

1. At the April 22, 2024 Planning Board meeting, Agenda Item 5-A provided in pertinent part in the Staff report:
[City of Alameda - File #: 2024-3980 \(legistar.com\)](#)

PLN24-0059 - 2401 Monarch Street - Use Permit & Design Review - Applicant: Gregor Cadman for Natel Energy. A public hearing to consider a Use Permit to allow outdoor research and development, and outdoor storage. The project also consists of Design Review for an approximately twenty-five foot tall, 5,500 square foot hydraulic test facility on the north side of Building 23 at 2401 Monarch Street. This project qualifies for a Class 32 Categorical Exemption pursuant to CEQA Guidelines 15332 - infill development. No additional environmental review is necessary.

...Natel's investors purchased the property in 2018, providing a permanent home and allowing investment in the company and the building itself. Building 23 is a contributing structure to the NAS Alameda Historic District. 2401 Monarch Street is in the AP-AR, Alameda Point - Adaptive Reuse Zoning District and is classified as Mixed-Use in the General Plan. The proposed project does not modify or alter any character defining elements of the historic building and therefore the project does not require review or approval by the Historical Advisory Board.

...The R&D uses include temporary outdoor assembly of equipment too large or impractical to arrange indoors and the operation of two hydro turbine testing platforms and support equipment, including a Recirculating Aquaculture System (fish tanks). The testing platforms and equipment make Natel unique in the global hydro industry as the only site where scale model turbine performance and fish passage can both be studied. Natel's smaller scale test facility (mini loop) is primarily contained within a 40-foot shipping container and is used for rapid prototyping. The larger scale test facility (big loop) is a 21,000-gallon freshwater system used to simulate various conditions which form the "operating envelope of fish safe turbine designs" as outlined in Exhibit 1 - Operations Plan.

Natel seeks to expand the "big loop" by adding a second test loop with overhead piping run and ~20,000-gallon reservoir as shown in Exhibit 2 - Design Review Plans. The existing and proposed expanded test platform include significant structural elements that constitute an improvement requiring building permits. Pursuant to AMC Section 30-37.2.a., the existing and proposed improvements to Natel's test platform require Design Review approval. In preparation for obtaining building permits, Natel also wishes to formalize and legalize the existing outdoor uses for outdoor storage and R&D. Pursuant to Alameda Municipal Code (AMC) Section 30-4.24, outdoor operations, including storage and R&D, are conditionally permitted uses in the Alameda Point AP-AR District.

...

USFWS Biological Opinion

The endangered least tern colony on the former NAS Alameda airfield southwest of Building 23 is protected by US Fish & Wildlife Service's Biological Opinion, which prohibits any new structures higher than four feet tall on the west and south sides of the building (Zone 1). This leaves the enclosed operations yard on the north side of Building 23 (Zone 2) as the only viable location for Natel's outdoor R&D activities. The Biological Opinion allows new structures in Zone 2 which do not exceed the height of the adjacent buildings. The test facility is approximately 25 feet in height, which is lower than the building height of 44 feet and the tower structure on Building 23's northwest corner. Both the building and tower would provide a closer, higher vantage point for any predators of the least terns. Consistent with the Biological Opinion, the Draft Resolution (Exhibit 3) includes a condition that any permanently installed equipment over 20 feet tall and within line of sight of the existing least tern colony include anti-perching devices.

Consistent With Adopted Plans and Policies

Staff finds the project consistent with the General Plan. General Plan policy LU-13, Green Economy, calls for promoting a green economy. Natel's fish-friendly hydropower turbines help create zero-emission electricity while protecting migratory fish. The proposed use furthers General Plan policy LU-21, Alameda Point Adaptive Reuse Sub-District, by supporting preservation and investment in the NAS Alameda Historic District. The project is consistent with the Alameda Point Zoning District, and meets the criteria in Alameda Municipal Code (AMC) Section 30-4.24.b. The hydraulic test platform is equipment that supports the research and development use at the site. The equipment requires a building permit for life safety purposes and is therefore subject to Design Review. However, the Citywide Design Review Manual does not contemplate or provide guidance for this type of structure. No modifications to the Building 23 are proposed as part of this project and the improvements constructed as part of the test facility can be easily removed in the future if the use changes.

Neighborhood Compatibility

As conditioned, the use will not adversely affect other property in the vicinity. Over the last year, Natel has made substantial progress in cleaning up the site and remedying what had become a cluttered, messy, unattractive area during the pandemic years. The recommended site plan focuses on preserving the mission-critical elements of the outdoor use balanced against the community desire for an attractive and inviting environment, including the visually interesting "big loop." The conditions of approval are designed to ensure that Natel continues to be a good neighbor for the surrounding Spirits Alley businesses by maximizing view opportunities, keeping a clean and tidy Monarch Street frontage, and complying with Alameda's Noise and Dark Skies ordinances. The design of the hydraulic test facility is appropriate for the site. It is located and designed to minimize visual impacts, including minimizing outdoor storage away from the front of the site and locating as much equipment as feasible adjacent to the hangar doors of Building 23 to maximize views towards San Francisco Bay from the public right of way. The scale of the equipment is similar to other light industrial and research and development users at Alameda Point as well as with the historic use of the hangars and surrounding areas for repair, maintenance, and storage of airplanes and other equipment while the site was part of an active naval air station.

Views

This portion of Monarch Street and the Adaptive Reuse area is not subject to a Specific Plan, unlike the Town Center and Waterfront Park Precise Plan for the hangars on West Tower Avenue near Seaplane Lagoon. That Precise Plan established specific view corridors to maintain open spaces between hangars, allowing views toward San Francisco Bay. Those view corridors align with existing and planned public streets. However, Natel's test facility does not align with any public streets. West Midway Avenue ends where the view corridor meets the southern edge of Building 22

(Faction/former Hangar One). Natel's property must maintain an access easement along the northern property line, ensuring visual access to San Francisco Bay. Any future view corridor formally established in this area would likely include the easement and part of the northern area, preserving Natel's operational yard. Additionally, the southern area of the building is subject to height restrictions from the Biological Opinion, so it will likely remain undeveloped for the foreseeable future. In summary, while the proposed project will occupy more outdoor space, the existing easement north of the property and limitations in the Biological Opinion will ensure existing views are preserved.

Conclusion

Natel's proposed project is important to the company, environmental stewardship, and Alameda's future as a hub of clean tech/green tech/high tech businesses. The project and uses are conditioned to balance the needs of Alameda Point's long-standing mix of innovative climate technology firms and food and beverage manufacturing and tasting room businesses in the NAS Alameda Historic District.

2. At the Planning Board meeting, Staff and the Applicant presented slideshow presentations. See attached. *Staff please attach slideshow presentations as exhibits to Call for Review.

3. The Planning Board voted to approve Staff's recommendation to:

Adopt the Draft Resolution (Exhibit 3) to approve a Use Permit and Design Review to allow outdoor research and development, and outdoor storage, and an approximately 25-foot tall, 5,500 square foot hydraulic test facility on the north side of Building 23 at 2401 Monarch Street, with the following amendments:

Per Staff, the motion approving the Natel item included direction to amend the approval to:

- Specify the # of days temporary storage/staging of materials is permitted near the front of the site. (The draft resolution language simply said no "permanent" structures or storage in the no-build area closest to Monarch St.)
- Include screening for the "fish tank" area as shown in the Design Review plans. (Staff presented images with and without screening for the Board's consideration.)
- Direction to:
 - Re-verify that the project complies with the Biological Opinion, specifically related to noise impacts. (Staff's compliance review had focused on locations and height limits.)
 - Explore opportunities to enhance the landscape and/or add interpretive signage for the public to enjoy when passing by the site.

Also, the Planning Board did not specify the number of days temporary storage/staging of materials would be permitted. They directed staff to set a final number in the final resolution (attached) so that there would be no ambiguity. After considering what would be reasonable to expect, and practical to enforce, Staff included a seven day limit in the condition, pasted from the resolution below.

View Maximization: Owner/applicant shall not place any permanent structures or permanent storage containers, including but not limited to shipping containers or water tanks, in the northeast corner of Area 5 in the Lot Use Area Diagram included in the attached plans. Such area shall be defined as the area between the existing fence line on the north side of the property and a parallel line 30 feet from the north wall of Building 32 and within 50 feet of the front (east) fence line. This area can still be used for short-term staging of materials, parking, staging of waste collection containers and other temporary uses for up to seven (7) days per instance. To the maximum extent possible, owner/applicant should utilize the areas on the western portion of the site for staging of materials and other short-term uses to maximize views from Monarch Street.

The Resolution (PB-24-07) as adopted is here: <https://alameda.legistar.com/View.ashx?M=F&ID=12849997&GUID=A9A315FC-F789-47CB-8378-29377F90577E>

4. Call for Review. While the hearing on the Call for Review may include and consider reasons not listed below, the Call for Review is based on the following reasons or justifications, which we believe are sufficient for Council to review the Planning Board's findings and reverse the Planning Board's decision, in whole or in part, thus rescinding/denying, modifying, or clarifying the Resolution of the Planning Board of the City of Alameda approving application #PLN24-0059, a use permit to allow outdoor research and development, and outdoor storage, and design review for an approximately twenty-five foot tall, 5,500 square foot hydraulic test facility on the north side of building 23 at 2401 Monarch Street.

A. Insufficient Notice. It appears that the City failed to provide sufficient notice to the City's long-term tenants within 300 feet of the subject property, including directly across the street. At the Planning Board hearing, Building 43 Winery (2440 Monarch St.), the City's long-term tenant across the street from the subject property, shared that the City emailed them the Thursday (April 18, 2024) before the Monday Planning Board meeting (April 22, 2024), which they didn't open until the day of the hearing, as the weekends is when their business operates and that they didn't receive mailed notice. Here, the City knows that Building 43 has recently attended multiple City Council meetings opposing the views being blocked by incoming City tenant Gold Bar Whiskey, moving into the former Hangar One Vodka space, the building adjacent to Natel (Building 22, 2505 Monarch St.). At the Planning Board meeting, City Staff responded that notice was provided to property owners of which not many, including Natel but was silent in regards to the City's long-term tenants within 300 feet. Subsequently, Staff has shared that they mailed notice to tenants addressed to "current occupant," but not the names of the tenants.

B. The additional equipment will significantly block views of the San Francisco skyline from the City's long-term tenants across the street from subject property (e.g., Building 43 Winery), of which the views are a significant part of the value of the leases. For example, Building

43 Winery has tables on their outside deck facing the San Francisco skyline, where patrons can enjoy the S.F. views. Many customers enjoy the decks and views. The projected height of some of new equipment is 25 feet.

C. The existing outdoor equipment at Natel was never permitted by the City. When asked about that at the Planning Board meeting, Staff responded that it's "legal non-conforming," (i.e., it was legal when created or built but would now be prohibited or restricted under current zoning regulations or building codes) but offered no explanation for the use of that term here. What does that mean here? As it's adjacent to the protected Least Tern Colony, an endangered species, there are US Fish and Wildlife Services (USFWS) requirements re sound/noise, heights, glare, etc. and the Biological Opinion. The City did not require Natel to properly permit the current structure. Does it meet the USFWS requirements to protect the Least Tern Colony, an endangered species. When being used, the equipment also emits a resonant frequency which produces a physical vibration (as opposed to an audible noise); that has not been discussed/considered. During the Planning Board meeting, sound readings were discussed (and it appears that they were not confirmed by a 3rd party and not reviewed by USFWS) but there was no discussion of the resonant noise. What official (3rd party) tests have been conducted to ensure that the sounds and resonant frequency emitted comply with the USFWS and Biological Opinion requirements? Discussion here to issue new one referenced that the current one has not had any complaints from the public and additional one will be similar, so must be okay and no confirmation was required by the Planning Board or City. Additionally, Building 43 Winery took possession of 2440 Monarch Street in June 2014, and their lease (10 years with two 5 year options) began Oct. 2014. Natel took possession a year later in Nov. 2015, and the subject side yard was vacant at that time. See pic attached. Natel added the unpermitted existing structure after the building was bought, approximately 2017. Thus, Natel added the unpermitted structure years after the City entered into the long-term lease with Building 43 Winery, obstructing 43's views without permits.

The Planning Board made these findings which should be reviewed by Council:

1. The project was categorically exempt from additional environmental review pursuant to CEQA Guidelines Section 15332 – infill development, and finds that none of the exceptions to the categorical exemptions apply. However, here, there were no structures like this historically between the hangars and fails to confirm complies with requirements to protect the Least Tern Colony.
2. 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. Here, not compatible with the Spirits Alley uses, as it blocks the views, and fails to confirm complies with requirements to protect Least Tern.
3. The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have substantial deleterious effects on existing business districts or the local economy. Here, negatively affects the value of the City's long-term leases and properties related to Spirits Alley and fails to confirm complies with requirements to protect Least Tern Colony.
4. The proposed use relates favorably to the General Plan and the purpose of the Alameda Point Zoning District. Here, it fails to balance the needs of the properties related to Spirits Alley and confirm complies with requirements to protect Least Tern Colony.
5. The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual. Here, fails to properly balance the needs of the properties related to Spirits Alley and confirm complies with requirements to protect Least Tern Colony.
6. 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. Here, negatively affects Spirits Alley properties as it blocks views of S.F. skyline.
7. View Maximization: Owner/applicant shall not place any permanent structures or permanent storage containers, including but not limited to shipping containers or water tanks, in the northeast corner of Area 5 in the Lot Use Area Diagram included in the attached plans. Such area shall be defined as the area between the existing fence line on the north side of the property and a parallel line 30 feet from the north wall of Building 32 and within 50 feet of the front (east) fence line. This area can still be used for short-term staging of materials, parking, staging of waste collection containers and other temporary uses for up to *seven (7)* days per instance. To the maximum extent possible, owner/applicant should utilize the areas on the western portion of the site for staging of materials and other short-term uses to maximize views from Monarch Street. Here, this needs clarification. Seven days a month, a year, etc., or temporary use for 7 days then not for one day, then again for seven days, etc.? The Planning Board and City Staff were clear that they want to not obstruct the views as much as possible and keep the area clear as much as possible. Council needs to clarify this.
8. The Biological Opinion was not attached/linked to Staff's report even though referenced multiple times. It should have been linked so everyone knew the requirements and could appropriately consider.
9. 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. Here, negatively affects Spirits Alley buildings as it blocks views of SF Bay and skyline. Also, no other outside structures like this in this area.

For the foregoing reasons, Council should review this Use Permit and Design Review.

Thank you for your consideration.

4/7/2016

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Exhibit 2

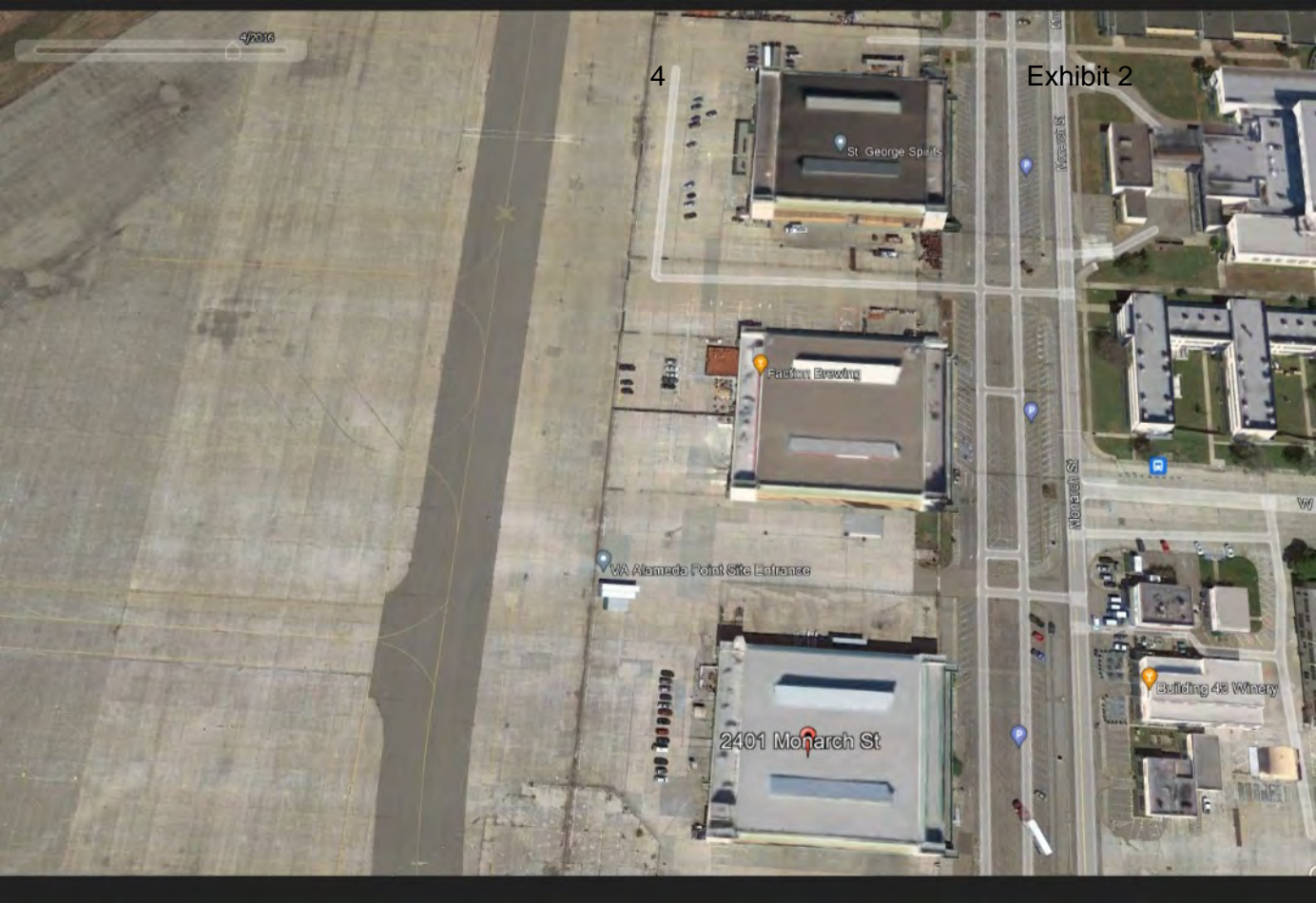
St. George Sports

Packery Brewing

VA Alameda Point Site Entrance

2401 Monarch St

Building 48 Winery









CITY OF ALAMEDA PLANNING BOARD
RESOLUTION PB-24-07

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING APPLICATION #PLN24-0059, A USE PERMIT TO ALLOW OUTDOOR RESEARCH AND DEVELOPMENT, AND OUTDOOR STORAGE, AND DESIGN REVIEW FOR AN APPROXIMATELY TWENTY-FIVE FOOT TALL, 5,500 SQUARE FOOT HYDRAULIC TEST FACILITY ON THE NORTH SIDE OF BUILDING 23 AT 2401 MONARCH STREET.

WHEREAS, an application was made on February 12, 2024 by Gregor Cadman on behalf of Natel Energy for a Use Permit and Design Review to allow outdoor research and development, outdoor storage and construct an approximately twenty-five foot tall, 5,500 square foot hydraulic test facility at 2401 Monarch Street; and

WHEREAS, the application was deemed complete on April 4th, 2024; and

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

WHEREAS, the subject property is located in the AP-AR, Alameda Point – Adaptive Reuse Zoning District; and

WHEREAS, the Planning Board held a duly noticed public hearing for the project on April 22, 2024 and examined pertinent maps, drawings, and documents;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds this project categorically exempt from additional environmental review pursuant to CEQA Guidelines Section 15332 – infill development, and finds that none of the exceptions to the categorical exemptions apply; and

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

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.** As conditioned, the proposed outdoor hydraulic test facility and associated outdoor research and development, and outdoor storage uses are compatible with the wide variety of commercial and business uses found at Alameda Point in the NAS Alameda Historic District. The Use Permit is conditioned to minimize clutter and maximize vistas toward San Francisco Bay from Monarch Street and ensure the proposed use is harmonious with the surrounding development.
2. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The facility is located on Monarch Street, classified as a Business Commercial Street in the General Plan,

with no barriers to access. AC Transit's line 96 serves Alameda Point and stops across the street. The site has ample off-street parking available and easy access. Therefore, the proposed use is served by adequate transportation and service facilities, including pedestrian, bicycle, and transit facilities.

3. **The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have substantial deleterious effects on existing business districts or the local economy.** The proposed outdoor hydraulic test facility and associated outdoor research and development, and outdoor storage uses are critical to the ongoing success and expansion of Natel Energy. As conditioned, the use will not adversely affect other property in the vicinity. As an Alameda-born anchor tenant at Alameda Point, Natel Energy's success will continue to demonstrate that Alameda Point is a hub of innovative, clean energy and other climate-friendly technology companies which will have beneficial effects on businesses in the area by bringing high paying jobs and new employees to the area daily that will patronize local businesses.
4. **The proposed use relates favorably to the General Plan and the purpose of the Alameda Point Zoning District.** Approving this use is consistent with Alameda General Plan goals and policies. General Plan policy LU-13, Green Economy, calls for promoting a green economy. Natel's fish-friendly hydropower turbines help create zero-emission electricity while protecting migratory fish. The proposed use furthers General Plan policy LU-21, Alameda Point Adaptive Reuse Sub-District, by supporting preservation and investment in the NAS Alameda Historic District.

BE IT FURTHER RESOLVED, that the Planning Board makes the following findings relative to the Design Review application (AMC Section 30-37.5):

1. **The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual.** The proposed hydraulic test facility and ancillary equipment are consistent with the General Plan. The project furthers General Plan policy LU-13, which calls for promoting a green economy. Natel's fish-friendly hydropower turbines help create zero-emission electricity while protecting migratory fish. The project also furthers General Plan policy LU-21, Alameda Point Adaptive Reuse Sub-District, by supporting preservation and investment in the NAS Alameda Historic District. The project is consistent with the Alameda Point Zoning District, and meets the criteria in Alameda Municipal Code (AMC) Section 30-4.24.b. The hydraulic test platform is equipment that supports the research and development use at the site. The equipment requires a building permit for life safety purposes and is therefore subject to Design Review. However, the Citywide Design Review Manual does not contemplate or provide guidance for this type of structure. No modifications to Building 23 are proposed as part of this project and the improvements constructed as part of the test facility can be easily removed in the future if the use changes.
2. **The proposed design is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses.** Building

23 is a contributing structure to the NAS Alameda Historic District and no modifications to the hangar are proposed as part of this project. The design of the hydraulic test facility is appropriate for the site. It is located and designed to minimize visual impacts, including minimizing outdoor storage and locating as much equipment as feasible adjacent to the hangar doors of Building 23 to maximize views towards San Francisco Bay from the public right of way. The scale of the equipment is similar to other light industrial and research and development users at Alameda Point as well as with the historic use of the site as an active naval air station. The property is required to maintain an access easement along the northern property line where no structures or equipment can be located, preserving visual access to San Francisco Bay indefinitely.

3. **The proposed design of the structure(s) and exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development.** The proposed structures are consistent with the surrounding development, which includes a row of former aircraft hangars that served as maintenance, repair, storage and test facilities at the former NAS Alameda; and

BE IT FURTHER RESOLVED, that the Planning Board approves Use Permit and Design Review application PLN24-0059 to establish a Use Permit to allow outdoor research and development, and outdoor storage, and approve Design Review for an approximately twenty-five foot tall, 5,500 square foot hydraulic test facility on the north side of the building 23 at 2401 Monarch Street, subject to the following conditions:

1. Approved Uses: This Use Permit approves, with conditions, outdoor storage and outdoor research and development associated with the proposed hydraulic test facility as shown in the attached plans, dated 4/3/24 and on file with the Planning, Building and Transportation Department. The hydraulic test facility consists of:
 - a. Recirculating Aquaculture System to hold various fish species.
 - b. Small Scale Hydraulic Test Facility (“Miniloop”) with modified shipping container, reservoir, pump, turbine, piping and controls infrastructure.
 - c. Large Scale Hydraulic Test Facility (“Big Loop”) with multiple 20,000+ gallon reservoirs, pumps, turbines, piping, and controls infrastructure.
 - d. Water Storage Tanks.
 - e. Compressor Storage Container with sound dampening materials.
2. Building Permit Conditions: These conditions shall be printed on the first page of all 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 changes to the approved

scope of the project shall be submitted to the Planning, Building and Transportation Department for review and approval.

4. Biological Opinion: Applicant/owner shall comply with the Biological Opinion issued by U.S. Fish and Wildlife to protect the endangered least tern colony, including:
 - a. No new structures greater than 4 feet in height shall be constructed in “Zone 1,” as defined by the Biological Opinion, which includes areas on the property to the west and south of Building 23.
 - b. In Zone 2, as defined by the Biological Opinion, which includes the operational area on the north side of Building 23, anti-perching devices shall be used on structures and permanently installed equipment over 20 feet tall and within line of sight of the existing least tern colony.
 - c. During the least tern breeding season (April 1 to August 15), operation of the test equipment may not result in an increase in the ambient noise level at the least tern colony by more than 10 percent over the baseline established in the most recent least tern monitoring and management report (55 decibels in March 2009).
5. View Maximization: Owner/applicant shall not place any permanent structures or permanent storage containers, including but not limited to shipping containers or water tanks, in the northeast corner of Area 5 in the Lot Use Area Diagram included in the attached plans. Such area shall be defined as the area between the existing fence line on the north side of the property and a parallel line 30 feet from the north wall of Building 32 and within 50 feet of the front (east) fence line. This area can still be used for short-term staging of materials, parking, staging of waste collection containers and other temporary uses for up to seven (7) days per instance. To the maximum extent possible, owner/applicant should utilize the areas on the western portion of the site for staging of materials and other short-term uses to maximize views from Monarch Street.
6. Streetscape Maintenance: Owner/applicant shall maintain a clean and tidy operations yard, free of trash and debris, especially within 50 feet of the building frontage/front fence line to present an attractive streetscape that invites passersby to enjoy the views of the intricate testing equipment on site and the views beyond.
7. Noise: Operations shall comply with the Alameda Noise Ordinance (AMC Section 4-10) and the maximum allowable noise levels in Section 4-10.4.b.
8. Lighting: No new permanent exterior lighting may be installed without prior ministerial approval of the Planning Director to ensure compliance with the Dark Sky Ordinance and the Biological Opinion.
9. Fire Lane: Owner/applicant shall stripe an Aerial Fire Apparatus Access Road on the south side of Building 23 with a minimum unobstructed width of 26 feet parallel to the entire side of the building not less than 15 feet and not greater than 30 feet from the building to the satisfaction of the Fire Marshal.

10. Drainage:

- a. The applicant shall be responsible to maintain access to and function of existing storm drain lines that run onto and/or through the applicant's property.
- b. 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. Stormwater, including roof drainage, shall not be directed across sidewalks or driveways.

11. Stormwater Quality Protection and Treatment:

- a. Prior to use of the newly permitted facility, Natel shall self-assess the applicability of the State's General Industrial Stormwater Permit to the Natel facility operations at 2401 Monarch Street. https://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.html.
- b. Prior to use of the newly permitted facility, provide City of Alameda Public Works (PW) Engineering and Clean Water staff with
 - i. Natel's Standard Industrial Classification (SIC) code for the 2401 Monarch facility and
 - ii. Written verification of the results of the self-assessment, as above, and the applicability of the State General Industrial Stormwater Permit to the Natel operations.
- c. Prior to the use of the newly permitted facility, provide City of Alameda PW Engineering and Clean Water staff with a copy of:
 - i. If the site is subject to a State General Industrial Stormwater Permit, provide both the Natel WDID# and SWPPP, prepared in compliance with the application requirements of the State General Industrial Stormwater Permit.
 - ii. The SWPPP or a revised Natel "Spill, Leak and Water Management Plan" that presents and discusses comprehensive operational practices, procedures, and equipment to effectively prevent and contain all potential discharges or the release of any water, waste water, and/or other materials from the operations and/or maintenance of Permit-subject facility to the pavement onsite or offsite or to the local storm drain inlets in the vicinity of the Natel facility.
 1. A spill response plan, including a possible containment system or response team and procedures to contain large

spills on site.

2. Required maintenance of all systems to prevent leaks and spills, including scheduled inspections, oversight and staff training.
 3. Standard procedure should not include discharging water to the ground for evaporation. Discharging commercial/industrial water/wastewater/and waste to the ground or to the City's storm drainage system, including streets, curbs and gutters and storm drain inlet is prohibited.
- d. During the project installation phase, applicant shall incorporate appropriate means and methods to prevent the discharge of any pollutant sources that may impact stormwater or enter the City's storm drainage system.
 - e. The Applicant 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.

12. Sewer and Water:

- a. 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.
- b. Existing Sewer: The applicant/developer shall be responsible to maintain access and utility services to the existing buildings within Alameda Point to the satisfaction of the Deputy Public Works Director.
- c. The Applicant shall secure all necessary permit approvals from EBMUD regarding the installation of all water service for the project or discharge of wastewater.

13. Solid Waste:

- a. 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.

- b. 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.
- c. 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.

14. Expiration: The Use Permit shall expire two (2) years, and Design Review 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.

15. Revocation: This Use Permit may be modified or revoked by the Zoning Administrator, pursuant to Alameda Municipal Code Section 30-21.3d should the Zoning Administrator determine that: 1) the use or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity; 2) the property is operated or maintained so as to constitute a public nuisance; or 3) the use is operated in violation of the conditions of the Use Permit.

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

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

NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code section 66020(d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of

the dedications, reservations and exactions. The Applicant is hereby further notified that the 90-day appeal period, in which the Applicant may protest these fees and other exactions, pursuant to Government Code section 66020(a) has begun. If the Applicant fails to file a protest within this 90-day period complying with all requirements of section 66020, the Applicant will be legally barred from later challenging such fees or exactions.

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

* * * * *

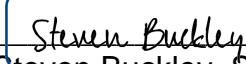
I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 22nd day of April 2024, by the following vote to wit:

AYES: (5) Ariza, Hom, Cisneros, Ruiz, Tsou and Wang

NOES: (0)

ABSENT: (2) Saheba,

ATTEST:

DocuSigned by:

Steven Buckley, Secretary
City of Alameda Planning Board



Alameda Planning Board
April 22, 2024



Who we are

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Exhibit 2

Natel is a technology and engineering company working to support healthy rivers, promote biodiversity, and decarbonize the grid.



GIA SCHNEIDER
CEO, co-founder



ABE SCHNEIDER
CTO, co-founder



KIZZIE BROWN
CFO



GREGOR CADMAN
COO, VP Engineering



Member of Alameda Point for 15 Years

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Exhibit 2

Oakland Estuary

Building 19
2010 - 2015

Building 400A
2014 - 2015

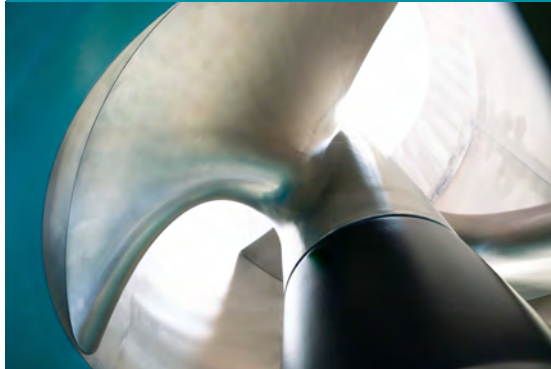
Building 23 2015 - Present

Purchased in 2018

Facility is used for
engineering, R&D, and
testing

Natel specializes in data-driven hydraulic design of FishSafe™ hydropower turbines.

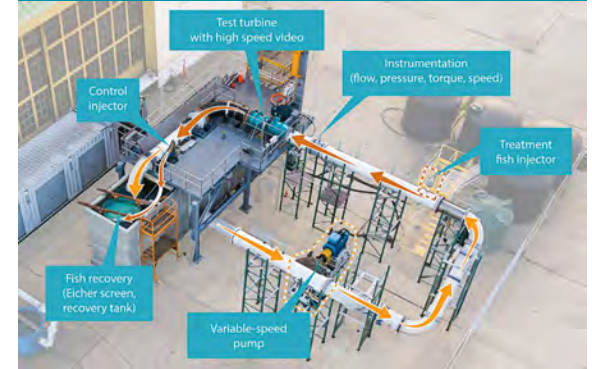
FishSafe™ Turbine Design



Engineering Services



Lab Testing: Scale model performance & fish passage



Hydropower is the backbone of a carbon-free grid

With the ability to keep the lights on when the wind doesn't blow and the sun doesn't shine hydropower is an essential dispatchable renewable resource. The IEA calls for adding 50GW of hydro annually by 2030 to limit warming to 1.5°C.

The problem

Half of the global hydro fleet is over 40 years old & in need of new turbines.

Hydropower plants intersect with fish migrations, and 1 in 5 fish passing through a conventional turbine is killed.

The solution

Natel FishSafe™ turbines can repower the existing fleet while enabling 98–100% survival of fish passing through — keeping critical hydro resources online and preserving aquatic biodiversity.

Innovation and leadership ²¹

- Multiple U.S. Department of Energy grants including both completed and upcoming tests utilizing Natel's lab
- 4 groundbreaking journal publications, with more on the way
- Partnerships with U.S. and international turbine manufacturers
- Relationships with leading NGOs and fisheries regulators
- Numerous awards including Cleantech Breakthrough 2024 Hydropower Solution of the Year and finalist for the upcoming Reuters Global Energy Transition Award
- A major contract from a U.S. utility to address eel passage is prompting an expansion of lab capability



AMERICAN HYDRO



AMERICAN RIVERS



Pacific Northwest
NATIONAL LABORATORY



North American Journal of
Fisheries Management

Transactions of the
American Fisheries Society

Fish Conservation Physiology Lab
University of California, Davis

Innovation and leadership²²

Exhibit 2



“Natel’s turbine [is] the **first in the industry** to enable **safe fish passage** for **large and small fish** while meeting **high performance metrics** and **matching standard installation configurations**, and demonstrates significant progress in efforts to preserve biodiversity while advancing renewable energy production.”

—DOE Office of Energy Efficiency & Renewable Energy

[Large US Utility] has selected the technology that it believes will provide **safe, timely and effective downstream passage** of eels. Currently negotiations are ongoing with American Hydro for construction and installation of a **turbine designed by Natel Energy**.

—[Large US Utility], one of the top 10 electric utilities in the United States

Logo not shared to comply with customer preference

Lab Equipment

Natel's outdoor equipment enables performance testing of our industry-leading turbine designs.

- Will be the only U.S. owned IEC compliant hydraulic lab
- Has partnered with DOE, Pacific Northwest National Laboratory, and U.C. Davis to conduct studies
- Is core to Natel's ability to innovate and deliver on utility contracts

Outdoor operations help Natel balance space and access constraints.

Natel is sensitive to view concerns and is minimizing the presence and blockage of outdoor equipment.



Community Engagement ²⁴



Trash Cleanup on the Point



Save the Bay



Friends of Sausal Creek



Watershed Project



REAP Climate Center



Support

Natel's business aligns with our town's long-term sustainability goals and environmental objectives. By supporting Natel we can set a positive example for neighboring communities and contribute to broader efforts to combat climate change on a global scale.

- **David Mik, President**
Power Engineering Construction



Natel Energy presents an innovative approach to addressing our energy needs while simultaneously reducing our carbon footprint and ensuring ecological biodiversity and river connectivity. Their commitment to harnessing renewable resources aligns perfectly with Alameda's values of environmental stewardship and forward-thinking development.

- **Joe Ernst, Managing Principal**
SRM Ernst Development Partners



Embracing sustainable energy solutions is essential for mitigating environmental concerns and fostering economic growth and resilience... The City approved the sale of Building 23 to Natel's investors years ago and should continue to support their growth in Alameda.

- **Malden Saddik, CEO**
Alameda Chamber & Economic Alliance



Support

Natel Energy is a leader in the development of fish-safe hydro turbines, and their test facility in Alameda is key to their leadership and innovation... their test facility is unique and valuable within the hydropower industry nationally and internationally.

- **Dr. Zhiqun (Daniel) Deng**
Pacific Northwest National Laboratory



Natel is an asset to Alameda Point... In approving the expansion of their use permit, we can not only advance cutting-edge research and development but also demonstrate our city's leadership in promoting renewable energy solutions, ones that account for long term ecological balance.

- **Margaret Su, Owner / CEO**
The Prep Station



As an advocate for climate action, biodiversity preservation, and the holistic growth of Alameda's economy and community, I take immense pride in Natel's contributions to Alameda. Moreover, as a parent of two small children here in Alameda, I find solace in the prospect of nurturing a generation of environmentally conscious individuals inspired by the collective efforts of climate-focused enterprises in our town.

- **Matt Kreutz, CEO**
Firebrand



Firebrand

I'm writing to express support for Natel's use permit application to expand their testing facility at their offices on Alameda Point. Natel is a leader in the hydropower industry advancing the science around how to design fishsafe turbines that help restore critical corridors through rivers for fish and other aquatic life, while enabling reliable, renewable energy from hydropower.

With over half of the United States hydropower fleet over 50 years old and in need of modernization, Natel's turbines present an opportunity to integrate enhanced environmental performance with the necessary cost of repowering.

The work that Natel does on their test facility in Alameda is critical to provide the rigorous test data that we and other environmental NGO's need to see to have confidence in their innovative designs. Natel has a robust track record of engaging with the environmental community, and I hope you approve the expansion of their test facility.

- **Curtis Knight, Executive Director
California Trout**





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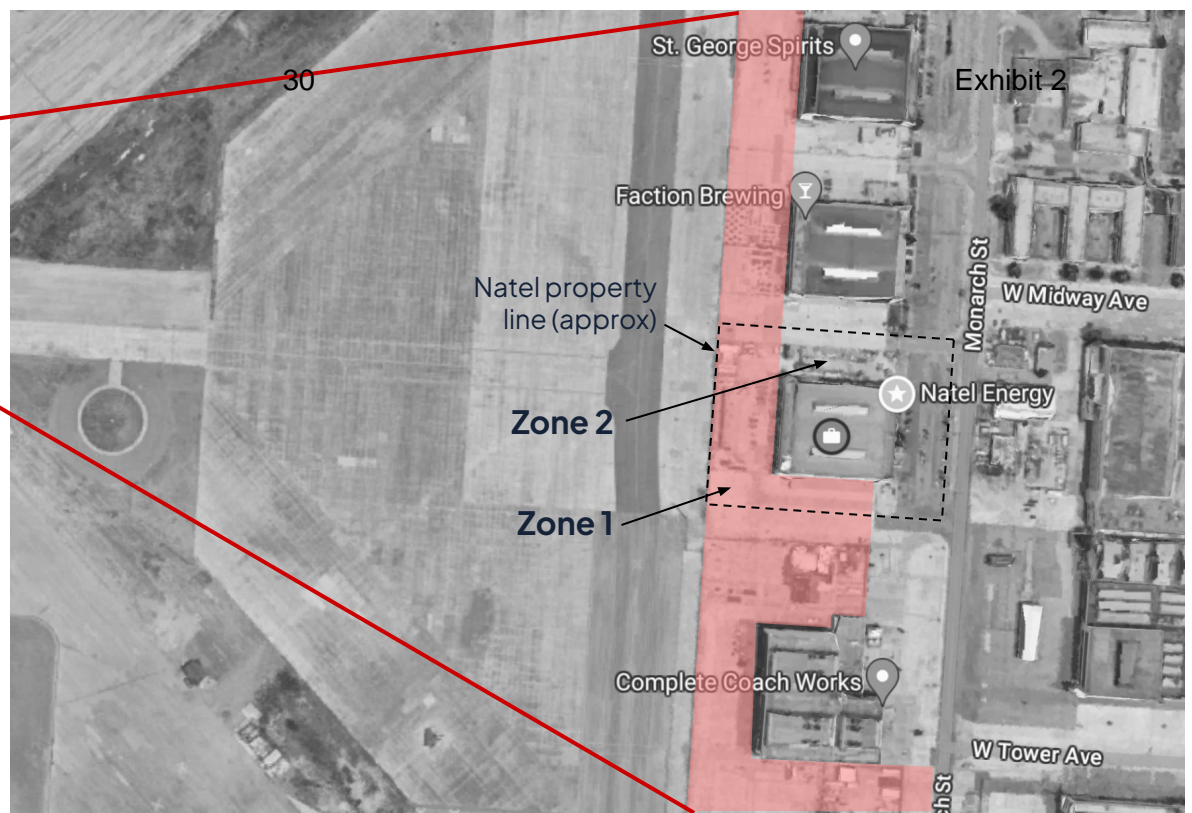
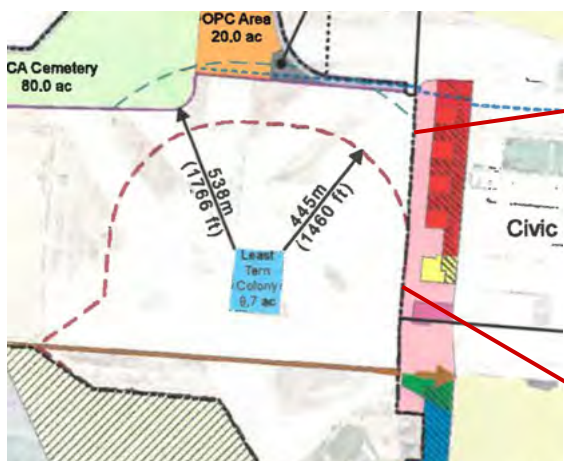


Exhibit 2

Working to create a planet where a reliable, zero-carbon grid is balanced with a thriving natural environment.



BACKUP



USFWS

81420-2009-F-0952-4

Figure 1, Building Development Zones (above)

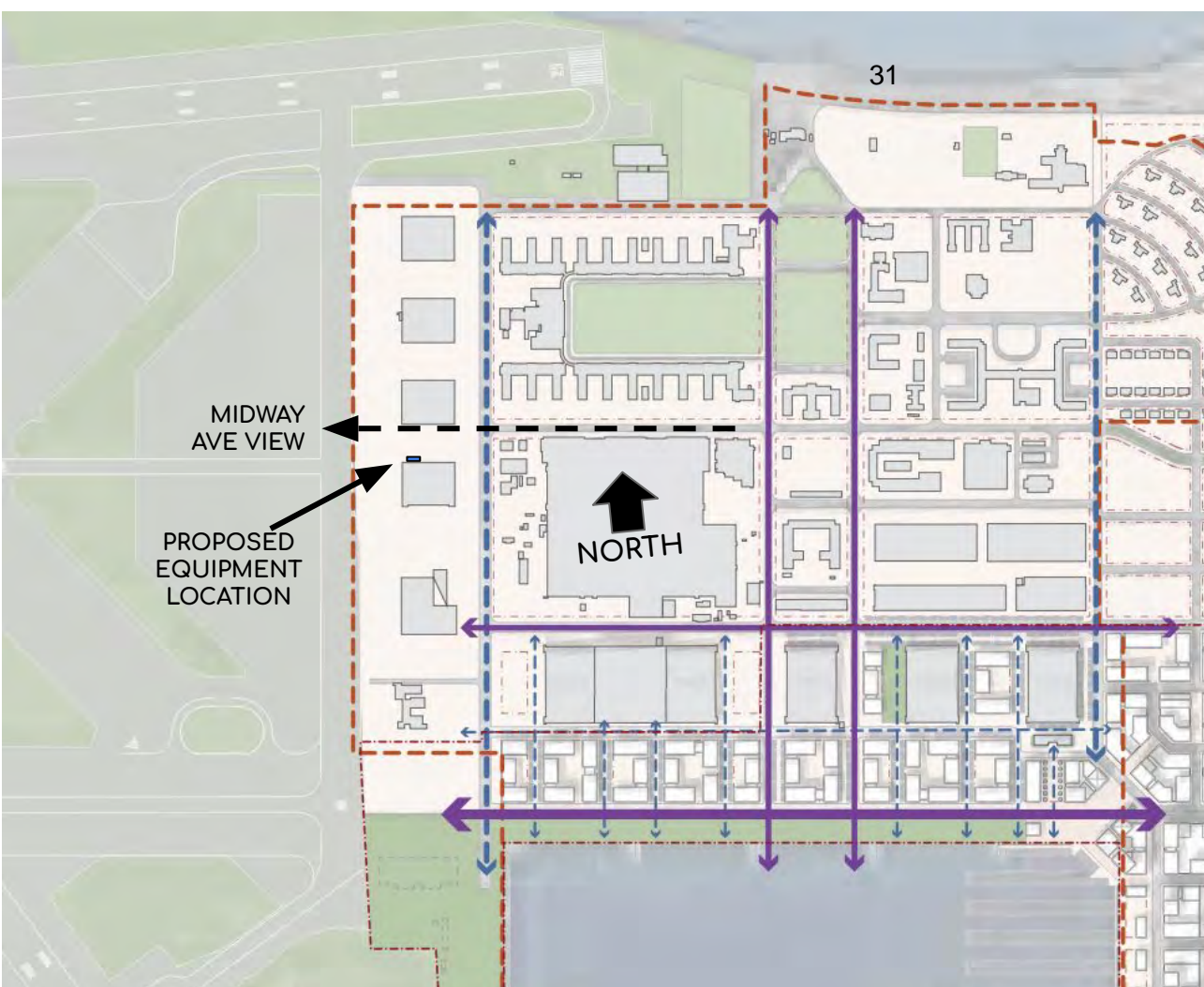
Zones 1 and 2 reproduced on a Google Maps image (right)

Zone 1: no new buildings... greater than 4 feet in height without prior approval from the Service.

Zone 2: area of allowed future development. Any new buildings constructed or extensions of existing buildings shall not exceed the height of the existing buildings.

IMAGE SOURCE: CITY OF
ALAMEDA, ALAMEDA POINT
PRECISE PLAN

Exhibit 3













36

23

Exhibit 2



NATEL ENERGY – DESIGN REVIEW & USE PERMIT PLN24-0059

PLANNING BOARD
APRIL 22, 2024

PROJECT PLANNER: BRIAN MCGUIRE





Confidential, Natel Energy Inc. Not for distribution beyond intended recipient.

UNAVAILABILITY VIEW, FACING SOUTH. PHOTOGRAPHED. v.3 MONARCH STREET (B23) IN BACKGROUND.

2024 NATEL ENERGY INC.
 GREGOR CADMAN, C.O.O.
GREGOR@NATELENERGY.COM
 617.413.0778

NATEL ENERGY: DESIGN REVIEW & USE PERMIT

2401 Monarch Street – Building 23

Use Permit:

- Outdoor research & development
- Outdoor storage

Design Review:

- Expansion of existing hydraulic test facility
 - Building permits required > triggers DR

Recommendation:

- Approve with conditions





NATEL ENERGY

Designs fish-safe hydro turbines

- Innovative “clean tech” company
- Emissions-free electricity
- Protects migratory fish

14 years @ Alameda Point

- Building 23 since 2015
- Purchased in 2018



BUILDING 23 & NAS ALAMEDA HISTORIC DISTRICT

- Zoning: Alameda Point – Adaptive Reuse
- Contributing structure to NAS Alameda Historic District
- No proposed modifications to existing hangar building
- No HAB review: does not modify/alter any character defining elements
- CEQA exempt: Infill development

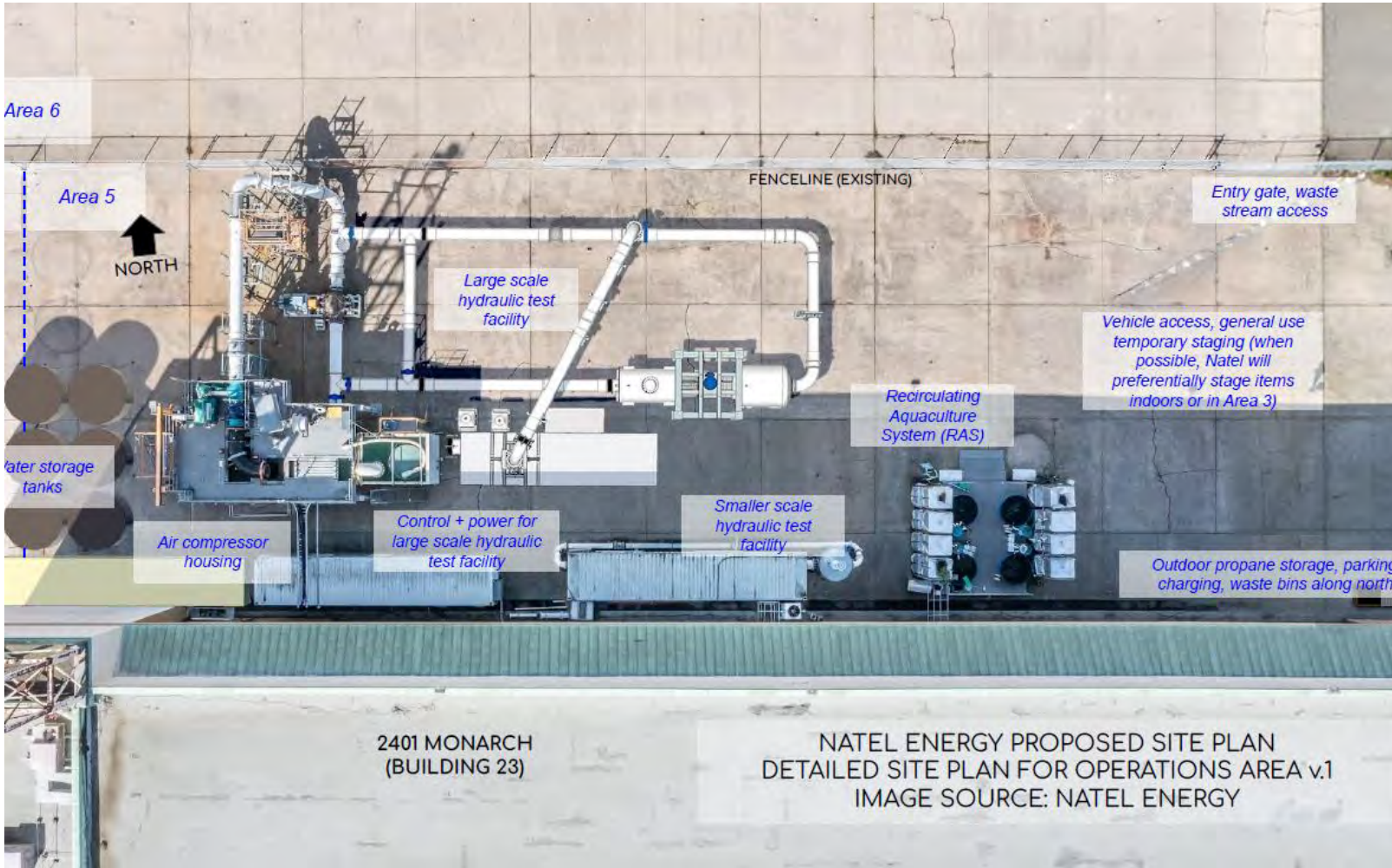


EXISTING OUTDOOR OPERATIONS

- Research & development
 - “Mini Loop” – small scale test facility
 - “Big Loop” – large scale test facility
 - Support equipment – compressors, control room, etc.
 - Recirculating Aquaculture System
- Equipment staging and assembly
- Outdoor storage, including water tanks

PROPOSED EXPANSION OF HYDRAULIC TEST FACILITY

- ~Double footprint of “Big Loop”
- Dramatically reduce outdoor storage (in progress)
 - Improve “curb appeal”
 - Increase views of SF Bay from Monarch St.
- AMC Section 30-4.24: outdoor operations = Use Permit



Economic Development Strategic Plan

JULY 2018



ECONOMIC DEVELOPMENT

- Supporting innovative companies – especially clean energy
- Alameda Point as hub of innovative startups
- Economic Development Strategic Plan
 - Clean/Green Tech
- Expansion key to Natel's success
 - Major utility award
 - ~\$700k investment
 - Employment growth

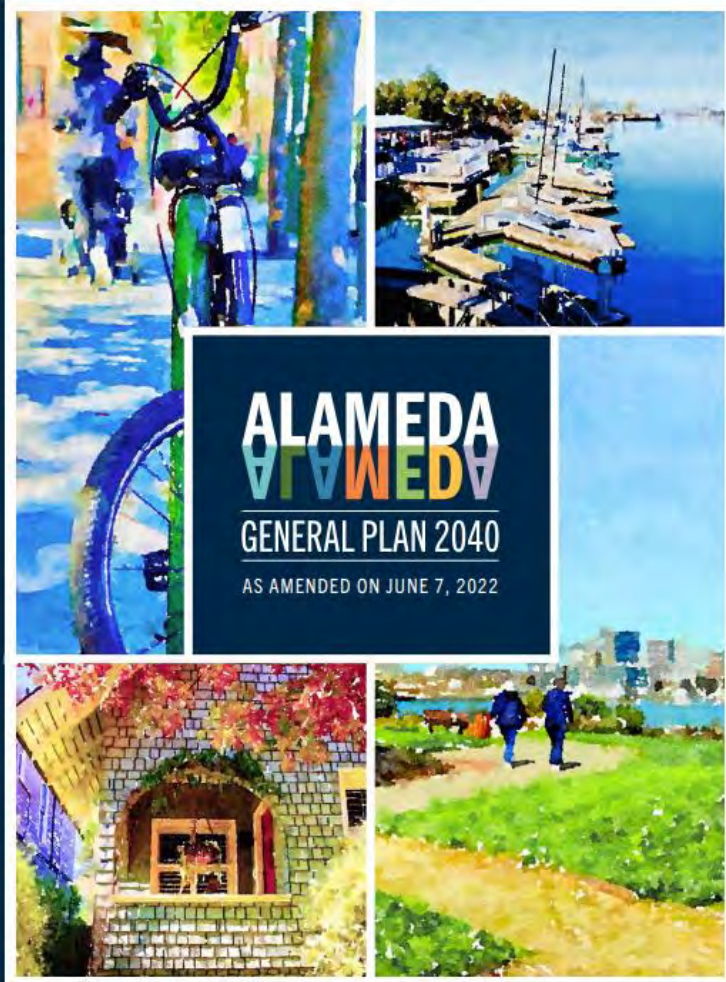


LEAST TERNS & USFWS BIOLOGICAL OPINION

- Dictates site planning
- Nothing over 4 ft. in Zone 1
 - West & south of Bldg. 23
- North side is Zone 2
 - Only viable location for test platform

CONSISTENT W/ PLANS & POLICIES

- Green Economy (LU-13)
- Preservation & Investment in Alameda Point Adaptive Reuse Sub-District / NAS Alameda Historic District (LU-21)
- Alameda Point Zoning – support R&D
- Design Review:
 - No changes to historic building
 - Reversible if use changes





NEIGHBORHOOD COMPATIBILITY

- Balances mission critical elements w/ desire for attractive & inviting environment
- Conditions maximize view opportunities & open feel of Spirits Alley
- Existing easement (pictured)
- Equipment is consistent w/ other Alameda Point tenants & historic use of NAS

CHARACTER-DEFINING FEATURES

AREA 3

Airfield and
Landplane Hangars

LEGEND

1 Spatial Organization

6 Views and Vistas

8 Vegetation

9 Circulation

34 Structures, Furnishings &
Objects

10 Water Features

--- Historic District Boundary

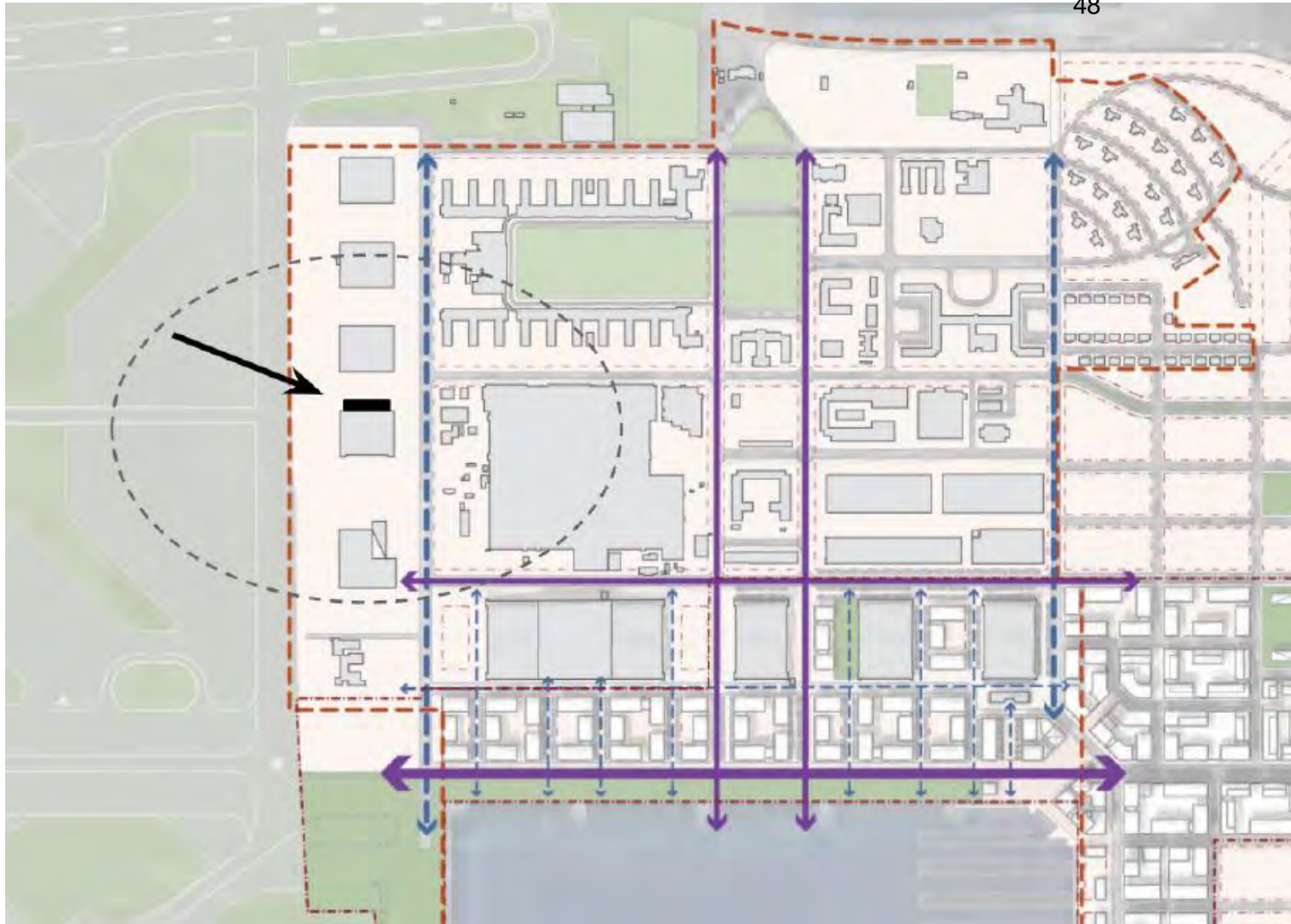


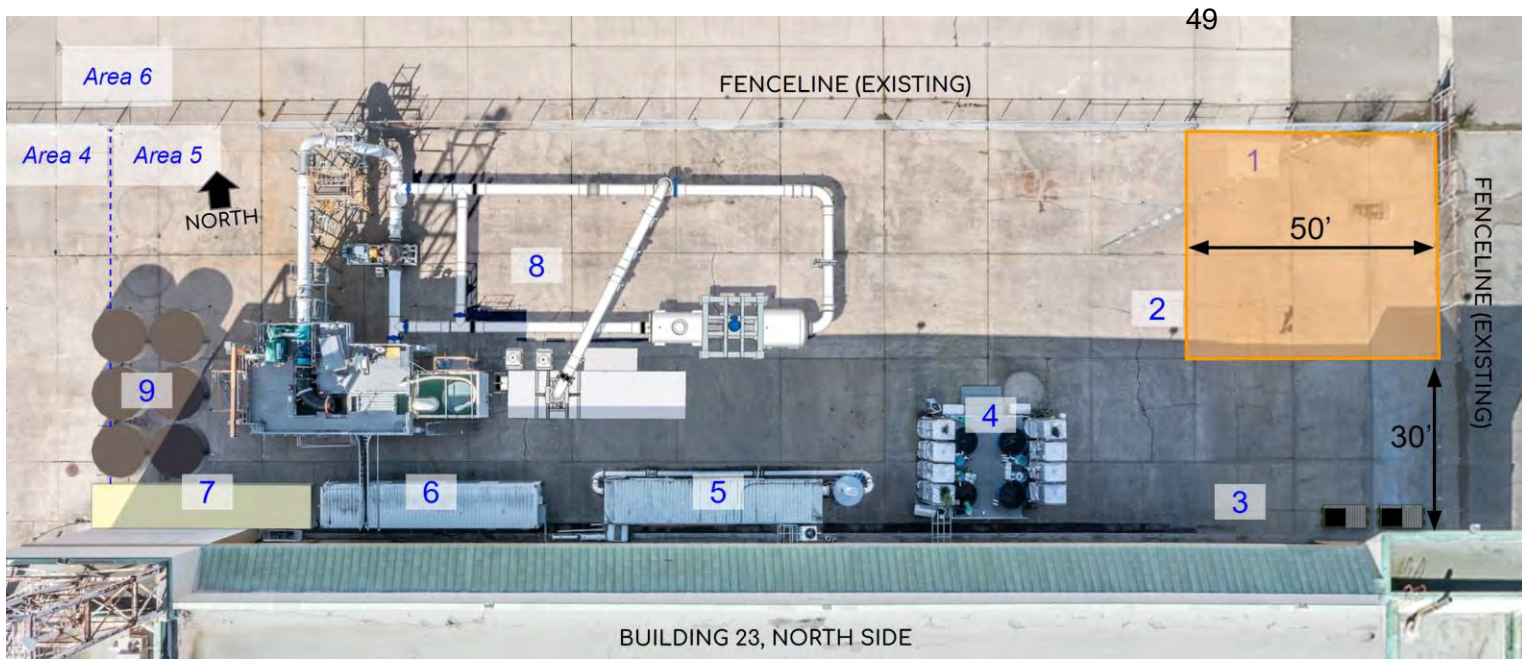
Historic District Planning Through the Years

- Woodbridge report: Historic Architectural Resources Inventory for NAS Alameda (1992)
- Guide to Preserving the Character of the NAS Alameda Historic District (1997)
- Specific Building Survey & Evaluation (2011)
- **Cultural Landscape Report (April 2012)**
- National Register Nomination (July 2012)
- AP EIR & Zoning (2014)

VIEWS

- Town Center & Waterfront Park Precise Plan
 - W. Tower hangars
 - View corridors & roadways
- W. Midway
 - Aligns w/ south edge of Bldg. 22
- Existing easement
- Biological Opinion





VIEWS (CONTINUED)

- No Build Area
- Increases “viewing angle” to Bay
- Southern side of Building 23 likely to remain undeveloped due to Biological Opinion





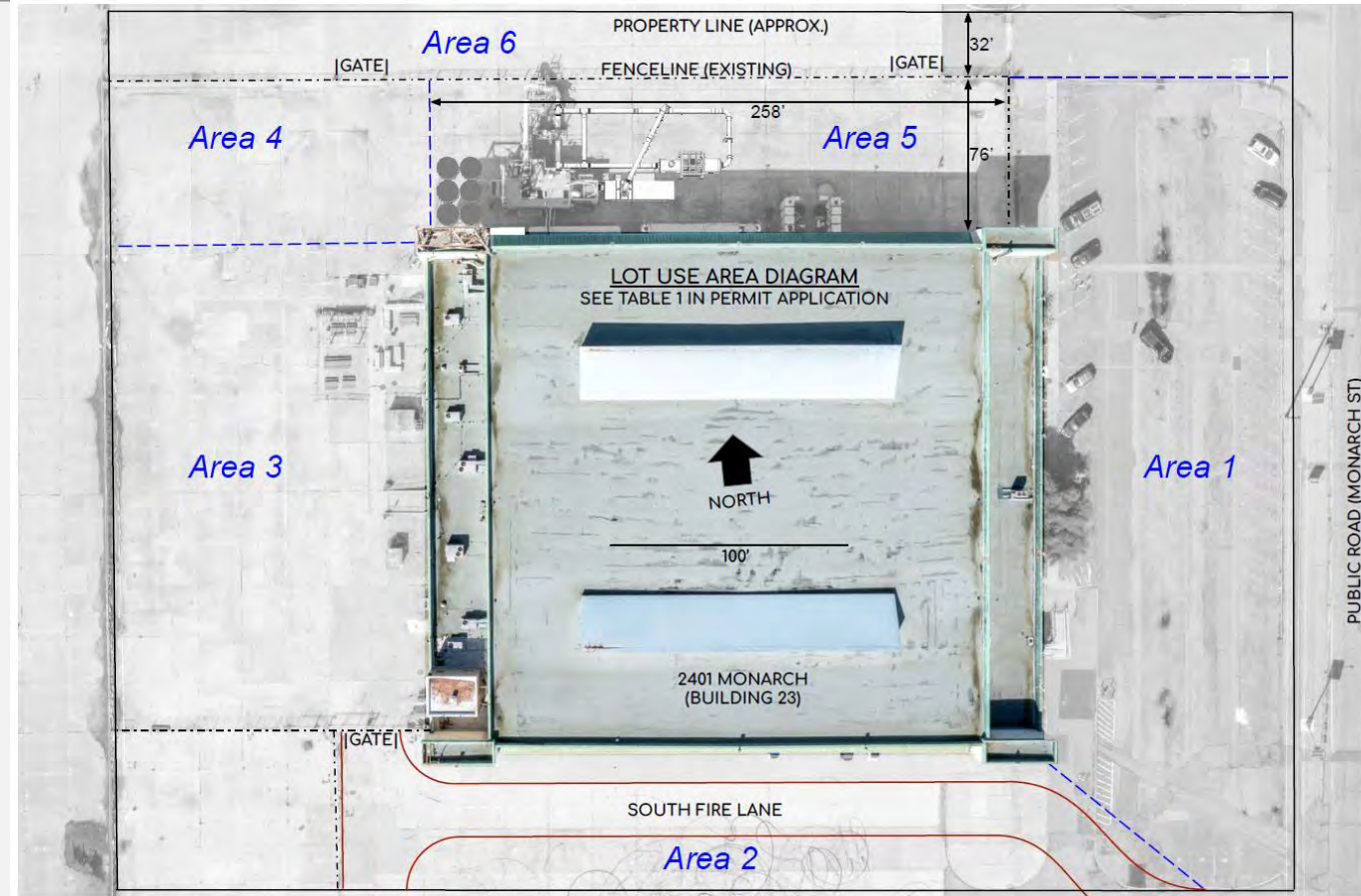
SCREENING FOR FISH TANKS?

DRAFT APPROVAL CURRENTLY INCLUDES WOOD SCREENING FOR RECIRCULATING AQUACULTURE SYSTEM



RECOMMENDATION

Adopt the Draft Resolution (Exhibit 3) to approve a Use Permit & Design Review to allow outdoor research and development, and outdoor storage, and an approximately 25-foot tall, 5,500 square foot hydraulic test facility on the north side of Building 23 at 2401 Monarch Street.





PLAN VIEW, NORTH UP.
PROPOSED. v.3 Exhibit 2
2401 MONARCH STREET (B23) IN
LOWER FRAME.

QUESTIONS?



ADDITIONAL SLIDES



Biological Opinion

9. The following avoidance and minimization measures reference Figure 1 and apply to the Civic Core Area:

a. **Zone 1 (Pink):** No new buildings, light posts, vegetation greater than 4 feet in height, landscape turf, or other structures greater than **4 feet** in height shall be

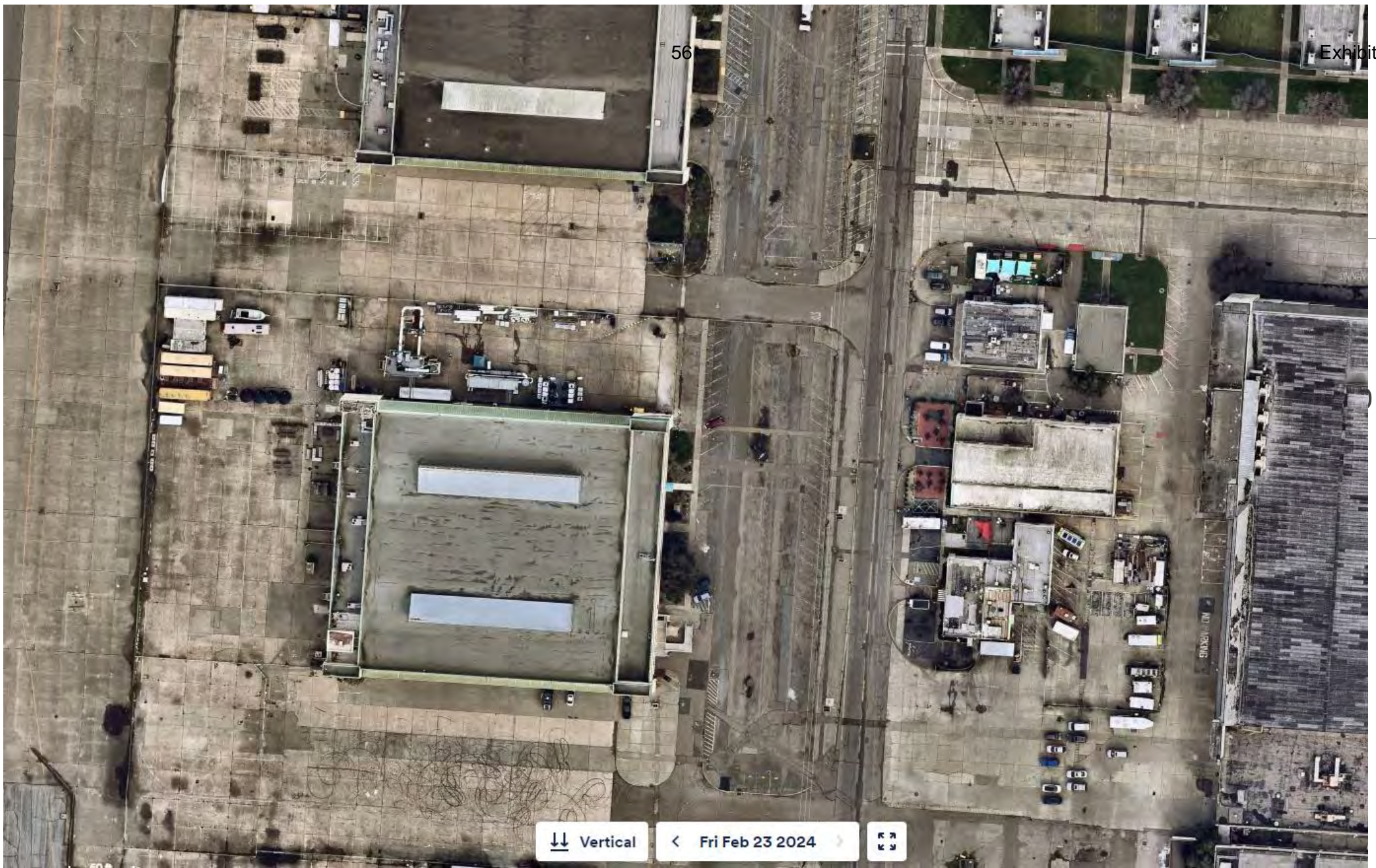
constructed in this area without prior approval from the Service. The Service shall review all proposed plans to ensure compliance with this biological opinion.

b. **Zones 2 (Red) and 3 (Yellow):** Any new buildings constructed or extensions of existing **buildings shall not exceed the height of the existing buildings.** No palm trees shall be allowed in this zone. Within line-of-sight of the existing least tern colony, landscaping shall be restricted to vegetation less than 4 feet in height. In areas outside of the line-of-sight of the existing least tern colony, no tree species capable of growing to greater than 20 feet in height shall be planted and shrubs shall be managed as to not exceed 6 feet in height. The density of trees and shrubs in this area shall not exceed 1 tree or shrub per 550 square feet. The City shall prepare a palette of tree and shrub species proposed for planting in this area. **The palette shall be reviewed and approved by the Service prior to the planting of any trees or shrubs in this area.** Light posts in this area 20 feet or greater in height shall contain anti-perching devices, which will be maintained in perpetuity.

NATIONAL REGISTER NOMINATION (re: views)

NR nomination for NAS:

- "Panoramic views across the Airfield from the landplane hangars and across the Seaplane Lagoon from the seaplane hangars were prominent features of the historic designed landscape,"
- "Long views to the west along West Tower Avenue tied the Shops Area visually to the Airfield until 1990 when Building 24 was built"
- No mention of views from Monarch Street between hangars 22 & 23

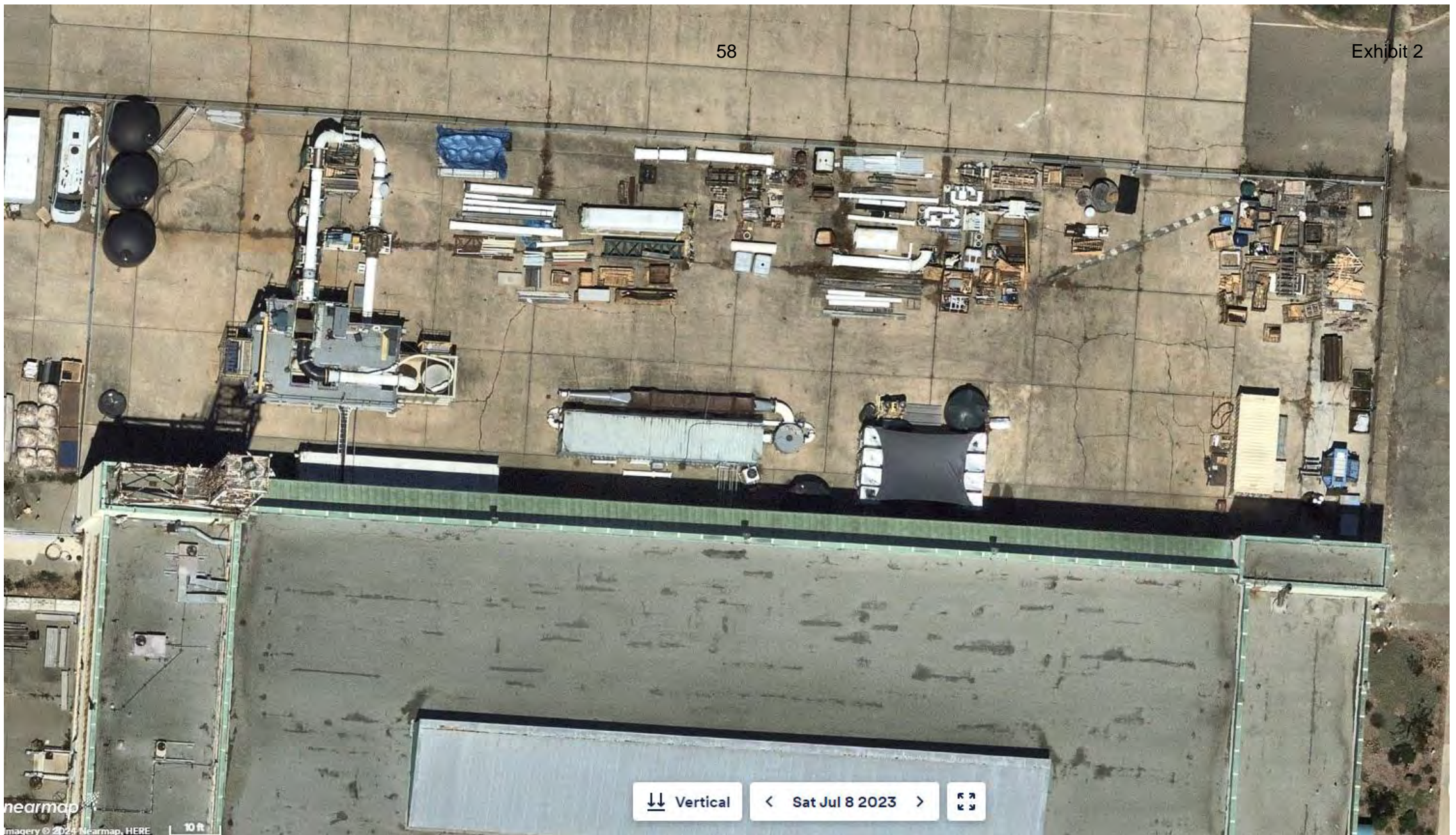




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Exhibit 2

Vertical Sat Jul 8 2023



nearmap

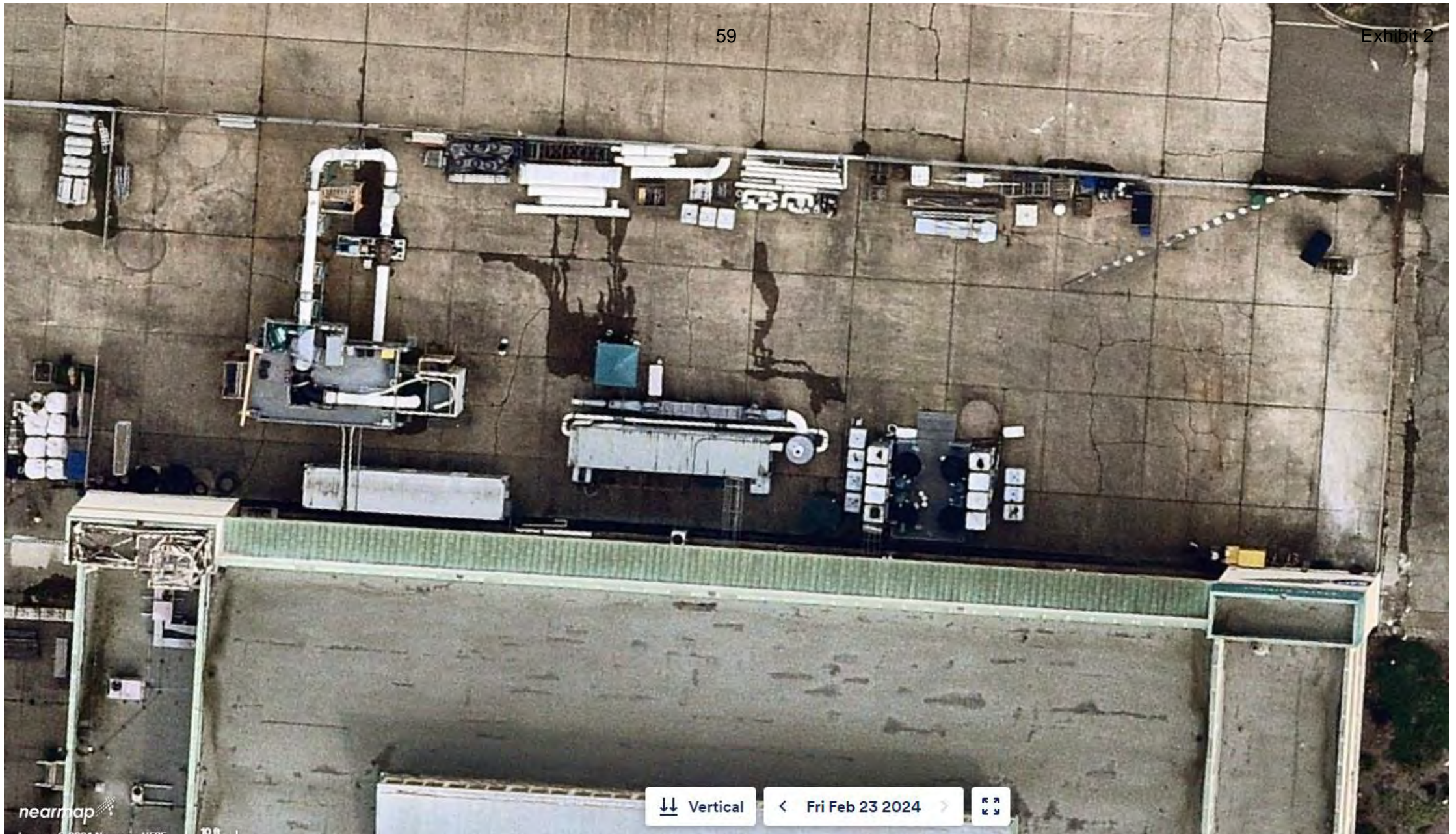
imagery © 2024 Nearmap, HERE

10 ft

Vertical

< Sat Jul 8 2023 >

Navigation icons



nearmap

Vertical < Fri Feb 23 2024 >