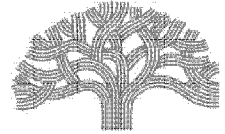


CITY OF OAKLAND



CITY HALL • 1 FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA 94612

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March 31, 2021

Mr. David Kaval
President
Oakland Athletics
55 Harrison Street
Oakland, CA 94607

VIA ELECTRONIC MAIL

RE: Waterfront Ballpark District at Howard Terminal

Dear Dave:

Enclosed please find a schedule of activities remaining to be completed in order to bring the above-referenced project to a vote of the City Council in 2021, a goal that I know we both share.

As you know, the project requires the following actions by the City Council in order to proceed to permitting and construction:

1. Certification of a Final Environmental Impact Report;
2. Amendment of the City's General Plan;
3. Rezoning of the Howard Terminal site;
4. Approval of a Preliminary Development Plan for the project, including Design Guidelines to govern future Final Development Plan approvals; and
5. Approval of a Tentative Tract Map to allow for subdivision of the property, including creation of a legal parcel for the A's new ballpark.

Further, AB 734 (now codified as California PRC Section 21168.6.7) requires that the project be "subject to a comprehensive package of community benefits approved by the Port of Oakland or City Council of the City of Oakland, as applicable, which may include local employment and job training programs, local business and small business policies, public access and open space, affordable housing, transportation infrastructure, increased frequency of public transit, and transit accessibility and sustainable and healthy development measures for the surrounding community."

In addition, the A's have requested a Development Agreement for the project. As previously discussed, Section 17.138.015 of the Oakland Municipal Code ("OMC") requires that the Development Agreement be considered together with the project's core planning permit(s), specifically stating:

The development agreement shall not be approved unless the project has received, or simultaneously receives, whatever design review, conditional use permit, preliminary Planned Unit Development plan approval, and/or variance it may otherwise require.

Section 17.130.080 of the OMC provides that "[w]hen a development application requires both legislative and adjudicatory actions, the **entire** application shall be considered by the City Council for final action" (emphasis added). Given these requirements, the City bundles all discretionary actions for consideration and final action, at the same time, by the City Council.

Finally, it is anticipated that many of the community benefits contemplated by AB734 would be contained within and enforced through the Development Agreement.

Therefore, I wish to be clear that it is the City's intent, consistent with the direction of our Council, AB 734, the OMC, and the administrative practices of our Planning Department, to consider all of the above discretionary actions concurrently. As we have discussed this approach on numerous occasions over the past two years, I'm confident it will not come as a surprise to you.

Our teams have worked on several schedule iterations, and unfortunately, we are now forced to work under an extremely compressed time schedule. Should the A's wish to proceed to a fully approved project in 2021, I strongly encourage you to undertake immediate action in order to:

1. Prepare and submit a Tentative Tract Map for the project site for Planning, Engineering, and Fire Department review **no later than April 26, 2021;**
2. Prepare and resubmit a full Preliminary Development Plan application (including Design Guidelines) responsive to the comments previously provided by Pete Vollmann, the project planner, on March 18 and 25, 2020 and March 22, 2021, no later than **April 26, 2021;**
3. Complete negotiation of a term sheet with City staff, detailing the essential terms of the proposed Development Agreement, including the team's commitment to stay and play in Oakland, no later than **April 30, 2021; and**
4. Execute a community benefits term sheet with community representatives, setting forth the project's comprehensive package of community benefits pursuant to AB 734, **no later than July 9, 2021.**

Failure to meet any of the above key schedule objectives will very likely push project approvals into 2022.

The City of Oakland remains deeply committed to keeping the A's "rooted in Oakland". I was thrilled that our staff, through extraordinary efforts and many late nights, were able to publish the Draft Environmental Impact Report for the project just 15 days following the A's receipt of the Governor's AB734 certification. This was an important and much anticipated milestone for the project. I trust you will not lose this hard-won momentum through delay on any of the elements required for approval of this project in 2021.

Please don't hesitate to contact me with any questions.

Sincerely,



Elizabeth Lake
Deputy City Administrator
Real Estate & Major Projects

cc: Mayor Libby Schaaf, City of Oakland
Edward D. Reiskin, City Administrator, City of Oakland
Molly Maybrun, Project Manager, City of Oakland
John Fisher, Owner, Oakland Athletics
Sandy Dean, Partner, Sansome Partners

Attachments:

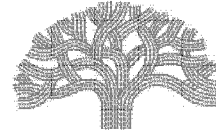
1. Schedule as of March 24, 2021
2. Letter from Peterson Vollmann re Case No. PLN-20-048, dated as of March 22, 2021

Waterfront Ballpark District @ Howard Terminal
Schedule as of:

3/24/21

Category:	Task/Milestone:	Body:	Authority:	Duration:	Date:	Responsible Party:	Status:	Notes:
DEVELOPMENT AGREEMENT + COMMUNITY BENEFITS								
CBA	Estolano Advisors Report Presented to CBA Steering Committee					City		
CBA	Estolano Advisors Report Presented to CED	Community & Economic Development Committee	Advisory		5/25/21	City		Estolano Advisors report presented to CED
CBA	Term Sheet Executed			45	7/9/21	A's		A's fully negotiate & execute a CBA term sheet with community representatives, setting forth comprehensive package of community benefits pursuant to AB 734 (PRC 21168.6.7(3)(A)(v))
CBA	CBA Complete & Ready for Execution			90	10/7/21	City + A's (DA) Port + A's (Option) A's (CBA)		All terms incorporated in City's DA, Port's transactional documents, and/or separate CBA, approved by all parties, including A's + community representatives and City + Port staff
DA	DA Term Sheet Fully Negotiated				4/30/21	City + A's		
DA	Agenda Publication Date (Council)			14	5/14/21	City		Includes staff report and attachments (DA Term Sheet + Estolano report)
DA	Resolution/Informational Report (TBD)	Community & Economic Development Committee	Advisory	11	5/25/21	City		DA Term Sheet; may be CED or full Council
DA	DA Complete & Ready for Execution			160	10/7/21			
CEQA								
DEIR	AB 734 Certification Received				2/11/21	A's	COMPLETE	ACTUAL
DEIR	Publish DEIR				2/26/21	City	COMPLETE	ACTUAL
DEIR	Agenda Publication Date (LPAB)	Landmarks Preservation Advisory Committee		17	3/5/21	City	COMPLETE	ACTUAL
DEIR	AB 734 Workshop			8	3/6/21	City	COMPLETE	ACTUAL
DEIR	Public Hearing	Landmarks Preservation Advisory Committee	Advisory		3/22/21	City	COMPLETE	ACTUAL
DEIR	Agenda Publication Date (PC)	Planning Commission		19	4/2/21	City		DEIR
DEIR	Public Hearing	Planning Commission	Advisory		4/21/21	City	AGENDIZED	Per AB734, must occur within last 10 days of minimum 45-day public comment period
DEIR	End of Public Comment Period			60	4/27/21	City	NOTICED	60 days total
FEIR	Requests for Mediation Due			6	5/3/21	City		Per AB 734, within 5 days of close of comment period
FEIR	Review + Bracket Comments for Team Distribution			10	5/7/21	ESA		Identify Master Responses, authors, and any technical analysis warranted
FEIR	Mediation Complete			35	6/1/21	City		Per AB 734, within 35 days of close of comment period
FEIR	Draft RTCs and Additional Analysis Complete			56	7/2/21	ESA + TBD		Tentative; per ESA assumes (1) no changes to project from DEIR, and (2) any required technical analysis can be completed within one month.
FEIR	Comments Due - ADFEIR 1.0			21	7/23/21	City + A's + Port		
FEIR	Publish ADFEIR 2.0 - Internal Review			28	8/20/21	ESA		Contents: Intro, Commenters, Letters/Transcripts, DEIR Revisions and Master Responses
FEIR	Comments Due - ADFEIR 2.0			14	9/3/21	City + A's + Port		
FEIR	Publish Screencheck FEIR			14	9/17/21	ESA		
FEIR	Comments Due - Screencheck FEIR			14	10/1/21	City + A's + Port		
FEIR	Publish FEIR			12	10/13/21	City		
PROJECT APPROVALS								
Entitlements	Submit PDP Application, including Design Guidelines				3/5/20	A's	COMPLETE	ACTUAL
Entitlements	1st Plan Check Comments - PDP + Design Guidelines			20	3/25/20	City	COMPLETE	ACTUAL
Entitlements	2nd Submittal - PDP Only			335	2/23/21	A's	COMPLETE	ACTUAL. Submittal did not include Design Guidelines. See incomplete letter from Pete Vollmann dated as of 3/22/21 for a list of missing elements.
Entitlements	2nd Plan Check Comments			27	3/22/21	City	COMPLETE	
Entitlements	3rd Submittal PDP + 2nd Submittal Design Guidelines + 1st Submittal TTM			30	4/26/21			Deadline for resubmittal of PDP + Design Guidelines assuming 5/26/21 DRC meeting; deadline for submittal of TTM
Entitlements	PDP: Agenda Publication Date	Design Review Committee			5/7/21	City		
Entitlements	PDP: Public Hearing	Design Review Committee	Advisory	19	5/26/21	City		Tentative; 4th Wednesdays
Entitlements	TTM: 1st Plan Check Comments			42	6/7/21			
Entitlements	PDP + Design Guidelines: Final Submittal			28	6/23/21	A's		
Entitlements	PDP + Design Guidelines: Approved (staff)			21	7/14/21	City		
Entitlements	TTM: 2nd Submittal			42	7/19/21	A's		
Entitlements	TTM: 2nd Plan Check Comments			28	8/16/21	City		
Entitlements	TTM: Final Submittal			28	8/16/21	A's		All final, complete submittals due 30 days prior to Planning Commission
Entitlements	TTM: Approved (staff)			21	10/4/21	City		
Entitlements	Pencils Down				10/13/21	City + A's		All documents (City-Port Leg, DA, CBA, TTM, GPA, Rezoning, PDP, FEIR) due in final form to City Administrator
Entitlements	Agenda Publication Date (PC)	Planning Commission		19	10/15/21	City		
Entitlements	Planning Commission	Planning Commission	Advisory		11/3/21	City		FEIR, City-Port Leg, DA, CBA, TTM, GPA, Rezoning, PDP; advisory to Council (no final actions)
Entitlements	Agenda Publication Date (CED)	Community & Economic Development Committee		5	11/12/21	City		Includes staff report and attachments (full package)
Entitlements	CED Committee	Community & Economic Development Committee	Advisory		11/17/21	City		**Date approximate. Special meeting to be scheduled in coordination with committee chair.** FEIR, City-Port Leg, DA, CBA, TTM, GPA, Rezoning, PDP; advisory to Council (no final actions)
Entitlements	Agenda Publication Date (Council)	City Council		13	11/24/21	City		Includes staff report and attachments (full package)
Entitlements	City Council	City Council	First Reading		12/7/21	City		FEIR, City-Port Leg, DA, CBA, TTM, GPA, Rezoning, PDP; 1st Reading; Special Meeting
Entitlements	Agenda Publication Date (Council)	City Council		11	12/10/21	City		Includes staff report and attachments (full package)
Entitlements	City Council	City Council	2nd/Final Reading		12/21/21	City		FEIR, City-Port Leg, DA, CBA, TTM, GPA, Rezoning, PDP; 2nd Reading

CITY OF OAKLAND



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March 22, 2021

Dave Kaval, President
Oakland Athletics
55 Harrison Street
Oakland, CA 94607

Re: Case Number: **PLN20-048**
Project Address: **1 Market Street (APN's: 018-0405-001-00; -002-00; & -004-00; -003-01; & -003-02 and 018-0410-001-04; -001-05; -003-00; -004-00; -005-00; -006-01; -006-02; -007-00 & -008-00)**

Dear Applicant:

Section 65943 of the California Code requires a determination in writing as to the completeness of an application for a development project. This letter does not constitute either an approval or a denial of your application.

Your revised application submittal for a Planned Unit Development (PUD), submitted on February 23, 2021 has been found to be:

[X] INCOMPLETE. Additional information or materials are needed in order to process your application. Please submit a revised set of plans that address the comments previously provided on March 25, 2020, as well as the specific items listed below:

- 1) Given that the proposed PUD submittal includes new parcels as future development sites, please submit the required Tentative Tract Map (TTM) for the proposed subdivision to be reviewed concurrently with and as part of the PUD application. In addition, as part of the TTM submittal please be sure to demonstrate how the proposed parcels that include abutting property lines with the proposed ballpark parcel will be able to accommodate openings that comply with the Building Code. A vertical air space subdivision may be required to allow this.
- 2) In addition to the "Maritime Reservation Scenario" that was provided as an alternate Preliminary Development Plan (PDP), please also include an alternate full site PDP that includes the alternative Water Street approach that removes the Fire Station as well as the on-site "Peaker Plant Variant". This is necessary to ensure that in the event either of these options are pursued that they will be covered by the PUD entitlements.

- 3) Please include a phasing plan for the site grading since it is understood that this will likely occur over two phases (east and west of Market Street).
- 4) Please include a phasing plan for the implementation of the publicly accessible parks/open space on the project site.
- 5) Please include a phasing plan for the installation of on-site infrastructure (streets/sidewalks, storm drains, sewer, utilities, etc.).
- 6) Please provide an interim site plan that incorporates the anticipated surface parking lot and access plan that would exist between the major Phase 1 and Phase 2 implementation of the project buildout (assumed to be consistent with the phased grading and horizontal infrastructure improvements of the project site).
- 7) The current PDP submittal includes the proposed street layouts with cross sections. As part of the revised submittal please check the Streets and Pedestrian Key Plan reference numbers and align them with the individual cross sections that are provided on the pages that follow the Key Plan. The plans and cross sections in the PDP submittal need to be consistent with those that will be included with the TTM filing as well.
- 8) Given the long term projected build out of the site and the lack of detailing on the building massing models in the PDP, please submit an updated Design Guidelines packet as part of the PUD application that will guide the future development and character of the site through the review of the Final Development Plans (FDP's). These should include guidelines that address the proposed buildings, parks/plazas, and streetscape features, and should also be responsive to the comments provided by staff on the initial submittal on March 25, 2020.

If you have any questions, feel free to contact me at (510) 238-6167, or by e-mail at pvollmann@oaklandca.gov. Thank you for your prompt response to this request.



Peterson Z. Vollmann
Bureau of Planning
Planner IV