

Executive Summary

Overview of the Proposed Project

Introduction

This draft environmental impact report (EIR), prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, evaluates the potential environmental impacts of the 220-228 Broadway Mixed-Use project (proposed project). The City of Oakland (City) is the lead agency for the project. The project applicant is David Taylor Interests, Inc. The purpose of this EIR is to analyze the environmental effects of the proposed project and to identify measures and alternatives that would reduce or avoid significant environmental impacts resulting from the proposed project. CEQA requires that public agencies mitigate or avoid significant effects on the environment whenever feasible. The EIR must also disclose significant effects that cannot be avoided, growth-inducing impacts, impacts found not to be significant, and significant cumulative impacts.

Project Objectives and Description

The project applicant's primary objective is to construct high-density, transit-oriented, urban infill, mixed-use residential and commercial uses at a location bounded by 3rd Street, 2nd Street, and Broadway. The proposed project consists of approximately 355,000 total gross square feet (gsf) that include 109 market-rate for-sale housing units, ground-floor retail, four levels of office space, and 290 parking spaces. The proposed project requires demolition of two existing structures located at 200 and 228 Broadway.

Alternatives to the Proposed Project

CEQA requires that an EIR consider alternatives to a proposed project that may meet the project objectives while reducing significant impacts on the environment. In addition to the proposed project and the No-Project Alternative, three alternatives are considered in detail, while others were considered but rejected from further evaluation. The three alternatives are:

- **Primarily Residential Mixed-Use Alternative:** would include a total of 120 market-rate for-sale residential units and 10,645 gsf of street-level retail space, with a total of 229 on-site parking spaces. The project site and the building footprint for the Primarily Residential Alternative is slightly smaller than for the proposed project because the parcel at 200 Broadway is not included in the project site.
- **Primarily Office Mixed-Use Alternative:** would include a total of 210,750 gsf of office use and 8,000 gsf of street-level retail space, with a total of 315 on-site parking spaces. The project site and the building footprint for the Primarily Office Alternative is slightly smaller than for the proposed project because the parcel at 200 Broadway is not included in the project site.
- **Lower Height and Mass Alternative:** would include a total of 155,980 gsf with 30 residential units (30,000 gsf), 8,000 gsf of ground-floor retail, 80,000 gsf of office space, and 106 on-site parking spaces. The project site and building footprint for the Lower Height and Mass Alternative is smaller than the proposed project because the parcel at 200 Broadway is not included in this alternative.

The project sponsor is giving serious consideration to the Primarily Residential Mixed-Use Alternative as described and analyzed in Chapter 5, “Alternatives Analysis,” of this EIR. The project sponsor has submitted an application for a Conditional Use Permit and Design Review that would allow either the mixed-use project analyzed herein as the “project” or the Primarily Residential Mixed-Use Alternative analyzed in Chapter 5.

Discretionary Actions

Discretionary actions by the City necessary to approve and implement the proposed project include, without limitations, the following:

- Conditional Use Permit under Section 17.56.090 to locate off-street parking, loading, and driveways within 75 feet of the front lot line;
- Design Review;
- Subdivision and other Map Approvals, as needed;
- Demolition Permit; and
- Tree Preservation and Removal Permit.

Public Participation

The City prepared and circulated a Notice of Preparation (NOP) of an EIR in March 2001, in accordance with Section 15082 of the State CEQA Guidelines. During the public review period, the Planning Commission held a preliminary informational

meeting allowing an opportunity for Commissioners and the public to scope the issues to be addressed in the EIR. Following the 30-day review period for the NOP, written comments that were returned to the City were reviewed to ensure that the EIR would address all issues of concern identified. This draft EIR will be circulated for 45 days for public review and comment, and a public hearing will be held at which individuals may provide written or oral comments about the document. The Planning Commission is scheduled to hold this hearing on March 20, 2002. After the review period, which ends with the close of the public hearing on March 20, 2002, the City will respond to comments and prepare a final EIR that addresses those comments. The final EIR will be issued, after which the Planning Commission will consider certification of the EIR and approval of the proposed project at a noticed meeting.

Issues of Known Controversy

Based on the feedback received at the public information meeting and in written comments submitted during the NOP comment period, a number of contentious issues have been identified. Specifically, community members have raised concerns that the proposed project will:

- create a dramatic visual change in building form compared to existing scale and pattern of urban development;
- result in a loss of natural sunlight and air flows on adjacent properties;
- produce excessive shadows on adjacent properties;
- exacerbate an already unacceptable circulation and parking situation in the Jack London District;
- provide a high concentration of residential units in a location that will deter prospective retail, dining, and entertainment developers from pursuing projects in the Jack London District; and
- adversely impact the East Bay Municipal Utility District's (EBMUD) ability to convey and treat wastewater during wet weather flows.

Letters received during the NOP comment period are included in Appendix A.

Environmental Impacts and Mitigation

Table ES-1 identifies impacts of the proposed project and mitigation measures identified to reduce those impacts to less-than-significant levels, where such measures are feasible. In most cases, impacts would be less than significant after implementation of mitigation measures. However, the following impacts cannot be feasibly mitigated to a less-than-significant level and would remain significant and unavoidable:

- 3C-1: Deficit of 114 spaces (187 if removal of public parking is included), which can be reduced to a deficit of 46 parking spaces (119 if public parking is included) with implementation of shared parking, which can be further reduced to a less than significant impact with adoption of other Transportation Demand Management measures and the use of available off-street parking that is within a reasonable walking distance of the project site. However, this EIR, in the interests of being conservative, will nonetheless consider this impact to be significant and unavoidable;
- 3C-6: Unacceptable level of service along the State Route 260 Corridor between the intersection of 7th and Harrison and the 6th and Jackson northbound on-ramp to I-880; and
- 3C-7: Addition of project-related traffic to the projected 2005 baseline conditions at Jackson and 5th Streets, which could be mitigated to less-than-significant levels (with approval by the California Department of Transportation [Caltrans] of traffic signal timing).

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