

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION DRAFT

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING DEVELOPMENT PLAN AND DESIGN REVIEW APPLICATIONS FOR THE REHABILITATION AND REUSE OF THE FORMER DEL MONTE WAREHOUSE BUILDING LOCATED AT 1501 BUENA VISTA AVENUE

WHEREAS, TL Partners, LP made an application on behalf of Tim Lewis Communities on March 3, 2014, proposing to restore the entire brick exterior walls, build a vertical addition above, and setback from, the existing walls and convert the former Del Monte Warehouse into approximately 308 townhouses and condominiums and approximately 30,000 square feet of commercial space; and

WHEREAS, the application was deemed complete on April 15, 2014; and

WHEREAS, the General Plan designation of the site is Mixed Use; and

WHEREAS, the parcel is located within the Mixed Use/Planned Development Zoning and Multi-family Overlay Zoning Districts; and

WHEREAS, an Initial Study/Subsequent Mitigated Negative Declaration (IS/SMND) was prepared for the project pursuant to California Environmental Quality Act (CEQA); and

WHEREAS, the IS/SMND determined that the proposed project would result in new or substantially more severe significant impacts, new information, or changes in circumstances that were not identified for the Del Monte Site in the Northern Waterfront General Plan Amendment EIR (GPA EIR); however the new impacts are reduced to less than significant levels with new or revised mitigations; and

WHEREAS, the Planning Board held study sessions on the proposed Master Plan and Development Plan on March 10 and April 28, 2014; and

WHEREAS, on June 5, 2014, the City of Alameda Historical Advisory Board held a public hearing and determined that the proposed alterations to the Del Monte Building are consistent with the Secretary of Interior Standards for the Rehabilitation of Historic Structures; and

WHEREAS, the Planning Board held public hearings and examined all pertinent materials on June 23, 2014, and September 22, 2014.

NOW THEREFORE BE IT RESOLVED, that pursuant to AMC Section 30-4.20(g)), the Board has made the following findings relative to the Development Plan and Design Review Applications:

- A. **The development is an effective use of the site.** The Development Plan provides for residential and commercial uses, internal roadways and paseos, landscaping and open spaces, and pedestrian, transit and bicycle facilities designed to provide a neighborhood that is pedestrian, bicycle and transit-friendly. The Development Plan

utilizes street extensions, landscaping, building placement and orientation to create an effective and successful residential neighborhood that can be marketed and developed expeditiously, that can create a compatible interface with the adjacent properties and uses, and provide strategies for the conservation of natural resources, renewable energy and sustainable design.

- B. The proposed use relates favorably to the General Plan and Draft Master Plan.** The proposed development supports General Plan policies for the redevelopment and reuse of the Northern Waterfront, General Plan policies to preserve the Del Monte Building consistent with the Secretary of Interior Standards, General Plan policies to increase housing opportunities in Alameda, and General Plan policies to extend public streets, bicycle lanes, transit lanes and pedestrian access through the area. This project also facilitates future development of, and access to, the adjacent waterfront land areas, which supports General Plan policies to increase access to public waterfront parks.
- C. The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have substantial deleterious effects on existing business districts or the local economy.** The proposed Development Plan is consistent with the Northern Waterfront General Plan Element and qualifies as a mixed use development pursuant to the MX Mixed Use Planned Development Zoning District which specifies mixed uses, including residential, commercial and open space uses, for this site. The development plan is designed to be compatible with adjacent residential uses by providing attractive public improvements, and ample pedestrian, transit, and bicycle facilities.
- D. 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 development qualifies as a mixed-use development pursuant to the MX, Mixed-Use Planned Development Zoning District, and satisfies the purposes of the MX and MF Multifamily district regulations. The project site plan is designed to conform to the Northern Waterfront GPA objectives and requirements adopted to ensure that the project would be compatible with adjacent residential neighborhoods, future development on the Chipman and Encinal Terminals sites, and existing and future waterfront uses. The Development Plan will provide for adequate landscaping, including Bay Friendly native plants as required by City standards.
- E. The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The Development Plan is designed in a manner compatible with existing and potential contiguous uses. The street network, location of entry roads, orientation of residential uses along Buena Vista Avenue and the Northern Waterfront, and the location of bicycle facilities, pedestrian facilities, and transit facilities are all designed to complement and support the planned surrounding uses. The plans provide for a well-designed pedestrian network, bicycle access, and vehicular access. The proposed improvements on Clement and Buena Vista Avenues will support and encourage use of and access to the waterfront.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board finds that the proposed development plan was evaluated in the IS/SMND for the Del Monte Master project pursuant to CEQA; and the IS/SMND determined that the proposed project would result in new or substantially more severe significant impacts, new information, or changes in circumstances that were not identified for the GPA EIR; however those new impacts are reduced to less than significant levels with new or revised mitigations; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board hereby approves the Del Monte Development Plan and Design Review applications shown in Exhibit 1, and referenced by PLN14-0059, subject to the following conditions:

Community Development Conditions:

1. Master Plan Approval: This approval shall become effective upon final approval by ordinance of the Draft Del Monte Master Plan and Draft Development Agreement by the City Council. In the event that the City Council does not approve the Master Plan, this approval shall be null and void.
2. Building Permit: The plans submitted for the Building Permit shall be in substantial compliance with Exhibit 1: Del Monte Development Plan prepared by BAR Architects and dated September 22, 2014, which are on file in the office of the City of Alameda Planning Division, subject to the conditions specified in this resolution approving the project. These conditions shall be printed on the first page of all building plans and improvement plans.
3. Mitigation Measure Reporting Program: Prior to issuance of each Building Permit, Grading Permit, or Site Improvement Permit, the City Planner shall ensure compliance with the City Council approved Mitigation Monitoring Reporting Programs.
4. Certificate of Approval: Prior to issuance of the first demolition permit, the City Planner shall ensure compliance with the Historical Advisory Board Certificate of Approval conditions of approval.
5. Landscape and Lighting Design: The Building Permit plans shall include final landscape and lighting details for all exterior areas and wall surfaces, including special paving treatments for the seating area located north of the retail tenant spaces facing the waterfront. Landscape plans shall be compliant with Bay Friendly Landscaping Standards and AMC requirements. All exterior lighting shall be shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.
6. Window Design Details: The Building Permit plans shall include final window design and window inset details. The window details for the addition shall include glazing details designed to minimize accidental bird strikes.
7. Bicycle Parking. The Building Permit plans shall include final bicycle parking details consistent with AMC requirements.

8. Universal Design: The building permit plans shall specify the following universal design details to accommodate future residents with mobility issues and/or disabilities:
- a. All 209 single-story units include the following universal design elements:
 - Accessible route of travel to dwelling unit from public sidewalk to the unit's primary entrance
 - Accessible route of travel from garage/parking to the unit's primary entrance
 - Minimum 32" clear primary entry doorway and a "no step entry" (1/2" or less threshold) with dual peephole and doorbell
 - All exterior/interior doors shall meet Chapter 11a. code required maneuvering clearances, hardware, thresholds, and strike side clearances
 - An accessible route of travel with a minimum 42" wide hallway to all bedrooms, living rooms, kitchens, and bathrooms.
 - Light switches, electrical receptacles, and environmental controls at accessible heights on the primary accessible floor*
 - Rocker light switches throughout entire unit
 - Minimum required work/floor clearance of 30"x48" in front of stove, refrigerator, dishwasher, sink, and oven*
 - Accessible countertops with a 30" wide workspace and/or one or more 15" breadboards installed between 28-32" high
 - Under-cabinet lighting
 - At least one full bathroom on accessible route of travel
 - Standard bathtub and toilet with grab bar reinforcement
 - Bathroom with removable base cabinets
 - Accessible medicine cabinet and integral mirror
 - Lower towel racks and robe hooks
 - Accessible toilet tissue holder
 - b. All 89 two-story units will include all of the elements of the one story units except that some bedrooms will be on a second floor that can only be accessed from an internal staircase, but each unit includes at least one type of each room (bathroom, kitchen, bedroom, common room) on the primary accessible floor.
 - c. All 10 live-work units will include all of the elements of the two story units, except that the bedroom is replaced by a work/office space. In addition, each work unit includes a minimum 32" clear secondary entry doorway with dual peephole and doorbell and entry door bench / package shelf.
 - d. All 200 units with decks/balconies include no-step transition onto/from the deck/balcony, and proper maneuvering clearances, hardware, and strike edge clearances on the deck/balcony.
9. Commercial Development: The Building Permit plans shall specify 30,000 square feet of ground floor space to be preserved by the applicant and/or future property owners for non-residential purposes.
10. Public Pass Through: The Building Permit plans shall include a public pass-through running from Buena Vista Avenue (at the intersection with Benton) to Clement

Avenue and the waterfront as shown in the Master Plan. The public pass through shall be identified as a public access easement on all future subdivision maps, and shall be maintained open for the public from dawn to dusk, seven days a week.

11. Affordable Housing Agreement: Prior to the issuance of the first building permit for vertical improvements or the Final Map approval, whichever comes first, the project applicant shall execute an Affordable Housing Agreement with the City of Alameda. The Affordable Housing Agreement will require, in part, construction of 55 residential units affordable to very low-, low- and moderate-income households. The project will provide 24 moderate-income units, 14 low-income units and 17 very-low income units. The agreement shall include provisions for moderate income households renting a unit to be afforded a first right of refusal to purchase the affordable unit if the property owner chooses to place the unit on the market for sale.
12. Car Share: The Building Permit plans shall specify at least three parking spaces to be reserved for car share vehicles. Prior to the issuance of the first occupancy permit, the applicant/property owner shall provide evidence of a contract with an established car share company to provide the three vehicles or alternative plan to ensure access to at least three vehicles for residents of the project and neighbors of the project.
13. Electric Car Charging: The Building Permit plans shall specify at least four parking spaces to be equipped with electric charging stations. The entire garage within the building shall be pre-wired to allow for cost-effective expansion of electric car charging stations to additional stalls as demand warrants.
14. On-Site Parking Management Plan: Prior to issuance of the first Occupancy Permit, the project applicant and/or property owner shall provide evidence to the satisfaction of the City Planner that the Project is in compliance with a Planning Board approved on-site parking management plan.
15. Transportation Demand Management Program: Prior to issuance of the first Occupancy Permit, the applicant shall provide evidence to the satisfaction of the City Planner that the Project is in compliance with a Planning Board approved Transportation Demand Management Program.
16. Public Art: Prior to issuance of the first Occupancy Permit for the building, the applicant shall complete a Public Art proposal to the Public Art Commission and have the approved Public Art installed on the site, in compliance with the public art requirements of the Alameda Municipal Code (AMC) Section 30-65.
17. 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 development plan or these conditions shall be subject to review and approval of the Planning Board.

Public Works Conditions

18. Improvement Plans: The applicant/developer shall submit, for review and approval plans for all on- site and off-site improvements. The improvement plans shall include:
- a. Clement Avenue Extension. Construction plans for the Clement Avenue extension from Entrance Road to Atlantic Avenue and a reconfiguration of the intersection of Sherman Street with the Clement Avenue extension consistent with the Master Plan. The plans shall include a new signal at the intersection of Sherman and Atlantic and at the intersection of Entrance and Clement. The construction plan submittal shall include an assessment of the existing bulkhead along the Southern side of Alaska Basin prepared by a registered civil or structural engineer and, if necessary, repaired in accordance with the engineer's recommendations.
 - b. Sherman Street Reconfiguration. Construction plans for the reconfiguration of Sherman Street, consistent with the Master Plan, including plans for the intersection at Eagle Avenue. The width of the entrance shall be 26' curb to curb and shall consist of a street throat approach conforming to City and/or CALTRANS standards.
 - c. Entrance Road. Construction plans for Entrance Road consistent with the Master Plan. The plans shall include a new signal at the intersection of Buena Vista and Entrance Road. Upon completion of the improvements, Entrance Road shall be dedicated to the City as a Public Street.
 - d. Buena Vista. Construction plans for the Buena Vista frontage consistent with the Master Plan, which include removal of the pork chop island at Buena Vista and Sherman Street when the Truck Route is moved to Clement Avenue, retiming of the signal to give priority to pedestrians, and construction of a new signal at the intersection of Buena Vista and Entrance.
 - e. Pedestrian Crossings: Construction plans for a pedestrian crossings across Buena Vista Avenue at Benton Street and across Clement Avenue to Alaska Basin with flashing lights and Rectangular Rapid Flash Beacon (RRFB) signage in conformance with the FHWA Highway Safety Improvement Program.
 - f. Street Paving: Installation of street paving shall include reconstruction of the existing pavement section to provide adequate conforms. The limits of the reconstruction shall be established by the Public Works Director prior to approval of the improvement plans or parcel/final map, whichever comes first.
 - g. Parking. Detailed plans for the on-site parking and loading areas.
 - h. Utilities: Undergrounding of all new and existing overhead electric utilities across the Del Monte site relocated offsite or easements obtained for those utilities crossing the site, with the exception of the 115 KV line.
19. To guarantee completion of the required on-site and off-site improvements, the applicant/developer shall enter into an agreement with the City and provide security in a form and amount acceptable to the City prior to approval of the improvements plans and/or parcel/final map.
20. In conjunction with the on-site improvement plans, the applicant/developer shall prepare Conditions, Covenants and Restrictions (CC&R's) for the condominium units, which CC&Rs shall establish a Homeowners' Association (HOA), of which all property owners must be a member. The applicant/developer submit CC&Rs and HOA requirements for the condominium units to the City for approval prior to

recording the Final Map and prior having the documents recorded. The applicant/developer shall bear all costs for recording the documents. The submittal shall include an estimate of costs and proposed level of maintenance for each of the activities identified. The CC&R's shall provide for funding and provision of maintenance of all common facilities, including but not limited to streets and utilities not accepted for maintenance by a public agency. The CC&R's shall stipulate that the Homeowners' Association is responsible for maintenance of landscaping along the streets, paseos, and on-site open spaces.

21. The improvement plans shall be prepared, signed, and stamped as approved by a registered civil engineer licensed in the State of California, The engineer shall also assume responsibility for inspection of the on-site construction work, and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, that the installation of the on-site work (excluding the building and foundation) was constructed in accordance with the approved plans.
22. The improvement plans and Parcel or Final Map shall show all existing and proposed easement locations, uses and recording information. The Owner's Statement shall list all easements to be dedicated and the Certificate of City Clerk shall list all public easements to be abandoned (with recording information) as part of the Parcel or Final Map. In addition, the following is required as part of the Parcel or Final Map approval: a refundable cashier's check in the amount of \$400 to guarantee a Mylar copy of the recorded Parcel or Final Map; payment for all reasonable office and engineering costs, including overhead, in conjunction with reviewing the Parcel or Final Map and associated improvement plans and easements; three copies of the approved on-site/off-site civil improvement plans and landscape plans, along with a velum or other reproducible set (plans only), and a CD or DVD digital copy acceptable to the City Engineer.
23. The improvement plans shall include landscape and irrigation plans for both on-site and off-site improvements. The plans shall be prepared, signed, and stamped by a licensed landscape architect and shall be in accordance with the AMC and other regional jurisdictional requirements. The landscape architect shall also assume responsibility for inspection of the work and shall certify 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.
24. A sanitary sewage flow analysis, identifying the total peak sanitary sewage flow quantities generated by the proposed development shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The City will provide the analysis to an independent consultant who will assess the impact of the proposed development on the City's sanitary sewer system and determine if any improvements to the City's system are required to ensure sufficient sewage capacity for this project and any anticipated growth within the associated sewer sub-area. The applicant/developer will pay for the cost of the modeling study. The applicant/developer will incorporate any recommended improvements from the sewer study into the project's improvements plans.
25. A sanitary sewage treatment capacity analysis for wet weather flows associated with the development, compared to existing or previous conditions, shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of

the construction improvement plans. The plan shall identify and mitigate any increase in wet weather flow capacities. The improvements plans will include any recommended improvements.

26. A storm drainage hydrology analysis identifying the total peak drainage flow quantities to be generated by the proposed development shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. Based upon the finding of the analysis, the Public Works Director shall determine the applicant's fair share financial contribution, if any, for the necessary upgrades for the Arbor Street Pump Station. The contribution shall be made prior to issuance of the Building Permit or approval of any final map or improvement plan.
27. 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.
28. Maintenance of public improvements within the development area shall be the responsibility of the new development.
29. Applicant/developer shall resurface the existing street pavement whenever a street is cut for utility or other improvement installations or the condition of the existing pavement requires improvements. The resurfacing shall extend a sufficient distance beyond any cut to ensure a smooth transition and shall consist of an average of one and a half (1½) inch asphalt concrete overlay, with a minimum one inch asphalt concrete overlay.
30. Hydro seeding of all disturbed pervious surface areas shall be completed in compliance with the requirements included in the State Water Resources Control Board (SWRCB) Order No. 2009-0009-DWQ.
31. Backflow prevention devices shall be installed on all new and existing domestic, commercial, irrigation, and fire water services and as required by the East Bay Municipal Utility District (EBMUD).
32. The applicant/developer shall submit a traffic striping and signage plan for all on- and off-site improvements, including all crosswalks, bus stops, turn lanes, merge lanes, acceleration lanes, lane drops, etc, as part of the construction improvement plan submittal. The plan shall provide the queuing summary for all study locations and all project driveways. The traffic circulation plan shall include plan(s) showing truck turning templates including rear/front wheel and body tracking movement and shall include delivery trucks, fire engines, moving vans and waste management trucks. The Public Works Department will review and approve the internal and external circulation of the parking lot, including lane widths and access points. The plans shall be prepared by a registered civil engineer or traffic engineer licensed in the State of California. The engineer shall sign and stamp the plans as approved. The plans shall be reviewed and approved by the Public Works Director prior to approval of the improvement plans or Parcel or Final Map, whichever comes first.

The plan shall include all necessary striping to ensure safe ingress and egress from the project site to the adjacent public streets.

33. For any off-street parking facilities the applicant/developer shall submit the improvement plans to the Community Development Department and Public Works Department for review and approval. The plans shall be prepared by a registered civil engineer licensed in the State of California and shall be signed and stamped as approved. The Community Development Department shall review and approve the parking lot layout, including number of spaces, dimensions of spaces, and Americans with Disabilities Act (ADA) requirements, and the Public Works Director shall review and approve the internal and external circulation of the parking lot, including lane widths and access points, prior to approval of the improvements plans or parcel/final map, whichever comes first.
34. At least three weeks prior to the commencement of work within the public right-of-way that affects access for pedestrian, bicyclist, and vehicular traffic, the applicant/developer shall provide a Traffic Control Plan (TCP) to the Public Works Department for review and approval. The TCP shall be prepared by a registered civil engineer or traffic engineer licensed in the State of California, and be in accordance with the California MUTCD standards. The engineer shall sign and stamp the plans as approved. In general, any 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/developer 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.
35. Pedestrian and vehicular lighting at all intersections and project driveways shall meet Alameda Municipal Power standards for crosswalks, sidewalks, and intersections.
36. Applicant/developer shall replace any damaged curb, gutter, and sidewalk along street frontages to the satisfaction of the Public Works Director, in accordance with the Public Works Department's Standard Plans and Specifications prior to acceptance of the project.
37. The applicant/developer shall overlay the right travel lane along Buena Vista Avenue with a minimum of one and a half inches of asphaltic concrete and repave the western portion of Entrance Road using a Traffic index of 10.
38. Any entrance/exit onto Buena Vista Avenue shall be right in/right out only and shall be signed and striped accordingly. The entrance/exit shall have a traffic island directing traffic.
39. The applicant/developer shall ensure that any new habitable space be constructed at a minimum elevation of 24 inches above the 100-year tidal flood plan elevation.
40. The applicant/developer shall provide to the City Engineer or designee, prior to the issuance of the first combination building/grading permit, a copy of both the WDID# issued to the project site by the State Water Resources Control Board (SWRCB)

and the required Storm Water Pollution Prevention Plan (SWPPP). These documents shall provide verification to the City that the project site is in compliance with SWRCB Order No. 2009-0009-DWQ. Information on this State Order is available at: <http://www.waterboards.ca.gov>.

41. The applicant/developer 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 Inner Harbor, 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/developer shall pay for any required cleanup, testing, and/or City administrative costs resulting from consequence of construction materials entering the storm water drainage system.
42. Improvement plans shall include appropriate pollution prevention source control measures, permanent low impact development (LID) measures and stormwater treatment controls and/or design techniques to prevent and minimize impacts to the quality of stormwater runoff from the project site. The measures shall be compliant with the Provision C3 requirements of the City's municipal stormwater permit. The Improvement Plans shall provide details sufficient to ensure that the measures shall be constructed consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual.
43. Landscaping 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 stormwater pollution.
44. The applicant/developer shall submit a stormwater quality management plan, consistent and concurrent with the finalized improvement plans, to demonstrate and verify appropriate site design for LID and stormwater treatment consistent with the Provision C3 requirements. This Plan shall include: a completed City of Alameda's Stormwater Requirements Checklist; the determination and identification of drainage management areas (DMAs) for all proposed impervious surface areas on the proposed project site, excepting the existing Del Monte Warehouse structure as that is exempt; the establishment of Provision C3-compliant stormwater quality measures for each DMA; a site plan map and inventory identifying each DMA and corresponding C3-compliant measure, including area values (in square feet) for all areas; a stamped, signed City of Alameda certification form from a qualified independent civil engineer with stormwater treatment facility design experience, licensed in the State of California, and acceptable to the Public Works Department that indicates the Plan and all LID and treatment measure designs meet the established sizing design criteria for stormwater treatment measures consistent with Provision C3 of the municipal stormwater permit.
45. 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.
46. The applicant/developer shall submit a stormwater 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. The O&M plan shall include, but not be limited to: treatment measure(s) descriptions and summary inventory; a legible, recordable, reduced-scale (8.5"x11") copy(-ies) of the Site Plan indicating the treatment measure(s) location(s) and site drainage patterns; treatment measure(s) maintenance requirements and maintenance schedule; detailed description of the integrated pest management principals and techniques and/or Bay Friendly Landscaping Program techniques to be utilized during landscape maintenance to ensure pesticide/herbicide use-minimization in landscaped areas; name and contact information of current maintenance personnel.

47. The applicant/developer shall execute a Stormwater Treatment Measures Maintenance Agreement (Stormwater Agreement) with the City prior to the issuance of the certificate of occupancy. The Stormwater Agreement shall include, but not be limited to: the O&M plan for all approved stormwater treatment measures; identification of the party responsible for implementing the O&M plan; assurances of access to inspect and verify the treatment system O&M for the life of the project; and assurances of the submittal of the annual O&M report to the City. The executed Stormwater Agreement shall be recorded, at applicant/developer's expense, with the County Recorder's Office of the County of Alameda.
48. The applicant/developer 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 Alameda Municipal Code, and must recycle at least 50% of total debris hauled from the project.
49. 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). 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.
50. Design of all external enclosures for solid waste, recycling, and organics shall be approved by the Public Works Director prior to approval of the improvements plans, parcel/final map(s), or the building permit, whichever comes first. These facilities are to be designed to prevent water run-on to the area, runoff from the area, and to contain litter, trash, and other pollutants, so that these materials are not dispersed by the wind or discharged to the storm drain system. External enclosures are to be roofed and/or enclosed. Any enclosures containing food waste shall have floor drains connected to the sanitary sewer system. If the enclosures are attached to buildings they shall have fire sprinklers. Internal collection and storage area(s) and the individual bins and containers provided, shall be adequate in capacity, number, and distribution to serve the anticipated demand for trash, recycling, and organics as determined by the Public Works Director.

51. 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.
52. 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) 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.
53. 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.
54. Prior to issuance of building permits, the developer/applicant shall submit improvement plans for the project site Fire Water System. The system shall be designed to the satisfaction of EBMUD and the Alameda Fire Department. The Applicant shall be responsible for the placement of on-site hydrants. The location and number of hydrants shall be established in improvements plans. Placement shall be shown on the improvement plans and shall be to the satisfaction EBMUD, the City Fire Chief and the City Engineer.
55. The improvement plans and building permit plans shall include fire sprinkler systems within each residential unit including the garage and attic spaces.
56. The developer/applicant shall provide adequate turn around space or through access for any street greater than 150 feet in length to the satisfaction of the Fire Chief and the City Engineer.
57. Emergency Vehicle Access roads shall have an adequate turning radius for fire apparatus (inside turning radius of 28 feet, outside turning radius 44 feet 8 inches, minimum height 13 feet 6 inches, minimum width 20 feet).
58. 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.
59. The developer/applicant shall be responsible for a water main extension to serve the project, whose design shall be shown on the Improvement Plans to the satisfaction of EBMUD, the Public Works Director, and the Fire Chief.
60. Prior to approval of the Improvement Plans, the applicant shall submit plans for review and approval by the Public Works Director and the Fire Chief, that:

- a. Provide fire hydrants spaced throughout the project as required in California Fire Code Appendix C. Ensure sufficient fire flow for the development compliant with California Fire Code Appendix B and Alameda Municipal Code 15-1.2 where a maximum reduction of the fire flow can be reduced by 50% for fire sprinklered buildings.
- b. Fire hydrant flows shall be a minimum of 1,500 G.P.M. from any one hydrant;
- c. Provide adequate turn around space or acceptable emergency vehicle through access for any street greater than 150 feet in length;
- d. Ensure that all roads that are required to be fire access roads have an adequate turning radii for fire apparatus (inside turning radius of 28" and outside turning radius of 44'8"); and
- e. For all roads designated as fire access roads shall have a minimum fire lane width of 26' unobstructed. Should parking within the fire lane be required, the fire lane width is to be increased to an additional 8' per side for vehicle parking.

Construction Conditions

61. 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 Site Management Plan and MMRP.
62. 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.
63. 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.
64. 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. 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 or noise from heavy machinery such as pile drivers, drilling rigs (except as necessary for elevator, shoring, and soil testing), etc. shall be allowed. 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.

65. Prior to issuance of building or grading permits, the developer/applicant shall ensure that a program of dust control is implemented consistent with City, MMRP and BAAQMD requirements.
66. In the event that previously unidentified cultural resources are discovered during site preparation or construction, work shall cease in the immediate area until such time as a qualified archaeologist and City of Alameda personnel can assess the significance of the find. If human remains are encountered, work shall halt within 50 feet of the find and the County Coroner shall be notified immediately.
67. If underground utilities leading to adjacent properties are uncovered and/or broken, the contractor involved shall immediately notify the Public Works Department and the Community Development Department, and carry out any necessary corrective action to their satisfaction.
68. Prior to issuance of building permit(s) for this project, the applicant shall provide evidence that all required approvals, permits, or waivers from Bay Conservation and Development Commission (BCDC) and/or the Army Corp. of Engineers, if any, have been obtained.
69. The project sponsor shall ensure that all proposed areas for demolition 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.
70. The applicant/developer 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 there will be no significant hazard related risks to future site users.
71. Hold Harmless and Indemnification Agreement The developer/applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, the Alameda City Planning Board and their respective agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Alameda, Alameda City Planning Board and their respective agents, officers or employees to attack, set aside, void or annul, an approval by the City of Alameda, the Community Development Department, Alameda City Planning Board, or City Council relating to this project. The City shall promptly notify the developer/applicant of any claim, action or proceeding and the City shall cooperate in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.