

Introduced by

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OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality

Councilmember


Office of the City Attorney

2013 MAY 30 PM 4: 34
OAKLAND CITY COUNCIL

Resolution No. 84538 C.M.S.

RESOLUTION APPROVING THE INSTALLATION OF OFFICIAL TRAFFIC CONTROL STOP SIGNS FOR APGAR LANE AT ITS INTERSECTION AT TELEGRAPH AVENUE FOR THE MACARTHUR TRANSIT VILLAGE PROJECT

WHEREAS, pursuant to Resolution No. 83516 C.M.S., the Council of the City of Oakland conditionally approved the Final Map for Tract No. 8047 for the MacArthur Transit Village (MTV) project on July 26, 2011; and

WHEREAS, as a condition of approval of the Final Map, the developer of the MTV project, MacArthur Transit Community Partners LLC (MTCP), a California limited liability company (200419810042), is required to construct publicly maintained infrastructure improvements without cost to the City of Oakland, including the reconstruction of Apgar Street, which will be renamed Apgar Lane, from its existing intersection at Telegraph Avenue to its termination at the southeastern property boundary of the MTV project; and

WHEREAS, the intersection will introduce motor vehicles through turning movements into the traffic flow of Telegraph Avenue; and

WHEREAS, the Traffic Element of the General Plan of the City of Oakland designates Telegraph Avenue as an arterial street of the MTV project; and

WHEREAS, pursuant to the California Department of Transportation Traffic Manual section 1A.13.12, an arterial street is a general term denoting a street primarily used by through traffic; and

WHEREAS, pursuant to California Vehicle Code section 600, through streets have vehicular traffic from intersecting streets regulated by stop signs or traffic control signals; and

WHEREAS, pursuant to California Vehicle Code sections 21100 and 21400, local authorities may adopt regulations by resolution regarding the regulation of traffic by means of official traffic control devices; and

WHEREAS, pursuant to Oakland Municipal Code section 10.12.110, official traffic control devices are required to be installed at through street intersections; and

WHEREAS, the City Planning Commission certified the MacArthur Transit Village EIR (ER 06004) on June 4, 2008, and on July 15, 2008, pursuant to Ordinance No. 12883 C.M.S., the City Council independently confirmed and adopted as its own findings and determinations (i) the certification of the FEIR and adoption of the CEQA-related Findings made and adopted by the

Planning Commission on June 4, 2008, and (ii) the Conditions of Approval and Mitigation Monitoring and Reporting Program adopted by the Planning Commission on June 4, 2008, as modified in the July 1, 2008 City Council Supplemental Agenda Report; and

WHEREAS, the City Planning Commission adopted an addendum to said EIR determining that no further environmental review was required on March 16, 2011, and on May 17, 2011, pursuant to Resolution No. 83292 C.M.S., the City Council affirmed the Planning Commission's CEQA determination that no further environmental review was required; and

WHEREAS, the City of Oakland has reviewed and considered documentation relevant to the proposed subdivision and the EIR and hereby finds and determines that there are no changes to the project considered in the EIR, or circumstances under which it will be undertaken, or new information of substantial importance that requires preparation of a subsequent or supplemental EIR, as specified in CEQA and the CEQA Guidelines, including without limitation, Public Resources Code Section 2116 and CEQA Guidelines Section 15162 and 15163; and the requirements of CEQA and the CEQA Guidelines have been satisfied; now, therefore, be it

RESOLVED: That the installation of an official traffic control stop sign at the intersection of Apgar Lane at Telegraph Avenue complies with CEQA; and be it

FURTHER RESOLVED: That pursuant to California Vehicle Code sections 21100 and 21400, the Council of the City of Oakland hereby designates Telegraph Avenue as a through street for the purpose of installing official traffic control stop signs at the intersections of Apgar Lane, and be it

FURTHER RESOLVED: That pursuant to Oakland Municipal Code section 10.12.110, the installation of an official traffic control stop sign at the intersection of Apgar Lane and Telegraph Avenue, as shown in *Exhibit A* attached hereto, is hereby approved.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 16 2013, 2013

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON McELHANEY, KALB, KAPLAN, REID, SCHAAF,
AND PRESIDENT KERNIGHAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

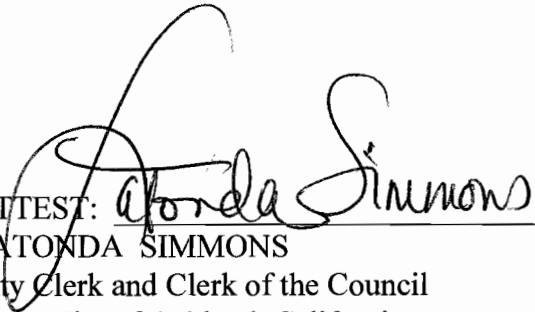
ATTEST: 
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

EXHIBIT A

Stop Sign Location Schematic

