Case File Numbers: CMD12091; ER120007

August 29, 2012

Project Title: The Shops at Broadway - EIR Scoping Session

Location: 3001-3039 Broadway (northwest corner of Broadway and

30th Street; see map on reverse)

Assessor's Parcel Numbers: 009-0705-004-00; 009-0705-005-00; 009-0705-006-00; & 009-

0705-007-00

Proposal: Construction of an approximately 35,750 sq. ft. single-story

commercial development consisting of an approximately 26,000 sq. ft. anchor tenant (grocery store) and approximately 9,750 sq. ft. of retail space (which may include up to 6,000 sq. ft. of restaurant

space). 171 parking spaces are proposed.

Applicant: Portfolio Development Partners LLC

Phone Number: (925) 939-3010

Owner: 3640 Associates; BW30 Associates

Planning Permits Required: Conditional Use Permit; Regular Design Review; Variances

General Plan: Community Commercial

Zoning: CC-2 (Community Commercial Zone – 2); D-BR (Broadway Retail

Frontage Interim Combining Zone)

Environmental Determination: An Environmental Impact Report (EIR) will be prepared. A Notice of

Preparation (NOP) for the EIR was published on July 27, 2012. The public comment period on the NOP began on August 1, 2012, and

ends on August 31, 2012.

Historic Status: Potential Designated Historic Property (PDHP); Survey rating: D2+

Service Delivery District: 2 City Council District: 3

Date Filed: June 20, 2012

Status: Pending

Action to be Taken: Solicit comments on the scope of the EIR. No decisions will be made

on the project at this hearing.

Staff Recommendation: Take public testimony concerning the scope of the EIR and provide

direction to staff.

Finality of Decision: No decision will be made on the project at this time.

For Further Information: Contact the case planner, Darin Ranelletti, at (510) 238-3663 or by

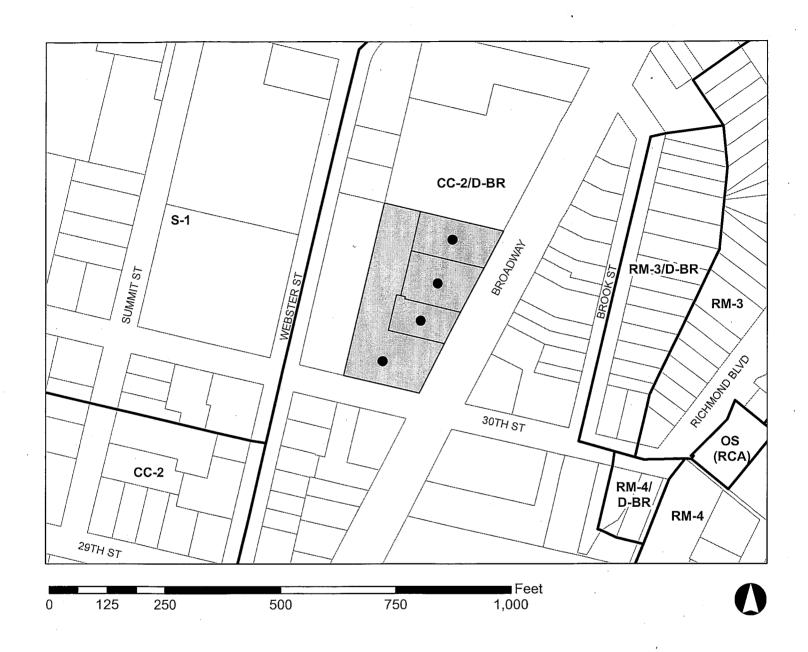
e-mail at dranelletti@oaklandnet.com.

SUMMARY

The applicant proposes to construct a new approximately 35,750 sq. ft. single-story commercial development consisting of an approximately 26,000 sq. ft. anchor tenant (grocery store) and approximately 9,750 sq. ft. of retail space (which may include up to 6,000 sq. ft. of restaurant space). 171 parking spaces are proposed.

The project is subject to the environmental review requirements of the California Environmental Quality Act (CEQA). An Environmental Impact Report (EIR) will be prepared that analyzes potential environmental impacts of the project. A Notice of Preparation (NOP) for the EIR was published on <u>July 27</u>, <u>2012</u>. The 30-day public comment period on the NOP began on <u>August 1</u>, <u>2012</u>, and ends on <u>August 31</u>, 2012.

CITY OF OAKLAND PLANNING COMMISSION



Case File: CMD12-091; ER12-0007

Applicant: Portfolio Development Partners LLC

Address: 3001-3039 Broadway

Zone: CC-2; D-BR

Case File Number: CMD12091; ER120007

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The purpose of the August 29th hearing is to hear comments from the public and the Planning Commission concerning the scope of the forthcoming EIR. Comments should be limited to the scope of the environmental analysis. There will be opportunities to comment on the merits of the project at future hearings. No action will be taken on the project at today's hearing. The decision on the project will occur at a future hearing.

PROPERTY DESCRIPTION

The project site is located at 3001-3039 Broadway at the northwest corner of Broadway and 30th Street in Oakland's Broadway Auto Row. The site is bound by Broadway to the east, 30th Street to the south, an existing skilled nursing facility (Oakland Healthcare and Wellness Center) to the west on Webster Street, and a car dealership (Bay City Chevrolet) to the north. Across Webster Street to the west and northwest is the Alta Bates Summit Medical Center (ABSMC). The surrounding area contains a mixture of urban land uses including auto sales, auto repair, and medical, retail, restaurant, and residential uses.

The 83,143 square-foot site is roughly rectangular in shape with approximately 398 feet of frontage on Broadway and approximately 167 feet of frontage on 30th Street. The topography of the site slopes gently upward from Broadway towards the west. The site is currently paved and used as a parking lot by ABSMC. The lot currently has 287 parking spaces. It is anticipated that the parking spaces on the site will be relocated to the new parking structure being constructed as part of the ABSMC seismic upgrade project and master plan.

Broadway Valdez District Specific Plan

The project site is located in the proposed Broadway Valdez District Specific Plan (BVDSP) area, which is currently undergoing its own separate and independent planning and CEQA process. The BVDSP will develop strategies for future land use development along Broadway between Grand Avenue and Interstate 580, emphasizing retail, housing, and office uses. More information about the BVDSP is on the City's website at http://www.oaklandnet.com/planning.

PROJECT DESCRIPTION

The proposed project involves construction of an approximately 35,750 square feet single-story commercial development consisting of an approximately 26,000 square-foot anchor tenant (full-service grocery store) and approximately 9,750 sq. ft. of retail space (which may include up to 6,000 square feet of restaurant space). Currently, the applicant is in negotiations with a specific tenant for the grocery store space; the name of the tenant has not been announced publicly. Tenants for the remaining retail space are not known at this time.

The height of the building along Broadway would range from approximately 22 to 42 feet. Due to the slope of the site, the building height at the rear (west) of the site would range from approximately 12 to 25-1/2 feet.

The project includes 171 parking spaces located on two levels. 25 parking spaces would be located on the ground level behind the proposed retail uses and 146 parking spaces would be located on the roof of the building. The Zoning Regulations would require a minimum of 169 parking spaces. Vehicle access to and from the parking area would be located on 30th Street. A loading dock would be located on the northern edge of the site. Trucks would access the dock area by entering the site on 30th Street and exiting on Broadway.

The project drawings are attached to this report (see Attachment A).

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GENERAL PLAN DESIGNATION

The site is designated Community Commercial in the Oakland General Plan. According to the General Plan, the intent and desired character of the Community Commercial is the following:

The Community Commercial classification is intended to identify, create, maintain, and enhance areas suitable for a wide variety of commercial and institutional operations along the City's major corridors and in shopping districts or centers. Community Commercial areas may include neighborhood center uses and larger scale retail and commercial uses, such as auto related businesses, business and personal services, health services and medical uses, education facilities, and entertainment uses. Community Commercial areas can be complemented by the addition of urban residential development and compatible mixed use development. (Land Use and Transportation Element, p. 150)

ZONING INFORMATION

The site is zoned CC-2 (Community Commercial Zone -2) and D-BR (Broadway Retail Frontage Interim Combining Zone). According to the Zoning Regulations, the intent of the CC-2 zone is to "create, maintain, and enhance areas with a wide range of commercial businesses with direct frontage and access along the City's corridors and commercial areas." (Oakland Planning Code, sec. 17.35.010)

In 2008 the Oakland City Council adopted temporary zoning regulations for the upper Broadway corridor (called the S-5 Broadway Retail Frontage Interim Combining Zone) in order to allow the City time to prepare a specific plan to develop the upper Broadway corridor as a retail district. In 2010 the name of the zone was changed to the D-BR Broadway Retail Frontage Interim Combining Zone. According to the Zoning Regulations, the D-BR zone is intended to "create, preserve, and enhance ground level retail opportunities within the Broadway/Valdez Retail District north of the Central Business District." (Oakland Planning Code, sec. 17. 101C.010). The D-BR zone is scheduled to expire on February 15, 2013, or when the City adopts a specific plan for the district, whichever occurs first.

ENVIRONMENTAL REVIEW

The project is subject to the environmental review requirements of the California Environmental Quality Act (CEQA). Pursuant to CEQA, a Draft Environmental Impact Report (EIR) will be prepared that analyzes potential environmental impacts of the project. It is anticipated that the project may have environmental effects related to air quality, cultural resources, greenhouse gas emissions, hazards and hazardous materials, noise, and traffic and transportation. It is anticipated that the project would not have environmental effects related to aesthetics, agriculture and forest resources, biological resources, geology and soils, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, and utilities and service systems. However these environmental factors will nevertheless be analyzed in the EIR.

A Notice of Preparation (NOP) for the Draft EIR was published on <u>July 27, 2012</u> (see Attachment B). The 30-day public comment period on the NOP began on <u>August 1, 2012</u>, and ends on <u>August 31, 2012</u>. Following the public comment period, the Draft EIR will be prepared and then reviewed by the Planning Commission at a future hearing.

The purpose of the August 29th hearing is to solicit comments from the Planning Commission, Responsible Agencies (i.e., other public agencies that have a role in approving or carrying out the

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project), and the public on what types of information and analysis should be considered in the EIR. Comments about the issues that should be considered, the types of information that should be included, and the range of alternatives to the project that should be assessed are the subject of this scoping session. Comments should be limited to the scope of the environmental analysis. There will be opportunities to comment on the merits of the project at future hearings. Review of the potential environmental impacts of the project and consideration of mitigation measures to eliminate, reduce, or off-set those impacts are anticipated to occur during the project review process thus informing the decision-making process.

KEY ENVIRONMENTAL ISSUES AND IMPACTS

Below is a summary of the key environmental issues and impacts related to the project. Note that the list below only contains the anticipated key items related to the *environmental* effects of the project. Key issues and impacts related to other topics, such as architecture and design, will be identified and discussed at future hearings.

Transportation and Traffic

The EIR will include an analysis of the existing transportation system serving the project site and the anticipated effects of the project on the transportation system during construction and operation of the project, as well as the project's anticipated cumulative contribution to future traffic conditions. On- and off-site vehicle, transit, bicycle, and pedestrian circulation will be analyzed.

Construction Impacts

The applicant anticipates constructing the project in one phase lasting 10 to 12 months, beginning in mid-2013. The EIR will evaluate the potential construction-related impacts of the project on the environment, including impacts related to air quality, noise, and transportation and traffic.

Cumulative Analysis of Broadway Valdez District Specific Plan

As discussed above, the project site is located in the proposed Broadway Valdez District Specific Plan (BVDSP) area. Although the BVDSP is undergoing its own separate and independent planning and CEOA process, the BVDSP will be considered in the cumulative analysis in the EIR.

Alternatives to Project

The EIR will consider a reasonable range of alternatives to the project, including the CEQA-mandated "No Project" alternative, as well as a mixed-used commercial/housing project.

CONCLUSION

Staff recommends that the Planning Commission take public testimony on the scope of the EIR and provide direction to staff on the environmental analysis. The focus of the meeting should be the scope of the environmental analysis. There will be opportunities to comment on the merits of the project at future hearings.

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Prepared by:

Darin Ranelletti Planner III

Approved by:

ROBERT MERKAMP Acting Zoning Manager

Approved for forwarding to the Planning Commission:

SCOTT MILLER

Interim Planning and Zoning Director

ATTACHMENT:

- A. Project Drawings (received August 15, 2012)
- B. Notice of Preparation (dated July 27, 2012)

ATTACHMENT A

Project Drawings (received August 15, 2012)



THE SHOPS AT UPTOWN

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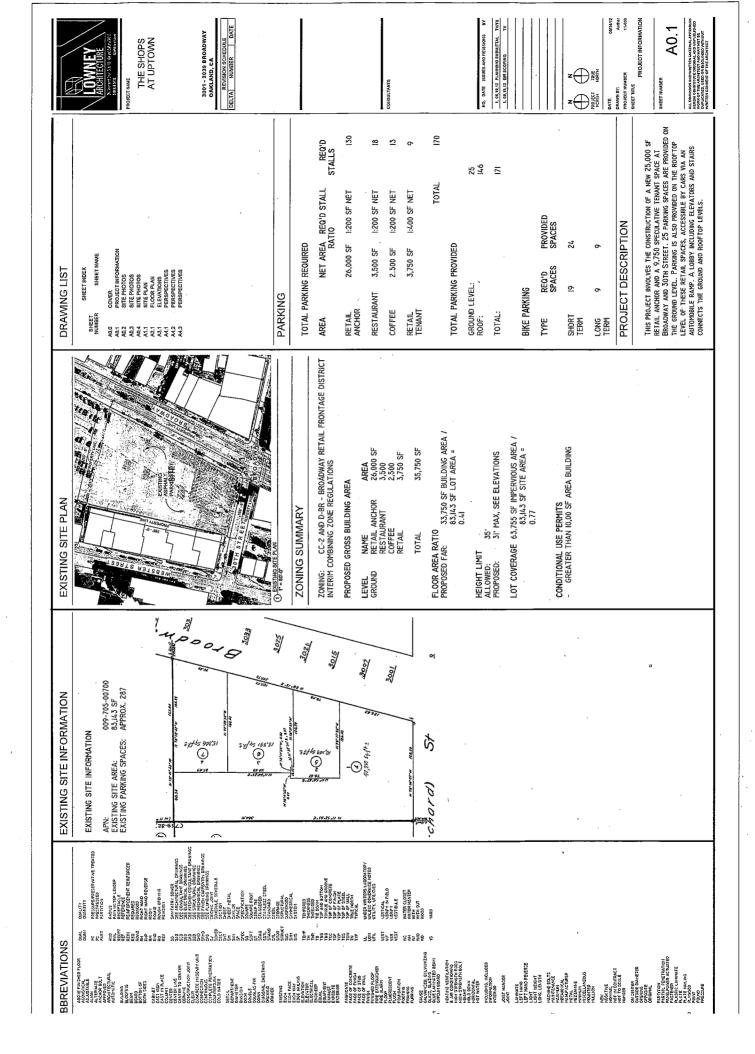
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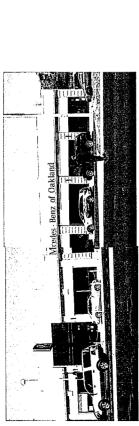
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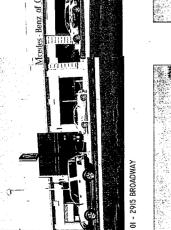
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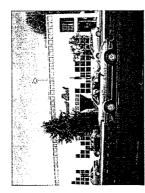
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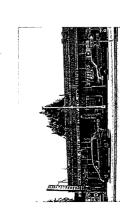


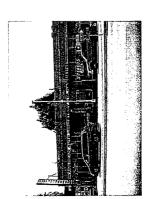


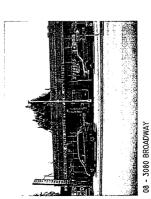


















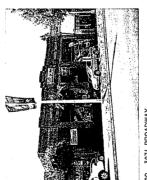
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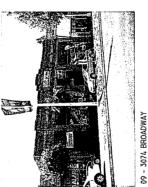


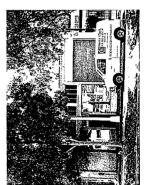




06 - 3093 BROADWAY





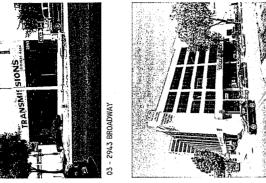






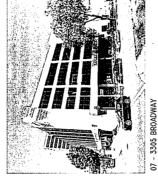
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02 - 2939 BROADWAY

THE SHOPS AT UPTOWN





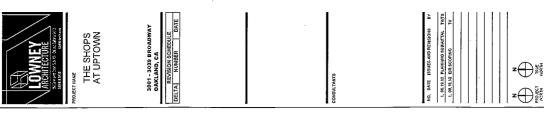




SITE KEY PLAN

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02 - 3022 BROADWAY









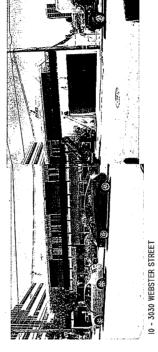
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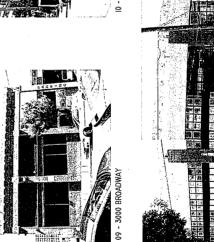
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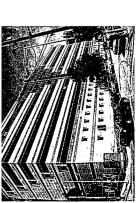


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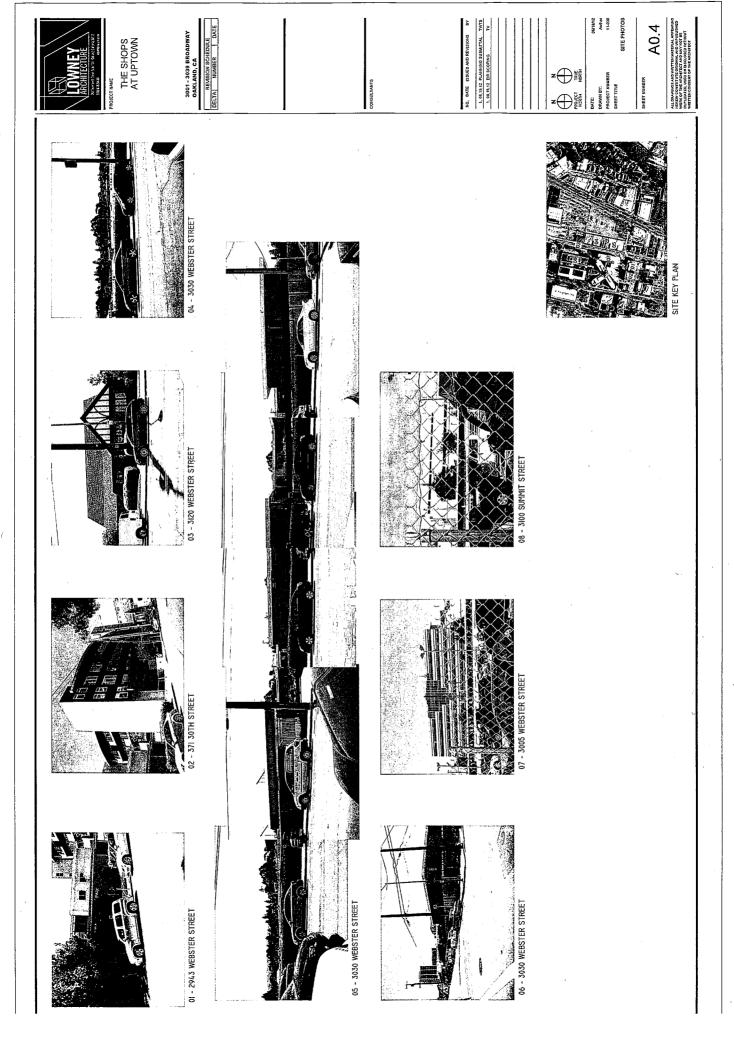


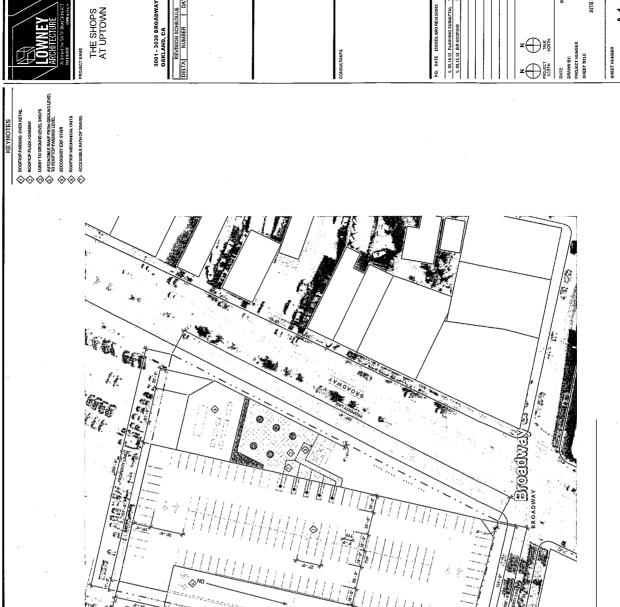






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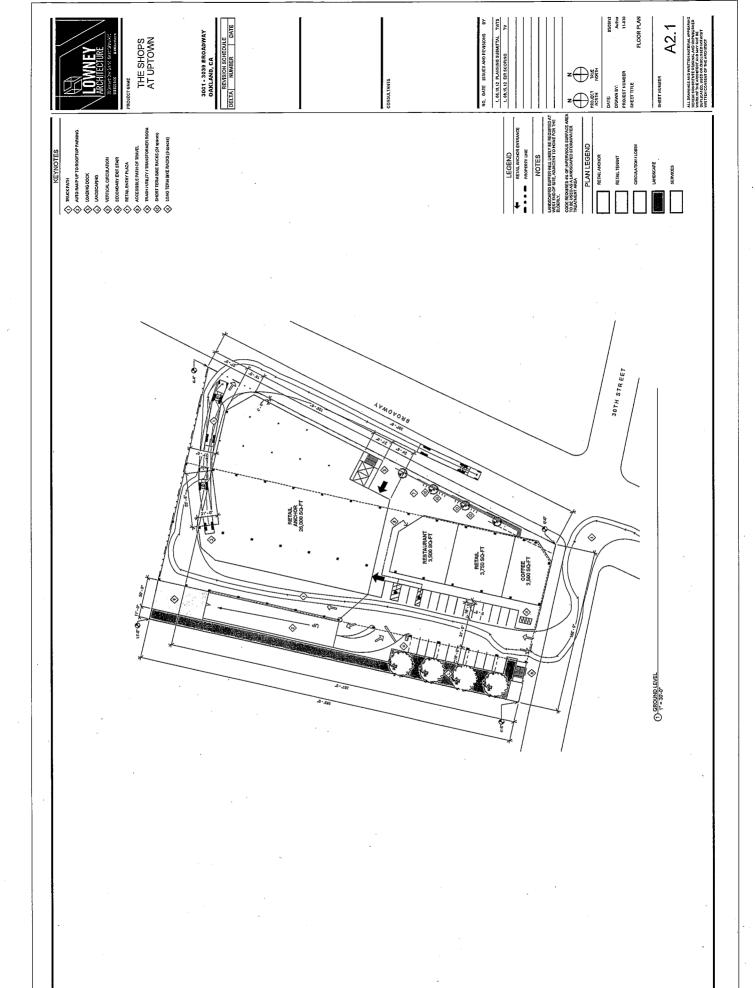
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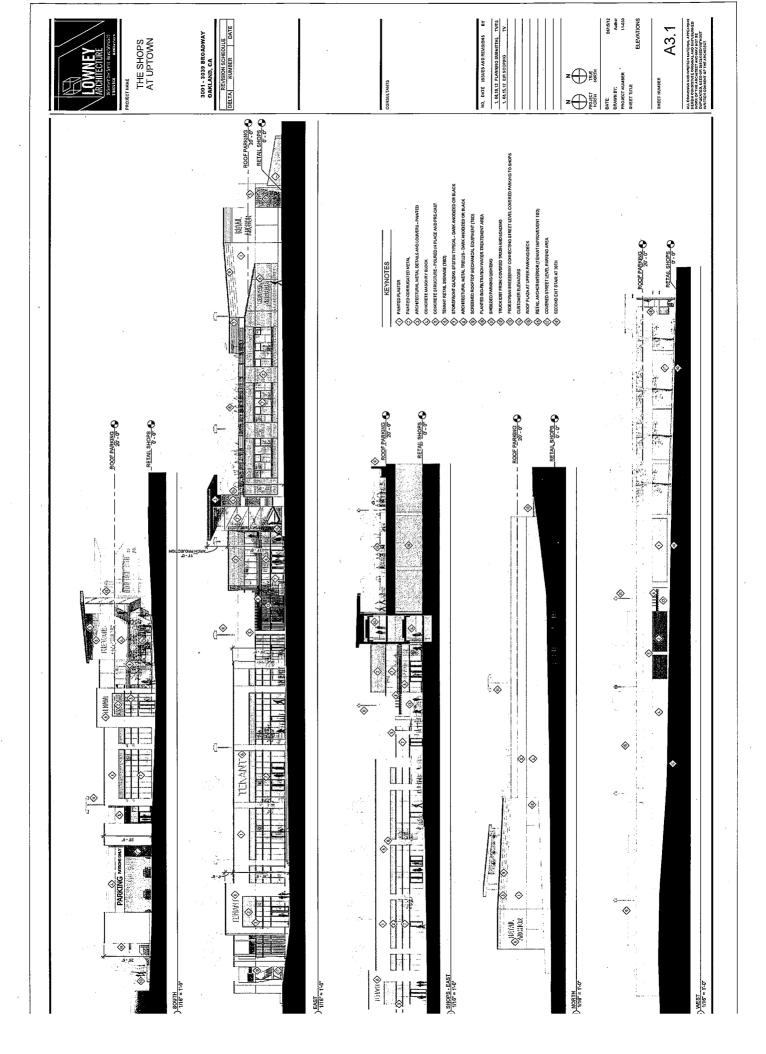
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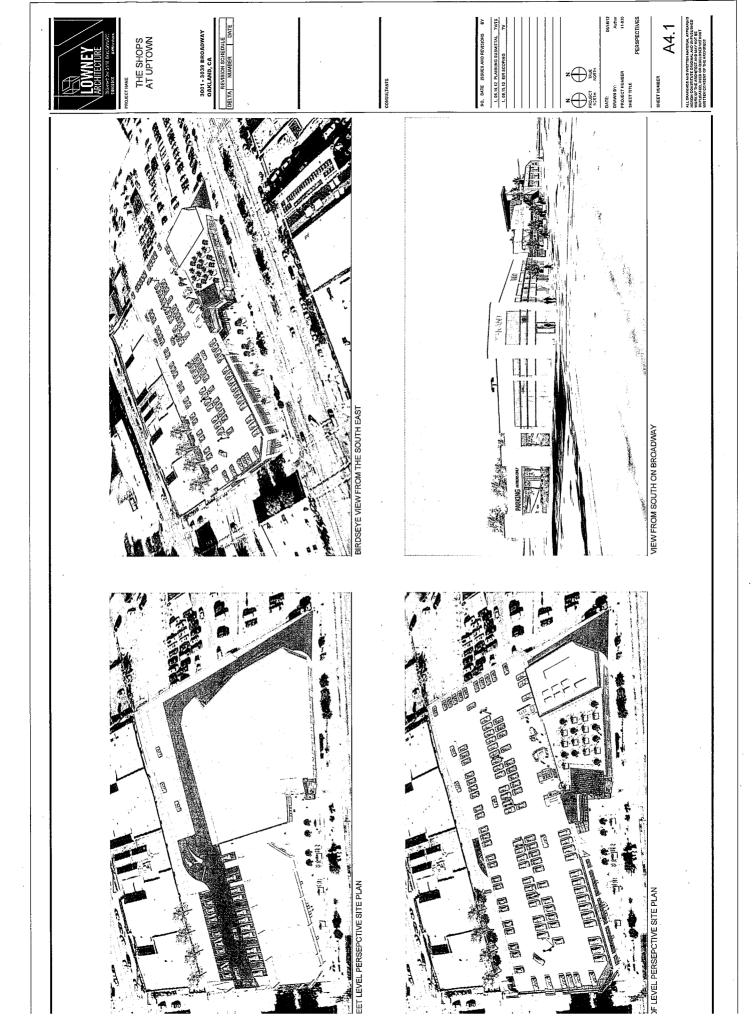
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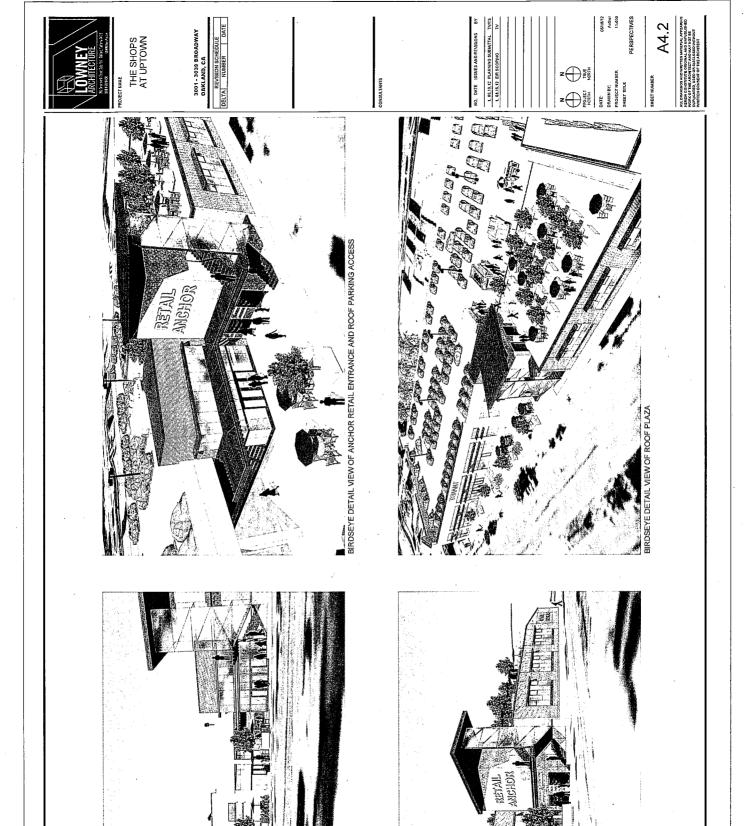
① SITE PLAN

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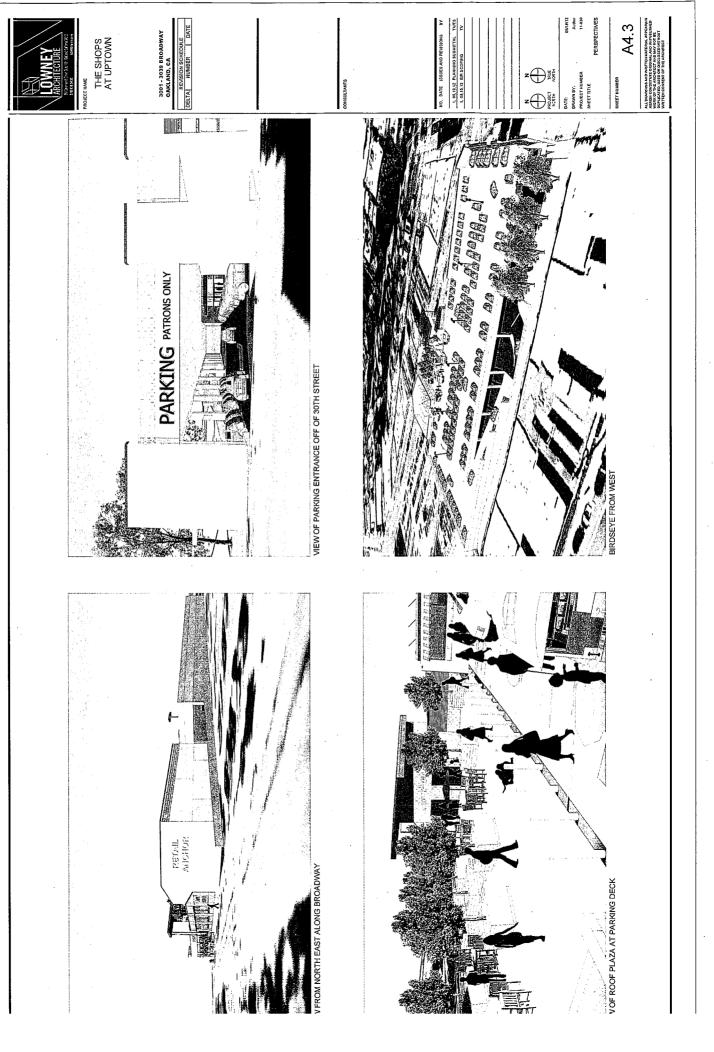






NOF SHOPS FROM BROADWAY

NOF RETAIL ANCHOR FROM SOUTH



ATTACHMENT B

Notice of Preparation (dated July 27, 2012)



CITY OF OAKLAND

Department of Planning, Building and Neighborhood Preservation 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, California, 94612-2032

NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE SHOPS AT BROADWAY DEVELOPMENT PROJECT

The City of Oakland's Department of Planning, Building and Neighborhood Preservation is preparing a Draft Environmental Impact Report ("EIR") for **The Shops at Broadway** (the "Project") as identified below, and is requesting comments on the scope and content of the EIR. The EIR will address the potential physical, environmental effects for each of the environmental topics outlined in the California Environmental Quality Act ("CEQA"). The City has <u>not</u> prepared an Initial Study.

The City of Oakland is the Lead Agency for the Project and is the public agency with the greatest responsibility for approving the Project or carrying it out. This notice is being sent to Responsible Agencies and other interested parties. Responsible Agencies are those public agencies, besides the City of Oakland, that also have a role in approving or carrying out the Project. When the Draft EIR is published, it or a Notice of its Availability/Release will be sent to all Responsible Agencies and to others who respond to this Notice of Preparation ("NOP") or who otherwise indicate that they would like to receive a copy. Responses to this NOP and any questions or comments should be directed in writing to: Darin Ranelletti, Planner III, City of Oakland, Department of Planning, Building and Neighborhood Preservation, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612; (510) 238-3663 (phone); (510) 238-6538 (fax); or dranelletti@oaklandnet.com (e-mail). The comment period for the NOP will begin on August 1, 2012. Comments on the NOP must be received by 5:00 p.m. on August 31, 2012. Please reference case number ER120007 in all correspondence. In addition, comments may be provided at the EIR Scoping Meeting to be held before the City Planning Commission. Comments should focus on discussing possible impacts on the physical environment, ways in which potential adverse effects might be minimized, and alternatives to the project in light of the EIR's purpose to provide useful and accurate information about such factors.

PUBLIC HEARING:

The City Planning Commission will conduct a public hearing on the scope of the EIR for the Project on <u>August 29, 2012</u>, at 6:00 p.m. in the Sgt. Mark Dunakin Hearing Room (Hearing Room 1), Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, CA.

PROJECT TITLE: The Shops at Broadway

PROJECT LOCATION: 3001-3039 Broadway, Oakland, CA (APNs 009-0705-004-00; 009-0705-005-00; 009-0705-006-00; & 009-0705-007-00; northwest corner of Broadway and 30th Street) (see map on reverse). The project site is located in the proposed Broadway Valdez District Specific Plan (BVDSP) area, which is currently undergoing its own separate and independent planning and CEQA process. However, the BVDSP will be considered in the cumulative analysis of the proposed Project.

PROJECT SPONSOR: Portfolio Development Partners LLC

EXISTING CONDITIONS: The approximately 83,000 sq. ft. project site is currently an asphalt-paved parking lot. The site is bound by Broadway to the east, 30th Street to the south, Webster Street to the west, and a car dealership to the north. The General Plan designation for the site is Community Commercial and the applicable zoning is CC-2/D-BR. The project site is not listed on the Cortese List of hazardous waste sites.

PROJECT DESCRIPTION: The proposed Project involves construction of an approximately 35,750 sq. ft. single-story commercial development consisting of an approximately 26,000 sq. ft. anchor tenant (grocery store) and approximately 9,750 sq. ft. of retail space (which may include up to 6,000 sq. ft. of restaurant space). 171 parking spaces are proposed.

PROBABLE ENVIRONMENTAL EFFECTS: It is anticipated that the proposed Project may have environmental effects related to Air Quality, Cultural Resources, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Noise, and Traffic and Transportation. The Project is expected to generate more than 100 p.m. peak hour net new vehicle trips. It is anticipated that the project will not have environmental effects related to Aesthetics, Agriculture and Forest Resources, Biological Resources, Geology and Soils, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, and Utilities and Service Systems. However these environmental factors will nevertheless be analyzed in the EIR.

The Draft EIR will also examine a reasonable range of alternatives to the Project, including the CEQA-mandated No Project Alternative, and other potential alternatives that may be capable of reducing or avoiding potential environmental effects.

July 27, 2012

File Number: ER120007

Scott Miller

Interim Planning and Zoning Director, Environmental Review Officer

