

CITY OF ALAMEDA RESOLUTION NO. _____

APPROVING ALAMEDA POINT ADAPTIVE REUSE TENTATIVE SUBDIVISION MAP APPLICATION (1) PLN15-0555 – WEST TOWER AVENUE SUBDIVISION AT ALAMEDA POINT - APPLICANT: CITY OF ALAMEDA. A PROPOSED TENTATIVE MAP APPLICATION FOR A 4-PARCEL SUBDIVISION FOR CONVEYANCE PURPOSES ONLY ON 31.8 ACRES TO IMPLEMENT THE ALAMEDA POINT MASTER INFRASTRUCTURE PLAN AND ZONING DISTRICT

WHEREAS, the City of Alameda submitted an application to create four parcels for four existing buildings and a remainder parcel on West Tower Avenue at Alameda Point; and

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

WHEREAS, the property is located within the Alameda Point Adaptive Reuse Zoning Sub-district; and

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

WHEREAS, subdivision of the property for conveyance purposes will facilitate adaptive reuse and reinvestment in the property and the Historic District; and

WHEREAS, the Planning Board held a noticed public hearing and examined all pertinent materials on December 14, 2015 and unanimously recommended that the tentative subdivision map be approved subject to the conditions of approval; and

WHEREAS, the City Council held a noticed public hearing and examined all pertinent materials on January 19, 2016 and made the following findings relative to the proposed tentative subdivision map application:

- A. **The proposed tentative subdivision map is in conformance with the General Plan and Zoning for this site.** The proposed tentative map is consistent with the Mixed Use General Plan and Adaptive Reuse zoning designations for the property.
- B. **The site is physically suitable for the proposed development.** The proposed tentative subdivision map is for conveyance purposes only and facilitates the adaptive reuse and reinvestment in the four buildings on the property which are contributors to the Historic District. All future development or rehabilitation of these buildings will be subject to the Adaptive Reuse Zoning Sub-district and the Secretary of Interior Standards.

- C. **The site is physically suitable for the density of the development.** The proposed tentative subdivision map will not increase the density of the existing development on the site. Any future development of the properties will be subject to review under the Adaptive Reuse Zoning Sub-district to ensure that the proposed development is suitable for the site, compatible with the biological regulations and consistent with the Historic District designation.
- D. **The proposed design of the tentative subdivision map and improvements, as conditioned, will not cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat.** All future improvements on the site will be subject to existing regulations, permits, and deed restrictions designed to protect wildlife on the adjacent federal property.
- E. **The design of the tentative subdivision map will not conflict with easements acquired by the public at large for access through or use of property within the subdivision.** All future improvements on the site will be subject to compliance with the Alameda Point Master Infrastructure Plan, which ensures that all necessary easements are preserved.
- F. **The design of the tentative subdivision map and its improvements, if any, will not cause serious public health problems.** Subdivision of the property will facilitate re-investment in the existing properties, which is necessary to upgrade the existing substandard infrastructure and preserve public health; and

WHEREAS, the City Council finds that the potential environmental impacts of the project have been evaluated and disclosed pursuant to the California Environmental Quality Act (CEQA). On February 4, 2014, the City of Alameda certified the Alameda Point Final Environmental Impact Report (FEIR) in compliance with the California Environmental Quality Act. The FEIR evaluated the environmental impacts of redevelopment and reuse of the lands within the Alameda Point zoning district, which includes the West Tower Avenue and Hangar Row Subdivision Map Areas. Consistent with the February 2014 action, the draft conditions of approval of the Tentative Map Applications require that property owners comply with, and implement, all the relevant mitigations measures adopted by the City Council in February 2014. No further CEQA review is required for this action.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Alameda that the Alameda Point –Tract 8316 Tentative Map West Tower Avenue Subdivision, is approved subject to the following conditions:

Final Map

1. All maps filed pursuant to this approval shall be in substantial compliance with the map titled, “Alameda Point –Tract 8316 Tentative Map West Tower Avenue Subdivision ” prepared by Carlson, Barbee & Gibson, Inc. dated November 12, 2015,

marked Exhibit A, and on file in the office of the Alameda Community Development Department.

2. The Final Map shall be in substantial compliance with the Tentative Map.
3. Prior to the approval of the Building Permits, all applicable conditions of approval of the approved Tentative Map, as revised or amended, shall be satisfied.
4. The subdivider shall record the Final Map within twenty-four (24) months of approval, or conditional approval of the Tentative Map by the City Council. An extension of time, not to exceed and additional twelve (12) months, for the filing of the Final Map may be granted by expiration of the approved or conditionally approved Tentative Map.
5. Prior to the City Council approval of the Final Map, the Applicant shall submit a Mylar copy and a CAD file of the Final Map.
6. Final Maps shall show all existing and proposed easement locations, uses and recording information. The Owner's Statement shall list all easements to be dedicated and the Certificate of City Clerk shall list all public easements to be abandoned (with recording information) as part of the Final Map.

Land Use and Redevelopment

7. CEQA: Prior to issuance of a Building Permit or Site Improvement Permit, the applicant shall submit a Mitigation Measure Compliance Checklist confirming compliance with all required environmental mitigation measures contained in the MMRP adopted by the Alameda City Council on February 4, 2014, for the redevelopment and reuse of Alameda Point.
8. Infrastructure Improvement Plans: Prior to issuance of a Building Permit or Site Improvement Permit, the applicant shall submit an Infrastructure Improvement Plan for the improvement of the on-site and adjacent off-site streets, open space, waste water, storm water, potable water, recycled water, power, natural gas, and communications facilities for each phase of development, if applicable. The improvement plans shall be reviewed for consistency with the MIP, and the AMC requirements. The plans shall be prepared, signed and stamped as approved by a registered civil engineer licensed in the State of California. The engineer shall also assume responsibility for inspection of the on-site construction work, including but not limited to parking lots, pathways, storm facilities and, sewer facilities, and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first, that the installation of the on-site work (excluding the building and foundation) was constructed in accordance with the approved plans. All required public frontage and street improvements shall be designed, built, and dedicated to the City in accordance with City ordinances, and Public Works Department standards with respect to such

improvements and shall include curbs, gutters, sidewalks, street trees, storm water treatment controls, landscaping and irrigation, streetlights, etc.

9. Design Review Approval: Prior to issuance of any Building Permit or Site Improvement Permit in preparation of exterior changes to existing buildings or new vertical development, the applicant shall submit an application for Design Review and approval by the Planning Board. The Design Review application shall include any buildings, landscape improvements, open spaces and parks, and/or parking lots proposed for the area to be improved. All Building Plans and Site Improvement Plans submitted for permits shall be reviewed for compliance with the Design Review findings of AMC Section 30-36 and 37 by the City of Alameda Planning Board.
10. NAS Alameda Historic District Certificate of Approval: Prior to issuance of a Building Permit or Site Improvement Permit in preparation of exterior changes to existing buildings or new vertical development, the applicant shall submit all final proposed changes to the cultural landscape to the Historical Advisory Board for review and approval. All Building Plans and Site Improvement Plans submitted for permits within the Historic District shall be reviewed for compliance with the Historic District and Cultural Landscape Guidelines, the Secretary of Interior Standards for the Rehabilitation of Historic Structures, and AMC Section 13-21 Preservation of Historical and Cultural Resources by the City of Alameda Historical Advisory Board.
11. Biological Regulations and On-Site Lighting: Prior to Design Review approval, and issuance of a Building or Site Improvement Permit, the applicant shall submit a Biological Opinion Compliance Checklist confirming compliance with all required conditions set forth in the Declaration of Restrictions for the Former Naval Air Station Alameda (Declaration) consistent with the Biological Opinion issued by the U.S. Department of Fish and Wildlife, and Exhibit C of the Memorandum of Agreement between the City of Alameda and Department of Veteran's Affairs (Alameda Point Lighting Mitigation Measures).
12. Transportation Demand Management Plan Compliance Strategy: Prior to issuance of a Building or Site Improvement Permit, the applicant shall submit a Transportation Demand Management Plan Compliance Strategy to ensure compliance with the Alameda Point Transportation Demand Management Plan.
13. Public Trust Exchange Act and Agreements: All use of land and buildings and new construction on Public Trust Lands shall be subject to the public trust for commerce, navigation and fisheries and shall be reviewed for consistency with the Naval Air Station Alameda Public Trust Exchange Act, Chapter 734, Statutes of 2000, as amended by Chapter 429, Statutes of 2011 and the Naval Air Station Alameda Exchange Agreement regarding Public Trust Lands at Alameda Point.
14. Parking Management Plan: Unless completed as part of the TDM Compliance Strategy, prior to issuance of the first Occupancy Permit, the project applicant and/or property owner shall submit a Parking Management Plan. The plan will address the

management and pricing of public and private on-site spaces and public on-street parking and public parking lots and structures.

15. Other Agency Approvals: Prior to issuance of building permit(s) for work within jurisdictional lands, the applicant shall provide evidence that all required approvals, permits, or waivers from Bay Conservation and Development Commission (BCDC), Regional Water Quality Control Board (RWQCB), including a possible 401 Certification for the construction of a stormwater outfall, and/or the Army Corp. of Engineers, if any, have been obtained. The final Improvement Plans shall incorporate all other agency comments.

Improvement Plans

16. Potable Water: The developer/applicant shall be responsible for potable water infrastructure consistent with the MIP to serve the project, whose design shall be shown on the Improvement Plans to the satisfaction of EBMUD, the Public Works Director, and the Fire Chief.
17. Storm Water Quality: The developer/applicant shall incorporate permanent storm water treatment controls and/or design techniques to manage the quantity and quality of storm water runoff from a planned development to prevent and minimize impacts to water quality and be consistent with the MIP and any existing or future conditions of a 401 certification for Alameda Point (401 Certification Conditions) if applicable. Efforts shall be taken to minimize impervious surface areas, especially directly connected impervious surface areas. Roof drains shall discharge and drain to an unpaved area wherever practicable. Design techniques may include green roofs, rainwater harvesting, vegetated swales, vegetated buffer zones, bio retention units, retention/detention basins and ponds, tree well systems, and the incorporation of pervious surface areas and Low Impact Development (LID) measures. Storm water treatment measures shall be constructed consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual. Applicants may also refer to the Bay Area Storm water Management Agencies Association (BASMAA) *Start at the Source Manual* for technical guidance.
18. Landscape Plans: Prior to the issuance of a Building or Site Improvement Permit, the developer/applicant shall include landscape and irrigation plans for both on-site and off-site improvements consistent with the MIP, if applicable. The plans shall be prepared, signed, and stamped by a licensed landscape architect and shall be in accordance with the AMC and other regional jurisdictional requirements. The landscape architect shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work, that the installation of landscaping and irrigation in the public right-of-way was constructed in accordance with the approved plans.
19. Waste Water: A sanitary sewage flow analysis, identifying the total peak sanitary sewage flow quantities generated by the proposed development shall be prepared by

a registered civil engineer licensed in the State of California and submitted as part of the construction Improvement Plans and/or Building Permit Plans. The City will provide the analysis to an independent consultant who will assess the impact of the proposed development on the City's sanitary sewer system and determine if any improvements to the City's system are required to ensure sufficient sewage capacity for this project and any anticipated growth within the associated sewer sub-area. The applicant/developer will pay for the cost of the modeling study. The applicant/developer will incorporate any recommended improvements from the sewer study into the project's improvements plans and be consistent with the MIP.

20. Private Sewer Lateral Program: The Developer/Applicant shall be responsible for compliance with the EBMUD Regional Private Sewer Lateral Program.
21. Storm Drainage: A storm drainage hydrology analysis identifying the total peak drainage flow quantities to be generated by a proposed development shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the Construction Improvement Plans and/or Building Permit Plans. The improvements plans will include any recommended improvements and be consistent with the MIP.
22. Fire Water: The Improvement Plans and Building Permit Plans for the project site shall include a Fire Water System consistent with the MIP. The system shall be designed to the satisfaction of EBMUD and the Alameda Fire Department. The Applicant shall be responsible for the placement of on-site hydrants. The location and number of hydrants shall be established in improvements plans. Placement shall be shown on the Improvement Plans and shall be to the satisfaction EBMUD, the City Fire Chief and the City Engineer.
23. Fire Safety: Prior to approval of the Improvement Plans, and/or Building Permit Plans, the applicant shall submit plans for review and approval by the Public Works Director and the Fire Chief, that:
 - a. Provide fire hydrants spaced throughout the project as required in California Fire Code Appendix C. Ensure sufficient fire flow for the development compliant with California Fire Code Appendix B and AMC 15-1.2 where a maximum reduction of the fire flow can be reduced by 50% for fire sprinklered buildings.
 - b. Fire hydrant flows shall be a minimum of 1,500 G.P.M. from any one hydrant;
 - c. Provide adequate turn around space or acceptable emergency vehicle through access for any street greater than 150 feet in length;
 - d. Ensure that all roads that are required to be fire access roads have an adequate turning radii for fire apparatus (inside turning radius of 28' and outside turning radius of 44'8"); and
 - e. For all roads designated as fire access roads shall have a minimum fire lane width of 20' or 26' unobstructed. Should parking within the fire lane be required, the fire lane width is to be increased to an additional 8' per side for vehicle parking.

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

Solid Waste

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

26. External Enclosures: Design of all external enclosures for solid waste, recycling, and organics shall be approved by the Public Works Director prior to approval of the improvements plans, or the building permit, whichever comes first. These facilities are to be designed to prevent water run-on to the area, runoff from the area, and to contain litter, trash, and other pollutants, so that these materials are not dispersed by the wind or discharged to the storm drain system. External enclosures are to be roofed and/or enclosed. Any enclosures containing food waste shall have floor drains connected to the sanitary sewer system. If the enclosures are attached to buildings they shall have fire sprinklers. Internal collection and storage area(s) and the individual bins and containers provided, shall be adequate in capacity, number, and distribution to serve the anticipated demand for trash, recycling, and organics as determined by the Public Works Director.

27. Collection: Internal collection and storage area(s) and the individual bins and containers provided, shall be adequate in capacity, number, and distribution to serve the anticipated demand for trash, recycling, and organics as determined by the Public Works Department. The trash collection areas shall be accessible to residents and employees. Each storage area shall be no more than 250 feet from any dwelling unit, or in the garage. Trash enclosures and/or recycling area shall be covered; no other area shall drain onto these areas. Drains in any wash or process area shall not discharge to the storm drain system; these drains should connect to the sanitary sewer. The applicant shall contact the City and East Bay Municipal Utility District (EBMUD) for specific connection and discharge requirements prior to building permit issuance. Discharges to the sanitary sewer are subject to the review, approval, and conditions of the City and EBMUD.

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

Construction Conditions

29. Hazardous Materials. The applicant/developer shall provide documentation from a qualified professional to the City of Alameda stating that adequate soils and ground water investigations and, where warranted, remediation, have been conducted to ensure that there will be no significant hazard related risks to future site users. The project sponsor shall ensure that all proposed areas for demolition and abatement shall be assessed by qualified licensed contractors for the potential presence of lead-based paint or coatings, asbestos containing materials, and PCB-containing equipment prior to issuance of a demolition permit. During Construction the developer/applicant shall ensure that all construction crews are properly trained and made aware of any site contamination issues consistent with the Alameda Point Site Management Plan (SMP) and MMRP.

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

Alameda Municipal Power (AMP)

31. The applicant shall comply to AMP's Rules and Regulations as stated in Article X and AMP's "Material and Installation Criteria for Underground Electrical Systems" (both available at www.alamedamp.com) and provide completed "Service Planning Sheets" for AMP's review prior to submitting plans for building permits.

32. The applicant shall provide information on the location of transformers and total load in kilowatts or kilowatt/volts (KVA) to AMP for approval prior to building permit issuance. If necessary, the applicant shall provide (at no charge to AMP) an easement and access to all AMP facilities on the property prior to issuance of building permits.

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I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 19th day of January, 2016, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 20th day of January, 2016.

Lara Weisiger, City Clerk
City of Alameda

APPROVED AS TO FORM:

Janet C. Kern, City Attorney
City of Alameda