

**CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION**

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING DEVELOPMENT PLAN, DENSITY BONUS APPLICATION, AND DESIGN REVIEW PLN17-0140 FOR DEVELOPMENT OF 329 RESIDENTIAL UNITS AND A 2.79-ACRE PARK AT 1100-1250 MARINA VILLAGE PARKWAY (APNS: 074-1334-067, -024, AND -023)

WHEREAS, Steelwave Acquisitions, LLC, the project applicant, is requesting approval of a Development Plan, Design Review, Density Bonus, and Density Bonus Waiver for the site at 1100-1250 Marina Village Parkway; and

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

WHEREAS, the parcel is located within the M-X Mixed Use Planned Development Zoning District with an MF (Multi-family Residential Combining District) overlay, which permits a residential density of 30 units per acre; and

WHEREAS, the site is located within the 1984 Marina Village Master Plan planning area, which designated the site for residential use; and

WHEREAS, the site was designated in the City of Alameda Housing Element in 2012 as a City of Alameda Housing Opportunity Site; and

WHEREAS, multifamily housing is permitted by right in sites zoned within the MF (Multi-family Residential Combining District) overlay; and

WHEREAS, the Planning Board held a study session on the proposed Development Plan July 24, 2017; and

WHEREAS, the Planning Board held a public hearing on the Draft EIR on May 14, 2018; and

WHEREAS, the Planning Board held a noticed public hearing and examined all pertinent materials on January 14, 2019; and

WHEREAS, through the Draft Resolution heard at the January 14, 2019 Planning Board public hearing, the Planning Board certified the EIR, adopted findings and a statement of overriding considerations, and adopted a mitigation monitoring and reporting program.

NOW THEREFORE be it resolved that the Planning Board makes the following findings relative to the proposed Development Plan, Design Review, and Density Bonus applications ("the proposal"):

DEVELOPMENT PLAN FINDINGS:

- A. **The proposal is an effective use of the site.** The Development Plan provides for residential development on a site designated in the General Plan and Zoning Ordinance for residential use.

- B. **The proposed use relates favorably to the General Plan.** The Development Plan provides for residential and deed restricted affordable housing consistent with the City of Alameda General Plan Housing Element, which identifies the site as a housing opportunity site necessary to meet the City of Alameda's Regional Housing Need Allocation. The Development Plan also provides 2.79 acres of public, waterfront open space consistent with General Plan policies to increase open space and public parks along the waterfront.
- 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 project is consistent with the General Plan and zoning requirements and has been conditioned to minimize impacts to the adjacent marina users including live aboard residents. The required mitigation measures ensure the protection of the environment as well as wildlife and biological resources.
- 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 neighborhood.** The proposed residential and open space development is immediately adjacent to other public open spaces, marina, and hotel and office uses. The residential and open spaces uses will not have negative impacts on adjacent land uses.
- E. **The proposed use will be served by adequate transportation and service facilities including pedestrian and bicycle facilities.** The site is located directly adjacent to an AC Transit bus line and 0.5 miles from a major transit stop at Webster Street that is served by bus lines every 15 minutes, and three blocks from the Webster and Posey Tubes (State Route 260). The development is also providing a docking facility for a future public water shuttle landing.

DESIGN REVIEW FINDINGS:

- A. **The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual.** The project has been designed to be consistent with the General Plan and zoning requirements. The Development Plan provides multi-family housing necessary to accommodate Alameda's share of regional housing needs and offers a variety of housing for all income levels through deed-restricted affordable units as well as units affordable by design. The contemporary design character includes design elements that pay tribute to the historic structures on the site and maximizes waterfront access.
- B. **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 proposed residential and open space development is immediately adjacent to other public open spaces, marina, and hotel and office uses. The residential project is one of the last components of the Marina Village Master Plan, which identified the site for residential use. The waterfront park design is sensitive to the adjacent marina live aboard residents and promotes an inviting open space experience for the public.

- C. **The proposed design of the structure(s) 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 project is consistent with the General Plan and zoning requirements. The project design is of a similar scale as adjacent development and its architecture provides visual interest and evokes a nautical theme that is appropriate and compatible with adjacent development. It includes materials inspired by the historic materials of the shipway structures which are also compatible with the surrounding development. The project provides historical interpretive signage and imagery integrated within the open space throughout the project. The public waterfront park follows the geometry of the shipways as a tribute to the historic character of the site.

DENSITY BONUS AND WAIVER FINDINGS:

- A. **The proposed affordable units make the project eligible for a density bonus of 35% under California Government Code 65915 and City of Alameda Municipal Code Section 30-17.** The applicant has requested a 35% density bonus for a total project size of 329 residential units. The existing zoning designation for the property allows up to 243 residential units. The applicant is proposing 54 affordable units, including 27 housing units affordable to very-low-income households (11%), 10 housing units affordable to low-income households (4%), and 17 units affordable to moderate-income households (7%). Since the Applicant is providing 11% of the units to very low-income households, this qualifies the project for a 35% density bonus, for a total project size of 329 units.
- B. **The proposed affordable units make the project eligible for development standard waivers under California Government Code 65915 and City of Alameda Municipal Code Section 30-17.12.** The applicant has requested a waiver from Alameda Municipal Code Sections 30-4.23(f) and (k)(2) that generally restricts heights within the MF Overlay to 35 feet, or 45 feet for projects that qualify for a density bonus. The project's parking ratio exceeds the maximum requirement of 0.5 parking spaces per bedroom under subsection (p)(2) of the Density Bonus Law. Further, the applicant has requested a partial waiver of the long term bicycle parking requirements to reduce the required number of secure long term bicycle parking spaces from 360 to 150 spaces. The applicant has demonstrated that the 45-foot height limit and 360 long term bicycle parking spaces physically preclude construction of the project with the density bonus units.

NOW, THEREFORE, BE IT RESOLVED, in accordance with Government Code section 65402(a), the Planning Board finds that the location, purpose, and use of the project, including the proposed lease of City property, are consistent are in conformity with the Alameda General Plan.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Board hereby approves Development Plan, Design Review and Density Bonus Application PLN17-0140, subject to the following conditions:

Planning and Building

1. **Building Permit:** Building permit plan submittals shall be in substantial compliance with Exhibit 1 to this resolution approving the project: Alameda Shipways by SVA Architects dated

November 28, 2018. These conditions shall be printed on the first page of all building permit plans and improvement plans.

2. Environmental Impact Report Mitigation Monitoring and Reporting Program. The applicant shall ensure that all construction and operational activities are in compliance with the Mitigation Monitoring and Reporting Program adopted by the Planning Board. Prior to issuance of building permits and as required by Mitigation Measure 4.L-2, the project shall submit a Transportation Demand Management Plan for review by the Planning and Building Director that ensures that the property owner and any future property owner shall:
 - a. TMA Membership: Join and maintain membership in the Alameda Transportation Management Association (ATMA) or equivalent organization that will provide AC Transit Easy Passes or equivalent passes to each of the 329 units in the project.
 - b. Annual Transportation Funding: Provide annual funding to the ATMA in the amount of \$116,800 per year (2018 dollars). The annual transportation payment shall be adjusted annually consistent with the increase in the San Francisco-Oakland-Hayward Consumer Price Index (All Items).
 - c. Annual Monitoring: Conduct an annual survey of the project residents to identify their transportation needs and habits and an annual weekday peak hour car trip count at the project garage entrances and exit. The annual survey and car counts shall be provided annually to the ATMA for the ATMA annual report.
 - d. Parking Management: Use of the project parking garage shall be regulated and managed by the project ownership. Any resident wishing to use the garage for personal vehicle parking shall be required to pay for garage use. The cost of garage use shall be separated and not bundled into the rent for a housing unit in the building.
 - e. Electric Car Charging: The parking garage shall be constructed with 30 electric car charging stations for use by project residents.
 - f. On-site car share services: On-site car share services shall be provided for project residents.
 - g. Welcome Packet: A welcome packet describing the transportation services and obligations shall be provided to each tenant upon arrival.
3. Bay Conservation and Development Commission Compliance: Prior to issuance of the first building permit for work within the estuary or within 100 feet of the shoreline, applicant shall provide verification of compliance with BCDC permitting requirements for work within BCDC jurisdiction over the estuary and the area within 100 feet of the shoreline.
4. City Property Leases and Marina Village Parkway Improvements. Prior to issuance of the first building permit, the applicant shall have obtained approval from the City Council of a lease and/or encroachment permit for permanent improvements to be located on the adjacent City properties and rights of way and such lease and/or encroachment permit shall have been executed or issued. The lease and/or encroachment permits shall address:
 - a. Demolition of existing structures on the City owned submerged lands and construction of new public finger piers and adjacent park improvements by the applicant at no cost to the City.
 - b. Park Maintenance Agreement to ensure permanent maintenance of the 2.79 acre park and any portions of the park on city owned submerged lands by the applicant at no cost to the City.

- c. Reservation of rights by the City for a bike bridge, including rights of way for a future bicycle and pedestrian bridge adjacent to the project and on City owned parcels.
 - d. Final Marina Village median modification and striping plan to ensure safe access to and from Marina Village Parkway from the project driveways and provide, if feasible, a protected bicycle lane on both sides of Marina Village Parkway along the project frontage.
 - e. Public Access Easement. Prior to issuance of the first building permit, the applicant and the City shall have agreed upon the terms of a public access easement to be recorded on the property providing access from Marina Village Parkway to the 2.79 acre park.
5. Lot Line Merger. Prior to issuance of building permits, the applicant shall process a Lot Line Adjustment/Merger to merge the applicant's three parcels into one or two parcels such that no buildings cross a property line.
 6. Final Park Design and Maintenance. Prior to issuance of the first building permit, the applicant shall prepare a final park details plan for final review and approval by the Planning, Building and Transportation Director, which shall include final railing, fencing, interpretive signage, docking, and other design details. Prior to approval of the final Park Design by the Planning, Building and Transportation Director, the applicant shall execute a final park maintenance agreement with the City of Alameda to ensure that all portions of the park including those on City lands are maintained by the project and at no cost to the City of Alameda, which agreement shall be recorded against the property as a covenant burdening the property. The final park detail plans shall include a marsh grass planting program for the submerged lands between the new shoreline and the former sheet pile bulkhead.
 7. Bike Parking. The building permit plans shall provide: a) 30 short term bicycle racks for use by park visitors, and b) at least 150 long term bike parking spaces within the parking structure. No more than 50% of the long term spaces shall require lifting a bicycle over a parked bicycle.
 8. Certificate of Approval. Prior to issuance of demolition permits, the applicant shall acquire a Certificate of Approval from the Historical Advisory Board.
 9. Pile and Sheet Pile Driving, Demolition, and Concrete Grinding Hours of Operation: Pile and Sheet Pile driving shall only be permitted Monday through Friday between the hours of 8:00 am and 5:00 pm and shall be prohibited on Saturdays and Sundays. All other construction work shall be limited by the provisions of the Alameda Municipal Code Noise Ordinance, 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.
 10. Marina Restrooms. Unless otherwise approved by SRM Marina and the Planning, Building and Transportation Director, the demolition permit for the project shall not be issued until such time that new off-site Marina restrooms have been completed for Gate 10.
 11. Construction Period Marina Protection Plan. Prior to issuance of the first building or demolition permit, the applicant shall obtain approval of a Construction Period Marina Protection Plan from the Planning, Building and Transportation Director and the Public Works Director. The Plan shall include the following:
 - a. Construction Period: A Construction Period that is defined as starting with the actual start of construction, including demolition, pile driving, site preparation (including, grading,

paving, installation of hardscape and on-site concrete grinding), all in-water construction activities, and construction of the garage, but does not include the vertical construction of the residential structures above the garage or landscaping activities.

- b. Construction Period Signage: Prior to commencement of construction, the applicant shall place a large sign at least 4 feet by 6 feet on the project frontage that clearly identifies a contact person and phone number to contact regarding construction period impacts.
- c. Quarterly Newsletter: The applicant shall provide a quarterly newsletter to all vessel owners in the Marina Village Marinas that shall provide updates on the construction process, upcoming major construction events, information about boat cleaning services, and, a convenient, responsive number to call to register complaints or inquire about services. The newsletter shall provide an explanation of construction techniques and equipment used to reduce vibration impacts to any vessels based on Federal Transportation Administration (FTA) vibration damage thresholds or vibration annoyance impacts to live aboard vessels based on FTA human annoyance thresholds.
- d. Boat Cleaning Service: A boat cleaning service, which shall allow a boat owner to schedule a boat cleaning service on a three times per month basis, but no more than 24 cleaning services in a year, during the "Construction Period" if dust caused by construction activities impacts vessels. The applicant will not be required to provide boat cleaning services to a vessel that occupies a berth previously occupied by a vessel relocated under the voluntary relocation plan because the marina owner will be compensated for the berthing fees during the time the berth is vacant as forth in subsection E. below.
- e. Temporary Relocation Services for Live aboard Residents: A voluntary relocation plan that shall offer benefits to live aboard vessel residents in Gates 10 and 11 adjacent to the project site during the Construction Period. The relocation plan shall provide assistance relocating to a temporary berth in an adjacent marina or in Alameda, Oakland, San Leandro, Emeryville or Berkeley. The project applicant shall pay any difference between the temporary berth and the existing berth being occupied by the live aboard resident. The applicant's obligation to pay the difference in berthing fees, if any, shall terminate at the end of the "Construction Period" or the return of the live aboard resident to their berth in Gate 10 or 11, whichever comes first. The applicant shall pay the SRM Marina owner a sum equal to the berthing fees the SRM Marina owner would have received from the relocated live aboard vessel owners for their berths during the "Construction Period" if they are relocated to a berth outside of SRM Marina. If SRM Marina temporarily fills the live aboard berth with another vessel, the applicant shall pay only the difference between the amount that would have been received from the relocated live aboard vessel tenant and the amount being received from the temporary vessel owner. The applicant's obligation to pay the SRM Marina owner the lost berthing fees shall terminate at the end of the "Construction Period". Prior to issuance of the first construction permit, the applicant shall provide evidence that that all live aboard residents at Gates 10 and 11 have been contacted and offered the relocation services. The applicant shall submit a report to the City containing a list of each live aboard resident and whether they have accepted the temporary relocation services offered. The report shall be submitted to the marina owner for comments prior to submittal to the City. The applicant will not be required to provide boat relocation benefits to any vessel that begins berthing at the marina after the posting of the Construction Period signage required under subsection B. above.

12. AMC Requirements (Public Art, Universal Design, Bird Safe Buildings, and Dark Sky Lighting). Prior to issuance of the first building permit, the applicant is required to comply with the terms of the City of Alameda Public Art requirement as specified in Alameda Municipal Code section

30-98. The building permit plans shall demonstrate compliance with the Bird Safe Building design and Dark Sky lighting standards adopted by the City Council on December 18, 2018.

13. Water Efficiency Landscape Ordinance: Prior to issuance of the first building permit or improvement plans, Applicant 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 Planning, Building and Transportation Director.
14. Affordable Housing Agreement: Prior to issuance of the first building permit, the project applicant shall execute an Affordable Housing Agreement with the City in conformance with the requirements of Section 30-16 Inclusionary Housing Requirements for Residential Projects. The affordable units shall be distributed throughout the development consistent with Exhibit 1.
15. Undergrounding Utilities. The applicant shall underground all overhead utilities along the project public right of way frontage.
16. Public Frontage Improvements. The Applicant shall reconstruct frontage improvements up to the centerline along Marina Village Parkway.
17. Modifications: Minor project design details requested by the applicant may be established, modified, and approved by the Planning, Building and Transportation Director. Engineering standards and specifications requested by the applicant may be established, modified and approved by the Public Works Director, or his/her designee. Major modifications that are not consistent with this development plan or these conditions shall be subject to review and approval of the Planning Board.

Public Works

1. The Development shall comply with all current, applicable, plans, standards, policies and guidelines including Alameda's Municipal Code (AMC), Standard Plans and Specifications, and Standard Subdivision Specifications and Design. All documents can be found at the City's Public Works Key Documents webpage, at <https://alamedaca.gov/public-works/public-works-key-documents>.
2. The applicant is encouraged to contact the Public Works Department at 510-747-7930 to schedule a pre-application meeting prior to the first submittal of any subdivision maps or improvement plans to discuss submittal requirements, project review timeline, and fees associated with the processing, filing, and construction of this development.
3. The fee for plan checking and inspection shall be calculated in accordance with the latest Schedule of Fees & Charges as approved by the City Council. A cash security deposit of an amount as determined by the City Engineer will be required prior to approval of the improvement plans.
4. A current title report shall be submitted to identify current ownership and any existing easements or land use restrictions.

5. An Encroachment Permit is required for all work within the Public Right-of-Way. The Encroachment Permit is required prior to issuance of any building permit for the proposed development.

Improvement plans

6. The Applicant shall submit for review and approval construction Improvement Plans for all on- and off-site improvements, including design calculations, for all improvements listed below, as applicable. The plans shall be prepared, signed, and stamped as approved by a registered civil engineer licensed in the State of California. The Improvement Plans shall be approved by the Public Works Department prior to approval of the Final / Parcel Map or issuance of a Building Permit for the development.
7. An Engineer's Cost estimate for frontage and site improvements shall be submitted. The developer shall provide a construction performance bond equivalent to the cost of the public improvements within the right-of-way along the project frontage.
8. The developer shall construct and dedicate to the public full street improvements equal to 39 feet from the centerline of Marina Village Parkway including concrete curb, gutter, sidewalk, paving, drainage system, streetlights and street trees, all to the satisfaction of the City Engineer. The existing street section shall be removed and replaced to the centerline of the street if the existing pavement is either damaged or the structural section is determined by the City Engineer to be inadequate for the intended traffic.
9. The developer shall remove the existing center median island from Marina Village Parkway and construct a new two-way left turn aisle along the project frontage to the satisfaction of the City Engineer. The improvements will extend beyond the project frontage as necessary to create an appropriate transition to existing improvements.
10. The street section for any private access roads shall be designed by a registered civil engineer and is subject to approval by the City Engineer.
11. Street lighting shall be designed in accordance with the City of Alameda Street Lighting Design Guide, latest edition. A photometric study shall be provided with the improvement plans. Any adjustments to bring street lighting up to City standards will be incorporated into final permit drawings.
12. The Applicant shall submit a soils investigation and geotechnical report for the proposed development, subject to the review and approval of the City Engineer. The report shall address the structural and environmental analysis of existing soils and groundwater and provide recommendations for all grading, retaining walls, bulkheads, surface and sub-surface drainage, lot drainage, utility trench backfilling, and pavement design. The improvement plans shall incorporate all design and construction criteria specified in the report and shall be reviewed and signed by the Soils Engineer specifying that all recommendations within the report have been followed.
13. Any retaining walls, which are adjacent to a property line, shall be masonry, metal, or concrete. Any existing retaining walls to remain are to be evaluated by the Applicant's

geotechnical/structural engineer for integrity and applicability to the geotechnical engineer's recommendations.

14. The geotechnical/soils engineer shall submit a letter report to the City at completion of construction certifying that grading, drainage and backfill installation was performed in general compliance with recommendations in the geotechnical report. All material testing reports shall be attached to the certification letter report.
15. All developments shall be designed to account for future predicted sea level rise to Elevation 13 feet, NAVD88 Datum. Projects within the BCDC jurisdiction will be required to meet BCDC's Sea Level Rise conditions.
16. A FEMA elevation certificate based on plan drawings is required for all developments located within 100-year flood zones as identified on the Flood Insurance Rate Maps (FIRM). All habitable floors for new buildings or substantial improvements to existing buildings shall be constructed above the 100-year flood level in accordance with Chapter 20 of the Alameda Municipal Code and building code requirements. The 100-year flood elevation on this site is Elevation 10 feet, NAVD88 Datum. A second Elevation Certificate based on completed construction is required prior to Building Permit Final and Certificate of Occupancy for any structure.

Drainage and Storm water Treatment

17. All on site surface drainage shall be collected and conveyed in an adequately designed underground storm drainage system in a manner to be approved by the City Engineer. The downstream drainage system shall be analyzed and inadequacies, if any, corrected as determined by the City Engineer. The site shall be graded so that no additional runoff is directed to and so as not to impede runoff from adjacent properties.
18. A storm drainage hydrology analysis, identifying the total peak drainage flow quantities to be generated by the proposed development shall be prepared in accordance with the Alameda County Flood Control District Hydrology and Hydraulics Manual 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 Applicant shall incorporate the recommended improvements into the project's improvements.
19. The development shall incorporate permanent post-construction storm water quality controls in accordance with the City of Alameda's National Pollution Discharge Elimination System (NPDES) Permit. Storm water design and treatment measures shall be constructed consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual.
20. The development is subject to full trash capture requirements of the City's NPDES permit. A full trash capture system or device is any single device or series of devices that traps all particles retained by a 5mm mesh screen and has a design treatment

capacity of not less than the peak flow rate Q resulting from a one-year, one-hour storm in the sub-drainage area. Plan sheets shall include detail and cross-sectional drawings of any storm water full trash capture device(s).

21. Prior to the issuance of any permits for the development, the Applicant shall submit a Storm water Quality Management Plan and stamped, signed City of Alameda C3 certification form from a qualified independent civil engineer with storm water treatment facility design experience, licensed in the State of California, and acceptable to City Engineer that indicates the LID and treatment measure designs of the improvement plans and Storm water Quality Management Plan meet the established sizing design criteria for storm water treatment measures. The Civil Improvement Plans shall be consistent with the approved Storm water Quality Management Plan submittal.
22. Prior to the issuance of any permits for the project, the Applicant shall submit for review and approval by City Engineer a Storm water C3-LID Measures Operations and Maintenance (O&M) Plan that provides a thorough discussion of the inspection, operations and maintenance requirements of all of the storm water treatment (including trash capture) 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.
23. Prior to project acceptance and any certificate of occupancy, the Property Owner(s) shall execute a C3-LID Treatment Measures Maintenance Agreement with the City, complete with an approved Operations and Maintenance Plan.
24. Prior to project acceptance and any certificate of occupancy, the Applicant shall submit a certification report (Report) prepared by a registered civil engineer, licensed in the State of California, affirming that all project site storm water treatment measures have been constructed per the City approved plans and specifications. As appropriate, the Report shall include, but not be limited to, assurances that: imported materials used for the treatment measure(s) are certified by the supplier; installation of these materials is per approved plans and specifications and meets the intent of the design engineer; required on-site testing results conform with approved plans and specifications; treatment measures conform to dimensions, grades and slopes on approved plans and specifications; all structural features of the treatment measures comply with plan specifications; the irrigation system is installed and functions as designed; healthy vegetation/ground cover is installed as shown on plans. The Report shall be submitted in a form acceptable to the City Engineer.
25. The Applicant shall comply with the State Water Quality Control Board's Construction General Permit requirements. Copies of the required "Notice of Intent" (NOI) and "Storm Water Pollution Prevention Plan" (SWPPP) along with the WDID# shall be submitted to the City Engineer prior to commencement of any site work. The SWPPP shall utilize the California Storm Water Best Management Practices Handbook for Construction Activities, the ABAG Manual of Standards for Erosion & Sediment Control Measures, the City's Grading and Erosion Control ordinances and other generally accepted engineering practices for erosion control.

26. The Applicant shall pay for any required cleanup, testing, and City administrative costs resulting from construction materials entering the storm water system and/or waters of the State.

Traffic and Transportation

27. The Applicant shall comply with all applicable policies and requirements of the current approved transportation plans, including the Alameda's Bicycle Master Plan, the Pedestrian Master Plan, the Long Range Transit Plan, the Transportation Demand Management and Transportation System Management (TSM/TDM) Plan, the Multimodal Circulation Plan, Transportation Element of the General Plan, and the Transportation Choices Plan.
28. Transportation facilities, including streets, sidewalks, pathways, parking lots, striping, signage, and signalization, shall be designed in accordance with Alameda's Bicycle Facility Design Standards; Pedestrian Design Guidelines; and guidelines for multiway stop signs, crosswalks, and pedestrian paddles; as well as the Caltrans Design Manual and Standard Plans and the California MUTCD.
29. Prior to the issuance of an Encroachment Permit, a traffic control plan that addresses pedestrian circulation around the site and parking and/or travel lane closures on the surrounding streets shall be submitted for review and approval by the City Engineer
30. Parking layout shall be constructed in conformance with City's off-street parking design standards, Alameda Municipal Code Section 30, Article 1, Chapter 6 Off-Street Parking and Loading Regulations. Accessible stalls, ramps, loading and unloading platforms including for vans, slope and grade of ramps, landings and stalls, signs, striping, logo, width of landings and such details as are required shall comply with applicable City and State Standards.
31. No signs shall be installed or mounted on street light poles owned and/or maintained by the City. All new signs shall be installed on dedicated sign posts.

Utilities

32. Sanitary sewerage shall be in accordance with the EBMUD Regional Standards for Sanitary Sewer Installation.
33. 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 analysis shall identify required improvements, if any, to ensure sufficient sewage capacity for this project and anticipated cumulative growth in the associated sewer sub-area. The applicant shall be responsible for constructing all of the recommended improvements at applicant's cost, provided that the applicant shall not be responsible for any costs attributed to non-project anticipated cumulative growth.

34. The Applicant shall include the City and EBMUD recommended improvements, if any, from the sewer study into the project's improvements plans prior to approval of the improvement plan or parcel/final map, whichever comes first. All easements required for modifications to the sewer system required by EBMUD shall be obtained prior to any lot line adjustment or parcel merger is approved.
35. The City participates in the EBMUD Regional Private Sewer Lateral Program; therefore the Applicant shall comply with the provisions of this program prior to the issuance of Certificate of Occupancy. Each parcel within the subdivision must be issued a Compliance Certificate by EBMUD. Please review the program requirements and cost for Compliance Certificates: <http://www.eastbaypsl.com/eastbaypsl/>.
36. Prior to issuance of building permits, the Applicant shall secure all necessary permits and/or approvals from EBMUD regarding the installation of all water or sewer service connections for the project.
37. The Applicant shall design and construct water, power, telecom, gas, and other utilities in accordance with applicable utility standards.
38. Fire sprinkler system test water discharges shall be directed to the sanitary sewer system or to appropriately-sized onsite vegetated area(s).

Other Standard Conditions

39. A separate Building Permit is required for the construction of any structures on the site. The Applicant should contact the Building Division to discuss submittal requirements. On and off-site Improvement Plan approval is required prior to the issuance of each Building Permit.
40. Design, location, and access of all external enclosures for solid waste, recycling, and organics shall be of sufficient size and design to serve the development as approved by the Public Works Department prior to approval of the improvements plans, parcel/final map(s), or the building permit, whichever comes first. If no building permit is required, the plans must be approved by the PWD prior to establishment of the use.
41. Trash enclosure(s) shall comply with Best Management Practices in accordance with the Clean Water Act. These facilities shall be designed to prevent water run-on to the area, runoff from the area, and to contain litter, trash and other pollutants, so that these materials are not dispersed by the wind or otherwise discharged to the storm drain system. Any trash enclosure facilities with a water supply shall also drain to the sanitary sewer.
42. The Development shall comply will Chapter 21, Article 6 of the Alameda Municipal Code and submit a Waste Management Plan documenting the diversion of project related construction and demolition debris to the satisfaction of the Public Work Director.
43. The landscape and irrigation plans for on-site and public right-of-way improvements shall be prepared, and signed and stamped as approved, by a licensed landscape architect. The plans shall be in accordance with the most recent version of the "Bay-Friendly

Landscape Guidelines" developed by StopWaste.Org, and the Bay Friendly Coalition, the AMC, the Alameda Master Tree Plan, the Alameda Tree Removal Policy, the Integrated Pest Management Policy, as well as conditions of approval by the Planning Board, and other applicable standards, as applicable. Landscaping shall be designed to improve curb appeal while promoting low maintenance plant material and xeriscaping.

44. The Developer shall obtain all necessary permits from other regulatory agencies for projects within sensitive areas or which have significant storm water pollution potential. Other regulatory agencies include, but are not limited to, the Regional Water Quality Control Board, Department of Fish and Wildlife, Army Corps of Engineers, and the Bay Conservation and Development Commission.
45. 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.

Alameda Municipal Power Conditions

1. 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.
2. The Applicant shall comply with AMP's Rules and Regulations and "Material and Installation Criteria for Underground Electrical Systems" (both available at www.alamedamp.com) and provide completed "Service Planning Sheets" for AMP's review and approval (?) prior to submitting plans for building permits.
3. 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.
4. 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.
5. 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).
6. 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 must be approved by the AMP Project Engineer in writing.

7. 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.
8. Any lot line adjustment or merger shall show all necessary easements and access to all electrical utility facilities that are in the private properties, at no charge to AMP.
9. 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 is allowed.
10. Concurrent with acceptance of work by City Council, the Applicant 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.
11. Any existing overhead electric facilities within, and/or adjacent to, the subdivision or division of land shall be undergrounded at no charge to AMP.
12. 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.
13. The Applicant shall submit, with the site improvement plans, detailed drawings showing the required site electric utility facilities.
14. An oil-containment facility will be required for all transformer installations found within 100 feet of any body of water.
15. All service installations, to commercial/industrial, multiple dwelling units and subdivisions, will be underground. All new or upgraded service facilities with a capacity of 400 Amperes or larger will require a new pad-mounted transformer.
16. 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.

Fire Department Conditions

17. The applicant shall be responsible for the connection to the water main to serve the project, the design of which shall be shown on the improvement plans to the satisfaction of the East Bay Municipal Utility District, the Public Works Director, and the Fire Chief.
18. 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.
19. All fire lanes within the development shall be marked as fire access roads to the satisfaction of the Fire Chief.
20. 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.

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.