

APPROVED AS TO FORM AND LEGALITY:


Deputy City Attorney

OFFICE OF THE CITY CLERK
OAKLAND

2004 OCT 13 PM 5:17

OAKLAND CITY COUNCIL
RESOLUTION NO. 78892 C. M. S.

RESOLUTION DESIGNATING A CALTRANS-OWNED PARCEL ON SEVENTH STREET IN WEST OAKLAND AS AN "INFILL OPPORTUNITY ZONE" WHICH WILL FACILITATE HOUSING AND MIXED USE DEVELOPMENT BY MODIFYING TRAFFIC STANDARDS

WHEREAS, the State of California enacted the Transit Village Development Planning Act of 1994 to encourage infill housing and mixed use commercial developments within walking distance of mass transit facilities, downtowns, and town centers; and

WHEREAS, the broader benefits of regional traffic congestion reduction are achieved by development of new residential and mixed use development within one-third mile of mass transit stations; and

WHEREAS, California Government Code Sections 65088.1(g) and 65088.4 allow a city to designate by resolution an area zoned for new compact residential or mixed-use development within one-third mile of a mass transit station as an "infill opportunity zone," if certain findings are made; and

WHEREAS, the statute provides that the city in which the infill opportunity zone is located shall ensure that a development project be completed within the infill opportunity zone not more than four years after the date on which the city adopted its resolution; and

WHEREAS, if no development project is completed within the time limit imposed by the statute, the infill opportunity zone will automatically terminate; and

WHEREAS, an approximately 2.6 acre parcel on Seventh Street in West Oakland now owned by Caltrans, Assessors Parcel Number 004 0051 018 00, described in Exhibit A attached to this Resolution (the "Caltrans parcel"), if developed as a residential or mixed-use commercial site, would be consistent with the current zoning and general plan designation (S-15 Transit Oriented Development/ Community Commercial general plan designation); and

WHEREAS, the Caltrans parcel was identified in the West Oakland Transit Village Action Report as an "opportunity site," and qualifies to be designated as an infill opportunity zone per California Government Code Sections 65088.1(g) and 65088.4 through the adoption of this Resolution; now, therefore, be it

RESOLVED: That the City Council hereby finds and determines that the designation of the Caltrans parcel as an infill opportunity zone would be consistent with the general plan and the *West Oakland Transit Village Action Study*; and be it further

RESOLVED: That the City Council hereby designates the Caltrans parcel as an infill opportunity zone, per Government Code Section 65088.4(c); and be it further

RESOLVED: That the City Council hereby authorizes the City Administrator or her designee to take any appropriate action with respect to said designation consistent with this Resolution and its basic purposes.

NOV 16 2004

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2004
PASSED BY THE FOLLOWING VOTE:

AYES- ~~BROOKS~~, BRUNNER, CHANG, NADEL, QUAN REID, WAN AND
PRESIDENT DE LA FUENTE - 7

NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused - Brooks - 1

ATTEST: *CEDA FLOYD*
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

EXHIBIT A Caltrans-owned parcel
Seventh St, West Oakland

