

**CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION**

DECLARING A STATEMENT OF COMPLIANCE UNDER PERIODIC REVIEW FOR A DEVELOPMENT AGREEMENT FOR THE ALAMEDA POINT SITE A PROJECT, FOR THE PERIOD FROM AUGUST 2015 THROUGH AUGUST 30, 2016

WHEREAS, Alameda Point Partners, LLC (APP) has initiated a Periodic Review of a Development Agreement 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 October 24, 2016, and examined pertinent documents; and

WHEREAS, the Board finds that APP has complied with the terms and conditions of the Development Agreement for the Site A Development Project, for the period from August 2015, through August 30, 2016, as summarized in the Annual Report Letter submitted by APP for Planning Board review, and has demonstrated a continuing good faith effort to implement the terms and conditions as set forth in said Development Agreement.

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

THEREFORE BE IT RESOLVED that the Planning Board of the City of Alameda hereby declares that APP has demonstrated good faith compliance with the terms and conditions of the Development Agreement.

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.