

Location:	The Planning Area encompasses approximately 92-96 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 th Street, Richmond Avenue, and Brook Street to the east.
Proposal:	Conduct a public scoping session, as required by the California Environmental Quality Act (CEQA), to receive comments on the scope of a Draft Environmental Impact Report (DEIR) on the Broadway Valdez District Specific Plan.
Applicant:	City of Oakland
Case File Number:	ZS12046, ER120005
General Plan:	Central Business District, Community Commercial, Neighborhood Center Commercial, Urban Residential, Mixed Housing Type Residential, Institutional
Zoning:	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
Environmental Determination:	An Environmental Impact Report will be prepared for the Broadway Valdez District Specific Plan.
Historic Status:	The Plan Area includes cultural/historic resources that 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.
Service Delivery District:	2
City Council District:	3
Status:	A Notice of Preparation (NOP) of a DEIR will be issued on April 30, 2012, and the public comment period on the NOP ends on May 30, 2012.
Action to be Taken:	Receive public and Board member comments on the scope of the DEIR, including what information and analysis should be included pertaining to cultural and/or historical resource issues. No decisions will be made on the project at this hearing.
Finality of Decision:	N/A
For Further Information:	Contact project planner Laura Kaminski at 510-238-6809 or lkaminski@oaklandnet.com Project message line: 510-238-7905 Project email address: bvdsp@oaklandnet.com Project website: www.oaklandnet.com/bvdsp

SUMMARY

The City of Oakland's Department of Planning, Building and Neighborhood Preservation is preparing a Draft Environmental Impact Report (DEIR) on the Broadway/Valdez District Specific Plan ("Plan," "Project") that will provide a roadmap for how the area develops over the next 25 years. The Planning Area encompasses approximately 92-96 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, 27th 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, Building and Neighborhood Preservation (DPBNP). 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 Preparation (NOP) of a DEIR was published on April 30, 2012 (see **Attachment A**). The public comment period on the scope of the DEIR ends on May 30, 2012. The City anticipates that a Draft EIR for public review and comment will be available by fall of 2012.

The purpose of this Landmarks Preservation Advisory Board (LPAB) public hearing is to receive comments on the scope of the environmental analysis of the Broadway/Valdez District Specific Plan, and on what types of Cultural and Historic Resource-related information and analysis should be considered in the DEIR. A scoping session will also be held before the Planning Commission on May 16, 2012. The public comment period on the scope of the DEIR ends on May 30, 2012.

PLAN BOUNDARY

As mentioned above, the Planning Area encompasses approximately 92 to 96 acres. The difference in acreage is due to the potential removal from the Plan boundary of a half block of properties between Broadway and Webster at 30th Street (see **Attachment B**). The City recently received a request to remove this half-block from the Specific Plan boundary - the potential developer of a large retail development at this site has proposed doing their own EIR because their project is on a faster track than the anticipated timeline for completion of the Specific Plan. The City is considering their request and will be seeking the input of the Planning Commission on this potential boundary change at the NOP scoping session public hearing on May 16, 2012.

BACKGROUND

See **Attachment C** for the background of the Broadway/Valdez District Specific Plan and a summary of the October 4, 2010 Landmarks Preservation Advisory Board Meeting, where the Board reviewed and discussed the Broadway/Valdez District Specific Plan Alternatives. Also, see **Attachment D** for the minutes from this October 4, 2010 meeting.

PROJECT DESCRIPTION

The Broadway/Valdez District Specific Plan will be a 25-year planning document, with a planning horizon to the year 2035. The Plan builds on extensive community feedback to meet its goals of:

- 1) Creating a destination retail, dining, and entertainment district that reduces sales tax leakage, while also serving neighborhood shopping needs;
- 2) Encouraging mixed-use housing development in the area that is economically and socially sustainable;

- 3) Facilitating the adaptive re-use of existing historic buildings where feasible, and contributing to a distinctive character and identity; and
- 4) Creating a network of “complete” streets that are designed to safely and efficiently balance pedestrians, bicycle, transit, and vehicular circulation.

The Plan will develop strategies to encourage more retail and mixed-use development in the areas on and off Broadway between Grand Avenue and Interstate 580. Broadway is viewed as the City’s “Main Street”, and the portion of Broadway within the Planning Area is significant due to its proximity to downtown, its location near the 19th Street and MacArthur BART transit stations, a major AC Transit bus route, as well as its relationship to nearby residential neighborhoods, the adjacent medical campuses of Kaiser and Alta Bates/Summit, the successful existing Uptown entertainment district, and the Piedmont Avenue retail street. The Plan will provide an area-wide set of development regulations and requirements, and will cover land use, development density, circulation and infrastructure, and financing mechanisms for public improvements, and it will have legal authority as a regulatory document.

The components of the Specific Plan will include:

- Text and diagrams showing the distribution, location and extent of all land uses, including open space;
- Proposed distribution, location, extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy and other essential facilities needed to support the land uses;
- Standards and guidelines for development, and standards for the conservation, development and utilization of natural resources, where applicable;
- Program of implementation measures including regulations, programs, public works projects and financing measures; and
- Statement of Specific Plan’s relationship to the General Plan.

The overall development potential that is proposed for study in the Broadway/Valdez District Specific Plan was presented in the Draft Plan Concept (see **Attachment E**). The development categories below are not all likely to be achieved at the highest range - if the reasonably foreseeable development program includes the high range for one or more of the development categories below, then the other development types would likely be specified in the lower range:

- 800,000 to 1.4 million square feet of retail/commercial;
- 500,000 to 900,000 square feet of office;
- 50,000 to 120,000 square feet of hotel; and
- 900 to 1,800 housing units.

Copies of both the Draft Plan Concept and the NOP are attached to this report and also are available to the public as follows:

1. Electronically, at the project website: www.oaklandnet.com/bvdsp.
2. Printed reference copies, at the City of Oakland Planning Department (250 Frank Ogawa Plaza, Suite 3315).

ENVIRONMENTAL DETERMINATION

The City has determined that an EIR will be prepared for the Broadway/Valdez District Specific Plan. An EIR is an informational tool to assist decision makers and the public regarding the project's environmental effects, mitigation measures, and project alternatives. The EIR will be a product of a structured information gathering process specified in the CEQA guidelines. The EIR will study the development envelope that is reasonably foreseeable, to assess potential impacts and mitigation requirements.

As previously noted, a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Broadway/Valdez District Specific Plan was published on April 30, 2012. It is anticipated that the proposed project would likely result in potentially significant environmental effects to the following: Aesthetics, Air Quality, Biological Resources, Cultural and Historic Resources, Geology and Soils, Greenhouse Gases and Global Climate Change, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services, Recreation, Transportation and Traffic and Utilities and Service Systems. All of the noted environmental factors will be analyzed in the DEIR.

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

It should also be noted that, as is typical with an EIR process, the details of the Specific Plan will not be finalized when the EIR process begins. CEQA is an iterative process, and analyzing a finalized plan would remove the value of the EIR as a decision-making tool. The EIR will serve to inform the ongoing community discussion on the details in the Specific Plan, and can direct the modification of proposed policies and programs in the Plan that would help to mitigate potential environmental impacts.

Issues to be Addressed in the EIR

The main purpose of this scoping session is to solicit comments from the Landmarks Preservation Advisory Board (LPAB) and the public on what types of Cultural and Historic Resource-related information and analysis should be considered in the DEIR. Comments about the environmental issues that should be considered, the types of environmental information that should be included, and the range of alternatives to the project that should be assessed are all appropriate comments. Staff and our consultants have identified the following preliminary list of Cultural and Historic Resource-related environmental and project issues that need to be addressed in the DEIR:

Aesthetics

- Potential for new buildings to result in impacts to vistas;
- Potential for new buildings to cast shadows that would substantially impair the beneficial use of public spaces, historic resources, and solar collectors;
- Potential for the design guidelines to minimize any identified visual character/visual quality effects.

Cultural and Historic Resources

- Assessment of the presence of and potential impacts to historic structures;
- Cultural records search to determine the potential presence of prehistoric or archaeological sites;
- Appropriate coordination with Native American organizations as required under CEQA and SB 18.

Land Use and Planning

- Evaluate the proposed land use changes in light of adopted policy documents, such as the Oakland General Plan's Land Use and Transportation Element (LUTE), Open Space Conservation and Recreation Element (OSCAR), and the Historic Preservation Element.

Alternatives

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

Estimating Development Potential

In order to make an assessment of the type and amount of development that might occur in the Broadway Valdez District Specific Plan, Major Opportunity and Retail Priority Areas for development have been identified in the Draft Plan Concept. *Attachment F* shows the Major Opportunity and Retail Priority Areas overlayed on top of the Historic Resources map from the Draft Concept Plan. Within the Retail Priority Areas, there are three Local Register of Historic Resources; they include: Biff's Coffee Shop at the southwest corner of 27th Street and Valdez, the Packard and Maxwell - Don Lee Western Auto Building at the southwest corner of Broadway and 24th Street, and the Seventh Church of Christ Science at 2333 Harrison Street. Within the Major Opportunity Areas, there is one Local Register of Historic Resources, which is the Connell 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:

Definition of Historic Resources

Oakland's Local Register of Historical Resources, are defined as:

- All Designated Historic Properties (Landmarks, Heritage Properties, Study List Properties, Preservation Districts, and S-7 and S-20 Preservation Combining Zone Properties; and
- Those Potential Designated Historic Properties (PDHP) that have an existing rating of "A" or "B" or are located within an Area of Primary Importance.

For purposes of CEQA, historic resources would also include:

- A resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources;
- A resource identified as significant (e.g., rated 1-5) in a historical resource survey recorded on Department of Parks and Recreation Form 523;
- A resource that meets the criteria for listing on the California Register of Historical Resources; and
- A resource that is determined by the Oakland City Council to be historically or culturally significant, even though it does not meet the other criteria listed above.

NEXT STEPS

Under the City's Planning Code and the State CEQA Guidelines, several opportunities for public comment on the Project and on the environmental review of the Project are provided. These opportunities include the 30-day comment period on the NOP; this Scoping Session before the Landmarks Preservation Advisory Board (LPAB); the public Scoping Session before the Planning Commission; a 45-day public review period on the DEIR; public hearing(s) before the Planning

Commission and LPAB to receive comments on the DEIR; and public hearing(s) before the LPAB, Planning Commission and City Council to consider certification of the Final EIR.

The 30-day public comment period on the NOP ends on Wednesday, May 30, 2012.

We anticipate that the Draft Specific Plan and Draft EIR will be prepared, circulated and presented to the Planning Commission and other public bodies (including the LPAB) in fall 2012. Then a Final Specific Plan and Final EIR will need to be reviewed and certified by the Planning Commission and reviewed other public bodies (including the LPAB), before final Plan adoption by City Council, tentatively in mid to late 2013.

RECOMMENDATIONS:

Staff requests the Landmarks Preservation Advisory Board to:

1. Receive comments from interested citizens and provide comments themselves on the scope and content of the Cultural and Historic Resource-related sections of the Draft Environmental Impact Report for the Broadway/Valdez District Specific Plan.

Prepared by:



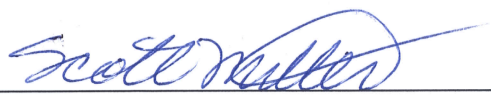
Laura Kaminski
Planner II, Strategic Planning

Approved by:



ED MANASSE
Strategic Planning Manager

Approved for forwarding to the
Landmarks Preservation Advisory Board:



SCOTT MILLER
Interim Planning and Zoning Manager

ATTACHMENTS:

- A. Notice of Preparation (NOP) for the Broadway/Valdez District Specific Plan EIR
- B. Map of Specific Plan Boundary with Sites Potentially Removed from the Plan Area
- C. Background of the Broadway/Valdez District Specific Plan & Summary of Oct. 2010 LPAB Meeting
- D. October, 2010 LPAB Subcommittee, Full Board, & Public Comments
- E. Broadway/Valdez District Specific Plan "Draft Plan Concept" (dated December 1, 2011)
- F. Map of Major Opportunity and Retail Priority Areas and Historic Resources