

CITY OF OAKLAND



250 FRANK H. OGAWA PLAZA OAKLAND, CALIFORNIA 94612-2033

Community and Economic Development Agency
 Planning & Zoning Services Division

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 FAX (510) 238-6538
 TDD (510) 839-6451

COMBINED NOTICE OF RELEASE AND AVAILABILITY OF THE DRAFT ENVIRONMENTAL IMPACT REPORT AND NOTICE OF PUBLIC HEARINGS ON THE MACARTHUR TRANSIT VILLAGE PROJECT

PROJECT TITLE: MAC ARTHUR TRANSIT VILLAGE EIR

CASE NO.: ER 0006-04

PROJECT SPONSOR: MacArthur Transit Community Partners, LLC

PROJECT LOCATION: The project site is approximately 8.2 acres and is comprised of 10 parcels, the existing BART Plaza, two unimproved roadway rights-of-way between Telegraph Avenue and Frontage Road, and Frontage Road between West MacArthur Boulevard and 40th Street. Project site addresses and APNs are shown in the table below:

Address	Assessor Parcel Number	Current Use
532 39 th Street	012-0969-053-03	BART Parking
516 Apgar Street	012-0968-055-01	BART Parking
515 Apgar Street	012-0967-049-01	BART Parking
3921 Telegraph Avenue	012-0969-002-00	Braids By Betty
3915 Telegraph Avenue	012-0969-003-00	Chef Yu Restaurant
3911 Telegraph Avenue	012-0969-053-02	Abyssinia Market
3901 Telegraph Avenue	012-0969-004-00	Lee's Auto
3875 Telegraph Avenue	012-0968-003-01	Medical Offices
526 W. MacArthur Boulevard	012-0967-009-00	Hotel
544 W. MacArthur Boulevard	012-0967-010-00	Hotel
BART Plaza	--	BART Plaza
39 th Street, between Telegraph Ave. and Frontage Rd.	--	BART Parking
Apgar Street, between Telegraph Ave. and Frontage Rd.	--	BART Parking

DESCRIPTION OF PROJECT: The proposed project consists of a new Transit Village at the MacArthur BART station. The General Plan designates the project site as Neighborhood Center Mixed Use and the Existing Zoning is Commercial Shopping, Mediated Design Review (C-28/S-18) and High Density Residential, Mediated Design Review (R-70/S-18). The proposed project includes a rezone from C-28/S-18 and R-70/S-18 to Transit Oriented Development (S-15). The proposed project would require a series of discretionary actions associated with approval of the proposed project including, but not limited to: Rezone, S-15 Zone Text Amendment, Planned Unit Development/Development Plans, Design Review, Owner Participation Agreement/Disposition and Development Agreement, Development Agreement, Subdivision Maps, and Tree Removal Permits. Parcels that comprise the project site are included in the Hazardous Waste and Substances Sites (Cortese) List.

The proposed project would involve the demolition of all existing buildings and parking lots on the project site to allow for the construction of a new mixed-use, transit village development project. The transit village includes five new buildings that will accommodate for-rent and for-sale residential units, neighborhood-serving commercial and commercial uses, live/work units and a community center or childcare use. New land uses in the project area would be consistent with the land uses prescribed in the S-15, Transit-Oriented Development Zone. The project also includes two new internal roadways, a parking garage, landscaping and other streetscape improvements (i.e., benches and street lighting), and improvements to the BART plaza. In summary the project includes the following elements:

- Demolition of existing structures and remediation of hazardous materials;
- Up to 675 dwelling units (562 market-rate units and 113 affordable rentals units);
- Up to 44,000 square feet of commercial space (includes up to 18 live/work units);
- 5,000 square feet of community center space or childcare facility;
- Approximately 1,000 parking spaces (structured), which includes 300 exclusive BART patrons parking spaces, and 30 to 45 on-street parking spaces would be provided.
- The development of pedestrian and bicycle friendly internal streets and walkways;
- Two new traffic signals at the intersections of Village Drive/Telegraph Avenue and West MacArthur Boulevard/Frontage Road;
- A Residential Parking Permit program option for the adjacent neighborhoods;
- Improvements to the BART Plaza and other public access improvements; and
- Sustainable development that meets the objectives of the US Green Building Council LEED Neighborhood Development (ND) Pilot Program goals.

ENVIRONMENTAL REVIEW: A Draft Environmental Impact Report (DEIR) was been prepared for the project, under the requirements of the California Environmental Quality Act (CEQA), pursuant to Public Resources Code Section 21000 et. seq. The DEIR analyzes potentially significant environmental impacts in the following environmental categories: Land Use; Public Policy; Transportation, Circulation and Parking; Air Quality; Noise and Vibration; Hydrology and Water Quality; Geology, Soils and Seismicity; Public Health and Hazards; Public Services; Utilities and Infrastructure; Cultural Resources and Paleontological Resources; and Aesthetic Resources. The Draft EIR identifies two significant unavoidable environmental impacts related to Transportation, Circulation and Parking (unacceptable Level of Service at two intersections: Broadway/MacArthur Boulevard and Market Street/MacArthur Boulevard under the Cumulative Year 2030 Baseline Plus Project condition). Copies of the DEIR are available for review or distribution to interested parties at no charge at the Community and Economic Development Agency, Planning Division, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612, Monday through Friday, 8:30 a.m. to 5:00 p.m. The Draft EIR may also be reviewed at the following website:

<http://www.oaklandnet.com/government/ceda/revised/planningzoning/MajorProjectsSection/macarthur.html>

PUBLIC HEARINGS: The City Planning Commission will conduct a public hearing on the Draft EIR and the project on **March 5, 2008 at 6:00 p.m.** in Hearing Room 1, City Hall, 1 Frank H. Ogawa Plaza.

The City of Oakland is hereby releasing this Draft EIR, finding it to be accurate and complete and ready for public review. Members of the public are invited to comment on the EIR and the project. There is no fee for commenting, and all comments received will be considered by the City prior to finalizing the EIR and making a decision on the project. Comments on the Draft EIR should focus on the sufficiency of the EIR in discussing possible impacts on the physical environment, ways in which potential adverse effects might be minimized, and alternatives to the project in light of the EIR's purpose to provide useful and accurate information about such factors. Comments may be made at the public hearing described above or in writing. Please address all written comments to Charity Wagner, Consulting Planner RE: Case No. ER 0006-04, City of Oakland, Community and Economic Development Agency, Planning Division, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612; 510-238-6538 (fax); or e-mailed to clwagner@rrmdesign.com. Comments should be received no later than 4:00 p.m. on March 17, 2008. Please reference case number ER 000604 in all correspondence. If you challenge the environmental document or project in court, you may be limited to raising only those issues raised at the Planning Commission public hearing described above, or in written correspondence received by the Community and Economic Development Agency on or prior to 4:00 p.m. on March 17, 2008. After all comments are received, a Final EIR will be prepared and the Planning Commission will consider certification of the Final EIR and render a decision/make a recommendation on the project at a later meeting date to be scheduled. For further information, please contact Charity Wagner at (415) 730-6718 at clwagner@rrmdesign.com.

January 31, 2008
File Number ER 0006-04



Gary Patton
Deputy Director of Planning & Zoning
Major Development Projects

Form A
Notice of Completion & Environmental Document Transmittal

SCH # **2006022075**

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

Project Title: Mac Arthur Transit Village

Lead Agency: City of Oakland

Contact Person: Charity Wagner, Consulting Planner

Mailing Address: 250 Frank H. Ogawa Plaza

Phone: (415) 730-6718

City: Oakland

Zip: 94612

County: Alameda

Project Location:

County: Alameda

City/Nearest Community: Oakland

Total Acres: 8.2

Cross Streets: Telegraph Avenue and 40th Street

Zip Code: 94609

Assessor's Parcel No. multiple (see attached)

Section: _____ Twp. _____

Range: _____ Base: _____

Within 2 Miles: State Hwy #: State Route 24/I-580

Waterways: San Francisco Bay

Airports: NA

Railways: Oakland Terminal Railway Schools: multiple

Document Type:

- | | | | |
|--------------------------------------|---|------------------------------------|--|
| CEQA: <input type="checkbox"/> NOP | <input checked="" type="checkbox"/> Draft EIR | NEPA: <input type="checkbox"/> NOI | Other: <input type="checkbox"/> Joint Document |
| <input type="checkbox"/> Early Cons | <input type="checkbox"/> Supplement to EIR (Note prior SCH # below) | <input type="checkbox"/> EA | <input type="checkbox"/> Final Document |
| <input type="checkbox"/> Neg Dec | <input type="checkbox"/> Subsequent EIR (Note prior SCH # below) | <input type="checkbox"/> Draft EIS | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Mit Neg Dec | <input type="checkbox"/> Other _____ | <input type="checkbox"/> FONSI | |

Local Action Type:

- | | | | |
|---|--|---|---|
| <input type="checkbox"/> General Plan Update | <input type="checkbox"/> Specific Plan | <input checked="" type="checkbox"/> Rezone | <input type="checkbox"/> Annexation |
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Master Plan | <input type="checkbox"/> Prezone | <input checked="" type="checkbox"/> Redevelopment |
| <input type="checkbox"/> General Plan Element | <input checked="" type="checkbox"/> Planned Unit Development | <input checked="" type="checkbox"/> Use Permit | <input type="checkbox"/> Coastal Permit |
| <input type="checkbox"/> Community Plan | <input type="checkbox"/> Site Plan | <input checked="" type="checkbox"/> Land Division (Subdivision, etc.) | <input type="checkbox"/> Other _____ |

Development Type:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Residential: Units <u>675</u> Acres _____ | <input type="checkbox"/> Water Facilities: Type _____ MGD _____ |
| <input type="checkbox"/> Office: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Transportation: Type _____ |
| <input checked="" type="checkbox"/> Commercial: Sq.ft. <u>44,000</u> Acres _____ Employees _____ | <input type="checkbox"/> Mining: Mineral _____ |
| <input type="checkbox"/> Industrial: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Power: Type _____ MW _____ |
| <input type="checkbox"/> Educational _____ | <input type="checkbox"/> Waste Treatment: Type _____ MGD _____ |
| <input type="checkbox"/> Recreational _____ | <input type="checkbox"/> Hazardous Waste: Type _____ |
| | <input checked="" type="checkbox"/> Other: <u>community use (potentially day care) 5,000 Sq.ft.</u> |

Project Issues Discussed in Document:

- | | | | |
|--|--|---|--|
| <input checked="" type="checkbox"/> Aesthetic/Visual | <input type="checkbox"/> Fiscal | <input checked="" type="checkbox"/> Recreation/Parks | <input type="checkbox"/> Vegetation |
| <input type="checkbox"/> Agricultural Land | <input type="checkbox"/> Flood Plain/Flooding | <input checked="" type="checkbox"/> Schools/Universities | <input checked="" type="checkbox"/> Water Quality |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Forest Land/Fire Hazard | <input type="checkbox"/> Septic Systems | <input checked="" type="checkbox"/> Water Supply/Groundwater |
| <input checked="" type="checkbox"/> Archeological/Historical | <input checked="" type="checkbox"/> Geologic/Seismic | <input checked="" type="checkbox"/> Sewer Capacity | <input type="checkbox"/> Wetland/Riparian |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Minerals | <input checked="" type="checkbox"/> Soil Erosion/Compaction/Grading | <input checked="" type="checkbox"/> Growth Inducement |
| <input type="checkbox"/> Coastal Zone | <input checked="" type="checkbox"/> Noise | <input checked="" type="checkbox"/> Solid Waste | <input checked="" type="checkbox"/> Land Use |
| <input type="checkbox"/> Drainage/Absorption | <input type="checkbox"/> Population/Housing Balance | <input checked="" type="checkbox"/> Toxic/Hazardous | <input checked="" type="checkbox"/> Cumulative Effects |
| <input type="checkbox"/> Economic/Jobs | <input checked="" type="checkbox"/> Public Services/Facilities | <input checked="" type="checkbox"/> Traffic/Circulation | <input type="checkbox"/> Other _____ |

Present Land Use/Zoning/General Plan Designation:

General Plan: Neighborhood Center Mixed Use; Zoning: Commercial Shopping and High Density Residential/ Mediated Design Review (C-28/S-18 and R-70/S-18)

Project Description: (please use a separate page if necessary)

Please see attached.

Reviewing Agencies Checklist

continued

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X". If you have already sent your document to the agency please denote that with an "S".

- Air Resources Board
- Boating & Waterways, Department of
- California Highway Patrol
- Caltrans District # _____
- Caltrans Division of Aeronautics
- Caltrans Planning
- Coachella Valley Mountains Conservancy
- Coastal Commission
- Colorado River Board Commission
- Conservation, Department of
- Corrections, Department of
- Delta Protection Commission
- Education, Department of
- Office of Public School Construction
- Energy Commission
- Fish & Game Region # _____
- Food & Agriculture, Department of
- Forestry & Fire Protection
- General Services, Department of
- Health Services, Department of
- Housing & Community Development
- Integrated Waste Management Board
- Native American Heritage Commission
- Office of Emergency Services
- Office of Historic Preservation
- Parks & Recreation
- Pesticide Regulation, Department of
- Public Utilities Commission
- Reclamation Board
- Regional WQCB # _____
- Resources Agency
- S.F. Bay Conservation & Development Commission
- San Gabriel & Lower Los Angeles Rivers & Mountains Conservancy
- San Joaquin River Conservancy
- Santa Monica Mountains Conservancy
- State Lands Commission
- SWRCB: Clean Water Grants
- SWRCB: Water Quality
- SWRCB: Water Rights
- Tahoe Regional Planning Agency
- Toxic Substances Control, Department of
- Water Resources, Department of
- S Other San Francisco Bay Area Rapid Transit District
- Other _____

Local Public Review Period (to be filled in by lead agency)

Starting Date January 31, 2008

Ending Date March 15, 2008

Lead Agency (Complete if applicable):

Consulting Firm: RRM Design Group
 Address: 10 Liberty Ship Way
 City/State/Zip: Sausalito, CA 94965
 Contact: Lynette Dias, Principal
 Phone: (415) 331-8282

Applicant: MacArthur Transit Community Partners, LLC
 Address: 130 Webster Street
 City/State/Zip: Oakland, CA 94607
 Phone: (510) 273-2009

Signature of Lead Agency Representative  Date 1-28-08

Assessor's Parcel Nos.

012-0969-053-03; 012-0968-055-01; 012-0967-049-01; 012-0969-002-00; 012-0969-003-00;
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The proposed project would involve the demolition of all existing buildings and parking lots on the project site to allow for the construction of a new mixed-use, transit village development project. The transit village includes five new buildings that will accommodate for-rent and for-sale residential units, neighborhood-serving commercial and commercial uses, live/work units and a community center or childcare use. New land uses in the project area would be consistent with the land uses prescribed in the S-15, Transit-Oriented Development Zone. The project also includes two new internal roadways, a parking garage, landscaping and other streetscape improvements (i.e., benches and street lighting), and improvements to the BART plaza. In summary the project includes the following elements:

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