

**CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-16-01**

DENYING APPLICATION PLN15-0440 TO ALLOW THE SALE OF ALCOHOL AT A CONVENIENCE STORE LOCATED AT 1716 WEBSTER STREET

WHEREAS, an application was made by United Brothers Enterprise, Inc., requesting a Use Permit Amendment to remove a condition of approval on Use Permit, UP-95-23, that restricts the sale of alcohol; and

WHEREAS, the project site is located within a C-C, Community Commercial Zone; and

WHEREAS, the project site is designated Community Commercial on the General Plan Diagram; and

WHEREAS, the existing 24-hour convenience store is permitted under use permit UP-95-23; and

WHEREAS, Planning Board held a public hearing on this application on January 11, 2016; and

WHEREAS, the Planning Board held a de novo public hearing on the use permit application at which all materials submitted and all comments made by all parties, including staff, regarding this application were considered.

NOW THEREFORE, BE IT RESOLVED, that the Planning Board finds that:

- (1) **The location of the proposed use is not compatible with other land uses in the general neighborhood area, and the project is not operationally harmonious with the community and surrounding development.** The site is immediately adjacent on both sides to residential buildings. Granting of the use permit to allow alcohol sales would create an over-concentration of alcohol sales in the neighborhood and would not be compatible with the adjacent residential uses. The area already has a number of stores that sell alcohol. The site is across from the Better Buy Liquors store, which sells a wide range of alcoholic beverages including beer and wine and has been a local establishment for many years. Increasing the number of retail outlets that sell alcohol may cause problems for adjacent businesses, and residents in the area have reported problems related to late night noise, fights, and litter that may be attributed to alcohol use in the area.
- (2) **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The site is well served by AC Transit bus service and pedestrian facilities, although it is anticipated that most customers will arrive by automobile and will purchase goods at the convenience market while their automobile is at the gasoline pumps.
- (3) **The proposed use will adversely affect other property in the vicinity and will**

have deleterious effects on existing business districts or the local economy.

The addition of alcohol sales at this gas station that is immediately adjacent to residential homes on two sides could adversely affect the adjacent properties. The sale of alcoholic beverages for off-site consumption is plentiful in this vicinity. The site is across from the Better Buy Liquors store, which sells a wide range of alcoholic beverages including beer and wine and has been a local establishment for many years. Increasing the number of retail outlets that sell liquor may cause problems for adjacent businesses and residents. City records indicate neighboring residents have complained about existing police activity in their neighborhood and problems such as litter and late night noise that are attributed to the sale of alcohol in the area.

- (4) **The proposed use does not relate favorably to the General Plan.** Permitting additional outlets for alcohol sales would over saturate this area, which is adjacent to residential zoning districts and residential uses and cause conflicts between commercial and residential land uses in conflict with General Plan policies to minimize conflicts between adjacent land uses.

BE IT FURTHER RESOLVED THAT the project is Statutorily Exempt from additional environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15270 – Projects Which Are Disapproved.

BE IT FURTHER RESOLVED THAT the Planning Board denies application PLN15-0440 to amend use permit UP-95-23 to allow off-sale beer and wine at 1716 Webster Street.

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 11th day of January, 2016, by the following vote to wit:

AYES: (4) Burton, Henneberry, Köster, and Mitchell

NOES: (1) Sullivan

ABSENT: (2) Knox White and Zuppan

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-16-02

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING USE PERMIT PLN15-0522 TO OPERATE A WOODWORKING HOME OCCUPATION IN THE ANCILLARY SPACE OF AN EXISTING GARAGE AT 3273 THOMPSON AVENUE.

WHEREAS, an application was made on October 29, 2015, by Mark Pelzner, home owner, requesting approval of a use permit to operate a woodworking home occupation in the ancillary space of an existing garage; and

WHEREAS, the applicant currently conducts woodworking as a hobby in the ancillary space of the existing garage; and

WHEREAS, a use permit is required because the home occupation involves the use of an accessory structure per Alameda Municipal Code (AMC) Section 30-2; and

WHEREAS, the subject use permit application was accepted as complete on October 29, 2015; and

WHEREAS, the project site is located within a R-1, One-Family Residence zoning district; and

WHEREAS, the project site has a General Plan Land Use Designation of Low Density Residential; and

WHEREAS, the Zoning Administrator held a public hearing on this application on December 1, 2015 and referred the application to the Planning Board according to procedures set forth in AMC Section 30-21.4 after considering public testimony both in support and in opposition to the proposal; and

WHEREAS, the Planning Board held a public hearing on this application on January 25, 2016.

NOW THEREFORE BE IT RESOLVED THAT, the Planning Board has made the following findings concerning the project:

1. 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 woodworking home occupation is located in an R-1 (One-Family Residence) zoning district which permits home occupations in compliance with the standards set forth in AMC Section 30-2. The proposed use is located in the ancillary space of a two-car garage. No changes are proposed to the garage and the two existing parking spaces will remain. The home occupation will utilize common hand and power tools

such as a table saw, routers, sanders, drills, and chop saws. A dust collection vacuum will be used to collect saw dust. Typical substances used to treat and finish woodwork are shellac flakes, mineral oil, tung oil, and petroleum-based finishes. The woodworking activity has existed on the property as a hobby and this use permit is required only because the applicant wishes to sell his crafts as a home occupation. The proposed woodworking home occupation is incidental to the residential use of the dwelling and is therefore in compliance with standards for a home occupation.

2. The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities. The home occupation will not create any automobile or truck traffic in the vicinity because no customers will be served on the site since the items created will be sold online. The applicant will use his personal pickup truck to transport items that will be shipped to customers. The proposed home occupation does not affect the two existing off-street parking spaces on the site and does not require additional service facilities.

3. The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have substantial deleterious effects on existing business districts or the local economy. The proposed woodworking home occupation is a low-intensity use and will not affect the surrounding properties. The home occupation involves no sales or storage of commercial merchandise other than the handmade products made on the premises. The woodcrafts created onsite range from small household items to household furniture. This home occupation would benefit the local economy and contribute business license revenue to the City. The limited use of power tools allowed only from 9:00 a.m. to 5:00 p.m. Monday through Saturdays, and no work on Sundays are consistent with the standards established in the City's Noise Ordinance per Alameda Municipal Code Section 4-10.5.b.10.

4. The proposed use relates favorably to the General Plan. The property is designated as Low-Density Residential on the General Plan Diagram and Zoning Map. Guiding Policy 2.5.a. in the General Plan encourages providing space for business opportunities that increase Alameda's business potential. This use permit enables a typical backyard hobby to occur in a garage and to make its products available for sale online. This permit does not involve any changes to the existing single-family home or the garage and thus preserves the residential character of the neighborhood. Therefore, the proposed use is consistent with the General Plan.

THEREFORE, BE IT FURTHER RESOLVED THAT, this project has been determined to be Categorical Exempt pursuant to Section 15301 of the CEQA Guidelines, which allows the operation of existing private structures involving negligible expansion of use beyond that which exists.

BE IT FURTHER RESOLVED THAT the Planning Board of the City of Alameda hereby approves Conditional Use Permit, PLN15-0522 allowing the operation of a woodworking home occupation in an approximately 77-square-foot portion of ancillary space in the detached two-car garage at 3273 Thompson Avenue subject to compliance

with the following conditions:

- (1) Compliance with Conditions of Approval: The applicant/property owner shall ensure compliance with all of the following conditions. Failure to comply with any condition may result in land use activities being stopped, issuance of a citation, and/or modification or revocation of the Permit.
- (2) Expiration: The use permit approval shall expire two (2) years after the date of approval unless authorized use of the property has commenced.
- (3) Compliance with State and Local Laws: The approved use is subject to, and shall comply with, all applicable City Ordinances and laws and regulations of other governmental agencies.
- (4) Revocation: The Zoning Administrator, Planning Board and/or City Council shall have the authority to modify or revoke this entitlement upon finding that the maintenance or operation of the proposed establishment violates any of these conditions or is detrimental to persons residing or working in the neighborhood, to property and improvements in the neighborhood or to the general welfare of the City.
- (5) Site Plan: The layout of the home occupation workspace shall be in substantial compliance with the floor plan prepared by Mark Pelzner, received on October 29, 2015 and on file in the office of the City of Alameda Community Development Department.
- (6) Parking: The woodworking home occupation shall not obstruct or eliminate the two required off-street parking spaces in the garage.
- (7) Traffic: There shall be no motor truck commercial vehicle used for the delivery or transportation of the woodcrafts created on the site. The California Department of Motor Vehicles Commercial Vehicle Code Section 410 defines a motor truck as a vehicle designed, used, or maintained primarily for the transportation of property.
- (8) Hours of Operation: The activities related to the subject home occupation may occur from 8:00 a.m. to 6:00 p.m. Monday through Friday, 8:00 a.m. to 5:00 p.m. on Saturdays, and no construction activity shall occur on Sundays consistent with the City Noise Ordinance. Power tools and noise making tools shall only be used from 9:00 a.m. to 5:00 p.m. Monday through Saturday. Any change in business hours shall require the applicant to request and receive City approval for an amendment to this use permit. The use of tools or substances that cause noise, smoke, odors, or vibrations outside of the approved hours of operation is prohibited.
- (9) Indoor Use of Power Tools: Applicant shall only use power tools within the approved ancillary space of the garage and shall close all doors and windows of the garage when using noise-making power tools.
- (10) Noise: All activities conducted onsite shall comply with the City of Alameda's Noise Ordinance. AMC Section 4-10.4 outlines exterior noise standards that applies to the subject single-family residential property, as follows:

NOISE LEVEL, STANDARDS, dB(A)

Category	Cumulative Number of Minutes in Any One (1) Hour Time Period	Daytime (7:00 a.m. to 10:00 p.m.)	Nighttime (10:00 p.m. to 7:00 a.m.)
1*	30	55	50
2	15	60	55
3	5	65	60
4	1	70	65
5	0	75	70

*For example, this means the measured noise level may not exceed fifty-five (55) dB(A) for more than thirty (30) minutes out of any one (1) hour time period.

- (11) Employees: The home occupation shall be carried on only by the members of the household occupying the dwelling with no more than one (1) other person employed, pursuant to AMC Section 30-2.
- (12) **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 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.

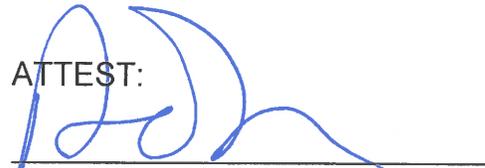
I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 25th day of January, 2016, by the following vote to wit:

AYES: (6) Burton, Henneberry, Knox White, Köster, Mitchell, and Sullivan

NOES: (0)

ABSENT: (1) Zuppan

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

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**CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-16-03**

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING DESIGN REVIEW APPLICATION PLN15-0468 TO CONSTRUCT A NEW COMMERCIAL BUILDING FOR THE BANK OF MARIN ON A 5,000 SQ. FT. SITE AT THE SOUTHWEST CORNER OF THE SOUTH SHORE CENTER, 523 SOUTH SHORE CENTER

WHEREAS, an application was made on September 22, 2015, by Lev Weisbach, architect, representing Jamestown L.P., for design review approval of a new commercial building and associated pedestrian and bicycle and landscape improvements; and

WHEREAS, the application was accepted as complete on December 22, 2015; and

WHEREAS, the project site is located within a C-2-PD, Central Business District, Planned Development Combining Zoning District; and

WHEREAS, Resolution PB-09-06, adopted on April 27, 2009, permits the continued redevelopment of the Alameda Towne Centre, now known as South Shore Center, including up to 657,000 sq. ft. of gross leasable floor area, and mandates new pedestrian, bicycle and transit improvements; and

WHEREAS, a development plan for the expansion of the Alameda Towne Centre by Field Paoli, adopted on April 13, 2009, establishes development phases during which identified pedestrian, bicycle and transit improvements for the Center are mandated; and

WHEREAS, the new building will include 3,000 sq. ft. of gross leasable floor area, thereby reducing the permitted expansion capacity of South Shore Center to 654,000 sq. ft. of gross leasable floor area; and

WHEREAS, the project, as a part of Phase 2 of the development plan, will satisfy the required pedestrian and bicycle improvements for the site by constructing a new sidewalk and installing *bicycle route* stencils; and

WHEREAS, the project is consistent with the Planned Development Amendment, PDA05-0004, approved by the Planning Board on April 27, 2009; and

WHEREAS, Planning Board held a study session on this application on January 11, 2016; and

WHEREAS, Planning Board held a public hearing on this application on February 8, 2016.

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board has made the following findings concerning the Design Review:

1. The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual.

The project has been reviewed for consistency with City development regulations, policies and design guidelines. General Plan policies support the continued improvements to South Shore Center as a regional shopping center. The design is compatible with the surrounding development and will enhance an existing shopping center. The development will encourage the use of alternative modes of transportation by constructing a new sidewalk, providing bicycle parking and stenciling the adjacent street as a Class III bicycle route.

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 project will be constructed on a small infill site and will be of a compatible scale with adjoining buildings, the shopping center as a whole, and nearby residential buildings. It will activate and visually complete a prominent corner of the shopping center and provide an improved pedestrian connection to the shoreline.

3. The proposed design of the structure 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 massing and scale of the proposed building are compatible with the adjacent buildings and the exterior materials, stucco, siding, and glass, and are also in keeping with exterior materials seen in the shopping center. The modern design is divergent from the overall style of the center; however, the architecture provides contrast and interest at this entry corner. The quality of the pedestrian environment will be softened by landscape plantings around the building.

BE IT FURTHER RESOLVED THAT, the project is covered under the Environmental Impact Report for the expansion of the Alameda Towne Centre, certified by the City on October 7, 2008, and none of the circumstances necessitating preparation of additional environmental review as specified in CEQA, including without limitation Public Resources Code Section 21166 and CEQA Guidelines Section 15162, are present in that there are no substantial changes proposed in the project or the circumstances under which the project is undertaken that would require major revisions of the previous EIR due to the involvement of new environmental effects or a substantial increase in the severity of previously identified significant effects; and there is no new information of substantial importance as described in CEQA Guidelines Section 15162(a)(3). All relevant mitigation measures will be incorporated into the project.

BE IT FURTHER RESOLVED THAT the Planning Board of the City of Alameda hereby approves Design Review application PLN15-0468 to construct a new commercial building for the Bank of Marin on a 5,000 sq. ft. site at the southwest corner of the South Shore Center (523 South Shore Center) subject to compliance with the following

conditions:

CONDITIONS OF APPROVAL

1. This approval is valid for two years and will expire on February 8, 2018, unless construction has commenced under valid permits. Please note: The approval may be extended to February 8, 2020, upon submittal of an extension request and the associated fee.
2. Conditions relating to Planning Board Resolution PB-09-06 are incorporated by reference.
3. This approval is limited to the scope of the project defined in the project description and does not represent a recognition and/or approval of any work completed without required City permits.
4. Building Permit Plans: The plans submitted for the building permit shall be in compliance with plans prepared by Lev Weisbach, stamped received on January 26, 2016, which are on file in the office of the City of Alameda Planning Division, except as modified by the conditions in this resolution.
5. These conditions shall be printed on the first page of all building plans and improvement plans.
6. 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 South Shore Center.
7. Window Schedule: Building Permit plans shall incorporate the approved window schedule.
8. Lighting Design: The Building Permit plans shall include final lighting details for all exterior areas and wall surfaces consistent with the plans approved by the Planning Board on February 8, 2016. All exterior lighting shall be shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.
9. Landscape Plans: Landscape plans and irrigation plans for improvements in the public right-of-way and on-site shall be prepared, and signed and stamped as approved, by a licensed landscape architect. The plans shall be compliant with the most recent "Bay Friendly Landscaping Guidelines" and Alameda Municipal Code (AMC) requirements and shall be designed to minimize runoff, promote surface infiltration, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution.
10. Pedestrian Improvements: The Developer shall construct pedestrian improvements in accordance with the Alameda Towne Center masterplan (Field Paoli, 2009) and consistent with the approved project plans. The work shall include construction of a new five-foot wide sidewalk and a two-foot wide planting strip from Shoreline Drive to the intersection of South Shore Center access drive and Franciscan Way, including crosswalks at driveways, and wheelchair ramps. At the northeast corner of Shoreline

Drive and South Shore Center access drive the sidewalk will be reconstructed for better pedestrian access to the crosswalk spanning Shoreline Drive and to the new crosswalk spanning across the Post Office parking lot entry. The Building permit plans shall include engineering drawings for these improvements. The pedestrian improvements shall be completed prior to approval of the final certificate of occupancy.

11. Agreement for Improvements: To guarantee completion of the required on- and off-site pedestrian improvements, the property owner shall enter into an agreement with the City and provide security in a form and amount acceptable to the City prior to approval of the improvement plans or the building permit, whichever comes first.
12. Engineering Plans: The developer shall submit construction improvement plans for all on- and off-site improvements, including detailed designs for all wet and dry utilities, landscaping and irrigation, water, grading, drainage, erosion control, and paving areas. The plans shall be prepared, signed and stamped as approved by a registered civil engineer licensed in the State of California, unless the Public Works Director authorized them to be prepared by some other qualified professional, and be in accordance with the AMC, the City of Alameda Standard Plans and Specifications. The engineer shall also assume responsibility for inspection of the on-site construction work, including but not limited to parking lots, pathways, storm facilities, etc., and shall certify to the City, prior to acceptance of the work or issuance of a final occupancy permit, that the installation of the on-site work (excluding the building and foundation) was constructed in accordance with the approved plans.
13. Shared Lane Markings for Bicycles: Stencils shall be provided on South Shore Center access drive in both directions from Shoreline Drive to Franciscan Way. The centers of the Shared Lane Markings should be 5 feet from the face of the curb, or from the edge of the pavement where there is no curb. The Shared Lane Markings shall be placed immediately after the intersection and be spaced no greater than 250 feet intervals and shall be installed prior to approval of the final certificate of occupancy.
14. Bicycle Racks: The plans submitted for building permit and construction shall identify the location of bicycle rack(s) to the satisfaction of the Community Development Director. Said bicycle rack(s) shall be installed prior to approval of the final certificate of occupancy.
15. Construction Notice: 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.
16. Construction Activity: 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 or noise from heavy machinery such as pile drivers, 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.

17. Dust Control: During construction, the applicant shall ensure that construction crews undertake a program of dust control including, but not limited to, watering soil surfaces as needed to prevent dust blowing, covering trucks carrying materials to and from the site, and frequent clean-up of soil carried by construction vehicle tires from the site onto roadways. Construction activities shall be subject to the requirements of the Alameda Municipal Code, which restricts construction to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturday. Design specifications shall incorporate Waste Management and Recycling elements for building and site demolition debris.
18. A site inspection to determine compliance with this Design Review Approval is required prior to the final building inspection and/or to the issuance of a Certificate of Occupancy. The applicant shall notify the Community Development Department at least four days prior to the requested Planning Inspection dates.
19. The final plans, submitted for Building Permit approval, shall conform to all applicable codes and guidelines.
20. Any additional exterior changes shall be submitted to the Community Development Department for review and approval prior to construction.
21. Indemnification: The applicant, or its successors in interest, 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 against the City of Alameda, Alameda City Planning Board and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the 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 Planning and Building Department a written notice of appeal stating the basis of appeal and paying the required fees.

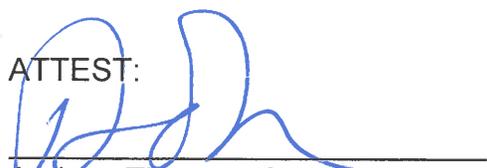
I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 8th day of February, 2016, by the following vote to wit:

AYES: (6) Burton, Henneberry, Knox White, Köster, Mitchell, and Sullivan

NOES: (1) Zuppan

ABSENT: (0)

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

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**CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-16-04**

RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE APPLICATION PLN15-0238 AT 721 SANTA CLARA AVENUE FOR A ZONING MAP AMENDMENT FROM R-5 (GENERAL RESIDENTIAL) TO C-C (COMMUNITY COMMERCIAL) AND GENERAL PLAN MAP AMENDMENT FROM MEDIUM DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL

WHEREAS, the current zoning of the site at 721 Santa Clara Avenue (APN73-420-21) is R-5 (General Residential); and

WHEREAS, the current General Plan designation is Medium Density Residential; and

WHEREAS, properties in the vicinity of 721 Santa Clara Avenue consist of a variety of commercial, parking lot, single-family and multi-family uses; and

WHEREAS, the proposed zoning map change would modify the demarcation between residential and commercial uses on Santa Clara Street off Webster Street; and which pattern exists on other side streets off Webster Street; and

WHEREAS, the proposed General Plan Map Amendment would modify the demarcation between residential and commercial uses on Santa Clara Street off Webster Street; and which pattern exists on other side streets off Webster Street; and

WHEREAS, the project is exempt from the California Environmental Quality Act (CEQA) Guidelines, Section 15303 (c), Conversion of Small Structures with Minor Exterior Modifications. The 1,653 square foot residence will be converted to a restaurant use and is less than the 10,000 square foot threshold in an urbanized area. Minor exterior modifications are anticipated on the east side of the building.

THEREFORE, BE IT RESOLVED that the Planning Board has reviewed the proposed Zoning Map Amendment and finds:

1. **The amendment maintain the integrity of the General Plan.** The proposed zoning map amendment ensures consistency between the General Plan and the Alameda Zoning Map. Both maps will be changed from residential to commercial zoning districts and General Plan designations. The change modifies the demarcation between residential and commercial zoning districts and General Plan designations. The proposed plan would facilitate additional economic development opportunities in the Webster Street core area. General Plan policies 2.5.a,

2.5.d, and 2.5.m as detailed in the staff report, are supportive of this change.

2. **The amendment will support the general welfare of the community.** The proposed zoning map amendment will support the general welfare of the community by supporting a new retail establishment, fostering new development to service the West End of Alameda and supporting Webster Street as a dining center for present and future West End residents.
3. **The amendments are equitable.** The proposed zoning map amendment is equitable in that it is consistent with the General Plan, the City Charter and other City documents. The map amendment facilitates the creation of a new retail resource for the Webster Street commercial corridor.

THEREFORE BE IT FURTHER RESOLVED that the Planning Board has made the following findings relative to the General Plan Amendment:

4. **It is consistent with the policies and intent of the General Plan.** The proposed General Plan diagram amendment is consistent with the policies and intent of the General Plan. The City's General Plan policies focus on five broad themes: policies that strengthen awareness of the City's island setting, its small town feeling, respect for history, de-emphasis of the automobile, and retention of multi-use development on the Northern Waterfront. The General Plan diagram amendment facilitates investment in the vibrant Webster Street and environs. Creating new businesses to service West End residents is a key General Plan goal.
5. **It will have beneficial effects on the general welfare of the community.** The proposed General Plan diagram amendment will provide new economic/retail opportunities within the vital and burgeoning Webster Street retail district. The change of zoning involves a modification in the demarcation of the residential and commercial zone on a portion of Santa Clara Street. A city parking lot, weekly farmer's market, multi-story multi-family buildings, and other retail uses are in the immediate vicinity of this property.
6. **It is in the public interest.** The proposed General Plan diagram amendment will facilitate the development of a new retail establishment in the Webster Street retail district for the public to enjoy.

THEREFORE BE IT FURTHER RESOLVED that the Planning Board of the City of Alameda recommends that the City Council find the Zoning Map Amendment and General Plan Map Amendment are exempt from the California Environmental Quality Act (CEQA) Guidelines, Section 15303 (c), Conversion of Small Structures with Minor Exterior Modifications. The 1,653 square foot residence will be converted to a restaurant use and is less than the 10,000 square foot threshold in an urbanized area. Very minor exterior modifications

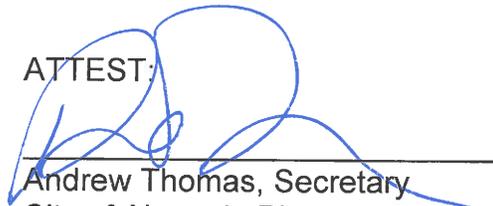
are anticipated on the east side of the building.

BE IT FURTHER RESOLVED that the Planning Board of the City of Alameda recommends that the City Council approve the Zoning Map Amendment for 721 Santa Clara Avenue from R-5 (General Residential) zone to C-C (Community Commercial) zone and General Plan Map Amendment from Medium Density Residential to Community Commercial (APN 073-0420-021).

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 8th day of February, 2016, by the following vote to wit:

AYES: (6) Burton, Henneberry, Knox White, Köster, Mitchell, and Zuppan
NOES: (1) Sullivan
ABSENT: (0)

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-16-05

APPROVING DESIGN REVIEW (PLN 15-0453) FOR BLOCK 11 AND ADJACENT
WATERFRONT STREET WITHIN THE SITE A DEVELOPMENT PLAN IN THE
WATERFRONT TOWN CENTER PLAN AREA AT ALAMEDA POINT

WHEREAS, an application was made on September 22, 2015, 2015 by Alameda Point Partners (APP), for a design review approval of a mixed-use building, referred to as "Block 11," and the adjacent waterfront street within the approved Site A Development Plan in the Waterfront Town Center Precise Plan (Town Center Plan) area of the Alameda Point property; and

WHEREAS, the proposed Block 11 plan consists of 221 multi-family residential units, 22,157 square feet of ground floor retail uses, 296 off-street parking spaces, and a waterfront street "shared plaza" adjacent to Block 11 that provides a transition between Block 11 and the waterfront park; and

WHEREAS, Block 11 is designated as Mixed Use in the General Plan; and

WHEREAS, the Block 11 and the adjacent waterfront street is located within the Alameda Point Waterfront Town Center Sub-district (WTC Sub-district); which is in the Alameda Point District [Alameda Municipal Code (AMC) 30-4.24] of the Zoning Ordinance and

WHEREAS, the Town Center Plan is a Specific Plan pursuant to Government Code Section 65450 et seq. for a transit-oriented development of the waterfront lands that surround the Seaplane Lagoon and the property at the entrance of Alameda Point between Main Street and Seaplane Lagoon;

WHEREAS, Block 11 and the adjacent shared plaza is located within the Site A Development plan approved by the City Council on June 16, 2015;

WHEREAS, the Town Center Plan and the Site A Development Plan requires that the Planning Board approve a Design Review application prior to redevelopment and reuse of Block 11;

WHEREAS, the Planning Board held a public hearing on December 14, 2015, February 22, 2016, and March 14, 2016 for this Design Review application, 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 approval:

DESIGN REVIEW FINDINGS:

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1. **The proposed design is consistent with the General Plan, Zoning Ordinance, Town Center Plan, approved Site A Development Plan, and the City of Alameda Design Review Manual.** The proposed design of a multi-family building with ground floor retail uses on Block 11 and an adjacent waterfront street at the heart of the commercial center along a major transit corridor within Alameda Point's "town center" creates a transit-and pedestrian-oriented higher density mixed-use living environment consistent with the General Plan, Zoning Ordinance, Town Center Plan and Site A Development Plan.

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 proposed design of Block 11 and the adjacent waterfront street and "shared plaza" is compatible with the adjacent Seaplane Lagoon and proposed waterfront park. Block 11 and the adjacent waterfront street front onto the Seaplane Lagoon and the new waterfront park where it will provide a transition between the urban fabric of Alameda Point and the natural environment of the Seaplane Lagoon and the San Francisco Bay. The Block 11 building and adjacent waterfront street are designed to face the water to the south and west of the building and make it as easy as possible for residents of the building and visitors to the building to view the water, walk to the water, and enjoy and appreciate the waterfront location. The waterfront street in front of Block 11 is designed to serve as an extension of the adjacent waterfront park and provide a strong pedestrian-oriented, bicycle friendly, street frontage between the building and the park. Designed without curbs and without asphalt, the "naked street" utilizes paving materials, colors and textures, along with landscaping, to create an inviting public space through which vehicles may slowly pass, a limited number of vehicles may be parked, pedestrians may stroll along and across, and bicyclists may pass through with little concern for speeding vehicles.

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.** The proposed design of Block 11 and the adjacent waterfront street is compatible with the existing buildings and cultural landscape within the adjacent Naval Air Station Alameda Historic District (Historic District). Block 11 and the adjacent waterfront street will provide an architectural transition between the Historic District to the west and the non-historic portions of Alameda Point and Site A to the east. Block 11 maintains the orthogonal street network and view corridors and the adjacent shared street uses a curbless design consistent with the cultural landscape guidelines for the Historic District.

The Block 11 architectural design shares architectural elements, materials and colors that reflect and respect, without replicating, the "Art Moderne" architectural style of some of the most important contributing buildings in the Historic District. Examples of these elements include the strong horizontal lines that define the architectural design of the building, the use of rounded forms on the south west, water-facing corner of the

building, the use of glass and light off-white concrete and stucco materials, and ground floor retail elevation elements that reflect the design of the large multi-pane hangar doors that are important defining features of the adjacent Hanger Row within the Historic District.

- 4. The proposed design exhibits exceptional architectural design and is transit supportive.** The proposed design exhibits exceptional architectural design and is transit supportive, and therefore, may exceed 65' in height (78' at its parapet) consistent with the Town Center Plan and Site A Development Plan. The proposed design is exceptional with the balance it strikes between a unique contemporary design and its homage to the "Art Moderne" design of the existing adjacent buildings within the Historic District; the open façade at the southwestern corner; the use of high-quality glazing and other materials; and the high ceilings and pedestrian scale of the ground floor uses. Additionally, the high-density, multi-family mixed-use building fronting Alameda Point's main bus transit corridor at the heart of the commercial center of the development and within close proximity of the proposed ferry terminal at Seaplane Lagoon create a strong transit supportive project.

BE IT FURTHER RESOLVED that the Planning Board finds that the Alameda Point Project, including the Town Center Plan containing Site A, was adequately considered by FEIR, and that:

1. 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 the Town Center Plan area which contains Site A; and
2. The City Council having certified the FEIR for the Alameda Point Project and the Town Center Plan containing Block 11, based on substantial evidence, that no further review under CEQA is required; and
3. Block 11 architectural design and the adjacent waterfront street are consistent with the General Plan, Zoning Ordinance, Town Center Plan, and Site A Development Plan; and
4. The FEIR was certified by the City Council for the Alameda Point Project, including amendments to the General Plan and Zoning Ordinance, as well as the Town Center Plan; and
5. There are no environmental impacts peculiar to Block 11 that were not analyzed in the FEIR, or any such impact can be substantially mitigated by imposition of uniformly applied development policies or standards previously adopted by the City; and

6. There are no significant effects of the Block 11 and adjacent waterfront street project that were not analyzed as significant effects in the FEIR; and
7. There are no potentially significant off-site impacts of the proposed Block 11 and adjacent waterfront street project and there are no cumulative impacts to which the proposed Block 11 and adjacent waterfront street project makes a considerable contribution which were not discussed in the FEIR; and
8. There are no previously identified significant impacts of the proposed Block 11 and adjacent waterfront street project which, as a result of substantial new information which was not known at the time the EIR was certified, have been determined to have a more severe adverse impact than discussed in the FEIR.

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 Design Review PLN 15-0453, 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 BAR Architects dated February 9, 2016, on file in the office of the City of Alameda Community Development Department.
2. 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.G-5, 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-1e, 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 Block 11 and the adjacent waterfront street within Site A.
3. 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, and the applicant shall submit a Tentative Subdivision Map or Tentative Parcel Map for Block 11 consistent with the Site A Development Plan for review and approval by the Planning Board and City Council. Such maps and infrastructure plans shall be consistent with the Development Plan and the Disposition and Development Agreement (DDA), and subject to the requirements of the AMC, and Alameda Point Master Infrastructure Plan (MIP). Such maps and infrastructure improvement plans shall include a sub-phase plan consistent with the requirements of the

DDA, including the dimensions, cross-sections, and -configuration of all public rights of way, ADA ramps at all intersections and associated ADA improvements. Improvement plans for the development parcel shall include the proposed site grading, drainage improvements and utility and construction.

4. Public Access Easements: The Final Map shall include public access easements on all on-site areas between the face of the building and the adjacent public right of way.
5. Final Alley Design: Prior to issuance of building permits, the applicant shall submit a final design for the alley between Block 11 and Block 10 with the Design Review application for Block 10. The design plan shall specify the dimensions, cross-section, and configuration of the public right of way and intersection with West Atlantic Avenue and specify the location and extent of any vehicular access that will be provided between the two blocks and between West Atlantic Avenue and the proposed public parking area behind Block 11. The design plan shall also illustrate any required changes to the eastern elevation of Block 11 which might be necessary to accommodate the preferred design plan, which may be approved by the Planning Board upon approval of the preferred design.
6. Final Design Details. Prior to issuance of a building permit, the applicant shall submit the following final design detail for Planning Board review and approval:
 - a. Final street tree, street lights, street signage, and street furniture design details.
 - b. Final shared plaza design details, such as bollard placement, pavement details, and tree placement to create a successful shared space where pedestrians, bicyclists, and people in automobile may slowly and safely move through and enjoy the space.
 - c. Final building signage and on-site building lighting.
 - d. Final window details showing a minimum of a two and one half inch recess between the face of the window glass and the exterior face of the adjacent wall.
 - e. Final materials and colors board.
7. Affordable Housing: Prior to the issuance of the Building Permit, the project applicant shall submit an affordable housing compliance report documenting progress on implementation of the executed Affordable Housing Implementation Plan included within the DDA with the City of Alameda for Site A.
8. Commercial Uses. All ground floor commercial spaces shown on the plans shall be reserved for retail and commercial, non-residential uses. All retail and commercial land uses shall be consistent with the land use requirements of the Site A Development Plan and Town Center Plan. The ground floor southwestern corner of the Block 11 building shall be reserved for a restaurant use. The modification of the number of retail or commercial units, the size and configuration of the retail or commercial floor plates and the location of doorways and display windows is subject to approval by the Community Development Director.

9. Automobile Parking: The parking garage structure shall allow for cost-effective expansion of electric car charging stations to additional stalls as demand warrants and shall meet the latest applicable codes as they relate to electric car charging. The Building Plans shall also provide details such as warning lights and alarms to ensure safe pedestrian crossings at the on-site driveways into the parking garages.
10. Parking Management: The Project CC&Rs shall be recorded on the property and shall specify that the on-site parking shall be leased independently from the residential units and commercial tenant spaces consistent with the Town Center Plan and DDA.
11. Sea Level Rise: Prior to Building Permit approval, a description of the improvements shall be provided to ensure that any new habitable buildings will be constructed at a minimum elevation of 24 inches above the 100-year tidal flood plan elevation.
12. Naval Air Station Alameda Historic District Certificate of Approval: Prior to issuance of a building permit or site improvement permit, for any portion of Block 11 or the adjacent waterfront street, the applicant shall submit all final proposed changes to the cultural landscape to the Historical Advisory Board for review and approval. All building plans and site improvement plans submitted for permits within the Historic District shall be reviewed for compliance with the Historic District and Cultural Landscape Guidelines, the Secretary of Interior Standards for the Rehabilitation of Historic Structures, and AMC Section 13-21 Preservation of Historical and Cultural Resources by the City of Alameda Historical Advisory Board.
13. 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.
14. Public Trust Exchange Act and Agreements: All use of land immediately to the south of Block 11 including the sidewalk in front of Block 11 on Public Trust Lands shall be subject to the public trust for commerce, navigation and fisheries and shall be reviewed for consistency with the Naval Air Station Alameda Public Trust Exchange Act, Chapter 734, Statutes of 2000, as amended by Chapter 429, Statutes of 2011 and the Naval Air Station Alameda Exchange Agreement regarding Public Trust Lands at Alameda Point.
15. Modifications: Minor project design details requested by the applicant may be established, modified, and approved by the Community Development Director. Engineering standards and specifications requested by the applicant may be established, modified and approved by the Public Works Director, or his designee. Major modifications that are not consistent with this design review approval or these conditions shall be subject to review and approval of the Planning Board.
16. 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 Bay Conservation and Development Commission (BCDC), Regional Water Quality Control Board (Water Board), including a possible 401 Certification for the construction of a stormwater outfall, and/or the Army Corp. of Engineers, if any, have been obtained. The final improvement plans shall incorporate all other agency requirements.

Biological

17. 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 Block 11.
18. 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 Block 11.
19. 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 11.
20. Lighting: Pedestrian and vehicular lighting at all intersections and project driveways shall meet Alameda Municipal Power standards for crosswalks, sidewalks, and intersections and be consistent with the Declaration and Alameda Point Lighting Mitigation Measures.
21. Service Review of Stormwater Plans. All stormwater management and monitoring plans for Block 11 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

22. Landscape Plans: The improvement plans shall include landscape and irrigation plans for both on-site and off-site improvements consistent with the Town Center Plan and MIP, including shoreline flood and sea-level rise protection improvements, as required by the MIP and DDA. The plans shall be prepared, signed, and stamped by a licensed landscape architect and civil engineer for flood and sea-level rise protection improvements 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 in the public right-of-way was constructed in accordance with the approved plans.

23. 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.
24. 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 commercial spaces.
25. 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 access roads shall have a minimum fire lane width of 26' unobstructed for buildings taller than 30'. Should parking within the fire lane be required, the fire lane width shall be increased as required to meet fire access requirements.
26. 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.
27. Geotechnical Report: A geotechnical report, including recommendations, shall be prepared by a registered geotechnical engineer licensed in the State of California. The improvement plans shall incorporate all geotechnical recommendations in the report and be consistent with the MIP and DDA. 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

28. Funding and Maintenance Agreement. Prior to issuance of a building permit or site

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improvement permit for the waterfront street, the applicant must have entered into a funding and maintenance agreement with the City of Alameda for the private funding and maintenance of the waterfront street, including performance standards, consistent with the plan contained in the design review approval.

29. Maintenance: Maintenance of improvements not within the public ROW shall be the responsibility of the new development.
30. 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.
31. 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.
32. 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 11 shall be approved by the Public Works Director.

Water Quality

33. 401 Certifications Conditions. The development of Block 11 and the shared street must be designed and constructed to comply with all of the 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.
34. Final Stormwater Management Plan: The improvement plans shall incorporate a Final Stormwater Management Plan for Block 11 and the shared street, 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 401 Certification Conditions, the Site A Stormwater Management Plan (Site A SWMP), the preliminary stormwater management plan for Block 11 and the shared street attached to this application, 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, the Site A SWMP, the preliminary stormwater management plan for Block 11 and the shared street, 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 stormwater treatment system if sized to handle the flow. 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.

35. Prior to approval of the improvement plans, the applicant shall submit a completed Special Projects Worksheet for the non-LID Storm water treatment system(s) for review and approval by the Public Works Director, and the applicant shall certify that the remaining stormwater treatment measures (not located on-site) but required to meet the Block's C-3 responsibilities, satisfies the overall storm water management requirements for the block.
36. Water Board Approval. Pursuant to Condition #15 of the 401 Certification Conditions, the applicant shall submit the proposed Site A 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 Site A development, including Block 11 and the shared street. If the Water Board staff does not respond to the applicants Site A 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 Site A SWMP.
37. Other Water Board Documents: The applicant/developer shall provide to the City Engineer or his designee, prior to the issuance of the first combination building/grading permit, a copy of both the WDID# issued to the project site by Water Board and the required Storm Water Pollution Prevention Plan (SWPPP). These documents shall provide verification to the City that the project site is in compliance with SWRCB Order No. 2009-0009-DWQ. Information on this State Order is available at: <http://www.waterboards.ca.gov>.
38. 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.

39. Hydro Seeding: Hydro seeding of 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.
40. 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.
41. 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.
42. 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.
43. 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.

44. 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 Site A SWMP, the preliminary stormwater management plan for Block 11 and the adjacent shared street, and 401 Certification Conditions
45. 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).

Solid Waste

46. 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.
47. Green Halo: Within thirty (30) days after the completion of the demolition work, the developer shall submit a Summary Report to the Public Works Environmental Services Division, via Green Halo (greenhalosystems.com) or other form approved by the Public Works Director. For approval, this reporting will specify actual tonnages disposed and/or recycled for each material, and the actual destination/processor. Disposal and/or recycling weight tags from that facility or facilities will be directly uploaded to Green Halo to verify this activity.
48. 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.

49. 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

50. 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.
51. 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.
52. 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.
53. 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.

54. 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.
55. 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.
56. 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.
57. 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

58. 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)

59. The applicant shall comply to AMP's Rules and Regulations as stated in Article X and AMP's "Material and Installation Criteria for Underground Electrical Systems" (both available at www.alamedamp.com) and provide completed "Service Planning Sheets" for AMP's review prior to submitting plans for building permits.
60. The applicant shall provide information on the location of transformers and total load in kilowatts or kilowatt/volts (KVA) to AMP for approval prior to building permit issuance. If necessary, the applicant shall provide (at no charge to AMP) an easement and access to all AMP facilities on the property prior to issuance of building permits.
61. Concurrent with submittal of Improvement Plans, the Applicant shall coordinate with 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.
62. The Applicant shall provide and install street lighting consistent with AMP's standard specifications and AMP's "Material and Installation Criteria for Underground Electrical Systems". Cobra head light fixtures shall not be used for street lights and all street lights shall be designed to preserve "dark skies" and direct light downward toward the public right of way. No signs shall be installed or mounted on street light poles owned and/or maintained by AMP. All new signs shall be installed on dedicated sign posts.
63. Applicant/Developer shall have all streetlights included in the Improvement Plans, installed, fully functional and operating prior to issuance of a Certificate of Occupancy for any building unless a phasing plan is approved by the Director of Public Works. Applicant/Developer shall pay to AMP the sum of Six Dollars (\$6.00 as adjusted no more than annually for inflation) per streetlight per month, or portion of a month, for the streetlight energy costs until the applicable improvements are accepted for maintenance by City.
64. The Applicant shall be required to furnish two streetlight poles and LED fixtures of each type installed, at no cost, to AMP as a stock for future pole/fixture replacement on public street. If AMP agrees to maintain private streetlights, the Applicant/Developer shall also be required to furnish two additional streetlight assemblies (e.g. pole, fixture, arm, shroud, etc) of each type.
65. All public streets shall be lit with LED lighting. Streetlight layout shall be staggered for a more uniform light distribution. Applicant/Developer can provide alternate design if a better efficient light distribution is met. Applicant/Developer shall use AMP LED standard fixtures. LED streetlight fixtures shall offer tri-level lighting with the mid-level setting meeting IES RP-8-14.

66. 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. Existing Alameda Point electric substructures will NOT be re-used.
67. The Applicant shall provide an easement for electric utility vehicle access to AMP's Cartwright Station. The easement shall encompass the entire perimeter of the substation, including buildings and exterior yards with a 25-foot minimum clearance from any structure (above or below grade), wall and fence. Applicant shall avoid planting any trees that will grow in fullness to the point they may encroach into the perimeter easement.
68. The Applicant/Developer 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.
69. Applicant/Developer will be required to provide an oil containment facility for all AMP owned pad-mount distribution switches and/or transformers installed within 100-feet of any body of water or in other critical locations. Applicant/Contractor shall contact AMP to verify all dimensions, elevations, and orientation before commencing work.
70. The Applicant shall furnish and install code-size service cables in code-size conduit from each customer electric meter switchgear 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.
71. 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.
72. 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.
73. 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.

74. The Applicant/developer 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.

75. The Applicant/developer 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 14th day of March, 2016, by the following vote to wit:

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AYES: (5) Knox White, Köster, Henneberry, Sullivan and Zuppan
NOES: (0)
ABSENT: (1) Mitchell
RECUSE: (1) Burton

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

* * * * *

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-16-06

APPROVING DESIGN REVIEW (PLN 16-0036) FOR THE PHASE 1 WATERFRONT
PARK WITHIN THE SITE A DEVELOPMENT PLAN IN THE WATERFRONT TOWN
CENTER PLAN AREA AT ALAMEDA POINT

WHEREAS, an application was made on January 21, 2016 by Alameda Point Partners (APP), for a design review approval of Phase 1 of the waterfront park within the approved Site A Development Plan in the Waterfront Town Center Precise Plan (Town Center Plan) area of the Alameda Point property; and

WHEREAS, the proposed plan for Phase 1 of the waterfront park consists of 2.63-acre waterfront park along the northern edge of the Seaplane Lagoon, including expensive shoreline and flood protection improvements (Phase 1 Waterfront Park); and

WHEREAS, the Phase 1 Waterfront Park represents the first phase of a larger 7.2-acre waterfront park along the northern edge of the Seaplane Lagoon and is designed to meet the community's design objectives established by the Alameda community through the Community Reuse Plan, the General Plan, the Town Center Plan, the Site A Development Plan, and the cultural landscape guidelines for the Naval Air Station Alameda Historic District (Historic District);

WHEREAS, the Phase 1 Waterfront Park is designated as Mixed Use in the General Plan; and

WHEREAS, the Phase 1 Waterfront Park is located within the Alameda Point Waterfront Town Center Sub-district (WTC Sub-district); which is in the Alameda Point District [Alameda Municipal Code (AMC) 30-4.24] of the Zoning Ordinance and

WHEREAS, the Town Center Plan is a Specific Plan pursuant to Government Code Section 65450 et seq. for a transit-oriented development of the waterfront lands that surround the Seaplane Lagoon and the property at the entrance of Alameda Point between Main Street and Seaplane Lagoon;

WHEREAS, the Phase 1 Waterfront Park is located within the Site A Development plan approved by the City Council on June 16, 2015;

WHEREAS, the Town Center Plan and the Site A Development Plan requires that the Planning Board approve a Design Review application prior to redevelopment and reuse of the Phase 1 Waterfront Park;

WHEREAS, the Planning Board held a public hearing on January 11, 2015, February 22, 2016, and on March 14, 2016 for this Design Review application, and examined pertinent maps, drawings, and documents;

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NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that the following findings can be made in support of the Design Review approval:
DESIGN REVIEW FINDINGS:

- 1. The proposed design is consistent with the General Plan, Zoning Ordinance, Town Center Plan, approved Site A Development Plan, and the City of Alameda Design Review Manual.** The proposed design of a waterfront park along the northern edge of the Seaplane Lagoon at the heart of the commercial center and at the terminus of a major transit corridor within Alameda Point's "town center" creates a community-wide amenity for existing and future residents and employees at Alameda Point and throughout the City of Alameda, and supports a transit-and pedestrian-oriented mixed-use living environment consistent with the General Plan, Zoning Ordinance, Town Center Plan and Site A Development Plan.
- 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 proposed design of the Phase 1 Waterfront Park is compatible with the adjacent Seaplane Lagoon; the future phases of Waterfront Park contemplated in the Site A Development Plan and the Town Center Plan; the "shared plaza" in front of Block 11 and the proposed development on Block 11. The urban character and hardscape promenade proposed for the design of the Phase 1 Waterfront Park and the adjacent shared waterfront street to the east provide a transition between the urban fabric of Block 11 and the rest of Alameda Point to the east and the more natural and passive environment planned for the future phases of waterfront park along the Seaplane Lagoon to the west.

The Phase 1 Waterfront Park is also designed to provide a variety of public spaces for passive recreation and opportunities for the public to enjoy the waterfront location and special events, and appreciate the views of the San Francisco skyline and the historic row of Seaplane Hangar buildings at the entrance to the Historic District, along the northern edge of the Seaplane Lagoon.

- 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.** The proposed design of the Phase 1 Waterfront Park is compatible with the existing buildings and cultural landscape within the Historic District and the adjacent Site A development. The design of the Phase 1 Waterfront Park pays homage and respect to the historic cultural landscape elements of the former NAS Alameda by engraving a timeline along the major east west gathering area into the concrete to remind and educate the public about the history of the site and the Historic District, and by minimizing tree plantings and planted areas to preserve the flat, "openness" of the historic taxiways consistent with the Historic District guidelines. The Phase 1 Waterfront Park will provide a landscape

transition between the Historic District to the west and the non-historic portions of Alameda Point and Site A to the east.

While the Phase 1 Waterfront Park design addresses flood protection and sea-level rise, it also maintains the "horizontality" of the space and minimizes the use of walls in order to respect the cultural landscape guidelines for the Historic District. Additionally, the sea level rise strategy is designed around a series of short terraces spread over a larger space to minimize the impression of changes in elevation. This approach also allows for the preservation of the existing bulkhead, which is a character defining feature of the Historic District.

BE IT FURTHER RESOLVED that the Planning Board finds that the Alameda Point Project, including the Town Center Plan containing Site A, was adequately considered by FEIR, and that:

1. 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 the Town Center Plan area which contains Site A; and
2. The City Council having certified the FEIR for the Alameda Point Project and the Town Center Plan containing the Phase 1 Waterfront Park, based on substantial evidence, that no further review under CEQA is required; and
3. The Phase 1 Waterfront Park landscape design is consistent with the General Plan, Zoning Ordinance, Town Center Plan, and Site A Development Plan; and
4. The FEIR was certified by the City Council for the Alameda Point Project, including amendments to the General Plan and Zoning Ordinance, as well as the Town Center Plan; and
5. There are no environmental impacts peculiar to the Phase 1 Waterfront Park that were not analyzed in the FEIR, or any such impact can be substantially mitigated by imposition of uniformly applied development policies or standards previously adopted by the City; and
6. There are no significant effects of the Phase 1 Waterfront Park project that were not analyzed as significant effects in the FEIR; and
7. There are no potentially significant off-site impacts of the Phase 1 Waterfront Park project and there are no cumulative impacts to which the Phase 1

Waterfront Park project makes a considerable contribution which were not discussed in the FEIR; and

8. There are no previously identified significant impacts of the Phase 1 Waterfront Park which, as a result of substantial new information which was not known at the time the EIR was certified, have been determined to have a more severe adverse impact than discussed in the FEIR.

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 Design Review PLN 16-0036, 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 April Philips Design Works dated February 22, 2016, on file in the office of the City of Alameda Community Development Department.
2. 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-1c, -4.D-2, 4.D-3, 4.D-4, 4.E-1b, 4.E-2c, 4.E-4b, 4.E-4f, 4.F-1a, 4.F-1b, 4.F-1c, 4.F-1d, 4.F-2, 4.G-1a, 4.G-1b, 4.G-1c, 4.G-1d, 4.G-4, 4.H-1, 4.H-2, 4.H-3, 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-1e, 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 the Phase 1 Waterfront Park within Site A.
3. Subdivision Maps: Prior to issuance of building permits for new construction or approval of the infrastructure improvement plans, the applicant shall submit a Tentative Subdivision Map or Tentative Parcel Map for the Phase 1 Waterfront Park consistent with the Site A Development Plan for review and approval by the Planning Board and City Council. Such map shall be consistent with the Development Plan and the DDA, and subject to the requirements of the AMC, and Alameda Point Master Infrastructure Plan (MIP), and such maps shall provide the dimensions of all proposed rights of way, public open space, and development parcels and include the proposed site grading, drainage improvements and utility and infrastructure phasing.
4. Design Development Submittals: Prior to issuance of a building permit or site improvement permit for any portion of the Phase 1 Waterfront Park, the applicant shall submit the following materials for Planning Board review and approval:
 - Final design details for park lighting, directional and Bay Trail signs, tree selections, plant materials, fixtures, and furnishings, including water fountains and trash enclosures consistent with the MMRP. The submittal must be consistent with Alameda

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Municipal Power and Recreation and Park Department standards, and demonstrate how the lighting, plant palette, fixtures, and furnishings will be resilient to flooding and sea-level rise, and skateboards.

- Final design details for the “Pavilion” and the “Sunset Platform” proposed within the “Overlook” area.
- Final design details for the bulkhead edge adjacent to the water. The submittal will provide a variety of alternative designs and a recommended design to ensure a safe environment along the promenade for children and site impaired visitors. At least one alternative shall include an attractive railing design with examples of different potential railing designs.
- Final plans for the sea level rise adaptive management strategy or changes to the plans that may have arisen as the result of any final conditions imposed by the Bay Conservation and Development Commission permit for the improvements. The plans shall be included in the Building Permit plans and shall show how the Phase 1 Waterfront Park sea level rise protection zone will be constructed at a minimum elevation of 24 inches above the 100-year tidal flood plan elevation (currently at 3.6) consistent with the design review approval and how the plan may be adapted at a future date to address increases in sea level rise above 24 inches, and any modifications required to the park design as a result of the future adaptive management strategies.

5. Public Art Approval. Prior to issuance of a building permit or site improvement permit for any portion of the Phase 1 Waterfront Park, the applicant must obtain approval from the Public Art Commission of the public art planned for the “Taxiway” area of the Phase 1 Waterfront Park.
6. Subsequent Design Review Approvals. New buildings associated with the “Future Development Pads” shown in the “Taxiway” area and any modifications to enclose the “Pavilion” in the “Overlook” area will be subject to future design review approval by the Planning Board.
7. 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.
8. Sea Level Rise: The Building Permit submittal shall include a description of the flood and sea-level rise protection improvements to be constructed at a minimum elevation of 24 inches above the 100-year tidal flood plan elevation (currently at 3.6) consistent with the design review approval.
9. Naval Air Station Alameda Historic District Certificate of Approval: Prior to issuance of a building permit or site improvement permit for any portion of the Phase 1 Waterfront Park, the applicant shall submit all final proposed changes to the cultural landscape to the Historical Advisory Board for review and approval. All building plans and site improvement plans submitted for permits within the Historic District shall be reviewed for compliance with the Historic District and Cultural Landscape Guidelines, the Secretary of

Interior Standards for the Rehabilitation of Historic Structures, and AMC Section 13-21 Preservation of Historical and Cultural Resources by the City of Alameda Historical Advisory Board.

10. Public Trust Exchange Act and Agreements: All use of land within the Phase 1 Waterfront Park on Public Trust Lands shall be subject to the public trust for commerce, navigation and fisheries and shall be reviewed for consistency with the Naval Air Station Alameda Public Trust Exchange Act, Chapter 734, Statutes of 2000, as amended by Chapter 429, Statutes of 2011 and the Naval Air Station Alameda Exchange Agreement regarding Public Trust Lands at Alameda Point.
11. Modifications: Minor project design details requested by the applicant may be established, modified, and approved by the Community Development Director. Engineering standards and specifications requested by the applicant may be established, modified and approved by the Public Works Director, or his designee. Major modifications that are not consistent with this design review approval or these conditions shall be subject to review and approval of the Planning Board.
12. 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 Bay Conservation and Development Commission (BCDC), 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

13. 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 Phase 1 Waterfront Park.
14. 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 Phase 1 Waterfront Park.
15. 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 Phase 1 Waterfront Park.
16. Lighting: Pedestrian and vehicular lighting at all intersections and project driveways shall meet Alameda Municipal Power standards for crosswalks, sidewalks, and intersections and be consistent with the Declaration and Alameda Point Lighting Mitigation Measures.

17. Service Review of Stormwater Plans. All stormwater management and monitoring plans for the Phase 1 Waterfront Park 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

18. Landscape Plans: The improvement plans shall include landscape and irrigation plans for both on-site and off-site improvements consistent with the Town Center Plan and MIP, including shoreline flood and sea-level rise protection improvements, as required by the MIP and DDA. The plans shall be prepared, signed, and stamped by a licensed landscape architect and civil engineer for flood and sea-level rise protection improvements 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 in the public right-of-way was constructed in accordance with the approved plans.
19. 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.
20. Fire Sprinklers: The improvement plans and building permit plans shall include fire sprinkler systems within each commercial space.
21. 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 access roads shall have a minimum fire lane width of 26' unobstructed for buildings taller than 30'. Should parking within the fire lane be required, the fire lane width shall be increased as required to meet fire access requirements.

22. 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.
23. Geotechnical Report: A geotechnical report, including recommendations, shall be prepared by a registered geotechnical engineer licensed in the State of California. The improvement plans shall incorporate all geotechnical recommendations in the report and be consistent with the MIP and DDA. 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

24. Funding and Maintenance Agreement. Prior to issuance of a building permit or site improvement permit for any portion of the Phase 1 Waterfront Park, the applicant must have entered into a funding and maintenance agreement with the City of Alameda for the private funding and maintenance of the Phase 1 Waterfront Park, including performance standards, consistent with the plan contained in the design review approval.
25. 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.
26. 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.
27. 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 the Phase 1 Waterfront Park shall be approved by the Public Works Director.

Water Quality

28. 401 Certifications Conditions. The development of the Phase 1 Waterfront Park must be designed and constructed to comply with all of the 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.
29. Final Stormwater Management Plan: The improvement plans shall incorporate a Final

Stormwater Management Plan for the Phase 1 Waterfront Park, 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 401 Certification Conditions, the Site A Stormwater Management Plan (Site A SWMP), the preliminary stormwater management plan for the Phase 1 Waterfront Park attached to this application, 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, the Site A SWMP, the preliminary stormwater management plan for the Phase 1 Waterfront Park, 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.

30. Water Board Approval. Pursuant to Condition #15 of the 401 Certification Conditions, the applicant shall submit the proposed Site A 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 Site A development, including the Phase 1 Waterfront Park. If the Water Board staff does not respond to the applicants Site A 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 Site A SWMP.
31. Other Water Board Documents: The applicant/developer shall provide to the City Engineer or his designee, prior to the issuance of the first combination building/grading permit, a copy of both the WDID# issued to the project site by Water Board and the required Storm Water Pollution Prevention Plan (SWPPP). These documents shall provide verification to the City that the project site is in compliance with SWRCB Order No. 2009-0009-DWQ. Information on this State Order is available at: <http://www.waterboards.ca.gov>.
32. 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.

33. Hydro Seeding: Hydro seeding of 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.
34. Storm Water Trash Capture: Prior to the issuance of the first grading/building/completion permit for each project phase, the Improvement Plans shall indicate the storm water trash capture measure(s) being installed on the project site 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.
35. 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.
36. 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.
37. 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.

38. 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 Site A SWMP, the preliminary stormwater management plan for the Phase 1 Waterfront Park, and 401 Certification Conditions

39. 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).

Solid Waste

40. 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.

41. Green Halo: Within thirty (30) days after the completion of the demolition work, the developer shall submit a Summary Report to the Public Works Environmental Services Division, via Green Halo (greenhalosystems.com) or other form approved by the Public Works Director. For approval, this reporting will specify actual tonnages disposed and/or recycled for each material, and the actual destination/processor. Disposal and/or recycling weight tags from that facility or facilities will be directly uploaded to Green Halo to verify this activity.

42. 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.

43. 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

44. 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.
45. 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.
46. 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.
47. 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.

48. 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.
49. 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.
50. 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.
51. 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

52. 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)

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53. The applicant shall comply to AMP's Rules and Regulations as stated in Article X and AMP's "Material and Installation Criteria for Underground Electrical Systems" (both available at www.alamedamp.com) and provide completed "Service Planning Sheets" for AMP's review prior to submitting plans for building permits.
54. The applicant shall provide information on the location of transformers and total load in kilowatts or kilowatt/volts (KVA) to AMP for approval prior to building permit issuance. If necessary, the applicant shall provide (at no charge to AMP) an easement and access to all AMP facilities on the property prior to issuance of building permits.
55. Concurrent with submittal of Improvement Plans, the Applicant shall coordinate with 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.
56. The Applicant shall provide and install street lighting consistent with AMP's standard specifications and AMP's "Material and Installation Criteria for Underground Electrical Systems". All street lights shall be designed to preserve "dark skies" and direct light downward toward the public right of way. No signs shall be installed or mounted on street light poles owned and/or maintained by AMP. All new signs shall be installed on dedicated sign posts.
57. Applicant/Developer shall have all streetlights included in the Improvement Plans, installed, fully functional and operating prior to issuance of a Certificate of Occupancy for any building unless a phasing plan is approved by the Director of Public Works. Applicant/Developer shall pay to AMP the sum of Six Dollars (\$6.00 as adjusted no more than annually for inflation) per streetlight per month, or portion of a month, for the streetlight energy costs until the applicable improvements are accepted for maintenance by City.
58. The Applicant shall be required to furnish two streetlight poles and LED fixtures of each type installed, at no cost, to AMP as a stock for future pole/fixture replacement on public street. If AMP agrees to maintain private streetlights, the Applicant/Developer shall also be required to furnish two additional streetlight assemblies (e.g. pole, fixture, arm, shroud, etc) of each type.
59. All public streets shall be lit with LED lighting. Streetlight layout shall be staggered for a more uniform light distribution. Applicant/Developer can provide alternate design if a better efficient light distribution is met. Applicant/Developer shall use AMP LED standard fixtures. LED streetlight fixtures shall offer tri-level lighting with the mid-level setting meeting IES RP-8-14.
60. The Applicant shall provide all necessary underground substructures, including conduits, pull boxes, electric utility equipment pads, etc. per the AMP specifications. AMP will

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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. Existing Alameda Point electric substructures will NOT be re-used.

61. The Applicant shall provide an easement for electric utility vehicle access to AMP's Cartwright Station. The easement shall encompass the entire perimeter of the substation, including buildings and exterior yards with a 25-foot minimum clearance from any structure (above or below grade), wall and fence. Applicant shall avoid planting any trees that will grow in fullness to the point they may encroach into the perimeter easement.
62. The Applicant/Developer 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.
63. Applicant/Developer will be required to provide an oil containment facility for all AMP owned pad-mount distribution switches and/or transformers installed within 100-feet of any body of water or in other critical locations. Applicant/Contractor shall contact AMP to verify all dimensions, elevations, and orientation before commencing work.
64. The Applicant shall furnish and install code-size service cables in code-size conduit from each customer electric meter switchgear to the nearest secondary pull box (or Service Point) in the public right-of-way, as designated by AMP. AMP will connect the service to the distribution transformer or to the secondary distribution system.
65. The 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.
66. Prior to issuance of Certificate of Occupancy, the Applicant shall furnish and install service equipment for each building. The service equipment shall meet Electric Utility Service Equipment Requirement Committee (EUSERC) standards. Electric meter(s) shall be located as close as practicable to the point of entry of the service-entrance conductors to the building. Outdoor meter locations are preferred. When meters are located within a building, the meter room shall be directly accessible from the exterior of the building. No remote metering.
67. Concurrent with acceptance of work by City Council, the applicant/developer shall dedicate and AMP shall take over ownership and will be responsible for maintaining all new substructures for under grounding primary and secondary circuits, and distribution transformers once the improvements have been inspected by AMP and found to have been properly installed. The Applicant or successor property owner(s) shall be responsible for the service cables and service equipment.
68. The Applicant/developer shall be responsible for all expenses involved in the duct/joint

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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.

69. The Applicant/developer 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 14th day of March, 2016, by the following vote to wit:

AYES: (5) Knox White, Köster, Henneberry, Sullivan and Zuppan
NOES: (0)
ABSENT: (1) Mitchell
RECUSE: (1) Burton

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

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CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-16-07

APPROVING DESIGN REVIEW (PLN 15-0451) FOR BLOCK 8 WITHIN THE SITE A
DEVELOPMENT PLAN IN THE WATERFRONT TOWN CENTER PLAN AREA AT
ALAMEDA POINT

WHEREAS, an application was made on September 22, 2015, 2015 by Alameda Point Partners (APP), for a design review approval of two residential buildings for an affordable housing project serving low-income families and seniors, referred to as "Block 8" within the approved Site A Development Plan in the Waterfront Town Center Precise Plan (Town Center Plan) area of the Alameda Point property; and

WHEREAS, the proposed Block 8 plan consists of 130 multi-family residential units restricted to very-low and low-income households, approximately 3,500 square feet of community and amenity uses, 98 off-street parking spaces, and approximately 15,000 square feet of courtyard and roof deck space; and

WHEREAS, Block 8 is designated as Mixed Use in the General Plan; and

WHEREAS, the Block 8 is located within the Alameda Point Waterfront Town Center Sub-district (WTC Sub-district); which is in the Alameda Point District [Alameda Municipal Code (AMC) 30-4.24] of the Zoning Ordinance and

WHEREAS, the Town Center Plan is a Specific Plan pursuant to Government Code Section 65450 et seq. for a transit-oriented development of the waterfront lands that surround the Seaplane Lagoon and the property at the entrance of Alameda Point between Main Street and Seaplane Lagoon;

WHEREAS, Block 8 is located within the Site A Development plan approved by the City Council on June 16, 2015;

WHEREAS, the Town Center Plan and the Site A Development Plan requires that the Planning Board approve a Design Review application prior to redevelopment and reuse of Block 8;

WHEREAS, the affordable housing project planned for Block 8 helps the applicant meet their very low- and low-income affordable housing obligations pursuant to the City's Inclusionary Housing Ordinance, Density Bonus Regulations and the Renewed Hope Settlement Agreement;

WHEREAS, the Planning Board held a public hearing on January 11, 2016, February 22, 2016, and March 14, 2016, for this Design Review application, and examined pertinent maps, drawings, and documents;

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

DESIGN REVIEW FINDINGS:

- 1. The proposed design is consistent with the General Plan, Zoning Ordinance, Town Center Plan, approved Site A Development Plan, and the City of Alameda Design Review Manual.** The proposed design of a multi-family building on Block 8 for an affordable housing project at the heart of the commercial center along a major transit corridor within Alameda Point's "town center" creates a transit-and pedestrian-oriented higher density mixed-income living environment consistent with the General Plan, Zoning Ordinance, Town Center Plan and Site A Development Plan.
- 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 proposed design of Block 8 is compatible with the residential uses proposed on the adjacent blocks in the Site A Development Plan. Block 8 will provide a transition between the townhomes proposed to the east on Blocks 6 and 7 and the higher density residential uses proposed on Blocks 9 and 11 to the west. The southern building on Block 8 fronts West Atlantic Avenue, the main transit corridor, and the community amenity spaces are planned for the ground floor to create an active pedestrian environment along West Atlantic Avenue. The northern building fronting on G Street maintains its entrance and a ground floor that creates a pedestrian scaled environment as an appropriate transition to the active neighborhood park across the street. Additionally, the mid-block parklet creates a harmonious transition and common area for interaction between the senior and family housing projects on Block 8. The parklet also provides an inviting connection between Block 7 to the east and Block 9 to the west, tying the blocks together through common open spaces.
- 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.** The proposed design of Block 8 draws inspiration from design elements of the existing buildings near and within the Naval Air Station Alameda Historic District. The Block 8 architectural design shares architectural elements, materials and colors that reflect and respect, without replicating, the architectural elements of some of the most important contributing buildings in the Historic District. Examples of these elements include the strong horizontal lines that define the architectural design of the building, the use of strong vertical elements near the corner on the south west, and the use of industrial materials similar to the hangars along the Seaplane Lagoon.

BE IT FURTHER RESOLVED that the Planning Board finds that the Alameda Point Project, including the Town Center Plan containing Site A, was adequately considered by FEIR, and that:

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1. 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 the Town Center Plan area which contains Site A; and
2. The City Council having certified the FEIR for the Alameda Point Project and the Town Center Plan containing Block 8, based on substantial evidence, that no further review under CEQA is required; and
3. Block 8 architectural design and the adjacent waterfront street are consistent with the General Plan, Zoning Ordinance, Town Center Plan, and Site A Development Plan; and
4. The FEIR was certified by the City Council for the Alameda Point Project, including amendments to the General Plan and Zoning Ordinance, as well as the Town Center Plan; and
5. There are no environmental impacts peculiar to Block 8 that were not analyzed in the FEIR, or any such impact can be substantially mitigated by imposition of uniformly applied development policies or standards previously adopted by the City; and
6. There are no significant effects of the Block 8 project that were not analyzed as significant effects in the FEIR; and
7. There are no potentially significant off-site impacts of the proposed Block 8 project and there are no cumulative impacts to which the proposed Block 8 project makes a considerable contribution which were not discussed in the FEIR; and
8. There are no previously identified significant impacts of the proposed Block 8 project which, as a result of substantial new information which was not known at the time the EIR was certified, have been determined to have a more severe adverse impact than discussed in the FEIR.

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 Design Review PLN 15-0451, subject to the following conditions:

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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 KTG Architects dated February 4, 2016, on file in the office of the City of Alameda Community Development Department.
2. 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.G-5, 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 Block 8 within Site A.
3. 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, and the applicant shall submit a Tentative Subdivision Map or Tentative Parcel Map for Block 8 consistent with the Site A Development Plan for review and approval by the Planning Board and City Council. Such maps and infrastructure plans shall be consistent with the Development Plan and the DDA, 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, ADA ramps at all intersections and associated ADA improvements, public open space, and development parcels and include the proposed site grading, drainage improvements and utility and construction phasing.
4. Public Access Easements: The Tentative Map shall include public access easements on all on-site areas between the face of the building or the edge of the internal park and the adjacent public right of way. Public access between the two buildings through the internal park shall be permitted. The internal park shall not be gated.
5. Final Design Details. Prior to issuance of a building permit, the applicant shall submit the following final design detail for Planning Board review and approval:
 - a. Final street tree, street lights, street signage, and street furniture design details. All street trees shall be protected by a curb.
 - b. Final building signage and on-site building lighting.
 - c. Final window details showing a minimum of a two and one half inch recess between the face of the window glass and the exterior face of the adjacent wall.
6. Affordable Housing: Prior to the issuance of the Building Permit, the project applicant shall

submit an affordable housing compliance report documenting progress on implementation of the executed Affordable Housing Implementation Plan included within the DDA with the City of Alameda for Site A.

7. Automobile Parking: The Building Permit plans shall include design details providing for a minimum of three (3) electric car charging stations and for cost-effective expansion of electric car charging stations to additional stalls as demand warrants and shall meet the latest applicable codes as they relate to electric car charging. The Building Plans shall also provide details such as warning lights and alarms to ensure safe pedestrian crossings at the on-site driveways into the parking garages.
8. Sea Level Rise: Prior to Building Permit approval, a description of the improvements shall be provided to ensure that any new habitable buildings will be constructed at a minimum elevation of 24 inches above the 100-year tidal flood plan elevation.
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.
10. Modifications: Minor project design details requested by the applicant may be established, modified, and approved by the Community Development Director. Engineering standards and specifications requested by the applicant may be established, modified and approved by the Public Works Director, or his designee. Major modifications that are not consistent with this design review approval or these conditions shall be subject to review and approval of the Planning Board.
11. 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), including a possible 401 Certification for the construction of a stormwater outfall, and/or the Army Corp. of Engineers, if any, have been obtained. The final improvement plans shall incorporate all other agency requirements.

Biological

12. 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 Block 8.
13. 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 Block 8.

14. 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 8.
15. Lighting: Pedestrian and vehicular lighting at all intersections and project driveways shall meet Alameda Municipal Power standards for crosswalks, sidewalks, and intersections and be consistent with the Declaration and Alameda Point Lighting Mitigation Measures.
16. Service Review of Stormwater Plans. All stormwater management and monitoring plans for Block 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

17. Landscape Plans: The improvement plans shall include landscape and irrigation plans for both on-site and off-site improvements consistent with the Town Center Plan and MIP, including flood and sea-level rise protection improvements, as required by the MIP and DDA. The plans shall be prepared, signed, and stamped by a licensed landscape architect and civil engineer for flood and sea-level rise protection improvements 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 in the public right-of-way was constructed in accordance with the approved plans.
18. 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.
19. 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.
20. 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 access roads shall have a minimum fire lane width of 26' unobstructed for buildings taller than 30'. Should parking within the fire lane be required, the fire lane width shall be increased as required to meet fire access requirements.

- 21. 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.
- 22. Geotechnical Report: A geotechnical report, including recommendations, shall be prepared by a registered geotechnical engineer licensed in the State of California. The improvement plans shall incorporate all geotechnical recommendations in the report and be consistent with the MIP and DDA. 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

- 23. Maintenance: Maintenance of improvements not within the public ROW shall be the responsibility of the new development.
- 24. 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.
- 25. 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.
- 26. 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 8 shall be approved by the Public Works Director.

Water Quality

27. 401 Certifications Conditions. The development of Block 8 must be designed and constructed to comply with all of the 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.
28. Final Stormwater Management Plan: The improvement plans shall incorporate a Final Stormwater Management Plan for Block 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 401 Certification Conditions, the Site A Stormwater Management Plan (Site A SWMP), the preliminary stormwater management plan for Block 8 attached to this application, 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, the Site A SWMP, the preliminary stormwater plan for Block 8, 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.
29. Water Board Approval. Pursuant to Condition #15 of the 401 Certification Conditions, the applicant shall submit the proposed Site A 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 Site A development, including Block 8. If the Water Board staff does not respond to the applicants Site A 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 Site A 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.

30. Other Water Board Documents: The applicant/developer shall provide to the City Engineer or his designee, prior to the issuance of the first combination building/grading permit, a copy of both the WDID# issued to the project site by Water Board and the required Storm Water Pollution Prevention Plan (SWPPP). These documents shall provide verification to the City that the project site is in compliance with SWRCB Order No. 2009-0009-DWQ. Information on this State Order is available at: <http://www.waterboards.ca.gov>.
31. 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.
32. Hydro Seeding: Hydro seeding of 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.
33. 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.
34. 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.
35. 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.

36. 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.
37. 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 Site A SWMP, the preliminary stormwater management plan for Block 8, and 401 Certification Conditions
38. 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).

Solid Waste

39. 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.
40. Green Halo: Within thirty (30) days after the completion of the demolition work, the developer shall submit a Summary Report to the Public Works Environmental Services

Division, via Green Halo (greenhalosystems.com) or other form approved by the Public Works Director. For approval, this reporting will specify actual tonnages disposed and/or recycled for each material, and the actual destination/processor. Disposal and/or recycling weight tags from that facility or facilities will be directly uploaded to Green Halo to verify this activity.

41. 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.
42. 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

43. 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.
44. 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.

45. 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.
46. 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.
47. 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.
48. 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.
49. 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.

50. 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

51. 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)

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

53. The applicant shall provide information on the location of transformers and total load in kilowatts or kilowatt/volts (KVA) to AMP for approval prior to building permit issuance. If necessary, the applicant shall provide (at no charge to AMP) an easement and access to all AMP facilities on the property prior to issuance of building permits.

54. Concurrent with submittal of Improvement Plans, the Applicant shall coordinate with 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.

55. The Applicant shall provide and install street lighting consistent with AMP's standard specifications and AMP's "Material and Installation Criteria for Underground Electrical Systems". Cobra head light fixtures shall not be used for street lights and all street lights shall be designed to preserve "dark skies" and direct light downward toward the public right of way. No signs shall be installed or mounted on street light poles owned and/or maintained by AMP. All new signs shall be installed on dedicated sign posts.

56. Applicant/Developer shall have all streetlights included in the Improvement Plans, installed, fully functional and operating prior to issuance of a Certificate of Occupancy for any building unless a phasing plan is approved by the Director of Public Works. Applicant/Developer shall pay to AMP the sum of Six Dollars (\$6.00 as adjusted no more than annually for inflation) per streetlight per month, or portion of a month, for the streetlight energy costs until the applicable improvements are accepted for maintenance by City.

57. The Applicant shall be required to furnish two streetlight poles and LED fixtures of each type installed, at no cost, to AMP as a stock for future pole/fixture replacement on public street. If AMP agrees to maintain private streetlights, the Applicant/Developer shall also be required to furnish two additional streetlight assemblies (e.g. pole, fixture, arm, shroud, etc) of each type.
58. All public streets shall be lit with LED lighting. Streetlight layout shall be staggered for a more uniform light distribution. Applicant/Developer can provide alternate design if a better efficient light distribution is met. Applicant/Developer shall use AMP LED standard fixtures. LED streetlight fixtures shall offer tri-level lighting with the mid-level setting meeting IES RP-8-14.
59. 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. Existing Alameda Point electric substructures will NOT be re-used.
60. The Applicant shall provide an easement for electric utility vehicle access to AMP's Cartwright Station. The easement shall encompass the entire perimeter of the substation, including buildings and exterior yards with a 25-foot minimum clearance from any structure (above or below grade), wall and fence. Applicant shall avoid planting any trees that will grow in fullness to the point they may encroach into the perimeter easement.
61. The Applicant/Developer 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.
62. Applicant/Developer will be required to provide an oil containment facility for all AMP owned pad-mount distribution switches and/or transformers installed within 100-feet of any body of water or in other critical locations. Applicant/Contractor shall contact AMP to verify all dimensions, elevations, and orientation before commencing work.
63. The Applicant shall furnish and install code-size service cables in code-size conduit from each customer electric meter switchgear 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.
64. 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.

65. 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.
66. 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.
67. The Applicant/developer 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.
68. The Applicant/developer 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 14th day of March, 2016, by the following vote to wit:

AYES: (5) Knox White, Köster, Henneberry, Sullivan and Zuppan

NOES: (0)

ABSENT: (1) Mitchell

RECUSE: (1) Burton

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

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CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-16-08

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING USE PERMIT PLN15-0594 TO ESTABLISH AN APPROXIMATELY 592-SQUARE-FOOT CONVENIENCE MARKET AND COFFEE SHOP WITH OUTDOOR SEATING AND OFF-SITE BEER AND WINE SALES AT 1120 BALLENA BOULEVARD.

WHEREAS, an application was made on December 9, 2015, by Emily Vought, applicant, requesting approval of a use permit to operate a convenience market and coffee shop with outdoor seating and off-site beer and wine sales; and

WHEREAS, the subject use permit application was accepted as complete on January 21, 2016; and

WHEREAS, the project site is located within a CM-PD, Commercial Manufacturing – Planned Development zoning district; and

WHEREAS, the project site has a General Plan Land Use Designation of Mixed Use 3; and

WHEREAS, the Planning Board held a public hearing on this application on March 14, 2016.

NOW THEREFORE BE IT RESOLVED THAT, the Planning Board has made the following findings concerning the project:

1. The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size are architecturally, aesthetically, and operationally harmonious with the community and surrounding development.

The proposal is consistent with the CM-PD zoning district and the Mixed Use 3 General Plan land use designation with the approval of a use permit. The Mixed Use 3 land use designation encourages uses on the site that promote “commerce and navigation.” The CM-PD zone is intended to be applied where general commercial facilities are necessary and desirable for public service and convenience. The use permit proposal is consistent with the CM-PD zone and Mixed Use 3 land use designation by providing the convenience of a local market/coffee shop within close proximity for the commercial marina patrons and businesses. The project site is not located adjacent to residential homes and is located more than 600 feet from the nearest residential development. The project is not located within an area with an overconcentration of off-site alcohol sales in the area. The project site is located at least one half mile from the nearest off-site

alcohol retailer. No exterior changes to the existing building envelope is proposed as part of this use permit. The use is compatible with the neighboring commercial, office, and marina uses and will provide a variety of food and beverages to the marina.

2. The proposed use will be served by adequate transportation and service facilities, including pedestrian, bicycle and transit facilities.

The location of the proposal is fully developed and does not require additional service facilities. The proposed convenience market/coffee shop will primarily serve the local commercial business and marina users. The marina facility has ample areas for vehicle and bicycle parking, and there are no barriers to public access to the site. The AC Transit Bus No. 631 provides transit services to the area when the local schools are in session, and is located within ½ mile of the project site.

3. 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 market/coffee shop will not adversely affect the surrounding properties, hurt the existing business district, or the local economy. The project is a small, low-intensity use that operates between the hours of 9:00 AM to 6:00 PM, with only 5% of floor area allowed for off-site beer and wine sales. The outdoor seating area will be located in front of the store and limited to normal business hours. The proposed use is consistent with the commercial uses in the marina. Staff has not received any reports of significant police activity or alcohol related problems in the area. A police activity report provided by the Alameda Police Department shows there were approximately 60 total crimes in the surrounding area of the marina between January 1, 2015 and December 31, 2015. Only eight of the crimes from the report were located within one thousand feet of the project site. The proposal is located at least 600 feet from the nearest residential development. Furthermore, there are no existing off-site alcohol businesses within one-half mile of the project site, and the project will not result in an oversaturation of off-site alcohol retail outlets in the area. The proposed use actually will have a positive impact on existing and future businesses at the marina by providing food, beverages, and outdoor seating that will complement the surrounding restaurants, offices, and marina uses. Therefore, the proposed Use Permit will not adversely affect the surrounding neighborhood.

4. The proposed use relates favorably to the General Plan.

The proposal would offer the convenience of a pedestrian-oriented market and coffee shop for the marina. The Mixed Use 3 General Plan land use designation requires uses on the property that promote “commerce and navigation.” The proposed commercial use will support commerce and navigation by providing food and beverages to the patrons of the Ballena Isle Marina.

THEREFORE, BE IT FURTHER RESOLVED THAT, this project has been

determined to be Categorically Exempt pursuant to Section 15301 of the CEQA Guidelines, which allows the operation of existing private structures involving negligible expansion of use beyond that which exists.

BE IT FURTHER RESOLVED THAT the Planning Board of the City of Alameda hereby approves Conditional Use Permit No. PLN15-0594 allowing the establishment of an approximately 592-square-foot convenience market and coffee shop with outdoor seating and off-site sale of beer and wine at 1120 Ballena Boulevard subject to compliance with the following conditions:

1. Compliance with Conditions. The applicant/property owner shall ensure compliance with all of the following conditions. Failure to comply with any condition may result in construction being stopped, issuance of citation, and/or modification or revocation of the Permit.
2. Compliance with City Ordinances. The approved use is subject to, and shall comply with, all applicable City Ordinances and laws and regulations of other governmental agencies.
3. Alcoholic Beverages. The sale of alcoholic beverages shall be limited to off-site beer and wine sales, ABC Type 20 License, and occupy a maximum of five percent of the store floor area. No sale of spirits shall be allowed at the facility.
4. Outdoor seating. The outdoor seating shall be limited to tables in front of the store during normal operating hours. The outdoor seating area shall conform to the regulations of the City's Noise Ordinance.
5. Signs. The applicant must obtain a City Sign Permit before installing permanent business signage, including window signs.
6. Waste, Recycling, and Composting. The establishment shall recycle cans or bottles that are subject to the State of California Container Deposit Law and comply with all local, state, and regional laws requiring source-separation of waste material for recycling and composting.
7. Building Permits. Building Permit plans shall incorporate this approval notice, including the conditions of approval.
8. Exterior Lighting and Fencing. No new exterior lighting or changes to the exterior fencing shall be allowed without review and approval of the Community Development Department.
9. Revocation. This Use Permit may be modified or revoked by the Zoning Administrator, pursuant to Alameda Municipal Code Section 30-21.3d should the Zoning Administrator determine that: 1) the use or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity; 2) the property is operated or maintained so as to

constitute a public nuisance; or 3) the use is operated in violation of the conditions of the Use Permit.

10. Vesting. The Use Permit approval shall expire two (2) years after the date of approval or by March 14, 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.
11. Indemnification. 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 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. 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. 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.

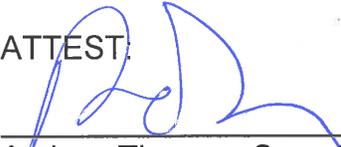
I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 14th day of March, 2016, by the following vote to wit:

AYES: (5) Knox White, Köster, Henneberry, and Sullivan

NOES: (0)

ABSENT: (2) Mitchell and Zuppan

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

* * * * *

**CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-16-09**

RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE APPLICATION PLN16-0102 and PLN16-0103 AT 101-223 BRUSH STREET AND 150-284 MAPLE WAY (ESPERANZA) AND 719-727 BUENA VISTA AVENUE AND 718-746 EAGLE AVENUE (ROSEFIELD VILLAGE) FOR A ZONING MAP AMENDMENT TO REMOVE THE "G" SPECIAL GOVERNMENT COMBINING OVERLAY ZONING DISTRICT

WHEREAS, the current zoning of the site for Esperanza (APN 74-475-1-5) is an R-4-G Neighborhood Residential Zoning District with a Special Government Combining District overlay; and

WHEREAS, the current zoning of the site for Rosefield Village (APN 73-426-5) is R-5-G General Residential Zoning District with a Special Government Combining District overlay; and

WHEREAS, the current General Plan designation for both parcels is Medium Density Residential; and

WHEREAS, both properties are owned and operated by the Alameda Housing Authority; and

WHEREAS, neither property is in Federal or State ownership; and

WHEREAS, the properties no longer meet the intent of the "G" overlay zoning district; and

WHEREAS, the project is exempt from the California Environmental Quality Act (CEQA) Guidelines, Section 15305 Minor Alterations to Land Use Limitations.

THEREFORE, BE IT RESOLVED that the Planning Board has reviewed the proposed Zoning Map Amendment and finds:

1. **The amendment maintain the integrity of the General Plan.** The proposed zoning map amendment ensures consistency between the General Plan and the Alameda Zoning Map. The underlying zoning of each property is consistent with the General Plan.
2. **The amendment will support the general welfare of the community.** The proposed zoning map amendment will support the general welfare of the community by assisting the Alameda Housing Authority in refinancing and redevelopment efforts for affordable housing.

3. **The amendments are equitable.** The proposed zoning map amendment is equitable in that it is consistent with the General Plan, the City Charter and other City documents. The map amendment is a conformance rezoning to remove the "G" overlay from both properties as the overlay is no longer applicable.

THEREFORE BE IT FURTHER RESOLVED that the Planning Board of the City of Alameda recommends that the City Council find the Zoning Map Amendment is exempt from the California Environmental Quality Act (CEQA) Guidelines, Section 15305 Minor Alterations to Land Use Limitations.

BE IT FURTHER RESOLVED that the Planning Board of the City of Alameda recommends that the City Council approve the Zoning Map Amendment for Assessor's Parcel Numbers APN 74-475-1-5 and APN 73-426-5 to remove the "G" Special Government Combining District overlay.

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 28th day of March, 2016, by the following vote to wit:

AYES: (5) Knox White, Köster, Mitchell, Sullivan and Zuppan

NOES: (0)

ABSENT: (2) Burton and Henneberry

ATTEST:



Allen Tai, Secretary
City of Alameda Planning Board

* * * * *

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-16-10

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING DESIGN REVIEW, DENSITY BONUS, DENSITY BONUS WAIVER AND PARKING EXCEPTION APPLICATION PLN15-0536 FOR DEVELOPMENT OF A THREE-STORY MIXED-USE DEVELOPMENT INCLUDING NINE RESIDENTIAL UNITS AND 4,700 SQUARE FEET OF GROUND FLOOR RETAIL AT 1435 WEBSTER STREET (APN 74-427-5-1). THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15332 – INFILL DEVELOPMENT PROJECTS

WHEREAS, Danna Development has submitted an application for Design Review, Density Bonus, Density Bonus Waiver, and Parking Exception for the site at 1435 Webster Street; and

WHEREAS, the General Plan designation of the site is Community Commercial; and

WHEREAS, the parcel is located within the C-C Zoning District (Community Commercial); and

WHEREAS, the Planning Board held a noticed public hearing and examined all pertinent materials on February 22, 2016 and March 28, 2016; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that the project is exempt from further environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15332 In-Fill Development Projects. The project is consistent with the applicable general plan designation, policies and zoning designations and regulations. The proposal is located within the city limits on a project site of no more than five acres substantially surrounding by urban uses. The project site has no value as habitat for endangered, rare or threatened species. The site has been operated as a parking lot. The project would not result in significant effects relating to traffic, noise, air quality or water quality. The site is adequately served by all required utilities and public services.

NOW, THEREFORE BE IT FURTHER RESOLVED, the Planning Board makes the following findings:

DENSITY BONUS AND WAIVER FINDINGS:

- A. The existing zoning designation for the property allows up to seven residential units. Danna Development has submitted material, including a base plan, which shows compliance with the various aspects of the Density Bonus application, as specified in Section 30-17.4 of the Municipal Code, and as allowed under California Government Code 65915. The applicant is proposing two moderate income affordable units, which qualifies the seven-unit project for a 23% density bonus for a total of nine (9) units.

- B. The proposed affordable units make the project eligible for development standard waivers under California Government Code 65915 and City of Alameda Municipal Code Section 3-17. Dannan Development has requested a waiver from Alameda Municipal Code Section 30-53 Prohibition on Multifamily Housing to accommodate the bonus units on the site. The required development standard waiver is necessary to accommodate nine (rather than seven) units on the property. As shown in the application materials and as described in the February 22, 2016 Staff Report, the waiver from the Multi-family Prohibition is required to accommodate nine units on the property in a configuration that is consistent with General Plan policies and Webster Street Design Manual guidelines. Granting the requested waiver would not have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of section 65589.5, upon health safety, or physical environment. Finally, the required development standard waiver would not be contrary to state or federal law.

PARKING EXCEPTION FINDINGS

- C. The proposal includes 18 off-street parking spaces instead of the 21 off-street parking spaces required by AMC 30-7. The reduction in spaces is warranted and justified by the following project-specific factors: the project is designed as a mixed use transit oriented development that is located on a major transit route with multiple transit lines, the project will be providing AC Transit Passes to project residents and employees, the on-site parking will be leased separately from the cost of the units, and the project site is situated in an urban area within walking distance of retail services.

DESIGN REVIEW FINDINGS

- D. The proposed project design is consistent with the General Plan, Zoning Ordinance, and City of Alameda Design Review Manual. The proposed building height and site plans complies with General Plan policies and Zoning Ordinance requirements for building height, parking location, and continuous street wall on Webster Street.
- E. The proposed project design is compatible with the adjacent or neighboring buildings and promotes harmonious transitions in scale and character with surrounding land uses. The three story height, the setback from the adjacent residential properties and the continuous street wall and ground floor retail space on Webster Street promotes a harmonious transition with the surrounding land uses.
- F. The proposed design of the project is visually compatible with the surrounding development. The three-story height, the setback from the adjacent residential properties and the continuous street wall and ground floor retail space on Webster Street ensures a scale and massing and arrangement of land uses that is visually compatible with the surrounding development. Conditions of approval ensure that the colors and materials and architectural details will further promote a compatible design for the neighborhood.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board hereby approves Design Review, Density Bonus, Density Bonus Waiver, and Parking Exception Application PLN15-0536, subject to the following conditions:

Community Development

1. **Building Permit:** Building Permit plans, and Improvement Plans submittals shall be in substantial compliance with Exhibit 1: 1435 Webster Street, which are on file in the office of the City of Alameda, subject to the conditions specified in this resolution approving the project. These conditions shall be printed on the first page of all building plans and improvement plans.
2. **Design Review Elevations.** Prior to issuance of the building permit for the project, the applicant shall submit the following design details for review and approval by the Community Development Department.
 - a) Final landscape and lighting details for all exterior areas and wall surfaces. Landscape plans shall be compliant with Bay Friendly Landscaping Standards and AMC requirements. All exterior lighting shall be shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.
 - b) Street Tree Plan. The Tree Plan shall show existing trees to be preserved, existing trees to be removed, and new trees to be planted within the public right of way. Trees selected shall be of an appropriate size and shape to allow at least 14-15 feet of overhead clearance for solid waste collection trucks and other vehicles. Deep root barriers shall be required for all trees planted adjacent to curbs, sidewalks and other pavements, to the satisfaction of the Public Works Director. The single tree to be removed shall be noticed according to the City of Alameda's Tree Removal Policy. There shall be a minimum of three (3) street trees planted on the Taylor Avenue project frontage, subject to the approval of the Public Works Director after factoring physical clearances stated in Condition 31 below.
 - c) Public access easements to be shown on the Improvement Plans.
 - d) The cornice design and bracket profiles shall continue consistently across all elevations the building, for instance, brackets shall be equally spaced and the double rafter tails featured at the building corner shall be repeated across the building.
 - e) The cornice at the building corner shall be appropriately scaled down to function as a major bracket complementing the minor brackets on the rest of the building.
 - f) The horizontal trim band under the third story windows on the south elevation shall continue to the building corner and across all elevations.
 - g) The north elevation shall incorporate a decorative mural in sufficient size to alleviate a plain blank wall, to the satisfaction of the Community Development Director.
 - h) Final colored elevations shall be submitted to the Planning Board for approval prior to issuance of building permits. The building colors shall avoid colors that give the building a muted appearance.
3. **Transportation and Parking:** Prior to the issuance of a building permit, the applicant shall record a restriction on the deed of the property or prepare Covenants, Code and Restrictions (CC&R's) for the property to require that the property manager or the homeowners association shall be responsible for:
 - a. Acquiring and distributing annually twenty (20) AC Transit Passes for use by project residents and/or business employees.
 - b. Leasing and managing the distribution of the eighteen (18) off-street parking spaces. Spaces shall be leased on a month-to-month basis to

project residents and/or business employees independently from the lease or purchase price of a residential unit or retail space.

- c. At least nine of the spaces shall be reserved for residential tenants of the building.
- d. The plans submitted for the Building Permit shall show that the parking lot is pre-wired to accommodate future spaces for electric charging stations.

The obligations, requirements and provisions under this condition cannot be amended, revised, deleted or rescinded by the property owners, the HOA or its membership without the prior written approval of the City's Transportation Commission or City Council.

4. Public Art. Prior to issuance of the building permit, the applicant is required to comply with the terms of the City of Alameda Public Art requirement as specified in Alameda Municipal Code section 30-65.
5. Affordable Housing Agreement: Prior to issuance of the building permit, the project applicant shall execute an Affordable Housing Agreement with the City in conformance with the requirements of Section 30-16 Inclusionary Housing Requirements for Residential Projects. The Affordable Housing Agreement will require construction and sale of two (2) moderate-income units to income eligible households. The affordable units shall be comparable in quality to the market rate units and shall be distributed throughout the development.
6. Universal Design: The plans submitted for the Building Permit shall show that each unit shall include:
 - Accessible route of travel to dwelling unit from public sidewalk to the unit's primary entrance or an easily adaptable route.
 - 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 rooms, kitchens, and bathrooms.
 - Light switches, electrical receptacles, and environmental controls at accessible heights on the primary accessible floor
 - Rocker light switches throughout entire 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
 - Under-cabinet lighting
 - At least one full bathroom on accessible route of travel, with separate shower stall and toilet with grab bar reinforcement for potential retrofit
 - Bathroom with removable base cabinets
 - Lower towel racks and robe hooks
 - Accessible toilet tissue holder

7. Public Frontage Improvements. The applicant shall underground all overhead utilities along the project public right of way frontage, including all utilities along Webster Street and Taylor Avenue. The applicant/developer shall reconstruct frontage improvements along Webster Street and Taylor Avenue so the street is restored to pre-project conditions. Any use of the public right of way for commercial or other purposes shall be subject to approval of and Encroachment Permit by the City of Alameda.
8. Modifications: Minor project design details requested by the applicant may be established, modified, and approved by the Community Development Director. Engineering standards and specifications requested by the applicant may be established, modified and approved by the Public Works Director, or his designee. Major modifications that are not consistent with this development plan or these conditions shall be subject to review and approval of the Planning Board.

Public Works

9. Prior to final inspection of the first housing unit, the applicant/developer shall establish a Homeowners Association or other entity to provide funding for maintenance of private improvements including parking lot, landscaping in common areas, all (public and private) biotreatment areas, and fencing. Site improvements and demolition may commence prior to approval of the funding mechanism. The common area shall be owned and maintained by the HOA or other entity.
10. The applicant/developer shall design the private utility systems to be separate from the public utility systems so that there is a clear point of connection between the two systems. The utility system design shall be reviewed and approved by the Public Works Director prior to approval of the improvements plans, parcel/final map(s), or grading permit, whichever comes first.
11. The applicant/developer shall provide utility access easements across all areas where public utilities cross private property. Public utilities must be accessible to City maintenance vehicles.
12. The applicant/developer shall grant the City of Alameda an Emergency Vehicle Access (EVA) easement wherever the Fire Rescue Vehicle access route crosses over private property. All streets and sidewalks within the access route shall be designed to support Fire Rescue Vehicle loads and accommodate truck turning radii.
13. The applicant/developer shall grant to the City 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.

Engineering

14. If the applicant provides door/gate access through the north fence at the property line through the parking area, the applicant shall record a reciprocal access easement with the adjacent property. In addition, the area shall provide an

accessible route as required by the building code and ADA guidelines.

15. The applicant/developer shall submit construction improvement plans for all on- and off-site improvements, including detailed designs for all wet and dry utilities, landscaping and irrigation, water, grading, drainage, erosion control, paving, and solid waste storage and recycling areas. The plans shall be prepared, signed, and stamped as approved by a registered civil engineer licensed in the State of California, unless the Public Works Director authorizes them to be prepared by some other qualified professional, and be in accordance with the AMC, the City of Alameda Standard Plans and Specifications, Standard Subdivision Specifications and Design Criteria, and the Master Street Tree Plan. The plans shall be reviewed and approved by the Public Works Director prior to approval of the improvement plans... The engineer shall also assume responsibility for inspection of the on-site construction work, including but not limited to parking lots, pathways, storm facilities, sewer facilities, etc., and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first, that the installation of the on-site work (excluding the building and foundation) was constructed in accordance with the approved plans.

16. The landscape and irrigation plans for improvements on-site and in the public right of way 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 Master Street Tree Plan, the AMC, conditions of approval by the Planning Board, and other regional jurisdictions requirements, as applicable. Projects required to meet the Bay-Friendly Landscape (BFL) requirements shall:
 - Have plans prepared by a qualified BFL design professional;
 - Earn, at a minimum, a total of 60 points on the StopWaste.Org "Bay-Friendly Scorecard for Commercial & Civic Landscapes" (Scorecard), as determined by a qualified BFL Rater;
 - Complete the nine required practices identified on the Scorecard related to mulch, compost, diversion of construction and demolition waste, selection of planting materials, and the design and installation of irrigation systems, as determined by a qualified BFL Rater;
 - Acquire the services of an approved BFL Rater to assist the landscape project design and construction team with gaining BFL qualification, consistent with the BFL qualification requirements of the Bay Friendly Coalition
 - Pay the required BFL application and final submittal fees via the BFL Rater to the Bay Friendly Coalition
 - Submit to the City written certification from the Bay Friendly Coalition that the design and construction of the landscaping and irrigation meets the most recent version of the "Bay-Friendly Landscape Guidelines" developed by StopWaste.Org and The Bay Friendly Coalition. This certification is required prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first.

In addition, the final landscape plans shall ensure that all landscaping and bioswales are compatible with the storm water treatment measures designed to minimize irrigation and runoff; promote surface infiltration, where appropriate; and minimize the use of fertilizers and pesticides that can contribute to storm water pollution. Also, integrated pest management (IPM) principles and techniques shall be incorporated into the landscaping design and specifications. Where feasible, landscaping shall be designed and operated to treat storm water runoff by incorporating elements that collect, detain, and infiltrate runoff. Plant placement within the site landscape design shall not interfere with the design function of any of the storm water treatment measures. For example, trees planted in or near a biotreatment swale shall not adversely interfere with the design flow capacity of the swale. The plans shall be reviewed and approved by the Public Works Director prior to approval of the improvements plans. The landscaped architect shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first, that the installation of landscaping and irrigation in the public right of way was constructed in accordance with the approved plans.

17. A storm drainage hydrology analysis, acceptable to the Public Works Director, identifying the total peak drainage 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 engineer shall sign and stamp the analysis as approved. 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/developer will pay for the cost of the modeling study. The applicant/developer will include the recommended improvements into the project's improvements plans prior to approval of the improvement plans.
18. The applicant/developer shall submit a soils investigation and geotechnical report, acceptable to the Public Works Director, in accordance with the AMC and prepared by a registered geotechnical engineer licensed in the State of California, with recommendations based on the findings. The report shall address the structural and environmental analysis of existing soils and groundwater. The improvement plans shall incorporate all design and construction criteria specified in the report. The geotechnical engineer shall sign and stamp the improvement plans as approved and as conforming to their recommendations prior to approval of the improvement plans. 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. Additional soils information may be required during the plan check of individual house plans. The applicant/developer will include the engineer's recommended improvements into the projects improvement plans prior to approval of the improvement plans.
19. All required public frontage and street improvements shall be designed, built, and in accordance with City ordinances and Public Works Department standards and shall include curbs, gutters, sidewalks, street trees, landscaping and irrigation, streetlights, etc.
20. The applicant/developer shall resurface the existing street pavement whenever a

street is cut, either by a longitudinal or transverse cut, for utility or other improvement installations so the street is restored to pre-project conditions. The resurfacing shall extend a sufficient distance beyond any cut to ensure a smooth transition, as determined by the Public Works Director, and shall consist of a one and a half (1½) inch asphalt concrete overlay. The applicant/developer shall also provide dig outs and reconstruction of any potholed and/or alligatored areas adjacent to the project.

21. Installation of street paving shall include reconstruction of the existing pavement section to provide adequate conforms. The limits of the reconstruction shall be established by the Public Works Director prior to approval of the improvement plans.
22. Exposed soil surfaces shall be periodically sprinkled to retard dust. During construction, the applicant/developer shall ensure that construction crews undertake a program of dust control including, but not limited to, watering soil surfaces as needed to prevent dust blowing, covering trucks carrying materials to and from the site, and frequent clean-up of soil carried by construction vehicle tires from the site onto streets. No City water shall be used for this purpose.
23. All project related grading, trenching, backfilling, and compaction shall be conducted in accordance with City of Alameda Standards and Specifications.
24. Hydro seeding of all disturbed areas shall be completed by October 1. Applicant/developer shall provide sufficient maintenance and irrigation to ensure growth is established by November 1.
25. Construction activities are restricted to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturday, unless a permit is first secured from the City Manager or designee based upon a showing of significant financial hardship.
26. Construction equipment must have state of the art muffler systems as required by current law. Muffler systems shall be properly maintained.
27. Noisy stationary construction equipment, such as compressors, shall be placed away from developed areas off-site and/or provided with acoustical shielding.
28. Grading and construction equipment shall be shut down when not in use.
29. During non-working hours, open trenches shall be provided with appropriate signage, flashers, and barricades approved by the Public Works Director to warn oncoming motorists, bicyclists, and pedestrians of potential safety concerns.
30. Prior to trenching within existing street areas, the applicant's engineer shall ascertain the location of all underground utility systems and shall design any proposed subsurface utility extensions to avoid disrupting the services of such system.
31. New street trees shall maintain clearances from utilities as follow: a) Fire hydrant – six feet; b) top of driveway wing – five feet; c) stop signs – 15'; d) street/pathway lights and utility poles – 25'; e) storm drain, sanitary mains, gas, water, telephone,

electrical lines – five feet; f) front of electrical pad-mounted equipment – ten feet. Verify minimum clearance distances of street trees/shrubs from electrical transformers with Alameda Municipal Power (AMP).

32. Approved 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). These devices must be tested by an AWWA certified tester from a list of testers provided by EBMUD.
33. Costs for inspection by the Public Works construction inspectors during non-working hours shall be at time and one half. Work on Saturday's requiring inspection shall not be done unless approved in advance by the Public Works Director. No work allowed on Sundays. Any work done without inspection may be rejected at the contractor's expense.
34. The applicant/developer shall repair all damaged sidewalk, curb and gutter that fronts the development on Webster Street and on Taylor Avenue in accordance with the Public Works Department's Standard Plans and Specifications prior to acceptance of the project.
35. No structures shall be placed over existing or proposed easements.

Storm water and Water

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

36. The Civil Improvement Plans shall include the finalized storm water quality management (treatment) site plan at the 100% complete level. This finalized storm water quality management site plan shall include:
 - a) The identification and location of all of the drainage management areas (DMAs) for all impervious surface areas on the project site
 - b) The identification and locations of all of the Provision C3-compliant storm water quality design and treatment measures for each DMA.
 - c) The area values (in square feet) of each DMA and corresponding C3-compliant measure
37. The applicant/developer shall submit, for review by the Public Works Department, a finalized, stamped, signed City of Alameda C3 certification form from a qualified, independent, third-party civil engineer with storm water treatment facility design experience that indicates the storm water treatment measure designs of the finalized improvement plans and storm water quality management (treatment) plan meet the established sizing design criteria for storm water treatment measures consistent with the requirements of the City's Municipal NPDES storm water permit. City qualification standards are listed below.
38. Civil Improvement Plan sheets shall include Detail and cross-sectional drawings of the storm water quality design and treatment measures consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual and Provisions C.3.c and C.3.d of the City's Municipal NPDES storm water permit.

39. Civil Improvement Plans shall indicate that the soil mix used in all of the bioretention areas will be compliant with the Attachment L soil specifications of the City's Municipal NPDES storm water permit. A copy of the Attachment L specifications shall be included in the Civil Improvement Plans. Provide Biotreatment Soil Mix Notes in the Civil Plans identifying potential biotreatment soil mix vendors and indicating the need to obtain Attachment L compliance documentation such as the following:

"The following vendors are listed by the regional Clean Water Program as offering biotreatment soil mixes compliant with the required Attachment L specifications:

- a. American Soil Products, www.americansoil.com, 510-292-3000
- b. L.H. Voss, www.lhvoss.com, 925-676-7910
- c. Lyngso Garden Materials, www.lyngsogarden.com/, 650-333-1044
- d. Pleasanton Trucking, www.pleasantontrucking.com, 925-449-5400
- e. Redi-Gro, www.redi-gro.com/, 800-654-4358
- f. TMT Enterprises, www.tmtenterprises.net, 408-432-9040

Obtain verification documentation from the supplier of all loads of the biotreatment soil mix, indicating that the soil mix is compliant with the Attachment L specifications, for review by the design engineer and inclusion with the post-construction certification report to be submitted to the City Public Works Department."

40. Finalized Landscaping Plans for all landscape-based storm water treatment measures shall be consistent with the civil engineering designs and functional intent of these treatment measures. The landscape architect's plans shall indicate:
- a) The usage of biotreatment soils compliant with the storm water requirement's Attachment L specifications in all landscape-based treatment measures.
 - b) The plant palette(s) described for the landscape-based storm water treatment measures shall be consistent with the civil engineering designs and functional intent of these treatment measures and the use of the Attachment L compliant biotreatment soil.
 - c) The landscaped-based storm water treatment areas shall also be designed to minimize runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to storm water pollution. Design consideration shall be given to pest-resistant landscaping and design features and the use of integrated pest management (IPM) principles and techniques.
41. The finalized Civil Improvement plans shall indicate the structural storm water trash capture measure(s) being installed on the project site to ensure that the storm water drainage from the project site is subject to full trash capture consistent with City's municipal storm water permit definition of a full trash capture device. A full trash capture system or device is any single device or series of devices that traps all particles retained by a 5mm mesh screen and has a design treatment capacity of not less than the peak flow rate Q resulting from a one-year, one-hour storm in the sub-drainage area. Plan sheets shall include detail and cross-sectional drawings of any storm water full trash capture device(s).
42. The finalized Civil Improvement Plans shall include Pollution Prevention Sheet(s) that list the City's urban runoff, erosion and sediment control standards and provide detail drawings and installation specifications for all control measures. These Plan

Sheet(s) shall be reviewed and accepted by the Public Works Clean Water Program for conformance with these City standards.

The applicant/developer shall be responsible for ensuring that all contractors and sub-contractors install and regularly maintain all pollution prevention measures required during any and all construction activities in order to prevent any pollutants entering directly or indirectly the storm water system or waters of the State. The applicant/developer shall pay for any required cleanup, testing, and City administrative costs resulting from consequence of construction materials entering the storm water system and/or waters of the State.

43. The applicant/developer shall submit for review and approval by Public Works Engineering a Storm water C3-LID Measures Operations and Maintenance (O&M) Plan that provides a thorough discussion of the inspection, operations and maintenance requirements of all of the storm water treatment 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.
44. The Improvement Plans shall indicate that all new storm drain inlets within the public right-of-way shall be clearly marked with the words "No Dumping! Drains to Bay," or equivalent, as approved by the City Public Works Department. Permanently affixed thermoplastic, metallic or plastic laminate style markers are examples of acceptable forms.
45. Improvement Plan design of all external enclosures for solid waste, recycling and organics shall be approved by the Public Works Department. These facilities shall be designed to prevent water run-on to the area, runoff from the area, and to contain litter, trash and other pollutants, so that these materials are not dispersed by the wind or otherwise discharged to the storm drain system.

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

46. 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 storm water treatment measures have been constructed per the City approved plans and specifications. As appropriate, the Report shall include, but not be limited to, assurances that: imported materials used for the treatment measure(s) are certified by the supplier; installation of these materials is per approved plans and specifications and meets the intent of the design engineer; required on-site testing results conform with approved plans and specifications; treatment measures conform to dimensions, grades and slopes on approved plans and specifications; all structural features of the treatment measures comply with plan specifications; the irrigation system is installed and functions as designed; healthy vegetation/ground cover is installed as shown on plans. The Report shall be submitted in a form acceptable to Public Works Engineering.
47. The property owner shall establish a legally enforceable mechanism to ensure that the responsibility for implementing the O&M Plan is identified and assigned by either executing a C3-LID Treatment Measures Maintenance Agreement (Agreement) with the City or incorporating the O&M Plan within the CC&R's of a homeowners'

association. The Agreement or CC&R's shall include, but not be limited to: the O&M Plan, approved by the Public Works Department, for all storm water treatment measures; assurances of the party responsible to implement the storm water treatment measures O&M plan; assurances of City 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.

City of Alameda Certification Form Qualification Standards:

The City of Alameda C3 certification forms need to be completed and submitted by a reviewer meeting the following criteria:

(1) Be a Civil Engineer or a Licensed Architect or Landscape Architect registered in the State of California.

(2) Provide verification acceptable to the Public Works Department that they are not also hired to design and/or construct the storm water treatment system(s) being certified (the "no conflict of interest" provision).

(3) Provide verification acceptable to the Public Works Department that they have current training on storm water treatment system design (within three years of the certification signature date), relevant to the certifications being submitted, for water quality and understand the groundwater protection principals applicable to the project site.

Training conducted by an organization with storm water treatment system design expertise (such as a college or university, the American Society of Civil Engineers, American Society of Landscape Architects, American Public Works Association, California Water Environment Association (CWEA), BASMAA, National Association of Flood & Storm water Management Agencies, California Storm water Quality Association (CASQA), or the equivalent) may be considered qualifying training.

Traffic and Transportation

48. The applicant/developer shall submit a traffic striping and signage plan for all on- and off-site improvements, including all crosswalks, bus stops, turn lanes, merge lanes, acceleration lanes, lane drops, etc, as part of the construction improvement plan submittal. The plans shall be prepared by a registered civil engineer or traffic engineer licensed in the State of California. The engineer shall sign and stamp the plans as approved. The plans shall be reviewed and approved by the Public Works Director prior to approval of the improvements.

49. For any off-street parking facilities associated with the subdivision, the applicant/developer shall submit the improvement plans to the Community Development Department and Pubic Works Department for review and approval. The plans shall be prepared by a registered civil engineer licensed in the State of California and shall be signed and stamped as approved. The Community Development Department shall review and approve the parking lot layout, including number of spaces, dimensions of spaces, and Americans with Disabilities Act (ADA) requirements, and the Public Works Director shall review and approve the internal and external circulation of the parking lot, including lane widths and access points, prior to approval of the improvements.

50. 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 vehicular, transit, bicyclist, and pedestrian access through and/or adjacent to the project site 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 receive prior approval from AC Transit of any proposed traffic detours or temporary closure of bus stops. Constructed work may not commence until the TCP is approved by the Public Works Director.

Waste Collection Access

51. Driveways or aisles shall provide unobstructed access for collection vehicles and personnel and provide at least the minimum clearance required by the collection methods and vehicles used by the City's designated collector or hauler.

Construction Waste

52. The applicant shall submit a Waste Management Plan (WMP) approved by the Public Works Director in accordance with AMC Section 21-24.
53. During the construction/demolition/renovation period of the project, applicant/developer must obtain the necessary hauling permit, use a City certified waste hauler, or use the City of Alameda's franchised waste hauler, Alameda County Industries (ACI), in accordance with AMC Section 21-21, to remove all wastes generated during the project development.
54. The trash enclosure shall have a floor drain connected to the sanitary sewer system and have a fire sprinkler system.
55. The trash enclosure opening, from end to end, shall be free of obstruction so that service trucks can obtain access to each bin.
56. The storage area(s) and the individual bins and containers provided within shall be adequate in capacity, number and distribution to serve the anticipated demand as determined by the Public Works Director.
57. 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.
58. All solid waste containers, including dumpsters and individual cans or carts, must have fitted lids which shall remain closed at all times when the container is not being used or emptied

Alameda Municipal Power

59. The applicant shall provide an easement for a pad-mounted transformer and the service will need to be undergrounded. The existing transformer shall be moved to the new location. The new location shall have 3-foot clearance on each side and back and 8-foot clearance in front. The applicant shall pay the cost of constructing the transformer pad and moving the transformer.
60. Pedestrian and vehicular lighting at all intersections and project driveways shall meet AMP standards for crosswalks, sidewalks, and intersections.
61. To provide electric service to the proposed development, primary line extensions will be required. Per AMP's Rules and Regulations, the owner/developer shall be responsible for 60% of the installed costs of the required primary trunk cables and pad mounted switches. The applicant/developer's electrical consultant shall coordinate with AMP regarding power requirements.
62. The applicant/developer shall provide all necessary underground substructures, including conduits, pull boxes, transformer pads, etc. per 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.
63. The applicant/developer shall be responsible for the cost of AMP's assigned inspector during construction.
64. The applicant/developer shall furnish and install Code-sized service cables in code-sized conduit from each house to the nearest secondary pull box. AMP will connect the service to the secondary distribution system.
65. The applicant/developer shall furnish easements and access to all electrical utility facilities that are in the private properties, at no charge to AMP.
66. The applicant/developer shall furnish and install service equipment for each unit. The service equipment shall meet Electric Utility Service Equipment Requirement Committee standards.
67. AMP will take over ownership and will be responsible for maintaining all new substructures for undergrounding primary and secondary circuits, and distribution transformers once the improvements have been inspected and found to have been properly installed. The applicant/developer or successor property owners shall be responsible for the service cables and service equipment.
68. The applicant/developer shall be responsible for all expenses involved in the duct system engineering design, plan check, and electrical construction inspection.
69. The applicant/developer shall submit two sets of approved drawings showing the required electric utility facilities.

Fire Department

70. For accessibility for the Alameda Fire Department, the following will be required:
- The installation of a Knox box at the Taylor Street entrance door for the storage of the building's keys. The Knox box is to be sufficiently sized to accommodate the keys to the following doors: The lobby entry door, the mechanical room, the electrical room, elevator keys, the doors to the corridors on the 2nd and 3rd floors, the rooftop, and all commercial spaces. Keys are to be labeled as to which doors they open.
 - Any gate at Taylor Street will require the installation of a Knox key switch.
71. The applicant shall be responsible for a water main extension to serve the project, whose design shall be shown on the Improvement Plan to the satisfaction of the East Bay Municipal Utilities District and the Public Works Director. The applicant may also be responsible for off-site improvements related to fire flow requirements.
72. Prior to approval of the Building Permits, the applicant shall submit revised plans, for review and approval by the Public Works Director in consultation with the Fire Chief, that ensure fire flow for the development shall be 1,500 G.P.M. from any one hydrant and that the elevator is to comply with California Building Code 3002.4 such that the elevator car can accommodate an ambulance stretcher.
73. Hold Harmless and Indemnification Agreement The developer/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, or City Council relating to this project. The City shall promptly notify the developer/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.

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 28th day of March, 2016, by the following vote to wit:

AYES: (5) Knox White, Köster, Mitchell, Sullivan and Zuppan

NOES: (0)

ABSENT: (2) Burton and Henneberry

ATTEST:


 Allen Tai, Secretary
 City of Alameda Planning Board

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CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-16-11

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING ZONING TEXT AMENDMENT PLN16-0104 TO COMPLY WITH NEW STATE LAWS REGARDING WATER EFFICIENT LANDSCAPING.

WHEREAS, Water conservation landscaping regulations were adopted into the Alameda Municipal Code in 1992 as Article IV of Chapter 30; and

WHEREAS, said regulations were amended in June of 2012, to apply to both City and private development projects and to integrate Bay-Friendly Landscape protocols; and

WHEREAS, the State of California updated its statewide Model Water Efficient Landscape Ordinance (MWELo) on July 15, 2015, in order to better address drought conditions; and

WHEREAS, The State has instructed local agencies to adopt the State MWELo or adopt their own ordinance by December 1, 2015, and until the City amends its own water conservation landscaping regulations to be consistent, the State MWELo is effective by default; and

WHEREAS, amendments to Alameda Municipal Code are now proposed to bring the City's water efficient landscape regulations into compliance with the new State MWELo; and

WHEREAS, the Planning Board held a public hearing on this application on April 11, 2016; and

WHEREAS, the Planning Board suggested the requirement to divert construction and demolition debris from landfills be removed from the Draft Ordinance, and since solid waste diversion is addressed in Chapter 21 of the Alameda Municipal Code, requirement has been deleted from the Draft Ordinance; and

WHEREAS, the Planning Board requested that staff consider ways to further encourage the use of greywater systems to conserve water.

NOW THEREFORE BE IT RESOLVED THAT, the Planning Board has made the following findings concerning the project:

1. **The amendments maintain the integrity of the General Plan.** The proposed text amendments are necessary to ensure that the Zoning Ordinance is in compliance with the State of California Model Water Efficient Landscape Ordinance (MWELo). The amended Zoning Ordinance will attain General Plan Open Space and Conservation Element goals to promote and implement water conservation

measures and encourage the use of drought-resistant landscaping.

2. **The amendments will support the general welfare of the community.** The proposed text amendments will promote the continued installation of landscaped areas in development projects while reducing the water demands of such landscaped areas. Additionally, the proposed text amendments will promote the use of the Bay Friendly Landscape Guidelines to ensure landscaped areas are compatible with the surrounding ecosystem.
3. **The amendments are equitable.** The proposed zoning amendments are equitable in that they establish submittal requirements, development standards and review procedures for landscape projects. The proposed zoning amendments also allow the City's permitting process to adapt to potential further changes mandated by the State.

THEREFORE, BE IT FURTHER RESOLVED THAT, this text amendment has been determined to be Categorically Exempt pursuant to Section 15305 of the CEQA Guidelines, which allows minor amendments to land use limitations.

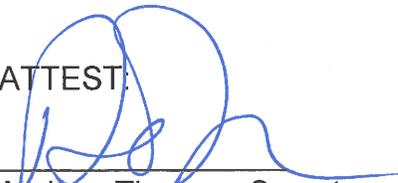
I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 11th day of April, 2016, by the following vote to wit:

AYES: (6) Knox White, Köster, Henneberry, Mitchell, Sullivan and Zuppan

NOES: (0)

ABSENT: (1) Burton

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

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CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-16-12

RECOMMENDING THE CITY COUNCIL RENAME "ROAD B" IN THE HARBOR BAY BUSINESS PARK TO "PENUMBRA PLACE" AND CONSOLIDATE THE 1998 "CORPORATE ADDRESS DESIGNATION POLICY FOR PUBLIC OR PRIVATE STREETS" WITH THE 2007 "POLICY FOR NAMING CITY PROPERTY, FACILITIES AND STREETS".

WHEREAS, in 1998 the City Council adopted the Corporate Address Designation Policy for Public or Private Streets as an economic development incentive to attract corporate businesses to locate in Alameda; and

WHEREAS, in 2007 the City Council adopted the Policy for Naming City Property, Facilities and Streets, which combined the separate Street Naming Policy and Facilities Naming Policy in effect at the time but kept the corporate addressing provisions as a separate policy; and

WHEREAS, in 2016 Penumbra, Inc. filed a request pursuant to the Corporate Address Designation Policy for Public or Private Streets to rename Road B to Penumbra Place; and

WHEREAS, the Planning Board held public hearing on April 25, 2016, to consider the street renaming request, at which time all materials submitted and all comments made by all parties regarding this request were considered.

NOW, THEREFORE BE IT RESOLVED, on April 25, 2016 the Planning Board considered the request, all public testimony, and all pertinent documents and reports and made the following findings concerning the request:

1. The proposal to rename Road B in the Harbor Bay Business Park to Penumbra Place conforms to the General Considerations and Designation sections of the 2007 Policy for Naming City Property, Facilities and Streets, fulfilling the technical requirements for naming conventions, suffix, and emergency services criteria.
2. The proposal to rename Road B in the Harbor Bay Business Park complies with eligibility criteria and requirements in the 1998 Council-adopted Corporate Address Designation Policy for Public or Private Streets, as follows:
 - a) A corporate address designation may be approved for a street in those instances where the corporate campus which the street serves is larger than one acre encompassing at least two buildings in a commercial area. Penumbra currently occupies six buildings along Road B covering an area greater than one acre.
 - b) The roadway to be named must be developed as a street. The street to be named must be full radius return and be acceptable as a street under City design standards

for sidewalks, curbs and intersection configuration. Road B is an existing private street that was constructed according to City design standards at the time of construction.

- c) The street to be named must be located in an area of the City designated in the General Plan as Community Commercial Office Business Park Mixed Use or General Industry on corporate property greater than one acre in size with two or more corporate buildings on site. Road B is located within the Harbor Bay Business Park, which is designated as Business Park on the General Plan and complies with the size and building requirements as discussed above.
- d) The name to be used must be distinct from all other street names used in the City of Alameda to eliminate possible confusion during an emergency response from the City of Alameda. Penumbra Place is a unique name distinct from other street names in the City. The use of Penumbra Place will have no impact on emergency response. The name also conforms to the 2007 Street Naming Policy, which prescribes the suffix "Place" for cul-de-sac or dead-end streets.
- e) The only buildings to be addressed from the named street which is under the full control of said corporation shall be those which are owned or leased long-term and are used for the operation of the corporation for which the street is named. In general, buildings shall be addressed from the street where the main entrance is located. All addressing must be approved by the City Building Official. Penumbra has control of all the buildings along Road B. The City Building Official has confirmed there are no issues with the proposed addressing.

BE IT FURTHER RESOLVED, the Planning Board finds this project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b), as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

BE IT FURTHER RESOLVED, that the Planning Board of the City of Alameda hereby recommends the City Council approve renaming Road B to Penumbra Place and consolidate the Corporate Address Designation Policy for Public or Private Streets with the Policy for Naming City Property, Facilities and Streets.

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 25th day of April, 2016, by the following vote to wit:

AYES: (6) Henneberry, Zuppan, Köster, Mitchell, Sullivan and Burton
NOES: (0)
ABSENT: (1) Knox White

ATTEST:

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end, positioned above a horizontal line.

Andrew Thomas, Secretary
City of Alameda Planning Board