

CITY OF ALAMEDA PLANNING BOARD  
**DRAFT RESOLUTION**

A RESOLUTION OF THE CITY OF ALAMEDA PLANNING BOARD RECOMMENDING THAT THE CITY COUNCIL ADOPT THE ENCINAL MASTER PLAN AND DENSITY BONUS APPLICATION FOR REDEVELOPMENT OF THE PROPERTY LOCATED AT 1521 BUENA VISTA AVENUE

WHEREAS, North Waterfront Cove, LLC (“the Developer”) has acquired approximately 16.73 acres of real property commonly known as the Encinal Terminals site, with an address of 1521 Buena Vista Avenue, City of Alameda, County of Alameda (APN 072-0382-001, -002, and 72-0383-03); and

WHEREAS, the Encinal Terminals site is designated for a residential, commercial, maritime and open space mix of uses in the City of Alameda General Plan; and

WHEREAS, the Encinal Terminals site is designated as a multifamily housing opportunity site in the City of Alameda General Plan Housing Element; and

WHEREAS, the Encinal Terminals site is designated MX (Mixed Use) and MF (Multifamily Residential) in the Alameda Municipal Code (AMC) Zoning Map; and

WHEREAS, the Alameda General Plan and AMC require preparation of a Master Plan to guide development of the property consistent with the General Plan and AMC; and

WHEREAS, the draft Encinal Terminals Master Plan is a mixed use plan for the property that includes up to 589 multifamily housing units, up to 50,000 square feet of commercial and maritime commercial space, seven acres of open space, and a 160-slip marina; and

WHEREAS, the Planning Board held a duly noticed public hearing on July 23, 2018, and examined all submitted materials and public comments.

NOW THEREFORE BE IT RESOLVED that the Planning Board of the City of Alameda makes the following findings:

1. **California Environmental Quality Act.** On December 19, 2017, the Alameda City Council certified the Encinal Terminals Focused Supplemental EIR for development of the initial proposed Master Plan. An Addendum to the previously certified EIR has been prepared for the revised Master Plan, as some minor technical changes or additions are necessary but none of the conditions in Section 15162 calling for preparation of a subsequent EIR have occurred. The Addendum has been provided in the manner required and authorized under CEQA and, together with the previously certified EIR, adequately addresses the potential environmental impacts of the project. All mitigations specified in the previously certified EIR shall be included as conditions of approval for the project development plans required by the Master Plan.
2. **The Master Plan relates favorably to the General Plan.** As documented in the July 23, 2018 staff report and associated materials, the proposal is in substantial conformance with, and implements, the City of Alameda General Plan, Housing Element, and Zoning Ordinance policies and standards for the site. The proposal implements General Plan policies for mixed use redevelopment of a former industrial site in the Northern Waterfront, increases housing

opportunities for a variety of household types, improves transportation infrastructure by extending Clement Avenue, increases transit services in the area, and increases public access to and public waterfront parks in the area for all Alameda residents.

3. **The Master Plan proposes an effective use of the site.** The proposed Master Plan, as amended by the conditions of approval, implements the City of Alameda General Plan and the MX Mixed Use and MF Multifamily Zoning District requirements for the site. The proposal provides for three acres of public waterfront parks and promenades adjacent to the Oakland Estuary where no public access currently exists. Further, the Plan allows for the conversion of the site, which was previously used for shipping container storage, to a transit oriented development with market-rate and affordable deed-restricted housing opportunities, retail and maritime commercial job opportunities and services, pedestrian, transit and bicycle facilities and other amenities and features to ensure that the site is pedestrian, bicycle and transit-friendly.
4. **The proposed Master Plan, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have substantial deleterious effects on existing business districts or the local economy.** The proposal implements the General Plan and provide for a mixed use development pursuant to the MX Mixed Use Planned Development Zoning District. The proposal improves access and circulation in the neighborhood by facilitating the completion of the Clement Avenue extension from Atlantic Avenue to Grand Street allowing for the removal of the Truck Route from Buena Vista Avenue, which is a long-term public objective to improve the quality of life in the neighborhood. The proposal provides for three acres of new public waterfront open space for the neighborhood, including a waterfront promenade and Bay Trail along the perimeter of the property.
5. **The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development.** The proposed development qualifies as a mixed-use development pursuant to the MX, Mixed-Use Planned Development Zoning District, and satisfies the purposes of the MX district and MF Multifamily Overlay District regulations. The Master Plan as amended is designed to conform to the Northern Waterfront General Plan policy objectives and requirements adopted to ensure that the project would be compatible with adjacent residential neighborhoods, the recently completed residential developments on adjacent sites and other existing and future waterfront uses. The Plan provides for adequate landscaping including Bay Friendly native plants as required by City standards. The proposed development will result in health and safety improvements to a property that is currently severely blighted and a detriment to the surrounding community.
6. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The proposal as amended by Amendment #1 below is designed to ensure that the development of the property is compatible with existing and potential contiguous uses. The street network, location of entry roads, orientation of residential uses along Clement Avenue and within the site, and the location of bicycle, pedestrian, and transit facilities are all designed to complement and support the planned surrounding uses. The residential plans provide for a well-designed pedestrian network, and bicycle and vehicular access. The proposed waterfront promenade will support and encourage use of and access to the waterfront.

7. **The proposed affordable units make the project eligible for a density bonus of 20% under California Government Code 65915 and City of Alameda Municipal Code Section 30-17.** North Waterfront Cove LLC has requested a 20% density bonus for a total of 589 residential units. The applicant is proposing 79 affordable units, including 25 housing units affordable to very low-income households (5%), 20 housing units affordable to low-income households (4%), and 34 units affordable to moderate-income households (7%). Because the applicant is proposing to provide 5% of the units to very low-income households, the development qualifies for a 20% density bonus. With the density bonus, the applicant is proposing to construct 589 units, which falls within the limit that the applicant is entitled to and is consistent with state density bonus law.
8. **The proposed affordable units make the project eligible for development standard waivers under California Government Code 65915 and City of Alameda Municipal Code Section 30-17.** North Waterfront Cove LLC has requested waivers from City of Alameda General Plan and AMC height limits that apply to this site to accommodate the density bonus units. The waiver to the City's height limits for the site provided in the Master Plan is necessary to accommodate the required density bonus units and would not have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of section 65589.5, upon health, safety, or physical environment, nor would the waiver be contrary to state or federal law.

Consistent with AMC requirements and the Master Plan, the specific design and height of all future buildings on the site must be reviewed and approved by the Planning Board. Given that it is not clear at this time how many, or which, buildings will need to exceed the 45-foot height limit and to what extent the buildings will need to exceed the height limit to accommodate 589 units, the Master Plan includes a height waiver that states:

- The maximum height for any residential building within the Gateway and Estuary Districts shall be determined by the Planning Board at the time the Design Review application is submitted for Planning Board review.
- Design Review applications for any residential buildings that exceed 45 feet in height shall be accompanied by a massing study for the Gateway and Estuary Districts that demonstrates that the proposed height is needed to accommodate the 589 units and all of the amenities, parking and mix of commercial and open space uses as described and illustrated in the Master Plan.
- The Planning Board shall not deny a building height above 45 feet unless the Planning Board is able to make one or both of the following findings: 1) Based upon a review of the Design Review plans and the massing study, the 45-foot height limit does not physically preclude construction of the 589 units and all of the amenities, parking and mix of commercial and open space uses as illustrated and described in the Master Plan, or 2) the waiver of the 45-foot height limit would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon health, safety, or physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. The 45-foot height limit shall not be used by City to prevent construction of the proposed project on the property.

NOW THEREFORE BE IT FURTHER RESOLVED that the Planning Board recommends that the City Council approve the Encinal Terminals Master Plan and Density Bonus Application, subject to the following Master Plan text revisions to ensure consistency between the Master Plan and General Plan policy E-T 11:

**Amendment #1: Page 24: Revise Streets Section to read as follows:**

***Streets:** To provide an inviting, well-designed public entrance from Clement Street, the primary vehicular access into the site shall occur at a four-way intersection at Clement/Entrance and provide access to the Gateway, Tidelands, and Estuary Districts. The final alignment and design of the public right-of-way design shall be determined by the Planning Board during the review of Subdivision Map and Development Plans for development, but the right-of-way shall be no less than 62 feet in width and extend in a straight alignment across the Gateway, Tidelands, and Estuary Districts to the northern edge of the property. The Entrance Road extension shall include driveway access to the adjacent Fortman Marina. Permanent public access and utility easements shall be provided within the right-of-way from the Clement Avenue intersection across the Gateway District, Tidelands District, and Estuary District to the northern waterfront edge of the Encinal Terminals site.*

**Figures.** Revise all figures as necessary to reflect central roadway.