

CITY OF ALAMEDA RESOLUTION NO. _____

APPROVING PARCEL MAP NO. 11038 (PLN19-0501) – A PARCEL MAP
TO SUBDIVIDE SIX PARCELS COMPRISING APPROXIMATELY 22.86-
ACRES LOCATED AT 2800 FIFTH STREET INTO FOUR PARCELS

WHEREAS, an application was made on October 10, 2019, by Catellus Alameda Development LLC to subdivide six parcels comprising approximately 22.86-acres into four different parcels within the Alameda Landing Waterfront Residential project at 2800 Fifth Street; and

WHEREAS, this application was accepted as complete on January 14, 2020; and

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

WHEREAS, the subject property is located in a M-X, Mixed-Use Zoning District; and

WHEREAS, on December 5, 2006, the City Council certified by Resolution No. 14047 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 Supplemental EIR in 2007, 2008, 2012 and 2017 (collectively, “Previous CEQA Documents”); and

WHEREAS, on January 2, 2007, the City Council adopted Ordinance 2957 for 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, the Planning Board held a public hearing on September 10, 2018 and approved the Design Review for the 4.5 acre Alameda Landing Waterfront Park; and

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

WHEREAS, the Planning Board held a public hearing on October 14, 2019 to approve Resolution PB-19-21 for a Final Development Plan (PLN19-0368), and Resolution No. PB-19-22 for a Tentative Map to construct 357 residential units and 5,000-

square-feet of commercial space and associated site improvements on 17.2-acres within the subject site; and

WHEREAS, the Planning Board held a public hearing on December 9, 2019 to approve Resolution No. PB-19—27 for Design Review Approval for the 69 residential buildings within the residential development on 17.2-acres within the subject site; and

WHEREAS, the Planning Board held a public hearing on January 27, 2020, and adopted Resolution No. PB-20-01, made California Environmental Quality Act (CEQA) findings, and recommended that the City Council approve Parcel Map No. 11038 to subdivide six parcels comprising approximately 22.86-acres located at 2800 Fifth Street into four parcels; and

WHEREAS, in accordance with Government Code section 65402, the Planning Board has found the location, purpose and extent of the disposition of real property at 2800 Fifth Street to Catellus to be in conformance with the Alameda General Plan; and

WHEREAS, the Parcel Map meets the requirements of the Subdivision Map Act and the City's subdivision ordinance; and

WHEREAS, a Subdivision Improvement Agreement has been approved as to form by the City Attorney and faithful performance and labor and material bonds have been provided to the City for the construction of the required improvements for the Parcel Map; and

WHEREAS, on March 3, 2020, the City Council reviewed Parcel Map No. 11038 and all pertinent maps, documents, and exhibits; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Alameda finds its approval of Parcel Map No. 11038 is exempt from CEQA pursuant to CEQA Guidelines section 15315, which categorically exempts minor land divisions. As a separate and independent basis, the potential environmental impacts of the project have been evaluated and disclosed in the Previous CEQA Documents and none of the circumstances necessitating further CEQA review are present. No further environmental review is required; and

BE IT FURTHER RESOLVED, that the City Council finds that the subject Parcel Map is consistent with the General Plan, Alameda Municipal Code, and Master Plan requirements for the property; and

BE IT FURTHER RESOLVED, pursuant to AMC Section 30-78.5, the City Council has made the following findings relative to the proposed Parcel Map Application PLN19-0501:

A. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, Zoning, Development Plan, and the

Master Plan for this site. The Parcel Map is consistent with the Mixed-Use General Plan designation and M-X, Mixed-Use zoning regulations for the property. The proposed Parcel Map would allow the construction of the Alameda Landing Waterfront Residential Development consistent with the Alameda Landing Master Plan and the Alameda Landing Mixed-Use Waterfront Development Plan.

- B. The site is physically suitable for the type and proposed density of the development. The proposed subdivision is designed to conform to the Alameda Landing Master Plan and the Alameda Landing Waterfront Mixed-Use Development Plan standards and requirements adopted to ensure that the project would be compatible with adjacent uses. The proposed subdivision is consistent with density standards of the General Plan, Zoning Ordinance, and the Alameda Landing Master Plan. This map will not change the previously approved Final Development Plan and Design Review, which was found to be consistent with development standards for the M-X zoning district and the Mixed-Use designation of the General Plan.
- C. The design of the subdivision and improvements, as conditioned, will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The development of the site will not introduce hazards that are inconsistent with standard mixed-use development within the M-X zoning district and the Mixed-Use General Plan designation. The previously approved Final Development Plan and Design Review had conditions of approval to ensure that no unintended environmental damage or exposure of future occupants to environmental dangers could occur. The proposed Parcel Map implements and supports the Alameda Landing Master Plan, which included conditions of approval to ensure that no unintended environmental damage could occur. The Master Plan was fully considered in the Previous CEQA Document.
- D. The design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the subdivision. All required easements are to be retained.
- E. The design of the subdivision and its improvements will not cause serious public health problems. The previously approved Final Development Plan and Design Review includes conditions that assure the property is free of hazardous materials and would not adversely affect public health.
- F. The subdivision will not result in the discharge of waste into the sewer system that would violate regional water quality control regulations. The development will be in compliance with all regional water quality control regulations.
- G. In approving the parcel map, the City Council has considered its effect upon the housing needs of the region, balanced with the public service needs of Alameda residents and available fiscal and environmental resources. The parcel map is consistent with the Master Plan and Development Plan approved for the site that

included CEQA documents that considered the effects to housing needs, public services, and available fiscal and environmental resources from the development; and

BE IT FURTHER RESOLVED, that the Applicant has executed a Subdivision Improvement Agreement with the City for the construction and completion all public improvements on Fifth Street and Mitchell Avenue and those identified on the Improvement Plans on file with the City Engineer are approved and the City Manager and City Clerk are authorized and directed to execute and attest to, respectively, said agreement on behalf of the City of Alameda; and

BE IT FURTHER RESOLVED, that the Security guaranteeing full and faithful performance of said public improvements, labor, and materials as required by the Subdivision Map Act and Alameda Municipal Code are hereby approved as sufficient in amount; and

BE IT FURTHER RESOLVED, that the City Council of the City of Alameda approves Parcel Map No. 11038 to subdivide six parcels comprising approximately 22.86-acres located at 2800 Fifth Street into four different parcels subject to the following condition.

1. HOLD HARMLESS. The 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, the City of or City Council related to this project. The City shall promptly notify the 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. 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; and

BE IT FURTHER RESOLVED, that said easements offered for dedication to the public have been accepted on behalf of the public for use in conformity with the terms and conditions of the offers of dedication.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in regular meeting assembled on the 17th day of March, 2020, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 18th day of March, 2020.

Lara Weisiger, City Clerk
City of Alameda

APPROVED AS TO FORM:

Yibin Shen, City Attorney
City of Alameda