CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-16-29

APPROVING DEVELOPMENT PLAN, DESIGN REVIEW AND MASTER USE PERMIT (PLN 16-0468) FOR BUILDING 8 ON ALAMEDA POINT LOCATED AT 2350 SARATOGA STREET

WHEREAS, an application was made on September 1, 2016 by Alameda Point Redevelopers, LLC for development plan, design review and master use permit approval for an approximately 270,000 square foot existing historic building on an approximately 4.07 acre site located at 2350 Saratoga Street in the Naval Air Station Alameda (NAS Alameda) Historic District within Alameda Point; and

WHEREAS, the proposed Building 8 plan consists of approximately 274,234 square feet of commercial and work/live space; and

WHEREAS, the project site is designated as Alameda Point Civic Core in the General Plan; and

WHEREAS, Building 8 is located within the Alameda Point Adaptive Reuse Sub-district (AR Sub-district); which is in the Alameda Point District [Alameda Municipal Code (AMC) 30-4.24] of the Zoning Ordinance; and

WHEREAS, the Alameda Point General Plan Amendment and Zoning regulations require that the Planning Board approve a Development Plan and Design Review application prior to the restoration and reuse of Building 8; and

WHEREAS, the Historical Advisory Board held a public hearing on October 6, 2016 to review the plans for Building 8, and approved a Certificate of Approval for the restoration and reuse of Building 8; and

WHEREAS, the Planning Board held a public hearing on October 24, 2016 to review the plans for Building 8, and examined pertinent maps, drawings, and documents;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that the following findings can be made in support of the Design Review, Development Plan, and Use Permit approval:

DEVELOPMENT PLAN FINDINGS:

A. The development is an effective use of the site. The Development Plan provides for adaptive reuse, reinvestment in, and preservation of a historic resource in the nationally listed NAS Historic District. The proposal also effectively replaces jobs lost from Alameda and the Naval Air Station when the Department of Defense decided to close the former Naval Air Station.

B. The proposed use relates favorably to the General Plan. The proposed development supports General Plan policies for the redevelopment and reuse of Alameda Point and re-investment in the NAS Historic District. The proposed use also supports General Plan policies to support economic development and employment opportunities at Alameda Point.

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 development plan is designed to be compatible with adjacent uses by providing attractive public improvements, and ample pedestrian, transit, and bicycle facilities. Conditions of approval ensure that no significant off-site hazards or environmental hazards will effect occupants of the building or surrounding buildings.

D. The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development. The proposed rehabilitation and reuse of the building is compatible with adjacent light manufacturing and commercial uses proposed for Building 91, Building 9 and the adjacent Civic Core buildings.

E. The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities. Building 8 is located within a planned transit oriented, pedestrian friendly mixed use neighborhood, within a 15 minute walk from a new regional ferry terminal and a 20 minute walk from an existing regional ferry terminal. All development within Alameda Point includes a robust and aggressive TDM Compliance Strategy with a wide variety of transportation services and facilities, including the provision of transit services and other transportation services and programs. Approved developments at the nearby Site A are providing transit service at a frequency in the peak hours (i.e., 15-minute vs. 30-minute) that exceed the requirements of the Alameda Point TDM Plan. The project conforms to AMC Section 30-4.24(g), which establishes the maximum number of parking spaces permitted by land use.

DESIGN REVIEW FINDINGS:

A. The proposed design is consistent with the General Plan, Zoning Ordinance and the City of Alameda Design Review Manual. The proposed rehabilitation and reuse of the Building 8 is consistent with the Alameda Point General Plan Element and Alameda Point Zoning goals and consistent with the Secretary of Interior Standards for the Rehabilitation of Historic Structures.

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 rehabilitation of the building is consistent with the historic character of the NAS Historic District and the proposed commercial uses are consistent with the historic use of the building and the surrounding buildings for manufacturing, warehousing and office uses by the US Navy.

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 proposed rehabilitation of the existing building and landscaping has been specifically designed to be compatible with the existing building, the existing historic character of the NAS Historic District and the adjacent non-residential uses. Reuse of existing buildings and preservation of existing cultural landscape features and materials will work to create a unique and interesting mixed use environment and public spaces. The restored building is positioned to create a continuous street-facing frontage along Saratoga Street and West Ranger Avenue.

USE PERMIT FINDINGS:

A. 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 Work/Live and commercial uses of Building 8, the proposed extended hours of operation and the outdoor seating and activities is compatible with the mixed use urban environment that is envisioned in the Alameda Point General Plan Element and the Alameda Point zoning for the subject site. The outdoor patios have been designed to provide delineation between their boundaries and on-site parking, Emergency Vehicle Access (EVA) and pedestrian walkways. The project site is not located near any sensitive land uses that could be adversely impacted by the outdoor use or extended hours of operation.

B. The proposed use will be served by adequate transportation and service facilities, including pedestrian, bicycle and transit facilities. Building 8 is located within a planned transit oriented, pedestrian friendly mixed use neighborhood, within a 15 minute walk from a new regional ferry terminal and a 20-minute walk from an existing regional ferry terminal. All development within Alameda Point includes a robust and aggressive TDM Compliance Strategy with a wide variety of transportation services and facilities, including the provision of transit services and other transportation services and programs. Approved developments at the nearby Site A are providing transit service at a frequency in the peak hours (i.e., 15-minute vs. 30-minute) that exceed the requirements of the Alameda Point TDM Plan. The project conforms to AMC Section 30-4.24(g), which establishes the maximum number of parking spaces permitted by land use.

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 deleterious effects on existing business districts or the local economy. The proposed uses, outdoor seating, and extended hours will benefit Alameda Point and contribute to the public's enjoyment of the nearby waterfront parks and activities and complement the adjacent residential uses to create a mixed use, walkable community. The project will become the first adaptive reuse project within the NAS Alameda Historic District to provide significant improvements to a contributing structure within the district. The improvements will modernize the building to facilitate immediate tenancy.

D. The proposed use relates favorably to the General Plan. The proposed development supports General Plan policies for the redevelopment and reuse of Alameda Point and re-investment in the NAS Historic District. The proposed use also supports General Plan policies to support economic development and employment opportunities at Alameda Point.

WORK/LIVE ORDINANCE FINDINGS:

A. The proposed use of each work/live studio is a bona fide commercial or industrial activity consistent with Section 30-15.5d. Building 8 is designed to support a variety of light industrial, commercial and Work/Live users. The project is designed to create a hub for creative entrepreneurs, makers and builders. The project conditions of approval require the applicant to enter into a separate sales contract or lease agreement for each individual Work/Live occupant that requires compliance with all provisions of the City's Work/Live Ordinance as well as all the conditions of approval for the Use Permit for Building 8. Moreover, the applicant and any subsequent owner of each work/live studio will be required to record a notice on the property specifying the limitations of use and operation included in the use permit. These limitations include a requirement that at least one occupant of each work/live studio shall maintain a current City of Alameda business license for a bona fide commercial or industrial activity in that studio. The annual license renewal process will provide an opportunity for the City to verify the existence of such commercial or industrial activity.

B. The establishment of work/live studios will not conflict with nor inhibit industrial or commercial uses in the area. The applicant will provide written notice to all work/live occupants and users that the building and the surrounding area may be subject to levels of noise, odors, and other effects that are associated with commercial and industrial uses. At the same time, no work activity shall be permitted nor shall any work/live studio be established on the site that contains potentially harmful uses. The separate sales contract or lease agreement for each individual Work/Live occupant will specifically prohibit the following uses including, but not limited to: auto service/repair, vehicle sales or leasing, car washes, service stations, bars/lounges/night clubs, adult businesses, marine engine repair/refueling facilities, animal kennels/grooming/pet shops, liquor stores, veterinary offices/hospitals, funeral parlors/mortuaries, outdoor storage as a primary use, crematories/columbaria, dismantling facilities/scrap yards, public utility structures and facilities, tire sales/service, and truck stops/repair.

C. The building containing work/live studios and each work/live studio within the building has been designed to ensure that they will function predominantly as work spaces with incidental residential accommodations meeting basic habitability requirements in compliance with applicable regulations. The building is being designed from the outset to ensure that the entire building will function as a hub for creative commercial, office, and industrial activity and each work/live studio within it will function predominantly as a work space with incidental residential accommodations meeting basic habitability requirements in compliance with applicable regulations. The Work/Live units will be designed such that the living area does not exceed 30% of total unit area or 400 square feet whichever is greater. Except for spaces designated for sleeping, areas intended as living space will be

an integral part of each studio and not separated from the work space. The project conditions of approval will require the applicant to enter into a separate sales contract or lease agreement for each individual Work/Live occupant that requires compliance with this and all other provisions of the City's Work/Live Ordinance.

D. The changes proposed to the exterior appearance of the building will be compatible with adjacent commercial or industrial uses where all adjacent land is zoned for commercial or industrial uses. If there is adjacent residentially-zoned land, then the proposed changes to the building shall make the commercial or industrial building being converted more compatible with the adjacent residential area. The proposed changes to the exterior of the building are all designed to be sensitive to the historic architectural and historic use character of the area.

BE IT FURTHER RESOLVED that the Planning Board finds that the Alameda Point Project, including the restoration of Building 8, was adequately considered by FEIR, and that by Resolution No. 14891 the City Council of the City of Alameda certified the Final Alameda Point Environmental Impact Report (FEIR) (State Clearinghouse No. 201312043) under the California Environmental Quality Act ("CEQA"), California Public Resources Code Section 21000 *et seq.* and adopted written findings and a Mitigation Monitoring and Reporting Program ("MMRP") on February 4, 2014, for the Alameda Point Project, including Building 8; and based on substantial evidence, that no further review under CEQA is required.

BE IT FURTHER RESOLVED, that pursuant to the streamlining provisions of Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183, no further environmental review of the design review application is required;

BE IT FURTHER RESOLVED that the Planning Board of the City of Alameda hereby approves Development Plan, Design Review and Use Permit PLN 16-0468, subject to the following conditions:

1. Building and Site Improvement Permit Plans: The plans submitted for Building and Site Improvement Permits shall be in substantial compliance with the plans prepared by Mikiten Architects dated September 27, 2016, on file in the office of the City of Alameda Community Development Department.

2. Uses Permitted. All use of the building, spaces within the building, and site shall be consistent with the uses permitted within the Alameda Point Adaptive Reuse Zoning District, the use limitations of the following conditions of approval. Consistent with the Lease Agreement between the City of Alameda and the Alameda Point Partners for the use of the property, no more than 5% of the total area of the premises may be use for retail uses. Ancillary retail uses shall not be counted against the 5% cap.

3. Work Live Standards: The plans submitted for Building Permit shall comply with the following Work/Live Ordinance standards:

   a. *Maximum Number of Units.* A maximum of 75 work live units may be permitted in the

building on the 151,153 square feet of land area provided by the existing parcel. Upon acquisition of the additional 26,169 square foot parcel shown on Page T-101, the number of units may be increased to 88 work live units.

b. *Minimum Floor Area.* Each work/live studio shall include at least one thousand (1,000) square feet of gross floor area. Work/live studios shall be designed to accommodate commercial or industrial uses as evidenced by the provision of ventilation, interior storage, flooring, and other physical improvements of the type commonly found in exclusively commercial or industrial facilities. Not more than thirty (30%) percent or four hundred (400) square feet, whichever is greater, of the work/live studio shall be reserved for living space as defined in Section 30-15.3. Areas within a work/live studio that are designated as living space shall be an integral part of the work/live studio and not separated from the work space, except that mezzanines and lofts may be used as living space subject to compliance with other provisions of this Article. The rest of the gross floor area of each work/live studio shall be reserved and regularly used for working space.

c. *Separation Required.* Each work/live studio shall be separated from other work/live studios or other uses in the building. Access to each work/live studio shall be provided from common access areas, common halls or corridors, or directly from the exterior of the building.

d. *Change of Use* No work/live studio shall be changed to exclusively residential use in any building where residential use, nor shall any work/live studio be changed to increase the floor area devoted to residential use to more than four hundred (400) square feet or thirty (30%) percent of the gross floor area of the unit whichever is more. No portion of a work/live studio may be separately rented or sold as a commercial space for a person or persons not living in the premises or as a residential space for a person or persons not working in the same studio.

4. Business License and Work Live Permit Required. At least one (1) occupant of each work/live studio shall maintain a current City of Alameda business license for a business located in that studio. Prior to application for a Business License, each tenant or owner of an individual work/live studio must obtain a work/live permit prior to occupancy from the Planning Director based on a determination that the proposed occupancy is consistent with the approved use permit and all applicable requirements of this section. The work activity in each unit shall be consistent with the uses permitted by right or use permit in the zoning district, except that, in order to protect the health and safety of persons who reside in a work/live studio, no work activity shall be permitted nor shall any work/live studio be established that contains those uses which the Planning Director when considering a work/live permit or the Planning Board when considering a use permit, finds would, by virtue of size, intensity, number of employees or the nature of the operation, have the potential to create significant impacts by reason of dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration or other impacts, or would be hazardous by way of materials, process, product or wastes including, but not limited to: auto service/repair, vehicle sales or leasing, car washes, service stations, bars/lounges/night clubs, adult businesses, marine engine repair/refueling facilities, animal kennels/grooming/pet shops, liquor stores, veterinary offices/hospitals, funeral parlors/mortuaries, outdoor storage as a primary use, crematories/columbaria, dismantling facilities/scrap yards, public utility structures and facilities, tire sales/service,

truck stops/repair. Uses allowed under the foregoing paragraph that may, depending on how they are operated, also have the potential to generate impacts or would constitute a change in occupancy under the building code shall not be approved. No use shall be approved where, given the design or proposed design of the work/live studio, there would be the potential for adverse health impacts from the proposed use on the people residing in the studio. Retail activities must be accessory and subordinate to any permitted commercial or industrial work activity in buildings used exclusively for work/live studios. On-premises sales of goods is limited to those produced within the work/live studio. Retail sales of goods produced within the work/live studio shall be incidental to the primary work use in any building used exclusively for work/live occupancy. These provisions shall permit participation in occasional open studio programs and gallery shows

5. Hours of Operation and Outdoor Uses: Hours of operation shall be limited to the hours between the hours of 6:00 AM to 10:00 PM Monday through Thursday, 6:00 AM to 12:00 AM Friday and 7:00 AM to 12:00 AM Saturday and 7:00 AM to 11:00 PM Sunday. The outdoor areas may be used for outdoor seating and dining, temporary commercial events, and related activities. Outdoor amplified music and similar noise generating uses must be limited to 10 PM. The food and beverage manufacturing, other manufacturing and similar uses may operate 24 hours per day, but customer visits shall be limited to the approved hours of operation.

6. Notice to Occupants Required. The owner or developer shall provide written notice to all work/live renters and owners that the surrounding area may be subject to levels of noise, dust, fumes, or other effects associated with commercial and industrial uses at higher levels than would be expected in residential areas. State and Federal health regulations notwithstanding, noise and other standards shall be those applicable to commercial or industrial properties in the district where the project is located. For purposes of noise control, work/live studios shall be classified as commercial property under Table II in Section 4-10.4 of the Alameda Municipal Code.

7. *Deed Restriction Required.* The applicant shall record a notice on the property specifying the limitations of use and operation included in the use permit.

8. *Nonresident Employees.* Up to two (2) persons who do not reside in the work/live studio may work in the studio unless such employment is expressly prohibited or limited by the use permit because of potential detrimental effects on persons living or working in the building or on commercial or industrial uses or residentially-zoned areas in the vicinity of the subject property.

9. Sustainable Design: Prior to issuance of a building permit, the applicant shall submit a checklist showing that the project meets either: a minimum LEED™ Certified rating and be so certified by the US Green Building Council or a minimum GreenPoint Rated score of fifty (50) and be so verified by Build It Green. The final design plans shall include plans for green roofs for a portion of the building consistent with Exhibit A and rain water collection and reuse.

10. 401 Conditions, including Rainwater Harvesting System: The building plans shall comply

with all of the applicable conditions of the Conditional 401 Water Quality Certification for Alameda Point Stormwater Outfall Upgrades Project in the City of Alameda (Corps File No. 2014-00087S) (401 Certification Conditions) issued by the Water Board, including provision of an on-site rain harvesting system.

11. On-Site Parking Management: All onsite parking shall be shared among the users and visitors to the site. The applicant and/or property owner may lease individual on-site space to individual occupants of commercial or work live space within, but the parking spaces must be leased separately on a month to month basis from the rental of the interior space. Parking spaces shall be offered only to residents and tenants served by the off-street parking, except that any surplus space may be rented out to non-residents or non-tenants with the provision that such spaces must be vacated on 30-day notice if they become needed by tenants or residents.

12. Bicycle Parking: Final bicycle parking plan shall be consistent with AMC-30.7.15 Bicycle Parking. The facility, location, and type shall be approved by the Community Development Department prior to approval of the improvements plans or building permit, whichever comes first. The Community Development Department shall inspect the location, type, and number of facilities to ensure they are in accordance with the approved plans prior to acceptance of the work or issuance of any occupancy permit, including temporary occupancy permit, whichever comes first.

13. Transportation Demand Management Program: Prior to issuance of the first Occupancy Permit, the applicant shall complete an Alameda Point Transportation Demand Management Program Compliance Checklist which shall at minimum commit the project and the project occupants to:

    a. An annual TDM fee of $148,500 ($0.55 per square foot) to be used by the Alameda Point TMA for transportation services for Alameda Point.
    b. An annual transportation survey of project occupants to be provided to the Alameda Point TMA for planning purposes.

14. Public Art: Prior to issuance of the 50th Work Live License/Permit, the applicant shall complete a Public Art proposal to the Public Art Commission and have the approved Public Art installed on the site, in compliance with the public art requirements of the Alameda Municipal Code (AMC) Section 30-65.

15. Affordable Housing Fee: The applicant shall pay an Affordable Housing Fee or provide affordable housing units on-site or off-site per AMC Section 27-1.

16. Public Open Space Maintenance: The applicant shall be responsible for the maintenance and safety of all public access areas.

17. Architectural Design Details: Minor changes to the design may be approved by the Community Development Director during the building permit process provided that the Director is able to find that the proposed changes to the buildings are consistent in character and quality to the design review plans approved by the Planning Board and Historical Advisory Board attached as Attachment A to this resolution. The Community Development Director shall work with the project applicant to:

a. Reduce the apparent height and visibility of the roof top pavilion.
b. Identify an appropriate design and location for trash enclosure that is compatible with the adjacent public rights of way and building access points.
c. Identify an appropriate door design for the second story balconies that will maintain the horizontal architectural band below the horizontal band of windows.
d. Ensure that the proposed new windows on all elevations shall be substantially compliant with the building elevations on Sheet A-202 and A-220 of the project plans submitted by Mikiten Architecture on September 27, 2016.

18. Paint Palette: The applicant shall paint the building exterior in a color that is the same or similar to the existing exterior paint color. Prior to any painting of the building exterior, the paint colors shall be approved by the Community Development Director.

19. Signs. Prior to erection of any signs, the project applicant shall submit a Building 8 Sign Program for Community Development Director review and approval. The Sign Program shall specify allowable sign sizes, materials, and finishes and shall be determined to be consistent with the historic character of the building and surrounding District. .

20. CEQA: Prior to issuance of a Building or Site Improvement Permit, the applicant shall submit a Mitigation Measure Compliance Checklist confirming compliance with all required environmental mitigation measures 4-C-1, 4.D-2, 4.D-3, 4.D-4, 4.E-1f, 4.E-1g, 4.E-4b, 4.E-4c, 4.E-4f, 4.F-1a, 4.F-1b, 4.F-1c, 4.F-1d, 4.F-2, 4.F-7b, 4.G-1a, 4.G-1b, 4.G-1c, 4.G-1d, 4.G-4, 4.H-1, 4.H-2, 4.H-4, 4.H-5, 4.I-1, 4.I-2, 4.I-8, 4.J-1a, 4.J-1b, 4.J-1c, 4.J-1d, 4.J-2, 4.J-7, 4.K-4, 4.M-5 contained in the MMRP adopted by the Alameda City Council on February 4, 2014, for the redevelopment and reuse of Alameda Point, including Building 8.

21. West Ranger Avenue Frontage. The applicant shall construct the West Ranger frontage public improvements along the length of the northern property line and to the centerline of the street within the public right of way adjacent to the 26,169 square foot property between the existing parcel and West Ranger Avenue. The public improvements shall be designed to ensure a safe interface between pedestrians on West Ranger and the truck loading on the north side of the building.

22. Infrastructure Improvement Plans and Subdivision Maps: Prior to issuance of building permits for new construction, the applicant shall submit infrastructure improvement plans for on and off-site improvements for review and approval by the Public Works Department and the Community Development Department. Such infrastructure plans shall be consistent with this resolution, the Development Plan, and subject to the requirements of the AMC, and Alameda Point Master Infrastructure Plan (MIP). Such maps and infrastructure improvement plans shall include a phased infrastructure construction plan for all off-site infrastructure, including the dimensions, cross-sections, and -configuration of all public rights of way, including the improvements to West Ranger Avenue, ADA ramps at all intersections and associated ADA improvements, and public open space, and include the proposed site grading, drainage improvements and utility and construction phasing.

23. Easements The applicant/developer shall grant the City of Alameda:

a) An EVA easement wherever the Fire Rescue Vehicle access route crosses over private property. Any new streets and sidewalks within the access route shall be designed to support Fire Rescue Vehicle loads and accommodate truck turning radii.
b) An ingress/egress easement for the purpose of waste collection wherever the collection vehicle access route crosses over private property. Collection vehicle access shall not be restricted by bollards or gates. All streets and sidewalks within the access route shall be designed to support collection vehicle loads and accommodate truck turning radii, truck grabber arm clearance, and curbside cart placement.
c) An easement for existing common utilities throughout the parcel to the City upon the sale of property.

24. Maintenance: Maintenance of improvements not within the public ROW, including all Emergency Vehicle Access (EVA) lanes shall be the responsibility of the new development.

25. Future Landscaping Deed Restriction: The applicant/developer shall record against the property a deed restriction that requires the owner of the property at the time of future public improvements according to the Alameda Point MIP, which includes the removal of the existing underground high voltage wire along the property line adjacent to Saratoga Street. The proposed landscape design shall require approval by the Community Development Director.

26. Vesting: The Use Permit approval shall expire two (2) years after the date of approval or by **October 24, 2018** unless authorized construction or use of the property has commenced. The applicant may apply for a time extension, not to exceed two (2) years. An extension request will be subject to approval by the Zoning Administrator and must be filed prior to the date of expiration.

27. Modifications: Project design details requested by the applicant may be established, modified, and approved by the Community Development Director. Engineering standards and specifications requested by the applicant may be established, modified and approved by the Public Works Director, or his designee. Major modifications that are not consistent with this design review approval or these conditions shall be subject to review and approval of the Planning Board.

28. Alcohol Beverage Control (ABC) License: Any application for an ABC License Type 48 shall require the approval of a separate conditional use permit, subject to the guidelines of AMC Section 30-21, prior to the issuance of such ABC Licenses.

24. Universal Design: All Work/Live units shall include the following universal design elements:

- Accessible route of travel from a public sidewalk to the unit's primary entrance. Accessible route of travel from garage/parking to the unit's primary

entrance.

- Minimum 32" clear primary entry doorway and a "no step entry" (1/2" or less threshold) with dual peephole and doorbell.

- All exterior/interior doors shall meet Chapter 11a. Code-required maneuvering clearances, hardware, thresholds, and strike side clearances.

- An accessible route of travel with a minimum 42" wide hallway to all bedrooms, living room, kitchen, and bathrooms.

- Light switches, electrical receptacles, and environmental controls at accessible heights on the primary accessible floor.

- Rocker light switches throughout unit.

- Minimum required work/floor clearance of 30"x48" in front of stove, refrigerator, dishwasher, sink, and oven.

- Accessible countertops with a 30" wide workspace and/or one or more 15" breadboards installed between 28 and 32" high.

- Under-cabinet lighting.
- At least one full bathroom on accessible route of travel.
- Standard bathtub and toilet with grab bar reinforcement.

- Bathroom with removable base cabinets meeting the Chapter 11A requirements for removable base cabinets in kitchens.

- A full length mirror, an accessible medicine cabinet, a mirror over the vanity that is at an accessible height, lower towel racks and robe hooks, and accessible toilet tissue holder.

- If a work unit has a secondary entry door, that door shall provide a minimum of 32 inches clear width, dual peepholes, a doorbell, and entry door bench/package shelf.

- Units with balconies will include no-step transition onto/from the balcony, and proper maneuvering clearances, hardware, and strike edge clearances on the balcony.

29. Other Agency Approvals: Prior to issuance of building permit(s) for work within jurisdictional lands, the applicant shall provide evidence that all required approvals, permits, or waivers from Regional Water Quality Control Board (Water Board), , and/or the Army Corp. of Engineers, if any, have been obtained. The final improvement plans shall incorporate all other agency requirements.

Biological

30. Biological Regulations: Applicant shall notify all future property owners or occupants of the Declaration of Restrictions for the Former Naval Air Station Alameda (Declaration) consistent with the Biological Opinion issued by the U.S. Department of Fish and Wildlife Service (Service) and thereafter the Declaration shall be incorporated by reference in all deeds and leases of any portion of the Building 8.

31. Feral Cat Feeding Stations. Feral cat feeding stations and colonies, and the feeding of any native and non-native wildlife species that are potential predators of least terns is prohibited in perpetuity and thereafter this prohibition shall be incorporated in all deeds and leases of any portion of the Building 8.

32. Fireworks Displays. Fireworks displays will not be authorized from April 1 to August 15 and thereafter this prohibition shall be incorporated in all deeds and leases of any portion of the Block 10.

33. Lighting: Pedestrian and vehicular lighting at project driveways shall meet Alameda Municipal Power standards for crosswalks, sidewalks, and intersections and be consistent with the Alameda Point MIP, the Declaration and Alameda Point Lighting Mitigation Measures.

34. Service Review of Storm Water Plans. All storm water management and monitoring plans for Building 8 shall be developed in coordination with the Service and implemented in perpetuity to protect open water foraging areas for the endangered California Least Tern. The plans shall be reviewed and approved by the Service prior to development of the project.

Improvement Plans

35. Landscape Plans: The improvement plans shall include landscape and irrigation plans for both on-site and off-site improvements consistent with the MIP. The plans shall be prepared, signed, and stamped by a licensed landscape architect and civil engineer and shall be in accordance with the AMC and other regional jurisdictional requirements. The landscape architect shall also assume responsibility for review of the work and shall provide a Letter of Acceptance of construction conformance to the City, prior to acceptance of the work, that the installation of landscaping and irrigation was constructed in accordance with the approved plans.

36. Fire Water: The improvement plans for the project site shall include a Fire Water System consistent with the MIP. The system shall be designed to the satisfaction of EBMUD and the Alameda Fire Department. The Applicant shall be responsible for the placement of on-site hydrants. The location and number of hydrants shall be established in improvements plans. Placement shall be shown on the improvement plans and shall be to the satisfaction EBMUD, the City Fire Chief and the City Engineer.

37. Fire Sprinklers: The improvement plans and building permit plans shall include fire sprinkler systems within each residential unit including the garage and attic spaces and within any commercial spaces.

38. Fire Safety: Prior to approval of the Improvement Plans, the applicant shall submit plans for review and approval by the Public Works Director and the Fire Chief, that:

    a. Provide fire hydrants spaced throughout the project as required in California Fire Code Appendix C. Ensure sufficient fire flow for the development compliant with California Fire Code Appendix B and AMC 15-1.2 where a maximum reduction of the fire flow can be reduced by 50% for fire sprinklered buildings.
    b. Fire hydrant flows shall be a minimum of 1,500 G.P.M. from any one hydrant;
    c. Provide adequate turn around space or acceptable emergency vehicle through access for any street greater than 150 feet in length;
    d. Ensure that all roads that are required to be fire access roads have an adequate turning radii for fire apparatus (inside turning radius of 28" and outside turning radius of 44'8"); and
    e. For all roads designated as fire aerial access roads shall have a minimum fire lane width of 26' unobstructed for buildings taller than 30' in the immediate vicinity of the building. Proximity to the building shall be no less than 15' and a maximum of 30' and shall be positioned parallel to the entire side of the building. All other fire lanes are to be an unobstructed minimum of 20' wide. Should parking within the fire lane be required, the fire lane width shall be increased as required to meet fire access requirements.

39. Utilities: The improvement plans shall include facilities and improvements to ensure that utility services are maintained for existing users throughout the construction process and the access to such service for maintenance purposes is preserved throughout the construction process for new utilities. Utilities shall not cross any other parcel and shall tie into the utilities in the right-of-way.

40. Geotechnical Report: A geotechnical report, including recommendations, shall be prepared by a registered geotechnical engineer licensed in the State of California, if applicable to the reuse of an existing building. The improvement plans shall incorporate all geotechnical recommendations in the report and be consistent with the MIP. The geotechnical engineer shall sign and stamp the improvement plans as conforming to its recommendations. The geotechnical engineer shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work that the work performed is adequate and complies with their recommendations.

Public Improvements

41. Maintenance: Maintenance of improvements not within the public ROW shall be the responsibility of the new development.

42. Street Resurfacing: Applicant/developer shall resurface the existing street pavement whenever a street is cut for utility or other improvement installations or the condition of the existing pavement requires improvements. The resurfacing shall extend a sufficient distance beyond any cut to ensure a smooth transition and shall consist of an average of one and a half (1½) inch asphalt concrete overlay, with a minimum one inch asphalt concrete overlay.

43. Curb and Gutter: Applicant/developer shall replace any damaged curb, gutter, and sidewalk along street frontages to the satisfaction of the Public Works Director, in accordance with the Public Works Department's Standard Plans and Specifications prior to acceptance of the project.

44. Access Phasing Plan. Prior to Building or Site Improvement Permit, a fire, pedestrian, bicycle, and automobile access plan for the phasing of all four sides of Block 10 shall be approved by the Public Works Director.

Water Quality

45. 401 Certifications Conditions. The development of Building 8 must be designed and constructed to comply with all of the applicable conditions of the Conditional 401 Water Quality Certification for Alameda Point Stormwater Outfall Upgrades Project in the City of Alameda (Corps File No. 2014-00087S) (401 Certification Conditions) issued by the Water Board.

46. Checklist. The applicant shall provide a completed Stormwater Requirements Checklist for review and approval by the City of Alameda Public Works Department Clean Water Program.

47. Final Stormwater Management Plan: The improvement plans shall incorporate a Final Stormwater Management Plan for Building 8, including all appropriate pollution prevention source control measures, permanent low impact development (LID) measures, storm water treatment controls and/or design techniques to manage the quantity and quality of storm water runoff from the project site to prevent and minimize impacts to water quality and must be consistent with the applicable 401 Certification Conditions, the MIP and the Provision C3 requirements of the City's municipal stormwater permit. Efforts shall be taken to minimize impervious surface areas, especially directly connected impervious surface areas. Roof drains shall discharge and drain to an unpaved area wherever practicable. Design techniques may include green roofs, rainwater harvesting, vegetated swales, vegetated buffer zones, bio retention units, retention/detention basins and ponds, tree well systems, and the incorporation of pervious surface areas and LID measures. The improvement plans shall provide details sufficient to ensure that the 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, the MIP, , and the 401 Certification Conditions. Applicants may also refer to the Bay Area Storm water Management Agencies Association (BASMAA) *Start at the Source Manual* for technical guidance. All storm water design and treatment measures for private development pads shall be consistent with the C3 requirements and 401 Certification Conditions and be located on the development pad or an adjacent private development pad and shall not be located on property planned for public parks or public rights of way. Areas between the building and the public right of way with public access easements may be treated within the public storm water treatment system if sized to handle the flow. With the finalized stormwater quality management plan submit a completed stamped, signed City of Alameda C3 certification form from a qualified independent civil engineer with stormwater treatment facility design experience, licensed in the State of California, and

acceptable to Public Works Engineering that indicates the LID and treatment measure designs of the finalized improvement plans and stormwater quality management plan meet the established sizing design criteria for stormwater treatment measures. These will be at the 100% complete level.

48. Water Board Approval. Pursuant to Condition #15 of the 401 Certification Conditions, the applicant shall submit the proposed Building 8 SWMP to the Water Board's Executive Officer for review and approval prior to the issuance of a building permit or site improvement permit by the City for any construction of the Building 8 development, including Building 8. If the Water Board staff does not respond to the applicant's SWMP within 45 days of the received date, the plans will be deemed approved by the Executive Officer and the City may issue a building or site improvement permit if no changes have been made to the submitted Building 8 SWMP. The on-site drainage management areas indicated in the finalized stormwater management plans shall be reviewed for conformance with the corresponding off-site improvement plans.

49. Best Management Practices: The applicant/developer shall be responsible for ensuring that all contractors and sub-contractors install, implement and effectively maintain appropriate sediment control, erosion control and other water quality protection measures to prevent any pollutants from entering the municipal storm water drainage system or the Seaplane Lagoon, either directly or indirectly, during all construction activities. All implemented measures shall be consistent with the City's urban runoff Best Management Practices (BMPs) standards. The applicant/developer shall pay for any required cleanup, testing, and/or City administrative costs resulting from consequence of construction materials entering the storm water drainage system.

50. Erosion Control Measures: The installation of effective erosion control measures (for example, Hydro seeding) for all disturbed pervious surface areas shall be completed in compliance with the requirements included in the State Water Resources Control Board (SWRCB) Order No. 2009-0009-DWQ.

51. Storm Water Trash Capture: Prior to the issuance of the first grading/building/combination permit for each project phase, the Improvement Plans shall indicate the storm water trash capture measure(s) being installed on the project site (or within the backbone public system) to ensure that the stormwater drainage from the project site is subject to full trash capture consistent with the City's municipal stormwater permit definition of a full trash capture device. Improvement plan sheets shall provide sufficient plan views and details of the full trash capture device installation(s) necessary for engineering review and approval. A full trash capture system or device is any single device or series of devices that trap all particles retained by a 5mm mesh screen and has a design treatment capacity of not less than the peak flow Q resulting from a one-year, one-hour storm in the sub-drainage area. Plan sheets shall include detail and cross-sectional drawings of any stormwater full trash capture device.

52. Storm Drains: All new storm drain inlets shall be clearly marked with the words 'No Dumping! Drains to Bay' by means approved by the Public Works Department. Permanently affixed thermoplastic, metallic or plastic laminate style markers are

acceptable forms. The Improvement Plans shall clearly indicate this.

53. Operations and Maintenance Plan: The Applicant/Developer shall submit a stormwater treatment measures Operations and Maintenance (O&M) plan for review and approval to the Public Works Department prior to the approval of and consistent with the improvement plans for each phase. The O&M plan shall include, but not be limited to: treatment and design measure(s) descriptions and summary inventory; a legible, recordable, reduced-scale (8.5"x11") copy(-ies) of the Site Plan indicating the treatment and design measure(s) location(s) and site drainage patterns; treatment measure(s) maintenance requirements and maintenance schedule; the approved plant list and planning plan; detailed description of the integrated pest management principals and techniques and/or Bay Friendly Landscaping Program techniques to be utilized during landscape maintenance to ensure pesticide/herbicide use-minimization in landscaped areas; name and contact information of current maintenance personnel; and template of the annual O&M report submittal to the City. The O&M plan(s) for all stormwater treatment and design measures to be maintained by any HOA or CA shall be incorporated with the CC&Rs of the relevant HOA/CA.

54. Stormwater Agreement: For any stormwater treatment or design measure not to be maintained by an HOA or CA, the Applicant/Developer shall execute a Stormwater Treatment Measures Maintenance Agreement (Stormwater Agreement) with the City prior to the issuance of the certificate of occupancy. The Stormwater Agreement shall include, but not be limited to: the O&M plan for all approved stormwater treatment measures; identification of the party responsible for implementing the O&M plan; assurances of access to inspect and verify the treatment system O&M for the life of the project; and assurances of the submittal of the annual O&M report to the City. The executed Stormwater Agreement shall be recorded, at applicant/developer's expense, with the County Recorder's Office of the County of Alameda.

55. Landscape Plans: Landscaping plans shall be designed to minimize runoff, promote surface infiltration, incorporate Bay Friendly Landscaping approaches, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution and be consistent with the MIP, the Building 8 SWMP, the preliminary stormwater management plan for Building 8, and 401 Certification Conditions

56. Backflow Prevention: Backflow prevention devices shall be installed on all new and existing domestic, commercial, irrigation, and fire water services and as required by the East Bay Municipal Utility District (EBMUD).

57. Certification Report: Prior to issuance of the initial, temporary or first occupancy permit, whichever comes first, the applicant/developer shall submit a certification report (Report) prepared by a registered civil engineer, licensed in the State of California, affirming that all project site stormwater treatment measures have been constructed per the City approved plans and specifications. As appropriate, the Report shall include, but not be limited to, assurances that: imported materials used for the treatment measure(s) are certified by the supplier; installation of these materials is per approved plans and specification and meets the intent of the design engineer; required on-site testing results

conform with approved plans and specifications; treatment measures conform to dimensions, grades and slopes on approved plans and specifications; all structural features of the treatment measures comply with plan specifications; the irrigation system is installed and functions as designed; healthy vegetation/ground cover is installed as shown on plans. The Report shall be submitted in a form acceptable to Public Works Engineering.

Solid Waste

58. Waste Management Plan: The applicant/developer shall submit a Waste Management Plan (WMP) to the Public Works Environmental Services Division for approval. The plan shall describe how the trash and debris will be handled. The WMP shall be submitted by the developer to Environmental Services via Green Halo (greenhalosystems.com) prior to start of the demolition, remodeling, or construction work. This must be done using Green Halo's web interface. The Public Works Environmental Services Division will review the WMP, and will provide comments that shall be incorporated into the plans for the project. The project is subject to the WMP requirement of section 21-24 of the AMC, and must recycle at least 50% of total debris hauled from the project.

59. External Enclosures: Design of all external enclosures for solid waste, recycling, and organics shall be approved by the Public Works Director concurrent with the approval of the improvements plans. These facilities are to be designed to prevent water run-on to the area, runoff from the area, and to contain litter, trash, and other pollutants, so that these materials are not dispersed by the wind or discharged to the storm drain system. External enclosures are to be roofed and/or enclosed. Any enclosures containing food waste shall have floor drains connected to the sanitary sewer system. If the enclosures are attached to buildings they shall have fire sprinklers. Internal collection and storage area(s) and the individual bins and containers provided, shall be adequate in capacity, number, and distribution to serve the anticipated demand for trash, recycling, and organics as determined by the Public Works Director.

60. Exterior Solid Waste and Recyclable Material Storage: Exterior solid waste and recyclable material storage shall be adjacent or combined and may only be located on the outside of a structure, in a designated interior courtyard with appropriate access, or in rear or side yards.

61. Storage Area Guidelines: The design and construction of the storage area(s) shall:
    a. Be compatible with the surrounding structures and land uses; and
    b. Be properly secured to prevent access by unauthorized persons. If gates with locks are planned to limit access to the enclosure or to the property, cards or keys must be provided to the City's franchised waste hauler and recycling collector; at present Alameda County Industries; and
    c. Contain a concrete pad within the fenced or walled area(s) and a concrete apron which facilitates handling of the individual bins and containers; and
    d. Provide a 6-inch wide curb or parking bumpers along the interior perimeter of the enclosure walls to protect them from damage by the dumpster. A 6-inch wide parking bumper, at least 3 feet long, should also be placed between the

refuse dumpster and the recycling containers; and

e. Maintain a minimum space of 12 inches between the dumpster(s) and the walls of the enclosure and the recycling container(s) to allow for maneuvering the dumpster(s); and
f. Protect the area(s) and containers from adverse environmental conditions, which might render the collected materials non-collectible, noxious, unsafe, or in the case of recyclable materials, unmarketable.

Dimensions of the storage area(s) shall accommodate containers consistent with the current methods of collection. The storage area(s) shall be appropriately located and screened from view on at least three sides by a solid wall six feet in height, and on the fourth side by a solid gate not less than five feet in height. The gate shall be maintained in good working order and shall remain closed except when in use. Gates must open straight out and gates and hinges must be flush with the enclosure wall to allow adequate maneuverability of the dumpster in and out of the enclosure. The design of the wall and gate shall be architecturally compatible with the surrounding structures. A sign clearly identifying each exterior solid waste and recyclable material storage area and the accepted material(s) is required. Each sign shall not exceed two square feet in area and shall be posted on the exterior of the storage area adjacent to all access points.

62. Collection: Internal collection and storage area(s) and the individual bins and containers provided, shall be adequate in capacity, number, and distribution to serve the anticipated demand for trash, recycling, and organics as determined by the Public Works Department. The trash collection areas shall be accessible to residents and employees. Each storage area shall be no more than 250 feet from any dwelling unit, or in the garage. Trash enclosures and/or recycling area shall be covered; no other area shall drain onto these areas. Drains in any wash or process area shall not discharge to the storm drain system; these drains should connect to the sanitary sewer. The applicant shall contact the City and East Bay Municipal Utility District (EBMUD) for specific connection and discharge requirements prior to building permit issuance. Discharges to the sanitary sewer are subject to the review, approval, and conditions of the City and EBMUD.

63. Fitted Lids: All solid waste containers, including dumpsters and individual cans or carts, must have fitted lids which shall remain closed at all times when the container is not being used

Construction Conditions

64. Traffic Control Plan: At least three weeks prior to the commencement of work within the public right-of-way that affects access for pedestrian, bicyclist, and vehicular traffic, the applicant/developer shall provide a Traffic Control Plan (TCP) to the Public Works Department for review and approval. The TCP shall be prepared by a registered civil engineer or traffic engineer licensed in the State of California, and be in accordance with the California MUTCD standards. The engineer shall sign and stamp the plans as approved. In general, any public right-of-way shall remain unobstructed during project construction or an ADA compliant alternative route established as approved by the Public Works Director. At locations where adequate alternate access cannot be provided,

appropriate signs and barricades shall be installed at locations determined by the Public Works Director and Police Chief. Should transit routes be affected, applicant/developer is required to obtain prior approval from AC Transit of any proposed traffic detours or temporary closure of bus stops. Construction work may not commence until the TCP is approved by the Public Works Director.

65. Hazardous Materials. The applicant/developer shall provide documentation from a qualified professional to the City of Alameda stating that adequate soils and ground water investigations and, where warranted, remediation, have been conducted to ensure that future site use complies with the regulatory requirements for hazard related risks as established by applicable Federal, State and local requirements. The project sponsor shall ensure that all proposed areas for demolition and abatement shall be assessed by qualified licensed contractors for the potential presence of lead-based paint or coatings, asbestos containing materials, and PCB-containing equipment prior to issuance of a demolition permit. During Construction the developer/applicant shall ensure that all construction crews are properly trained and made aware of any site contamination issues consistent with the Alameda Point Site Management Plan (SMP) and MMRP.

66. Truck Plan: Prior to issuance of grading permit, developer/applicant shall submit a Truck Route Plan for hauling to be approved by the City Engineer. The Plan must be incorporated into any construction documents for every contract.

67. Notice to Neighbors: At least two weeks prior to initiating any construction activities at the site, the applicant shall provide notice to businesses and residents within 500 feet of the project site including (1) project description, (2) description of construction activities, (3) daily construction schedule (i.e., time of day) and expected duration (number of months), (4) the name and phone number of the Noise Management Individual for the project, (5) commitment to notify neighbors at least four days in advance of authorized extended work hours and the reason for extended hours, and (6) that construction work is about to commence. A copy of such notice and methodology for distributing the notice shall be provided to the City for review and approval at least five (5) business days in advance.

68. Construction Hours: Construction activity shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Friday, and between 8:00 a.m. and 5:00 pm on Saturday. No construction-related activity shall occur on Sunday or on any Federal Holiday. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment re-design, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible and necessary. No construction activity that may cause excessive off-site vibration from heavy machinery such as drilling rigs (except as necessary for elevator, shoring, and soil testing), etc. shall be allowed. Impact tools (e.g., jack hammers, pavement breakers and noise drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to 10dB. External jackets on the tools themselves shall be used where feasible. Quieter procedures shall be used such as

drilling rather than impact equipment whenever feasible.

69. Dust Control: Prior to issuance of building or grading permits, the developer/applicant shall ensure that a program of dust control is implemented consistent with City, MMRP and BAAQMD requirements.

70. Cultural Resources: In the event that previously unidentified cultural resources are discovered during site preparation or construction, work shall cease in the immediate area until such time as a qualified archaeologist and City of Alameda personnel can assess the significance of the find. If human remains are encountered, work shall halt within 50 feet of the find and the County Coroner shall be notified immediately.

71. Utilities: If underground utilities leading to adjacent properties are uncovered and/or broken, the contractor involved shall immediately notify the Public Works Department, Alameda Municipal Power, and the Community Development Department, and carry out any necessary corrective action to their satisfaction.

Fire Safety

72. Fire Access: All streets and courts within the development that are required to be fire access roads, shall be marked as fire access roads to the satisfaction of the Fire Chief. All roads that are required to be fire access roads shall be designed to handle fire apparatus weight of up to 35,000 pounds per axle. Parking shall be prohibited within the streets and alleys that are dedicated as fire lanes. CC&R's shall include an enforcement mechanism.

Alameda Municipal Power (AMP)

73. The Applicant shall comply to AMP's Rules and Regulations and "Material and Installation Criteria for Underground Electrical Systems" (both available at www.alamedamp.com) and provide completed "Service Planning Sheets" for AMP's review prior to submitting plans for building permits.

74. 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.

75. 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. 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**. Any variance from these standards must be approved by AMP and may include mitigation s measures,

such as root barriers.

76. 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.

77. The Applicant shall install all electric pull boxes and vaults in-line with the conduit joint trench. No conduit bend will be allowed between electric pull boxes, unless conduit section terminates to an electrical equipment pad. All primary and secondary electrical distribution pull boxes shall not be greater than two section deep (34-inches from finish grade to bottom of pull box). Any deviations from this standard shall be approved by the AMP Project Engineer in writing.

78. 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.

79. The improvement plans and all subdivision maps shall show all necessary easements and access to all electrical utility facilities that are in the private properties, at no charge to AMP.

80. 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.

81. Concurrent with acceptance of work by City Council, the applicant/developer shall dedicate and AMP shall take over ownership and will be responsible for maintaining all new substructures for under grounding primary and secondary circuits, and distribution transformers once the improvements have been inspected by AMP and found to have been properly installed. The Applicant or successor property owner(s) shall be responsible for the service cables and service equipment.

82. 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.

83. The Applicant shall submit, with the site improvement plans, detailed drawings showing the required site electric utility facilities.

HOLD HARMLESS. The applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, the Alameda City Planning Board and their respective agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Alameda, Alameda City Planning Board and their respective agents, officers or employees to attack, set aside, void or annul, an approval by the City of Alameda, the Community Development Department, Alameda City Planning Board, the City of Alameda City Council relating 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.

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 24th day of October, 2016, by the following vote to wit:

AYES:	(5)	Mitchell, Burton, Knox White, Sullivan, and Zuppan
NOES:	(1)	Curtis
ABSENT:	(1)	Köster

ATTEST:

Andrew Thomas, Secretary
City of Alameda Planning Board

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