

**HAYWARD PLANNING COMMISSION
SITE PLAN REVIEW NO. 202000759
DRAFT FINDINGS FOR APPROVAL
2579 HOME AVENUE**

Proposed Single-Family Residence and Attached Accessory Dwelling Unit on a Vacant 0.21-Acre Hillside Lot with an Average Slope Greater than 20% Located at 2579 Home Avenue, Assessor Parcel No. 081D-1660-040-00, Requiring Approval of Site Plan Review and Grading Permit Application No. 202000579, Bich-Khoi Do (Applicant) and Bradley Switzer Trust (Owner).

SITE PLAN REVIEW FINDINGS

Per Section 10-1.3025 of the Hayward Municipal Code, the Planning Commission may approve or conditionally approve an application when all the following findings are met:

A. The development is compatible with on-site and surrounding structures and uses and is an attractive addition to the City.

The proposed development will be compatible with on-site and surrounding structures and uses in that the project site is located in the established residential neighborhood of the Old Highland area, where all properties are in the Single-Family Residential (RS) zoning district subject to the same development standards (i.e., setbacks, height, and lot coverage), design guidelines, and performance standards.

Further, the proposed residence incorporates a contemporary modern design aesthetic with flat and minimally sloped/angled roof pitches. Due to slope and how the structure steps down the hillside the view from Hillcrest Avenue (top of slope), the single-family residence will be designed to appear as a single-story structure. The proposed residence would likely be wood-framed construction and the exterior will be finished with a combination of stone cladding, wood siding and smooth stucco to complement the wooden slat railings on the various decks. The color palette for the residence will be a light-white body contrasted against the more earth tone wood siding, dark fascia boards, and stone veneer features.

B. The development takes into consideration physical and environmental constraints.

The proposed single-family residence and attached ADU take into consideration the physical and environmental constraints in that it is designed to be constructed along the existing slope and natural topography. The proposed architectural design of the single-family residence is consistent with the City's Hillside Design and Urban/Wildland Interface Guidelines. The Hillside and Urban/Wildland Interface Guidelines requires that new buildings within the development exhibit varied elevations, floor plans, setbacks, and a quality architecture to enhance the hillside setting. Most notably, the Hillside Design Guidelines requires that developments exhibit a stepped architecture along the slope to minimize excessive grading and unnecessary cuts into hillside. The proposed residence has incorporated well-articulated street-facing elevations with well-proportioned windows, flat and shed roofs and a variety of textures.

A Geotechnical Report (Gray Geotech, 2019) was prepared for the proposed project at the property that included an analysis of the physical and environmental constraints on the property with respect to slope stability, drainage, landslide potential, foundation, and retaining walls that determined the property was adequate to be built upon with the incorporation of specific design-level measures recommended by the Geotechnical Engineer. These specific design-level geotechnical recommendations have been incorporated as Conditions of Approval for the proposed development.

C. The development complies with the intent of City development policies and regulations.

The proposed single-family residence complies with applicable City development policies, including but not limited to the *Hayward 2040 General Plan*, the Hayward Municipal Code, and the City's Hillside Design and Urban/Wildland Interface Guidelines. The proposed ADU complies with the provisions of state law codified in Section 65852.2 of the Government Code. In addition, the development consistent with the following *Hayward 2040 General Plan* goals related to Land Use and Community Character:

- Land Use Policy LU-1.7 Design Guidelines: The City shall maintain and implement commercial, residential, industrial, and hillside design guidelines to ensure that future development complies with General Plan goals and policies.
- Land Use Policy LU-3.7 Infill Developments in Neighborhoods: The City shall protect the pattern and character of existing neighborhoods by requiring new infill developments to have complimentary building forms and features.

The project also incorporates new drought-tolerant landscaping in compliance with the Bay Area-Friendly Water Efficient Landscape Ordinance and will enhance the visual quality and character of the existing vacant site. The project will require the removal of two existing mature trees and the project plans have demonstrated compliance with the City's Tree Preservation Ordinance which requires proper mitigation and replacement trees to compensate for the removal of protected trees.

D. The development will be operated in a manner determined to be acceptable and compatible with surrounding development.

The proposed single-family residence and attached ADU, as conditioned, will be compatible with the surrounding residential development as the project will be subject to all applicable provisions of the Hayward Municipal Code including construction, maintenance, landscaping, etc. In addition, the proposed development of one single-family residence and ancillary ADU will be located within an already established single-family residential neighborhood, consistent with the land use pattern and character of the surrounding homes in the vicinity.

The project will incorporate both on- and off-site improvements. On-site improvements will include the installation of drought- tolerant landscaping, erosion control measures, stormwater management features, and shall incorporate Best Management Practices (BMPs) for construction noise, grading and construction

activities to prevent adverse negative impacts onto adjacent properties. Other site improvements would include a new driveway, concrete step pads for walkways, stairs, landscaping, and retaining walls.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

The proposed development is deemed categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303(a), Class 3 of the CEQA Guidelines as the project involves the construction of one (1) single-family residence on a legal parcel in a residential zone. Although the project will involve grading on a parcel with a slope greater than 10-percent, the project site is not located within an officially mapped area of severe geological hazard such as the Alquist-Priolo Earthquake Fault Zone area.

In addition, the proposed project also involves the concurrent construction of an Accessory Dwelling Unit (ADU) that will be attached and ancillary to the primary single-family residence. Pursuant to Section 65852.2 of the Government Code, ADUs shall be reviewed ministerially without discretionary review and thus are statutorily exempt from CEQA pursuant to Section 15268 (Ministerial Projects) of the CEQA guidelines and Section 21080(b)(1) of the Public Resources Code. Therefore, no additional environmental analysis required.