

## PLANNING BOARD DRAFT RESOLUTION

A RESOLUTION RECOMMENDING THAT THE ALAMEDA CITY COUNCIL APPROVE THE ENCINAL TERMINALS TIDELANDS EXCHANGE MASTER PLAN AMENDMENT FOR THE REDEVELOPMENT OF THE ENCINAL TERMINALS PROPERTIES (APN 072-0382-001, -002, and 72-0383-03) AND CITY TIDELANDS PROPERTY (APN 072-0382-009) LOCATED AT 1521 BUENA VISTA AVENUE.

WHEREAS, North Waterfront Cove, LLC (“the Developer”) owns approximately 16.73 acres of real property commonly known as the Encinal Terminals site, with an address of 1521 Buena Vista Avenue, City of Alameda, County of Alameda (APN 072-0382-001, -002, and 72-0383-03); and

WHEREAS, the City of Alameda (“the City”) owns approximately 6.4 acres of real property in trust for the State of California within the center of the Encinal Terminals site (APN 072-0382-009); and

WHEREAS, the Encinal Terminals site is designated in the City General Plan for a residential, commercial, maritime and open space mix of uses; and

WHEREAS, the Encinal Terminals site is designated as a multifamily housing opportunity site in the City of Alameda General Plan Housing Element; and

WHEREAS, the Encinal Terminals site is designated MX (Mixed Use) and MF (Multifamily Residential) in the Alameda Municipal Code (“A.M.C.”) Zoning Map; and

WHEREAS, the Developer and City wish to implement a Tidelands Exchange to reconfigure the existing property lines to facilitate redevelopment of the property consistent with the General Plan and site zoning designations; and

WHEREAS, On December 19, 2017, the City Council adopted Resolution No. 15337 certifying the Final Focused Supplemental Environmental Impact Report (EIR) (State Clearinghouse No. 2016042076) for the redevelopment of the property with a Tidelands Exchange, but the City Council failed to approve the Tidelands Exchange; and

WHEREAS, on September 4, 2018, the City Council approved the Encinal Terminals Master Plan and Density Bonus application and height waivers for a mixed use plan for the property that did not include a Tideland Exchange but allowed for 589 multifamily housing units, up to 50,000 square feet of commercial and maritime commercial space, a 160-slip marina, and up to 3 acres of public open space; and

WHEREAS, the September 4, 2018 Master Plan did not allow for the Tideland Exchange to facilitate a viable redevelopment of the property and as a result the site has remained vacant and continues to deteriorate; and

WHEREAS, on March 8, 2021, the Planning Board held a duly noticed public hearing, and examined all submitted materials and received oral and written public comments and considered:

- A resolution recommending that the City Council approve a Tidelands Exchange to facilitate development of the property, in support of General Plan housing objectives.
- An amended Encinal Terminals Tidelands Exchange Master Plan that allows for a mixed use plan for the property with a Tideland Exchange and up to 589 multifamily housing units, up to 50,000 square feet of commercial and maritime commercial space, a 160-slip marina, and 4.5 acres of public open space; and

WHEREAS, upon conclusion of the public hearing, the Planning Board made the following findings:

1. **California Environmental Quality Act.** On December 19, 2017, the Alameda City Council certified the Encinal Terminals Focused Supplemental EIR for development of the initial proposed Master Plan. All mitigations specified in the previously certified EIR shall be included as conditions of approval for the project development plans required by the Master Plan. No further environmental review is required.
2. **The Master Plan relates favorably to the General Plan.** As documented in the staff report and associated materials, the Master Plan amendment is in substantial conformance with, and implements, the City of Alameda General Plan, Housing Element, and Zoning Ordinance policies and standards for the site. The Master Plan implements General Plan policies for mixed use redevelopment of a former industrial site in the Northern Waterfront, increases housing opportunities for a variety of household types, improves transportation infrastructure by funding the extension of Clement Avenue, increases transit services in the area, and increases public access to public waterfront parks in the area for all Alameda residents.
3. **The Master Plan proposes an effective use of the site.** The amended Master Plan implements the City of Alameda General Plan and the MX Mixed Use and MF Multifamily Zoning District requirements for the site. The Master Plan provides for four and half acres of public waterfront parks and promenades adjacent to the Oakland Estuary where no public access currently exists. Further, the Plan allows for the conversion of the site, which was previously used for shipping container storage, to a transit-oriented mixed use development with market-rate and affordable deed-restricted housing opportunities, retail and maritime commercial job opportunities and services, pedestrian, transit and bicycle facilities and other amenities and features to ensure that the site is pedestrian, bicycle and transit-friendly.
4. **The proposed Master Plan, if development complies with all conditions upon which approval is made contingent, 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 Master Plan implements the General Plan and provides for a mixed use development pursuant to the MX Mixed Use Planned Development Zoning District. The proposal improves access and circulation in the neighborhood by funding the completion of the Clement Avenue extension from Atlantic Avenue to Grand Street, allowing for the removal of the Truck Route from Buena Vista Avenue, which is a long-term public objective to improve the quality of life in the neighborhood. The proposal provides for more than four acres of new public waterfront open space for the neighborhood, including a waterfront promenade and Bay Trail along the perimeter of the property.

5. **The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size are architecturally, aesthetically, and operationally harmonious with the community and surrounding development.** The proposed development qualifies as a mixed-use development pursuant to the MX, Mixed-Use Planned Development Zoning District, and satisfies the purposes of the MX district and MF Multifamily Overlay District regulations. The Master Plan, as amended, is designed to conform to the Northern Waterfront General Plan policy objectives and requirements adopted to ensure that the project would be compatible with adjacent residential neighborhoods and other existing and future waterfront uses. The Plan provides for adequate landscaping including Bay Friendly native plants as required by City standards. The proposed development will result in health and safety improvements to a property that is currently severely blighted and a detriment to the surrounding community.
6. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The street network, location of entry roads, orientation of residential uses along Clement Avenue and within the site, and the location of bicycle, pedestrian, and transit facilities are all designed to complement and support the planned surrounding uses. The residential plans provide for a well-designed pedestrian network, and bicycle and vehicular access. The proposed waterfront promenade will support and encourage use of and access to the waterfront.
7. **The proposed affordable units make the project eligible for a density bonus of 20% under California Government Code 65915 and City of Alameda Municipal Code Section 30-17.** North Waterfront Cove, LLC has requested a 20% density bonus to allow for a total of 589 residential units. The applicant is proposing 80 affordable units, including 25 housing units affordable to very low-income households (5%), 20 housing units affordable to low-income households (4%), and 35 units affordable to moderate-income households (7%). Because the applicant is proposing to provide 5% of the units to very low-income households, the development qualifies for a 20% density bonus. With the density bonus, the applicant is proposing to construct 589 units, which falls within the limit that the applicant is entitled to and is consistent with state density bonus law.

8. **The proposed affordable units make the project eligible for development standard waivers under California Government Code 65915 and City of Alameda Municipal Code Section 30-17.** North Waterfront Cove, LLC has requested to amend the previously approved waivers from City of Alameda AMC to add a waiver from the AMC Section 30-18.4a requirements that 100% of the units be visit able, which is not financially feasible for the majority of the townhome units, which are limited to a maximum of 200 units. The waiver of the City's height limits and visitablitiy requirements as necessary to allow for the bonus units and a project of 589 units would not have a specific, adverse impact, as defined in Government Code section 65589.5(d)(2), upon health, safety, or physical environment, nor would the waiver be contrary to state or federal law.

NOW THEREFORE BE IT RESOLVED, that the City of Alameda Planning Board recommends that the City of Alameda City Council adopt the Encinal Terminals Tidelands Exchange Master Plan Amendment.

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