CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION

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 (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 (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 71 on-site parking space and 125 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. 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 Opens 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. 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.
11. Building Permit plans shall incorporate the approved window schedule.
12. The final plans submitted for Building Permit approval shall conform to all applicable codes and guidelines.
13. 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.
14. 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.
15. Building Signage: Any temporary or permanent signage shall be subject to separate Sign Permit approval pursuant AMC Section 30-6.
16. 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.
17. Bird Safe Ordinance: Building Permit plans shall demonstrate compliance with the Alameda Bird-Safe Building Ordinance (AMC Section 30-5.16.b), as applicable.
18. 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.
19. 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

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

21. Structural observations will be required in accordance with the engineer's design and applicable risk category.

22. At the time of plan check please incorporate the required California Green Code Mandatory Measures.

Public Works Conditions

Public Works - General

23. 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.

24. The proposed work shall comply with Chapter 22 of the Alameda Municipal Code (Streets and Sidewalks) as determined by the City Engineer.

25. The proposed work shall comply with Alameda's Standard Plans and Specifications and Standard Subdivision Specifications and Design.

26. Plans shall identify datum. If not NADV88, show conversion.

27. Site plans shall include applicable Standard Construction Notes, latest edition, from Public Works.

28. 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.

29. 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.

30. The project shall coordinate construction and obtain any access rights needed with adjacent property owner(s) for work on adjacent property.

31. 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

32. 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.

33. 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.

34. 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

35. 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.

36. 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

37. 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.

38. 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.

39. 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.

40. 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

41. 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.

42. 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.

43. 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.

44. 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.

45. 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.

46. 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.

47. 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.

48. 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.

49. 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.

50. Construction access routes shall be limited to those approved by the City Engineer and shall be shown on the approved grading plan.

51. 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

52. 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.

53. 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.

54. 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.

55. 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/.

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

Public Works - Solid Waste

57. 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.

58. 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.

59. 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.

60. 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.

61. 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.

62. 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.

63. 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.

64. 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.

65. Provide a concrete pad in front of the trash enclosure to accommodate the truck weight while serving the dumpsters.

66. 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

67. 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

68. Prior to approval of Improvement Plans, the Applicant shall coordinate with Alameda Municipal Power (AMP) regarding power requirements.

69. 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.

70. All service installations shall be underground.

71. 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.

72. 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.

73. The applicant shall submit, with the site improvement plans, detailed drawings showing the required site electric utility facilities.

74. Concurrent with acceptance of work by City Council, the applicant/developer shall dedicate, and AMP shall take over ownership and will be responsible for maintaining all new substructures for 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.

75. 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.

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

77. 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.

78. 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.

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