

CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION

A RESOLUTION OF THE PLANNING BOARD RECOMMENDING THE CITY COUNCIL AMEND THE ALAMEDA ZONING MAP FOR THE APPROXIMATELY 6.73-ACRE SITE AT 250 SINGLETON AVENUE (APN 74-905-9-7) TO REMOVE THE G SPECIAL GOVERNMENT COMBINING DISTRICT OVERLAY

WHEREAS, an application was made on June 25, 2022, by Quattrocchi Kwok Architects for Alameda Unified School District (AUSD) requesting approval for Rezoning PLN22-0304 to remove the G, Special Government Combining District overlay from the approximately 6.73-acre Alameda Unified School District (AUSD) property at 250 Singleton Avenue (APN 74-905-9-7); and

WHEREAS, the application was accepted as complete on May 2, 2022; and

WHEREAS, the property includes a G, Special Government Combining District (G Overlay) zoning designation in addition to its underlying General Industrial (Manufacturing) (M-2) District zoning designation; and

WHEREAS, the current General Plan designation for the site is Public Institutional; and

WHEREAS, the property is owned and operated by the Alameda Unified School District, and is not in Federal or State Government ownership; and

WHEREAS, the property no longer meets the intent of the G Overlay; and

WHEREAS, Alameda Municipal Code (AMC) Section 30-4.17 requires rezoning procedures to be completed to remove the G Overlay from the property prior to its sale or lease to a private party or public agency other than the federal or state government; and

WHEREAS, the Planning Board held a duly noticed public hearing for the project on May 22, 2023 and examined pertinent maps, drawings, and documents.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that, based on substantial evidence in the record, the potential environmental impacts of the project have been evaluated and disclosed pursuant to CEQA. On November 30, 2021, by Resolution No. 15841, the City Council certified a Final Environmental Impact Report for the Alameda 2040 General Plan (State Clearinghouse No. 2021030563) in compliance with CEQA, and adopted written findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program for the General Plan Amendment to update the Alameda General Plan (General Plan EIR). Pursuant to CEQA Guidelines sections 15162

and 15163, none of the circumstances necessitating further CEQA review are present with respect to the General Plan EIR. Approval of the project would not require major revisions to the General Plan EIR due to new significant impacts or due to a substantial increase in the severity of the significant environmental effects. There have been no substantial changes with respect to the circumstances under which the project would be undertaken that would require major revisions of the General Plan EIR due to new or substantially increased significant environmental effects. Further, there has been no discovery of new information of substantial importance that would trigger or require major revisions to the General Plan EIR due to new or substantially increased significant environmental effects. For these reasons, no further environmental review is required; and

BE IT FURTHER RESOLVED, that the Planning Board has reviewed the proposed rezoning and finds:

1. **The amendment relates favorably to and maintains the integrity of the General Plan.** The proposed rezoning ensures consistency between the General Plan and the Alameda Zoning Map. The underlying zoning and proposed Alameda Unified School District's use of the property is consistent with the Public Institutional General Plan designation which allows "structures and uses that support or enhance the mission of the institutions."
2. **The zoning map amendment will support the general welfare of the community.** The proposed rezoning is consistent with the existing AUSD use of the site, and will support the general welfare of the community by improving Alameda Unified School District support services that provide for the public schools within the City.
3. **The zoning map amendment is equitable.** The proposed rezoning is equitable in that it is consistent with the General Plan, the City Charter and other City documents. The map amendment is a conformance rezoning to remove the "G" overlay from the property as the overlay is no longer applicable; and

BE IT FURTHER RESOLVED, that the Planning Board of the City of Alameda recommends that the City Council amend the City of Alameda Zoning Map to remove the G Special Government Combining District overlay from the approximately 6.73-acre site at 250 Singleton Avenue (APN 74-905-9-7).

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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