

DRAFT

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION APPROVING TEXT AMENDMENTS TO THE GENERAL PLAN LAND USE AND TRANSPORTATION ELEMENT TO CHANGE THE LAND USE DESIGNATION FOR 5212 BROADWAY IN CONNECTION WITH THE CALIFORNIA COLLEGE OF THE ARTS CAMPUS REDEVELOPMENT PROJECT; AND MAKING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

WHEREAS, Assessor's Parcel Number (APN) 014-124-300-101 (the Parcel) is a 172,270 square foot site located at 5212 Broadway in the City of Oakland; and

WHEREAS, the City's Land Use and Transportation Element (LUTE) is part of the City's General Plan; and

WHEREAS, the City Council has previously approved an "Institutional" Land Use Designation for the Parcel through the LUTE; and

WHEREAS, Arts Campus LLC applied for the California College of the Arts Campus Redevelopment Project, case file PLN20141 and PLN20141-PUD01, consisting of a combined Planned Unit Development/Final Development Permit and other entitlements to redevelop the Parcel with 448 multifamily residential units and 14,390 square feet of commercial use (the Project), as set forth in the October 16, 2024 City of Oakland Planning Commission Staff Report and the Staff Report to the City Council (Agenda Reports); and

WHEREAS, the Parcel is designated as a Housing Opportunity Area in the Housing Element of the General Plan adopted January 2023, with a feasible capacity of 510 dwelling units; and

WHEREAS, the intent of the site's existing "Institutional" land use classification is to create, maintain, and enhance areas appropriate for educational facilities, cultural and institutional uses, health services, and medical uses as well as other uses of similar character and under this designation, housing could only be developed on the site if it were associated with an educational, cultural or institutional facility; and

WHEREAS, the Project entitlements include a General Plan Amendment application to change the existing “Institutional” land use designation to “Community Commercial” to accommodate residential units without associated institutional uses; and

WHEREAS, the General Plan Amendment would amend the text of the LUTE to change the Land Use Designation of the Parcel from “Institutional” to “Community Commercial”; and

WHEREAS, the Community Commercial Land Use Designation is consistent with the Housing Element’s Housing Opportunity Area designation and allows both commercial and multi-family activities. Housing capacity with the Community Commercial land use designation is 580 units; and

WHEREAS, as more fully set forth in the related resolution certifying the *Environmental Impact Report for The California College of the Arts Redevelopment Project* and the CEQA findings, each incorporated by this reference, the Project, including the General Plan Amendment, was analyzed in compliance with the California Environmental Quality Act (CEQA); and

WHEREAS, on October 16, 2024, the City Planning Commission, after conducting a duly noticed public hearing, hearing all qualified and interested persons, and receiving and considering all relevant evidence, recommended that the City Council certify the Environmental Impact Report and approve Project, including the General Plan Amendment; and

WHEREAS, on December 3, 2024 the City Council, conducted a duly noticed public hearing, heard all qualified and interested persons, and received and considered all relevant evidence on the Project, including the General Plan Amendment;

NOW, THEREFORE, BE IT RESOLVED: That the recitals set forth above are true and correct and are an integral part of this Resolution; and be it

FURTHER RESOVLED: That the City Council, as the final decision-making body, has independently reviewed the Environmental Impact Report for the Project published on September 20, 2024 and the associated CEQA findings attached to the Agenda Reports and incorporated herein, and finds that the General Plan Amendment is in compliance with CEQA (Pub. Res. Code section 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs. title 14, section 15000 et seq.); and be it

FURTHER RESOLVED: That based on independent review of the Agenda Reports and project findings attached thereto and incorporated herein, the City Council hereby approves the General Plan Amendment, thereby amending the General Plan LUTE in the form attached hereto as **Exhibit A**, subject to such minor and clarifying changes consistent with the terms thereof as may be approved the City Attorney; and be it

FURTHER RESOLVED: That this Resolution, and the General Plan Amendment approval described above, is based, in part, on the findings set forth above and attached to the Agenda Reports and incorporated herein, the CEQA Findings related to approval of the Project, as well as the other resolutions and ordinances related to the Project, each incorporated by this reference; and be it

FURTHER RESOLVED: That this Resolution shall be effective on the same date as the related Ordinance amending the zone classification for the Parcel.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

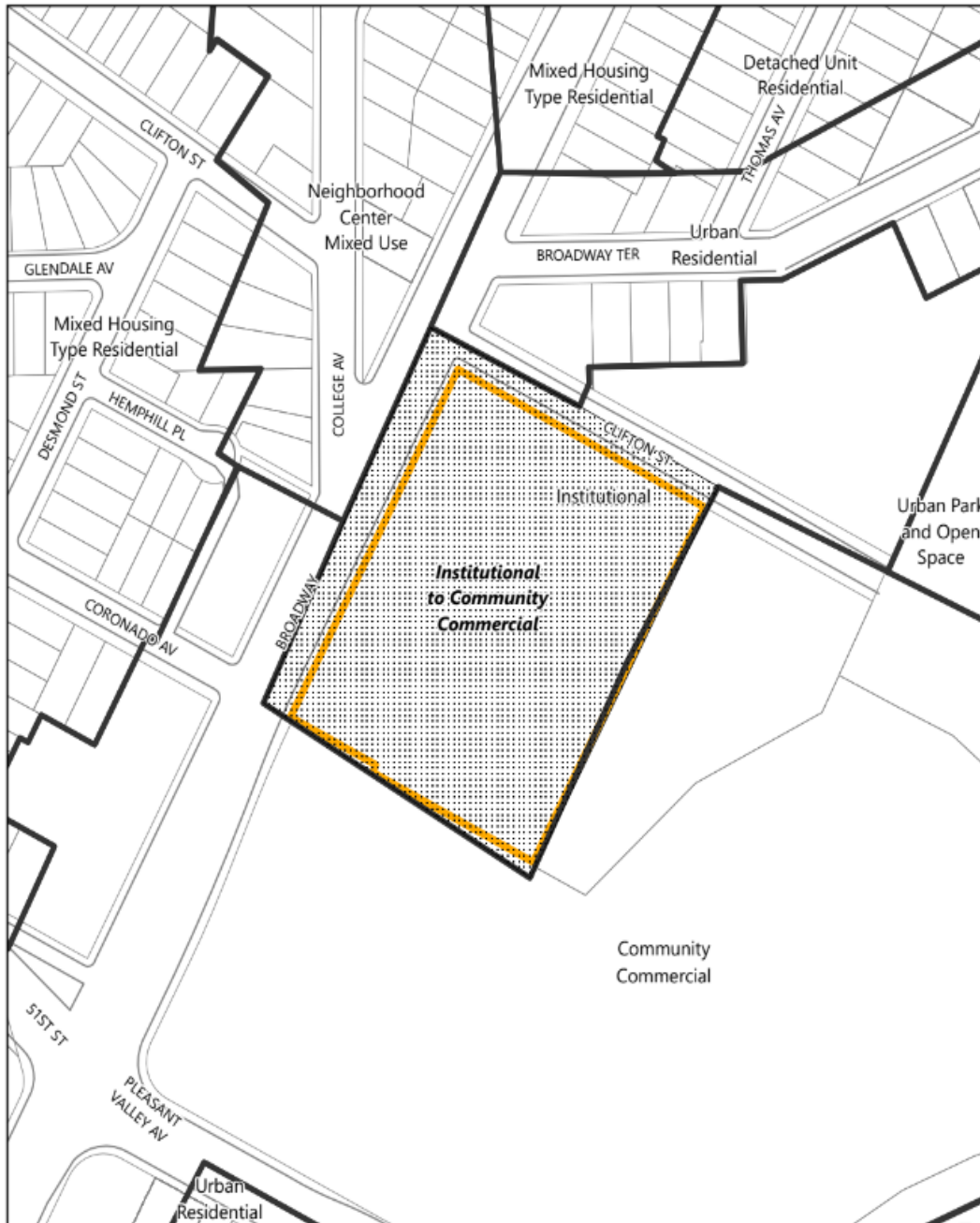
ABSTENTION –

ATTEST: _____

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California

Attachment:
Exhibit A Map 1

EXHIBIT A
Map 1



Proposed General Plan Amendment

PLN20141, PLN20141-PUDF01, ER19003
5212 Broadway

