

CITY OF ALAMEDA RESOLUTION NO. _____

ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM TO REZONE THE PROPERTY AT 2350 FIFTH STREET FROM M-X, MIXED USE TO R-4, NEIGHBORHOOD RESIDENTIAL DISTRICT TO FACILITATE RESIDENTIAL USE OF THE PROPERTY

WHEREAS, the property at 2350 Fifth Street (APN 74-1356-23) is designated for Medium Density Residential in the Alameda General Plan; and

WHEREAS, the proposed rezoning of the property from M-X, Mixed Use to R-4, Neighborhood Residential District is consistent with the General Plan designation; and

WHEREAS, the City prepared a draft Mitigated Negative Declaration (MND) which considers the potential environmental impacts of the residential use of the property; and

WHEREAS, on September 28, 2020, the Planning Board conducted a duly noticed public hearing on the Mitigated Negative Declaration and proposed rezoning, and examined all submitted materials and received oral and written public comments; and

WHEREAS, upon conclusion of the public hearing, the Planning Board recommended that the City Council adopt the MND and approve the Zoning Map amendments; and

WHEREAS, on November 17, 2020, the City Council conducted a duly noticed public hearing to receive public testimony on the MND, examined all submitted materials and received oral and written public comments; and

WHEREAS, all interested parties were given the opportunity to participate in the hearing by submittal of oral and written comments, and the public hearing was closed by the City Council on November 17, 2020; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Alameda makes the following findings:

California Environmental Quality Act (CEQA). In accordance with Public Resources Code Sections 21064.5 and 21080(c)(2) and CEQA Guidelines Sections 150645(f)(2) and 15070(b), the City of Alameda, as the lead agency under CEQA, prepared a Mitigated Negative Declaration for the project. The adopted Mitigated Negative Declaration has been prepared in the manner required and authorized under CEQA, and the City Council has considered the MND and Mitigation Monitoring and Reporting Program, together with the initial study and comments received, all of which are incorporated by reference as though fully set forth herein, prior to making a decision on the Zoning Map amendments. The City Council finds and determines that the MND complies with CEQA and adequately addresses the potential environmental impacts of the residential use of the property including the potential impacts of future actions by a property owner to construct new buildings. All project-specific mitigations specified in the MND and included in the Project-

Specific Mitigation Monitoring and Reporting Program (attached hereto as Exhibit A) shall be included as conditions of approval for the project development plans. The MND finds that some construction activities may result in some potentially significant temporary impacts, but that all of the potential impacts can be mitigated to a level of less than significant through standard construction mitigations; and

BE IT FURTHER RESOLVED, that, based on its independent judgment and analysis, the City Council adopts the 2350 Fifth Street (Bottle Parcel) Rezoning Project Mitigated Negative Declaration and project-specific Mitigation Monitoring and Reporting Program (Exhibit A), and finds on the basis of the initial study and comments received, that the project's effects can be mitigated to the extent that there is no substantial evidence in light of the whole record that the project will have a significant effect on the environment; and

BE IT FURTHER RESOLVED, that the custodians and locations of the documents and other materials that constitute the record of proceedings upon which the City Council's decision is based are: (1) City Clerk's Office, 2263 Santa Clara Avenue, Room 380, Alameda, CA, and (2) City of Alameda Planning, Building & Transportation Department, 2263 Santa Clara Avenue, Room 190, Alameda, CA.

EXHIBIT A

2350 Fifth Street (Bottle Parcel) Rezoning Project
Mitigation Monitoring and Reporting Program

* * * * *

I, the undersigned, hereby certify that the foregoing Ordinance was duly and regularly adopted and passed by the Council of the City of Alameda in a continued regular meeting assembled on the 17th day of November 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 November 2020.

Lara Weisiger, City Clerk
City of Alameda

APPROVED AS TO FORM:

Yibin Shen, City Attorney
City of Alameda