

**CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION**

DECLARING A STATEMENT OF COMPLIANCE UNDER PERIODIC REVIEW FOR DEVELOPMENT AGREEMENTS FOR THE ALAMEDA LANDING MIXED USE RESIDENTIAL AND COMMERCIAL PROJECTS, FOR THE PERIOD FROM JANUARY 2021 THROUGH NOVEMBER 2022

WHEREAS, Catellus Alameda Development, LLC has initiated a Periodic Review of two Development Agreements with the City of Alameda, as required under Zoning Ordinance Section 30-95.1; and

WHEREAS, the Board held a public hearing on this request on November 14, 2022, and examined pertinent documents; and

WHEREAS, the Board finds that Catellus Alameda Development, LLC has complied in good faith with the terms and conditions of the Development Agreements for the Alameda Landing Mixed Use Residential and Commercial Projects, for the period from January 2021 through November 2022, as summarized in the Annual Report Letter submitted by Catellus Alameda Development, LLC dated April 20, 2022 and has demonstrated a continuing good faith effort to implement the terms and conditions as set forth in said Development Agreements; and

WHEREAS, the West Alameda Transportation Management Association (WATMA) Annual report demonstrates that the association has reached financial stabilization and that gap funding, as defined in the Alameda Landing TDM Plan, by Catellus Alameda Development, LLC is no longer needed; and

WHEREAS, the Planning Board finds that it is not necessary or beneficial for the City of Alameda to have two independent transportation management associations operating in Alameda; and

WHEREAS, the Planning Board finds that the Alameda TMA is designed to expand to include new members, whereas the WATMA is not able to do so; and

WHEREAS, the Annual Review and reporting is exempt from the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the City of Alameda hereby declares that Catellus Alameda Development, LLC, has demonstrated good faith compliance with the terms and conditions of the Alameda Landing Development Agreements; and

BE IT FURTHER RESOLVED, that the Planning Board recommends that that the WATMA be dissolved and the Alameda Landing commercial and residential property owners join the Alameda TMA; and

BE IT FURTHER RESOLVED, that the Planning Board recommends that the City Council find that Catellus Alameda Development, LLC has fulfilled its gap funding obligations under the Alameda Landing TDM Program and Development Agreements and that gap funding by Catellus Alameda Development, LLC to the WATMA is no longer needed.

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 or decision on any appeal plus extensions authorized by California Code of Civil Procedure Section 1094.6.

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 and Building Department a written notice of appeal stating the basis of appeal and paying the required fees.

* * * * *