

CITY OF ALAMEDA PLANNING BOARD  
**DRAFT RESOLUTION**

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING DESIGN REVIEW, DENSITY BONUS, DENSITY BONUS WAIVER AND PARKING EXCEPTION APPLICATION PLN15-0536 FOR DEVELOPMENT OF A THREE-STORY MIXED-USE DEVELOPMENT INCLUDING NINE RESIDENTIAL UNITS AND 4,700 SQUARE FEET OF GROUND FLOOR RETAIL AT 1435 WEBSTER STREET (APN 74-427-5-1). THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15332 – INFILL DEVELOPMENT PROJECTS

WHEREAS, Dannan Development has submitted an application for Design Review, Density Bonus, Density Bonus Waiver, and Parking Exception for the site at 1435 Webster Street; and

WHEREAS, the General Plan designation of the site is Community Commercial; and

WHEREAS, the parcel is located within the C-C Zoning District (Community Commercial); and

WHEREAS, the Planning Board held a noticed public hearing and examined all pertinent materials on February 22, 2016; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that the project is exempt from further environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15332 In-Fill Development Projects. The project is consistent with the applicable general plan designation, policies and zoning designations and regulations. The proposal is located within the city limits on a project site of no more than five acres substantially surrounding by urban uses. The project site has no value as habitat for endangered, rare or threatened species. The site has been operated as a parking lot. The project would not result in significant effects relating to traffic, noise, air quality or water quality. The site is adequately served by all required utilities and public services.

NOW, THEREFORE BE IT FURTHER RESOLVED, the Planning Board makes the following findings:

**DENSITY BONUS AND WAIVER FINDINGS:**

- A. The existing zoning designation for the property allows up to seven residential units. Dannan Development has submitted material, including a base plan, which shows compliance with the various aspects of the Density Bonus application, as specified in Section 30-17.4 of the Municipal Code, and as allowed under California Government Code 65915. The applicant is proposing two moderate income affordable units, which qualifies the seven-unit project for a 23% density bonus for a total of nine (9) units.

- B. The proposed affordable units make the project eligible for development standard waivers under California Government Code 65915 and City of Alameda Municipal Code Section 3-17. Dannan Development has requested a waiver from Alameda Municipal Code Section 30-53 Prohibition on Multifamily Housing to accommodate the bonus units on the site. The required development standard waiver is necessary to accommodate nine (rather than seven) units on the property. As shown in the application materials and as described in the February 22, 2016 Staff Report, the waiver from the Multi-family Prohibition is required to accommodate nine units on the property in a configuration that is consistent with General Plan policies and Webster Street Design Manual guidelines. Granting the requested waiver would not have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of section 65589.5, upon health safety, or physical environment. Finally, the required development standard waiver would not be contrary to state or federal law.

#### PARKING EXCEPTION FINDINGS

- C. The proposal includes 18 off-street parking spaces instead of the 21 off-street parking spaces required by AMC 30-7. The reduction in spaces is warranted and justified by the following project-specific factors: the project is designed as a mixed use transit oriented development that is located on a major transit route with multiple transit lines, the project will be providing AC Transit Passes to project residents and employees, the on-site parking will be leased separately from the cost of the units, and the project site is situated in an urban area within walking distance of retail services.

#### DESIGN REVIEW FINDINGS

- D. The proposed project design is consistent with the General Plan, Zoning Ordinance, and City of Alameda Design Review Manual. The proposed building height and site plans complies with General Plan policies and Zoning Ordinance requirements for building height, parking location, and continuous street wall on Webster Street.
- E. The proposed project design is compatible with the adjacent or neighboring buildings and promotes harmonious transitions in scale and character with surrounding land uses. The three story height, the setback from the adjacent residential properties and the continuous street wall and ground floor retail space on Webster Street promotes a harmonious transition with the surrounding land uses.
- F. The proposed design of the project is visually compatible with the surrounding development. The three-story height, the setback from the adjacent residential properties and the continuous street wall and ground floor retail space on Webster Street ensures a scale and massing and arrangement of land uses that is visually compatible with the surrounding development. Conditions of approval ensure that the colors and materials and architectural details will further promote a compatible design for the neighborhood.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board hereby approves Design Review, Density Bonus, Density Bonus Waiver, and Parking Exception Application PLN15-0536, subject to the following conditions:

## **Community Development**

1. **Building Permit:** Building Permit plans, and Improvement Plans submittals shall be in substantial compliance with Exhibit 1: 1435 Webster Street dated November 1, 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.
2. **Design Review Elevations.** Prior to issuance of the building permit for the project, the applicant shall submit revised elevations for final Design Review approval by the Community Development Department. The revisions should reflect the window detailing, cornice detailing, storefront detailing, and material recommendations included in Exhibit 6 of the staff report and in the letters provided by WABA and AAPS for the February 22, 2016 public hearing. In addition, the plans shall include:
  - a) Final landscape and lighting details for all exterior areas and wall surfaces. Landscape plans shall be compliant with Bay Friendly Landscaping Standards and AMC requirements. All exterior lighting shall be shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.
  - b) Street Tree Plan. The Tree Plan shall show existing trees to be preserved, existing trees to be removed, and new trees to be planted within the public right of way. Trees selected shall be of an appropriate size and shape to allow at least 14-15 feet of overhead clearance for solid waste collection trucks and other vehicles. Deep root barriers shall be required for all trees planted adjacent to curbs, sidewalks and other pavements, to the satisfaction of the Public Works Director. The single tree to be removed shall be noticed according to the City of Alameda's Tree Removal Policy.
  - c) Public access easements to be shown on the Improvement Plans.
3. **Transportation and Parking:** Prior to the issuance of a building permit, the applicant shall record a restriction on the deed of the property or prepare Covenants, Code and Restrictions (CC&R's) for the property to require that the property manager or the homeowners association shall be responsible for:
  - a. Acquiring and distributing annually twenty (20) AC Transit Passes for use by project residents and/or business employees.
  - b. Leasing and managing the distribution of the eighteen (18) off-street parking spaces. Spaces shall be leased on a month-to-month basis to project residents and/or business employees separately from the lease or purchase price of a residential unit or retail space.

The obligations, requirements and provisions under this condition cannot be amended, revised, deleted or rescinded by the property owners, the HOA or its membership without the prior written approval of the City's Transportation Commission or City Council.

4. **Public Art.** Prior to issuance of the building permit, the applicant is required to comply with the terms of the City of Alameda Public Art requirement as specified in Alameda Municipal Code section 30-65.

5. Affordable Housing Agreement: Prior to issuance of the building permit, the project applicant shall execute an Affordable Housing Agreement with the City in conformance with the requirements of Section 30-16 Inclusionary Housing Requirements for Residential Projects. The Affordable Housing Agreement will require construction and sale of two (2) moderate-income units to income eligible households. The affordable units shall be comparable in quality to the market rate units and shall be distributed throughout the development.
6. Parking Lot: The plans submitted for the Building Permit shall show that the parking lot is pre-wired to accommodate future spaces for electric charging stations.
7. Universal Design: The plans submitted for the Building Permit shall show that each unit shall include:
  - Accessible route of travel to dwelling unit from public sidewalk to the unit's primary entrance or an easily adaptable route.
  - Accessible route of travel from garage/parking to the unit's primary entrance.
  - Minimum 32" clear primary entry doorway and a "no step entry" (1/2" or less threshold) with dual peephole and doorbell
  - All exterior/interior doors shall meet Chapter 11a. code required maneuvering clearances, hardware, thresholds, and strike side clearances
  - An accessible route of travel with a minimum 42" wide hallway to all bedrooms, living rooms, kitchens, and bathrooms.
  - Light switches, electrical receptacles, and environmental controls at accessible heights on the primary accessible floor
  - Rocker light switches throughout entire unit
  - Minimum required work/floor clearance of 30"x48" in front of stove, refrigerator, dishwasher, sink, and oven
  - Accessible countertops with a 30" wide workspace
  - Under-cabinet lighting
  - At least one full bathroom on accessible route of travel, with separate shower stall and toilet with grab bar reinforcement for potential retrofit
  - Bathroom with removable base cabinets
  - Lower towel racks and robe hooks
  - Accessible toilet tissue holder
8. Public Frontage Improvements. The applicant shall underground all overhead utilities along the project public right of way frontage, including all utilities along Webster Street and Taylor Avenue. The applicant/developer shall reconstruct frontage improvements along Webster Street and Taylor Avenue so the street is restored to pre-project conditions. Any use of the public right of way for commercial or other purposes shall be subject to approval of and Encroachment Permit by the City of Alameda.
9. 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**

10. Prior to final inspection of the first housing unit, the applicant/developer shall establish a Homeowners Association or other entity to provide funding for maintenance of private improvements including parking lot, landscaping in common areas, all (public and private) biotreatment areas, and fencing. Site improvements and demolition may commence prior to approval of the funding mechanism. The common area shall be owned and maintained by the HOA or other entity.
11. The applicant/developer shall design the private utility systems to be separate from the public utility systems so that there is a clear point of connection between the two systems. The utility system design shall be reviewed and approved by the Public Works Director prior to approval of the improvements plans, parcel/final map(s), or grading permit, whichever comes first.
12. The applicant/developer shall provide utility access easements across all areas where public utilities cross private property. Public utilities must be accessible to City maintenance vehicles.
13. The applicant/developer shall grant the City of Alameda an Emergency Vehicle Access (EVA) easement wherever the Fire Rescue Vehicle access route crosses over private property. All streets and sidewalks within the access route shall be designed to support Fire Rescue Vehicle loads and accommodate truck turning radii.
14. The applicant/developer 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.

## **Engineering**

15. If the applicant provides door/gate access through the north fence at the property line through the parking area, the applicant shall record a reciprocal access easement with the adjacent property. In addition, the area shall provide an accessible route as required by the building code and ADA guidelines.
16. The applicant/developer shall submit construction improvement plans for all on- and 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 improvement 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.

17. The landscape and irrigation plans for improvements on-site and in the public right of way 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. Projects required to meet the Bay-Friendly Landscape (BFL) requirements shall:

- Have plans prepared by a qualified BFL design professional;
- 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;
- 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;
- 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
- Pay the required BFL application and final submittal fees via the BFL Rater to the Bay Friendly Coalition
- 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.

In addition, the final landscape plans shall ensure that all landscaping and bioswales are compatible with the storm water 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 storm water 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.

18. A storm drainage hydrology analysis, acceptable to the Public Works Director, 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 engineer shall sign and stamp the analysis as approved. 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 applicant/developer will pay for the cost of the modeling study. The applicant/developer will include the recommended improvements into the project's improvements plans prior to approval of the improvement plans.
19. The applicant/developer shall submit a soils investigation and geotechnical report, acceptable to the Public Works Director, in accordance with the AMC and prepared by a registered geotechnical engineer licensed in the State of California, with recommendations based on the findings. 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 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. The applicant/developer will include the engineer's recommended improvements into the projects improvement plans prior to approval of the improvement plans.
20. All required public frontage and street improvements shall be designed, built, and in accordance with City ordinances and Public Works Department standards and shall include curbs, gutters, sidewalks, street trees, landscaping and irrigation, streetlights, etc.
21. The applicant/developer shall resurface the existing street pavement whenever a street is cut, either by a longitudinal or transverse cut, for utility or other improvement installations so the street is restored to pre-project conditions. The resurfacing shall extend a sufficient distance beyond any cut to ensure a smooth transition, as determined by the Public Works Director, and shall consist of a one and a half (1½) inch asphalt concrete overlay. The applicant/developer shall also provide dig outs and reconstruction of any potholed and/or alligatored areas adjacent to the project.
22. 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.

23. 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.
24. All project related grading, trenching, backfilling, and compaction shall be conducted in accordance with City of Alameda Standards and Specifications.
25. Hydro seeding 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.
26. Construction activities are restricted 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, unless a permit is first secured from the City Manager or designee based upon a showing of significant financial hardship.
27. Construction equipment must have state of the art muffler systems as required by current law. Muffler systems shall be properly maintained.
28. Noisy stationary construction equipment, such as compressors, shall be placed away from developed areas off-site and/or provided with acoustical shielding.
29. Grading and construction equipment shall be shut down when not in use.
30. During non-working hours, open trenches shall be provided with appropriate signage, flashers, and barricades approved by the Public Works Director to warn oncoming motorists, bicyclists, and pedestrians of potential safety concerns.
31. Prior to trenching within existing street areas, the applicant's engineer shall ascertain the location of all underground utility systems and shall design any proposed subsurface utility extensions to avoid disrupting the services of such system.
32. New street trees shall maintain clearances from utilities as follow: 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).
33. 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.
34. 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.

35. The applicant/developer shall repair all damaged sidewalk, curb and gutter that fronts the development on Webster Street and on Taylor Avenue in accordance with the Public Works Department's Standard Plans and Specifications prior to acceptance of the project.
36. No structures shall be placed over existing or proposed easements.

### **Storm water and Water**

Prior to issuance of the grading, combination grading/building permit, or approval of the Civil Improvement Plans, whichever comes first:

37. The Civil Improvement Plans shall include the finalized storm water quality management (treatment) site plan at the 100% complete level. This finalized storm water quality management site plan shall include:
  - a) The identification and location of all of the drainage management areas (DMAs) for all impervious surface areas on the project site
  - b) The identification and locations of all of the Provision C3-compliant storm water quality design and treatment measures for each DMA.
  - c) The area values (in square feet) of each DMA and corresponding C3-compliant measure
38. The applicant/developer shall submit, for review by the Public Works Department, a finalized, stamped, signed City of Alameda C3 certification form from a qualified, independent, third-party civil engineer with storm water treatment facility design experience that indicates the storm water treatment measure designs of the finalized improvement plans and storm water quality management (treatment) plan meet the established sizing design criteria for storm water treatment measures consistent with the requirements of the City's Municipal NPDES storm water permit. City qualification standards are listed below.
39. Civil Improvement Plan sheets shall include Detail and cross-sectional drawings of the storm water quality design and treatment measures 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.
40. Civil Improvement Plans shall indicate that the soil mix used in all of the bioretention areas will be compliant with the Attachment L soil specifications of the City's Municipal NPDES storm water permit. A copy of the Attachment L specifications shall be included in the Civil Improvement Plans. Provide Biotreatment Soil Mix Notes in the Civil Plans identifying potential biotreatment soil mix vendors and indicating the need to obtain Attachment L compliance documentation such as the following:

"The following vendors are listed by the regional Clean Water Program as offering biotreatment soil mixes compliant with the required Attachment L specifications:

- a. American Soil Products, [www.americansoil.com](http://www.americansoil.com), 510-292-3000
- b. L.H. Voss, [www.lhvoss.com](http://www.lhvoss.com), 925-676-7910
- c. Lyngso Garden Materials, [www.lyngsogarden.com/](http://www.lyngsogarden.com/), 650-333-1044
- d. Pleasanton Trucking, [www.pleasantontrucking.com](http://www.pleasantontrucking.com), 925-449-5400
- e. Redi-Gro, [www.redi-gro.com/](http://www.redi-gro.com/), 800-654-4358
- f. TMT Enterprises, [www.tmtenterprises.net](http://www.tmtenterprises.net), 408-432-9040

Obtain verification documentation from the supplier of all loads of the biotreatment soil mix, indicating that the soil mix is compliant with the Attachment L specifications, for review by the design engineer and inclusion with the post-construction certification report to be submitted to the City Public Works Department.”

41. Finalized Landscaping Plans for all landscape-based storm water treatment measures shall be consistent with the civil engineering designs and functional intent of these treatment measures. The landscape architect's plans shall indicate:
  - a) The usage of biotreatment soils compliant with the storm water requirement's Attachment L specifications in all landscape-based treatment measures.
  - b) The plant palette(s) described for the landscape-based storm water treatment measures shall be consistent with the civil engineering designs and functional intent of these treatment measures and the use of the Attachment L compliant biotreatment soil.
  - c) The landscaped-based storm water treatment areas shall also be designed to minimize runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to storm water pollution. Design consideration shall be given to pest-resistant landscaping and design features and the use of integrated pest management (IPM) principles and techniques.
42. The finalized Civil Improvement plans shall indicate the structural storm water trash capture measure(s) being installed on the project site to ensure that the storm water drainage from the project site is subject to full trash capture consistent with City's municipal storm water 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 storm water full trash capture device(s).
43. The finalized Civil Improvement Plans shall include Pollution Prevention Sheet(s) that list the City's urban runoff, erosion and sediment control standards and provide detail drawings and installation specifications for all control measures. These Plan Sheet(s) shall be reviewed and accepted by the Public Works Clean Water Program for conformance with these City standards.

The applicant/developer shall be responsible for ensuring that all contractors and sub-contractors install and regularly maintain all pollution prevention measures required 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.

44. The applicant/developer shall submit for review and approval by Public Works Engineering a Storm water C3-LID Measures Operations and Maintenance (O&M) Plan that provides a thorough discussion of the inspection, operations and maintenance requirements of all of the storm water treatment and LID design measures at the site. This O&M Plan shall be consistent with the City of Alameda's C3-LID Measures O&M Plan Checklist.
45. The Improvement Plans shall indicate that all new storm drain inlets within the public right-of-way 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.
46. Improvement Plan design of all external enclosures for solid waste, recycling and organics shall be approved by the Public Works Department. These facilities shall 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 otherwise discharged to the storm drain system.

Prior to issuance of the initial, temporary or first occupancy permit, whichever comes first:

47. 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 storm water 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.
48. The property owner shall establish a legally enforceable mechanism to ensure that the responsibility for implementing the O&M Plan is identified and assigned by either executing a C3-LID Treatment Measures Maintenance Agreement (Agreement) with the City or incorporating the O&M Plan within the CC&R's of a homeowners' association. The Agreement or CC&R's shall include, but not be limited to: the O&M Plan, approved by the Public Works Department, for all storm water treatment measures; assurances of the party responsible to implement the storm water treatment measures O&M plan; assurances of City 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.

City of Alameda Certification Form Qualification Standards:

The City of Alameda C3 certification forms need to be completed and submitted by a reviewer meeting the following criteria:

(1) Be a Civil Engineer or a Licensed Architect or Landscape Architect registered in the State of California.

(2) Provide verification acceptable to the Public Works Department that they are not also hired to design and/or construct the storm water treatment system(s) being certified (the "no conflict of interest" provision).

(3) Provide verification acceptable to the Public Works Department that they have current training on storm water treatment system design (within three years of the certification signature date), relevant to the certifications being submitted, for water quality and understand the groundwater protection principals applicable to the project site.

Training conducted by an organization with storm water treatment system design expertise (such as a college or university, the American Society of Civil Engineers, American Society of Landscape Architects, American Public Works Association, California Water Environment Association (CWEA), BASMAA, National Association of Flood & Storm water Management Agencies, California Storm water Quality Association (CASQA), or the equivalent) may be considered qualifying training.

### **Traffic and Transportation**

49. 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 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.
50. For any off-street parking facilities associated with the subdivision, the applicant/developer shall submit the improvement plans to the Community Development Department and Pubic 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.
51. 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.

### **Waste Collection Access**

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.

### **Construction Waste**

53. The applicant shall submit a Waste Management Plan (WMP) approved by the Public Works Director in accordance with AMC Section 21-24.
54. During the construction/demolition/renovation period of the project, applicant/developer must obtain the necessary hauling permit, use a City certified waste hauler, or use the City of Alameda's franchised waste hauler, Alameda County Industries (ACI), in accordance with AMC Section 21-21, to remove all wastes generated during the project development.
55. The trash enclosure shall have a floor drain connected to the sanitary sewer system and have a fire sprinkler system.
56. The trash enclosure opening, from end to end, shall be free of obstruction so that service trucks can obtain access to each bin.
57. 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.
58. 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.
59. 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**

60. The applicant shall provide an easement for a pad-mounted transformer and the service will need to be undergrounded. The existing transformer shall be moved to the new location. The new location shall have 3-foot clearance on each side and back and 8-foot clearance in front. The applicant shall pay the cost of constructing the transformer pad and moving the transformer.
61. Pedestrian and vehicular lighting at all intersections and project driveways shall

meet AMP standards for crosswalks, sidewalks, and intersections.

62. 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 mounted switches. The applicant/developer's electrical consultant shall coordinate with AMP regarding power requirements.
63. The applicant/developer shall provide all necessary underground substructures, including conduits, pull boxes, transformer pads, etc. per 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.
64. The applicant/developer shall be responsible for the cost of AMP's assigned inspector during construction.
65. The applicant/developer shall furnish and install Code-sized service cables in code-sized conduit from each house to the nearest secondary pull box. AMP will connect the service to the secondary distribution system.
66. The applicant/developer shall furnish easements and access to all electrical utility facilities that are in the private properties, at no charge to AMP.
67. The applicant/developer shall furnish and install service equipment for each unit. The service equipment shall meet Electric Utility Service Equipment Requirement Committee standards.
68. AMP will take over ownership and will be responsible for maintaining all new substructures for undergrounding primary and secondary circuits, and distribution transformers once the improvements have been inspected and found to have been properly installed. The applicant/developer or successor property owners shall be responsible for the service cables and service equipment.
69. The applicant/developer shall be responsible for all expenses involved in the duct system engineering design, plan check, and electrical construction inspection.
70. The applicant/developer shall submit two sets of approved drawings showing the required electric utility facilities.

## **Fire Department**

71. For accessibility for the Alameda Fire Department, the following will be required:
  - The installation of a Knox box at the Taylor Street entrance door for the storage of the building's keys. The Knox box is to be sufficiently sized to accommodate the keys to the following doors: The lobby entry door, the mechanical room, the electrical room, elevator keys, the doors to the corridors on the 2<sup>nd</sup> and 3<sup>rd</sup> floors, the rooftop, and all commercial spaces. Keys are to be labeled as to which doors they open.
  - Any gate at Taylor Street will require the installation of a Knox key switch.

72. The applicant 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 and the Public Works Director. The applicant may also be responsible for off-site improvements related to fire flow requirements.
73. Prior to approval of the Building Permits, the applicant shall submit revised plans, for review and approval by the Public Works Director in consultation with the Fire Chief, that ensure fire flow for the development shall be 1,500 G.P.M. from any one hydrant and that the elevator is to comply with California Building Code 3002.4 such that the elevator car can accommodate an ambulance stretcher.
74. 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.