

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-26-__

A RESOLUTION OF THE PLANNING BOARD RECOMMENDING THE CITY COUNCIL APPROVE AN AMENDMENT TO THE ALAMEDA MARINA MASTER PLAN TO MODIFY THE AFFORDABLE UNIT REQUIREMENT FOR PHASE III OF THE MASTER PLAN

WHEREAS, Alameda Marina, LLC (Applicant or Project Sponsor) has acquired approximately 27.08 acres in fee, and approximately 17.06 acres in leased land pursuant to the Tidelands and Marina Lease with the City of Alameda, consisting of a total of approximately 44 acres of real property commonly known as the Alameda Marina site, with an address of 1815 Clement Avenue, City of Alameda, County of Alameda (APN 071-0288-003 and 071-0257-004 (for the leased areas of the site); 071-0257-003-01 and 071-0288-001-02 (for the fee areas of the site)); and

WHEREAS, the Alameda Marina site is designated as Mixed Use in the Alameda 2040 General Plan, which encourages a wide variety of housing types, including multifamily housing, and a wide variety of commercial and business uses; and

WHEREAS, the Alameda Marina site is zoned MX (Mixed Use) and MF (Multifamily Residential) on approximately 27.08 acres (which includes unbuildable area of submerged lands between tidelands parcels), and M-2 (General Industrial) on approximately 17.06 acres (which includes unbuildable area of submerged lands between tidelands parcels) in the Alameda Municipal Code (AMC) Zoning Map; and

WHEREAS, the Alameda General Plan and AMC require preparation of a Master Plan to guide development of the property consistent with the General Plan and AMC; and

WHEREAS, in July 2018, the Alameda City Council certified the Alameda Marina Final Environmental Impact Report (EIR) and approved the Alameda Marina Master Plan, which established standards, maps and diagrams for the development of a mixed use plan for the property that includes up to 760 multifamily housing units, up to 250,000 square feet of commercial and maritime commercial space, about 3.59 acres of shoreline open space, about 17.1 acres dedicated to marina operations, and a 530 slip marina; and

WHEREAS, all of the Clement Avenue frontage improvements for all phases and all of the pile driving, new seawall, and riprap for the shoreline improvements for all phases occurred prior to the construction of the first residential or commercial building, and Phase I of the Master Plan project, consisting of 360 residential units (known as The Launch), is completed and Phase II, consisting of 182 townhomes is under construction; and

WHEREAS, the City Council adopted the Alameda 2040 General Plan in 2021 and adopted the 2023-2031 Housing Element in 2022 that was deemed compliant by the

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California Department of Housing and Community Development to facilitate production of 5,353 housing units over the next eight years; and

WHEREAS, on April 23, 2023, the Applicant applied for a Master Plan Amendment to increase the sitewide housing unit count from 760 units to 801 units and related Density Bonus application; and

WHEREAS, on July 10, 2023, the Planning Board of the City of Alameda recommended that the City Council approve an amendment to the Master Plan to increase the sitewide residential unit count, and on September 19, 2023, the City Council unanimously adopted Ordinance No. 3351 (the “2023 Master Plan Amendment”); and

WHEREAS, in order to increase the Master Plan’s residential unit count from 760 to 801 units, the Project Sponsor proposed to increase the percentage of very low-income units from 5% to 7%, thereby achieving a 25% housing density bonus, resulting in Phase III of the Master Plan’s (known as The Foundry) affordability requirement increasing from 30 affordable units to 43 affordable units, consisting of 23 very low-, 7 low-, and 13 moderate-income units; and

WHEREAS, the Project Sponsor has indicated that under current 2026 economic conditions (high construction costs, interest rates, environmental remediation costs, etc.), it is economically challenging to construct and operate The Foundry with this level of affordability; and

WHEREAS, the City has been reviewing its existing Inclusionary Housing Ordinance to evaluate whether it could be better aligned to meet local housing needs while addressing development feasibility; and

WHEREAS, on April 13, 2026, the Planning Board reviewed and made recommendations to the City Council to adopt amendments to the Inclusionary Housing Ordinance, which include modifying the affordable ratios for rental projects; and

WHEREAS, the proposed revised Inclusionary Housing Ordinance provides that residential developments which have received entitlements but have not yet been issued building permits may request to amend the project’s affordable housing plan to comply with the requirements of this ordinance; and

WHEREAS, the Project Sponsor has indicated that The Foundry project is fully entitled, “shovel ready” and could commence construction as early as July 1, 2026, if the City modifies The Foundry’s affordability requirements in line with the City’s proposed amendments to the Inclusionary Housing Ordinance; and

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WHEREAS, on May 26, 2026, the Planning Board held a duly noticed public hearing on the subject application for a Master Plan Amendment and examined all pertinent application materials and public testimony;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds, based on substantial evidence in the entire record before the City, that the environmental effects of the proposed project were considered and disclosed in the Alameda Marina Master Plan Environmental Impact Report (EIR) (Alameda Marina EIR, State Clearinghouse #2016102064) and the Final EIR for the Alameda 2040 General Plan (General Plan EIR, State Clearinghouse #2021030563). None of the circumstances necessitating further environmental review exists under California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15163.

The proposed project relies on previous CEQA documents including (1) the Alameda Marina EIR, which analyzed development of 779 new residential units, a marina with 530 boat slips and a harbor master's office, approximately 250,000 square feet of maritime and commercial uses, and approximately 3.59 acres of waterfront-related public open space and parks, and (2) the General Plan EIR, which analyzed and disclosed the environmental impacts of up to 12,000 new housing units and 12,000 new jobs citywide by 2040.

The proposed project, including the Master Plan Amendment to modify the affordability requirement for Phase III, does not change the analysis and conclusions made in either the Alameda Marina EIR or the General Plan EIR as the proposed Master Plan Amendment will involve no physical alterations to the Phase III project. As CEQA review of a previously approved project requiring a further discretionary approval is limited to the incremental impacts not previously analyzed in an EIR, for purposes of the CEQA environmental analysis, the modification to the affordability requirement for Phase III of the Master Plan will have no environmental effects. The same building footprint, size, and height will exist as the Phase III development envisioned in the previously approved Master Plan, the impacts of which were analyzed and disclosed in the Alameda Marina EIR and General Plan EIR.

The proposed modification to the affordability requirements of the Phase III residential building will not result in any new environmental impacts or cause any previously disclosed significant impacts to become substantially more severe, and all mitigation measures specified in the Alameda Marina EIR are included as conditions of approval for the project as required by the Alameda Marina Master Plan. All other features of the project analyzed in the Alameda Marina EIR would be the same: there are no changes to the proposed building, the proposed depth of the building's foundation, or the proposed construction methods. There are no substantial changes proposed to the Alameda Marina project that would require major revisions of the Alameda Marina EIR due to the involvement of new significant environmental effects or a substantial increase in severity of previously identified significant effects. Therefore, no further environmental review is required; and

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BE IT FURTHER RESOLVED, that the Planning Board has made the following findings relative to the proposed Master Plan Amendment:

1. **The Master Plan Amendment proposes an effective use of the site (AMC Section 30-4.13).** The proposed Master Plan Amendment facilitates an effective use of the existing Phase III site by maintaining the additional housing units to be built within the same building envelope as previously approved in the Master Plan.
2. **The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development (AMC Section 30-21.3).** The proposed Foundry building satisfies the purposes of the MX, Mixed-Use Planned Development Zoning District and MF Multifamily Overlay District regulations by placing residential development near the commercial core and maritime uses. The proposed Master Plan Amendment will have no effect on the design of the building, which is consistent with the design guidelines set forth in the Alameda Marina Master Plan, and, provides architectural, open space, view corridor, parking, and public access improvements called out in the Master Plan to ensure the project design is architecturally, aesthetically, and operationally harmonious with the community and surrounding development.
3. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities (AMC Section 30-21.3).** The proposed project does not modify the overall Master Plan vision for a mixed-use, residential and commercial maritime waterfront development that supports multi-modal methods of travel. The Foundry project will conform to the Master Plan street network, orientation of buildings toward Clement Avenue, and programming of uses along Clement Avenue and within the site. The location of bicycle facilities and pedestrian facilities are all designed to complement and support the planned surrounding uses. The residential plans provide for a well-designed pedestrian network, bicycle access, and vehicular access. The proposed waterfront promenade will support and encourage use of and access to the waterfront.
4. **The proposed Master Plan, if it 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 (AMC Section 30-21.3).** The proposed Master Plan Amendment and proposed Phase III residential building will not result in any new environmental impacts or cause any previously disclosed significant impacts to become substantially more severe, and all mitigations specified in the Alameda Marina EIR are included as conditions of approval for the project as required by the Alameda Marina Master Plan. All other features of the project analyzed in the EIR would be the same: there are no changes to the proposed building footprint, the proposed depth of the building's foundation, or the proposed construction methods. Hence, the project

will not adversely affect other property in the vicinity and will not have substantial deleterious effects on existing business districts or the local economy.

5. **The Master Plan relates favorably to the General Plan (AMC Section 30-21.3).** The Master Plan Amendment involves no physical changes to the Phase III project or the environment. As such, and as documented in the July 10, 2023 Planning Board staff report and associated materials, the proposal 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 proposal implements General Plan policies for mixed use redevelopment of a former industrial site in the Northern Waterfront while retaining waterfront and commercial businesses, and increases housing opportunities for a variety of household type. The proposal does not alter Master Plan provisions for improving Clement Avenue and increasing transit services in the area, nor does it change the Master Plan's goal of increasing public access to public waterfront parks in the area for all Alameda residents.

BE IT FURTHER RESOLVED, that the Planning Board hereby recommends the City Council approve a Master Plan Amendment to the Alameda Marina Master Plan to modify the affordable housing requirement for the Phase III project if the City Council approves the revised Inclusionary Housing Ordinance (Ordinance) (1) to permit projects which have received their entitlements, but not their building permits to elect to proceed under the new Ordinance and (2) to allow projects to provide, among other options, 8% of the residential units shall be deed-restricted for very low income tenants, subject to the following conditions of approval:

1. Related Ordinances. This Resolution is dependent upon the City Council's adoption of the companion ordinances amending the Alameda Marina Master Plan to modify the affordability requirement for the Phase III project and the revised Inclusionary Housing Ordinance to accommodate the applicant's request in Paragraph 3(D) below. If the City Council does not adopt these two companion ordinances, this resolution shall have no force and effect.
2. CEQA Mitigation Measures: Prior to issuance of a Building Permit or Site Improvement Permit for Phase III, the Applicant shall submit a Mitigation Measure Compliance Checklist confirming compliance to date with all required environmental mitigation measures contained in the MMRP adopted by the Alameda City Council on July 10, 2018, for the redevelopment of Alameda Marina. The checklist shall be printed on the Building Permit plans.
3. The Alameda Marina Master Plan text shall be amended as follows:
 - A. The following paragraph is added to the end of the section with the heading "City Zoning" on page 7: "The City of Alameda adopted the Alameda General Plan 2040 in November 2021 and obtained state compliance approval for its 2023-2031 Housing Element in August 2022. To meet state housing mandates and

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- accommodate regional housing needs across all income levels, the City subsequently amended Chapter XXX of the Alameda Municipal Code through Ordinance No. 3333, effective December 6, 2022. Notably, these amendments revised the Multi-family Residential Combining District (MF District) regulations to establish a minimum residential density requirement of 30 dwelling units per acre for new construction, replacing the prior standard which had imposed only a maximum density threshold at the same 30 dwelling units per acre.”
- B. All references to “117” affordable or deed restricted housing units (including but not limited to references on pages 4, 40, 43, 44, 49, and 60 of the 2023 Master Plan Amendment) shall be revised to state “95” affordable or deed restricted housing units.
 - C. In Row 2 of Table 6.1 Density Bonus Application on page 43, the description of Section 30-4.23 MF Multi-Family Residential Combining Zone, shall be amended to state “Allows for Multi-Family residential with a minimum permitted residential density of thirty (30) dwelling units per acre.”
 - D. In Row 3 of Table 6.1 Density Bonus Application on page 43, the description of Section 30-16 Inclusionary Housing Requirement shall be amended to state “When the Master Plan was approved in 2018, the Project Sponsor complied with the then-existing Inclusionary Housing Ordinance by providing the following percentages of affordability across all residential units: Very Low Income* - 5%, Low Income** - 4%, Moderate Income*** - 7%. The Master Plan was amended in 2023 to increase the percentage of Very Low Income from 5% to 7%. With the passage of the amended Inclusionary Housing Ordinance in 2026, the Project Sponsor elects Option 3 (VLI), which requires 8% of the residential units be occupied by very low-income households, for Phase III – Wrap B: The Foundry.”
 - E. In Row 4 of Table 6.1 Density Bonus Application on page 43, the description of Section 30-17 Density Bonus Ordinance shall be amended to add the following sentence: “Following the City’s adoption of Ordinance No. 3333 in December 2022, which revised Section 30-4.23 MF Multi-Family Residential Combining Zone to establish a minimum residential density of 30 dwelling units per acre, the base density permitted under the MF District is now sufficient to accommodate the unit count for the entire Master Plan and for the remaining residential units in Phase III – Wrap B: The Foundry. Accordingly, Alameda Marina no longer needs to rely on the housing density bonus to achieve the proposed number of units for the overall Master Plan and for the remaining residential units in Phase III, and no density bonus application is required for this phase.”
 - F. The table on page 43 titled “Allowable Residential Units With Density Bonus Application (7% Very Low-Income)” shall be replaced with the following table:

Allowable Residential Units With Prior Density Bonus Applications and 2026 Inclusionary Housing Ordinance					
	Total Units	Affordable Units			
		Total Affordable	Moderate-Income	Low-Income	Very Low-Income
Phase I – Wrap A: Launch (Completed)	360	49	21	12	16
Phase II - Townhomes (Partially Complete)	182	25	11	7	7
Phase III – Wrap B: Foundry	259	21	0	0	21*
Master Plan Total	801	95	32	19	44

* The Project Sponsor has elected Option 3: 8% Very Low-Income Units as permitted by the updated Inclusionary Housing Ordinance adopted by the City Council in 2026. The number of Very Low-Income units is calculated by using 259 dwelling units as the “baseline” from the 2023 Master Plan.

G. The first paragraph of Section 8.1 on page 60 shall be amended as follows:

“8.1 Affordable Housing Plan

The percentage of very low-income units in all three phases of the Master Plan qualifies the phases for affordable housing incentives, waivers, and a density bonus in accordance with AMC 30-17 (Affordable Housing Density Bonus). As such, the project will build 95 affordable units, broken down as follows:

- 44 units shall be affordable to very low-income households.
- 19 units shall be affordable to low-income households.
- 32 units shall be affordable to moderate income households.”

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- H. Paragraph 1 of Section 8.1 on page 60 shall be amended as follows:
1. The project developer/owner shall enter into an Affordable Housing Agreement, covering all affordable units in a particular phase, with the City of Alameda prior to issuance of the first Building Permit for the first market rate building to be constructed in that phase of the Master Plan, or prior to approval of the first final map for that phase of the Master Plan, whichever occurs first.

4. Affordable Housing Plan: The Affordable Housing Plan shall reflect the revised proposal that the Applicant provide 8% (21) of the units in the Phase III project to be deed restricted to very low-income units. Based on the revised proposal, the total number of affordable units for the Alameda Marina Master Plan will decrease from 117 to 95. Prior to issuance of the first Building Permit for Phase III, the Applicant shall execute and record against The Foundry property an Affordable Housing Agreement. The Affordable Housing Agreement shall be in compliance with Section 8.1 *Affordable Housing* of the Master Plan and shall identify twenty-one (21) affordable housing units in Phase III available for very low-income households.

The affordable units shall be identified on the final building plans, and the affordable units shall be equitably distributed by unit type, size, and location, and among the visitable and universal design units.

5. Hold Harmless: To the maximum extent permitted by law, the Applicant (or its successor in interest) shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City Council, the Planning Board, officials, employees, agents and volunteers (collectively, "Indemnitees") from and against any and all claims, actions, or proceedings against Indemnitees to attack, set aside, void or annul an approval by Indemnitees relating to this project. This indemnification shall include, but is not limited to, all damages, losses, and expenses (including, without limitation, legal costs and attorney's fees) that may be awarded to the prevailing party arising out of or in connection with an approval by the Indemnitees relating to this project. The City shall promptly notify the Applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding and the Applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys' fees.

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.

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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.

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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 ___ day of May 2026, by the following vote to wit:

AYES: (0)

NOES: (0)

ABSENT: (0)

ATTEST:

_____, Secretary
City of Alameda Planning Board