

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Resolution to Amend the Land Use)
And Transportation Elements of the) RESOLUTION NO. 09-11303
General Plan in Conjunction with the)
Railroad Avenue Specific Plan)

The Pittsburg City Council DOES RESOLVE as follows:

WHEREAS, on June 20, 2005, the City Council authorized the Mayor to execute an MOU with the Bay Area Rapid Transit District (BART), Contra Costa Transportation Authority (CCTA), Eastern Contra Costa Transit Authority (Tri Delta Transit), Contra Costa County and the cities of Antioch, Brentwood, and Oakley. The agreement obligated each city and the County to prepare ridership development plans for their respective eBART stations within two years. The MOU was subsequently amended on March 19, 2007, with City Council Resolution No. 07-10737, and was amended again on April 7, 2008, with the adoption of City Council Resolution No. 08-10986, to limit the scope of the eBART project to two stations along the corridor, reduce the number of riders expected along that corridor and extend the schedule for the development of the ridership development plans.

WHEREAS, between May 2006 and May 2008, the City of Pittsburg held a stakeholder meeting for business and property owners in the core Specific Plan area; four community workshops open to the public; public educational outreach activities including a Transit-Oriented Development Seminar; and, a bus tour of transit oriented developments in the Bay Area. In addition, a joint Planning Commission/City Council meeting was held on November 27, 2006.

WHEREAS, throughout the Specific Plan planning and development process, input was provided by the public, City staff, outside agencies such as BART, CCTA and Tri-Delta Transit, and advocacy groups, in accordance with Government Code section 65351.

WHEREAS, General Plan amendments are proposed in conjunction with the Railroad Avenue Specific Plan. Summarized below, the proposed General Plan amendments include:

1. General Plan Chapter 2, Land Use Element: Amendments to the mixed use land use designation description (General Plan, page 2-18) to include the general development standards set forth in the Railroad Avenue Specific Plan. In addition, Figures 2-2, 2-4d, 2-4e and 2-4j would be amended to include the Mixed Use land use designation on all properties in the Railroad Avenue Specific Plan sub-areas identified as Transit Village, Civic Center, and portions of the High School Village sub-area that are currently designated Business Commercial (along Railroad Avenue) and Community Commercial (along California Avenue, east of Harbor Street to Edward Avenue).

2. General Plan Chapter 7, Transportation Element: Amend Figure 7-1, Roadway System; Figure 7-3, Transit Facilities; Figure 7-4, Bicycle Facilities; and, Table 7-5, Bicycle Facilities, to include the proposed transit and bicycle facility improvements contained within the Specific Plan.

WHEREAS, the Specific Plan is consistent with all elements of the General Plan related to the Specific Plan area. It specifically fulfills the General Plan's policies to support the extension of BART to Pittsburg and to create a specific plan for the area surrounding the transit station that would foster a mix of commercial and residential uses with extensive pedestrian amenities and linkages to surrounding neighborhoods (General Plan Goals and Policies 2-G-20, 2-P-56, 4-P-44, 4-P-70, 4-P-71, 7-P-28 and 7-P-32). It also fulfills policies adopted to allow for expansion, intensification and densification of commercial and residential uses along that portion of the Railroad Avenue corridor closest to the future eBART Station (2-P-54, 2-P-58, 4-G-7 and 4-P-72). Circulation improvements envisioned by the General Plan would also be implemented through the Specific Plan, including the extension of Garcia Avenue to Railroad Avenue (2-P-59); development of transit-oriented development patterns such as smaller blocks and multi-use pathways to support pedestrian and bicycle activity (4-P-39, 4-P-41, 4-P-73, 7-P-39 and 7-P-51); and, improvements in streetscape and public transit amenities such as pedestrian-scaled lighting, benches and bus shelters (4-G-6 and 7-P-29).

WHEREAS, the first draft of the Railroad Avenue Specific Plan was released for a 30-day review between April 16, 2008, and May 16, 2008, and a community workshop was held to take comments on the draft plan on May 8, 2008. A second draft of the Railroad Avenue Specific Plan was released on February 26, 2009, in conjunction with the Draft EIR that was prepared for the project. The second draft Specific Plan was also sent with the Draft EIR to the State Clearinghouse for distribution to state agencies. The Notice of Availability and copies of the second draft Specific Plan and Draft EIR were mailed via first class mail to city, county, state and other agencies and organizations having jurisdiction over or interest in environmental resources and/or conditions within the project area, and to each local agency expected to provide water, wastewater treatment, streets, roads, schools or other essential facilities or services to the project area. A notice of the availability of the second draft Specific Plan was also mailed via first class mail to all individuals who had previously attended public workshops and/or requested to be added to the mailing list for Railroad Avenue Specific Plan update announcements. Copies of the second draft Railroad Avenue Specific Plan were placed at City Hall and the Pittsburg Library and posted on the project website to facilitate public review of the document and all appendices. All recipients of the notice of availability of the second draft Railroad Avenue Specific Plan were notified of a 45-day comment period on the draft document to run concurrently with the Draft EIR comment period of February 26, 2009, through April 13, 2009 (Government Code section 65352).

WHEREAS, the Planning Commission held a public meeting on March 24, 2009, at which the public and the Commission submitted comments on the Draft EIR and the Draft Railroad Avenue Specific Plan. The Final EIR, including responses to those and other written public comments, was completed in June 2009.

WHEREAS, on July 6, 2009, the City Council adopted Resolution No. 09-11250 certifying the Final EIR, adopting and approving statements of findings and overriding

considerations, and approving MMRP for the project. The mitigation measures included in the MMRP were subsequently incorporated into the current Draft Railroad Avenue Specific Plan.

WHEREAS, under Government Code section 65358, the legislative body (city council) of a local government agency may amend its general plan, in whole or in part, if it finds that the amendment would be in the public interest. No more than four General Plan amendments to each element may be adopted within one calendar year. During this calendar year, the City Council has adopted three General Plan Amendments affecting the Housing Element, the Growth Management Element, and the Transportation Element, respectively.

WHEREAS, California Government Code and the Pittsburg Municipal Code identify the Planning Commission as the advisory body to the City Council on amendments to the general plan and zoning ordinance.

WHEREAS, On August 11, 2009, the Planning Commission held a public hearing on this project, at which oral and/or written testimony was considered, and subsequently adopted Resolution Nos. 9792 and 9793, making findings and recommending that the Council adopt the Draft Railroad Avenue Specific Plan and related General Plan and zoning amendments with the inclusion of three additional bicycle facilities within the vicinity of the Civic Center block, correction of grammatical errors and modification of some language within the Specific Plan text, and modification of the Specific Plan land use diagram to replace proposed residential development on the northwestern portion of the Civic Center block (all land located north and west of "A" Street, extending south into the Civic Center block from Civic Drive) with open space.

WHEREAS, on September 5 and 6, 2009, in accordance with PMC chapter 18.14 and Government Code sections 65090 and 65091, a "Notice of Public Hearing" for the proposed project was published as a 1/8-page legal advertisement in the East County Times. On September 10, 2009, notice was posted on the City's project website and was emailed or mailed via first class mail to city, county and state and other agencies and organizations having jurisdiction over or interest in environmental resources and/or conditions within the project area, each local agency expected to provide water, wastewater treatment, streets, roads, schools or other essential facilities or services to the project area as well as individuals who had previously attended public workshops and/or requested to be added to the mailing list for Railroad Avenue Specific Plan update announcements. On September 10, 2009, notice was posted at City Hall and was delivered to the Pittsburg Library.

WHEREAS, on September 21, 2009, the City Council opened the public hearing, and heard public testimony primarily related to concerns about open space and education facilities needs within the Specific Plan Area, and voted to continue the public hearing to the regularly scheduled October 19, 2009, meeting.

WHEREAS, on October 19, 2009, the City Council held a continued public hearing on the General Plan amendments related to the Railroad Avenue Specific Plan.

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitals are true and correct and made a part of this resolution.

BE IT FURTHER RESOLVED that the City Council finds and determines as follows:

Section 1. Consideration of the EIR

- A. The Final EIR certified for this project was prepared in compliance with Public Resources Code section 21000 et seq, and that the Council has independently reviewed and considered the information contained therein.

Section 2. Findings

- A. Each of the amendments described in the above recitals is in the public interest in that:
1. Amending the description of the Mixed Use land use designation to include the general development regulations and standards set forth in the Railroad Avenue Specific Plan, and amending General Plan Figure 2-2 to designate the properties in closest proximity to the planned eBART Station as Mixed Use would support environmentally and socially sustainable development in Pittsburg. The proposed transit oriented development would result in clustered, high density, mixed use development to increase proximity of commercial, residential, public, community and transit services and facilities, allowing residents and workers in the transit village and nearby neighborhoods to rely less on automobiles.
 2. Amending the Transit Facilities (Figure 7-3) and Bicycle Facilities (Figure 7-4) figures in the Transportation Element would ensure that these facilities are developed in accordance with the Specific Plan to support a truly multi-modal environment and to ultimately benefit the community and environment. The addition of certain bicycle facilities within the vicinity of the Civic Center block to the Specific Plan and General Plan will ensure safe, convenient and efficient access from the downtown neighborhoods to the Civic Center and neighborhoods west of the Civic Center block. Amending the Roadway System (Figure 7-1) to show the elimination of Power Avenue as a collector street would ensure consistency among the various transportation and land use maps and Specific Plan for the Civic Center block.

Section 3. Decision

- A. Based on the findings set forth above, the City Council amends the General Plan to incorporate the following revisions:
1. Land Use Element:
 - a. Amendment of the Mixed Use land use description in General Plan Section 2.2, to include the following text:

"Railroad Avenue Specific Plan. Encompasses approximately 97 acres located within a roughly one-half mile radius surrounding the Railroad Avenue/State Route 4 intersection. Residential densities between 15 and 65 dwelling units per acre are permitted and nonresidential FAR between 0.25 and 1.0 is permitted."

- b. Amendment of Figure 2-2 to designate all land uses in the Transit Village, Civic Center, and portions of the High School Village sub-areas that are currently designated Business Commercial (along Railroad Avenue) and Community Commercial (along California Avenue, east of Harbor Street to Edward Avenue), to the Mixed Use land use designation, as depicted on the attached Exhibit A, and to reflect the change in alignment/elimination of Power Avenue.
- c. Amendment of Figure 2-4d, East Central Land Use Diagram, to be consistent with the amended Figure 2-2, in that portions of the High School Village sub-areas that are currently designated Business Commercial (along Railroad Avenue) and Community Commercial (along California Avenue, east of Harbor Street to Edward Avenue), would be changed to the Mixed Use land use designation, and to reflect the change in alignment/elimination of Power Avenue.
- d. Amendment of Figure 2-4e, Railroad Avenue Land Use Diagram, to be consistent with the amended Figure 2-2, in that all land uses located in the Transit Village and Civic Center sub-areas as identified in the Specific Plan would be changed to Mixed Use land use designation, and to reflect the change in alignment/elimination of Power Avenue.
- e. Amendment of Figure 2-4j, West Leland Land Use Diagram, to be consistent with the amended Figure 2-2, in that all land uses located in the Transit Village sub-area as identified in the Specific Plan would be changed to Mixed Use land use designation, and to reflect the change in alignment/elimination of Power Avenue.

2. Transportation Element:

- a. Figure 7-1, Roadway Facilities. Modify figure to reflect the change in alignment/elimination of Power Avenue as shown on Specific Plan Figure 6.1, Planned Street Classifications and Improvements.
- b. Figure 7-3, Transit Facilities. Modify figure to include bus only right-of-way just east of and parallel to Railroad Avenue as shown in Railroad Avenue Specific Plan Figure 6.12, Planned Public Transit Improvements, and to reflect the change in alignment/elimination of Power Avenue.
- c. Table 7-5, Bicycle Facilities, Pittsburg Planning Area. Modify Table to include all planned bicycle facilities as shown on Specific Plan Figure

6.8, Planned Bicycle Facility Improvements, and to reflect the addition of a proposed Class I bicycle facility along Power Avenue. In addition, the following bicycle facilities shall be added to both the Specific Plan Figure 6.8 and reflected on General Plan Table 7-5: a Class II bicycle facility along Civic Avenue; a Class III bicycle facility along Davia Avenue from Civic Avenue to Power Avenue; and a Class II or Class III, depending on available right-of-way, along Seventeenth Street from Davia Avenue to Parkside Elementary School.

- d. Figure 7-4, Bicycle Facilities. Modify Figure to include all planned bicycle facilities as shown on Specific Plan Figure 6.8, Planned Bicycle Facility Improvements. In addition, the following bicycle facilities shall be added to both the Specific Plan Figure 6.8 and reflected on General Plan Table 7-5: a Class II bicycle facility along Civic Avenue; a Class III bicycle facility along Davia Avenue from Civic Avenue to Power Avenue; and a Class II or Class III, depending on available right-of-way, along Seventeenth Street from Davia Avenue to Parkside Elementary School.


PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 19th day of October, 2009, by the following vote:

AYES: Casey, Johnson, Parent

NOES: None

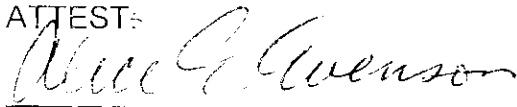
ABSTAINED: Kee

ABSENT: Evola



Nancy L. Parent, Mayor

ATTEST:



Alice E. Evenson, City Clerk