

**RECOMMENDED
CONDITIONS OF APPROVAL**

PLN17-0007

601 & 610 Aladdin Avenue

APN: 77A-650-2-10 and 77B-800-15

Alameda County Industries, Inc. (Applicant) and

Alameda County Industries, Inc. and Aladdin Depot Partnership (Property Owners)

I. COMPLIANCE WITH APPROVED PLANS

- A. The applicant and/or property owner shall comply with Exhibits A through M, attached to the staff report dated October 5, 2017, except as hereinafter modified. Exhibits are on file at the City of San Leandro Community Development Department, 835 East 14th Street, San Leandro, California.

Exhibit A – Cover Sheet (Sheet 0.1)

Exhibit B – Perspective (Sheet 0.2)

Exhibit C – Code Area and Fence Plan (Sheet 1.1)

Exhibit D – Site Plan – Detailed (Sheet 1.2)

Exhibit E – Fire Department Access & Compliance Layout (Sheet 1.3)

Exhibit F – Proposed Main Level Plan (Sheet 2.0)

Exhibit G – Elevations (Sheet 3.0)

Exhibit H – Sections (Sheet 4.0)

Exhibit I – Sections (Sheet 4.1)

Exhibit J – Firewall (Sheet B2)

Exhibit K – Ramp Profiles (Sheet C1)

Exhibit L – Ramp and Truck Scale Drainage Schematic (Sheet C2)

Exhibit M – Project Site Plan (Figure 1)

- B. The applicant and/or property owner 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. 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 Sections 5-2212.A and 5-2512 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 approval. Denial of a request for renewal of the Project approval may be appealed.

- D. Prior to issuance of building permits, all building specifications shall be submitted for review and approval to the Zoning Enforcement Official to ensure quality of the exterior design. Any changes to the approved building specifications must be made in writing to the Zoning Enforcement Official, who may either administratively approve the modification or bring it back to the Board of Zoning Adjustments for review. In addition, a final color and materials board shall be submitted for the exterior for the review and approval of the Zoning Enforcement Official, prior to issuance of building permits.
- E. Prior to issuance of building permits a final landscape and irrigation plan shall be submitted to the Zoning Enforcement Official for review and approval. Said plans shall include, but is not limited to, trees with a minimum size of 15 gallons, a pallet of shrubs and ground cover planting that is flowering plants, or plants that have colorful foliage. The minimum size for the shrubs shall be five gallons and the ground cover shall be one gallon or shall be from flats with the necessary spacing to cover the planter areas in one growing season.

II. PERMITTED USE

- A. This Conditional Use Permit and Administrative Review modification and Site Plan Review allows for Alameda County Industries, Inc. to make operational changes at the Materials Recovery Facility and Transfer Facility located at 610 Aladdin Avenue and at the Limited Volume Transfer Facility located at 601 Aladdin Avenue to accommodate anticipated growth in materials streams and to improve operational efficiencies throughout the facility. The approval also permits construction of a 21,800 sq. ft. building over the current Transfer Facility. 601 & 610 Aladdin Avenue; Alameda County Assessor's Parcel Numbers 77A-650-2-10 and 77B-800-15.
- B. All applicable conditions of approval listed in the agreement to conditions for CU-95-10, CU-96-18, CU-97-7, Administrative Approval letter dated June 27, 2000 (regarding permitting of green waste collection and processing), Administrative Approval letter dated March 15, 2001 (regarding permitting of construction and demolition materials collection and processing), PLN2001-00049, PLN2006-00061, and PLN15-0006, shall remain in full effect, unless modified herein.
- C. Any changes or additional occupancy deemed minor in nature may be approved by the Community Development Director. A change or additional occupancy deemed major shall be referred to the Board of Zoning Adjustments for its consideration as a modification to the permit.
- D. The project and use shall remain in substantial compliance with the approved plans and exhibits. Any change to project design 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.

III. CONSTRUCTION PROVISIONS

- A. In addition to the facility's regular and routine pest and vermin control measures, such measures shall be extended and incorporated into the demolition and construction of the expanded facility.
- 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 8:00 a.m. and shall cease by 7:00 p.m. on Saturday and Sunday. No construction is permitted on Federal holidays. 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 4-1-1130, 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 Aladdin Avenue or Alvarado 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 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 applicant, and applicant shall pay, for all costs of sweeping city streets in the vicinity of the project as necessary to control dust and spillage.

- E. The applicant 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.
- F. Construction-related 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.
- G. 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.
- H. Construction workers on the project shall be provided clean drinking water, portable toilets and handwashing stations as sanitary facilities for use during all phases of construction. Said portable toilets shall be screened from view from the public right-of-way or located to the interior or rear of the site.

IV. ALAMEDA COUNTY FIRE DEPARTMENT REQUIREMENTS

- A. Analysis needs to be completed to ensure that the fire protection system does not need a Fire Pump for the Fire Protection System to maintain adequate flow. Said analysis shall be performed and determined prior to application for a building permit.
- B. Permits will be required for the modifications to the fire protection system and relocation of fire hydrants.
- C. Analysis needs to be completed to ensure exiting is compliant.
- D. Fire Lanes shall be marked and maintained at all times.
- E. At no time can parking (Vehicle staging after service) be allowed outside the on the tarmac on the East side of the maintenance facility.
- F. Fire Extinguisher 4A 40B:C shall be provided with a travel distance that does not exceed 75 feet.
- G. Emergency lighting and Exit signs shall be provided throughout the facility.
- H. An additional Hydrant maybe required inside the fenced area on the Northside of the building. This will be evaluated during the Building Permit process.

V. BUILDING & SAFETY SERVICES REQUIREMENTS

- A. Code Compliance for Call Green is required and must be incorporated onto building permit plans.
- B. Complete Energy calculation is required and must be incorporated onto building permit plans.

VI. ENGINEERING AND TRANSPORTATION REQUIREMENTS

A. Storm Drain Conditions:

- 1) 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) All storm drains shall be marked "NO DUMPING, DRAINS TO BAY", as per the City of San Leandro Standard Plan 204. All proposed storm drain inlets that are not within bioretention areas shall have trash capture devices.
 - c) All onsite storm drains shall be inspected and, if necessary, cleaned at least twice a year immediately prior to the rainy season.
 - d) 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.
 - e) Interior floor drains (if any) shall not be connected to the storm drain system.
 - f) 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.
 - g) 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.

- h) 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.
 - i) 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.
 - j) Selection of the plants that will require minimal pesticide use.
 - k) Irrigation shall be appropriate to the water requirements of the selected plants.
 - l) The applicant shall select pest and disease resistant plants.
 - m) The applicant shall plant a diversity of species to prevent a potential pest infestation from affecting the entire landscaping plan.
 - n) The applicant shall plant insectary plants in the landscaping to attract and keep beneficial insects.
- 2) Because the project creates or replaces more than 10,000 SF of impervious surface, it is considered a Regulated Project according to Provision C.3.b of the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (Order No. R2-2015-0049, NPDES Permit No. CAS612008, adopted 11/19/2015). The Applicant shall provide the following information with the Building Permit and Grading Permit submittals:
- a) Submit to Engineering & Transportation a filled-out Planning Permit Submittal Checklist in Table 3-1 of the C.3 Stormwater Technical Guidance available at:
http://cleanwaterprogram.org/uploads/C3TG_v5.0_April_2016_Chapter_3.pdf
 - b) Fill-out the “C3 Sizing Calculator” available at
<http://www.cleanwaterprogram.org/c3-popular-files.html?view=item>
 - c) Incorporate all of the proposed clean water features into the site plan as described in the fourteen step process that begins on Page 3-5 of the Technical Guidance.
 - d) Show on the drawings how storm water runoff from the new and replaced impervious surfaces will be captured and treated prior to release from the site.

- 3) The Applicant shall direct surface runoff to storm water treatment facilities prior to release from the site, including the depressed area at the two ramp locations.
- 4) The Applicant shall demonstrate on the drawings how treated storm water will be released from the site. The County operates an underground storm drain pipe network on Aladdin Avenue with an inlet along the frontage of the subject property. Connections to this network will be subject to a City-issued Encroachment Permit, and may require a drainage permit from Alameda County.

B. Traffic and Parking Conditions:

- 5) The Applicant shall design the employee parking stalls per City Standard Plan Dwg. No. 600.
- 6) The Applicant shall provide detailed dimensions for the parking stalls on the Building Permit submittal drawings. The Applicant shall also install pavement markings to indicate which parking stalls are compact.
- 7) One in every eight required accessible parking spaces shall be van accessible. Refer to the City of San Leandro Std. Plan Dwg. No. 600 for dimensions and details. Accessible parking, striping, and pavement markings shall be as required by the Building Division.

C. Grading Conditions:

- 8) The Applicant shall obtain a Grading Permit for the project. The requirements for said permit are indicated in San Leandro Municipal Code §7-12. The permit will be issued prior to or concurrent with the Building Permit.
- 9) The site may be subject to a Construction General Permit according to the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002. The general permit is applicable to construction sites that disturb on or more acres of land surface. The Applicant will be required to register the project with the State Water Board's Storm water Multi-Application and Report Tracking System (SMARTS) website, if the project disturbs more than one acre. A Qualified SWPPP Developer (QSD) and a Qualified SWPPP Practitioner (QSP) must be responsible for permit compliance. The SMARTS system will generate a Waste Dischargers Identification (WDID) number which must be printed on the grading and/or erosion control plans.

D. Site Conditions:

- 10) The Applicant shall locate all electric and communications utilities serving the new facility underground.

E. Other Conditions:

- 11) The Applicant shall remove any broken and/or uplifted sidewalk, driveway, curb and gutter along the full property frontage on Aladdin Avenue, and shall construct new City standard sidewalk, driveway, curb and gutter in the same location and alignment as the existing curb and gutter. The City will mark the locations at the applicant's request.
- 12) The Applicant shall obtain an Encroachment Permit from the Engineering and Transportation Department for any work within the 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.
- 13) No construction materials and/or equipment shall be stockpiled or parked within the Public Right-of-Way.
- 14) The Development Fee for Street Improvement (DFSI) is due for this project and is estimated to be \$25,502.89, which is calculated at \$1.19 per square foot and is due at the time of Building Permit issuance. These fees are subject to change on July 1st of each year and are not vested until building permit issuance.
- 15) The Marina Boulevard/Interstate 880 Traffic Impact fee due for this project is estimated to be \$18,644.97, which is calculated at \$0.87 per square foot and is due at the time of Building Permit issuance. These fees are subject to change on July 1st of each year and are not vested until building permit issuance.

VII. ENVIRONMENTAL SERVICES REQUIREMENTS

A. With regards to relocation of the maintenance shop:

- 1) If it is moved from the 610 Aladdin Ave. address, the hazardous material business plan for this address must be updated within the California Environmental Reporting System or CERS website (<http://cers.calepa.ca.gov/>) within 30 days of the move.
- 2) If it is moved to the 601 Aladdin Ave. address, then then hazardous material business plan for this address must be updated within CERS within 30 days of the move.
- 3) If it is moved to another address, then a new CERS submittal must be made within 30 days for the new address.

VIII. PUBLIC WORKS REQUIREMENTS

- A. If necessary, allow for temporary exceedances of inbound tonnage above 620 tpd by up to 10 percent for up to 10 days per year.
- B. If necessary, allow 24 hour material storage Monday through Friday, and 48 hours on Saturdays to accommodate landfill closures on Sundays. Material storage may also be extended up to 48 hours for municipal solid waste collected on the day preceding landfill observed holidays.

IX. GENERAL REQUIREMENTS

- A. All exterior mechanical equipment such as air conditioning/heating units and antennas shall be screened from view so as not to be visible from adjacent properties or streets to the satisfaction of the Zoning Enforcement Official.
- B. Parking lots, landscaping, and all common areas on the property shall be continuously monitored and maintained to collect and prevent the accumulation of errant litter and debris.
- C. No sight lighting shall spill off-site, over property lines, or shine above the horizontal plane.
- D. No objectionable odors or vibration emanating from the project site shall be detectable beyond the subject property. The City may require installation of vibration control measures or odor control measures including but not limited to the installation of air filters, misting systems, carbon adsorbers, odor control blocks, passive or active vibration control measures, or wind screens and/or require changes in site operations.
- E. The City of San Leandro shall maintain the ability to revisit or revoke this Conditional Use Permit and set a new public hearing date in order to impose additional conditions to correct problems that may arise such as property maintenance, code violations, and excessive nuisance related responses from Police or Code Enforcement. Additional conditions, to correct problems, may include but are not limited to modifications of hours of operation, odor control measures, noise abatement measures, vibration control measures, and/or additional parking requirements.
- F. All uses and activities shall comply with the provisions of the San Leandro Noise Regulations (Title IV, Chapter 1 of the Municipal Code).
- G. Review of this approval shall be provided to the Board of Zoning Adjustments, if complaints are received and if found necessary by the Zoning Enforcement Official. Noticing for the review shall be extended to the following interested homeowner's groups:

- 1) Davis West Neighborhood Group
- 2) Marina Action Committee

- H. Applicant shall implement and comply by all mitigation measures identified in the Initial Study - Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program.
- I. Applicant shall continue to comply with Title 14 of the California Code of Regulations
- J. Applicant shall pay its City development, permitting, and plan check fees in accordance with the fee schedules in effect at the time.
- K. Any outstanding Planning Services deposit fees or balance shall be paid prior to issuance of a building permit.
- L. 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.
- M. 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 waives compliance with the terms of the application and Conditions of Approval pending application for amendment.
- N. Pursuant to Zoning Code Section 5-2218, this approval shall lapse on **October 5, 2018**, unless a) approval of required State and County permits have been issued, coupled with diligent progress evidencing a good faith intent to commence the intended use, or b) a building permit has been issued, or c) a written request for a one-year extension of the approval is approved by the Zoning Enforcement Official.