

CITY OF ALAMEDA RESOLUTION NO. _____

APPROVING A TENTATIVE MAP (TRACT 8674) TO SUBDIVIDE A 0.47 ACRE PARCEL (PN 072-0383-007-05) TO CREATE TEN TOWNHOME LOTS AND TWO COMMON AREA PARCELS WITHIN A REMAINDER PORTION OF THE DEL MONTE WAREHOUSE MASTER PLAN AREA

WHEREAS, in 2014, the City of Alameda adopted the Del Monte Warehouse Master Plan (“Master Plan”) and a Development Agreement for the 11.06 acre property where the Del Monte Warehouse is located. The Master Plan divided the property into three developable sub-areas, A, B, and C; and

WHEREAS, on September 5, 2023 the applicant, Mike O’Hara on behalf of Tim Lewis Communities, submitted an application for a Development Plan, Design Review and Tentative Map to build 10 townhome units in two buildings on a 0.47 acre site known as subarea C of the Master Plan; and

WHEREAS, the Del Monte Warehouse site is designated as Mixed Use in the Alameda 2040 General Plan, which encourages a wide variety of housing types, including multifamily housing, and a wide variety of commercial and business uses; and

WHEREAS, this portion of the Del Monte Warehouse site is zoned MX (Mixed Use) and MF (Multifamily Residential) on approximately 0.26 acres, and M-2 (General Industrial) and MF on approximately 0.21 acres in the Alameda Municipal Code (AMC) Zoning Map; and

WHEREAS, the subdivision of the property will facilitate the development of subarea C consistent with the approved Master Plan, Development Plan, and Development Agreement; and

WHEREAS, the subdivision of the property will facilitate the development of the sale of the townhomes and two common area lots (Parcels A and B) to be owned and maintained by a Homeowners’ Association; and

WHEREAS, on April 8, 2024, the Planning Board held a duly noticed public hearing and adopted Planning Board Resolution No. PB-24-05 approving a Development Plan and Design Review and Planning Board Resolution No. PB-24-06 recommending approval of Tentative Map Tract 8674; and

WHEREAS, on May 21, 2024, the City Council reviewed Tentative Map Tract 8674, Planning application No. PLN23-0328, and all pertinent maps, documents, and exhibits and determined that the Tentative Map is consistent with the General Plan and Alameda Municipal Code (AMC) requirements for the property.

NOW, THEREFORE, BE IT RESOLVED, that the City Council finds this project is categorically exempt from environmental review pursuant to CEQA Guidelines Section

15332 – Infill Development, and finds that none of the exceptions to the categorical exemptions apply:

1. **The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.** The project is consistent with the development standards of the Del Monte Warehouse Master Plan. The project is also consistent with Alameda General Plan 2040 policy LU-27, which requires infill development respect and enhance the architectural and landscape design quality of the neighborhood.
2. **The proposed development occurs within city limits on a project site of no more than five acres substantially surrounding urban uses.** The property is approximately 0.47 acres, is located entirely within city limits, and all neighboring properties have been developed.
3. **The project has no value as habitat for endangered, rare, or threatened species.** The property was originally developed in 1927 and was fully regraded in 2018 during the construction of the adjacent Littlejohn Commons and Del Monte Warehouse development projects, and therefore has no value as habitat for endangered, rare or threatened species.
4. **Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.** Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The development of an urban site with small scale residential buildings would not be unusually impactful and was considered in the original master plan.
5. **The site can be adequately served by all required utilities and public services.** The property is located within recently redeveloped area that is served by existing utilities and services; and

BE IT FURTHER RESOLVED, that the City Council finds as a separate and independent basis, the project is also exempt from CEQA pursuant to CEQA Guidelines Section 15183 (projects consistent with General Plan and Zoning); and

BE IT FURTHER RESOLVED, that the City Council makes the following findings relative to the proposed Tentative Map (Tract 8674) application:

1. **The proposed subdivision, together with the provisions for its design and improvement, is in conformance with the General Plan and Zoning for this site (Gov. Code § 66474).** The proposed tentative map is consistent with the Mixed Use General Plan designation and the MX and M-1-PD-MF zoning designations for the property. The subdivision will create 10 residential lots and 2 common area parcels. The proposed subdivision is designed to ensure lots face streets, that the parcels are adequately accessed by a grid of complete streets, pedestrian sidewalks, and bicycle paths and lanes.

2. **The site is physically suitable for the type of development (Gov. Code § 66474).** The tentative map facilitates the development of sub-area C of the Del Monte Warehouse Master Plan and is consistent with the approved Development Agreement, which will provide ten for-sale townhomes and two common area parcels.
3. **The site is physically suitable for the density of the development.** The proposed subdivision will not exceed the planned density for the land consistent with the approved entitlements and General Plan policies.
4. **The proposed design of the subdivision and improvements, as conditioned, will not cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat (Gov. Code § 66474).** The site is an urban infill site.
5. **The design of the subdivision and its improvements will not conflict with easements acquired by the public at large for access through or use of property within the subdivision (Gov. Code § 66474).** The existing Public Utility Easement over an existing storm drain pipe will be maintained with the Tentative Map.
6. **The design of the subdivision and its improvements will not cause serious public health problems (Gov. Code § 66474).** There are no public health effects of typical residential development.
7. **Water will be available and sufficient to serve the proposed subdivision in accordance with Government Code Section 66473.7.** The subdivision has been designed in accordance with the City of Alameda Master Infrastructure Plan and the EBMUD water supply determinations.
8. **The subdivision will not result in the discharge of waste into the sewer system that would violate regional water quality control regulations in accordance with Government Code Section 66474.6.** The subdivision has been designed in accordance with the City of Alameda Master Infrastructure Plan and EBMUD standards.
9. **The design of the subdivision for which a tentative map is required pursuant to Section 66426 of the Government Code of the state of California shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in accordance with Section 66473.1 of the Government Code.** The proposed subdivision is located in an area of the Bay Area that is well suited for passive cooling and heating opportunities.
10. **In recommending approval of the vesting tentative map, the Planning Board has considered its effect upon the housing needs of the region, balanced**

with the public service needs of Alameda residents and available fiscal and environmental resources (Gov. Code § 66412.3). The project fulfills the planned housing development of the approved master plan; and

BE IT FURTHER RESOLVED that the City Council approves the Tentative Map (Tract 8674) to subdivide am 0.47-acre City parcel (072-0383-007 and 072-0383-014) into 10 lots and 2 common area parcels, subject to the following conditions:

1. All maps filed pursuant to this approval shall be in substantial compliance with the map titled "Tentative Map (TRACT 8674)" on file in the office of the Alameda Planning, Building and Transportation Department. The Final Map(s) shall be in substantial compliance with the Tentative Map. The Tentative Map may be finalized in phases.
2. Prior to the approval of the first Final Map(s), all applicable conditions of approval of the approved Tentative Map, as revised or amended, shall be satisfied.
3. The subdivider shall record the first Final Map that includes improvements within twenty-four (24) months of approval, or conditional approval of the Tentative Map by the City Council. The City may, upon the subdivider's application filed before the Tentative Map's expiration date, extend its life for an additional period or periods not to exceed six (6) years in accordance with State law.
4. Final Maps shall show all existing and proposed easement locations, uses and recording information. The Owner's Statement shall list all easements to be dedicated and the Certificate of City Clerk shall list all public easements and dedications to be accepted, accepted subject to improvements, rejected, or abandoned (with recording information) as part of the Final Map(s).
5. Prior to issuance of the first building permit the developer shall demonstrate fulfillment of the project's fair share contributions for the construction costs of the Clement Avenue extension and Clement Avenue/Sherman Street intersection.
6. Prior to the recordation of the Final Map, Covenants, Conditions and Restrictions (CC&Rs) shall be prepared to the satisfaction of the City Engineer. CC&Rs shall include a maintenance plan for common areas, Parcel A and Parcel B, and designate responsibility through either a Homeowner's Association (HOA) or Shared Maintenance Agreement.
7. The applicant is encouraged to contact the Public Works Department at 510-747-7930 to schedule a pre-application meeting prior to the first submittal of any subdivision maps or improvement plans to discuss submittal requirements, project review timeline, and fees associated with the processing, filing, and construction of this development.
8. A current title report shall be submitted to identify current ownership and any existing

easements or land use restrictions.

9. The Applicant shall enter into a Subdivision Improvement Agreement with the City, pay all fees, and provide a security in a form and amount acceptable to the City prior to approval of the Final Map.
10. The subdivider shall pay for all reasonable office and engineering costs expended by the City Engineer's office, including overhead, in conjunction with reviewing the Final Map, improvement plans, easements, and in obtaining the map signature of the City's consulting surveyor.
11. The subdivider shall provide five copies of the permit approved site/off-site civil improvement plans, landscape plans, and specifications along with a Mylar or other reproducible set (plans only), and a digital copy acceptable to the City Engineer.
12. Hold Harmless: To the maximum extent permitted by law, the applicant (or its successor in interest) shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City Council, City Planning Board, officials, employees, agents and volunteers (collectively, "Indemnitees") from and against any and all claims, actions, or proceedings against Indemnitees to attack, set aside, void or annul an approval by Indemnitees relating to this project. This indemnification shall include, but is not limited to, all damages, losses, and expenses (including, without limitation, legal costs and attorney's fees) that may be awarded to the prevailing party arising out of or in connection with an approval by the Indemnitees relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding and the applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys' fees.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 21st day of May 2024, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 22nd day of May 2024.

Lara Weisiger, City Clerk
City of Alameda

Approved as to form:

Yibin Shen, City Attorney
City of Alameda