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DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION APPROVING THE ENVIRONMENTAL DETERMINATIONS FOR, AND ADOPTING, THE FOLLOWING TWO AMENDMENTS TO THE CITY OF OAKLAND GENERAL PLAN: (1) APPROVE CHANGES TO THE GENERAL PLAN DESIGNATIONS IN SUPPORT OF THE WEST OAKLAND SPECIFIC PLAN, AS DELINEATED IN EXHIBIT A; AND (2) APPROVE CHANGES TO THE GENERAL PLAN DESIGNATIONS OF (a) ASSESSOR'S PARCEL NUMBER 0018-0415-001-01 (KNOWN AS "SITE D" OF THE JACK LONDON SQUARE DEVELOPMENT PROJECT, AND GENERALLY BOUNDED BY THE BUILDING KNOWN AS 70 WASHINGTON STREET TO THE SOUTH AND WEST, EMBARCADERO WEST TO THE NORTH, AND BROADWAY TO THE EAST) FROM RDE-1 (RETAIL, DINING, ENTERTAINMENT PHASE 1) TO RDE-2 (RETAIL, DINING, ENTERTAINMENT PHASE 2), AND (b) ASSESSOR'S PARCEL NUMBER 0018-0420-004-01 (KNOWN AS "SITE F-2" OF THE JACK LONDON SQUARE DEVELOPMENT PROJECT, AND GENERALLY BOUNDED BY HARRISON STREET TO THE WEST, EMBARCADERO WEST TO THE NORTH, ALICE STREET TO THE EAST, AND WATER STREET TO THE SOUTH) FROM WCR-1 (WATERFRONT COMMERCIAL RECREATION 1) TO MUD (MIXED USE DEVELOPMENT), AS DELINEATED IN EXHIBIT B

WHEREAS, there are two general plan amendments that have been recommended for adoption by the City Planning Commission; and

WHEREAS, the number of general plan amendments that can be adopted in any calendar year is limited pursuant to City and state requirements; and

WHEREAS, more than one general plan amendment can be made at a time; and

WHEREAS, the Community and Economic Development Committee of the City Council at its meeting of July 8, 2014, also considered the two proposed general plan amendments, and the

CEQA documents and findings specified in each of the general plan amendments attached to the project-specific reports; and

WHEREAS, the City has complied with the California Environmental Quality Act (CEQA) and made the appropriate findings in the West Oakland Specific Plan staff report and Resolution and in the Jack London Square Development Project staff report and Resolution and hereby readopts and affirms such findings; and

WHEREAS, the City seeks to adopt all of the recommended general plan amendments into one resolution so that all the general plan amendments are considered a single amendment to the general plan;

NOW, THEREFORE, BE IT RESOLVED: The City Council approves environmental determinations and adopts the general plan amendments (as detailed in the attachments, incorporated herein by reference), based in part, upon the West Oakland Specific Plan Adoption findings set forth in Attachment D to the City Council Agenda Report entitled "West Oakland Specific Plan and Related Actions" for the meeting of July 8, 2014 and in part upon the findings set forth in the City Council Agenda Report entitled "Jack London Square Redevelopment Project Revision #1 and West Oakland Specific Plan General Plan Amendment" and further finds that the public safety, health, convenience, comfort prosperity and general welfare will be furthered by the adoption of these amendments for:

- (A) Approve changes to the general plan designations of several parcels within the West Oakland Specific Plan Area, as identified in Exhibit A; and
- (B) Approve changes to the general plan designations of (a) Assessor's Parcel Number 0018-0415-001-01 (known as "Site D" Of the Jack London Square Project, and generally bounded by the building known as 70 Washington Street to the south and west, Embarcadero West to the north, and Broadway to the east) from RDE-1 (Retail, Dining, Entertainment Phase 2), and b) changes to the land use designation of Assessor's Parcel Number 0018-0420-004-01 (known as "Site F-2" of the Jack London Square Project, and generally bounded by Harrison Street to the west, Embarcadero West to the north, Alice Street to the east, and Water Street to the south) from WCR-1 (Waterfront Commercial Recreation 1) to MUD (Mixed Use Development), as identified in Exhibit B.

FURTHER RESOLVED: That the City Council, as the final decision-making body for the lead agency, hereby confirms, adopts and incorporates by reference into this Resolution (as if fully set forth herein) all CEQA findings contained in Attachment B to the City Council Agenda Report entitled "West Oakland Specific Plan and Related Actions" and in the City Council Agenda Report entitled "Jack London Square Redevelopment Project Revision #1 and West Oakland Specific Plan General Plan Amendment."

FURTHER RESOLVED: That the City Council hereby adopts and incorporates by reference into this Resolution (as if fully set forth herein), as conditions of approval, the Standard Conditions and Mitigation Monitoring and Reporting Programs (SCAMMRP) for the West

Oakland Specific Plan and the Jack London Square Project, and shall apply each such SCAMMRP individually to the appropriate General Plan Amendments for the individual projects identified in this Resolution.

FURTHER RESOLVED: That the City Administrator is directed to file notices of determination for the above-referenced actions with the Alameda County Clerk with the appropriate agencies. .

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator or designee to make (1) minor ongoing revisions to the individual projects identified in this Resolution consistent with the project approvals, the General Plan and the Oakland Planning Code.

FURTHER RESOLVED: That nothing in this Resolution shall be interpreted or applied so as to create any requirement, power or duty in conflict with any federal or state law.

FURTHER RESOLVED: That the provisions of this Resolution are severable. If a court or other administrative tribunal determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid, or that the application of any part of the provision to any person or circumstance is invalid, the remaining provisions of this Resolution and the application of those provisions to other persons or circumstances are not affected by that decision. This Council declares that the City Council would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

FURTHER RESOLVED: That the record before this Council relating to this resolution includes, without limitation, the following:

1. The general plan (including the Estuary Policy Plan, LUTE, and land use designation diagrams), including all accompanying maps and papers;
2. All final staff reports, final decision letters and other final documentation and information produced by or on behalf of the City, including without limitation the CEQA documentation and supporting final technical studies and appendices, and all related/supporting final materials, and all final notices relating to the general plan amendment and its attachments, and attendant hearings;
3. All oral and written evidence received by the Landmarks Preservation Advisory Board, City Planning Commission and City Council during the public hearings on the general plan amendment and its attachments; and all written evidence received by relevant City Staff before and during the public hearings on the West Oakland Specific Plan and the Jack London Square Development Project, including without limitation, the general plan amendment and its attachments;
4. All matters of common knowledge and all official enactments and acts of the City, such as (a) the general plan; (b) Oakland Municipal Code, (c) Oakland

