

RESOLUTION NO. 18-____

A Resolution Of The City Council Of The City Of Emeryville Approving A General Plan Amendment To Revise The Location Of Shellmound Way Such That It Coincides With Its Current Location Approximately 250 Feet South Of What Is Shown On General Plan Figure 3-1, "Circulation", And Other Maps In The General Plan

WHEREAS, the Emeryville General Plan was adopted by the City Council by Resolution No. 09-208 on October 13, 2009, and all maps in the General Plan show Shellmound Way relocated to about 250 feet north of its current location; and

WHEREAS, at a study session on September 28, 2017, the Planning Commission reviewed a proposal for a new, eight story building accommodating about 260 residential units by demolishing an existing office building at 5850 Shellmound Way, and expressed support for a General Plan Amendment to revise the location of Shellmound Way such that it would coincide with its current location approximately 250 feet south of what is shown on General Plan Figure 3-1, "Circulation", and all other figures in the General Plan that show Shellmound Way; and

WHEREAS, development of any property fronting the existing Shellmound Way would require a General Plan Amendment to revise the location of Shellmound Way to coincide with its present location, and therefore the Community Development Director recommended that the Planning Commission initiate such a General Plan Amendment; and

WHEREAS, on January 25, 2018, the Planning Commission at a duly and properly noticed public hearing voted 6-0 to initiate such a General Plan Amendment and to recommend that the City Council approve the Amendment; and

WHEREAS, on March 6, 2018, the City Council held a duly and properly noticed public hearing to consider the proposed General Plan Amendment; and

WHEREAS, the Emeryville City Council has reviewed and considered the staff report and attachments thereto, the plans, and all public comments ("the Record"); now, therefore, be it

RESOLVED, that, in approving the proposed General Plan Amendment, the City Council of the City of Emeryville hereby makes the following findings as required by Section 9-7.1205 of the Planning Regulations:

- (a) The proposed amendment will contribute to the public health, safety, and general welfare or will be of benefit to the public;

The General Plan Amendment will revise the location of Shellmound Way such that it coincides with its current location approximately 250 feet south. A study by Fehr and Peers and Kimley Horn in 2007 concluded that relocation of the Shellmound Way from its current location to the location

shown in the General Plan would only result in increased queue capacity between Shellmound Way and Powell Street and would not result in any actual reduction of vehicle count. The study stated that the estimated costs of relocating Shellmound Way do not warrant the projected improvements in queuing capacity. In addition, the high cost of relocation includes relocation of underground utilities and the need to provide access to La-Z-Boy and the building at the southwest corner of Shellmound Way and Shellmound Street. Given the housing shortage in the area, the proposed amendment will contribute to the general public health, safety, and welfare by allowing residential mixed use development to occur without the prohibitive costs of relocation of a road.

- (b) The proposed amendment is consistent with the General Plan Guiding Principles, unless the Guiding Principles themselves are proposed to be amended;

The General Plan Guiding Principles do not specifically address this street, and the proposed amendment to leave Shellmound Way in its existing configuration will be consistent with the Guiding Principles. In particular, the proposed amendment will be consistent with the following Guiding Principles:

- 2. A connected place**
- 4. A walkable, fine-grained city, emphasizing pedestrians**
- 5. A diversity of transportation modes and choices**

- (c) The proposed amendment retains the internal consistency of the General Plan and is consistent with other adopted plans, unless concurrent amendment to those plans is also proposed and will result in consistency;

All General Plan figures showing Shellmound Way will be amended to ensure internal consistency. As no other adopted plans address the issue of relocation of Shellmound Way, no other amendments are needed to accompany this Amendment.

- (d) The proposed amendment has been reviewed in compliance with the requirements of the California Environmental Quality Act;

The environmental impacts of the Emeryville General Plan were identified and analyzed in the Environmental Impact Report (EIR) adopted and certified by the City Council for the Emeryville General Plan adopted in 2009, and the proposed amendments to Figure 3-1: Circulation, and all figures in the General Plan that show Shellmound Way are minor in substance and effect and thus the impacts of the proposed General Plan Amendment are no different than those analyzed in the EIR; and since the certification of the EIR (i) there are no substantial changes in the Emeryville

General Plan which will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, (ii) there are no substantial changes with respect to the circumstances under which the Emeryville General Plan is undertaken which will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, and (iii) there is no new information of substantial importance which was not known at the time the EIR was certified which would show that (a) the project will have one or more significant effects not discussed in the EIR, or (b) significant effects previously examined will be more severe than shown in the EIR, or (c) mitigation measures or alternatives found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the General Plan, or (d) mitigation measures or alternatives which are considerably different from those analyzed in the EIR would substantially reduce one or more significant effects on the environment. Accordingly, no Subsequent EIR is required pursuant to Section 15162 of the State CEQA Guidelines and likewise no Supplement to the EIR is required pursuant to Section 15163 of the State CEQA Guidelines;

- (e) The proposed amendment complies with State law for the preparation, adoption, and amendment of general plans at California Government Code Section 65350 et seq.

The proposed amendment complies with all requirements of State law for General Plan Amendments.

and be it further

RESOLVED, that the City Council hereby approves a General Plan Amendment to revise the location of Shellmound Way such that it coincides with its current location approximately 250 feet south of what is shown in General Plan Figure 3-1: Circulation and hereby directs that all maps in the General Plan showing Shellmound Way be amended to be consistent with the amended Figure 3-1 attached as Exhibit A of this Resolution, including the following:

- Figure 1-2 City Districts
- Figure 1-3 Existing Plans in Emeryville
- Figure 1-4 Redevelopment Project Areas
- Figure 2-1 Areas of Change and Stability - 2009
- Figure 2-2 Land Use Diagram
- Figure 2-3 Maximum Floor Area Ratios
- Figure 2-4 Maximum Building Heights
- Figure 2-6 Maximum Residential Densities

Figure 3-1	Circulation
Figure 3-2	Street System
Figure 3-3	Regional Retail Access
Figure 3-4	Pedestrian System
Figure 3-5	Bay Trail
Figure 3-6	Bicycle System
Figure 3-7	Transit System
Figure 3-8	Truck Routes
Figure 4-1	Parks, Open Space, and Public Services
Figure 5-1	City Structure
Figure 5-2	Areas and Districts
Figure 5-3	Bicycle and Pedestrian Connectivity
Figure 5-7	Utility Undergrounding Progress
Figure 5-10	Neighborhood Centers
Figure 6-1	Historic Resources
Figure 6-2	Geology and Earthquake Shaking Potential
Figure 6-4	Liquefaction Susceptibility
Figure 6-6	Water Features in Emeryville
Figure 6-7	Coastal Flood Zone and Dam Failure Inundation Hazard Area
Figure 6-8	Areas Vulnerable to a 16-Inch Sea Level Rise by Mid-Century
Figure 6-9	Existing Noise Contours
Figure 6-10	Projected Noise Contours

ADOPTED by the City Council of the City of Emeryville at a regular meeting held on Tuesday, March 6, 2018 by the following vote:

AYES: _____
 NOES: _____
 ABSTAIN: _____
 ABSENT: _____

ATTEST:

 MAYOR

APPROVED AS TO FORM:



 CITY CLERK

 CITY ATTORNEY