

I. INTRODUCTION

A. PURPOSE OF EIR

In compliance with the California Environmental Quality Act (CEQA), this Draft Environmental Impact Report (EIR) describes the environmental consequences of the proposed Creekside Mixed-Use Development Project (project).

1. Agencies and Parties to Be Informed

This EIR is designed to inform City of Oakland staff, Planning Commission, City Council, Redevelopment Agency, Alameda County Flood Control and Water Conservation District, Alameda County Public Works Agency, East Bay Municipal Utility District (EBMUD), Alameda County Congestion Management Agency, Alameda- Contra Costa Transit District (AC Transit), San Francisco Bay Area Rapid Transit District (BART), other responsible and interested agencies, and the general public of: (1) the proposed project and the potential environmental consequences of the project, (2) mitigation measures recommended to lessen or avoid significant adverse impacts, and (3) a reasonable range of feasible alternatives to the project. The information contained in the EIR will be reviewed and considered by public agencies prior to making a decision to approve, reject, or modify the proposed project.

2. Lead Agency

The City of Oakland is the lead agency for environmental review of the proposed project.

B. PROPOSED PROJECT

1. Location

The proposed project is located at 5132 Telegraph Avenue in the Temescal neighborhood of Oakland, Alameda County. The subject parcel is located within the area bounded by Telegraph Avenue, Claremont Avenue, 51st Street and Clarke Street.

2. Existing Use Description

The project site is composed of a partially vacant two-story building, surrounding surface parking lot, and a small strip of landscaping along the northern boundary of the property. The two-story building is comprised of ground floor retail space (video rental store) and second floor office space (vacant). The project site includes an existing 160-foot-long, underground, north/south storm drain culvert that is owned and operated by the Alameda County Flood Control and Water Conservation District. The proposed project would be constructed over this culvert.

3. Project Goal

The goal of the Creekside Mixed-Use Development Project is to redevelop an underutilized site with a pedestrian oriented mixed-use development that contributes to the vitality of the Temescal neighborhood.

4. Project Description

The proposed project includes the demolition of the existing two-story commercial building and surface parking and the construction of up to 120 residential units, approximately 7,700 square feet of ground-floor commercial space, 120 enclosed parking spaces, and approximately 5,000 square feet of courtyard open space.

The project consists of the following three buildings above a ground-floor podium: 5120 Telegraph Avenue on the southwest portion of the site; 5140 Claremont Avenue on the west portion of the site and 5115 Clarke Street on the northeast portion of the site. 5120 Telegraph Avenue and 5140 Claremont Avenue would contain ground-floor neighborhood-oriented commercial space with continuous street frontage. 5120 Telegraph would contain five residential stories over the ground-floor podium (six stories total) and measure approximately 65 feet tall. The western portion of 5140 Claremont along Claremont Avenue would contain four residential stories over the ground-floor podium (five stories total) and measure approximately 55 feet tall. The eastern portion of 5140 Claremont would contain five residential stories over the ground-floor podium (six stories total) and measure approximately 65 feet tall. 5115 Clarke would contain three residential stories over the ground-floor podium (four stories total) and measure approximately 46 feet tall.

The project sponsor is seeking a density bonus to exceed the maximum residential density allowed by the Oakland General Plan by 20 percent by restricting five percent of the units to very low income households (defined as households earning no more than 50 percent of the Area Median Income). The 120 residential units would consist of 115 market-rate units and five units for very low income households.

C. EIR SCOPE

1. Notice of Preparation

The City of Oakland prepared an Initial Study and issued a Notice of Preparation of a Draft Environmental Impact Report (NOP) on December 21, 2007. The Initial Study is included as Appendix A and the NOP is included as Appendix B. The public comment period for the scope of the EIR lasted until 5:00 p.m. on January 21, 2008. The NOP was sent to property owners within 300 feet of the project site as well as responsible and trustee agencies, and interested organizations and individuals. The NOP stated that the "Initial Study screened out environmental factors that will not be further studied in the Draft EIR....The Draft EIR will address the potential environmental effects for Transportation/Traffic only. All other impacts would be less than significant."

2. Scoping Session

An EIR scoping session was held on January 9, 2008, in conjunction with a Planning Commission meeting. At that time, the Planning Commission decided that the scope of the Draft EIR as outlined in the NOP was insufficient and that other environmental topics needed to be studied. These additional environmental topics include Visual Quality, Light and Shadow, and Land Use and Density impacts.

3. Public Comments

Written comments received by the City in response to the NOP and comments received at the Planning Commission meeting were taken into account during the preparation of the EIR. NOP comments were received from concerned citizens, area property owners, and public agencies regarding several issues to be addressed in the EIR. The more widely addressed topics include: aesthetics and visual impacts; shadows on public buildings and parks; traffic generation and analysis; Temescal Creek Culvert daylighting; pedestrian safety; and impacts on local transportation infrastructure. The written comments received are included in Appendix C.

The following environmental topics are further studied in this EIR:

- A. Transportation, Circulation and Parking
- B. Land Use & Density
- C. Visual Quality
- D. Light and Shadow

D. REPORT ORGANIZATION

Volume I of this EIR is organized into the following chapters and also contains appendices A, B, C, D. Volume II contains the technical transportation appendices E, F, G, H, I, J, K, L, M, N.

Chapter I - Introduction: Discusses the overall EIR purpose; provides a summary of the proposed project; describes the EIR scope; and summarizes the organization of the EIR.

Chapter II - Summary: Provides a summary of the impacts that would result from implementation of the proposed project, and describes Standard Conditions of Approval and mitigation measures recommended to avoid or reduce significant impacts.

Chapter III - Project Description: Provides a description of the project objectives, project site, site development history, the proposed development, and required approval process.

Chapter IV - Setting, Impacts, Standard Conditions of Approval, and Mitigation Measures: Describes the following for each of the aforementioned environmental topics included in this report: Existing

conditions (setting); Standard Conditions of Approval; significance criteria; potential environmental impacts and their level of significance; Standard Conditions of Approval relied upon to ensure significant impacts would not occur; and mitigation measures recommended when necessary to mitigate identified impacts. Cumulative impacts are also discussed in each technical topic section. Potential adverse impacts are identified by levels of significance, as follows: less-than-significant impact (LTS), significant impact (S), and significant and unavoidable impact (SU). The significance level is identified for each impact before and after implementation of the recommended mitigation measure(s).

Chapter V - Alternatives: Provides an evaluation of eight alternatives to the proposed project. Three of the alternatives are included to meet the CEQA requirement that require an EIR to describe a range of reasonable alternatives to the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project. Four of the alternatives are discussed but not analyzed in detail. The final alternative is evaluated primarily to consider variants to the project that may be desirable to the project developer, the City of Oakland, and/or members of the community, but might not lessen or avoid any of the significant, adverse environmental effects of the project.

The CEQA-required alternatives are:

- Alternative 1: The No Project Alternative
- Alternative 2: The No Significant Impact Alternative
- Alternative 3: The Existing Zoning/ Creek Daylighting Alternative

The alternatives discussed but not analyzed in detail are:

- Alternative 4: The All Park/ Creek Daylighting Alternative
- Alternative 5: The Off-Site Alternative
- Alternative 6: The Temescal Gateway Plan Alternative
- Alternative 7: The Proposed Temescal Zoning Alternative.

The additional planning alternative to the project is:

- Alternative 8: The Reduced Density/ Creek Daylighting Alternative

Chapter VI - CEQA Required Assessment Conditions: Provides the required analysis of growth-inducing impacts; significant irreversible changes; effects found not to be significant; and significant unavoidable and cumulative impacts.

Chapter VII - Responses to NOP and EIR Scoping Hearing Comments: Provides general responses to comments received on the NOP and at the Planning Commission EIR scoping hearing.

Chapter VIII - Report Preparation: Identifies preparers of the EIR, references used, and the persons and organizations contacted.

Appendices A, B, C, D: The appendices contain the Initial Study, NOP and written comments submitted on the NOP, and the shadow analysis.

Volume 2: Technical Transportation Appendices E, F, G, H, I, J, K, L, M, N: The transportation appendices contain the traffic modeling data and supporting technical analysis.

The Draft EIR is available for public review for the period identified in the Notice of Availability attached to the front of this document. During this time, written comments on the Draft EIR may be submitted to the City of Oakland Community & Economic Development Agency, Planning Division at the address indicated on the Notice of Availability. Responses to all comments received on the environmental analysis in the Draft EIR during the specified review period will be included in the Response to Comments/Final EIR.

