

2012 MAY 31 PM 1:31
RESOLUTION NO. 83930 C.M.S.

A RESOLUTION APPROVING AMENDMENTS TO THE (FORMER) OAKLAND ARMY BASE FINAL REUSE PLAN RELATING TO A REVISED CONCEPTUAL LAND USE STRATEGY EMPHASIZING WAREHOUSING/ LOGISTICS, AND AUTHORIZING CITY STAFF TO MAKE ANY AND ALL NECESSARY CONFORMING CHANGES WITHOUT RETURNING TO CITY COUNCIL

WHEREAS, the Oakland Army Base (OARB) was identified for closure in 1995 by the Defense Base Closure and Realignment Commission and approved for closure by the President of the United States pursuant to the Defense Authorization Amendments and Base Closure and Realignment Act of 1988 Public Law 150206 and the Defense Base Closure and Realignment Act of 1990 Public Law 150101 Acts as amended; and

WHEREAS, on July 31, 2002 the Oakland City Planning Commission certified the Oakland Army Base Redevelopment Plan EIR, which analyzed the environmental impacts associated with the development of 1,800-acre OARB Redevelopment Plan area, and adopted all appropriate California Environmental Quality Act (CEQA) findings; and

WHEREAS, on July 31, 2002 the Oakland Base Reuse Authority (OBRA) passed Resolution No 21002-17 adopting the Final Reuse Plan for the Oakland Army Base (“Final Reuse Plan”) and thereby endorsing a conceptual reuse scenario entitled “Flexible Alternative” which included a mix of land uses for the area including waterfront light industrial maritime support research and development, “flex-office,” selected retail and possibly a hotel, as shown in *Exhibit A*; and

WHEREAS, the Oakland City Council certified, by Resolution No. 80301 C.M.S., on December 5, 2006, the Supplemental Environmental Impact Report for the Oakland Army Base Auto Mall Project, which analyzed the environmental impacts associated with development of an auto mall and relocation of ancillary maritime support services, and certified by Resolution No. 81004 C.M.S. on December 18, 2007 the First Addendum to the SEIR, and adopted all appropriate CEQA findings and amended the Final Reuse Plan; and

WHEREAS, the Automall CEQA documents were legally challenged by EBMUD and in 2009 the trial court ruled they could not be used as it relates to discharges from new development into an existing 15-inch sewer line and vacation/relocation of Wake Avenue, but were valid in all other respects; and

WHEREAS, in 2010, an Exclusive Negotiating Agreement (ENA) was executed with Prologis/CCIG as the master developer to lead the master planning effort for the former Oakland Army Base (OARB), and; subsequently, the City and the master developer entered into a Second Amendment to the ENA, whereby the City agreed to fund up to \$14.1 million towards the necessary planning and engineering studies to create a master plan for the OARB, and to

subsequently proceed to construction documents, with a goal of being under construction in June 2013, and;

WHEREAS, the master plan for the former OARB, which includes City- and Port-owned areas, and an approximately 14-acre Port-owned area around 7th and Maritime Streets proposes a revised Conceptual Land Use Strategy emphasizing warehousing/logistics (known as “the 2012 OARB Project”), as shown in *Exhibit B*; and

WHEREAS, while the 2012 OARB Project proposes more warehousing and logistics uses than was specifically noted in the 2002 Final Reuse Plan (and studied as part of the 2002 OARB Redevelopment Plan Area EIR), it is still consistent with the intent of the Final Reuse Plan, which was to establish a broad envelope of probable land uses/market activities that could change over time in order to reflect market and economic conditions; and

WHEREAS, the City Council wishes to further amend the Final Reuse Plan in order to reflect the 2012 OARB Project master plan developed by CCIG/Prologis in consultation with the City and the Port; and

WHEREAS, the City previously prepared and certified/adopted the 2002 Oakland Army Base (“OARB”) Redevelopment Plan Environmental Impact Report, which was a “project level” EIR pursuant to California Environmental Quality Act (“CEQA”) Guidelines section 15180(b); the 2006 OARB Auto Mall Supplemental EIR and 2007 Addendum; and the 2009 Addendum for the Central Gateway Aggregate Recycling and Fill Project; while the Port prepared and adopted the Port’s 2006 Maritime Street Addendum (collectively called “Previous CEQA Documents”); and

WHEREAS, the development of the 2012 OARB Project is partially dependent on funding through the Trade Corridor Improvement Fund (TCIF) program, which is administered by the California Transportation Commission (CTC); now therefore be it

RESOLVED: That the Final Reuse Plan for the Oakland Army Base is further amended to reflect the 2012 OARB Project, as set forth in *Exhibit B* attached hereto and incorporated herein by reference; and be it

FURTHER RESOLVED: That the City Council authorizes City staff to make any and all necessary conforming changes to the Final Reuse Plan to reflect the revised 2012 OARB Project Conceptual Land Use Strategy and update information as set forth in *Exhibit B* attached hereto and incorporated herein by reference without returning to City Council; and be it

FURTHER RESOLVED: That, the City Council, based upon its own independent review, consideration, and exercise of its independent judgment, hereby finds and determines, on the basis of substantial evidence in the entire record before the City, that none of the circumstances necessitating further CEQA review are present. Thus, prior to amending the Final Base Reuse Plan to reflect the 2012 OARB Project, the City has relied upon on the Previous CEQA Documents and the 2012 OARB Initial Study/Addendum; and be it

FURTHER RESOLVED: That, specifically, the City Council affirms and adopts as its own findings and determinations the June 12, 2012, City Council Agenda Report, including without limitation the discussion, findings, conclusions, specified conditions of approval (including the Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (“SCA/MMRP”)), and the CEQA findings contained in *Attachment C* of the Agenda Report,

each of which is hereby separately and independently adopted by this Council in full, as if fully set forth herein; and be it

FURTHER RESOLVED: The City Council finds and determines that this action complies with CEQA and the Environmental Review Officer is directed to cause to be filed a Notice of Determination with the appropriate agencies; and be it

FURTHER RESOLVED: The record before this Council relating to this action, includes without limitation those items listed in *Attachment C* of the Agenda Report, as if fully set forth herein, which are available at the locations listed said Exhibit; and be it

FURTHER RESOLVED: That the City Council authorizes City staff to make any changes to the Final Reuse Plan required by the CTC that will preserve TCIF funds for the development of the 2012 OARB Project without returning to City Council; and be it

FURTHER RESOLVED: That the recitals contained in this Resolution are true and correct and are an integral part of the City Council decision.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 19 2012, 20

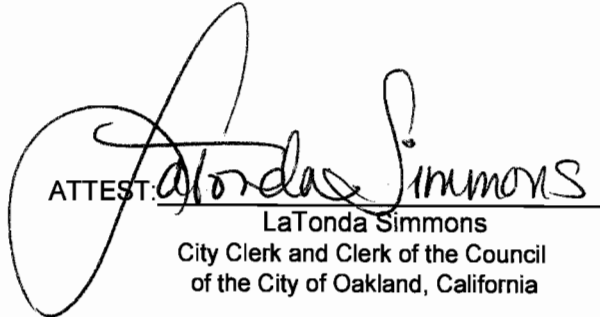
PASSED BY THE FOLLOWING VOTE:

AYES - ~~BRUNNER~~, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID - 7

NOES - 0

ABSENT - 0

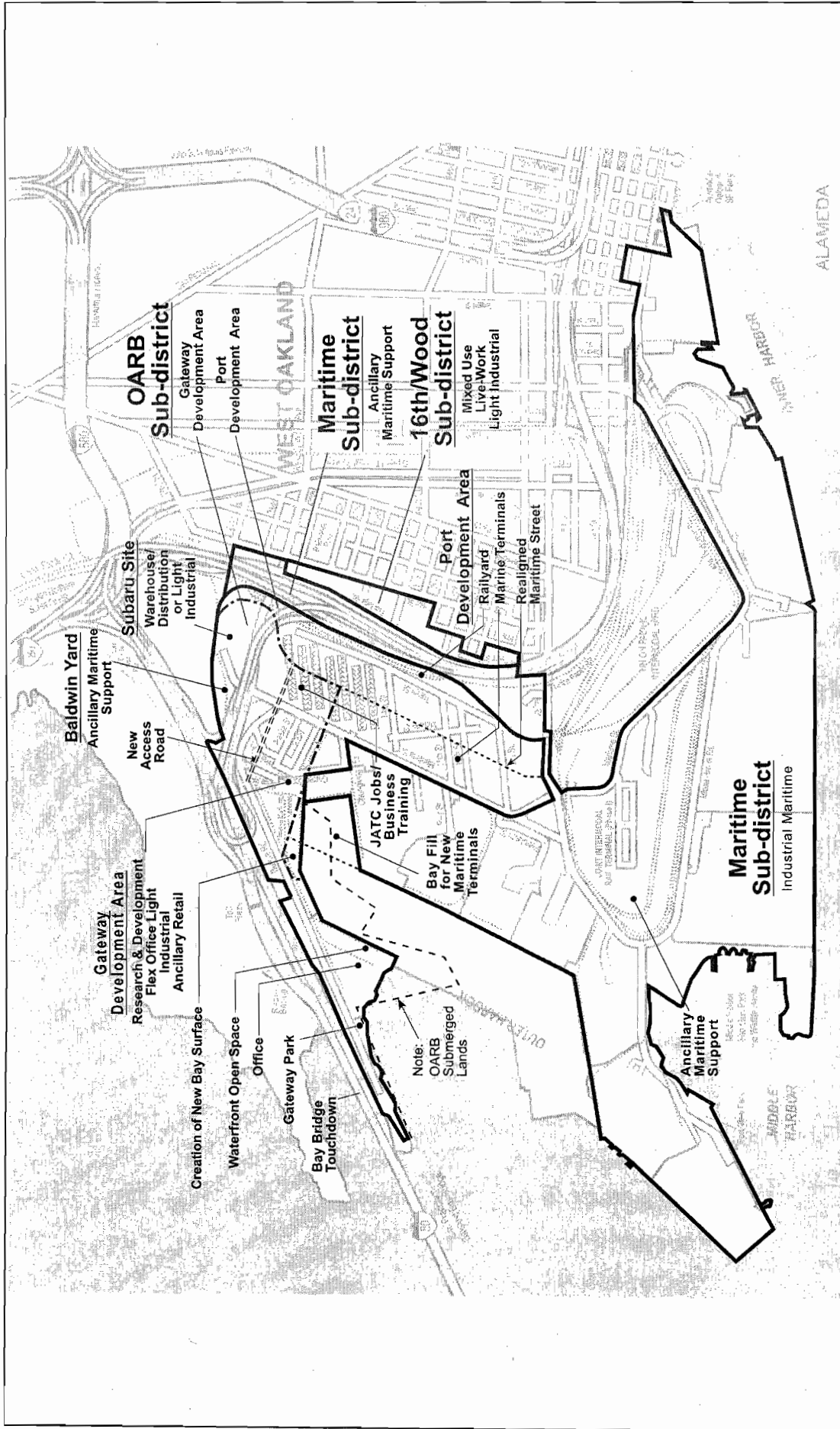
ABSTENTION - Brooks - 1

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION: _____

EXHIBIT A

**Flexible Alternative Land Use Strategy
(2002 EIR/Base Reuse Plan)**

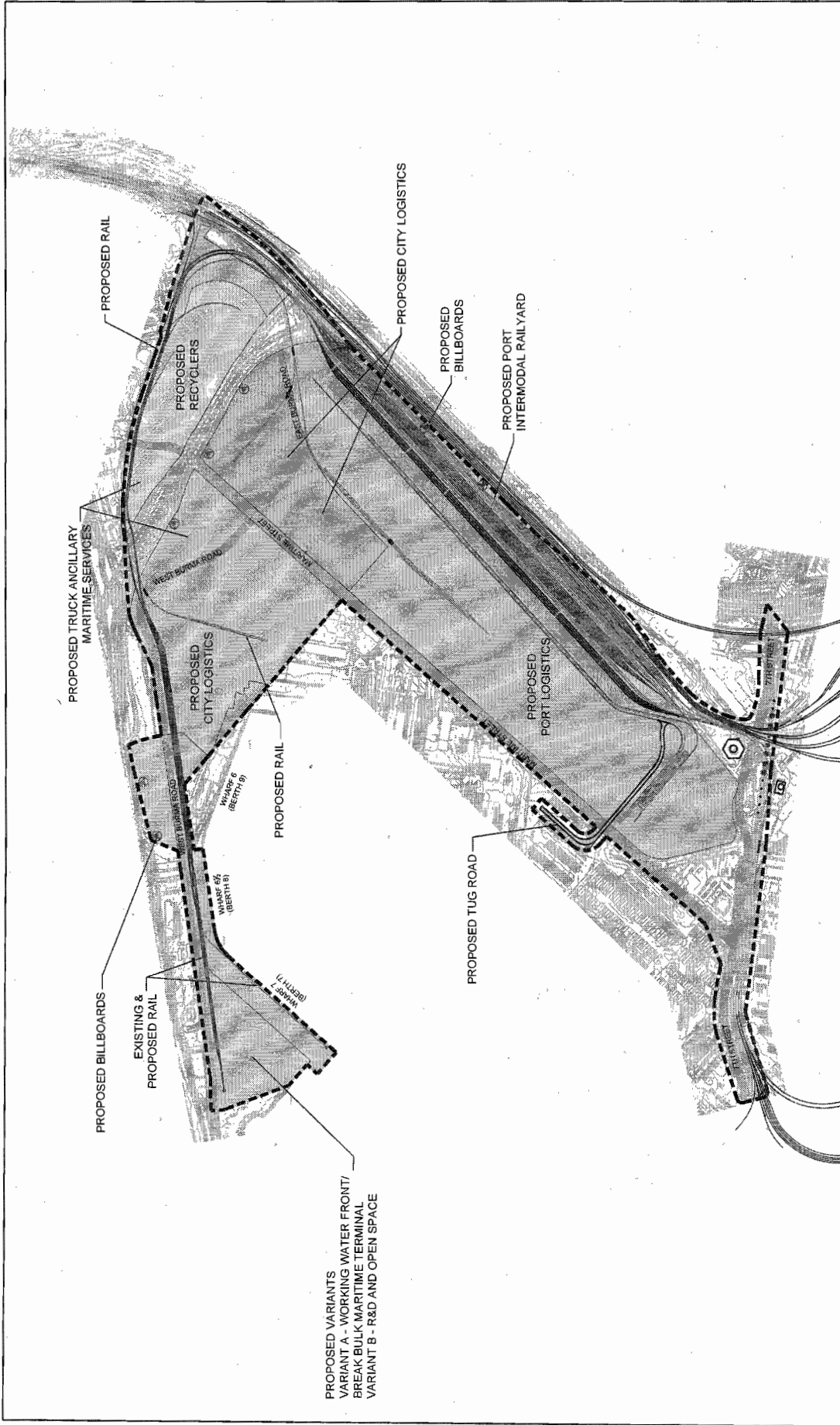


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FIGURE 1-1

EXHIBIT B

**Revised Conceptual Land Use Strategy
(2012 OARB Project)**



LSA

FIGURE 1-2

Table 1-1: Comparison of 2002 Project and 2012 Project

OARB Sub-District	Land Use	2002 Project ¹		2012 Project			
		Square Feet	Acres ²	Variant A Working Waterfront Square Feet	Variant A Acres	Variant B R&D/Open Space Square Feet	Variant B Acres
Gateway Development Area (GDA)	Light Industry	494,000	-	-	-	-	-
	Recycling Facilities	-	-	379,605	25	-	-
	Retail	25,000	-	-	-	-	-
	Ancillary Maritime Services ³	n/a	15	37,673	15	-	-
	Office, R&D	1,528,000	-	-	-	175,000	11
	Warehouse/Distribution	300,000	-	1,089,223	94	942,763	82
	Five (5) Billboards	-	-	n/a	Included	Same as Variant A	-
	Building Development Subtotal	2,347,000	183	1,506,501	133	1,535,041	133
	Roadways ⁴	n/a	Included	864,450	20	Same as Variant A	-
	Rail Right-of-Way	-	-	124,200	3	-	-
	Utilities	n/a	Included	n/a	Included	-	-
	Wharf Reuse/Repair ⁵	n/a	Included	504,600	13.1	91,100	2.1
	Infrastructure Subtotal⁶	-	-	124,200	23	124,200	23
Public Access or Park ⁷	n/a	10	n/a	3	n/a	12	
GDA Subtotal⁸	2,347,000	193	1,506,501	159	1,535,041	168	
Port Development Area	Warehouse/Distribution	-	-	882,88	97	Same as Variant A	-
	Ancillary Maritime Services	n/a	2	n/a	Included	-	-
	Four (4) Billboards	-	-	n/a	Included	882,881	97
	Building Development Subtotal	-	2	882,881	97	882,881	97
	Port Rail Terminal ⁹	n/a	130	2,664,400	61	Same as Variant A	-
	Roadways ⁴	n/a	Included	657,550	15	-	-
	Utilities	n/a	Included	n/a	Included	-	-
	Marine Terminals and Cargo Throughput ⁸	n/a	55	n/a	Not included as part of this project	-	-
	Infrastructure Subtotal⁶	n/a	185	2,664,400	76	2,664,400	76
	Port Development Area Subtotal⁶	n/a	187	3,547,281	173	3,547,281	173
TOTAL		2,347,000	380	2,389,382	332	2,417,922	341

Note: All property and building measurements are approximate.

¹ The approximately 360-acre 2012 Project is almost entirely on the Oakland Army Base portion of the Oakland Army Base Redevelopment Area. What is shown under the 2002 Project only includes the development that was proposed in the same geographic area of the 2012 Project.

² Acres refers to total land area occupied by this use, not proposed building square footage.

³ Ancillary Maritime Services (AMS) uses may include a variety of port-related transportation supporting facilities, including and not limited to: truck parking; cargo storage and other maritime support services. The 2012 Project does not include a change in AMS uses but does include a change in location.

Table notes continued on next page.

- 4 Includes the following changes: 1) Maritime Street will not be relocated and will be improved in same general location through the Gateway Development Area to the Gateway Peninsula; Burma Road (West Burma) will be relocated south of its current alignment in the Central Gateway, and connect to a new Access Roadway (East Burma) east of Maritime; 2) Under the highway there will be no change from what was studied in the 2002 EIR; 3) changes proposed to Grand Avenue at-grade were required mitigation as part of the 2002 EIR at Grand Avenue/Maritime Street; 4) two variants for 7th Street grade separation are included.
- 5 As noted in Footnote 17 (p.3-29 of the 2002 EIR), Wharf 7 and the majority of Wharf 6 ½ would remain and be reused.
- 6 Wharf repair/reuse and roadways are not included in the calculations for any of the building or infrastructure subtotals or total development.
- 7 The 2002 EIR included 29 acres of park/public access which consisted of 10 acres of shoreline access and 19 acres for a Gateway Park to be developed by EBRPD. The 2012 Project area does not include the 19-acre Gateway Park. Gateway Park is in the early planning stages being led by EBRPD and a consortium of agencies.
- 8 The new marine terminal in the OARB Sub-district and the Maritime Sub-district ("New Berth 21") studied in the 2002 EIR continue to be part of the Port's development plan. However, these improvements will not be constructed as part of the 2012 Project but are considered a cumulative project. 4.05 million twenty-foot equivalent units (TEU) of container cargo throughout was cleared through the 2002 OARB EIR.
- 9 The Port's Joint Intermodal Terminal, which is not located on the OARB property, will be retained; the 2002 EIR considered demolishing that rail yard.

Source: City of Oakland, Port of Oakland, CCIIG, 2012.