

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-17-01

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING DESIGN REVIEW APPLICATION NO. PLN16-0232 AT 1208 SAINT CHARLES STREET TO CONSTRUCT AN 880 SQUARE FOOT ACCESSORY STRUCTURE.

WHEREAS, an application was made on May 2, 2016 by Paula Mathis and Tom Ellebie for Design Review to construct a 880 square foot accessory structure within the required rear yard; and

WHEREAS, the proposal was accepted as complete on October 10, 2016; and

WHEREAS, the subject property is designated as Low Density Residential on the General Plan Diagram; and

WHEREAS, the subject property is located in a R-1, One-Family Residence Zoning District; and

WHEREAS, the subject property is listed on Alameda's Historical Building Study List; and

WHEREAS, the Community Development Department approved this application on November 14, 2016, to allow the construction of a 880 square accessory structure subject to conditions of approval; and

WHEREAS, on November 14, 2016 a member of the Planning Board called the Design Review approval for review per the guidelines in Alameda Municipal Code (AMC) Section 30-25.3(c); and

WHEREAS, on November 28, 2016, the applicant presented a revised arborist report and project plans to address concerns over the preservation of nearby Coast Live Oak trees; and

WHEREAS, the Planning Board held a de novo public hearing on January 23, 2017, on the Design Review application, at which time all materials submitted and all comments made by all parties, including staff, regarding this application were considered.

NOW, THEREFORE BE IT RESOLVED, on January 23, 2017, the Planning Board held a public hearing and considered the application, the public testimony, and all pertinent plans and reports and made the following findings concerning the project:

1. The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual, because the proposed new construction is compatible in design and use of materials with the existing building and surrounding neighborhood. The footprint of the structure is less than the maximum allowed 40% lot

coverage for accessory structures within the required rear yard. Accessory structures more than seventy-five feet (75') from the public right of way do not have a minimum required setback from rear and side property lines, the proposed structure will maintain the setback of the existing garage from the rear property line.

2. The proposed design is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses. The proposed structure has been designed and is conditioned to mitigate impacts on the existing nearby oak trees. A certified arborist and licensed civil engineer have inspected the site and recommended protective measures and construction techniques that the project, as conditioned, will implement to protect the health of these nearby oak trees.
3. The proposed design of the structure(s) and exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development. The proposed structure will incorporate horizontal wood siding compatible with the architectural style of the existing main residence on the property. Proposed windows are a combination of fixed and single hung windows to match the types of windows on the main structure.
4. The existing garage being demolished, built prior to 1942, was deemed to not have historical or architectural significance by the Secretary of the Historical Advisory Board, Reso. No. HAB-16-19. The project complies with the Secretary of the Interior's Standards for the Treatment of Historic Properties in that the new construction is consistent and compatible with the historic building's architectural style.

BE IT FURTHER RESOLVED, the Planning Board finds this project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303(e), which allows new construction of small accessory structures, including garages.

BE IT FURTHER RESOLVED, that the Planning Board of the City of Alameda hereby approves Design Review no. PLN16-0232 subject to the following conditions:

- (1) This approval is valid for two years and will expire on January 23, 2019 unless construction has commenced under valid permits.
- (2) The plans submitted for building permit and construction shall be in substantial compliance with plans prepared by Italo Calpestri, received on November 29, 2016, except as modified by the conditions listed in this resolution.
- (3) This approval is limited to the scope of the project defined in the project description and does not represent a recognition and/or approval of any work completed without required City permits. Any additional exterior changes shall be submitted to the Community Development Department for review and approval prior to construction.
- (4) Prior to the issuance of a Building Permit, the applicant/developer shall record with the Alameda County Clerk-Recorder a Lot Line Adjustment that merges the parcels

identified as Assessor's Parcel Number (APN) 074-1275-095-00 (Parcel A of Parcel Map No. 691 in Book 80 at Page 44) and APN 074-1275-094-00 (Parcel D of Parcel Map No. 691 in Book 80 at Page 44) into a single legal lot.

- (5) The final plans submitted for Building Permit plans shall incorporate the approved window schedule.
- (6) The applicant shall provide diligent maintenance and care for the California Coast Live Oak tree(s) on the property during construction on the site:
 - a. Construction, cutting and filling around the base of trees shall be done only after consultation with a certified arborist.
 - b. Barricades shall be erected around the trunks of trees as recommended by the certified arborist to prevent injury to the oak trees.
 - c. No construction equipment, vehicles or materials shall be stored, parked or standing within the tree dripline.
 - d. Plans submitted for Building Permits shall be reviewed by a certified arborist.
 - e. Plans submitted for Building Permit approval shall be in compliance with the notes and recommendations of the arborist report prepared by Judith L. Thomas, ISA Certified Master Arborist #WE-0113B, received on October 10, 2016 and on file in the office of the City of Alameda Community Development Department, this includes but is not limited to:
 - i. The foundation shall be pier and grade beams in conjunction with slab on grade foundation, and shall not disturb roots larger than three inches in diameter.
 - ii. Hand digging or use of an Air Spade shall be used to expose the location of roots, and roots greater than three inches (3") shall not be disturbed.
 - iii. Drainage systems shall be designed to drain away from property lines and the trunk of each tree.
 - f. There shall not be removal of large lateral limbs, diameter six inches or greater, in association with the project.
- (7) New exterior lighting fixtures shall be low intensity, directed downward and shielded to minimize offsite glare.
- (8) The final plans submitted for Building Permit approval shall conform to all applicable codes and guidelines.
- (9) A site inspection to determine compliance with this Design Review Approval is required prior to the final building inspection and/or to the issuance of a Certificate of Occupancy. The applicant shall notify the Community Development Department at least four days prior to the requested Planning Inspection dates.
- (10) Indemnification: The applicant, or its successors in interest, 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 against the City of Alameda, Alameda City Planning Board and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the 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.

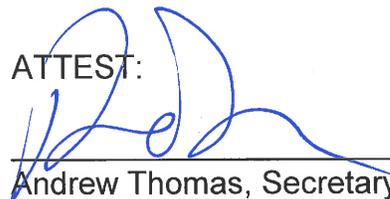
NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6.

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.

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 23rd day of January, 2017, by the following vote to wit:

AYES: (6) Köster, Burton, Curtis, Knox White, Sullivan, and Zuppan
NOES: (0)
ABSENT: (1) Mitchell

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

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CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-17-02

RECOMMENDING THAT THE CITY COUNCIL APPROVE TENTATIVE
PARCEL MAP 10600 (PLN16-0544)

WHEREAS, the City of Alameda submitted an application to create one parcel for an existing building, public right-of-way, and a remainder parcel on the southern side of West Tower Avenue at Alameda Point; and

WHEREAS, the General Plan designation for the property is Alameda Point Mixed Use; and

WHEREAS, the property is located within the Alameda Point Waterfront Town Center Sub-district and Waterfront Town Center Precise Plan (Town Center Plan) area; and

WHEREAS, the General Plan, Zoning District, and Town Center Plan regulations encourage adaptive reuse of the buildings in the Naval Air Station Alameda Historic District (Historic District); and

WHEREAS, creation of a parcel map for the property for conveyance purposes will facilitate adaptive reuse and reinvestment in the property and the Historic District; and

WHEREAS, the Planning Board held a noticed public hearing and examined all pertinent materials on January 23, 2017 and made the following findings relative to the proposed tentative parcel map application:

- A. **The proposed tentative parcel map is in conformance with the General Plan and Zoning for this site.** The proposed tentative map is consistent with the Mixed Use General Plan and Town Center Plan and zoning designations for the property.
- B. **The site is physically suitable for the proposed development.** The proposed tentative parcel map is for conveyance purposes only and facilitates the adaptive reuse and reinvestment in the building on the property which is contributor to the Historic District. All future development or rehabilitation of these buildings will be subject to the Waterfront Town Center Specific Plan, Waterfront Town Center Zoning Sub-district and the Secretary of Interior Standards.
- C. **The site is physically suitable for the density of the development.** The proposed tentative parcel map will not increase the density of the existing development on the site, as no new development is proposed or approved by this Resolution. Any future development of the properties will be subject to review under the Town Center Plan and Waterfront Town Center Zoning Sub-district to ensure that the proposed

development is suitable for the site, compatible with the biological regulations and consistent with the Historic District designation.

- D. **The proposed design of the tentative parcel map and improvements, as conditioned, will not cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat.** This parcel map is for conveyance purposes only and will not cause any environmental damage or affect the property's physical surroundings. All future improvements on the site will be subject to applicable existing regulations, permits, and deed restrictions designed to protect wildlife on the adjacent federal property.
- E. **The design of the tentative parcel map will not conflict with easements acquired by the public at large for access through or use of property within the parcel map area.** This parcel map is for conveyance purposes only and will not conflict with any public easements. All future improvements on the site will be subject, where applicable, to compliance with the Alameda Point Master Infrastructure Plan, which ensures that all necessary easements and public rights-of-way are preserved.
- F. **The design of the tentative parcel map and its improvements, if any, will not cause serious public health problems.** This parcel map is for conveyance purposes only and will not cause any public health problems. Creation of the parcel map for the property will facilitate re-investment in the existing properties, which is necessary for any future upgrades to the existing substandard infrastructure and preserve public health; and

WHEREAS, the Planning Board finds that the potential environmental impacts of the parcel map have been evaluated and disclosed pursuant to the California Environmental Quality Act (CEQA). On February 4, 2014, the City of Alameda certified the Alameda Point Final Environmental Impact Report (FEIR) in compliance with the California Environmental Quality Act. The FEIR evaluated the environmental impacts of redevelopment and reuse of the lands within the Alameda Point zoning district and Town Center Plan, which includes the Bladium Parcel Map Area. Consistent with the February 2014 action, the draft conditions of approval of the Tentative Map Application require that property owners comply with, and implement, all the relevant mitigations measures adopted by the City Council in February 2014. No further CEQA review is required for this action.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the City of Alameda recommends that the City Council approve Tentative Map 10600 subject to the following conditions:

Final Map

1. All maps filed pursuant to this approval shall be in substantial compliance with the map titled, "Alameda Point – Parcel Map 10600 Tentative Map Bladium" prepared by Carlson, Barbee & Gibson, Inc. dated November 15, 2016, (Exhibit 2 to the January 23, 2017 Staff Report), and on file in the office of the Alameda Community Development Department.
2. The Final Map shall be in substantial compliance with the Tentative Map.
3. The subdivider shall record the Final Map within twenty-four (24) months of approval, or conditional approval of the Tentative Map by the City Council. An extension of time, not to exceed and additional twelve (12) months, for the filing of the Final Map may be granted by expiration of the approved or conditionally approved Tentative Map.
4. Prior to the City Council approval of the Final Map, the Applicant shall submit a Mylar copy and a CAD file of the Final Map.
5. Final Maps shall show all existing and proposed easement locations, uses and recording information, including any reciprocal use and access easements necessary to allow the City to maintain existing access and use along the western side of proposed Bladium property and Bladium to maintain existing access and use along City's proposed Seaplane North public right-of-way until such time as Saratoga Avenue and Seaplane North are constructed, as depicted on Exhibit B. The Owner's Statement shall list all easements to be dedicated and the Certificate of City Clerk shall list all public easements to be abandoned (with recording information) as part of the Final Map.
6. Concurrent with the transfer of property, the City shall retain a utility easement to allow the City to access and maintain existing utilities within the property that have common benefit to surrounding areas.

Land Use and Redevelopment

7. CEQA: Prior to issuance of a Building Permit or Site Improvement Permit, the applicant shall submit a Mitigation Measure Compliance Checklist confirming compliance with all required environmental mitigation measures contained in the MMRP adopted by the Alameda City Council on February 4, 2014, for the redevelopment and reuse of Alameda Point.
8. Alameda Point Waterfront and Town Center Plan Consistency. Any future design review and development applications for this property will be subject to consistency with the adopted Alameda Point Waterfront and Town Center Plan, where appropriate.
9. Infrastructure Improvement Plans: Prior to issuance of a Building Permit or Site Improvement Permit, the applicant shall submit an Infrastructure Improvement Plan

for the improvement of the on-site and adjacent off-site streets, open space, waste water, storm water, potable water, recycled water, power, natural gas, and communications facilities for each phase of development, if applicable. The improvement plans shall be reviewed for consistency with the Town Center Plan, MIP, and the AMC requirements. The plans shall be prepared, signed and stamped as approved by a registered civil engineer licensed in the State of California. The engineer shall also assume responsibility for inspection of the on-site construction work, including but not limited to parking lots, pathways, storm facilities and, sewer facilities, and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first, that the installation of the on-site work (excluding the building and foundation) was constructed in accordance with the approved plans. All required public frontage and street improvements shall be designed, built, and dedicated to the City in accordance with City ordinances, and Public Works Department standards with respect to such improvements and shall include curbs, gutters, sidewalks, street trees, storm water treatment controls, landscaping and irrigation, streetlights, etc.

10. Design Review Approval: Prior to issuance of any Building Permit or Site Improvement Permit in preparation of exterior changes to existing buildings or new vertical development, the applicant shall submit an application for Design Review and approval by the Planning Board. The Design Review application shall include any buildings, landscape improvements, open spaces and parks, and/or parking lots proposed for the area to be improved. All Building Plans and Site Improvement Plans submitted for permits shall be reviewed for compliance with the Design Review findings of AMC Section 30-36 and 37 by the City of Alameda Planning Board.
11. NAS Alameda Historic District Certificate of Approval: Prior to issuance of a Building Permit or Site Improvement Permit in preparation of exterior changes to existing buildings or new vertical development, the applicant shall submit all final proposed changes to the cultural landscape to the Historical Advisory Board for review and approval. All Building Plans and Site Improvement Plans submitted for permits within the Historic District shall be reviewed for compliance with the Historic District and Cultural Landscape Guidelines, the Secretary of Interior Standards for the Rehabilitation of Historic Structures, and AMC Section 13-21 Preservation of Historical and Cultural Resources by the City of Alameda Historical Advisory Board.
12. Biological Regulations and On-Site Lighting: Prior to Design Review approval, and issuance of a Building or Site Improvement Permit, the applicant shall submit a Biological Opinion Compliance Checklist confirming compliance with all required conditions set forth in the Declaration of Restrictions for the Former Naval Air Station Alameda (Declaration) consistent with the Biological Opinion issued by the U.S. Department of Fish and Wildlife, and Exhibit C of the Memorandum of Agreement between the City of Alameda and Department of Veteran's Affairs (Alameda Point Lighting Mitigation Measures).

13. Transportation Demand Management Plan Compliance Strategy: Prior to issuance of a Building or Site Improvement Permit, the applicant shall submit a Transportation Demand Management Plan Compliance Strategy to ensure compliance with the Alameda Point Transportation Demand Management Plan.
14. Public Trust Exchange Act and Agreements: All use of land and buildings and new construction on Public Trust Lands shall be subject to the public trust for commerce, navigation and fisheries and shall be reviewed for consistency with the Naval Air Station Alameda Public Trust Exchange Act, Chapter 734, Statutes of 2000, as amended by Chapter 429, Statutes of 2011 and the Naval Air Station Alameda Exchange Agreement regarding Public Trust Lands at Alameda Point.
15. Parking Management Plan: Unless completed as part of the TDM Compliance Strategy, prior to issuance of the first Occupancy Permit, the project applicant and/or property owner shall submit a Parking Management Plan. The plan will address the management and pricing of public and private on-site spaces and public on-street parking and public parking lots and structures.
16. Other Agency Approvals: Prior to issuance of building permit(s) for work within jurisdictional lands, the applicant shall provide evidence that all required approvals, permits, or waivers from Bay Conservation and Development Commission (BCDC), Regional Water Quality Control Board (RWQCB), including compliance with the existing 401 Certification for the construction of a stormwater outfall, and/or the Army Corp. of Engineers. The final Improvement Plans shall incorporate all other agency comments.

Improvement Plans

16. Potable Water: The developer/applicant shall be responsible for potable water infrastructure consistent with the MIP to serve the project, whose design shall be shown on the Improvement Plans to the satisfaction of EBMUD, the Public Works Director, and the Fire Chief.
17. Storm Water Quality: The developer/applicant shall incorporate permanent storm water treatment controls and/or design techniques to manage the quantity and quality of storm water runoff from a planned development to prevent and minimize impacts to water quality and be consistent with the MIP and the conditions of the 401 certification for Alameda Point (401 Certification Conditions). Efforts shall be taken to minimize impervious surface areas, especially directly connected impervious surface areas. Roof drains shall discharge and drain to an unpaved area wherever practicable. Design techniques may include green roofs, rainwater harvesting, vegetated swales, vegetated buffer zones, bio retention units, retention/detention basins and ponds, tree well systems, and the incorporation of pervious surface areas and Low Impact Development (LID) measures. Storm water treatment measures shall be constructed

consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual. Applicants may also refer to the Bay Area Storm water Management Agencies Association (BASMAA) *Start at the Source Manual* for technical guidance.

18. Landscape Plans: Prior to the issuance of a Building or Site Improvement Permit, the developer/applicant shall include landscape and irrigation plans for both on-site and off-site improvements consistent with the Town Center Plan and MIP, if applicable. The plans shall be prepared, signed, and stamped by a licensed landscape architect and shall be in accordance with the AMC and other regional jurisdictional requirements. The landscape architect shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work, that the installation of landscaping and irrigation in the public right-of-way was constructed in accordance with the approved plans.
19. Waste Water: A sanitary sewage flow analysis, identifying the total peak sanitary sewage flow quantities generated by the proposed development shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction Improvement Plans and/or Building Permit Plans. The City will provide the analysis to an independent consultant who will assess the impact of the proposed development on the City's sanitary sewer system and determine if any improvements to the City's system are required to ensure sufficient sewage capacity for this project and any anticipated growth within the associated sewer sub-area. The applicant/developer will pay for the cost of the modeling study. The applicant/developer will incorporate any recommended improvements from the sewer study into the project's improvements plans and be consistent with the MIP.
20. Private Sewer Lateral Program: Upon transfer or ownership, consistent with the City's private sewer lateral replacement ordinance, the property owner shall comply with the provisions of the EBMUD Regional Private Sewer Lateral Program (which the City is a participant of). Compliance requires that each parcel be issued a Compliance Certificate by EBMUD for the upper lateral. The applicant/developer shall schedule verification testing directly with EBMUD. The Public Works Department will inspect and perform verification testing for the public and private sewer mains, manholes, and other appurtenances in the public or private streets within the parcel, including lower laterals. The City will provide their acquired test results for sewer infrastructure that is privately-owned to EBMUD so Compliance Certificated can be issued for those parcels. Review the program requirements and cost for Compliance Certificates at <http://www.eastbaypsl.com/>.
21. Storm Drainage: A storm drainage hydrology analysis identifying the total peak drainage flow quantities to be generated by a proposed development shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the Construction Improvement Plans and/or Building Permit

Plans. The improvements plans will include any recommended improvements and be consistent with the MIP.

22. Fire Water: The Improvement Plans and Building Permit Plans for the project site shall include a Fire Water System consistent with the MIP. The system shall be designed to the satisfaction of EBMUD and the Alameda Fire Department. The Applicant shall be responsible for the placement of on-site hydrants. The location and number of hydrants shall be established in improvements plans. Placement shall be shown on the Improvement Plans and shall be to the satisfaction EBMUD, the City Fire Chief and the City Engineer.
23. Fire Safety: Prior to approval of the Improvement Plans, and/or Building Permit Plans, the applicant shall submit plans for review and approval by the Public Works Director and the Fire Chief, that:
 - a Provide fire hydrants spaced throughout the project as required in California Fire Code Appendix C. Ensure sufficient fire flow for the development compliant with California Fire Code Appendix B and AMC 15-1.2 where a maximum reduction of the fire flow can be reduced by 50% for fire sprinklered buildings.
 - b Fire hydrant flows shall be a minimum of 1,500 G.P.M. from any one hydrant;
 - c Provide adequate turn around space or acceptable emergency vehicle through access for any street greater than 150 feet in length;
 - d Ensure that all roads that are required to be fire access roads have an adequate turning radii for fire apparatus (inside turning radius of 28' and outside turning radius of 44'8"); and
 - e For all roads designated as fire access roads shall have a minimum fire lane width of 20' or 26' unobstructed. Should parking within the fire lane be required, the fire lane width is to be increased to an additional 8' per side for vehicle parking.
24. Utilities: The Improvement Plans and Building Permit Plans shall include facilities and improvements to ensure that utility services are maintained for existing users throughout the construction process and the access to such service for maintenance purposes is preserved throughout the construction process for new utilities.
25. Easements: Prior to approval of the Improvement Plans, and/or Building Permit, the applicant shall provide offers of dedication for any public utility, emergency access or public access easements associated with the proposed utilities or fire safety requirements.

Solid Waste

25. Waste Management Plan: The applicant/developer shall submit a Waste Management Plan (WMP) to the Public Works Environmental Services Division for approval, if

applicable. The plan shall describe how the trash and debris will be handled. The WMP shall be submitted by the developer to Environmental Services prior to start of the demolition, remodeling, or construction work. The Public Works Environmental Services Division will review the WMP, and will provide comments that shall be incorporated into the plans for the project. The project is subject to the WMP requirement of section 21-24 of the AMC, and must recycle at least 50% of total debris hauled from the project.

26. External Enclosures: Design of all external enclosures for solid waste, recycling, and organics shall be approved by the Public Works Director prior to approval of the improvements plans, or the building permit, whichever comes first. These facilities are to be designed to prevent water run-on to the area, runoff from the area, and to contain litter, trash, and other pollutants, so that these materials are not dispersed by the wind or discharged to the storm drain system. External enclosures are to be roofed and/or enclosed. Any enclosures containing food waste shall have floor drains connected to the sanitary sewer system. If the enclosures are attached to buildings they shall have fire sprinklers. Internal collection and storage area(s) and the individual bins and containers provided, shall be adequate in capacity, number, and distribution to serve the anticipated demand for trash, recycling, and organics as determined by the Public Works Director.
27. Collection: Internal collection and storage area(s) and the individual bins and containers provided, shall be adequate in capacity, number, and distribution to serve the anticipated demand for trash, recycling, and organics as determined by the Public Works Department. The trash collection areas shall be accessible to residents and employees. Each storage area shall be no more than 250 feet from any dwelling unit, or in the garage. Trash enclosures and/or recycling area shall be covered; no other area shall drain onto these areas. Drains in any wash or process area shall not discharge to the storm drain system; these drains should connect to the sanitary sewer. The applicant shall contact the City and East Bay Municipal Utility District (EBMUD) for specific connection and discharge requirements prior to building permit issuance. Discharges to the sanitary sewer are subject to the review, approval, and conditions of the City and EBMUD.
28. Fitted Lids: All solid waste containers, including dumpsters and individual cans or carts, must have fitted lids which shall remain closed at all times when the container is not being used

Construction Conditions

29. Hazardous Materials. The applicant/developer shall provide documentation from a qualified professional to the City of Alameda stating that adequate soils and ground water investigations and, where warranted, remediation, have been conducted to ensure that there will be no significant hazard related risks to future site users. The

project sponsor shall ensure that all proposed areas for demolition and abatement shall be assessed by qualified licensed contractors for the potential presence of lead based paint or coatings, asbestos containing materials, and PCB-containing equipment prior to issuance of a demolition permit. During Construction the developer/applicant shall ensure that all construction crews are properly trained and made aware of any site contamination issues consistent with the Alameda Point Site Management Plan (SMP) and MMRP.

30. Utilities: If underground utilities leading to adjacent properties are uncovered and/or broken, the contractor involved shall immediately notify the Public Works Department and the Community Development Department, and carry out any necessary corrective action to their satisfaction.

Alameda Municipal Power (AMP)

31. The applicant shall comply to AMP's Rules and Regulations as stated in Article X and AMP's "Material and Installation Criteria for Underground Electrical Systems" (both available at www.alamedamp.com) and provide completed "Service Planning Sheets" for AMP's review prior to submitting plans for building permits.
32. The applicant shall provide information on the location of transformers and total load in kilowatts or kilowatt/volts (KVA) to AMP for approval prior to building permit issuance. If necessary, the applicant shall provide (at no charge to AMP) an easement and access to all AMP facilities on the property prior to issuance of building permits.

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 23rd day of January, 2017, by the following vote to wit:

AYES: (6) Köster, Burton, Curtis, Knox White, Sullivan and Zuppan

NOES: (0)

ABSENT: (1) Mitchell

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

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CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-17-03

APPROVING DESIGN REVIEW APPLICATION NO. PL16-0592 AT 1310 COURT STREET TO MAKE EXTERIOR MODIFICATIONS IN CONJUNCTION WITH NEW FLOOR AREA; AND APPROVING A VARIANCE FROM ALAMEDA MUNICIPAL CODE SECTION 30-7 TO ALLOW THE CONTINUED OBSTRUCTION OF OFF-STREET PARKING AND CREATE 1,000 SQUARE FEET OF NEW FLOOR AREA WITHOUT PROVIDING A NEW OFF-STREET PARKING SPACE

WHEREAS, an application was made on November 11, 2016, by Michael and Jennifer McAnaney for Design Review to make modifications to windows in conjunction with new floor area, remove a chimney, and enclose an exterior staircase, and for a variance to legalize the obstruction of one off-street parking space, and for a variance to waive one off-street parking space required by the proposed expansion greater than 750 square feet; and

WHEREAS, the proposal was accepted as complete on December 29, 2016; and

WHEREAS, the subject property is designated as Low Density Residential on the General Plan Diagram; and

WHEREAS, the subject property is located in a R-1, One-Family Residence Zoning District; and

WHEREAS, the subject property is listed on Alameda's Historical Building Study List; and

WHEREAS, the Planning Board held a public hearing on February 13, 2017 on the Design Review and Variance application, at which time all materials submitted and all comments made by all parties, including staff, regarding this application were considered; and

WHEREAS, on February 13, 2017, the Planning Board unanimously voted to direct staff to draft a resolution approving a Design Review and granting a variance from Alameda Municipal Code (AMC) Section 30-7; and

WHEREAS, the Planning Board held a public hearing on February 27, 2017, on the resolution to approve a Design Review and Variance.

NOW, THEREFORE BE IT RESOLVED, on February 27, 2017, the Planning Board made the following findings concerning the project:

1. The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual, because the proposed new construction is compatible in design and use of materials with the existing building and surrounding neighborhood.
2. The proposed design is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses. The proposed

staircase enclosure is consistent with the previous addition's design, size and massing, which is compatible with the surrounding neighborhood.

3. The proposed design of the structure(s) and exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development. The proposed windows, window trim, and siding match the existing architectural style of the building
4. The project complies with the Secretary of the Interior's Standards for the Treatment of Historic Properties in that all rehabilitation and exterior modifications are consistent and compatible with the historic building's architectural style.

BE IT FURTHER RESOLVED, the Planning Board finds this project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(e), which allows minor alterations of existing private structures involving negligible or no expansion provided that the addition will not result in an increase of more than 10,000 square feet. The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the area in which the project is located is not environmentally sensitive.

BE IT FURTHER RESOLVED, the Planning Board finds that:

- (1) There are exceptional or extraordinary circumstances applying to the property. The 1300 block of Court Street was originally built under the assumption that side property lines were located ten feet (10') from where they actually exist. As a result the original garage and driveway for 1310 Court Street was built across the property line shared with 1308 Court Street. An easement was recorded on 1308 Court Street that allowed the property owner at 1310 Court Street continued use of the single car garage and the driveway to access that garage. In order to be used for off-street parking the single car garage would need to be replaced or removed, and the easement would need to be used to access new parking in the rear of the property. However, the easement does not permit the improvements required to create functional parking on-site. Furthermore, if the easement were eliminated, the parking cannot be located on the property without accessing the neighbor's property without demolition or major modification to the existing Victorian structure.
- (2) Because of such exceptional or extraordinary circumstances, the literal enforcement of specified provisions of this section would result in practical difficulty or unnecessary hardship such as to deprive the applicant of a substantial property right possessed by other owners of property in the same class of district. Due to the exceptional circumstances, literal enforcement of AMC Section 30-7 would either: prohibit the property owners from expanding their home to accommodate their growing family, or require that the property owners demolish or substantially reconstruct and modify their Victorian bungalow to accommodate the additional off-street parking. Other property

owners in a similar zoning classification are regularly permitted to expand their bungalow homes without requirements to demolish or substantially reconstruct the existing home to accommodate the necessary parking because typical properties in this zoning district do not have the unusual property line and easement circumstances that are evident on this property.

- (3) The granting of the variance will not, under the circumstances of this particular case, be detrimental to the public welfare or injurious to persons or property in the vicinity. The existing obstruction to the off-site parking space has existed for over 30 years without incident or complaints made to the City. The condition to require removal of the existing driveway curb-cut will result in the addition of one (1) new on-street parking space to the neighborhood, which has not experienced on-street parking issues in the time where the subject property did not have accessible off-street parking.

BE IT FURTHER RESOLVED, that the Planning Board approves a request for a variance from AMC Section 30-7 to allow the obstruction of a legal off-street parking space and allow the construction of approximately 1,000 square feet of new floor area without the creation of a new off-street parking space; and

BE IT FURTHER RESOLVED, that the Planning Board of the City of Alameda hereby approves Design Review No. PLN16-0592 subject to the following conditions:

1. The plans submitted for building permit and construction shall be in substantial compliance with plans prepared by Renata Lohmann Design, received on December 22, 2016, except as modified by the conditions listed in this resolution.
2. Final plans submitted for Building Permit plans shall incorporate the approved window schedule and construction details to remove the existing driveway curb-cut and repair sidewalk, curb and gutter per City standards.
3. New exterior lighting fixtures shall be low intensity, directed downward and shielded to minimize offsite glare.
4. The final plans submitted for Building Permit approval shall conform to all applicable codes and guidelines.
5. This approval is limited to the scope of the project defined in the project description and does not represent a recognition and/or approval of any work completed without required City permits. Any additional exterior changes shall be submitted to the Community Development Department for review and approval prior to construction.
6. A site inspection to determine compliance with this Design Review Approval is required prior to the final building inspection and/or to the issuance of a Certificate of Occupancy. The applicant shall notify the Community Development Department at least four business days prior to the requested Planning Inspection dates.
7. This approval is valid for two years and will expire on February 27, 2019 unless construction has commenced under valid permits.

8. Indemnification: The applicant, or its successors in interest, 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 against the City of Alameda, Alameda City Planning Board and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the 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.

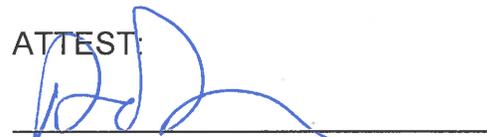
NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6.

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.

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 27th day of February, 2017, by the following vote to wit:

AYES: (6) Köster, Burton, Curtis, Knox White, Sullivan and Zuppan
NOES: (0)
ABSENT: (1) Mitchell

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-17-04

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING
A DEVELOPMENT PLAN FOR ELEVEN LOTS AT 2001 VERSAILLES AVENUE

WHEREAS, an application was made on February 13, 2017, by Clifford Mapes, requesting development plan approval to develop 11 lots on a 1.29-acre property located at 2001 Versailles Avenue at the corner of Fernside Boulevard and Versailles Avenue; and

WHEREAS, the project site is designated as Medium Density Residential on the General Plan Diagram; and

WHEREAS, the project site is located within the R-2-PD (Two-Family Residential-Planned Development) zoning district; and

WHEREAS, Planning Board held a public hearing on this application on March 13, 2017.

BE IT RESOLVED that the Planning Board has made the following findings concerning the project:

1. **The development is a more effective use of the site than is possible under the regulations for which the PD district is combined.** The proposed setbacks, yard areas, lot coverages and building types proposed in the Development Plan are consistent with the character of the surrounding neighborhood.
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.** The residential use and single family and duplex homes are architecturally and operationally compatible with the neighboring homes in the area.
3. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The Development Plan provides adequate parking for the residents of the property and is located immediately adjacent to a major transit route to Oakland and BART.
4. **The proposed use, 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.

5. **The proposed use relates favorably to the General Plan.** The development is consistent with the Medium Density Residential General Plan and R-2/PD Zoning designations for the property. The project would permit 14 dwelling units on 11 lots, which range in size from 4,050 to 9,462 square feet. This is consistent with development standards for the R-2 zoning district and the Medium Density Residential designation of the General Plan.

BE IT FURTHER RESOLVED THAT, the project is Categorically Exempt from environmental review pursuant to CEQA Guidelines Section 15332, Infill Development Projects.

BE IT FURTHER RESOLVED THAT the Planning Board of the City of Alameda hereby approves Development Plan PLN17-0075 at 2001 Versailles Avenue at the corner of Fernside Boulevard and Versailles Avenue subject to compliance with the following conditions:

1. Building Permits: All construction work and activities on the property shall be subject to review and approval of building permits by the City of Alameda.
2. Tentative Map Conditions: All building permits shall be reviewed for compliance with 2012 Planning Board Resolution PB-12-13 approving the Tentative Map for the property.
3. Planning Board Special Conditions:
 - a. Lots 1, 2, and 3 setbacks shall be adjusted to provide a five (5) foot interior side yard setback.
 - b. Lots 1 and 2 shall be developed with two (2) car tandem garages with a maximum driveway width of 10 feet.
 - c. Lots 5 and 6 shall have a maximum driveway width of ten feet onto Versailles Avenue serving a one car garage.
 - d. The setbacks for Lots 9 and 10 shall be established with Design Review approval and only after the design of the Tilden Fence is finalized. shall be adjusted
 - e. The first Design Review application shall include a decorative fencing plan and construction schedule for the side lot lines along Tilden Avenue for Lots 8, 9, and 10.
 - f. The Design Review for Lot 6 shall consider addition of landscaping on the Private Drive to create a 20 foot wide clear right of way.

4. Design Review: Prior to issuance of any Building Permit for construction of any residential structure on the property, the applicant shall submit an application for Design Review for that building for review and approval by the City of Alameda. Design review applications may be submitted and reviewed for single lots or for groups of lots.
5. Visitability: Each Design Review application for each unit shall ensure and depict an accessible exterior access to an accessible primary entry and an accessible interior access from the primary entry to an accessible powder room, an accessible common room, bedroom, or sitting area, and common or private open space.
6. Universal Design: The first Design Review application shall identify which four (4) units (30% of the 14 units) on the site that will be designed with an accessible exterior access to an accessible primary entry; with an accessible interior access from the primary entry to an accessible bathroom, an accessible common room, an accessible bedroom, and a common or private open space; and Adaptable Internal Stairs; and An Accessible Interior Access from the primary entry to an Accessible Kitchen and an Accessible Laundry Facility.
7. 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, or City Council relating 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.

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 and Building Department a written notice of appeal stating the basis of appeal and paying the required fees.

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 13th day of March, 2017, by the following vote to wit:

AYES: (7) Köster, Burton, Knox White, Mitchell, and Sullivan

NOES: (0)

ABSENT: (2) Curtis and Zuppan

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

* * * * *

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-17-05

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING DESIGN REVIEW AND USE PERMIT AMENDMENT NO. PLN16-0185 FOR THE DEVELOPMENT OF A THREE-STORY MIXED-USE BUILDING INCLUDING GROUND FLOOR RETAIL AND A SENIOR BOARDING HOUSE FACILITY ABOVE WITHIN A SITE WITH AN EXISTING AUTO REPAIR SHOP AT 1629 WEBSTER STREET.

WHEREAS, an application was made on April 5, 2016, by Daniel Hoy, Architect, on behalf of Sam and Michelle Koka, for design review and use permit amendment to construct an approximately 14,300 square-foot three-story mixed-use building with approximately 5,000 square-feet of ground floor retail and a 16-bed senior boarding house facility on the second and third floors above; and

WHEREAS, the subject property is designated as Community Commercial in the General Plan; and

WHEREAS, the subject property is located in the C-C, Community Commercial Zoning District; and

WHEREAS, a zoning text amendment has been filed concurrently with this proposal to allow boarding houses within the C-C, Community Commercial Zoning District with approval of a use permit; and

WHEREAS, the Planning Board approved Use Permit No. UP06-0001 on May 8, 2006, for an approximately 1,700 square-foot auto shop facility on the subject site; and

WHEREAS, the proposed use permit amendment is to add an approximately 16-bed senior boarding house use to the existing auto shop use permit (UP06-0001); and

WHEREAS, the Planning Board held a study session on November 14, 2016, on the project and provided comments in regards to the proposal; and

WHEREAS, the Planning Board held a public hearing on March 27, 2017, on the project and examined pertinent maps, drawings, and documents; and

WHEREAS, this resolution shall not become effective until and unless the Planning Board recommends, and the City Council approves, the zoning text amendment.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that:

DESIGN REVIEW FINDINGS:

1. The proposed project design is consistent with the General Plan, Zoning Ordinance, and City of Alameda Design Review Manual. The proposed building design and site

plan comply with the General Plan policies and Zoning Ordinance requirements for building height, parking location, and continuous street wall on Webster Street.

2. The project is in compliance with the Citywide Design Guidelines and the Webster Street Design Manual. The proposed design is compatible with the neighboring buildings and promotes harmonious transitions in scale and character with surrounding land uses. The project utilizes a traditional commercial building type with design features to complement structures found in the surrounding commercial district. The street frontage incorporates zero setbacks along Webster Street and Pacific Avenue with recessed entries and large store front glazing consistent with the Webster Street Design Manual. The three-story height of the building is compatible with the adjacent Otaez Restaurant building and Hawthorne Suites facility across the street. Furthermore, the design guidelines encourage the use of taller buildings to anchor the corners of the street block. The continuous commercial street wall design with ground floor retail promotes a harmonious transition with the surrounding commercial land uses.
3. The proposed design, exterior materials, and landscaping are visually compatible with the surrounding development. Design elements have been incorporated to ensure the compatibility of the building with the character and uses of adjacent development. A traditional roof cornice and vertical columns echo the architectural features found on Webster Street. The design utilizes tall glazing with transom windows to establish the ground floor store fronts as a prominent architectural feature of the building. Stucco recess spandrels and lintel moldings located below upper level windows help to delineate the three stories. The tall double-hung windows are distinguished with decorative stucco trim and the vertical column features provide articulation to break up the horizontal massing of the building. The design also incorporates decorative tile bulkhead, recessed entries, and a corner entrance that anchors the street corner consistent with the Webster Street Design Manual. Overall, the design and materials are compatible with the surrounding buildings and the Webster Street commercial district.

USE PERMIT FINDINGS

1. **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.** The proposed mixed-use building is located within the transit oriented Webster Street business district and is surrounded by commercial properties on all sides. The site and surrounding parcels are zoned C-C, Community Commercial District. The intent of the C-C zoning district allows for residential uses provided that the residential use does not occupy the ground floor. The proposed senior boarding house use will be located on the second and third floors above the existing ground floor retail units. The proposal will be consistent with the C-C District with the approval of the proposed Zoning Text Amendment and Use Permit amendment. The proposed Boarding House is similar in use with the nearby Hawthorne Suites hotel and the Elders Inn assisted living facility. The architecture of the proposed mixed use building is

compatible with the traditional commercial buildings along Webster Street and the Webster Street Design Manual. The proposal provides on-site, off-site, and leased parking along with provision of transit passes, on-site shuttle service, and bicycle parking for tenants and businesses in order to meet the parking demand for the facility. Therefore, the proposed development is compatible with the Webster Street business district.

2. **The proposed use will be served by adequate transportation and service facilities, including pedestrian, bicycle and transit facilities.** There are eight proposed off-street parking spaces on the subject property and nine additional parking spaces will be leased for the project at the Hawthorne Suites property. Additionally, the site is within a major transit oriented commercial area served by AC Transit bus routes 51A, 20, W, 314, 851, 31, and O on Webster Street, which stop approximately one block north and south of the site. The proposal will also provide transit passes, on-site shuttle service, and bicycle parking for tenants and businesses in order to meet the parking demand for the facility. Therefore, the project will be served by adequate transportation and service facilities.

3. **The proposed use, 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 deleterious effects on existing business districts or the local economy.** The proposed senior boarding house use will not have an adverse impact on the surrounding neighborhood, hurt existing businesses or the local economy. The project will provide approximately 5,000 square feet of ground floor retail with the proposed residential use located above, which is consistent with other mixed use buildings in the C-C District. The design of the building provides a continuous street wall with recessed entries consistent with other structures in the surrounding area. Furthermore, the proposed Use Permit will also provide additional housing for seniors which will benefit the community as the City experiences increased demand for senior housing. The pedestrian and transit oriented area minimizes the need for personal vehicles for the tenants and makes it an ideal location for this type of use.

4. **The proposed use relates favorably to the General Plan.** General Plan guiding policy 2.5.h encourages mixed use development that provides housing above retail space within the Community Commercial business districts. The use permit for a senior boarding house above ground floor retail is consistent with this policy. Furthermore, the proposal revitalizes the vacant subject site with a new three-story mixed use building consistent with Policy 2.5.b of the General Plan. The addition of a residential use above ground floor retail is also consistent with the intent of the C-C District. Therefore, the proposed use relates favorably to the General Plan.

PARKING EXCEPTION FINDINGS

1. The parking demand will be less than the requirements in Section 30-7.6 due to the following factors:

The project is designed as a mixed use transit oriented development that is located on a major public transit route with multiple AC Transit lines. The project will be providing AC transit passes to project residents and employees. A private on-site shuttle service will be provided to tenants of the senior boarding house and bicycle parking facilities are provided. The project site is also situated in an urban area within walking distance of retail services. AMC 30-7.19 allows the Planning Board to reduce the parking requirements for senior housing residents who have a lesser dependence on personal vehicles due to the factors listed above.

2. The probable long-term occupancy of the building or structure based on its design, will not generate additional parking demand.

The proposed development is limited by the size of the building and expansion of the building would need further review by the City. Additionally, the proposal is conditioned to provide nine leased parking spaces for the life of the project. These factors insure the long-term occupancy of the building will not generate additional parking demand.

BE IT FURTHER RESOLVED that the Planning Board finds this project exempt from further environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15332 In-Fill Development Projects.

1. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The proposed mixed use building with ground floor retail and a senior boarding house on the second and third story above will be consistent with the General Plan and the zoning designation upon approval of the proposed Zoning Text Amendment. The Zoning Text Amendment will allow boarding houses with the approval of a use permit.

2. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The project site is approximately 0.23 acres in size and is located within the Webster Street business district a completely urbanized area of the city.

3. The project site has no value as habitat for endangered, rare or threatened species.

The site contains a parking lot that is completely paved with asphalt. There is no known habitat for endangered, rare or threatened species on the project site.

4. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

The project is designed as a mixed use transit oriented development that is located on

a major transit route with multiple transit lines. The project will be providing AC transit passes and on-site parking facilities for the project residents and employees. The project will also be providing an on-site shuttle service for residents of the senior boarding house. The proposal includes a facility for seniors who will have a lesser dependence on personal vehicles do to the above factors. Furthermore, the property is situated in an urban area within walking distance of retail services. The project also received a determination from the Alameda County Environmental Health Division that the proposed project is consistent with the requirements for closure of the Unocal service station that existed on the site. Therefore, the proposed project will not have any significant effects relating to traffic, air quality, or water quality.

5. The site can be adequately served by all required utilities and public services.

The project site is located within the Webster Street business district, a heavily urbanized area of the city served by all required utilities and public services.

BE IT FURTHER RESOLVED that the Planning Board of the City of Alameda hereby approves Design Review and Use Permit application PLN16-0185, subject to the following conditions:

Community Development Department Conditions:

1. Zoning Text Amendment: This approval shall not become effective until and unless the Alameda City Council approves the recommended Zoning Text Amendment necessary to allow boarding houses within the C-C District. In the event that the Text Amendment is not approved, the applicant shall redesign the project for Planning Board review and approval consistent with the zoning requirements.
2. Compliance with State and Local Laws: The approved uses is subject to, and shall comply with, all applicable City Ordinances and the laws and regulations of all applicable government agencies. Prior to submittal for building permits, the applicant submit proof of compliance with all Regional Water Quality, Alameda County Environmental Health, and Department of Toxic Substance Control requirements for use of the property for mixed use residential uses.
3. These conditions shall be printed on the first page of all building plans and improvement plans.
4. Use Permit: This use permit approval is for a senior boarding house with a maximum of 16 beds and one manager's unit, located above the ground floor and the auto repair shop as shown on the approved plans. Any changes in use, number of beds, or number of parking spaces required shall be approved through a use permit amendment.
5. Building Permit Plans: The plans submitted for the Building Permit shall be in substantial compliance with the plans prepared by Daniel Hoy, Architect, dated March 7, 2017, and on

file in the office of the City of Alameda Community Development Department, except as modified by the conditions in this resolution.

6. Vesting: This Design Review and Use Permit approval shall expire and become void unless actual construction under valid permits has commenced and passed one construction inspection within two years after approval. A one-time extension for an additional two years may be granted upon written request to the Community Development Director. Upon vesting of this approval,
7. Signage: Any temporary or permanent signage is subject to a sign permit approval.
8. Transportation & Parking: Prior to the issuance of a building permit, the applicant shall record a restriction on the deed of the property to require that the owner or property manager shall be responsible for:
 - a. Acquiring and distributing annually twenty (20) AC Transit Passes for use by project residents and/or business employees at no extra costs.
 - b. Requirement that tenants of a Senior Boarding House use on the property are at least 62 years of age.
 - c. An on-demand shuttle service is provided at no extra costs for the tenants of the senior boarding house use on the property.
 - d. Provide a minimum of six short term and six long term bicycle parking spaces on site.
 - e. Include language in the deed restriction that indicates the obligations, requirements and provisions under this condition cannot be amended, revised, deleted or rescinded by the property owners or tenants without the prior written approval of the City's Planning Board.
9. Leased Off-Site Parking: Prior to issuance of Building Permits, the applicant shall enter into an agreement to lease a minimum of nine (9) off-street parking spaces within 1,000 feet of the site.
 - a. The leased off-site parking facility shall include signs, located in front of each of the leased parking spaces in the parking lot, informing users that the spaces are reserved for tenants of the subject property at 1629 Webster Street.
 - b. Prior to issuance of building permits for the project, the applicant shall provide a joint access and parking agreement with a term of at least seven (7) years with the property owner of a leased parking site within 1,000 feet of the project site. The lease shall include the City of Alameda and be written in a form approved by the City Attorney. The agreement shall provide an extension option for an additional seven (7) years, and be entered into and recorded to constitute a covenant running with all affected parcels of land, specifying the terms of use of the shared parking facilities.
 - c. The owner/operator of the boarding house and auto repair shop shall continue to maintain the additional nine (9) leased parking spaces for the life of the project. At any time that the leased parking is no longer available within 1,000 feet of the

project site, the applicant shall return to the Planning Board for a public hearing to consider a new parking plan for the facility.

10. Public Art. Prior to issuance of the building permit, the applicant is required to comply with the terms of the City of Alameda Public Art requirement as specified in Alameda Municipal Code section 30-65.
11. Affordable Housing Fee. Prior to issuance of the building permit, the applicant is required to comply with the terms of the City of Alameda Affordable Housing Fee requirements as specified in Alameda Municipal Code section 27-1
12. Universal Design: The plans submitted for the Building Permit shall show that each unit shall include:
 - a. Accessible route of travel to boarding house unit from public sidewalk to the unit's primary entrance or an easily adaptable route.
 - b. Accessible route of travel from parking to the unit's primary entrance.
 - c. Minimum 32" clear primary entry doorway and a "no step entry" (1/2" or less threshold) with dual peephole and doorbell
 - d. All exterior/interior doors shall meet Chapter 11a. code required maneuvering clearances, hardware, thresholds, and strike side clearances
 - e. An accessible route of travel with a minimum 42" wide hallway to all bedrooms, living rooms, kitchens, and bathrooms.
 - f. Light switches, electrical receptacles, and environmental controls at accessible heights on the primary accessible floor
 - g. Rocker light switches throughout entire unit
 - h. Accessible countertops with a 30" wide workspace
 - i. At least one full bathroom on accessible route of travel, with separate shower stall and toilet with grab bar reinforcement for potential retrofit
 - j. Bathroom with removable base cabinets
 - k. Lower towel racks and robe hooks
 - l. Accessible toilet tissue holder

Public Frontage Improvements. The applicant shall underground all overhead utilities along the project public right of way frontage, including all utilities along Webster Street and Pacific Avenue. The applicant/developer shall reconstruct frontage improvements along Webster Street and Pacific Avenue so the street is restored to pre-project conditions. Any use of the public right of way for commercial or other purposes shall be subject to approval of and Encroachment Permit by the City of Alameda.

13. Archeological: In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The applicant/owner shall contact the Community Development Director for further guidance, which will likely include the requirement for the applicant/owner to hire a qualified

professional to analyze the artifacts encountered and to determine if additional measures are required

14. Bicycle Parking: The applicant/owner shall provide and maintain a minimum of 6 long-term and 6 short-term bicycle parking spaces on-site in accordance with AMC Section 30-7.15.
15. No hot plates or other cooking equipment are allowed within the tenant rooms of the senior boarding house facility.
16. Prior to submittal for building permits, the building plans shall be revised to relocate the utility meters on the Pacific Avenue elevation so the equipment is not visible from the street.
17. Prior to submittal for building permits, the building permit plans include screening for the transformer located along Pacific Avenue.
18. Prior to submittal for building permits, the applicant shall confirm with the Building Division that the hall way doors in the building meet the building code requirements.
19. Modifications: Minor project design details requested by the applicant may be established, modified, and approved by the Community Development Director. Engineering standards and specifications requested by the applicant may be established, modified and approved by the Public Works Director, or his designee. Major modifications that are not consistent with this design review and use permit approval or these conditions shall be subject to review and approval of the Planning Board.
20. Annual Reporting: The owner/operator shall provide an annual report for the approved transportation and parking plan established by the conditions of approval to the Community Development Director for review. The content and duration of the annual report requirement shall be at the discretion of the Community Development Director.

Auto Repair Shop

21. Previous Use Permit: Conditions relating to previous Use Permit No. UP06-0001 are superseded by Use Permit Approval No. PLN16-0185. All applicable conditions of approval from UP06-0001 have been incorporated into this Use Permit Approval.
22. Hours of Operation: The hours of operation for the auto repair facility shall be limited to between the hours of 8:00 a.m. and 5:00 p.m., Monday through Saturday.
23. Number of Employees: There shall be no more than two (2) employees in any one shift.
24. Limitations on Operations: The operation of the use is subject to the following limitations shall apply to the operation of this use:
 - a. All automotive servicing shall occur within the auto repair building.

- b. No vehicles shall be kept on the site for parts or salvage. When it is determined that a vehicle will not be repaired, it shall be removed from the site within 24 hours.
 - c. On-site parking shall be limited to employees and vehicles scheduled for service. No Vehicles may be stored on site overnight outside of the building.
 - d. There shall be no vehicle sales nor the sales of auto parts not associated with the auto repair use on this site.
25. The auto repair use shall produce no evidence of its existence beyond the premises such as noise, smoke, odors, vibrations, etc.
26. City of Alameda Municipal Code Sections 18 – 21 to 18 – 25 regarding storm water management and discharge control, prohibits non-storm water discharges into the storm sewer system. The applicant shall specifically comply with, but not be limited to the following items:
- a. Best Management Practices (BMP's) as outlined by the Alameda County-side Clean Water Program (brochures available on request from the Public Works Department), shall be strictly adhered to for all related site activities. Applicant shall take necessary steps to maintain any outdoor storage areas, waste management (trash) areas, loading areas, and parking areas to insure that no debris or waste shall discharge to storm drain or contaminated rain water.
 - b. If liquids are to be used in amounts greater than five gallons for activities, spill kits which will be able to clean-up spills and prevent spill from entering storm drain system shall be provided and kept visible during auto repair activities.
 - c. No washing of vehicles or equipment shall be permitted in uncovered areas. All employees, and employees of subcontractors, vendors, and consultants must be instructed regarding BMP's and no washing requirements.
 - d. Maintenance and repair work of vehicles or equipment shall not take place except in designated, approved, covered areas.
 - e. Site shall be kept clean of debris that may contaminate storm drains. Only dry clean-up methods shall be used to maintain site.
 - f. Trash enclosures shall be completely covered and no other area shall drain onto or through this area. Keep trash areas free of litter.
 - g. Storage of stockpiled materials shall be covered areas and follow BMP's.

Engineering

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27. The applicant/developer shall submit construction improvement plans for all on- and off-site improvements, including detailed designs for all wet and dry utilities, landscaping and irrigation, water, grading, drainage, erosion control, paving and solid waste storage and recycling areas. The plans shall be prepared, signed and stamped as approved by a registered civil engineer licensed in the State of California, unless the Public Works Director authorizes them to be prepared by some other qualified professional, and be in accordance with the AMC, the City of Alameda Standard Plans and Specifications, Standard Subdivision Specifications and Design Criteria, and the Master Street Tree Plan. The plans shall be reviewed and approved by the Public Works Director prior to approval of the improvements plans or the building permit, whichever comes first. If no building permit is required, the plans shall be approved by Public Works Director prior to establishment of the use. The engineer shall also assume responsibility for inspection of the on-site construction work, including but not limited to parking lots, pathways, storm facilities, sewer facilities, etc., and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first, that the installation of the on-site work (excluding the building and foundation) was constructed in accordance with the approved plans.
28. The landscape and irrigation plans for on-site and off-site improvements shall be prepared, and signed and stamped as approved, by a licensed landscape architect. The plans shall be in accordance with the most recent version of the "Bay-Friendly Landscape Guidelines" developed by StopWaste.Org and the Bay Friendly Coalition, the Master Street Tree Plan, the AMC, conditions of approval by the Planning Board, and other regional jurisdictions requirements, as applicable.
- a. Projects required to meet the Bay-Friendly Landscape (BFL) requirements shall:
 - i. have plans prepared by a qualified BFL design professional;
 - ii. earn, at a minimum, a total of 60 points on the StopWaste.Org "Bay-Friendly Scorecard for Commercial & Civic Landscapes" (Scorecard), as determined by a qualified BFL Rater;
 - iii. complete the nine required practices identified on the Scorecard related to mulch, compost, diversion of construction and demolition waste, selection of planting materials, and the design and installation of irrigation systems, as determined by a qualified BFL Rater;
 - iv. acquire the services of an approved BFL Rater to assist the landscape project design and construction team with gaining BFL qualification, consistent with the BFL qualification requirements of the Bay Friendly Coalition
 - v. pay the required BFL application and final submittal fees via the BFL Rater to the Bay Friendly Coalition
 - vi. Submit to the City written certification from the Bay Friendly Coalition that the design and construction of the landscaping and irrigation meets the most recent version of the "Bay-Friendly Landscape Guidelines" developed by StopWaste.Org and The Bay Friendly Coalition. This certification is required prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever

comes first,

- b. In addition, the final landscape plans shall ensure that all landscaping and bioswales are compatible with the stormwater treatment measures designed to minimize irrigation and runoff; promote surface infiltration, where appropriate; and minimize the use of fertilizers and pesticides that can contribute to storm water pollution. Also, integrated pest management (IPM) principles and techniques shall be incorporated into the landscaping design and specifications. Where feasible, landscaping shall be designed and operated to treat storm water runoff by incorporating elements that collect, detain, and infiltrate runoff. Plant placement within the site landscape design shall not interfere with the design function of any of the stormwater treatment measures. For example, trees planted in or near a biotreatment swale shall not adversely interfere with the design flow capacity of the swale. The plans shall be reviewed and approved by the Public Works Director prior to approval of the improvements plans or the building permit, whichever comes first. The landscaped architect shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first, that the installation of landscaping and irrigation in the public right of way was constructed in accordance with the approved plans.

29. A storm drainage hydrology analysis identifying the total peak drainage flow quantities to be generated by the proposed development shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The City will provide this data to an independent consultant who will assess the impact of the proposed development on the City's storm drainage system using a hydraulic model and determine the improvements, if any, to ensure sufficient capacity for this project and anticipated cumulative growth in the associated drainage basin. The developer will pay for the cost of the modeling study. The developer will include the recommended improvements into the project's improvements plans prior to approval of the improvements plans or the building permit, whichever comes first.

30. The applicant/developer shall submit a soils investigation and geotechnical report, prepared by a registered geotechnical engineer licensed in the State of California and acceptable to the Public Works Director. The report shall address the structural and environmental analysis of existing soils and groundwater. The improvement plans shall incorporate all design and construction criteria specified in the report. The geotechnical engineer shall sign and stamp the improvement plans as approved and as conforming to their recommendations prior to approval of the improvement plans. The geotechnical engineer shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work or establishment of the use, whichever comes first, that the work performed is adequate and complies with their recommendations.

31. All required public frontage and street improvements shall be designed, built, and dedicated to the City in accordance with City ordinances and Public Works Department standards and shall include curbs, gutters, sidewalks, street trees, landscaping and

irrigation, streetlights, etc.

32. Applicant/developer shall resurface the existing street pavement whenever a street is cut, either by a longitudinal or transverse cut, for utility or other improvement installations so the street is restored to pre-project conditions. The resurfacing shall extend a sufficient distance beyond any cut to ensure a smooth transition, as determined by the Public Works Director, and shall consist of a one and a half (1½) inch asphalt concrete overlay. Applicant/developer shall also provide ditches and reconstruction of any potholed and/or alligatored areas adjacent to the project.
33. Any retaining walls, which are adjacent to a property line, shall be masonry, metal or concrete. Wood retaining walls shall not be installed adjacent to property lines.
34. Installation of street paving shall include reconstruction of the existing pavement section to provide adequate conforms. The limits of such reconstruction shall be established by the Public Works Director prior to approval of the improvement plans, issuance of a building permit, or prior to establishment of the use, whichever comes first.
35. Construction activities shall not occur during windy periods.
36. Exposed soil surfaces shall be periodically sprinkled to retard dust. During construction, the applicant/developer shall ensure that construction crews undertake a program of dust control including, but not limited to, watering soil surfaces as needed to prevent dust blowing, covering trucks carrying materials to and from the site, and frequent clean-up of soil carried by construction vehicle tires from the site onto streets. No City water shall be used for this purpose.
37. All project related grading, trenching, backfilling, and compaction shall be conducted in accordance with City of Alameda Standards and Specifications.
38. Hydroseeding of all disturbed areas shall be completed by October 1. Applicant/developer shall provide sufficient maintenance and irrigation to ensure growth is established by November 1.
39. Construction activities are restricted to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturday, unless a permit is first secured from the City Manager or designee based upon a showing of significant financial hardship.
40. Construction equipment must have state of the art muffler systems as required by current law. Muffler systems shall be properly maintained.
41. Noisy stationary construction equipment, such as compressors, shall be placed away from developed areas off-site and/or provided with acoustical shielding.
42. Grading and construction equipment shall be shut down when not in use.

43. During non-working hours, open trenches shall be provided with appropriate signage, flashers, and barricades approved by the Public Works Director to warn oncoming motorists, bicyclists, and pedestrians of potential safety concerns.
44. Prior to trenching within existing street areas, the applicant's engineer shall ascertain the location of all underground utility systems and shall design any proposed subsurface utility extensions to avoid disrupting the services of such system.
45. New street trees shall maintain clearances from utilities shall be as follow: a) Fire hydrant – 6 feet; b) top of driveway wing – 5'; c) stop signs – 15'; d) street/pathway lights and utility poles – 25'; e) storm drain, sanitary mains, gas, water, telephone, electrical lines – 5'; f) front of electrical pad-mounted equipment – 10'. Verify minimum clearance distances of street trees/shrubs from electrical transformers with City of Alameda Municipal Power (AMP).
46. Approved backflow prevention devices shall be installed on all new and existing domestic, commercial, irrigation and fire water services and as required by the East Bay Municipal Utility District (EBMUD). These devices must be tested by an AWWA certified tester from a list of testers provided by EBMUD.
47. Costs for inspection by the Public Works construction inspectors during non-working hours shall be at time and one half. Work on Saturday's requiring inspection shall not be done unless approved in advance by the Public Works Director. No work allowed on Sundays. Any work done without inspection may be rejected at the contractor's expense.

Stormwater, Wastewater and Water

Prior to issuance of the grading or combination building/grading permit, or approval of the Civil Improvement Plans, whichever comes first:

48. Finalized Landscaping Plans shall be designed to minimize runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution. Consideration shall be given to pest-resistant landscaping and design features that support the use of integrated pest management (IPM) and Bay Friendly Landscaping principles and techniques.
49. The Civil Improvement Plans shall be consistent with the results of the completed Stormwater Requirements Checklist and the relevant source control and site design measures identified for project planning. Plan sheets shall provide the necessary drawings, details, cross-sections and/or notes to direct runoff onto appropriately designed, vegetated, landscape areas and to create permeable, on-site parking surfaces.
50. The applicant/developer shall be responsible for ensuring that all contractors and sub-contractors install, implement and regularly maintain construction activity best management practices in conformance with the City's erosion, sediment and discharge-control standards, copy provided, in order to prevent any pollutants entering directly or indirectly

the storm water system or waters of the State. The Improvement Plans shall list the City's erosion and sediment control standards and provide relevant detail drawings and installation specifications that meet industry standards for erosion and sediment control effectiveness, such as those established by the California Stormwater Quality Association's Stormwater Best Management Practice Handbook – Construction.

51. Fire sprinkler system test water discharges shall be plumbed so as to be directed to the sanitary sewer system or to appropriately-sized onsite vegetated area(s).
52. The Improvement Plans shall indicate that all new storm drain inlets and all site perimeter storm drain inlets shall be clearly marked with the words "No Dumping! Drains to Bay," or equivalent, as approved by the City Public Works Department. Permanently affixed thermoplastic, metallic or plastic laminate style markers are examples of acceptable forms.
53. Improvement Plan design of all external enclosures for solid waste, recycling and organics containers shall be approved by the Public Works Department. These facilities shall be designed to prevent water run-on to the area, runoff from the area, and to contain litter, trash and other pollutants, so that these materials are not dispersed by the wind or otherwise discharged to the storm drain system. Any trash enclosure facility with a water supply shall also drain to the sanitary sewer.

Traffic and Transportation

54. The applicant/developer shall submit a traffic striping and signage plan for all on- and off-site improvements, including all crosswalks, bus stops, turn lanes, merge lanes, acceleration lanes, lane drops, etc., as part of the construction improvement plan submittal. The plans shall be prepared by a registered civil engineer or traffic engineer licensed in the State of California. The engineer shall sign and stamp the plans as approved. The plans shall be reviewed and approved by the Public Works Director prior to approval of the improvements plans or building permit, whichever comes first.
55. The applicant/developer shall submit the improvement plans for any on-site parking facilities to the Community Development Department and Public Works Department for review and approval. A registered civil engineer licensed in the State of California shall prepare the plans and signed and stamped them as approved. The Community Development Department shall review and approve the parking lot layout, including number of spaces, dimensions of spaces, and ADA requirements and the Public Works Director shall review and approve the internal and external circulation of the parking lot, including lane widths and access points. The plans shall be reviewed and approved by the Community Development Department and Public Works Director prior to approval of the improvements plans or the building permit, whichever comes first.
56. Final bicycle parking plan shall be consistent with AMC-30-7.15 Bicycle Parking. The facility, location, and type shall be approved by the Community Development Department prior to approval of the improvements plans or building permit, whichever comes first. The Community Development Department shall inspect the location, type, and number of

facilities to ensure they are in accordance with the approved plans prior to acceptance of the work or issuance of any occupancy permit, including temporary occupancy permit, whichever comes first.

57. At least three weeks prior to the commencement of work within the public right-of-way that affects access for pedestrian, bicyclist, and vehicular traffic, the applicant/developer shall provide a Traffic Control Plan (TCP) to the Public Works Department for review and approval. The TCP shall be prepared by a registered civil engineer or traffic engineer licensed in the State of California, and be in accordance with the California MUTCD standards. The engineer shall sign and stamp the plans as approved. In general, any vehicular, transit, bicyclist, and pedestrian access through and/or adjacent to the project site shall remain unobstructed during project construction or an ADA compliant alternative route established as approved by the Public Works Director. At locations where adequate alternate access cannot be provided, appropriate signs and barricades shall be installed at locations determined by the Public Works Director and Police Chief. Should transit routes be affected, applicant/developer is required to receive prior approval from AC Transit of any proposed traffic detours or temporary closure of bus stops. Constructed work may not commence until the TCP is approved by the Public Works Director.
58. Pedestrian and vehicular lighting at all intersections and project driveways shall meet Alameda Municipal Power standards for crosswalks, sidewalks, and intersections.
59. Applicant/developer shall replace any damaged curb, gutter, and sidewalk along street frontages to the satisfaction of the Public Works Director, in accordance with the Public Works Department's Standard Plans and Specifications prior to acceptance of the project or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first.

Environmental

60. Design of all external enclosures for solid waste, recycling, and organics shall be approved by the Public Works Director prior to approval of the improvements plans or the building permit, whichever comes first. If no building permit is required, the plans must be approved by the Public Works Director prior to establishment of the use. These facilities are to be designed to prevent water run-on to the area, runoff from the area, and to contain litter, trash, and other pollutants, so that these materials are not dispersed by the wind or discharged to the storm drain system. External enclosures are to be roofed and/or enclosed. Any enclosures containing food waste shall have floor drains connected to the sanitary sewer system. If the enclosures are attached to buildings they shall have fire sprinklers. Internal collection and storage area(s) and the individual bins and containers provided, shall be adequate in capacity, number, and distribution to serve the anticipated demand for trash, recycling, and organics as determined by the Public Works Director.
61. A 40-foot turning radius must be provided for any street that would otherwise require the collection truck to back up a distance greater than 150 feet. Although not required, construction of a concrete pad just outside each solid waste enclosure is recommended in

order to accommodate the truck weight while servicing the dumpster.

62. Applicant must comply with the following minimum storage requirements for solid waste, recyclable and compostable materials:

Non-Residential Structures -- Non-residential structures/uses within all zoning districts shall provide external solid waste, recyclable and compostable material storage areas. The following minimum exterior storage area requirements apply to each individual structure:

Building Size (square feet)	Solid waste (square feet)	Recyclables (square feet)	Organic Materials (square feet)	Total Area (square feet)
10,001-25,000	48	48	48	144

63. Exterior solid waste and recyclable material storage shall be adjacent or combined and may only be located on the outside of a structure, in a designated interior courtyard with appropriate access, or in rear or side yards. External storage area(s) shall not be located in any required front yard, street side yard, required parking, landscaped, or open space, or any areas required by the AMC to be maintained as unencumbered.

64. The storage area(s) shall be accessible to residents and employees.

65. Driveways or aisles shall provide unobstructed access for collection vehicles and personnel and provide at least the minimum clearance required by the collection methods and vehicles used by the City's designated collector or hauler.

66. The storage area(s) and the individual bins and containers provided within shall be adequate in capacity, number and distribution to serve the anticipated demand as determined by the Public Works Director.

67. The design and construction of the storage area(s) shall:

- a. Be compatible with the surrounding structures and land uses; and
- b. Be properly secured to prevent access by unauthorized persons. If gates with locks are planned to limit access to the enclosure or to the property, cards or keys must be provided to the City's franchised waste hauler and recycling collector; at present Alameda County Industries; and
- c. Contain a concrete pad within the fenced or walled area(s) and a concrete apron which facilitates handling of the individual bins and containers; and
- d. Provide a 6-inch wide curb or parking bumpers along the interior perimeter of the enclosure walls to protect them from damage by the dumpster. A 6-inch wide parking bumper, at least 3 feet long, should also be placed between the refuse dumpster and the recycling containers; and
- e. Maintain a minimum space of 12 inches between the dumpster(s) and the walls of the enclosure and the recycling container(s) to allow for maneuvering the dumpster(s); and
- f. Protect the area(s) and containers from adverse environmental conditions,

which might render the collected materials non-collectible, noxious, unsafe, or in the case of recyclable materials, unmarketable.

68. Dimensions of the storage area(s) shall accommodate containers consistent with the current methods of collection. The storage area(s) shall be appropriately located and screened from view on at least three sides by a solid wall six feet in height, and on the fourth side by a solid gate not less than five feet in height. The gate shall be maintained in good working order and shall remain closed except when in use. Gates must open straight out and gates and hinges must be flush with the enclosure wall to allow adequate maneuverability of the dumpster in and out of the enclosure. The design of the wall and gate shall be architecturally compatible with the surrounding structures.
69. A sign clearly identifying each exterior solid waste and recyclable material storage area and the accepted material(s) is required. Each sign shall not exceed two square feet in area and shall be posted on the exterior of the storage area adjacent to all access points.
70. All solid waste containers, including dumpsters and individual cans or carts, must have fitted lids which shall remain closed at all times when the container is not being used or emptied.

ALAMEDA MUNICIPAL POWER (AMP)

71. Concurrent with submittal of Improvement Plans, the Applicant shall coordinate with Alameda Municipal Power (AMP) regarding power requirements. All submittals shall refer to AMP's "Material and Installation Criteria for Underground Electrical Systems" for minimum clearances of street trees/shrubs from streetlights, electrical transformers and other utility electrical equipment.
72. The Applicant shall comply to AMP's Rules and Regulations and "Material and Installation Criteria for Underground Electrical Systems" (both available at www.alamedamp.com) and provide completed "Service Planning Sheets" for AMP's review prior to submitting plans for building permits. Note that the transformer pad might be about 60"x84" (Drawing 1-L-406), depending on the submitted load and the transformer should be three feet away from any obstruction on the side of the transformer with no doors and there should be eight feet clear space in front of the doors of the transformer (Drawing 1-L-521). Typically, a 10'x10' easement is required for a transformer installation.
73. The Applicant shall provide information on the location of transformers and total load in kilowatts or kilovolt-amp (KVA) to AMP for approval prior to building permit issuance. If necessary, the applicant shall provide (at no charge to AMP) an easement and access to all AMP facilities on the property prior to issuance of building permits.
74. The Applicant shall provide all necessary underground substructures, including conduits, pull boxes, electric utility equipment pads, etc. per the AMP specifications. AMP will require easements for all transformers, primary and secondary boxes, and conduits. AMP

will furnish and install all required transformers, high voltage distribution cables, and secondary cables.

75. The Applicant shall install all electric pull boxes and vaults in-line with the conduit joint trench. No conduit bend will be allowed between electric pull boxes, unless conduit section terminates to an electrical equipment pad. All primary and secondary electrical distribution pull boxes shall not be greater than two section deep (34-inches from finish grade to bottom of pull box). Any deviations from this standard shall be approved by the AMP Project Engineer in writing.
76. The Applicant shall furnish and install code-size service cables in code-size conduit from each electric metering facility to the nearest secondary pull box (or Service Point) in the public right-of-way, as designated by AMP. AMP will connect the service to the distribution transformer or to the secondary distribution system.
77. There should be a 36" clear space in front of the meter as well as side to side of the meter. Said meter should be 10" inches or more away from any wall or obstruction.
78. The Final Map shall show all necessary easements and access to all electrical utility facilities that are in the private properties, at no charge to AMP.
79. Prior to issuance of Certificate of Occupancy, the Applicant shall furnish and install service equipment for each building. The service equipment shall meet Electric Utility Service Equipment Requirement Committee (EUSERC) standards. Electric meter(s) shall be located as close as practicable to the point of entry of the service-entrance conductors to the building. Outdoor meter locations are preferred. When meters are located within a building, the meter room shall be directly accessible from the exterior of the building. If entry is locked, a key must be provided to AMP prior to energizing the service. No remote metering.
80. Concurrent with acceptance of work by City Council, the applicant/developer shall dedicate and AMP shall take over ownership and will be responsible for maintaining all new substructures for under grounding primary and secondary circuits, and distribution transformers once the improvements have been inspected by AMP and found to have been properly installed. The Applicant or successor property owner(s) shall be responsible for the service cables and service equipment.
81. Any existing overhead electric facilities within, and/or adjacent to, the subdivision or division of land shall be undergrounded at no charge to AMP.
82. The Applicant shall be responsible for all expenses involved in the duct/joint trench system engineering design, plan check, project coordination, and electrical construction inspection. The Applicant shall be responsible for the cost of AMP assigned inspector during construction.
83. The Applicant shall submit, with the site improvement plans, detailed drawings showing the

required site electric utility facilities.

84. All service installations, to commercial/industrial, multiple dwelling units and subdivisions, will be underground. All new or upgraded service facilities with a capacity of 400 Amperes or larger will require a new pad mounted transformer.

85. Any relocation of existing AMP distribution facilities necessitated by development, site improvements and/or modifications shall be approved by AMP and paid by the requesting party. The existing service to the auto repair shop will need to be relocated since it is currently located across the proposed building.

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 Department, Alameda City Planning Board, the City of Alameda City Council relating 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.

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.

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 protect these fees and other exactions, pursuant to Government Code section 66-2-(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 Community Development Department a written notice of appeal stating the basis of appeal and paying the required fees.

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 27th day of March, 2017, by the following vote to wit:

AYES: (5) Köster, Curtis, Mitchell, Sullivan and Zuppan

NOES: (0)

ABSENT: (2) Burton, and Knox White

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

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CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-17-06

APPROVING DESIGN REVIEW AND USE PERMIT APPLICATION NO. PL17-0094 AT 900 MOUND STREET (KRUSI PARK) TO DEMOLITION AN EXISTING 1,125 SQUARE FOOT RECREATION BUILDING AND BUILDING A NEW 2,376 SQUARE FOOT RECREATION BUILDING WITHIN THE OPEN SPACE ZONING DISTRICT.

WHEREAS, an application was made on February 22, 2017, by Amy Wooldridge on behalf of the Alameda Recreation and Parks Department (ARPD) for a Design Review and Use Permit to demolish an existing 1,125 square foot recreation building and build a new 2,376 square foot recreation building; and

WHEREAS, the proposal was accepted as complete on February 27, 2017; and

WHEREAS, the subject property is designated as Parks and Public Open Space on the General Plan Diagram; and

WHEREAS, the subject property is located in an O, Open Space Zoning District; and

WHEREAS, the O, Open Space Zoning District requires a use permit for the construction of buildings within a public park; and

WHEREAS, the Planning Board held a public hearing on May 8, 2017 on the Design Review and Use Permit application, at which time all materials submitted and all comments made by all parties, including staff, regarding this application were considered; and

NOW, THEREFORE BE IT RESOLVED, on May 8, 2017, the Planning Board made the following findings concerning the project:

CONDITIONAL USE PERMIT FINDINGS:

- 1. 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.**

The project to rebuild a larger modern recreation building is consistent with the use of a community park and will enhance the use of Krusi Park. The new building is intended for weekday use by the Recreation and Parks Department for continuation of existing after school and summer activity programs. Weekend and weekday evenings will be available for community members to rent the facility for events and activities. A small concession area will be available for rental use by park user groups such as the softball and tennis programs. The building is located in an area that is already primarily hardscape, and the modern architectural style is an improvement over the existing maintenance building. The students and faculty of Otis Elementary will continue to use the building's public restrooms and may use the facility when it is available. Otis

Elementary uses the Krusi Park playground and athletic fields as its primary school play and Physical Education area.

2. The proposed use will be served by adequate transportation and service facilities, including pedestrian, bicycle and transit facilities.

The property is fully developed and does not require additional service facilities. The site is served by transit (AC Transit lines 21, 356, OX, W). Bicycle parking is available on the site; a large bicycle rack with space for 15-30 bicycles is located at the tennis courts. On street automobile parking is available. On-street ADA parking is being added at the corner of Calhoun and Court Streets.

3. The proposed use, 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.

The proposed replacement building and continuation of the existing use would not result in any negative impacts on surrounding businesses, properties or the local economy. The proposed use is a continuation of an existing recreation use and would not require the removal of green space, nor will it impact the existing sports facilities.

4. The proposed use relates favorably to the General Plan.

This use is consistent with the General Plan because the proposal complies with General Plan guiding policy 6.1.b, "Continue cooperation with the Alameda Unified School District to achieve optimum joint use of limited school open space and park space."

DESIGN REVIEW FINDINGS:

1. The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual.

The proposed structure is located within an existing public park and will promote recreational uses within the Open Space Zoning District. The proposed design is consistent with the Design Review Manual, and the building's exterior appearance is consistent with typical recreation buildings in public parks.

2. The proposed design is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses.

Based on review of project plans and visits to the site, this project has been deemed compatible and harmonious with the design and use of surrounding properties. Project massing and scale is consistent the character of the park and the surrounding residential neighborhood. The majority of the footprint for the expansion will occur over existing hardscape, and there will be minimal disruption to Krusi Park's existing green spaces. The building is situated approximately 200 feet from the nearest adjacent residential neighbor.

3. The proposed design of the structure(s) and exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development.

The exterior building materials include a combination of cement plaster ('stucco') walls with painted vertical and horizontal reveals, accent panels of horizontal lapped fiber cement composite siding ('synthetic wood siding'), metal framed windows and doors, and a 2:12 single slope built-up roof with substantial roof overhangs to the east and west. The design and finish materials will blend well into the existing park setting and the adjacent neighborhood development.

BE IT FURTHER RESOLVED, the Planning Board finds this project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303(c), which allows for the construction of structures that do not exceed 2,500 square feet of floor area and do not involve the use of significant amounts of hazardous substances. The proposed building will be 2,376 square feet and does not involve the use of hazardous substances.

BE IT FURTHER RESOLVED, that the Planning Board of the City of Alameda hereby approves Design Review No. PLN17-0094 subject to the following conditions:

1. Compliance with Plans: Any modification on this site shall be in substantial compliance with the Use Permit and Design Review application submittal dated received on February 22, 2017, by Byrens Kim Design Works, on file in the City of Alameda Community Development Department, except as modified by the conditions listed in this report.
2. Final Design Review: Upon approval of the final construction design plans by the Recreation and Parks Commission, the applicant shall apply for final Design Review approval from the Planning Board.
3. Changes to Approved Plans: This approval is limited to the scope of the project defined in the project description and does not represent a recognition and/or approval of any work completed without required City permits. Any changes to the approved scope of the project shall be submitted to the Community Development Department for review and approval.
4. Exterior Lighting: New exterior lighting fixtures shall be low intensity, directed downward and shielded to minimize offsite glare.
5. Lap Siding: Final plans submitted for Building Permits shall note that all proposed Fiber Cement Lap Siding shall have a smooth finish.
6. Solid Waste: The applicant will comply with Alameda County's Mandatory Recycling Ordinance by procuring adequate recycling and composting capacity from Alameda's franchised waste hauler, Alameda County Industries (ACI).

7. Public Art: Prior to issuance of building permits for the project, the applicant shall pay all applicable Public Art fees and satisfy applicable requirements to implement public art as required by AMC Section 30-65.
8. Bicycle Parking: The location of bicycle parking shall be relocated to be in closer proximity to the main entrance to the multi-purpose room.
9. Vesting: The Use Permit and Design Review approval shall expire two (2) years after the date of approval or by May 8, 2019 unless authorized construction or use of the property has commenced. The applicant may apply for a time extension, not to exceed two (2) years. An extension request will be subject to approval by the Zoning Administrator and must be filed prior to the date of expiration.
10. Revocation: This Use Permit may be modified or revoked by the Zoning Administrator, pursuant to Alameda Municipal Code Section 30-21.3d should the Zoning Administrator determine that: 1) the use or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity; 2) the property is operated or maintained so as to constitute a public nuisance; or 3) the use is operated in violation of the conditions of the Use Permit.
11. Indemnification: 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

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.

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.

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 8th day of May, 2017, by the following vote to wit:

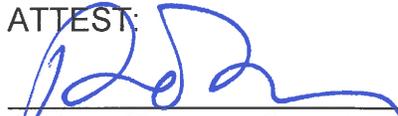
AYES: (6) Köster, Burton, Knox White, Mitchell, Sullivan and Zuppan

NOES: (0)

ABSENT: (0)

ABSTAIN: (1) Curtis

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

* * * * *

**CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-17-07**

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA
AMMENDING USE PERMIT, UP-88-36, AT 1200 PARK STREET/2407 SAN
JOSE AVENUE TO TERMINATE WITHIN 60 DAYS

WHEREAS, on March 19, 1979, the Planning Board approved a one-year Use Permit (U-79-3) for the sale and installation of automobile tires at 1200 Park Street. The use permit conditions reveal that the City was concerned about the potential impact of the use on Park Street. To address these potential impacts, the 1979 use permit includes conditions that require that all automobile parking necessary to support the business be confined to the property (condition #2), that all work on cars will occur within the building (condition #4), and no cars will be parked overnight on the premises (condition #7); and

WHEREAS, on January 28, 1982, the Zoning Administrator extended the Use Permit to be valid for a five-year period to expire on June 18, 1984; and

WHEREAS, on January 30, 1989, the Planning Board approved a new Use Permit (U-88-36) for the site for Big O Tires. The 1989 use permit describes the use as a continuation of a non-conforming use for automotive repair. The 1989 use permit includes all of the prior conditions from 1979, in substantially the same form, but adds a new condition requiring that the applicant "find an alternative long term parking site for customer cars, as well as for employees" within 60 days; and

WHEREAS, On May 10, 1990, the City sent a letter to Henry C. Cohen indicating that the use was not in compliance with at least two of the conditions regarding parking and the requirement to acquire an "alternative long term parking site;" and

WHEREAS, on January 22, 2013, attorney Michael Notaro, on behalf of his client Art Thoms (owner of Washboard V Laundromat at 1198 Park Street), sent a letter of complaint regarding the operations of Big O Tires at 1200 Park Street. The alleged violations were related to three of the 1988/89 Use Permit (UP88-36) conditions governing the use of the property by Big O Tires, including Big O's failure to secure an off-site parking lot; and

WHEREAS, on April 29, 2013, Anagha Dandekar Clifford, attorney for Big O, sent a letter to Michael Notaro addressing the issues raised. A two-month survey of availability of off-site parking lots was provided. The off-site parking lot survey did not yield any, and Ms. Clifford described the new trial valet service Big-O instituted every Saturday to minimize Big-O's impact on street parking within the business district. Big O implemented the valet service in May of 2013; and

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WHEREAS, in the fall of 2013, City staff received several faxes from Art Thoms and a letter from Mr. Notaro detailing continued violations described in the January 22, 2013 letter. On November 26, 2013, Ms. Clifford stated the October 28, 2013 violations were the exception and not the rule. She stated the Saturday valet service had been extended to a daily service as an alternative to the off-street parking requirement. On December 5, 2013, Mr. Notaro copied city staff on a letter to Ms. Clifford acknowledging certain improved Big O behavior as well as lapses in ideal behavior. Mr. Notaro encouraged continued and more thorough compliance; and

WHEREAS, on March 12, 2014, Big O submitted an application to amend its 1988 use permit, specifically to remove condition #2 related to an off-street parking lot, and to revise condition #1 related to work outside the structure. This application was suspended in the summer when the nearby Party Warehouse property was put on the market. Big O explained it wanted to pursue the purchase of the Party Warehouse property to gain compliance with the off-street parking lot condition. Over the course of the summer and fall, these negotiations to purchase the property were not completed; and

WHEREAS, in March 2015 correspondence, Mr. Notaro noted the continued violation of no left turns onto San Jose Avenue and Big O client and employee parking in metered spaces; and

WHEREAS, on July 13, 2015, the Planning Board held a public hearing to consider Big O's request to amend its existing Use Permit. The Planning Board reviewed the material, held a public hearing, discussed various options, and continued the matter to the November 9, 2015 meeting. On November 9, 2015, the Planning Board amended several of the Use Permit Conditions; and

WHEREAS, Shortly after the Planning Board's November 9, 2015 meeting, the owners of the Big O franchise at 1200 Park Street purchased the property at 1835 Oak Street in the M-2 General Industry Zoning District. The site provides a large off-street parking area and a large building that is in the process of being remodeled to relocate the entire operation. Big O operators at 1200 Park Street subsequently changed their name to Big Discount Tire Pros. They intend to operate at both locations until the end of their lease in July, 2017; and

WHEREAS, on August 4, 2016, the City of Alameda received a petition signed by 21 residents within the vicinity of the 1200 Park Street site. The petition requests a public hearing to review the existing use permit for 1200 Park Street with the intention of considering an expiration date on the permit when the current tenant vacates the property within the next year. They list three reasons for consideration of termination of the current use permit, including the size of the lot, the nature of the business and the incompatibility of the use; and

WHEREAS, the lease at 1200 Park Street expires in July, 2017, and Big Discount Tire Pros anticipate moving to 1835 Oak Street at that time; and

WHEREAS, the Planning Board held a public hearing on the use permit at 1200 Park Street on November 28, 2016, to consider amendments to, and compliance with, the use permit and has examined pertinent maps, drawings, and documents; and

WHEREAS, at the November 28, 2016 meeting considered the arguments and concerns raised by the property owner and the Big O Tire Company and directed staff to monitor operations at the property and return at a future date with a report on use permit compliance,

WHEREAS, on December 27, 2016, December 28, 2016, and on February 14, 2017 staff documented repeated violations of use permit conditions, and

WHEREAS, on May 8, 2017, the Planning Board held a public hearing on the Use Permit for tire repair services at 1200 Park Street to consider amendments to, and compliance with, the use permit and has examined pertinent documents;

NOW THEREFORE BE IT RESOLVED THAT, the Board has made the following findings:

1. The use of the site for automobile repair is not consistent with the Alameda Municipal Code and zoning requirements for the property.
2. The use of the site for automobile repair has repeatedly violated the conditions of approval of the use permit for use of the property for tire repair and replacement as documented in the May 8, 2017 Staff Report and exhibits, and
3. The use adversely impacts other property in the vicinity as documented in the May 8, 2017 Staff Report and exhibits.

THEREFORE BE IT FURTHER RESOLVED that the Planning Board of the City of Alameda hereby amends UP-88-36, to include the following condition of approval:

1. This use permit and the non-conforming use of the land for automobile repair shall terminate within 60 days of final action by the City of Alameda.

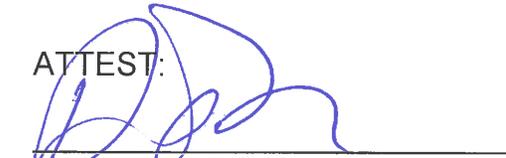
I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 8th day of May, 2017, by the following vote to wit:

AYES: (4) Burton, Curtis, Knox White, and Zuppan

NOES: (3) Köster, Mitchell, and Sullivan

ABSENT: (0)

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

* * * * *

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-17-08

AMENDING DEVELOPMENT PLAN (PLN 17-0252) FOR A 68-ACRE MIXED USE
DEVELOPMENT PLAN IN THE WATERFRONT TOWN CENTER PLAN AREA REFERED
TO AS "SITE A" AT ALAMEDA POINT

WHEREAS, the 68 acres referred to as "Site A" at Alameda Point is designated as Mixed Use in the General Plan; and

WHEREAS, the Site A is located within the Alameda Point Waterfront Town Center Sub-district (WTC Sub-district); which is in the Alameda Point District [Alameda Municipal Code (AMC) 30-4.24] of the Zoning Ordinance; and

WHEREAS, the Town Center Plan is a Specific Plan pursuant to Government Code Section 65450 et seq. for a transit-oriented development of the waterfront lands that surround the Seaplane Lagoon and the property at the entrance of Alameda Point between Main Street and Seaplane Lagoon; and

WHEREAS, on May 11, 2015, the Planning Board reviewed and unanimously approved a Development Plan for 68 acres referred to as "Site A" within the Alameda Point Waterfront Town Center Sub-district (WTC Sub-district); and

WHEREAS, on June 16, 2015, the City Council reviewed and unanimously approved the Planning Board approved Development Plan for 68 acres referred to as "Site A"; and

WHEREAS, the approved Site A Development Plan for Site A consists of 800 multi-family residential units, up to 600,000 square feet of retail, hotel, and commercial uses, which would occupy new buildings and repurposed existing buildings, 13.35 acres of parks and open space, new and replacement utilities and infrastructure, and new streets and streetscape improvements; and

WHEREAS, an application for Development Plan Amendment was made on May 3, 2017 by Alameda Point Partners (APP); and

WHEREAS, the Development Plan Amendment permits a change in the construction phasing of the project, the location of residential and commercial uses, and the location of moderate income housing units within the limits of the Site A Development Plan approved by the City Council on June 16, 2015, and

WHEREAS, the Development Plan Amendment maintains without change the approved 800 multi-family residential units, up to 600,000 square feet of retail, hotel, and commercial uses, 13.35 acres of parks and open space, new and replacement utilities and infrastructure, and new streets and streetscape improvements; and

WHEREAS, by Resolution No. 14891 the City Council of the City of Alameda certified the Final Alameda Point Environmental Impact Report (FEIR) (State Clearinghouse No. 201312043) under the California Environmental Quality Act ("CEQA"), California Public 5/22/2017

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Resources Code Section 21000 *et seq.* and adopted written findings and a Mitigation Monitoring and Reporting Program (“MMRP”) on February 4, 2014, for the Alameda Point Project, including the Town Center Plan area which contains Site A; and

WHEREAS, the Planning Board held a public hearing on May 22, 2017, for this Development Plan Amendment, and examined pertinent maps, drawings, and documents;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that the following findings can be made in support of the Development Plan Amendment:

1. **The development is an effective use of the site.** The Development Plan Amendment provides for the construction of new public infrastructure improvements, including mainline underground utilities, street surface and circulation, open space and park landscape and hardscape improvements, which create a network of bicycle and pedestrian paths that extend the Bay Trail and create public transit to help mitigate traffic impacts. The Development Plan provides effective redevelopment and reuse of Site A, which has been substantially vacant since the departure of the United States Navy (Navy) from the site in 1996. The Development Plan, as amended, achieves City policy goals and objectives to create a mixed use, transit oriented development supported by new infrastructure, streets, parks and public open spaces.
2. **The proposed use is consistent with the General Plan.** The Development Plan Amendment supports General Plan policies for the development of Alameda Point and helps balance jobs and housing through the provision of rental, for sale, and affordable housing options, retail, commercial, office, hotel development, R&D, and live/work opportunities that help create an economically balanced mixed-use project. The Development Plan, as amended, also provides for new public parks and open spaces, including the core of the Town Center to be used for public gatherings and events and the creation of passive and active outdoor recreational opportunities. It includes a mix of uses including affordable housing, mixed use residential with ground floor retail, public waterfront parks, and job generating businesses to replace the jobs lost with the departure of the Navy. The Development Plan, as amended, also supports the General Plan policy objectives to replace deteriorating infrastructure and streets with transit oriented complete streets and public transportation facilities and services.
3. **The proposed use, 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.** The proposed mix of uses and physical improvements described in the Development Plan and the Amendment will support a transit oriented mixed use community that is designed to minimize transportation impacts on the Alameda community, eliminate existing blighted conditions and buildings on the site, and replace substandard storm water, potable water, fire water, wastewater, and other essential utility and other facilities that do not meet current State or local codes, are not able to be owned and maintained by the local utility companies in their current form, and contribute to ongoing pollution in the San Francisco Bay. The Development Plan, as amended, is designed to be compatible with adjacent future uses by providing attractive improvements and pedestrian and bicycle amenities and with transit services

contemplated in the approved Alameda Point Transportation Demand Management Plan (TDM Plan). The Development Plan, as amended, is also subject to the environmental protections and mitigations imposed by the FEIR, federal biological requirements stemming out of the U.S. Fish and Wildlife Service Biological Opinion, and coordination with the historic preservation requirements stemming out of the NAS Alameda Historic District designation.

4. **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.** The Development Plan and the Amendment are designed to provide compatible residential land uses with the adjacent existing Bayport residential neighborhood; compatible mixed-use development adjacent to the mix of commercial uses within the NAS Alameda Historic District; open spaces, transit infrastructure and parks to support the Alameda Point Collaborative and future residents within the adjacent Main Street neighborhood to the north and the surrounding Alameda community; and essential infrastructure, ferry terminal improvements, and commercial services to support the existing and future businesses and employers within the Enterprise Sub-district to the south of the site.
5. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The Development Plan and the Amendment maintain and provide for a comprehensive network of complete streets to support a transit oriented mixed use district and planned transit connections between downtown Oakland and BART, and a future ferry terminal at the foot of Pacific Avenue immediately to the south of the project site and the existing ferry terminal at the northern edge of Alameda Point. The Development Plan, as amended, requires that property owners will provide dedicated financial support to expand transit services to users of the property and other transportation demand management services and programs consistent with the TDM Plan.

BE IT FURTHER RESOLVED that the Planning Board finds that the Alameda Point Project, including the Town Center Plan containing Site A, was adequately considered by FEIR, and that:

1. The Site A project is consistent with the General Plan, Zoning Ordinance, and Town Center Plan; and
2. The FEIR was certified by the City Council for the Alameda Point Project, including amendments to the General Plan and Zoning Ordinance, as well as the Town Center Plan; and
3. There are no environmental impacts peculiar to Site A that were not analyzed in the FEIR, or any such impact can be substantially mitigated by imposition of uniformly applied development policies or standards previously adopted by the City; and
4. There are no significant effects of the Site A project that were not analyzed as significant effects in the FEIR; and
5. There are no potentially significant off-site impacts of the proposed Site A project and there are no cumulative impacts to which the proposed Site A project makes a considerable contribution which were not discussed in the FEIR; and

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6. There are no previously identified significant impacts of the proposed Site A project which, as a result of substantial new information which was not known at the time the EIR was certified, have been determined to have a more severe adverse impact than discussed in the FEIR.

BE IT FURTHER RESOLVED, that pursuant to the streamlining provisions of Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183, no further environmental review of the Development Plan Amendment is required;

BE IT FURTHER RESOLVED that the Planning Board of the City of Alameda hereby approves Development Plan Amendment PLN17-0252 subject to the following conditions:

1. Building Permit Plans. All future design review applications, building permit applications, and improvement plan submittals shall be reviewed for consistency with the 2015 City Council approved Site A Development Plan, the 2015 City Council approved conditions of approval, and this 2017 Development Plan Amendment and the following conditions of approval. In the event of a conflict between the 2015 approvals and these conditions, these conditions shall govern.
2. Residential and Commercial Development Locations. Commercial Block 15 shown on Page 8 Illustrative Site Plan – All Phases of the 2015 Development Plan may be developed with residential units as shown in Exhibit 1, provided that the Site A Development Plan includes 600,000 square feet of commercial space. Prior to review of the Phase III Tentative Map or any Design Review application for Phase III whichever comes first, the Planning Board shall review and approve the final land uses and phasing for the remaining areas within the Site A Development Plan.
3. Illustrative Site Plan Phasing. The Illustrative Site Plan Phasing shown on Page 9 of the 2015 Site A Development Plan may be adjusted to reflect the Illustrative Site Plan Phasing shown in Exhibit 2.
4. Street/Surface Improvements Phasing. The Street/Surface Improvements Phasing shown on Page 10 of the 2015 Site A Development Plan may be adjusted to reflect the Street/Surface Improvements Phasing shown in Exhibit 3.
5. Land Use Diagram. The Land Use Diagram shown on Page 11 of the 2015 Site A Development Plan may be adjusted to reflect the Land Use Diagram shown in Exhibit 4.
6. Moderate Income Affordable Housing. The Affordable Housing Plan shown on Page 15 of the 2015 Site A Development Plan shall be amended to include the following statement: *“* All 72 moderate-income affordable housing units may be constructed on Block 15.”*
7. Streets. The proposed street network shown on Page 22, 23, 24, and 30 of the 2015 Development Plan may include an extension of “A Street” through Block 15 from “G Street” to West Tower Avenue provided that the street section is consistent with the section approved by the Planning Board for A Street in 2016 as part of the Design Review for Blocks 6 and 7.

8. Public Parking. The Public Parking Plan shown on Page 31 may be modified for consistency with Exhibit 1 "2017 Illustrative Land Use Plan", provided that a total of 56 public parking stalls are maintained on Blocks 1 and/or 3.
9. 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 Alameda City Council relating 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.

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.

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 Community Development Department a written notice of appeal stating the basis of appeal and paying the required fees.

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 22nd day of May, 2017, by the following vote to wit:

AYES:	(5)	Köster, Curtis, Knox White, Mitchell, and Zuppan
NOES:	(0)	
ABSENT:	(1)	Sullivan
ABSTENTION:	(1)	Burton

ATTEST: 

 Andrew Thomas, Secretary
 City of Alameda Planning Board

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CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-17-09

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA AMENDING
A DEVELOPMENT PLAN FOR ELEVEN LOTS AT 2001 VERSAILLES AVENUE

WHEREAS, an application was made on February 13, 2017, by Clifford Mapes, requesting development plan approval to develop 11 lots on a 1.29-acre property located at 2001 Versailles Avenue at the corner of Fernside Boulevard and Versailles Avenue; and

WHEREAS, the Planning Board held a public hearing on this application on March 13, 2017 and approved a Development Plan to establish development guidelines; and

WHEREAS, an application was made on April 5, 2017, by Clifford Mapes, requesting a Design Review approval for Lots 1 and 2, which was not in compliance with the previously approved Development Plan; and

WHEREAS, a request to amend the Development Plan was made on May 30, 2017, by Clifford Mapes, to alter the development standards of the Development Plan; and

WHEREAS, the project site is designated as Medium Density Residential on the General Plan Diagram; and

WHEREAS, the project site is located within the R-2-PD (Two-Family Residential-Planned Development) zoning district; and

WHEREAS, Planning Board held a public hearing on this application on June 26, 2017.

BE IT RESOLVED that the Planning Board has made the following findings concerning the project:

1. **The development is a more effective use of the site than is possible under the regulations for which the PD district is combined.** The proposed setbacks, yard areas, lot coverages and building types proposed in the Development Plan are consistent with the character of the surrounding neighborhood.
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.** The residential use and single family and duplex homes are architecturally and operationally compatible with the neighboring homes in the area.

3. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The Development Plan provides adequate parking for the residents of the property and is located immediately adjacent to a major transit route to Oakland and BART.
4. **The proposed use, 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.**
5. **The proposed use relates favorably to the General Plan.** The development is consistent with the Medium Density Residential General Plan and R-2/PD Zoning designations for the property. The project would permit 14 dwelling units on 11 lots, which range in size from 4,050 to 9,462 square feet. This is consistent with development standards for the R-2 zoning district and the Medium Density Residential designation of the General Plan.

BE IT FURTHER RESOLVED THAT, the project is Categorically Exempt from environmental review pursuant to CEQA Guidelines Section 15332, Infill Development Projects.

BE IT FURTHER RESOLVED THAT the Planning Board of the City of Alameda hereby approves amending Development Plan PLN17-0075 at 2001 Versailles Avenue at the corner of Fernside Boulevard and Versailles Avenue subject to compliance with the following conditions:

1. Building Permits: All construction work and activities on the property shall be subject to review and approval of building permits by the City of Alameda.
2. Tentative Map Conditions: All building permits shall be reviewed for compliance with 2012 Planning Board Resolution PB-12-13 approving the Tentative Map for the property.
3. Planning Board Special Conditions:
 - a. The plans submitted for building permit and construction for all lots shall be in substantial compliance with the Development Plan prepared by Skyler Mapes, received on May 30, 2017 and on file in the office of the City of Alameda Community Development Department, except as modified by the conditions listed in this resolution.
 - b. Required Front Yards:
 - i. Lots 1 through 8 – Twelve (12) feet to covered porch, Seventeen (17) to face of building.
 - ii. Lot 9 – To be determined through Design Review

- iii. Lot 10 – To be determined through Design Review
 - iv. Lot 11 – Twenty (20) feet
- c. Lots 1, 2, and 3 setbacks shall be adjusted to provide a five (5) foot interior side yard setback.
 - d. Lots 1 and 2 shall be developed with two (2) car tandem garages with a maximum driveway width of 10 feet.
 - e. Lots 5 and 6 shall have a maximum driveway width of ten feet onto Versailles Avenue serving a one car garage.
 - f. The setbacks for Lots 9 and 10 shall be established with Design Review approval and only after the design of the Tilden Fence is finalized.
 - g. The first Design Review application shall include a decorative fencing plan, construction schedule, and maintenance plan for the side lot lines along Tilden Avenue for Lots 8, 9, and 10. The final design of the decorative fencing shall be approved by the Planning Board.
 - h. The first Design Review application shall include a review by the Planning Board of the recorded maintenance agreement and plan for the private drive.
 - i. The Design Review for Lot 6 shall provide addition of landscaping on the Private Drive to create a 20 foot wide clear right of way, to the satisfaction of the Community Development Director.
4. Design Review: Prior to issuance of any Building Permit for construction of any residential structure on the property, the applicant shall submit an application for Design Review for that building for review and approval by the City of Alameda. Design review applications may be submitted and reviewed for single lots or for groups of lots.
 5. Visitability: Each Design Review application for each unit shall ensure and depict an accessible exterior access to an accessible primary entry and an accessible interior access from the primary entry to an accessible powder room, an accessible common room, bedroom, or sitting area, and common or private open space.
 6. Universal Design: The first Design Review application shall identify which four (4) units (30% of the 14 units) on the site that will be designed with an accessible exterior access to an accessible primary entry; with an accessible interior access from the primary entry to an accessible bathroom, an accessible common room, an accessible bedroom, and a common or private open space; and Adaptable Internal Stairs; and an Accessible Interior Access from the primary entry to an Accessible Kitchen and an Accessible Laundry Facility.
 7. 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, or City Council relating 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.

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 and Building Department a written notice of appeal stating the basis of appeal and paying the required fees.

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 26th day of June, 2017, by the following vote to wit:

AYES: (7) Köster, Burton, Curtis, Knox White, Mitchell, Sullivan and Zuppan

NOES: (0)

ABSENT: (0)

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

* * * * *

**CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-17-10**

A RESOLUTION OF THE PLANNING BOARD RECOMMENDING THAT THE CITY COUNCIL AMEND THE ALAMEDA MUNICIPAL CODE TO INCLUDE A UNIVERSAL DESIGN ORDINANCE

WHEREAS, on June 26, 2017, the Planning Board held a duly noticed public hearing to review the proposed amendments to the Alameda Municipal Code (AMC).

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that:

1. The amendment maintains the integrity of the General Plan.

The proposed zoning text amendment is necessary to implement the City of Alameda General Plan Housing Element policies that require that the City “Provide housing that meets the City’s diverse housing needs, specifically including affordable housing, special needs housing, and senior housing.”; and “Encourage and support residential opportunities for senior citizens, including senior housing projects, multifamily housing projects with accessible and small housing units, assisted living projects, and in-law projects”, and “Consider amendments to the Zoning Ordinance to require universal design elements in all new housing projects of five or more units.

2. The amendment will support the general welfare of the community.

The proposed zoning amendment supports the general welfare and housing needs of people within the community with mobility issues. Whether due to disability or age, individuals with mobility difficulties or other functional limitations or access needs often require special accommodations to their homes to allow for continued independent living. Research shows that over the lifespan of a new, typical housing unit, that 25-60% of those units will house a disabled person. Additionally, 53-91% will have a disabled visitor over the course of the unit’s lifetime.¹ Those numbers do not include people with temporary disabilities, such as a broken leg or healing from surgery, which would greatly increase the numbers.

Approximately nineteen percent (19%) of the population of the United States had a disability in 2010, according to a broad definition of disability, with more than half of respondents reporting the disability was severe.² Approximately 12.6 percent of Americans aged 15 years and older have limitations associated with ambulatory activities of the lower body including difficulty walking, climbing stairs, or using a wheelchair, cane, crutches, or walker. Approximately 22.3 million Americans (9.2 percent) had difficulty climbing a flight of stairs, including 7.7 million who were unable to perform this activity. Among individuals aged 65 and older, about 15.2

¹ Smith et. al, 2008. <http://www.tandfonline.com/doi/pdf/10.1080/01944360802197132>. p. 300. Journal of the American Planning Association, Summer 2008, Vol. 74, No. 3.

² U.S. Census Bureau July 2012 report *Americans with Disabilities: 2010*.

million people (39.4 percent) had difficulty with ambulatory activities, of which 11.2 million had severe difficulty;³ About 3.6 million Americans (1.5 percent) used a wheelchair and 11.6 million (4.8 percent) used a cane, crutches, or walker to assist with mobility. Among those aged 65 and older, roughly 2 million people used a wheelchair and 7million used a cane, crutches, or walker;⁴ People 80 and older are about eight times more likely to have a disability as those in the youngest group — younger than 15 (71 percent compared with 8 percent). The probability of having a severe disability is one in four (25%) for those 65 to 69. Roughly 30.6 million had difficulty walking or climbing stairs, or used a wheelchair, cane, crutches or walker.⁵

Seventeen percent (17%) of Alameda's present population are seniors, and 11.4 percent are persons with disabilities. These numbers are higher than the national averages for either population.⁶ Sixteen percent of respondents to the City of Alameda's Social Service and Human Relations Board's 2012 Community Needs Assessment identified themselves or a family member as a person with a disability, and thirty-two (32) percent of respondents believe that services for people with disabilities are the highest need.⁷ Furthermore, the number of respondents to this survey represents a statistically significant percentage of the City's total population.

The population of seniors is growing locally as well as nationally, and is expected to double within Alameda County between 1990 and 2020. Persons over sixty five (65) comprise eleven (11) percent of the County's population and represent its fastest growing segment.⁸

According to a 2000 AARP survey, more than ninety (90) percent of persons age sixty-five (65) and older would prefer to stay in their current residence as long as possible. One key method to promote continuing independence in the home is to build and incorporate a number of architecturally friendly design features into new homes as they are built.

Research consistently shows that mandatory requirements are most likely to have an impact and the desired outcome. For example, as of 2008, there were an estimated 33 mandatory and 24 voluntary programs that have been established in the US. To date, 30,000 visitable homes have been built with mandatory programs vs. less than 1,300 visitable homes with voluntary programs.⁹

³ U.S. Census Bureau July 2012 report *Americans with Disabilities: 2010*.

⁴ U.S. Census Bureau July 2012 report *Americans with Disabilities: 2010*.

⁵ U.S. Census Bureau July 2012 report *Americans with Disabilities: 2010*.

⁶ Jess Anderson, "Homes for seniors, disabled made safer through city program," *The Alamedan*, 3/5/2013. <http://thealamedan.org/news/homes-seniors-disabled-made-safer-through-city-program>.

⁷ Report from Special Joint Meeting of the City Council and Social Service Human Relations Board, Agenda Item 1.A., 10/2/2012, p. 27.

⁸ Report & Presentation from County Supervisor Wilma Chan and Office of the County Administrator, Alameda County Human Impacts Budget Report Hearing, Alameda Boys & Girls Club, 3/21/2012. Note that the city's senior population exceeds the county's average as well.

⁹ Smith et. al, 2008. <http://www.tandfonline.com/doi/pdf/10.1080/01944360802197132>. p. 300. Journal of the American Planning Association, Summer 2008, Vol. 74, No. 3.

Pursuant to Health and Safety Code Section 17959, the City Council of the City of Alameda hereby finds that the provisions of this ordinance are in accord with the State's model universal design local ordinance adopted by the California Department of Housing and Community Development.

3. The amendments are equitable.

The proposed zoning amendment will enhance the full life cycle use of housing, without regard to the functional limitations or disabilities of a home's occupants or guests, in order to accommodate a wide range of individual preferences and abilities, in all new residential development projects within the City of Alameda. The amendment facilitates the development of residential dwelling units that are usable and safe for occupancy by persons with disabilities and that support aging in place. The amendment enhances residents' ability to remain in their homes during periods of temporary, developing, or permanent disabilities or frailties and accommodates a wide range of individual preferences and functional abilities while not significantly impacting housing costs and affordability.

4. California Environmental Quality Act. The proposed amendment is categorically exempt under California Environmental Quality Act Section 15305 – Minor Amendments to Land Use Limitations.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Board Issues recommends that City Council amend AMC Section 30 to include new Section 30-18 Universal Design Ordinance.

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 26th day of June, 2017, by the following vote to wit:

AYES: (7) Köster, Burton, Curtis, Knox White, Mitchell, Sullivan and Zuppan

NOES: (0)

ABSENT: (0)

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

* * * * *

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-17-11

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF ALAMEDA CERTIFY THE FOCUSED SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT, ADOPT A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE ENCINAL TERMINALS PROJECT, AND APPROVE THE GENERAL PLAN AMENDMENT, MASTER PLAN, DENSITY BONUS APPLICATION, AND DEVELOPMENT AGREEMENT FOR REDEVELOPMENT OF THE ENCINAL TERMINALS SITE LOCATED AT 1521 BUENA VISTA AVENUE

WHEREAS, the General Plan designation of the site is Mixed Use; and

WHEREAS, the property is located within the Mixed Use/Planned Development Zoning District and Multi-Family Overlay District; and

WHEREAS, North Waterfront Cove LLC made an application on February 29, 2016; and

WHEREAS, on April 27, 2016, the City of Alameda released a Notice of Preparation (NOP), stating that the City had determined that a Focused Supplemental Environmental Impact Report (FSEIR) would be required to supplement the analysis completed in 2008 in the Northern Waterfront EIR; and

WHEREAS, a draft FSEIR was prepared for the project pursuant to California Environmental Quality Act (CEQA); and

WHEREAS, on February 8, 2017, the City of Alameda released the draft FSEIR evaluating the environmental impacts of the proposed Master Plan on the environment for public review and comment; and

WHEREAS, on March 27, 2017, the Planning Board held a public hearing to take public comment on the draft FSEIR and the proposed Master Plan; and

WHEREAS, the final SFEIR was published in June 15, 2017; and

WHEREAS, the SFEIR has been presented to and independently reviewed and considered by the Planning Board; and

WHEREAS, the proposed Master Plan was independently reviewed and considered by the Planning Board at public workshops on March 10, 2016, April 19, 2016, June 22, 2016, November 10, 2016, January 9, 2017, and June 6, 2017; and

WHEREAS, the Planning Board held a public hearing and examined all pertinent materials on July 17, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board finds that the SFEIR has been prepared for the project in compliance with CEQA, Public Resources Code section 21000 *et seq.*, the State CEQA Guidelines, California Code of Regulations, title 14, section 15000 *et seq.*, and all applicable state and local guidelines, and reflects

the independent judgment of the City.

NOW, THEREFORE BE IT FURTHER RESOLVED that the Planning Board makes the following findings relative to proposed General Plan Amendment and draft Master Plan, Density Bonus application, and draft Development Agreement ("the proposal"):

- A. **The proposal and the proposed General Plan Amendment relates favorably to the General Plan.** As documented in the July 17, 2017, 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, increases housing opportunities for a variety of household types; improves transportation infrastructure by extending Clement Avenue, and increasing transit services in the area; and increasing public access to and public waterfront parks in the area for all Alameda residents. The proposed amendment to two policies in the General Plan are necessary to achieve other General Plan objectives and these two amendments do not undermine the integrity of the General Plan because they only apply to the height of buildings on this particular site in the City of Alameda.
- B. **The proposal is an effective use of the site.** The proposed Master Plan as amended by the conditions of approval implements the City of Alameda General Plan and the MX Mixed Use and MF Multifamily Zoning District requirements for the site. The proposal provides for seven acres of public waterfront parks, promenades, and plaza adjacent to the Oakland Estuary where no public access exists currently. Further, the plan allows for the conversion of the site, which was previously used for shipping container storage, to allow for a transit oriented 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.
- C. **The proposed use, 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.** The proposal implements the General Plan and provide 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 facilitating 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 seven (7) acres of new public waterfront open space for the neighborhood, including a waterfront promenade and Bay Trail along the perimeter of the property.
- D. **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.** 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, the recently completed residential developments on adjacent sites 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.

- E. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The proposal is designed to ensure that the development of the property is compatible with existing and potential contiguous uses. The street network, location of entry roads, orientation of residential uses along Clement Avenue and within the site, and the location of bicycle facilities, pedestrian facilities, and transit 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.
- F. **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 for a total project size of 589 residential units. The existing zoning designation for the property allows up to 491 multifamily residential units. The applicant is proposing 79 affordable units, including 25 housing units affordable to very-low income households (5%), 20 housing units affordable to low-income households (4%) and 34 units affordable to moderate-income households (7%). The applicant is proposing to provide 5% of the units to very low-income households, which qualifies the project for a 20% density bonus for a total project size of 589 units.
- G. **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 waivers from General Plan 60 foot height limit that applies only to this site and the Alameda Municipal Code Section 30-17 35 foot height limit to accommodate the bonus units. The requested height limit waiver to the 35 foot height limit is necessary to accommodate the required bonus units, would not have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of section 65589.5, upon health, safety, or physical environment, nor would the waiver be contrary to state or federal law.

NOW, THEREFORE BE IT FURTHER RESOLVED that the Planning Board recommends that the City Council adopt the SFEIR and Mitigation Monitoring and Reporting Program for the Project, attached hereto as Exhibit 4 to the July 17, 2017 staff report.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board recommends that the Alameda City Council approve the General Plan amendment to revise the following two site specific policies as follows:

~~To ensure design compatibility with adjacent developments and neighborhoods; limit new building heights to 60 feet.~~

~~Given that Encinal Terminals is surrounded by water on three sides, taller buildings should be located at the southern end center of the site.~~

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board recommends that the Alameda City Council approve the draft Master Plan, Density Bonus Application and draft Development Agreement; subject to the following conditions:

1. The applicant/developer shall produce a 6-month construction work plans flyer/newsletter for neighborhood information that will inform the neighborhood about upcoming construction activities for both the Encinal Terminals and Del Monte sites.
2. The Process Chapter of the Master Plan shall be amended to require that the Design Review application for the open space plan shall include:
 - i. Plans for the marina and land side marina facilities such as staging areas for boat trailers, bathrooms, and other marina facilities
 - ii. Plans for the water shuttle landing and the landside facilities for automobile access and passenger drop off for the public water shuttle.
 - iii. Detailed landscape plans for all public lands.
3. The Process Chapter of the Master Plan shall be amended to require that the Design Review applications for private developments shall include:
 - i. Detailed parking plans for each building.
 - ii. No more than 50% of the spaces striped for compact spaces.
 - iii. A variety of units sizes ranging from small studios and one bedrooms to two and three bedroom units.
 - iv. Detailed landscape plans.
4. Table 3.3 on page 40 and Figure 3.7 on page 41 shall be revised to clarify that:
 - i. District Unit Count. The unit count for Sub-area F shall be between 80-170 units.
 - ii. Building heights facing Clement Avenue shall be limited to 44 feet and may increase consistent with Figure 3.8 up to 55 feet. At a point 50 feet back from the face of the building on Clement, the building may increase to 72 feet on that portion of the building facing the Central Boulevard and may be increased to a total height of 90 feet consistent with Figure 3.8. All portions of the buildings facing the promenade and waterfront shall be limited to 40 feet in height for a distance of 50 feet back from the waterfront face of building.
 - iii. All portions of buildings facing the water shall be limited to 40 feet in height for a distance of 50 feet back from the waterfront face of the building. Beyond 50 feet back, the building form must step up to the maximum height of the building, which shall be no greater than the maximum height allowed by Table 3.2 and Figure 3.8.
 - iv. Delete all astrick (e.g. ***) footnotes and add following text.

- a. The Planning Board may approve a Design review application that exceeds the maximum 90 foot height limits established by Table 3.2 for Block F, if a finding can be made that the exceptional architectural design warrants an exception to the height limit and the additional height allows for an increase in the amount of commercial space in the plan.
 - b. The Planning Board may approve a smaller setback to the right of way if a finding can be made that the reduced setback is not detrimental to the quality of the adjacent public open space.
 - c. The Planning Board may approve a building specific parking ratio that exceeds the maximum parking ratio of 1.5 spaces per unit in a multifamily building, if it can be found that parking in the adjacent neighborhood public streets exceeds a 95% capacity as the result of existing Encinal Terminals multifamily residents who are parking on public streets.
- b. The TDM Section shall be amended to include the following sentence: "The developer shall work with the Alameda Transportation Management Agency to ensure that additional Easy Passes are made available at cost on demand to each household in the project that wishes to purchase additional passes.
 - c. The Universal Design section shall be amended to reflect the Planning Board's June 26, 2017 recommended citywide universal design standards.
5. The applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, its Redevelopment Agency, 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, City Council relating 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.

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 17th day of July, 2017, by the following vote to wit:

AYES: (4) Köster, Knox White, Mitchell, and Zuppan
 NOES: (2) Curtis, and Sullivan
 ABSENT: (0)
 ABSTENTION: (1) Burton

ATTEST:


 Andrew Thomas, Secretary
 City of Alameda Planning Board

* * * * *

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-17-12

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING MODIFICATION TO PLANNING BOARD RESOLUTION OF APPROVAL **PB-16-10** FOR DESIGN REVIEW, DENSITY BONUS, DENSITY BONUS WAIVER AND PARKING EXCEPTION APPLICATION PLN15-0536

WHEREAS, Dannan Development has submitted an application for modification of Resolution of Approval PB-19-10 for Design Review, Density Bonus, Density Bonus Waiver, and Parking Exception for the site at 1435 Webster Street; and

WHEREAS, the Planning Board held a noticed public hearing and examined all pertinent materials on September 11, 2017; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that the project is exempt from further environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15305 Minor Alterations to Land Use Limitations.

NOW, THEREFORE BE IT FURTHER RESOLVED, the Planning Board approves revision of Condition #6 in Resolution **PB-16-10** to read as follows:

6. Universal Design:

Universal Design: All nine residential units shall include the following visitability features:

- i. An Accessible Exterior Access to an Accessible Entry;*
- ii. An Accessible Interior Access from the Accessible Entry to an Accessible Powder Room or Bathroom and an Accessible Common Use Room or Accessible Bedroom;*
- iii. Adaptable Internal Stairs; and*
- iv. Blocking within the walls to support future installation of grab bar/hand rails in all bathrooms.*

Three of the nine units will include the following universal design features in addition to the four features above: an Accessible Interior Access from the Accessible Entry to an Accessible Bathroom, an Accessible Common Use Room, an Accessible Bedroom, Accessible Kitchen; and accessible Laundry Facility.

All required Accessible features shall be constructed consistent with CBC Chapter 11A and/or the Planning Board's June 2017 recommended universal design ordinance.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Planning Board approves the design revisions shown in Exhibit 2 to the September 11, 2017 Planning Board staff report.

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.

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.

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 11th day of September, 2017, by the following vote to wit:

AYES: (7) Köster, Burton, Curtis, Knox White, Mitchell, Sullivan
and Zuppan
NOES: (0)
ABSENT: (0)

ATTEST:


Andrew Thomas, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-17-13

APPROVING DESIGN REVIEW APPLICATION NO. PL17-0094 AT 900 MOUND STREET (KRUSI PARK) TO DEMOLITION AN EXISTING 1,125 SQUARE FOOT RECREATION BUILDING AND BUILDING A NEW 2,376 SQUARE FOOT RECREATION BUILDING.

WHEREAS, an application was made on February 22, 2017, by the Alameda Recreation and Parks Department (ARPD) for a Design Review and Use Permit to demolish an existing 1,125 square foot recreation building and build a new 2,376 square foot recreation building; and

WHEREAS, the proposal was accepted as complete on February 27, 2017; and

WHEREAS, the subject property is designated as Parks and Public Open Space on the General Plan Diagram; and

WHEREAS, the subject property is located in an O, Open Space Zoning District; and

WHEREAS, the O, Open Space Zoning District requires a use permit for the construction of buildings within a public park; and

WHEREAS, the Planning Board held a public hearing on May 8, 2017 on the Design Review and Use Permit application, at which time all materials submitted and all comments made by all parties, including staff, regarding this application were considered; and

WHEREAS, on May 8, 2017 the Planning Board approved the Use Permit application and required subsequent Design Review approval for the final design for the proposed building; and

WHEREAS, the Planning Board held a public hearing on September 11, 2017 on the Design Review application, at which time all materials submitted and all comments made by all parties, including staff, regarding this application were considered; and

NOW, THEREFORE BE IT RESOLVED, on September 11, 2017, the Planning Board made the following findings concerning the project:

DESIGN REVIEW FINDINGS:

1. The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual.

The proposed structure is located within an existing public park and will promote recreational uses within the Open Space Zoning District. The proposed design is consistent with the Design Review Manual, and the building's exterior appearance is consistent with typical recreation buildings in public parks.

- 2. The proposed design is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses.**

Based on review of project plans and visits to the site, this project has been deemed compatible and harmonious with the design and use of surrounding properties. The multi-purpose building is appropriate in this park setting and compatible with the immediate surrounding. The project massing and scale is consistent the character of the park and the surrounding residential neighborhood. The majority of the footprint for the expansion will occur over existing hardscape, and there will be minimal disruption to Krusi Park's existing green spaces. The building is situated approximately 200 feet from the nearest adjacent residential neighbor.

- 3. The proposed design of the structure(s) and exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development.**

The exterior building materials include a combination of cement plaster ('stucco') walls with painted vertical and horizontal reveals, accent panels of horizontal lapped fiber cement composite siding ('synthetic wood siding'), metal framed windows and doors, and a 2:12 single slope built-up roof with substantial roof overhangs to the east and west. The design and finish materials will blend well into the existing park setting and the adjacent neighborhood.

BE IT FURTHER RESOLVED, the Planning Board finds this project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303(c), which allows for the construction of structures that do not exceed 2,500 square feet of floor area and do not involve the use of significant amounts of hazardous substances. The proposed building will be 2,376 square feet and does not involve the use of hazardous substances.

BE IT FURTHER RESOLVED, that the Planning Board of the City of Alameda hereby approves Design Review No. PLN17-0094 subject to the following conditions:

1. Compliance with Plans: Any modification on this site shall be in substantial compliance with the Use Permit and Design Review application submittal dated received on July 13, 2017, by Byrens Kim Design Works, on file in the City of Alameda Community Development Department, except as modified by the conditions listed in this report.
2. Changes to Approved Plans: This approval is limited to the scope of the project defined in the project description and does not represent a recognition and/or approval of any work completed without required City permits. Any changes to the approved scope of the project shall be submitted to the Community Development Department for review and approval.

3. Exterior Lighting: New exterior lighting fixtures shall be low intensity, directed downward and shielded to minimize offsite glare.
4. Lap Siding: Final plans submitted for Building Permits shall note that all proposed Fiber Cement Lap Siding shall have a smooth finish.
5. Solid Waste: The applicant will comply with Alameda County's Mandatory Recycling Ordinance by procuring adequate recycling and composting capacity from Alameda's franchised waste hauler, Alameda County Industries (ACI).
6. Public Art: Prior to issuance of building permits for the project, the applicant shall satisfy applicable requirements to provide public art as required by AMC Section 30-65.
7. Vesting: This Design Review approval shall expire two (2) years after the date of approval or by September 11, 2019 unless authorized construction or use of the property has commenced. The applicant may apply for a time extension, not to exceed two (2) years. An extension request will be subject to approval by the Planning Director and must be filed prior to the date of expiration.
8. Indemnification: 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

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.

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.

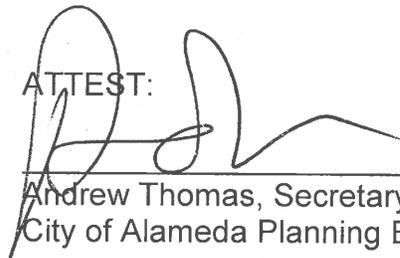
I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 11th day of September, 2017, by the following vote to wit:

AYES: (7) Mitchell, Burton, Curtis, Knox White, Köster, Sullivan and Zuppan

NOES: (0)

ABSENT: (0)

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-17-14

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING A DEVELOPMENT PLAN APPLICATION TO CONSTRUCT BETWEEN 60 AND 80 NEW AFFORDABLE, MULTIPLE FAMILY, RENTAL RESIDENTIAL UNITS, INTERNAL DRIVE AISLE, PARKING AND LANDSCAPING ON A 1.95 ACRE SITE WITHIN THE R-5 ZONING DISTRICT LOCATED AT 727 BUENA VISTA AVENUE.

WHEREAS, an application was made on March 1, 2017 by the City of Alameda Housing Authority for a Development Plan to construct 60 new and retain six existing affordable, multiple family, rental residential units, internal drive aisle, parking and landscaping on a 1.95 acre site within the R-5 Zoning District located at 727 Buena Vista Avenue and commonly known as Rosefield Village.

WHEREAS, the subject property is designated *Medium Density Residential* on the General Plan Diagram; and

WHEREAS, the subject property is located in the R-5 (General Residential) Zoning District; and

WHEREAS, the proposed project is consistent with the General Plan; and

WHEREAS, the Planning Board held a public hearing and examined all pertinent materials on September 11, 2017, and

WHEREAS, pursuant to AMC Section 30- 4.20(g)), the Board has made the following findings relative to proposed Development Plan Application (PLN17-0115):

- A. **The development is an effective use of the site.** The Development Plan provides for a residential subdivision, drive aisle, landscaping, parking and bicycle facilities designed to provide a neighborhood that is pedestrian, bicycle and transit-friendly. The Development Plan utilizes landscaping, building placement and orientation to create an effective and successful residential neighborhood that can be marketed and developed expeditiously, that can create a compatible interface with the adjacent properties and uses, and provide strategies for the conservation of natural resources, renewable energy and sustainable design.
- B. **The proposed use relates favorably to the General Plan.** The proposed development supports General Plan policies for the redevelopment and reuse of the Housing Authority owned land, General Plan policies to increase affordable housing opportunities in Alameda in transit oriented locations, and General Plan policies to optimize use of public streets, bicycle lanes, transit

lanes and pedestrian access through the area. This project also facilitates development of affordable housing as called for in the city's Housing Element.

- C. **The proposed use, 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.** The Development Plan is designed to be compatible with the adjacent retail, residential and institutional uses by providing ample setbacks and landscaped areas between uses and facilities, attractive public improvements, and ample pedestrian, transit, and bicycle facilities. Conditions of approval require a future design review approval to ensure that architectural and landscape details support a compatible project with other properties in the vicinity.
- D. **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.** The project site plan is designed to conform to City standards and requirements adopted to ensure that the project would be compatible with adjacent uses. The Development Plan will provide for adequate landscaping including native plants as required by the City's Bay Friendly landscape Guidelines. Conditions of approval require a future design review approval to ensure that architectural and landscape details support compatibility with the other land uses.
- E. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The Development Plan is designed in a manner compatible with existing and potential contiguous uses. The street network, location of driveways, orientation of residential frontage to Buena Vista Avenue, and the location of bicycle facilities, pedestrian facilities, and transit 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.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board finds that the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to California Public Resources Code sections 21159.21, 21159.23 (Exemption for affordable housing) and 21159.24 (Exemption for infill affordable housing), as well as CEQA Guideline section 15332 (Infill development projects). Furthermore, the project does not trigger any of the exceptions in CEQA Guidelines section 15300.2 in that the project will not have any significant effects due to unusual circumstances or any cumulatively significant impacts and will not adversely impact any designated historic resources.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board hereby approves the Development Plan Application PLN17-0115, subject to the following conditions:

General Conditions:

1. Design Review: Prior to the issuance of a building permit for any building or site improvement, the applicant shall submit a Design Review application for all vertical improvements, landscaping and lighting for review and approval by the Planning Board. The Design Review plans shall include:
 - a. Plans in substantial compliance with Exhibit 1: Rosefield Village Development Plan prepared by the Dahlin Group and dated August 24, 2017, consisting of 5 sheets, which are on file in the office of the City of Alameda Planning Division, subject to the conditions specified in this resolution approving the project.
 - b. Design Review Plans may provide for between 60 and 80 new residential units.
 - c. Landscape plans that show the siting, size, location and design of above ground facilities such as utility cabinets and screening and mail collection boxes in accordance with Resolution No. 13472.
 - d. Universal design features to ensure all units on all floors shall be accessible and adaptable per the California Building Code (CBC Section 11A).
2. Transportation Demand Management Measures: To reduce vehicle trips generated by the project, all residents of the project shall be provided with AC Transit Easy Passes and access to an on-site resident bike-share program on-site.

PUBLIC WORKS CONDITIONS

General Information

3. The applicant/developer shall comply with all applicable policies, standards and plans of the Alameda Municipal Code, the Public Works Department and the Transportation Plans.
4. To guarantee completion of the required on-site and off-site improvements, the applicant/developer shall enter into an agreement with the City and provide a security in a form and amount acceptable to the City prior to approval of the improvements plans.
5. The applicant/developer shall submit construction improvement plans for all on- and off-site improvements, including detailed designs for all wet and dry utilities, landscaping and irrigation, water, grading, drainage, erosion control,

paving and solid waste storage and recycling areas. The plans shall be prepared, signed and stamped as approved by a registered civil engineer licensed in the State of California, unless the Public Works Director authorizes them to be prepared by some other qualified professional, and be in accordance with the AMC, the City of Alameda Standard Plans and Specifications, Standard Subdivision Specifications and Design Criteria, and the Master Street Tree Plan. The plans shall be reviewed and approved by the Public Works Director prior to approval of the improvements plans.

6. The applicant/developer shall be responsible for inspection of the on-site construction work, including but not limited to parking lots, pathways, storm facilities, sewer facilities, etc., and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, that the installation of the on-site work (excluding the building and foundation) was constructed in accordance with the approved plans.
7. The landscape and irrigation plans for on-site and off-site improvements shall be prepared, and signed and stamped as approved, by a licensed landscape architect. The plans shall be in accordance with the most recent version of the "Bay-Friendly Landscape Guidelines" developed by StopWaste.Org and the Bay Friendly Coalition, the Master Street Tree Plan, the AMC, conditions of approval by the Planning Board, and other regional jurisdictions requirements, as applicable.
 - a. Projects required to meet the Bay-Friendly Landscape (BFL) requirements shall:
 - i. have plans prepared by a qualified BFL design professional;
 - ii. earn, at a minimum, a total of 60 points on the StopWaste.Org "Bay-Friendly Scorecard for Commercial & Civic Landscapes" (Scorecard), as determined by a qualified BFL Rater;
 - iii. complete the nine required practices identified on the Scorecard related to mulch, compost, diversion of construction and demolition waste, selection of planting materials, and the design and installation of irrigation systems, as determined by a qualified BFL Rater;
 - iv. acquire the services of an approved BFL Rater to assist the landscape project design and construction team with gaining BFL qualification, consistent with the BFL qualification requirements of the Bay Friendly Coalition
 - v. pay the required BFL application and final submittal fees via the BFL Rater to the Bay Friendly Coalition
 - vi. submit to the City written certification from the Bay Friendly Coalition that the design and construction of the landscaping and irrigation meets the most recent version of the "Bay-Friendly Landscape Guidelines" developed by StopWaste.Org and The Bay Friendly Coalition. This

certification is required prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first,

- b. In addition, the final landscape plans shall ensure that all landscaping and bioswales are compatible with the stormwater treatment measures designed to minimize irrigation and runoff; promote surface infiltration, where appropriate; and minimize the use of fertilizers and pesticides that can contribute to storm water pollution. Also, integrated pest management (IPM) principles and techniques shall be incorporated into the landscaping design and specifications. Where feasible, landscaping shall be designed and operated to treat storm water runoff by incorporating elements that collect, detain, and infiltrate runoff. Plant placement within the site landscape design shall not interfere with the design function of any of the stormwater treatment measures. For example, trees planted in or near a biotreatment swale shall not adversely interfere with the design flow capacity of the swale. The plans shall be reviewed and approved by the Public Works Director prior to approval of the improvements plans or the building permit, whichever comes first. If no building permit is required, the plans shall be approved by the Public Works Director prior to establishment of the use. The landscaped architect shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first, that the installation of landscaping and irrigation in the public right of way was constructed in accordance with the approved plans.
8. A sanitary sewage flow analysis identifying the total peak sanitary sewage flow quantities to be generated by the proposed development shall be prepared by a registered Civil Engineer licensed in the State of California and submitted as part of the construction improvement plans. The City will use the results of the study to assess the impact of the proposed development on the City's sanitary sewer system.
9. Driveways, including EVA/Garbage Truck access shall conform to City Standards for commercial driveways.
10. The applicant/developer shall submit a soils investigation and geotechnical report, prepared by a registered geotechnical engineer licensed in the State of California and acceptable to the Public Works Director. The report shall address the structural and environmental analysis of existing soils and groundwater. The improvement plans shall incorporate all design and construction criteria specified in the report. The geotechnical engineer shall sign and stamp the improvement plans as approved and as conforming to their recommendations prior to approval of the improvement plans. The

geotechnical engineer shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work that the work performed is adequate and complies with their recommendations. Additional soils information may be required during the plan check of individual house plans.

11. All required public frontage and street improvements shall be designed, built, and dedicated to the City in accordance with City ordinances and Public Works Department standards and shall include curbs, gutters, sidewalks, street trees, landscaping and irrigation, streetlights, etc.
12. Applicant/developer shall resurface the existing street pavement whenever a street is cut, either by a longitudinal or transverse cut, for utility or other improvement installations so the street is restored to pre-project conditions. The resurfacing shall extend a sufficient distance beyond any cut to ensure a smooth transition, as determined by the Public Works Director, and shall consist of a one and a half (1½) inch asphalt concrete overlay. Applicant/developer shall also provide digouts and reconstruction of any potholed and/or alligatored areas adjacent to the project.
13. Any retaining walls, which are adjacent to a property line, shall be masonry or concrete. Wood or metal retaining walls shall not be installed adjacent to property lines.
14. Installation of street paving shall include reconstruction of the existing pavement section to provide adequate conforms. The limits of such reconstruction shall be established by the Public Works Director prior to approval of the improvement plans, issuance of a building permit, or prior to establishment of the use, whichever comes first.
15. Exposed soil surfaces shall be periodically sprinkled to retard dust. During construction, the applicant/developer shall ensure that construction crews undertake a program of dust control including, but not limited to, watering soil surfaces as needed to prevent dust blowing, covering trucks carrying materials to and from the site, and frequent clean-up of soil carried by construction vehicle tires from the site onto streets. No City water shall be used for this purpose.
16. All project related grading, trenching, backfilling, and compaction shall be conducted in accordance with City of Alameda Standards and Specifications.
17. Hydroseeding of all disturbed areas shall be completed by October 1, if needed during the construction process. Applicant/developer shall provide sufficient maintenance and irrigation to ensure growth is established by November 1.

18. Construction activities are restricted to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturday, unless a permit is first secured from the City Manager or designee based upon a showing of significant financial hardship.
19. Construction equipment must have state of the art muffler systems as required by current law. Muffler systems shall be properly maintained.
20. Noisy stationary construction equipment, such as compressors, shall be placed away from developed areas off-site and/or provided with acoustical shielding.
21. Grading and construction equipment shall be shut down when not in use.
22. During non-working hours, open trenches shall be provided with appropriate signage, flashers, and barricades approved by the Public Works Director to warn oncoming motorists, bicyclists, and pedestrians of potential safety concerns.
23. Prior to trenching within existing street areas, the applicant's engineer shall ascertain the location of all underground utility systems and shall design any proposed subsurface utility extensions to avoid disrupting the services of such system.
24. New street trees shall maintain clearances from utilities shall be as follow: a) Fire hydrant – 6 feet; b) top of driveway wing – 5'; c) stop signs – 15'; d) street/pathway lights and utility poles – 25'; e) storm drain, sanitary mains, gas, water, telephone, electrical lines – 5'; f) front of electrical pad-mounted equipment – 10'. Verify minimum clearance distances of street trees/shrubs from electrical transformers with City of Alameda Municipal Power (AMP).
25. Approved backflow prevention devices shall be installed on all new and existing domestic, commercial, irrigation and fire water services and as required by the East Bay Municipal Utility District (EBMUD). These devices must be tested by an AWWA certified tester from a list of testers provided by EBMUD.
26. Costs for inspection by the Public Works construction inspectors during non-working hours shall be at time and one half. Work on Saturday's requiring inspection shall not be done unless approved in advance by the Public Works Director. No work allowed on Sundays. Any work done without inspection may be rejected at the contractor's expense.

Stormwater, Wastewater and Water

27. Project design team shall complete the City of Alameda's Storm water

Requirements Checklist to inform project conceptual Site Plan.

28. The Project Site Plan shall incorporate permanent storm water treatment controls and design techniques to manage the quantity and quality of storm water runoff from the planned development to prevent and minimize impacts to water quality. Efforts shall be taken to minimize impervious surface areas, especially directly connected impervious surface areas. Design techniques may include vegetated swales, vegetated buffer zones, bioretention units, retention/detention basins and ponds, tree well systems, and the incorporation of pervious surface areas and/or other Low Impact Development (LID) measures. Roof drains shall discharge and drain to unpaved areas. Stormwater design and treatment measures shall be constructed consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual. Applicants may also refer to the Bay Area Stormwater Management Agencies Association (BASMAA) Start at the Source Manual for technical guidance. Conceptual site plans will need to identify sufficient areas to provide for the implementation of the necessary LID measures.
29. Prepare and submit for City Public Works Department Engineering review and approval a preliminary stormwater quality management plan (Plan) to demonstrate and verify appropriate site stormwater treatment-LID design and sizing. This Plan shall include:
 - a. A copy of the completed, project-specific City of Alameda Stormwater Requirements Checklist
 - b. The determination and identification of drainage management areas (DMAs) for all impervious surface areas on the proposed project site and the establishment and identification of Provision C3-compliant stormwater quality design and treatment measures for each DMA.
 - c. A site plan map and inventory identifying the location and area values (in square feet) of each DMA and corresponding C3-compliant measure
 - d. A signed, preliminary C3-LID sizing certification form for all DMAs and C3 measures.
30. Landscaping plans shall be designed to minimize runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution. Consideration shall be given to pest-resistant landscaping and design features and the use of integrated pest management (IPM) principles and techniques. As appropriate, landscaping shall be designed and operated to treat stormwater runoff.
31. Prior to issuance of the grading or combination grading/building permit, and the approval of the Civil Improvement Plans, the applicant/developer shall provide the City's Public Works Department Engineering Division a copy of both the WDID# issued to the project site by the State Water Resources Control Board (SWRCB) and the required Storm Water Pollution Prevention

Plan (SWPPP). These documents shall provide verification to the City that the project site is in compliance with SWRCB Order No. 2009-0009-DWQ prior to the initiation of construction activity. Information on this State Order is available at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml

The SWPPP shall be reviewed and accepted for conformance with the City's water pollution prevention control standards.

32. Prior to issuance of the grading or combination grading/building permit, and the approval of the Civil Improvement Plans, the applicant/developer shall submit a finalized stormwater quality management plan and finalized, stamped, signed City of Alameda C3 certification form from a qualified independent civil engineer with stormwater treatment facility design experience, licensed in the State of California, and acceptable to Public Works Engineering that indicates the LID and treatment measure designs of the finalized improvement plans and stormwater quality management plan meet the established sizing design criteria for stormwater treatment measures. These will be at the 100% complete level.
33. Prior to issuance of the grading or combination grading/building permit, and the approval of the Civil Improvement Plans, the applicant/developer shall submit for review and approval by Public Works Engineering a Stormwater C3-LID Measures Operations and Maintenance (O&M) Plan that provides a thorough discussion of the inspection, operations and maintenance requirements of all of the stormwater treatment (including trash capture) and LID design measures at the site. This O&M Plan shall include all relevant information listed in the City of Alameda's C3-LID Measures O&M Plan Checklist.
34. The Civil Improvement Plans shall be consistent with the finalized stormwater quality management Plan submittal. Plan sheets shall include detail and cross-sectional drawings of the stormwater quality design and treatment measures, as relevant, consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual and Provisions C.3.c and C.3.d of the City's Municipal NPDES storm water permit.
35. The Civil Improvement Plans shall include the structural stormwater trash capture measure(s) being installed on the project site to ensure that the stormwater drainage from the project site is also subject to full trash capture consistent with City's municipal stormwater permit definition of a full trash capture device. A full trash capture system or device is any single device or series of devices that traps all particles retained by a 5mm mesh screen and has a design treatment capacity of not less than the peak flow rate Q resulting from a one-year, one-hour storm in the sub-drainage area. Plan

sheets shall include detail and cross-sectional drawings of all stormwater full trash capture device(s).

36. Finalized Landscaping plans for all landscape-based stormwater treatment measures shall be consistent with and provide the relevant design details of the civil engineering plan designs and functional intent of these treatment measures.
37. In compliance with the SWPPP, the applicant/developer shall be responsible for ensuring that all contractors and sub-contractors install and regularly maintain all control measure elements required in the project SWPPP during any and all construction activities in order to prevent any pollutants entering directly or indirectly the storm water system or waters of the State. The Improvement Plans shall list the City's erosion and sediment control standards and provide detail drawings and installation specifications for all SWPPP structural control measures. The applicant/developer shall pay for any required cleanup, testing, and City administrative costs resulting from consequence of construction materials entering the storm water system and/or waters of the State.
38. The Improvement Plans shall indicate that all new storm drain inlets shall be clearly marked with the words "No Dumping! Drains to Bay," or equivalent, as approved by the City Public Works Department. Permanently affixed thermoplastic, metallic or plastic laminate style markers are examples of acceptable forms.
39. The Improvement Plans shall indicate the designs necessary to ensure that any/all fire sprinkler system test water discharges shall be directed to the sanitary sewer system or to appropriately-sized onsite vegetated area(s).
40. Improvement Plan design of all external enclosures for solid waste, recycling and organics shall be approved by the Public Works Department. These facilities shall be designed to prevent water run-on to the area, runoff from the area, and to contain litter, trash and other pollutants, so that these materials are not dispersed by the wind or otherwise discharged to the storm drain system. Any trash enclosure facilities with a water supply shall also drain to the sanitary sewer.
41. Prior to the issuance of the final certificate of occupancy, the applicant/developer shall submit a certification report (Report) prepared by a registered civil engineer, licensed in the State of California, affirming that all project site stormwater treatment measures have been constructed per the City approved plans and specifications. As appropriate, the Report shall include, but not be limited to, assurances that: imported materials used for the treatment measure(s) are certified by the supplier; installation of these materials is per approved plans and specifications and meets the intent of the

design engineer; required on-site testing results conform with approved plans and specifications; treatment measures conform to dimensions, grades and slopes on approved plans and specifications; all structural features of the treatment measures comply with plan specifications; the irrigation system is installed and functions as designed; healthy vegetation/ground cover is installed as shown on plans. The Report shall be submitted in a form acceptable to Public Works Engineering.

42. Prior to the issuance of the final certificate of occupancy, the applicant/developer shall execute a C3-LID Treatment Measures Maintenance Agreement (Agreement) with the City. The Agreement shall ensure that the measures are properly operated and maintained for their operational lifespans. The Agreement shall include, but not be limited to: the approved O&M Plan for all post-construction (permanent) stormwater LID and treatment measures, trash capture devices, and related public outreach signage; identification of the party responsible for implementing the O&M Plan; assurances of access to inspect the treatment system(s) and verify the implementation of the O&M Plan for the life of the project; and assurances of the submittal of the annual O&M report approved by the City. The Agreement shall be executed between the project owner and the City and recorded with the County Recorder's Office of the County of Alameda.
43. All new storm drain inlets shall be clearly marked with the words "No Dumping! Drains to Bay," or equivalent, as approved by the City Public Works Department. Permanently affixed thermoplastic, metallic or plastic laminate style markers are examples of acceptable forms.

TRAFFIC AND TRANSPORTATION

44. The applicant/developer shall submit a traffic striping and signage plan for all on- and off-site improvements, including all crosswalks, bus stops, turn lanes, merge lanes, acceleration lanes, lane drops, etc, as part of the construction improvement plan submittal. The plans shall be prepared by a registered civil engineer or traffic engineer licensed in the State of California. The plans shall be reviewed and approved by the Public Works Director prior to approval of the improvements plans.
45. The applicant/developer shall submit the improvement plans for any on-site parking facilities to the Public Works Department for review and approval. A registered civil engineer licensed in the State of California shall prepare the plans. The Public Works Department will review the plans for the parking lot layout, including number of spaces, dimensions of spaces, ADA requirements, internal and external circulation, including lane widths and access points. The number of off-street parking spaces shall be consistent with AMC-30.7 .6 unless otherwise approved by the Community Development Department.

46. Bicycle parking plan shall be consistent with AMC-30-7.15 Bicycle Parking.
47. At least three weeks prior to the commencement of work within the public right-of-way that affects access for pedestrian, bicyclist, and vehicular traffic, the applicant/developer shall provide a Traffic Control Plan (TCP) to the Public Works Department for review and approval. The TCP shall be prepared by a registered civil engineer or traffic engineer licensed in the State of California, and be in accordance with the California MUTCD standards. The engineer shall sign and stamp the plans. In general, any vehicular, transit, bicyclist, and pedestrian access adjacent to the project site shall remain unobstructed during project construction or an ADA compliant alternative route established as approved by the Public Works Director. At locations where adequate alternate access cannot be provided, appropriate signs and barricades shall be installed at locations determined by the Public Works Director and Police Chief. Should transit routes be affected, applicant/developer is required to receive prior approval from AC Transit of any proposed traffic detours or temporary closure of bus stops.
48. Pedestrian and vehicular lighting at all intersections and project driveways shall meet Alameda Municipal Power standards for crosswalks, sidewalks, and intersections.
49. Applicant/developer shall replace any damaged curb, gutter, and sidewalk along street frontages to the satisfaction of the Public Works Director, in accordance with the Public Works Department's Standard Plans and Specifications prior to acceptance of the project or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first.

ENVIRONMENTAL – WASTE AND RECYCLING

50. The project is subject to the Waste Manage Plan (WMP) requirements of section 21-24 of the Alameda Municipal Code, and must recycle at least 50% of total debris hauled from project.
51. The applicant/developer shall prepare and submit to the Public Works Environmental Services a WMP. The WMP shall be submitted by the developer to Environmental Services via Green Halo (greenhalosystems.com) prior to start of the demolition, remodeling, or construction work. This must be done using Green Halo's web interface, which will include information such as:
- a. Franchised or permitted waste hauler's name, address, and telephone number. (Self-haul may be allowed, but ONLY in fixed body trucks that belong to the permit holder – debris or roll-off boxes are prohibited for

- self-haulers). Unpermitted and subcontracted waste haulers are prohibited. (AMC 21-21)
- b. Project location and/or street address
 - c. Anticipated start and completion dates of the project
 - d. A list of materials expected to be generated (e.g., glass, wood, metal, drywall, concrete, bricks);
 - e. The estimated tonnage of each material; how they are to be reused, disposed or recycled; and
 - f. The destination/processor for that reuse, recycling or disposal.
52. The Environmental Services Division will review the WMP, and will provide recommendations that shall be incorporated into the plans for the project.
53. Within thirty (30) days after the completion of the demolition, remodeling or construction project, or prior to final inspection approval, whichever comes first, the developer shall submit a Summary Report to the Environmental Services Division, via Green Halo (greenhalosystems.com). For approval, this reporting will specify actual tonnages disposed and/or recycled for each material, and the actual destination/processor. Disposal and/or recycling weight tags from that facility or facilities will need to be directly uploaded to Green Halo to verify this activity.
54. Compliance with these provisions of the Alameda Municipal Code shall be a condition of approval on any building or demolition permit issued by the City and the Building Official shall provide the applicant written notice of that fact. (Ord. No. 2886 N.S. §1). A certificate of occupancy or a final inspection approval shall not be issued pursuant to the Building code for any project for which a C&D Applicant is not in compliance with the WMP requirement unless that non-compliance has been resolved by payment of the corresponding penalty (ninety five (\$95) dollars for every ton of material required to be diverted but which is not diverted).

WASTE/RECYCLING ENCLOSURES

55. Design of all external enclosures for solid waste, recycling, and organics shall be approved by the Public Works Director prior to approval of the improvements plans.
56. These facilities are to be designed to prevent water run-on to the enclosure, runoff from the enclosure, and to contain litter, trash, and other pollutants, so that these materials are not dispersed by the wind or discharged to the storm drain system. External enclosure(s) are to be roofed and/or enclosed. The enclosure(s) shall have floor drains connected to the sanitary sewer system and shall have hose bibs. Any trash enclosures attached to buildings shall have fire sprinklers.

57. A concrete pad just outside each solid waste enclosure is recommended in order to accommodate the truck weight while servicing the dumpster.
58. Each Trash enclosure shall be large to accommodate three 3- cu. yd. dumpsters, one each for solid waste, recyclables and one for compostable materials.
59. The storage area(s) shall be accessible to residents and employees. Each storage area within a residential development shall be no more than 250 feet from each dwelling unit.
60. The design and construction of the storage area(s) shall:
- a. Be compatible with the surrounding structures and land uses; and
 - b. Be properly secured to prevent access by unauthorized persons. If gates with locks are planned to limit access to the enclosure or to the property, cards or keys must be provided to the City's franchised waste hauler and recycling collector; at present Alameda County Industries; and
 - c. Contain a concrete pad within the fenced or walled area(s) and a concrete apron which facilitates handling of the individual dumpsters; and
 - d. Provide a 6-inch wide curb or parking bumpers along the interior perimeter of the enclosure walls to protect them from damage by the dumpster. A 6-inch wide parking bumper, at least 3 feet long, should also be placed between the refuse dumpster and the recycling containers; and
 - e. Maintain a minimum space of 12 inches between the dumpster(s) and the walls of the enclosure and to allow for maneuvering the dumpster(s); and
 - f. Protect the area(s) and containers from adverse environmental conditions, which might render the collected materials non-collectible, noxious, unsafe, or in the case of recyclable materials, unmarketable.
61. The storage area(s) shall be screened from view on at least three sides by a solid wall six feet in height, and on the fourth side by a solid gate not less than five feet in height. The gate shall be maintained in good working order and shall remain closed except when in use. Gates must open straight out and gates and hinges must be flush with the enclosure wall to allow adequate maneuverability of the dumpster in and out of the enclosure. The design of the wall and gate shall be architecturally compatible with the surrounding structures.
62. A sign clearly identifying each exterior solid waste and recyclable material storage area and the accepted material(s) is required. Each sign shall not exceed two square feet in area and shall be posted on the exterior of the storage area adjacent to all access points.
63. All solid waste containers, including dumpsters, must have fitted lids which shall remain closed at all times when the container is not being used or

emptied

ALAMEDA MUNICIPAL POWER

64. Concurrent with submittal of Improvement Plans, the Applicant shall coordinate with Alameda Municipal Power (AMP) regarding power requirements. All submittals shall refer to AMP's "Material and Installation Criteria for Underground Electrical Systems" for minimum clearances of street trees/shrubs from streetlights, electrical transformers and other utility electrical equipment.
65. The Applicant shall comply to AMP's Rules and Regulations and "Material and Installation Criteria for Underground Electrical Systems" (both available at www.alamedamp.com) and provide completed "Service Planning Sheets" for AMP's review prior to submitting plans for building permits.
66. There are existing transformer(s) and underground primary conduit that may need to be relocated.
67. The Applicant shall provide information on the location of transformers and total load in kilowatts or kilovolt-amp (KVA) to AMP for approval prior to building permit issuance. If necessary, the applicant shall provide (at no charge to AMP) an easement and access to all AMP facilities on the property prior to issuance of building permits.
68. The Applicant shall provide all necessary underground substructures, including conduits, pull boxes, electric utility equipment pads, etc. per the AMP specifications. AMP will require easements for all transformers, primary and secondary boxes, and conduits. AMP will furnish and install all required transformers, high voltage distribution cables, and secondary cables.
69. New street trees shall maintain clearances from electrical utilities as follow: a) street/pathway lights and utility poles – **25-feet**; e) joint trench and all underground electrical lines – **five feet**; f) front of electrical pad-mounted equipment (e.g. switches, transformers and capacitors) – **ten feet**. Verify minimum clearance distances of trees/shrubs from all sides and back of electrical pad-mounted equipment with Alameda Municipal Power (AMP).
70. The Applicant shall install all electric pull boxes and vaults in-line with the conduit joint trench. No conduit bend will be allowed between electric pull boxes, unless conduit section terminates to an electrical equipment pad. All primary and secondary electrical distribution pull boxes shall not be greater than two section deep (34-inches from finish grade to bottom of pull box). Any deviations from this standard shall be approved by the AMP Project Engineer in writing.

71. The Applicant shall furnish and install code-size service cables in code-size conduit from each electric metering facility to the nearest secondary pull box (or Service Point) in the public right-of-way, as designated by AMP. AMP will connect the service to the distribution transformer or to the secondary distribution system.
72. The Final Map shall show all necessary easements and access to all electrical utility facilities that are in the private properties, at no charge to AMP.
73. Prior to issuance of Certificate of Occupancy, the Applicant shall furnish and install service equipment for each building. The service equipment shall meet Electric Utility Service Equipment Requirement Committee (EUSERC) standards. Electric meter(s) shall be located as close as practicable to the point of entry of the service-entrance conductors to the building. Outdoor meter locations are preferred. When meters are located within a building, the meter room shall be directly accessible from the exterior of the building. No remote metering.
74. Concurrent with acceptance of work by City Council, the applicant/developer shall dedicate and AMP shall take over ownership and will be responsible for maintaining all new substructures for under grounding primary and secondary circuits, and distribution transformers once the improvements have been inspected by AMP and found to have been properly installed. The Applicant or successor property owner(s) shall be responsible for the service cables and service equipment.
75. Any existing overhead electric facilities within, and/or adjacent to, the subdivision or division of land shall be undergrounded at no charge to AMP. There is an adjacent 12 kV overhead circuit along Eagle Avenue with two poles along the frontage of the development. It may be possible to defray some of these costs if combined with the proposed Webster St Crossings underground utility district (if approved).
76. The Applicant shall be responsible for all expenses involved in the duct/joint trench system engineering design, plan check, project coordination, and electrical construction inspection. The Applicant shall be responsible for the cost of AMP assigned inspector during construction.
77. The Applicant shall submit, with the site improvement plans, detailed drawings showing the required site electric utility facilities.
78. An oil-containment facility will be required for all transformer installations found within 100 feet of any body of water.
79. All service installations, to commercial/industrial, multiple dwelling units and

subdivisions, will be underground. All new our upgraded service facilities with a capacity of 400 Amperes or larger will require a new padmounted transformer.

80. Outdoor meter locations are preferred. When meters are located within a building, the room will be directly accessible from the exterior of the building. If entry is locked, a key must be provided to AMP prior to energizing the service.

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.

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 Community Development Department a written notice of appeal stating the basis of appeal and paying the required fees.

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 11th day of September, 2017, by the following vote to wit:

AYES: (7) Mitchell, Burton, Curtis, Knox White, Köster, Sullivan and Zuppan
NOES: (0)
ABSENT: (0)

ATTEST:

Andrew Thomas, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-17-15

APPROVING DEVELOPMENT PLAN AND DENSITY BONUS WAIVER (PLN 17-0441)
FOR A 9.7 ACRE MIXED USE DEVELOPMENT PLAN IN THE MAIN STREET
NEIGHBORHOOD PLAN AREA REFERED TO AS "REBUILDING THE EXISTING
SUPPORTIVE HOUSING AT ALAMEDA POINT" (RESHAP)

WHEREAS, an application was made on August 22, 2017 by Mid-Pen Housing Corporation (Mid-Pen), for a Development Plan for 9.7 acres at Alameda Point referred to as "RESHAP," which is within the Main Street Neighborhood area of the Alameda Point Project; and

WHEREAS, by Resolution No. 14891 the City Council of the City of Alameda certified the Final Alameda Point Environmental Impact Report (FEIR) (State Clearinghouse No. 201312043) under the California Environmental Quality Act ("CEQA"), California Public Resources Code Section 21000 *et seq.* and adopted written findings and a Mitigation Monitoring and Reporting Program ("MMRP") on February 4, 2014, for the Alameda Point Project, including the Main Street Neighborhood Plan area which contains RESHAP; and

WHEREAS, the proposed Development Plan for RESHAP consists of 267 multi-family residential units and community uses, which would occupy new buildings and streetscape improvements; and

WHEREAS, RESHAP is designated as Mixed Use in the General Plan; and

WHEREAS, RESHAP is located within the Main Street Neighborhood Sub-district (MSN Sub-district); which is in the Alameda Point District [Alameda Municipal Code (AMC) 30-4.24] of the Zoning Ordinance and

WHEREAS, the MSN Sub-district requires a Master Plan for the MSN Sub-district, which was prepared and approved on March 21, 2017 (Main Street Neighborhood Plan) and relied on the FEIR;

WHEREAS, the Main Street Neighborhood Plan requires that the Planning Board approve a Development Plan application prior to redevelopment and reuse of RESHAP;

WHEREAS, the Main Street Neighborhood Plan is a Specific Plan pursuant to Government Code Section 65450 *et seq.* for a mixed-use, mixed-income development of the area bounded by Main Street, West Midway and Orion Way.;

WHEREAS, the Main Street Neighborhood Plan requires an application for Density Bonus and a waiver of the multifamily prohibition in AMC 30-53 for proposals to construct multi-family housing;

WHEREAS, the City Council having certified the FEIR for the Alameda Point Project (APP) within it analyzed implementation of APP, including the Main Street Neighborhood Plan

containing RESHAP, meeting the criteria for streamlining in Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 and concludes, based on substantial evidence, that no further review under CEQA is required; and

WHEREAS, the Planning Board held a public hearing on April 24th and September 25th, 2017, for this Development Plan and Density Bonus waiver application, and examined pertinent maps, drawings, and documents;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that the following findings can be made in support of the Development Plan:

1. **The development is an effective use of the site.** The Development Plan provides for the construction of new residential development, with agricultural uses, community space and open space. The Development Plan provides effective redevelopment and reuse of RESHAP, which has been substantially vacant since the departure of the United States Navy (Navy) from the site in 1996 and removes old dilapidated buildings from the area. The Development Plan achieves City policy goals and objectives to create a mixed use, mixed-income development supported by new infrastructure, streets, parks and public open spaces.
2. **The proposed use is consistent with the General Plan.** The Development Plan supports General Plan policies for the development of Alameda Point and helps balance jobs and housing through the provision of affordable housing and community uses that help create an economically balanced mixed-use project. The Development Plan also provides for private open spaces and a community space to be used as a central gathering place for residents.
3. **The proposed use, 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.** The proposed mix of uses and physical improvements is designed to eliminate existing blighted conditions and buildings on the site, and replace substandard storm water, potable water, fire water, wastewater, and other essential utility and other facilities that do not meet current State or local codes, are not able to be owned and maintained by the local utility companies in their current form, and contribute to ongoing pollution in the San Francisco Bay. The proposed Development Plan is designed to be compatible with adjacent future uses by providing attractive improvements and pedestrian and bicycle amenities and with transit services contemplated in the approved Alameda Point Transportation Demand Management Plan (TDM Plan). The Development Plan is also subject to the environmental protections and mitigations imposed by the FEIR, and federal biological requirements stemming out of the U.S. Fish and Wildlife Service Biological Opinion.
4. **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.** The Development Plan is designed to provide compatible residential land uses with the existing Bayport residential neighborhood to the east, with Site A to the south, and compatible land uses with the future mixed-use development to the west, and open spaces; and to support future residents in the northern area of the

Main Street Neighborhood. Conditions requiring future design review approvals ensure that the proposed project will be architecturally and aesthetically compatible with the surrounding developments.

5. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The Development Plan provides for a network of internal streets to support pedestrian, bicycle and auto use. The Plan area is bounded by major arterials, transit, and separated bike paths and cycle tracks. The developer will participate in the Alameda Transportation Management Association and contribute financial support to expand transit services to users of the property and other transportation demand management services and programs consistent with and in compliance with the Alameda Point TDM Plan.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Board finds that the following findings can be made in support of the Density Bonus Waiver:

1. **The proposal qualifies for density bonuses, concessions and incentives and waivers pursuant to State of California Government Code 65915 and Alameda Municipal Code Section 30-17.** The proposed development plan includes 267 residential units, which will be 100 percent affordable to very low income, with the exception of up to four manager's units, which qualifies the proposal under California Government Code and AMC section 30-17 for a 35% density bonus for a total of 267 units and waivers from development standards that physically preclude the development of the property with the number of units proposed for the property.
2. **Pursuant to the Density Bonus Ordinance (AMC 30-17.12), the proposal is consistent with, and qualifies for, a requested waiver from AMC Sections 30-50 thru 30-53 Multiple Dwelling Units Prohibited.** AMC Section 30-53 prohibits multifamily housing in Alameda, including RESHAP. Section 30-53 therefore prohibits the applicant from developing a mixed use transit oriented development plan consistent with the Main Street Neighborhood Plan, and physically precludes the construction of 267 multifamily units on the site consistent with the requirements of the Main Street Neighborhood Plan. The requested waiver would not have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of section 65589.5, upon health, safety, or physical environment, and for which there is no feasible method to satisfactorily mitigate. Finally, the requested development standard waiver would not be contrary to state or federal law.

BE IT FURTHER RESOLVED that the Planning Board finds that the Alameda Point Project, including the Main Street Neighborhood Plan containing RESHAP, was adequately considered by FEIR, and that:

1. RESHAP is consistent with the General Plan, Zoning Ordinance, and Main Street Neighborhood Plan; and

2. The FEIR was certified by the City Council for the Alameda Point Project, including amendments to the General Plan and Zoning Ordinance, as well as the Main Street Neighborhood Plan; and
3. There are no environmental impacts peculiar to RESHAP that were not analyzed in the FEIR, or any such impact can be substantially mitigated by imposition of uniformly applied development policies or standards previously adopted by the City; and
4. There are no significant effects of the RESHAP project that were not analyzed as significant effects in the FEIR; and
5. There are no potentially significant off-site impacts of the proposed RESHAP project and there are no cumulative impacts to which the proposed RESHAP project makes a considerable contribution which were not discussed in the FEIR; and
6. There are no previously identified significant impacts of the proposed RESHAP project which, as a result of substantial new information which was not known at the time the EIR was certified, have been determined to have a more severe adverse impact than discussed in the FEIR.

BE IT FURTHER RESOLVED, that pursuant to the streamlining provisions of Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183, no further environmental review of the Development Plan is required;

BE IT FURTHER RESOLVED that the Planning Board of the City of Alameda hereby approves Development Plan PLN 17-0441, subject to the following conditions:

1. Design Review Approval: Prior to issuance of any building permit or site improvement permit in preparation of vertical development, an application for Design Review shall be submitted for review and approval by the Planning Board. The plans submitted for the Design Review approval shall be in substantial compliance with the plans prepared by David Baker Architects dated September 25, 2017 on file in the office of the City of Alameda Community Development Department. The Design Review application shall include all buildings, landscape improvements, open spaces, and/or parking lots proposed for construction in the Development Plan area. All building plans and site improvement plans submitted for permits shall be reviewed for compliance with the Design Review findings of AMC Section 30-36 and 37 by the City of Alameda Planning Board.
2. Residential Design Review Applications: The Design Review submittals for residential buildings shall include, but not be limited to:
 - a. Density Bonus Waivers Submittal: A submittal of floor plans, elevations, and other documents required pursuant to the Density Bonus Ordinance.
 - b. Universal Design Submittal: A detailed description of all universal design elements to be included to accommodate future residents and visitors with mobility issues

- and/or disabilities consistent with the description provided in the Development Plan.
- c. Final Building Footprint: The design review plans for each building shall establish the final building footprint for each building, which shall be reviewed for consistency with the Main Street Neighborhood Plan.
 - d. LEED or Green Point Rating: A description of all design elements to be included to ensure compliance with AMC Section 13-19 and the Main Street Neighborhood Plan requiring either: a minimum LEED™ Certified rating and be so certified by the US Green Building Council or a minimum Green Point Rated score of fifty (50) and be so verified by Build It Green. The project shall also have a LEED™-Accredited Professional or a Certified Green Building Professional as a principal member of the design team from the beginning of the project. The project shall meet as many LEED credits, or Green Point Rated measures as practicable and is required to complete and submit the LEED or Green Point checklist as a way of documenting the green building practices that have been incorporated into the project.
 - e. Sea Level Rise: A description of the improvements to shall ensure that any new habitable buildings be constructed at a minimum elevation of 24 inches above the 100-year tidal flood plan elevation.
 - f. Solar Ready: A description of all improvements to ensure that all structures shall be designed to be “solar ready” and meet the latest Title 24 Building Standards and all applicable codes as they relate to Solar PV. At a minimum, Solar PV wiring conduit, required penetrations and a solar zone on the roof shall be provided.
 - g. Automobile Parking: Drawings and text adequate to determine consistency with the maximum permitted parking ratios described in AMC 30-4.24 G.xi. Table B Allowed Land Uses and Off-Street Parking Requirements. The applicant/developer shall submit the improvement plans for the on-site parking facilities to the Public Works Department and Fire Department for review prior to submission of the Design Review application. The Design Review plans shall specify the number of parking spaces to be equipped with electric charging stations
 - h. Bicycle Parking: Final bicycle parking plan consistent with AMC-7.15 Bicycle Parking.
 - i. Landscape Plans: Final landscape plans shall be in accordance with the City’s Bay Friendly Landscaping requirements, the Master Street Tree Plan, the AMC, conditions of approval by the Planning Board, and other regional jurisdictions requirements, as applicable.
 - j. Mature Trees. The final landscape plan shall show the location of all mature trees and which of those trees are feasible to preserve in the final landscape plan.
 - k. Main and Stargell Intersection Pedestrian Crossings. The Design Review plans and improvement plans shall include improvements to the intersection for pedestrian crossings
 - l. Utility Boxes and Facilities: The Design Review plans shall include final locations for all above ground utility boxes and facilities needed to serve the Development Plan area.
3. Building Permit Plans: The plans submitted for the Building Permit shall be in substantial compliance with the plans prepared by David Baker Architects dated September 25, 2017 on file in the office of the City of Alameda Community Development Department and the Design Review plans, described above, once approved by the Planning Board.

4. Vesting: This Development Plan approval shall expire and become void unless actual construction under valid permits has commenced within two years after this approval or unless this Development Plan is vested for a longer period than five years by a Development Agreement or other vesting document.
5. CEQA: Prior to issuance of a building permit or site improvement permit, the applicant shall submit a Mitigation Measure Compliance Checklist confirming compliance with all required environmental mitigation measures contained in the MMRP adopted by the Alameda City Council on February 4, 2014, for the redevelopment and reuse of Alameda Point, including RESHAP.
6. Infrastructure Improvement Plans: Prior to issuance of a building permit, there must be approved infrastructure improvement plans for the improvement of the on-site and adjacent off-site streets, open space, waste water, storm water, potable water, recycled water, power, natural gas, and communications facilities required for each phase of development. The improvement plans shall be reviewed for consistency with the DDA, and subject to the requirements of the MIP and AMC. The plans shall be prepared, signed and stamped as approved by a registered civil engineer licensed in the State of California. The engineer shall also assume responsibility for inspection of the on-site construction work, including but not limited to parking lots, pathways, storm facilities and, sewer facilities, and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first, that the installation of the on-site work (excluding the building and foundation) was constructed in accordance with the approved plans. All required public frontage and street improvements shall be designed, built, and dedicated to the City in accordance with City ordinances, Public Works Department standards and the Subdivision Improvement Agreement with respect to such improvements and shall include curbs, gutters, sidewalks, street trees, storm water treatment controls, landscaping and irrigation, streetlights, etc.
7. Affordable Housing: Prior to the issuance of the first building permit for vertical improvements for new construction, an Affordable Housing Agreement with the City of Alameda shall be executed. The Affordable Housing Agreement will require, in part, phased construction of 267 deed-restricted residential units affordable to very low -income households, excluding up to four units for on-site property management.
8. Biological Regulations and On-Site Lighting: Prior to issuance of a design review, building or site improvement permit, a Biological Opinion Compliance Checklist must be submitted confirming compliance with all required conditions set forth in the Declaration of Restrictions for the Former Naval Air Station Alameda (Declaration) consistent with the Biological Opinion issued by the U.S. Department of Fish and Wildlife, and Exhibit C of the Memorandum of Agreement between the City of Alameda and Department of Veteran's Affairs (Alameda Point Lighting Mitigation Measures).
9. Modifications: Minor project design details requested by the applicant may be established, modified, and approved by the Community Development Director. Engineering standards and specifications requested by the applicant may be established, modified and approved by the Public Works Director, or his designee. Major modifications that are not consistent

with this development plan or these conditions shall be subject to review and approval of the Planning Board.

10. Other Agency Approvals: Prior to issuance of building permit(s) for work within jurisdictional lands, evidence that all required approvals, permits, or waivers from Bay Conservation and Development Commission (BCDC), Regional Water Quality Control Board (RWQCB), including a possible 401 Certification for the construction of a stormwater outfall, and/or the Army Corp. of Engineers, if any, have been obtained shall be provided. The final improvement plans shall incorporate all other agency requirements. Prior to construction, provide evidence of all relevant submittals required by the State's Construction General Stormwater Permit

Improvement Plans

11. Improvement Agreement: To guarantee completion of the required on-site and off-site improvements consistent with the MIP and DDA, an Improvement Agreement with the City must be entered into and security in a form and amount acceptable to the City provided prior to issuance of a building permit for vertical construction.
12. Engineer Approved: Prior to the approval of a building permit for vertical construction, improvement plans shall be prepared, signed, and stamped as approved by a registered civil engineer licensed in the State of California and be consistent with the Alameda Point Master Infrastructure Plan (MIP). The engineer shall also assume responsibility for inspection of the on-site construction work, and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, that the installation of the on-site work (excluding the building and foundation) was constructed in accordance with the approved plans.
13. Easements: The improvement plans and Parcel or Final Maps shall show all existing and proposed easement locations, uses and recording information. The Owner's Statement shall list all easements to be dedicated and the Certificate of City Clerk shall list all public easements to be abandoned (with recording information) as part of the Parcel or Final Map.
14. Potable Water: The improvement plans shall include potable water infrastructure consistent with the MIP to serve the project, whose design shall be shown on the Improvement Plans to the satisfaction of EBMUD, the Public Works Director, and the Fire Chief.
15. Storm Water Quality and Treatment Controls: The improvement plans shall incorporate appropriate pollution prevention source control measures, permanent low impact development (LID) measures, storm water treatment controls and/or design techniques to manage the quantity and quality of storm water runoff from the project site to prevent and minimize impacts to water quality and be consistent with the MIP and any existing or future conditions of a 401 certification for Alameda Point (401 Certification Conditions) and the Provision C3 requirements of the City's municipal stormwater permit. Efforts shall be taken to minimize impervious surface areas, especially directly connected impervious surface

areas. Roof drains shall discharge and drain to an unpaved area wherever practicable. Design techniques may include green roofs, rainwater harvesting, vegetated swales, vegetated buffer zones, bio retention units, retention/detention basins and ponds, tree well systems, and the incorporation of pervious surface areas and LID measures. The Improvement Plans shall provide details sufficient to ensure that the storm water design and treatment measures shall be constructed consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual, the MIP and the 401 Certification Conditions. Applicants may also refer to the Bay Area Storm water Management Agencies Association (BASMAA) *Start at the Source Manual* for technical guidance. All storm water design and treatment measures for private development pads shall be consistent with the C3 requirements and 401 Certification Conditions and be located on the development pad or an adjacent private development pad and shall not be located on property planned for public parks or public rights of way.

16. Landscape Plans: The improvement plans shall include landscape and irrigation plans for improvements consistent with the Development Plan, Main Street Neighborhood Plan, DDA and MIP. The plans shall be prepared, signed, and stamped by a licensed landscape architect and civil engineer for flood and sea-level rise protection improvements and shall be in accordance with the AMC and other regional jurisdictional requirements. The landscape architect shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work, that the installation of landscaping and irrigation in the public right-of-way was constructed in accordance with the approved plans.
17. Waste Water: A sanitary sewage flow analysis, identifying the total peak sanitary sewage flow quantities generated by the proposed development shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The City will provide the analysis to an independent consultant who will assess the impact of the proposed development on the City's sanitary sewer system and determine if any improvements to the City's system are required to ensure sufficient sewage capacity for this project and any anticipated growth within the associated sewer sub-area. The applicant/developer will pay for the cost of the modeling study. The applicant/developer will incorporate any recommended improvements from the sewer study into the project's improvements plans and be consistent with the MIP.
18. Waste Water Capacity: A sanitary sewage treatment capacity analysis for wet weather flows associated with the development, compared to existing or previous conditions, shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The plan shall identify and mitigate any increase in wet weather flow capacities. The improvements plans will include any recommended improvements and be consistent with the MIP.
19. Storm Drainage: A storm drainage hydrology analysis identifying the total peak drainage flow quantities to be generated by the proposed development shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The improvements plans will include any recommended improvements and be consistent with the MIP.

20. Fire Water: The improvement plans for the project site shall include a Fire Water System consistent with the MIP. The system shall be designed to the satisfaction of EBMUD and the Alameda Fire Department. The Applicant shall be responsible for the placement of on-site hydrants. The location and number of hydrants shall be established in improvements plans. Placement shall be shown on the improvement plans and shall be to the satisfaction EBMUD, the City Fire Chief and the City Engineer.
21. Fire Sprinklers: The improvement plans and building permit plans shall include fire sprinkler systems within each residential unit including the garage and attic spaces.
22. Fire Safety: Prior to approval of the Improvement Plans, plans for review and approval by the Public Works Director and the Fire Chief shall be submitted, that:
- a. Provide fire hydrants spaced throughout the project as required in California Fire Code Appendix C. Ensure sufficient fire flow for the development compliant with California Fire Code Appendix B and AMC 15-1.2 where a maximum reduction of the fire flow can be reduced by 50% for fire sprinklered buildings.
 - b. Fire hydrant flows shall be a minimum of 1,500 G.P.M. from any one hydrant;
 - c. Provide adequate turn around space or acceptable emergency vehicle through access for any street greater than 150 feet in length;
 - d. Ensure that all roads that are required to be fire access roads have an adequate turning radii for fire apparatus (inside turning radius of 28" and outside turning radius of 44'8"); and
 - e. For all roads designated as fire access roads shall have a minimum fire lane width of 26' unobstructed for buildings taller than 30'. Should parking within the fire lane be required, the fire lane width shall be increased as required to meet fire access requirements.
23. Utilities: The improvement plans shall include facilities and improvements to ensure that utility services are maintained for existing users throughout the construction process and the access to such service for maintenance purposes is preserved throughout the construction process for new utilities. The improvement plans shall preserve access to the Cartwright Substation throughout the construction process.
24. Geotechnical Report: A geotechnical report, including recommendations shall be prepared by a registered geotechnical engineer licensed in the State of California. The improvement plans shall incorporate all geotechnical recommendations in the report and be consistent with the MIP and DDA. The geotechnical engineer shall sign and stamp the improvement plans as conforming to its recommendations. The geotechnical engineer shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work that the work performed is adequate and complies with their recommendations.

Public Improvements

25. Maintenance: Maintenance of improvements not within the public ROW shall be the responsibility of the new development.

Water Quality

26. Best Management Practices: All contractors and sub-contractors shall install, implement and effectively maintain appropriate sediment control, erosion control and other water quality protection measures to prevent any pollutants from entering the municipal storm water drainage system or the Seaplane Lagoon, either directly or indirectly, during all construction activities. All implemented measures shall be consistent with the City's urban runoff Best Management Practices (BMPs) standards. Payment shall be required for any required cleanup, testing, and/or City administrative costs resulting from consequence of construction materials entering the storm water drainage system.
27. Hydro Seeding: Hydro seeding of all disturbed pervious surface areas shall be completed in compliance with the requirements included in the State Water Resources Control Board (SWRCB) Order No. 2009-0009-DWQ.
28. Storm Water Quality Management Plan: A stormwater quality management plan, consistent and concurrent with the finalized improvement plans, shall be submitted to demonstrate and verify appropriate site design for LID and stormwater treatment consistent with the Provision C3 requirements, the MIP and the 401 Certification Conditions. This Plan shall include: a completed City of Alameda's Stormwater Requirements Checklist; the determination and identification of drainage management areas (DMAs) for all proposed impervious surface areas on the proposed project site; the establishment of Provision C3-compliant stormwater quality measures for each DMA; a site plan map and inventory identifying each DMA and corresponding C3-compliant measure, including area values (in square feet) for all areas; a stamped, signed City of Alameda certification form from a qualified independent civil engineer with stormwater treatment facility design experience, licensed in the State of California, and acceptable to the Public Works Department that indicates the Plan and all LID and treatment measure designs meet the established sizing design criteria for stormwater treatment measures consistent with Provision C3 of the municipal stormwater permit;
32. Storm Water Pollution Prevention Program: Prior to the initiation of any site grading at the project site or the issuance of the first combination grading/building permit, or approval of Civil Improvement Plans, whichever comes first, provide the Public Works Department Clean Water Program, with copies of both the WDID# issued to the project site by the State Water Resources Control Board (SWRCB) and the required Storm Water Pollution Prevention Plan (SWPPP). These documents shall provide verification to the City that the project site is in compliance with SWRCB Order No. 2009-0009-DWQ prior to the initiation of construction activity. Information on this State Order is available at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml
The SWPPP shall be reviewed and accepted by the Public Works Clean Water Program for conformance with the City's erosion and sediment control standards.
33. Certification Report: Prior to issuance of the occupancy permits for each phase/block of the RESHAP project site, the applicant/developer shall submit a certification report (Report) prepared by a registered civil engineer, licensed in the State of California, affirming that all project site stormwater treatment measures have been constructed per

the City approved plans and specifications. As appropriate, the Report shall include, but not be limited to, verifications that: imported materials used for the treatment measure(s) are certified by the supplier; installation of these materials is per approved plans and specifications and meets the intent of the design engineer; treatment measures conform to dimensions, grades and slopes on approved plans and specifications; all structural features of the treatment measures comply with plan specifications; the irrigation system is installed and functions as designed; healthy vegetation/ground cover is installed as shown on plans. The Report shall be submitted in a form acceptable to Public Works Engineering.

34. Storm Water Trash Capture: Prior to the issuance of the first grading/building/combination permit for each project phase, the Improvement Plans shall indicate the storm water trash capture measure(s) being installed on the project site to ensure that the stormwater drainage from the project site is subject to full trash capture consistent with the City's municipal stormwater permit definition of a full trash capture device. Improvement plan sheets shall provide sufficient plan views and details of the full trash capture device installation(s) necessary for engineering review and approval. A full trash capture system or device is any single device or series of devices that trap all particles retained by a 5mm mesh screen and has a design treatment capacity of not less than the peak flow Q resulting from a one-year, one-hour storm in the sub-drainage area. Plan sheets shall include detail and cross-sectional drawings of any stormwater full trash capture device.
35. Storm Drains: All new storm drain inlets shall be clearly marked with the words 'No Dumping! Drains to Bay' by means approved by the Public Works Department. Permanently affixed thermoplastic, metallic or plastic laminate style markers are acceptable forms. The Improvement Plans shall clearly indicate this.
36. Operations and Maintenance Plan: Submittal of a stormwater treatment measures Operations and Maintenance (O&M) plan is required for review and approval by the Public Works Department prior to the approval of and consistent with the improvement plans for each phase. The O&M plan shall include, but not be limited to: treatment and design measure(s) descriptions and summary inventory; a legible, recordable, reduced-scale (8.5"x11") copy(-ies) of the Site Plan indicating the treatment and design measure(s) location(s) and site drainage patterns; treatment measure(s) maintenance requirements and maintenance schedule; the approved plant list and planning plan; detailed description of the integrated pest management principals and techniques and/or Bay Friendly Landscaping Program techniques to be utilized during landscape maintenance to ensure pesticide/herbicide use-minimization in landscaped areas; name and contact information of current maintenance personnel; and template of the annual O&M report submittal to the City. The O&M plan(s) for all stormwater treatment and design measures to be maintained privately shall be incorporated with the CC&Rs of the relevant private entity.
37. Stormwater Agreement: A Stormwater Treatment Measures Maintenance Agreement (Stormwater Agreement) shall be executed with the City for any stormwater treatment or design measure not to be privately maintained, prior to the issuance of the certificate of occupancy. The Stormwater Agreement shall include, but not be limited to: the O&M plan for all approved stormwater treatment measures; identification of the party responsible for

implementing the O&M plan; assurances of access to inspect and verify the treatment system O&M for the life of the project; and assurances of the submittal of the annual O&M report to the City. The executed Stormwater Agreement shall be recorded, at applicant/developer's expense, with the County Recorder's Office of the County of Alameda.

38. Landscape Plans: Landscaping plans shall be designed to minimize runoff, promote surface infiltration, incorporate Bay Friendly Landscaping approaches, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution and be consistent with the MIP and 401 Certification Conditions
39. Backflow Prevention: Backflow prevention devices shall be installed on all new and existing domestic, commercial, irrigation, and fire water services and as required by the East Bay Municipal Utility District (EBMUD).

Transportation Facilities

40. Traffic Circulation Plan: Traffic striping and signage plan shall be submitted for all on- and off-site improvements, including all crosswalks, bus stops, turn lanes, merge lanes, acceleration lanes, lane drops, etc., as part of the construction improvement plan submittal... The traffic circulation plan shall include plan(s) showing truck turning templates including rear/front wheel and body tracking movement and shall include delivery trucks, fire engines, moving vans and waste management trucks. The Public Works Department will review and approve the internal and external circulation of the parking lot, including lane widths and access points. The plans shall be prepared by a registered civil engineer or traffic engineer licensed in the State of California. The engineer shall sign and stamp the plans as approved. The plans shall be reviewed and approved by the Public Works Director prior to approval of the improvement plans or Parcel or Final Map, whichever comes first. The plan shall include all necessary striping to ensure safe ingress and egress from the project site to the adjacent public streets.
41. Off Street Parking: Improvement Plans shall be submitted to the Community Development Department and Public Works for review and approval for any off-street parking facilities. The plans shall be prepared by a registered civil engineer licensed in the State of California and shall be signed and stamped as approved. The Community Development Department shall review and approve the parking lot layout, including number of spaces, dimensions of spaces, and Americans with Disabilities Act (ADA) requirements, and the Public Works Director shall review and approve the internal and external circulation of the parking lot, including lane widths and access points, prior to approval of the improvements plans or parcel/final map, whichever comes first.
42. Traffic Control Plan: At least three weeks prior to the commencement of work within the public right-of-way that affects access for pedestrian, bicyclist, and vehicular traffic, a Traffic Control Plan (TCP) shall be provided to the Public Works Department for review and approval. The TCP shall be prepared by a registered civil engineer or traffic engineer licensed in the State of California, and be in accordance with the California MUTCD standards. The engineer shall sign and stamp the plans as approved. In general, any

public right-of-way shall remain unobstructed during project construction or an ADA compliant alternative route established as approved by the Public Works Director. At locations where adequate alternate access cannot be provided, appropriate signs and barricades shall be installed at locations determined by the Public Works Director and Police Chief. Should transit routes be affected, prior approval from AC Transit of any proposed traffic detours or temporary closure of bus stops is required. Construction work may not commence until the TCP is approved by the Public Works Director.

43. Lighting: Pedestrian and vehicular lighting at all intersections and project driveways shall meet Alameda Municipal Power standards for crosswalks, sidewalks, and intersections and be consistent with the Declaration and Alameda Point Lighting Mitigation Measures and the light standards adopted for Alameda Point.

Solid Waste

44. Waste Management Plan: A Waste Management Plan (WMP) shall be submitted to the Public Works Environmental Services Division for approval. The plan shall describe how the trash and debris will be handled. The WMP shall be submitted by the developer to Environmental Services via Green Halo (greenhalosystems.com) prior to start of the demolition, remodeling, or construction work. This must be done using Green Halo's web interface. The Public Works Environmental Services Division will review the WMP, and will provide comments that shall be incorporated into the plans for the project. The project is subject to the WMP requirement of section 21-24 of the AMC, and must recycle at least 50% of total debris hauled from the project.
45. External Enclosures: Design of all external enclosures for solid waste, recycling, and organics consistent with this condition shall be approved by the Public Works Director prior to approval of the improvements plans, parcel/final map(s), or the building permit, whichever comes first. These facilities are to be designed to prevent water run-on to the area, runoff from the area, and to contain litter, trash, and other pollutants, so that these materials are not dispersed by the wind or discharged to the storm drain system. External enclosures are to be roofed and/or enclosed. Any enclosures containing food waste shall have floor drains connected to the sanitary sewer system. If the enclosures are attached to buildings they shall have fire sprinklers. Internal collection and storage area(s) and the individual bins and containers provided, shall be adequate in capacity, number, and distribution to serve the anticipated demand for trash, recycling, and organics as determined by the Public Works Director.
46. Collection: Internal collection and storage area(s) and the individual bins and containers provided, shall be adequate in capacity, number, and distribution to serve the anticipated demand for trash, recycling, and organics as determined by the Public Works Department. All roads that are required to be used by trash collection trucks shall have an adequate turning radii. The trash collection areas shall be accessible to residents and employees. Each storage area shall be no more than 250 feet from any dwelling unit, or in the garage. Trash enclosures and/or recycling area shall be covered; no other area shall drain onto these areas. Drains in any wash or process area shall not discharge to the storm drain system; these drains should connect to the sanitary sewer. The applicant shall contact the

City and East Bay Municipal Utility District (EBMUD) for specific connection and discharge requirements prior to building permit issuance. Discharges to the sanitary sewer are subject to the review, approval, and conditions of the City and EBMUD.

47. Fitted Lids: All solid waste containers, including dumpsters and individual cans or carts, must have fitted lids which shall remain closed at all times when the container is not being used

Construction Conditions

48. Hazardous Materials. Documentation shall be provided by a qualified professional to the City of Alameda stating that adequate soils and ground water investigations and, where warranted, remediation, have been conducted to ensure that future site use complies with the regulatory requirements for hazard related risks as established by applicable Federal, State and local requirements. All proposed areas for demolition and abatement shall be assessed by qualified licensed contractors for the potential presence of lead-based paint or coatings, asbestos containing materials, and PCB-containing equipment prior to issuance of a demolition permit. All construction crews shall be properly trained and made aware of any site contamination issues consistent with the Alameda Point Site Management Plan (SMP) and MMRP.
49. Truck Plan: Prior to issuance of a grading permit, a Truck Route Plan for hauling shall be approved by the City Engineer. The Plan must be incorporated into any construction documents for every contract.
50. Notice to Neighbors: At least two weeks prior to initiating any construction activities at the site, a notice shall be provided to businesses and residents within 500 feet of the project site including (1) project description, (2) description of construction activities, (3) daily construction schedule (i.e., time of day) and expected duration (number of months), (4) the name and phone number of the Noise Management Individual for the project, (5) commitment to notify neighbors at least four days in advance of authorized extended work hours and the reason for extended hours, and (6) that construction work is about to commence. A copy of such notice and methodology for distributing the notice shall be provided to the City for review and approval at least five (5) business days in advance.
51. Construction Hours: Construction activity shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Friday, and between 8:00 a.m. and 5:00 pm on Saturday. No construction-related activity shall occur on Sunday or on any Federal Holiday. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment re-design, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible and necessary. No construction activity that may cause excessive off-site vibration from heavy machinery such as pile drivers, drilling rigs (except as necessary for elevator, shoring, and soil testing), etc. shall be allowed. Impact tools (e.g., jack hammers, pavement breakers and noise drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is

unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to 10dB. External jackets on the tools themselves shall be used where feasible. Quieter procedures shall be used such as drilling rather than impact equipment whenever feasible.

52. Dust Control: A dust program of dust control shall be implemented consistent with City, MMRP, and BAAQMD, prior to issuance of building or grading permits.
53. Cultural Resources: In the event that previously unidentified cultural resources are discovered during site preparation or construction, work shall cease in the immediate area until such time as a qualified archaeologist and City of Alameda personnel can assess the significance of the find. If human remains are encountered, work shall halt within 50 feet of the find and the County Coroner shall be notified immediately.
54. Utilities: If underground utilities leading to adjacent properties are uncovered and/or broken, the contractor involved shall immediately notify the Public Works Department, Alameda Municipal Power, and the Community Development Department, and carry out any necessary corrective action to their satisfaction.

Fire Safety

55. Fire Access: Adequate turn around space or through access for any street greater than 150 feet in length shall be provided to the satisfaction of the Fire Chief and the City Engineer. Emergency Vehicle Access roads shall have an adequate turning radius for fire apparatus (inside turning radius of 28 feet, outside turning radius 44 feet 8 inches, minimum height 13 feet 6 inches, minimum width 20 feet) and 26 feet wide in the immediate vicinity or portion thereof buildings 30 feet or taller. All streets and courts within the development that are required to be fire access roads, shall be marked as fire access roads to the satisfaction of the Fire Chief. All roads that are required to be fire access roads shall be designed to handle fire apparatus weight of up to 35,000 pounds per axle. Parking shall be prohibited within the streets and alleys that are dedicated as fire lanes. CC&R's shall include an enforcement mechanism.

Alameda Municipal Power (AMP)

56. Compliance with AMP's Rules and Regulations as stated in Article X and AMP's "Material and Installation Criteria for Underground Electrical Systems" (both available at www.alamedamp.com) and completed "Service Planning Sheets" shall be provided for AMP's review prior to submitting plans for building permits.
57. Information on the location of transformers and total load in kilowatts or kilowatt/volts (KVA) shall be provided to AMP for approval prior to building permit issuance. If necessary, (at no charge to AMP) an easement and access to all AMP facilities on the property shall be provided prior to issuance of building permits.
58. Improvement Plans shall be concurrently submitted and coordinated with AMP regarding power requirements. All submittals shall refer to AMP's "Material and Installation Criteria

for Underground Electrical Systems” for minimum clearances of street trees/shrubs from streetlights, electrical transformers and other utility electrical equipment.

59. Street lighting shall be consistent with light standards and luminaires approved for all of Alameda Point with the Site A project., which use a luminaire LED light engine no greater than 3,000K CCT (Correlated Color Temperature) and consistent with City’s standard specifications and City’s “Material and Installation Criteria for Underground Electrical Systems”. All street lights shall be designed to preserve “dark skies” and direct light downward toward the public right of way. No signs shall be installed or mounted on street light poles owned and/or maintained by City. All new signs shall be installed on dedicated sign posts.
60. Improvement Plans shall have all streetlights included in the Improvement Plans, installed, fully functional and operating prior to issuance of a Certificate of Occupancy for any building unless a phasing plan is approved by the Director of Public Works. Applicant/Developer shall pay to City the sum of Six Dollars (\$6.00 as adjusted no more than annually for inflation) per streetlight per month, or portion of a month, for the streetlight energy costs until the applicable improvements are accepted for maintenance by City.
61. Two streetlight poles and LED fixtures of each type installed shall be furnished, at no cost, to City as a stock for future pole/fixture replacement on the public street. Two additional streetlight assemblies (e.g. pole, fixture, arm, shroud, etc.) of each type shall be provided if City agrees to maintain private streetlights,
62. All public streets shall be lit with LED lighting. Streetlight layout shall be staggered for a more uniform light distribution. Alternate design can be provided if a better efficient light distribution is met. LED fixtures approved for Alameda Point shall be used. LED streetlight fixtures shall offer tri-level lighting with the mid-level setting meeting IES RP-8-14.
63. All necessary underground substructures, including conduits, pull boxes, electric utility equipment pads, etc. per the AMP specifications. AMP will require easements for all transformers, primary and secondary boxes, and conduits. AMP will furnish and install all required transformers, high voltage distribution cables, and secondary cables. Existing Alameda Point electric substructures will NOT be re-used.
64. An easement for electric utility vehicle access to AMP’s Cartwright Station shall be provided. The easement shall encompass the entire perimeter of the substation, including buildings and exterior yards with a 25-foot minimum clearance from any structure (above or below grade), wall and fence. Planting any trees that will grow in fullness to the point they may encroach into the perimeter easement shall be avoided
65. All electric pull boxes and vaults in-line with the conduit joint trench shall be installed. No conduit bend will be allowed between electric pull boxes, unless conduit section terminates to an electrical equipment pad. All primary and secondary electrical distribution pull boxes shall not be greater than two section deep (34-inches from finish grade to bottom of pull

box). Any deviations from this standard shall be approved by the AMP Project Engineer in writing.

66. Provision of an oil containment facility is required for all AMP owned pad-mount distribution switches and/or transformers installed within 100-feet of any body of water or in other critical locations. AMP shall be contacted to verify all dimensions, elevations, and orientation before commencing work.
67. Code-size service cables in code-size conduit shall be furnished and installed from each customer electric meter switchgear to the nearest secondary pull box (or Service Point) in the public right-of-way, as designated by AMP. AMP will connect the service to the distribution transformer or to the secondary distribution system.
68. The improvement plans and all subdivision maps shall show all necessary easements and access to all electrical utility facilities that are in the private properties, at no charge to AMP.
69. Prior to issuance of Certificate of Occupancy, service equipment for each building shall be furnished and installed. The service equipment shall meet Electric Utility Service Equipment Requirement Committee (EUSERC) standards. Electric meter(s) shall be located as close as practicable to the point of entry of the service-entrance conductors to the building. Outdoor meter locations are preferred. When meters are located within a building, the meter room shall be directly accessible from the exterior of the building.
70. Concurrent with acceptance of work by City Council, ownership shall be dedicated and AMP shall take over ownership and will be responsible for maintaining all new substructures for under grounding primary and secondary circuits, and distribution transformers once the improvements have been inspected by AMP and found to have been properly installed. The Applicant or successor property owner(s) shall be responsible for the service cables and service equipment.
71. The Applicant/developer shall be responsible for all expenses involved in the duct/joint trench system engineering design, plan check, project coordination, and electrical construction inspection. The Applicant shall be responsible for the cost of AMP assigned inspector during construction.
72. Detailed drawings showing the required electric utility facilities shall be submitted with the site improvement plans.

HOLD HARMLESS. The applicant shall defend (The City of Alameda, the Alameda City Planning Board and their respective agents, officers, and employees shall be defended (with counsel reasonably acceptable to the City), indemnified, and held harmless from any claim, action, or proceeding (including legal costs and attorney's fees) the 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 Alameda City Council relating to this project. The City shall promptly provide notification 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.

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.

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 Community Development Department a written notice of appeal stating the basis of appeal and paying the required fees.

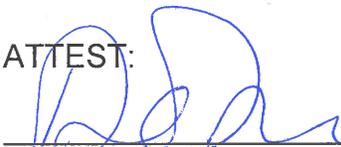
I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 25th day of September, 2017, by the following vote to wit:

AYES: (4) Burton, Curtis, Sullivan and Teague

NOES: (0)

ABSENT: (3) Mitchell, Knox White, and Köster

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

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CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-17-16

APPROVING DESIGN REVIEW AND USE PERMIT APPLICATION NO. PLN16-0417 AT 1 CLUBHOUSE MEMORIAL ROAD (CHUCK CORICA GOLF COMPLEX) FOR A NEW PREFABRICATED TENT OF APPROXIMATELY 4,100 SQUARE FEET TO BE USED AS AN EVENT CENTER BETWEEN THE HOURS OF 7:00 A.M. TO 11:00 P.M. MONDAY THROUGH SUNDAY, WITHIN THE O, OPEN SPACE ZONING DISTRICT.

WHEREAS, an application was made on August 4, 2016, by Dialemi Inc. dba Jim's on the Course for a Design Review and Use Permit to allow an approximately 4,000-square-foot prefabricated tent to be used as an event center; and

WHEREAS, the proposal was accepted as complete on September 25, 2017; and

WHEREAS, the subject property is designated as Parks and Public Open Space on the General Plan Diagram; and

WHEREAS, the subject property is located in an O, Open Space Zoning District; and

WHEREAS, the O, Open Space Zoning District requires a use permit for the construction of buildings within a public golf course; and

WHEREAS, on July 12, 2016 the City's Golf Commission recommended approval of the proposed project to the Recreation and Parks Commission, and the Recreation and Parks Commission approved the proposed project on May 12, 2016.

WHEREAS, the Planning Board held a public hearing on October 23, 2017 on the Design Review and Use Permit application, at which time all materials submitted and all comments made by all parties, including staff, regarding this application were considered; and

NOW, THEREFORE BE IT RESOLVED, on October 23, 2017, the Planning Board made the following findings concerning the project:

CONDITIONAL USE PERMIT FINDINGS:

- 1. 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.**

The project is an expansion for the food and beverage service for golf tournaments at the Chuck Corica Golf Course. The new event center, which will seat 200 people, will be constructed between the restaurant and driving range on a building site that is currently grass. The event center is a prefabricated permanent tent system with glass

windows and an aluminum frame and includes restroom facilities accessible from the interior of the event center and a service area that is accessible from both the interior and exterior of the event center. The proposed use is complementary to the existing golf course facility and is commonly seen at other golf courses and open space recreational areas. The single-story tent structure is of a low profile and compatible with the adjacent clubhouse and restaurant buildings. The design of the tent, with a primarily glass perimeter, allows occupants to enjoy the surrounding open space. The location of the new event center is also more than 900 feet from the nearest residence, which provides an adequate distance to not cause disturbances.

2. The proposed use will be served by adequate transportation and service facilities, including pedestrian, bicycle and transit facilities.

The property is fully developed and does not require additional parking or transportation service facilities. There is a large parking lot that includes ten ADA parking spaces and an ADA path of travel to the event center, which would adequately accommodate users of the event center. The anticipated users of the event center are the same users of the golf course.

3. The proposed use, 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.

The proposed event center is an expansion of the existing use within the confines of the Golf Course Complex. The event center is a joint partnership between the adjacent Jim's on the Course restaurant and the Golf Course operator, Greenway Golf. The new event center is also more than 900 feet from the nearest residence, which provides an adequate distance to not cause disturbances to surrounding land uses around the golf course property. Therefore, it will not result in any negative impacts on surrounding businesses, properties or the local economy.

4. The proposed use relates favorably to the General Plan.

This use is consistent with the General Plan because the proposal complies with General Plan Guiding Policy 2.10.a, which encourages establishing public- or joint-venture enterprise development on City-owned land for public use and enjoyment. The events center would also encourage and enhance activities that complement the existing golf course, including the ability to attract large golf tournaments that are necessary for the viability of the golf course operations.

DESIGN REVIEW FINDINGS:

1. The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual.

The proposed structure is located within an existing golf course and will promote recreational uses within the O, Open Space Zoning District. The design of this event center is consistent with typical prefabricated tents used in outdoor setting for special events and fits within the context of the golf course.

- 2. The proposed design is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses.**

Despite a footprint of 4,000 square feet, the proposed tent is of a low profile and its use of clear glass and lightweight construction material reduces its massing and is appropriate for this outdoor setting. The majority of the footprint for the structure will occur over existing grass landscape, and there will be minimal disruption to the golf complex. Project massing and scale are consistent with the character of the golf course. The site is more than 900 feet away from the nearest residential building and not visible from offsite locations, including the nearest public street (Island Drive).

- 3. The proposed design of the structure(s) and exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development.**

The structure is a prefabricated tent system comprised of an arched roof made of industrial-grade white vinyl, an aluminum frame, floor to ceiling windows on the east and south side, white smooth walls on the west and north side, and transom windows spanning across the entire east and west sides. The design and finish materials are compatible with the site and adjacent restaurant and reflect other typical event structures commonly seen at golf courses and recreational open space areas.

BE IT FURTHER RESOLVED, the Planning Board finds this project to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 – New Construction or Conversion of Small Structure.

BE IT FURTHER RESOLVED, that the Planning Board of the City of Alameda hereby approves Design Review and Use Permit No. PLN16-0417 subject to the following conditions:

1. Compliance with Plans: Any modification on this site shall be in substantial compliance with the Use Permit and Design Review application submittal dated received on August 4, 2016, by Jorge Maezono, on file in the City of Alameda Community Development Department, except as modified by the conditions listed in this report.
2. Changes to Approved Plans: This approval is limited to the scope of the project defined in the project description and does not represent a recognition and/or approval of any work completed without required City permits. Any changes to the approved scope of the project shall be submitted to the Community Development Department for review and approval.
3. Hours of Operation: The event center hours of operation, shall be 7 a.m. to 11 p.m. Monday through Sunday. Any changes to hours of operation shall require the applicant to file a separate application to amend this Use Permit.

4. Noise: All special events held at the facility shall comply with the City of Alameda's Noise Ordinance pursuant to Section 4.10 of the Alameda Municipal Code. This shall include noise created by employees working on the premises as well as patrons arriving and departing the premises before and after business hours.
5. Exterior Lighting: New exterior lighting fixtures shall be low intensity, directed downward and shielded to minimize offsite glare.
6. Alcoholic and Beverage Control: The applicant shall comply with all applicable laws and regulations pertaining to onsite provision and consumption of alcoholic beverages. Any sale of alcohol for off-site consumption is prohibited.
7. Solid Waste: The applicant will comply with Alameda County's Mandatory Recycling Ordinance by procuring adequate recycling and composting capacity from Alameda's franchised waste hauler, Alameda County Industries (ACI).
8. Vesting: The Use Permit and Design Review approval shall expire two (2) years after the date of approval or by October 23, 2019 unless authorized construction or use of the property has commenced. The applicant may apply for a time extension, not to exceed two (2) years. An extension request shall be subject to approval by the Zoning Administrator and must be filed prior to the date of expiration.
9. Revocation: This Use Permit may be modified or revoked by the Zoning Administrator, pursuant to Alameda Municipal Code Section 30-21.3d should the Zoning Administrator determine that: 1) the use or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity; 2) the property is operated or maintained so as to constitute a public nuisance; or 3) the use is operated in violation of the conditions of the Use Permit.
10. Indemnification: 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

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.

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 Community Development Department a written notice of appeal stating the basis of appeal and paying the required fees.

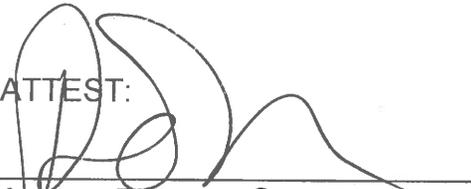
I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 23rd day of October, 2017, by the following vote to wit:

AYES: (7) Mitchell, Burton, Curtis, Knox White, Köster, Sullivan and Teague

NOES: (0)

ABSENT: (0)

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

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CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-17-17

APPROVING DEVELOPMENT PLAN AND DESIGN REVIEW AMENDMENTS PLN 17-0465 FOR BUILDING 8 ON ALAMEDA POINT LOCATED AT 2350 SARATOGA STREET

WHEREAS, the Planning Board held a public hearing on October 24, 2016 and reviewed an application for a development plan, design review, and master use permit (PLN16-0468) to modify Building 8 (2350 Saratoga St.), a contributing structure within the NAS Alameda Historic District; and

WHEREAS, on October 24, 2016 the Planning Board reviewed the application, including exhibits and documents, and made the required findings and approved a development plan, design review, and master use permit, Resolution No. PB-16-29; and

WHEREAS, an application was made on September 5, 2017 by Alameda Point Redevelopers, LLC , proposing to revise the prior approved design to increase the square footage of the approved rooftop addition and reduce its overall height to match the existing height of the building's elevator towers; and

WHEREAS, the project site is designated as Alameda Point Civic Core in the General Plan; and

WHEREAS, Building 8 is located within the Alameda Point Adaptive Reuse Sub-district (AR Sub-district); which is in the Alameda Point District [Alameda Municipal Code (AMC) 30-4.24] of the Zoning Ordinance; and

WHEREAS, the Alameda Point General Plan Amendment and Zoning regulations require that the Planning Board approve a Development Plan and Design Review application prior to the restoration and reuse of Building 8; and

WHEREAS, the Historical Advisory Board held a public hearing on October 5, 2017 to review the plans for Building 8, and approved a Certificate of Approval Amendment for the redesigned rooftop addition of Building 8; and

WHEREAS, the Planning Board held a public hearing on October 9, 2017 to review the plans for Building 8, and examined pertinent maps, drawings, and documents;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that the following findings can be made in support of the Development Plan and Design Review Amendments approval:

DEVELOPMENT PLAN FINDINGS:

- A. The development is an effective use of the site. The Development Plan Amendment provides for adaptive reuse, reinvestment in, and preservation of a historic resource in the nationally listed NAS Historic District. The proposal also effectively replaces jobs lost

from Alameda and the Naval Air Station when the Department of Defense decided to close the former Naval Air Station.

- B. The proposed use relates favorably to the General Plan. The proposed development supports General Plan policies for the redevelopment and reuse of Alameda Point and re-investment in the NAS Historic District. The proposed use also supports General Plan policies to support economic development and employment opportunities at Alameda Point.
- C. The proposed use, 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. The development plan is designed to be compatible with adjacent uses by providing attractive public improvements, and ample pedestrian, transit, and bicycle facilities. Conditions of approval ensure that no significant off-site hazards or environmental hazards will effect occupants of the building or surrounding buildings.
- D. 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. The proposed rehabilitation and reuse of the building is compatible with adjacent light manufacturing and commercial uses proposed for Building 91, Building 9 and the adjacent Civic Core buildings.
- E. The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities. Building 8 is located within a planned transit oriented, pedestrian friendly mixed use neighborhood, within a 15 minute walk from a new regional ferry terminal and a 20 minute walk from an existing regional ferry terminal. All development within Alameda Point includes a robust and aggressive TDM Compliance Strategy with a wide variety of transportation services and facilities, including the provision of transit services and other transportation services and programs. Approved developments at the nearby Site A are providing transit service at a frequency in the peak hours (i.e., 15-minute vs. 30-minute) that exceed the requirements of the Alameda Point TDM Plan. The project conforms to AMC Section 30-4.24(g), which establishes the maximum number of parking spaces permitted by land use.

DESIGN REVIEW FINDINGS:

- A. The proposed Design Review Amendment is consistent with the General Plan, Zoning Ordinance and the City of Alameda Design Review Manual. The proposed rehabilitation and reuse of the Building 8 is consistent with the Alameda Point General Plan Element and Alameda Point Zoning goals and consistent with the Secretary of Interior Standards for the Rehabilitation of Historic Structures.
- B. The proposed design is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses. The rehabilitation of the building and proposed building additions are consistent with the historic character of the NAS Historic

District and the proposed commercial uses are consistent with the historic use of the building and the surrounding buildings for manufacturing, warehousing and office uses by the US Navy.

- C. The proposed design of the building additions and exterior materials are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development. The proposed rehabilitation of the existing building and landscaping has been specifically designed to be compatible with the existing building, the existing historic character of the NAS Historic District and the adjacent non-residential uses. Reuse of existing buildings and preservation of existing cultural landscape features and materials will work to create a unique and interesting mixed use environment and public spaces. The restored building is positioned to create a continuous street-facing frontage along Saratoga Street and West Ranger Avenue.

BE IT FURTHER RESOLVED that the Planning Board finds that the Alameda Point Project, including the restoration of Building 8, was adequately considered by FEIR, and that by Resolution No. 14891 the City Council of the City of Alameda certified the Final Alameda Point Environmental Impact Report (FEIR) (State Clearinghouse No. 201312043) under the California Environmental Quality Act ("CEQA"), California Public Resources Code Section 21000 *et seq.* and adopted written findings and a Mitigation Monitoring and Reporting Program ("MMRP") on February 4, 2014, for the Alameda Point Project, including Building 8; and based on substantial evidence, that no further review under CEQA is required.

BE IT FURTHER RESOLVED, that pursuant to the streamlining provisions of Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183, no further environmental review of the design review application is required;

BE IT FURTHER RESOLVED that the Planning Board of the City of Alameda hereby approves Development Plan and Design Review Amendments **PLN17-0465**, subject to the following conditions:

1. Building and Site Improvement Permit Plans: The plans submitted for Building and Site Improvement Permits shall be in substantial compliance with the plans prepared by Mikiten Architects, dated received on September 5, 2017, on file in the office of the City of Alameda Community Development Department.
2. Uses Permitted. All use of the building, spaces within the building, and site shall be consistent with the uses permitted within the Alameda Point Adaptive Reuse Zoning District, the use limitations of the following conditions of approval. Consistent with the Lease Agreement between the City of Alameda and the Alameda Point Partners for the use of the property, no more than 5% of the total area of the premises may be used for retail uses. Ancillary retail uses shall not be counted against the 5% cap.
3. Prior Conditions: The applicant shall comply with all previously approved conditions for the Development Plan, Design Review and Use Permit for the site as specified in Planning Board Resolution 16-29 (PLN16-0468), with the following exception to Condition #13, which is modified as follows:

- a. Transportation Demand Management Program: Prior to issuance of the first Occupancy Permit, the applicant shall complete an Alameda Point Transportation Demand Management Program Compliance Checklist which shall at minimum commit the project and the project occupants to:
- i. An annual TDM fee of \$166,395.35 (\$0.55 per square foot) to be used by the Alameda Point TMA for transportation services for Alameda Point.
 - ii. An annual transportation survey of project occupants to be provided to the Alameda Point TMA for planning purposes.

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 Alameda City Council relating 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.

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.

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 Community Development Department a written notice of appeal stating the basis of appeal and paying the required fees.

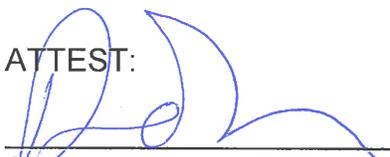
I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 9th day of October, 2017, by the following vote to wit:

AYES: (7) Mitchell, Burton, Curtis, Knox White, Köster, Sullivan and Teague

NOES: (0)

ABSENT: (0)

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

* * * * *

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-17-18

APPROVING DESIGN REVIEW APPLICATION PLN17-0274 FOR A TWO-STORY REAR ADDITION AND VARIOUS EXTERIOR RESTORATION AND REHABILITATION WORK TO AN EXISTING FOUR-UNIT RESIDENTIAL BUILDING AT 1822 BAY STREET.

WHEREAS, on May 24, 2017 Clarence Chu submitted an application for design review (application no. PLN17-0274) for a two-story rear addition, exterior restoration of architectural features, and establishment of a one-car attached garage to an existing four-unit residential building; and

WHEREAS, on September 18, 2017, staff approved the design review application with conditions of approval; and

WHEREAS, on September 25, 2017, the decision was called for review by the Planning Board after one neighbor spoke against the project at the Planning Board meeting; and

WHEREAS, the project site is designated as Medium Density Residential in the General Plan; and

WHEREAS, the project site is located within the R-2, Two-family Residence Zoning District; and

WHEREAS, the Planning Board held a public hearing on October 23, 2017 and reviewed the application for design review PLN17-0274 and all applicable material including public comments; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that the following findings can be made in support of the Design Review approval:

DESIGN REVIEW FINDINGS:

- 1. The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual, because the proposed new construction is compatible in design and use of materials with the existing building and surrounding neighborhood.**

The project proposes to remove a previously constructed rear addition and construct a new rear addition, which meets all setback, height and lot coverage requirements in the Zoning Ordinance. The proposed rear addition increases the existing footprint by approximately 86 feet, but it would remove a previous incompatible addition and replace it with an addition that would give the rear of the building a cohesive shape consistent with other homes in the neighborhood. The proposed restoration of the architectural features of the building is consistent with methods suggested by the Design Review Manual. Specifically, the proposed project is consistent with the Design Review guiding

parameter to preserve and enhance the community's architectural quality and historic identity. The proposed project would also involve interior reconfiguration of the living spaces as part of bringing the existing dwelling units to comply with current building codes.

- 2. The proposed design is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses.**

The project proposes to restore a Queen Anne Cottage that is in disrepair. The restoration includes restoring character defining architectural features such as the fish scale shingles at the front gable, original decorative corner brackets, original redwood siding, original frieze, window trim, stairs and guardrail. The design of the proposed addition at the rear is compatible because it features a gable roof similar to the original roof on the front of the structure and will use siding and trim details to match the rest of the building. Homes of similar architectural styles are found in surrounding buildings. This project is also compatible with the neighborhood because of the eclectic mix of designs that are found in the throughout the neighborhood.

- 3. The proposed design of the structure(s) and exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development.**

The proposed restoration will return the structure close to its original architectural style which integrates well with the architecture found in the neighborhood. The proposed addition is designed to match the existing building and it will utilize the same materials of the building which are also compatible with the design elements found on residential building in the neighborhood. The project also proposes to improve the landscaping in the front yard and add stairs with decorative balusters and railing that are appropriate for the style of the structure.

BE IT FURTHER RESOLVED, this project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c) - Existing Facilities, which involves the repair and minor alteration of existing structures involving negligible or no expansion of use. This exemption applies to additions no greater 2,500 square feet. The proposed addition results in a net increase of only 468 square feet.

BE IT FURTHER RESOLVED that the Planning Board of the City of Alameda hereby approves Design Review **PLN17-0274**, subject to the following conditions:

1. The plans submitted for Building Permits shall be in substantial compliance with the plans prepared by Tim Chu, dated August 12, 2017, includes Sheets A-0 through A-9 and on file in the office of the City of Alameda Community Development Department.
2. This approval is limited to the scope of the project defined in the project description and

does not represent a recognition and/or approval of any work completed without required City permits. Any additional exterior changes shall be submitted to the Community Development Department for review and approval prior to construction.

3. The final plans submitted for Building Permit plans shall incorporate the approved window schedule.
4. The final plans submitted for Building Permits shall reflect the restoration of the original horizontal redwood siding, fish scale shingles at the front gable, original decorative corner brackets, original frieze, window trim, stairs and guardrail.
5. New exterior lighting fixtures shall be low intensity, directed downward and shielded to minimize offsite glare.
6. The final plans submitted for Building Permits shall incorporate a roof design of the rear addition to utilize a shed or hipped roof to reduce the overall height of the addition. The final roof design shall not to exceed thirty (30') feet in height.
7. The final plans submitted for Building Permits shall reduce the size of window #36 on the south elevation to the minimum allowable size that will still meet egress requirements per the California Building Code, as determined by the Building Official.
8. The applicant shall have the discretion to omit or retain the proposed attached one-car garage from the final plans submitted for Building Permits. Should the applicant choose to omit the garage, then the plans shall reflect removal of the existing driveway curb cut at the front of the property and restoration of the sidewalk, curb, and gutter to City standards.
9. The final plans submitted for Building Permits shall include landscaping in the front yard. The final plans shall also include landscaping along the rear property line for privacy screening from the adjacent property.
10. The final plans submitted for Building Permits shall identify a location for storing and screening all garbage, recycling, and compost bins for each residential unit.
11. The final plans submitted for Building Permits shall show a contiguous door and window header on the main entrance of the front elevation.
12. The final plans submitted for Building Permit approval shall conform to all applicable codes and guidelines.
13. Prior to issuance of building permit(s) for this project, the applicant shall provide evidence that all required approvals, permits, or waivers from regulatory agencies, including but not limited to, the Bay Area Air Quality Management District, have been obtained for asbestos siding removal.

14. A site inspection to determine compliance with this Design Review Approval is required prior to the final building inspection. The applicant shall notify the Community Development Department at least four days prior to the requested Planning Inspection dates.
15. Indemnification: The applicant, or its successors in interest, 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 against the City of Alameda, Alameda City Planning Board and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the 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.

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 Alameda City Council relating 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.

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.

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.

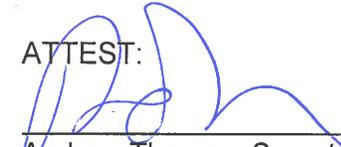
The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Community Development Department a written notice of appeal stating the basis of appeal and paying the required

fees.

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 23th day of October, 2017, by the following vote to wit:

AYES: (7) Mitchell, Burton, Curtis, Knox White, Köster, Sullivan and Teague
NOES: (0)
ABSENT: (0)

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

* * * * *

**ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-17-19**

A RESOLUTION OF THE PLANNING BOARD RECOMMENDING THAT THE CITY COUNCIL REMOVE THE "G" SPECIAL GOVERNMENT COMBINING OVERLAY ZONING DISTRICT FROM NORTH HOUSING SITE FOR FUTURE RESIDENTIAL USE BY NON FEDERAL ENTITIES

WHEREAS, the current General Plan designation for the subject property at the North Housing site is Medium Density Residential; and

WHEREAS, the current zoning of the site (as shown in Exhibit 1) is an R-4 Neighborhood Residential Zoning District with a PD Planned Development, MF Multifamily, and Special Government Combining District; and

WHEREAS, the North Housing site is identified as a housing opportunity site in the City of Alameda General Plan; and

WHEREAS, the property is to be conveyed out of Federal ownership to the Alameda Housing Authority, Habitat for Humanity, and Carmel Partners for residential use; and

WHEREAS, once conveyed out of federal ownership, the property will no longer meet the purpose of the "G" overlay zoning district, which is to identify federally owned property within the City of Alameda; and

WHEREAS, the project is exempt from the California Environmental Quality Act (CEQA) Guidelines, Section 15305 Minor Alterations to Land Use Limitations.

THEREFORE, BE IT RESOLVED that the Planning Board has reviewed the proposed Zoning Map Amendment and finds:

1. **The amendment maintains the integrity of the General Plan.** The proposed zoning map amendment ensures consistency between the General Plan and the Alameda Zoning Map. The underlying zoning of the property is consistent with the General Plan and the future intended residential uses for the property.
2. **The amendment will support the general welfare of the community.** The proposed zoning map amendment will support the general welfare of the community by assisting Carmel Partners, Habitat for Humanity, and the Alameda Housing Authority reuse and redevelop the property for private residential use.
3. **The amendments are equitable.** The proposed zoning map amendment is equitable in that it is consistent with the General Plan and will remove the G – Combining District restriction on use of the property, which is a restriction that no other private property owner or non-profit property owner has on their property.

BE IT FURTHER RESOLVED that the Planning Board of the City of Alameda recommends that the City Council:

1. Ensure that any development of the property replace and/or upgrade the backbone infrastructure to support redevelopment and reuse of the entire North Housing property consistent with the 2009 Community Reuse Plan policies.
2. Ensure a complete community planning process for any proposal to increase residential density on any part of the property above the 15 units per acre (435 total units) envisioned in the 2009 Community Reuse Plan for the property by amending the underlying MF, Multi-family Residential Combining District zoning designation to include the following new provision AMC Section 30-4.23.d.3:

“ A conditional use permit shall be required for any residential development proposal that proposes more than 15 units per acre on the “North Housing” property identified by assessor’s parcel numbers APN 74-905-10-4 AND 74-905-12-2.

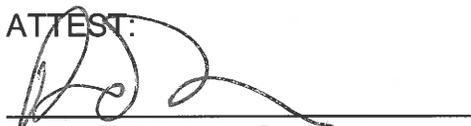
3. Allow reuse and redevelopment of the property by non-federal and non-state entities by removing the “G” Special Government Combining District designation for the North Housing site as shown in the City of Alameda Housing Element; and
4. That the ordinance amendments become effective upon final conveyance of the property to each non-federal property owner.

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.

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 13th day of November, 2017, by the following vote to wit:

AYES: (5) Curtis, Knox White, Köster, Sullivan and Teague
NOES: (0)
ABSENT: (0) Mitchell and Burton

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-17-20

APPROVING DESIGN REVIEW (PLN 15-0452) FOR BLOCK 9 WITHIN THE SITE A
DEVELOPMENT PLAN IN THE WATERFRONT TOWN CENTER PLAN AREA AT
ALAMEDA POINT

WHEREAS, an application was made on September 22, 2015 by Alameda Point Partners (APP), for a design review approval of a residential building referred to as "Block 9" within the approved Site A Development Plan in the Waterfront Town Center Precise Plan (Town Center Plan) area of the Alameda Point property; and

WHEREAS, the proposed Block 9 plan consists of 200 multi-family residential units, approximately 8,700 square feet of ground floor retail use, and approximately 8,500 square feet of community and amenity uses and spaces; and

WHEREAS, Block 9 is designated as Mixed Use in the General Plan; and

WHEREAS, the Block 9 is located within the Alameda Point Waterfront Town Center Sub-district (WTC Sub-district); which is in the Alameda Point District [Alameda Municipal Code (AMC) 30-4.24] of the Zoning Ordinance and

WHEREAS, the Town Center Plan is a Specific Plan pursuant to Government Code Section 65450 et seq. for a transit-oriented development of the waterfront lands that surround the Seaplane Lagoon and the property at the entrance of Alameda Point between Main Street and Seaplane Lagoon;

WHEREAS, Block 9 is located within the Site A Development Plan approved by the City Council on June 16, 2015;

WHEREAS, the Town Center Plan and the Site A Development Plan requires that the Planning Board approve a Design Review application prior to redevelopment and reuse of Block 9;

WHEREAS, the Planning Board held a public hearing on December 11, 2017, for this Design Review application, and examined pertinent maps, drawings, and documents;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that the following findings can be made in support of the Design Review approval:

DESIGN REVIEW FINDINGS:

- 1. The proposed design is consistent with the General Plan, Zoning Ordinance, Town Center Plan, approved Site A Development Plan, and the City of Alameda Design Review Manual.** The proposed design of a multi-family building on Block 9

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for a multifamily housing project at the heart of the commercial center along a major transit corridor within Alameda Point's "town center" creates a transit-and pedestrian-oriented higher density mixed-income living environment consistent with the General Plan, Zoning Ordinance, Town Center Plan and Site A Development Plan.

2. **The proposed design is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses.** The proposed design of Block 9 is compatible with the residential uses proposed on the adjacent blocks in the Site A Development Plan. Block 9 will provide a transition between the multi-family affordable housing on Block 8 and the townhomes proposed to the east on Block 7 and the commercial buildings on Block 10. The southern elevation of Block 9 fronts West Atlantic Avenue, the main transit corridor, and the community amenity spaces are planned for the ground floor to create an active pedestrian environment along West Atlantic Avenue.
3. **The proposed design of the structure(s) and exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development.** The proposed design of Block 9 draws inspiration from design elements of the existing buildings near and within the Naval Air Station Alameda Historic District. The Block 9 architectural design shares architectural elements, materials and colors that reflect and respect, without replicating, the architectural elements of some of the most important contributing buildings in the Historic District. Examples of these elements include the strong horizontal lines that define the architectural design of the building, and the use of color and materials similar to the hangars along the Seaplane Lagoon.

BE IT FURTHER RESOLVED that the Planning Board finds that the Alameda Point Project, including the Town Center Plan containing Site A, was adequately considered by FEIR, and that:

1. By Resolution No. 14891 the City Council of the City of Alameda certified the Final Alameda Point Environmental Impact Report (FEIR) (State Clearinghouse No. 201312043) under the California Environmental Quality Act ("CEQA"), California Public Resources Code Section 21000 *et seq.* and adopted written findings and a Mitigation Monitoring and Reporting Program ("MMRP") on February 4, 2014, for the Alameda Point Project, including the Town Center Plan area which contains Site A; and
2. The City Council having certified the FEIR for the Alameda Point Project and the Town Center Plan containing Block 9, based on substantial evidence, that no further review under CEQA is required; and

- a. Block 9 architectural design and the adjacent waterfront street are consistent with the General Plan, Zoning Ordinance, Town Center Plan, and Site A Development Plan; and
3. The FEIR was certified by the City Council for the Alameda Point Project, including amendments to the General Plan and Zoning Ordinance, as well as the Town Center Plan; and
4. There are no environmental impacts peculiar to Block 9 that were not analyzed in the FEIR, or any such impact can be substantially mitigated by imposition of uniformly applied development policies or standards previously adopted by the City; and
5. There are no significant effects of the Block 9 project that were not analyzed as significant effects in the FEIR; and
6. There are no potentially significant off-site impacts of the proposed Block 9 project and there are no cumulative impacts to which the proposed Block 9 project makes a considerable contribution which were not discussed in the FEIR; and
7. There are no previously identified significant impacts of the proposed Block 9 project which, as a result of substantial new information which was not known at the time the EIR was certified, have been determined to have a more severe adverse impact than discussed in the FEIR.

BE IT FURTHER RESOLVED, that pursuant to the streamlining provisions of Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183, no further environmental review of the design review application is required;

BE IT FURTHER RESOLVED that the Planning Board of the City of Alameda hereby approves Design Review PLN 15-0452, subject to the following conditions:

1. Final Design Details Approval. Prior to issuance of a Building Permit for the site, the applicant shall submit a Final Design Review Details exhibit for Planning Board review and approval. The Design Details exhibit shall include improved and revised drawings for the:
 - a. Perspective of courtyard
 - b. Front elevation of the building.
 - c. Options for roof top public spaces.
 - d. Final landscaping details and plant selections.
2. Building and Site Improvement Permit Plans: The plans submitted for Building and Site Improvement Permits shall be in substantial compliance with the plans prepared by Pyatok Architects dated November 28, 2017, on file in the office of the City of Alameda

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Planning Board Meeting

Community Development Department and the final Design Details approved as the result of Condition #1 above.

3. CEQA: Prior to issuance of a Building or Site Improvement Permit, the applicant shall submit a Mitigation Measure Compliance Checklist confirming compliance with all required environmental mitigation measures 4-C-1, 4.D-2, 4.D-3, 4.D-4, 4.E-1f, 4.E-1g, 4.E-4b, 4.E-4c, 4.E-4f, 4.F-1a, 4.F-1b, 4.F-1c, 4.F-1d, 4.F-2, 4.F-7b, 4.G-1a, 4.G-1b, 4.G-1c, 4.G-1d, 4.G-4, 4.G-5, 4.H-1, 4.H-2, 4.H-4, 4.H-5, 4.I-1, 4.I-2, 4.I-8, 4.J-1a, 4.J-1b, 4.J-1c, 4.J-1d, 4.J-2, 4.J-7, 4.K-4, 4.M-5 contained in the MMRP adopted by the Alameda City Council on February 4, 2014, for the redevelopment and reuse of Alameda Point, including Block 9 within Site A.
4. Infrastructure Improvement Plans and Subdivision Maps: Prior to issuance of building permits for new construction, the applicant shall submit infrastructure improvement plans for on and off-site improvements for review and approval by the Public Works Department and the Community Development Department, and the applicant shall submit a Tentative Subdivision Map or Tentative Parcel Map for Block 9 consistent with the Site A Development Plan for review and approval by the Planning Board and City Council. Such maps and infrastructure plans shall be consistent with the Development Plan and the DDA, and subject to the requirements of the AMC, and Alameda Point Master Infrastructure Plan (MIP). Such maps and infrastructure improvement plans shall include a phased infrastructure construction plan for all off-site infrastructure, including the dimensions, cross-sections, and configuration of all public rights of way, ADA ramps at all intersections and associated ADA improvements, public open space, and development parcels and include the proposed site grading, drainage improvements and utility and construction phasing.
5. Public Access Easements: The applicant shall record public access easements on all on-site areas between the south face of the building and the edge of the adjacent public right of way.
6. Final Design Details. Prior to issuance of a building permit, the applicant shall submit the following final design detail for Community Development Department review and approval:
 - a. Final street tree, street lights, street signage, and street furniture design details. All street trees shall be protected by a curb, and all transformer locations to ensure adequate clearances.
 - b. Final planting plan that identifies the specific location of proposed plant species and their corresponding hydrozones. Coastal live oak should be removed from the planting plan.
 - c. Final building awning signage, minimum retail ceiling heights of 14 feet, on-site building lighting, Ardent and Orion entry gates, and ground floor column details.

- d. Final glass balcony panel design to ensure “bird safe” standards and avoid bird strikes.
 - e. Final window details showing a minimum of a two and one half inch recess between the face of the window glass and the exterior face of the adjacent wall.
 - f. Final storefront door design, lobby entrance design, storefront signage, and relationship between storefront and any balcony located directly above storefront.
7. Automobile Parking: The Building Permit plans shall include design details providing for a minimum of three (3) electric car charging stations and for cost-effective expansion of electric car charging stations to additional stalls as demand warrants and shall meet the latest applicable codes as they relate to electric car charging. The Building Plans shall also provide details such as warning lights and alarms to ensure safe pedestrian crossings at the on-site driveways into the parking garages.
8. Sea Level Rise: Prior to Building Permit approval, a description of the improvements shall be provided to ensure that any new habitable buildings will be constructed at a minimum elevation of 24 inches above the 100-year tidal flood plan elevation.
9. Sustainable Design: Prior to issuance of a building permit, the applicant shall submit a checklist showing that the project meets either: a minimum LEED™ Certified rating and be so certified by the US Green Building Council or a minimum GreenPoint Rated score of fifty (50) and be so verified by Build It Green.
10. Modifications: Minor project design details requested by the applicant may be established, modified, and approved by the Community Development Director. Engineering standards and specifications requested by the applicant may be established, modified and approved by the Public Works Director, or his designee. Major modifications that are not consistent with this design review approval or these conditions shall be subject to review and approval of the Planning Board.
11. Other Agency Approvals: Prior to issuance of building permit(s) for work within jurisdictional lands, the applicant shall provide evidence that all required approvals, permits, or waivers from Regional Water Quality Control Board (Water Board), and/or the Army Corp. of Engineers, if any, have been obtained. The final improvement plans shall incorporate all other agency requirements.

Biological

12. Biological Regulations: Applicant shall notify all future property owners or occupants of the Declaration of Restrictions for the Former Naval Air Station Alameda (Declaration) consistent with the Biological Opinion issued by the U.S. Department of Fish and Wildlife Service (Service) and thereafter the Declaration shall be incorporated by reference in all deeds and leases of any portion of the Block 9.

13. Feral Cat Feeding Stations. Feral cat feeding stations and colonies, and the feeding of any native and non-native wildlife species that are potential predators of least terns is prohibited in perpetuity and thereafter this prohibition shall be incorporated in all deeds and leases of any portion of the Block 9.
14. Fireworks Displays. Fireworks displays will not be authorized from April 1 to August 15 and thereafter this prohibition shall be incorporated in all deeds and leases of any portion of the Block 9.
15. Lighting: Pedestrian and vehicular lighting at all intersections and project driveways shall meet Alameda Municipal Power standards for crosswalks, sidewalks, and intersections and be consistent with the Declaration and Alameda Point Lighting Mitigation Measures.

Improvement Plans

16. Landscape Plans: The improvement plans shall include landscape and irrigation plans for both on-site and off-site improvements consistent with the Town Center Plan and MIP, including flood and sea-level rise protection improvements, as required by the MIP and DDA. The plans shall be prepared, signed, and stamped by a licensed landscape architect and civil engineer for flood and sea-level rise protection improvements and shall be in accordance with the AMC and other regional jurisdictional requirements. The landscape architect shall also assume responsibility for review of the work and shall provide a Letter of Acceptance of construction conformance to the City, prior to acceptance of the work, that the installation of landscaping and irrigation in the public right-of-way was constructed in accordance with the approved plans.
17. Fire Water: The improvement plans for the project site shall include a Fire Water System consistent with the MIP. The system shall be designed to the satisfaction of EBMUD and the Alameda Fire Department. The Applicant shall be responsible for the placement of on-site hydrants. The location and number of hydrants shall be established in improvements plans. Placement shall be shown on the improvement plans and shall be to the satisfaction EBMUD, the City Fire Chief and the City Engineer.
18. Fire Sprinklers: The improvement plans and building permit plans shall include fire sprinkler systems within each residential unit including the garage and attic spaces and within any commercial spaces.
19. Fire Safety: Prior to approval of the Improvement Plans, the applicant shall submit plans for review and approval by the Public Works Director and the Fire Chief, that:
 - a. Provide fire hydrants spaced throughout the project as required in California Fire Code Appendix C. Ensure sufficient fire flow for the development compliant with California Fire Code Appendix B and AMC 15-1.2 where a maximum reduction of the fire flow can be reduced by 50% for fire sprinklered buildings.
 - b. Fire hydrant flows shall be a minimum of 1,500 G.P.M. from any one hydrant;

c. Ensure that all roads that are required to be fire access roads have an adequate turning radii for fire apparatus (inside turning radius of 28'0" and outside turning radius of 44'8"); and

d. For all roads designated as fire access roads shall have a minimum fire lane width of 26' unobstructed for buildings taller than 30'. Should parking within the fire lane be required, the fire lane width shall be increased as required to meet fire access requirements.

20. Utilities: The improvement plans shall include facilities and improvements to ensure that utility services are maintained for existing users throughout the construction process and the access to such service for maintenance purposes is preserved throughout the construction process for new utilities.

21. Geotechnical Report: A geotechnical report, including recommendations, shall be prepared by a registered geotechnical engineer licensed in the State of California. The improvement plans shall incorporate all geotechnical recommendations in the report and be consistent with the Phase 1 Site A Tentative Map, MIP and DDA. The geotechnical engineer shall sign and stamp the improvement plans as conforming to its recommendations. The geotechnical engineer shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work that the work performed is adequate and complies with their recommendations.

Public Improvements

22. Maintenance: Maintenance of improvements not within the public ROW shall be the responsibility of the new development.

23. Street Resurfacing: Applicant/developer shall resurface the existing street pavement whenever a street is cut for utility or other improvement installations or the condition of the existing pavement requires improvements. The resurfacing shall extend a sufficient distance beyond any cut to ensure a smooth transition and shall consist of an average of one and a half (1½) inch asphalt concrete overlay, with a minimum one inch asphalt concrete overlay.

24. Curb and Gutter: Applicant/developer shall replace any damaged curb, gutter, and sidewalk along street frontages to the satisfaction of the Public Works Director, in accordance with the Public Works Department's Standard Plans and Specifications prior to acceptance of the project.

25. Access Phasing Plan. Prior to Building or Site Improvement Permit, a fire, pedestrian, bicycle, and automobile access plan for the phasing of all four sides of Block 9 shall be approved by the Public Works Director.

Water Quality

26. 401 Certifications Conditions. The development of Block 9 must be designed and

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constructed to comply with all of the conditions of the Conditional 401 Water Quality Certification for Alameda Point Stormwater Outfall Upgrades Project in the City of Alameda (Corps File No. 2014-00087S) (401 Certification Conditions) issued by the Water Board.

27. Final Stormwater Management Plan: The improvement plans shall incorporate a Final Stormwater Management Plan for Block 9, including all appropriate pollution prevention source control measures, permanent low impact development (LID) measures, storm water treatment controls and/or design techniques to manage the quantity and quality of storm water runoff from the project site to prevent and minimize impacts to water quality and must be consistent with the 401 Certification Conditions, the Site A Stormwater Management Plan (Site A SWMP), the preliminary stormwater management plan for Block 9 attached to this application, the MIP and the Provision C3 requirements of the City's municipal stormwater permit. Efforts shall be taken to minimize impervious surface areas, especially directly connected impervious surface areas. Roof drains shall discharge and drain to an unpaved area wherever practicable. Design techniques may include green roofs, rainwater harvesting, vegetated swales, vegetated buffer zones, bio retention units, retention/detention basins and ponds, tree well systems, and the incorporation of pervious surface areas and LID measures. The improvement plans shall provide details sufficient to ensure that the storm water design and treatment measures shall be constructed consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual, the MIP, the Site A SWMP, the preliminary stormwater plan for Block 9, and the 401 Certification Conditions. Applicants may also refer to the Bay Area Storm water Management Agencies Association (BASMAA) *Start at the Source Manual* for technical guidance. All storm water design and treatment measures for private development pads shall be consistent with the C3 requirements and 401 Certification Conditions and be located on the development pad or an adjacent private development pad and shall not be located on property planned for public parks or public rights of way. Areas between the building and the public right of way with public access easements may be treated within the public storm water treatment system if sized to handle the flow.
28. Prior to approval of the Civil Improvement Plans, the applicant/developer shall submit a finalized, stamped, signed City of Alameda C3 certification form from a qualified independent civil engineer with stormwater treatment facility design experience, licensed in the State of California, and acceptable to Public Works Engineering that indicates the LID and treatment measure designs of the finalized improvement plans and stormwater quality management plan meet the established sizing design criteria for stormwater treatment measures. These will be at the 100% complete level.
29. Prior to issuance of the initial, temporary or first occupancy permit, whichever comes first, the applicant/developer shall submit a certification report (Report) prepared by a registered civil engineer, licensed in the State of California, affirming that the project site stormwater treatment measures have been constructed per the City approved plans and specifications. As appropriate, the Report shall include, but not be limited to, assurances that: imported materials used for the treatment measure(s) are certified by the supplier;

installation of these materials is per approved plans and specifications and meets the intent of the design engineer; required on-site testing results conform with approved plans and specifications; treatment measures conform to dimensions, grades and slopes on approved plans and specifications; all structural features of the treatment measures comply with plan specifications; the irrigation system is installed and functions as designed; healthy vegetation/ground cover is installed as shown on plans. The Report shall be submitted in a form acceptable to Public Works Engineering.

30. Water Board Approval. Pursuant to Condition #15 of the 401 Certification Conditions, the applicant shall submit the proposed Site A SWMP to the Water Board's Executive Officer for review and approval prior to the issuance of a building permit or site improvement permit by the City for any construction of the Site A development, including Block 9. If the Water Board staff does not respond to the applicants Site A SWMP within 45 days of the received date, the plans will be deemed approved by the Executive Officer and the City may issue a building or site improvement permit if no changes have been made to the submitted Site A SWMP. The on-site drainage management areas indicated in the finalized stormwater management plans shall be reviewed for conformance with the corresponding off-site improvement plans.
31. Other Water Board Documents: The applicant/developer shall provide to the City Engineer or his designee, prior to the issuance of the first combination building/grading permit, a copy of both the WDID# issued to the project site by Water Board and the required Storm Water Pollution Prevention Plan (SWPPP). These documents shall provide verification to the City that the project site is in compliance with SWRCB Order No. 2009-0009-DWQ. Information on this State Order is available at: <http://www.waterboards.ca.gov>.
32. Best Management Practices: The applicant/developer shall be responsible for ensuring that all contractors and sub-contractors install, implement and effectively maintain appropriate sediment control, erosion control and other water quality protection measures to prevent any pollutants from entering the municipal storm water drainage system or the Seaplane Lagoon, either directly or indirectly, during all construction activities. All implemented measures shall be consistent with the City's urban runoff Best Management Practices (BMPs) standards. The applicant/developer shall pay for any required cleanup, testing, and/or City administrative costs resulting from consequence of construction materials entering the storm water drainage system.
33. Hydro Seeding: Hydro seeding of all disturbed pervious surface areas shall be completed in compliance with the requirements included in the State Water Resources Control Board (SWRCB) Order No. 2009-0009-DWQ.
34. Storm Water Trash Capture: Prior to the issuance of the first grading/building/combination permit for each project phase, the Improvement Plans shall indicate the storm water trash capture measure(s) being installed on the project site (or within the backbone public system) to ensure that the stormwater drainage from the project site is subject to full trash capture consistent with the City's municipal stormwater

permit definition of a full trash capture device. Improvement plan sheets shall provide sufficient plan views and details of the full trash capture device installation(s) necessary for engineering review and approval. A full trash capture system or device is any single device or series of devices that trap all particles retained by a 5mm mesh screen and has a design treatment capacity of not less than the peak flow Q resulting from a one-year, one-hour storm in the sub-drainage area. Plan sheets shall include detail and cross-sectional drawings of any stormwater full trash capture device.

35. Storm Drains: All new storm drain inlets shall be clearly marked with the words 'No Dumping! Drains to Bay' by means approved by the Public Works Department. Permanently affixed thermoplastic, metallic or plastic laminate style markers are acceptable forms. The Improvement Plans shall clearly indicate this.
36. Operations and Maintenance Plan: The Applicant/Developer shall submit a stormwater treatment measures Operations and Maintenance (O&M) plan for review and approval to the Public Works Department prior to the approval of and consistent with the improvement plans for each phase. The O&M plan shall include, but not be limited to: treatment and design measure(s) descriptions and summary inventory; a legible, recordable, reduced-scale (8.5"x11") copy(-ies) of the Site Plan indicating the treatment and design measure(s) location(s) and site drainage patterns; treatment measure(s) maintenance requirements and maintenance schedule; the approved plant list and planning plan; detailed description of the integrated pest management principals and techniques and/or Bay Friendly Landscaping Program techniques to be utilized during landscape maintenance to ensure pesticide/herbicide use-minimization in landscaped areas; name and contact information of current maintenance personnel; and template of the annual O&M report submittal to the City. Details and discussion concerning all on-site full trash capture devices and the inspection, and maintenance requirements shall also be included. The O&M plan(s) for all stormwater treatment and design measures to be maintained by any HOA or CA shall be incorporated with the CC&Rs of the relevant HOA/CA.
37. Stormwater Agreement: For any stormwater treatment or design measure not to be maintained by an HOA or CA, the Applicant/Developer shall execute a Stormwater Treatment Measures Maintenance Agreement (Stormwater Agreement) with the City prior to the issuance of the certificate of occupancy. The Stormwater Agreement shall include, but not be limited to: the O&M plan for all approved stormwater treatment measures; identification of the party responsible for implementing the O&M plan; assurances of access to inspect and verify the treatment system O&M for the life of the project; and assurances of the submittal of the annual O&M report to the City. The executed Stormwater Agreement shall be recorded, at applicant/developer's expense, with the County Recorder's Office of the County of Alameda.
38. Landscape Plans: Landscaping plans shall be designed to minimize runoff, promote surface infiltration, incorporate Bay Friendly Landscaping approaches, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution and be consistent with the MIP, the Site A SWMP, the preliminary stormwater management plan

for Block 9, and 401 Certification Conditions

39. Backflow Prevention: Backflow prevention devices shall be installed on all new and existing domestic, commercial, irrigation, and fire water services and as required by the East Bay Municipal Utility District (EBMUD).

Solid Waste

40. Waste Management Plan: The applicant/developer shall submit a Waste Management Plan (WMP) to the Public Works Environmental Services Division for approval. The plan shall describe how the trash and debris will be handled. The WMP shall be submitted by the developer to Environmental Services via Green Halo (greenhalosystems.com) prior to start of the demolition, remodeling, or construction work. This must be done using Green Halo's web interface. The Public Works Environmental Services Division will review the WMP, and will provide comments that shall be incorporated into the plans for the project. The project is subject to the WMP requirement of section 21-24 of the AMC, and must recycle at least 50% of total debris hauled from the project.
41. Green Halo: Within thirty (30) days after the completion of the demolition work, the developer shall submit a Summary Report to the Public Works Environmental Services Division, via Green Halo (greenhalosystems.com) or other form approved by the Public Works Director. For approval, this reporting will specify actual tonnages disposed and/or recycled for each material, and the actual destination/processor. Disposal and/or recycling weight tags from that facility or facilities will be directly uploaded to Green Halo to verify this activity.
42. Collection: Internal collection and storage area(s) and the individual bins and containers provided, shall be adequate in capacity, number, and distribution to serve the anticipated demand for trash, recycling, and organics as determined by the Public Works Department. The trash collection areas shall be accessible to residents and employees. Each storage area shall be no more than 250 feet from any dwelling unit, or in the garage. Trash enclosures and/or recycling area shall be covered; no other area shall drain onto these areas. Drains in any wash or process area shall not discharge to the storm drain system; these drains should connect to the sanitary sewer. The applicant shall contact the City and East Bay Municipal Utility District (EBMUD) for specific connection and discharge requirements prior to building permit issuance. Discharges to the sanitary sewer are subject to the review, approval, and conditions of the City and EBMUD.
43. Fitted Lids: All solid waste containers, including dumpsters and individual cans or carts, must have fitted lids which shall remain closed at all times when the container is not being used

Construction Conditions

44. Traffic Control Plan: At least three weeks prior to the commencement of work within the

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public right-of-way that affects access for pedestrian, bicyclist, and vehicular traffic, the applicant/developer shall provide a Traffic Control Plan (TCP) to the Public Works Department for review and approval. The TCP shall be prepared by a registered civil engineer or traffic engineer licensed in the State of California, and be in accordance with the California MUTCD standards. The engineer shall sign and stamp the plans as approved. In general, any public right-of-way shall remain unobstructed during project construction or an ADA compliant alternative route established as approved by the Public Works Director. At locations where adequate alternate access cannot be provided, appropriate signs and barricades shall be installed at locations determined by the Public Works Director and Police Chief. Should transit routes be affected, applicant/developer is required to obtain prior approval from AC Transit of any proposed traffic detours or temporary closure of bus stops. Construction work may not commence until the TCP is approved by the Public Works Director.

45. Hazardous Materials. The applicant/developer shall provide documentation from a qualified professional to the City of Alameda stating that adequate soils and ground water investigations and, where warranted, remediation, have been conducted to ensure that future site use complies with the regulatory requirements for hazard related risks as established by applicable Federal, State and local requirements. The project sponsor shall ensure that all proposed areas for demolition and abatement shall be assessed by qualified licensed contractors for the potential presence of lead-based paint or coatings, asbestos containing materials, and PCB-containing equipment prior to issuance of a demolition permit. During Construction the developer/applicant shall ensure that all construction crews are properly trained and made aware of any site contamination issues consistent with the Alameda Point Site Management Plan (SMP) and MMRP.
46. Truck Plan: Prior to issuance of grading permit, developer/applicant shall submit a Truck Route Plan for hauling to be approved by the City Engineer. The Plan must be incorporated into any construction documents for every contract.
47. Notice to Neighbors: At least two weeks prior to initiating any construction activities at the site, the applicant shall provide notice to businesses and residents within 500 feet of the project site including (1) project description, (2) description of construction activities, (3) daily construction schedule (i.e., time of day) and expected duration (number of months), (4) the name and phone number of the Noise Management Individual for the project, (5) commitment to notify neighbors at least four days in advance of authorized extended work hours and the reason for extended hours, and (6) that construction work is about to commence. A copy of such notice and methodology for distributing the notice shall be provided to the City for review and approval at least five (5) business days in advance.
48. Construction Hours: Construction activity shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Friday, and between 8:00 a.m. and 5:00 pm on Saturday. No construction-related activity shall occur on Sunday or on any Federal Holiday. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment re-design, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds)

wherever feasible and necessary. No construction activity that may cause excessive off-site vibration from heavy machinery such as drilling rigs (except as necessary for elevator, shoring, and soil testing), etc. shall be allowed. Impact tools (e.g., jack hammers, pavement breakers and noise drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to 10dB. External jackets on the tools themselves shall be used where feasible. Quieter procedures shall be used such as drilling rather than impact equipment whenever feasible.

49. Dust Control: Prior to issuance of building or grading permits, the developer/applicant shall ensure that a program of dust control is implemented consistent with City, MMRP and BAAQMD requirements.
50. Cultural Resources: In the event that previously unidentified cultural resources are discovered during site preparation or construction, work shall cease in the immediate area until such time as a qualified archaeologist and City of Alameda personnel can assess the significance of the find. If human remains are encountered, work shall halt within 50 feet of the find and the County Coroner shall be notified immediately.
51. Utilities: If underground utilities leading to adjacent properties are uncovered and/or broken, the contractor involved shall immediately notify the Public Works Department, Alameda Municipal Power, and the Community Development Department, and carry out any necessary corrective action to their satisfaction.

Fire Safety

52. Fire Access: All streets and courts within the development that are required to be fire access roads, shall be marked as fire access roads to the satisfaction of the Fire Chief. All roads that are required to be fire access roads shall be designed to handle fire apparatus weight of up to 35,000 pounds per axle.

Alameda Municipal Power (AMP)

53. The applicant shall comply to AMP's Rules and Regulations as stated in Article X and AMP's "Material and Installation Criteria for Underground Electrical Systems" (both available at www.alamedamp.com) and provide completed "Service Planning Sheets" for AMP's review prior to submitting plans for building permits.
54. The applicant shall provide information on the location of transformers and total load in kilowatts or kilowatt/volts (KVA) to AMP for approval prior to building permit issuance. If necessary, the applicant shall provide (at no charge to AMP) an easement and access to all AMP facilities on the property prior to issuance of building permits.
55. Concurrent with submittal of Improvement Plans, the Applicant shall coordinate with AMP

regarding power requirements. All submittals shall refer to AMP's "Material and Installation Criteria for Underground Electrical Systems" for minimum clearances of street trees/shrubs from streetlights, electrical transformers and other utility electrical equipment.

56. The Applicant shall provide and install street lighting consistent with AMP's standard specifications and AMP's "Material and Installation Criteria for Underground Electrical Systems". Cobra head light fixtures shall not be used for street lights and all street lights shall be designed to preserve "dark skies" and direct light downward toward the public right of way. No signs shall be installed or mounted on street light poles owned and/or maintained by AMP. All new signs shall be installed on dedicated sign posts.
57. Applicant/Developer shall have all streetlights included in the Improvement Plans, installed, fully functional and operating prior to issuance of a Certificate of Occupancy for any building unless a phasing plan is approved by the Director of Public Works. Applicant/Developer shall pay to AMP the sum of Six Dollars (\$6.00 as adjusted no more than annually for inflation) per streetlight per month, or portion of a month, for the streetlight energy costs until the applicable improvements are accepted for maintenance by City.
58. The Applicant shall be required to furnish two streetlight poles and LED fixtures of each type installed, at no cost, to AMP as a stock for future pole/fixture replacement on public street. If AMP agrees to maintain private streetlights, the Applicant/Developer shall also be required to furnish two additional streetlight assemblies (e.g. pole, fixture, arm, shroud, etc) of each type.
59. All public streets shall be lit with LED lighting. Streetlight layout shall be staggered for a more uniform light distribution. Applicant/Developer can provide alternate design if a better efficient light distribution is met. Applicant/Developer shall use AMP LED standard fixtures. LED streetlight fixtures shall offer tri-level lighting with the mid-level setting meeting IES RP-8-14.
60. The Applicant shall provide all necessary underground substructures, including conduits, pull boxes, electric utility equipment pads, etc. per the AMP specifications. AMP will require easements for all transformers, primary and secondary boxes, and conduits. AMP will furnish and install all required transformers, high voltage distribution cables, and secondary cables. Existing Alameda Point electric substructures will NOT be re-used.
61. The Applicant shall provide an easement for electric utility vehicle access to AMP's Cartwright Station. The easement shall encompass the entire perimeter of the substation, including buildings and exterior yards with a 25-foot minimum clearance from any structure (above or below grade), wall and fence. Applicant shall avoid planting any trees that will grow in fullness to the point they may encroach into the perimeter easement.
62. The Applicant/Developer shall install all electric pull boxes and vaults in-line with the conduit joint trench. No conduit bend will be allowed between electric pull boxes, unless

conduit section terminates to an electrical equipment pad. All primary and secondary electrical distribution pull boxes shall not be greater than two section deep (34-inches from finish grade to bottom of pull box). Any deviations from this standard shall be approved by the AMP Project Engineer in writing.

63. Applicant/Developer will be required to provide an oil containment facility for all AMP owned pad-mount distribution switches and/or transformers installed within 100-feet of any body of water or in other critical locations. Applicant/Contractor shall contact AMP to verify all dimensions, elevations, and orientation before commencing work.
64. The Applicant shall furnish and install code-size service cables in code-size conduit from each customer electric meter switchgear to the nearest secondary pull box (or Service Point) in the public right-of-way, as designated by AMP. AMP will connect the service to the distribution transformer or to the secondary distribution system.
65. The improvement plans and all subdivision maps shall show all necessary easements and access to all electrical utility facilities that are in the private properties, at no charge to AMP.
66. Prior to issuance of Certificate of Occupancy, the Applicant shall furnish and install service equipment for each building. The service equipment shall meet Electric Utility Service Equipment Requirement Committee (EUSERC) standards. Electric meter(s) shall be located as close as practicable to the point of entry of the service-entrance conductors to the building. Outdoor meter locations are preferred. When meters are located within a building, the meter room shall be directly accessible from the exterior of the building. No remote metering.
67. Concurrent with acceptance of work by City Council, the applicant/developer shall dedicate and AMP shall take over ownership and will be responsible for maintaining all new substructures for under grounding primary and secondary circuits, and distribution transformers once the improvements have been inspected by AMP and found to have been properly installed. The Applicant or successor property owner(s) shall be responsible for the service cables and service equipment.
68. The Applicant/developer shall be responsible for all expenses involved in the duct/joint trench system engineering design, plan check, project coordination, and electrical construction inspection. The Applicant shall be responsible for the cost of AMP assigned inspector during construction.
69. The Applicant/developer shall submit, with the site improvement plans, detailed drawings showing the required site electric utility facilities.

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 Alameda City Council relating 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.

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.

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 Community Development Department a written notice of appeal stating the basis of appeal and paying the required fees.

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 11th day of December, 2017, by the following vote to wit:

AYES: (5) Mitchell, Cavanaugh, Curtis, Köster, and Sullivan

NOES: (0)

ABSENT: (2) Burton, and Teague

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

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CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-17-21

APPROVING DESIGN REVIEW (PLN 16-0492) FOR THE NEIGHBORHOOD PARK
WITHIN THE SITE A DEVELOPMENT PLAN IN THE WATERFRONT TOWN CENTER
PLAN AREA AT ALAMEDA POINT

WHEREAS, an application was made on September 6, 2016 by Alameda Point Partners (APP), for a design review approval of the neighborhood park within the approved Site A Development Plan in the Waterfront Town Center Precise Plan (Town Center Plan) area of the Alameda Point property; and

WHEREAS, the proposed plan for the neighborhood park consists of a 1.35-acre park along the northern edge of Phase 1 of the Site A project (Neighborhood Park); and

WHEREAS, the Neighborhood Park is designed to meet primarily the needs of the residential community within Site A consistent with the community's design objectives established by the Alameda community through the Community Reuse Plan, the General Plan, the Town Center Plan, and the Site A Development Plan; and

WHEREAS, the Neighborhood Park is designated as Mixed Use in the General Plan; and

WHEREAS, the Neighborhood Park is located within the Alameda Point Waterfront Town Center Sub-district (WTC Sub-district); which is in the Alameda Point District [Alameda Municipal Code (AMC) 30-4.24] of the Zoning Ordinance; and

WHEREAS, the Town Center Plan is a Specific Plan pursuant to Government Code Section 65450 et seq. for a transit-oriented development of the waterfront lands that surround the Seaplane Lagoon and the property at the entrance of Alameda Point between Main Street and Seaplane Lagoon; and

WHEREAS, the Neighborhood Park is located within the Site A Development Plan approved by the City Council on June 16, 2015; and

WHEREAS, the Town Center Plan and the Site A Development Plan require that the Planning Board approve a Design Review application prior to redevelopment and reuse of the Neighborhood Park; and

WHEREAS, the Planning Board held a public hearing on October 24, 2016 for this Design Review application, and examined pertinent maps, drawings, and documents and approved the plan with conditions of approval requiring additional design details; and

WHEREAS, the Planning Board held a public hearing on January 23, 2017 for this Design Review application, and examined pertinent maps, drawings, and documents and additional design details; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that the following findings can be made in support of the Design Review approval and the final design details:

DESIGN REVIEW FINDINGS:

- 1. The proposed design is consistent with the General Plan, Zoning Ordinance, Town Center Plan, Site A Development Plan, and the City of Alameda Design Review Manual.** The proposed design of a neighborhood park along the northern edge of Phase 1 of the Site A project adjacent to the residential blocks within Site A creates a neighborhood amenity for existing and future residents and employees at Alameda Point, and supports a pedestrian-oriented mixed-use living environment consistent with the General Plan, Zoning Ordinance, Town Center Plan and Site A Development Plan.
- 2. The proposed design is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses.** The proposed design of the Neighborhood Park is compatible with the adjacent residential blocks within Phase 1 of Site A and the future phase of commercial uses of Site A to the north. The variety of active and community park uses and character proposed for the design of the Neighborhood Park provide a compatible transition between the residential blocks to the south and the commercial uses to the north.

The Neighborhood Park is also designed to provide a diversity of public spaces for active and structured and unstructured recreational opportunities for the public to enjoy, primarily for the residential community to the south, including a playground, half-court basketball court, and fitness area, as well as “wave” landforms, a community lawn for community gatherings, and picnic and seating areas.

- 3. The proposed design of the exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development.** The proposed design of the Neighborhood Park is compatible with the proposed adjacent uses within the Site A development. The design of the Neighborhood Park includes thematic landscape elements, such as the “wave” land forms that are consistent with the waterfront setting of Site A and Alameda Point and provides attractive recreational opportunities for adjacent residential and commercial uses. The Neighborhood Park will provide a landscape transition between the residential blocks to the south and the commercial uses to the north.

BE IT FURTHER RESOLVED that the Planning Board finds that the Alameda Point Project, including the Town Center Plan containing Site A, was adequately considered by the Final Alameda Point Environmental Impact Report (FEIR), and that by Resolution No. 14891, the City Council of the City of Alameda certified the FEIR (State Clearinghouse No. 201312043) under the California Environmental Quality Act (“CEQA”), California Public Resources Code Section 21000 *et seq.* and adopted written findings and a Mitigation

Monitoring and Reporting Program (“MMRP”) on February 4, 2014, for the Alameda Point Project, including the Town Center Plan area which contains Site A; and the Neighborhood Park landscape design is consistent with the General Plan, Zoning Ordinance, Town Center Plan, and Site A Development Plan; and there are no environmental impacts peculiar to the Neighborhood Park that were not analyzed in the FEIR, or any such impact can be substantially mitigated by imposition of uniformly applied development policies or standards previously adopted by the City; and there are no significant effects of the Neighborhood Park project that were not analyzed as significant effects in the FEIR.

BE IT FURTHER RESOLVED that pursuant to the streamlining provisions of Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183, no further environmental review of the design review application is required.

BE IT FURTHER RESOLVED that the Planning Board of the City of Alameda hereby approves Design Review PLN 16-0493, subject to the following conditions:

1. Building and Site Improvement Permit Plans: The plans submitted for Building and Site Improvement Permits shall be in substantial compliance with the plans prepared by The Guzzardo Partnership, Inc. dated September 6, 2016, on file in the office of the City of Alameda Community Development Department.
2. Bicycle Racks The plans submitted for Building Permits shall be reviewed to ensure conformance with the City of Alameda bicycle parking standards to ensure appropriate locations for racks within the park and an adequate number of racks.
3. CEQA: Prior to issuance of a building or site improvement permit, the applicant shall submit a Mitigation Measure Compliance Checklist confirming compliance with all required environmental mitigation measures 4.C-1, 4.D-1c, -4.D-2, 4.D-3, 4.D-4, 4.E-1b, 4.E-2c, 4.E-4b, 4.E-4f, 4.F-1a, 4.F-1b, 4.F-1c, 4.F-1d, 4.F-2, 4.G-1a, 4.G-1b, 4.G-1c, 4.G-1d, 4.G-4, 4.H-1, 4.H-2, 4.H-3, 4.H-4, 4.H-5, 4.I-1, 4.I-2, 4.I-8, 4.J-1a, 4.J-1b, 4.J-1c, 4.J-1d, 4.J-1e, 4.J-2, 4.J-7, 4.K-4, 4.M-5 contained in the MMRP adopted by the Alameda City Council on February 4, 2014, for the redevelopment and reuse of Alameda Point, including the Neighborhood Park within Site A.
4. Subdivision Maps: Prior to issuance of building permits for new construction or approval of the infrastructure improvement plans, the applicant shall submit a Tentative Subdivision Map or Tentative Parcel Map for the Neighborhood Park consistent with the Site A Development Plan for review and approval by the Planning Board and City Council. Such map shall be consistent with the Development Plan and the DDA, and subject to the requirements of the AMC, and Alameda Point Master Infrastructure Plan (MIP), and such maps shall provide the dimensions of all proposed rights-of-way, public open space, and development parcels and include the proposed site grading, drainage improvements and utility and infrastructure phasing.
5. Detailed Design, Amenity and Equipment Submittal: Prior to issuance of a building permit or site improvement permit for any portion of the Neighborhood Park, the applicant shall submit a detailed design, amenity and equipment submittal to the Alameda Recreation

and Park Department (ARPD) for review, confirmation and approval of the following:

- Landform hills no higher than 28 inches and a minimum diameter of 3 feet;
- Landform hill shaping to be field-verified by ARPD;
- Landscape areas (both flat and hills) have drip bubblers;
- Playground and fitness equipment suppliers are limited to: Landscape Structures Inc.; Miracle Systems; or GameTime;
- Detailed playground design must be approved by ARPD; and
- Irrigation plans and specifications must be approved by ARPD.

This submittal is not required for ARPD review and approval if the applicant has entered into an agreement with the City of Alameda for the funding of private maintenance of the Neighborhood Park at the City's sole discretion.

6. Signage Focal Element Approval. Prior to issuance of a building permit or site improvement permit for the Neighborhood Park, the applicant must obtain approval from the City for the signage focal elements shown on the Plans consistent with the AMC.
7. Sustainable Design: Prior to issuance of a building permit, the applicant shall submit a checklist showing that the project meets either: a minimum LEED™ Certified rating and be so certified by the US Green Building Council or a minimum GreenPoint Rated score of fifty (50) and be so verified by Build It Green and the City's Bay Friendly landscaping requirements.
8. Modifications: Minor project design details requested by the applicant may be established, modified, and approved by the Community Development Director and Recreation and Park Director. Engineering standards and specifications requested by the applicant may be established, modified and approved by the Public Works Director, or his designee. Major modifications that are not consistent with this design review approval or these conditions shall be subject to review and approval of the Planning Board.
9. Other Agency Approvals: Prior to issuance of building permit(s) for work within jurisdictional lands, the applicant shall provide evidence that all required approvals, permits, or waivers from Bay Conservation and Development Commission (BCDC), Regional Water Quality Control Board (Water Board), and/or the Army Corps of Engineers, if any, have been obtained. The final improvement plans shall incorporate all other agency requirements, if required.

Biological

10. Biological Regulations: Applicant shall notify all future property owners and occupants of the Declaration of Restrictions for the Former Naval Air Station Alameda (Declaration) consistent with the Biological Opinion issued by the U.S. Department of Fish and Wildlife Service (Service) and thereafter the Declaration shall be incorporated by reference in all deeds and leases of any portion of the Neighborhood Park.

11. Feral Cat Feeding Stations. Feral cat feeding stations and colonies, and the feeding of

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any native and non-native wildlife species that are potential predators of Least Terns is prohibited in perpetuity and thereafter this prohibition shall be incorporated in all deeds and leases of any portion of the Neighborhood Park.

12. Fireworks Displays. Fireworks displays will not be authorized from April 1 to August 15 and thereafter this prohibition shall be incorporated in all deeds and leases of any portion of the Neighborhood Park.
13. Lighting: Pedestrian and vehicular lighting at all intersections and project driveways shall meet Alameda Municipal Power standards for crosswalks, sidewalks, and intersections and be consistent with the Declaration and Alameda Point Lighting Mitigation Measures.
14. Service Review of Stormwater Plans. All stormwater management and monitoring plans for the Neighborhood Park shall be developed in coordination with the Service and implemented in perpetuity to protect open water foraging areas for the endangered California Least Tern. The plans shall be reviewed and approved by the Service prior to development of the project.

Improvement Plans

15. Landscape Plans: The improvement plans shall include landscape and irrigation plans for both on-site and off-site improvements consistent with the Town Center Plan, MIP and DDA. The plans shall be prepared, signed, and stamped by a licensed landscape architect and civil engineer for flood and sea-level rise protection improvements and shall be in accordance with the AMC and other regional jurisdictional requirements. The landscape architect shall also assume responsibility for review of the work and shall provide a Letter of Acceptance of construction conformance to the City, prior to acceptance of the work, that the installation of landscaping and irrigation in the public right-of-way was constructed in accordance with the approved plans.
16. Fire Water: The improvement plans for the project site shall include a Fire Water System consistent with the MIP. The system shall be designed to the satisfaction of EBMUD and the Alameda Fire Department. The Applicant shall be responsible for the placement of on-site hydrants. The location and number of hydrants shall be established in improvements plans. Placement shall be shown on the improvement plans and shall be to the satisfaction EBMUD, the City Fire Chief and the City Engineer.
17. Fire Safety: Prior to approval of the improvement plans, the applicant shall submit plans for review and approval by the Public Works Director and the Fire Chief, that:
 - a. Provide fire hydrants spaced throughout the project as required in California Fire Code Appendix C. Ensure sufficient fire flow for the development compliant with California Fire Code Appendix B and AMC 15-1.2 where a maximum reduction of the fire flow can be reduced by 50% for fire sprinklered buildings.
 - b. Fire hydrant flows shall be a minimum of 1,500 G.P.M. from any one hydrant;
 - c. Provide adequate turn around space or acceptable emergency vehicle through access for any street greater than 150 feet in length;

- d. Ensure that all roads that are required to be fire access roads have an adequate turning radii for fire apparatus (inside turning radius of 28" and outside turning radius of 44'8"); and
- e. For all roads designated as fire access roads shall have a minimum fire lane width of 26' unobstructed for buildings taller than 30'. Should parking within the fire lane be required, the fire lane width shall be increased as required to meet fire access requirements.
18. Utilities: The improvement plans shall include facilities and improvements to ensure that utility services are maintained for existing users throughout the construction process and the access to such service for maintenance purposes is preserved throughout the construction process for new utilities.
19. Geotechnical Report: A geotechnical report, including recommendations, shall be prepared by a registered geotechnical engineer licensed in the State of California. The improvement plans shall incorporate all geotechnical recommendations in the report and be consistent with the MIP and DDA. The geotechnical engineer shall sign and stamp the improvement plans as conforming to its recommendations. The geotechnical engineer shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work that the work performed is adequate and complies with their recommendations.
20. Easement and Funding Agreement for Existing Water Line. Prior to approval of the improvement plans for the Neighborhood Park: (1) an easement shall be recorded on the property that provides for access and maintenance of the existing water lines that overlap with the Neighborhood Park to the satisfaction of the City of Alameda City Engineer and EBMUD; and (2) a funding agreement entered into with the City of Alameda that provides for funding of all maintenance of the existing water line and replacement of park improvements related to maintaining the existing water line to the satisfaction of the City of Alameda City Engineer and Recreation and Park Director.
21. Trees and Existing Water Line. No trees shall be allowed over or within 5-feet of the existing water line within the Neighborhood Park.

Public Improvements

22. Street Resurfacing: Applicant/developer shall resurface the existing street pavement whenever a street is cut for utility or other improvement installations or the condition of the existing pavement requires improvements. The resurfacing shall extend a sufficient distance beyond any cut to ensure a smooth transition and shall consist of an average of one and a half (1½) inch asphalt concrete overlay, with a minimum one inch asphalt concrete overlay.
23. Curb and Gutter: Applicant/developer shall replace any damaged curb, gutter, and sidewalk along street frontages to the satisfaction of the Public Works Director, in accordance with the Public Works Department's Standard Plans and Specifications prior to acceptance of the project.

24. Access Phasing Plan. Prior to Building or Site Improvement Permit, a fire, pedestrian, bicycle, and automobile access plan for the phasing of all four sides of the Neighborhood Park shall be approved by the Public Works Director.

Water Quality

25. 401 Certifications Conditions. The development of the Neighborhood Park must be designed and constructed to comply with all of the conditions of the Conditional 401 Water Quality Certification for Alameda Point Stormwater Outfall Upgrades Project in the City of Alameda (Corps File No. 2014-00087S) (401 Certification Conditions) issued by the Water Board.
26. Final Stormwater Management Plan: The improvement plans shall incorporate a Final Stormwater Management Plan for the Neighborhood Park, including all appropriate pollution prevention source control measures, permanent low impact development (LID) measures, storm water treatment controls and/or design techniques to manage the quantity and quality of storm water runoff from the project site to prevent and minimize impacts to water quality and must be consistent with the 401 Certification Conditions, the Site A Stormwater Management Plan (Site A SWMP), the preliminary stormwater management plan for the Neighborhood Park attached to this application, the MIP and the Provision C3 requirements of the City's municipal stormwater permit. Efforts shall be taken to minimize impervious surface areas, especially directly connected impervious surface areas. Roof drains shall discharge and drain to an unpaved area wherever practicable. Design techniques may include green roofs, rainwater harvesting, vegetated swales, vegetated buffer zones, bio retention units, retention/detention basins and ponds, tree well systems, and the incorporation of pervious surface areas and LID measures. The Improvement Plans shall provide details sufficient to ensure that the storm water design and treatment measures shall be constructed consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual, the MIP, the Site A SWMP, the preliminary stormwater management plan for the Neighborhood Park, and the 401 Certification Conditions. Applicants may also refer to the Bay Area Storm water Management Agencies Association (BASMAA) *Start at the Source Manual* for technical guidance. All storm water design and treatment measures for private development pads shall be consistent with the C3 requirements and 401 Certification Conditions and be located on the development pad or an adjacent private development pad and shall not be located on property planned for public parks or public rights of way.
27. Water Board Documents: The applicant/developer shall provide to the City Engineer or his designee, prior to the issuance of the first combination building/grading permit, a copy of both the WDID# issued to the project site by Water Board and the required Storm Water Pollution Prevention Plan (SWPPP). These documents shall provide verification to the City that the project site is in compliance with SWRCB Order No. 2009-0009-DWQ. Information on this State Order is available at: <http://www.waterboards.ca.gov>.
28. C3 Certification: Prior to final Improvement Plan approval, and with the finalized stormwater quality management plan, submit a stamped, signed City of Alameda C3

certification form from a qualified independent civil engineer with stormwater treatment facility design experience, licensed in the State of California, and acceptable to Public Works Engineering that indicates the LID and treatment measure designs of the finalized improvement plans and stormwater quality management plan meet the established sizing design criteria for stormwater treatment measures. These will be at the 100% complete level.

29. Certification Report: Prior to issuance of the initial, temporary or first occupancy permit, whichever comes first, the applicant/developer shall submit a certification report (Report) prepared by a registered civil engineer, licensed in the State of California, affirming that all project site stormwater treatment measures have been constructed per the City approved plans and specifications. As appropriate, the Report shall include, but not be limited to, assurances that: imported materials used for the treatment measure(s) are certified by the supplier; installation of these materials is per approved plans and specifications and meets the intent of the design engineer; required on-site testing results conform with approved plans and specifications; treatment measures conform to dimensions, grades and slopes on approved plans and specifications; all structural features of the treatment measures comply with plan specifications; the irrigation system is installed and functions as designed; healthy vegetation/ground cover is installed as shown on plans. The Report shall be submitted in a form acceptable to Public Works Engineering.
30. Best Management Practices: The applicant/developer shall be responsible for ensuring that all contractors and sub-contractors install, implement and effectively maintain appropriate sediment control, erosion control and other water quality protection measures to prevent any pollutants from entering the municipal storm water drainage system or the Seaplane Lagoon, either directly or indirectly, during all construction activities. All implemented measures shall be consistent with the City's urban runoff Best Management Practices (BMPs) standards. The applicant/developer shall pay for any required cleanup, testing, and/or City administrative costs resulting from consequence of construction materials entering the storm water drainage system.
31. Hydro Seeding: Hydro seeding of all disturbed pervious surface areas shall be completed in compliance with the requirements included in the State Water Resources Control Board (SWRCB) Order No. 2009-0009-DWQ.
32. Storm Water Trash Capture: Prior to the issuance of the first grading/building/combination permit for each project phase, the Improvement Plans shall indicate the storm water trash capture measure(s) being installed on the project site to ensure that the stormwater drainage from the project site is subject to full trash capture consistent with the City's municipal stormwater permit definition of a full trash capture device. Improvement plan sheets shall provide sufficient plan views and details of the full trash capture device installation(s) necessary for engineering review and approval. A full trash capture system or device is any single device or series of devices that trap all particles retained by a 5mm mesh screen and has a design treatment capacity of not less than the peak flow Q resulting from a one-year, one-hour storm in the sub-drainage area. Plan sheets shall include detail and cross-sectional drawings of any stormwater full trash

capture device.

33. Storm Drains: All new storm drain inlets shall be clearly marked with the words 'No Dumping! Drains to Bay' by means approved by the Public Works Department. Permanently affixed thermoplastic, metallic or plastic laminate style markers are acceptable forms. The Improvement Plans shall clearly indicate this.
34. Operations and Maintenance Plan: The Applicant/Developer shall submit a stormwater treatment measures Operations and Maintenance (O&M) plan for review and approval to the Public Works Department prior to the approval of and consistent with the improvement plans for each phase. The O&M plan shall include, but not be limited to: treatment and design measure(s) descriptions and summary inventory; a legible, recordable, reduced-scale (8.5"x11") copy(-ies) of the Site Plan indicating the treatment and design measure(s) location(s) and site drainage patterns; treatment measure(s) maintenance requirements and maintenance schedule; the approved plant list and planning plan; detailed description of the integrated pest management principals and techniques and/or Bay Friendly Landscaping Program techniques to be utilized during landscape maintenance to ensure pesticide/herbicide use-minimization in landscaped areas; name and contact information of current maintenance personnel; and template of the annual O&M report submittal to the City. The O&M plan(s) for all stormwater treatment and design measures to be maintained by any HOA or CA shall be incorporated with the CC&Rs of the relevant HOA/CA.
35. Stormwater Agreement: For any stormwater treatment or design measure not to be maintained by an HOA or CA, the Applicant/Developer shall execute a Stormwater Treatment Measures Maintenance Agreement (Stormwater Agreement) with the City prior to the issuance of the certificate of occupancy. The Stormwater Agreement shall include, but not be limited to: the O&M plan for all approved stormwater treatment measures; identification of the party responsible for implementing the O&M plan; assurances of access to inspect and verify the treatment system O&M for the life of the project; and assurances of the submittal of the annual O&M report to the City. The executed Stormwater Agreement shall be recorded, at applicant/developer's expense, with the County Recorder's Office of the County of Alameda.
36. Landscape Plans: Landscaping plans shall be designed to minimize runoff, promote surface infiltration, incorporate Bay Friendly Landscaping approaches, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution and be consistent with the MIP, the Site A SWMP, the preliminary stormwater management plan for the Neighborhood Park, and 401 Certification Conditions
37. Backflow Prevention: Backflow prevention devices shall be installed on all new and existing domestic, commercial, irrigation, and fire water services and as required by the East Bay Municipal Utility District (EBMUD).

Solid Waste

38. Waste Management Plan: The applicant/developer shall submit a Waste Management

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Plan (WMP) to the Public Works Environmental Services Division for approval. The plan shall describe how the trash and debris will be handled. The WMP shall be submitted by the developer to Environmental Services via Green Halo (greenhalosystems.com) prior to start of the demolition, remodeling, or construction work. This must be done using Green Halo's web interface. The Public Works Environmental Services Division will review the WMP, and will provide comments that shall be incorporated into the plans for the project. The project is subject to the WMP requirement of section 21-24 of the AMC, and must recycle at least 50% of total debris hauled from the project.

39. Green Halo: Within thirty (30) days after the completion of the demolition work, the developer shall submit a Summary Report to the Public Works Environmental Services Division, via Green Halo (greenhalosystems.com) or other form approved by the Public Works Director. For approval, this reporting will specify actual tonnages disposed and/or recycled for each material, and the actual destination/processor. Disposal and/or recycling weight tags from that facility or facilities will be directly uploaded to Green Halo to verify this activity.
40. Collection: Internal collection and storage area(s) and the individual bins and containers provided, shall be adequate in capacity, number, and distribution to serve the anticipated demand for trash, recycling, and organics as determined by the Public Works Department. The trash collection areas shall be accessible to residents and employees. Each storage area shall be no more than 250 feet from any dwelling unit, or in the garage. Trash enclosures and/or recycling area shall be covered; no other area shall drain onto these areas. Drains in any wash or process area shall not discharge to the storm drain system; these drains should connect to the sanitary sewer. The applicant shall contact the City and East Bay Municipal Utility District (EBMUD) for specific connection and discharge requirements prior to building permit issuance. Discharges to the sanitary sewer are subject to the review, approval, and conditions of the City and EBMUD.
41. Fitted Lids: All solid waste containers, including dumpsters and individual cans or carts, must have fitted lids which shall remain closed at all times when the container is not being used

Construction Conditions

42. Traffic Control Plan: At least three weeks prior to the commencement of work within the public right-of-way that affects access for pedestrian, bicyclist, and vehicular traffic, the applicant/developer shall provide a Traffic Control Plan (TCP) to the Public Works Department for review and approval. The TCP shall be prepared by a registered civil engineer or traffic engineer licensed in the State of California, and be in accordance with the California MUTCD standards. The engineer shall sign and stamp the plans as approved. In general, any public right-of-way shall remain unobstructed during project construction or an ADA compliant alternative route established as approved by the Public Works Director. At locations where adequate alternate access cannot be provided, appropriate signs and barricades shall be installed at locations determined by the Public Works Director and Police Chief. Should transit routes be affected, applicant/developer is required to obtain prior approval from AC Transit of any proposed traffic detours or

temporary closure of bus stops. Construction work may not commence until the TCP is approved by the Public Works Director.

43. Hazardous Materials. The applicant/developer shall provide documentation from a qualified professional to the City of Alameda stating that adequate soils and ground water investigations and, where warranted, remediation, have been conducted to ensure that future site use complies with the regulatory requirements for hazard related risks as established by applicable Federal, State and local requirements. The project sponsor shall ensure that all proposed areas for demolition and abatement shall be assessed by qualified licensed contractors for the potential presence of lead-based paint or coatings, asbestos containing materials, and PCB-containing equipment prior to issuance of a demolition permit. During Construction the developer/applicant shall ensure that all construction crews are properly trained and made aware of any site contamination issues consistent with the Alameda Point Site Management Plan (SMP) and MMRP.
44. Truck Plan: Prior to issuance of grading permit, developer/applicant shall submit a Truck Route Plan for hauling to be approved by the City Engineer. The Plan must be incorporated into any construction documents for every contract.
45. Notice to Neighbors: At least two weeks prior to initiating any construction activities at the site, the applicant shall provide notice to businesses and residents within 500 feet of the project site including (1) project description, (2) description of construction activities, (3) daily construction schedule (i.e., time of day) and expected duration (number of months), (4) the name and phone number of the Noise Management Individual for the project, (5) commitment to notify neighbors at least four days in advance of authorized extended work hours and the reason for extended hours, and (6) that construction work is about to commence. A copy of such notice and methodology for distributing the notice shall be provided to the City for review and approval at least five (5) business days in advance.
46. Construction Hours: Construction activity shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Friday, and between 8:00 a.m. and 5:00 pm on Saturday. No construction-related activity shall occur on Sunday or on any Federal Holiday. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment re-design, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible and necessary. No construction activity that may cause excessive off-site vibration from heavy machinery such as drilling rigs (except as necessary for elevator, shoring, and soil testing), etc. shall be allowed. Impact tools (e.g., jack hammers, pavement breakers and noise drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to 10dB. External jackets on the tools themselves shall be used where feasible. Quieter procedures shall be used such as drilling rather than impact equipment whenever feasible.
47. Dust Control: Prior to issuance of building or grading permits, the developer/applicant

shall ensure that a program of dust control is implemented consistent with City, MMRP and BAAQMD requirements.

48. Cultural Resources: In the event that previously unidentified cultural resources are discovered during site preparation or construction, work shall cease in the immediate area until such time as a qualified archaeologist and City of Alameda personnel can assess the significance of the find. If human remains are encountered, work shall halt within 50 feet of the find and the County Coroner shall be notified immediately.
49. Utilities: If underground utilities leading to adjacent properties are uncovered and/or broken, the contractor involved shall immediately notify the Public Works Department, Alameda Municipal Power, and the Community Development Department, and carry out any necessary corrective action to their satisfaction.

Fire Safety

50. Fire Access: All streets and courts within the development that are required to be fire access roads, shall be marked as fire access roads to the satisfaction of the Fire Chief. All roads that are required to be fire access roads shall be designed to handle fire apparatus weight of up to 35,000 pounds per axle. Parking shall be prohibited within the streets and alleys that are dedicated as fire lanes. CC&R's shall include an enforcement mechanism.

Alameda Municipal Power (AMP)

51. The applicant shall comply to AMP's Rules and Regulations as stated in Article X and AMP's "Material and Installation Criteria for Underground Electrical Systems" (both available at www.alamedamp.com) and provide completed "Service Planning Sheets" for AMP's review prior to submitting plans for building permits.
52. The applicant shall provide information on the location of transformers and total load in kilowatts or kilowatt/volts (KVA) to AMP for approval prior to building permit issuance. If necessary, the applicant shall provide (at no charge to AMP) an easement and access to all AMP facilities on the property prior to issuance of building permits.
53. Concurrent with submittal of Improvement Plans, the Applicant shall coordinate with AMP regarding power requirements. All submittals shall refer to AMP's "Material and Installation Criteria for Underground Electrical Systems" for minimum clearances of street trees/shrubs from streetlights, electrical transformers and other utility electrical equipment.
54. The Applicant shall provide and install street lighting consistent with AMP's standard specifications and AMP's "Material and Installation Criteria for Underground Electrical Systems". All street lights shall be designed to preserve "dark skies" and direct light downward toward the public right of way. No signs shall be installed or mounted on street light poles owned and/or maintained by AMP. All new signs shall be installed on dedicated sign posts.

55. Applicant/Developer shall have all streetlights included in the Improvement Plans, installed, fully functional and operating prior to issuance of a Certificate of Occupancy for any building unless a phasing plan is approved by the Director of Public Works. Applicant/Developer shall pay to AMP the sum of Six Dollars (\$6.00 as adjusted no more than annually for inflation) per streetlight per month, or portion of a month, for the streetlight energy costs until the applicable improvements are accepted for maintenance by City.
56. The Applicant shall be required to furnish two streetlight poles and LED fixtures of each type installed, at no cost, to AMP as a stock for future pole/fixture replacement on public street. If AMP agrees to maintain private streetlights, the Applicant/Developer shall also be required to furnish two additional streetlight assemblies (e.g. pole, fixture, arm, shroud, etc) of each type.
57. All public streets shall be lit with LED lighting. Streetlight layout shall be staggered for a more uniform light distribution. Applicant/Developer can provide alternate design if a better efficient light distribution is met. Applicant/Developer shall use AMP LED standard fixtures. LED streetlight fixtures shall offer tri-level lighting with the mid-level setting meeting IES RP-8-14.
58. The Applicant shall provide all necessary underground substructures, including conduits, pull boxes, electric utility equipment pads, etc. per the AMP specifications. AMP will require easements for all transformers, primary and secondary boxes, and conduits. AMP will furnish and install all required transformers, high voltage distribution cables, and secondary cables. Existing Alameda Point electric substructures will NOT be re-used.
59. The Applicant shall provide an easement for electric utility vehicle access to AMP's Cartwright Station. The easement shall encompass the entire perimeter of the substation, including buildings and exterior yards with a 25-foot minimum clearance from any structure (above or below grade), wall and fence. Applicant shall avoid planting any trees that will grow in fullness to the point they may encroach into the perimeter easement.
60. The Applicant/Developer shall install all electric pull boxes and vaults in-line with the conduit joint trench. No conduit bend will be allowed between electric pull boxes, unless conduit section terminates to an electrical equipment pad. All primary and secondary electrical distribution pull boxes shall not be greater than two section deep (34-inches from finish grade to bottom of pull box). Any deviations from this standard shall be approved by the AMP Project Engineer in writing.
61. Applicant/Developer will be required to provide an oil containment facility for all AMP owned pad-mount distribution switches and/or transformers installed within 100-feet of any body of water or in other critical locations. Applicant/Contractor shall contact AMP to verify all dimensions, elevations, and orientation before commencing work.
62. The Applicant shall furnish and install code-size service cables in code-size conduit from each customer electric meter switchgear to the nearest secondary pull box (or Service

Point) in the public right-of-way, as designated by AMP. AMP will connect the service to the distribution transformer or to the secondary distribution system.

63. The improvement plans and all subdivision maps shall show all necessary easements and access to all electrical utility facilities that are in the private properties, at no charge to AMP.
64. Prior to issuance of Certificate of Occupancy, the Applicant shall furnish and install service equipment for each building. The service equipment shall meet Electric Utility Service Equipment Requirement Committee (EUSERC) standards. Electric meter(s) shall be located as close as practicable to the point of entry of the service-entrance conductors to the building. Outdoor meter locations are preferred. When meters are located within a building, the meter room shall be directly accessible from the exterior of the building. No remote metering.
65. Concurrent with acceptance of work by City Council, the applicant/developer shall dedicate and AMP shall take over ownership and will be responsible for maintaining all new substructures for under grounding primary and secondary circuits, and distribution transformers once the improvements have been inspected by AMP and found to have been properly installed. The Applicant or successor property owner(s) shall be responsible for the service cables and service equipment.
66. The Applicant/developer shall be responsible for all expenses involved in the duct/joint trench system engineering design, plan check, project coordination, and electrical construction inspection. The Applicant shall be responsible for the cost of AMP assigned inspector during construction.
67. The Applicant/developer shall submit, with the site improvement plans, detailed drawings showing the required site electric utility facilities.

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 Alameda City Council relating 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.

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.

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 Community Development Department a written notice of appeal stating the basis of appeal and paying the required fees.

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 23rd day of January, 2017, by the following vote to wit:

- AYES: (5) Köster, Curtis, Knox White, Sullivan and Zuppan
- NOES: (0)
- RECUSED: (1) Burton
- ABSENT: (1) Mitchell

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

* * * * *



CITY OF ALAMEDA
2263 SANTA CLARA AVENUE, ROOM 190
ALAMEDA, CA 94501

(510) 747-6800

Accommodations Request

If you need accessibility accommodations in an alternative or translated format, please fill out our [ADA request form](#) or contact ada@alamedaca.gov.