

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION DRAFT

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA MODIFYING DEVELOPMENT PLAN AND DESIGN REVIEW APPLICATIONS (PLN19-0044) AND APPROVING A LOT LINE ADJUSTMENT (PLN19-0180) FOR THE REHABILITATION AND REUSE OF THE FORMER DEL MONTE WAREHOUSE BUILDING LOCATED AT 1501 BUENA VISTA AVENUE

WHEREAS, the Planning Board approved Planning Board Resolution PB-14-12 on September 22, 2014 approving Development Plan and Design Review applications for the Del Monte Warehouse Building; and

WHEREAS, the Planning Board approved Planning Board PB-19-04 on February 25, 2019 amending Resolution PB-14-12; and

WHEREAS, in June 2019, TL Partners I LP submitted a request for additional Development Plan and Design Review amendments and a lot line adjustment to facilitate the sale and construction of the Del Monte project; and

WHEREAS, the applications for a lot line adjustment and development plan amendment include lands within the Del Monte Master Plan planning area and a small portion of adjacent lands owned by TL Partners, which are zoned M-1 Manufacturing Intermediate Industrial/Planned Development Zoning District; and

WHEREAS, the General Plan designation of the Del Monte Master Plan site remains Mixed Use; and

WHEREAS, the Zoning Designations for the site remain MX Mixed Use/Planned Development Zoning and Multi-family Overlay Zoning Districts; and

WHEREAS, parking is a permitted use within the MX Mixed Use/Planned Development Zoning and Multi-family Overlay Zoning Districts and within the M-1 Manufacturing Intermediate Industrial/Planned Development Zoning District; and

WHEREAS, both the MX Mixed Use/Planned Development Zoning and the M-1 Manufacturing Intermediate Industrial/Planned Development Zoning District require review and approval of a Development Plan application to build parking; and

WHEREAS, the Planning Board held a public hearing and examined all pertinent materials on July 8, 2019.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board finds that redevelopment and reuse of the Del Monte Warehouse Building for 362

rental residential units, plus 10 work/live units, pursuant to the proposed Development Plan Amendment, Design Review Amendment, and Lot Line Adjustment, is consistent with the Del Monte Warehouse Master Plan (the “DM Master Plan”). Any project approvals or related conditions of approval which reference condominium units, CC&Rs, or homeowner’s associations are not intended to limit the residential unit type. All references to condominium units or for sale units and the associated requirements shall also apply to rental units. For example, all references to CC&Rs shall include an equivalent governing document for rental units, and all references to a homeowner’s association shall include a property management company or other appropriate entity for rental units. All references and requirements referencing a homeowner’s association, including but not limited to those for the Transportation Demand Management Plan shall be addressed through the property management company or other appropriate entity for rental units.

NOW THEREFORE BE IT RESOLVED, that pursuant to AMC Section 30-4.20(g)), the Board has made the following findings relative to the Development Plan applications and Design Review amendments:

- A. **The development plans depict an effective use of the site.** The Development Plan and Design Review amendments support the effective use of the site for residential and commercial uses, internal roadways and paseos, landscaping and open spaces, and pedestrian, transit and bicycle facilities designed to provide a neighborhood that is pedestrian, bicycle and transit friendly. The Development Plans allow for the effective management of on-site parking facilities and utilizes street extensions, landscaping, building placement and orientation to create an effective and successful residential neighborhood that can be marketed and developed expeditiously, that can create a compatible interface with the adjacent properties and uses, and provide strategies for the conservation of natural resources, renewable energy and sustainable design.
- B. **The proposed Development Plan and Design Review Amendments are consistent with the General Plan and Master Plan.** The proposed development as amended continues to support 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, and is consistent with the objectives of the DM Master Plan. This project also facilitates future development of, and access to, the adjacent waterfront land areas, which supports General Plan policies to increase access to public waterfront parks.
- C. **The proposed Development Plan and Design Review Amendments 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 proposed Development Plan and Design Review plans as amended continue to be consistent with the Northern Waterfront General Plan Amendment (“Northern Waterfront GPA”) and the DM Master Plan, 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 development plan as submitted are compatible with adjacent residential uses by providing attractive public improvements, and ample pedestrian, transit, and bicycle facilities.

- D. The location of the proposed use, as amended, 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 plans, design review plans, and lot line adjustment support development of the affected property in a manner that will be architecturally, aesthetically, and operationally harmonious with the community and surrounding development. The proposed parking will ensure adequate on-site parking for the intended use of the site and provide opportunities for shared use of those facilities for project guests and waterfront users.
- E. The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The Development Plan, as amended, remains compatible with existing and potential contiguous uses. The street network, location of entry roads, orientation of residential uses along Buena Vista Avenue and the Northern Waterfront, and the location of bicycle facilities, pedestrian facilities, and transit facilities are all designed to complement and support the planned surrounding uses. The plans, as amended, continue to provide for a well-designed pedestrian network, bicycle access, and vehicular access. The proposed improvements on Clement and Buena Vista Avenues will support and encourage use of and access to the waterfront.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the proposed Lot Line Adjustment is consistent with the requirements of the Alameda Municipal Code and the objectives of the Del Monte Master Plan; the property line adjustment is for the creation of a new property line to facilitate the transfer of land from one (1) lot to adjoining lots, no street improvements or other subdivision improvements are required that have not been already required pursuant to the Del Monte Master Plan and Development Agreement, and the proposed lot line adjustment map meet with the approval of both the City Engineer and Planning Director; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board finds that the proposed Development Plan and Design Review amendments and the Lot Line Adjustment will not create any new significant environmental

impacts that were not already identified and mitigated by the approved environmental document and mitigation monitoring reporting program; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board hereby approves the Del Monte Development Plan and Design Review modifications and Lot Line Adjustments shown in Exhibit 1, 2 and 3, subject to the following conditions:

1. Substantial Compliance with Approvals: The plans submitted for the Building Permit shall be in substantial compliance with Exhibit 1 and 2 presented on July 8, 2019 and all conditions of approval of Planning Board Resolution PB-14-12 approved on September 22, 2014, and Planning Board Resolution PB-19-04 approved on February 25, 2019. Where conflicts occur between the resolutions, the requirements of Exhibits 1 and 2 and this resolution shall govern.
2. Lot Line Adjustment: Final approval of the Lot Line Adjustment shall be subject to the final review and signed approval of both the City Engineer and the Planning Director. The lot adjustment map shall be filed on a sheet, the outside dimensions of which shall be eleven by seventeen (11" x 17") inches, the quality of which shall be an acceptable tracing paper, polyester base film, or cloth and the format and information shown thereon shall be as required by the City Engineer. The original drawings or reproducible copies of deed record drawings will be kept in the City Engineer's files. The deed describing the transfer shall be recorded with the County Recorder.
3. Surface Materials. The Building Permit Plans shall show stucco with a medium sand finish with no raking.
4. Construction Period. Prior to commencement of construction, the applicant shall submit a Construction Period Traffic Control Plan and construction fencing plan for approval by the Public Works Director and Planning Director. The plans will be designed to minimize construction period traffic, noise, and dust impacts on adjacent neighbors and the senior citizens at Littlejohn Commons.
5. Parking Management: The parking areas shall be shared between the buildings residential and commercial tenants and managed by the property owners. The cost to lease a parking space for private use by a building tenant shall be "unbundled" from the cost of renting or leasing a residential or commercial space. If at a future date, the property owner choses to request a condominium map for the project, then a maximum of one space may be permanently assigned to each unit consistent with the 2014 TDM Plan.
6. Modifications: Minor project design details requested by the applicant may be established, modified, and approved by the Planning 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 development plan or these conditions shall be subject to review and approval of the Planning Board.

7. Hold Harmless and Indemnification Agreement The developer/applicant shall defend (with counsel reasonably 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 Community Development 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.