

The proposal additionally includes adoption of a recommendation to the City Council and Agency to amend the OARB Redevelopment Plan (Redevelopment Plan Land Use Map) to reflect the proposed General Plan amendment. This action would be the third amendment to the Redevelopment Plan since its adoption in June 2000.

In July 2002, the Planning Commission certified the OARB Area Redevelopment Plan Environmental Impact Report (EIR). The EIR contemplated the need to amend the General Plan as proposed. There is no new information, change in circumstances or changes in the project necessitating the need for further environmental review for the proposed General Plan and Redevelopment Plan amendments and therefore the OARB EIR is being relied upon for the requested actions.

PROJECT DESCRIPTION AND BACKGROUND

PROJECT SITE

The property consists of approximately 160 acres located on the southeastern portion of the former base, and includes property known as the East Maritime Property, the Knight Yard, the East Maritime Army Reserve property and a portion of the Maritime Subdistrict (see Attachment A). The subject property is bordered by the I-880 freeway to the east, 7th Street to the south, portions of Maritime Street to the west along with the City Gateway Development Area, and the East Bay Municipal Utility District facility to the north. The property is currently designated as “Business Mix” in the Oakland General Plan, with a zoning designation of M-40 Heavy Industrial.

BACKGROUND

Proposed General Plan Amendment

In July 2002 the City of Oakland certified the Oakland Army Base Area Redevelopment Plan EIR. At that same meeting, the OBRA subsequently adopted the OARB Final Reuse Plan that indicated that the Port would develop OARB areas generally east of Maritime Street (the “Port Development Area”) and the Agency would develop areas generally west of Maritime Street and above West Grand Avenue (“the Gateway Development Area”). In July 2003, OBRA, the Agency and the Port executed a Memorandum of Agreement (MOA) detailing the terms and conditions upon which portions of the former base would be conveyed from OBRA to the Agency and Port. Section 7.2 of the MOA requires that the City adopt a General Plan amendment covering the Port’s prospective East Maritime Property, East Maritime Army Reserve Property, and other properties to be conveyed to the Port in conformance with the certified EIR, by August 2004, but effective upon expiration of the “Trust Period” as defined in the MOA as 3 years from August 2003 (August 2006). Through discussions following adoption of the MOA, the deadline for adopting the General Plan amendment was shifted to occur prior to the August 2006 transfer of OARB property to the Port.

According to the Land Use and Transportation element of the General Plan, the “Business Mix” classification is “intended to guide a transition from heavy industry to low impact light industrial and other businesses that can co-exist compatibly with residential development.” However, the subject area is intended to be used for development of the Port’s Joint Intermodal Terminal (JIT) and would specifically contain improved rail yard facilities to facilitate Port operations. The desired land use of the area, as identified in the OARB Final Reuse Plan and examined in the OARB EIR, is maritime-related transportation activities that support the larger surrounding Port area. For this reason, staff is recommending the site be designated “General Industrial and Transportation,” a classification whose list of compatible uses include transportation, rail yards, marine terminals, distribution and warehousing, and similar activities contemplated by the Port for the subject area and surrounding Port properties. The surrounding Port areas are already designated “General Industrial and Transportation” thus the proposed amendment would “complete” the land use framework in support of Port operations.

The “General Industrial and Transportation” classification is intended to recognize, preserve, and utilize areas of the City for a variety of business and related establishments that may have the potential to create off-site impacts such as noise, light, glare, truck traffic, and odor. Because the anticipated uses of the Port Development Area are for rail yard and maritime-related activities, the “General Industrial and Transportation” classification is an appropriate designation and is specifically discussed in more detail within the OARB EIR.

The Land Use and Transportation Element (LUTE) of the General Plan supports the success of the seaport, envisions its current and future expansion, and seeks to minimize negative externalities of such expansion on the nearby West Oakland neighborhood. The proposed amendment would allow for the efficient operation of Port activities in the subject area, thus the proposed amendment allows the LUTE’s objectives to be met. In this manner, the proposed amendment additionally advances General Plan implementation and is consistent with its policies. Also the proposed amendment will not cause the General Plan to become internally inconsistent as the amendment is consistent with various General Plan policies. For example, Policy W1.2 (*Planning with the Port*) specifies that plans for maritime and aviation operations as well as activities on all lands in Port jurisdiction should be coordinated with, and generally consistent with the Oakland General Plan. The proposed amendment through facilitating operation of the Port’s Joint Intermodal Terminal, ensures coordination and consistency with Port operations. Additionally, Policy W1.3 (*Reducing Land Use Conflicts*) specifies that land uses and impacts generated from Port or neighborhood activities should be buffered, protecting adjacent residential areas from the impacts of seaport, airport, or other industrial uses. The proposed amendment will reduce land use conflicts between the subject site and the immediately adjacent Gateway Development Area. Further, the General Plan recognizes several important transportation projects being planned and implemented by the Port of Oakland that would greatly enhance the Port’s capacity to expand operations, and the JIT is one of the listed projects. The proposed “General Industrial and Transportation” designation would clearly distinguish the subject area as a location where the JIT could be built, in contrast with the existing “Business Mix” designation which would not allow facilities and activities as intensive as the JIT.

Proposed Redevelopment Plan Amendment

The OARB Redevelopment Plan was adopted by the Agency in June 2000 and depicts the development approach desired at that time. It includes three Land Use maps (titled Attachments 3A, 3B, 3C) that illustrate the preferred land uses for various subdistricts within the Redevelopment Area boundaries. The Redevelopment Plan does not specify preferred development projects in detail; it instead defers to the range of land use activities that are allowed by the General Plan. Further, it depicts the Port and Agency developing areas west and east of Maritime Street, respectively--a development approach that is no longer in effect as both entities have now "swapped" areas. As the Agency/Port ownership and development of the former base comes to fruition, amending the Redevelopment Plan (in conjunction with the General Plan amendment) to reflect the ultimate development approach will ensure internal consistency between these two Plans and additionally will bring the Plans into conformity with the OARB Final Reuse Plan.

The proposed action would constitute the third amendment to the OARB Redevelopment Plan and would affect Redevelopment Plan Land Use Maps 3A (which currently illustrates the prior intended uses for areas east and west of Maritime Street) and 3B (which shows the former JIT configuration). Map 3C which illustrates the General Plan designation for the Wood Street subdistrict of the OARB Redevelopment Area was the focus of the second Redevelopment Plan amendment approved in June 2005 to facilitate a new development direction for that area. The first amendment occurred in December 2004 and consisted of extending the time limit for Redevelopment Plan effectiveness and receipt of tax increment revenue by one year. The proposed revised Maps are included as Attachments C(1) and C(2)

In order to recommend approval of the Redevelopment Plan amendment to the Agency, a finding must be made that the proposed amendment is necessary and desirable. Staff believes that the proposed amendment is necessary and desirable, in that it will allow the Redevelopment Plan to be consistent with the General Plan and OARB Reuse Plan.

Additional Related Actions: State Tidelands Trust and Port Boundary Line

The proposed General Plan and Redevelopment Plan amendments are part of a series of OARB-related actions that will be considered by formal bodies over the next few weeks. Two additional actions are the State Tidelands Trust Exchange and Port Boundary Line Adjustment.

Tidelands Trust Exchange

The Tidelands Trust Exchange is an effort of the City, and Port working collaboratively with the State Lands Commission (SLC) to remove property to be developed by the Agency from the Tidelands Trust and include properties to be developed by the Port within Tidelands Trust boundaries. Toward that end, staff will be taking various proposed ordinances and resolutions necessary to complete the Trust Exchange and the property conveyances to the City Council for its consideration in the next couple of weeks. Staff would like to bring forward the required General Plan amendment and supportive Redevelopment Plan amendment along with these other base-related actions for City Council consideration at the

same time. This coordination of the various City Council actions will facilitate the property transfer process once the SLC exchange is completed.

Port Area Boundary Line Adjustment

The Port Area Boundary Line defines the Port of Oakland's jurisdiction and control of property within the City of Oakland. The Port is responsible for providing municipal services (fire, police, etc.) to property within the Port Area. The proposed alteration to the Port Area Boundary Line will alter the Line to include future Port-owned Army Base property within the Port Area and to remove future Agency-owned Army Base property from the Port Area.

No action is required by the Commission for the State Tidelands Trust or boundary line adjustment. It is presented in this report for information only, to provide further information on the series of actions required to implement the OARB Final Reuse Plan.

ENVIRONMENTAL REVIEW

The proposed designation of the subject property from "Business Mix" to "General Industrial and Transportation" in the General Plan was anticipated and fully and completely analyzed in the OARB EIR in 2002. Specifically, section 3.6.1 of the OARB Draft EIR discusses the various General Plan Land Use Classifications that currently exist on the OARB site, and describes the intended designation of the prospective Port's areas in Figure 3-6b of the EIR (see Attachment B). There is no new information, change in circumstances or changes in the project necessitating the need for further environmental review for the proposed General Plan and Redevelopment Plan amendments, pursuant to CEQA Guidelines section 15162, because there are no new significant impacts nor in an increase in the severity of previously identified impacts. Therefore, the OARB EIR is being relied upon for the requested actions.

The proposed General Plan and Redevelopment Plan amendments would not, in and of themselves, result in the development of the Port's Joint Intermodal Terminal (JIT) and the resulting removal of historic resources in the east of Maritime area. Rather, the Port must specifically approve any future development and in so doing it must assess the consistency of the proposed JIT project with various policies in the Historic Preservation Element of the General Plan. The future development of the JIT would result in the removal of four or five of the "800 Series" warehouses. These buildings are part of the OARB Historic District. The removal of these structures, resulting in the significant and unavoidable loss of these historic resources, was fully analyzed and addressed in the OARB Redevelopment EIR. The City previously commissioned an analysis of preserving the affected structures. That analysis determined that preservation was infeasible; that demolition would materially impair the integrity of the Historic District, resulting in a loss of eligibility for the federal National Register of Historic Places and local Area of Primary importance. A comprehensive set of mitigation measures were adopted by the City, the Agency, OBRA and the Port (see Attachment D), but the impacts were still considered to be significant and unavoidable. Therefore, a Statement of Overriding Considerations was adopted by the City for this significant and unavoidable impact on historic resources.

RECOMMENDATIONS

In light of the above, staff recommends that the Planning Commission:

- (1) Determine that the OARB Area Redevelopment Plan EIR can be relied upon for the proposed project and no further environmental review is required, pursuant to CEQA Guidelines section 15162, because there is no new information, change in circumstances or changes in the project that would result in new significant impacts nor in an increase in the severity of previously identified impacts;
- (2) Recommend to the City Council approval of an amendment to the General Plan to designate the above-described Port Development Area of the former Oakland Army Base from “Business Mix” to “General Industrial and Transportation;” and
- (3) Adopt a Report to the Redevelopment Agency and the City Council recommending adoption of the Third Amendment to the Oakland Army Base Redevelopment Plan

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ATTACHMENTS:

- A. Map of Subject Property
- B. Map 3.6b of the OARB Area
- C. (1) Oakland Army Base Redevelopment—Conceptual Redevelopment Strategy Map (Amended Redevelopment Map 3A)
(2) Oakland Army Base Redevelopment--Maritime Sub-district General Plan Map (Amended Redevelopment Plan Map 3B)
- D. OARB Area Redevelopment Plan EIR Mitigations

NOTE:

THE OAKLAND ARMY BASE AREA REDEVELOPMENT PLAN ENVIRONMENTAL IMPACT REPORT WAS PREVIOUSLY PROVIDED TO THE PLANNING COMMISSION AND CAN BE OBTAINED AT CITY OF OAKLAND, COMMUNITY AND ECONOMIC DEVELOPMENT AGENCY, PLANNING DIVISION, 250 FRANK H. OGAWA PLAZA, SUITE 3315, OAKLAND, CA 94612 AND ON THE WEB AT:

http://

www.oaklandnet.com/government/ceda/revised/planning/zoning/MajorProjectsSection/environmentaldocuments.html