

CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION

APPROVING DESIGN REVIEW AND USE PERMIT FOR PLN15-0043 FOR THE
CENTRAL BAY OPERATIONS AND MAINTENANCE FACILITY AND EMERGENCY
OPERATIONS CENTER FOR THE WATER EMERGENCY TRANSPORTATION
AUTHORITY (WETA) AT 670 WEST HORNET AVENUE

WHEREAS, an application was made on February 2, 2015, by Water Emergency Transportation Authority (WETA), for Design Review approval to construct the Central Bay Operations and Maintenance Facility and use permit approval for outdoor storage of materials and extended hours of operation; and

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

WHEREAS, the subject property is located in the Alameda Point Enterprise 4 Zoning District; and

WHEREAS, the Alameda Point Enterprise 4 Zoning District requires Planning Board approval of Design Review applications, prior to redevelopment and reuse of the property and use permit approval for outdoor storage and extended hours of operation;

WHEREAS, the City Council of the City of Alameda certified the Alameda Point Environmental Impact Report for the redevelopment and reuse of the former Naval Air Station at Alameda Point; and

WHEREAS, the Board of Directors of the Water Emergency Transportation Authority approved a Mitigated Negative Declaration for the project under the California Environmental Quality Act (CEQA) on June 2, 2011; and

WHEREAS, the Planning Board held a public hearing on March 23, 2015, for this Design Review application, and examined pertinent maps, drawings, and documents.

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

DESIGN REVIEW FINDINGS:

The project will have no significant adverse effects on the persons or properties in the vicinity. The proposed facility is consistent with the General Plan and Zoning designations for the property as well as the Public Trust Exchange Agreement (i.e. State Tidelands). The proposed project is also compatible with the adjacent MARAD fleet uses, the Hornet Museum, and the adjacent public open spaces. Further, the project will significantly improve the City of Alameda's ability to respond to a major natural or transportation disaster by providing water transport services to the region in the event that automobile access across the estuary is disrupted. In addition, the project will result in significant public benefits including the following:

- The proposed project is a permanent facility that will provide job opportunities at Alameda Point to help replace the jobs lost in Alameda when the Navy departed.
- The plans include permanent improvements and investment in the adjacent public park and the Bay Trail.
- The project includes improvements to roadway, sidewalks, landscaping and lighting along West Hornet Avenue adjacent to the project area. In addition, the project will contribute to the improvement of the water utility service to this area and relocate or extend other utility services as required to facilitate development.
- The project will improve the visual appearance and protection of the shoreline within the project boundaries and provide sea level rise protection.

The project will be compatible and harmonious with the design and use of the surrounding area. The 12 boats will be docked immediately adjacent to Piers 1, 2 and 3 which provide space for the MARAD fleet and USS Hornet Museum. The proposed roadway and bicycle improvements will improve access to the museum and improve access for Bay Trail users. The proposed improvements to the adjacent public park will improve conditions for public park users and enhance the experience and public enjoyment of the bay.

The project is consistent with the City of Alameda's Design Review Guidelines. The proposal includes landscape and building improvements that are compatible with uses in the area and appropriate for a waterfront maritime location. The architectural design reflects a well-crafted industrial aesthetic, appropriate to the functions of the facility and the maritime context. The project utilizes high quality, visually interesting and durable exterior materials that provide visual interest. Canopies, sun shading devices and glazing, as well as landscaping along the street front will differentiate the building facades in response to solar orientation and the environmental setting. The building is shaped to vertically accentuate the transition between the public spaces to the east and the more maritime and industrial uses to the west. Sustainable design is an important attribute of the project, which is pursuing LEED Silver designation through the US Green Building Council.

USE PERMIT FINDINGS

- 1. The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development.**

The proposed facility is consistent with the General Plan and Zoning designations for the property as well as the Public Trust Exchange Agreement (i.e. State Tidelands) and permitted by the zoning. The outdoor storage of fuel in the enclosed and screed area and the extended hours of operations require use permit approval. The exterior storage and extended hours of operation are compatible with the adjacent MARAD fleet uses and the adjacent public open spaces and will enable the City and the region to respond to a natural disaster in the future.

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

The facility includes roadway, bicycle and pedestrian improvements within the vicinity of the project. The site will be served by the Alameda Point transportation plan. In addition, the facility includes parking for the employees of the facility as well as on-site bicycle parking. Furthermore, this facility is an important step towards ensuring a strong partnership between the community of Alameda and WETA, the regional ferry provider. Although this facility is not a day-to-day ferry terminal, a strong partnership between WETA and the City will improve the City's ability to meet its ferry transportation goals.

3. The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have deleterious effects on existing business districts or the local economy.

The proposed outdoor storage and extended hours will not impact the adjacent maritime uses or the adjacent open space uses. The facility will not compete with any other Alameda businesses and will be a beneficial addition to the area. The type of business proposed is compatible with the existing environment and would complement activities on the waterfront and users of the public shoreline trail. The operations, patronage and operating hours of the facility will not adversely affect neighboring uses due to noise, traffic, light or excessive parking demands.

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

This property is designated as located within the MU Specified Mixed Use Area on the General Plan Diagram. The General Plan policies support employment generating and maritime oriented facilities at Alameda Point. The proposed project would activate a vacant waterfront site with activities consistent with this General Plan objective

BE IT FURTHER RESOLVED, that the Planning Board finds this proposal was adequately considered by the Central Bay Operations and Maintenance Facility Mitigated Negative Declaration and the Alameda Point Environmental Impact Report and no further review is required under the California Environmental Quality Act (CEQA).

BE IT FURTHER RESOLVED that the Planning Board of the City of Alameda hereby approves Design Review and Use Permit Applications PLN 15-0043, subject to the following conditions:

1. Building Permit Plans: The plans submitted for the Building Permit shall be in substantial compliance with the plans prepared by ROMA Design Group for WETA dated February 2015, consisting of 16 sheets numbered SA101 through EX1 on file in the office of the City of Alameda Community Development Department.
2. Vesting: This Design Review and use permit approval shall expire and become void unless actual construction under valid permits has commenced within a period of time consistent with the lease agreement.
3. 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 Mitigation Monitoring Reporting Program (MMRP) adopted by the WETA Board of Directors on June 2, 2011, and the Alameda City Council on February 4, 2014, for the redevelopment and reuse of Alameda Point..

4. 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. The improvement plan shall be reviewed for consistency with the Alameda Point Master Infrastructure Plan and City of Alameda Municipal Code 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 and shall include curbs, gutters, sidewalks, street trees, landscaping and irrigation, and streetlights.
5. Building Permits: Prior to issuance of any building permit or site improvement permit in preparation of vertical development, the applicant shall submit an application for final Design Review approval by the Community Development Department. All building plans and site improvement plans submitted for permits shall be reviewed for compliance with the Planning Board Design Review findings and conditions of approval contained within this resolution, and the final Design Review submittal shall include, but not be limited to:
 - a. LEED or Green Point Rating: A description of all design elements to be included for compliance with AMC Section 13-19 requiring either: a minimum LEED™ Certified rating and be so certified by the US Green Building Council or equivalent threshold of sustainability, such as a minimum Green Point Rated score of fifty (50) and be so verified by Build It Green. The project shall also have a LEED™-Accredited Professional or a Certified Green Building Professional as a principal member of the design team from the beginning of the project. The project shall meet as many LEED credits, or Green Point Rated measures as practicable and is required to complete and submit the LEED or Green Point checklist as a way of documenting the green building practices that have been incorporated into the project.
 - b. Bicycle Parking. Five on-site bicycle parking spaces will be provided within the project for employee parking and ten spaces will be provided adjacent to the facility and the park for visitor bicycle parking, as required by AMC-7.15 Bicycle Parking.
6. Parks and Open Space Plans: Final parks and open space plans shall be consistent with the Alameda Recreation and Parks Design Specifications. The landscape, hardscape,

and irrigation plans for improvements in open space and parks that will be maintained by the City, shall be prepared, signed and stamped as approved by a licensed landscape architect. All design for construction or improvements to parks and open space require review by the Recreation and Parks Commission and final approval by the Recreation and Parks Director.

7. Biology Regulations and On-site Lighting: Prior to issuance of a building permit 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 consistent with the Biological Opinion issued by the U.S. Department of Fish and Wildlife, including Exhibit C Alameda Point Lighting Mitigation Measures.
8. Transportation Demand Management Compliance: Prior to issuance of a building permit, the applicant shall submit a Transportation Demand Management Plan Compliance Strategy to ensure compliance with the Alameda Point Transportation Demand Management Plan.
9. Sea Level Rise: The applicant shall ensure that all new improvements are constructed at a minimum elevation of 24 inches above the 100-year tidal flood plan elevation.
10. Modifications: Minor project design details requested by the applicant may be established, modified, and approved by the Community Development Director. Engineering standards and specifications requested by the applicant may be established, modified and approved by the Public Works Director, or his designee. Major modifications that are not consistent with this application or these conditions shall be subject to review and approval of the Planning Board.

General Conditions

1. The applicant shall comply with all applicable policies and requirements of the current approved Alameda Point Master Infrastructure Plan, specifically, the applicant shall undertake the following off-site infrastructure improvements, as depicted in Exhibit 1, that the City will retain under its ownership and maintenance following construction completion:
 - Enhance public access to the Bay by removing existing fencing and derelict facilities in the Bay and along the shoreline and improve and expand the existing Bay Trail facilities and construct a new viewing platform with benches, pathways, interpretative information, and landscaping for a total of approximately 35,000 square feet of public access and circulation improvements.
 - Immediately adjacent to the project, West Hornet Avenue will be improved to include a 26-foot wide roadway with a 15-foot sidewalk on the south and an 11-foot sidewalk on the north. Street trees, lighting, and bio-swales will be incorporated into the improvements.

- On the southeast side of the leasehold area, an approximately one-half acre of City-owned land will be improved for a rerouted Bay Trail and for public access, park and open space purposes.
- The open space areas will include a rerouted 10-foot wide multiuse Bay Trail, including an approximate 1,500 square foot elevated terrace for seating, viewing and enjoyment of the bay. Two five-foot pathways will connect the viewing terrace to the Bay Trail.
- Landscape improvements, including trees, shrubs, and ground cover, will be included with irrigation in the open space areas in keeping with the Bay Friendly Landscape Guidelines.
- Construct a new water main extending from Main Street to the project site, consistent with the City's Master Infrastructure Plan for Alameda Point. Other utilities to serve the project site, including sanitary sewer, stormwater drainage, power, and communications will be made available through connections to existing infrastructure as depicted in Exhibit 1, with minor repairs and upgrade to facilities made on an as needed basis to ensure the reliable provision of utilities to the project site consistent with the MIP.

Engineering

1. The applicant/developer shall submit construction improvement plans for all on- and off-site improvements, including detailed designs for all wet and dry utilities, landscaping and irrigation, water, grading, drainage, erosion control, paving and solid waste storage and recycling areas. The plans shall be prepared, signed and stamped as approved by a registered civil engineer licensed in the State of California, and be in accordance with the AMC, the City of Alameda Standard Plans and Specifications, Standard Subdivision Specifications and Design Criteria. The plans shall be reviewed and approved by the Public Works Director prior to approval of the improvements plans or the building permit, whichever comes first. The engineer shall also assume responsibility for inspection of the on-site construction work, including but not limited to parking lots, pathways, storm facilities, sewer facilities, etc., and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first, that the installation of the on-site work (excluding the building and foundation) was constructed in accordance with the approved plans.
2. The landscape and irrigation plans for the improvements in the public right-of-way shall be prepared, signed and stamped as approved by a licensed landscape architect and shall be in accordance with the City's Bay Friendly Landscaping requirements, the AMC, conditions of approval by the Planning Board, and other regional jurisdictions requirements, as applicable. Final landscape plans should ensure that all landscaping and bioswales are compatible with the stormwater treatment measures, designed to minimize irrigation and runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to storm water pollution. As appropriate, integrated pest management (IPM) principles and techniques shall be incorporated into the landscaping design and specifications. Where feasible, landscaping shall be designed and operated to treat storm water runoff by incorporating elements that collect, detain and infiltrate runoff. Plant placement within the site landscape design shall not interfere with the design function of any of the stormwater treatment measures. For example, trees planted in or near a

biotreatment swale shall not adversely interfere with the design flow of the swale. The plans shall be reviewed and approved by the Public Works Director prior to approval of the improvements plans or the building permit, whichever comes first. The landscaped architect shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first, that the installation of landscaping and irrigation in the public right of way was constructed in accordance with the approved plans.

3. The landscape and irrigation plans for the improvements in the public right of way and on-site improvements shall be prepared, and signed and stamped as approved, by a licensed landscape architect. The plans shall be in accordance with the most recent version of the "Bay-Friendly Landscape Guidelines" developed by StopWaste.Org and the Bay Friendly Coalition, the AMC, conditions of approval by the Planning Board, and other regional jurisdictions requirements, as applicable. Projects required to meet the Bay-Friendly Landscape (BFL) requirements shall:
 - a. have plans prepared by a qualified BFL design professional;
 - b. earn, at a minimum, a total of 60 points on the StopWaste.Org "Bay-Friendly Scorecard for Commercial & Civic Landscapes" (Scorecard), as determined by a qualified BFL Rater;
 - c. complete the nine required practices identified on the Scorecard related to mulch, compost, diversion of construction and demolition waste, selection of planting materials, and the design and installation of irrigation systems, as determined by a qualified BFL Rater;
 - d. acquire the services of an approved BFL Rater to assist the landscape project design and construction team with gaining BFL qualification, consistent with the BFL qualification requirements of the Bay Friendly Coalition
 - e. pay the required BFL application and final submittal fees via the BFL Rater to the Bay Friendly Coalition
 - f. submit to the City written certification from the Bay Friendly Coalition that the design and construction of the landscaping and irrigation meets the most recent version of the "Bay-Friendly Landscape Guidelines" developed by StopWaste.Org and The Bay Friendly Coalition. This certification is required prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first,

4. Consistent with General Condition #1, a sanitary sewage flow analysis identifying the total peak sanitary sewage flow quantities to be generated by the proposed development shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The City will provide this data to an independent consultant who will assess the impact of the proposed development on the City's sanitary sewer system using a hydraulic model and determine the required improvements, if any, to ensure sufficient sewage capacity for this project in the associated sewer sub-area consistent with Condition #1. The developer will pay for the cost of the modeling study. The developer will include the recommended improvements into the project's improvements plans prior to approval of the improvement plans or the building

permit, whichever comes first.

5. Consistent with General Condition #1, a sanitary sewage treatment capacity analysis for wet weather flows shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The plan shall identify and mitigate any increase in wet weather flow treatment capacities associated with the development. The developer will include the recommended improvements consistent with Condition #1 into the project's improvements plans prior to approval of the improvements plans or the building permit, whichever comes first.
6. Consistent with General Condition #1, a storm drainage hydrology analysis identifying the total peak drainage flow quantities to be generated by the proposed development shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The City will provide this data to an independent consultant who will assess the impact of the proposed development on the City's storm drainage system using a hydraulic model and determine the improvements, if any, to ensure sufficient capacity for this project in the associated drainage basin. The developer will pay for the cost of the modeling study. The developer will include the recommended improvements consistent with Condition #1 into the project's improvements plans prior to approval of the improvements plans or the building permit, whichever comes first.
7. The applicant/developer shall submit a soils investigation and geotechnical report, including for the deck and piers, prepared by Langan Treadwell Rollo or other registered geotechnical engineer licensed in the State of California. The report shall address the structural and environmental analysis of existing soils and groundwater. The improvement plans shall incorporate all design and construction criteria specified in the report. The geotechnical engineer shall sign and stamp the improvement plans as approved and as conforming to their recommendations prior to approval of the improvement plans. The geotechnical engineer shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work or establishment of the use, whichever comes first, that the work performed is adequate and complies with their recommendations.
8. Consistent with the project Plans referenced in Condition #1, applicant/developer shall rebuild the existing Hornet Street, sidewalk, and Bay Trail in accordance with recommendation of the Geotechnical Engineer, the AMC, and the City of Alameda Standard Plans and Specifications. Resurfacing shall extend a sufficient distance beyond any cut to ensure a smooth transition, as determined by the Public Works Director, and shall consist of a one and a half (1½) inch asphalt concrete overlay. Applicant/developer shall also provide ditches and reconstruction of any potholed and/or alligatored areas adjacent to the project.
9. Any retaining walls, shall be masonry, metal or concrete. Wood retaining walls are not acceptable.

10. New street trees shall maintain clearances from utilities shall be as follow: a) Fire hydrant – 6 feet; b) top of driveway wing – 5'; c) stop signs – 15'; d) street/pathway lights and utility poles – 25'; e) storm drain, sanitary mains, gas, water, telephone, electrical lines – 5'; f) front of electrical pad-mounted equipment – 10'. Verify minimum clearance distances of street trees/shrubs from electrical transformers with City of Alameda Municipal Power (AMP).
11. Approved backflow prevention devices shall be installed on all new and existing domestic, commercial, irrigation and fire water services and as required by the East Bay Municipal Utility District (EBMUD). These devices must be tested by an AWWA certified tester from a list of testers provided by EBMUD.
12. No permanent structures shall be placed over existing or proposed easements.
13. New improvements shall not conflict with existing facilities that are remaining.
14. The applicant shall design the private utility systems to be separate from the public utility systems so that there is a clear point of connection between the two systems. The utility system design shall be reviewed and approved by the Public Works Director prior to approval of the improvement plans or grading permit, whichever comes first.
15. The applicant/developer shall provide utility access easements across all areas where public utilities cross private property. Public utilities must be accessible to City maintenance vehicles.
16. The applicant shall submit the improvement plans to BCDC for approval. The final improvement plans shall incorporate all BCDC comments.
17. The applicant/developer shall provide GIS SHP files for the as-built sanitary sewer and storm drain lines.
18. The applicant/developer shall provide CAD files and a Mylar copy of the as-built plans.
19. Costs for inspection by the Public Works construction inspectors during non-working hours shall be at time and one half. Work on Saturday's requiring inspection shall not be done unless approved in advance by the Public Works Director. No work allowed on Sundays. Any work done without inspection may be rejected at the contractor's expense.

Stormwater and Water

1. Prior to issuance of building permits, the applicant/developer shall secure all necessary permit approvals from EBMUD regarding the installation of all water or sewer service connections for the project. Exceptions for demolition or other preliminary work may be granted by the Public Works Director if necessary to ensure project completion on schedule. Accumulated wastewater must be drained to the sanitary sewer.

2. For any project with a total disturbed area of one acre or greater, the applicant/developer shall provide the Public Works Department City Engineer or designee, prior to the issuance of the first combination building/grading permit, a copy of both the WDID# issued to the project site by the State Water Resources Control Board (SWRCB) and the required Storm Water Pollution Prevention Plan (SWPPP). These documents shall provide verification to the City that the project site is in compliance with SWRCB Order No. 2009-0009-DWQ prior to the initiation of construction activity. Information on this State Order is available at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml
3. In compliance with the submittals to the SWRCB, the developer of any project with a total disturbed area of one acre or greater shall submit a Storm Water Pollution Prevention Plan (SWPPP) as part of the improvement plan submittal. The SWPPP shall be reviewed and accepted by the Public Works Director or designee for conformance with the City's erosion and sediment control standards.
4. In compliance with the SWPPP, the developer of any project with a total disturbed area of one acre or greater shall be responsible for ensuring that all contractors and sub-contractors install and regularly maintain all control measure elements required in the project SWPPP during any construction activities.
5. The applicant/developer of any construction project resulting in the potential for soils, construction materials and fluids, waste, and trash to blow or wash into a storm drain, gutter or street shall be responsible for ensuring that during any construction activity all contractors and sub-contractors install and regularly maintain erosion control measures and perform Best Management Practices (BMP) as described in the Alameda Countywide Clean Water Program brochures, the San Francisco Bay Regional Water Quality Control Board's Erosion and Sediment Control Field Manual and the California Stormwater Quality Association's Stormwater Best Management Practice, to prevent any pollutants entering directly or indirectly the storm water system. The applicant/developer shall pay for any required cleanup, testing, and City administrative costs resulting from consequence of construction materials entering the storm water system.
6. The on-site construction improvement plans shall incorporate permanent stormwater treatment controls and/or design techniques to manage the quantity and quality of stormwater runoff from a planned development to prevent and minimize impacts to water quality. Efforts shall be taken to minimize impervious surface areas, especially directly connected impervious surface areas. Roof drains shall discharge and drain to an unpaved area wherever practicable. Design techniques may include vegetated swales, vegetated buffer zones, bioretention units, retention/detention basins and ponds, tree well systems, and the incorporation of pervious surface areas and Low Impact Development (LID) measures. Stormwater treatment measures shall be constructed consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual. Applicants may also refer to the Bay Area Stormwater Management Agencies Association (BASMAA) *Start at the Source Manual* for technical guidance.

7. The landscaping plans shall be designed to minimize runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution. Consideration shall be given to pest-resistant landscaping and design features and the use of integrated pest management (IPM) principles and techniques. Where feasible, landscaping shall be designed and operated to treat stormwater runoff.
8. The applicant/developer shall submit a completed City of Alameda Stormwater Requirements Checklist Form to the Public Works Department for review and approval prior to discretionary approval or approval of the improvements plans, grading permit, or building permit whichever comes first. If no building permit is required, the form shall be submitted prior to establishment of the use. The form shall include a table showing the amount of pervious and impervious area (indicated in units of square feet) prior to and after the proposed development.
9. The applicant/developer shall submit a stormwater drainage management plan showing each storm water LID measure(s) and treatment measure(s) required to be constructed to meet Provisions C.3.c and C.3.d of the City of Alameda's Municipal NPDES storm water permit as part of the improvement plans for the project. This stormwater drainage management plan shall be consistent with the results of the completed City of Alameda Stormwater Requirements Checklist Form, as above. As part of the final improvement plan submittal, the applicant/developer shall submit a stamped, signed certification from a qualified independent civil engineer with stormwater treatment facility design experience, licensed in the State of California, and acceptable to the Public Works Director or designee that indicates the LID and treatment measure design meets the established sizing design criteria for stormwater treatment measures prior to approval of the improvements plans, grading permit, or building permit, whichever comes first. If no building permit is required, the plans shall be approved by the Public Works Director prior to establishment of the use. Effective December 1, 2011, this requirement also applies to any restaurant, automobile service facility, retail gasoline outlet, or uncovered parking project of 5,000 square feet or greater.
10. The applicant/developer shall submit a Stormwater Treatment Measures Operations and Maintenance (O&M) Plan as part of the improvement plans for the project. The O&M plan shall include, but not be limited to: treatment measure(s) descriptions and summary inventory; a legible, recordable, reduced-scale (8.5"x11") copy of the Site Plan indicating the treatment measure(s) location(s) and site drainage patterns; treatment measure(s) maintenance requirements and maintenance schedule; detailed description of the integrated pest management principals and techniques and/or Bay Friendly Landscaping Program techniques to be utilized during landscape maintenance to ensure pesticide/herbicide use-minimization in landscaped areas; the approved plant palette list; name and contact information of current maintenance personnel. The O&M Plan shall be reviewed and approved by the Public Works Director or designee prior to approval of the improvements plans, or grading permit, or building permit whichever comes first. If no building permit is required, the plans shall be approved by the Community Development Department and Public Works Director prior to establishment of the use. Effective

December 1, 2011, this requirement also applies to any restaurant, automobile service facility, retail gasoline outlet, or uncovered parking project of 5,000 square feet or greater.

11. The applicant/developer shall execute a Stormwater Treatment Measures Maintenance Agreement (Agreement) with the City. The Agreement shall include, but not be limited to: the approved O&M plan for all post-construction (permanent) stormwater LID and treatment measures; identification of the party responsible for stormwater LID and treatment measures O&M; assurances of access to inspect and verify the treatment system O&M for the life of the project; and assurances of the submittal of the annual O&M report approved by the City. WETA O&M responsibilities shall be limited to stormwater LID and treatment measures provided within its leased premises. The Agreement shall be executed between the project owner and the City and recorded prior to the issuance of any occupancy permit, including a temporary occupancy permit. The Agreement shall also be recorded at Project Owner's expense, with the County Recorder's Office of the County of Alameda prior to establishment of the use. Effective December 1, 2011, this requirement also applies to any restaurant, automobile service facility, retail gasoline outlet, or uncovered parking project of 5,000 square feet or greater.
12. The applicant/developer shall submit a certification report (Report) prepared by a registered civil engineer, licensed in the State of California, affirming that all project site stormwater treatment measures have been constructed per the City approved plans and specifications. As appropriate, the Report shall include, but not be limited to, assurances that: imported materials used for the treatment measure(s) are certified by the supplier; installation of these materials is per approved plans and specifications and meets the intent of the design engineer; required on-site testing results conform with approved plans and specifications; treatment measures conform to dimensions, grades and slopes on approved plans and specifications; all structural features of the treatment measures comply with plan specifications; the irrigation system is installed and functions as designed; healthy vegetation/ground cover is installed as shown on plans. The Report shall be submitted in a form acceptable to the Public Works Director or designee, prior to the issuance of any occupancy permit, including a temporary occupancy permit. Effective December 1, 2011, this requirement also applies to any restaurant, automobile service facility, retail gasoline outlet, or uncovered parking project of 5,000 square feet or greater.
13. Fire sprinkler system test water discharges shall be directed to the sanitary sewer system or to appropriately-sized onsite vegetated area(s).
14. All new storm drain inlets shall be clearly marked with the words "No Dumping! Drains to Bay," or equivalent, as approved by the City Public Works Department. Permanently affixed thermoplastic, metallic or plastic laminate style markers are examples of acceptable forms.

Traffic and Transportation

1. The applicant/developer shall submit a traffic striping and signage plan for all on- and off-site improvements, including all crosswalks, bus stops, turn lanes, merge lanes,

acceleration lanes, lane drops, etc, as part of the construction improvement plan submittal. The plans shall be prepared by a registered civil engineer or traffic engineer licensed in the State of California. The engineer shall sign and stamp the plans as approved. The plans shall be reviewed and approved by the Public Works Director prior to approval of the improvements plans or building permit, whichever comes first.

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

Environmental

1. All projects within the City of Alameda, including City-sponsored projects, which the City reasonably determines will cost one hundred thousand dollars (\$100,000.00) or more to demolish and/or construct shall be subject to the WMP requirement of section 21-24 of the Alameda Municipal Code, and must recycle at least 50% of total debris hauled from project. Failure to comply with any of the terms of that chapter shall be punishable as an infraction pursuant to subsection 1-5.1 of the Municipal Code.
 - a. The WMP shall be submitted by the developer to Environmental Services via Green Halo (greenhalosystems.com) prior to start of the demolition, remodeling, or construction work. This must be done using Green Halo's web interface, which will include information such as:
 - i. Franchised or permitted waste hauler's name, address, and telephone number

- EXCEPTION: Self-haul is allowed, but ONLY in fixed body trucks that belong to the permit holder –debris or roll-off boxes are prohibited for self-haulers, and unpermitted and subcontracted waste haulers are prohibited. (AMC 21-21)
- ii. Project location and/or street address
- iii. Anticipated start and completion dates of the project
- iv. A list of materials expected to be generated (e.g., glass, wood, metal, drywall, concrete, bricks);
- v. The estimated tonnage of each material; how they are to be reused, disposed or recycled; and
- vi. The destination/processor for that reuse, recycling or disposal.

The Environmental Services Division will review the WMP, and will provide recommendations that shall be incorporated into the plans for the project.

- b. Final Hauling Report: Within thirty (30) days after the completion of the demolition, remodeling or construction project, or prior to final inspection approval, whichever comes first, the developer shall submit a Summary Report to the Environmental Services Division, via Green Halo (greenhalosystems.com). For approval, this reporting will specify actual tonnages disposed and/or recycled for each material, and the actual destination/processor. Disposal and/or recycling weight tags from that facility or facilities will need to be directly uploaded to Green Halo to verify this activity.

Should paper forms be necessary for the WMP and Summary Report, please request City-specified forms, and note that additional City staff hours required for reporting and calculation will be charged to the permit.

- c. Compliance with these provisions of the Alameda Municipal Code shall be a condition of approval on any building or demolition permit issued by the City and the Building Official shall provide the applicant written notice of that fact. (Ord. No. 2886 N.S. §1). The Building Official shall not issue a certificate of occupancy or a final inspection approval pursuant to the Building code for any project for which a C&D Applicant is not in compliance with the WMP requirement unless that non-compliance has been resolved by payment of the corresponding penalty (ninety five (\$95) dollars for every ton of material required to be diverted but which is not diverted).
2. 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, parcel/final map(s), or the building permit, whichever comes first. If no building permit is required, the plans must be approved by the Public Works Director prior to establishment of the use.

These facilities are to be designed to prevent water run-on to the area, runoff from the area, and to contain litter, trash, and other pollutants, so that these materials are not dispersed by the wind or discharged to the storm drain system. External enclosures are to

be roofed and/or enclosed. Any enclosures containing food waste shall have floor drains connected to the sanitary sewer system. If the enclosures are attached to buildings they shall have fire sprinklers. Internal collection and storage area(s) and the individual bins and containers provided, shall be adequate in capacity, number, and distribution to serve the anticipated demand for trash, recycling, and organics as determined by the Public Works Director.

3. A 40-foot turning radius must be provided for any street that would otherwise require the collection truck to back up a distance greater than 150 feet. Although not required, construction of a concrete pad just outside each solid waste enclosure is recommended in order to accommodate the truck weight while servicing the dumpster.
4. Prior to issuance of a building permit, the applicant shall submit a plan for the storage facilities for solid waste, recyclable and compostable materials, for review and approval by the Public Works Director. The storage area(s) and the individual bins and containers provided within shall be adequate in capacity, number and distribution to serve the anticipated demand as determined by the Public Works Director. Such plans shall also comply with the following requirements:
 - Exterior solid waste and recyclable material storage shall be adjacent or combined and may only be located on the outside of a structure, in a designated interior courtyard with appropriate access, or in rear or side yards. External storage area(s) shall not be located in any required front yard, street side yard, required parking, landscaped, or open space, or any areas required by the AMC to be maintained as unencumbered.
 - The storage area(s) shall be accessible to employees.
 - 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.
 - The design and construction of the storage area(s) shall:
 - a. Be compatible with the surrounding structures and land uses; and
 - b. Be properly secured to prevent access by unauthorized persons. If gates with locks are planned to limit access to the enclosure or to the property, cards or keys must be provided to the City's franchised waste hauler and recycling collector; at present Alameda County Industries; and
 - c. Contain a concrete pad within the fenced or walled area(s) and a concrete apron which facilitates handling of the individual bins and containers; and
 - d. Provide a 6-inch wide curb or parking bumpers along the interior perimeter of the enclosure walls to protect them from damage by the dumpster. A 6-inch wide parking bumper, at least 3 feet long, should also be placed between the refuse dumpster and the recycling containers; and
 - e. Maintain a minimum space of 12 inches between the dumpster(s) and the walls

of the enclosure and the recycling container(s) to allow for maneuvering the dumpster(s); and

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

Fire Safety:

1. Prior to issuance of building permits, the developer/applicant shall submit improvement plans for the project site 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.
2. The developer/applicant shall provide adequate turn around space or through access for any street greater than 150 feet in length to the satisfaction of the Fire Chief and the City Engineer.
3. Emergency Vehicle Access roads shall have an adequate turning radius for fire apparatus (inside turning radius of 28 feet, outside turning radius 44 feet 8 inches, minimum height 13 feet 6 inches, minimum width 20 feet).
4. All streets and courts within the development that are required to be fire access roads, shall be marked as fire access roads to the satisfaction of the Fire Chief. All roads that are required to be fire access roads shall be designed to handle fire apparatus weight

of up to 35,000 pounds per axle. Parking shall be prohibited within the streets and alleys that are dedicated as fire lanes. CC&R's shall include an enforcement mechanism.

5. 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.
6. Prior to approval of the Improvement Plans, the applicant shall submit plans for review and approval by the Public Works Director and the Fire Chief, that:
 - a. Provide fire hydrants spaced throughout the project as required in California Fire Code Appendix C. Ensure sufficient fire flow for the development compliant with California Fire Code Appendix B and AMC 15-1.2 where a maximum reduction of the fire flow can be reduced by 50% for fire sprinklered buildings.
 - b. Fire hydrant flows shall be a minimum of 1,500 G.P.M. from any one hydrant;
 - c. Provide adequate turn around space or acceptable emergency vehicle through access for any street greater than 150 feet in length;
 - d. Ensure that all roads that are required to be fire access roads have an adequate turning radii for fire apparatus (inside turning radius of 28" and outside turning radius of 44'8"); and
 - e. For all roads designated as fire access roads shall have a minimum fire lane width of 26' unobstructed. 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.

ALAMEDA MUNICIPAL POWER (AMP)

1. Concurrent with submittal of Improvement Plans, the Applicant shall coordinate with the AMP regarding power requirements. All submittals shall refer to AMP's "Material and Installation Criteria for Underground Electrical Systems" for minimum clearances of street trees/shrubs from electrical transformers and other utility electrical equipment.
2. The Applicant shall provide and install street lighting consistent with AMP's standard specifications and AMP's "Material and Installation Criteria for Underground Electrical Systems". No signs shall be installed or mounted on street light poles owned and/or maintained by AMP. All new signs shall be installed on dedicated sign posts.
3. The Applicant shall provide all necessary on-site underground substructures, including conduits, pull boxes, transformer pads, etc. per the AMP specifications. AMP will require easements for all transformers, primary and secondary boxes, and conduits. AMP will furnish and install all required transformers, high voltage distribution cables, and secondary cables. The Applicant shall be reimbursed for improvements pursuant to the standard AMP agreement.
4. The Applicant shall furnish and install code-sized service cables in code-sized conduit

from each house to the nearest secondary pullbox. AMP will connect the service to the secondary distribution system.

5. The improvement plans and all subdivision maps shall show all necessary easements and access to all electrical utility facilities that are in the private properties, at no charge to AMP.
6. Concurrent with acceptance of work by City Council, the applicant/developer shall dedicate and AMP shall take over ownership and will be responsible for maintaining all new substructures for under grounding primary and secondary circuits, and distribution transformers once the improvements have been inspected and found to have been properly installed. The Applicant or successor property owners shall be responsible for the service cables and service equipment.
7. The Applicant/developer shall be responsible for all expenses involved in the on-site duct/joint trench system including engineering design, plan check, and electrical construction inspection.
8. The Applicant/developer shall submit, with the on-site improvement plans, detailed drawings showing the required on-site electric utility facilities.

HOLD HARMLESS. The applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, the Alameda City Planning Board and their respective agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Alameda, Alameda City Planning Board and their respective agents, officers or employees to attack, set aside, void or annul, an approval by the City of Alameda, the Community Department, Alameda City Planning Board, the City of Alameda City Council relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

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

NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The applicant is hereby further notified that the 90-day appeal period, in which the applicant may protect these fees and other exactions, pursuant to Government Code section 66-2-(a) has begun. If the applicant fails to file a protest within this 90-day period complying with all requirements of section 66020, the applicant will be legally barred from later challenging such fees or exactions.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing

and within ten (10) days of the decision, by filing with the Community Development Department a written notice of appeal stating the basis of appeal and paying the required fees.