

**THE AIRPORT LAND USE COMMISSION OF ALAMEDA COUNTY
HAYWARD, CA**

RESOLUTION 01-2015 – AT A MEETING MARCH 18, 2015

WHEREAS, County Airport Land Use Commissions (ALUCs) were established pursuant to the State ALUC law (Public Utilities Code Article 3.5, State Aeronautics Act, Section 21661.5, Section 21670 et seq., and Government Code Section 65302.3 et seq.) to protect the public health, safety, and welfare by promoting orderly expansion of airports and adoption of land use measures by local public agencies to minimize exposure to excessive noise and safety hazards near airports; and

WHEREAS, state law authorizes ALUCs to coordinate planning at the state, regional and local levels; to prepare and adopt Airport Land Use Compatibility Plans; and to review and make recommendations concerning specified plans, regulations and other actions of local agencies and airport operators including General and Specific Plan amendments, adoption of a Zoning Ordinance or Rezoning, adoption of Building Regulations, revision of Airport Master Plans, and approval of plans to construct a new airport/heliport; and

WHEREAS, the Airport Land Use Compatibility Plan (ALUCP) for the Oakland International Airport was adopted by the Airport Land Use Commission of Alameda County on December 15 2010; and

WHEREAS, in 2012 the City of Oakland began the development of the Coliseum City Master Plan (a long-range land use planning document) for land that is within the Airport influence Area (AIA) of the Oakland International Airport; and

WHEREAS, in 2014 the City of Oakland subsequently developed the Draft Coliseum Area Specific Plan (CASP) which accommodates eventual development as envisioned under the Coliseum City Master Plan as well as providing overall policy and regulatory guidance to implement the Plan; and

WHEREAS, a Draft Environmental Impact Report (DEIR) for the Draft Coliseum Area Specific Plan was released for Public Review in August 2014; and

WHEREAS, the Draft Coliseum Area Specific Plan DEIR analyzes the potential environmental impacts of these potential land uses: NFL Stadium and Multi-purpose Event Center, MLB Ballpark, NBA/Multi-purpose Arena, Sports Related Entertainment District, BART Adjacent Transit-Oriented District (TOD), a Mixed Use Residential Sports Neighborhood, and a Science and Technology district; and

WHEREAS, the Project Area is located within portions of the Safety Zone 3: Inner Turning Zone, Safety Zone 6: Traffic Pattern Zone, and Safety Zone 7: Other Airport Environs between Safety Zone 6 and the AIA boundary; and

WHEREAS, the proposed Project, particularly at the Coliseum District, indicates construction of several tall buildings and structures that would exceed the FAA Part 77 Horizontal Surface Plane at elevation 159.3 feet above mean sea level; and

WHEREAS, The Draft Coliseum Specific Plan and Draft EIR was reviewed and discussed by the Commission at the September 17, 2014 regularly scheduled ALUC meeting; and

WHEREAS, the commission continued this item to the March 18, 2015 ALUC meeting for further review and discussion; and

WHEREAS, the commission directed staff to send a DEIR Comment letter, dated October 15, 2014, to the City of Oakland discussing airport land use compatibility concerns raised at the ALUC meeting; and

WHEREAS, the City has further refined the proposed Plan and has made the Final Coliseum Area Specific Plan and Final EIR available for public review and comment beginning on February 20, 2015 and ending March 4, 2015; and

WHEREAS, ALUC staff sent a comment letter to the City on March 4, 2015 that requested further correction to specific language for Mitigation Measure MM Land 7A, and reflected conversations with City of Oakland staff assuring that any comments resulting from the March 18, 2015 ALUC meeting would be included in the Official Record and fully considered as this project moves forward; and

WHEREAS, in response to the ALUC's letters the City has amended or added Mitigations MM Land-7A and MM Land-7C; and

WHEREAS, the city has committed in the Response to Comments for the ALUC letter in the FEIR to providing the ALUC with a review process for determining consistency for all subsequent projects within the Project Area that exceed 159 feet in height; and

WHEREAS, the ALUC further requests that future projects, as described in the Oakland Airport Land Use Compatibility Plan (2010) Section 2.6.2- *Land Use Actions Recommended for ALUC Review*, be referred to the ALUC for a Consistency Determination prior to approval by the City; and

WHEREAS, The Final Coliseum Area Specific Plan and Final EIR was reviewed and discussed by the Commission at the March 18, 2015 regularly scheduled ALUC meeting;

NOW, THEREFORE BE IT RESOLVED that the Airport Land Use Commission of Alameda County finds as follows:

1. Find the City of Oakland's FINAL Coliseum Area Specific Plan and FEIR (February 2015) to be Consistent with the policies in the 2010 Oakland Airport ALUCP;
2. Request the City of Oakland consider amending the zoning code within the Coliseum Area Specific Plan to be consistent with the Oakland Airport Land Use Compatibility Plan (2010); and
3. Request the City of Oakland refer future projects, as described in the Oakland Airport Land Use Compatibility Plan (2010) Section 2.6.2- *Land Use Actions Recommended*, for review by the ALUC for a Consistency Determination prior to approval by the city.

NOW, THEREFORE BE IT FURTHER RESOLVED that the Airport Land Use Commission of Alameda County took the following action at its March 18, 2015 regularly scheduled ALUC meeting:

1. Adopted Resolution 01-2015 in accordance with applicable law.

ADOPTED BY THE FOLLOWING VOTE:

AYES: CHARPENTIER FOR ALE-FLINT, HENSON, MORRIS, PRICE, WILSON FOR SPALDING, HAURI

NOES: NONE

ABSENT: MARCHAND

ABSTAINED: NONE

SIGNED:



LEANDER HAURI,
CHAIR, ALAMEDA COUNTY AIRPORT LAND USE COMMISSION

**ALBERT LOPEZ, ADMINISTRATIVE OFFICER
ALAMEDA COUNTY AIRPORT LAND USE COMMISSION**