

CITY OF ALAMEDA ORDINANCE NO. 3086
New Series

AMENDING ZONING MAP AT 2350 HARBOR BAY PARKWAY
FROM O (OPEN SPACE) TO C-M PD (COMMERCIAL-
MANUFACTURING, WITH A PLANNED DEVELOPMENT OVERLAY)
WITH SPECIFIED CONDITIONS

Approved as to Form
Janet C. Kern, City Attorney

BE IT ORDAINED by the City Council of Alameda:

Findings:

In enacting this Section, the City Council finds as follows:

1. **The amendment maintains the integrity of the General Plan.** The proposed zoning map amendment ensures consistency between the General Plan and the Alameda Zoning Map. The proposed zoning map amendment is consistent with the current General Plan, which identifies the site as Business Park.
2. **The amendment will support the general welfare of the community.** The proposed zoning map amendment will support the general welfare of the community by redeveloping a vacant parcel, completing a portion of the Bay Trail and allowing the site to be developed consistent with the General Plan and consistent with other uses in the area.
3. **The amendment is equitable.** The proposed zoning map amendment is equitable in that it is consistent with the General Plan, the City Charter and other City documents related to the development of Harbor Bay Isle.
4. **California Environmental Quality Act.** For purposes of compliance with the provisions of the California Environmental Quality Act (CEQA), the Zoning Map Amendment is consistent with the 1989 Addendum to the Final Environmental Impact Report for Harbor Bay Isle.

Section 1. The Citywide Zoning Map shall be amended to change the zoning designation for the parcel at 2350 Harbor Bay Parkway, APN: 074-1362-005, from O (Open Space) to CM-PD (Commercial-Manufacturing, with a Planned Development overlay).

Section 2. The Zoning Map Amendment for 2350 Harbor Bay Parkway from O (Open Space) to CM-PD (Commercial-Manufacturing, with a Planned Development overlay), is approved with the following conditions:

- 1) Use. Consistent with the Third Amendment to the Third Supplemental Agreement, dated March 15, 2013, between the San Francisco Bay Conservation and Development Commission and Harbor Bay Isle

Associates, use of the site should be limited to a) a single use building containing either a restaurant or private offices, or b) a mixed use building containing, on the upper floor or floors, private offices, and on the ground floor, one or more visitor-serving commercial uses, such as either a sit-down or take-out restaurant, snack bar or coffee shop.

- 2) Shoreline Improvements. Redevelopment of the site must include reconstruction of the public shoreline in front of the site. The development plan for the property should include a plan for the reconstruction of this "gap" in the Bay Trail. The public shoreline improvements in front of the proposed new building should include an enhanced public seating area and other appropriate amenities for viewing the Bay. Completion of the Bay Trail improvement is required prior to a Certificate of Occupancy of any building on the site.
- 3) Parking. Parking for the new building shall not be placed between the building and the waterfront.
- 4) Architectural Design. Due to the unusual configuration of the parcel, the new building must be very attractive on all four elevations, all of which are highly visible from the public shoreline park and the public right-of-way on Harbor Bay Parkway. For these same reasons and the fact that the site is relatively small, uses that require truck loading and staging areas shall not be permitted on the site.


Section 3. Severability Clause. It is the declared intent of the City Council of Alameda that if any section, subsection, sentence, clause, phrase, or provision of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provision of this ordinance.

Section 4. This ordinance shall be in full force and effect from and after the expiration of thirty (30) days from the date of its final passage.

Section 5. The above amendment shall be known as and referenced to as Rezoning Amendment No. ____ to Ordinance No. 1277, N.S.


Presiding Officer of the Council

Attest:


Lara Weisiger, City Clerk

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I, the undersigned, hereby certify that the foregoing Ordinance was duly and regularly adopted and passed by Council of the City of Alameda in regular meeting assembled on the 18th day of February, 2014, by the following vote to wit:


AYES: Councilmembers Chen, Daysog, Ezzy Ashcraft, Tam and Mayor Gilmore – 5.

NOES: None.

ABSENT: None.

ABSTENTIONS: None.

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 19th day of February, 2014.



Lara Weisiger, City Clerk
City of Alameda