

CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING DESIGN REVIEW FOR THE BEAUTIFICATION OF THE FIRE TOWER LOCATED ON THE CORICA GOLF COURSE LEASE PREMISES AT THE CORNER OF ISLAND DRIVE AND CLUBHOUSE MEMORIAL ROAD

WHEREAS, application PLN24-0167 was made by Local Edition on behalf of Greenway Golf Associates, Inc. ("Applicant") requesting approval for Design Review to paint the fire tower and improve the landscaping at its base, consistent with the requirements in the Second Amendment to the Lease Agreement with the City approved in 2021; and

WHEREAS, the subject property is designated as Public Park and Open Space in the General Plan; and

WHEREAS, the subject property is located in an OS - Open Space Zoning District; and

WHEREAS, the Planning Board held a duly noticed public hearing for the project on May 9, 2022, April 24, 2023 and May 13, 2024, and examined pertinent maps, drawings, and documents and considered testimony and deliberations.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds this project categorically exempt from environmental review pursuant to CEQA Guidelines Section 15301 - Existing Facilities and finds that none of the exceptions to the categorical exemption apply; and

BE IT FURTHER RESOLVED, that the Planning Board makes the following findings relative to the Design Review application (AMC Section 30-37.5):

1. **The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual.** The proposed beautification project is consistent with the General Plan and Zoning Ordinance and compatible in design and use of materials with the existing building and surrounding neighborhood because it advances the policy of making art available to all segments of the population through partnerships with the business community, and because the proposed exterior modifications consist of a painted mural and landscape improvements that provide improved aesthetics for the public open space, streets, and residential neighborhoods in the surrounding area without adding any other uses or structures.
2. **The proposed beautification project is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses.** This beautification incorporates a variety of façade

enhancements and landscape improvements which will improve views of the structure from the public right of way, adjacent neighborhood, and from the public golf course. The new landscaping provides a communal seating area which will serve as a welcoming outdoor gathering space for the community with limited access to preserve security and reduce maintenance and impacts.

3. **The proposed beautification of the structures and exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development.** The proposed mural and landscaping plan provide an improved entrance to the golf course, which has a variety of topographical and vegetative areas; and

BE IT FURTHER RESOLVED, that the Planning Board approves the Design Review application, subject to the following conditions:

1. Changes to Approved Plans: This approval is limited to the scope of the project defined in the project description and approved plans does not represent a recognition and/or approval of any work completed without required City permits. Any additional exterior changes shall be submitted to the Planning, Building, and Transportation Department for review and approval prior to construction.
2. Compliance with City Ordinances. The approved use is subject to, and shall comply with, all applicable City ordinances and laws.
3. Water Efficiency Landscape Ordinance: Prior to issuance of building permits or improvement plans, Applicant shall submit a complete WELO Landscape Document Package, as defined by Alameda Municipal Code (AMC) Section 30-58.3(d), subject to the approval of the Planning, Building, and Transportation Director.
4. Vesting: This Design Review approval shall expire and become void unless actual construction under valid permits has commenced within three years after this approval or an extension has been granted as provided in AMC section 30-37.6.

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.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6.

NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code section 66020(d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The Applicant is hereby further notified that the 90-day appeal period, in which the Applicant may protest these fees and other exactions, pursuant to Government Code section 66020(a) has begun. If the Applicant fails to file a protest within this 90-day period complying with all requirements of section 66020, the Applicant will be legally barred from later challenging such fees or exactions.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Planning, Building, and Transportation Department a written notice of appeal stating the basis of appeal and paying the required fees.

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