

CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA GRANTING AN AMENDMENT TO THE SITE A DEVELOPMENT PLAN (APPLICATION #PLN24-0145) TO CONSTRUCT AN APPROXIMATELY 600-SEAT PERFORMING ARTS CENTER AND LANDSCAPED PLAZA ON AN APPROXIMATELY TWO-ACRE SITE ON THE SEAPLANE LAGOON TAXIWAY ON THE WEST SIDE OF PAN AM WAY BETWEEN THE NAVAL AIR MUSEUM AND THE SEAPLANE LAGOON PROMENADE WITHIN THE NAS ALAMEDA HISTORIC DISTRICT AND RELATED OFF SITE IMPROVEMENTS

WHEREAS, Radium Presents, Inc. made an application on March 26, 2024, requesting an amendment to the Site A Development Plan pursuant to Alameda Municipal Code (AMC) sections 30-4.24(b)(3) and 30-4.13(m) to construct a theater and adjacent landscaped plaza on a portion of the former Seaplane Lagoon Taxiway (Project); and,

WHEREAS, the project site on the west side of Pan Am Way between the Naval Air Museum (Building 77) and the Seaplane Lagoon Promenade is within the Naval Air Station (NAS) Alameda Historic District, which was officially listed in the National Register of Historic Places in 2013; and,

WHEREAS, Site A consists of a 68-acre portion of the former NAS; and,

WHEREAS, the Project is being considered in the context of previous approvals for the redevelopment of the former NAS Alameda, including the Town Center and Waterfront Precise Plan (2014), Site A Development Plan (2015), and the First Amendment to the Site A Development Plan (2022); and,

WHEREAS, the Town Center and Waterfront Precise Plan anticipated significant infill development along the Seaplane Lagoon Taxiway and the First Amendment to the Site A Development Plan Land Use Diagram called for an approximately 53,000 square foot theater on Blocks 12 and 13 (project site); and,

WHEREAS, the General Plan designation of the site is Mixed-Use, which is intended to support “a wide variety of commercial and business uses” and is in the Waterfront and Town Center Mixed-Use Subdistrict which calls for a “vibrant waterfront experience that leverages the unique character and existing assets of the area to catalyze a transformation of the larger Alameda Point area.”; and,

WHEREAS, the parcel is located within the Alameda Point – Waterfront Town Center (AP-WTC) Zoning District, which “provides lands for a mix of uses that include waterfront and visitor-serving uses, including retail, service, entertainment, lodging, recreational, and medium to high-density residential uses. Development standards are intended to create a pedestrian, bicycle, and transit supportive urban environment designed to de-emphasize the automobile and create a mixed-use environment that

supports the emergence of a transit and pedestrian-friendly mixed-use waterfront neighborhood. Development in this district shall be consistent with the Town Center and Waterfront Precise Plan.”; and,

WHEREAS, the project is being considered in the context of the Alameda Point Final EIR (State Clearinghouse No. 201312043), which was certified by the City Council on February 4, 2014, in compliance with the California Environmental Quality Act (CEQA) and adopted written findings and a Mitigation Monitoring and Reporting Program (MMRP) by Resolution No. 14891. The Final EIR evaluated the environmental impacts of redevelopment and reuse of Alameda Point, including infill development on the Seaplane Lagoon Taxiway, and concluded that certain impacts could be significant and that some of those significant impacts could be mitigated and some of those significant impacts would be unavoidable. To the extent that the mitigation measures will not mitigate or avoid all significant effects on the environment, the City Council determined that any remaining significant and unavoidable adverse impacts are acceptable and adopted a Statement of Overriding Considerations with the EIR; and,

WHEREAS, pursuant to the streamlining provision of Public Resources Sections 21166 and 21083.3 and Sections 15162 and 15183 of the CEQA Guidelines, no further environmental review is required because the Radium Theater project is consistent with the development density in an adopted Specific Plan for the area; the environmental impacts of the development of the area consistent with the Specific Plan were considered in the Alameda Point Project FEIR adopted by the City Council on February 4, 2014, in compliance with the California Environmental Quality Act (CEQA); the Radium Theater project is consistent with the development density of, is specifically listed in, and implements the City of Alameda’s General Plan; the environmental impacts of the General Plan Update were considered in the General Plan Update EIR adopted by the City Council on November 30, 2021 (State Clearinghouse No. 2021030563); and as documented in the project CEQA Checklist (Exhibit 5), the Radium Theater project would not result in new or substantially more severe significant impacts than identified in the Alameda Point Project FEIR due to changes in the project, changed circumstances, or new information and there are no new or considerably different feasible mitigation measures or alternatives from those identified in the Alameda Point Project FEIR that would substantially reduce one or more significant effects that the project proponent declines to adopt; and the Radium Theater project would not result in significant impacts that: (1) are peculiar to the project or project site, (2) were not already identified as significant effects, cumulative effects, or off-site effects in the General Plan Update FEIR, or (3) were previously identified as significant effects but are determined to be substantially more severe than discussed in the General Plan Update FEIR; and

WHEREAS, the project is subject to the Alameda Point Project FEIR MMRP, which requires implementation of each of the mitigation measures applicable to the site and surroundings to minimize to the extent feasible the potential environmental impacts of development; and

WHEREAS, on March 5th, 2026, the Historical Advisory Board issued a Certificate

of Approval (Resolution HAB-26-02), finding the project consistent with the Historical Preservation Ordinance, the Secretary of the Interior's Standards, the historic district infill guidelines which include *The Guide to Preserving the Character of the Naval Air Station Alameda Historic District (The Guide)*, the design review guidelines for infill development in the *Cultural Landscape Report*, and the infill design guidelines from the *Town Center and Waterfront Precise Plan*, and CEQA; and,

WHEREAS, on March 23, 2026, the Planning Board reviewed the application for an amendment to the Site A Development Plan, including exhibits and documents, and considered testimony received orally and in writing.

NOW, THEREFORE, BE IT RESOLVED, the Planning Board makes the following findings:

- A. With respect to the Project's compliance with CEQA, the Planning Board finds that the environmental effects of the project have been adequately evaluated, and that:
1. The project is consistent with the General Plan and Zoning Ordinance densities and use regulations; and
 2. The FEIR was certified by the City Council for the Alameda Point Project, including amendments to the General Plan and Zoning Ordinance; and
 3. There are no environmental impacts peculiar to the project that were not analyzed in the FEIR, or any such impact can be substantially mitigated by imposition of uniformly applied development policies or standards previously adopted by the City; and
 4. There are no significant effects of the project that were not analyzed as significant effects in the FEIR; and
 5. There are no potentially significant off-site impacts of the proposed project and there are no cumulative impacts to which the proposed project makes a considerable contribution which were not discussed in the FEIR;
 6. There are no previously identified significant impacts of the proposed project which, as a result of substantial new information which was not known at the time the EIR was certified, have been determined to have a more severe adverse impact than discussed in the FEIR.
 7. Pursuant to the streamlining provisions of CEQA Guidelines Section 15183, no further environmental review is required.
- B. Regarding the Development Plan Amendment, the Planning Board makes the following findings consistent with the requirements of the Town Center and Waterfront Precise Plan of 2014, which states "Any proposal that includes construction of new buildings or modifications to the location of an existing building, landscape area, parking area or other physical feature shall include a Development Plan that meets the requirements of AMC 30-4.13(j) Planned Developments" which references the requirements of AMC section 30-21.3 – Use Permits:
1. **The development is an effective use of the site.** The Radium Performing

Arts Center Project provides for a transformative community amenity capable of catalyzing redevelopment of the former Naval Air Station at the heart of the Town Center and Waterfront Precise Plan and Site A Development Plan. The theater and landscaped plaza will deliver the community's goals for a vibrant visitor serving waterfront district that is compatible with the NAS Alameda Historic District.

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.** The Development Plan Amendment is designed to further refine the existing Site A Development Plan for Blocks 12 and 13 which identified the project site for a performing arts center. The project is designed to complement the adjacent land uses, including connecting the Naval Air Museum and waterfront park via a new one-acre landscaped plaza with visual and pedestrian connections. The Secretary of the Interior Standards Analysis provided by Architectural Resources Group and the Certificate of Approval from the Historical Advisory Board demonstrate that the project is architecturally and aesthetically harmonious with the surrounding NAS Alameda Historic District. Requirements that the project obtain Design Review and Use Permit approval prior to construction ensure the project will be compatible with the community and surrounding development.
3. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The Site A Development Plan provides for a comprehensive network of complete streets to support a transit oriented mixed use district. The project is located at the western end of the four-mile Cross Alameda Trail and is served by AC Transit Lines 19 and 96. The Seaplane Lagoon Ferry Terminal is located one quarter mile to the south of the project location, connecting visitors to San Francisco in less than twenty minutes.
4. **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 Performing Arts Center Project will have positive effects on property in the vicinity by providing a cornerstone community amenity on a dilapidated portion of the former NAS Alameda. By bringing new infrastructure and regional amenities to the site, the project will help support redevelopment of Alameda Point and the local economy. The development requires participation in the Alameda Point Transportation Demand Management Plan which funds transportation options to employees, residents and visitors to Alameda Point such as MTC Bay Pass and the Oakland Alameda Water Shuttle in order to reduce Vehicle Miles Travelled and the project's reliance on single occupancy vehicles. Shared parking supply for the project and neighboring uses will be provided nearby by the City and

proactively managed to achieve the City's climate and transportation related goals.

5. **The proposed use relates favorably to and is consistent with the General Plan and the Town Center and Waterfront Precise Plan.** The project supports General Plan policies: LU-8 – Arts and Culture, which calls for supporting and promoting diverse arts and cultural facilities and programs for people of all ages, and LU-18 – Alameda Point Waterfront and Town Center Mixed Use District which calls for creating an iconic main street and vibrant waterfront experience leveraging the area's unique area to catalyze a transformation of Alameda Point. As articulated in Historical Advisory Board Resolution 26-2, the project is consistent with the adopted infill design guidelines for the NAS Alameda Historic District as required by the Precise Plan and the Alameda Point Zoning District. The performing arts center project supports the Precise Plan's purpose to create a transit-oriented, visitor serving, mixed use waterfront district which is compatible with the NAS Alameda Historic District.

BE IT FURTHER RESOLVED, that the Planning Board of the City of Alameda hereby approves the amended Development Plan (Application PLN24-0145) for Blocks 12 and 13 of the Site A Development, which shall supersede the conditions included in Planning Board Resolution No. PB-22-11 only for the project area on the former Seaplane Lagoon Taxiway, generally west of Pan Am Way north of the Seaplane Promenade Park and south of Building 77, subject to the following conditions:

1. Approval. The project, including any plans submitted for Design Review and for a Building Permit, shall be in substantial compliance with plans prepared by Bora Architecture & Interiors, received on January 7, 2026, which are on file in the office of the City of Alameda Planning Division, subject to the conditions specified in this resolution.
2. Design Review Required. Prior to issuance of any building permit or site improvement permit in preparation for vertical development, the applicant shall apply for Design Review approval by the Planning Board. All building plans and site improvement plans submitted for permits shall be reviewed for compliance with the Town Center and Waterfront Precise Plan requirements and Design Review findings of AMC Section 30-36, 37 and 38 by the City of Alameda Planning Board.
3. Use Permit for Outdoor Uses Required. Prior to commencement of outdoor commercial activities within the landscaped plaza or elsewhere on site which are customarily conducted indoors such as performances, other events, and food and beverage sales, applicant shall apply for Use Permit approval consistent with AMC Section 30-21.3 by the City of Alameda Planning Board.
4. Plaza Activation and Integration. In order to achieve the goals of the project and

the Town Center and Waterfront Precise Plan single story buildings providing amenities to visitors are permitted in the plaza east of the Building 77 view corridor provided that they cover less than five thousand (5,000) square feet of the area bounded by Pan Am Way, the new roadway fronting Building 77 and the Seaplane Promenade Park.

5. CEQA Mitigation Measure Monitoring. Prior to issuance of a building permit or site improvement permit, the applicant shall submit a Mitigation Measure Compliance Checklist confirming compliance with all required environmental mitigation measures contained in the MMRP adopted by the Alameda City Council on February 4, 2014, for the redevelopment and reuse of Alameda Point, including Site A.
6. Transportation Demand Management. Project shall comply with and implement transportation demand management plans for Alameda Point and Site A, including participation in the Alameda Transportation Management Association. TDM fees set by the Base Reuse and Economic Development Director consistent with adopted regulations and guidelines shall be included in ground lease while property remains owned by the City of Alameda. Upon purchase of the property, TDM fees shall be paid via participation in Community Facilities District No. 17-1.
7. Biological Regulations and On-Site Lighting. Prior to issuance of a design review, building or site improvement permit, the applicant shall submit a Biological Opinion Compliance Checklist confirming compliance with all required conditions set forth in the Declaration of Restrictions for the Former Naval Air Station Alameda (Declaration) consistent with the Biological Opinion issued by the U.S. Department of Fish and Wildlife, and Exhibit C of the Memorandum of Agreement between the City of Alameda and Department of Veteran's Affairs (Alameda Point Lighting Mitigation Measures).
8. Public Trust Exchange Act and Agreements. All use of land and buildings and new construction on Public Trust Lands shall be subject to the public trust for commerce, navigation and fisheries and shall be reviewed for consistency with the Naval Air Station Alameda Public Trust Exchange Act, Chapter 734, Statutes of 2000, as amended by Chapter 429, Statutes of 2011 and the Naval Air Station Alameda Exchange Agreement regarding Public Trust Lands at Alameda Point.
9. Modifications: Minor project design details requested by the applicant may be established, modified, and approved by the Planning, Building and Transportation Director. Engineering standards and specifications requested by the applicant may be established, modified and approved by the Public Works Director, or designee. Major modifications that are not consistent with this development plan or these conditions shall be subject to review and approval of the Planning Board.
10. Vesting. This Development Plan Amendment approval shall expire and become void unless actual construction under valid permits has commenced within two (2)

years after this approval or unless this Development Plan Amendment is vested for a longer period than two years by a Development Agreement or other vesting document.

11. Indemnification. 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.

Public Works - General

12. Improvement 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 approval of the Final/Parcel Map and issuance of any Building Permit for the development.
13. The proposed work shall comply with Chapter 30, Article 6 of the Alameda Municipal Code (Real Estate Subdivision Regulations) and Chapter 22 of the Alameda Municipal Code (Streets and Sidewalks) as determined by the City Engineer.
14. The proposed work shall comply with Alameda's Standard Plans and Specifications and Standard Subdivision Specifications and Design.
15. The fee for plan checking and inspection shall be calculated in accordance with the latest Master Fee Schedule as approved by the City Council.
16. The Development Plan does not include reference to a datum for the elevations provided. It is assumed that the vertical datum is City of Alameda Datum.
17. Improvement Plans shall identify datum. If not NADV88, show conversion.
18. Site plans shall include applicable Standard Construction Notes, latest edition, from Public Works.

19. The developer shall construct and dedicate to the public full street improvements equal to 54 feet for Marilyn York Way including concrete curb, gutter, sidewalk, paving, striping, sanitary sewer, drainage system, telecom, gas, streetlights, and street trees, all to the satisfaction of the City Engineer.
20. 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.
21. 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.
22. 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.

Maps and Easements

23. 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.
24. A current title report shall be submitted to identify current ownership and any existing easements or land use restrictions.
25. The Developer shall enter into a Subdivision 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 parcel/final map.
26. The Final/Parcel Map shall show all existing and proposed easement locations, uses and recording information. The Owner's Statement shall list all public right-of-way and easements to be dedicated and the Certificate of City Clerk shall list all public easements and right-of-way to be abandoned with recording information as part of the parcel/final map.
27. The subdivider shall pay for all reasonable office and engineering costs expended by the City Engineer's office, including overhead, in conjunction with reviewing the Parce/Final Map, improvement plans, easements, and in obtaining the map signature of the City's consulting surveyor.

28. The Developer shall provide five copies of the permit approved site/off-site civil improvement plans, landscape plans, and specifications along with a Mylar or other reproducible set (plans only), and a digital copy acceptable to the City Engineer.
29. The subdivider shall dedicate Marilyn York Way located immediately to the north development area and the fronting portion of Pan Am Way located immediately to the east of the development area to the public.

Streets, Sidewalks, Parking and Traffic Control

30. The proposed work shall comply with all current, applicable, plans, standards, policies and guidelines including Alameda's Bicycle Master Plan; Pedestrian Master Plan; Long Range Transit Plan; Transportation Demand Management and Transportation System Management (TSM/TDM) Plan; Multimodal Circulation Plan; Transportation Element of the General Plan; Transportation Choices Plan; Bicycle Facility Design Standards; Pedestrian Design Guidelines; Guidelines for Multiway Stop Signs, Crosswalks, and Pedestrian Paddles; as well as the Caltrans Design Manual and Standard Plans and the California MUTCD. Alameda Point development shall comply with the various Alameda Point key documents. All documents can be found at the City's Public Works webpage, under Key Documents, at <https://www.alamedaca.gov/Departments/Public-Works> .
31. 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.
32. 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.
33. Prior to the issuance of the Improvement Plans, the Developer shall enter into a maintenance agreement to maintain the non-standard pavement on Marilyn York Way located north of the Theater Building.
34. Should the Alameda Point Master Infrastructure Plan be amended to remove Marilyn York Way as a public street, a Public Utility Easement shall be recorded across Marilyn York Way.

35. Developer shall be responsible for all conform grading as necessary to transition from the Development back to existing surrounding elevations, to the satisfaction of the City Engineer.

Grading and Floodplain

36. This development shall be designed to account for future predicted sea level rise to Elevation 13 feet, NAVD88 Datum. The project shall also be designed with to accommodate additional future adaptability provisions for sea level rise above Elevation 13 feet.
37. 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.
38. Any excavation into the marsh crust/subtidal zone shall abide by the requirements of Alameda Municipal Code Section 13-56 Marsh Crust Ordinance and by the Alameda Point Site Management Plan (SMP), dated December 3, 2022 and revised September 30, 2022, prepared by Terraphase Engineering. The SMP is available at <https://www.alamedaca.gov/Departments/Alameda-Point>. A Marsh Crust Permit issued by the Building Department will be required.
39. 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.
40. 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

41. 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.

42. 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. The City will provide this data to an independent consultant who will assess the impact of the proposed development on the City's storm drainage system using a hydraulic model and determine the improvements, if any, to ensure sufficient capacity for this project and anticipated cumulative growth in the associated drainage basin. The Applicant shall include the recommended improvements into the project's improvements.
43. Improvement plans and subdivision map 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.
44. The Developer shall be responsible to maintain access and drainage services that are affected by this development to the existing buildings within Alameda Point to the satisfaction of the Deputy Public Works Director.
45. The Developer shall be responsible to maintain access to and function of existing storm drain lines that run onto and/or through the development area.
46. 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

47. 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.
48. In association with Project Civil Improvement Plan submittals, the Applicant shall submit a Stormwater Quality Management Plan complete with the individual

drainage management areas identified, a completed Stormwater Requirements Checklist, 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.

49. 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 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.
50. 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
51. Prior to project acceptance and any certificate of occupancy, the Project Owner shall provide the following:
 - a. Executed C3-LID Treatment Measures Maintenance Agreement with the City, complete with the written legal description of the property/parcel, the template for annual self-reporting, assurances for property access for City verification inspections, and Shapefiles/GIS coordinates for all stormwater treatment

- measures (public and private treatment measures on two different GIS layers), including the numbering of each asset as directed.
- b. Certification report (Report) prepared by a registered civil engineer, licensed in the State of California, affirming that all project site stormwater treatment measures have been constructed per the City approved plans and specifications. As appropriate, the Report shall include, but not be limited to, assurances that: imported materials used for the treatment measure(s) are certified by the supplier; installation of these materials is per approved plans and specifications and meets the intent of the design engineer; required on-site testing results conform with approved plans and specifications; treatment measures conform to dimensions, grades and slopes on approved plans and specifications; all structural features of the treatment measures comply with plan specifications; the irrigation system is installed and functions as designed; healthy vegetation/ground cover is installed as shown on plans. The Report shall be submitted in a form acceptable to the City Engineer.
52. 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.
53. 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.
54. Implement site SWPPP and/or the approved erosion and sediment control program prior to the beginning of any demolition, grading or construction activity. 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.
55. 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.

56. Construction access routes shall be limited to those approved by the City Engineer and shall be shown on the approved grading plan.
57. 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

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

Good Site Management

- h. On-site piles shall be removed regularly from site, with only temporary storage

allowed. All temporary soil or other stockpiles on site shall be securely covered with a tarp, sheeting and bermed. Stockpiling or staging of any materials in the public right-of-way requires a City Encroachment Permit.

- i. Place all construction debris in containers and empty them regularly. When appropriate, use tarps or equivalent on the ground to collect fallen debris or splatters that could contribute to stormwater pollution.
- j. Create a contained and covered area on the site for the storage of cement bags, paints, flammables, oils, fertilizers, pesticides, or any other materials used on the project site that have the potential for being discharged to the storm drain system by wind, exposure to rainfall or in the event of a material spill.
- k. Concrete trucks shall have a self-contained wash-out system or discharge to a dedicated, secure site wash-out. Washout and/or slurry waste shall not accumulate on surrounding pavement or enter the storm water conveyance system.
- l. Vacuum saw-cutting slurry immediately and remove from site. Saw-cut slurry shall not accumulate on surrounding pavement or enter the storm water conveyance system.

Non-Stormwater Management

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

Sewer and Water

- 58. 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.
- 59. Improvement plans and subdivision map 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.

60. Building sewerage shall conform to the Development Plan. The sewer system shall be public from Pan Am Way to the first sewer manhole on Marilyn York Way. Final alignment of the sewer plans will be finalized during Improvement Plan review.
61. 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 within the subdivision must be issued a Compliance Certificate by EBMUD. Please review the program requirements and cost for Compliance Certificates: <http://www.eastbaypsl.com/eastbaypsl/>.
62. The Applicant shall include the City and EBMUD recommended improvements, if any, from the sewer study into the project's improvements plans prior to approval of the improvement plan or parcel/final map, whichever comes first.
63. The Developer shall be responsible to maintain access and utility services that are affected by this development to the existing buildings within Alameda Point to the satisfaction of the Deputy Public Works Director.
64. 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:

65. The Applicant shall design and construct power, telecom, gas, and other utilities in accordance with applicable utility standards.
66. 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.
67. 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.
68. Work with AMP to locate a transformer and pad, if needed, on private property with appropriate maintenance access.
69. Existing Utilities: The Developer shall be responsible to maintain access and utility services that are affected by this development to the existing buildings within Alameda Point to the satisfaction of the Deputy Public Works Director.

70. Small cell facilities shall be installed in accordance with the City's Wireless Communication Facilities Design Guidelines, and the Small Cell Wireless Facilities in the Right of Way Guidelines.

Solid Waste

71. 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.
72. 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.
73. 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.
74. Commercial Premises: 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.
75. 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.
76. 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.

77. The design and construction of storage area(s) shall:
- a. Be compatible with the surrounding structures and land uses;
 - b. Storage area(s) must be able to accommodate three (3), four (4) cubic yard bins consistent with the current methods of collection provided by the City's Franchised Hauler
 - c. Contain a concrete pad within the fenced or walled area(s) and a concrete apron which facilitates handling of the individual bins and containers; and
 - d. Provide a 6-inch wide curb or parking bumpers along the interior perimeter of the enclosure walls to protect them from damage by the dumpster.
 - e. Maintain a minimum space of 12 inches between the dumpster(s) and the wall of the enclosure and the recycling container(s) to allow for maneuvering the dumpster(s); and
 - f. Protect the area(s) and containers from adverse environmental conditions, which might render the collected materials non-collectable, noxious, unsafe, or in the case of recyclable materials, unmarketable.
78. 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.
79. Trash enclosures serving restaurant and other food-related uses shall include a water supply, a drain to the sanitary sewer, and a grease trap and/or water/oil separator.
80. Provide a concrete pad in front of the trash enclosure to accommodate the truck weight while serving the dumpsters.
81. 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.
82. Per Chapter 4, Article I of the Alameda Municipal Code, persons distributing merchandise of any kind, including food and beverage, shall provide adequate interior and exterior disposal containers, and frequent enough removal of their contents, to enable patrons to deposit all waste material generated by said merchandise therein.
83. [For all projects which the City reasonably determines will cost one hundred thousand (\$100,000.00) dollars or more to construct.] 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 with the City's written guidance and can be completed by creating an account and submitting a plan via <http://alameda.wastetracking.com>.

Landscaping

84. The landscape and irrigation plans for on-site and public right-of-way improvements shall be prepared, and signed and stamped as approved, by a licensed landscape architect. The plans shall be in accordance with the most recent version of the "Bay-Friendly Landscape Guidelines" developed by StopWaste.Org, and the Bay Friendly Coalition, the AMC, the Alameda Master Tree Plan, the Alameda Tree Removal Policy, the Integrated Pest Management Policy, as well as conditions of approval by the Planning Board, and other applicable standards, as applicable. Landscaping shall be designed to improve curb appeal while promoting low maintenance plant material and xeriscaping.

Alameda Municipal Power Conditions:

1. General

- 1.1. Prior to approval of Improvement Plans, the Applicant shall coordinate with Alameda Municipal Power (AMP) regarding power requirements.
- 1.2. The Applicant shall comply with AMP's Rules and Regulations and "Material and Installation Criteria for Underground Electrical Systems" (available at www.alamedamp.com) which provides service options, standards, and minimum clearances from electrical transformers and other utility electrical equipment.
- 1.3. New street trees shall maintain clearances from electrical utilities as follow: a) street/pathway lights and utility poles – **15 feet**; b) joint trench and all underground electrical lines – **five feet**; c) front of electrical pad-mounted equipment (e.g. switches, transformers and capacitors) – **ten feet**. Verify minimum clearance distances of trees/shrubs from all sides and back of electrical pad-mounted equipment with Alameda Municipal Power (AMP).
- 1.4. All service installations to commercial/industrial, multiple dwelling units and subdivisions, shall be underground.
- 1.5. The Applicant shall be responsible for all expenses involved in the duct/joint trench system engineering design, plan check, project coordination, and electrical construction inspection.
- 1.6. The applicant will also be billed for 100% cost of distribution line extension (except transformers that are rated less than 750 kVA). AMP will require a refundable deposit for transformers rated 750 kVA and higher based on their capacity utilization.
- 1.7. Applicant shall allocate space for pad-mounted transformers and switches in addition to the primary and secondary boxes and conduits that will be required to provide power to the development. AMP will require easements for all transformers, primary and secondary boxes, and conduits.

- 1.8. The Applicant shall submit, with the site improvement plans, detailed drawings showing the required site electric utility facilities.
- 1.9. Concurrent with acceptance of work by City Council, the applicant/developer shall dedicate, and AMP shall take over ownership and will be responsible for maintaining all new substructures for underground primary and secondary circuits, and distribution transformers once the improvements have been inspected by AMP and found to have been properly installed. The Applicant or successor property owner(s) shall be responsible for the service cables and service equipment.
- 1.10. Prior to issuance of Certificate of Occupancy, the Applicant shall furnish and install service equipment for each building. The service equipment shall meet Electric Utility Service Equipment Requirement Committee (EUSERC) standards. Electric meter(s) shall be located as close as practicable to the point of entry of the service-entrance conductors to the building. Outdoor meter locations are preferred. When meters are located within a building, the meter room shall be directly accessible from the exterior of the building. Remote metering is not allowed.
- 1.11. The applicant shall provide (at no charge to AMP) all required easements to AMP facilities on the property prior to issuance of the Final Map.
- 1.12. The Final Map shall show all necessary easements and access to all electrical utility facilities that are in the private properties.

2. Specific Conditions

- 2.1. The development will be served from 208/120V or 480/277V sources, not 120/240V.
- 2.2. Plan to have primary conduits coming from the TBD property from the north/south/east west.

3. Building Permits

- 3.1. The Applicant shall provide completed "Service Planning Sheets" for AMP's review.
- 3.2. The Applicant shall provide information on the location of transformers and total load in kilowatts or kilovolt-amp (kVA) to AMP for approval prior to building permit issuance. The location, number and type of electric facilities, such as transformers and primary cables, cannot be finalized until electric estimates of each unit are provided. Special loads, such as EV chargers, and solar installations should be identified.

4. Substructure

- 4.1. The Applicant shall provide all necessary underground substructures, including conduits, pull boxes, electric utility equipment pads, etc. per AMP specifications. AMP will furnish and install all required transformers, high voltage distribution cables, and secondary cables.
- 4.2. The Applicant shall install all electric pull boxes and vaults in-line with the conduit joint trench. No conduit bend will be allowed between electric pull boxes, unless conduit section terminates to an electrical equipment pad. All

primary and secondary electrical distribution pull boxes shall not be greater than two section deep (34-inches from finish grade to bottom of pull box). Any deviations from this standard shall be approved by the AMP Engineering Manager or designee in writing.

- 4.3. All conduit installed within 5 feet from the existing or proposed tree shall be provided with a tree root barrier. (Refer to AMP Drawing 1-L-639)
- 4.4. The Applicant shall furnish and install code-size service cables in code-size conduit from each electric metering facility to the nearest secondary pull box (or Service Point) in the public right-of-way, as designated by AMP. AMP will connect the service to the distribution transformer or to the secondary distribution system.

5. Existing Facilities

- 5.1. Contact AMP for information on existing AMP electrical infrastructure prior to completing the design. USA the area prior to digging. Assume all AMP equipment are energized and coordinate with AMP for any work nearing AMP electrical equipment.

6. Streetlights

- 6.1. The Applicant shall provide and install street lighting consistent with the City of Alameda Public Works.
- 6.2. All public streets shall be lit with LED lighting. Streetlight layout shall be staggered for a more uniform light distribution. Applicant can provide alternate design if a better efficient light distribution is met.
- 6.3. No signs shall be installed or mounted on street light poles owned and/or maintained by the City. All new signs shall be installed on dedicated sign posts.
- 6.4. The Applicant shall have all streetlights included in the Improvement Plans, installed, fully functional, operational and approved by the City of Alameda Public Works prior to issuance of a Certificate of Occupancy for any building unless a phasing plan is approved by the Director of Public Works. Applicant shall coordinate with the City to determine responsibilities for the streetlight ownership, maintenance and energy costs.

7. Marsh Crust Ordinance

- 7.1. The project area is under the Marsh Crust Ordinance. Please include 15 feet laterally and 10 ft depth total, beyond the project area for Marsh Crust mitigation plan, permit approval and soil testing. This will allow AMP to install any AMP electrical equipment under that Marsh Crust Permit. If AMP has to obtain a Marsh Crust Permit on their own, AMP will charge the customer and be under the Marsh Crust Permit timeline at the time of application which can delay AMP's response for installing equipment.

8. Utility Equipment

- 8.1. The electrical utility industry nationwide is having difficulty in procuring equipment. AMP's current lead time for pad-mount distribution transformers

is 12-18 months after vendor's receipt of order. Other equipment has long lead times of a year or more. It is imperative that customers provide AMP their electrical requirements as soon as possible to minimize delay of electrical equipment arriving.

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

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

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