



## **PORT OF OAKLAND**

### **Port Permit Coordinator's Report**

**Public Hearing:** Notice was given that the Port of Oakland Executive Director, or his designee, will hold a public hearing regarding a proposed variance from the Land Use and Development Code (LUDC). The project is located 8399 Edgewater Drive, Oakland, California. The hearing is to decide the approval or denial of the following:

- Application for variance from the LUDC, Section 3.5.A. to exceed the maximum of percentage of front setback use for parking and circulation.

A public hearing will be held at: **The Port of Oakland, Courtyard Conference Room, 530 Water Street, 2<sup>nd</sup> Floor, Oakland, California, Tuesday, August 1, 2017, 1:00 p.m.**

The Port Executive Director, or his designee, will receive comments on the application for variance and make a determination.

**Project Applicant:** Traffic Management, Inc.

**Project Setting:** The project is located in the Oakland Airport Business Park in Oakland, California. The site is located at 8399 Edgewater Drive, Oakland, CA. It is a corner lot with frontage on Pendleton Way. The site has an existing lot on Edgewater served by two driveways connected by a semi-circular vehicle lane with parking on one side. A gate in the fence provides access into the rear of the site for service vehicles and equipment. The rear fenced yard is also accessed through a gate adjacent to the other side of the building served by a driveway from Pendleton Way. The company provides traffic management services for right-of-way controls and detours, and has secured storage for its equipment in the rear yard.

**Project Description:** The project applicant proposes to expand the parking on both frontages to provide parking outside their secured area for visitors and employees.

**Edgewater Lot:** The proposal is to eliminate the driveway closest to the corner and reconfigure the existing lot to provide 11 spaces on either side of a two-way vehicle lane. The driveway would end at the corner of the building, with the space in front of the building improved with pedestrian access and landscaping. The proposal would expand the parking area pavement by about 1000 square feet, and would increase the landscaped area by a similar amount. The project would also construct a new sidewalk along the Edgewater frontage with a pedestrian path connecting to the entry from the sidewalk and the parking area.

**Pendleton Lot:** The proposal includes creating a new parking area on the Pendleton frontage. The project would construct a new driveway near the corner of Pendleton and Edgewater, with a one-way vehicle lane connecting to the existing driveway on Pendleton. Eight angled parking spaces would be added along this lane adjacent to the building. New landscaping would be installed near the building and along the street.

**Variance:** The Applicant has applied for variance from the Land Use and Development Code (LUDC), Section 3.5.A for exceeding the maximum front setback area occupied by parking and circulation. This section states that no more than 20% of the area within the front setback may be used for parking and vehicle circulation. The proposal is to have 28% of the area on Edgewater and 73% of the area on Pendleton used for parking and circulation. The aggregate coverage would be 54%. Taking into account that the property line is 10 feet back from the curb, and most of this is landscaped, the visual impact of these improvements would appear as approximately 10% of the Edgewater frontage and 40% if the Pendleton frontage would be parking and circulation. All the parking on Edgewater is set back more than 20 feet from the curb.

Parking Area Computations:

	Parking	Landscaping	Total	Percentage
Edgewater	936	2387	3323	28%
Pendleton	3413	1252	4665	73%
Total	4349	3639	7988	54%
20' From Curb	2200	5800	8000	28%

**Recommendation:** I believe the proposed improvements could enhance the aesthetics of the site and the vicinity. The current landscaping is grass with two palm trees. The pavement edges are not well distinguished from the grass areas, which are not well maintained. Grass is not a sustainable plant material, requiring excessive water during the summer. Other grass areas in the Business Park, including the City maintained Edgewater median, are also turning brown. The proposal would also remove the driveway and curb cut in front of the entrance, and make improvements to enhance this view from Edgewater. The addition of sidewalk and curbs around landscape areas will also be an improvement to the current un-kept look that blurs the lines between parking and landscaping. The improvements will discourage parking on landscaped areas.

I recommend granting the variance with the additional special conditions, and based on the findings below as outlined in LUDC, Section 5.5.F:

**Special Conditions:**

1. A detailed landscape plan must be approved by the Permit Coordinator prior to final approval of the building permit. Such plan will include at least 4 trees, and shall include an irrigation system appropriate to the plants selected.
2. The Applicant must comply with Stormwater requirements for post-construction controls. Applicant to provide areas for new concrete for complete assessment of requirements.
3. The City of Oakland must approve a sidewalk and driveway permit, and evidence must be presented to the Port, prior to the start of work.

**Findings:**

1. That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this Code will

deprive such property of privileges enjoyed by other property in the Business Park within the same area of land use designation, as shown in Figure 2.1 in the LUDC;

Because the site is on the corner, and the two sides cannot be connected, the property owner cannot effectively utilize the site without a variance.

2. That granting of the variance will be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the Business Park within the same area of land use designation, as shown in Figure 2.1 in the LUDC; and,

The applicant agrees to landscape and sidewalk improvements that will enhance the site.

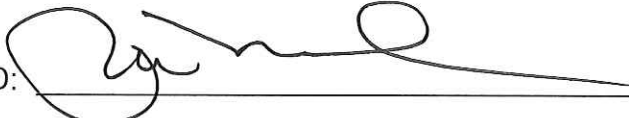
3. That granting of the variance will not authorize a use or activity which is not otherwise allowed within the applicable land use designation of the Business Park.

The adoption of the LUDC made changes from the previous requirements in favor of better use of front setback areas, for building and parking. This is a well designed proposal that makes the best use of the front setback while maintaining and improving aesthetics.

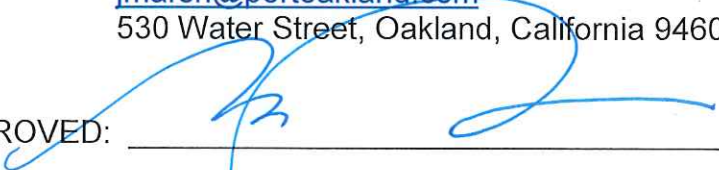
4. The proposed variance will neither interfere with the operations of Oakland International Airport nor enable the establishment of uses that may be incompatible with the potential imposition of noise, light, smoke, air currents, electronic or other emissions, vibrations, discomfort, and/or inconvenience resulting from airport operations.

By providing adequate on-site parking, the property will not impact the streets with unauthorized parking. The project has no impact on the operations of the Airport.

5. The Port has attached such conditions to approval of the variance as it deems reasonable or necessary to achieve the purposes of this Code, to reduce or to mitigate environmental impacts, and to address the project's anticipated burden on the Business Park and the Port, and which otherwise promote the health, safety, and welfare of the surrounding community.

RECOMMENDED:  August 1, 2017

Joe Marsh, Port Permit Coordinator  
510-627-1480, Fax: (510) 627-1877  
[jmarsh@portoakland.com](mailto:jmarsh@portoakland.com)  
530 Water Street, Oakland, California 94607

APPROVED:  August 1, 2017

Richard Sinkoff, Director, Environmental Programs and Planning  
Permit Hearing Officer