

ITEM 9-D

PLANNING BOARD STAFF REPORT

DATE: September 28, 2009

TO: Honorable President and Members of the
Planning Board

FROM: Andrew Thomas, Planning Services Manager
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PROPERTY

ADDRESS: Naval Air Station, Alameda (Alameda Point)

APPLICATIONS: **Oakland Chinatown Advisory Committee** Consideration of a recommendation from the Oakland Chinatown Advisory Committee regarding environmental review of transportation impacts of redevelopment of Alameda Point on Oakland's Chinatown neighborhood.

ZONING DISTRICT: M-2 General Industrial

GENERAL PLAN: Specified Mixed Use

BACKGROUND

In 2003, the City of Alameda approved the General Plan Amendment (GPA) for Alameda Point. The amendment established a mixed use, transit oriented vision for redevelopment of the former Naval Air Station west of Main Street (Alameda Point). In December 2003 and January 2004, respectively, the City of Oakland and Oakland Chinatown Chamber of Commerce and Asian Health Services (Chinatown Community) filed lawsuits challenging the environmental review for the GPA, citing concerns about the potential traffic impacts of redevelopment on Oakland's Chinatown. In April 2004, the City of Alameda, City of Oakland, and the Chinatown Community executed a settlement agreement, (Attachment A) that established the Oakland

Chinatown Advisory Committee (OCAC)¹ to advise the City of Alameda City Council and Planning Board and the City of Oakland City Council and Planning Commission on matters related to traffic and transportation, including but not limited to the following provisions:

- The City of Alameda “shall prepare at least one Project level EIR . . . prior to the construction of any new permanent occupied buildings at Alameda Point.”
- The City of Alameda would work with OCAC during the EIR process to identify appropriate transportation mitigations to lessen traffic impacts from Alameda Point redevelopment on Chinatown.
- The City of Alameda would not challenge the environmental review for four specified projects in Oakland.
- The City of Oakland would not challenge the environmental review for specific projects at Alameda Landing (the former Fleet Industrial Supply Center, “FISC”) or Alameda Point.
- The Chinatown Community would not challenge the environmental review for the first phase of the development of Alameda Point, defined as “up to 1,000 single family/duplex units, 100 low and/or very low income multifamily units and 100,000 square feet of neighborhood commercial construction.”
- Alameda would provide Chinatown \$500,000 in mitigation for the first phase of development at Alameda Point.
- Oakland would contribute \$462,000 toward measures to improve pedestrian safety and circulation in Oakland Chinatown.

On August 6, 2009, the OCAC made the following recommendation to the City of Alameda Planning Board:

“That the City of Alameda immediately prepare an EIR on the SunCal Alameda Point proposal submitted to the City of Alameda in December 2008 so that the OCAC can perform its mandate under the Settlement Agreement.”

ANALYSIS:

SunCal has prepared a citizens’ initiative called the “Alameda Point Revitalization Initiative”. This spring, SunCal collected signatures to place the initiative on the ballot in Alameda. This summer, SunCal decided not to submit the signatures in time for the November 2009 election. As of the writing of this report, staff does not know whether SunCal will move forward with the initiative and submit the signatures for a 2010 election. It is staff’s understanding that, under the Elections Code, if SunCal does not submit the signatures in the near future the signatures will expire and the initiative will not move forward.

¹ The OCAC includes two representatives from Alameda. The current Alameda representatives are Planning Board Chair Marilyn Ezzy Aschraft and former Base Reuse Advisory Committee (BRAC) member Lee Perez.

The City of Alameda, pursuant to its agreements with SunCal, will prepare an Environmental Impact Report (EIR) evaluating the environmental impacts of the redevelopment plan for Alameda Point. Although citizen initiatives are exempt from the California Environmental Quality Act (CEQA), any action by the City of Alameda to implement improvements approved by the initiative are subject to CEQA. For example, even if the voters approve the initiative, the City must first conduct an environmental review before approving transfer of the land, or approving a building design review application, grading plan, or subdivision application. . Therefore, even though the initiative itself is exempt from CEQA, the project cannot move forward without environmental review.

SunCal is required to fund the costs of preparing the project EIR, pursuant to its agreements with the City of Alameda. . If SunCal submits the necessary signatures for the current initiative, the City will proceed immediately on the EIR for the project. If SunCal does not submit the signatures and chooses to develop a plan that does not require voter approval (a Measure A compliant Plan), the City will proceed immediately on the EIR for the Measure A compliant project. If SunCal does not submit the signatures and chooses to abandon the project, the City will not immediately begin any work on the environmental review for the project.

RECOMMENDATION

That the Planning Board accept the recommendation of the OCAC and direct staff to begin work immediately on the EIR for the project, if SunCal chooses to proceed with the initiative or with any other project at Alameda Point.

RESPECTFULLY SUBMITTED BY:



Andrew Thomas
Planning Services Manager

Attachments:

A. Settlement Agreement