

<b>Location:</b>	<b>440, 450,460 24<sup>th</sup> St-465 25<sup>th</sup> St. and 2354 Valley St.</b>
<b>Assessor’s Parcel Number(s):</b>	<b>008-0674-033-1, 008-0674-006,008-0674-007, 008-0739-008</b>
<b>Proposal:</b>	Public Hearing on the Draft Environmental Impact Report to receive public and Planning Commission comments on an office and retail proposal on two non-contiguous sites. Site 1: The Project would demolish one existing building addition and portions of existing building frontages of the two buildings fronting 24 <sup>th</sup> Street and the buildings fronting 25 <sup>th</sup> Street all of which are within the 25 <sup>th</sup> Street Garage District Area of Primary Importance (API). The Project would construct a mixed-use building with 86,100 square feet of office and 11,980 square feet of ground floor retail and provide an interior midblock retail paseo connecting 24 <sup>th</sup> and 25 <sup>th</sup> Streets. The Project would concentrate the allowable floor area ratio (FAR) on the portion of the site now used as a vacant parking lot which is outside the boundary of the API, seeking a variance to increase height on that portion of the building. Site 2: The Project would develop 580 square feet of proposed artist and craft stalls, located mostly in refurbished shipping containers on the lot at 2354 Valley Street.
<b>Applicant:</b>	Signature Development Group
<b>Contact Person/Phone Number:</b>	Jamie Choy 510-251-9269
<b>Case File Number:</b>	<b>PLN19096, PLN19096-ER01</b>
<b>General Plan:</b>	Site 1 Community Commercial, Site 2 Central Business District (CBD) Broadway Valdez District Specific Plan (BVDSP)
<b>Zoning:</b>	Site 1:CC-3. Site 2: D-BV-4
<b>Environmental Determination:</b>	The Draft Environmental Impact Report (DEIR)was published for a 45-day review period from April 25, 2022 to June 9, 2022
<b>Historic Status:</b>	Site 1: Garage District API, PDHP OCHS rating Cb1+, C1+ Site 2: 2356-98 Valley St. ASI PDHP OCHS rating D2+
<b>City Council District:</b>	3
<b>Staff Recommendation:</b>	Receive public and Planning Commission comments on the DEIR.
<b>Action to be Taken:</b>	No action to be taken by the Planning Commission on the DEIR other than to provide comments.
<b>For Further Information:</b>	Contact Case Planner <b>Rebecca Lind</b> at <b>(510) 238-3472</b> or by email at <a href="mailto:rlind@oaklandca.gov">rlind@oaklandca.gov</a> .

# CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN19096, PLN19096-ER01  
Applicant: 440, 450,460 24th St-465 25th St. and 2354 Valley St.  
Address: Signature Development Group  
Zone: Site 1:CC-3. Site 2: D-BV-4  
Height Area: Site 1:45 ft. Site 2: 85 ft

## **SUMMARY**

The purpose of this report and of the June 1, 2022 public hearing, is to provide information and to solicit comments on the adequacy of specific information related to environmental impacts and California Environmental Quality Act (CEQA) issues and analysis contained in the Draft Environmental Impact Report (DEIR) for the proposed project located at 460 24<sup>th</sup> St, commonly referred to as the Pigozzi Project (the Project). The Project is a proposed mixed-use building with 86,100 square feet of office, 11,980 square feet of ground floor retail, an interior midblock retail paseo connecting 24<sup>th</sup> and 25<sup>th</sup> Streets on Site 1 and 580 square feet of proposed artist and craft stalls on Site 2. This hearing is not intended for receipt of comments on the merits of the Project and no decision will be made on the DEIR or on the proposed project. Specifically, comments should focus on the adequacy of the DEIR in discussing possible impacts on the physical environment; ways in which potential adverse effects might be minimized; and the impacts of alternatives to the project in light of the DEIR's purpose to provide useful and accurate information about such factors.

The DEIR concludes that approval of the Project would result in no significant impacts, no significant and unavoidable (SU) impacts, and no cumulative impacts.

## **BACKGROUND**

Signature Development Group has filed a request for environmental review and an application for consideration of Design Review, and a Variance for non-contiguous development of two sites:

- Site 1: construction of a mixed-use office/retail building within and adjacent to the Garage District Area of Primary Importance (API) at 460 24<sup>th</sup> Street; and
- Site 2: construction of pop-up retail largely in refurbished shipping containers at 2354 Valley St.

In compliance with CEQA, staff determined that environmental impacts resulting from the project may be significant, and a Draft Environmental Impact Report (DEIR) was therefore prepared.

The City of Oakland is the Lead Agency pursuant to CEQA and has the responsibility to prepare the EIR for the Project. Staff published a Notice of Preparation (NOP) of an EIR on January 17, 2020. A scoping session was held before the Oakland Landmarks Preservation Advisory Board (LPAB) on February 10, 2020 and the Planning Commission on February 19, 2020. The Notice of Availability for the DEIR was prepared and released on April 25, 2022, beginning a 45-day public comment period with the comment period ending **June 9, 2022**.

Comments on the DEIR may be made at the June 1, 2022 hearing or in writing to the Planning & Building Department, Bureau of Planning, to the attention of Rebecca Lind, Planner IV, at e-mail address [rlind@oaklandca.gov](mailto:rlind@oaklandca.gov), or to City of Oakland, Department of Planning and Building, Bureau of Planning, 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612.

Written comments must be received prior to the comment period deadline (4:00 p.m. on June 9, 2022). After all comments are received, a Final EIR/Response to Comments document will be prepared and the Planning Commission will consider a recommendation for certification of the Final EIR at a later meeting.

## **PROJECT DESCRIPTION**

As noted above, the proposed project includes development at two locations, as follows:

**Site 1 (fronting both 24<sup>th</sup> and 25<sup>th</sup> Street, between Telegraph Avenue and Broadway):** The Project would demolish one existing building and portions of four other existing buildings on the site. The Project would construct a mixed-use office and retail building, integrating portions of existing building frontages of the two buildings fronting 24th Street and the building fronting 25th Street both of which are within the 25th Street Garage District API. An approximately 11.5-foot section of the western portion of the building fronting along 25th Street would be demolished to create an open-air paseo lined with artist and craft stalls as well as public art connecting 24th and 25th Streets. The Project would concentrate the allowable floor area ratio (FAR) on the site above the vacant surface parking lot, which is outside of the boundary of the historic API, seeking a variance to increase height on that portion of the Project site.

Approximately 11,980 square feet of retail space would be located on the first floor, and 86,100 square feet of office space would be spread between the second through sixth floors. Parking for the office and retail uses would be in a garage on the first floor, for a total of 132 parking stalls.

The Project would provide a range of building heights from 20-feet tall along the street frontages integrating existing facades, to 45-feet tall mostly in the interior of the site, and 85-feet tall within the southwest corner of the project site.

**Site 2: 2354 (Valley Street)** The Project would add 580 square feet of proposed artist and craft stalls, including a restroom, located mostly in refurbished shipping containers on the lot. A raised wood/Trex platform would be built around the containers. The three existing parking stalls would be removed from the site.

## **PROPERTY DESCRIPTION**

**Site 1 (fronting 24th and 25th Streets between Telegraph Avenue and Broadway)** is predominantly flat and currently occupied by a surface parking lot, four former garage buildings, and an auto service and parts center. Site 1 is paved, with no existing vegetation. It has frontages on 24th and 25th Streets, and a total of seven existing curb cuts: four along 24th Street, and three along 25th Street.

**Site 2 (Valley Street)** is currently a surface parking lot with three parking stalls and landscaping serving the 8 unit live/work residential facility located on the remainder of the parcel. Site 2 has one curb cut located on Valley Street.

## **GENERAL PLAN**

Site 1 has a General Plan Land Use and Transportation Element (LUTE) classification of Community Commercial.

- The Community Commercial classification is intended to identify create, maintain, and enhance areas suitable for a wide variety of commercial and institutional operations along the City’s major corridors and in shopping districts or centers.

Site 2 has a General Plan LUTE designation of Central Business District (CBD). The site is also located in the Broadway Valdez District Specific Plan (BVDSP) Area.

- The Central Business District classification is intended to encourage, support, and enhance the downtown area as a high-density mixed use urban center of regional importance.
- The intent of the Broadway Valdez District Specific Plan is to create a “complete” neighborhood that supports socially- and economically sustainable mixed-use development.

## **ZONING**

Site 1 is in the (CC-3) zone. The CC-3 Zone is intended to create, maintain, and enhance areas with a wide range of commercial and service activities. General retail sales and offices are allowed uses. Site 1 is in a 45-foot height zone.

Approximately 64 percent (25,624 square feet) of the site is located within the 25th Street Garage District, which is identified as a historic district (API). Four structures on the site are district contributors with the following Oakland Cultural Heritage Survey (OCHS) ratings.

1. 442 24<sup>th</sup> Street, Cb+1+ (i.e., a contributor of Secondary Importance in an API that could potentially be given a rating of Major Importance if restored).
2. 450 24<sup>th</sup> Street, C1+ (i.e., a contributor of Secondary Importance in an API).
3. 459-461 25<sup>th</sup> Street, C1+; and
4. 465 25<sup>th</sup> Street, C1+.

Site 2 is in the Broadway Valdez District Mixed Use - 4 Commercial Zone (D-BV-4) zone The D-BV-4 Zone is intended to create, maintain, and enhance areas that do not front Broadway, 27<sup>th</sup> Street, Piedmont Avenue, or Harrison Street, and allows a wide range of uses on the ground floor including both residential and commercial businesses.

All of Site 2 is located in an Area of Secondary Importance (ASI). This parcel is part of the 2356-98 Valley Street Area of Secondary Importance (ASI) and has an OCHS rating of D2+ (i.e., a representative example of minor importance located in an ASI).

## **ENVIRONMENTAL REVIEW PROCESS**

### **Scope**

As stated earlier in this report, the City published the (NOP) of an EIR on January 17, 2020. A scoping session was held before the Oakland Landmarks Preservation Advisory Board (LPAB) on February 10, 2020 and the Planning Commission on February 19, 2020. The City prepared an Initial Study to review the environmental topics required for CEQA analysis and to “scope out” issues at an early stage to focus on topics which have the potential to result in significant impacts and are of most concern to the public and decision makers. The DEIR analyzes potentially significant environmental impacts of Aesthetics, and Cultural (Historic Cultural) Resources). The DEIR did not identify significant and unavoidable impacts that could not be reduced below adopted thresholds of significance by standard conditions of approval and/or mitigation measures.

### **Potentially Significant Impacts Identified in the DEIR**

The DEIR did not identify any significant or significant and unavoidable impacts.

### **Project Alternatives**

Chapter 7 of the DEIR includes the analysis of three alternatives to the Project that meet the requirements of CEQA to include a reasonable range of alternatives to the Project that would feasibly attain most of the Project’s basic objectives and avoid or substantially lessen many of the Project’s significant environmental effects. The CEQA alternatives analyzed include:

- **Alternative 1: No Project Alternative**

Under the No Project Alternative, the Project would not be built, and the site would remain in the same state as its current condition. The office and retail space (including craft stalls) would not be constructed at the sites. In addition, the new paseo would not be constructed as a pedestrian connection between 24<sup>th</sup> and 25<sup>th</sup> Streets.

- **Alternative 2: Reduced Height Alternative**

The Reduced Height Alternative assumes the height of the building on the 24<sup>th</sup> and 25<sup>th</sup> Street site would be reduced to 45 feet, with approximately 52,200 total square feet of office space, a reduction of approximately 33,900 square feet from the Project. This alternative would not require a variance to increase the allowable height on the site. Like the Project, this alternative would include ground floor retail and craft stall spaces on the 24<sup>th</sup> and 25<sup>th</sup> Street site (11,980 square feet of retail space) and the 2,840 square foot pedestrian paseo and dining courtyard space. The Reduced Height Alternative would also include a reduction of the building area by 34 percent (65,900 sf).

- **Alternative 3: Preservation Alternative**

The Preservation Alternative assumes that the four 25<sup>th</sup> Street Garage District API contributors on the 24<sup>th</sup> and 25<sup>th</sup> Street site (i.e., 442 24<sup>th</sup> Street, 450 24<sup>th</sup> Street, 459-461 25<sup>th</sup> Street, and 465 25<sup>th</sup> Street) would be fully retained, and that the office development would be concentrated on the parcel at 460 24<sup>th</sup> Street that is outside of the API. Under the Preservation Alternative, approximately 22,600 square feet of office would be constructed in a building with a maximum height of 45 feet. This alternative assumes that

approximately 20,985 square feet of retail space would be provided, with approximately 19,220 existing square feet of retail located in the retained garage buildings, and 1,765 square feet of craft stall space located adjacent to a paseo that would run between 24<sup>th</sup> to 25<sup>th</sup> Streets through the middle of the site.

The set of selected alternatives above are intended to reflect a “reasonable range” of potentially feasible alternatives that lessen and/or avoid significant and less-than-significant effects of the Project.

The DEIR concludes that Alternative 2, Reduced Height Alternative is the environmentally superior alternative.

The environmental effects of Alternative 2 are comparatively less than those of the Project, but the differences as measured against CEQA threshold criteria are not substantial because the Project does not have any significant environmental impacts.

### **LANDMARKS PRESERVATION ADVISORY BOARD COMMENTS**

The Landmarks Preservation Advisory Board meet on May 23<sup>rd</sup>, 2022 and recommended that the Planning Commission take the following comments from individual Board members under consideration.

- Several Board members agreed with the comments received from Oakland Heritage Alliance about the adequacy of the cumulative impacts analysis.
- Several Board members agreed with the comments from the Oakland Heritage Alliance about the adequacy of the alternatives.
- Concern was raised about the replacement of portions of the retained facades with new storefront materials.
- Concern was raised about the extent of change in land use from garage activity to retail.
- Consider the extent of demolition and the reduction of historic fabric.
- Consider a more exhaustive effort to see what can be preserved.
- Evaluate a mitigation fund.
- Provide an exhibit of contributing buildings dating from the identification of the Garage District in order to analyze the impact of this project on the continuity of the District.

### **PUBLICATION AND DISTRIBUTION OF THE DEIR**

The DEIR was made available for public review on April 25, 2022. The Notice of Availability for the DEIR was posted on the City of Oakland website, registered on CEQAnet, and mailed to property owners within 300 feet of the Project site, Interested Parties, and State and Local Agencies. Consistent with AB 819 (2021), the DEIR was uploaded to the State Clearinghouse CEQAnet portal (<https://ceqanet.opr.ca.gov/>) and is available for public review by appointment at 250 Frank H. Ogawa Plaza, 2nd Floor, Oakland CA, 94612. The DEIR and its appendices may also be viewed or downloaded from the City of Oakland’s website at the following links:

a. [https://cao-94612.s3.amazonaws.com/documents/460\\_24th\\_St\\_DEIR\\_April\\_2022v2.pdf](https://cao-94612.s3.amazonaws.com/documents/460_24th_St_DEIR_April_2022v2.pdf)

[b.https://cao-94612.s3.amazonaws.com/documents/460\\_24th\\_St\\_DEIR\\_April\\_2022-Appendix\\_2022-04-22-205819\\_bkob.pdf](https://cao-94612.s3.amazonaws.com/documents/460_24th_St_DEIR_April_2022-Appendix_2022-04-22-205819_bkob.pdf)

## **CONCLUSION**

All comments received on the DEIR will be considered by the City prior to finalizing the EIR and making a decision on the Project. Comments on the DEIR should focus on the adequacy of the DEIR in discussing possible impacts to the physical environment, ways in which potential adverse effects might be minimized, and alternatives to the Project in light of the DEIR's purpose to provide useful and accurate information about such factors. The public hearing on June 1, 2022 is not intended for public comments on the Project merits. Comments on the DEIR may be made at the June 1, 2022 hearing or in writing to the Department of Planning & Building, Bureau of Planning, to the attention of Rebecca Lind, Planner IV, by e-mail at [rlind@oaklandca.gov](mailto:rlind@oaklandca.gov) or by mail at City of Oakland, Department of Planning and Building, Bureau of Planning, 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612.

Written comments must be received prior to the comment period deadline (4:00 p.m. on June 9, 2022). After all comments are received, the City will prepare a Final EIR/Response to Comments document and the Planning Commission will consider recommendation for certification of the Final EIR at a future meeting date. Staff will also return to the full Planning Commission to consider a recommendation on the development entitlements.

## **RECOMMENDATION**

- 1) Receive public and Planning Commission comments on the DEIR.
- 2) Close the public hearing with respect to receipt of oral comments; written comments will be accepted until 4:00 pm on June 9, 2022.

Prepared by:

*Rebecca Lind*

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Rebecca Lind  
Planner IV

Reviewed by:

*Catherine Payne*

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Catherine Payne

Development Planning Manager  
Bureau of Planning

Approved for forwarding to the Planning Commission:



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Ed Manasse Deputy Director  
Bureau of Planning

**ATTACHMENTS:**

- A. Notice of Availability (NOA): [https://cao-94612.s3.amazonaws.com/documents/460-24th-Street\\_NOA-signed\\_2022-04-22-205142\\_wiln.pdf](https://cao-94612.s3.amazonaws.com/documents/460-24th-Street_NOA-signed_2022-04-22-205142_wiln.pdf)
- B. 460 24<sup>th</sup> Street Pigozzi Project Draft Environmental Impact Report (DEIR): [https://cao-94612.s3.amazonaws.com/documents/460\\_24th\\_St\\_DEIR\\_April\\_2022v2.pdf](https://cao-94612.s3.amazonaws.com/documents/460_24th_St_DEIR_April_2022v2.pdf)
- C. Appendix: [https://cao-94612.s3.amazonaws.com/documents/460\\_24th\\_St\\_DEIR\\_April\\_2022-Appendix\\_2022-04-22-205819\\_bkob.pdf](https://cao-94612.s3.amazonaws.com/documents/460_24th_St_DEIR_April_2022-Appendix_2022-04-22-205819_bkob.pdf)

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