

Technical Memorandum

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to Pete Vollmann, City of Oakland

cc Brian Mulry, City of Oakland

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subject CEQA Compliance Memorandum for the Revised 1510 Webster Mixed-Use Project

Overview and Project Summary

Introduction

This technical memorandum presents environmental review of the Revised 1510 Webster Mixed-Use Project (Case File Number: PLN20-107) (Revised Project), pursuant to the California Environmental Quality Act (CEQA). In January 2021, the City published a CEQA Checklist/Exemption Report pursuant to CEQA Guidelines Section 15183 (Community Plan Exemption) and Section 15183.3 (Qualified In-fill Exemption) for the 1510 Webster Mixed-Use Project (Approved Project). In July 2021, the Project Applicant proposed minor revisions to the Approved Project requiring a review of the 2021 CEQA Checklist/Exemption Report considering the proposed modifications.

Background

The Project Applicant, oWow Development, proposed to redevelop two parcels in downtown Oakland with a mixed use development on the corner of Webster and 15th Streets. The project, referred to as the 1510 Webster Street Project (Approved Project), would be a 19-story, mixed-use residential building with approximately 182 residential units, 11,397 square feet of office space, and 3,489 square feet of ground floor retail space. The approximately 195-foot-tall building would include an approximately 65-foot-tall, a 6-story podium on the southwestern portion of the Project site. The Project site is approximately 0.33 acres and comprised of two privately-owned parcels (Assessor's Parcel Numbers 008-0625-034-01 and 008-0625-032-00) at 1510 Webster Street and 1508 Webster Street. The Project site currently contains a vacant commercial building and an abandoned construction site. Project construction, which would include the demolition of all buildings and structures on the Project site, was anticipated to last for a period of approximately 18 months.

As noted above, a CEQA Checklist/Exemption Report was prepared for the Approved Project. It included a CEQA Checklist format to analyze the Approved Project using CEQA streamlining and/or tiering provisions under CEQA Guidelines Section 15183 and 15183.3 to tier from the program-level analyses completed in the

City General Plan Land Use and Transportation Element (LUTE) and its Environmental Impact Report (EIR), the 2007-2014 Housing Element and its EIR, the 2015-2023 Housing Element and its EIR Addendum (2010 Housing Element Update EIR and associated 2014 Addendum), and the Proposed Amendments to the Central District Urban Renewal Plan and its EIR (2011 Renewal Plan Amendments EIR). These are collectively referred to herein as the “Previous CEQA Documents” or “Previous EIRs,” which analyzed environmental impacts associated with adoption and implementation of the General Plan and Renewal Plan.

The Approved Project would be required to implement the City Standard Conditions of Approval (SCAs) included as **Attachment A** to the CEQA Checklist/Addendum to avoid or reduce potential impacts. The CEQA Checklist consisted of findings of consistency with Section 15183 and 15183. In addition, the analyses provided in the Previous EIRs previously analyzed the potential environmental effects associated with the Approved Project and none of the criteria under Section 15162 were present. No additional environmental documentation or analysis was required for project approval.

Proposed Revisions to the Approved Project

In July 2021, the Project Applicant proposed minor revisions to the Approved Project requiring a review of the 2021 CEQA Checklist/Exemption Report considering the proposed modifications. Generally, the modifications include a reduction in building stories, height, and building area; a reduction in office space; and an increase in residential units and open space. These modifications are outlined in **Table 1, Project Characteristics Comparison** below. No revision is proposed for the building design and the proposed building footprint, setbacks, podium height, and site plan are unchanged compared with the Approved Project. Further, no change to duration and type of construction-related activities is required to accommodate the proposed modifications.

**TABLE 1
PROPOSED REVISED PROJECT COMPARED TO THE APPROVED PROJECT**

	Approved Project	Revised Project	Difference
Height (feet)	195 feet	187 feet	(8 feet)
Stories	19 stories	18 stories	(1 story)
Residential Units	182 units	222 units	40 units
Retail Space (sf)	3,489 sf	3,489 sf	-
Office Space (sf)	11,397 sf	9,501 sf	(1,896 sf)
Long-Term Bicycle Parking (spaces)	66	66	-
Open Space (sf)	3,303	6,220	2,917
Building Area (excluding roof and bicycle parking)	187,692	169,911	(17,781)
Short-Term Bicycle Parking (spaces)	14	14	-
Off-Street Loading (spaces)	1	1	-

SOURCE: oWow Development, 2020; oWow Development 2021.

Analysis Review

The analysis below consists of a review of the 2021 CEQA Checklist/Exemption Report considering the proposed modifications. The analysis addresses each environmental factor with a focus on whether the project modifications would result in different impacts or changes to previously identified impacts and/or SCAs compared to what was disclosed in the 2021 CEQA Checklist/Exemption Report. This memo presents only the information that is directly pertinent to the reviewer's understanding of the project modifications and comparative impact determinations and is prepared specifically to determine if the conclusions of the 2021 CEQA Checklist/Exemption Report remain valid for the Revised Project and thus, if the Revised Project is consistent with CEQA Sections 15183 and 15183.3 and meets the qualifications for a Community Plan Exemption and/or Qualified Infill Exemption.

Aesthetics. Although the Approved Project is a residential mixed-use infill project within a transit priority area and therefore aesthetics is not considered in determining the Approved Project's potential to result in significant environmental effects, a review of aesthetics effects was included in the 2021 CEQA Checklist/Exemption Report for informational purposes. The Revised Project would not substantially alter the Approved Project's building envelop beyond a slight reduction in overall building height. The Revised Project would not result in a change to the Approved Project's building configuration, site layout, or lighting requirements. The same aesthetics SCA's would be applicable to the Revised Project. Therefore, the Revised Project would result in the same less-than-significant impacts related to scenic vistas, scenic resources, visual character, light or glare, shadow, and wind.

Air Quality. The Revised Project would not require a change in type or an increase in duration of construction-related activity. The same construction-related air quality SCA's would be applicable to the Revised Project. Therefore, the Revised Project would result in the same construction-related less-than-significant air quality and health risk impacts.

The Revised Project would include 40 additional residential units and a reduction in office space resulting in an approximate 17 percent increase in daily vehicle trips (110 additional daily trips) and an approximate 14 percent increase in PM peak hour trips (8 additional PM peak hour trips). The Approved Project would result in operational emissions well below the significance threshold (see Table 7.2-2 in the CEQA Checklist/Exemption Report). With additional operational emissions associated with a 17 percent increase in daily vehicle trips, the Revised Project would still result in average daily emissions and annual emissions well below the significance thresholds. Therefore, the Revised Project would result in the same less-than-significant air quality impacts resulting from operational emissions.

The Revised Project would include the same backup diesel emergency generator and would still be required to install air filtration units rated MERV-13 or higher. The same SCA's for operational toxic air contaminants would be applicable to the Revised Project. Therefore, operation of the Revised Project would result in the same less-than-significant air quality and health risk impacts.

Biological Resources. The Revised Project would be constructed on the same Project site with the same site plan requiring removal of one street tree considered a protected tree. The same SCA's related to biological resources, hydrology, and utilities would be applicable to the Revised Project. Therefore, the Revised Project would result in the same less-than-significant impacts related to biological resources.

Cultural Resources. The Revised Project would be developed on the same Project site and would not require a change in construction-related activity including the proposed demolition of the existing building on the Project

site. The same SCA's related to historical, archaeological, paleontological resources and human remains would be applicable to the Revised Project. Therefore, the Revised Project would result in the same less-than-significant impacts related to cultural resources.

Geology and Soils, Hazards and Hazardous Materials, and Hydrology and Water Quality. The Revised Project would be constructed on the same Project site with the same geological and hydrological conditions. No change is proposed to construction-related activity including excavation, grading, and retention of pervious area. The proposed increase in residential use would not alter the permitting requirements, such as adherence to the California Building Code, and the same SCAs relating to the seismic risk, hazardous materials, emergency access routes, and water quality would apply. Therefore, the Revised Project would result in the same less-than-significant impacts related to geology and soils, hazards and hazardous materials, and hydrology and water quality.

Greenhouse Gas and Climate Change. The Project Applicant prepared an Equitable Climate Action Plan (ECAP) Consistency Review Checklist for the Approved Project showing the Project Applicant's commitment to GHG emissions reduction strategies. The project modifications, including additional residential units and a minor reduction in office space, would not require changes to the Approved Project's ECAP Consistency Review Checklist. The same SCAs relating to GHG emissions and climate change, air quality, utilities, aesthetics, and transportation would apply to the Revised Project. Therefore, the Revised Project would result in the same less-than-significant impacts related to GHG emissions and climate change.

Land Use, Plans, and Policies. The Revised Project would alter the intensity of residential and office uses on the Project site but would not introduce a new land use not already evaluated for the Approved Project. The Revised Project would still be consistent with applicable plans and policies and, therefore, the Revised Project would result in the same less-than-significant impacts related to land use, plans, and policies.

Noise. The Revised Project would not require a change in type or an increase in duration of construction-related activity. The project modifications, including additional residential units and a minor reduction in office space, would not result in a change to the building's HVAC or introduce a new noise sensitive land use to the Project site. The same construction- and operation-related noise SCA's would be applicable to the Revised Project. Therefore, the Revised Project would result in the same less-than-significant impacts related to construction noise, operational noise, and consistency with land use compatibility guidelines for community ambient noise level.

As described above, the Revised Project is anticipated to result in an approximate 17 percent increase in daily vehicle trips and an approximate 14 percent increase in PM peak hour trips. Given the greatest increase in traffic noise due to the Approved Project would be 0.2 dBA above existing traffic noise levels and the threshold is 5.0 dBA above existing traffic noise levels, even a doubling of vehicle trips would not result in a new significant impact. Cumulative noise increase is derived by adding the existing (58 db), the stationary sources (60 dB), and the incremental increase in maximum cumulative traffic level (1.7). This worst-case prediction of cumulative noise increase from both stationary and roadway noise sources would result in a 4.1 dBA increase. Because the addition is logarithmic, even if the cumulative traffic noise level were to be doubled to approximately 3.4 dB, the combined noise level would still be 62.1 dB, which is a 4.1 dBA increase. Therefore, the Revised Project would result in the same less-than-significant impacts related to traffic noise and cumulative noise increase.

Population and Housing. The Revised Project would be developed on the same Project site and would not displace any housing or people. The Approved Project was estimated to generate approximately 346 residents and approximately 58 employees.¹ The Revised Project is estimated to generate approximately 422 residents and approximately 49 employees which would still represent a marginal fraction of the *Plan Bay Area 2040* projected and planned growth. The Revised Project would contain 66 affordable units (moderate-income units) compared with the Approved Project's 8 affordable units (low-income units). Therefore, the Revised Project would result in the same less-than-significant impacts related to population and housing.

Public Services, Parks, and Recreational Facilities. The Revised Project would include 40 additional residential units and a reduction in office space resulting in a minor increase in onsite population and associated demand for public services. The Revised Project would comply with standard City practices including required contributions to school impact fees, as well as General Plan policies and SCAs related to public services. Although the Revised Project would provide less than the required amount of open space, the Project Applicant is seeking a waiver through the affordable housing density bonus concessions (see *Population and Housing* above). Therefore, the Revised Project would result in the same less-than-significant impacts related to public services, parks, and recreational facilities.

Transportation and Circulation. The Revised Project would include 40 additional residential units and a reduction in office space resulting in an approximate 17 percent increase in daily vehicle trips (110 additional daily trips) and an approximate 14 percent increase in PM peak hour trips (8 additional PM peak hour trips). The Revised Project would not alter the Approved Project's Project site, land uses, circulation plan, or proposed bicycle parking. As with the Approved Project, the Revised Project would not provide vehicle parking or modify the roadway network surrounding the Project site. Therefore, the Revised Project would be consistent with adopted plans, ordinances, and policies addressing the safety and performance of the circulation system; would satisfy the City's VMT screening criteria; and would not substantially induce additional automobile traffic. SCAs related to transportation and circulation, including the required preparation of a TDM Plan, would be applicable to the Revised Project. The Revised Project would continue to be required to implement a TDM, which would encourage the use of non-automobile modes of travel.

. Therefore, the Revised Project would result in the same less-than-significant impacts related to transportation and circulation.

Utilities and Service Systems. The Revised Project would not require a change in type or an increase in duration of construction-related activity and the same construction-related SCAs related to utilities would be applicable to the Revised Project. As discussed above, the Revised Project would still represent a marginal fraction of the *Plan Bay Area 2040* projected and planned growth. Therefore, the Revised Project is not anticipated to exceed available water supplies or require new water, wastewater, or stormwater infrastructure beyond connection to existing water, sewer, and storm drain service mains and laterals located in Webster and 15th Streets. The Revised Project would comply with Title 24 of the California Code of Regulations and the same SCAs pertaining to waste reduction and recycling, green building requirements, sewer and storm drain systems, water and energy

¹ For the purposes of a conservative analysis, this analysis assumes a residential density of 1.9 residents per unit, 1 employee per 225 square feet of office space, and 1 employee per 500 square feet of retail space, as established in the Downtown Oakland Specific Plan EIR—an EIR currently in progress with a Plan Area boundary that includes the Project Site.

efficiency, and stormwater requirements. Therefore, the Revised Project would result in the same less-than-significant impacts related to utilities and service systems.

Conclusion

Based on the information and conclusions above, the Revised Project would not result in different impacts or changes to previously identified impacts and/or SCAs compared to what was disclosed in the 2021 CEQA Checklist/Exemption Report. As such, the conclusions of the 2021 CEQA Checklist/Exemption Report remain valid for the Revised Project, the Revised Project is consistent with CEQA Sections 15183 and 15183.3 and meets the qualifications for a Community Plan Exemption and/or Qualified Infill Exemption. The analysis demonstrates that a new CEQA Checklist need not be prepared and no additional environmental documentation or analysis is required.