

CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA RECOMMENDING THE CITY COUNCIL APPROVE PARCEL MAP 10782 AND APPROVING FINAL DEVELOPMENT PLAN AND DESIGN REVIEW FOR PLN17-0614 AT 1955 NORTH LOOP ROAD.

WHEREAS, an application was made on December 21, 2017, by North Loop 3, LLC for a Parcel Map, Final Development Plan, and Design Review; and

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

WHEREAS, the subject property is located within the C-M PD (Commercial Manufacturing with a Planned Development overlay) zoning district; and

WHEREAS, the Planned Development for the Harbor Bay Business Park was approved by PD-81-2, and subsequently amended by PDA-85-4, PDA-87-7, and PDA05-0003; and

WHEREAS, Condition #2 of Resolution No. 1203 which approved the Business Park requires that for each development proposal within the Business Park a Final Development Plan be reviewed by Community Development Department staff for compliance with the standards and conditions of the Business Park Final Development Plan and then be brought before the Planning Board.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board made the following findings regarding the California Environmental Quality Act (CEQA):

1. The City of Alameda reviewed and approved an Environmental Impact Report (amended 1989) for the development of the Harbor Bay Business Park and this property.
2. As documented in the February 12, 2018 staff report to the Planning Board, approval of the project would not result in any new significant impacts relating to traffic, noise, air navigation, air quality, or water quality. A trip generation and access review analysis conducted by Abrams Associates shows that the project would not be expected to result in any traffic operational issues. The project site has no value as habitat for endangered, rare or threatened species as documented by a recent biological survey for the proposed development. A burrowing owl survey was conducted by ESA at the project site on January 4, 2018, and no evidence of the presence of burrowing owls were observed on the site.

3. Conditions of approval ensure that the project would not result in any new noise or air safety concerns as the result of proximity to the Oakland International Airport. The project also received an approval letter from the Alameda County Airport Land Use Commission in regards to compliance with the safety, noise, and height development requirement of the adjacent Oakland Airport.

BE IT FURTHER RESOLVED, the Planning Board finds the subject Parcel Map is exempt from environmental review pursuant to CEQA Guidelines Section 15315, which categorically exempts minor land divisions where:

1. The project is located in an urbanized area zoned for commercial or industrial use; and
2. The project will divide the project site into four or fewer parcels; and
3. The division is in conformance with the General Plan and zoning, and no variances or exceptions are required; and
4. All services and access to the proposed parcels to local standards are available; and
5. The project site was not involved in a division of a larger parcel within the previous 2 years; and
6. The parcel does not have an average slope greater than 20 percent.

BE IT FURTHER RESOLVED, the Planning Board finds the subject Parcel Map, Final Development Plan and Design Review are consistent with the Harbor Bay Business Park Development Plan, applicable zoning requirements and the General Plan; and

BE IT FURTHER RESOLVED, the Planning Board held a public hearing on this Parcel Map, Final Development Plan and Design Review application on February 12, 2018, and has examined pertinent maps, drawings and documents; and

BE IT FURTHER RESOLVED, pursuant to AMC Section 30-78.5, the Planning Board has made the following findings relative to the proposed Parcel Map Application PLN17-0614:

- A. **The proposed subdivision is in conformance with the General Plan and Zoning for this site.** The Parcel Map is consistent with the Business Park General Plan designation and C-M-PD zoning regulations for the property. The project would allow the subdivision of an existing 8.96-acre project site currently divided into three individual parcels to create four new parcels on which each new development will be situated.

- B. **The site is physically suitable for the proposed commercial development in the General Plan.** The proposed subdivision is designed to conform to the Harbor Bay Business Park Development Plan standards and requirements adopted to ensure that the project would be compatible with adjacent uses.
- C. **The site is physically suitable for the density of the development.** The proposed subdivision is consistent with density standards of the General Plan and Zoning Ordinance. The project would permit four new office buildings ranging in size from 29,400 square feet to 38,000 square feet on parcels ranging in size from 1.94 acres to 2.57 acres. This would result in an average density within that is permitted by the General Plan. This is consistent with development standards for the C-M-PD zoning district and the Business Park designation of the General Plan.
- D. **The proposed design of the subdivision and improvements, as conditioned, will not cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat.** The development of the site will not introduce hazards that are inconsistent with standard commercial development within the C-M-PD zoning district and the Business Park General Plan designation. Conditions of approval ensure that no unintended environmental damage or exposure of future occupants to environmental dangers could occur.
- E. **The design of the subdivision will not conflict with easements acquired by the public at large for access through or use of property within the subdivision.** All required easements are to be retained and additional, necessary easements are to be provided as conditions of approval.
- F. **The design of the subdivision and its improvements will not cause serious public health problems.** The project includes conditions that assure the property is free of hazardous materials and would not adversely affect public health. Easements for surface drainage runoff and utilities are required as conditions of the Parcel Map.

BE IT FURTHER RESOLVED that the Board finds that the Final Development Plan complies with all the development standards contained in Resolution No. 1203, as amended by PDA-85-4, PDA-87-7, and PDA05-0003 and the findings required by AMC Section 30-4.13.f.3

1. **The development is an effective use of the site.** The Development Plan provides for a subdivision and four new office/manufacturing/flex buildings that include landscaping and open spaces, and pedestrian and bicycle facilities. The Development Plan utilizes landscaping, building placement and orientation to create an effective and successful commercial development that creates a compatible interface with the adjacent properties and uses, and provides strategies for the conservation of natural resources and sustainable landscaping design.

2. **The proposed use relates favorably to the General Plan.** The proposed development supports General Plan policies for the development of Harbor Bay Business Park and General Plan policies to increase complementary business opportunities in Alameda. The project also generates jobs consistent with General Plan goals.
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 substantial deleterious effects on existing business districts or the local economy.** The proposed Development Plan is consistent with the Harbor Bay Business Park Development Plan. The proposed Development Plan is designed to be compatible with adjacent commercial uses by providing attractive improvements and pedestrian and bicycle amenities, and by supporting the business park shuttle service.
4. **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 development qualifies as a commercial development pursuant to the C-M-PD Commercial Manufacturing - Planned Development Zoning District, and satisfies the purposes of the C-M-PD district regulations. The project site plan is designed to conform to the Harbor Bay Business Park Development Plan objectives and requirements adopted to ensure that the project would be compatible with the adjacent airport environment and commercial development. The Development Plan will provide for adequate landscaping, including Bay Friendly-compatible native landscaping, as required by City standards.
5. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The Development Plan is designed in a manner compatible with existing and potential contiguous uses. The project plans provide for well-designed pedestrian facilities, bicycle access, and vehicular access to nearby transit amenities including a ferry terminal and shuttle service to BART.

BE IT FURTHER RESOLVED, that the Board makes the following findings relative to the Design Review approval, as required by AMC 30-37.5:

1. **As conditioned, the proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual.**
The project meets the development regulations of the C-M Zoning District, and the development regulations established for the Harbor Bay Business Park by Resolution 1203 as amended by PDA-85-4, PDA-87-7, and PDA05-0003. The project is consistent with General Plan Guiding Policy 2.8 to support development of the Harbor Bay Business Park consistent with existing approvals and agreements. The quality and size of this project enable it to make a major

contribution to the identity of Alameda and to the economic health of the East Bay.

2. **As conditioned, the proposed design is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses.**

The project is compatible with the adjacent residential development because it provides adequate setbacks for parking and buildings from the residential properties on the opposite side of Catalina Avenue to north of the project, and the project provides adequate landscaping and fencing to screen on-site parking; and

3. **As conditioned, the proposed design of the structures and exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development.**

The new construction is compatible in design and use of materials with the adjacent Phases 1 and 2 of the North Loop office/industrial development. Exterior materials include painted concrete panels, ribbed infill panels, and aluminum shading devices at main and secondary entries, which is consistent with previously developed phases of the business park along North Loop Rd.

BE IT FURTHER RESOLVED that the Board makes the following findings relative to the specific design guidelines for the Business Park contained in Resolution No. 1203:

1. The preliminary landscape plan is consistent with the required landscaping requirements of the Business Park.
2. As conditioned, the project will be consistent with the City's Design Review Guidelines, because the design has an appropriate sense of scale for the site, and the building is well proportioned, and well located on the site. The building is designed to project a low horizontal profile which reduces the apparent bulk of the building as required by the Architectural Guidelines contained in Resolution No. 1203. The building and parking area are set back and screened from residences.

BE IT FURTHER RESOLVED, that the Planning Board hereby approves file no. PLN17-0614 for Final Development Plan and Design Review, and recommends the City Council approve the tentative Parcel Map 10782 application, subject to the following conditions:

COMMUNITY DEVELOPMENT DEPARTMENT

1. Conditions relating to Planning Board Resolution No. 1203 are incorporated by reference.
2. These conditions shall be printed on the first page of all building plans and improvement plans.
3. Building Permit Plans: The plans submitted for the Building Permit shall be in compliance with the plans prepared by Forge Architects, dated January 25, 2018, on file in the office of the City of Alameda Community Development Department.
4. This Final Development Plan and Design Review approval shall expire and become void unless actual construction under valid permits has commenced within two years after this approval. A one-time extension for an additional two years may be granted upon written request.
5. If valid building permits have not been issued prior to the expiration of the Development Agreement (Document No. 89-110709), the applicant/developer shall satisfy all standard development requirements outside of the Development Agreement prior to the issuance of permits, including but not limited to development impact fees, public art fees, and Affordable Housing Impact fees.
6. Prior to issuance of building permits, the developer/applicant shall submit a complete Landscape Document Package for review and approval by the Community Development Director
7. The plans submitted for building permit shall be consistent with the Final Development Plan and shall show details of the following for review and approval by the Community Development Director or his or her designee:
 - a. Compliance with the City's Standard Landscaping Conditions of Approval;
 - b. Final window and door details;
 - c. Required roof screening for mechanical and electrical equipment;
 - d. Sample color and material selections; and
 - e. Lighting Plan, including fixtures.
8. Dust Control: During construction, the applicant 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 roadways. Construction activities shall be subject to the requirements of the Alameda Municipal Code, which

restricts construction to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturday or Sunday. Design specifications shall incorporate Waste Management and Recycling elements for building and site demolition debris.

9. Site Lighting: At the common property line with the adjacent residential properties, the Project will meet the LEED standard for light pollution reduction in residential areas (LZ2 described below). The intent is to minimize light trespass from the site and improve nighttime visibility through glare reduction. The following requirements will be incorporated into the site lighting design:
 - a. Use of pole lights with maximum height of 25'; no building wall packs on the east and north building elevations (this excludes any architectural lighting which is not for site lighting purposes).
 - b. Fixtures and/or cut-off shields will be specified where appropriate, which mitigate direct view of the site lighting source from the adjacent residential neighborhoods.
 - c. LEED Sustainable Site Credit 8: Light Pollution – LZ2 Standard: Design exterior lighting so that all site and building mounted luminaires produce a maximum initial illuminance value no greater than 0.10 horizontal and vertical footcandles at the site boundary. Document that no more than 2% of the total initial design fixture lumens are emitted at an angle of 90 degrees or higher from nadir (straight down).
10. Noise: The project shall not cause an increase in ambient noise levels in excess of those allowed in AMC. Prior to the issuance of building permits and prior to any future change in building use, the applicant shall submit an acoustical noise analysis demonstrating compliance with these Standards. The Community Development Director, or his or her designee, may require noise monitoring and additional project modifications if appropriate. An acoustical analysis meeting the requirements of Condition No. 60 of Resolution No. 1203 shall be submitted with the building permit applications.
11. Truck Noise: Truck deliveries shall be limited to daytime hours (8:00 am to 6:00 pm) to minimize noise impacts on adjacent residential neighbors.
12. Mechanical Equipment: Any noise-making mechanical equipment located on the ground, which generates noise exceeding ambient noise levels (prior to installation of the equipment) at the common property line with adjacent residential development, shall be enclosed in a sound blocking enclosure meeting the standards established by the Alameda Municipal Code for noise. The sound blocking enclosure must be built to the following minimum standards:
 - a. The barrier can be any thickness so long as its weight is 4 lbs/ft² or greater.
 - b. The barrier must be nonporous, with a solid door.

- c. The barrier must enclose the equipment on all sides. The building wall may serve as one or more of the sides.
 - d. The wall height should be a minimum of three feet (3') greater than the tallest piece of equipment
13. Fencing: The existing perimeter fence shall be repaired or replaced with a new chain link fence with redwood slat, as needed. The fence and slats shall be properly maintained by the applicant. Onsite storage or equipment enclosures, as required by the planned development guidelines for the Business Park, or sport courts, must include 8' high decorative black or dark green vinyl coated chain link fencing, with lockable gates, intended to blend the enclosure with the landscaping.
14. Signage: Any temporary or permanent signage is subject to a sign permit approval. All signage shall be consistent with the requirements of the approved signage program for Harbor Bay Business Park.
15. FAA Compliance: Prior to issuance of building permits, the applicant shall submit to the Federal Aviation Administration (FAA) a Form (currently designated 7460 although FAA may designate a substitute form), completed to FAA satisfaction, which describes the electronic and light emissions and reflections from the facility toward Port of Oakland runways and related information. The FAA Form 7460 or the equivalent regulates both building external elements and construction elements including temporary use of cranes. The applicant shall conform to FAA requirements in the Form 7460 or FAA-approved equivalent process. The applicant shall conform to any process of the Alameda County Airport Land Use Commission and shall provide verification to the Community Development Director of compliance efforts.
16. Outdoor Storage: There shall be no outdoor storage unless approved by the Community Development Director, and any outdoor storage permitted shall be temporary for in-transit materials.
17. Bicycle Parking: Locations for indoor and outdoor bicycle parking consistent with the AMC bicycle requirements shall be shown on the project plans. The bicycle facility should be located in a secure and safe location and accessible from high pedestrian/bicycle traffic areas, near the front door, to the satisfaction of the Community Development Director.

PUBLIC WORKS

Engineering

18. The applicant/developer shall submit construction improvement plans for all on- and off-site improvements. The plans shall be prepared, signed and stamped as approved by a registered civil engineer licensed in the State of California. The

engineer shall also assume responsibility for inspection of the on-site construction work, including but not limited to parking lots, pathways, storm facilities and, sewer facilities, 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.

19. The landscape and irrigation plans for improvements in the public right of way shall be prepared, signed and stamped as approved by a licensed landscape architect and shall be consistent with the City's Bay Friendly Landscaping requirements, the Master Street Tree Plan, the AMC, conditions of approval by the Planning Board, and other regional jurisdictions requirements, as applicable. Final landscape plans should 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. As appropriate, 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 of the swale. The plans shall be reviewed and approved by the Public Works Department prior to approval of the improvements plans. The landscape 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.
20. The landscape and irrigation plans for improvements 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.
 - a. 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 Department 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.

21. To guarantee completion of the off-site improvements, if any, the Developer shall enter into an agreement with the City and provide a security in a form and amount acceptable to the City prior to approval of the improvements plans.
22. A sanitary sewage flow analysis identifying the total peak sanitary sewage flow quantities to be generated by the proposed development shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The City will provide this data to an independent consultant who will assess the impact of the proposed development on the City's sanitary sewer system using a hydraulic model and determine the required improvements, if any, to ensure sufficient sewage capacity for this project. The developer will pay for the cost of the modeling study and a fair share of any off-site improvements implemented by the City. The developer will include the recommended on-site improvements into the project's improvement plans prior to approval of the improvement plans.
23. A sanitary sewage treatment capacity analysis for wet weather flows shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The plan shall identify and mitigate any increase in wet weather flow treatment capacities associated with the development when compared to existing conditions. The developer will include the recommended improvements into the project's improvement plans prior to approval of the improvement plans.
24. 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 improvement plans prior to approval of the improvement plans.

25. The applicant/developer shall submit a soils investigation and geotechnical report, prepared by a registered geotechnical engineer licensed in the State of California. 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.
26. 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.
27. New street trees along North Loop Road shall maintain clearances from utilities as follows:
 - a. Fire hydrant – 6 feet;
 - b. Top of driveway wing – 5 feet;
 - c. Stop signs – 15 feet;
 - d. Street/pathway lights and utility poles – 25 feet;
 - e. Storm drain, sanitary mains, gas, water, telephone, electrical lines – 5 feet;
 - f. Front of electrical pad-mounted equipment – 10 feet.
28. Costs for inspection by the Public Works construction inspectors during non-working hours shall be at time and one half. Work on Saturdays 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.
29. Prior to issuance of building permits, the applicant/developer shall secure all necessary permit approvals from EBMUD regarding the installation of all water or sewer service connections for the project. Accumulated wastewater must be drained to the sanitary sewer.
30. Fire sprinkler system test water discharges shall be directed to the sanitary sewer system or to appropriately-sized onsite vegetated area(s).

Clean Water Program

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

31. The applicant/developer shall submit a finalized stormwater quality management plan and finalized, stamped, signed City of Alameda C3 certification form from a qualified independent civil engineer with stormwater treatment facility design experience, licensed in the State of California, and acceptable to Public Works Engineering that indicates the LID and treatment measure designs of the finalized improvement plans and stormwater quality management plan meet the established sizing design criteria for stormwater treatment measures. City qualification standards are listed below. These will be at the 100% complete level.
32. The Civil Improvement Plans shall be consistent with the finalized stormwater quality management Plan submittal. Plan sheets shall include detail and cross-sectional drawings of the stormwater quality design and treatment measures, as relevant, consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual and Provisions C.3.c and C.3.d of the City's Municipal NPDES storm water permit.
33. The improvement plans shall indicate the structural stormwater trash capture measure(s) being installed on the project site to ensure that the stormwater drainage from the project site is subject to full trash capture consistent with City's municipal stormwater permit definition of a full trash capture device. A full trash capture system or device is any single device or series of devices that traps all particles retained by a 5mm mesh screen and has a design treatment capacity of not less than the peak flow rate Q resulting from a one-year, one-hour storm in the sub-drainage area. Plan sheets shall include detail and cross-sectional drawings of any stormwater full trash capture device(s).
34. Finalized landscaping plans for all landscape-based stormwater treatment measures shall be consistent with the civil engineering designs and functional intent of these treatment measures. The stormwater treatment landscapes shall be designed to minimize runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution. Consideration shall be given to pest-resistant landscaping and design features and the use of integrated pest management (IPM) principles and techniques.
35. Provide the Public Works Department Clean Water Program, a copy of both the WID# issued to the project site by the State Water Resources Control Board (SWRCB) and the required Storm Water Pollution Prevention Plan (SWPPP).

These documents shall provide verification to the City that the project site is in compliance with SWRCB Order No. 2009-0009-DWQ prior to the initiation of construction activity. Information on this State Order is available at: http://www.waterboards.ca.gov/water_issues/projects/stormwater/construction.shtml

36. The SWPPP shall be reviewed and accepted by the Public Works Clean Water Program for conformance with the City's erosion and sediment control standards.
37. In compliance with the SWPPP, the applicant/developer shall be responsible for ensuring that all contractors and sub-contractors install and regularly maintain all control measure elements required in the project SWPPP during any and all construction activities in order to prevent any pollutants entering directly or indirectly the storm water system or waters of the State. The Improvement Plans shall list the City's erosion and sediment control standards and provide detail drawings and installation specifications for all SWPPP structural control measures. 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.
38. The applicant/developer shall submit for review and approval by Public Works Engineering a Stormwater 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 stormwater 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.
39. 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.
40. 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:

41. The applicant/developer shall submit a certification report (Report) prepared by a registered civil engineer, licensed in the State of California, affirming that all project site stormwater treatment measures have been constructed per the City approved plans and specifications. As appropriate, the Report shall include, but

not be limited to, assurances that: imported materials used for the treatment measure(s) are certified by the supplier; installation of these materials is per approved plans and specifications and meets the intent of the design engineer; required on-site testing results conform with approved plans and specifications; treatment measures conform to dimensions, grades and slopes on approved plans and specifications; all structural features of the treatment measures comply with plan specifications; the irrigation system is installed and functions as designed; healthy vegetation/ground cover is installed as shown on plans. The Report shall be submitted in a form acceptable to Public Works Engineering.

42. The property owner shall execute a C3-LID Treatment Measures Maintenance Agreement (Agreement) with the City, complete with an approved O&M Plan and annual reporting template.

Traffic and Transportation

43. As a member of the Harbor Bay Business Park Owner's Association, the applicant and its tenant will participate in the Transportation Management Program implemented by the Harbor Bay Business Park Association that includes TDM strategies in accordance with the provision stipulated in Section 11.2.h of the Covenants, Conditions, and Restrictions (CC&RS) of the Harbor Bay Park Association.
44. Prior to the issuance of the Building Permit, the applicant shall provide the following in the improvement plans and/or as submittals as appropriate for the approval of the Public Works Department and in accordance with the City design standards:
45. Ensure that all pedestrian access points throughout the project area are ADA compliant.
46. Provide adequate pedestrian and vehicular lighting at all intersections of project driveways along North Loop Road. The lighting shall meet with Alameda Municipal Power standards for crosswalks, sidewalks, and intersections.
47. 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 Department prior to approval of the improvement plans.
48. The applicant/developer shall submit the improvement plans for any on-site parking facilities to the 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.

49. 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.
50. Applicant/developer shall replace any damaged curb, gutter, sidewalk and utility boxes along street frontages to the satisfaction of the Public Works Department, in accordance with the Public Works Department's Standard Plans and Specifications prior to acceptance of the project or issuance of an occupancy permit.

Environmental

51. Design of all external enclosures for solid waste, recycling, and organics shall be approved by the Public Works Department prior to approval of the improvement plans. These facilities are to be designed to prevent water run-on to the area, runoff from the area, and to contain litter, trash, and other pollutants, so that these materials are not dispersed by the wind or discharged to the storm drain system. External enclosures are to be roofed and/or enclosed. Any enclosures containing food waste shall have floor drains connected to the sanitary sewer system. If the enclosures are attached to buildings they shall have fire sprinklers. Internal collection and storage area(s) and the individual bins and containers provided, shall be adequate in capacity, number, and distribution to serve the anticipated demand for trash, recycling, and organics as determined by the Public Works Department.
52. 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.
53. Applicant must comply with the following minimum storage requirements for solid waste and recyclable materials:
54. Non-Residential Structures -- Non-residential structures/uses within all zoning districts shall provide external solid waste and recyclable 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)	Total Area (square feet)
0-5,000	12	12	24

5,001-10,000	24	24	48
10,001-25,000	48	48	96
25,001-50,000	96	96	192
50,001-75,000	144	144	288
75,001-100,000	192	192	384
100,001+	Every additional 25,000 square feet shall require an additional 48 square feet for solid waste and 48 square feet for recyclables.		

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

56. 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. In all cases where a parcel is served by an alley, all exterior storage areas shall be directly accessible to the alley.

57. 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.

58. 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.

59. 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.
60. 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.

FIRE DEPARTMENT

61. The applicant shall be responsible for a water main extension to serve the project, whose design shall be shown on the improvement plans to the satisfaction of the East Bay Municipal Utilities District, the Public Works Director, and the Fire Chief.
62. Prior to approval of the improvement plans, the applicant shall submit revised plans, for review and approval by the Public Works Director and the Fire Chief, that:
- a. Provide fire hydrants spaced throughout the project as required in California Fire Code Appendix C. Ensure sufficient fire flow for the development compliant with California Fire Code Appendix B and Alameda Municipal Code 15-1.2 where a maximum reduction of the fire flow can be reduced by 50% for fire sprinklered buildings. Fire hydrant flow shall be a minimum of 1,500 G.P.M. from any one hydrant;
 - b. Provide adequate turn-around space or acceptable emergency vehicle through access for any street greater than 150 feet in length; and
 - c. Ensure that all roads have an adequate turning radii for fire apparatus (inside turning radius of 28" and outside turning radius of 44'8"); and
 - d. Minimum fire lane width shall be 20', and 26' for buildings over 30' in height for aerial apparatus. Aerial apparatus fire lane shall be no closer than 15' and a maximum of 30' from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire access road is positioned shall be approved by the fire code official.
63. All fire lanes within the development shall be marked as fire access roads to the satisfaction of the Fire Chief.

64. A key box (Knox Box) shall be installed at a location approved by the fire code official. Key box to contain keys to enter the building for immediate access for life-saving or fire-fighting purposes. Keys to be placed within the box are to include the exterior door key(s), electrical room key, elevator equipment room key, elevator operations key, fire alarm control panel room key, fire alarm control panel key, and the fire sprinkler riser room key.

ALAMEDA MUNICIPAL POWER (AMP)

65. The applicant shall comply to AMP's Rules and Regulations as stated in Article X and AMP's "Material and Installation Criteria for Underground Electrical Systems" (both available www.alamedamp.com) and provide completed "Service Planning Sheets" for AMP's review prior to submitting plans for building permits.

66. The applicant shall provide information on the location of transformers and total load in kilowatts or kilowatt/volts (KVA) to Alameda Municipal Power (AMP) for approval prior to 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.

FINAL MAP

67. All maps filed pursuant to this approval shall be in substantial compliance with the map titled, "Parcel Map 10782" prepared by Kier & Wright Civil Engineers & Surveyors, Inc. date stamped received January 29, 2018, and on file in the office of the Alameda Community Development Department.

68. The Final Map shall be in substantial compliance with the tentative Map.

69. The subdivider shall record the Final Map within twenty-four (24) months of approval, or conditional approval of the Tentative Map by the City Council. An extension of time, not to exceed and additional twelve (12) months, for the filing of the Final Map may be granted by expiration of the approved or conditionally approved Tentative Map.

70. Prior to the City Council approval of the Final Map, the Applicant shall submit a Mylar copy and a CAD file of the Final Map.

71. Final Maps shall show all existing and proposed easement locations, uses and recording information. The Final Map shall provide reciprocal access easements between Parcel 1 and Parcel 2, between Parcel 2 and Parcel 3, and between Parcel 3 and Parcel 4, at the location of the proposed driveways.

72. **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 Development Department, Alameda City Planning Board, the City of or City Council related 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. 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

73. All Time and Material charges for this application shall be paid in full prior to the approval of Building Permits for the Project.

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.

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