



December 6, 2021

Richard Poolis
Director of Development
First Industrial Realty Trust, Inc.
3620 Happy Valley Road, Suite 201
Lafayette, CA 94569

SUBJECT: Oakland Airport Business Park Use Determination
for Manufacturing or Warehouse, Storage and Distribution
111 Hegenberger Road, Oakland CA

Via E-mail: rpoolis@firstindustrial.com

Dear Mr. Poolis,

I have reviewed your request for a use consistency determination under Section 5.4 of the Oakland Airport Business Land Use and Development Code (LUDC). Specifically, you are requesting a use consistency determination for “warehousing, storage and distribution and/or light manufacturing” uses at 111 Hegenberger Road, Oakland, CA.

Background

As we have discussed you are looking to construct a building at the vacant site at Hegenberger Road and Pardee Drive, currently owned by Choice Hotels. The use would primarily be Light Manufacturing with an office component. A portion might also be considered Warehouse, Storage and Distribution under the Port’s LUDC. The site is within the Commercial Corridor sub-area of the Oakland Airport Business Park where these uses are not allowed. Office is an allowed use in this sub-area. As defined in the LUDC, Appendix A:

Warehousing, Storage, and Distribution: *This includes five (5) subclassifications as described below:*

- A. *General Warehousing, Storage and Distribution: The warehousing and storage, primarily within enclosed buildings, of commercial goods (other than primary storage of hazardous materials), and the associated distribution activities that occur on-site prior to delivery of goods to wholesale and retail outlets or direct shipment to customers. These activities may also include ancillary truck parking and dispatching; and accessory outdoor storage areas where outdoor storage, not including parking and loading areas, does not occupy more than thirty percent (30%) of the total site area, and meets the design and location criteria under Section 4.4.
(Parts B-E do not apply to this request.)*

Light Manufacturing: *The manufacturing, compounding, processing, assembling, packaging, or treatment of components or products, primarily from previously prepared materials, and typically within enclosed buildings. Light Manufacturing Activities do not produce noise, vibration, air pollution, fire hazard or noxious emission that will disturb or endanger neighboring properties.*

Analysis

The LUDC Table 2.1 shows Warehousing, Storage, and Distribution and Light Manufacturing defined above are allowed for the Business Park Interior and not permitted in the Commercial Corridor. Per Section 2.2 of the LUDC:

Uses permitted in the Business Park Interior will be permitted in the Commercial Corridor where the proposed use is set back a minimum of 200 feet from Hegenberger Road, Oakport Street or Doolittle Drive.

You are proposing to locate the new building at least 200 feet from Hegenberger Road. Under this site plan the uses proposed would be allowed.

Findings

The Port determines that your proposed uses is consistent with the LUDC based on the following findings:

1. The proposed uses are consistent with the purposes, restrictions, and regulations of this Code as it applies to the land use area of the Business Park where such use is proposed. Section 2.2 specifies that the uses are allowed for the Commercial Corridor that are allowed for the Business Park Interior for projects set back at least 200 feet from Hegenberger Road, Oakport Street, or Doolittle Drive. Warehousing, Storage and Distribution, as well as Research and Development are allowed for the Business Park Interior. Future site improvements will be reviewed for consistency with this finding and other requirements of the LUDC.
2. The proposed uses will not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons working in the Oakland Airport Business Park or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood or to the general welfare of the City.
3. The proposed uses 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.

Use Approval

Based on the findings noted above and pursuant to Section 2.2, Table 2.1. and Appendix A of the LUDC, the two uses requested are permitted for the proposed site plan.

This approval does apply to any other required approvals not subject to this use determination, including an approval of a building permit to build a new structure. Such construction will require a Development Permit from the Port and review of the plan for compliance with the rest of the LUDC, including design criteria under Section 3. Any alterations at the site that require a Development Permit are subject to a separate permit process. (See LUDC Section 5 for permit procedures and a list of exempted work.) Any work at the site must comply with the standards of the LUDC.

Appeal of Permit Coordinator's Determination

Pursuant to LUDC Section 5.7, this decision is subject to the administrative appeals process. This use consistency determination will be posted on the Port's website (<http://www.portoakland.com/business/bids-rfps/bid-engineering/permits/>) for fourteen (14) calendar days after the issuance of this determination. Absent an administrative appeal, the Permit Coordinator's decision becomes final on the fifteenth (15th) day after the issuance of this determination. The administrative appeal would be heard by the Permit Hearing Officer, currently the Port's Executive Director.

The LUDC can be found on the Port's web site:
<http://www.portoakland.com/files/PDF/LUDC%20April%202016.pdf>

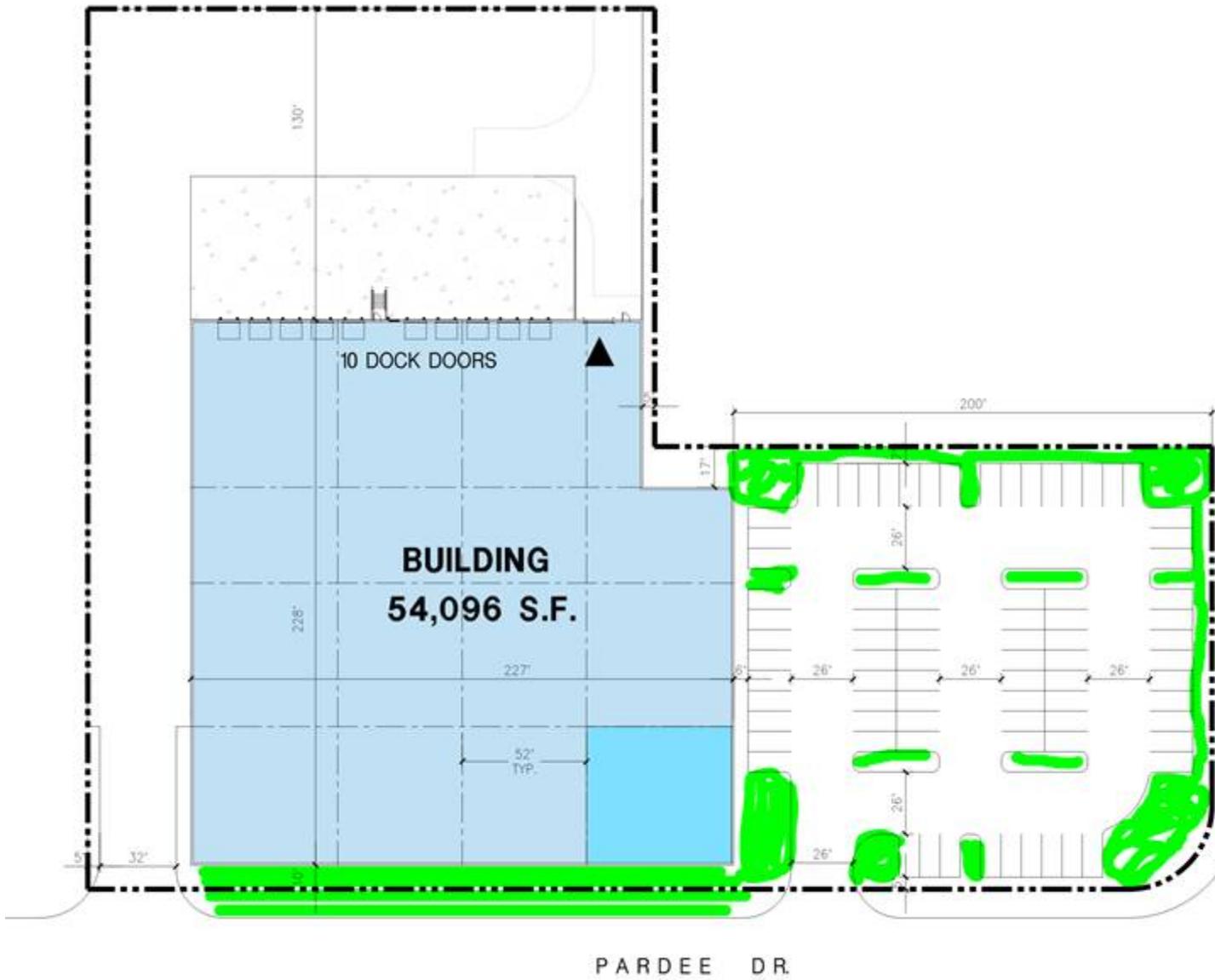
Please let me know if you have any further questions at (510) 627-1480 or jmarsh@portoakland.com.

Sincerely,



Joe Marsh
Port Permit Coordinator

ATTACHMENT – Proposed Site Plan



Note: This is a conceptual plan. It is based on preliminary information which is not fully verified and may be incomplete. It is meant as a comparative aid in examining alternate development strategies and any quantities indicated are subject to revision as more reliable information