

CITY OF ALAMEDA PLANNING BOARD  
**DRAFT RESOLUTION**

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING DESIGN REVIEW AND USE PERMIT AMENDMENT NO. PLN16-0185 FOR THE DEVELOPMENT OF A THREE-STORY MIXED-USE BUILDING INCLUDING GROUND FLOOR RETAIL AND A SENIOR BOARDING HOUSE FACILITY ABOVE WITHIN A SITE WITH AN EXISTING AUTO REPAIR SHOP AT 1629 WEBSTER STREET.

WHEREAS, an application was made on April 5, 2016, by Daniel Hoy, Architect, on behalf of Sam and Michelle Koka, for design review and use permit amendment to construct an approximately 14,300 square-foot three-story mixed-use building with approximately 5,000 square-feet of ground floor retail and a 16-bed senior boarding house facility on the second and third floors above; and

WHEREAS, the subject property is designated as Community Commercial in the General Plan; and

WHEREAS, the subject property is located in the C-C, Community Commercial Zoning District; and

WHEREAS, a zoning text amendment has been filed concurrently with this proposal to allow boarding houses within the C-C, Community Commercial Zoning District with approval of a use permit; and

WHEREAS, the Planning Board approved Use Permit No. UP06-0001 on May 8, 2006, for an approximately 1,700 square-foot auto shop facility on the subject site; and

WHEREAS, the proposed use permit amendment is to add an approximately 16-bed senior boarding house use to the existing auto shop use permit (UP06-0001); and

WHEREAS, the Planning Board held a study session on November 14, 2016, on the project and provided comments in regards to the proposal; and

WHEREAS, the Planning Board held a public hearing on March 27, 2017, on the project and examined pertinent maps, drawings, and documents; and

WHEREAS, this resolution shall not become effective until and unless the Planning Board recommends, and the City Council approves, the zoning text amendment.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that:

**DESIGN REVIEW FINDINGS:**

1. The proposed project design is consistent with the General Plan, Zoning Ordinance, and City of Alameda Design Review Manual. The proposed building design and site

plan comply with the General Plan policies and Zoning Ordinance requirements for building height, parking location, and continuous street wall on Webster Street.

2. The project is in compliance with the Citywide Design Guidelines and the Webster Street Design Manual. The proposed design is compatible with the neighboring buildings and promotes harmonious transitions in scale and character with surrounding land uses. The project utilizes a traditional commercial building type with design features to complement structures found in the surrounding commercial district. The street frontage incorporates zero setbacks along Webster Street and Pacific Avenue with recessed entries and large store front glazing consistent with the Webster Street Design Manual. The three-story height of the building is compatible with the adjacent Otaez Restaurant building and Hawthorne Suites facility across the street. Furthermore, the design guidelines encourage the use of taller buildings to anchor the corners of the street block. The continuous commercial street wall design with ground floor retail promotes a harmonious transition with the surrounding commercial land uses.
3. The proposed design, exterior materials, and landscaping are visually compatible with the surrounding development. Design elements have been incorporated to ensure the compatibility of the building with the character and uses of adjacent development. A traditional roof cornice and vertical columns echo the architectural features found on Webster Street. The design utilizes tall glazing with transom windows to establish the ground floor store fronts as a prominent architectural feature of the building. Stucco recess spandrels and lintel moldings located below upper level windows help to delineate the three stories. The tall double-hung windows are distinguished with decorative stucco trim and the vertical column features provide articulation to break up the horizontal massing of the building. The design also incorporates decorative tile bulkhead, recessed entries, and a corner entrance that anchors the street corner consistent with the Webster Street Design Manual. Overall, the design and materials are compatible with the surrounding buildings and the Webster Street commercial district.

### **USE PERMIT FINDINGS**

1. **The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development.** The proposed mixed-use building is located within the transit oriented Webster Street business district and is surrounded by commercial properties on all sides. The site and surrounding parcels are zoned C-C, Community Commercial District. The intent of the C-C zoning district allows for residential uses provided that the residential use does not occupy the ground floor. The proposed senior boarding house use will be located on the second and third floors above the existing ground floor retail units. The proposal will be consistent with the C-C District with the approval of the proposed Zoning Text Amendment and Use Permit amendment. The proposed Boarding House is similar in use with the nearby Hawthorne Suites hotel and the Elders Inn assisted living facility. The architecture of the proposed mixed use building is

compatible with the traditional commercial buildings along Webster Street and the Webster Street Design Manual. The proposal provides on-site, off-site, and leased parking along with provision of transit passes, on-site shuttle service, and bicycle parking for tenants and businesses in order to meet the parking demand for the facility. Therefore, the proposed development is compatible with the Webster Street business district.

2. **The proposed use will be served by adequate transportation and service facilities, including pedestrian, bicycle and transit facilities.** There are eight proposed off-street parking spaces on the subject property and nine additional parking spaces will be leased for the project at the Hawthorne Suites property. Additionally, the site is within a major transit oriented commercial area served by AC Transit bus routes 51A, 20, W, 314, 851, 31, and O on Webster Street, which stop approximately one block north and south of the site. The proposal will also provide transit passes, on-site shuttle service, and bicycle parking for tenants and businesses in order to meet the parking demand for the facility. Therefore, the project will be served by adequate transportation and service facilities.
3. **The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have deleterious effects on existing business districts or the local economy.** The proposed senior boarding house use will not have an adverse impact on the surrounding neighborhood, hurt existing businesses or the local economy. The project will provide approximately 5,000 square feet of ground floor retail with the proposed residential use located above, which is consistent with other mixed use buildings in the C-C District. The design of the building provides a continuous street wall with recessed entries consistent with other structures in the surrounding area. Furthermore, the proposed Use Permit will also provide additional housing for seniors which will benefit the community as the City experiences increased demand for senior housing. The pedestrian and transit oriented area minimizes the need for personal vehicles for the tenants and makes it an ideal location for this type of use.
4. **The proposed use relates favorably to the General Plan.** General Plan guiding policy 2.5.h encourages mixed use development that provides housing above retail space within the Community Commercial business districts. The use permit for a senior boarding house above ground floor retail is consistent with this policy. Furthermore, the proposal revitalizes the vacant subject site with a new three-story mixed use building consistent with Policy 2.5.b of the General Plan. The addition of a residential use above ground floor retail is also consistent with the intent of the C-C District. Therefore, the proposed use relates favorably to the General Plan.

## **PARKING EXCEPTION FINDINGS**

1. The parking demand will be less than the requirements in Section 30-7.6 due to the following factors:

The project is designed as a mixed use transit oriented development that is located on a major public transit route with multiple AC Transit lines. The project will be providing AC transit passes to project residents and employees. A private on-site shuttle service will be provided to tenants of the senior boarding house and bicycle parking facilities are provided. The project site is also situated in an urban area within walking distance of retail services. AMC 30-7.19 allows the Planning Board to reduce the parking requirements for senior housing residents who have a lesser dependence on personal vehicles due to the factors listed above.

2. The probable long-term occupancy of the building or structure based on its design, will not generate additional parking demand.

The proposed development is limited by the size of the building and expansion of the building would need further review by the City. Additionally, the proposal is conditioned to provide nine leased parking spaces for the life of the project. These factors insure the long-term occupancy of the building will not generate additional parking demand.

BE IT FURTHER RESOLVED that the Planning Board finds this project exempt from further environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15332 In-Fill Development Projects.

1. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The proposed mixed use building with ground floor retail and a senior boarding house on the second and third story above will be consistent with the General Plan and the zoning designation upon approval of the proposed Zoning Text Amendment. The Zoning Text Amendment will allow boarding houses with the approval of a use permit.

2. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The project site is approximately 0.23 acres in size and is located within the Webster Street business district a completely urbanized area of the city.

3. The project site has no value as habitat for endangered, rare or threatened species.

The site contains a parking lot that is completely paved with asphalt. There is no known habitat for endangered, rare or threatened species on the project site.

4. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

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 and on-site parking facilities for the project residents and employees. The project will also be providing an on-site shuttle service for residents of the senior boarding house. The proposal includes a facility for seniors who will have a lesser dependence on personal vehicles do to the above factors. Furthermore, the property is situated in an urban area within walking distance of retail services. The project also received a determination from the Alameda County Environmental Health Division that the proposed project is consistent with the requirements for closure of the Unocal service station that existed on the site. Therefore, the proposed project will not have any significant effects relating to traffic, air quality, or water quality.

5. The site can be adequately served by all required utilities and public services.

The project site is located within the Webster Street business district, a heavily urbanized area of the city served by all required utilities and public services.

BE IT FURTHER RESOLVED that the Planning Board of the City of Alameda hereby approves Design Review and Use Permit application PLN16-0185, subject to the following conditions:

**Community Development Department Conditions:**

1. Zoning Text Amendment: This approval shall not become effective until and unless the Alameda City Council approves the recommended Zoning Text Amendment necessary to allow boarding houses within the C-C District. In the event that the Text Amendment is not approved, the applicant shall redesign the project for Planning Board review and approval consistent with the zoning requirements.
2. Compliance with State and Local Laws: The approved uses is subject to, and shall comply with, all applicable City Ordinances and the laws and regulations of all applicable government agencies.
3. These conditions shall be printed on the first page of all building plans and improvement plans.
4. Use Permit: This use permit approval is for the senior boarding house above the ground floor and the auto repair shop as shown on the approved plans. Any changes in use or number of parking spaces required shall be approved through a use permit amendment.
5. Building Permit Plans: The plans submitted for the Building Permit shall be in substantial compliance with the plans prepared by Daniel Hoy, Architect, dated March 7, 2017, and on file in the office of the City of Alameda Community Development Department, except as modified by the conditions in this resolution.

6. Vesting: This Design Review and Use Permit approval shall expire and become void unless actual construction under valid permits has commenced and passed one construction inspection within two years after approval. A one-time extension for an additional two years may be granted upon written request to the Community Development Director. Upon vesting of this approval,
7. Signage: Any temporary or permanent signage is subject to a sign permit approval.
8. Transportation & Parking: Prior to the issuance of a building permit, the applicant shall record a restriction on the deed of the property to require that the owner or property manager shall be responsible for:
  - a. Acquiring and distributing annually twenty (20) AC Transit Passes for use by project residents and/or business employees.
  - b. Requirement that tenants of a Senior Boarding House use on the property are at least 62 years of age.
  - c. An on-site shuttle service is provided for the tenants of a senior boarding house use on the property.
  - d. Provide a minimum of six short term and six long term bicycle parking spaces on site.
  - e. Include language in the deed restriction that indicates 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 Planning Board.
9. Leased Off-Site Parking: Prior to issuance of Building Permits, the applicant shall enter into an agreement to lease a minimum of nine (9) off-street parking spaces within 1,000 feet of the site.
  - a. The leased off-site parking facility shall include a sign, located at the entrance of the parking lot, informing users that the facilities are available to tenants of the subject property at 1629 Webster Street.
  - b. Prior to issuance of building permits for the project, the applicant shall provide a joint access and parking agreement, as required by AMC Section 30-7.7, with the property owner of a leased parking site within 1,000 feet of the project site. The lease shall include the City of Alameda and be written in a form approved by the City Attorney. The agreement shall be entered into and recorded to constitute a covenant running with all affected parcels of land, specifying the terms of use of the shared parking facilities.
  - c. The owner/operator of the boarding house and auto repair shop shall continue to maintain the additional nine (9) leased parking spaces for the life of the project. At any time that the leased parking is no longer available within 1,000 feet of the project site, the applicant shall return to the Planning Board for a public hearing to consider a new parking plan for the facility.

10. 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.
11. Affordable Housing Fee. Prior to issuance of the building permit, the applicant is required to comply with the terms of the City of Alameda Affordable Housing Fee requirements as specified in Alameda Municipal Code section 27-1
12. Universal Design: The plans submitted for the Building Permit shall show that each unit shall include:
- a. Accessible route of travel to boarding house unit from public sidewalk to the unit's primary entrance or an easily adaptable route.
  - b. Accessible route of travel from parking to the unit's primary entrance.
  - c. Minimum 32" clear primary entry doorway and a "no step entry" (1/2" or less threshold) with dual peephole and doorbell
  - d. All exterior/interior doors shall meet Chapter 11a. code required maneuvering clearances, hardware, thresholds, and strike side clearances
  - e. An accessible route of travel with a minimum 42" wide hallway to all bedrooms, living rooms, kitchens, and bathrooms.
  - f. Light switches, electrical receptacles, and environmental controls at accessible heights on the primary accessible floor
  - g. Rocker light switches throughout entire unit
  - h. Minimum required work/floor clearance of 30"x48" in front of stove, refrigerator, dishwasher, sink, and oven
  - i. Accessible countertops with a 30" wide workspace
  - j. Under-cabinet lighting
  - k. At least one full bathroom on accessible route of travel, with separate shower stall and toilet with grab bar reinforcement for potential retrofit
  - l. Bathroom with removable base cabinets
  - m. Lower towel racks and robe hooks
  - n. Accessible toilet tissue holder
13. 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 Pacific Avenue. The applicant/developer shall reconstruct frontage improvements along Webster Street and Pacific 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.
14. Archeological: In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The applicant/owner shall contact the Community Development Director for further guidance, which will likely include the requirement for the applicant/owner to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

15. Bicycle Parking: The applicant/owner shall provide and maintain a minimum of 6 long-term and 6 short-term bicycle parking spaces on-site in accordance with AMC Section 30-7.15.
16. 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 design review and use permit approval or these conditions shall be subject to review and approval of the Planning Board.
17. Annual Reporting: The owner/operator shall provide an annual report for the approved transportation and parking plan established by the conditions of approval to the Community Development Director for review. The content and duration of the annual report requirement shall be at the discretion of the Community Development Director.

#### Auto Repair Shop

18. Previous Use Permit: Conditions relating to previous Use Permit No. UP06-0001 are superseded by Use Permit Approval No. PLN16-0185. All applicable conditions of approval from UP06-0001 have been incorporated into this Use Permit Approval.
19. Hours of Operation: The hours of operation for the auto repair facility shall be limited to between the hours of 8:00 a.m. and 5:00 p.m., Monday through Saturday.
20. Number of Employees: There shall be no more than two (2) employees in any one shift.
21. Limitations on Operations: The operation of the use is subject to the following limitations shall apply to the operation of this use:
  - a. All automotive servicing shall occur within the auto repair building.
  - b. No vehicles shall be kept on the site for parts or salvage. When it is determined that a vehicle will not be repaired, it shall be removed from the site within 24 hours.
  - c. On-site parking shall be limited to employees and vehicles scheduled for service. No Vehicles may be stored on site overnight outside of the building.
  - d. There shall be no vehicle sales nor the sales of auto parts not associated with the auto repair use on this site.
22. The auto repair use shall produce no evidence of its existence beyond the premises such as noise, smoke, odors, vibrations, etc.
23. City of Alameda Municipal Code Sections 18 – 21 to 18 – 25 regarding storm water



management and discharge control, prohibits non-storm water discharges into the storm sewer system. The applicant shall specifically comply with, but not be limited to the following items:

- a. Best Management Practices (BMP's) as outlined by the Alameda County-side Clean Water Program (brochures available on request from the Public Works Department), shall be strictly adhered to for all related site activities. Applicant shall take necessary steps to maintain any outdoor storage areas, waste management (trash) areas, loading areas, and parking areas to insure that no debris or waste shall discharge to storm drain or contaminated rain water.
- b. If liquids are to be used in amounts greater than five gallons for activities, spill kits which will be able to clean-up spills and prevent spill from entering storm drain system shall be provided and kept visible during auto repair activities.
- c. No washing of vehicles or equipment shall be permitted in uncovered areas. All employees, and employees of subcontractors, vendors, and consultants must be instructed regarding BMP's and no washing requirements.
- d. Maintenance and repair work of vehicles or equipment shall not take place except in designated, approved, covered areas.
- e. Site shall be kept clean of debris that may contaminate storm drains. Only dry clean-up methods shall be used to maintain site.
- f. Trash enclosures shall be completely covered and no other area shall drain onto or through this area. Keep trash areas free of litter.
- g. Storage of stockpiled materials shall be covered areas and follow BMP's.

### Engineering

24. 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 improvements plans or the building permit, whichever comes first. If no building permit is required, the plans shall be approved by Public Works Director prior to establishment of the use. 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.

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

by the Public Works Director prior to approval of the improvements plans or the building permit, whichever comes first. 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.

26. A storm drainage hydrology analysis identifying the total peak drainage flow quantities to be generated by the proposed development shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The City will provide this data to an independent consultant who will assess the impact of the proposed development on the City's storm drainage system using a hydraulic model and determine the improvements, if any, to ensure sufficient capacity for this project and anticipated cumulative growth in the associated drainage basin. The developer will pay for the cost of the modeling study. The developer will include the recommended improvements into the project's improvements plans prior to approval of the improvements plans or the building permit, whichever comes first.
27. The applicant/developer shall submit a soils investigation and geotechnical report, prepared by a registered geotechnical engineer licensed in the State of California and acceptable to the Public Works Director. The report shall address the structural and environmental analysis of existing soils and groundwater. The improvement plans shall incorporate all design and construction criteria specified in the report. The geotechnical engineer shall sign and stamp the improvement plans as approved and as conforming to their recommendations prior to approval of the improvement plans. The geotechnical engineer shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work or establishment of the use, whichever comes first, that the work performed is adequate and complies with their recommendations.
28. 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 and shall include curbs, gutters, sidewalks, street trees, landscaping and irrigation, streetlights, etc.
29. 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. Applicant/developer shall also provide digouts and reconstruction of any potholed and/or alligatored areas adjacent to the project.
30. Any retaining walls, which are adjacent to a property line, shall be masonry, metal or concrete. Wood retaining walls shall not be installed adjacent to property lines.

31. Installation of street paving shall include reconstruction of the existing pavement section to provide adequate conforms. The limits of such reconstruction shall be established by the Public Works Director prior to approval of the improvement plans, issuance of a building permit, or prior to establishment of the use, whichever comes first.
32. Construction activities shall not occur during windy periods.
33. 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.
34. All project related grading, trenching, backfilling, and compaction shall be conducted in accordance with City of Alameda Standards and Specifications.
35. Hydroseeding of all disturbed areas shall be completed by October 1. Applicant/developer shall provide sufficient maintenance and irrigation to ensure growth is established by November 1.
36. 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.
37. Construction equipment must have state of the art muffler systems as required by current law. Muffler systems shall be properly maintained.
38. Noisy stationary construction equipment, such as compressors, shall be placed away from developed areas off-site and/or provided with acoustical shielding.
39. Grading and construction equipment shall be shut down when not in use.
40. 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.
41. 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.
42. New street trees shall maintain clearances from utilities shall be as follow: a) Fire hydrant – 6 feet; b) top of driveway wing – 5'; c) stop signs – 15'; d) street/pathway lights and utility poles – 25'; e) storm drain, sanitary mains, gas, water, telephone, electrical lines – 5'; f) front of electrical pad-mounted equipment – 10'. Verify minimum clearance distances of street trees/shrubs from electrical transformers with City of Alameda Municipal Power

(AMP).

43. 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.
44. Costs for inspection by the Public Works construction inspectors during non-working hours shall be at time and one half. Work on Saturday's requiring inspection shall not be done unless approved in advance by the Public Works Director. No work allowed on Sundays. Any work done without inspection may be rejected at the contractor's expense.

#### Stormwater, Wastewater and Water

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

45. Finalized Landscaping Plans shall be designed to minimize runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution. Consideration shall be given to pest-resistant landscaping and design features that support the use of integrated pest management (IPM) and Bay Friendly Landscaping principles and techniques.
46. The Civil Improvement Plans shall be consistent with the results of the completed Stormwater Requirements Checklist and the relevant source control and site design measures identified for project planning. Plan sheets shall provide the necessary drawings, details, cross-sections and/or notes to direct runoff onto appropriately designed, vegetated, landscape areas and to create permeable, on-site parking surfaces.
47. The applicant/developer shall be responsible for ensuring that all contractors and sub-contractors install, implement and regularly maintain construction activity best management practices in conformance with the City's erosion, sediment and discharge-control standards, copy provided, in order to prevent any pollutants entering directly or indirectly the storm water system or waters of the State. The Improvement Plans shall list the City's erosion and sediment control standards and provide relevant detail drawings and installation specifications that meet industry standards for erosion and sediment control effectiveness, such as those established by the California Stormwater Quality Association's Stormwater Best Management Practice Handbook – Construction.
48. Fire sprinkler system test water discharges shall be plumbed so as to be directed to the sanitary sewer system or to appropriately-sized onsite vegetated area(s).
49. The Improvement Plans shall indicate that all new storm drain inlets and all site perimeter storm drain inlets shall be clearly marked with the words "No Dumping! Drains to Bay," or equivalent, as approved by the City Public Works Department. Permanently affixed thermoplastic, metallic or plastic laminate style markers are examples of acceptable forms.

50. Improvement Plan design of all external enclosures for solid waste, recycling and organics containers 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. Any trash enclosure facility with a water supply shall also drain to the sanitary sewer.

#### Traffic and Transportation

51. 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 plans or building permit, whichever comes first.
52. The applicant/developer shall submit the improvement plans for any on-site parking facilities to the Community Development Department and Public Works Department for review and approval. A registered civil engineer licensed in the State of California shall prepare the plans and signed and stamped them as approved. The Community Development Department shall review and approve the parking lot layout, including number of spaces, dimensions of spaces, and ADA requirements and the Public Works Director shall review and approve the internal and external circulation of the parking lot, including lane widths and access points. The plans shall be reviewed and approved by the Community Development Department and Public Works Director prior to approval of the improvements plans or the building permit, whichever comes first.
53. Final bicycle parking plan shall be consistent with AMC-30-7.15 Bicycle Parking. The facility, location, and type shall be approved by the Community Development Department prior to approval of the improvements plans or building permit, whichever comes first. The Community Development Department shall inspect the location, type, and number of facilities to ensure they are in accordance with the approved plans prior to acceptance of the work or issuance of any occupancy permit, including temporary occupancy permit, whichever comes first.
54. 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.

55. Pedestrian and vehicular lighting at all intersections and project driveways shall meet Alameda Municipal Power standards for crosswalks, sidewalks, and intersections.
56. Applicant/developer shall replace any damaged curb, gutter, and sidewalk along street frontages to the satisfaction of the Public Works Director, in accordance with the Public Works Department's Standard Plans and Specifications prior to acceptance of the project or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first.

### Environmental

57. Design of all external enclosures for solid waste, recycling, and organics shall be approved by the Public Works Director prior to approval of the improvements plans or the building permit, whichever comes first. If no building permit is required, the plans must be approved by the Public Works Director prior to establishment of the use. 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.
58. A 40-foot turning radius must be provided for any street that would otherwise require the collection truck to back up a distance greater than 150 feet. Although not required, construction of a concrete pad just outside each solid waste enclosure is recommended in order to accommodate the truck weight while servicing the dumpster.
59. Applicant must comply with the following minimum storage requirements for solid waste, recyclable and compostable materials:

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

Building Size (square feet)	Solid waste (square feet)	Recyclables (square feet)	Organic Materials (square feet)	Total Area (square feet)
10,001-25,000	48	48	48	144

60. Exterior solid waste and recyclable material storage shall be adjacent or combined and may only be located on the outside of a structure, in a designated interior courtyard with appropriate access, or in rear or side yards. External storage area(s) shall not be located in any required front yard, street side yard, required parking, landscaped, or open space, or any areas required by the AMC to be maintained as unencumbered.
61. The storage area(s) shall be accessible to residents and employees.
62. 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.
63. 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.
64. The design and construction of the storage area(s) shall:
- a. Be compatible with the surrounding structures and land uses; and
  - b. Be properly secured to prevent access by unauthorized persons. If gates with locks are planned to limit access to the enclosure or to the property, cards or keys must be provided to the City's franchised waste hauler and recycling collector; at present Alameda County Industries; and
  - c. Contain a concrete pad within the fenced or walled area(s) and a concrete apron which facilitates handling of the individual bins and containers; and
  - d. Provide a 6-inch wide curb or parking bumpers along the interior perimeter of the enclosure walls to protect them from damage by the dumpster. A 6-inch wide parking bumper, at least 3 feet long, should also be placed between the refuse dumpster and the recycling containers; and
  - e. Maintain a minimum space of 12 inches between the dumpster(s) and the walls of the enclosure and the recycling container(s) to allow for maneuvering the dumpster(s); and
  - f. Protect the area(s) and containers from adverse environmental conditions, which might render the collected materials non-collectible, noxious, unsafe, or in the case of recyclable materials, unmarketable.
65. Dimensions of the storage area(s) shall accommodate containers consistent with the current methods of collection. The storage area(s) shall be appropriately located and screened from view on at least three sides by a solid wall six feet in height, and on the fourth side by a solid gate not less than five feet in height. The gate shall be maintained in good working order and shall remain closed except when in use. Gates must open straight out and gates and hinges must be flush with the enclosure wall to allow adequate maneuverability of the dumpster in and out of the enclosure. The design of the wall and gate shall be architecturally compatible with the surrounding structures.
66. 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.

67. 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 (AMP)**

68. 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 streetlights, electrical transformers and other utility electrical equipment.
69. The Applicant shall comply to AMP's Rules and Regulations and "Material and Installation Criteria for Underground Electrical Systems" (both available at [www.alamedamp.com](http://www.alamedamp.com)) and provide completed "Service Planning Sheets" for AMP's review prior to submitting plans for building permits. Note that the transformer pad might be about 60"x84" (Drawing 1-L-406), depending on the submitted load and the transformer should be three feet away from any obstruction on the side of the transformer with no doors and there should be eight feet clear space in front of the doors of the transformer (Drawing 1-L-521). Typically, a 10'x10' easement is required for a transformer installation.
70. 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.
71. 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.
72. 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.
73. 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.

74. There should be a 36" clear space in front of the meter as well as side to side of the meter. Said meter should be 10" inches or more away from any wall or obstruction.
75. The Final Map shall show all necessary easements and access to all electrical utility facilities that are in the private properties, at no charge to AMP.
76. 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. If entry is locked, a key must be provided to AMP prior to energizing the service. No remote metering.
77. 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.
78. Any existing overhead electric facilities within, and/or adjacent to, the subdivision or division of land shall be undergrounded at no charge to AMP.
79. 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 AMP assigned inspector during construction.
80. The Applicant shall submit, with the site improvement plans, detailed drawings showing the required site electric utility facilities.
81. All service installations, to commercial/industrial, multiple dwelling units and subdivisions, will be underground. All new or upgraded service facilities with a capacity of 400 Amperes or larger will require a new pad mounted transformer.
82. Any relocation of existing AMP distribution facilities necessitated by development, site improvements and/or modifications shall be approved by AMP and paid by the requesting party. The existing service to the auto repair shop will need to be relocated since it is currently located across the proposed building.

HOLD HARMLESS. The 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 Department, Alameda City Planning Board, the City of Alameda City Council relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

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 protect these fees and other exactions, pursuant to Government Code section 66-2-(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.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Community Development Department a written notice of appeal stating the basis of appeal and paying the required fees.