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Approved as to Form and Legality

Mark P. Wall
Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 82688 C.M.S.

Introduced by Councilmember _____

RESOLUTION TO ADOPT A PREFERRED LAND USE ALTERNATIVE FOR THE CENTRAL ESTUARY SPECIFIC PLAN 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: MIXED USE AS DEFINED IN THE ESTUARY POLICY PLAN IN THE AREA AT 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) as shown in *Exhibit A*; and

WHEREAS, on April 20, 2010, the City Council conducted a duly noticed public hearing and accepted and approved the CED Committee Recommended Alternative for Subareas 1-3 and delayed action on Subarea 4, pending results of stakeholder negotiations about the type of development for the tip of Tidewater area; now, therefore, be it

RESOLVED, that the City Council adopts the CED Committee Recommended Alternative for Subareas 1-3 (*Exhibit A*) to serve as the basis for the preparation of the Specific Plan and related EIR, but takes no action with respect to Subarea 4 pending results of stakeholder negotiations about the type of development for the tip of Tidewater area.

IN COUNCIL, OAKLAND, CALIFORNIA, APR 20 2010

PASSED BY THE FOLLOWING VOTE:

AYES - ~~Brooks~~, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT BRUNNER - 7

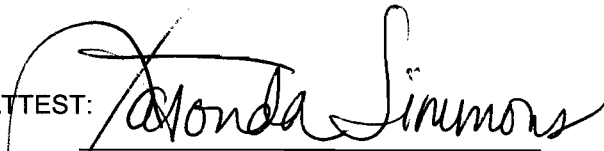
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brooks - 1

ATTEST:


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