

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, April 4, 2000

B. BUSINESS BEFORE THE BOARD

1. CONSENT CALENDAR

- i. Approval of Land Use Plan Amendment - Bray Oil Property, Miller-Knox Regional Shoreline (Mikkelsen)

RECOMMENDATION

The General Manager, Board Executive Committee and Park Advisory Committee recommend that the Board of Directors approve an amendment to the Land Use Plan (LUP) for Miller/Knox Regional Shoreline to incorporate the Bray Oil property within the park unit and to open the property for public use.

REVENUE/COST

There is no cost associated with the approval of this recommendation. The property will be operated within existing Park Operations and Public Safety budgets.

BACKGROUND

The Bray Oil property consists of a 7.08 acre triangular shaped parcel located off Dornan Drive in the City of Richmond between Ferry Point and the active public use area of Miller-Knox Regional Shoreline. The site is relatively level with a small wetland located in the center of the parcel. The site is partially vegetated with common scrub species and a row of eucalyptus trees. There are several structures on the site. The Bray property was acquired on June 16, 1999 for \$2,750,000 using funding provided by Measure AA, Proposition 70 and \$400,000 in funds from the State Coastal Conservancy. The property was placed in Land Bank status at the time of acquisition. An Initial Study and Negative Declaration for the property was also adopted by the Board at the time of acquisition allowing the removal of structures, brush, lead paint and asbestos abatement and the construction of fencing. This work is scheduled to begin in Spring 2000.

A Land Use Development Plan (now called Land Use Plan or LUP) was adopted for Miller - Knox Regional Shoreline by the Board of Directors on December 20, 1983. An amendment to the LUP for the development of the Ferry Point property, acquired by the District in 1991 as an addition to Miller- Knox, was adopted by the Board on October 1, 1995 (Resolution No. 1995-10-263). The Bray Oil property is an in holding located between two portions of Miller-Knox

10-263). The Bray Oil property is an in holding located between two portions of Miller-Knox Regional Shoreline. The Bray Oil property could be accessible from both sites, connecting the two for passive pedestrian purposes. The property would be suitable for such passive use upon completion of demolition and remediation activities.

A LUP Checklist (see Attachment A) was prepared for the subject property in accordance with the modified LUP amendment process approved by the Board on March 21, 2000. The inclusion of the Bray Oil property into Miller-Knox Regional Shoreline and the amendment of the LUP taking the property out of Land Bank status are consistent with Checklist process.

The Board Executive Committee reviewed the LUP Amendment Checklist for the Bray Oil property at their meeting of March 22, 2000 and unanimously recommended full Board consideration of the amendment. The Park Advisory Committee reviewed the proposed amendment at their meeting of March 27, 2000 and unanimously recommended Board approval of the amendment with the condition that re-seeding of disturbed areas use native wildflowers and grass genotypes of the area.

ALTERNATIVES

None are recommended

Attachment A

**LUP Amendment Checklist
Miller - Knox Regional Shoreline - Bray Oil Property**

A. CEQA

An EIR or Negative Declaration adopted by the Board at the time of acquisition.

-or-

A Categorical Exemption adopted by the Board for properties where pre-acquisition land use will be continued and resources will not be adversely affected.

Status: An Initial Study and Negative Declaration for the acquisition of the Bray Oil property was adopted by the Board of Directors at the time of acquisition (Resolution 1999-6-137).

B. LUP

The parkland that the property is associated with must have an adopted LUP or ILUP and CEQA document.

Status: A Land Use Development Plan (now called Land Use Plan or LUP) was adopted for Miller - Knox Regional Shoreline by the Board of Directors on December 20, 1983. An amendment to the LUP for the development of the Ferry Point property (acquired by the District in 1992) was adopted by the Board on October 1, 1995 (Resolution No. 1995-10-263)

C. Development

Development on the property will be limited to the actions covered in the CEQA Document adopted at the time of acquisition.

Status: Development of the site is limited to the demolition of structures, brush removal, lead paint and asbestos abatement and the construction of fencing.

D. Land Use

Land uses limited to pre-acquisition use and passive public trail use. No new access. Parkland must be accessible from existing trails.

Status: The site is an in holding located between the Ferry Point property and the active use area of Miller- Knox Regional Shoreline. The Bray Oil property will be accessible from both sites connecting the two for passive pedestrian purposes.

E. Minimal Cost

Property opening and ongoing operations and public safety costs must be minimal and able to be accommodated within existing budget. This determination is to be made by Unit Manager and appropriate Public Safety Lieutenant.

Status: Shoreline Unit Manager Ray Dawson and Lieutenant Pete Small have stated that the Bray Oil property can be operated within existing budget resources.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO. 2000-4- 81

Tuesday, April 4, 2000

APPROVAL OF LAND USE PLAN AMENDMENT - BRAY OIL PROPERTY, MILLER/KNOX
REGIONAL SHORELINE

WHEREAS, the 1997 District Master Plan provides policies for the preparation and amendment of Land Use Plan Documents including public review and compliance with the California Environmental Quality Act; and

WHEREAS, the Bray Oil property was acquired by the Board of Directors on June 16, 1999 to complete the shoreline portion of Miller/Knox Regional Shoreline and was placed in Land Bank status at the time of acquisition; and

WHEREAS, on March 21, 2000 the Board of Directors approved a modified Land Use Plan Amendment process; and

WHEREAS, the Bray Oil property has been reviewed in accordance with this modified Land Use Plan amendment process; and

WHEREAS, the Board Executive Committee and the Park Advisory Committee have reviewed and recommended approval of the proposed LUP Amendment in order to allow the establishment of parkland operations in a timely manner,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby approves the amendment of the Miller/Knox Regional Shoreline Land Use Plan in the manner described in the foregoing Board Report and attached LUP Amendment Checklist to incorporate the Bray Oil property within the park unit and to open it for public use; and

BE IT FURTHER RESOLVED, that the General Manager is hereby authorized and directed, on behalf of the District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary and appropriate to accomplish the intentions of this resolution.

Moved by Director _____, seconded by Director _____, and adopted this 4th day of April, 2000 by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT: