closely planted. These features are intended to provide a unique and inviting public experience that also provides access to the main project entry points at the intersection with New Street. No garage entries are located on William Street to allow opportunities for street fairs or other occasional public encroachments. William Street is designed to appeal to pedestrians and to provide an attractive, usable connection to BART.
 - *Park Location:* The proposed Uptown Project includes a 25,000 square-foot City park fronting 19th Street to the south, New Street to the west, and William Street to the north. The City park is located centrally to the new residential development and near the existing School for the Arts on the south side of 19th Street. The location provides an appropriate setting for an urban park experience: centrally located to the primary user groups (residents and children) and to William Street while located away from desirable commercial arterial street frontage such as Telegraph Avenue.
 - *New Street/William Street Intersection:* The New Street/William Street intersection, located at the center of the project, is designed to provide a 24-hour presence throughout the site. All main building entries and the park are located at this corner to draw people into the project and to ensure life on the public streets located within the project.
 - *Street Furniture and Streetscape Improvements:* All public ROWs throughout the project would be enhanced with corner sidewalk bulbouts, street trees and grates, lighting and street furniture, including public art. These features are intended to enhance the urban setting while providing a visual identity for the project.
- **Building Design:** The project includes approximately 665,000 square feet of new construction in four buildings. The design approach includes features intended to reduce the scale and massing of the buildings and to provide visual complexity and interest. Specific design features include the following:
 - *Building Massing:* The proposed project includes four buildings with a total building footprint of approximately 190,000 square feet. To reduce the appearance of bulk, the project incorporates height variations, building stepbacks, color and style differentiation and building openings (“mews”). These techniques result in diversified vertical façade treatments that appear as separate, smaller-

scale buildings. The “mews”-like openings through the buildings provide visual relief and interest. In addition, differentiation in horizontal color and material treatments reduce the sense of building height.

- *Building Articulation*: The buildings are articulated with window bays, material changes and fenestration. These features further break down the mass of the buildings and provide architectural interest.
- *Connections to Public ROW*: The proposed project incorporates stoops, centrally located building lobbies and “mews”-like building openings that connect to the public ROW. These features provide extensive interaction between the public and private realms and ensure a lively street frontage adjacent to the project. In addition, these features provide additional visual transparency.
- *Build-out to Property Line*: There is a minimal building setback from the property line (with the exception of building entries, stoops and building articulation. This is consistent with the surrounding downtown setting and provides a direct connection between the residential land use and surrounding urban fabric.
- *Color and Materials Palette*: The proposed project includes a range of façade materials and colors to provide visual interest and emphasize building articulation and massing variations.

Outstanding Design Issues:

The project design was reviewed by staff, the DRC, and the public during the review process. The following issues and recommendations were identified throughout the review process:

- **Project entry at New Street**: The building facades facing Thomas L. Berkley Way include “blank walls” at grade near the intersection with New Street. The first living level is located approximately one story (10 feet) above grade in this part of the site, with the parking level below.
 - *Staff Concern*: The project entry at New Street is a key piece of the project both architecturally and in terms of site planning. Staff believes that this intersection needs to be attractive, inviting and animated. A 10-foot high unarticulated wall does not facilitate achieving this objective.
 - *Staff Recommendation*: Staff recommends including a condition of approval requiring further design development of the ground-level façade treatments and design features along the Thomas L. Berkley Square project frontage to ensure an *attractive, inviting and safe entry to the project site*. Specifically, design development should consider wall articulation, attractive façade materials with some depth and texture as well as material variations, and landscaping (with foundation planting or planters). Further refinement of the design would be subject to review and approval by the Planning and Zoning Division prior to approval of building permits for Parcels 1 and 3.
- **William Street**: The proposed redesign of William Street includes many non-standard design features, including rolled curbs and permeable pavers, intended to contribute to a sense of place and provide community gathering opportunities:

- *Staff Concern:* While the overall effect of the proposed William Street design features are desirable from a land use planning standpoint, the Public Works Agency has expressed concern that these features may not be practical from a day-to-day and long term maintenance perspective.
- *Staff Recommendation:* Staff recommends that the applicant continue to work with the Public Works Agency to develop an agreed-upon set of design features to achieve the unique and attractive appearance of the William Street design while acknowledging maintenance concerns. Further refinement of the William Street design would be subject to administrative review by the Planning and Zoning Division, after review and comments by the Public Works Agency, and prior to final approval of public improvement plans.
- **Exterior Materials:** More detail is required about proposed exterior materials in order to determine the overall effect of this large-scale project.
 - *Staff Concern:* Staff's concern is stated above. This is particularly a concern for components that repeat throughout the project or are visually prominent.
 - *Staff Recommendation:* Staff recommends including a condition of approval requiring the applicant to provide the following material information for review and approval by the Planning and Zoning Division prior to approval of building permits for Parcel 1, Parcel 2 and Parcel 3:
 - Window and trim schedules; In addition, applicant to provide product information sheet, including photographic facsimile or actual window sample, for each proposed window type. Given the form and rhythm of the buildings, the quality of the windows will be important.
 - Color and material samples for all exterior finishes in minimum dimensions of three square feet or other size as deemed required.
 - Provide product information sheets, including photographic facsimile or actual sample of balconies and railings, awnings or other sun shade devices, and exterior lighting fixtures.
 - Project signage and signage lighting;
 - Full scale mock-up of all ground-floor finish materials demonstrating three-dimensional trim wrap at corners and showing clear transition between base and upper level finish materials.
- **Internal Courtyards (Including Those Visible from the Street):** The applicant has provided schematic design of all interior courtyards. These courtyards are a key amenity for residents of the project.
 - *Staff Concern:* The schematic design does not provide adequate information regarding materials, site furnishings and other details to ensure that the courtyards are of a high design quality.
 - *Staff Recommendation:* Staff recommends including a condition of approval requiring the applicant to submit project-wide landscape design development and construction documents for review and approval by the Planning and Zoning

Division prior to issuance of building permits for Parcel 1, Parcel 2 and Parcel 3. Details should include all exterior lighting and entry design.

- **Park design:** The applicant has provided schematic design for the proposed City park. The design of the park is key to public enjoyment and use, safety and successful long-term maintenance.
 - *Staff Concern:* The park is a major public improvement and will be dedicated to the City of Oakland. Final design should be reviewed and approved by the Parks and Recreation Advisory Committee and the Planning Commission prior to the approval and issuance of building permits for Parcel 1, Parcel 2 and Parcel 3.
 - *Staff Recommendation:* Staff recommends including a condition of approval requiring review and recommendation of the final design of the park by the Parks and Recreation Advisory Committee and review and decision by the Planning Commission. This recommendation was made by the PRAC and will be presented to the full Planning Commission for consideration. In addition, because the park site is subject to a General Plan Amendment (GPA) and a Rezone to allow development of a City park, approval of the PUD would be conditioned upon adoption of a GPA and Rezone for the park site. Finally, the final design should include sturdy, low-maintenance features (in terms of site furnishings, paving, and plant materials).

- **Parking Deficit:** The proposed project has a deficit of off-street parking and loading (as discussed above). However, the project is conveniently located near downtown Oakland and is well-served by cultural, commercial and other amenities, as well as by BART and AC Transit. The project also includes 2 parking spaces for City Car Share. In addition, the project includes the provision of a Class III bicycle lane on Thomas L. Berkley Way and 1,000 square feet of on-site bicycle storage.
 - *Staff Concern:* Although the project encourages the use of alternative means of transportation, the success of this approach relies on informing residents of those units that would not be served by on-site parking of that condition as well as providing incentives for the use of alternative modes of transportation
 - *Staff Recommendation:* Staff recommends including a condition of approval requiring the applicant to prepare a parking management plan indicating on-site parking limitations (for affected units) and providing information about available off-site parking (on-street and in nearby auto-fee parking facilities).

- **Loading Deficit:** The proposed project does not provide any on-site loading, and proposes off-site loading facilities in the public ROW.
 - *Staff Concern:* Although the project includes more on-street parking spaces than currently exist, reserved on-street loading is subject to approval by the Public Works Agency as part of the Public Improvement Plans.
 - *Staff Recommendation:* Staff recommends including a condition of approval that approval of the VTM and PUD is subject to approval of the proposed on-street loading as part of the Public Improvement Plan. Should the on-street loading not

be approved, then the project would be required to incorporate three off-street loading spaces subject to review and approval by the Planning and Zoning Division prior to issuance of building permits for Parcel 1, Parcel 2 and Parcel 3.

- **Parcel 4:** The applicant requests consideration of a preliminary PUD for Parcel 4 without any development plans provided.
 - *Staff Concern:* The intent of the PUD regulations is to allow coordinated development of large projects. Without knowing any of the design and construction details of the contemplated mixed-use development on Parcel 4, it is not possible at this time to ensure that development of the parcel will be harmonious with proposed development on the other parcels.
 - *Staff Recommendation:* Staff recommends that approval now before this Commission not include any development on Parcel 4 due to the lack of site and architectural plans. Instead, the project sponsors shall submit a separate PDP and FDP in the future when the design is adequately defined.

RECOMMENDATION

Staff believes that the proposed project has been well designed and has addressed most of the issues that have been raised throughout the review process. The project will redevelop an underutilized neighborhood with an active mix of residential, recreation, and commercial uses, and will enhance the link between downtown and mixed-use neighborhoods to the north.

Based on the analysis contained within this report, the Uptown Mixed Use EIR, and elsewhere within the administrative record, staff believes that the proposed project is appropriate in this location and is an attractively designed mixed-use project. The proposed project will further the overall objectives of the *General Plan*, particularly related to providing new infill housing in close proximity to transit. Thus, staff recommends that the Planning Commission:

1. Find that the Planning Commission has independently reviewed, analyzed, and considered the EIR prior to acting on the approvals. Based upon such independent review, analysis, and consideration, and exercising its independent judgment, the Planning Commission confirms that the Uptown Mixed Use Project EIR can be applied to this set of proposed actions; and
2. Adopt the attached Conditions of Approval for the proposed project including the Mitigation Monitoring and Reporting Program. The monitoring and reporting of CEQA mitigation measures in connection with the project will be conducted in accordance with the MMRP. Adoption of this program will constitute fulfillment of the CEQA monitoring and/or reporting requirement set forth in Section 21081.6 of CEQA. All proposed mitigation measures are capable of being fully implemented by the efforts of the City of Oakland or other identified public agencies of responsibility as set forth in the conditions of approval and the MMRP; and
3. Approve the Preliminary Planned Unit Development for the Uptown Project (Parcels 1, 2, 3, and park), the Final Planned Unit Development for Parcels 1, 2, 3 and park, Design Review, Conditional use Permit and Variance applications subject to the attached findings and conditions of approval; and
4. Approve the Vesting Tentative Map subject to the attached findings and conditions of approval; and
5. Find that the proposed street vacations are consistent with the General Plan and recommend that the City Council adopt an ordinance to conditionally vacate portions of Thomas L. Berkley Way, Williams Street, and 19th Street between San Pablo Avenue

and Telegraph Avenue and quit claiming the underlying fee interests in the vacated rights-of-way to the Oakland Redevelopment Agency; and

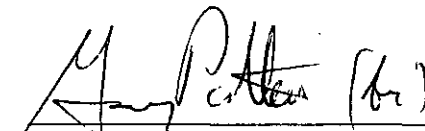
6. Recommend that the City Council adopt a resolution to change the General Plan designation of a 25,000 square-foot site located in the middle of the block bounded by San Pablo Avenue to the west, Thomas L. Berkley Way to the north, Telegraph Avenue to the east and 19th Street to the south, from Central Business District to Park and Urban Open Space, and adopt an ordinance to rezone the same site from C-51 Central Business Service District/S-17 Downtown Residential Open Space Combining Zone to OS Open Space (Neighborhood Park).

Prepared by:



CATHERINE PAYNE
Planner IV

Approved for forwarding to the City Planning Commission:



CLAUDIA CAPPIO
Director of Development

ATTACHMENTS

- A. Project Plans and Elevations
- B. Vesting Tentative Map
- C. Design Review Committee Report dated May 25, 2005 and attachments:
 - 1. December 10, 2003 Design Review Committee Staff Report
 - 2. Project Plans (*not included here*)
 - 3. LSA Memorandum Regarding Environmental Review
 - 4. April 13, 2005 Parks and Recreation Advisory Committee Staff Report
- D. City Council Agenda Reports dated May 24, 2005:
 - 1. An Ordinance Conditionally Vacating Portions of Thomas L. Berkley Way, Williams Street, and 19th Street Between San Pablo Avenue and Telegraph Avenue for the Uptown Oakland Mixed Use Project and Quit Claiming the Underlying Fee Interests in the Vacated Rights-of-Way to the Oakland Redevelopment Agency
 - 2. A Resolution Adopting Findings and Setting a Hearing to Receive Supporting Evidence and Public Comments on a Proposed Conditional Vacation of Portions of Thomas L. Berkley Way, Williams Street, and 19th Street between San Pablo Avenue and Telegraph Avenue for the Uptown Oakland Mixed Use Project and a Proposed Quit Claim of the Underlying Fee Interests in the Vacated Rights-of-Way to the Oakland Redevelopment Agency

FINDINGS FOR APPROVAL

This proposal meets the required findings under Oakland Planning Code Sections 17.140.080 (Planned Unit Development Permit Criteria), 17.140.060 (Final Planned Unit Development Criteria), 17.136.070 (Design Review Criteria), 17.134.050 (Conditional Use Permit Criteria), Section 16.08.030 (Tentative Map Criteria), and 17.148.050 (Variance Criteria), as set forth below. Required findings are shown in **bold** type; explanations as to why these findings can be made are in normal type. The project's conformance with the following findings is not limited to the discussion below, but is also included in all discussions in this report, the Uptown Mixed Use Project EIR and elsewhere in the record.

Section 17.140.080 Planned Unit Development Permit

The findings below apply to both the Preliminary Development Plan for Parcels 1, 2, 3, 4 and park, and to the Final Development Plan for Parcels 1, 2, 3 and park.

- A. That the location, design, size, and uses are consistent with the Oakland Comprehensive Plan and with any other applicable plan, development control map, or ordinance adopted by the City Council.**

The proposed project includes a mix of residential, recreation and commercial uses that are consistent with the Central Business District General Plan land use designation. The project is also consistent with the intensity allowed by the General Plan and with several policies regarding provision of infill housing units in close proximity to mass transit. With approval of the Planned Unit Development, the project is consistent with the Planning Code.

- B. That the location, design, and size are such that the development can be well integrated with its surroundings, and, in the case of a departure in character from surrounding uses, that the location and design will adequately reduce the impact of the development.**

The design and size of the project are appropriate for the location and compatible with the surrounding area, which includes a wide variety of uses, building heights, and building types in a dense, urban setting.

- C. That the location, design, size, and uses are such that traffic generated by the development can be accommodated safely and without congestion on major streets and will avoid traversing other local streets.**

The proposed project will generate some additional traffic. However, the Uptown Mixed Use Project EIR determined that the traffic impacts can be mitigated to a less-than-significant level.

- D. That the location, design, size, and uses are such that the residents or establishments to be accommodated will be adequately served by existing or proposed facilities and services.**

The proposed project site is located in a developed area that is served by existing utilities and service systems including water supply, wastewater treatment, storm water drainage, and solid waste disposal. Where existing facilities are not adequate, the proposed project will provide additional services for the area and improvements to the existing infrastructure.

- E. That the location, design, size, and uses will result in an attractive, healthful, efficient, and stable environment for living, shopping, or working, the beneficial effects of which environment could not otherwise be achieved under the zoning regulations.**

The proposed project is an attractive mixed-use development including residential, recreation and commercial uses that will benefit the surrounding area.

- F. That the development will be well integrated into its setting, will not require excessive earth moving or destroy desirable natural features, will not be visually obtrusive and will harmonize with surrounding areas and facilities, will not substantially harm major views for surrounding residents, and will provide sufficient buffering in the form of spatial separation, vegetation, topographic features, or other devices.**

The proposed project will be well integrated into its setting, will not require excessive earth moving, will harmonize with surrounding areas, and will not harm major views. Sufficient buffering will be provided in the form of spatial separation, new and reconfigured streets and landscaping.

Section 17.140.060 (Planning Commission Action for Final Planned Unit Development):

The findings below apply to the Final Development Plan for Parcels 1, 2, 3 and park.

The proposal conforms to all applicable criteria and standards and conforms in all substantial respects to the preliminary development plan, or, in the case of the design and arrangement of those portions of the plan shown in generalized, schematic fashion, it conforms to applicable design review criteria.

The proposed Final Development Plan for Parcels 1, 2, 3 and park conforms to all applicable criteria and standards and is consistent with the Preliminary Development Plan for the Uptown Project. The design is attractive and appropriate for the location.

Section 17.136.070 (Design Review Criteria):

- 1. That the proposed design will create a building or set of buildings that are well related to the surrounding area in their setting, scale, bulk, height, materials, and textures.**

The proposed project includes mid-rise buildings, five to six stories in height. The buildings will related well to the surrounding area in terms of setting, scale, bulk, height, materials and textures. The surrounding area contains a mix of residential, commercial, and civic uses in buildings ranging in height and type.

2. **That the proposed design will protect, preserve, or enhance desirable neighborhood characteristics.**

The development of the mixed-use project will enhance the desirability of this part of the downtown area by adding new housing units, a new City park and neighborhood-serving commercial space. The design of the proposed project is attractive and will serve to enhance the character of this area of Oakland.

3. **That the proposed design will be sensitive to the topography and landscape of the area.**

The project will not affect the topography or landscape of the area. The site is an underutilized, flat, infill site. Street trees are proposed along the street frontages and interior landscaped courtyards will be provided.

4. **That, if situated on a hill, the design and massing of the proposed building relates to the grade of the hill.**

The proposed project will be located on a flat infill site and will not on a hill.

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

The proposed project is consistent with the General Plan land use designations for the site as discussed above and elsewhere in this staff report. The project is consistent with the design goals and policies of the General Plan by providing high density, well designed housing in a location with good access to BART and other forms of mass transit. The park site is consistent with the General Plan land use designations and the Planning Code conditioned upon adoption of a General Plan Amendment and Rezone to allow development of a City park. The project is generally consistent with the Planning Code as previously discussed.

Section 17.134.050 Conditional Use Permit

The findings below apply to the following Conditional Use Permits (CUP): A CUP is required for a project of over one acre in size (Section 17.134.020).

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

The location, size, design, and operating characteristics of the proposed project will be compatible with the surrounding area, which contains a mix of residential, commercial, and civic uses. The proposed five- to six-story buildings are an appropriate scale and height for the location. The design of the buildings is attractive and complements the design, scale and character of other buildings in the area. The project site is located in an urban infill area, therefore, utilities and service systems are available to serve the proposed project.

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

The location, design, and site planning of the proposed project will provide a convenient and functional living environment. The primarily residential nature of the proposed project is compatible with existing and anticipated development in the surrounding area in that the residential design has accommodated screening and buffering between nearby residential and civic areas. The massing and design of the project is appropriate for the location and setting in an area with a wide range of land uses and building scale, as well as close proximity to the 19th Street BART station near which higher-density residential development is encouraged by City policy.

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

The proposed project will add up to 665 new residential units to Oakland's housing stock and will replace vacant single-resident occupancy units that are in poor condition. Providing in-fill, transit-oriented development is a key goal of the General Plan. The General Plan envisions fairly high density housing in this area which would be achieved on this site by mid-rise residential development. Additionally, this project may be a catalyst for additional mixed-use development in the vicinity of the 19th Street BART station which would further enhance and revitalize the basic community functions of this area.

- D. That the proposal conforms to all applicable design review criteria set forth in the design review procedure at Section 17.136.070.**

The proposed project conforms to all applicable design review criteria (see Section 17.136.070 below).

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

The proposed project conforms to numerous policies of the General Plan related to creating new transit-oriented development, as specified in this staff report. The project complies with the intent of the subject land use classifications by providing a range of residential,

recreation, and commercial uses. The project is also consistent with the existing zoning classifications for the site.

Section 16.08.030 (Tentative Map Criteria):

A. That the proposed map is consistent with applicable general and specific plans.

The proposed map is consistent with the Central Business District General Plan designation for the site, and conditioned upon a General Plan Amendment for the park site to the Park and Urban Open Space land use designation.

B. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

The design of the subdivision is consistent with the existing and proposed General Plan designations for the site of Central Business District and Park and Urban Open Space.

C. That the site is physically suitable for the type of development.

The project is proposed for a relatively flat, urban site, located within an existing street and utility context, with no significant natural features. The site is currently underutilized. Therefore, the site is physically suitable for the proposed mixed-use development.

D. That the site is physically suitable for the proposed density of development.

The site is physically suitable for the proposed density of development, which is well within the maximum allowable density for the site.

E. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

With implementation of the required mitigation measures, the design of the subdivision is not likely to cause substantial environmental damage or to injure fish or wildlife or their habitat.

F. That the design of the subdivision of the type of improvements is not likely to cause serious public health or safety problems.

With implementation of the required mitigation measures, the design of the subdivision is not likely to cause any serious public health or safety problems.

G. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

The design of the subdivision will not conflict with easements on the property. The proposed project includes vacations of public land, and dedications of public land for the purposes of all types of access and utilities. If new easements are necessary, they will be recorded as needed by the affected utility.

H. That the design of the subdivision does provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

The design of the subdivision does not preclude future passive heating or cooling opportunities. The project includes internal courtyards and other open spaces that allow for natural light and circulation of air.

Section 17.144.060 Planning Commission action on private party application for Rezoning

The Commission shall consider whether the existing zone or regulations are inadequate or otherwise contrary to the public interest, and may approve, modify, or disapprove the application.

The proposed project includes the development of a new City park. Oakland currently does not meet the Open Space, Conservation and Recreation element of the General Plan policies for quantity of open space. The proposed park would help alleviate an identified need. However, City parks can only be developed on land located within the OS Open Space land use classification. A rezone for the 25,000 square-foot park site to OS Open Space would thereby support existing regulations. The project benefits will not be realized without the proposed rezoning.

General Plan Administration Section of the General Plan (Land Use and Transportation Element, March 1998 (LUTE), p. 166)

Objective a3 of the above section states that an amendment to the General Plan must make strict findings that address a) how the amendment advances Plan implementation; b) how it is consistent with the policies in the LUTE; c) any inconsistencies that would need to be reconciled; and d) examination of citywide impacts to determine if the amendment is contrary to the achievement of citywide goals.

Findings a) and b). Amending the General Plan land use designation for the park site from Central Business District to Park and Urban Open Space implements the General Plan and is consistent with its policies, including without limitation, LUTE policies. The amendment is consistent with and implements the General Plan because it is consistent with the following LUTE policies:

I/C3.5: Promoting Culture, Recreation, and Entertainment. Cultural, recreational, and entertainment uses should be promoted within the Downtown, particularly in the vicinity of the Fox and Paramount Theaters, and within the Jack London Square area.

The project includes high-density residential near the Fox and Paramount Theaters. This use expands and strengthens the market cultural, recreation and entertainment activities in the area.

Policy T2.2: Guiding Transit-Oriented Development. Transit-oriented development should be pedestrian-oriented, encourage night and day time use, provide the neighborhood with needed goods and services, contain a mix of land uses, and be designed to be compatible with the character of surrounding neighborhoods.

The project includes extensive streetscape improvements, pedestrian safety features, retail uses, and a City park, all intended to enrich the pedestrian and general public experience of the area.

Policy T2.3: Linking Transportation and Activities. Link transportation facilities and infrastructure improvements to recreational uses, job centers, commercial nodes, and social services (i.e., hospitals, parks, or community centers).

The project involves intensifying recreational uses and housing opportunities near existing transit and transportation facilities, including BART, AC Transit and Interstate 880.

Policy D5.1: Encouraging Twenty-Four Hour Activity. Activities and amenities that encourage pedestrian traffic during the work week, as well as evenings and weekends should be promoted.

The project provides residential and commercial uses adjacent to the downtown area. Proposed residential activities will complement existing commercial and cultural activities in the downtown and immediate vicinity for which there is otherwise no audience during non-work hours. In addition, residential and recreational activities will encourage pedestrian traffic to and from the project at all hours of the day and all days of the week.

Policy D6.1: Developing on vacant land or to replace surface parking lots should be encouraged throughout the downtown, where possible.

The project would replace an existing surface parking lot and garage, as well as other underutilized land uses, in the downtown area with residential, recreational and commercial uses.

D11.1: Promoting Mixed-Use Development. Mixed use developments should be encouraged in the downtown for such purposes as to promote its diverse character, provide for needed goods and services, support local art and culture, and give incentive to reuse existing vacant or underutilized structures.

The proposed project is a predominantly residential mixed-use project that includes commercial and recreational uses. The proposed uses enhance the existing diverse character of the area by increasing the market for existing commercial, entertainment and employment uses in the area.

Policy N8.1: Development of Transit Villages. "Transit Village" areas should consist of attached multi-story development on properties near or adjacent to BART stations or other well-used or high volume transit facilities, such as light rail, train, ferry stations, or

multiple-bus transfer locations. While residential units should be encouraged as part of any transit village, other uses may be included where they will not negatively affect the residential living environment.

The proposed project is a multi-story residential mixed-use project located near BART and AC Transit and is consistent with the "Transit Village" terminology.

Finding c). The General Plan Amendment would be consistent with the policies of the General Plan as previously discussed. There are no inconsistencies that need to be reconciled.

Finding d). The General Plan Amendment would not have a citywide impact, except that it would promote policies found in LUTE and other General Plan policies, including without limitation, those related to provision of infill housing.

Section 17.148.050 (Variance Criteria):

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

The minor variances will allow an effective design solution which meets the intent of the zoning regulations by ensuring that adequate parking and loading areas are provided to serve the proposed project. Meeting all of the parking and loading requirements would entail expanding the size of the parking garage. This, in turn, would substantially reduce the size of many units and would make the project financially infeasible according to the project sponsor. Moreover, provision of more parking will be contrary to the City's Transit First Policy.

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

Strict compliance with the regulations would preclude an effective design solution as adequate provisions have been made to ensure that the intent of the parking and loading requirements will be met, even if the specific code requirements are not, especially in this transit rich area.

- 3. That the variance, if granted, will not adversely affect the character, livability, or appropriate development of abutting properties or the surrounding area, and will not**

be detrimental to the public welfare or contrary to adopted plans or development policy.

Granting the variances will not adversely affect the character, livability, or appropriate development of the abutting properties or the surrounding area. The intent of the zoning regulations will be met through the provision of adequate off-street parking to serve the building in this transit rich area.

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

Although the project does not fully comply with the parking and loading requirements, the intent of these requirements will be met in this transit rich area. Adequate parking and loading spaces are provided to serve the residential units, and sufficient on- and off-street parking spaces are available in the immediate vicinity to serve the small amount of neighborhood-serving commercial space.

California Environmental Quality Act

The City hereby finds and determines on the basis of substantial evidence in the record that the EIR fully analyzes the potential environmental effects of the project and incorporates mitigation measures to substantially lessen or avoid any potentially significant impacts in accordance with CEQA. None of the circumstances necessitating preparation of additional CEQA review as specified in CEQA and the CEQA Guidelines, including without limitation Public Resources Code Section 21166 and CEQA Guidelines Section 15162, are present in that (1) there are no substantial changes proposed in the project or the circumstances under which the project is undertaken that would require major revisions of the EIR due to the involvement of new environmental effects or a substantial increase in the severity of previously identified significant effects; and (2) there is no "new information of substantial importance" as described in CEQA Guidelines Section 15162(a)(3).

CONDITIONS OF APPROVAL and MITIGATION MONITORING PROGRAM

Uptown Project

PUD05037; PUDF05047; TTM7616;

1. Approved Use

a. Ongoing

This action by the City Planning Commission ("this Approval") includes the approvals set forth below. This Approval includes:

1. Approval of a Preliminary Planned Unit Development ("PUD") for Parcels 1, 2, 3, and park, and a Final Development Plan for Parcels 1, 2, 3 and park, consisting of approximately 665 residential units, 9,000 square feet of ground-floor commercial space, 533 parking spaces, and a 25,000 City park as set forth in the Project Plans, and as modified by these Conditions of Approval under Section 17.140 of the Oakland Planning Code.
2. Conditional Use Permit for development proposal greater than one acre.
3. Approval of Variances for a reduction in the number of required parking and loading spaces under Section 17.148 of the Oakland Planning Code.
4. Approval of Residential Design Review under Section 17.136 of the Oakland Planning Code.

b. Ongoing.

The project shall be constructed and operated in accordance with the authorized uses as described in this staff report and the plans dated April 15, 2005 and as amended by the following conditions of approval and the mitigation monitoring and reporting program. Any additional uses other than those approved with this permit, as described in the project description, will require a separate application and approval.

2. Effective Date, Expiration, and Extensions

a. Ongoing through project completion.

These approvals shall become effective upon satisfactory compliance with these conditions. The approvals for the Uptown Project shall expire on June 1, 2007 unless actual construction has begun under required permits by this date. Upon written request and payment of appropriate fees prior to the expiration of the approvals, the Zoning Administrator may grant a one-year extension of this date, with additional extensions subject to approval by the Planning Commission. The entitlements for the Planned Unit Development shall be as follows and any modifications to the phasing plan shall require prior written approval by the Planning Director:

1. Construction activity for the approved Final Development Plan for Parcels 1, 2, 3, and park shall commence no later than June 1, 2007.

b. *Prior to issuance of building permit*

The project sponsor shall submit a Construction Phasing and Management Plan, incorporating all applicable mitigation measures in the. The plan shall also include the following additional measures and standards:

- a. A site security and safety plan to assure that grading and construction activities are adequately secured during off-work hours.
- b. A fire safety management plan for all phases of work, including provisions for access, water, and other protection measures during grading and construction activities.
- c. A plan to provide temporary access to the model units during active construction activities, including path of travel, securing the active construction areas and parking, if relevant.
- d. A construction litter/debris control plan to ensure the site and surrounding area is kept free of litter and debris.

c. *Prior to issuance of certificate of occupancy.*

Final inspection and a certificate of occupancy for any unit or other structure within a phase, as set forth above, shall not be issued until (a) all landscaping and on and off-site improvements for that phase are completed in accordance with this Approval, or (b) until cash, an acceptably rated bond, a certificate of deposit, an irrevocable standby letter of credit or other form of security (collectively "security"), acceptable to the City Attorney, has been posted to cover all costs of any unfinished work related to landscaping and public improvements plus 25 percent within that phase, unless already secured by a subdivision improvement agreement approved by the City. For purposes of these Conditions of Approval, a certificate of occupancy shall mean a final certificate of occupancy, not temporary or conditional, except as the City determines may be necessary to test utilities and services prior to issuance of the final certificate of occupancy.

3. Scope of This Approval

a. *Ongoing.*

The project is approved pursuant to the Planning Code only and shall comply with all other applicable codes and requirements imposed by other affected departments, including but not limited to the Building Services Division, Public Works Agency, and the Fire Marshal. Minor changes to the approvals may be approved

administratively by the Planning Director; major changes to the approvals shall be subject to review and approval by the City Planning Commission.

4. Mitigation Monitoring and Reporting Program

All mitigation measures identified in the Uptown Mixed Use Project EIR are included in the Mitigation Monitoring and Reporting Program (MMRP) which is included in these conditions of approval and are incorporated herein by reference as conditions of approval of the project. The MMRP, in certain instances, has been further refined and/or clarified by the conditions of approval contained herein. To the extent that there is an inconsistency between the MMRP and the conditions, the conditions shall govern. The project sponsor shall be responsible for compliance with all applicable mitigation measures adopted and with all conditions of approval set forth below at their sole cost and expense. The MMRP 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.

5. Design Review Requirements

a. *Prior to issuance of building permit*

The final design elements listed below shall be submitted for review and approval by the Planning Director prior to issuance of the building permit. The Planning Director may exercise his/her standard authority to refer the final design to the Planning and Zoning Division.

- Further refinement of the design of the ground-level façade treatments and design features along the Thomas L. Berkley Square project frontage would be subject to review and approval by the Design Review Committee prior to approval of building permits for each parcel in order to ensure an attractive, inviting and safe entry to the project site.
- The applicant shall continue to work with the Public Works Agency to develop design features to achieve the unique and attractive appearance of the William Street design with components with consideration to maintenance concerns. Further refinement of the William Street design to be acceptable to the Public Works Agency is subject to administrative review by the Planning and Zoning Division prior to final approval of public improvement plans.
- Provide the following material information for review and approval by the Planning and Zoning Division prior to approval of building permits for Parcel 1, Parcel 2 and Parcel 3:
 - Window and trim schedules; In addition, applicant to provide product information sheet, including photographic facsimile or actual window sample, for each proposed window type.
 - Color and material samples for all exterior finishes in minimum dimensions of three square feet or other size as deemed necessary by Planning and Zoning staff.
 - Provide product information sheets, including photographic facsimile or actual sample of gates, fencing, balconies and railings, awnings or other sun shade devices, and exterior lighting fixtures.
 - Project signage and signage lighting;
 - Full scale mock-up of all ground-floor finish materials demonstrating three-dimensional trim wrap at corners and showing clear transition between base and upper level finish materials.
- The applicant provide confirmation of the final design of the park to the Parks and Recreation Advisory Committee and review and decision by the Planning Commission.
- Approval of the PUD is subject to a General Plan Amendment (GPA) and a Rezone to allow development of a City park.
- The applicant shall prepare a parking management plan for residents indicating on-site parking availability and providing information regarding on-street and nearby auto-fee parking available to residents.

- Approval of the VTM and PUD is subject to approval of the proposed on-street loading spaces and restrictions as part of the Public Improvement Plan to be approved by the City Council. Should the on-street loading not be approved, then the project would be required to incorporate three off-street loading spaces subject to review and approval by the Planning and Zoning Division prior to issuance of building permits for Parcel 1, Parcel 2 and Parcel 3.

6. Modification of Conditions or Revocation

a. Ongoing.

The City reserves the right, after notice and public hearing, to revoke the approvals or alter Conditions of Approval if it is found that the approved facility is violating any of the Conditions of Approval or the provisions of the Planning Code, or operates as or causes a public nuisance.

7. Recording of Conditions of Approval and Mitigation Monitoring Plan

a. Prior to issuance of building permit or commencement of activity.

The project sponsor shall execute and record with the Alameda County Recorder's Office a copy of these conditions of approval and the mitigation monitoring plan on a form approved by the Zoning Administrator. Proof of recordation shall be provided to the Zoning Administrator.

8. Reproduction of Conditions and Mitigations on Building Plans

a. Prior to issuance of building permit.

These conditions of approval and the Mitigation Monitoring Plan shall be reproduced on page one of all plans submitted for all construction-related permits for this project.

9. Indemnification

a. Ongoing.

The project sponsor shall defend, indemnify, and hold harmless the City of Oakland, its agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Oakland, its agents, officers or employees to attack, set aside, void or annul, an approval by the City of Oakland, the Office of Planning and Building, Planning Commission, or City Council. The City shall promptly notify the project sponsor of any claim, action or proceeding and the City shall cooperate fully in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

10. Recycling Space Allocation Requirements

a. Prior to issuance of building permit

The design, location and maintenance of recycling collection and storage areas shall substantially comply with the provision of the Oakland City Planning Commission "Guidelines for the Development and Evaluation of Recycling Collection and Storage Areas", Policy 100-28 and with the recycling space requirements of the Planning Code. The recycling location and area shall be clearly delineated on the plans.

11. Lighting Plan

a. Prior to issuance of building permit

An exterior lighting plan shall be submitted for review and approval by the Planning Director. The lighting plan shall include the design and location of all exterior lighting fixtures or standards, and said lighting shall be installed such that it is adequately shielded and does not cast glare onto adjacent properties.

12. Landscaping Plans

a. Prior to issuance of building permit.

The project sponsor shall submit a detailed landscaping plan to the Planning Director for review and approval prior to the issuance of any building permits. This plan shall include:

- a. Details and specifications for other landscaping features such as street furniture, rocks, paving treatments, and any water features. In particular, the paving treatment for the sidewalks will need to be further developed and will also need to be reviewed by the Public Works Agency.
- b. Detailed irrigation plans, planting details such as location, number and sizes of the plant materials, and the specifications for planting.
- c. Street tree planting specifications. The street trees must be approved by the Office of Parks and Recreation.

13. Signage Plan

a. Prior to issuance of building permit.

The project sponsor shall submit a signage plan for the residential and commercial components of the project for review and approval by the Planning Director.

14. Water, Wastewater and Storm Sewer Service

a. Prior to issuance of building permit

The project sponsor shall provide the necessary information to the Public Works Agency, Design and Construction Services Division to reconfirm the existing capacity of the water, wastewater and storm service systems that serve the project site and the projected project demand. The project sponsor shall be responsible for payment of the required installation or hookup fees to the affected service providers. The project sponsor shall also be responsible for payment of sewer and/or storm water improvement fees as required by the Public Works Agency.

15. Special Inspector

a. Throughout construction

The project sponsor may be required to pay for on-call special inspector(s) as needed or as directed by the Building Official. Prior to issuance of a building permit, the project sponsor shall establish a deposit with the Building Services Division to fund a special inspector who shall be available as needed, as determined by the Building Official or the Planning Director.

16. Litter Control

a. *Prior to issuance of building permit*

A litter control plan that ensures that the premises and surrounding area are kept free of litter shall be submitted to and approved by the Zoning Administrator. The Plan shall include, but not be limited to:

- Distribution of proposed locations of litter receptacles on site and in the public right-of-way; and
- A management schedule for keeping the premises and surrounding area in a one-block radius free from litter originating from the operation of the future commercial activities; and
- Sweeping and trash collection of the premises, the public sidewalk, and the gutter area of the public street immediately adjacent to the project, as needed to keep the area free of litter.

17. Exterior Pay Phones

a. *On-going*

There shall be no exterior pay telephones located on the project site without obtaining a pay phone permit.

18. Master Improvement Plan and Improvements in the Public Right-of-Way

a. *Prior to Finalization of P-Job*

The project sponsor shall submit a detailed improvement plan prepared by a licensed Civil Engineer, with all conditions and requirements as set forth in these Conditions of Approval for the private property and the public rights of way, including but not limited to curbs, gutters, pedestrian ways, sewer laterals, storm drains, street trees, paving details, locations of transformers and other above ground utility structures, the design, specifications and locations of the water pumping facilities required by the East Bay Municipal Utility District (EBMUD), street lighting, on-street parking and accessibility improvements required to comply with all applicable City standards, including the landscaping plans, the street tree locations, and planting specifications. *This plan shall be reviewed and approved by the City Engineer. Encroachment permits shall be obtained as necessary for any applicable improvements.*

19. Electrical Facilities

a. *Prior to Installation*

All electrical and telephone facilities, fire alarm conduits, street light wiring, and similar facilities shall be placed underground. Electric and telephone facilities shall be installed in accordance with standard specifications of the servicing utilities. Street lighting and fire alarm facilities shall be installed in accordance with the standard specifications of the Building Services Division.

20. Tree Removal Permit

a. *Prior to issuance of the demolition or grading permit*

The project sponsor must obtain a tree removal permit, and/or tree protection permit as needed, from the Office of Parks and Recreation, and abide by the conditions of that permit, prior to construction adjacent to, or removal of, any protected trees located on the project site or in the public right-of-way adjacent to the project site.

21. Waste Reduction and Recycling Plan

a. Prior to issuance of building permit

The project sponsor shall submit a "Waste Reduction and Recycling Plan," and a plan to divert 50 percent of the solid waste generated by the construction and operation of the project, to the Public Works Agency for review and approval, pursuant to City of Oakland Ordinance No. 12253.

22. Subdivision Maps

a. Prior to issuance of building permit

The project sponsor shall seek approvals for and record a Final Tract Map. The Final Tract Map shall incorporate all conditions attached to this document, entitled "VTM7616 Conditions of Approval", and incorporated herein by reference and as follows:

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**COMMUNITY & ECONOMIC
DEVELOPMENT CMTE**

JUN 14 2005

A. City Engineer Conditions of Approval:

If the project is to be approved by the Advisory Agency, please attach the following "Conditions of Approval":

1. The design and location of new and/or modified signals at the intersections of 19th and "New Street", San Pablo Avenue and Thomas L. Berkley Way, Telegraph Avenue and Thomas L. Berkley Way and William Street and Telegraph Avenue shall be approved in writing by the City Engineer.
2. The design, location and number of driveways shall be approved in writing by the City of Oakland.
3. The limits and the design of sanitary sewer relocations and/or replacements shall be approved in writing by the City Engineer.
4. The design and placement of 7-foot wide parking lanes shall be approved in writing by the City of Oakland and AC Transit.
5. Location, configuration, and quantity of bus stops and loading zones shall be approved in writing by the City of Oakland.
6. Location and layout of utilities shall be approved in writing by the City of Oakland.
7. Final Improvement Plans within the public right-of-way shall be approved in writing by the City of Oakland.
8. Utility Agreements shall be provided to the City for review and comment prior to approval of the Final Map.
9. Location, capacity, and number of fire hydrants shall be approved in writing by the City of Oakland and the City's Fire Marshall.
10. Obstruction permits for parking meter removal shall be obtained prior to issuance of Grading or P-job permits.
11. Final design of William Street shall be approved in writing by the City of Oakland.
12. Vesting Tentative Tract Map 7616 is subject to the all the requirements, restrictions, and conditions stated in Planned Unit Development 05037 (PUD 05037).
13. Provide confirmation that the monuments used for the basis of bearing are City of Oakland monuments.
14. Private utilities placed in the public right-of-way will require an easement and a Major Encroachment permit. The easement shall be recorded and the Major Encroachment Permit approved by City Council prior to the beginning of any construction related to the encroaching utility. Approval of a private utility placed in the public right-of-way is at the discretion of the City of Oakland.

15. All Major and Minor Encroachment permits shall be approved prior to beginning any construction activities related to the permits.
16. Shoring and tiebacks for construction that lie within the public right-of-way will require Major Encroachment Permits.
17. Stage Construction Plans and Traffic Handling Plans for all construction activities within the public right-of-way shall be approved in writing by the City of Oakland and AC Transit prior to requesting bids for the proposed work.

Existing sidewalk, curb, and gutter will require replacement if damaged during construction activities.

B. City Fire Department Conditions of Approval:

1. **Public hydrants shall be directly connected to EBMUD water mains to EBMUD standards for public hydrants. Any one hydrant shall be sized to provide a minimum flow of 1500 gpm at 20 psi. The number of hydrants flowing shall be determined based on building permit plans for the type of construction and size (floor area) of the largest building.**
2. **No overhead power cables or utilities. OFD ladder trucks shall not be impaired with gaining access to the roof, rescue windows or openings higher than 3 stories.**
3. **The total number of hydrants shall be determined upon submittal of the building permit set. OFD will confirm the number and spacing of hydrants based on the type of construction and size of the buildings proposed. In highly dense neighborhoods where buildings are close to one another, a 300-foot maximum distance between hydrants is adequate.**

C. Pedestrian Safety Conditions of Approval:

1. *Pedestrian crossings:* Provide a traffic signal (plus the bulbouts as shown) at 19th/New Street and, at 20th/New Street, a high-visibility crosswalk across 20th St (western intersection leg) with advance limit lines (and the bulbouts as shown).
2. *Driveway/sidewalk treatment:* Where driveways cross sidewalks, ensure that the sidewalk provides a level travel surface by locating the driveway ramp in the sidewalk's planting strip. The driveway ramp should not impede on the sidewalk's through passage zone.
3. *Bicycle racks:* Make use of the wider sidewalks at bulbouts for short-term bicycling parking at bike racks.

D. Public Works Agency Conditions of Approval

VESTING TENTATIVE MAP SHALL ONLY BECOME EFFECTIVE UPON INCORPORATION OF THE FOLLOWING REVISIONS: The Vesting Tentative Map shall be revised to incorporate the following comments.

VESTING TENTATIVE MAP REQUIREMENT

CONDITIONS OF APPROVAL

1. SIDEWALKS

The sidewalk width on William Street is subject to final review.

2. DRAINAGE

- i. Show and submit the drainage details for the bulbouts on Thomas Berkley Way and William Street. City does not allow French drain type drainage solutions for bulbouts. Revise the VTM accordingly. -EM.
- ii. General Note No. 22 on the first sheet should also reference the storm drainage system-GA
- iii. Convey site drainage to an adequate facility.

IMPROVEMENT REQUIREMENTS:

The following improvements shall be omitted from the map, and instead,, shall be corrected and incorporated prior to approval of the Public Improvement Plan.

1. STREETS

William Street

Cross Section:

The proposed street width is acceptable. However, the project sponsor shall continue to work with the Public Works Agency to design improvements to the satisfaction of all parties and with consideration to maintenance concerns. The final design specifications for the materials and treatment of the sidewalk and travel lanes along William Street shall be reviewed and approved by the Public Works Agency prior to adoption of the first Final Map.

Curb and Sidewalk

- i. A minimum curb height of 4" (four inches) is required. No rolled curb is permitted. The project sponsor shall utilize City standard curb and gutter detail and revise the vesting tentative map accordingly. AO
- ii. The City's 5-foot wide clearance requirement on sidewalks is not met. A variance may be considered for a narrower sidewalk; however, sidewalk shall minimally conform to the ADA requirements. There should be no variances related to ADA provisions.
- iii. CHANGE NOTE 17: Eliminate the first sentence of this note. (The Williams Street section shown on Sheet 2 of 4 of the vesting tentative map does not match the Williams Street detail shown in the development plan submittal dated 4-15-05. CC

19th Street

- i. Note #4: The project area should be clearly delineated especially to show which portion of the R/W of 19th Street is included-GH.
- ii. 19th Street is one way and will not be converted to two way street. Cross section of the street depicts 19th Street as two way street-AO.
- iii. The roadway classification for 19th and Thomas Berkeley Way within this project boundary is "Collector Downtown" street. The roadway classification of San Pablo Avenue and Telegraph Avenue within this project boundary is "Major Downtown" street. Other streets within the project area will be classified as "Local Intermediate" streets VC.
- iv. Vesting tentative map shall be revised to indicate improvement of 19th street to the center of the street.

2. BULBOUTS

- i. Bulbouts will be allowed provided the project sponsor indicates the parameters on the VTM and the bulbouts do not impact the construction of the wheelchair ramps and drainage – CC.

3. TRAFFIC SIGNALS

- i. Note 19, add "traffic signals located at the intersection of Telegraph Avenue at 19th Street, Telegraph Avenue and William Street, and San Pablo Avenue at 19th Street require modification and relocation to the satisfaction of the City Engineer."-AO

4. OFFSITE PARKING

- i. Note 25, the number of offsite parking spaces need to be approved by Transportation Services Division. Red curb clearances should be considered in the calculation of the proposed off site parking spaces. Submit revised plans to City (TSD) to review for red curb clearances-AO

PRIOR TO APPROVAL OF THE FINAL MAP If the Vesting Tentative Map No. 7616 is to be approved, please attach the following conditions.

IMPROVEMENTS

- i. The project sponsor shall submit to the City of Oakland improvement plans stamped and signed by a registered Civil Engineer for review and approval, and construct new sidewalk, curb and gutter, wheel chair ramps, streets, fire hydrants, streetlights, sanitary and storm sewers, that comply with current City standards. *The improvements shall be secured with a bond or completed prior to the approval of the final map.*
- ii. Complete all public improvements to the satisfaction of the City Engineer.
- iii. Construct improvements along 19th Street and Thomas Berkeley Way to the centerline of the street.
- iv. Repair and replace any deficient frontage improvements as determined by City Engineer.
- v. All improvements shall conform to City standards, except where otherwise reviewed and approved.
- vi. A P-job permit shall be required prior to approval of the final map and construction of the improvements-MU

FIRE HYDRANTS

- i. *Prior to the approval of the final map, submit Improvement Plans to the City for review and approval. Such improvement plans shall include but are not limited to the following: sign and stripping plan, dimensions of all streets, distance from the driveways to the face of curb to the nearest intersection, cross sections, profiles, slopes and pipe types of storm and sanitary sewers, street sections, location of street lights, fire-hydrants, landscape plans and should be submitted to the City for review and approval. The street cross section on the improvement plan shall indicate the location of the streetlights, joint trench and fire hydrants-EM*

ADA

- i. All wheelchair ramps at all street corners shall comply with ADA-CC
- ii. The required path of travel, up to a height of 80 inches, may not be obstructed by any element, such as building protrusions, trees or other plantings, street furniture, sign poles, etc-CC.

LOADING ZONES

Note 13, Final location, configuration, and number of loading zones to be determined by the City prior to approval of Final Map 7616. Final location of bus stop to be determined by the City and AC Transit prior to approval of Final Map 7616.

SANITARY AND STORM SEWERS

- i. The sanitary and storm drainage improvement plan shall be submitted to the City for review and approval prior to approval of final map.
- ii. Final public improvements shall include all required improvements and repairs to the City's sewage conveyance system in order to serve the project.
- iii. Regrading and/or overlay of peripheral streets shall not impact surface runoff without a full impact analysis.
- iv. All pipe sizes shown are inside pipe diameters.
- v. Minimum required sanitary sewer pipe slope is 0.5%.
- vi. Sanitary Sewer Manhole drop connections shall be required where difference in invert elevations is more than 18 inches, except the large culvert manhole at 20th. A drop connection at this manhole may be installed with 18 inches of the crown of the culvert. GA

NEW STREET

- i. Show the street name on the plan prior to approval of the final map.
- ii. Dedicate 50'- right-of-way on final map.
- iii. Construct two 10' travel lanes, 8' feet of sidewalk, curb and gutter on each side and 7' of parking strip on each side.

MONUMENTS AND BASIS OF BEARING

- i. The boundary lines and the right of way(s) on the final map shall be tied to existing horizontal and or vertical control monuments. Monuments and monument lines should be added to the Legend -GH.
- ii. The Basis of Bearings (note 2) should be shown directly on the map by annotating them on the monument line(s)-GH.
- iii. Any City monuments destroyed as a result of the project shall be replaced or built to the City standards at the sole expense of the project sponsor. GH.
- iv. Show on the final map that monuments which are adjacent to the project, while they may not be destroyed should comply with section 8700 of the Business and Professions Code as a requirement for these structures to insure their integrity and preservation-GH.

UNDERGROUNDING OF FACILITIES

- i. All telecommunication and Electrical facilities shall be installed underground.

- ii. All the existing and proposed underground facilities shall be shown for this project site plan-VC
- i.

DEDICATIONS

- i. Lot #5 is to be dedicated for public use (see note #24). This should be clearly delineated on the final map-GH.
- ii. Dedicate all new rights-of-way on the final map prior to approval of final map.

ENCROACHMENT

- i. Prior to approval of the final map, the project sponsor shall secure an encroachment permit for the tree wells, bulbouts, sidewalk underdrain and transformer vaults located in the public right-of-way-GH.

THOMAS BERKELEY WAY

- i. Construct new 7' sidewalk, 7' of parking strip, 14' of travel lane and 10' of left turn lane on the south half of the right-of-way.
- ii. The Project Sponsor's design engineer shall coordinate the improvement plans with City's Telegraph Streetscape Improvement Project located between 16th and Thomas Berkeley Way currently under design-EM.
- iii. Construct new improvements to the centerline of the street prior to approval of the final map.

PRIOR TO DEMOLITION OF THE EXISTING ELECTRICAL AND TRAFFIC RELATED INFRASTRUCTURE IMPROVEMENTS OR BUILDING

- i. Contact City Electrical Planner no later than 5 working days before demolition at (510) 615-5438-VC.
- ii. Secure Demolition permit for any of the Building to be demolished-MU.

PRIOR TO START OF GRADING ACTIVITY

- i. Secure Grading Permit prior to starting any excavation-MU.
- ii. Grading shall conform to the vesting tentative map.

AGREEMENTS

Project sponsor shall enter into Subdivision Improvement Agreements for the construction of public improvements related to Tract 7616.



REVIEW OF AGENCY PLANNING APPLICATION

DRAFT

THIS IS NOT A PROPOSAL TO PROVIDE WATER SERVICES

The technical data supplied herein is based on preliminary information, is subject to revision and is to be used for planning purpose ONLY

DATE: 05/05/2005	EBMUD MAP(S): 1488B480	EBMUD FILE:S-8045
AGENCY: City of Oakland Community and Economic Development Agency Attn: Catherine Payne 250 Frank Ogawa Plaza, Suite 2114 OAKLAND, CA 94612	AGENCY FILE: Uptown Project	FILE TYPE: Tentative Map
APPLICANT: LSA (Lynette Dias) 2215 Fifth Street Berkeley, CA 94710	OWNER: F.C. Oakland, Inc. (Susan Smartt) 785 Market Street, 14th Floor San Francisco, CA 94103	

DEVELOPMENT DATA

ADDRESS/LOCATION: 19th Street, William Street, and 20th Street	City: OAKLAND	Zip Code:
ZONING: Mixed Use PREVIOUS LAND USE: Mixed Use		
DESCRIPTION: To construct 1,000 apartments, 270 condos, a 25,000 sf park, and 43,000sf commercial space.	TOTAL ACREAGE: 12.29 ac.	
TYPE OF DEVELOPMENT: Multi Family Residential: 1270 Units Other: 25000 Sqft Commercial: 43000 Sqft		

WATER SERVICES DATA

PROPERTY: in EBMUD	ELEVATION RANGES OF STREETS: 5-32	ELEVATION RANGE OF PROPERTY TO BE DEVELOPED: 5-32	
All of development may be served from existing main(s) Location of Main(s): 19th St, William St, 20th St, San Pablo Ave, & Telegraph Ave		All of development may be served from main extension(s) Location of Existing Main(s): 19th St, William St, 20th St, San Pablo Ave, & Telegraph Ave	
PRESSURE ZONE	SERVICE ELEVATION RANGE	PRESSURE ZONE	SERVICE ELEVATION RANGE
G0A3	0-100	G0A3	0-100

COMMENTS

EBMUD owns and operates distribution pipelines in 19th Street, William Street, 20th Street (Thomas Berkeley Way), San Pablo Ave and Telegraph Ave. These pipelines are critical in providing continuous service to EBMUD customers in the area. The integrity of these pipelines needs to be maintained at all times. Any proposed construction activity within the street right of way would need to be coordinated with EBMUD and may require relocation of the pipeline, at the project sponsor's expense.

If modifications to the streets occur that require pipeline relocation, and/or hydrant relocations, the relocation costs would be at the project sponsor's expense. Main extensions and/or offsite improvements, also at the project sponsor's expense, may be required depending on EBMUD metering requirements and fire flow requirements set by the local fire department. When the development plans are finalized, the project sponsor should contact the EBMUD's New Business Office and request a water service estimate to determine costs, conditions and options for providing water service to the proposed project. Engineering and installation of new and relocated mains and services requires substantial lead time, which should be provided for in the project sponsor's development schedule.

As stated in the Revisions to the Project EIR, the existing sanitary sewer system would need to be replaced and upsized. The project sponsor needs to confirm with the City of Oakland Public Works Department that there is available capacity within the subbasin flow allocation and that it has not been allocated to other developments. The project should address the replacement or rehabilitation of the remaining sanitary sewer collection system to prevent an increase in Infiltration/Inflow.

CHARGES & OTHER REQUIREMENTS FOR SERVICE:
Contact the EBMUD New Business Office at (510)287-1008.

David J Rehnstrom 5/9/05
David J Rehnstrom, Senior Civil Engineer; DATE
WATER SERVICE PLANNING SECTION