

#### City of San Leandro

Meeting Date: June 18, 2018

**Staff Report** 

File Number: 18-289 Agenda Section: CONSENT CALENDAR

Agenda Number: 8.C.

TO: City Council

FROM: Chris Zapata

City Manager

BY: Tom Liao

Community Development Director

FINANCE REVIEW: Not Applicable

TITLE: Staff Report for APL18-0002, Appeal of the Decision of the Board of Zoning

Adjustments to deny a conditional use permit for warehouse-storage facilities and warehouse-wholesale/retail distribution facilities uses for PLN17-0020, for Alvarado Commerce Center, a new 159,450 square foot industrial building at 2756 Alvarado Street. Zoning District: Industrial General (IG); Alameda County Assessor's Parcel Number 77B-800-14; Paceline Investors (Applicant) and IPT Alvarado Commerce Center LP (Property Owner) (collectively the "Appellants").

#### **SUMMARY AND RECOMMENDATIONS**

The Appellants, Paceline Investors and IPT Alvarado Commerce Center LP, filed an appeal of the Board of Zoning Adjustments' (BZA) March 1, 2018 decision to deny a Conditional Use Permit for warehouse-storage facilities and warehouse-wholesale/retail distribution facilities uses for PLN17-0020 (Project), involving construction of a new 159,450 square foot industrial shell building. The Appellants submitted an appeal of the BZA decision to deny a Conditional Use Permit for warehouse storage and warehouse distribution uses.

The City Council held a public hearing regarding the appeal on May 7, 2018. At the public hearing, the City Council considered the appeal, the appellant's statement, staff report, public comments, and all other testimony and evidence presented. Following deliberation, the City Council voted 4-3 to grant the Appellants' request on appeal for a Conditional Use Permit for warehouse-storage facilities and warehouse-wholesale/retail distribution facilities and directed staff to draft a revised resolution, findings of fact and conditions of approval to support the Appellants' request and City Council action.

In accord with the City Council's decision and direction, staff has prepared a resolution with findings of fact to approve Conditional Use Permit PLN18-0020 subject to the recommended conditions of approval. The following conditions have been added as directed by the City Council:

Warehouse-Storage Facilities and Warehouse-Wholesale/Retail Distribution Facilities shall be

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prohibited until 12 months have expired following issuance of a Certificate of Occupancy. After the 12 month period concludes, the Conditional Use Permit grants the use of Warehouse-Storage Facilities and Warehouse-Wholesale/Retail Distribution Facilities on the subject property, as defined by the City of San Leandro Zoning Code. Any other conditionally permitted uses shall require approval of an amended Conditional Use Permit, as identified in the San Leandro Zoning Code.

Tenant leases shall contain provisions requiring tenant trucks to adhere to driving on designated truck routes pursuant to San Leandro Municipal Code Chapter 6-7, as may be amended from time to time.

Applicant proposed conditions unrelated to land use and land use entitlements such as: 1) assisting Mr. Plastics with relocation; 2) providing a grant to the City for traffic controls and/or signage; 3) partnering with local labor; and 4) quarterly meetings during the initial 12-month period with staff, have not been included in the final conditions of approval. The City expects appellants will honor these four commitments that they presented during the public hearing at the May 7, 2018 City Council meeting.

#### **BACKGROUND**

Information regarding the project background and proposal can be found in the May 7, 2018 City Council Staff Report.

#### **Environmental Review**

The BZA adopted an Initial Study-Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project on March 1, 2018. A Notice of Determination was filed with the Alameda County Recorder's Office on March 6, 2018, prior to the filing of this Appeal.

#### **Board/Commission Review and Actions**

The BZA reviewed the Project at its regular meeting held on March 1, 2018. During the meeting, staff presented the Project to the BZA. The applicant also made a presentation to the BZA and sought a blanket Conditional Use Permit for warehouse-storage facilities and warehouse-wholesale/retail distribution facilities as permitted uses. The applicant requested that the BZA modify Condition of Approval II.B for a blanket Conditional Use Permit. No persons spoke during public comments. At the conclusion of the public hearing, the BZA approved the Project with no changes to Condition of Approval II.B by a 7-0 decision.

#### **Summary of Public Outreach Efforts**

The City Council appeal hearing on May 7, 2018 was noticed in the same manner as the prior BZA public hearings held on December 7, 2017 and March 1, 2018, including a legal advertisement in the <u>East Bay Times - Daily Review</u> newspaper, the posting of placards on the subject property, and mailing notifications to property owners and businesses within a 500-foot radius of the subject property.

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#### Fiscal Impacts

The Appellants paid a deposit and filing fee to reimburse the cost of processing of this appeal. There are no fiscal impacts associated with this decision.

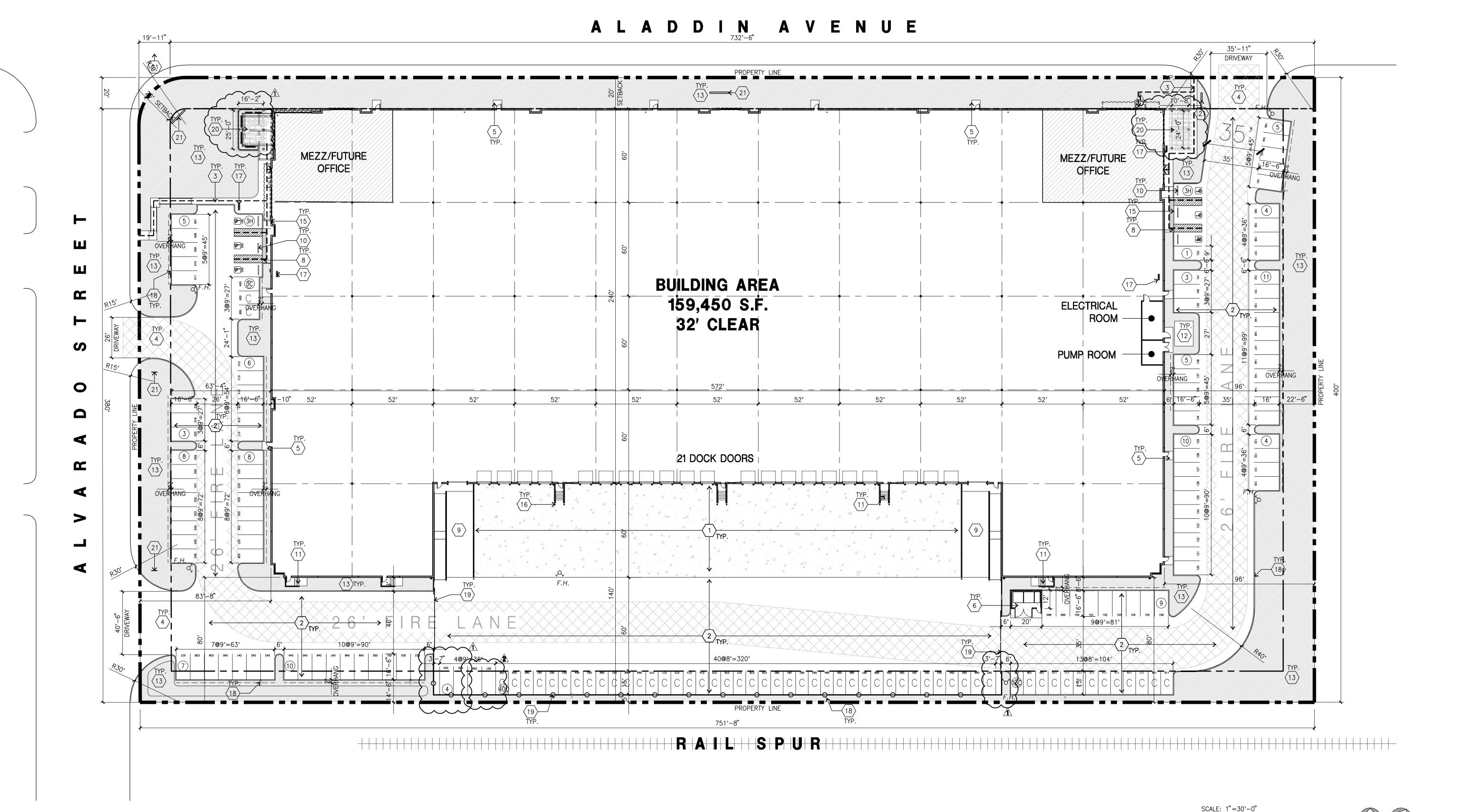
#### **ATTACHMENTS**

- Exhibit A Site Plan (DAB-A1.1)
- Exhibit B Floor Plans (DAB-A2.1)
- Exhibit C Roof Plan (DAB-A2.10)
- Exhibit D Elevations (DAB-A3.1)
- Exhibit E Details (DAB-A4.1)
- Exhibit F Colored Elevations & Material Board
- Exhibit G Perspective 1
- Exhibit H Perspective 2
- Exhibit I West Elevation
- Exhibit J Break Area Design
- Exhibit K North & East & South Elevations With Landscape
- Exhibit L North & East & South Elevations Without Landscape
- Exhibit M Photometric Plan (P-SL-1)
- Exhibit N Topographic Survey (C1)
- Exhibit O Preliminary Grading and Drainage Plan (C2)
- Exhibit P Preliminary Utility Plan (C3)
- Exhibit Q Stormwater Quality Control Plan (C4)
- Exhibit R Conceptual Landscape Plan (LC1.1)
- Exhibit S Sign Program

#### PREPARED BY:

Anjana Mepani, Senior Planner Community Development Department

2970779.1



### **PROJECT INFORMATION**

Owner/Applicant IPT ACQUISITIONS LLC 4675 MACARTHUR COURT, SUITE 625 NEWPORT BEACH, CA 92660

Project Address 2756 ALVARADO STREET

SAN LEANDRO ,CA

PHONE 949-892-4915

**Applicant's Representative** HPA, INC. 383 4TH STREE – STE. 101 OAKLAND, CA 94607 PHONE: (949) 862-2113 FAX: (949) 863-0851

INDUSTRIAL DISTRICT ZONING **Assessors Parcel Number** 

CONTÀCT: JUN LEE

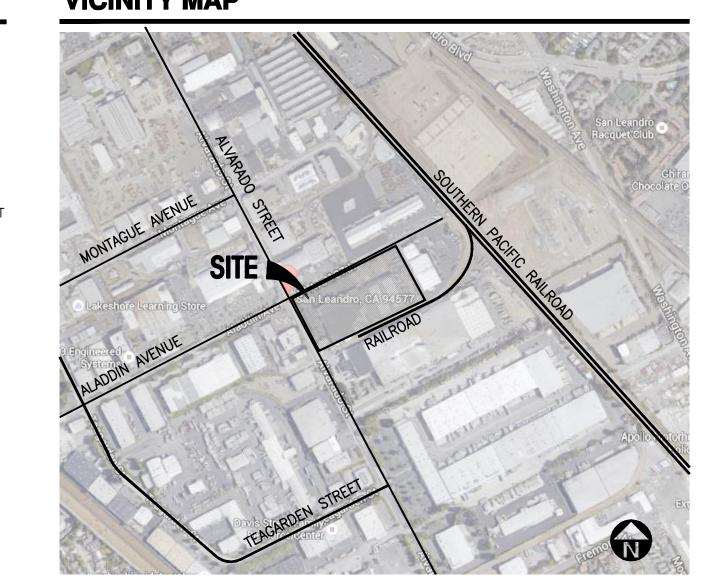
778-880-14

BUILDING OCCUPANCY: S-1/B OFFICE & WAREHOUSE CONSTRUCTION TYPE:

Code Analysis 2013 CALIFORNIA BUILDING CODE 2013 CALIFORNIA PLUMBING CODE

2013 CALIFORNIA MECHANICAL CODE 2013 CALIFORNIA ELECTRICAL CODE 2013 CALIFORNIA FIRE CODE 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE

## **VICINITY MAP**



### **PROJECT DATA**

BUILDING AREA 10,000 s.f. 10,000 s.f. Mezzanine 139,450 s.f. Warehouse 159,450 s.f. COVERAGE
MAXIMUM LOT COVERAGE ALLOWED
AUTO PARKING REQUIRED 1/300 for office 67 stalls 1/1,500 for warehouse 93 stalls TOTAL 160 stalls AUTO PARKING PROVIDED Standard (9' x 18.5') Compact (8' x 15') max 35% Accessible stalls inIcld. 2 van TRAILER PARKING/DOCK DOOR 21 spaces BIKE PARKING PROVIDED
MAXIMUM BUILDING HEIGHT ALLOWED 17 spaces A maximum building height of fifty feet may be approved by the Zoning Enforcement Official MAXIMUM FLOOR AREA RATIO ZONING ORDINANCE FOR CITY Zoning Designation - IG (Industrial General) SETBACK REQUIREMENT ( see site plan for provided setback) Add 1 ft. for every additional 2 ft. in height

10' min plus 10 ft. for add.20 ft. in height = 20'

rear - 0'

## SITE PLAN KEYNOTES

1  $\rangle$  HEAVY BROOM FINISH CONC. PAVEMENT, (2) ASPHALT CONCRETE (AC) PAVING

(3) CONCRETE WALKWAY DRIVEWAY APRONS TO BE CONSTRUCTED PER "L" & "C" DRAWINGS. 3. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, FACE OF CONCRETE CURB OR GRID LINE U.N.O. 5'-6"X5'-6"X4" MIN. THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH.

SLOPE TO BE 1/4": 12" MAX. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY W/ 1:20 MAX. AS REQ. BY CITY INSPECTOR.  $\langle 6 \rangle$  proposed location of trash enclosure per city standard

 $\langle 7 \rangle$  not used

 $\langle 8 \rangle$  TRUNCATED DOME.  $\langle$  9 angle concrete ramp to the building.

10 PRE-CAST CONCRETE WHEEL STOP

(11) EXTERIOR METAL STAIR  $\langle 12 \rangle$  APPROXIMATE LOCATION OF TRANSFORMER.

LANDSCAPE. LANDSCAPE AREAS INDICATED BY SHADED PATTERN. 14> HANDICAPPED ENTRY SIGN

(15) HANDICAPPED PARKING STALL SIGN  $\langle 16 \rangle$  conc. filled guard post 6" dia. u.n.o. 42" h (17) BIKE RACK

(18) EXTERIOR PARKING LIGHT POLE.  $\langle 19 \rangle$  8' HIGH BLACK VINYL COATED CHAIN LINK FENCE & GATE

OUTDOOR BREAK AREA  $\langle 21 \rangle$  PROPOSED LOCATION OF SIGNAGE

## SITE PLAN GENERAL NOTES

1. THE SOILS REPORT PREPARED BY \_\_\_\_\_\_. 2. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR

**OVERALL SITE PLAN** 

4. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES. DETAILS ON SHEET AD.1 ARE MINIMUM STANDARDS. 5. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM, PRIOR TO INSTALLATION & AT LEAST

60 DAYS BEFORE BLDG. COMPLETION AS REQUIRED. 6. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.

7. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.

8. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS.

9. SEE "C"DRAWINGS FOR FINISH GRADE ELEVATIONS.

10. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY W/ 1:20 MAX. SLOPE. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". SEE "L"

11. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.

12. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB

13. APPROVED CONCEPTUAL LANDSCAPE PLAN PRIOR TO GRADING PERMIT

## SITE LEGEND

C STALL 8'-0" X 15' AC. PAVING — SEE "C" DRWGS. FOR THICKNESS

CONCRETE PAVING LIGHT POLE SEE

PHOTOMETRIC PLAN FOR ADD. INFO. PRIVATE FIRE HYDRANT-PLAN FOR ADD. INFO

APPROXIMATE LOCATION SEE CIVL

26' WIDE FIRE LANE

PARKING STALL

ACCESSIBLE AISLE

PARKING STALL

(9' X 18.5')

ACCESSIBLE PARKING STALL (9' X 18)

VAN ACCESSIBLE PARKING STALL, 12'

**√** X 18' + 5' W

- - ACCESSIBLE PATH OF TRAVEL

**OFFICIAL USE ONLY** 

299



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INDUSTRIAL PROPERTY TRUST

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**ALVARADO Commerce Center** 

> 2756 Alvarado Street San Leandro, CA



Overall Site Plan

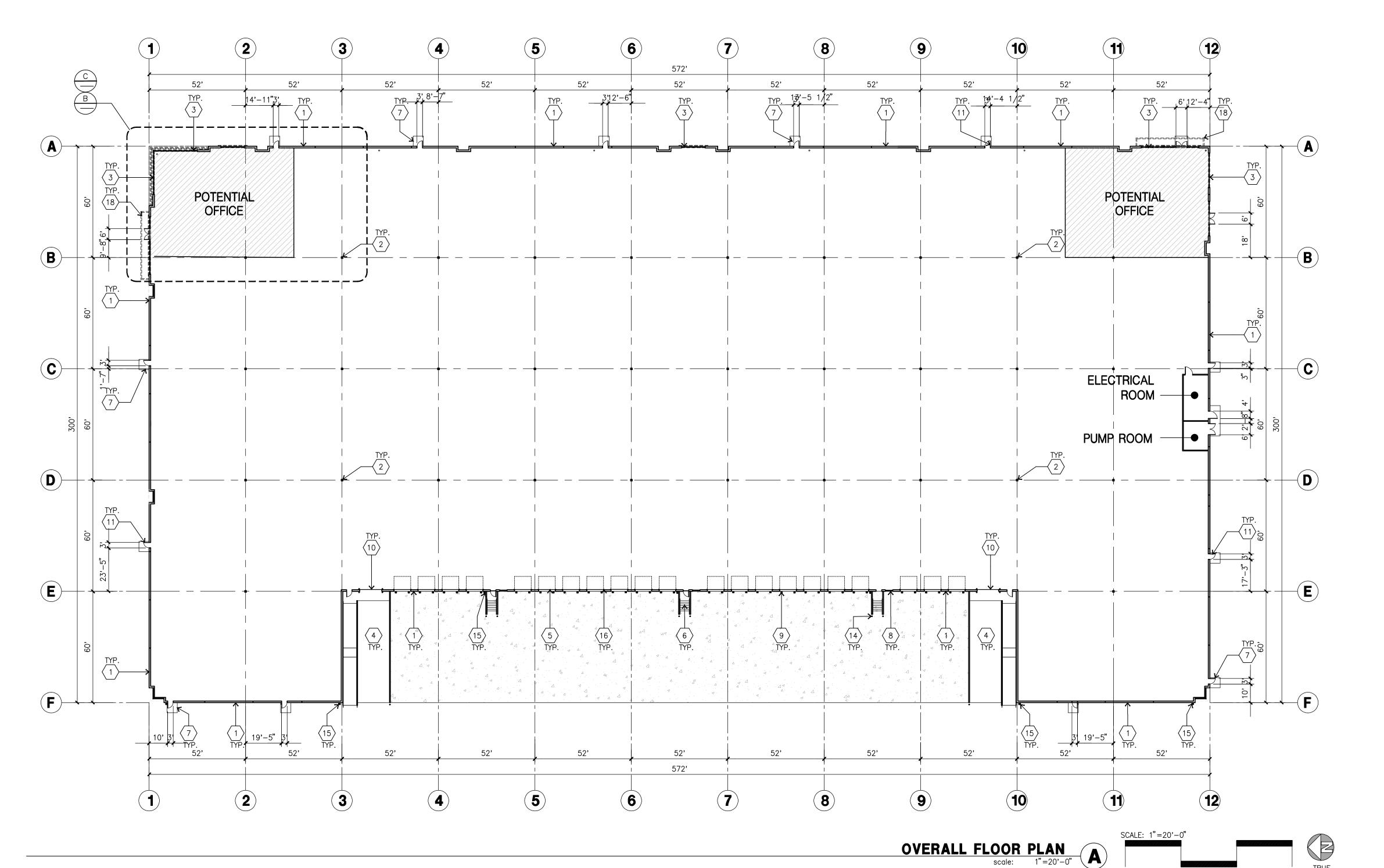
Project Number: Drawn by: 11/1/2017 Date:

Revision: 08/07/2017

08/30/2017

Sheet:

## EXHIBIT B



### **KEYNOTES - FLOOR PLAN**

(1) CONCRETE TILT-UP PANEL.

T CONCRETE TIET-OF PANE

2 STRUCTURAL STEEL COLUMN.

TYPICAL STOREFRONT SYSTEM WITH GLAZING. SEE OFFICE BLOW-UP AND ELEVATIONS FOR SIZE, COLOR AND LOCATIONS.

CONCRETE RAMP W/ 42"HIGH CONC TILT-UP GUARD WALL OR BUILDING WALL ON BOTH SIDE OF RAMP.

5 9'-0" X 10' TRUCK DOOR, SECTIONAL O'H., STANDARD GRADE. DESIGNED TO RESIST WIND 90 MPH., EXPOSURE "C".

6 EXTERIOR CONCRETE STAIR

5'-6"X5'-6"X4" THICK CONCRETE EXTERIOR LANDING PAD TYPICAL AT ALL EXTERIOR MAN DOORS TO LANDSCAPED AREA. FINISH TO BE MEDIUM BLOOM FINISH. SLOPE TO BE 1/4": 12" MAX. PROVIDE WALK TO HARD SURFACE PER CITY REQUIREMENTS.

8 LOUVERED OPENING FOR VENTILATION.

9 DOCK DOOR BUMPER

12' X 14' DRIVE THRU. SECTIONAL OH., STANDARD GRADE. DESIGNED TO RESIST WIND 90 MPH., EXPOSURE "C".

3'X7' HOLLOW METAL EXTERIOR MAN DOOR.

DESIGNED TO RESIST WIND 90 MPH., EXPOSURE "C".

DESIGNED TO RESIST WIN 90 MPH.,  $\langle 12 \rangle$  SOFFIT LINE ABOVE

 $\langle 13 \rangle$  NOT USED

 $\overline{\langle 14 \rangle}$  CONC. FILLED GUARD POST. 6" DIA. U.N.O.. 42"H.

 $\overline{\langle}$  15 EXTERIOR DOWNSPOUT WITH OVERFLOW SCUPPER,

(16) Z GUARD

17 APPROXIMATE LOCATION OF ELECTRICAL ROOM

(18) METAL CANOPY

### **GENERAL NOTES - FLOOR PLAN**

A. THIS BUILDING IS DESIGNED FOR HIGH PILE STORAGE WITH FIRE ACCESS MAN DOORS AT 100' MAXIMUM. A SEPARATE PERMIT WILL BE REQUIRED FOR ANY RACKING/CONVEYER SYSTEMS.

B. FIRE HOSE LOCATIONS SHALL BE APPROVED PER FIRE DEPARTMENT.

C. SEE "C" DRAWINGS FOR FINISH SURFACE ELEVATIONS.

D. WAREHOUSE INTERIOR CONCRETE WALLS ARE PAINTED WHITE. COLUMNS ARE TO RECEIVE PRIMER ONLY. ALL GYP. BD. WALLS IN WAREHOUSE TO RECEIVE 1 COAT OF WHITE TO COVER.

E. SLOPE POUR STRIP 1/2" TO EXTERIOR AT ALL MANDOOR EXITS.

F. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE PANEL WALL, GRIDLINE, OR FACE OF STUD U.N.O.

G. SEE CIVIL DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR TO VERIFY ACTUAL UTILITY LOCATIONS.

PLUMBING/ELECTRICAL COORDINATION.
H. FOR DOOR TYPES AND SIZES.

FLOOR LEVEL TO THE CENTER OF THE SIGN.

I. CONTRACTOR TO PROTECT AND KEEP THE FLOOR SLAB CLEAN. ALL EQUIPMENT

TO BE DIAPERED INCLUDING CARS AND TRUCKS.

J. ALL EXIT MAN DOORS IN WAREHOUSE TO HAVE ILLUMINATED EXIT SIGN.

HARDWARE.

K. HIGHLY FLAMMABLE AND COMBUSTIBLE MATERIAL SHALL NOT BE USED

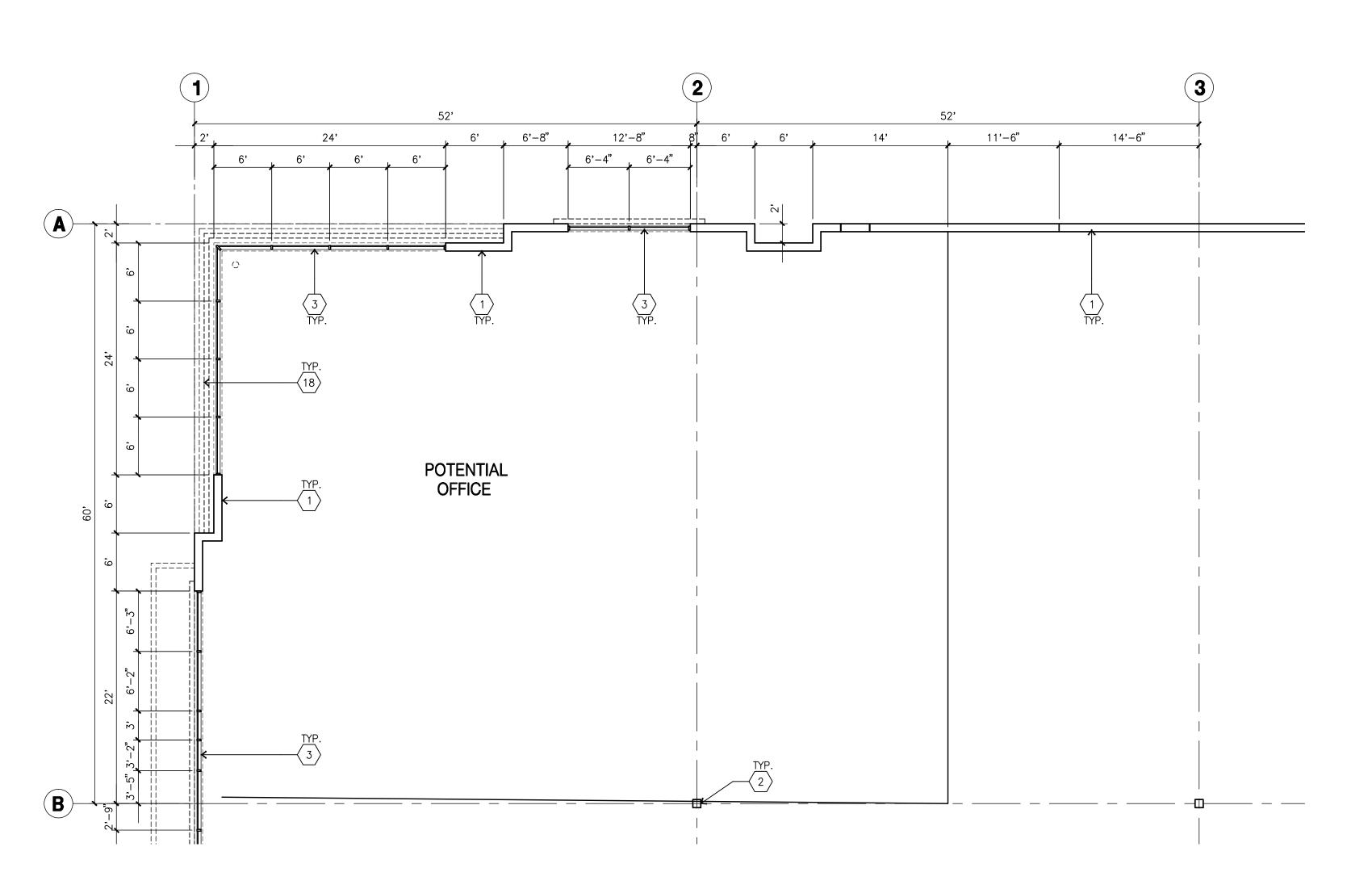
OR STORED IN THIS BUILDING.

L. EACH EXTERIOR EXIT DOOR SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE WORDS "EXIT".

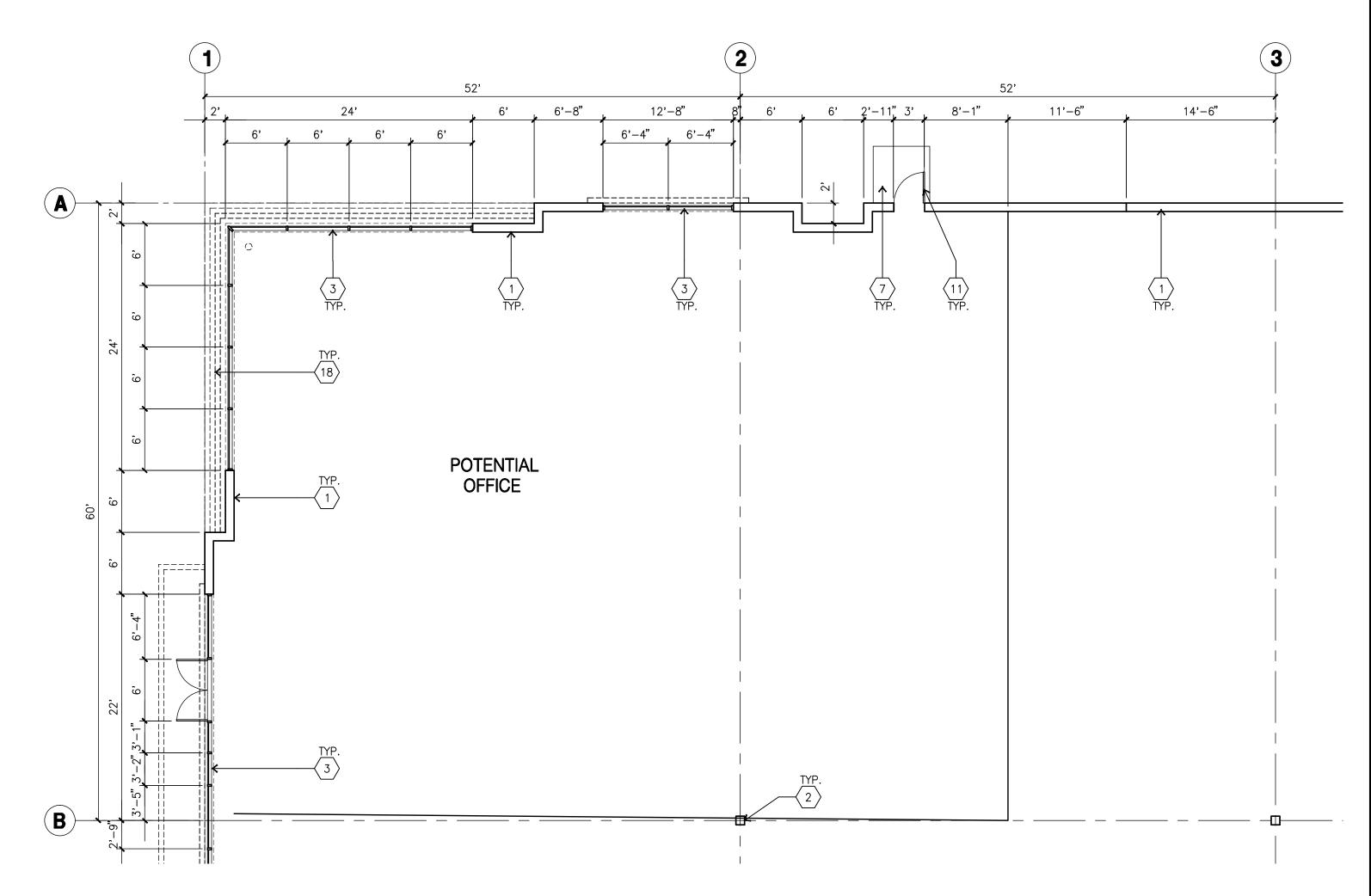
THE MOUNTING HEIGHT FOR SUCH SIGNAGE SHALL BE 60" FROM FINISH

M. NON-ACCESSIBLE DOOR. PROVIDE WARNING SIGN LOCATED IN THE INTERIOR SIDE PER CBC 11B-703.1

N. ALL ROOF MOUNTED MATERIALS SHALL BE FULLY SCREENED FROM PUBLIC VIEW, SEE A4.1 OFFICE SECTION.



ENLARGED FLOOR PLAN @ MEZZANINE scale: 1/8"=1'-0"



ENLARGED FLOOR PLAN @ GROUND FLOOR scale: 1/8"=1'-0"

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Project:

ALVARADO Commerce Center

2756 Alvarado Street San Leandro, CA

Consultants:

CIVIL
STRUCTURAL
MECHANICAL
PLUMBING
ELECTRICAL

Overall Floor Plan

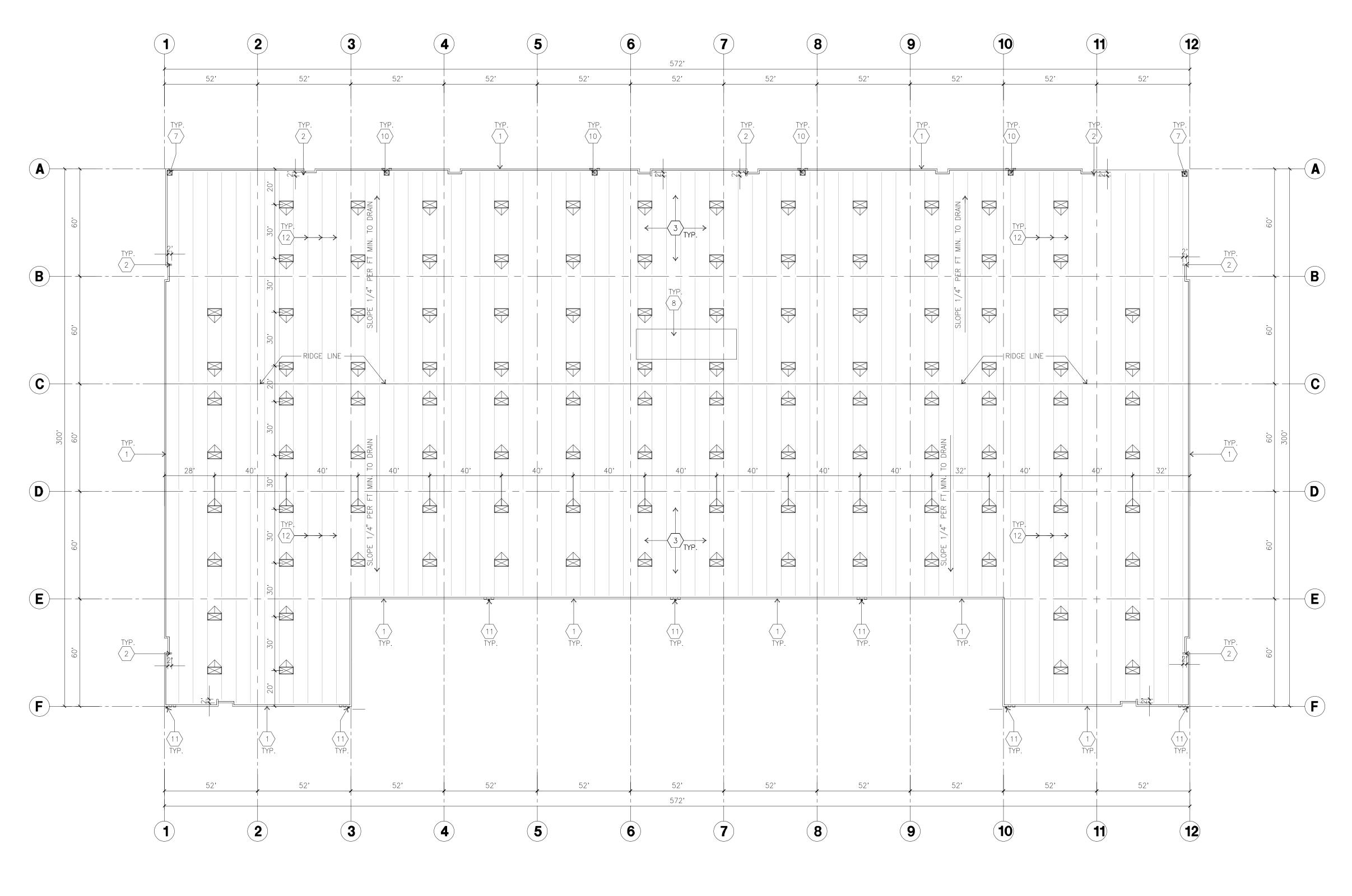
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Drawn by: J.L
Date: 11/1/2017

Revision:

Sheet:

DAB-A2.1

## EXHIBIT C



SCALE: 1" = 20' - 0"**OVERALL ROOF PLAN** 

### **ROOF PLAN KEYNOTES**

- $^{\prime}$  1  $^{\prime}$  Concrete parapet, see "S" drawings for thickness.
- $\langle$  2  $\rangle$  parapet return. Finalized during construction per city.
- $\langle$  3  $\rangle$  60 MIL TPO ROOFING OVER DENSE DECK OVER ROOF SHEATING.
- $\langle 4 \rangle$  4' X 8' SKYLIGHT, SEE SHEET AD.3
- $\langle 5 \rangle$  EXHAUST FAN, SEE "M" DWGS
- 6 ROOF HATCH. SEE DETAIL 20/AD.2.
- 7 > INTERIOR ROOF DRAIN WITH OVERFLOW DRAINS. SEE DETAIL 17/AD.3.
- ROOF ADDRESS PAINTED BLACK 4' HIGH W/ 1' WIDE STROKE PER LETTER. ADDRESSING WILL BE PROVIDED PER JURISDICTION'S REQUIREMENTS PAINT SHALL BE LATEX.
- $\langle 9 \rangle$  a/c unit, see "m" drawings. Provide support @ roof as required  $\langle$  10  $\rangle$  interior roof drain with 2 overflow scuppers. See detail 17/Ad.3.
- $\binom{1}{1}$  exterior downspout / scuppers. SEE DETAILS 13, 14, 15, 16 /AD.3.
- $\langle 12 \rangle$  STRUCTURAL JOIST.

### **ROOF PLAN GENERAL NOTES**

- A. ALL DIMENSIONS ARE TO FACE OF CONCRETE WALL, GRIDLINE, OR FACE
- OF STUD. (U.N.O.) B. VERIFY THAT ALL ROOF AREAS HAVE POSITIVE DRAINAGE(1/4" FT.).
- C. REFER TO "S" DRAWINGS FOR ROOF HEIGHT ELEVATIONS IN REGARDS TO ROOF DRAINAGE.
- LOCATIONS AND SIZES OF ROOF OPENINGS.
- E. FOR TYP. ROOF PENETRATIONS, SEE DETAIL 6, 7, 8/AD.3 CONTRACTOR TO VERIFY ALL LOCATIONS WITH MECHANICAL AND PLUMBING DRAWINGS
- F. CONTRACTOR TO VERIFY ALL ROOF DRAIN DEPRESSIONS W/ "S" DRAWINGS. G. NOT USED.

J. NOT USED

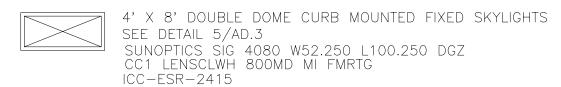
- H. ALL SKYLIGHTS TO BE DESIGNED PER REQUIRED WINDLOAD RESISTANCE, EXPOSURE "C" W/ STRONGER FRAMES, SUPPORTS AND DOMES.
- MANUFACTURER TO CONFIRM IN WRITING. I. ROOF DRAINS AND OVERFLOW DRAINS TO BE A MIN. 8" DIA., SEE "P" DRAWINGS FOR EXACT SIZE.
- K. PROVIDE SHAPED CRICKETS AS REQUIRED FOR PROPER ROOF DRAINAGE OF 1/2" PER FOOT (MIN.).

- L. TPO 60MIL REINFORCED MECHANICALLY FASTENED ROOFING. DESIGNED PER WINDLOAD AND TO BE U.L. CLASS A ROOF.
- I-90 UPLIFT RATING. ROOFING WRAPS WALL SEALED UNDER COPING. M. ALL ROOFING FASTENERS SHALL MEET ALL CODE AND REGULATION
- REQUIREMENTS. PROPER REQUIREMENTS ARE IN PROJECTS JURISDICTION AND ALSO, FACTORY MUTUAL (FM) WIND UPLIFT PRESSURE REQUIREMENTS.
- D. CONTRACTOR TO VERIFY AND COORDINATE WITH ALL SUBCONTRACTORS, ALL N. ALL SKYLIGHTS TO BE PLACED A MIN. OF 18'-0" FROM INSIDE FACE OF PARAPET
  - O. BASE FLASHING SHALL BE TWO PLIES AND CAP WITH 18" SBS AT PANEL JOINTS.

  - Q. NOT USED.

  - S. ROOF DRAINS, OVERFLOW DRAINS AND RAINWATER PIPING WITHIN THE INTERIOR OF THE BUILDING SHALL BE TESTED IN ACCORDANCE WITH THE PROVISIONS OF THE PLUMBING CODE FOR TESTING DRAIN, WASTE AND VENT SYSTEMS
  - T. ROOF DRAINS, OVERFLOW PIPING WITHIN THE BUILDING SHALL UTILIZE APPROVED DRAINAGE FITTINGS.
  - U. MANUFACTURED ROOF DRAINS AND OVERFLOWS(FIXTURES) SHALL BE IAPMO LISTED
  - V. PROVIDE WHITE SCRIM FOIL INSULATION IN THE WAREHOUSE. FOIL INSULATION SHALL BE CUT BACK TO EXPOSE HANGER AND ALLOW VENTING TO OCCUR.

### **ROOF LEGEND**



\_\_\_\_ BUILDING PARAPET LINE SEE DETAIL 1 & 2 /AD.3

- EXTERIOR METAL DOWNSPOUT W/ OVERFLOW SCUPPER SEE DETAIL 13,14,15,16/AD.3
- INTERIOR ROOF DRAIN
  W/ OVERFLOW SCUPPER SEE DETAIL 17/AD.3



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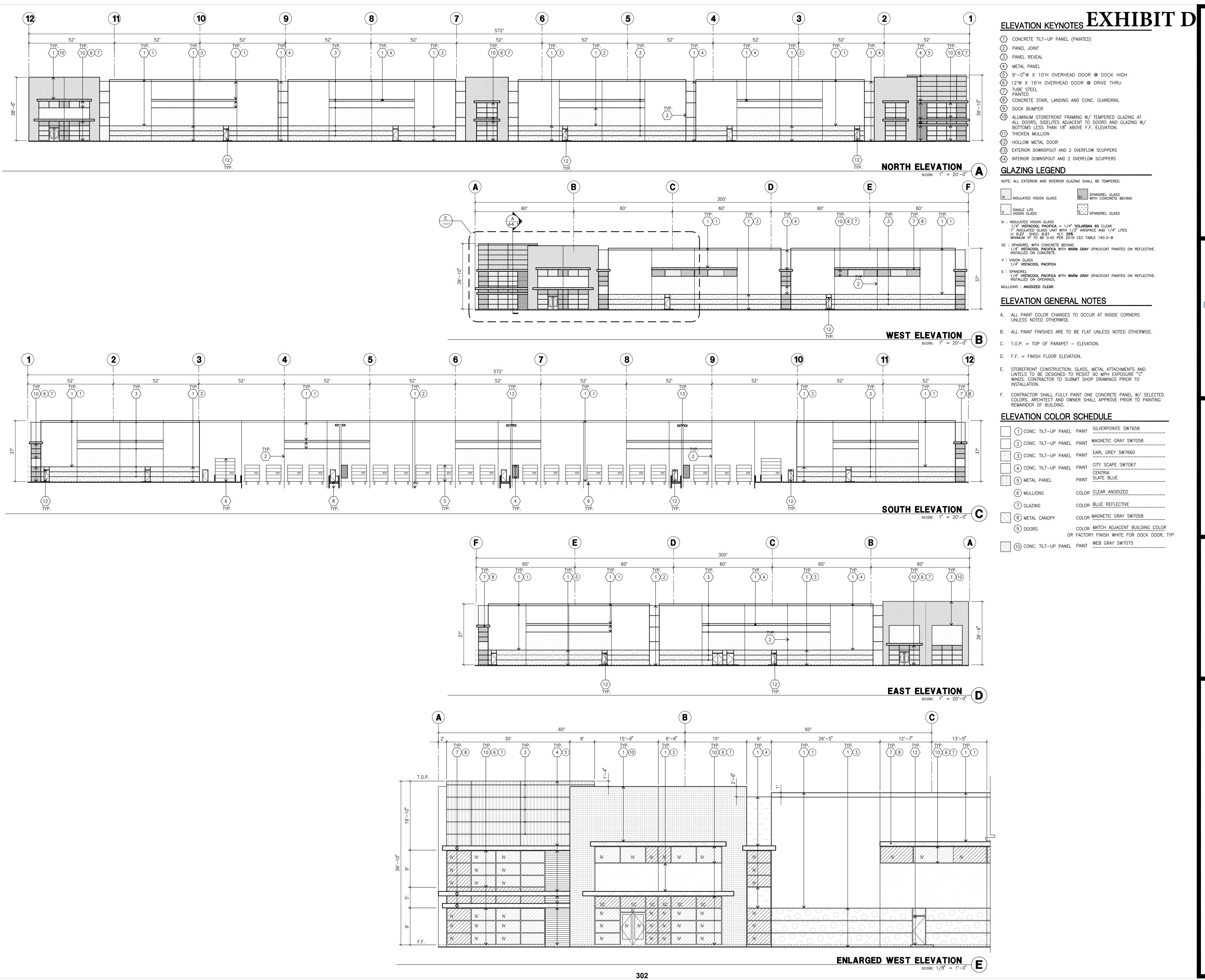
Overall Roof Plan

16151

8/7/2017

Project Number Drawn by:

> Date: Revision:



architecture

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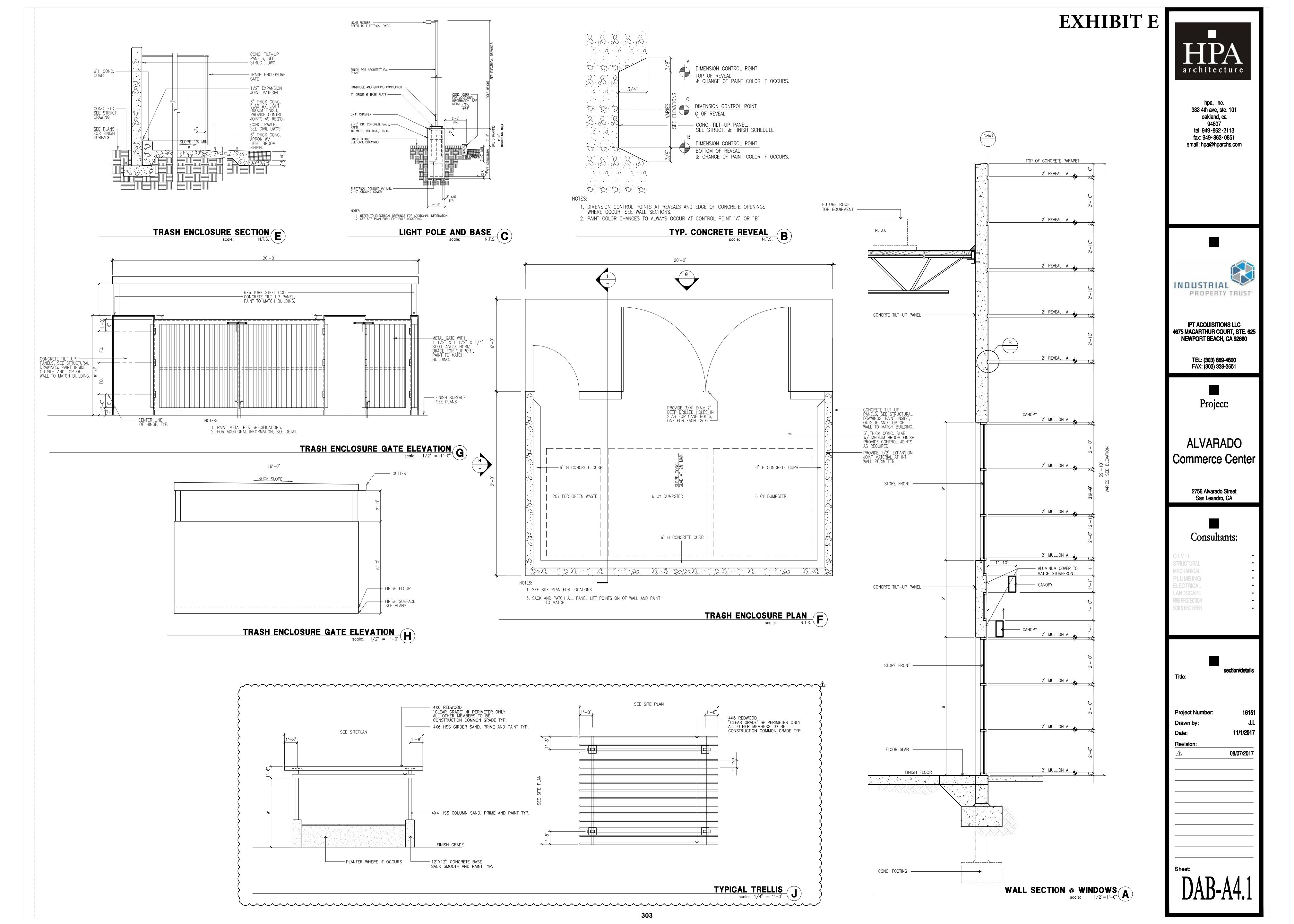


elevation

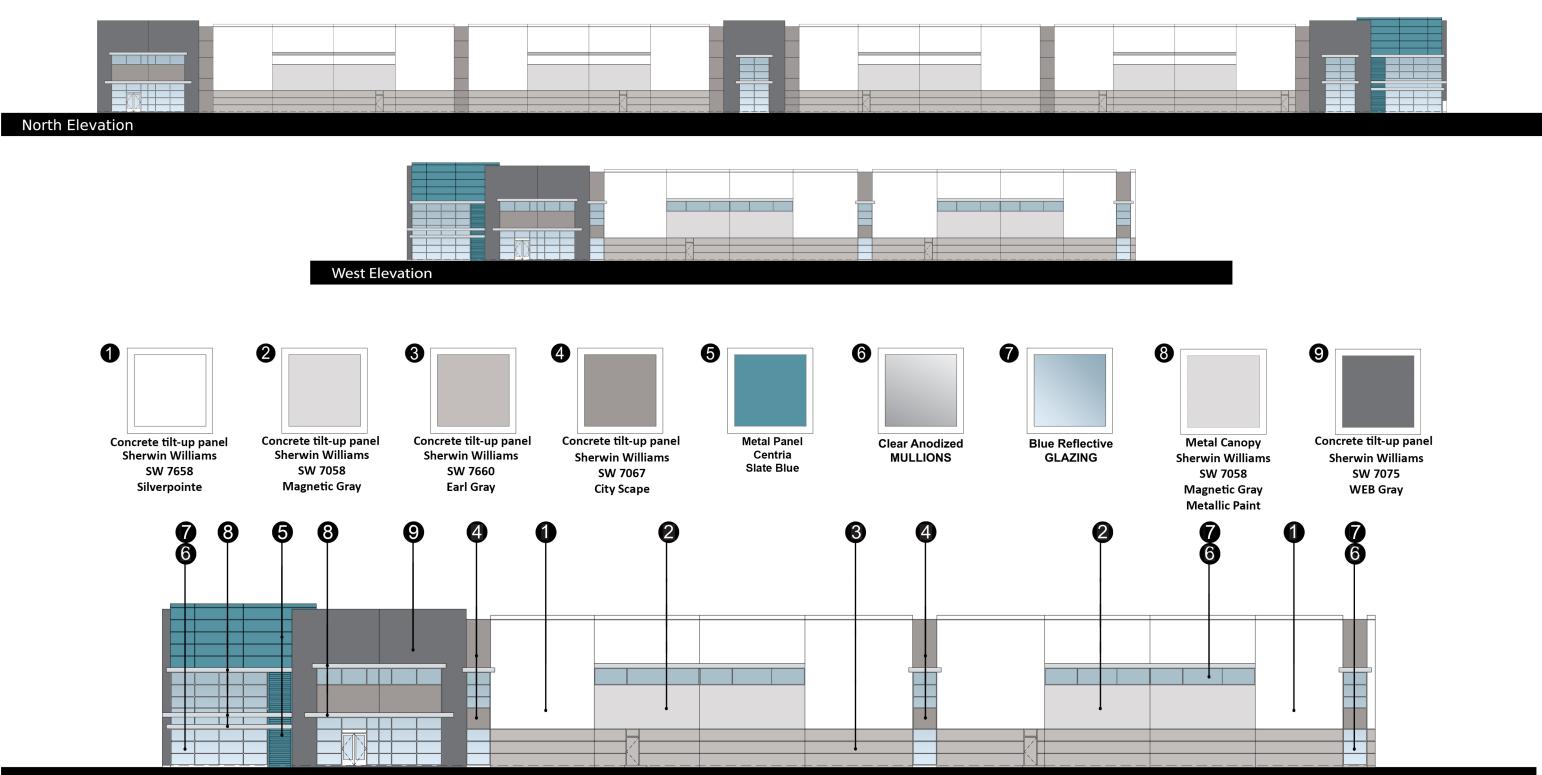
Project Number: Drawn by: 11/1/2017 Date:

Revision:

08/07/2017



### **EXHIBIT F**



**Enlarged West Elevation** 



**ALVARADO - Commerce Center** 



## **EXHIBIT G**







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## **EXHIBIT H**

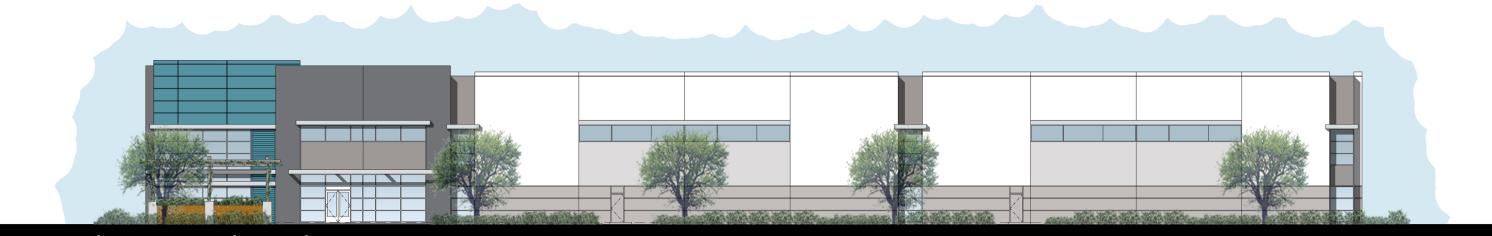




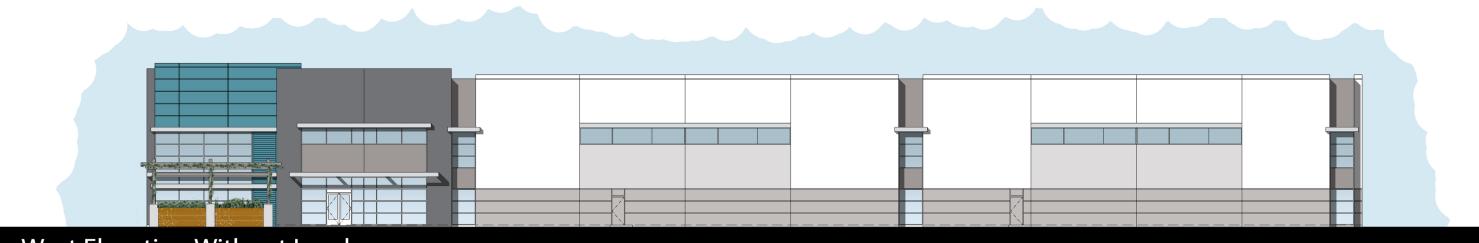




## **EXHIBIT I**



West Elevation With Landscape



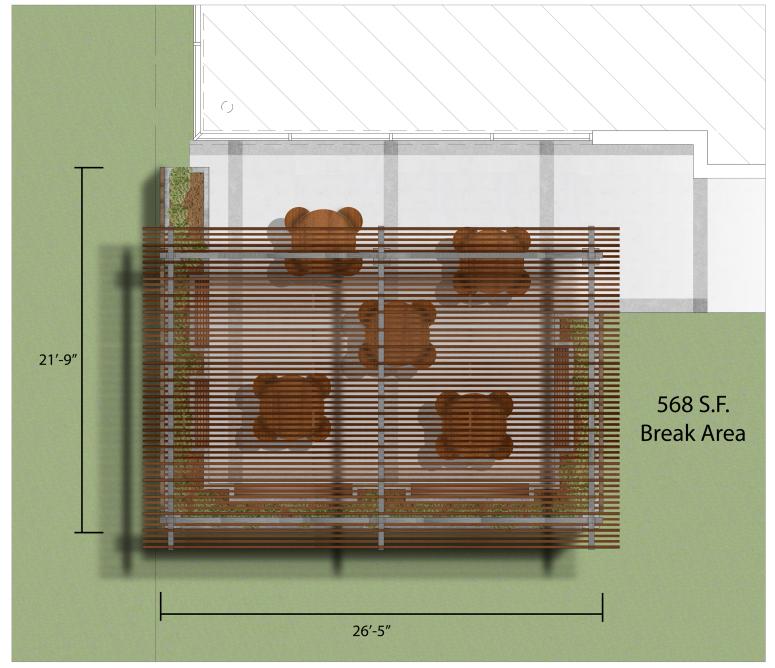
West Elevation Without Landscape



**ALVARADO - Commerce Center** 



## **EXHIBIT J**





PLAN





## **ALVARADO - Commerce Center**

## **EXHIBIT K**







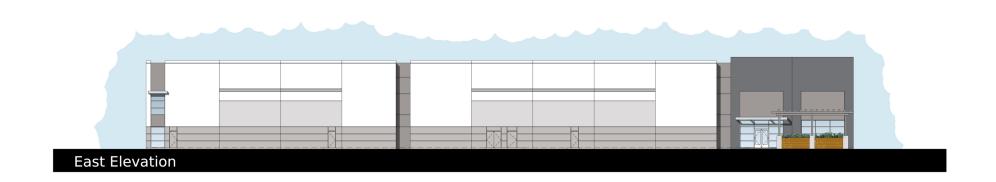


**ALVARADO - Commerce Center** 



## **EXHIBIT L**





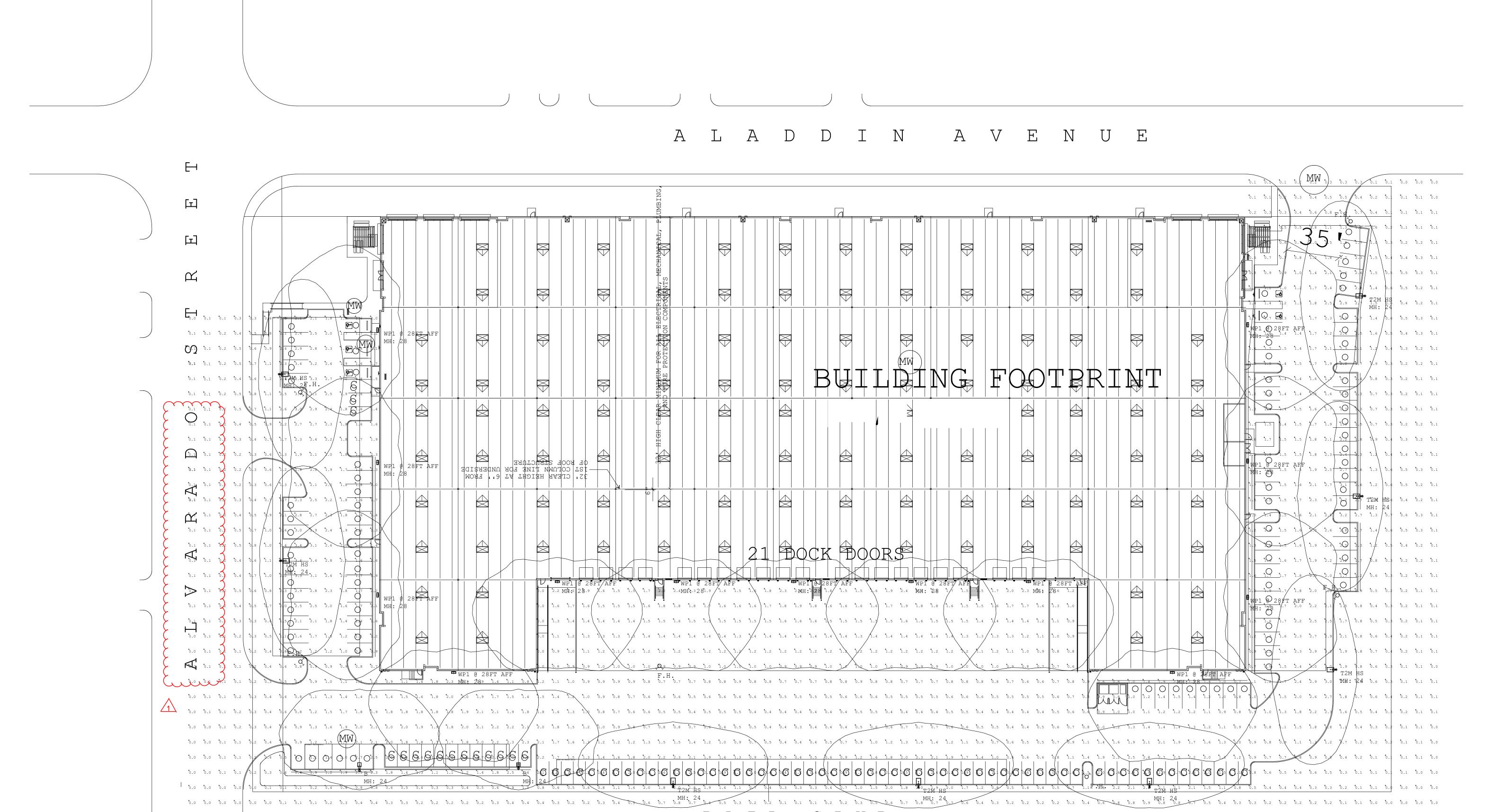




**ALVARADO - Commerce Center** 



## EXHIBIT M



1 Photometric Plan

SCALE: 1" = 30'

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
CALC AREA_EXTERIOR	Illuminance	Fc	0.98	3.4	0.0	N.A.	N.A.
LEFT PARKING STALLS	Illuminance	Fc	2.12	3.4	0.8	2.65	4.25
RIGHT PARKING STALLS	Illuminance	Fc	1.80	3.2	0.5	3.60	6.40
SOUTH CAR PARKING STALLS	Illuminance	Fc	1.61	2.6	0.4	4.03	6.50
SOUTHWEST PARKING STALLS	Illuminance	Fc	1.86	2.7	1.1	1.69	2.45

Luminaire Sched	Luminaire Schedule													
Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LLF	Description	Total Watts	BUG Rating	Lum. Watts					
	13	WP1 @ 28FT AFF	SINGLE	N.A.	0.950	DSXW2 LED 30C 1000 40K T4M MVOLT @ 28' MTG.HT.	1417	B2-U0-G2	109					
<b>─</b>	2	В	SINGLE	N.A.	0.950	DSX1 LED 30C 1000 40K T4M MVOLT HS @ 24' MTG.HT.	210	B1-U0-G2	105					
_	8	T2M HS	SINGLE	N.A.	0.950	DSX1 LED 40C 700 40K T2M MVOLT	712	B2-U0-G2	89					

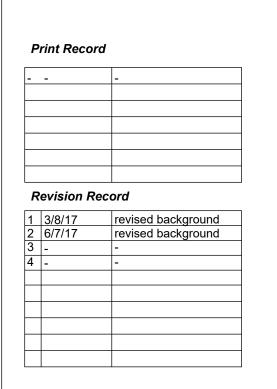
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NOTE 1 - (NATIONAL ACCOUNT) FIXTURE PACKAGE PRICING PROVIDED BY TURTLE AND HUGHES.
PLEASE CONTACT (909) 218-8644 OR EMAIL
JESSICA.FISHEL@TURTLE.COM FOR FIXTURE AND CONTROLS PRICING

TURTLE & HUGHES, INC. FIRST IN THE LC

ELECTRICAL & INDUSTRIAL DISTRIE

1550 S. MIELIKEN AVE., SUITE F, ONTARRO, CA



IPT

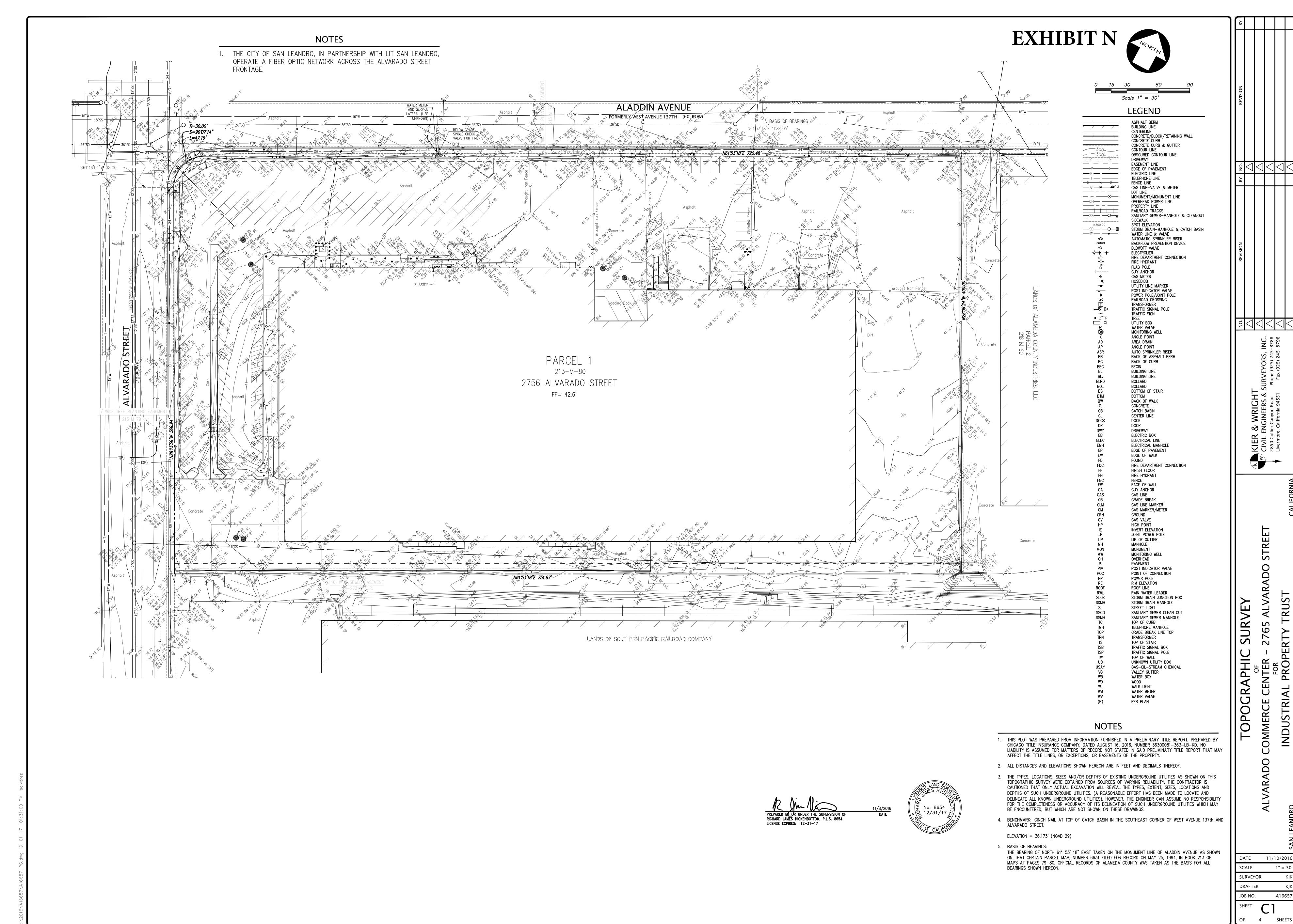
Turtle & Hughes
1551 S. Milliken Ste. F
Ontario, CA 91761

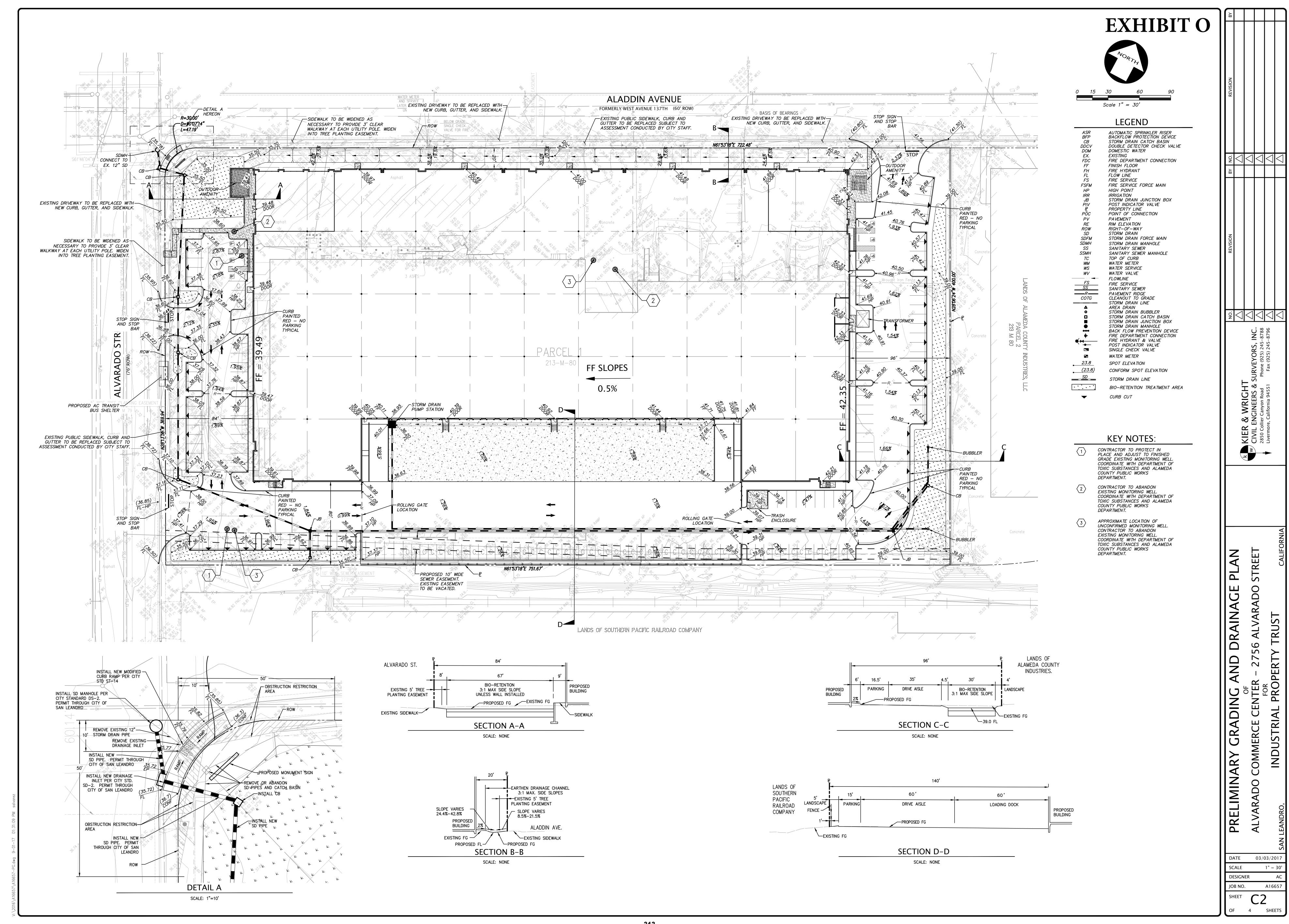
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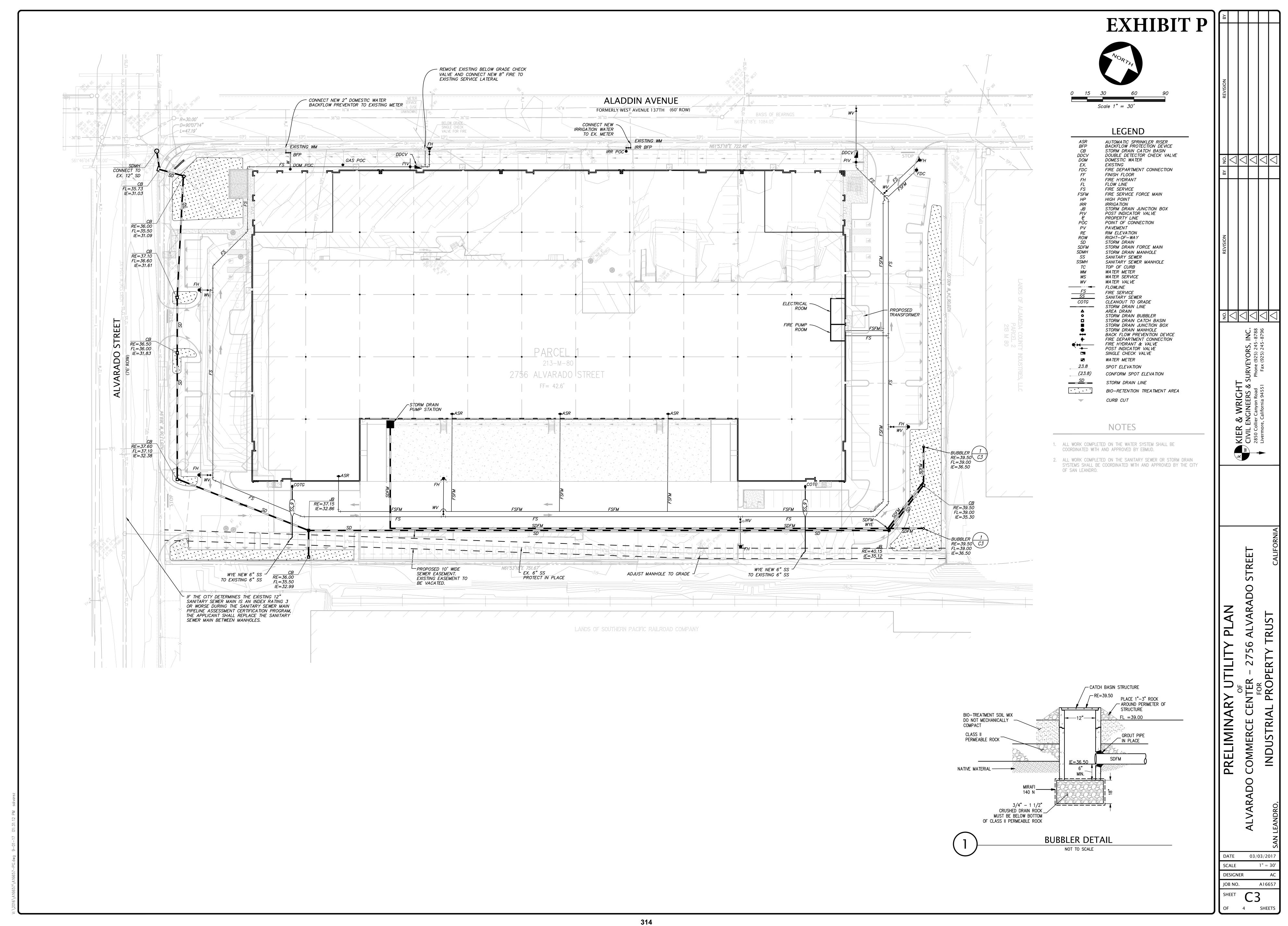
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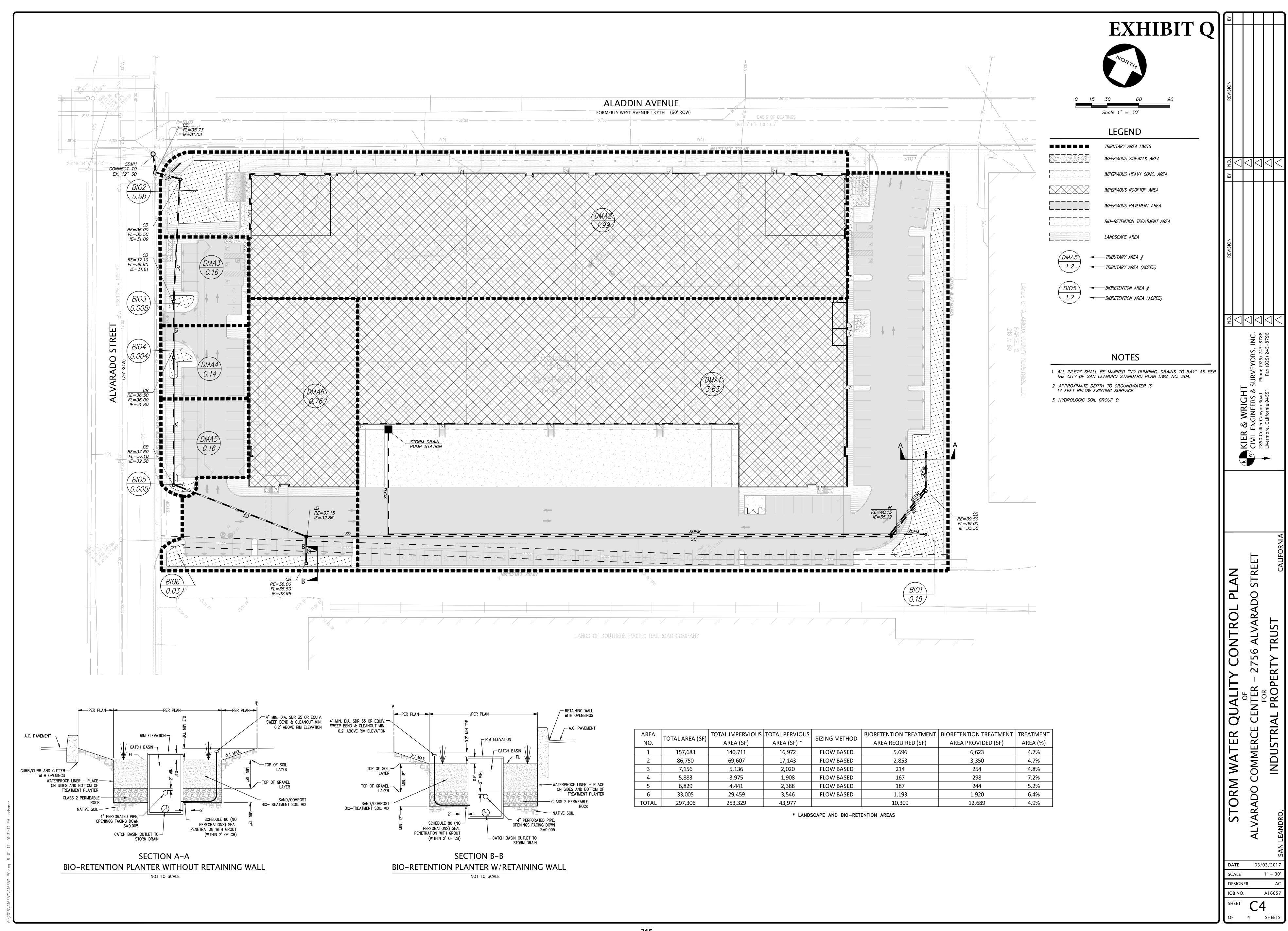
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6/16/2017 Sheet Title
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PLAN

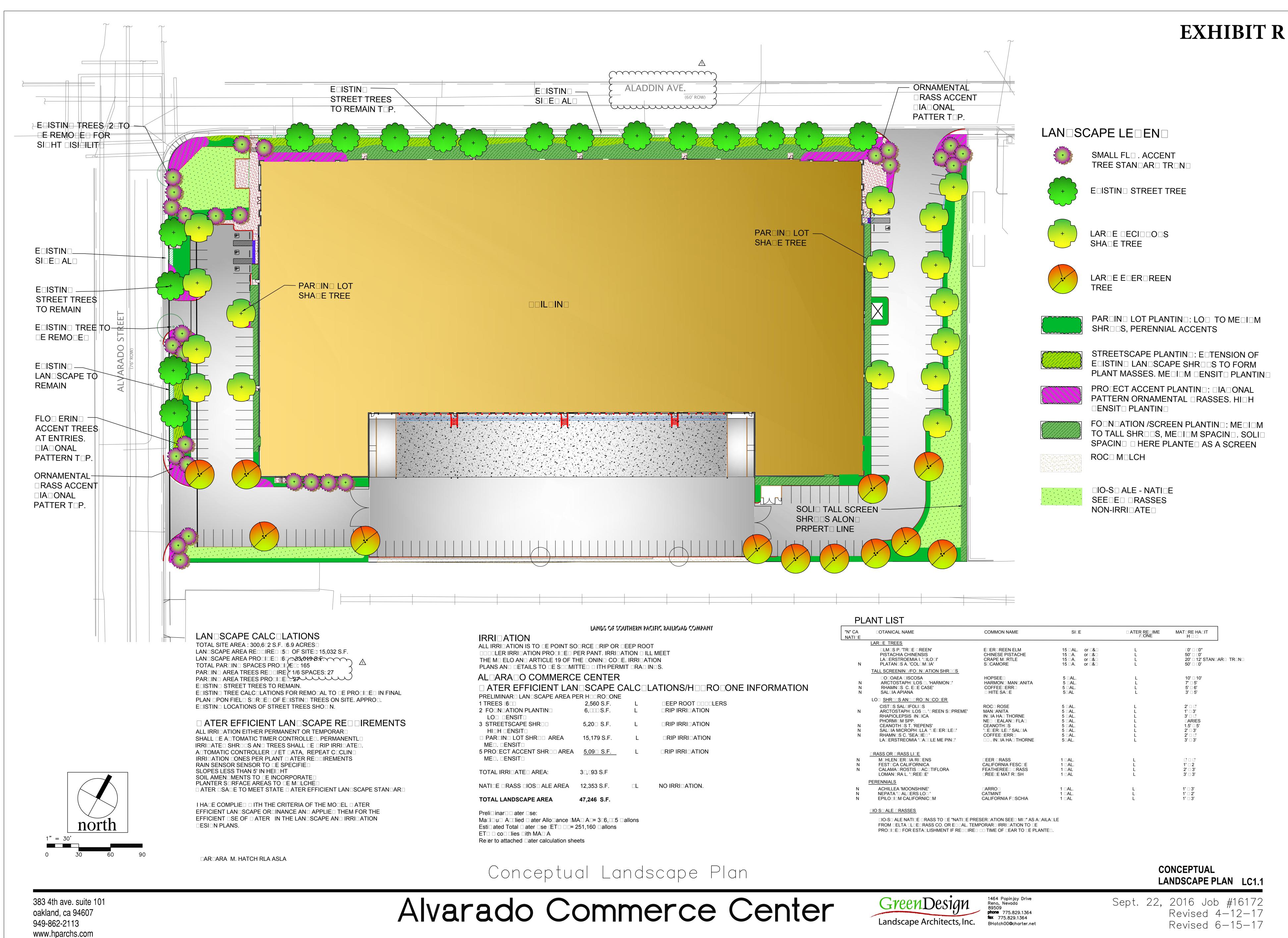












# EXHIBIT S Pages 1-10

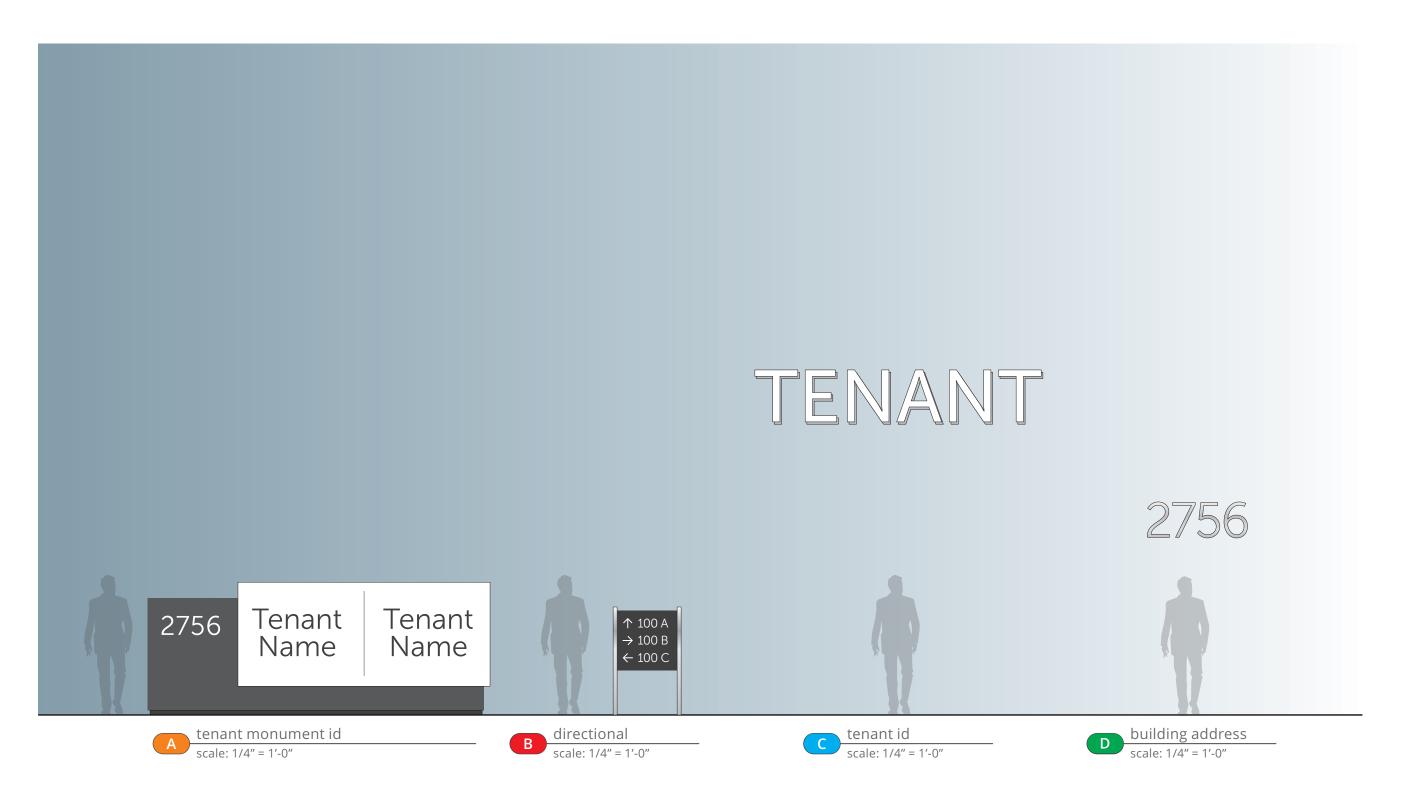


#### PROJECT:

Paceline Investors San Leandro Alvarado San Leandro, CA

07/21/17

Design + Build.





#### CLIENT

Paceline Investors

#### PROJECT

San Leandro Alavardo 2756 Alavardo Street San Leandro, CA 94577

#### DRAWING / REVISION DATE

04/07/17 - AN 04/13/17 - AN 06/08/17 - AN 07/21/17 - AN

order#

26471



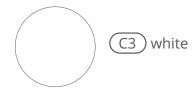


(M2) aluminum

color schedule









Museo Sans 300 abcdefghijklmnopqrstuvwxyz ABCDEFGHIJKLMNOPQRSTUVWXYZ

Museo Sans 300 abcdefghijklmnopqrstuvwxyz ABCDEFGHIJKLMNOPQRSTUVWXYZ 1234567890

CLIENT

Paceline Investors

#### PROJECT

San Leandro Alavardo 2756 Alavardo Street San Leandro, CA 94577

#### DRAWING / REVISION DATE

04/07/17 - AN 04/13/17 - AN 06/08/17 - AN 07/21/17 - AN

fonts

1234567890



SIGN TYPE



**Tenant Monument ID** 

#### DESCRIPTION

- A. Fabricated aluminum sign cabinet ground mounted. C1
- **B.** 1/8" thick aluminum tenant panel with returns attached to sign cabinet. C3
- **C.** 1/2" thick painted acrylic address numbers attached to sign cabinet. C3
- **D.** First surface applied vinyl graphics onto tenant panel. C2

QTY: 2

x SF DF

#### CLIENT

Paceline Investors

#### PROJECT

San Leandro Alavardo 2756 Alavardo Street San Leandro, CA 94577

#### **DRAWING / REVISION DATE**

04/07/17 - AN 04/13/17 - AN

07/21/17 - AN

06/08/17 - AN

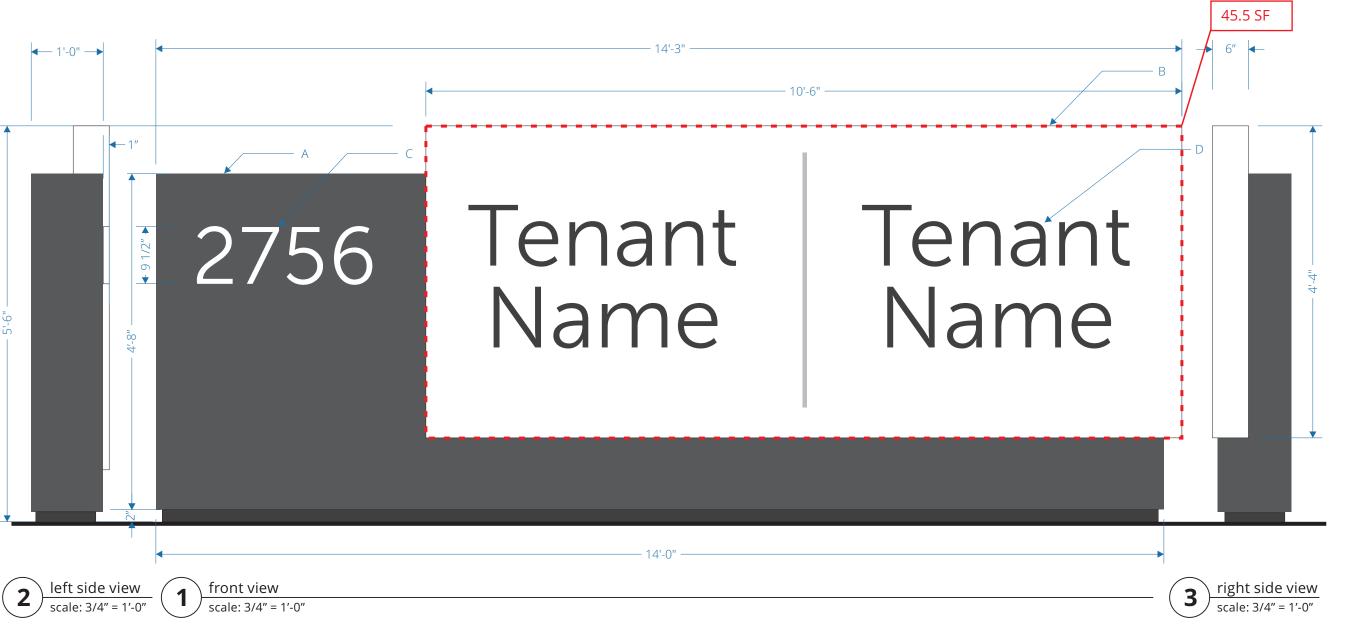
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order#

408.292.1600 2464 De La Cruz Blvd., Santa Clara, CA 95050 www.corporatesigns.com

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SIGN TYPE



Tenant Monument ID

#### DESCRIPTION

- **A.** fabricated aluminum sign cabinet, 12"x2"x1/8" wall c-channel frame, 1/8" wall aluminum faces, painted M2, C1
- **B.** Tenant panel attached to sign cabinet with concealed standoffs
- **C.** 1/2" thick acrylic address flush mounted to sign cabinet
- **D.** First surface applied vinyl graphics

QTY: 2

x SF DF

CLIENT

Paceline Investors

#### PROJECT

San Leandro Alavardo 2756 Alavardo Street San Leandro, CA 94577

#### DRAWING / REVISION DATE

04/07/17 - AN 04/13/17 - AN

06/08/17 - AN

07/21/17 - AN

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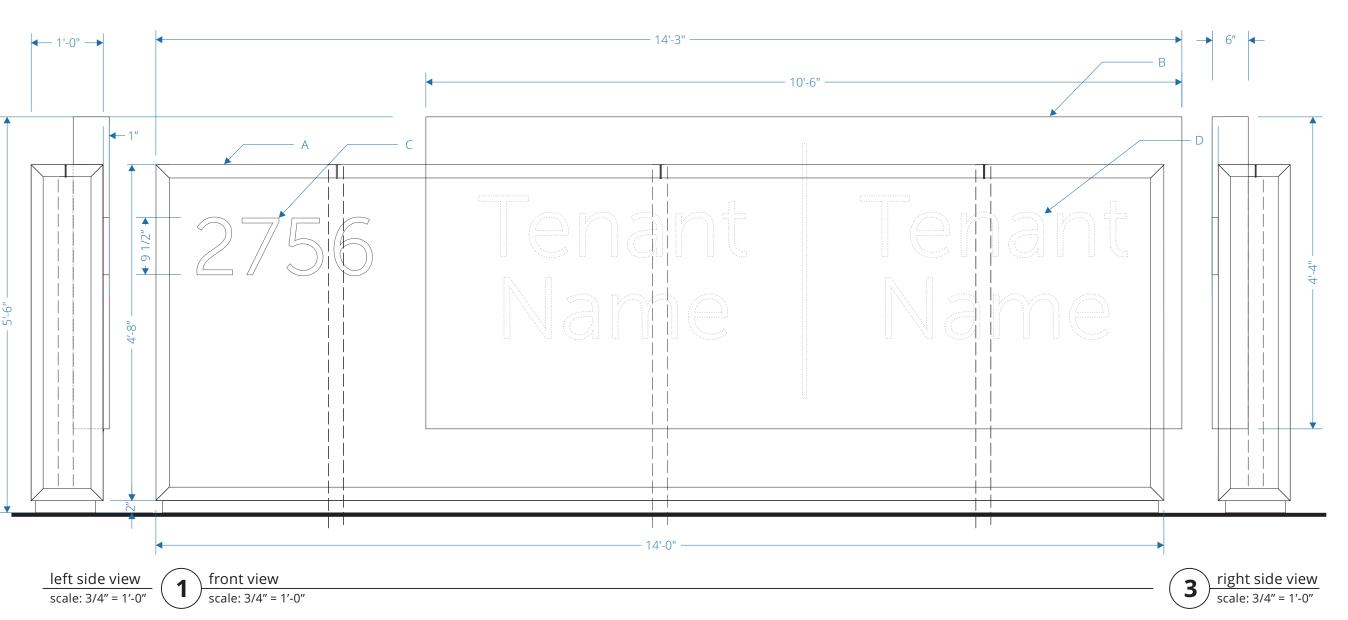
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SIGN TYPE



Directional

#### DESCRIPTION

- **A.** 2" deep painted aluminum sign cabinet mounted to posts. C2
- **B.** 2" painted square posts ground mounted as required. C4
- C. First surface applied vinyl graphics. C3

x SF DF QTY: 3

#### CLIENT

Paceline Investors

#### PROJECT

San Leandro Alavardo 2756 Alavardo Street San Leandro, CA 94577

#### DRAWING / REVISION DATE

04/07/17 - AN 04/13/17 - AN 06/08/17 - AN

07/21/17 - AN

#### FILE NAME / LOCATION

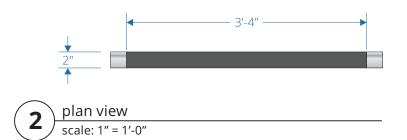
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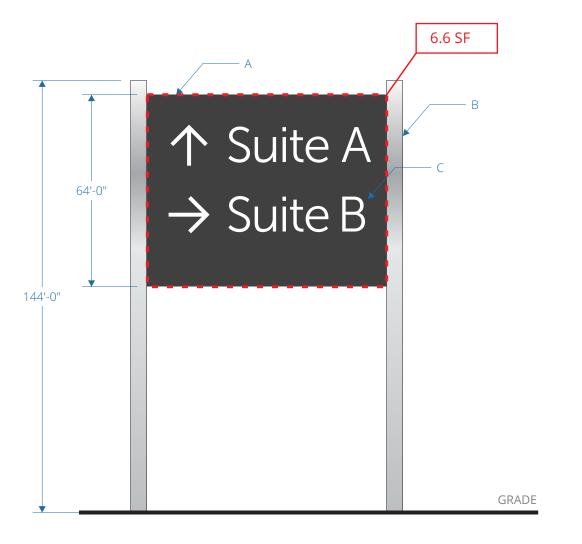
order# 408.292.1600

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front view scale: 1" = 1'-0"

#### 320 TOTAL SQUARE FEET TOTAL SIGN AREA



SIGN TYPE

Tenant ID

#### DESCRIPTION

A. reverse channel logo/letters, halo LED illumination. To be corporate logo per company branding standards

**B.** translucent back panel

**C.** standoffs

**D.** raceway for electrical components, located behind parapit

QTY: 4

CLIENT

x SF DF

Paceline Investors

#### PROJECT

San Leandro Alavardo 2756 Alavardo Street San Leandro, CA 94577

#### DRAWING / REVISION DATE

04/07/17 - AN 04/13/17 - AN

06/08/17 - AN 07/21/17 - AN

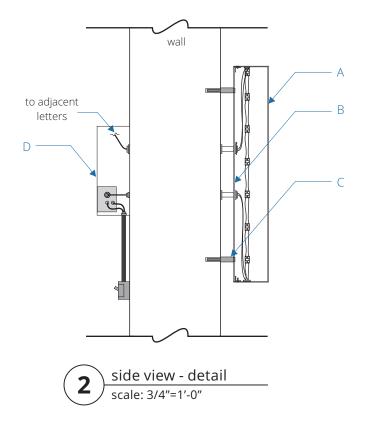
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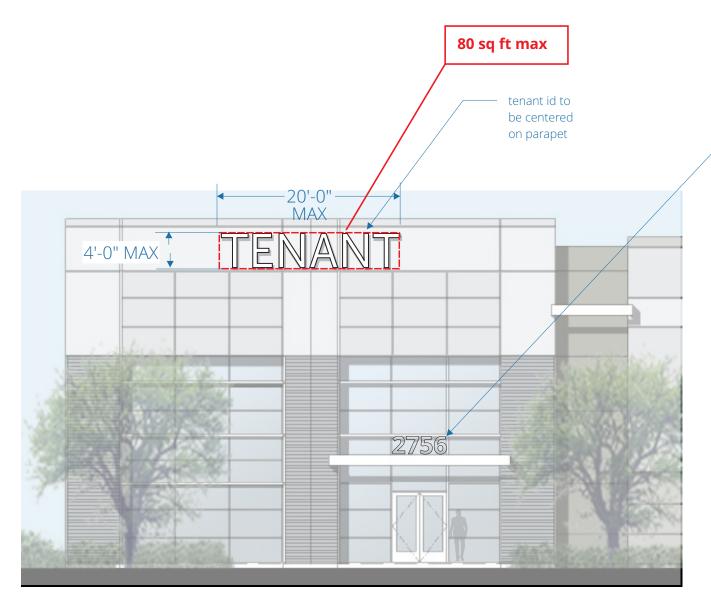
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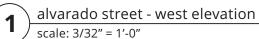
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adjacent address

number

#### 24 TOTAL SQUARE FEET TOTAL SIGN AREA



SIGN TYPE



**Building Address** 

#### DESCRIPTION

**A.** 4" deep fabricated aluminum letters. Painted face & returns mounted to building canopy with studs. C4

**B.** Building Canopy

QTY: 2

CLIENT

x SF DF

Paceline Investors

#### PROJECT

San Leandro Alavardo 2756 Alavardo Street San Leandro, CA 94577

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07/21/17 - AN

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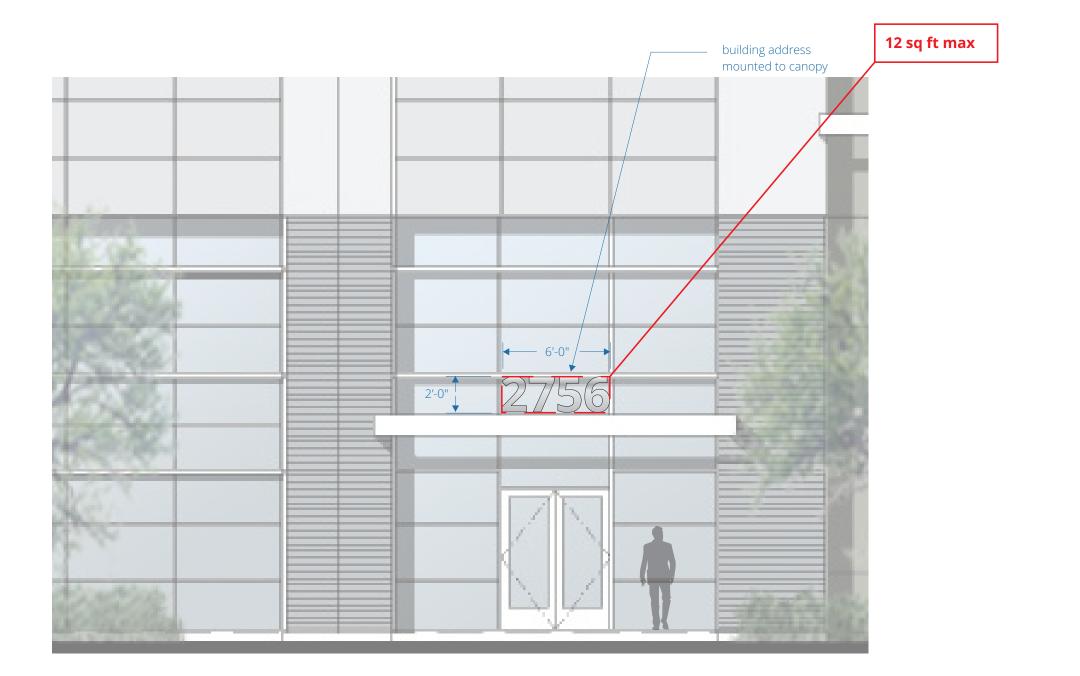
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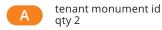
side view - detail scale: 1"=1'-0"

alvarado street - west elevation

scale: 3/16" = 1'-0"

## 506 sq ft max signage area allowed per city code 455 sq ft signage area used for this project

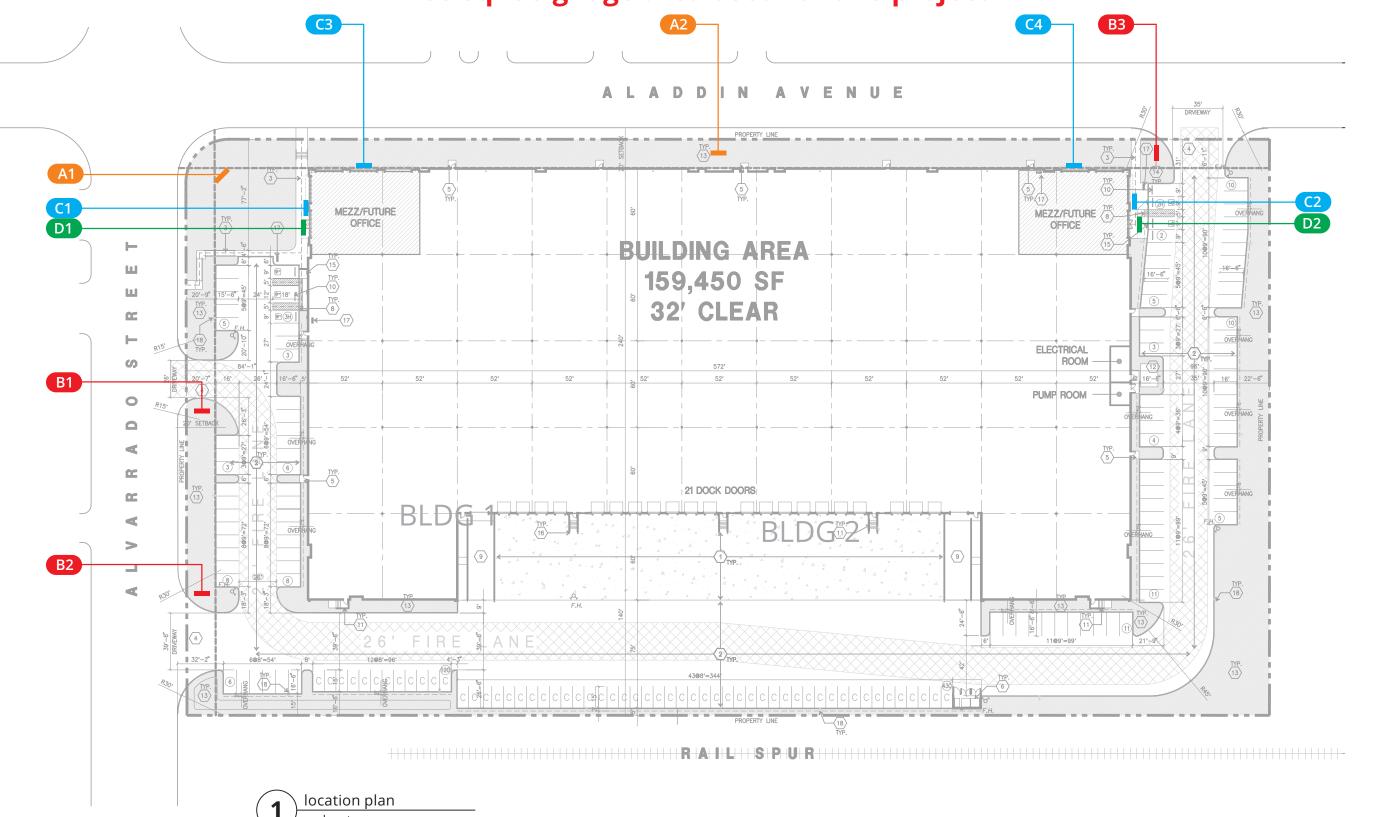




B directional qty 3

tenant id qty 4

building address gty 2



#### CLIENT

Paceline Investors

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San Leandro Alavardo 2756 Alavardo Street San Leandro, CA 94577

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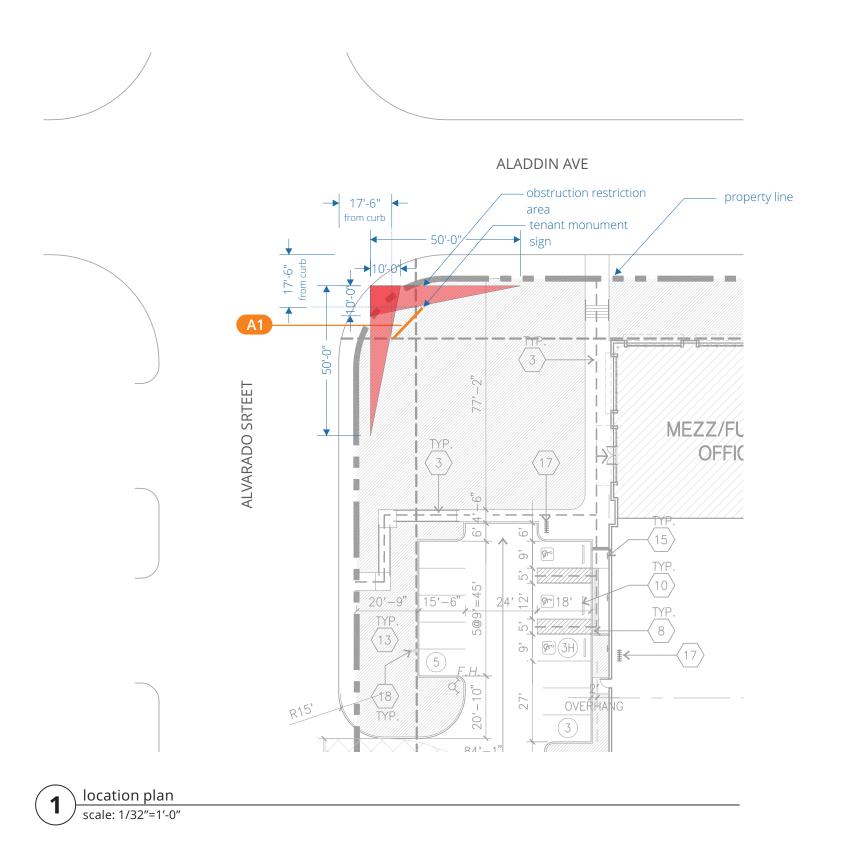
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07/21/17 - AN

#### FILE NAME / LOCATION

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#### City of San Leandro

Meeting Date: June 18, 2018

**Resolution - Council** 

File Number: 18-288 Agenda Section: CONSENT CALENDAR

**Agenda Number:** 

TO: City Council

FROM: Chris Zapata

City Manager

BY: Tom Liao

Community Development Director

FINANCE REVIEW: Not Applicable

TITLE: RESOLUTION of the City Council of the City of San Leandro to Grant an Appeal

and Request for a Conditional Use Permit for Warehouse-Storage Facilities and

Warehouse-Wholesale/Retail Distribution Facilities as a Permitted Use,

APL18-002, and Reversing the Decision of the Board of Zoning Adjustments to

Deny the Conditional Use Permit for PLN17-0020.

**WHEREAS**, Paceline Investors, (the "Applicant"); and IPT Alvarado Commerce Center LP (the "Property Owner") (collectively the "Appellants") submitted an application to the City of San Leandro (the "City") for Alvarado Commerce Center, a new 159,450 square foot industrial building at 2756 Alvarado Street (PLN17-0020) ("Project"); and

**WHEREAS**, 2756 Alvarado Street (the "Property") is comprised of a 6.9± acre parcel. The corner lot is developed with existing industrial buildings that would be demolished and removed as part of the Project; and

**WHEREAS**, the Property is located at the southeast corner of Alvarado Street and Aladdin Avenue; and

WHEREAS, the Property is designated Light Industrial in the City's General Plan and zoned IG Industrial General ("IG") District in the San Leandro Zoning Code (the "SLZC"). The SLZC requires a Conditional Use Permit for any proposal for Warehouse-Storage Facilities and Warehouse-Wholesale/Retail Distribution Facilities in the IG District that propose to expand an existing building ten thousand (10,000) square feet or more to accommodate the use or propose a new building of any size to accommodate the use (SLZC §§ 2-706.B.34 and 35.); and

**WHEREAS**, any new industrial development structure exceeding 5,000 square feet in size requires Site Plan Approval (SLZC § 5-2502.B.4.a); and

**WHEREAS**, a height exception is required for any buildings proposed in the IG District between 35 and 50 feet (SLZC § 2-734.C.); and

File Number: 18-288

WHEREAS, Conditional Use Permits are required for uses typically resulting in unusual site development features or operating characteristics that require special consideration, so that they may be designed, located, and operated compatibly with other uses on adjoining properties and in the surrounding area, to ensure that the use will not be detrimental to the public health, safety, and welfare and will not impair the integrity and character of the zoned district (SLZC § 5-2200(B).); and

**WHEREAS**, a duly noticed public hearing regarding the Project was scheduled to be held before the Board of Zoning Adjustments (the "BZA") on December 7, 2017 and the public hearing was continued to March 1, 2018 at the request of the Appellants; and

**WHEREAS**, the BZA held a duly noticed public hearing regarding the Project on March 1, 2018, at which time all interested parties had the opportunity to be heard regarding the Project; and

**WHEREAS**, the BZA found that the Project conformed to the development standards of the IG District, including setbacks, landscaping, lot coverage, and parking requirements; and

**WHEREAS,** the BZA adopted an Initial Study-Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project on March 1, 2018. A Notice of Determination was filed with the Alameda County Recorder's Office on March 6, 2018; and

**WHEREAS**, during the public hearing for the Project on March 1, 2018, the BZA considered and denied the Appellant's request for a Conditional Use Permit to allow Warehouse-Storage Facilities and Warehouse-Wholesale/Retail Distribution Facilities as a permitted use; and

WHEREAS, the BZA, after considering the Project and entitlements, the staff report and all public comments and testimony provided at or prior to the hearing, adopted findings of fact for approval and approved the Project without a Conditional Use Permit to allow Warehouse-Storage Facilities and Warehouse-Wholesale/Retail Distribution Facilities as a permitted use, subject to the conditions of approval on March 1, 2018 by a 7-0 decision; and

**WHEREAS**, following the March 1, 2018 decision of the BZA, the Appellant filed a timely appeal of the BZA's decision to deny the Conditional Use Permit to allow Warehouse-Storage Facilities and Warehouse-Wholesale/Retail Distribution Facilities as a permitted use on March 16, 2018 (the "Appeal"); and

**WHEREAS**, the Appeal was scheduled and noticed pursuant to Article 28 of the SLZC; and

**WHEREAS**, the City Council held a duly noticed public hearing on May 7, 2018, regarding the Project; and

WHEREAS, on May 7, 2018, the City Council, after consideration of all arguments made

File Number: 18-288

by and on behalf of the Appellant, the staff report, and all other testimony and evidence presented at the public hearing, declared its intent to grant the Appeal and the Appellant's application for a Conditional Use Permit for the Project for Warehouse-Storage Facilities and Warehouse-Wholesale/Retail Distribution Facilities as a permitted use, and reversed the decision of the BZA to deny the Appellant's application for a Conditional Use Permit for the Project (PLN17-0020).

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

Section 1. That the City Council grants the Appeal and the Appellant's request for a Conditional Use Permit to allow Warehouse-Storage Facilities and Warehouse-Wholesale/Retail Distribution Facilities as a permitted use, modifies PLN17-0020 conditions of approval to grant a Conditional Use Permit to allow Warehouse-Storage Facilities and Warehouse-Wholesale/Retail Distribution Facilities as a permitted use and adds conditions to prohibit such uses until 12 months have expired following issuance of a Certificate of Occupancy and to require that tenant leases contain provisions requiring tenant trucks to adhere to driving on designated truck routes, and adds findings of fact for approval related to granting a Conditional Use Permit for Warehouse-Storage Facilities and Warehouse-Wholesale/Retail Distribution Facilities, with findings of fact incorporated herein and attached to this Resolution as Exhibit "A" and with conditions of approval incorporated herein and attached to this Resolution as Exhibit "B," based upon the following findings:

- A. The forgoing recitals are true and correct and made part of this resolution.
- B. The City Council has reviewed, considered and evaluated this Appeal based on the entirety of the record and following consideration of all materials and public comments received at the hearing.
- C. The City Council finds that providing a blanket Conditional Use Permit for Warehouse-Storage Facility and Warehouse-Wholesale/Retail Distribution Facility uses, as requested by the Appellant, is appropriate as the City Council makes all the necessary findings pursuant to SLZC Section 5-2212(A) to support granting a Conditional Use Permit.
- D. The City Council's grant of the Appeal and modification of the BZA's decision grants the Appellant's request for a Conditional Use Permit for Warehouse-Storage Facilities and Warehouse-Wholesale/Retail Distribution Facilities as a permitted use for PLN17-0020 after 12 months have expired following issuance of a certificate of occupancy and subject to the conditions of approval.

**Section 2**. This resolution shall become effective immediately upon its passage and adoption.

2970785.1

### RECOMMENDED FINDINGS OF FACT FOR APPROVAL

## PLN17-0020/APL18-0002 2756 Alvarado Street Paceline Investors (Applicant) and IPT Alvarado Commerce Center LP (Property Owners)

The City Council of the City of San Leandro hereby approves PLN17-0020/APL18-0002, subject to the following findings for a Conditional Use Permit for Warehouse-Storage Facilities and Warehouse-Wholesale/Retail Distribution Facilities:

#### **CONDITIONAL USE PERMIT**

1. The proposed location of the use is in accord with the objectives of this Code and the purposes of the district in which the site is located.

The City Council finds that the site is zoned IG Industrial General District and will result in development of an industrial building in an existing industrial area of the City. The proposed uses for the project are permitted or conditionally permitted uses that comply with and are in accord with the purposes of the IG Industrial General District, which are to provide and protect existing industrial sites and allow for continued operation of existing general industry, subject to performance standards and buffering requirements. The proposed project is subject to certain limitations through the recommended conditions of approval to avoid adverse effects on adjacent uses and properties. The City Council finds that the recommended conditions of approval will maintain the character of the industrial area, promote warehouse uses of the existing industrial area, and prevent impacts to the adjacent industrial uses.

The proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity, or to the general welfare of the City.

The project site at 2756 Alvarado Street is designated Light Industrial in the City's General Plan Land Use Map. Light Industrial areas are characterized by uses such as "wholesale activities, distribution facilities, research and development or ecommerce uses, business services, technology, and manufacturing operations which produce minimal off-site impacts" (General Plan page 3-30). The surrounding properties are zoned IG Industrial General District and most are designated as Light Industrial in the General Plan, and are developed with various industrial uses including manufacturing, distribution, warehousing & storage, delivery & trucking, and building materials.

The City Council finds that warehouse-storage facilities and warehouse-wholesale/retail distribution facilities uses are consistent with the City's stated goals and policies related to Innovation in the Land Use section and the Economic Development section listed in the General Plan. The City Council finds that the following General Plan goals and policies will apply:

#### Land Use Section - Innovation Districts

**Policy LU-7.2** - 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 and space for technology-driven businesses.

**Policy LU-10.4** - Industrial Sanctuary. Protect the City's major industrial areas from encroachment by uses that are potentially incompatible with existing viable industrial activities, or which may inhibit the ability of industry to operate effectively.

#### **Economic Development Section**

**Policy ED-1.2** - Maintaining San Leandro's Competitive Advantage. Maintain and protect San Leandro's inventory of larger scale industrial sites and buildings with easy access to freeways, rail, airports, and seaports. Discourage the conversion of industrial uses to commercial and residential uses except where part of a carefully targeted citywide strategy.

**Policy ED-1.3** - Industrial Land Use Efficiency. Encourage more efficient use of the City's industrial land supply, creating higher employment densities and high quality jobs, while discouraging the use of large sites and buildings for storage and other low intensity uses. Ensure that zoning and other development regulations support higher utilization of sites zoned for commercial and industrial activities.

The City Council finds that warehouse-storage facilities and warehouse-wholesale/retail distribution facilities uses with the recommended conditions of approval, will not be detrimental or injurious to property and will not be detrimental to the public health, safety, welfare or convenience of those working or residing in the area.

3. The proposed use will comply with the provisions of this Code, including any specific condition required for the proposed use in the district in which it would be located.

The City Council finds that the Zoning Code provides that the IG Industrial General District permits various industrial uses such as business services, equipment sales, food processing, manufacturing, research and development, and business and professional offices. The IG District conditionally permits warehouse-storage facilities and warehouse-wholesale/retail distribution facilities uses. The proposed use of the

property will be various industrial uses such as advanced manufacturing, logistics, or accessory warehouse uses with a condition of approval that primary warehouse-storage facilities and warehouse-wholesale/retail distribution facilities uses shall be prohibited until 12 months have expired following issuance of a Certificate of Occupancy. After the 12 month period ends a Conditional Use Permit approval for warehouse-storage facilities and warehouse-wholesale/retail distribution facilities uses would apply. Any other conditionally permitted uses shall require approval of an amended Conditional Use Permit, as identified in the San Leandro Zoning Code.

 The proposed use will not create adverse impacts on traffic or create demands exceeding the capacity of public services and facilities which cannot be mitigated.

The City Council finds that warehouse uses are consistent with the prior industrial use of the property and will not result in significant changes to traffic patterns or traffic generation or place a higher demand on the capacity of public services and facilities. As part of the requirement for the environmental analysis, a traffic impact study report was prepared by TJKM. The warehouse uses are expected to generate a net of 18 weekday A.M. peak hour trips (13 inbound, 5 outbound) and a net of 23 weekday P.M. peak hour trips (4 inbound, 17 outbound). The City Council finds that there are adequate public services to the proposed development for warehouse uses, including but not limited to; the gas and electric company, the water district, waste disposal, sanitary sewer, storm sewer, and police and fire departments.

The Board of Zoning Adjustments approved PLN17-0020 on March 1, 2018, subject to the following findings for Site Plan Review and the California Environmental Quality Act:

## 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 new 159,450 square foot industrial building as shown in the plan sets is in conformance with the underlying IG Industrial General District. The proposed setbacks, lot coverage, landscaped areas, vehicle circulation and parking, are in conformance with the Zoning Code, with the exception of the building height for which an exception is requested. The placement of the building, driveways, and parking areas provide for a harmonious and orderly development that maintains the required setback from the Alvarado Street and Aladdin Avenue frontages. The area to the south of the building would be used for accessing the building by trucks and includes 21 dock loading doors. The site planning and the architecture place the loading dock doors and activity on the south side of the

building, to provide the architectural attention and aesthetic features to the east and north elevations facing Alvarado Street and Aladdin Avenue.

The height exception the Zoning Enforcement Official may grant for the industrial building being between 35 feet to 50 feet tall is being considered by the Board of Zoning Adjustments for granting the height exception for the overall height of the new industrial building. The proposed 40-foot building height is appropriate for new industrial development which maintains a majority of the minimum required setbacks and landscaping so there is no effect on adjacent properties.

2. The building(s) has(have) 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 articulated. The prominent east and north elevations that face Alvarado Street and Aladdin Avenue will be appointed with various features that lessen its expansive appearance such as recessed areas. The use of the color and materials scheme, window glazing, eyebrows above windows, canopies, metal panels, and recesses of the building mitigates the appearance of the elevations. The design is modern and it blends in and also complements the existing immediate industrial area. All roof mounted equipment has been conditioned to be screened.

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 developer is proposing to have a total of 33,019 square feet of landscaping at the subject property. The new landscaped areas amounts to 11 percent of the 6.9 acre site area that will be developed and exceeds the 5 percent landscape minimum required. The conceptual landscape plan includes adding trees, shrubs, perennials, and ornamental grasses to the site. The project will retain the existing mature street trees, which will add to and improve the visual quality of the property. Further, landscaped setbacks from the perimeter property line will be provided including the street frontages and at the interior property lines. The frontage landscaped setbacks will enhance the Alvarado Street and Aladdin Avenue frontages. Also, the perimeter landscaped areas will provide attractive buffering from adjacent properties. Prior to issuance of building permits, a final landscape and irrigation plan is to be submitted for review. The plan shall provide adequate landscaping that will be sufficient to continue to provide a contextually appropriate level of landscaping with a variety of plant material at the subject property.

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.

The proposed sign program including monument signs for identification and directional signs in landscaped planters, and wall signs ensure the signs are of good aesthetic and high quality in appearance, to match or blend in with the new architecture of the building. On-site exterior lighting has been conditioned for review their location, height, decorative features, and construction details. No site lighting will be permitted to spill offsite or shine above the horizontal plane. Also, the design and materials used for the trash enclosures will be required to be blend in and be compatible with the proposed new building.

# CALIFORNIA ENVIRONMENTAL QUALITY ACT REVIEW

Pursuant to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines, an Initial Study (preliminary environmental analysis) was completed by the City to determine what form of environmental review is required for a Project. The Initial Study contains the project description, description of environmental setting, identification of environmental effects by checklist, explanation of environmental effects, discussion of mitigation for significant environmental effects, and evaluation of the Project's consistency with existing and applicable land use controls. On the basis of this initial evaluation: The City as lead agency finds that, although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the City. A Mitigated Negative Declaration was prepared.

2970783.1

# RECOMMENDED CONDITIONS OF APPROVAL

# PLN17-0020/APL18-0002 2756 Alvarado Street, APN: 77B-800-14 Paceline Investors (Applicant) and IPT Alvarado Commerce Center LP (Property Owners)

#### I. COMPLIANCE WITH APPROVED PLANS

A. The applicant and/or property owner and project shall comply with Exhibits A through S, attached to the staff report dated June 18, 2018, except as hereinafter modified. Exhibits are on file at the City of San Leandro Community Development Department, 835 East 14th Street, San Leandro, California.

Exhibit A – Site Plan (DAB-A1.1)

Exhibit B – Floor Plans (DAB-A2.1)

Exhibit C – Roof Plan (DAB-A2.10)

Exhibit D – Elevations (DAB-A3.1)

Exhibit E – Details (DAB-A4.1)

Exhibit F – Colored Elevations & Material Board

Exhibit G – Perspective 1

Exhibit H – Perspective 2

Exhibit I – West Elevation

Exhibit J – Break Area Design

Exhibit K – North & East & South Elevations - With Landscape

Exhibit L – North & East & South Elevations – Without Landscape

Exhibit M – Photometric Plan (P-SL-1)

Exhibit N – Topographic Survey (C1)

Exhibit O – Preliminary Grading and Drainage Plan (C2)

Exhibit P – Preliminary Utility Plan (C3)

Exhibit Q – Stormwater Quality Control Plan (C4)

Exhibit R – Conceptual Landscape Plan (LC1.1)

Exhibit S – Sign Program

- B. The applicant and/or property owner and 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. Approval shall lapse after two (2) years following City Council approval of the application unless a grading permit or building permit has been issued, coupled with diligent progress evidencing good faith intention to commence the intended use; or an occupancy permit has been issued.
- D. Prior to issuance of building permits, all building specifications shall be submitted for review and approval to the Zoning Enforcement Official to ensure quality of the exterior design. Any changes to the approved

building specifications must be made in writing to the Zoning Enforcement Official, who may either administratively approve the modification or refer it to the Board of Zoning Adjustments for review. In addition, a final color and materials board shall be submitted for the exterior for the review and approval of the Zoning Enforcement Official, prior to issuance of building permits.

- E. Prior to issuance of building permits a final landscape and irrigation plan that complies with the City's Landscape Ordinance and State Model Water Efficient Landscape Ordinance (MWELO) shall be submitted to the Zoning Enforcement Official for review and approval. Said plans shall include, but is not limited to, trees with a minimum size of 15 gallons, a pallet of shrubs and ground cover planting that is flowering plants, or plants that have colorful foliage. The minimum size for the shrubs shall be five gallons and the ground cover shall be one gallon or shall be from flats with the necessary spacing to cover the planter areas in one growing season.
- F. 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 in compliance with Alameda County Environmental Health requirements and designed to blend in and complement the new building, to the satisfaction of the Zoning Enforcement Official.
- G. Prior to issuance of building permits, the developer shall submit final plans and details for site lighting (including submittal of photometric plans) for the review and approval of the Zoning Enforcement Official and the City Engineer. The plans and details shall show the location, height, decorative features, and construction details including cut sheets, materials and finishes to be used for construction. All outdoor lighting shall be contained in fixtures that direct light below the horizontal plane. No site lighting may spill offsite.
- H. Prior to issuance of building permits, developer shall submit a sign program showing locations (i.e., building signage), details and total sign area calculations for the review and approval of the Zoning Enforcement Official 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 monument 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 incidental, address, and directional signs on the site shall be reviewed prior to installation, to ensure they comply with the Sign Ordinance.
- I. Prior to issuance of building permits, applicant shall submit and identify on the final site plan the location of on-site bicycle parking locations, counts,

details and bicycle parking fixture specifications, for the review and approval of the Zoning Enforcement Official and the City Engineer. Bicycle parking shall be located in a visible area near the front entrance to the building, consisting of securely anchored loops or lockers with sufficient strength to resist vandalism and theft.

J. 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.

# II. PERMITTED USE

- A. This Conditional Use Permit and Site Plan Review approval allows for Alvarado Commerce Center, a new 159,450 square foot industrial building at 2756 Alvarado Street. A total of 165 on-site parking stalls, 17 bicycle spaces, and 21 truck loading docks will be provided. Alameda County Assessor's Parcel Number 77B-800-14.
- B. Warehouse-Storage Facilities and Warehouse-Wholesale/Retail Distribution Facilities uses shall be prohibited until 12 months have expired following issuance of a Certificate of Occupancy. After the 12 month period concludes, this Conditional Use Permit grants the use of Warehouse-Storage Facilities and Warehouse-Wholesale/Retail Distribution Facilities on the subject property, as defined by the City of San Leandro Zoning Code. Any other conditionally permitted uses shall require approval of an amended Conditional Use Permit, as identified in the San Leandro Zoning Code.
- C. Tenant leases shall contain provisions requiring tenant trucks to adhere to driving on designated truck routes pursuant to San Leandro Municipal Code Chapter 6-7, as may be amended from time to time.
- D. Parking adequacy shall be evaluated prior to the City's issuance of a Business License and/or Administrative Review approval. Additional parking and/or alternative parking options may be required by the Zoning Enforcement Official to compensate for parking deficiencies prior to issuance of a City Business License or Administrative Review approval. These options may include, but are not limited to, the provision of employee shuttle services to BART, parking shelf systems, or the redesign of existing parking and loading areas in order to ensure the property has adequate parking.
- E. The storage and display of equipment, materials, and merchandise outside of the building shall be prohibited. Vehicle and trailer parking shall be restricted to designated areas upon paved surfaces.

- F. These conditions of approval shall be posted conspicuously inside the building prior to Certificate of Occupancy and a copy shall be included with the lease agreement provided to future tenants of the building.
- G. Any changes or additional occupancy deemed minor in nature may be approved by the Zoning Enforcement Official. A change or additional occupancy deemed major shall be referred to the Board of Zoning Adjustments for its consideration as a modification to the permit.
- H. The project and use shall remain in substantial compliance with the approved plans and exhibits. Any change to project design shall be subject to the review and approval of the Zoning Enforcement Official who may administratively approve or require review by the Board of Zoning Adjustments as a modification.

## III. CONSTRUCTION PROVISIONS

- A. Pest and vermin control measures shall be incorporated into 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 8:00 a.m. and shall cease by 7:00 p.m. on Saturday and Sunday. No construction is permitted on Federal holidays. As provided in the City of San Leandro's Noise Ordinance (ORDINANCE NO. 2003-005), "construction" shall mean any site preparation, assembly, erection, substantial repair, alteration, demolition or similar action, for or on any private property, public or private right-of-way, streets, structures, utilities, facilities, or other similar property. Construction activities carried on in violation of this Article may be enforced as provided in Section 4-1-1130, and may also be enforced by issuance of a stop work order and/or revocation of any or all permits issued for such construction activity. Procedures with the highest noise potential shall be scheduled for daylight hours, when ambient noise levels are highest. The contractor(s) shall be required to employ the quietest among alternative equipment or to muffle/control noise from available equipment.
- D. Construction activity shall not create dust, noise or safety hazards for

adjacent residents and properties. Dirt and mud shall not be tracked onto Aladdin Avenue or Alvarado Street from the project site during construction. Standard construction dust control procedures, such as wetting, daily roadwashing and other maintenance functions to control emissions, shall be implemented at all times during outdoor construction. Dust generating activities such as excavation, paving etc., shall be scheduled in the early morning and other hours when wind speeds are low. All construction contracts shall include the following requirements: 1) unpaved construction sites shall be sprinkled with water at least twice per day; 2) trucks hauling construction materials shall be covered with tarpaulins or other effective covers; 3) streets surrounding demolition and construction sites shall be swept at least once per day; and 4) paving and planting shall be done as soon as possible. City shall charge applicant, and applicant shall pay, for all costs of sweeping city streets in the vicinity of the project as necessary to control dust and spillage.

- E. The applicant shall prepare a construction truck route plan that would restrict trucks to arterial streets that have sufficient pavement section to bear the heavy truck traffic, thereby minimizing noise and traffic impacts to the community. The construction truck route plan shall be reviewed and approved by the City Transportation Administrator prior to receipt of the grading permit.
- F. Construction-related truck hauling activities shall be restricted to 8:00 a.m. to 5:00 p.m. There shall be no truck hauling activity on Saturdays, Sundays and Federal holidays.
- G. The property shall be secured during construction with a six (6) foot tall chain link fence and any other security measures in accordance with recommendation of the San Leandro Police Department.
- H. Construction workers on the project shall be provided clean drinking water, portable toilets and handwashing stations as sanitary facilities for use during all phases of construction. Said portable toilets shall be screened from view from the public right-of-way or located to the interior or rear of the site.

# IV. ALAMEDA COUNTY FIRE DEPARTMENT REQUIREMENTS

- A. A Deferred Submittal is required for the installation of a Fire Protection System.
- B. A Deferred Submittal is required for the installation of a Fire Alarm Monitoring System.
- C. A Deferred Submittal is required for the installation of a New Underground Fire Line.
- D. A Deferred Submittal is required for the installation of a Fire Pump.

- E. Emergency Lighting shall be provided on the inside of the building and the pathway leading to the public way on the exterior of the building.
- F. Illuminated Exit signs shall be provided throughout the building.
- G. Access from the interior of the building to the roof shall be provided.
- H. A 26' wide Fire Lane shall be provided around the building.
- I. A Knox Box shall be provided for Fire Department Access.
- J. An Address shall be provided that is viewed from the street which is on contrasting background.

## V. BUILDING & SAFETY SERVICES REQUIREMENTS

- A. All exterior doors must have level landing, and all weather surface path to Right-of-Way.
- B. All required Exit doors must be accessible and meet accessibility Code requirements.
- C. Site and building shall be fully ADA compliant
- D. Code Compliance for Cal Green, Electrical, and Mechanical is required and must be incorporated onto building permit plans.
- E. Complete Energy calculation is required and must be incorporated onto building permit plans.
- F. Plans shall conform to the currently adopted codes and standards at time of building permit submittal.
- G. Demolition of any structure shall have Bay Area Air Quality Management District approval.

# VI. ENGINEERING AND TRANSPORTATION REQUIREMENTS

A. Phase 1 Environmental Site Assessment:

As specified in Sections 7.1.3 and 7.2 on page 26 of the Environmental Site Assessment, the Department of Toxic Substances Control (DTSC) required existing groundwater monitoring wells be protected in order to provide DTSC access to monitor groundwater conditions associated with a regional groundwater plume that extends beneath the property. DTSC issued a No Further Action letter on May 31, 2006, concerning the six existing monitoring wells on the site. DTSC has agreed to allow closure of four of the wells located on the site. The exceptions are wells "MW-2" and "MW-6", which must remain open. DTSC needs to continue to monitor

these wells to track the regional groundwater plume known as the DWA Plume, as confirmed via a DTSC letter by Karen M. Toth, dated May 16, 2017.

Sheet C2 of the Kier & Wright plans is in conformance with the above mentioned requirement as it shows wells MW-2 and MW-6 to be protected, and MW-1, MW-5, MW-7 and MW-8 to be closed. The applicant must obtain a Well Closure Permit from Alameda County Public Works Agency prior to issuance of a Demolition Permit from the City. In addition, the above mentioned letter by DTSC requires submittal of a report documenting the closure of the wells once work has been completed. The applicant must submit the said reports to DTSC prior to issuance of Grading Permit from the City. Alameda County Public Works Agency and DTSC contacts are as below:

Alameda County Public Works Agency Water Resources Section, Attn: James Yoo 399 Elmhurst Street, Hayward, CA 94544- 1307 Phone: (51 0) 670-6633 Fax: (510) 782-1939

General Info: www.acgov.org/pwalwells or email at wells@acpwa.org

Department of Toxic Substances Control Jayantha Randeni <u>jrandeni@dtsc.ca.gov</u>
Phone 510-540-3806

# B. AC Transit Bus Stop:

The applicant proposes to relocate a currently inactive AC Transit bus stop to a new location on Alvarado Street that provides improved bus access and enhanced passenger safety; plans that illustrate the location and installation details of the proposed bus stop shall be approved by AC Transit prior to issuance of a Certificate of Occupancy for the new building. The bus stop shall be consistent with AC Transit's Multi-Modal Corridor Guidelines. If a bus shelter is provided, a widened sidewalk section will be needed for disabled accessibility. According to Parcel Map No. 6631, a 5-foot wide easement has been dedicated to the City of San Leandro for planting and maintaining street trees and appurtenant structures on, over, and under said easement. The proposed AC Transit bus shelter extends over this said easement and will be considered an appurtenant structure. As such, no additional easement is required. For more information, AC Transit contact is:

Austin M. Lee
Transportation Planner
AC Transit Service Planning Department
1600 Franklin Street
Oakland, CA 94612
amlee@actransit.org

Office: (510) 891-4744

# C. Traffic Impact Study:

The City's 2035 General Plan EIR Traffic Study identified an operational deficiency at the intersection of Alvarado Street and Aladdin Avenue (Intersection 35). To correct the deficiency, a mitigation measure was adopted that reads as follows: Convert the left-turn signal phasing for the eastbound and westbound approaches on Aladdin Avenue from protected left-turn signal phasing to permitted left-turn signal phasing with flashing yellow arrows.

- Convert the northbound left-turn signal phasing on Alvarado Street from protected left-turn signal phasing to protected/permitted leftturn signal phasing with flashing yellow arrows.
- Convert the southbound left-turn signal phasing on Alvarado Street from protected left-turn phasing to permitted left-turn signal phasing with flashing yellow arrows.
- Optimize the traffic signal cycle length and splits.

The applicant shall implement the above mitigation measure by modifying the existing traffic signal. Verified costs for said modifications will be eligible for credit against any City-assessed "Development Fee for Street Improvements (DFSI)" as described in San Leandro Municipal Code §7-11-125. The applicant shall be responsible for all costs that exceed the available DFSI credit. The modifications must be completed prior to issuance of a Certificate of Occupancy for the new building. The applicant shall submit improvement plans for the necessary modifications to the City for review and approval prior to issuance of a Building Permit for the new building. Optimizing the traffic signal will require the applicant to connect the traffic signal controller to the City's fiber optic network that exists along the property frontage on Alvarado Street.

# D. Geotechnical Investigation:

- Section 5.1.1 on Page 9 of the report states that there is a potential for liquefaction of localized sand layers during a significant seismic event. Prior to Building permit issuance, the foundation and all exterior walkways that adjoin the foundation at building entrances shall be designed to tolerate the anticipated total and differential settlement.
- 2. Section 5.1.2 on Page 9 of the report states that undocumented fill was encountered to a depth of 1½ feet in Boring EB-2. The proposed structure can be supported on shallow foundations provided that remedial grading includes over-excavation and recompaction of undocumented fill within the building footprint. Prior to Grading Permit issuance, the applicant shall demonstrate that this condition will be satisfied as part of the grading operation.
- 3. Section 5.1.3 on Page 9 of the report states that moderately

expansive soil was encountered in the surficial soils that blanket the site. To reduce the potential for damage to the planned structures, slabs-on-grade shall have sufficient reinforcement and be supported on a layer of non-expansive fill; footings shall extend below the zone of seasonal moisture fluctuation. Prior to Building Permit issuance, the applicant shall demonstrate that this condition will be satisfied as part of the foundation design.

4. Section 5.1.4 on Page 10 of the report states that the JDH Corrosion Consultants report concludes that the corrosion potential for buried concrete does not warrant the use of sulfate resistant concrete. In contrast, corrosion potential exists for buried metallic structures such as metal pipes. Prior to issuance of a Demolition Permit, the applicant shall collect and test additional samples from the upper 5 feet of soil for sulfates and pH to confirm the type of corrosion protection needed for buried metallic structures.

### E. Utilities:

- 1. Alameda County operates a storm drain network on Aladdin Avenue across the frontage of the subject property. An inlet at the SE corner of Aladdin and Alvarado is owned and operated by the City of San Leandro. Connections to this network will require an Encroachment Permit either from Alameda County or from the City depending on the connection location.
- 2. The potable water network that serves the site is owned and operated by East Bay Municipal Utility District (EBMUD). Please contact EBMUD at 866-403-2683 for more information about connections and water service.
- 3. The applicant shall locate all electric and communications utilities serving the site underground prior to Certificate of Occupancy.
- 4. The City of San Leandro, in partnership with LIT San Leandro, operate a fiber optic network across the property's Alvarado Street frontage. Contact LIT San Leandro at 510-991-0969 for more information.

# F. Site Planning Conditions:

1. The sanitary sewer network that serves the site is owned and operated by the City of San Leandro. More information about connections to the City's network can be found at the following web link: <a href="http://www.sanleandro.org/depts/pw/wpcp/sewer/default.asp">http://www.sanleandro.org/depts/pw/wpcp/sewer/default.asp</a>

The proposed site development can tie into the City's network on Alvarado Street. The City is in the process of inspecting any defects in this sanitary sewer segment on Alvarado Street. If the Pipeline Assessment Certification Program (PACP) index rating is 3 or worse (as graded from 1 to 5) or if the new lateral connection will cause any structural damage to the sanitary sewer main line, the applicant shall replace the main pipeline from manhole to manhole as part of this project prior to making the sewer lateral.

- 2. Submit a sign and striping plan showing STOP control at all three driveways, red painted curbs at required fire lanes, and travel direction pavement arrows prior to Building Permit issuance.
- 3. Building Permit plans shall show a widened sidewalk around the existing utility poles on Aladdin Avenue such that there is minimum clearance per disabled access requirements around each pole.
- 4. Sheet C2 of the Kier & Wright plans shows an existing 6 inch sanitary sewer pipe residing outside of the existing sanitary sewer easement recorded as Instrument No. 94273117 of Official Records. Prior to issuance of a Certificate of Occupancy, the existing easement shall be vacated and a new easement shall be recorded in the correct location and width to protect the existing sewer pipe and allow for future access and maintenance.

#### G. Permits:

- 1. The applicant shall obtain an Encroachment Permit from the Engineering and Transportation Department prior to any work within public right-of-way. Contractors must be properly licensed, have a valid Business License, and submit proof of insurance. Applicable fees/deposits must be paid.
- 2. A Grading Permit will be necessary for the project prior to issuance of Building Permit. The requirements for a Grading Permit are indicated in San Leandro Municipal Code §7-12. The geotechnical engineer of record shall certify that the design of site improvements conforms to recommendations from the Geotechnical Investigation.
- 3. The site will be subject to a Construction General Permit according to the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002. The general permit is applicable to construction sites that disturb on or more acres of land surface. The applicant will be required to register the project with the State Water Board's Storm water Multi-Application and Report Tracking System (SMARTS) website. A Qualified SWPPP Developer (QSD) and a Qualified SWPPP Practitioner (QSP) must be responsible for permit compliance. The SMARTS system will generate a Waste Dischargers Identification (WDID) number which must be printed on the demolition, grading and erosion control plans.

#### H. Other:

- 1. The City's traffic impact fee program is called "Development Fee for Street Improvements" (DFSI). According to the City-adopted 2017-18 Fee Schedule, the rate for General Industrial is \$1.24 per gross building square foot with an equivalent credit offered for the prior use. Assuming 159,450 of new proposed building square footage and 154,700 SF of existing (from tax assessor records), the net square footage increase will be 4,750 SF. Thus the DFSI fee shall be assessed in the approximate amount of \$5,890.00. This fee is subject to change each fiscal year and is not vested until Building Permit issuance.
- 2. A one-time Marina Boulevard/Interstate 880 Traffic Impact Fee shall be assessed. According to the City-adopted 2017-18 Fee Schedule, the rate for General Industrial is \$0.91 per gross building square foot with an equivalent credit offered for the prior use. Assuming 159,450 of new proposed building square footage and 154,700 SF of existing (from tax assessor records), the net square footage will be 4,750 SF. Marina Boulevard/Interstate 880 Traffic Impact Fee is estimated approximately in the amount of \$4,322.50. This fee is subject to change at the beginning of each fiscal year and is not vested until Building Permit issuance.
- 3. Alvarado Street is in the City's adopted Underground Utility District Master Plan; as such an in lieu fee is required to be assessed in the amount of \$137,752.32, which is calculated at \$372.36 per linear foot frontage. This undergrounding overhead utility conversion fee is subject to change at the beginning of each fiscal year and is not vested until Building Permit issuance.

#### VII. ENVIRONMENTAL SERVICES REQUIREMENTS

- The storage of hazardous materials in quantities equal to or greater than A. 55 gallons, 200 cubic feet or 500 pounds and generation of any amount of hazardous waste requires submittal of a Hazardous Materials Business Plan (HMBP). HMBP submittal shall be completed via the California Reporting System **CERS** Environmental or online database (http://cers.calepa.ca.gov/). An HMBP shall be submitted prior to issuance of a Certificate of Occupancy or placement of the registerable chemicals on to the site, whichever occurs first. The plan is subject to the review and approval of Environmental Services.
- B. The storage of hazardous materials in quantities equal to or exceeding permit amounts listed in CA Fire Code Section 105, Tables 105.6.8, 105.6.10 or 105.6.20, but below HMBP quantities and the generation of any amount of hazardous waste requires registration via CERS. Registration shall be completed prior to issuance of a Certificate of Occupancy or placement of the registerable materials on site, whichever occurs first. The registration is subject to review and approval of

Environmental Services.

- C. Fees and charges related to Environmental Services programs shall be paid promptly in full. Failure to keep accounts current shall be grounds for revocation of the conditional use permit.
- D. Compressed gas containers, cylinders, tanks, and systems shall comply with applicable Chapters, including Chapters 50, 53, 55, 61 and 63 of the California Fire Code or applicable adopted code at time of construction. Compressed gas containers, cylinders, and tanks shall be secured to prevent falling due to contact, vibration, or seismic activity per 2016 California Fire Code §5303.5.3 by acceptable methods. Cylinders may be stored outside in secure gated and locked enclosures within the exempt amounts listed in the 2016 California Fire Code Table 5003.1.1(3).
- E. Hazardous waste generated on site shall be handled and disposed pursuant to applicable local, state and federal law. Generators of hazardous waste must register with the City's Environmental Services, which is the Certified Unified Program Agency (CUPA), and through California Environmental Reporting System or CERS.
- F. The elimination of exposure of materials, processes, or equipment to the maximum extent practicable is necessary to prevent contamination of rainwater. Exposures that cannot be eliminated require use of Best Management Practices (BMPs), both engineered and administrative, to prevent any exposure from impacting rainwater runoff.
- G. The storage of materials or installation of processes and/or equipment outdoors may subject the facility to the General Industrial Stormwater Permit program and require submittal to the Regional Water Quality Control Board (RWQCB) of a Notice of Intent (NOI) for coverage under the Statewide General Industrial Facility Permit. Elimination of exposure to stormwater of materials or activities by relocating indoors, covering, or utilizing engineered controls is highly recommended. If an NOI is required, it must be submitted prior to finaling of the building permit or issuance of Certificate of Occupancy. A copy of the NOI shall be provided to the City's' Environmental Services office.
- H. No outdoor activities shall be conducted on the site that would create an illicit discharge to the storm water collection system, including the street curb & gutter. Any outdoor activities that create a potential for pollutant exposure to storm water shall be mitigated by the use of Best Management Practices (BMPs); with first preference giving to moving the activity indoors.
- I. If the facility will handle materials subject to the California Accidental Release Prevention (CalARP) Program, a Risk Management Plan shall be submitted prior to the date the regulated substance is first present in a process above the threshold quantity.

- J. Air discharge permits required by either the Bay Area Air Quality Management District (BAAQMD) or CA Air Resources Board (CARB), including those for but not limited to refrigerants, diesel generators, diesel ASTs, diesel-powered condensers and/or any other equipment or process on site, shall be active prior to issuance of the final Certificate of Occupancy.
- K. If the facility stores petroleum products, including mixtures with any concentration of petroleum, in a quantity equal to or greater than 1,320 gallons as an aggregate of all individual aboveground "tanks" equal to or greater than 55 gallons shell capacity (including drums, tanks, containers, totes, oil-filled electrical equipment, oil-filled manufacturing equipment and oil-filled operational equipment), the facility must comply with the requirements of the California Aboveground Petroleum Storage Act (APSA) as required in Chapter 6.67 of the CA Health & Safety Code and implement a Spill Prevention Control and Countermeasure Plan (SPCC) in conformance with 40 CFR 112. They shall also register APSA activity on the California Environmental Reporting System or CERS.
- L. The generation or discharge of wastewaters, other than domestic sewage, may require a pretreatment permit for discharge to the sanitary sewer. If a permit is required, submittal of an application to the City's Environmental Services office is required prior to finaling of the building permit or commencing the discharge, whichever occurs first. Pretreatment of non-domestic wastewaters may be required to comply with discharge limitations specified in Title 3, Chapter 14 San Leandro Municipal Code titled Uniform Wastewater Discharge Regulations. All non-domestic discharges, whether permitted or non-permitted, are required to meet the general discharge prohibitions specified in the Ordinance.
- M. Accessible and secure monitoring facilities shall be constructed at the site's final combined sanitary sewer outfall to allow for the City to periodically install sampling equipment and collect wastewater samples to determine compliance with the facility's Pretreatment Permit.
- N. Properly sized grease interceptors shall be installed and maintained to pretreat discharges from food handling facilities to the sanitary sewer. No domestic sewage may discharge through grease interceptors.
- O. New, modified, or existing connections to the City's storm water collection system shall be protected from trash loading by installation of RWQCB approved full trash capture structural Best Management Practices (BMPs).

# VIII. PUBLIC WORKS REQUIREMENTS

A. Applicant is subject to Alameda County Mandatory Recycling Ordinance #2012-01. For more information, visit www.RecyclingRulesAC.org.

B. Project is subject to Construction & Demolition Debris Recycling Ordinance as per Chapter 3-7 of the San Leandro Municipal Code, which states: all asphalt and concrete and 50% of all other materials generated at a project site must be recycled for projects with a valuation in excess of \$100,000. Permit applicants must demonstrate compliance by completing and submitting an online Waste Management Plan using Green Halo Systems prior to permit issuance. Applicants must submit recycling and disposal receipts online and submit the waste management report before scheduling the final inspection. Note: Project will not be finaled until all recycling and disposal tags have been registered into Green Halo Systems.

## IX. MAINTENANCE

- A. The project site shall be well-maintained and shall be kept free of litter, debris and weeds at all times.
- B. Parking lots, landscaping, and all common areas on the property shall be monitored and maintained to collect and prevent the accumulation of errant litter and debris.
- C. 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.
- D. All fencing and walls on the project site shall be structurally sound, graffitifree and well maintained at all times.
- E. Rear fencing and gates shall be 8-foot high black vinyl coated chain link as proposed on the Site Plan.
- F. All landscaping improvements shall be maintained in a healthy, growing condition at all times.
- G. Upon demolition or removal of existing structures and improvements, the site shall be enclosed with a security fence with appropriate screening measures.

# X. GENERAL REQUIREMENTS

- A. All exterior mechanical equipment such as air conditioning/heating units and antennas shall be screened from view so as not to be visible from adjacent properties or streets to the satisfaction of the Zoning Enforcement Official.
- B. No sight lighting shall spill off-site, over property lines, or shine above the

- horizontal plane.
- C. All uses and activities shall comply with the provisions of the San Leandro Noise Regulations (Title IV, Chapter 1 of the Municipal Code).
- Applicant shall implement and comply by all mitigation measures identified in the Initial Study - Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program.
- E. Applicant shall continue to comply with Title 14 of the California Code of Regulations
- F. All electrical transformers shall be vaulted underground or concealed within building cabinets. In the event that the transformer cannot be undergrounded, it shall be painted an appropriate color and screened from view with landscaping consistent with the access requirements of PG&E. Details for screening shall be subject to the review and approval of the Zoning Enforcement Official.
- G. No temporary or unauthorized signs including but not limited to banners, streamers and pennants shall be placed on the property, unless approved by the City under a Temporary Sign Permit or Special Event Permit. The use of spotlights, feather signs, animated or inflatable signs, balloons, and lasers shall be prohibited at all times. These requirements shall be identified in the final Sign Program.
- H. No objectionable odors emanating from the buildings or trash enclosures shall be detectable beyond the subject property. The City may require noncompliant tenants to install odor control measures including but not limited to the installation of air filters or odor control systems.
- I. Vehicle idling shall be actively discouraged and restricted to a maximum of two minutes. A sign up to three (3) square feet in size shall be clearly posted at all entry gates to notify drivers of this requirement.
- J. No use, activity, or process shall produce vibrations that are perceptible without instruments by a reasonable person at the property lines of the site.
- K. No use, process, or activity shall produce dust that is perceptible without instruments by a reasonable person at the property lines of the site.
- L. 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.
- M. Applicant shall pay its City development, permitting, and plan check fees in accordance with the fee schedules in effect at the time.
- N. Any outstanding Planning Services and Appeal deposit fees or balance

shall be paid prior to issuance of a building permit.

- O. 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.
- P. 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 Zoning Enforcement Official waives compliance with the terms of the application and Conditions of Approval pending application for amendment.
- Q. As requested by the Applicant and pursuant to Zoning Code Section 5-2218, this approval shall lapse on **June 18, 2020**, unless a) approval of required State and County permits have been issued, coupled with diligent progress evidencing a good faith intent to commence the intended use, or b) a building permit has been issued.

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