

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION PB-19-09

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING SETBACK AND PARKING PLAN, AND CONTINUANCE OF THE LIGHTING AND LANDSCAPE PLANS FOR DESIGN REVIEW APPLICATION NO. PLN18-0381 FOR THE CONSTRUCTION OF A 172-ROOM HOTEL AND RESTAURANT LOCATED NEAR THE CORNER OF HARBOR BAY PARKWAY AND BAY EDGE ROAD

WHEREAS, an application was made by Robert Leach for Harbor Bay Hospitality, LLC. ("Applicant") on August 27, 2018, requesting Design Review and Development Plan Amendment for the construction of a new 172-room five-story hotel and restaurant on an approximately 5.5 acre site located approximately 467-feet northwest of the corner of Harbor Bay Parkway and Bay Edge Road, within the Harbor Bay Business Park; and

WHEREAS, the subject property is designated as Business Park on the General Plan Diagram; and

WHEREAS, the subject property is located in a C-M-PD, Commercial Manufacturing - Planned Development Zoning District; and

WHEREAS, the Planned Development for the Business Park was approved by PD-81-2, and subsequently amended by PDA-85-4, PDA05-0003; PLN07-061, and PLN15-0092; and

WHEREAS, the Board held a study session on October 8, 2018 and provided comments on the proposed design and development plan amendment; and

WHEREAS, the Board held a public hearing on December 10, 2018, and approved Planning Board Resolution PB-18-23 for the Design Review and Development Plan Amendment, and

WHEREAS, on December 10, 2018, the Planning Board made the necessary findings to determine that no further environmental review was necessary under the California Environmental Quality Act (CEQA), and

WHEREAS, the City Council held a de novo public hearing on February 5, 2019 to consider an appeal of Planning Board decision to approve Resolution PB-18-23, which includes the Planning Board's CEQA findings regarding the project, and after considering all of the information on the record and hearing from the appellants, upheld Planning Board Resolution No. PB-18-23; and

WHEREAS, Planning Board Resolution PB-18-23 required that the applicant return to the Planning Board with final architectural design, landscape plan, lighting plan, and parking plan for final review and approval by the Planning Board.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that the proposed revisions to the landscape plans, lighting plans, and parking plans do not create any new environmental impacts or worsen any impacts previously identified that were not previously considered in the December 10, 2018 resolution.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board approves the Final setback and parking plan of the proposed hotel project as described in Exhibit 1: Marriott Residence Inn Alameda Design Review, subject to the following conditions:

1. Planning Board Resolution PB-18-23: The project shall comply with all conditions of approval in Planning Board Resolution No. PB-18-23. In the event in a conflict between the conditions contained in this this resolution and resolution PB-18-23, the conditions of approval in this resolution shall govern.
2. Building Permit Conditions: These conditions and the conditions of PB-18-23 shall be printed on the first page of all building plans and improvement plans.
3. Building Permit Plans: The plans submitted for the building permit shall be in substantial compliance with the plans prepared by HRGA Architecture, dated May 20, 2019, and on file in the office of the City of Alameda Planning, Building, and Transportation Department, except as modified by the conditions listed in this resolution.
4. Final Lighting, Landscape Plan: Prior to issuance of the Building Permit, the applicant shall prepare a final lighting and landscape plan for final review and approval by the Planning Board.
5. Public Art: Prior to issuance of Certificate of Occupancy, the applicant shall install art panels on both side elevations that have been approved by the City of Alameda Public Art Commission. The cost of the art installation shall be a minimum of 1% of the construction costs.
6. Garbage pick-up: Garbage truck access and garbage pick-up shall be limited to the daylight hours after 7 AM.
7. Access Road: Final Access Road design shall be subject to Planning Director and City Engineer approval.
8. Expiration: This Development Plan Amendment and Design Review approval shall expire and become void unless actual construction under valid permits has commenced within two years after this approval. A one-time extension for an additional two years may be granted upon written request.

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.

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 28th day of May, 2019, by the following vote to wit:

AYES: (7) Sullivan, Cavanaugh, Curtis, Mitchell, Rothenberg, Saheba, and Teague

NOES: (0)

ABSENT: (0)

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

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