

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION PB-25-01

DECLARING A STATEMENT OF COMPLIANCE UNDER PERIODIC REVIEW FOR A DEVELOPMENT AGREEMENT FOR THE RESHAP PROJECT, FOR THE PERIOD FROM JANUARY 1, 2024 THROUGH DECEMBER 31, 2024

WHEREAS, the City of Alameda (City) and MidPen Housing, and on behalf of their collaborating partners (Alameda Point Collaborative, Building Futures With Women and Children, and Operation Dignity) entered into that certain amended Development Agreement for the RESHAP project dated as of December 18, 2023 (Development Agreement); and

WHEREAS, MidPen Housing has initiated a Periodic Review of the Development Agreement with the City of Alameda, as required under Alameda Municipal Code Section 30-95.1; and

WHEREAS, the Planning Board held a duly noticed public hearing on this request on February 24, 2025, and examined pertinent documents; and

WHEREAS, the Planning Board finds that MidPen Housing has complied with the terms and conditions of the Development Agreement for the RESHAP Project, for the period from January 1, 2024 through December 31, 2024, as summarized in the Annual Report Letter submitted by MidPen Housing for Planning Board review, and has demonstrated a continuing good faith effort to implement the terms and conditions as set forth in said Development Agreement; and

WHEREAS, Development Agreement annual review is not a project as defined in the CEQA Guidelines Section 15378, as there is no possibility of a physical effect on the environment.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the City of Alameda hereby finds that MidPen Housing has complied in good faith with the terms and conditions of the Development Agreement.

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 or decision on any appeal 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 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 24th day of February 2025, by the following vote to wit:

AYES: (6) Cisneros, Hom, Ruiz, Saheba, Tsou and Wang
NOES: (0)
ABSENT: (1) Ariza

ATTEST:

Signed by:

Steven Buckley

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Steven Buckley, Secretary

City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION PB-25-02

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA
RECOMMENDING THAT THE CITY COUNCIL APPROVE PLN23-0380 STREET NAME
CHANGES FOR VESTING TENTATIVE TRACT MAP 8696 AT ALAMEDA POINT

WHEREAS, an application was made by City of Alameda Base Reuse and Economic Development Department for a Vesting Large Lot Tentative Tract Map (Tract 8696) to subdivide a 160.64-acre parcel (APN 74-1368-18-4) at the former Naval Air Station to create 23 lots for reuse and redevelopment and three remainder parcels; and

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

WHEREAS, the subject property is located within the Alameda Point Main Street Neighborhood Sub-district (MS Sub-district) and the Adaptive Reuse subdistrict (AP-AR) zoning districts and governed by Alameda Municipal Code (AMC) 30-4.24 of the Zoning Ordinance; and

WHEREAS, on October 19, 2021, the City Council adopted the Policy for Naming City Facilities and Streets, which requires the Planning Board to recommend approval of street names for new developments and provides technical guidance on selection of street names including a requirement that new streets at Alameda Point shall be named after WWII naval themes to be consistent with the area's historic district designation and reflect the City's values of diversity, equity and inclusion; and

WHEREAS, on January 16, 2024, City Council approved the Vesting Tentative Tract Map, Tract 8696; and

WHEREAS, on April 14, 2025, the Planning Board held a duly noticed public hearing to consider a change in a street name for the development and examined all pertinent application materials and public testimony, including information about *Women Accepted for Volunteer Emergency Service (WAVES)*, created by Congress in 1942 to work in support roles as chauffeurs, nurses, clerks, and cooks and custodians, and later in training and technical roles. They were stationed at naval installations throughout the continental United States and, eventually, overseas. The first WAVES arrived at Alameda in 1943; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds this action is exempt from CEQA under the common-sense exemption, i.e. that there is no reasonable possibility that there could be an environmental effect from this action; and

BE IT FURTHER RESOLVED, that the Planning Board finds that the proposed street name is consistent with the Council-adopted Policy for Naming City Facilities and Streets; and

BE IT FURTHER RESOLVED, that the Planning Board hereby recommends that the City Council approve a street name change for the project, as shown on Vesting Tentative

Tract Map (Tract 8696), from “Avenue B” to “Waves Avenue” and from “A Street” to “Valor Avenue.”

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 14th day of April 2025, by the following vote to wit:

- AYES: (6) Ariza, Cisneros, Hom, Ruiz, Saheba, and Tsou
- NOES: (0)
- ABSENT: (1) Wang

ATTEST:

Signed by:


 Steven Buckley, Secretary
 City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION PB-25-03

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING USE PERMIT PLN24-0094 TO ALLOW ADDITIONAL OPERATING HOURS FOR THE EXISTING LEGAL NON-CONFORMING GAS STATION LOCATED AT 1310 CENTRAL AVENUE, AS WELL AS SALE OF PACKAGED FOODS AND NON-ALCOHOLIC BEVERAGES IN THE EXISTING STORE.

WHEREAS, an application was made on February 27, 2024 by Qais Ahmed for a Use Permit to modify the conditions of the existing use permit PB-12-11 to allow additional operating hours and sales of a broader mix of convenience items at the existing Mobil gas station located at 1310 Central Avenue; and

WHEREAS, the existing gas station and auto repair use have operated continuously at this location for generations providing necessary and convenient services the neighborhood; and

WHEREAS, increased competition from new gas stations, changes in consumer demand including hybrid and electric vehicles, remote work and limited operating hours have resulted in a significant decrease in fuel sales at this location in the last decade; and

WHEREAS, ensuring the continued viability of the existing small business while providing needed access to services for residents is in the community interest; and

WHEREAS, the subject property is designated as Medium Density Residential in the General Plan; and

WHEREAS, the subject property in the R-4, Residential District; and

WHEREAS, the existing gas station use is a non-conforming use and pursuant to AMC 30-20.2, If no structural alterations are made, a nonconforming use of a building may, upon approval of a use permit be changed to another nonconforming use of the same or more restricted use classification; and

WHEREAS, the Planning Board held a duly noticed public hearing for the project on June 9, 2025 and examined pertinent documents.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds this project categorically exempt from additional environmental review pursuant to CEQA Guidelines Sections 15301 – existing facilities; and no exceptions to the categorical exemption apply; and

BE IT FURTHER RESOLVED, that the Planning Board makes the following findings relative to the Use Permit application (AMC Sections 30-21.3):

Planning Board Resolution PB-25-03

- 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 existing gas station has operated at the site for many years. The gas station and auto repair businesses complement the nearby Morton Station neighborhood business district. The use of the property has been generally compatible with the adjacent residential uses due to carefully crafted limitations on the hours of operation and the types of services provided at the station if they are adhered to. The current proposed modification would maintain compatibility between the gas station and the neighborhood by not increasing the allowed hours of operation for the onsite auto repair business and prohibiting sales of alcohol and tobacco products.

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

The property is located at the intersection of three streets that serve citywide circulation needs as described in the City's Street Classification Index of the General Plan, including State Highway 61, with no barriers to access. AC Transit lines 51A and O stop one block away. The project site is served by continuous existing and under construction bicycle facilities. Therefore, the proposed use is served by adequate transportation and service facilities, including pedestrian, bicycle, and transit 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 substantial deleterious effects on existing business districts or the local economy.**

The proposed additional hours of operation and diversified product selection in the small onsite store will improve the available services to the local residents, reducing the need for people to drive greater distances through the neighborhood to access fuel and convenience items. By continuing to limit the auto repair hours of operation and other conditions of approval, the use will not adversely affect other property in the vicinity. By ensuring the continued viability of the business and avoiding the potential of another shuttered and blighted former gas station property, the use will continue to support the adjacent Morton Station neighborhood business district and the local economy.

- 4. The proposed use relates favorably to the General Plan and the purpose of the Alameda Point Zoning District.**

Approving this use is consistent with Alameda General Plan Land Use Element goals and policies. Land Use Element action LU-5a calls for "Permit(ing) continuation and re-investment in existing, small, legal nonconforming neighborhood-serving commercial uses in commercial buildings that predate the zoning code." Approving the use permit modification will support Goal 2 of the Land Use Element to "strengthen and diversify the Alameda business community and economy."

Planning Board Resolution PB-25-03

BE IT FURTHER RESOLVED, that the Planning Board approves Use Permit PLN24-0094 to allow additional operating hours for the existing legal non-conforming gas station located at 1310 Central Avenue, as well as sale of packaged foods and non-alcoholic beverages in the existing store.

1. This approval supersedes and replaces the conditions of the previous Use Permit approval contained in the City of Alameda Planning Board Resolution No. PB-12-11, and PB-99-60, Use Permit UP-99-10, and Resolution 14143.
2. The gas station fuel service is permitted to operation between the hours of 6:00 A.M. – 10:00 P.M., Monday through Friday, and 7:00 A.M.- 8:00 P.M. on Saturday and Sunday.
3. The auto repair service is permitted to operate between the hours of 9:00 A.M. – 6:00 P.M., Monday through Friday, 9:00 A.M. – 4:00 P.M. on Saturday, and shall be closed on Sunday.
4. The automobile repair service shall be limited to light duty repair including tune-ups, brake work, electrical services, oil changes, and smog control certification. Automotive overhauling, rebuilding, body work, and painting are expressly prohibited.
5. All auto servicing work shall be conducted within the interior lube bays of the structure.
6. Convenience goods such as packaged foods and non-alcoholic beverages may be sold in the existing store area.
7. Alcohol, tobacco, and nicotine products, including vapes and vaping accessories, are strictly prohibited.
8. No cars shall be stored overnight, outside the building on the site, or on adjacent streets at any time.
9. No vehicles shall be offered for sale on the property or on the streets adjacent to the property.
10. All signs shall be in conformance with the Sign Regulations, Section 30-6 of the Alameda Municipal Code.
11. All graffiti on the property shall be removed, pursuant to Graffiti Abatement Procedure, Section 4-2.4 of the Alameda Municipal Code, within three days.
12. The applicant shall keep the restroom door in good working condition.
13. The applicant shall continue to notify the gas suppliers, in a written request, that they use a designated truck route and not to traverse on the smaller residential streets surrounding the site. The business owner shall provide a copy of the letter to the

Planning Board Resolution PB-25-03

Planning, Building and Transportation Department upon request.

14. The fence that was erected at the rear of the property in conformance with Section 30-5.14 of the Alameda Municipal Code to provide a privacy screen between the subject property and the common boundary residences shall be properly maintained.
15. Applicant shall provide customers with sufficient waste collection receptacles and ensure premises are maintained in a clean and tidy manner to prevent litter on and adjacent to the property.
16. Applicant shall abide by all City of Alameda Noise Regulations (AMC 4-10) and ensure fuel pumps do not play any automated noises, including but not limited to music or advertisements. Intercom type uses are permitted during operating hours.
17. Vesting: The Use Permit approval shall expire two (2) years after the date of approval or by **December 11, 2025**, unless authorized construction or use of the property, as stated under this Use Permit, 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.
18. Revocation: This Use Permit may be modified or revoked by the Planning Board, pursuant to Alameda Municipal Code Section 30-21.3d should the Planning Board 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.

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

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

Planning Board Resolution PB-25-03

NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code section 66020(d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The Applicant is hereby further notified that the 90-day appeal period, in which the Applicant may protest these fees and other exactions, pursuant to Government Code section 66020(a) has begun. If the Applicant fails to file a protest within this 90-day period complying with all requirements of section 66020, the Applicant will be legally barred from later challenging such fees or exactions.

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

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I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the June 9, 2025, by the following vote:

- AYES: (5) Ariza, Ruiz, Saheba, Tsou and Wang
- NOES: (1) Hom
- ABSENT: (1) Cisneros

ATTEST:

Signed by:

Steven Buckley

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Steven Buckley, Secretary
City of Alameda Planning Board

**CITY OF ALAMEDA PLANNING BOARD
RESOLUTION PB-25-04**

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING DESIGN REVIEW AND USE PERMIT APPLICATION NO. PLN24-0614 TO ALLOW THE CONSTRUCTION OF AN APPROXIMATELY 32,450 SQUARE-FOOT AQUATIC CENTER WITH PARKING LOT, LANDSCAPING, AND PERIMETER FENCING LOCATED AT THE NORTHWEST CORNER OF THE JEAN SWEENEY OPEN SPACE PARK AT 800 ATLANTIC AVENUE

WHEREAS, the City of Alameda Recreation and Parks Department submitted an application on November 6, 2024 requesting Design Review and Use Permit approval to allow the construction of an approximately 32,450 square-foot aquatic center with parking lot, landscaping, and perimeter fencing located at the northwest corner of the Jean Sweeney Open Space Park at 800 Atlantic Avenue; and

WHEREAS, the application was accepted as complete on June 5, 2025; and

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

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

WHEREAS, on July 15, 2014, following the Planning Board's recommendation, the City Council adopted a Mitigated Negative Declaration (MND) in compliance with the California Environmental Quality Act (CEQA), and took action to adopt the Jean Sweeney Open Space Park Master Plan (Resolution No. 14955); and

WHEREAS, on December 9, 2024 and March 10, 2025, the Planning Board held public workshops to review the initial design of the Aquatic Center, which would be a modification to the anticipated uses in the Master Plan. The applicant received feedback from the Planning Board and the public on the proposed project; and

WHEREAS, on June 23, 2025, the Planning Board held a duly noticed public hearing to review the proposed Design Review and Use Permit application to allow the construction of an approximately 32,450 square-foot aquatic center with parking lot, landscaping, and perimeter fencing, and examined all pertinent maps, drawings, and documents including an Addendum to the previously adopted MND.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board makes the following findings regarding the environmental review of the project: On July 15, 2014, the City of Alameda adopted a Mitigated Negative Declaration in compliance with CEQA and an Addendum thereto was prepared on June 4, 2025 pursuant to CEQA Guidelines 15164, and no further environmental review is required because there are: (1) no substantial changes to the project requiring major revisions to the MND because of new or

substantially increased significant environmental effects; (2) no substantial changes in circumstances requiring major revisions to the MND because of new or substantially increased significant environmental effects; and (3) no new, previously unknown or unknowable, information of substantial importance showing: (a) new or substantially more severe significant effects than were discussed or shown in the MND; (b) that previously infeasible mitigation measures/alternatives are now feasible and would substantially reduce significant effects; or (c) that considerably different mitigation measures than analyzed in the MND would substantially reduce significant effects. The 2014 MND disclosed potential environmental impacts from a similar project, which would be reduced to a less than significant level with the implementation of mitigation measures. Those impacts include air quality, biological resources, cultural resources, hazards and hazardous materials, and transportation. The revised project adds an approximately 32,450 square-foot aquatic center with parking lot, landscaping, and perimeter fencing on a 2.35 acre portion of the park, but it would not generate new or increase the significance of environmental impacts than already disclosed in the 2014 MND. The revised project must still implement all identified mitigation measures; and

BE IT FURTHER RESOLVED, the Planning Board hereby makes the following findings relative to the Design Review approval for the aquatic center building and perimeter fence (AMC section 30-37.5):

1. **The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual.** The project is consistent with all of the development standards for the property. The aquatic center facility is a permitted use in the O, Open Space Zoning District, and uses that are permitted in the respective zoning district are also consistent with the General Plan. The project provides an approximately 12 foot setback from Atlantic Avenue where no setback is required in the O District, and where the existing commercial buildings that share frontage at the intersection of Atlantic Avenue and Wilma Chan Way have zero setbacks from Atlantic Avenue. The project provides over 88 feet of setback from Wilma Chan Way where no setback is required and where the existing commercial buildings at the intersection provide approximately 68 foot and zero setbacks from Wilma Chan Way. The proposed building has a height of 22 feet where there is no maximum height requirement in the O District and the Jean Sweeney Open Space Park has an existing shade pavilion structure that is approximately 20 feet in height. The proposed aquatic center facility design is architecturally compatible with the 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.** This project involves the construction of a new aquatic center facility and building that reflects characteristics of the adjacent buildings in the Marina Village Research Park. The new one-story building design incorporates a modern style of architecture that complements the surrounding commercial and office buildings along Atlantic Avenue. The 22 foot height of the new building is consistent with the existing height of surrounding structures and does not affect the transitions in scale and character of existing buildings in the

neighborhood. The architectural features include masonry walls, corrugated metal panels, aluminum storefront windows, and a decorative parapet similar to the existing Marina Village office buildings. The masonry walls complement the brick facades of the existing office building, and corrugated metal panels is consistent with the metal panels in the standing seam roof on the office building to the north. The corrugated metal panel fence that serves to attenuate noise generated from the aquatic center along the north property line is also consistent with the metal panel features. Other notable exterior features include a prominent entry plaza with flagpole, decorative paver, bay friendly landscaping, and future plans to install public art. Overall, the proposed facility is compatible with neighboring buildings and its surroundings and promotes harmonious transitions in scale and character in areas between different uses in the immediate neighborhood, where residential buildings are also present in one and two-story heights.

3. **The proposed design of the structure 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 surrounding neighborhood includes a variety of one and two story office and residential uses developed with sloped and flat roofs, and similar architectural materials. The proposed modifications are designed to be compatible with these surrounding buildings and will utilize similar anodized aluminum storefront windows, masonry walls, metal paneling, a parapet roof design and decorative landscape improvements which are compatible with the design elements found on buildings in the surrounding neighborhood; and

BE IT FURTHER RESOLVED, that the Planning Board makes the following findings relative to the Use Permit application for the aquatic center building and perimeter fence (AMC Section 30-4.19.d.1):

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 aquatic center facility is located within the existing Jean Sweeney Open Space Park and is designated as Parks and Public Open Space by the General Plan. The property is within the O, Open Space zoning district, which permits park structures with approval of a Use Permit. The surrounding properties to the north are within the R-5 Residential Planned Development and M-X, Mixed-Use Districts and include residential uses and the Marina Village Research Park. The properties to the west are zoned R-5-PD, M-1-PD, and R-3-PD and include residential uses and the Webster Square shopping center. The properties to the south are within the C-M, Commercial Manufacturing and R-2 Residential Districts and include residential homes and commercial and office uses. As conditioned, the proposal will construct a one story aquatic center building with two pools and perimeter fencing. The low profile massing of the one story facility is compatible with scale and character of the one and two story residential, commercial, and office buildings in the surrounding area. The project footprint is stepped back from the western corner to provide a large landscape buffer

and maintain open green space at the entrance to the park. The proposed fencing with screening will be designed and located in a manner similar to existing park fencing along Atlantic Avenue. A Vehicle Miles Traveled (VMT) Memorandum was provided by Fehr & Peers for the proposed development on June 3, 2025. The assessment determined that the Aquatic Center is considered a local-serving use and is therefore presumed to have a less than significant impact on VMT because the aquatic center would primarily serve the City of Alameda residents. In addition, the project will also provide on-site bike parking and implement a Transportation Demand Management Program to encourage travel by alternative modes of transportation. The Project site is also easily accessible by non-automobile modes. Bicycle and pedestrian paths are provided on Atlantic Avenue and the Cross Alameda Trail and high-frequency transit service is located within walking distance on Webster Street. The project also provides an on-site drop off location to minimize impacts to Atlantic Avenue. A noise and vibration assessment conducted by Illingworth & Rodkin, Inc determined the project would comply with the City's Noise Ordinance and General Plan noise thresholds. Therefore, 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.

2. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The project location has readily available pedestrian access and the site is served by adequate transportation and service facilities. The project has access to transit service from AC Transit bus routes 20, 51A, 96, 851, O, and 19 which are within walking distance at Webster Street and Challenger Drive. The facility is located adjacent to existing bicycle and pedestrian paths on the Cross Alameda Trail and Atlantic Avenue. The project also provides 100 short term and 10 long term bicycle parking spaces to encourage alternative modes of transportation. The project proposes traffic safety improvements to Atlantic Avenue including an extended left turn lane into the project driveway and signs prohibiting parking on both sides of Atlantic Avenue to prevent vehicle drop offs in the bicycle lanes. The project will also construct a new crosswalk across Atlantic Avenue that will include high visibility crosswalk markings, Rectangular Rapid-Flashing Beacons (RRFBs), and a raised center median. The project will provide an on-site drop off location in the facility parking lot. A Transportation and Parking Memorandum provided by Fehr & Peers on June 3, 2025 determined the project would have adequate automobile, bicycle, pedestrian, and transit access and circulation with these proposed traffic safety improvements. Therefore, the proposed use is served by adequate transportation and service facilities, including pedestrian, bicycle and transit 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 substantial deleterious effects on existing business districts or the local economy.** The proposed aquatic center is located within the existing park and will provide local residents with a local swim center. The proposed low profile design of the facility transitions well between the existing one and two story residential and commercial uses in the surrounding area. A Transportation and Parking Demand

Memorandum provided by Fehr & Peers on June 3, 2025 determined the project would have adequate automobile, bicycle, pedestrian, and transit access and circulation and the parking provided will accommodate visitors to the facility. The project provides on-site parking spaces and has negotiated a license agreement for overflow parking spaces on the adjacent College of Alameda parking lot. The project's proximity to the Cross Alameda Trail and nearby AC transit stops along Atlantic Avenue at Webster Street and Challenger Drive provide users with alternative modes of transportation and Transportation Demand Management programs will be implemented. The project includes an on-site drop off location in the parking lot of the facility and 10 long term and 100 short term on-site bike parking spaces. The project is also conditioned to provide traffic safety improvements to Atlantic Avenue and implement Transportation Demand Management Program strategies to further reduce vehicles traveling to the site. Furthermore, the project will comply with existing Mitigation Measures for the Jean Sweeney Open Space Park to ensure the project will not adversely affect other property in the vicinity or have any substantial impacts on the environment and the surrounding area. Therefore, the proposed use, as conditioned, will not have substantial deleterious effects on existing business districts or the local economy.

4. **The proposed use relates favorably to the General Plan.** The site is located within an area designated by the General Plan as Public Parks and Open Space which permits recreational facilities such as the aquatic center. The project is consistent with General Plan policy LU-2.a. Healthy Neighborhoods and LU-2.b. Parks and Open Spaces which encourages the City to provide equitable and safe access to various community facilities including recreation facilities. The project also advances Open Space Goal 1: Maintain & Enhance by improving the City's parks and recreation options. It directly implements Open Space Policy OS-15, which calls for the development of a City Aquatic Center to meet community and AUSD swimming needs. Bicycle access is supported through 10 long-term and 100 short-term spaces, consistent with Policy LU-16.d on Transportation Demand Management Programs. The project also aligns with the Mobility and Conservation & Climate Change Elements of the General Plan. Its location adjacent to the Cross Alameda Trail and near transit on Webster Street encourages active transportation and use of alternative modes of transportation. Planned safety improvements along Atlantic Avenue will enhance pedestrian and bicycle access. These features support policies ME-6.a (All Ages and Abilities Network), ME-6.c (Safe Crossings), ME-14.c (Community Awareness and Education), ME-21.g (Bicycle and Scooter Parking), CC-7.c (Complete Streets), and CC-7.f (Climate-Friendly Active Modes of Transportation). Therefore, the project relates favorably to the General Plan; and

BE IT FURTHER RESOLVED, that the Planning Board hereby approves Design Review and Use Permit Application No. PLN24-0614 to allow the construction of an approximately 32,450 square-foot aquatic center with parking lot, landscaping, and perimeter fencing located at the northwest corner of the Jean Sweeney Open Space Park at 800 Atlantic Avenue, subject to the following conditions:

1. Building Permit Conditions: These conditions shall be printed on final building plans and improvement plans.
2. Substantial Compliance with Approvals: The plans submitted for the building permit shall be in substantial compliance with the plans prepared by ELS Architecture & Urban Design, received on June 9, 2025, and on file in the office of the City of Alameda Planning, Building & Transportation Department, except as modified by the conditions listed in this resolution.
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 substantial changes to the approved scope of the project shall be submitted to the Planning Building and Transportation Department for review and approval.
4. Vesting: This Use Permit approval shall expire two (2) years after the date of approval and this Design Review approval shall expire three (3) years after the date of approval unless substantial construction or use of the property has commenced under valid permits. Upon written request and payment of appropriate fees submitted no later than the expiration date of the Use Permit and/or Design Review approval, 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. If litigation is filed challenging this Design Review and Use Permit approval, or its implementation, then the time period stated above is automatically extended for the duration of the litigation.
5. CEQA Mitigation Measures: Final plans for building permits shall include a Mitigation Measure Compliance Checklist confirming compliance with the following mitigation measures adopted by the Alameda City Council on July 15, 2014 for the Jean Sweeney Open Space Park. The checklist shall be printed on the Building Permit plans.

A. Mitigation Measure AIR-1: During active construction, the City shall require construction contractors to implement all the BAAQMD's Basic Construction Mitigation Measures, listed below:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.

5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
8. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

B. Mitigation Measure BIO-1a: To the extent practicable, construction activities including vegetation and tree removal, site remediation and grading, building renovation of the former yard house, and new site construction shall be performed between September 1 and January 31 in order to avoid breeding and nesting season for birds. If these activities cannot be performed during this period, preconstruction survey for nesting birds shall be conducted by a qualified biologist.

In coordination with the City, surveys shall be performed during breeding bird season (February 1 – August 31) no more than 14 days prior to construction activities listed above in order to locate any active passerine nests within 250 feet of the project site and any active raptor nests within 500 feet of the project site. Surveys shall be performed in accessible areas within 500 feet of the project site and include suitable habitat within line of sight as access is available. Building renovation, tree and vegetation removal, and new construction activities performed between September 1 and January 31 avoid the general nesting period for birds and therefore would not require pre-construction surveys.

If active nests are found on either the project site or within the 500-foot survey buffer surrounding the project site, no-work buffer zones shall be established around the nests. Buffer distances will consider physical and

visual barriers between the active nest and project activities, existing noise sources and disturbance, as well as sensitivity of the bird species to disturbance. Modification of standard buffer distances, 250 feet for active passerine nests and 500 feet for active raptor nests, will be determined by a qualified biologist in coordination with CDFW. No building renovation, vegetation removal, or ground-disturbing activities including remediation or grading shall occur within a buffer zone until young have fledged or the nest is otherwise abandoned as determined by the qualified biologist. If work during the nesting season stops for 14 days or more and then resumes, then nesting bird surveys shall be repeated, to ensure that no new birds have begun nesting in the area.

- C. **Mitigation Measure BIO-1b:** Potential direct and indirect disturbances to bats shall be identified by locating colonies and instituting protective measures prior to construction. No more than two weeks in advance of initiation of building renovation activities onsite or initiation of construction within 100 feet of trees or structures providing potential bat roosting sites, a qualified biologist shall conduct pre-construction surveys for bat roosts. No activities that could disturb active roosts shall proceed prior to the completed surveys.

If a maternity colony is located within the project site during pre-construction surveys, the project shall be redesigned to avoid impacts if feasible, and a no-disturbance buffer acceptable in size to the CDFW shall be created around the roost. Bat roosts (maternity or otherwise) initiated during construction are generally presumed to be unaffected by increased noise, vibration, or human activity, and no buffer is necessary as long as roost sites are not directly altered or destroyed. However, the “take” of individuals is still prohibited at any time.

If there is a maternity colony present and the project cannot be redesigned to avoid removal of the tree or structure inhabited by the bats, removal of that tree or renovation of that structure shall not commence until after young are flying (i.e., after July 31, confirmed by a qualified bat biologist) or before maternity colonies form the following year (i.e. prior to March 1).

If a non-maternity roost must be removed as part of the project, the non-maternity roost shall be evicted prior to building renovation by a qualified biologist, using methods such as making holes in the roost to alter the air-flow or creating one-way funnel exits for the bats.

If significant (e.g., maternity roosts or large non-maternity roost sites) bat roosting habitat is destroyed during building renovation/tree removal, artificial bat roosts shall be constructed in an undisturbed area in the project site vicinity away from human activity and at least 200 feet from project demolition/construction activities. The design and location of the artificial bat

roost(s) shall be determined by a qualified bat biologist.

- D. **Mitigation Measure BIO-2a: Wetland Delineation.** In coordination with the City, a qualified wetland ecologist shall conduct a wetland delineation of the 22- acre proposed project site to identify potential waters of the state which may be present. If no waters of the state are identified onsite, no further action is required. Should waters of the state be determined present within the project site, features shall be mapped and documented in a report for submission to the Regional Water Quality Control Board (RWQCB) which retains authority over isolated wetland features.
- E. **Mitigation Measure BIO-2b: Wetland Protection.** At the project site, the following measures shall be applied to protect state jurisdictional wetlands:
- A protective barrier (such as silt fencing) shall be erected around jurisdictional features identified on the project site to isolate and protect from impact during construction of the park features (e.g. vegetation removal and site grading).
 - Signs that read “Environmentally Sensitive Area–Keep Out” shall be installed on the fencing to identify sensitive habitat.
 - No equipment mobilization, grading, clearing, or storage of equipment or machinery, or similar activity shall occur at the project site until wetland protection fencing has been inspected and approved by a qualified biologist.
 - Temporary fencing shall be continuously maintained until all project construction is completed.
- F. **Mitigation Measure BIO-2c: Wetland Mitigation.** If avoidance of state jurisdictional features found on the property is not feasible under the proposed project, impacts to these features shall be mitigated through one of the following options:
- Onsite mitigation, consisting of creation, restoration, enhancement or preservation, or combination thereof;
 - Payment into an approved in-lieu fee program to preserve or restore wetlands in the same watershed;
 - Purchase of appropriate amount of credits at an approved wetlands mitigation bank; or
 - Off-site mitigation.
- G. **Mitigation Measure BIO-3: Coast Live Oak Tree Protection.** The City shall ensure that prior to project development and throughout each phase of project activities that have the potential to result in impacts on coast live oak trees, protected under the City ordinance and located within the project area, the project applicant shall take the following steps to avoid direct and indirect impacts to protected trees:

- A Tree Protection Zone shall be established around each tree to be preserved prior to construction. No grading, excavation, construction or storage of materials shall occur within that zone. Tree Protection Zones shall be established with fencing at the tree dripline in all directions, and remain until construction is complete. Street trees will not be fenced to allow continued vehicle and pedestrian access as necessary. The lower 8- 10' of protected street tree trunks shall be wrapped with straw wattles (or a similar material). Should excavation be necessary around street tree roots in support of street and sidewalk improvements, or should root pruning be necessary, excavation and root pruning shall be monitored by a certified arborist.
- Street tree canopy shall be pruned to allow construction and access clearance, under the supervision of a certified arborist, and prior to demolition of existing buildings. Demolition adjacent protected street trees shall be monitored by a certified arborist.
- Should protected trees become damaged during construction, tree condition shall be evaluated by a certified arborist and appropriate treatments shall be applied.
- Where feasible, underground utilities, drain lines or irrigation lines shall be routed outside tree protection zones to avoid root damage.

H. Mitigation Measure CUL-1: Rehabilitation of Belt Line Yard House.

Rehabilitation of the Alameda Belt Line yard house shall conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. The Standards require the preservation of character defining features that convey a building's historical significance, and offers guidance about appropriate and compatible alterations to historical resources. [NOTE: No changes are proposed as part of this project.]

I. Mitigation Measure CUL-2: Inadvertent Discovery of Archaeological Resources.

If prehistoric or historic-period archaeological resources are encountered, all ground disturbing activities within 100 feet shall halt and the City of Alameda shall be notified. A Secretary of the Interior-qualified archaeologist shall inspect the findings within 24 hours of discovery. If it is determined that the project could damage a historical resource or a unique archaeological resource (as defined pursuant to the CEQA Guidelines), mitigation shall be implemented in accordance with PRC Section 21083.2 and Section 15126.4 of the CEQA *Guidelines*, with a preference for preservation in place. Consistent with Section 15126.4(b)(3), this may be accomplished through planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement. If avoidance is not feasible, a qualified archaeologist shall prepare and

implement a detailed treatment plan in consultation with the City of Alameda and a Native American representative. Treatment of unique archaeological resources shall follow the applicable requirements of PRC Section 21083.2. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The treatment plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals.

- J. **Mitigation Measure CULT-3: Inadvertent Discovery of Human Remains.** If human remains are encountered, all ground disturbing activities within 100 feet of the find shall halt and the Alameda County Coroner shall be notified immediately. A qualified archaeologist shall also be contacted to evaluate the situation. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. Pursuant to Section 5097.98 of the Public Resources Code, the Native American Heritage Commission will identify a Native American Most Likely Descendent to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined whether or not the remains are subject to the coroner's authority.

- K. **Mitigation Measure HAZ-1:** Prior to obtaining a grading or building permit, the City shall obtain a qualified environmental professional to complete any remaining Phase II and remediation actions consistent with the findings and recommendations of the 2014 Targeted Site Investigation by the Source Group in accordance with regulatory oversight from the Alameda County Environmental Health Department (ACEHD). Prior to receiving a building or grading permit, project applicant shall provide documentation from ACEHD that all identified contamination has been remediated to levels where no threat to human health or the environment remains based on the proposed future use of the project site.

- L. **Mitigation Measure TRAN-1a:** As part of pre-construction submittals, the contractor(s) shall submit a truck route plan to the City of Alameda Public Works Department for review and approval to help minimize impacts to adjacent neighborhoods.

- M. **Mitigation Measure TRAN-1b:** To the extent possible, heavy truck

movements should be limited to the hours between 9:00 a.m. and 3:30 p.m. (or other times, if approved by the Public Works Department).

6. Construction Noise: During construction the City shall implement the following construction best management practices:
 - a. Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
 - b. Prohibit unnecessary idling of internal combustion engines.
 - c. Locate stationary noise-generating equipment such as air compressors or portable power generators as far as possible from sensitive receptors. Construct temporary noise barriers to screen stationary noise-generating equipment when located near adjoining sensitive land uses.
 - d. Utilize “quiet” air compressors and other stationary noise sources where technology exists control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the project site.
 - e. Notify all adjacent businesses, residences, and other noise-sensitive land uses of the construction schedule, in writing, and provide a written schedule of “noisy” construction activities to the adjacent land uses and nearby residences.
 - f. Designate a “disturbance coordinator” who shall be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler, etc.) and shall require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

7. Transportation Demand Management Program: The City shall implement the TDM strategies as outlined in the Transportation Demand Management Program:
 - a. Information Dissemination. The City shall provide up-to-date transit schedules, transit route maps, and encourage use of non-automobile modes of travel to and from the site through communicating information about transit options at the aquatic center's entrance, website, regular communications, promotional materials for special events, and social media platforms.
 - b. Bicycle Facilities. The City shall provide bike parking for over 100 bikes, including bike lockers for 10 bikes and 2 extra large lockers for cargo bikes.
 - c. Pedestrian Pathways. In addition to the pedestrian access points located at the east and west end of Jean Sweeney Park, there shall be additional entrances located at 8th Street and Wood Street to the south and two connecting the business park to the north.
 - d. Designated Drop-Off Zones: The City shall provide a convenient drop-off and pick-up area that will be constructed on the west end of the parking lot

in front of the entrance plaza to the facility that will accommodate carpool and rideshare vehicles to streamline traffic flow. Signs shall be installed designating the drop off zone.

- e. **Parking Fees.** The City shall explore implementation of parking fees to discourage excessive use of single-occupancy vehicles, with revenues supporting operations and TDM initiatives. The City shall explore implementation of a central parking meter to be installed like other City parking lots and enforced by parking enforcement. Parking spaces occupancy shall be limited to two hours.
 - f. **Overflow Parking.** The City shall arrange a parking agreement with the adjacent College of Alameda lot to provide overflow parking for larger events.
 - g. **Surveys.** The City shall conduct annual surveys to gather feedback from visitors and staff on transportation habits and preferences
 - h. **Data Analysis.** The City shall monitor parking utilization, transit ridership, and other relevant metrics to inform future transportation planning.
8. **Right of Way Improvements:** The City shall implement improvement plans that provide the following safety improvements:
- a. Stripe a 100-foot westbound left-turn lane with a 60-foot taper along Atlantic Avenue at the Project driveway.
 - b. Install R26(S) (CA) “No Stopping Anytime” signs and paint red curb on both sides of Atlantic Avenue along Project frontage to prohibit vehicles from using the existing Class II bicycle facilities for pickups and drop-offs.
 - c. Install the following at the proposed crosswalk across Atlantic Avenue between the Marina Village Research Park and the Project Driveways:
 - high-visibility crosswalk markings
 - Rectangular Rapid-Flashing Beacons (RRFBs) on both sides of the crosswalk
 - A raised center median between the Marina Village Research Park and the Project Driveways
9. **Parking:** The Aquatic Center staff shall monitor parking demand at the project site and consider one or more of the following if parking demand exceeds capacity during regular operations and/or special events:
- a. Encourage visitors and staff to use non-automobile modes to travel to and from the site through communicating information about transportation options, such as including information on transportation options on the Project website, in regular communications, on promotional material for special events, and postings at the main entrance.
 - b. Encourage site staff to park in the College of Alameda Science Annex parking lot or other lots during peak demand times.
 - c. Limit most parking spaces to 2-hours to ensure availability for visitors.
 - d. Ensure that the College of Alameda Science Annex parking lot and/or other parking lots in the vicinity can accommodate the parking demand overflow.

10. Revisions to Project Plans: Prior to issuance of building permits, the applicant shall submit revised plans demonstrating compliance with the following requirements, subject to the satisfaction of the Planning Director:
 - a. Wayfinding and Design Materials: Revise the project design to establish a clear hierarchy in wayfinding, signage and building materials.
 - b. Architectural Articulation: Refine the building and fence elevations to eliminate the appearance of two dimensional elements by:
 - i. Wrapping the metal panels around the northwest corner of the fence.
 - ii. Raising the vertical metal panels on the northeast corner of the building to match the height of adjacent metal panel parapets or remove the metal panel feature on the northeast corner of the building.
 - iii. Changing the metal soffit material to match the vertical metal panel material on the building walls.
 - c. Parking Reduction: Revise the site plan to reduce the number of parking spaces from 71 spaces to 67 spaces by replacing four parking stalls with landscaped planting strips located at the ends of parking rows.
11. Operational Noise: The City shall provide a 10-foot tall corrugated solid metal panel fence along the north side of the pool storage area. Fence and gates shall be solid from ground to top when closed.
12. Building Permit plans shall incorporate the approved window schedule.
13. The final plans submitted for Building Permit approval shall conform to all applicable codes and guidelines.
14. A site inspection to determine compliance with this Design Review and Use Permit approval is required prior to the final building inspection and/or to the issuance of a Certificate of Occupancy. The applicant shall notify Planning staff at least four business days prior to the requested Planning Inspection dates.
15. Bicycle Parking: Locations for bicycle parking consistent with the AMC bicycle requirements shall be shown on the Building Permit plans. The bicycle facility shall be located in a secure and safe location and accessible from high pedestrian/bicycle traffic areas, such as at the street frontage, to the satisfaction of the Planning Director.
16. Building Signage: Any temporary or permanent signage shall be subject to separate Sign Permit approval pursuant AMC Section 30-6.
17. Water Efficiency Landscape Ordinance: Prior to issuance of building permits or improvement plans, the applicant shall submit a complete WELO Landscape Document Package, as defined by Alameda Municipal Code (AMC) Section 30-58.3.d, subject to the approval of the Planning Director.

18. Bird Safe Ordinance: Building Permit plans shall demonstrate compliance with the Alameda Bird-Safe Building Ordinance (AMC Section 30-5.16.b), as applicable.
19. Dark Skies Ordinance: Plans submitted for building permits shall demonstrate compliance with the Alameda Dark Skies Ordinance (AMC Section 30-5.16.c), as applicable.
20. Modifications: Minor project design details requested by the applicant may be established, modified, and approved by the Planning Director. Engineering standards and specifications requested by the applicant may be established, modified and approved by the Public Works Director or designee. Major modifications that are not consistent with, or not in furtherance of, this Design Review and Use Permit approval or these conditions, as determined by the Planning Director, shall be subject to review and approval of the Planning Board.

Building Division Conditions

21. All construction documents shall be prepared in accordance with the latest applicable California Building Codes.
22. Structural observations will be required in accordance with the engineer's design and applicable risk category.
23. At the time of plan check please incorporate the required California Green Code Mandatory Measures.

Public Works Conditions

Public Works - General

24. Plans shall be prepared, signed, and stamped as approved by a registered civil engineer licensed in the State of California. The Improvement Plans and all documentation listed below, except as noted, shall be approved by the Public Works Department prior to issuance of any Building Permit for the development.
25. The proposed work shall comply with Chapter 22 of the Alameda Municipal Code (Streets and Sidewalks) as determined by the City Engineer.
26. The proposed work shall comply with Alameda's Standard Plans and Specifications and Standard Subdivision Specifications and Design.
27. Plans shall identify datum. If not NADV88, show conversion.
28. Site plans shall include applicable Standard Construction Notes, latest edition, from Public Works.

29. An Encroachment Permit is required for all work within the Public Right-of-Way. The Encroachment Permit is required prior to issuance of any Building Permits for the proposed development. The encroachment permit application shall address circulation in and around the site, including pedestrians, cyclists, fire trucks, private vehicles, solid waste trucks, buses, and parking. The application shall address all construction phases.
30. The project shall implement all public improvement recommendations along Atlantic Ave between Wilma Chan Way and Challenger Dr as identified in the "Alameda Aquatic Center Project - Transportation Impact Analysis" dated March 7, 2025 by Fehr and Peers.
31. The project shall coordinate construction and obtain any access rights needed with adjacent property owner(s) for work on adjacent property.
32. The project shall complete the Lot Line Adjustment process and record a Certificate of Compliance prior to building permit issuance.

Public Works - Streets, Sidewalks, Parking and Traffic Control

33. The proposed work shall comply with all current, applicable, plans, standards, policies and guidelines including Alameda's Bicycle Master Plan; Pedestrian Master Plan; Long Range Transit Plan; Transportation Demand Management and Transportation System Management (TSM/TDM) Plan; Multimodal Circulation Plan; Transportation Element of the General Plan; Transportation Choices Plan; Bicycle Facility Design Standards; Pedestrian Design Guidelines; Guidelines for Multiway Stop Signs, Crosswalks, and Pedestrian Paddles; as well as the Caltrans Design Manual and Standard Plans and the California MUTCD. Alameda Point development shall comply with the various Alameda Point key documents. All documents can be found at the City's Public Works webpage, under Key Documents, at <https://www.alamedaca.gov/Departments/Public-Works>.
34. All sidewalks shall comply with ADA and Title 24 requirements for cross slope, including driveway approaches and curb ramps. Where existing driveways are removed, the project shall replace the curb, gutter, and full width of sidewalk to current standards.
35. Parking layout shall be constructed in conformance with City's off-street parking design standards, Alameda Municipal Code Section 30, Article 1, Chapter 7 Off-Street Parking and Loading Regulations. Accessible stalls, ramps, loading and unloading platforms including for vans, slope and grade of ramps, landings and stalls, signs, striping, logo, width of landings and such details as are required shall comply with applicable City and State Standards.

Public Works - Grading and Floodplain

36. The project shall submit a soils investigation and geotechnical report for the proposed development, subject to the review and approval of the City Engineer. The report shall address the structural and environmental analysis of existing soils and groundwater and provide recommendations for all grading, retaining walls, bulkheads, surface and sub-surface drainage, lot drainage, utility trench backfilling, construction dewatering, and pavement design. The improvement plans shall incorporate all design and construction criteria specified in the report and shall be reviewed and signed by the Soils Engineer specifying that all recommendations within the report have been followed.
37. Any retaining walls, which are adjacent to a property line, shall be masonry, metal, or concrete. Any existing retaining walls to remain are to be evaluated by the project's geotechnical/structural engineer for integrity and applicability to the geotechnical engineer's recommendations.

Public Works - Drainage

38. All on-site surface drainage shall be collected and conveyed in an adequately designed underground storm drainage system in a manner to be approved by the City Engineer. The downstream drainage system shall be analyzed and inadequacies, if any, corrected as determined by the City Engineer. The site shall be graded so that no additional runoff is directed to and so as not to impede runoff from adjacent properties.
39. A storm drainage hydrology analysis, identifying the total peak drainage flow quantities to be generated by the proposed development shall be prepared in accordance with the Alameda County Flood Control District Hydrology and Hydraulics Manual by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans.
40. Improvement plans shall clearly show the extent of public vs private storm drainage facilities, including basins, pipes, structures, and pump stations. All public drainage facilities shall be in public streets or in public drainage easements.
41. Stormwater shall be dispersed, diffused, detained, or otherwise infiltrated on-site to the extent feasible. **Downspouts shall not be directly connected to public or private storm drain facilities. Use of splash blocks directed towards landscape areas is encouraged.** Stormwater, including roof drainage, shall not be directed across sidewalks or driveways.

Public Works - Stormwater Quality Protection and Treatment

42. Project shall incorporate permanent stormwater low impact development (LID) design techniques and source control measures to manage the quantity and quality of stormwater runoff from the planned development to prevent and minimize impacts

to water quality, in accordance with the City of Alameda's National Pollution Discharge Elimination System (NPDES) Permit, and consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual. Project plans shall indicate the efforts taken to minimize impervious surface areas, especially directly connected impervious surface areas.

43. The finalized Civil Improvement Plans and Site Plans shall include a Stormwater Quality Management Plan complete with the individual drainage management areas identified, and a completed Stormwater Requirements Checklist. The Civil Improvement Plans grading and drainage details shall explicitly show how all necessary stormwater self-retaining areas along the northern perimeter of the site are designed consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual.
44. Prior to Public Works approval of the project and/or issuance of the Public Works Site Work Permit, the project shall submit for review and approval by the City Engineer 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 be consistent with the City of Alameda's C3-LID Measures O&M Plan Checklist. The development shall incorporate permanent post-construction stormwater quality controls in accordance with the City of Alameda's National Pollution Discharge Elimination System (NPDES) Permit. 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.
45. The development is subject to full trash capture requirements of the City's NPDES permit, regardless of impervious surface area. The project shall provide a full trash capture system, 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 location, detail and cross-sectional drawings of the stormwater full trash capture device(s) necessary to treat the entirety of the site. The project shall confirm that the full trash capture device(s) included in the development plan are on the State Water Resources Control Board's list of certified full trash capture systems. Trash capture shall occur on site, not in the public right of way downstream. Project shall submit an O&M plan detailing the necessary maintenance tasks and schedule required to maintain all on-site trash capture devices.
46. All new storm drain inlets in the project parking lot and drive aisle areas and at the overflow to the bioretention stormwater treatment system shall be clearly marked with the words "No Dumping! Drains to Bay," or equivalent, as approved by the Public Works Director.

47. Prior to project acceptance and any certificate of occupancy, the project shall provide the following:
- a. A written statement identifying the responsible party for the implementation of the project's Stormwater Measures Operations and Maintenance Plan and the long-term maintenance inspection and care of all of the stormwater treatment measures including bioretention, self-retention and self-treating landscaping areas and all associated full trash capture devices. The written statement shall be provided to the City's Public Works Department and Clean Water Program. Provide shapefiles/GIS coordinates for all stormwater treatment measures (public and private treatment measures on two different GIS layers), including the numbering of each asset as directed.
 - b. Provide shapefiles/GIS coordinates for all full trash capture device installation locations (public and private treatment measures on two different GIS layers), including the numbering of each asset as directed, date of installation and device type.
 - c. The project shall ensure that all project site stormwater treatment measures are constructed per the City approved plans and specifications. As appropriate, project inspection and oversight shall confirm, but not be limited to, verifications that: imported materials used for the treatment measure(s) are certified by the supplier; installation and quantity 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 the City Engineer.
48. The project shall obtain all necessary permits from other regulatory agencies for projects within sensitive areas or which have significant stormwater pollution potential. Other regulatory agencies include, but are not limited to, the Regional Water Quality Control Board, Department of Fish and Wildlife, Army Corps of Engineers, and the Bay Conservation and Development Commission.
49. The project shall comply with the State Water Quality Control Board's Construction General Permit requirements. Copies of the required "Notice of Intent" (NOI) and "Storm Water Pollution Prevention Plan" (SWPPP) along with the WDID# shall be submitted to the City Engineer prior to the issuance of the Permit for any site work. The SWPPP shall utilize the California Storm Water Best Management Practices Handbook for Construction Activities, the ABAG Manual of Standards for Erosion & Sediment Control Measures, the City's Grading and Erosion Control ordinances, the City's "Urban Runoff Best Management Practices Standards", and other generally accepted engineering practices for construction activity pollution prevention, sediment, and erosion control.

50. The project shall implement site SWPPP and/or the approved erosion and sediment control program prior to the any demolition, grading or construction activity begins.
51. Construction access routes shall be limited to those approved by the City Engineer and shall be shown on the approved grading plan.
52. The project is responsible for ensuring that all contractors and subcontractors are aware of and implement all stormwater quality control measures. Erosion and sediment control measures shall be maintained and repaired throughout the construction phase and removed at the end of construction, including the following:

Erosion and Sediment Control

- A. Install erosion prevention and perimeter protection measures (soil stabilization) such as fiber rolls, silt fence, and/or sediment traps or basin. Sediment controls should be a secondary defense behind good erosion control and site perimeter measures.
- B. Install and maintain stabilized construction entrances to minimize the tracking of dirt, mud, dust and debris onto the public right-of-way.
- C. Filter materials (such as block and gravel bags, sandbags, filter fabric) shall be installed at the storm drain inlets at, surrounding, and directly adjacent to the project site.
- D. Minimize the removal of natural vegetation or ground cover to minimize the potential for erosion and sedimentation. Re-plant the area and stabilize all cut and fill slopes as soon as possible after grading is completed.
- E. The Contractor(s) shall avoid creating excess dust when breaking asphalt/concrete and during excavation and grading. If water is used for dust control, use as little as possible.
- F. Site shall follow its Construction General Permit requirements and conduct inspections before and after each storm event, and every 24 hours for extended storm events, to identify areas that contribute to erosion and sediment problems or any other pollutant discharges. If additional measures are needed, revise the SWPPP and implement the measures immediately. Document all inspection findings and actions taken.
- G. Any breach, malfunction, leakage, or spill observed that could result in the discharge of pollutants to surface waters which would not be visually detectable in stormwater shall trigger the collection of a sample of discharge. Necessary sampling procedures shall be followed, consistent with the SWRCB General Construction Stormwater Permit requirements as applicable.

Good Site Management

- H. On-site piles shall be removed regularly from site, with only temporary storage allowed. All temporary soil or other stockpiles on site shall be securely covered with a tarp, sheeting and bermed. Stockpiling or staging of

- any materials in the public right-of-way requires a City encroachment permit.
- I. Place all construction debris in containers and empty them regularly. When appropriate, use tarps or equivalent on the ground to collect fallen debris or splatters that could contribute to stormwater pollution.
 - J. Create a contained and covered area on the site for the storage of cement bags, paints, flammables, oils, fertilizers, pesticides, or any other materials used on the project site that have the potential for being discharged to the storm drain system by wind, exposure to rainfall or in the event of a material spill.
 - K. Concrete trucks shall have a self-contained wash-out system or discharge to a dedicated, secure site wash-out. Washout and/or slurry waste shall not accumulate on surrounding pavement or enter the storm water conveyance system.
 - L. Vacuum saw-cutting slurry immediately and remove from site. Saw-cut slurry shall not accumulate on surrounding pavement or enter the storm water conveyance system.

Non-Stormwater Management

- M. Site de-watering operations shall be designed to prevent the discharge of any sediment, debris or other pollutants to the municipal storm water conveyance system.
- N. Do not discharge wash water, residues or wastes into street gutters or drains. Clean up leaks, drips and spills immediately. Never clean machinery, tools, brushes, etc., rinse containers and/or dispose of washwater into a street, gutter, storm drain or watercourse.
- O. The project perimeter shall be swept and maintained so it is litter free. Caked-on mud or dirt shall be scraped before sweeping. At the completion of work the street shall be washed and the wash water collected and disposed offsite.

Public Works - Sewer and Water

53. Sanitary sewerage shall be in accordance with the EBMUD Regional Standards for Sanitary Sewer Installation. All permits, easements, and/or approvals for modifications to the sewer system required by EBMUD shall be obtained prior to issuance of any building permits.
54. Improvement plans shall clearly state extents of public and private sewerage, including pipes, structures, and pump stations. Lower (public) and upper (private) sewer laterals shall be separated by a two-way cleanout or manhole. All public sanitary sewer facilities shall be in public streets or in public utility easements.
55. 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 analysis shall identify required

improvements, if any, to ensure sufficient sewage capacity for this project and anticipated cumulative growth in the associated sewer sub-area.

56. The City participates in the EBMUD Regional Private Sewer Lateral Program; therefore the project shall comply with the provisions of this program prior to the issuance of Certificate of Occupancy. Each parcel must be issued a Compliance Certificate by EBMUD. Please review the program requirements and cost for Compliance Certificates: <http://www.eastbaypsl.com/eastbaypsl/>.
57. The project shall secure all necessary permit approvals from EBMUD regarding the installation of all water service for the project.

Public Works - Solid Waste

58. The project shall be designed to accommodate three waste streams: recycling, organics, and trash; as required by the City of Alameda Municipal Code – Solid Waste and Recycling (Chapter 21). Signage clearly identifying how to sort materials into three waste streams shall be posted at each storage area. The storage/disposal area(s) and the individual bins and containers provided within shall be adequate in capacity, number and distribution to serve the anticipated demand, consistent with written City guidance and as determined by the Public Works Director.
59. The design, sizing, location, access, and provisions for waste hauler collection of all external enclosures and containers for solid waste, recycling, and organics shall be sufficient to serve the development, consistent with written City guidance, and as approved by the Public Works Department.
60. 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. In all cases where a parcel is served by an alley, all exterior storage areas shall be directly accessible to the alley. For safety reasons, a turnaround must be provided for any street that would otherwise require the collection truck to back up a distance greater than 150 feet.
61. A 40-foot turning radius or equivalent hammer head must be provided for any street or alley that would otherwise require the collection truck to back up a distance greater than 150 feet.
62. Trash enclosure(s) shall comply with Best Management Practices in accordance with the Clean Water Act. These facilities shall be designed to prevent water run-on to the area and 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. Design shall incorporate a solid roof, impervious floor, solid walls on three sides, and a lockable gate on the fourth side. Trash enclosures attached to buildings shall have fire sprinklers.

63. The design and construction of storage area(s) shall:
- a. Be compatible with the surrounding structures and land uses;
 - b. Storage area(s) must be able to accommodate three (3), four (4) cubic yard bins consistent with the current methods of collection provided by the City's Franchised Hauler
 - 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.
 - e. Maintain a minimum space of 12 inches between the dumpster(s) and the wall 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-collectable, noxious, unsafe, or in the case of recyclable materials, unmarketable.
64. A sign clearly identifying each exterior solid waste and recyclable and organic 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.
65. Trash enclosures serving restaurant and other food-related uses shall include a water supply, a drain to the sanitary sewer, and a grease trap and/or water/oil separator.
66. Provide a concrete pad in front of the trash enclosure to accommodate the truck weight while serving the dumpsters.
67. Prior to approval of the Permit, the project shall submit for review and approval by the Public Works Department a Waste Management Plan (WMP) demonstrating how the project will achieve California's Green Building Standards Code (CALGreen) diversion requirements for construction waste and achieve a minimum recycling rate of 65%. The WMP shall be consistent with the City's written guidance and can be completed by creating an account and submitting a plan via <http://alameda.wastetracking.com>.

Public Works - Landscaping, Bus Stops, Street Furniture and Public Art

68. The landscape and irrigation plans for on-site and public right-of-way 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 AMC, the Alameda Master Tree Plan, the Alameda Tree Removal Policy, the Integrated Pest Management Policy, as well as conditions of approval by the Planning Board, and other applicable standards, as applicable.

Landscaping shall be designed to improve curb appeal while promoting low maintenance plant material and xeriscaping.

Alameda Municipal Power

69. Prior to approval of Improvement Plans, the Applicant shall coordinate with Alameda Municipal Power (AMP) regarding power requirements.
70. The Applicant shall comply with AMP's Rules and Regulations and "Material and Installation Criteria for Underground Electrical Systems" (available at www.alamedamp.com) which provides service options, standards, and minimum clearances from electrical transformers and other utility electrical equipment.
71. All service installations shall be underground.
72. 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.
73. The applicant will also be billed for 100% cost of distribution line extension (except transformers that are rated less than 750 kVA). AMP will require a refundable deposit for transformers rated 750 kVA and higher based on their capacity utilization.
74. The applicant shall submit, with the site improvement plans, detailed drawings showing the required site electric utility facilities.
75. 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 underground 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.
76. 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. Remote metering is not allowed.

77. The applicant shall install electrical service and improvements in conformance with AMPs requirements.

78. 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. The location, number and type of electric facilities, such as transformers and primary cables, cannot be finalized until electric estimates of each unit are provided. Special loads, such as EV chargers, and solar installations should be identified.

79. 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, for traffic rated boxes consult AMP's "Materials and Installation Criteria"). Any deviations from this standard shall be approved by the AMP Engineering Manager or designee in writing.

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 Planning, Building and Transportation 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 June 23, 2025, by the following vote:

AYES: (5) Cisneros, Ruiz, Saheba, Tsou and Wang

NOES: (0)

ABSENT: (2) Ariza and Hom

ATTEST:

Signed by:

 _____
Allen Tai

Planning Building & Transportation
Director & Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. 25-05

APPROVING DESIGN REVIEW APPLICATION NO. PLN24-0081 FOR
AN EIGHT-STORY RESIDENTIAL BUILDING WITH 356 MULTI-FAMILY UNITS
LOCATED AT 2433 MARINER SQUARE LOOP.

WHEREAS, Martin Mariner Square LLC / Mash Petroleum Inc. has applied for entitlements to allow the development of a 2.36 acre site with an address of 2433 Mariner Square Loop (also including 2363 and 2381 Mariner Square Drive and 2415 Mariner Square Loop) comprising four parcels, each occupied by a two-story commercial office building, and an adjacent parcel under easement from Caltrans in the City of Alameda, County of Alameda; and

WHEREAS, the project would demolish the existing buildings and develop an eight-story residential project with a three-story garage within the podium levels wrapped by residential units facing the building exterior and an additional five stories of residential units above, to a height of 85 feet plus a parapet and site fill for a maximum height above existing grade of just over 90 feet. There would be 356 dwelling units comprised of 55 studios, 200 one-bedroom and 101 two-bedroom units in about 300,000 net square feet of floor area, plus circulation space, amenity areas, and parking garage areas in 170,000 square feet. The parking garage, accessed from Mariner Square Loop, would include 283 vehicle spaces and 356 bicycle parking spaces on site plus retain 124 vehicle spaces in an adjacent lot leased from Caltrans located over the Webster tube; and

WHEREAS, in June of 2022, the Alameda City Council certified the General Plan 2040 Environmental Impact Report (EIR) and adopted the General Plan as the comprehensive, long-range, internally consistent plan for the future development and conservation of the community, and in November of 2022 the Alameda City Council approved the 2023-2031 Housing Element as the blueprint for how and where the community will meet the housing needs of current and future members of the community, including seniors, families, single-person households, single parent households, people with disabilities, lower-income households, and people experiencing or facing the prospect of homelessness, and in December of 2022 the Alameda City Council adopted a comprehensive update to the City's zoning ordinance text and zoning map including amendments to the project site to designate it for multifamily housing development; and

WHEREAS, the project site is designated as Mixed Use in the General Plan, which allows multifamily housing at an FAR of 0.25–5.0. The project provides 356 apartments at FAR of approximately 4.7 and advances, among others, General Plan policies on housing supply (LU-15; H-1, H-2), transit-oriented infill (LU-16), complete streets (ME-10), design (LU-26; LU-27), and interior noise (HS-56); and

WHEREAS, the project site is designated M-2-PD / MF (General Industrial and Multifamily Residential) in which multifamily is permitted by right at greater than 30 units per acre on the Zoning Map. The project provides approximately 152 du/ac, and at approximately 85 feet complies with the applicable 100-foot height limit of the M-2 district, and the 5-foot front yard, and the 80% lot coverage limitation, and the maximum parking ratio of 1.5 spaces per unit, and the minimum bicycle parking ratio of one long-term space per unit and one short-term space per five units; and

PLN24-0081 – 2433 MARINER SQUARE LOOP PLANNING BOARD RESOLUTION 25-05

WHEREAS, on July 28, 2025, the Planning Board held a duly noticed public hearing on the subject Design Review application and examined all pertinent application materials, staff analysis, and public testimony; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds the project is exempt from evaluation under the California Environmental Quality Act (CEQA). A Class 32 exemption applies to infill development projects that meet the following conditions: (a) 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; (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) The project site has no value, as habitat for endangered, rare or threatened species; (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) The site can be adequately served by all required utilities and public services. The applicant has provided technical analyses and development plans that demonstrate compliance with these criteria. The Board also finds that the exceptions found in CEQA Guidelines section 15300.2 do not apply.

Separately, because it only requires Design Review approval, the Planning Board finds that the project is not subject to further CEQA review pursuant to *McCorkle Eastside Neighborhood Group v. City of St. Helena* (2018) 31 Cal.App.5th 80. Under *McCorkle*, local design review does not require environmental review when it is the only discretionary aspect of a project, and the agency lacks authority to disprove the project or otherwise mitigate non design related environmental impacts. *McCorkle* applies when an agency's discretion over a project is limited to aesthetic and design issues such as orientation, bulk, materials, and colors. Here, the project is located in the City's Multi-Family Residential Combining District, and within the district, the proposed multifamily housing project is permitted by right and is not subject to discretionary review, except for Design Review, pursuant to AMC Sec. 30-4.23(c)(1). Accordingly, no CEQA review is required because the City's review of the project is limited to design issues.

AND BE IT FURTHER RESOLVED, that the Planning Board finds that the Design Review application conforms to the City of Alameda Amended and Restated Objective Design Review Standards of 2023 as follows:

Objective design review standards, amended and restated in July 2023, address several aspects of multifamily developments, including site design (parking and landscaping), building mass and articulation (façade articulation and transparency), building orientation and entries, and architectural details (siding, windows, balconies and equipment).

The applicant has provided a checklist and notes on the plans to illustrate compliance with the ODRS. The following is a summary of the compliance checklist and plans.

Parking is limited to the interior of the building, an existing lot on the Caltrans property, and a small drop-off area in front of the building. The garage entry is located on a secondary frontage with a recessed door that allows for a vehicle waiting to enter to not block the sidewalk.

PLN24-0081 – 2433 MARINER SQUARE LOOP PLANNING BOARD RESOLUTION 25-05

Landscaping would be provided around the perimeter of the building including the preservation of a prominent grove of redwood trees (arborist report attached), stormwater planters around the foundation perimeter of the building, street trees, and podium level open spaces.

The site elevation would be raised by three feet to accommodate the local floodplain conditions as mapped by FEMA and projected sea-level rise, so a series of ramps and stairs would be provided to access the building.

Exterior materials include stucco, brick veneer, wood-look siding, and metal with vinyl and aluminum window frames and balconies with glass guardrails. The façade would include a number of offsets in the form of recessed balconies, changes in plane where materials also change, and cornices near the parapet. Transparency would be provided at the lobby and around the building, with openings along the street level on all sides. Direct access to the entry would be provided from the streets with roofed projections to protect pedestrians from inclement weather.

BE IT FURTHER RESOLVED, that the Planning Board finds that the application conforms to the Design Review findings in AMC section 30-37.5, as follows:

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

As described above, the project conforms to the General Plan land use designation and related policies, and to the zoning ordinance use and development standards. The project is also consistent with the following provisions of the Design Review Manual (December 2013):

Stacked Flat building type:

- Over-scaled or bulky volumes that detract from the pedestrian scale should be avoided.
- The ground floor should be designed to anchor the building to the ground with unique design, materials or color changes, storefronts and articulation.
- Rood treatments should include a cornice, parapet, cap or distinctive roofline.
- Additional belt courses should be used to delineate upper stories.

Architecture:

- Buildings should have a predominant identifiable architectural style.
- All aspects of building design should be in accordance with the selected architectural style.
- Modern architecture may be symmetrical or asymmetrically organized.
- Volumes may be simple and unadorned and may vary in height.
- Horizontal articulation should be achieved by using repetitive volumes alternating with voids or recesses.
- Façade articulation elements may include large overhangs, awnings, sunshades, trellises and balconies.

Landscape and Open Space:

- In residential areas, setback areas must be landscaped.
 - Front setback areas should be composed of landscaping, gardens, courts and other landscape design that are welcoming and supportive of pedestrian activity.
- 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 site is relatively isolated from adjacent uses by the intervening roadways, parking lots, and setbacks. The site is zoned for a height of 100 feet and is neighbored by large silos that stand about 65 feet tall and a storage building that stands 70 feet tall, as well as numerous three-story residential buildings. The surrounding areas are developed in an eclectic mix of styles with no predominant theme or character.

- c. 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.

As noted above, the eclectic design and large paved and undeveloped areas do not establish a particular character. However, the proposed design would generally be compatible with the stucco, brick and siding materials used elsewhere in the area with muted and contrasting colors.

BE IT FURTHER RESOLVED, that the Planning Board approves the Design Review application subject to the following conditions:

Planning Conditions

1. Compliance with Law. The final plans submitted for Building Permit approval shall conform to all applicable codes, laws and regulations of the City and other governmental agencies, whether or not such applicable requirements are specifically mentioned in these Conditions of Approval as of the date of submittal.
2. Building Permit. These conditions shall be printed on the building plans and improvement plans.
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 substantial changes to the approved scope of the project shall be submitted to the Planning Building and Transportation Department for review and approval.
4. Planning Inspection. A site inspection by Planning staff to determine consistency with this approval is required prior to the final building inspection and/or to the issuance of

a Certificate of Occupancy. The applicant shall notify Planning staff at least four business days prior to the requested Planning Inspection dates.

5. Bicycle Parking: Required bicycle parking shall be consistent with AMC Section 30-7.6 (Off-Street Bicycle Parking Requirements) and the City of Alameda Bicycle Facility Design Standards. The location of the bicycle parking required shall be shown on the Building Permit plans, along with any information necessary to demonstrate compliance with objective requirements. The bicycle facility shall be located in a secure and safe location.
6. Building Signage: Any temporary or permanent signage shall be subject to separate Sign Permit approval pursuant AMC Section 30-6.
7. Water Efficiency Landscape Ordinance: Projects subject to the requirements of AMC Section 30-58 (Bay-Friendly and Water Efficient Landscape Ordinance) shall submit all documentation required by that section, as applicable, prior to issuance of building permits and at the time of final inspection and post-construction audits.
8. Bird Safe Ordinance: Building Permit plans shall demonstrate compliance with the Alameda Bird-Safe Building Ordinance (AMC Section 30-5.16.b), as applicable at time of Planning Approval.
9. Dark Skies Ordinance: Plans submitted for building permits shall demonstrate compliance with the Alameda Dark Skies Ordinance (AMC Section 30-5.16.c), as applicable.
10. Tree Planting: If practical, a minimum of one (1) tree for every four (4) uncovered on-site parking spaces shall be provided to reduce heat island effect and create a tree canopy throughout the parking lot as required by AMC Section 30-7.8.b. Developer shall work with the neighboring HAO to the west to explore additional screen tree planting along the shared property line.
11. Affordable Housing Plan: Prior to issuance of the first Building Permit, the Applicant shall execute and record an Affordable Housing Agreement to ensure compliance and monitoring requirements consistent with the Inclusionary Housing Ordinance. The Affordable Housing Agreement shall be in compliance with the AMC and affordable housing program guidelines, and shall identify fifty-four (54) affordable housing units at the appropriate income levels, sizes, locations, and amenities.
12. Public Art: Prior to obtaining a Building Permit, the applicant shall make an election and submit a plan or pay a fee in lieu of public art pursuant to AMC section 30-98.

Building Division Conditions

13. All construction documents shall be prepared in accordance with the latest applicable California Building Codes.

14. If the project receives City funds, it shall be designed all electric to comply with the Climate Action Plan.
15. The designer shall verify if the property is fully or partially located in the flood hazard zone. If the property is in the flood hazard zone, this shall be noted in the plans, and the design shall be in accordance with the requirements of the California Building Code for structures located in the flood hazard zone.
16. The plans submitted for building permits shall comply with the then applicable accessibility requirements for people with disabilities as applicable.
17. Construction noise shall be subject to the provisions of the AMC Section 4-10 (Alameda Noise Regulations Ordinance), including provisions regarding loading and unloading, vibration, and construction. Pursuant to AMC Sections 4-10.5(b)(10) and 4-10.7(e), construction noise shall be restricted to 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 the prohibition does not apply pursuant to AMC Section 4-10.5(b)(10)(a)–(d). Commonly accepted best practice controls will be implemented.
18. Special inspectors need to be registered with the city for the specific job.
19. Special inspection reports will be required for all applicable items that are part of this design in accordance with chapter 17 of the CBC.
20. Structural observations will be required in accordance with the engineer's design and applicable risk category.
21. Submit complete sets of electronic plans including the following - * Plot Plan * Foundation Plan * Floor Plan * Ceiling and roof framing plan * Electrical Plans including size of main switch, number and size of service entrance conductors, circuit schedule and demand load. * Plumbing and sewer plan, isometric, including underground diagram, water piping diagram, sewer location, fixture units, gas piping and vents, heating, and air conditioning diagram. * Landscape and Irrigation plans. (Landscape plans shall be compliant with the Alameda MWELo requirements and approved prior to the issuance of any Building Permits.)
20. Submit electronic sets of structural calculations, energy conservation calculations and soils reports. Architects/Engineers electronic stamps and signatures are acceptable at the time of plan check submittal.
21. All contractors shall be licensed by the State of California and have an active business license to work in the City of Alameda.
22. No work shall be performed until the required permits are obtained.

23. All fees shall be paid before the permit is issued, except where state law allows the applicant to seek a deferral or otherwise provides an alternate payment schedule. For projects where state law applies, fees shall be paid in accordance with, and at the earliest time required by, such applicable state law.
24. No structure shall be occupied until a Certificate of Occupancy has been issued by the Building Official.
25. The contractor, or other person responsible for completion of the work, shall timely schedule all necessary inspections with the appropriate city staff.
26. Changes or deviations from the approved set of plans shall be resubmitted for plan check.
27. All work shall remain accessible to the Building Official and their designees until inspected and finally approved by the Building Official.
28. Best management practices shall be observed during construction to prevent pollutants from entering the storm drain system and to control dust and exhaust (consistent with General Plan Policy HS-65 (“Construction Air Pollution”)).
29. Cal Green Code mandatory measures shall be observed during construction, including but not limited to those requirements for:
 - Water efficiency and conservation
 - Construction waste reduction, disposal, and recycling
 - All other applicable codes for the efficient construction and operation of the new structure.
30. Applicable deferred submittals must be clearly identified on the building plans, including submittals for Photovoltaic, fire sprinklers, fire alarms, trusses, etc.
31. The project will implement General Plan Policy HS-69 (“Construction Period Air Quality Impacts”). In addition, during construction, all diesel-powered construction equipment larger than 50 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 Interim emission standards for PM (PM₁₀ and PM_{2.5}).

Public Works Conditions

General

32. Plans shall be prepared, signed, and stamped as approved by a registered civil engineer licensed in the State of California. The Improvement Plans and all documentation listed below, except as noted, shall be approved by the Public Works Department prior to issuance of any Building Permit for the development.

33. The proposed work shall comply with Chapter 30, Article 6 of the Alameda Municipal Code (Real Estate Subdivision Regulations), Chapter 22 of the Alameda Municipal Code (Streets and Sidewalks) and Chapter 20 of the Alameda Municipal Code (Floodplain Management) as determined by the City Engineer.
34. The proposed work shall comply with Alameda's Standard Plans and Specifications and Standard Subdivision Specifications and Design.
35. The fee for plan checking and inspection shall be calculated in accordance with the latest Schedule of Fees & Charges as approved by the City Council.
36. Plans shall identify datum. If not NADV88, show conversion.
37. Site plans shall include applicable Standard Construction Notes, latest edition, from Public Works.
38. The developer shall provide as-built drawings of all site and right of way improvements prior to issuance of final Certificate of Occupancy. Provide drawings in both durable hard copies and pdfs.
39. An engineer's cost estimate for frontage and site improvements shall be submitted. A cash security deposit or construction performance bond of an amount as determined by the City Engineer prior to issuance of a Public Works Development (PWD) permit that involve the public ROW.
40. An Encroachment Permit is required for all work within the Public Right-of-Way. The Encroachment Permit is required prior to issuance of any building permits for the proposed development. The encroachment permit application shall address circulation in and around the site, including pedestrians, cyclists, fire trucks, private vehicles, solid waste trucks, buses, and parking. The application shall address all construction phases.

Maps and Easements

41. The applicant is encouraged to contact the Public Works Department at 510-747-7930 to schedule a pre-application meeting prior to the first submittal of any subdivision maps or improvement plans to discuss submittal requirements, project review timeline, and fees associated with the processing, filing, and construction of this development.
42. A current title report shall be submitted to identify current ownership and any existing easements or land use restrictions
43. The Applicant shall enter into a Public Improvement Agreement with the City, pay all fees, and provide a security in a form and amount acceptable to the City prior to approval of a building permit.
44. The Applicant shall process a lot merger application with the Public Works Department to

combine the existing parcels prior to issuance of a building permit for the project.

45. The Applicant shall obtain abandonment from all applicable public agencies of existing easements and rights-of-way within the project site that will no longer be used and/or in conflict with the proposed building footprint. Applicant shall complete the abandonment process prior to issuance of a building permit for the project.
46. The Applicant shall quitclaim all private easements within the project site that will be in conflict with the proposed building footprint. Private easements shall be quitclaimed prior to issuance of a building permit for the project.
47. The Applicant shall dedicate all required public easements within the project prior to issuance of any Certificate of Occupancy. Required public easements may include but not limited to Public Utility Easement, Emergency Vehicle Access Easement and Storm Drain Easement. The exact location of easements shall be determined during permit review and is subject to approval by the City Engineer. All easement documents shall be approved by the Public Works Department prior to recordation.
48. The Applicant shall provide the City with an executed copy of the Caltrans lease, easement or access agreement prior to issuance of any permits for the project. The project is anticipated to use the neighboring Caltrans property for parking, trash staging and emergency vehicle and/or personnel access.
49. Prior to issuance of a PWD permit, applicant shall obtain all necessary rights and/or permit(s) for construction of any improvements on the adjacent Caltrans parcel.

Streets, Sidewalks, Parking and Traffic Control

50. Proposed work shall comply with all current, applicable, plans, standards, policies and guidelines including Alameda’s Bicycle Master Plan; Pedestrian Master Plan; Long Range Transit Plan; Transportation Demand Management and Transportation System Management (TSM/TDM) Plan; Multimodal Circulation Plan; Transportation Element of the General Plan; Transportation Choices Plan; Bicycle Facility Design Standards; Pedestrian Design Guidelines; Guidelines for Multiway Stop Signs, Crosswalks, and Pedestrian Paddles; as well as the Caltrans Design Manual and Standard Plans and the California MUTCD. All documents can be found at the City’s Public Works webpage, under Key Documents, at <https://www.alamedaca.gov/Departments/Public-Works>.
51. All sidewalks shall comply with ADA and Title 24 requirements for cross slope, including driveway approaches and curb ramps. Where existing driveways are removed, the developer shall replace the curb, gutter, and full width of sidewalk to current standards.
52. The street section for any private access roads shall be designed by a registered civil engineer and is subject to approval by the City Engineer.

53. Parking layout shall be constructed in conformance with City's off-street parking design standards, Alameda Municipal Code Section 30, Article 1, Chapter 7 Off-Street Parking and Loading Regulations. Accessible stalls, ramps, loading and unloading platforms including for vans, slope and grade of ramps, landings and stalls, signs, striping, logo, width of landings and such details as are required shall comply with applicable City and State Standards.
54. The project shall implement the following improvements on Mariner Square Drive and Mariner Square Loop as identified on the 2433 Mariner Square Drive Project - Transportation Demand Management Plan, 2433 Mariner Square Drive Project - Transportation Impact Analysis, and 2433 Mariner Square Drive Project - Site Access and Circulation Review dated July 10, 2025, prepared by Fehr & Peers to the satisfaction of the City Engineer:
- Removal of the northwest pork-chop island at the Mariner Square Drive / Mariner Square Loop / Marina Village Parkway intersection and design to accommodate eastbound U-turns on Mariner Square Loop.
 - Provide stop control to the slip (free right) lane northbound on Mariner Square Drive.
 - High visibility crosswalks on all four legs of the Mariner Square Drive / Mariner Square Loop / Marina Village Parkway intersection.
 - Physical barrier to prohibit left turns into and out of the project driveways near the Mitchell Ave and Mariner Square Loop signalized intersection.
 - Six-foot-wide sidewalk on Mariner Square Drive and Mariner Square Loop.
55. Median separating the bike lane and vehicular lanes on Mariner Square Drive shall be designed without planting.

Grading and Floodplain

56. The development shall be designed to account for future predicted sea level rise to Elevation 13 feet, NAVD88 Datum. The project shall also be designed to accommodate additional future adaptability provisions for sea level rise above Elevation 13 feet relative to all covered habitable areas. Projects within the BCDC jurisdiction will be required to meet BCDC's Sea Level Rise conditions.
57. The developer shall file an elevation certificate for each proposed new structure and proposed remodeled structure within the mapped Special Flood Hazard Area, prior to issuance of any building permit, and a second elevation certificate for each structure, after construction, and prior to issuance of Certificate of Occupancy. The Applicant shall submit a soils investigation and geotechnical report for the proposed development, subject to the review and approval of the City Engineer. The report shall address the structural and environmental analysis of existing soils and groundwater and provide recommendations for all grading, retaining walls, bulkheads, surface and sub-surface drainage, lot drainage, utility trench backfilling, construction dewatering, and pavement design. The improvement plans shall incorporate all design and construction criteria specified in the report and shall be reviewed and signed by the Soils Engineer specifying that all recommendations within the report have been followed.

58. Any retaining walls, which are adjacent to a property line, shall be masonry, metal, or concrete. Any existing retaining walls to remain are to be evaluated by the Applicant's geotechnical/structural engineer for integrity and applicability to the geotechnical engineer's recommendations.
59. Prior to issuance of the first Temporary Certificate of Occupancy, the geotechnical/soils engineer shall submit a letter report to the City at completion of construction certifying that grading, drainage and backfill installation was performed in general compliance with recommendations in the geotechnical report. All material testing reports shall be attached to the certification letter report.

Drainage

60. All on-site surface drainage shall be collected and conveyed in an adequately designed underground storm drainage system in a manner to be approved by the City Engineer. The downstream drainage system shall be analyzed and inadequacies, if any, corrected as determined by the City Engineer. The site shall be graded so that no additional runoff is directed to and so as not to impede runoff from adjacent properties.
61. A storm drainage hydrology analysis, identifying the total peak drainage flow quantities to be generated by the proposed development shall be prepared in accordance with the Alameda County Flood Control District Hydrology and Hydraulics Manual by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans.
62. Improvement plans shall clearly show the extent of public vs private storm drainage facilities, including basins, pipes, structures, and pump stations. All public drainage facilities shall be in public streets or in public drainage easements.
63. Stormwater shall be dispersed, diffused, detained, or otherwise infiltrated on-site to the extent feasible. Downspouts shall not be directly connected to public or private storm drain facilities. Use of splash blocks directed towards landscape areas is encouraged. Stormwater, including roof drainage, shall not be directed across sidewalks or driveways.

Stormwater Quality Protection and Treatment

64. All projects shall incorporate permanent stormwater low impact development (LID) design techniques and source control measures to manage the quantity and quality of stormwater runoff from the planned development to prevent and minimize impacts to water quality, in accordance with the City of Alameda's National Pollution Discharge Elimination System (NPDES) Permit, and consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual. Project plans shall indicate the efforts taken to minimize impervious surface areas, especially directly connected impervious surface areas.

65. The Applicant shall submit a Stormwater Quality Management Plan complete with the individual drainage management areas identified, a completed Stormwater Requirements Checklist and numeric sizing calculation sheets, and a stamped, signed City of Alameda C3 certification form from a qualified independent (i.e. different engineering firm) civil engineer with stormwater treatment facility design experience, licensed in the State of California, and acceptable to City Engineer that indicates the LID and treatment measure designs of the improvement plans and Stormwater Quality Management Plan meet the established sizing design criteria for stormwater treatment measures. The Civil Improvement Plans shall be consistent with the approved Stormwater Quality Management Plan submittal. Prior to issuance of the Permit, the Applicant shall submit for review and approval by the City Engineer 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 be consistent with the City of Alameda's C3-LID Measures O&M Plan Checklist. The development shall incorporate permanent post-construction stormwater quality controls in accordance with the City of Alameda's National Pollution Discharge Elimination System (NPDES) Permit. 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.
66. Plans shall be consistent with documents already submitted and approved of by Public Works, including the Stormwater Quality Management Plan, Stormwater Requirements Checklist, City of Alameda C3 Certification, Stormwater C3-LID Measures O&M Plan, Trash Capture O&M Plan, and C3-LID Measures O&M Plan Checklist. 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.
67. The development is subject to full trash capture requirements of the City's NPDES permit, regardless of impervious surface area. The developer shall provide a full trash capture system, 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 location, detail and cross-sectional drawings of the stormwater full trash capture device(s) necessary to treat the entirety of the site. The developer shall confirm that the full trash capture device(s) included in the development plan are on the State Water Resources Control Board's current (at time of Improvement Plans submittal) list of certified full trash capture systems. Trash capture shall occur on site, not in the public right of way downstream. Applicant shall submit an O&M plan detailing the necessary maintenance tasks and schedule required to maintain all on-site trash capture devices.
68. All new storm drain inlets shall be clearly marked with the words "No Dumping! Drains to Bay," or equivalent, as approved by the Public Works Director.
69. Prior to project acceptance and any certificate of occupancy, the Property Owner(s) shall provide the following:

- Executed C3-LID Treatment Measures Maintenance Agreement with the City, referencing the approved Operations and Maintenance Plan, the template for annual self-reporting, and assurances for property access for City verification inspections.
- Provide shapefiles/GIS coordinates for all stormwater treatment measures (public and private treatment measures on two different GIS layers), including the numbering of each asset as directed.
- Provide shapefiles/GIS coordinates for all full trash capture device installation locations (public and private treatment measures on two different GIS layers), including the numbering of each asset as directed, date of installation and device type.
- Certification report (Report) prepared by a registered civil engineer, licensed in the State of California, affirming that all project site stormwater treatment measures, including the full trash capture device system(s), have been constructed per the City approved plans and specifications. As appropriate, the Report shall include, but not be limited to, assurances and a narrative report 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 the City Engineer.
- Schedule and complete a verification inspection of the stormwater treatment measures with City staff after the submittal of the Certification Report.

70. The applicant shall assess and verify for the potential of PCBs in Building Demolition materials for each building intended for demolition by:

- Reviewing the packet “PCBs in Priority Building Materials: Model Screening Assessment Applicant Package (Rev. May 2023)” (Packet);
- For each building intended for demolition, completing the two-page “PCBs Screening Assessment Form” (pp 16-19 in the Packet) AND submitting a signed copy to Public Works for review; AND
- If Part 3 of the “PCBs Screening Assessment Form” is applicable and necessary for any of the buildings intended for demolition, submit all necessary assessment records also referenced in attached guidance document prior to issuance of building/demolition permit AND provide verification to the City prior to close out of the permit of the proper management and disposal of the relevant materials.

71. The Developer shall obtain all necessary permits from other regulatory agencies for projects within sensitive areas or which have significant stormwater pollution potential. Other regulatory agencies include, but are not limited to, the Regional Water Quality Control Board, Department of Fish and Wildlife, Army Corps of Engineers, and the Bay Conservation and Development Commission.

72. The developer shall comply with the State Water Quality Control Board's Construction General Permit requirements. Copies of the required "Notice of Intent" (NOI) and "Storm

Water Pollution Prevention Plan" (SWPPP) along with the WDID# shall be submitted to the City Engineer prior to the issuance of the Permit for any site work. The SWPPP shall utilize the California Storm Water Best Management Practices Handbook for Construction Activities, the ABAG Manual of Standards for Erosion & Sediment Control Measures, the City's Grading and Erosion Control ordinances, the City's "Urban Runoff Best Management Practices Standards", and other generally accepted engineering practices for construction activity pollution prevention, sediment, and erosion control.

73. Implement site SWPPP and/or the approved erosion and sediment control program prior to the any demolition, grading or construction activity begins. The applicant shall notify the City and schedule an inspection to verify the project's installation of these plans prior to commencing demolition, grading or construction activities. Failure to comply with the approved construction BMPs shall result in the issuance of correction notices, citations and/or a project stop order.
74. The City of Alameda shall be contacted in the event of any slope failure, sediment pond overflow, or any other malfunction resulting in pollutant-laden runoff. If erosion or an unauthorized discharge occurs, the construction activity that is attributing to the erosion or discharge must cease immediately. The erosion and discharge must be controlled and cleaned up immediately. Remediation completion shall be approved by the city engineer.
75. Construction access routes shall be limited to those approved by the City Engineer and shall be shown on the approved grading plan.
76. The applicant is responsible for ensuring that all contractors and subcontractors are aware of and implement all stormwater quality control measures. Erosion and sediment control measures shall be maintained and repaired throughout the construction phase and removed at the end of construction, including the following:

Erosion and Sediment Control

- Install erosion prevention and perimeter protection measures (soil stabilization) such as fiber rolls, silt fence, and/or sediment traps or basin. Sediment controls should be a secondary defense behind good erosion control and site perimeter measures.
- Install and maintain stabilized construction entrances to minimize the tracking of dirt, mud, dust and debris onto the public right-of-way.
- Filter materials (such as block and gravel bags, sandbags, filter fabric) shall be installed at the storm drain inlets at, surrounding, and directly adjacent to the project site.
- Minimize the removal of natural vegetation or ground cover to minimize the potential for erosion and sedimentation. Re-plant the area and stabilize all cut and fill slopes as soon as possible after grading is completed.
- The Contractor(s) shall avoid creating excess dust when breaking asphalt/concrete and during excavation and grading. If water is used for dust control, use as little as possible.
- Site shall follow its Construction General Permit requirements and conduct inspections

before and after each storm event, and every 24 hours for extended storm events, to identify areas that contribute to erosion and sediment problems or any other pollutant discharges. If additional measures are needed, revise the SWPPP and implement the measures immediately. Document all inspection findings and actions taken.

- Any breach, malfunction, leakage, or spill observed that could result in the discharge of pollutants to surface waters which would not be visually detectable in stormwater shall trigger the collection of a sample of discharge. Necessary sampling procedures shall be followed, consistent with the SWRCB General Construction Stormwater Permit requirements as applicable.

Good Site Management

- On-site piles shall be removed regularly from site, with only temporary storage allowed. All temporary soil or other stockpiles on site shall be securely covered with a tarp, sheeting and bermed. Stockpiling or staging of any materials in the public right-of-way requires a City encroachment permit.
- Place all construction debris in containers and empty them regularly. When appropriate, use tarps or equivalent on the ground to collect fallen debris or splatters that could contribute to stormwater pollution.
- Create a contained and covered area on the site for the storage of cement bags, paints, flammables, oils, fertilizers, pesticides, or any other materials used on the project site that have the potential for being discharged to the storm drain system by wind, exposure to rainfall or in the event of a material spill.
- Concrete trucks shall have a self-contained wash-out system or discharge to a dedicated, secure site wash-out. Washout and/or slurry waste shall not accumulate on surrounding pavement or enter the storm water conveyance system.
- Vacuum saw-cutting slurry immediately and remove from site. Saw-cut slurry shall not accumulate on surrounding pavement or enter the storm water conveyance system.

Non-Stormwater Management

- Site de-watering operations shall be designed to prevent the discharge of any sediment, debris or other pollutants to the municipal storm water conveyance system.
- Do not discharge wash water, residues or wastes into street gutters or drains. Clean up leaks, drips and spills immediately. Never clean machinery, tools, brushes, etc., rinse containers and/or dispose of wash water into a street, gutter, storm drain or watercourse.
- The project perimeter shall be swept and maintained so it is litter free. Caked-on mud or dirt shall be scraped before sweeping. At the completion of work the street shall be washed and the wash water collected and disposed offsite.

Sewer and Water

77. Sanitary sewerage shall be in accordance with the EBMUD Regional Standards for Sanitary Sewer Installation. All permits, easements, and/or approvals for modifications to

the sewer system required by EBMUD shall be obtained prior to issuance of any building permits by the City.

78. Improvement plans shall clearly state extents of public and private sewerage, including pipes, structures, and pump stations. Lower (public) and upper (private) sewer laterals shall be separated by a two-way cleanout or manhole. All public sanitary sewer facilities shall be in public streets or in public utility easements.
79. 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 analysis shall identify required improvements, if any, to ensure sufficient sewage capacity for this project and anticipated cumulative growth in the associated sewer sub-area.
80. The City participates in the EBMUD Regional Private Sewer Lateral Program; therefore the Applicant shall comply with the provisions of this program prior to the issuance of Certificate of Occupancy. Each parcel must be issued a Compliance Certificate by EBMUD. Please review the program requirements and cost for Compliance Certificates: <http://www.eastbaypsl.com/eastbaypsl/>.
81. The Applicant shall secure all necessary permit approvals from EBMUD regarding the installation of all water service for the project.

Power, Telecom, Street Lighting and Gas

82. The Applicant shall design and construct power, telecom, and other utilities in accordance with applicable utility standards.
83. Street lighting shall be designed in accordance with the City of Alameda Street Lighting Design Guide, latest edition. A photometric study shall be provided with the improvement plans. Any adjustments to bring street lighting up to City standards will be incorporated into final permit drawings.
84. All utilities along the project frontage(s) shall be undergrounded. If utility poles are to remain, accessible paths shall be provided around these poles whether existing or new. If poles to be removed support street lighting, new street light poles shall be installed.
85. Work with AMP to locate a transformer and pad, if needed, on private property with appropriate maintenance access.
86. In accordance with Alameda's Climate Action and Resiliency Plan, natural gas is not permitted for new residential units.

Solid Waste

87. The project shall be designed to accommodate three waste streams: recycling, organics, and trash; as required by the City of Alameda Municipal Code – Solid Waste and Recycling (Chapter 21). Signage clearly identifying how to sort materials into three waste streams shall be posted at each storage area. The storage/disposal area(s) and the individual bins and containers provided within shall be adequate in capacity, number and distribution to serve the anticipated demand, consistent with written City guidance and as determined by the Public Works Director.
88. The design, sizing, location, access, and provisions for waste hauler collection of all external enclosures and containers for solid waste, recycling, and organics shall be sufficient to serve the development, consistent with written City guidance, and as approved by the Public Works Department.
89. 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. In all cases where a parcel is served by an alley, all exterior storage areas shall be directly accessible to the alley. For safety reasons, a turnaround must be provided for any street that would otherwise require the collection truck to back up a distance greater than 150 feet.
90. Multi-family and commercial occupants shall be responsible for placing all solid waste, recyclable materials, and organic materials containers in a location on their premises agreed upon by the customer and the franchisee. Occupants shall not place or store containers on or in any public street, sidewalk, footpath, or public place; as required by Municipal Code Chapter 21-2.4.
91. A 40-foot turning radius or equivalent hammer head must be provided for any street or alley that would otherwise require the collection truck to back up a distance greater than 150 feet.
92. Trash enclosure(s) shall comply with Best Management Practices in accordance with the Clean Water Act. These facilities shall be designed to prevent water run-on to the area and 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. Design shall incorporate a solid roof, impervious floor, solid walls on three sides, and a lockable gate on the fourth side. Trash enclosures attached to buildings shall have fire sprinklers.
93. The design and construction of storage area(s) shall:
- Be compatible with the surrounding structures and land uses;
 - Storage area(s) must be able to accommodate three (3), four (4) cubic yard bins consistent with the current methods of collection provided by the City's Franchised Hauler
 - 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

- 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.
- Maintain a minimum space of 12 inches between the dumpster(s) and the wall of the enclosure and the recycling container(s) to allow for maneuvering the dumpster(s); and
- Protect the area(s) and containers from adverse environmental conditions, which might render the collected materials non-collectable, noxious, unsafe, or in the case of recyclable materials, unmarketable.

94. A sign clearly identifying each exterior solid waste and recyclable and organic 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.
95. Provide a concrete pad in front of the trash enclosure to accommodate the truck weight while serving the dumpsters.
96. The Development shall comply will Chapter 21, Article 6 of the Alameda Municipal Code and submit a Waste Management Plan documenting the diversion of project-related construction and demolition debris to the satisfaction of the Public Works Director.
97. Prior to approval of the Permit, the applicant shall submit for review and approval by the Public Works Department a Waste Management Plan (WMP) demonstrating how the project will achieve California's Green Building Standards Code (CALGreen) diversion requirements for construction waste and achieve a minimum recycling rate of 65%. The WMP shall be consistent with the City's written guidance and can be completed by creating an account and submitting a plan via <http://alameda.wastetracking.com>.

Landscaping, Bus Stops, Street Furniture

98. The landscape and irrigation plans for on-site and public right-of-way 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 AMC, the Alameda Master Tree Plan, the Alameda Tree Removal Policy, the Integrated Pest Management Policy, as well as conditions of approval by the Planning Board, and other applicable standards, as applicable. Landscaping shall be designed to improve curb appeal while promoting low maintenance plant material and xeriscaping.
99. Improvement plans submitted with the application for a PWD permit shall include a tree protection and maintenance plan for the trees to remain.
100. Bike racks shown on private property shall be maintained by the property owner.

Additional Conditions101. Planning Board Conditions.

- Developer shall offer to provide, and shall provide at no cost to the homeowners and tenants if agreement is reached, occasional cleaning services to wash windows at adjacent buildings to the west and north, to the extent visible nuisance dust is generated on those buildings during site preparation and construction of the project.
- Design shall be refined to include functional, integrated permanent sun shades on south facing windows of the project, to the satisfaction of the Planning Director.
- Design shall be refined to include additional transparent elements along the lower levels of the building along the Caltrans parking lot frontage, to the extent feasible, to the satisfaction of the Planning Director.
- The project plans shall incorporate recommendations from the project arborist report prepared by Woodreeve Consulting, dated May 2025.
- The landscape plan shall be revised to incorporate larger specimen trees as additional screening where physically possible, to the satisfaction of the Planning Director.

102. Planning Approval Expiration: This planning approval shall expire three (3) years after the date of approval unless authorized construction or use of the property has commenced. A one-time extension for an additional two years may be granted by the Planning, Building and Transportation Director upon written request and payment of applicable fees prior to the expiration.

103. Building Permit Expiration. All building permits shall expire by limitation 12 months after the issuance date or 12 months from the last “Approved” inspection if construction has not commenced. Permits that have been expired for less than 6 months may be reissued at the discretion of the building official. One or more extensions may be granted by the building official. Extensions shall be requested in writing prior to the expiration of the building permit.

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

participate in the defense of said claim, action, or proceeding and the applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys' fees

- 105. Judicial Proceedings. 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.
- 106. Development Impact Fees and Exactions 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 July 28, 2025, by the following vote:

- AYES: (5) Ariza, Cisneros, Hom, Ruiz and Wang
- NOES: (0)
- ABSENT: (2) Saheba and Tsou

ATTEST:

Signed by:

Steven Buckley _____
 _____, Secretary
 City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION PB-25-6

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING DESIGN REVIEW APPLICATION NO. PLN25-0256 TO CONSTRUCT 62 RESIDENTIAL BUILDINGS CONTAINING 284 RESIDENTIAL UNITS ON AN APPROXIMATELY 12.4 ACRE SITE WITHIN WEST MIDWAY PHASE A LOCATED AT THE SOUTHWEST CORNER OF WEST MIDWAY AVENUE AND MAIN STREET.

WHEREAS, an application was made on May 8, 2025 by Brookfield Residential for Design Review approval to construct 62 buildings containing 284 residential units on an approximately 12.4 acre site (APN 074-1368-014 & 074-1368-018) on the West Midway Phase A residential development site located at the southwest corner of West Midway Avenue and Main Street; and

WHEREAS, the subject property is designated as Mixed-Use in the Alameda 2040 General Plan; and

WHEREAS, the subject property is located within the AP-MS, Alameda Point – Main Street Neighborhood Zoning District; and

WHEREAS, the West Midway Property is a Housing Opportunity Site and a priority program in the Housing Element and is critical to the City of Alameda’s commitment to construct at least 5,353 housing units between 2023 and 2031; and

WHEREAS, on February 4, 2014, per City Resolution No. 14891, the City Council certified a Final Environmental Impact Report (State Clearinghouse No. 201312043) (“APP FEIR”) under the California Environmental Quality Act (“CEQA”), California Public Resources Code Section 21000 et seq., and adopted written findings, a Statement of Overriding Considerations (“APP SOC”), and a Mitigation Monitoring and Reporting Program (“MMRP”) for the Alameda Point Project; and

WHEREAS, on March 21, 2017, per City Ordinance 3177, the City Council adopted the Main Street Neighborhood 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 Tower Avenue, and Man Am Way. The Main Street Neighborhood Specific Plan requires the Planning Board approve a Development Plan prior to redevelopment and reuse of the West Midway Property; and

WHEREAS, on December 1, 2021, per City Resolution No. 15841, the City Council certified a FEIR (State Clearinghouse No. 2021030563) (“General Plan Update EIR”) under CEQA, and adopted written findings, a Statement of Overriding Considerations (“GPU SOC”), and an MMRP for the General Plan Amendment to Update the Alameda General Plan (“General Plan Update”); and

WHEREAS, on May 22, 2023, per Planning Board Resolution No. PB-23-09, the Planning Board approved Planning Application No. PLN23-0367 for Development Plan,

Use Permit for exceeding the maximum off-street parking requirements, and Universal Design Waiver for the West Midway project, and a CEQA Checklist for the project was prepared and reviewed concurrently by the Planning Board. Pursuant to streamlining provisions of Public Resources Code Sections 21166 and 21083.3 and CEQA Guidelines Section 15162 and 15183, the Planning Board found the environmental effects of the West Midway Project were adequately evaluated in the Alameda Point FEIR and the General Plan Update EIR, and no further environmental review is required. The Planning Board also adopted a Mitigation Monitoring and Reporting Program (MMRP) for the West Midway project, The Planning Board also adopted a Mitigation Monitoring and Reporting Program for the West Midway project, and readopted and incorporated the Alameda Point Project EIR and General Plan EIR Statements of Overriding Considerations; and

WHEREAS, on September 5, 2023, per Ordinance 3347, the City Council adopted a Disposition and Development Agreement for the RESHAP and West Midway projects (Ordinance 3347) and adopted a Development Agreement (Ordinance 3348) for the development of approximately 26 acres of land for the West Midway project; and

WHEREAS, pursuant to the streamlining provision of Public Resources Sections 21166 and 21083.3 and Sections 15162 and 15183 of the CEQA Guidelines, no further environmental review is required because the West Midway project is consistent with the development density in an adopted Specific Plan for the area; the environmental impacts of the development of the area consistent with the Specific Plan were considered in the APP FEIR adopted by the City Council on February 4, 2014, in compliance with the California Environmental Quality Act (CEQA); the West Midway project is consistent with the development density of, is specifically listed in, and implements the City of Alameda's Housing Element adopted on November 15, 2022; the environmental impacts of the Housing Element and the development of the sites included in the Housing sites inventory were considered in the General Plan Update EIR adopted by the City Council on November 30, 2021; and as documented in the project CEQA Checklist, the West Midway project would not result in new or substantially more severe significant impacts than identified in the APP FEIR due to changes in the project, changed circumstances, or new information and there are no new or considerably different feasible mitigation measures or alternatives from those identified in the APP FEIR that would substantially reduce one or more significant effects that the project proponent declines to adopt; and the West Midway project would not result in significant impacts that: (1) are peculiar to the project or project site; (2) were not already identified as significant effects, cumulative effects, or off-site effects in the General Plan Update FEIR; or (3) were previously identified as significant effects; but are determined to be substantially more severe than discussed in the General Plan Update FEIR; and

WHEREAS, on December 8, 2025, the Planning Board held a duly noticed public hearing on the subject Design Review application and examined all pertinent application

materials, staff analysis, and public testimony and provided the following comments for the applicant to consider and for staff to review prior to submitting building permit plans:

1. Establish a strong architectural datum line of features visually connecting the 3-story and 4-story buildings around the community park and along the greenway.
2. Provide continuity in materials and design elements between the duet building designs and the townhouse designs in the development.
3. Provide clear way finding and arrival to each unit at the pedestrian level.
4. Explore providing a pedestrian connection across Main Street between the eastern side of the greenway toward Kingfisher Avenue.
5. Explore ways to provide reliable illumination of private alleyways behind buildings.
6. Improve the integration the large rectangular projection with small windows on the rear elevations of the Duet Building 2 design; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that the environmental effects of the West Midway Project within the Main Street Neighborhood Specific Plan area have been adequately evaluated, and that:

1. The West Midway Project is consistent with the General Plan Land Use Element, Housing Element, Zoning Ordinance, and Main Street Neighborhood Specific Plan densities and use regulations; and
2. The APP FEIR was certified by the City Council on February 4, 2014; and
3. On March 21, 2017, the City Council approved the Main Street Neighborhood Specific Plan and found it to be consistent with the prior APP EIR; and
4. The General Plan Update FEIR was certified in 2021 by the City Council for the 2021 General Plan update and the 2022 Housing Element Update; and
5. On May 22, 2023, a CEQA Checklist was prepared analyzing the West Midway Project under the APP FEIR and General Plan Update FEIR and was reviewed concurrently with the review and approval of the Development Plan, Use Permit, and Universal Design Waiver; and
6. There are no environmental impacts peculiar to the West Midway Project that were not analyzed in the prior APP FEIR or General Plan Update FEIR, or any such impact can be substantially mitigated by imposition of uniformly applied development policies or standards previously adopted by the City; and
7. There are no significant effects of the West Midway Project that were not analyzed as significant effects in the prior APP FEIR or General Plan Update FEIR; and
8. There are no potentially significant off-site impacts of the proposed West Midway Project and there are no cumulative impacts to which the proposed West Midway Project makes a considerable contribution which were not discussed in the FEIRs; and
9. There are no previously identified significant impacts of the proposed West Midway Project which, as a result of changes in the project, changed

circumstances, or new information which was not known at the time the prior FEIRs were certified, have been determined to have a substantially more severe adverse impact than discussed in the APP FEIR or General Plan Update FEIR; and

10. There are no new or considerably different feasible mitigation measures or alternatives from those identified in the APP FEIR that would substantially reduce one or more significant effects that the project proponent declines to adopt; and
11. Pursuant to the streamlining provisions of Public Resources Code Sections 21166 and 21083.3 and CEQA Guidelines Sections 15162 and 15183, no further environmental review of the West Midway Project is required; and

Separately, because it only requires Design Review approval, the Planning Board finds that the project is not subject to further CEQA review pursuant to *McCorkle Eastside Neighborhood Group v. City of St. Helena* (2018) 31 Cal.App.5th 80. Under *McCorkle*, local design review does not require environmental review when it is the only discretionary aspect of a project, and the agency lacks authority to disprove the project or otherwise mitigate non design related environmental impacts. *McCorkle* applies when an agency's discretion over a project is limited to aesthetic and design issues such as orientation, bulk, materials, and colors. Here, the project is located in the City's Alameda Point Main Street Neighborhood Residential District, and within the district, the proposed multifamily housing project is permitted by right and is not subject to discretionary review, except for Design Review, pursuant to AMC Sec. 30-4.23(c)(1). Accordingly, no CEQA review is required because the City's review of the project is limited to design issues.

BE IT FURTHER RESOLVED, that the Planning Board finds that the application conforms to the Design Review findings in AMC section 30-37.5, as follows:

- a. **The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual.** The proposed mixed use development provides three different architectural styles with various forms of complementary massing, roof heights and articulation consistent with the requirements of the Main Street Specific Plan and the approved West Midway development plan. The architectural designs and landscaping provide for visually interesting and varied facades that are accented with multiple changes in materials and colors to provide for pleasant pedestrian experience and create a visually appealing neighborhood. The building designs provide quality architecture that is compatible with the neighborhood and addresses the building's relationship to surrounding public space as intended in the Design Review Manual and in the Main Street Specific Plan. The proposed buildings are oriented towards a street or pedestrian paseo and provide building locations and setbacks consistent with the approved development plan. The development supports the City's

sustainable design policies with all electric buildings, heat pumps and energy efficient appliances, electric vehicle charging, and renewable solar energy panels. The development also provides walkable neighborhoods, accessible open space and parks, native drought tolerant landscaping, and bike facilities consistent with the approved development plan. In addition, the proposed designs conform to the City of Alameda Objective Design Review Standards adopted in 2023. As conditioned, the project is consistent with the City of Alameda's General Plan, Zoning Ordinance, Main Street Specific Plan, Development Plan, Development Agreement, Design Review Manual because the landscape and building designs are compatible with the surroundings and will provide for a distinctive new neighborhood in the City of Alameda.

- 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 project design is appropriate for the site because it is consistent with the West Midway Development Plan, the Main Street Specific Plan, and compatible with the adjacent Naval Air Station Historic District and the surrounding Alameda Point residential and commercial uses. Building elevations are well designed with ample articulation, fenestration, entryways, quality materials and colors to provide visual interest. Materials with different textures, surfaces, and colors are used to distinguish the building elevations and create more interesting facades. The palette of materials and colors for residential buildings will be constructed to ensure that all the new buildings, in combination with a unifying landscape plan and well-designed street system, create a visually appealing new neighborhood. The Duets buildings incorporate parapet roofs, rectangular and vertical elements, clean lines, protruding and receding geometries, decks, horizontal siding and stone elements which are inspired by existing building at Alameda Point. The Townhomes design defines the overall building with rhythm of units within the overall massing and incorporates simple rectangular building massing, localized symmetrical building entrances, and horizontal bands defining the window locations as found in buildings in the surrounding area. The 4 story condominium designs incorporate vertical or horizontal siding, modern use of board and batten siding, and saw tooth roof features which are also found on buildings at Alameda Point. In addition, a community park and central greenway provides access for bicyclists and pedestrians and facilitate harmonious transitions between the neighborhood and the surrounding area. Overall, the proposed development is compatible with adjacent or neighboring buildings and incorporates design features that promote harmonious transition in scale and character with the neighborhood.

- c. **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 architectural design and exterior materials and colors provide for visually interesting facades accented with multiple changes in materials and colors to differentiate portions of each building. The designs provide decorative vertical elements to accent the buildings and reinforce the relationship among the buildings, the landscape and surrounding developments. The building architecture draw inspiration from existing buildings at Alameda Point and the surrounding neighborhood and share elements, materials and colors that reflect and respect, without replicating, the architecture of the contributing buildings in the Alameda Naval Air Station Historic District. Examples of these elements include parapet roof designs with rectangular and vertical elements, clean lines, protruding and receding geometries, and localized symmetrical building entrances found on Building 1 of the NAS Historic District. Designs also incorporate vertical and horizontal siding such as the exterior siding found on Building 92. The designs also include simple rectangular building massing and horizontal bands defining the windows which are found on Buildings No. 8 and No. 9. The development also provides an open space park and greenway paths that provide public access and bicycle and pedestrian circulation. Overall, the proposed designs incorporate exterior materials and landscaping that are visually compatible with the surrounding development.
- d. **The introduction of four story buildings and buildings up to 50 feet in height is necessary and appropriate to improve the architectural design of the buildings and the architectural character of the entire project.** The maximum building height exception allowing certain four-story buildings up to 50 feet in height and increasing the height of two three-story building to four stories, as shown on the project plans and consistent with previously approved West Midway Development Plan, is necessary and appropriate to improve the project's architectural design. The four-story 50-foot maximum building height is necessary to improve the buildings' design and to ensure the project meets the goal to provide variation of architectural character in the residential development. A four-story building with four 10-foot floors results in an unattractive box-like building with fewer opportunities for incorporating architectural details and fenestration to break up the box-like appearance. The 50-foot maximum height allows flexibility to achieve the desired variation in building design. Furthermore, the overall architecture of the residential development becomes more interesting with the 50-foot height exception for a limited number of buildings, as well as the more even distribution of three-story and four-story buildings throughout the project, which avoids the visual

monotony that arises from clustering uniformly-sized buildings. For example, increasing Buildings 41 and 32 to four stories adds the variation of four-story building forms and heights to the primarily three-story northern half of the neighborhood, which is offset by including some three-story buildings in the southern half, improving design cohesion across the entire project. The intensity of use of a three-story vs. four-story townhome is negligible. Overall, the increased maximum building height allows architectural variety that will enhance the existing visual character of the site and its surroundings.

BE IT FURTHER RESOLVED, that the Planning Board approves the Design Review application subject to the following conditions:

Planning Conditions

1. Compliance with Law. The final plans submitted for Building Permit approval shall conform to all applicable codes, laws and regulations of the City and other governmental agencies, whether or not such applicable requirements are specifically mentioned in these Conditions of Approval as of the date of submittal.
2. Building Permit. These conditions shall be printed on the building plans and improvement plans.
3. Substantial Compliance with Approvals: The plans submitted for the building permit shall be in substantial compliance with the plans prepared by Brookfield Residential, received on October 10, 2025, and on file in the office of the City of Alameda Planning, Building & Transportation Department, except as modified by the conditions listed in this resolution
4. 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 substantial changes to the approved scope of the project shall be submitted to the Planning Building and Transportation Department for review and approval.
5. Vesting: This Design Review approval shall expire three (3) years after the date of approval or by **December 8, 2028**, unless substantial construction or use of the property has commenced under valid permits. A one-time extension for an additional two years may be granted by the Planning, Building and Transportation Director upon written request and payment of applicable fees
6. CEQA Mitigation Measure Monitoring: 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 West Midway MMRP adopted by the Planning Board for the redevelopment of West Midway.

7. Planning Inspection. A site inspection by Planning staff to determine consistency with this approval is required prior to the final building inspection and/or to the issuance of a Certificate of Occupancy. The applicant shall notify Planning staff at least four business days prior to the requested Planning Inspection dates.
8. Public Access agreement. Prior to submittal of building permits or improvement plans the applicant shall record a public access easement/agreement on the property granting public access to the community park and Valor Avenue.
9. Windows: Prior to submittal of building permits the applicant shall provide window installation details for each building design.
10. Bicycle Parking: Required bicycle parking shall be consistent with AMC Section 30-7.6 (Off-Street Bicycle Parking Requirements) and the City of Alameda Bicycle Facility Design Standards. The location of the bicycle parking required shall be shown on the Building Permit plans, along with any information necessary to demonstrate compliance with objective requirements. The bicycle facility shall be located in a secure and safe location.
11. Building Signage: Any temporary or permanent signage shall be subject to separate Sign Permit approval pursuant AMC Section 30-6.
12. Water Efficiency Landscape Ordinance: Projects subject to the requirements of AMC Section 30-58 (Bay-Friendly and Water Efficient Landscape Ordinance) shall submit all documentation required by that section, as applicable, prior to issuance of building permits and at the time of final inspection and post-construction audits.
13. Bird Safe Ordinance: Building Permit plans shall demonstrate compliance with the Alameda Bird-Safe Building Ordinance (AMC Section 30-5.16.b), as applicable at time of Planning Approval.
14. Dark Skies Ordinance: Plans submitted for building permits shall demonstrate compliance with the Alameda Dark Skies Ordinance (AMC Section 30-5.16.c), as applicable.

15. Affordable Housing Deferment: Under the Main Street Specific Plan and the West Midway Project Disposition and Development Agreement (DDA), the 478-unit West Midway Project is required to, among other requirements, provide a total of thirty-nine (39) moderate-income inclusionary units. This first phase of the development, with 284 units, is proportionally responsible for 23 of those inclusionary units. However, pursuant to the DDA and its phasing plan, this first phase shall only be required to construct a minimum of two (2) inclusionary units, provided that the remaining 21 inclusionary units will be deferred and constructed in Phase 2 of the project. If, without receiving a timely extension, Phase 2 fails to complete the construction of any deferred inclusionary units by the time required for completion of that phase under the milestone requirements of the DDA, constructed market-rate units in Phase 1 or Phase 2, or both, shall be designated as inclusionary units in an amount sufficient to satisfy this first phase's remaining proportional responsibility for inclusionary units (i.e. 23 units less already completed deferred units). The applicant, project sponsor, and/or any vertical developer shall work with the City to execute an amended Affordable Housing Agreement if required by the provisions of this condition.

16. Affordable Housing and Affordable Housing Plan: The inclusionary units shall comply with the requirements of the City's Inclusionary Housing Ordinance (AMC 30-16) and adopted Affordable Housing Guidelines, including that the units be of similar bedroom count and build quality as the market-rate units, except that the inclusionary units may be of smaller size (i.e. floor area) and utilize less expensive appliances. Prior to the issuance of the first final map or first building permit for vertical improvements for this phase of the development, whichever occurs first, an Affordable Housing Agreement with the City of Alameda for the on-site moderate income units shall be executed consistent with this approval, the DDA, the City's Inclusionary Housing Ordinance, and the adopted Affordable Housing Guidelines, and it shall be in substantially the same form as provided in the DDA (Exhibit R of the DDA), which shall be recordable and clearly designate the location of the inclusionary units within the development. The project may elect to utilize a single Affordable Housing Agreement covering all phases of development in lieu of one for each phase. Pursuant to AMC 30-16.8(e), the inclusionary units in this phase shall be completed prior to or concurrently with the issuance of the Certificates of Occupancy for any market-rate units in this phase.

17. Public Art: Prior to issuance of building permits, the applicant shall make a Public Art Commission application and submit a plan to the Economic Development Department or pay a fee in lieu of public art pursuant to AMC section 30-98. Prior to final building inspection, the Applicant shall demonstrate compliance with the Public Art Ordinance.

18. Modifications: Minor project design details requested by the applicant may be established, modified, and approved by the Planning Director. Engineering standards and specifications requested by the applicant may be established, modified and approved by the Public Works Director or designee. Major modifications that are not consistent with, or not in furtherance of, this design review approval or these conditions, as determined by the Planning Director, shall be subject to review and approval of the Planning Board

Building Division Conditions

19. All construction documents shall be prepared in accordance with the latest applicable California Building Codes.
20. Construction noise shall be subject to the provisions of the AMC Section 4-10 (Alameda Noise Regulations Ordinance), including provisions regarding loading and unloading, vibration, and construction. Pursuant to AMC Sections 4-10.5(b)(10) and 4-10.7(e), construction noise shall be restricted to 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 the prohibition does not apply pursuant to AMC Section 4-10.5(b)(10)(a)–(d). Commonly accepted best practice controls will be implemented.
21. Special inspectors need to be registered with the city for the specific job.
22. Special inspection reports will be required for all applicable items that are part of this design in accordance with chapter 17 of the CBC.
23. Structural observations will be required in accordance with the engineer's design and applicable risk category.
24. Submit complete sets of electronic plans including the following - * Plot Plan * Foundation Plan * Floor Plan * Ceiling and roof framing plan * Electrical Plans including size of main switch, number and size of service entrance conductors, circuit schedule and demand load. * Plumbing and sewer plan, isometric, including underground diagram, water piping diagram, sewer location, fixture units, gas piping and vents, heating, and air conditioning diagram. * Landscape and Irrigation plans. (Landscape plans shall be compliant with the Alameda MWELo requirements and approved prior to the issuance of any Building Permits.)
25. Submit electronic sets of structural calculations, energy conservation

calculations and soils reports. Architects/Engineers electronic stamps and signatures are acceptable at the time of plan check submittal.

26. All contractors shall be licensed by the State of California and have an active business license to work in the City of Alameda.
27. No work shall be performed until the required permits are obtained.
28. All fees shall be paid before the permit is issued.
29. No structure shall be occupied until a Certificate of Occupancy has been issued by the Building Official.
30. The contractor, or other person responsible for completion of the work, shall timely schedule all necessary inspections with the appropriate city staff.
31. Building inspection hours are performed Monday through Thursday excluding City observed holidays. Requests for inspections outside of business hours need to be requested in advance, charged as additional overtime fees, and approved by the Building Official prior to being scheduled.
32. Changes or deviations from the approved set of plans shall be resubmitted for plan check.
33. All work shall remain accessible until inspected and approved by the Building Official.
34. Best management practices shall be observed during construction to prevent pollutants from entering the storm drain system.
35. Cal Green Code mandatory measures shall be observed during construction for example:
 - Water efficiency and conservation
 - Construction waste reduction, disposal, and recycling
 - All other applicable codes for the efficient construction and operation of the new structure.
36. Applicable deferred submittals must be clearly identified on the building plans, including submittals for Photovoltaic, fire sprinklers, fire alarms, trusses, etc.
37. All building permits shall expire by limitation 12 months after the issuance

date. One or more extensions may be granted by the building official. Extensions shall be requested in writing prior to the expiration of the building permit.

Public Works Conditions

General

38. Plans shall be prepared, signed, and stamped as approved by a registered civil engineer licensed in the State of California. The Improvement Plans and all documentation listed below, except as noted, shall be approved by the Public Works Department prior to approval of the Final Map or issuance of any Building Permit for the development.
39. The proposed work shall comply with Chapter 30, Article 6 of the Alameda Municipal Code (Real Estate Subdivision Regulations) and Chapter 22 of the Alameda Municipal Code (Streets and Sidewalks) as determined by the City Engineer.
40. The proposed work shall comply with Alameda's Standard Plans and Specifications and Standard Subdivision Specifications and Design.
41. The fee for plan checking and inspection shall be calculated in accordance with the latest Master Fee Schedule as approved by the City Council.
42. Plans shall identify datum. If not NADV88, show conversion.
43. Site plans shall include applicable Standard Construction Notes, latest edition, from Public Works.
44. All streets constructed as part of this development are private.
45. The Developer shall provide as built drawings of all site and right of way improvements prior to issuance of final Certificate of Occupancy. Provide drawings in both durable hard copies and pdfs.
46. An engineer's cost estimate for frontage and site improvements shall be submitted. A cash security deposit or construction performance bond of an amount as determined by the City Engineer prior to issuance of a Public Works Development (PWD) permit.
47. An Encroachment Permit is required for all work within the Public Right-of-Way.

The Encroachment Permit is required prior to issuance of any Building Permits for the proposed development. The encroachment permit application shall address circulation in and around the site, including pedestrians, cyclists, fire trucks, private vehicles, solid waste trucks, buses, and parking. The application shall address all construction phases.

48. The project shall submit an occupancy plan for review and approval prior to the approval of the Public Works Development Permit and any Building Permit. The occupancy plan shall include a fencing plan to ensure that the active construction areas are separated from the occupied areas.
49. The subdividier shall coordinate with the adjacent West Midway Backbone Infrastructure Developer for access during construction.

Streets, Sidewalks, Parking and Traffic Control

50. The proposed work shall comply with all current, applicable, plans, standards, policies and guidelines including Alameda's Bicycle Master Plan; Pedestrian Master Plan; Long Range Transit Plan; Transportation Demand Management and Transportation System Management (TSM/TDM) Plan; Multimodal Circulation Plan; Transportation Element of the General Plan; Transportation Choices Plan; Bicycle Facility Design Standards; Pedestrian Design Guidelines; Guidelines for Multiway Stop Signs, Crosswalks, and Pedestrian Paddles; as well as the Caltrans Design Manual and Standard Plans and the California MUTCD. Alameda Point development shall comply with the various Alameda Point key documents. All documents can be found at the City's Public Works webpage, under Key Documents, at <https://www.alamedaca.gov/Departments/Public-Works> .
51. All sidewalks shall comply with ADA and Title 24 requirements for cross slope, including driveway approaches and curb ramps. Where existing driveways are removed, the developer shall replace the curb, gutter, and full width of sidewalk to current standards.
52. The street section for any private access roads shall be designed by a registered civil engineer and is subject to approval by the City Engineer.
53. Parking layout shall be constructed in conformance with City's off-street parking design standards, Alameda Municipal Code Section 30, Article 1, Chapter 7 Off-Street Parking and Loading Regulations. Accessible stalls, ramps, loading and unloading platforms including for vans, slope and grade of ramps, landings and stalls, signs, striping, logo, width of landings and such details as are required shall comply with applicable City and State Standards.

Grading and Floodplain

54. This development shall be designed to account for future predicted sea level rise to Elevation 13 feet, NAVD88 Datum. The project shall also be designed with to accommodate additional future adaptability provisions for sea level rise above Elevation 13 feet. Projects within the BCDC jurisdiction will be required to meet BCDC's Sea Level Rise conditions.
55. Submit a Conditional Letter of Map Revision base on Fill (CLOMR-F) from FEMA, addressing the affected lots, for any building permits in the mapped floodplain. A second Elevation Certificate or Letter of Map Revision (LOMR) from FEMA, based on completed construction, is required prior to Certificate of Occupancy for any structure in the mapped floodplain.
56. The Applicant shall submit a soils investigation and geotechnical report for the proposed development, subject to the review and approval of the City Engineer. The report shall address the structural and environmental analysis of existing soils and groundwater and provide recommendations for all grading, retaining walls, bulkheads, surface and sub-surface drainage, lot drainage, utility trench backfilling, construction dewatering, and pavement design. The improvement plans shall incorporate all design and construction criteria specified in the report and shall be reviewed and signed by the Soils Engineer specifying that all recommendations within the report have been followed.
57. A Marsh Crust Permit issued by the Building Department is required for any excavation into the marsh crust/subtidal zone. The Applicant is responsible for abiding by the requirements of Alameda Municipal Code Section 13-56 Marsh Crust Ordinance and by the Alameda Point Site Management Plan (SMP), dated December 3, 2022 and revised September 30, 2022, prepared by Terraphase Engineering. The SMP is available at <https://www.alamedaca.gov/Departments/Alameda-Point>.
58. Any retaining walls, which are adjacent to a property line, shall be masonry, metal, or concrete. Any existing retaining walls to remain are to be evaluated by the Applicant's geotechnical/structural engineer for integrity and applicability to the geotechnical engineer's recommendations.
59. Prior to issuance of the first Temporary Certificate of Occupancy, the geotechnical/soils engineer shall submit a letter report to the City at completion of construction certifying that grading, drainage and backfill installation was

performed in general compliance with recommendations in the geotechnical report. All material testing reports shall be attached to the certification letter report.

Drainage

60. All on-site surface drainage shall be collected and conveyed in an adequately designed underground storm drainage system in a manner to be approved by the City Engineer. The downstream drainage system shall be analyzed and inadequacies, if any, corrected as determined by the City Engineer. The site shall be graded so that no additional runoff is directed to and so as not to impede runoff from adjacent properties.
61. A storm drainage hydrology analysis, identifying the total peak drainage flow quantities to be generated by the proposed development shall be prepared in accordance with the Alameda County Flood Control District Hydrology and Hydraulics Manual 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 Applicant shall include the recommended improvements into the project's improvements.
62. Improvement plans and subdivision map shall clearly show the extent of public vs private storm drainage facilities, including basins, pipes, structures, and pump stations. All public drainage facilities shall be in public streets or in public drainage easements.
63. The developer shall be responsible to maintain access to and and function of existing storm drain lines that run onto and/or through the developer's property.
64. Stormwater shall be dispersed, diffused, detained, or otherwise infiltrated on-site to the extent feasible. Downspouts shall not be directly connected to public or private storm drain facilities. Use of splash blocks directed towards landscape areas is encouraged. Stormwater, including roof drainage, shall not be directed across sidewalks or driveways.
65. All bioretention basins and associated storm drain pumps constructed as part of this development shall be privately maintained. The private maintenance responsibility includes the bioretention basins located on Parcel I, which receives and treats public stormwater from Skylark St in addition to the private stormwater. The private maintenance responsibility of the bioretention basins that receives and

treats comingled public and private stormwaters shall be memorialized in the C3 Treatment Measures Maintenance Agreement.

66. The private low flow pump inside the storm drain manhole, located in the in the right of way on Skylark Street just west of Parcel I, shall be privately maintained. The low flow pump maintenace responsibility shall be memorialized as part of the C3-LID Treatment Measures Maintenance Agreement with reference to an Encroachment Agreement for the placement of the private pump facility in the right of way.

Stormwater Quality Protection and Treatment

67. All projects shall incorporate permanent stormwater low impact development (LID) design techniques and source control measures to manage the quantity and quality of stormwater runoff from the planned development to prevent and minimize impacts to water quality, in accordance with the City of Alameda's National Pollution Discharge Elimination System (NPDES) Permit, and consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual. Project plans shall indicate the efforts taken to minimize impervious surface areas, especially directly connected impervious surface areas
68. The Applicant shall submit a Stormwater Quality Management Plan complete with the individual drainage management areas identified treating the entirety of project areas, a completed Stormwater Requirements Checklist, and a stamped, signed City of Alameda C3 certification form from a qualified independent (i.e. different engineering firm) civil engineer with stormwater treatment facility design expertise and experience, licensed in the State of California, and acceptable to City Engineer that indicates the LID and treatment measure designs of the improvement plans and Stormwater Quality Management Plan meet the established sizing design criteria for stormwater treatment measures. The Civil Improvement Plans shall be consistent with the approved Stormwater Quality Management Plan submittal. 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.
69. Prior to Final Map Approval, the Property Owner(s) shall provide an executed C3-LID Treatment Measures Maintenance Agreement with the City, referencing an approved Operations and Maintenance Plan associated with a City permit, the template for annual self-reporting, and assurances for property access for City verification inspections.

70. Prior to issuance of the Permit, the Applicant shall submit for review and approval by the City Engineer 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 be consistent with the City of Alameda's C3-LID Measures O&M Plan Checklist.
71. The development is subject to full trash capture requirements of the City's NPDES permit, regardless of impervious surface area. The developer shall provide a full trash capture system, 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 location, detail and cross-sectional drawings of the stormwater full trash capture device(s) necessary to treat the entirety of the site. The developer shall confirm that the full trash capture device(s) included in the development plan are on the State Water Resources Control Board's list of certified full trash capture systems. Trash capture shall occur on site, not in the public right of way downstream. Applicant shall submit an Operations and Maintenance (O&M) plan detailing the necessary maintenance tasks and schedule required to maintain all on-site trash capture devices.
72. All new storm drain inlets shall be clearly marked with the words "No Dumping! Drains to Bay," or equivalent, as approved by the Public Works Director.
73. Prior to project acceptance and any certificate of occupancy, the Property Owner(s) shall provide the following:
 73. Shapefiles/GIS coordinates for all stormwater treatment measures (public and private treatment measures on two different GIS layers), including the numbering of each asset as directed.
 74. 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 and photos of various stages of the construction of the required treatment measures, 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 the City Engineer.

76. The Developer shall obtain all necessary permits from other regulatory agencies for projects within sensitive areas or which have significant stormwater pollution potential. Other regulatory agencies include, but are not limited to, the Regional Water Quality Control Board, Department of Fish and Wildlife, Army Corps of Engineers, and the Bay Conservation and Development Commission.
77. The developer shall comply with the State Water Quality Control Board's Construction General Permit requirements. Copies of the required "Notice of Intent" (NOI) and "Storm Water Pollution Prevention Plan" (SWPPP) along with the WDID# shall be submitted to the City Engineer prior to the issuance of the Permit for any site work. The SWPPP shall utilize the California Storm Water Best Management Practices Handbook for Construction Activities, the ABAG Manual of Standards for Erosion & Sediment Control Measures, the City's Grading and Erosion Control ordinances, the City's "Urban Runoff Best Management Practices Standards", and other generally accepted engineering practices for construction activity pollution prevention, sediment, and erosion control.
78. Implement site SWPPP and/or the approved erosion and sediment control program prior to the any demolition, grading or construction activity begins. The applicant shall notify the City and schedule an inspection to verify the project's installation of these plans prior to commencing demolition, grading or construction activities. Failure to comply with the approved construction BMPs shall result in the issuance of correction notices, citations and/or a project stop order.
79. The City of Alameda shall be contacted in the event of any slope failure, sediment pond overflow, or any other malfunction resulting in pollutant-laden runoff. If erosion or an unauthorized discharge occurs, the construction activity that is attributing to the erosion or discharge must cease immediately. The erosion and discharge must be controlled and cleaned up immediately. Remediation completion shall be approved by the City Engineer.
80. Construction access routes shall be limited to those approved by the City Engineer and shall be shown on the approved Improvement Plans.
81. The applicant is responsible for ensuring that all contractors and subcontractors are aware of and implement all stormwater quality control measures. Erosion and

sediment control measures shall be maintained and repaired throughout the construction phase and removed at the end of construction, including the following:

Erosion and Sediment Control

- a. Install erosion prevention and perimeter protection measures (soil stabilization) such as fiber rolls, silt fence, and/or sediment traps or basin. Sediment controls should be a secondary defense behind good erosion control and site perimeter measures.
- b. Install and maintain stabilized construction entrances to minimize the tracking of dirt, mud, dust and debris onto the public right-of-way.
- c. Filter materials (such as block and gravel bags, sandbags, filter fabric) shall be installed at the storm drain inlets at, surrounding, and directly adjacent to the project site.
- d. Minimize the removal of natural vegetation or ground cover to minimize the potential for erosion and sedimentation. Re-plant the area and stabilize all cut and fill slopes as soon as possible after grading is completed.
- e. The Contractor(s) shall avoid creating excess dust when breaking asphalt/concrete and during excavation and grading. If water is used for dust control, use as little as possible.
- f. Site shall follow its Construction General Permit requirements and conduct inspections before and after each storm event, and every 24 hours for extended storm events, to identify areas that contribute to erosion and sediment problems or any other pollutant discharges. If additional measures are needed, revise the SWPPP and implement the measures immediately. Document all inspection findings and actions taken.
- g. Any breach, malfunction, leakage, or spill observed that could result in the discharge of pollutants to surface waters which would not be visually detectable in stormwater shall trigger the collection of a sample of discharge. Necessary sampling procedures shall be followed, consistent with the SWRCB General Construction Stormwater Permit requirements as applicable.

Good Site Management

- h. On-site piles shall be removed regularly from site, with only temporary

storage allowed. All temporary soil or other stockpiles on site shall be securely covered with a tarp, sheeting and bermed. Stockpiling or staging of any materials in the public right-of-way requires a City encroachment permit.

- i. Place all construction debris in containers and empty them regularly. When appropriate, use tarps or equivalent on the ground to collect fallen debris or splatters that could contribute to stormwater pollution.
- j. Create a contained and covered area on the site for the storage of cement bags, paints, flammables, oils, fertilizers, pesticides, or any other materials used on the project site that have the potential for being discharged to the storm drain system by wind, exposure to rainfall or in the event of a material spill.
- k. Concrete trucks shall have a self-contained wash-out system or discharge to a dedicated, secure site wash-out. Washout and/or slurry waste shall not accumulate on surrounding pavement or enter the storm water conveyance system.
- l. Vacuum saw-cutting slurry immediately and remove from site. Saw-cut slurry shall not accumulate on surrounding pavement or enter the storm water conveyance system.

Non-Stormwater Management

- m. Site de-watering operations shall be designed to prevent the discharge of any sediment, debris or other pollutants to the municipal storm water conveyance system.
- n. Do not discharge wash water, residues or wastes into street gutters or drains. Clean up leaks, drips and spills immediately. Never clean machinery, tools, brushes, etc., rinse containers and/or dispose of washwater into a street, gutter, storm drain or watercourse.
- o. The project perimeter shall be swept and maintained so it is litter free. Caked-on mud or dirt shall be scraped before sweeping. At the completion of work the street shall be washed and the wash water collected and disposed offsite.

Sewer and Water

82. Sanitary sewerage shall be in accordance with the EBMUD Regional Standards for Sanitary Sewer Installation. All permits, easements, and/or approvals for modifications to the sewer system required by EBMUD shall be obtained prior to issuance of any building permits by the City.
83. Improvement Plans shall clearly state extents of public and private sewerage, including pipes, structures, and pump stations. Lower (public) and upper (private) sewer laterals shall be separated by a one-way cleanout or manhole. All public sanitary sewer facilities shall be in public streets or in public utility easements. Private streets shall have private sewer facilities.
84. The applicant/developer shall provide information necessary to run the City's hydraulic model, to assess the impact on trunk sewer capacity to determine if additional capacity is required. The applicant/developer is responsible for cost associated with the model run/assessment. After the above information is provided but prior to the model run, the applicant/developer will be provided an estimated cost for approval. The applicant/developer is required to provide the following data to the City:
- Project name:
 - Site location (APN and street names) (attach map if available):
 - Location of proposed connection point(s) to sewer mainline (identify by pipe/manhole ID if known, or attach map):
 - Current site use
 - Details of proposed development land uses
 - Type (e.g., single-family residential, apartments, office, retail, restaurant, etc.)
 - Number of residential units by type
 - Square footage of non-residential building floor space (by type of use)
 - Other details as applicable (e.g., number of students, beds, etc.)
 - Similar information for any existing development to be removed or replaced
 - Weekly and diurnal flow pattern if not typical residential or commercial pattern
 - Estimated average and peak daily flow if atypical land use and significant discharge
85. The City participates in the EBMUD Regional Private Sewer Lateral Program; therefore the Applicant shall comply with the provisions of this program prior to the issuance of Certificate of Occupancy. Each parcel within the subdivision must be issued a Compliance Certificate by EBMUD. Please review the program requirements and cost for Compliance Certificates: <http://www.eastbaypsl.com/eastbaypsl/>.

86. The Applicant shall include the City and EBMUD recommended improvements, if any, from the sewer study into the project's improvements plans prior to approval of the improvement plan or Final Map, whichever comes first.

87. The Applicant shall secure all necessary permit approvals from EBMUD regarding the installation of all water service for the project.

Power, Telecom, Street Lighting and Gas:

88. The Applicant shall design and construct power, telecom, gas, and other utilities in accordance with applicable utility standards.

89. Street lighting shall be designed in accordance with the City of Alameda Street Lighting Design Guide, latest edition. A photometric study shall be provided with the improvement plans. Any adjustments to bring street lighting up to City standards will be incorporated into final permit drawings.

90. All utilities along the project frontage(s) shall be undergrounded. If utility poles are to remain, accessible paths shall be provided around these poles whether existing or new. If poles to be removed support street lighting, new street light poles shall be installed.

91. The Applicant shall work with AMP to locate a transformer and pad, if needed, on private property with appropriate maintenance access.

Solid Waste

92. The project shall be designed to accommodate three waste streams: recycling, organics, and trash; as required by the City of Alameda Municipal Code – Solid Waste and Recycling (Chapter 21). Signage clearly identifying how to sort materials into three waste streams shall be posted at each storage area. The storage/disposal area(s) and the individual bins and containers provided within shall be adequate in capacity, number and distribution to serve the anticipated demand, consistent with written City guidance and as determined by the Public Works Director.

93. The design, sizing, location, access, and provisions for waste hauler collection of all external enclosures and containers for solid waste, recycling, and organics shall be sufficient to serve the development, consistent with written City guidance, and as approved by the Public Works Department.

94. 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. In all cases where a parcel is served by an alley, all exterior storage areas shall be directly accessible to the alley. For safety reasons, a turnaround must be provided for any street that would otherwise require the collection truck to back up a distance greater than 150 feet.
95. A 40-foot turning radius or equivalent hammer head must be provided for any street or alley that would otherwise require the collection truck to back up a distance greater than 150 feet.
96. Trash enclosure(s) shall comply with Best Management Practices in accordance with the Clean Water Act. These facilities shall be designed to prevent water run-on to the area and 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. Design shall incorporate a solid roof, impervious floor, solid walls on three sides, and a lockable gate on the fourth side. Trash enclosures attached to buildings shall have fire sprinklers.
97. The design and construction of storage area(s) shall:
 98. Be compatible with the surrounding structures and land uses;
 99. Storage area(s) must be able to accommodate three (3), four (4) cubic yard bins consistent with the current methods of collection provided by the City's Franchised Hauler
100. 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
101. 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.
102. Maintain a minimum space of 12 inches between the dumpster(s) and the wall of the enclosure and the recycling container(s) to allow for maneuvering the dumpster(s); and
103. Protect the area(s) and containers from adverse environmental conditions, which might render the collected materials non-collectable, noxious, unsafe, or in the case of recyclable materials, unmarketable.

104. A sign clearly identifying each exterior solid waste and recyclable and organic 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.
105. Trash enclosures serving restaurant and other food-related uses shall include a water supply, a drain to the sanitary sewer, and a grease trap and/or water/oil separator.
106. Provide a concrete pad in front of the trash enclosure to accommodate the truck weight while serving the dumpsters.
107. The Development shall comply will Chapter 21, Article 6 of the Alameda Municipal Code and submit a Waste Management Plan documenting the diversion of project related construction and demolition debris to the satisfaction of the Public Works Director.
108. Per Chapter 4, Article I of the Alameda Municipal Code, persons distributing merchandise of any kind, including food and beverage, shall provide adequate interior and exterior disposal containers, and frequent enough removal of their contents, to enable patrons to deposit all waste material generated by said merchandise therein.
109. Prior to approval of the Permit, the applicant shall submit for review and approval by the Public Works Department a Waste Management Plan (WMP) demonstrating how the project will achieve California's Green Building Standards Code (CALGreen) diversion requirements for construction waste and achieve a minimum recycling rate of 65%. The WMP shall be consistent with the City's written guidance and can be completed by creating an account and submitting a plan via <http://alameda.wastetracking.com>.

Landscaping, Bus Stops, Street Furniture and Public Art

110. The landscape and irrigation plans for on-site and public right-of-way 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 AMC, the Alameda Master Tree Plan, the Alameda Tree Removal Policy, the Integrated Pest Management Policy, as well as conditions of approval by the Planning Board, and other

applicable standards, as applicable. Landscaping shall be designed to improve curb appeal while promoting low maintenance plant material and xeriscaping.

Alameda Municipal Power

111. Prior to approval of Improvement Plans, the Applicant shall coordinate with Alameda Municipal Power (AMP) regarding power requirements.
112. The Applicant shall comply with AMP's Rules and Regulations and "Material and Installation Criteria for Underground Electrical Systems" (available at www.alamedamp.com) which provides service options, standards, and minimum clearances from electrical transformers and other utility electrical equipment.
113. New street trees shall maintain clearances from electrical utilities as follow: a) street/pathway lights and utility poles – **15 feet**; b) joint trench and all underground electrical lines – **five feet**; c) 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).
114. All service installations to commercial/industrial, multiple dwelling units and subdivisions, shall be underground.
115. 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.
116. The applicant will also be billed for 100% cost of distribution line extension (except transformers that are rated less than 750 kVA). AMP will require a refundable deposit for transformers rated 750 kVA and higher based on their capacity utilization.
117. Applicant shall allocate space for pad-mounted transformers and switches in addition to the primary and secondary boxes and conduits that will be required to provide power to the development. AMP will require easements for all transformers, primary and secondary boxes, and conduits.
118. The Applicant shall submit, with the site improvement plans, detailed drawings showing the required site electric utility facilities. The Applicant shall also supply electrical single line diagrams and forecasted electrical load calculations signed off by a California Electrical PE license engineer.

119. 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 underground 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.
120. 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. Remote metering is not allowed.
121. The applicant shall provide (at no charge to AMP) all required easements to AMP facilities on the property prior to issuance of the Final Map.
122. The Final Map shall show all necessary easements and access to all electrical utility facilities that are in the private properties.
123. The development will be served from 208/120V, 120/240V or 277/480V pending design of the requirements of the project.
124. The Applicant shall provide completed "Service Planning Sheets" for AMP's review.
125. 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. The location, number and type of electric facilities, such as transformers and primary cables, cannot be finalized until electric estimates of each unit are provided. Special loads, such as EV chargers, and solar installations should be identified.
126. The Applicant shall provide all necessary underground substructures, including conduits, pull boxes, electric utility equipment pads, etc. per AMP specifications. AMP will furnish and install all required transformers, high voltage distribution cables, and secondary cables.
127. 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 Engineering Manager or designee in writing.

128. All conduit installed within 5 feet from the existing or proposed tree shall be provided with a tree root barrier. (Refer to AMP Drawing 1-L-639)
129. 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.
130. AMP's existing 115kV West Transition Station equipment and cable crossing to Oakland shall be adequately protected during construction to prevent damage. Developer shall be responsible for the repair and/or replacement required from any such damage. The cost of any relocation of existing facility will be fully paid by the developer.
131. AMP requires a 30 foot (15 feet on each side) easement along the final alignment of the overhead 115kV transmission lines and poles. No trees/shrubs are allowed around the poles or from the street to the pole.
132. All metal fences or other metallic facilities within the right of way shall be properly grounded.
133. Light or traffic signal poles, trees (at mature height), landscaping, fences and equipment shall not exceed 15 feet in height within the right of way, so long as there is adequate clearance.
134. No structures either permanent or temporary shall be constructed within the right of way, including covered parking, swimming pools, spas, gazebos, etc.
135. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.
136. Operation of equipment that exceeds 15 feet in height is not permitted within the right of way without proper authorization from AMP.
137. Notify AMP 48 hours before starting any work within the easement and at the conclusion for field review that all requirements have been met.

138. Access for line equipment shall be provided at all times to AMP's tower/pole structures.
139. All grading shall maintain General Order 95 clearances and shall not affect the integrity of tower/pole footings. Footings shall not be covered with soil. Excavations within 10 feet of any structure will not be allowed.
140. Protect AMP's towers/poles from vehicular damage by installing protective barriers as required.
141. The transmission easement and tower/pole locations will be shown on the development plans.
142. Vehicles parked in a transmission easement must be in operating condition and moveable at all times.
143. AMP's transmission easement shall be designated on subdivision/parcel maps as "RESTRICTED USE AREA-NO BUILDING."
144. The Applicant shall provide and install street lighting consistent with the City of Alameda Public Works.
145. All public streets shall be lit with LED lighting. Streetlight layout shall be staggered for a more uniform light distribution. Applicant can provide alternate design if a better efficient light distribution is met.
146. No signs shall be installed or mounted on street light poles owned and/or maintained by the City. All new signs shall be installed on dedicated sign posts.
147. The Applicant shall have all streetlights included in the Improvement Plans, installed, fully functional, operational and approved by the City of Alameda Public Works prior to issuance of a Certificate of Occupancy for any building unless a phasing plan is approved by the Director of Public Works. Applicant shall coordinate with the City to determine responsibilities for the streetlight ownership, maintenance and energy costs.

Additional Conditions

148. INDEMINIFICATION AND HOLD HARMLESS. To the maximum extent permitted by law, the applicant (or its successor in interest) shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City

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

149. Judicial Proceedings. 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.
150. Development Impact Fees and Exactions Notice. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code section 66020(d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The Applicant is hereby further notified that the 90-day appeal period, in which the Applicant may protest these fees and other exactions, pursuant to Government Code section 66020(a) has begun. If the Applicant fails to file a protest within this 90-day period complying with all requirements of section 66020, the Applicant will be legally barred from later challenging such fees or exactions.

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

* * * * *

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 December 2025, by the following vote to wit:

AYES: (6) Cisneros, Hom, Ruiz, Saheba, Tsou and Wang

NOES: (0)

ABSENT: (1) Ariza

ATTEST:

Signed by:
 _____
1DFEDFEE51084EC...
Steven Buckley, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION PB-25-7

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING VESTING TENTATIVE MAP (TRACT NO. 8736) TO SUBDIVIDE 12.4 ACRE SITE (APN 074-1368-014 & 074-1368-018) INTO 37 LOTS FOR CONDOMINIUM PURPOSES TO FACILITATE THE CONSTRUCTION OF THE 284 UNIT WEST MIDWAY PHASE A RESIDENTIAL DEVELOPMENT LOCATED AT THE SOUTHWEST CORNER OF WEST MIDWAY AVENUE AND MAIN STREET.

WHEREAS, an application was made on May 8, 2025, by Brookfield Residential for a Vesting Tentative Map (Tract No. 8736) approval to subdivide an approximately 12.4 acre site into 37 lots for condominium purposes to facilitate the construction of the 284 unit West Midway Phase A residential development located at the southwest corner of West Midway Avenue and Main Street; and

WHEREAS, the subject property is designated as Mixed-Use in the Alameda 2040 General Plan; and

WHEREAS, the subject property is located within the AP-MS, Alameda Point – Main Street Neighborhood Zoning District; and

WHEREAS, the West Midway Property is a Housing Opportunity Site and a priority program in the Housing Element and is critical to the City of Alameda's commitment to construct at least 5,353 housing units between 2023 and 2031; and

WHEREAS, on February 4, 2014, per City Resolution No. 14891, the City Council certified a Final Environmental Impact Report (State Clearinghouse No. 201312043) ("APP FEIR") under the California Environmental Quality Act ("CEQA"), California Public Resources Code Section 21000 et seq., and adopted written findings, a Statement of Overriding Considerations ("APP SOC"), and a Mitigation Monitoring and Reporting Program ("MMRP") for the Alameda Point Project; and

WHEREAS, on March 21, 2017, per City Ordinance 3177, the City Council adopted the Main Street Neighborhood 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 Tower Avenue, and Man Am Way. The Main Street Neighborhood Specific Plan requires the Planning Board approve a Development Plan prior to redevelopment and reuse of the West Midway Property; and

WHEREAS, on December 1, 2021, per City Resolution No. 15841, the City Council certified a FEIR (State Clearinghouse No. 2021030563) ("General Plan Update EIR") under CEQA, and adopted written findings, a Statement of Overriding Considerations ("GPU SOC"), and an MMRP for the General Plan Amendment to Update the Alameda General Plan ("General Plan Update"); and

WHEREAS, on May 22, 2023, per Planning Board Resolution No. PB-23-09, the Planning Board approved Planning Application No. PLN23-0367 for Development Plan, Use Permit for exceeding the maximum off-street parking requirements, and Universal Design Waiver for the West Midway project, and a CEQA Checklist for the project was prepared and reviewed concurrently by the Planning Board. Pursuant to streamlining provisions of Public Resources Code Sections 21166 and 21083.3 and CEQA Guidelines Section 15162 and 15183, the Planning Board found the environmental effects of the West Midway Project were adequately evaluated in the Alameda Point FEIR and the General Plan Update EIR, and no further environmental review is required. The Planning Board also adopted a Mitigation Monitoring and Reporting Program for the West Midway project, and readopted and incorporated the Alameda Point Project EIR and General Plan EIR Statements of Overriding Considerations; and

WHEREAS, on September 5, 2023, per, the City Council adopted a Disposition and Development Agreement (Ordinance 3347) and adopted a Development Agreement (Ordinance 3348) for the development of approximately 26 acres of land for the West Midway project; and

WHEREAS, on January 16, 2024, the City Council approved Vesting Large Lot Tentative Map Tract 8696, that subdivided a 160 acre parcel into 23 lots and three remainder parcels; and

WHEREAS, pursuant to the streamlining provision of Public Resources Sections 21166 and 21083.3 and Sections 15162 and 15183 of the CEQA Guidelines, no further environmental review is required because the West Midway project is consistent with the development density in an adopted Specific Plan for the area; the environmental impacts of the development of the area consistent with the Specific Plan were considered in the APP FEIR adopted by the City Council on February 4, 2014, in compliance with the California Environmental Quality Act (CEQA); the West Midway project is consistent with the development density of, is specifically listed in, and implements the City of Alameda's Housing Element adopted on November 15, 2022; the environmental impacts of the Housing Element and the development of the sites included in the Housing sites inventory were considered in the General Plan Update EIR adopted by the City Council on November 30, 2021; and as documented in the project CEQA Checklist, the West Midway project would not result in new or substantially more severe significant impacts than identified in the APP FEIR due to changes in the project, changed circumstances, or new information and there are no new or considerably different feasible mitigation measures or alternatives from those identified in the APP FEIR that would substantially reduce one or more significant effects that the project proponent declines to adopt; and the West Midway project would not result in significant impacts that: (1) are peculiar to the project or project site; (2) were not already identified as significant effects, cumulative effects, or off-site effects in the General Plan Update FEIR; or (3) were previously identified as

significant effects; but are determined to be substantially more severe than discussed in the General Plan Update FEIR; and

WHEREAS, on December 8, 2025, the Planning Board held a duly noticed public hearing on the subject Vesting Tentative Map (Tract No. 8736) approval to subdivide an approximately 12.4 acre site (APN 074-1368-014 & 074-1368-018) into 37 lots for condominium purposes to facilitate the construction of a 284 unit West Midway Phase A residential development located at the southwest corner of West Midway Avenue and Main Street, and examined all pertinent application materials, staff analysis, and public testimony; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that the environmental effects of the West Midway Project within the Main Street Neighborhood Specific Plan area have been adequately evaluated, and that:

1. The West Midway Project is consistent with the General Plan Land Use Element, Housing Element, Zoning Ordinance, and Main Street Neighborhood Specific Plan densities and use regulations; and
2. The APP FEIR was certified by the City Council on February 4, 2014; and
3. On March 21, 2017, the City Council approved the Main Street Neighborhood Specific Plan and found it to be consistent with the prior APP EIR; and
4. The General Plan Update FEIR was certified in 2021 by the City Council for the 2021 General Plan update and the 2022 Housing Element Update; and
5. On May 22, 2023, a CEQA Checklist was prepared analyzing the West Midway Project under the APP FEIR and General Plan Update FEIR and was reviewed concurrently with the review and approval of the Development Plan, Use Permit, and Universal Design Waiver; and
6. There are no environmental impacts peculiar to the West Midway Project that were not analyzed in the prior APP FEIR or General Plan Update FEIR, or any such impact can be substantially mitigated by imposition of uniformly applied development policies or standards previously adopted by the City; and
7. There are no significant effects of the West Midway Project that were not analyzed as significant effects in the prior APP FEIR or General Plan Update FEIR; and
8. There are no potentially significant off-site impacts of the proposed West Midway Project and there are no cumulative impacts to which the proposed West Midway Project makes a considerable contribution which were not discussed in the FEIRs; and
9. There are no previously identified significant impacts of the proposed West Midway Project which, as a result of changes in the project, changed circumstances, or new information which was not known at the time the prior FEIRs were certified, have been determined to have a substantially more severe

adverse impact than discussed in the APP FEIR or General Plan Update FEIR;
and

10. There are no new or considerably different feasible mitigation measures or alternatives from those identified in the APP FEIR that would substantially reduce one or more significant effects that the project proponent declines to adopt; and
11. Pursuant to the streamlining provisions of Public Resources Code Sections 21166 and 21083.3 and CEQA Guidelines Sections 15162 and 15183, no further environmental review of the West Midway Project is required; and

NOW THEREFORE BE IT RESOLVED, that the Planning Board makes the following findings relative to the proposed Vesting Tentative Map (Tract 8736) application:

1. **The proposed subdivision, together with the provisions for its design and improvement, is in conformance with the General Plan, Specific Plan, and Zoning for this site (Gov. Code § 66474).** The proposed Vesting Tentative map is consistent with the Mixed Use General Plan designation and the AP-MS, Alameda Point – Main Street Neighborhood zoning designations for the property. The subdivision will create 37 lots for mixed use residential development, a multi-use path, and a community park. The proposed subdivision is designed to ensure the lots face streets, that the parcels are adequately accessed by a grid of complete streets, pedestrian sidewalks, and bicycle paths and lanes. The proposed parcels in the mixed use residential development are also designed to accommodate a variety of housing types and incomes.
2. **The site is physically suitable for the type of development (Gov. Code § 66474).** The Vesting Tentative map facilitates the development of Phase A of the West Midway mixed use development consistent with the approved agreements and approved development plan for the project, which will provide 284 for sale, affordable housing options, and workforce housing units with commercial space and public green space. The Vesting Tentative map also facilitates the creation of the condominium map that will provide for sale housing opportunities for a variety of housing types and incomes consistent with the General Plan policies and the Main Street Specific Plan.
3. **The site is physically suitable for the density of the development.** The proposed subdivision will not exceed the planned density for the land consistent with the approved entitlements and General Plan policies.
4. **The proposed design of the subdivision and improvements, as conditioned, will not cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat (Gov. Code § 66474).** All future improvement on the property will be subject to the environmental protections and mitigations

imposed by the FEIR and federal biological requirements stemming from the 2012 Alameda Point U.S. Fish and Wildlife Service Biological Opinion.

5. **The design of the subdivision and its improvements will not conflict with easements acquired by the public at large for access through or use of property within the subdivision (Gov. Code § 66474).** All future improvements on the site will be subject to compliance with the Alameda Point Master Infrastructure Plan and the approved Vesting Tentative map, and all necessary easements are to be provided.
6. **The design of the subdivision and its improvements will not cause serious public health problems (Gov. Code § 66474).** Subdivision of the property will facilitate investment in the property, which is necessary to upgrade the existing substandard infrastructure and preserve public health and will comply with the Alameda Point Soil Management Plan, as well as any hazardous materials mitigations imposed by the FEIR.
7. **Water will be available and sufficient to serve the proposed subdivision in accordance with Government Code Section 66473.7.** The subdivision has been designed in accordance with the City of Alameda Master Infrastructure Plan and the EBMUD water supply determinations.
8. **The subdivision will not result in the discharge of waste into the sewer system that would violate regional water quality control regulations in accordance with Government Code Section 66474.6.** The subdivision has been designed in accordance with the City of Alameda Master Infrastructure Plan and EBMUD standards.
9. **The design of the subdivision for which a Vesting Tentative map is required pursuant to Section 66426 of the Government Code of the state of California shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in accordance with Section 66473.1 of the Government Code.** The proposed subdivision is located in an area of the Bay Area that is well suited for passive cooling and heating opportunities due to its location at the end of a peninsula surrounded by water on three sides.
10. **In recommending approval of the Vesting Tentative map, the Planning Board has considered its effect upon the housing needs of the region, balanced with the public service needs of Alameda residents and available fiscal and environmental resources (Gov. Code § 66412.3).** The project fulfills the planned housing development of the approved development plan.

BE IT FURTHER RESOLVED, that the Planning Board approves the Vesting Tentative Map 8736 application subject to the following conditions:

Planning Conditions

1. All maps filed pursuant to this approval shall be in substantial compliance with the map titled "Vesting Tentative Map (TRACT 8736)" on file in the office of the Alameda Planning, Building and Transportation Department. The Final Map(s) shall be in substantial compliance with the Vesting Tentative Map. The Vesting Tentative Map may be finalized in phases.
2. Prior to the approval of the first Final Map(s), all applicable conditions of approval of the approved Vesting Tentative Map, as revised or amended, shall be satisfied.
3. The subdivider shall record the first Final Map that includes improvements within twenty-four (24) months of approval, or conditional approval of the Vesting Tentative Map by the City Council. The City may, upon the subdivider's application filed before the Vesting Tentative Map's expiration date, extend its life for an additional period or periods not to exceed six (6) years in accordance with State law.
4. 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 and dedications to be accepted, accepted subject to improvements, rejected, or abandoned (with recording information) as part of the Final Map(s).
5. Prior to the recordation of the Final Map, Covenants, Conditions and Restrictions (CC&Rs) shall be prepared to the satisfaction of the City Engineer. CC&Rs shall include a maintenance plan for common areas, Parcel A and Parcel B, and designate responsibility through either a Homeowner's Association (HOA) or Shared Maintenance Agreement.
6. The applicant is encouraged to contact the Public Works Department at 510-747-7930 to schedule a pre-application meeting prior to the first submittal of any subdivision maps or improvement plans to discuss submittal requirements, project review timeline, and fees associated with the processing, filing, and construction of this development
7. A current title report shall be submitted to identify current ownership and any existing easements or land use restrictions

8. The Applicant shall enter into a Subdivision Improvement Agreement with the City, pay all fees, and provide a security in a form and amount acceptable to the City prior to approval of the Final Map
9. The subdivider shall pay for all reasonable office and engineering costs expended by the City Engineer's office, including overhead, in conjunction with reviewing the Final Map, improvement plans, easements, and in obtaining the map signature of the City's consulting surveyor
10. The subdivider shall provide five copies of the permit approved site/off-site civil improvement plans, landscape plans, and specifications along with a Mylar or other reproducible set (plans only), and a digital copy acceptable to the City Engineer
11. Compliance with Law. The final plans submitted for Building Permit approval shall conform to all applicable codes, laws and regulations of the City and other governmental agencies, whether or not such applicable requirements are specifically mentioned in these Conditions of Approval as of the date of submittal.
12. Public Access agreement. Prior to submittal of building permits or improvement plans the applicant shall record a public access easement/agreement on the property granting public access to the community park and Valor Avenue.
13. 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 substantial changes to the approved scope of the project shall be submitted to the Planning Building and Transportation Department for review and approval.
14. Affordable Housing Deferment: Under the Main Street Specific Plan and the West Midway Project Disposition and Development Agreement (DDA), the 478-unit West Midway Project is required to, among other requirements, provide a total of thirty-nine (39) moderate-income inclusionary units. The first phase of the development, with 284 units, is proportionally responsible for 23 of those inclusionary units, and the second phase is proportionally responsible for 16 units. However, pursuant to the DDA and its phasing plan, the first phase is only required to construct a minimum of two (2) inclusionary units, provided that the remaining 21 units will be deferred and constructed in Phase 2 of the project, in addition to the 16 units attributable to Phase 2. If, without receiving a timely extension, Phase 2 fails to complete the construction of any deferred

inclusionary units by the time required for completion of that phase under the milestone requirements of the DDA, constructed market-rate units in Phase 1 or Phase 2, or both, shall be designated as inclusionary units in an amount sufficient to satisfy Phase 1's remaining proportional responsibility for inclusionary units (i.e. 23 units less already completed deferred units). The applicant, project sponsor, and/or any vertical developer shall work with the City to execute an amended Affordable Housing Agreement if required by the provisions of this condition.

15. Affordable Housing and Affordable Housing Plan: The inclusionary units shall comply with the requirements of the City's Inclusionary Housing Ordinance (AMC 30-16) and adopted Affordable Housing Guidelines, including that the units be of similar bedroom count and build quality as the market-rate units, except that the inclusionary units may be of smaller size (i.e. floor area) and utilize less expensive appliances. Prior to the issuance of the first final map or first building permit for vertical improvements for each phase of the development, whichever occurs first, an Affordable Housing Agreement with the City of Alameda for the on-site moderate income units in that phase shall be executed consistent with this approval, the DDA, the City's Inclusionary Housing Ordinance, and the adopted Affordable Housing Guidelines, and it shall be in substantially the same form as provided in the DDA (Exhibit R of the DDA), which shall be recordable and clearly designate the location of the inclusionary units within the development. The project may elect to utilize a single Affordable Housing Agreement covering all phases of development in lieu of one for each phase. Pursuant to AMC 30-16.8(e), the inclusionary units in this phase shall be completed prior to or concurrently with the issuance of the Certificates of Occupancy for any market-rate units in this phase.

Public Works Conditions

General

16. Plans shall be prepared, signed, and stamped as approved by a registered civil engineer licensed in the State of California. The Improvement Plans and all documentation listed below, except as noted, shall be approved by the Public Works Department prior to approval of the Final Map or issuance of any Building Permit for the development.
17. The proposed work shall comply with Chapter 30, Article 6 of the Alameda Municipal Code (Real Estate Subdivision Regulations) and Chapter 22 of the Alameda Municipal Code (Streets and Sidewalks) as determined by the City Engineer.

18. The proposed work shall comply with Alameda's Standard Plans and Specifications and Standard Subdivision Specifications and Design.
19. The fee for plan checking and inspection shall be calculated in accordance with the latest Master Fee Schedule as approved by the City Council.
20. Plans shall identify datum. If not NADV88, show conversion.
21. Site plans shall include applicable Standard Construction Notes, latest edition, from Public Works.
22. All streets constructed as part of this development are private.
23. The Developer shall provide as built drawings of all site and right of way improvements prior to issuance of final Certificate of Occupancy. Provide drawings in both durable hard copies and pdfs.
24. An engineer's cost estimate for frontage and site improvements shall be submitted. A cash security deposit or construction performance bond of an amount as determined by the City Engineer prior to issuance of a Public Works Development (PWD) permit.
25. An Encroachment Permit is required for all work within the Public Right-of-Way. The Encroachment Permit is required prior to issuance of any Building Permits for the proposed development. The encroachment permit application shall address circulation in and around the site, including pedestrians, cyclists, fire trucks, private vehicles, solid waste trucks, buses, and parking. The application shall address all construction phases.
26. The project shall submit an occupancy plan for review and approval prior to the approval of the Public Works Development Permit and any Building Permit. The occupancy plan shall include a fencing plan to ensure that the active construction areas are separated from the occupied areas.
27. The subdivider shall coordinate with the adjacent West Midway Backbone Infrastructure Developer for access during construction.

Maps and Easements

28. The Applicant is encouraged to contact the Public Works Department at 510-747-7930 to schedule a pre-application meeting prior to the first submittal of any

subdivision maps or improvement plans to discuss submittal requirements, project review timeline, and fees associated with the processing, filing, and construction of this development.

29. A current title report shall be submitted to identify current ownership and any existing easements or land use restrictions.
30. The Applicant shall enter into a Subdivision Improvement Agreement with the City, pay all fees, and provide a security in a form and amount acceptable to the City prior to approval of the Final Map.
31. The Final Map shall show all existing and proposed easement locations, uses and recording information. The Owner's Statement shall list all public right-of-way and easements to be dedicated and the Certificate of City Clerk shall list all public easements and right-of-way to be abandoned with recording information as part of the final map.
32. The subdivider shall pay for all reasonable office and engineering costs expended by the City Engineer's office, including overhead, in conjunction with reviewing the Final Map, improvement plans, easements, and in obtaining the map signature of the City's consulting surveyor.
33. The subdivider shall provide five copies of the permit approved site/off-site civil improvement plans, landscape plans, and specifications along with a Mylar or other reproducible set (plans only), and a digital copy acceptable to the City Engineer.
34. A 10' public access easement for a multiuse pathway shall be provided along the greenway corridor which runs in the east west direction through the development.

Additional Conditions

35. INDEMINIFICATION AND HOLD HARMLESS. To the maximum extent permitted by law, the applicant (or its successor in interest) shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City Council, City Planning Board, officials, employees, agents and volunteers (collectively, "Indemnitees") from and against any and all claims, actions, or proceedings against Indemnitees to attack, set aside, void or annul an approval by Indemnitees relating to this project. This indemnification shall include, but is not limited to, all damages, losses, and expenses (including, without limitation, legal costs and attorney's fees) that may be awarded to the prevailing party arising out of or in connection with an approval by the Indemnitees relating to this project.

The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding and the applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys' fees

36. Judicial Proceedings. 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.

37. Development Impact Fees and Exactions Notice. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code section 66020(d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The Applicant is hereby further notified that the 90-day appeal period, in which the Applicant may protest these fees and other exactions, pursuant to Government Code section 66020(a) has begun. If the Applicant fails to file a protest within this 90-day period complying with all requirements of section 66020, the Applicant will be legally barred from later challenging such fees or exactions.

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

* * * * *

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 December 2025, by the following vote to wit:

AYES: (6) Cisneros, Hom, Ruiz, Saheba, Tsou and Wang

NOES: (0)

ABSENT: (1) Ariza

ATTEST:

Signed by:

Steven Buckley _____

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Steven Buckley, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION PB-25-8

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA RECOMMENDING THAT THE CITY COUNCIL APPROVE A STREET NAMES PLAN FOR THREE STREETS WITHIN THE WEST MIDWAY PHASE A RESIDENTIAL DEVELOPMENT LOCATED AT THE SOUTHWEST CORNER OF WEST MIDWAY AVENUE AND MAIN STREET.

WHEREAS, an application was made on May 8, 2025, by Brookfield Residential for Vesting Tentative Map (Tract No. 8736) approval to subdivide an approximately 12.4 acre site (APN 074-1368-014 & 074-1368-018) into 37 lots for condominium purposes to facilitate the construction of the 284 unit West Midway Phase A residential development site located at the southwest corner of West Midway Avenue and Main Street; and

WHEREAS, Brookfield Residential has proposed naming three streets within the West Midway residential development with names related to the historic Alameda Nava Air Station; and

WHEREAS, the subject property is designated as Mixed-Use in the Alameda 2040 General Plan; and

WHEREAS, the subject property is located within the AP-MS, Alameda Point – Main Street Neighborhood Zoning District; and

WHEREAS, on October 19, 2021, the City Council adopted the Policy for Naming City Facilities and Streets, which requires the City Council approve street names for new developments and provides technical guidance on selection of street names including a requirement that new streets at Alameda Point shall be named after WWII naval themes to be consistent with the area's historic district designation and reflect the City's values of diversity, equity and inclusion; and

WHEREAS, on December 8, 2025, the Planning Board considered Vesting Tentative Map (Tract No. 8736) application to subdivide an approximately 12.4 acre site into 37 lots for condominium purposes for a 284 unit residential development located at the West Midway Phase A site located at the southwest corner of West Midway Avenue and Main Street; and

WHEREAS, on December 8, 2025, the Planning Board held a duly noticed public hearing to consider the proposed three street names and examined all pertinent application materials and public testimony; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds this action is exempt from CEQA under the common-sense exemption, i.e. that there is no reasonable possibility that there could be an environmental effect from this action; and

BE IT FURTHER RESOLVED that the Planning Board makes the following findings relative to the proposed street naming plan:

1. The three proposed street names include Ebony Street, Ebony Lane, and Swallow Street.
2. The street names plan complies with the eligibility criteria and requirements in the Council-adopted Street Naming Policy.
3. The proposed names are appropriate for the three new streets within the West Midway Residential Development near the former Naval Air Station.

BE IT FURTHER RESOLVED that the Planning Board hereby recommends that the City Council approve the three street names proposed for the West Midway Residential Development as shown in the street names plan attached as Exhibit 1.

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 December 2025, by the following vote to wit:

AYES: (6) Cisneros, Hom, Ruiz, Saheba, Tsou and Wang

NOES: (0)

ABSENT: (1) Ariza

ATTEST:

Signed by:

 _____

1DFEDFEE51084EG...
STEVEN BUCKLEY, 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.