

Case File Number: PLN23020

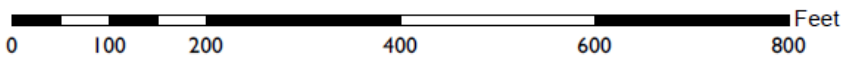
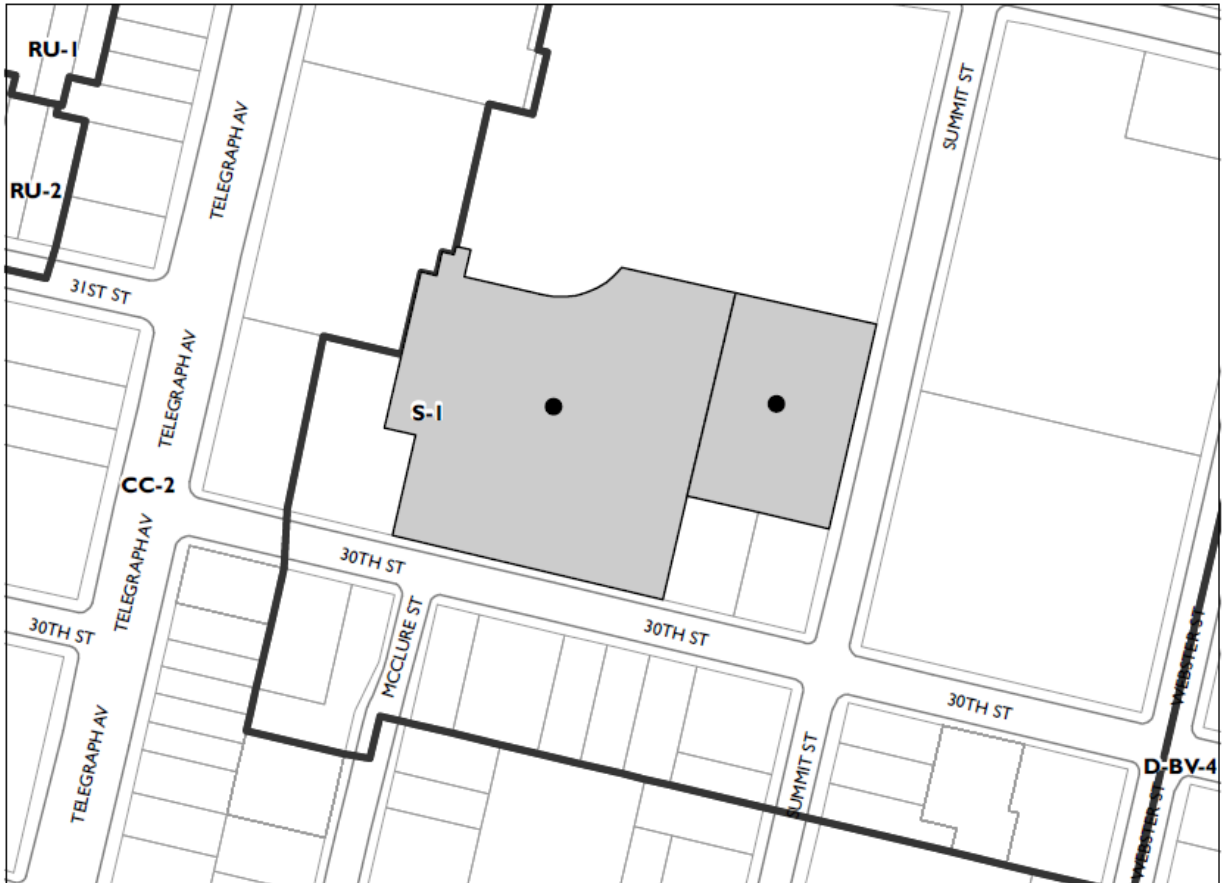
June 21, 2023

Location:	3023 Summit Street (See map on reverse)
Assessor's Parcel Numbers:	009 07460400 and 009 074602800
Proposal:	Final Development Permit (FDP) involving the demolition of two structures for the construction of a 7-leveled, 170,047 square-foot freestanding outpatient medical building and reconfiguration of the adjacent outdoor space and parking lot located on the Alta Bates Summit Medical Center (ABSMC) Campus in Oakland. The center will be a core location for cancer prevention, diagnosis and treatment and is a joint venture between Sutter Health and Stanford Health.
Applicant:	Scott Gregory
Phone Number:	(510) 535-6690; email: sgregory@lamphier-gregory.com
Owner:	Sutter Health and Stanford Health
Case File Number:	PLN23020
Planning Permits Required:	Regular Design Review (DR), Final Development Permit (FDP), Tree Removal Permit (T)
General Plan:	Institutional
Zoning:	Medical Center (S-1)
Environmental Determination:	Final EIR certified on May 19, 2010
Historic Status:	F3
City Council District:	3
Status:	Pending
Staff Recommendation:	Approval, based on staff report
Finality of Decision:	Appealable to City Council
For further information:	Contact Case Planner Malinda Lim at (951) 756-4874 or by email at mlim@interwestgrp.com

SUMMARY

The proposed project is a Final Development Permit (FDP) for the construction of a cancer facility within the Alta Bates Summit Medical Center (ABSMC) Campus in Oakland. The proposed facility, named Stanford Medical Sutter Health Cancer Center (SMSHCC), is a seven leveled, 170,049 square-foot building. The building footprint is 30,506 square-feet. The construction of this facility involves the demolition of two existing ABSMC office buildings totaling 13,882 square feet and the adjacent surface parking lot. Included in the project scope is the redesign of the Peralta Pavilion outdoor plaza and parking area of 8,600 feet.

CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN23020
Applicant: Scott Gregory
Address: 3023 Summit St
Zone: S-1

PROJECT SITE AND SURROUNDING AREA

The Alta Bates Summit Medical Center (ABSMC) campus is located north of the Downtown District (identified in the Land Use and Transportation Element (LUTE) of the General Plan) and south of I-580 in an area known as “Pill Hill”. The approximately 20-acre campus is bounded between Telegraph Avenue and Webster Street, and between 30th Street and 34th Street. The campus currently contains approximately 1.4 million square feet of medical-related building space, including the 345-bed acute care hospital within the existing Merritt Pavilion.

The Project site is approximately 32,158 square feet of the ABSMC campus and bounded by Summit Street to the east, Peralta Pavilion (Samuel Merritt University) to the West, the South Pavilion and 30th Street to the south, and generally by the ABSMC parking garage to the north. The site contains two Alta Bates Summit office buildings totaling 13,882 square feet and a surface parking lot. To the rear of the of the Alta Bates Summit office buildings is the plaza for the Peralta Pavilion.

Other Surrounding Uses

The ABSMC is surrounded by a number of medical offices and medical-related commercial facilities that are associated with or located conveniently near Alta Bates Summit, but that are not part of ABSMC. There are few residences located in the immediate vicinity of the campus. A short block of residences (both single-family and multi-family) are located along the westerly side of Elm Street.

PROJECT BACKGROUND

On May 19, 2010, the Oakland Planning Commission unanimously approved the ABSMC Seismic Upgrade and Master Plan Project. This approval included the certification of the Environmental Impact Report (EIR), the Transportation Demand Management (TDM) Plan and Greenhouse Gas Reduction Plan, Planned Unit Development (PUD) permit including the approval of the Preliminary Development Plan for the entire campus, and the Final Development Plan (FDP) and Design Review for Phase 1 improvements, Variance for off-street parking requirements, and a Conditional Use Permit (CUP) for the demolition of Bechtel Hall.

Phase 1 of the Master Plan was completed in 2014 and included the demolition of four buildings to provide for construction of an eleven-leveled, approximately 230,000 square foot Patient Care Pavilion (hospital) and a seven-leveled parking garage able to accommodate 1,067 parking spaces. On-site circulation improvements were made to provide access to these new facilities.

Future phases for the Summit Campus Master Plan included the following:

- A new one-story, 32,000-square-foot fitness center would be located at the top of the Phase 1 parking structure for use by ABSMC employees and Samuel Merritt University employees and students;

- A new potentially eight-story, 175,000-square-foot medical office building (MOB) would be constructed on the west side of Summit Street;
- A new four-story, 72,500-square-foot building for use by Samuel Merritt University would be constructed on the site of the temporary surface parking lot developed in Phase 1, near Hawthorne Avenue / Elm Street;
- A 1-block section of Summit Street from 30th Street to Hawthorne Avenue would potentially be closed to through traffic to create a new, internal pedestrian plaza space for the ABSMC campus.

Future phase construction activity on the site could occur after Phase 1 and any time prior to 2035. ABSMC had also requested the flexibility to construct the new medical office building along Summit Street concurrent with Phase 1. The construction and operational impacts of the building during Phase 1 or future phases was analyzed in the EIR. This FDP was submitted after the completion of Phase 1 of the Master Plan.

Public Review

The proposed project was reviewed by the Design Review Committee of the Planning Commission (DRC) on April 26, 2023. Public comments received at the meeting involved concerns from neighbors regarding construction noise, dust, and traffic which will be mitigated through the conditions of approval. At the DRC public hearing, the applicant was asked to revise the plans in order to:

- Reduce the bulky design of the building’s façade;
- Create more openness and an inviting entry to the ground floor through a height increase and by accentuating and opening the entrance;
- Enhance the ground-level activation (both interior and exterior); and
- Make the wall in front of the pharmacy more transparent.

The DRC reviewed the applicant’s submittal and voted unanimously to move the application forward for Planning Commission consideration.

PROJECT DESCRIPTION

Final Development Permit - Phase 2

Pursuant to the Planned Unit Development procedures of Oakland Municipal Code, Chapter 17.140, Sutter Health has applied for a Final Development Plan (FDP) for Phase II of the Master Plan, which only includes the medical office building and Peralta Pavilion outdoor plaza that were fully anticipated pursuant to PUD 09-104.

Sutter Health has formalized a collaborative joint venture with Stanford Health Care for a state-of-the-art cancer facility. The proposed facility, named Stanford Medical Sutter Health Cancer Center (SMSHCC), is a seven-level, 170,049-square foot building. The building footprint is 30,506

square-feet. The construction of this facility involves the demolition of two existing Alta Bates Summit office buildings totaling 13,882 square feet and the adjacent surface parking lot.

Included in the project scope is the redesign of the Peralta Pavilion outdoor plaza and parking area of 8,600 feet. This new plaza space would be centrally located and designed for patients, staff and the public and would be the primary path of pedestrian circulation between the new Patient Care Pavilion, Providence Pavilion, Peralta Pavilion, the new garage and Samuel Merritt University. The plaza would also accommodate small group gatherings, lunch time rest areas and opportunities for casual meetings.

The demolition of the two existing buildings and the construction of the new medical building was fully anticipated and analyzed in the adopted ABSMC Master Plan EIR (case file ER 09-0001) and approved Planned Unit Development Permit (case file PUD 09-104).

GENERAL PLAN

The Land Use and Transportation Element (LUTE) of the General Plan designates the entire ABSMC campus as Institutional. The Institutional Land Use area is intended to create, maintain, and preserve areas appropriate for education facilities, cultural and institutional uses, health services and medical uses. The Project's proposed land uses are consistent with this Institutional land use designation. No General Plan amendments are required. The Project would be consistent with the various LUTE policies that support the continued existence and expansion of the ABSMC campus. The upgrading and replacement of facilities within the campus would improve visual quality and safety on the campus and they would allow for expansion of medical services to City residents and workers by intensifying existing uses on the site, rather than expanding off-site. The Project is consistent with LUTE policies regarding the location, retention and support of institutional land uses.

ZONING

The current zoning of the ABSMC campus is S-1: Medical Center. This zoning is intended to create, preserve and enhance areas devoted primarily to medical facilities and auxiliary uses, and is typically appropriate for compact areas around large hospitals. The proposed cancer center is within the Medical Service Commercial Activities use classification for medical services. This classification includes, but is not limited to, the provision of therapeutic, preventive, or corrective personal treatment services by physicians, dentists, psychotherapists, and other practitioners, as well as the provision of medical testing and analysis services. The Medical Service Commercial Activities use classification is a permitted use within the S-1: Medical Center zoning district.

Regulations

There are no maximum height requirements in the S-1 zone except in cases where the property is adjacent to a residential zone (Code Chapter 17.74.140). The height of the Stanford Medicine Sutter Health Cancer Center is seven (7) levels or 79 feet above ground level. In the S-1 District,

the maximum floor area ratio (FAR) of any facility shall be 4.0, except that this ratio may be exceeded by ten percent on any corner lot and may also be exceeded by ten percent on any lot which faces or abuts a public park at least as wide as the lot (Code Chapter 17.74.130). The table below is the zoning matrix for the project.

Criteria	Medical Center (S-1)	Proposed	Analysis
Land Use			
Activity	Medical Service Commercial Activities Activity permitted;	Medical Service development	The proposed use is a permitted activity.
Facility	Commercial Building Commercial facility permitted.	Proposed facility is permitted.	Facility permitted.
Streets			
Principal Streets	Accessible from Summit and 30 th Streets		
Lot Dimensions			
Lot Width Mean	25 feet	Greater than 25 feet.	Conforms to City standards.
Frontage	25 feet	Greater than 25 feet.	Conforms to City standards.
Minimum Lot Area	4,000 square feet	Greater than 4,000 square feet	Conforms to City standards.
Setbacks			
Minimum Front (Summit St.)	10 feet	10 feet	Conforms to City standards.
Minimum Interior Side	0 feet	North: 0 feet South: dimension not provided.	Conforms to City standards.
Minimum Street Side	10 feet	N/A	N/A
Rear	10 feet	10 feet	Conforms to City standards.
Floor Area Ratio			
Maximum permitted FAR is 4.00, except that this ratio may be exceeded by ten percent (10%) on any corner lot and may also be exceeded by ten percent (10%) on any lot which faces or abuts a public	Lot is 0.74 acres or 32,158 square feet.	Proposed building is 170,049 square feet. A FAR of 5.29 is proposed.	Conforms with the approved PUD and certified EIR which includes an 8-story 175,000 square-foot medical office building. The proposed cancer facility is smaller than the

park at least as wide as the lot.			anticipated building size in the PUD. The buildout of the Master Plan would result in a campus-wide FAR of 1.97, well below the permitted 4.0 FAR in the S-1 district.
Height Regulations			
Maximum Height Primary Building	No maximum height requirements in the S-1 zone except in cases where the property is adjacent to a residential zone (Code Chapter 17.74.140)	79 feet	Conforms. The proposed building is not adjacent to a residential zoning district.
Parking Requirements			
Minimum Auto Parking	One (1) space for each six hundred (600) square feet of floor area on the ground floor of a building; One (1) space for each one thousand (1,000) square feet of floor area not on the ground floor of a building.	Square footage of each building floor was not provided however, parking stalls are provided in neighboring parking structure.	Conforms. On May 19, 2010, the Planning Commission had approved a minor variance from the City’s off-street parking requirements pursuant to Planning Code Chapter 17.116.

DESIGN

Issues

The design of the cancer facility has been through multiple iterations from the submittal of the pre-application for Phase 2 of the FDP. The initial design submittals consisted of a gray-toned building with bulky massing. Staff meet with the architects for this project who explained that the concept for the building design was “light,” an homage to state-of-the-art cancer treatment, light therapy, and a symbol of hope for cancer patients. The building design strives to bring controlled daylight into the space by integrating shading and glare control on the façade of the design. In response to this theme, Staff provided feedback to the applicant to introduce additional light elements by incorporation of additional vertical transparency, use of various building textures and colors to help reduce the visual scale of the building and provide visual interest, increase the connection with the street, and provide uplighting.

Main Building Facade

The most noticeable component of the building façade design are the angled glass fiber reinforced concrete (GFRC) panels with large punch windows. GFRC was chosen for its beneficial features including decorative application, fire resistance, energy efficiency, and an appropriate material for high seismic zones. These panels are oriented according to the sun angle to minimize glare and solar heat gain. The original design of the punch windows has spandrel glass and a horizontal strip of clear glazing as clerestory on the second level.

Although the angled panels provide articulation and visual interest, the repetitive nature is monotonous, resulting in a busy and seemingly unarticulated façade, resulting in a bulky mass facing the public Right-of-Way. The DRC and Staff had requested the applicant develop a solution to reduce the bulky nature of the design and increase the transparency of the second story. In response, the applicant toned down the visual bulkiness by reducing the number of panel patterns. With this change, the façade has improved but remains monotonous. The architect was able to revise the design to address the request for an increase of transparency to the second story. To increase the transparency, the spandrel glazing has been switched to a transparent glazing horizontal frit intended to appear transparent while reducing the appearance of the interior construction system.

Stair Tower

The original proposal had large, flat GFRC panels in a medium gray color. Staff requested the applicant add texture to the tower and related the tower design and materials to the light theme. The tower was given vertical visual interest with the addition of fluted GFRC panels in a light beige color. This helps to break away from the horizontal angled panels to provide a statement backdrop for the building signage while also adding varying shadows and texture to the building's frontage. The curtain window wall on the stair tower will consist of a mix between clear and shadow box glazing to provide light into the building while also maintaining privacy. The DRC did not request changes to this design aspect of the building.

Ground Level

Public entrance to the cancer facility will be accessible from Summit Street and a curb cut is proposed for patient drop-off and pick-up. It was important to design this entrance with a connection to the street and clear indication of the entrance. As part of the Summit Campus Master Plan, the section of Summit Street from 30th Street to Hawthorne Avenue would potentially be closed to through traffic to create a new, internal pedestrian plaza space for the ABSMC campus. Any future plans for closure of this street as a public thorough-fare will be required to be accompanied by the relocation of the patient drop-off and pick-up area, a thorough analysis of the legal issues associated with a public street closure, a detailed study demonstrating how continued access, including emergency access and potential bus routing, would be maintained, and an analysis of internal campus circulation issues. This change will require additional approvals which will be determined at the time of application submittal.

Presented to the DRC was a recessed entrance with the overhanging volume of the upper levels and a contemporary interpretation of a cornice element outlining the roof to correspond to the Providence Pavilion South across the street which has a two-part demarcation on its façade and clear delineation of a cornice. The DRC thought this created a dark, cave-like atmosphere and requested the applicant to brighten the area. The applicant responded by removing the southern wall of the canopy and changing the original metal canopy to a glass canopy to allow daylight to bathe over the entrance. A frit pattern is proposed on the glass to filter and soften the light for visually sensitive patients. Large, raised landscape planters line the street frontage to provide an inviting atmosphere and transition from the street level to the ground floor.

The ground floor consists of the lobby, waiting area, cafe, and pharmacy. With such a public area and high foot traffic area, large windows were incorporated to two-thirds of the ground level to increase the transparency of the building and promote ground floor activation. The previous design had a large, blank gray wall for the pharmacy portion for security concerns; Staff requested the applicant reduce the darkness and incorporate additional color and/or texture to help break up the flat wall. The applicant responded with the incorporation of a terracotta rainscreen system with panels in various beige tones and groove panels. At the DRC meeting, the Committee requested the wall in front of the pharmacy be more transparent. To address this issue, the design team proposed the continuation of the curtain wall from the café/dining area to the pharmacy. The glazing used in front of the pharmacy will be transparent with a metal shadow box behind it to provide privacy for the pharmacy. This change provides a glassy appearance to the front façade, creating a uniform appearance.

Peralta Pavilion Plaza and Parking Lot

The plaza and parking lot have been redesigned to provide additional pedestrian connection and engagement. The plaza can accommodate small group gatherings, lunch time rest areas, and opportunities for casual meetings.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Planning Commission certified an Environmental Impact Report (EIR) for the existing project approvals on May 19, 2010. The Alta Bates Summit Medical Center Summit Campus Environmental Impact Report [SCH No. 2009012067] is available to the public at the Planning Department offices and on the web at: https://cao-94612.s3.amazonaws.com/documents/ABSMC_FEIR.pdf.

Staff has determined that no new information about the site, changes to the project, or circumstances under which the project would be undertaken have occurred that would require subsequent or supplemental environmental review for the proposed FDP. In accordance with CEQA, the City reviewed and analyzed the proposed project changes and other relevant information to determine whether circumstances requiring the preparation of a subsequent or supplemental EIR exist. Based upon available information, the City has determined that none of those circumstances are present. Because the FDP and related permits represent a refinement of,

and not a substantive change to, the approved project, no further environmental review is required. None of the circumstances that require a supplemental or subsequent EIR pursuant to Public Resources Code Section 21166 and/or CEQA Guidelines Section 15162 have occurred. Specifically:

- There are no substantial changes proposed in the project which would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- There are no substantial changes with respect to project circumstances which would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
- There is no new information of substantial importance which would result in new significant environmental effects, a substantial increase in the severity of previously identified significant effects, previously infeasible mitigation measures or alternatives now found to be feasible, or new mitigation measures or alternatives which are considerably different from previous ones that would substantially reduce environmental effects.

Here, the FDP, proposing a seven-story, 170,049 square-foot building, conforms with the approved PUD and certified EIR, which included in its analysis an 8-story 175,000 square-foot medical office building. As such, the proposed cancer facility is smaller than the anticipated building size in the PUD and of that which was studied in the EIR. The buildout of the Master Plan would result in a campus-wide FAR of 1.97, well below the permitted 4.0 FAR in the S-1 district.

Based upon available information, and because the proposed FDP is less intense than that contemplated in the CEQA EIR analysis, no subsequent or supplemental environmental review is required under CEQA.

RECOMMENDATION

The proposed FDP is consistent with the previously approved PDP. Staff finds the proposed project is responsive to DRC comment and recommends approval. Staff specifically recommends that the Planning Commission:

1. Pursuant to Public Resources Code Section 21166 and/or CEQA Guidelines Section 15162, and based on the attached findings (and incorporated herein by reference), rely on the Alta Bates Summit Medical Center Summit Campus (ABSMC) EIR as adequate under CEQA for analysis of the Stanford Medicine Sutter Health Cancer Center Final Development Permit; and
2. Approve the Stanford Medicine Sutter Health Cancer Center Final Development Permit, Regular Design Review Permit, and Tree Removal Permit.

Prepared by:



MALINDA LIM, Interwest Group
Consultant Planner

Reviewed by:



CATHERINE PAYNE
Development Planning Manager

Approved for forwarding to the Planning Commission:



ED MANASSE
Deputy Director – Bureau of Planning

Attachments:

- A. Findings for Approval
- B. Final Development Plan: Stanford Medicine Sutter Health Cancer Center Plans dated May 2023
- C. Arborist Report Revised March 2023
- D. Conditions of Approval (attached, rely on previously adopted Conditions of Approval and CEQA Mitigation Measures related to case file PUD 09-104, inclusive)
- E. Alta Bates Summit Medical Center Summit Campus Environmental Impact Report (link: <https://www.oaklandca.gov/documents/alta-bates-summit-medical-center-seismic-upgrade-and-master-plan-ceqa-review>)

ATTACHMENT A: FINDINGS FOR APPROVAL

Required findings include:

- California Environmental Quality Act (CEQA)
- Regular Design Review: Planning Code Section 17.136.050
- Tree Removal Permit: Protected Trees Code Section 12.36.050

CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Planning Commission certified an Environmental Impact Report (EIR) for the existing project approvals on May 19, 2010. The Alta Bates Summit Medical Center Summit Campus Environmental Impact Report [SCH No. 2009012067] is available to the public at the Planning Department offices and on the web at: <https://www.oaklandca.gov/documents/alta-bates-summit-medical-center-seismic-upgrade-and-master-plan-ceqa-review>. Staff has determined that no new information about the site, changes to the project, or circumstances under which the project would be undertaken have occurred that would require subsequent or supplemental environmental review for the proposed minor revision to the Parcel E FDP. In accordance with CEQA, the City reviewed and analyzed the proposed project changes and other relevant information to determine whether circumstances requiring the preparation of a subsequent or supplemental EIR exist. Based upon available information, the City has determined that none of those circumstances are present. Because the FDP and related permits represent a refinement of, and not a substantive change to, the approved project, no further environmental review is required. None of the circumstances that require a supplemental or subsequent EIR pursuant to Public Resources Code Section 21166 or CEQA Guidelines Section 15162 have occurred. Specifically:

- There are no substantial changes proposed in the project which would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

- There are no substantial changes with respect to project circumstances which would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

- There is no new information of substantial importance which would result in new significant environmental effects, a substantial increase in the severity of previously identified significant effects, previously infeasible mitigation measures or alternatives now found to be feasible, or new mitigation measures or alternatives which are considerably different from previous ones that would substantially reduce environmental effects.

Here, the FDP, proposing a seven-story, 170,049 square-foot building, conforms with the approved PUD and certified EIR, which included in its analysis an 8-story 175,000 square-foot medical office building. As such, the proposed cancer facility is smaller than the anticipated building size in the PUD and of that which was studied in the EIR. The buildout of the Master Plan would result in a campus-wide FAR of 1.97, well below the permitted 4.0 FAR in the S-1 district.

City of Oakland Design Review Findings

The proposed medical office building is subject to Planning Code Section 17.136.050 – Regular Design Review criteria. Accordingly, regular design review approval may be granted only if the proposal conforms to all of the following general design review criteria, as well as to any and all other applicable design review criteria.

17.136.050 Regular Design Review Criteria

Regular design review approval may be granted only if the proposal conforms to all of the following general design review criteria, as well as to any and all other applicable design review criteria:

B. For Nonresidential Facilities and Signs

1. That the proposal will help achieve or maintain a group of facilities which are well related to one another and which, when taken together, will result in a well-composed design, with consideration given to site, landscape, bulk, height, arrangement, texture, materials, colors, and appurtenances; the relation of these factors to other facilities in the vicinity; and the relation of the proposal to the total setting as seen from key points in the surrounding area. Only elements of design which have some significant relationship to outside appearance shall be considered, except as otherwise provided in Section 17.136.060;

The cancer center will be a new addition to the Sutter Health Alta Bates Summit Medical Center Campus. It is essential for the exterior language to relate to its surrounding structures. The adjacent providence garage to the north has a horizontal expression. Thus, the new cancer center continues the horizontality of the campus by creating horizontal bands on the façade through the angled pattern of the GFRC panels on every floor. The providence pavilion south across the street has a two part demarcation on its facade with a base and a top with a clear delineation of a cornice. The new cancer center corresponds by having a transparent base and a bulky volume on the upper levels. Lastly, the GFRC panels borrow the slope sill from the providence pavilion north to maximize the daylight into the building and allow the ever-changing shadow of the facade to give texture to the building.

2. That the proposed design will be of a quality and character which harmonizes with, and serves to protect the value of, private and public investments in the area;

Level 1 of the Cancer Center has a very transparent facade facing Summit to engage the community. It houses the public function such as the cafe, resource center and retail pharmacy. The Summit Street sidewalk is lined with planters to

enhance the pedestrian experience. Granite panels with anti-graffiti coating are used at the southwest corner to not only anchor the building but to provide durable protection. Understanding the value of open green space to both private and public investments, a large open space is provided on the west side of the building to allow daylight penetration into the building. A sunken garden is provided on the west facade to allow daylight into the basement floor.

3. That the proposed design conforms in all significant respects with the Oakland General Plan and with any applicable design review guidelines or criteria, district plan, or development control map which have been adopted by the Planning Commission or City Council.

In May of 2010, the Oakland Planning Commission approved a Planned Unit Development (PUD) permit for the Summit Campus Seismic Upgrade and Master Plan. The ABSMC Seismic Upgrade and Master Plan Project was prepared in compliance with state seismic safety requirements of SB 1953, and to provide a long-term vision for the Campus to meet hospital and community needs. Phase I of the Master Plan has been complete for some time. Future phases of the Master Plan included an 8-story, 175,000 square-foot Medical Office Building on Summit Street (the currently proposed Cancer Center Project), a Samuel Merritt University expansion building at Hawthorne/Elm, and potential closure of a portion of Summit Street as a new campus plaza between 30th Street and Hawthorne Avenue. Pursuant to the Planned Unit Development procedures of Oakland Municipal Code, Chapter 17.140, this Final Development Plan (FDP) for Phase II of the Master Plan, which only includes the medical office building, was fully anticipated pursuant to the PUD permit, now known as the Cancer Center at 3023 Summit Street.

City of Oakland Tree Removal Permit Findings

The proposed medical office building is subject to Code Section 12.36.050A – Criteria for Tree Removal Permit Review. Accordingly, tree removal permit approval may be granted if it is determined that removal is necessary in order to accomplish any one of the tree removal permit objectives.

12.36.050 Criteria for Tree Removal Permit Review

In order to grant a tree removal permit, the City must determine that removal is necessary in order to accomplish any one of the following objectives:

1. To insure the public health and safety as it relates to the health of the tree, potential hazard to life or property, proximity to existing or proposed structures, or interference with utilities or sewers;

The trees for removal are due to conflicts with the proposed building footprint, building access service requirement, realignment of the fire lane, construction staging impact, and arborist report recommendations. The proposed building requiring removal of the trees is also consistent with the previously approved PUD.

2. To avoid an unconstitutional regulatory taking of property;
3. To take reasonable advantage of views, including such measures as are mandated by the resolution of a view claim in accordance with the view preservation ordinance (Chapter 15.52 of this code);
4. To pursue accepted, professional practices of forestry or landscape design. Submission of a landscape plan acceptable to the Director of Parks and Recreation shall constitute compliance with this criterion;

A landscape plan prepared by Smith Group was submitted as part of the final development plan submittal.

5. To implement the vegetation management prescriptions in the S-11 site development review zone.

ATTACHMENT B: STANFORD MEDICINE SUTTER HEALTH PLANS DATED MAY 2023 (provided as a separate file attachment to this report)

ATTACHMENT C. ARBORIST REPORT REVISED MARCH 2023

ATTACHMENT D. CONDITIONS OF APPROVAL (RELY ON PREVIOUSLY ADOPTED CONDITIONS OF APPROVAL AND CEQA MITIGATION MEASURES RELATED TO CASE FILE PUD09-104, INCLUSIVE)

**ATTACHMENT E: ALTA BATES SUMMIT MEDICAL CENTER SUMMIT CAMPUS
ENVIRONMENTAL IMPACT REPORT (link:
<https://www.oaklandca.gov/documents/alta-bates-summit-medical-center-seismic-upgrade-and-master-plan-ceqa-review>)**