

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. XX-XX

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Stacked Flat building type:

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

Architecture:

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

Landscape and Open Space:

- In residential areas, setback areas must be landscaped.
- Front setback areas should be composed of landscaping, gardens, courts and other landscape design that are welcoming and supportive of pedestrian activity.

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

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The site is relatively isolated from adjacent uses by the intervening roadways, parking lots, and setbacks. The site is zoned for a height of 100 feet and is neighbored by large silos that stand about 65 feet tall and a storage building that stands 70 feet tall, as well as numerous three-story residential buildings. The surrounding areas are developed in an eclectic mix of styles with no predominant theme or character.

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

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

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

Planning Conditions

1. Compliance with Law. The final plans submitted for Building Permit approval shall conform to all applicable codes, laws and regulations of the City and other governmental agencies, whether or not such applicable requirements are specifically mentioned in these Conditions of Approval as of the date of submittal.
2. Building Permit. These conditions shall be printed on the building plans and improvement plans.
3. Changes to Approved Plans. This approval is limited to the scope of the project defined in the project description and does not represent a recognition and/or approval of any work completed without required City permits. Any substantial changes to the approved scope of the project shall be submitted to the Planning Building and Transportation Department for review and approval.
4. Planning Inspection. A site inspection by Planning staff to determine consistency with this approval is required prior to the final building inspection and/or to the issuance of a Certificate of Occupancy. The applicant shall notify Planning staff at least four business days prior to the requested Planning Inspection dates.
5. Bicycle Parking: Required bicycle parking shall be consistent with AMC Section 30-7.6 (Off-Street Bicycle Parking Requirements) and the City of Alameda Bicycle Facility Design Standards. The location of the bicycle parking required shall be shown on the Building Permit plans, along with any information necessary to demonstrate compliance with objective requirements. The bicycle facility shall be located in a secure and safe location.
6. Building Signage: Any temporary or permanent signage shall be subject to separate Sign Permit approval pursuant AMC Section 30-6.
7. Water Efficiency Landscape Ordinance: Projects subject to the requirements of

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AMC Section 30-58 (Bay-Friendly and Water Efficient Landscape Ordinance) shall submit all documentation required by that section, as applicable, prior to issuance of building permits and at the time of final inspection and post-construction audits.

8. Bird Safe Ordinance: Building Permit plans shall demonstrate compliance with the Alameda Bird-Safe Building Ordinance (AMC Section 30-5.16.b), as applicable at time of Planning Approval.
9. Dark Skies Ordinance: Plans submitted for building permits shall demonstrate compliance with the Alameda Dark Skies Ordinance (AMC Section 30-5.16.c), as applicable.
10. Tree Planting: If applicable, a minimum of one (1) tree for every four (4) uncovered on-site parking spaces shall be provided to reduce heat island effect and create a tree canopy throughout the parking lot as required by AMC Section 30-7.8.b.
11. Affordable Housing Plan: Prior to issuance of the first Building Permit, the Applicant shall execute and record an Affordable Housing Agreement to ensure compliance and monitoring requirements consistent with the Inclusionary Housing Ordinance. The Affordable Housing Agreement shall be in compliance with the AMC and affordable housing program guidelines, and shall identify fifty-four (54) affordable housing units at the appropriate income levels, sizes, locations, and amenities.
12. Public Art: Prior to obtaining a Building Permit, the applicant shall make an election and submit a plan or pay a fee in lieu of public art pursuant to AMC section 30-98.

Building Division Conditions

13. All construction documents shall be prepared in accordance with the latest applicable California Building Codes.
14. If the project receives City funds, it shall be designed all electric to comply with the Climate Action Plan.
15. The designer shall verify if the property is fully or partially located in the flood hazard zone. If the property is in the flood hazard zone, this shall be noted in the plans, and the design shall be in accordance with the requirements of the California Building Code for structures located in the flood hazard zone.
16. The plans submitted for building permits shall comply with the then applicable accessibility requirements for people with disabilities as applicable.
17. Construction noise shall be subject to the provisions of the AMC Section 4-10 (Alameda Noise Regulations Ordinance), including provisions regarding loading and unloading, vibration, and construction. Pursuant to AMC Sections 4-10.5(b)(10) and 4-10.7(e), construction noise shall be restricted to 7:00 a.m. to 7:00 p.m. Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday, unless the prohibition does not apply pursuant to AMC Section 4-10.5(b)(10)(a)–(d). Commonly accepted best practice controls will be implemented.
18. Special inspectors need to be registered with the city for the specific job.

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19. Special inspection reports will be required for all applicable items that are part of this design in accordance with chapter 17 of the CBC.
20. Structural observations will be required in accordance with the engineer's design and applicable risk category.
21. Submit complete sets of electronic plans including the following - * Plot Plan * Foundation Plan * Floor Plan * Ceiling and roof framing plan * Electrical Plans including size of main switch, number and size of service entrance conductors, circuit schedule and demand load. * Plumbing and sewer plan, isometric, including underground diagram, water piping diagram, sewer location, fixture units, gas piping and vents, heating, and air conditioning diagram. * Landscape and Irrigation plans. (Landscape plans shall be compliant with the Alameda MWEL requirements and approved prior to the issuance of any Building Permits.)
20. Submit electronic sets of structural calculations, energy conservation calculations and soils reports. Architects/Engineers electronic stamps and signatures are acceptable at the time of plan check submittal.
21. All contractors shall be licensed by the State of California and have an active business license to work in the City of Alameda.
22. No work shall be performed until the required permits are obtained.
23. All fees shall be paid before the permit is issued, except where state law allows the applicant to seek a deferral or otherwise provides an alternate payment schedule. For projects where state law applies, fees shall be paid in accordance with, and at the earliest time required by, such applicable state law.
24. No structure shall be occupied until a Certificate of Occupancy has been issued by the Building Official.
25. The contractor, or other person responsible for completion of the work, shall timely schedule all necessary inspections with the appropriate city staff.
26. Changes or deviations from the approved set of plans shall be resubmitted for plan check.
27. All work shall remain accessible to the Building Official and their designees until inspected and finally approved by the Building Official.
28. Best management practices shall be observed during construction to prevent pollutants from entering the storm drain system and to control dust and exhaust (consistent with General Plan Policy HS-65 ("Construction Air Pollution")).
29. Cal Green Code mandatory measures shall be observed during construction, including but not limited to those requirements for:
 - Water efficiency and conservation
 - Construction waste reduction, disposal, and recycling
 - All other applicable codes for the efficient construction and operation of the new

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structure.

30. Applicable deferred submittals must be clearly identified on the building plans, including submittals for Photovoltaic, fire sprinklers, fire alarms, trusses, etc.
31. The project will implement General Plan Policy HS-69 ("Construction Period Air Quality Impacts"). In addition, during construction, all diesel-powered construction equipment larger than 50 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 Interim emission standards for PM (PM₁₀ and PM_{2.5}).

Public Works Conditions

General

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

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Maps and Easements

41. The applicant is encouraged to contact the Public Works Department at 510-747-7930 to schedule a pre-application meeting prior to the first submittal of any subdivision maps or improvement plans to discuss submittal requirements, project review timeline, and fees associated with the processing, filing, and construction of this development.
42. A current title report shall be submitted to identify current ownership and any existing easements or land use restrictions
43. The Applicant shall enter into a Public Improvement Agreement with the City, pay all fees, and provide a security in a form and amount acceptable to the City prior to approval of a building permit.
44. The Applicant shall process a lot merger application with the Public Works Department to combine the existing parcels prior to issuance of a building permit for the project.
45. The Applicant shall obtain abandonment from all applicable public agencies of existing easements and rights-of-way within the project site that will no longer be used and/or in conflict with the proposed building footprint. Applicant shall complete the abandonment process prior to issuance of a building permit for the project.
46. The Applicant shall quitclaim all private easements within the project site that will be in conflict with the proposed building footprint. Private easements shall be quitclaimed prior to issuance of a building permit for the project.
47. The Applicant shall dedicate all required public easements within the project prior to issuance of any Certificate of Occupancy. Required public easements may include but not limited to Public Utility Easement, Emergency Vehicle Access Easement and Storm Drain Easement. The exact location of easements shall be determined during permit review and is subject to approval by the City Engineer. All easement documents shall be approved by the Public Works Department prior to recordation.
48. The Applicant shall provide the City with an executed copy of the Caltrans lease, easement or access agreement prior to issuance of any permits for the project. The project is anticipated to use the neighboring Caltrans property for parking, trash staging and emergency vehicle and/or personnel access.
49. Prior to issuance of a PWD permit, applicant shall obtain all necessary rights and/or permit(s) for construction of any improvements on the adjacent Caltrans parcel.

Streets, Sidewalks, Parking and Traffic Control

50. proposed work shall comply with all current, applicable, plans, standards, policies and guidelines including Alameda's Bicycle Master Plan; Pedestrian Master Plan; Long Range Transit Plan; Transportation Demand Management and Transportation System Management (TSM/TDM) Plan; Multimodal Circulation Plan; Transportation Element of the General Plan; Transportation Choices Plan; Bicycle Facility Design Standards; Pedestrian Design Guidelines; Guidelines for Multiway Stop Signs, Crosswalks, and Pedestrian Paddles; as well as the Caltrans Design Manual and Standard Plans and the

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California MUTCD. All documents can be found at the City's Public Works webpage, under Key Documents, at <https://www.alamedaca.gov/Departments/Public-Works>.

51. All sidewalks shall comply with ADA and Title 24 requirements for cross slope, including driveway approaches and curb ramps. Where existing driveways are removed, the developer shall replace the curb, gutter, and full width of sidewalk to current standards.
52. The street section for any private access roads shall be designed by a registered civil engineer and is subject to approval by the City Engineer.
53. Parking layout shall be constructed in conformance with City's off-street parking design standards, Alameda Municipal Code Section 30, Article 1, Chapter 7 Off-Street Parking and Loading Regulations. Accessible stalls, ramps, loading and unloading platforms including for vans, slope and grade of ramps, landings and stalls, signs, striping, logo, width of landings and such details as are required shall comply with applicable City and State Standards.
54. The project shall implement the following improvements on Mariner Square Drive and Mariner Square Loop as identified on the 2433 Mariner Square Drive Project - Transportation Demand Management Plan, 2433 Mariner Square Drive Project - Transportation Impact Analysis, and 2433 Mariner Square Drive Project - Site Access and Circulation Review dated July 10, 2025, prepared by Fehr & Peers to the satisfaction of the City Engineer:
 - Removal of the northwest pork-chop island at the Mariner Square Drive / Mariner Square Loop / Marina Village Parkway intersection and design to accommodate eastbound U-turns on Mariner Square Loop.
 - Provide stop control to the slip (free right) lane northbound on Mariner Square Drive.
 - High visibility crosswalks on all four legs of the Mariner Square Drive / Mariner Square Loop / Marina Village Parkway intersection.
 - Physical barrier to prohibit left turns into and out of the project driveways near the Mitchell Ave and Mariner Square Loop signalized intersection.
 - Six-foot-wide sidewalk on Mariner Square Drive and Mariner Square Loop.
55. Median separating the bike lane and vehicular lanes on Mariner Square Drive shall be designed without planting.

Grading and Floodplain

56. The development shall be designed to account for future predicted sea level rise to Elevation 13 feet, NAVD88 Datum. The project shall also be designed to accommodate additional future adaptability provisions for sea level rise above Elevation 13 feet relative to all covered habitable areas. Projects within the BCDC jurisdiction will be required to meet BCDC's Sea Level Rise conditions.
57. The developer shall file an elevation certificate for each proposed new structure and proposed remodeled structure within the mapped Special Flood Hazard Area, prior to issuance of any building permit, and a second elevation certificate for each structure, after construction, and prior to issuance of Certificate of Occupancy. The Applicant shall submit a soils investigation and geotechnical report for the proposed development, subject to the review and approval of the City Engineer. The report shall address the structural and

environmental analysis of existing soils and groundwater and provide recommendations for all grading, retaining walls, bulkheads, surface and sub-surface drainage, lot drainage, utility trench backfilling, construction dewatering, and pavement design. The improvement plans shall incorporate all design and construction criteria specified in the report and shall be reviewed and signed by the Soils Engineer specifying that all recommendations within the report have been followed.

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

Drainage

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

Stormwater Quality Protection and Treatment

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

the efforts taken to minimize impervious surface areas, especially directly connected impervious surface areas.

65. The Applicant shall submit a Stormwater Quality Management Plan complete with the individual drainage management areas identified, a completed Stormwater Requirements Checklist and numeric sizing calculation sheets, and a stamped, signed City of Alameda C3 certification form from a qualified independent (i.e. different engineering firm) civil engineer with stormwater treatment facility design experience, licensed in the State of California, and acceptable to City Engineer that indicates the LID and treatment measure designs of the improvement plans and Stormwater Quality Management Plan meet the established sizing design criteria for stormwater treatment measures. The Civil Improvement Plans shall be consistent with the approved Stormwater Quality Management Plan submittal. Prior to issuance of the Permit, the Applicant shall submit for review and approval by the City Engineer a Stormwater C3-LID Measures Operations and Maintenance (O&M) Plan that provides a thorough discussion of the inspection, operations, and maintenance requirements of all of the stormwater treatment, including trash capture, and LID design measures at the site. This O&M Plan shall be consistent with the City of Alameda's C3-LID Measures O&M Plan Checklist. The development shall incorporate permanent post-construction stormwater quality controls in accordance with the City of Alameda's National Pollution Discharge Elimination System (NPDES) Permit. Stormwater design and treatment measures shall be constructed consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual.
66. Plans shall be consistent with documents already submitted and approved of by Public Works, including the Stormwater Quality Management Plan, Stormwater Requirements Checklist, City of Alameda C3 Certification, Stormwater C3-LID Measures O&M Plan, Trash Capture O&M Plan, and C3-LID Measures O&M Plan Checklist. Stormwater design and treatment measures shall be constructed consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual.
67. The development is subject to full trash capture requirements of the City's NPDES permit, regardless of impervious surface area. The developer shall provide a full trash capture system, device, or series of devices that traps all particles retained by a 5mm mesh screen and has a design treatment capacity of not less than the peak flow rate Q resulting from a one-year, one-hour storm in the sub-drainage area. Plan sheets shall include location, detail and cross-sectional drawings of the stormwater full trash capture device(s) necessary to treat the entirety of the site. The developer shall confirm that the full trash capture device(s) included in the development plan are on the State Water Resources Control Board's current (at time of Improvement Plans submittal) list of certified full trash capture systems. Trash capture shall occur on site, not in the public right of way downstream. Applicant shall submit an O&M plan detailing the necessary maintenance tasks and schedule required to maintain all on-site trash capture devices.
68. All new storm drain inlets shall be clearly marked with the words "No Dumping! Drains to Bay," or equivalent, as approved by the Public Works Director.
69. Prior to project acceptance and any certificate of occupancy, the Property Owner(s) shall provide the following:

- Executed C3-LID Treatment Measures Maintenance Agreement with the City, referencing the approved Operations and Maintenance Plan, the template for annual self-reporting, and assurances for property access for City verification inspections.
- Provide shapefiles/GIS coordinates for all stormwater treatment measures (public and private treatment measures on two different GIS layers), including the numbering of each asset as directed.
- Provide shapefiles/GIS coordinates for all full trash capture device installation locations (public and private treatment measures on two different GIS layers), including the numbering of each asset as directed, date of installation and device type.
- Certification report (Report) prepared by a registered civil engineer, licensed in the State of California, affirming that all project site stormwater treatment measures, including the full trash capture device system(s), have been constructed per the City approved plans and specifications. As appropriate, the Report shall include, but not be limited to, assurances and a narrative report that: imported materials used for the treatment measure(s) are certified by the supplier; installation of these materials is per approved plans and specifications and meets the intent of the design engineer; required on-site testing results conform with approved plans and specifications; treatment measures conform to dimensions, grades and slopes on approved plans and specifications; all structural features of the treatment measures comply with plan specifications; the irrigation system is installed and functions as designed; healthy vegetation/ground cover is installed as shown on plans. The Report shall be submitted in a form acceptable to the City Engineer.
- Schedule and complete a verification inspection of the stormwater treatment measures with City staff after the submittal of the Certification Report.

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

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

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

72. The developer shall comply with the State Water Quality Control Board's Construction General Permit requirements. Copies of the required "Notice of Intent" (NOI) and "Storm Water Pollution Prevention Plan" (SWPPP) along with the WDID# shall be submitted to the City Engineer prior to the issuance of the Permit for any site work. The SWPPP shall utilize the California Storm Water Best Management Practices Handbook for Construction Activities, the ABAG Manual of Standards for Erosion & Sediment Control Measures, the

City's Grading and Erosion Control ordinances, the City's "Urban Runoff Best Management Practices Standards", and other generally accepted engineering practices for construction activity pollution prevention, sediment, and erosion control.

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

Erosion and Sediment Control

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

Permit requirements as applicable.

Good Site Management

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

Non-Stormwater Management

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

Sewer and Water

77. Sanitary sewerage shall be in accordance with the EBMUD Regional Standards for Sanitary Sewer Installation. All permits, easements, and/or approvals for modifications to the sewer system required by EBMUD shall be obtained prior to issuance of any building permits by the City.
78. Improvement plans shall clearly state extents of public and private sewerage, including pipes, structures, and pump stations. Lower (public) and upper (private) sewer laterals shall be separated by a two-way cleanout or manhole. All public sanitary sewer facilities shall be in public streets or in public utility easements.
79. A sanitary sewage flow analysis identifying the total peak sanitary sewage flow quantities to be generated by the proposed development, shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The analysis shall identify required improvements, if any, to ensure

sufficient sewage capacity for this project and anticipated cumulative growth in the associated sewer sub-area.

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

Power, Telecom, Street Lighting and Gas

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

Solid Waste

87. The project shall be designed to accommodate three waste streams: recycling, organics, and trash; as required by the City of Alameda Municipal Code – Solid Waste and Recycling (Chapter 21). Signage clearly identifying how to sort materials into three waste streams shall be posted at each storage area. The storage/disposal area(s) and the individual bins and containers provided within shall be adequate in capacity, number and distribution to serve the anticipated demand, consistent with written City guidance and as determined by the Public Works Director.
88. The design, sizing, location, access, and provisions for waste hauler collection of all external enclosures and containers for solid waste, recycling, and organics shall be sufficient to serve the development, consistent with written City guidance, and as approved by the Public Works Department.
89. Driveways or aisles shall provide unobstructed access for collection vehicles and personnel and provide at least the minimum clearance required by the collection methods and vehicles used by the City's designated collector or hauler. In all cases where a parcel is served by an alley, all

exterior storage areas shall be directly accessible to the alley. For safety reasons, a turnaround must be provided for any street that would otherwise require the collection truck to back up a distance greater than 150 feet.

90. Multi-family and commercial occupants shall be responsible for placing all solid waste, recyclable materials, and organic materials containers in a location on their premises agreed upon by the customer and the franchisee. Occupants shall not place or store containers on or in any public street, sidewalk, footpath, or public place; as required by Municipal Code Chapter 21-2.4.
91. A 40-foot turning radius or equivalent hammer head must be provided for any street or alley that would otherwise require the collection truck to back up a distance greater than 150 feet.
92. Trash enclosure(s) shall comply with Best Management Practices in accordance with the Clean Water Act. These facilities shall be designed to prevent water run-on to the area and runoff from the area, and to contain litter, trash and other pollutants, so that these materials are not dispersed by the wind or otherwise discharged to the storm drain system. Design shall incorporate a solid roof, impervious floor, solid walls on three sides, and a lockable gate on the fourth side. Trash enclosures attached to buildings shall have fire sprinklers.
93. The design and construction of storage area(s) shall:
 - Be compatible with the surrounding structures and land uses;
 - Storage area(s) must be able to accommodate three (3), four (4) cubic yard bins consistent with the current methods of collection provided by the City's Franchised Hauler
 - Contain a concrete pad within the fenced or walled area(s) and a concrete apron which facilitates handling of the individual bins and containers; and
 - Provide a 6-inch wide curb or parking bumpers along the interior perimeter of the enclosure walls to protect them from damage by the dumpster.
 - Maintain a minimum space of 12 inches between the dumpster(s) and the wall of the enclosure and the recycling container(s) to allow for maneuvering the dumpster(s); and
 - Protect the area(s) and containers from adverse environmental conditions, which might render the collected materials non-collectable, noxious, unsafe, or in the case of recyclable materials, unmarketable.
94. A sign clearly identifying each exterior solid waste and recyclable and organic material storage area and the accepted material(s) is required. Each sign shall not exceed two square feet in area and shall be posted on the exterior of the storage area adjacent to all access points.
95. Provide a concrete pad in front of the trash enclosure to accommodate the truck weight while serving the dumpsters.
96. The Development shall comply will Chapter 21, Article 6 of the Alameda Municipal Code and submit a Waste Management Plan documenting the diversion of project-related construction and demolition debris to the satisfaction of the Public Works Director.
97. Prior to approval of the Permit, the applicant shall submit for review and approval by the Public Works Department a Waste Management Plan (WMP) demonstrating how the project will achieve California's Green Building Standards Code (CALGreen) diversion requirements for construction waste and achieve a minimum recycling rate of 65%. The WMP shall be consistent

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with the City's written guidance and can be completed by creating an account and submitting a plan via <http://alameda.wastetracking.com>.

Landscaping, Bus Stops, Street Furniture

98. The landscape and irrigation plans for on-site and public right-of-way improvements shall be prepared, and signed and stamped as approved, by a licensed landscape architect. The plans shall be in accordance with the most recent version of the "Bay-Friendly Landscape Guidelines" developed by StopWaste.Org, and the Bay Friendly Coalition, the AMC, the Alameda Master Tree Plan, the Alameda Tree Removal Policy, the Integrated Pest Management Policy, as well as conditions of approval by the Planning Board, and other applicable standards, as applicable. Landscaping shall be designed to improve curb appeal while promoting low maintenance plant material and xeriscaping.
99. Improvement plans submitted with the application for a PWD permit shall include a tree protection and maintenance plan for the trees to remain.
100. Bike racks shown on private property shall be maintained by the property owner.

Additional Conditions

101. Planning Approval Expiration: This planning approval shall expire three (3) years after the date of approval unless authorized construction or use of the property has commenced. A one-time extension for an additional two years may be granted by the Planning, Building and Transportation Director upon written request and payment of applicable fees prior to the expiration.
102. Building Permit Expiration. All building permits shall expire by limitation 12 months after the issuance date or 12 months from the last "Approved" inspection if construction has not commenced. Permits that have been expired for less than 6 months may be reissued at the discretion of the building official. One or more extensions may be granted by the building official. Extensions shall be requested in writing prior to the expiration of the building permit.
103. INDEMINIFICATION AND HOLD HARMLESS. To the maximum extent permitted by law, the applicant (or its successor in interest) shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City Council, City Planning Board, officials, employees, agents and volunteers (collectively, "Indemnitees") from and against any and all claims, actions, or proceedings against Indemnitees to attack, set aside, void or annul an approval by Indemnitees relating to this project. This indemnification shall include, but is not limited to, all damages, losses, and expenses (including, without limitation, legal costs and attorney's fees) that may be awarded to the prevailing party arising out of or in connection with an approval by the Indemnitees relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding and the applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys' fees

104. Judicial Proceedings. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6.
105. Development Impact Fees and Exactions Notice. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code section 66020(d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The Applicant is hereby further notified that the 90-day appeal period, in which the Applicant may protest these fees and other exactions, pursuant to Government Code section 66020(a) has begun. If the Applicant fails to file a protest within this 90-day period complying with all requirements of section 66020, the Applicant will be legally barred from later challenging such fees or exactions.
