

CITY OF OAKLAND

AGENDA REPORT

2010 JUL -8 PM 2: 56

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Community and Economic Development Agency
DATE: July 20, 2010

RE: **Conduct A Public Hearing And Upon Conclusion Adopt A Resolution For The Preferred Land Use Alternative For The Central Estuary Specific Plan Or Other Appropriate Zoning Amendment And To Have That Preferred Alternative Subject To California Environmental Quality Act Review. The Preferred Alternative Includes: 1) West Subarea: Mixed-Use Infill, Strengthening Of The Existing Specialty Food Producing Industrial Area; (2) Central West Subarea: Preservation Of The Existing Neighborhood Including Live/Work Uses; (3) Central-East Subarea: No Change From Existing Conditions At The Owens Brockway Site And Retail/Commercial Use Between High Street And (The New Alignment For) 42nd Street; And (4) East Subarea: Commercial-Industrial Mix, Similar To The Existing CIX-1 Zone, In The Area At The Tip Of Tidewater, Adjacent To Martin Luther King Jr. Regional Shoreline Park With Research And Development (R&D) Uses To The North And West**

SUMMARY

At its meeting on April 20, 2010, the City Council passed a motion to adopt the recommendation of the Community and Economic Development Committee regarding the Preferred Land Use Alternative for Subareas 1-3 of the Central Estuary, and to delay the decision on Subarea 4 (the East Subarea), to give stakeholders additional time to negotiate an agreement about the type of development for the tip of Tidewater area. Stakeholders met and reached agreement so that the East Subarea is commercial-industrial mix, similar to the existing CIX-1 zone, in the area at the tip of tidewater, adjacent to Martin Luther King Jr. Regional Shoreline Park, with research and development (R&D) uses to the north and west. The resolution accompanying this supplemental report presents that agreement as part of a Preferred Land Use Alternative for the Central Estuary.

PROGRAM DESCRIPTION

The Preferred Land Use Alternative includes: (1) West Subarea: mixed-use infill, strengthening of the existing specialty food producing industrial area; (2) Central West Subarea: preservation of the existing neighborhood including live/work uses; (3) Central-East Subarea: no change from existing conditions at the Owens Brockway site and retail/commercial use between High Street and (the new alignment for) 42nd Street; and (4) East Subarea: commercial-industrial

Item:

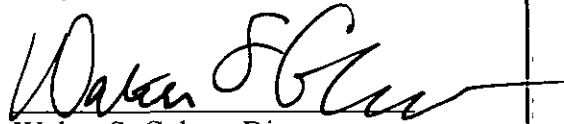
City Council
July 20, 2010

mix, similar to the existing CIX-1 zone, in the area at the tip of Tidewater, adjacent to Martin Luther King Jr. Regional Shoreline Park with Research and Development (R&D) uses to the north and west (see *Exhibit A* of the proposed resolution for the Preferred Land Use Alternative Map).¹ The CIX-1 designation prohibits housing and is "...appropriate for a wide variety of businesses and related commercial and industrial establishments. This zone is intended to accommodate existing older industries and provide flexibility in order to anticipate new technologies. Large-scale commercial and retail uses will be limited to sites with direct access to the regional transportation system." The maximum development intensity consists of a 4.0 floor-area-ratio (FAR) beyond 300 feet from a residential zone (2.0 FAR if within 300 feet of a residential zone).

ACTION REQUESTED OF THE CITY COUNCIL

Staff requests that the Council adopt a preferred alternative, described under the Program Description section of this report, as a basis for development of the draft Specific Plan or other appropriate zoning amendments.

Respectfully submitted,



Walter S. Cohen, Director
Community and Economic Development Agency

Reviewed by:
Eric Angstadt, Deputy Director

Prepared by:
Alicia Parker, Planner II
Strategic Planning

APPROVED AND FORWARDED TO THE
CITY COUNCIL:



Office of the City Administrator

¹ *Exhibit A: Preferred Land Use Alternative* of the City Council Resolution 7/20/10, as well as maps referenced in previous supplemental reports, including the *CED Committee Recommended Land Use Alternative* and the *Community Preferred Alternative* and Existing Uses and are also available online on the Central Estuary Plan website at www.oaklandnet.com/central_estuary_plan. Click on "Plan Documents").

Item: _____

City Council
July 20, 2010

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2010 JUL -8 PM 2:56

Revised for City Council 7/20/10

Approved as to Form and Legality

Mark P. Wald
Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION TO ADOPT A PREFERRED LAND USE ALTERNATIVE FOR THE CENTRAL ESTUARY SPECIFIC PLAN OR OTHER APPROPRIATE ZONING AMENDMENT AND TO HAVE THAT PREFERRED ALTERNATIVE REVIEWED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. THE PREFERRED ALTERNATIVE INCLUDES: (1) WEST SUBAREA: MIXED-USE INFILL, STRENGTHENING OF THE EXISTING SPECIALTY FOOD PRODUCING INDUSTRIAL AREA; (2) CENTRAL WEST SUBAREA: PRESERVATION OF THE EXISTING NEIGHBORHOOD INCLUDING LIVE/WORK USES; (3) CENTRAL-EAST SUBAREA: NO CHANGE FROM EXISTING CONDITIONS AT THE OWENS BROCKWAY SITE AND RETAIL/COMMERCIAL USE BETWEEN HIGH STREET AND (THE NEW ALIGNMENT FOR) 42ND STREET; AND (4) EAST SUBAREA: COMMERCIAL-INDUSTRIAL MIX, SIMILAR TO THE EXISTING CIX-1 ZONE, IN THE AREA AT THE TIP OF TIDEWATER, ADJACENT TO MARTIN LUTHER KING JR. REGIONAL SHORELINE PARK, WITH RESEARCH AND DEVELOPMENT (R&D) USES TO THE NORTH AND WEST.

WHEREAS, on July 10, 2007, the Oakland City Council directed that a Specific Plan and related Environmental Impact Report (EIR) be prepared for the Central Estuary Area which generally encompasses 19th Avenue to the north, 54th Avenue to the south, I-880 to the east and the Bay to the west; and

WHEREAS, on January 9, 2009, after a competitive bidding processes, the City of Oakland entered into a Professional Services Contract with the firm of Community Design + Architecture to work with the City to prepare the Specific Plan and related EIR; and

WHEREAS, a series of six community workshops have been held to develop a vision, review existing conditions, and develop land use alternatives for the Plan Area; and

WHEREAS, the community workshops have been well attended: Community Workshop #1 had over 70 participants, Community Workshop #2 had over 60 participants, Community Workshop #3 had over 40 participants, Community Workshop #4 had 35 participants, Community Workshop #5 had nearly 40 participants, and Community Workshop #6 had approximately 38 participants; and

WHEREAS, the sixth Community Workshop, attended by approximately 38 participants, was devoted to selecting a community preferred land use alternative to serve as the basis for the Specific Plan. The workshop resulted in general consensus among the participants about a preferred land use alternative; and

WHEREAS, the *Community Preferred Alternative* includes: (a) West Subarea: Mixed-Use Infill, strengthening the existing specialty food producing industrial area; (2) Central West Subarea: preservation of the existing neighborhood including live/work uses; (3) Central East Subarea: new mixed-use residential development; and (4) East Subarea: industrial uses and limited residential development buffered by research and development; and

WHEREAS, the *Community Preferred Alternative* was presented to two advisory boards, the Parks and Recreation Advisory Committee (on December 9, 2009) and the Landmarks Preservation Advisory Board (on December 14, 2009), and both bodies recommended adoption of the community preferred land use alternative, with some comments as detailed in the City Council Agenda Report; and

WHEREAS, on December 16, 2009, the City Planning Commission, at a duly noticed public hearing considered the *Community Preferred Alternative* and scheduled a subsequent meeting to recommend adoption of the preferred alternative to the Community and Economic Development Committee of the City Council (CED Committee); and

WHEREAS, on January 20, 2010, the City Planning Commission, at a duly noticed continued public hearing considered the *Community Preferred Alternative* and recommended its adoption, with some comments as detailed in the Supplemental City Council Agenda Report; and

WHEREAS, on February 9, 2010, the CED Committee considered the *Community Preferred Alternative* and scheduled a subsequent meeting to continue such discussions; and

WHEREAS, on March 23, 2010, the CED Committee discussed modifications to the *Community Preferred Alternative* including the proposed land uses envisioned for the Owens Brockway site (Central East Subarea) and the South of Tidewater Area, (East Subarea); there was general consensus about the proposals for the areas west of Fruitvale Avenue that are part of the *Community Preferred Alternative* (West and Central West Subareas); and

WHEREAS, on March 23, 2010, the CED Committee forwarded the following land use alternative to the City Council for approval: (1) West Subarea: mixed-use infill, strengthening the existing specialty food producing industrial area; (2) Central West Subarea: preservation of the existing neighborhood including live/work uses; (3) Central-East Subarea: no change from existing conditions at the Owens Brockway site and retail/commercial use between High Street and (the new alignment for) 42nd Street; and (4) East Subarea: mixed use as defined in the Estuary Policy Plan, adjacent to Martin Luther King Jr. Regional Shoreline Park, with research and development (R&D) uses to the north and west (CED Committee Recommended Land Use Alternative); and

WHEREAS, on April 20, 2010, the City Council discussed the CED Committee Recommended Land Use Alternative at a duly noticed public hearing and adopted Resolution No. 82688 C.M.S., which adopted the CED Committee Recommended Land Use alternative for Subareas 1-3 and delayed the decision on Subarea 4, to give stakeholders in the surrounding area additional time to negotiate an agreement about the type of development for the tip of Tidewater area; and

WHEREAS, the stakeholder negotiations yielded a modified vision for the tip of Tidewater area; and

WHEREAS, on July 20, 2010, the City Council conducted a duly noticed public hearing; now, therefore, be it

RESOLVED, that the City Council adopts the Preferred Land Use Alternative to serve as the basis for the preparation of the Specific Plan or other appropriate zoning amendment and related environmental review, so that the East Subarea is commercial-industrial mix, similar to the existing CIX-1 zone, in the area at the tip of tidewater, adjacent to Martin Luther King Jr. Regional Shoreline Park, with research and development (R&D) uses to the north and west, as shown in Exhibit A.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT BRUNNER

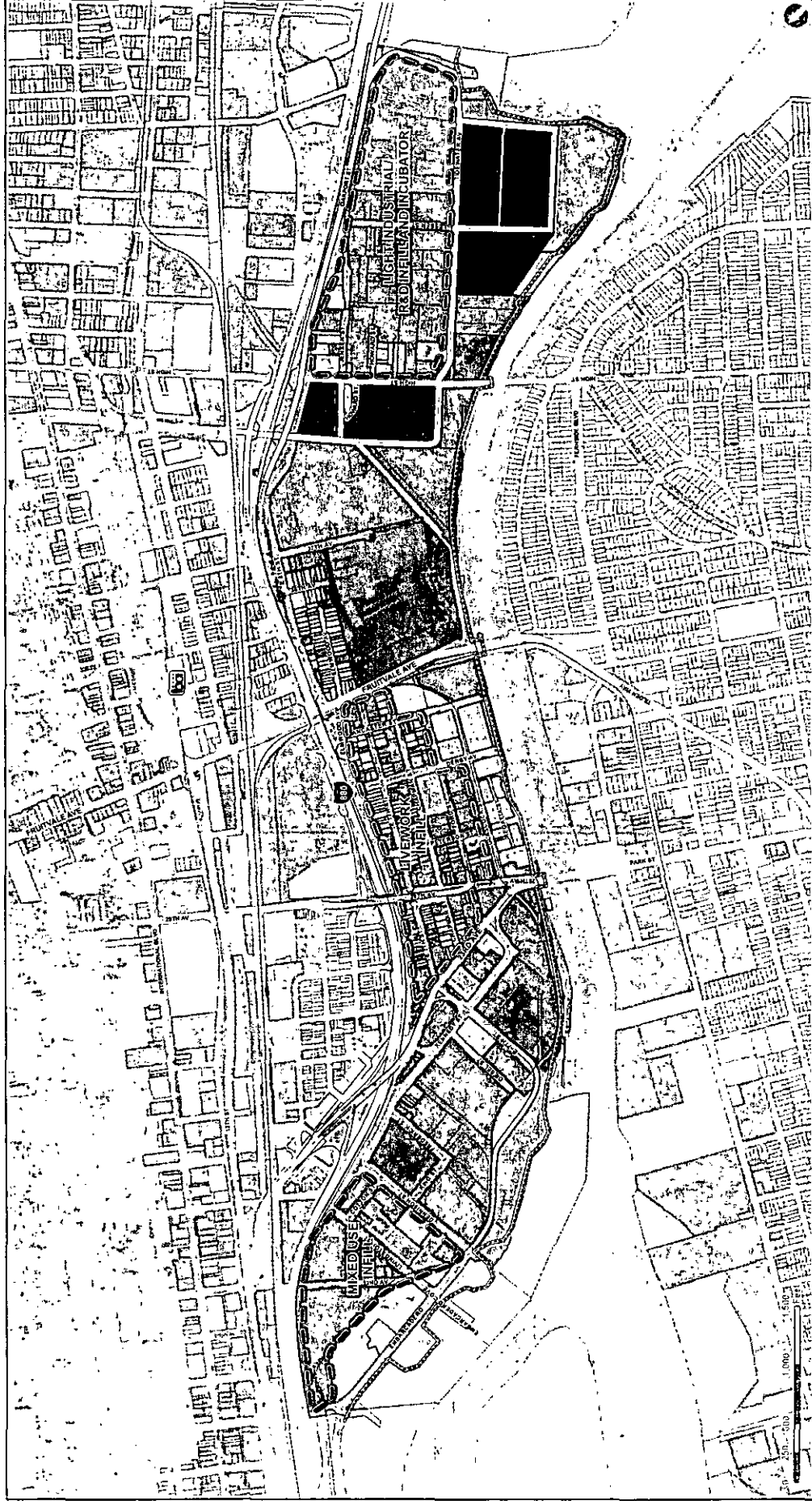
NOES -

ABSENT -

ABSTENTION -

ATTEST:

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



Source: City of Oakland 2000; Urban Explorer 1999; Data & Graphics 2000; Community Design - Architects 2010

July 7, 2010



Preferred Land Use Alternative

- | | | | | | |
|--------------------------|--------------------|----------------|-------------------------------|-----------------|----------------------|
| Existing Land Use | Single Family Res | Commercial | Automobile | Bay (rail) | Other Features |
| Industrial (Heavy) | Medium Density Res | Industrial Mix | Utilities | Rail (non-BART) | Underpass |
| Industrial (Light) / R&D | Live/Work | Office | Parks | Public Street | Pedestrian Underpass |
| Industrial (Warehouse) | Mixed Use | Institutional | R&D In-Building | | |
| Vacant or Parking Lot | Retail/Commercial | Publicly Owned | R&D In-Building and Incubator | | |