

CITY OF ALAMEDA PLANNING BOARD  
**DRAFT RESOLUTION**

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING DESIGN REVIEW APPLICATION NO. PLN19-0368 TO CONSTRUCT 69 RESIDENTIAL BUILDINGS CONTAINING 357 RESIDENTIAL UNITS ON AN APPROXIMATELY 17.2-ACRE SITE LOCATED AT 2800 FIFTH STREET AND COMMONLY KNOWN AS THE ALAMEDA LANDING WATERFRONT MIXED-USE PROJECT

WHEREAS, an application was made on August 1, 2019 by Pulte Home Company, LLC (Pulte) for Design Review approval to construct 69 buildings containing 357 residential units on an approximately 17.2-acre site located at 2800 Fifth Street; and

WHEREAS, the subject property is designated Specified Mixed-Use on the General Plan Diagram; and

WHEREAS, the subject property is located in a M-X (Mixed-Use Planned Development) Zoning District which requires a master plan for the development; and

WHEREAS, the eastern 10-acre portion of the site is located within the MF (Multi-Family Residential Combining Zone) Overlay District; and

WHEREAS, on December 5, 2006, the City Council adopted Resolution No. 14047 certifying the Final Supplemental Environmental Impact Report for the Alameda Landing Mixed Use Development Project (“2006 Supplemental EIR”, a Supplement to the 2000 Catellus Mixed Use Development Project EIR) in accordance with the California Environmental Quality Act (CEQA) (State Clearinghouse #2006012091). The City has prepared several addenda to the 2006 SEIR in 2007, 2008, 2012 and 2017; and

WHEREAS, on January 2, 2006, the City Council adopted Ordinance No. 2957 approving the Alameda Landing/Bayport Mixed Use Development Master Plan Amendment; and

WHEREAS, on September 5, 2017, the City Council adopted Ordinance No. 3188 amending the Alameda Landing Master Plan and approved an Addendum to the Supplemental EIR. The Addendum concluded that the environmental effects associated with the Master Plan Amendment were within the scope of the analysis in the 2006 Supplemental EIR and no further environmental review was required; and

WHEREAS, on September 10, 2018, the Planning Board approved the Design Review for the 4.5 acre Alameda Landing Waterfront Park; and

WHEREAS, on June 10, 2019 the Planning Board approved Design Review for the northern extension of Fifth Street connecting Mitchell Avenue to the entrance of the Waterfront Park; and

WHEREAS, on June 10, 2019, the Planning Board held a study session for the Alameda Landing Waterfront Mixed-Use development. At the meeting, Pulte introduced the Exhibit 3  
Item 7-A, December 9, 2019  
Planning Board Meeting

general circulation, distribution of units, and architectural concepts of the project, and received feedback from the community and the Board; and

WHEREAS, on October 14, 2019, the Planning Board approved the Development Plan, Density Bonus Application, and Tentative Map to construct 357 residential units, 5,000-square-feet of commercial space, internal roadways and alleys, parks and open space; and

WHEREAS, on November 12, 2019, the Planning Board held a Study Session for the Alameda Landing Waterfront residential Design Review application. At the meeting, Pulte introduced revised designs for the 69 residential buildings in the development, and received feedback from the Board; and

WHEREAS, on December 9, 2019, the Planning Board held a public hearing for Design Review approval to construct 69 building containing 357 residential units within the approximately 17.2-acre site located at 2800 Fifth Street and examined all pertinent application materials and public testimony; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds the environmental effects of the proposed project were considered and disclosed in the Alameda Landing Master Plan Environmental Impact Report (State Clearinghouse #2006012091). No further environmental review is required under the California Environmental Quality Act for the proposed project. The proposed mixed use development will not result in any new environmental impacts or cause any previously disclosed significant impacts to become more severe, and all mitigations specified in the EIR are included as conditions of approval for the project as required by the Alameda Landing Master Plan; and

BE IT FURTHER RESOLVED, that pursuant to Alameda Municipal Code Section 30-4.20(g), the Board has made the following findings relative to proposed Design Review approval:

- 1. The proposed design is consistent with the General Plan, Zoning Ordinance, Alameda Landing Master Plan, approved Alameda Landing Waterfront Development Plan, and the City of Alameda Design Review Manual.** The architectural designs and landscaping provide for visually interesting and varied facades and public spaces that are accented with multiple changes in materials and colors to differentiate public spaces, provide for pleasant pedestrian experience, and create a visually appealing neighborhood. Visually appealing vertical elements and materials are used to accent the buildings, and provide for compatibility with the surrounding development. As conditioned, the project is consistent with the City of Alameda's Design Review Guidelines because the landscape and building designs are compatible with the surroundings and will provide for a distinctive new neighborhood in the City of Alameda.
- 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 project design is appropriate for the site because it is consistent with the Master Plan and compatible with the surrounding area in terms of scale and character. The project

site is designed to conform to the Alameda Landing Master Plan standards and requirements adopted to ensure that the project would be compatible with the adjacent Tripoint Homes, Bay Ship and Yacht, Waterfront Park, shopping center, and other residential and commercial uses. The proposed design utilizes a number of strategies to create an integrated architectural and landscape design that will result in buildings that are compatible with their surroundings, visually interesting, pleasant for bicyclists and pedestrians, and adequate to meet the needs of residents. Building elevations are well designed with ample articulation, fenestration, entryways, quality materials and colors to provide visual interest. Materials with different textures, surfaces, and colors are used to distinguish the repeating elements on the building elevations and create more interesting facades. The palette of materials and colors for residential buildings will be constructed to ensure that all the new buildings, in combination with a unifying landscape plan and well-designed street system, create a visually appealing new neighborhood.

3. **The proposed design of the structure(s) and 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 color palettes as provided are compatible with the nautical architecture and the waterfront setting. The architectural design and exterior materials and colors provide for visually interesting and varied facades that are accented with multiple changes in materials and colors to differentiate portions of each building. Visually appealing vertical elements are used to accent the buildings and reinforce the relationship among the buildings, the landscape and surrounding developments; and

BE IT FURTHER RESOLVED, that the Planning Board hereby approves Design Review Application No. PLN19-0368 for 69 buildings containing 357 residential units on a 17.2-acre site located at 2800 Fifth Street, 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: Alameda Landing Residential Design Review Package prepared by Pulte Group dated November 20, 2019, and on file in the City of Alameda Planning Building & Transportation Department, except as modified by the conditions specified in this resolution.
2. Building Permit Conditions: These conditions shall be printed on the first pages of the building permit plans and improvement plans.
3. Development Plan and Tentative Map Conditions: Prior to issuance of building permits, the applicant shall also complete all conditions of approval required prior to issuance of building permits from Planning Board Resolutions PB-19-21 and PB-19-22.
4. Window recess: The plans submitted for building permits shall provide a minimum 2-inch reveal for the windows on the buildings.
5. Waste Management Plan: Prior to issuance of building permits, the Planning Director shall approve a final landscape plan that includes changes to the hardscape design in

Exhibit 3

Item 7-A, December 9, 2019

Planning Board Meeting

order to accommodate the approved waste collection plan for the residential development.

6. Palm Trees: The landscape plans submitted for building permits, shall replace all units of the California Fan Palm Hybrid (Washington Filibustia) with additional units of the Maidenhair (Ginko Biloba) tree.
7. Exterior Lighting: New exterior lighting fixtures shall be consistent with AMC Section 30-5.16.c, the Alameda Dark Skies Ordinance.
8. Universal Design: The plans submitted for building permits shall provide a minimum of 15% of the total residential units meet Universal Design requirements. The single-story flats shall be designed with elevator access to each unit from the ground floor in order to provide living spaces that meet the Universal Design requirements.
9. Dust Control: Prior to issuance of building or grading permits, the developer/applicant shall ensure that a dust control program is implemented consistent with City and BAAQMD requirements. Construction activities shall be subject to the requirements of the Alameda Municipal Code, which restricts construction to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturday, unless a permit is first secured from the City Manager or designee based upon a showing of significant financial hardship
10. 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 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.
11. Other Agency Approvals: Prior to approval of improvements related to work within the jurisdictional areas, Applicant shall provide evidence that all required approvals, permits, or waivers from San Francisco Bay Conservation and Development Commission (BCDC), San Francisco Bay Regional Water Quality Control Board (RWQCB), including compliance with the existing 401 Certification for the construction of a storm water outfall, and/or the Army Corps of Engineers. The final Improvement Plans shall incorporate all other agency comments.

HOLD HARMLESS. The applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, the Alameda City Council, 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 Council, 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 & Transportation Department, Alameda City Planning Board, the City of Alameda City Council relating to this project. The City shall promptly notify the applicant of

Exhibit 3

Item 7-A, December 9, 2019

Planning Board Meeting

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

\* \* \* \* \*