

CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA RECOMMENDING THE CITY COUNCIL APPROVE PARCEL MAP 10960 AND APPROVING FINAL DEVELOPMENT PLAN AMENDMENT AND DESIGN REVIEW APPLICATION NO. PLN19-0051 FOR THE CONSTRUCTION OF THREE FLEX-SPACE BUILDINGS, BETWEEN 93,450 SQUARE FEET AND 125,853 IN SIZE, LOCATED AT 1320, 1430, AND 1410 HARBOR BAY PARKWAY.

WHEREAS, the subject properties are located at 1310, 1430, and 1410 Harbor Bay Parkway in the Harbor Bay Business Park, and 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 (Resolution No. 1203), and subsequently amended by PDA-85-4 and PDA05-0003; and

WHEREAS, PD-81-2 requires the Planning Board approve a Final Development Plan for every new development proposal within the Business Park; and

WHEREAS, in April 1985 the City approved FDP-85-2 to develop five office buildings on an vacant 30-acre site; and

WHEREAS, only two of the five buildings approved by FDP-85-2 were constructed; and

WHEREAS, on February 5, 2019 an application was made by Joe Ernst on behalf of srmErnst Development Partners for a Final Development Plan Amendment to change the site layout for the three unbuilt buildings from FDP-85-2, Design Review for the proposed designs of the three buildings, and a Parcel Map to create two commercial condominium units in each of the three proposed buildings; and

WHEREAS, the Planning Board held a duly noticed public hearing on June 24, 2019 for the Project and examined pertinent maps, drawings, and documents.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board makes the following findings regarding the Project's compliance with the California Environmental Quality Act (CEQA):

1. The City previously prepared and certified/adopted the Final Environmental Impact Report for Harbor Bay Isle, State Clearinghouse No. 1984112706 (EIR), and the Addendum thereto (together, Previous CEQA Documents), in accordance with CEQA, which contemplated development of the entirety of the Harbor Bay Business Park. A review of environmental factors for the Project, including, but not limited to, traffic, airport land use compatibility, noise, and biological conditions revealed that none of the circumstances necessitating further CEQA review are present, thus the City can rely on the Previous CEQA Documents.

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

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

BE IT FURTHER RESOLVED that the Planning Board makes the following findings relative to the application (PLN19-0051):

FINAL DEVELOPMENT PLAN AMENDMENT FINDINGS (AMC Sections 30-4.13(f), (m)):

1. **The development is a more effective use of the site than is possible under the regulations for which the PD district is combined.** The Final Development Plan Amendment provides for three new office/manufacturing/flex buildings that include landscaping and open spaces, and pedestrian and bicycle facilities. 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.
2. **The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development.** The proposed development qualifies as a commercial development pursuant to the C-M-PD Commercial Manufacturing - Planned Development Zoning District, and satisfies the purposes of the C-M-PD district regulations. The project site plan is designed to conform to the Harbor Bay Business Park Development Plan objectives and requirements adopted to ensure that the project would be compatible with the adjacent airport environment and commercial development. The Development Plan will provide for adequate landscaping, including Bay Friendly-compatible native landscaping, as required by City standards.
3. **The proposed use will be served by adequate transportation and service facilities, including pedestrian, bicycle, and transit facilities.** The Development Plan is designed in a manner compatible with existing and potential contiguous uses. The project plans provide for well-designed pedestrian facilities, bicycle access, and vehicular access to nearby transit amenities including a ferry terminal and shuttle service to BART.
4. **The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have**

deleterious effects on existing business districts or the local economy. The proposed Development Plan is consistent with the Harbor Bay Business Park Development Plan. The proposed Development Plan is designed to be compatible with adjacent commercial uses by providing attractive improvements and pedestrian and bicycle amenities, and by supporting the business park shuttle service.

5. **The proposed use relates favorably to the General Plan.** The proposed development supports General Plan policies for the development of Harbor Bay Business Park and General Plan policies to increase complementary business opportunities in Alameda. The project also generates jobs consistent with General Plan goals.

DESIGN REVIEW FINDINGS (AMC Section 30-37.5):

1. **The proposed project design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual.** The project meets the development regulations of the C-M Zoning District, and the development regulations established for the Harbor Bay Business Park by Resolution 1203 as amended by PDA-85-4, PDA-87-7, and PDA05-0003. The project is consistent with General Plan Guiding Policy 2.8 to support development of the Harbor Bay Business Park consistent with existing approvals and agreements. The quality and size of this project enable it to make a major contribution to the identity of Alameda and to the economic health of the East Bay.
2. **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 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 office/flex/manufacturing buildings in the business park.
3. **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.** Design elements have been incorporated into the building and site plan to ensure the compatibility of the project with the character and uses of adjacent development. Specifically, these design elements including keeping a building height of two-stories to match adjacent residential homes, including landscaped buffers along the property lines, and providing a formal walkway connecting the site along the path between the lagoon and the Harbor Bay shoreline.

PARCEL MAP FINDINGS (AMC Section 30-78.5):

1. **The proposed subdivision is in conformance with the General Plan and Zoning for this site.** The Parcel Map is consistent with the Business Park General Plan designation and C-M-PD zoning regulations for the property. The project would allow the subdivision of an existing 2.81 acre parcel into two commercial condominium spaces into two commercial condominiums and create a common area parcel within a 46,000 square foot building currently under construction and previously approved by the Planning Board.
2. **The site is physically suitable for the proposed commercial development in the General Plan.** The proposed subdivision is designed to conform to the Harbor Bay

Business Park Development Plan standards and requirements adopted to ensure that the project would be compatible with adjacent uses.

3. **The site is physically suitable for the density of the development.** The proposed subdivision is consistent with density standards of the General Plan and Zoning Ordinance. This map will not change the previously approved Final Development Plan and Design Review, which was found to be consistent with development standards for the C-M-PD zoning district and the Business Park designation of the General Plan.
4. **The proposed design of the subdivision and improvements, as conditioned, will not cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat.** The development of the site will not introduce hazards that are inconsistent with standard commercial development within the C-M-PD zoning district and the Business Park General Plan designation. The previously approved Final Development Plan and Design Review had conditions of approval to ensure that no unintended environmental damage or exposure of future occupants to environmental dangers could occur.
5. **The design of the subdivision will not conflict with easements acquired by the public at large for access through or use of property within the subdivision.** All required easements are to be retained.
6. **The design of the subdivision and its improvements will not cause serious public health problems.** The Final Development Plan and Design Review includes conditions that assure the property is free of hazardous materials and would not adversely affect public health.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board approves file no. PLN19-0051 for a Final Development Plan Amendment, and Design Review for the construction of three office/flex/manufacturing buildings, totaling 321,260 square feet with associated landscaping and parking improvements, 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 Forge Architects, date stamped received on May 16, 2019, and on file in the office of the City of Alameda Planning, Building, and Transportation Department, except as modified by the conditions listed in this resolution.
3. ALUC/FAA Compliance: Prior to issuance of building permits, the applicant shall provide verification of final Federal Aviation Administration (FAA) and Alameda County Airport Land Use Commission compliance. The applicant shall provide the 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 also provide evidence that any construction crane height is acceptable to the Port of Oakland. 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 Planning Director of compliance efforts.

4. Planning Board Resolution No. 1203 Compliance: Prior to issuance of Building Permits, the applicant shall provide verification of compliance with the conditions of Planning Board Resolution No. 1203, which are incorporated by reference and which shall be printed on the first page of all building plans and improvement plans.
5. 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 and BAAQMD requirements. 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, unless a permit is first secured from the City Manager or designee based upon a showing of significant financial hardship. Design specifications shall incorporate Waste Management and Recycling elements for building and site demolition debris.
6. Noise: Prior to the issuance of building permits and prior to any future change in building use, the applicant shall submit an acoustical analysis meeting the requirements of Condition No. 60 of Resolution No. 1203 with the building permit applications.
7. 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.
8. Lighting: New exterior lighting fixtures shall be consistent with AMC Section 30-5.16.c, the Alameda Dark Skies Ordinance.
9. Water Efficiency Landscape Ordinance: Prior to issuance of building permits or improvement plans, Applicant/Developer shall submit a complete WELO Landscape Documentation Package, as defined by Alameda Municipal Code (AMC) Section 30-58.3(d), subject to the approval of the Planning Director.
10. Bio-retention Area Signage: The plans submitted for building permits shall include details for signage to be placed at the locations of bio-retention areas warning the public not to walk in the bio-retention areas. A draft of the sign with text shall be included on the building plans.
11. Public Art: Prior to issuance of building permits for the project, the applicant shall satisfy all applicable Public Art requirements pursuant to AMC Section 30-98.
12. Affordable Housing Fee: The applicant shall pay all Affordable Housing Fees per AMC Section 27-1.
13. Modifications: Minor project design details requested by the Applicant may be established, modified, and approved by the Planning 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.
14. Expiration: This Final 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.

PUBLIC WORKS (GENERAL)

15. The project shall comply with Chapter 22 of the Alameda Municipal Code (Streets and Sidewalks) as determined by the City Engineer.
16. The project 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.
17. 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. A current title report, less than six months old, shall be submitted to identify current ownership and any existing easements or land use restrictions.
19. An Encroachment Permit is required for all work within the Public Right-of-Way.

IMPROVEMENT PLANS

20. The Applicant shall submit for review and approval construction Improvement Plans for all on- and off-site improvements. The plans shall be prepared, signed and stamped as approved by a registered Civil Engineer licensed in the State of California. The Improvement Plans shall be approved by the Public Works Department prior to issuance of a Building Permit for the development.
21. An Engineer's Cost estimate for frontage and site improvements shall be submitted for review and approval by the Public Works Department. The developer or contractor shall provide a construction performance bond and a materials and labor bond equivalent to the cost of the public improvements within the right-of-way along the project frontage.
22. For areas disturbed in the public right of way, the developer shall construct and dedicate to the public full street improvements, including concrete curb, gutter, sidewalk, paving, drainage system, streetlights and landscaping, all to the satisfaction of the City Engineer. The existing street shall be resurfaced whenever a street is cut for utility or other installations. The pavement shall be resurfaced 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.
23. Any improvements to street lighting shall be designed in accordance with the City of Alameda Street, Parking Lot and Pathway Lighting Design Guide, latest edition. Any adjustments to bring street lighting up to City standards will be incorporated into final permit drawings.
24. 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.

25. 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.
26. 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.
27. All development shall be designed to account for future predicted sea level rise to Elevation 13 feet, NAVD88 Datum.
28. The improvement plans shall include a construction phase erosion and sedimentation plan for review and approval.

DRAINAGE AND STORMWATER TREATMENT

29. 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.
30. 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.
31. All projects shall incorporate permanent stormwater design techniques and source control measures to manage the quantity and quality of stormwater 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.
32. The development shall incorporate permanent post-construction stormwater quality controls for the entirety of the site in accordance with the City of Alameda's National Pollution Discharge Elimination System (NPDES) Permit. Civil Plans sheets shall include stormwater design and treatment measures to be constructed consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual.

33. The development is subject to full trash capture requirements of the City's NPDES permit. Civil Plan sheets shall include location, detail and cross-sectional drawings of the stormwater full trash capture device(s) necessary to treat the entirety of the site. 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.
34. Prior to the issuance of any permits for the development, the Applicant shall submit a Stormwater Quality Control Plan (included with the Civil Plans) and a 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 City Engineer that indicates the LID and treatment measure designs of the improvement plans and Stormwater Quality Control Plan meet the established sizing design criteria for stormwater treatment measures for the entirety of the site. The Civil Improvement Plans shall be consistent with the approved Stormwater Quality Control Plan submittal.
35. Prior to the issuance of any permits for the project, the Applicant shall submit for review and approval by City Engineer 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, 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. Once approved as final, provide City Public Works with a pdf file copy of the completed O&M Plan.
36. Prior to project acceptance and any certificate of occupancy, the Property Owner shall execute a C3-LID Treatment Measures Maintenance Agreement with the City for each project site, complete with an approved Operations and Maintenance Plan, the template for annual self-reporting, and assurances for property access for City verification inspections.
37. 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 stormwater treatment measures have been constructed per the City approved plans and specifications, consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual. 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.
38. The developer shall comply with the State Water Quality Control Board's Construction General Permit requirements. Prior to the issuance of any permits for the project, copies of the required "Notice of Intent" (NOI), "Storm Water Pollution Prevention Plan" (SWPPP), and the WDID# shall be submitted to the City Engineer. The SWPPP shall utilize the California Storm Water Quality Association (CASQA)'s 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.

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 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 and Pedestrian Design Guidelines 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 the City's off-street parking design standards, AMC Section 30-7.9 Off-Street Parking and Loading Space Regulations, and Accessible stalls and shall comply with all other applicable City and Caltrans and California MUTCD 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 sewers 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, into the project's improvements plans prior to approval of the improvement plan.
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. The project must be issued a Compliance Certificate by EBMUD.

49. Prior to issuance of Certificate of Occupancy, 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. All new utilities shall be placed underground prior to the issuance of an occupancy permit.
52. Fire sprinkler system test water discharges shall be directed to the sanitary sewer system or to appropriately-sized onsite vegetated area(s).
53. The project shall 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). All solid waste containers shall have fitted lids.
54. All trash containers outside the building shall be stored in a roofed trash enclosure. The trash enclosure shall have a concrete pad, designed to prevent run-on to and runoff from the enclosure. The enclosure shall have solid walls on three sides with a lockable gate on the fourth side. If the trash enclosure is attached to the building it should have fire sprinklers.
55. 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, 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.
56. The Development shall comply with AMC Section 21-24 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 Integrated Pest Management Policy, and other applicable standards.
58. 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.

FIRE DEPARTMENT

59. The applicant shall be responsible for a water main extension to serve the project, whose design shall be shown on the improvement plans to the satisfaction of the East Bay Municipal Utility District, the Public Works Director, and the Fire Chief.

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

ALAMEDA MUNICIPAL POWER (AMP)

62. The applicant shall comply to AMP's Rules and Regulations as stated in Article X and AMP's "Material and Installation Criteria for Underground Electrical Systems" (both available www.alamedamp.com) and provide completed "Service Planning Sheets" for AMP's review prior to submitting plans for building permits.
63. The applicant shall provide information on the location of transformers and total load in kilowatts or kilowatt/volts (KVA) to Alameda Municipal Power (AMP) for approval prior to building permit issuance. If necessary, the applicant shall provide (at no charge to AMP) an easement and access to all AMP facilities on the property prior to issuance of building permits.

BE IT FURTHER RESOLVED, that the Planning Board hereby recommends the City Council approve the Parcel Map 10960 application, subject to the following conditions.

1. All maps filed pursuant to this approval shall be in substantial compliance with the map titled, "Parcel Map 10960" prepared by Kier & Wright Civil Engineers & Surveyors, Inc. date stamped received February 22, 2019, and on file in the office of the Alameda Planning, Building and Transportation Department.
2. The Parcel Map shall be in substantial compliance with the tentative Parcel Map.
3. 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. Extensions of time shall not exceed one (1) year in aggregate, unless permitted so by the Subdivision Map Act.
4. The Parcel Map shall be in full compliance with the requirements of Alameda Municipal Code Section 30-81.4. The Parcel Map shall show all existing and proposed easement locations, uses and recording information. The Owner's Statement shall list all 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 Parcel Map. In addition, the following is required as part of the Parcel Map approval;
 - a. Prior to City Council approval of the Final Map, the applicant shall submit a mylar copy and a CAD file of the Final Map, or another file format, to the satisfaction of the City Engineer.
 - b. A refundable cashier's check in the amount of \$400 to guarantee a mylar copy of the recorded Parcel Map.

- c. Payment for all reasonable office and engineering costs, including overhead, in conjunction with reviewing the Parcel Map.
5. Covenants, Conditions and Restrictions (CC&Rs) shall be prepared to the satisfaction of the City of Alameda. Copies of the recorded CC&Rs and condominium plan shall be provided to the City Engineer. Should the CC&Rs include designation of parking spaces between different property owners the CC&Rs shall not designate parking at a rate more than two and a half (2.5) parking spaces per one thousand (1,000) square feet of floor area to an individual property owner.

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

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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