

CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING THE ALAMEDA LANDING WATERFRONT PLAZA AND PROMENADE DEVELOPMENT PLAN AND DESIGN REVIEW.

WHEREAS, an application was made by Catellus Alameda Development, LLC (“Catellus” or “Applicant”) requesting approval of a Waterfront Plaza and Promenade Development Plan and Design Review for approximately 4.5 acres of the Alameda Landing waterfront located north of Mitchell Avenue and immediately across the Estuary from Jack London Square; and

WHEREAS, on December 5, 2006 the City certified the Bayport/Alameda Landing Mixed Use Development Project Final Environmental Impact Report (a supplement to the 2000 Catellus Mixed Use Development Project EIR) (the “2006 SEIR”); and

WHEREAS, the proposal for Master Plan Amendment, MPA-06-001 to the Bayport/Alameda Landing Master Plan (the “Master Plan”) was approved by the City Council on January 2, 2007; and

WHEREAS, on July 18, 2017, the City Council approved an Addendum to the SEIR for a second Bayport/Alameda Landing Master Plan Amendment. The Addendum concluded that the Master Plan Amendment (provided that the traffic trip cap established by the Master Plan is maintained) is within the scope of the 2006 SEIR and would not generate any new, or substantially more severe, impacts than might be expected as compared to those identified in the 2006 SEIR; and

WHEREAS, the proposal for a second Master Plan Amendment was approved by the City Council on July 17, 2017; and

WHEREAS, the Master Plan Amendment requires that prior to or concurrent with the first Development Plan for any portion of the Residential Sub-Area of the Maritime Commercial and Residential Variant, the project Applicant shall submit an amendment to the approved 2007 Waterfront Promenade Development Plan; and

WHEREAS, Catellus is pursuing Development Plan and Design Review approval for the Waterfront Plaza and Promenade; and

WHEREAS, the Board held a public hearing on the Waterfront Plaza and Promenade Development Plan and Design Review on September 10, 2018, and has examined pertinent maps, drawings, and documents.

NOW, THEREFORE BE IT RESOLVED that the Planning Board finds that the proposed project is consistent with the General Plan, Alameda Municipal Code and Master Plan development requirements for the property.

NOW, THEREFORE BE IT RESOLVED that the Planning Board makes the following findings relative to the Development Plan approval:

1. **The development is an effective use of the site.** The Waterfront Plaza and Promenade uses have been envisioned for this site since the original Bayport/Alameda Landing Master Plan was adopted in 2000. The Master Plan Amendment requires provision of a waterfront plaza, pedestrian promenade, recreational facilities and open space uses to activate the waterfront for the public.
2. **The proposed use relates favorably to the General Plan.** The proposed project supports General Plan policies for the provision of park, open space and recreational uses throughout Alameda as well as activating the waterfront during both daytime and nighttime hours.
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 Development Plan is designed to be compatible with adjacent uses by providing attractive park and recreational improvements as well as ample pedestrian and bicycle facilities. The site plan is designed such that no significant off-site hazards or environmental hazards will affect occupants of the waterfront plaza and promenade or surrounding areas.
4. **The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development.** The proposed waterfront plaza, pedestrian promenade, recreational facilities and open space uses are compatible with adjacent residential, retail and maritime commercial uses that exist within the Alameda Landing neighborhood. The design of the proposed park and recreational uses will be compatible and harmonious with the design and use of the surrounding areas.
5. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The Waterfront Plaza and Promenade are located within a planned transit oriented, pedestrian friendly mixed use neighborhood within a short distance to an existing regional ferry terminal. All development within Alameda Landing includes a robust and aggressive Transportation Demand Management (TDM) Compliance Strategy with a wide variety of transportation services and facilities, including the provision of transit services and other transportation services and programs.

NOW, THEREFORE BE IT RESOLVED that the Planning Board makes the following findings relative to the Design Review approval:

1. **The proposed Design Review is consistent with the General Plan, Zoning Ordinance and the City of Alameda Design Review Manual.** The proposed waterfront plaza and promenade is consistent with General Plan policies which encourage provision of adequate park and open spaces throughout Alameda. The project is consistent with the MX – Mixed Use Zoning District in that the proposed park and recreational uses complement the existing residential, maritime commercial and retail uses within the Alameda Landing neighborhood. The project is consistent with the Alameda Design Review Manual because the proposed design has an appropriate sense of scale for the site, the landscape and recreation components are well proportioned and appropriate buffers have been provided between the site and adjacent uses.
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.** The proposed waterfront plaza and promenade is similar in design and scale to other buildings and parks in the vicinity.

The scale and character of the waterfront plaza and promenade, landscaping and site furnishings ensures compatibility with the adjacent neighborhood.

- 3. The proposed design is visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the project with the character and uses of adjacent development.** The proposed design of the waterfront plaza, promenade, landscaping, site furnishings and recreational features has been long planned for in the Alameda Landing Master Plan to complement the character of adjacent residential, maritime commercial and retail uses within the Alameda Landing neighborhood. The landscaping, site furnishings and recreational features of the waterfront plaza and promenade incorporate design elements that reflect the working waterfront of the Alameda Landing location.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board wishes to increase the visibility of communities in Alameda that have historically not been chosen for representation in the public realm, the Planning Board supports the idea of naming the new Alameda Landing Waterfront Park after one of the city's oldest and proudest civic organizations and recommend that the Recreation and Parks Commission and City Council strongly consider the name Bohol Circle Park for the future Alameda Landing waterfront park.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves the Waterfront Plaza and Promenade Development Plan and Design Review as described in Exhibit A: Waterfront Plaza and Promenade Development Plan and Design Review, subject to the following conditions:

- 1. Building and Site Improvement Permit Plans:** The plans submitted for Building and Site Improvement Permits shall be in substantial compliance with the plans prepared by KayVictor dated August 30, 2018, on file in the office of the City of Alameda Community Development Department, except as modified by the conditions contained in this resolution.
- 2. Other Agency Approvals:** Prior to issuance of building permit(s) or Site Improvement Permits for work within jurisdictional lands, the Applicant shall provide evidence that all required approvals, permits, deferrals, conditions or waivers from Bay Conservation and Development Commission (BCDC), Bay Area Air Quality Management District (Air District), Regional Water Quality Control Board (Water Board), and/or the Army Corp. of Engineers, if any, have been obtained for the proposed work within jurisdictional lands. The building permit or site improvement plans shall incorporate all other agency requirements.
- 3. Construction Phasing:** Applicant may commence grading, soil improvement work and demolition construction activities on the Waterfront Plaza and Promenade upon issuance of a grading and demolition permit. Construction of the Waterfront Plaza and Promenade surface improvements shall commence, and all necessary local and regional permits shall be in place for the water shuttle dock and kayak launch, prior to issuance of the first building permit for the first residential unit within the Maritime Commercial and Residential Variant. Construction of the first phase of the park (shown on page 33) shall be substantially complete prior to issuance of the first building permit for the first unit of the second half of the residential units. Construction of the final phase of the park shall be substantially completed prior to issuance of the building permit for the first unit in the last 20% of the units in the residential project.
- 4. Final Recreation and Park Facilities Design Details:** Prior to issuance of a building permit or site improvement permit for surface improvements within the 4.5 acre park, the applicant shall

submit a final Recreation and Parks Detail Plan for review and approval of the Recreation and Park Director. The final details plan shall include final design details for surface treatments, bench, barbeque, restroom, shade structure, play structure, dog water fountain, fish cleaning station, lighting and landscaping and any other details needed by the Recreation and Parks Department to ensure that the City of Alameda will be able to effectively use and maintain the facilities.

5. Pocket Parks and View Corridors. The final location, configuration, and size of the pocket parks, view corridors, western buffer, and Mitchel Avenue Greenway shall be included in the Development Plans for the adjacent residential neighborhood submitted for Planning Board review and approval.
6. Parking: The design plans for the adjacent residential development shall include eighteen (18) parking spaces for the Waterfront Plaza and Promenade parking lot. At the northern edge of the parking area, a kayak unloading area shall be marked and at least two (2) spaces shall be designated and marked "Police Only" parking spots in the closest spaces available that do not interfere with any ADA parking spots.
7. Bay Trail: The entire promenade area between railing and raised landscape areas shall be designated as "Bay Trail." In no location shall the designated "Bay Trail" be less than 18 feet in width including in the areas where the Bay Trail passes under the pergola. In addition, the plans shall ensure good visibility at the intersection of the path from the kayak loading zone (in the parking lot) and the Bay Trail, to avoid collisions. The design should encourage them crossing, not using, the Bay Trail.
8. Emergency Access: Provide emergency access for Alameda Police Department patrol cars and Alameda Fire Department emergency medical vehicles along the length of the Waterfront Park and Promenade.
9. California Environmental Quality Act: Prior to issuance of a building or site improvement permit, the Applicant shall submit a Mitigation Measure Compliance Checklist confirming compliance with all required environmental mitigation measures HYD-2, 3, and 4, GEO-1, 2, and 3, HAZ 1c, 2, 3, 8, BIO-2, 3a, 5, TC-1, PUB-2 AND CUL-1 and 2, to the extent applicable to the Waterfront Promenade and Plaza, contained in the MMRP adopted by the Alameda City Council in January, 2007 for Alameda Landing Project, as amended by the First Amendment to the Alameda Landing Commercial Development Agreement. The specific language of the applicable mitigation measures shall be printed on the final construction drawings approved by the City.
10. Construction Dust Control: Prior to issuance of building or grading permits, the developer/applicant shall ensure that a dust control program is implemented consistent with City, MMRP and BAAQMD requirements.
11. ELO Landscape Documentation: Prior to issuance of building permits or improvement plans, Applicant/Developer shall submit a complete WELO Landscape Document Package, as defined by Alameda Municipal Code (AMC) Section 30-58.3(d), subject to the approval of the Community Development Director
12. Modifications: Minor project design details requested by the Applicant may be established, modified, and approved by the Community Development Director. Engineering standards and specifications requested by the Applicant may be established, modified and approved by the

Public Works Director, or his designee. Major modifications that are not consistent with this design review approval or these conditions shall be subject to review and approval of the Planning Board.

Improvement Plans

13. Improvement Plans: The improvement plans for the park shall include landscape and irrigation plans for both on-site and off-site improvements, including shoreline flood and sea-level rise protection improvements. The improvement plans shall show all existing utilities, both active and abandoned. Note that there is a cable crossing sign near the proposed water shuttle landing/kayak launch pier. A pipeline near the eastern boundary of the site, and a manhole cover on the concrete pier. The improvement plans shall show the existing expansion joint at the eastern end of the existing warehouse and shall include details for preserving the expansion joints within the landscape and hardscape. The improvement plans shall include details for patching/repairing damaged areas of the pier, including filling core holes and covering, repairing or removing railroad tracks so as to prevent a tripping hazard. The existing timber fenders and piles shall be removed. Asphalt over the concrete pier shall be removed. The plans shall be prepared, signed, and stamped by a licensed landscape architect and civil engineer and shall be in accordance with the AMC and other regional jurisdictional requirements. The landscape architect shall also assume responsibility for review of the work and shall provide a Letter of Acceptance of construction conformance to the City, prior to acceptance of the work, that the installation of landscaping and irrigation in the public right-of-way was constructed in accordance with the approved plans.
14. Evaluation Report: An evaluation report, including recommendations, for the pier piles and riprap shall be prepared by a registered engineer licensed in the State of California with experience in evaluating similar structures. Improvement plans shall incorporate all the report's recommendations. The engineer shall sign and stamp the improvements plans as conforming to the report's recommendations. The engineer shall also assume responsibility for inspection of the work and shall certify to the City Engineer's satisfaction that the work performed is adequate and complies with all the report's recommendations.
15. Sea Level Rise: New structures shall accommodate 12-inches of freeboard above the 1.9-ft of sea level rise estimated to occur between 2000 and 2070 by the California National Resources Agency and California Ocean Protection Council in their 2018 Update of the State of California Sea-Level Rise Guidance Document, assuming high emissions, and the low risk aversion / likely range scenario. Finished floors of new structures shall be a minimum of 36-inches above current Base Flood Elevation, as defined by FEMA's most recent published Flood Insurance Study.
16. Geotechnical Report: A geotechnical report, including recommendations, shall be prepared by a registered geotechnical engineer licensed in the State of California. The improvement plans shall incorporate all geotechnical recommendations in the report. The geotechnical engineer shall sign and stamp the improvement plans as conforming to its recommendations. The geotechnical engineer shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work that the work performed is adequate and complies with their recommendations.
17. Final Storm Water Management Plan: The improvement plans shall incorporate a Final Storm water Management Plan for the Waterfront Park, including all appropriate pollution prevention source control measures, permanent low impact development (LID) measures, storm water

treatment controls and/or design techniques to manage the quantity and quality of storm water runoff from the project site to prevent and minimize impacts to water quality and must be consistent with the Provision C3 requirements of the City's municipal storm water permit. Roof drains shall discharge and drain to an unpaved area wherever practicable. Design techniques may include green roofs, rainwater harvesting, vegetated swales, vegetated buffer zones, bio retention units, retention/detention basins and ponds, tree well systems, and the incorporation of pervious surface areas and LID measures. The Improvement Plans shall provide details sufficient to ensure that the storm water 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, the Alameda Landing SWMP, and the preliminary storm water management plan. Applicants may also refer to the Bay Area Storm water Management Agencies Association (BASMAA) *Start at the Source Manual* for technical guidance. All storm water design and treatment measures for private development pads shall be consistent with the C3 requirements and be located on the development pad or an adjacent private development pad and shall not be located on property planned for public parks or public rights of way. The finalized Storm Water quality management plans shall also include:

- a. The identification of the drainage management areas (DMAs) for all newly created and/or recreated impervious surface areas on the project site and the establishment and identification of Provision C3-compliant storm water quality design and treatment measures for each DMA.
 - b. A site plan map and inventory identifying the location and area values (in square feet) of each DMA and the corresponding, one-to-one-matching, C3-compliant measure. The DMA inventory shall be summarized in tabular form and provide an accurate total area summation value.
 - c. A finalized supplemental submittal of the Storm water Requirements Checklist. The area value summation of all of the DMAs shall be consistent with the area values accurately presented in the summary "Table of Impervious and Pervious Surfaces" (Section I.B) in the completed Storm water Requirements Checklist.
 - d. A finalized, stamped, signed City of Alameda C3 certification form prepared by an independent civil engineer with storm water treatment facility design experience, licensed in the State of California, and meeting City qualification standards, that indicates the LID and treatment measure designs of the finalized improvement plans and storm water quality management plan meet the established sizing design criteria for storm water treatment measures.
18. Best Management Practices: The Applicant shall be responsible for ensuring that all contractors and sub-contractors install, implement and effectively maintain appropriate sediment control, erosion control and other water quality protection measures to prevent any pollutants from entering the municipal storm water drainage system or the Oakland Estuary, either directly or indirectly, during all construction activities. All implemented measures shall be consistent with the City's urban runoff Best Management Practices (BMPs) standards. The Applicant shall pay for any required cleanup, testing, and/or City administrative costs resulting from consequence of construction materials entering the storm water drainage system. The Civil Improvement Plans shall list the City's erosion and sediment control standards and provide detail drawings and installation specifications for all water quality control measures.
19. Storm Water Pollution Prevention Plan Prior to issuance of the initial demolition, grading or combination grading/building permit, provide the Public Works Department Clean Water Program, a copy of the current, up-to- date Storm Water Pollution Prevention Plan (SWPPP)

and the WDID# issued to the project site by the State Water Resources Control Board (SWRCB), consistent with the requirements in SWRCB Order No. 2009-0009-DWQ.

20. Storm Water Trash Capture: Prior to the issuance of the first grading/building/combination permit for each project phase, the Improvement Plans shall indicate the storm water trash capture measure(s) being installed on the project site to ensure that the storm water drainage from the project site is subject to full trash capture consistent with the City's municipal storm water permit definition of a full trash capture device. Improvement plan sheets shall provide sufficient plan views and details of the full trash capture device installation(s) necessary for engineering review and approval. A full trash capture system or device is any single device or series of devices that trap all particles retained by a 5mm mesh screen and has a design treatment capacity of not less than the peak flow Q resulting from a one-year, one-hour storm in the sub-drainage area. Plan sheets shall include detail and cross-sectional drawings of any storm water full trash capture device.
21. Storm Drains: All new storm drain inlets shall be clearly marked with the words 'No Dumping! Drains to Bay' by means approved by the Public Works Department. Permanently affixed thermoplastic, metallic or plastic laminate style markers are acceptable forms. The Improvement Plans shall clearly indicate this.
22. Operations and Maintenance Plan: The Applicant/Developer shall submit a storm water treatment measures Operations and Maintenance (O&M) plan for review and approval to the Public Works Department prior to the approval of and consistent with the improvement plans for each phase. The O&M plan shall include, but not be limited to: treatment and design measure(s) descriptions and summary inventory; a legible, recordable, reduced-scale (8.5"x11") copy(-ies) of the Site Plan indicating the treatment and design measure(s) location(s) and site drainage patterns; treatment measure(s) maintenance requirements and maintenance schedule; the approved plant list and planning plan; detailed description of the integrated pest management principals and techniques and/or Bay Friendly Landscaping Program techniques to be utilized during landscape maintenance to ensure pesticide/herbicide use-minimization in landscaped areas; name and contact information of current maintenance personnel; and template of the annual O&M report submittal to the City. The O&M plan(s) for all storm water treatment and design measures to be maintained by any HOA or CA shall be incorporated with the CC&Rs of the relevant HOA/CA. Upon approval, provide Public Works a pdf copy of the finalized O&M Plan.
23. Certification Report: Prior to final acceptance of the project, submit a certification report (Report) prepared by a registered civil engineer, licensed in the State of California, affirming that all project site storm water treatment measures and trash capture devices 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 Public Works Engineering.
24. Stormwater Details on Landscape Plans: Landscape plans shall be designed to minimize runoff, promote surface infiltration, incorporate Bay Friendly Landscaping approaches, and

minimize the use of fertilizers and pesticides that can contribute to storm water pollution and be consistent with the preliminary storm water management plan for the Phase 1 Waterfront Park. Prior to placing landscaping on concrete pier sections, the concrete surface shall be waterproofed, and overlaid by a layer of drain rock followed by filter fabric.

25. Backflow Prevention: Backflow prevention devices shall be installed on water services as required by the East Bay Municipal Utility District (EBMUD).

Solid Waste

26. Waste Management Plan: The Applicant shall submit a Waste Management Plan (WMP) to the Public Works Environmental Services Division for approval. The plan shall describe how the trash and debris will be handled. The WMP shall be submitted by the developer to Environmental Services via Green Halo (greenhalosystems.com) prior to start of the demolition, remodeling, or construction work. This must be done using Green Halo's web interface. The Public Works Environmental Services Division will review the WMP, and will provide comments that shall be incorporated into the plans for the project. The project is subject to the WMP requirement of section 21-24 of the AMC.
27. Green Halo: Within thirty (30) days after the completion of the demolition work, the developer shall submit a Summary Report to the Public Works Environmental Services Division, via Green Halo (greenhalosystems.com) or other form approved by the Public Works Director. For approval, this reporting will specify actual tonnages disposed and/or recycled for each material, and the actual destination/processor. Disposal and/or recycling weight tags from that facility or facilities will be directly uploaded to Green Halo to verify this activity.
28. Collection: Internal collection and storage area(s) and the individual bins and containers provided, shall be adequate in capacity, number, and distribution to serve the anticipated demand for trash, recycling, and organics as determined by the Public Works Department. The trash collection areas shall be accessible to residents and employees. Each storage area shall be no more than 250 feet from any dwelling unit, or in the garage. Trash enclosures and/or recycling area shall be covered; no other area shall drain onto these areas. Drains in any wash or process area shall not discharge to the storm drain system; these drains should connect to the sanitary sewer. The Applicant shall contact the City and East Bay Municipal Utility District (EBMUD) as applicable, for specific connection and discharge requirements prior to building permit issuance. Discharges to the sanitary sewer are subject to the review, approval, and conditions of the City and EBMUD.
29. Fitted Lids: All solid waste containers, including dumpsters and individual cans or carts, must have fitted lids which shall remain closed at all times when the container is not being used

Construction Conditions

30. Traffic Control Plan: At least three weeks prior to the commencement of work within the public right-of-way that affects access for pedestrian, bicyclist, and vehicular traffic, the Applicant shall provide a Traffic Control Plan (TCP) to the Public Works Department for review and approval. The TCP shall be in accordance with the California MUTCD standards. The engineer shall sign and stamp the plans as approved. In general, any public right-of-way shall remain unobstructed during project construction or an ADA compliant alternative route established as approved by the Public Works Director. At locations where adequate alternate access cannot be provided, appropriate signs and barricades shall be installed at locations determined by the Public Works

Director and Police Chief. Should transit routes be affected, Applicant is required to obtain prior approval from AC Transit of any proposed traffic detours or temporary closure of bus stops. Construction work may not commence until the TCP is approved by the Public Works Director.

31. Hazardous Materials. The Applicant shall provide documentation from a qualified professional to the City of Alameda stating that adequate soils and ground water investigations and, where warranted, remediation, have been conducted to ensure that future site use complies with the regulatory requirements for hazard related risks as established by applicable Federal, State and local requirements. The project sponsor shall ensure that all proposed areas for demolition and abatement shall be assessed by qualified licensed contractors for the potential presence of lead-based paint or coatings, asbestos containing materials, and PCB-containing equipment prior to issuance of a demolition permit. During Construction the developer/Applicant shall ensure that all construction crews are properly trained and made aware of any site contamination issues consistent with the Alameda Landing Site Management Plan (SMP) and MMRP.
32. Truck Plan: Prior to issuance of grading permit, developer/Applicant shall submit a Truck Route Plan for hauling to be approved by the City Engineer. The Plan must be incorporated into any construction documents for every contract.
33. Notice to Neighbors: At least two weeks prior to initiating any construction activities at the site, the Applicant shall provide notice to businesses and residents within 500 feet of the project site including (1) project description, (2) description of construction activities, (3) daily construction schedule (i.e., time of day) and expected duration (number of months), (4) the name and phone number of the Noise Management Individual for the project, (5) commitment to notify neighbors at least four days in advance of authorized extended work hours and the reason for extended hours, and (6) that construction work is about to commence. A copy of such notice and methodology for distributing the notice shall be provided to the City for review and approval at least five (5) business days in advance.
34. Construction Hours: Construction activity shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Friday, and between 8:00 a.m. and 5:00 pm on Saturday. No construction-related activity shall occur on Sunday or on any Federal Holiday unless otherwise approved by the City of Alameda. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment re-design, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible and necessary. No construction activity that may cause excessive off-site vibration from heavy machinery such as drilling rigs (except as necessary for elevator, shoring, and soil testing or soil improving mitigation work), etc. shall be allowed. Excessive off-site vibration as it relates to the Alameda Landing Waterfront project does not mean transference of vibration from ordinary construction equipment used in similar type work through the bay mud zone, which effects may not be apparent on similar non-bay mud impacted sites. Applicant shall provide information sufficient to satisfy the City and inform the public that all such activities will be properly monitored and managed to prevent damage to nearby structures. Impact tools (e.g., jack hammers, pavement breakers and noise drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to 10dB. External jackets on the tools themselves shall be used where feasible. Quieter procedures shall be used such as drilling rather than impact equipment whenever feasible.

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

Fire Safety

36. Fire Access: All streets and courts within the development that are required to be fire access roads, shall be marked as fire access roads to the satisfaction of the Fire Chief. All roads that are required to be fire access roads shall be designed to handle fire apparatus weight of up to 35,000 pounds per axle. Parking shall be prohibited within the streets and alleys that are dedicated as fire lanes. CC&R's shall include an enforcement mechanism.

Alameda Municipal Power (AMP)

37. The Applicant shall comply to AMP's Rules and Regulations as stated in Article X and AMP's "Material and Installation Criteria for Underground Electrical Systems" (both available at www.alamedamp.com) and provide completed "Service Planning Sheets" for AMP's review prior to submitting plans for building permits.
38. The Applicant shall provide information on the location of transformers and total load in kilowatts or kilowatt/volts (KVA) to AMP for approval prior to building permit issuance. If necessary, the Applicant shall provide (at no charge to AMP) an easement and access to all AMP facilities on the property prior to issuance of building permits.
39. Concurrent with submittal of Improvement Plans, the Applicant shall coordinate with AMP regarding power requirements. All submittals shall refer to AMP's "Material and Installation Criteria for Underground Electrical Systems" for minimum clearances of street trees/shrubs from streetlights, electrical transformers and other utility electrical equipment.
40. The Applicant shall provide and install street lighting consistent with the City of Alameda standard specifications and Public Works' "Material and Installation Criteria for Underground Electrical Systems". Lights installed in the Waterfront Park outside of the public ROW will comply with the City of Alameda Recreation and Parks Department standards. All street lights shall be designed to preserve "dark skies" and direct light downward toward the public right of way. No signs shall be installed or mounted on street light poles. All new signs shall be installed on dedicated sign posts.
41. Applicant/Developer shall have all streetlights included in the Improvement Plans, installed, fully functional and operating prior to issuance of a Certificate of Occupancy for any building unless a phasing plan is approved by the Director of Public Works. Applicant/Developer shall pay for streetlight energy costs until the applicable improvements are accepted for maintenance by City.
42. The Applicant shall be required to furnish two streetlight poles and LED fixtures of each type installed, at no cost, to the Public Works Department as a stock for future pole/fixture replacement on public street.

43. All public streets shall be lit with LED lighting. Streetlight layout shall be staggered for a more uniform light distribution. Applicant/Developer can provide alternate design if a better efficient light distribution is met. Applicant/Developer shall use City LED standard fixtures. LED streetlight fixtures shall offer tri-level lighting with the mid-level setting meeting IES RP-8-14.
44. The Applicant shall provide all necessary underground substructures, including conduits, pull boxes, electric utility equipment pads, etc. per the AMP specifications. AMP will require easements for all transformers, primary and secondary boxes, and conduits. AMP will furnish and install all required transformers, high voltage distribution cables, and secondary cables. Existing Alameda electric substructures will NOT be re-used.
45. The Applicant shall provide an easement for electric utility vehicle access to AMP's 115kVa Riser Structure. The easement shall encompass the entire perimeter of the substation, to the satisfaction of AMP's project manager.
46. The Applicant/Developer shall install all electric pull boxes and vaults in-line with the conduit joint trench where practicable and not in direct conflict with other site constraints. No conduit bend will be allowed between electric pull boxes without specific approval from AMP's field manager, or where 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 Project Engineer in writing.
47. Applicant/Developer will be required to provide an oil containment facility for all AMP owned pad-mount distribution switches and/or transformers installed within 100-feet of any body of water or in other critical locations. Applicant/Contractor shall contact AMP to verify all dimensions, elevations, and orientation before commencing work.
48. The Applicant shall furnish and install code-size service cables in code-size conduit from each customer electric meter switchgear 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.
49. The improvement plans and all subdivision maps shall show all necessary easements and access to all electrical utility facilities that are in the private properties, at no charge to AMP.
50. 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. No remote metering.
51. Concurrent with acceptance of work by City Council, the Applicant shall dedicate and AMP shall take over ownership and will be responsible for maintaining all new substructures for under grounding primary and secondary circuits, and distribution transformers once the improvements have been inspected 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.
52. 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. The

Applicant shall be responsible for the cost of AMP assigned inspector during construction.

53. The Applicant shall submit, with the site improvement plans, detailed drawings showing the required site electric utility facilities.

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 Community Development Department a written notice of appeal stating the basis of appeal and paying the required fees.

* * * * *