

CITY OF ALAMEDA PLANNING BOARD  
**RESOLUTION NO. DRAFT**

APPROVING AN AMENDMENT TO FINAL DEVELOPMENT PLAN AND DESIGN  
REVIEW PLN15-0092 AT 2810 HARBOR BAY PARKWAY

WHEREAS, an application was made on February 25, 2015 by FME Architecture & Design for an amendment to a Final Development Plan and Design Review No. PLN07-0061 to permit the construction of a 22,868 square foot building and associated parking, landscaping and other improvements, located at 2810 Harbor Bay Parkway, and;

WHEREAS, the proposal was accepted as complete on April 15, 2015; and

WHEREAS, the subject property is designated as Business Park on the General Plan Diagram; and

WHEREAS, the subject property is located in a C-M-PD, Commercial-Manufacturing Planned Development Zoning District; and

WHEREAS, the Planned Development for the Business Park was approved by PD-81-2, and subsequently amended by PDA-85-4, PDA05-0003, and PLN07-061; and

WHEREAS, the Board held a public hearing on May 26, 2015, for this application, and examined pertinent maps, drawings, and documents; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds this project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 – Infill Development Projects. The project meets all requirements for the infill exemption, including the following:

- a) **The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.** The project meets this criterion because as proposed it is consistent with the Business Park General Plan designation and the use of the building as a corporate office is a permitted use in the C-M-PD zoning district. The project also complies with all applicable development regulations for the C-M-PD zoning district and the Harbor Bay Business Park.
- b) **The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.** The project site is located within the Harbor Bay Business Park, an urban commercial office park, and the project site parcel is approximately 2.05 acres in size.
- c) **The project site has no value as habitat for endangered, rare or threatened species.** The area of the proposed development is currently a vacant lot. The vacant site has no habitat value for any endangered, rare, or threatened wildlife species because while ground squirrels were present, mammal burrows were not identified in the project footprint.

In the adjacent vacant lot a few ground squirrel burrows were identified but were not of sufficient size to support burrowing owls and no owl sign was observed and found no evidence of owl habitat. (A Burrowing Owl Survey was conducted at the project site by ESA on April 14, 2015). The site is also subject to high levels of disturbance from foot traffic on the public trail and vehicle use on Adelphian Way such that it would not be viable habitat for endangered, rare, or threatened species.

**d) Approval of the project would not result in any significant effects relating to traffic, noise, air navigation, air quality, or water quality.** The proposed project will not result in any significant traffic, noise, air quality or water quality impacts because the project combines previously approved development floor area into a single building and a negligible difference in development capacity is proposed. Moreover, the project will maintain the originally approved parking ratio of 3.51 parking spaces per 1,000 square feet, and therefore represents no substantial change in the project traffic generation and parking demand from the previous approval. All prior conditions of approval from PLN07-0061 in regards to minimizing project environmental impacts will be incorporated into this project.

**e) The site can be adequately served by all required utilities and public services.** The project site is located within an urban business park that already has the basic water, sewer, and other utility infrastructure necessary to support the proposed project. The site has access to all other public services provided by the City.

BE IT FURTHER RESOLVED, that the Board made the following findings relative to the Amendment to the Final Development Plan:

1. Condition #2 of Resolution No. 1203 which approved the Business Park requires that for each development proposal within the Business Park, a Final Development Plan be reviewed by Staff for compliance with the conditions of Resolution No. 1203 and then be brought before the Planning Board. This requirement has been fulfilled for this proposal.
2. The proposed amendment supersedes the Esplanade Final Development Plan PLN07-0061 (Resolution No. PB-08-06). Conditions of approval from Planning Board Resolutions No. 1203 and PB-08-06 that are not modified by the conditions of approval herein are incorporated by reference.

BE IT FURTHER RESOLVED, that the Board made the following findings relative to the Design Review approval:

1. As conditioned, the proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual, because the proposed new construction is compatible in design and use of materials with the adjacent Stacy & Witbeck building and VF Outdoor campus. The project is compatible with the adjacent residential development and the shoreline park because it provides adequate open space, pedestrian access, and screening of parking.

2. As conditioned, the project will be compatible with its site, adjacent or neighboring buildings or surroundings, and promote harmonious transitions in scale and character in areas between different designated land uses. The overall project design is harmonious with the neighborhood, and it complements the Harbor Bay Business Park. The design review approval for the overall Esplanade site is based on buildings with a horizontal profile that utilize high quality textures and building materials. The proposed building exterior incorporates proportions and materials that relate to the originally approved design and the Stacy & Witbeck building. Articulation of the façades, vertical elements and color variation, including a two-color masonry scheme between floors, achieves the original goal of breaking up the horizontal massing of the building. The corridor that separated the two previously approved buildings is now a glass atrium that maintains visual access to the waterfront.
3. As conditioned the building design is harmonious with the neighborhood, compliments the Harbor Bay Business Park, and has an appropriate theme and sense of scale, utilizing high quality textures and building materials. Consistent with the originally approved design for office buildings for the entire Esplanade development, the proposed building materials include reinforced structural masonry, steel and glass. Exterior materials continue to combine brick masonry construction with generous expanses of glass, incorporating large punch windows, and deep sunscreen elements that mitigate heat gain from the sun, and add dimension and detail to the facades. Corrugated metal provides mechanical screening and a horizontal element across the top of the building. The building's architectural design is well-suited to its location and context and will enhance the visual interest of the streetscape.

BE IT FURTHER RESOLVED, that the Board made the following findings relative to the specific design guidelines for the Business Park contained in Resolution No. 1203, which establishes development standards for the Harbor Bay Business Park:

1. The preliminary landscape plan is consistent with the required landscaping requirements of the Business Park.
2. The building is designed with a low horizontal profile which reduces the bulk of the building as required by the Architectural Guidelines contained in Resolution No. 1203.

BE IT FURTHER RESOLVED, that the Planning Board of the City of Alameda hereby approves Amendment to Final Development Plan and Design Review PLN15-0092 subject to the following conditions:

## **COMMUNITY DEVELOPMENT DEPARTMENT**

1. Conditions relating to the Planning Board Resolution No. 1203 and PB-08-06 are incorporated by reference, except where modified in the conditions herein.
2. These conditions shall be printed on the first page of all building plans and improvement plans.
3. Building Permit Plans: The plans submitted for building permits shall be in substantial compliance with the plans prepared by Fee Munson Ebert Architects, date stamped April 15, 2015, titled "McGuire & Hester Development Plans" consisting of 15 sheets, on file in the office of the City of Alameda Community Development Department.
4. The Design Review approval for the two-story 22,868 square foot building shall expire and become void unless actual construction under valid permits has been commenced within two years after this approval. A one-time extension for an additional two years may be granted upon written request.
5. The plans submitted for building permit shall be consistent with the amended Final Development Plan and shall show details of the following for review and approval by the Community Development Director or his or her designee:
  - a. Final Planting and Irrigation Plans;
  - b. Final window and door details;
  - c. Sample color and material selections; and
  - d. Lighting Plan, including fixtures
6. Construction activities: Construction activities shall be subject to the requirements of the Alameda Municipal Code, which restricts construction to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturday or Sunday.
7. Lighting: All new exterior lighting fixtures shall be directed downward and shielded to minimize offsite glare.
8. Mechanical Equipment: Any noise making mechanical equipment located on the ground, which generates noise exceeding ambient noise levels (prior to installation of the equipment) at the common property line with the adjacent residential neighborhoods shall be enclosed in a sound blocking enclosure meeting the noise standards established by the Alameda Municipal Code. The enclosure shall be built to the following minimum standards:
  - a) The barrier can be any thickness so long as its weight is 4lbs/ft<sup>2</sup> or greater.
  - b) The barrier must be nonporous, with a solid door.
  - c) The barrier must enclose the equipment on all sides. The building walls may serve as one or more of the sides.
  - d) The wall height should be a minimum of three feet (3') greater than the tallest piece of equipment.

9. Fencing: Perimeter fencing, if any, will exclude chain link fencing. Onsite storage or equipment enclosures, as required by the planned development guidelines for the Business Park, must include 8' high decorative black or dark green vinyl coated chain link fencing, with lockable gates, intended to blend the enclosure with the landscaping.
10. Signage: Any temporary or permanent signage is subject to a sign permit approval. All signage shall be consistent with the requirements of the approved signage program for Harbor Bay Business Park.
11. Outdoor Storage: There shall be no outdoor storage unless approved by the Community Development Director, and any outdoor storage permitted shall be temporary for in-transit materials.
12. Area Reserved for Parking: The designated future parking area along the northern portion of the parking lot shall be reserved as landscaping. No permanent structures may be built in this reserved area.

## **PUBLIC WORKS**

### Engineering

13. The applicant/developer shall submit construction improvement plans for all off-site improvements, including detailed designs for all wet and dry utilities, landscaping and irrigation, water, grading, drainage, erosion control, paving and solid waste storage and recycling areas. The plans shall be prepared, signed and stamped as approved by a registered civil engineer licensed in the State of California, unless the Public Works Director authorizes them to be prepared by some other qualified professional, and be in accordance with the AMC, the City of Alameda Standard Plans and Specifications, Standard Subdivision Specifications and Design Criteria, and the Master Street Tree Plan. The plans shall be reviewed and approved by the Public Works Director prior to approval of the improvements plans. The engineer shall also assume responsibility for inspection of the on-site construction work, including but not limited to parking lots, pathways, storm facilities, sewer facilities, etc., and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first, that the installation of the on-site work (excluding the building and foundation) was constructed in accordance with the approved plans.
14. The landscape and irrigation plans for all off-site 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 Master Street Tree Plan, the AMC, conditions of approval by the Planning Board, and other regional jurisdictions requirements, as applicable.
  - a. Projects required to meet the Bay-Friendly Landscape (BFL) requirements

shall:

- i. Have plans prepared by a qualified BFL design professional;
  - ii. Earn, at a minimum, a total of 60 points on the StopWaste.Org "Bay-Friendly Scorecard for Commercial & Civic Landscapes" (Scorecard), as determined by a qualified BFL Rater;
  - iii. Complete the nine required practices identified on the Scorecard related to mulch, compost, diversion of construction and demolition waste, selection of planting materials, and the design and installation of irrigation systems, as determined by a qualified BFL Rater;
  - iv. Acquire the services of an approved BFL Rater to assist the landscape project design and construction team with gaining BFL qualification, consistent with the BFL qualification requirements of the Bay Friendly Coalition
  - v. Pay the required BFL application and final submittal fees via the BFL Rater to the Bay Friendly Coalition
  - vi. Submit to the City written certification from the Bay Friendly Coalition that the design and construction of the landscaping and irrigation meets the most recent version of the "Bay-Friendly Landscape Guidelines" developed by StopWaste.Org and The Bay Friendly Coalition. This certification is required prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first,
- b. In addition, the final landscape plans shall ensure that all landscaping and bioswales are compatible with the stormwater treatment measures designed to minimize irrigation and runoff; promote surface infiltration, where appropriate; and minimize the use of fertilizers and pesticides that can contribute to storm water pollution. Also, integrated pest management (IPM) principles and techniques shall be incorporated into the landscaping design and specifications. Where feasible, landscaping shall be designed and operated to treat storm water runoff by incorporating elements that collect, detain, and infiltrate runoff. Plant placement within the site landscape design shall not interfere with the design function of any of the stormwater treatment measures. For example, trees planted in or near a biotreatment swale shall not adversely interfere with the design flow capacity of the swale. The plans shall be reviewed and approved by the Public Works Director prior to approval of the improvements plans. The landscaped architect shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first, that the installation of landscaping and irrigation in the public right of way was constructed in accordance with the approved plans.

15.A sanitary sewage flow analysis identifying the total peak sanitary sewage flow quantities to be generated by the proposed development shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of

the construction improvement plans. The City will provide this data to an independent consultant who will assess the impact of the proposed development on the City's sanitary sewer system using a hydraulic model and determine the required improvements, if any, to ensure sufficient sewage capacity for this project and anticipated cumulative growth in the associated sewer sub-area. The developer will pay for the cost of the modeling study. The developer will include the recommended improvements into the project's improvements plans prior to approval of the improvement plans.

16. A sanitary sewage treatment capacity analysis for wet weather flows 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 treatment capacities associated with the development when compared to existing conditions. The developer will include the recommended improvements into the project's improvements plans prior to approval of the improvements plans.
17. 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. 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 developer will pay for the cost of the modeling study. The developer will include the recommended improvements into the project's improvements plans prior to approval of the improvements plans.
18. The applicant/developer shall submit a soils investigation and geotechnical report, prepared by a registered geotechnical engineer licensed in the State of California and acceptable to the Public Works Director. The report shall address the structural and environmental analysis of existing soils and groundwater. The improvement plans shall incorporate all design and construction criteria specified in the report. The geotechnical engineer shall sign and stamp the improvement plans as approved and as conforming to their recommendations prior to approval of the improvement plans. The geotechnical engineer shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work or establishment of the use, whichever comes first, that the work performed is adequate and complies with their recommendations. Additional soils information may be required during the plan check of individual house plans
19. Exposed soil surfaces shall be periodically sprinkled to retard dust. During construction, the applicant/developer shall ensure that construction crews undertake a program of dust control including, but not limited to, watering soil surfaces as needed to prevent dust blowing, covering trucks carrying materials to and from the

site, and frequent clean-up of soil carried by construction vehicle tires from the site onto streets. No City water shall be used for this purpose.

20. All project related grading, trenching, backfilling, and compaction shall be conducted in accordance with City of Alameda Standards and Specifications.
21. Hydroseeding of all disturbed areas shall be completed by October 1. Applicant/developer shall provide sufficient maintenance and irrigation to ensure growth is established by November 1.
22. New street trees shall maintain clearances from utilities shall be as follow: a) Fire hydrant – 6 feet; b) top of driveway wing – 5'; c) stop signs – 15'; d) street/pathway lights and utility poles – 25'; e) storm drain, sanitary mains, gas, water, telephone, electrical lines – 5'; f) front of electrical pad-mounted equipment – 10'. Verify minimum clearance distances of street trees/shrubs from electrical transformers with City of Alameda Municipal Power (AMP).
23. Approved 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). These devices must be tested by an AWWA certified tester from a list of testers provided by EBMUD.
24. Costs for inspection by the Public Works construction inspectors during non-working hours shall be at time and one half. Work on Saturday's requiring inspection shall not be done unless approved in advance by the Public Works Director. No work allowed on Sundays. Any work done without inspection may be rejected at the contractor's expense.

#### Stormwater, Wastewater and Water

25. Prior to issuance of building permits, finalized landscaping plans shall be designed to minimize runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution. Consideration shall be given to pest-resistant landscaping and design features and the use of integrated pest management (IPM) principles and techniques. As appropriate, landscaping shall be designed and operated to treat stormwater runoff.
26. Prior to issuance of building permits, the site plan, improvement plan and landscaping plan documents shall incorporate permanent low impact development (LID) measures and stormwater treatment controls and design techniques to manage the quantity and quality of stormwater runoff from the planned development. Measures shall be constructed and verified as consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual and Provisions C.3.c and C.3.d of the City's Municipal NPDES storm water permit. Conceptual site plans will need to identify sufficient areas to provide for the implementation of the necessary LID measures.



27. Prior to issuance of building permits and approval of the Improvement Plans, the applicant shall revise and re-submit for City engineering review and approval a stormwater quality management plan (Plan) to demonstrate and verify appropriate site stormwater treatment-LID design and sizing. This Plan shall include:
- a. The completed City of Alameda's Stormwater Requirements Checklist
  - b. The determination and identification of drainage management areas (DMAs) for all impervious surface areas on the proposed project site and the establishment and identification of Provision C3-compliant stormwater quality design and treatment measures for each DMA.
  - c. A site plan map and inventory identifying the location and area values (in square feet) of each DMA and corresponding C3-compliant measure
  - d. Signed, C3-LID sizing certification form for all DMAs and C3 measures, as described below.
28. Prior to the approval of the Improvement Plans and issuance of the grading, building, or combination permit, or whichever comes first, the applicant/developer shall submit a stamped, signed City of Alameda C3 certification form from a qualified independent civil engineer with stormwater treatment facility design experience, licensed in the State of California, and acceptable to Public Works Engineering that indicates the LID and treatment measure designs of the finalized improvement plans and stormwater quality management plan meet the established sizing design criteria for stormwater treatment measures. City qualification standards are listed below.
29. The applicant/developer shall provide the Public Works Department Clean Water Program, 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 prior to the initiation of construction activity. Information on this State Order is available at: [http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/construction.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml)
30. Consistent with the submittals to the SWRCB, the applicant/developer shall submit a Storm Water Pollution Prevention Plan (SWPPP) as part of the improvement plan submittal. The SWPPP shall be reviewed and accepted by the Public Works Clean Water Program for conformance with the City's erosion and sediment control standards.
31. In compliance with the SWPPP, the applicant/developer shall be responsible for ensuring that all contractors and sub-contractors install and regularly maintain all control measure elements required in the project SWPPP during any and all construction activities in order to prevent any pollutants entering directly or indirectly the storm water system or waters of the State. The applicant/developer shall pay

for any required cleanup, testing, and City administrative costs resulting from consequence of construction materials entering the storm water system and/or waters of the State.

32. The finalized construction improvement plans shall incorporate permanent stormwater treatment controls and/or design techniques to manage the quantity and quality of stormwater runoff from a planned development to prevent and minimize impacts to water quality consistent with the finalized stormwater quality management Plan. Efforts shall be taken to minimize impervious surface areas, especially directly connected impervious surface areas. Roof drains shall discharge and drain to an unpaved area wherever practicable. Design techniques may include vegetated swales, vegetated buffer zones, bioretention units, retention/detention basins and ponds, tree well systems, and the incorporation of pervious surface areas and Low Impact Development (LID) measures. Stormwater treatment measures shall be constructed consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual. Applicants may also refer to the Bay Area Stormwater Management Agencies Association (BASMAA) Start at the Source Manual for technical guidance.
33. Prior to issuance of the building or grading permit, whichever comes first, the improvement plans shall be consistent with the stormwater quality management Plan submittals. Plan sheets shall include detail and cross-sectional drawings of the stormwater quality design and treatment measures, as relevant, consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual.
34. Prior to issuance of the building or grading permit, whichever comes first, the improvement plans shall indicate the stormwater trash capture measure(s) being installed on the project site to ensure that the stormwater drainage from the project site is subject to full trash capture consistent with City's municipal stormwater permit definition of a full trash capture device. A full trash capture system or device is any single 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 detail and cross-sectional drawings of any stormwater full trash capture device(s).
35. Prior to issuance of the occupancy permit, the applicant/developer shall submit for review and approval a Stormwater C3-LID Measures Operations and Maintenance (O&M) Plan, consistent with the City's checklist for preparing an O&M Plan, that provides a thorough discussion of the inspection, operations and maintenance requirements of all of the stormwater treatment and LID design measures at the site.
36. Prior to issuance of the occupancy permit, the applicant/developer shall submit a 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 Public Works Engineering.

37. Prior to issuance of the occupancy permit, the property owner shall execute a C3-LID Treatment Measures Maintenance Agreement (Agreement) with the City, complete with an approved O&M Plan and annual reporting template.
38. If the project or the project parcel/property line adjustments will affect any drainage areas of the adjoining Stacy & Witbeck site (2800 Harbor Bay Parkway), the developer will be responsible for securing a re-execution of the Stormwater Treatment Measures Maintenance Agreement (April 2012) between the City of Alameda and the property owner of the 2800 Harbor Bay Parkway site, including any necessary engineering revisions to the Agreement exhibits.
39. Fire sprinkler system test water discharges shall be directed to the sanitary sewer system or to appropriately-sized onsite vegetated area(s).
40. All new storm drain inlets shall be clearly marked with the words "No Dumping! Drains to Bay," or equivalent, as approved by the City Public Works Department. Permanently affixed thermoplastic, metallic or plastic laminate style markers are examples of acceptable forms.

#### Traffic and Transportation

41. 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., applicable to the project, as part of the construction improvement plan submittal. 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 improvements plans.
42. The applicant/developer shall submit the improvement plans for any on-site parking facilities to the Community Development Department and Public Works Department for review and approval. A registered civil engineer licensed in the State of

California shall prepare the plans and signed and stamped them as approved. The Community Development Department shall review and approve the parking lot layout, including number of spaces, dimensions of spaces, and 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. The plans shall be reviewed and approved by the Community Development Department and Public Works Director prior to approval of the improvements plans.

43. Final bicycle parking plan shall be consistent with AMC-7.15 Bicycle Parking. The facility, location, and type shall be approved by the Community Development Department prior to approval of the improvements plans or building permit, whichever comes first. The Community Development Department shall inspect the location, type, and number of facilities to ensure they are in accordance with the approved plans prior to acceptance of the work or issuance of any occupancy permit, including temporary occupancy permit, whichever comes first.
44. 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 vehicular, transit, bicyclist, and pedestrian access through and/or adjacent to the project site 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 receive prior approval from AC Transit of any proposed traffic detours or temporary closure of bus stops. Constructed work may not commence until the TCP is approved by the Public Works Director.
45. Pedestrian and vehicular lighting at all intersections and project driveways shall meet Alameda Municipal Power standards for crosswalks, sidewalks, and intersections.
46. 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 or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first.

## Environmental

47. The applicant/developer is subject to the WMP requirement of section 21-24 of the Alameda Municipal Code, and must recycle at least 50% of total construction debris hauled from project.

a. The WMP shall be submitted by the developer to Environmental Services via Green Halo ([greenhalosystems.com](http://greenhalosystems.com)) prior to start of the demolition, remodeling, or construction work. This must be done using Green Halo's web interface, which will include information such as:

I. Franchised or permitted waste hauler's name, address, and telephone number

EXCEPTION: Self-haul is allowed, but ONLY in fixed body trucks that belong to the permit holder –debris or roll-off boxes are prohibited for self-haulers, and unpermitted and subcontracted waste haulers are prohibited. (AMC 21-21)

II. Project location and/or street address

III. Anticipated start and completion dates of the project

IV. A list of materials expected to be generated (e.g., glass, wood, metal, drywall, concrete, bricks);

V. The estimated tonnage of each material; how they are to be reused, disposed or recycled; and

VI. The destination/processor for that reuse, recycling or disposal.

The Environmental Services Division will review the WMP, and will provide recommendations that shall be incorporated into the plans for the project.

b. Final Hauling Report: Within thirty (30) days after the completion of the demolition, remodeling or construction project, or prior to final inspection approval, whichever comes first, the developer shall submit a Summary Report to the Environmental Services Division, via Green Halo ([greenhalosystems.com](http://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 need to be directly uploaded to Green Halo to verify this activity.

Should paper forms be necessary for the WMP and Summary Report, please request City-specified forms, and note that additional City staff hours required for reporting and calculation will be charged to the permit.

c. The Building Official shall not issue a certificate of occupancy or a final inspection approval pursuant to the Building code for any project for which a C&D Applicant is not in compliance with the WMP requirement unless that non-compliance has been resolved by payment of the corresponding penalty (ninety five (\$95) dollars for every ton of material required to be diverted but which is not diverted).

48. Design of all external enclosures for solid waste, recycling, and organics shall be approved by the Public Works Director concurrent with the approval of the

improvements plans. 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.

49. Applicant must comply with the following minimum storage requirements for solid waste, recyclable and compostable materials:

Non-Residential Structures -- Non-residential structures/uses within all zoning districts shall provide external solid waste, recyclable and compostable material storage areas. The following minimum exterior storage area requirements apply to each individual structure:

Building Size (square feet)	Solid waste (square feet)	Recyclables (square feet)	Organic Materials (Plant Debris, Food Waste & Food Soiled Paper) (square feet)	Total Area (square feet)
10,000- 25,000	48	48	48	144

50. Exterior solid waste and recyclable material storage shall be adjacent or combined and may only be located on the outside of a structure, in a designated interior courtyard with appropriate access, or in rear or side yards. External storage area(s) shall not be located in any required front yard, street side yard, required parking, landscaped, or open space, or any areas required by the AMC to be maintained as unencumbered.

51. The storage area(s) shall be accessible to employees.

52. 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.

53. The storage area(s) and the individual bins and containers provided within shall be adequate in capacity, number and distribution to serve the anticipated demand as determined by the Public Works Director.

54. The design and construction of the storage area(s) shall:

- Be compatible with the surrounding structures and land uses; and
- Be properly secured to prevent access by unauthorized persons. If gates with locks are planned to limit access to the enclosure or to the property,

- cards or keys must be provided to the City's franchised waste hauler and recycling collector; at present Alameda County Industries; and
- 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. A 6-inch wide parking bumper, at least 3 feet long, should also be placed between the refuse dumpster and the recycling containers; and
  - e. Maintain a minimum space of 12 inches between the dumpster(s) and the walls 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-collectible, noxious, unsafe, or in the case of recyclable materials, unmarketable.
55. Dimensions of the storage area(s) shall accommodate containers consistent with the current methods of collection. The storage area(s) shall be appropriately located and screened from view on at least three sides by a solid wall six feet in height, and on the fourth side by a solid gate not less than five feet in height. The gate shall be maintained in good working order and shall remain closed except when in use. Gates must open straight out and gates and hinges must be flush with the enclosure wall to allow adequate maneuverability of the dumpster in and out of the enclosure. The design of the wall and gate shall be architecturally compatible with the surrounding structures.
56. A sign clearly identifying each exterior solid waste and recyclable 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.
57. 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 or emptied.

## **ALAMEDA MUNICIPAL POWER**

- 58.45. 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 [www.alamedamp.com](http://www.alamedamp.com)) and provide completed "Service Planning Sheets" for AMP's review prior to submitting plans for building permits.
59. The applicant shall provide information on the location of transformers and total load in kilowatts or kilowatt/volts (KVA) to Alameda Municipal Power (AMP) for approval prior to issuance of building permits. 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.

60. The distribution transformer shall be placed at least 100 feet from any body of water unless a biodegradable oil transformer is used. If a biodegradable oil distribution transformer is utilized it must be enclosed in an oil retention berm to contain spillage.

## **FIRE DEPARTMENT**

61. The 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 the East Bay Municipal Utilities District, the Public Works Director, and the Fire Chief.
62. Prior to approval of the improvement plans, the applicant shall submit revised 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. Fire hydrant flow shall be a minimum of 1,500 G.P.M. from any one hydrant;
  - b. Provide adequate turn-around space or acceptable emergency vehicle through access for any street greater than 150 feet in length; and
  - c. Ensure that all roads have an adequate turning radii for fire apparatus (inside turning radius of 28" and outside turning radius of 44'8"); and
  - d. Minimum fire lane width shall be 20', and 26' for buildings over 30' in height.
63. All fire lanes within the development shall be marked as fire access roads to the satisfaction of the Fire Chief.

## **AIRPORT LAND USE COMMISSION**

64. ALUC Airport Noise: The maximum aircraft-related interior noise levels for the building shall be mitigated to 50 dB CNEL.
65. ALUC Avigation Easement: Prior to issuance of building permits, the applicant shall provide evidence of an executed Avigation Easement for the Oakland International Airport, in a form approved by the Port Attorney, for this project.
66. FAA Compliance: Prior to issuance of building permits, the applicant shall submit to the Federal Aviation Administration (FAA) a Form (currently designated 7460 although FAA may designate a substitute form), completed to FAA satisfaction, which describes the electronic and light emissions and reflections from the facility toward Port of Oakland runways and related information. The FAA Form 7460 or the equivalent regulates both building external elements and construction elements including temporary use of cranes. The applicant shall conform to FAA requirements in the Form 7460 or FAA-approved equivalent process. The applicant



shall conform to any process of the Alameda County Airport Land Use Commission and shall provide verification to the Community Development Director of compliance efforts.

67. The City of Alameda requires as a condition of this approval that the applicant, or its successors in interest, shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, its Redevelopment Agency, the Alameda City Planning Board and their respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda, Alameda Redevelopment Agency, Alameda City Planning Board and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the project. The City shall promptly notify the 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.

68. All Time and Material charges for this application shall be paid in full prior to the issuance of building permits.

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.

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