

CITY OF ALAMEDA PLANNING BOARD  
**DRAFT RESOLUTION**

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA RECOMMENDING THAT THE CITY COUNCIL APPROVE PARCEL MAP OF SOUTH SHORE CENTER TO SUBDIVIDE A 40.88 ACRE PARCEL AT 2212 SOUTH SHORE CENTER INTO FOUR LOTS

WHEREAS, an application was made on October 3, 2022 by Wayne Leach on behalf of MGP XII South Shore Center LLC for a Parcel Map of South Shore Center (PLN22-0474) to subdivide a 40.88 acre parcel into four lots; and

WHEREAS, the application was accepted as complete on August 14, 2023; and

WHEREAS, the subject property is designated as Community Mixed Use on the General Plan Diagram; and

WHEREAS, the subject property is located in the C-2-PD-CMU, Central Business and Planned Development Zoning district with a Community Mixed-Use Combining district; and

WHEREAS, the Planning Board held a duly noticed public hearing on September 11, 2023 for this Parcel Map application, and examined all pertinent maps, drawings, and documents.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds the subject Parcel Map is exempt from environmental review pursuant to CEQA Guidelines Section 15315, which categorically exempts minor land divisions, and none of the exceptions found in CEQA Guidelines Section 15300.2 apply; and

BE IT FURTHER RESOLVED, that the Planning Board hereby makes the following findings regarding the Parcel Map of South Shore Center:

1. **The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan and Zoning (Gov. Code § 66474).** The proposed Parcel Map is consistent with the Community Mixed Use General Plan Designation and the C-2-PD-CMU, Central Business and Planned Development Zoning District with a Community Mixed-Use Combining district development regulations concerning minimum lot size, lot coverage, and setbacks from property lines.
2. **The site is physically suitable for the type and density of development (Gov. Code § 66474).** The site is fully developed with buildings, parking, landscaping and associated improvements. The Parcel Map will maintain the existing easements for reciprocal access, utilities, and public access.



3. **The design of the subdivision and improvements is not likely to cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat (Gov. Code § 66474).** The project site is fully developed and no physical improvements are proposed with the Parcel Map. Future development applications will be subject to further review prior to approval.
4. **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 proposed subdivision (Gov. Code § 66474).** All existing and required easements are to be retained.
5. **The design of the subdivision and its improvements is not likely to cause serious public health problems (Gov. Code § 66474).** The site is served by public sewer and water facilities and the review process of future development proposals will take those concerns into consideration and their design will be required to be in conformance with City standards.
6. **The subdivision is design to provide for future passive or natural heating or cooling opportunities (Gov. Code § 66473.1).** The design of the subdivision allows for future buildings to be oriented on an east-west alignment allowing for southern exposure for passive heating and cooling. Homes that may potentially be proposed on the project site will comply with the CalGreen building code.
7. **The subdivision will not result in the discharge of waste into the sewer system that would violate regional water quality control regulations (Gov. Code § 66474.6).** No discharge violation currently exists and sewer capacity is available for this subdivision. The project would not discharge any waste other than domestic sewage and all sewage would be discharged into the city's sanitary sewer system for ultimate treatment. Urban stormwater runoff is required to meet the City's RWCQB permit requirements for urban development.
8. **In recommending approval of Parcel Map of South Shore Center, 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); and**

BE IT FURTHER RESOLVED, that the Planning Board hereby recommends that the City Council approve the Parcel Map of South Shore Center (PLN22-0474), subject to compliance with the following conditions of approval:

#### **General**

1. All maps filed pursuant to this approval shall be in substantial compliance with the map titled, "Parcel Map of South Shore Center" prepared by CSW/Stuber-Stroeh



Engineering Group dated June 2023, and on file in the office of the Alameda Planning, Building and Transportation Department.

2. Plans shall be prepared, signed, and stamped as approved by a registered civil engineer licensed in the State of California.
3. The proposed work shall comply with Chapter 30, Article 6 of the Alameda Municipal Code (Real Estate Subdivision Regulations) and Chapter 22 of the Alameda Municipal Code (Streets and Sidewalks) as determined by the City Engineer.
4. The proposed work shall comply with Alameda's Standard Plans and Specifications and Standard Subdivision Specifications and Design.
5. The fee for plan checking and inspection shall be calculated in accordance with the latest Schedule of Fees & Charges as approved by the City Council.

### **Maps and Easements**

6. 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 to discuss submittal requirements, project review timeline, and fees associated with the processing, filing, and construction of this development.
7. A current title report shall be submitted to identify current ownership and any existing easements or land use restrictions.
8. The Applicant shall pay all fees prior to approval of final map.
9. The Final Map shall show all existing and proposed easement locations, uses and recording information. The Owner's Statement shall list all public right-of-way and easements to be dedicated and the Certificate of City Clerk shall list all public easements and right-of-way to be abandoned with recording information as part 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, easements, and in obtaining the map signature of the City's consulting surveyor.
11. The subdivider shall provide a Mylar 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.

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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