

**CITY OF HAYWARD PLANNING COMMISSION
VESTING TENTATIVE TRACT MAP 8660
APPLICATION NO. 202204947
32513 MISSION BOULEVARD**

DRAFT CONDITIONS OF APPROVAL

General:

Planning

1. The adopted conditions of approval for Site Plan Review Application No. 201900754 (included as Exhibit A to this document) shall remain in effect. In the event of a conflict between the conditions of approval for Site Plan Review Application No, 201900754 and for Vesting Tentative Tract Map Application No. 202204947, the conditions of approval outlined within this document shall supersede.
2. All outstanding fees owned to the City, including permit charges and staff time spent processing or associated with the development review of this application shall be paid in full prior to any consideration of a request for approval extensions and/or the issuance of a building permit.
3. If determined to be necessary for the protection of the public peace, safety and general welfare, the City of Hayward may impose additional conditions or restrictions on this permit. Violations of any approved land use conditions or requirements will result in further enforcement action by the Code Enforcement Division. Enforcement includes, but is not limited to, fines, fees/penalties, special assessment, liens, or any other legal remedy required to achieve compliance including the City of Hayward instituting a revocation hearing before the Planning Commission.
4. Vesting Tentative Tract Map (VTTM) 8660 are approved subject to the vesting tentative tract map exhibits prepared by Accurate Land Solutions date stamped September 9, 2021, except as modified by the conditions listed below.
5. The approval of Subdivision Application No. 202204947 – VTTM 8660 shall be to allow the subdivision of three-story mixed-use building for condominium purposed located at the 32513 Mission Boulevard, Assessor Parcel Nos. 076G-2760-009-07 and 076G-2760-021-00 within the Commercial Neighborhood (CN) zoning district, as amended. The proposed subdivision shall be in accordance with the VTTM and Conditions of Approval on file with the Planning Division identified as “Exhibit A”.
6. The permittee shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.
7. Any proposal for alterations or expansions to the proposed subdivision must be approved by the Planning Director or Planning Commission prior to implementation.

Modifications to the approved VTTM, scope of work, or use may require an additional submittal and public noticing.

8. In accordance with Hayward Municipal Code (HMC) Section 10-3.246, approval of this VTTM application shall expire 36 months after the effective date of approval subject to statutory and discretionary extensions as allowed by the HMC and Subdivision Map Act.

Engineering

9. The subdivision shall comply with Chapter 10 Article 3 (Subdivision Ordinance) of the Hayward Municipal Code as determined by the City Engineer. Subdivision improvements required for public health, safety and welfare shall comply with the current Standard Details of the City of Hayward and other agencies standards as applicable. Such improvements include, but are not limited to, the ones needed for: vehicular and pedestrian access, fire protection, safety lighting and signage, drainage collection, treatment for pollution prevention and disposal, sanitary sewer and solid waste collection and distribution of water, telecommunication, electricity and natural gas.
10. All required and conditioned improvements for Application No. 201907547 shall be complete as per plans approved by the City Engineer prior to Final Map Approval or the subdivider shall execute a Subdivision Improvement Agreement.
11. All necessary easements/rights-of-way shall be dedicated on the final map, and all required improvements shall be designed and installed, at no cost to the City of Hayward.
12. Homeowners Association: Home/Property Owners Association (HOA) shall be formed, and its related Covenant, Conditions and Restrictions (CCR) documents shall be filed in the public records of Alameda County prior to the sale of any parcel. Said documents shall be submitted to the City for its review and approval before submittal to the State Department of Real Estate (DRE) and filing in the County's public records. The CC&Rs shall include the following provisions:
 - a. The HOA shall be managed and maintained by a professional property management company and maintain updated registration information with the Secretary of State.
 - b. The HOA shall own and maintain in fully functional condition and good repair all areas, improvements, common area retaining wall systems, and facilities created for common use of the property owners within the project but not dedicated or accepted by the City for its maintenance.
 - c. The HOA shall be responsible for complying with the current and all future updates to the Community Preservation and Improvement Ordinance, Hayward Municipal Code Chapter 5, Article 7.
 - d. The HOA shall maintain the common area landscaping in a healthy, weed-free condition and maintain its irrigation system consistent with project development approvals.

- e. The CC&Rs shall describe how the stormwater treatment and site-design measures associated with privately owned improvements and landscaping shall be maintained by the association.
 - f. The HOA shall own and maintain on-site area lights which shall have a decorative design approved by the Planning Director and the City Engineer.
13. A Current title report shall be submitted to identify current ownership and any existing easements or land use restrictions.
 14. Before filing of the final map in the Alameda County Recorder's office, the final map conforming to the city approved tentative map shall be submitted for review and approval of the City Engineer.
 15. Before the City's approval of the final map, the site grading and improvement plans and related design documents shall be approved by the City Engineer. Such documents shall address all conditions of approval of Application No. 201907547 and shall be prepared by the state licensed and qualified professionals.
 16. The developer shall also submit for approval of the City Engineer construction cost estimates for the required grading and improvements, survey staking, inspection and construction contract administration.

Utilities

17. All connections to existing water mains shall be performed by City Water Distribution Personnel at the Applicant/Developer's expense.
18. Only City of Hayward Water Distribution personnel shall perform operation of valves on the City of Hayward Water System.
19. Any modifications to existing water services (upsized, downsized, relocations, abandonments) shall be performed by City Water Distribution personnel at the Applicant/Developer's expense.
20. Each residential dwelling unit shall have its own water service and water meter. Combined residential domestic and fire service is permitted per City of Hayward Standard Detail SD-216. A minimum 1" service line and 1" domestic water meter is required for each dwelling unit.
21. Each commercial space shall have its own water service and water meter with a backflow preventer per City Standard Details.
22. A separate irrigation meter shall be installed for landscape purposes.
23. The Applicant/Developer shall install an above ground Reduced Pressure Backflow Prevention Assembly (RPBA) on each non-residential domestic and irrigation water meter, per SD-202. Backflow preventions assemblies shall be at least the size of the water meter or the water supply line on the property side of the meter, whichever is larger.

24. A fire flow test must be completed by Water Distribution personnel. The current cost for a fire flow test is \$326. Please visit the City's website: <https://www.hayward-ca.gov/services/city-services/fire-flow-testing> for instructions on obtaining existing fire flow data and filling out an application for new fire flow data.
25. Water meters and services are to be located a minimum of two feet from top of driveway flare as per SD-213 thru SD-218. Water meters shall not be located in the driveway. Water meter lids shall be Nicor, Inc.
26. Water mains and services, including the meters, must be located at least ten (10) feet horizontally from and one foot vertically above any parallel pipeline conveying untreated sewage (including sanitary sewer laterals), and at least four feet from and one foot vertically above any parallel pipeline conveying storm drainage, per the current California Waterworks Standards, Title 22, Chapter 16, Section 64572. The minimum horizontal separation distances can be reduced by using higher grade (i.e., pressure) piping materials.
27. Off-site water pipeline improvements shall be required to serve the proposed development as determined by the Director of Public Works. The water improvements shall be at the Applicant/Developer's expense and to the satisfaction of the City Engineer. The development shall construct a new, minimum 8" diameter, water main in Lexington Ave from Mission Boulevard to Pulaski Drive to accommodate the development. Water pipeline improvements include, but are not limited to, constructing new water pipelines and installing new water service lines.
28. The Applicant/Developer is responsible for applicable water and sewer connection/capacity fees, at the rates in effect at the time of application for water and sewer service, prior to water connection and sewer discharge.
29. All sanitary sewer mains and appurtenances shall be constructed in accordance with the City's "Specifications for the Construction of Sewer Mains and Appurtenances," latest revision at the time of permit approval. Available on the City's website: <https://www.hayward-ca.gov/your-government/departments/engineering-division>
30. Off-site sanitary sewer pipeline improvements shall be required to serve the proposed development as determined by the Director of Public Works. The sanitary sewer improvements shall be at the Applicant/Developer's expense and to the satisfaction of the City Engineer. The development shall construct new, minimum 8" diameter, sanitary sewer main in Lexington Ave from the development's point of connection to Pulaski Drive to accommodate the development. The new sanitary sewer main shall be designed to flow by gravity. Sanitary sewer pipeline improvements include, but are not limited to, constructing new sanitary sewer pipelines, connecting to existing sewer mains and/or manholes, and constructing new manholes.
31. Where sanitary sewer lines and/or laterals are the same size as the sanitary sewer main, the connection shall be made with a manhole.

Prior to the Issuance of Building and/or Grading Permit:*Housing*

32. This development is subject to the requirements of the Affordable Housing Ordinance set forth in Chapter 10, Article 17 of the Hayward Municipal Code. The developer shall comply with the affordable housing requirements as reflected in the final Affordable Housing Plan on file with the Housing Division and detailed per Section 10-17.510 Affordable Housing Plan. No building permit(s) will be issued for any non-City restricted units in the Project until permits for all affordable units have been obtained or are obtained simultaneously. No Certificate(s) of Occupancy will be issued for any non-City restricted units in the Project until Certificate(s) of Occupancy for all affordable units have been obtained or are obtained simultaneously.
33. Pursuant to Hayward Municipal Code Sections 10-17.515 and 10-17.525, the developer shall enter into and record against the property an Affordable Housing Agreement that includes all elements set forth in the Affordable Housing Ordinance and the final Affordable Housing Plan on file with the Housing Division, prior to the approval of a final map or issuance of the first building permit, whichever occurs first. Additional rental or resale restrictions, deeds of trust, option agreements and/or other documents acceptable to the City Manager or designee shall be recorded.

Engineering

34. Building permits for new structures will not be issued prior to issuance of the City's grading permit and recordation of the Final Map.
35. Subdivider shall get permits or approvals from all affected agencies or private parties. Copies of applicable permits or approvals shall be provided to the City Engineer.
36. Subdivider shall secure the City Fire Marshal's approval of Improvements for all weather emergency vehicle access and fire protection before flammable material is brought on-site.

During Grading/Construction:*Engineering*

37. Developer shall be responsible for the preventing the discharge of pollutants (sediments) into the street and/or the public storm drain system from the project site during construction in accordance with the Hayward Municipal Code Section 11-5.19. Projects proposed for construction between October 1st and April 30th, must have an erosion and sedimentation control program approved, and implemented to the maximum extent possible, prior to the start of any land disturbing activity. Trash and debris must be adequately contained at all times. Such measures shall be maintained during the project's construction period. Violations or other noncompliance with stormwater management measures may result in the project being shut down, including any building permit activity, until full compliance with stormwater management requirements is achieved.

38. The Developer shall remove and replace any damaged curb, gutter, sidewalks, driveways, signs, pavement, pavement markings, etc. within the public right-of-way along the project frontage and at any locations damaged by the construction of the proposed project. Damaged pavement surfaces shall be overlain or micro-surfaced. Damaged pavement surfaces shall be repaired or resurfaced as required by the City Engineer. Unused driveways or unused portions thereof shall be removed and replaced with curb, gutter and sidewalk per City Standards.
39. Developer shall be responsible for adjusting existing utility boxes/vaults to grade, locating and protecting the existing communication conduits (fiber optic and copper) along the project frontage.

Prior to Issuance of Tract Acceptance/Certificate of Occupancy:

Engineering

40. All improvements, including the complete installation of all street improvements, fencing, sanitary sewer, storm drainage, water system, underground utilities, streetlights etc., shall be completed and attested to by the City Engineer before approval of occupancy of any unit in each phase of the subdivision. Where facilities of other agencies are involved, such installation shall be verified as having been completed and accepted by those agencies.
41. Prior to final inspection and issuance of final certificates of occupancy, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Public Works Director and Development Services Director or his/her designees.
42. The property owner(s) shall enter into the City's standard "Stormwater Treatment Measures Maintenance Agreement" as prepared by the City. The Maintenance Agreement shall be recorded with the Alameda County Recorder's Office to ensure that the maintenance responsibility for private treatment control and site design measures is bound to the property in perpetuity.
43. Prior to the issuance of any Certificates of Occupancy, Developer shall submit a confirming letter from the project geologic and/or geotechnical team confirming they have observed all grading activities and that those activities were performed in conformance with their recommendations.
44. Prior to the issuance of any Certificate of Occupancy, The Engineer of Record shall submit a confirming letter that all grading, drainage, and engineering components of the project have been performed in conformance with the approved plans and specifications.
45. As-built records of site grading and improvements completed by the property owner shall be provided to the City Engineer on electronic media in AutoCAD and pdf formats.

- End of Conditions -

EXHIBIT A

**CITY OF HAYWARD PLANNING DIVISION
SITE PLAN REVIEW APPLICATION NO. 201900754
CONDITIONS OF APPROVAL
EFFECTIVE DATE: SEPTEMBER 17, 2021**

Planning:

1. The approval of Site Plan Review Application No. 201900754 shall be limited to the development of a three-story building with fourteen (14) residential dwelling units, an 853 square-foot commercial tenant space, and thirty-one (31) parking spaces on a 0.47-acre parcel located at 32513 Mission Boulevard, Assessor Parcel Nos. 076G-2760-009-07 and 076G-2760-021-00.
2. The developer shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.
3. Site Plan is approved subject to the Architectural, Civil and/or Landscape plans date stamped August 31, 2021, respectively, except as modified by the conditions listed below. Any proposal for alterations to the conditionally approved site plan and/ or design that does not require a variance to any zoning ordinance standard shall be subject to review and approval by the Development Services Director or his/her designee prior to implementation. Alterations requiring a variance shall be subject to review and approval by the Planning Commission, if applicable.
4. The permittee, property owner or designated representative shall allow the City's staff to access the property for site inspection(s) to confirm all approved conditions have been completed and are being maintained in compliance with all adopted city, state and federal laws.
5. The future tenants and operators of the commercial space shall adhere to the permitted and conditionally permitted land uses of the Commercial Neighborhood (CN) zoning district within Section 10-1.1600 of the Hayward Municipal Code.
6. Failure to comply with any of the conditions set forth in this approval, or as subsequently amended in writing by the City, may result in failure to obtain a building final and/or a Certificate of Occupancy until full compliance is reached. The City's requirement for full compliance may require minor corrections and/ or complete demolition of a non-compliant improvement regardless of costs incurred where the project does not comply with design requirements and approvals that the applicant agreed to when permits were filed to construct the project.
7. All outstanding fees owed to the City, including permit charges and staff time spent processing or associated with the development review of this application shall be paid in full prior to any consideration of a request for approval extensions and/or the issuance of a building permit.

8. If determined to be necessary for the protection of the public peace, safety and general welfare, the City of Hayward may impose additional conditions or restrictions on this permit. Violations of any approved land use conditions or requirements will result in further enforcement action by the Code Enforcement Division. Enforcement includes, but is not limited to, fines, fees/penalties, special assessment, liens, or any other legal remedy required to achieve compliance including the City of Hayward instituting a revocation hearing before the Planning Commission.
9. A copy of these conditions of approval shall be scanned and included on a separate, full-sized sheet(s) in the building permit plan check set.
10. The Planning Director or designee may revoke this permit for failure to comply with, or complete all, conditions of approval or improvements indicated on the approved plans.
11. The owner shall maintain in good repair all building exteriors, walls, lighting, drainage facilities, landscaping, driveways, and parking areas. The premises shall be kept clean and weed-free.
12. The applicant shall be responsible for graffiti-free maintenance of the property and shall remove any graffiti within 48 hours of occurrence or City notification.
13. The applicant shall apply for and obtain all necessary permits from the City and/or outside agencies prior to any site work.
14. Within 60 days of following the issuance of a building permit and prior to construction, the applicant shall install one non-illuminated "Coming Soon" sign on the project site that includes a project rendering, a project summary, and developer contact information. The sign shall be constructed of wood or recyclable composite material, be placed in a location at least ten (10) feet back from the property line, and shall not impede pedestrian, bicycle, and vehicular visibility or circulation. The sign shall be maintained in accordance with Section 10-7-709 of the Hayward Municipal Code and may be up to thirty-two (32) square feet of sign area and shall not exceed ten (10) feet in height. Sign design, size and location shall be reviewed and approved by the Planning Division prior to placement.
15. Mailboxes shall be installed in accordance with Post Office policy and include locking mechanisms to minimize opportunities for theft.
16. Property addresses will be assigned by the Development Services Department prior to issuance of a building permit.
17. All lighting fixtures shall incorporate a shield to allow for downward illumination. No spillover lighting to adjacent properties is permitted and all exterior lighting on walls, patios or balconies shall be recessed/shielded to minimize visual impacts.
18. The building colors and materials shown on the building permit plans shall match those shown on the architectural plans, color/material exhibit and/or renderings date stamped August 31, 2021. Any revision to the approved colors and materials shall be

reviewed and approved by the Planning Division prior to the issuance of a building permit and/or prior to construction.

19. All vents gutters, downspouts, flashings, electrical conduits, etc. shall be painted to match the color of the adjacent material unless specifically designed as an architectural element.
20. All exterior and rooftop mechanical equipment shall be screened or located away from public view. Mechanical and rooftop equipment shall include, but is not limited to, electrical panels, pull boxes, air conditioning units, gas meters, and swimming pool equipment. All rooftop screening and mechanical equipment shall be shown on the project plans and be subject to final review and approval by City staff prior to the issuance of an occupancy permit. All screening shall be compatible with respect to forms and materials used on the building.
21. If permitted, all above-ground utility meters, air conditioners, mechanical equipment and water meters shall be enclosed within the buildings or shall be screened with shrubs and/or an architectural screen from all perspectives, unless other noise mitigation is required. All equipment shall be designed to be compatible with respect to location, form, design, exterior materials, and noise generation. The applicant shall obtain planning division review and approval prior to issuance of any permits.
22. No signs are approved with this project. Any signs placed on-site or off-site shall be reviewed and approved by the Planning Division and a Sign Permit application shall be required, consistent with Hayward Municipal Code Sign Ordinance requirements.
23. This development is subject to the requirements of the Property Developers – Obligations for Parks and Recreation set forth in HMC Chapter 10, Article 16. Per HMC Section 10-16.10, the applicant shall pay impact fees. The impact fees shall be the rate that is in effect at the time of building permit issuance.
24. If human remains, archaeological resources, prehistoric or historic artifacts are discovered during construction or excavation, the following procedures shall be followed: Construction and/or excavation activities shall cease immediately and the Planning Division shall be notified. A qualified archaeologist shall be retained to determine whether any such materials are significant prior to resuming groundbreaking construction activities. Standardized procedure for evaluation accidental finds and discovery of human remains shall be followed as prescribed in Sections 15064.f and 151236.4 of the California Environmental Quality Act.
25. In accordance with Hayward Municipal Code (HMC) Section 10- 1. 3055, approval of this Site Plan Review is void 36 months after the effective date of approval unless:
 - a. Prior to the expiration of the 36-month period, a building permit application has been submitted and accepted for processing by the Building Official or his/her designee. If a building permit is issued for construction of improvements authorized by this approval, said approval shall be void two years after issuance of the building permit, or three years after approval of the application, whichever is later, unless the construction authorized by the

building permit has been substantially completed or substantial sums have been expended in reliance on this approval; or

- b. A time extension of the approval has been granted by the Development Services Director or his/her designee, which requires that a request for an extension of this approval must be submitted in writing to the Planning Division at least 15 days prior to the expiration date of this approval.
26. Unless otherwise specified or approved by the Planning Director, all vacant building(s) on-site shall be demolished within six (6) months from project approval, and the site shall be returned to a "pre-development condition" which includes the capping of any utilities, the planting of sod to prevent erosion, and a 6 foot tall perimeter fence shall be erected within the required front, side and rear yards of a vacant parcel, subject to the standards set forth in Section 10-1.2735.k, Fence Regulations for Vacant Properties. In addition, the property shall be maintained in a weed-free condition and if applicable, by subject to any pre-construction or demolition mitigation required as pursuant to CEQA.
 27. Prior to, during and following demolition of vacant structures, the property owner shall be responsible for securing and maintaining the site in accordance with HMC Chapter 4, Article 1, Public Nuisances; HMC Chapter 5, Article 7, Community Preservation and Improvement Ordinance; and the California Building Code, among other applicable regulations.
 28. For the mixed-use development, the commercial/retail component of the project shall be under vertical construction before the issuance of a certificate of occupancy for the first residential unit and shall be completed prior to the issuance of a certificate of occupancy for the last residential unit, unless otherwise approved as part of a project's phasing plan.

Landscape:

29. No building permit shall be issued prior to approval of landscape and irrigation improvement plans as a part of grading permit.
30. A tree removal permit shall be obtained prior to the removal of any tree in addition to demolition and grading permits.
31. Tree shall be located a minimum of five feet from lateral service lines and driveways, a minimum of 15 feet from a light pole, and a minimum of 30 feet from the face of a traffic signal, or as otherwise specified by the City.
32. Root barriers shall be installed linearly against the paving edge in all instances where a tree is planted within seven feet of pavement or buildings, and as recommended by the manufacturer.
33. All above ground mechanical equipment shall be screened from the street with five-gallon shrubs.
34. Landscape Maintenance:

- a. Landscaping shall be maintained in a healthy, weed-free condition at all times and shall maintain irrigation system to function as designed to reduce runoff, promote surface filtration, and minimize the use of fertilizers and pesticides, which contribute pollution to the Bay.
- b. The owner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30% dieback) shall be replaced within ten days of the inspection.
- c. Three inches deep mulch should be maintained in all planting areas. Mulch shall be organic recycled chipped wood in the shades of Dark Brown Color and the size shall not exceed one and one-half (1-1/2)-inch diameter. The depth shall be maintained at three inches deep.
- d. All nursery stakes shall be removed during tree installation and staking poles shall be removed when the tree is established or when the trunk diameter of the tree is equal or larger to the diameter of the staking pole.
- e. All trees planted as a part of the development as shown on the approved landscape plans shall be "Protected" and shall be subjected to Tree Preservation Ordinance. Tree removal and pruning shall require a tree pruning or removal permit prior to removal by City Landscape Architect.
- f. Any damaged or removed trees without a permit shall be replaced in accordance with Tree Preservation Ordinance or as determined by City Landscape Architect within the timeframe established by the City and pursuant to the Municipal Code.
- g. Irrigation system shall be tested periodically to maintain uniform distribution of irrigation water; irrigation controller shall be programmed seasonally; irrigation system should be shut-off during winter season; and the whole irrigation system should be flushed and cleaned when the system gets turn on in the spring.

Engineering:

35. The property owner shall dedicate right-of-way to the City of Hayward to locate the entire sidewalk curb ramp at the intersection of Lexington Ave and Mission Blvd within the public right-of-way in accordance with Municipal Code Section 10-4.45.
36. Developer shall secure the required Street Encroachment and/or Grading Permit prior to the issuance of any Building Permits associated with the project. Plans for the City's permit(s) shall include details for required grading, material stockpiling, earth retaining structures, drainage, utility service connections, stormwater pollution prevention measures, landscape and lighting improvements, improvements in the street right-of-way and other details complying with the Planning approval and necessary to develop the project site.
37. In addition to aforementioned general requirements, the project plans must provide details for the following:
 - a. Any unused driveway or portion thereof shall be replaced with concrete curb, gutter and sidewalk. The color and form of new improvements shall match adjoining improvements.

- b. Existing street pavement area with multiple excavations less than twenty feet apart shall be ground down and repaved with a minimum two-inch thick hot-mix asphalt concrete.
 - c. Existing overhead electric and telecommunication utilities across the project frontages on Mission Boulevard and Lexington Avenue shall be replaced with underground facilities.
 - d. All new utility service connections to the project shall be installed underground.
38. All plans and their related design studies and details shall be prepared by or under the direction of the State licensed and qualified professionals and shall comply with Chapter 10, Article 8 of the Hayward Municipal Code and the current City Standard Details, available online.
39. Structural calculations and details prepared by a licensed civil or structure engineer are required for all earth retaining structures greater than four-feet in height (top of wall to bottom of footing) and shall be reviewed and approved by the Building Division of the Development Services Department.
40. The project shall not block runoff from, or augment runoff to, adjacent properties. The developer shall be required to mitigate augmented runoff to maintain post-development site discharge rates to less than or equal to pre-development discharge rates to the satisfaction of the City Engineer.
41. The Alameda County Flood Control and Water Conservation District's Hydrology and Hydraulics Criteria Summary shall be used to design the storm drain system. On site drainage shall be collected and conveyed to public drainage system as per plans approved by the City Engineer. The storm drainage system shall be designed to convey a 10-year storm event.
42. Drainage plans should include all proposed underground pipes, building drains, area drains and inlets. All building sites shall be graded to slope away from the building foundations per California Building Code, Chapter 18, Section 1804.3 Site Grading or as required by the Soils Engineer. On-site collector storm drains shall be sized to minimize potential for blockages. Storm drains shall be designed to prevent standing water.
43. The On-site storm conveyance and treatment systems shall be owned and maintained by the property owner.
44. The project's Stormwater Control Plan and updated Stormwater Requirements Checklist shall be submitted and shall show, at a minimum, drainage management areas, location and details of all treatment control measures and site design measures, and numeric sizing calculations in conformance with Alameda County Clean Water Program C3 design guidelines.
45. Developer shall comply with the pre-construction and post-construction requirements of the Municipal Regional Permit (MRP). The project shall also include erosion control measures to prevent soil, dirt, debris and contaminated materials from entering the

storm drain system, in accordance with the regulations outlined in the ABAG Erosion and Sediment Control Handbook.

46. All existing public utilities shall be protected in place and if necessary, relocated as approved by the utility owner. No permanent structure is permitted within City easements and no trees or deep-rooted shrubs are permitted within City utility easements, where the easement is located within landscape areas.
47. Prior to start of any work within public right of way or City easement, the developer shall secure the required City permit and notify the Supervising Construction Inspector in the City's Public Works Department.
48. Construction Stormwater Management: Developer shall be responsible for the preventing the discharge of pollutants and sediments into the street and/or the public storm drain system from the project site during construction in accordance with the Hayward Municipal Code Section 11-5.19-11-5.19 of. Projects proposed for construction between October 1st and April 30th, must have an erosion and sedimentation control program approved, and implemented to the maximum extent possible, prior to the start of any land disturbing activity. Trash and debris must be adequately contained at all times. Such measures shall be maintained during the project's construction period. Violations or other noncompliance with stormwater management measures may result in the project being shut down, including any building permit activity, until full compliance with stormwater management requirements is achieved.
49. Construction Damage: The Developer shall remove and replace curb, gutter, sidewalks, driveways, signs, pavement, pavement markings, etc. damaged during construction of the proposed project prior to issuance of the Final Construction Report by the City Engineer. Damaged pavement surfaces shall be repaired or resurfaced as required by the City Engineer. Unused driveways or unused portions thereof shall be removed and replaced with curb, gutter and sidewalk per City standards.
50. Prior to occupancy of any unit, all required rights-of-way shall be dedicated and public and private improvements, including their punch list items, must be complete.
51. Prior to final inspection and issuance of final certificates of occupancy, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Public Works Director and Development Services Director or his/her designees.
52. Post Construction Stormwater Maintenance: The property owner(s) shall enter into the City's standard "Stormwater Treatment Measures Maintenance Agreement" as prepared by the City. The Maintenance Agreement shall be recorded with the Alameda County Recorder's Office to ensure that the maintenance responsibility for private treatment control and site design measures is bound to the property in perpetuity.
53. Final Engineer's Report: Prior to the issuance of any Certificate of Occupancy, The Engineer of Record shall submit a confirming letter that all grading, drainage, and engineering components of the project have been performed in conformance with the approved plans and specifications.

54. As-Built Records: As-built records of site grading and improvements completed by the property owner shall be provided to the City Engineer on electronic media in AutoCAD and pdf formats.

Transportation:

55. Applicant shall submit the following items as part of Improvement Plans to Public Works-Transportation for review prior to issuance of Building Permits:
- a. An on-site and off-site (fronting City right-of-way) Signing and Striping Plan in accordance with Caltrans' latest Standard Plans (refer to Caltrans Standard Plans Sheet A90A for more information on marking complaint disabled stalls).
 - b. A Photometric Plan, refer to Hayward's Standard Plans Sheet SD-120 for roadway lighting criteria, link: <https://www.hayward-ca.gov/documents/hayward-standard-detail>
 - c. Turning Analysis using the largest vehicle expected on-site (typically a delivery vehicle) using AutoTurn software. Turning Analysis shall not depict vehicles backing into public streets/right-of-way.
56. Applicant shall install curb ramp to access building lobby. Curb ramp shall be located adjacent to the Accessible Parking Space in the Parking Garage. This item shall be shown on Improvement Plans.
57. Applicant shall provide Accessible Pedestrian Pathway from sidewalk on Lexington to the Parking Garage. This item shall be shown on Improvement Plans.
58. Applicant shall add Type "A" curb ramps at the driveways on Lexington and Mission. This item shall be shown on Improvement Plans.
59. Upon review of Improvement Plan(s) and required item(s) listed above by Public Works-Transportation, Applicant shall modify Improvement Plan(s) to address any deficiency(ies) or item(s) identified by Public Works-Transportation staff, to the satisfaction of the Public Works Director or his/her deisgnee, prior to issuance of Building Permit(s).

Building:

60. The project shall be designed by a registered design professional (architect or engineer). We strongly recommend that for multi-family residential projects, the design team should consist of both an architect with experience in multi-family construction and an engineering team for site and structural issues. The drawing quality does demonstrate a level of knowledge required for the architectural aspects of the project that we would normally expect for a project of this size and scope.
61. The proposed project shall conform to the Hayward Reach Code. This local regulation modifies the CA Energy Code to prohibit or reduce natural gas use in most new buildings. The reach code also expands CalGreen's requirements for EV charging infrastructure.

62. The project shall apply for a building permit and conduct the associated plan review process. Additional comments will be provided during that review.

Utilities (Water and Sewer):

63. The developer shall install reduced-pressure backflow prevention assemblies on each irrigation and non-residential domestic water meter, per Standard Detail 202. Backflow preventions assemblies shall be at least the size of the water meter or the water supply line on the property side of the meter, whichever is larger.
64. Water meters must be located a minimum of two feet from top of the driveway flares as per City Standard Detail 213 thru 218.
65. Water mains and services, including the meters, must be located “at least 10 feet horizontally from and one foot vertically above, any parallel pipeline conveying untreated sewage, ...” (such as a sanitary sewer lateral) per the current California Waterworks Standards, Title 22, Chapter 16, Section 64572.
66. All sewer mains and appurtenances shall be constructed in accordance to the City’s “Specifications for the Construction of Sewer Mains and Appurtenances (12” Diameter or Less),” latest revision at the time of permit approval. Sewer cleanouts shall be installed on each sewer lateral at the connection with the building drain, at any change in alignment, and at uniform intervals not to exceed 100 feet. Manholes shall be installed in the sewer main at any change in direction or grade, at intervals not to exceed 400 feet, and at the upstream end of the pipeline.

Solid Waste & Recycling:

67. Staff will be responsible for staging all waste containers (landfill, recycling, and organics) on Lexington Avenue for waste collection on collection days. The containers cannot be placed at the curb any earlier than 6:00 a.m. the day before scheduled collection and are required to retrieve them no later than midnight the days the containers are emptied.
68. The City requires that construction and demolition debris be recycled per certain ordinance requirements. Submittal of the Debris Recycling Statement is required at the time of your building permit. The form can also be found at <http://www.hayward-ca.gov/services/city-services/construction-and-demolition-debris-disposal>. You may also visit Hayward’s Green Halo webpage and create a waste management plan instead of filling in the Debris Recycling Statement.

Housing:

69. This development is subject to the requirements of the Affordable Housing Ordinance set forth in Chapter 10, Article 17 of the Hayward Municipal Code. The developer shall comply with the affordable housing requirements as reflected in the final Affordable Housing Plan on file with the Housing Division and detailed per Section 10-17.510 Affordable Housing Plan. No building permit(s) will be issued for any non-City restricted units in the Project until permits for all affordable units have been obtained or are obtained simultaneously. No Certificate(s) of Occupancy will be issued for any

non-City restricted units in the Project until Certificate(s) of Occupancy for all affordable units have been obtained or are obtained simultaneously.

70. Pursuant to Hayward Municipal Code Sections 10-17.515 and 10-17.525, the developer shall enter into and record against the property an Affordable Housing Agreement that includes all elements set forth in the Affordable Housing Ordinance and the final Affordable Housing Plan on file with the Housing Division, prior to the approval of a final map or issuance of the first building permit, whichever occurs first. Additional rental or resale restrictions, deeds of trust, option agreements and/or other documents acceptable to the City Manager or designee shall be recorded.

Fire Prevention:

71. When buildings or portion of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access, fire apparatus roads shall have unobstructed width of 26 feet in the immediate vicinity of the building. At least one of the required access routes shall be located within a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building.
72. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet.
73. Fire apparatus access roads shall be designed and maintained to support the imposed load of fire apparatus 75,000 lbs. and shall be surfaced to provide all-weather driving capability.
74. The current edition of the California Fire Code (CFC) requires at least two means access to the building when a building exceed 30 feet or three stories. The plan shows two separate stairwells accessible to the entire building.
75. Double-streamer fire hydrants should be provided in accordance with Hayward Fire Code and local Ordinance. The maximum spacing between hydrants should not exceed 300 feet. The distance from any point of access road to a fire hydrant should not exceed 150 feet.
76. Fire hydrants shall be Double Steamer Hydrant (Clow Valve Co. Model 865 with one two and one-half inch (2-1/2") outlet & two four and one-half inch (4-1/2") outlets). Blue reflective fire hydrant blue dot markers shall be installed on the roadways indicating the location of the fire hydrants. Vehicular protection may be required for the fire hydrants.
77. New fire hydrants shall be placed at least 50 feet from the building to be protected. Where it is not feasible to place them at that distance, they may be in closer proximity in approved locations by the AHJ.
78. An underground fire service line serving NFPA 13 sprinkler system(s) shall be installed in accordance with NFPA 24 and the Hayward Public Work Department SD-204. Water

meter shall be minimum of four-inch for a (NFPA 13) commercial grade system. (Deferred Submittal)

79. An automatic fire sprinkler system shall be designed and installed conforming to NFPA 13 Standards. A separate fire permit is required for the fire sprinkler system installation. A State Licensed C-16 Fire Sprinkler Contractor shall be responsible for the fire sprinkler system installation. (Deferred Submittal)
80. A maximum static pressure of 80 PSI should be used when test data indicates higher pressures. Residual pressures used in the calculation should also be adjusted accordingly.
81. A manual fire alarm system is required for the (R2) building onsite. Fire alarm system shall be installed by a licensed C10 contractor. (Deferred Submittal)
82. Single and multiple station smoke alarms are required per the current edition of the CFC.
83. Standpipe system is required for buildings (3) stories or more per HFD Ordinance. Installation of standpipe system shall conform to NFPA 14 Standards. (Deferred Submittal)
84. The number and distribution of fire hydrants shall be provided in accordance the California Fire Code and Local Ordinances.

Hazardous Materials:

85. The Hayward Fire Department – Hazardous Materials Division has reviewed the following document: Phase I Environmental Site Assessment, Mission Boulevard Property, 32513 Mission Boulevard, Hayward, CA 94544”, California” by Enviro Assessment, PC, dated September 27, 2019. The report indicates historic agricultural and commercial uses on the project site with businesses that used hazardous materials on adjoining site that have had regulatory clean up oversight. As a condition of approval, the applicant shall provide environmental screening clearance from the Alameda County Department of Environmental Health’s Local Oversight Program (LOP). The LOP contact, Paresh Khatri, can be reached at (510) 567-6700 or (510) 777-2478. Clearance from the LOP will ensure that the proposed residential project meets development investigation and cleanup standards, including if necessary, any clearance stipulations, such as a deed restriction or the need for any groundwater/soil vapor/soil management plan. LOP clearance shall be submitted to the Hayward Fire Department’s Hazardous Materials Office, the City of Hayward Planning Division and City of Hayward Public Works/Engineering Division prior to issuance of any grading and building permits.
86. Environmental Documentation associated with the evaluation, investigation and/or clearance of this site shall be provided in an electronic format to the City of Hayward Fire Department and Planning Division prior to the issuance of the Building or Grading Permit.

87. Prior to grading, structures and their contents shall be removed or demolished under permit in an environmentally sensitive manner. Proper evaluation, analysis and disposal of materials shall be done by an appropriate professional(s) to ensure that hazards posed to development construction workers, the environment, future uses, and other persons are mitigated.
88. Any wells, septic tank systems and other subsurface structures shall be protected and removed properly to minimize threats to the health and safety of the development construction workers, future residents, or the environment. These structures shall be documented and removed under permit from the appropriate regulatory agency when required.
89. If hazardous materials/wastes or their containers are discovered during grading/construction, the Hayward Fire Department shall be immediately notified at (510) 583-4910.
90. If found on the property, underground vessels and/or structures shall be removed under an approved plan filed with the Hayward Fire Department (HFD) and appropriate samples shall be taken under the direction of a qualified consultant to ensure that contamination has not occurred to soil or groundwater. A follow-up report shall be required to be submitted to document the activities performed and any conclusions. Below are specific requirements on each.
 - a. Underground storage tank and associate piping: An approved removal plan, including appropriate sampling, a Hayward Fire Department permit for the removal, and follow-up report is required.
 - b. Oil Water Separators: An approved plan, including appropriate sampling, and follow-up report is required.
 - c. Hydraulic Lifts: An approved plan, including appropriate sampling, and follow-up report is required.
91. During grading and construction hazardous materials and hazardous waste shall be properly stored, managed, and disposed.
92. Depending on the quantity and types of storage of hazardous materials/waste, an annual hazardous materials permit may be required associated with the development or potentially any onsite tenants. Specific information will need to be submit at the time of building permits for the development that include, but are not limited to:
 - a. Elevators – Any oil storage associated with hydraulic elevators system
 - b. Fire Pumps – Any diesel associated with fire pumps.
 - c. Maintenance – Any hazardous materials associated with maintaining the properties.
 - i. Maintenance Supplies such as cleaning supplies, paints, lubricant, gas/diesel, etc.
 - ii. Collection of hazardous waste from residence, garbage collection or illegal dumping on the property

- d. Future Commercial Use – Per discussion with the owner of the property there will be only one commercial tenant proposed for the project. The owner has identified that a dental office is being proposed with only limited to no hazardous materials use or storage. As part of the building permits process the applicant shall provide adequate information associated with the use or storage of hazardous materials/waste for evaluation and approval by the Hayward Fire Department to ensure adequate conditions are met. Additionally, any medical waste generated shall meet the requirements of the Alameda County Environmental Health Department's, Medical Waste Division for the storage and disposal of such waste as well as other applicable regulations.

-- END --