

2020080065

## Notice of Exemption

Appendix E

To: Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

County Clerk

County of: Alameda1106 Madison StOakland CA 94607

From: (Public Agency): \_\_\_\_\_

City of Emeryville

1333 Park Ave, Emeryville CA 94608

(Address)

Project Title: 40th Street Protected Bikeway and Multimodal ImprovementsProject Applicant: City of Emeryville

Project Location - Specific:

40th and Shellmound Streets from Oakland border to Ikea/Bay Bridge Trail entranceProject Location - City: EmeryvilleProject Location - County: Alameda

Description of Nature, Purpose and Beneficiaries of Project:

Two-way separated (Class IV) bike way on north side of street, east- and west-bound bus-only lanes, and multi-modal intersection improvements, to improve safety and attractiveness of pedestrian, bicycle and bus facilities, benefiting cyclists, pedestrians and bus passengers traveling in and through the City

Name of Public Agency Approving Project: City of EmeryvilleName of Person or Agency Carrying Out Project: City of Emeryville

Exempt Status: (check one):

☐ Ministerial (Sec. 21080(b)(1); 15268);☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));☒ Categorical Exemption. State type and section number: 15301(c), 15061(b)(3)☐ Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

15301(c): Minor alterations of existing highways and streets: Project is entirely on existing public right-of-way. 15061(b)(3) "common sense exemption": Project will not lead to increased motor vehicle traffic or disturb natural areas.

Lead Agency

Contact Person: Diana Keena, Associate Planner Area Code/Telephone/Extension: 510-596-4335

If filed by applicant:

1. Attach certified document of exemption finding. Page 2 of Resolution2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☒ NoSignature: Diana Keena Date: 7.20.2020 Title: Associate Planner☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_

Governor's Office of Planning &amp; Research

AUG 04 2020

STATE CLEARINGHOUSE

Revised 2011

## RESOLUTION NO. 20-17

**Resolution Of The City Council Of The City Of Emeryville Approving The 40<sup>th</sup> And San Pablo Bus Hub Project Draft Final Report And Appendices, Embodying The Revised Conceptual Design With Changes As Directed By The City Council On July 9, 2019 (CEQA Status: Exempt Pursuant To State CEQA Guidelines Sections 15301(c) And 15061(b)(3))**

**WHEREAS**, General Plan Policy T-P-36 states that "The City supports ... amenities to encourage transit use and increase pedestrian comfort around the Major Transit Hub at ... the 40<sup>th</sup> Street/San Pablo Avenue intersection."; and

**WHEREAS**, the Sustainable Transportation Plan, Pedestrian and Bicycle Plan, and the Capital Improvement Program all include projects to improve the 40<sup>th</sup>/San Pablo Bus Hub; and

**WHEREAS**, draft concept options were reviewed by community workshop attendees on August 22, 2018, the Planning Commission on August 23, 2018, the Public Art Committee on September 20, 2018, and the Bicycle/Pedestrian Advisory Committee on September 10, 2018; and

**WHEREAS**, on October 15, 2018, the City Council directed staff to prepare a design that extends to the IKEA entry, and includes a two-way separated bikeway on the north side of the street, an additional eastbound bus-only lane and conversion of a westbound travel lane to bus-only west of San Pablo Avenue, and elimination of parking and the bus stops at Harlan Street; and

**WHEREAS**, on December 19, 2018, the City Council confirmed this direction and further directed staff to study elimination of the left turn lane into the Target parking lot to eliminate illegal left turns from Target and reduce bicycle and pedestrian collisions; and

**WHEREAS**, in March of 2019 AC Transit, the Emeryville Transportation Management Agency which operates the Emery Go-Round, and Caltrans commented on draft designs; and

**WHEREAS**, on May 22, 2019, a second community workshop was held on the project; and

**WHEREAS**, on May 23, 2019, the Planning Commission unanimously voted to recommend approval of the 40<sup>th</sup> and San Pablo Bus Hub Project Conceptual Design Memorandum; and

**WHEREAS**, the Bicycle/Pedestrian Advisory Committee reviewed the conceptual design on June 3, 2019; and

**WHEREAS**, the Transportation Committee reviewed the conceptual design on June 13, 2019; and



**WHEREAS**, the City Council approved the 40<sup>th</sup> and San Pablo Bus Hub Project draft Conceptual Design Memorandum on July 9, 2019 and directed staff to address additional details; and

**WHEREAS**, the Pedestrian and Bicycle Committee reviewed the revised conceptual design on February 3, 2020; and

**WHEREAS**, the Transportation committee reviewed the revised conceptual design on February 13, 2020; and

**WHEREAS**, on March 3, 2020, the City Council reviewed the *40<sup>th</sup> and San Pablo Bus Hub Project Draft Final Plan* and Appendices, dated January 29, 2020, embodying the revised conceptual design; and

**WHEREAS**, the City Council has considered the public testimony, the staff report dated March 3, 2020, and the record as a whole; now, therefore, be it

→ **RESOLVED**, that the City Council of the City of Emeryville hereby finds that this project is exempt from environmental review under State CEQA Guidelines Section 15301(c), which applies to minor alterations of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities; and the "general rule" at Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the proposal may have a significant effect on the environment; and be it further

**RESOLVED**, that the City Council of the City of Emeryville hereby approves the *40<sup>th</sup> and San Pablo Bus Hub Project Draft Final Report* dated January 29, 2020, attached hereto as Exhibit A, and the *40<sup>th</sup> and San Pablo Bus Hub Project Final Report Appendices*, dated January 29, 2020, attached hereto as Exhibit B; and be it further

**RESOLVED**, that in the final engineering design the City will consider discouraging U turns in the Horton/40<sup>th</sup> intersection by adding narrow bollards between the eastbound left turn pocket and the westbound travel lane; and be it further

**RESOLVED**, that in the final engineering design, at the transition from the southbound bike lane on Shellmound Street to the two-way bike way on the east side of the street, the City will consider adding way finding signs saying how the bikeway continues to 40<sup>th</sup> Street; and be it further

**RESOLVED**, that in the final engineering design the City will consider working with Caltrans to make the connection to the Bay Bridge Trail one way and add a "Yield to Pedestrians" sign where the bikeway crosses the sidewalk, and a "Slow – Approaching Bay Bridge Trail" sign at the northbound bike lane; and be it further

**RESOLVED**, that in the final engineering design the City will consider providing physical

barriers to prevent unwarranted vehicles from entering the bikeway, along with green paint at entrances and conflict points; and be it further

**RESOLVED**, that in the final engineering design, if mountable curbs are required for truck turning radii on the bike protective islands in the protected intersections, the City will consider protecting cyclists by offsetting stop bars so cyclists do not stop in the mountable area; and be it further

**RESOLVED**, that in the final engineering design, at the crossings with traffic lights, the City will consider making signal activation by pedestrians and cyclists as accessible as possible; and be it further

**RESOLVED**, that in the final engineering design, the City will consider adding a feasibility traffic study for allowing right turn only onto some and off of some of the unsignalized streets that connect to 40<sup>th</sup> Street from the north (Watts, Haven, Hubbard and Holden Streets); and be it further

**RESOLVED**, that in the final engineering design, the City will consider diagonal movement of eastbound bicycle travel at the intersection of 40<sup>th</sup> Street and Adeline Street.

**ADOPTED** by the City Council of the City of Emeryville at a regular meeting held on Tuesday, March 3, 2020, by the following vote:

AYES:	5	Mayor Patz, Vice Mayor Martinez, and Council Members Bauters, Donahue, and Medina
NOES:	0	
ABSTAIN:	0	
ABSENT:	0	

ATTEST:

CITY CLERK

MAYOR

APPROVED AS TO FORM:

CITY ATTORNEY

**ATTACHMENTS:**

- Exhibit A: 40<sup>th</sup> and San Pablo Bus Hub Project Draft Final Report dated January 29, 2020
- Exhibit B: 40<sup>th</sup> and San Pablo Bus Hub Project Final Report Appendices dated January 29, 2020