

CITY OF ALAMEDA PLANNING BOARD  
**DRAFT RESOLUTION**

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING DESIGN REVIEW AND DEVELOPMENT PLAN AMENDMENT APPLICATION NO. PLN17-0600 FOR THE CONSTRUCTION OF A 211-ROOM FIVE-STORY HOTEL LOCATED NEAR THE CORNER OF HARBOR BAY PARKWAY AND RON COWAN PARKWAY AND RECOMMENDING THE CITY COUNCIL ADOPT A GENERAL PLAN AMENDMENT TO CLARIFY THE FLOOR AREA RATIO REQUIREMENT IN THE HARBOR BAY BUSINESS PARK

WHEREAS, an application was made by Arris Studio Architects for Shrijii Hospitality Inc. ("Applicant") requesting Design Review and Development Plan Amendment for the construction of a new 211-room five-story hotel located on approximately 3.7 acres within the Harbor Bay Business Park located near the corner of Harbor Bay Parkway and Ron Cowan Parkway; and

WHEREAS, the applicant request a General Plan Amendment to clarify the floor area ratio requirement in the Harbor Bay Business Park; and

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

WHEREAS, the subject property is located in a C-M-PD, Commercial Manufacturing - Planned Development Zoning District; and

WHEREAS, the Planned Development for the Business Park was approved by PD-81-2, and subsequently amended by PDA-85-4, PDA-87-7, PDA05-0003; and FDP-82-2; 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 staff for compliance with the conditions of the Business Park Final Development Plan and then be brought before the Planning Board; and

WHEREAS, the Board held a public hearing on October 22, 2018 for Design Review, Development Plan Amendment, General Plan Amendment, and examined pertinent maps, drawings, and documents; and

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

1. No further environmental review is required for the proposed amendment to the Development Plan pursuant to Section 15162 of the California Environmental

Quality Act Guidelines because there have been no significant changes in circumstances that require revisions to the previously certified Environmental Impact Report for Harbor Bay Isle.

2. The project site has no value as habitat for endangered, rare or threatened species. The Harbor Bay Isle Environmental Impact Report (EIR) analyzed the impacts of Harbor Bay development on wildlife and migratory birds. The biological survey for the proposed hotel concludes that the proposal does not substantially change the determination of the previously certified EIR. The area of the proposed development is currently a vacant 3.7 acre site. The vacant site has no habitat value for any endangered, rare, or threatened wildlife species. A survey for burrowing owls and sensitive species was conducted by WRA Environmental Consultants at the project site on January 15, 2018, and no evidence of the presence of these species were observed on or within a zone of influence of the site (Exhibit 3)..
3. Approval of the project would not result in any substantial changes in the environmental determination in regards to traffic, noise, and air navigation. The previously certified Harbor Bay Isle EIR analyzed the impacts of the Harbor Bay development on traffic, noise, and air navigation. The traffic analysis, noise analysis, and Airport Land Use Commission analysis conclude that the proposed hotel facility will not substantially change the determinations of the previously certified EIR. A traffic and parking analysis conducted by Abrams and Associates on September 24, 2018 shows that the new hotel proposal does not result in any significant traffic or parking impacts to the surrounding area. The project also received an approval letter from the Alameda County Airport Land Use Commission on March 13, 2017 in regards to compliance with the safety, noise, and height development requirement of the adjacent Oakland Airport. The Noise analysis conducted by RGD Acoustics on February 5, 2018 determined that the project can meet city, state, and county requirements in regards to noise levels through the implementation of standard CNEL building requirements. The proposed project will not result in any significant traffic, noise, air quality or water quality impacts because the proposed hotel use is consistent with the uses analyzed by the Harbor Bay Isle Environmental Impact Report.

BE IT FURTHER RESOLVED that pursuant to Alameda Municipal Code (AMC) Section 30-4.20(g), the Board has made the following findings relative to the proposed Final Development Plan Application (PLN17-0600):

- A. **The development is an effective use of the site.** The Final Development Plan provides a new hotel including landscaping and open spaces, pedestrian, transit and bicycle facilities designed to provide a project that is pedestrian, bicycle and transit-friendly. The Final 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.

- B. **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 and job generation in Alameda.
- C. **The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have substantial deleterious effects on existing business districts or the local economy.** The proposed Final Development Plan is consistent with the Harbor Bay Business Park Development Plan. The proposed Final Development Plan is designed to be compatible with adjacent commercial uses by providing attractive public improvements and ample pedestrian amenities, shuttle service, and bicycle facilities.
- D. **The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development.** The 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 Final Development Plan will provide for adequate landscaping, including Bay Friendly-compatible native landscaping, as required by City standards.
- E. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The Final Development Plan is designed in a manner compatible with existing and potential contiguous uses. The project plans provide for well-designed pedestrian paths, bicycle access, on-demand shuttle services, free bicycle use, and vehicular access between the hotel and nearby transit amenities including the airport, ferry terminal, Park Street restaurants and entertainment, and BART.

BE IT FURTHER RESOLVED, that the Board made the following findings relative to the Design Review approval:

1. The proposed project design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual. The proposal includes materials, architectural elements, and building colors to match and complement the existing buildings on the site and the surrounding neighborhood.
2. The project will be compatible with adjacent or neighboring buildings and promotes harmonious transitions in scale and character in areas between adjacent land uses. The project is a five story building that steps down to three stories at the street elevations. The site contains an outdoor court yard that

provides open space for guest and employees. The design utilizes varying roof lines and materials to articulate and reduce the scale of the structures for a more harmonious transition with the neighboring buildings. Furthermore, the building height was approved by the Federal Aviation Administration for compatibility with the height requirements of the adjacent Oakland Airport. The building is similar in design and scale with other hotels in the business park and the adjacent office buildings. The hotel will provide dining, lodging, event space, and conference rooms for the businesses in the Harbor Bay Business Park area. Therefore, the proposed project is compatible with the surrounding area.

3. The proposed design of the structures and exterior materials and landscaping are visually compatible with the surrounding development. Design elements have been incorporated to ensure the compatibility of the structures with the character and uses of adjacent development. The proposed building materials include a stone facade ground floor level with large glass windows consistent with the existing office buildings in the development. Exterior materials combine smoother fiber cement panels and smooth stucco siding with generous expanses of glass, incorporating large punch windows, and deep sunscreen elements that mitigate heat gain from the sun, and add dimension and detail to the facades. The building's architectural design is well-suited to its location and context and will enhance the visual interest of the streetscape. The materials, design, and scale of the buildings are compatible with the residential character of the adjacent properties.

BE IT FURTHER RESOLVED, that the Planning Board of the City of Alameda hereby recommends that the City Council approve the following General Plan Text Amendment to the Business Park Land Use Classification description in the Land Use Element:

#### Business Park

Harbor Bay Business Park and portions of Marina Village consist primarily of offices, but also may include research and development space, manufacturing, and distribution. Harbor Bay plans include a small amount of retail space and a conference-oriented hotel. ~~Maximum FAR is .5,~~ Within the Harbor Bay Business Park, the maximum FAR for new development between the lagoon and the bay is limited to an FAR of 0.5, with increases up to a maximum of 2 permitted, proportional to the amount of required parking enclosed in a structure.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves the Waterfront Plaza and Promenade Development Plan and Design Review as described in Exhibit 1: Hilton Garden Inn Development Plan and Design Review, subject to the following conditions:

1. Building Permit Conditions: These conditions shall be printed on the first page of all building plans and improvement plans.
2. Building Permit Plans: The plans submitted for the building permit shall be in substantial compliance with the plans prepared by Arris Studio Architects, dated July

9, 2018, and on file in the office of the City of Alameda Community Development Department, except as modified by the conditions listed in this resolution.

3. General Plan Amendment: This resolution of approval shall not become effective until and unless the Alameda City Council approves the recommended General Plan Text Amendment necessary to clarify the floor area ratio requirement for the Harbor Bay Business Park.
4. ALUC/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.
5. Expiration: This Development Plan Amendment 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.
6. Planning Board Resolution No. 1203 Conditions relating to Planning Board Resolution No. 1203 are incorporated by reference and these conditions shall be printed on the first page of all building plans and improvement plans.
7. Development Agreement: If valid building permits have not been issued prior to the April 2019 expiration of the HBI Development Agreement (1989) (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 payment of Development Impact Fees, Affordable Housing Impact fees, and Public Art Ordinance requirements.
8. Dust Control: Prior to issuance of building or grading permits, the developer/applicant shall ensure that a dust control program is implemented consistent with City, MMRP and BAAQMD requirements. 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. Noise: 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. Any noise-making mechanical equipment located on the ground, which generates noise exceeding ambient noise levels (prior to installation of the equipment) at the property line shall be enclosed in a sound blocking enclosure meeting the standards established by the AMC for noise. The sound blocking enclosure must be built to the following minimum standards:
  - The barrier can be any thickness so long as its weight is 4 lbs/ft<sup>2</sup> or greater.
  - The barrier must be nonporous, with a solid door.
  - The barrier must enclose the equipment on all sides. The building wall may serve as one or more of the sides.
  - The wall height should be a minimum of three feet (3') greater than the tallest piece of equipment
10. Complimentary Shuttle: The hotel operator shall provide on-demand shuttle service. The shuttle service shall operate between the hours of 4:00 a.m. to 1:00 a.m. daily, and transport hotel guests to and from South Shore Center, the Park Street business district, Harbor Bay Ferry terminal, the Air BART station near the Oakland Airport, and any other destination within a three-mile radius of the hotel.
11. Complimentary Bicycles: The hotel operator shall provide ten complimentary bicycles for use by hotel guests.
12. Bicycle Parking: Locations for bicycle parking consistent with the AMC bicycle requirements shall be shown on the Building Permit plans. The bicycle facility should be located in a secure and safe location and accessible from high pedestrian/bicycle traffic areas, such as at the street frontage, to the satisfaction of the Community Development Director.
13. Pedestrian Access: Prior to issuance of the Building Permit, the applicant shall provide funding for a crosswalk across Harbor Bay Parkway to facilitate safe pedestrian access to the site from the other businesses in the Business Park.
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. Water Efficiency Landscape Ordinance: Prior to issuance of building permits or improvement plans, Applicant/Developer shall submit a complete WELO Landscape

Document Package, as defined by Alameda Municipal Code (AMC) Section 30-58.3(d), subject to the approval of the Community Development Director

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 approval or these conditions shall be subject to review and approval of the Planning Board.

### **Public Works Engineering**

17. The applicant/developer shall comply with all applicable policies, standards and plans of the AMC and the Public Works Department.
18. To guarantee completion of the required on-site and off-site improvements, the applicant/developer shall enter into an agreement with the City and provide security in a form and amount acceptable to the City prior to approval of the improvements plans.
19. The applicant/developer shall submit, for review and approval, plans for all on- site 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, and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, that the installation of the on-site work (excluding the building and foundation) was constructed in accordance with the approved plans.
20. The applicant shall submit, for review and approval, landscape and irrigation plans for both on-site and off-site improvements. The plans shall be prepared, signed, and stamped by a licensed landscape architect and shall be in accordance with the AMC and other regional agencies' requirements. The landscape architect shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work, that the installation of landscaping and irrigation in the public right-of-way was constructed in accordance with the approved plans.
21. A geotechnical report, prepared by a registered geotechnical engineer, with recommendations to address the findings shall be submitted for review with the building permit application. The geotechnical engineer shall sign and stamp the improvement plans as conforming to its recommendations. The geotechnical engineer shall also assume responsibility for inspection of the work and shall certify to the City prior to acceptance of the work that the work performed is adequate and complies with their recommendations.
22. 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.

23. The applicant shall design and construct power, telcom, gas, and other utilities in accordance with applicable utility standards.
24. 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.
25. 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. Work hours within the public ROW are limited to 8:30 AM to 4:30 PM, Monday through Friday. Uninterrupted traffic circulation within the public right-of-way is mandatory during the commute hour of 7:30 a.m. to 9:00 a.m. and 3:00 p.m. to 4:30 p.m. Costs for inspection by the PWD 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 PWD. No work allowed on Sundays or State/Federal holidays. Any work done without inspection may be rejected at the contractor's expense.
26. Contractor shall comply with the City's Noise Ordinance. Construction equipment shall have state of the art muffler systems as required by current law. Muffler systems shall be properly maintained. Noisy stationary construction equipment, such as compressors, shall be placed away from developed areas located off-site and/or provided with acoustical shielding. Grading and construction equipment shall be shut down when not in use.
27. The contractor shall notify the Public Works Inspector (510) 747-7930, 48-hours prior to beginning of any work within the City right-of-way. Work performed or covered without adequate notice will be subject to rejection. The contractor shall notify Maria DiMeglio of the Public Works Environmental Services Division at (510) 747-7958, 48-hours prior to beginning of any work within the public right-of-way.
28. The applicant shall work with the Public Works Department to quitclaim and/or relocate any existing public utilities easements that are located under the new hotel structure.

### **Public Works – Stormwater**

#### **Prior to Development Plan, Design Review and Discretionary Approval(s):**

34. Prepare and submit with the Development Plan/Design Review packet, for City engineering review and approval, a preliminary stormwater quality management plan (Plan) to demonstrate and verify appropriate site stormwater treatment-LID design and sizing. This Plan shall include:
  - a. A copy of the completed, up-to-date, project-specific City of Alameda Stormwater Requirements Checklist



- b. The determination and identification of drainage management areas (DMAs) for all impervious surface areas on the proposed project site and the establishment and identification of Provision C3-compliant stormwater quality design and treatment measures for each DMA.
- c. A site plan map and inventory identifying the location and area values (in square feet) of each DMA and corresponding C3-compliant measure, including square footage summary totals consistent with the information presented in Sections I.A. and I.B. of the Checklist.
- d. A signed, preliminary C3-LID sizing certification form for all DMAs and C3 measures, as described below.
- e. The preliminary stormwater quality management plan and C3 certification form and associated civil/engineering documents shall be at a minimum 75% complete level

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

- 35. 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. These will be at the 100% complete level.
- 36. The Civil Improvement Plans shall be consistent with (and/or include) 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.
- 37. The Civil Improvement Plans shall indicate the structural stormwater trash capture measure(s) being installed on the project site to ensure that the entirety of 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).
- 38. 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.

39. Provide the Public Works Department Clean Water Program, a copy of both the WDID# issued to the project site by the State Water Resources Control Board (SWRCB) and the required Storm Water Pollution Prevention Plan (SWPPP). These documents shall provide verification to the City that the project site is in compliance with SWRCB Order No. 2009-0009-DWQ prior to the initiation of construction activity. Information on this State Order is available at: [http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/construction.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml)
40. 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.
41. 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.
42. 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.
43. 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.
44. 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.

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

45. 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.
46. 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.

#### **Public Works Environmental Services Conditions**

47. 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.
48. 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.
49. Applicant must comply with the following minimum storage requirements for solid waste and recyclable materials:

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)
100,001+	Every additional 25,000 square feet shall require an additional 48 square feet for solid waste and 48 square feet for recyclables.		

50. 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.
51. 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.
52. The design and construction of the storage area(s) shall:
- Be compatible with the surrounding structures and land uses; and
  - 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
  - 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
  - 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
  - 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
  - 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.
53. 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.

54. 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.
55. 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 Conditions**

56. 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 EBMUD, the Public Works Director, and the Fire Chief.
57. Prior to approval of the improvement plans, the applicant shall submit plans, for review and approval by the Public Works Director and the Fire Chief, that:
- a. Provide fire hydrants spaced throughout the project as required in California Fire Code Appendix C.
  - b. Ensure sufficient fire flow for the development compliant with California Fire Code Appendix B and AMC Section 15-1.2 where a maximum 50% reduction of the fire flow is allowed for fire sprinklered buildings. Fire hydrant flows shall be a minimum of 1,500 G.P.M. from any one hydrant;
  - c. Provide adequate turn-around space or acceptable emergency vehicle through-access for any street greater than 150 feet in length;
  - d. Ensure that all roads have adequate turning radii for fire apparatus (inside turning radius of 28" and outside turning radius of 44'8"); and
  - e. Minimum fire lane width shall be an unobstructed 26'. Should parking within the fire lane be required, the fire lane width is to be increased an additional 8' per side for vehicle parking (total width of 42' if vehicle parking on both sides, and 34' if vehicle parking on one side).

### **Alameda Municipal Power Conditions**

58. 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.
59. 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.

60. 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.
61. 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.
62. New street trees shall maintain clearances from electrical utilities as follow: a) street/pathway lights and utility poles – **25-feet**; e) joint trench and all underground electrical lines – **five feet**; f) front of electrical pad-mounted equipment (e.g. switches, transformers and capacitors) – **ten feet**. Verify minimum clearance distances of trees/shrubs from all sides and back of electrical pad-mounted equipment with Alameda Municipal Power (AMP).
63. 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.
64. 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.
65. 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.
66. Prior to issuance of Certificate of Occupancy, the Applicant shall furnish and install service equipment for each building. The service equipment shall meet Electric Utility Service Equipment Requirement Committee (EUSERC) standards. Electric meter(s) shall be located as close as practicable to the point of entry of the service-entrance conductors to the building. Outdoor meter locations are preferred. When meters are located within a building, the meter room shall be directly accessible from the exterior of the building. No remote metering.
67. 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.

68. Any existing overhead electric facilities within, and/or adjacent to, the subdivision or division of land shall be undergrounded at no charge to AMP.
69. 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.
70. The Applicant shall submit, with the site improvement plans, detailed drawings showing the required site electric utility facilities.
71. An oil-containment facility will be required for all transformer installations found within 100 feet of any body of water.
72. 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 padmounted transformer.
73. Outdoor meter locations are preferred. When meters are located within a building, the room will 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.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6.

NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code section 66020(d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The Applicant is hereby further notified that the 90-day appeal period, in which the Applicant may protest these fees and other exactions, pursuant to Government Code section 66020(a) has begun. If the Applicant fails to file a protest within this 90-day period complying with all requirements of section 66020, the Applicant will be legally barred from later challenging such fees or exactions.

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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