

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION DRAFT

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING A DESIGN REVIEW AMENDMENT APPLICATION (PLN19-0044) FOR THE DEL MONTE WAREHOUSE BUILDING LOCATED AT 1501 BUENA VISTA AVENUE

WHEREAS, in December 2014, the City Council approved the Del Monte Master Plan and related development plans and design review for the rehabilitation and adaptive reuse of the historic Del Monte Warehouse (PLN14-0059); and

WHEREAS, TL Partners, LP made an application on behalf of Tim Lewis Communities on January 28, 2019, proposing to modify the approved Design Review for the Del Monte Warehouse; and

WHEREAS, the application was deemed complete on February 10, 2019; and

WHEREAS, the General Plan designation of the site is Mixed Use; and

WHEREAS, the parcel is located within the Mixed Use/Planned Development Zoning and Multi-family Overlay Zoning Districts; and

WHEREAS, the Planning Board conducted a duly noticed public hearing and examined all pertinent materials on February 25, 2019.

NOW THEREFORE BE IT RESOLVED, that the Planning Board has made the following findings relative to the Design Review Amendment Application:

A. The proposed Design Review Amendment is consistent with the General Plan, Zoning Ordinance and the City of Alameda Design Review Manual. The proposed rehabilitation and reuse of the Del Monte Warehouse supports General Plan policies for the redevelopment and reuse of the Northern Waterfront, General Plan policies to preserve the Del Monte Building consistent with the Secretary of Interior Standards, General Plan policies to increase housing opportunities in Alameda, and General Plan policies to extend public streets, bicycle lanes, transit lanes and pedestrian access through the area. The Design Review Amendment maintains the overall project's conformity to the Northern Waterfront GPA objectives and requirements to ensure that the project would be compatible with adjacent residential neighborhoods, and existing and future waterfront uses. The Design Review Amendment is consistent with all Zoning Ordinance development standards and qualifies as a mixed use development pursuant to the MX Mixed Use Planned Development Zoning District which specifies mixed uses, including residential, commercial and open space uses, for this site. The proposed design revisions are consistent with the City of Alameda Design Review Manual in that the proposed building design is compatible with adjacent buildings and the historic character of the existing warehouse. Equally important, the design revisions would reduce construction cost, thereby making the project financially feasible. Actual construction of the Del Monte residential mixed-use project will help the City meet its Housing Element goals.

B. The proposed design is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses.

The proposed revisions to the building design are consistent with the historic use of the site and the character of existing neighboring buildings in that the Del Monte Warehouse is designed to be compatible with adjacent residential uses by providing attractive facades, public improvements, and ample pedestrian, transit, and bicycle facilities. The current revisions would demolish and then rebuild the monitors at bays 1 and 4. The rebuilt monitors would match the existing monitors more closely than the previously approved design. The design of the monitors at bays 1 and 4 would also feature an identical roof slope, and is compatible with the character of the rest of the structure. The elevations demonstrate that the overall visual effects are minimal and maintain compatibility with the project surroundings.

C. The proposed design of the structures, exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development.

The proposed rehabilitation of the existing building has been specifically designed to be compatible with the historic character of the existing building and adjacent uses. Reuse of the existing building and preservation of existing historic building features and materials will work to create a unique and interesting mixed use environment and public spaces which are compatible with the character and uses of adjacent development. The applicant proposes demolishing the remaining monitors located in bays 1 and 4. The monitor structures will also be removed and rebuilt to resemble the bulk of the existing monitors. Otherwise, all of the important character-defining features of the historic warehouse will remain. The rebuilt monitors will more closely resemble the existing monitors than the previously approved version; and

BE IT FURTHER RESOLVED, that the Planning Board finds that no additional environmental review is required for the proposed Design Review Amendment. In 2008, the City of Alameda certified an EIR for the Northern Waterfront General Plan Amendment. The City of Alameda adopted a Subsequent Mitigated Negative Declaration on April 29, 2014, for the Del Monte Master Plan, which is designed to implement the Northern Waterfront General Plan Element. The project is required to implement all of the mitigation measures in the Northern Waterfront General Plan EIR and the Subsequent Mitigated Negative Declaration. The proposed Design Review Amendment is consistent with the prior approvals and will not result in any new or more severe environmental impacts than were previously identified in the Subsequent Mitigated Negative Declaration; and

BE IT FURTHER RESOLVED, that the Planning Board hereby approves the Del Monte Design Review Amendment application PLN19-0044, subject to the following conditions:

1. Certificate of Approval: This Design Review Approval shall not be effective until the Historical Advisory Board approves a Certificate of Approval for the proposed Design Review Amendments.

2. Building Permit: The plans submitted for the Building Permit shall be in substantial compliance with Exhibit 1 to the Staff Report: Del Monte Design Review Amendment prepared by BAR Architects and dated January 28, 2019, which are on file in the office of the City of Alameda Planning Division, subject to the conditions specified in this resolution approving the project. These conditions shall be printed on the first page of all building plans and improvement plans.
3. Mitigation Measure Reporting Program: Prior to issuance of each Building Permit, Grading Permit, or Site Improvement Permit, the Planning Director shall ensure compliance with any approved Mitigation Monitoring and Reporting Programs for the Del Monte project.
4. Approved Development Plan and Design Review Conditions: The Building Permit plans shall include all the conditions approved by the Planning Board for the previously approved Development Plan and Design Review as referenced by PLN14-0059.
5. Hold Harmless and Indemnification Agreement: The developer/applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, the Alameda City Planning Board and their respective agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Alameda, Alameda City Planning Board and their respective agents, officers or employees to attack, set aside, void or annul, an approval by the City of Alameda, the Planning, Building, and Transportation Department, Alameda City Planning Board, or City Council relating to this project. The City shall promptly notify the developer/applicant of any claim, action or proceeding and the City shall cooperate in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

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.