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TO: Office of the City Administrator

ATTN: Dan Lindheim

FROM: Community and Economic Development Agency

DATE: April 20, 2010

RE: **A Supplemental Report Summarizing the Recommendations of the Community and Economic Development (CED) Committee on a Preferred Alternative for the Central Estuary Specific Plan.**

SUMMARY

This supplemental report summarizes the recommendations to the City Council from the Community and Economic Development Committee (CED) at its March 23rd meeting, regarding a preferred alternative for the Central Estuary Plan. The discussion was a continuation from the February 9th CED Committee meeting which focused on the proposed land uses envisioned for the Owens Brockway site (Central East Subarea) and the South of Tidewater Area, east of Hansen Aggregates (East Subarea); there was general consensus about the proposals for the areas west of Fruitvale Avenue that are part of the *Community Preferred Alternative*.¹

There were 15 public speakers on this item, approximately two-thirds of whom spoke in favor of retaining land for industrial job-generating uses (manufacturing, Port/maritime-related industrial) as opposed to residential uses; these comments were evenly divided among those which specifically called out for Owens Brockway to remain designated for industrial uses, and those which called out the South of Tidewater area as an inappropriate area for housing, and advocated for continued designation for industrial uses. The remaining comments related to general support for the compatibility of industrial/commercial uses to be adjacent to residential uses (if designed properly), citing both examples within and outside the Plan Area (e.g. Jingtletown), and stated that the success of the Central Estuary Plan depended on looking towards future trends and viability rather than past uses to create a preferred alternative.

After hearing public comment and discussing the item, the CED Committee made and passed a motion to recommend the *Community Preferred Alternative* with the following revisions:

- (A) Preserve existing uses on the Owens Brockway site in the Central East Subarea, , and
- (B) Change the use only at the tip of Tidewater Area from residential to mixed-use.

¹ Maps referenced in previous supplemental reports, including the original *Community Preferred Alternative* and Existing Uses and are also available online on the Central Estuary Plan website at www.oaklandnet.com/central_estuary_plan (Clicking on "Plan Documents").

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Staff interprets the motion along the following lines:

To adopt a preferred alternative that is based on the *Community Preferred Alternative* with the following modifications:

- (A) no change from existing conditions on the Owens Brockway site (currently zoned as M-40 Heavy Industrial and designated as Heavy Industrial-1 by the Estuary Policy Plan) instead of proposing that the site be redeveloped with residential uses; and,
- (B) the area south of Tidewater Avenue and east of Hanson Aggregates to be mixed use, as defined in the Estuary Policy Plan, which is intended for “the development of non traditional higher density housing (work/live, lofts, artist studios) within a context of commercial and light industrial/manufacturing uses” instead of proposing the area to be high density residential.² (*See Exhibit A: CED Committee Recommended Alternative of the Council Resolution Revised at CED Committee 3/23/10*)

PROGRAM DESCRIPTION

The *CED Committee Recommended 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 (EPP) 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* for the *CED Committee Recommended Alternative Map*.)³ The mixed use land use designation in the EPP (“Mixed Use District”) encourages “the development of non traditional higher density housing (work/live, lofts, artist studios) within a context of commercial and light industrial/manufacturing uses”, and allows a maximum development intensity consisting of a 5.0 floor-area-ratio (FAR) for non-residential uses, and 125 dwelling units/gross acre for residential uses.

² Estuary Policy Plan, City of Oakland, Adopted June 1999, p.133. The *Community Preferred Alternative* called for “industrial uses and limited residential development buffered by research and development/light industrial uses” in the South of Tidewater area.

³ *Exhibit A: CED Committee Recommended Alternative* of the Council Resolution Revised at CED Committee 3/23/10, as well as maps referenced in previous supplemental reports, including 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”).

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RECOMMENDATION

City staff requests that the Council adopt a preferred alternative as a basis for development of the draft Specific Plan. Based on discussion at the February 9 and March 23 CED Committee meetings, the City Council has the following options:

- Recommend adoption of the *CED Committee Recommended Alternative* (as described above and illustrated in ***Exhibit A: Committee Recommended Alternative of the Council Resolution Revised at CED Committee 3/23/10***);
- Recommend adoption of the *Community Preferred Alternative*,⁴ or;
- Recommend adoption of a different preferred alternative from the two above options.

Respectfully submitted,

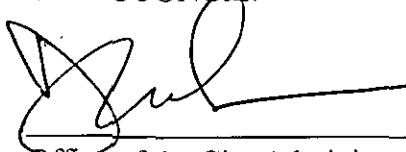


Walter S. Cohen, Director
Community and Economic Development Agency

Reviewed by:
Eric Angstadt, Deputy Director

Prepared by:
Alisa Shen, Planner III
Strategic Planning

APPROVED AND FORWARDED TO THE
CITY COUNCIL:



Office of the City Administrator

⁴ The *Community Preferred Alternative* map is provided as ***Attachment B*** to the 3/23/10 CED Supplemental Agenda Report and is also available on the project website at www.oaklandnet.com/central_estuary_plan. Click on "Plan Documents").

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FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality

Mark P. Wald
Oakland City Attorney's Office

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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 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; now, therefore, be it

RESOLVED, that the City Council adopts the CED Committee Recommended Alternative to serve as the basis for the preparation of the Specific Plan and related EIR (*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

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Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION TO ADOPT THE COMMUNITY PREFERRED A PREFERRED LAND USE ALTERNATIVE FOR THE CENTRAL ESTUARY SPECIFIC PLAN AND TO HAVE THAT PREFERRED ALTERNATIVE SUBJECT TO REVIEWED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT REVIEW. THE PREFERRED ALTERNATIVE INCLUDES: (1) WEST SUBAREA; MIXED-USE INFILL, MAINTAIN STRENGTHENING OF THE EXISTING SPECIALTY FOOD PRODUCING INDUSTRIAL AREA; (2) CENTRAL WEST SUBAREA; PRESERVE 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, NEW MIXED-USE RESIDENTIAL DEVELOPMENT; 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 INDUSTRIAL USES AND LIMITED RESIDENTIAL DEVELOPMENT BUFFERED BY RESEARCH AND DEVELOPMENT.

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~~ Community preferred Preferred alternative Alternative includes: (a) West Subarea: Mixed-Use Infill, ~~maintain~~ 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 ~~community preferred land use 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 ~~community preferred land use 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 ~~community preferred land use alternative~~ and recommended its adoption, with some comments as detailed in the Supplemental City Council Agenda Report; and

WHEREAS, on ~~January 26~~ February 9, 2010, the ~~CED Committee~~ community and Economic Development Committee of the City Council was presented, considered and forwarded the ~~community~~ Community preferred Preferred Alternative to the City Council for approval 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 ~~February 2~~April 20, 2010, the City Council conducted a duly noticed public hearing; now, therefore, be it

RESOLVED, that the City Council adopts the ~~community-preferred~~CED Committee Recommended land use alternative ~~Alternative~~ to serve as the basis for the preparation of the Specific Plan and related EIR (*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