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 OAKLAND

# OAKLAND CITY COUNCIL

2004 JAN 15 PM 4:26

RESOLUTION NO. 78328 C. M. S.

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

**A RESOLUTION TO CHANGE THE GENERAL PLAN DESIGNATIONS OF 928-998 66<sup>TH</sup> AVENUE AND 801-931 69<sup>TH</sup> AVENUE FROM HOUSING AND BUSINESS MIX, GENERAL INDUSTRIAL/TRANSPORTATION, AND PARK AND URBAN OPEN SPACE TO NEIGHBORHOOD CENTER MIXED USE AND PARK AND URBAN OPEN SPACE.**

**WHEREAS**, the General Plan Amendment will allow implementation of the Coliseum Gardens Master Plan which includes infill mixed-use development in close proximity to mass transit consistent with General Plan policies; and

**WHEREAS**, according to the City of Oakland's "Guidelines for Determining Project Conformity with the General Plan and Zoning Regulations" (Guidelines), passed by the Planning Commission on May 6, 1998, the site's current General Plan land use designations do not allow the proposed residential, civic, and commercial uses; and

**WHEREAS**, according to the Guidelines, the Neighborhood Center Mixed Use General Plan land use designation would allow the proposed residential, civic, and commercial uses; and

**WHEREAS**, the City Council finds that a General Plan Amendment to facilitate development of the Coliseum Gardens Master Plan is in the public interest; and

**WHEREAS**, the City Council makes the following findings (a) through (d) as required by the General Plan Administration Section of the General Plan for a General Plan Amendment (as specified in Objective a3 of the Land Use and Transportation Element (LUTE):

- **Findings (a) and (b).** The amendment advances General Plan implementation and is consistent with the General Plan, including without limitation, the policies in the LUTE. Amending the General Plan land use designations for the project site from Housing and Business Mix, General Industrial/Transportation, and Park and Urban Open Space to Neighborhood Center Mixed Use and Park and Urban Open Space to facilitate development of the Coliseum Gardens Master Plan implements the LUTE and other General Plan policies. The General Plan Amendment and the project are consistent with and implement the following LUTE policies, among others:

- Policy T2.1 Encouraging Transit-Oriented Development: *Transit-oriented development should be encouraged at existing or proposed transit nodes, defined by the convergence of two or more modes of public transit such as BART, bus, shuttle service, light rail or electric trolley, ferry, and inter-city or commuter rail. (LUTE, p. 51)* The Master Plan would provide residential development that would take advantage of close proximity to the Coliseum BART station, AC Transit bus stops, the future Amtrak Capitol Corridor train station, and the Oakland Airport Connector high-speed connection to the Oakland International Airport. Residents of new development would be conveniently served by mass transit for the purposes of employment, shopping and entertainment, and for travel.
- Policy N3.1, Facilitating Housing Construction: *Facilitating the construction of housing units should be considered a high priority for the City of Oakland.* This project would replace a vacant public housing project with up to 283 new housing units, a reconfigured and renovated City park, and improved circulation.
- Policy N3.2, Encouraging Infill Development: *In order to facilitate the construction of needed housing units, infill development that is consistent with the General Plan should take place throughout the City of Oakland.* The project is an infill development utilizing an underutilized site located within one-quarter mile of the Coliseum BART station with adequate public infrastructure to serve the development.
- Policy N6.1, Mixed Housing Types: *The City will generally be supportive of a mix of projects that provide a variety of housing types, unit sizes, and lot sizes which are available to households with a range of incomes. Unit types range from one bedroom to five-bedroom units. The project will provide home ownership and rental opportunities for low- to moderate-income households.*
- **Finding (c).** There are no General Plan inconsistencies to be reconciled. The project would be consistent with the policies of the General Plan.
- **Finding (d).** The General Plan Amendment would not have a citywide impact, except that it is consistent with and would promote LUTE and other General Plan policies, including without limitation, LUTE policies related to the provision of infill housing; and

**WHEREAS,** at the duly noticed June 4, 2003 Planning Commission meeting, the Commission independently reviewed and considered a Mitigated Negative Declaration/Finding of No Significant Impact (MND/FONSI) for the Coliseum Gardens project, together with comments received on the MND/FONSI and (1) determined that there was no substantial evidence that the project, as mitigated by adopted mitigation measures, would have a significant effect on the environment; (2) adopted the

MND/FONSI; and (3) adopted a Mitigation and Monitoring Reporting Program in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines; and

**WHEREAS**, at the duly noticed January 7, 2004 meeting of the Planning Commission the Commission took the following actions: (1) approved the Preliminary Development Plan for the Master Plan, Final Development Plan for Phase Two, Major Conditional Use Permit, Minor Variances, Design Review, and Tentative Tract Map applications; and (2) recommended to the City Council approval of the proposed General Plan Amendment and rezoning; and

**WHEREAS**, the City Council has independently reviewed and considered the MND/FONSI, together with comments received on the MND/FONSI, and finds on the basis of substantial evidence in the record as a whole that (1) there is no substantial evidence that the project, together with adopted mitigation measures, will have a significant effect on the environment; and (2) the MND/FONSI reflects the City's independent judgment and analysis; and

**WHEREAS**, the City Council finds on the basis of substantial evidence in the record that the MND/FONSI fully analyzes the potential environmental effects of the project and incorporates mitigation measures to substantially lessen or avoid any potentially significant impacts in accordance with CEQA. None of the circumstances necessitating preparation of additional CEQA review as specified in CEQA and the CEQA Guidelines, including without limitation Public Resources Code Section 21166 and CEQA Guidelines Section 15162, are present; now, therefore be it

**RESOLVED:** That the Community and Economic Development Agency is directed (1) to take all steps necessary to revise the General Plan diagrams to facilitate development of the approved Coliseum Gardens Master Plan, including changes to the land use designations of 928-998 66<sup>th</sup> Avenue and 801-931 69<sup>th</sup> Avenue from Housing and Business Mix, General Industrial/Transportation, and Park and Urban Open Space to Neighborhood Center Mixed Use and Park and Urban Open Space in substantial conformance with Attachment B to this report; and (2) to file a Notice of Determination with the Clerk of Alameda County in accordance with CEQA Guidelines Section 15075.

IN COUNCIL, OAKLAND, CALIFORNIA, FEB 3 2004, 2004

**PASSED BY THE FOLLOWING VOTE:**

~~Wan, Nadel, Quan, De La Fuente, Brooks, Reid, Chang~~ - 7


~~Wan, Nadel, Quan, De La Fuente, Brooks, Reid, Chang~~

NOES- BRUNNER - 1

ABSENT- 0

ABSTENTION- 0

ATTEST:

  
CECEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California