

October, 16, 2013

<b>Location:</b>	The Broadway Valdez District Specific Plan Area ("Plan Area") is located at the north edge of Oakland's Central Business District. The Plan Area, which includes land along both sides of Broadway, extends 0.8 miles from Grand Avenue to I-580. The Plan Area includes approximately 95.5 acres, including 35.1 acres in public right-of-way and 60.4 acres of developable land.
<b>Proposal:</b>	Conduct a public hearing and solicit /provide comments on the Draft Environmental Impact Report (DEIR) of the Draft Broadway Valdez District Specific Plan, the Draft Specific Plan and the associated General Plan, Planning Code amendments (text and map changes), and Design Guidelines (Related Documents).
<b>Applicant:</b>	City of Oakland
<b>Case File Number:</b>	ZS12046, ER120005, GP13268, ZT13269, RZ13270
<b>General Plan:</b>	Central Business District, Community Commercial, Neighborhood Center Commercial, Urban Residential, Mixed Housing Type Residential, Institutional
<b>Zoning:</b>	CBD-P, CBD-C, CC-2, CC-2/D-BR, CN-2/D-BR, RU-3/D-BR, RU-4/D-BR, RM-3/D-BR, RM-4/D-BR
<b>Environmental Determination:</b>	An Environmental Impact Report (EIR) is being prepared for the Broadway Valdez District Specific Plan. The DEIR was published on September 20, 2013, for a 45-day public review period which ends on November 4, 2013.
<b>Historic Status:</b>	The Plan Area includes cultural/historic resources that include CEQA Historic Resources and may be eligible for, or are on an historical resource list (including the California Register of Historic Resources, the National Register of Historical Resources, and/or the Local Register); as well as several cultural/historic resources designated by the City of Oakland as Areas of Primary Importance (API); Areas of Secondary Importance (ASI); properties individually rated A, B, C, or D; and Landmark properties.
<b>Service Delivery District:</b>	2
<b>City Council District:</b>	3
<b>Status:</b>	The DEIR was released for public review/comment on September 20, 2013, and the public comment period on the DEIR, Draft Specific Plan and Related Documents ends on November 4, 2013.
<b>Action to be Taken:</b>	Receive public and Planning Commission comments on the DEIR and Related Documents. No decisions will be made on the project at this hearing.
<b>Finality of Decision:</b>	N/A
<b>For Further Information:</b>	Contact project planner Laura Kaminski at 510-238-6809 or <a href="mailto:lkaminski@oaklandnet.com">lkaminski@oaklandnet.com</a> Project website: <a href="http://www.oaklandnet.com/bvdsp">www.oaklandnet.com/bvdsp</a>

**SUMMARY**

The purpose of this public hearing is to solicit/provide comments from the Planning Commission and the public on the Draft Environmental Impact Report (DEIR) on the Draft Broadway Valdez District Specific Plan, the Draft Specific Plan and the associated General Plan amendments (see **Attachment A**), Planning Code amendments (text and map changes) (see **Attachment B**), and new Design Guidelines (Related Documents).

The City of Oakland's Department of Planning and Building has prepared a Draft Environmental Impact Report (DEIR) on the Draft Broadway Valdez District Specific Plan ("Draft Specific Plan") that evaluates the environmental impacts of the Plan Area development over the next 25 years. The Plan Area encompasses approximately 95.5 acres on either side of Broadway, and is generally bound by Interstate-580 to the north, Grand Avenue to the south, Webster Street and Valley Street to the west, and Harrison Street, Bay Place, 27<sup>th</sup> Street, Richmond Avenue, and Brook Street to the east.

The City is both the applicant and lead agency for the project, represented by the Department of Planning and Building. Under the California Environmental Quality Act (CEQA), a lead agency may proceed directly with EIR preparation, without an Initial Study, if it is clear that an EIR will be required. As the City has made such a determination for this project, no Initial Study has been prepared.

A Notice of Availability (NOA) of a DEIR was published on September 20, 2013 (see **Attachment C**). The public comment period on the DEIR ends on November 4, 2013.

The DEIR analyzes potentially significant environmental impacts in all environmental categories/topics. The Draft EIR identifies significant unavoidable environmental impacts related to: Aesthetics, Shadow and Wind; Air Quality; Cultural Resources; Greenhouse Gases and Climate Change; Noise; and Transportation and Circulation

**PLAN AREA BOUNDARY**

The Broadway Valdez District Plan Area ("Plan Area") is located at the north edge of Oakland's Central Business District. The Plan Area, which includes land along both sides of Broadway, extends 0.8 miles from Grand Avenue to I-580. The Plan Area includes approximately 95.5 acres, including 35.1 acres in public right-of-way and 60.4 acres of developable land.

**PLANNING CONTEXT**

The Plan Area is surrounded by the following neighborhoods, whose land use and development patterns have an influence on those within the Plan Area.

**Lake Merritt/Kaiser Center Office District.** This district extends south of Grand Avenue between Broadway and the western shore of Lake Merritt, and is a major employment center with additional office developments planned and approved on the Kaiser Center properties on Webster between 20th and 21st Streets.

**Uptown Entertainment District.** This district is located southwest of the Plan Area. It is anchored by the Downtown's two historic theaters - the Paramount and the recently restored Fox - which are surrounded by restaurants, cafés, and bars. This district also contains several large residential

developments, including the Forest City Uptown development, Broadway-West Grand, and 100 Grand, all in the vicinity of Broadway and Grand Avenue.

**Art Murmur Gallery District (25th Street Garage District).** This district lies just west of the southern part of the Plan Area and has the distinctive architectural character of historic garages throughout this district which now house a number of galleries and cultural venues that form the Oakland Art Murmur (OAM). OAM includes monthly art walks and stroll events that attract hundreds of people from around the Bay.

**“Pill Hill” Area Medical Centers.** The “Pill Hill” Medical Center district is located northwest and north of the Plan Area. This district includes the 20-acre Alta Bates Summit Medical Center campus northwest of the Plan Area, which consists of a hospital, outpatient services, and related medical uses and facilities, as well as a nursing college; and the Kaiser Permanente Oakland Medical Center located just north of the Plan Area, on the other side of I-580. Additional medical offices and related uses are located surrounding Pill Hill, including some within the Plan Area.

**Residential Neighborhoods.** The Plan Area is surrounded by residential neighborhoods to the east, west, and north. Housing in these neighborhoods is primarily in apartment buildings with five or more units with a mix of lower-density, single family homes, duplexes, and three/four-plexes. Senior housing developments in the surrounding area include two high-rise complexes: Westlake Christian Terrace at Valdez and 28th and St. Paul’s Towers on Bay Place southeast of the Plan Area. The Harri-Oak (Harrison and Oakland Avenue) and Adams Point neighborhoods on the hills just east of the Plan Area consist of a mix of houses and apartments. West of the Plan Area, the mixed-use Koreatown/Northgate neighborhood along Telegraph Avenue is separated from the Plan Area by the medical uses on Pill Hill. The residential neighborhoods north of the Plan Area are separated from it by I-580, Mosswood Park, and Kaiser Permanente Oakland Medical Center.

## **BACKGROUND**

See **Attachment D** for the background on the Draft Broadway Valdez District Specific Plan.

## **PROJECT DESCRIPTION**

The Draft Broadway Valdez District Specific Plan provides a vision and planning framework for future growth and development in the approximately 95.5-acre area along and surrounding Oakland’s Broadway corridor between Grand Avenue and Interstate 580 (I-580) (see **Attachment E**). The Draft Specific Plan has been developed with input from residents, business owners, land owners, real estate experts, City decision-makers, and the community at large, as well as a careful analysis of the Plan Area’s economic and environmental conditions. The Draft Plan provides a comprehensive vision for the Plan Area along with goals, policies and development regulations to guide the Plan Area’s future development and serves as the mechanism for insuring that future development is coordinated and occurs in an orderly and well-planned manner.

The CEQA project analyzed in this DEIR is the Broadway Valdez Development Program, which sets forth a maximum allowable development that could occur within the Plan Area during the life of the Plan. The EIR is intended to cover the maximum allowable amount of projected development that can

reasonably be expected to occur in the Plan Area over the 25-year planning period. Once this level of development is reached, additional projects that go beyond the development maximum established in this DEIR would be required to undertake additional environmental review.

Some of the key goals of the Draft Specific Plan include:

- Creating an attractive, regional destination for retailers, shoppers, employers and visitors that serves in part the region's shopping needs and captures sales tax revenue for reinvestment in Oakland.
- Encouraging the establishment of a "complete" mixed-use neighborhood that is economically and socially sustainable and well-served by an enhanced and efficient transit system— providing quality jobs, diverse housing opportunities, and a complementary mix of retail, dining, entertainment, and medical uses.
- Incentivizing the creative reuse of historic buildings that maintains a link to the area's social, cultural and commercial heritage while accommodating contemporary uses that further City objectives to establish a vibrant and visually distinctive retail and mixed use district.
- Establishing a balanced and complete circulation network of "complete streets" that accommodates the transportation needs of the Plan Area by promoting walking, biking, and transit while continuing to serve automobile traffic.
- Encouraging a multi-pronged approach to sustainability that integrates land use, mobility, and design strategies to minimize environmental impact, reduce resource consumption, and prolong economic and social cohesiveness and viability.

The Draft Specific Plan divides the Plan Area into two distinct but interconnected subareas: the **Valdez Triangle** and the **North End** (see **Attachment E**). Each of these subareas is proposed to have a different land use focus that responds to specific site conditions and development contexts in order to create and reinforce distinct neighborhood identities and provide variety to development along this section of Broadway. Each is described in detail below. The Development Program for the Draft Specific Plan, which represents the reasonably feasible maximum development within these subareas, is described in Section 3.5, below.

### **Valdez Triangle Subarea**

The Draft Specific Plan would promote the development of a destination retail district within the Valdez Triangle Subarea that is focused on comparison goods type retailers and takes advantage of its adjacency to the Uptown and "Art Murrum Gallery Districts," and its accessibility to transit and regional routes. The Draft Specific Plan would also encourage development of a complementary mix of entertainment, office, and residential uses within the Valdez Triangle. The Valdez Triangle is envisioned as an extension of the Downtown, and to support this concept, the Draft Specific Plan would amend the General Plan boundaries for the Central Business District land use designation to extend north to 27th Street and incorporate the Valdez Triangle. General Plan and zoning designations for the Valdez Triangle would support mixed-use development and provide flexibility in development type and configuration.

In terms of the Valdez Triangle's identity and presence, the Draft Specific Plan aims to develop a pedestrian-oriented environment by encouraging active street-fronting retail, complementary dining and

entertainment on the ground level, and vibrant public spaces. The Valdez Triangle has a number of historic buildings that contribute to the Plan Area's character. The Draft Plan would encourage a mix of new buildings along with renovated and repurposed historic buildings in the district with the goal of maintaining an authentic local character.

The Draft Specific Plan prioritizes the development of retail uses in designated areas of the Valdez Triangle called "Retail Priority Sites" (see **Attachment F**) by only allowing residential activities in these areas as a bonus to developments providing a specified minimum amount of larger format retail space that is suitable for comparison goods retail.

### **North End Subarea**

The Draft Specific Plan envisions the North End Subarea as an attractive, mixed-use district that would link the Downtown to the Piedmont Avenue, Pill Hill, and North Broadway areas, and be integrated with the adjoining residential and medical districts. As in the Valdez Triangle, the concept for the North End is to promote mixed use development with active ground-floor commercial uses, while also encouraging a complementary mix of residential, office, retail, dining, and entertainment uses that activate the area during both day and night and on weekdays and weekends. The Draft Specific Plan policies for the North End would encourage development of a compatible mix of commercial services to complement the regional retail envisioned for the Valdez Triangle and address the needs of adjoining and nearby neighborhoods.

In the North End, the Draft Specific Plan would promote uses that complement and support the adjoining Alta Bates Summit and Kaiser Permanente Medical Centers, including visitor and workforce housing, professional and medical office uses, and medical supplies outlets. New automobile dealerships would be permitted with a Conditional Use Permit (CUP).

The North End Subarea, like the Valdez Triangle, has a significant number of historic buildings that contribute to the Plan Area's character. The Plan would encourage the renovation and repurposing of many of the existing historic garages and auto showroom buildings along this stretch of Broadway while at the same time integrating new buildings that can accommodate the transition to new uses.

The North End contains a number of underutilized properties that have been identified in the Draft Specific Plan as "Large Opportunity Sites" because of their relatively large size and the prevalence of surface parking lots on each (see **Attachment F** for Large Opportunity Sites). Each site has the potential to accommodate large developments that can significantly enhance the character of the subarea. The Draft Specific Plan would also permit the development of large-format retail on these sites; however, more emphasis would be placed on introducing mixed use development that includes residential, commercial, and office uses.

In terms of physical design, the Draft Specific Plan proposes to enhance the pedestrian environment by improving sidewalks and creating new plazas and public spaces in the North End. The design concept emphasizes the adaptive reuse of the substantial inventory of automobile showrooms and automotive garages that line Broadway to maintain a connection to the area's Auto Row heritage. It also calls for the

protection and enhancement of the residential and medical areas that adjoin Broadway, and the sensitive vertical and horizontal integration of new uses with existing development.

### **Transit-Oriented Development**

The Plan Area is located between the 19th Street and MacArthur BART stations and along busy AC Transit bus routes. The Draft Specific Plan includes policies intended to encourage land use and development patterns that reduce automobile dependence and support alternative modes of transportation while minimizing impacts on existing community character. In addition, the proposed land use program focuses on creation of a mixed-use neighborhood that would contain many typical daily destinations within walking distance to each other, including employment, retail, services, and entertainment.

Development density would increase under the Draft Specific Plan and would attract higher daytime and nighttime populations to the Plan Area, with the intention of discouraging “pass through” traffic typically associated with suburban-style malls and big-box retail. While the Draft Specific Plan would not prohibit major attractions or destinations that people drive to, such as hotels, theaters, shops and restaurants, such uses would be expected to fit into a pedestrian-oriented environment that prioritizes transit and walkability.

The Draft Specific Plan policies call for collaboration with AC Transit to improve bus service along Broadway and for the agency to incorporate several recommendations for the Plan Area into their Transit Performance Initiative, including: moving bus stop locations to effectively serve the local uses while maintaining operating speeds and reducing bus/auto conflicts; creating curb extensions to accommodate in-lane stops that enhance bus service times and provide adequate space for bus stop amenities; improving bus stop facilities, such as shelters and real-time transit arrival displays. The Draft Specific Plan policies also call for coordination with local shuttle operators, including Alta Bates Summit and Kaiser Permanente Medical Center shuttle operators, to explore expanding the geographic area and extending the hours of operations.

In terms of BART-related improvements, the Draft Specific Plan proposes to coordinate revitalization efforts in the Plan Area with additional efforts to enhance the southern connection along Broadway between the Plan Area and the 19th Street BART station to provide a more pedestrian-oriented environment to and from the BART Station.

In a separate but related effort, the City of Oakland is currently investigating the feasibility of introducing a streetcar line along Broadway. The Draft Specific Plan policies would ensure that any streetscape improvements to Broadway would not preclude the possibility of future streetcar service along the corridor.

### **Housing**

The Draft Specific Plan’s goal is to encourage the construction of up to 1,800 new residential units that would be distributed throughout the Plan Area and be incorporated primarily as upper floor uses in mixed use buildings that include ground-floor retail or other commercial uses. The Draft Plan will encourage a mix of both rental and for-sale housing units. Densities provided would be intended to create a built-in

customer base for the Plan Area's businesses, as well as provide housing options for some of those working in the Plan Area and its vicinity.

The housing mix in the Plan Area is envisioned to include a diversity of unit types, including stacked flats, apartments, studio units, and senior living units. Because of the Plan Area's proximity to downtown and transit, the Draft Plan recommends higher density housing, so new single-family detached units and duplexes would not be permitted except within certain perimeter areas of the Plan Area that are designated as *Mixed Housing Type* in the General Plan.

To continue Oakland's track record of providing affordable housing for its residents, the Plan Area targets 15 percent of new units built in the Plan Area for low and moderate income households, consistent with state redevelopment law. The City is committed to undertaking new initiatives to develop funding mechanisms to produce affordable housing in the Plan Area; however, the financing method for new affordable units is uncertain given the dissolution of Redevelopment Agencies, previously the primary generator of affordable housing financing.

Consistent with the desire to promote the use of transit and reduce vehicle trips, particular emphasis should be placed on providing housing that is affordable to those who work in the area's commercial businesses and nearby medical campuses. Within Chapter 8, Implementation, Phasing and Financing; Goal IMP-4 of the Draft Plan addresses developing housing in the Plan Area that is affordable to a cross-section of the community. The policies that relate to that goal are listed below:

**Policy IMP-9.1**

Encourage the provision of new housing affordable to low- and moderate-income households within the Plan Area through a menu of creative options.

**Policy IMP-9.2**

Continue to explore, in coordination with affordable housing stakeholders, innovative and creative ways to support the production of affordable housing.

**Policy IMP-9.3**

Fully utilize the State-mandated bonus and incentive program for the production of housing affordable to a range of incomes, and advocate for increases to federal/state/local funding for affordable housing to support affordable housing development and for new sources of funding at the federal/state/local level.

**Policy IMP-9.4**

Explore the formulation and adoption of a comprehensive citywide inclusionary housing policy that addresses concerns from all constituents.

Adoption of a new citywide affordable housing strategy could be an important component to providing affordable housing in the Planning Area. A comprehensive citywide policy will alleviate the concern that requiring affordable housing only in the Plan Area would over-burden developers and put this area at a competitive disadvantage compared to the rest of the City.

The zoning regulations prepared for this Draft Plan will include a reduction in required parking spaces for affordable housing projects. These reductions will be outright permitted. Affordable housing developers will not need to apply for the State mandated density bonus program reduction. Reductions in required parking will also apply to senior housing. Similarly, reductions in open space will also be permitted for affordable and senior housing developments.

New zoning regulations in the Plan Area may also include the continued consideration of a new type of small-scale rental housing called "Micro Living Quarters". Regulations for the review of this new housing type were recently adopted by City Council as part of a pilot program within a portion of the Broadway Valdez District Specific Plan Area. The reason for the pilot program was to provide for the potential construction of a new kind of market-rate housing that would be small enough to be "affordable by design". The Plan Area is ideal for this type of small-scale housing, since it is within ¼ mile of a BART station, an AC Transit trunk line, and the "B on Broadway" shuttle, as well as park and publicly accessible open space areas.

### **Development Program**

As stated above, the Draft Specific Plan development program represents the amount of projected development that can reasonably be expected to occur in the Plan Area over the 25-year planning period, rather than the area's ultimate development potential. It also is the basis for the Draft Plan's environmental analysis. However, as a market-driven plan that will be implemented through the decisions that individual landowners make for their properties, it is difficult to project the exact amount and location of future development with any precision. Thus, in order to evaluate the potential environmental impacts of Plan implementation, particularly as it relates to traffic generation, assumptions have been made about the reasonable distribution and intensity of new development within the Plan Area.

The development program shown in Table 4.2 of the Draft Broadway Valdez Specific Plan and below is not intended as a development cap that would restrict development in the Plan Area or either of its two subareas, but rather the amount of reasonably foreseeable development that will be studied for the purpose of environmental analysis. The Draft Plan allows for flexibility in the quantity and profile of future development within each subarea, and between subareas, as long as it conforms to the general traffic generation parameters established by the Draft Plan. For example, if significantly more residential and less office development than projected occurs in the North End, it will be allowed as long as the projected traffic generation is within the ranges assumed by the Draft Plan.



**Table 4.2: Development Program**

	Residential Units	Office (sq. ft.)	Retail (sq. ft.)	Hotel Rooms	Non- Residential Development (sq. ft.)	Non- Residential FAR	Total Development (sq. ft.)	FAR
<b>Valdez Triangle</b>	1,030	116,085	793,504	180	1,027,289	1.13	2,056,894	2.26
<b>North End</b>	767	578,804	320,546	-	899,350	1.38	1,666,111	2.56
<b>Total Plan Area (Rounded)</b>	1,800	695,000	1,114,000	180	1,927,000	1.24	3,723,000	2.39

### Design Standards and Guidelines

The Draft Specific Plan includes detailed design guidelines for future development in the Plan Area. In general, these design guidelines aim to influence the pattern, scale, character and quality of future development. The Draft Plan includes guidelines for both the public realm, which includes public right-of-ways, streets, and plazas, and for private developments.

### Historic Resources and Preservation Strategies

The Draft Specific Plan recognizes that the Plan Area contains many historic resources, as well as a distinct neighborhood character created by its corridors and unique urban form. The Draft Plan also recognizes that historic preservation contributes to the City's economy, image, and appeal, and represents a long-term enhancement of property values and neighborhood stability. The Draft Plan contains numerous goals, policies, strategies, and design guidelines which recognize the existence and importance of these resources, and encourages preservation and adaptive reuse. The following policy statements are relevant to the protection and enhancement of historical resources.

One of the Draft Plan's key objectives, as established in Specific Plan **Goal LU-11**, is to encourage *Creative reuse of historic buildings that maintains a link to the area's social, cultural and commercial heritage while accommodating contemporary uses that further City objectives to establish a vibrant and visually distinctive retail and mixed use district*. Relevant policies within this Goal LU-11 include the following:

- **Policy LU-11.1:** Encourage landowners and developers of properties within an Adaptive Reuse Priority Area to explore the potential for adaptive reuse of existing older buildings as a means of preserving the area's character and enhancing district identity.
- **Policy LU-11.2:** On Retail Priority Sites, new development that furthers Specific Plan goals to provide destination retail uses will take precedence over adaptive reuse.

Additional Specific Plan policies relevant to the preservation of historic resources include:

- **Policy LU-8.7:** The Triangle will establish an identity as a unique, Oakland shopping district by integrating new high-quality buildings with attractively renovated and re-purposed historic buildings (within Goal LU-8 regarding the Valdez Triangle subarea).
- **Policy LU-9.6:** Emphasis is placed on the renovation and repurposing of historic garage and auto showroom buildings primarily along Broadway to preserve a link to the corridor's past and enrich its character (within Goal LU-9 regarding the North End subarea).
- **Policy LU-10.7:** Establish development regulations that implement recommended height zones while being responsive to surrounding context by providing appropriate transitions between buildings of different scales, maintaining a consistent scale at street frontages, and respecting historic buildings and public open spaces (within Goal LU-10 regarding the regulatory framework).

Chapter 4.4.9 of the Specific Plan, *Historic Resources and Preservation Strategies*, identifies "Adaptive Reuse Priority Areas," which are shown in **Attachment F**, Figure 4.7 in the Draft Specific Plan. The Adaptive Reuse Priority Areas emphasize renovation and repurposing of historic garage and auto showroom buildings along Broadway (Policy LU-9.6 listed above). The intention of the Adaptive Reuse Priority Areas is to include both designated historic resources and other existing buildings possessing architectural merit.

In addition to the parcels identified in the Adaptive Reuse Priority Areas, buildings located within the Plan Area's four Areas of Secondary Importance (ASI's), one Area of Primary Importance (API), and other Potential Designated Historic Properties (PDHPs) may be eligible for façade improvement grants and easements, transfer of development rights, use of California State Historical Building Code, reduced fees and expedited development review, property tax abatements (pursuant to Mills Act), and relief from certain City Building Code requirements.

Finally, a portion of the Specific Plan Appendix C: *Design Guidelines of the Broadway Valdez Specific Plan* is dedicated to realizing the vision for historic resources in the Plan Area.

### **Parking**

The Draft Specific Plan policies aim to provide an appropriate amount of parking for regional visitors to the Plan Area who may not consider transit as a viable travel mode. To this end, the Draft Specific Plan incorporates a number of policies aimed at minimizing the overall parking supply and optimizing use of available parking. For example, the Plan would encourage shared parking within and between developments, to the extent feasible.

Currently, a high number of parking spaces in the Plan Area are provided in surface parking lots which are identified in the Draft Specific Plan as potential future development sites. Thus, as the Plan Area's development intensifies, it is anticipated that the current surface lot parking supply would decrease. The loss of the surface parking lots would be consistent with the Draft Specific Plan's goals. The Draft Plan envisions creating a regional shopping district which is likely to result in the need for new parking, so the Plan recommends a combination of off-street parking built as part of new development, the potential shared use of existing parking garages in the area that have excess supply, and the construction of new

parking garages. In addition to new garages, several large garages in the Plan Area and adjacent areas are expected to remain and be available to the public.

The Draft Plan policies would encourage residential developments to unbundle the cost of parking from the cost of housing, thereby encouraging alternative modes of travel and making housing more affordable to residents who do not own a car.

The Draft Plan would also encourage the use of existing parking facilities in the Plan Area, and recommends implementation of an area-wide real-time parking information system that includes major parking facilities open to the public. In addition, the Draft Plan would also encourage implementing a parking pricing strategy that encourages employees to walk, bike, or use transit to travel to and from work.

### **Circulation**

As previously discussed, the Draft Plan encourages a mix of uses in a pedestrian-oriented urban environment that supports and is well-served by transit. The proposed mix of uses is designed to integrate transportation and land use and to encourage use of non-auto travel modes in the Plan Area.

#### Street Network

Historically, major arterials in the Plan Area and surrounding areas have been designed primarily for automobile traffic. However, in recent years, the City of Oakland has been reducing the number and/or width of travel lanes on various streets to better accommodate pedestrians and bicyclists. Within the Plan Area, along 27th Street, one travel lane in each direction has already been removed and bicycle lanes have been added. While acknowledging the importance of automobiles and delivery trucks to the viability of the Broadway Valdez District, the Draft Plan looks for additional opportunities to improve access and circulation for pedestrians and bicyclists without degrading automobile access and circulation. The following describes the Draft Plan circulation policies for each travel mode in the Plan Area.

#### Pedestrian Circulation

Draft Plan policies would promote pedestrian activity by aiming to reduce existing and future driveways and curb-cuts; widening sidewalks; reducing street crossing widths and increasing pedestrian visibility by installing bulb-outs and crosswalk markings at several key intersections; and providing pedestrian-scale street lighting. The Draft Plan policies are designed to improve pedestrian safety, shorten pedestrian crossing times, and reduce vehicle speeds by removing channelized right-turn lanes that are determined to be unnecessary. In the Valdez Triangle subarea, 24<sup>th</sup> and Valdez Streets are envisioned to become enhanced pedestrian corridors connecting Downtown, Broadway and the Whole Foods grocery store.

#### Bicycle Circulation

The majority of the planned bicycle network outlined in the City's 2007 Bicycle Master Plan for the Plan Area has been completed. Implementation of the Draft Specific Plan would include completion of the bicycle network in the Plan Area as envisioned in City of Oakland's 2007 Bicycle Master Plan. The Draft

Plan also would enhance bicycle facilities at key intersections with high bicycle and automobile traffic, such as Broadway and Webster, Broadway and 27th, and Harrison and 27th intersections, through specific improvements at each intersection, and proposes increased bicycle parking supply in the public realm, particularly in non-residential areas.

#### Automobile Circulation

The Draft Plan would aim to reduce the Plan Area's overall automobile trip generation in comparison with more traditional suburban developments by locating the proposed mix and density of uses in proximity to transit service, bicycle network, and walkable streets. The Draft Plan policies also are designed to accommodate future shoppers, particularly regional shoppers, for whom public transportation may not be a viable or convenient option, with adequate automobile access and circulation. Plan policies would minimize curb-cuts, prioritize pedestrian activity along the key retail streets such as Broadway, Valdez Street, and 24th Street, and locate vehicular parking and service access elsewhere in the Plan Area. The Draft Plan may allow for the possible closure of segments of Waverly Street south of 24th Street, 34th Street between Broadway and freeway ramps, and 26th Street between Broadway and Valdez to through traffic on either a temporary or permanent basis in order to enhance the pedestrian orientation of the street and surrounding areas, and would implement traffic calming on residential streets. Such closures are analyzed as a project variant in this Draft EIR and would not cause significant impacts.

#### **Street and Infrastructure Improvements**

Although it is difficult to project the exact amount of future development with any precision, to evaluate the potential environmental impacts of Draft Plan implementation, assumptions have been made about the public realm improvements anticipated to be funded and implemented as conditions of new private development. Therefore, the following improvements along several major streets and at several key intersections throughout the Plan Area are considered reasonably foreseeable with adoption of and development under the Draft Plan and are thus anticipated as a part of the Draft Plan:

- Widened sidewalks along segments of 24th and Valdez Streets.
- Removal of the following channelized right-turn lanes:
  - From southbound Harrison Street to 27th Street;
  - From westbound 27th Street to Broadway;
  - From eastbound 27th Street to Valdez Street; and
  - From northbound Valdez Street to 27th Street.
- Squaring of the intersection at Broadway/Webster Street/25th Street.
- Improvements to the mid-block pedestrian connection between 30th and Hawthorne via installation of bulb-outs and enhanced crosswalk treatment and installations of Rectangular Rapid Flash Beacons.
- Implementation of bicycle markings and bicycle-related facilities, such as bicycle boxes or bicycle signal actuations, at key intersections, including Broadway/Webster, Broadway/27th, Harrison/27th).

## REGULATORY AND POLICY FRAMEWORK

Citywide policies, such as the Historic Element of the City's General Plan, the Land Use and Transportation Element (LUTE), the Bicycle Master Plan, Pedestrian Master Plan, and Planning Code, contribute to defining the potential future for the Broadway Valdez District.

### Historic Preservation Element

Because of the long history of the Broadway Corridor as the City's historic Auto-Row, a number of policies in the Historic Preservation Element (HPE) of the Oakland General Plan apply to the area. The Historic Preservation Element encourages the preservation and enhancement of significant historic properties that contribute to Oakland's economy, affordable housing stock, overall image, and quality of life.

### Land Use and Transportation Element (LUTE)

The City's General Plan Land Use and Transportation Element (LUTE) identifies policies for utilizing Oakland's land as change takes place and sets forth an action program to implement the land use policy through development controls and other strategies. The General Plan LUTE identifies five "Showcase Districts", each representing a dynamic area of regional importance in the City Of Oakland targeted for continued growth. These places contain the facilities, transportation system, communication network and infrastructure to support far-reaching economic activities. The Plan Area falls within Oakland's Downtown Showcase District intended to promote a mixture of vibrant and unique districts with around-the-clock activity, continued expansion of job opportunities, and growing residential population.

The General Plan LUTE organizes the City into six general planning areas, each with distinct sets of key geographic areas targeted for community and economic expansion. The Plan Area falls within the Central/Chinatown planning area's Auto Row target area for improvement strategies. Goals and policies within the LUTE focus on the need to develop business attraction strategies for the area with the intent to support existing automobile dealership activities while developing complementary uses and improving physical conditions of pedestrian and bicycle facilities. The LUTE also identifies a strategy objective of growth and change for the Broadway Corridor.

Most of the Plan Area currently falls within the *Community Commercial* General Plan land use designation (see **Attachment A**). As described in the Land Use and Transportation Element of the City's General Plan, the *Community Commercial* land use designation 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. Smaller portions of the Plan Area also fall within *Institutional*, *Urban Residential* and *Neighborhood Center Mixed Use* land use designations.

### Proposed General Plan Changes

The Draft Specific Plan proposes a number of changes to the Area's General Plan land use designations (see **Attachment A**). While much of the *Community Commercial* land use designation would be maintained or expanded to those areas that were formerly designated *Institutional* throughout the North End subarea, the Draft Plan would expand the Central Business District designation further north to encompass most of the Valdez Triangle. In addition, areas along Brook Street and Richmond Avenue would be designated Mixed

Housing Type Residential to protect existing residential uses, and a small area between Harrison Street and Bay Place that is currently designated as Urban Residential and Neighborhood Center Mixed Use would be designated Community Commercial.

### **Bicycle Master Plan and Pedestrian Master Plan**

The City of Oakland Bicycle Master Plan calls for the implementation of the bikeway network improvements including Bike Lanes, Arterial Bike Routes, and Bicycle Boulevards throughout the Plan Area. The Pedestrian Master Plan identifies policies and implementation measures for achieving General Plan LUTE policies that promote a walkable city. The Draft Plan designates a Pedestrian Route Network throughout Oakland with a concentration of high priority projects (including “City Routes”) within the Plan Area.

The adoption and development under the Draft Specific Plan would not conflict with the Bicycle Master Plan or Pedestrian Master Plan because all development within the Plan Area would comply with City of Oakland’s Standard Conditions of Approval that ensures the submittal, approval and implementation of plans to the City to implement bicycle storage and parking facilities to accommodate the bicycle parking spaces required for the potential development projects. Compliance with the Standard Conditions of Approval would also ensure pedestrian safety.

### **Planning Code**

The Oakland Planning Code serves to implement General Plan policies and is found in Title 17 of the Oakland Municipal Code. The Planning Code governs land uses and development standards, such as building height, bulk and setback, for specific zoning districts within Oakland. Permits to construct new buildings or to alter or demolish existing ones may not be issued unless the project proposed conforms to the Planning Code or an exception is granted pursuant to provisions of the Planning Code. Existing and Proposed Zoning Designations within the Plan Area are in **Attachment B**.

Almost the entirety of the North End Subarea, and the majority of the Valdez Triangle Subarea, currently falls within the **CC-2 Community Commercial Zone - 2**. The CC-2 Zone is intended to create, maintain, and enhance areas suitable for a variety of commercial and institutional operations and is specifically focused on areas with direct frontage, and access to frontage, along the City’s major corridors and commercial areas. A small portion of the North End Subarea, east of Brook Street and on either side of Richmond Avenue, are currently zoned **RM-4** and **RM-3 Mixed Housing Type Residential Zone**. The *Mixed Housing Type Residential* zones are intended to create, maintain, and enhance residential areas typically located near the City’s major arterials and characterized by a mix of single family homes, townhouses, small multi-unit buildings, and neighborhood businesses where appropriate.

Various other zoning districts currently exist in the southern portion of the Plan Area. South of Bay Place and east of Valdez Street, including **Urban Residential (RU-4 and RU-3)** and **CN-2 Neighborhood Center Commercial - 2**. The most southerly parcels fronting Grand Avenue are zoned **CBD-P Central Business District – Pedestrian Retail Commercial Zone**.

All zones, although not all parcels, within the Plan Area, aside from the CBD-P parcels also currently fall within the ***D-BR Broadway Retail Frontage District Interim Combining Zone***, which combines with the commercial and residential zones. This interim combining zone, which was originally adopted in 2008, is designed specifically for the Plan Area in anticipation of the more comprehensive and detailed regulations associated with adoption of the Draft Specific Plan. The overall intent of these interim regulations, which are supplementary to the underlying base zones, is to attract ground-level retail opportunities through permitted, restricted, and limited (including automotive-related) new uses, building height minimum, and minimum setbacks from the sidewalks portions of the Plan Area.

#### Proposed Planning Code Amendments

The Draft Specific Plan proposes four (4) new district-specific zoning classifications that would replace the existing zoning, (see **Attachment B**). These district-specific zones follow a nomenclature established by the City in other districts, such as the Wood Street District, Oak to Ninth, and the Kaiser Permanente Medical Center areas. The new Broadway Valdez zone districts are identified by the descriptive prefix of “D-BV” which signifies “District - Broadway Valdez.”

In summary, the four (4) new district-specific zoning classification would be as follows **D-BV-1** Retail Priority Sites would be the most restrictive regarding uses and ground floor uses in particular; **D-BV-4** Mixed Use would be the least restrictive regarding uses; **D-BV-2** Retail would require that ground floor uses consist of retail, restaurant, entertainment, or arts activities; and **D-BV-3** Mixed-Use Boulevard would allow for a wider range of ground floor office and other commercial activities than in D-BV-2.

Mixed Use would allow the widest range of uses on the ground floor, including both residential and commercial businesses (see **Attachment B**). D-BV-1 Retail Priority Sites would only allow residential uses if a project were to include a certain size/type of retail component.

#### *Retail Priority Sites and Incentives*

As noted above, to help achieve the Draft Plan’s goal of promoting the Plan Area as a retail destination, the Draft Plan’s land use concept includes a series of “Retail Priority Sites,” which are implemented by the proposed new zoning district D-BV-1 Retail Priority Sites (see **Attachment B**). The regulatory framework of D-BV-1 is intended to ensure that larger sites and opportunity areas, particularly within the Valdez Triangle, are reserved primarily for new, larger retail development to accommodate consumer goods retail, at least on the ground floor. In addition to size, the Retail Priority Sites are also well served by transit, have excellent vehicular access, and are in areas of good visibility. The Draft Plan proposes to use a combination of incentives and regulation to achieve its retail objectives on the Retail Priority Sites. The main incentive is that the right to develop residential would be earned upon development of a retail project of a specified size and type; additional incentives could apply for retail projects that are larger than the minimum requirement, such as higher heights and allowed density, as well as reduced parking and open space for the residential component of a proposed project.

Existing Height Limits

Existing Commercial Corridor Height Limits apply to the majority of the Plan Area. Aside from a 45 foot height limit on parcels west of Piedmont Avenue and north of Randwick Avenue, the entire North End Subarea is zoned for 75 feet. The areas zoned RM-3 would continue to have a 30 foot height limit and RM-4, a 35-foot height limit. The 75-foot height limit zone currently extends southward into the Valdez Triangle Subarea to 27th Street where it increases to 120 feet. A few parcels north of 27th Street and east of Valdez, adjacent to the Westlake Middle School and First Congregational Church of Oakland, have current height limits of 60 feet. There is also a small area between 23rd and 24th Street, west of Harrison Street and including some parcels on either side of Waverly Street that currently have a 60-foot height limit. There is currently no height limit governing the CBD-P parcels along Grand Avenue.

Proposed Height Limits

Proposed height limits would remain the same or be reduced along the northeastern portion of the Plan Area; increased height limits are proposed in areas west of Broadway, near the elevated I-580 freeway and Alta Bates Summit Medical Center, ranging from 135 feet – 200 feet (formerly 75 feet), as well as in the southern portion of the Plan Area between Broadway and Valdez Street north of 23rd Street (with a height maximum of 250 feet instead of the existing 120 feet); there is also the potential for certain portions of the Valdez Triangle (in the Retail Priority Sites) that will have a “by right” height maximum of 45 feet, to have increased height limits ranging from 200 feet to 250 feet, provided that specified amounts/configuration of retail space are included in a development proposal (see **Attachment B**).

**KEY ISSUES AND IMPACTS**

**Attachment F** shows the Retail Priority Sites and Large Opportunity Sites overlayed on top of the CEQA Historic Resources map. Within the Retail Priority Areas, there are seven CEQA Historic Resources; they include: the former Biff’s Coffee Shop at the southwest corner of 27<sup>th</sup> Street and Valdez, the Newsom Apartments at the southwest corner of Valdez Street and 24<sup>th</sup> Street, the Seventh Church of Christ Science at 2333 Harrison Street, and the Pacific Nash Co. Auto Sales and Garage at the southeast corner of Broadway and 24<sup>th</sup> Street. Also included at the southwestern portion of the block along Broadway between 23<sup>rd</sup> Street and 24<sup>th</sup> Street are the Dinsmore Brothers Auto Accessories Building, Kiel (Arthur) Auto Showroom, and J.E. French Dodge Showroom. Within the Large Opportunity Sites, there is one Local Register of Historic Resources, which is the former Connell GMC/Pontiac/Cadillac auto showroom at the southwest intersection of Broadway and Hawthorne Avenue. Please note that Areas of Secondary Importance (ASI’s) are not considered an historic resource under CEQA.

Please see below in the Environmental Review section, the listed Significant and Unavoidable Impacts for Cultural Resources and related Aesthetic.

The following two policies are from the Draft Specific Plan, Chapter 4 Land Use, and address the conflict of Retail Priority Sites and Adaptive Reuse Priority Areas:

Policy LU-11.1 Encourage landowners and developers of properties within an Adaptive Reuse Priority Area to reuse existing older buildings as a means of preserving the area’s character and enhancing district identity.



The Plan identifies Adaptive Reuse Priority Areas (see **Attachment F**) where the combination of historic resources with buildings that is not historic, but possesses architectural merit, offers the potential to create distinctive new use areas through adaptive reuse of existing buildings coupled with sensitive infill development. The intention of the Adaptive Reuse Priority Areas is to clearly identify those areas where adaptive reuse is a priority, and to encourage the renovation and repurposing of the Plan Area's historic building inventory, particularly the distinctive garage and auto showroom buildings along Broadway.

Policy LU-11.2 On Retail Priority Sites, new development that furthers Draft Specific Plan goals to provide destination retail uses will take precedence over adaptive reuse.

While the Plan encourages the preservation and adaptive reuse of buildings of historic and architectural merit, some buildings in the Plan Area are likely to be substantially modified or replaced in order to meet Plan objectives to create destination retail in the Valdez Triangle Subarea. In such cases, the City will require developers to explore the feasibility of relocating the resource to an acceptable site consistent with Policy 3.7 in the City's Historic Preservation Element.

In the Draft EIR, Chapter 4.04 Cultural Resources, there is the following mitigation:

Mitigation Measure CUL-1, includes multiple mitigation measures and approaches. Some approaches could reduce impacts to historic resources to a less-than-significant level, and others could reduce impacts to historic properties, but not to a less-than-significant level (see the full Mitigation in **Attachment G**).

## **ENVIRONMENTAL REVIEW**

### **Scope**

The City is the Lead Agency pursuant to the California Environmental Quality Act (CEQA), and has the responsibility to prepare the Environmental Impact Report (EIR) for the Project. No Initial Study was prepared for the Project, pursuant to Section 15060(d) of the CEQA Guidelines. The Draft EIR analyzes all environmental topics identified in the City of Oakland CEQA Thresholds of Significance at a level of detail warranted by each topic.

On April 30, 2012, the City of Oakland issued a Notice of Preparation (NOP), to inform agencies and interested parties of its intent to prepare and distribute a "Draft EIR for the Broadway Valdez District Specific Plan." The NOP was distributed to governmental agencies, organizations, and persons interested in the Specific Plan. The City sent the NOP to agencies with statutory responsibilities in connection with the Specific Plan and requested their input on the scope and content of the environmental information that should be addressed in the EIR. The Landmarks Preservation Advisory Board and the City of Oakland Planning Commission held Scoping Meetings on May 14 and May 16, 2012, respectively, to accept comments regarding the scope of the EIR in response to the NOP. The NOP review period ended on May 30, 2012. The NOP and written and oral comments that the City received in response to the NOP are included as Appendix A to this Draft EIR, which addresses all comments received in response to the NOP that are relevant to environmental issues.

The following environmental topics are addressed in detail in the Draft EIR:

- 4.1 Aesthetics, Shadow and Wind
- 4.2 Air Quality
- 4.3 Biological Resources
- 4.4 Cultural Resources
- 4.5 Geology, Soils and Geohazards
- 4.6 Greenhouse Gases and Climate Change
- 4.7 Hazards and Hazardous Materials
- 4.8 Hydrology and Water Quality
- 4.9 Land Use, Plans and Policies
- 4.10 Noise
- 4.11 Population, Housing and Employment
- 4.12 Public Service, Parks and Recreation Facilities
- 4.13 Transportation and Circulation
- 4.14 Utilities and Service Systems

### **Potentially Significant Impacts Identified in the Draft EIR**

All environmental impacts, City Standard Conditions of Approval (SCA) and mitigation measures are summarized in Chapter 2, Table 2-1 in the Draft EIR (see **Attachment G**) at the end of Chapter 2 (Summary) of the Draft EIR. Table 2-1 also identifies the level of significance of the impact after application of the SCAs and/or mitigation. Other than the impacts discussed below, all of the environmental effects of the Draft Plan can be reduced to less than significant levels through implementation of Standard Condition of Approval or recommended mitigation measures.

The Draft EIR identifies the following **Significant and Unavoidable** environment impacts related to Aesthetics, Shadow and Wind, Air Quality, Cultural Resources, Greenhouse Gases and Climate Change, Noise, and Transportation and Circulation:

#### ***Significant and Unavoidable Aesthetics, Shadow, and Wind Impacts***

- **Impact AES-4:** Adoption and development under the Specific Plan could result in substantial new shadow that could shade the Temple Sinai. Although Mitigation Measure AES-4 would require a shadow study to evaluate the shadowing effects, it cannot be known with certainty that a project redesign would eliminate the potential for new significant shading on the Temple Sinai. Therefore, the impact is conservatively deemed significant and unavoidable.
- **Impact AES-5:** Adoption and development under the Specific Plan has the potential to result in adverse wind conditions in cases where structures 100 feet in height or taller are proposed for development. Although Mitigation Measure AES-5 would require a wind study to evaluate the effects of proposed development, it cannot be known with certainty that a project redesign would eliminate the potential for new adverse wind impacts. Therefore, the impact is conservatively deemed significant and unavoidable.
- **Impact AES-6:** For the reasons listed above, adoption and development under the Specific Plan is conservatively deemed to result in significant cumulative wind, and shadow impacts. Therefore, adoption and development under the Specific Plan, in combination with other past, present, and

reasonably foreseeable future projects within and around the Plan Area, also is conservatively deemed significant and unavoidable.

### ***Significant and Unavoidable Air Quality Impacts***

- **Impact AIR-1:** Construction associated with adoption and development under the Specific Plan would result in average daily emissions in excess of 54 pounds per day of ROG. With the inclusion of Recommended Measure AIR-1, it cannot reliably be demonstrated that ROG emissions from application of architectural coatings associated with adoption and development under the Specific Plan would be reduced to 54 pounds per day or less. To assess full buildout of the Broadway Valdez Development Program under this threshold, which is intended for project-level analysis, aggressive and conservative assumptions were employed and thus yielded a conservative result. Therefore, the impact is conservatively deemed significant and unavoidable.
- **Impact AIR-2:** Adoption and development under the Specific Plan would result in operational average daily emissions of more than 54 pounds per day of ROG, NOX, or PM<sub>2.5</sub>; 82 pounds per day of PM<sub>10</sub>; or result in maximum annual emissions of 10 tons per year of ROG, NOX, or PM<sub>2.5</sub> or 15 tons per year of PM<sub>10</sub>. Although implementation of SCA 25 and Recommended Measure AIR2 would reduce environmental effects on air quality, adoption and development under the Specific Plan still would contribute substantially to an existing air quality violation (ozone precursors and particulate matter). Therefore, even with implementation of Recommended Measure AIR-2, this impact would remain significant and unavoidable for emissions of ROG, NOX, and PM<sub>10</sub>. To assess full buildout of the Broadway Valdez Development Program under this threshold, which is intended for project-level analysis, aggressive and conservative assumptions were employed and thus yielded a conservative result. Therefore, the significant and unavoidable determination is considered conservative.
- **Impact AIR-4:** Adoption and development under the Specific Plan could generate substantial levels of Toxic Air Contaminants (TACs) under cumulative conditions resulting in (a) a cancer risk level greater than 100 in a million, (b) a non-cancer risk (chronic or acute) hazard index greater than 10.0, or (c) annual average PM<sub>2.5</sub> of greater than 0.8 micrograms per cubic meter as a result of project operations. Although, due to the BAAQMD's permitting requirements, residual risk for a given generator would be less than 10 in one million, and although implementation of Mitigation Measure AIR-4 would substantially reduce potential cancer risks associated with DPM, the degree to which multiple sources, if concentrated on one area, would maintain cumulative risks to below 100 in one million cannot be assured. Therefore, the impact is conservatively deemed significant and unavoidable.

### ***Significant and Unavoidable Cultural Resources Impacts***

- **Impact CUL-1:** Adoption and development under the Specific Plan could result in the physical demolition, destruction, relocation, or alteration of historical resources that are listed in or may be eligible for listing in the federal, state, or local registers of historical resources.
- **Impact CUL-5:** Adoption and development under the Specific Plan, combined with cumulative development in the Plan Area and citywide, including past, present, existing, approved, pending, and reasonably foreseeable future development, would contribute considerably to a significant adverse cumulative impact to cultural resources.

*Significant and Unavoidable Greenhouse Gases and Climate Change Impacts*

- **Impact GHG-1:** Adoption and development under the Specific Plan would produce greenhouse gas emissions that exceed 1,100 metric tons of CO<sub>2</sub>e per year that would exceed the project-level threshold of 4.6 metric tons of CO<sub>2</sub>e per service population annually. Although future projects under the Specific Plan would be subject to SCA F, GHG Reduction Plan, according to the specific applicability criteria, and GHG emissions would be reduced through project-by-project implementation of project-specific reduction measures, it cannot be guaranteed that sufficient reductions can be achieved. Therefore, the impact is conservatively deemed significant and unavoidable.

*Significant and Unavoidable Noise Impacts*

- **Impact NOI-5:** Traffic generated by adoption and development under the Specific Plan could substantially increase traffic noise levels in the Plan Area.
- **Impact NOI-6:** Traffic generated by adoption and development under the Specific Plan, in combination with traffic from past, present, existing, approved, pending and reasonably foreseeable future projects, could substantially increase traffic noise levels in the Plan Area; and construction and operational noise levels in combination with traffic from past, present, existing, approved, pending and reasonably foreseeable future projects, could increase ambient noise levels.
- **Impact NOI-7:** Adoption and development under the Specific Plan could result in stationary noise sources, such as rooftop mechanical equipment and back-up generators; that when combined with noise from traffic generated by adoption and development under the Specific Plan; as well as from and from past, present, existing, approved, pending and reasonably foreseeable future projects; could substantially increase noise levels at sensitive land uses in the Plan Area.

*Significant and Unavoidable Transportation and Circulation Impacts.***Existing Plus Project Conditions**

- **Impact TRANS-2:** The development under the Specific Plan would degrade the *Perry Place/I-580 Eastbound Ramps/ Oakland Avenue* intersection (**Intersection #15**) from LOS E to LOS F and increase intersection average delay by four seconds or more during the weekday PM peak hour under Existing Plus Project conditions.
- **Impact TRANS-6:** The development under the Specific Plan Project would add more than 10 peak-hour trips to *23rd Street/Harrison Street* intersection (**Intersection #40**) which would meet peak-hour signal warrant under Existing Plus Project conditions. Although, with implementation of Mitigation Measure TRANS-6, this intersection may improve to LOS A during both weekday PM and Saturday peak hours, the specific improvements may result in potential secondary impacts at Grand Avenue/Harrison Street intersection (Intersection #52). Therefore, the impact is conservatively deemed significant and unavoidable.

**2020 Plus Project Conditions**

- **Impact TRANS-7:** The development under the Specific Plan would degrade the intersection from LOS E to LOS F and increase intersection average delay by four seconds or more, increase the total intersection v/c ratio by 0.03 or more, and increase the v/c ratio for a critical movement by

0.05 or more at the *Perry Place/I-580 Eastbound Ramps/ Oakland Avenue* intersection (**Intersection #15**) which would operate at LOS F during the weekday PM peak hour under 2020 conditions.

- **Impact TRANS-8:** The development under the Specific Plan would increase the total intersection v/c ratio by 0.03 or more and increase the v/c ratio for a critical movement by 0.05 or more during the weekday PM peak hour which would operate at LOS F under 2020 conditions at the *Lake Park Avenue/Lakeshore Avenue* intersection (**Intersection #17**).
- **Impact TRANS-10:** The development under the Specific Plan would increase the total intersection v/c ratio by 0.03 or more and increase the v/c ratio for a critical movement by 0.05 or more at an intersection operating at LOS F during the weekday AM and PM peak hours at the *27th Street/24th Street/Bay Place/Harrison Street* intersection (**Intersection #37**) under 2020 conditions.
- **Impact TRANS-12:** The development under the Specific Plan Project would add more than 10 peak-hour trips to *23rd Street/Harrison Street* intersection (**Intersection #40**) which would meet peak-hour signal warrant under 2020 Plus Project conditions. Although, with implementation of Mitigation Measure TRANS-6, this intersection may improve to LOS B during the weekday PM peak hour and LOS A during the Saturday peak hour, the specific improvements may result in potential secondary impacts at Grand Avenue/Harrison Street intersection (Intersection #52). Therefore, the impact is conservatively deemed significant and unavoidable.
- **Impact TRANS-13:** The development under the Specific Plan would increase the v/c ratio for the total intersection by 0.03 or more and increase the v/c ratio for a critical movement by 0.05 or more at the *West Grand Avenue/Northgate Avenue* intersection (**Intersection #47**) which would operate at LOS F during the PM peak hour in 2020.

#### 2035 Plus Project Conditions

- **Impact TRANS-14:** The development under the Specific Plan would increase the v/c ratio for a critical movement by 0.05 or more during the weekday PM and Saturday peak hours at the *51st Street/Pleasant Valley Avenue/Broadway* intersection (**Intersection #7**) under 2035 conditions.
- **Impact TRANS-17:** The development under the Specific Plan would increase the total intersection v/c ratio by 0.03 or more and increase the v/c ratio for a critical movement by 0.05 or more at an intersection operating at LOS F during the weekday PM peak hour at the *Perry Place/I-580 Eastbound Ramps/ Oakland Avenue* intersection (**Intersection #15**) under 2035 conditions.
- **Impact TRANS-18:** The development under the Specific Plan would increase the total intersection v/c ratio by 0.03 or more at an intersection operating at LOS F during the Saturday peak hour at the *Grand Avenue/Lake Park Avenue/Santa Clara Avenue* intersection (**Intersection #16**) under 2035 conditions.
- **Impact TRANS-19:** The development under the Specific Plan would increase the total intersection v/c ratio by 0.03 or more and increase the v/c ratio for a critical movement by 0.05 or more at the *Lake Park Avenue/Lakeshore Avenue* intersection (**Intersection #17**) during the weekday PM and Saturday peak hours which would operate at LOS F under 2035 conditions.

- **Impact TRANS-20:** The development under the Specific Plan would degrade overall intersection operations from LOS E to LOS F and increase intersection average delay by four seconds or more during the weekday PM peak hour at the *Piedmont Avenue/Broadway* and *Hawthorne Avenue/Brook Street/Broadway* intersections (**Intersections #20 and #21**) under 2035 conditions.
- **Impact TRANS-21:** The development under the Specific Plan would increase the v/c ratio for the total intersection by 0.03 or more and increase the v/c ratio for a critical movement by 0.05 or more at the *27th Street/Telegraph Avenue* intersection (**Intersection #29**) which would operate at LOS F during the weekday PM peak hour under 2035 conditions.
- **Impact TRANS-22:** The development under the Specific Plan would degrade overall intersection operations from LOS E to LOS F and increase intersection average delay by four seconds or more during the weekday PM peak hour and at the *27th Street/ Broadway* intersection (**Intersection #30**) under 2035 conditions.
- **Impact TRANS-24:** The development under the Specific Plan would increase the total intersection v/c ratio by 0.03 or more and increase the v/c ratio for a critical movement by 0.05 or more at an intersection operating at LOS F during the weekday AM and PM peak hours and degrade overall intersection operations from LOS E to LOS F and increase intersection average delay by four seconds or more during the Saturday peak hour at the *27th Street/24th Street/Bay Place/Harrison Street* intersection (**Intersection #37**) under 2035 conditions.
- **Impact TRANS-26:** The development under the Specific Plan Project would add more than 10 peak-hour trips to *23rd Street/Harrison Street* intersection (**Intersection #40**) which would meet peak-hour signal warrant under 2035 Plus Project conditions. Although, with implementation of Mitigation Measure TRANS-6, this intersection may improve to LOS B during the weekday PM peak hour and LOS A during the Saturday peak hour, the specific improvements may result in potential secondary impacts at Grand Avenue/Harrison Street intersection (Intersection #52). Therefore, the impact is conservatively deemed significant and unavoidable.
- **Impact TRANS-27:** The development under the Specific Plan would increase the v/c ratio for the total intersection by 0.03 or more and increase the v/c ratio for a critical movement by 0.05 or more at the *West Grand Avenue/Northgate Avenue* intersection (**Intersection #47**) which would operate at LOS F during the weekday PM peak hour in 2035.
- **Impact TRANS-28:** The development under the Specific Plan would degrade intersection operations from LOS D to LOS F and increase intersection average delay by four seconds or more during the weekday PM peak hour at the *Grand Avenue/Broadway* intersection (**Intersection #49**) in 2035.

### Roadway Segment Evaluation

- **Impact TRANS-29:** The development under the Specific Plan would degrade from LOS E or better to LOS F or increase the v/c ratio by 0.03 or more for segments operating at LOS F on the following CMP or MTS roadway segments:
  - MacArthur Boulevard in both eastbound and westbound directions between Piedmont Avenue and I-580 in 2020 and 2035.
  - Grand Avenue in the eastbound direction from Adeline Street to MacArthur Boulevard, and in westbound direction from Harrison Street to San Pablo Avenue in 2035.

- Broadway in the northbound direction from 27th Street to College Avenue, and in the southbound direction from Piedmont Avenue to 27th Street in 2035.
- Telegraph Avenue in the northbound direction from MacArthur Boulevard to Shattuck Avenue in 2035.
- San Pablo Avenue in the southbound direction from Market Street to 27th Street in 2035.
- Harrison Street in the northbound direction from 27th Street to Oakland Avenue in 2035.

Previous environmental documents have identified intersections that either currently operate at an unacceptable LOS or are projected to operate at an unacceptable LOS in the future. This EIR identifies these intersections as “impacted intersections” because components of the proposed project may affect those locations. Appendix G in the DEIR presents the intersections that previously published environmental documents identified as having significant and unavoidable impacts.

### **Project Alternatives**

Chapter 5 of the Draft EIR includes the analysis of four alternatives to the proposed project that meet the requirements of CEQA, which include a reasonable range of alternatives to the Project that would feasibly attain most of the Project’s basic objectives, and avoid or substantially lessen many of the Project’s significant environmental effects. These four CEQA alternatives analyzed include:

1. **No Project Alternative 1:** Under this alternative, the Specific Plan would not be adopted, and therefore the Broadway Valdez Development Program would not occur. However, the No Project Alternative does include reasonably foreseeable development that could occur even without adoption and development under the Specific Plan. This includes certain already approved but not built projects in the Plan Area (Broadway West Grand Mixed-Use Project, Parcel B), as well as development that would reasonably be expected to occur in the Plan Area in accordance with existing plans, zoning, and regulatory framework.
2. **Partially Mitigated Alternative 2:** Under this alternative, the Plan Area would be developed at a reduced intensity (roughly 25 percent of the non-residential development compared with the Broadway Valdez Development Program). The mix of uses would shift such that a higher percentage of residential development would occur compared to commercial (retail and office) development. This alternative also would reduce maximum allowable heights on the parcel bounded by Webster, 29th Street, Broadway, and 28th Street, and would not amend the General Plan to expand the *Central Business District* land use designation. All other aspects of the Specific Plan would be adopted with this Alternative.
3. **Maximum Theoretical Buildout Alternative 3:** This alternative evaluates the theoretical possibility that every parcel would be built out to the new maximum level permissible under the General Plan and Planning Code regulations as revised through adoption of the Specific Plan. Under this alternative, the Plan Area would be developed at an increased density/intensity (roughly 300 percent of the residential development and 200 percent of non-residential development assumed in the Broadway Valdez Development Program). All other aspects of the Plan would occur with this Alternative.

4. **Historic Preservation Sub-Alternative:** The intent of this sub-alternative is to avoid the SU historic resources impacts identified for the Plan. Under this sub-alternative, development on sites with historic resources would be prohibited and thus no identified historic resources within the Plan Area would be demolished or significantly altered. In addition, allowable heights on the parcel bounded by Webster, 29th Street, Broadway, and 28th Street would be reduced such that new development within that parcel would avoid adversely shading the stained glass windows of the Temple Sinai during morning worship periods. The development restrictions and limitations of this sub-alternative are assumed in the Partially Mitigated Alternative 2 and thus represented together with Alternative 2 in Tables 5.1, 5.3, and 5.5 in the Draft EIR. The development restrictions and limitations of this sub-alternative also could be used in combination with the Specific Plan and thus are classified as a sub-alternative to provide for this flexibility. In this case, all other aspects of the Specific Plan would occur if combined with this sub-alternative.

The set of selected alternatives above are considered to reflect a “reasonable range” of feasible alternatives in that they include reduced scenarios that lessen and/or avoid significant and unavoidable effects, as well as less-than-significant effects, of the Specific Plan and generally would align with the basic objectives of the Plan, which the City would assess when it considers the merits of the Plan and the alternatives. The Plan is specific to the geography of the Broadway Valdez District; therefore this analysis does not consider an off-site alternative. A fully mitigated alternative that avoids nearly all of the SU impacts of the Plan is discussed in this analysis but is not evaluated in detail because it would be substantially inconsistent with the Specific Plan’s basic objectives to achieve a “dynamic and active neighborhood” that is a “retail destination.” Each of the selected alternatives is outlined in Table 5-1, Summary of Alternatives to the Project (see **Attachment H**).

After the No Project Alternative (#1), the Environmentally Superior Alternative is Alternative 2 - The Partially Mitigated Alternative. Alternative 2 is considered the environmentally superior alternative as it would avoid and/or substantially reduce SU impacts of the Plan to the greatest extent compared with the Broadway Valdez Specific Plan and still meet the basic objectives of the Specific Plan, which the City would assess when it considers the merits of the Plan and the alternatives.

#### **PUBLICATION AND DISTRIBUTION OF THE DRAFT EIR**

The Draft EIR and Draft Specific Plan were made available for public review on September 20, 2013. The Notice of Availability (NOA) for the Draft EIR was mailed to property owners within the Plan Area and within 300 feet of the Plan Area, distributed to State and local planning agencies, and an email was sent to interested parties. The NOA was posted in the office of the County Clerk, and notices of the public hearings and the availability of the NOA was published in the Oakland Tribune on September 20, 2013. Copies of the Draft EIR and Draft Specific Plan were also previously distributed to City officials, including the Planning Commission and Landmarks Preservation Advisory Board and is available for review or distribution to interested parties at no charge at the Department of Planning and Building, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612. Additional copies are available for review at the Oakland Public Library, Social Science and Documents, 125 14th Street, Oakland CA 94612. The Draft EIR may also be reviewed at the City’s “Current Environmental Review Documents” webpage: <http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157> and the Draft Specific Plan may be reviewed on the project website: [www.oaklandnet.com/bvdsp](http://www.oaklandnet.com/bvdsp).



**CONCLUSION**

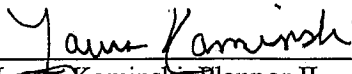
The Planning Commission is being asked to provide feedback to planning staff on the Draft Environmental Impact Report (DEIR) on the Draft Broadway Valdez District Specific Plan, the Draft Specific Plan and the associated General Plan and Planning Code amendments (text and map changes), along with Design Guidelines (Related Documents). The Planning Commission is also being asked to take public testimony on the Draft EIR and provide comments to staff on the Draft EIR. The Draft Specific Plan and related documents was recently presented at a Public Workshop on October 3, 2013, and was also presented at the Landmark Preservation Advisory Board on October 14, 2013. Comments on the Draft EIR should focus on whether the Draft EIR is sufficient in discussing possible impacts to the physical environment, ways in which potential adverse effects may be avoided or minimized through mitigation measures, and alternatives to the Draft Specific Plan in light of the DEIR's purpose to provide useful and accurate information about such factors.

Comments received at this Planning Commission meeting will help further shape the preparation of the final documents. Once final documents are prepared, the formal adoption process will commence beginning with the Landmarks Preservation Advisory Board, followed by the Planning Commission and continuing onto the Community and Economic Development (CED) Committee of the City Council and full City Council will consider final adoption.

**RECOMMENDATIONS**

1. Take public testimony on the Draft EIR on the Draft Specific Plan and provide comments to staff on the Draft EIR.
2. Provide any additional comments on the Draft Specific Plan and the associated General Plan and Planning Code amendments (text and map changes), along with Design Guidelines.
3. Close the public hearing with respect to receipt of oral comments; written comments on the above will be accepted until 5:00 pm on Monday, November 4, 2013

Prepared by:

  
Laura Kaminski, Planner II

Reviewed by:

  
Ed Manasse, Strategic Planning Manager

Approved for forwarding to the  
Planning Commission:

  
RACHEL FLYNN  
Director of Planning and Building

**Attachments:**

- A. General Plan Amendments (text and maps, Draft Specific Plan Figures A.1 and A.2)
- B. Planning Code Amendments (text and maps, Draft Specific Plan Figures B.1, B.2, B.3, and B.4)
- C. Notice of Availability (NOA)
- D. Background of the Broadway Valdez District Draft Specific Plan
  1. Public Workshop, October 3, 2013 Group Summary Comments & Comment Sheets
- E. Draft Specific Plan Subareas (Draft Specific Plan Figure 4.2)
- F. Adaptive Reuse Priority Areas (Draft Specific Plan Figure 4.7)
- G. Summary Table (DEIR Table 2-1)
- H. Summary of Alternatives (DEIR Table 5-1)