

City of San Leandro Planning Commission

RESOLUTION NO. 2018-002 RECOMMENDING THAT THE CITY COUNCIL ADOPT THE BAY FAIR TRANSIT-ORIENTED DEVELOPMENT (TOD) SPECIFIC PLAN

WHEREAS, California Government Code Section 65300 et seq. requires every city and county in California to adopt a General Plan for its long-range development, and further, to periodically update that plan to reflect current conditions and issues; and

WHEREAS; in 2016, the City Council adopted the San Leandro 2035 General Plan; and

WHEREAS, Government Code Section 65450 et seq. permits a city to adopt a specific plan for the implementation of the general plan for part of the area covered by the general plan; and

WHEREAS, the Bay Fair TOD Specific Plan Area encompasses 154 acres and is generally bound by East 14th Street to the northeast, Hesperian Boulevard to the west, and the border between the City and unincorporated Alameda County to the south and southwest (the "Specific Plan Area"); and

WHEREAS, the Bay Fair BART Station and parking lots, Bayfair Center shopping mall, Fairmont Square and Fashion Faire Place shopping areas, and portions of the Hesperian and East 14th corridors are included within the Specific Plan Area; and

WHEREAS, the City initiated a process to develop a vision, policies, standards, and implementation strategies for the Specific Plan Area through the Development of the Bay Fair TOD Specific Plan (the "Specific Plan"), in collaboration with Alameda County, BART, the owner of the Bayfair Center shopping mall Madison Marquette, and the public; and

WHEREAS, in 2015, the City selected Raimi & Associates to serve as lead consultant for the Specific Plan and related Environmental Impact Report; and

WHEREAS, in February 2016, the City Council created a Citizens Advisory Committee ("CAC"), made up of 21 community members, to help guide the preparation of the Specific Plan. The CAC met four times to identify desired project outcomes and provide initial feedback on strategies and concepts; and

WHEREAS, the City Council created a ten member Technical Advisory Committee ("TAC"), made up of members from Alameda County, AC Transit, the City of

San Leandro, BART, Caltrans, and other relevant agencies to provide technical input during the process. The TAC met four times; and

WHEREAS, the City has conducted an extensive community outreach process to ensure broad public participation for development of the Specific Plan, and the public has participated in the process through over 15 meetings since 2016, including two community workshops in September 2016 and October 2017, two pop-up outreach events at the Bay Fair Bart station and the Bayfair Center, as well as study sessions before the City Council and Planning Commission to receive direction and feedback; and

WHEREAS, public notices for community engagement events, such as Planning Commission and City Council meetings and the community workshops, have provided guidance in Spanish and Chinese regarding availability of translation and accommodations for persons with disabilities; and

WHEREAS, City staff provided community and interested parties who signed up for the project mailing list with regular communication regarding the planning process and public meeting dates. The email lists consisted of over 450 individuals representing individual homeowners, tenants, property owners, businesses, community organizations, environmental organizations, housing advocates and stakeholders, transportation advocates and stakeholders, local school districts, and elected and appointed officials; and

WHEREAS, the City also noticed property owners within 1000 feet of the Specific Plan Area about key public meetings; and

WHEREAS, public input was further solicited through a dedicated project website and an online survey; and

WHEREAS, the input received through the public engagement process, including feedback from the public, Planning Commission, CAC, and TAC, was incorporated into the draft Specific Plan; and

WHEREAS, the City prepared a draft Specific Plan (the "Draft Specific Plan") which was publicly released on September 28, 2017 based on public input, staff and consultant review and research, Planning Commission comments, and City Council direction among other considerations. The Draft Specific Plan includes text and a proposed B-TOD Zoning District Diagram and is a separately bound document on file at City Hall and incorporated herein by reference as **Exhibit A**; and

WHEREAS, the Draft Specific Plan implements the City's General Plan, which identifies the Specific Plan Area as one of the City's most significant areas of potential change, and envisions the area as a dynamic, walkable, transit-oriented area with a mix of uses; and

WHEREAS, the General Plan establishes a land use designation of B-TOD for the Specific Plan Area, but the details of the land uses, design and development for the area are deferred to the adopted Specific Plan; and

WHEREAS, the Draft Specific Plan provides a vision for a sustainable, vibrant, and safe transit-oriented village with a diversity of land uses serving local and regional populations; and

WHEREAS, the Draft Specific Plan includes goals and policies related to land use, transportation/traffic, infrastructure, and design to fulfill the vision for the Specific Plan Area, and establishes uses and development standards for the Specific Plan Area; and

WHEREAS, the Draft Specific Plan includes text and diagrams specifying the distribution, location, and extent of the uses of land within the area covered by the plan, as well as the location, and extent and intensity of major components of public and private transportation and other essential facilities located within the Specific Plan Area; and

WHEREAS, the Draft Specific Plan identifies standards and criteria by which development will proceed; and

WHEREAS, a conservative and reasonable estimate of build-out associated with the proposed Draft Specific Plan through 2035 would include development of up to 2,540 housing units and 300,000 square feet of office space, as well as the removal of an estimated 161,000 square feet of retail space; and

WHEREAS, the Draft Specific Plan is consistent with the policies, goals and vision set out in the General Plan; and

WHEREAS, the Draft Specific Plan incorporates all necessary components to comply with current state planning law; and

WHEREAS, the City prepared a Draft Environmental Impact Report to identify the potential environmental impacts of approving the Draft Specific Plan, and a Notice of Availability of the draft environmental impact report for the Draft Specific Plan was publicly noticed and published on October 6, 2017 for a 45 day public comment period until November 20, 2017; and

WHEREAS, written and oral comments on the Draft Specific Plan were received from individuals, agencies, and organizations and are on file in the Community Development Department at San Leandro City Hall located at 835 East 14th Street; and

WHEREAS, the City prepared a Bay Fair TOD Specific Plan Addendum dated January 5, 2018, attached as **Exhibit B** and incorporated herein by reference. The Plan Addendum has been prepared incorporating line edits to the September 28, 2017 Draft Specific Plan that respond to comments from individuals, organizations, and agencies providing comments on the document;

WHEREAS, on January 18, 2018, the Planning Commission reviewed the staff report and the EIR (including comments and responses) at a duly noticed public hearing on the Draft Specific Plan, at which time all interested parties had the opportunity to be heard; and

WHEREAS, following the public hearing, the Planning Commission adopted a Resolution, dated January 18, 2018 and incorporated herein by reference, recommending that the City Council certify the EIR and adopt any required CEQA findings regarding mitigations and alternatives, Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program.

NOW, THEREFORE THE PLANNING COMMISSION FOR THE CITY OF SAN LEANDRO RESOLVES THAT: The above recitals are true and correct and made a part of this resolution.

BE IT FURTHER RESOLVED THAT: The Planning Commission hereby recommends that the City Council adopt the Bay Fair Transit-Oriented Development (TOD) Specific Plan, as shown in attached **Exhibits A and B** based on the following findings and considering the staff report and the whole of the record related to the Project;

1. The proposed Specific Plan establishes appropriate goals, policies, and programs to address land use, transportation, housing, economic development, parks, safety, urban design, and community services and facilities.

2. The proposed Specific Plan will not be detrimental to the public interest, health, safety, or welfare of the City.

3. The proposed Specific Plan is internally consistent, and is consistent with the City's General Plan.

4. The proposed General Plan conforms with the relevant and applicable provisions of the California Government Code for specific plans in that it systematically

implements the General Plan for the Specific Plan Area, and adequately addresses all of the statutorily required components and content.

5. The City Council receive and review the comments in Exhibit C related to the Final Specific Plan.

PASSED, APPROVED, AND ADOPTED this 18th day of January, 2018 by the following vote:

AYES: 6 (ABERO, BAKER, BRENNAN, BRESLIN, COLLIER, PON)

NOES:

ABSENT: 1 (HUSSEY)

ABSTAIN:



Ken Pon
Planning Commission Chairperson

ATTEST:



Tom Liao
Secretary to the Planning
Commission

EXHIBIT C

Recommended Changes to the Bay Fair Transit Oriented Development Specific Plan and Final Environmental Impact Report from Planning Commissioner Tony Breslin during the January 18, 2018 Planning Commission Public Hearing

1. In the *Bay Fair TOD Specific Plan EIR*, Table 35 (for reference see page 24 of Bay Fair TOD EIR dated September 2017), and in the Bay Fair TOD Final EIR (FEIR), add new mitigation measures under *Impact T-1* (Intersections Levels of Service F) and *Impact T-3* (Bus delays due to lane reductions and increased traffic):

- Under Mitigation Measure (s) column for Impact T-1 add:

MM-T-3: Additional Street Right-of-Way

The City of San Leandro shall study costs and benefits of purchasing additional private property land for street right(s)-of-way adjacent to Hesperian Boulevard, E. 14th, and Fairmont Drive to improve intersection Level(s) of Service (LOS), and shall include in all future traffic studies benefits of additional lanes as Mitigation Measure MM T-3. The improvement shall occur if traffic impacts studies show significant improvement in forecast LOS, and if the City of San Leandro can acquire right-of-way(s) through purchase or as condition of development of future TOD projects.

- Under Mitigation Measure (s) column for Impact T-3 add:

MM-T-4: Additional Street Right-of-Way

The City of San Leandro shall study costs and benefits of purchasing additional private property land for street right(s)-of-way adjacent to Hesperian Boulevard, E. 14th, and Fairmont Drive to improve bus operations, and include in all future transportation studies benefits of additional lanes as Mitigation Measure MM T-4. The improvement shall occur if bus operations studies show significant improvement in forecast bus operations, and if the City of San Leandro can acquire right-of-way(s) through purchase or as condition of development of future TOD projects.

2. In the *Bay Fair TOD Specific Plan*, Chapter 7 – Implementation Table 7.1 Implementation Actions and Programs (for reference see current Page 121 of Specific Plan dated September 28, 2017), modify Table 7.1 *Medium Term Actions* to include the following:

- Under column 1 *Implementation Action* add: **Ashland Residential Area Parking Program.**
- Under column 2 *Description* add: **Create Inter-Agency Parking Committee managed by San Leandro and consisting of San Leandro, Alameda County, and BART, and begin Ashland Area Resident Parking Program to implement and enforce street parking time limits for non-residents.**
- Under column 3 *Parties Involved* add: **Inter-Agency Committee consisting of San Leandro, Alameda County, and BART. Future parking enforcement by Alameda County.**

3. In Planning Commission *Resolution 2018-001 Recommending Certification of the Environmental Impact Report for the Bay Fair Transit-Oriented Development (TOD) Specific Plan*, include the following language (note that this item requires Item 1 (MM T-3 and MM T-4) above to be completed):
 - *WHEREAS, the City of San Leandro commits to oversee a Bay Fair Inter-Agency Board to create a Memorandum of Understanding between BART, Alameda County, and the City of San Leandro, to guide the provision of policing, parking enforcement, maintenance, and other ongoing services necessary for the ongoing functioning of the Bay Fair area, and commits to implement Mitigation Measures as described in the Bay Fair TOD Draft and Final Environmental Impact Reports; and...*

4. In Planning Commission *Resolution 2018-002 Recommending that the City Council Adopt the Bay Fair Transit-Oriented Development (TOD) Specific Plan*, include the following language. (Some of language taken directly from Specific Plan Table 7.1):
 - *WHEREAS, the City of San Leandro commits to oversee a Bay Fair Inter-Agency Board to create a Memorandum of Understanding between BART, Alameda County, and the City of San Leandro, to guide the provision of policing, parking enforcement, maintenance, and other ongoing services necessary for the ongoing functioning of the Bay Fair area, and, of which, the Bay Fair Inter-Agency Board will commit to plan and implement, through Alameda County, a residential parking restriction program in Ashland and effected spillover parking areas to minimize Bay Fair TOD and Bay Fair BART spill-over parking; and...*

5. In future *Statement of Overriding Conditions* required for Bay Fair TOD “Significant and Unavoidable” Impacts T-1 (Intersections Levels of Service) and T-3 (Bus Delays) (See Bay Fair TOD Specific Plan Page 24 for reference), include:
 - *City of San Leandro will modify Bay Fair Traffic Impacts Study to determine what improvements are possible in intersection Level of Service in the study area with additional travel lanes which right-of-ways could be acquired through land purchases from current owners.*

Recommended Changes to the Bay Fair Transit Oriented Development Specific Plan and Final Environmental Impact Report from Planning Commissioner Richard Brennan during the January 18, 2018 Planning Commission Public Hearing

1. Halcyon Corridor

In late 2017, towards the end of the review process for the Bay Fair TOD Specific Plan, a significant development was announced on Halcyon Drive, just west of the core TOD study area. Located on the former Kraft Foods site at Halcyon Drive and Washington Avenue. Trammel Crow announced development of the San Leandro Business Center, which includes over 550,000 square feet of Class A industrial space in three buildings. Each building is designed to accommodate up to three tenants, and the site has the potential to employ over 500 people. The project will also include widening and improvements to Halcyon Drive. This re-vitalization and upgrade of a key mixed office/industrial site,

represents an opportunity to include the potential commute and business hour traffic flows to and from Bayfair BART, and the interactions with any development within the TOD. The proposed vision for the Fairmont-Halcyon corridors appear to suit the desired transportation modes in and out of the TOD study area well.

- I would like to see an extended Halcyon corridor mentioned in the TOD as a note or annex, and the associated diagrams updated accordingly.

2. AC Transit BRT - Extension from San Leandro BART to Bayfair

The AC Transit East Bay BRT project, as currently envisioned, runs from Downtown Oakland to a southern terminus at the San Leandro BART station. This system will use hybrid-electric buses with onboard technology for automatic signal activation. An opportunity exists to couple the vision of the Bay Fair TOD to the existing San Leandro Downtown TOD, by linking the San Leandro and Bayfair BART stations using BRT. While the majority of the East Bay BRT runs down East 14th Street, continuing this route would result in heavy congestion in the narrow sections of East 14th south of Davis Street in San Leandro. The current BRT route design turns west on Davis Street, and terminates on San Leandro Avenue at the San Leandro BART. This puts the BRT within a few feet of the proposed East Bay Greenway, proposed for construction on the dormant Union Pacific (formerly Western Pacific) Oakland Subdivision right-of-way, which passes adjacent to BOTH the San Leandro and Bayfair BART stations.

- I would like the TOD vision to consider the possibility that in a rail-to-trail scenario, a single-lane, bi-directional BRT path could be constructed on the eastern portion of the Greenway, with a short double-lane passing area near 139th Ave.
- A further opportunity might be to include a full BRT station with the passing lanes at 139th Ave., providing an additional transit opportunity to this mixed industrial/residential area.

The single lane BRT could be planned for maximum separation and buffering from bicycle and pedestrian traffic on the Greenway, but the width of the railroad right-of-way in this area should allow ample space. Operationally, the distance of the BRT lane on the Greenway would be about 2.5 miles, and using in-bus electronic controls, buses could be scheduled to leave simultaneously from Bayfair and San Leandro BART, and hold at 139th Ave. for a synchronized meet and pass. The use of GPS location, V2I (Vehicle to Infrastructure) communication and PTC-type (Positive Transit/Train Control) technologies would assure operational safety.

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