



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

Community and Economic Development Agency  
Planning & Zoning Division

(510) 238-3941  
FAX 510) 238-6538  
TDD (510) 839-6451

**OAK TO NINTH MIXED USE DEVELOPMENT  
COMBINED NOTICE OF RELEASE AND AVAILABILITY OF THE  
DRAFT ENVIRONMENTAL IMPACT REPORT  
AND NOTICE OF PUBLIC HEARINGS**

**TO:** All Interested Parties

**SUBJECT:** **Notice of Availability** of Draft Environmental Impact Report  
for the Oak-to-Ninth Mixed Use Development Project

**REVIEW PERIOD:** **September 1, 2005 – October 24, 2005**

**CASE NO.:** ER 04-0009 (State Clearinghouse Number 2004062013)

**PROJECT SPONSOR:** Oakland Harbor Partners, 4670 Willow Road, Pleasanton, CA 94588

**PROJECT LOCATION:** Approximately sixty four acres bounded by Embarcadero Road, the Oakland Estuary, Fallon Street, and 10<sup>th</sup> Avenue, City of Oakland, County of Alameda

**PROJECT DESCRIPTION:** The project site is approximately 64.2 acres of waterfront property owned by the Port of Oakland and does not include the approximately six acres of privately held property on two sites along and east of 5<sup>th</sup> Avenue. The proposed project includes up to 3,100 residential units, 200,000 square feet of ground-floor commercial space, approximately 3,950 parking spaces, approximately 28.4 acres of new and improved parks and public open space including Estuary Park and a portion of the Bay Trail, the renovation of the Fifth Avenue Marina and the Clinton Basin Marina with a total of 170 boat slips, and a wetlands restoration area. The project is proposed to be constructed in phases over approximately eleven years. The site is currently occupied by a combination of commercial, warehouse and light industrial uses. The existing buildings on the site will be demolished with the exception of a portion of the Ninth Avenue Terminal shed building and the Jack London Aquatic Center. The portion of the site east of Lake Merritt channel is zoned M-40 Heavy Industrial and the portion west of the channel is zoned S-2/S-4 Civic Center/Design Review. The Estuary Policy Plan land use designations are Planned Waterfront District (PWD-1) and Park, Open Space and Promenades. As it pertains to the project area, construction of the proposed project will require amendments to the Estuary Policy Plan, the Central City East Redevelopment Plan, possibly the Central District Urban Renewal Plan, a rezoning and zoning code amendment because the property is not currently designated for residential or commercial uses, a preliminary and final development plan including design review approval, vesting tentative and final subdivision maps, a creek protection permit, a tree removal permit, a development agreement, and possibly other City approvals/actions. In addition, approvals or permits may also be required

from other agencies for activities such as modifications to the shoreline, demolition of structures, site remediation, wetlands restoration, local and regional access, and possible other activities.

**ENVIRONMENTAL REVIEW:** Based on an Initial Study, the City decided to prepare an Environmental Impact Report for the project. A Draft Environmental Impact Report (DEIR) was then prepared under the requirements of the California Environmental Quality Act (CEQA), pursuant to Public Resources Code Section 21000 *et. seq.* The DEIR analyzed potentially significant environmental impacts in the following environmental categories: Land Use Plans, and Policies; Transportation, Circulation, and Parking; Air Quality and Meteorological Conditions; Hydrology and Water Quality; Cultural Resources; Geology, Soils, and Seismicity; Noise; Hazardous Materials; Biological Resources; Population, Housing, and Employment; Visual Quality; Public Services and Recreation; and Utilities and Service Systems. The Draft EIR identified significant unavoidable environmental impacts related to: Transportation; Air Quality; Cultural Resources; and Noise. Copies of the DEIR are available for review or distribution to interested parties at no charge at the Community and Economic Development Agency, Planning Division, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612, Monday through Friday, 8:30 a.m. to 5:00 p.m. and at the Oakland Public Library, Social Science and Documents, 125 14<sup>th</sup> Street, Oakland, CA 94612.

### PUBLIC HEARINGS

<b>Wednesday, September 28, 2005, 6:30 p.m.</b>	Special Meeting of the City Planning Commission, Hearing Room 1, City Hall, One Frank H. Ogawa Plaza
<b>Wednesday, October 12, 2005, 4:30 p.m.</b>	Parks and Recreation Commission, Lakeside Park Garden Center, Ebell Room, 666 Bellevue Avenue, Oakland
<b>Monday, October 17, 2005, 6:00 p.m.</b>	Landmarks Preservation Advisory Board, Hearing Room 1, City Hall, One Frank H. Ogawa Plaza

The City of Oakland is hereby releasing this Draft EIR, finding it to be accurate and complete and ready for public review. Members of the public are welcome to attend these hearings and provide comments focusing on the sufficiency of the DEIR in discussing possible impacts to the environment as a result of this Project and ways those impacts may be avoided or minimized through mitigation measures. All comments received will be considered by the City prior to finalizing the EIR and to taking any further action pertaining to the Project.

Comments must be received **no later than 4:00 p.m. on Monday, October 24, 2005**, and should be sent to the attention of **Margaret Stanzione, Project Planner, City of Oakland, Community and Economic Development Agency, Planning Division, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, California 94612**. If you challenge the environmental document or other potential actions pertaining to the Project in court, you may be limited to raising only those issues raised at the public hearings described above or in written correspondence received by the Community and Economic Development Agency on or prior to **October 24, 2005**. For further information, please contact Margaret Stanzione at (510) 238-4932 or at [mstanzione@oaklandnet.com](mailto:mstanzione@oaklandnet.com).

---

CLAUDIA CAPPIO  
Development Director

Date of Notice: August 31, 2005