

# CITY OF OAKLAND



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Community and Economic Development Agency  
Planning & Zoning Services Division

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November 21, 2011

## **NOTICE OF PREPARATION OF A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE CENTRAL ESTUARY IMPLEMENTATION GUIDE**

The Oakland Community and Economic Development Agency, Strategic Planning Division, is preparing a Draft Supplemental Environmental Impact Report (EIR) for the Central Estuary Implementation Guide as identified below, and is requesting comments on the scope and content of the Supplemental EIR. The Supplemental EIR will address the potential physical environmental effects 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 Supplemental EIR preparation, without an Initial Study, if it is clear that a Supplemental EIR will be required. The City has made such a determination for this project. A previous EIR for the Estuary Policy Plan was certified in 1998 (State Clearinghouse No. 98031116) and is available for review at the Planning Department Offices. This Supplemental EIR will rely on the previously certified Estuary Policy Plan EIR.

The City of Oakland is the Lead Agency for the Project, and is the public agency with the greatest responsibility for approving the project and 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 may also have a role in carrying out the project. When the Draft Supplemental EIR is published, it will be sent to all Responsible Agencies and to others who respond to this Notice of Preparation 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 Alicia Parker, Strategic Planning Division, City of Oakland Community and Economic Development Agency, 250 Frank Ogawa Plaza, Suite 3315, Oakland, CA 94612; (510) 238-3362 (phone); (510) 238-6538 (fax); or e-mailed to [aparker@oaklandnet.com](mailto:aparker@oaklandnet.com). Comments on the NOP must be received at the above mailing or e-mail address **by 5:00 p.m., Wednesday, December 21, 2011**. Please reference case number ER110016 in all correspondence. In addition, comments may be provided at the Supplemental 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 avoided or minimized, and alternatives to the project in light of the Supplemental EIR's purpose to provide useful and accurate information about such factors.

### **SUPPLEMENTAL EIR SCOPING MEETING CITY PLANNING COMMISSION**

**Wednesday, December 14<sup>th</sup>  
6:00 p.m.**

**Oakland City Hall – Hearing Room 1**

**PROJECT TITLE:** Central Estuary Implementation Guide (CEIG)

**PROJECT LOCATION:** The Central Estuary area (project area) encompasses about 416 acres of land, including about 319 acres of individual parcels, and about 100 acres of public rights-of-way. The project area is bordered by Interstate 880 (I-880) to the northeast and the Oakland Estuary to the southwest. **Figure 1** shows the project location and also identifies the sub-areas used in the development of the CEIG.

**PROJECT SPONSOR:** City of Oakland, Strategic Planning Division

**EXISTING CONDITIONS:** The Oakland Estuary waterfront is a significant citywide and regional resource that connects the City of Oakland to the San Francisco Bay. Once a predominantly industrial waterfront, the project area has evolved into a mix of unique districts. While certain portions are more distinctly industrial or commercial in character, a more finely grained mix of uses, including newer residential and live-work uses, can be found in the western and central portions of the project area. Other uses in the project area include two waterfront parks, portions of the San Francisco Bay Trail, and marine-serving uses. The physical conditions of properties and buildings are widely divergent. Existing physical environmental issues in the project area include but are not limited to air pollution and noise associated with freeway, railroad, and industrial uses; substandard infrastructure, including roads and utilities; and soil and groundwater contamination associated with previous uses in the project area, including about sixty (60) properties identified on the California Environmental Protection Agency's Cortese List.

A significant citywide challenge of the last decade has been the importance of preserving a healthy diversity of employment and industry in Oakland. Historically, many industries have depended on waterfront access for raw materials or distribution; some industrial uses in the Estuary Area have continued to rely on such access to this day. As a result, the area was predominantly zoned for industrial use, and a number of well-established industrial uses remain, including associated infrastructure such as railroad spur tracks.

In recent years, residential development interests have focused on industrial areas throughout the City because of the relative affordability of large parcels. The Estuary waterfront as a whole has been particularly appealing because of its attractive views and central location. At the same time, the desire to increase public access to and recreational use of the City's waterfront adds a potentially conflicting demand with nearby industrial uses.

**PROJECT DESCRIPTION:** The Draft CEIG is a 20-year planning document that would, if approved, modify or clarify land uses and associated densities within the Central Estuary area. As a companion document to the City's 1999 Estuary Policy Plan (EPP), the Draft CEIG identifies steps to be undertaken to implement the recommendations of the (EPP).

The majority of the area is currently zoned for heavy industrial uses, although given the evolution of residential, commercial, park, and office uses, simply perpetuating the heavy industrial designation is no longer appropriate or viable. The Draft CEIG proposes to maintain existing industrial uses while allowing for an increment of new commercial, residential, and office development in appropriate locations. Implementation of the CEIG requires changes to general plan maps and the zoning code; the development of design guidelines to reconcile conflicting land use priorities, and the implementation of transportation improvements to address infrastructure deficiencies.

Map changes: **Figures 2 and 3** depict existing and conceptual proposed land use designations and zoning districts, subject to further review and refinement.

Code changes: **Tables A and B** respectively summarize the proposed Estuary Policy Plan and Zoning Code text changes. The text amendments would change allowable uses in specific districts/zones.

The Draft CEIG's proposed changes, if enacted, would not directly result in any new development. However, taken as a whole, the Draft CEIG's proposed program of land use changes would allow for an increment of new residential, live/work, industrial, and commercial/office development above what current regulations allow. **Table C** summarizes existing levels of development in each subarea along with reasonably foreseeable estimated increases in growth that would be allowable under the Draft CEIG. Prior to the public release of the Draft CEIG, the City may make minor revisions and refinements to the Draft, possibly resulting in minor changes to the data in Tables A-C.

Design Guidelines: The Draft CEIG includes a set of area-specific Design Guidelines to help ensure that the new development is sensitive to the existing eclectic mix of industrial, commercial, and residential uses. The Draft Guidelines would provide detailed direction on a variety of site planning and design consideration intended to enhance the project area's livability and quality of place for both existing and future users.

Transportation and Infrastructure Improvements: The allowable increment of new development under the Draft CEIG is expected to increase demands on existing project area and nearby transportation and public services infrastructure. At present, certain project area and nearby roadways are known to operate at unacceptable conditions and several infrastructure deficiencies have been identified. The City may incorporate into the Draft CEIG certain strategies that would address either existing and/or projected deficiencies.

**PROBABLE ENVIRONMENTAL EFFECTS:** It is anticipated that the proposed project may have the following environmental effects: air quality, greenhouse gases, noise, and traffic. It is further anticipated that the project would result in less-than-significant environmental effects to the following: aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, population and housing, public services, recreation, utilities and service systems, and cumulative growth. All of these environmental factors will be analyzed in the Supplemental EIR.

The Draft Supplemental 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.

Eric Angstadt, Deputy Director  
Planning and Zoning

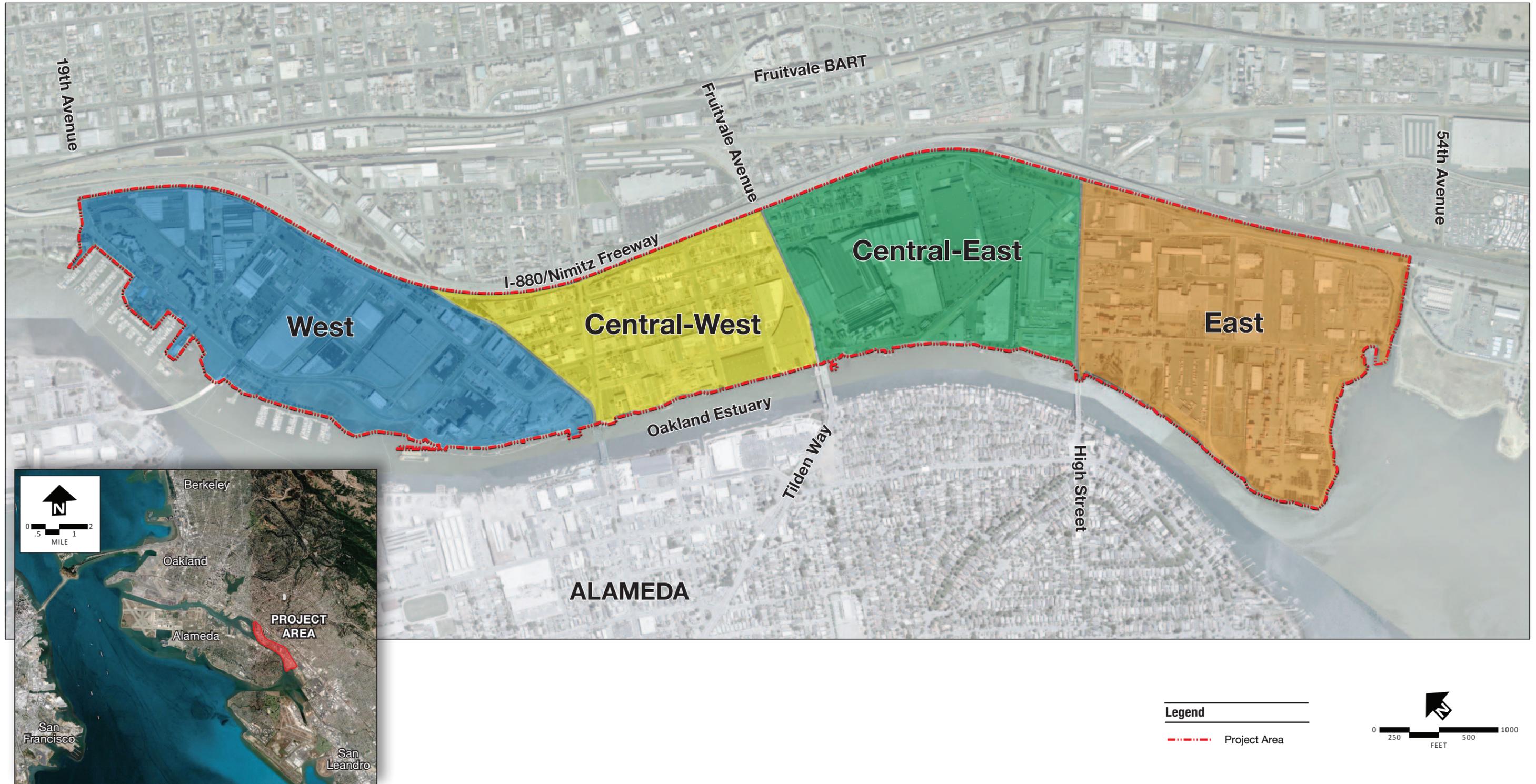
**DATE: November 21, 2011**

FILE

Attachments:

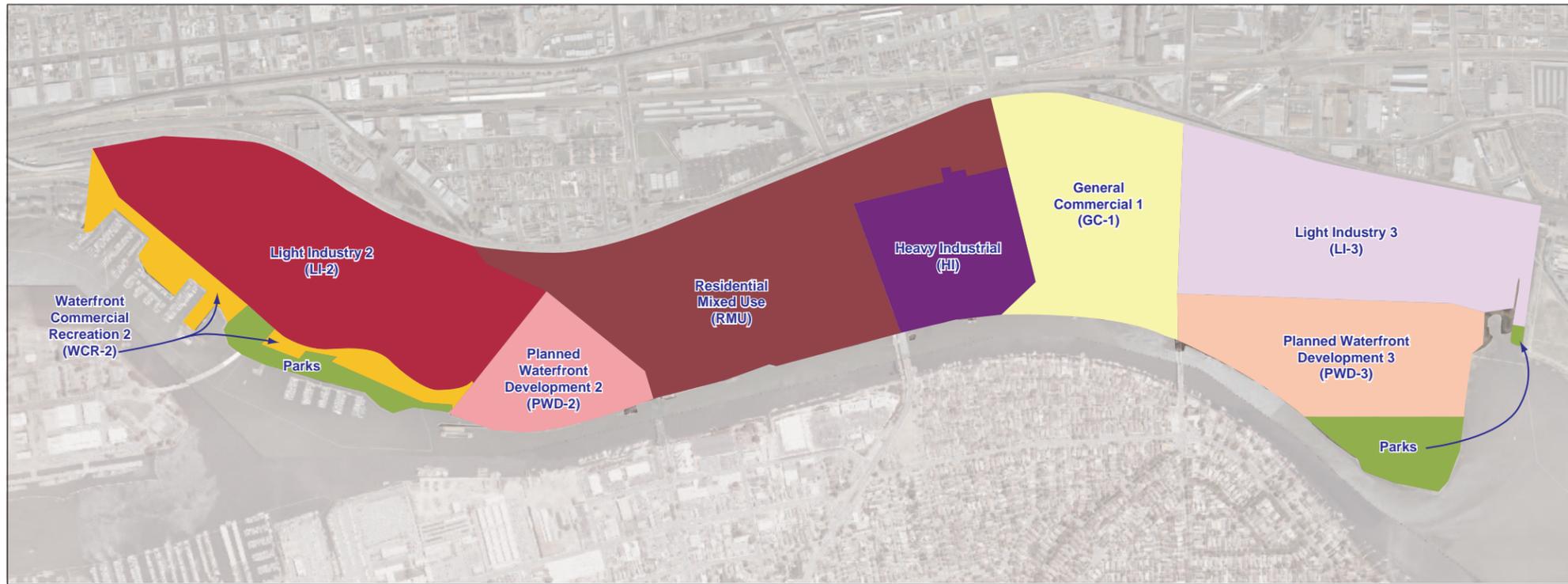
Figures 1-3

Tables A-C

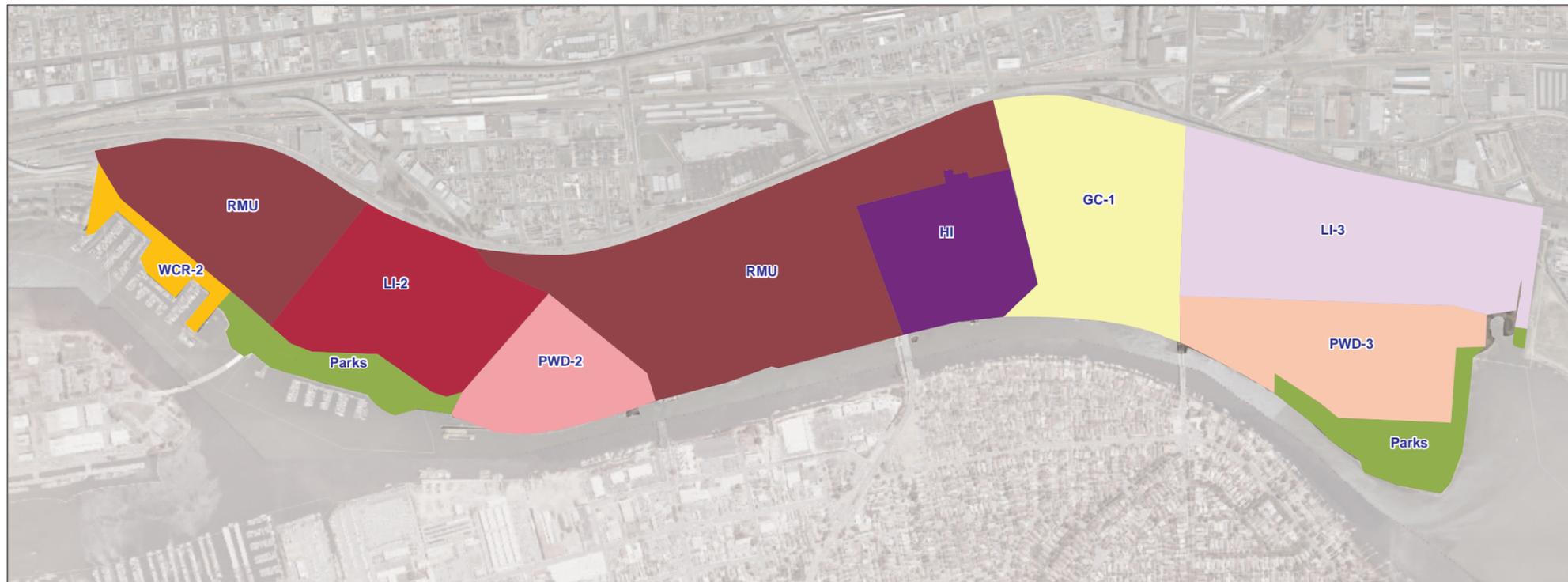
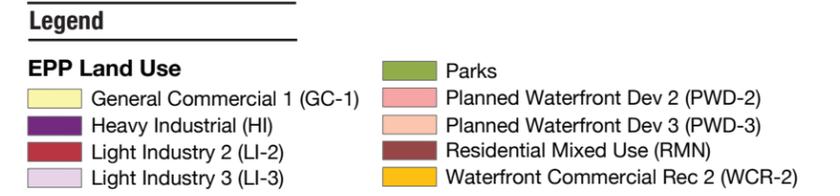


Central Estuary Implementation Guide Project Area

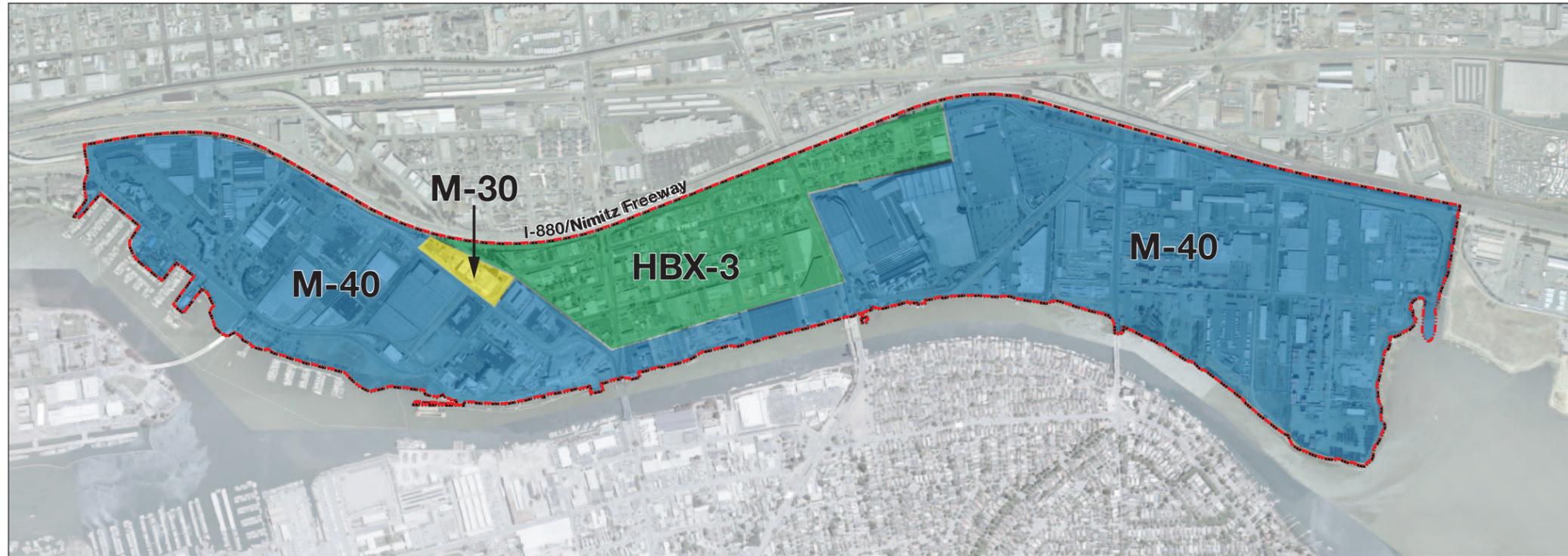
Figure



Existing Estuary Policy Plan Land Use Designations

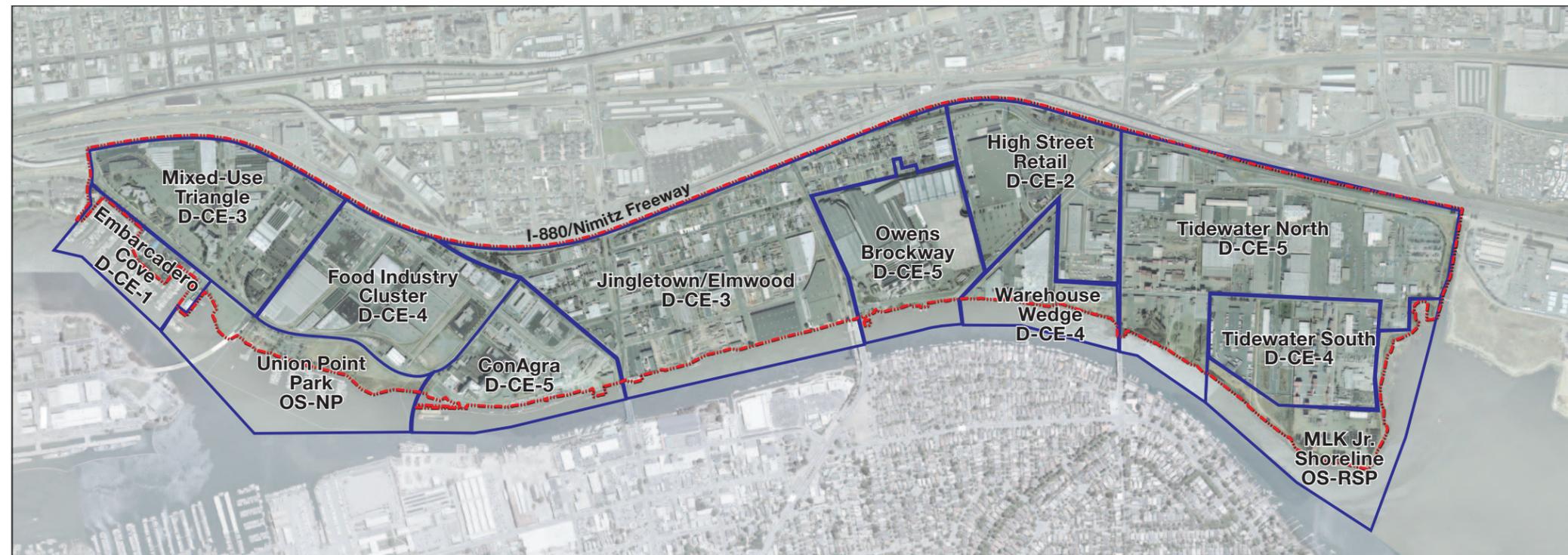
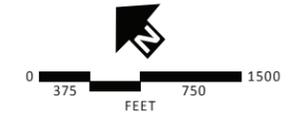


Proposed Estuary Policy Plan Land Use Designation Changes



Existing Zoning

- Legend**
- - - - - Project Area
  - Housing and Business Mix 3 (HBX-3)
  - General Industrial (M-30)
  - Heavy Industrial (M-40)



Proposed Zoning

**Table A: Summary of Estuary Policy Plan Text Amendments - DRAFT**

Estuary Policy Plan Designation	Proposed Zoning	Residential Density		Non-Residential Density	
		Existing	Proposed	Existing	Proposed
<b>Waterfront Commercial Recreation 2:</b> This designation covers the waterfront portion of the west subarea. This change will allow larger buildings than originally contemplated in the EPP, consistent with the type of development envisioned such as hotels.	D-CE-1 (Embarcadero Cove)	<i>No changes proposed as part of the Project (no residential permitted)</i>		1.0 FAR	2.0 FAR
<b>Residential Mixed Use (RMU): General Plan Amendment from Light Industry 2 –</b> This designation covers a broad swath of the Planning Area, including the majority of the Jingtowntown neighborhood in the Central-West Planning Area. With this proposed change, new residential development in this area would be allowed at higher densities and potentially taller heights than buildings currently existing in the area designated for RMU development.	D-CE-3 (Mixed Use Triangle & Jingtowntown)	60* dwelling units/acre  *The Estuary Policy Plan provides a density of 40 units/ac however, the General Plan Conformity Guidelines reference the HBX zoning regulations which contains a density of 60 units/ac for HBX-3.	60 dwelling units/acre	1.0 FAR	3.0 FAR
<b>Light Industry 2 –</b> This designation encompasses the food industry cluster. The change will allow larger infill development appropriate for the intended uses such as food processing and wholesale distribution.	D-CE-4 (Food Industry Cluster)	<i>No changes proposed as part of the Project (no residential permitted)</i>		2.0 FAR	3.0 FAR

Estuary Policy Plan Designation	Proposed Zoning	Residential Density		Non-Residential Density	
		Existing	Proposed	Existing	Proposed
<b>Heavy Industrial –</b> This designation encompasses the Owens-Brockway site. The change will allow larger buildings than currently exist.	D-CE-5 (Owens Brockway)	<i>No changes proposed as part of the Project (no residential permitted)</i>		0.75 FAR	2.0 FAR
<b>General Commercial 1 –</b> This designation applies to the site of the existing Home Depot shopping center and extends to the waterfront. The change will facilitate larger buildings relative to existing buildings.	D-CE-2 (High Street Retail) D-CE-4 (Warehouse Wedge)	<i>No changes proposed as part of the Project (no residential permitted)</i>		1.0 FAR	3.0 FAR
<b>Light Industry 3 –</b> This designation applies to the land north of Tidewater Avenue in the East Planning Area. Future uses envisioned include industrial, manufacturing, commercial and a variety of others uses. The change in FAR could eventually result in larger buildings.	D-CE-5 (Tidewater North)	<i>No changes proposed as part of the Project (no residential permitted)</i>		0.5 FAR	2.0 FAR
<b>Planned Waterfront Development 3 –</b> This designation (PWD-3) was developed in the EPP specifically for the lands south of Tidewater Avenue in the East Planning Area. Only industrial, commercial, and similar land uses are allowed in this area. On the ground, this change could eventually result in taller buildings relative to those existing.	D-CE-4 (Tidewater South) D-CE-5 (Tidewater North)	<i>No changes proposed as part of the Project (no residential permitted)</i>		0.5 FAR	3.0 FAR

**Table B: DRAFT Descriptions of Proposed Zoning**

<b>Planning Area</b>	<b>District</b>	<b>Existing Zoning</b>	<b>Proposed Zoning</b>
West	Embarcadero Cove	M-40	D-CE-1
	Mixed-Use Triangle	M-40	D-CE-3
	Food Industry Cluster	M-30, M-40	D-CE-4
	Union Point Park	M-40	OS-NP
	ConAgra	M-40	D-CE-5
Central-West	Jingletown/ Elmwood	HBX-3, M-30	D-CE-3
	Owens Brockway	M-40	D-CE-5
Central East	High Street Retail	M-40	D-CE-2
	Warehouse Wedge	M-40	D-CE-4
East	Tidewater North	M-40	D-CE-5
	Tidewater South	M-40	D-CE-4
	MLK Jr Regional Shoreline	M-40	OS-RSP

**TABLE C: Estimated Foreseeable Growth**

Central Estuary Planning Area	Residential  (dwelling units)		Live/Work  (dwelling units)		Industrial  (square feet)		Commercial and Office  (square feet)		Parks  (acres)	
	Existing	Reasonably Foreseeable	Existing	Reasonably Foreseeable	Existing	Reasonably Foreseeable	Existing	Reasonably Foreseeable	Existing	Reasonably Foreseeable
	West	29	0	39	11	2,322,764	0	174,207	83,713	8.9
Central-West	355	391	95	20	593,894	-177,240	25,336	0	0.4	0.4
Central-East	59	0	0	0	1,219,699	-139,461	200,100	268,071	0	0
East	0	0	0	0	680,544	691,558	5,366	360,238	7.3	8.2
<b>Total, Existing</b>	<b>443</b>	<b>--</b>	<b>134</b>	<b>--</b>	<b>4,816,899</b>	<b>--</b>	<b>405,009</b>	<b>--</b>	<b>17.2</b>	<b>--</b>
<b>Total, Reasonably Foreseeable</b>	<b>--</b>	<b>391</b>	<b>--</b>	<b>31</b>	<b>--</b>	<b>374,857</b>	<b>--</b>	<b>712,022</b>	<b>--</b>	<b>10.7</b>

Notes: The number of "Reasonably Foreseeable" units does not include the "Existing" units. The sum of the "Existing" and "Reasonably Foreseeable" units is the total amount of units that would be allowable per land - use category under the Implementation Guide.