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**REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND**
2006-0050
RESOLUTION NO. _____ C.M.S.

**RESOLUTION APPROVING AND RECOMMENDING ADOPTION OF
AN AMENDMENT TO THE BROADWAY/MACARTHUR/SAN PABLO
REDEVELOPMENT PLAN, AMENDING THE LAND USE
DESIGNATION FOR THE KAISER PERMANENTE OAKLAND
MEDICAL CENTER CAMPUS FROM VARIOUS DESIGNATIONS TO
INSTITUTIONAL**

WHEREAS, the City Council of the City of Oakland ("City Council") adopted a Redevelopment Plan for the Broadway/MacArthur/San Pablo Redevelopment Project Area ("Redevelopment Plan") as a redevelopment plan for the Broadway/ MacArthur/San Pablo Redevelopment Project Area ("Project Area") pursuant to the California Community Redevelopment Law (Health and Safety Code Sections 33000, et seq.); and

WHEREAS, the Redevelopment Plan includes a Redevelopment Land Use Map attached to the Redevelopment Plan, which sets forth land use designations for the Project Area; and

WHEREAS, the 20.6-acre site of the Kaiser Permanente Oakland Medical Center campus, located generally at the intersection of Broadway and MacArthur Boulevard, is currently designated with a variety of land use designations including Institutional, Community Commercial, Mixed Housing Type Residential, and Neighborhood Center Mixed Use on the General Plan Land Use Diagram in the Land Use and Transportation Element ("LUTE") of the Oakland General Plan; and

WHEREAS, it is necessary and desirable to amend the Land Use Map designation for the Project site from these various designations to Institution ("Amendment") for the reasons set forth in the staff report accompanying this Resolution; and

WHEREAS, the land use designation for the Project site in the Oakland General Plan has been or will be revised, and the Redevelopment Agency desires that the Redevelopment Land Use Map in the Redevelopment Plan be consistent with the Oakland General Plan; and

WHEREAS, Health and Safety Code Section 33450, et seq., authorizes a legislative body to amend a redevelopment plan after holding a public hearing; and

WHEREAS, this proposed Amendment does not propose any additional property for inclusion in the Project Area, nor does it increase or reduce the Project Area or affect the Redevelopment Agency's authority to claim tax increment revenues; and

WHEREAS, in accordance with the California Environmental Quality Act ("CEQA"), the City issued a Notice of Preparation ("NOP"), indicating an intent to prepare an Environmental Impact Report ("EIR") on the Project; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the scope of the Draft EIR ("DEIR") on April 13, 2005; and

WHEREAS, a DEIR on the Project, SCH #2005032134, was released by the City and circulated for public review and comment from March 2, 2006 to April 17, 2006; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the DEIR and the Project on March 22, 2006; and

WHEREAS, the Final EIR ("FEIR") was published on May 26, 2006; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on the FEIR and the Project on June 7, 2006; and

WHEREAS, on June 7, 2006, the Planning Commission certified the EIR and adopted related CEQA findings, and recommended approval of a General Plan amendment to the City Council, recommended approval of this Redevelopment Plan Amendment to the Redevelopment Agency and the City Council, and recommended approval of termination of the previously approved contract rezoning, rezoning to a new KX zone, and approval of a Master Plan to the City Council; and

WHEREAS, the Community and Economic Development Committee of the City Council held a duly noticed meeting on June 13, 2006; and

WHEREAS, the City Council and the Oakland Redevelopment Agency held a duly noticed joint public hearing on the proposed Amendment, as permitted under Health and Safety Code Section 33458, on June 27, 2006; and

WHEREAS, the City has provided the published and mailed notice of the hearing and this Amendment as required by Health and Safety Code Section 33452; now, therefore, be it

RESOLVED: That the Redevelopment Agency, as a Responsible Agency, confirms and adopts (i) the environmental findings made and adopted by the Planning Commission, as set forth in *Exhibit 1* ("CEQA Findings") of this resolution, and (ii) the

Conditions of Approval and Mitigation Monitoring and Reporting Program for the Project attached as *Exhibit 2* of this Resolution; all incorporated by reference herein; and be it

FURTHER RESOLVED: That the Redevelopment Agency hereby approves and recommends adoption of the Amendment to the Redevelopment Plan for the Broadway/MacArthur/San Pablo Redevelopment Project Area by substituting the map attached to this Resolution as *Exhibit 3* for the Redevelopment Land Use Map attached to the Redevelopment Plan and designating the attached map as the Redevelopment Land Use Map for the Broadway/MacArthur/San Pablo Redevelopment Project Area, and adopts the findings of the Planning Commission, as summarized in the above recitals, as well as findings in the June 27, 2006 City Council/Redevelopment Agency Agenda Report; and be it

FURTHER RESOLVED: That the Redevelopment Agency Secretary is directed to transmit a copy of this Resolution to the City Council for its consideration in adoption of the Amendment; and be it

FURTHER RESOLVED: That the Redevelopment Agency finds and determines that this Resolution 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: That the record before this Agency relating to this action includes, without limitation, the following:

1. the Project application, including all accompanying maps and papers;
2. all plans submitted by the Project applicant and his representatives;
3. all staff reports, decision letters and other documentation and information produced by or on behalf of the City, including without limitation the EIR and supporting technical studies, and all related/supporting materials, and all notices relating to the application and attendant hearings;
4. all oral and written evidence received by the City staff, City Planning Commission, City Council, and Redevelopment Agency before and during the public hearings on the application and appeal;
5. all matters of common knowledge and all official enactments and acts of the City, such as (a) the Coliseum Area Redevelopment Plan; (b) the General Plan; (c) Oakland Municipal Code, including, without limitation, the Oakland real estate regulations, Oakland Fire Code; (d) Oakland Planning Code; (e) other applicable City policies and regulations; and, (f) all applicable state and federal laws, rules and regulations; and be it

FURTHER RESOLVED: That the custodians and locations of the documents or other materials which constitute the record of proceedings upon which the Redevelopment Agency's decision is based are respectively: (a) Community & Economic Development Agency, 250 Frank

H. Ogawa Plaza, Oakland CA.; and (b) Office of the City Clerk, 1 Frank H. Ogawa Plaza, 1st Floor, Oakland, CA; and be it

FURTHER RESOLVED: That the recitals contained in this Resolution are true and correct and are an integral part of the Redevelopment Agency's decision.

IN AGENCY, OAKLAND, CALIFORNIA, JUN 27 2006, 2006

PASSED BY THE FOLLOWING VOTE:

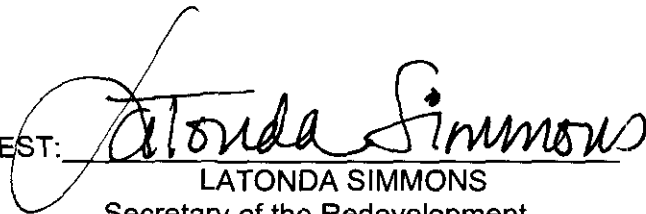
AYES- **BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL,
REID, QUAN, AND PRESIDENT DE LA FUENTE** - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:



LATONDA SIMMONS
Secretary of the Redevelopment
Agency of the City of Oakland,
California