

CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA RECOMMENDING THAT THE CITY COUNCIL APPROVE A 7-LOT SUBDIVISION AT 1501 BUENA VISTA AVEUE (PLN 15-0165) TO IMPLEMENT THE 2014 DEL MONTE MASTER PLAN

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

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

WHEREAS, an Environmental Impact Report was adopted for the Northern Waterfront General Plan Amendment (GPA) in 2008 and the City Council adopted a Subsequent Mitigated Negative Declaration (SMND) for the project pursuant to the California Environmental Quality Act (CEQA) in 2014; and

WHEREAS, the City Council held a public hearing on December 2, 2014 and approved the SMND, Master Plan, and Development Agreement for the Del Monte site; and

WHEREAS, the Planning Board held a public hearing on this Tentative Map application on May 26, 2015; and

NOW THEREFORE BE IT RESOVED THAT, the Planning Board has made the following findings concerning the project:

The proposed subdivision is in conformance with the General Plan and Zoning for this site. The proposed tentative map is consistent with the Mixed Use General Plan and Mixed Use Planned Development with Multi-Family Overlay (MX-MF) zoning designations for the property, the Del Monte Master Plan approved on December 2, 2014.

The site is physically suitable for the proposed development. The tentative map implements the Master Plan, General Plan, and zoning provisions which apply to this property. The General Plan, zoning, and Master Plan all confirm that the site is physically suitable for residential mixed use development.

1. **The site is physically suitable for the density of the development.** The tentative map implements the Master Plan, General Plan, and zoning residential density provisions and State Law Density Bonus regulations which apply to this property.
2. **The proposed design of the subdivision and improvements, as conditioned, will not cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat.** The site is an urban in-fill property that was formerly used for industrial and manufacturing uses that were serviced by heavy rail and trucks. The

SMND and EIR impose mitigation measures to ensure that no existing biological resources will be impacted by the proposed project. Mitigation measures and conditions of approval ensure that no un-intended environmental damage or exposure of future residents to environmental dangers could occur.

3. **The design of the subdivision will not conflict with easements acquired by the public at large for access through or use of property within the subdivision.** All required easements are to be retained and additional other necessary easements are to be provided.
4. **The design of the subdivision and its improvements will not cause serious public health problems.** Redevelopment of the property with 380 residential units and 30,000 square feet of neighborhood commercial uses will not result in serious public health problems. Building code requirements and conditions of approval require that the existing building be seismically upgraded and that any hazardous materials resulting from the prior use of the property be remediated.

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT, the project was the subject of the Northern Waterfront GPA EIR and the 2014 SMND which adequately evaluated the potential environmental impacts associated with the proposed redevelopment and reuse of the property;

BE IT FURTHER RESOLVED THAT the Planning Board of the City of Alameda hereby recommends that the City Council approve the tentative map to develop a 7-lot, 380 unit subdivision on an 11.06 acre property located at 1501 Buena Vista Avenue subject to compliance with the following conditions:

Community Development Conditions:

1. Master Plan and Development Agreement Development of the property shall be in substantial compliance with the December 2014 approved Master Plan and Development Agreement, and the September 22, 2014 Development Plan for Del Monte, and any future Development Plan approvals for site.
2. 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 Program for the Master Plan.
3. Affordable Housing Agreement: Prior to the issuance of the first building permit, 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.

4. Transportation Demand Management Program: A Homeowner's Association shall be created for properties located within the Master Plan area. The Del Monte Homeowner's Association shall provide funding on an annual basis to support the Del Monte TDM. The project shall be subject to its Declaration of Covenants, Conditions and Restrictions for Del Monte, a Planned Development (the "Declaration"), to which the Del Monte TDM Program shall be attached as an Exhibit. The provisions of this Declaration shall provide a requirement and mechanism of annual funding by the Homeowners Association of its obligations under the Del Monte TDM Program and this condition and to ensure that the HOA will fund its TDM obligations to the City or a TMA or similar organization. Per the Del Monte TDM:
- The funding shall be provided on a permanent basis as a Common Expense of the HOA through the HOA's assessments on the Lots and Units in the Project as established under the Declaration for the Project.
 - The HOA's participation and funding for program services under the Del Monte TDM Program is mandatory and shall be considered an obligation and requirement of the HOA under the Declaration. The obligations, requirements and provisions under the Del Monte TDM Program cannot be amended, revised, deleted or rescinded by the HOA or its membership without the prior written approval of the City's Transportation Commission or City Council.
 - When developed, each of the units shall be assessed an initial amount of \$350 per year for the required transportation services to be provided under this Del Monte TDM Program.
 - The 2015 initial annual assessment fee of \$350 per unit per year shall be subject to annual adjustment according to the annual changes in the Bay Area Consumer Price Index.
5. The Covenants, Code and Restrictions (CC&R's) shall include a disclosure for residential units fronting onto Clement Avenue that Clement Avenue is a designated Truck Route and will eventually be used as such, as provided for in the Transportation Element of the General Plan.
6. 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

7. All maps filed pursuant to this approval shall be in substantial compliance with the map titled, "Tentative Map Tract 8254" prepared by Carlson, Barbee & Gibson, Inc. dated May 6, 2015, consisting of 13 pages, marked Exhibit A, and on file in the office of the Alameda Community Development Department. There shall be a maximum of 380 dwelling units and a minimum of 30,000 square feet of commercial space developed for the entire site.
8. The Final Map shall be in substantial compliance with the Tentative Map and shall incorporate the Alameda Datum.
9. Prior to the approval of the Final Map, all applicable conditions of approval of the approved Tentative Map, as revised or amended, shall be satisfied.
10. The subdivider shall record the Final map within twenty-four (24) months of approval, or conditional approval, of the Tentative Map by the City Council. An extension of time, not to exceed an additional twelve (12) months, for the filing of the Final Map may be granted by the City Council providing written application is made by the subdivider prior to the expiration of the approved or conditionally approved Tentative Map.
11. Prior to the City Council approval of the Final Map, the Applicant shall submit a Mylar copy and a CAD file of the improvement plans recorded Final Map.
12. Final Maps may be phased. If the development is phased, the applicant/developer shall provide access for emergency vehicles, collection vehicles and resident circulation within each phase.
13. 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 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. 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. Soar Ready: All new residential and commercial structures shall be designed to be “solar ready” and meet the latest Title 24 Building Standards and all applicable codes as they relate to Solar PV. At a minimum, Solar PV wiring conduit, required penetrations and a solar zone on the roof shall be provided.
- i. Electric Car Charging: The Design Review plans shall specify the number of parking spaces to be equipped with electric charging stations. All parking garage structures shall allow for cost-effective expansion of electric car charging stations to additional stalls as demand warrants. Residential structures shall meet the latest applicable codes as they relate to electric car charging. At a minimum, each residential garage shall be equipped with a 240VAC outlet for electric vehicle charging.
- j. Utilities: Undergrounding of all new and existing overhead electric utilities at and adjacent to the Del Monte site, with the exception of the 115 KV line. Easements shall be obtained for all electric facilities in the private property. Additionally, the overhead electrical service to all adjacent street lights shall be undergrounded as part of the project.

14. Street trees shall be planted along Clement Avenue, Buena Vista Avenue, Sherman Street pursuant to the Master Street Tree Program.

15. New street trees shall maintain clearances from utilities as follows: a) Fire hydrant – six feet; b) top of driveway wing – five feet; c) stop signs – 15’; d) street/pathway lights and utility poles – 25’; e) storm drain, sanitary mains, gas, water, telephone, electrical lines – five feet; f) front of electrical pad-mounted equipment – ten feet. Verify minimum clearance distances of street trees/shrubs from electrical transformers with Alameda Municipal Power (AMP).

16. 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.

17. 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.

18. The improvement plans and 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 mylar or other reproducible set (plans only), and a CAD or GIS compatible format copy acceptable to the City Engineer.
19. The Final Map shall grant the City of Alameda a Pedestrian Access Easement (PAE) over that portion of the pedestrian paseo in the middle of the Del Monte building, subject to restrictions of passage during certain hours, as outlined in the operating rules of the CC&R's.
20. The Final Map shall provide utility access easements across all areas where private and public utilities cross private property or adjacent parcels. Public utilities must be accessible to City maintenance vehicles.
21. The Final Map shall grant to the City an ingress/egress easement for the purpose of waste collection wherever the collection vehicle access route crosses over private property. Collection vehicle access shall not be restricted by bollards or gates. All streets and sidewalks within the access route shall be designed to support collection vehicle loads and accommodate truck turning radii, truck grabber arm clearance, and curbside cart placement.
22. The Final Map shall include reciprocal parking and access easements and emergency access easements.
23. The Final Map shall provide surface water runoff easements or individual lots shall drain independently.
24. No permanent structures shall be placed over easements to remain or proposed new easements, except that a public access easement through the Del Monte Building shall be shown on the Final Map as required by Condition 19.
25. 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, including the most recent version of the "Bay Friendly Landscape Guidelines" developed by StopWaste.Org and the Bay Friendly Coalition. 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.

26. 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.
27. 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.
28. 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.
29. 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.
30. Maintenance of public improvements within the development area shall be the responsibility of the new development.

31. 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.
32. 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.
33. 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).
34. The applicant/developer shall coordinate water service for the proposed development with EBMUD and shall acquire all necessary EBMUD approvals. The applicant/developer shall contact EBMUD's New Business Office and request a water service estimate prior to approval of improvement plans. The following EBMUD conditions may apply:
 - a) EBMUD will not inspect, install or maintain pipeline in contaminated soil or groundwater that must be handled as hazardous waste or that may pose a health and safety risk to construction or maintenance personnel wearing Level D personal protective equipment. Nor will EBMUD install piping in areas where groundwater contaminant concentrations exceed specified limits for discharge to sanitary sewer systems or sewage treatment plants. Project sponsors for EBMUD services requiring excavation in contaminated areas must submit copies of existing information regarding soil and groundwater quality within or adjacent to the project boundary.
 - b) The applicant/developer shall provide a legally sufficient, complete and specific written remedial plan establishing the methodology, planning and design of all necessary systems for the removal, treatment, and disposal of all identified contaminated soil and/or groundwater. EBMUD will not design the installation of pipelines until such time as soil and groundwater quality data and remediation plans are received and reviewed and will not install pipelines until remediation has been carried out and documentation of the effectiveness of the remediation has been received and reviewed. If no soil or groundwater quality data exists or the information supplied by the project sponsor is insufficient EBMUD may require the applicant to perform sampling and analysis to characterize the soil being excavated and groundwater that may be encountered during excavation or perform such sampling and analysis itself at the project sponsor's expense.
35. 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.

36. 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.
37. 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.
38. Pedestrian and vehicular lighting at all intersections and project driveways shall meet Alameda Municipal Power standards for crosswalks, sidewalks, and intersections.
39. 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.

40. 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.
41. 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.
42. 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.
43. 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>.
44. 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.
45. 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.
46. 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.
47. 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.

48. 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.
49. 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.
50. 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.
51. 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.

52. 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.
53. 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.
54. 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.
55. 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.
56. 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.
57. Prior to issuance of building permits, the applicant/developer shall secure all necessary permit approvals from EBMUD regarding the installation of all water or sewer service connections for the project. Accumulated wastewater must be drained to the sanitary sewer.
58. Fire sprinkler system test water discharges shall be directed to onsite vegetated areas

59. Any proposed improvements within the floodplain area shall be prepared, signed, and stamped as approved by a registered civil engineer licensed in the State of California and meet the requirements of the AMC. The applicant/developer shall include the recommended improvements into the project's improvements plans prior to approval of the improvement plan and parcel/final map.
60. Projects within the BCDC jurisdiction will be required to meet applicable Sea Level Rise conditions and coordinate all BCDC approvals.
61. All required public frontage and street improvements shall be designed, built, and dedicated to the City in accordance with City ordinances and Public Works Department standards.
62. All new utilities shall be placed underground prior to issuance of any occupancy permit, including a temporary occupancy permit. In addition, when approval of a tentative subdivision/parcel map is required, all existing utilities within and along the project shall be placed underground in accordance with the AMC, prior to acceptance of the project.

Construction Conditions

63. 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.
64. 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.
65. 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.
66. 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.

67. 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.
68. 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.
69. 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.
70. 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.
71. 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.
72. 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.
73. 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.

Alameda Municipal Power

74. Concurrent with submittal of Improvement Plans, the Applicant shall coordinate with Alameda Municipal Power (AMP) regarding power requirements. All submittals shall refer to AMP's "Material and Installation Criteria for Underground Electrical Systems" for minimum clearances of street trees/shrubs from electrical transformers and other utility electrical equipment.
75. The Applicant shall comply with AMP's Rules and Regulations and "Material and Installation Criteria for Underground Electrical Systems" (both available at www.alamedamp.com) and provide completed "Service Planning Sheets" for AMP's review prior to submitting plans for building permits.
76. The Applicant shall provide information on the location of transformers and total load in kilowatts or kilovolt amp (KVA) to AMP for approval prior to building permit issuance. 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.
77. The Applicant shall provide and install street lighting consistent with AMP's standard specifications and AMP's "Material and Installation Criteria for Underground Electrical Systems". No signs shall be installed or mounted on street light poles owned and/or maintained by AMP. All new signs shall be installed on dedicated sign posts.
78. The Applicant shall have all streetlights included in the Improvement Plans, installed, fully functional, and operational prior to issuance of a Certificate of Occupancy for any building unless a phasing plan is approved by the Director of Public Works. Applicant shall pay to AMP the sum of Six Dollars (\$6.00) per streetlight per month, or portion of a month, for the streetlight energy costs until the applicable improvements are accepted for maintenance by the City.
79. All public streets shall be lit with LED lighting. Streetlight layout shall be staggered for a more uniform light distribution. Applicant can provide alternate design if a better efficient light distribution is met. Applicant shall purchase and install AMP LED standard fixtures. LED streetlight fixtures shall offer tri-level lighting with the mid-level setting meeting IES RP-8-14.
80. The Applicant shall be required to furnish, at no cost to AMP, two (or 5%, whichever is less – but not less than one) complete streetlight assemblies of each type installed as stock items for future replacement on public streets. A streetlight assembly consists of, but is not limited to, LED fixture, pole, arm, and shroud. If AMP agrees to maintain

private streetlights, the Applicant shall also be required to furnish two additional streetlight assemblies of each type.

81. The Applicant shall provide all necessary underground substructures, including conduits, pull boxes, electric utility equipment pads, etc. per the AMP specifications. AMP will require easements for all transformers, primary and secondary boxes, and conduits. AMP will furnish and install all required transformers, high voltage distribution cables, and secondary cables.
82. The Applicant shall install all electric pull boxes and vaults in-line with the conduit joint trench. No conduit bend will be allowed between electric pull boxes, unless conduit section terminates to an electrical equipment pad. All primary and secondary electrical distribution pull boxes shall not be greater than two section deep (34-inches from finish grade to bottom of pull box). Any deviations from this standard shall be approved by the AMP Project Engineer in writing.
83. The Applicant shall furnish and install code-size service cables in code-size conduit from each electric metering facility to the nearest secondary pull box (or Service Point) in the public right-of-way, as designated by AMP. AMP will connect the service to the distribution transformer or to the secondary distribution system.
84. The Final Map shall show all necessary easements and access to all electrical utility facilities that are on private property, at no charge to AMP.
85. Prior to issuance of Certificate of Occupancy, the Applicant shall furnish and install service equipment for each building. The service equipment shall meet Electric Utility Service Equipment Requirement Committee (EUSERC) standards. Electric meter(s) shall be located as close as practicable to the point of entry of the service-entrance conductors to the building. Outdoor meter locations are preferred. When meters are located within a building, the meter room shall be directly accessible from the exterior of the building. No remote metering.
86. Concurrent with acceptance of work by City Council, the applicant/developer shall dedicate and AMP shall take over ownership and will be responsible for maintaining all new substructures for under grounding primary and secondary circuits, and distribution transformers once the improvements have been inspected by AMP and found to have been properly installed. The Applicant or successor property owner(s) shall be responsible for the service cables and service equipment.
87. Any existing overhead electric facilities within, and/or adjacent to, the subdivision or division of land shall be undergrounded at no charge to AMP, with the exception of the 115KV line.
88. The Applicant shall be responsible for all expenses involved in the duct/joint trench system engineering design, plan check, project coordination, and electrical construction

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

89. Pedestrian and vehicular lighting at all intersections and project driveways shall meet AMP standards for crosswalks, sidewalks, and intersections.
90. To provide electric service to the proposed development, primary line extensions will be required. Per AMP's Rules and Regulations, the owner/developer shall be responsible for 60% of the installed costs of the required primary trunk cables and pad-mount switches. The applicant's/developer's electrical consultant shall coordinate with AMP regarding power requirements.
91. The Applicant shall submit, with the site improvement plans, detailed drawings showing the required site electric utility facilities.

Fire Department

92. 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.
93. The improvement plans and building permit plans shall be consistent with included fire sprinkler code requirements.
94. 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.
95. 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).
96. 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.

97. The subdivider shall be responsible for a water main extension to serve the project, whose design shall be shown on the Improvement Plan to the satisfaction of the East Bay Municipal Utilities District, the Public Works Director and the Fire Chief. The subdivider may also be responsible for off-site improvements related to fire flow requirements.
98. Prior to approval of the Improvement Plans, the subdivider 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. Ensure fire flow for the development shall be 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; and
 - d. Ensure that all roads have an adequate turning radii for fire apparatus (inside turning radius of 34 feet and outside turning radius of 49 feet); 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.
99. Aerial Fire Apparatus. Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior walk, or the top of parapet walls, whichever is greater. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

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.