Legislation Details (With Text)

File #:	18-066	**Version:**	1	**Name:**	Bay Fair TOD Plan Reso
Type:	Resolution - Council			**Status:**	Passed
				In control:	City Council
On agenda:	2/20/2018			**Final action:**	2/20/2018
Enactment date:	2/20/2018			**Enactment #:**	Reso 2018-009
Title:	RESOLUTION Adopting the Bay Fair Transit-Oriented Development (TOD) Specific Plan				
Sponsors:	Cynthia Battenberg				
Indexes:					
Code sections:					
Attachments:	1. Exh A_Draft Bay Fair TOD Plan, 2. Exh B_Bay Fair TOD Plan Addendum_Rev 020218				

Date	Ver.	Action By	Action	Result
2/20/2018	1	City Council	Adopted as Amended	Pass

RESOLUTION Adopting 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

powered by Legistar™

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

powered by Legistar™

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, 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 and amended on February 2, 2018, attached as **Exhibit B** and incorporated herein by reference (the “Addendum”). The 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; and

WHEREAS, a staff report dated January 18, 2018 and incorporated herein by reference, described and analyzed the proposed Bay Fair TOD Specific Plan and related Environmental Impact Report (EIR) for the Planning Commission; and

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

WHEREAS, following the public hearing, the Planning Commission adopted Resolution 2018-001 recommending that the City Council certify the Environmental Impact Report, and Resolution 2018-002, recommending that the City Council adopt the Bay Fair TOD Specific Plan (including the Addendum), and both resolutions are incorporated herein by reference; and

WHEREAS, Resolutions 2018-001 and 2018-002 also included a recommendation that the City Council receive and review comments from individual Planning Commissioners related to the Bay Fair TOD Specific Plan and EIR; and

WHEREAS, a staff report, dated February 20, 2018 and incorporated herein by reference, describes and analyzes the proposed Bay Fair TOD Specific Plan (including the Addendum) and the related Draft and Final EIRs for the City Council; and

WHEREAS, the City Council reviewed the staff report, the Draft and Final EIRs, and the Bay Fair TOD Specific Plan (including Addendum) at a noticed public hearing on February 20, 2018, at which time all interested parties had the opportunity to be heard; and

WHEREAS, following the public hearing, the City Council adopted Resolution 2018-___, dated February 20, 2018 and incorporated herein by reference, certifying the EIR and adopting required CEQA findings regarding mitigations and alternatives, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program.

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

BE IT FURTHER RESOLVED THAT: The City Council adopts the Bay Fair TOD Specific Plan (including Addendum), as shown in Exhibit A and Exhibit B, based on the following findings and considering the staff report, the certified EIR, the Planning Commission recommendation, and the whole of the record related to the Bay Fair TOD Specific Plan.

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.

powered by Legistar™

4. The proposed Specific 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. Following adoption of the Bay Fair TOD Specific Plan, Exhibits A and B shall be combined into a single “final” Bay Fair TOD Specific Plan document.