

CITY OF ALAMEDA PLANNING BOARD  
**DRAFT RESOLUTION**

A RESOLUTION OF THE CITY OF ALAMEDA PLANNING BOARD RECOMMENDING THAT  
THE CITY COUNCIL APPROVE THE ALAMEDA MARINA TENTATIVE MAP AND MASTER  
PLAN AMENDMENTS FOR REDEVELOPMENT OF THE PROPERTY LOCATED AT 1815  
CLEMENT AVENUE (PLN16-0363)

WHEREAS, Alameda Marina, LLC (“the Applicant”) has acquired approximately 27.08 acres in fee, and approximately 17.06 acres in leased land pursuant to the Tidelands and Marina Lease with the City of Alameda, consisting of a total of approximately 44 acres of real property commonly known as the Alameda Marina site, with an address of 1815 Clement Avenue, City of Alameda, County of Alameda (APN 071-0288-003 and 071-0257-004 (for the leased areas of the site); 071-0257-003-01 and 071-0288-001-02 (for the fee areas of the site)); and

WHEREAS, the Alameda Marina site is designated as Specified Mixed Use (MU4 Northern Waterfront) which encourages a residential, commercial, maritime and open space mix of uses in the City of Alameda General Plan; and

WHEREAS, the Alameda Marina site is designated MX (Mixed Use) and MF (Multifamily Residential) on approximately 27.08 acres (which includes unbuildable area of submerged lands between tidelands parcels), and M-2 (General Industrial) on approximately 17.06 acres (which includes unbuildable area of submerged lands between tidelands parcels), in the Alameda Municipal Code (AMC) Zoning Map; and

WHEREAS, the Alameda General Plan and AMC require preparation of a Master Plan to guide development of the property consistent with the General Plan and AMC; and

WHEREAS, in July 2018, the Alameda City Council certified the Alameda Marina Final Environmental Impact Report and approved the Alameda Marina Master Plan, which established standards, maps and diagrams for the development of a mixed use plan for the property that includes up to 760 multifamily housing units, up to 250,000 square feet of commercial and maritime commercial space, about 3.59 acres of shoreline open space, about 17.1 acres dedicated to marina operations, and a 530 slip marina; and

WHEREAS, the Alameda Marina Master Plan allows for and provides standards for the submittal and approval of a Tentative Map for the property; and

WHEREAS, Alameda Marina, LLC has submitted a Tentative Map and a request for some clarifying amendments to the Master Plan in support of the Master Plan’s vision for the property; and

WHEREAS, the Planning Board of the City of Alameda held a duly noticed public hearing to review Tentative Map Tract 8500 and Master Plan Amendments and considered all of the information on the record, including all pertinent maps, drawings, documents and exhibits; and

WHEREAS, the Planning Board has considered all evidence and testimony provided to it and has determined that the proposed Tentative Map is consistent with the General Plan, Alameda Municipal Code and Master Plan requirements for the property, and the Master Plan Amendments will not result in any new environmental impacts or cause any previously disclosed significant impacts to become more severe, and all mitigations specified in the EIR shall be

included as conditions of approval for the project development plans required by the Master Plan; and

WHEREAS, the Planning Board has determined that the proposed Master Plan Amendments:

**Relate favorably to the General Plan.** As documented in the June 24, 2019 Planning Board staff report and associated materials, the proposed amendments are minor and do not change the Planning Board's 2018 finding that the Master Plan is in substantial conformance with, and implements, the City of Alameda General Plan, Housing Element, and Zoning Ordinance policies and standards for the site.

**Support effective use of the site.** The proposed Master Plan as amended implements the City of Alameda General Plan, the MX Mixed Use and MF Multifamily Zoning District, and the M-2 General Industrial requirements for the site.

**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 amendments do not change the Planning Board's 2018 finding that the Master Plan implements the General Plan and provides for a mixed use development pursuant to the MX Mixed Use Planned Development Zoning District. The proposal provides for 3.59 acres of new public waterfront open space for the neighborhood, including a waterfront promenade and San Francisco Bay Trail along the perimeter of the property.

**Support a use of the site that 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 amendments do not change the Planning Board's 2018 finding that the Master Plan qualifies as a mixed-use development pursuant to the MX, Mixed-Use Planned Development Zoning District, and satisfies the purposes of the MX district and MF Multifamily Overlay District regulations. While the site lies just outside the boundaries of the Northern Waterfront General Plan Amendment, the Master Plan is designed to conform to the Northern Waterfront General Plan policy objectives and requirements adopted to ensure that the project would be compatible with adjacent residential neighborhoods, the recently completed residential developments on adjacent sites and other existing and future waterfront uses. The Master Plan provides for adequate landscaping including Bay Friendly native plants as required by City standards. The proposed development will result in health and safety improvements to a property that is currently severely blighted and a detriment to the surrounding community.

**Support use of the site that will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The proposed amendments do not change the Planning Board's 2018 finding that the Master Plan is designed to ensure that the development of the property is compatible with existing and potential contiguous uses. The street network, location of entry roads, orientation of residential uses along Clement Avenue and within the site, and the location of bicycle facilities, pedestrian facilities, and transit facilities are all designed to complement and support the planned surrounding uses. The residential plans provide for a well-designed pedestrian network, bicycle access, and vehicular access. The proposed waterfront promenade will support and encourage use of and access to the waterfront.

WHEREAS, the Planning Board has made the following findings relative to the proposed Tentative Map:

1. **The subdivision, together with the provisions for its design and improvement, is consistent with the General Plan and Zoning for this site.** The Tentative Map is consistent with the Specified Mixed Use (MU4 Northern Waterfront) General Plan designation, which encourages a residential, commercial, maritime and open space mix of uses, and the MX Mixed Use and MF Multifamily Zoning District, and the M-2 General Industrial requirements for the site. The uses are compatible with the objectives, policies, general land uses, and programs specified in the Mixed Use General Plan designation of the General Plan.
2. **The site is physically suitable for the type and proposed density of the development.** The 44 acre site is designated Specified Mixed Use (MU4 Northern Waterfront) in the General Plan and zoned MX, MF, and M-2. The site will be subdivided to conform to and implement the Alameda Marina Master Plan vision, development standards, residential density, and requirements for the property. The proposed subdivision is consistent with density standards of the General Plan and Zoning Ordinance, and the Tentative Map will not change the previously approved Master Plan, which was found to be consistent with development standards in the General Plan and Zoning Ordinance.
3. **The design of the subdivision and proposed improvements, as conditioned, will not cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat.** The proposed Tentative Map implements and supports the Alameda Marina Master Plan, which included conditions of approval to ensure that no unintended environmental damage could occur. The Master Plan was fully considered in the Alameda Marina Environmental Impact Report.
4. **The design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the Tentative Map area.** All future improvements on the site will be subject, where applicable, to compliance with the Alameda Marina Master Plan, which ensures that all necessary easements and public rights-of-way are preserved.
5. **The design of the subdivision and its improvements will not cause serious public health problems.** The previously approved Master Plan includes conditions that assure the property would not adversely affect public health. Creation of the Tentative Map for the property will facilitate re-investment in the existing properties, which is necessary for any future upgrades to the existing substandard infrastructure and to preserve public health.

NOW THEREFORE BE IT RESOLVED, that the Planning Board recommends that the City Council amend the Alameda Marina Master Plan to revise:

1. The pedestrian and visual corridor planned at the foot of Union Street to be relocated to mid-block between Minturn Street and Union Street on the following pages: Exhibit 1.3, pg. 5, Public Amenity and Access and Maritime Focus Diagram, pg. 11, Exhibit 3.1, pg. 12, 3.1 Movement and Access, pg. 13, Exhibit 3.2b, pg. 14, Sections Key Map, pgs. 20, 24 and 25, Exhibit 6.5, pg. 49 and Exhibit 6.6, pg. 50; and
2. The requirements for a secondary driveway from the Dry Boat Storage are as described and depicted on page 35 and in the Dry Boat Storage Location Diagram on pg. 35.

BE IT FURTHER RESOLVED, that the Planning Board recommends that the City Council approve the Alameda Marina Tentative Map, subject to the following Conditions.

## **Planning Conditions:**

1. CEQA: Prior to issuance of a Building Permit or Site Improvement Permit, the Applicant shall submit a Mitigation Measure Compliance Checklist confirming compliance with all required environmental mitigation measures contained in the MMRP adopted by the Alameda City Council on July 25, 2018, for the redevelopment of Alameda Marina.
2. Alameda Marina Master Plan Consistency. All future development or improvement of the property shall be subject to review by the Planning Director for consistency with the adopted Alameda Marina Master Plan, as amended.
3. Subsequent Approvals. Prior to Final Map approval or issuance of the first building permit, whichever comes first, the Applicant shall:
  - a. Affordable Housing Agreement: Affordable Housing Agreement: Prior to Final Map approval or issuance of the first Building Permit, whichever occurs first, Developer shall execute and record an Affordable Housing Agreement identifying the deed restricted affordable units and ongoing compliance and monitoring requirements consistent with the Inclusionary Housing Ordinance. Developer shall contact the Inclusionary Housing Program Administrator (Housing Authority of the City of Alameda) to initiate the development of the Affordable Housing Agreement.
  - b. Transportation Demand Management Plan: Prepare and submit a Transportation Demand Management Plan for Planning Board review and approval. The plan shall address parking management requirements of the Master Plan.
4. Public Improvements Phasing: Project development phasing shall be consistent with the project phasing requirements of the Alameda Marina Master Plan. All public shoreline, infrastructure, sea level rise, public access, and Clement Avenue improvements in each phase shall be completed prior to issuance of the first building permit in the next phase of the project.
5. Design Review: Prior to issuance for each building permit, the applicant shall prepare and submit a Design Review application consistent with the requirements of AMC 30-36 and 37 for each building to be constructed or rehabilitated. Each design review application shall be consistent with the Master Plan phasing requirements and include the required submittals required by the Master Plan for each phase of the project.
6. Other Agency Approvals: Prior to approval of improvements related to work within the jurisdictional areas, Applicant shall provide evidence that all required approvals, permits, or waivers from Bay Conservation and Development Commission (BCDC), Regional Water Quality Control Board (RWQCB), including compliance with the existing 401 Certification for the construction of a storm water outfall, and/or the Army Corp. of Engineers. The final Improvement Plans shall incorporate all other agency comments.
7. Public Trust Lands: All use of land and buildings and new construction on Public Trust Lands shall be subject to the public trust for commerce, navigation and fisheries.

## **Public Works Conditions**

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## **Final Map**

8. All maps filed pursuant to this approval shall be in substantial compliance with the map titled, "Tentative Map for Condominium Purposes" Tract 8500 prepared by Carlson, Barbee & Gibson, Inc. dated June 11, 2019 (Exhibit B to the June 24, 2019 Staff Report), and on file in the office of the Alameda Planning, Building and Transportation Department.
9. The Final Map shall be in substantial compliance with the Tentative Map.
10. 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 an additional twelve (12) months, for the filing of the Final Map may be granted by expiration of the approved or conditionally approved Tentative Map.
11. 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.
12. Final Maps shall show all existing and proposed easement locations, uses and recording information, including any reciprocal use and access easements necessary to allow the City to maintain public access from the Clement Avenue public right of way to the State Tidelands property. The Owner's Statement shall list all public right-of-way and easements to be dedicated and the Certificate of City Clerk shall list all public easements to be abandoned (with recording information) as part of the Final Map.
13. A current title report shall be submitted to identify current ownership and any existing easements or land use restrictions.
14. An Encroachment Permit is required for all work within the Public Right-of-Way.
15. The Applicant shall enter into a Subdivision Improvement Agreement with the City, pay all fees, and provide a security in a form and amount acceptable to the City prior to approval of the Final Map.
16. An engineer's cost estimate for frontage and site improvements shall be submitted.

## **Improvement plans**

17. The Development shall comply with Chapter 30, Article 6 of the Alameda Municipal Code (Real Estate Subdivision Regulations) and Chapter 22 of the Alameda Municipal Code (Streets and Sidewalks) as determined by the City Engineer. 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. 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 issuance of the improvement plans.

18. All future improvements 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 webpage, under Key Documents, at <https://www.alamedaca.gov/Departments/Public-Works>.
19. 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 Map or issuance of a Building Permit for the development.
20. The Applicant shall construct the frontage improvements along the project boundary of Clement Avenue consistent with the Master Plan, as amended, and the final City Council selected bicycle facilities through the Clement Avenue Complete Street project. The frontage improvements include concrete curb, gutter, sidewalk, resurfacing of existing pavement to centerline, removal of existing rail lines and ties, drainage improvements, 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.
21. 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.
22. 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.
23. 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.
24. 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.
25. 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.
26. All developments shall be designed to account for future predicted sea level rise to Elevation 13 feet, NAVD88 Datum. The project shall also be designed to accommodate additional

future adaptability provisions for sea level rise above Elevation 13 feet. Projects within the BCDC jurisdiction will be required to meet BCDC's Sea Level Rise conditions.

27. 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**

28. 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 adjacent properties and so as not to impede runoff from adjacent properties.
29. 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 include the recommended improvements into the project's improvements.
30. All projects shall incorporate permanent storm water design techniques and source control measures to manage the quantity and quality of storm water runoff from the planned development to prevent and minimize impacts to water quality, in accordance with the City of Alameda's National Pollution Discharge Elimination System (NPDES) Permit, and consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual. Project plans shall indicate the efforts taken to minimize impervious surface areas, especially directly connected impervious surface areas.
31. 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.
32. 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 location, detail and cross-sectional drawings of the storm water full trash capture device(s) necessary to treat the entirety of the site.
33. 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

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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.

34. 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.
35. 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, the template for annual self-reporting, and assurances for property access for City verification inspections.
36. 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.
37. 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.
38. 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 (OMP), the template for annual self-reporting, and assurances for property access for City verification inspections. Or, where a property owners' association (such as an HOA), rather than a distinct property owner, will be responsible for managing the long-term care of a project site's storm water measures and implementing the approved OMP, then the following shall occur prior to project acceptance and any certificate of occupancy: all required and approved OMPs for storm water site design and treatment measures and full trash capture devices, templates and responsibilities for annual self-reporting, and assurances for property access for City verification inspections shall be included and incorporated within the property owners



associations' (e.g., HOAs') CC&Rs for the assignment of long-term maintenance responsibilities for all of these systems/devices.

39. The Applicant 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.

### **Traffic and Transportation**

40. 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, and the Multimodal Circulation Plan., Transportation Element of the General Plan, and the Transportation Choices Plan. Bicycle parking shall be consistent with AMC 30-7.15 Bicycle Parking.
41. 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.
42. 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
43. 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.
44. 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**

45. Sanitary sewerage shall be in accordance with the EBMUD Regional Standards for Sanitary Sewer Installation.
46. 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.
47. 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 Final Map, whichever comes first. All permits, easements, and/or approvals for modifications to the sewer system required by EBMUD shall be obtained prior to the Final Map.

48. 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/>.
49. Prior to issuance of building permits, the Applicant shall secure all necessary permit approvals from EBMUD regarding the installation of all water or sewer service connections for the project.
50. The Applicant shall design and construct water, power, telecom, gas, and other utilities in accordance with applicable utility standards.
51. 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**

52. On and off-site Improvement Plan approval is required prior to the issuance of each Building Permit.
53. The project shall be designed to accommodate three waste streams: recycling, organics, and trash; as required by the Alameda County Waste Management Authority's Mandatory Recycling Ordinance (ACWMA Ord. 2012-01).
54. The design, location, access, and provisions for waste hauler collection 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, 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.
55. 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.
56. 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 Works Director.
57. 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.

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 (AMP)**

58. 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 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.
59. The Applicant shall provide information on the location of transformers and total load in kilowatts or kilowatt/volts (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 or final map, whichever occurs first.
60. 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.
61. Existing 12kV overhead lines along Clement Avenue (Willow St to Grand Street) on the north side shall be converted to underground at no charge to AMP. The 115kV lines will remain overhead. The developer should provide easements for new pad mounted switches and transformers to convert the overhead systems to underground. The south side of Clement may remain overhead.
62. New buildings shall maintain 15 feet of clearance from the 115 kV overhead electrical facilities.
63. Existing 12KV primary cable and equipment crossing to Coast Guard Island shall be avoided and adequately protected during construction to prevent damage. Developer shall be responsible for the repair and replacement of the damage equipment primary cable crossing and equipment.

### **Fire Department Conditions**

64. 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.
65. 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.
- 66. All fire lanes within the development shall be marked as fire access roads to the satisfaction of the Fire Chief.
- 67. 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.
- 68. **HOLD HARMLESS.** The applicant shall defend (with counsel 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 Planning, Building and Transportation Department, Alameda City Planning Board, the City of Alameda or the Alameda 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.