



City of San Leandro

Meeting Date: April 20, 2015

Staff Report

File Number: 15-215

Agenda Section: PUBLIC HEARINGS

Agenda Number: 4.A.

TO: City Council

FROM: Chris Zapata
City Manager

BY: Cynthia Battenberg
Community Development Director

FINANCE REVIEW: David Baum
Finance Director

TITLE: Staff Report for APL15-0001; Appeal of two conditions of approval in an approved Site Plan Review, PLN2014-00028, granted by the Board of Zoning Adjustments (BZA) on February 5, 2015 to construct a new 161,200 square foot warehouse building on the western portion of 1717 Doolittle Drive. One condition requires payment of \$329,487 for Development Fees for Street Improvements and the other requires payment of \$264,880 for Undergrounding Utilities Conversion Fees. [A BZA approval is final, but it can be appealed to the City Council. In this case, Appellant appeals the imposition and amount of the two conditions that require payment of the fees cited above. The City Council must conduct a public hearing, after which it must consider granting the appeal to impose and/or modify the fee amount(s) or it may deny the appeal and affirm the approval of the BZA to require payment of the fees prior to the issuance of building permits. The property is zoned IG Industrial General District. Alameda County Assessor's Parcel Number 79A-541-10; A. Comstock, Comstock Realty Partners, Inc. (Appellant).]

SUMMARY AND RECOMMENDATIONS

At its February 5, 2015 meeting, the Board of Zoning Adjustments (BZA) heard the Site Plan Review application to construct a new 161,200 square foot warehouse building at 1717 Doolittle Drive. The BZA reviewed the proposal, took public comments, and, after closing the public hearing, the BZA made the necessary findings of fact and approved the proposed project subject to certain conditions of approval. The motion passed 4-0 (3 vacancies). Excerpts of the Board of Zoning Adjustments meeting minutes relevant to this appeal are attached to this staff report. BZA actions are final unless appealed to the City Council within 15 days of the action. On February 20, 2015 the appellant filed the appeal referenced above.

Staff Recommendation:

Staff recommends denial of the appeal, per the proposed Resolution. The proposed Resolution denies appellant's request to modify the fee amounts listed in the Site Plan Review

conditions of approval, PLN2014-00028, for the Comstock warehouse building. The Resolution affirms the BZA's approval of the Site Plan Review conditions of approval, which, amongst other conditions, imposes the payment of the fees.

BACKGROUND

Appellant proposes to construct a new 161,200 square foot warehouse building at the western portion of 1717 Doolittle Drive, which has been used for outdoor storage since the site was developed for the telephone company in 1955. The project site comprises approximately 19 acres. It is already developed with a two-story 421,500 square foot office and warehouse building.

This matter was originally scheduled for hearing on the November 6, 2014 Board of Zoning Adjustments meeting agenda. The applicant requested postponement for additional time to study the required fees and expenses of the proposed project. Subsequently, the applicant requested that the matter be re-noticed for BZA consideration. It was re-scheduled for the February 5, 2015 BZA meeting.

The proposed project was found by the BZA to enhance and improve a portion of the property that was underutilized. The BZA appreciated that the proposal was designed to not affect nor conflict with residents to the south of the subject property. The BZA approved the project by taking the following actions:

1. Adopted a California Environmental Quality Act (CEQA) Exemption for the project per CEQA Guidelines Section 15061 (b)(3);
2. Adopted the Recommended Findings of Fact for Approval of PLN2014-00028; and
3. Approved Site Plan Review PLN2014-00028 to construct a 161,200 square foot warehouse building with loading docks and administrative offices subject to Conditions of Approval.

The Site Plan Review (Planning) application is used to analyze and determine the various City departments' requirements (such as the Building and Safety Services, Fire, Engineering and Transportation, Planning, and Public Works) before a Building Permit application is pulled. The requirements are detailed in the Conditions of Approval. In addition, the required fees established by the City Council pursuant to various provisions of the San Leandro Municipal Code (SLMC) and the San Leandro Administrative Code (SLAC) are also determined during the Planning process.

Appeal

Appellant requests that the City Council consider modifying the amounts due for the Development Fees for Street Improvements and the Utility Undergrounding Fees.

ANALYSIS

Development Fees for Street Improvements

The Development Fee for Street Improvements (DFSI) is applied as a condition to obtaining a building permit within the City of San Leandro when there is a change in land use. It is a traffic

impact fee established to mitigate the effect of a change in land use on the condition of public streets due to an increase in vehicular traffic. There are 13 different land use categories identified when calculating DFSI; they are listed in Title 8, Chapter 10 of the City of San Leandro Administrative Code. Each use category has a base fee rate listed in Title 6, Chapter 4 of the City of San Leandro Administrative Code (see attached Calculation Form for DFSI 2014-15). Additionally, there are two individual adjustments that may apply to any project, as allowed per Title 7, Chapter 11 of the City of San Leandro Municipal Code. The "Davis Street/Doolittle Drive Intersection Traffic Impact Fee" and the "Marina Boulevard/Interstate 880 Interchange Traffic Impact Fee" were adopted by the City; they have a different fee schedule that is applied in addition to the base DFSI. In Title 8, Chapter 10 of the City of San Leandro Administrative Code, there are maps delineating the boundaries of the zones where these adjustments apply.

To calculate the total DFSI for a particular project, the proposed and current land uses are analyzed and determined by staff. The fee is then calculated first for the proposed use, and then for the current use. Should the proposed fee be higher than the current use fee, the permit applicant is credited the fee amount for the current use. Should the proposed fee be lower than the current use fee, the applicant does not need to pay DFSI.

Currently, the subject parcel is within the Marina/I-880 Traffic Impact Fee Zone, and Davis/Doolittle Traffic Impact Fee Zone 5. These two fees are applied to the project along with the DFSI base fee. For the 161,200 square foot building, a usage of "General Industrial" was used. The base DFSI fee for the "General Industrial" category is \$1.16 per square foot, with an additional \$0.85 per square foot for the Marina/I-880 fee adjustment, and an additional \$0.03 per square foot for the Davis/Doolittle fee adjustment. The rates provided are rounded to the nearest cent, and the un-rounded rates are used in the final calculation. Since the location where the new construction will occur is vacant, no credit was applied. The DFSI fees are \$329,486.79.

Utility Undergrounding Fee

The Utility Undergrounding Fee (UUF) is applied as a condition to obtaining a building permit for construction located in an Underground Utility District, as defined in the Underground Utility District Master Plan dated April 20, 1992, and per Title 5, Chapter 3 of the City of San Leandro Municipal Code. It is a fee established to help facilitate the "gradual conversion of overhead utility systems to underground systems." Its purposes are to "increase public safety, promote the general welfare and improve the appearance of the City".

The UUF applies only to the frontage of a parcel within an Underground Utility District. It provides for a credit for other improvements already constructed on the site. If the cost of the proposed improvements is less than 25% of the replacement cost of the existing construction, no UUF is required. If the cost of the proposed improvements is greater than 75% of the replacement cost of the existing construction, the entire UUF is required. If the cost of the proposed improvements is between 25% and 75% of the replacement cost of the existing construction, the UUF fee is pro-rated for that percentage. If a parcel is subdivided, the entire UUF is due for the original parcel frontage(s).

The subject parcel has frontage on three streets: Aurora Drive, Williams Street and Doolittle Drive. Only Williams Street and Doolittle Drive are in Underground Utility Districts, so only

those frontages were considered when calculating the fee. The subject parcel also has an existing building on it, the replacement cost of which was compared to the cost of the proposed new construction to determine the final fee.

In 2009, several building permits were issued for work in the existing building on the site. However, the cost of the improvements, when compared to the replacement value of the existing improvements, was less than the 25% threshold and therefore did not trigger any UUF payment at the time.

The parcel frontage along Williams Street is 1,585.50 feet, and the parcel frontage along Doolittle Drive is 500 feet, for a total UUF frontage of 2,085.50 feet. Currently, the UUF rate is \$341.70 per linear foot of parcel frontage, for a fee of \$712,615.35. The Building Department calculated the cost of the proposed building and the replacement value of the existing building. For the new construction, a cost of \$57.11 per square foot was used for the 3,500 square foot fire sprinkler installed and conditioned space. A cost of \$53.11 per square foot was used for the 157,700 square foot warehouse space, for a total cost of \$8,575,332.00. For the existing construction, a cost of \$57.11 per square foot was used for the 170,000 square foot fire sprinkler installed and conditioned space, and a cost of \$53.11 per square foot was used for the 251,538 square foot warehouse space, for a total replacement cost of \$23,067,883.18. Comparing the two, the proposed building cost is 37.17% of the existing buildings replacement value. Therefore, the UUF applied to this project is \$264,880.43.

DFSI and UUF Fiscal and Project Impacts Analysis

Staff does not recommend that the fees discussed in this report be reduced. These fees are restricted for and dedicated to the safe and coordinated development of the City, which benefits investment in San Leandro. The fees provide the necessary funding to cover the costs of upgrading public infrastructure. Therefore, waiving or modifying the fees in question for this appellant would be detrimental to the City because it would greatly restrict the City's ability to fund programs and projects such as the Neighborhood Traffic Calming Program, and utility undergrounding projects already proposed on East 14th Street and Marina Boulevard. In addition, an appeal granting a waiver or a modification to DFSI and UUF fees is unprecedented; staff neither provides nor recommends waivers or modifications as a policy or a practice. The fees were approved and established in accordance with State law. They should be considered reasonable infrastructure investments that provide both extrinsic and intrinsic benefits to appellant and appellant's property.

The Development Fee for Street Improvements (DFSI) and Underground Utilities Fees (UUF) are in the City of San Leandro Municipal Codes Chapters 7-11 and 5-3, respectively. Periodically, the fee rates are revisited to determine their viability and the rates are indexed yearly based on Engineering News Record cost data for the San Francisco Bay Area region. This ensures the fees assessed are in-line with construction cost inflation.

When compared to neighboring governmental agencies, the traffic impact fees applied to development projects within the City of San Leandro are low. For example, the City of Hayward has a Building Construction, and Supplemental Building Construction and Improvement Tax for Industrial/Warehouse construction of \$1.44 per square foot. The City of Pleasanton has a Traffic Development Fee for Industrial construction of between \$7.65 and \$9.13 per square foot. The City of Berkeley has a Transportation Services Fee for Warehouse

construction of \$1.10 per square foot. The City of Emeryville has a Transportation Impact Fee for Industrial construction of \$9.15 per square foot.

For Utility Undergrounding in lieu fees, the City of San Jose has, for example, an Overhead Utility Undergrounding In-Lieu Fee of \$440 per linear foot, well above the City of San Leandro's rate of \$341.70 per linear foot.

Current Agency Policies

The fees in question were established by the City Council pursuant to various provisions of the San Leandro Municipal Code (SLMC), the San Leandro Administrative Code (SLAC), and State law.

Applicable General Plan Policies

- 7.01 Industrial Assets - Build on the strengths of the City's existing industrial base, transportation infrastructure, and proximity to Oakland International Airport in the City's business development efforts.
- 7.06 Adaptive Reuse - Encourage private reinvestment in vacant or underutilized industrial and commercial real estate to adapt such property to changing economic needs, including the creation of flex/office space.
- 7.09 West San Leandro Business District - Build upon the locational strengths and transportation features of West San Leandro to support the area's continued development as a major industrial, technology, and office employment center. In accordance with the West San Leandro Plan, limit the encroachment of incompatible residential and retail uses into the area, and promote additional development and redevelopment with manufacturing, technology, warehouse and distribution, office/flex, and similar uses.
- 10.02 Off-Site Impacts - Consider the setting and context of each site when evaluating proposals for development in industrial areas. The potential for impacts on adjacent uses, including the potential for land use conflicts and increased parking demand and truck traffic, should be a key consideration.
- 10.03 Buffering - When new development takes place in the transitional areas between industry and housing, use a variety of buffering measures including land use restrictions, landscaping and screening, sound walls and insulation, and limits on hours of operations and activities to promote land use compatibility. The City's zoning regulations should continue to contain development and design standards that minimize the potential for conflicts between industrial and residential uses, and between commercial and residential uses.
- 44.05 Street Beautification - Upgrade the City's commercial thoroughfares by building upon their existing strengths and improving their aesthetic qualities. The City should implement programs to underground utilities, abate weeds and graffiti, eliminate litter, improve buffers to adjacent residential uses, prohibit excessive or out-of-scale signage, remove billboards, and provide streetscape amenities and landscaping along these

thoroughfares.

- 52.01 Development Impacts - Permit new development only when infrastructure and utilities can be provided to that development without diminishing the quality of service provided to the rest of the City.
- 52.02 Fair Share Costs - Require future development to pay its fair share of the cost of improving the water, sewer, drainage, and other infrastructure systems needed to serve that development. Use fees and other appropriate forms of mitigation to cover the costs of upgrading public infrastructure.

Permits and/or Variances Granted

- Conditional Use Permit, PLN2006-00085, for a vehicle storage yard at the rear of the subject property for a car rental business. November 16, 2006
- Conditional Use Permit, PLN2007-00010, for an outdoor storage yard at the rear of the subject property for a building materials and services business. May 3, 2007

Environmental Review

At its February 5, 2015 meeting the Board of Zoning Adjustments determined that this project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines, Article 5, Section 15061 (b)(3) where it was seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Board/Commission Review and Actions

The Board of Zoning Adjustments made the findings and approved the proposed Site Plan Review for the project, PLN2014-00028, to permit the construction of a 161,200 square foot warehouse building on the western portion of 1717 Doolittle Drive.

Summary of Public Outreach Efforts

This City Council public hearing item was afforded the requisite 10 day notice. The required methods for noticing were conducted, including a legal advertisement in the Daily Review newspaper, the posting of placards adjacent to the subject property on nearby utility poles, mailed notification to property owners and business owners within a 500-foot radius of the subject property, and mailed notification to the Mulford Gardens' Improvement Association and the Marina Action Committee (Neighborhood Associations). The Board of Zoning Adjustments meetings received similar noticing.

Legal Analysis

The City Attorney's Office reviewed and approved the staff report.

ATTACHMENTS

Attachments to Staff Report

- Appeal Application with Supporting Statements
- Ordinance No. 88-023 “An Ordinance Adding Chapter 11 to Title VII of the San Leandro Municipal Code and Establishing and Imposing a Development Fee for Street Improvements on New Development Projects in the City of San Leandro”
- Resolution No. 2005-128 “Resolution of the City Council of the City of San Leandro Imposing a Traffic Impact Fee to Fund Improvements to the Davis Street-Doolittle Drive Intersection and Adopting a New Chapter 8.10 to the San Leandro Administrative Code Relating to Development Fee for Street Improvements”
- Resolution No. 2010-046 “Resolution Adopting a Supplemental Traffic Impact Fee and Amending the San Leandro Administrative Code to Add Section 8.10.320, Incorporating Administrative Regulations for the Implementation of the Fee Program for Developments within a Zone of Benefit to Cover the Cost of Improvements to the Marina Boulevard/Interstate-880 (I-880) Interchange”
- San Leandro Municipal Code Chapter 5-3, “Underground Utility Districts”
- Calculation Form for DFSI 2014-15
- Excerpts of the Board of Zoning Adjustments Meeting Minutes of February 5, 2015
- Email from S. Tayco with City Reply, dated February 5, 2015
- Vicinity Map, dated November 6, 2014
- Findings of Fact for Approval
- Conditions of Approval
- 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)
- Photographs of Existing Site Conditions

Attachment to Resolution

- Exhibit 1 -Findings of Fact for Approval

PREPARED BY: Elmer Penaranda, Senior Planner, Community Development Department



CITY OF SAN LEANDRO
 City Clerk's Office
 835 East 14th Street, San Leandro, CA 94577
 Telephone: (510) 577-3366 Fax: (510) 577-3340

CITY OF SAN LEANDRO
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CITY CLERK'S OFFICE

APPLICATION FOR APPEAL TO CITY COUNCIL

GENERAL INFORMATION

This appeal application must be submitted within fifteen (15) calendar days of the decision, and within ten (10) calendar days of a Tentative Map approval. If the appeal period ends on a weekend or holiday, the time limit shall be extended to the next business day.

Please note that decisions of the Zoning Enforcement Official (ZEO) or the Community Development Director are appealed to the Board of Zoning Adjustments or the Planning Commission, depending on the specific project or issue. An Appeal Application to the Planning Commission/Board of Zoning Adjustments must be used for these appeals and is available at the Community Development Department.

APPELLANT INFORMATION (Please print)

Name: Comstock Realty Partners c/o Adrian Comstock

Relationship to Project:
 Applicant Concerned Resident Other _____

Daytime Telephone Number: 310.444.5550 x102

Email Address: acomstock@comstockrealtypartners.com

Mailing Address: 1801 Century Park East, Suite 1095, Los Angeles, CA 90067

An appeal is hereby submitted on the decision of:

Board of Zoning Adjustments Planning Commission Site Development Sub-Commission Other _____

For the Approval or Denial of:

Planning (PLN) Permit Number: PLN2014-00028

Date of Action: 2-5-15

Project Address: 1717 Doolittle Drive

Reasons for Appeal (List all grounds relied upon in making this appeal. Attach additional sheets if more space is needed):

Appellant requests Council modification of two conditions of approval (VII.C, D), which seek to impose \$329,487 in DESI fees and \$265,029 in UUCF fees. The nexus between the project's impacts and the fee amounts has not been established. Applicant seeks reduction of these two fees per the attached 2-2-15 correspondence.

Signature: Adrian Comstock

Date: 02/18/2015

Please return the completed form with a fee for \$634 (payable to the City of San Leandro) to the City Clerk's Office at the address shown above. If the appellant is the applicant, direct costs for processing the appeal, which may include but are not limited to preparation of staff reports and meeting attendance, are charged in addition to the appeal fee.

Office Use Only

APPEAL APPLICATION

Filed timely Yes No
 Received by Vivian Chiu
 Appeal fee \$ 534 (attach copy of receipt)

CITY COUNCIL HEARING

Scheduled for _____
 Checklist due on _____ to City Clerk's Office
 cc: Planner Elmer Penaranda



February 2, 2015

Mr. Chris Zapata
City Manager
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

Re: Proposed Project: 1717 Doolittle Project

To Mr. Zapata:

Thank you for your continued facilitation of communication between Comstock Realty Partners and the various relevant departments at the City of San Leandro pertaining to the proposed development at 1717 Doolittle by Comstock Realty Partners.

Pursuant to our in-person discussions last week regarding the fees and assessments that have been set as conditions of approval for our proposed development at the corner of Aurora and Williams, we have presented below, a description of the proposed development along with the positive economic impact of the development to the City and the heavy burden on the development's economic potential caused by the development fees and assessments that the City's departments have proposed to apply to the development.

The Development

A 161,200SF, 32-foot clear Class A warehouse building on the western portion of our 19.31 acre parcel that spans from Doolittle to Aurora, located along Williams Street

After completion, the new building and the existing building on the property, will constitute a total of 582,738 SF, and will include with the following companies as long-term tenants: ERI (headquarters, manufacturing and research and development), Zinus Corporation and ServiceWest, in addition to the prospective tenant in the proposed building.

Economic Impact of Proposed Development

Comstock expects the following short- and long-term employment opportunities and the resulting economic impacts to benefit the City:

- Over the span of a 9 month construction period, more than 250 laborers and project management personnel
- For the duration of a long-term (5 years to 10 years) lease, the currently proposed building will employ up to 20 people to serve in office and administrative capacities, and 161 to serve in industrial capacity, making a total long-term employment of 179 people.

City Imposed Fees and Assessments

The City's fees are equal to 11.72% of the total cost of construction and fees.

Proposed Comstock Development

1717 Doolittle

New Building Area (including office) 161,200

| | | \$ Cost / SF | As % of Total Costs |
|---|------------------|--------------|---------------------|
| Construction Costs with 3% Contingency | 6,753,000 | 41.89 | |
| Proposed Development Fees & Assessments | 896,667 | 5.56 | 11.72% |
| Total Project Cost | 7,649,667 | | |

Development Fees & Assessments Detail

| | | |
|------------------------------|----------------|----------------|
| Building Permit Fees | 40,332 | 4.50% |
| Community Planning Fee | 25,726 | 2.87% |
| Fire Review & Inspection | 26,216 | 2.92% |
| School District Fee | 87,048 | 9.71% |
| DFSI Intersection Fee Marina | 329,487 | 36.75% |
| DFSI Intersection Fee Davis | | 0.00% |
| Underground Utility Fee | 256,029 | 28.55% |
| Other Fees & Processing | 131,839 | 14.70% |
| Total | 896,677 | 100.00% |

Of the fees proposed, the most costly are the Street Improvement or "DFSI," and the "UUF," which are 36.75% and 28.55% of the fees, respectively.

Comstock Realty Partners

1801 Century Park East Suite 1095 • Los Angeles, CA 90067 • United States
Tel (310) 444-5550 • www.comstockrealtypartners.com

Itemization of Fees

| Dept | Description | Amount | Due | \$/SF Bldg | % of Fees |
|------|--------------------------------|---------|----------------|-------------|-----------|
| BCEC | Recalc--Bldg Energy Conservati | 8,066 | 8,066 | 0.05 | 0.90% |
| BFNI | Recalc--Building Filing & Issu | 94 | 94 | 0.00 | 0.01% |
| BHSC | Recalc--H & S Code 18949.29 | 2,017 | 2,017 | 0.01 | 0.22% |
| BNCI | Recalc--New Com/Ind Surcharge | 10,083 | 10,083 | 0.06 | 1.12% |
| BNCP | Recalc--New Com/Ind PC Surchar | 8,066 | 8,066 | 0.05 | 0.90% |
| BPMT | Recalc--Building Permit | 40,332 | 40,332 | 0.25 | 4.50% |
| CBSC | Recalc--SB1473 Fee | 344 | 344 | 0.00 | 0.04% |
| PCFB | Recalc--Plan Check for Bldg. - | 65 | 65 | 0.00 | 0.01% |
| PCPF | Recalc--Community Planning Fee | 25,726 | 25,726 | 0.16 | 2.87% |
| PLNC | Recalc--Plan Check Fee | 32,266 | 32,266 | 0.20 | 3.60% |
| SMIC | Recalc--SMI Fees - Commercial | 1,801 | 1,801 | 0.01 | 0.20% |
| XDFI | Recalc--Street Improvements Fe | 329,487 | 329,487 | 2.04 | 36.75% |
| XFRI | Recalc--Fire Review & Insp 65% | 26,216 | 26,216 | 0.16 | 2.92% |
| XPSO | Recalc--Plan Storage -All Othe | 27 | 27 | 0.00 | 0.00% |
| XSLs | Recalc--San Leandro School Dis | 87,048 | 87,048 | 0.54 | 9.71% |
| XUUF | Recalc--Underground Utility Fe | 265,029 | 265,029 | 1.64 | 29.56% |
| XWPC | Recalc--WPCP (COM) Sew Con Fee | 60,000 | 60,000 | 0.37 | 6.69% |
| | Total Due: | | 896,667 | 5.56 | |

Itemized Street Improvements Fee

| | | |
|--|----------------|--------|
| Street Improvements - General Industrial | 186,992 | 56.86% |
| Davis / Doolittle Zone 5 | 4,836 | 1.47% |
| Marina/I-880 | 137,020 | 41.67% |
| DFSI Total*(Based upon reading City Code) | 328,848 | |

Comstock requests that the City review the application of the DFSI and UUF fees to ensure that their applicability and calculation are correct, and to consider a reduction of the fees to total between \$500,000 and \$750,000. Comstock has observed for similarly sized developments in cities across California, a total of city fees and assessments that is equal to 7% to 9% of the total cost of the project. In this case, a \$657,000 fee would be 9% of the total project costs and fees.

If you or your departments would like to discuss these fees and the project in more detail, I am available at your convenience.

Respectfully submitted,



Adrian Comstock

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

ORDINANCE NO. 88-023

(1413 & 2575)

AN ORDINANCE ADDING CHAPTER 11 TO TITLE VII
OF THE SAN LEANDRO MUNICIPAL CODE AND
ESTABLISHING AND IMPOSING A DEVELOPMENT
FEE FOR STREET IMPROVEMENTS ON NEW
DEVELOPMENT PROJECTS IN THE CITY OF SAN LEANDRO

The City Council of the City of San Leandro does ORDAIN as follows:

Section 1. The City Council of the City of San Leandro hereby finds and declares:

Findings

A. The City Council finds and determines that the traffic to be generated by projected levels of land development in San Leandro will exceed the present capacity of the City's streets to carry traffic safely and efficiently. There is a substantial public and governmental interest in maintaining a system of city streets which can satisfactorily accommodate projected levels of traffic.

B. In order to predict traffic volumes and infrastructure needs, the City of San Leandro undertook a comprehensive review of the City's streets and traffic patterns as they currently exist and as they are projected to exist 10-15 years in the future. The results of this study are embodied in the 1988 Master Plan of City Streets (MPCS). The Council takes official notice of the MPCS for purposes of this ordinance and it is incorporated herein by reference. The MPCS includes extensive independent research and corroborative evidence from other local and regional studies.

C. The MPCCS provides a basis for estimating San Leandro's projected traffic needs and the street improvements necessary to accommodate that traffic. The study also estimates the construction costs of the proposed street improvements and develops a basis for determining a fair allocation of those costs among the users of the streets.

D. The MPCCS projects that there will be approximately a 14% rise in population and a 17% rise in employment in San Leandro by the year 2005. Concurrently there will be new residential, commercial and industrial development. The MPCCS has found that all categories of development will generate additional traffic. The MPCCS concludes that this forecasted new development will generate approximately 11,000 new p.m. peak hour trips through the city per day.

E. The current system of streets in San Leandro is not sufficient to accommodate the amount of traffic to be generated by the new development. Many streets and intersections are already at or near capacity. Without significant street improvement, as well as implementation of other traffic mitigation strategies, the level of service available on the city's streets will seriously deteriorate, resulting in a failure to attract economic development, a decrease in land values, a decrease in tax revenues, more traffic accidents, lower levels of employee productivity, and impairment of the public health, safety and welfare.

F. The City Council finds that the estimated cost of accommodating the increased traffic through street widening, installation of traffic signals and other traffic mitigation is \$30,000,000 in 1988 dollars. However, traditional transportation improvement funding sources will not keep pace with the need for and cost of street improvements caused by new development. The City therefore determines that it is appropriate and in the public interest to require that all new developments contribute to the cost of mitigating traffic problems by imposing a Development Fee for Street Improvement. The City has determined that it shall raise a portion of the needed funds through funding mechanisms other than the development fee, such as property taxes, special assessment districts and state and federal subventions. Although the City has the authority to adopt a fee structure designed to fully fund the needed public improvements, the City Council finds that such a fee structure could be a disincentive to planned growth. The City has chosen a fee based upon projected p.m. peak hour trips generated. This fee will raise approximately one-third of the projected cost of providing the needed traffic improvements.

G. The purpose of the fee is to provide funds for increasing street capacity to accommodate additional traffic generated by new development. Fee revenues will only be used for this purpose.

H. The City Council finds that there is a reasonable relationship between the need for the improvements to be funded by the fee and the type of development projects upon which the fee is imposed. Specifically, every project on which the fee is imposed generates increased traffic throughout the city. This increased generation of traffic in turn requires that traffic improvements be made to accommodate it. There is a reasonable, direct and causal connection between the need for the improvements and the type of development project upon which the fee is imposed.

I. The City Council finds that there is a reasonable relationship between the fee's use and the type of development for which the fee is charged. The fee will be used exclusively to construct new traffic improvements, such as street widening, signalization, interchange improvements and maintenance thereof; right of way acquisition; and the engineering, planning and administrative costs directly related to such improvements. The use of the funds will therefore relate to and be of general and special benefit to the development projects upon which the fee is imposed.

J. The City Council finds that there is a reasonable relationship between the amount of the fee and the cost of the projected required improvements. Using the Institute of Transportation Engineers' (ITE) publication entitled Trip Generation (1985) and the Caltrans' publication Progress Reports

on Trip Ends Generation Research Counts, the City Council has determined the number of p.m. peak hour trips per unit or per gross square foot of floor area generated by each category of land development (residential, commercial or industrial). The City Council then determined the fee rate for each land use category in dollars per unit or per gross square foot. Thus the fee per project is less than but proportional to that project's generation of traffic.

K. The City Council finds that the traffic fees to be charged pursuant to this ordinance do not exceed the estimated reasonable cost of implementing the traffic mitigation program projected in the MPCs. The City Council further finds that this basis for fee calculation assures that each new development bears at least a part of the burden of its individual, incremental share of improvements needed to accommodate the cumulative traffic impacts caused by all new development.

Section 2. Chapter 11 is hereby added to Title VII of the San Leandro Municipal Code to read as follows:

ARTICLE I. GENERAL PROVISIONS

Section 7-11-100: PURPOSE AND INTENT.

The purpose of this Chapter is to carry out the findings and intentions of the City Council as found in the recitals hereto and to protect the general health, safety and welfare.

Section 7-11-105: DEFINITIONS.

For the purposes of this Chapter, the following words or phrases shall be construed as defined in this section.

(a) "Accessory Uses" means any project requiring a building permit which is clearly incidental to the primary purpose of the structure such as fences, pools, patios and automobile garages.

(b) "Building Permit" means a permit required by and issued pursuant to Chapter 5, Title VII of this Code.

(c) "New Development" means any new construction or use of land or buildings that requires the issuance of a building permit or other use entitlement.

(d) "P.M. Peak Hour Trips" means the number of one-way vehicular trips generated by a given land use during the one-hour period of highest traffic volume during the p.m. hours.

(e) "Rehabilitation Project" means any remodeling, expansion, or addition on a Rehabilitation Project site which enhances the appearance, quality or utility of the existing improvements and in which:

- (i) The afternoon peak hour trip generation is not more than twenty-five percent (25%) greater than the existing trip generation;
and

(ii) The total cost of the proposed work is less than twenty-five percent (25%) of the replacement value of the existing improvements on the site, or in which the building square footage of the proposed project is less than twenty-five percent (25%) of the square footage of the existing building on the site.

(f) "Rehabilitation Project Site" means an area, including parking, loading and landscaped areas, not more than 10,000 square feet for all land uses, provided that in the case of industrial uses, "site" shall mean an area not more than one acre.

(g) "Small Projects" means any project for which the required street improvement fee would be \$1,000 or less.

(h) "Street Improvement" includes but is not limited to the construction of or improvement to rights-of-way, traffic signals, overcrossings, interchanges, underpasses, curbs, gutters, sidewalks, pavement, and drainage improvements incidental to street improvements necessary to provide traffic circulation consistent with the Master Plan of City Streets. For the purpose of this definition street includes highway or road.

(i) "Use Entitlement" means a conditional use permit, variance, amendment to the General Plan, rezoning ordinance or other discretionary approval for use or development of property.

Section 7-11-110: ESTABLISHMENT OF FEE.

(a) A Development Fee for Street Improvement is hereby established to carry out the purposes of this Chapter.

(b) The fee required by this section is imposed on any new development of property and as a condition to the issuance of any building permit or other use entitlement.

(c) The fee authorized by this section is also imposed on all development projects for which building permits or other entitlements for use or development were issued previously subject to a condition requiring the developer pay an interim traffic impact fee. To the extent that any person paid an interim fee in an amount greater than would now be due under the Fee Schedule as authorized by this Chapter, the City shall refund the difference with interest in an amount determined by the Finance Director.

(d) The development fee for street improvement is imposed in addition to any other means or legal authority of financing street improvements which may be imposed on the development of property by this Code, the Zoning Ordinance or the general laws.

Section 7-11-115: TIME OF FEE PAYMENT.

The development fee for street improvement is payable before the issuance of any building permit or other use entitlement unless the City Manager determines that the fee shall be collected prior to the issuance of the certificate of occupancy. Administrative regulations may provide a means for paying the required fee in installments.

Section 7-11-120. FEE SCHEDULE.

The amount of the fee shall be determined in accordance with the Development Fee for Street Improvement Schedule which shall be established by resolution of the City Council. The fee shall be determined by multiplying the units or total gross square footage of the development project by the fee rate per unit or gross square foot established in the Fee Schedule. The Schedule shall from time to time be amended by resolution of the City Council to reflect any increase in the cost of mitigating additional traffic generation.

Section 7-11-125: CREDITS.

(a) For new development consisting of an addition, extension or enlargement of an existing structure, the fee shall be paid only on any additional dwelling units or additional square footage resulting from such addition, extension or enlargement.

(b) A credit against the fee may be given for any right-of-way dedication contributed by the developer in excess of his obligation to make such contributions under Sections 7-8-100 through 7-8-115 of this Code. The credit provided for in this section shall be equal to the value of the right-of-way dedicated as determined in the sole and absolute discretion of the City Engineer.

(c) A credit may be given for street construction costs where street widening is required in excess of fourteen feet (14 ft.). The credit shall be equal to the standard quantities

and cost, as determined in the sole and absolute discretion of the City Engineer, to construct street improvements in excess of fourteen feet (14 ft.).

(d) A credit may be given for projects with excessively high frontage improvement costs. Frontage improvement costs shall be deemed excessive when, in combination with the fee required under this ordinance, such costs exceed one-third of the value of the property in the after condition. The credit shall equal the amount required, when subtracted from the sum of the applicable fee and frontage cost improvements, to make this sum equal to one-third the value of the property in the after condition. These calculations shall be made in the sole and absolute discretion of the City Engineer.

(e) A credit may be given for prior uses of property that have been terminated less than two (2) years from the date of the application for the new building permit or use entitlement. The credit shall be equal to the amount that would have been due for the prior use under the Fee Schedule in existence at the time of the application for the new building permit or use entitlement.

(f) Further rules governing credits shall be established by administrative regulation. The burden of proof shall be upon the person seeking to establish a credit under the provision of this section.

Section 7-11-130: EXEMPTIONS.

Projects exempted from the imposition of the traffic impact fee include:

(a) Projects for which the imposition of the fee would be in violation of the Constitution and laws of the United States or the State of California.

(b) Projects for the construction of public buildings and facilities.

(c) Rehabilitation Projects on Rehabilitation Project sites.

(d) Accessory Uses.

(e) Projects which require only zone changes or general plan amendments necessary to accomplish consistency between the general plan and zoning.

(f) Small Projects.

Section 7-11-135: INDIVIDUAL ADJUSTMENTS.

(a) The City Manager shall adopt administrative regulations that, in exceptional cases, allow modification of the fee where environmental review concludes that the fee due under the traffic impact fee schedule is insufficient to mitigate the traffic impacts of the development project. In such cases the City shall have the authority to increase the fee due for traffic mitigation, delete credits or make other determinations relative to the development project.

(b) The City Manager shall also adopt administrative regulations to provide for the reduction of the traffic impact fee in any circumstance where such adjustment is legally required.

Section 7-11-140: APPLICATION OF FEES.

The fees collected under this article shall be segregated and held in trust in a manner to avoid commingling of the fees with other revenues or funds of the City. Any interest income earned by monies in the fund shall also be deposited in the fund. Adequate financial records of the funds shall be kept showing the source and disbursement of all revenues. Funds so collected shall be expended only for traffic improvements set forth in the Master Plan of City Streets or Capital Improvement Plan. These costs may include but are not limited to: roadway and intersection improvements and maintenance; right of way acquisition, mitigation of environmental impacts of these projects; and engineering, planning, and administrative and professional costs directly related to these projects and to the fee program.

Section 7-11-145: REVIEW.

Prior to the conclusion of each fiscal year, the City Engineer shall review the estimated cost of the fee program, the continued need for public improvements and the reasonable relationship between such need and the impacts of the various types of development pending or anticipated and for which this fee is charged. The City Engineer shall report his findings to the City Council at a noticed public hearing and recommend adjustment to the fee or other action as may be needed.

The report shall identify all fees received, all fees expended, all fees unexpended and committed and all fees unexpended and uncommitted. If appropriate, the City Engineer shall recommend refund of unexpended and uncommitted fees as authorized under Government Code § 66001.

Section 7-11-150: ADVANCE OF FUNDS.

The City may advance money from any available source or fund for the construction of street improvements which would otherwise be paid for from the funds collected pursuant to this chapter and reimburse itself from future fees.

Section 7-11-155: MASTER PLAN CONSTITUTES A SPECIFIC PLAN.

It is the intention of the City Council that the Master Plan of City Streets is necessary and convenient for the implementation of the General Plan of the City. For such purposes and for purposes of the Subdivision Map Act, the Master Plan shall and is hereby deemed a specific plan of the City of San Leandro.

Section 7-11-160: ESTABLISHMENT OF ZONES OF BENEFIT.

The City Manager may adopt administrative regulations to establish zones of benefit. Such zones, if established, will divide the city into areas of benefit. Fees collected from such zones will be expended in those zones for area-specific street improvement projects.

Section 7-11-165: ADOPTION OF A CAPITAL IMPROVEMENT PLAN.

The City Manager may prepare and submit to the City Council a Capital Improvement Plan. If adopted, the Capital

Improvement Plan will prioritize the street improvement projects and schedule the expenditure of funds.

Section 7-11-170: ADOPTION OF ADMINISTRATIVE REGULATIONS:

The City Manager is authorized to adopt administrative regulations. The administrative regulations will further implement the provisions of this Chapter and provide more detailed guidance thereon.

Section 7-11-175: ENFORCEMENT.

The fees imposed under this Chapter shall be enforced as a lien against the property if payment is not made.

Section 7-11-180: OPERATIVE DATE OF ORDINANCE:

The operative date of this ordinance shall be thirty (30) days from the date of its adoption except that in the case of fees for single family or multifamily development projects, the operative date of this ordinance shall be 60 days following the date of its adoption in accordance with Government Code Section 65962.

Section 3. This ordinance shall take effect thirty (30) days after adoption and the title thereof shall be published once prior to adoption.

Introduced by Council Member Glaze on this 6th day of September 1988, and passed to print by the following called vote:

Members of the Council:

Ayes: Council Members Faria, Glaze, Jardin, Perry, Santos, Suchman;
Mayor Karp (7)

Noes: None (0)

Absent: None (0)

By: Alice Calvert
Alice Calvert
Acting City Clerk
Attest: G. L. Dennehey, City Clerk

Passed and adopted this 19th day of September, 1988, after publication on September 10, 1988, by the following called vote:

Members of the Council:

Ayes: Council Members Faria, Glaze, Jardin, Perry, Santos, Suchman;
Mayor Karp (7)

Noes: None (0)

Absent: None (0)

By: Alice Calvert
Alice Calvert
Acting City Clerk
Attest: G. L. Dennehey, City Clerk

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 2005-128

(2318/2941)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN LEANDRO
IMPOSING A TRAFFIC IMPACT FEE TO FUND IMPROVEMENTS TO THE
DAVIS STREET-DOOLITTLE DRIVE INTERSECTION AND ADOPTING A NEW
CHAPTER 8.10 TO THE SAN LEANDRO ADMINISTRATIVE CODE RELATING TO
DEVELOPMENT FEE FOR STREET IMPROVEMENTS

RECITALS

WHEREAS, the City Council of the City of San Leandro has adopted San Leandro Municipal Code Chapter 7-11 establishing the authority to adopt and impose a Development Fee for Street Improvements ("Fee") on new development projects.

WHEREAS, a traffic study dated June 6, 2002 by TJKM ("Traffic Study") was prepared for the Bayside Business Park development that calculated the proportion of traffic growth generated in the area around the Davis Street-Doolittle Drive Intersection ("Intersection") between 2003 and 2025.

WHEREAS, the City has determined that improvements to the intersection to address the impacts identified in the Traffic Study will cost approximately \$1,498,000. The Conditions of Approval for the Bayside Business Park attributed 15% of the costs to impacts from the Business Park. The Conditions of Approval required the Business Park developers to pay 100% of the cost to improve the Intersection, of which the developers would be reimbursed 85% of those advanced costs from traffic impact fees imposed by the City. The City and the developer entered into an agreement dated March 30, 2003 that obligated the City to establish a traffic impact fee, and to reimburse the developer from the proceeds of that fee.

WHEREAS, to comply with AB 1600, the City commissioned a report entitled Davis Street-Doolittle Drive Intersection Traffic Impact Fee Justification—AB 1600 Report ("Fee

Report”). This report is attached to this Resolution and incorporated within. The Fee Report identifies the proposed assessment area, the eight zones of benefit, the per-square-foot assessment in each zone of benefit, (“Traffic Fee”) and the maximum total assessment for each zone of benefit.

WHEREAS, the Fee Report does not identify a proposed assessment for Zone 7 as that zone encompasses the Oakland Airport expansion. The City does not have regulatory authority to impose a Fee on the Oakland Airport.

WHEREAS, in accordance with the Government Code, at least 14 days prior to the public hearing at which this resolution was adopted, the City mailed the time and place of the public hearing to eligible interested parties who had previously filed written requests with the City for mailed meeting notices on new or increased fee or service charges.

WHEREAS, the Fee Report was made available for public inspection for 10 days prior to the public hearing.

WHEREAS, the City provided 10 days published notice prior to the public hearing in accordance with Government Code section 6062a.

WHEREAS, in addition, the City needs to adopt administrative procedures to provide land use definitions for uses subject to the Development Fee for Street Improvements (DFSI), provide that the DFSI will be indexed to the Construction Cost Index published in Engineering News Record, address how the DFSI will apply to mixed use developments, address how uses not falling into one of the use categories for which the DFSI applies will be assessed, and impose the Traffic Fee to fund traffic intersection improvements to the Davis-Doolittle intersection, as set forth above in these Recitals.

FINDINGS

The City Council finds as follows:

1. The Traffic Fee's purpose is to finance street improvements to reduce traffic impacts to the Intersection from future developments. The improvements to be financed are summarized in the Fee Report, and more fully described in the plans and specifications on file in the City Engineer's office. The improvements also include right-of-way acquisition, design, and pre-construction activities.
2. The Traffic Fee collected will be used to finance the improvements.
3. After considering the Traffic Fee Report, written testimony, oral testimony received during the public hearing, and the staff report, the City Council approves and adopts the Fee Report.
4. The Traffic Fee is necessary to fund improvements to offset traffic impacts on the Intersection as identified in the Traffic Study.
5. In adopting the Traffic Fee, the City Council is exercising its powers under California Constitution Article XI, section 7, San Leandro Municipal Code Chapter 7-11, and Government Code section 66000 et seq.
6. The Traffic Fee Report has established that a reasonable relationship exists between the Traffic Fee amount and the costs to improve the Intersection. The Traffic Fee Report further establishes that a reasonable relationship exists between the need for the Intersection improvements and the type of development upon which the fee is being imposed.

NOW THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

- A. The Traffic Fee is imposed on all non-exempt properties within the Assessment Areas shown in the Figure 1 of the Fee Report if those properties are also within a zone of benefit for which an assessment has been specified in Table 2 of the Fee Report.

B. San Leandro Municipal Code Chapter 7-11 will govern imposing and collecting the Traffic Fee.

C. Title 6, Chapter 4 of the San Leandro Administrative Code, which sets the Development Fee for Street Improvements Schedule, is amended to include Table 2 of the Fee Report. The Traffic Fee is in addition to, and not a substitute for, any other Fees set forth in the Schedule.

D. For purpose of San Leandro Municipal Code section 7-11-140, the City Council determines that Traffic Fee proceeds may properly be used to reimburse the Bayside Business Park developer for that portion of the advanced costs for the Intersection Improvements for which the developer is entitled to be reimbursed under the March 30, 2003 Agreement.

E. A new Chapter 8-10 to the San Leandro Administrative Code entitled "Development Fee for Street Improvements," attached hereto and incorporated by reference is hereby adopted.

The provisions of this Resolution shall be effective immediately, and the Traffic Fee will become effective 60 days from this Resolution's effective date.

Introduced by Councilmember Santos and passed and adopted this 6th day of September 2005, by the following called vote.

Members of the Council:

AYES: Councilmembers Badger, Grant, Nardine, Santos, Starosciak, Stephens; Mayor Young (7)

NOES: None (0)

ABSENT: None (0)

ATTEST: Marian Handa
Marian Handa, City Clerk

**DAVIS STREET-DOOLITTLE DRIVE INTERSECTION
IMPROVEMENTS TRAFFIC IMPACT FEE JUSTIFICATION
(AB 1600 REPORT)**

The City of San Leandro (City) intends to establish a supplemental traffic impact fee for developments within the proposed impact fee areas (See Figure 1) to cover the costs of intersection improvements required to mitigate the impacts of existing and projected future traffic congestion at the intersection Davis Street and Doolittle Drive. The purpose of this Davis Street-Doolittle Drive Intersection Improvements Traffic Impact Fee Justification (AB 1600 Report) is to satisfy the requirements of the Mitigation Fee Act by establishing a rational and substantial nexus between the anticipated growth in land use in the proposed impact fee areas, and the traffic impact fee required to fund and build the required intersection improvements. The subsequent sections of this AB 1600 Report include:

- Brief Description of Davis-Doolittle Intersection Improvements
- Requirements of the Mitigation Fee Act
- The Purpose of the Fee
- The Use to which the Fee will be put
- The Reasonable Relationship Between the Fee's Use and the Type of Development Project Upon Which the Fee is Imposed
- The Reasonable Relationship Between the Need for the Public Facility and the Type of Development Upon Which the Fee is Imposed
- The Reasonable Relationship Between the Amount of the Fee and the Cost of the Public Facility or Portion of the Public Facility Attributable to the Development on Which the Fee is Imposed
- References

BRIEF DESCRIPTION OF DAVIS – DOOLITTLE INTERSECTION

Davis Street and Doolittle Drive are arterial streets running east west and north south, respectively, across west San Leandro. Development and redevelopment in West San Leandro continues to place increasing traffic pressure on the intersection of Davis Street and Doolittle Drive. The City of San Leandro has determined that existing and future traffic congestion at Davis Street and Doolittle Drive requires intersection improvements that will cost approximately \$1,498,000 including design, right-of-way acquisition and

construction. A recent traffic study has shown that this increased traffic can be accommodated with the addition of one additional westbound lane on Davis Street, one additional eastbound lane on Davis Street, one additional northbound lane on Doolittle Drive with corresponding changes in signal hardware and operation.

REQUIREMENTS OF THE MITIGATION FEE ACT

In 1987, the State of California enacted Assembly Bill (“AB”) 1600, which created Section 66000 et seq. (i.e., Mitigation Fee Act) of the California Government Code. The Mitigation Fee Act requires that all public agencies intending to establish, or impose a fee as a condition of approval of a development project do all of the following:

- Identify the purpose of the fee
- Identify the use to which the fee is to be put
- Determine how there is a reasonable relationship between the fee’s use and the type of development project on which the fee is imposed
- Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed
- Discuss how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed

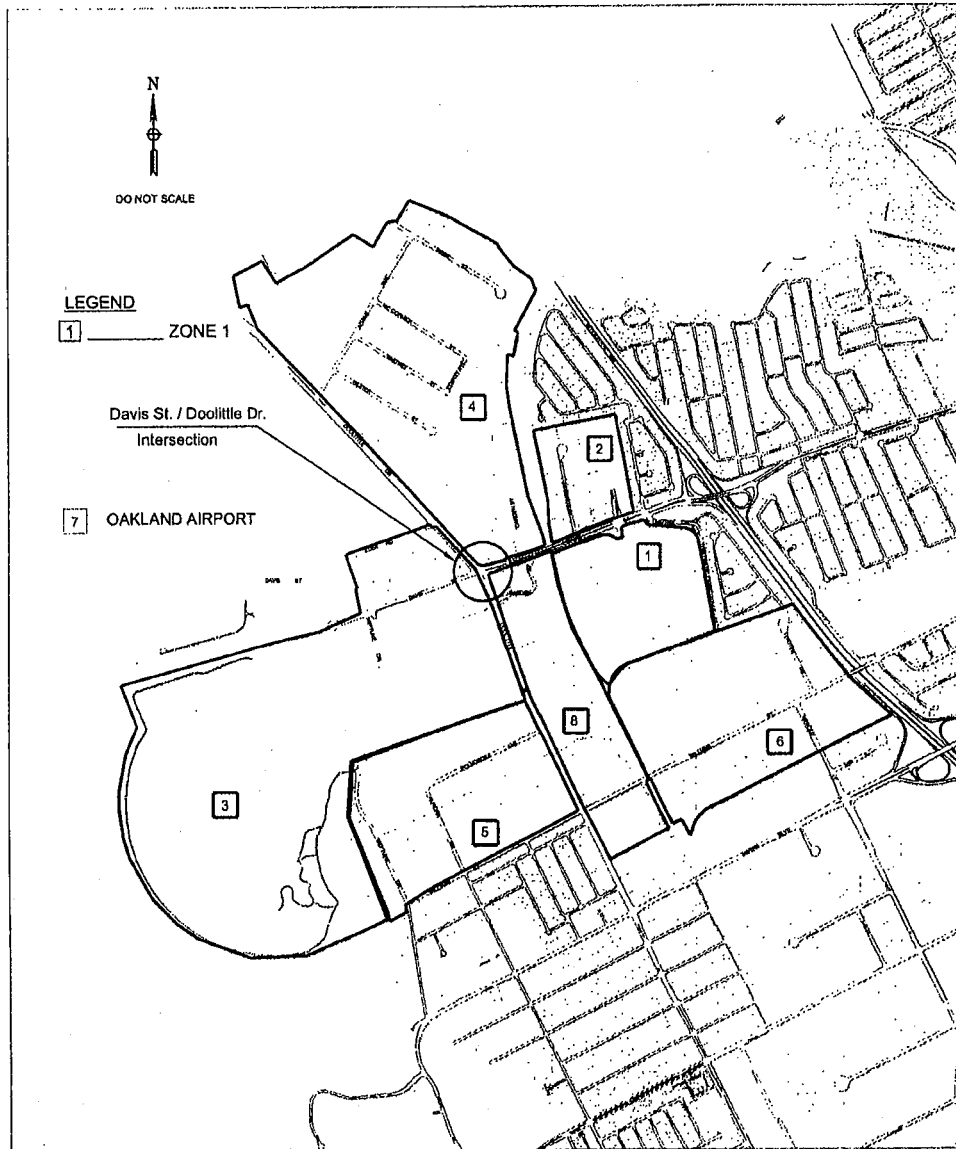
Subsequent sections of this AB 1600 Report address each of the five items listed above and in doing so, also establish a rational and substantial nexus between the proposed Intersection improvements at Davis-Doolittle intersection and the imposition of a traffic impact fee to fund the required intersection improvements.

THE PURPOSE OF THE FEE (GOVERNMENT CODE SECTION 66001 (A)(1))

The purpose of the fee is to fund intersection improvements to mitigate the impact of increased vehicular trips through the Davis Street and Doolittle Drive intersection due to anticipated increase in development in the proposed impact fee areas, shown in Figure 1.

Figure 1

CITY OF SAN LEANDRO
Davis St. / Doolittle Dr. Intersection
Traffic Impact Fee Zones
Figure 1



The City of San Leandro currently charges a traffic impact fee, the “Development Fees for Street Improvements” (DFSI) for all net or additional development throughout the City. The basis for this fee is that while one particular development cannot be shown to contribute traffic at widespread locations throughout the city, the cumulative contribution of all increases in land use and development does increase traffic at many intersections and locations. In the case of this proposed fee, one specific intersection, Davis Street and Doolittle Drive, is singularly useful in serving growth in the proposed impact fee area in Figure 1. This is because there are few alternative routes for traffic other than to use Davis and Doolittle. Additionally it was concluded that the fee due under the current traffic impact fee schedule was insufficient to mitigate the traffic impact of development projects in the impact zone.

THE USE TO WHICH THE FEE WILL BE PUT (GOVERNMENT CODE SECTION 66001 (A)(2))

The proposed fee will be used to acquire right-of-way, design and construct intersection improvements including traffic signal modifications to mitigate impacts of increased trips through Davis-Doolittle intersection due to anticipated increase in industrial development in the proposed impact fee areas. The traffic improvements shall include, but not be limited to, the following:

- Widening eastbound Davis Street approach with on additional lane
- Widening westbound Davis Street with one additional lane
- Widening northbound Doolittle Drive with an additional lane
- Improvements to Traffic Signal hardware and operations

A more detailed description of the required traffic improvements to which the fee will be applied, including costs of the improvements, can be found in the Davis Street and Doolittle Drive Project No. 210-38-249 Plans, Specifications and Estimate all on file in the office of the City Engineer.

DETERMINE HOW THERE IS A REASONABLE RELATIONSHIP BETWEEN THE FEE'S USE AND THE TYPE OF DEVELOPMENT PROJECT ON WHICH THE FEE IS IMPOSED (GOVERNMENT CODE SECTION 66001 (A)(3))

A reasonable relationship exists between the fee's use and the type of development in the proposed impact fee areas. The fee will be used to construct intersection improvements required to mitigate impacts of increased trip making through the Davis-Doolittle intersection due to the anticipated increase in development within the traffic impact area.

Analysis of Benefit Assessments for Proposed Traffic Improvements of Davis Street and Doolittle Drive by TJKM Traffic Engineers dated December 23, 2004 (Traffic Report), calculated the proportion of traffic growth generated in the proposed impact fee areas to all additional traffic using the Davis-Doolittle intersection between 2003 and 2025 by completing an origin and destination analysis. As shown in Table 1, TJKM has determined, on a square foot basis, the amount of traffic added by new development in the proposed impact fee areas.

Table 1: Travel Growth at Davis Street and Doolittle Drive

| TAZ | Existing Land use (ksf)* | Future Land Use (ksf) | Difference (ksf) | TRIPS ENTERING DAVIS/DOOLITTLE | | | | | |
|---------------|--------------------------|-----------------------|------------------|--------------------------------|-------------|--------------------|-------------|------------------------------|------------|
| | | | | Existing | | Future(From Model) | | Difference (Future-Existing) | |
| | | | | a.m. | p.m. | a.m. | p.m. | a.m. | p.m. |
| all | - | - | - | 2640 | 2992 | 3279 | 3699 | 639 | 707 |
| 1 | 1489.9 | 1773.1 | 283.2 | 33 | 80 | 42 | 83 | 9 | 3 |
| 2 | 160.0 | 180.0 | 20.0 | 33 | 287 | 42 | 317 | 9 | 30 |
| 3 | 2311.7 | 4040.3 | 1728.6 | 438 | 413 | 518 | 499 | 80 | 86 |
| 4 | 2405.0 | 4176.4 | 1771.3 | 385 | 417 | 443 | 481 | 58 | 64 |
| 5 | 1389.0 | 2090.0 | 700.9 | 191 | 377 | 197 | 386 | 6 | 9 |
| 6 | 2772.7 | 4070.6 | 1297.9 | 64 | 91 | 52 | 138 | -12 | 47 |
| 7 | | Airport Expansion | | 332 | 614 | 446 | 716 | 114 | 102 |
| 8 | 603.5 | 1159.1 | 555.6 | 31 | 75 | 78 | 172 | 47 | 97 |
| TOTALS | 11131.8 | 17489.5 | 6357.6 | 1507 | 2354 | 1818 | 2792 | 314 | 388 |

* ksf = gross floor area in thousands of square feet

Percent Contribution of Zones 1 to 8 to total growth in traffic a.m. Peak 49.1%
 Percent Contribution of Zones 1 to 8 to total growth in traffic p.m. Peak 54.9%

Consequently, the proposed fee will fund right-of-way acquisition, design and construction of intersection improvements including traffic signal modifications required to mitigate impacts of increased vehicular trips at the intersection in direct proportion to the actual increase in trips through the intersection that the traffic zones contribute, thereby, creating a reasonable relationship between the fee and the type of development in the proposed impact fee areas.

DETERMINE HOW THERE IS A REASONABLE RELATIONSHIP BETWEEN THE NEED FOR THE PUBLIC FACILITY AND THE TYPE OF DEVELOPMENT PROJECT ON WHICH THE FEE IS IMPOSED (GOVERNMENT CODE SECTION 66001 (A)(4))

A reasonable relationship exists between the need for the proposed intersection improvements and the type of development because the proposed intersection improvements were identified based on the projected increase in traffic generated due to anticipated increase in development in the traffic impact areas, by the year 2025.

The proposed intersection improvements were identified based on the anticipated increase in land use in the proposed impact fee areas, using a sophisticated traffic-forecasting model developed by TJKM engineers. The model is based upon the countywide model from the Alameda County Congestion Management Agency (ACCMMA). Analysis with the model included traffic estimates in terms of total entering traffic in both a.m. and p.m. peak hours, origins and destinations of peak hour traffic, amount of new traffic added in the proposed impact fee areas on a per square foot basis and the proportional growth in traffic at the Davis-Doolittle intersection between 2003 and 2025.

Consequently, without the proposed intersection improvements identified using the traffic-forecasting model, the additional traffic generated by the anticipated increase in land use in the proposed impact fee areas, will result in unacceptable levels of service at the Davis-Doolittle intersection. The proposed intersection improvements, towards which the proposed fees are to be used, will ensure acceptable level of service in the vicinity of the project, which will benefit the industrial land uses.

THE REASONABLE RELATIONSHIP BETWEEN THE AMOUNT OF THE FEE AND THE COST OF THE PUBLIC FACILITY OR PORTION OF THE PUBLIC FACILITY ATTRIBUTABLE TO THE DEVELOPMENT ON WHICH THE FEE IS IMPOSED (GOVERNMENT CODE SECTION 66001 (B))

The City of San Leandro has determined that existing and future traffic congestion at Davis Street and Doolittle Drive requires intersection improvements that will cost approximately \$1,498,000 including design, right of way and construction. These improvements are anticipated to be sufficient for forecast traffic demand through 2025.

TJKM determined that the entire increase in land use intensities is projected to occur with general industrial use. The City of San Leandro currently charges a \$0.83/square foot DFSI rate for industrial development. *The proposed supplemental fees will be in addition to the current fees.* The contributions of each of the traffic analysis zones towards the increase trips are not equal, so the allocation of impact fee per square foot is not equal. The reason is that zones further away contribute less traffic growth per additional square foot than zones close to the intersection.

Table 2 shows the proposed supplemental impact fee per square foot for new development in each zone. The airport expansion is shown as an aggregate impact fee based upon the forecasted increase in trips through the intersection originating or destined to the Oakland International Airport. Of the total estimated cost of \$1,498,000, Zones 1 thru 8 are assessed a total of 53% of the cost based on the impact.

The proposed fee was developed by spreading the total cost of the required traffic improvements over the anticipated growth in land use and the associated new trips,

within the proposed impact fee areas, creating a reasonable relationship between the amount of the fee and the cost of the proposed traffic improvements.

Table 2: Calculation of Impact fee Rates by Zone

| Assume total cost of Improvements | | \$ 1,498,000 | | |
|-----------------------------------|-----------|--------------|---------------|--------------------------|
| Share from zones 1 to 8 | | \$ 812,456 | | |
| Zone | New Trips | % Total | Share of cost | Assessed/ft ² |
| 1 | 12 | 0.01 | \$ 13,017 | \$ 0.05 |
| 2 | 39 | 0.03 | \$ 42,304 | \$ 2.12 |
| 3 | 166 | 0.12 | \$ 180,064 | \$ 0.10 |
| 4 | 122 | 0.09 | \$ 132,336 | \$ 0.07 |
| 5 | 15 | 0.01 | \$ 16,271 | \$ 0.02 |
| 6 | 35 | 0.03 | \$ 37,965 | \$ 0.03 |
| 7 | 216 | 0.16 | \$ 234,300 | |
| 8 | 144 | 0.10 | \$ 156,200 | \$ 0.28 |
| All others | 644 | 0.47 | \$ 698,560 | |
| Total | 1381 | 1.00 | \$ 1,498,000 | |

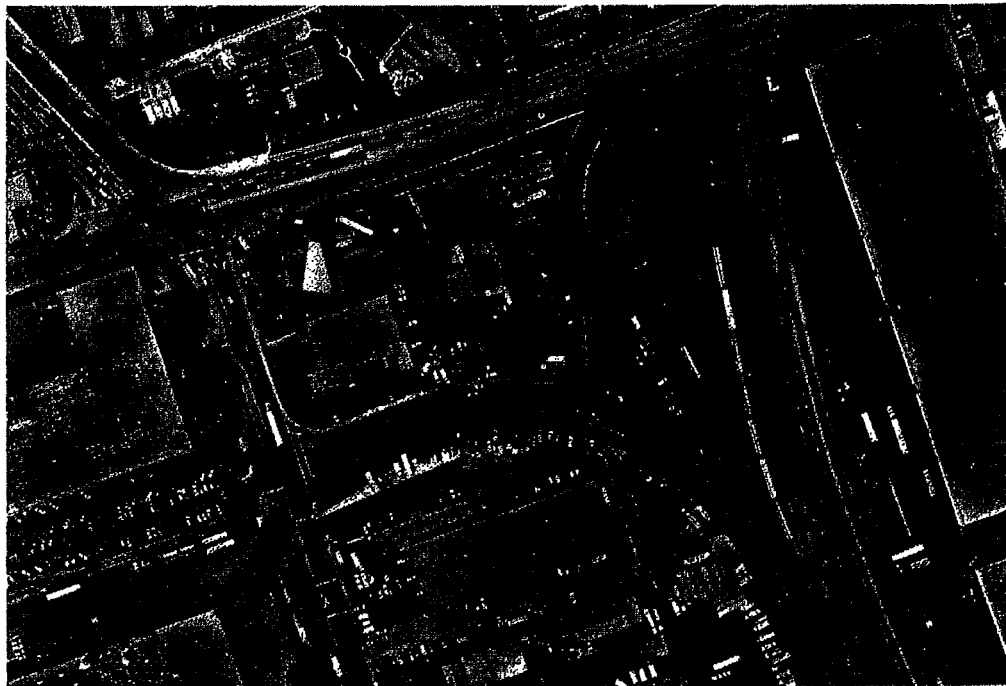
| TAZ | Assess Rate/ft ² | General Residential | Senior Housing | General Office | Medical Office | General Retail | Personal Services | Financial Services | Hotel/ Motel | Mini- Warehouse | Service Station |
|-----|-----------------------------|---------------------|----------------|----------------|----------------|----------------|-------------------|--------------------|--------------|-----------------|-----------------|
| 1 | \$ 0.05 | \$ 0.09 | \$ 0.04 | \$ 0.16 | \$ 0.22 | \$ 0.18 | \$ 0.09 | \$ 0.47 | \$ 0.08 | \$ 0.02 | \$ 0.63 |
| 2 | \$ 2.12 | \$ 3.84 | \$ 2.36 | \$ 6.63 | \$ 9.28 | \$ 7.42 | \$ 3.98 | \$ 19.88 | \$ 3.18 | \$ 0.66 | \$ 26.50 |
| 3 | \$ 0.10 | \$ 0.18 | \$ 0.11 | \$ 0.31 | \$ 0.44 | \$ 0.35 | \$ 0.19 | \$ 0.94 | \$ 0.15 | \$ 0.03 | \$ 1.25 |
| 4 | \$ 0.07 | \$ 0.13 | \$ 0.06 | \$ 0.22 | \$ 0.31 | \$ 0.25 | \$ 0.13 | \$ 0.66 | \$ 0.11 | \$ 0.02 | \$ 0.88 |
| 5 | \$ 0.02 | \$ 0.03 | \$ 0.02 | \$ 0.05 | \$ 0.07 | \$ 0.05 | \$ 0.03 | \$ 0.15 | \$ 0.02 | \$ 0.00 | \$ 0.19 |
| 6 | \$ 0.03 | \$ 0.05 | \$ 0.02 | \$ 0.09 | \$ 0.13 | \$ 0.11 | \$ 0.06 | \$ 0.28 | \$ 0.05 | \$ 0.01 | \$ 0.38 |
| 7 | not apply | | | | | | | | | | |
| 8 | \$ 0.28 | \$ 0.51 | \$ 0.21 | \$ 0.88 | \$ 1.23 | \$ 0.98 | \$ 0.53 | \$ 2.63 | \$ 0.42 | \$ 0.09 | \$ 3.50 |

TAZ: Traffic Analysis Zone
 Source: Analysis of Benefit Assessments for Proposed Traffic Improvements of Davis Street and Doolittle Drive by TJKM Traffic Engineers dated December 23, 2004

REFERENCES

Analysis of Benefit Assessments for Proposed Traffic Improvements of Davis Street and Doolittle Drive by TJKM Traffic Engineers dated December 23, 2004.

**Analysis of Benefit Assessments for
Proposed Traffic Improvements of
Davis Street and Doolittle Drive**



In San Leandro, California

December 23, 2004

**Analysis of Benefit Assessments for
Proposed Traffic Improvements of
Davis Street and Doolittle Drive**

In San Leandro, California

December 23, 2004

**Prepared by:
TJKM Transportation Consultants
5960 Inglewood Drive, Suite 100
Pleasanton CA 94588-8535
Tel: 925.463.0611
Fax: 925.463.3690**

INTRODUCTION AND SUMMARY

Introduction

TJKM completed a calibrated traffic-forecasting model for the City of San Leandro in conjunction with the Westgate Parkway Project in December 2004. This model is based upon the countywide model from the Alameda County Congestion Management Agency (ACCMA). The City of San Leandro model estimates traffic for 2003 and for 2025 in the a.m. and p.m. peak hours. It is a very detailed model and can accurately estimate trips for relatively small areas such as the Costco store north of Davis Street. TJKM has demonstrated that this model provides accurate traffic estimates for traffic on Davis Street at Doolittle Drive in terms of total entering traffic, and also right and left turns in both peak hours.

The City of San Leandro has determined that existing and future traffic congestion at Davis Street and Doolittle Drive requires traffic improvements that will cost approximately \$1,000,000 including design, right of way and construction. Those improvements include widening the eastbound Davis Street approach with an additional lane, adding one additional westbound lane on Davis Street, and adding one additional northbound through lane on Doolittle Drive with corresponding changes in signal hardware and operation. These improvements are anticipated to be sufficient for forecast traffic demand through 2025.

TJKM has used the traffic model to trace the origins and destinations of all a.m. and p.m. peak hour traffic using Davis and Doolittle. This has allowed the calculation of the proportion of traffic growth generated in the nearby area to all additional traffic using the intersection between 2003 and 2025. We have also been able to determine, on a square foot basis, the amount of traffic added by new development in the proposed assessment area, shown as Figure 1 on the next page. One zone, the Oakland Airport is only referenced and not shown on the map.

The City of San Leandro currently charges a traffic impact fee, the "Development Fees for Street Improvements" (DFSI) for all net or additional development throughout the city. The basis for this fee is that while one particular development cannot be shown to contribute traffic at widespread locations throughout the city, the cumulative contribution of all increases in land use and development does increase traffic at many intersections and locations. An earlier study has identified projects and programs throughout the city that are justified on the basis of traffic growth.

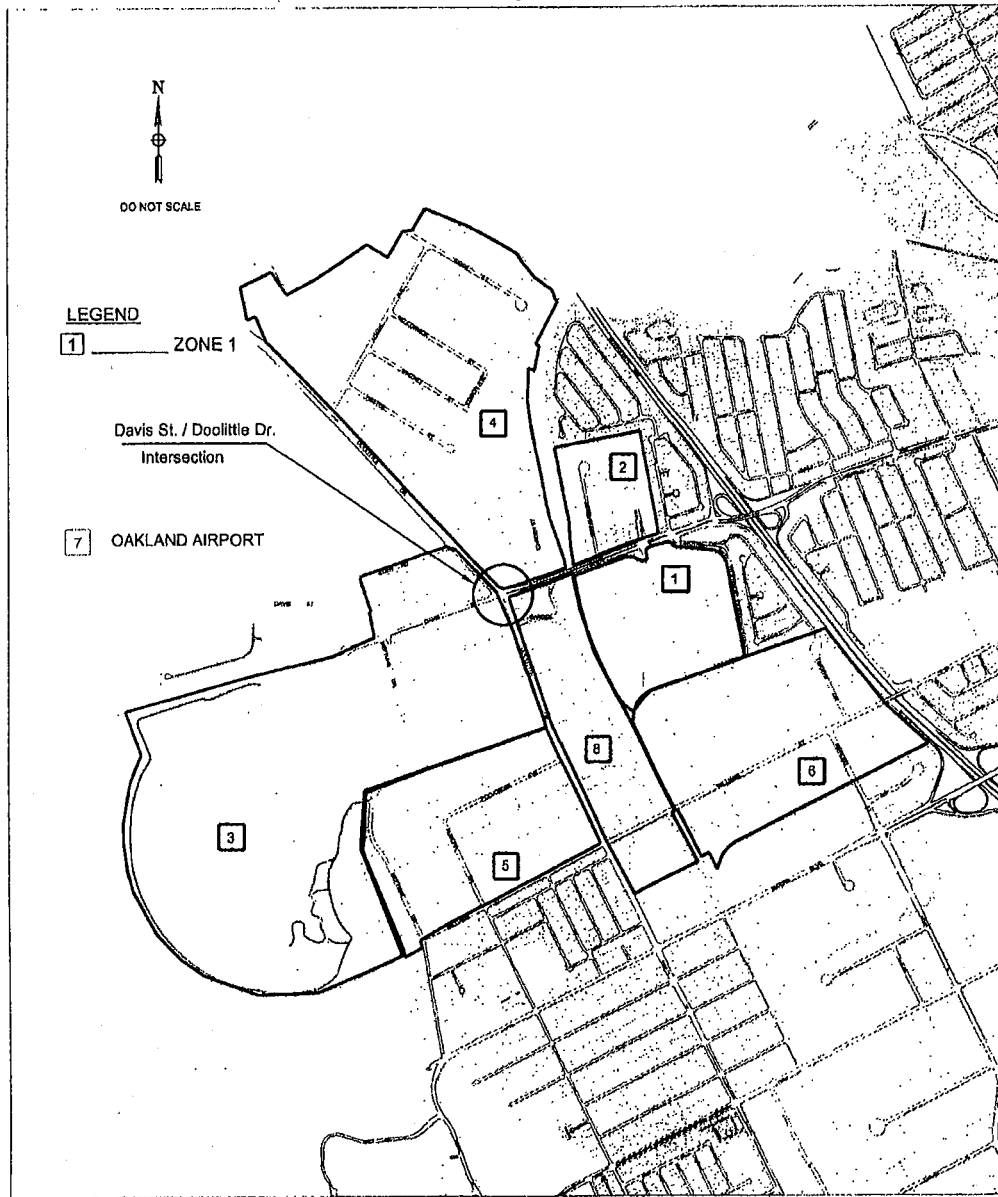
However, one specific intersection, Davis Street and Doolittle Drive, is singularly useful in serving growth in the proposed assessment area in Figure 1. This is because there are few alternate routes for Traffic other than to use Davis and Doolittle. The use of the model for 2003 and 2025 has enabled TJKM to calculate the specific traffic impact of increased land use intensity in this area.

Summary

There is a clear connection between anticipated increases in land use intensity in the proposed assessment area and increased trip making through Davis Street and Doolittle Drive. The routing of trips from the Oakland Airport via Doolittle Drive and Davis Street to reach I-880 is due to congestion on I-880. Bypassing congestion north of Davis Street (both north and southbound) via Doolittle Drive and Davis Street is faster than directly accessing I-880 from either 98th Avenue or Hegenberger Drive.

Figure 1: Proposed Traffic Impact Assessment Area and Zones

CITY OF SAN LEANDRO
Davis St. / Doolittle Dr. Intersection
Traffic Impact Fee Zones
Figure 1



ANALYSIS

TJKM used the total a.m. and p.m. peak hour vehicle trips for all calculations, because both peak hours require specific parts of the total package of improvements at this intersection. Table 1 shows the calculation of trips related to land use growth. In some instances the change in land use results in a net reduction in trips. This is true for Traffic Analysis Zone (TAZ) 6 in the a.m. peak. In TAZ 6, the current General Plan designation is industrial, but because of the new link, Westgate Parkway, opening access between Williams Street and Davis Street, it is possible that future uses will become more retail oriented due to the greatly improved freeway access. Table 2 contains factors that will allow calculation of assessments for Davis and Doolittle improvements by TAZ should land uses change from the assumptions in the current city traffic model.

Table 1: Travel Growth at Davis Street and Doolittle Drive

| TAZ | Existing Land use | Future Land Use | Difference | TRIPS ENTERING DAVIS/DOOLITTLE | | | | | |
|---------------|-------------------|-----------------|---------------|--------------------------------|-------------|--------------------|-------------|------------------------------|------------|
| | (ksf)* | (ksf) | (ksf) | Existing | | Future(From Model) | | Difference (Future-Existing) | |
| | | | | a.m. | p.m. | a.m. | p.m. | a.m. | p.m. |
| all | - | - | - | 2640 | 2992 | 3279 | 3699 | 639 | 707 |
| 1 | 1489.9 | 1773.1 | 283.2 | 33 | 80 | 42 | 83 | 9 | 3 |
| 2 | 160.0 | 180.0 | 20.0 | 33 | 287 | 42 | 317 | 9 | 30 |
| 3 | 2311.7 | 4040.3 | 1728.6 | 438 | 413 | 518 | 499 | 80 | 86 |
| 4 | 2405.0 | 4176.4 | 1771.3 | 385 | 417 | 443 | 481 | 58 | 64 |
| 5 | 1389.0 | 2090.0 | 700.9 | 191 | 377 | 197 | 386 | 6 | 9 |
| 6 | 2772.7 | 4070.6 | 1297.9 | 64 | 91 | 52 | 138 | -12 | 47 |
| 7 | Airport Expansion | | | 332 | 614 | 446 | 716 | 114 | 102 |
| 8 | 603.5 | 1159.1 | 555.6 | 31 | 75 | 78 | 172 | 47 | 97 |
| TOTALS | 11131.8 | 17489.5 | 6357.6 | 1507 | 2354 | 1818 | 2792 | 314 | 388 |

* ksf = gross floor area in thousands of square feet

| | | |
|---|-----------|-------|
| Percent Contribution of Zones 1 to 8 to total growth in traffic | a.m. Peak | 49.1% |
| Percent Contribution of Zones 1 to 8 to total growth in traffic | p.m. Peak | 54.9% |

TJKM determined that the entire increase in land use intensities is projected to occur with general industrial. Note that the increase in land use intensity represents "buildout" as opposed to uses in 2025. The 2025 increases in intensity are only a fraction of the total buildout. The model trip generation functions are based upon the levels of development (industrial) anticipated by 2025, not buildout. The present \$0.80/square foot DFSI rate was used as the basis for calculations of the per-square-foot assessment in particular traffic analysis zones. The reason for the change in assessment is due to the proportion of traffic growth attributed to each zone. The contributions are not equal, so the allocation of assessment per square foot is not equal. The reason is that zones further away contribute less traffic growth per addition square foot than zones close to the intersection. Table 3 shows our proposed assessment per square foot for new development in each zone. Please note that the airport expansion is shown as an aggregate assessment based upon the forecasted increase in trips through the intersection originating or destined to the Oakland International Airport.

Table 3 also shows additional trips through the intersection in the a.m. and p.m. peak hours combined that do not originate nor end in the proposed assessment area.

Table 2: Assessment Factors for Changes in Planned Land Uses by

| TAZ | Assess Rate/ft ² | General Residential | Senior Housing | General Office | Medical Office | General Retail | Personal Services | Financial Services | Hotel/Motel | Mini-Warehouse | Service Station |
|-----|-----------------------------|---------------------|----------------|----------------|----------------|----------------|-------------------|--------------------|-------------|----------------|-----------------|
| 1 | \$ 0.03 | \$ 0.06 | \$ 0.04 | \$ 0.10 | \$ 0.13 | \$ 0.11 | \$ 0.06 | \$ 0.29 | \$ 0.05 | \$ 0.01 | \$ 0.38 |
| 2 | \$ 1.41 | \$ 2.56 | \$ 1.57 | \$ 4.41 | \$ 6.18 | \$ 4.94 | \$ 2.65 | \$ 13.24 | \$ 2.12 | \$ 0.44 | \$ 17.65 |
| 3 | \$ 0.07 | \$ 0.13 | \$ 0.08 | \$ 0.22 | \$ 0.30 | \$ 0.24 | \$ 0.13 | \$ 0.65 | \$ 0.10 | \$ 0.02 | \$ 0.87 |
| 4 | \$ 0.05 | \$ 0.09 | \$ 0.06 | \$ 0.16 | \$ 0.22 | \$ 0.17 | \$ 0.09 | \$ 0.47 | \$ 0.07 | \$ 0.02 | \$ 0.62 |
| 5 | \$ 0.02 | \$ 0.03 | \$ 0.02 | \$ 0.05 | \$ 0.07 | \$ 0.05 | \$ 0.03 | \$ 0.15 | \$ 0.02 | \$ 0.00 | \$ 0.19 |
| 6 | \$ 0.02 | \$ 0.04 | \$ 0.02 | \$ 0.06 | \$ 0.09 | \$ 0.07 | \$ 0.04 | \$ 0.18 | \$ 0.03 | \$ 0.01 | \$ 0.24 |
| 7 | not apply | | | | | | | | | | |
| 8 | \$ 0.19 | \$ 0.34 | \$ 0.21 | \$ 0.59 | \$ 0.82 | \$ 0.66 | \$ 0.35 | \$ 1.76 | \$ 0.28 | \$ 0.06 | \$ 2.35 |

Table 3: Assessment Rates by TAZ

| Assume total cost of Improvements | | | \$ 1,000,000 | |
|-----------------------------------|-----------|---------|---------------|--------------------------|
| Share from zones 1 to 8 | | | \$ 542,361 | |
| Zone | New Trips | % Total | Share of cost | Assessed/ft ² |
| 1 | 12 | 0.01 | \$ 8,689 | \$ 0.03 |
| 2 | 39 | 0.03 | \$ 28,240 | \$ 1.41 |
| 3 | 166 | 0.12 | \$ 120,203 | \$ 0.07 |
| 4 | 122 | 0.09 | \$ 88,342 | \$ 0.05 |
| 5 | 15 | 0.01 | \$ 10,862 | \$ 0.02 |
| 6 | 35 | 0.03 | \$ 25,344 | \$ 0.02 |
| 7 | 216 | 0.16 | \$ 156,408 | Not Applicable |
| 8 | 144 | 0.10 | \$ 104,272 | \$ 0.19 |
| All others | 644 | 0.47 | \$ 466,329 | Not Applicable |
| Total | 1381 | 1.00 | \$ 1,000,000 | - |

Conclusions

There is a clear connection between anticipated increases in land use intensity in the proposed assessment area and increased trip making through Davis Street and Doolittle Drive. The routing of trips from the Oakland Airport via Doolittle Drive and Davis Street to reach I-880 is due to congestion on I-880. Bypassing congestion north of Davis Street (both north and southbound) via Doolittle Drive and Davis Street is faster than directly accessing I-880 from either 98th Avenue or Hegenberger Drive.

STUDY PARTICIPANTS

TJKM Transportation Consultants

Gary Kruger, P.E., Principal Associate, Project Manager

Jia Hao Wu, Ph.D., Senior Associate, Chief Modeler

Frank Cai, EIT, Transportation Engineer, Modeler

Pratyush Bhatia, EIT, Transportation Engineer, Assessment Calculations

DEVELOPMENT FEE FOR STREET IMPROVEMENTS

8.10.100: LAND USE DEFINITIONS

RESIDENTIAL:

- A. General Residential: single family houses, apartments and condominiums.
- B. Senior Housing: housing specially designed for and limited to seniors, including independent living, congregate care, and residential care project.

COMMERCIAL:

- C. General Offices: business, professional and administrative offices.
- D. Medical Offices: a facility that provides diagnosis and out-patient care on a routine basis, but which is unable to provide prolonged, in-house medical/surgical care.

RETAIL:

- E. General Retail: sales of consumer goods to customers, including supermarkets, department stores, shopping center, appliance stores, auto and truck sales, bowling alleys, etc.
- F. Personal Services: establishments such as a beauty shop, barber shop, portrait studio, electronic repair, auto service and repair, Laundromats, furniture stores and child and adult care facilities.

RESTAURANTS:

- G. Quality Restaurants: sit-down, full-service eating establishments with turnover rates usually of at least one hour or longer that may require reservations.
- H. All Other Restaurants: eating establishments that are not Quality Restaurants, including cafes, coffee shops and fast-food drive-in establishments

FINANCIAL SERVICES:

- I. Financial Services: business that include check cashing, deferred deposit loans and institutions such as banks, savings and loans, credit unions, security brokers and real property lending institutions.

HOTEL/MOTEL:

- J. Hotel/Motel: places of lodging providing sleeping accommodations and possibly a restaurant or cafe contained in the same building patronized primarily by lodgers.

INDUSTRIAL:

- K. General Industrial: light industry, industrial parks, manufacturing, assembly, warehouses and testing laboratories.
- L. Mini-Warehouse: individually rented storage units.

SERVICE STATION:

- M. Service Station: facilities where the primary business is the fueling of motor vehicles and ancillary facilities for maintaining and repairing automobiles

8.10.200 FEE SCHEDULE

8.10.210 The Development Fee for Street Improvements set forth in Title 6 Chapter 4 of this Administrative Code shall be indexed to the Construction Cost Index (CCI) for San Francisco as published in the periodical Engineering News Record. This indexing shall be subject to review and approval by the City Council annually, with the new Fee Schedule based on the CCI for the preceding calendar year.

8.10.220. Mixed use developments will pay a fee based on the individual component uses or, if the uses are unknown, on the highest traffic generating use permitted without further building permits.

8.10.230. Land uses not fitting into any of the land use categories in the Fee Schedule will be individually analyzed and fee established by the City Manager or his designee. This analysis shall compare the trip generation rates as published in the latest edition of the Institute of Transportation Engineer's Trip Generation Informational Report for the proposed land use with the trip generation rates for the land use set forth in the Land Use Definitions set forth in Section 8.10.100. The use will be assessed a fee equivalent to that of the land use category containing a land use that most nearly matches the proposed land use's trip generation rates.

8.10.300 INDIVIDUAL ADJUSTMENTS

8.10.310 Davis St./Doolittle Dr. Intersection Traffic Impact Fee

A. A Traffic Impact Fee is imposed on all non-exempt properties within the Traffic Impact Fee Zones shown Figure 1 and Resolution No. _____ adopted by the City Council on _____, 2005. The amount of the fee is set forth in the Fee Schedule.

B. San Leandro Municipal Code Chapter 7-11 will govern imposing and collecting the Traffic Fee.

C. This Traffic Impact Fee shall be collected until such time that the entirety of \$578,156.00 indexed to the CCI has been collected.

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 2010-046

RESOLUTION ADOPTING A SUPPLEMENTAL TRAFFIC IMPACT FEE AND AMENDING THE SAN LEANDRO ADMINISTRATIVE CODE TO ADD SECTION 8.10.320, INCORPORATING ADMINISTRATIVE REGULATIONS FOR THE IMPLEMENTATION OF THE FEE PROGRAM FOR DEVELOPMENTS WITHIN A ZONE OF BENEFIT TO COVER THE COST OF IMPROVEMENTS TO THE MARINA BOULEVARD / INTERSTATE-880 (I-880) INTERCHANGE

RECITALS

WHEREAS the City Council of the City of San Leandro adopted San Leandro Municipal Code Chapter 7-11 establishing the authority to adopt and impose a Development Fee for Street Improvements on new development projects; and

WHEREAS, a traffic study titled "Traffic Impact Fee Analysis for I-880/ Marina Interchange Improvement" dated November 12, 2009 by TJKM (Traffic Study) calculated that traffic at the Marina Boulevard / Interstate 880 interchange (Interchange) will increase by approximately 100% by the year 2030; and

WHEREAS, the City determined that improvements to the Interchange required to mitigate the aforementioned increase in traffic will cost \$27,000,000 in 2008 dollars, under a present value calculation; and

WHEREAS, a report titled "Marina Boulevard/Interstate 880 Interchange Traffic Fee Report" (Fee Report) was prepared based on the Traffic Study. Said report addresses the requirements of AB 1600 making certain findings as identified below and in detail that shall be considered a part of this resolution, proposes a zone of benefit, concludes that new development within the zone of benefit creates traffic that impacts the Interchange, and calculates a supplemental traffic impact fee to pay for mitigation of said impacts; and

WHEREAS, at least 14 days prior to the public hearing at which this resolution was adopted, the City mailed the time and place of the public hearing to eligible interested parties that had previously filed written requests with the City for mailed meeting notices on new or increased fees or service charges; and

WHEREAS, the Fee Report was made available for public inspection 10 days prior to the public hearing; and

WHEREAS, the City provided 10 days published notice prior to the public hearing in accordance with California Government Code section 6062(a); and

WHEREAS, a public hearing was held by the City Council at which it received a staff report, took oral and written testimony and considered the Fee Report.

FINDINGS

The City Council finds as follows:

1. The Traffic Fee's purpose is to finance street improvements to reduce traffic impacts to the Interchange from future developments. The improvements to be financed are summarized in the Fee Report. The improvements also include design, and pre-construction activities.
2. The Traffic Fee collected will be used to finance the improvements.
3. After considering the Traffic Fee Report, written testimony, oral testimony received during the public hearing, and the staff report, the City Council approves and adopts the Fee Report.
4. The Traffic Fee is necessary to fund improvements to offset traffic impacts on the Interchange as identified in the Traffic Study.
5. In adopting the Traffic Fee, the City Council is exercising its powers under California Constitution Article XI, section 7, San Leandro Municipal Code Chapter 7-11, and Government Code section 66000 et seq.
6. The Traffic Fee Report has established that a reasonable relationship exists between the Traffic Fee amount and the costs to improve the Interchange. The Traffic Fee Report further establishes that a reasonable relationship exists between the need for the Interchange improvements and the type of development upon which the fee is being imposed.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

That the supplemental traffic impact fee proposed in the Fee Report shall be adopted and applied to all non-exempt new development within the zone of benefit as described in and pursuant to the Fee Report; and

That the San Leandro Administrative code shall be amended as follows:

8.10.320: Marina Boulevard/Interstate 880 Interchange Traffic Impact Fee.

- (a) A Traffic Impact Fee is imposed on all non-exempt properties within the Traffic Impact Fee Zone shown in Figure 2, attached. The amount of the fee is set forth in the Fee Schedule.
- (b) Title 7, Chapter 11 of the San Leandro Municipal Code will govern imposing and collecting the Traffic Fee.

(c) This Traffic Impact Fee shall be collected until such time that the entirety of \$2,540,271.24 indexed to the CCI has been collected. At the time of adoption of this section the CCI for San Francisco was 9720.42.

That said supplemental traffic impact fee shall be discontinued when fees that total \$2,386,800 in 2008 dollars, adjusted for inflation, are collected.

Introduced by Councilmember Prola and passed and adopted this 3rd day of May, 2010, by the following called vote:

Members of the Council:

AYES: Councilmembers Gregory, Prola, Reed, Souza, Starosciak, Stephens;
Mayor Santos (7)

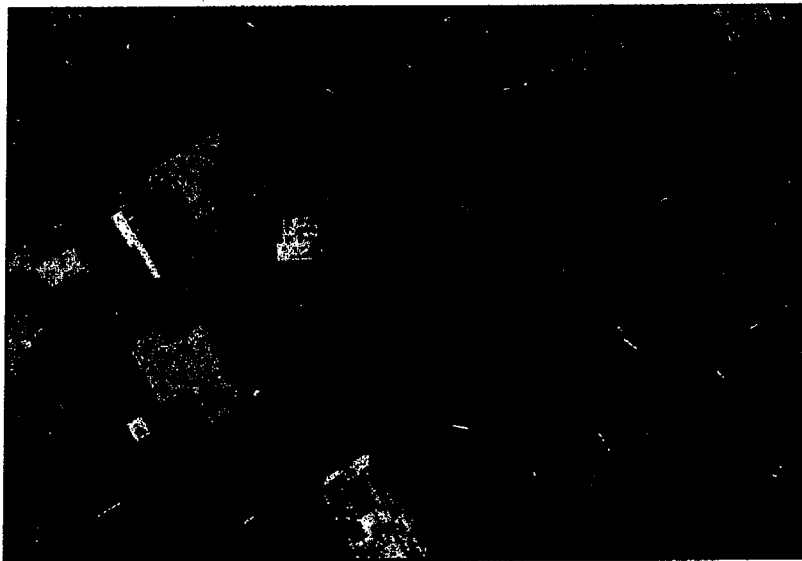
NOES: None (0)

ABSENT: None (0)

ATTEST: Marian Handa
Marian Handa, City Clerk

TJKM
Transportation
Consultants

Vision That Moves Your Community



Final

**Traffic Impact Fee
Analysis for I-880/
Marina Interchange
Improvement**

For City of San Leandro

November 12, 2009

Pleasanton
Fresno
Sacramento
Santa Rosa



Vision That Moves Your Community

Final

**Traffic Impact Fee Analysis for I-880/
Marina Interchange Improvement**

In City of San Leandro

November 12, 2009



Prepared by:
TJKM Transportation Consultants
3875 Hopyard Road
Suite 200
Pleasanton, CA 94588-8526
Tel: 925.463.0611
Fax: 925.463.3690

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Introduction and Summary

Introduction

The I-880/Marina Boulevard interchange is currently deficient and due to be replaced, in part, by the widening of I-880 for the southbound I-880 HOV Lane project. However, the HOV Lane project will not support all costs of the interchange improvements that are needed. Additionally, major development proposals in San Leandro are being developed for application for entitlements, and several contribute significant amounts of new traffic to the interchange.

Currently, the City of San Leandro has an existing traffic impact fee program, the Development Fees for Street Improvements (DFSI) for named improvements throughout the city where it is difficult to attribute increases in traffic to specific development projects. The DFSI program has thirteen generalized land uses that TJKM proposes to use as the basis for fees in this project.

The improvement of the I-880/Marina Boulevard interchange is not a named project in the DFSI program, and the need for that project is perceived to be a combination of existing traffic (the interchange is already deficient) along with the increased traffic from major nearby development projects, other development in San Leandro and the increase in regional traffic in the I-880 corridor. Therefore, it is not appropriate to finance the needed improvements at this interchange solely from nearby development fees.

In order to determine a fair share of the improvement cost, the City of San Leandro is interested in determining:

- The cost per peak hour vehicle trip simply calculated by dividing total a.m. and p.m. peak hour trips on a typical weekday into the total costs for improving the interchange;
- The resulting association of costs per peak hour trip by categories of land use; and
- The allocation of interchange improvement costs to:
 - a) existing trips using the interchange,
 - b) to the growth in trips due to future development in San Leandro, and
 - c) to regional traffic using the interchange (trips neither beginning nor ending in San Leandro).

This report is prepared so that the City of San Leandro can make decisions on financing strategies for the interchange improvements.

Summary

The Alameda County Congestion Management Agency countywide model scenarios for 2005 and 2030 were used as the basis for calculations in this analysis. Specifically, the general validated countywide model was modified for the Draft Environmental Impact Report for the proposed ICI Retail Center and the relocation of the Hayward campus of the Kaiser Permanente Hospital into a vacant site in the southwest quadrant of the Marina/I-880 Interchange.

The estimated total of all trips using the interchange during the a.m. and p.m. peak hours is 14,814 on a typical weekday in 2030. In 2005 this total is 7,924, so the increase over 25 years is 87 percent, or about a 2.5 percent increase per year, on average. Trips using the interchange with an origin and/or destination within the city are 97 percent of all trips in 2005 and 88 percent of all trips in 2030. The reason for the increased through traffic at the interchange is due to anticipated congestion in I-880. More trips between Oakland west of I-880 are likely to use Doolittle Drive to bypass the I-880

Davis Street interchange and get on at Marina to avoid I-880 congestion north of Marina Boulevard, and there are also other trip patterns where regional traffic stays on surface streets to avoid I-880 congestion in the peak hours. The main consideration, however, is that traffic at the currently-congested interchange is expected to increase by 87 percent. Clearly, capacity improvements are needed.

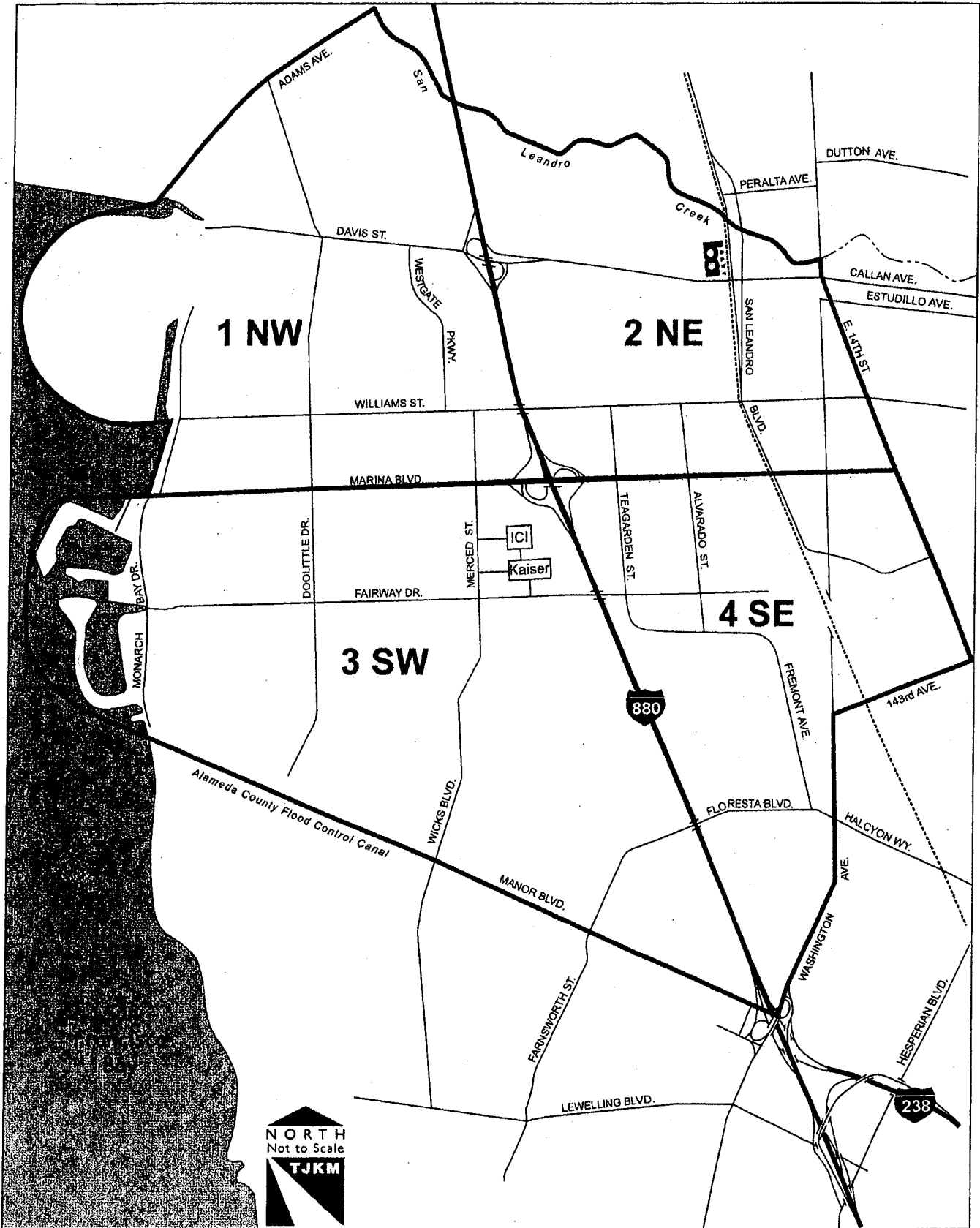
Using the 14,814 total interchange trips in the a.m. and p.m. peak hours, and an interchange improvement cost of \$27,000,000, the cost per trip is \$1,823 in 2008 dollars. Excluding the Kaiser Hospital and ICI Retail projects for which interchange fees have already been paid, an additional 1,310 trips from development projects in the impact area (Quadrants 1 - 4) are expected to use the interchange. However, many other trips from these projects will not use the interchange. The total growth in a.m. plus p.m. peak hour trips from development projects in the impact area is 6,890. By factoring the \$1,823 per trip cost by the proportion of trips from projects in the impact area expected to use the interchange yields a \$379.11 per trip fee for projects in the impact area. The per trip fee is then calculated for units such as per dwelling unit or per square foot of building area, etc. for each of the existing DFSI categories.

From 2009 through 2030, imposition of these supplemental fees in the DFSI program should generate approximately \$2.39 million in addition to impact fees already collected by the city for the Kaiser and ICI Retail projects. Of course, standard DFSI fees would also be imposed as they are for all development projects in the city.

Figure 1 shows the project vicinity map, the location of the interchange, the geographic area of property primarily served by the interchange (the impact area), and the locations of the two major development projects, ICI Retail and Kaiser Permanente Hospital.

City of San Leandro - Capital Improvement of I-880/Marina Blvd. Interchange
Vicinity Map

Figure
1



Analysis Approach

The analysis is straightforward and logical. It supplements the current transportation financing program already in place in San Leandro. This report was prepared by completing the following steps.

1. Define Trips That Lead to the Need for Improvements

The I-880 freeway was designed and constructed over 50 years ago, and the Marina/I-880 interchange is deficient in terms of clearance above the I-880 mainline as well as in the ability to accommodate ever-increasing traffic volumes on Marina Boulevard and the ramps to and from Marina Boulevard. Both the loop and diagonal off ramps merge with through traffic on Marina Boulevard, and they have reached capacity. In addition, the distance between the diagonal off ramps and the downstream signalized intersection is only a few hundred feet, so drivers exiting the freeway intending to turn left at these signals must weave through several lanes of traffic without adequate weaving distance, and this leads to congestion and accidents. Finally, the unsignalized left turns onto the on ramps are significantly congested during peak hours with traffic backing out of the left turn lanes into the left-most through traffic lanes. Therefore, all traffic on Marina Boulevard between Merced Street on the west to Wayne/Teagarden Street on the east plus all ramp traffic contributes to the need for interchange improvements.

2. Use the Countywide Model for Analyzing Trips Using the Interchange

The most recent version of the Alameda County countywide model as adapted for use in the Draft Environmental Impact Report (DEIR) for the combined ICI and Kaiser Permanente projects was used for this study as the model was calibrated for use in the local area. The model has both 2005 (Existing) and 2030 (Future) scenarios. The model as adapted for the DEIR includes accurate land use tabulations for current conditions as well as forecasts for 2030 conditions for the immediate area near the interchange as well as for Alameda County and the entire Bay Area.

3. Division of Trips by Category

As this study will be used as a basis for a benefit assessment area or supplemental traffic impact fee, it is necessary to define trips using the interchange due to local development plus existing trips and regional traffic. The model is quite useful in this regard. Trips from new development having an origin or destination within San Leandro are those for which fees can be assessed. Existing trips cannot be used for the imposition of fees, nor can through traffic (trips that both begin and end outside San Leandro). Each quadrant of the interchange was evaluated with respect to the level of traffic contributed. It was found that 80 percent of the growth in traffic at the interchange is expected to come from the quadrants. Locations in San Leandro that are relatively remote from the interchange contribute very few trips and are not proposed for inclusion in the impact fee area. Only those development projects within the four quadrants defined in Figure 1 are likely to contribute a significant proportion of new trips to the interchange, thus only this area is defined as the impact area and is the subject of supplemental traffic impact fees.

4. Peak Hour Trips as Basis

The peak hours are the times of the day where interchange capacity deficiencies become problems. Therefore, peak hour traffic is used as the basis for calculating trips using the interchange. There are deficiencies in both the a.m. and p.m. peak hours, so no differentiation is made between the two; rather, all trips in the a.m. and the p.m. peak hour are added together to define the total number of trips using the interchange.

5. Determine the Cost per Trip Using the Interchange

Because all peak hour trips contribute to the need for interchange improvements, the total of all trips is used as the divisor for the estimated capital cost of \$27 million for all improvements. Only a portion of this cost can be financed by new development – that is, only the increment of traffic from new development in San Leandro, defined as new traffic from development within the four quadrants depicted in Figure 1 less existing traffic at the interchange is used as a basis for traffic impact fee supplements in this analysis. For sites with existing traffic, it is necessary to provide a credit for existing traffic and only use the increment over existing traffic volumes created through more intense development.

6. Define the Development Fees by Generalized Land Use Categories

Once the cost per trip is determined, by using *Trip Generation* by the Institute of Transportation Engineers, it is possible to estimate the fee per square foot of development or other suitable unit such as a single house. This is a parallel procedure to how the current Development Fees for Street Improvements (DFSI) were calculated.

Interchange Improvement Project and Future Development

In order to determine the amount of traffic that is associated with expected new development and resulting added traffic at the improved interchange, it was necessary to identify specific potential development projects to be included for this study. Only two specific projects, ICI retail and Kaiser Hospital, have been proposed, although additional growth is anticipated in this area.

Capital Improvement Project

The I-880 SB HOV Lane project includes raising the I-880/Marina Boulevard interchange. This interchange is currently deficient. It does not meet minimum vertical clearance over I-880 and has been hit and severely damaged by trucks on two separate occasions in the past several years. This interchange will be raised to meet minimum clearance standards over I-880, but the improvement of capacity deficiencies on Marina Boulevard is not supported by that project. These capacity deficiencies already exist. The interchange improvement project definition used for the fee calculation covers the segments of Marina Blvd. between Merced St. and Alvarado St. plus the on and off ramps of the interchange.

The improvement of the I-880/Marina Boulevard Interchange within the I-880 Southbound HOV Lane Project is limited to raising the interchange over crossing to meet minimum clearance standards with no widening of Marina Boulevard nor realignment of the on and off ramps, nor any funds for converting the current L-8 interchange to an L-9 interchange (partial cloverleaf). The full improvement envisioned by the City is the construction of an L-9 interchange, including raising and widening Marina Boulevard plus nearby improvements to adjacent intersections such as Marina and Merced, Marina and Teagarden, and perhaps Teagarden and Fairway/Aladdin. It is assumed that Intelligent Transportation System (ITS) technology will provide real-time traveler information regarding travel times from the off-ramp to the ICI and Kaiser Projects so that excess demand for westbound left turns from Marina to southbound Merced can be moderated to enable maintenance of adequate levels of service. TJKM used a total project cost of \$27,000,000 as the capital improvement cost for the entire range of improvements.

Development Projects

Two major development projects are proposed near the interchange, and developers are in the process of submitting applications to the city for entitlements. They have been found to contribute significant amounts of new traffic to the interchange. These development projects are:

1. ICI Retail; and
2. Kaiser Permanente Full Service Hospital (relocation from Hayward).

These two projects are located in the southwest quadrant of the interchange and are noted in Figure 1. In addition to these two major development projects, the city has forecast substantial growth primarily west of I-880. Table 1 shows citywide growth estimates for 2005 through 2030. These data are in the model used for estimating trips using the interchange. As can be seen, city population is estimated to increase 21 percent from 81,918 in 2005 to 98,859 by 2030, and employment will increase from 43,495 in 2005 to 62,846 in 2030, an increase of 44 percent.

Table I: Land Use Growth

| Name | Description | 2005 | 2010 | 2015 | 2030 | Growth | Annual Rate |
|--------|--------------------------|-------|-------|-------|-------|--------|-------------|
| TOTHH | Total House Units | 31638 | 32202 | 36316 | 38647 | 1.22 | 0.86% |
| HHPOP | Household Population | 81918 | 83316 | 93013 | 98859 | 1.21 | 0.85% |
| TOTPOP | Total Population | 82832 | 84257 | 93998 | 99841 | 1.21 | 0.85% |
| EMPRES | Employed Residents | 39258 | 41009 | 49410 | 55274 | 1.41 | 1.50% |
| SFHH | Single Family Households | 21147 | 21428 | 22592 | 23829 | 1.13 | 0.55% |
| MFHH | Multi Family Households | 10487 | 10778 | 13724 | 14818 | 1.41 | 1.52% |
| TEMP | Total Employment | 43495 | 45872 | 49832 | 62846 | 1.44 | 1.60% |
| RETEMP | Retail Employment | 7121 | 7496 | 8126 | 10393 | 1.46 | 1.65% |
| SEREMP | Service Employment | 9228 | 10042 | 11401 | 15579 | 1.69 | 2.29% |
| OTHEMP | Other Employment | 11620 | 12150 | 13027 | 16912 | 1.46 | 1.65% |
| AGEMP | Agriculture Employment | 113 | 113 | 114 | 151 | 1.34 | 1.27% |
| MANEMP | Manufacture Employment | 8665 | 9043 | 9663 | 11365 | 1.31 | 1.21% |
| WHOEMP | Wholesale Employment | 6729 | 7020 | 7501 | 8446 | 1.26 | 1.00% |

The data in Table I is based upon land use data in the ACCMA countywide model for TAZ's in San Leandro. As mentioned previously, the ACCMA countywide model was adjusted to incorporate the two major projects in the southeast quadrant of the interchange.

Traffic Impact Fee Analysis

TJKM obtained the San Leandro Traffic Model from the City of San Leandro with an approval from the Alameda County Congestion Management Agency (ACCMA). The City's model is derived directly from the ACCMA countywide model; this is the current model being used for the preparation of a DEIR for the ICI/Kaiser Permanente development in the southwest quadrant of the interchange. It generates peak hour trips for existing year and 2030 forecasting years. TJKM reviewed the network to make sure there are no errors or omissions. Likewise, TJKM reviewed the land use data, especially with an eye towards the land use categories of the DFSI program at the city. Since there are many land use categories, we chose to use specific land use categories in the DFSI program where each one is identified with an ITE land use code.

Total Trips Using the Interchange

A process called "select link analysis" was used within the ACCMA countywide model. The roads in the model are called "links" that extend between two "nodes" (intersections). All links comprising Marina Boulevard between Merced Street and Teagarden Street plus all links comprising the on and off ramps (but not the I-880 mainline) were defined as selected for the model runs for 2005 and 2030. This analysis essentially tabulated all trips assigned to the selected links and also categorized these trips as having an origin or destination somewhere within San Leandro and those that do not. A simple process of subtraction was used to define trips created by development within San Leandro and increases due to through traffic. The overall growth was also derived through simple subtraction. Figure 2 on the next page graphically shows model output for the select link analysis. The width of the line along a street is proportional to the total number of trips, with the wider the line, the more the trips. Trips along the I-880 mainline are shown, but as can be seen, all mainline trips use the ramps, and no through traffic along I-880 is shown in the graphic.

The estimated total of all trips using the interchange during the a.m. and p.m. peak hours is 14,814 on a typical weekday in 2030. In 2005 this total is 7,924, so the increase over 25 years is 87 percent, or about a 2.5 percent increase per year, on average. Trips using the interchange with an origin and/or destination within the city are 97 percent of all trips in 2005 and 88 percent of all trips in 2030. The reason for the increased through traffic at the interchange is due to anticipated congestion in I-880. More trips between Oakland west of I-880 are likely to use Doolittle Drive to bypass the I-880 Davis Street interchange and get on at Marina to avoid I-880 congestion north of Marina Boulevard, and there are also other trip patterns where regional traffic stays on surface streets to avoid I-880 congestion in the peak hours. The main consideration, however, is that traffic at the currently-congested interchange is expected to increase by 87 percent. Clearly, capacity improvements are needed. Table II shows 2005 and 2030 trip origins/destinations using the interchange in the combined a.m. and p.m. peak hours.

Table II: Total Trips Using the Interchange by Locations

| Year | Allocation | Trips | % Total | Growth | % Total Growth |
|------|------------|--------|---------|--------|----------------|
| 2005 | City Only | 7,687 | 97% | | |
| | Total | 7,924 | | | |
| 2030 | City Only | 12,989 | 88% | 5,302 | 41% |
| | Total | 14,814 | | 6,890 | 47% |

Figure 2: Traffic Volumes (in Bar) Using the Interchange



Traffic impact fees can only be levied on projects in the areas served by the interchange, in terms of traffic growth from now until 2030. Table III shows how the growth in trips in the four quadrants of the interchange are calculated. Existing trips from these areas must be subtracted from the total a.m. and p.m. peak hour 2030 trips to and from the interchange. The objective is to determine what percentage of trips in the four quadrants of the interchange use the interchange versus all other locations. Table III provides the detailed data for this calculation.

Table III: Calculation of Trip Growth, 2005 to 2030 and Proportion of Interchange Trips

| Year | Trip Categories | Total Trips | Δ Trips | Trips to/from | Project Trips |
|------|--------------------------------------|-------------|-------------|----------------|--------------------|
| | | a.m. + p.m. | 2005 → 2030 | ICI and Kaiser | in Quadrants 1 - 4 |
| 2005 | Project Trips Using Interchange | 6,914 | | 20 | |
| | All Trips Using Interchange | 7,924 | | | |
| | Quadrant Trips to/from All Locations | 23,512 | | 20 | |
| 2030 | Project Trips Using Interchange | 11,956 | 5,042 | 3732 | 1,310 |
| | All Trips Using Interchange | 14,814 | 6,890 | | |
| | Quadrant Trips to/from All Locations | 36,704 | 13,192 | 6894 | 6,298 |

Notes: Project Trips = Trips from Quadrants 1 - 4 using Marina/I-880 Interchange (excludes Kaiser/ICI)
 All Trips = All traffic using interchange including Project Trips (includes Kaiser/ICI)
 Quadrant Trips = Trips to/from Quadrants 1 - 4 to all locations

The growth in trips using the interchange from the four quadrants of the interchange is equal to "Project Trips Using Interchange" in 2030 less "Project Trips Using Interchange" in 2005 and also less the "Trips to/from ICI and Kaiser" in 2030. The result is 1,310 new trips to and from the interchange in 2030 not including trips related to the two known projects. Fees for the trips using the interchange from these two projects have already been negotiated through the CEQA process (California Environmental Quality Act). The total of all new trips by 2030 to and from the interchange, including through trips is 6,298 in Table III. The proportion of this growth attributable to the four quadrants by the interchange is 1,310/6,298, or 0.208, or 20.8 percent. Therefore, 20.8 percent of the new trips generated by future development in these quadrants will use the interchange.

The two major known development projects in the southwest quadrant, ICI Retail and Kaiser Permanente Hospital, are expected to contribute to a major proportion of total growth in traffic at the interchange. Table III shows the growth in trips at the interchange due to these two projects. Table IV shows that these two projects alone are estimated to contribute 54 percent of all growth in trips at the interchange from 2005 to 2030. The current site for these two projects has been vacant for several years, hence the few existing trips tabulated in Table III.

Table IV: ICI and Kaiser Permanente Hospital Trips Using Interchange in 2030

| Development Project | Daily Trips | A.M. + P.M. Peak Trips | Trips Using Interchange | Percent Total Interchange Trips |
|-----------------------|-------------|------------------------|-------------------------|---------------------------------|
| ICI (Retail Center) | 18,298 | 2,155 | 1,398 | 20% |
| Kaiser Hospital (KP) | 34,272 | 4,759 | 2,334 | 34% |
| Total ICI + Kaiser | 52,570 | 6,914 | 3,732 | 54% |
| Less Existing Trips | 100 | 20 | 20 | |
| Net Increase (Growth) | 52,470 | 6,894 | 3,712 | 54% |

Note: from Table III, there is an increase of 6,890 trips using the interchange. The percentage of the growth is calculated by dividing ICI and Kaiser trips using the interchange by 6,890, or $1,398/6,890 = 0.203$, or 20% (rounded), and so on.

Estimated Cost per Interchange Trip

Using the 14,814 total interchange trips in the a.m. and p.m. peak hours, and an interchange improvement cost of \$27,000,000, the cost per trip is \$1,823 in 2008 dollars. The next step in the analysis is to calculate the relative financial responsibility by land use categories based upon the standard reference, *Trip Generation, 8th Edition* published by the Institute of Transportation Engineers.

Conversion of Unit Cost/Trip to Generalized Land Use Categories

Excluding the Kaiser Hospital and ICI Retail projects, an additional 1,310 trips from development projects in the impact area (Quadrants 1 - 4) are expected to use the interchange. However, many other trips from these projects will not use the interchange. The total number of in a.m. plus p.m. peak hour trips from development projects in the impact area is 6,298 from Table III. The impact fee per trips in the impact area is calculated by factoring the per trip cost of \$1,823 by the proportion of trips from projects in the impact area expected to use the interchange ($1,310/6,298$ or 0.208) = \$379.18 per project trip in the impact area.

The resulting fee calculation in Table V on the next page is straightforward showing that trip generation rates for a.m. and p.m. peak hours are totaled to derive the contribution in development-

generated new trips at the interchange. The "units per trip" column is simply the calculation of how many units it takes to create one new trip. For general residential, for example, it takes about 0.69 of a dwelling to create one new trip, or one dwelling creates (or generates) 1.45 trips in the a.m. and p.m. peak hours. For general office evaluated on a per-thousand square foot basis, one new trip is generated for every 329 square feet of office space. The fee rate column then converts this information to the fee rate per dwelling or per square foot, room or pump position. The pass-by factor is used to estimate "new trips" as opposed to trips already on the street network or crossing the interchange for other purposes. In other words, trips are not made primarily to get to a fast-food restaurant or gas station, but more typically when the motorist sees an opportunity to get gas or food during trips for other purposes. Similarly, banks with ATM's attract passing traffic that is generated for other trip purposes. Pass-by trips are subtracted from the project trip generation to estimate the number of new trips resulting from each type of project.

The fee calculation is thus: $(\$1,823 \times 0.208) \times \text{Total a.m. + p.m. trip generation rate}$. Rates per square foot are calculated by dividing by 1,000, because the ITE rates are per 1,000 square feet where indicated by "ksf."

Table V: Calculation of Interchange Improvement Fee Rates for Development

| Land Use Category | Land Use Variable | Pass-By Factor | ITE Rates | | | Units/Trip | Fee Rate | Unit |
|-----------------------|-------------------|----------------|-----------|-------|-------|------------|------------|----------|
| | | | a.m. | p.m. | Total | | | |
| Residential General | Unit | 1.00 | 0.63 | 0.82 | 1.45 | 0.6897 | \$549.81 | Dwelling |
| Residential Senior | Unit | 1.00 | 0.22 | 0.27 | 0.49 | 2.0408 | \$185.80 | Dwelling |
| General Office | ksf | 1.00 | 1.55 | 1.49 | 3.04 | 0.3289 | \$1.15 | Sq. Ft. |
| Medical Office | ksf | 1.00 | 2.30 | 3.46 | 5.76 | 0.6289 | \$2.18 | Sq. Ft. |
| General Retail | ksf | 0.75 | 1.00 | 3.73 | 4.73 | 0.2819 | \$1.34 | Sq. Ft. |
| Personal Services | ksf | 1.00 | 1.38 | 3.53 | 4.91 | 0.1047 | \$1.86 | Sq. Ft. |
| Quality Restaurants | ksf | 0.80 | 0.81 | 7.49 | 8.30 | 0.1506 | \$2.52 | Sq. Ft. |
| All Other Restaurants | ksf | 0.50 | 11.52 | 11.15 | 22.67 | 0.0431 | \$4.30 | Sq. Ft. |
| Financial Services | ksf | 0.75 | 21.49 | 12.13 | 33.62 | 0.0397 | \$9.56 | Sq. Ft. |
| Hotel/Motel | Room | 1.00 | 0.66 | 0.64 | 1.30 | 0.7692 | \$492.93 | Room |
| General Industrial | ksf | 1.00 | 0.92 | 0.97 | 1.89 | 1.1628 | \$0.72 | Sq. Ft. |
| Mini-Warehouse | ksf | 1.00 | 0.15 | 0.26 | 0.41 | 1.6129 | \$0.16 | Sq. Ft. |
| Service (Gas) Station | position | 0.20 | 12.16 | 13.87 | 26.03 | 0.1921 | \$1,974.01 | position |

Note: ksf = 1,000 square feet
Pass-by Factor = % New Trips

The above fees are recommended for implementation within the impact area, the four quadrants in Figure 1. From 2009 through 2030, imposition of these supplemental fees in the DFSI program should generate approximately \$2.39 million in addition to impact fees already collected by the city for the Kaiser and ICI Retail projects. Of course, standard DFSI fees would also be imposed as they are for all development projects in the city.

Study Participants

TJKM Transportation Consultants Personnel

| | |
|-------------------|--------------------------------------|
| Gary Kruger, P.E. | Quality Control, Principal-In-Charge |
| Jia Hao Wu, Ph.D. | Modeling |
| Geri Foley | Graphics |
| Margie Pfaff | Word Processing/Production |

Persons/Agencies Consulted

| | |
|--|---------------------|
| Nick Thom, P.E., Senior Engineer | City of San Leandro |
| Keith R. Cooke, P.E., Principal Engineer | City of San Leandro |
| Reh-Lin N. Chen, P.E., Sr. Trans. Engineer | City of San Leandro |

Dowling Associates (Model)

| | |
|-------------------|-----------------------|
| Damien Stefanakis | Modeling Consultation |
|-------------------|-----------------------|

Marina Boulevard/ Interstate 880 Interchange Traffic Fee Report
(A report addressing the requirements of AB 1600)

The City of San Leandro is proposing a supplemental traffic impact fee to fund improvements at the Marina Boulevard/ Interstate 880 Interchange. The improvements will expand the capacity of the Interchange so that it can accommodate traffic predicted for the year 2030 with a level of service of D or better. The fee will be collected from a specific impact fee area or zone of benefit.

Marina Boulevard, an arterial street within the City of San Leandro, currently crosses over Interstate 880, a multilane controlled access freeway maintained by the State of California, via a 4 lane bridge. There are connector ramps in each quadrant of the Interchange that allow vehicles to enter and exit the interstate highway. Traffic at the Interchange is expected to nearly double by the year 2030, reducing the level of service significantly unless improvements are made.

There are two events which initiated the fee proposal. First, the State is planning to construct an additional South bound lane on Interstate 880 for use by high occupancy vehicles around the year 2012. This expansion of the interstate highway will require installation of a new bridge, or overcrossing, at Marina Boulevard. Replacement of the bridge should be done with consideration of the future traffic demands.

Second, a significant development project is proposed by Kaiser Permanente at 1701 Marina Boulevard. The Kaiser project will generate significant traffic and trigger a need for the upgrade of the Interchange. The proposed development has caused an evaluation of the traffic demands at the year 2030 and has led to the conclusion that certain improvements should be made.

Government Code section 66001 (AB 1600) requires certain findings to be made prior to implementing a fee for development.

66001 (a) (1) Identify the purpose of the fee.

The fee is proposed to mitigate the impact of additional motor vehicle traffic at the Marina Boulevard and Interstate 880 Interchange.

66001 (a) (2) Identify the use to which the fee is to be put.

The fee will be used to finance the design and construction of improvements that increase the capacity of the Marina Boulevard/ Interstate 880 Interchange. Improvements will include the replacement of the bridge on Marina Boulevard that crosses over Interstate 880, reconfiguration of the connector ramps between Marina Boulevard and Interstate 880, and installation of related lighting, signals, and equipment, possibly including intelligent transportation technology that provides real time delay information.

66001 (a) (3) Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

By definition, new development is construction of buildings and other improvements for use by people. Residents, patrons, and employees will, on average, travel to the new development in motor vehicles at rates that are published by the Institute of Transportation Engineers (ITE). The ITE trip generation manual contains individual trip generation rates for different types of development. For example, residential units are listed as generating, on average, 1.45 peak hour vehicle trips each day while fast food restaurants are listed as generating 22.67 peak hour trips for each 1000 sf of floor area each day. The fee is proposed to be applied to all development projects within certain proximity (zone of benefit) to the Improvements, see figure 1. A traffic report entitled 'Traffic Impact Fee Analysis for I-880/Marina Interchange Improvement' by TJKM traffic consultants (Traffic Report), attached, concludes that 20.8% of the new vehicle trips generated by development within the zone of benefit will use the Marina Boulevard Interstate 880 Interchange and that said traffic will reduce the level of service below acceptable levels. Construction of the Improvements will increase the capacity of the roadway and return the level of service to D or better.

66001 (a) (4) Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

Traffic volumes were forecast to the year 2030 by using the bay area traffic model that is maintained by the Alameda County Congestion Management Agency (ACCMA). An analysis of the forecast by TJKM traffic consultants, contained in the Traffic Report, found that 34.03% of the peak hour vehicle trips over the Interchange in 2030 were generated by new development within the zone of benefit. Most of those new trips were attributable to a proposed development at 1701 Marina Boulevard for which a Preliminary Environmental Impact Report has been prepared and mitigation measures proposed. The remaining new development trips, 8.84% of the vehicle trips over the Interchange in 2030, are generated by miscellaneous new development within the fee area.

Summary of traffic forecast for 2030

| Source | Peak hour trips over Interchange | % of total 2030 trips |
|---|----------------------------------|-----------------------|
| Existing traffic | 7924 | 53.49 |
| Growth at 1701 Marina (Kaiser et al) | 3732 | 25.19 |
| Growth within impact fee area (not including 1701 Marina) | 1310 | 8.84 |
| Growth outside of impact fee area | 1848 | 12.48 |
| Total | 14814 | 100 |

Growth within the impact area is due to development projects that bring in either additional residents or services. This growth creates 8.84% of the traffic at the Interchange in 2030 and so creates a like percentage of the need for the improvements.

66001 (b) Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility attributable to the development on which the fee is imposed.

The cost of the necessary Improvements is estimated at \$27,000,000 (2008 dollars), and will serve 14,814 vehicle trips. Dividing these two numbers produces a cost per trip of \$1,822.60 (rounded to \$1,823.00 in the Traffic Report). New development, other than the proposed project at 1701 Marina, creates 8.84% of the need for the improvements and so shall fund 8.84% or \$2,386,800 of the cost (2008 dollars). While new development within the impact area is expected to generate 1,310 peak hour trips over the Interchange the model indicates that it will also generate 6,298 total peak hour trips. $1,310/6,298$ or 20.80% of the new peak hour trips will use the Interchange. Each new peak hour trip shall be charged 20.80% of \$1,823.00 or \$379.18 (2008 dollars). These costs are based upon a 2008 estimate of construction costs, since that time the Construction Cost Index for San Francisco, published by Engineering News Record has changed from 9133.56 in January 2008 to 9720.42 in January 2010, an increase of 6.43%. In 2010 dollars the cost new peak hour trip within the zone of benefit is \$403.56 and the cap or total amount that should be collected is \$2,540,271.24. Note that all references to costs and fees in the Traffic Report are in 2008 dollars.

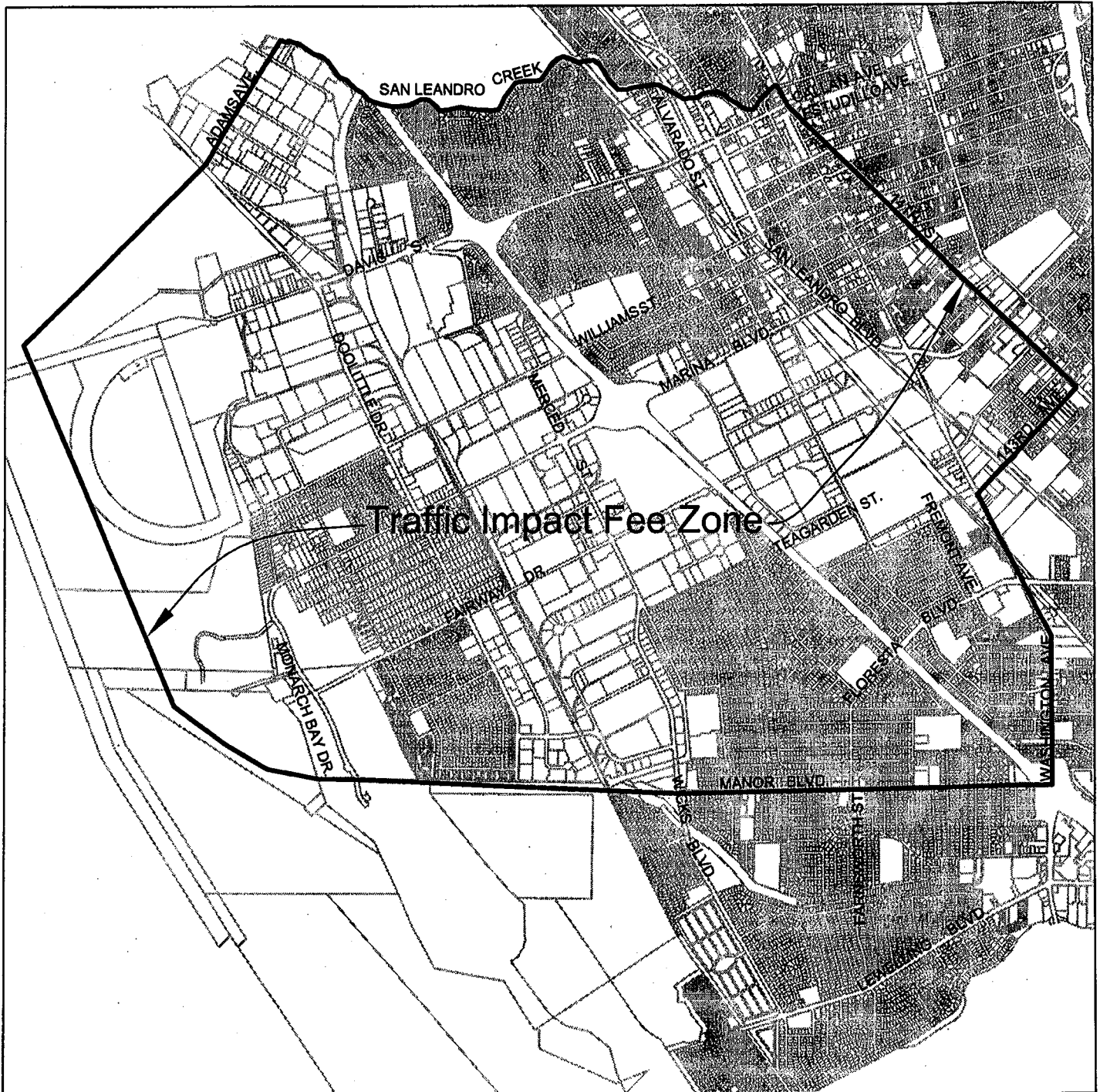
New development will be classified as one of several different categories. The table below summarizes the Institute of Traffic Engineers (ITE) pass by factor, trip generation rate and resultant impact fee for each category. Note that this fee is in addition to the general street impact fee that is already established.

| Land Use Category | ITE trip generation Unit | ITE Pass-By Factor | ITE trip generation rates | | | Fee Unit | Fee Rate |
|-----------------------|-----------------------------|-----------------------|---------------------------|-------|-------|-------------|-------------|
| | | | a.m. | p.m. | Total | | |
| Residential General | Dwelling | 1 | 0.63 | 0.82 | 1.45 | Dwelling | \$585.16 |
| Residential Senior | Dwelling | 1 | 0.22 | 0.27 | 0.49 | Dwelling | \$197.74 |
| General Office | ksf | 1 | 1.55 | 1.49 | 3.04 | Sq. Ft. | \$1.23 |
| Medical Office | ksf | 1 | 2.30 | 3.46 | 5.76 | Sq. Ft. | \$2.32 |
| General Retail | ksf | 0.75 | 1.00 | 3.73 | 4.73 | Sq. Ft. | \$1.43 |
| Personal Services | ksf | 1 | 1.38 | 3.53 | 4.91 | Sq. Ft. | \$1.98 |
| Quality Restaurants | ksf | 0.8 | 0.81 | 7.49 | 8.30 | Sq. Ft. | \$2.68 |
| All Other Restaurants | ksf | 0.5 | 11.52 | 11.15 | 22.67 | Sq. Ft. | \$4.57 |
| Financial Services | ksf | 0.75 | 21.49 | 12.13 | 33.62 | Sq. Ft. | \$10.18 |
| Hotel/Motel | Room | 1 | 0.66 | 0.64 | 1.30 | Room | \$524.63 |
| General Industrial | ksf | 1 | 0.92 | 0.97 | 1.89 | Sq. Ft. | \$0.76 |
| Mini-Warehouse | ksf | 1 | 0.15 | 0.26 | 0.41 | Sq. Ft. | \$0.17 |
| Service (Gas) Station | position | 0.2 | 12.16 | 13.87 | 26.03 | position | \$2,100.93 |

References:

Traffic Impact Fee Analysis for I-8880/Marina Interchange Improvement by TJKM Traffic Engineers dated November 12, 2009.

Figure 2
City of San Leandro
Marina Blvd./Interstate I-880 Interchange
Traffic Impact Fee Zone



Department Responsible for Revision:
Engineering & Transportation
2/16/2010

Chapter 8.10
Figure 2

San Leandro Municipal Code[Up](#)[Previous](#)[Next](#)[Main](#)[Collapse](#)[Search](#)[Print](#)[No Frames](#)TITLE 5 STREETS AND PARKS**CHAPTER 5-3 UNDERGROUND UTILITY DISTRICTS**

Note

***Editor's Note:** Ordinance No. 85-025 repealed Ordinance Nos. 1089.N.S., 70-24, 73-44, 78-28 and 78-54.

ARTICLE 1. DEFINITIONS

5-3-100 DEFINITIONS.

Unless the context otherwise requires, the definitions contained in this section shall govern the construction of this Chapter.

- (a) **COMMISSION.** "Commission" shall mean the Public Utilities Commission of the State of California.
- (b) **PERSON.** "Person" shall mean and include any individual, firm, corporation, partnership, association and their agents and employees.
- (c) **POLES, OVERHEAD WIRES AND ASSOCIATED OVERHEAD STRUCTURES.** "Poles, overhead wires and associated overhead structures" shall mean poles, towers, supports, wires, conductors, guys, stubs, platforms, crossarms, braces, transformers, insulators, cutouts, switches, communication circuits, appliances, attachments and appurtenances located above ground. within a District and used or useful in supplying electric, communication or similar or associated services.
- (d) **UNDERGROUND UTILITY DISTRICT OR DISTRICT.** "Underground Utility District" or "District" shall mean that area in the City within which poles, overhead wires, and associated overhead structures are prohibited as such area is described in a resolution adopted pursuant to the provisions of Section 5-3-205 of this Chapter.
- (e) **UTILITY.** "Utility" shall include all persons or entities supplying electric, communication or similar or associated service by means of electrical materials or devices.

(Legislative History: Ordinance No. 85-025, 8/5/85)

ARTICLE 2. ESTABLISHMENT OF UNDERGROUND DISTRICTS

5-3-200 PUBLIC HEARING BY COUNCIL.

The City Council may, from time to time, call public hearings to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the City and the underground installation of wires and facilities for supplying electric, communication, television, or similar associated service. The City Clerk shall notify all affected property owners as shown on the last equalized assessment roll and utilities concerned by mail of the time and place of such hearings at least ten (10) calendar nays prior to the date hereof and shall provide said owners with a summary description of the proposed underground utility district.

5-3-205 COUNCIL MAY DESIGNATE UNDERGROUND UTILITY DISTRICT BY RESOLUTION.

If after any such public hearing the City Council finds that the public necessity, health, safety or welfare requires removal and such underground installation within a designated area, the City Council shall, by

resolution, declare such designated area an Underground Utility District and order such removal and underground installation. Such resolution shall include a description of the area comprising such district and shall fix the time within which such removal and underground installation shall be accomplished and within which affected property owners must be ready to receive underground service. The City Council shall allow a reasonable time for such removal and underground installation, having due regard for the availability of labor, materials and equipment necessary for such removal and for the installation of such underground facilities as may be occasioned thereby.

5-3-210 UNLAWFUL TO MAINTAIN OVERHEAD WIRES.

Whenever the City Council creates an Underground Utility District and orders the removal of poles, overhead wires and associated overhead structures therein as provided in this Chapter, it shall be unlawful for any person or utility to erect, construct, place, keep, maintain, continue, employ or operate poles, overhead wires and associated overhead structures in the District after the date when said overhead structures in the District after the date when said overhead facilities are required to be removed by such resolution, except as said overhead facilities may be required to furnish service to an owner or occupant of property prior to the performance by such owner or occupant of the underground work necessary for such owner or occupant to continue to receive utility service as provided in Section 5-3-235 hereof, and for such reasonable time required to remove said facilities after said work has been performed, and except as otherwise provided in this Chapter.

5-3-215 OVERHEAD WIRES--EXCEPTION BY SPECIAL PERMISSION.

The Community Development Director may grant special permission, on such terms as the Director may deem appropriate, in cases of emergency or unusual circumstances, to erect, construct, install, maintain, use or operate, poles and overhead wires, and associated overhead structures, notwithstanding any other provisions of this Chapter. The Community Development Director may establish administrative regulations specifying such emergency or unusual circumstances.

5-3-220 OVERHEAD WIRES, POLES, STRUCTURES, EXCEPTIONS.

This Chapter and any resolution adopted pursuant to Section 5-3-205 hereof shall, unless otherwise provided in such resolution, not apply to the following types of facilities:

- (a) Any municipal facilities or equipment installed under the supervision and to the satisfaction of the Community Development Director.
- (b) Poles or electroliers used exclusively for street lighting, fire alarm boxes or emergency services.
- (c) Overhead wires (exclusive of supporting structures) crossing any portion of a District within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a District, when such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited.
- (d) Poles, overhead wires and associated overhead structures used for the transmission of electric energy at nominal voltages in excess of thirty-four thousand five hundred (34,500) volts.
- (e) Overhead wires attached to the exterior surface of a building by means of a bracket or other fixture and extending from one location on the building to another location on the same building or to an adjacent building without crossing any public street.
- (f) Antennae, associated equipment and supporting structures, used by a utility for furnishing communication services.
- (g) Equipment appurtenant to underground facilities, such as surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts.

(h) Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects.

5-3-225 NOTICE TO PROPERTY OWNERS AND UTILITY COMPANIES.

Within ten (10) days after the effective date of a resolution adopted pursuant to Section 5-3-205 hereof, the City Clerk shall notify all affected utilities and all persons owning real property within the District created by said resolution of the adoption thereof. The City Clerk shall further notify such affected property owners of the necessity that, if they or any other person occupying such property desire to continue to receive electric, communication, television, or similar or associated service, they or such occupant shall provide all necessary facility changes on their premises so as to receive such service from the lines of the supplying utility or utilities at a new location, subject to applicable rules, regulations and tariffs of the respective utility or utilities on file with the Commission.

Notification by the City Clerk shall be made by mailing a copy of the resolution adopted pursuant to Section 5-3-205, together with a copy of this Chapter, to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities.

5-3-230 RESPONSIBILITY OF UTILITY COMPANIES.

If underground construction is necessary to provide utility service within a District created by any resolution adopted pursuant to Section 5-3-205 hereof, the supplying utility shall furnish that portion of the conduits, conductors and associated equipment required to be furnished by it under its applicable rules, regulations and tariffs on file with the Commission.

5-3-235 RESPONSIBILITY OF PROPERTY OWNERS.

(a) Every person owning a building or structure, and every applicant for a zoning approval or other entitlement as specified in Section 5-3-325 herein, the applicant whether owning, operating, leasing, occupying or renting a building or structure within a District, shall perform construction and provide that portion of the service connection on his property between the facilities referred to in Section 5-3-230 and the termination facility on or within said building or structure being served, all in accordance with applicable rules, regulations and tariffs of the respective utility or utilities on file with the Commission.

(b) In the event any person described in subsection (a) above does not comply with the provisions of subsection (a) within the time provided for in the resolution enacted pursuant to Section 5-3-205 hereof, the Community Development Director shall post written notice on the property being served and thirty (30) calendar days thereafter shall have the authority to request the disconnection and removal of any and all overhead service wires and associated facilities supplying utility service to said property, or

(c) In the alternative, if the above described work is not accomplished by any person described in subsection (a) above within the time provided for in the resolution enacted pursuant to Section 5-3-205 hereof, the Community Development Director shall give notice in writing to the person in possession of such premises, and a notice in writing to the owner thereof as shown on the last equalized assessment roll, to provide the required underground facilities within ten (10) calendar days after receipt of such notice.

(1) The notice to provide the required underground facilities may be given either by personal service or by mail. In case of service by mail on either of such persons, the notice must be deposited in the United States mail in a sealed envelope with postage prepaid, addressed to the person in possession of such premises at such premises, and the notice must be addressed to the owner thereof as such owner's name appears, and must be addressed to such owner's last known address as the same appears on the last equalized assessment roll, and when no address appears, to General Delivery, City of San Leandro. If notice is given by mail, such notice shall be deemed to have been received by the person to whom it has been sent within forty-eight (48) hours after the

mailing thereof. The Community Development Director shall also cause a copy thereof, printed on a card not less than eight (8) inches by ten (10) inches in size, to be posted in a conspicuous place on said premises.

(2) The notice given by the Community Development Director to provide the required underground facilities shall particularly specify what work is required to be done and that the work shall be accomplished in conformance with relevant City requirements, and shall state that if said work is not completed within thirty (30) calendar days after receipt of such notice, the Community Development Director will provide such required underground facilities, in which case the cost and expense thereof will be assessed against the property and become a lien upon such property.

(3) If upon the expiration of the thirty (30) day period, the said required underground facilities have not been provided, the Community Development Director shall forthwith proceed to do the work; provided, however, if such premises are unoccupied and no electric or communications services are being furnished thereto, the Community Development Director shall, in lieu of providing the required underground facilities, have the authority to order the disconnection and removal of any and all overhead service wires and associated facilities supplying utility service to said property. Upon completion of the work by the Community Development Director, he shall file a written report with the City Council setting forth the fact that the required underground facilities have been provided and the cost thereof, together with a legal description of the property against which such cost is to be assessed. The Council shall thereupon fix a time and place for hearing protests against the assessment of the cost of such work upon such premises, which said time shall not be less than ten (10) calendar days thereafter.

(4) The Community Development Director shall forthwith, upon the time for hearing such protests having been fixed, give a notice in writing to the person in possession of such premises, and a notice in writing thereof to the owner thereof, in the manner hereinabove provided for the giving of the notice to provide the required underground facilities, of the time and place that the Council will pass upon such report and will hear protests against such assessment. Such notice shall also set forth the amount of the proposed assessment.

(5) Upon the date and hour set for the hearing of protests, the Council shall hear and consider the report and all protests, if there be any, and then proceed to affirm, modify or reject the assessment.

(6) If any assessment is not paid within five (5) calendar days after its confirmation by the Council, the amount of the assessment shall become a lien upon the property against which the assessment is made by the Community Development Director, and the Community Development Director is directed to turn over to the Assessor and Tax Collector a notice of lien on each of said properties on which the assessment has not been paid, and said Assessor and Tax Collector shall add the amount of said assessment to the next regular bill for taxes levied against the premises upon which said assessment was not paid. Said Assessment shall be due and payable at the same time as said property taxes are due and payable, and if not paid when due and payable, shall bear interest at the maximum rate permitted by law.

5-3-240 RESPONSIBILITY OF CITY.

City shall remove at its own expense all City-owned equipment from all poles required to be removed hereunder in ample time to enable the owner or user or such poles to remove the same within the time specified in the resolution enacted pursuant to Section 5-3-205 hereof.

5-3-245 EXTENSION OF TIME.

In the event that any act required by this Chapter or by a resolution adopted pursuant to Section 5-3-205 hereof cannot be performed within the time provided on account of shortage of materials, war, restraint by public authorities, strikes, labor disturbances, civil disobedience, or any other circumstances beyond the control of the actor, then the time within which such act will be accomplished shall be extended for a period equivalent to the time of such limitation.

(Legislative History: Ordinance No. 85-025, 8/5/85)

ARTICLE 3. MASTER PLAN

5-3-300 UNDERGROUND UTILITY DISTRICT MASTER PLAN.

To carry out the purposes of this Chapter to provide a planning basis for the equitable allocation of costs associated with the conversion of existing overhead utilities; and to insure that adequate funds are available to complete proposed underground utility conversion projects, the City Council may adopt by resolution an Underground Utility District Master Plan.

5-3-305 FINDINGS.

The City Council hereby finds and declares that the undergrounding of utility services is a benefit that inures to property within an Underground Utility District. It is appropriate and necessary for the preservation of the health, safety and welfare of and for the furtherance of the purposes of this Chapter that a portion of the cost for such undergrounding be paid by the, property owners in accordance with the benefits received.

It is the further finding of the Council that payment of assessments in accordance with the benefits received will be used to reimburse such revolving funds or accounts as contemplated herein and shall be expended only for expansion of, maintenance of or construction of Underground Utility Districts and facilities.

It is the further finding of the Council that the primary benefit of underground utilities conversion inures to property being redeveloped for a higher and better use. Consequently, it is equitable to impose assessments for such work on the basis of benefits which accrue at the time that such property liable for assessment is rezoned or is granted entitlements of use.

It is the further finding of the Council that redevelopment of property for a higher and better use necessarily intensifies utility use beyond the capacity of existing aerial utility service facilities to provide safe, adequate and beneficial service to the redeveloped property. Therefore, conversion of such service is necessary and appropriate to serve such new uses and to regulate the design and improvement of such uses.

5-3-310 RESOLUTION OF INTENTION--NOTICE.

Prior to adoption of a Master Plan the City Council shall by resolution indicate its intention to adopt such a Master Plan. The City Clerk, when directed to do so by the City Council, shall publish such Resolution of Intention once in the official newspaper of the City. The Resolution of Intention shall contain a map or maps depicting the underground utility districts proposed in the Master Plan. Following a public hearing at the time and place specified in the Resolution of Intention (or as the same may thereafter be continued) the City Council may adopt the Master Plan.

5-3-315 CONTENTS OF MASTER PLAN.

The Master Plan shall contain the following elements:

- (a) A depiction of all real property within each proposed underground utility district.
- (b) A proposed and tentative schedule for commencement and completion of work in such proposed underground utility districts.
- (c) An estimate of the cost of the underground utility conversion project in current dollars.
- (d) An allocation of such costs to the affected utilities in accordance with their tariff on file with the Commission, the City and the real property within the proposed district, including any offset of such costs to real

property as a result of prior payments.

(e) Special regulations relating to the development of property within the proposed underground utility district.

(f) Such other matters which will accomplish the purposes of this Chapter, including procedure for the administration hereof.

(g) Such rules as may be required by the Finance Director to account for the funds deposited pursuant to this Chapter and the Master Plan.

5-3-320 MASTER PLAN CONSTITUTES A SPECIFIC PLAN.

It is the intention of the City Council that the Master Plan is necessary and convenient for the implementation of the General Plan of the City. For such purposes and for purposes of the Subdivision Map Act, the Master Plan shall be and is hereby deemed a specific plan of the City of San Leandro.

5-3-325 IMPOSITION OF FEES FOR DEVELOPMENT WITHIN PROPOSED UNDERGROUND UTILITY DISTRICT.

(a) Notwithstanding the provisions of Chapters 1 and 5 of Title VII of this Code and the Zoning Code of the City of San Leandro to the contrary, no property shall be reclassified; no subdivision map or parcel map approved; no conditional use permit, variance, general development plan or precise development plan approved; and no building permit for construction of multi-family residential, commercial, industrial or other uses shall be issued unless and until the applicant therefor deposits with the Finance Director such fees for underground utility conversion as are specified in or pursuant to the Master Plan.

(b) If such fees are paid following the completion of the underground utility conversion project then such fee shall represent the pro rata allocation of actual costs attributable to the property assessed on a front foot basis or such other basis as in the opinion of the City is fair, just and equitable. If such fees are paid prior to the underground utility conversion project then such fees shall represent, the pro rata allocation of estimated costs in current dollars attributable to the property assessed on a front foot basis or such other basis as the opinion of the City is fair, just and equitable.

5-3-330 PAYMENT AND DEPOSIT OF UNDERGROUND UTILITY CONVERSION FEES.

Fees payable under the terms of this Chapter and the Master Plan shall be paid in cash to the Finance Director. The Finance Director shall deposit such funds received pursuant to this Chapter in a separate fund or account for underground utility conversion projects. All earnings on such sums deposited shall be credited to such fund or account. Any refunds granted shall be paid only from such fund or account.

5-3-335 MODIFICATION OF OBLIGATION.

If upon a determination by the City Council, the Planning Commission, the BZA, or any City official or employee authorized by the City Council to grant a zoning approval or other entitlement as specified in Section 5-3-325(a), feels that an undue hardship would result from the imposition of the fees in the manner set forth in Section 5-3-325, or that utility improvements to be made by the developer or owner of property subject to the payment of a fee as provided in Section 5-3-325, will reduce the cost of and be usable as a part of an underground utility conversion project, the Community Development Director may authorize a modification in the amount or manner of payment of the obligation. If utility improvements in lieu of all or a portion of the fee are to be approved, the fee shall be reduced by the cost of said utility improvements, as estimated by the serving utility companies. If deferred payment or improvements are approved, such approval shall be by written agreement with adequate security therefor executed by the property owner or authorized representative of property owner, to undertake such improvements or make such payments at the time that the underground utility

conversion project is commenced. Standards for modification of obligations in accordance with this section shall be set forth in detail in the Master Plan.

5-3-340 CONDITIONS OF APPROVAL UNAFFECTED.

Nothing contained in this Article shall be construed to prohibit or limit the attachment of conditions to any subdivision or parcel map or entitlement of use otherwise provided by law.

(Legislative History: Ordinance No. 85-025, 8/5/85)

View the [mobile version](#).

**Engineering and Transportation Department
Development Fee for Street Improvement 2014-15**

| | | | | | | | | | | |
|---|---|---------------------------------------|-------------|-------------|-----------------|-----------------------------|---------------|-------------|---------------|----------------|
| Project : | | New Warehouse Building | | | | DAVIS-DOOLITTLE ZONE 5 | | | | |
| Address: | | 1717 Doolittle Drive | | | | 0 = OUTSIDE ZONE OF BENEFIT | | | | |
| Building Permit No.: | | | | | | | | | | |
| | | DAVIS / DOOLITTLE MARINA / 880 | | | | | | | | |
| | LAND USE | BASE RATE | RATE | RATE | UNITS | SIZE | FEE | SIZE | CREDIT | FEE DUE |
| | | | | 1 | | | | | | |
| 1 | General Residential | \$ 1,304.07 | \$ 0.05 | \$ 655.93 | Unit | | \$ - | | \$ - | \$ - |
| 2 | Senior Housing | \$ 650.73 | \$ 0.03 | \$ 221.66 | Unit | | \$ - | | \$ - | \$ - |
| 3 | General Office | \$ 3.62 | \$ 0.08 | \$ 1.38 | SF | | \$ - | | \$ - | \$ - |
| 4 | Medical Office | \$ 5.07 | \$ 0.13 | \$ 2.59 | SF | - | \$ - | | \$ - | \$ - |
| 5 | General Retail | \$ 4.05 | \$ 0.09 | \$ 1.60 | SF | - | \$ - | | \$ - | \$ - |
| 6 | Personal Services | \$ 2.17 | \$ 0.05 | \$ 2.22 | SF | | \$ - | | \$ - | \$ - |
| 7 | Restaurant -see below | \$ 11.73 | \$ - | \$ 5.12 | SF | | \$ - | | \$ - | \$ - |
| 8 | Financial Services | \$ 10.86 | \$ 0.27 | \$ 11.41 | SF | - | \$ - | | \$ - | \$ - |
| 9 | Hotel/Motel | \$ 883.32 | \$ 0.04 | \$ 588.08 | Room | - | \$ - | | \$ - | \$ - |
| 10 | General Industrial | \$ 1.16 | \$ 0.03 | \$ 0.85 | SF | 161,200.0 | \$ 329,486.79 | | \$ - | \$ 329,486.79 |
| 11 | Mini-warehouse | \$ 0.37 | \$ 0.01 | \$ 0.19 | SF | | \$ - | | \$ - | \$ - |
| 12 | Service Station | \$ 9,268.33 | \$ 0.38 | \$ 2,355.04 | Fueling Station | - | \$ - | | \$ - | \$ - |
| | | | | | | | | | TOTAL | \$ 329,486.79 |
| | Fee for restaruant is either \$2.90/sf for quality sit down dining with waitservice or \$11.73/sf for all others. | | | | | | | | | |
| | All measurements are based on gross building size | | | | | | | | | |
| | | | | | | | | | | |
| COMMENTS: | | | | | | | | | | |
| This is Based upon information taken from the plans submitted by the applicant. | | | | | | | | | | |
| | | | | | | | | | | |
| Completed by: | | P. Toste | | | | | | | | |
| Date: | | 9/12/2014 | | | | | | | | |
| | | | | | | | | Updated | 8/14/2014 | |

Davis - Doolittle traffic impact fee

Zone

| Description | 0 | 1 | 2 | 3 | 4 | 5 | 6 | 8 |
|---------------------|--------|---|---------|--------|--------|--------|--------|--------|
| General Residential | \$0.11 | | \$4.96 | \$0.24 | \$0.18 | \$0.05 | \$0.06 | \$0.66 |
| Senior Housing | \$0.05 | | \$2.82 | \$0.13 | \$0.09 | \$0.03 | \$0.03 | \$0.37 |
| General Office | \$0.19 | | \$8.56 | \$0.43 | \$0.29 | \$0.08 | \$0.12 | \$1.15 |
| Medical Office | \$0.25 | | \$11.99 | \$0.59 | \$0.43 | \$0.13 | \$0.17 | \$1.59 |
| General Retail | \$0.21 | | \$9.59 | \$0.47 | \$0.33 | \$0.09 | \$0.13 | \$1.28 |
| Personal Services | \$0.11 | | \$5.13 | \$0.25 | \$0.18 | \$0.05 | \$0.06 | \$0.68 |
| Restaurant -N/A | | | | | | | | |
| Financial Services | \$0.56 | | \$25.69 | \$1.27 | \$0.90 | \$0.27 | \$0.35 | \$3.42 |
| Hotel/Motel | \$0.08 | | \$4.11 | \$0.20 | \$0.15 | \$0.04 | \$0.05 | \$0.55 |
| General Industrial | \$0.05 | | \$2.73 | \$0.13 | \$0.09 | \$0.03 | \$0.03 | \$0.35 |
| Mini-warehouse | \$0.02 | | \$0.85 | \$0.04 | \$0.03 | \$0.01 | \$0.01 | \$0.11 |
| Service Station | \$0.75 | | \$34.24 | \$1.67 | \$1.21 | \$0.38 | \$0.47 | \$4.55 |

Marina / Interstate 880 impact fee

Description

| | |
|-----------------------|-------------|
| General Residential | \$ 655.93 |
| Senior Housing | \$ 221.66 |
| General Office | \$ 1.38 |
| Medical Office | \$ 2.59 |
| General Retail | \$ 1.60 |
| Personal Services | \$ 2.22 |
| Restaurant -see below | \$ 5.12 |
| Financial Services | \$ 11.41 |
| Hotel/Motel | \$ 588.08 |
| General Industrial | \$ 0.85 |
| Mini-warehouse | \$ 0.19 |
| Service Station | \$ 2,355.04 |

or 3.01 for quality sit down

**EXCERPTS FROM THE
SAN LEANDRO BOARD OF ZONING ADJUSTMENTS
REGULAR MEETING**

City Council Chambers, First Floor
835 East 14th Street
San Leandro, California 94577

**Draft Minutes (Unapproved) for February 5, 2014
7:00 p.m. Regular Meeting**

Item 1: Roll Call

Present: Member: Earl Crawford (District 2), Catherine Vierra Houston (District 4); René Mendieta (District 6); Chair Janet Palma (At Large).

Staff: Elmer Penaranda, Senior Project Specialist and Interim Secretary to the BZA; Anjana Mepani, Planner II, Kris Kokotaylo, City Attorney; Larry Ornellas, Facilities Coordinator.

Item 4: Correspondence

Secretary Penaranda stated that an email correspondence was received regarding Public Hearing 6B and will be presented at that time.

Item 5: Oral Communication

Secretary Penaranda stated that a resident phone call was received regarding Public Hearing item 6B and will be presented at that time.

PLN2014-00028; Site Plan Review; to construct a new 161,200 square foot warehouse building with loading docks, administrative offices and related landscaping and off-street parking; the proposed project requires Site Plan Review and per Article 25 of the Zoning Code, the Zoning Enforcement Official has referred this case to the Board of Zoning Adjustments for discretionary action; 1717 Doolittle Drive; Alameda County Assessor's Parcel Number 79A-541-10; A. Comstock, Comstock Realty Partners, Inc. (applicant and property owner); IG Industrial General District. (Penaranda)

1. Adoption of the California Environmental Quality Act (CEQA) Exemption per CEQA Guidelines, Article 5, Section 15061 (b)(3);
2. Adoption of Recommended Findings of Fact for Approval of PLN2014-00028; and
3. Approval of the Recommended Conditions of Approval for Site Plan Review PLN2014-00028

Secretary Penaranda presented a Powerpoint presentation of the proposed project that was forwarded by the Zoning Enforcement Official to the BZA's review due to size and proximity to residential neighbors.

Member Mendieta commented that he liked the design of the building and how business activities will not face the neighborhoods to the south. He asked if the truck loading during construction can utilize Polvorosa Avenue to mitigate the impacts to the residents on Williams Street and to potentially shift operation hours during heavy construction days. Secretary Penaranda responded that there are construction noise provisions in the Conditions of Approval that Comstock will have to adhere to. Secretary Penaranda also mentioned that an opposition correspondence came from Salud Tayco at 2378 Sitka Street.

Member Houston asked if there would be 36 individual docks or six large bays with six vehicles across. Secretary Penaranda replied that there would be 36 individual docks located at the north end elevation. Member Houston also asked about the deliveries and overnight parking, in which she inquired if those parked cars would interfere with parking spaces that would be allocated for employees and staff. Secretary Penaranda answered it is not allocated for overnight or truck.

Chair Palma asked why the conditions only recommend green components in the Staff Report (page 5 of 7) and commented that new development should incorporate as much green components as appropriate. Secretary Penaranda referred to the Conditions of Approval, III. F. and stated that green components are required. Chair Palma also asked about the drainage system and Secretary Penaranda responded that there will be storm drain management practices, called C3 requirements that Comstock will need to comply with, with storm water retention areas that Engineering will be enforcing.

Member Mendieta asked about renewable energy considerations and implementing a minimal system that can provide energy for average lighting. **Craig Burger**, Principal at Comstock Realty Partners replied that Comstock likes renewable energy and will consider solar panels on the roof, but will need to research how much energy is being used by the tenants and the building to make it financially viable for the building. Mr. Burger also stated that with current building skylights standards, it will immensely help lower energy consumption.

Chair Palma asked about the tenants and the type of warehouse the building will be. Mr. Burger responded that they will be building the project on speculation and do not know who their tenants will be. Comstock's goal is to partner with a high quality corporate tenant to provide distribution of storage of different products with a small office component. Chair Palma followed up and asked if traffic will be affected from the street and into the site. Mr. Burger responded that traffic will most likely not be affected and the warehouse will operate under normal business hours. The building is designed to limit noise at any given time. Chair Palma stated that she is still concerned about noise of trucks at night and what activity may be on site. Secretary Penaranda reiterated that the building is being built on speculation and that there is no way to know who will be occupying the building.

Member Houston asked if all bays will be locked and if there are any plans for security measures after business hours, like outdoor cameras. Mr. Burger stated that automatic gates will be installed on Williams and in the evening hours to limit traffic and disturbance.

An opportunity for public comment was provided:

Nancy Yost (2246 Sitka Street) commented that she had to relocate from her bedroom facing Williams street to the front of her home because of the high noise levels on Williams Street. She could hear a lot of noise of people taking their breaks and general traffic going in and out from the previous business. Ms. Yost asked where the front door of the proposed project will be and Secretary Penaranda responded that the door of the offices is on Williams Street. Ms. Yost requested that hours of operation be posted and enforced and Secretary Penaranda responded that the warehouse facility distribution is not expected to have high employment compared to an office park. The PG&E compressor that created a lot of noise is no longer there. Ms. Yost also commented that construction trucks should not use Williams Street, even for idling, especially after all the Kaiser construction and noise on Williams Street and Doolittle Drive. Secretary Penaranda answered that existing loading bays are located on Williams Street and will continue operation, but the new bays to be constructed will not be on Williams Street.

Motion to close public hearing

Houston/Mendieta: 4 Aye, 0 No

Motion to:

- 1. Adoption of the California Environmental Quality Act (CEQA) Exemption per CEQA Guidelines, Article 5, Section 15061 (b)(3)*
- 2. Adoption of Recommended Findings of Fact for Approval of PLN2014-00028*
- 3. Approval of the Recommended Conditions of Approval for Site Plan Review PLN2014-00028*

Houston/Crawford: 4 Aye, 0 No

Chair Palma asked Mr. Burger if he is aware of the City's procedures and the next steps. Mr. Burger nodded and replied yes. Secretary Penaranda stated for public record that decisions of Board of Zoning Adjustments are final under public hearings and may be appealed to the City Council by filing a form to the City Clerk within 15 days of the date of the action. The form shall specifically state the reason for the appeal and an appeal fee is required.

END OF EXCERPTS

From: Penaranda, Elmer
Sent: Thursday, February 05, 2015 10:56 AM
To: 'Salud Tayco'
Cc: Liao, Thomas; Craig Burger (cburger@comstockrealtypartners.com)
Subject: RE: Project PLN2014-00028, address 1717 Doolittle Drive.

Salud Tayco –

Good morning. Your email opposing the proposed development was received and will be provided to the Board of Zoning Adjustments at tonight's public hearing.

To address your concerns and the other nearby residents', none of the loading docks for the new warehouse building will face the residences to the south. All of the loading docks will face north, the telephone company property. In addition, the new building will be setback approximately 82 feet from the Williams Street property. The building placement and building design will make it unlikely that any outdoor business activity on the north side of the site will affect the residents to the south.

Respectfully,
Elmer

Elmer Penaranda
Planning Services Division
City of San Leandro
510-577-3314

From: Salud Tayco [<mailto:saludtayco@sbcglobal.net>]
Sent: Thursday, February 05, 2015 10:07 AM
To: Penaranda, Elmer
Subject: Project PLN2014-00028, address 1717 Doolittle Drive.

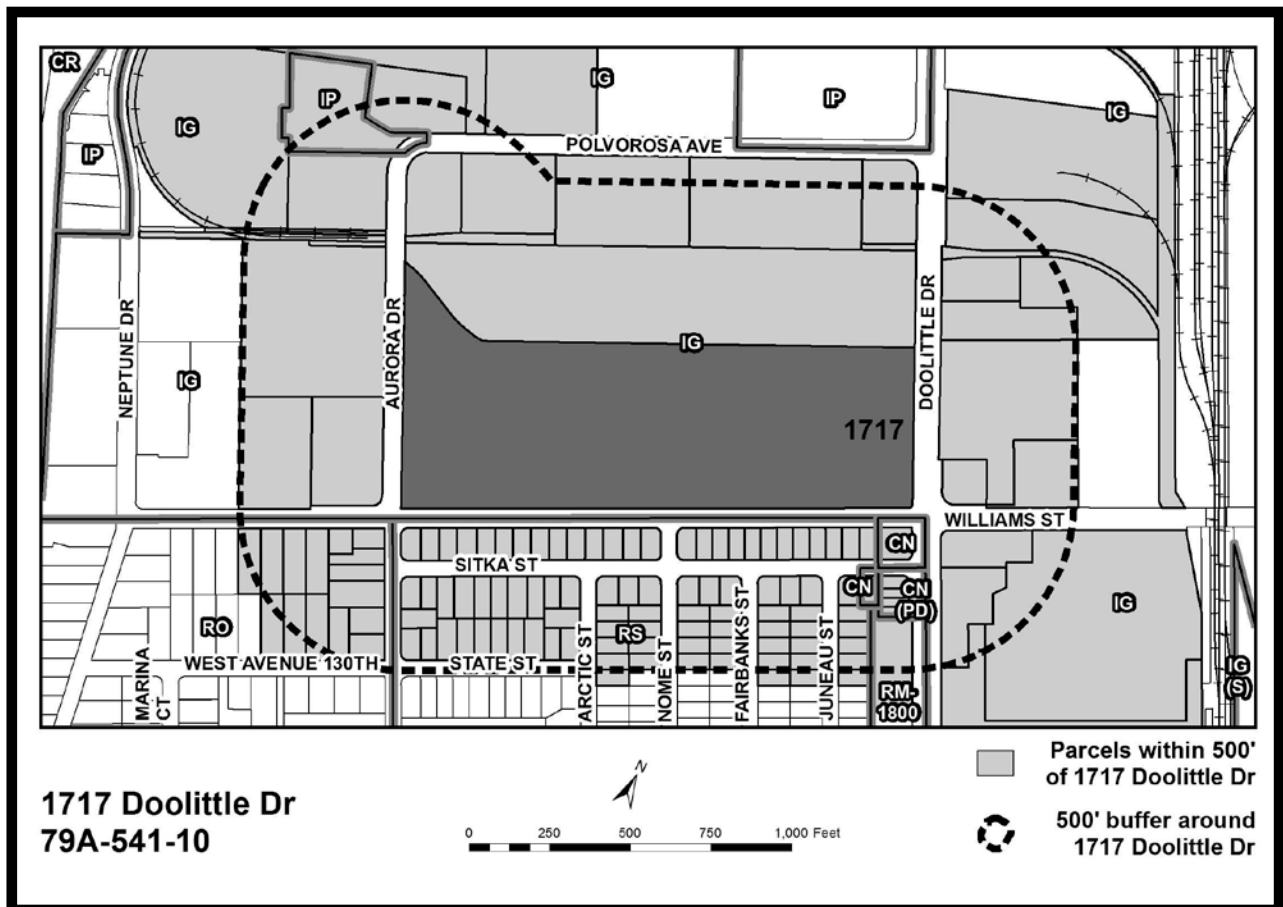
Dear Sir:

I'm oppose to the construction of a new 161,200 square foot warehouse building with loading docks, that's way too close to my residence. The current noise level is really disturbing and annoying to me and my family especially to my 13 month old granddaughter that I babysit. I'm retired and would like to have a peaceful and quiet surroundings. I have lived in this house since October 1975. Please be considerate. Thank you.

Sincerely,
Salud E. Tayco
2378 Sitka Street
San Leandro

Sent from my iPhone

City of San Leandro
BOARD OF ZONING ADJUSTMENT
Staff Report
VICINITY MAP
 Showing Existing Land Use and Zoning



Meeting Date: November 6, 2014
 File Number: PLN2014-00028
 Agenda Item No.: 6. A.
 Applicant and : A. Comstock,
 Property Owner: Comstock Realty Partners, Inc.
 Address: 1717 Doolittle Drive
 Assessor's Parcel #: 79A-541-10
 Project Planner: Elmer Penaranda

RECOMMENDED FINDINGS OF FACT

PLN2014-00028

1717 Doolittle Drive

A. Comstock, Comstock Realty Partners, Inc. (Applicant and Property Owner)

The Board of Zoning Adjustments hereby approves PLN2014-00028, subject to the following findings:

SITE PLAN REVIEW

1. **Site plan elements (such as but not limited to: building placement, yard setbacks, size and location of landscape areas, parking facilities and placement of service areas) are in compliance with the minimum requirements of this code, and are arranged as to achieve the intent of such requirements by providing a harmonious and orderly development that is compatible with its surroundings. Parking, loading, storage and service areas are appropriately screened by building placement, orientation walls and/or landscaping.**

The layout of the proposed 161,200 square foot building shown on the site plan is in conformance with the underlying IG Industrial General District. The proposed setbacks, landscaped areas, vehicle circulation and parking, are in conformance with the Zoning Code. The placement of the building, driveways, and parking areas provide for a harmonious and orderly development that maintains an expansive setback from the Williams Street frontage.

The area to the north of the building would be exclusively used for accessing the warehouse building by tractor trucks and includes 36 dock high loading doors for trailers. Truck access to and from the new building is proposed to be via Doolittle Drive, Polvorosa Avenue, and Aurora Drive.

The site planning and the architecture place the truck loading docks and business activity on the north side of the building, away from the residences. Furthermore the height of the building will obstruct and prevent any truck noise or business activity from affecting the residences across the street to the south.

2. **The building has adequate articulation, with appropriate window placement, use of detailing and/or changes in building planes to provide visual interest. The exterior materials, finishes, detailing and colors are compatible with those of surrounding structures. Visually incompatible elements, such as roof mounted utilities, are fully screened from public view.**

The building design is well articulated. The prominent south elevation that faces Williams Street will be appointed with various features that lessen its expansive appearance. The use of the banded three color scheme, the clerestory windows and the vertical architectural features at the corners and the middle of the building with increased windows mitigates the expansive look. The design is a geometric and modern design that blends in with the existing two-story building, especially along Williams Street. All roof-mounted equipment has been conditioned to be screened if the parapet is not adequate.

- 3. The landscaping complements the architectural design, with an appropriate balance of trees, shrubs and living ground covers, and provides adequate screening and shading of parking lots and/or driveways.**

The existing landscaped planters along the Doolittle Drive frontage and the Williams Street frontage will be retained. The Williams Street landscaped setback already contains mature shrubs and street trees which will be supplemented with more depth and ground cover to serve as bioswale which aids in filtering storm water before leaving the site. The Aurora Drive frontage and the northwestern corner of the site will receive new landscaped setbacks and bioswales. The west elevation facing Aurora Drive will be located behind the 28-foot, eight-inch landscaped setback which will include broadleaf evergreen trees with large canopies e.g., Coast Live Oak, Brisbane Box. In addition, the new landscaped areas equal comprise 40,648 square feet which equals 11 percent of the site area that will be developed. Without counting the existing landscaped areas along Doolittle Drive, the new landscaped areas meet the minimum requirement of five percent of the overall site area of approximately 19 acres.

- 4. Detail features, such as signs, fences and lighting for buildings, parking lots and/or driveways are visually consistent with the architectural and landscape design, and minimize off-site glare.**

Signage has been conditioned for good aesthetics and high quality in appearance, which includes individual letters for wall signs, external illumination if they are to be lighted, and low-profile monument signs for free standing signs that are to match or blend in with the new architecture of the building. On-site exterior lighting has been conditioned to review their location, height, decorative features, and construction details. No site lighting will be permitted to spill offsite. The design and materials used for the trash enclosure will be required to be blend in and be compatible with the proposed new building.

CEQA ENVIRONMENTAL REVIEW

This item is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines, Article 5, Section 15061 (b)(3) where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA..

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.

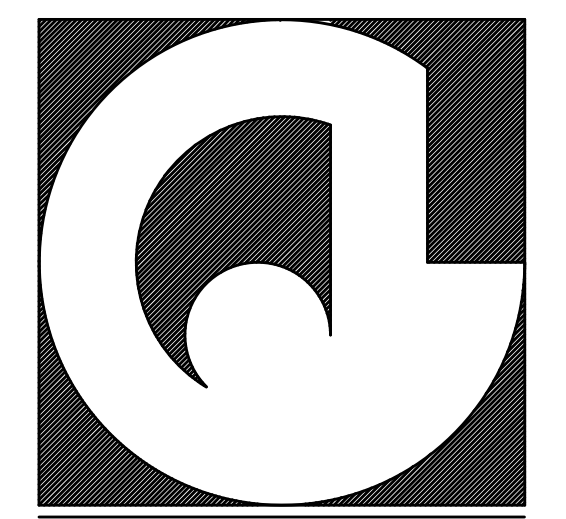
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|------------------------|--|
| BUILDING OWNER: | D/C 1717 DOOLITTLE SUB, LLC |
| BUILDING USE: | OFFICE/WAREHOUSE (ONE-STORY BUILDING) |
| JOB ADDRESS: | 1717 DOOLITTLE DRIVE SAN LEANDRO, CA, 94577 |
| FOOTPRINT: | ±157,823 SQ. FT. |
| OFFICE AREA: | ±3,500 SQ. FT. |
| MEZZANINE: | ±2,800 SQ. FT. |
| WAREHOUSE AREA: | ±154,900 SQ. FT. |
| PROPOSED AREA: | ±161,200 SQ. FT. |
| ASSESSOR'S PARCEL NO.: | 079A-0541-010 |

| PROJECT DIRECTORY : | |
|---------------------|--|
| ARCHITECT: | JOHN G. CATALDO AIA, CSI. 835 MISSION STREET SOUTH PASADENA, CA 91030 PHONE: (626) 799-4400 FAX: (626) 799-7010 |
| CIVIL: | Kier & Wright Civil Engineers & Land Surveyors, Inc. 2850 Collier Canyon Road Livermore, CA 94551 Phone: (925) 245-8788 Fax: (925) 245-8796 |
| LANDSCAPE: | Reed Associates Landscape Architecture 477 S. Taaffe St. Sunnyvale, CA 94086 408.481.9020 408.569.1519 cell |

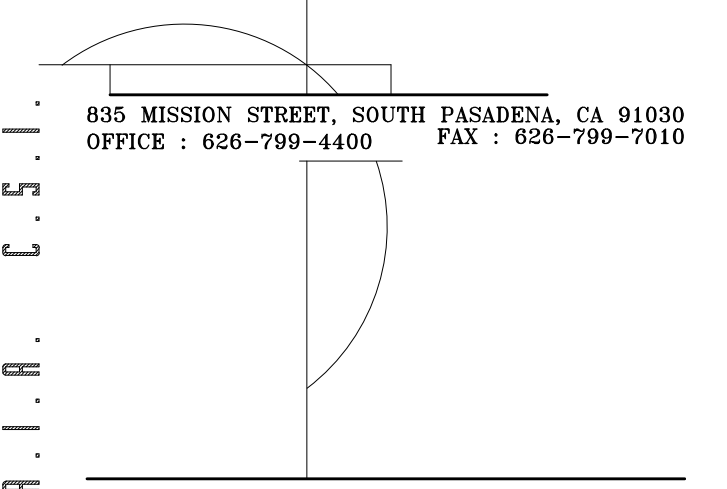
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|----------------------|---|
| <u>ARCHITECTURAL</u> | |
| T-1 | COVER SHEET |
| A-1 | PROPOSED OVERALL SITE PLAN |
| A-1.1 | PROPOSED ENLARGED SITE PLAN (SCALE:1"=30'-0") |
| A-1.2 | PROPOSED ENLARGED SITE PLAN (SCALE:1"=30'-0") |
| A-2 | EXISTING OFFICE PLANS |
| A-3 | PROPOSED FLOOR PLAN |
| A-4 | EXISTING/PROPOSED ELEVATIONS |
| A-4.1 | PROPOSED ELEVATIONS |
| A-5 | PROPOSED ROOF PLAN & SECTION |
| <u>CIVIL</u> | |
| C-1 | COVER SHEET |
| C-2 | PRELIMINARY GRADING PLAN |
| C-3 | PRELIMINARY UTILITY PLAN |
| C-4 | EROSION CONTROL PLAN |
| C-5 | STORMWATER QUALITY CONTROL PLAN |
| <u>LANDSCAPE</u> | |
| L1.0 | LANDSCAPE PLANTING PLAN |
| L1.1 | LANDSCAPE PLANTING PLAN |
| L2.0 | PRELIMINARY HYDROZONE PLAN |
| L2.1 | PELIMINARY HYDROZONE PLAN |

1717 DOOLITTLE DRIVE SAN LEANDRO, CA 94577

PLN2014-00028
EXHIBIT A
November 6, 2014



ARCHITECTURE . ENGINEERING



PROJECT NAME & SITE ADDRESS:

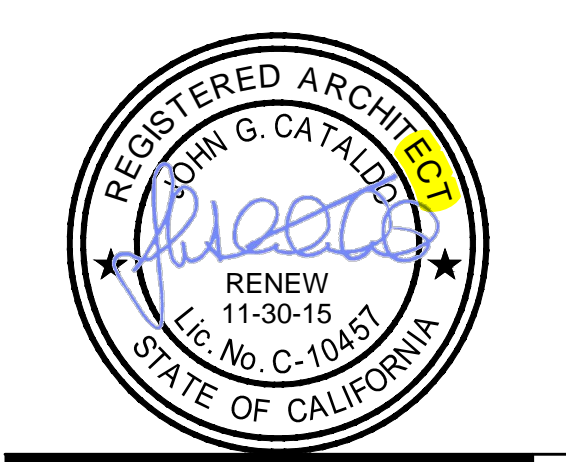
1717 DOOLITTLE DRIVE
SAN LEANDRO, CA 94577

DEVELOPER :
D/C 1717 DOOLITTLE SUB, LLC



JOHN G. CATALDO
A.I.A. C.S.I.

Drawing Content :
**TITLE SHEET
SITE PLAN**



| | |
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| Revisions : | Date : |
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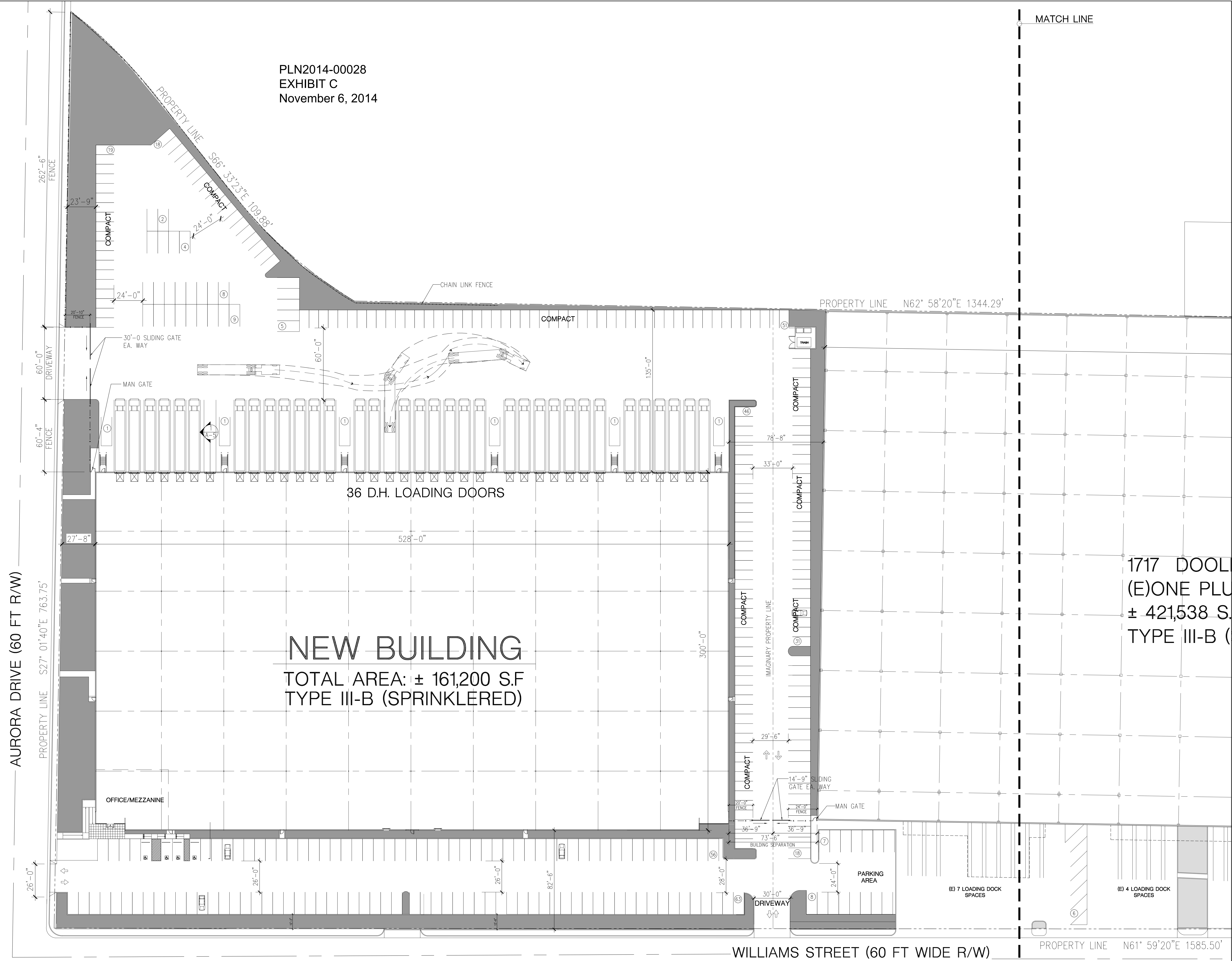
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Manager :
Date : AUG 22, 2014
Job No : 2014-019
Scale : AS NOTED

Drawing No :

T-1

SHEET : OF :

PLN2014-00028
 EXHIBIT C
 November 6, 2014



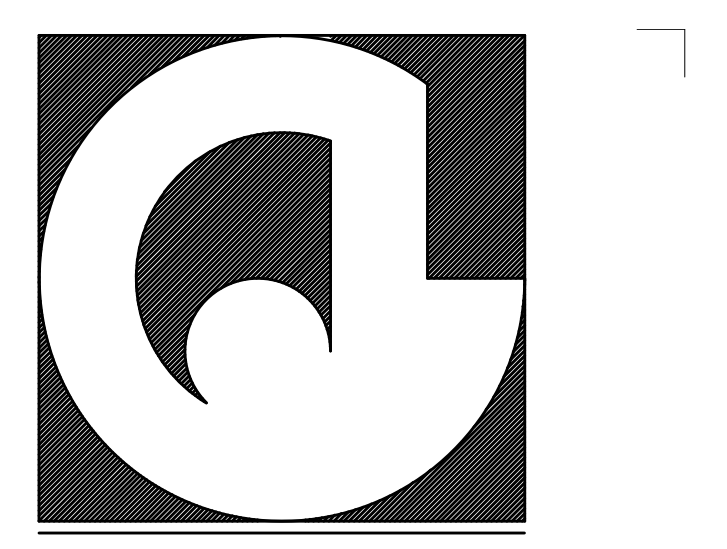
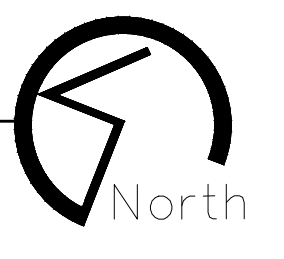
NEW BUILDING
 TOTAL AREA: ± 161,200 S.F.
 TYPE III-B (SPRINKLERED)

36 D.H. LOADING DOORS

1717 DOOLITTLE DRIVE
 (E) ONE PLU
 ± 421,538 S.F.
 TYPE III-B (SPRINKLERED)

PROPOSED ENLARGED SITE PLAN

SCALE: 1" = 30'-0"



ARCHITECTURE . ENGINEERING

835 MISSION STREET, SOUTH PASADENA, CA 91350
 OFFICE : 626-799-4400 FAX : 626-799-7010

PROJECT NAME & SITE ADDRESS:

1717 DOOLITTLE DRIVE
 SAN LEANDRO, CA 94577

DEVELOPER :
 D/C 1717 DOOLITTLE SUB, LLC



JOHN G. CATALDO
 A.I.A. C.S.

Drawing Content :
 PROPOSED
 ENLARGED SITE PLAN



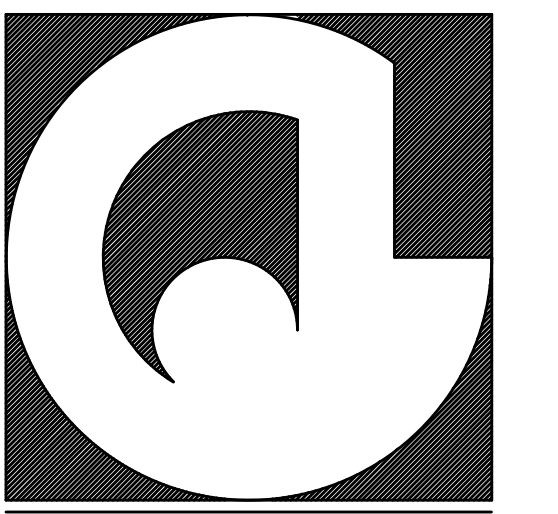
Revisions : Date :

Designer :
 Manager :
 Date : AUG 22, 2014
 Job No : 2014-019
 Scale : AS NOTED
 Drawing No :

A-1.1

SHEET : OF :

PLN2014-00028
 EXHIBIT D
 November 6, 2014



ARCHITECTURE . ENGINEERING

835 MISSION STREET, SOUTH PASADENA, CA 91030
 OFFICE : 626-799-4400 FAX : 626-799-7010

PROJECT NAME & SITE ADDRESS:

1717 DOOLITTLE DRIVE
 SAN LEANDRO, CA 94577

DEVELOPER :
 D/C 1717 DOOLITTLE SUB, LLC

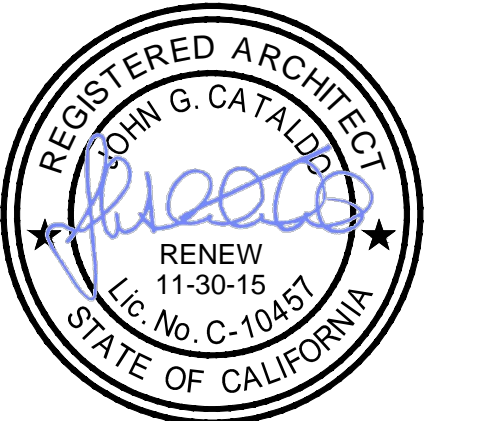


COMSTOCK REALTY
 PARTNERS, LLC

JOHN G. CATALDO
 A.I.A. C.S.A.

Drawing Content :

PROPOSED
 ENLARGED SITE PLAN



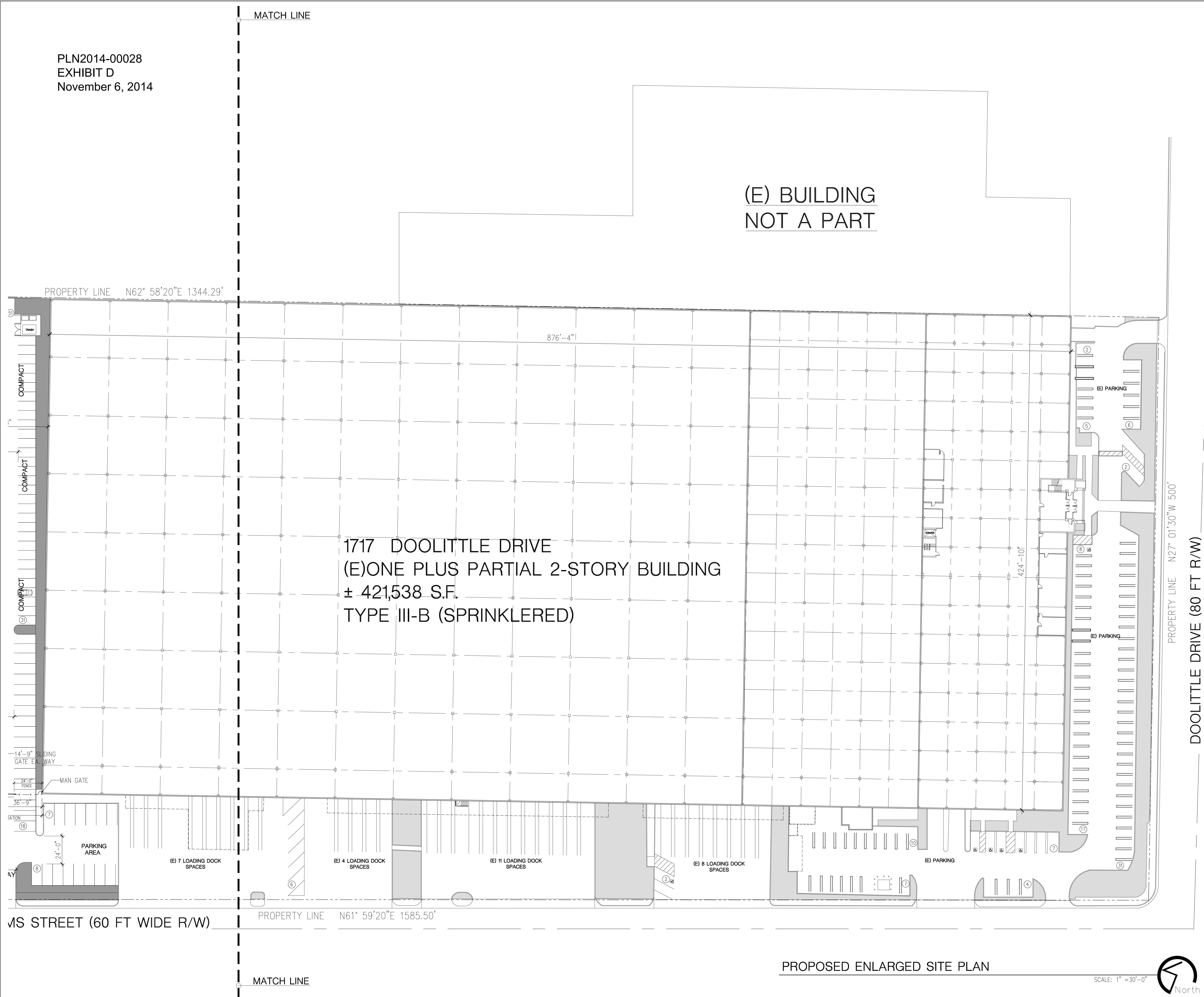
Revisions : _____ Date : _____

Designer : _____
 Manager : _____
 Date : AUG 22, 2014
 Job No : 2014-019
 Scale : AS NOTED

Drawing No :

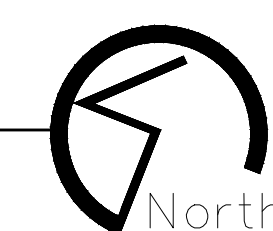
A-1.2

SHEET : _____ OF : _____

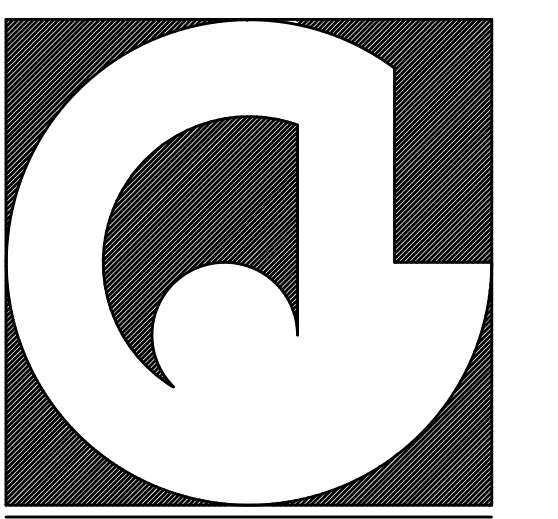


PROPOSED ENLARGED SITE PLAN

SCALE: 1" = 30'-0"



PLN2014-00028
 EXHIBIT E
 November 6, 2014



ARCHITECTURE . ENGINEERING

835 MISSION STREET, SOUTH PASADENA, CA 91030
 OFFICE : 626-799-4400 FAX : 626-799-7010

PROJECT NAME & SITE ADDRESS:

1717 DOOLITTLE DRIVE
 SAN LEANDRO, CA 94577

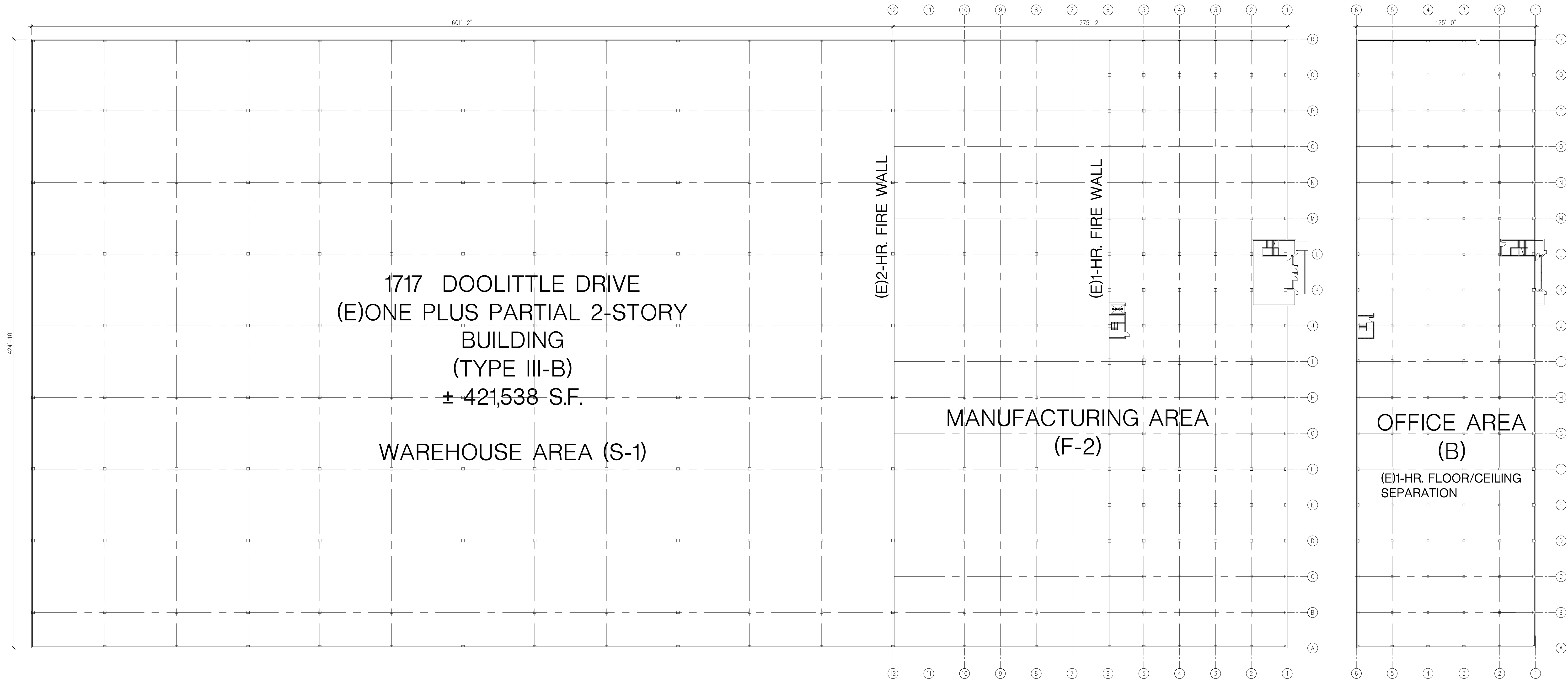
DEVELOPER :
 D/C 1717 DOOLITTLE, LLC



COMSTOCK REALTY
 PARTNERS, LLC

JOHN G. CATALDO
 A.I.A. C.S.

| EXISTING BUILDING AREA ANALYSIS | |
|--------------------------------------|---------------------|
| OFFICE AREA (B) : | 53,125 S.F. |
| MANUFACTURING AREA (F-2) : | 116,875 S.F. |
| WAREHOUSE AREA (S-1) : | 251,538 S.F. |
| TOTAL EXISTING BUILDING AREA: | 421,538 S.F. |



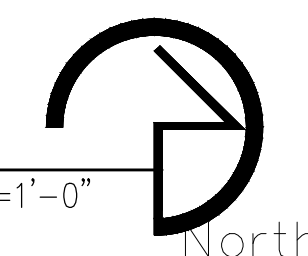
1717 DOOLITTLE DRIVE
 (E)ONE PLUS PARTIAL 2-STORY
 BUILDING
 (TYPE III-B)
 ± 421,538 S.F.
 WAREHOUSE AREA (S-1)

MANUFACTURING AREA
 (F-2)

OFFICE AREA
 (B)
 (E)1-HR. FLOOR/CEILING
 SEPARATION

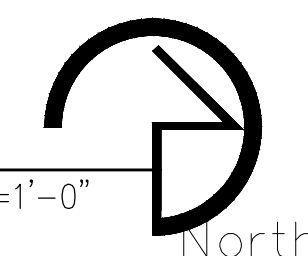
EXISTING GROUND FLOOR PLAN

SCALE: 1/32"=1'-0"



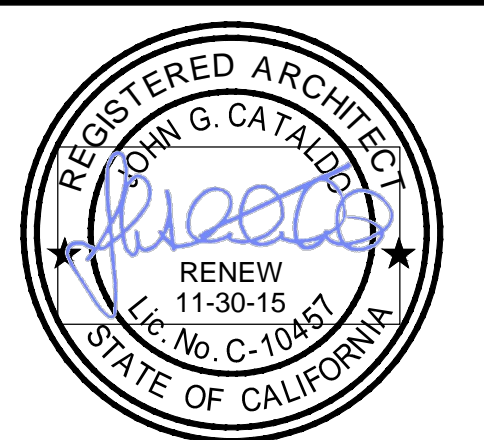
EXISTING SECOND FLOOR PLAN

SCALE: 1/32"=1'-0"



Drawing Content :

EXISTING
 OFFICE PLANS



Revisions : _____ Date : _____

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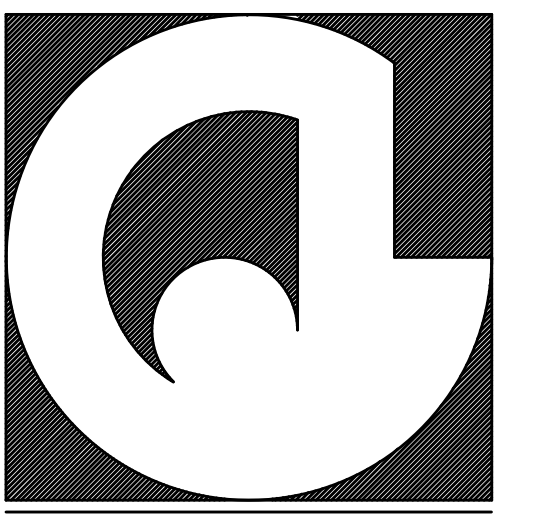
Designer : _____
 Manager : _____
 Date : AUG 22, 2014
 Job No : 2014-019
 Scale : AS NOTED

Drawing No :

A-2

SHEET : _____ OF : _____

PLN2014-00028
 EXHIBIT F
 November 6, 2014



ARCHITECTURE . ENGINEERING

835 MISSION STREET, SOUTH PASADENA, CA 91030
 OFFICE : 626-799-4400 FAX : 626-799-7010

PROJECT NAME & SITE ADDRESS:

1717 DOOLITTLE DRIVE
 SAN LEANDRO, CA 94577

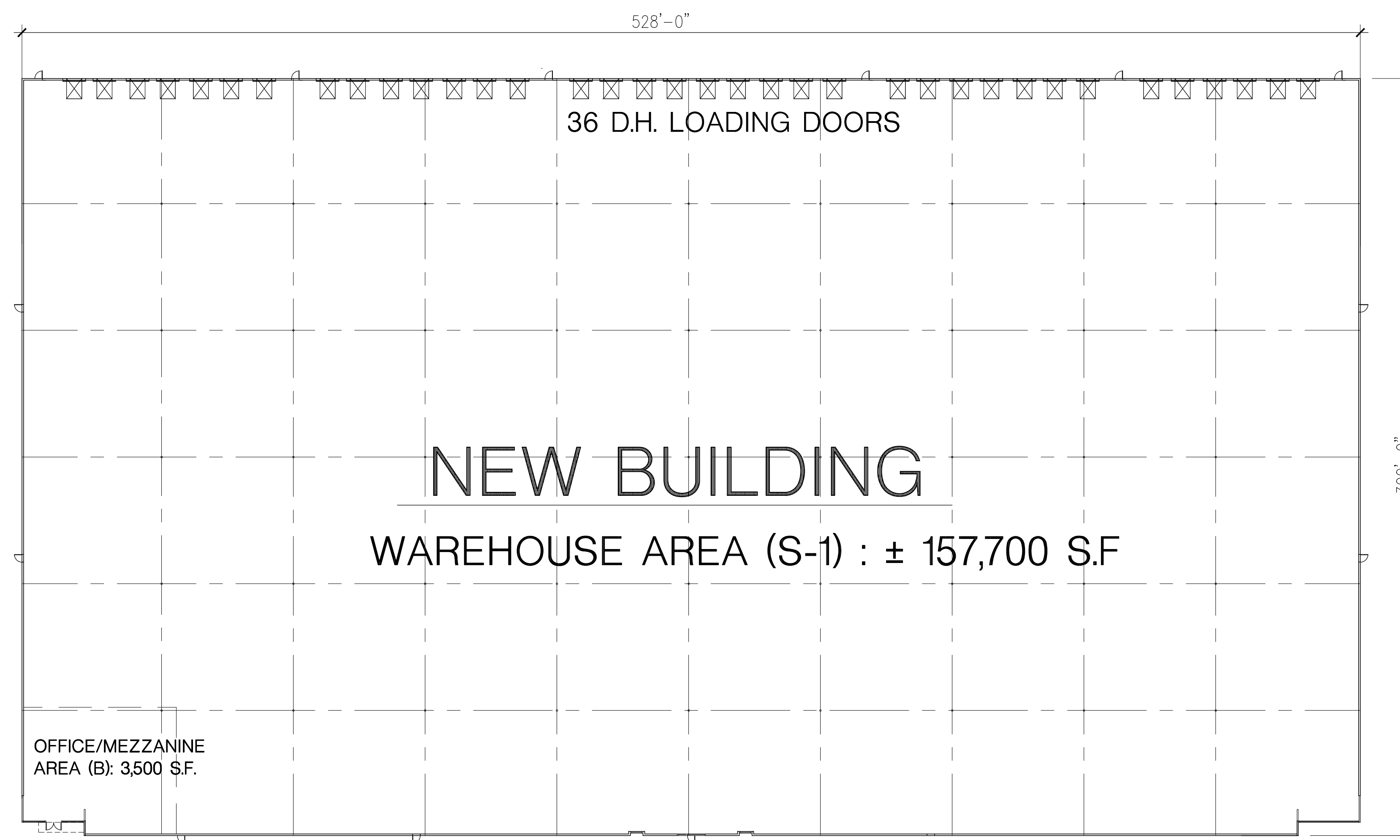
DEVELOPER :
 D/C 1717 DOOLITTLE SUB, LLC



COMSTOCK REALTY
 PARTNERS, LLC

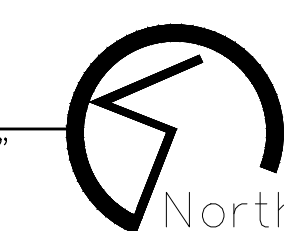
JOHN G. CATALDO
 A.I.A. C.S.

| NEW DEVELOPMENT AREA ANALYSIS | |
|--|-----------------------|
| WAREHOUSE AREA (S-1): | 157,700 S.F. |
| OFFICE AREA (B): | 3,500 S.F. |
| MEZZANINE AREA (B): | 2,800 S.F. |
| TOTAL PROPOSED NEW BUILDING AREA: | ± 161,200 S.F. |



PROPOSED FLOOR PLAN

SCALE: 1/32" = 1'-0"



Drawing Content :

PROPOSED
 FLOOR PLAN



Revisions : Date :

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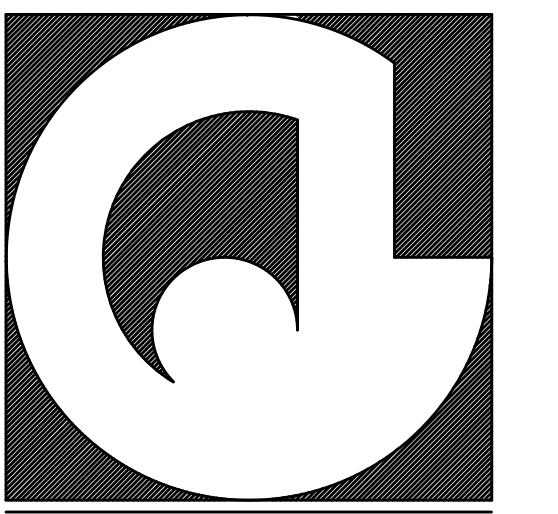
Designer :
 Manager :
 Date : AUG 22, 2014
 Job No : 2014-019
 Scale : AS NOTED

Drawing No :

A-3

SHEET : OF :

PLN2014-00028
 EXHIBIT G
 November 6, 2014



ARCHITECTURE . ENGINEERING

835 MISSION STREET, SOUTH PASADENA, CA 91030
 OFFICE : 626-799-4400 FAX : 626-799-7010

PROJECT NAME & SITE ADDRESS:

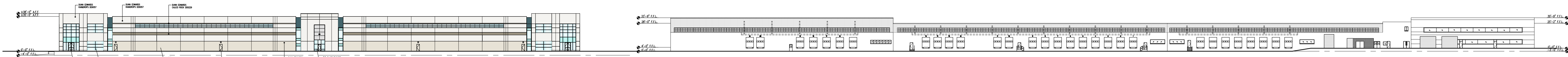
1717 DOOLITTLE DRIVE
 SAN LEANDRO, CA 94577

DEVELOPER :
 D/C 1717 DOOLITTLE SUB, LLC



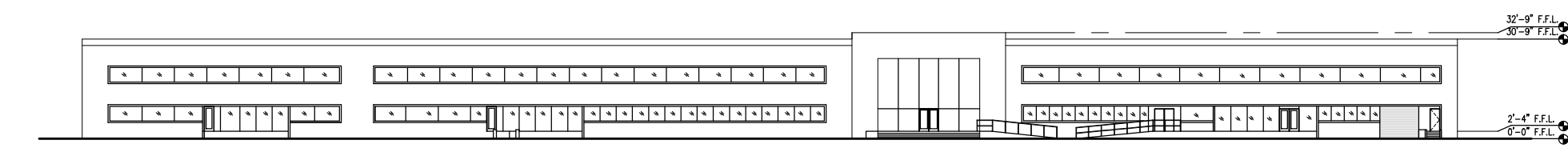
COMSTOCK REALTY
 PARTNERS, LLC

JOHN G. CATALDO



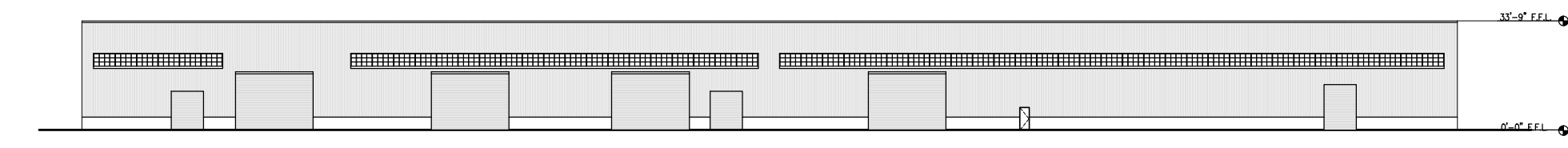
EXISTING/PROPOSED SOUTH ELEVATION

SCALE: N.T.S



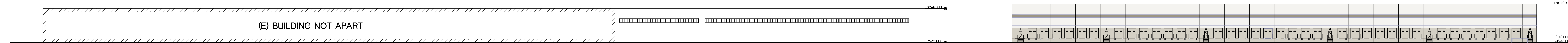
EXISTING EAST ELEVATION

SCALE: N.T.S



EXISTING WEST ELEVATION

SCALE: N.T.S

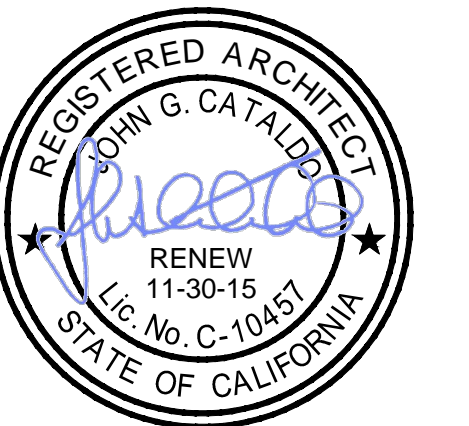


EXISTING/PROPOSED NORTH ELEVATION

SCALE: N.T.S

Drawing Content :

EXISTING/PROPOSED
 ELEVATIONS



Revisions : Date :

| Revisions | Date |
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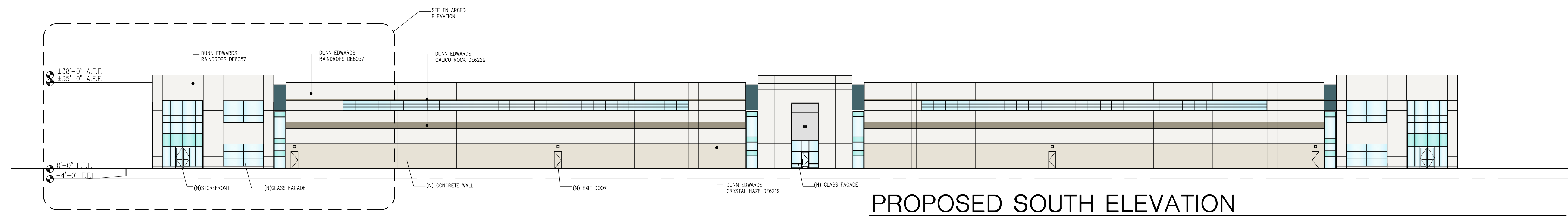
Designer :
 Manager :
 Date : AUG 22, 2014
 Job No : 2014-019
 Scale : AS NOTED

Drawing No :

A-4

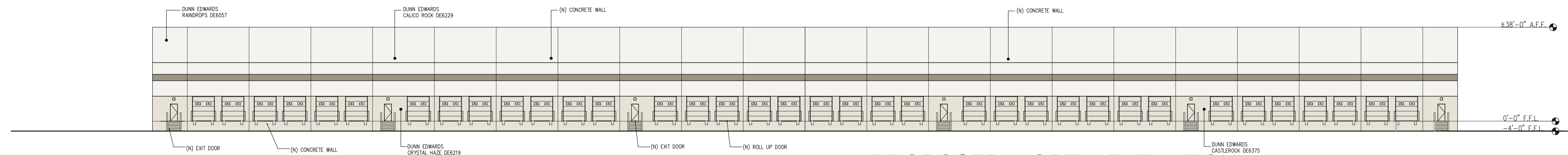
SHEET : OF :

PLN2014-00028
EXHIBIT H
November 6, 2014



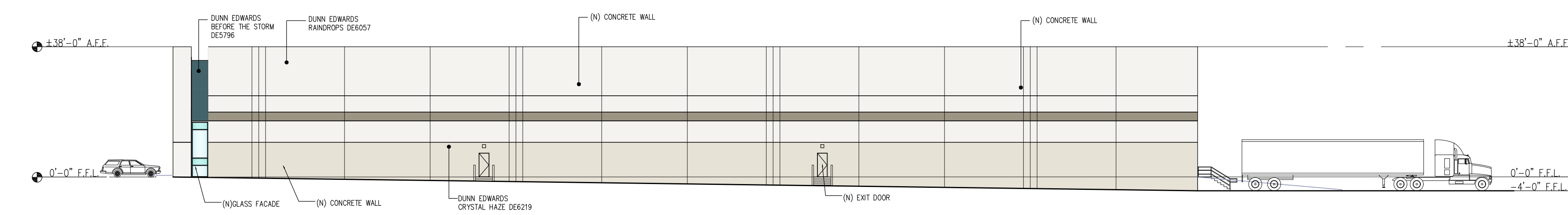
PROPOSED SOUTH ELEVATION

N.T.S.



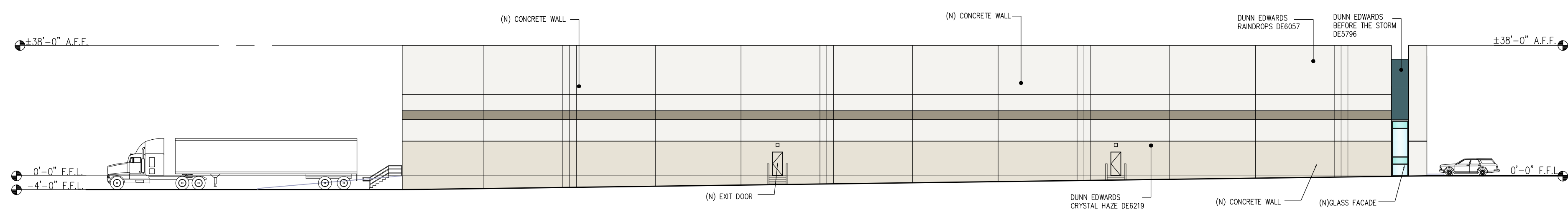
PROPOSED NORTH ELEVATION

N.T.S.



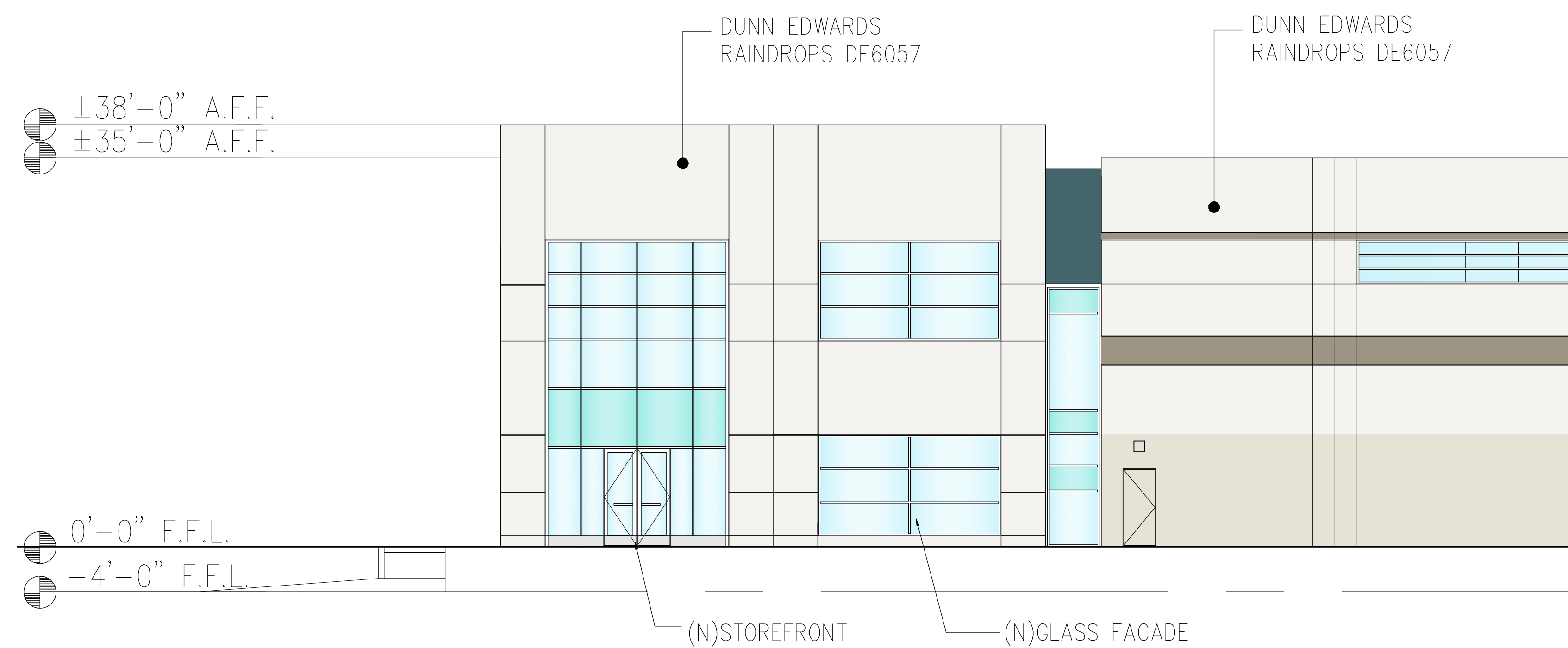
PROPOSED EAST ELEVATION

N.T.S.



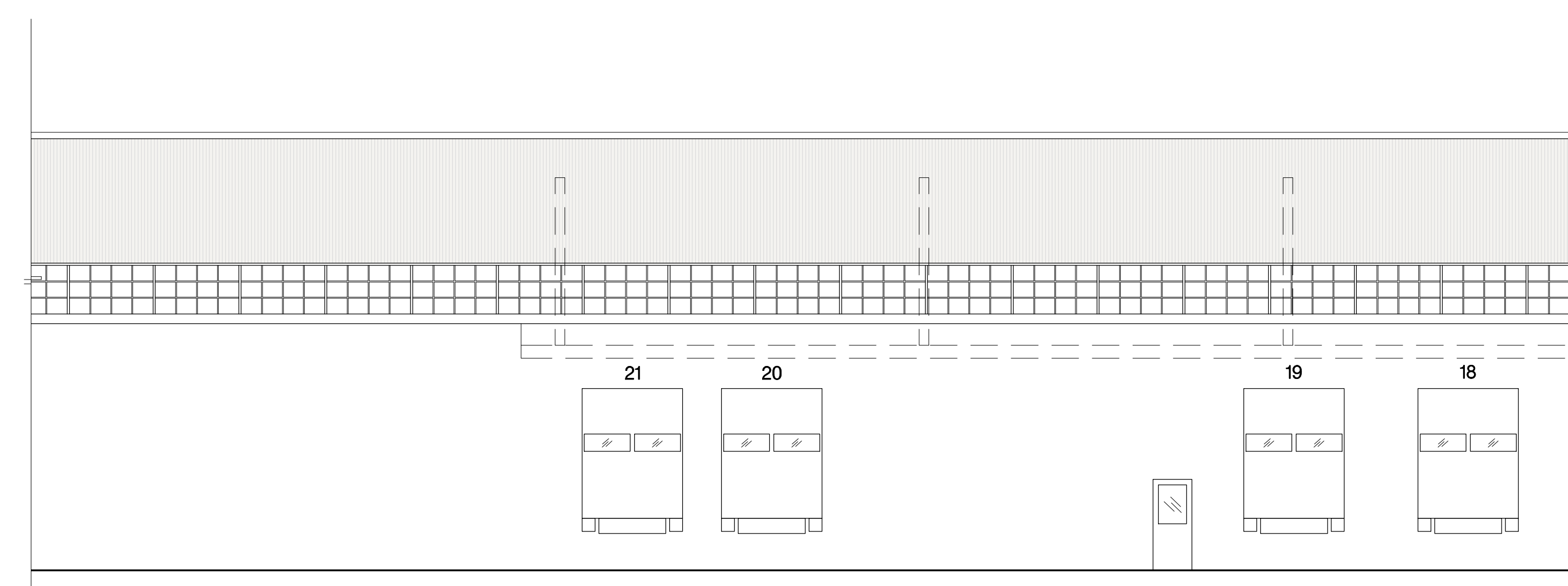
PROPOSED WEST ELEVATION

N.T.S.



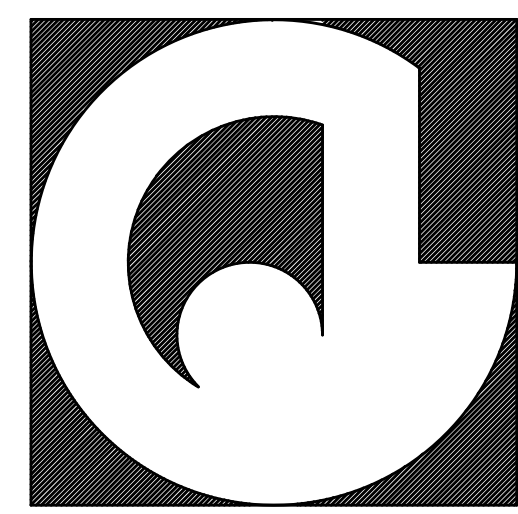
ENLARGED ELEVATION

N.T.S.



ENLARGED ELEVATION

N.T.S.



ARCHITECTURE . ENGINEERING

835 MISSION STREET, SOUTH PASADENA, CA 91030
OFFICE : 626-799-4400 FAX : 626-799-7010

PROJECT NAME & SITE ADDRESS:

1717 DOOLITTLE DRIVE
SAN LEANDRO, CA 94577

DEVELOPER :
D/C 1717 DOOLITTLE SUB, LLC



COMSTOCK REALTY
PARTNERS, LLC

JOHN G. CATALDO

Drawing Content :

PROPOSED
ELEVATIONS-4



Revisions : Date :

Designer :
Manager :
Date : AUG 22, 2014
Job No : 2014-019
Scale : AS NOTED

Drawing No :

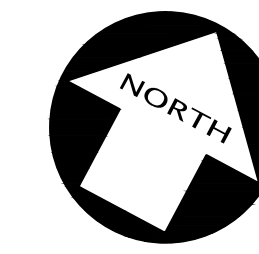
A-4.1

SHEET : OF :

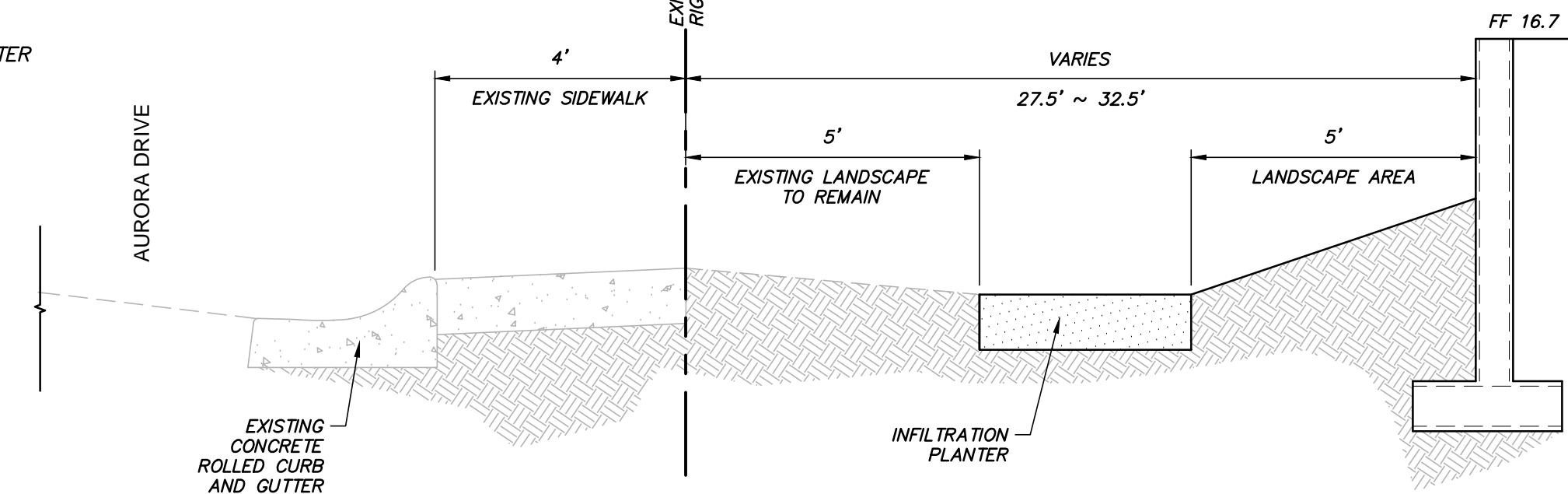
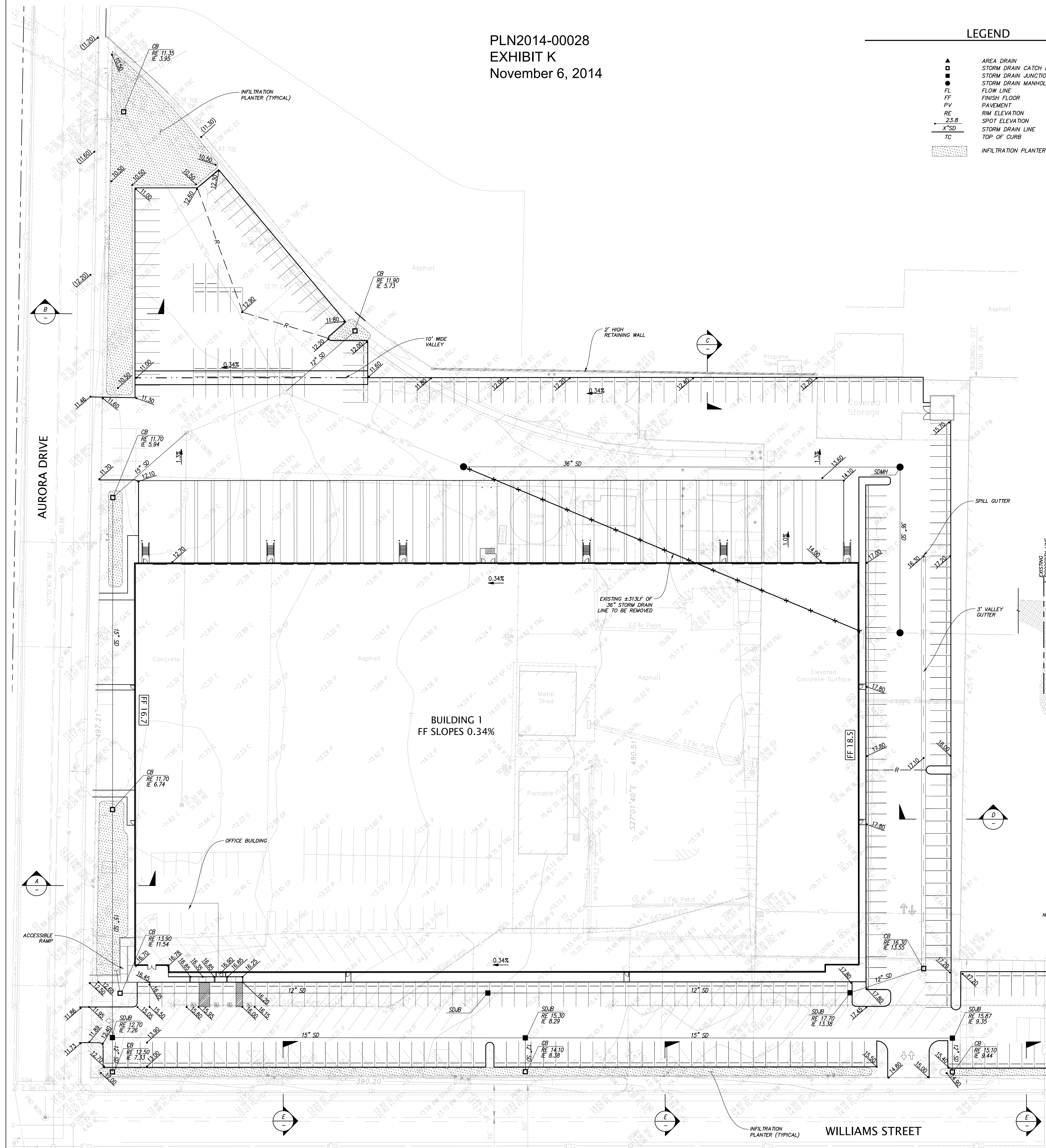
PLN2014-00028
EXHIBIT K
November 6, 2014

LEGEND

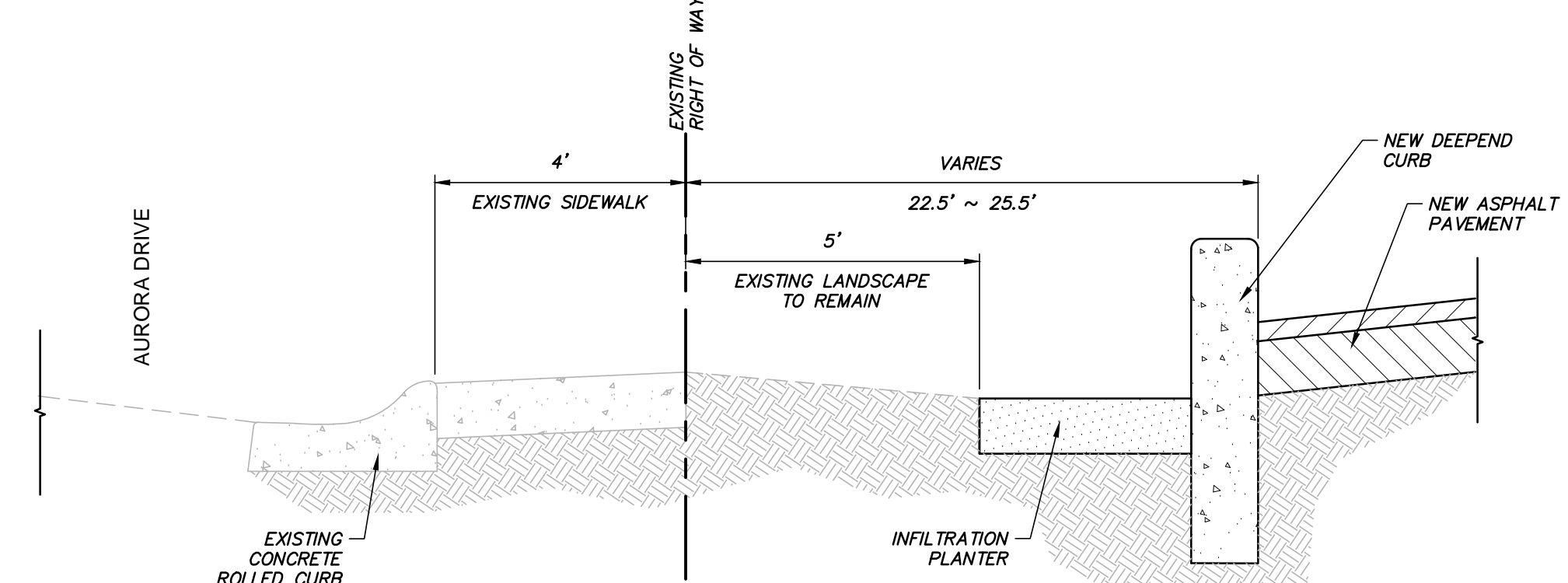
- ▲ AREA DRAIN
- STORM DRAIN CATCH BASIN
- STORM DRAIN JUNCTION BOX
- STORM DRAIN MANHOLE
- FL FLOW LINE
- FF FINISH FLOOR
- PV PAVEMENT
- RE RIM ELEVATION
- 23.8 SPOT ELEVATION
- X'SD STORM DRAIN LINE
- TC TOP OF CURB
- [Pattern] INFILTRATION PLANTER



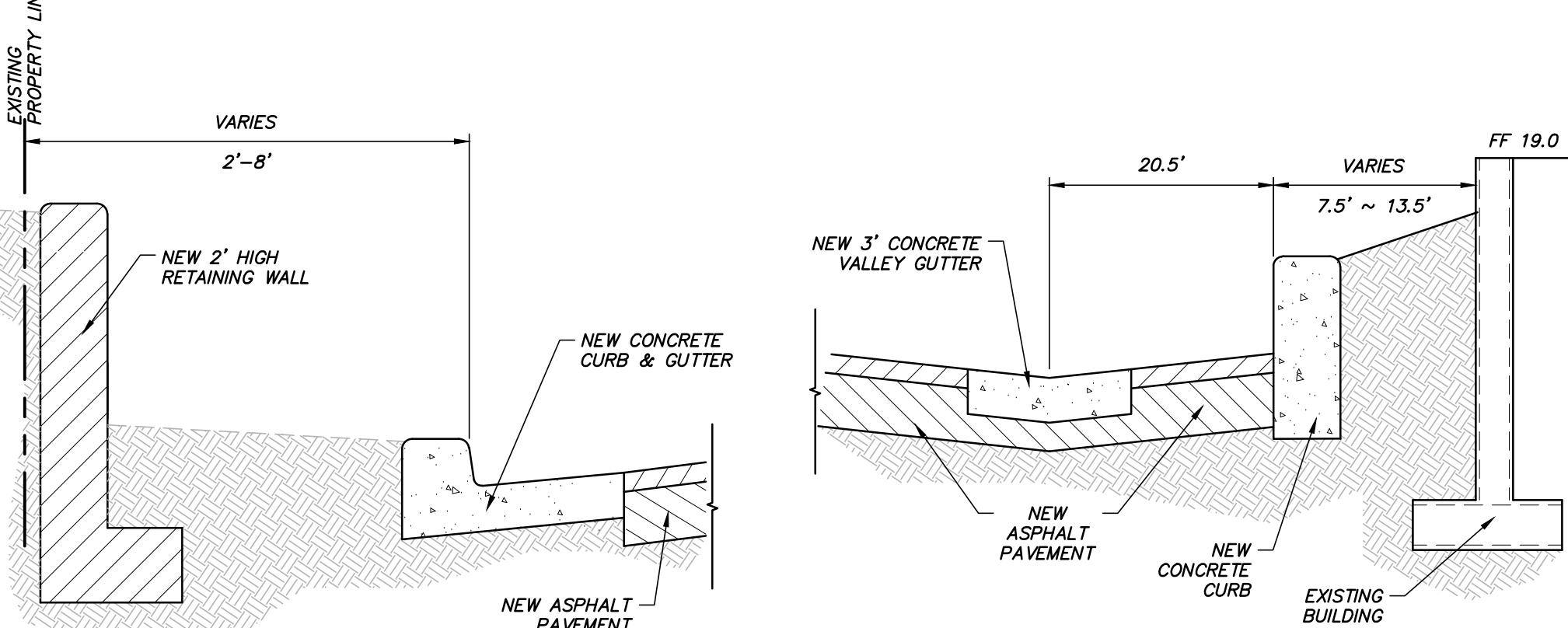
0 15 30 60 90
Scale 1" = 30 ft



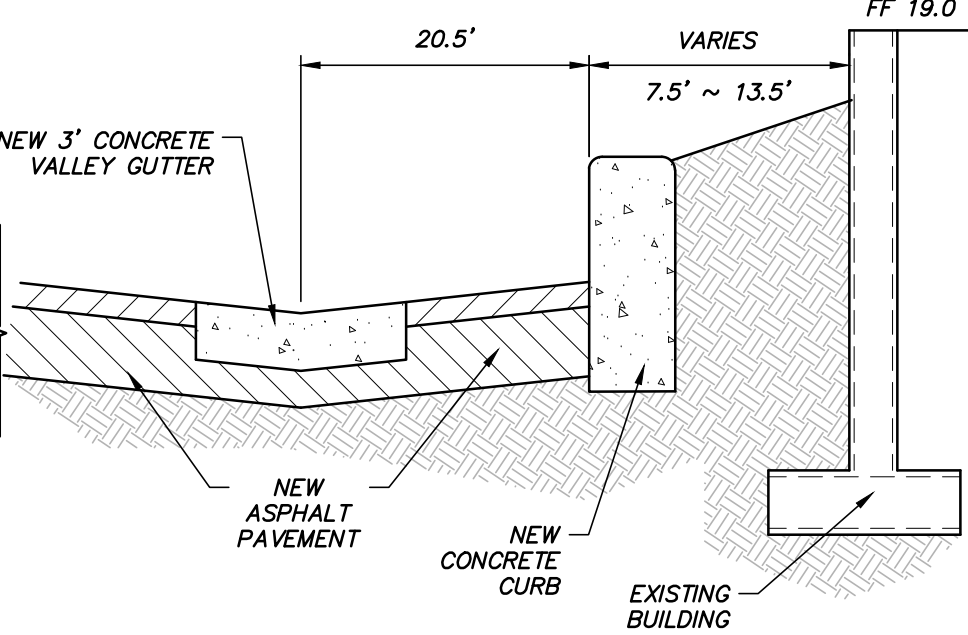
SECTION A
NOT TO SCALE



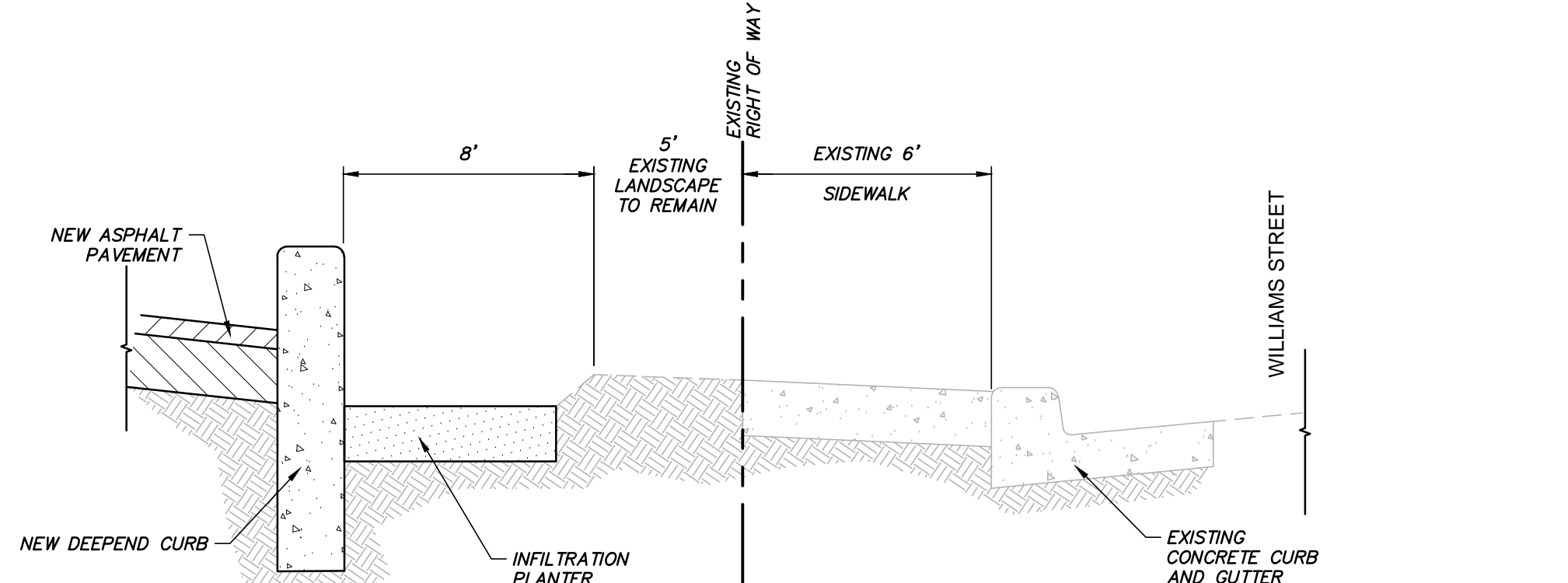
SECTION B
NOT TO SCALE



SECTION C
NOT TO SCALE



SECTION D
NOT TO SCALE



SECTION E
NOT TO SCALE

KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
2850 Collier Canyon Road
Livermore, California 94551
Phone (925) 245-8788
Fax (925) 245-8796

PROJECT NAME & SITE ADDRESS:

1717 DOOLITTLE DRIVE
SAN LEANDRO, CA 94577

DEVELOPER:
D/C 1717 DOOLITTLE SUB, LLC

COMSTOCK REALTY
PARTNERS, LLC

Drawing Content:
**PRELIMINARY
GRADING
PLAN**

| Revisions: | Date: |
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Designer: DJA
Manager: JAM
Date: June, 2014
Job No: A08609-7
Scale: AS NOTED

Drawing No:

C2

PLN2014-00028
EXHIBIT L
November 6, 2014



0 15 30 60 90
Scale 1" = 30 ft

LEGEND

- ASR AUTOMATIC SPRINKLER RISER
- BACK FLOW PREVENTION DEVICE
- x- EXISTING UTILITY TO BE ABANDONED BY REMOVAL
- FIRE DEPARTMENT CONNECTION
- FIRE HYDRANT & VALVE
- FIRE SERVICE
- SANITARY SEWER
- SS SANITARY SEWER
- COTG SANITARY SEWER CLEANOUT TO GRADE
- SSMH SANITARY SEWER MANHOLE
- SCV SINGLE CHECK VALVE
- SDCB STORM DRAIN CATCH BASIN
- SDJB STORM DRAIN JUNCTION BOX
- SDMH STORM DRAIN MANHOLE
- SDML STORM DRAIN LINE
- SDMH STORM DRAIN MANHOLE
- WM WATER METER
- WS WATER SERVICE

PROJECT NAME & SITE ADDRESS:

1717 DOOLITTLE DRIVE
SAN LEANDRO, CA 94577

DEVELOPER:
D/C 1717 DOOLITTLE SUB, LLC

COMSTOCK REALTY
PARTNERS, LLC

Drawing Content:
**PRELIMINARY
UTILITY PLAN**

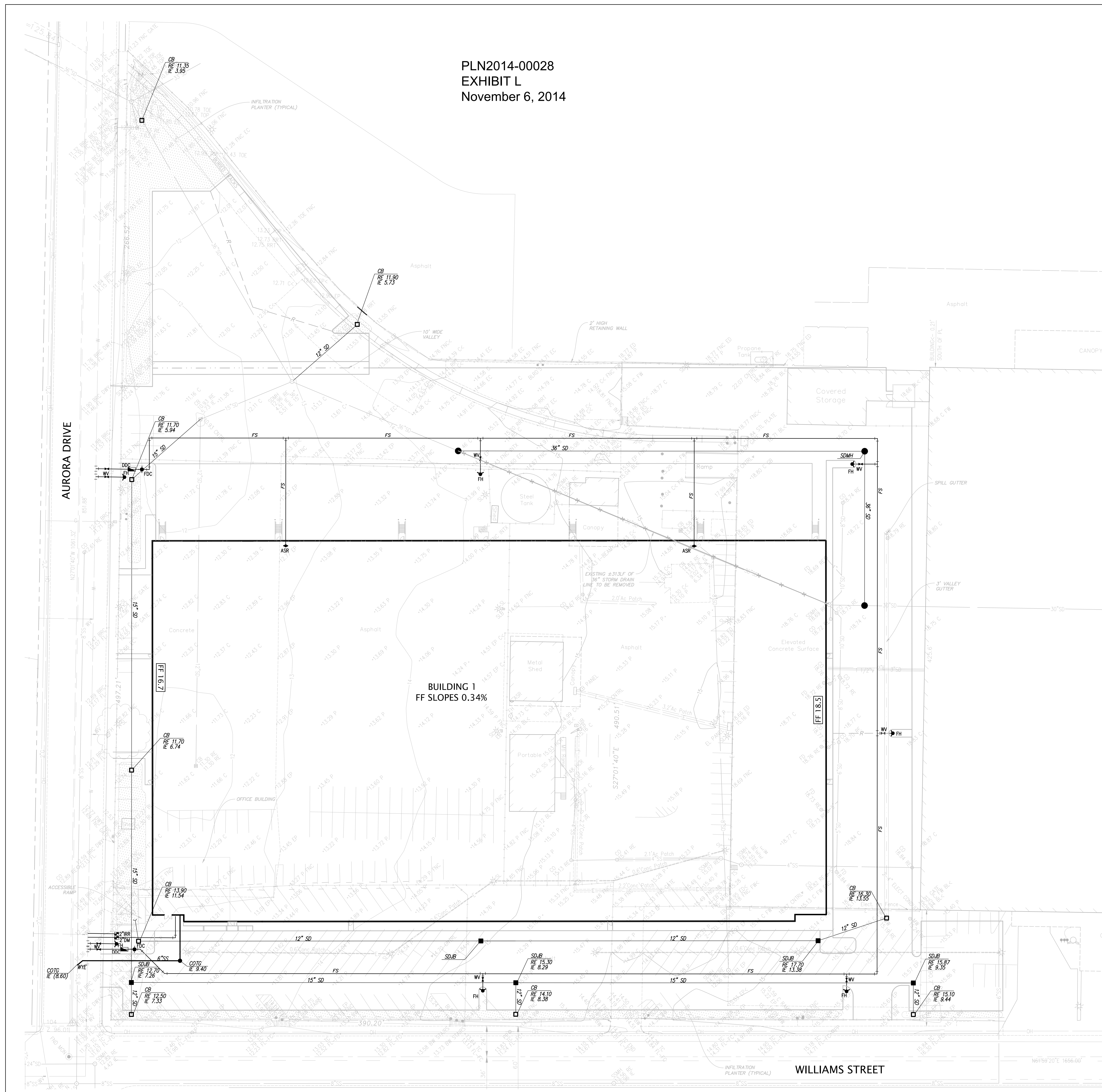
Revisions: _____ Date: _____

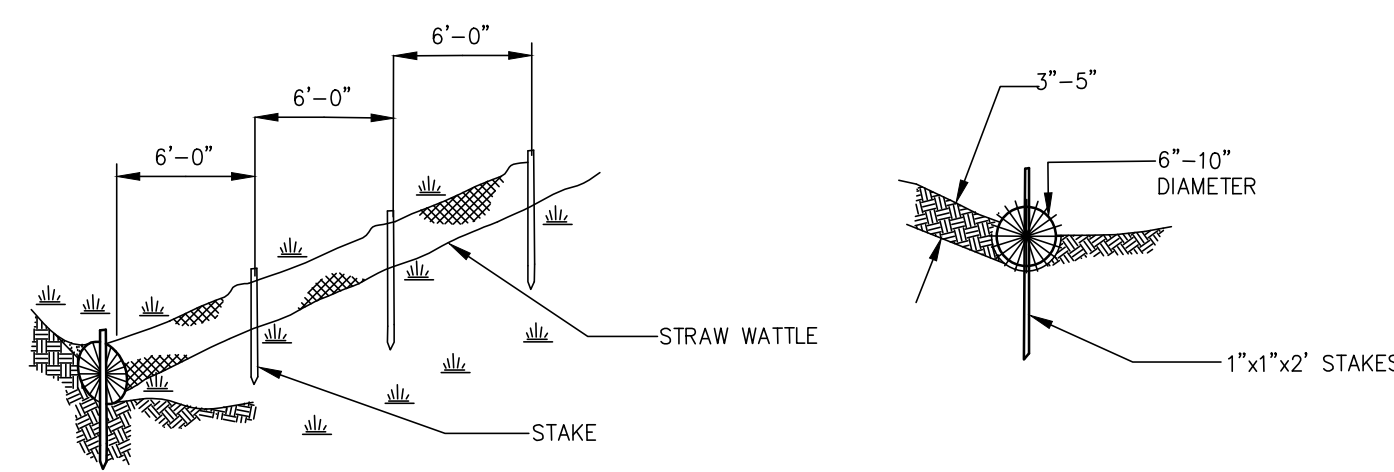
Designer: DJA
Manager: JAM
Date: June, 2014
Job No: A08609-7
Scale: AS NOTED

Drawing No: _____

C3

OF 5 SHEETS

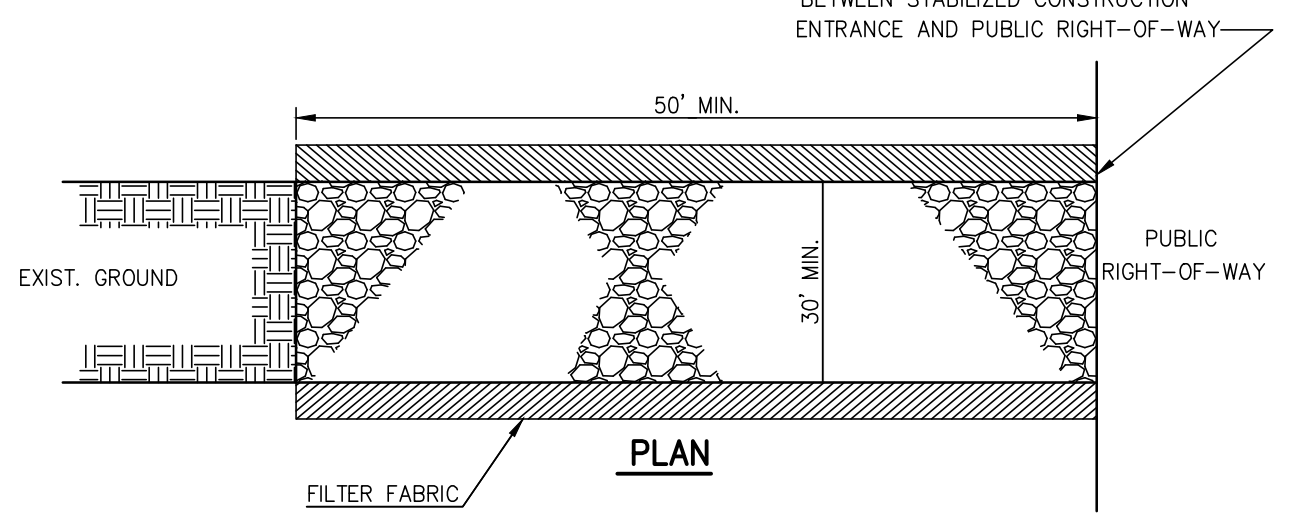
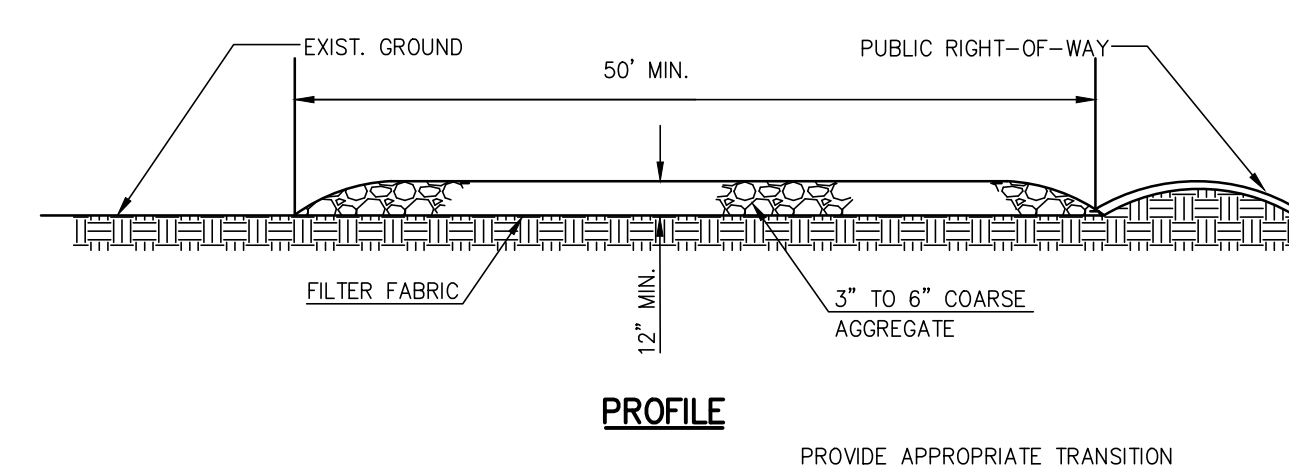




NOTE:
1. STRAW WATTLES ARE TUBES MADE FROM STRAW BOUND W/PLASTIC NETTING. THEY ARE APPROX. 6"-10" DIA AND 50'-50' FT LONG.
2. STRAW WATTLES TRAP SEDIMENT AND REDUCE SHEET AND HILL EROSION BY REDUCING SLOPE GRADIENT, INCREASING INFILTRATION RATES AND BY PROVIDING A FAVORABLE ENVIRONMENT FOR PLANT ESTABLISHMENT.
3. STRAW WATTLE INSTALLATION REQUIRES THE PLACEMENT AND SECURE STAKING OF THE WATTLE IN A TRENCH 3'-5" DEEP, DUG ON CONTOUR. RUNOFF MUST NOT BE ALLOWED TO RUN UNDER OR AROUND WATTLE.

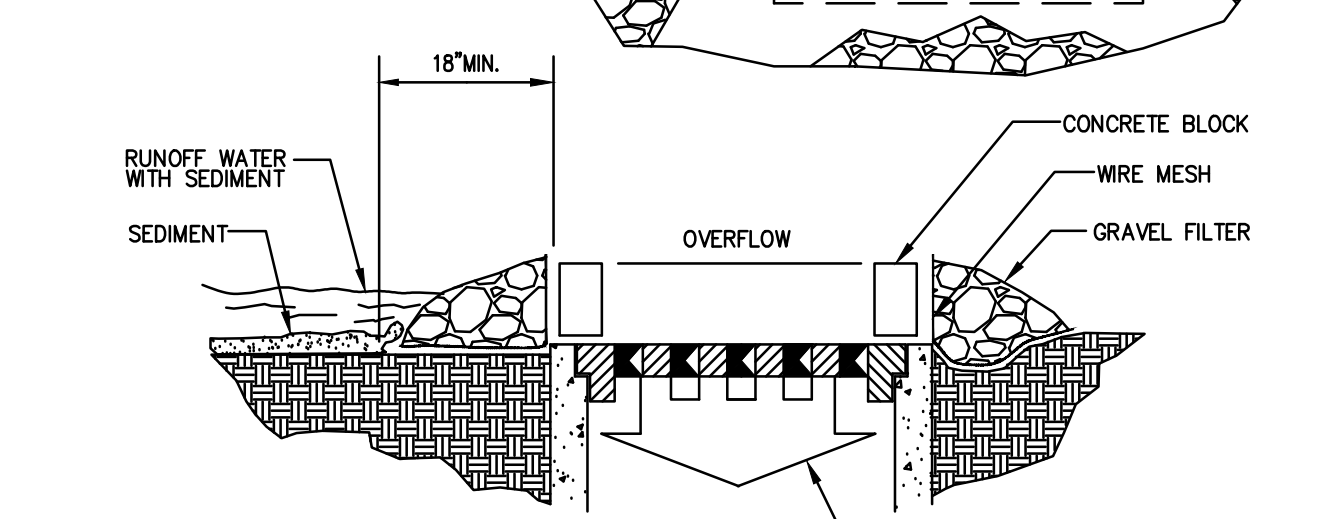
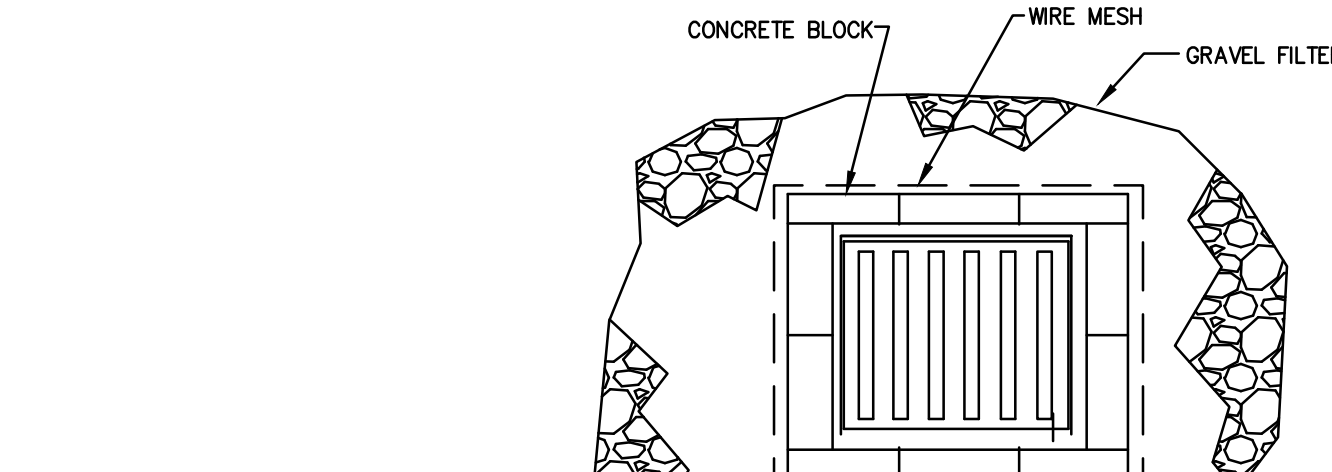
STRAW WATTLE SEDIMENT TRAP/FILTER

1



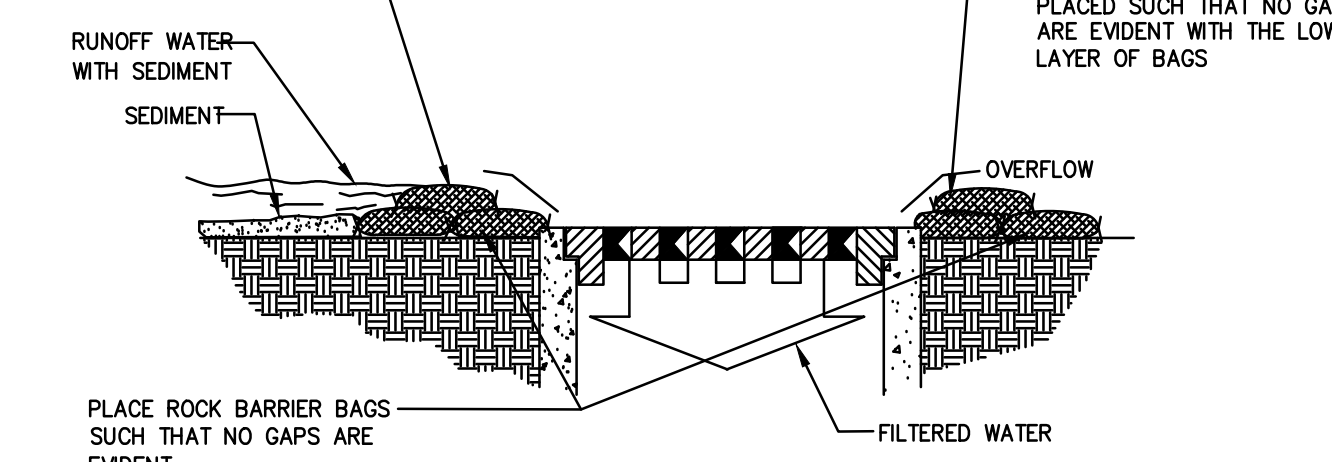
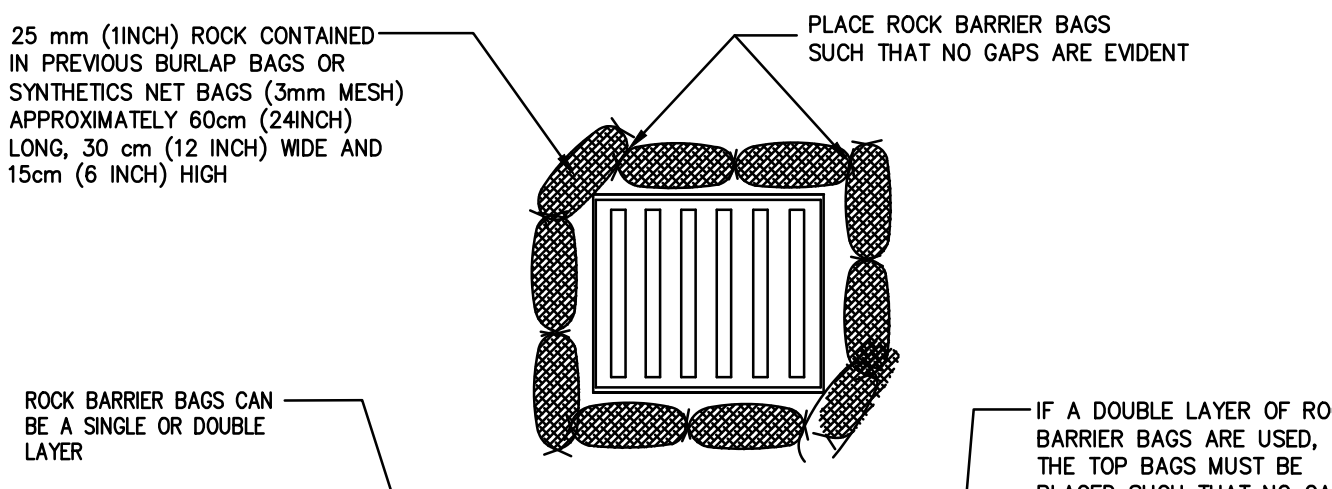
STABILIZED CONSTRUCTION ENTRANCE

2



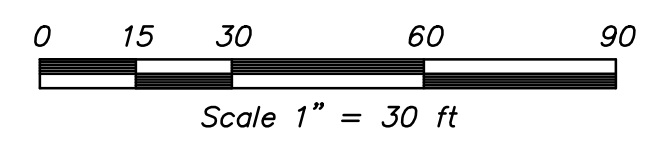
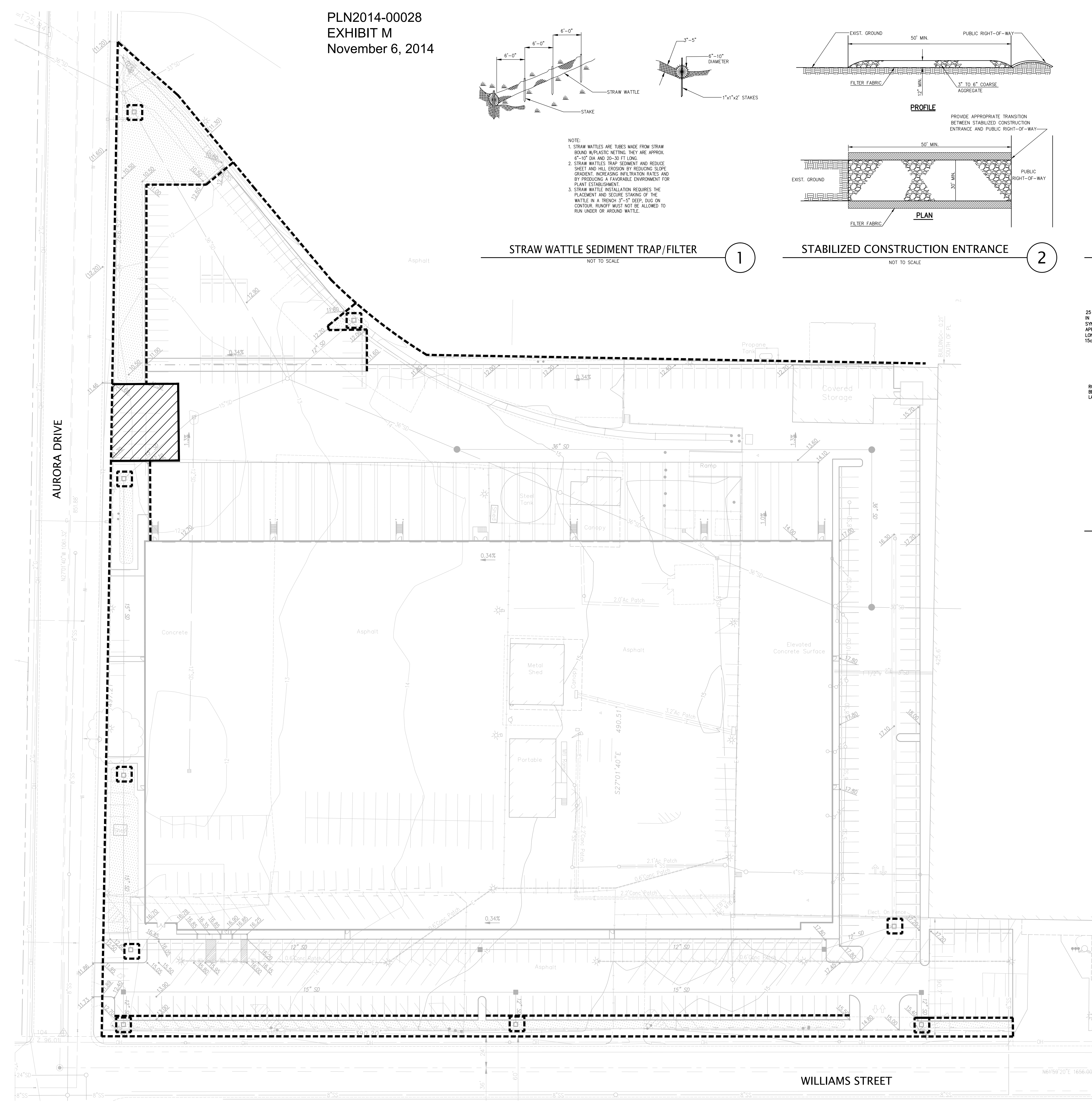
DROP INLET SEDIMENT FILTER

3



DROP INLET SEDIMENT FILTER UTILIZING ROCK BARRIER BAGS

4



LEGEND

- 1 STABILIZED CONSTRUCTION ENTRANCE
- 2 STRAW WATTLE SEDIMENT TRAP/FILTER
- 3 DROP INLET SEDIMENT FILTER
- 4 EXISTING CURB INLET FILTER

PROJECT NAME & SITE ADDRESS:

1717 DOOLITTLE DRIVE
SAN LEANDRO, CA 94577

DEVELOPER:
D/C 1717 DOOLITTLE SUB, LLC

COMSTOCK PARTNERS, LLC

Drawing Content:
**PRELIMINARY
EROSION CONTROL
PLAN**

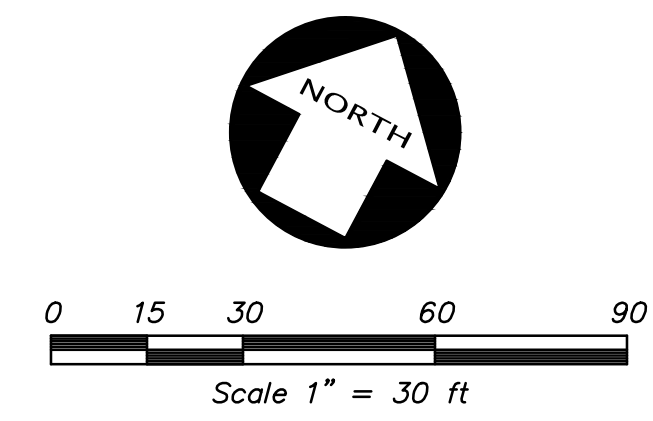
| Revisions: | Date: |
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Designer: DJA
Manager: JAM
Date: June, 2014
Job No: A08609-7
Scale: AS NOTED


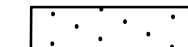
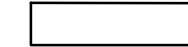
Drawing No:

C4

PLN2014-00028
 EXHIBIT N
 November 6, 2014

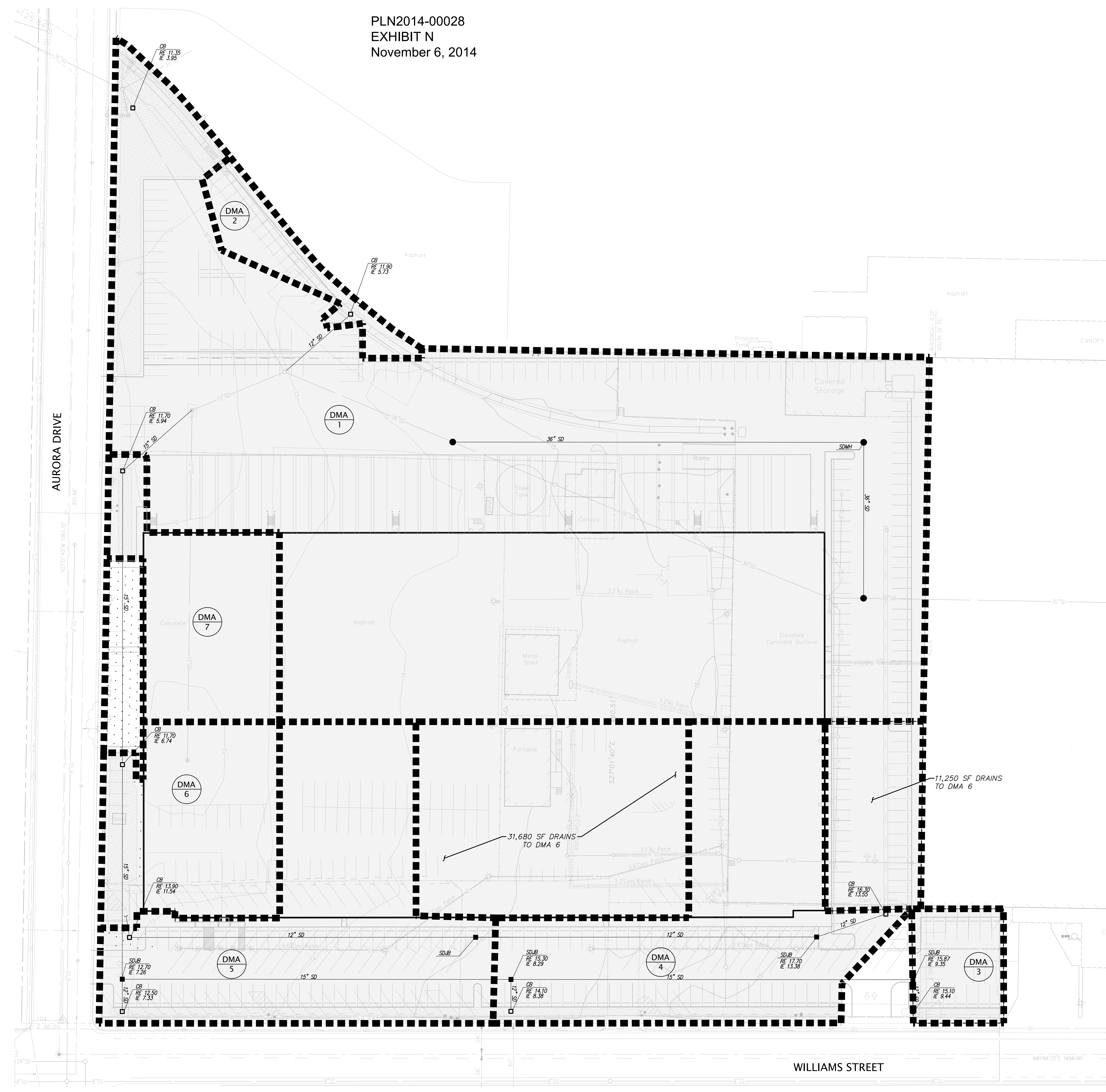


LEGEND

-  INFILTRATION PLANTER
-  SELF TREATED AREA
-  UNTREATED AREA

| STORM WATER QUALITY CONTROL TABLE | | | |
|-----------------------------------|-----------|-----------------------------|------------|
| DMA | AREA SQFT | TREATMENT PLANTER AREA SQFT | PERCENTAGE |
| 1 | 181,301 | 7,282 | 4.01% |
| 2 | 7,078 | 2,017 | 4.20% |
| 3 | 6,255 | 385 | 6.15% |
| 4 | 37,886 | 1,590 | 4.20% |
| 5 | 40,990 | 1,780 | 4.34% |
| 6 | 62,515 | 2,524 | 4.02% |
| 7 | 20,483 | 850 | 4.15% |

* EXISTING SITE IS 100% IMPERVIOUS
 CALCULATIONS ARE FOR TREATMENT ONLY.
 NO HYDROMODIFICATION IS REQUIRED.



KIER & WRIGHT
 CIVIL ENGINEERS & SURVEYORS, INC.
 2850 Collier Canyon Road
 Livermore, California 94551
 Phone (925) 245-8788
 Fax (925) 245-8796

PROJECT NAME & SITE ADDRESS:

1717 DOOLITTLE DRIVE
 SAN LEANDRO, CA 94577

DEVELOPER:
 D/C 1717 DOOLITTLE SUB, LLC

COMSTOCK REALTY
 PARTNERS, LLC

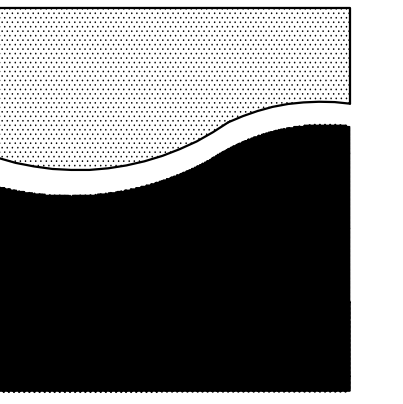
Drawing Content:
**STORM WATER
 QUALITY CONTROL
 PLAN**

Revisions: _____ Date: _____

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Designer: DJA
 Manager: JAM
 Date: June, 2014
 Job No: A08609-7
 Scale: AS NOTED

Drawing No:
C5
 OF 5 SHEETS



REED ASSOCIATES
 LANDSCAPE ARCHITECTURE
 477 SOUTH TAFFEE STREET
 SUNNYVALE, CALIFORNIA 94086
 408.481.9222 / 408.481.9222 FAX
 www.reedassoc.com / email: info@reed.com
 "Bay Friendly Certified"

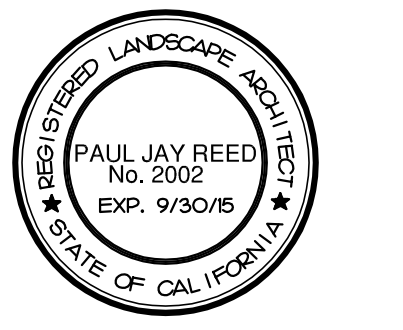
Project Name and Site Address:

1717 DOOLITTLE DR.
 SAN LEANDRO, CA 94577

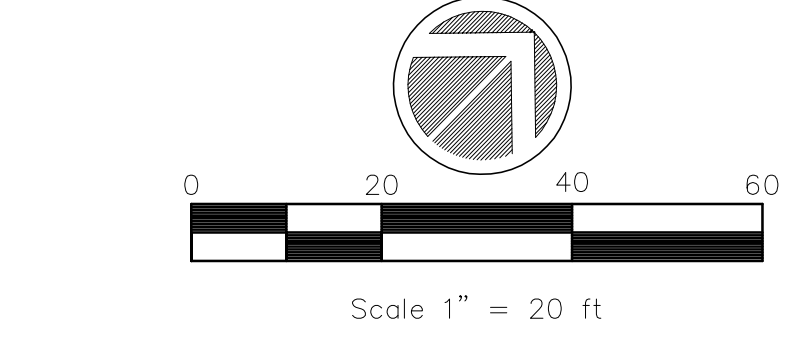
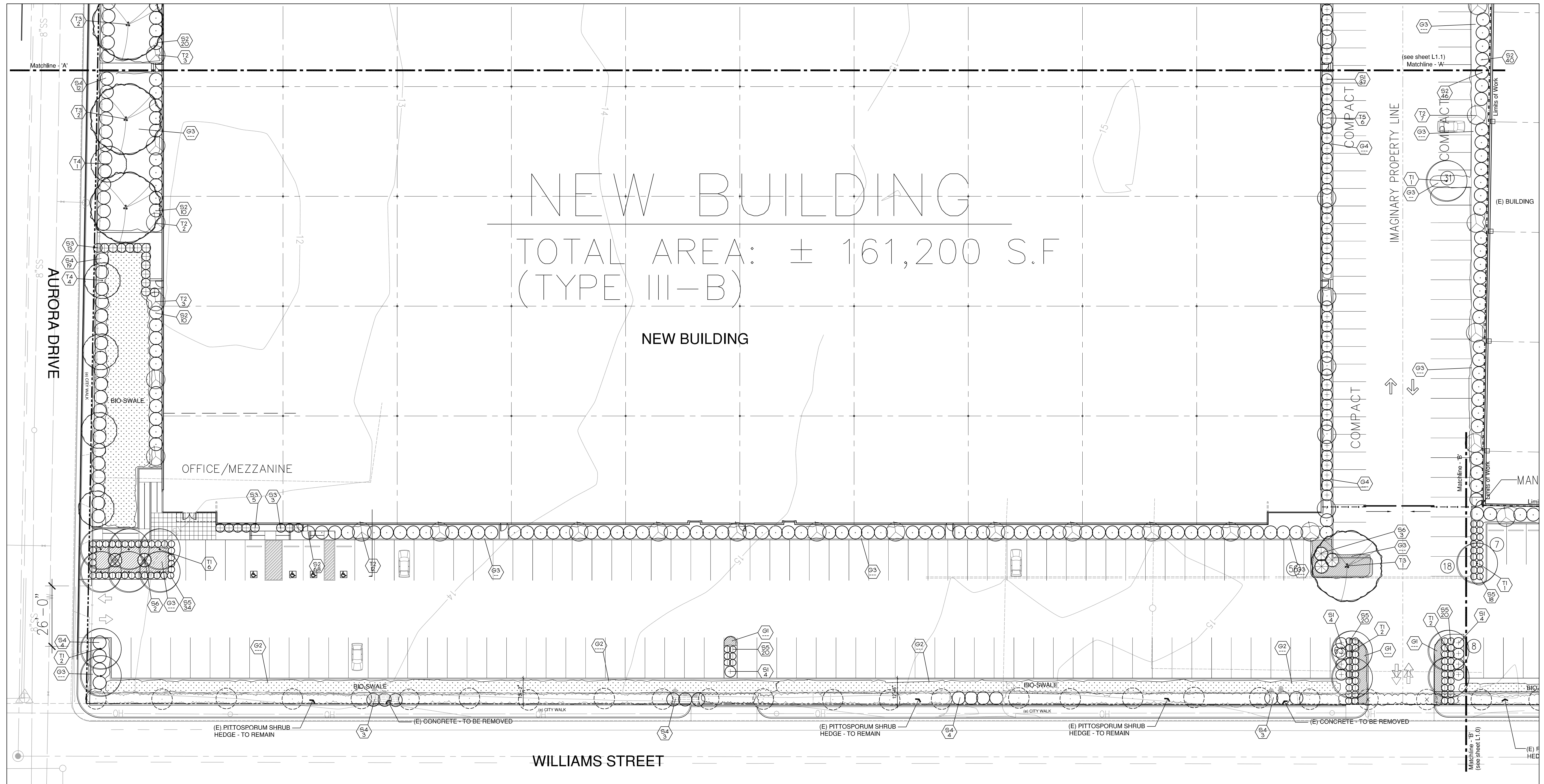
Developer:
 D/C 1717 DOOLITTLE SUB, LLC

COMSTOCK REALTY
 PARTNERS, LLC

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PLN2014-00028
 EXHIBIT O
 November 6, 2014



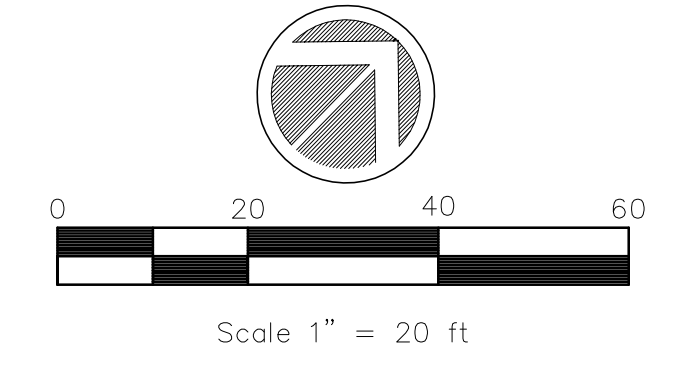
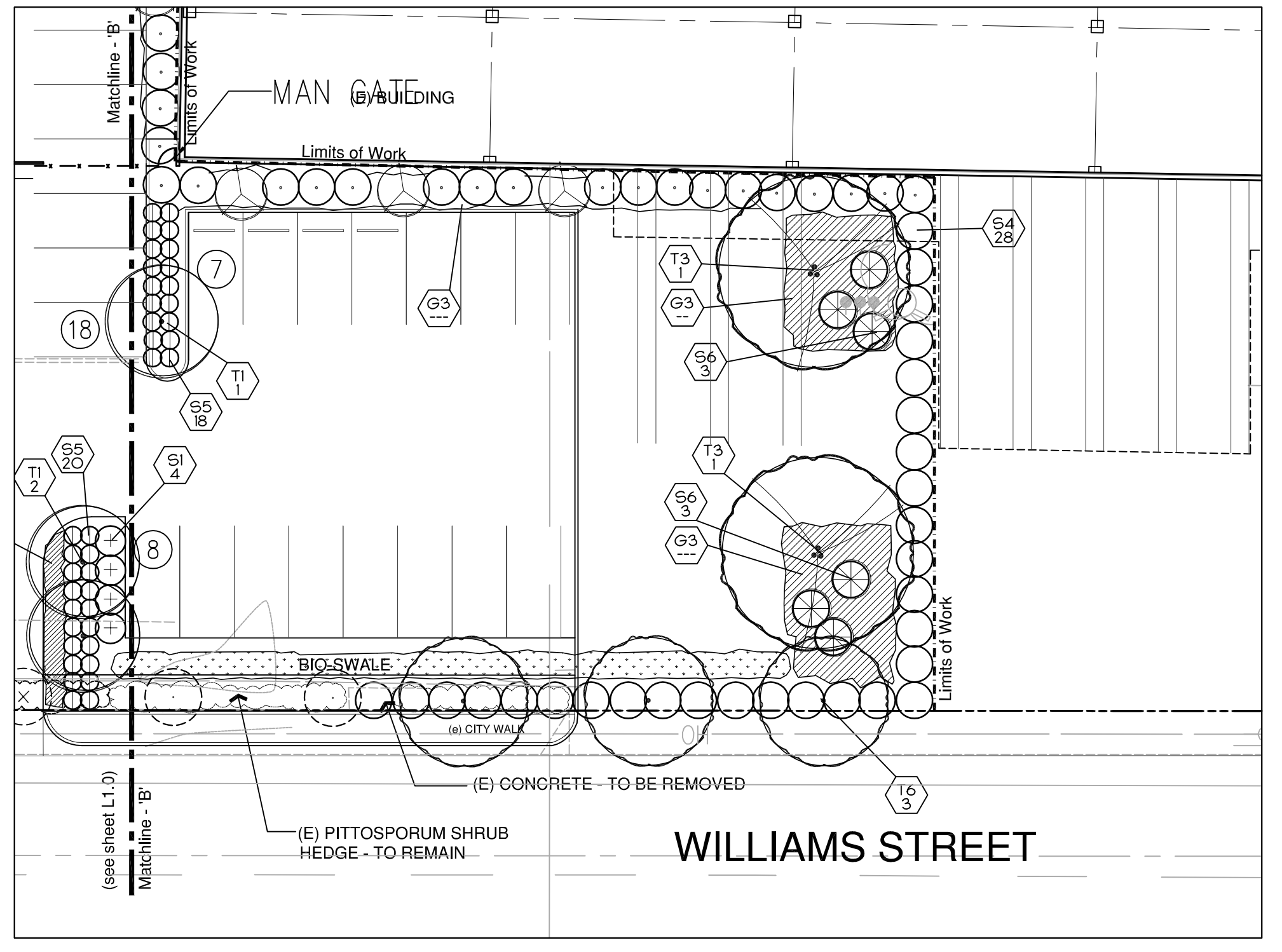
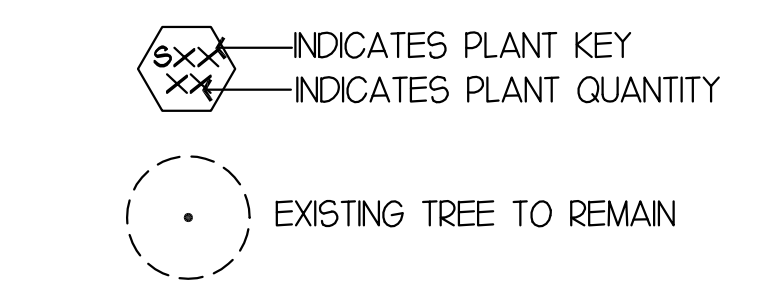
PLANT NOTES:

1. THE CONTRACTOR SHALL VERIFY PLANT QUANTITIES FROM THE PLANTING PLAN. QUANTITIES SHOWN IN THE LEGEND ARE FOR CONVENIENCE ONLY.
2. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IN THE EVENT OF ANY DISCREPANCIES BETWEEN ACTUAL SITE CONDITIONS AND THE PLANTING PLAN.
3. PLANT GROUND COVER IN SHRUB AREAS AS NOTED, USE TRIANGULAR SPACING.
4. SEE DETAIL AND SPECIFICATION SHEETS FOR ADDITIONAL INFORMATION.
5. THERE WILL BE NO MATERIALS OR PLANT MATERIALS SUBSTITUTIONS WITHOUT APPROVAL OF THE OWNER OR THE LANDSCAPE ARCHITECT.
6. ALL SLOPES PLANTED WITH LAWN NOT TO EXCEED A 3:1 SLOPE. ALL SLOPES PLANTED WITH GROUND COVER NOT TO EXCEED A 2:1 SLOPE.
7. PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDINGS (2" MIN).
8. IN THE EVENT OF ANY DISCREPANCIES BETWEEN THIS PLAN AND ACTUAL SITE CONDITIONS, THE LANDSCAPE ARCHITECT IS TO BE NOTIFIED IMMEDIATELY.
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11. THE WORK IN THESE DRAWINGS AND SPECIFICATIONS MY RUN CONCURRENTLY WITH WORK BY OTHERS. THE LANDSCAPE CONTRACTOR SHALL COORDINATE THE WORK WITH OTHER CONTRACTORS.
12. PRIOR TO ANY DIGGING OR TRENCHING, CALL UNDERGROUND SERVICE ALERT -1-800-227-2600

PLANT LIST:

| KEY | BOTANICAL NAME | COMMON NAME | QTY. | SIZE | REMARKS | WUCOLS |
|----------------------|--|-------------------------|------|-------|----------|--------|
| TREES | | | | | | |
| T1 | ERICOBOTRYA DEPLEXA | BRONZE LOGJAT | 15 | 5 GAL | STANDARD | MEDIUM |
| T2 | JUNIPERUS S. 'SARGENTA BLUE' | BRIGHT BLUE JUNIPER | 15 | 5 GAL | COLUMNAR | LOW |
| T3 | QUERCUS AGROPIOLA | COAST LIVE OAK | 24 | BOX | STANDARD | LOW |
| T4 | LOPHOSTEMON CONFERTUS | BRISBANE BOX | 24 | BOX | STANDARD | MEDIUM |
| T5 | PODOCARPUS MACROPHYLLUS | YEW PINE | 24 | BOX | NATURAL | MEDIUM |
| T6 | LAGERSTROEMIA I. 'TUSCARORA' | GRAPE MYRTLE | 24 | BOX | STANDARD | LOW |
| T7 | RUBUS LANCEA | AFRICAN SUPAC | 15 | 5 GAL | STANDARD | LOW |
| SHRUBS | | | | | | |
| S1 | PITTIOSPORUM TOBIRA 'VARIEGATA' | VAREGATED TOBIRA | 5 | 5 GAL | | LOW |
| S2 | ESCALLONIA S. 'BURGUNDY QUEEN' | ESCALLONIA | 5 | 5 GAL | | MEDIUM |
| S3 | SHARPIERERIA L. 'YIN-YANG' | DWARF TEDEO HAIHORN | 5 | 5 GAL | | LOW |
| S4 | PITTIOSPORUM BUGENOIDES | TARATA | 5 | 5 GAL | | MEDIUM |
| S5 | LAVANDULA STOECHAS 'OTTO QUAST' | SPANISH LAVENDER | 5 | 5 GAL | | LOW |
| S6 | CHONDRORHIZUM TECTORUM | GAPE NEED | 5 | 5 GAL | | LOW |
| GROUND COVERS | | | | | | |
| G1 | POSA X. 'NOAGNIE' | WHITE GROUND COVER ROSE | 1 | 1 GAL | 24" O.C. | MEDIUM |
| G2 | NATIVE BICRILTRATION SOD | BY DELTA BLUEGRASS CO. | SOD | --- | --- | LOW |
| G3 | HAESSELLA PULCHARRA | PURPLE NEEDLEGRASS | | | | |
| G4 | RESTIOCA RUBRA | MOATE FESQUE | | | | |
| G5 | HORDLEUM BRACHYANTHERUM CALIFORNICUM | CALIFORNIA BARLEY | | | | |
| G6 | HORDLEUM BRACHYANTHERUM BRACHYANTHERUM | CALIFORNIA BARLEY | | | | |
| G7 | ROSMARINUS O. 'PROSTRATUS' | DWARF ROSEMARY | 1 | 1 GAL | 24" O.C. | LOW |
| VINES | | | | | | |
| V1 | BOLANUM JASMINOIDES | POTATO VINE | 1 | 1 GAL | 18" O.C. | MEDIUM |

PLANT SYMBOLS



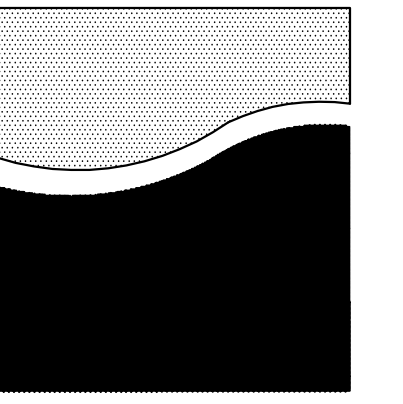
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Approved: **PJR**
 Drawn: **JH/DS** Reviewed: **PJR**
 Project No. 14.42
 Scale 1"=20'
 Issue Date 10/16/14

LANDSCAPE PLANTING PLAN



L1.0



REED ASSOCIATES
LANDSCAPE ARCHITECTURE
477 SOUTH TAFFER STREET
SUNNYVALE, CALIFORNIA 94086
408.481.9020 / 408.481.9022 FAX
www.reedass.com / email: info@reedass.com
"Bay Friendly Certified"

Project Name and Site Address:

1717 DOOLITTLE DR.
SAN LEANDRO, CA 94577

Developer:
D/C 1717 DOOLITTLE SUB, LLC

COMSTOCK REALTY
PARTNERS, LLC

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PLN2014-00028
EXHIBIT P
November 6, 2014

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Approved: **PJR**
Drawn: **JH/DS** Reviewed: **PJR**
Project No. 14.42
Scale 1"=20' Issue Date 6/25/14

LANDSCAPE
PLANTING PLAN

L1.1

Sheet of

PLANT LIST:

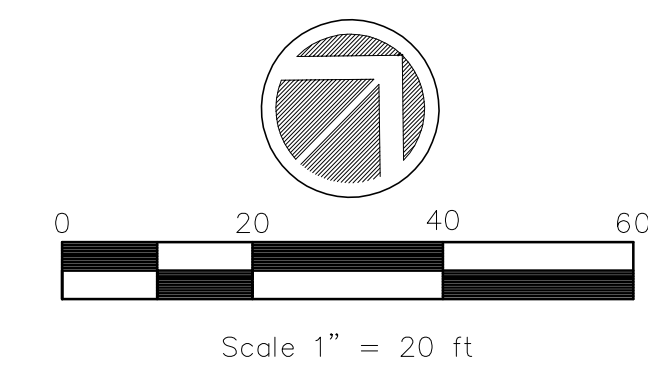
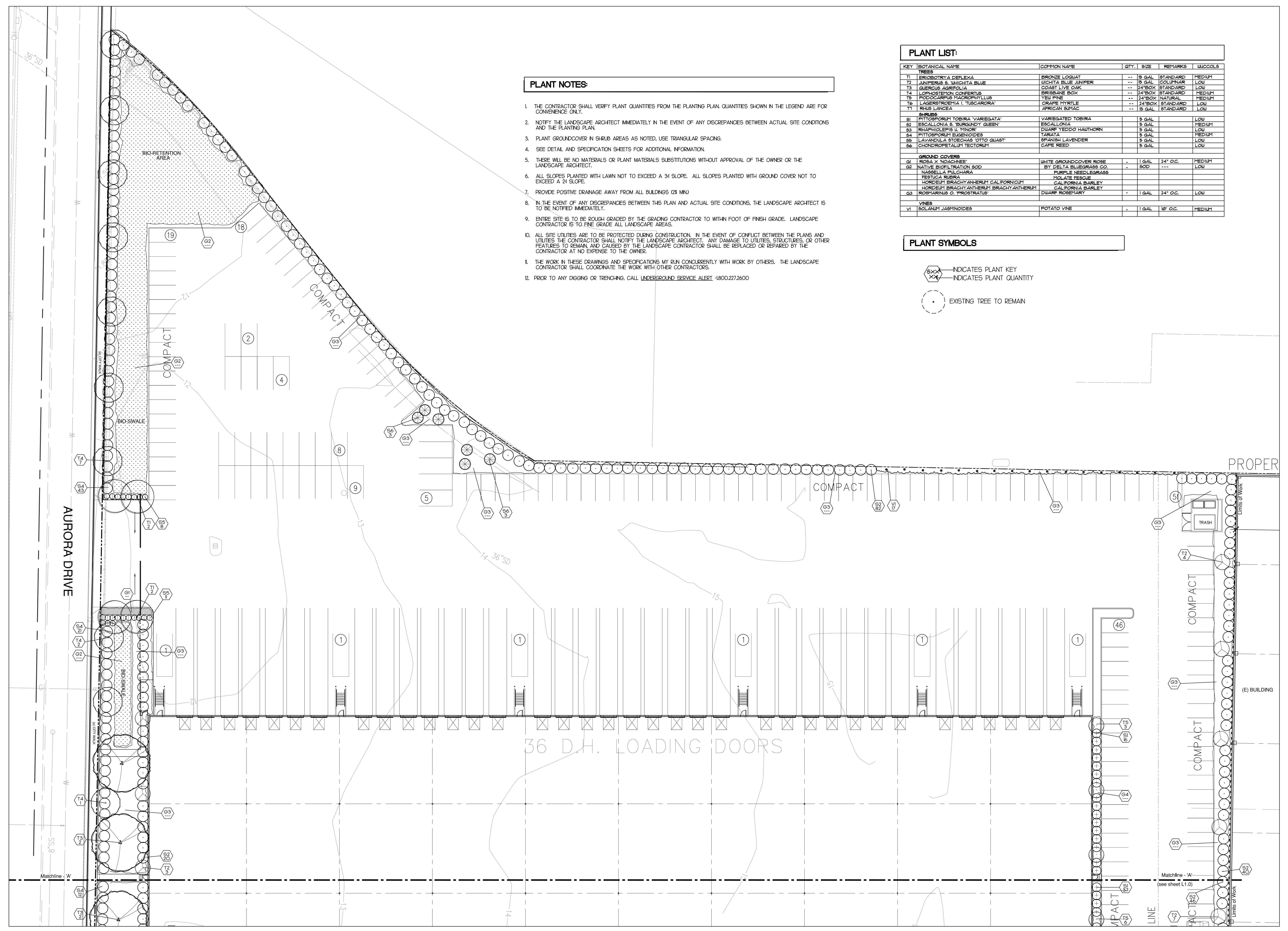
| KEY | BOTANICAL NAME | COMMON NAME | QTY. | SIZE | REMARKS | WUCCOLS |
|----------------------|---------------------------------------|------------------------|------|--------|-----------|---------|
| TREES | | | | | | |
| T1 | ERICACEAE DEFLIXA | BRONZE LIGUAT | -- | 18 GAL | STANDARD | MEDIUM |
| T2 | JUNIFERUS & WIGHTIA BLUE | WIGHTIA BLUE JUNIFER | -- | 18 GAL | GOLDFINCH | LOW |
| T3 | QUERCUS AGRIFOLIA | COAST LIVE OAK | -- | 24"BOX | STANDARD | LOW |
| T4 | LOPHOSTEMON CONFERTUS | BREBANE BOX | -- | 24"BOX | STANDARD | MEDIUM |
| T5 | PODOCARPUS HICKORYLLOIDES | YEU FINE | -- | 24"BOX | NATURAL | MEDIUM |
| T6 | LAGERSTRÖMIA I. TULZARONA | CHAMP HYRTLE | -- | 24"BOX | STANDARD | LOW |
| T7 | RHUS LANCEA | AFRICAN SUPAC | -- | 18 GAL | STANDARD | LOW |
| SHRUBS | | | | | | |
| S1 | FITTOPHORUM TOBIRA 'VARIEGATA' | VAREGATED TOBIRA | 5 | 5 GAL | | LOW |
| S2 | ESCALONIA S. 'BURSANDY QUEEN' | ESCALONIA | 5 | 5 GAL | | MEDIUM |
| S3 | RHAMNOLIPS U. THORNI | DWARF YEDDO Hawthorn | 5 | 5 GAL | | LOW |
| S4 | FITTOPHORUM EUGENIODES | TARATA | 5 | 5 GAL | | MEDIUM |
| S5 | LAVANDULA STOECHAS 'OTTO QUAST' | SPANISH LAVENDER | 5 | 5 GAL | | LOW |
| S6 | CHONDROPETALUM TECTORUM | CAPE REED | 5 | 5 GAL | | LOW |
| GROUND COVERS | | | | | | |
| G1 | ROSA X MOGONNEE | WHITE GROUNDCOVER ROSE | 1 | 1 GAL | 24" O.C. | MEDIUM |
| G2 | NATIVE BIOPLETATION SOD | BY DELTA BLUEGRASS CO. | - | 80D | --- | LOW |
| | NASSELLA PULCHRA | PURPLE NEEDLEGRASS | - | | | |
| | FESTUCA RUBRA | RED FESCUE | - | | | |
| | HORDEUM BRACHYANTHERUM CALIFORNICUM | CALIFORNIA BARLEY | - | | | |
| | HORDEUM BRACHYANTHERUM BRACHYANTHERUM | CALIFORNIA BARLEY | - | | | |
| G3 | ROSTARIUM O. PROSTRATUM | DWARF ROSEMARY | 1 | 1 GAL | 24" O.C. | LOW |
| VINES | | | | | | |
| V1 | SOLANUM JASMINOIDES | POTATO VINE | 1 | 1 GAL | 18" O.C. | MEDIUM |

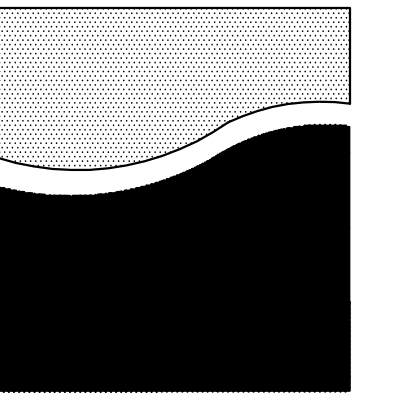
PLANT SYMBOLS

- INDICATES PLANT KEY
- INDICATES PLANT QUANTITY
- EXISTING TREE TO REMAIN

PLANT NOTES:

1. THE CONTRACTOR SHALL VERIFY PLANT QUANTITIES FROM THE PLANTING PLAN. QUANTITIES SHOWN IN THE LEGEND ARE FOR CONVENIENCE ONLY.
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12. PRIOR TO ANY DIGGING OR TRENCHING, CALL UNDERGROUND SERVICE ALERT -1800.227.2600





REED ASSOCIATES
 LANDSCAPE ARCHITECTURE
 477 SOUTH TAIFFE STREET
 SUNNYVALE, CALIFORNIA 94086
 408.451.9020 / 408.451.9022 FAX
 www.reed.net / email: info@reed.net
 "Bay Friendly Certified"

Project Name and Site Address:

1717 DOOLITTLE DR.
 SAN LEANDRO, CA 94577

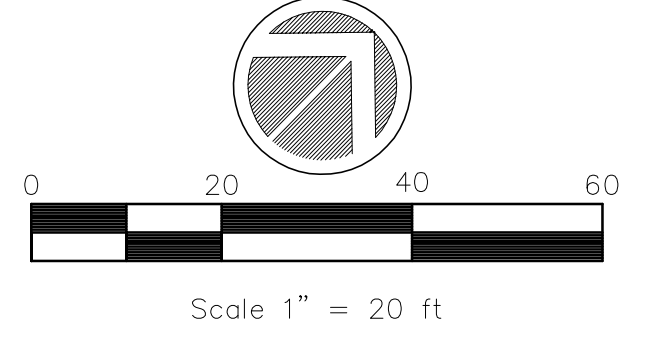
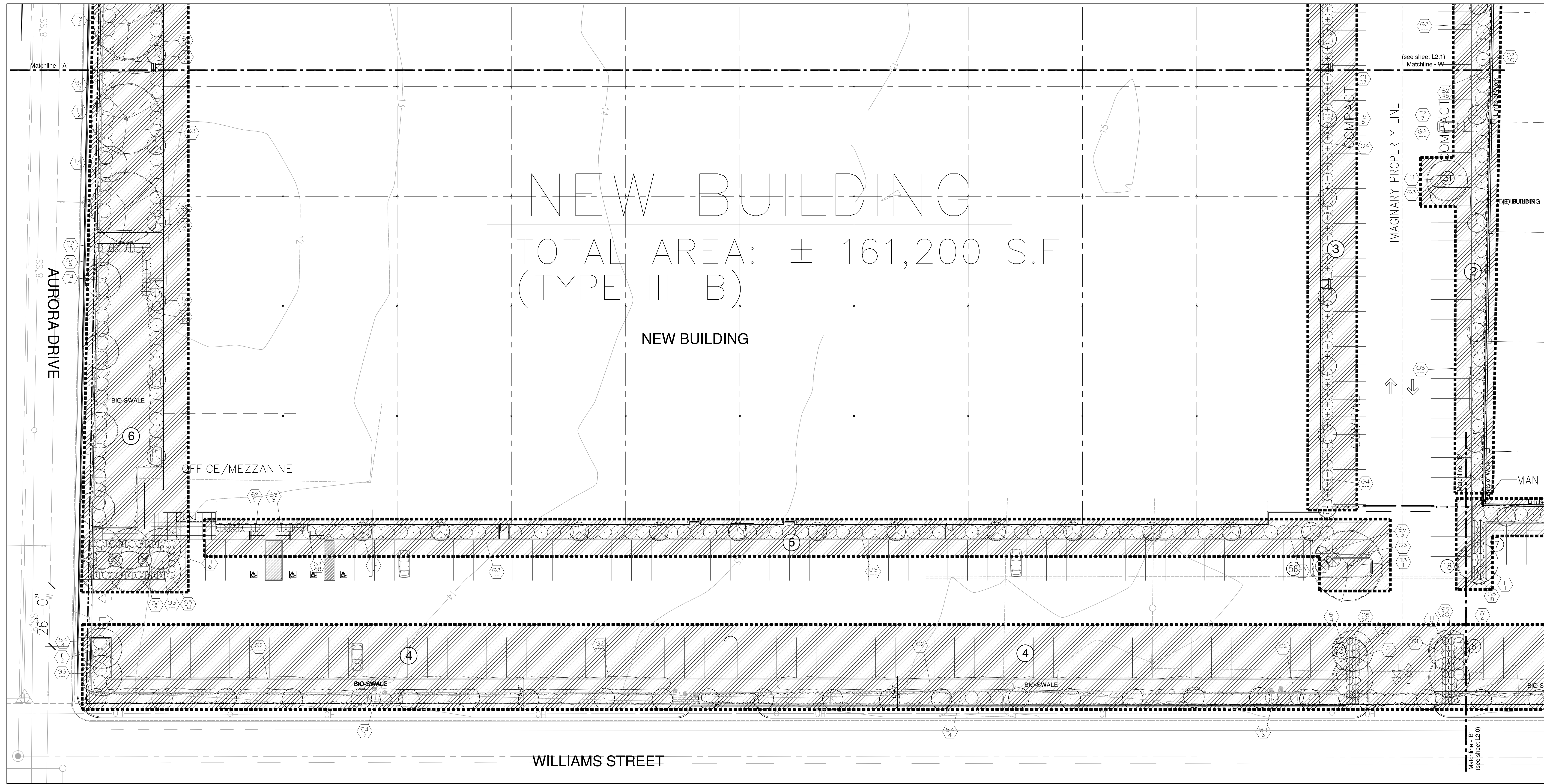
Developer:
 D/C 1717 DOOLITTLE SUB, LLC

COMSTOCK REALTY
 PARTNERS, LLC

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PLN2014-00028
 EXHIBIT Q
 November 6, 2014



IRRIGATION HYDRO-ZONE LEGEND

PLANTS ARE GROUP TO HAVE MATCHING WATER REQUIREMENTS AND MICRO-CLIMATE CHARACTERISTICS.

- HIGH WATER REQUIREMENT
- MEDIUM WATER REQUIREMENT
- LOW WATER REQUIREMENT (DROUGHT TOLERANT PLANTING)

MAWA

$$MAWA = (ET_o) \times (\phi_{62}) \times ((\phi_{71} \times LA) + (\phi_{3} \times SLA))$$

MAWA = 851,385 gallons/year
 eto = 45.3

| hydro-zone | plant water use | hydro-zone area | ETWU |
|------------|-----------------|-----------------|---------|
| 1 | medium | 13,529 | 265,983 |
| 2 | medium | 4,933 | 96,984 |
| 3 | medium | 1,416 | 27,839 |
| 4 | medium | 7,363 | 144,758 |
| 5 | medium | 5,003 | 98,360 |
| 6 | medium | 11,061 | 217,461 |

total (existing and new landscape) 43,305 851,385

ETWU

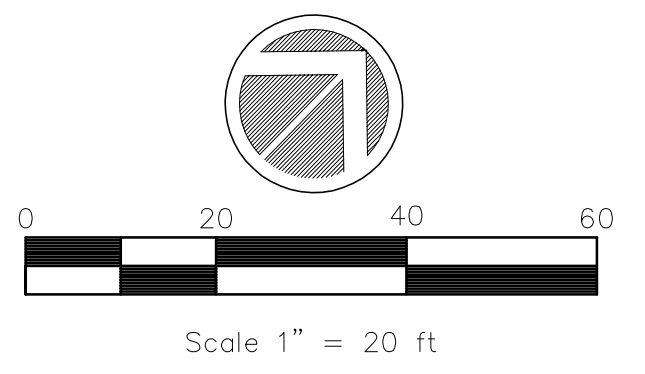
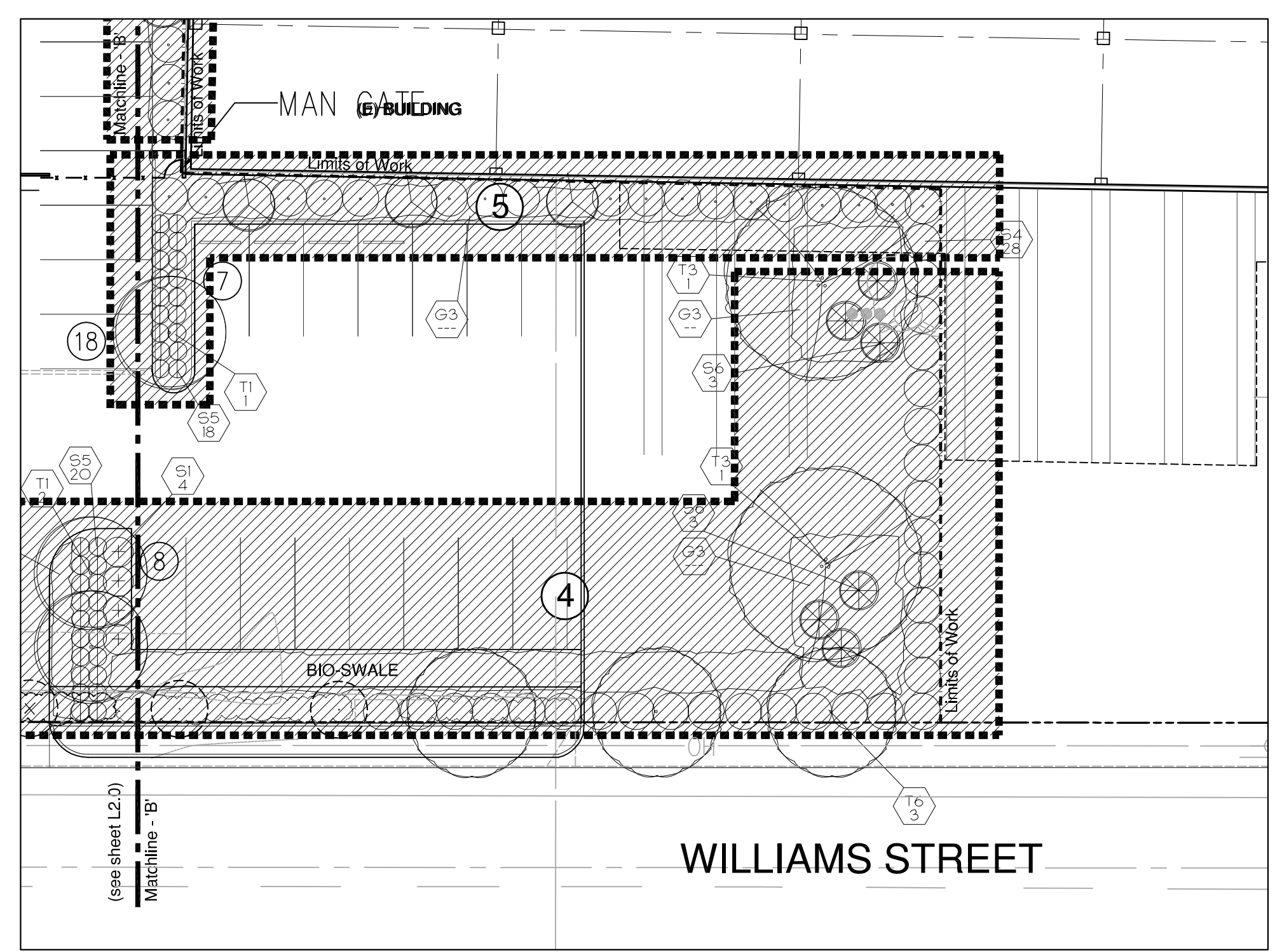
ESTIMATED WATER USE (ETWU)

$$ETWU = (ET_o) \times (\phi_{62}) \times \left(\frac{PE \times HA}{IE} + SLA \right)$$

ETWU = 715,450 gallons/year
 eto = 45.3

| hydro-zone | plant water use | plant factor | hydro-zone area | PFxHA | irrigation efficiency | ETWU |
|------------|-----------------|--------------|-----------------|-------|-----------------------|---------|
| 1 | medium | 0.5 | 13,529 | 6,765 | 0.85 | 223,515 |
| 2 | medium | 0.5 | 4,933 | 2,467 | 0.85 | 81,499 |
| 3 | medium | 0.5 | 1,416 | 708 | 0.85 | 23,394 |
| 4 | medium | 0.5 | 7,363 | 3,682 | 0.85 | 121,645 |
| 5 | medium | 0.5 | 5,003 | 2,502 | 0.85 | 82,655 |
| 6 | medium | 0.5 | 11,061 | 5,531 | 0.85 | 182,741 |

average IE 0.85
 total (new and existing landscape) 43,305 21,653 715,450

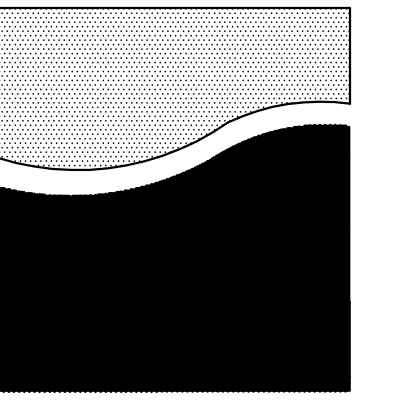


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Approved: **PJR**
 Drawn: **JH/DS** Reviewed: **PJR**
 Project No. 14.42
 Scale 1"=20' Issue Date 10/16/14

LANDSCAPE HYDRO-ZONE PLAN

L2.0



REED ASSOCIATES
LANDSCAPE ARCHITECTURE
477 SOUTH TAFFER STREET
SUNNYVALE, CALIFORNIA 94086
415.481.9322 FAX 415.481.9322 FAX
www.reedassoc.com email: paul@reed.com
"Bay Friendly Certified"

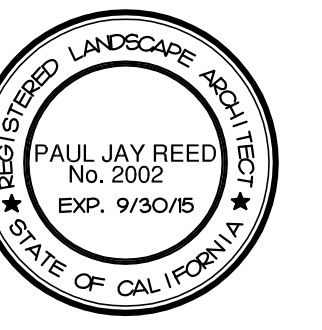
Project Name and Site Address:

1717 DOOLITTLE DR.
SAN LEANDRO, CA 94577

Developer:
D/C 1717 DOOLITTLE SUB, LLC

COMSTOCK REALTY
PARTNERS, LLC

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PLN2014-00028
EXHIBIT R
November 6, 2014

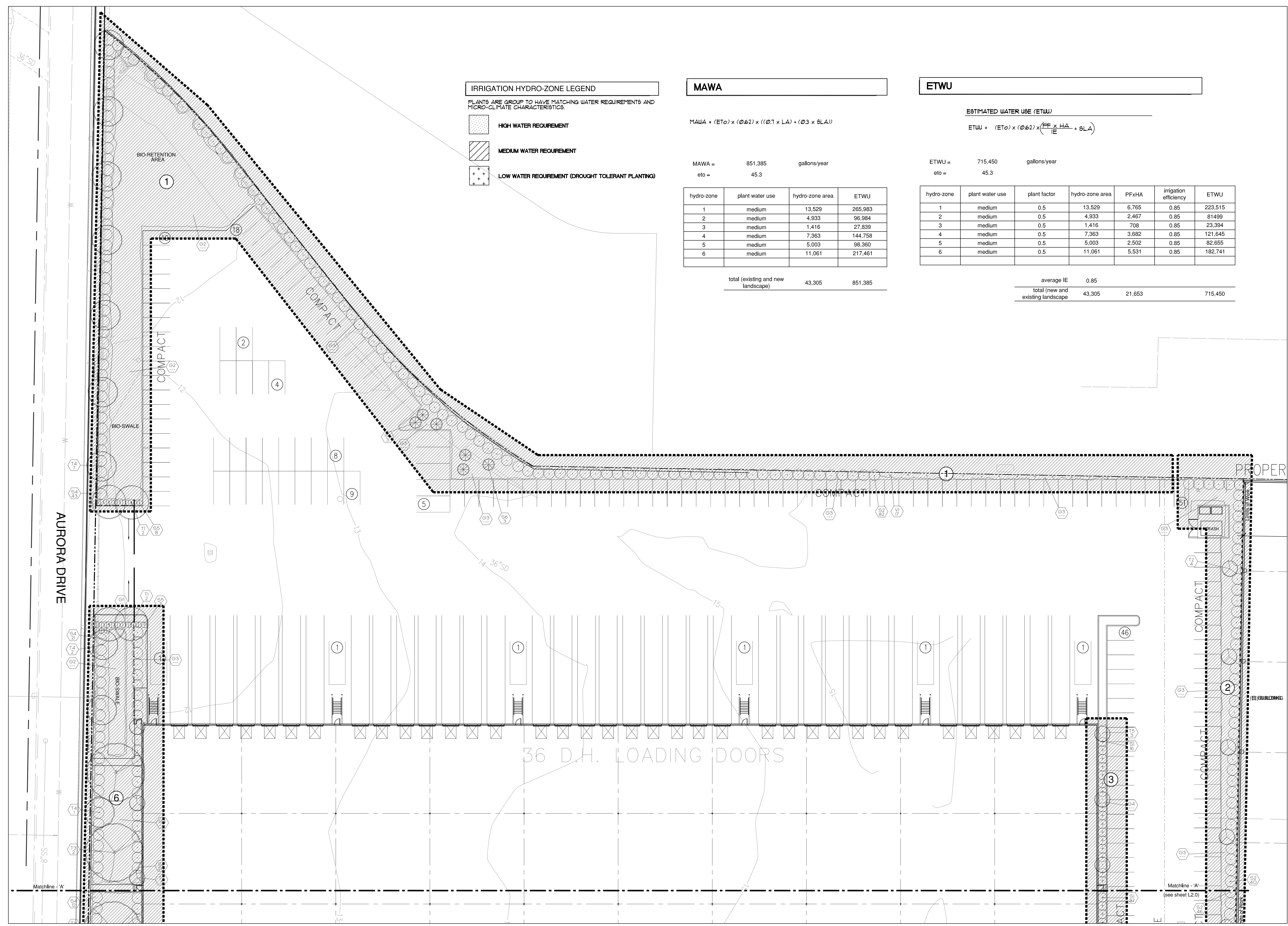
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Approved: PJR
Drawn: JH/DS Reviewed: PJR
Project No. 14.42
Scale 1"=20' Issue Date 10/16/14

LANDSCAPE
HYDRO-ZONE PLAN

L2.1

Sheet of



IRRIGATION HYDRO-ZONE LEGEND
PLANTS ARE GROUP TO HAVE MATCHING WATER REQUIREMENTS AND MICRO-CLIMATE CHARACTERISTICS.

- HIGH WATER REQUIREMENT
- MEDIUM WATER REQUIREMENT
- LOW WATER REQUIREMENT (DROUGHT TOLERANT PLANTING)

MAWA

$$MAWA = (ET_o) \times (\phi E) \times ((0.7 \times LA) + (0.3 \times SLA))$$

MAWA = 851,385 gallons/year
eto = 45.3

| hydro-zone | plant water use | hydro-zone area | ETWU |
|------------|-----------------|-----------------|---------|
| 1 | medium | 13,529 | 265,983 |
| 2 | medium | 4,933 | 96,984 |
| 3 | medium | 1,416 | 27,839 |
| 4 | medium | 7,363 | 144,758 |
| 5 | medium | 5,003 | 98,360 |
| 6 | medium | 11,061 | 217,461 |

total (existing and new landscape) 43,305 851,385

ETWU

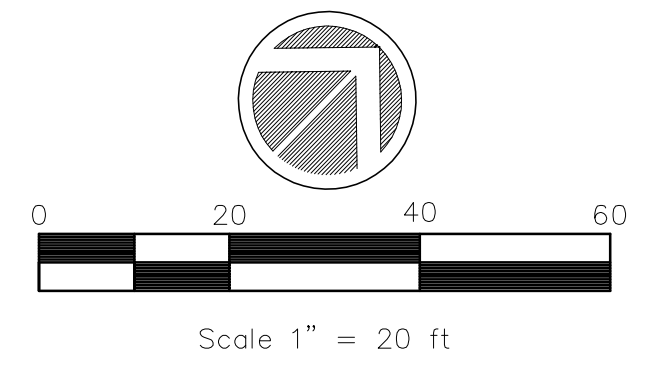
ESTIMATED WATER USE (ETWU)

$$ETWU = (ET_o) \times (\phi E) \times \left(\frac{PF \times HA}{IE} + SLA \right)$$

ETWU = 715,450 gallons/year
eto = 45.3

| hydro-zone | plant water use | plant factor | hydro-zone area | PFxHA | irrigation efficiency | ETWU |
|------------|-----------------|--------------|-----------------|-------|-----------------------|---------|
| 1 | medium | 0.5 | 13,529 | 6,765 | 0.85 | 223,515 |
| 2 | medium | 0.5 | 4,933 | 2,467 | 0.85 | 81,499 |
| 3 | medium | 0.5 | 1,416 | 708 | 0.85 | 23,394 |
| 4 | medium | 0.5 | 7,363 | 3,682 | 0.85 | 121,645 |
| 5 | medium | 0.5 | 5,003 | 2,502 | 0.85 | 82,655 |
| 6 | medium | 0.5 | 11,061 | 5,531 | 0.85 | 182,741 |

average IE 0.85
total (new and existing landscape) 43,305 21,653 715,450





1717 Doolittle Drive; view east on Williams Street showing outdoor yard to the left and residences to the right of the photograph.
PLN0214-00028

AURORA DRIVE

PLN2014-00028



**NORTHWESTERN CORNER
OF 1717 DOOLITTLE
PLN2014-00028**

A photograph of a parking lot with several cars parked behind a chain-link fence. The text "AURORA DRIVE" is overlaid on the image. The scene includes a paved road in the foreground, a chain-link fence, and a parking lot with several cars. In the background, there are industrial buildings, a large white tank, and a clear blue sky with some light clouds. A large tree is visible on the right side of the image.

AURORA DRIVE

PLN2014-00028



City of San Leandro

Meeting Date: April 20, 2015

Resolution - Council

File Number: 15-220

Agenda Section: PUBLIC HEARINGS

Agenda Number:

TO: City Council

FROM: Chris Zapata
City Manager

BY: Cynthia Battenberg
Community Development Director

FINANCE REVIEW: Not Applicable

TITLE: RESOLUTION to Deny an Appeal, APL15-0001, by Comstock Realty Partners, Inc. (Appellant appeals the Board of Zoning Adjustments Site Plan Review Approval Imposing Fees for Development Fee for Street Improvements and Underground Utilities Conversion Fee, PLN2014-00028)

WHEREAS, Comstock Realty Partners, Inc. (the "Applicant") submitted an application to construct a new 161,200 square foot warehouse building on 1717 Doolittle Drive (PLN2014-00028) ("Project"). The Project includes loading docks, administrative offices and related landscaping and off-street parking; and

WHEREAS, the proposed Project site is zoned IG Industrial General and fronts on the northwest corner of Doolittle Drive and Williams Street, extending to Aurora Drive to the west. It comprises approximately 19 acres and is already developed with a two-story 421,500 square foot office and warehouse building. The area proposed for the new development is at the rear westerly portion of the property and accessible from the Aurora Drive frontage; and

WHEREAS, the purpose of a Site Plan Review is to assure that new development complies with applicable City development standards and that older sites are upgraded when land uses are expanded or intensified (Zoning Code Article 25 Site Plan Approval); and

WHEREAS, given the size and scope of the development project and its proximity to a residential neighborhood, the Zoning Enforcement Official referred the Site Plan Review application to the Board of Zoning Adjustments for review and action (Zoning Code Section 5-2506 B.); and

WHEREAS, after this matter was originally scheduled on the November 6, 2014 Board of Zoning Adjustments' meeting agenda, the applicant requested that the meeting be postponed to have additional time to study the required fees and expenses of the proposed project; and

WHEREAS, after having time to assess costs and expenses, the applicant requested

that the matter be re-noticed to the Board of Zoning Adjustments for its consideration; and

WHEREAS, a noticed Public Hearing regarding the proposed Project was scheduled on February 5, 2015 as requested by the applicant; and

WHEREAS, the Board of Zoning Adjustments convened on February 5, 2015 to conduct the Public Hearing; and

WHEREAS, the project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines, Article 5, Section 15061 (b)(3) where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and

WHEREAS, the Board of Zoning Adjustments reviewed a staff report that reflects the City's independent judgment and analysis of the potential impacts from the Project; and

WHEREAS, the Board of Zoning Adjustments, after closing the public hearing, approved the proposed development proposal; and

WHEREAS, the Board of Zoning Adjustments desired to uphold General Plan Policy 44.05 Street Beautification - Upgrade the City's commercial thoroughfares by building upon their existing strengths and improving their aesthetic qualities. The City should implement programs to underground utilities, abate weeds and graffiti, eliminate litter, improve buffers to adjacent residential uses, prohibit excessive or out-of-scale signage, remove billboards, and provide streetscape amenities and landscaping along these thoroughfares; and

WHEREAS, the Board of Zoning Adjustments desired to uphold General Plan Policy 52.01 Development Impacts - Permit new development only when infrastructure and utilities can be provided to that development without diminishing the quality of service provided to the rest of the City; and

WHEREAS, the Board of Zoning Adjustments desired to uphold General Plan Policy 52.02 Fair Share Costs - Require future development to pay its fair share of the cost of improving the water, sewer, drainage, and other infrastructure systems needed to serve that development; and

WHEREAS, the Board of Zoning Adjustments approved the Site Plan Review subject to Conditions of Approval that included payment of \$329,487 in Development Fees for Street Improvements per Title 8, Chapter 10 of the City of San Leandro Administrative Code and Title 7, Chapter 11 of the City of San Leandro Municipal Code, and

WHEREAS, the Board of Zoning Adjustments approved the Site Plan Review subject to Conditions of Approval that included payment of \$264,880 for Undergrounding Utilities Conversion Fees per Title 5, Chapter 3 of the City of San Leandro Municipal Code; and

WHEREAS, the Board of Zoning Adjustments approval is final but can be appealed to the City Council within 15 calendars days of the Board of Zoning Adjustments action; and

WHEREAS, Comstock Realty Partners, Inc. filed a timely appeal, APL15-0001, with the

City Clerk's Office on February 20, 2015; and

WHEREAS, the matter of the appeal was scheduled and noticed for the April 20, 2015 City Council meeting; and

WHEREAS, the Project requires a Site Plan Review Approval, pursuant to 5-2512 of the Zoning Code, and it did satisfy all the requisite standards as further explained in the findings of fact as further set forth in Exhibit 1 associated with this resolution; and

WHEREAS, the City's General Plan and the Zoning Code, are incorporated herein by reference, and are available for review at City Hall during normal business hours.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

Section 1. Findings for the Site Plan Review. Based on the entirety of the record, as described above, and after a public hearing, the City Council finds and determines that the required impact fees described herein are in accord with the objectives of the Zoning Code; are consistent with the City of San Leandro General Plan; and the City Council denies the appeal and affirms the Board of Zoning Adjustments approval of the Site Plan Review, PLN2014-00028, subject to the conditions of approval.

Exhibit 1

FINDINGS OF FACT FOR APPROVAL

PLN2014-00028
1717 Doolittle Drive

A. Comstock, Comstock Realty Partners, Inc. (Applicant and Property Owner)

The Board of Zoning Adjustments hereby approves PLN2014-00028, subject to the following findings:

SITE PLAN REVIEW

- 1. Site plan elements (such as but not limited to: building placement, yard setbacks, size and location of landscape areas, parking facilities and placement of service areas) are in compliance with the minimum requirements of this code, and are arranged as to achieve the intent of such requirements by providing a harmonious and orderly development that is compatible with its surroundings. Parking, loading, storage and service areas are appropriately screened by building placement, orientation walls and/or landscaping.**

The layout of the proposed 161,200 square foot building shown on the site plan is in conformance with the underlying IG Industrial General District. The proposed setbacks, landscaped areas, vehicle circulation and parking, are in conformance with the Zoning Code. The placement of the building, driveways, and parking areas provide for a harmonious and orderly development that maintains an expansive setback from the Williams Street frontage.

The area to the north of the building would be exclusively used for accessing the warehouse building by tractor trucks and includes 36 dock high loading doors for trailers. Truck access to and from the new building is proposed to be via Doolittle Drive, Polvorosa Avenue, and Aurora Drive.

The site planning and the architecture place the truck loading docks and business activity on the north side of the building, away from the residences. Furthermore the height of the building will obstruct and prevent any truck noise or business activity from affecting the residences across the street to the south.

- 2. The building has adequate articulation, with appropriate window placement, use of detailing and/or changes in building planes to provide visual interest. The exterior materials, finishes, detailing and colors are compatible with those of surrounding structures. Visually incompatible elements, such as roof mounted utilities, are fully screened from public view.**

The building design is well articulated. The prominent south elevation that faces Williams Street will be appointed with various features that lessen its expansive appearance. The use of the banded three color scheme, the clerestory windows and the

vertical architectural features at the corners and the middle of the building with increased windows mitigates the expansive look. The design is a geometric and modern design that blends in with the existing two-story building, especially along Williams Street. All roof-mounted equipment has been conditioned to be screened if the parapet is not adequate.

- 3. The landscaping complements the architectural design, with an appropriate balance of trees, shrubs and living ground covers, and provides adequate screening and shading of parking lots and/or driveways.**

The existing landscaped planters along the Doolittle Drive frontage and the Williams Street frontage will be retained. The Williams Street landscaped setback already contains mature shrubs and street trees which will be supplemented with more depth and ground cover to serve as bioswale which aids in filtering storm water before leaving the site. The Aurora Drive frontage and the northwestern corner of the site will receive new landscaped setbacks and bioswales. The west elevation facing Aurora Drive will be located behind the 28-foot, eight-inch landscaped setback which will include broadleaf evergreen trees with large canopies e.g., Coast Live Oak, Brisbane Box. In addition, the new landscaped areas equal comprise 40,648 square feet which equals 11 percent of the site area that will be developed. Without counting the existing landscaped areas along Doolittle Drive, the new landscaped areas meet the minimum requirement of five percent of the overall site area of approximately 19 acres.

- 4. Detail features, such as signs, fences and lighting for buildings, parking lots and/or driveways are visually consistent with the architectural and landscape design, and minimize off-site glare.**

Signage has been conditioned for good aesthetics and high quality in appearance, which includes individual letters for wall signs, external illumination if they are to be lighted, and low-profile monument signs for free standing signs that are to match or blend in with the new architecture of the building. On-site exterior lighting has been conditioned to review their location, height, decorative features, and construction details. No site lighting will be permitted to spill offsite. The design and materials used for the trash enclosure will be required to be blend in and be compatible with the proposed new building.

CEQA ENVIRONMENTAL REVIEW

This item is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines, Article 5, Section 15061 (b)(3) where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA..