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OFFICE OF THE CITY CLERK
OAKLAND

2014 JUN 26 PM 3:06

AGENDA REPORT

TO: HENRY L. GARDNER
INTERIM CITY ADMINISTRATOR

FROM: Rachel Flynn

SUBJECT: General Plan Amendment for
Jack London Square Project Revision #1 and West Oakland Specific Plan

DATE: June 16, 2014

City Administrator
Approval

Date

6/25/14

COUNCIL DISTRICT: 3

RECOMMENDATION

Staff requests that the City Council conduct a Public Hearing and upon conclusion adopt a:

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 F2" 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

EXECUTIVE SUMMARY

This agenda item combines two separate General Plan Amendments (GPAs), which the City Planning Commission and City Staff recommend for adoption. The GPAs are combined within one agenda item and omnibus resolution to accommodate the current restriction established in the City General Plan's Land Use and Transportation Element that the General Plan may be amended no more than four times within one calendar year. Under both City and State requirements, each amendment may include more than one change to the general plan.

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OUTCOME

Each of the GPAs included in this report has its own separate City Council Agenda Report and will be reviewed individually when presented to the Community and Economic Development Committee (CEDC) on July 8, 2014. However, there is only one resolution presented before the Council at this time, which if approved, will adopt both of the GPAs. Combining these amendments into one resolution does not limit the City Council's discretion to adopt both, only one, or neither of the GPAs.

BACKGROUND/LEGISLATIVE HISTORY

The two GPAs before the City Council are:

- (1) West Oakland Specific Plan Area: The proposed General Plan Amendments affect several parcels within the West Oakland Specific Plan Area. These parcels are identified in Exhibit A. The General Plan Amendments are intended to promote the development concepts envisioned in the Specific Plan, and to clarify and provide better conformance between land use planning and policy regulations.
- (2) Jack London District: The proposed General Plan Amendment includes revisions to two sites located within the Jack London Square Redevelopment Project, as follows: Amend Site D land use designation from Estuary Policy Plan (EPP) Retail, Dining and Entertainment District (RDE)-1 to EPP RDE-2 to allow residential uses and densities permitted in the underlying zoning district; and amend the Site F2 land use designation from EPP Waterfront Commercial Recreation-1 to EPP Mixed Use District to allow residential uses and densities consistent with the underlying zoning district.

ANALYSIS

Complete analysis for each individual GPA is included in the accompanying staff report for each of the associated projects.

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PUBLIC OUTREACH/INTEREST

General Plan Amendments are subject to public noticing requirements. Staff provided a 17-day newspaper notice and/or 300' radius, and interested party mailing and on-site posting.

COORDINATION

Staff has consulted with the City Attorney's Office and with the Budget Office in the preparation of this staff report and review of this proposal.

COST SUMMARY/IMPLICATIONS

The cost implications for each individual GPA are discussed in the accompanying staff report for each of the associated projects.

SUSTAINABLE OPPORTUNITIES

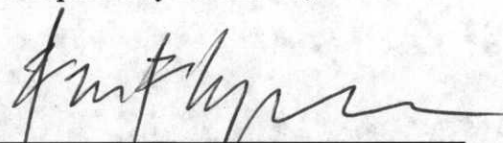
Economic, environmental and social equity opportunities for each individual GPA are discussed in the accompanying staff report for each of the associated projects.

CEQA

Compliance with the California Environmental Quality Act is discussed in the accompanying staff report for each of the associated projects.

For questions regarding this report, please contact Catherine Payne, Planner III, at (510) 238-6168.

Respectfully submitted,



Rachel Flynn, Director
Department of Planning and Building

Reviewed by:
Scott Miller, Zoning Manager

Prepared by:
Catherine Payne, Planner III

Item: _____
CED Committee
July 8, 2014

FILED
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OAKLAND

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APPROVED AS TO FORM AND LEGALITY

Hee
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 0018-0240-004-01 (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

Planning Code;(d) other applicant City policies and regulations; and, (e) all applicable state and federal laws, rules and regulations.

FURTHER RESOLVED: that the custodians and locations of the documents or other materials which constitute the record of proceedings upon which the City Council's decision is based are:

- (a) Oakland Planning and Building Department, Planning & Zoning Division, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, California; and
- (b) Office of the City Clerk, 1 Frank H. Ogawa Plaza, 14th Floor, Oakland, California.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2014

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID,
 SCHAAF and PRESIDENT KERNIGHAN

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
 LATONDA SIMMONS
 City Clerk and Clerk of the Council
 of the City of Oakland, California



West Oakland Specific Plan
Proposed General Plan & Zoning Amendments

Legend

City Boundary WOSP Plan Boundary Area changing from Estuary Policy Plan to Land Use & Transportation Element T™ Combining Zone

General Plan Designations

- | | |
|--------------------------------|-------------------------------|
| Mixed Housing Type Residential | Regional Commercial |
| Urban Residential | Business Mix |
| Neighborhood Center Mixed Use | Gen Industrial/Transportation |
| Community Commercial | Institutional |
| Housing and Business Mix | Urban Open Space |
| Central Business District | |

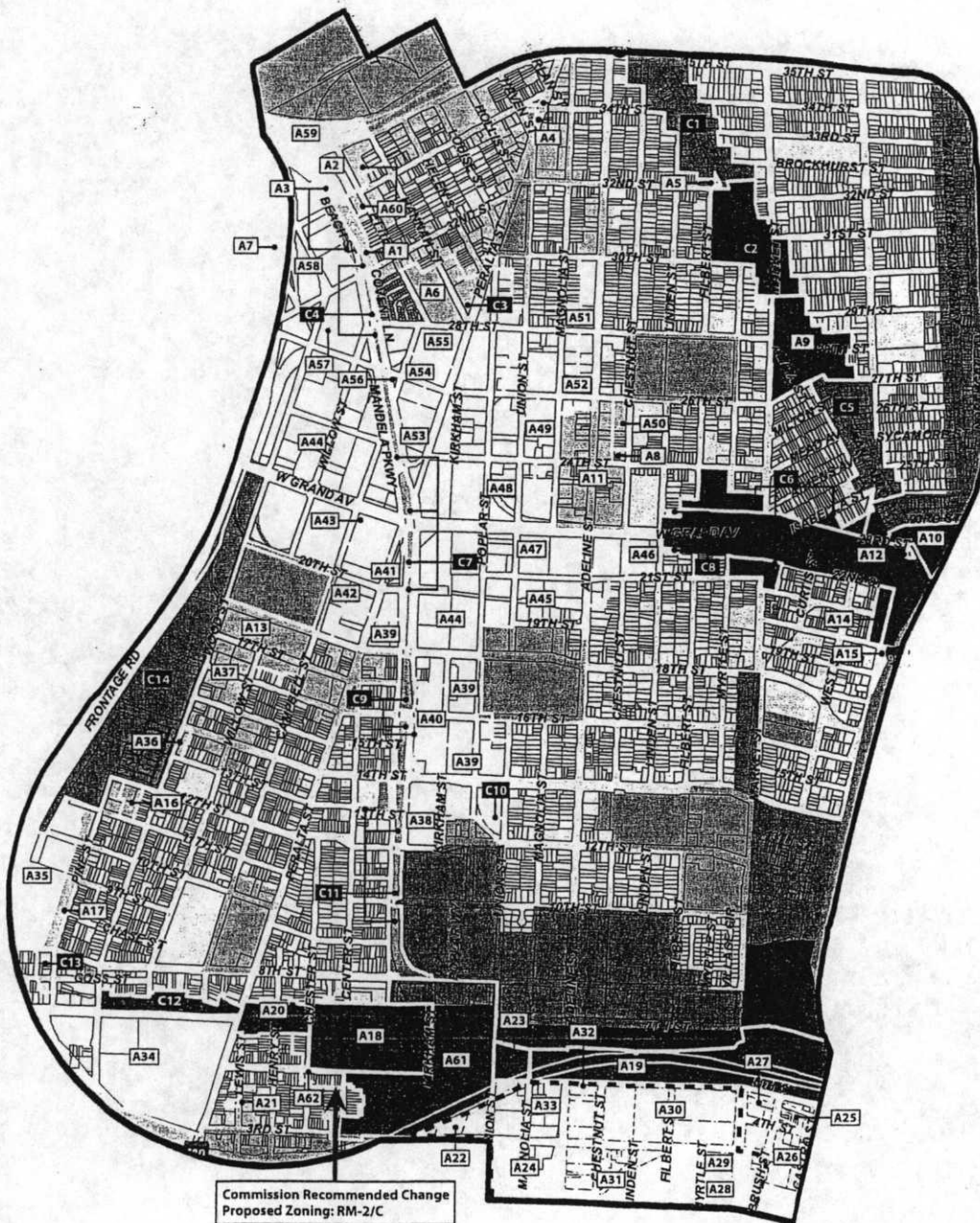
General Plan / Zoning Changes:

A1

General Plan / Zoning Corrections:

C1

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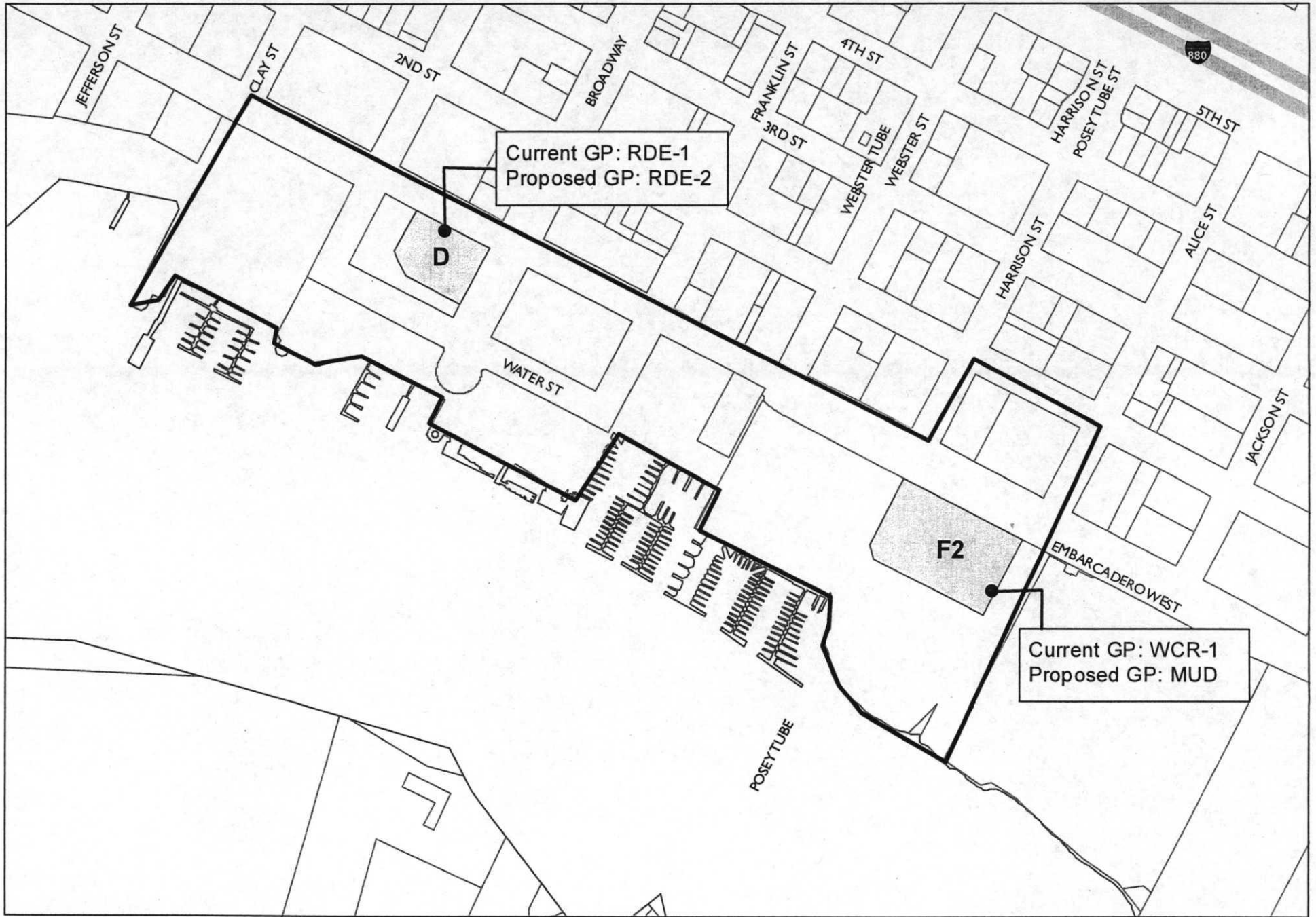


Exhibit B: Amendment to the General Plan Map

