

# I. INTRODUCTION

## A. PURPOSE OF EIR

In compliance with the California Environmental Quality Act (CEQA), this Draft Environmental Impact Report (EIR) describes the environmental consequences of the proposed MacArthur Transit Village Project (project). This EIR is designed to inform City staff, the Planning Commission, City Council, Redevelopment Agency, San Francisco Bay Area Rapid Transit District (BART), other responsible and interested agencies, and the general public of: (1) the proposed project and the potential environmental consequences of the project, (2) mitigation measures recommended to lessen or avoid significant adverse impacts, and (3) a reasonable range of feasible alternatives to the project. The information contained in the EIR will be reviewed and considered by public agencies prior to making a decision to approve, reject, or modify the proposed project. The City of Oakland (City) is the lead agency for environmental review of the proposed project, and BART is a Responsible Agency.

## B. PROPOSED PROJECT

The 8.2-acre project site is located in North Oakland, within the block bound by 40<sup>th</sup> Street, Telegraph Avenue, West MacArthur Boulevard, and State Route 24, as shown in Figure I-1. The project site includes the BART parking lot, the BART plaza, Frontage Road between West MacArthur Boulevard and 40<sup>th</sup> Street, and seven privately owned parcels.

The MacArthur Transit Village Project seeks to redevelop and revitalize an underutilized site in Oakland to create a vibrant transit village that provides pedestrian-oriented, mixed-use development (residential, commercial and community services) that enhances the character of the neighborhood and improves access to (for all travel modes) and ridership of BART.

The project would include five buildings with up to 675 units of high-density multi-family housing, up to 44,000 square feet of neighborhood-serving commercial, and 5,000 square feet of community or childcare facility space. Up to 113 units, approximately 17 percent of the units (20 percent of total market-rate units), would be below market-rate, with the remainder of the units being market-rate residential units. The project includes approximately 700 residential, commercial and community use parking spaces and 300 BART parking spaces.



The proposed project also includes several public infrastructure upgrades, including two new streets in the project site, improvements to the existing access road that connects 40<sup>th</sup>



FIGURE I-1



**Legend**

-  Project Site
-  Cumulative Project Study Area for Select Topics (Land Use, Transportation, Operational Noise and Aesthetics)

**MacArthur Transit Village Project EIR  
Project Location and  
Regional Vicinity Map**

SOURCE: CALIFORNIA STATE AUTOMOBILE ASSOCIATION, 2000.

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Street with MacArthur Boulevard, the renovation of the existing BART entry plaza, intermodal improvements, a new intermodal area, and a new public plaza adjacent to the commercial space.

## C. EIR SCOPE

The City of Oakland circulated two Notices of Preparation (NOP), which stated that all environmental topics identified in Appendix G of the CEQA Guidelines would be evaluated in the EIR. The first NOP was published on February 15, 2006, and the public comment period for the scope of the EIR lasted from February 15, 2006 to March 16, 2006. Due to changes in the project description, a second NOP was circulated on June 13, 2007. The public comment period lasted from June 13, 2007 to July 13, 2007. Both NOPs were sent to property owners within 500 feet of the project site. The NOPs were also sent to responsible and trustee agencies, organizations, and interested individuals. Additionally, the NOPs were sent to the State Clearinghouse.

Two scoping sessions were held for the project. The first was a public scoping session for public agencies on February 28, 2006. Additionally, a scoping meeting was held in conjunction with a Planning Commission meeting on March 15, 2006. Comments received by the City on the NOP at the agency scoping meeting and at the public scoping meeting were taken into account during the preparation of the EIR. NOP comments were received from public agencies, area property owners and concerned citizens regarding a wide range of issues to be addressed in this EIR. Topic areas that were most widely referenced in the NOP comments letters include transportation, parking, air quality, noise, visual resources, storm drainage and water quality, utilities and infrastructure. Additionally, several comments related to non-CEQA topics (i.e., building design and architecture and crime). The NOPs and written comments received are included in Appendix A.

The following environmental topics are addressed in this EIR:

- A. Land Use
- B. Public Policy
- C. Transportation, Circulation and Parking
- D. Air Quality
- E. Noise and Vibration
- F. Hydrology and Water Quality
- G. Geology, Soils and Seismicity
- H. Public Health and Hazards
- I. Public Services
- J. Utilities and Infrastructure
- K. Cultural and Paleontological Resources
- L. Aesthetic Resources

Environmental topics not warranting detailed evaluation (agricultural resources, biological resources, mineral resources, and population and housing) are discussed in Chapter VI.D, under Effects Found Not to be Significant.

## D. REPORT ORGANIZATION

This EIR is organized into the following chapters:

- *Chapter I – Introduction:* Discusses the overall EIR purpose; provides a summary of the proposed project; describes the EIR scope; and summarizes the organization of the EIR.
- *Chapter II – Summary:* Provides a summary of the impacts that would result from implementation of the proposed project, and describes Standard Conditions of Approval and mitigation measures recommended to avoid or reduce significant impacts.
- *Chapter III – Project Description:* Provides a description of the project objectives, project site, site development history, the proposed development, and required approval process.
- *Chapter IV – Setting, Impacts, Standard Conditions of Approval, and Mitigation Measures:* Describes the following for each environmental technical topic: existing conditions (setting); Standard Conditions of Approval; significance criteria; potential environmental impacts and their level of significance; Standard Conditions of Approval relied upon to ensure significant impacts would not occur; and mitigation measures recommended when necessary to mitigate identified impacts. Cumulative impacts are also discussed in each technical topic section. Potential adverse impacts are identified by levels of significance, as follows: less-than-significant impact (LTS), significant impact (S), and significant and unavoidable impact (SU). The significance level is identified for each impact before and after implementation of the recommended mitigation measure(s).
- *Chapter V – Alternatives:* Provides an evaluation of seven alternatives to the proposed project. Three of the alternatives are included to meet the CEQA requirement that require an EIR to describe a range of reasonable alternatives to the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project. The CEQA alternatives include the: No Project/No Build Alternative; Existing Zoning Alternative; and Mitigated Reduced Building/Site Alternative. Three additional planning alternatives to the project are also considered: Proposed Project with Full BART Replacement Parking Alternative; Tower Alternative; and Increased Commercial Alternative. These alternatives are evaluated primarily to consider variants to the project that may be desirable to the project developer, the City, BART, and/or members of the community, but might not lessen or avoid any of the significant, adverse environmental effects of the project.

- *Chapter VI – CEQA-Required Assessment Conclusions:* Provides the required analysis of growth-inducing impacts; significant irreversible changes; effects found not to be significant; and significant unavoidable and cumulative impacts.
- *Chapter VII – Report Preparation:* Identified preparers of the EIR, references used, and the persons and organizations contacted.
- *Appendices:* The appendices contain the NOPs and written comments submitted on the NOPs; traffic, air quality and noise modeling data and supporting analysis; the Water Supply Assessment; and Land Use Database and Cumulative Growth Scenario.

All supporting technical documents and the reference documents are available for public review at the City of Oakland Community and Economic Development Agency, Planning Division, under case number ER06004.

The Draft EIR is available for public review for the period identified in the Notice of Availability attached to the front of this document. During this time, written comments on the Draft EIR may be submitted to the City of Oakland Community & Economic Development Agency, Planning Division at the address indicated on the Notice of Availability. Responses to all comments received on the environmental analysis in the Draft EIR during the specified review period will be included in the Response to Comments/Final EIR.

