

<b>Location:</b>	Lake Merritt Station Planning Area is generally bounded by 14 <sup>th</sup> Street to the north, I-880 to the south, Broadway to the west and 5 <sup>th</sup> Avenue to the east.
<b>Proposal:</b>	Conduct a public scoping session, as required by the California Environmental Quality Act (CEQA), to consider comments on the scope of a Draft Environmental Impact Report (DEIR) on the Lake Merritt Station Area Plan.
<b>Applicant:</b>	City of Oakland
<b>Case File Number:</b>	ZS11225, ER110017
<b>General Plan:</b>	Central Business District, Institutional, Urban Open Space, Urban Residential, Business Mix, Community Commercial, Neighborhood Center Mixed Use
<b>Zoning:</b>	CBD-X, CBD-P, CBD-P/CH, CBD-R, CBD-C, OS-(SU), OS-(LP), OS-(NP), OS-(RCA), S-2, RU-4, RU-5, M-40/S-4
<b>Environmental Determination:</b>	An Environmental Impact Report (EIR) will be prepared as part of the Lake Merritt Station Area Plan. A Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) will be published on March 1, 2012, and the public comment period on the NOP ends on April 2, 2012.
<b>Historic Status:</b>	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.
<b>Service Delivery District:</b>	Metro, 3
<b>City Council District:</b>	2, and a small portion of 3
<b>Status:</b>	A Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) was published on March 1, 2012, and the public comment period on the NOP ends on April 2, 2012.
<b>Action to be Taken:</b>	Receive public and Planning Commissioner comments on the scope of environmental analysis in the DEIR. No decisions will be made on the project at this hearing.
<b>Finality of Decision:</b>	N/A
<b>For Further Information:</b>	Contact project planner Christina Ferracane at 510-238-3903 or <a href="mailto:cferracane@oaklandnet.com">cferracane@oaklandnet.com</a> . Project message line: 510-238-7904 Project email address: <a href="mailto:Lake_merritt_plan@oaklandnet.com">Lake_merritt_plan@oaklandnet.com</a> , Project website: <a href="http://www.business2oakland.com/lakemerrittsap">http://www.business2oakland.com/lakemerrittsap</a>

## SUMMARY

The City of Oakland is preparing a Lake Merritt Station Area Plan (Station Area Plan) and related Environmental Impact Report (EIR) for the approximate half-mile area surrounding the Lake Merritt Bay Area Rapid Transit (BART) Station that will provide a roadmap for how the area develops over the next 25 years.

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 Draft Environmental Impact Report (DEIR) was published on March 1, 2012 (see **Attachment A**). The public comment period on the scope of the DEIR ends on April 2, 2012. The City anticipates that a Draft EIR for public review and comment will be available by summer 2012.

It is anticipated that the proposed project would likely result in significant environmental effects to the following: Noise, Energy, Greenhouse Gases and Global Climate Change, Air Quality, and Transportation and Traffic. It is further anticipated that the project could potentially result in significant environmental effects to the following: Land Use and Housing, Public Services, Parks and Recreation, Cultural and Historic Resources, Aesthetics, Biological Resources, Geology and Soils, Utilities and Service Systems, Hazards and Hazardous Materials, and Hydrology and Water Quality. All of the above environmental factors will be analyzed in the EIR.

The purpose of this Planning Commission public hearing is to receive comments on the scope of the environmental analysis that will be included in the DEIR. A scoping session was also held before the Landmarks Preservation Advisory Board (LPAB) on March 12, 2012; their feedback is summarized later in this report.

It is important to note that because the Lake Merritt Station Area Plan EIR will have a programmatic level of analysis, it will not necessarily provide clearance for a later activity that would have effects that were not examined in this EIR. Thus, for future development projects in the Planning Area that may cause significant effects on the environment that were not addressed at a project-level of detail in this EIR, there may need to be site-specific environmental review to comply with CEQA.

## **BACKGROUND**

In July 2008, the City of Oakland received a \$720,000 grant from the Metropolitan Transportation Commission (MTC) to conduct a collaborative community planning process to establish the area surrounding the Lake Merritt BART Station as a hub of high density, mixed use development that promotes active, safe spaces and a sense of place and clear identity. The Lake Merritt Station Area planning process builds on extensive community feedback, local and regional goals for Transit Oriented Development (TOD), and projects or planning processes completed over the past several years in the Planning Area, including the 2006 Lake Merritt BART Station Final Summary Report, the 2004 Revive Chinatown Community Transportation Plan, and the Measure DD-funded Lake Merritt and Lake Merritt Channel Improvements, among others.

On a parallel track and within the framework of the Lake Merritt BART Station Area planning process, in January 2012, BART issued a "Request for Qualifications" (RFQ) in order to select a developer who would work jointly with the City of Oakland, the community and BART, and provide input on the feasibility of development of BART-owned property at the Lake Merritt BART Station.

The Planning Commission has held two public hearings to provide feedback on the Draft Preferred Plan (the first, at its January 18, 2012 regular meeting; and the second, at a special meeting on February 25, 2012). At the last meeting, the Planning Commission voiced unanimous support for a density and height bonus mechanism for providing community benefits. That recommendation, along with the other feedback on the Draft Preferred Plan provided by Commissioners, advisory boards, and members of the public, will be forwarded on to the City Council for further discussion. All feedback received on the Draft Preferred Plan will be addressed in the upcoming Draft Station Area Plan; and may result in the incorporation of new or refined concepts in the Draft Station Area Plan that were not included in the

Draft Preferred Plan. However, it is important to understand that those changes are planning issues and not CEQA issues. Therefore these changes would not affect what will be studied in the DEIR. For example, the DEIR will study the maximum building heights, not the mechanisms by which those heights may be achieved, by a density bonus or by right, and irrespective of the type of housing that might occur, subsidized or market rate.

Copies of both the Draft Preferred Plan and the Notice of Preparation were made available to the Commission under separate cover, and are available to the public as follows:

1. Electronically, at the project website: <http://www.business2oakland.com/lakemerrittsap> (under the section called 'Reports')
2. Printed reference copies, at the Oakland Asian Cultural Center (388 9th Street), the Lincoln Square Recreation Center (250 10<sup>th</sup> Street) and the City of Oakland Planning Department (250 Frank Ogawa Plaza, Suite 3315).

## **PROJECT DESCRIPTION**

The *Station Area Plan* will be a long-term document consisting of written text and diagrams that express how the area should develop into the future and will identify key actions the City and the other entities should take to improve the area. The Station Area Plan, similar to a Specific Plan, will cover land use, development density, circulation and infrastructure, and will be adopted by ordinance, therefore giving it legal authority as a regulatory document. It will contain elements required of Specific Plans, such as:

- The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
- The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
- Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
- A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the proposed improvements.

The Station Area Plan will include land use changes that seek to reduce the barriers to increased transit use from both the immediate area and surrounding neighborhoods; and to create an activity core around a rejuvenated Lake Merritt BART station. Simultaneously, the Plan will reinforce and integrate the cultural and recreational resources that make this transit station unique. The Plan will look at ways in which streets, open spaces, and other infrastructure in the area can be improved, and will establish regulations for development projects that further the area's vitality and safety. The Plan will contain policies addressing a wide range of topics, including:

- Land Use;
- Building Design Standards and Guidelines;
- Open Space and Recreational Facilities;
- Streetscape Design, Character, and Improvements;
- Cultural and Historic Preservation;
- Circulation, Access, and Parking (including BART Access Improvements);
- Community Resources, including an Affordable Housing Strategy;
- Economic Development;
- Utilities and Public Services;

- Infrastructure Financing and Phasing; and
- Implementation.

## **ENVIRONMENTAL DETERMINATION**

The City has determined that an EIR will be prepared for the *Lake Merritt Station Area 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 CEQA. The EIR will study the maximum development envelope that is reasonably foreseeable, to provide a credible worst-case assessment of potential impacts and mitigation requirements.

A Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) was published on March 1, 2012. It is anticipated that the proposed project would likely result in significant environmental effects to the following: Noise, Energy, Greenhouse Gases and Global Climate Change, Air Quality, and Transportation and Traffic.

It is further anticipated that the project could potentially result in significant environmental effects to the following: Land Use and Housing, Public Services, Parks and Recreation, Cultural and Historic Resources, Aesthetics, Biological Resources, Geology and Soils, Utilities and Service Systems, Hazards and Hazardous Materials, and Hydrology and Water Quality.

All of the above environmental factors will be analyzed in the EIR.

The Draft EIR 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 is important to note that because the Lake Merritt Station Area Plan EIR will have a programmatic level of analysis for many of the impacts to be studied; it will not necessarily provide clearance for a later activity that would have effects that were not examined in this EIR. Thus, for future development projects in the Planning Area that may cause significant effects on the environment that were not addressed at a project-level of detail in this EIR, there may need to be site-specific CEQA review as necessary to comply with CEQA.

It should also be noted that, as is typical with an EIR process, the details of the Station Area 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 Station Area Plan, and can direct the modification of proposed policies and programs in the Plan that would help to mitigate potential environmental impacts.

### ***CEQA Thresholds***

To help clarify and standardize analysis and decision-making in the environmental review process, the City of Oakland has adopted CEQA Thresholds of Significance Guidelines.

These CEQA Threshold Guidelines are used in conjunction with the City's Standard Conditions of Approval. As applicable, the Standard Conditions of Approval are applied as requirements of an individual project as part of the project approval process by the City, and are designed to, and will, substantially mitigate environmental effects.

Where there are peculiar circumstances associated with a project or project site that will result in significant environmental impacts despite implementation of the Standard Conditions, the City will determine whether there are feasible mitigation measures to reduce the impact to less-than-significant levels in the course of the EIR study.

Note that thresholds that pertain to the effect of the environment on the project (as compared to the project's impact on the environment) are not required to be analyzed under CEQA, but are nevertheless included and are evaluated to provide information to decision-makers and the public.

### ***Estimating Development Potential***

In order to make an assessment of the type and amount of development that might occur in the Lake Merritt Station Area, opportunity sites for development have been identified through the Station Area planning process. The identified opportunity sites, shown in Figure 1-7 of the Draft Preferred Plan, have been determined to be the most likely to be developed over the next 25 years. These are mostly vacant sites or parking lots, with a low value of improvements relative to land value, and some of them have already been identified as sites for development (for example, property owned by BART; or property owned by Alameda County, as identified in the County's Real Estate Master Plan). The development potential identified for each opportunity site, shown in Figure 3-1 of the Draft Preferred Plan, will be refined in the Draft Station Area Plan, based on a variety of factors, including market dynamics, building feasibility and Draft Plan policies.

### ***Considerations***

The DEIR will consider whether implementing the Lake Merritt Station Area Plan, and specifically, whether new development on any of the identified opportunity sites, would cause a significant effect on the environment. It will also examine the potential for the City's Standard Conditions of Approval to minimize any potential effects to a "less than significant" level. The DEIR would also identify policies in the Oakland General Plan which already help to mitigate potential environmental impacts and previous mitigation measures, including those identified in the Environmental Impact Report for the *Land Use and Transportation Element* of the Oakland General Plan.

It will also review special regulations already included in the Oakland Planning Code that apply citywide, including special regulations to discourage the demolition or removal of designated Historic Properties (DHPs) and Potentially Designated Historic Properties (PDHPs), or design review requirements, that could mitigate any potential effects on a CEQA historical resource to a "less than significant" level.

All of these considerations—Oakland General Plan policies, Zoning Code regulations, Municipal Code regulations, Standard Conditions of Approval, and existing mitigation measures—will be reviewed when determining the potential environmental impacts of the Lake Merritt Station Area Plan.

### ***Issues to be Addressed in the EIR***

The main purpose of this scoping session is to solicit comments from the Planning Commission and the public on what types of 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 environmental and project issues that need to be addressed in the DEIR:

#### **Noise and Vibration**

- Identify areas where adding new sensitive receptors would be constrained by existing, substantial noise and vibration sources;

- Identify any significant noise or vibration impacts associated with the proposed land use changes;
- Develop design standards that would avoid or minimize any identified noise or vibration effects.

#### Greenhouse Gas Emissions

- Identify how the proposed land use changes could affect global climate change and greenhouse gas emission trends.

#### 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.

#### Air Quality

- Identify areas where adding new sensitive receptors would be constrained by existing, substantial sources of air pollutants;
- Identify any health risks associated with the proposed land use changes;
- Implement design standards to avoid or minimize air quality related health risks.

#### Biological Resources

- Assessment of area biological resources (vegetation and wildlife);
- Potential impacts to protected species.

#### 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.

#### Geology, Soils, and Seismic Safety

- Evaluate the potential for newly allowable land uses to result in potential seismic safety concerns.

#### Hydrology, Drainage, and Water Quality

- Evaluate the potential for the project to result in increased risk related to flooding;
- Evaluate how project construction and operation could affect the quantity and/or quality of stormwater.

#### Land Use Plans and Policies

- 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.

#### Population, Jobs, and Housing

- Evaluate how the proposed land use changes compare to local and regional projections.

#### Public Health and Hazardous Materials

- Identify known sources of soil and groundwater contamination.
- Include appropriate mitigation to ensure protection of human health in light of potential soil and groundwater contamination.

Public Services

- Determine whether proposed land use changes could affect demands for fire and emergency response, police protection, schools, and libraries.

Recreation

- Determine whether proposed land use changes could affect demands on park and recreation services such that physical environmental effects could occur.

Transportation/Traffic

- Analyze existing baseline conditions;
- Evaluate the potential for the proposed land use changes to increase traffic on local roadways under appropriate scenarios.

Utilities

- Identify known infrastructure deficiencies in the project area;
- Determine the extent of demand increases associated with proposed land use changes and whether such increases could be accommodated within existing infrastructure or if new or expanded facilities would be required.

***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.

The DEIR will evaluate a reasonable range of alternatives consistent with CEQA requirements:

- A No Project Alternative, which will consider the perpetuation of existing conditions;
- One or more alternatives that may be capable of reducing or avoiding identified adverse environmental effects resulting from the project as proposed.

**LANDMARK PRESERVATION ADVISORY BOARD FEEDBACK**

As noted earlier, a scoping session was held before the Landmarks Preservation Advisory Board (LPAB) on March 12, 2012. The LPAB stressed the importance of Areas of Primary and Secondary Importance. Several members recommended that even though development is not likely to occur on individual historic resources, the EIR should study the environmental effects of the Station Area Plan on the defining characteristics of the larger Historic Areas. Boardmember Goins suggested that one of the EIR study alternatives should be a pared down development scenario that would limit the intensity of development. Boardmember Naruta provided staff with examples of standard conditions of approval that were used in development project EIRs to mitigate impacts to historic resources. The LPAB also provided additional feedback on the concepts included in the Draft Preferred Plan, including non-CEQA issues, such as the recommendation to utilize a fine-grained approach for setting height limits and design guidelines for historic areas.

**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 Notice of Preparation (NOP); this public Scoping Session before the Planning Commission; a 45-day public review period on the DEIR; public hearing(s) before

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

As a point of clarification, since close of the 30-day public comment period on the Notice of Preparation (NOP) falls on a Sunday, the City has extended the comment period deadline to Monday, April 2.

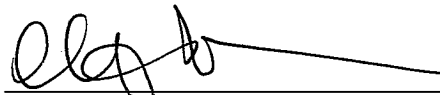
The Draft Station Area Plan and Draft EIR will be prepared, circulated and presented to the Planning Commission and other public bodies (including the LPAB) in later summer 2012. Then a Final Station Area Plan and Final EIR will need to be reviewed and certified by the Planning Commission and other public bodies (including the LPAB), before final Plan adoption by City Council, tentatively in December 2012.

**RECOMMENDATIONS:**

Staff requests the Planning Commission to:

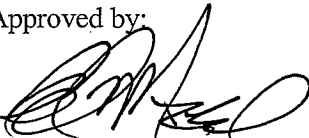
- (1) Receive comments from interested citizens on the scope of the contents of the Draft Environmental Impact Report on the Lake Merritt Station Area Plan; and
- (2) Provide comments on the scope of the contents of the Draft Environmental Impact Report on the Lake Merritt Station Area Plan.

Prepared by:



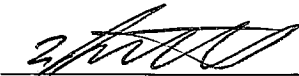
CHRISTINA FERRACANE  
Planner II

Approved by:



ED MANASSE  
Strategic Planning Manager

Approved for forwarding to the  
City Planning Commission:



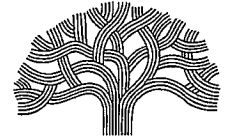
ERIC ANGSTADT  
Deputy Director of Planning and Zoning

**ATTACHMENTS:**

- A. Notice of Preparation (NOP)



## CITY OF OAKLAND



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA, SUITE 3315 • OAKLAND, CALIFORNIA 94612-2032

Community and Economic Development Agency  
Planning & Zoning Services Division

(510) 238-3941  
FAX (510) 238-6538  
TDD (510) 238-3254

**NOTICE OF PREPARATION (NOP) OF A  
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) ON THE  
LAKE MERRITT STATION AREA PLAN**

The Department of Planning, Building and Neighborhood Preservation is preparing a Draft Environmental Impact Report (DEIR) on the Lake Merritt Station Area Plan, as identified below, and is requesting comments on the scope and content of the DEIR. The DEIR will address the potential physical and environmental effects of the Project for each of the environmental topics outlined in the California Environmental Quality Act (CEQA). The City has not prepared an Initial Study. Under CEQA, a Lead Agency may proceed directly with EIR preparation without an Initial Study if it is clear that an EIR will be required. The City has made such a determination for this project.

The City of Oakland is the Lead Agency for the Project and is the public agency with the greatest responsibility for approving the Project or carrying it out. This notice is being sent to Responsible Agencies and other interested parties. Responsible Agencies are those public agencies, besides the City of Oakland, that also have a role in approving or carrying out the Project. When the DEIR is published, it will be sent to all Responsible Agencies and to others who indicate that they would like to receive a copy.

Responses to this NOP and any questions or comments should be directed in writing to: Ed Manasse, Strategic Planning Manager, City of Oakland, Community and Economic Development Agency, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612; 510-238-7733 (phone); 510-238-6538 (fax); or e-mailed to [emanasse@oaklandnet.com](mailto:emanasse@oaklandnet.com). Comments on the NOP must be received at the above mailing or e-mail address **by 4:00 p.m. April 1, 2012**. Please reference case numbers **ZS11225, ER110017** in all correspondence. In addition, comments may be provided at the EIR Scoping Session Public Hearings to be held before the Landmarks Preservation Advisory Board and the City Planning Commission. Comments should focus on 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.

**EIR SCOPING SESSION PUBLIC HEARINGS:**

**(1) The Landmarks Preservation Advisory Board**

Monday March 12, 2012

6:00 p.m.

Oakland City Hall, Hearing Room 1

1 Frank H. Ogawa Plaza

**(2) City Planning Commission**

Wednesday March 21, 2012

6:00 p.m.

Oakland City Hall, Hearing Room 1

1 Frank H. Ogawa Plaza

**PROJECT TITLE:** Lake Merritt Station Area Plan

**PROJECT LOCATION:** The Lake Merritt Station Planning Area is located in the heart of Oakland, part of the urban center of the San Francisco Bay Area. The Planning Area is surrounded by a variety of neighborhoods and destinations, including Downtown Oakland, Lake Merritt, the Jack London District, the Lakeside Apartment District, Old Oakland; and the Oakland Estuary and City of Alameda are located to the south. The Planning Area's context is shown in Figure 1.

The Lake Merritt Station Planning Area encompasses approximately 315 acres, and is generally bound by 14<sup>th</sup> Street to the north, I-880 to the south, Broadway and Franklin Street to the west, and 4<sup>th</sup> and 5<sup>th</sup> Avenue to the east. The Planning Area includes the Lake Merritt Bay Area Rapid Transit (BART) Station, Oakland Chinatown business and residential districts, Laney College and Peralta Community College District Administration facilities, the Oakland Public Library, the Oakland Museum of California, the Alameda County Courthouse and other County offices, the building currently occupied by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC), the Lake Merritt Channel, and a portion of the East Lake district. The planning area boundary is shown in Figure 2.

**PROJECT SPONSOR:** City of Oakland

**EXISTING CONDITIONS:** The City of Oakland, Bay Area Rapid Transit (BART), and the Peralta Community College District, through a grant from the Metropolitan Transportation Commission (MTC), have come together to prepare a Station Area Plan for the general half mile area surrounding the Lake Merritt BART Station. The Lake Merritt Station Area functions as a significant citywide and regional center, with various existing hubs of activity, as described above. The Planning Area includes many diverse residents, students, employees and business owners. The Planning Area also includes several historic properties and districts, including those designated by the City of Oakland as being Areas of Primary Importance (API); Areas of Secondary Importance (ASI); properties individually rated A, B, C, or D; and Landmark Properties.

Existing physical environmental issues in the project area include, but are not limited to, air pollution and noise associated with the I-880 freeway and major arterials; air pollution from toxic air contaminants; substandard infrastructure, including roads and utilities; and soil and groundwater contamination associated with previous uses in the project area, including approximately twenty seven (27) properties identified on the California Environmental Protection Agency's Cortese List.

**PROJECT DESCRIPTION:**

The Lake Merritt Station Area Plan will be a 25-year planning document, with a planning horizon to the year 2035. The Plan will build on extensive community feedback to articulate a roadmap for future transit-oriented development, continued revitalization and economic growth, and community enhancements in the Station Area.

The Plan will include land use changes that seek to reduce the barriers to increased transit use from both the immediate area and surrounding neighborhoods; and to create an activity core around a rejuvenated Lake Merritt BART station. Simultaneously, the Plan will reinforce and integrate the cultural and recreational resources that make this transit station unique. The Plan will look at ways in which streets, open spaces, and other infrastructure in the area can be improved, and will establish regulations for development projects that further the area's vitality and safety. The Plan will contain policies addressing a wide range of topics, including:

- Land Use;
- Building Design Standards and Guidelines;
- Open Space and Recreational Facilities;
- Streetscape Design, Character, and Improvements;
- Cultural and Historic Preservation;
- Circulation, Access, and Parking (including BART Access Improvements);
- Community Resources, including an Affordable Housing Strategy;
- Economic Development;
- Utilities and Public Services;
- Infrastructure Financing and Phasing; and
- Implementation.

The Plan will consist of written text, maps, and diagrams that express how the Lake Merritt Station Planning Area should develop into the future, and will identify key actions the City and other entities should take to improve the Planning Area. The Plan will cover land use, development density, circulation and infrastructure, and have legal authority as a regulatory document. It will contain elements required of Specific Plans, such as:

- The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan;
- The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan;
- Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable; and
- A program of implementation measures, including regulations, programs, public works projects, and financing measures necessary to carry out the proposed improvements.

For more information on the project, please visit the project website at <http://www.business2oakland.com/lakemerrittsap>.

#### **PROBABLE ENVIRONMENTAL EFFECTS:**

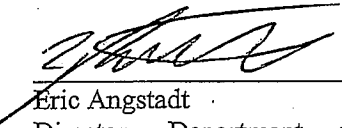
It is anticipated that the proposed project would likely result in significant environmental effects to the following: Noise, Energy, Greenhouse Gases and Global Climate Change, Air Quality, and Transportation and Traffic. It is further anticipated that the project could potentially result in significant environmental effects to the following: Land Use and Housing, Public Services, Parks and Recreation, Cultural and Historic Resources, Aesthetics, Biological Resources, Geology and Soils, Utilities and Service Systems, Hazards and Hazardous Materials, and Hydrology and Water Quality. All of the above environmental factors will be analyzed in the EIR.

The Project has no potential for any impact on the following environmental factors. As a result, these environmental factors will not be the subject of study in this EIR: agriculture and forestry

(there are no agricultural and forest land resources in the Planning Area), and mineral resources (there are no mineral resources in the Planning Area).

The Draft EIR 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 or reducing or avoiding potential environmental effects.

March 1st, 2012  
File Number - ZS11225,  
ER110017

  
Eric Angstadt  
Director, Department of Planning, Building and  
Neighborhood Preservation  
Environmental Review Officer






Attachments:

Figure 1: Planning Area Context

Figure 2: Planning Boundary.

Figure 1

Lake Merritt Station  
Area Plan:  
Planning Area Context

-  BART Station
-  BART
-  City Park
-  Planning Area
-  Railroad (Amtrak & Freight)

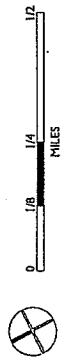
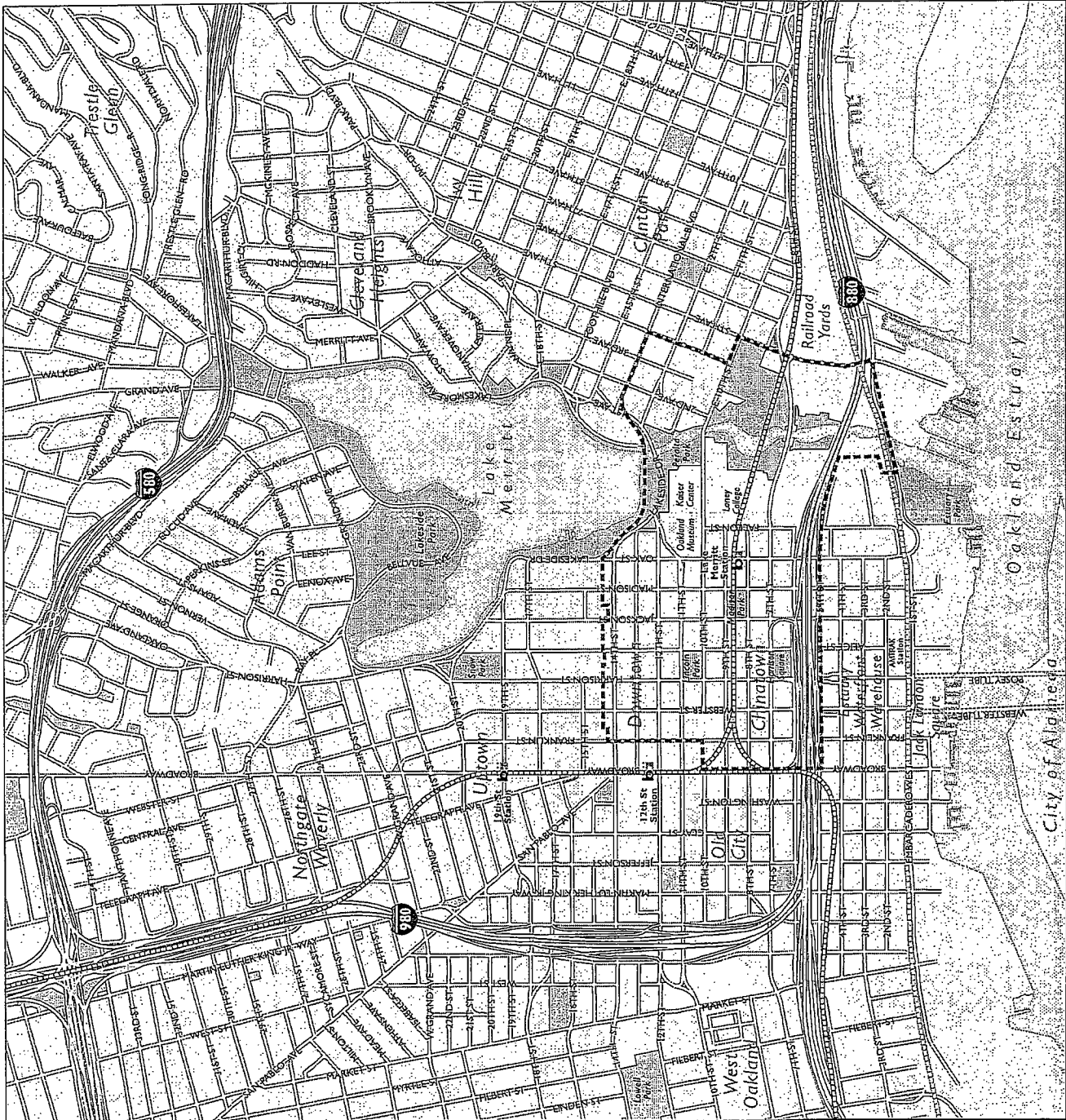






Figure 2  
Lake Merritt Station  
Area Plan:  
Planning Area Boundary

-  BART Station Entrance
-  Park
-  Planning Area
-  Railroad

