

**RECOMMENDED
CONDITIONS OF APPROVAL**

**PLN16-0050
1659-1695 Washington Avenue
J. Burns, Collaborative Design Architects, Inc. (Applicant)
G. Galvan (Property Owner)**

I. COMPLIANCE WITH APPROVED PLANS

- A. The project shall comply with Exhibits A through BB, dated December 1, 2016 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 – Location Plan – Site Plan (Cover Sheet), G1.1
Exhibit B – Project Information, Ladder Angles, Preliminary Code Analysis, G1.2
Exhibit C – Site Survey Existing Conditions, C1.1
Exhibit D – Civil Stormwater C-3 Calculations, C1.2
Exhibit E – Street Level, Garage Entry Floor Plan A2.0
Exhibit F – Garage Subterranean Floor Plan, A2.0a
Exhibit G – First Floor Residential, Second Floor Structure, A2.1
Exhibit H – Second Floor Residential, Third Floor Structure, A2.2
Exhibit I – Third Floor Residential, Fourth Floor Structure, A2.3
Exhibit J – Fourth Floor Residential, Fifth Floor Structure, A2.4
Exhibit K – Roof Plan, A2.5
Exhibit L – Unit Mix/Calculations, Individual Unit Plans 1A-1C, A2.6
Exhibit M – Individual Unit Plans 1D-1G, A2.7
Exhibit N – Individual Unit Plans 1H, 2A, A2.8
Exhibit O – Individual Unit Plans 2B, 2C, A2.9
Exhibit P – Exterior Elevations South and East, A3.1
Exhibit Q – Exterior Elevations South and East (Rendered), A3.1a
Exhibit R – Exterior Elevations North and West, A3.2
Exhibit S – Exterior Building Sections, A3.3
Exhibit T – Landscape Plan, L1.1
Exhibit U – Plant Material/Site Furniture Landscape Plan, L1.1a
Exhibit V – Color and Finish Board, CB.1
Exhibit W – Perspective East Elevation Facing Washington Avenue
Exhibit X – Perspective Corner Facing Washington Avenue and Thornton Street
Exhibit Y – Perspective South Elevation Facing Thornton Street
Exhibit Z – Perspective South Elevation Western Corner
Exhibit AA – Perspective Courtyard
Exhibit BB – Sidewalk Repair per City Engineer

- 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. Conditional Use Permit and Site Plan approval shall lapse after one (1) year following Board of Zoning Adjustments approval of the application unless a grading permit or building permit has been issued, coupled with diligent progress evidencing good faith intention to commence the intended use; or an occupancy permit has been issued; or the

approval is renewed, as provided in Section 5-2218.E. Pursuant to Zoning Code Section 5-2218.E. upon written request the approval may be renewed by the Zoning Enforcement Official for one (1) year, with one additional (1) one-year renewal allowed for a total period not to exceed two (2) years without notice or public hearing if the findings required by Section 2-580.H. remain valid. Application for renewal shall be made in writing to the Community Development Director not less than 30 days or more than 120 days prior to expiration of the Conditional Use Permit and Site Plan approval. Denial of a request for renewal of the Project approval may be appealed.

II. PERMITTED USE

- A. This Conditional Use Permit and Site Plan Review approval permits construction of a 60-unit multi-family residential building that includes 57 one bedroom units and three two bedroom units at 1659-1695 Washington Avenue (northwest corner of Washington Avenue and Thornton Street.). The proposed new building would be four-story construction above parking levels that contain 73 parking spaces. Alameda County Assessor's Parcel Numbers 75-6-5-1 and 75-6-6-1.
- B. 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 other legally binding documents regulating development on the property; and (ii) there is full compliance with all terms of the application and Conditions of Approval, or (iii) the Community Development Director has waived compliance with the terms of the application because they are minor in content.
- C. Construction of the project shall remain in substantial compliance with the approved exhibits and plans. The Zoning Enforcement Official may approve changes to approved plans or in conditions of approval without a public hearing upon determining that the changes in conditions are minor and are consistent with the intent of the original approval. Revisions involving substantial changes in project design or conditions of approval shall be treated as new applications, to be reviewed as a new project.

III. ADDITIONAL PLAN SUBMITTALS

- A. Prior to issuance of building permits, applicant shall submit a checklist showing that the project meets the minimum green building rating for a residential buildings, according to the most current GreenPoint Rated for Newly-Constructed Residential Buildings, or equivalent green building rating system as adopted by the City of San Leandro at the time of submittal for building permits. Features indicated on said checklist shall be incorporated into building permit plans.
- B. Prior to issuance of building permits, all building plans and specifications shall be submitted for review and approval to the Zoning Enforcement Official to ensure the quality of the exterior design. Said plans and specifications shall indicate the exact type of stucco, windows and framing, front doors, door and window trim, deck and porch railings, garage door, solid waste/recycling room door, and light fixtures to ensure that the new building's exterior materials and finishes meet the standards illustrated in the approved exhibits. In addition, a final paint colors board shall be submitted for the exterior of the building.

- C. Prior to issuance of building permits, the developer shall submit final details and specifications including, but not limited to: material samples for driveways, private walkways, and special building features, for review and approval by the Zoning Enforcement Official.
- D. Prior to issuance of building permits, the developer shall submit final landscape and irrigation plans for the review and approval of the Zoning Enforcement Official and Principal Engineer. Said plans shall include all setbacks, common areas (i.e., planter at podium level in northwest corner, raised pots), and planters adjacent to the driveway. At a minimum, the planting plan shall include trees with a minimum size of 15 gallons. The minimum size for the shrubs and vines shall be five gallons and the ground cover shall be one gallon or from flats with appropriate spacing for coverage. Said plans shall include details such as: 1) tree size, species and location; 2) shrubs and groundcovers; 3) installation specifications, including tree staking; 4) irrigation details; 5) water conservation techniques; and 6) maintenance programs. Final landscape and irrigation plans shall be prepared by a California licensed landscape architect and shall conform to the Model Water Efficient Landscape Ordinance as updated by the State of California Department of Water Resources.
- E. Prior to issuance of building permits, the developer shall submit final plans and details for the site lighting and specific street lighting details regarding location, candle power, and light levels (by submittal of a photometric study) for the review and approval of the City Engineer and 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 or create glare offsite.
- F. Prior to issuance of any Certificate of Occupancy on the property, the improvements outlined above shall be completely installed to the satisfaction of the Community Development Director and the City Engineer.

IV. BUILDING AND SAFETY SERVICES REQUIREMENTS

- A. All electrical, gas, and water meters shall be located such that they will not be visible from the street or common driveway, or these units shall be screened or enclosed. The screen or enclosure shall be painted to match the color of the exterior building wall that it is affixed to.
- B. Prior to approval of the final building plans for building permits, the developer shall submit evidence of compliance with Title 24 Code, to the satisfaction of the Building Official.
- C. Prior to approval of building permits, the developer shall submit evidence of compliance with the California Building Code related to the following accessibility requirements.
- D. Final building plans submitted for building permit shall incorporate a range of water conservation measures to substantially reduce average per capita daily use. These measures shall include the use of equipment, devices and methods for plumbing

fixtures and irrigation that provide for long-term efficient water use, subject to the review and approval of the Building Official.

V. ENGINEERING AND TRANSPORTATION DEPARTMENT REQUIREMENTS

A. General

1. 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 fails to file a protest within this 90-day period, complying with all of the requirements of Government Code Section 66020, the applicant will be legally barred from later challenging any such fees, dedications, reservations or other exactions.
2. The proposed development shall comply with City ordinances, policies and regulations. All improvements shall be in accordance with the City's Design Standards, Specifications and Standard Plans unless otherwise specifically approved by the Principal Engineer. Unless otherwise stated, the following Conditions of Approval shall be complied with prior to issuance of a Building Permit.

B. Geotechnical Feasibility Assessment

1. The last paragraphs on Page 12 of the Geotechnical Assessment suggest that liquefaction-induced settlement of up to 3.4 inches may occur at the site, and a differential settlement of 1.7 inches across the footprint may be possible. The site features (walkways, etc.) that adjoin building foundations shall be designed to accommodate the estimated settlement without creating vertical offsets that lead to tripping hazards for pedestrians.
2. Third paragraph on page 13 of the Geotechnical Assessment report indicates that vertical excavations will require shoring and bracing. The applicant shall submit shoring and bracing plans signed by California registered Civil Engineer when applying for a Grading Permit.

C. Phase I Environmental Site Assessment

1. First paragraph on page 27 recommends that soils to be excavated during site redevelopment are characterized for appropriate off-site placement and/or disposal. Characterization work shall be conducted following removal of existing structures so that the soil left during historical underground storage tank (UST) removal excavation work are accessible to sampling activities.
2. In addition to American Society of Heating Refrigeration and Air-Conditioning Engineers (ASHRAE) standards for acceptable ventilation of subsurface parking and building mechanical rooms, a vapor barrier membrane material that is resistant to volatile organic compounds (VOCs) in addition to water vapor (such as SikaProof A08) shall be installed to provide complimentary protection for the redevelopment.

D. Municipal Regional Stormwater Permit Provision C.3 (Clean Water Program)

1. Referring to the C.3 Compliance Exhibit, the following deficiencies were noted on the Preliminary Stormwater Management Plan. Said deficiencies shall be corrected during the building permit phase and prior to issuance of Building Permit:
 - a) The table in the upper right corner of the C.3 compliance exhibit contains no backup to support the Filterra Unit treatment size conclusions. The applicant shall submit a cut sheet stating the treatment sizes.
 - b) Volume flow calculation for District Meter Area (DMA) 4 shows that depth of stored runoff in surface ponding area is 42.06 inches whereas for DMA 5 it is -16.58 inches, DMA 8 it is -19.16 inches and DMA 9 it is -19.09 inches. It cannot be verified as to what the ultimate ponding depth for the bio-treatment area (IMP-4) is. As per Alameda County C.3 Technical Guidance Manual, ponding depth cannot be more than 12 inches. Similarly, the ponding depth cannot be verified for other treatment measures.
 - c) Plans shall show a pipe network that conveys treated storm water to the offsite public system.
 - d) The C.3 improvements must be in compliance with the Alameda Countywide Clean Water Program Guidance (latest edition), and the most current Municipal Regional Permit. The Waste Dischargers Identification (WDID) number, once obtained from the Regional Water Quality Control Board, shall be printed on the grading plans.

E. Lot Line Adjustment

1. The proposed project encompasses a total of two adjacent parcels owned by the same titleholder. Prior to building permit application, the applicant shall merge these two parcels. The applicant shall complete the form at <http://www.sanleandro.org/civicax/filebank/blobdload.aspx?blobid=3617> and provide specified documents, lot merger map, plats and legal description and pay the required fee for processing the application to the Engineering and Transportation Department. Once the lot merger is approved and recorded, the applicant can proceed with the Building Permit application.

F. Site Planning

1. City operates a sanitary sewer network on Washington Avenue across the property frontage. There is no sanitary sewer network on Thornton Avenue across the subject property frontage. The proposed site development can therefore tie into the City's network on Washington Avenue on the Building Permit plans. The City is inspecting any defects in this sanitary sewer segment on Washington Avenue and if the Pipeline Assessment Certification Program (PACP) index rating is 3 or worse (as graded from 1 to 5) or if the new lateral connection will cause any structural damage to the sanitary sewer main line, the applicant shall replace the main pipeline from manhole to manhole as part of this project prior to making the sewer lateral connection.
2. Building Permit plans shall show van accessible parking spaces. Accessible parking spaces shall be constructed according to City Standard Plan 602.

3. Building Permit plans shall show the location(s) of proposed mailbox kiosks. Applicant shall provide proof that the location(s) are acceptable to the local Post Master and easily accessible for the residents.
4. The applicant shall obtain an Encroachment Permit from the Engineering and Transportation Department for any work within public right-of-way. Contractors must be properly licensed, have a valid Business License, and submit proof of insurance. Applicable fees/deposits must be paid at the time of issuance, and do not vest with this approval.
5. 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. The applicant shall implement all applicable items listed in the model list of source control measures published by the Alameda Countywide Clean Water Program.
6. Plans shall show a new pedestrian curb ramp within the public right-of-way at the intersection of Thornton Street and Washington Avenue in compliance with ADA standards.
7. All abandoned driveways shall be removed and replaced with City standard sidewalk, curb and gutter. Show these locations on the plans.
8. Per Exhibit BB, the locations of necessary sidewalk repairs to eliminate hazards shall be shown on the site improvement plans. The applicant shall remove broken and uplifted sidewalk, driveway, curb and gutter along the project frontages as shown in the exhibit 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 obtain an encroachment permit prior to beginning any sidewalk or driveway repairs.
9. Driveway and sidewalk construction shall be in compliance with the City of San Leandro Standard Plans Drawing No. 102, Case 3101 and Drawing No. 100, Case 3101.
10. Specify on Building Permit plans width of garage door on Thornton Street. Garage door shall be a minimum of 20 feet in width.
11. Plans shall show two new red-curbed zones on street for no parking on either side of the proposed driveway: 20 feet along the east of the driveway, and 10 feet along the west of the driveway.
12. The applicant shall reduce storm water pollution by implementing the following pollution source control measures:
 - a. 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.
 - b. 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.

- c. Interior floor drains (if any) shall not be connected to the storm drain system.
 - d. 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.
 - e. 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.
 - f. 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.
 - g. 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.
 - h. Selection of the plants for the project shall be ones that require minimal pesticide use.
 - i. Irrigation shall be appropriate to the water requirements of the selected plants.
 - j. The applicant shall select pest and disease resistant plants.
 - k. The applicant shall plant a diversity of species to prevent a potential pest infestation from affecting the entire landscaping plan.
 - l. The applicant shall plan insectary plants in the landscaping to attract and keep beneficial insects.
13. The applicant shall locate all electric and communications utilities serving the site underground.
14. Building Permit plans shall show roof downspout locations.
15. Building Permit plans shall show water, sewer and storm drain utility connection to offsite public utility system.
16. Applicant shall submit Occupational Safety and Health (Cal/OSHA) notification form for shoring and bracing for over excavation.

G. Impact Fees

- 1. A Development Fee for Street Improvements (DFSI) shall be assessed approximately in the amount of \$70,590.40 which is calculated at \$1,334.84 per housing unit and includes credit for existing single family (\$1,334.84) and credit for existing auto service station (\$8,165.16) on the two parcels. DFSI fee shall be paid prior to issuance of the building permit. These fees are subject to change each fiscal year and will not be vested until the time of building permit issuance.

2. A Marina Boulevard/Interstate 880 Traffic Impact Fee shall be assessed approximately in the amount of \$31,253.88 which is calculated at \$671.40 per housing unit and includes a credit for existing single family (\$671.40) and credit for existing auto service station (\$8,349.06) on the two parcels. The Marina Boulevard/Interstate 880 Traffic Impact Fee shall be paid prior to issuance of the building permit. These fees are subject to change each fiscal year and will not be vested until the time of building permit issuance.
3. A Park Facilities Development Impact Fee shall be assessed assuming 60 dwelling units (du) as follows:

Park Land Acquisition Fee:	\$12,681.94/du or \$757,136.40
Park Improvement Fee:	\$2,123.42/du or \$127,405.20
Credit towards existing single family unit:	\$16,938.44/du or (\$16,938.44)
Total Park Impact Fee:	<u>\$871,383.16</u>

Note: The amount specified above is approximate as these fees are subject to change at the start of each fiscal year and will not be vested until the time of Building Permit issuance.

4. Washington Avenue is in the City's adopted Underground Utility District Master Plan; hence an in lieu fee shall be assessed approximately in the amount of \$53,737.50 which is calculated at \$358.25 per linear foot frontage. This undergrounding overhead utility conversion fee shall be due at the time of Building Permit issuance. This fee is subject to change at the beginning of each fiscal year and will not be vested until the time of Building Permit issuance.

VI. ENVIRONMENTAL SERVICES REQUIREMENTS

- A. The storage of hazardous materials in quantities equal to or greater than 55 gallons, 200 cubic feet or 500 pounds and generation of any amount of hazardous waste requires submittal of a Hazardous Materials Business Plan (HMBP). HMBP submittal shall be completed via the California Environmental Reporting System (CERS) online database at <http://cers.calepa.ca.gov/>. An HMBP shall be submitted prior to issuance of a Certificate of Occupancy or placement of the material onto the site, whichever occurs first. The plan is subject to review and approval of City of San Leandro Environmental Services.
- B. Air discharge permits required by either the Bay Area Air Quality Management District (BAAQMD) or California Air Resources Board (CARB), including those for diesel generators and diesel aboveground storage tanks (ASTs), shall be active prior to issuance of the final Certificate of Occupancy..
- C. Soil and groundwater at the site are impacted with residual petroleum hydrocarbon constituents. Historically, groundwater at the site is encountered at approximately 20 feet below ground surface. Proposed excavation at the site is to a depth of 13 feet below ground surface. Contact Randy Lee at the Regional Water Quality Control Board (Board) at randy.lee@waterboards.ca.gov (510) 622-2375 to verify whether a soil management plan will be required for subsurface excavation activities at the site.

Provide City of San Leandro Environmental Services Division with a copy of correspondence related to the Board's determination and direct to the attention of Tiffany Treece at ttreece@sanleandro.org.

1. In the event that groundwater is encountered during excavation that results in the need to dewater groundwater from excavated areas, National Pollutant Discharge Elimination System (NPDES) permit coverage shall be obtained from the Board for any proposed discharge to surface water (storm drain). Contact Marcos De la Cruz at marcos.delacruz@waterboards.ca.gov (510) 622-2365 and copy verification of permit coverage to ttreece@sanleandro.org. Issuance of NPDES permit coverage requires City of San Leandro Environmental Services approval to discharge to the City's stormwater collection system.
2. In the event that groundwater is encountered during excavation that results in the need to dewater groundwater from excavated areas, a discharge permit shall be obtained from the City of San Leandro Environmental Services Division for any proposed discharge to the sanitary sewer. Contact ttreece@sanleandro.org (510) 577-6031.
3. In the event that a permanent groundwater dewatering system must be installed to protect subsurface structures, NPDES permit coverage is required, subject to the above provisions, to discharge to surface water (storm drain). Permanent dewatering to the sanitary sewer is prohibited. In addition, to obtain approval for long-term discharge to the City's stormwater collection system, applicant must demonstrate that the City's existing storm drain network has capacity for the additional maximum flow in 10-year recurrence interval storm event.

VII. ALAMEDA COUNTY FIRE DEPARTMENT REQUIREMENTS

- A. Plans for Building Permit submittal shall include Building Data Information which includes floor area calculations, type of construction, occupancy types, fire protections systems (NFPA 13 or 13R), fire alarm system, mechanical ventilation system in the parking garage area, standpipes in the stairwells, ladder angles, water flow data for adequate flow in the attic space, etc.
- B. Plans for Building Permit submittal shall include all required emergency access from the parking garage to the first floor residential, hallways, elevator, ground floor lobby, rooftop, etc. Said required emergency access shall be designed per the Building and Fire Codes to the satisfaction of the Chief Building Official and Fire Marshal.
- C. Plans for Building Permit submittal shall include how exterior stairwells are protected from the individual unit's exterior balconies per the Building and Fire Codes to the satisfaction of the Chief Building Official and Fire Marshal.
- D. In the event the heating, ventilation, and air conditioning (HVAC) utilizes natural gas in the common areas (i.e., corridors, fitness rooms, etc.), carbon monoxide detectors shall be added to the floors and the units to the satisfaction of the Fire Marshal.
- E. In the event the interior stairways are carpeted, the stairways shall be fire-sprinkled.

VIII. PUBLIC WORKS DEPARTMENT REQUIREMENTS

- A. Plans for Building Permit submittal shall note each individual unit having sufficient internal dedicated storage and collection space for trash, recyclables and organics.
- B. The building shall provide readily accessible solid waste disposal area(s). Disposal area(s) shall be located within a reasonable walking distance from each unit served.
- C. Applicant shall provide a plan for servicing bins at curbside. See Multi-Family Dwelling Enclosure Guidelines at <http://sanleandro.org/civicax/filebank/blobdload.aspx?blobid=15085>, for more information.
- D. Applicant shall comply with Alameda County Mandatory Recycling Ordinance No. 2012-01. For more information, see www.RecyclingRulesAC.org.
- E. The project is subject to Construction & Demolition Debris Recycling Ordinance per Chapter 3-7 of the San Leandro Municipal Code, which states: all asphalt and concrete and 50% of all other materials generated at a project site shall be recycled for projects with a valuation in excess of \$100,000. Permit applicants shall demonstrate compliance by completing and submitting an online Waste Management Plan using Green Halo Systems prior to permit issuance. Applicants shall submit recycling and disposal receipts online and submit the waste management report before scheduling the final inspection. Note: Project will not be finalized until all recycling and disposal tags have been registered into the Green Halo Systems.

IX. FENCING AND SCREENING REQUIREMENTS

- A. All fencing and walls on the project site shall be structurally sound, graffiti-free and well maintained at all times.
- B. Barbed or razor wire shall not be installed on any fence, wall or building on the project site.
- C. All walls, fences, and landscaping within the front setback or driveway shall be maintained at a height of not more than 36 inches above the top of the nearest adjacent curb and gutter to allow for adequate sight distance, or unless otherwise approved by the City's Transportation Engineer.
- D. 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.

X. MAINTENANCE

- A. The project site and public right-of-way shall be well maintained and shall be kept free of litter, debris and weeds at all times; during construction. Post construction, the project site and public right of way shall be well maintained and shall be kept free of litter, debris and weeds. The property owner shall be responsible for the maintenance of the project site and adjacent public right-of-way.

- B. Any graffiti shall be promptly removed from building walls 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 landscaping improvements located on the project site and within the adjacent public right of way shall be maintained by the property owner in a healthy, growing condition at all times.
- D. During the construction phase, the site shall be enclosed with a security fence and shall be well maintained in a neat manner, free of weeds, litter and debris.
- E. The solid waste and recycle containers shall be kept inside the designated space and kept out of public view, except when it is necessary to place them at the curbside on days that the contents of the containers are picked up for disposal.
- F. There shall be no parking or storage of boats, trailers, camper tops, inoperable vehicles and the like outside the buildings, within the project. In addition, the parking garage shall not be used for storage, converted to living area, or any other use that would obstruct the garage to prevent its use for vehicle parking. Furthermore, there shall be no outdoor storage permitted in the common yard (courtyard) area, with the exception that said courtyard can be furnished with plants and patio furniture.
- G. All trees shall be planted so that at maturity they are located far enough away from the sidewalk so that their branches are at least eight (8) feet above the sidewalk area and 14 feet above the roadway/vehicle traveled way.

XI. CONSTRUCTION PROVISIONS

- A. Construction on the project site shall not commence prior to 7:00 a.m. and shall cease by 7:00 p.m., Monday through Friday, and shall not commence prior to 8 a.m. and shall cease by 7 p.m. Saturday and Sunday, unless otherwise approved by the Chief Building Official. There shall be no construction on Federal holidays. As provided in this 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.
- B. Construction activity shall not create dust, noise or safety hazards for adjacent residents and properties. Dirt and mud shall not be tracked onto Washington Avenue or Thornton Street 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 grading, excavation, paving, etc. shall be scheduled the early morning and other hours when wind speeds are low. All construction activities

entailing soil disturbance shall cease when winds exceed 30 miles per hour as an hourly average.

- C. The developer shall prepare a construction truck route plan that would restrict trucks to arterial streets that have sufficient pavement section to bear the heavy truck traffic, thereby minimizing noise and traffic impacts to the community. The construction truck route plan shall be reviewed and approved by the City Transportation Administrator prior to receipt of the grading permit.
- D. Truck hauling activities shall be restricted to 8:00 a.m. to 5:00 p.m. There shall be no truck hauling activity on Saturdays, Sundays and Federal holidays.
- E. Procedures with the highest noise potential shall be scheduled for daylight hours, when ambient noise levels are highest.
- F. The contractor(s) shall be required to employ the quietest among alternative equipment or to muffle/control noise from available equipment.
- G. 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.
- H. The property shall be secured during construction with a six (6) foot tall chain link fence and any other security measures in accordance with recommendation of the San Leandro Police Department.
- I. Pest and vermin control shall be instituted prior to the demolition and construction of the project.

XII. GENERAL CONDITIONS

- A. Developer shall pay its City development, permitting, and plan checking fees in accordance with the fee schedules in effect at the time of the Building Permit approval.
- B. Prior to issuance of building permits, the applicant shall pay school fees as mandated by the State of California.
- C. 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.