

CONDITIONS OF APPROVAL

PLN2014-00028

1717 Doolittle Drive

D/C 1717 Doolittle Sub LLC, a Delaware Limited Liability Company
(Applicant and Property Owner)

I. COMPLIANCE WITH APPROVED PLANS

- A. The project shall comply with Exhibits A through R attached to the staff report, dated November 6, 2014, except as hereinafter modified. (Exhibits are on file at the City of San Leandro, Community Development Department, 835 East 14th Street, San Leandro, California, 94577).

Exhibit A – Title Sheet with Rendering (Sheet T-1)

Exhibit B – Proposed Site Plan (Sheet A-1)

Exhibit C – Proposed Enlarged Site Plan; West (Sheet A-1.1)

Exhibit D – Proposed Enlarged Site Plan; East (Sheet A-1.2)

Exhibit E – Existing Office Plans (Sheet A-2)

Exhibit F – Proposed Floor Plan (Sheet A-3)

Exhibit G – Existing Elevations with Proposed Elevations (Sheet A-4)

Exhibit H – Proposed Elevations (Sheet A-4.1)

Exhibit I – Proposed Roof Plan and Sections (Sheet A-5)

Exhibit J – Topographic Survey (Sheet C1)

Exhibit K – Preliminary Grading Plan (Sheet C2)

Exhibit L – Preliminary Grading Utility Plan (Sheet C3)

Exhibit M – Preliminary Erosion Control Plan (Sheet C4)

Exhibit N – Storm Water Quality Control Plan (Sheet C5)

Exhibit O – Landscape Planting Plan; South Portion (Sheet L1.0)

Exhibit P – Landscape Planting Plan; North Portion (Sheet L1.1)

Exhibit Q – Landscape Hydro-Zone Plan; South Portion (Sheet L2.0)

Exhibit R – Landscape Hydro-Zone Plan; North Portion (Sheet L2.1)

- B. The developer shall be responsible for assuring that any successor in interest who assumes responsibility for this zoning approval is informed of its terms and conditions.
- C. Construction shall commence within one (1) year following Board of Zoning Adjustments approval and shall be substantially completed within one (1) year thereafter. For the purpose of compliance with this condition, commencement of construction shall be defined as the construction of a substantial portion of the garage/foundation.

II. PERMITTED USE

- A. This Site Plan Review is an approval to construct a new 161,200 square foot warehouse building with loading docks, administrative offices and related landscaping and off-street parking at 1717 Doolittle Drive; Alameda County Assessor's Parcel Number 79A-541-10.

- B. Per the development proposal, the truck route to and from the new building shall be via Aurora Drive, Polvorosa Drive and Doolittle Drive. Any change or modification to the truck traffic route shall be requested in writing to the Community Development Director, who may approve the request or direct the matter to the Board of Zoning Adjustments.
- C. These conditions of approval shall be posted consciously inside the building prior to Certificate of Occupancy and included in the lease agreement provide to future tenants in the new building, and shall be made accessible to all employees in the new building
- D. No application for amendment of the application or Conditions of Approval may be submitted or accepted for processing by the City unless (i) there is full compliance with all terms of the application and Conditions of Approval; or (ii) the Community Development Director can waive compliance with the terms of the application if they are minor in content.
- E. The project shall remain in substantial compliance with the approved exhibits and plans. Any change to the parameters of the proposed project shall be subject to the review and approval of the Community Development Director, who may administratively approve or require review by the Board of Zoning Adjustments as a modification to appropriate application approval listed above.
- F. Per **Condition VII. S.** this approval requires a 12 feet wide dedication along the Doolittle Drive property frontage to the City of San Leandro as right-of-way per the 1988 Master Plan of City Streets. The actual design and future work to widen Doolittle Drive will be the responsibility of the City. In the City's design to widen the street it will attempt to maintain the off-street parking on the site for the future road widening work. In the event the actual design takes away existing landscaped setback and/or existing off-street parking spaces the property owner will not be required to replace the affected existing on-site improvements.

III. ADDITIONAL PLAN SUBMITTALS

- A. Prior to issuance a building permit, a final landscape and irrigation plan shall be submitted for the landscaped areas. Said plans shall include such details as, 1) tree size, species and location; 2) shrubs and groundcovers; 3) installation specifications; 4) irrigation details; 5) water conservation techniques; and 6) maintenance programs. Final landscape and irrigation plans shall conform to the Water Efficient Landscape Ordinance as codified in Article 19 of the San Leandro Zoning Code. All trees planted on the property or within the City right-of-way shall have a minimum canopy height of eight feet above walkways and 14 feet above any roadway. In addition, said final landscape plan and site plan for building permit shall note the removal chain link and barbed wire fencing along the Williams Street frontage and the Aurora Drive back of sidewalk.
- B. Prior to approval of a building permit for the new building an actual colors and materials board shall be submitted and subject to the review and approval of the Zoning Enforcement Official.

- C. Prior to issuance of building permits, the developer shall submit final details and specifications for any freestanding or exterior trash enclosure structures. Said details and specifications shall be designed to blend in and complement the new building, to the satisfaction of the Community Development Director.
- D. Prior to issuance of building permits, the developer shall submit final plans and details for site lighting (including submittal of a photometric study) for the review and approval of the Community Development Director. The plans and details shall show location, height, decorative features, and construction details showing materials and finishes to be used for construction. No site lighting may spill offsite.
- E. Prior to issuance of building permits, applicant shall submit a sign program showing locations (i.e., building signage), details and total sign area calculations for the review and approval of the Community Development Director and the City Engineer. Said program shall include but is not limited to building wall signs using individual letters, external illumination in the case the wall signs are lighted, and low-profile monument sign for freestanding signage. Any freestanding sign shall not be closer than 10 feet to the adjacent curb or edge of driveway and shall be designed with materials and finishes that blend in or match the new building. Additional signage such as directional signs on the site will be reviewed to ensure they comply with the Sign Ordinance.
- F. Prior to approval of a building permit for the proposed building, a green building and water-efficient landscape checklist shall be completed and incorporated into building permits for this project. For the purposes of this condition, the checklists shall be the Build it Green GreenPoint Rated checklist for New Industrial Buildings, or an equivalent rating system, as approved by the Zoning Enforcement Official, and the StopWaste.Org Bay-Friendly Landscape checklist.

IV. FIRE DEPARTMENT REQUIREMENTS

- A. On the building permit plans, the Type of construction shall be noted or shown so that the water supply for the new building can be calculated by the Fire Department. In addition, the said plans under the Building Data Information Section shall indicate the type of Occupancy (i.e., S1, S2, F1, F2, etc.) and activity that this building will be designed to.
- B. A fire sprinkler system shall be designed and required to be installed and operational for this project. In the event high piled storage will be designed inside the building, a higher density fire sprinkler system shall be required. Said higher density fire sprinkler shall obtain the required building permit.
- C. A Central Monitoring Fire Alarm System shall be designed and required to be installed for this project.
- D. Any outdoor vehicle access gates on the project site shall require a Knox Box. In the event, the gates are electric then an electric Knox Box Key Switch shall be required for Fire Department access.

- E. Any outdoor fencing that includes vehicle access gates shall require pedestrian egress gates. Said pedestrian egress gate(s) shall be shown on the building permit plans to the satisfaction of the Fire Department.
- F. Exit signs and Emergency lighting shall be required throughout the building and shown on the on the building permit plans to the satisfaction of the Fire Department.
- G. Fire Extinguishers shall be required with the following ratings per the Fire Code: 2A 10B:C for the office area and 4A 40B:C for the warehouse area.
- H. A Knox Box for Fire Department access is required at the main entrance of the building.

V. MAINTENANCE

- A. The project site shall be well-maintained and shall be kept free of litter, debris and weeds at all times.
- B. Any graffiti shall be promptly removed from building walls, perimeter soundwalls and/or fences. The developer and its successors in interest shall comply with the rules and regulations of the City's graffiti removal program and shall grant a license and right of entry as requested to enforce the terms of such program.
- C. All fencing and walls on the project site shall be structurally sound, graffiti- free and well maintained at all times.
- D. Barbed or razor wire shall not be installed on any fence, wall or building on the project site.
- E. All landscaping improvements shall be maintained in a healthy, growing condition at all times.
- F. Upon demolition or removal of existing structures and improvements, the site shall be enclosed with a security fence.

VI. POLICE DEPARTMENT REQUIREMENTS

- A. All building addresses shall be placed in such a position as to be plainly visible and legible from the street. Said numbers shall contrast with their background and be visible at night. Details including number size and location shall be submitted for the review and approval of the City of San Leandro Police Department, Fire Marshal and the Community Development Director, prior to issuance of building permits. Street names shall be approved by the City of San Leandro Police Department, Fire Marshal and the Community Development Director. Specific property addresses will be assigned by the Building Division of the Community Development Department.
- B. Plans submitted for building permits shall designate for the placement/storage of garbage and recycle bins on non-service days inside the garage.

VII. ENGINEERING DEPARTMENT

- A. Pursuant to Government Code Section 66020, including Section 66020 (d) (1), the City HEREBY NOTIFIES the applicant for this Project that the 90-day approval period (in which the applicant may protest the imposition of any fees, dedications, reservations, or other exactions imposed on this Project by these Conditions of Approval) will begin on the date of the conditional approval of this Project. If the applicant/property owner fails to file a protest within this 90-day period, complying with all of the requirements of Government Code Section 66020, they will be legally barred from later challenging any such fees, dedications, reservations or other exactions.
- B. Design review fees, development impact fees, permit fees, inspection fees, and any other fees charged by the City or other reviewing agencies for the review, approval, permitting and inspection of the above listed public improvements shall be paid by the Applicant.
- C. A Development Fee for Street Improvements (DFSI) is required and is currently estimated to be \$329,486.79 which includes the Marina Boulevard/Intestate 880 Traffic Impact Fee and the Davis Street/Doolittle Drive Zone 5 Traffic Impact Fee. The DFSI will be due prior to the issuance of the building permit. These fees are subject to change at the start of each fiscal year.
- D. Applicant shall underground all overhead utilities along the property frontage on Doolittle Drive and Williams Street. In lieu of undergrounding the utilities on both frontages, the applicant shall make payment into the Underground Utility Conversion Fee for the project, which is currently at \$341.70 per linear foot of frontage on Doolittle Drive and Williams Street. Fee is due prior to issuance of building permit and is subject to change at the start of each fiscal year.
- E. Site Improvement Plans for all on-site and off-site improvements shall be prepared by a State of California Registered Civil Engineer and approved by the City Engineer prior to the issuance of Building Permits for the project. All improvements shall be designed and constructed in accordance with the City's Design Standards, Specifications and Standard Plans, unless otherwise specifically approved by the City Engineer.
- F. All details of site construction, including, but not limited to, on-site pavement slopes, illumination, drainage, etc., are subject to the approval of the City Engineer.
- G. Prior to the issuance of building permits for the project, the Developer shall obtain an Encroachment Permit from the Engineering and Transportation Department for any work within public right of way.
- H. The applicant shall remove any broken and uplifted sidewalk, driveway, curb and gutter along the full project frontage and shall construct new City standard sidewalk, driveway, curb and gutter in the same location and alignment as the existing curb and gutter. The applicant shall remove any unused driveways and construct new City standard sidewalk and curb and gutter in the same location and alignment as the existing sidewalk and curb and gutter and shall construct City of San Leandro standard driveway approaches.

- I. The applicant shall obtain a Grading Permit from the Engineering and Transportation Department and pay associated fees prior to obtaining a Building Permit. The applicant shall submit Erosion Control plans and a detailed maintenance plan for the post construction storm water treatment measures. Applicant shall implement all applicable items listed in the model list of source control measures, published by the Alameda Countywide Clean Water Program.
- J. The applicant shall file a Notice of Intent and Storm Water Pollution Control Plan with the State Water Quality Control Board and shall comply with all requirements of the board prior to issuance of a Grading Permit by the City.
- K. The Developer is also responsible for ensuring that all contractors and subcontractors are aware of and implement all storm water quality measures per NPDES and Alameda County Clean Water Program. Failure to comply with the approved construction Best Management Practices (BMPs) shall result in the issuance of correction notices, citations and/or a project stop order.
- L. The applicant shall reduce storm water pollution by implementing the following pollution source control measures:
 - 1. Structures shall be designed to discourage the occurrence and entry of pests into buildings, thus minimizing the need for pesticides. The trash area shall be separated from the rest of the building by concrete or masonry walls so that pests that gain access to the area are less likely to access the rest of the building.
 - 2. All storm drains shall be marked "NO DUMPING, DRAINS TO BAY"
 - 3. All on-site storm drains shall be inspected and, if necessary, cleaned at least twice a year immediately prior to the rainy season.
 - 4. Sidewalks and parking lots shall be swept regularly to minimize the accumulation of litter and debris. Steam cleaning or low volume pressure washing may be performed only after pre-cleaning using dry methods, spot cleaning and recovery in stained areas and removal of all mobile pollutants. Debris resulting from pressure washing shall be trapped and collected to prevent entry into the storm drain system. Wash water containing any soap, cleaning agent or degreaser shall not be discharged to the storm drain.
 - 5. Interior floor drains (if any) shall not be connected to the storm drain system.
 - 6. Air conditioning condensate shall be directed to landscaped areas. Any air conditioning condensate that discharges to land without flowing to a storm drain may be subject to the requirements of the State Water Resources Control Board's (SWRCB) Statewide General Waste Discharge Requirements (WDRs) for Discharges to Land with a Low Threat to Water Quality.
 - 7. Landscaping shall be 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.
 - 8. Where feasible, landscaping shall be designed and operated to treat storm water runoff by incorporating elements that collect, detain, and infiltrate runoff. In areas that provide detention of water, plans that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified.
 - 9. Plant materials selected shall be appropriate to site specific characteristics such as soil type, topography, climate, amount and timing of sunlight, prevailing winds, rainfall, air

- movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment.
10. Selection of the plants that will require minimal pesticide use.
 11. Irrigation shall be appropriate to the water requirements of the selected plants.
 12. The applicant shall select pest and disease resistant plants.
 13. The applicant shall plant a diversity of species to prevent a potential pest infestation from affecting the entire landscaping plan.
 14. The applicant shall plan insectary plants in the landscaping to attract and keep beneficial insects.
- M. No construction materials and/or equipment shall be stockpiled or parked within the City right-of-way.
- N. The applicant shall locate all utilities serving the site underground.
- O. Roof drains shall discharge to an unpaved area wherever practicable.
- P. The project shall include a roofed or an enclosed area for dumpsters, recycling containers, compactors, and food waste containers. The area shall be designed to prevent water run-on to the area and runoff from the area and to contain litter and trash, so that it is not dispersed by wind or runoff during waste removal.
- Q. Loading docks shall be graded to minimize run-on to and runoff from the loading area or be covered. Roof downspouts shall be positioned to direct stormwater away from the loading area. Stormwater runoff from loading dock areas shall be drained to the sanitary sewer, or diverted and collected for ultimate discharge to the sanitary sewer or – Stormwater runoff from loading dock areas shall be connected to a post-construction stormwater treatment measure(s) prior to discharge to the storm drain system.
- R. The applicant shall comply with the following high standards of sanitation during construction of improvements: Garbage cans, construction dumpsters, and debris piles shall be removed on a minimum weekly basis. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers only and shall be regularly removed from the site. Inspections, conducted as part of the regular construction compliance, will be conducted to ensure compliance of the applicant and contractors with this requirement.
- S. The applicant shall dedicate a width of 12 feet along the Doolittle Drive property frontage to the City as right-of-way per the 1988 Master Plan of City Streets. The right-of-way dedication process can run concurrently with the Building Permit application.
- T. Site plan on sheet A-1 does not match layout shown on sheets C-2, L-1.0 and L-1.1. Sheet A-1 appears to be missing a driveway entrance along the south side of the new building and is showing more parking stalls than the civil and landscape drawings. Please coordinate site layout prior to future submittals.
- U. Per letter dated August 25, 2014, truck traffic ingress/egress for the new warehouse facility shall be via Aurora Drive, Polvorosa Drive and Doolittle Drive. Applicant shall note/show on the building permit plans the truck traffic route to the new building via Aurora Drive, Polvorosa Avenue and Doolittle Drive.

VIII. PUBLIC WORKS

- A. All proposed tenant improvements moving into the building shall be subject to a building permit that shall be subject to the review of the Public Works Water Pollution Control Plant. (Note: The sewer main on Williams Street is a six-inch line.). Any proposed processing facility in the future in the new building shall be submitted in writing to the City's Public Works Water Pollution Control Plant to analyze if capacity is adequate or it will be required to be enlarged to increase its capacity.
- B. The storm water system shall be designed to include trash capture, not only on the property, but also on the street if possible. Details shall be subject to the review and approval of the Public Works Director or designee at the City's Water Pollution Control Plant.

IX. CONSTRUCTION PROVISIONS

- A. Pest and vermin control shall be instituted prior to the demolition and construction of the project.
- B. During construction the following high standards for sanitation are required: Garbage cans, construction dumpsters, and debris piles shall be removed on a minimum weekly basis. All food related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers only and shall be regularly removed from the site. At no time shall debris remain on site unattended within the front yard setback of the property. Inspections will be conducted as part of the regular construction compliance, to ensure compliance of the Applicant and contractors with this requirement.
- C. Construction activity shall not commence prior to 7:00 a.m. and shall cease by 7:00 p.m. Monday through Friday, and construction activity shall not commence prior to 9:00 a.m. and shall cease by 5:00 p.m. on Saturday. No construction is permitted on Federal holidays or Sundays. As provided in the City of San Leandro's Noise Ordinance (ORDINANCE NO. 2003-005), "construction" shall mean any site preparation, assembly, erection, substantial repair, alteration, demolition or similar action, for or on any private property, public or private right-of-way, streets, structures, utilities, facilities, or other similar property. Construction activities carried on in violation of this Article may be enforced as provided in Section 4-11-1130, and may also be enforced by issuance of a stop work order and/or revocation of any or all permits issued for such construction activity. Procedures with the highest noise potential shall be scheduled for daylight hours, when ambient noise levels are highest. The contractor(s) shall be required to employ the quietest among alternative equipment or to muffle/control noise from available equipment.
- D. Construction activity shall not create dust, noise or safety hazards for adjacent residents and properties. Dirt and mud shall not be tracked onto Williams Street, Aurora Drive, Polvorosa Avenue, or Doolittle Drive from the project site during construction. Standard construction dust control procedures, such as wetting, daily roadwashing and other maintenance functions to control emissions, shall be implemented at all times during outdoor construction. Dust generating activities such as excavation, paving etc., shall be scheduled in the early morning and other hours when wind speeds are low. All

construction contracts shall include the following requirements: 1) unpaved construction sites shall be sprinkled with water at least twice per day; 2) trucks hauling construction materials shall be covered with tarpaulins or other effective covers; 3) streets surrounding demolition and construction sites shall be swept at least once per day; and 4) paving and planting shall be done as soon as possible. City shall charge developer, and developer shall pay, for all costs of sweeping city streets in the vicinity of the project as necessary to control dust and spillage.

- E. Construction workers on the project shall be provided a portable toilet as a minimum sanitary facility for use during all phases of construction. Said portable toilet shall be screened from view from the public right-of-way or located to the interior or rear of the site.

X. GENERAL CONDITIONS

- A. All exterior mechanical equipment such as air conditioning/heating units and radio/television antennas shall be screened from view so as not to be visible from adjacent properties or streets to the satisfaction of the Community Development Director. This condition shall not apply to wireless cable receivers that do not exceed three feet in diameter.
- B. Any electrical transformers shall be vaulted underground. In the event that the transformer cannot be undergrounded, it shall be screened from view consistent with the access requirements of PG&E. Details for screening shall be subject to the review and approval of the Community Development Director.
- C. No temporary or unauthorized signs including but not limited to banners, balloons, streamers and pennants shall be placed on the property, unless approved by the City under a Special Event Permit.
- D. No objectionable odors emanating from the building or trash enclosure shall be detectable beyond the subject property.
- E. There shall be no loitering permitted on the site and the site shall be posted to permit enforcement of the City ordinance prohibiting loitering by the City of San Leandro Police Department.
- F. There shall be no display or outdoor storage of equipment, materials, merchandise or vehicles outside the building.
- G. The approvals granted by the City as a result of this application, as well as the Conditions of Approval, shall be recorded in the Office of the County Recorder of Alameda County.
- H. Pursuant to Zoning Code Section 5-2218, this approval shall lapse on February 5, 2016, unless a) a grading permit or building permit has been issued, coupled with diligent progress evidencing good faith intention to commence the intended use; or b) an occupancy permit has been issued; or c) the approval is renewed, as provided for in said Zoning Code section.