

ITEM 9-B

PLANNING BOARD STAFF REPORT

DATE: May 10, 2010

TO: HONORABLE PRESIDENT AND MEMBERS OF THE
PLANNING BOARD

FROM: Jennifer Ott, Deputy City Manager
Andrew Thomas, Planning Service Manager

APPLICATION: Alameda Point Entitlement Application and
Public Scoping Session for Proposed Alameda Point Project
Draft Environmental Impact Report

APPLICANT: SCC Alameda Point LLC

GENERAL PLAN: Mixed Use and Open Space

ZONING DISTRICT: M-2/G (General Industry – Federal Facilities Overlay)

EXECUTIVE SUMMARY

In July 2007, the Alameda Reuse and Redevelopment Authority (ARRA), Community Improvement Commission (CIC), and City of Alameda (together “Alameda”) approved an Exclusive Negotiation Agreement (ENA) with SCC Alameda Point LLC (SunCal), as the Master Developer for the redevelopment of Alameda Point. The ENA, as amended in March 2008 and again in October 2008, stipulated that SunCal would have three years, or until July 20, 1010, to entitle Alameda Point, so that the much-delayed redevelopment of Alameda Point could commence shortly thereafter.

Since execution of the ENA, SunCal has produced a number of planning documents and entitlement applications, including an Initiative that failed at the polls on February 2, 2010. Despite these numerous planning efforts and staff and the community’s continued feedback on these plans, the most recent entitlement application before Alameda does little to advance and improve upon the previous City and SunCal plans for Alameda Point. Despite that SunCal has worked on this project with Alameda for almost three years, significant differences remain between SunCal’s planning approach and Alameda’s expectations for the redevelopment of Alameda Point. This staff report identifies and explains these differences.

Overall, this staff report and this evening's public hearing are designed to:

- Provide the community and the Planning Board with an opportunity to comment on the current SunCal entitlement application.
- Provide the community and the Planning Board with an opportunity to comment on issues that should be addressed in the environmental review for the project.

SunCal's current entitlement application can be found on the City of Alameda website at http://www.ci.alameda.ca.us/news/1003_suncal.html. The Master Plan can be found under Attachment I on the website.

BACKGROUND

In 2006, the ARRA funded and prepared a Preliminary Development Concept (PDC) for Alameda Point, approximately 918 acres of the former Naval Air Station Alameda. The PDC presented a conceptual development plan designed to facilitate the redevelopment and reuse of Alameda Point consistent with the 1996 Naval Air Station Community Reuse Plan and the 2003 City of Alameda General Plan Amendment for Alameda Point. The PDC acknowledged that the effort was "preliminary" and "conceptual" and that a series of complex planning studies requiring significant funds and time would be needed to resolve numerous issues before entitlement could occur. While the master developer at the time the ARRA finalized the PDC elected not to proceed with the redevelopment of Alameda Point, the ARRA decided to select a new master developer through a competitive process to provide the expertise, experience, and financial resources to overcome the remaining planning challenges and to entitle and redevelop Alameda Point.

On July 18, 2007, the ARRA, CIC, and City of Alameda approved an ENA with SunCal, as the new Master Developer for the redevelopment of Alameda Point. Subsequent to approval of the ENA, SunCal conducted technical infrastructure and engineering analyses and held several community workshops to inform the preparation of their plan for the site. Through this planning process, SunCal decided that a project consistent with Article XXVI of the City's Charter (Measure A), which restricts housing density and prohibits multifamily housing in the City, would not be financially feasible.

SunCal requested, and Alameda agreed, to amend the ENA by postponing various mandatory performance milestones (i.e., submission of a Development Concept, Infrastructure Plan, Business Plan, and Entitlement Application, including a Master Plan) by six months. The First Amendment to the ENA was executed in March 2008.

In October 2008, SunCal requested, and Alameda granted, a Second Amendment to the ENA to (1) transfer ownership interest in SCC Alameda Point LLC to a new entity; (2) create a process that allowed SunCal to pursue a ballot initiative for a non-Measure A-compliant land use entitlement at Alameda Point; and (3) extend the term of the ENA

by one year to July 2010. The ballot initiative was to occur at an election to be held in early November 2009.

The amendment provided that if the initiative failed at the November 2009 ballot, SunCal would be permitted to submit an Optional Entitlement Application (OEA) by January 15, 2010, approximately 60 days subsequent to the November 2009 election. This OEA would require a project consistent with the City Charter (Measure A compliant) that could be processed within the overall timeframe of the ENA. The amendment did *not* provide SunCal with the ability to pursue a second ballot initiative, *nor* did it contemplate extending the term of the ENA for processing of an OEA.

In December 2008, SunCal submitted to Alameda an Entitlement Application, including a Master Plan, Infrastructure Plan and Business Plan, in accordance with the ENA. The December 2008 Master Plan was reviewed by Alameda, as well as numerous City boards and commissions, but could not be formally accepted because it was inconsistent with the City's Charter, and an Environmental Impact Report (EIR) had not been completed. The Master Plan did not propose specific development standards for the project nor modifications to the City's development procedures, processes or fee structure.

On March 26, 2009, SunCal submitted the Alameda Point Revitalization Initiative (Initiative) to the City. The Initiative included a Charter Amendment, General Plan Amendment, Zoning Amendment, Specific Plan and Development Agreement (DA), the details of which were not negotiated with Alameda. The Specific Plan contained specific development standards, procedures, and processes that differed from standard processes prescribed by the Alameda Municipal Code (AMC); the DA also included fee waivers inconsistent with the AMC and financial provisions that were not negotiated with Alameda. Signatures were collected by SunCal through early June, but not submitted to Alameda until September 23, 2009, later than originally anticipated by the process contemplated in the Second Amendment to the ENA. As a result, the Initiative did not qualify in time for a November 2009 special election. Rather, on November 3, 2009, when the Initiative was determined to have qualified for the ballot, the City Council set the election for February 2, 2010.

Prior to the February election, SunCal submitted an OEA on January 14, 2010 as permitted by the ENA. The OEA submitted by SunCal consisted of substantially the same plan and processes contained in the Initiative. On February 2, 2010, the Initiative failed at the polls with 85 percent of those participating in the election voting against the Initiative. On February 4, 2010, Alameda provided SunCal with a Notice of Default (NOD) stating that the OEA submitted by SunCal did not meet the requirements of the ENA because the OEA conflicts with the City Charter. The only way for the OEA to avoid conflicting with the City Charter was for SunCal to either submit a Density Bonus Application for the project in compliance with the City's Density Bonus Ordinance, which SunCal did not do, or to seek an amendment to the City Charter through a second ballot initiative. However, the ENA affords SunCal no further opportunities to amend the City Charter.

Consistent with the terms of the ENA, SunCal had 30 business days, or not later than March 22, 2010, to cure the default. On March 22, 2010, SunCal submitted a Modified OEA in response to Alameda's NOD, which included a Measure A-compliant project (Base Project) that might be modified at a later date through a density bonus (see Chapter 9 (Plan Review) of the Master Plan submitted as part of the Modified OEA). The following chronology outlines SunCal's evolving characterization of the project description contained in the Modified OEA:

- **March 25, 2010.** At a meeting with Alameda staff, SunCal stated that they were not going to submit a density bonus application at this time, but would like for the EIR and Disposition and Development Agreement (DDA) to contemplate a higher-density project that would qualify for a density bonus under the City's Density Bonus Ordinance. Alameda requested a letter from SunCal describing this proposed scenario. SunCal was not certain at this time whether their proposed higher density option would be achieved through a subsequent master-planned density bonus application submitted by SunCal or through piecemeal density bonus applications from individual vertical builders.
- **April 1, 2010.** At a meeting with Alameda staff, SunCal indicated it wanted to negotiate provisions in the DDA and DA that provide SunCal with an option at an unspecified later date to apply for a density bonus that will permit the land uses, units, and density similar to the Specific Plan contained in the Initiative (Density Bonus Option). SunCal requested the EIR study the impacts of both the Base Project and the Density Bonus Option. If the Density Bonus Option were later pursued by SunCal, SunCal committed to preparing a master-planned density bonus application to avoid a piecemeal approach to implementation of a higher density project under density bonus law.
- **April 8, 2010.** At a meeting with Alameda staff, SunCal further described the Base Project and Density Bonus Option and how the Density Bonus Option compared to the development plan contained in the Initiative. SunCal explained that the Density Bonus Option is essentially the same land use program with the exception of an increased amount of commercial development and acre of additional park and sustainable uses, such as a solar farm, in the Northwest Territories. It was proposed that the EIR would study both scenarios. Staff concurred with this approach; however, staff also reiterated that SunCal must provide more concrete information about the Density Bonus Option so that staff could formulate a Notice of Preparation for the EIR. SunCal agreed to write a letter describing SunCal's approach to the Base Project and Density Bonus Option.
- **April 13, 2010.** SunCal submitted a three-page letter to Alameda regarding the Alameda Point CEQA Project Description. (**Attachment 1** to this report) It included a brief description of the Base Project as provided in the Modified OEA that may be altered at an unspecified future date by SunCal to pursue the Density Bonus Option. As submitted, SunCal reserved the right to choose

whether to pursue the Base Project or the Density Bonus Option, but stated that it is likely that in the future a density bonus will be requested in connection with the development of the project.

- **April 15, 2010.** At a meeting with Alameda staff and the EIR consultant in preparation of the Notice of Preparation for this evening's EIR scoping session, SunCal further elaborated on the land use differences between the Base Project and Density Bonus Option, as well as the differences between the Density Bonus Option and the development plan contained in the Initiative. On April 19th, SunCal provided two revised maps showing the plans for Alameda Point under the Base Project and the Density Bonus Option. (See **Attachment 2 Figures 1 and 2.**) On April 20, 2010, the City of Alameda provided SunCal with a letter identifying some of staff's major concerns with SunCal's current submittal. (See **Attachment 3**)
- **April 22, 2010.** At a meeting with Alameda staff, SunCal confirmed that they are likely to pursue a Density Bonus Option, but will not submit a formal Density Bonus Application (DBA) consistent with the City's Density Bonus Ordinance because the ordinance requires specific information, such as elevations, which cannot be provided at this stage of the planning process.
- **April 29, 2010.** At a meeting with SunCal, Alameda staff provided feedback to SunCal on the Modified OEA, stating that they would not recommend an arrangement where SunCal was not committing to a particular project (i.e., Base Project vs. Density Bonus Option). In response, SunCal verbally committed to pursue the Density Bonus Option rather than the Base Project, if procedural issues could be resolved regarding the requirements of the DBA process. To date, SunCal has provided minimal information on the proposed Density Bonus Option. Alameda has requested that SunCal submit additional documentation on the Density Bonus Option with sufficient detail so that it can be reviewed and analyzed by staff and the EIR consultants, as well as the community, Planning Board, and Alameda at the same time as the Base Project.

In sum, the Modified OEA submitted by SunCal addressed their default under the ENA, while preserving the opportunity to pursue a density bonus. SunCal has since classified that its desire it to entitle a Density Bonus Option that is substantially similar to the development plan contained in the Initiative. While the Modified OEA technically cured SunCal's default, staff continues to have numerous concerns with the SunCal plan, including both the Base Project and the Density Bonus Option, as discussed below.

PROJECT DESCRIPTION

The Base Project contained in the Modified OEA proposes a mixed-use land use program with residential, commercial, retail, hotel, civic, public trust, marina and parkland uses. The application requests text and map amendments to the City of Alameda General Plan, adoption of a new *Alameda Point Community Plan*, text and

map amendments to the City of Alameda Zoning Ordinance, approval of an *Alameda Point Master Plan*, (**Attachment 4** to this report) and adoption of a DA pursuant to California Government Code sections 65864 *et seq.* These text and map amendments include a proposed new General Plan land use classification of “Alameda Point Master Plan” for the project site, and a rezoning of the project site to “MX, Mixed Use Planned Development District.” The proposed development program set forth in the Modified OEA is described and illustrated Figure 1 (Attachment , Alameda Point Base Project, and is referred to as the “Base Project.”

The Base Project consists of up to 3,712 residential units on the project site. The residential density across the project site would be generally limited to a maximum of 19 dwelling units per acre under the Alameda Point Master Plan, though SunCal reserves the right to request density transfers that would result in up to a maximum of 21 dwelling units per acre. Housing types would be limited to single-family, duplex, zero lot line single-family, and live-work units with the exception of 157 units of Alameda Housing Authority low-cost replacement housing units (Guyton Units), which are planned to be constructed in an adaptively re-used building as multi-family units.

SunCal has proposed that under the terms of the yet to be negotiated DDA, SunCal will have the option to modify the Base Project at a future date by submitting an application for a density bonus and a more comprehensive density transfer program, referred to as the “Density Bonus Option.” The Density Bonus Option would allow an increased number of residential units at a higher residential density, as described and illustrated on Figure 2, Alameda Point Density Bonus Option.

The Density Bonus Option could result in a project with up to 4,845 residential units by transferring density among blocks within the plan area. The residential density across the project site would vary. For example, some blocks could be reduced to an average of 10 dwelling units per acre, while others would increase to an average of 50 dwelling units per acre. Blocks with the highest density would generally be located within a quarter-mile to half-mile of the ferry terminal and transit hub. However, no minimum densities are provided. As shown in Table 1 below, the Density Bonus Option is very similar to the plan contained in the Initiative, and SunCal has made it clear in conversations with City staff on April 29, 2010 that the Density Bonus Option represents the plan that SunCal wants to pursue.

**TABLE 1
LAND USE PROGRAM COMPARISON**

Land Use	Base Project	Density Bonus Option	Initiative
Residential (units)	3,712	4, 845	4, 841
Commercial (square feet)	4.57 million	4.57 million	3.79 million

EVALUATION OF SUNCAL MODIFIED OEA

The following comments regarding the Modified OEA reflect many of the same issues raised by Alameda staff in 2008 regarding the December 2008 Master Plan and in 2009 regarding to development plan contained in the Initiative.

Land Use Plan

Previous community planning efforts including the 1996 Community Reuse Plan, the 2003 General Plan Amendment and the 2006 PDC have consistently reinforced the importance of ensuring that the redevelopment of Alameda Point reflects the design, architectural character, and mix of uses that are found in the rest of Alameda. The community of Alameda has consistently requested a plan that provides certainty that future development will meet their expectations and objectives for Alameda Point.

The Modified OEA provides little certainty about how the property will eventually be developed, especially given SunCal's request to develop the Density Bonus Option, the details of which are not described at all in the Modified OEA. Many decisions about site design, architectural character, the transportation system, and the sustainability program for the Base Project are postponed to a later date. Many of these decisions are proposed to occur after the City adopts the Modified OEA. The Modified OEA ensures maximum flexibility for future developers of Alameda Point to respond to future market conditions and avoids or delays commitments regarding specific land uses, design requirements, services, or operations. While a certain amount of flexibility is reasonable to enable the Master Developer and vertical builders to respond to changing market conditions, the Modified OEA does not provide the upfront commitments regarding the actual project SunCal intends to develop that the community and staff have expected.

For example, the Modified OEA provides minimal certainty regarding what types of land uses will actually occur at Alameda Point. The land use categories in Chapter 3 (Land Use) of the Modified OEA (see page 3-6 for an example) reference a number of existing City of Alameda zoning districts and allow any and all uses that are allowed in those districts in the future land use districts at Alameda Point. Chapter 3 also includes an extensive table of uses that further expands the uses that would be allowed in each Alameda Point district.

Additionally, Chapter 7 (Development Standards and Guidelines) includes a limited set of development standards and design guidelines for future development. The Master Plan establishes four housing types that could be developed at Alameda Point. All four types have a minimum lot size of 2,000 square feet, a three-story height limit, a

minimum 3-foot rear setback, and no side setback. Therefore, any proposed residential lot in the project that meets these four basic standards would be permissible on any lot thereby providing maximum flexibility to future developers. For non-residential development, the standards are even less specific. For non-residential development, the plan provides only two classifications of development: mixed use and commercial. Each classification is governed only by a floor-area-ratio, a height limit and a front setback requirement (see Table page 7-1).

While the Modified OEA includes design guidelines for the Base Project, they are vague and not sufficiently comprehensive or prescriptive for a project of this size. For example, the design guidelines for the Commercial, Business Park and Mixed-Use areas, which comprises over 280 acres and approximately 4.7 million square feet of future buildings, are only two and a half-pages (see pages 7-18 through 7-20).

Staff has verbally shared these concerns in recent meetings with SunCal. SunCal has responded by stating it proposes to postpone decisions about design, lot configuration, and other important character-defining decisions until after the Modified OEA is approved, but before any buildings or subdivisions are approved. Staff agrees that the City's design review and subdivision review and approval processes can and should be used to ensure quality design at Alameda Point. However, staff also maintains that those processes should be informed and guided by a comprehensive set of detailed and specific development and design standards and drawings so that the community can feel confident that the development will meet their expectations before Alameda approves an entitlement application for the project.

Transportation Plan

The redevelopment of Alameda Point presents an opportunity to create a transportation system that not only serves future residents and employees at Alameda Point, but also improves the citywide transportation system for all residents of Alameda. The transportation plan for Alameda Point is a critical component of the project, arguably as important as the land use plan. Land use and transportation must be two equal parts of a whole plan for Alameda Point given the transportation constraints confronted by Alameda, as an island city.

The 1996 Community Reuse Plan and the 2003 General Plan Amendment identify transportation as one of the greatest constraints affecting redevelopment of Alameda Point. The PDC also included a conceptual and relatively innovative transportation strategy for Alameda Point, but many questions, details, and issues remained unresolved. The questions raised by the PDC remain unanswered by the Modified OEA and need to be answered to assure the community that the Alameda Point transportation strategy will be effective and financially viable.

Chapter 5 of the Modified OEA (Transportation, Circulation and Parking) is essentially the conceptual transportation strategy contained in the 2006 PDC. The Modified OEA,

as well as SunCal's previous planning documents, has done little to advance these previous efforts.

For example, both the 2006 PDC and the Modified OEA call for a Bus Rapid Transit (BRT) system serving 12th Street and Fruitvale Bay Area Rapid Transit stations. The proposed BRT improvements and service are likely to be crucial in ensuring that the final phases of the project are completed. However, the Modified OEA has made little to no progress answering any of the following questions regarding BRT that were raised in 2006:

1. What is the preferred alignment of the system? Should it be on Clement Street, Lincoln, Santa Clara, or Pacific Avenues?
2. Where will dedicated lanes be located? Where will queue jump lanes be possible? Will the system require removal of on-street parking? If so, how much and where?
3. How will the BRT system operate in Oakland? Where will the lanes be situated? What do the Chinatown and Fruitvale communities think about the plans? What steps have been taken or will be taken to ensure compliance with the Agreement between the City of Alameda, City of Oakland, Oakland Chinatown Chamber of Commerce and Asian Health Services regarding cooperation to study and mitigate traffic and related impacts in Alameda, Oakland, and Oakland Chinatown?
4. What entity will operate the system? The project, the City, a private operator, or AC Transit? What does AC Transit think about the plans?
5. What is the system going to cost to operate? Will the project fund 100% of the operating costs? How do non-Alameda Point residents use the system?
6. How will the "eco-pass" program work? What services will the eco-pass cover? What are the potential costs of the program?

Rather than presenting a fully developed and detailed transportation plan to complement the land use plan, the transportation chapter in the Modified OEA is structured as a mitigation plan for the land use plan. Therefore, the Modified OEA proposes to postpone addressing the complex transportation issues until after the EIR is completed and the Modified OEA and DDA are approved. According to the Modified OEA, a Transportation Demand Management Plan will be prepared, but that will occur after the EIR is complete and after the Modified OEA and DDA are approved. The BRT alignments are to be identified as part of the subsequent subdivision applications after the Modified OEA is approved (see pages 5-11 and 5-17).

While the EIR will provide additional information regarding specific locations where traffic congestion will occur, it will not result in a comprehensive strategy for addressing many of these important implementation issues. In fact, the EIR would produce better

traffic information if a more detailed transportation plan were developed now and studied in the EIR. Staff believes that a more complete transportation plan for Alameda Point must be prepared and then thoroughly analyzed before a DDA or the Modified OEA is approved.

Sustainability and Climate Change

As a low-lying, relatively flat island city surrounded by water, Alameda must be keenly aware and concerned about the potential effects of climate change on sea level rise, flooding, and storm activity within the City. The 1996 Community Reuse Plan, 2003 General Plan Amendment, and 2006 PDC call for a comprehensive sustainability strategy for Alameda Point.

Given the importance of climate change and sustainable development to Alameda, Alameda staff is concerned that the Modified OEA lacks a clear vision of sustainability for Alameda Point, as well as specific objectives, goals, standards, or requirements for achieving sustainable practices and principles, minimizing greenhouse gas emissions, and addressing climate change.

The Master Plan in the Modified OEA includes a three-page section, entitled “Environmental Sustainability Building Strategies” (see page 7-31). This section includes examples of some sustainability practices that may be implemented, and a number of sustainability measures that will be encouraged, but does not provide a forward-thinking vision for the project or set any quantifiable goals or make many firm commitments for the project.

SunCal’s December 2008 Master Plan prepared by urban design and planning consultant, Peter Calthorpe Associates, included a full chapter on sustainability and established a goal of carbon neutrality for the project. At the time, staff commended SunCal on the goal, but raised concerns about the lack of specific requirements and programs to achieve the goal. The Modified OEA eliminated this chapter and the goal of carbon neutrality altogether.

In response to staff concerns, SunCal has argued that determining specific requirements regarding sustainability should be postponed until a future date when more information is available and new and better technologies are developed. Staff disagrees with this point of view. A clear vision, goals, strategies, programs, and requirements for the project should be established at the earliest possible date to guide the redevelopment process. Staff believes Alameda Point should be a model of sustainable development and that the project should implement significant measures to minimize greenhouse gases and climate change. Ongoing flexibility to respond to changes in evolving technologies can be incorporated into a plan for sustainability.

These deficiencies in the Modified OEA reflect important differences in objectives between the City and SunCal. SunCal is maximizing flexibility and minimizing

commitments that could result in future costs and limitations on vertical developers, which could ultimately affect the sales price of land. While staff supports some flexibility to account for changing market and technical conditions over the life of a long-term project, a balance needs to be struck with providing meaningful commitments to the community. The redevelopment of Alameda Point is crucial to the future of the City given its size, scope, and location. Alameda cannot afford to ignore or postpone these important decisions about sustainability.

Economic Development

The 1996 Community Reuse Plan, 2003 General Plan Amendment and 2006 PDC have repeatedly reinforced the need for a mixed-use plan for Alameda Point that replaces the jobs that were lost when the Navy closed the base. The 2006 PDC specifically calls for an economic development strategy for Alameda Point. The strategy should: (1) consider Alameda Point's opportunities and constraints for attracting commercial development; (2) evaluate the strengths and weaknesses of Alameda's and the region's other existing and proposed commercial and business park areas; and (3) identify how best to position Alameda Point competitively for future commercial and business park development in order to maximize job generation and to ensure a truly mixed-use community.

The Modified OEA has no such plan or strategy; it provides a development envelope for commercial buildings, a list of permitted and conditionally permitted non-residential uses, and a land use plan that locates commercial uses in the same locations as the PDC. For the redevelopment of a mixed-use community at Alameda Point to be successful, the Modified OEA must include a thoughtful economic development strategy and commercial business plan. Preparation of such a strategy is a challenge given the current economic climate, but a vision and strategy are essential to creating a vibrant and successful mixed-use development. The economic strategy should not be an afterthought or a simple zoning designation; it needs to be an integral part of the overall plan.

NAS Historic District

The NAS Historic District (District) is both a resource and a constraint at Alameda Point. The 2006 PDC envisioned that a number of the buildings that contribute to the District would need to be demolished and that a substantial amount of new development would need to be accommodated within the boundaries of the District. The Modified OEA makes the same underlying assumption.

However, the PDC recognized that a number of studies would need to be completed before any final decisions on which buildings to remove could be finalized. The PDC called for a rehabilitation and reuse evaluation for each building that was proposed for demolition. In addition, the PDC calls for design guidelines for new construction within the District, which would update guidelines approved in 1996. Finally, the PDC and subsequent staff memorandums have called for a "Day One" strategy for the

maintenance and security of vacant historic structures. The purpose of these studies is three-fold:

1. Ensure that serious consideration and study is given to the financial feasibility of reuse for each building proposed for demolition;
2. Build community consensus around the decision to remove an historic resource by clearly showing that rehabilitation and reuse is not feasible for that structure; and
3. Provide certainty that future development within the District will support and not undermine the integrity of the District.

To date, none of these plans or studies have been completed or provided for public review. Without making progress on these important, albeit expensive, first steps, community consensus on a redevelopment plan that includes the removal of historic resources will be difficult to achieve.

Affordable Housing Plan

Alameda is committed to the creation and preservation of affordable housing for low- and moderate-income households. Alameda has consistently identified the redevelopment of Alameda Point as its most important remaining opportunity to make a significant contribution to the supply and diversity of affordable housing in the community. The provision of quality affordable housing is an essential ingredient to a successful, mixed-use, mixed-income, and transit-oriented development.

After three years of work, the Modified OEA includes an affordable housing plan for Alameda Point that consists of three paragraphs (see page 3-8). Even the 2006 PDC had a more detailed discussion and commitment to the construction and provision of affordable housing at Alameda Point than the Modified OEA. At minimum, staff would recommend that the Modified OEA include:

1. A discussion of how and how much affordable housing will be integrated into each phase of development.
2. A description of how affordable housing will be geographically distributed throughout the project.
3. An approach to providing both rental and ownership opportunities.
4. A break down of very low, low and moderate income units that will be provided in each phase and the approximate location of those units.

5. A preliminary determination of how many and which units will be spread throughout a phase, and how many and which units will be constructed in stand-alone exclusively affordable projects.
6. A discussion of the funding sources and potential partnerships that might be used to develop the units.
7. A discussion of how the project will support and enhance the existing Alameda Point Collaborative housing and services. This discussion should also begin to address how the Collaborative's existing operations will be maintained and preserved during the extensive construction activities that will be occurring over the 20-year build out of Alameda Point.
8. Any plans to relocate or reconfigure the Collaborative should also be revealed, including why the Modified OEA proposes relocating only 186 units when there are currently 200 existing units.

Endangered Species and the Least Tern Colony

One of the last habitats for the endangered, California Least Tern, is located on the former runways of Alameda Point. All previous plans and policies for Alameda Point have endorsed the protection of the least tern habitat at Alameda Point consistent with the recommendations of the United States Fish and Wildlife Service (USFWS), as determined by their 1999 Biological Opinion (BO). According to the USFWS BO, a portion along the western edge of the master-developer footprint (Buffer Zone) should not include buildings and residential uses that will result in potential noise, lighting, and predator impacts to the endangered birds and their fledglings. The Modified OEA proposes to build homes in this Buffer Zone, which is inconsistent with the BO. Staff does not recommend a plan for Alameda Point that proposes residential uses in the Buffer Zone.

PROBABLE ENVIRONMENTAL EFFECTS OF THE PROJECT

The City of Alameda has determined that an EIR must be prepared for the project. The EIR will be prepared in accordance with the California Environmental Quality Act (CEQA). The City has determined that the project is of statewide, regional or area wide significance. The purpose of the EIR is to provide information about potential physical environmental effects of the project, to identify ways to minimize significant effects, and to describe and analyze alternatives to the project. The City has issued this Notice to Responsible Agencies, Trustee Agencies, federal agencies, transportation planning agencies and agencies with transportation facilities that may be affected and other interested parties. Responsible Agencies are those public agencies, other than the City of Alameda, that have a role in approving or carrying out the project.

The purpose of this scoping session is to provide the Planning Board, the community at large, and responsible agencies an opportunity to comment on issues and questions that should be analyzed in the draft EIR (DEIR). The objective of the scoping session

and of the invitation to interested parties to comment on the scope of the environmental review process is to alert staff and the environmental consulting team to any particular or unusual environmental issues or questions that the Planning Board, the public or the responsible agencies would like to see addressed in the DEIR. The purpose of the DEIR is to provide information to the public and the decision makers about the potential environmental impacts of the proposed project and potential, feasible alternatives to the project.

The EIR will examine the environmental impacts of the whole of the project, identify mitigation measures, and analyze whether proposed mitigation measures would reduce any significant environmental impacts to a less than significant level as defined by CEQA. The EIR will be a project level EIR with respect to its analysis of the Base Project and the Density Bonus Option. Because the City of Alameda (the "Lead Agency") has determined that an EIR will clearly be required, no Initial Study has been prepared for the project.

The EIR will evaluate the environmental impacts of the project on each of the following environmental topics: Aesthetics; Air Quality; Biological Resources; Cultural Resources; Geology, Soils and Seismicity; Climate Change; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; Noise; Population and Housing; Public Services; Recreation; Transportation and Traffic; and Utilities and Services Systems. Agricultural and Forestry Resources and Mineral Resources are not currently planned to be addressed in the EIR.

RECOMMENDATION

Staff is recommending that the Planning Board:

1. Open the Public Hearing;
2. Comment on the Modified OEA; and
3. Identify any issues of particular concern to be addressed in the DEIR.

RESPECTFULLY SUBMITTED BY:

ANDREW THOMAS
PLANNING MANAGER

Attachments:

1. April 13, 2010 Letter From SunCal regarding Project Description
2. Base Project Plan and Density Bonus Plan Diagrams (Figures 1 and 2)
3. April 20th Letter From City to SunCal regarding SunCal Submittal
4. SunCal Draft Alameda Point Master Plan