Case File Numbers: CMDV10-312; ER10-0001 June 15, 2011

Project Title: High and Macarthur Mixed-Use Project EIR Scoping

Session

Location: 4311-4317 Macarthur Boulevard (see map on reverse)

Assessor's Parcel Numbers: 030-1982-121-00 through 030-1982-123-00

Proposal: Redevelopment of a vacant lot with a mixed-use project including

approximately 115 units of market-rate and affordable senior housing, 3,446 square feet of ground-floor commercial space, and

65 parking spaces.

Applicant: AMG and Associates, LLC

Contact Person/Phone Number: Alexis Gevorgian/(818) 380-2600

Owner: Hahn Development, LLC/Hahn & Kang Equity 1

Planning Permits Required: Major Conditional Use Permit, Design Review, Major Variance,

Parcel Map Waiver

General Plan: Neighborhood Center Mixed Use

Applicable Zoning: C-30 District Thoroughfare Commercial Zone; C-31 Special Retail

Commercial Zone; S-4 Design Review Combining Zone (Current Zoning is CN-3 Neighborhood Commercial Zone 3 and CN-2

Neighborhood Commercial Zone 2)

Environmental Determination: A Focused Environmental Impact Report (EIR) will be prepared. A

Notice of Preparation of an EIR and an Initial Study was published on May 18, 2011. The public comment period on the Notice of

Preparation ends on June 16, 2011.

Historic Status: Not a Potential Designated Historic Property (PDHP); Survey rating:

X

Service Delivery District: 4

City Council District: 4

Date Filed: March 5, 2010

Status: Pending

Action to be Taken: Comments on the scope of the EIR. No decisions will be made on the

project at this hearing.

Staff Recommendation: Take public testimony concerning the scope of the EIR and provide

direction to staff.

For Further Information: Contact the case planner, Lynn Warner, at (510) 238-6983 or by

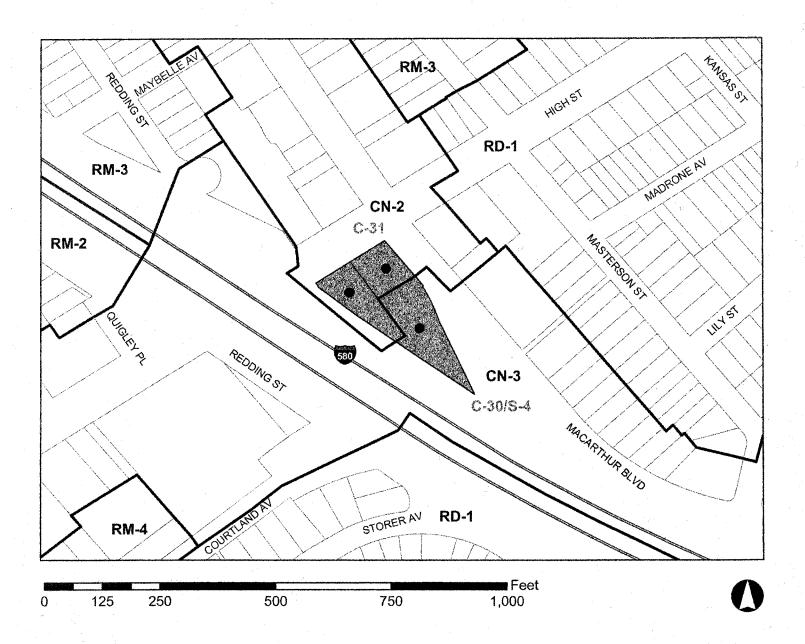
e-mail at lwarner@oaklandnet.com.

SUMMARY

The applicant proposes to redevelop the vacant property bounded by High Street, Macarthur Boulevard, and Interstate 580 with a mixed-use project including approximately 115 units of market-rate and affordable senior housing, 3,446 square feet of ground-floor commercial space, and 65 parking spaces.

The project is subject to the environmental review requirements of the California Environmental Quality Act (CEQA). A Focused Environmental Impact Report (EIR) will be prepared that analyzes the potential environmental impacts of the project, which have not been screened out for further review by the Initial Study. A Notice of Preparation (NOP) of a Draft EIR and Initial Study was published on May 18, 2011. The 30-day public comment period on the NOP ends on June 16, 2011.

CITY OF OAKLAND PLANNING COMMISSION



Case File: CMDV10-312; ER10-0001 Applicant: AMG and Associates, LLC

Address: 4311-4317 MacArthur Boulevard

Zone: C-30/S-4; C-31 (new zoning CN-2 & CN-3)

Case File Number: CMDV10-312; ER10-0001

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The purpose of today's hearing is to hear comments from the public and the Planning Commission concerning the scope of the forthcoming Draft EIR. Comments should be limited to the scope of the environmental analysis and not the merits of the project. There will be opportunities to comment on the merits of the project at future hearings. No action will be taken on the project at today's hearing. The decision on the project will occur at a future hearing.

PROPERTY DESCRIPTION

The project site is approximately 0.93 acres in size and is vacant except for a billboard. The triangular shaped site includes three parcels and is bounded by High Street to the north, Interstate 580 to the west, and Macarthur Boulevard to the southeast.

PROJECT DESCRIPTION

The project involves the redevelopment of the site with a mixed-use project including approximately 115 units of market-rate and affordable senior housing, 3,446 square feet of ground-floor commercial space, and 65 parking spaces. The commercial space would be located in two separate areas, a 2,959 square foot space located on Macarthur Boulevard at the corner of High Street, and a 487 square foot kiosk fronting on High Street. Four stories of 1-bedroom senior units will be located over the ground-floor which will include parking and commercial space. The height of the building varies from 47-60 feet.

The entrance to the parking garage would be located mid-block on Macarthur Boulevard, and the loading area would be located off of High Street. The parking garage would be divided by a security gate into two areas, one accessible only to residents and the other accessible to visitors, patrons of the commercial space, and residents.

The project drawings are attached to this report (see Attachment A).

GENERAL PLAN DESIGNATION

The site is designated Neighborhood Center Mixed Use in the Oakland General Plan. The General Plan states that "The Neighborhood Center Mixed Use classification is intended to identify, create, maintain, and enhance mixed use neighborhood commercial centers..." The General Plan also states that "Future development within this classification should be commercial or mixed uses that are pedestrian-oriented and serve nearby neighborhoods, or urban residential with ground-floor commercial." (Land Use and Transportation Element, p.149). The proposed project is a mixed-use project that includes both residential and ground-floor commercial uses. Therefore, the proposed project uses are consistent with the General Plan classification for the site. The maximum residential General Plan density without any density bonus is 125 units per gross acre or 166.67 units per net acre. The maximum allowable residential density for the 0.93 acre site is 155 units. Thus, the proposed 115-unit project is well within the allowable General Plan density.

The project site is identified as a planned development site in the Housing Element and the Housing Element EIR. Development of the project site, at a level consistent with the proposed project, was considered in the Housing Element EIR. The High and Macarthur Project Draft EIR may tier off of the analysis included in the Housing Element EIR pursuant to the CEQA Statutes §21093 and CEQA Guidelines §15152 and §15385. The Housing Element EIR is 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., and on the City's website at the "Current Environmental Review" page (paste this link into your browser):

http://www2.oaklandnet.com/Government/o/CEDA/o/PlanningZoning/s/Application/DOWD009157.

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ZONING CLASSIFICATION

The City recently updated its Zoning Regulations, which took effect on April 14, 2011. The newly adopted Zoning Regulations do not apply to project applications which have been deemed complete prior to that date, which includes the proposed project. Therefore, the previous zoning regulations will be applicable to the project instead of the current zoning regulations.

The site is split into two different zoning districts and includes a combining zone. The northwestern portion of the site is located in the C-31 Special Retail Commercial Zone (the C-31 zoning changed to CN-2 Neighborhood Commercial Zone 2). The southeastern portion of the site is located in the C-30 District Thoroughfare Commercial Zone with an S-4 Design Review Combining Zone (the C-30 zoning changed to CN-3 Neighborhood Commercial Zone 3).

The proposed residential and commercial uses are allowed under the C-30 and C-31 zoning classifications for the site. The maximum residential density for these zoning classifications is set forth in the R-70 High Density Residential Zone regulations, which allow 1 unit per 450 sq. ft. of lot area. That equates to a maximum allowable density for the site of 90 units. However, Section 17.106.060 of the Planning Code allows the density for senior housing to exceed the zoning density by up to 75% with a Conditional Use Permit (CUP). Therefore, the proposed 115-unit project would exceed the maximum allowable zoning density by 28%, which is well within the possible range allowed with a CUP.

ENVIRONMENTAL DETERMINATION

The project is subject to the environmental review requirements of CEQA. Pursuant to CEQA, an Initial Study was prepared that screened out certain potential environmental impacts from further study, including: agricultural resources, biological resources, cultural resources, geology and soils, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, and utilities and service systems. A Focused Draft EIR will be prepared that analyzes the remaining potential environmental impacts of the project, including impacts related to aesthetics, air quality, hazards and hazardous materials, noise, and transportation and traffic. As provided for in CEQA, the High and Macarthur Project Draft EIR may tier off the analysis included in the certified Housing Element EIR.

A Notice of Preparation (NOP) for the Draft EIR was published on May 18, 2011 (see Attachment B). The 30-day public comment period on the NOP ends on June 16, 2011. Following the public comment period, the Draft EIR will be prepared and then reviewed by the Planning Commission at a future hearing.

The purpose of today's hearing is to solicit comments from the Planning Commission, Responsible Agencies (i.e., other public agencies that have a role in approving or carrying out the project), and the public on what types of information and analysis should be considered in the Draft EIR. Comments about the environmental issues that should be considered, the types of information that should be included, types of mitigation measures to eliminate, reduce, or off-set environmental impacts and the range of alternatives to the project that should be assessed are the subject of this scoping session. Comments should be limited to the scope of the environmental analysis. There will be opportunities to comment on the merits of the project at future hearings.

KEY ENVIRONMENTAL ISSUES AND IMPACTS

Below is a summary of the key environmental issues and impacts related to the project. Note that the list below only contains the anticipated key items related to the environmental effects of the project. Key issues and impacts related to other topics, such as architecture, design, and the merits of the project, will be identified and discussed at future hearings. As stated above, as is provided for in CEQA, the High and Case File Number: CMDV10-312; ER10-0001

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Macarthur Project Draft EIR may tier off the analysis included in the certified Housing Element EIR for some/all of the topics listed below.

Aesthetics

The Draft EIR will include an analysis of the changes to the visual character and quality of the site and its surroundings, as well as to Interstate 580, which is a designated scenic highway.

Air Quality

The Draft EIR will include an analysis of the air quality and greenhouse gas impacts of the project including exposure to sensitive receptors, traffic generated from the residential and commercial uses, and emissions generated by construction equipment.

Hazards and Hazardous Materials

The Draft EIR will include an analysis of the potential exposure to hazardous materials on the project site. The site was previously used as a PG&E service yard and as an auto repair shop, and is on the California Environmental Protection Agency's list of leaking underground storage tank sites.

Noise

The Draft EIR will include an analysis of the noise impacts of the project generated by increased vehicle traffic and construction activities.

Transportation and Traffic

The Draft EIR will include an analysis of the existing transportation system serving the project site and the anticipated effects of the project on the transportation system, as well as the project's anticipated cumulative contribution to future traffic conditions. On- and off-site vehicle, transit, bicycle, and pedestrian circulation will be analyzed.

CONCLUSION

Staff recommends that the Planning Commission take public testimony on the scope of the Draft EIR and provide direction to staff on the environmental analysis. The focus of the meeting should be the scope of the environmental analysis. There will be opportunities to comment on the merits of the project at future hearings.

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Case File Number: CMDV10-312; ER10-0001

Prepared by

Lynn Warner

Planner III

Approved for forwarding to the City Planning Commission by:

SCOTT MILLER

ZONING MANAGER

ERIC ANGSTADT

DEPUTY DIRECTOR, CEDA

ATTACHMENTS:

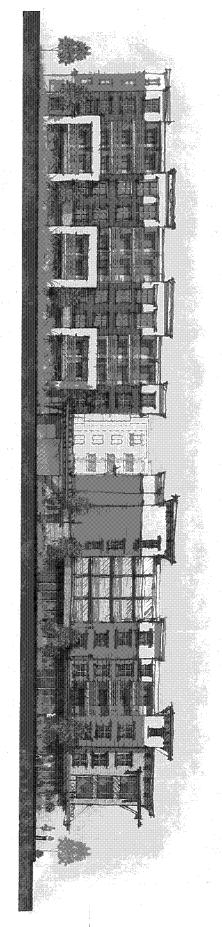
A. Project Drawings

B. Notice of Preparation

NOTE:

The Initial Study has been separately distributed to the Planning Commission and is 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., and on the City's website at the "Current Environmental Review" page (paste this link into your browser):

http://www2.oaklandnet.com/Government/o/CEDA/o/PlanningZoning/s/Application/DOWD009157



High and MacArthur Senior Community

Oakland, California

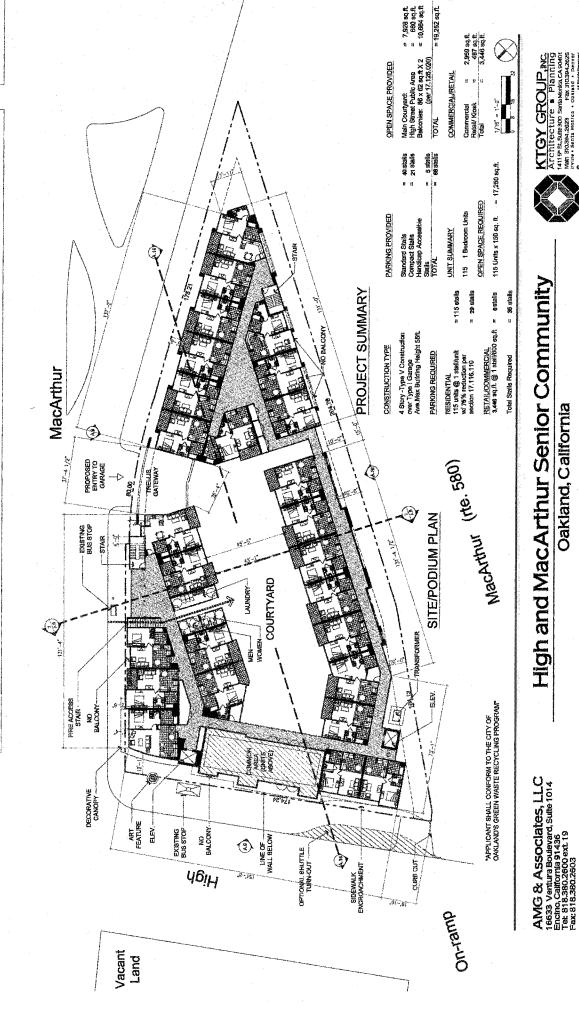
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A.1 SITE PLAN / PROJECT SUMMARY A.2 GARAGE PLAN A.2 GARAGE PLAN A.3 2ND FLOOR PLAN A.4 3RD FLOOR PLAN A.5 4TH FLOOR PLAN A.6 ROOF PLAN A.7 LIGHTING PLAN A.8 BUILDING SECTION / TYP. UNIT PLAN A.9 EXTERIOR ELEVATIONS A.10 ROUTE 580 ELEVATION A.11 MATERIALS AND DETAILS A.12 MATERIALS AND DETAILS	A.9 A.9 A.10 A.11 A.12
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	A.13 A.14 A.16 LA.1





Project # 20050854.00



Subway/ Video/Cleaners

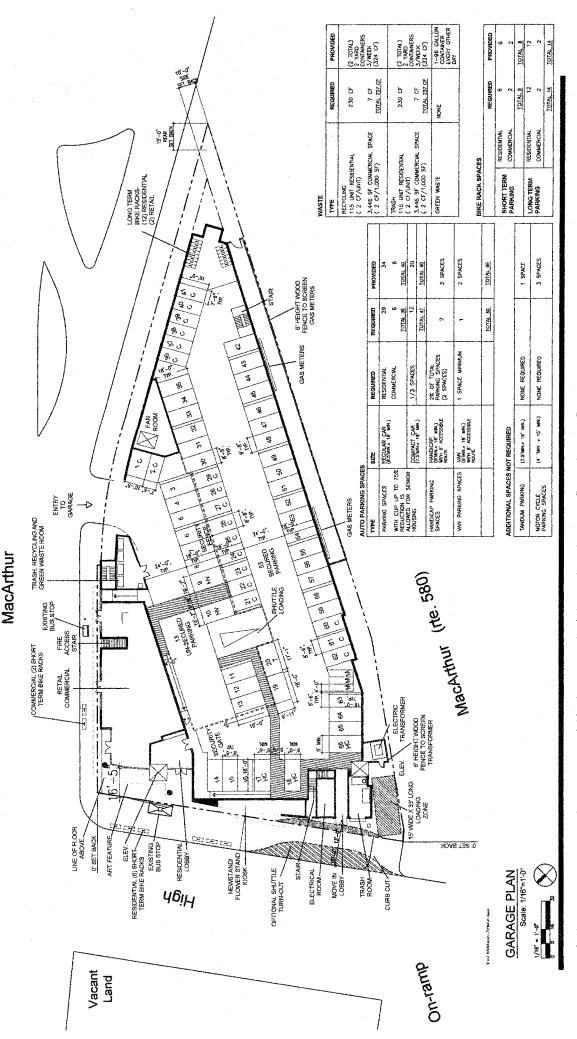
Gas Station

High and MacArthur Senior Community

Oakland, California



KTGY GROUP, INC.
Architecture Planning
1411 FP. SL, Suite 300 Sente Monka, CA 90401



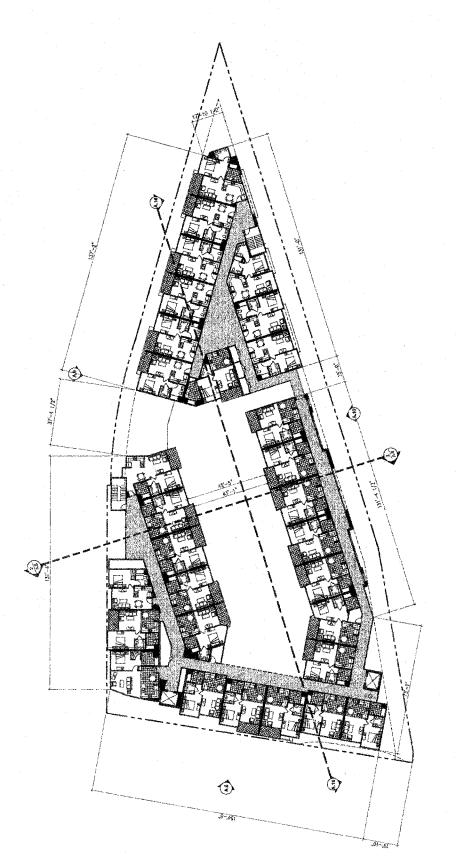
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Project # 20050854.00 2/14/11 A 2





SECOND FLOOR PLAN

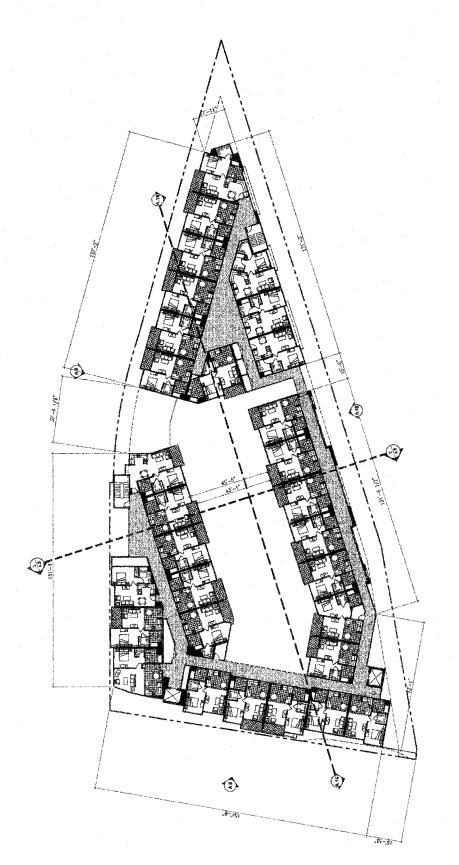


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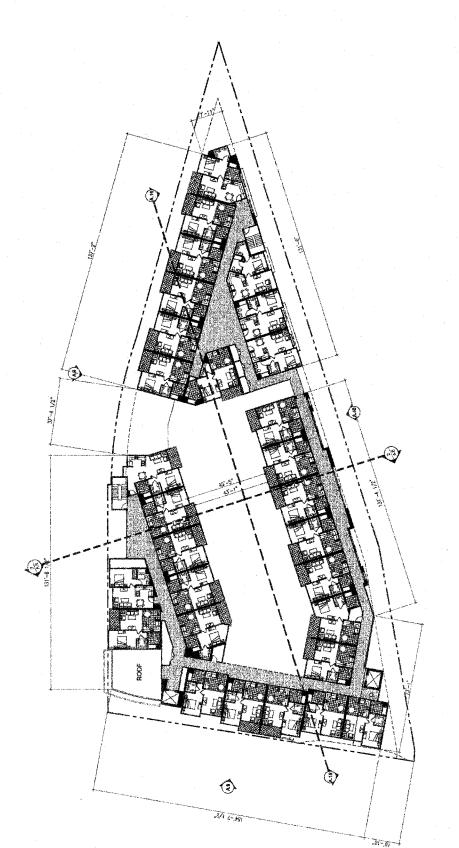
THIRD FLOOR PLAN





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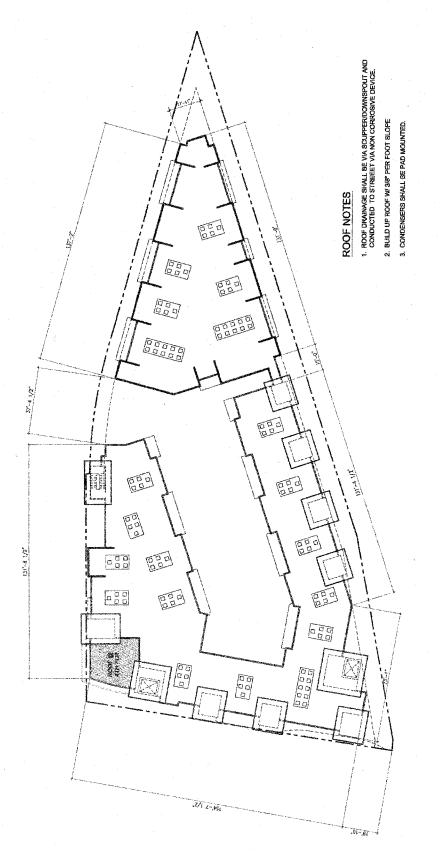
FOURTH FLOOR PLAN





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High and MacArthur Senior Community Oakland, California

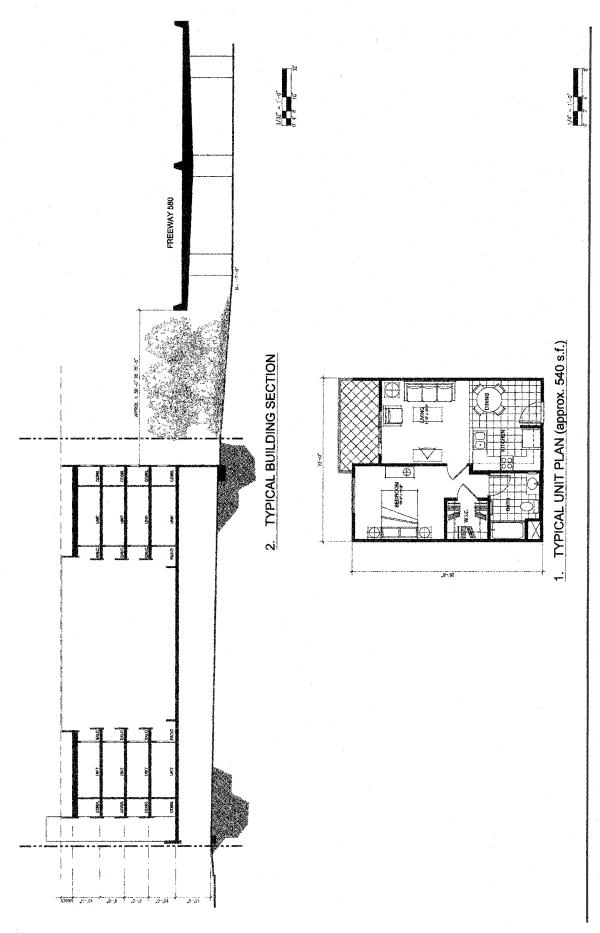






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High and MacArthur Senior Community Oakland, California



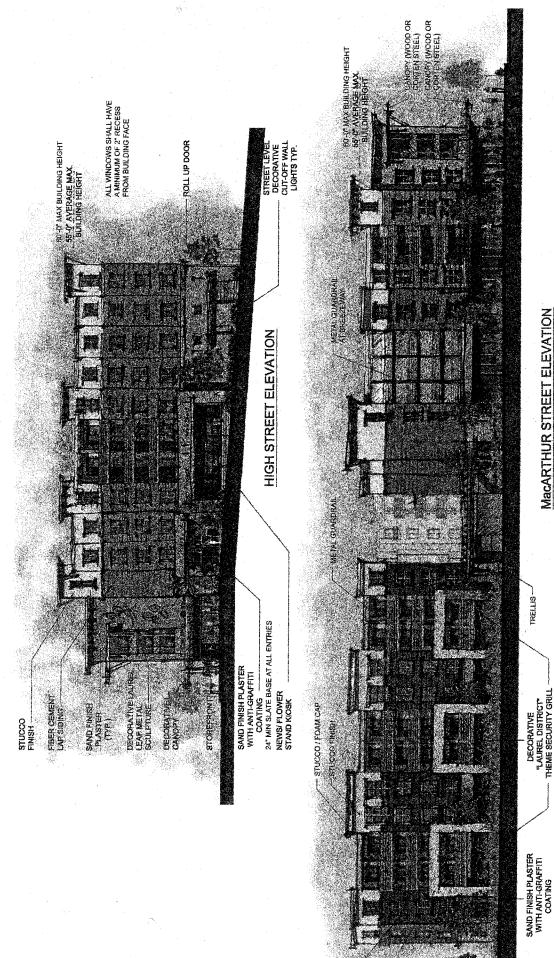
High and MacArthur Senior Community

Oakland, California



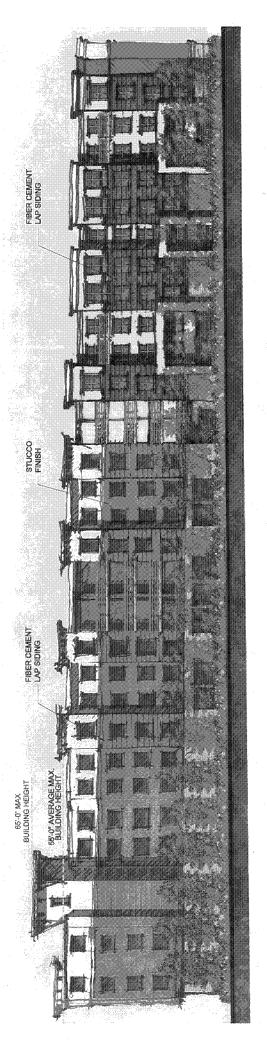


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High and MacArthur Senior Community

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MacARTHUR (RTE. 580) ELEVATION

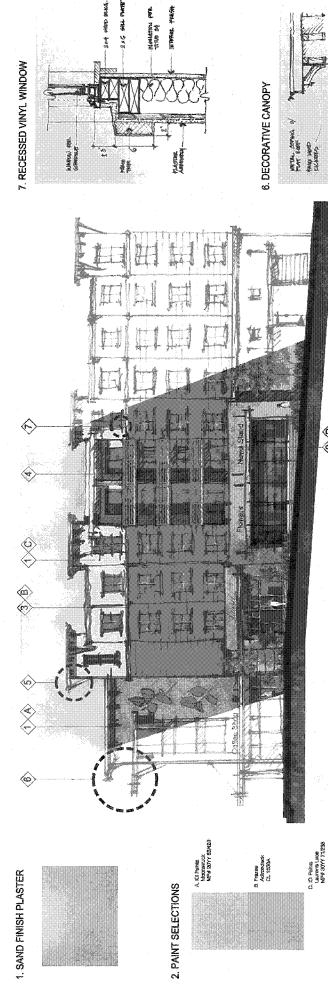
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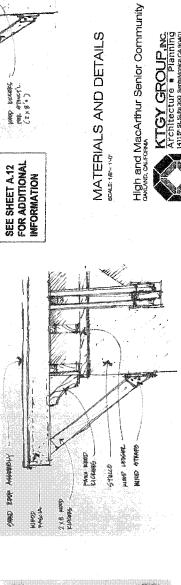
High and MacArthur Senior Community Oakland, California



Project # 20050854.00

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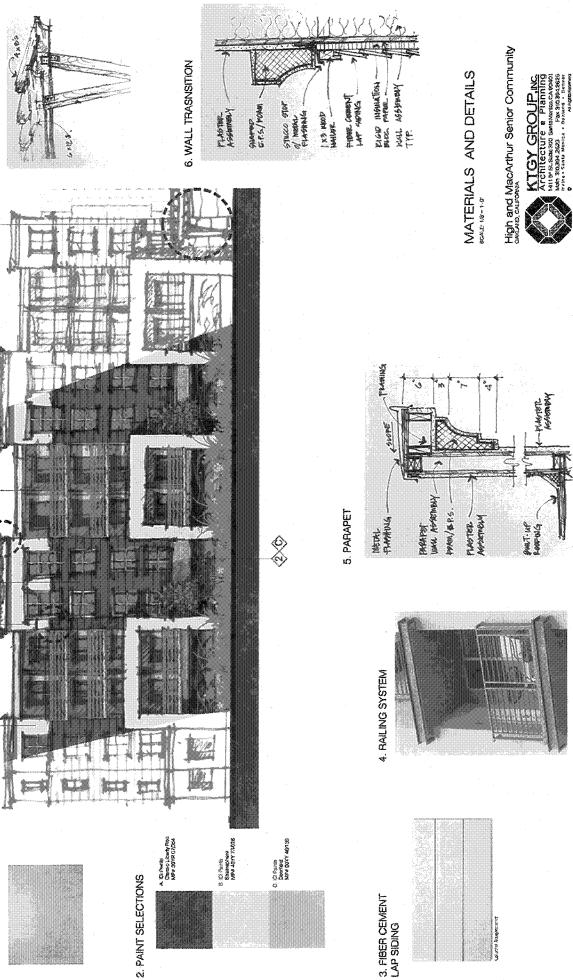
5. TOWER

4. RAILING SYSTEM

D. IC! Paints Disertield MP# 0017 48/138

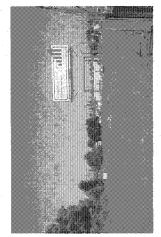


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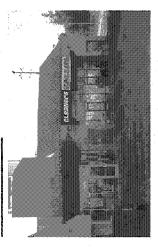
7. TRELLIS GATEWAY

1. SAND FINISH PLASTER



PROPERTY SIDE VIEW FACING NORTHEAST

EXISTING LOT



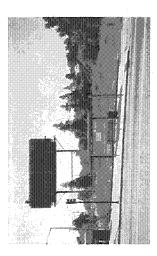
ACROSS STREET EAST CORNER



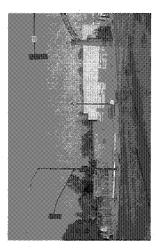
4251 MACARTHUR BOULEVARD

AJACENT / ACROSS STREET PROPERTIES

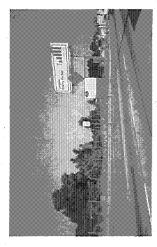
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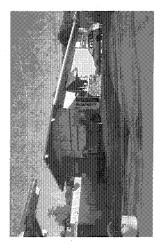
PROPERTY SIDE VIEW FROM HIGH STREET FACING SOUTH



ACROSS STREET WEST CORNER



PROPERTY SIDE VIEW FROM MACARTHUR BOULEVARD FACING NORTH



ACROSS STREET NORTH CORNER

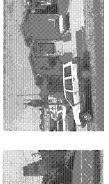
High and MacArthur Senior Community Oakland, California



3251 HIGH STREET



3616 HIGH STREET



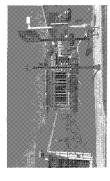
3627 HIGH STREET



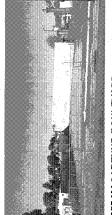
3633 HIGH STREET



4233 MACARTHUR BOULEVARD



4258 MACARTHUR BOULEVARD



4255 MACARTHUR BOULEVARD

4251 MACARTHUR BOULEVARD



4412 MACARTHUR BOULEVARD







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4430 MACARTHUR BOULEVARD

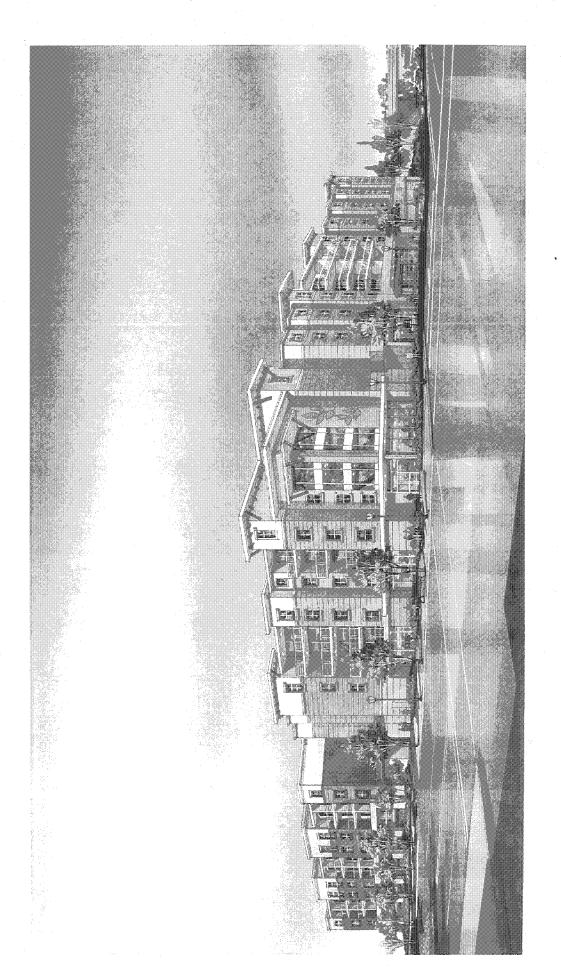
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High and MacArthur Senior Community Oakland, California



Project # 20050854.00

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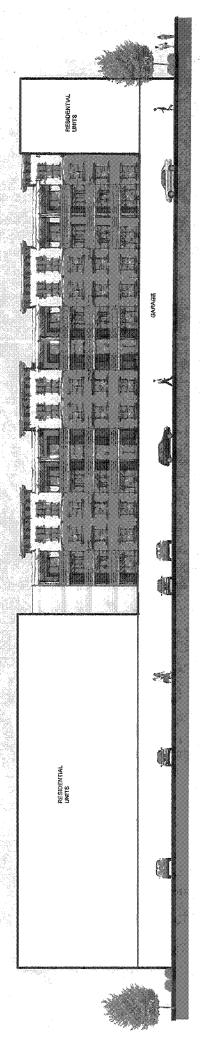
3-D RENDERING

AMG & Associates, LLC 16633 Ventura Boulevard, Suite 1014 Enchro, California 91436 Tare 816.380.2600 ext. 19 Fax: 816.380.2606

High and MacArthur Senior Community Oakland, California







INTERIOR ELEVATION AT COURTYARD

High and Macarthur Senior Community Oakland, California

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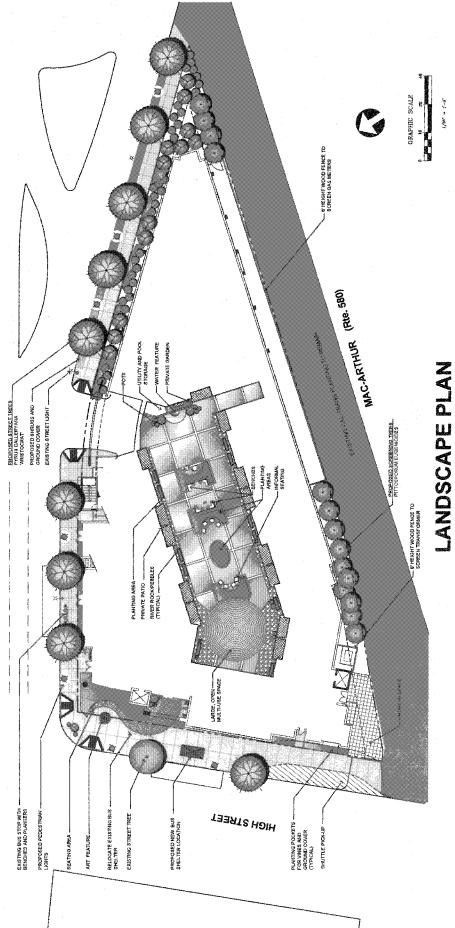
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MAC-ARTHUR BOULEVARD



High and Macarthur Senior Community

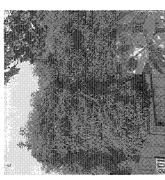
Oakland, California

GOLDEN

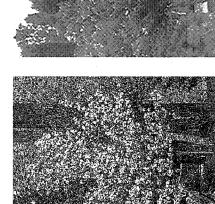
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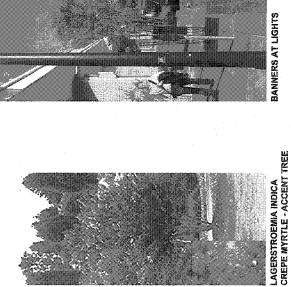
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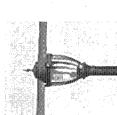


PITTOSPORUM EUGENIOIDES SCREENING ALONG HIGHWAY 580



PRYUS CALLYERANA 'ARISTOCRAT' FLOWERING PEAR - STREET TREE





CUSTOM BIKE RACK

BENCHES AND TRASH RECEPTACLES



CUSTON TREE GRATES



FLOWERING POTS

PEDESTRIAN LIGHTING



BUS SHELTER

SITE MATERIALS



High and Macarthur Senior Community Oakland, California

AMG & Associates, LLC 16833 Ventura Boulevard, Suite 1014 Encino, California 91436 Tel: 818 380,2800 ext. 19 Fax: 818,380,2803

Project # 603



CITY OF OAKLAND

Community and Economic Development Agency, Planning & Zoning Services Division 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, California, 94612-2032

NOTICE OF PREPARATION (NOP) OF A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) HIGH & MACARTHUR MIXED USE PROJECT

The Oakland Community and Economic Development Agency, Planning and Zoning Division, is preparing a Draft Focused Environmental Impact Report (EIR) for the High & MacArthur Mixed Use Project as identified below, and is requesting comments on the scope and content of the EIR. The EIR will address the potential physical environmental effects for each of the environmental topics outlined in the California Environmental Quality Act (CEQA) that have not been screened out from further study in the Initial Study (see below).

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 Draft EIR is published, it will be sent to all Responsible Agencies and to others who respond to this NOP or who otherwise indicate that they would like to receive a copy. Responses to this NOP and any questions or comments should be directed in writing to: Lynn Warner, Planner III, City of Oakland, Community and Economic Development Agency, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612; 510-238-6983 (phone); 510-238-6538 (fax); or e-mailed to lwarner@oaklandnet.com. Comments on the NOP must be received at the above mailing or email address by 5:00 p.m. June 16, 2011. Please reference case number ER 100001 in all correspondence. In addition, comments may be provided at the EIR Scoping Meeting to be held before 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.

PUBLIC HEARINGS: The City Planning Commission will conduct a public scoping hearing on the Draft EIR for the project on June 15, 2011, at 6:00 p.m. in Hearing Room #1, City Hall, 1 Frank H. Ogawa Plaza.

PROJECT TITLE: High & MacArthur Mixed Use Project

PROJECT LOCATION: 4311 and 4317 MacArthur Boulevard, Assessor's Parcel Numbers 030-1982-121, 122, and 123 (see Figure 1).

PROJECT SPONSOR: AMG and Associates, LLC/Alexis M. Gevorgian

EXISTING CONDITIONS: The project site consists of three undeveloped parcels, totaling 0.93 acres in size, located at the southwest corner of High Street and MacArthur Boulevard on the edge of the Laurel District. The I-580 freeway runs along the south and western edge of the project site. The project site is vacant except for a billboard (to be removed as part of project). It

was previously occupied by a PG&E service yard, an auto repair shop, and a market. The General Plan designation for the project site is Neighborhood Center Mixed Use. The applicable zoning of the project site is split between C-30 District Thoroughfare Commercial Zone, C-31 Special Retail Commercial Zone and the S-4 Design Review Combining Zone. On April 14, 2011, the City adopted an update to the Zoning Ordinance and changed the C-30 zone to the CN-3 Neighborhood Commercial Zone 3, and the C-31 zone to the CN-2 Neighborhood Commercial Zone 2. The proposed project's planning application was deemed complete prior to the April 14, 2011 Zoning Ordinance revision/update; therefore, the C-30 and C-31 are applicable zoning designations for the proposed project site. The project site is listed on the Cortese List. The project site does not include any historical buildings.

PROJECT DESCRIPTION: The proposed project consists of a five-story mixed use affordable senior housing development with 115 one-bedroom senior apartments, approximately 3,446 square feet of ground floor commercial space, and 65 parking spaces (see Figure 2).

The first floor would include the proposed commercial space, parking garage, and residential lobby. The majority of the commercial area would front onto MacArthur Boulevard and a small "kiosk" commercial area would front onto High Street. The first floor would also include an interior parking garage with 65 parking spaces for residents, guests and commercial patrons. Parking would be accessed from MacArthur Boulevard. Above the ground floor uses, the building would include four stories of residential units with approximately 28 to 29 units per floor. The residential component of the building would be designed around an interior central courtyard. All the units are one-bedroom and would average approximately 540 square feet. The maximum building height is 60 feet, with the tallest portion along the High Street elevation as the terrain slopes down from the corner to the freeway.

The project applicant requests a variety of planning-related permits, including a Major Conditional Use Permit to allow an increase in the permitted density for senior housing; a Major Conditional Use Permit to allow ground level parking and to reduce the number of required parking spaces; Design Review, Parcel Map Waiver, and a Major Variance to allow an increase in permitted building height.

PROBABLE ENVIRONMENTAL EFFECTS:

The City has prepared an Initial Study that identified areas of probable environmental effects and screened out environmental factors that will <u>not</u> be further studied in the Draft EIR. These factors include: agricultural resources, biological resources, cultural resources, geology and soils, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, and utilities and service systems.

The Initial Study is available at the Planning Division office, City of Oakland, Community and Economic Development Agency, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612. The Initial Study may also be reviewed at the following website: http://www2.oaklandnet.com/government/o/ceda/o/planningzoning/s/application/dowd009157

The Draft EIR will address the potential environmental effects only for certain aesthetics factors (scenic vistas, scenic resources and visual character), air quality, hazards/hazardous materials, noise, and transportation/traffic. All other impacts are either less than significant or would be mitigated to less than significant levels through implementation of City standard conditions of approval. 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.

On December 21, 2010, the Oakland City Council adopted the 2007-2014 Housing Element and certified the Housing Element EIR. The California Department of Housing and Community Development City's Housing Element also has certified the Housing Element as being in compliance with the requirements of State law.

The project site is identified as a planned development site in the Housing Element and the Housing Element EIR. Development of the project site, at a level consistent with the proposed project, was considered in the Housing Element EIR. The High and MacArthur Project EIR may tier off of the analysis included in the Housing Element EIR pursuant to the CEQA Statutes §21093 and §21094 and CEQA Guidelines §15152 and §15385. The Housing Element EIR is available for review 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 Housing Element EIR may also be reviewed on the City's website at http://www2.oaklandnet.com/Government/o/CEDA/o/hcd/o/HPP/DOWD008428.

May 18, 2011 File Number ER 100001

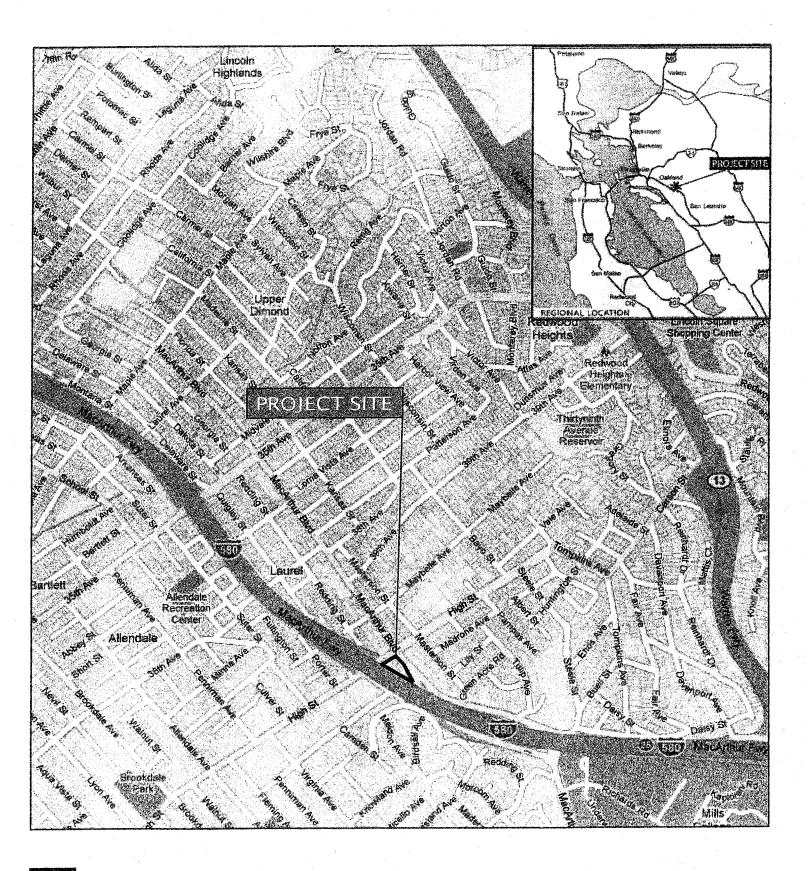
Eric Angstadt Deputy Director Planning and Zoning

Environmental Review Officer

Attachments:

Figure 1: Project Location

Figure 2: Site Plan



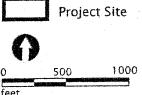


FIGURE 1 High & MacArthur Mixed-Use Project NOP Project Location and Regional Vicinity Map

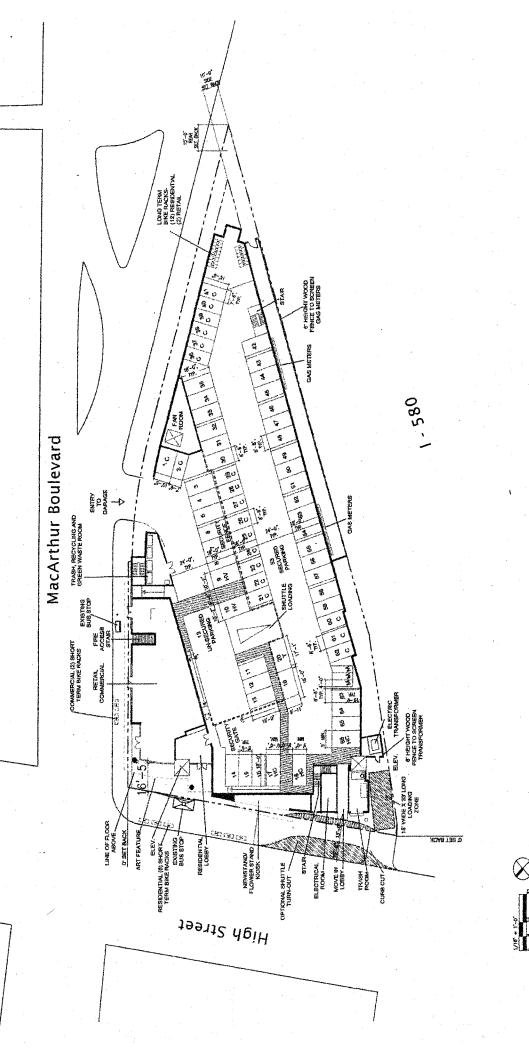


FIGURE 2 High & MacArthur Mixed-Use Project Notice of Preparation Site Plan

SOURCE: KTGY GROUP, INC. C:/UPP/P/10.003 OAK/PRODUCTS/IS/FIGURES/FIG_2 (06/14/10,revised 04/26/2011)