


DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

A RESOLUTION, AS RECOMMENDED BY THE CITY PLANNING COMMISSION, APPROVING THE ENVIRONMENTAL DETERMINATION FOR, AND ADOPTING, THE AMENDMENT TO THE CITY OF OAKLAND GENERAL PLAN TO APPROVE CHANGES TO THE GENERAL PLAN DESIGNATIONS IN SUPPORT OF THE WEST OAKLAND SPECIFIC PLAN, AS DELINEATED IN EXHIBIT A

WHEREAS, on June 11, 2014, a duly noticed public hearing was held before the City Planning Commission to consider a General Plan amendment and Related Documents and Environmental Impact Report (EIR); and

WHEREAS, the City Planning Commission, after conducting and closing the public hearing, recommended that the City Council adopt the General Plan amendment; and

WHEREAS, the General Plan amendment, Related Documents and EIR were considered at a regular, duly noticed meeting of the Community and Economic Development Committee of the City Council on July 8, 2014, and the Committee recommended adoption of the proposed General Plan amendment; and

WHEREAS, on July 15, 2014, a duly noticed public hearing was held before the City Council to consider a General Plan amendment and Related Documents and EIR; and the hearing was continued to July 29, 2014; 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 hereby readopts and affirms such findings; and

NOW, THEREFORE, BE IT RESOLVED: The City Council approves the environmental determination and adopts the General Plan amendment (as detailed in the attachment, incorporated herein by reference), based in part, upon the West Oakland Specific Plan Adoption findings set forth in Attachment D to the June 12, 2014 City Council Agenda Report entitled

“West Oakland Specific Plan and Related Actions” for the meeting of July 8, 2014 and further finds that the public safety, health, convenience, comfort prosperity and general welfare will be furthered by the adoption of the amendment to approve changes to the General Plan designations of several parcels within the West Oakland Specific Plan Area, as identified in Exhibit A.

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 June 12, 2014 City Council Agenda Report entitled “West Oakland Specific Plan and Related Actions.”

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, contained in Attachment C to the June 12, 2014 City Council Agenda Report entitled “West Oakland Specific Plan and Related Actions” and shall apply each such SCAMMRP individually to the appropriate General Plan Amendment for the project 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.

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator or designee to make (1) minor ongoing revisions to the project 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, 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

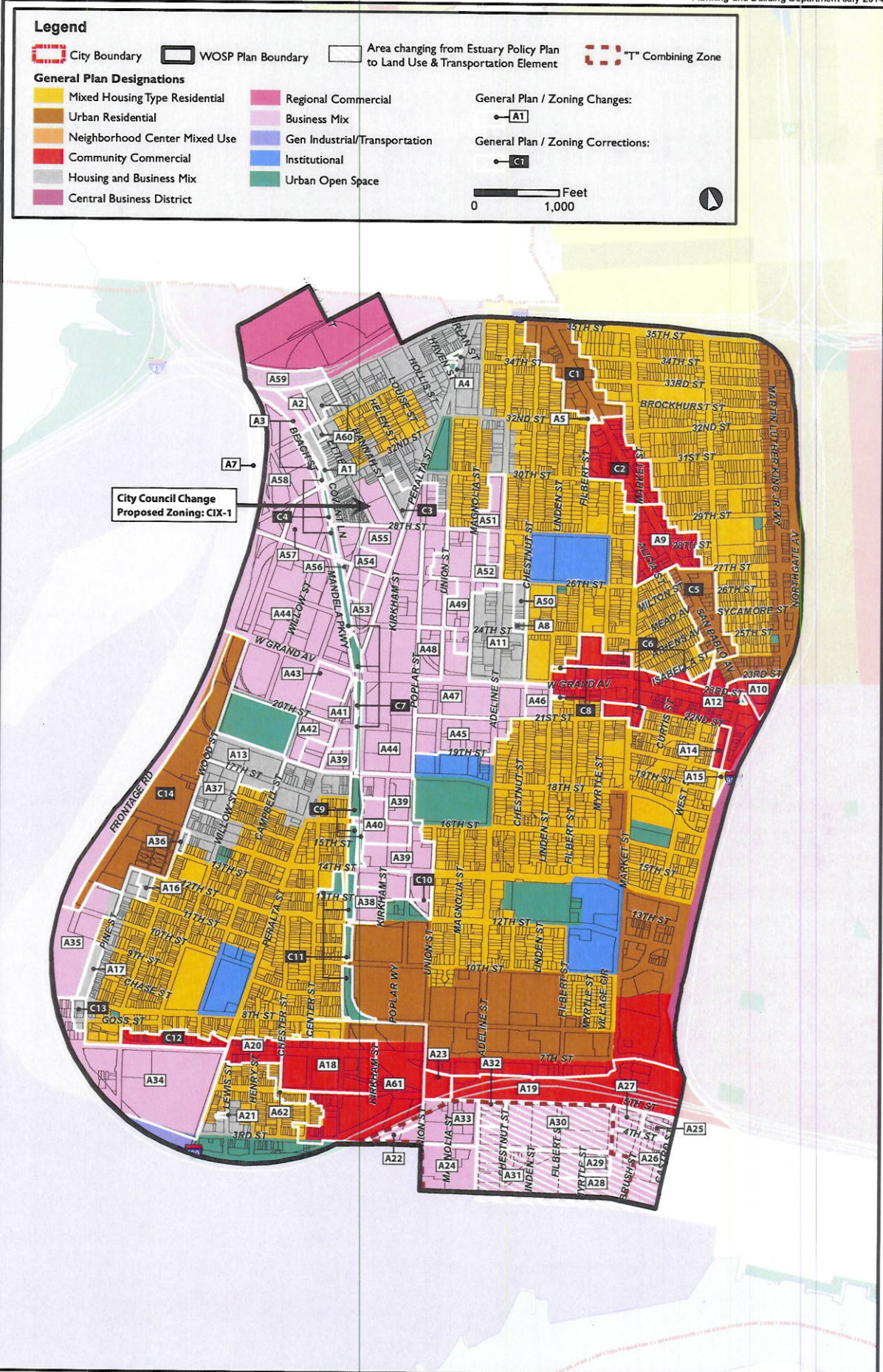


Table 4.8-2: Proposed General Plan Amendments & Re-Zonings

Location	Existing General Plan Designation	Proposed General Plan Designation	Existing Zoning	Proposed Zoning
A1 Northeast Mandela	Business Mix	Housing and Business Mix	OS (LP)/S-4	HBX-4 CIX-1D (Retail Commercial Mix)/S-19
A2 Northeast Mandela	Housing and Business Mix	Business Mix	HBX-2	CIX-1D (Retail Commercial Mix)/S-19
A3 Northeast Mandela Parkway	Business Mix	(No Change)	OS (LP)/S-4	CIX-1D (Retail Commercial Mix)/S-19
A4 Union Plaza Park and Fitzgerald Park	Housing and Business Mix	Urban Open Space	HBX-2	OS/AMP
A5 St. Andrews Plaza	Urban Residential	Urban Open Space	RU-5	OS/AMP CIX-1D (Retail Commercial Mix)/S-19
A7 West of I880 between 32 nd and 35 th St	General Industrial/Transportation	Business Mix	IG	CIX-1D (Retail Commercial Mix)/S-19
A8 Chestnut Street and 24 th St	Mixed Housing Type Residential	Housing and Business Mix	RM-4	HBX-2
A9 San Pablo Avenue at 28th Street Site	Community Commercial	(No Change)	CC-3	CC-2
A10 West Grand at San Pablo	Urban Residential	Community Commercial	RU-5	CC-2
A11 Chestnut/Magnolia	Business Mix	Housing and Business Mix	CIX-1/S-19	HBX-4
A12 West Grand at San Pablo Mini-Park	Community Commercial	Urban Open Space	CC-2	OS-AMP
A13 Roadway Site	Business Mix	Housing and Business Mix	CIX-1/S-19	HBX-2
A14 Brush from 20 th to 22 nd St	Mixed Housing Type Residential	Community Commercial	RM-4/C	CC-2
A15 Small Triangle Site	Community Commercial	Mixed-Housing Type Residential	CC-2	RM-4/C/S-20
A16 Prescott-Oakland Point	Business Mix	Housing and Business Mix	RM-2	HBX-2
A17 Phoenix Iron Works Site	Business Mix	Housing and Business Mix	CIX-1	HBX-4
A18 7th Street/BART parking	Neighborhood Center Mixed Use	Community Commercial	S-15	S-15W
A19 7th Street within the 3rd Street Opportunity Area	Business Mix	Community Commercial	CIX-1/S-19	CC-3
A20 7 th Street between Chester and Peralta	Neighborhood Center Mixed Use	Community Commercial	S-15	CC-2
A21 Lewis Street	Mixed Housing Type Residential	Housing and Business Mix	RM-2	HBX-2 CIX-1A (Business Enhancement) /T
A22 Southern edge of Interstate 880 West of Union	Community Commercial	Business Mix	S-15	

EPP* = Estuary Policy Plan

LUTE** = Land Use & Transportation Element

Table 4.8-2: Proposed General Plan Amendments & Re-Zonings

Location	Existing General Plan Designation	Proposed General Plan Designation	Existing Zoning	Proposed Zoning	
A23	Beneath Freeway between 5 th St, 7 th St, Union and Magnolia	Business Mix	Community Commercial	CIX-1/S-19	S-15W
A24	3 rd Street Industrial	General Industry/Transportation	Business Mix	IG	CIX-1B (Low Intensity Business)/T
A25	Block bounded by Brush, Plan Boundary, 4 th and 5 th	Light Industry 1 (EPP*)	Business Mix (LUTE**)	C-40	CIX-1B (Low Intensity Business)
A26	3 blocks bounded by Market, Brush, 4 th and Plan Boundary	Light Industry 1 (EPP*)	Business Mix (LUTE**)	M-30	CIX-1A (Business Enhancement)
A27	Block bounded by 5 th , Brush, 4 th and Market	Light Industry 1 (EPP*)	Business Mix (LUTE**)	M-30	CIX-1B (Low Intensity Business)
A28	3 blocks bounded by 3 rd St, Filbert, Myrtle, Market, 2 nd St and Plan Boundary	Light Industry 1 (EPP*)	Business Mix (LUTE**)	M-30	CIX-1B (Low Intensity Business)/T
A29	Block bounded by 3 rd St, Market, 2 nd St and Myrtle	Light Industry 1 (EPP*)	Business Mix (LUTE**)	M-30	CIX-1A (Business Enhancement) /T
A30	2 blocks bounded by 5 th St, Market, 3 rd St and Chestnut	Light Industry 1 (EPP*)	Business Mix (LUTE**)	M-30	CIX-1C (High Intensity business)/T
A31	Several blocks bounded by Adeline, Chestnut, 3 rd St, Filbert, Myrtle and Plan Boundary	Light Industry 1 (EPP*)	Business Mix (LUTE**)	M-30	CIX-1A (Business Enhancement) /T
A32	Portion of block bounded by 5 th St, Chestnut, 3 rd St and Adeline	Light Industry 1 (EPP*)	Business Mix (LUTE**)	M-30	CIX-1B (Low Intensity Business)/T
A33	Blocks bounded by 5 th St, Adeline, 3 rd St, Plan Boundary, A22 area and Union	Business Mix	(No Change)	CIX-1	CIX-1A (Business Enhancement)/T
A34	Blocks bounded by 7 th St, Peralta and Plan Boundary	Business Mix	(No Change)	CIX-1, CIX-1/S-19	CIX-1A (Business Enhancement) /S-19
A35	Area between 11 th St, Pine, 8 th St and Plan boundary	Business Mix	(No Change)	CIX-1, CIX-1/S-19	CIX-1B (Low Intensity Business)/S-19
A36	Wood St between 13 th and 14 th St	Housing and Business Mix	(No Change)	CIX-1/S-19	HBX-4
A37	16 th St between Willow and Wood	Business Mix	Housing and Business Mix	CIX-1/S-19	HBX-4

EPP* = Estuary Policy Plan

LUTE** = Land Use & Transportation Element

Table 4.8-2: Proposed General Plan Amendments & Re-Zonings

Location	Existing General Plan Designation	Proposed General Plan Designation	Existing Zoning	Proposed Zoning
A38 East of Mandela Parkway between 14 th and 12 th St	Business Mix	(No Change)	CIX-1/S-19	CIX-1B (Low Intensity Business)/S-19
A39 Multiple blocks from 19 th St to 14 th St mostly adjacent to Mandela Parkway	Business Mix	(No Change)	CIX-1, CIX-1/S-19	CIX-1A (Business Enhancement) /S-19
A40 16 th St between Mandela and Poplar	Business Mix	(No Change)	CIX-1, CIX-1/S-19	CIX-1B (Low Intensity Business)/S-19
A41 Multiple blocks west of Mandela Parkway between 18 th St and Grand	Business Mix	(No Change)	CIX-1	CIX-1B (Low Intensity Business)
A42 Portion of block bounded by 20 th St, Peralta, 18 th and Campbell	Business Mix	(No Change)	CIX-1	CIX-1A (Business Enhancement) /S-19
A43 Portion of block bounded by W Grand, Peralta, 20 th St and Campbell	Business Mix	(No Change)	CIX-1	CIX-1A (Business Enhancement)
A44 East and west of Mandela from 18 th to 28 th St	Business Mix	(No Change)	CIX-1	CIX-1C (High Intensity business) /S-19
A45 Between 19 th St, Poplar, 21 st St, Adeline, W Grand and Chestnut	Business Mix	(No Change)	CIX-1	CIX-1A (Business Enhancement) /S-19
A46 Block bounded by 21 st St, Chestnut, W Grand and Linden	Business Mix	(No Change)	CIX-1	CIX-1B (Low Intensity Business)/S-19
A47 Multiple blocks between 21 st St, Poplar, 28 th St, Union and Adeline	Business Mix	(No Change)	CIX-1	CIX-1B (Low Intensity Business) /S-19
A48 Block bounded by Poplar, 24 th St, Union St and W Grand	Business Mix	(No Change)	CIX-1	CIX-1A (Business Enhancement) /S-19
A49 Multiple blocks between W Grand, Union, 28 th St and Adeline	Business Mix	(No Change)	CIX-1	CIX-1A (Business Enhancement) /S-19
A50 Chestnut St between 24 th and 26 th St	Business Mix	Housing and Business Mix	CIX-1/S-19	HBX-2

EPP* = Estuary Policy Plan

LUTE** = Land Use & Transportation Element

Table 4.8-2: Proposed General Plan Amendments & Re-Zonings

Location	Existing General Plan Designation	Proposed General Plan Designation	Existing Zoning	Proposed Zoning
A51 Adeline between 26 th and 30 St	Business Mix	(No Change)	CIX-1	CIX-1A (Business Enhancement) /S-19
A52 Portion of block bounded by 26 th St Magnolia, 28 th St	Business Mix	(No Change)	CIX-1	CIX-1B (Low Intensity Business)/S-19
A53 Portion of triangle block bounded by Peralta, Mandela and 26 th St, and small triangle to south	Business Mix	(No Change)	CIX-1	CIX-1A (Business Enhancement) /S-19
A54 Portion of triangle area bounded by Mandela, 28 th St and Peralta	Business Mix	(No Change)	CIX-1	CIX-1B (Low Intensity Business)/S-19
A55 North end of block bounded by 28 th , Peralta, 26 th St and Campbell	Business Mix	(No Change)	CIX-1	CIX-1A (Business Enhancement) /S-19
A56 Small triangle block at Mandela and 26 th St	Business Mix	(No Change)	CIX-1	CIX-1A (Business Enhancement) /S-19
A57 2 blocks bounded by 26 th St, Wood St, 32 nd St and Mandela Parkway	Business Mix	(No Change)	CIX-1	CIX-1A (Business Enhancement) /S-19
A58 Multiple blocks between 26 th St, Wood 32 nd St, Mandela, I580 and Plan Boundary	Business Mix	(No Change)	CIX-1, CIX-1/S-19	CIX-1D (Retail Commercial Mix)/S-19
A59 Northeast corner of Plan area beneath I580	Regional Commercial	Business Mix	CR-1	CIX-1D (Retail Commercial Mix)/S-19
A60 Ettie and 34 th St	Housing and Business Mix	(No Change)	HBX-2	HBX-4
A61 Multiple blocks between Union, 3 rd St, Center and 8 th St	Community Commercial	(No Change)	S-15	S-15W
A62 Chester and 5 th St fronting on BART station	Mixed Housing Type Residential	(No Change)	RM-2	RM-2/C
C1 San Pablo between 32nd and 35th	Mixed Housing Type Residential	Urban Residential		
C2 San Pablo between 27 th and 32 nd	Mixed Housing Type Residential	Community Commercial		
C3 Peralta and Hannah	Business Mix	Housing and Business Mix		
C4 Mandela Parkway	Business Mix	Urban Open Space		

EPP* = Estuary Policy Plan

LUTE** = Land Use & Transportation Element

Table 4.8-2: Proposed General Plan Amendments & Re-Zonings

Location	Existing General Plan Designation	Proposed General Plan Designation	Existing Zoning	Proposed Zoning
C5 San Pablo between 24 th and 27 th	Mixed Housing Type Residential	Urban Residential		
C6 Market and W Grand	Mixed Housing Type Residential	Community Commercial		
C7 Mandela Parkway	Business Mix	Urban Open Space		
C8 Linden and W Grand	Community Commercial	Mixed Housing Type Residential		
C9 Mandela Parkway and 16 th St	Business Mix	Urban Open Space		
C10 Union and 12th Street	Urban Open Space	Business Mix		
C11 Mandela Parkway	Mixed Housing Type Residential	Urban Open Space		
C12 7 th St between Peralta and Wood	Mixed Housing Type Residential	Community Commercial		
C13 Frontage Road and 7th Street	Business Mix	Housing and Business Mix		
C14 Wood St District	Urban Residential	(No Change)	Wood St	D-WS

EPP* = Estuary Policy Plan

LUTE** = Land Use & Transportation Element