

RESOLUTION NO. 9887

RESOLUTION APPROVING AND ADOPTING THE  
DUMBARTON TRANSIT ORIENTED DEVELOPMENT  
PROJECT SPECIFIC PLAN AND RELATED GENERAL PLAN  
AMENDMENTS

WHEREAS, the existing City of Newark General Plan land use diagram designates the proposed Dumbarton Transit Oriented Development Specific Plan area as Special Industrial, Limited Industrial, and General Industrial;

WHEREAS, the Dumbarton Transit Oriented Development Specific Plan proposes to allow development of a community with a mixture of housing densities, recreational, retail and office uses within the approximately 205-acre plan area;

WHEREAS, the proposed Dumbarton Transit Oriented Development Specific Plan area, previously referred to as Area 2 in the Newark General Plan, is generally bounded by Southern Pacific Railroad tracks to the north, existing on-going salt production and harvesting facilities to the south and west, an Alameda County Flood Control canal to the south, and Willow Street and industrial and residential uses to the east; and

WHEREAS, the Dumbarton Transit Oriented Development Specific Plan will allow for the development of Low Density Residential, Medium Density Residential, High Density Residential, Neighborhood Commercial, Office Commercial, Public-Institutional and Public Parks-Open Space uses; and

WHEREAS, residents and other community members have had opportunities to provide comments and suggestions throughout the development of the Dumbarton Transit Oriented Development Specific Plan Project through a series of public meetings from 2009 through 2011, or by commenting on information posted at the City of Newark Administration Building, the City of Newark Library and the Silliman Recreation Center, and made available on the City of Newark's website; and

WHEREAS, public comments have been used to shape and revise the land use plan for the Dumbarton Transit Oriented Development Specific Plan Project; and

WHEREAS, the proposed Low Density Residential, Medium Density Residential, High Density Residential, Neighborhood Commercial, Office Commercial, Public-Institutional and Public Parks-Open Space Designations as shown on Exhibit A, "Dumbarton TOD Specific Plan Land Use Diagram," and proposed revisions to the text of the Newark General Plan as shown in Exhibit B are consistent and compatible with the other elements of the Newark General Plan as documented herein; and

WHEREAS, the proposed Dumbarton Transit Oriented Development Project Specific Plan and related General Plan Amendments will implement Policy 2a of Goal 2 of Chapter 5 (Housing) of the Newark General Plan by developing a Specific Plan for Area 2 to provide significant amounts of land for new residential development; and

WHEREAS, the proposed Dumbarton Transit Oriented Development Project Specific Plan and related General Plan Amendments will implement Program 1 of Chapter 5 (Housing) of the Newark General Plan which calls for preparation of a Specific Plan for Area 2 and encouraging development in this area; and

WHEREAS, the proposed Dumbarton Transit Oriented Development Project Specific Plan and related General Plan Amendments will implement Policy 4a of Goal 4 of Chapter 5 (Housing) of the Newark General Plan by redesignating parts of selected industrial parcels for residential use; and

WHEREAS, the proposed Dumbarton Transit Oriented Development Project Specific Plan and related General Plan Amendments will implement Program 4 of Policy a of Goal 1 of Chapter 3 (Land Use) of the Newark General Plan by providing for more park and recreation space and facilities to support the leisure needs of the citizens of Newark close to home; and

WHEREAS, the proposed Dumbarton Transit Oriented Development Project Specific Plan and related General Plan Amendments will implement Policy a of Goal 2 of Chapter 3 (Land Use) of the Newark General Plan by maintaining high standards for design and appearance of all new development; and

WHEREAS, the proposed Dumbarton Transit Oriented Development Project Specific Plan and related General Plan Amendments will implement Policy b of Goal 2 of Chapter 3 (Land Use) of the Newark General Plan by encouraging architectural styles for new development that are compatible with and complement adjacent developments, and that will enhance the overall quality of the development and the area; and

WHEREAS, the proposed Dumbarton Transit Oriented Development Project Specific Plan and related General Plan Amendments will implement Policy c of Goal 2 of Chapter 3 (Land Use) of the Newark General Plan by upgrading existing structures and sites where deficiencies in appearance and aesthetics create a negative image of the city and/or impact on the value of property; and

WHEREAS, the proposed Dumbarton Transit Oriented Development Project Specific Plan and related General Plan Amendments will implement Program 2 of Policy a of Goal 1 of Chapter 6 (Open Space and Conservation) of the Newark General Plan by requiring new parks to be provided to serve new development; and

WHEREAS, the Planning Commission on August 23, 2011, after a Public Hearing, recommended that the City Council approve the Dumbarton Transit Oriented Development Project Specific Plan and related General Plan Amendments; and

WHEREAS, an Environmental Impact Report was prepared for the Dumbarton Transit Oriented Development Specific Plan Project and related General Plan Amendments and was certified by the City Council on September 8, 2011; and

WHEREAS, the Environmental Impact Report fully discloses all possible environmental impacts of the Dumbarton Transit Oriented Development Specific Plan Project and related General Plan Amendments; and

WHEREAS, the City Council has read, reviewed, and considered the Dumbarton Transit Oriented Development Specific Plan and related General Plan Amendments; has conducted a public hearing on the proposed Dumbarton Transit Oriented Development Specific Plan and related General Plan Amendments; has discussed, evaluated, analyzed, reviewed and considered the information presented at said hearing, as well as in the Dumbarton Transit Oriented Development Specific Plan, related General Plan Amendments and staff report; and

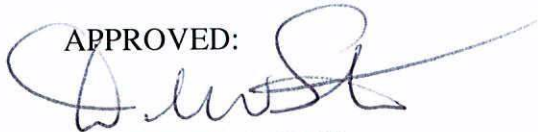
WHEREAS, pursuant to California Government Code Sections 6061, 65090, 65091, 65094 and 65353, a public notice was published in The Argus on August 29, 2011, and the City Council held a Public Hearing on the proposed Dumbarton Transit Oriented Development Specific Plan and related General Plan Amendments at 7:30 p.m. on September 8, 2011, at the City Administration Building, 37101 Newark Boulevard, Newark, California.

NOW, THEREFORE, BE IT RESOLVED that the City Council:


- a. Adopt the Dumbarton Transit Oriented Development Specific Plan; and
- b. Amend the Newark General Plan by modifying the Land Use Diagram as described in Exhibit A; and
- c. Approve text amendments to the Newark General Plan as described in Exhibit B.

I HEREBY CERTIFY the foregoing resolution was introduced at a regular meeting of the City Council of the City of Newark held on September 8, 2011, by Council Member Nagy, who moved its adoption and passage, which motion was carried after being duly seconded, and passed by the following vote:

AYES: Council Members Apodaca, Huevo, Nagy, Vice Mayor Freitas, and Mayor Smith  
NOES: None  
ABSENT: None  
SECONDED: Council Member Apodaca

APPROVED:   
s/DAVID W. SMITH  
Mayor

ATTEST:  
  
s/SHEILA HARRINGTON  
City Clerk

APPROVED AS TO FORM:  
  
s/GARY T. GALLIANO  
City Attorney