

CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING THE ALAMEDA MARINA OPEN SPACE DEVELOPMENT PLAN AND DESIGN REVIEW.

WHEREAS, an application was made by Alameda Marina, LLC ("Applicant") requesting approval of an Open Space Development Plan and Design Review for approximately 3.5 acres of the Alameda Marina waterfront located north of Clement Avenue; and

WHEREAS, on July 10, 2018, the City certified the Alameda Marina Master Plan Final Environmental Impact Report and approved the Alameda Marina Master Plan (the "Master Plan"); and

WHEREAS, the Master Plan requires that the Applicant prepare a Development Plan for each phase of the development for Planning Board review and approval; and

WHEREAS, the Applicant is pursuing Development Plan and Design Review approval for the Open Space Development Plan; and

WHEREAS, the Board held a public hearing on the Open Space Development Plan and Design Review on February 25, 2019, and has examined pertinent maps, drawings, and documents.

NOW, THEREFORE BE IT RESOLVED that the Planning Board finds that the proposed project is consistent with the General Plan, Alameda Municipal Code and Master Plan development requirements for the property.

NOW, THEREFORE BE IT RESOLVED that the Planning Board makes the following findings relative to the Open Space Development Plan approval:

1. **The development is an effective use of the site.** The Master Plan requires provision of approximately 3.5 acres of open space, wharf promenades, recreational facilities and open space uses to activate the waterfront for the public.
2. **The proposed use relates favorably to the General Plan.** The proposed project supports General Plan policies for the provision of park, open space and recreational uses throughout Alameda as well as activating the waterfront during both daytime and nighttime hours.
3. **The proposed use, 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 Open Space Development Plan is designed to be compatible with adjacent uses by providing attractive park and recreational improvements as well as ample pedestrian and bicycle facilities. The site plan is designed such that no significant off-site hazards or environmental hazards will affect occupants of the waterfront plaza and promenade or surrounding areas.
4. **The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size are architecturally, aesthetically, and**

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operationally harmonious with the community and surrounding development. The proposed wharf promenade, recreational facilities and open space uses are compatible with adjacent residential, retail and maritime commercial uses that exist or will exist within the Alameda Marina neighborhood. The design of the proposed park and recreational uses will be compatible and harmonious with the design and use of the surrounding areas.

5. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** All development within Alameda Marina includes a robust Transportation Demand Management (TDM) Compliance Strategy with a wide variety of transportation services and facilities, including the provision of transit services and other transportation services and programs.

NOW, THEREFORE BE IT RESOLVED that the Planning Board makes the following findings relative to the Design Review approval:

1. **The proposed Design Review is consistent with the General Plan, Zoning Ordinance and the City of Alameda Design Review Manual.** The proposed wharf promenade, recreational facilities and open space uses are consistent with General Plan policies which encourage provision of adequate park and open spaces throughout Alameda. The project is consistent with the MX – Mixed Use Zoning District in that the proposed park and recreational uses complement the existing and proposed residential, maritime commercial and retail uses within the Alameda Marina neighborhood. The project is consistent with the Alameda Design Review Manual because the proposed design has an appropriate sense of scale for the site, the landscape and recreation components are well proportioned and appropriate buffers have been provided between the site and adjacent uses.
2. **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 wharf promenade, Harbor View Park and Waterlife Park are similar in design and scale to other buildings and parks in the vicinity. The scale and character of the wharf promenade, Harbor View Park and Waterlife Park, and associated landscaping and site furnishings ensures compatibility with the adjacent neighborhood.
3. **The proposed design is visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the project with the character and uses of adjacent development.** The proposed design of the wharf promenade, Harbor View Park, Waterlife Park, landscaping, site furnishings and recreational features has been planned for in the Alameda Marina Master Plan to complement the character of adjacent existing and proposed residential, maritime commercial and retail uses within the Alameda Marina neighborhood. The landscaping, site furnishings and recreational features of the wharf promenade incorporate design elements that reflect the working waterfront of the Alameda Marina location.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves the Alameda Marina Open Space Development Plan and Design Review as described in Exhibit A:, subject to the following conditions:

1. Building and Site Improvement Permit Plans: The plans submitted for Building and Site Exhibit 2
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Improvement Permits shall be in substantial compliance with the plans shown as Exhibit A, on file in the office of the City of Alameda Community Development Department, except as modified by the conditions contained in this resolution.

2. Other Agency Approvals: Prior to issuance of building permit(s) or Site Improvement Permits for work within lands that are the jurisdiction of the agencies listed below, , the Applicant shall provide evidence that all required approvals, permits, deferrals, conditions or waivers from Bay Conservation and Development Commission (BCDC), Bay Area Air Quality Management District (Air District), Regional Water Quality Control Board (Water Board), and/or the Army Corp. of Engineers, if any, have been obtained for the proposed work within jurisdictional lands. The building permit or site improvement plans shall incorporate all other agency requirements. Upon approval of the necessary Certificate of Approval by the Historical Advisory Board and compliance with all Certificate of Approval conditions and mitigation measures, building demolition permits may be issued for buildings prior to issuance of improvement plans.
3. Tentative Map Approval: Prior to issuance of building permit(s) or Site Improvement Permits for work on the property, the Applicant shall submit a Tentative Map for the property for Planning Board and City Council review and approval. No building or site improvement permits shall be issued until such time that the Tentative Map is approved by the City Council and all building permit applications and Site Improvement Permits shall be consistent with the Tentative Map conditions of approval and requirements.
4. Boatyard Operator RFQ/RFP: Prior to issuance of building permit(s) or Site Improvement Permits for work on the property, the Applicant shall have completed the required RFQ/RFP for a boatyard operator consistent with the requirements of the Master Plan. If a qualified boatyard operator is selected pursuant to the RFQ/RFP process, any changes needed to the Open Space Development Plan to accommodate the Boatyard operations, if any, such as changes to parking areas, changes to landscaping plans, or shoreline treatments may be approved by the Planning, Building and Transportation Director, unless he or she determines that the changes significantly change the character and quality of the public open space, in which case he or she shall transmit those changes to the Planning Board for consideration.
5. Lighting Plan. Prior to issuance of building permit(s) or Site Improvement Permits for work on the property, the Applicant shall submit a detailed lighting plan and photometric study for Planning Board review and approval. The detailed lighting plan shall specify the type of lighting fixtures, the location of those fixtures on the plan, a street lighting plan for the Clement Avenue frontage, a street lighting plan for internal streets, and a bay trail and parks lighting plan.
6. Design Details: Prior to issuance of building permit(s) or Site Improvement Permits for work on the property, the following design details and specifications shall be reviewed and approved by the Planning, Building and Transportation Department Director and City Engineer:
 - a. Final street striping plans, sidewalk details, and bicycle rack design and locations.
 - b. Final water shuttle landing and docking plans, provisions for public access to the end of Pier 6 and appropriate signage for the public water shuttle service.
 - c. A complete WELO Landscape Document Package, as defined by Alameda Municipal Code (AMC) Section 30-58.3(d).

7. Shade Trees. The Landscape plans shall be amended to increase the number of shade trees in the Harbor View Park. The final plans shall be subject to the review and Recreation and Parks Director and the Planning, Building and Transportation Department Director
8. Public Access Easement through Building at Foot of Union Street: The final design of the public access easement through the building at the foot of Union Street will be reviewed and approved by the Planning Board during the review of the Tentative Map and the Design Review for the building itself.
9. View Corridor through Building at Foot of Chestnut Street: The view corridor through the building at the foot of Chestnut Street will be subject to design review when the building is submitted to the Planning Board for Design Review.
10. Park Name. The "Harbor View Park" name shall be reviewed by the Recreation and Parks Commission and City Council prior to any final park signage being erected.
11. Modifications: Minor project design details requested by the Applicant may be established, modified, and approved by the Planning, Building and Transportation Department Director. Engineering standards and specifications requested by the Applicant may be established, modified and approved by the Public Works Director, or his designee. Major modifications that are not consistent with this design review approval or these conditions shall be subject to review and approval of the Planning Board.

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 Community Development Department a written notice of appeal stating the basis of appeal and paying the required fees.

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