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OAKLAND

2015 MAR 13 AM 4:52

# AGENDA REPORT

**TO:** John A. Flores  
INTERIM CITY ADMINISTRATOR

**FROM:** Rachel Flynn

**SUBJECT:** Coliseum Area Specific Plan and EIR

**DATE:** March 3, 2015

City Administrator  
Approval

Date

3/12/15

**COUNCIL DISTRICT:** City-Wide

## RECOMMENDATION

Staff recommends City Council conduct a public hearing and upon conclusion adopt, as recommended by the City Planning Commission:

- 1) **A resolution, as recommended by the City Planning Commission, (a) certifying the Environmental Impact Report and making related CEQA findings; and (b) adopting the Coliseum Area Specific Plan and related General Plan amendments.**
- 2) **An ordinance, as recommended by the City Planning Commission, amending the Oakland Planning Code to (a) create the D-CO Coliseum Area District Zones regulations, (b) make conforming, but non-substantive changes to other Planning Code sections in the Coliseum Specific Plan, Lake Merritt Station Area Plan and West Oakland Specific Plan areas; and (c) adopt revised Zoning and Height Area Maps.**

## OUTCOME

Adoption of the recommended resolution and ordinance will allow staff to conclude the planning process for the Coliseum Area Specific Plan (CASP) and continue public adoption hearings (initiated at the Planning Commission public hearings on February 4, 2015 and March 4, 2015, and recommended by the Planning Commission on March 11, 2015). The CASP, Environmental Impact Report and proposed General Plan and Planning Code changes ("Related Actions") are intended to guide future development at the Oakland-Alameda County Coliseum Complex and the 800 acres surrounding it ("Plan Area"), including the Coliseum BART parking lots, the Oakland Airport Business Park, and land owned by the City and East Bay Municipal Utility District (EBMUD) between Oakport Street and the San Leandro Bay shoreline. The CASP includes General Plan Amendments to: 1) update the existing text and map in the Land Use and Transportation Element (LUTE) to reflect the land use vision established by the CASP; and 2)

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transfer General Plan land use authority of “Sub-Area E” (City of Oakland and EBMUD- owned land) from the City’s Estuary Policy Plan to the LUTE.

The CASP includes, and the EIR analyzes, a development program that could permit up to three new professional sports venues, 5,750 new residential units, and the addition of approximately eight million square feet of new office, light industrial, logistics and retail space. Additionally, transportation and infrastructure improvements are recommended to address infrastructure deficiencies. Adoption of the CASP and certification of the EIR are key components of the City’s efforts to retain the three professional sports teams, and allow the Coliseum Area to transform over time into a job-generating district and high density residential neighborhood, adjacent to transit.

### **EXECUTIVE SUMMARY**

The Coliseum Area Specific Plan (CASP) is intended to provide both a short-term development plan for the accommodation of up to three new venues for the City’s professional sports teams, as well as a longer term, 20-to 25-year, planning document. This long-term planning document will provide a roadmap for land use policy, regulatory requirements and public/private investment that coordinates future development of new residential, retail, hospitality, office and science/ technology uses, to create significant long-term value for the City of Oakland and Alameda County. The CASP envisions a comprehensive transformation of what is currently one of the largest under-developed, inner-urban, transit-served redevelopment opportunities in California. The City sees implementation of the CASP as a critical opportunity to revitalize some of Oakland’s most important physical assets, and transform these assets into an area that generates long-term economic growth for the City.

The Final Draft CASP includes the following six goals to achieve this transformation:

1. Retain Oakland’s existing professional sports teams, and maximize the economic value for Oakland and Alameda County from these sports facilities.
2. Create a regionally significant jobs and employment area that can expand Oakland’s ability to attract new businesses and supports existing businesses, given the area’s available land and its prime transit-oriented and airport-adjacent location. Participate in the Bay Area’s dynamic “innovation economy”, and attract new businesses and job opportunities to the surrounding East Oakland area.
3. Improve the area’s existing investments in transit and transportation infrastructure; create a Transit Oriented Development (TOD) of new housing and commercial uses which advances regional and State growth policies; increase Oakland’s ability to

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leverage its central position in the Bay Area, and capture a larger share of regional housing growth, job growth and economic investment.

4. Create a vibrant urban mixed-use district, attracting a significant community of residential and commercial uses. The Coliseum Area will feature active streets and public spaces that provide an enhanced pedestrian experience, site security and innovative urban place-making.
5. Create enhanced open space, Bay access, and natural habitat opportunities that will restore natural habitat, and create public educational and Bay accessibility opportunities for Oakland and Bay Area residents.
6. Build upon and promote Oakland's recognized leadership and policies in protecting the urban environment, through the use of building techniques which require fewer natural resources, and create a place which is committed to sustainability.

A summary of the Final Draft CASP build-out includes up to three new professional sports facilities totaling nearly 4.25 million square feet of building space; an increase of up to eight million square feet of office, light industrial, logistics and retail space; and 5,750 new residential units. The Final Draft CASP buildout accommodates up to 14,000 structured parking spaces, and 4,000 surface parking spaces on the Coliseum site. The Final Draft CASP will facilitate the creation of nearly 34 acres of new, publically accessible open space within Sub-Areas A and B, and allows for additional acres of restored open space in Sub-Area E.

The City prepared an Environmental Impact Report ("EIR") to analyze the environmental impacts from the development in the Specific Plan. Significant and unavoidable impacts were found, associated with the following environmental topics: Air Quality, Biological Resources, Cultural and Historic Resources, Noise and Transportation. A Statement of Overriding Considerations is being proposed indicating that these significant and unavoidable impacts are acceptable in light of the significant benefits of the project, and outweigh any significant and unavoidable impacts (see *Attachment A*, CEQA Findings to this report).

The Zoning Update Committee of the Planning Commission held a hearing on January 21, 2015 to discuss the proposed new Planning Code amendments which create and map six new "District Coliseum Zones" in the Plan Area: D-CO-1 through -6. See *Attachment B* to this report for the proposed Planning Code changes which implement this new CASP zoning, and *Attachment C* for the ancillary changes made throughout the Planning Code to incorporate the new zoning.

Final adoption hearings began at the Planning Commission, with an informational hearing on February 4, 2015 (See *Attachment D* for the staff report to this hearing, which discusses the proposed new zones and General Plan amendments), and on February 9, 2015 at the Landmarks Preservation Advisory Board (LPAB). The LPAB made three motions about the CASP at their

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February 23, 2015 meeting, which are discussed more fully in the "Analysis" section below.

On March 4, 2015, the Planning Commission conducted a duly noticed public hearing on the CASP and Related Actions (see staff report, *Attachment E* to this report), heard public testimony, and upon conclusion, continued the item to March 11, 2015 for a vote. Also at the March 4 2015 Planning Commission hearing, the public and the Commissioners requested certain changes be made to the language of the policies of the Specific Plan, and agencies requested certain changes to mitigation measures in the Final EIR. Staff accommodated some of the requested changes, as shown in the March 11<sup>th</sup> Planning Commission staff report (*Attachment F* to this report).

The proposed text amendments to the Land Use and Transportation Element (LUTE) of the Oakland General Plan amend the allowed Floor Area Ratio (FAR) and residential density in the Community Commercial and Regional Commercial designations in the Coliseum Plan Area to a maximum FAR for these classifications of 8.0, and a maximum residential density of 250 units per gross acre, and are included as *Attachment G* to this report. This maximum Floor Area Ratio and residential density is at or below that of other recent Specific Plans adopted by the City Council.

On March 11, 2015, the Planning Commission heard public comment, and took a vote to recommend adoption of the Coliseum Area Specific Plan and Related Actions, including mapping the new Coliseum District zones throughout the entire 800-acre plan area, including the Oakland Airport Business Park. The Commission also recommended the City Council change the zoning of the Edgewater Seasonal Wetland to Open Space (OS) and the General Plan designation to Urban Open Space.

Copies of the CASP, Planning Code and General Plan Amendments, new Design Guidelines, the Draft and Final EIR, Zoning Maps were previously furnished separately to the City Council, and are available to the public, through the City's website:

[www.oaklandnet.com/coliseumcity](http://www.oaklandnet.com/coliseumcity)

Limited copies of the Draft and Final EIR, CASP, and Design Guidelines are also available, at no charge, at the Oakland Planning Division office, 250 Frank Ogawa Plaza, Suite 3315, Oakland, California 94612.

### **BACKGROUND/LEGISLATIVE HISTORY/ PLANNING COMMISISON ACTION**

For over 15 years, the City's General Plan has envisioned a transformed Coliseum Area. In 1998, the Land Use and Transportation Element (LUTE) of the Oakland General Plan identified the Coliseum Area as a "Showcase District." The proposed Coliseum Area Specific Plan is intended to implement the following General Plan vision for the Coliseum Area from the General Plan LUTE:

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*The number of visitors that come to the Coliseum, its excellent transportation access and the availability of land nearby combine to offer a superb prospect for the area's future as regional center of entertainment and commercial recreation. The General Plan envisions the Coliseum Complex at the center of a regional shopping, entertainment and recreation district....Linkages between the Coliseum and Airport and the Coliseum and Waterfront are critical to the future economic potential of this area, and a special plan is needed to guide development of the Coliseum showcase to maximize its potential.<sup>1</sup>*

In 2011, the City issued a Request for Proposals (RFP), seeking a team of consultants and developers who could create a new vision for the Coliseum area. In March of 2012, the Oakland City Council entered into an Exclusive Negotiating Agreement (ENA) with a team of urban designers, architects and developers led by the Oakland-based firm of JRDV Urban International, with an environmental and planning team led by Lamphier-Gregory (also an Oakland-based company). In 2013, the City issued a Notice of Preparation (NOP) of a Draft Environmental Impact Report (Draft EIR) and held two scoping sessions, before the Landmarks Preservation Advisory Board and the Planning Commission.

In 2014, the City held three public workshops to hear comments and make further refinements to the Draft Coliseum Area Specific Plan (Draft CASP) as administrative drafts of the Coliseum Area Specific Plan (CASP) and the CEQA analysis for the EIR were being prepared. . On August 22, 2014, the Draft CASP and Draft EIR were released. On September 8, 2014 and on October 4, 2014, the City held public hearings before the Landmarks Preservation and Advisory Board (LPAB), and the Planning Commission<sup>2</sup>.

Staff revised the Draft CASP, as well as the Draft EIR, based upon comments from the public, Planning Commission, and LPAB. In particular, the Draft Plan was revised to include more policies encouraging affordable housing, creating anti-displacement provisions, and adding policies addressing the effects of sea-level rise in the Plan Area. The Final Draft CASP was published on January 30, 2015, and the Final EIR was released on February 20, 2015. Also, in the fall and winter of 2014, and in January and February of 2015, the City held additional public workshops and staff attended community meetings to discuss and hear public comments on the CASP and EIR.

The Zoning Update Committee of the Planning Commission held a hearing on January 21, 2015 to discuss the proposed new Planning Code amendments which create and map six new "District Coliseum" (D-CO) Zones in the Plan Area. See **Attachment B** to this report for the proposed Planning Code changes which implement this new Coliseum Plan zoning, and **Attachment C**, for

<sup>1</sup> LUTE, pages 44-45. (emphasis added).

<sup>2</sup> A full list of public meetings and hearings is on the City's website, [www.oaklandnet.com/coliseumcity](http://www.oaklandnet.com/coliseumcity).

the ancillary changes throughout the Code, as recommended by the City Planning Commission<sup>3</sup>.

Final adoption hearings began at the Planning Commission with an informational hearing on February 4, 2015 (See *Attachment D* for the staff report to this hearing, which addresses the proposed new zones and General Plan amendments), and on February 9, 2015 at the LPAB. On February 23, 2015, the LPAB made three motions about the CASP, which are discussed more fully in the "Analysis" section below.

On March 4, 2015, the Planning Commission conducted a duly noticed public hearing on the Coliseum Plan and Related Actions (see staff report, *Attachment E* to this report), heard public testimony, and upon conclusion, continued the item to March 11, 2015. On March 11, the Planning Commission added to a motion

On March 4, 2015, the Planning Commission conducted a duly noticed public hearing on the Coliseum Plan and Related Actions (see staff report, *Attachment E* to this report), heard public testimony, and upon conclusion, continued the item to March 11, 2015 (see staff report, *Attachment F* to this report). On March 11, the Planning Commission added the following provisions to staff's recommended motion:

- In section 3.12 "Affordable Housing Goals and Policies" of the CASP, make reference to the Regional Housing Needs Allocation for affordable housing in the City of Oakland *Housing Element*;
- Add the following phrase to the Land Use Policy 3-41: "The City supports and encourages local hiring and training of Oakland residents, including residents from adjacent East Oakland neighborhoods, for the new jobs envisioned in the Plan; *and consideration of requirements such as "ban the box" that facilitate job access for local residents*;
- Add the following phrase to the Land Use Policy 3-44: "Encourage local businesses to offer internship, mentoring and apprenticeship programs to high school and college students, *with a priority on East Oakland students*;
- Recommendation that the City review and revise the supportive housing policy, citywide;
- Recommendation that a zoning study be done of the areas surrounding the CASP Plan area

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<sup>3</sup> Attachment C contains ancillary "code clean ups", including non-substantive zoning regulation changes for the West Oakland Specific Plan and the Lake Merritt Station Area Plan areas. For West Oakland zoning, changes were to Section 17.73.015, clarifying that design review for new industrial buildings would only apply in West Oakland, and not citywide; for Lake Merritt zoning, to Code Section 17.101G.050, to remove a district-only design regulation ("minimum depth of storefront bay") that is more restrictive than city standards for other downtown zones.

(to remove conflicts between heavy industry and adjacent residences);

At their March 11<sup>th</sup> hearing, the Planning Commission voted unanimously on a motion recommending the City Council:

1. Certify the EIR, and adopt the CEQA findings for the CASP (shown in *Attachment A* to this report), which include findings for certification of the EIR, rejection of alternatives as infeasible, and a Statement of Overriding Considerations;
2. Adopt the Standard Conditions of Approval and Mitigation Monitoring Reporting Program (SCAMMRP) (shown in *Attachment H* to this report), including changes to the Mitigation Measures approved at the March 11 Planning Commission (shown in *Attachment F* to this report);
3. Adopt the CASP, General Plan text and map amendments, and Planning Code text and map amendments based, in part, upon the CASP Adoption Findings (*See Attachment I* to this report), as discussed at the March 11, 2015 Planning Commission hearing (*Attachment F*);
4. Adopt a new General Plan Land Use designation of "Urban Park and Open Space" for the eight-acre Edgewater Seasonal Wetland, and a new zoning designation of "OS" (Open Space) for the Edgewater Seasonal Wetland;
5. Authorize staff to make minor ongoing revisions and to make non-substantive, technical conforming edits to the Planning Code that may have been overlooked in deleting old sections and cross-referencing new sections to the new D-CO Coliseum District Zones, and to return to the Planning Commission for major revisions only.

The Coliseum Area Specific Plan and Related Actions are consistent with the Oakland General Plan – including the Land Use and Transportation Element (LUTE); Open Space, Conservation and Recreation (OSCAR); and Housing Elements; as well as the Bicycle and Pedestrian Master Plans, as discussed in detail in the CASP Adoption Findings.

Copies of the CASP, Planning Code and General Plan Amendments, the Draft and Final EIR, and Zoning Maps were previously furnished separately to the City Council, and are available to the public, through the City's project website: [www.oaklandnet.com/coliseumcity](http://www.oaklandnet.com/coliseumcity). Limited copies of the Coliseum Plan and Draft and Final EIR, are also available, at no charge, at the Oakland Planning Division office, 250 Frank Ogawa Plaza, Suite 3315, Oakland, California 94612.

### **PROJECT DESCRIPTION**

The Coliseum Area Specific Plan (CASP) is intended to provide both a short-term development plan for the accommodation of up to three new venues for the City's professional sports teams,

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and a longer term, 20-to 25-year, planning document. This long-term planning document will provide a roadmap for land use policy, regulatory requirements and public/ private investment that coordinates future development of new residential, retail, hospitality, office, science /technology uses, to create significant long-term value for the City of Oakland and Alameda County. The CASP envisions a comprehensive transformation of what is currently one of the largest under-developed, inner-urban, transit-served redevelopment opportunities in California. The City sees implementation of the CASP as a critical opportunity to revitalize some of Oakland's most important physical assets, and transform these assets into an area that generates long-term economic growth for the City.

The approximately 800-acre Plan Area is divided for CASP purposes into five "Sub-Areas" (see *Attachment J*):

*Sub-Area A*

Sub-Area A is approximately 243 acres, and contains the Coliseum sports complex, surface parking, industry, and transportation infrastructure. The Coliseum sports complex is jointly owned by the City of Oakland and Alameda County; it consists primarily of the existing arena venue for professional basketball and special events (Oracle Arena), and the Coliseum venue for professional football, baseball and special events (O.co Coliseum). Sub-Area A also includes City-owned land, additional private properties to the east along both sides of San Leandro Street, and the existing Coliseum BART Station and surface parking lot. The CASP addresses Sub-Area A in a greater level of detail, being the most likely area for early phase of development.

*Sub-Area B*

Sub-Area B is approximately 127 acres, and contains the northerly portion of the Oakland Airport Business Park, freeway-oriented retail and office buildings along the Oakport Street frontage of I-880, and an aging, but well-maintained light industrial and office park district (Oakland Airport Business Park) along Edgewater Drive. The shoreline consists of the Martin Luther King Jr. Shoreline Park, which features a pedestrian trail and bike path with views looking across San Leandro Bay, as well as property the City of Oakland leases from the Port of Oakland for the City's Public Works Corporation Yard.

*Sub-Area C*

Sub-Area C is approximately 189 acres in size and contains the eastern portion of the Oakland Airport Business Park. Currently, this Sub-Area contains 2.25 million square feet of building space, largely made up of an inter-related mix of light industrial, and office uses, as well as a Walmart store and adjacent retail shopping center off Hegenberger Road at Edgewater Drive. Sub-Area C continues the light industrial and office park district along Edgewater Drive and the shoreline park.

*Sub-Area D*

Sub-Area D is approximately 136 acres in size and includes the southern portion of the Oakland Airport Business Park nearest to the Oakland International Airport. It contains approximately 1.66 million square feet of building space, including large logistics and distribution businesses and activities, as well as light industrial, hotel, and retail and restaurant uses along Hegenberger Road. The western edge of Sub-Area D abuts, but does not include Arrowhead Marsh and the Martin Luther King Jr. Shoreline Park.

*Sub-Area E*

Sub-Area E is approximately 105 acres in size, and is located on the westerly or water-side of I-880, between Damon Slough and East Creek Slough. The uses consist of EBMUD water treatment facilities and corporation yard; City of Oakland Oakport recreation fields for soccer and open space; and land leased to the East Bay Regional Parks District for Martin Luther King Jr. Shoreline Park trails.

The Final Draft CASP has been prepared with sufficient flexibility to allow for a number of alternative development scenarios, and the continued guidance of future development in the Plan Area even if one or more of the sports teams were to relocate out of the Coliseum Area. Therefore, the Draft EIR also studies the environmental effects of a two-team, a one-team, and a no-team project alternative.

The Final Draft CASP provides separate development concepts for each of the Sub-Areas, as described below. Each of these development concepts require further, more detailed planning and analysis, as well as investigation into financing strategies necessary for implementation. None of these CASP concepts currently represent a definitive end-state, or an obligation on the part of either the City or the sports franchises, but are instead a statement of the area's potential.

Because of the complexity of the Final Draft CASP development program for the Plan Area's 800 acres, this report will focus on selected goals for: (1) the "Coliseum District" (which includes Sub-Area A - consisting of the Coliseum BART station and adjacent surface parking lot; properties along San Leandro Street across from the BART station; the current Coliseum and Arena and their surrounding surface parking lot and a portion of Sub-Area B in the Oakland Airport Business Park on the west side of I-880); and (2) the rest of the Oakland Airport Business Park and environs within the Plan Area.

***A) Selected goals for the Coliseum District:***

- New Sports Venues: Development of up to three (3) new multi- purpose sports/entertainment facilities that retain the City's professional sports teams in Oakland,

provide attractions that bring people to the area, and facilitate the development of other uses nearby. This development program includes a potential new National Football League (NFL) stadium for the Oakland Raiders; new Major League Baseball (MLB) ballpark for the Oakland Athletics; and new or renovated National Basketball Association (NBA) arena for the Golden State Warriors. Under most of the Draft CASP scenarios, the current Arena would remain as a multi-purpose event venue.

- Development of new housing – up to 2,300 units at the Coliseum BART-adjacent Transit Oriented Development district (primarily the BART parking lots, and parcels on San Leandro Street); and up to 1,700 units in a “ballpark village” near the sports facilities.
- Pedestrian access – a proposed new elevated pedestrian concourse that would connect from the Coliseum BART station to the new sports/ entertainment areas at the current Coliseum site. This elevated connector could potentially extend over I-880 and link BART to San Leandro Bay; and is envisioned to include an enhanced transit circulator such as a potential streetcar line that uses the elevated concourse to connect from BART to the Oakland Airport Business Park.
- Open Space and Parks - The CASP proposes a total of 26.5 acres of open space within the Coliseum district, consisting of a proposed 2-acre “Grand Plaza” pedestrian streetscape; 10-acre pedestrian elevated concourse and linear open space; and 7- acres of open space and natural habitat improvements along Damon Slough near the Union Pacific/Amtrak railroad tracks and along 66th Avenue.

***B) Selected goals for the Oakland Airport Business Park:***

- New office space - Provide opportunities for new office and light industrial uses, and campus-type development, of regional significance that expands opportunities for companies in the tech economy to locate in Oakland, in up to 1.5 million square feet of new and renovated buildings.
- Improvements to the existing Business Park – The Plan supports ongoing improvements to the entire Business Park, including the installation of fiber optic cabling that would improve access to high speed internet in the area, and the installation of new or improved sidewalks along Edgewater Drive, Oakport Drive, and 66<sup>th</sup> Avenue to improve the area’s pedestrian environment.

**ANALYSIS**

The Coliseum Area Specific Plan (CASP) is intended to encourage the construction of new sports facilities in the Coliseum District, guide the development of new high-density housing at

and near the Coliseum BART station, provide opportunities for new office space, retail and restaurants, and to allow for the restoration of Damon Slough and the improvement of open space and natural resources. The CASP envisions the intensification, over time, of the Airport Business Park to increase job growth and employment for Oakland over the next 20 to 25 years, through improvement of infrastructure and new design standards. New development will require improvements - including site improvements typically associated with development, transportation and circulation improvements and utility and infrastructure improvements. Interdepartmental coordination, private and public sector investment, and a strategy for financing and constructing infrastructure improvements will be required to successfully achieve the vision of the CASP, after its adoption.

The following section highlights the key issues that have come to light during the Specific Plan process:

#### CEQA Historic Resources in the Plan Area

##### ***Oakland Coliseum Complex***

The Coliseum complex (which includes the Oakland Coliseum stadium and Arena) was designed by Skidmore, Owings & Merrill, with Edward C. Bassett as partner-in-charge and Myron Goldsmith as senior designer. Construction by the Guy F. Atkinson Company began in 1962, and was completed in 1965. The Oakland Raiders held their first games in the Coliseum and the Oakland Seals hockey team played their first games in the arena in the fall of 1966, and the Oakland Athletics began playing their first games in the Coliseum in 1968.

In 1996, the Coliseum stadium underwent a major renovation which added over 10,000 seats in the upper deck that now spans the outfield when the stadium is in the baseball configuration. The effect of these new stands was to completely enclose the stadium, eliminating the view of the Oakland hills that had been the stadium's backdrop for 30 years. This 1996 addition altered the physical characteristics of the Coliseum, but no assessment was conducted at that time (or since) to determine whether the 1996 addition materially altered in an adverse manner those physical characteristics of the Coliseum complex that conveyed its historical significance. Therefore, it is conservatively assumed that the Coliseum complex still retains enough of its original physical characteristics as to remain a significant resource under the regulations of the California Environmental Quality Act (CEQA).

In 1998, the Oakland arena also underwent a major renovation; the façade changes included minor alterations to its appearance from the original 1960's design.

Currently, the Oakland Coliseum is the only multi-purpose stadium in the United States that serves as a full-time home to both a Major League Baseball team (the Oakland Athletics) and a National Football League team (the Oakland Raiders).

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The Oakland Cultural Heritage Survey (OCHS) rates the Oakland O.co Coliseum as “A” (Highest Importance) and the Oracle Arena as “B+” (Major Importance). The buildings are also rated as “1+”, which means they are contributing structures to an Area of Primary Importance (i.e., the Coliseum complex). Therefore, the Oakland O.co Coliseum, the Oracle Arena and the complex as a whole are on Oakland’s Local Register of Historical Resources (Historic Preservation Element Policy 3.8) and are considered historical resources under CEQA. The buildings have not been listed in or formally evaluated for listing in the National Register of Historic Places (NRHP), California Register of Historic Places (CRHR), or Local Register of Historical Resources or recorded on Department of Parks and Recreation (DPR) 523B forms, but are considered to be historical resources under CEQA based on the OCHS ratings.

No analysis has been conducted to formally determine whether the 1996 addition to the Coliseum materially altered in an adverse manner those physical characteristics of the Coliseum that conveyed its historical significance. But it is conservatively assumed that the Coliseum, as well as the overall complex, still retains enough of its original physical character-defining elements as to remain an historic resource.

A substantial adverse change to an historic resource includes the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings, such that the significance of the historical resource would be materially impaired. The significance of a historical resource is materially impaired when a project demolishes or materially alters, in an adverse manner, those physical characteristics of the resource that convey its historical significance and that justify its inclusion on, or eligibility for inclusion on an historical resource list. The Coliseum District’s only historical resource, the Oakland Coliseum complex (which includes the Coliseum and arena, associated ancillary buildings, landscaping, fencing and signage), is proposed for demolition as part of the project. Demolition of this historical resource is considered a significant impact.

Landmarks Board motion

At the February 23, 2015 public hearing, the LPAB made motions about the Coliseum Plan and the EIR, which include recommendations related to the required mitigation for the proposed demolition of the Coliseum stadium and/or the Arena, both historic resources under CEQA. (See **Attachment E** to this report for a summary of the LPAB’s three motions in the March 4<sup>th</sup> Planning Commission staff report). As noted in the March 4, 2015 staff report, the City’s CEQA consultant responded to these concerns, and staff presented at the March 4 and 11 Planning Commission hearings two new Mitigation Measures (MM 1A-4 “Oral Histories” and 1A-5 “Comprehensive Written Document”), as well as revisions to MM 1A-3 “Financial Contribution” (See **Attachment F** to this report for the March 11<sup>th</sup> Planning Commission staff report which has a full discussion of this change).

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East Bay Municipal Utility District (EBMUD) Corporation Yard

EBMUD has indicated to the City that they have a master plan for their Oakport property in Sub-Area E that involves a potential expansion of their existing corporation yard onto the 14-acre vacant parcel they own on Oakport Street (at 66<sup>th</sup> Avenue), as well as onto land near East Creek Slough, which is currently leased on a short-term basis to the East Bay Regional Parks District as passive open space.<sup>4</sup> This proposed future expansion could eventually include open storage of pipe and soil on a site considered by the City as a “gateway” to the Coliseum Plan Area.

In response to EBMUD’s comments on the Coliseum Plan and its related actions, the City has modified its earlier General Plan and zoning map proposals to conditionally permit open outdoor storage on the 14-acre vacant parcel on Oakport Street (at 66<sup>th</sup> Avenue), as well as on the land near East Creek Slough. The City recognizes that this preserves EBMUD’s option to apply to the City to implement their Oakport Master Plan expansion at some point in the future, although EBMUD indicates there are no immediate plans to do so on the portion of their property near the East Creek Slough.

Also, the current Planning Code amendments to the “Open Storage” conditional use permit findings, (see proposed zoning, *Attachment B* to this report) will allow consideration of EBMUD’s long-term corporation yard expansion plans, even with new General Plan and zoning designations. Should EBMUD at some point in the future decide to sell this site, and expand the current Oakport corporation yard operations elsewhere, the regulations for future development of this 14-acre site would be governed by the new D-CO-6 zone.

Edgewater Seasonal Wetland and Proposed “Bay Inlet”

The initial public review draft of the CASP discussed the concept of a potential land swap that would involve the East Bay Regional Park District’s eight-acre Edgewater Seasonal Wetland, in exchange for twice as much vacant land on the north side of Damon Slough, which could then be converted to a wetland habitat and function as does the Seasonal wetland. There was also a concept in the CASP that involved a potential new “Bay Inlet” near Damon Slough, to allow bay waters to inundate land that could then be used as open space and new shoreline. Both of these concepts were studied in the EIR, and both would require significant additional environmental study, acquisition costs, and regulatory permitting to be realized. If they are pursued in the future, they will require additional CEQA review, beyond the CASP EIR. The Planning Commission on March 11<sup>th</sup> recommended the City Council adopt a zoning designation of “OS”

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<sup>4</sup> EBMUD’s 1998 “Oakport Facility Master Plan” also includes the expansion of the existing wet-weather treatment facility, should it be required in the future by regulatory agencies. The footprint for expansion of this facility in the 1998 Master Plan shows it expanding onto the site of the current corporation yard buildings. The City of Oakland has limited authority when it comes to EBMUD’s core facilities.

(Open Space) for the 8-acre Edgewater Seasonal Wetland, and a General Plan Land Use designation of "Urban Park and Open Space".

Community Benefits for East Oakland residents

In meetings with community leaders, advocates and East Oakland residents, they expressed clear expectations that new development in the Coliseum District should directly benefit residents in the surrounding neighborhoods, through provision of affordable housing, local hiring and job training, access to healthy food and a new grocery store and improvements to public health through the addition of a health center and/or gym. The City believes that the new jobs facilitated by full buildout of the CASP (up to 20,000 new jobs, an estimated 10,000 of which are expected to be available to those without a college or higher degree), as well as any fees which might be generated by new development, provide a significant community benefit. In addition, goals and objectives for affordable housing, anti-displacement and local-hiring are included in the CASP. The City has also proposed zoning which permits grocery stores outright, and conditionally permits gyms and health centers. After the March 4th Planning Commission hearing, the staff added provisions to the policies of the CASP to further encourage: local hiring and job training; accessible and improved transit service; and access to improved health, fitness, and medical facilities in or near Coliseum Plan Area (see Specific Plan changes, *Attachment K* to this report).

Land Use Jurisdiction

The City of Oakland currently has land use jurisdiction over only a small portion of the Oakland Airport Business Park, and none of the northern side of Hegenberger Road below I-880. These Coliseum Area Specific Plan (CASP) Sub-Areas are instead under the land use jurisdiction of the Port of Oakland. New development in these areas will need to adhere to the development regulations in the Port of Oakland's Land Use and Development Code (LUDC), instead of the City of Oakland's Planning Code, and receive development permit approval from Port staff. The Port's regulatory jurisdiction consists of most of the CASP Sub-Area B, and all of Sub-Areas C and D<sup>5</sup>.

It is important to note that the proposed new Coliseum zones ("D-CO-1" through "D-CO-6") will not govern land uses in the areas of the Port of Oakland's land use authority (such as the Oakland Airport Business Park). Therefore, unless the Port decides to either: (a) cede land use authority to the City, or (b) amend its own Land Use and Development Code to match the vision and intent of the CASP, it is unlikely there would be any significant land use changes in the Airport Business Park as a result of the Coliseum Area Specific Plan.

<sup>5</sup> See Figure 2.11 Jurisdictional Boundaries in the Coliseum Area Specific Plan for a map.

Oakland Airport-- Potential New Residential Uses

New development pursuant to CASP Buildout within the Oakland Airport Business Park includes a potential mixed-use waterfront residential district, proposed to be located between Edgewater Drive and the San Leandro Bay shoreline, in the area bounded by Damon Slough and Elmhurst Creek. Under the Port of Oakland's LUDC, residential uses are not permitted on any properties within the Oakland Airport Business Park, and retail use is only permitted within the "Commercial Corridor" area along Hegenberger Road and on certain parcels adjacent to Oakport Street. The introduction of new residential and mixed-use development within the boundaries of the Business Park would therefore be in conflict with the Port's current land use regulations as specified in the LUDC. These proposed new uses along the San Leandro Bay waterfront would also require the relocation of the functions and departments currently stationed at the City's Corporation Yard to a site elsewhere in Oakland.

In the Draft EIR, there is a discussion of this potential conflict:

The CASP notes that implementation of the proposed project will require the Port to consider this EIR as a responsible agency, and potentially to co-adopt the CASP, or to cede land use jurisdiction over certain properties to the City of Oakland or adopt amendments to the LUDC to allow the development program proposed by the CASP.

**Recommendation/Project Requirement Land-6<sup>6</sup>:** In order to enable implementation of the Project as proposed, the Port Board of Commissioners must either:

- a) Adopt the CASP as its new land use plan for the Business Park, or
- b) Elect to cede land use authority over the ultimate new arena site and the waterfront residential site to the City of Oakland, or
- c) Choose to instead amend its own LUDC to allow the new arena and waterfront residential /retail mixed use as permitted or conditionally permitted uses within the Business Park.

A City/Port working group has been formed to discuss these three options, and its members have generally agreed that option C above -- amendments to the LUDC -- is the most likely implementation scenario, should the City of Oakland adopt the CASP and certify the EIR. If the Port Board were to decide on any of the three actions described in the EIR, the conflict with plans and policies of the Port's LUDC would no longer apply. However, unlike the recommended changes to applicable City of Oakland's policies and regulations, the City does not

<sup>6</sup> Coliseum Area Specific Plan DEIR, Chapter 4.9, page 54.

have jurisdictional authority to change or modify the Port's LUDC, and cannot ensure implementation of this requirement.

If, on the other hand, the Port Board decides not to take any of the actions identified in recommendation/ project requirement Land-6, then the proposed new arena and the proposed new waterfront residential mixed-use district would directly conflict with the LUDC, and those elements of the project could not move forward.

Separate from the jurisdictional issues, members of the Port Board of Commissioners and some business owners in the Business Park question the addition of new residential activities into what has been historically Oakland's only business park. While the impacts from new residential uses were studied in the DEIR (Chapter 4.11), and found to be less than significant, the City takes these concerns seriously.

Other proposed development within Sub-Areas B, C, and D includes Science and Technology offices, light industrial, logistics and warehouse uses – all of which are permitted uses in this area pursuant to the Port's LUDC.

## **POLICY ALTERNATIVES**

### *Proposed "Bifurcation" or two-tier zoning proposal for the areas below I-880*

As noted above, the CASP includes long-range planning for areas in the Airport Business Park which are not currently in the City's land use jurisdiction. Any new City zones (such as the proposed "D-CO" zones) would not apply to most of the properties in the Airport Business Park, unless at some point in the future the Port were to either amend its land use jurisdiction, or amend its current Land Use Development Code, to correspond with the permitted activities in the proposed "District Coliseum" (D-CO) zones. A number of business owners in the Coliseum area are concerned about the potential impact of the proposed new zoning on the existing operations of the Business Park companies, including impacts from traffic, and possible incompatibilities should residential activities be introduced on the lands currently leased by the City for its corporation yard (see discussion above). Due to these concerns, there has been a request to "bifurcate" the zoning proposal, and consider the new zoning for the areas below I-880 on a separate adoption schedule.

City Administration and Staff have considered the feasibility of this request and continue to recommend new land use regulation for at least a portion of the Coliseum Plan Area on the water side of I-880 to ensure that there is compatible future development facing across from the Coliseum District and at certain key gateway locations.

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The Planning Commission, at their hearing on March 11<sup>th</sup>, did not recommend “bifurcating” the zoning, but rather recommended that the City Council adopt the new District Coliseum (D-CO) zones throughout the 800-acre Plan Area.

The advantage of adopting a new zoning map for the entire 800-acre Plan Area as initially proposed is that a coordinated long-range vision for the future development of the Business Park can be promoted through the Planning Code. While the Port would still retain Land Use jurisdiction over much of the Business Park, as it does now, a comprehensive new zoning code there would point the way for future amendments to the Port’s Land Use and Development Code, should the Port Board adopt such changes in the future, and to the eventual uniting together of the disconnected areas of city land use jurisdiction within the Airport Business Park.

**PUBLIC OUTREACH/INTEREST**

*Public participation in the Coliseum Area Specific Plan*

**Table 1** details all of the public hearings, workshops and meetings the City has organized to allow the public and the business community to be informed of, and participate in, the Coliseum Area Specific Plan (CASP) process. At each community workshop, there were between 20-50 people attending. In addition, the City has mailed printed notices for the public hearings to property owners inside the CASP area and in neighborhoods surrounding the CASP area; as well as maintained an email list-serve of 630 addresses, where periodic announcements and notices are given about upcoming hearings and events<sup>7</sup>. A complete list of the comments made at the CASP’s public meetings and workshops, and individual comments given to staff will be published on the City’s website prior to the March 24, 2015 meeting of the Community and Economic Development (CED) Committee of the City Council.

**Table 1. City of Oakland Coliseum public hearings, workshops and presentations<sup>8</sup>**

<b>Date</b>	<b>Meeting</b>	<b>Notes</b>
<b>March 11, 2015</b>	Planning Commission	Consider recommending adoption of the Coliseum Plan and certification of the EIR
<b>March 4, 2015</b>	Planning Commission	Hear public testimony and provide Commissioner comments on the Final Draft Coliseum Plan and EIR
<b>February 23, 2015</b>	Landmarks Preservation	Final EIR discussion

<sup>7</sup> The public can join on the webpage, [www.oaklandnet.com/coliseumcity](http://www.oaklandnet.com/coliseumcity)-- click the “subscribe for updates” link.

<sup>8</sup> This table does not include meetings attended by the City’s master development team, JRDV Urban International, or its development partner, New City Development

<b>Date</b>	<b>Meeting</b>	<b>Notes</b>
February 17, 2015	Airport Business Park workshop	One Toyota—discussion of proposed zoning
February 11, 2015	Community Workshop	81 <sup>st</sup> Avenue Library – discussion of proposed zoning
February 9, 2015	Landmarks Preservation Advisory Board	Informational meeting on Specific Plan and proposed zoning
February 4, 2015	Planning Commission	Informational meeting on Specific Plan and proposed zoning
January 21, 2015	Zoning Update Committee of the Oakland Planning Commission	First public meeting on proposed zoning text (general zoning proposals and specific zoning maps were published in the August, 2014 Draft Specific Plan)
January 8, 2015	Community Workshop	81st Avenue Library
December 18, 2014	Community Workshop	81st Avenue Library
December 17, 2014	City staff presentation to NCPC Beats 33 and 34X meeting	
<b>Date</b>	<b>Meeting</b>	<b>Notes</b>
November 18, 2014	City staff presentation to Urban Peace Movement	Youth organization
October 16, 2014	City staff presentation to Communities for a Better Environment	
October 14, 2014	City staff presentation to Allen Temple Arms	Senior housing
October 9, 2014	Community Workshop	81st Avenue Library
October 1, 2014	Oakland City Planning Commission	Draft EIR public hearing
September 27, 2014	Staff presentation to Council District 7 Leadership Breakfast	
September 25, 2014	Port of Oakland Board of Commissioners public hearing	
September 24, 2014	City staff presentation to East Bay Housing Organizations (EBHO)	

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<b>Date</b>	<b>Meeting</b>	<b>Notes</b>
<b>September 24, 2014</b>	Oakland-Alameda County Coliseum Authority (JPA) public hearing	
<b>September 18, 2014</b>	Oakland Bicyclist and Pedestrian Advisory Commission (BPAC) public hearing	
<b>September 17, 2014</b>	Alameda County Airport Land Use Commission public hearing	
<b>September 10, 2014</b>	Oakland Parks and Recreation Advisory Commission (PRAC) public hearing	
<b>September 8, 2014</b>	Landmarks Preservation Advisory Board (LPAB) public hearing	Draft EIR public hearing
<b>September 4, 2014</b>	Public workshop for business community in Airport area (open to public)	Held at Airport Red Lion Hotel
<b>August 4, 2014</b>	City staff presentation to Palo Vista Gardens residents (Oakland Housing Authority)	Seniors
<b>June 25, 2014</b>	Community workshop	81st Avenue Library
<b>May 22, 2014</b>	City staff presentation to Lion Creek Crossings residents	
<b>April 26, 2014</b>	Community workshop	City Hall
<b>April 24, 2014</b>	Community workshop	Held at Airport Red Lion Hotel
<b>February 26, 2014</b>	City staff presentation to AABA Economic Development Committee	Airport Area Business Association committee
<b>May 13, 2013</b>	Landmarks Preservation Advisory Board (LPAB) public hearing	EIR scoping session
<b>May 1, 2013</b>	City Planning public hearing	EIR scoping session

To further address concerns expressed by public speakers and in comment letters that the public (specifically, residents of East Oakland neighborhoods near the Coliseum) and business owners (specifically, owners of businesses in the Oakland Airport Business Park) had not had enough opportunity to review the Coliseum Plan and the proposed new zoning, the City held two additional public meetings to better inform the public about the Plan and the new zoning, and to

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hear public comment in advance of the March 4, 2015 Planning Commission hearing. The first meeting was held for East Oakland residents on February 11<sup>th</sup>; and the second for business owners in the Business Park on February 17<sup>th</sup>.

*Comments received at the March 4, 2015 Planning Commission.*

At the March 4 and March 11, 2015 Planning Commission hearings, staff received and distributed additional comment letters which are included as **Attachment L** to this report, for the Council's information.

### **COORDINATION**

The CASP, General Plan amendments, Planning Code changes, and the EIR were prepared with the technical assistance of the following City departments: Planning and Building Department, Economic Development Department, Public Works Department (Transportation Planning & Funding Division, Environmental Services Division), Office of Neighborhood Investment (Redevelopment Successor Agency) and City Attorney's Office. This report was also reviewed by the Budget Office.

### **COST SUMMARY/IMPLICATIONS**

Adoption of the CASP and certification of the EIR will not, in of itself, have costs to the City of Oakland, beyond that which the City has already paid in its contracts with JRDV Urban International as part of their Exclusive Negotiating Agreement (ENA), and the professional services agreement with Lamphier-Gregory and team to produce the CASP and EIR. The City is concurrently under an ENA with New City Development, by which all options will be explored for possible public/private partnerships for the "Coliseum City" development. Those ENA negotiations will be coming back to Council under a separate report, and are not the subject of this action.

Otherwise, application of the new zoning standards and design guidelines will be routine components of individual project review, administered by the Planning and Building Department, which collect fees for such as established in the Master Fee Schedule. The CASP includes recommended future actions and policies, and identifies potential future funding sources. As an adopted CASP, with recommended transportation improvements for which environmental analysis has been prepared, the City will be better positioned to apply for, and potentially receive, grant funding for such projects.

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** The development program contemplated as part of the Coliseum Area Specific Plan included up to three new sports facilities totaling nearly 4.25 million square feet of building

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space; an increase of up to eight million square feet of office, light industrial, logistics and retail space; and 5,750 new residential units; as well as 875 hotel rooms. The sales tax, property tax and business tax revenue in Coliseum area would be expected to increase, as would fees generated by new development. The Coliseum Plan would facilitate new employment opportunities, increase revenues to the City (from taxes and fees), and allow workers to spend some of their income on goods, services and entertainment in and around the CASP area.

***Environmental:*** While most environmental impacts associated with the CASP would be reduced to less than significant levels, after the City's standard conditions of approval and mitigation measures are applied to individual projects, there will nonetheless be some significant and unavoidable impacts. However, as indicated in the Statement of Overriding Considerations, there are significant benefits to the adoption of the CASP. See discussion of CEQA below.

***Social Equity:*** The new jobs and economic growth which are anticipated by the Plan will provide opportunities for East Oakland area and Citywide residents to take part in the Bay Area's new economy, in convenient access to public transportation. If, as proposed, a new employment and training center is established in the Plan area, then it will help in increasing job opportunities for Oakland residents. The goals on provision of affordable housing and implementation of the anti-displacement policies are an attempt to provide housing stability for area residents in a time of change at the Coliseum.

### **CEQA**

The City of Oakland is the Lead Agency pursuant to the California Environmental Quality Act (CEQA), and has prepared an Environmental Impact Report (EIR) for the CASP ("Project"). No Initial Study was prepared for the Project, pursuant to Section 15060(d) of the CEQA Guidelines. The Draft EIR analyzes all environmental topics identified in the City of Oakland CEQA Thresholds of Significance at a level of detail warranted by each topic.

On April 19, 2013, the City of Oakland issued a Notice of Preparation (NOP), to inform agencies and interested parties of its intent to prepare and distribute a "Draft EIR for the Coliseum Area Specific Plan." The Landmarks Preservation Advisory Board and the City of Oakland Planning Commission held scoping meetings on May 13 and May 1, 2013, respectively, to accept comments regarding the scope of the EIR in response to the NOP. On August 22, 2014, the City issued the Draft EIR; the comment period ended October 6, 2014. A Final EIR which has responses to all comments received and revisions to the Draft EIR, was released by the City on February 20, 2015, and was discussed at a public hearing of the Landmarks Preservation Advisory Board on February 23, 2015, and was the subject of the March 4, 2015 Planning Commission public hearing.

The following environmental topics are addressed in detail in the Draft EIR:

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- 4.1 Aesthetics, Shadow and Wind
- 4.2 Air Quality
- 4.3 Biological Resources
- 4.4 Cultural and Historic Resources
- 4.5 Geology and Soils
- 4.6 Greenhouse Gas Emissions and Climate Change
- 4.7 Hazards and Hazardous Materials
- 4.8 Hydrology and Water Quality
- 4.9 Land Use and Planning
- 4.10 Noise
- 4.11 Population, Housing and Employment
- 4.12 Public Services and Recreation
- 4.13 Transportation/Traffic
- 4.14 Utilities and Service Systems

This section of the report discusses potential impacts that could result from implementation of the proposed project. It describes the approach to the analysis, and identifies potential significant unavoidable impacts and mitigation measures, as appropriate.

*Potentially Significant Impacts Identified in the Draft EIR*

All environmental impacts, City Standard Conditions of Approval (SCAs) and mitigation measures are summarized in Chapter 2 (Executive Summary), Table 2-1 in the Final EIR. Table 2-1 also identifies the level of significance of the impact after application of the SCAs and/or mitigation. Other than the impacts discussed below, all of the environmental effects of the Draft Plan can be reduced to less than significant levels through implementation of Standard Condition of Approval or recommended mitigation measures.

The following list of environmental impacts identifies those considered in this EIR to be significant and unavoidable. Although mitigation measures for many of these impacts (including physical modifications to intersection operations) have been identified, implementation of some of these mitigation measures would be the responsibility of other cities or agencies (i.e., the Port of Oakland, the City of Alameda, City of San Leandro, Caltrans, etc.), and the City of Oakland, as lead agency, cannot ensure their implementation. For other impacts, mitigation measures recommended in this EIR may prove to be infeasible or their implementation may not be certain based on physical, economic, technical or other reasons, and those impacts are also considered to be significant and unavoidable.

In the discussion below, mention of the "Coliseum District" which includes the Oakland-Alameda County Coliseum complex (the Coliseum Stadium and Arena and associated surface parking lots), other City-owned land, additional private properties to the east along both sides of San Leandro Street, and the existing Coliseum BART Station and associated parking lot

(Sub-Area A), as well as a portion of Sub-Area B, between Edgewater and Oakport. Reference to "Plan Buildout" refers to the entire 800-acre Plan area.

### **Air Quality**

- Construction activities pursuant to Plan Buildout (including development at the Coliseum District) will generate regional ozone precursor emissions and regional particulate matter emissions from construction equipment exhaust. For most individual development projects, construction emissions will be effectively reduced to a level of less than significant with implementation of required City of Oakland Standard Conditions of Approval. However, larger individual construction projects may generate emissions of criteria air pollutants that would exceed the City's thresholds of significance. Even with implementation of MM Air 6A-1: Reduced Construction Emissions, it cannot be certain that emissions of ROG and NOx can be reduced to below threshold levels and this impact is conservatively deemed to be significant and unavoidable.
- New development pursuant to the project (including at the Coliseum District) would result in operational average daily emissions of criteria pollutants (ROG, NOx, PM2.5 and PM10) that would exceed applicable threshold criteria. Even with implementation of SCA Trans-1: Transportation Demand Management (TDM) Program, this impact would be significant and unavoidable.

### **Biological Resources**

Future development pursuant to Plan Buildout, particularly related to the potential Bay Inlet cut and the replacement/exchange of the Edgewater Freshwater Marsh, could have a substantial adverse effect, either directly or through habitat modifications, on candidate, sensitive or special status species. Not until such time as the details of these project elements are known, permits from responsible agencies are sought, and the requirements and conditions of the responsible regulatory agencies specific to these project elements are fully known, can any determination be made as to the efficacy of recommended mitigation measures (including MM Bio 1A-1: Pre-construction Nesting Bird Surveys and Buffers, MM Bio 1A-2: In-water Work Restrictions, MM Bio 1A-3: Salt Marsh Protection, MM Bio 1B-1: In-Bay Dredge Requirements, and MM Bio 1B-2: Freshwater Marsh Restoration Plan). Therefore, this impact is conservatively deemed to be significant and unavoidable.

### **Cultural and Historic Resources**

As discussed at the September 8, 2014 and February 9<sup>th</sup> and 23, 2015 Landmarks Preservation Advisory Board hearings, future development of the Coliseum District would result in ultimate demolition of the Oakland Coliseum and potentially the Arena, causing a substantial adverse change in the significance of the Oakland Coliseum and Arena Complex, a historical resource as

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defined in CEQA Guidelines Section 15064.5. Under the proposed Project, demolition of the Oakland Coliseum is identified as the only feasible option to move forward with development within the Coliseum District, whereas demolition of the existing Arena is identified as only one of several potential development options. Even with implementation of MM Cultural 1A-1: Site Recordation, MM Cultural 1A-2: Public Interpretation Program and MM Cultural 1A-3: Financial Contribution, this impact would be significant and unavoidable.

### *Coliseum*

The CASP is based on the assumption that in the absence of new venues, the Oakland Raiders and the Oakland A's are likely to relocate away from the current Coliseum and perhaps out of Oakland. Both of these professional sports franchises have clearly communicated that in their opinion the Coliseum as a facility is outdated, in poor condition, does not function well logistically, and cannot be renovated in a manner to eliminate these problems.

As a key objective of the CASP, the City of Oakland is seeking the retention of the Oakland Raiders, Oakland Athletics, and Golden State Warriors sports franchises in Oakland (and within the Coliseum District) by prioritizing development of new sports venues that maximize benefits to each of these sports franchises, and that serve as economic development catalyst for the remainder of the Plan Area and for all of Oakland. To retain the teams, new sports facilities will need to be constructed, and will need adequate access, circulation, and parking. To maximize the economic value for the City and County, the land surrounding the new venues is also needed for development of new revenue-generating uses such as residential, retail, hotels, and science and technology uses. The Draft Plan also acknowledges that the City's sports franchises may make independent business decisions to leave the Coliseum site despite the City's planning efforts to retain them, and so provides the flexibility for development scenarios that include fewer (and even no) new sports venues.

However, even under the no new sports venue scenario, there is no planning program that provides for on-going retention of the existing Coliseum. No potential tenants have been identified, other than the A's and the Raiders, who could support the debt service, operations and maintenance costs of keeping the Coliseum open. Therefore, demolition of the existing Coliseum is a significant and unavoidable outcome of the Specific Plan, resulting in the loss of the Coliseum as an historic and cultural resource and the loss of the major contributor of the Coliseum Complex historic district. Mitigations for this loss have been proposed in the Final EIR, amended by the Landmarks Board, and these revisions are discussed more fully, below.

### *Arena*

The Arena is a facility with much greater flexibility and economically viable alternative uses than is the Coliseum. The Specific Plan does not pre-determine that the Arena would need to be demolished, even if the Warriors do relocate to San Francisco. The only scenario (under the

multiple options presented within the Specific Plan) in which the existing Arena would be demolished is if the Warriors choose to remain in Oakland and to build a new Arena. It would not be economically viable to operate two large arena facilities immediately adjacent to each other. Therefore, under that scenario, demolition of the existing Arena would be a significant and unavoidable outcome of the Specific Plan, resulting in the loss of the Arena as an historic resource and the loss of the only other contributor to the Coliseum Complex historic district.

Other plausible scenarios for the Arena include a scenario wherein the Warriors decide to stay in Oakland and at the existing Arena, and choose to invest in facility upgrades to the Arena to better suit their needs and desires. Alternatively, the Warriors may leave the Arena, but the Arena is incorporated into the economic development plans for the Coliseum District. Under either of these scenarios, demolition of the existing Arena would not occur and the significant impact related to the loss of the Arena as an historic resource would be avoided. As the only remaining contributor to the Coliseum Complex historic district, it is unlikely that the historic district status would remain.

### **Noise**

Future development of new sports and special events venues in the Coliseum District would generate operational noise that would exceed the City of Oakland Noise Ordinance at new, on-site sensitive receivers. There is no feasible mitigation to reduce game-day and special event noise from the new stadium and ballpark (assuming a non-roof design) at proposed new on-site sensitive receivers, and this impact is considered significant and unavoidable.

### **Transportation**

- Under the Existing plus Coliseum District scenario, nine intersections would be significantly affected by traffic generated within the Coliseum District. Intersection improvements recommended in this EIR can reduce the impacts at all affected intersections to a less than significant level. However, eight of these nine intersections are conservatively identified as significant and unavoidable because they are not in the City of Oakland's jurisdiction and implementation of recommended improvements cannot be ensured.
- Under the 2035 plus Coliseum District scenario, 25 intersections would be significantly affected by traffic generated within the Coliseum District. Intersection improvements recommended in this EIR can reduce the impacts at 15 of these affected intersections to a less than significant level. However, 11 of these 15 intersections are conservatively identified as significant and unavoidable because they are not in the City of Oakland's jurisdiction and implementation of recommended improvements cannot be ensured. No improvements are identified as being feasible to reduce impacts at the

remaining 10 affected intersections, and these impacts would remain significant and unavoidable.

- Under the 2035 plus Plan Buildout scenario, 40 street intersections would be significantly affected by traffic generated by Plan Buildout. Intersection improvements recommended in this EIR can reduce the impacts at 21 of these affected intersections to a less than significant level. However, 14 of these 21 intersections are conservatively identified as significant and unavoidable because they are not within the City of Oakland's jurisdiction and implementation of recommended improvements cannot be ensured. No improvements are identified as being feasible to reduce impacts at the remaining 19 affected intersections, and these impacts would remain significant and unavoidable.
- Under the 2035 plus Coliseum District scenario, traffic generated within the Coliseum District would significantly degrade traffic conditions on northbound I-880 along one segment (99th-Hegenberger) during the pm peak hour, and on southbound I-880 at three off-ramps (High Street off-ramp, 98th Avenue off-ramp, and Davis Street off-ramp) during the pm peak. No feasible mitigation measures are available that would reduce the magnitude of this impact.
- Under the 2035 plus Plan Buildout scenario, traffic generated by Plan Buildout would significantly degrade traffic conditions on northbound I-880 along three segments (from 99th Avenue - High) during the pm peak period, and on southbound I-880 along two segments (Hegenberger - Davis Street) and at five off-ramps (High Street off-ramp, 42nd Avenue on-ramp, 66th Avenue on-ramp, 98th Avenue off-ramp, and Davis Street off-ramp) during the pm peak. No feasible mitigation measures are available that would reduce the magnitude of this impact.
- The incremental addition of special event traffic resulting from the larger sport and event venues may result in significant impacts on event days. An Event Traffic Management Plan is required to reduce the magnitude of the impacts during special events, but the effectiveness of such a Plan cannot be accurately estimated at this time.
- Development under the proposed Project would generate substantial multi-modal traffic traveling across at-grade railroad crossings at 66th, 69th and 75th Avenues that cause or expose roadway users to a permanent and substantial transportation hazard. Specific crossing improvements are recommended in this EIR, but may not prove feasible (physically, financially or otherwise), and require the consent or approval of the California Public Utilities Commission (CPUC) or Railroad, and cannot be ensured.

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## CEQA PROJECT ALTERNATIVES

Chapter 5 of the Draft EIR analyzes a reasonable range of alternatives to the Plan that would feasibly attain most of the Plan's basic objectives, and avoid or substantially lessen many of the Plan's significant environmental effects. The Draft EIR includes detailed analysis of four alternatives, as well as discussion of other alternatives that were considered but not selected for detailed analysis. All of the alternatives, including the No Project Alternative, would be subject to the same City of Oakland Standard Conditions of Approval (SCAs) and mitigation measures (as applicable) that would apply to the proposed Project. These four analyzed include:

### *Alternative #1*

*No Project Alternative:* The No Project Alternative describes conditions that are reasonably expected to occur in the event that the Coliseum Area Specific Plan (CASP) is not approved (and even the "no-team" scenario of the CASP is not adopted), and there is no overall strategy put in place for redevelopment of the Coliseum District in a manner that entices and attracts the sports franchises to remain and to be part of a transformative revitalization effort for the Coliseum area. Without such a plan, there is not stimulus or catalyst for retention of the sports franchises or redevelopment of the adjacent Airport Business Park. The expectation is that all three professional sports franchises would only remain within the Coliseum District until they can identify alternative locations, at which point they would relocate. Overall, this alternative would see modest redevelopment of the site including removal of the existing Coliseum, but not redevelopment at a level as envisioned under the Project.

### *Alternative #2:*

*Fewer Sports and Entertainment Venues:* This alternative and its sub-alternative variations assume that, irrespective of the multiple individual decisions made by the privately owned sport franchises, the City will move forward with adoption and implementation of the CASP. Under this alternative, the City may elect to move forward with development scenarios for the Coliseum District that may include three new sports venues as proposed under the Project, or only two new venues, one new venue, or even no new venues. The amount of residential, retail, and science and technology development expected to occur within the Coliseum District and pursuant to Plan Buildout will be similar to that anticipated under the Project, but spread out across more land within the Coliseum District area if not otherwise used by event venues.

### *Alternative #3:*

*Reduced Alternative:* The Reduced Alternative provides a comparative assessment of an alternative development program for the Coliseum District which uses less of the District's development potential than envisioned under the Project. Under this alternative, new residential

development would occur in the same locations as is proposed under the Project, but at lower overall densities and reflecting lower building heights.

Similarly, the amount of non-residential development pursuant to the Reduced Alternative is lower than that envisioned under the project, with new building space generally occurring in the same locations as proposed under the project but at lower building intensities and heights. This alternative does not alter or reduce the potential for sports and event venue development, but could also adapt to accommodate any of the options for three new venues, two new venues, one new venue, or no venues. Analysis of this alternative assumes three new sports and special event venues, similar to the project. The Reduced Alternative also assumes a reduction in total overall development potential throughout the remainder of the Project Area (in Sub-Areas B, C and D), reflecting lower building intensity and height.

***Alternative #4:***

*Maximum Development Alternative:* This alternative explores the potential of maximum buildout of the Coliseum District pursuant to the CASP. This alternative maximizes the development potential of the Coliseum District based on maximizing the non-vehicle mode split assumptions underlying the CASP Trip Budget. This alternative is calculated based on the highest development potential possible assuming maximum investment and effective implementation of all transit, bicycle, pedestrian and non-vehicle enhancements to achieve a non-vehicle (i.e., transit) mode split of as much as 63 percent of all PM peak hour trips (i.e., 63 percent of all trips to and from the Coliseum District during the PM peak hour are made by transit or other non-vehicle modes, and only 37 percent of all PM peak hour trips are made in automobiles). Based on the Trip Budget of the CASP, such an increased transit mode split could achieve much greater development within the Coliseum District without exceeding the PM peak hour Trip Budget. The project's definition of buildout for non-Coliseum District development (Sub-Area B, C and D) already define the Maximum Alternative for these areas.

***Alternatives Summary Comparison***

**Table 2** compares the amount of development proposed under the Plan to these four identified alternatives.

**Table 2: Summary Comparative Buildout Scenarios - Project and Alternatives**

<b>Net Increase Compared to Existing:</b>	<b>Project</b>	<b>Alternative #1: No Project</b>	<b>Alternative #2: Fewer Sports Venues</b>	<b>Alternative #3: Reduced Development</b>	<b>Alternative #4: Max. Buildout</b>
New Non-Residential, Non-Sports (sq. ft.)	7,917,000	500,000	7,917,000	4,462,000	9,330,000
New Jobs	20,970	100	18,140	13,230	23,310
New Housing Units	5,750	1,640	5,750	3,735	7,250
New Population	10,240	2,952	10,240	6,780	12,970

**Responses to Draft EIR Comments (Final EIR)**

City staff received comments on the Draft EIR from thirteen public agencies, nine groups or organizations, and eight individuals. Additional oral comments were provided at the following public hearings:

- September 8, 2014 Landmarks Preservation Advisory Board meeting;
- September 17, 2014 Alameda County Airport Land Use Commission Hearing;
- September 18, 2014 Bicyclist and Pedestrian Advisory Commission;
- September 25, 2014 Port of Oakland Board of Commissioners; and
- October 1, 2014 Planning Commission Hearing

Responses to all of the comments provided by agencies, organizations, and individuals are provided in the Final EIR/Response to Comment document, including certain revisions and changes to text in the Draft EIR<sup>9</sup>. None of these changes to the Draft EIR involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation measure or alternative considerably different from that presented in the Draft EIR. Recirculation of the Draft EIR is not warranted.

The Coliseum EIR is intended to assess the environmental impacts of the proposed Coliseum Area Specific Plan. The City intends to use the streamlining/ tiering provisions of CEQA to the maximum feasible extent, so that future environmental review of specific development projects are expeditiously undertaken, without the need for repetition and redundancy, as provided in CEQA Guidelines Section 15152 and elsewhere. Specifically, pursuant to CEQA Guidelines Section 15183, streamlined environmental review is allowed for projects that are consistent with

<sup>9</sup> See Chapter 7 of the Final EIR.

the development density established by zoning, community plan, specific plan, or general plan policies for which an EIR was certified, unless such a project would have environmental impacts peculiar or unique to the project or the project site. Likewise, Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 also provides for streamlining of certain qualified, infill projects. In addition, CEQA Guidelines Sections 15162-15164 allow for the preparation of a Subsequent (Mitigated) Negative Declaration, Supplemental, or Subsequent EIR, and/or Addendum, respectively, to a certified EIR when certain conditions are satisfied. Moreover, California Government Code Section 65457 and CEQA Guidelines Section 15182 provide that once an EIR is certified and a specific plan adopted, any residential development project, including any subdivision or zoning change that implements and is consistent with the specific plan, is generally exempt from additional CEQA review under certain circumstances. The above are merely examples of possible streamlining/tiering mechanisms that the City may pursue and in no way limit future environmental review of specific projects.

When a specific public improvement project or development application comes before the City, the proposal will be subject to its own, project-specific environmental determination by the City. This evaluation will include consideration of whether: a) the action's environmental effects were fully disclosed, analyzed and, as needed, mitigated within the Coliseum EIR; b) the action is exempt from CEQA; c) the action warrants the preparation of a (Mitigated) Negative Declaration; or, d) the action warrants preparation of a supplemental or subsequent focused EIR, limited to certain site-specific issues. Again, the above are merely examples of possible streamlining/tiering mechanisms, that the City may pursue, and in no way limit future environmental review of specific projects.

For questions regarding this report, please contact Devan Reiff, Planner III, at 510-238-3550.

Respectfully submitted,



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Planning and Building Department

Reviewed by:  
Ed Manasse, Strategic Planning Manager

Prepared by:  
Devan Reiff, AICP, Planner III  
Bureau of Planning

- A. CEQA Findings: Certification of the EIR, Rejection of Alternatives and Statement of Overriding Considerations
- B. Proposed changes to the Oakland Planning Code ("zoning text amendments"), adding new section "Chapter 17.101H - D-CO Coliseum Area District Zones Regulations"
- C. Proposed revisions throughout the Planning Code, to incorporate Chapter 17.101H - D-CO Coliseum Area District Zones Regulations, and to make non-substantive "code cleanups"
- D. February 4, 2015 Planning Commission Staff report without attachments
- E. March 4, 2015 Planning Commission Staff report without attachments
- F. March 11, 2015 Planning Commission Staff report without attachments
- G. Proposed Text Amendments to Land Use and Transportation Element (LUTE) of the Oakland General Plan
- H. Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCAMMRP).
- I. Coliseum Area Specific Plan Specific Plan Adoption Findings
- J. Map of Coliseum Plan Sub-Areas
- K. Changes to the text of the Coliseum Area Specific Plan
- L. Letters to City Planning Commission regarding the CASP and EIR

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## **I. INTRODUCTION**

These findings are made pursuant to the California Environmental Quality Act (Pub. Res. Code section 21000 et seq.; "CEQA") and the CEQA Guidelines (Cal. Code Regs. title 14, section 15000 et seq.) by the City of Oakland City Council, in connection with the Environmental Impact Report (EIR) prepared for the Coliseum Area Specific Plan ("Plan" or "Project") a 25-year planning document that provides goals, policies and development regulations to guide the future development of the 800 acres surrounding the Oakland-Alameda County Coliseum complex. The Plan serves as the mechanism for insuring that future development is coordinated, and occurs in an orderly and well-planned manner.

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

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

## **II. PROJECT DESCRIPTION**

The Coliseum Area Specific Plan Area ("Plan Area") covers approximately 800 acres, and is generally bounded by 66th Avenue and East Creek Slough to the north, San Leandro Street and Hawley Street to the east, Hegenberger Road to the south, and San Leandro Bay and the Oakland International Airport to the west. The Plan Area is divided for Specific Plan purposes into five Sub-Areas, A through E (see Attachment G to this report). For ease of comprehension: Sub-Area A applies to the current Coliseum/Arena site and Coliseum BART station area; Sub Areas B, C & D spans the Oakland Airport Business Park; and Sub-Area E contains the East Bay Municipal Utility District-owned and City of Oakland-owned lands between Damon Slough and East Creek Slough.

A summary of the Specific Plan build-out includes up to three new sports facilities totaling nearly 4.25 million square feet of building space for 47,000 new seats; an increase of up to 8 million square feet of office, light industrial, logistics and retail space; and 5,750 new residential units. The Final Draft Specific Plan buildout accommodates up to 14,000 structured parking spaces, and 4,000 surface parking spaces on the Coliseum site. The Specific Plan will create nearly 34 acres of new, publically accessible open space within Sub-Areas A and B, and allows for additional acres of restored open space in Sub-Area E.

The Final Draft Specific Plan has been prepared with sufficient flexibility to allow for a number of alternative development scenarios, and the continued guidance of future development in the Plan Area even if one or more of the sports teams were to relocate out of the Coliseum Area. Therefore, the DEIR also studies the environmental effects of a two-team, a one-team, and a no-team project alternative.

Concurrent, but separately, the project also includes changes to the General Plan (text and map changes); Planning Code amendments; Zoning Maps; and new design guidelines (collectively called "Related Actions") to help implement the Coliseum Plan's vision and goals.

a) General Plan Changes:

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With respect to the General Plan, proposed General Plan Amendments are described below:

**i. Sub-Area A (Site of the current Coliseum)**

For the expected development at Sub-Area A (the site of the current Coliseum), the City is proposing the following General Plan amendments and corrections to the LUTE:

- Amending the land use designation for the area along San Leandro Street, between the Coliseum BART station and the Union Pacific/Amtrak railroad tracks, from 66th to 76th Avenues, from “Regional Commercial” to “Community Commercial”. The new “Community Commercial” land use designation will allow residential and/or commercial development more similar in character to that envisioned for the remainder of the Coliseum BART station TOD area to the east;
- Correcting the land use designation for the strip of railroad right of way in front of Lion Creek Crossings apartments, along the BART tracks, between 66th and 69th Avenues, from “General Industrial” to “Community Commercial”. The purpose of this General Plan correction is to make this Union Pacific right of way area consistent with the General Plan designations for both the adjacent Lions Creek crossing development and the Coliseum BART station TOD area.
- Amending the land use designation for the two blocks on the east side of the Hegenberger overpass, at San Leandro Street, between 75<sup>th</sup> Avenue and Hawley Street. Proposed to be amended from “Business Mix” to “Community Commercial” to incentivize the private redevelopment of a two block section of 75<sup>th</sup> Avenue which forms the gateway and a street entrance into the Coliseum BART parking lots.

The majority of Sub-Area A (the site of the current Coliseum) is already designated “Regional Commercial”, and will not need a General Plan amendment to allow development under this Plan. Today, the Oakland Planning Code does not permit residential activities in the Regional Commercial- 1 (CR-1) zone, and creating new zoning which allows housing at the Coliseum site is proposed as part of the Specific Plan (see below).

**ii. Sub-Area B, C and D (Airport Business Park)**

For the expected development within Sub-Area B, C and D, the City proposes several amendments to the General Plan Land Use Diagram. These amendments include:

- Amending the land use designation for the majority of Sub-Area B from “Business Mix” to “Regional Commercial”;
- Adding and adjusting the “Urban Park and Open Space” land use designation along the edges of Damon Slough, Elmhurst Creek, San Leandro Creek and the San Leandro Bay shoreline; and
- Amending the land use designations for the following list of properties, from “Business Mix” to “Regional Commercial”:
  - properties fronting along Oakport Street, between Elmhurst Creek and Hegenberger Road;
  - properties fronting along Pendleton Way (backing to the properties on the Hegenberger Road corridor);
  - and properties fronting along a portion of Pardee Drive nearest to Hegenberger Road.

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The “Regional Commercial” land use designation proposed for Sub-Area B is necessary to enable development of the proposed mixed-use waterfront residential development and the development of a new Arena as envisioned under the Draft Specific Plan, neither of which are permitted under the current “Business Mix” designation. The new Regional Commercial designation would be similar to the land use designation that currently exists across I-880 at the Coliseum District, better tying these two integrated development areas together.

The other “Regional Commercial” land use amendments are consistent with the General Plan LUTE’s overall planning direction for the Airport/ Gateway Showcase, which provide for primarily airport-related support services and uses within the Airport Business Park, and visitor-serving businesses such as hotels, restaurants, and retail along the Hegenberger corridor. The additions or modifications to the “Urban Park and Open Space” land use designations clarify the expected minimum 100- foot publicly-accessible open space setback from the top-of-bank of the channels and from the high water line of the shoreline.

**iii. Sub-Area E (between Damon Slough and East Creek Slough)**

Sub-Area E is the only portion of the Coliseum Area Specific Plan that is currently located within the General Plan’s *Estuary Policy Plan* (EPP) area, rather than the General Plan LUTE. In 2013, the City adopted the Central Estuary Area Plan, which now brings the objectives and policies of the older Estuary Policy Plan up to date with current planning conditions. However, Sub-Area E was not included as part of the Central Estuary Area Plan update, and therefore remains one of the few “leftover” portions of the prior EPP that has not had its zoning updated as part of a Specific or Area Plan. As a result, the City is now proposing to re-designate lands within Sub-Area E to be consistent with the intent of this Specific Plan for the Coliseum Area. These new land use designations from the LUTE include:

- Amending the older EPP land use designations for those City-owned properties at Oakport Street/66<sup>th</sup> Avenue, from “General Commercial 2” and “Light Industrial 3”, to “Urban Park and Open Space”; and
- Amending the older EPP land use designations for the two EBMUD-owned Oakport Street parcels near East Creek Slough, from “Light Industrial 3” (Oakport Wet Weather Facility lot) and “General Commercial 2” (vacant lot on Oakport near 66<sup>th</sup> Avenue), both proposed to be amended to “Business Mix”.
- In addition, the development intensity for areas with the Community Commercial and Regional Commercial General Plan land use classifications within the Coliseum Specific Plan *only* would be amended to a maximum FAR of 8.0, and a maximum residential density of 250 units/ gross acre (all other areas in the City classified as Community Commercial and Regional Commercial would still retain the current maximum FAR and residential density).

b) Planning Code and Map Changes:

The Coliseum Area Specific Plan proposes six (6) new district-specific zoning classifications that would replace the existing zoning. These district-specific zones follow a nomenclature established by the City in other districts, such as the Wood Street District, Oak to Ninth, and the Kaiser Permanente Medical Center areas. The new Coliseum zone districts are identified by the descriptive prefix of “D-CO” which signifies “District – Coliseum.” The six (6) new district-specific zoning classifications would be as follows:

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**i. D-CO-1**

D-CO-1 will replace the current Transit Oriented Development zone (S-15) mapped currently around the Coliseum BART station. The D-CO-1 Zone is intended to create, preserve and enhance areas devoted primarily to serve multiple nodes of transportation and to feature high-density residential, commercial, and mixed-use developments, to encourage a balance of pedestrian-oriented activities, transit opportunities, and concentrated development; and encourage a safe and pleasant pedestrian environment near transit stations by allowing a mixture of residential, civic, commercial, and light industrial activities. The new D-CO-1 zone will increase the height limit in this area to 159 feet unless FAA review and Conditional Use Permit (CUP) review permits taller building heights. The new D-CO-1 zone would apply to all properties east of the Union Pacific Railroad (UPRR) railroad tracks that are within the Coliseum Specific Plan Area;

**ii. D-CO-2**

D-CO-2 would replace the current “Regional Commercial-1” (CR-1) zone that applies to the majority of the Coliseum District. The new D-CO-2 zone will specifically permit and encourage development of regional-drawing centers of activity such as new sports and entertainment venues, residential, retail, restaurants, and other activity generating uses, as well as a broad spectrum of employment activities. The new D-CO-2 zone will clarify that any building height over 159 feet will require FAA review and Conditional Use Permit (CUP) approval;

**iii. D-CO-3**

D-CO-3 will replace the existing “Industrial/Office” (IO) zone for properties located in Subarea B between Oakport Street and Edgewater Drive. These properties in Subarea B include lands envisioned as a potential location for a proposed new sports/special events Arena. The new D-CO-3 zone would also include the existing IO-zoned properties located along Oakport Street between Elmhurst Creek and Hegeburger Road; and the Regional Commercial (CR-1)-zoned properties along the north side of Hegenberger Road down to Earhart Drive. The D-CO-3 Zone is intended to create, maintain and enhance areas suitable for a wide variety of retail, commercial, and industrial operations along the Oakport Street and Hegenberger Road corridors, and in region-drawing centers of commercial, and light industrial activities. The D-CO-3 zone would not permit residential uses;

**iv. D-CO-4**

D-CO-4 will replace the existing “Industrial/Office” (IO) zone for those properties between Edgewater Drive and the San Leandro Bay shoreline in Sub-Area B only; primarily, the City’s Corporation Yard. The D-CO-4 Zone is intended to create, maintain and enhance a mix of activities on or near the Northwest Edgewater Drive waterfront. The D-CO-4 zone would conditionally permit residential activities between Edgewater Drive and the waterfront;

**v. D-CO-5**

D-CO-5 will replace the existing “Industrial/Office” (IO) zone for those properties along Edgewater Drive in Sub-Area C (to Pendleton Way), and the properties in the existing CIX-2 zone in Sub-Area D (Pardee Drive). The D-CO-5 Zone is intended to create, preserve, and enhance areas near Pardee Drive

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and within the southern portion of the Airport Business Park that are appropriate for a wide variety of office, commercial, industrial, and logistics activities. The new D-CO-5 zone will permit a similar mix of light industrial and warehousing activities as is allowed under current city zoning, and it would not permit residential activities;

**vi. D-CO-6**

**D-CO-6** would apply to those City-owned and EBMUD-owned properties along Oakport Street from East Creek Slough to 66th Avenue within Sub-Area E (these lands are not within Port jurisdiction). The D-CO-6 Zone is intended to apply to commercial, industrial and institutional areas with strong locational advantages that make possible the attraction of higher-intensity commercial and light industrial land uses and development types. The new D-CO-6 zone would replace the existing Industrial (M-40) zoning that applies. This zone would not permit residential activities.

These new zoning districts would require changes to the City's Zoning Map.

**III. ENVIRONMENTAL REVIEW OF THE PROJECT**

Pursuant to CEQA and the CEQA Guidelines, a Notice of Preparation (NOP) of an EIR was published on **April 19, 2013**. The NOP, which included notice of the EIR scoping sessions mentioned below, was distributed to state and local agencies, published in the Oakland Tribune, mailed to property owners and neighboring property owners. On **May 13, 2013**, the Landmarks Preservation Advisory Board conducted a duly noticed EIR scoping session concerning the scope of the EIR. On **May 1, 2013**, the Planning Commission conducted a duly noticed EIR scoping session concerning the scope of the EIR. The public comment period on the NOP ended on **May 20, 2013**.

On April 19, 2013, the City of Oakland issued a Notice of Preparation (NOP), to inform agencies and interested parties of its intent to prepare and distribute a "Draft EIR for the Coliseum Area Specific Plan." The Landmarks Preservation Advisory Board and the City of Oakland Planning Commission held Scoping Meetings on May 13 and May 1, 2013, respectively, to accept comments regarding the scope of the EIR in response to the NOP. On August 22, 2014, the City issued the Draft EIR; the comment period ended October 6, 2014. A Final EIR is expected to be released by the City on February 6, 2015, and discussed at a public hearing of the Planning Commission on February 18, 2015.

A Draft EIR was prepared for the Project to analyze its environmental impacts. Pursuant to CEQA and the CEQA Guidelines, a Notice of Availability/Notice of Release was published on **August 18, 2014** and the Draft EIR was published on **August 22, 2014**. The Notice of Availability/Notice of Release of the Draft EIR was distributed to appropriate state and local agencies, published in the Oakland Tribune, mailed to property owners and neighboring property owners, as well as owners of businesses in the Oakland Airport Business Park. Emailed notices went to the 600 subscribers of the Coliseum Plan list serv. Copies of the Draft EIR were also distributed to appropriate state and local agencies, City officials including the Planning Commission, and made available for public review at the Planning and Building Department (250 Frank H. Ogawa Plaza, Suite 3315) and on the City's website. A duly noticed Public Hearing on the Draft EIR was held at the **September 8, 2014** meeting of the Landmarks Preservation Advisory Board, and at the **October 1, 2014** meeting of the Planning Commission. The Draft EIR was properly circulated in excess of the required 45-day public review period. The public comment period on the Draft EIR closed on **October 17, 2014** (which was extended from the original closing date of October

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6, 2013 after the Planning staff decided to honor the requests of several community groups to extend the comment period.

The City received written and oral comments on the Draft EIR. The City prepared responses to comments on environmental issues and made changes to the Draft EIR. The responses to comments, changes to the Draft EIR, and additional information were published in a Final EIR/Response to Comment document on **February 20, 2015**. The Draft EIR, the Final EIR and all appendices thereto constitute the "EIR" referenced in these findings. The Final EIR was made available for public review on **February 20, 2015**, twelve (12) days prior to the duly noticed **March 4, 2015**, Planning Commission public hearing. The Notice of Availability/Notice of Release of the Final EIR was distributed on **February 20, 2015** to those state and local agencies who commented on the Draft EIR, posted at four locations throughout the project site, and mailed and e-mailed to individuals who have requested to specifically be notified of official City actions on the project. Copies of the Draft EIR and Final EIR were also distributed to those state and local agencies who commented on the Draft EIR, City officials including the Planning Commission, and made available for public review at the Planning and Building Department (250 Frank H. Ogawa Plaza, Suite 3315), and on the City's website. Pursuant to CEQA Guidelines, responses to public agency comments have been published and made available to all commenting agencies-- through email communication of the specific response in the FEIR to each of the commenting agencies -- at least 10 days prior to the public hearing considering certification of the EIR and the Project.

The City Council has independently reviewed and considered all comments and responses thereto, prior to consideration of certification of the EIR and prior to taking any action on the proposed Project.

#### **IV. THE ADMINISTRATIVE RECORD**

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

- a) The EIR and all documents referenced in or relied upon by the EIR.
- b) All information (including written evidence and testimony) provided by City staff to the City Council, Planning Commission and Landmarks Preservation Advisory Board relating to the EIR, the approvals, and the Project.
- c) All information (including written evidence and testimony) presented to City Council, the Planning Commission and Landmarks Preservation Advisory Board by the environmental consultant and sub-consultants who prepared the EIR or incorporated into reports presented to the City Council, Planning Commission and Landmarks Preservation Advisory Board.
- d) All information (including written evidence and testimony) presented to the City from other public agencies relating to the Project or the EIR.
- e) All final information (including written evidence and testimony) presented at any City public hearing or City workshop related to the Project and the EIR.

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- f) For documentary and information purposes, all City-adopted land use plans and ordinances, including, without limitation, general plans, specific plans and ordinances, together with environmental review documents, findings, mitigation monitoring programs and other documentation relevant to planned growth in the area.
- g) The Standard Conditions of Approval for the Project and Mitigation Monitoring and Reporting Program for the Project.
- h) All other documents composing the record pursuant to Public Resources Code section 21167.6(e).

The custodian of the documents and other materials that constitute the record of the proceedings upon which the City's decisions are based is the Director of the Planning and Building Department, or his/her designee. Such documents and other materials are located at 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, California, 94612.

**V. CERTIFICATION OF THE EIR**

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

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

The City Council certifies that the EIR is adequate to support all actions in connection with the approval of the Project and all other actions and recommendations as described in the **March 24, 2015**, CED Committee Agenda report and exhibits/attachments. The City Council certifies that the EIR is adequate to support approval of the Project described in the EIR, each component and phase of the Project described in the EIR, any variant of the Project described in the EIR, any minor modifications to the Project or variants described in the EIR and the components of the Project.

**VI. ABSENCE OF SIGNIFICANT NEW INFORMATION**

The City Council recognizes that the Final EIR incorporates information obtained and produced after the DEIR was completed, and that the Final EIR contains additions, clarifications, and modifications. The City Council has reviewed and considered the Final EIR and all of this information. The Final EIR does not add significant new information to the Draft EIR that would require recirculation of the EIR under CEQA. The new information added to the EIR does not involve a new significant environmental impact, a substantial increase in the severity of a previously identified significant environmental impact, or a feasible mitigation measure or alternative considerably different from others previously analyzed that the City declines to adopt and that would clearly lessen the significant environmental impacts of the Project. No information indicates that the Draft EIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the Draft EIR. Thus, recirculation of the EIR is not required.

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

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

Public Resources Code section 21081.6 and CEQA Guidelines section 15097 require the City to adopt a monitoring or reporting program to ensure that the mitigation measures and revisions to the Project identified in the EIR are implemented. The Standard Conditions of Approval and Mitigation Monitoring and Reporting Program ("SCAMMRP") is attached and incorporated by reference into the **March 24, 2015** CED Committee Agenda report prepared for the approval of the Project, is included in the conditions of approval for the Project, and is adopted by the City Council. The SCAMMRP satisfies the requirements of CEQA.

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

The City Council will adopt and impose the feasible standard conditions of approval and mitigation measures as set forth in the SCAMMRP as enforceable conditions of approval. The City has adopted measures to substantially lessen or eliminate all significant effects where feasible.

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

**VIII. FINDINGS REGARDING IMPACTS**

In accordance with Public Resources Code section 21081 and CEQA Guidelines sections 15091 and 15092, the City Council adopts the findings and conclusions regarding impacts, standard conditions of approval and mitigation measures that are set forth in the EIR and summarized in the SCAMMRP. These findings do not repeat the full discussions of environmental impacts, mitigation measures, standard conditions of approval, and related explanations contained in the EIR. The City Council ratifies, adopts, and incorporates, as though fully set forth, the analysis, explanation, findings, responses to comments and

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conclusions of the EIR. The City Council adopts the reasoning of the EIR, staff reports, and presentations provided by the staff as may be modified by these findings.

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

As a separate and independent basis from the other CEQA findings, pursuant to Public Resources Code section 21083.3 and Guidelines section 15183; the City Council finds: (a) the project is consistent with Land Use and Transportation Element (LUTE) of the General Plan (EIR certified in March 1998); (b) the Housing Element of the General Plan (EIR certified in January 2011); (c) the Estuary Policy Plan (EIR certified in November 1998); and (d) the Historic Preservation Element of the General Plan (EIR certified in May 1998); (e) feasible mitigation measures identified in the foregoing were adopted and have been, or will be, undertaken; (f) this EIR evaluated impacts peculiar to the project and/or project site, as well as off-site and cumulative impacts; (g) uniformly applied development policies and/or standards (hereafter called "Standard Conditions of Approval") have previously been adopted and found to, that when applied to future projects, substantially mitigate impacts, and to the extent that no such findings were previously made, the City Council hereby finds and determines that the Standard Conditions of Approval (or "SCA") substantially mitigate environmental impacts (as detailed below); and (h) no substantial new information exists to show that the Standard Conditions of Approval will not substantially mitigate project and cumulative impacts.

#### **IX. SIGNIFICANT BUT MITIGABLE IMPACTS**

Under Public Resources Code section 21081(a)(1) and CEQA Guidelines sections 15091(a)(1) and 15092(b), and to the extent reflected in the EIR, the SCAMMRP, and the City's Standard Conditions of Approval, the City Council finds that changes or alterations have been required in, or incorporated into, the components of the Project that mitigate or avoid potentially significant effects on the environment. The following potentially significant impacts will be reduced to a less than significant level through the implementation of Project mitigation measures, or where indicated, through the implementation of Standard Conditions of Approval (which are an integral part of the SCAMMRP). Note that the EIR studied impacts of the "Project" (development in the Coliseum District, in Sub-Areas A and a portion of B), the "Plan" (development in Sub Areas B, C, D and E) and the cumulative condition.

Aesthetics, Shadow and Wind: Implementation of the Coliseum Plan proposed as part of the project would allow for increased land use densities and intensities, possibly impacting the area's existing visual quality. For impacts from light and glare, application of SCA Aesthetics 1, which requires approval of plans to adequately shield lighting to prevent unnecessary glare onto adjacent properties would reduce the impact to less than significant. Impacts which can only be reduced by new mitigation measures are: shadows on existing solar collectors, where MM Aesthetics 5A-1 protects Lion Creek Crossings solar

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collectors from shadows; and winds, where MM Aesthetics 7 requires tall buildings to conduct wind studies. Moreover, compliance with various policies and goals contained in the City's general plans and mitigation measures contained in the Land Use and Transportation Element EIR, Housing Element EIR, and Historic Preservation Element EIR would ensure there would not be significant adverse aesthetic impacts with respect to visual quality or scenic public vistas.

Air Quality: New construction under the Plan could cause Air Quality impacts; however, certain impacts found to be less than significant with standard conditions of approval or with new mitigations, including:

1. **Air-1 and Air-2 (Consistency with Clean Air Plan and Special Overlay Zones):** Special Overlay Zones, where the impact of new development near freeways and high volume roadways is mitigated by application of SCA Air-2, Exposure to Air Pollution (screen for health risks using BAAQMD's recommended screening criteria).
2. **Air-4 (Construction Period Fugitive Dust,** where the application of SCA-Air 1, Oakland Municipal Code Dust Control Measures, as well as SCA –Air 3, Asbestos removal in structures, would reduce the impacts to less than significant;
3. **Air-6A: Construction Period Toxic Air Contaminant Emissions (Project),** where the application of SCA Air-1 (best management practices) and new mitigation measures MM 6A-1: Reduced Construction Emissions, and MM 6A-2: Reduced Construction Emission Exposure would reduce this impact to less than significant;
4. **Air-6B (Construction Period Toxic Air Contaminant Emissions (Plan),** application of SCA Air-1 (best management practices) would reduce the impact to less than significant;
5. **Air-8 (Carbon Monoxide Concentrations):** Development at the Coliseum District and under Plan Buildout would not contribute to carbon monoxide (CO) concentrations exceeding the California Ambient Air Quality Standards (CAAQS) of nine parts per million (ppm) averaged over eight hours and 20 ppm for one hour.
6. **Air-9 (New Sources of Operational Toxic Air Contaminants):** application of SCA Air-2 (health risk reduction measures) would reduce this impact to less than significant;
7. **Air-10A and -10B (Expose New Sensitive Receptors to Substantial Levels of Toxic Air Contaminants),** application of SCA Air-2 (health risk reduction measures) would reduce this impact to less than significant.

Biological Resources

8. **Bio-1A (Special Status Species, Coliseum District):** New development within the Coliseum District, particularly the proposed realignment of Elmhurst Creek and construction work related to enhancements of Damon Slough, could have a substantial adverse effect, either directly or through habitat modifications on identified candidate, sensitive, or special status species. In-water work within Elmhurst Creek and/or Damon Slough could cause direct impacts to individuals of special status fish species present within these waters, and may release sediments downstream and into the Bay during construction. Sediment or contaminants from construction activity could also affect salt marsh habitat

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and those sensitive species associated with this habitat within Damon Marsh and/or Arrowhead Marsh, including shorebirds. Required implementation of SCA Bio-1 through SCA Bio-8 would substantially reduce indirect impacts on special status species that could occur from construction activity through disturbance from noise, truck traffic ground disturbance and tree removal. Implementation of SCA Bio-9 requiring preparation of an erosion and sedimentation control plan, SCA Bio-10 requiring implementation of best management practices for soil and groundwater hazards, and SCAs Bio-11, and Bio-13 through Bio-16 regarding permits and requirements related to City Creeks permits would substantially reduce impacts on special status species (fish, marine mammal species and mammal species which inhabit salt marshes) that could otherwise be adversely affected by downstream sedimentation and contamination. Additionally, work associated with realignment and/or culverting of Elmhurst Creek and enhancement of Damon Slough will be subject to jurisdictional requirements of several agencies including the RWQCB, California Fish and Wildlife, the US Army Corps of Engineers and the US Fish and Wildlife Service, and implementation of SCA Bio-12: Regulatory Permits and Authorizations will required compliance all applicable regulatory agency permits or authorizations. In addition, Mitigation Measure Bio 1A-1 includes higher standards than typical City SCAs for pre-construction nesting bird surveys and buffers because of the special sensitivity and extended nesting and migratory period associated with species present in the area, Mitigation Measure Bio 1A-2 provides for restricted construction periods for an in-water work, and Mitigation Measure Bio 1A-3 requires buffers, protections and monitoring for all construction work in or near pickleweed-dominated salt marsh habitat within Damon Marsh and Arrowhead Marsh. The majority of impacts to special status species resulting from construction and operations at the Coliseum District would be reduced to less than significant through implementation of City of Oakland SCA SCAs related to direct and indirect impacts to special status species and habitat, but because of certain especially sensitive habitat and species presence within or adjacent to the Coliseum District, additional mitigation measures are recommended to fully reduce impacts to these species and their habitat to a level of less than significant.

9. **Bio-2A (Wetlands, Riparian Habitat and Other Sensitive Natural Communities - Coliseum District):** New development within the Coliseum District could have a substantial adverse effect on wetlands, riparian habitat and other sensitive natural communities. Damon Slough has a narrow band of coastal tidal marsh along its edges, and Elmhurst Creek has a narrow band of coastal scrub along its edges. These habitats provide value to wildlife, and their removal could reduce potential nesting habitat for birds and cover sites for animals, reduce beneficial shading of watercourses and potentially affect bank stability. Implementation of SCA Bio-10 requires best management practices for soil and groundwater hazards, and SCA Bio-11 requires preparation of a City-approved Creek Protection Plan. These SCAs would substantially reduce impacts caused by construction activities near the edges of on-site waterways. Additionally, required implementation of City of Oakland SCAs Bio-6 and Bio-8 regarding tree permits, SCA Bio-9 requiring preparation of an erosion and sedimentation control plan, and SCA Bio-12 regarding regulatory permits and authorizations would substantially reduce impacts to riparian habitat or sensitive natural communities. In addition, Mitigation Measure Bio 1A-1 requires preparation of a Vegetation Plan for Damon Slough, with performance standards that are accepted by CDFW and RWQCB; and Mitigation Measure Bio 2A-2 requires that any new bridge pilings and abutments be placed outside of coastal tidal marsh habitat. For Elmhurst Creek, Mitigation Measure Bio 2A-4 requires replacement coastal scrub restoration and the restoration of additional upland riparian habitat along Damon Slough. If Elmhurst Creek is ultimately realigned, Mitigation Measure Bio 2A-5 requires that any newly aligned and day-lighted portion of Elmhurst

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Creek must have a channel design that is consistent with the City of Oakland Creek Protection, Storm Water Management and Discharge Control Ordinance, and Mitigation Measure Bio 2A-6 requires replacement restoration of tidal wetland at the “Cruise America” parcel adjacent to Damon Slough, at a 2:1 ratio. For impacts to Damon Slough, implementation of SCAs, and implementation of Mitigation Measure Bio 2A-1 and 2A-2 would fully reduce and/or compensate for impacts to sensitive natural communities to a less than significant level. Depending upon the ultimate selection of the preferred Creek treatment options at Elmhurst Creek, implementation of SCA and Mitigation Measures Bio 2A-3 and Bio 2A-4, and/or Mitigation Measures Bio 2A-5 and Bio 2A-6 will fully address impacts to sensitive natural communities to a less than significant level.

10. **Bio-3 (Species Movement, Migration, or Nursery Sites)**: Future development at the Coliseum District and pursuant to Plan Buildout could substantially interfere with the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Implementation of City of Oakland SCAs, including, but not limited to SCA Bio-1 through Bio-4 regarding construction-related impacts, SCA Bio-5 through Bio-16 regarding protection of habitat, and SCA Bio-3 and Bio-17 regarding bird collision reduction techniques and lighting plans; together with Mitigation Measures MM Bio 1A-1 (Pre-construction Nesting Bird Surveys and Buffers), Bio 1A-2 (In-water Work Restrictions), Bio 1A-3 (Salt Marsh Protection), Bio 1B-1 (In-Bay Dredge Requirements), Bio 1B-2 (Freshwater Marsh Restoration Plan), Bio 2A-1 (Vegetation Plan for Coliseum District Sensitive Communities), Bio 2A-4 (Coastal Scrub Restoration), Bio 2A-5 (Realigned Portion of Elmhurst Creek), Bio 2A-6 (Cruise America Tidal Wetland); and MM Bio 3-1 (Boat Docks) restricting future boat docks, and MM Bio 3-2 (Herbicide / Pesticide Control) requiring an herbicide/pesticide drift control plan, would reduce impacts related to migratory movement, migratory corridors and nursery sites to a less than significant level.
11. **Bio-4 (Applicable Conservation Plans)**: Future development at the Coliseum District and pursuant to Plan Buildout would not fundamentally conflict with an applicable habitat conservation plan or natural community conservation plan. With implementation of the City of Oakland SCAs and the Mitigation Measures described for Impacts Bio-1A, Bio-2A and Bio-3 above, the proposed Project would be built in a way to support the goals of the BCDC Bay Plan, Goals Project and the Subtidal Goals Project, and the East Bay Regional Park District Master Plan.
12. **Bio-5 (Conflicts with Tree Protection Ordinance)**: Future development at the Coliseum District and pursuant to Plan Buildout would not fundamentally conflict with the City of Oakland Tree Protection Ordinance by removal of protected trees under certain circumstances. Pursuant to SCA Bio-6 and -7, all conditions, procedures and protections related to tree Removal permits shall be implemented before and during removal of protected trees.
13. **Bio-6 (Conflicts with Creek Protection Ordinance)**: New development at the Coliseum District and pursuant to Plan Buildout would not fundamentally conflict with the City of Oakland Creek Protection Ordinance. All work conducted to improve Damon Slough, realign Elmhurst Creek to connect with Damon Slough, and to culvert and fill portions of Elmhurst Creek would be conducted pursuant to a City of Oakland Creek Protection Permit as required under SCA Bio-11, and would be implemented in accordance with the detailed performance requirements as list in SCA Bio-13, -14 and -15. By obtaining the required Creek Protection permit(s) and conducting the work in accordance with those permits, any impacts would be less than significant.

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Cultural and Historic Resources

14. **Cultural-1B (Plan Buildout):** Other than the proposed demolition of the Oakland Coliseum and the potential demolition of the Arena as discussed above in Impact Cultural-1A, future development pursuant to Plan Buildout does not specifically propose to demolish or materially alter any other historic or potentially historic resources. Any subsequent development project that may propose demolition or alteration of a current or future-defined historic resource would be required to undergo subsequent and individual environmental review, and would also be subject to all applicable City of Oakland's standard conditions of approval, including SCA Cultural 5 (Policy 3.7 of the Historic Resource Element of the Oakland General Plan), and SCA Cultural 6 (Vibrations to Adjacent Historic Structures); as well as requirements from the "Demolition Findings" of Planning Code Section 17.136.075(D); following Policy 3.5 of the Historic Resource Element in the Oakland General Plan; policy considerations relevant to historic resource preservation. With the application of these regulations, the impacts to cultural and historic resources at Plan Buildout are deemed less than significant.
15. **Cultural-2 (Archaeology, paleontology and Human Remains, Plan and Cumulative):** Proposed development within the Project Area and in the *cumulative condition* could directly or indirectly destroy a unique paleontological resource or site, cause a substantial adverse change in the significance of currently undiscovered archaeological resources, or disturb human remains. Application of the City's Standard Conditions of Approval SCA Cultural-4 (Archeological Resources, Sensitive Sites), SCA Cultural-1 (Archeological Resources), SCA Cultural-2 (Human Remains), and SCA Cultural-3 Paleontological Resources would reduce impacts from new development in the Plan area to less than significant.

Geology and Soils:

16. **Geo-1 and Geo-3 (Seismic Shaking and Expansive Soils):** The proposed Project would not expose people or structures to substantial risk of loss, injury, or death involving strong seismic ground shaking and seismic-related ground failure including liquefaction, lateral spreading, subsidence, or collapse; or may be located on expansive soil. With the application of the City's Standard Condition of Approval SCA Geo-2: Geotechnical Report, and compliance with the California Code of Regulations, Title 24, California Building Standards Code, these two impacts would be less than significant.
17. **Geo-2 (Soil Erosion):** The proposed Project would not result in substantial soil erosion or loss of topsoil, creating substantial risks to life, property, or creeks/waterways, if application of the City's Standard Conditions of Approval SCA Hydro-1: Erosion and Sedimentation Control (when no grading permit is required), SCA Hydro-2: Erosion and Sedimentation Control Plan, SCA Hydro-3: Stormwater Pollution Prevention Plan (SWPPP) and SCA Hydro-4: Site Design Measures for Post-Construction Stormwater Management were applied. This impact would be less than significant with these standard conditions applied.
18. **Geo-4 and Geo-5 (Geologic Features or Landfills):** The proposed Project is located in a developed area above one or more of the following: well, pit, swamp, mound, tank vault, or unmarked sewer line; these features do not create substantial risks to life or property; the proposed Project is not located above landfills for which there is no approved closure and post-closure plan. The proposed Project is located above fill. With the application of the City's Standard Condition of Approval SCA

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Geo-1 Soil Report, and SCA Geo-2: Geotechnical Report, these impacts would be less than significant.

Greenhouse Gas Emissions:

19. **GHG-1 (Stationary Sources):** New development within the Coliseum District would not generate greenhouse gas emissions specifically from stationary sources, either directly or indirectly, that would produce total emissions of more than 10,000 metric tons of CO<sub>2</sub>e annually
20. **GHG 2A (Coliseum District Emissions):** New development at the Coliseum District would generate greenhouse gas emissions from both direct and indirect sources that would produce total emissions of more than 1,100 metric tons of CO<sub>2</sub>e annually, but less than the Project-level threshold of 4.6 metric tons of CO<sub>2</sub>e per service population annually. Application of the City's SCA GHG-1: Project-specific GHG Reduction Plans and SCA F: With required compliance with the Green Building Ordinance; SCA Traf-1: Parking and Transportation Demand Management and SCA Util-1: Waste Reduction and Recycling, as well as several SCAs regarding landscape requirements and tree replacement; and several SCAs regarding stormwater management, this impact would be less than significant.
21. **GHG-2A and GHG-3 (Plan Buildout and Policy Consistency):** New development pursuant to Plan Buildout would not generate greenhouse gas emissions, either directly or indirectly, that would have a significant impact on the environment, nor would it fundamentally conflict with an applicable plan, policy or regulation adopted for the purposes of reducing greenhouse gas emissions. Specifically, new development pursuant to Plan Buildout (including all new development within the Coliseum District) would not produce emissions of more than the Plan-level threshold of 6.6 metric tons of CO<sub>2</sub>e per service population annually or more than the Project-level threshold of 4.6 metric tons of CO<sub>2</sub>e per service population annually. With the application of the City's Standard Conditions of Approval SCA GHG-1: Project-specific GHG Reduction Plans and SCA F: Compliance with the Green Building Ordinance; SCA Traf-1: Parking and Transportation Demand Management and SCA Util-1: Waste Reduction and Recycling, as well as several SCAs regarding landscape requirements and tree replacement; and several SCAs regarding stormwater management, this impact would be less than significant.

Hazards and Hazardous Materials:

22. **Haz-1 (Routine Transportation, Use, and Storage):** The proposed Project would result in an increase in the routine transportation, use, and storage of hazardous chemicals. With the application of the City's Standard Condition of Approval, SCA Haz-1 Hazards Best Management Practices, this impact would be less than significant.
23. **Haz-2 (Accidental Release):** Construction and development of the proposed Project could result in the accidental release of hazardous materials used during construction through improper handling or storage. With the application of the City's Standard Conditions of Approval, SCA Haz-1 Hazards Best Management Practices, SCA Haz-5 Lead-Based Paint/Coatings, Asbestos, or PCB Occurrence Assessment, SCA Haz-6 Environmental Site Assessment Reports Remediation, and SCA Haz-9 Health and Safety Plan per Assessment this impact would be less than significant.

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24. **Haz-3 and Haz-4 (Acutely Hazardous Materials and Hazards near a School)**: The proposed Project could create a significant hazard to the public through the storage or use of acutely hazardous materials near sensitive receptors. With required implementation of SCA Haz-12: Hazardous Materials Business Plan, as well as implementation of City of Oakland Municipal Code requirements for a Hazardous Materials Assessment Report and Remediation Plan (HMARRP), this impact would be less than significant.
25. **Haz-5A and 5B (Cortese List)** : Development at the Coliseum District and at Plan Buildout would be located on sites included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and could create a significant hazard to the public or the environment. With required implementation of site assessments pursuant to SCA Haz-3, Haz-4, Haz-5 and Haz-11; plus required remediation responsibilities pursuant to SCA Haz-6 through Haz-10; and required verification and compliance pursuant to SCA Haz-3, Haz-10 and Haz-11, this impact would be less than significant.
26. **Haz-6 (Emergency Access)**: Development of the proposed Project could result in fewer than two emergency access routes for streets exceeding 600 feet in length. With required implementation of SCA 20: Improvements in the Public Right-of-Way (General), and SCA 21: Improvements in the Public Right-of-Way (Specific), this impact would be less than significant.
27. **Haz-7 (Safety Hazard from Aircraft)**: The Project Area is located within the Oakland International Airport Land Use Plan area and within two miles of the Oakland Airport, but would not result in a safety hazard for people residing or working in the Project Area. No SCAs or mitigation measures are needed, but further discussion on this issue is provided under Impact Land Use-9; Compatibility with ALUCP.
28. **Haz-8, -9 and -10 (Other Hazards)**: The Project Area is not located in the vicinity of a private airstrip; development would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and the proposed Project would not expose people or structures to risks involving wildland fires. These impacts would be less than significant.

**Hydrology/Water Quality:**

29. **Hydro-1A and -1B (Drainage Patterns and Runoff)**: New development at the Coliseum District and pursuant to Plan Buildout would alter drainage patterns and increase the volume of stormwater, and potentially increase the level of contamination or siltation in stormwater flows. Any work within the creeks would be required to implement SCAs Hydro-9 through SCA Hydro-15 pertaining to erosion, sedimentation and debris control as well as creek protection and dewatering and diversion requirements. Any work related to drainage and water quality would be required to implement SCAs Hydro-1 through SCA Hydro-8 regarding erosion and sedimentation control, stormwater pollution prevention, and post-construction stormwater management. With implementation of these SCAs, these impacts would be less than significant.
30. **Hydro-2 (Flooding)**: New development at the Coliseum Site and pursuant to Plan Buildout would not be susceptible to flooding hazards, as no new development is proposed within a 100-year flood zone as mapped by FEMA. Required implementation of SCA Hydro- 16 and Hydro-17 would ensure compliance will all applicable regulatory permits and authorizations and would ensure this impact would be less than significant.

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31. **Hydro-3 and -4 (Dam Failure and Tsunami Hazards):** Future development at the Coliseum District and pursuant to Plan Buildout could be susceptible to flooding hazards in the event of dam or reservoir failure, but compliance with all dam safety regulations will reduce this relatively low risk of impact to a less than significant level. Future development at the Coliseum District and pursuant to Plan Buildout could be susceptible to tsunami-related hazards, but the relatively low risk of occurrence of this impact is less than significant.
32. **Hydro-5 (Sea Level Rise):** The impact of flooding related to sea level rise pertains to the impact of an existing or future environmental condition on the Project Area, whereas CEQA requires only an analysis of impacts pertaining to a project's impact on the environment. Although not legally required by CEQA, the EIR discusses of the impact of sea level rise on the Project Area in the interest of being conservative and providing information to the public and decision-makers. Future development at the Coliseum District and pursuant to Plan Buildout could be susceptible to inundation, storm events and storm events with wind waves in the event of sea-level rise. The Specific Plan includes an adaptation strategy whereby:
- a) City-wide goals and resiliency planning should inform the design of new development within the Specific Plan;
  - b) Sea level rise strategies for the Project Area should address designing flood protection against a nearer-term potential 16-inch sea level rise above current Base Flood Elevation for mid-term planning and design (2050); and designing a gravity storm drain systems for 16 inches of sea level rise;
  - c) A mid-term adaptive approach should provide for addressing sea level rise of greater than 18 inches, including incorporation of potential retreat space and setbacks for higher levels of shoreline protection, and designing for livable/floodable along coastal areas in parks, walkways, and parking lots;
  - d) A long-term adaptive management strategy should be developed to protect against even greater levels of sea level rise of up to 66 inches, plus future storm surge scenarios and consideration of increased magnitude of precipitation events.
  - e) A suite of shoreline protection measures, protective setbacks and other adaptation strategies should be incorporated into subsequent development projects

**Land Use:**

33. **Land-2 (Land Use Compatibility):** The proposed Project at the Coliseum District and pursuant to Plan Buildout would introduce new residential and other sensitive land uses at locations that could be exposed to noise, emissions and other potential land use incompatibilities associated with adjacent industrial and special event land uses. With required implementation of City SCA AQ-2: Exposure to Air Pollution - Toxic Air Contaminants Health Risk Reduction Measures, SCA Noise-4: Interior Noise, SCA Noise-5: Operational Noise-General; SCA Haz-8: Other Materials Classified as Hazardous Waste; SCA Haz-12: Hazardous Materials Business Plan, these impacts would be less than significant and no mitigation measures required. However, instances of nuisance complaints from new residents could potentially arise. To protect existing industrial uses from complaints that

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may seek to force an existing use to change or permanently restrict its operations, it is a Plan recommendation that sellers or leasers of real property intended for residential use and located within the Coliseum District or within the proposed waterfront residential area in Sub-Area B shall provide a disclosure statement included as part of all real estate transactions. The statement shall disclose that the property is located within an area near pre-existing industrial uses, that those industrial uses will be allowed to continue, and that such uses may generate light, noise, dust, traffic and other annoyances or inconveniences incidental to and customarily associated with industrial use.

34. **Land-3A and 3B (Land Use Policy Conflicts):** Development of the Coliseum District pursuant to the proposed Project and Plan Buildout would not fundamentally conflict with the City's General Plan. To protect existing industrial uses, it is a Plan recommendation that, prior to approval of any residential development within Sub-Area B on land that is currently in industrial use, the developer of the proposed residential use must find a suitable replacement site acceptable to the owner/user of the industrial property in question, and facilitate acquisition of that replacement site for the displaced industrial use. In particular, an acceptable new site shall be found for the relocation of the City's corporation yard prior to residential uses being developed on that property.
35. **Land-5A and 5B (Zoning):** Development of the Coliseum District and Plan Buildout pursuant to the proposed Project would conflict with the City's current Planning Code and Zoning Map. City zoning inconsistencies would be made consistent through implementation of the proposed new zoning districts and zoning changes proposed pursuant to the Specific Plan.
36. **Land-6 (Port of Oakland Land Use and Development Code Consistency):** Development of a new Arena at the proposed Coliseum District as well as development of a residential and retail mixed use site along the waterfront pursuant to Buildout of the proposed Project would fundamentally conflict with the Port of Oakland's current Land Use and Development Code (LUDC). In order to enable implementation of the Project as proposed, the Port Board of Commissioners must either adopt the Specific Plan as its new land use plan for the Business Park, or elect to cede land use authority over the ultimate new Arena site and the waterfront residential site to the City of Oakland, or choose to instead amend its own LUDC to allow the new Arena and waterfront residential / retail mixed use as permitted or conditionally permitted uses within the Business Park. The City does not have jurisdictional authority to change or modify the Port's LUDC, and cannot ensure implementation of this measure. If the Port Board does not take any of the actions identified, the proposed new Arena and the proposed new waterfront residential mixed-use development would directly conflict with the LUDC. In that event, those elements of the Project could not move forward and the impact would be less than significant.
37. **Land-7 (ALUCP Compatibility):** Development of the Coliseum District could fundamentally conflict with the structural height criteria of the Oakland International Airport Land Use Compatibility Plan (ALUCP). Mitigation Measure Land-7A provides that no structures that exceed 159.3 feet above mean sea level or otherwise exceed the applicable Part 77 surfaces of the Oakland International Airport Land Use Compatibility Plan, or which exceed 200 feet above the ground level of its site, will be approved by the City unless such a structure has been reviewed by the FAA in accordance with FAR Part 77 and receives either an FAA finding that the structure is not a hazard to air navigation and would not result in the FAA altering, curtailing, limiting, or restricting flight operations in any manner, and a conclusion by the ALUC that the proposed structure is acceptable instituting any alterations or curtailing of flight operations; or a conclusion by the ALUC that the proposed structure

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is acceptable with appropriate marking and lighting, and that the applicant agrees to mark and light that structure in a manner consistent with FAA standards as to color and other features. Mitigation Measure Land-7B requires sellers or leasers of real property located within the Oakland Airport Influence Area (AIA) to include a real estate disclosure and aviation easement included as part of all real estate transactions within the AIA; and Mitigation Measure Land-7C requires aviation easements be dedicated to the Port of Oakland as a condition for any discretionary approvals of future residential or non-residential development within the Project Area. With implementation of these mitigation measures, the impact would be reduced to a level of less than significant.

38. **Land-8 (Consistency with BCDC Plans and Policies)**: New development pursuant to Plan Buildout would not fundamentally conflict with BCDC's Bay Plan or Sea Port Plan. To ensure consistency, Mitigation Measure Land-8A requires issuance of necessary BCDC permits for proposed Damon Slough enhancements, the Elmhurst Creek realignment, new development within 100 feet of the San Leandro Bay shoreline, and the proposed Bay Cut. Additionally, Mitigation Measure Land-8B requires compliance with Bay Plan dredging policies. With implementation of these mitigation measures, the impact would be reduced to a level of less than significant.
39. **Land-9 (Tidelands Trust)**: Future development within Sub-Areas B, C and or D may occur on lands granted to the Port of Oakland and subject to public trust. The development of residential and neighborhood-serving retail uses would conflict with the public trust doctrine and would not otherwise be permitted. However, the potential inconsistency with the public trust doctrine can be removed through appropriate reallocation of the public trust resource. Mitigation Measure Land-9 requires the developer of any future project within the Project Area that proposes to use land that is owned by the Port of Oakland to either enter into an agreement with the Port to ground lease and develop such project for uses deemed consistent with the public trust; or buy the underlying land from the Port subject to a finding that the property is no longer needed or required for the promotion of the public trust with the proceeds of the land sale to be used at the Port Board's discretion for public trust purposes; or arrange for an authorized exchange of any lands granted to the Port, subject to a finding that the land is no longer needed or required for the promotion of the public trust, for other lands not now subject to the public trust.

**Noise:**

40. **Noise-1 (Construction Noise)**: Future development at the Coliseum District and pursuant to Plan Buildout would include pile drilling and other extreme noise generating construction activities that would temporarily increase noise levels in the vicinity of individual project sites. Required implementation of SCA Noise-1: Days/Hours of Construction Operation, SCA Noise-2: Noise Control, SCA Noise-3: Noise Complaint Procedures, SCA Noise-7: Pile Driving and Other Extreme Noise Generators, would reduce this impact to a level of less than significant.
41. **Noise-4, -5A and -5B (Noise Exposure of New Sensitive Land Uses)**: Buildout of the proposed Project could expose persons to interior Ldn or CNEL greater than 45 dBA in proposed multi-family dwellings and hotels, motels, dormitories and long-term care facilities, and would expose proposed new noise-sensitive land uses to noise levels in excess of noise levels considered normally acceptable according to the land use compatibility guidelines of the Oakland General Plan. Required implementation of SCA Noise-4: Interior Noise would mandate that noise levels within structures

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meet acceptable noise exposure criteria, and would reduce this impact to a level of less than significant.

42. **Noise-6 (Operational Noise):** The proposed Project would not expose persons to or generate operational noise levels in excess of applicable standards established by the City, and these standards would be required of all new development pursuant to SCA Noise-5: Operational Noise – General. Required implementation of this SCA would reduce this impact to a level of less than significant.
43. **Public Services:** The proposed Project could result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities. However, required implementation of SCA Public-1: Conformance with other Requirements and SCA Public-2: Fire Safety Phasing Plan, would reduce this impact to a level of less than significant.

Traffic and Transportation:<sup>1</sup>

44. **Trans-4 (San Leandro Street/66th Avenue):** Development of the Coliseum District would increase the total intersection V/C ratio by 0.03 or more, and increase the V/C ratio for a critical movement by 0.05 or more at the San Leandro Street/66th Avenue intersection, which operates at LOS F during the weekday PM peak hour under Existing Plus Coliseum District conditions. Implementation of Mitigation Trans-4 including: restriping eastbound 66th Avenue approach to provide one left-turn lane, one through lane, and one right-turn lane, and narrowing the westbound direction to one receiving lane; restriping westbound 66th Avenue approach to provide one left-turn lane and one shared through/right-turn lane; optimizing signal timing; and coordinating the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group would reduce this impact to a less than significant level.
45. **Trans-14 (Camden Street/North MacArthur Boulevard/Seminary Avenue):** The development of the Coliseum District would increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more at Camden Street/North MacArthur Boulevard/Seminary Avenue during the weekday PM peak hour which would operate at LOS F under 2035 conditions. Implementation of Mitigation Trans-14 including: restriping the eastbound Seminary Avenue approach to provide one left-turn lane and one shared through/right-turn lane by eliminating one of the westbound receiving lanes; restriping the westbound Seminary Avenue approach to provide one left-turn lane, one through lane, and one right-turn lane; restriping the northbound Camden Street approach to provide one shared left/through/right lane and one bicycle lane; converting signal operations from split phasing to permitted phasing on the north/south Camden Street/North MacArthur Boulevard approaches and protected phasing on the east/west Seminary Avenue approaches; optimizing signal timing (i.e., changing the amount of green time assigned to

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<sup>1</sup> In addition to the mitigation measures listed, the SCA that apply to transportation and circulation including: SCA 20 (Improvements in the Public Right-Of-Way - General), SCA 21 (Improvements in the Public Right-Of-Way - Specific), SCA 25 (Parking and Transportation Demand Management), SCA 33 (Construction Traffic and Parking) would also reduce the potentially significant impacts listed to less than significant.

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each lane of traffic approaching the intersection); and coordinating the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group would reduce this impact to a less than significant level.

46. **Trans-18 (Foothill Boulevard/35th Avenue):** The development of the Coliseum District would increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more at Foothill Boulevard/35th Avenue during both weekday AM and PM peak hours which would operate at LOS F under 2035 conditions. Implementation of Mitigation Trans-18 including: restriping the eastbound and westbound 35th Avenue approaches to provide an exclusive left-turn lane within the existing right-of-way on each approach; updating traffic signal equipment to provide protected left-turns on the eastbound and westbound 35th Avenue approaches; optimizing signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection); and coordinating the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group would reduce this impact to a less than significant level.
47. **Trans-19 (Foothill Boulevard/High Street):** The development of the Coliseum District would increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more at Foothill Boulevard/High Street during the weekday PM peak hour which would operate at LOS F under 2035 conditions. Implementation of Mitigation Trans-19 including: converting the traffic signal from pre-timed to actuated operations, optimizing signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection), and coordinating the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group would reduce this impact to a less than significant level.
48. **Trans-20 (Foothill Boulevard/Seminary Avenue/Walnut Street):** The development of the Coliseum District would degrade the Foothill Boulevard/ Seminary Avenue/Walnut Street from LOS E to LOS F, increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds during the PM peak hour under 2035 conditions. Implementation of Mitigation Trans-20 including: increasing signal cycle length at this intersection and the adjacent and closely spaced signal at Bancroft Avenue/Seminary Avenue to 90 seconds during the PM peak hour; optimizing signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection); and coordinating the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group would reduce this impact to a less than significant level.
49. **Trans-39 (Camden Street/North MacArthur Boulevard/Seminary Avenue):** Plan Buildout would increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more at Camden Street/North MacArthur Boulevard/Seminary Avenue during the weekday PM peak hour which would operate at LOS F under 2035 conditions. Implementation of Mitigation Trans-39, which is the implementation of Mitigation Trans-14 at the Camden Street/North MacArthur Boulevard/Seminary Avenue Intersection, would reduce this impact to a less than significant level.
50. **Trans-44 (Foothill Boulevard/35th Avenue):** Plan Buildout would increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more at Foothill

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Boulevard/35th Avenue during both weekday AM and PM peak hours which would operate at LOS F under 2035 conditions. Implementation of Mitigation Trans-44, which is the implementation of Mitigation Trans-18 at the Foothill Boulevard/35<sup>th</sup> Avenue intersection, would reduce this impact to a less than significant level.

51. **Trans-45 (Foothill Boulevard/High Street):** Plan Buildout would increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more at Foothill Boulevard/High Street during the weekday PM peak hour which would operate at LOS F under 2035 conditions. Implementation of Mitigation Trans-45, which is the implementation of Mitigation Trans-19 at the Foothill Boulevard/High Street intersection, would reduce this impact to a less than significant level.
52. **Trans-46 (Foothill Boulevard/Seminary Avenue/Walnut Street):** Plan Buildout would degrade the Foothill Boulevard/ Seminary Avenue/Walnut Street from LOS E to LOS F, increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds during the PM peak hour under 2035 conditions. Implementation of Mitigation Trans-46, which is the implementation of Mitigation Trans-18 at the Foothill Boulevard/Seminary Avenue/Walnut Street intersection, would reduce this impact to a less than significant level.
53. **Trans-48 (Bancroft Avenue / 73rd Avenue):** Plan Buildout would degrade intersection operations from LOS D to LOS E during the PM peak hour and increase total intersection average vehicle delay by four or more seconds at the Bancroft Avenue / 73rd Avenue under 2035 conditions. Implementation of Mitigation Trans-48 including: providing a second left-turn lane on the northbound Bancroft Avenue approach; replacing existing 6-foot gutter pans and prohibit parking on both northbound and southbound Bancroft Avenue with 2-foot gutter pans; reconfiguring eastbound 73rd Avenue approach to provide one left-turn lane, two through lanes, one bicycle lane, and one right-turn lane; reconfiguring westbound 73rd Avenue approach to provide one left-turn lane, one through lane, one shared through/right lane, and one bicycle lane; optimizing signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection); and coordinating the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group would reduce this impact to a less than significant level.
54. **Trans-66 (Oakport Street/Zhone Way):** Plan Buildout would degrade intersection operations from LOS B to LOS F and increase total intersection average vehicle delay by four or more seconds during the PM peak hour at the Oakport Street/Zhone Way intersection under 2035 conditions. Implementation of Mitigation Trans-66, including provide a right-turn lane on the northbound Oakport Street approach; optimize signal timing; and coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group would reduce this impact to a less than significant level.
55. **Trans-72 (Airport Access Road/Pardee Drive/Hegenberger Road):** Plan Buildout would degrade intersection operations from LOS D to LOS E and increase total intersection average vehicle delay by four or more seconds during the PM peak hour at the Airport Access Road/Pardee Drive/Hegenberger Road under 2035 conditions. Implementation of Mitigation Trans-72, including: convert left-turn operations on the north/south approaches from permitted phasing to protected phasing; optimize signal timing; and coordinate the signal timing changes at this intersection with the adjacent

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intersections that are in the same signal coordination group, would reduce this impact to a less than significant level.

56. **Trans-79 (Transit travel Times):** The proposed Coliseum District development would not substantially increase travel times for AC Transit buses. The City of Oakland has no basis to establish a numerical threshold for “substantially increased travel times”. However, traffic generated by the Coliseum District development would result in increased congestion along transit corridors, and average speeds on these corridors would decrease by 0 to 3 mph. It is estimated that the congestion caused by the Coliseum District traffic in combination with the roadway modifications proposed by the Specific Plan and mitigation measures presented in this EIR would increase travel times for most buses on these corridors by less than two minutes. The Project also includes design measures that would improve bus travel times, including moving bus stops from the near-side to the far-side of the intersection, and providing bulbouts at bus stops where feasible. All streets within the Coliseum District would accommodate bus serve and sidewalks would provide adequate space for bus shelters and other bus stop amenities. While the proposed Project may increase some bus travel times, the resulting increases would have a minor effect on transit service within the Project Area as most of the travel time increase would be offset by implementation of the improvements discussed above, resulting in a less than significant impact.
57. **Trans-81 (Transportation Hazards):** Development under the proposed Project would not directly or indirectly cause or expose roadway users (e.g., motorists, pedestrians, bus riders, bicyclists) to a permanent and substantial transportation hazard due to a new or existing physical design feature or incompatible uses. The Specific Plan includes policies which would ensure that developments and changes in the public right-of-way, such as realignment of San Leandro Street would not adversely affect safety for all street users. In addition, the design for each individual development project and changes in the public right-of-way under the Specific Plan would be required to be consistent with appropriate regulations and design standards in effect at the time. Implementation of traffic mitigation measures would improve traffic flow at intersections and would also improve safety for all travel modes. The proposed Project generally includes intersecting streets that slow vehicle speeds and maximize sight lines between drivers, pedestrians, and bicyclists. Implementation of SCA Trans-1 and SCA Trans-2 require that public improvement plans and building plans for individual development projects incorporate design requirements such as curbs, gutters, disabled access, adequate emergency access, and other measures to improve vehicle, bicycle, and pedestrian safety. Additionally, Mitigation Trans-81 requires that E Street be configured so that it curves along the alignment of F Street intersecting Loop Road opposite the access to the collector-distributor road, or be redirected at F Street through the surface parking to connect to Hegenberger Road opposite Baldwin Street. With implementation of SCAs Trans-1 and Trans-2 and Mitigation Measure Trans-81, transportation safety hazards would be reduced to a less than significant level.
58. **Trans-82 (Pedestrian Safety):** Development under the proposed Project would not directly or indirectly result in a permanent substantial decrease in pedestrian safety. In order to accommodate the increased pedestrian activity, the Specific Plan includes policies and physical changes that would improve pedestrian safety in the Project Area, including direct pedestrian connections to transit, replacement of the existing Coliseum Way channel overcrossing with a new crossing that has widened sidewalks on both sides, providing a Class 1 Path on the south side of 66th Avenue, providing a Class 1 Path on the east side of the Loop Road connecting Hegenberger Road with E Street, maintaining clear zones within the sidewalk realm, minimizing driveways and curb-cuts,

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providing pedestrian-scale street lighting along all streets in the Project Area, and providing marked crosswalks across all approaches to intersecting streets and maintaining dedicated curb ramps for each crosswalk. Several mitigation measures would also improve pedestrian safety including upgrades to the traffic signal equipment providing count-down pedestrian signal heads, and/or providing adequate time for pedestrians to cross the streets. As a result of the above features, the proposed Project would not result in permanent substantial decrease in pedestrian safety and would have a less than significant impact.

59. **Trans-83 (Bicyclists Safety)**: Development under the proposed Project would not directly or indirectly result in a permanent substantial decrease in bicycle safety. One of the goals of the Specific Plan is to increase bicycling in the Project Area. In order to accommodate the increased bicycling activity, the Specific Plan also includes policies and physical changes that would improve bicyclist safety in the Project Area, including a Class 2 bike lanes from 66th Avenue into the Project Area, bike lanes on major internal streets, bike facilities on the promenade and on the elevated concourse connecting to the transit hub, and bicycle signal actuation, bicycle boxes, two-stage turn queue boxes, and other features to facilitate bicycle travel within and through the Coliseum District. As a result of these features, the proposed Project would not result in permanent substantial decrease in bicyclist safety and would have a less than significant impact.
60. **Trans-84 (Bus Rider Safety)**: Development under the proposed Project would not directly or indirectly result in a permanent substantial decrease in bus rider safety. The Specific Plan includes changes to the pedestrian environment that would benefit bus rider safety, and policies that would improve safety for bus riders, including collaboration with AC Transit to improve bus service to the Project Area by adding additional service and incorporating additional features into the bus network around and through the Project Area. As a result, the proposed Project's impacts on bus rider safety would be less than significant.
61. **Trans-86 (Transit and Multi-Modal Policy Conflicts)**: Development under the proposed Project would not fundamentally conflict with adopted City policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities adopted for the purpose of avoiding or mitigating an environmental effect and actually result in a physical change in the environment. The Specific Plan would provide for high-density development in a compact area with excellent pedestrian and bicycle infrastructure and transit service. The Specific Plan is estimated to generate about 40 percent fewer automobile trips during a typical weekday than same uses in a more suburban setting. The high usage of non-auto modes is due to the Specific Plan locating a variety of uses within a tight grid system of two lane streets and in proximity to the Coliseum/Airport BART Station. By providing a mix of uses in a dense walkable urban environment with quality pedestrian, bicycle, and transit infrastructure and a limited parking supply, the Specific Plan encourages the use of non-automobile transportation modes. The Specific Plan also includes Transportation Demand Management (TDM) strategies, which are consistent with the City of Oakland's SCA Trans-3, Parking and Transportation Demand Management, and would encourage more residents, employees and visitors to shift from driving alone to other modes of travel. The Specific Plan includes a number of changes to the public right-of-way that would encourage pedestrian activity by creating a safer and more attractive pedestrian environment. The Specific Plan includes policies, such as minimizing driveways on pedestrian thoroughfares, widening sidewalks, and providing pedestrian scale lighting, that further encourage pedestrian activity. Therefore, the Specific Plan is consistent with the City's Pedestrian Master Plan

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by including infrastructure improvements, policies, and facilitating developments that would improve pedestrian safety and encourage and promote pedestrian activity.

62. **Trans-87 (Construction Period Impacts)**: Development under the proposed Project would result in a substantial, though temporary adverse effect on the circulation system during construction of the Project. However, application of SCA Trans-4: Construction Traffic Management Plan, which address construction-period traffic management, plus measures to further implement SCA Trans-4, including a set of comprehensive traffic control measures for motor vehicles, transit, bicycle, and pedestrian access and circulation during each phase of construction, and a construction period parking management plan to ensure that parking demands for construction workers, site employees, and customers are accommodated during each phase of construction, would reduce the Project's potential construction-period traffic impacts to a less-than-significant level.
63. **Trans-88 (Air Traffic Patterns)**: Development under the proposed Project could result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. With implementation of Mitigation Land-7A, 7B and 7C, which require all structures that exceed 159.3 feet above mean sea level or otherwise exceed the applicable Part 77 surfaces of the Oakland International Airport Land Use Compatibility Plan, or which exceed 200 feet above the ground level of its site must be reviewed by the FAA and receive a finding that the structure is "not a hazard to air navigation" and would not result in the FAA altering, curtailing, limiting, or restricting instituting any alterations or curtailing of flight operations in any manner, and a conclusion by the ALUC that the proposed structure is acceptable instituting any alterations or curtailing of flight operations, or a conclusion by the ALUC that the proposed structure is acceptable with appropriate marking and lighting; that sellers or lessors of real property located within the Oakland Airport Influence Area (AIA) shall include a real estate disclosure notification that their property is situated within the AIA and may be subject to some of the annoyances or inconveniences associated with proximity to airport operations; and that an aviation easement shall be dedicated to the Port of Oakland as a condition for any discretionary approvals; would reduce this impact to a less than significant level.

Utilities:

64. **Util-1A and -1B (Water Demand)**: The water demand generated by new development within the Coliseum Site and pursuant to Plan Buildout will increase the average daily water demand over existing levels, but would not exceed water supplies currently available from existing entitlements and resources. Required implementation of SCA Util-3 would ensure compliance with the City's Green Building Ordinance; and SCA Util-4 would ensure compliance with the Green Building Ordinance for building and landscape projects using the StopWaste.Org Small Commercial or Bay Friendly Basic Landscape Checklist. All construction activity on-site, including construction of new water distribution lines, would be required to comply with City of Oakland standard conditions of approval regarding construction noise (SCA Noise-1 and SCA Noise-2), air quality and dust suppression (SCA Air-1 and SCA Air-2), erosion control (SCA Geo-1) and temporary construction traffic controls (SCA Trans-1). With required implementation of these SCAs, the impact would be less than significant.
65. **Util-2A (Wastewater Treatment)**: New development within the Coliseum Site and pursuant to Plan Buildout would not exceed the wastewater treatment requirements of the San Francisco Regional

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Water Quality Control Board or result in a determination that new or expanded wastewater treatment facilities would be required. All construction activity on-site, including construction of new sewer laterals, would be required to comply with City of Oakland Standard Conditions of Approval regarding construction noise (SCA Noise-1 and SCA Noise-2), air quality and dust suppression (SCA Air-1 and SCA Air-2), erosion control (SCA Geo-1) and temporary construction traffic controls (SCA Trans-1). With required implementation of these SCAs, the impact would be less than significant.

66. **Util-3A and -3B (Storm Drainage):** New development at the Coliseum Site and pursuant to Plan Buildout would require construction of new stormwater drainage facilities and the potential expansion of existing facilities, the construction of which could cause significant environmental effects.

Implementation of the City's SCA Hydro-6 will require preparation of post-construction Stormwater Pollution Prevention Plans, and SCA Util-2: Stormwater and Sewer requires demonstrated capacity of conveyance facilities. Additionally, as with all construction activity on-site, construction of new storm drainage improvements would be required to comply with City of Oakland Standard Conditions of Approval regarding construction noise (SCA Noise-1 and SCA Noise-2), air quality and dust suppression (SCA Air-1 and SCA Air-2), erosion control (SCA Geo-1) and temporary construction traffic controls (SCA Trans-1). With required implementation of these SCAs, the impact would be less than significant.

67. **Util-4 (Solid Waste):** Future development pursuant to the Specific Plan at the Coliseum Site and pursuant to Plan Buildout would not violate applicable federal, state, and local statutes or regulations related to solid waste; nor would it generate solid waste that would exceed the permitted capacity of the landfills serving the area. Required implementation of SCA Util-1: Waste Reduction and Recycling would minimize waste stream landfill to the extent reasonable and feasible, and the impact would be less than significant.

68. **Util-5 (Energy):** New development resulting from implementation of the specific Plan both at the Coliseum Site and pursuant to Plan Buildout would not violate applicable federal, state and local statutes and regulations relating to energy standards; nor result in a determination by the energy provider which serves or may serve the area that it does not have adequate capacity to serve projected demand in addition to the providers' existing commitments and require or result in construction of new energy facilities or expansion of existing facilities. Required implementation of SCA Util-3 would ensure compliance with the City's Green Building Ordinance, and SCA Util-4 would ensure compliance with the Green Building Ordinance for building and landscape projects using the StopWaste.Org Small Commercial or Bay Friendly Basic Landscape Checklist. With required implementation of these SCAs, the impact would be less than significant. And

#### **X. SIGNIFICANT AND UNAVOIDABLE IMPACTS**

Under Public Resources Code sections 21081(a)(3) and 21081(b), and CEQA Guidelines sections 15091, 15092, and 15093, and to the extent reflected in the EIR and the SCAMMRP, the City Council finds that the following impacts of the Project remain significant and unavoidable, notwithstanding the imposition of all feasible Standard Conditions of Approval and mitigation measures as set forth below.

##### Air Quality:

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69. **Air-5A and -5B (Construction Period Emissions of Criteria Pollutants)**: During construction, subsequent development at the Coliseum District and pursuant to Plan Buildout will generate regional ozone precursor emissions and regional particulate matter emissions from construction equipment exhaust that. Even with implementation of City of Oakland SCA Air-1: Construction-Related Air Pollution Controls (Dust and Equipment Emissions), and with new Mitigation Measure MM Air 6A-1: Reduced Construction Emissions, it cannot be certain that emissions of ROG and NOx can be reduced to below threshold levels, and larger individual construction projects may generate emissions of criteria air pollutants that would exceed the City's thresholds of significance, even with the implementation of SCAs. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
70. **Air-7A and -7B (Operational Emissions of Criteria Pollutants)**: New development at the Coliseum District and pursuant to Plan Buildout would result in operational average daily emissions of more than 54 pounds per day of ROG, NOX, or PM2.5 and 82 pounds per day of PM10; and would result in maximum annual emissions of 10 tons per year of ROG, NOX, of PM2.5 and 15 tons per year of PM10. Implementation of SCA Trans-1: Transportation Demand Management (TDM) Program, which would reduce criteria air pollutants and ozone precursor emissions from subsequent development projects, may or may not be effective in reducing emissions to below threshold levels, and so the impact would be significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
71. **Air-11 (Odor, Cumulative)**: Odor sources are present in all high density areas throughout Oakland according to the 2007-2014 Housing Element EIR, and new development under the Coliseum Plan could be subject to cumulatively significant and unavoidable odor effects. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
72. **Air-11 (New Sources of Operational Toxic Air Contaminants, Cumulative)**: Development pursuant to the Specific Plan would include new light industrial, custom manufacturing and other similar land uses that could emit toxic emissions. Existing regulatory requirements would ensure that such emissions would not individually exceed established acceptable standards, but may contribute to cumulatively considerable effects, therefore this impact is deemed cumulatively significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
73. **Air-11 (New Sensitive Receptors to Substantial Levels of Toxic Air Contaminants, Cumulative)**: Implementation of the requirements for a project-specific health risk assessment pursuant to SCA-2 may not reduce total cumulative toxic air contaminant exposures for gaseous toxic air contaminants to acceptable levels, and the residual air pollution risk and hazard could have significant unavoidable cumulative impacts. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.

**Biology:**

74. **Bio-1B, Bio-2B and Bio-7 (Special Status Species, Wetlands/Riparian Habitat and Cumulative)**: Future development pursuant to Plan Buildout could have a substantial adverse effect directly, indirectly through habitat modifications, and cumulatively on candidate, sensitive or special status species. Construction activities pursuant to Plan Buildout could directly impact individuals of special

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status species and adversely affect the quality of their habitat through disturbance from noise, truck traffic, grading, and tree removal. There is potential for sediments to be released during construction that could introduce sediments or contaminants to the surrounding creeks and sloughs, marshes, or open water. Direct impacts to special status species and their habitat could also occur pursuant to the proposed creation of a new Bay inlet, and the proposal to fill the existing approximately 8 acres of Coastal and Valley freshwater marsh at the Edgewater Seasonal Wetland. Required implementation of SCA Bio-1 through SCA Bio-8 would substantially reduce indirect impacts on special status species that could occur from construction activity through disturbance from noise, truck traffic ground disturbance and tree removal. Implementation of SCA Bio-9 requiring preparation of an erosion and sedimentation control plan, SCA Bio-10 requiring implementation of best management practices for soil and groundwater hazards, and SCAs Bio-11, and Bio-13 through Bio-16 regarding permits and requirements related to City Creeks permits would substantially reduce impacts on special status species (fish, marine mammal species and mammal species which inhabit salt marshes) that could otherwise be adversely affected by downstream sedimentation and contamination. Additionally, work associated with creating a new Bay inlet and the fill and development of the existing Edgewater Seasonal Wetland will be subject to jurisdictional requirements of several agencies including the RWQCB, BCDC, California Fish and Wildlife, the US Army Corps of Engineers, the National Oceanic and Atmospheric Administration- Fisheries, and the US Fish and Wildlife Service. Implementation of SCA Bio-12: Regulatory Permits and Authorizations will required compliance all applicable permits or authorizations from these regulatory agencies. In addition, Mitigation Measure Bio 1A-1 includes higher standards than typical City SCAs for pre-construction nesting bird surveys and buffers because of the special sensitivity and extended nesting and migratory period associated with species present in the area, Mitigation Measure Bio 1A-2 provides for restricted construction periods for an in-water work, and Mitigation Measure Bio 1A-3 requires buffers, protections and monitoring for all construction work in or near pickleweed-dominated salt marsh habitat within Damon Marsh and Arrowhead Marsh. Furthermore, Mitigation Measure Bio 1B-1 provides for a specific construction season for any in-Bay dredging operations intended to minimize open water turbidity during period of high sensitivity for fish and shore birds, and Mitigation Measure Bio 1B-2 requires preparation of a Seasonal Wetland Restoration Plan to replace impacted wetlands and associated habitat for special status species at the Edgewater Seasonal Wetland with replacement seasonal wetland and associated Coastal and Valley freshwater wetland habitat at a minimum ratio of 2:1. Impacts to special status species resulting from the majority of the Project's construction activity and operations will be reduced to a level of less than significant through implementation of City of Oakland SCAs and mitigation measures. However, the proposed Bay Inlet cut, and fill and development of the Edgewater Seasonal Wetland will be subject to subsequent, project-specific analysis, preparation of detailed restoration plans, and numerous subsequent permitting and regulatory requirements. Until such time as the details of a potential land exchange are known, the parties to such a potential exchange express an interest, permits from responsible agencies are sought, and the requirements and conditions of the responsible regulatory agencies are fully known, no determination can be made as to the efficacy of this mitigation strategy. Therefore, Project-specific and cumulative impacts to special status species and wetland habitat resulting from the proposed filling and development of Edgewater Seasonal Wetland are considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations, and in consideration of the requirements that only if a potential applicant were to invest the effort necessary to prepare a fully detailed and complete mitigation plan as required pursuant to MM Bio 1A-2, and all required steps (including agreements,

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agency permits and approvals) were obtained to the satisfaction of all responsible agencies, will any future development of the Edgewater Seasonal Wetland site be considered.

Cultural and Historic Resources :

75. **Cultural-1A (Oakland Coliseum and Arena Complex):** Future development within the Coliseum District would result in ultimate demolition of the Oakland Coliseum and potentially the Arena, causing a substantial adverse change in the significance of the Oakland Coliseum and Arena Complex, a historical resource as defined in CEQA Guidelines Section 15064.5. The City would apply Oakland Planning Code Section 17.136.075 (B) requirements for Design Review approval prior to demolition or removal of historic structures (“Demolition Findings”). Mitigation Measures Cultural 1A-1: Site Recordation, MM Cultural 1A-2: Public Interpretation Program, MM Cultural 1A-3: Financial Contribution MM Cultural 1A-4: Oral Histories and MM Cultural 1A-5, as well as the City’s Standard Conditions of Approval SCA Cultural-5: Comprehensive Written Documents are required, as is compliance with Policy 3.7 of the Oakland Historic Preservation Element, and SCA Cultural-6 Vibration to Adjacent Historic Structures. However, demolition of Oakland Coliseum is identified as the only feasible option to move forward with Specific Plan development within the Coliseum District. Unlike the Coliseum, demolition of the existing Arena is identified as only one of several potential development options pursuant to the Specific Plan. It is conservatively assumed that demolition of the Arena would also occur. No financial or other mitigation measures are reasonable and feasible to mitigate for the significant and unavoidable loss of either the Coliseum or the Arena, but the identified mitigation measures reduce these potential impacts to fullest extent feasible. These significant and unavoidable impacts are overridden as set forth below in the Statement of Overriding Considerations.

76. **Cultural-5 (Cumulative Historic Resources):** Demolition of the existing Coliseum and potentially the demolition of the Arena would result in a significant loss of historic resources, and contribute to cumulatively significant impacts to historic resources throughout the City. As noted above, mitigation measures have been recommended to reduce this impact to the extent feasible, but the cumulative impact remains significant and unavoidable. These significant and unavoidable impacts are overridden as set forth below in the Statement of Overriding Considerations.

**Noise-2A (Operational Noise):** Future development of new sports and special events venues in the Coliseum District would generate operational noise that would exceed the City of Oakland Noise Ordinance at new, on-site sensitive receivers. Even with application of SCA Noise-5: Operational Noise-General and Mitigation Measure Noise 2A-1 (Event Venue Noise Levels), there is no feasible mitigation to reduce game-day and special event noise from the new stadium and ballpark (assuming a non-roof design) at proposed new on-site sensitive receivers, making the impact significant and unavoidable. These significant and unavoidable impacts are overridden as set forth below in the Statement of Overriding Considerations.

Traffic and Transportation:<sup>2</sup>

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<sup>2</sup> In addition to the mitigation measures listed, the SCA that apply to transportation and circulation including: SCA 20 (Improvements in the Public Right-Of-Way - General), SCA 21 (Improvements in the Public Right-Of-Way -

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77. **Trans-1 (Kuhnle Avenue/Mountain Boulevard/I-580 Westbound Off-Ramp):** Development of the Coliseum District would add more than 10 peak-hour trips to the Kuhnle Avenue/Mountain Boulevard/I-580 Westbound Off-Ramp, which would meet peak hour signal warrant under Existing Plus Coliseum District conditions. Implementation of Mitigation Trans-1, including: signalizing the intersection providing actuated operations with permitted left-turns on east-west approaches and split phasing on north-south approaches; and coordinate the signal timing at this intersection with the adjacent intersections that are in the same signal coordination group could reduce this impact to a less than significant level. Because this intersection is under the jurisdiction of Caltrans and any equipment or facility upgrades must be approved by Caltrans, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.
78. **Trans-2 (Sunnymere Avenue/Kuhnle Avenue/Seminary Avenue/I-580 Eastbound On-Ramp):** The development of the Coliseum District would add more than 10 peak-hour trips to the Sunnymere Avenue/Kuhnle Avenue/Seminary Avenue/I-580 Eastbound On-Ramp, which would meet peak hour signal warrant under Existing Plus Coliseum District conditions. Implementation of Mitigation Trans-2, including: restriping eastbound Seminary Avenue approach to provide one left-turn lane and one shared through/right lane; signalizing the intersection providing actuated operations, with split phasing on all approaches, and coordinate the signal timing at this intersection with the adjacent intersections that are in the same signal coordination group could reduce this impact to a less than significant level.. Because this intersection is under the jurisdiction of Caltrans and any equipment or facility upgrades must be approved by Caltrans, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.
79. **Trans-3 (Seminary Avenue/Overdale Avenue/I-580 Eastbound/SR 13 Southbound Off Ramp):** The development of the Coliseum District would add more than 10 peak-hour trips to the Seminary Avenue/Overdale Avenue/I-580 Eastbound/SR 13 Southbound Off Ramp, which would meet peak hour signal warrant under Existing Plus Coliseum District conditions. Implementation of Mitigation Trans-3, including: signalizing the intersection providing actuated operations, with protected left turns on the westbound Seminary Avenue approach and split phasing on the north/south Overdale Avenue/Off-Ramp approaches; and coordinating the signal timing at this intersection with the adjacent intersections that are in the same signal coordination group could reduce this impact to a less than significant level.. Because this intersection is under the jurisdiction of Caltrans and any equipment or facility upgrades must be approved by Caltrans, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.

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Specific), SCA 25 (Parking and Transportation Demand Management), SCA 33 (Construction Traffic and Parking) would also reduce the potentially significant impacts, but not to less than significant.

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80. **Trans-5 (San Leandro Boulevard/Best Avenue/Park Street):** Under Existing plus Coliseum District conditions, the development of the Coliseum District would cause an increase of more than 5 seconds in average delay on the worst approach for the unsignalized intersection San Leandro Boulevard/Best Avenue/Park Street intersection, which operates at LOS E or F under No Project conditions. Implementation of Mitigation Trans-5, including: signalize the intersection providing actuated operations; and coordinate the signal timing at this intersection with the adjacent intersections that are in the same signal coordination group could reduce this impact to a less than significant level.. Because this intersection is under the jurisdiction of San Leandro and any equipment or facility upgrades must be approved by San Leandro, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.
81. **Trans-6 (San Leandro Boulevard/Marina Boulevard):** The proposed Project would cause the San Leandro Boulevard/Marina Boulevard (intersection #69) to degrade from LOS D to LOS E during the PM peak hour under Existing Plus Coliseum District conditions. Implementation of Mitigation Trans-6, including: provide a second left-turn lane on northbound San Leandro Boulevard; optimize signal timing; and coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group could reduce this impact to a less than significant level.. Because this intersection is under the jurisdiction of San Leandro and any equipment or facility upgrades must be approved by San Leandro, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.
82. **Trans-7 (Coliseum Way/High Street):** The development of the Coliseum District would degrade the Coliseum Way/High Street intersection from LOS D to LOS E, and increase total intersection average vehicle delay by four or more seconds during the AM peak hour, and increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more during the weekday PM peak hour, during which the intersection would operate at LOS F under 2035 conditions. Implementation of Mitigation Trans-7, including: implement the planned 42nd Avenue/High Street Access Improvements (which would include addition of a second left-turn lane on the eastbound High Street approach and a left-turn lane on the westbound High Street approach); restripe the northbound Coliseum Way approach to provide one shared left/through lane and one right-turn lane; optimize signal timing; and coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group could reduce this impact to a less than significant level.. Because this intersection is under the jurisdiction of Caltrans and any equipment or facility upgrades must be approved by Caltrans, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.
83. **Trans-8 (Fernside Boulevard/High Street/Gibbons Drive):** The development of the Coliseum District would increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more during the weekday AM peak hour which would operate at LOS F under Existing Plus Coliseum District conditions at the Fernside Boulevard/High Street/Gibbons Drive intersection. Implementation of Mitigation Trans-8, including convert the left-turn movements on

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westbound High Street from protected operations to permitted operations during the AM and PM peak periods; optimize signal timing; and coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group could reduce this impact to a less than significant level. Because this intersection is under the jurisdiction of the City of Alameda and any equipment or facility upgrades must be approved by the City of Alameda, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.

84. **Trans-9 (Fernside Boulevard/Otis Drive):** The development of the Coliseum District would increase the total intersection average delay by four seconds or more and increase the average delay for a critical movement by six or more seconds during the PM peak hour which would operate at LOS E under Existing Plus Coliseum District conditions at the Fernside Boulevard/Otis Drive. Implementation of Mitigation Trans-9, including removing the right turn island on the northbound Otis Drive approach, adding a dedicated right turn lane with approximately 50 feet of storage length, moving the northbound stop-bar upstream approximately 20 feet to accommodate the right turn lane storage length, and restriping Fernside Boulevard with two receiving lanes, could reduce this impact to a less than significant level. Because this intersection is under the jurisdiction of the City of Alameda and any equipment or facility upgrades must be approved by the City of Alameda, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
85. **Trans-10 (Frontage Road/SR 13 Northbound On-Ramp/Mountain Boulevard):** The development of the Coliseum District would add more than 10 peak-hour trips to the Frontage Road/SR 13 Northbound On-Ramp/Mountain Boulevard which would meet peak hour signal warrant under 2035 Plus Coliseum District conditions. Implementation of Mitigation Trans-10, including signaling the intersection providing actuated operations, with permitted phasing on all approaches, and coordinating the signal timing at this intersection with the adjacent intersections that are in the same signal coordination group, could reduce this impact to a less than significant level. Because this intersection is under the jurisdiction of Caltrans and any equipment or facility upgrades must be approved by Caltrans, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
86. **Trans-11 (Kuhnle Avenue/Mountain Boulevard/I-580 Westbound Off-Ramp):** The development of the Coliseum District would add more than 10 peak-hour trips to the Kuhnle Avenue/Mountain Boulevard/I-580 Westbound Off-Ramp which would meet peak hour signal warrant under 2035 Plus Coliseum District conditions. Implementation of Mitigation Trans-11, which is the implementation of Mitigation Trans-1 at the Kuhnle Avenue/Mountain Boulevard/I-580 Westbound Off-Ramp intersection, could reduce this impact to a less than significant level. Because this intersection is under the jurisdiction of Caltrans and any equipment or facility upgrades must be approved by Caltrans, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This

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significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.

87. **Trans-12 (Sunnymere Avenue/Kuhnle Avenue/Seminary Avenue/I-580 Eastbound On-Ramp)**: The development of the Coliseum District would add more than 10 peak-hour trips to the Sunnymere Avenue/Kuhnle Avenue/Seminary Avenue/I-580 Eastbound On-Ramp which would meet peak hour signal warrant under 2035 Plus Coliseum District conditions. Implementation of Mitigation Trans-12, which is the implementation of Mitigation Trans-2 at the Sunnymere Avenue/Kuhnle Avenue/Seminary Avenue/I-580 Eastbound On-Ramp intersection, could reduce this impact to a less than significant level. Because this intersection is under the jurisdiction of Caltrans and any equipment or facility upgrades must be approved by Caltrans, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
88. **Trans-13 (Seminary Avenue/Overdale Avenue/I-580 Eastbound/SR 13 Southbound Off Ramp)**: The development of the Coliseum District would add more than 10 peak-hour trips to the Seminary Avenue/Overdale Avenue/I-580 Eastbound/SR 13 Southbound Off Ramp which would meet peak hour signal warrant under 2035 Plus Coliseum District conditions. Implementation of Mitigation Trans-13, which is the implementation of Mitigation Trans-3 at the Seminary Avenue/Overdale Avenue/I-580 Eastbound/SR 13 Southbound Off-Ramp intersection, could reduce this impact to a less than significant level. Because this intersection is under the jurisdiction of Caltrans and any equipment or facility upgrades must be approved by Caltrans, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
89. **Trans-15 (MacArthur Boulevard/Foothill Boulevard/73rd Avenue)**: The development of the Coliseum District would degrade the MacArthur Boulevard/ Foothill Boulevard/73rd Avenue from LOS E to LOS F, increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds during the PM peak hour under 2035 conditions. The recommended mitigation measures would require additional right-of-way, which is considered to be infeasible. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
90. **Trans-16 (Foothill Boulevard/Fruitvale Avenue)**: The development of the Coliseum District would increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more at Foothill Boulevard/Fruitvale Avenue during both weekday AM and PM peak hours which would operate at LOS F under 2035 conditions. The recommended mitigation measures would require additional right-of-way, and/or demolition of existing pedestrian bulbouts, which is considered to be infeasible. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
91. **Trans-17 (Foothill Boulevard/Coolidge Avenue)**: The development of the Coliseum District would contribute to LOS E operations at the Foothill Boulevard/Coolidge Avenue (Intersection #18),

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increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds during the PM peak hour under 2035 conditions. The recommended mitigation measures would require additional right-of-way, removal of on-street parking, and/or demolition of existing pedestrian bulbouts, which is considered to be infeasible. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.

92. **Trans-21 (International Boulevard/High Street):** The development of the Coliseum District would contribute to LOS E operations at the International Boulevard/High Street, increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds during the PM peak hour under 2035 conditions. The recommended mitigation measures would require additional right-of-way, and/or removing the planned BRT bus lane, which is considered to be infeasible. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
93. **Trans-22 (International Boulevard/Havenscourt Boulevard):** The development of the Coliseum District would contribute to LOS E operations at the International Boulevard/Havenscourt Boulevard, increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds during the PM peak hour under 2035 conditions. The recommended mitigation measures would require additional right-of-way, and/or removing the planned bicycle and BRT facilities, which is considered to be infeasible. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
94. **Trans-23 (East 12th Street/Fruitvale Avenue):** The development of the Coliseum District would increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more at the East 12th Street/Fruitvale Avenue during the weekday AM peak hour, which would operate at LOS F under 2035 conditions. The recommended mitigation measures would require additional right-of-way, which is considered to be infeasible. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
95. **Trans-24 (San Leandro Street/East 10th Street/Fruitvale Avenue):** The development of the Coliseum District would increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more at the San Leandro Street/East 10th Street/Fruitvale Avenue during the weekday PM peak hour which would operate at LOS F under 2035 conditions. The recommended mitigation measures would require additional right-of-way, which is considered to be infeasible. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
96. **Trans-25 (San Leandro Street/66th Avenue):** The development of the Coliseum District would degrade the San Leandro Street/66th Avenue from LOS E to LOS F, increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds during the weekday AM peak hour which would operate at LOS E; the development would also increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more during the weekday PM peak hour which would operate at LOS F

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under 2035 Plus Coliseum District conditions. Implementation of Mitigation Trans-25, which is the implementation of Mitigation Trans-4 at the San Leandro Street/66th Avenue intersection, could reduce the magnitude of this impact but the intersection would continue to operate at LOS F during both weekday AM and PM peak hours. Further mitigation measures that would improve traffic operations at the intersection would require additional right-of-way, and are considered to be infeasible. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.

97. **Trans-26 (San Leandro Street/Hegenberger Road Off-Ramp/75th Avenue):** The development of the Coliseum District would increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more at the San Leandro Street/Hegenberger Road Off-Ramp/75th Avenue during the weekday PM peak hour which would operate at LOS F under 2035 conditions. Implementation of Mitigation Trans-26 including: converting signal operations for the left-turn lane on southbound San Leandro Street from permitted to protected operations, optimizing signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection), and coordinating the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group would reduce the magnitude of the impact. However, after implementation of Mitigation Trans-26, the intersection would continue to operate at LOS F and the increase in V/C ratio for a critical movement would remain more than 0.05. Further mitigation measures that would improve traffic operations at the intersection would require additional right-of-way, and are considered to be infeasible. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
98. **Trans-27 (San Leandro Boulevard/West Broadmoor Boulevard/Apricot Street/Park Street):** The development of the Coliseum District would cause the increase in average delay of more than 5 seconds on the worst approach for unsignalized intersections that operates at LOS E or F under No Project conditions at the San Leandro Boulevard/West Broadmoor Boulevard/Apricot Street/Park Street under 2035 Plus Coliseum District conditions. Implementation of Mitigation Trans-27 including: signaling the intersection providing actuated operations and coordinate the signal timing at this intersection with the adjacent intersections that are in the same signal coordination group could reduce this impact to a less than significant level. Because this intersection is under the jurisdiction of the City of San Leandro and any equipment or facility upgrades must be approved by the City of San Leandro, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
99. **Trans-28 (San Leandro Boulevard/Best Avenue/Park Street):** The development of the Coliseum District would cause the increase in average delay of more than 5 seconds on the worst approach for unsignalized intersections that operates at LOS E or F under No Project conditions at the San Leandro Boulevard/Best Avenue/Park Street under 2035 Plus Coliseum District conditions. Implementation of Mitigation Trans-28, which is the implementation of Mitigation Trans-5 at the San Leandro Boulevard/Best Avenue/Park Street intersection, could reduce this impact to a less than significant level. Because this intersection is under the jurisdiction of the City of San Leandro and any equipment or facility upgrades must be approved by the City of San Leandro, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is

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conservatively considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.

100. **Trans-29 (San Leandro Boulevard/Davis Street):** The development of the Coliseum District would increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds during the PM peak hour which would operate at LOS E under 2035 Plus Coliseum District conditions at the San Leandro Boulevard/Davis Street. Implementation of Mitigation Trans-29, restripe the northbound San Leandro Boulevard approach to add an exclusive right-turn lane at the San Leandro Boulevard/Davis Street intersection, which is consistent with the mitigation measure identified in the *AC Transit East Bay BRT Project Final EIS/EIR* (January 2012) at this intersection, could reduce this impact to a less than significant level. Because this intersection is under the jurisdiction of the City of San Leandro and any equipment or facility upgrades must be approved by the City of San Leandro, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
101. **Trans-30 (Coliseum Way/I-880 Northbound Ramps/42nd Avenue):** The development of the Coliseum District would degrade the intersection from LOS E to LOS F, increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds at the Coliseum Way/I-880 Northbound Ramps/42nd Avenue during the weekday AM peak hour under 2035 Plus Coliseum District conditions. The recommended mitigation measures would require additional right-of-way, which is considered to be infeasible. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
102. **Trans-31 (Coliseum Way/High Street):** The development of the Coliseum District would contribute to LOS E operations at the Coliseum Way/High Street during the AM peak hour and increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds; the development would also increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more during the weekday PM peak hour which would operate at LOS F under 2035 conditions. Implementation of Mitigation Trans-31 including: restriping the northbound Coliseum Way approach to provide one shared left/through lane and one right-turn lane, optimizing signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection), and coordinating the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group could reduce the magnitude of the impact. Because this intersection is under the jurisdiction of Caltrans and any equipment or facility upgrades must be approved by Caltrans, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
103. **Trans-32 (Oakport Street/I-880 Southbound Ramps/High Street):** The development of the Coliseum District would degrade the intersection from LOS D to LOS E and increase total intersection average vehicle delay by four or more seconds at the Oakport Street/I-880 Southbound Ramps/High Street during the weekday PM peak hour under 2035 Plus Coliseum District conditions.

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Implementation of Mitigation Trans-32 including: converting the southbound I-880 Southbound Off-Ramp approach to provide one left-turn lane, two through lanes, and one right-turn lane; optimizing signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection); and coordinating the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group could reduce this impact to a less than significant level. Because this intersection is under the jurisdiction of Caltrans and any equipment or facility upgrades must be approved by Caltrans, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.

104. **Trans-33 (Fernside Boulevard/High Street/Gibbons Drive):** The development of the Coliseum District would increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more during the weekday AM peak hour which would operate at LOS F; and increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds during the PM peak hour which would operate at LOS E under 2035 Plus Coliseum District conditions at the Fernside Boulevard/High Street/Gibbons Drive intersection. Implementation of Mitigation Trans-33, which is the implementation of Mitigation Measure Trans-8 at the Fernside Boulevard/High Street/ Gibbons Drive intersection, could reduce this impact to a less than significant level. Because this intersection is under the jurisdiction of the City of Alameda and any equipment or facility upgrades must be approved by the City of Alameda, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.

105. **Trans-34 (Fernside Boulevard/Otis Drive):** The development of the Coliseum District would increase the average delay for a critical movement by six or more seconds during the AM peak hour which would operate at LOS E under 2035 Plus Coliseum District conditions at the Fernside Boulevard/Otis Drive intersection. Implementation of Mitigation Trans-34, which is the implementation of Mitigation Measure Trans-9 at the Fernside Boulevard/Otis Drive intersection, could reduce this impact to a less than significant level. Because this intersection is under the jurisdiction of the City of Alameda and any equipment or facility upgrades must be approved by the City of Alameda, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.

106. **Trans-35 (Frontage Road/SR 13 Northbound On-Ramp/Mountain Boulevard):** Plan Buildout would add more than 10 peak-hour trips to the Frontage Road/SR 13 Northbound On-Ramp/Mountain Boulevard which would meet peak hour signal warrant under 2035 Plus Specific Plan Buildout conditions. Implementation of Mitigation Trans-35, which is the implementation of Mitigation Measure Trans-10 at the Frontage Road/SR 13 Northbound On-Ramp/Mountain Boulevard intersection, could reduce this impact to a less than significant level. Because this intersection is under the jurisdiction of Caltrans and any equipment or facility upgrades must be approved by Caltrans, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and

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unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.

107. **Trans-36 (Kuhnle Avenue/Mountain Boulevard/I-580 Westbound Off-Ramp)**: Plan Buildout would add more than 10 peak-hour trips to the Kuhnle Avenue/Mountain Boulevard/I-580 Westbound Off-Ramp which would meet peak hour signal warrant under 2035 Plus Specific Plan Buildout conditions. Implementation of Mitigation Trans-36, which is the implementation of Mitigation Measure Trans-1 at the Kuhnle Avenue/Mountain Boulevard/I-580 Westbound Off-Ramp intersection, could reduce this impact to a less than significant level. Because this intersection is under the jurisdiction of Caltrans and any equipment or facility upgrades must be approved by Caltrans, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
108. **Trans-37 (Sunnymere Avenue/Kuhnle Avenue/Seminary Avenue/I-580 Eastbound On-Ramp)**: Plan Buildout would add more than 10 peak-hour trips to the Sunnymere Avenue/Kuhnle Avenue/Seminary Avenue/I-580 Eastbound On-Ramp which would meet peak hour signal warrant under 2035 Plus Specific Plan Buildout conditions. Implementation of Mitigation Trans-37, which is the implementation of Mitigation Measure Trans-2 at the Sunnymere Avenue/Kuhnle Avenue/Seminary Avenue/I-580 Eastbound On-Ramp intersection, could reduce this impact to a less than significant level. Because this intersection is under the jurisdiction of Caltrans and any equipment or facility upgrades must be approved by Caltrans, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
109. **Trans-38 (Seminary Avenue/Overdale Avenue/I-580 Eastbound/SR 13 Southbound Off Ramp)**: Plan Buildout would add more than 10 peak-hour trips to the Seminary Avenue/Overdale Avenue/I-580 Eastbound/SR 13 Southbound Off Ramp which would meet peak hour signal warrant under 2035 Plus Specific Plan Buildout conditions. Implementation of Mitigation Trans-38, which is the implementation of Mitigation Measure Trans-3 at the Seminary Avenue/Overdale Avenue/I-580 Eastbound/SR 13 Southbound off ramp intersection, could reduce this impact to a less than significant level. Because this intersection is under the jurisdiction of Caltrans and any equipment or facility upgrades must be approved by Caltrans, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
110. **Trans-40 (MacArthur Boulevard/Foothill Boulevard/73rd Avenue)**: Plan Buildout would degrade the MacArthur Boulevard/ Foothill Boulevard/73rd Avenue from LOS E to LOS F, increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds during the PM peak hour under 2035 conditions. The recommended mitigation measures would require additional right-of-way, which is considered to be infeasible. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.

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111. **Trans-41 (Foothill Boulevard/14th Avenue)**: Plan Buildout would degrade intersection operations from LOS C to LOS E and increase total intersection average vehicle delay by four or more seconds during the AM peak hour at the Foothill Boulevard/14<sup>th</sup> Avenue under 2035 conditions. The recommended mitigation measures would require additional right-of-way, which is considered to be infeasible. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
112. **Trans-42 (Foothill Boulevard/Fruitvale Avenue)**: Plan Buildout would increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more at Foothill Boulevard/Fruitvale Avenue during both weekday AM and PM peak hours which would operate at LOS F under 2035 conditions. The recommended mitigation measures would require additional right-of-way, and/or demolition of existing pedestrian bulbouts, which is considered to be infeasible. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
113. **Trans-43 (Foothill Boulevard/Coolidge Avenue)**: Plan Buildout would degrade intersection operations from LOS D to LOS E and increase total intersection average vehicle delay by four or more seconds during the AM peak hour at the Foothill Boulevard/Coolidge Avenue, and contribute to LOS E operations, increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds during the PM peak hour under 2035 conditions. The recommended mitigation measures would require additional right-of-way, removing on-street parking, and/or demolition of existing pedestrian bulbouts, which is considered to be infeasible. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
114. **Trans-47 (Bancroft Avenue / Havenscourt Boulevard)**: Plan Buildout would degrade intersection operations from LOS D to LOS E during the PM peak hour and increase total intersection average vehicle delay by four or more seconds at the Bancroft Avenue / Havenscourt Boulevard under 2035 conditions. The recommended mitigation measures would require additional right-of-way, removing planned Class 2 bicycle lanes, and/or removing on-street parking, which is considered to be infeasible. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
115. **Trans-49 (International Boulevard/Fruitvale Avenue)**: Plan Buildout would degrade intersection operations from LOS D to LOS E and increase total intersection average vehicle delay by four or more seconds during the AM peak hour, and contribute to LOS E operations during the PM peak hour and increase the average delay for a critical movement by six or more seconds at the International Boulevard/Fruitvale Avenue intersection under 2035 conditions. The recommended mitigation measures would require additional right-of-way, and/or removing the planned BRT bus lane, which is considered to be infeasible. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
116. **Trans-50 (International Boulevard/High Street)**: Plan Buildout would contribute to LOS E operations at the International Boulevard/High Street, increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds

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during the PM peak hour under 2035 conditions. The recommended mitigation measures would require additional right-of-way, and/or removing the planned BRT bus lane, which is considered to be infeasible. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.

117. **Trans-51 (International Boulevard/Havenscourt Boulevard):** Plan Buildout would contribute to LOS E operations at the International Boulevard/Havenscourt Boulevard, increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds during the PM peak hour under 2035 conditions. The recommended mitigation measures would require additional right-of-way, and/or removing the planned bicycle and BRT facilities, which is considered to be infeasible. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
118. **Trans-52 (East 12th Street/Fruitvale Avenue):** Plan Buildout would increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more at the East 12th Street/Fruitvale Avenue during both weekday AM and PM peak hours which would operate at LOS F under 2035 conditions. The recommended mitigation measures would require additional right-of-way, which is considered to be infeasible. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
119. **Trans-53 (San Leandro Street/East 10th Street/Fruitvale Avenue):** Plan Buildout would degrade intersection operations from LOS D to LOS E and increase total intersection average vehicle delay by four or more seconds the San Leandro Street/East 10th Street/Fruitvale Avenue during the AM peak hour, and increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more during the weekday PM peak hour which would operate at LOS F under 2035 conditions. The recommended mitigation measures would require additional right-of-way, which is considered to be infeasible. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
120. **Trans-54 (San Leandro Street/High Street):** Plan Buildout would degrade intersection operations from LOS C during the AM peak hour and LOS D during the PM peak hour to LOS E during both AM and PM peak hours and increase total intersection average vehicle delay by four or more seconds San Leandro Street/High Street under 2035 conditions. The recommended mitigation measures would require additional right-of-way, which is considered to be infeasible. This conclusion is consistent with the findings of the *Central Estuary Implementation Guide Supplemental EIR* (November 2012) at this intersection. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
121. **Trans-55 (San Leandro Street/66th Avenue):** Plan Buildout would degrade the San Leandro Street/66th Avenue from LOS E to LOS F, increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds during the weekday AM peak hour which would operate at LOS E; the development would also increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical

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movement by 0.05 or more during the weekday PM peak hour which would operate at LOS F under 2035 Plus Specific Plan Buildout conditions. Implementation of Mitigation Trans-55, which is the implementation of Mitigation Trans-4 at the San Leandro Street/66<sup>th</sup> Avenue intersection, would reduce the magnitude of the impact. However, after implementation of this measure the intersection would continue to operate at LOS F during both weekday AM and PM peak hours. Further mitigation measures that would improve traffic operations at the intersection would require additional right-of-way, and are considered to be infeasible. Therefore, this impact is considered significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.

122. **Trans-56 (San Leandro Street/Hegenberger Road Off-Ramp/75th Avenue)**: Plan Buildout would degrade intersection operations from LOS C to LOS E and increase total intersection average vehicle delay by four or more seconds the San Leandro Street/Hegenberger Road Off-Ramp/75th Avenue during the AM peak hour, and increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more during the weekday PM peak hour which would operate at LOS F under 2035 conditions. Implementation of Mitigation Trans-56 (which is implementation of Mitigation Trans-26 at the San Leandro Street/ Hegenberger Road Off-Ramp/75th Avenue intersection) will reduce the magnitude of the impact, but the intersection would continue to operate at LOS E during the AM peak hour and LOS F during the PM peak hour. Traffic operations at the intersection can be further improved by providing additional automobile travel lanes, such as third through lanes on northbound and/or southbound San Leandro Street. However, these modifications cannot be accommodated within the existing automobile right-of-way and would require additional right-of-way, and are considered to be infeasible. Therefore, the impact would remain significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.
123. **Trans-57 (San Leandro Street/85th Avenue)**: Plan Buildout would degrade intersection operations from LOS D to LOS E and increase total intersection average vehicle delay by four or more seconds during the PM peak hour at the San Leandro Street/85th Avenue under 2035 conditions. Traffic operations at the intersection can be improved by providing additional automobile travel lanes, such as a third through lane on northbound or southbound San Leandro Street. However, these modifications cannot be accommodated within the existing automobile right-of-way and would require additional right-of-way, and are considered to be infeasible. Therefore, the impact would remain significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.
124. **Trans-58 (San Leandro Street/98th Avenue)**: Plan Buildout would degrade intersection operations from LOS D to LOS E and increase total intersection average vehicle delay by four or more seconds during the PM peak hour at the San Leandro Street/98th Avenue under 2035 conditions. Traffic operations at the intersection can be improved by providing additional automobile travel lanes, such as a third through lane on eastbound or westbound High Street. However, these modifications cannot be accommodated within the existing automobile right-of-way and would require additional right-of-way, and are considered to be infeasible. Therefore, the impact would remain significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.

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125. **Trans-59 (San Leandro Boulevard/West Broadmoor Boulevard/Apricot Street/Park Street)**: Plan Buildout would cause the increase in average delay of more than 5 seconds on the worst approach for unsignalized intersections that operates at LOS E or F under No Project conditions at the San Leandro Boulevard/West Broadmoor Boulevard/Apricot Street/Park Street (Intersection #66) under 2035 Plus Specific Plan Buildout conditions. With implementation of Mitigation Trans-59 (which is implementation of Mitigation Trans-27 at the San Leandro Boulevard/West Broadmoor Boulevard/Apricot Street /Park Street intersection) the intersection would improve to LOS A during both weekday AM and PM peak hours and reduce the impact to a less than significant level. Because this intersection is under the jurisdiction of San Leandro and any equipment or facility upgrades must be approved by San Leandro, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.
126. **Trans-60 (San Leandro Boulevard/Best Avenue/Park Street)**: Plan Buildout would cause the increase in average delay of more than 5 seconds on the worst approach for unsignalized intersections that operates at LOS E or F under No Project conditions at the San Leandro Boulevard/Best Avenue/Park Street under 2035 Plus Specific Plan Buildout conditions. With implementation of Mitigation Trans-60 (which is implementation of Mitigation Trans-5 at the San Leandro Boulevard/Best Avenue/Park Street intersection) the intersection would improve to LOS B during both weekday AM and PM peak hours and reduce the impact to a less than significant level. Because this intersection is under the jurisdiction of San Leandro and any equipment or facility upgrades must be approved by San Leandro, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.
127. **Trans-61 (San Leandro Boulevard/Davis Street)**: Plan Buildout would increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds during the PM peak hour which would operate at LOS E under 2035 Plus Specific Plan Buildout conditions at the San Leandro Boulevard/Davis Street. With implementation of Mitigation Trans-61 (which is implementation of Mitigation Trans-29 at the San Leandro Boulevard/Davis Street intersection) the intersection would continue to operate at LOS D during the AM peak hour and LOS E during the weekday PM peak hour, but would reduce the increase in total intersection delay to less than four seconds and the increase in delay for critical movements to less than six seconds, reducing the impact to a less than significant level. Because this intersection is under the jurisdiction of San Leandro and any equipment or facility upgrades must be approved by San Leandro, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.
128. **Trans-62 (San Leandro Boulevard/Marina Boulevard)**: Plan Buildout would cause the San Leandro Boulevard/Marina Boulevard to degrade from LOS D to LOS E during the PM peak hour under 2035 Plus Specific Plan Buildout conditions. In addition, Plan Buildout would increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds during the PM peak hour. Implementation of Mitigation Trans-62

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(which is implementation of Mitigation Trans-6 at the San Leandro Boulevard/Marina Boulevard intersection) would improve operations to LOS D during both weekday AM and PM peak hours and reduce the impact to a less than significant level based on both San Leandro and Oakland's thresholds of significance. Because this intersection is under the jurisdiction of San Leandro and any equipment or facility upgrades must be approved by San Leandro, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.

129. **Trans-63 (Coliseum Way/I-880 Northbound Ramps/42nd Avenue):** Plan Buildout would degrade the intersection from LOS E to LOS F, increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds at the Coliseum Way/I-880 Northbound Ramps/42nd Avenue during the weekday AM peak hour under 2035 Plus Specific Plan Buildout conditions. Traffic operations at the intersection can be improved by providing additional automobile travel lanes, such as a third through lane on northbound Coliseum Way or eastbound 42nd Avenue. However, these modifications cannot be accommodated within the existing automobile right-of-way and would require additional right-of-way, and are considered to be infeasible. Therefore, the impact would remain significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.
130. **Trans-64 (Coliseum Way/High Street):** Plan Buildout would contribute to LOS E operations at the Coliseum Way/High Street during the AM peak hour and increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds; the development would also increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more during the weekday PM peak hour which would operate at LOS F under 2035 conditions. Implementation of Mitigation Trans-64 (which is implementation of Mitigation Trans-31 at the Coliseum Way/High Street intersection) would improve operations to LOS D during the weekday AM peak hour and LOS F during the PM peak hour. The mitigation measure would reduce the increase in the total intersection V/C ratio to less than 0.03 and the increase in V/C ratio for a critical movement to less than 0.05 and therefore reduce the impact to a less than significant level. Because this intersection is under the jurisdiction of Caltrans and any equipment or facility upgrades must be approved by Caltrans, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.
131. **Trans-65 (Oakport Street/I-880 Southbound Ramps/High Street):** Plan Buildout would degrade the intersection from LOS D to LOS E or LOS F, and increase total intersection average vehicle delay by four or more seconds at the Oakport Street/I-880 Southbound Ramps/High Street during both weekday AM and PM peak hours under 2035 Plus Specific Plan Buildout conditions. Implementation of Mitigation Trans-65 (which is implementation of Mitigation Trans-32 at the Oakport Street/I-880 Southbound Ramps/High Street intersection) would improve operations to LOS D during the weekday AM peak hour and LOS E during the PM peak hours. Traffic operations at the intersection can be further improved by providing additional automobile travel lanes, such as an additional through lane on eastbound or westbound High Street. However, these modifications cannot be accommodated within the existing automobile right-of-way and would require additional right-of-way, and are considered to be infeasible. Because this intersection is under the jurisdiction of Caltrans

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and any equipment or facility upgrades must be approved by Caltrans, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.

132. **Trans-67 (Hegenberger Road/I-880 Southbound Off-Ramp):** Plan Buildout would degrade intersection operations from LOS D to LOS F and increase total intersection average vehicle delay by four or more seconds during the AM peak hour at the Hegenberger Road/I-880 Southbound Off-Ramp under 2035 conditions. Implementation of Mitigation Trans-67, including restripe the southbound I-880 Off-Ramp approach from two exclusive right turn lanes and two exclusive left-turn lanes to two exclusive right turn lanes, one shared left/right-turn lane, and one exclusive left-turn lane; optimize signal timing; and coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group would improve operations to LOS D during the weekday AM peak hour and reduce the impact to a less than significant level. Because this intersection is under the jurisdiction of Caltrans and any equipment or facility upgrades must be approved by Caltrans, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.
133. **Trans-68 (Fernside Boulevard / Blanding Avenue / Tilden Way):** Plan Buildout would contribute to LOS F operations at the Fernside Boulevard/Blanding Avenue/Tilden Way and increase total intersection volume by three percent or more during the AM peak hour under 2035 conditions. In addition, Plan Buildout would increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more during both weekday AM and PM peak hours which would operate at LOS F under 2035 conditions. Implementation of Mitigation Trans-68, including add a left-turn on the northbound Fernside Boulevard approach so that the approach would provide one left-turn lane, one through lane and one right-turn lane; add a left turn lane to provide on the southbound Blanding Avenue approach so that the approach would provide one left-turn lane, one through lane and one right-turn lane; update traffic signal equipment to convert northbound/southbound left-turn operations from split phasing to protected phasing; optimize signal timing; and coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group could improve this intersection to LOS E during both weekday AM and PM peak hours and reduce the impact to a less than significant level based on both City of Alameda and City of Oakland thresholds of significance. Because this intersection is under the jurisdiction of the City of Alameda and any equipment or facility upgrades must be approved by the City of Alameda, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.
134. **Trans-69 (Fernside Boulevard/High Street/Gibbons Drive):** Plan Buildout would degrade operations from LOS E to LOS F at the Fernside Boulevard/ High Street/Gibbons Drive and increase total intersection volume by three percent or more during the PM peak hour under 2035 conditions. In addition, Plan Buildout would increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more during the weekday AM peak hour which would operate at LOS F under 2035 conditions, and increase the total intersection average delay by

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four seconds or more, and increase the average delay for a critical movement by six or more seconds during the PM peak hour. Even with implementation of Mitigation Trans-69 (which is implementation of Mitigation Trans-8 at the Fernside Boulevard/High Street/Gibbons Drive intersection), the intersection would continue to operate at LOS F during the AM peak hour and LOS E during the PM peak hour. However, intersection delay would be reduced to less than 2035 No Project levels, reducing the impact to a less than significant level based on both City of Alameda and City of Oakland thresholds of significance. Because this intersection is under the jurisdiction of the City of Alameda and any equipment or facility upgrades must be approved by the City of Alameda, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.

135. **Trans-70 (Fernside Boulevard/Otis Drive)**: Plan Buildout would increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds during the AM peak hour which would operate at LOS E under 2035 conditions at the Fernside Boulevard/Otis Drive intersection. Implementation of Mitigation Trans-9 at the Fernside Boulevard/Otis Drive intersection would improve to LOS B during the weekday AM peak hour and LOS C during the weekday PM peak hour, and could reduce the impact to a less than significant level. Because this intersection is under the jurisdiction of the City of Alameda and any equipment or facility upgrades must be approved by the City of Alameda, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.
136. **Trans-71 (Hegenberger Road/Hegenberger Court/Edgewater Drive)**: Plan Buildout would contribute to LOS E operations at the Hegenberger Road/Hegenberger Court/Edgewater Drive during the AM peak hour and increase the total intersection average delay by four seconds or more, and increase the average delay for a critical movement by six or more seconds; the development would also degrade intersection operations from LOS D to LOS F and increase total intersection average vehicle delay by four or more seconds during the PM peak hour under 2035 conditions. Implementation of Mitigation Trans-71, including add a right-turn lane on the southbound Edgewater Drive approach; restripe the northbound Hegenberger Court approach to provide one left-turn lane, and one shared through/right-turn lane; convert traffic operations on the north/south approaches from split phasing to protected phasing; optimize signal timing ; and coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group, could reduce this impact. However, even after implementation of this measure, the intersection would continue to operate at LOS F during both AM and PM peak hours. Traffic operations at the intersection can be improved by providing additional automobile travel lanes, such as a third left-turn lane on southbound Edgewater Drive, and a fifth through lane on westbound Hegenberger Road. However, these modifications cannot be accommodated within the existing automobile right-of-way and would require additional right-of-way, and are considered to be infeasible. Therefore, the impact would remain significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.
137. **Trans-73 (Airport Access Road/98th Avenue)**: Plan Buildout would degrade intersection operations from LOS D to LOSE and increase total intersection average vehicle delay by four or more

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seconds during the PM peak hour at the Airport Access Road/98th Avenue under 2035 conditions. Traffic operations at the intersection can be improved by providing additional automobile travel lanes, such as a fourth through lane on eastbound or westbound 98th Avenue. However, these modifications cannot be accommodated within the existing automobile right-of-way and would require additional right-of-way, and are considered to be infeasible. Therefore, the impact would remain significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.

138. **Trans-74 (Island Drive/Otis Drive/Doolittle Drive):** Plan Buildout would increase the total intersection V/C ratio by 0.03 or more and increase the V/C ratio for a critical movement by 0.05 or more during the weekday AM peak hour which would operate at LOS F under 2035 conditions at the Island Drive/Otis Drive/Doolittle Drive. Implementation of Mitigation Trans-74, including add a left-turn lane to the westbound Doolittle Drive approach so the approach would provide two left-turn lanes and two through lanes; optimize signal timing; and coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group could reduce this impact to a less than significant level. Because this intersection is under the jurisdiction of the City of Alameda and any equipment or facility upgrades must be approved by the City of Alameda, the City of Oakland does not have jurisdiction at this intersection and the City cannot ensure its implementation. This impact is conservatively considered significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.
139. **Trans-75 (Freeway Impacts with Coliseum District Traffic):** The proposed Coliseum District development would degrade from LOS E or better to LOS F, or increase the freeway volume by three percent more, for the following freeway segments operating at LOS F:
- a) the weave section on northbound I-880 from 98th Avenue to Hegenberger Road during the PM peak hour under 2035 conditions;
  - b) the diverge section on southbound I-880 at 42nd Avenue/High Street Off-Ramp during the PM peak hour under 2035 conditions;
  - c) the merge section on southbound I-880 at eastbound 98th Avenue On-Ramp during the PM peak hour under 2035 conditions; and
  - d) the diverge section on southbound I-880 at Davis Street Off-Ramp during the PM peak hour under 2035 conditions.

The Coliseum Area Specific Plan includes policies and strategies that encourage walking, biking and transit that would reduce the Project vehicle trip generation and reduce the magnitude of the impact on freeway operations, but the effectiveness of these policies and strategies cannot be accurately estimated. No feasible mitigation measures are available that would mitigate the Project impacts at the adversely affected freeway segments. Operations at these freeway segments can be improved by providing additional automobile travel lanes. However, additional travel lanes cannot be accommodated within the existing automobile right-of-way and would require additional right-of-way. In addition, all freeway segments are under the jurisdiction of Caltrans. City of Oakland, as lead agency, does not have jurisdiction on freeway segment. Thus, all mitigations would need to be

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approved and implemented by Caltrans. Therefore, the impact is considered significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.

140. **Trans-76 (CMP Roadway Congestion with Coliseum District Traffic)** : The proposed Coliseum District development would degrade from LOS E or better to LOS F or increase the V/C ratio by 0.03 or more for segments operating at LOS F on CMP or MTS roadway segments including:
- a) northbound I-880 from Marina Boulevard to Hegenberger Road and from High Street to 29th Avenue in 2020, and from Marina Boulevard to 66th Avenue and from High Street to 29th Avenue in 2035;
  - b) southbound I-880 from 29th Avenue to 66th Avenue in 2020, and from 29th Avenue to High Street in 2035;
  - c) eastbound Hegenberger Road from I-880 Southbound Off-Ramp to Coliseum Way/ Edes Avenue in 2020, and from I-880 Southbound Off-Ramp to Coliseum Way/Edes Avenue and from San Leandro Street to International Boulevard in 2035;
  - d) westbound Hegenberger Road from I-880 Southbound Off-Ramp to Doolittle Drive in 2035; northbound San Leandro Street from 73rd Avenue to Seminary Avenue and from 50th Avenue to High Street in 2020, and from 81st Avenue to High Street in 2035; southbound San Leandro Street from Seminary Avenue to 73rd Avenue in 2020 and 2035;
  - e) northbound International Boulevard from 73rd Avenue to Havenscourt Boulevard in 2020 and 2035; southbound International Boulevard from 42nd Avenue to High Street and from 66th Avenue to Havenscourt Boulevard in 2020, and from 23rd Avenue to Fruitvale Avenue in 2035; and eastbound 98th Avenue between Edes Avenue and San Leandro Street in 2035.

Mitigation Measures Trans-4, Trans-26, Trans-68, Trans-72, and Trans-73 (which improve intersection operations) would reduce the magnitude of the identified impact such that traffic operations along some of the adversely affected roadway segments would improve, but would continue to operate at LOS F after implementation of these mitigation measures. Implementation of Specific Plan strategies that encourage walking, biking and transit, including a TDM program would also reduce the Project's vehicle trip generation and reduce the magnitude of this impact. However, no other feasible mitigation measures are available that would mitigate the Project impacts at the adversely affected roadway segments. The LOS at these roadway segments can be improved by providing additional automobile travel lanes on the affected roadway segments. However, additional travel lanes cannot be accommodated within the existing automobile right-of-way and would require additional right-of-way, and/or loss of bicycle lanes, medians and/or on-street parking or narrowing of existing sidewalks, and are considered to be infeasible. Therefore, the impact would remain significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.

141. **Trans-77 (Freeway Impacts at Buildout)**: Development under Plan Buildout would degrade from LOS E or better to LOS F, or increase the freeway volume by three percent more, for several freeway segments on I-880 operating at LOS F. The Coliseum Area Specific Plan includes policies and

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strategies that encourage walking, biking and transit that would reduce the Project vehicle trip generation and reduce the magnitude of the impact on freeway operations, but the effectiveness of these policies and strategies cannot be accurately estimated. No feasible mitigation measures are available that would mitigate the Project impacts at the adversely affected freeway segments. Operations at these freeway segments can be improved by providing additional automobile travel lanes. However, additional travel lanes cannot be accommodated within the existing automobile right-of-way and would require additional right-of-way. In addition, all freeway segments are under the jurisdiction of Caltrans. City of Oakland, as lead agency, does not have jurisdiction on freeway segment. Thus, all mitigations would need to be approved and implemented by Caltrans. Therefore, the impact is considered significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.

142. **Trans-78 (CMP Roadway Congestion at Buildout):** The development under the Specific Plan would degrade from LOS E or better to LOS F or increase the V/C ratio by 0.03 or more for segments operating at LOS F on CMP or MTS roadway segments including:
- a) eastbound I-580 between Keller Avenue and Golf Links Road in 2020; northbound I-880 from Marina Boulevard to 29th Avenue in 2020 and 2035,
  - b) southbound I-880 from 29th Avenue to Hegenberger Road and from 98th Avenue to Davis Street in 2020 and 2035;
  - c) northbound Doolittle Drive (SR 61) from Davis Street to Harbor Bay Parkway in 2020 and 2035;
  - d) southbound Doolittle Drive (SR 61) from Airport Drive to Davis Street in 2020 and from Hegenberger Road to Davis Street in 2035;
  - e) eastbound Hegenberger Road from Airport Access Drive to Coliseum Way/Edes Avenue in 2020, and from Airport Access Drive to Coliseum Way/Edes Avenue and from San Leandro Street to Bancroft Avenue in 2035;
  - f) westbound Hegenberger Road from Edgewater Drive to Airport Access Drive in 2020, and from I-880 Southbound Off-Ramp to Doolittle Drive in 2035;
  - g) northbound San Leandro Street from 81st Avenue to Fruitvale Avenue in 2020, and from 85th Avenue to Fruitvale Avenue in 2035;
  - h) southbound San Leandro Street from Fruitvale Avenue to 73rd Avenue in 2020 and 2035;
  - i) northbound International Boulevard from 73rd Avenue to Havenscourt Boulevard and from Fruitvale Avenue to 23rd Avenue in 2020, and from 73rd Avenue to Havenscourt Boulevard, Seminary Avenue to High Street, and from 42nd Avenue to Fruitvale Avenue in 2035;
  - j) southbound International Boulevard from 42nd Avenue to 73rd Avenue and from Davis Street to Estudillo Avenue in 2020, and from 23rd Avenue to Fruitvale Avenue, from High Street to 73rd Avenue, and from Davis Street to Estudillo Avenue, in 2035;

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- k) eastbound 98th Avenue between Edes Avenue and San Leandro Street in 2035; and
- l) westbound 98th Avenue between I-880 Northbound Ramps and Airport Access Drive in 2035.

Mitigation Measures Trans-4, Trans-26, Trans-48, Trans-67, Trans-71, and Trans-72 (which improve intersection operations) would reduce the magnitude of the identified impact such that traffic operations along some of the adversely affected roadway segments would improve, but would continue to operate at LOS F after implementation of these mitigation measures. Implementation of Specific Plan strategies that encourage walking, biking and transit, including a TDM program would also reduce the Project's vehicle trip generation and reduce the magnitude of this impact. However, no other feasible mitigation measures are available that would mitigate the Project impacts at the adversely affected roadway segments. The LOS at these roadway segments can be improved by providing additional automobile travel lanes on the affected roadway segments. However, additional travel lanes cannot be accommodated within the existing automobile right-of-way and would require additional right-of-way, and/or loss of bicycle lanes, medians and/or on-street parking or narrowing of existing sidewalks, and are considered to be infeasible. Therefore, the impact would remain significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.

143. **Trans-80 (Special Event Traffic):** Special events at the new sports venues may result in significant impacts on event days. SCA Trans-3: Parking and Transportation Demand Management would apply to any new sports venue built under the proposed Project, and will requires the project applicant to create an approved Transportation and Parking Demand Management Plan designed to reduce vehicle trips and parking demand, which will reduce impacts to the roadway network. Additionally, Mitigation Trans-81 requires implement a special Event Traffic Management Plan to reduce the automobile trips generated by special events and better manage the traffic traveling to and from the new venues. The Event Traffic Management Plan shall consider plans for roadway closures and manual control of traffic before and after the games, way-finding plans with changeable message signs, collaboration with transit providers in the area to expand transit service for special events, promotional material for special events that encourage the use of transit, carpooling and other non-automobile travel modes, encouraging employees and spectators for special events to use non-automobile travel modes, bundling parking pricing into the ticket price to maximize efficiencies at parking entrances, coordinate parking management within the Project Area to maximize the use of available parking spaces during special events, operating buses between the Project Area and major transit destinations, providing pre-paid and discounted transit passes with all event tickets to encourage transit use; offering valet bicycle parking on event days, and studying possible applications of parking and road congestion pricing plans to discourage driving to events. These strategies would reduce automobile trip generation and parking demand generated by special events, but their effectiveness cannot be accurately estimated at this time because the particular strategies and the implementation details are not known. Therefore, this impact is conservatively identified as significant and unavoidable.

144. **Trans-85 (Rail Crossings):** Development under the proposed Project would generate substantial multi-modal traffic traveling across at-grade railroad crossings that cause or expose roadway users to a permanent and substantial transportation hazard. Implementation of SCA Trans-5: Railroad Crossings requires an analysis of potential queuing onto railroad tracks and requires application of measures to reduce potential adverse impacts. Implementation of Mitigation Trans-85A would require

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implementation of specific improvements rail crossing safety improvements along 66th Avenue (west side between Coliseum Way and San Leandro Street), at 66th Avenue/San Leandro Street, 69th Avenue/San Leandro Street, and 75th Avenue/San Leandro Street /Snell Street. Implementation of Mitigation Trans-85B requires measures to improve pedestrian safety along rail lines, including safety fencing and an additional open space buffer. However, any proposed improvements at rail crossings must be coordinated with California Public Utility Commission (CPUC) and affected railroads, and all necessary permits/approvals obtained. The installation of all identified safety mechanisms may not prove feasible, and approval by the CPUC or Railroad may not be obtained. Therefore, this impact is conservatively considered significant and unavoidable. This significant and unavoidable impacts is overridden as set forth below in the Statement of Overriding Considerations.

**XI. FINDINGS REGARDING ALTERNATIVES**

The City Council finds that specific economic, social, environmental, technological, legal and/or other considerations make infeasible the alternatives to the Project described in the EIR, for the reasons stated below. Despite the remaining significant unavoidable impacts, the Project should nevertheless be approved, as more fully set forth in Section XII below, Statement of Overriding Considerations.

The EIR evaluated a reasonable range of alternatives to the project that was described in the Draft EIR. Of the nine alternatives considered, five were not analyzed in detail as explained in the Draft EIR. The five alternatives that were not analyzed in detail in the Draft EIR include: a) the multiple alternative Coliseum District site designs that were considered during the Master Plan process; b) a new Stadium but no additional development within the Coliseum District; c) retaining the existing Coliseum and Arena as is, with no additional development; d) alternative site locations; and e) a fully mitigated alternative. The City Council adopts the EIR's analysis and conclusions eliminating these five alternatives from further consideration. Each reason given in the EIR for rejecting an alternative constitutes a separate and independent basis for finding that particular alternative infeasible, and, when the reasons are viewed collectively, provides an overall basis for rejecting an alternative as being infeasible.

The four potentially feasible alternatives analyzed in detail in the EIR represent a reasonable range of potentially feasible alternatives that reduce one or more significant impacts of the Project or provide decision makers with additional information. These alternatives include: Alternative #1, the No Project Alternative; Alternative #2, including several sub-variations on Fewer Sports and Entertainment Venues; Alternative #3, the Reduced Alternative; and Alternative #4, a Maximum Development Alternative.

The City Council certifies that it has independently reviewed and considered the information on the alternatives provided in the EIR and in the record. The EIR reflects the City Council's independent judgment as to alternatives. The City Council finds that the Project provides the best balance between the City's goals and objectives and the Project's benefits, as described in the Staff Report and in the Statement of Overriding Considerations below. While the Project may cause significant and unavoidable environmental impacts, mitigation measures and the City's SCAs identified in the EIR mitigate these impacts to the extent feasible. The five potentially feasible alternatives proposed and evaluated in the EIR are rejected for the following reasons. Each individual reason presented below constitutes a separate and independent basis to reject the project alternative as being infeasible, and, when the reasons are viewed collectively, provide an overall basis for rejecting the alternative as being infeasible.

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145. **Alternative 1: No Project:** Under the No Project Alternative, the Specific Plan would not be adopted, no changes in current General Plan land use designations, zoning or other regulatory measures would occur, and no overall redevelopment strategy would be put in place for the Coliseum District in a manner that entices and attracts the sports franchises to remain in Oakland. The expectations under the No Project Alternative are that all three professional sports teams will only remain within their existing venues until their individual leases expire and/or until they can identify alternative locations. Development that could be expected under the No Project Alternative would include a certain amount of regional-serving commercial development (consistent with the existing CR-1 zoning at the Coliseum District), development of as many as 1,645 housing units east of the Coliseum BART station (consistent with the existing S-15 transit-orient development zoning), and modest new development of light industrial, office and logistics uses west of the I-880 freeway. The No Project Alternative is rejected because it does not meet most of the basic Project objectives. The No Project Alternative would not:
- a) retain the existing sports teams or maximize the economic value for Oakland and Alameda County from these sports facilities;
  - b) create a regionally significant employment district to expand Oakland's ability to attract new businesses and to participate in the Bay Area's dynamic 'innovation economy';
  - c) leverage or enhance existing transit and transportation infrastructure, or create a model transit-oriented development consistent with regional growth policies pursuant to SB 375 or AB 32;
  - d) create a vibrant urban mixed-use district or attract a significant community of new residential and commercial uses;
  - e) create new open space, Bay access, or natural habitat enhancement;
  - f) provide a stabilizing guide for future development if one or more of the sports teams were to leave Oakland;
  - g) increase the underlying land values within the Coliseum Area to stimulate investment interest and enhance the feasibility of economic development;
  - h) create new sports or entertainment venues that are more appealing and which provide a greater visitor experience for fans and event patrons, nor increase the number of events held in each venue or increase the overall average attendance at each event or game;
  - i) establish a comprehensive site management program that can provide a high quality, well managed, safe and secure urban place or encourage high value tenants to occupy the site;
  - j) improve the quality or capacity of available transit infrastructure, or capitalize on the improved transit availability to positively influence the location decisions made by new workplace and housing developers in favor of Oakland;

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- k) enhance the overall economic value of the area or creating a regional sports, entertainment and retail destination capable of accommodating and attracting in excess of six million sports fans and event patrons each year;
- l) leverage any increase in sports and event attendance to further expand on-site retail and entertainment uses, or create a regionally significant urban place with opportunities for new housing, employment and economic investment;
- m) create active urban streets, walkable pedestrian-scaled urban districts, or architectural forms that establish a clear identity for “Coliseum City” and the surrounding area; or establish an urban form that connects to the adjacent East Oakland neighborhoods;
- n) increase the City of Oakland’s ability to capture a greater share of the positive growth and economic development that is projected for the region over the next 20 years, or fulfill either the Priority Development Area (PDA) designation or Oakland General Plan Land Use and Transportation Element designation of the Coliseum area as a “showcase district”.

The No Project Alternative would result in a reduced development program, thus reducing employment opportunities (both short-term construction jobs as well as permanent jobs) and revenue (sales, property and other taxes), and lessening economic development opportunities.

146. **Alternative #2: Fewer Sports and Entertainment Venues:** This Alternative and its sub-alternative variations assume that, irrespective of the multiple individual decisions made by the privately owned sport franchises, the City will move forward with adoption and implementation of the Coliseum Area Specific Plan. Under this Alternative, the City may elect to move forward with development scenarios for the Coliseum District that include all three new venues as proposed under the Project, or only 2 new venues, 1 new venue or even no new venues. The magnitude of residential, retail, and science and technology development expected to occur within the Coliseum District and pursuant to Plan Buildout will be similar to that anticipated under the Project. Given the flexible nature of the Specific Plan and its “trip budget” basis for accounting of new development densities and intensities, each of these sub-alternative variations is fully consistent with the Specific Plan. However, these alternatives were included as EIR alternatives so that the City of Oakland could decide, independent of the private business decisions of the sports franchises, to support and/or approve only 1, 2 or even no new sports venues based on environmental, economic or other factors. Alternative #2 and its lesser sub-alternative variations is rejected because it is not capable of reducing or substantially avoiding the majority of environmental impacts as indicated for the Project, it lessens the City’s ability to retain the maximum number of sports teams, and reduces the potential economic value that may accrue to Oakland and Alameda County derived from retaining all of the sports franchises.

147. **Alternative #3: Reduced Development.** The Reduced Alternative has a less strong vision of the site’s development potential, possibly reflecting a lower demand, less costly development types, and/or a determination by the City to reduce development potential as a means of reducing potential environmental effects. New residential development pursuant to the Reduced Alternative would occur in the same locations as is proposed under the Project, but at lower overall densities and reflecting lower building heights. The total amount of non-residential development pursuant to the Reduced Alternative is primarily a function of reduced building heights (i.e., lower FARs) as compared to the

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proposed Project, but with new building space generally occurring in the same locations as proposed under the Project. The Reduced Development Alternative was rejected as infeasible because:

- a) the reduction in commercial and industrial development would reduce the effectiveness of the Specific Plan's ability to create a regionally significant employment district and reduce Oakland's ability to attract new businesses and participate in the Bay Area's dynamic 'innovation economy';
- b) the reduced development program would lessen the City's ability to leverage and enhance existing transit and transportation infrastructure and create a model transit-oriented development consistent with regional growth policies pursuant to SB 375 or AB 32; would lessen the potential to create a vibrant urban mixed-use district or attract a significant community of new residential and commercial uses; and would reduce increases in the underlying land values within the Coliseum Area that might stimulate investment interest and enhance the feasibility of economic development;
- c) It would result in a reduced development program, thus reducing employment opportunities (both short-term construction jobs as well as permanent jobs) and revenues (sales, property and other taxes), lessening economic spin off activities and not promoting an appropriate jobs/housing balance; and
- d) Even with the reduced development, a number of air quality, biological resources, land use, noise and transportation impacts still remain significant and unavoidable.

148. **Alternative 4: Maximum Buildout Alternative:** The Maximum Buildout Alternative explores the potential of a theoretical maximum buildout of the area under the same land use and development policies as proposed under the Specific Plan, but maximizing the development potential for each Sub-Area based on the upper limit of development intensities. Within the Coliseum District, this development potential is based on maximizing the mode split assumptions underlying the Plan's proposed Trip Budget, and the buildout assumptions are based on the highest development potential possible within the surrounding areas. Based on 2010 Census data collected from Downtown Oakland and from Mission Bay in San Francisco, it is possible that substantial investments in transit improvements, coupled with an aggressive TDM program that might include parking reductions for on-site land uses, could achieve a much higher non-vehicle share of the overall transportation mode split – as high as 63% to 64% during the PM peak hour. To achieve this much more aggressive increase in non-vehicle mode split, all of non-vehicle mode split improvements identified in the Specific Plan would need to be implemented to maximizing the manner in which transportation modes interact to best serve the Coliseum District. Based on the Trip Budget of the Specific Plan, such an increased non-auto mode split could achieve a much greater level of development within the Coliseum District without exceeding the maximum PM peak hour trips permitted. The Project's definition of buildout for non-Coliseum District development already defines the Maximum Alternative. The potential for new redevelopment and growth within Sub-Areas B, C and D to exceed the amount of new building space as set forth in the Project is so highly unlikely, as be overly speculative. The Maximum Buildout Alternative is rejected as infeasible because a number of environmental impacts, including air quality, greenhouse gas emissions, growth inducement, public services and utilities, would be more severe than the Project. The maximum Buildout Alternative may be reconsidered at such time that substantial investments in transit improvements, coupled with an

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aggressive TDM program, can demonstrate achievement of a much higher non-vehicle share of the overall transportation mode split during the PM peak hour than was assumed for the Project.

**XII. STATEMENT OF OVERRIDING CONSIDERATIONS**

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

149. The Coliseum Area Specific Plan updates the goals and policies of the General Plan and provides more detailed guidance for specific areas within the Coliseum area.
150. The Coliseum Area Specific Plan is consistent with and further advances Oakland General Plan policies of the Land Use and Transportation Element; Open Space, Conservation and Recreation (OSCAR) Element, Historic Preservation Element, Safety Element, Housing Element; the Bicycle and Pedestrian Master Plan; the Estuary Policy Plan; and the Energy and Climate Action Plan.
151. The Coliseum Area Specific Plan builds upon prior Redevelopment Plan efforts and supports development of prospective desirable developments at the Coliseum BART Station.
152. The Coliseum Area Specific Plan increases the City of Oakland's ability to capture a greater share of the positive growth and economic development that is projected for the region over the next 20 years, consistent with broadly-defined regional growth policies as outlined in SB 375 and AB 32.
153. The Coliseum Area Specific Plan provides for the revitalization of existing land uses, and incentivizes prospective developments to enhance amenities in the East Oakland area. The Coliseum Area Specific Plan recommends General Plan and zoning amendments that provide a contemporary regulatory framework to facilitate continued development of the area into an attractive location for traditional and modern entertainment venues, and commercial and industrial businesses.
154. The Coliseum Area Specific Plan increases underlying land values within the Coliseum Area to stimulate investment interest and enhance the economic feasibility of the Specific Plan.
155. The Coliseum Area Specific Plan would create employment opportunities, both short-term construction jobs as well as permanent jobs, and would increase sales, property and other tax revenues to the City of Oakland and Alameda County.
156. The Coliseum Area Specific Plan development program promotes increased densities of housing in close proximity to transit and employment generating land uses, supporting the City and regional objectives for achieving a jobs/housing balance and transit-oriented development.

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157. The Coliseum Area Specific Plan provides the City's best potential to retain the existing sports teams, and to maximize the economic value for Oakland and Alameda County from these sports facilities.
158. The Coliseum Area Specific Plan anticipates creation of new sports and entertainment venues that are more appealing and which provide a greater visitor experience for fans and event patrons, thereby increasing the expected number of events held in each venue and increasing the overall average attendance at each event or game.
159. The Coliseum Area Specific Plan leverages the anticipated increase in sports and event attendance to further expand on-site retail and entertainment uses, creating a regionally significant urban place with opportunities for new housing, employment and economic investment.
160. The Coliseum Area Specific Plan provides a stabilizing guide for other future development of the Project Area should one or more sports franchises choose to relocate.
161. The Coliseum Area Specific Plan leverages and enhances the existing transit and transportation infrastructure, and creates a model transit-oriented development (TOD) consistent with regional growth policies of SB 375 and AB 32.
162. The Coliseum Area Specific Plan identifies important improvements in the quality and capacity of available transit infrastructure, and capitalizes on the improved transit availability to positively influence the location decisions made by new workplace and housing developers in favor of the Coliseum District.
163. The Coliseum Area Specific Plan provides guidelines for the creation of active urban streets, walkable pedestrian-scaled urban districts, and architectural forms that establish a clear identity for Coliseum City and the surrounding area. The overall urban strategy provides for the creation of an authentic sense of place and a quality of design, architecture, and landscape capable of redefining the area as a place where residents and tenants want to live and relocate.
164. The Coliseum Area Specific Plan includes policies and urban design guidelines which seek to better connect and link to the adjacent East Oakland neighborhoods, rather than creating an isolated 'island' of new development.

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**Title 17 PLANNING**

**Chapters:**

Chapter 17.101H - D-CO COLISEUM AREA DISTRICT ZONES REGULATIONS

**Chapter 17.101H D-CO COLISEUM AREA DISTRICT ZONES REGULATIONS**

**Sections:**

17.101H.010 Title, intent, and description.

17.101H.020 Required design review.

17.101H.030 Permitted and conditionally permitted activities.

17.101H.040 Permitted and conditionally permitted facilities.

17.101H.050 Property development standards.

17.101H.060 Special regulations applying to mixed-use developments on Bay Area Rapid Transit (BART) stations on sites with one (1) acre or more land area.

17.101H.070 Use permit criteria in the D-CO-1 Zone.

17.101H.080 Special regulations for large scale developments.

17.101H.090 Special regulations for Mini-lot and Planned Unit Developments.

17.101H.100 Other zoning provisions.

**17.101H.010 Title, intent, and description.**

A. Title and Intent. The provisions of this chapter shall be known as the D-CO Coliseum Area District Zones Regulations. The intent of the D-CO Zones is to:

1. Implement the Coliseum Area Specific Plan (CASP) in the Coliseum Plan Area;
2. Support retention of Oakland's professional sports teams, and the economic benefit of the sports teams and their facilities for the City of Oakland and Alameda County;
3. Allow for the consideration of residential, commercial, and mixed-use developments at high densities in designated locations in the Coliseum Plan Area;
4. Encourage the creation of a regionally significant jobs and employment center in the Coliseum Plan Area that builds on the area's prime transit-oriented and airport-adjacent location;
5. Establish development standards that allow a broad mix of uses to compatibly co-exist;

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6. Provide convenient access to public open space and the waterfront;
7. Improve access to the Coliseum Plan area's creeks, channels, and bay frontage, and provide recreational opportunities along these waterways;
8. Encourage quality and variety in building and landscape design, as well as compatibility in use and form; and
9. Encourage development that is respectful of the environmental qualities that the Coliseum Plan area has to offer.

B. Description of Zones. This Chapter establishes land use regulations for the following six (6) zones:

1. **D-CO-1 Coliseum Area Transit Oriented Development District Zone-1 (Coliseum BART/ San Leandro Street).** The D-CO-1 Zone is intended to create, preserve and enhance areas devoted primarily to serve multiple nodes of transportation and to feature high-density residential, commercial, and mixed-use developments, to encourage a balance of pedestrian-oriented activities, transit opportunities, and concentrated development; and encourage a safe and pleasant pedestrian environment near transit stations by allowing a mixture of residential, civic, commercial, and light industrial activities.
2. **D-CO-2 Coliseum Area Commercial District Zone-2 (Coliseum District).** The D-CO-2 Zone is intended to create, maintain and enhance areas that allow a broad mixture of residential, retail, commercial, office, and light industrial uses, and serve as region-drawing centers of sports, entertainment, and business activities.
3. **D-CO-3 Coliseum Area Commercial District Zone-3 (Oakport South / Hegenberger Road).** The D-CO-3 Zone is intended to create, maintain and enhance areas suitable for a wide variety of retail, commercial, and industrial operations along the Oakport Street and Hegenberger Road corridors, and in region-drawing centers of commercial, and light industrial activities.
4. **D-CO-4 Coliseum Area Commercial District Zone-4 (Edgewater North / Waterfront).** The D-CO-4 Zone is intended to create, maintain and enhance a mix of activities on or near the Northwest Edgewater Drive waterfront. This zone allows for the consideration of housing, if shown to be compatible in an area with a strong presence of commercial and industrial activities.
5. **D-CO-5 Coliseum Area Commercial Industrial Mix District Zone-5 (Edgewater South / Pardee Drive).** The D-CO-5 Zone is intended to create, preserve, and enhance areas near Pardee Drive and within the southern portion of the Airport Business Park that are appropriate for a wide variety of office, commercial, industrial, and logistics activities.
6. **D-CO-6 Coliseum Area Commercial Industrial Mix District Zone-6 (Oakport North).** The D-CO-6 Zone is intended to apply to commercial, industrial and institutional areas with strong locational advantages that make possible the attraction of higher intensity commercial and light industrial land uses and development types.

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**17.101H.020 Required design review.**

- A. Except for projects that are exempt from design review as set forth in Section 17.136.025, no Building Facility, Designated Historic Property, Potentially Designated Historic Property, Telecommunications Facility, Sign, or other associated structure shall be constructed, established, or altered in exterior appearance, unless plans for the proposal have been approved pursuant to the design review procedure in Chapter 17.136, and when applicable, the Telecommunications regulations in Chapter 17.128, or the Sign regulations in Chapter 17.104. Properties located within the Land Use Jurisdiction of the Port of Oakland, as amended, are subject to the Port's Land Use and Development Code, which supersedes the Oakland Planning Code in areas of the Port's jurisdiction.
- B. In addition to the design review criteria listed in Chapter 17.136, conformance with the design review guidelines in the Coliseum Area Specific Plan is required for any proposal in the D-CO zones subject to the design review procedure in Chapter 17.136.
- C. Where there is a conflict between the design review criteria contained in Chapter 17.136 and the design review guidelines contained in the Coliseum Area Specific Plan, the design objectives in the Coliseum Area Specific Plan shall prevail.

**17.101H.030 Permitted and conditionally permitted activities.**

Table 17.101H.01 lists the permitted, conditionally permitted, and prohibited activities in the D-CO zones. The descriptions of these activities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities.

"P" designates permitted activities in the corresponding zone.

"C" designates activities that are permitted only upon the granting of a Conditional Use permit (CUP) in the corresponding zone (see Chapter 17.134 for the CUP procedure).

"L" designates activities subject to certain limitations or notes listed at the bottom of the table.

"—" designates activities that are prohibited except as accessory activities according to the regulations contained in Section 17.10.040.

**Table 17.101H.01: Permitted and Conditionally Permitted Activities**

Activities	Zones						Additional Regulations
	<u>D-CO-1</u>	<u>D-CO-2</u>	<u>D-CO-3</u>	<u>D-CO-4</u>	<u>D-CO-5</u>	<u>D-CO-6</u>	
<b><u>Residential Activities</u></b>							
<u>Permanent</u>	<u>P(L1)</u>	<u>P(L1)</u>	<u>=</u>	<u>C(L1)(L4)</u>	<u>=</u>	<u>=</u>	
<u>Residential Care</u>	<u>C(L1)</u>	<u>C(L1)</u>	<u>=</u>	<u>C(L1)</u>	<u>=</u>	<u>=</u>	<u>17.103.010</u>

**ATTACHMENT B to Community and Economic Development Committee Agenda Report of**

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<u>Activities</u>	<u>Zones</u>						<u>Additional Regulations</u>
	<u>D-CO-1</u>	<u>D-CO-2</u>	<u>D-CO-3</u>	<u>D-CO-4</u>	<u>D-CO-5</u>	<u>D-CO-6</u>	
<u>Service-Enriched Permanent Housing</u>	<u>C(L1)</u>	<u>C(L1)</u>	<u>=</u>	<u>C(L1)</u>	<u>=</u>	<u>=</u>	<u>17.103.010</u>
<u>Transitional Housing</u>	<u>C(L1)</u>	<u>C(L1)</u>	<u>=</u>	<u>C(L1)</u>	<u>=</u>	<u>=</u>	<u>17.103.010</u>
<u>Emergency Shelter</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>17.103.010</u>
<u>Semi-Transient</u>	<u>C</u>	<u>C</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>17.103.010</u>
<u>Bed and Breakfast</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>17.10.125</u>
<b><u>Civic Activities</u></b>							
<u>Essential Service</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Limited Child-Care Activities</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C(L6)</u>	<u>=</u>	<u>=</u>	
<u>Community Assembly</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	
<u>Recreational Assembly</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>	
<u>Community Education</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>=</u>	<u>C</u>	
<u>Nonassembly Cultural</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>	
<u>Administrative</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>	
<u>Health Care</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>=</u>	<u>=</u>	
<u>Special Health Care</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	
<u>Utility and Vehicular</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	

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<u>Activities</u>	<u>Zones</u>						<u>Additional Regulations</u>
	<u>D-CO-1</u>	<u>D-CO-2</u>	<u>D-CO-3</u>	<u>D-CO-4</u>	<u>D-CO-5</u>	<u>D-CO-6</u>	
<u>Extensive Impact</u>	<u>C</u>	<u>C</u>	<u>C(L5)</u>	<u>C</u>	<u>C</u>	<u>C</u>	
<b><u>Commercial Activities</u></b>							
<u>General Food Sales</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P(L2)</u>	<u>P(L2)</u>	<u>P(L2)</u>	
<u>Full Service Restaurants</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P(L2)</u>	<u>P(L2)</u>	<u>P(L2)</u>	
<u>Limited Service Restaurant and Cafe</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P(L2)</u>	<u>P(L2)</u>	<u>P(L2)</u>	
<u>Fast-Food Restaurant</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>17.103.030 and 8.09</u>
<u>Convenience Market</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>=</u>	<u>C</u>	<u>17.103.030</u>
<u>Alcoholic Beverage Sales</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>=</u>	<u>=</u>	<u>17.103.030 and 17.114.030</u>
<u>Mechanical or Electronic Games</u>	<u>C</u>	<u>P</u>	<u>C(L6)</u>	<u>=</u>	<u>=</u>	<u>=</u>	
<u>Medical Service</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	
<u>General Retail Sales</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C(L10)</u>	<u>P</u>	
<u>Large-Scale Combined Retail and Grocery Sales</u>	<u>=</u>	<u>C</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	
<u>Consumer Service</u>	<u>P(L8)</u>	<u>P(L8)</u>	<u>P(L8)</u>	<u>P(L8)</u>	<u>C</u>	<u>C</u>	<u>17.102.170 and 17.102.450</u>

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	<u>D-CO-1</u>	<u>D-CO-2</u>	<u>D-CO-3</u>	<u>D-CO-4</u>	<u>D-CO-5</u>	<u>D-CO-6</u>	
<u>Consultative and Financial Service</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>=</u>	<u>=</u>	
<u>Check Cashier and Check Cashing</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>17.103.040</u>
<u>Consumer Cleaning and Repair Service</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>=</u>	<u>=</u>	
<u>Consumer Dry Cleaning Plant</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>=</u>	<u>=</u>	
<u>Group Assembly</u>	<u>P(L14)</u>	<u>P(L14)</u>	<u>C(L14)</u>	<u>C(L14)</u>	<u>C(L14)</u>	<u>C(L14)</u>	
<u>Personal Instruction and Improvement Services</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>C</u>	
<u>Administrative</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Business, Communication, and Media Services</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Broadcasting and Recording Services</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Research Service</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>General Wholesale Sales</u>	<u>P(L2)</u>	<u>P(L2)</u>	<u>P(L3)</u>	<u>P(L2)</u>	<u>P</u>	<u>P(L2)</u>	
<u>Transient Habitation (Hotels)</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>=</u>	<u>C</u>	<u>17.103.050</u>
<u>Building Material Sales</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C</u>	<u>=</u>	

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<u>Activities</u>	<u>Zones</u>						<u>Additional Regulations</u>
	<u>D-CO-1</u>	<u>D-CO-2</u>	<u>D-CO-3</u>	<u>D-CO-4</u>	<u>D-CO-5</u>	<u>D-CO-6</u>	
<u>Automobile and Other Light Vehicle Sales and Rental</u>	<u>C</u>	<u>C</u>	<u>C</u>	=	=	<u>C</u>	
<u>Automobile and Other Light Vehicle Gas Station and Servicing</u>	=	=	<u>C(L11)</u>	=	=	=	
<u>Automobile and Other Light Vehicle Repair and Cleaning</u>	=	=	<u>C(L11)</u>	=	=	=	
<u>Taxi and Light Fleet-Based Services</u>	=	=	=	=	=	=	
<u>Automotive Fee Parking</u>	<u>C</u>	<u>C</u>	<u>C(L11)(L15)</u>	<u>C</u>	<u>C</u>	<u>C</u>	
<u>Animal Boarding</u>	=	=	<u>C(L11)(L13)</u>	=	=	=	
<u>Animal Care</u>	<u>C</u>	<u>C</u>	<u>C</u>	=	=	=	
<u>Undertaking Service</u>	=	=	=	=	=	=	
<b><u>Industrial Activities</u></b>							
<u>Custom Manufacturing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>17.120</u>
<u>Light Manufacturing</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P(L3)</u>	<u>P</u>	<u>P</u>	<u>17.120</u>
<u>General Manufacturing</u>	=	=		=	<u>C(L11)(L13)</u>	=	
<u>Heavy/High Impact</u>	=	=	=	=	=	=	

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	<u>D-CO-1</u>	<u>D-CO-2</u>	<u>D-CO-3</u>	<u>D-CO-4</u>	<u>D-CO-5</u>	<u>D-CO-6</u>	
<u>Research and Development</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Construction Operations</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C</u>	<u>=</u>	
<u>Warehousing, Storage, and Distribution-Related:</u>							
<u>A. General Warehousing, Storage and Distribution</u>	<u>=</u>	<u>P(L3)(L9)</u>	<u>P(L9)</u>	<u>P(L3)(L9)</u>	<u>P(L9)</u>	<u>P(L9)</u>	
<u>B. General Outdoor Storage</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C(L11)(L13)</u>	<u>C(L13)</u>	
<u>C. Self- or Mini Storage</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C(L11)</u>	<u>=</u>	
<u>D. Container Storage</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	
<u>E. Salvage/Junk Yards</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	
<u>Regional Freight Transportation-Related:</u>							
<u>A. Seaport</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	
<u>B. Rail Yard</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	
<u>Trucking and Truck-Related:</u>							
<u>A. Freight/Truck Terminal</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C(L7)</u>	<u>=</u>	
<u>B. Truck Yard</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C(L7)</u>	<u>=</u>	
<u>C. Truck Weigh Stations</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C(L7)</u>	<u>=</u>	

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	<u>D-CO-1</u>	<u>D-CO-2</u>	<u>D-CO-3</u>	<u>D-CO-4</u>	<u>D-CO-5</u>	<u>D-CO-6</u>	
<u>D. Truck &amp; Other Heavy Vehicle Sales, Rental &amp; Leasing</u>	=	=	=	=	C(L7)	=	
<u>E. Truck &amp; Other Heavy Vehicle Service, Repair, and Refueling</u>	=	=	=	=	C(L7)	=	
<u>Recycling and Waste-Related:</u>							
<u>A. Satellite Recycling Collection Centers</u>	=	=	=	=	=	=	
<u>B. Primary Recycling Collection Centers</u>	=	=	=	=	=	=	17.73.035
<u>Hazardous Materials Production, Storage, and Waste Management-Related:</u>							
<u>A. Small Scale Transfer and Storage</u>	=	=	=	=	=	=	
<u>B. Industrial Transfer/Storage</u>	=	=	=	=	=	=	
<u>C. Residuals Repositories</u>	=	=	=	=	=	=	
<u>D. Oil and Gas Storage</u>	=	=	=	=	=	=	
<u>Agriculture and Extractive Activities</u>							
<u>Limited Agriculture</u>	P(L16)	P(L16)	P(L16)	P(L16)	P(L16)	P(L16)	
<u>Extensive Agriculture</u>	C(L17)	C(L17)	C(L17)	C(L17)	C(L17)	C(L17)	

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Activities	Zones						Additional Regulations
	D-CO-1	D-CO-2	D-CO-3	D-CO-4	D-CO-5	D-CO-6	
Plant Nursery	=	C	C	C	C(L12)	C(L12)	
Mining and Quarrying	=	=	=	=	=	=	
<u>Accessory off-street parking serving prohibited activities</u>	C	C	C	C	C	C	<u>17.116.175</u>
<u>Additional activities that are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof.</u>	C	C	C	C	C	C	<u>17.102.110</u>

**Limitations on Table 17.101H.01:**

**L1.** No Residential Care, Service-Enriched Permanent Housing, Transitional Housing, or Emergency Shelter Residential Activity shall be located closer than three hundred (300) feet from any other such activity. See Section 17.103.010 for other regulations regarding these activities.

**L2.** The total floor area devoted to these activities by a single establishment shall only exceed ten thousand (10,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

**L3.** The total floor area devoted to these activities by a single establishment shall only exceed twenty-five thousand (25,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

**L4.** This activity is only permitted upon determination that the proposal conforms to the general use permit criteria set forth in the Conditional Use Permit procedure in Chapter 17.134, and to all of the following additional use permit criteria:

- 1.** That the project is designed in a way that minimizes the potential health impacts of locating a residential use near the surrounding activities;
- 2.** That new development will meet residential environmental safety standards;

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3. That the design of the development accounts for the projected rise in sea levels and the potential for inundation by the Bay and other flood waters in a manner that protects both human infrastructure as well as the natural aquatic resources of San Leandro Bay;
  4. That avigation easements for the Oakland International Airport will be negotiated with future owners or tenants, and deed disclosures about proximity to Airport operations will be made; and
  5. That measures that minimize adverse impacts to the surrounding activities have been incorporated into the project.
- L5. The Extensive Impact Civic Activity category includes, but is not limited to, stadiums and sports arenas (see Section 17.10.240.Q). In the D-CO-3 Zone, stadiums and sports arenas are only allowed in the area between Damon Slough and Elmhurst Creek.
- L6. Conditionally permitted if located in the D-CO-3 or D-CO-4 Zones between Damon Slough and Elmhurst Creek; prohibited if located elsewhere in the D-CO-3 or D-CO-4 Zones (see Chapter 17.134 for the CUP procedure).
- L7. In the D-CO-5 Zone, these activities are only allowed in the area between San Leandro Creek and Doolittle Drive.
- L8. See Section 17.102.170 for special regulations relating to massage services and Section 17.102.450 for special regulations related to Laundromats.
- L9. Not including accessory activities, this activity shall take place entirely within an enclosed building. Other outdoor activities shall only be permitted upon the granting of a conditional use permit (see Chapter 17.134 for the CUP procedure).
- L10. Permitted outright if located within five hundred (500) feet of Highway 880 or Hegenberger Road; conditionally permitted if located elsewhere (see Chapter 17.134 for the CUP procedure).
- L11. These activities are not permitted within three hundred (300) feet of a lot line adjacent to the Hegenberger Road right-of-way.
- L12. This activity is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) and that all repair and servicing is performed in an enclosed building.
- L13. Any Outdoor Storage activities to be located within three hundred (300) feet of: a) the Oakport Street right-of-way; b) the Estuary or Bay shoreline; c) the Damon Slough, Elmhurst Creek, East Creek Slough, or San Leandro Creek top of bank; or d) any Open Space zone shall only be permitted upon determination that the proposal conforms to the general use permit criteria set forth in the Conditional Use Permit procedure in Chapter 17.134, and to all of the following additional use permit criteria:
1. The activity is screened in a manner as determined by the Planning Director, including but not limited to, buffer planting installed along the site exterior; and

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2. The proposal will not adversely affect the livability or appropriate development of abutting properties and the surrounding district in terms of noise, water and pollutant runoff, heavy equipment operation, hours of operation, odor, security, and vehicular traffic.

L14. No new or expanded adult entertainment activity shall be located closer than one thousand (1,000) feet to the boundary of any Residential zone or three hundred (300) feet from any other adult entertainment activity. See Section 17.102.160 for further regulations regarding adult entertainment activities.

L15. Existing fee parking lots within three hundred (300) feet of a lot line adjacent to the Hegenberger Road right-of-way may be reconfigured to increase the number of parking spaces and make more efficient use of the existing parking area. Expansion of existing facilities to include structured parking or expanding the size of the parcel with the parking constitutes an expansion of a nonconforming use and is not permitted.

L16. Limited Agriculture is permitted outright if the activity occupies less than one (1) acre of land area and any sales area is less than one thousand (1,000) square feet; conditionally permitted if the activity is larger in either land or sales area (see Chapter 17.134 for the CUP procedure).

L17. Extensive Agriculture is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the criteria contained in Section 17.134.050, this activity must meet the following use permit criteria:

1. The proposal will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood in terms of noise, water and pesticide runoff, farming equipment operation, hours of operation, odor, security, and vehicular traffic.

**17.101H.040 Permitted and conditionally permitted facilities.**

Table 17.101H.02 lists the permitted, conditionally permitted, and prohibited facilities in the D-CO zones. The descriptions of these facilities are contained in Chapter 17.10.

"P" designates permitted facilities in the corresponding zone.

"C" designates facilities that are permitted only upon the granting of a Conditional Use Permit (CUP) in the corresponding zone (see Chapter 17.134 for the CUP procedure).

"L" designates facilities subject to certain limitations listed at the bottom of the Table.

"—" designates facilities that are prohibited.

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**Table 17.101H.02: Permitted and Conditionally Permitted Facilities**

Facilities	Zones						Additional Regulations
	<u>D-CO-1</u>	<u>D-CO-2</u>	<u>D-CO-3</u>	<u>D-CO-4</u>	<u>D-CO-5</u>	<u>D-CO-6</u>	
<b><u>Residential Facilities</u></b>							
<u>One-Family Dwelling</u>	=	=	=	=	=	=	
<u>One-Family Dwelling with Secondary Unit</u>	=	=	=	=	=	=	<u>17.103.080</u>
<u>Two-Family Dwelling</u>	P	P	=	C	=	=	
<u>Multifamily Dwelling</u>	P	P	=	C	=	=	
<u>Rooming House</u>	=	=	=	=	=	=	
<u>Mobile Home</u>	=	=	=	=	=	=	
<b><u>Nonresidential Facilities</u></b>							
<u>Enclosed Nonresidential</u>	P	P	P	P	P	P	
<u>Open Nonresidential</u>	<u>C(L1)</u>	P	P	<u>C(L1)</u>	P	P	
<u>Sidewalk Cafe</u>	P	P	P	P	C	C	<u>17.103.090</u>
<u>Drive-In</u>	=	C	C	=	=	=	
<u>Drive-Through</u>	=	<u>C(L2)</u>	<u>C(L2)</u>	=	=	=	<u>17.103.100</u>
<b><u>Telecommunications Facilities</u></b>							
<u>Micro Telecommunications</u>	<u>P(L3)</u>	<u>P(L3)</u>	<u>P(L3)</u>	<u>P(L3)</u>	<u>P(L3)</u>	<u>P(L3)</u>	<u>17.128</u>
<u>Mini Telecommunications</u>	<u>P(L3)</u>	<u>P(L3)</u>	<u>P(L3)</u>	<u>P(L3)</u>	<u>P(L3)</u>	<u>P(L3)</u>	<u>17.128</u>

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<u>Facilities</u>	<u>Zones</u>						<u>Additional Regulations</u>
	<u>D-CO-1</u>	<u>D-CO-2</u>	<u>D-CO-3</u>	<u>D-CO-4</u>	<u>D-CO-5</u>	<u>D-CO-6</u>	
<u>Macro Telecommunications</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>17.128</u>
<u>Monopole Telecommunications</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>17.128</u>
<u>Tower Telecommunications</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>17.128</u>
<b><u>Sign Facilities</u></b>							
<u>Residential Signs</u>	<u>P</u>	<u>P</u>	<u>=</u>	<u>P</u>	<u>=</u>	<u>=</u>	<u>17.104</u>
<u>Special Signs</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>17.104</u>
<u>Development Signs</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>17.104</u>
<u>Realty Signs</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>17.104</u>
<u>Civic Signs</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>17.104</u>
<u>Business Signs</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>17.104</u>
<u>Advertising Signs</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>17.104</u>

**Limitations on Table 17.101H.02:**

**L1. Open Nonresidential Facilities accommodating activities other than Civic Activities, Limited Agriculture, seasonal sales, or special events are only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).**

**L2. No new or expanded Fast-Food Restaurants with Drive-Through Nonresidential Facilities shall be located closer than three hundred (300) feet of a lot line adjacent to the Hegenberger Road or Oakport Street right-of-way, or five hundred (500) feet of an elementary school, park, or playground. See Sections 17.103.030 and 17.103.100 for further regulations regarding Drive-Through Nonresidential Facilities.**

**L3. See Section 17.128.025 for restrictions on Telecommunication Facilities near Residential Zones.**

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**17.101H.050 Property development standards.**

Zone Specific Standards. Table 17.101H.03 below prescribes development standards specific to individual zones. The number designations in the "Additional Regulations" column refer to the regulations listed at the end of the Table. "N/A" designates the regulation is not applicable to that zone.

**Table 17.101H.03 Property Development Standards**

<u>Development Standards</u>	<u>Zones</u>						<u>Additional Regulations</u>
	<u>D-CO-1</u>	<u>D-CO-2</u>	<u>D-CO-3</u>	<u>D-CO-4</u>	<u>D-CO-5</u>	<u>D-CO-6</u>	
<b><u>Minimum Lot Dimensions</u></b>							
<u>Width mean</u>	<u>25 ft.</u>	<u>25 ft.</u>	<u>1</u>				
<u>Frontage</u>	<u>25 ft.</u>	<u>25 ft.</u>	<u>1</u>				
<u>Lot area</u>	<u>4,000 sf.</u>	<u>5,000 sf.</u>	<u>5,000 sf.</u>	<u>5,000 sf.</u>	<u>10,000 sf.</u>	<u>10,000 sf.</u>	<u>1</u>
<b><u>Minimum/Maximum Setbacks</u></b>							
<u>Minimum front</u>	<u>0 ft.</u>	<u>0 ft.</u>	<u>0/10 ft.</u>	<u>0 ft.</u>	<u>10 ft.</u>	<u>0 ft.</u>	<u>2</u>
<u>Minimum interior side</u>	<u>0 ft.</u>	<u>0 ft.</u>	<u>2</u>				
<u>Minimum street side of a corner lot</u>	<u>0 ft.</u>	<u>0 ft.</u>	<u>0 ft.</u>	<u>0 ft.</u>	<u>10 ft.</u>	<u>10 ft.</u>	<u>2</u>
<u>Rear (residential facilities)</u>	<u>10 ft.</u>	<u>10 ft.</u>	<u>N/A</u>	<u>10 ft.</u>	<u>N/A</u>	<u>N/A</u>	<u>2, 3</u>
<u>Rear (nonresidential facilities)</u>	<u>0 ft.</u>	<u>0 ft.</u>	<u>3</u>				

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<u>Development Standards</u>	<u>Zones</u>						<u>Additional Regulations</u>
	<u>D-CO-1</u>	<u>D-CO-2</u>	<u>D-CO-3</u>	<u>D-CO-4</u>	<u>D-CO-5</u>	<u>D-CO-6</u>	
<b><u>Height Regulations</u></b>							
<u>Maximum height allowed by right</u>	<u>159 ft.</u>	<u>159 ft.</u>	<u>159 ft.</u>	<u>85 ft.</u>	<u>85 ft.</u>	<u>85 ft.</u>	<u>4, 5, 6</u>  <u>Additional height may be allowed by the Planning Director, pursuant to FAA review and CUP approval</u>
<u>Fence heights &amp; other regulations</u>	<u>See Chapter 17.108.140 for fences, dense hedges, barriers, &amp; free standing walls.</u>						
<u>Maximum fence height adjacent to Open Space zones</u>	<u>8 ft.</u>	<u>8 ft.</u>	<u>8 ft.</u>	<u>8 ft.</u>	<u>8 ft.</u>	<u>8 ft.</u>	
<b><u>Maximum Residential Density (square feet of lot area required per dwelling unit)</u></b>							
<u>Regular Units</u>	<u>130</u>	<u>130</u>	<u>N/A</u>	<u>260</u>	<u>N/A</u>	<u>N/A</u>	
<u>Rooming Units</u>	<u>65</u>	<u>65</u>	<u>N/A</u>	<u>130</u>	<u>N/A</u>	<u>N/A</u>	
<b><u>Maximum Nonresidential Intensity (Floor Area Ratio)</u></b>							
<u>Maximum Nonresidential Floor Area Ratio (FAR)</u>	<u>8.0</u>	<u>8.0</u>	<u>6.0</u>	<u>5.0</u>	<u>4.0</u>	<u>4.0</u>	

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<u>Development Standards</u>	<u>Zones</u>						<u>Additional Regulations</u>
	<u>D-CO-1</u>	<u>D-CO-2</u>	<u>D-CO-3</u>	<u>D-CO-4</u>	<u>D-CO-5</u>	<u>D-CO-6</u>	
<b><u>Minimum Usable Open Space</u></b>							
<u>Usable Open Space per Regular Dwelling Unit</u>	75 sf.	75 sf.	N/A	100 sf.	N/A	N/A	
<u>Usable open space per Rooming Unit</u>	38 sf.	38 sf.	N/A	50 sf.	N/A	N/A	
<b><u>Minimum Parking and Loading Requirements</u></b>	See Chapter 17.116 for loading and automobile parking; and Chapter 17.117 for bicycle parking						
<b><u>Minimum Required Parking</u></b>	See Chapter 17.116 for automobile parking and Chapter 17.117 for bicycle parking						
<b><u>Courtyard Regulations</u></b>	See Sec. 17.108.120	See Sec. 17.108.120	N/A	See Sec. 17.108.120	N/A	N/A	
<b><u>Landscaping Regulations</u></b>							
<u>Site landscaping (% of entire lot area)</u>	See Chs.17.110 and 17.124	See Chs.17.110 and 17.124	5%	See Chs.17.110 and 17.124	5%	5%	7, 8, 9
<u>Parking lot landscaping (% of parking lot area)</u>	See Chs.17.110 and 17.124	See Chs.17.110 and 17.124	10%	See Chs.17.110 and 17.124	10%	10%	7, 8

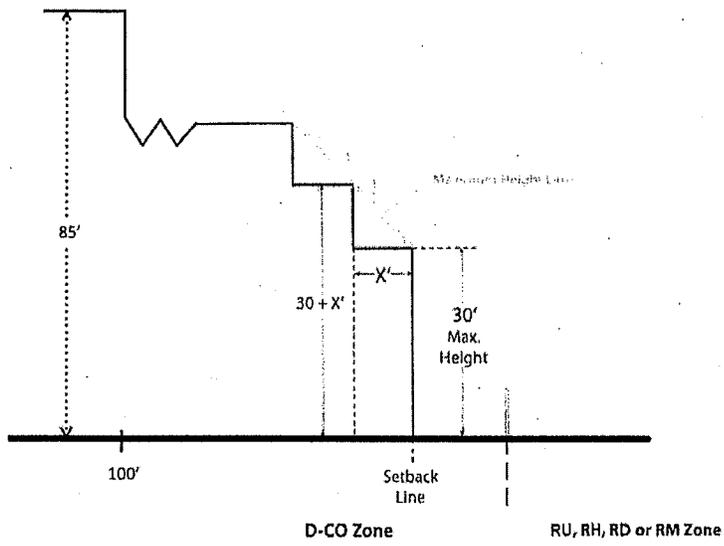
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**Additional Regulations for Table 17.101H.03:**

1. See Section 17.106.010 and 17.106.020 for exceptions to lot area, width mean, and street frontage regulations.
2. In the D-CO-3 Zone, a minimum front yard setback area of ten (10) feet shall apply to frontages adjacent to the Hegenberger Road and Oakport Street right-of-way, except for retail and similar facilities oriented toward pedestrian activity. This minimum front yard in the D-CO-3 Zone, where applicable, shall be developed as open landscaped areas, including but not limited to lawn, ground cover, shrubs, trees, and decorative paving materials, subject to the standards for required landscaping and screening in Chapter 17.124. In the D-CO-1, D-CO-2, and D-CO-4 Zones, see Section 17.108.080 for the required interior side and rear yard setbacks on a lot containing two (2) or more living units and opposite a legally required living room window.
3. In the D-CO-1, D-CO-2, and D-CO-4 Zones, wherever a rear lot line abuts an alley, one-half (½) of the right-of-way width of the alley may be counted toward the required minimum rear setback; provided, however, that the portion of the minimum rear setback actually on the lot itself shall not be so reduced to less than ten (10) feet. Also, see Section 17.108.130 for allowed projections into setbacks.
4. The height of all structures shall be subject to Federal Aviation Administration (FAA) regulations.
5. The maximum by-right height of 159 feet may only be exceeded in the following situation: a) the proposed structure has undergone a Federal Aviation Administration (FAA) Review, and b) the additional height has received approval pursuant to the City's conditional use permit procedure (see Chapter 17.134).
6. Buildings shall have an eighty-five (85) foot maximum height when located within one hundred (100 feet) of any lot line that abuts a lot in a RH, RD, RM, RU, or S-15 zone. In addition, buildings shall have a thirty (30) foot maximum height at the setback line associated with any rear or interior side lot line that abut a lot in a RH, RD, RM, or RU zone; this maximum height shall increase one foot for every foot of distance away from this setback line (see Illustration for Table 17.101H.03 [Additional Regulation 6], below). Also, see Section 17.108.030 for allowed projections above height limits and Section 17.108.020 for increased height limits for civic buildings.

Illustration for Table 17.101H.03 [Additional Regulation 6]  
\*for illustration purposes only

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7. All projects which involve the construction of a new Nonresidential Facility, or the addition to an existing Nonresidential Facility of over one thousand (1,000) square feet, shall comply with the landscape requirements in this chapter and in Chapter 17.124. Landscaping shall consist of pervious surface with lawn, ground cover, shrubs, permeable paving materials, and/or trees and which is irrigated and maintained. See Chapter 17.124 and Section 17.124.025 for other Landscaping and Screening Standards.

8. Parking Lot Landscaping applies only to lots associated with new construction of more than ten thousand (10,000) square feet of floor area. Shade trees shall be provided at a ratio of one (1) tree for every ten (10) spaces through the parking lot. A minimum of ten percent (10%) of a surface parking lot shall be landscaped accompanied by an irrigation system that is permanent, below grade and activated by automatic timing controls which may be provided entirely in permeable surfacing in lieu of irrigated landscaping if approved through the Design Review process (see Chapter 17.136). Parking lots located adjacent to a public right-of-way shall include screening consisting of a minimum of five (5) foot deep planted area or a three (3) foot tall opaque, concrete, or masonry wall with a minimum three (3) foot deep planted area. Chain link, cyclone, and barbed wire fencing is prohibited in all cases.

9. For all projects involving the construction of a new Nonresidential Facility, or the addition to an existing Nonresidential Facility of over one thousand (1,000) square feet, street trees are required (see Chapter 17.124 and Section 17.124.025 for other Landscaping and Screening Standards). In addition to the general landscaping requirements set forth above, a minimum of one (1) 15-gallon tree, or substantially equivalent landscaping consistent with City policy and as approved by the Director of City Planning, shall be provided for every twenty (20) feet of street frontage or portion thereof and, if a curbside planting strip exists, for every twenty-five (25) feet of street frontage. On streets with sidewalks where the distance from the face of the curb to the outer edge of the sidewalk is at least six and one-half (6½) feet, the trees to be provided shall include street trees to the satisfaction of the Tree Division.

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**17.101H.060 Special regulations applying to mixed-use developments on Bay Area Rapid Transit (BART) stations on sites with one (1) acre or more land area.**

No mixed-use developments that include Bay Area Rapid Transit (BART) stations located on sites with one (1) acre or more land area shall be permitted except upon the granting of a conditional use permit pursuant to Section 17.101H.070 and the conditional use permit procedure in Chapter 17.134 or upon the granting of a planned unit development permit pursuant to Chapters 17.140 and 17.142, and shall be subject to the following special regulations:

- A. Intermodal Activities and Pedestrian Plaza. Developments should incorporate multiple forms of public transportation and a pedestrian plaza.
- B. Professional Design. The application shall utilize the following professionals in the design process for the development:
  - 1. An architect licensed by the state of California; and
  - 2. A landscape architect licensed by the state of California, or an urban planner holding or capable of holding membership in the American Institute of Certified Planners.
- C. Undergrounding of Utilities. All electric and telephone facilities; fire alarm conduits; street light wiring; and other wiring, conduits, and similar facilities shall be placed underground by the developer as required by the City. Electric and telephone facilities shall be installed in accordance with standard specifications of the serving utilities. Street lighting and fire alarm facilities shall be installed in accordance with standard specifications of the Electrical Department.
- D. Performance Bonds. The City Planning Commission or, on appeal, the City Council may, as a condition of approval of any said development, require a cash bond or surety bond for the completion of all or specified parts of the development deemed to be essential to the achievement of the purposes set forth in Section 17.101H.060. The bond shall be in a form approved by the City Attorney, in a sum of one hundred fifty percent (150%) of the estimated cost of the work, and conditioned upon the faithful performance of the work specified within the time specified. This requirement shall not apply if evidence is provided to the city which indicates that alternative bonding or other assurances have been secured by the Bay Area Rapid Transit District.

**17.101H.070 Use permit criteria in the D-CO-1 Zone.**

In the D-CO-1 Zone, a conditional use permit for any activity or facility listed in Sections 17.101H.030, 17.101H.040, and 17.101H.060, may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and to the following additional use permit criteria:

- A. That the proposal will be of a quality and character which harmonizes with and serves to protect the value of private and public investment in the area;
- B. That the proposal will encourage an appropriate mixture of Residential and/or Commercial Activities in a manner which promotes and enhances use of multiple modes of transportation;

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- C. That the proposal is designed to provide a safe and pleasant pedestrian environment;
- D. That no front yard parking, loading area, or driveway shall connect or abut directly with the principal commercial street unless the determination can be made:
  - 1. That vehicular access cannot reasonably be provided from a different street or other way;
  - 2. That every reasonable effort has been made to share means of vehicular access with abutting properties;
  - 3. That the proposal is enclosed or screened from view of the abutting principal street by the measures required in Section 17.110.040B.
- E. That the amount of off-street parking, if any, provided in excess of this code will not contribute significantly to an increased orientation of the area to automobile or truck movement.
- F. In addition to the foregoing criteria and any other applicable requirements, auto fee parking within this zone shall be subject to the following additional use permit criteria:
  - 1. The Auto fee parking is part of a larger development that contains a significant amount of commercial and/or residential facilities;
  - 2. The Auto fee parking is contained in a structured parking facility of at least three stories that replaces an existing at-grade parking facility;
  - 3. The new parking structure represents no more than a seventy-five percent (75%) increase of existing parking at the site;
  - 4. Auto fee parking at the site is designed to promote a transit oriented district as defined by the general plan;
  - 5. Where feasible, the auto fee parking is located behind and substantially visually obstructed from the principal street(s) by the residential and/or commercial facility or facilities; and
  - 6. The project shall be consistent in all significant respects with the general plan's goals, objectives, and policies that promote transit oriented development and districts.

For purposes of this subsection 17.101H.100(F) "principal street" means the street or streets on which the development is most primarily oriented and that is appropriately designated in the general plan to accommodate the amount of trips proposed. On an interior lot, the principal street shall be the street in front of the development. On a corner lot, the principal streets shall be both the streets adjacent to the development. On a lot that has frontage on three (3) or more streets, at least two (2) streets shall be designated as principal streets.

**17.101H.080 Special regulations for large scale developments.**

No development which involves more than one hundred thousand (100,000) square feet of a new floor area shall be permitted except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134, or upon the granting of a planned unit development approval pursuant to Chapters 17.140 and 17.142.

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**17.101H.090 Special regulations for Mini-lot and Planned Unit Developments.**

- A. Mini-lot Developments. In mini-lot developments, certain regulations that apply to individual lots in the D-CO Zones may be waived or modified when and as prescribed in Chapter 17.142.
- B. Planned Unit Developments. Large integrated developments shall be subject to the Planned Unit Development regulations in Chapter 17.142 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the D-CO Zones, and certain of the other regulations applying in said zones may be waived or modified.

**17.101H.100 Other zoning provisions.**

The following contains referrals to other regulations that may apply:

- A. General Provisions. The general exceptions and other regulations set forth in Chapters 17.102, 17.103, 17.104, 17.106, and 17.108 shall apply in the D-CO Zones.
- B. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.
- C. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.
- D. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in the D-CO Zones.
- E. Landscaping and Screening Standards. The regulations set forth in Chapter 17.124 and Chapter 17.102.400, screening of utility meters, etc., shall apply in the D-CO Zones.
- F. Buffering. All uses shall be subject to the applicable requirements of the buffering regulations in Chapter 17.110 with respect to screening or location of parking, loading, storage areas, control of artificial illumination, and other matters specified therein.
- G. Performance standards regarding the control of noise, odor, smoke, and other objectionable impacts in Chapter 17.120 shall apply in the D-CO Zones.