

CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING DEVELOPMENT PLAN AND DESIGN REVIEW APPLICATIONS TO CONSTRUCT 31 AFFORDABLE, MULTIPLE FAMILY RESIDENTIAL UNITS, PARKING AND LANDSCAPING ON AN APPROXIMATELY .81 ACRE SITE LOCATED ON THE NORTHEAST CORNER OF BUENA VISTA AVENUE AND SHERMAN STREET

WHEREAS, on December 16, 2014, the City Council approved the Del Monte Master Plan, Density Bonus Application and Development Agreement; and

WHEREAS, TL Partners I, LP and the City of Alameda Housing Authority made an application on April 30, 2015, for a Development Plan and Design Review proposing to construct 31 affordable, multiple-family rental residential units, parking and landscaping on an approximately .81 acre site within the MX Zoning District located on the northeast corner of Buena Vista Avenue and Sherman Street and commonly known as the "Del Monte Affordable Housing Project"; and

WHEREAS, the application was deemed complete on May 14, 2015; and

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

WHEREAS, the proposed Development Plan and Design Review application is required by, and implements, the Del Monte Master Plan and Development Agreement; and

WHEREAS, the Planning Board held a public hearing and examined all pertinent materials on May 26, 2015.

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 affordable housing, parking, 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 landscaping, building placement and orientation to create an effective and successful residential development to support affordable housing with a compatible interface with the adjacent properties and uses.

- B. **The proposed use relates favorably to the General Plan and Draft Master**

Plan. The proposed development supports General Plan policies, Housing Element policies, and Master Plan policies to increase affordable housing and senior housing opportunities in Alameda.

- 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 supports affordable senior housing, which will support the diverse residential neighborhoods in the Northern Waterfront and minimize traffic generation from the new development.
- 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 site is well located near major transit corridors, waterfront recreational trails, passive parks, and nearby commercial services necessary to support affordable senior housing.
- 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.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board finds that the proposed development plan was evaluated in the 2008 Northern Waterfront GPA EIR and the 2014 Supplemental Mitigated Negative Declaration (SMND) for the Del Monte Master Plan pursuant to California Environmental Quality Act and the proposed affordable senior housing will not result in any new or substantially more severe significant impacts, new information, or changes in circumstances that were not identified for the GPA EIR or the SMND; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board hereby approves the Del Monte Affordable Housing Development Plan and Design Review applications shown in Exhibit 1, and referenced by PLN15-0185, subject to the following conditions:

1. Vesting: This approval shall not vest until such time that the Alameda City Council approves conveyance of the .45 acre City-owned parcel to the City of Alameda Housing Authority, the .45 acre parcel is merged with the adjacent parcel to create a parcel in sufficient size to accommodate the approved building and site improvements shown in Exhibit 1, Del Monte Affordable

Housing Development Plan, and construction has commenced pursuant to a valid Building Permit.

2. Building Permit: The plans submitted for the Building Permit shall be in substantial compliance with the Del Monte Master Plan and Exhibit 1: Del Monte Affordable Housing Development Plan prepared by BAR Architects and dated May 26, 2015, which are on file in the office of the City of Alameda, 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 Measures: Prior to issuance of the Building Permit, Grading Permit, or Site Improvement Permit, the City Planner shall ensure compliance with the City Council approved Mitigation Monitoring Reporting Programs.
4. Landscape and Lighting Design: The Building Permit plans shall include final landscape and lighting details for all exterior areas and wall surfaces. All exterior lighting shall be shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property. Landscape plans shall be compliant with Bay Friendly Landscaping Standards and Alameda Municipal Code (AMC) requirements.
5. Window Design Details: The Building Permit plans shall include final window design and window inset details.
6. Universal Design: The building permit plans shall specify the following universal design details to accommodate future residents with mobility issues and/or disabilities:
 - Accessible route of travel to dwelling unit from public sidewalk to the unit's primary entrance
 - Minimum 32" clear 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
 - A 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
7. Affordable Housing Agreement: Prior to the issuance of the building permit, the project applicant shall execute an Affordable Housing Agreement with the City of Alameda.
8. 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

9. 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. Sherman Street Reconfiguration. Construction plans for the reconfiguration of Sherman Street along the affordable housing project frontage, 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 standards.
 - b. Buena Vista. Construction plans for Buena Vista Avenue along the affordable housing project 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, and retiming of the signal to give priority to pedestrians.
 - c. 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.
 - d. Utilities: Undergrounding and/or relocation 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. The applicant shall work with Alameda Municipal Power (AMP) and other utility providers to ensure that all utilities and services are extended to the site.

10. 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.
11. 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.
12. The improvement plans shall show all existing and proposed easement locations, uses and recording information.
13. 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.
14. 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.
15. 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.
16. 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.

17. 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.
18. 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.
19. 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.
20. 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).
21. 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.
22. 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.

23. Pedestrian and vehicular lighting shall meet Alameda Municipal Power standards for crosswalks, sidewalks, and intersections.
24. 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.
25. The applicant/developer shall overlay the northern most travel lane along Buena Vista Avenue with a minimum of one and a half inches of asphaltic concrete.
26. 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.
27. 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>.
28. 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.
29. 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.

30. 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.
31. 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.
32. 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.
33. 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.
34. 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.

35. 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.
36. 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.
37. 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, 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.
38. 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.

39. The trash collection areas shall be accessible to residents. Each storage area shall be no more than 250 feet from any dwelling unit. 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.
40. 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.
41. 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 any required 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.
42. The improvement plans and building permit plans shall be consistent with fire sprinkler system code requirements.
43. 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

44. 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.
45. 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.
46. 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.
47. 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.
48. 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.

49. If underground utilities leading to adjacent properties are uncovered and/or broken, the contractor involved shall immediately notify the Public Works Department and the Alameda Municipal Power, and carry out any necessary corrective action to their satisfaction.
50. 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.
51. 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.