

Chapter 1

Introductory Comments on the Final Environmental Impact Report

CEQA Compliance

This final environmental impact report (EIR) for the 200–228 Broadway Mixed-Use Project (Proposed Project) has been prepared in accordance with the California Environmental Quality Act (CEQA) and the guidelines for implementation of CEQA.

Section 15132 of the State CEQA Guidelines requires that a final EIR consist of the following:

- the Draft EIR or a revision of the draft, with corrections to the text of the Draft EIR;
- comments and recommendations received on the Draft EIR, either verbatim or in summary;
- a list of persons, organizations, and public agencies commenting on the Draft EIR;
- the responses of the lead agency to significant environmental concerns raised in the review and consultation process; and
- any other information added by the lead agency.

The Draft EIR, together with the response to comments presented on the Draft EIR, constitute this Final EIR for the proposed project. The Final EIR is an informational document prepared by the lead agency that must be considered by decision makers (including the Oakland City Planning Commission) before approving or denying the proposed project.

Format and Organization of the Final EIR

This Final EIR comprises 6 chapters that meet the requirements of the State CEQA Guidelines, as outlined above. Following the introductory Chapter 1, Chapter 2 contains text changes to the Draft EIR initiated by the City of Oakland

Community and Economic Development Department staff and those resulting from comments on the Draft EIR, as well as errata to the Draft EIR. Chapter 3 describes the public review process conducted for the Draft EIR and provides a list of persons, organizations, and public agencies that commented on the Draft EIR. Chapter 4 contains copies of the written comments received on the Draft EIR, as well as a summary of the comments received at the public hearing held March 20, 2002. Each comment was reviewed by the City of Oakland (City) and the EIR consultant, and a response was prepared to address each comment. Chapter 5 contains a list of people involved in the preparation of the Final EIR, and Chapter 6 contains a list of acronyms and abbreviations found in the Final EIR.

When certified by the lead agency, the Final EIR will therefore consist of the following components, as required by CEQA.

- The Draft EIR, published on February 1, 2002
- The Final EIR, consisting of
 - all comments received on the Draft EIR either orally or in writing
 - responses to those comments
 - any changes or revisions to the Draft EIR
 - any supplemental information or exhibits

A copy of the Draft EIR is on file at the City of Oakland Community and Economic Development Agency, 250 Frank H. Ogawa Plaza, Suite 3330, Oakland, California 94612-2032.

Activities since Publication of the Draft EIR

Design Review and Open House Meeting

As part of the design review process, the Oakland City Planning Commission must evaluate the proposed project's overall scale and design. Based on this evaluation, the Oakland City Planning Commission will determine if the project is consistent with the Design Review criteria in Section 17.136.070 of the Planning Code. The Design Review process is separate from environmental review (though the CEQA guidelines encourage concurrent, not sequential processing). Concurrent processing of the discretionary permits and the environmental review is underway on this project. A separate discussion and analysis as to whether the project conforms to the applicable Design Review criteria will be presented to the Oakland City Planning Commission. To initiate this process, the Design Review Committee of the Oakland City Planning Commission reviewed the design of the project at their meeting on February 27, 2002. Several members of the public addressed the committee and expressed concern about the height and massing of the proposed project(s). Several people

stated that the proposed project is taller than appropriate in this area and is larger in height, scale and massing than was envisioned by the citizen committee working on the Estuary Policy Plan (EPP). Several members of the public also expressed concern that the residential use will be inconsistent with the dining/entertainment district envisioned by the EPP. The committee considered the public comments and the policies of the EPP. Some individual Committee members stated that they find the height and massing to be consistent with the goals of the EPP and that the design is moving in the right direction. Upon completion of the CEQA review process for the proposed project, the Oakland City Planning Commission will determine if the proposed project is consistent with the design review criteria contained in the Oakland Planning Code.

In addition to initiating the design review process, the project applicant sponsored an open house in Jack London Square on March 4, 2002, to provide the public an opportunity to review detailed drawings of the proposed project with the project architect and design team. A number of community members attended.

Revisions to Design of the Proposed Project and the Primarily Residential Mixed-Use Alternative

Since the publication of the Draft EIR, the project sponsor has revised the site plan (Figure 2-3) and cross-section (Figure 2-4), as well as the exterior design (elevations) of the proposed project. The revised exterior design, contained herein as figures 2-5 through 2-10, is the same design that was reviewed by the Design Review Committee of the Planning Commission on February 27, 2002. Additionally, the project sponsor has submitted as part of the design review application a written design statement describing how the design theme, character and materials of the revised design of the Project will be used to modify the exterior design of the Primarily-Residential Alternative. The changes would not result in any new significant impacts or any substantially more severe impacts than those identified in the Draft EIR; rather, the changes would result in less overall impact, as described below. Therefore, pursuant to Section 15088.5 of the State CEQA Guidelines, recirculation of the EIR prior to certification is not required. Figures 2-11 through 2-18 depict the floor plans (unchanged) for the proposed project and are included at the end of this chapter; new figures depicting floor plans (unchanged) for the Primarily Residential Mixed-Use Alternative also have been included in this Final EIR (see response to comment 15-2). Changes have been made to the Draft EIR and are incorporated as part of the Final EIR to acknowledge the project and alternative design revisions.

Building Mass

Excluding the portion of the building at the corner of Broadway and 3rd Street, the lower portion of the proposed project was modified to provide a lower building volume (approximately 40' tall) at the sidewalk edge along the

Broadway, 2nd Street, and 3rd Street frontages, adjacent to the existing 1- and 2-story buildings on the project block. Above this height, the building mass steps back to visually separate the high-rise tower from the low-rise base. The setback is approximately 12 feet. The Primarily Residential Mixed-Use Alternative will be modified in the same manner to provide a lower building volume (approximately 40' tall) at the sidewalk edge along the Broadway, 2nd Street, and 3rd Street frontages, adjacent to the existing 1- and 2-story buildings on the project block, with the high rise portion stepping back from the base noted above. The 40'-tall base is complementary in scale, height, and massing to the existing buildings along Broadway and the produce district. Both the proposed project and the Primarily Residential Mixed-Use Alternative step back in height and mass from the produce market, with the lower building volumes located adjacent to the produce district buildings and the tallest portion of the buildings located along Broadway.

Exterior Façade – Retail Base

For the proposed project, the exterior enclosure along the lower building volume at all street frontages was modified to provide a pedestrian-scaled, articulated, and inviting ground-floor design. All of the design features and colors for the lower building volume described herein will be used in the same manner on the Primarily Residential Mixed-Use Alternative. The primary exterior cladding materials at the lower building volume will be an opaque material, such as precast concrete or brick, combined with a storefront glazing system. The colors of the opaque material will be a standard clay brick color that will range between warm dark buff and warm off-white. An accent stone material in a warm, darker earthtone color will be applied to the base of the piers. The storefront infill elements will consist of metal frames painted a warm neutral color that is compatible with the adjacent precast or brick material, with clear vision glass providing a view into the retail spaces. A horizontal band of translucent spandrel glass will be used to visually screen the floor slab edges between the floors. The sizes of the window opening of the storefront modules will be proportionally similar to the existing storefront elements at the adjacent properties. The first-level retail storefront openings include fabric awnings supported on metal frames that extend over the sidewalks. The colors for the metal awning frames may be a brighter accent color, also in the warm range, such as a red brick color. The colors for the fabric awnings may also be a brighter accent color, such as deep blue. Where the garage level is included within the 40'-tall base portion of the building, the openings will be infilled with painted metal louvers. The color of the louvers will be a warm neutral color compatible with the adjacent precast or brick material.

Exterior Façade – Upper Levels

The upper residential levels of the proposed project were modified to better express the residential use of the building. All of the design features and colors

described herein for the upper residential levels will be used in the same manner on the Primarily Residential Mixed-Use Alternative. The primary exterior cladding materials at the upper residential levels will be an opaque material, such as integral-color cement plaster, combined with glazed openings that include vision glass, translucent glass, and metal spandrel panels. The windows have been modified from the drawings shown in the Draft EIR, which included broad, flat expanses of glass and which was perceived by some as being more appropriate for commercial applications. The modified design includes smaller window openings and openings that are divided into smaller expanses of glass. The cement plaster color range is medium-value buff to warm gray. The metal spandrel panel and metal reveal-color range is white or silver. The vision glass will be a heat absorbing clear glass in a light aqua-green color, which will help reduce some of the solar heat gain, without being reflective or dark. The translucent glass will be similar in color, but more obscured. Sunshade elements and balcony railings will be metal, painted with a light, neutral color that is complementary with the adjacent cement-plaster color.

Chapter 1 1

Introductory Comments on the Final Environmental Impact Report 1
CEQA Compliance 1
Format and Organization of the Final EIR 1
Activities since Publication of the Draft EIR..... 2
 Design Review and Open House Meeting 2
 Revisions to Design of the Proposed Project and the
 Primarily Residential Mixed-Use Alternative 3

Acronyms

environmental impact report (EIR)..... 1
200-228 Broadway Mixed Use Project (Proposed Project 1
California Environmental Quality Act (CEQA 1
City of Oakland (City 2
Estuary Policy Plan (EPP 3

Citations

Error! No table of figures entries found.

Tables

Error! No table of figures entries found.

Figures

Figure 2-3 3
Figure 2-4 3
figures 2-5 through 2-10..... 3
Figures 2-11 through 2-18..... 3

Miscellaneous

Error! No table of figures entries found.