

**ATTACHMENT C**

CEQA Findings

**SAFeway REDEVELOPMENT PROJECT  
(BROADWAY AND PLEASANT VALLEY AVENUE)  
CASE FILE NO. CMDV09-135; CP09-090; ER09-007**

**CEQA FINDINGS**

**I. INTRODUCTION**

1. 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 Planning Commission of the City of Oakland (“City”) in connection with certification of the Environmental Impact Report (“EIR”) for the Safeway Redevelopment Project – Broadway at Pleasant Valley Avenue (the “Project”), SCH #2009062097, and approval of the Project.
2. These CEQA findings are attached and incorporated by reference into each and every staff report, resolution and ordinance associated with approval of the Project.
3. 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**

4. The Project site is located on approximately 15.4 acres at the northeast corner of the intersection of Pleasant Valley Avenue and Broadway and is presently occupied by various retail uses, including an existing Safeway store and 615 off-street parking spaces. The proposed development studied in the Draft EIR (“DEIR”), referred to herein as the “DEIR Project,” included demolition of the existing commercial/retail buildings (totaling approximately 185,500 square feet) and construction of a new Safeway store along with other retail, office and restaurant space, resulting in a total of approximately 322,500 square feet of new commercial building space (293,200 square feet of gross leasable floor area and an additional 29,300 square feet of common space) and 967 off-street parking spaces.
5. Members of the public expressed concerns regarding the DEIR Project’s architectural design, suggesting that the architectural character of the proposed buildings was too suburban in nature. In response to this public input, the Project sponsor proposed certain design changes as compared to the DEIR Project. The result was the “Revised Project,” which is more fully described in Master Response #2: Architectural Design/Updated Project in the Final EIR (“FEIR”). In summary, the new architectural designs primarily address the exterior “skin” (i.e., materials, colors and articulation) of the proposed buildings, but do not materially alter the overall size of the Project and do not result in changes to the site plan, building massing or any other factors of the buildings that might result in new or more substantial environmental effects. The Revised Project is comprised of a total of approximately 330,942 square feet of new commercial building space (296,753 square feet of gross leasable floor area and an additional 34,189 square feet of common space). Although the modified design of the Revised Project resulted in a minor increase in gross leasable square footage (by approximately 3,500 square feet),

this increase does not result in any new or more severe environmental effects, as explained in detail in the FEIR at pages 4-4 through 4-14. These findings pertain to the Revised Project, and all references in these findings to the “Project” are references to the Revised Project unless the context clearly indicates otherwise.

### **III. ENVIRONMENTAL REVIEW OF THE PROJECT**

6. Pursuant to CEQA and the CEQA Guidelines, a Notice of Preparation (“NOP”) of a Draft Environmental Impact Report was published on June 25, 2009. The NOP was distributed to state and local agencies, posted at the Project site, and mailed to City property owners within 300 feet of the Project site. The public comment period on the NOP ended on July 27, 2009.

7. On July 15, 2009, the Planning Commission conducted a duly noticed public scoping hearing on the DEIR. It was determined that the DEIR would evaluate the following environmental topics: Aesthetics; Air Quality; Biological Resources; Cultural Resources; Geology/Soils; Greenhouse Gas Emissions; Hazards & Hazardous Materials; Hydrology/Water Quality; Land Use/Planning; Noise and Vibration; Transportation; Circulation and Parking; and Utilities and Public Services.

8. A DEIR was prepared for the Project to analyze its environmental impacts. On January 11, 2013, the Notice of Availability/Notice of Release of the DEIR was distributed by the City to appropriate state and local agencies, posted on the Project site, mailed to property owners within 300 feet of the Project site as well as to any persons who had previously submitted comments on the Project to the City and/or requested to be included in future mailings about the Project, and e-mailed to individuals who had requested specifically to be notified of official City actions on the Project. Copies of the DEIR were also distributed to appropriate state and local agencies, City officials including the Planning Commission, and made available for public review at the office of the Planning, Building & Neighborhood Preservation Department (250 Frank H. Ogawa Plaza, Suite 2114) and on the City’s website.

9. The DEIR was properly circulated for a 45-day public review and comment period between January 11, 2013 and February 25, 2013. A duly noticed public hearing on the DEIR was held by the Planning Commission on February 20, 2013 to receive comments on the DEIR with regard to its adequacy and accuracy.

10. The City received and reviewed all written and oral comments on the DEIR. The City prepared responses to comments on environmental issues and made minor changes to the DEIR. The responses to comments, changes to the DEIR, and additional information were published in the FEIR on September 6, 2013. The DEIR, the FEIR and all appendices thereto constitute the “EIR” referenced in these findings. The FEIR was made available for public review on September 6, 2013, 19 days prior to the duly noticed Planning Commission hearing.

11. The Notice of Availability/Notice of Release of the FEIR was distributed by the City to those state and local agencies who commented on the DEIR, posted on the Project site,

mailed to City property owners within 300 feet of the Project site as well as to any persons who had previously submitted comments on the Project to the City and/or requested to be included in future mailings about the Project, and e-mailed to individuals who had requested specifically to be notified of official City actions on the Project. Copies of the FEIR were distributed to those state and local agencies who commented on the DEIR and to City officials (including members of the Planning Commission), and were made available for public review at the office of the Planning, Building & Neighborhood Preservation Department (250 Frank H. Ogawa Plaza, Suite 2114) and on the City's website. Pursuant to the CEQA Guidelines, responses to public agency comments have been published and made available to all commenting agencies at least 10 days prior to the hearing. The Planning Commission had an opportunity to review 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**

12. The administrative 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 Planning Commission relating to the EIR, the approvals, and the Project.
- c. All information (including written evidence and testimony) presented to the Planning Commission by the environmental consultant and subconsultants who prepared the EIR or incorporated into reports presented to the Planning Commission.
- 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 applications, letters, testimony and presentations presented by the Project sponsor and its consultants to the City in connection with the Project.
- f. All final information (including written evidence and testimony) presented at any City public hearing or City workshop related to the Project and the EIR.
- g. 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.
- h. The Standard Conditions of Approval for the Project and Mitigation Monitoring and Reporting Program for the Project.

- i. All other documents composing the record pursuant to Public Resources Code section 21167.6(e).

13. 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 City Planning, Planning, Building & Neighborhood Preservation Department, or his/her designee. Such documents and other materials are located at 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, California, 94612.

## **V. CERTIFICATION OF THE EIR**

14. In accordance with CEQA, the Planning Commission certifies that: (1) the EIR has been completed in compliance with CEQA; (2) the EIR was presented to the Planning Commission and the Planning Commission reviewed and considered the information contained in the EIR prior to approving the Project; and (3) the EIR reflects the City's independent judgment and analysis.

15. The Planning Commission has independently reviewed the record and the EIR prior to certifying the EIR and approving the Project. By these findings, the Planning Commission 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 Planning Commission.

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

17. The Planning Commission 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 September 25, 2013 staff report. The Planning Commission 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 alternative to or variant of the Project described in the EIR, and any minor modifications to the Project or to alternatives to or variants of the Project described in the EIR.

## **VI. ABSENCE OF SIGNIFICANT NEW INFORMATION**

18. The Planning Commission recognizes that the FEIR incorporates information obtained and produced after the DEIR was completed, and that the FEIR contains minor additions, clarifications, and/or modifications to the DEIR. The Planning Commission has reviewed and considered the FEIR and all of this information. The FEIR does not add significant new information to the DEIR that would require recirculation of the EIR under CEQA. The new information added to the EIR does not indicate 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 others previously analyzed that the Project sponsor declines to adopt and that would clearly lessen the significant environmental impacts of the Project. No information indicates that the DEIR was inadequate or conclusory or that the public was deprived of a meaningful

opportunity to review and comment on the DEIR. Thus, recirculation of the EIR is not required.

19. The Planning Commission finds that the changes and modifications made to the EIR after the DEIR 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 CEQA Guidelines section 15088.5.

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

20. 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 to reduce significant Project impacts are implemented. The Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (“SCAMMRP”) is attached and incorporated by reference into the September 25, 2013 staff report prepared for the approval of the Project, is included in the conditions of approval for the Project, and is adopted by the Planning Commission. The SCAMMRP satisfies the requirements of CEQA.

21. 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, the applicant, and/or other identified responsible public agencies. As appropriate, some SCA and mitigation measures define performance standards to ensure that 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 SCA and mitigation measures.

22. The Planning Commission will adopt and impose the feasible SCA and mitigation measures as set forth in the SCAMMRP as enforceable conditions of approval. Implementation of these measures will avoid or substantially lessen all significant impacts of the Project where feasible.

23. The SCA and mitigation measures incorporated into and imposed upon the Project approval will not have new significant environmental impacts 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 ENVIRONMENTAL IMPACTS**

24. In accordance with Public Resources Code section 21081 and CEQA Guidelines sections 15091 and 15092, the Planning Commission adopts the findings and conclusions regarding impacts, SCA and mitigation measures that are set forth in the EIR and/or 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 Planning Commission ratifies, adopts, and incorporates, as though fully set forth, the analysis, explanation, findings, responses to comments and conclusions of the EIR. The Planning Commission adopts the reasoning of the EIR, staff reports, and presentations provided by the staff and the Project sponsor as may be modified by these findings.

25. The Planning Commission 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 Planning Commission acknowledges that there are differing and potentially conflicting expert and other opinions regarding the Project and its environmental impacts. The Planning Commission 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 Planning Commission 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.

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

26. 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 and the SCAMMRP, the Planning Commission finds that changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid potentially significant effects on the environment. While some of the SCA ensure that the Project will result in no significant impacts, none of the SCA are mitigation measures. Thus, the SCA are not addressed in the findings below, but are included in the SCAMMRP to ensure that they will be implemented. The following potentially significant impacts will be reduced to a less than significant level through the implementation of Project mitigation measures.

27. Biological Resources: The Project would result in a potentially significant but mitigable impact on the western pond turtle, a special status species, as set forth in Impact Bio-1. Although the quarry pond adjacent to the Project site provides only marginally suitable aquatic habitat for the western pond turtle and the likelihood that any western pond turtle would be discovered in the pond is low, the Project proponent will nonetheless implement the following mitigation measure to reduce the potential impact to the western pond turtle to a less than significant level:

a) Mitigation Measure Bio-1a: Western Pond Turtle Surveys

A western pond turtle survey shall be conducted by a qualified biologist within two weeks prior to any disturbance or removal of upland vegetation around the quarry pond. If a turtle is found, it shall be relocated out of harm's way in coordination with the California Department of Fish & Game ("CDFG").

- i. If any turtles are encountered within the construction zone during construction, all work shall halt until the qualified biologist has determined whether it is a western pond turtle or some other species. If it is not a western pond turtle, work may continue.
- ii. If a western pond turtle is found, the CDFG shall be notified regarding the presence of the western pond turtle and all work shall stop until additional exclusion measures have been defined and authorization to proceed is obtained from the CDFG. No person shall handle or otherwise harass any individual western pond turtle encountered during construction, with the exception of handling by the qualified biologist. A plan shall be developed in consultation with the CDFG to relocate the western pond turtle individuals to the nearest protected habitat outside the construction zone and to provide necessary on-site construction avoidance.

b) Mitigation Measure Bio-1b: Contractor Awareness

Contractor education shall be conducted to make workers aware of measures being taken to protect resources on the site and to contribute to increased vigilance during their work. Before initiation of construction activities within close proximity to the quarry pond, all construction workers shall be trained by the qualified biologist regarding the potential presence of western pond turtle and the fact that this species is to be avoided, and if any turtles are seen, the job foreman must be notified and construction shall be halted until appropriate measures have been taken.

Implementation of Mitigation Measures Bio-1a and -1b above would reduce potential impacts to western pond turtles to a level of less than significant.

28. Transportation, Circulation and Parking: The Project would result in significant but mitigable traffic impacts at several intersections under Existing Conditions, 2015 Conditions and 2035 Conditions. The Revised Project would result in approximately two percent (2%) more trips than the DEIR Project analyzed in the DEIR. In comparison to the intersection analysis presented in the DEIR, all study intersections would operate at slightly worse conditions due to the minimal increase in trips generated by the revised Project. However, the Revised Project would continue to result in the same significant but mitigable traffic impacts identified in the EIR. The following summary of these impacts and corresponding mitigation measures is organized in numeric order by relevant impact statement with the intersection noted for easier comprehension by the reviewer.

a) Impact Trans-1 (Shattuck Avenue/52<sup>nd</sup> Street)

Under Existing Conditions, the Project would degrade existing operations at this signalized intersection from Level of Service (“LOS”) D to LOS E during the Saturday PM peak hour.

Mitigation Measure Trans-1 requires the Project applicant to (i) optimize signal timing parameters (i.e., adjust the allocation of green time for each intersection approach) and (ii) coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group. To implement this measure, the Project applicant shall prepare plans, specifications and estimates to modify the intersection and submit them to the City for review and approval. The Project applicant shall fund, prepare and install the approved plans and improvements.

After implementation of this measure, the intersection would improve to LOS D during the Saturday PM peak hour and the impact would be reduced to less than significant. No secondary significant impacts would result from implementation of this measure.

b) Impact Trans-2 (Telegraph Avenue/51<sup>st</sup> Street)

This signalized intersection currently operates at LOS E during the weekday PM peak hour, even without increased traffic from the Project. Under Existing Plus Project conditions, the Project would add traffic that would increase delay for the critical southbound left-turn movement by more than six seconds during the weekday PM peak hour.

Mitigation Measure Trans-2 requires the Project applicant to (i) optimize signal timing parameters (i.e., adjust the allocation of green time for each intersection approach) and (ii) coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group. To implement this measure, the Project applicant shall prepare plans, specifications and estimates to modify the intersection and submit them to the City for review and approval. The Project applicant shall fund, prepare and install the approved plans and improvements.

After implementation of this measure, the intersection would improve to LOS D during the weekday PM peak hour and the impact would be reduced to less than significant. No secondary significant impacts would result from implementation of this measure. This mitigation measure is consistent with the mitigation measure required by the MacArthur Transit Village Project EIR.

c) Impact Trans- 4 (Piedmont Avenue/Pleasant Valley Avenue)

This signalized intersection currently operates at LOS E during the weekday PM peak hour, even without increased traffic from the Project. Under Existing Plus Project conditions, the Project would add traffic that would increase average delay at this intersection by more than four seconds during the weekday PM peak hour.

Mitigation Measure Trans-4 requires the Project applicant to (i) convert signal control equipment from pre-timed to actuated-coordinated operations, (ii) optimize signal timing parameters (i.e., adjust the allocation of green time for each intersection approach) and (iii) coordinate the signal timing changes at this intersection with the

adjacent intersections that are in the same signal coordination group. To implement this measure, the Project applicant shall prepare plans, specifications and estimates to modify the intersection and submit them to the City for review and approval. The Project applicant shall fund, prepare and install the approved plans and improvements.

After implementation of this measure, the intersection would improve to LOS B during the weekday PM peak hour and the impact would be reduced to less than significant. No secondary significant impacts would result from implementation of this measure.

d) Impact Trans- 6 (Shattuck Avenue/52<sup>nd</sup> Street)

Under 2015 Conditions, this intersection is projected to operate at LOS E during the Saturday PM peak hour, even without increased traffic from the Project. However, the Project would add traffic that would increase delay for the critical southbound through movement by more than six seconds during the Saturday PM peak hour.

Mitigation Measure Trans-6 requires the Project applicant to implement Mitigation Measure Trans-1 (described above).

After implementation of this measure, the intersection would improve to LOS D during the Saturday PM peak hour and the impact would be reduced to less than significant. No secondary significant impacts would result from implementation of this measure.

e) Impact Trans-7 (Telegraph Avenue/51<sup>st</sup> Street)

Under 2015 Conditions, this intersection is projected to operate at LOS E during the weekday PM peak hour, even without increased traffic from the Project. However, the Project would add traffic that would increase delay for the critical southbound left-turn movement by more than six seconds during the weekday PM peak hour.

Mitigation Measure Trans-7 requires the Project applicant to implement Mitigation Measure Trans-2 (described above).

After implementation of this measure, the intersection would improve to LOS D during the weekday PM peak hour and the impact would be reduced to less than significant. No secondary significant impacts would result from implementation of this measure.

f) Impact Trans-9 (Piedmont Avenue/Pleasant Valley Avenue)

Under 2015 Conditions, the Project would degrade intersection operations from LOS E to LOS F during the weekday PM peak hour. Under 2015 Conditions, the Project would also degrade intersection operations from LOS D to LOS E during the Saturday midday and PM peak hours.

Mitigation Measure Trans-9 requires the Project applicant to implement Mitigation Measure Trans-4 (described above).

After implementation of this measure, the intersection would improve to LOS C during the weekday PM peak hour, Saturday midday peak hour and Saturday PM peak hours and the impact would be reduced to less than significant. No secondary significant impacts would result from implementation of this measure.

g) Impact Trans-11 (Shattuck Avenue/52<sup>nd</sup> Street)

Under 2035 Conditions, this intersection would operate at LOS F during the Saturday PM peak hour, even without increased traffic from the Project. However, the Project would increase intersection volume-to-capacity (“v/c”) ratio by 0.01 or more during the Saturday PM peak hour.

Mitigation Measure Trans-11 requires the Project applicant to implement Mitigation Measure Trans-1 (described above).

After implementation of this measure, the intersection would improve to LOS D during the Saturday PM peak hour and the impact would be reduced to less than significant. No secondary significant impacts would result from implementation of this measure.

h) Impact Trans-12 (Telegraph Avenue/51<sup>st</sup> Street)

Under 2035 Conditions, this intersection would operate at LOS E during weekday PM and Saturday midday peak hours, even without increased traffic from the Project. However, the Project would increase delay for the critical southbound left-turn movement by more than six second during the weekday PM peak hour. The Project would also increase delay for critical westbound and southbound movements by more than six seconds during the Saturday midday peak hour. Finally, the Project would also degrade intersection operations from LOS D to LOS E during the Saturday PM peak hour.

Mitigation Measure Trans-12 requires the Project applicant to implement Mitigation Measure Trans-2 (described above).

After implementation of this measure, the intersection would improve to LOS D during the weekday PM and Saturday midday peak hours and the impact would be reduced to less than significant. No secondary significant impacts would result from implementation of this measure.

i) Impact Trans-15 (Hudson Street/Manila Avenue/College Avenue)

Under 2035 Conditions, the Project would degrade intersection operations from LOS E to LOS F during the weekday PM peak hour.

Mitigation Measure Trans-15 requires the Project applicant to (i) optimize signal timing parameters (i.e., adjust the allocation of green time for each intersection approach) and (ii) coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group. To implement this measure, the Project applicant shall prepare plans, specifications and estimates to modify the intersection and submit them to the City for review and approval. The Project applicant shall fund, prepare and install the approved plans and improvements.

After implementation of this measure, the intersection would improve to LOS D during the weekday PM peak hour and the impact would be reduced to less than significant. No secondary significant impacts would result from implementation of this measure. This mitigation measure is consistent with the mitigation measure identified by the College Avenue Safeway Project Draft EIR (July 2011).

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

29. 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 Planning Commission finds that the following impacts of the Project remain significant and unavoidable, notwithstanding the imposition of all feasible SCA and mitigation measures, as set forth below. In particular, the Planning Commission finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR. No other feasible mitigation measures are available that would avoid or substantially lessen the following significant and unavoidable impacts.

30. Transportation, Circulation and Parking: The proposed Project would result in significant and unavoidable traffic impacts at certain intersections under Existing Conditions, 2015 Conditions and 2035 Conditions. The Revised Project would result in approximately two percent (2%) more trips than the DEIR Project analyzed in the DEIR. In comparison to the intersection analysis presented in the DEIR, all study intersections would operate at slightly worse conditions due to the minimal increase in trips generated by the revised Project. However, the Revised Project would continue to result in the same significant and unavoidable traffic impacts identified in the DEIR. The following summary of these impacts is organized in numeric order by relevant impact statement with the intersection noted for easier comprehension by the reviewer.

### a) Impact Trans-3 (Howe Street/Pleasant Valley Avenue)

Under Existing Conditions, the proposed Project would add 10 more trips to this intersection during the weekday PM and Saturday midday peak hours. The intersection would meet the peak hour signal warrant during both time periods.

Impact Trans-3 could be mitigated through implementation of one of the following measures: (i) signalize the intersection, providing actuated operation with permitted

left turns and coordinate the signal timings with the adjacent intersections that would be in the same signal coordination group; (ii) prohibit on-street parking for 80 feet along northbound Howe Street just south of Pleasant Valley Avenue to allow right-turning vehicles to bypass queued left-turning vehicles; or (iii) prohibit left-turn movement from Howe Street to westbound Pleasant Valley Avenue during the peak commute periods.

Implementing any of these three measures would improve traffic operations at this intersection and mitigate the significant impact. However, each of these measures is considered infeasible for the following reasons: (i) signalizing the intersection would allow easier automobile access between Howe Street and Pleasant Valley Avenue, thus enabling cut-through traffic to use Howe Street, a local street, as an alternative to the congested Broadway and Piedmont Avenue corridors and would also cause queues on eastbound Pleasant Valley Avenue at Piedmont Avenue to spill back and block this intersection under 2035 Plus Project Conditions; (ii) parking on this segment of Howe Street is at or near capacity on weekday evenings and removal of on-street parking would result in secondary significant impacts that could not be mitigated; and (iii) prohibiting left turn movements onto westbound Pleasant Valley Avenue would divert traffic onto other streets such as Piedmont Avenue or Montgomery Street, thereby increasing the delay and the magnitude of the traffic impact identified at the Piedmont Avenue/Pleasant Valley Avenue intersection under 2035 Plus Project Conditions, a significant and unavoidable impact. Because of the environmental, social and/or technological factors described above, these measures are considered infeasible and the impact at this intersection is considered significant and unavoidable. For the reasons set forth in the Statement of Overriding Considerations, Project benefits outweigh this unavoidable significant environmental impact.

b) Impact Trans-5 (Broadway/51<sup>st</sup> Street/Pleasant Valley Avenue)

Under 2015 Conditions, the intersection would operate at LOS E regardless of the proposed Project during the Saturday midday peak hour. However, the Project would add traffic that would increase delay for the critical eastbound through movement by more than six seconds during the Saturday midday peak hour. The proposed Project would also degrade operations at this intersection from LOS D to LOS E during the weekday PM peak hour.

Impact Trans-5 could be mitigated through implementation of the following measures: (i) install a left-turn lane on the westbound Pleasant Valley Avenue Approach and (ii) install a left-turn lane on the eastbound 51<sup>st</sup> Street approach.

After implementation of this measure, the intersection would improve to LOS D during both the weekday PM and Saturday midday peak hours, mitigating the significant impact. However, this mitigation measure would require widening both 51<sup>st</sup> Street and Pleasant Valley Avenue. This would introduce an additional vehicle lane and increase pedestrian crossing distance over both 51<sup>st</sup> Street and Pleasant Valley Avenue. The intersection signal cycle would also need to be increased to

accommodate the increased pedestrian crossing distance. These modifications would conflict with City policies regarding pedestrian safety and comfort, including the Public Transit and Alternative Modes Policy which supports alternative transportation modes to automobile travel, and the City's Pedestrian Master Plan Policy 1.1 which promotes using design elements, such as median refuges, to improve pedestrian safety at intersections. Additional automobile lanes would also degrade pedestrian safety by increasing pedestrian exposure to automobiles. As a result of the environmental, social and/or technological factors described above, this mitigation measure is considered infeasible and the impact would remain significant and unavoidable.

No other feasible mitigation measures are available that would mitigate the Project impacts at the Broadway/51<sup>st</sup> Street/Pleasant Valley Avenue intersection. Traffic operations at the intersection can be further improved by providing additional automobile travel lanes, such as a third through travel along northbound Broadway. However, these modifications cannot be accommodated within the existing automobile right-of-way and would require additional right-of-way, and/or loss of bicycle lanes, on-street parking, or medians and are considered to be infeasible for the environmental, social and/or technological factors. Thus, the mitigation measure is considered infeasible and the impact would remain significant and unavoidable. For the reasons set forth in the Statement of Overriding Considerations, Project benefits outweigh this unavoidable significant environmental impact.

c) Impact TRANS-8 (Howe Street/Pleasant Valley Avenue)

Under 2015 Conditions, the proposed Project would add 10 more vehicle trips to this intersection during the weekday PM and Saturday midday peak hours. The intersection would meet the peak hour signal warrant during both time periods.

Mitigation Measure Trans-8 requires the Project applicant to implement Mitigation Measure Trans-3 (described above).

Implementation of any of the three measures described in Mitigation Measure Trans-3 would improve traffic operations at this intersection and mitigate the significant impact. However, because each of these three measures is infeasible for the environmental, social and/or technological reasons outlined above, the impact would remain significant and unavoidable. For the reasons set forth in the Statement of Overriding Considerations, Project benefits outweigh this unavoidable significant environmental impact.

d) Impact Trans-10 (Broadway/51<sup>st</sup> Street/Pleasant Valley Avenue)

Under 2035 Conditions, this intersection would operate at LOS F during the weekday PM and Saturday midday peak hours regardless of the Project. However, under 2035 Conditions, the proposed Project would increase the v/c ratio for the intersection by 0.01 or more during the weekday PM peak hour. The Project would also increase the critical movement v/c ratio for the eastbound left, eastbound through, westbound left, northbound through, and the southbound left movements by 0.02 or more during the

weekday PM peak hour. The Project would also increase the v/c ratio for the intersection by 0.01 or more during the Saturday midday peak hour, and increase the critical movement v/c ratio for the eastbound left, eastbound through and northbound through movements by 0.02 or more during the Saturday midday peak hour.

Mitigation Measure Trans-10 requires the Project applicant to implement Mitigation Measure Trans-5 (described above).

After implementation of this measure, the intersection would continue to operate at LOS F during the weekday PM and Saturday midday peak hours. Although the mitigation measure would reduce the v/c ratio for the intersection and the critical movements, it is not adequate to reduce the impact to a less than significant level. After the implementation of this mitigation measure, the proposed Project would continue to increase the intersection v/c ratio by 0.01 or more, and the critical movement v/c ratios by 0.02 or more. Therefore, even with the implementation of this mitigation measure, the impact would remain significant and unavoidable.

In addition, this mitigation measure would require widening both 51<sup>st</sup> Street and Pleasant Valley Avenue. This would introduce an additional vehicle lane, and increase the pedestrian distance crossing both 51<sup>st</sup> Street and Pleasant Valley Avenue. The intersection signal cycle length would also need to be increased to accommodate the increased pedestrian crossing distances. These modifications would conflict with City policies regarding pedestrian safety and comfort. As a result of the environmental, social and/or technological factors described above, the mitigation is considered infeasible.

No other feasible mitigation measures are available that would mitigate the Project's impact at the Broadway/51<sup>st</sup> Street/Pleasant Valley Avenue intersection. Traffic operations at the intersection can be further improved by providing additional automobile travel lanes, such as a third through travel along northbound Broadway. However, these modifications cannot be accommodated within the existing automobile right-of-way and would require additional right-of-way, and/or loss of bicycle lanes, on-street parking, or medians and are further considered to be infeasible because it would adversely affect other travel modes and conflict with City's policies including the Public Transit and Alternative Modes Policy (i.e., "Transit-First Policy") which supports alternative transportation modes to automobile travel, the City's Bicycle Master Plan which identifies Broadway as a planned Class 2 bicycle lane facility, and the City's Pedestrian Master Plan Policy 1.1 which promotes using design elements, such as median refuges, to improve pedestrian safety at intersections. Thus, the mitigation measure is considered infeasible for environmental, social and/or technological factors and the impact would remain significant and unavoidable. For the reasons set forth in the Statement of Overriding Considerations, Project benefits outweigh this unavoidable significant environmental impact.

e) Impact Trans-13 (Howe Street/Pleasant Valley Avenue)

Under 2035 Conditions, the proposed Project would add 10 more vehicle trips to this intersection during the weekday PM, Saturday midday and Saturday PM peak hours. The intersection would meet the peak hour signal warrant during the three time periods.

Mitigation Measure Trans-13 requires the Project applicant to implement Mitigation Measure Trans-3 (described above).

Implementing any of these three measures would improve traffic operations at this intersection and mitigate the significant impact. However, all three measures are considered infeasible for the environmental, social and/or technological reasons outlined above. Therefore, this impact is considered significant and unavoidable. For the reasons set forth in the Statement of Overriding Considerations, Project benefits outweigh this unavoidable significant environmental impact.

f) Impact Trans-14 (Piedmont Avenue/Pleasant Valley Avenue)

Under 2035 Conditions, the Piedmont Avenue/Pleasant Valley Avenue intersection would operate at LOS F regardless of the Project. However, the proposed Project would increase v/c ratio for the intersection by 0.01 or more, and the critical movement v/c ratio for the eastbound, westbound, and northbound movements by 0.02 or more during the weekday PM, Saturday midday, and Saturday PM peak hours.

Mitigation Measure Trans-14 requires the Project applicant to implement Mitigation Measure Trans-4 (described above) and modify signal control equipment to provide lagging protected phasing in the northbound direction.

After implementation of this measure, the intersection would continue to operate at LOS F during the weekday PM peak hour, and improve to LOS E during the Saturday PM peak hour. Although the mitigation measure would reduce the v/c ratio for the intersection and the critical movement v/c ratio for the eastbound movement to less than significant under 2035 conditions, the critical westbound and northbound movements would continue to experience an increase in v/c ratio of 0.02 or more. Therefore the impact would remain significant and unavoidable.

The impact can be reduced to a less than significant level by installing a left-turn lane on the northbound Piedmont Avenue approach. Implementation of this measure would improve intersection operations to LOS D during the weekday PM peak hour and LOS C during the Saturday PM peak hour. However, this improvement would result in elimination of planned bicycle lanes on Piedmont Avenue and loss of on-street parking. As a result of the environmental, social and/or technological factors described above, this improvement is considered infeasible. No other feasible mitigation measures are available within the existing automobile right-of-way and the impact at this intersection is considered significant and unavoidable. For the reasons set forth in the Statement of Overriding Considerations, Project benefits outweigh this unavoidable significant environmental impact.

## **XI. FINDINGS REGARDING ALTERNATIVES**

31. The Planning Commission finds that specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities for highly trained workers, make infeasible the alternatives to the Project as described in the EIR despite remaining impacts, as more fully set forth in the Statement of Overriding Considerations below.

32. Pursuant to CEQA Guidelines section 15126.6, an EIR must describe a range of reasonable alternatives to a project, or to the location of a project that would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. Among the factors that may result in rejection of alternatives from detailed consideration in an environmental impact report or as part of the project approval process are: (1) failure to meet most of the basic project objectives, (2) infeasibility, or (3) inability to avoid significant environmental impacts. CEQA Guidelines section 15162.6(c). Feasible is defined as “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” CEQA Guidelines section 15364.

33. The EIR evaluated a reasonable range of alternatives to the Project as set forth in the DEIR. The City, as lead agency, specified four Project alternatives plus the required No Project Alternative for evaluation in the EIR. This range of alternatives was based on applicable planning and zoning regulations, comments from the public on the NOP and the need to consider feasible alternatives with the potential to avoid or lessen significant Project impacts. Based on these considerations, the following alternatives to the proposed Project were evaluated in the EIR: Alternative 1: No Project Alternative; Alternative 2: Safeway Relocation; Alternative 3: Reduced Project; Alternative 4: Project Concept with Commercial Emphasis; and Alternative 5: Project Concept with Residential Emphasis. As presented in the EIR, the alternatives were described and compared with each other and with the proposed Project. CEQA Guidelines section 15126.6 requires that an EIR identify the environmentally superior alternative. Based on its avoidance of the Project’s significant traffic impacts, the No Project Alternative would be considered to be the environmentally superior alternative. Pursuant to CEQA Guidelines section 15126.6(e)(2), if the environmentally superior alternative is the no project alternative, the EIR must also identify an environmentally superior alternative among the other alternatives. In accordance with this provision, the EIR selects Alternative 5 as the next environmentally superior alternative. Alternative 5 would generate fewer vehicle trips as compared to the Project and other alternatives (excluding the No Project Alternative). However, Alternative 5 would not achieve many of the basic Project objectives as required by CEQA Guidelines section 15126.6. Moreover, Alternative 5 would, like the Project, have significant and unavoidable traffic impacts at the Howe Street/Pleasant Valley Avenue intersection under Existing Conditions, 2015 Conditions and 2035 Conditions. Alternative 5 would also have a significant and unavoidable impact on the intersection of Broadway/51<sup>st</sup> Street/Pleasant Valley Avenue under 2035 Conditions.

34. The Planning Commission certifies that it has independently reviewed and considered the information on alternatives provided in the EIR and in the record. The EIR reflects the Planning Commission's independent judgment as to alternatives. The Planning Commission finds that the Project provides the best balance between the Project sponsor's objectives, 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 does result in some significant and unavoidable environmental impacts, the mitigation measures and SCAs contained in the SCAMMRP mitigate these impacts to the extent feasible. The alternatives proposed and evaluated in the EIR are rejected for the reasons stated below. 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.

35. Alternative 1: No Project Alternative: In this Alternative, the Project site would not be redeveloped. The current Safeway store, other commercial buildings at the site and the parking lot would remain as they are and no aspect of the proposed Project would be constructed. It is also assumed that the Safeway store would remain open for the foreseeable future, providing groceries and related products for its customers. Alternative 1 would not result in any significant impacts. However, Alternative 1 would not achieve any of the basic Project objectives. Consequently, Alternative 1 is rejected as infeasible because it would not accomplish any of the basic Project objectives.

36. Alternative 2: Safeway Relocation: The Safeway Relocation Alternative includes relocation of the Safeway store to the current CVS Pharmacy space, but retains the remainder of the shopping center as it currently exists. Safeway would simply reoccupy the CVS Pharmacy building with minor alterations as necessary. New commercial tenants would be sought to fill the vacated 48,000 square foot Safeway site, but no new or additional space would be added. The Safeway Relocation alternative would retain the approximately 185,500 square feet of commercial uses that currently exist on the site, with no net increase in building space.

Alternative 2 would generate only about 41% of the net new vehicle trips during the weekday PM peak as compared to the Project, and about 50% of the net new vehicle trips during the Saturday peak as compared to the Project. This reduction in trips would be sufficient to reduce the impact at Broadway/51st Street/Pleasant Valley Avenue under 2015 Conditions from significant and unavoidable to a less than significant level. However, the reduction in trips would not be sufficient to avoid the significant and unavoidable traffic impacts at Howe Street/Pleasant Valley Avenue under Existing Conditions, 2015 Conditions, and 2035 Conditions, and at Broadway/51<sup>st</sup> Street/Pleasant Valley Avenue and Piedmont Avenue/Pleasant Valley Avenue under 2035 Conditions. Consequently, Alternative 2 would have significant and unavoidable traffic impacts. All other impacts would be similar to those of the Project although Impact Bio-1, a significant but mitigable impact of the Project, would be avoided by this Alternative.

Alternative 2 also fails to achieve certain key objectives of the Project, such as: (i) revitalizing the entire Project site; (ii) providing a more functional shopping area with a

comprehensive mix of retail services; (iii) improving the aesthetics of the Project site; (iv) constructing energy-efficient buildings; (v) enhancing pedestrian and bicycle access; and (vi) improving site circulation.

Lastly, Alternative 2 would not necessarily support General Plan Land Use and Transportation Element (“LUTE”) Objective C1, which encourages the expansion and retention of businesses within the City, because retail uses at the site would not be expanded. Additionally, Alternative 2 would not support the City’s Bicycle Master Plan and Pedestrian Master Plan goals of promoting a more bike-able and walk-able City given that this Alternative would not construct pedestrian and bicycle improvements on and adjacent to the site.

Alternative 2 is rejected as infeasible because: (i) it would not avoid significant and unavoidable traffic impacts; (ii) it would not accomplish many of the basic Project objectives; and/or (iii) it would conflict with certain key City policies and objectives.

37. Alternative 3: Reduced Project: The Reduced Project Alternative would include all improvements as proposed under the Project, with the exception of upper level space. Under the Reduced Project alternative, all 185,500 square feet of existing shopping center space would be demolished, and the site would be re-built with a new shopping center. Development under the Reduced Project alternative would be similar to the proposed Project, but this alternative would not include the approximately 60,000 square feet of upper level space that would be provided as part of the Project. Similar to the Project, this alternative is also assumed to implement a number of modifications to street configurations and signal operations on Broadway and Pleasant Valley Avenue adjacent to the site.

This alternative would generate about 65% of the increase in net new vehicle trips as compared to the Project. This reduction in trips would be sufficient to reduce the impact at Broadway/51st Street/Pleasant Valley Avenue under 2015 Conditions from significant and unavoidable to a less than significant level. However, it would not be sufficient to avoid the significant and unavoidable traffic impacts at Howe Street/Pleasant Valley Avenue under Existing Conditions, 2015 Conditions, and 2035 Conditions, and at Broadway/51<sup>st</sup> Street/Pleasant Valley Avenue and Piedmont Avenue/Pleasant Valley Avenue under 2035 Conditions. Consequently, Alternative 2 would have significant and unavoidable traffic impacts. All other impacts would be similar to those of the Project.

Further, the Reduced Project would not meet all of the basic Project objectives to the extent that the proposed Project would. For instance, the Reduced Project alternative would have a lower overall height as compared to the Project, making it less urban in character. Additionally, the Reduced Project would not create as much revitalized retail space as the proposed Project and would not create as functional a shopping space as the proposed Project. Finally, the Reduced Project would not provide as many benefits as the proposed Project in terms of employment opportunities and tax revenues.

Lastly, the Reduced Project Alternative does not necessarily support LUTE Objective C1 because retail uses at the site would not be expanded to the extent they could be under the proposed Project.

Alternative 3 is rejected as infeasible because: (i) it would not avoid significant and unavoidable traffic impacts; (ii) it would not accomplish certain basic Project objectives to the same extent that the proposed Project would in terms of urban design, total revitalized retail space, functional shopping space, employment opportunities and tax revenues as discussed above; and/or (iii) it conflicts with certain key City policies and objectives.

38. Alternative 4: Project Concept with Commercial Emphasis: Alternative 4 would involve redevelopment of the existing Rockridge Shopping Center, including the demolition of all of the existing buildings on the site and the construction of a new Safeway store along with other retail, office and restaurant space. Alternative 4 would include a total of 320,000 square feet of commercial space, including a 65,000 square foot Safeway store, 35,000 square feet of major retail, 160,000 square feet of other retail, 10,000 square feet of restaurant uses, 10,000 square feet of office uses, and a 10,000 square foot bank. The existing CVS Pharmacy building would be demolished and replaced by a new Safeway store. Subsequently, the existing Safeway and all of the other existing buildings on the site would be demolished and replaced with new 2- to 4-story buildings containing retail uses on the ground floor and office uses on the second floor. A total of 1,000 off-street parking spaces would be located in surface parking lots, along a new internal “shopping street,” on a rooftop parking lot over the new Safeway store, and in a three level parking garage located over retail space.

Alternative 4 includes a mix of land uses and a site layout that is very similar to the Project evaluated in the EIR. Unlike the Project, Alternative 4 would retain the Chase Bank in its present location, and place more retail space where the Project proposes a new freestanding bank with a drive-thru. Alternative 4 would include more office space, and more restaurant space and outdoor dining adjacent to the quarry pond, as compared to the Project. Alternative 4 would connect the new entry on Broadway to the center of the site through the internal “shopping street,” whereas the Project would continue the City street grid as an extension of Coronado Avenue along the northerly boundary of the site through to the quarry pond. Because Alternative 4 includes a mix of land uses and site layout that are essentially the same as the Project, the environmental impacts of Alternative 4 would be essentially the same as those of the Project.

Because Alternative 4 would have essentially the same impacts as the proposed Project, Alternative 4 would have significant and unavoidable impacts on traffic. Specifically, Alternative 4 would have significant and unavoidable traffic impacts at the intersections of Howe Street/Pleasant Valley Avenue (under Existing Conditions, 2015 Conditions and 2035 Conditions), Broadway/51<sup>st</sup> Street/Pleasant Valley Avenue (under 2015 Conditions and 2035 Conditions) and Piedmont Avenue/Pleasant Valley Avenue (under 2035 Conditions) as described above.

Consequently, Alternative 4 is rejected as infeasible because it would not avoid significant and unavoidable traffic impacts.

39. Alternative 5: Project Concept with Residential Emphasis: Alternative 5 would involve redevelopment of the existing Rockridge Shopping Center, including the demolition of all of existing buildings on the site. New construction would include a new, 62,000 square foot Safeway store, 38,500 square feet of other retail space, and 21,500 square feet of office space. This total of 121,000 square feet of commercial space would represent a reduction of approximately 64,500 square feet as compared to the existing 185,500 square feet currently existing within the shopping center. New construction would also include a total of up to 349 residential units in a mix of townhomes, flats, apartments and dorms, in both residential-only and mixed-use buildings. A total of 804 off-street parking spaces would be located in two parking structures. Alternative 5 would include a mix of housing types, and would integrate and provide for pedestrian, transit, and bicycling access. Its design is intended to “knit together” the neighborhoods that adjoin the Project site with walk-able streetscapes and varied, neighborhood-serving retail uses. Alternative 5 would result in a reduction in the total amount of retail space on the site as compared to the existing center, but would include a new Safeway store to be located along Broadway.

Given that Alternative 5 would generate fewer weekday trips than the Project, this Alternative would reduce the impact at Broadway/51<sup>st</sup> Street/Pleasant Valley Avenue under 2015 Conditions from significant and unavoidable (under the Project) to less than significant. This Alternative would also reduce the impact at Piedmont Avenue/Pleasant Valley Avenue under 2035 Conditions from significant and unavoidable (under the Project) to less than significant. However, even this reduction in trips would not be sufficient to avoid the significant and unavoidable traffic impacts at Howe Street/Pleasant Valley Avenue under Existing Conditions, 2015 Conditions, and 2035 Conditions, and at Broadway/51<sup>st</sup> Street/Pleasant Valley Avenue under 2035 Conditions. All other impacts would generally be similar to those of the Project.

Alternative 5 also fails to achieve many key objectives of the Project, such as: (i) providing a more functional and efficient shopping area; (ii) providing a more comprehensive mix of retail services; (iii) constructing an infill development that attracts and retains high-quality retail clients that will provide myriad of shopping options; (iv) providing additional full-time positions with the expansion of the retail center; and (v) providing benefits to the City in the form of new employment opportunities and retail sales tax revenue.

Additionally, because Alternative 5 would result in a loss of 64,200 square feet of commercial space Alternative 5 would not necessarily support LUTE Objective C1. Retail uses would be contracted, rather than expanded under Alternative 5.

Alternative 5 is rejected as infeasible because: (i) it would not avoid significant and unavoidable traffic impacts; (ii) it would not accomplish most of the basic Project objectives; and/or (iii) it conflicts with certain key City policies and objectives.

## **XII. STATEMENT OF OVERRIDING CONSIDERATIONS**

40. The Planning Commission 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 these remaining significant, adverse impacts and is an overriding consideration independently warranting approval. The remaining significant adverse impacts identified above are acceptable in light of each of these 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.

41. The Project will develop a high-quality commercial/retail project which implements many of the City-wide General Plan goals, objectives, and policies including, among others, Land Use and Transportation Element Objectives C1, N1 and N10 as well as Policies C1.1, N1.2, N1.4, N1.5, N1.8, N10.1. The Project will also further the policies of the Pedestrian Master Plan and Bicycle Master Plan. The Project will support Pedestrian Master Plan Policy 1.1, which promotes using design elements, such as median refuges, to improve pedestrian safety at intersections. The Project will support the Bicycle Master Plan by re-designing the right of way along Broadway to provide Class 2 bike lanes on both sides of that street. The Project will also support these Plans by including bike paths and pedestrian walkways within the Project site.

42. The Project will revitalize the 15.4 acre Project site and the intersection of Pleasant Valley Avenue and Broadway by replacing 1960s suburban style development with a modern, urban design that de-emphasizes surface-level parking and establishes a gateway presence at this important intersection in the Rockridge neighborhood.

43. The Project would encourage public gathering through construction of interior plazas, outdoor seating areas and outdoor cafés.

44. The Project will allow for a larger Safeway grocery store that offers a more comprehensive range of retail services and products to nearby residents and other Safeway customers.

45. The Project will greatly improve the aesthetics of the site by utilizing an urban design involving contemporary commercial architecture with numerous horizontal and vertical planes designed to provide variety and interest, break up the look of the multi-tenant store fronts and create diverse character for individual retail tenants.

46. The Project will incorporate landscaping improvements that will make the site more aesthetically pleasing and will specifically enhance views of the quarry pond.

47. The Project design will allow for a variety of transportation modes to and from the site, including pedestrian and bicycle transportation modes. Specifically, the Project would make the shopping center more accessible to cyclists and pedestrians through construction of pedestrian-oriented store fronts, bike paths and raised sidewalks.

48. The Project will further the City's transit-first goals by providing an enhanced selection of necessary household goods and other retail merchandise in a transit-rich area along several AC Transit routes.

49. The Project will promote the use of alternative transportation by providing a bus shelter at the bus stops on northbound and southbound Broadway north of Pleasant Valley Avenue/51<sup>st</sup> Street and on westbound Pleasant Valley Avenue west of the Project driveway.

50. The Project will enhance pedestrian safety by constructing bulbouts on both sides of the existing marked crosswalk at Pleasant Valley Avenue and installing rectangular rapid flashing beacons for both directions of Pleasant Valley Avenue.

51. The Project will add many temporary construction jobs and approximately 170 permanent jobs for other workers after Project construction (including 70 full-time new union jobs at the Safeway store), thereby furthering the City's job creation and retention policies.

52. The Project will result in increased property tax and sales tax revenues to the City and County.

53. The Project will meet the contemporary energy and green building objectives of the City and the State by incorporating several energy-efficient (or "green") features or components, including in the areas of lighting, refrigeration systems, display cases, heating/cooling systems and facilities.

54. The Project will reduce greenhouse gas emissions by installing new, modernized refrigeration systems in the new Safeway store.