

CITY OF HAYWARD

LINCOLN LANDING

DRAFT ENVIRONMENTAL IMPACT REPORT

SCH# 2016072018

Prepared for:

CITY OF HAYWARD
777 B STREET
HAYWARD, CA 94541

Prepared by:

Michael Baker
INTERNATIONAL

2729 PROSPECT PARK DRIVE, SUITE 220
RANCHO CORDOVA, CA 95670

SEPTEMBER 2016

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ES EXECUTIVE SUMMARY

This chapter provides a summary of the Lincoln Landing project in the City of Hayward, identification of the alternatives evaluated in this Draft Environmental Impact Report (DEIR or Draft EIR), a discussion of areas of controversy, and a summary of the environmental impacts of the project.

ES.1 PURPOSE AND SCOPE OF THE ENVIRONMENTAL IMPACT REPORT

This DEIR provides an analysis of the potential physical environmental effects associated with project implementation, pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000–21177).

The analysis focuses on the physical environmental impacts that could arise from project implementation through demolition of the historic pump house. The Lincoln Landing Draft EIR is an environmental impact report focusing on resources as determined by the prepared Initial Study, per CEQA Guidelines Section 15063(c) (3):

ES.2 PROJECT CHARACTERISTICS

The project applicant is seeking a Site Plan Review and Tentative Tract Map for the development of a large-scale mixed-use development consisting of 476 multi-family residential units above 80,500 square feet of commercial uses with a combination of surface and structured parking (**Appendix PLANS**). The existing 335,000-square-foot office building and 5,310-square-foot commercial building would be demolished to accommodate the project. The existing four-story parking structure at the southwestern corner of the site would be retained and rehabilitated to provide parking for the proposed development.

ES.3 PROJECT ALTERNATIVES SUMMARY

CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project which could feasibly attain the basic objectives of the project and avoid and/or lessen the environmental effects of the project. Further, CEQA Guidelines Section 15126.6(e) requires that a “no project” alternative be evaluated in an EIR. The Draft EIR evaluates the following alternatives:

- **Alternative 1 No Project Alternative.** Under this alternative, the proposed project would not be implemented. The existing buildings would remain and a mixed-use development with housing and retail would not be developed on the site. The project site would not undergo site improvements, like landscaping and repaving of the parking lot.
- **Alternative 2 – Reduced Development Alternative A.** Reduced Development Alternative A would include 200 apartments and approximately 45,500 square feet of retail space, which represents a reduction from the proposed project of 276 residential units and 35,000 square feet of commercial space. This alternative would eliminate the entire 35,000-square-foot supermarket use assumed in the traffic analysis for the proposed project.
- **Alternative 3 – Reduced Development Alternative B.** Alternative 3 would include 100 apartments and approximately 45,500 square feet of retail space. The alternative was devised to reduce the traffic impacts identified under cumulative conditions. This alternative represents a reduction from the proposed project of 376 residential units and elimination of the entire 35,000 square feet of supermarket use.

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- **Alternative 4 – Adaptive Reuse Alternative/Residential Use.** Alternative 4 would entail the implementation of the project on an alternate site. The proposed project site at 22301 Foothill Boulevard is identified as a catalyst site in the downtown area. The site was selected as a catalyst site because of its vacant and underused status, its high visibility in the downtown core, and its size. Alternative 4 would entail the development of the other catalyst site in the downtown core that could accommodate development which approaches the level proposed for the project.

ES.4 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

In accordance with CEQA Guidelines Section 15082, the City of Hayward prepared and distributed a Notice of Preparation (NOP) for this project that was circulated for public review from July 8, 2015 to August 8, 2015. The NOP included a summary of probable effects on the environment from the project implementation. Written comments received in response to the NOP were considered in the Draft EIR preparation. Areas of controversy and issues raised to date regarding the project, and the sections where they were discussed in the Draft EIR, include the following:

- Scenic vistas in the City (Section 3.0)
- Pedestrian safety in the project area (Section 3.1)
- Water supplies (Section 3.0)
- Compliance with General Plan Policies (Section 3.0)
- Parking availability (Appendix TRA)
- Project massing impacts on existing visual character (Section 3.0)
- Transportation Demand Management (Section 3.1 and Appendix TRA)
- Bicycle parking (Section 3.1 and Appendix TRA)
- Water conservation (Section 3.0)
- Cumulative conditions (Sections 3.0 and 3.1)
- Cultural resources and Native American burial sites (Section 3.0)
- Ambient noise levels (Section 3.0)
- Impacts on public services like police, fire and schools (Section 3.0)
- Historic cultural resources (Section 3.0 and Appendix CUL)
- AB 52 consultation (Section 3.0 and Appendix CUL)

These issues have been analyzed and addressed in the appropriate sections of this EIR, as indicated above.

ES.5 SUMMARY OF ENVIRONMENTAL IMPACTS

Table ES-1 displays a summary of project impacts and proposed mitigation measures that would avoid or minimize potential impacts. In the table, the level of significance is indicated both before and after the implementation of each mitigation measure.

For detailed discussions of these environmental impacts, refer to the appropriate environmental topic section (i.e., Sections 3.1 through 3.4 and Section 4.0).

Project implementation has the potential to generate one significant and unavoidable impact associated with cultural resources. CEQA Guidelines Section 15126.2(b) requires an EIR to discuss unavoidable significant environmental effects, including those that can be mitigated but not reduced to a level of insignificance. Throughout this EIR, the terms “project” and “proposed project” are used to refer to the development of a large-scale mixed-use development. The term “cumulative” refers to development as outlined in the City of Hayward General Plan EIR.

ES EXECUTIVE SUMMARY

TABLE ES-1
DRAFT LINCOLN LANDING IMPACTS AND PROPOSED MITIGATION MEASURES

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Aesthetics			
AES-1 The project site is located in an urban area and does not contain unique visual features that would distinguish it from surrounding areas, nor is it located within a designated scenic vista.	NI	None required.	NI
AES-2 There are no state scenic highways in the vicinity of the project site, and the project site is not visible from any scenic highways.	NI	None required.	NI
AES-3 The proposed project would alter the existing visual character of the site, but it would be generally consistent with the type and scale of development envisioned for the site. Therefore, the proposed project would not substantially degrade the existing visual character or quality of the project site and its surroundings.	LS	None required	LS
AES-4 The proposed project would create additional sources of light and glare; however, these sources would not be substantial and would not adversely affect day or nighttime views in the area.	LS	None required.	LS
Agricultural and Forest Resources			
AG-1 The project site is currently developed and is surrounded by existing urban development. There are no agricultural or forestland resources in the vicinity of the project site or in the surrounding area.	NI	None required.	NI
Air Quality			
AQ-1 The project would not conflict or obstruct implementation of applicable air quality plans.	LS	None required.	LS

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Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
AQ-2 The project would not result in emissions either during construction or operation that would exceed BAAQMD thresholds or expose sensitive receptors to substantial pollutant concentrations.	LS	None required.	LS
AQ-3 The project's contribution to cumulative increases of criteria pollutants for which the BAAQMD is in nonattainment would be less than cumulatively considerable.	LCC	None required.	LCC
AQ-4 The proposed project would not create objectionable odors or subject people to objectionable odors.	NI	None required.	NI
Biological Resources			
BIO-1 The project site does not provide suitable habitat for the majority of special-status species identified in the project vicinity; however, tree removal associated with the project does have the potential to impact migratory birds, raptors, and bats.	PS	<p>MM BIO-1a Preconstruction Surveys for Migratory Birds and Raptors. If clearing and/or construction activities occur during the migratory bird and raptor nesting season (February 1–September 1), preconstruction surveys for active nest sites shall be conducted by a qualified biologist, within 14 days prior to initiation of construction activities. The qualified biologist shall survey the construction zone and a 200-foot radius surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds.</p> <p>If active nest(s) in trees or structures are identified during the preconstruction survey, a qualified biologist shall monitor the nest(s) to determine when the young have fledged. Monthly monitoring reports, documenting nest status, shall be submitted to the City Planning Division until the nest(s) is deemed inactive. The biological monitor shall have the authority to cease construction if there is any sign of distress to a raptor or migratory bird. Reference to this requirement and to the Migratory Bird Treaty Act shall be included in the construction specifications.</p> <p><i>Timing/Implementation:</i> Prior to construction</p> <p><i>Enforcement/Monitoring:</i> City of Hayward Planning Division</p>	LS

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Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		MM BIO-1b Surveys of Potential Bat Roosts. Prior to demolition of structures on the project site, a qualified wildlife biologist shall conduct preconstruction surveys. If bats are identified as present on the site, bats shall be absent or flushed from roost locations prior to demolition of buildings. If flushing of bats from buildings is necessary, it shall be done by a qualified biologist during the non-breeding season from October 1 to March 31. When flushing bats, structures shall be moved carefully to avoid harming individuals, and torpid bats given time to completely arouse and fly away. During the maternity season from April 1 to September 30, prior to building demolition or construction, a qualified biologist shall determine if a bat nursery is present at any sites identified as potentially housing bats. If an active nursery is present, disturbance of bats shall be avoided until the biologist determines that breeding is complete and young are reared. <i>Timing/Implementation: Prior to demolition of structures</i> <i>Enforcement/Monitoring: City of Hayward Planning Division</i>	
BIO-2 No wetlands or sensitive habitats occur on or adjacent to the project site.	NI	None required.	NI
BIO-3 The project would not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors.	LS	None required.	LS
BIO-4 The project would not conflict with any adopted or proposed local policies or ordinances protecting biological resources or with any adopted or proposed habitat conservation plans, natural community conservation plans, or other approved local, regional, or state habitat conservation plans.	LS	None required.	LS

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Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Cultural Resources			
CUL-1 The proposed project would result in development that affects a historic property, but components included in the proposed project would mitigate potential effects, so the project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.	LS	None required.	LS
CUL-2 Implementation of the project could result in the potential disturbance of currently undiscovered archaeological resources.	PS	<p>MM CUL-2 In the event an archaeological resource is encountered during project construction activities, the construction contractor shall halt construction within 25 feet of the find and immediately notify the City of Hayward. The City shall notify a qualified archaeologist meeting the Secretary of Interior's Professional Qualifications Standards in prehistoric or historical archaeology immediately to evaluate the resource(s) encountered and recommend the development of mitigation measures for potentially significant resources consistent with Public Resources Code Section 21083.2(i). Construction activities may continue in other areas provided that there is no evidence of archeological resources. The archaeologist shall evaluate the find and recommend appropriate mitigation measures for the inadvertently discovered cultural resources. The City and the project applicant shall consider the recommendations of the qualified archaeologist and consult and agree upon implementation of a measure or measures that the City, the qualified archaeologist, and the project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project applicant, the qualified project archaeologist, and the City, as well as the Native American tribal representative if relevant, as to the appropriate preservation or mitigation measures.</p> <p><i>Timing/Implementation:</i> During ground-disturbing activities <i>Enforcement/Monitoring:</i> City of Hayward Planning Division</p>	SU

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Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
CUL-3 No human remains have been identified within the project site; however, construction of the proposed project could result in the accidental disturbance of currently undiscovered human remains. Any discovery of human remains would trigger state law governing the treatment of human remains.	LS	None required.	LS
CUL-4 No indication of tribal resources were found on the site and the AB 52 consultation process did not indicate the presence of tribal resources on the site.	LS	None required.	LS
CUL-5 Implementation of the project could result in the potential disturbance of currently undiscovered paleontological resources.	PS	<p>MM CUL-5 In the event any paleontological resources (i.e., fossils) are uncovered during project construction activities, all work in the immediate vicinity shall be halted or diverted to other areas on the site and the City of Hayward shall be immediately notified. A qualified paleontologist shall be retained to evaluate the find and recommend appropriate mitigation measures for the inadvertently discovered paleontological resources. The City and the project applicant shall consider the qualified paleontologist's recommendations and consult and agree upon implementation of a measure or measures that the City, the qualified paleontologist, and the project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project applicant, qualified paleontologist, and the City as to the appropriate preservation or mitigation measures.</p> <p><i>Timing/Implementation:</i> During ground-disturbing activities</p> <p><i>Enforcement/Monitoring:</i> City of Hayward Planning Division</p>	LS

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Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Geology and Soils			
GEO-1 The proposed project could expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death, resulting from seismic hazards. The project would implement all recommendations including in the geotechnical study prepared for the project.	LS	None required.	LS
GEO-2 The proposed project would not create substantial erosion or contribute to the loss of topsoil.	LS	None required.	LS
GEO-3 The topography of the project site is level, and areas surrounding the project site do not have the potential for landslides.	NI	None required.	NI
GEO-4 The project's geotechnical investigation identified a moderate risk of liquefaction and lateral spreading at the project site due to underlying unstable soils.	LS	None required.	LS
GEO-5 No septic tanks or alternative wastewater disposal systems would be utilized on the project site. Therefore, the project would have no impact associated with soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems.	NI	None required.	NI
Greenhouse Gas Emissions			
GHG-1 The project would generate greenhouse gas emissions over the short term from construction activities and would also contribute to long-term regional emissions associated with new project-related vehicle trips and indirect source emissions.	LCC	None required.	LCC
GHG-2 The project's contribution to cumulative greenhouse gas (emissions would be less than significant with compliance with the City's Climate Action Plan and AB 32.	LS	None required.	LS

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Hazards and Hazardous Materials			
HAZ-1 The proposed project would not create a significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous materials.	LS	None required.	LS
HAZ-2 The proposed project would not be expected to create a significant hazard to the public or to the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. However, discovery of potential unknown contamination at the site during project construction could impact construction workers.	PS	<p>MM HAZ-2a Prior to development of the project site, all impacted soils shall be removed as described in the Phase I and II Environmental Site Assessment and Tank Removal Report prepared for the project site by Applied Water Resources Corporation dated April 2015. Additionally, a qualified environmental professional shall be present to observe the building demolition and soil excavation and grading to oversee the removal of the impacted soil and in the event additional impacted areas are encountered when the buildings and other current improvements are removed.</p> <p><i>Timing/Implementation:</i> Prior to issuance of a building permit and throughout project demolition and grading</p> <p><i>Enforcement/Monitoring:</i> City of Hayward Planning Division</p> <p>MM HAZ-2b A survey for asbestos-containing building materials, lead-based paint, polychlorinated biphenyl, or other potentially hazardous building materials shall be conducted prior to initiation of demolition of any existing structures on the project site. If hazardous building materials are present at levels that require special handling and/or disposal, removal of the materials shall be completed by qualified professionals in accordance with applicable laws and regulations (including Bay Area Air Quality Management District requirements) prior to any activity that would involve demolition.</p> <p><i>Timing/Implementation:</i> Survey shall be submitted and approved prior to issuance of a building permit</p> <p><i>Enforcement/Monitoring:</i> City of Hayward Building Division and Planning Division</p>	LS

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HAZ-3 Project implementation would not result in significant hazardous emissions or significant handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	LS	None required.	LS
HAZ-4 The proposed project site is not located on or in the vicinity of a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, the proposed project would not create a significant hazard to the public or to the environment.	NI	None required.	NI
HAZ-5 Project implementation would not result in a safety hazard associated with people residing or working in the vicinity of a public or private airport.	NI	None required.	NI
HAZ-6 Because the proposed project would generate traffic trips during construction that may impact service levels at intersections located in the project area, this impact is potentially significant with regard to adopted emergency response plans or evacuation plans.	PS	MM HAZ-6 Prior to the issuance of grading and building permits for the proposed project, a Construction Traffic Control Plan (CTCP) shall be submitted for review and approval by the City of Hayward Public Works–Engineering and Transportation Department. The CTCP shall include a schedule of construction and anticipated methods of handling traffic for each phase of construction to ensure the safe flow of traffic and adequate emergency access, including maintaining an open lane for vehicle travel at all times. The applicant shall obtain an encroachment permit(s) consistent with the CTCP if any project related work will occur within public right-of-way. The CTCP shall be circulated to emergency service providers prior to any street closure or construction. All traffic control measures shall conform to Caltrans standards, as applicable. Timing/Implementation: Prior to issuance of grading permits Enforcement/Monitoring: City of Hayward Public Works–Engineering and Transportation Department	LS
HAZ-7 Implementation of the proposed project would not expose people and structures to hazards involving wildland fires.	NI	None required.	NI

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Hydrology and Water Quality			
HYDRO-1 Compliance with the requirements of the City's Municipal Code and the Municipal Regional Stormwater NPDES Permit would minimize the potential for water quality degradation and ensure that the project would not contribute to a violation of water quality standards.	LS	None required.	LS
HYDRO-2 The project's domestic water demands will be met by surface water supplies provided by the East Bay Municipal Utility District rather than groundwater resources. The project would not impact groundwater recharge.	LS	None required.	LS
HYDRO-3 The project would not substantially alter the existing drainage pattern of the site or area, nor would it exceed the capacity of existing or planned stormwater drainage systems or generate of substantial additional sources of polluted runoff.	LS	None required.	LS
HYDRO-4 Project implementation would not place any housing or other structures within a flood hazard area.	NI	None required.	NI
HYDRO-5 The project would not expose people or structures to a significant risk of loss, injury, or death involving flooding as a result of a failure of a levee or dam.	LS	None required.	LS
HYDRO-6 The project site is not subject to potential inundation by seiche, tsunami, or mudflow.	NI	None required.	NI
Land Use and Planning			
LAN-1 The project would not result in the physical division of an established community.	NI	None required.	NI
LAN-2 The project would not conflict with the City's General Plan or other land use plan, policy, or regulation intended to reduce environmental effects.	LS	None required.	LS

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Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
LAN-3 The project site is not subject to an adopted or proposed habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan	NI	None required.	NI
Mineral Resources			
MIN-1 The project would not affect mineral resources.	NI	None required.	NI
Noise			
NOISE-1 Although the project could exceed the City of Hayward's acceptable noise levels during construction, the project would implement best management practices as required by the City.	LS	None required.	LS
NOISE-2 Project construction and operation would not result in a substantial temporary increase in ambient noise levels and groundborne vibration in the project vicinity above levels existing without the project.	LS	None required.	LS
NOISE-3 The project would not result in a permanent increase in ambient noise levels over existing levels.	LS	None required.	LS
NOISE-4 The project would not expose people residing or working in the project area to excessive noise levels associated with airport operation.	LS	None required.	LS
Population and Housing			
POP-1 The proposed project would generate approximately 1,542 new residents on the project site. This would not be considered substantial population growth.	LS	None required.	LS
POP-2 The proposed project would not displace substantial numbers of people or housing.	NI	None required.	NI

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SU – Significant and Unavoidable
S – Significant

LCC – Less than Cumulatively Considerable
CC – Cumulatively Considerable

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Public Services			
PUB-1 The proposed project would not result in substantial adverse physical impacts associated with the provision of public services, nor would it increase the use of existing public service and recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated.	LS	None required.	LS
Recreation			
REC-1 The proposed project would not increase the use of existing recreational facilities such that substantial physical deterioration of facilities would occur.	LS	None required.	LS
REC-2 The proposed project does not include nor would it require the construction of recreational facilities that may have an adverse impact on the environment.	LS	None required.	LS
Utilities			
UTL-1 The proposed project would not exceed wastewater treatment requirements of the Regional Water Quality Control Board.	LS	None required.	LS
UTL-2 The proposed project would be adequately served by existing water and wastewater infrastructure and would not require or result in the construction of new or expanded water or wastewater treatment facilities.	LS	None required.	LS
UTL-3 The proposed project would not require new or expanded stormwater drainage facilities.	LS	None required.	LS
UTL-4 The proposed project would be served by a landfill with adequate capacity and would comply with federal, state, and local statutes and regulations related to solid waste.	LS	None required.	LS

NI – No Impact
 LS – Less Than Significant

PS – Potentially Significant
 S – Significant

SU – Significant and Unavoidable

LCC – Less than Cumulatively Considerable
 CC – Cumulatively Considerable

Lincoln Landing
Draft Environmental Impact Report

City of Hayward
September 2016

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Traffic and Circulation			
3.1.1 Implementation of Phase 1 of the proposed project would generate vehicle trips but would not contribute to significant traffic operational impacts at intersections or project driveways as compared to existing conditions.	LS	None required.	LS
3.1.2 Implementation of Phase 1 of the proposed project would generate vehicle trips that could contribute to significant traffic operational impacts at intersections as compared to background conditions.	SU	None feasible.	SU
3.1.3 Implementation of Phases 1 and 2 of the proposed project would generate vehicle trips that could contribute to significant traffic operational impacts at intersections as compared to background conditions.	SU	None feasible.	SU
3.1.4 The proposed site plan generally provides adequate site access and internal circulation patterns; however, the proposed limited access driveway on City Center Drive would not provide sufficient sight distance.	S	<p>MM 3.1.4 The proposed site plan shall be modified to eliminate the limited-access driveway on City Center Drive and recess the north curb line by 10 to 12 feet to accommodate a westbound right turn deceleration lane for the full-access driveway on City Center Drive to accommodate additional project traffic. The modified full-access driveway shall be designed consistent with City of Hayward access standards. Construction of a roundabout should be considered.</p> <p><i>Timing/Implementation:</i> Prior to approval of improvement plans</p> <p><i>Enforcement/Monitoring:</i> City of Hayward Planning Division</p>	LS
3.1.5 Existing sidewalks along the project frontage are not continuous and would require improvement in order to ensure adequate pedestrian access in the project area.	S	Continuous sidewalks consistent with City of Hayward standards and ADA requirements shall be provided along the project frontage. In addition, the proposed pedestrian crossings at parking lot drive aisles shall be enhanced with high-visibility treatments, corner bulb-outs, and signage. These improvements shall meet ADA requirements and include direct travel paths from the parking areas to retail and apartment buildings.	LS

NI – No Impact

LS – Less Than Significant

PS – Potentially Significant

SU – Significant and Unavoidable

S – Significant

LCC – Less than Cumulatively Considerable

CC – Cumulatively Considerable

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		<i>Timing/Implementation:</i> Prior to approval of improvement plans <i>Enforcement/Monitoring:</i> City of Hayward Planning Division	
3.1.6 The proposed project would not interfere with existing bicycle facilities or circulation. However, the project would create new bicycle trips, and adequate bicycle parking must be provided on the project site.	LS	None required.	LS
3.1.7 Existing transit facilities in the project area would be adequate to meet project demand. Further, the proposed project would not conflict with any policies or plans regarding public transit.	LS	None required.	LS
3.1.8 The proposed project, in combination with other approved, planned, and reasonably foreseeable development in the project area, would generate vehicle trips that could contribute to significant traffic operational impacts to intersections as compared to cumulative conditions.	CC/SU	None feasible.	SU

NI – No Impact
 LS – Less Than Significant

PS – Potentially Significant
 S – Significant

SU – Significant and Unavoidable

LCC – Less than Cumulatively Considerable
 CC – Cumulatively Considerable

1.0 INTRODUCTION

This Draft Environmental Impact Report (Draft EIR) was prepared in accordance with and in fulfillment of the California Environmental Quality Act (CEQA) and the CEQA Guidelines. As described in CEQA Guidelines Section 15121(a), an environmental impact report (EIR) is a public informational document that assesses the potentially significant environmental impacts of a project. CEQA requires that an EIR be prepared by the agency with primary responsibility over the approval of a project (the lead agency). The City of Hayward (City) is the lead agency for the proposed Lincoln Landing (project). Public agencies are charged with the duty to consider and minimize environmental impacts of proposed development where feasible and have the obligation to balance economic, environmental, and social factors.

1.1 PURPOSE OF THE EIR

CEQA requires the preparation of an EIR prior to the approval of any project that may have a significant effect on the environment. The City has determined that the proposed project is a project under CEQA.

This Draft EIR reviews the environmental effects of project implementation. The City has prepared this Draft EIR for the following purposes:

- To satisfy the requirements of CEQA (Public Resources Code Sections 21000–21178) and the CEQA Guidelines (California Code of Regulations, Title 4, Chapter 14, Sections 15000–15387).
- To inform the general public, the local community, and responsible and interested public agencies of the project's nature, its possible environmental effects, recommended measures to mitigate those effects, and alternatives to the proposed project.
- To evaluate the project's potential significant environmental effects.

1.2 TYPE OF DOCUMENT

The State CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR has been prepared as a project EIR pursuant to CEQA Guidelines Section 15161, which defines project EIRs as follows:

The most common type of EIR examines the environmental impacts of a specific development project. This type of EIR should focus primarily on the changes in the environment that would result from the development of the project. The EIR shall examine all phases of the project including planning, construction, and operation.

By preparing a project EIR, the City intends to allow the entire project, if approved by the City Council, to proceed without additional CEQA analysis, absent the kinds of changed circumstances or project modifications that trigger the preparation of a subsequent EIR, supplemental EIR, or addendum (see CEQA Guidelines Sections 15162–15164).

This Draft EIR utilizes technical information provided by the project applicant (Dollinger Properties), the City of Hayward General Plan and Zoning Ordinance, and information gathered from federal, state, and local agencies, as well as any other data supported by the State CEQA Guidelines (see Section 15148 [Citation] and 15150 [Incorporation by Reference]). By utilizing these provisions of the State CEQA Guidelines, the City, in preparing this Draft EIR, has been able to make maximum feasible and appropriate use of this technical information.

1.0 INTRODUCTION

1.3 INTENDED USE OF THE EIR

This Draft EIR is intended to evaluate the environmental impacts of project implementation and to help decision-makers in the permit approval process. The EIR in its final form may also be considered in the review of any subsequent permit actions, if any, to facilitate the project.

1.4 ORGANIZATION AND SCOPE

CEQA Guidelines Sections 15122 through 15132 identify content requirements for Draft and Final EIRs. An EIR must include a description of the environmental setting, an environmental impact analysis, mitigation measures, alternatives, significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The environmental issues addressed in this Draft EIR were established through review of environmental documentation developed for the project, environmental documentation for other City projects, and responses to the Notice of Preparation and public scoping meeting comments. This Draft EIR is organized in the following sections:

SECTION ES – EXECUTIVE SUMMARY

This section provides a project narrative and identifies environmental impacts and mitigation measures through a summary table consistent with CEQA Guidelines Section 15123.

SECTION 1.0 – INTRODUCTION

This section includes an overview that describes the intended uses of the EIR, as well as the review and certification process.

SECTION 2.0 – PROJECT DESCRIPTION

This section provides a detailed description of the proposed project and project objectives, along with background information and physical characteristics consistent with CEQA Guidelines Section 15124.

SECTION 3.0 – ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

This section contains analyses relative to each environmental topic. Included in this section is a comprehensive analysis related to impacts and mitigation measures that correspond to project implementation. Each subsection contains a description of the existing setting of the project area. The environmental topics are summarized as follows:

- Effects Found Not Significant
- Transportation and Circulation

SECTION 4.0 – PROJECT ALTERNATIVES

This section discusses alternatives to the proposed project, including the CEQA mandatory No Project alternative, which are intended to avoid or reduce significant project environmental impacts.

SECTION 5.0 – OTHER CEQA ANALYSES

This section discusses significant irreversible environmental changes which would be involved in the proposed project should it be implemented, as well as significant unavoidable environmental effects, including are those that can be mitigated but not reduced to a level of insignificance.

SECTION 6.0 – REPORT PREPARERS

This section lists all authors and agencies that assisted in the preparation of the report by name, title, and company or agency affiliation.

SECTION 7.0 – REFERENCES

This section lists the references used in EIR compilation.

TECHNICAL APPENDICES

The appendices contain technical material prepared to support the analyses in the Draft EIR.

1.5 ENVIRONMENTAL REVIEW PROCESS

The review and certification process for the EIR will involve the following general procedural steps:

NOTICE OF PREPARATION

In accordance with CEQA Guidelines Section 15082, the City prepared a Notice of Preparation (NOP) of an EIR on July 8, 2016. The City was identified as the lead agency for the proposed project. The notice was circulated to the public, local and state agencies, and other interested parties to solicit comments on the proposed project. A scoping meeting was held on July 27, 2016, to receive additional comments. Concerns raised in response to the NOP were considered during preparation of the Draft EIR. The NOP and responses by interested parties are presented in **Appendix NOP**.

DRAFT EIR

This document constitutes the Draft EIR. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives. Upon completion of the Draft EIR, the City will file the Notice of Completion (NOC) with the Governor's Office of Planning and Research to begin the public review period (Public Resources Code Section 21161).

PUBLIC NOTICE/PUBLIC REVIEW

The City will provide public notice of the availability of the Draft EIR for public review and invite comment from the general public, agencies, organizations, and other interested parties. The public review and comment period is 45 days. Public comment on the Draft EIR will be accepted in written form at public hearings and by e-mail or mail. Notice of the time and location of the hearing will be published prior to the hearing. All comments or questions regarding the Draft EIR should be addressed to:

1.0 INTRODUCTION

City of Hayward, Planning Division
c/o Leigha Schmidt, Senior Planner
777 B Street
Hayward, CA 94541
Email: Leigha.Schmidt@hayward-ca.gov

RESPONSE TO COMMENTS/FINAL EIR

Following the public review period, a Final EIR will be prepared, responding to written comments related to the adequacy of the Draft EIR that are received during the 45-day public review period. The Final EIR includes the written responses to comments and any changes to the Draft EIR based on those comments/responses, and incorporates the findings of the Draft EIR.

CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

The City will review and consider the EIR in its entirety. If the City finds that the Final EIR is "adequate and complete," the City may certify the EIR. Upon EIR review and consideration, the City may act upon the project. A decision to approve the project must be accompanied by written findings in accordance with CEQA Guidelines Sections 15091 and 15093, as applicable. The City is also required to adopt a Mitigation Monitoring and Reporting Program, as described below, for mitigation measures that have been incorporated into or imposed on the project to reduce or avoid significant effects on the environment. The Mitigation Monitoring and Reporting Program will be designed to ensure that these measures are carried out during project implementation.

MITIGATION MONITORING

CEQA Section 21081.6(a) requires lead agencies to adopt a mitigation monitoring and reporting program to describe measures that have been adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The specific "reporting or monitoring" program required by CEQA is not required to be included in the EIR; however, it will be presented to the decision-making body for adoption and incorporation into the project.

1.6 COMMENTS RECEIVED ON THE NOTICE OF PREPARATION

The City received several comment letters on the project's NOP. A copy of each letter is provided in **Appendix NOP** of this Draft EIR. The following issues were raised during the comment period:

- Scenic vistas in the City (Section 3.0)
- Pedestrian safety in the project area (Section 3.1)
- Water supplies (Section 3.0)
- Compliance with General Plan Policies (Section 3.0)
- Parking availability (Appendix TRA)
- Project massing impacts on existing visual character (Section 3.0)
- Transportation Demand Management (Section 3.1 and Appendix TRA)
- Bicycle parking (Section 3.1 and Appendix TRA)

- Water conservation (Section 3.0)
- Cumulative conditions (Sections 3.0 and 3.1)
- Cultural resources and Native American burial sites (Section 3.0)
- Ambient noise levels (Section 3.0)
- Impacts on public services like police, fire and schools (Section 3.0)
- Historic cultural resources (Section 3.0 and Appendix CUL)
- AB 52 consultation (Section 3.0 and Appendix CUL)

These issues have been analyzed and addressed in the appropriate sections of this EIR, as indicated above.

1.7 INCORPORATION BY REFERENCE

The Hayward 2040 General Plan Draft Environmental Impact Report (SCH No. 2013082015) is incorporated by reference.

1.0 INTRODUCTION

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2.0 PROJECT DESCRIPTION

This section describes the proposed Lincoln Landing (project), which consists of the demolition of two existing buildings and the development of 80,500 square feet of retail uses and 476 apartment units. This section includes a depiction of the location of the project site, both regionally and locally, and a description of the project site's existing conditions. The objectives sought by the project applicant and a detailed list of the approvals required to implement the project are also included. This project description has been prepared in compliance with California Environmental Quality Act (CEQA) Guidelines Section 15124.

2.1 PROJECT LOCATION AND SETTING

The project site is located at 22301 Foothill Boulevard in Hayward. The 11.3-acre site (Assessor's Parcel Numbers [APN] 428-0026-068-01 and 428-0026-067-03) is located immediately west of Foothill Boulevard, south of Hazel Avenue, east of San Lorenzo Creek, and north of City Center Drive (**Figure 2.0-1**). The site contains an approximately 335,000-square-foot office building at 22301 Foothill Boulevard, most recently occupied by Mervyns, an approximately 5,310-square-foot commercial building at 1155 Hazel Avenue, and a four-story parking garage. The office building and commercial building are proposed for demolition to accommodate the project, but the parking garage would remain.

SURROUNDING LAND USES

The project site is surrounded on all sides by existing urban development. The proposed development would occur on almost the entire block except for the northeastern corner which is an automotive service station and which is slated to remain in place. Northwest of the project site, at the corner of Foothill Boulevard and Hazel Avenue, is a small commercial center and associated parking lot. The remaining area northwest of the site is developed as a mix of single-family and multi-family residential uses. Immediately north of the project site is an automotive service station. The area northeast of the project site is developed as a large commercial center anchored by a Safeway grocery store, a multi-story office building, and the Centennial Hall Building and associated parking garage. The area south and southeast of the project site is developed with various commercial, retail, and institutional uses and Downtown Hayward beyond. Immediately west of the site is San Lorenzo Creek, with a mix of single-family and multi-family residential and community uses located beyond.

EXISTING GENERAL PLAN LAND USE DESIGNATIONS AND ZONING

The project site is designated Central City-Retail and Office Commercial (CC-ROC) in the Hayward General Plan. The CC-ROC designation generally applies to downtown Hayward. The General Plan notes that typical building types include storefront commercial buildings and mixed-use buildings that contain commercial uses on the ground floor and residential units or office space on upper floors. The existing zoning for the site is Central City- Commercial (CC-C). The purpose of the CC-C district is to establish a mix of business and other activities to enhance the economic vitality of the downtown area. The proposed development would be consistent with the existing General Plan land use designation and zoning for the project site.

2.2 PROJECT OBJECTIVES

The objectives of the proposed project are to:

2.0 PROJECT DESCRIPTION

- Create a high-quality, regionally significant development that enhances the project site and aids in the revitalization of downtown Hayward by creating a project that is socially vibrant and economically viable.
- Provide development of high-quality retail, commercial, and residential uses that are consistent with existing General Plan land use designations and densities envisioned on the project site.
- Foster economic, employment, and residential opportunities in Hayward through the revitalization of a currently vacant, underutilized property.
- Create a mixed-use development that provides a combination of retail and residential uses to serve a wide range of users in close proximity to BART, Amtrak, and downtown Hayward.
- Create a development that is financially feasible and that will contribute to Hayward's economic base without negatively affecting existing City resources.
- Create a regional destination that will enhance Hayward's reputation in the larger Bay Area and signal increased investment and opportunities in the city.
- Create a development that is consistent with and promotes the City's Economic Development Strategic Plan, which identified this property as a key retail and catalyst site as appropriate for a large-scale mixed use development.

2.3 PROJECT CHARACTERISTICS

The project applicant is seeking a Site Plan Review and Parcel Map for the development of a large-scale mixed-use development consisting of 476 multi-family residential units above 80,500 square feet of commercial uses with a combination of surface and structured parking (**Appendix PLANS**). The existing 335,000-square-foot office building and 5,310-square-foot commercial building would be demolished to accommodate the project. The existing four-story 579-stall parking structure located at the southwestern corner of the site would be retained and rehabilitated to provide parking for the proposed development.

The 11.3-acre project site would be subdivided into four parcels as shown on the proposed tentative subdivision map (**Figure 2.0-2**) and summarized in **Table 2.0-1**. The buildings on the site would be divided into two separate residential towers on the northern and southern portions of the site, joined by a central smaller-scale commercial structure with no residential development above (**Figures 2.0-3 and 2.0-4**).

TABLE 2.0-1
LAND USE SUMMARY

Parcel	Acreage	Residential Units	Commercial Square Footage	Parking
1	0.6 acres	—	6,500	30
2	2.4 acres	209	—	284
3	3.4 acres	—	50,000	126
4	4.9 acres	267	24,000	740
Total	11.3 acres	476	80,500	1,180

TY_GIS\Alameda_County\Mxds\Hayward\Uncolr_Landing\Project Location.mxd (8/17/2016)

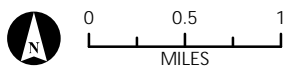
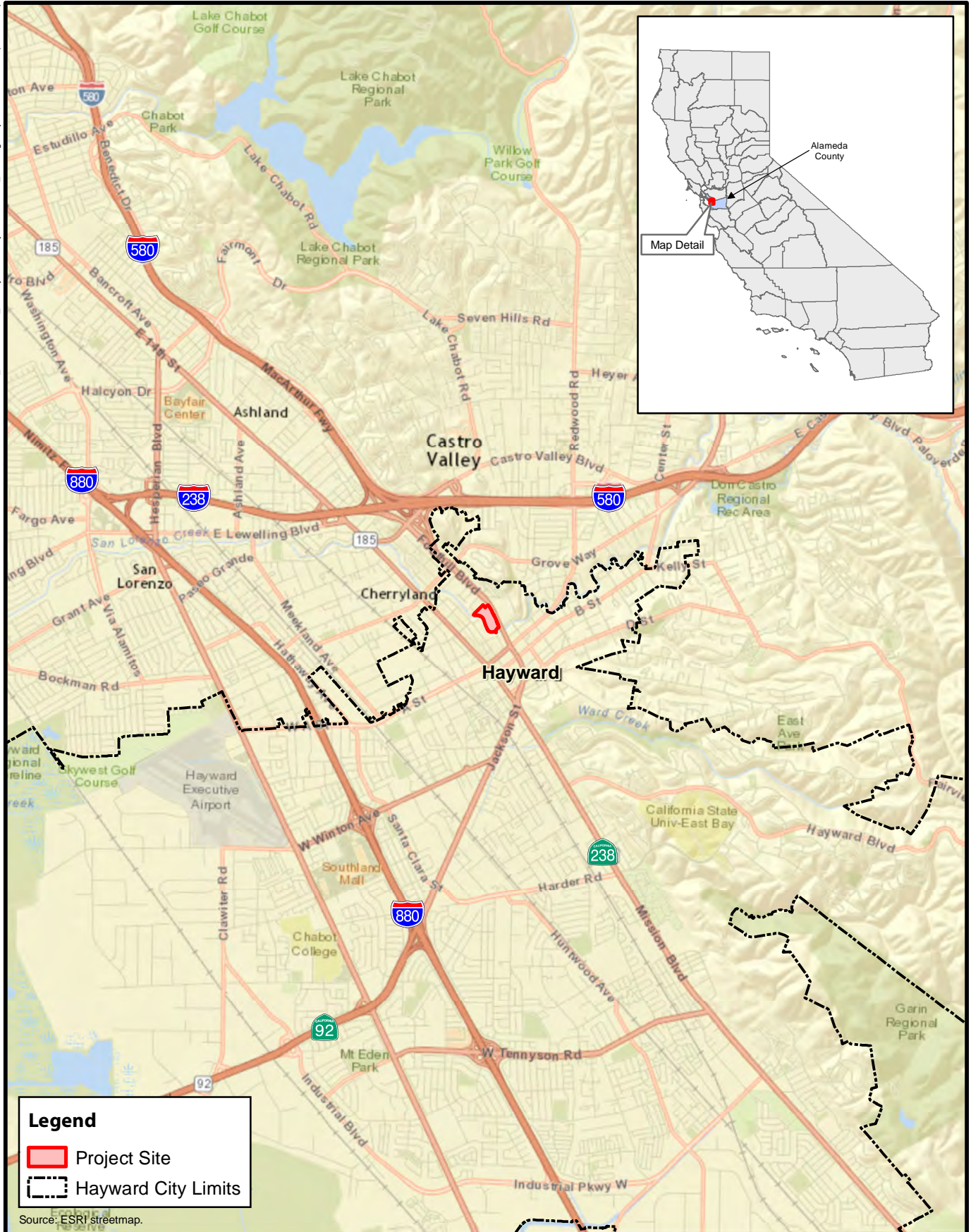


FIGURE 2.0-1
Project Location

T:_CSWork\Hayward, City of\Lincoln Landing\Traffic Figures

WE, THE STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION, AGREE TO THE FILING OF SAID MAP AND TO COMPLY WITH THE PROVISIONS OF THE CITY OF HAYWARD SUBDIVISION ORDINANCE AND THE STATE MAP ACT AS THEY APPLY TO THE PROCESSING AND APPROVAL OF SAID MAP.

BY: _____ DATE: _____

WE, MACDONALD & SOMMER, A CALIFORNIA GENERAL PARTNERSHIP, EDWIN SOMMER LLC, A CALIFORNIA LLC, G.A.R. CORP., A CALIFORNIA CORPORATION, AGREE TO THE FILING OF SAID MAP AND TO COMPLY WITH THE PROVISIONS OF THE CITY OF HAYWARD SUBDIVISION ORDINANCE AND THE STATE MAP ACT AS THEY APPLY TO THE PROCESSING AND APPROVAL OF SAID MAP.

BY: _____ DATE: _____

I, RYAN HANSEN, CERTIFY THAT THIS TENTATIVE MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT IT COMPLIES WITH THE CITY OF HAYWARD SUBDIVISION ORDINANCE AND THE STATE MAP ACT.

BY: _____ DATE: _____

RYAN HANSEN, RCE #80557

A SOILS REPORT ON THIS PROPERTY HAS BEEN PREPARED BY VIEN M. VO ENTITLED PROPOSED BUILDING 22301 FOOTHILL BOULEVARD HAYWARD, CALIFORNIA GEOTECHNICAL INVESTIGATION DATED OCTOBER 3, 2014, WHICH HAS BEEN FILED WITH THE CITY OF HAYWARD.

BY: _____ DATE: _____

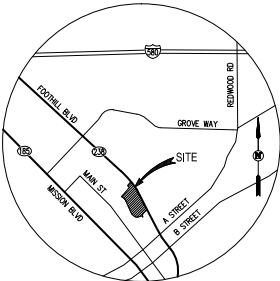
VESTING TENTATIVE MAP

FOR PARCEL AND CONDOMINIUM PURPOSES

LINCOLN LANDING

TRACT 8129

CITY OF HAYWARD ALAMEDA COUNTY CALIFORNIA



VICINITY MAP
NOT TO SCALE

CONTACTS:

1. OWNER (PARCEL 1):

22301 FOOTHILL HAYWARD, LLC.
C/O CHAVEZ MANAGEMENT GROUP
1860 EL CAMINO REAL, STE 250
BURLINGAME, CA 94010
ATTN: DR. MARCO CHAVEZ
2. OWNER (PARCEL 2):

MDS REALTY II, LLC.
C/O KLAFF REALTY, LP
122 SOUTH MICHIGAN AVENUE, STE 1000
CHICAGO, IL 60603
ATTN: LESLIE MARSHAL
3. APPLICANT:

DOLLINGER PROPERTIES
555 TWIN DOLPHIN DRIVE, SUITE 600
REDWOOD CITY, CA 94065
PHONE: 650-508-8666
ATTN: SCOTT ATHEARN
4. CIVIL ENGINEER:

CARLSON, BARBEE & GIBSON, INC.
2633 CAMINO RAMON, SUITE 350
SAN RAMON, CA 94583
PHONE: 925-866-0322
ATTN: RYAN HANSEN
REGISTRATION #80557
5. GEOTECHNICAL ENGINEER:

SILICON VALLEY SOIL ENGINEERING
2391 ZANKER ROAD, SUITE 350
SAN JOSE, CALIFORNIA
PHONE: ON REQUEST
ATTN: VIEN M. VO
REGISTRATION #32296

GENERAL NOTES:

6. BENCHMARK:

CITY OF HAYWARD BENCHMARK – PLATE MONUMENT AT THE CENTERLINE INTERSECTION OF CITY CENTER DRIVE AND FOOTHILL BOULEVARD. EL: 118.45 (NGVD 29)
7. BASIS OR BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS DETERMINED BY FOUND MONUMENTS IN FOOTHILL BOULEVARD AS SHOWN HEREON, THE BEARING BEING N24°44'45"W PER PARCEL MAP 9058 (292 MAPS 77).
8. SITE ADDRESS:

22301 FOOTHILL BOULEVARD, HAYWARD, CA.
9. A.P.N.:

428-0026-067-03 & 428-0026-068-01
10. SITE AREA:

GROSS: 11.33± AC (NET 11.27± AC)
11. EXISTING/PROPOSED ZONING:

CENTRAL CITY – COMMERCIAL CC
12. EXISTING LAND USE:

VACANT OFFICE BUILDING
13. PROPOSED LAND USE:

MULTI-FAMILY RESIDENTIAL & COMMERCIAL
14. RESIDENTIAL UNITS:

APARTMENTS: 476 UNITS
15. DENSITY:

43 DU/ACRE
16. SEWER:

ORO LOMA SERVICES DISTRICT
17. STORM DRAIN:

CITY OF HAYWARD
18. WATER:

EAST BAY MUNICIPAL UTILITIES DISTRICT
19. GAS & ELECTRIC:

PACIFIC GAS & ELECTRIC
20. TELEPHONE:

TBD
21. CABLE TV:

TBD
22. FLOOD ZONE:

LOMA DETERMINATION – 5/5/12, CASE NO:12-09-1833A
THE SITE IS IN ZONE X – AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN. COMMUNITY PANEL NO: 06001C 0287 G
DATED AUGUST 3, 2009
23. EXISTING STRUCTURES:

ALL EXISTING BUILDINGS ON-SITE, EXCEPT PARKING STRUCTURE, ARE TO BE REMOVED.
24. CONTOURS:

EXISTING CONTOUR INTERVAL: 1 FOOT
25. GRADING:

PROPOSED GRADING AS SHOWN IS PRELIMINARY. FINISHED GRADING IS SUBJECT TO FINAL DESIGN.
26. HOA'S:

A HOMEOWNER ASSOCIATION WILL BE FORMED TO OWN AND MAINTAIN PRIVATE STREETS, DRIVE AISLES, PRIVATE UTILITIES, STORM DRAINAGE FACILITIES AND LANDSCAPE.
27. WALLS:

ALL WALLS ARE TO BE PRIVATELY MAINTAINED BY THE HOA.
28. DIMENSIONS:

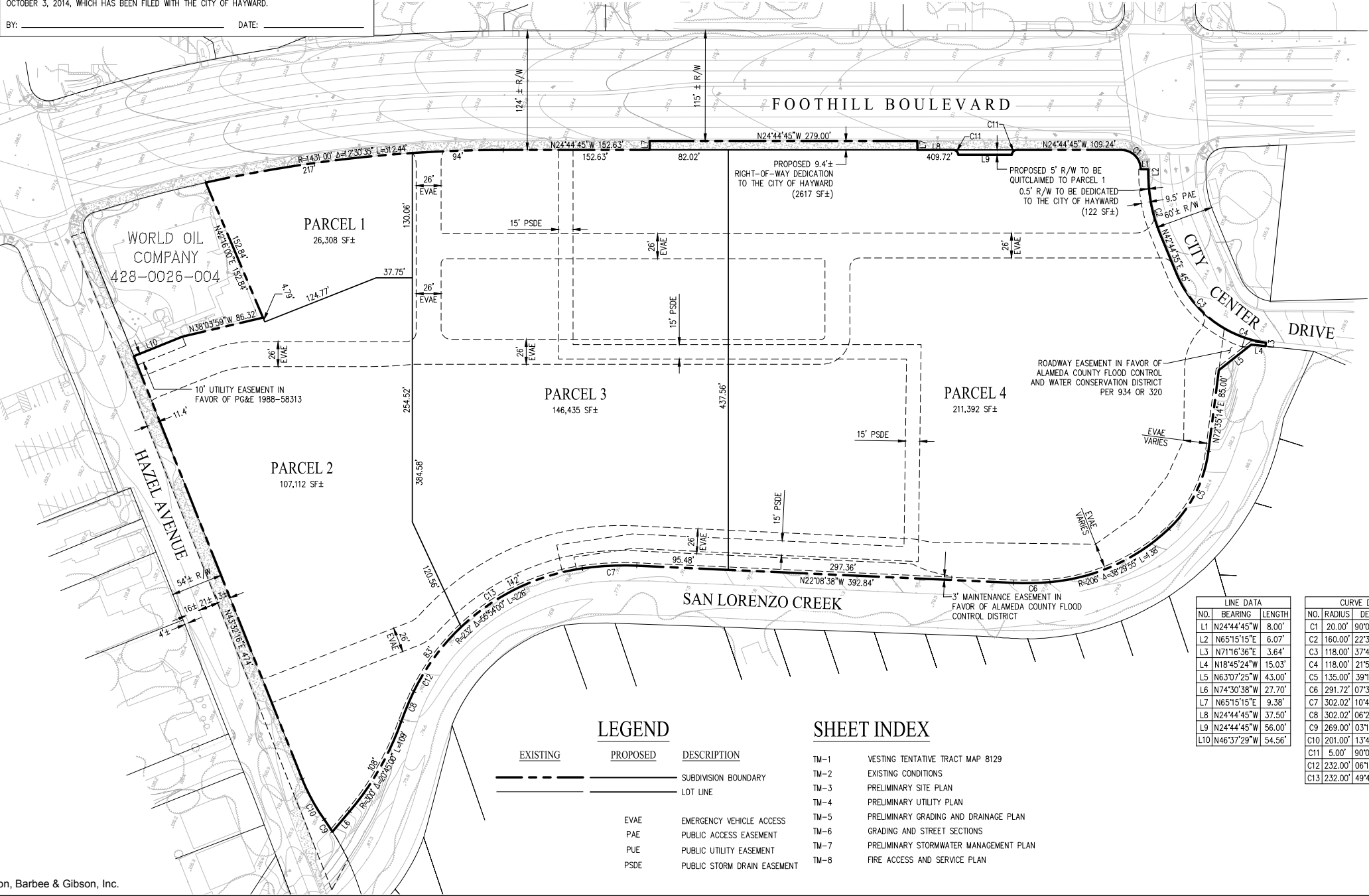
DIMENSIONS AS SHOWN ARE PRELIMINARY AND SUBJECT TO THE FINAL MAP.
29. FINAL MAP:

THIS PROJECT MAY BE PHASED. THE SUBDIVIDER RESERVES THE RIGHT TO RECORD MULTIPLE FINAL MAPS ON THE LANDS SHOWN ON THIS VESTING TENTATIVE MAP IN ACCORDANCE WITH ARTICLE A SECTION 66.456.1 OF THE SUBDIVISION ACT.
30. CONDOMINIUM MAP:

A CONDOMINIUM MAP WILL BE RECORDED. THE SUBDIVISION IS A CONDOMINIUM PROJECT AS DEFINED IN SECTION 4290 ET. SEQ. OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND FILED PURSUANT TO THE SUBDIVISION MAP ACT.
31. EASEMENTS:

THE REAL PROPERTY DESCRIBED AS PARCELS 1-4 WILL BE SUBJECT TO EASEMENT DEDICATIONS FOR PRIVATE PURPOSES TO BE ESTABLISHED BY SEPARATE INSTRUMENT AND RECORDED SUBSTANTIALLY CONCURRENTLY WITH THE FINAL MAP.
32. PARCELS/CONDOMINIUM UNITS:

THIS VESTING TENTATIVE MAP IS FOR THE CREATION OF PARCELS AND CONDOMINIUM UNITS AS SPECIFIED IN THE PARCEL CONDOMINIUM UNIT SUMMARY TABLE.



LINE DATA			CURVE DATA		
NO.	BEARING	LENGTH	NO.	RADIUS	DELTA
L1	N24°44'45"W	8.00'	C1	20.00'	90°00'00"
L2	N65°15'15"E	6.07'	C2	160.00'	22°30'40"
L3	N71°16'36"E	3.64'	C3	118.00'	37°46'53"
L4	N18°45'24"W	15.03'	C4	118.00'	21°53'17"
L5	N63°07'25"W	43.00'	C5	135.00'	39°16'13"
L6	N74°30'38"W	27.70'	C6	291.72'	07°30'00"
L7	N65°15'15"E	9.38'	C7	302.02'	10°48'00"
L8	N24°44'45"W	37.50'	C8	302.02'	06°25'00"
L9	N24°44'45"W	56.00'	C9	269.00'	03°15'37"
L10	N46°37'29"W	54.56'	C10	201.00'	13°47'51"
			C11	5.00'	90°00'00"
			C12	232.00'	06°12'34"
			C13	232.00'	49°41'26"

Source: Carlson, Barbree & Gibson, Inc.

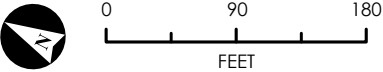
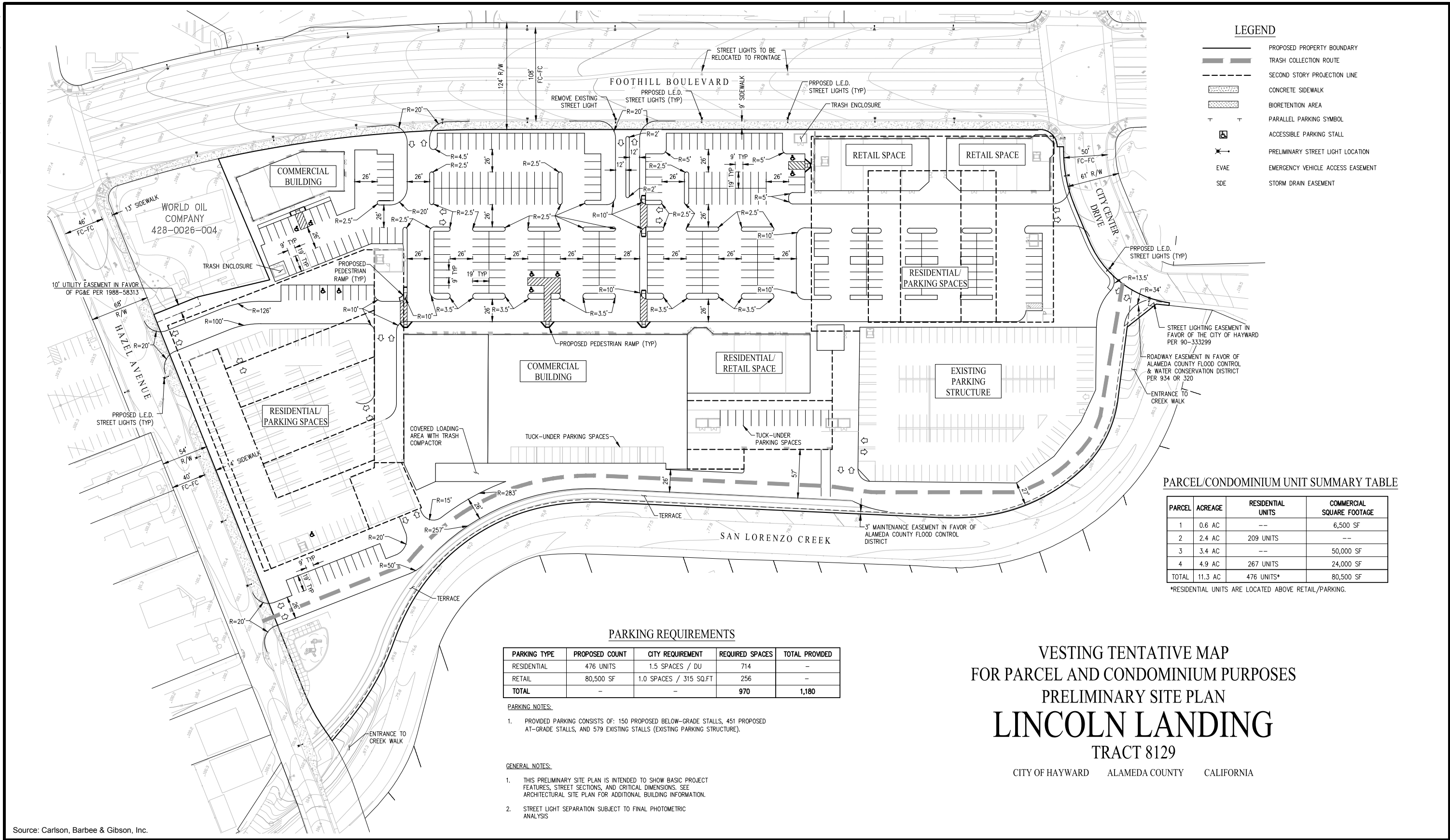


FIGURE 2.0-2
Project Tentative Subdivision Map

T:_CS\Work\Hayward, City of\Lincoln Landing\Traffic Figures



VESTING TENTATIVE MAP
FOR PARCEL AND CONDOMINIUM PURPOSES
PRELIMINARY SITE PLAN
LINCOLN LANDING
TRACT 8129
CITY OF HAYWARD ALAMEDA COUNTY CALIFORNIA

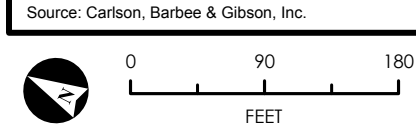


FIGURE 2.0-3
Proposed Site Plan



Source: Johnson Lyman Architects



Not To Scale

FIGURE 2.0-4
Development Plan, View from Southwest

RESIDENTIAL DEVELOPMENT

The southern residential tower would be located along City Center Drive. The tower would be anchored by ground-floor commercial uses intended to continue the commercial development pattern just south of the development along Foothill Boulevard. The tower would be six stories (89 feet at the tallest point), consisting of five stories of residential (total of 267 residential units) above ground-floor commercial uses and structured parking. The tower would run along the northern property line from Foothill Boulevard to the existing parking garage at the southwestern corner of the site. Parking for the residential units would be located in the existing parking garage on the southwest corner of the site and the access to the residential tower would be from a residential lobby between the existing garage and proposed residential structures. The proposed residential parking ratio for the southern tower would be approximately 2.2 parking spaces per unit (579 parking spaces in existing structure for 267 residential units).

The northern residential tower would be located along Hazel Avenue. The tower would be composed of six stories of development, with two stories of ground-floor parking to serve the residents of the tower and four stories of residential development above (total of 209 residential units). The proposed project would be 86 feet at its highest point. Along Hazel Avenue, the development includes step backs to minimize the bulk of the development along the roadway. The proposed tower steps back from the northern property line along Hazel Avenue in order to reduce the massing along that frontage. Specifically, the parking structure portion of the building would be 34 feet in height and set back 10 feet from the property line and the two residential floors above the two floors of parking would be set back an additional 8 feet for a total building height of 54 feet at 18 feet from the property line. Although the building would reach 86 feet in height at the tallest point, the portion of the building at that tallest height would be set back 41 feet from the north property line at Hazel Avenue toward the interior of the site. The proposed residential parking ratio for the northern tower would be approximately 1.36 parking spaces per unit (284 parking spaces in structure for 209 residential units).

The Downtown Hayward Design Plan allows for a maximum building height of 104 feet; thus, the project would be below the acceptable height limits and in compliance with existing regulations. The residential towers would include private balconies, rooftop patios, and three podium courtyards in each residential tower, totaling approximately 53,600 square feet of group open space for residents. Internal and external residential amenities would include a community room with kitchen area; pools; pet cleaning rooms; a maintenance shop; barbecue areas with seating, fire pits, outdoor televisions, lighting, and landscaping; bike storage and repair rooms; and an approximately 1,500-square-foot fitness center, among other elements.

COMMERCIAL DEVELOPMENT

The residential towers would be anchored by ground-floor retail that would be split into three pads (totaling approximately 20,500 square feet) fronting Foothill Boulevard and two major commercial tenants (totaling approximately 50,000 square feet) and a set of in-line tenant spaces (10,000 square feet) set farther back on the site behind a surface parking lot. The total number of commercial tenant spaces and the commercial tenant mix have not yet been determined.

PROJECT PHASING

The development would be constructed in two phases. The first phase would include development of the southern residential tower composed of 267 residential units and all 80,500 square feet of commercial development, as well as surface parking lots and landscaping. The

2.0 PROJECT DESCRIPTION

second phase, which would occur within five years of completion of the first phase, would consist of development of the northern residential tower composed of 209 units with ground-floor parking.

SITE ACCESS AND CIRCULATION

The main access to the site would be from a two-way driveway divided by a planting strip from Foothill Boulevard, where an entry sign is proposed. A secondary two-way driveway would be located south of the Pad 1 commercial structure. Access to the ground-floor retail parking under the southern residential tower would be from City Center Drive and from two internal access points. Access to the northern residential tower would be from two internal access points. A rear alleyway would run along the western property line from City Center Drive to Hazel Avenue to provide emergency access, commercial vehicle access, and resident access to the existing and proposed residential tower parking garages.

Internal pedestrian circulation would be via three pedestrian pathways that would extend from Foothill Boulevard to the internal major commercial tenant spaces and the northern residential tower lobby and a pedestrian and bicycle path is proposed along the western property line, also referred to as a creek walk and described in detail below.

LANDSCAPING AND PUBLIC OPEN SPACE

The project proposes landscaped areas along the perimeter of the site and in parking lot medians to provide parking lot shading consistent with Municipal Code requirements for site landscaping. The project also proposes a creek walk along the existing Alameda County Flood Control and Water Conservation District–owned maintenance path that is currently gated and closed off to the public. As part of the proposed creek walk improvements, the existing approximately 12-foot-tall privately owned retaining wall would be removed and replaced with a series of shorter terraced, landscaped retaining walls to enhance the visibility of the path and to provide light and access to the pathway.

The proposed approximately 15-foot-wide multi-use bicycle and pedestrian path would benefit residents of the development and those walking from the nearby neighborhoods to downtown Hayward. Other proposed improvements to the pathway include new ground surfacing, installation of railings, and lighting for safety. Climbing vines would be planted on the opposite bank of the creek that would grow over the walls to add greenery. The creek walk would be punctuated with an approximately 2,000-square-foot pocket park with a play structure at the northwestern corner of the site.

2.4 REGULATORY REQUIREMENTS, PERMITS, AND APPROVALS

CITY OF HAYWARD

The following actions would be taken by the City.

- Certification of Environmental Impact Report and adoption of Mitigation Monitoring and Reporting Program
- Approval of Site Plan Review and Parcel Map

OTHER GOVERNMENT AGENCY APPROVALS

The City of Hayward is the lead agency for the proposed project. Responsible and trustee agencies may include, but are not limited to:

- Bay Area Air Quality Management District
- San Francisco Bay Regional Water Quality Control Board
- East Bay Municipal Utility District
- Oro Loma Sanitary District
- Alameda County Flood Control and Water Conservation District

2.0 PROJECT DESCRIPTION

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3.0 ENVIRONMENTAL ANALYSIS

3.0 IMPACTS FOUND NOT SIGNIFICANT

3.1 INTRODUCTION

This section contains an analysis of environmental topic areas as identified in Appendix G of the State CEQA Guidelines. Specifically, the section contains a description of the existing setting in the project area, identifies standards of significance, identifies project-related impacts or the lack thereof, and recommends mitigation measures where necessary to reduce or eliminate impacts. Where available, the existing setting for each of the resource areas, as well as the regulatory requirements, is described in the technical appendices as cited in Subsection 3.5, Environmental Analysis.

3.2 EXISTING SETTING

The project site is located at 22301 Foothill Boulevard in Hayward. The 11.3-acre site is located immediately west of Foothill Boulevard, south of Hazel Avenue, east of San Lorenzo Creek, and north of City Center Drive (Assessor's Parcel Numbers (APN) 428-0026-068-01 and 428-0026-067-03). The site contains an approximately 335,000-square-foot office building at 22301 Foothill Boulevard, most recently occupied by Mervyns, an approximately 5,310-square-foot commercial building at 1155 Hazel Avenue, and a four-story parking garage. The office building and commercial building are proposed for demolition to accommodate the project, but the parking garage would remain.

The project site is surrounded on all sides by existing urban development. The proposed development would occur on almost the entire block, except for the northeastern corner which is an automotive service station that would remain in place. Northwest of the project site, at the corner of Foothill Boulevard and Hazel Avenue, is a small commercial center and associated parking lot. The remaining area northwest of the site is developed as a mix of single-family and multi-family residential uses. Immediately north of the project site is an automotive service station. The area northeast of the project site is developed as a large commercial center anchored by a Safeway grocery store, a multi-story office building, and the Centennial Hall Building and associated parking garage. The area south and southeast of the project site is developed with various commercial, retail and institutional uses and Downtown Hayward beyond. Immediately west of the site is San Lorenzo Creek with a mix of single-family and multi-family residential and community uses located beyond.

The project site is in a highly developed and urbanized mixed-use commercial district. Other than ornamental landscaping, there is no vegetation on or in the vicinity of the project site.

3.4 ANALYSIS METHODOLOGY

The environmental analysis identifies direct and indirect environmental effects associated with project implementation. The identified standards of significance are used to determine whether the environmental effects resulting from the project are considered "significant" and require the implementation of mitigation measures. Each environmental impact analysis is supported by substantial evidence. Mitigation measures were developed by technical experts and environmental professionals in coordination with the City.

3.5 ENVIRONMENTAL ANALYSIS**AESTHETICS**

Based on Appendix G of the State CEQA Guidelines, the proposed project would have a significant environmental impact if it would:

3.0 IMPACTS FOUND NOT SIGNIFICANT

- a) Have a substantial adverse effect on a scenic vista.
- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.
- c) Substantially degrade the existing visual character or quality of the site and its surroundings.
- d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

Impact AES-1 The project site is located in an urban area and does not contain unique visual features that would distinguish it from surrounding areas, nor is it located within a designated scenic vista. Therefore, **no impact** would occur to scenic vistas.

While not specifically defined by CEQA or the City of Hayward, scenic vistas are typically defined as areas of natural beauty with features such as topography, watercourses, rock outcrops, and natural vegetation that contribute to the quality of the landscape. There are several scenic resources in Hayward, as outlined in the City of Hayward 2040 General Plan and discussed in the 2040 General Plan EIR. These resources are identified as the baylands and hillsides of Hayward and the vistas they provide of the San Francisco Bay. These scenic resources are not located in or near the project area, and the Bay is not visible from the project site. The City's General Plan contains intended to preserve the city's vistas and designated resources, including project-specific design review policies, with which the project would comply.

As shown in **Appendix AES**, the project site is located in a developed urban area that does not contain any unique or other visual features that would distinguish the site from surrounding areas. The project site is not located within a designated scenic vista, and it does not include views of City-designated scenic vistas. The proposed project would not change the nature of scenic resources in the city or the project area. Therefore, **no impact** would occur.

Mitigation Measures

None required.

Impact AES-2 There are no state scenic highways in the vicinity of the project site, and the project site is not visible from any scenic highways. Therefore, **no impact** would occur.

There are no state scenic highways in the project area from which the project is visible (Caltrans 2013). Hayward is located in Alameda County; therefore, this analysis also considers potential impacts to officially designated Alameda County scenic highways. Interstate 580 (I-580), Interstate 880 (I-880), and State Route (SR) 92 are all County-designated scenic highways, while I-580 is also eligible for state scenic highway designation (Hayward 2014b). These highways are not in the vicinity of the project site, and the project site is not visible from any scenic highway. Therefore, the project would not substantially damage scenic resources, including trees, rock outcroppings, and/or historic buildings, within a state scenic highway. There would be **no impact**.

Mitigation Measures

None required.

Impact AES-3 The proposed project would alter the existing visual character of the site, but it would be generally consistent with the type and scale of development envisioned for the site. Therefore, the proposed project would not substantially degrade the existing visual character or quality of the project site and its surroundings. This impact would be **less than significant**.

The project site is located along Foothill Boulevard, a six-lane arterial in a developed urban area. The area's visual character is characterized by the surrounding development, which includes commercial and residential structures. Most of the structures are one to three stories in height. The commercial development is characterized by mix of street-facing commercial uses with parking lots and landscaping. San Lorenzo Creek is located along the western border of the project site and is characterized by a concrete channel and fencing. Single-family homes are located to the west of San Lorenzo Creek. The surrounding project area's visual character is that of a developed urban neighborhood with a mix of commercial and residential development, and ornamental landscaping.

The existing 335,000-square-foot office building and 5,310-square-foot commercial building would be demolished to accommodate the project. The existing parking structure would be retained. The project would also entail the development of a six-story mixed-use development with 80,500 square feet of commercial uses and 476 apartment units, with a combination of surface and structure parking. The proposed project would be 86 feet at its highest point. The Downtown Hayward Design Plan allows a maximum building height of 104 feet; thus, the project would be below the acceptable height limits and in compliance with existing regulations. Along Hazel Avenue, the development includes architectural step-backs to minimize the bulk of the development along that frontage. Although the building would reach 86 feet in height at the tallest point, the portion of the building at that height would be set back 41 feet from the north property line at Hazel Avenue. The parking structure portion of the building would be 34 feet in height and set back 10 feet from the property line. Two residential floors above that would be set back an additional 8 feet for a total height of 54 feet at 18 feet from the property line. (See Appendix PLANS, Sheet CB for a section/elevation at Hazel Avenue).

The project is located in an existing urban area and includes development that is generally consistent with large-scale mixed-use development envisioned in the City's General Plan for the site. The project is within the density and height restrictions for the project location. Project design features, such as setbacks from Foothill Boulevard, stepping back the building along Hazel Avenue, and the inclusion of pedestrian pathways and landscaping throughout the site, help the proposed project blend with the visual character of the surrounding area. For these reasons, changes in the visual character at the project site resulting from the project would not cause substantial degradation to the existing visual character or quality of the site and its surroundings. This impact would be **less than significant**.

Mitigation Measures

None required.

Impact AES-4 The proposed project would create additional sources of light and glare; however, these sources would not be substantial and would not adversely affect day or nighttime views in the area. This impact would be **less than significant**.

The project would introduce additional sources of nighttime light and daytime glare to the project area, including exterior building lighting, vehicle headlights, street lighting, and reflections off light-

3.0 IMPACTS FOUND NOT SIGNIFICANT

colored surfaces and windows. However, as discussed above, the project site is surrounded by existing development and is located along Foothill Boulevard, a major arterial roadway. The existing urban uses in the project area already result in nighttime light and daytime glare that affect day and nighttime views in the area. Lighting and potential glare resulting from the project would be similar to what already occurs in the area.

The project would comply with lighting standards for the Central City-Commercial (CC-C) District established in Hayward Municipal Code Section 10-1.1555(k). The code requires exterior lighting and parking lot lighting to be designed and maintained so that light is confined to the property and so it does not cast direct light or glare on adjacent properties or public rights-of-way. Compliance with the City Municipal Code occurs during building plan review and inspection following construction and would ensure a **less than significant** impact related to light and glare.

Mitigation Measures

None required.

AGRICULTURAL AND FOREST RESOURCES

Based on Appendix G of the State CEQA Guidelines, the proposed project would have a significant environmental impact if it would:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use.
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract.
- c) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).
- d) Result in the loss of forestland or conversion of forestland to non-forest use.
- e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forestland to non-forest use.

Impact AG-1 The project site is currently developed and is surrounded by existing urban development. There are no agricultural or forestland resources in the vicinity of the project site or in the surrounding area. **No impact** would occur.

The project site is located in an urbanized area on a previously developed site. The project site is not designated as Prime or Unique Farmland or Farmland of Statewide Importance on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Department of Conservation (2014). The project site is not subject to a Williamson Act contract. The project site does not meet the definition of forestland in Public Resources Code Section 12220(g) due to its location in an intensely developed area, which would preclude the management of any forest resources. Therefore, the proposed project would not involve the direct or indirect conversion of farmland to nonagricultural use or the conversion of forestland to non-forest use. **No impact** would occur.

Mitigation Measures

None required.

AIR QUALITY

Based on Appendix G of the State CEQA Guidelines, the proposed project would have a significant environmental impact if it would:

- a) Conflict with or obstruct implementation of the applicable air quality plan.
- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.
- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors).
- d) Expose sensitive receptors to substantial pollutant concentrations.
- e) Create objectionable odors affecting a substantial number of people.

Impact AQ-1 The project would not conflict or obstruct implementation of applicable air quality plans and would have a **less than significant** impact.

According to the City's 2040 General Plan EIR (Hayward 2014b, p. 3-21), the number of dwelling units in the city in 2012 was approximately 48,671 and the population about 147,113. The Association of Bay Area Governments (ABAG) projects that Hayward will grow to a total of 60,584 dwelling units by 2040, which is the horizon year of the 2040 General Plan.

The project proposes the construction of a new large-scale mixed use development with 476 new residential units and approximately 80,500 square feet of commercial retail space within an identified Priority Development Area (PDA) pursuant to the Bay Area's Regional Transportation Plan and Sustainable Communities Strategy. Based on a person-per-household factor of 3.24 (DOF 2015), these units would provide housing for approximately 1,542 people. The proposed development is consistent with the General Plan land use designation for the project site and is within the housing and population projections for the city in the 2040 General Plan EIR (Hayward 2014b, p. 3-21). Because the air quality management plans in the region have considered the growth on the site assumed in the General Plan, the project would not exceed the population or job growth projections used by the Bay Area Air Quality Management District (BAAQMD) to develop the Bay Area 2010 Clean Air Plan, the air quality management plan applicable in the San Francisco Bay Area, including Hayward. This impact would be **less than significant**.

Mitigation Measures

None required.

3.0 IMPACTS FOUND NOT SIGNIFICANT

Impact AQ-2 The project would not result in emissions either during construction or operation that would exceed BAAQMD thresholds or expose sensitive receptors to substantial pollutant concentrations. This impact would be **less than significant**.

Below is a summary of construction and operational emissions expected from the project, which is based on the analysis by Urban Crossroads (2016a; see **Appendix AQ**).

Construction Emissions

The estimated maximum daily construction emissions are summarized on **Table AQ-1**. It should be noted that modeling includes reductions achieved through standard regulatory requirements and best management practices as included in the BAAQMD May 2012 Air Quality Guidelines. Measures in Tables 8-1 and 8-2 of the BAAQMD guidelines include minimizing idling time for diesel-powered construction equipment, watering exposed surfaces to minimize fugitive dust emissions, and requiring that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of nitrogen oxides (NOx) and particulate matter (PM). Under the assumed scenarios, emissions resulting from project construction would not exceed numerical thresholds established by the BAAQMD for any criteria pollutant. Therefore, a less than significant impact would occur.

TABLE AQ-1
MAXIMUM DAILY CONSTRUCTION EMISSIONS SUMMARY

Year	Emissions (pounds per day)					
	VOC	NOx	CO	SOx	PM ₁₀	PM _{2.5}
2017	37.32	45.82	59.86	0.10	10.5	5.83
2018	36.49	38.37	55.73	0.10	9.52	5.68
2019	35.89	36.18	52.67	0.10	6.86	3.29
2020	35.43	29.97	50.23	0.10	6.64	2.76
Maximum Daily Emissions	37.32	45.82	59.86	0.10	10.5	5.83
BAAQMD Regional Threshold	54	54	N/A	N/Z	82	54
Threshold Exceeded?	No	No	No	No	No	No

Source: Urban Crossroads 2016a (Appendix AQ)

Operational Emissions

Operational-source emissions are summarized for summer and winter emissions in **Tables AQ-2** and **AQ-3**, respectively. As shown, project operational-source emissions would not exceed applicable BAAQMD regional thresholds of significance. Therefore, a less than significant impact would occur.

TABLE AQ-2
SUMMARY OF PEAK OPERATIONAL EMISSIONS – SUMMER

Operational Activities	Emissions (pounds per day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area Source	19.84	0.46	39.48	2.08E-03	0.96	0.95
Energy Source	0.13	1.16	0.59	0.01	0.09	0.09
Mobile	25.37	38.11	182.83	0.43	29.34	8.22
Total Maximum Daily Emissions	45.34	39.73	222.90	0.44	30.39	9.26
BAAQMD Regional Threshold	54	54	N/A	N/A	82	54
Threshold Exceeded?	No	No	No	No	No	No

Source: Urban Crossroads 2016a (Appendix AQ)

TABLE AQ-3
SUMMARY OF PEAK OPERATIONAL EMISSIONS – WINTER

Operational Activities	Emissions (pounds per day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area Source	19.84	0.46	39.48	2.08E-03	0.96	0.95
Energy Source	0.13	1.16	0.59	7.35E-03	0.09	0.09
Mobile	26.63	42.14	232.52	0.41	29.35	8.22
Total Maximum Daily Emissions	46.60	43.76	272.59	0.42	30.40	9.26
SCAQMD Regional Threshold	54	54	N/A	N/A	82	54
Threshold Exceeded?	No	No	No	No	No	No

Source: Urban Crossroads 2016a (Appendix AQ)

The BAAQMD concludes that under existing and future vehicle emission rates, a given project would have to increase traffic volumes at a single intersection to more than 44,000 vehicles per hour—or 24,000 vehicles per hour where vertical and/or horizontal air does not mix—in order to generate a significant carbon monoxide (CO) impact (BAAQMD 2010). The project area is not in a location where vertical and/or horizontal air mixing would be limited, and intersections in the project vicinity would not exceed 44,000 vehicles per hour (City of Hayward 2014b). As such, the proposed project would not produce the volume of traffic required to generate a CO hot spot in the context of the BAAQMD carbon monoxide threshold considerations. Therefore, CO hot spots are not an environmental impact of concern for the proposed project, and localized air quality impacts related to mobile-source emissions would therefore be less than significant.

As shown in the tables above, the project would not exceed established BAAQMD thresholds during either project construction or operation. Therefore, the project would not violate air quality standards, and this impact would be **less than significant**.

Mitigation Measures

None required.

3.0 IMPACTS FOUND NOT SIGNIFICANT

Impact AQ-3 The project's contribution to cumulative increases of criteria pollutants for which the BAAQMD is in nonattainment would be **less than cumulatively considerable**.

The project area is designated as an extreme nonattainment area for ozone and a nonattainment area for coarse particulate matter (PM₁₀) and fine particulate matter (PM_{2.5}). The BAAQMD recognizes that there is typically insufficient information to quantitatively evaluate the cumulative contributions of multiple projects because each project applicant has no control over nearby projects. Nevertheless, the potential cumulative impacts from the project and other projects are discussed below.

Related projects could contribute to an existing or projected air quality exceedance because the San Francisco Bay Area Air Basin is currently nonattainment for ozone, PM₁₀, and PM_{2.5}. With regard to determining the significance of the contribution from the project, the BAAQMD recommends that any given project's potential contribution to cumulative impacts should be assessed using the same significance criteria as for project-specific impacts. This analysis assumes that individual projects which do not generate operational emissions that exceed the BAAQMD's recommended daily thresholds for project-specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which the basin is in nonattainment and therefore would not be considered to have a significant, adverse air quality impact. As previously discussed and illustrated in **Tables AQ-2** and **AQ-3**, the project will not exceed the applicable BAAQMD regional threshold for operational-source emissions. As such, the project would result in a **less than cumulatively considerable** contribution to this impact.

Mitigation Measures

None required.

Impact AQ-4 The proposed project would not create objectionable odors or subject people to objectionable odors. Therefore, **no impact** would occur.

Residential, institutional, office, and commercial land uses are not considered major sources of odorous emissions. In addition, the proposed project is not located downwind from any significant odor sources such as landfills or sewage treatment plants that could affect people on the project site. Therefore, operation of the project is not anticipated to expose a substantial number of people to objectionable odors.

Construction-generated odors are typically associated with exhaust emissions from diesel-fueled equipment and the application of architectural coatings and paving materials, which may be considered objectionable to some individuals. However, because construction-related odors would be intermittent, temporary, and would disperse rapidly with distance from the source, construction-related odors would not result in the frequent exposure of a substantial number of individuals to objectionable odors. Further, the project would be required to comply with BAAQMD Regulation 8, Rule 3, Architectural Coatings, and Rule 15, Emulsified Asphalt, which establish volatile organic compound (VOC) content limits for these construction materials. VOCs are the main sources of odors from these sources. Compliance with these regulatory requirements would further reduce odor impacts associated with these sources. The project would have **no impact** related to odorous emissions.

Mitigation Measures

None required.

BIOLOGICAL RESOURCES

Based on Appendix G of the State CEQA Guidelines, the proposed project would have a significant environmental impact if it would:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.
- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- f) Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan.

Impact BIO-1 The project site does not provide suitable habitat for the majority of special-status species identified in the project vicinity; however, tree removal associated with the project does have the potential to impact migratory birds, raptors, and bats. This would be a **potentially significant** impact.

The project site is fully developed and located in a highly urbanized area. The vegetation on the project site is dominated by ornamental vegetation and trees. According to the 2040 General Plan EIR (Hayward 2014b), the areas likely to provide habitat suitable for special-status species are the foothills, baylands, and shorelines in the city, which are not located on or near the project site. Additionally, the project site does not contain any protected open space or other areas that could potentially serve as habitat. The project site is located within the city's urban limit line and would not convert any undeveloped land to developed land.

A Michael Baker International biologist conducted a reconnaissance-level survey of the project area on June 15, 2015, to determine the habitat types that could be affected by the project. Based on the urbanized, developed nature of the project site, little habitat exists on the site to support any special-status plants or animals. However, the proposed project does have the potential to impact migratory birds, raptors, and bats through removal of trees and existing buildings on the site. The trees and vacant structures on the project site may provide suitable nesting habitat for birds protected under the Migratory Bird Treaty Act, as well as under California Fish and Game Code Sections 3503.5 and 3800–3806. In addition, the vacant structures on-site have the potential to provide suitable roosting habitat for bats. Therefore, the demolition of these structures could result in noise, dust, human disturbance, and other direct or indirect impacts to nesting birds and roosting bats on or in the vicinity of the project site.

3.0 IMPACTS FOUND NOT SIGNIFICANT

Potential nest abandonment and mortality to eggs and chicks of protected bird species, as well as the potential mortality of roosting bat species during construction, would be considered a **potentially significant** impact. As such, mitigation measures **MM BIO-1a** and **MM BIO-1b** are required.

Mitigation Measures

MM BIO-1a **Preconstruction Surveys for Migratory Birds and Raptors.** If clearing and/or construction activities occur during the migratory bird and raptor nesting season (February 1–September 1), preconstruction surveys for active nest sites shall be conducted by a qualified biologist, within 14 days prior to initiation of construction activities. The qualified biologist shall survey the construction zone and a 200-foot radius surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds.

If active nest(s) in trees or structures are identified during the preconstruction survey, a qualified biologist shall monitor the nest(s) to determine when the young have fledged. Monthly monitoring reports, documenting nest status, shall be submitted to the City Planning Division until the nest(s) is deemed inactive. The biological monitor shall have the authority to cease construction if there is any sign of distress to a raptor or migratory bird. Reference to this requirement and to the Migratory Bird Treaty Act shall be included in the construction specifications.

Timing/Implementation: *Prior to construction*

Enforcement/Monitoring: *City of Hayward Planning Division*

MM BIO-1b **Surveys of Potential Bat Roosts.** Prior to demolition of structures on the project site, a qualified wildlife biologist shall conduct preconstruction surveys. If bats are identified as present on the site, bats shall be absent or flushed from roost locations prior to demolition of buildings. If flushing of bats from buildings is necessary, it shall be done by a qualified biologist during the non-breeding season from October 1 to March 31. When flushing bats, structures shall be moved carefully to avoid harming individuals, and torpid bats given time to completely arouse and fly away. During the maternity season from April 1 to September 30, prior to building demolition or construction, a qualified biologist shall determine if a bat nursery is present at any sites identified as potentially housing bats. If an active nursery is present, disturbance of bats shall be avoided until the biologist determines that breeding is complete and young are reared.

Timing/Implementation: *Prior to demolition of structures*

Enforcement/Monitoring: *City of Hayward Planning Division*

Implementation of mitigation measures **MM BIO-1a** and **MM BIO-1b** will ensure that nesting birds or roosting bats are not negatively affected during the nesting or breeding season and would reduce impacts to a **less than significant** level.

Impact BIO-2 No wetlands or sensitive habitats occur on or adjacent to the project site. Therefore, **no impact** to riparian or other sensitive natural communities will occur.

Sensitive habitats include those that are of special concern to resource agencies and those that are protected under CEQA, Fish and Game Code Section 1600, and Clean Water Act Section 404.

There are no waters of the State or waters of the United States on the project site. Therefore, **no impact** to sensitive riparian habitat or federally protected wetlands will occur as a result of the project.

Mitigation Measures

None required.

Impact BIO-3 The project would not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors. Therefore, this impact would be **less than significant**.

Per the 2040 General Plan EIR (Hayward 2014b), there are no established migratory routes on or adjacent to the project site. Because of the urbanized nature of the area, no significant wildlife corridors exist in the project vicinity. San Lorenzo Creek is located adjacent to the project site, but the creek channel is lined with concrete in the area adjacent to the project site, so it does not provide a natural area that would serve as habitat. The project proposes a creek walk and some improvements, such as reconstructing the private retaining wall, new ground surfacing, addition of lighting and railings, along the existing Alameda County Flood Control and Water Conservation District-owned maintenance path that is currently gated; however, there would be no construction in the channel. Therefore, project implementation would not interfere substantially with the movement of native resident or migratory fish or wildlife species. Therefore, a **less than significant** impact will occur.

Mitigation Measures

None required.

Impact BIO-4 The project would not conflict with any adopted or proposed local policies or ordinances protecting biological resources or with any adopted or proposed habitat conservation plans, natural community conservation plans, or other approved local, regional, or state habitat conservation plans. Therefore, this would be a **less than significant** impact.

There are currently no adopted or proposed habitat conservation plans, natural community conservation plans, or other approved local, regional, or state habitat conservation plans that affect the project site. Hayward General Plan Implementation Program NR-1 calls for the City to coordinate with Alameda County, the Cities of Fremont and Union City, the Hayward Area Recreation and Park District, and the East Bay Regional Park District to develop and adopt a comprehensive habitat conservation plan for areas within and surrounding the city. However, such a plan has not yet been developed or adopted.

Additionally, the project site is located outside of the Don Edwards San Francisco Bay National Wildlife Refuge and the San Francisco Bay Conservation and Development Commission's Bay Plan

3.0 IMPACTS FOUND NOT SIGNIFICANT

boundaries. Therefore, it would not conflict with adopted policies intended to protect biological resources in those sensitive areas.

The project would require the removal of trees on the project site to accommodate project construction and implementation. Per the arborist report (**Appendix BIO**), a variety of tree species are located on the project site, with health varying from poor to good. The City of Hayward Tree Preservation Ordinance, HMC Chapter 10, Article 15, Tree Preservation, provides for the protection and preservation of significant trees by designating which types of trees on what types of development or properties are "protected" and would require a permit before removal or pruning (aside from routine maintenance). The ordinance also requires a determination as to when removed or disfigured trees would require replacement. The project would comply with the City's Tree Preservation ordinance and would replace removed trees at a ratio determined by the City through the standard permitting process. Because the project is not located in an area governed by a habitat conservation plan and would comply with City regulations regarding tree removal and replacement, the project would have a **less than significant** impact on policies intended to protect biological resources.

Mitigation Measures

None required.

CULTURAL RESOURCES

Based on Appendix G of the State CEQA Guidelines, the proposed project would have a significant environmental impact if it would:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.
- c) Disturb any human remains, including those interred outside of formal cemeteries.
- d) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074.
- e) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Impact CUL-1 The proposed project would result in development that affects a historic property, but components included in the proposed project would mitigate potential effects, so the project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5. Therefore, this impact is considered to be **less than significant**.

Michael Baker International conducted archival research, field survey, consultation, and eligibility evaluations in support of environmental review for the proposed project. The full evaluation results are included in the Lincoln Landing Cultural Resources Study and Eligibility Evaluations, April 2016 (**Appendix CUL**); a short summary is presented below. The project area includes two built environment resources 50 years old or older: 22301 Foothill Boulevard (APN 428-26-81-1) and 1155 Hazel Avenue (APN 428-26-67-3).

The resources were evaluated for eligibility for the California Register of Historical Resources and the Hayward Register. A cultural resource is evaluated under four California Register criteria to determine its historical significance. A resource must be significant in accordance with one or more of the following criteria:

- 1) Is associated with events that have made a significant contribution to the broad pattern of California's history and cultural heritage.
- 2) Is associated with the lives of persons important in our past.
- 3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- 4) Has yielded, or may be likely to yield, information important in prehistory or history.

The significance of cultural resources is generally evaluated using a historic context that groups information about related historical resources based on theme, geographic limits, and chronological period.

The California Register also requires a resource to possess integrity, which is defined as "the authenticity of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association;" therefore, integrity is the ability of a resource to convey its significance, and a resource will always possess several, or most, of the aspects of integrity (OHP 2006:2). Below are the seven aspects of integrity:

Location is the place where the historic property was constructed or the place where the historic event occurred.

Design is the combination of elements that create the form, plan, space, structure, and style of a property.

Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.

Setting is the physical environment of a historic property.

Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.

Feeling is a property's expression of the aesthetic or historic sense of a particular period of time.

Association is the direct link between an important historic event or person and a historic property.

Additionally, the City adopted the Historic Preservation Ordinance in 1989 (Hayward Municipal Code Chapter 10, Article 11). The ordinance provides for the designation of historic structures, sites, or districts and outlines procedures for approval of alterations and demolitions of significant structures. Appendix CUL contains a thorough description of the state and local criteria and definitions related to those criteria.

3.0 IMPACTS FOUND NOT SIGNIFICANT

The property at 22301 Foothill Boulevard is a three-story office building with basement built in 1958. The building was not found to be eligible for the California Register under any of the established criteria. The property is not associated with an event that has made a significant contribution to the broad patterns of California history at the local or state level; therefore, the property does not appear eligible for the California Register under Criterion 1. Additionally, research provided no evidence indicating that the property is associated with individuals who have made significant contributions to local or state history and as such, the property does not appear eligible under California Register Criterion 2. The 1958 commercial building lacks any relation to the original architectural style due to major alterations to its elevations in subsequent years; therefore, the building does not appear eligible under California Register Criterion 3. Further, the property is not likely to yield valuable information that will contribute to an understanding of human history because the property is not and never was the principal source of important information pertaining to subjects such as commercial buildings. Therefore, the property does not appear eligible for listing under California Register Criterion 4.

Lastly, the property lacks integrity of design, materials, workmanship, and feeling due to various alterations to the building as it converted from a retail use to an office use to house Mervyns including internal remodeling, replacement wall cladding, windows, and doors, and enclosure of an exterior walkway arcade that was a feature of the original 1958 commercial building. It maintains integrity of setting within a commercial area of Hayward and location in the original construction location, but lacks association with a historic context (i.e., a direct link to an important historic event, person, or property).

Additionally, the property does not appear to be eligible for the Hayward Register under any of the established criteria. The building is one of many commercial buildings developed in the region during the post-WWII years, is one of many Capwell's buildings, and is not directly associated with the lives of H. C. Capwell and Albert S. Lavenson. As such, the building is not eligible for the Hayward Register under Criterion 1. The building lacks any relation to the original architectural style due to major alterations to the building elevations. Therefore, the property is not representative of an architectural style or way of life important to the city, state, or nation and is not eligible for the Hayward Register under Criterion 2. Further, commercial buildings in Hayward were common in the post-WWII years and are still common throughout the city; therefore, the building is not eligible for the Hayward Register under Criterion 3. Additionally, although the building is associated with the Emporium-Capwell department store chain once located throughout the San Francisco Bay Area, it is not connected with a business or use which was once common, but is now rare. The building is not eligible for the Hayward Register under Criterion 4. Lastly, the 1958 commercial building lacks an architectural style due to major alterations to its elevations when it converted from a retail to an office use. Therefore, the building does not contain elements demonstrating outstanding attention to architectural design, detail, materials, or craftsmanship and is not eligible for the Hayward Register under Criterion 5.

The property at 1155 Hazel Avenue consists of a one-story commercial building built in 1966. The building was not found to be eligible for the California Register under any of the established criteria. The property is not associated with an event that has made a significant contribution to the broad patterns of California history at the local or state level. As such, the property does not appear eligible for the California Register under Criterion 1. Research provided no evidence indicating that the property is associated with individuals who have made significant contributions to local or state history. Therefore, the property does not appear eligible under California Register Criterion 2. Additionally, the building does not embody a distinctive type, period, or method of construction; does not represent the work of a master architect or designer; and is not a superior example of an architectural style. Therefore, the building does not appear eligible under California Register Criterion 3. The property is not likely to yield valuable information that will contribute to an

understanding of human history because the property is not and never was the principal source of important information pertaining to subjects such as commercial buildings. Therefore, the property does not appear eligible for listing under California Register Criterion 4.

Lastly, the property maintains integrity of design, materials, workmanship, feeling, setting, and location, because the building displays all the original design features, physical materials, and workmanship contributed to the building during original construction, as well as location and setting within its original construction location in a commercial area of Hayward. The property maintains feeling to its period of significance because it maintains integrity of design, materials, workmanship, location, and setting, but lacks association with a historic context, a direct link to an important historic event, person, or property.

The property does not appear to be eligible for the Hayward Register under any of the established criteria. The building is one of many commercial buildings developed in the region during the post-WWII years. Therefore, the property is not associated with the lives of historic people or with important events in the city, state, or nation and is not eligible for the Hayward Register under Criterion 1. The contemporary-style garage building is one of many buildings of this type and style, is not representative of an architectural style or way of life important to the city, state, or nation, and is not eligible for the Hayward Register under Criterion 2. The building is also not an example of a type of building which was once common, but is now rare, and is not eligible for the Hayward Register under Criterion 3. The building at 1155 Hazel Avenue is not connected with a business or use which was once common, but is now rare, and the building is not eligible for the Hayward Register under Criterion 4. The 1966 contemporary-style commercial building is a minor example of its style. Therefore, while the building does maintain some aspects of integrity, the building does not contain elements demonstrating outstanding attention to architectural design, detail, materials, or craftsmanship and is not eligible for the Hayward Register under Criterion 5.

The two resources located on the project site are not eligible for listing in the California Register or the Hayward Register, nor do they qualify under the remaining criteria for consideration as historical resources under CEQA. As such, the project would have a **less than significant** impact on historical resources.

Mitigation Measures

None required.

Impact CUL-2 Implementation of the project could result in the potential disturbance of currently undiscovered archaeological resources. This impact would be considered **potentially significant**.

The area was previously determined to have extremely high archaeological sensitivity due to the proximity of San Lorenzo Creek and a previous Native American burial finding adjacent to the project area (Busby 2005). However, no archaeological resources were identified in the project area during the field survey. Although the project does not have the potential to impact known archaeological resources, the project area has extremely high archaeological sensitivity. As such, there is a possibility of accidental archaeological discoveries during project construction. Therefore, the project would have a potentially significant impact and mitigation measure **MM CUL-2** is required.

3.0 IMPACTS FOUND NOT SIGNIFICANT

Mitigation Measures

MM CUL-2 In the event an archaeological resource is encountered during project construction activities, the construction contractor shall halt construction within 25 feet of the find and immediately notify the City of Hayward. The City shall notify a qualified archaeologist meeting the Secretary of Interior's Professional Qualifications Standards in prehistoric or historical archaeology immediately to evaluate the resource(s) encountered and recommend the development of mitigation measures for potentially significant resources consistent with Public Resources Code Section 21083.2(i). Construction activities may continue in other areas provided that there is no evidence of archeological resources. The archaeologist shall evaluate the find and recommend appropriate mitigation measures for the inadvertently discovered cultural resources. The City and the project applicant shall consider the recommendations of the qualified archaeologist and consult and agree upon implementation of a measure or measures that the City, the qualified archaeologist, and the project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project applicant, the qualified project archaeologist, and the City, as well as the Native American tribal representative if relevant, as to the appropriate preservation or mitigation measures.

Timing/Implementation: *During ground-disturbing activities*

Enforcement/Monitoring: *City of Hayward Planning Division*

Implementation of mitigation measure **MM CUL-2** would ensure that any archaeological resources inadvertently discovered during project construction activities would be protected. Impacts would be reduced to a **less than significant** level.

Impact CUL-3 No human remains have been identified within the project site; however, construction of the proposed project could result in the accidental disturbance of currently undiscovered human remains. Any discovery of human remains would trigger state law governing the treatment of human remains. Therefore, this impact is considered to be **less than significant**.

Although no human remains have been identified within the project site, project implementation would include ground-disturbing construction activities that could result in the accidental disturbance of currently undiscovered human remains. Procedures of conduct following the discovery of human remains on non-federal lands are mandated by Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, and by CEQA in California Code of Regulations (CCR) Section 15064.5(e). According to these provisions, should human remains be encountered, all work in the immediate vicinity of the burial must cease, and any necessary steps to ensure the integrity of the immediate area must be taken. The remains are required to be left in place and free from disturbance until a final decision as to their treatment and disposition has been made.

The Alameda County Coroner would be immediately notified and the coroner would then determine whether the remains are Native American. If the coroner determines the remains are Native American, the coroner has 24 hours to notify the Native American Heritage Commission

(NAHC), which will in turn notify the person they identify as the most likely descendant (MLD) of any human remains. Further actions would be determined, in part, by the desires of the MLD, who has 24 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make recommendations within 24 hours, the owner is required, with appropriate dignity, to reinter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD's recommendations, the owner or the descendant may request mediation by the NAHC. Any discovery of human remains within the project site would be subject to these procedural requirements, which would reduce impacts associated with the discovery/disturbance of human remains to a **less than significant** level.

Mitigation Measures

None required.

Impact CUL-4 No indication of tribal resources were found on the site and the AB 52 consultation process did not indicate the presence of tribal resources on the site. Therefore, the impact would be **less than significant**.

Assembly Bill (AB) 52, adopted September 25, 2014, created a new category of tribal cultural resources as an environmental resource that must be considered under CEQA. Under AB 52, lead agencies must consult with tribes that are traditionally and culturally affiliated with the geographic area of a proposed project and establish procedures and timelines for such consultation. The City sent a project notification and invitation to begin AB 52 consultation on March 11, 2016, to the Lone Band of Miwok and to the Torres Martinez Desert Cahuilla Indians on June 20, 2016 (**Appendix CUL**). Neither tribe requested further consultation on the project pursuant to Public Resources Code Section 21080.3.1(b) and (d).¹

The cultural resources surveys found no indication of tribal resources on the project site. Additionally, tribes consulted during the AB 52 process did not indicate the presence of tribal resources in the project area. Therefore, the project would have a **less than significant** impact on tribal cultural resources.

Mitigation Measures

None required.

Impact CUL-5 Implementation of the project could result in the potential disturbance of currently undiscovered paleontological resources. This impact would be considered **potentially significant**.

Paleontological resources are classified as nonrenewable scientific resources. California Public Resources Code Section 5097.5 et seq. makes it a misdemeanor for anyone to knowingly disturb any archaeological, paleontological, or historical features situated on public lands. No state or local agencies have specific jurisdiction over paleontological resources. No state or local agency requires a paleontological collecting permit to allow the recovery of fossil remains discovered as a result of construction-related earthmoving on state or private land in a project site. Although the

¹ The Lone Band requested additional information via email on July 5, 2016. The City responded indicating that the parcel numbers in the request were not located in Hayward and requested clarification. The City sent additional follow-up emails on July 5 and August 12, 2016. As of August 12, 2016, the City had not received any further communication from the Lone Band. Due to the lack of response within the 30-day time frame specified in Public Resources Code Section 21080.3.1(b) and (d), the City considers its AB 52 consultation responsibilities completed.

3.0 IMPACTS FOUND NOT SIGNIFICANT

project site has been previously developed and there is no documentation that suggests paleontological resources are present within or in the vicinity of the project site, there is a possibility that construction activities could uncover paleontological resources during excavation on the project site. This impact would be potentially significant. As such, mitigation measure **MM CUL-5** is required.

Mitigation Measures

MM CUL-5 In the event any paleontological resources (i.e., fossils) are uncovered during project construction activities, all work in the immediate vicinity shall be halted or diverted to other areas on the site and the City of Hayward shall be immediately notified. A qualified paleontologist shall be retained to evaluate the find and recommend appropriate mitigation measures for the inadvertently discovered paleontological resources. The City and the project applicant shall consider the qualified paleontologist's recommendations and consult and agree upon implementation of a measure or measures that the City, the qualified paleontologist, and the project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project applicant, qualified paleontologist, and the City as to the appropriate preservation or mitigation measures.

Timing/Implementation: *During ground-disturbing activities*

Enforcement/Monitoring: *City of Hayward Planning Division*

GEOLOGY AND SOILS

Based on Appendix G of the State CEQA Guidelines, the proposed project would have a significant environmental impact if it would:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death, involving:
 - i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Refer to Division of Mines and Geology Special Publication 42.
 - ii) Strong seismic ground shaking.
 - iii) Seismic-related ground failure, including liquefaction.
 - iv) Landslides.
- b) Result in substantial soil erosion or the loss of topsoil.
- c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.
- e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

Impact GEO-1 The proposed project could expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death, resulting from seismic hazards. The project would implement all recommendations including in the geotechnical study prepared for the project. Therefore, this impact would be **less than significant**.

The entire San Francisco Bay Area is subject to periodic earthquake ground shaking; thus, the potential for strong seismic shaking at the project site is high. Due to their proximity and historical seismic activity, the Hayward, San Andreas, and Concord/Green Valley faults present the highest potential for severe ground shaking. For example, the Working Group on California Earthquake Probabilities in conjunction with the US Geological Survey found that there was a 31 percent probability that a magnitude 6.7 or greater earthquake will occur on the Hayward fault system in the next 30 years, a 21 percent probability that a magnitude 6.7 or greater earthquake will occur on the San Andreas fault, and a cumulative 63 percent probability that a magnitude 6.7 or greater earthquake will occur in the San Francisco Bay region in the next 30 years (USGS 2008).

Per the EIR prepared for the General Plan (Hayward 2014b), according to the California Geological Survey Earthquake Zones of Required Investigation, Hayward Quadrangle map, the earthquake fault zone for the active Hayward fault is delineated approximately 300 feet southwest of the project site. However, the project site itself is not located within an Earthquake Fault Zone (called Special Studies Zones prior to January 1, 1994) and is not subject to the development limitations of such areas. Thus, the project site is not considered to be at a significant risk of surface rupture of a known earthquake fault.

Although not on the fault, the project site is located adjacent to the earthquake fault zone for the active Hayward fault. To reduce impacts related to this proximity, the proposed development would be subject to the California Building Code (CBC) seismic design force standards for the Hayward area. CBC Chapter 16 establishes earthquake design standards that must be incorporated into project structures, and the design for soil support of foundations must conform to the analysis and implementation criteria described in the CBC. These regulations require design-level geotechnical investigations for the foundations of any structure for human occupancy proposed at a project site, including specific recommendations to reduce or eliminate post-construction settlement. The design-level geotechnical investigation for the project, prepared by Silicon Valley Soil Engineering (2015), was reviewed by the City's Department of Public Works - Engineering Division for compliance with existing building codes and ordinances. Additionally, the City would inspect the recommended site preparation activities prior to construction.

The project would implement all site-specific construction measures as included in the geotechnical study prepared for the project site (**Appendix GEO**). Such measures would include elevating the building pad above the adjacent ground surface to promote proper drainage, foundation design criteria such as where to place mat foundation materials, and specific design criteria for retaining wall and swimming pool construction.

Liquefaction is the transformation of loose saturated silts and sands with less than 15 percent clay-sized particles from a solid state to a semi-liquid state. Liquefaction occurs under vibratory

3.0 IMPACTS FOUND NOT SIGNIFICANT

conditions such as those induced by a seismic event. The potential for liquefaction is dependent on soil types and density, the groundwater table, and the duration and intensity of ground shaking.

The geotechnical investigation prepared for the proposed project evaluated the liquefaction potential of the site soils and concluded that the potential for both liquefaction-induced ground surface damage and liquefaction-induced lateral spreading at the site is moderate (Silicon Valley Soil Engineering 2015). The report included recommendations for site preparation and construction to address this potential. The project would be required to implement all site-specific construction measures including supporting the one-story retail building on mat foundations and the six-story building on pre-cast, pre-stressed concrete driven piles on perimeter grade beam for exterior walls and on pile cap for interior columns with structural concrete slab floor. With implementation of recommendations included in the geotechnical report and compliance with existing regulations, this impact would be **less than significant**.

Mitigation Measures

None required.

Impact GEO-2 The proposed project would not create substantial erosion or contribute to the loss of topsoil. This impact would be **less than significant**.

The proposed project would not create substantial erosion or contribute to the loss of topsoil because the project site is generally level (on site elevations range from 96 feet to 114 feet) and the site is currently covered with impervious surfaces. However, construction activities would disturb soils, which could lead to erosion. In accordance with HMC Chapter 10, Article 8, Grading and Clearing, the project applicant would be required to prepare both an interim and a final erosion and sediment control plan as part of the application for a grading permit. The interim plan must include a set of measures designed to control surface runoff and erosion and to retain sediment on the project site during construction, while the final plan must include such measures for post-construction.

Additionally, the project applicant would be required to prepare and comply with a stormwater pollution prevention plan (SWPPP) that provides a schedule for the implementation and maintenance of erosion control measures and a description of the erosion control practices, including appropriate design details and a time schedule. The SWPPP would consider the full range of erosion control best management practices (BMPs), including any additional site-specific and seasonal conditions. Examples of typical construction BMPs include, but are not limited to, using temporary mulching, seeding, or other suitable stabilization measures to protect uncovered soils and installing sediment control devices such as gravel bags, inlet filters, fiber rolls, or silt fences to reduce or eliminate sediment and other pollutants from discharging to the drainage system or receiving waters. BMPs are recognized as effective methods to prevent or minimize the potential releases of pollutants into drainages, surface water, or groundwater through erosion control mechanisms. Compliance with these existing regulations would minimize erosion during and after project construction. Therefore, this impact would be **less than significant**.

Mitigation Measures

None required.

Impact GEO-3 The topography of the project site is generally level, and areas surrounding the project site do not have the potential for landslides. There would be **no impact** related to risk of landslide.

Landslide activity is a function of slope, soil type and depth, soil moisture, bedrock, and seismic activities. Landslides include a wide range of ground movement, such as rockfalls, deep failure of slopes, and shallow debris flows (mudflows). The topography of the project site is generally level with elevations ranging from 96 feet to 114 feet, and areas surrounding the project site do not have the potential for landslides. Additionally, the project would incorporate all design measures outlined in the project-specific geotechnical report. As such, the project would have **no impact** related to risk of landslide.

Mitigation Measures

None required.

Impact GEO-4 The project's geotechnical investigation identified a moderate risk of liquefaction and lateral spreading at the project site due to underlying unstable soils. This impact is **less than significant**.

As discussed above, compliance with existing regulations in the CBC, as well as implementation of recommendations included in the project-specific geotechnical report, would ensure that impacts related to unstable soils would be less than significant. Expansive soils typically contain clay minerals that can cause the soil to shrink and swell in response to changes in moisture and have the potential to damage improvements that are supported by them. The geotechnical investigation prepared for the proposed project (**Appendix GEO**) concluded that the site is suitable for the proposed development. The project would incorporate all recommendations included in the project-specific geotechnical investigation. Implementation of recommendations included in the report would reduce the potential for impacts related to landslide, lateral spreading, subsidence, liquefaction, or collapse due to soil that is unstable or that would become unstable as a result of the project. Therefore, this impact would be **less than significant**.

Mitigation Measures

None required.

Impact GEO-5 No septic tanks or alternative wastewater disposal systems would be utilized on the project site. Therefore, the project would have **no impact** associated with soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems.

Public utilities, including sewer service, serve the project site. No septic tanks or alternative wastewater disposal systems would be utilized. The project would have **no impact** associated with soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems.

Mitigation Measures

None required.

3.0 IMPACTS FOUND NOT SIGNIFICANT

GREENHOUSE GAS EMISSIONS

Based on Appendix G of the State CEQA Guidelines, the proposed project would have a significant environmental impact if it would:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
- b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Impact GHG-1 The project would generate greenhouse gas emissions over the short term from construction activities and would also contribute to long-term regional emissions associated with new project-related vehicle trips and indirect source emissions. The project's contribution would be **less than cumulatively considerable**.

Greenhouse gases (GHG) are released as byproducts of fossil fuel combustion, waste disposal, energy use, land use changes, and other human activities. This release of gases includes carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and chlorofluorocarbons. While this is a naturally occurring process known as the greenhouse effect, human activities have accelerated the generation of GHGs beyond natural levels. The abundance of GHGs in the atmosphere has led to an unexpected warming of the earth and has the potential to severely impact the earth's climate system.

GHG emissions contribute, on a cumulative basis, to the significant adverse environmental impacts of global climate change. No single project could generate enough GHG emissions to noticeably change the global average temperature. The combination of GHG emissions from past, present, and future projects contributes substantially to the phenomenon of global climate change and its associated environmental impacts and as such is addressed only as a cumulative impact.

GHG emissions associated with the project would occur over the short term from construction activities, consisting primarily of emissions from equipment exhaust. There would also be long-term regional emissions associated with new project-related vehicle trips and indirect source emissions, such as electricity and water usage.

Construction Emissions

As outlined in the project-specific GHG report (Urban Crossroads 2016b; **Appendix GHG**), the BAAQMD does not have an adopted threshold of significance for construction-related GHG emissions. However, the BAAQMD recommends quantification and disclosure of GHG emissions that would occur during construction, in addition to making a determination on the significance of these construction-generated GHG emissions impacts in relation to meeting Assembly Bill (AB) 32 greenhouse gas reduction goals (reduction of statewide GHG emissions to 1990 levels by 2020).

Table GHG-1 summarizes the project's estimated construction source emissions.

TABLE GHG-1
CONSTRUCTION-RELATED GREENHOUSE GAS EMISSIONS – METRIC TONS PER YEAR

Construction Year	Carbon Dioxide (CO ₂)	Methane (CH ₄)	Nitrous Oxide (N ₂ O)	CO ₂ e
2017	748.45	0.1	0	750.58
2018	797.73	0.1	0	799.81
2019	1,021.09	0.11	0	1,023.49
2020	253.35	0.03	—	253.97
Total CO₂e	2,827.85			

Source: Urban Crossroads 2016b (Appendix GHG)

In addition to quantifying construction-generated GHG emissions, the BAAQMD recommends that all construction projects incorporate best management practices (BMPs) to the maximum extent possible. Examples of BMPs identified by the BAAQMD include the use of alternative-fueled (i.e., biodiesel, electric) construction vehicles and equipment, the use of local construction materials (within 100 miles) to the maximum extent possible, and/or recycling 50 percent of construction waste materials.

Any development on the project site would be subject to the California Green Building Standards Code (Part 11, Title 24), which was adopted as part of the California Building Code (Title 24, California Code of Regulations). Current mandatory standards include the diversion of 50 percent of construction waste from landfills, thereby implementing one of the BAAQMD's best management practices. Further, the City of Hayward requires that every applicant submit a Construction and Debris Recycling Statement that documents how all materials generated during construction and demolition are collected and delivered to an authorized facility prior to issuance of building permits for a project.

As previously stated, the BAAQMD does not have an adopted threshold of significance for construction-related GHG emissions. However, implementation of best management practices included in the BAAQMD May 2012 Air Quality Guidelines, discussed in the Air Quality subsection above, would further reduce the GHG emissions of heavy-duty diesel-powered equipment during construction. Implementation of these measures and, diversion of over 50 percent of construction waste from landfills pursuant to state and local regulations, would minimize construction-related GHG emissions, consistent with AB 32 greenhouse gas reduction goals.

Operational Emissions

For GHG emissions resulting from project operations after construction, the BAAQMD has a threshold of significance of 4.6 metric tons per year of carbon dioxide equivalents (CO₂e) per service population. The projected annual GHG emissions resulting from project operation are summarized in **Table GHG-2**.

3.0 IMPACTS FOUND NOT SIGNIFICANT

TABLE GHG-2
OPERATIONAL GHG EMISSIONS – METRIC TONS PER YEAR

Source	Carbon Dioxide (CO ₂)	Methane (CH ₄)	Nitrous Oxide (N ₂ O)	CO ₂ e
Area	28.66	0.006	0.0004	28.92
Energy	795.42	0.06	0.04	801.6
Mobile	4,073.68	0.16	0	4,077.04
Solid Waste	94.21	1.26	0.03	85.83
Water	49.82	1.26	0.03	85.83
Total CO ₂ e	5,204.53			
Service Population	19,660			
Total CO ₂ e per Service Population	4.6			
Significant?	No			

Source: Urban Crossroads 2016b (Appendix GHG)

As shown, the proposed project would be below BAAQMD significance thresholds for operational GHG emissions and would result in a **less than cumulatively considerable contribution**.

Mitigation Measures

None required.

Impact GHG-2 The project's contribution to cumulative greenhouse gas (emissions would be **less than significant** with compliance with the City's Climate Action Plan and AB 32.

Each GHG differs in its ability to absorb heat in the atmosphere based on the lifetime, or persistence, of the gas molecule in the atmosphere. Gases with high global warming potential (GWP), such as hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆), are the most heat-absorbent. Methane (CH₄) traps over 21 times more heat per molecule than carbon dioxide (CO₂), and nitrous oxide (N₂O) absorbs 310 times more heat per molecule than CO₂. Often, estimates of GHG emissions are presented in carbon dioxide equivalents (CO₂e), which weight each gas by its GWP. Expressing GHG emissions in carbon dioxide equivalents takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO₂ were being emitted.

In June 2009, the City of Hayward approved a Climate Action Plan (CAP) that outlines a road map for achieving a measurable reduction in GHG emissions. The Hayward CAP includes GHG emissions reduction targets that align with those of the State of California, and thus AB 32 and other legislation aimed at GHG reduction. The CAP also presents a number of strategies that will make it possible for the City to meet the recommended targets, suggests best practices for implementing the plan, and makes recommendations for measuring progress. Such practices include developing high-density transit-oriented development, reducing automobile use, and incorporating green building practices aimed at reducing GHG emissions. The Hayward CAP was incorporated into the City's General Plan in 2014.

The project would develop a mixed-use transit-oriented development in the vicinity of BART and AC Transit stops. Additionally, the project would incorporate green building techniques per City

Climate Action Plan requirements including but not limited to installation of a green roof over the major commercial building; installation of highly efficient appliances and fixtures; use of low VOC finishes and materials; and incorporation of transportation demand management strategies such as transit passes for employees and residents, car sharing programs, bicycle parking and maintenance areas and unbundling parking costs from housing costs (see also Appendix TRA). Because the project would be consistent with the City's General Plan and its policies, the proposed project would not conflict with the City's Climate Action Plan. This impact would be **less than significant**.

Mitigation Measures

None required.

HAZARDS AND HAZARDOUS MATERIALS

Based on Appendix G of the State CEQA Guidelines, the proposed project would have a significant environmental impact if it would:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment.
- e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within 2 miles of a public airport or a public use airport, result in a safety hazard for people residing or working in the project area.
- f) For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area.
- g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.
- h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Impact HAZ-1 The proposed project would not create a significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous materials. The impact would be **less than significant**.

Public health is potentially at risk whenever hazardous materials are used. It is necessary to differentiate between the hazard of these materials and the acceptability of the risk they pose to

3.0 IMPACTS FOUND NOT SIGNIFICANT

human health and the environment. A hazard is any situation that has the potential to cause damage to human health and the environment. The risk to health and public safety is determined by the probability of exposure, in addition to the inherent toxicity of a material. Factors that can influence the health effects when human beings are exposed to hazardous materials include the dose to which the person is exposed, the frequency of exposure, the duration of exposure, the exposure pathway (route by which a chemical enters a person's body), and the individual's unique biological susceptibility.

Both the US Environmental Protection Agency (EPA) and the US Department of Transportation (DOT) regulate the transport of hazardous waste and material, including transport via highway. The EPA administers permitting, tracking, reporting, and operations requirements established by the Resource Conservation and Recovery Act. The DOT regulates the transportation of hazardous materials through the Hazardous Materials Transportation Act. This act includes requirements for container design and labeling, as well as for driver training. The established regulations are intended to track and manage the safe interstate transportation of hazardous materials and waste. Title 22 (Social Security, Division 4.5, Environmental Health Standards for the Management of Hazardous Waste) defines hazardous and special waste, identifies federal and state hazardous waste criteria, and regulates the storage, transportation, and disposal of waste. Title 22 was created to regulate the hazardous wastes generated by factories or similar sources, but soil excavated during construction may also be regulated. If contaminated soil meets Title 22 waste criteria and will be excavated during construction, the soil must be handled in a manner consistent with the regulations. These regulations are also found in Title 26. Additionally, state and local agencies enforce the application of these acts and coordinate safety and mitigation responses in the case that accidents involving hazardous materials occur.

The proposed project would include construction and landscaping activities that could involve limited transport, use, and disposal of hazardous materials such as gasoline fuels, asphalt, lubricants, toxic solvents, pesticides, and herbicides. The project would be required to ensure proper transportation, waste treatment, and disposal of hazardous materials during construction activities in accordance with all applicable federal, state, and local laws, as cited above. Should any fuel and oil spills occur, they would be minor based on the quantity of such materials typically stored and/or used on a construction site. In addition, the proposed project would be required to develop and implement a stormwater pollution prevention plan (SWPPP) that includes BMPs to prevent or reduce the movement of sediment, nutrients, pesticides, and other pollutants from the construction site to surface water or groundwater. BMPs identified in the stormwater pollution prevention plan would prevent impacts on surface water or groundwater associated with the use and handling of hazardous materials during construction activities from leaving the construction site and creating a significant hazard to the public or to the environment.

San Lorenzo Creek is located along the western border of the project site and is characterized by a concrete channel and fencing. The project would entail grading, installation of utilities, and building construction. As described above, the project would require the preparation of a SWPPP and compliance with state and local regulations, which would implement best management practices that would prevent sediment from entering the canal. Examples of typical construction BMPs include, but are not limited to, using temporary mulching, seeding, or other suitable stabilization measures to protect uncovered soils; storing materials and equipment to ensure that spills or leaks cannot enter the storm drain system or surface water; developing and implementing a spill prevention and cleanup plan; and installing sediment control devices such as gravel bags, inlet filters, fiber rolls, or silt fences to reduce or eliminate sediment and other pollutants from discharging to the drainage system or receiving waters. BMPs are recognized as effective methods to prevent or minimize the potential releases of pollutants into drainages, surface water,

or groundwater. Therefore, potential impacts during project construction would be less than significant.

Project Operation

Project implementation would result in the development of housing and commercial uses. These land uses generally would not be expected to involve the routine transport, use, or disposal of significant amounts of hazardous materials. Residents could use materials classified as household hazardous waste, including common items such as paints, cleaners, motor oil, pesticides, batteries, light bulbs, televisions, and computer monitors. Because it is illegal to dispose of household hazardous waste in the trash, down storm drains, or onto the ground, the proposed project could increase the amount of household hazardous waste being transported to the Household Hazardous Waste Facility, located at 2091 West Winton Avenue, which accepts and safely disposes of hazardous materials from Hayward residents at no charge. However, due to the nature of household hazardous materials, transport of hazardous materials to and from the project site would be in relatively small amounts and would not result in significant hazards to the public or to the environment.

For the reasons discussed above, the proposed project would not create a significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous materials. Therefore, impacts would be considered **less than significant**.

Mitigation Measures

None required.

Impact HAZ-2 The proposed project would not be expected to create a significant hazard to the public or to the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. However, discovery of potential unknown contamination at the site during project construction could impact construction workers. This impact is considered **potentially significant**.

The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Cortese List). However, the Phase I and II Environmental Site Assessment [ESA] and Tank Removal Report (Applied Water Resources 2015) prepared in conjunction with the proposed project identified limited areas of soil contamination and the potential presence of hazardous building materials requiring removal prior to site development. The following discussion summarizes the findings and recommendations of the report. The full report is provided in **Appendix HAZ**.

On-Site Conditions

The site was previously operated as the Mervyns corporate headquarters, which as part of the previous operation included the installation and operation of an emergency backup diesel generator. The generator was installed at the site with an attached aboveground day tank and a separate 10,000-gallon underground fuel storage tank. The underground storage tank and associated piping were removed from the site on March 13, 2015. The generator and attached day tank were not included in the removal and remain operational at the site. They are aboveground and there is no current sign of a spill or release at the generator day tank location.

3.0 IMPACTS FOUND NOT SIGNIFICANT

No staining or odors were observed in the soil near the underground tank, which appeared to be in very good condition with no obvious holes. Two confirmation soil samples were collected from under the tank and one additional sample was collected from under a pipe fitting in the containment pipe that held the diesel and drain lines. All three samples were "non-detect" for the analyzed components (i.e., total petroleum hydrocarbons, carbon disulfide, and chloroform).

However, very low concentrations of petroleum hydrocarbons were detected in the soil that had been removed to expose the tank. Although the concentrations in this soil were significantly less than the established environmental screening levels (ESLs), in accordance with City policy, the soil was removed from the site to a landfill and clean fill was imported to backfill the excavation. Lower concentrations of groundwater and soil impacts were also detected near and downgradient from the underground storage tank. Because the tank has subsequently been removed and there was no indication of a release from the tank system, this was not considered a recognized environmental condition (REC). However, it is recommended that this soil be removed prior to site development.

The Phase II ESA revealed soil and groundwater impacts elsewhere within the project site. The highest concentrations of impacted soils were in a limited area at a concrete/asphalt joint near the loading dock in an area with surface staining that appears to originate at the trash compactor. This was identified as a REC and it is recommended that this soil be removed prior to site development.

Finally, based on the age of the existing buildings on the project site, there is a potential for the presence of asbestos-containing materials and/or lead-based paint. Therefore, demolition of the buildings, as proposed by the project, could expose workers to health effects associated with these materials.

Off-Site Conditions

The project site is located adjacent to a closed underground storage tank release that occurred at the existing gas station just north of the site. The release was closed in 2010 with residual contamination remaining at the release property including in wells near the property boundary with the project site. The closure package for this release states, "Residual contamination in both the soil and groundwater may remain at the site that could pose an unacceptable risk under certain site development activities such as site grading, excavation, or the installation of a water well near the areas of residual contamination shall be assessed and appropriate action taken so that there is no significant impact to human health, safety, or the environment." Although these restrictions and requirements apply only to the release property, based on the sampling results from monitoring wells near the project site boundary, it appears likely that the groundwater impacts extend onto the project site. However, this is a controlled recognized environmental condition (CREC) since the release has been closed, and no additional assessment or remediation is required for the project site or the adjacent release property.

Conclusions

The Phase I and II ESA report recommends no additional environmental sampling with regard to known or potential RECs identified at the site. However, it is recommended that qualified personnel be present to observe the building demolition and soil excavation and grading to oversee the removal and disposal of the impacted soil near the loading dock and to inspect the exposed ground surface as the demolition proceeds to identify any areas of impact that may exist. Because of existing and potentially unknown contamination, project impacts could be **potentially significant**. As such, mitigation measures **MM HAZ-2a** and **MM HAZ-2b** are required.

Mitigation Measures

MM HAZ-2a Prior to development of the project site, all impacted soils shall be removed as described in the Phase I and II Environmental Site Assessment and Tank Removal Report prepared for the project site by Applied Water Resources Corporation dated April 2015. Additionally, a qualified environmental professional shall be present to observe the building demolition and soil excavation and grading to oversee the removal of the impacted soil and in the event additional impacted areas are encountered when the buildings and other current improvements are removed.

Timing/Implementation: Prior to issuance of a building permit and throughout project demolition and grading

Enforcement/Monitoring: City of Hayward Planning Division

MM HAZ-2b A survey for asbestos-containing building materials, lead-based paint, polychlorinated biphenyl, or other potentially hazardous building materials shall be conducted prior to initiation of demolition of any existing structures on the project site. If hazardous building materials are present at levels that require special handling and/or disposal, removal of the materials shall be completed by qualified professionals in accordance with applicable laws and regulations (including Bay Area Air Quality Management District requirements) prior to any activity that would involve demolition.

Timing/Implementation: Survey shall be submitted and approved prior to issuance of a building permit

Enforcement/Monitoring: City of Hayward Building Division and Planning Division

Compliance with existing regulations, as well as implementation of the above mitigation measures, would ensure impacts related to hazardous materials exposure would be reduced to **less than significant**.

Impact HAZ-3 Project implementation would not result in significant hazardous emissions or significant handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. This would be a **less than significant** impact.

There are no public schools within one-quarter mile of the project site, but a private preschool is located approximately one-tenth mile east of the site. However, as a mixed residential and retail use, the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste at volumes or in a manner that could create a risk to local area schools, as discussed in Impacts HAZ-1 and HAZ-2 above. This impact would be **less than significant**.

Mitigation Measures

None required.

3.0 IMPACTS FOUND NOT SIGNIFICANT

Impact HAZ-4 The proposed project site is not located on or in the vicinity of a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, the proposed project would not create a significant hazard to the public or to the environment, and **no impact** would occur.

The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, the proposed project would not create a significant hazard to the public or to the environment related to an existing hazardous materials site. **No impact** would occur.

Mitigation Measures

None required.

Impact HAZ-5 Project implementation would not result in a safety hazard associated with people residing or working in the vicinity of a public or private airport. **No impact** would occur.

The project site is not located within an airport land use plan area or within 2 miles of a public use airport or airstrip. There are no private airstrips in the vicinity of the project site that would result in a safety hazard for people residing or working in the project area. **No impact** would occur.

Mitigation Measures

None required.

Impact HAZ-6 Because the proposed project would generate traffic trips during construction that may impact service levels at intersections located in the project area, this impact is **potentially significant** with regard to adopted emergency response plans or evacuation plans.

Project construction would generate worker vehicle trips and could impede traffic as a result of heavy equipment movement and materials import and export, resulting in a decline of level of service at intersections in the vicinity of the site, or could require temporary closures that could impede emergency vehicles. Therefore, this impact is **potentially significant**.

Mitigation Measures

MM HAZ-6 Prior to the issuance of a grading and building permits for the proposed project, a Construction Traffic Control Plan (CTCP) shall be submitted for review and approval by the City of Hayward Public Works–Engineering and Transportation Department. The CTCP shall include a schedule of construction and anticipated methods of handling traffic for each phase of construction to ensure the safe flow of traffic and adequate emergency access, including maintaining an open lane for vehicle travel at all times. The applicant shall obtain an encroachment permit(s) consistent with the CTCP if any project related work will occur within public right-of-way. The CTCP shall be circulated to emergency service providers prior to any street closure or construction. All traffic control measures shall conform to Caltrans standards, as applicable.

Timing/Implementation: Prior to issuance of grading permits

Enforcement/Monitoring: City of Hayward Public Works–Engineering and Transportation Department

Compliance with existing regulations, as well as implementation of the above mitigation measure, would ensure impacts related to emergency response plans would be reduced to a **less than significant** level.

Impact HAZ-7 Implementation of the proposed project would not expose people and structures to hazards involving wildland fires. The project would have **no impact**.

The project site is not located in an area that is subject to the City's Wildland/Urban Interface Guidelines and is also located outside of all fire hazard areas identified by the California Department of Forestry and Fire Protection [Cal Fire] (Hayward 2014b, p. 17-13 and Figure 17-2). Furthermore, the project site is located in an urbanized area and is considered to be at minimal risk of wildland fire. There would be **no impact**.

Mitigation Measures

None required.

HYDROLOGY AND WATER QUALITY

Based on Appendix G of the State CEQA Guidelines, the proposed project would have a significant environmental impact if it would:

- a) Violate any water quality standards or waste discharge requirements.
- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).
- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.
- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.
- e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.
- f) Otherwise substantially degrade water quality.
- g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.
- h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows.
- i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of a failure of a levee or dam.
- j) Inundation by seiche, tsunami, or mudflow.

3.0 IMPACTS FOUND NOT SIGNIFICANT

Impact HYDRO-1 Compliance with the requirements of the City's Municipal Code and the Municipal Regional Stormwater NPDES Permit would minimize the potential for water quality degradation and ensure that the project would not contribute to a violation of water quality standards. This impact would be **less than significant**.

Construction of the proposed project could introduce sediments and other contaminants typically associated with construction into stormwater runoff, potentially resulting in the degradation of downstream surface water and groundwater quality. Stormwater flowing over the project site during construction could carry various pollutants downstream such as sediment, nutrients, bacteria and viruses, oil and grease, heavy metals, organics, pesticides, gross pollutants, and miscellaneous waste. These pollutants could originate from soil disturbances, construction equipment, building materials, and workers. Project construction activities would disturb soil on the project site, which could result in sedimentation that reaches the City's storm drain system and San Lorenzo Creek.

The project would be required to comply with the San Francisco Bay Municipal Regional Stormwater Permit (MRP) (Order R2-2009-0074; NPDES [National Pollutant Discharge Elimination System] Permit No. CAS612008) administered by the San Francisco Bay Regional Water Quality Control Board (RWQCB). The MRP ensures attainment of applicable water quality objectives and protection of the beneficial uses of receiving waters and associated habitat and requires that discharges not cause exceedances of water quality objectives or cause certain conditions to occur that create a condition of nuisance or water quality impairment in receiving waters. Provision C.3 of the MRP requires new and redevelopment projects that create or replace 10,000 square feet or more of impervious surface to implement certain measures to protect water quality and prevent erosion by minimizing sediment and other pollutants in site runoff and so that post-project runoff will not exceed pre-project rates and durations. The goal of Provision C.3 is to include appropriate source control, site design, and stormwater treatment measures in new development and adaptive reuse projects to address both soluble and insoluble stormwater runoff pollutant discharges and prevent increases in runoff flows from new development and adaptive reuse projects. Compliance with Provision C.3 would reduce potential water quality impacts associated with the proposed project.

The project would also be required to comply with HMC Chapter 11, Article 5, which protects water quality by eliminating non-stormwater discharges and other illicit discharges to improve stormwater quality in the city. Additionally, the project would include on site stormwater treatment measures, like a bioretention area, green roof and other measures to minimize operational impacts to water quality included in the project's Stormwater Control Plan (CBG 2016; **Appendix HYDRO**). BMPs included in the Stormwater Control Plan include directing runoff from impervious surfaces into bioretention areas, as well as maintenance BMPs to ensure proper operation of bioretention areas. Other measures include limiting pesticide use, cleaning of storm drain inlets, and maintenance of streets and sidewalks.

Compliance with the requirements of the City Municipal Code and the Municipal Regional Stormwater NPDES Permit would ensure that project construction and operation would not contribute to a violation of water quality standards. The project would have a **less than significant** impact regarding the generation of substantial additional sources of polluted runoff that would contribute to a water quality violation.

Mitigation Measures

None required.

Impact HYDRO-2 The project's domestic water demands will be met by surface water supplies provided by the East Bay Municipal Utility District rather than groundwater resources. The project would not impact groundwater recharge. This impact would be **less than significant**.

The project site is currently developed and covered with impervious surfaces. Therefore, redevelopment of the site as proposed would have no potential to further interfere with recharge of the underlying groundwater basin. The proposed development would be supplied water by the East Bay Municipal Utility District (EBMUD). This water is predominantly from the Mokelumne River and local runoff. EBMUD will rely upon its Bayside Groundwater Project to allow EBMUD to bank water during wet years for extraction, treatment, and use during dry years, but does not currently nor does it plan to use groundwater to meet any portion of its day-to-day normal water demand (EBMUD 2015). Therefore, the proposed project would not deplete groundwater supplies and this impact would be **less than significant**.

Mitigation Measures

None required.

Impact HYDRO-3 The project would not substantially alter the existing drainage pattern of the site or area, nor would it exceed the capacity of existing or planned stormwater drainage systems or generate of substantial additional sources of polluted runoff. This impact would be **less than significant**.

The site generally slopes from the east to the west, where stormwater is conveyed through existing outfalls into the San Lorenzo Creek. Elevations range from approximately 118 at the southeastern corner of the site to approximately 100 at the west side. Upon construction of the proposed project improvements, approximately 9.91 acres (87.8 percent) of the site would be covered by impervious surface and about 1.37 acres (12.2 percent) would be covered by landscaped areas including lawns, shrubs, trees, and bioretention ponds. A portion of the impervious roof would be green roof. Additionally, the project would include bioretention ponds to treat runoff from project operations. All walkways in the bio-treated areas would be sloped to drain into the surrounding landscaping and bioretention ponds.

The project's storm drainage system would be designed to comply with the NPDES General Permit for Waste Discharge Requirements for Storm Water Discharges from Alameda County (Order No. R2-2003-0021). This permit requires project site design to achieve an 80 percent capture rate. The project's stormwater would flow into the City's existing storm drainage system.

The proposed on-site drainage system would consist of newly developed pervious and impervious areas and bioretention areas. The project would increase the total landscape area from 35,494 square feet to 59,695 square feet and would increase the pervious area from 7.2 percent to 12.2 percent (CBG 2016). With these improvements, 100 percent of the project's stormwater runoff would be treated before entering the public stormwater system. The existing parking structure would remain, with stormwater treated by media filtration. Proposed on-site drainage system improvements for the site would tie into the existing outfalls along San Lorenzo Creek along the western side of the project site. For these reasons, impacts related to site drainage, surface runoff, and stormwater capacity would be **less than significant**.

Mitigation Measures

None required.

3.0 IMPACTS FOUND NOT SIGNIFICANT

Impact HYDRO-4 Project implementation would not place any housing or other structures within a flood hazard area. Therefore, **no impact** would occur associated with flood hazard zones.

According to the Federal Emergency Management Agency (FEMA) Flood Map Panel No. 06001C0287G dated August 3, 2009, the project site is designated as Zone X, or areas of minimal flood hazard. The adjacent San Lorenzo Creek corridor is designated as Zone A, or areas subject to inundation by the 1-percent-annual-chance flood event. No development is proposed within the creek corridor, and the creek is currently channelized in the project area. Therefore, the project would not place any housing within a 100-year flood hazard area or otherwise impede or redirect flood flows. The project would have **no impact**.

Mitigation Measures

None required.

Impact HYDRO-5 The project would not expose people or structures to a significant risk of loss, injury, or death involving flooding as a result of a failure of a levee or dam. Therefore, a **less than significant** impact would occur.

The project site is within the inundation areas for Don Castro Reservoir and Cull Canyon Lake (Cal OES 2006). Cull Creek Dam, constructed in 1962/63, is a 55-foot earthfill dam that impounds approximately 310 acre-feet of water (ACFC 2006). Both dams were constructed and are maintained by the Alameda County Flood Control and Water Conservation District. According to the district, excess siltation entering the reservoirs has reduced their overall capacity. In addition, Cull Canyon Reservoir was the subject of a seismic stability study, completed in 2006, that concluded the dam might be seismically unstable.

The district is currently exploring long- and short-term alternatives to address the siltation and seismic problems. In the interim, the district has lowered the water level behind Cull Canyon Dam to ensure public safety in accordance with the California Department of Water Resources, Division of Safety of Dams (DSOD) interim requirements. Although issues at both dams have been identified, the district and the DSOD are addressing the issues and have taken measures to ensure public safety (ACFC 2015). These measures, such as reducing the amount of water behind the dams, would reduce the potential for a catastrophic flood event; therefore, development of the project site would not expose people or structures to significant risks resulting from dam failure. This impact would be **less than significant**.

Mitigation Measures

None required.

Impact HYDRO-6 The project site is not subject to potential inundation by seiche, tsunami, or mudflow. Therefore, **no impact** would occur.

A seiche is a periodic oscillation of a body of water such as a reservoir resulting from seismic shaking or other causes such as landslides. The project site is not located near any reservoirs or other enclosed bodies of water capable of seiche. A tsunami is a series of waves caused by earthquakes that occur on the seafloor or in coastal areas. A mudflow is a flow of dirt and debris that occurs after intense rainfall or snowmelt, volcanic eruption, earthquake, or severe wildfire. The project site is located approximately 4.5 miles east of the San Francisco Bay and would not be at risk of inundation as a result of a tsunami or seiche wave. Furthermore, the site is located in

a relatively flat area that is almost entirely urbanized and would not be at risk of mudflow. For these reasons, **no impact** would occur associated with potential inundation by seiche, tsunami, or mudflow.

Mitigation Measures

None required.

LAND USE AND PLANNING

Based on Appendix G of the State CEQA Guidelines, the proposed project would have a significant environmental impact if it would:

- a) Physically divide an established community.
- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.
- c) Conflict with any applicable habitat conservation plan or natural community conservation plan.

Table LAN-1 provides a matrix showing the project's consistency with applicable zoning development standards.

3.0 IMPACTS FOUND NOT SIGNIFICANT

**TABLE LAN-1
ZONING CONSISTENCY MATRIX
LINCOLN LANDING DEVELOPMENT**

Development Standard	Required	Proposed	Consistent
Maximum Height	104 feet	89 feet at top of the tower elements	Yes
Maximum Density	65 residential dwelling unit (du)/acre	42 residential du/acre	Yes
Maximum Floor Area Ratio	1.5	1.22	Yes
Minimum Yards			
Front - along Foothill	0-8 feet	Meanders between 6 and approximately 240 feet	Yes
Street Side	5 feet or 10% of the lot width up to 10 feet unless waived by the approving authority	10 feet along Hazel Avenue and Civic Center Drive	Yes
Rear	None	Meanders, 40 feet at closest	Yes
Open Space (Residential)	100 sq. ft. per du (with minimum 30 sq. ft. utilized for group open space – total 47,600 sq. ft. required with minimum 14,280 sq. ft. identified as group open space.	53,600 square feet with 44,000 identified as group open space in courtyards	Yes
On-Site Parking	Required	Proposed	
Parking	970	1,180	Yes, exceeds
Non-residential Parking	256 (1 per 315 sq. ft. of commercial development)	286	Yes, exceeds
Residential Parking	714 (1.5 per du with one covered)	894	Yes, exceeds

Impact LAN-1 The project would not result in the physical division of an established community. **No impact** would occur.

The project site is currently developed with urban uses and is surrounded by commercial and residential uses, similar to those proposed by the project. The site does not currently provide any vehicular or pedestrian connections between adjacent land uses, and the project does not propose any major linear features such as a major roadway that would physically divide a community. In fact, the proposed project would provide commercial and residential development on a site that has been vacant since 2008. Therefore, the proposed project would not physically divide the surrounding community and there would be **no impact**.

Mitigation Measures

None required.

Impact LAN-2 The project would not conflict with the City's General Plan or other land use plan, policy, or regulation intended to reduce environmental effects. This impact would be **less than significant**.

The project site is surrounded by existing development, with a mix of commercial and residential uses. As described previously, the proposed development would be consistent with the existing General Plan land use designation and zoning for the project site. The project site is currently designated as Central City-Retail Office and Commercial (CC-ROC) and zoned as Central City-Commercial (CC-C) District.

Per the City's General Plan, the allowed uses in the CC-ROC General Plan land use designation include retail, dining, entertainment, and mixed use with multi-family residential or offices on upper floors. The project would develop a mixed-use development with commercial and residential uses. The proposed development also includes a combination of surface and structured parking which is considered an accessory use to the residential and commercial uses on site pursuant to HMC Section 10-1.3510 and HMC Section 10-1.1522(b), and is therefore permitted.

The General Plan contains specific development standards for the CC-ROC land use designation including a maximum floor area ratio (FAR) of 1.5 for commercial development and a maximum density range of 40 to 110 dwelling units per acre, depending on the site's zoning and proximity to regional transit. General Plan land use designations such as CC-ROC are intentionally broad, while zoning designations such as the applicable CC-C District, are more detailed and provide a variety of specific development standards such as allowable uses, building heights, setbacks, FAR and lot coverage and parking requirements. Please see **Table LAN-1**, Zoning Consistency Matrix, detailing how the proposed development is consistent with applicable standards.

It is important to note that the General Plan Goals and Policies, which are set forth in the General Plan under various headings such as Land Use and Community Character, Mobility and others, are guiding principles and contain a host of strategies intended to implement a high level vision for the future of the site, neighborhood, and City. General Plan Goals and Policies are not intended to provide specific standards and limitations on development; that is the role of the zoning ordinance and other applicable plans. Each development is unique and must be evaluated on its merits as to whether it meets the overall vision for the site, the surrounding neighborhood context, and the City as a whole. A certain development may meet some but not all General Plan Goals and Policies and still be found to be consistent with the overall vision and intent of the General Plan land use designation. In this manner, the proposed development was evaluated against the General Plan land use designation for the property, as well as applicable Goals and Policies, and found to be consistent.

Specifically, various General Plan Goals and Policies support establishment of large-scale mixed use development on strategic sites located in proximity to Downtown Hayward and on the subject site. These include, but are not limited to, the following: Goal LU-1, and Policies LU-1.3 and LU-1.5 directing population and employment growth to infill sites in proximity to transit; LU-1.4 calling for revitalization and redevelopment of abandoned and underutilized properties to accommodate growth; Goal LU-2, and Policies LU-2.1 through LU-2.6, supporting pedestrian activity and encouraging a variety of uses and urban housing opportunities to extend the hours of activity in and around Downtown Hayward; and, Goals LU-3, LU-4, and LU-5 and Policies LU-3.3, LU-4.1, LU-4.3, and LU-5.1, encouraging placement of large-scale neighborhood centers and mixed use development along corridors and arterials such as Foothill Boulevard. In addition, the project meets Mobility Element Goals and Policies supporting multi-modal transportation choices as well as transportation demand management policies to reduce single occupancy automobile trips by locating mixed use development and high density housing close to transit and jobs (Goal M-8 and

3.0 IMPACTS FOUND NOT SIGNIFICANT

Policy M-8.4). As described in the Traffic Study prepared for the project (Appendix TRA), the proposed development will include a host of Transportation Demand Management measures including but not limited to transit passes for employees and residents; implementation of car sharing programs and participation in a shuttle service; and unbundling the costs of parking and housing.

As shown in **Table LAN-1** Zoning Consistency Matrix Lincoln Landing Development above, the proposed development is consistent with the applicable zoning standards and the proposed development is consistent with the intent and purpose of the General Plan land use designation and related Goals and Policies. Thus, the project would not result in significant environmental impacts and would not conflict with plans, policies, or regulations intended to reduce or avoid environmental effects. Therefore, this impact would be **less than significant**.

Mitigation Measures

None required.

Impact LAN-3 The project site is not subject to an adopted or proposed habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. **No impact** would occur.

Hayward General Plan Implementation Program NR-1 calls for the City to coordinate with Alameda County, the Cities of Fremont and Union City, the Hayward Area Recreation and Park District, and the East Bay Regional Park District to develop and adopt a comprehensive habitat conservation plan for areas within and surrounding the city. However, such a plan has not yet been developed or adopted. Therefore, the project would not conflict with any applicable habitat conservation plans or natural community conservation plans. There would be **no impact**.

Mitigation Measures

None required.

MINERAL RESOURCES

Based on Appendix G of the State CEQA Guidelines, the proposed project would have a significant environmental impact if it would:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.
- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

Impact MIN-1 The project would not affect mineral resources. **No impact** would occur.

According to the City of Hayward General Plan Background Report (2014c, p. 7-109), the US Geological Survey has identified 11 past, present, or prospective mining sites in the city. These sites contain or once contained a variety of mineral resources, including stone, limestone, clay, fire clay, halite, and salt. None of the identified sites are located in the vicinity of the project site. Furthermore, the site is developed with urban uses and is surrounded by similar uses. Therefore, project implementation would not result in the loss of availability of a known mineral resources or a locally important mineral resource recovery site. There would be **no impact**.

Mitigation Measures

None required.

NOISE

Based on Appendix G of the State CEQA Guidelines, the proposed project would have a significant environmental impact if it would result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or of applicable standards of other agencies.
- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.
- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.
- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.
- e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within 2 miles of a public airport or a public use airport, exposure of people residing or working in the project area to excessive noise levels.
- f) For a project within the vicinity of a private airstrip, exposure of people residing or working in the project area to excessive noise levels.

Impact NOISE-1 Although the project could exceed the City of Hayward's acceptable noise levels during construction, the project would implement best management practices as required by the City. Therefore, this impact would be **less than significant**.

Existing Ambient Noise Levels

This analysis is based on the Lincoln Landing Noise Impact Report, prepared by Michael Baker International in July 2016 (**Appendix NOISE**). Noise sources include traffic-related noise on roadways and highways, airplanes flying overhead, and noise associated with typical residential development (e.g., people talking, dogs barking, children playing, yard maintenance equipment). A summary of noise sources is included in this section.

Sound is affected by distance from the source, surrounding obstacles, and atmospheric properties. Thus, more distant noise sources would not typically interfere or combine with noise sources within or in proximity to the project site. The sound levels in most communities fluctuate, depending on the activity of nearby and distant noise sources, time of the day, or season of the year. To characterize the existing environment, noise measurements were taken at four key intersections located near the project site on June 15, 2015, as shown in **Table NOISE-1**. The primary noise source captured by these noise measurements is automobile traffic.

The average noise levels and sources of noise measured at each location are identified in **Table NOISE-1**. The existing day-night average sound levels ranged from 60.6 to 63.2 dBA L_{dn} .

3.0 IMPACTS FOUND NOT SIGNIFICANT

TABLE NOISE-1
EXISTING NOISE LEVELS IN THE PROJECT VICINITY

Map #	Location	Run Time	Primary Noise Sources	Noise Level Statistics		
				L _{dn} (dBA)	L _{min} (dBA)	L _{max} (dBA)
1	Hazel Ave./San Lorenzo Creek NE	June 15, 2015 7:37 a.m.	Hazel Ave traffic, train/BART	63.2	46.1	84.7
2	Hazel Ave./Foothill Blvd. SE	June 15, 2015 7:55 a.m.	Foothill Blvd traffic, gas station, Safeway across street	62.9	49.7	74.8
3	City Center Dr./Foothill SW	June 15, 2015 8:14 a.m.	City Center Dr./Foothill Blvd. traffic	60.6	46.6	74.3
4	Main St./McKeever Ave NE	June 15, 2015 8:30 a.m.	Intersection traffic, residences	61.6	42.2	79.1

Source: Michael Baker International 2016b (Appendix NOISE)

Existing Roadway Noise Levels

Existing roadway noise levels were calculated for the roadway segments in the project vicinity. **Table NOISE-2** summarizes the modeled existing traffic noise levels at 100 feet from the centerline of each project roadway and lists distances from each roadway centerline to the 65 dB, 60 dB, and 55 dB L_{dn} traffic noise contours.

TABLE NOISE-2
EXISTING TRAFFIC NOISE LEVELS

Roadway Segment	Surrounding Uses	L _{dn} (dB) at 100 Feet from Roadway Centerline	Distance (feet) from Roadway Centerline to L _{dn}		
			65 dBA	60 dBA	55 dBA
A Street					
Mission to West	Commercial & Residential	51.9 dBA	—	—	62
Mission to Foothill	Commercial	56.5 dBA	—	58	126
Foothill Blvd.					
Grove to Hazel	Commercial & Residential	63.2 dBA	76	164	354
Hazel to City Center	Commercial & Project Site	61.5 dBA	59	127	273
City Center to A	Commercial	60.3 dBA	—	105	227
Mission Blvd.					
Grove to Sunset	Commercial	55.1 dBA	—	47	102
Sunset to Simon	Commercial	54.4 dBA	—	—	91
Simon to Hotel	Commercial	54.4 dBA	—	—	91
Hotel to A	Commercial & Residential	54.6 dBA	—	—	94
A to B	Commercial	60.7 dBA	51	111	239

Roadway Segment	Surrounding Uses	L _{dn} (dB) at 100 Feet from Roadway Centerline	Distance (feet) from Roadway Centerline to L _{dn}		
			65 dBA	60 dBA	55 dBA
Main Street					
Hazel to Warren/McKeever	Commercial & Residential	48.3 dBA	—	—	—
Warren/McKeever to Hotel	Commercial & Residential	49.1 dBA	—	—	—

Source: Michael Baker International 2016b (Appendix NOISE)

Note: Traffic noise levels were calculated using the FHWA roadway noise prediction model. Refer to Appendix A of Appendix NOISE for noise modeling assumptions and results.

As shown in **Table NOISE-2**, the location of the 55 dB L_{dn} traffic noise contours along road segments in the project vicinity range from 62 to 354 feet from the centerline for A Street, Foothill Boulevard, and Mission Boulevard. As also shown, existing traffic volumes do not generate enough noise to reach the 70 dB mixed-use standard at any location in the project vicinity. Four segments on Foothill Boulevard exceed the 60 dB standard for residential use but are within the standard at 164, 127, 105, and 111 feet from the center of the roadway. The extent to which existing land uses in the project vicinity are affected by existing traffic noise depends on their proximity to the roadways and their individual sensitivity to noise.

Short-Term Construction-Generated Noise

Construction noise typically occurs intermittently and varies depending on the nature or phase of construction (e.g., land clearing, grading, excavation, paving). Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels. Noise levels associated with individual construction equipment are summarized in **Table NOISE-3**.

TABLE NOISE-3
TYPICAL CONSTRUCTION EQUIPMENT NOISE LEVELS

Equipment	Typical Noise Level (dBA L _{max}) 50 Feet from Source
Air Compressor	81
Backhoe	80
Compactor	82
Concrete Mixer	85
Concrete Vibrator	76
Crane, Mobile	83
Dozer	85
Generator	81
Grader	85
Impact Wrench	85
Jackhammer	88
Loader	85
Truck	88

3.0 IMPACTS FOUND NOT SIGNIFICANT

Equipment	Typical Noise Level (dBA L _{max}) 50 Feet from Source
Paver	89
Pneumatic Tool	85
Roller	74
Saw	76

Source: FTA 2006

As depicted in **Table NOISE-3**, noise levels generated by individual pieces of construction equipment typically range from approximately 74 dBA to 89 dBA L_{max} at 50 feet (FTA 2006). Short-term increases in vehicle traffic, including worker commute trips and haul truck trips, may also result in temporary increases in ambient noise levels at nearby receptors. During project construction, exterior noise levels could affect the nearest existing sensitive receptors in the project vicinity. The nearest sensitive receptors include residences to the west and north, which are approximately 50 feet from the project boundary line. Therefore, adjacent residential land uses could be exposed to temporary and intermittent noise levels up to 89 dBA.

The City of Hayward has noise regulations for construction and alteration of structures for individual devices/pieces of equipment. Specifically, the City limits construction noise to 83 dBA at a distance of 25 feet from the source and limits construction noise to 86 dBA at any point outside of the property plane. The City also limits the hours during which construction and alteration of structures is allowed to between 7:00 a.m. to 7:00 p.m. Monday through Saturday and 10:00 a.m. to 6:00 p.m. on Sunday. For all other hours, various land use noise limits apply (Hayward 2016).

Some individual pieces of equipment may temporarily exceed the City's noise regulations in the absence of noise control mechanisms. However, HMC Section 4-1.03.4 includes construction best management practices as described below. According to the City of Hayward, adherence to these best management practices reduces construction noise to less than significant levels. The following best management practices would be implemented pursuant to the City's Municipal Code:

- Noise-generating activities at the construction site or in areas adjacent to the construction site will be restricted to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday and 10:00 a.m. to 6:00 p.m. on Sundays and holidays.
- Noise from individual pieces of construction equipment must comply with the limits set forth in the Municipal Code.
- All internal combustion engine driven equipment will be equipped with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Unnecessary idling of internal combustion engines is strictly prohibited.
- Stationary noise-generating equipment such as air compressors or portable power generators will be located as far as possible from sensitive receptors.
- Temporary noise barriers will be constructed to screen stationary noise-generating equipment when located near adjoining sensitive land uses. Temporary noise barriers could reduce construction noise levels by 5 dBA.

3.0 IMPACTS FOUND NOT SIGNIFICANT

- “Quiet” air compressors and other stationary noise sources will be utilized where technology exists.
- All construction traffic to and from the project site will be routed via designated truck routes where possible. Construction-related heavy truck traffic is prohibited in residential areas where feasible.
- Noise from construction workers' radios will be controlled to a point where they are not audible at existing residences bordering the project site.
- The contractor will prepare and submit to the City for approval a detailed construction plan identifying the schedule for major noise-generating construction activities.
- A “disturbance coordinator” will be designated who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented. A telephone number for the disturbance coordinator will be conspicuously posted at the construction site, including the notice sent to neighbors regarding the construction schedule.

With the incorporation of these standard practices and code requirements, temporary noise impacts resulting from project construction would be considered **less than significant**.

Mitigation Measures

None required.

Impact NOISE-2 Project construction and operation would not result in a substantial temporary increase in ambient noise levels and groundborne vibration in the project vicinity above levels existing without the project. This impact is considered **less than significant**.

The typical background vibration-velocity level in residential areas is approximately 50 vibration decibels (VdB). Groundborne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels (FTA 2006).

The existing active railroad lines are the primary ground vibration source in Hayward. Based on the generalized ground surface vibration curves in the Federal Transit Administration (FTA) guidance, proposed development within 200 feet of an existing railroad could exceed the recommended threshold for human disturbance of 72 VdB for sensitive receptors that are exposed to a frequent amount of vibration events (i.e., 70 or more trains passing by in one day).

Increases in groundborne vibration levels attributable to the proposed project would be primarily associated with short-term construction-related activities. Construction on the project site would have the potential to result in varying degrees of temporary groundborne vibration, depending on the specific construction equipment used and the operations involved. The Hayward General Plan does not set decibel standards for temporary construction vibration impacts. To determine a threshold for construction-generated groundborne vibration, standards provided by the FTA and the California Department of Transportation (Caltrans) are referenced.

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The FTA threshold for short-term, construction-generated groundborne vibration is 85 vibration decibels (VdB). VdB is particle velocity in inches per second and measures the rumbling sound caused by the vibration of room surfaces. According to the FTA, 85 VdB is distinctly perceptible and unacceptable unless occurring very infrequently.

Construction activities would require the use of off-road equipment such as tractors, jackhammers, and haul trucks. Groundborne vibration levels associated with representative construction equipment are summarized in **Table NOISE-4**. Based on the vibration levels presented in the table, ground vibration generated by construction equipment would not be anticipated to exceed 85 VdB at 50 feet.

TABLE NOISE-4
REPRESENTATIVE VIBRATION SOURCE LEVELS FOR CONSTRUCTION EQUIPMENT (VdB)

Equipment	Approximate VdB	
	50 Feet	100 Feet
Large Bulldozer	81	75
Caisson Drilling	81	75
Loaded Trucks	80	74
Jackhammer	73	67
Small Bulldozer	52	46

Source: FTA 2006

Notes: The vibration levels at off-site sensitive uses are determined with the following equation from the FTA Transit Noise and Vibration Impact Assessment, Final Report: $L_v(D) = L_v(25 \text{ ft}) - 20 \log(D/25)$, where L_v = vibration level of equipment, D = distance from the equipment to the receiver, $L_v(25 \text{ ft})$ = vibration level of equipment at 25 feet.

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The nearest residences to the project site are located 50 feet from the site's western and northern boundaries. Based on the vibration levels presented in **Table NOISE-4**, ground vibration generated by construction equipment would not exceed the short-term, construction-generated FTA threshold of 85 VdB at these residences.

The Caltrans threshold for groundborne vibration is 0.3 inches per second, peak particle velocity (in/sec, PPV), which is considered the vibration level able to result in structural damage for sensitive buildings and residences. If this groundborne vibration level threshold is exceeded, the result may be "architectural" damage to normal dwellings. Groundborne vibration levels associated with representative construction equipment are summarized in **Table NOISE-5**.

TABLE NOISE-5
REPRESENTATIVE VIBRATION SOURCE LEVELS FOR CONSTRUCTION EQUIPMENT (PPV)

Equipment	Peak Particle Velocity at 25 Feet (in/sec)
Loaded Trucks	0.076
Jackhammer	0.035
Small Bulldozers/Tractors	0.003
Large Bulldozer	0.089
Caisson Drilling	0.089

Source: FTA 2006; Caltrans 2004

As noted, the nearest residential structures to the project site are approximately 50 feet from the site's western and northern boundaries. Based on the vibration levels presented in **Table NOISE-5**, ground vibration generated by heavy-duty equipment would not be anticipated to exceed approximately 0.09 inches per second peak particle velocity at 25 feet. Therefore, predicted vibration levels at the nearest residences would not exceed the Caltrans recommended criteria.

Construction activities associated with the proposed project would not exceed either the FTA or Caltrans recommended thresholds for groundborne vibration impacts. Once construction is complete, all construction-generated groundborne vibration would cease. There would be no source of ground vibration associated with the proposed project operations. This impact is **less than significant**.

Mitigation Measures

None required.

Impact NOISE-3 The project would not result in a permanent increase in ambient noise levels over existing levels. This impact is considered **less than significant**.

A change in level of at least 5 dBA is required before any noticeable change in community response would be expected. The City of Hayward General Plan, however, uses the level typically audible to the human ear, which is 3 dBA (Hayward 2014a). Therefore, an increase of more than 3 dBA would be considered a substantial increase in noise and would represent a significant impact.

3.0 IMPACTS FOUND NOT SIGNIFICANT

The primary factor contributing to the ambient noise environment as a result of the project would be the increase in vehicular traffic from development in the project area. **Table NOISE-6** shows the calculated roadway noise levels under existing traffic levels compared to the existing plus project scenario.

TABLE NOISE-6
PREDICTED INCREASES IN TRAFFIC NOISE LEVELS EXISTING PLUS PROJECT CONDITIONS

Roadway Segment	L _{dn} at 100 Feet from Near-Travel-Lane Centerline ¹		Increase	Threshold	Impact	Affected Land Use
	Without Project	With Project				
A Street						
Mission to west	51.9	51.9	0	> 3.0	No	Commercial & Residential
Mission to Foothill	56.5	56.6	0.1	> 3.0	No	Commercial
Foothill Blvd.						
Grove to Hazel	63.2	63.4	0.2	> 3.0	No	Commercial & Residential
Hazel to City Center	61.5	61.7	0.2	> 3.0	No	Commercial & Project Site
City Center to A	60.3	60.5	0.2	> 3.0	No	Commercial
Mission Blvd.						
Grove to Sunset	55.1	55.2	0.1	> 3.0	No	Commercial
Sunset to Simon	54.4	54.4	0	> 3.0	No	Commercial
Simon to Hotel	54.4	54.4	0	> 3.0	No	Commercial
Hotel to A	54.6	54.7	0.1	> 3.0	No	Commercial & Residential
A to B	60.7	60.8	0.1	> 3.0	No	Commercial
Main Street						
Hazel to Warren/McKeever	48.3	48.6	0.3	> 3.0	No	Commercial & Residential
Warren/McKeever to Hotel	49.1	49.3	0.2	> 3.0	No	Commercial & Residential

Source: Michael Baker International 2016b (Appendix NOISE)

Notes:

1. Traffic noise levels were calculated using the FHWA roadway noise prediction model based on data obtained from the traffic analysis prepared for this project (TJKM 2016).
2. For purposes of this analysis, a noise level increase of 3.0 or greater would typically be considered to result in increased levels of annoyance (Hayward 2014a).

Predicted existing plus project noise levels range from 48.6 to 63.4 dBA L_{dn}. All predicted increases in traffic noise levels associated with the project would be less than 3 dBA over pre-project noise conditions. Specifically, the increase of noise ranges from 0.1 to 0.3 dBA. In comparison to existing traffic noise levels, the project's predicted increase in traffic noise levels is below the applicable City noise level threshold of a 3 dBA increase. Therefore, predicted traffic noise levels would not result in a substantial increase in traffic noise levels along other primarily affected roadways. This impact would be **less than significant**.

Mitigation Measures

None required.

Impact NOISE-4 The project would not expose people residing or working in the project area to excessive noise levels associated with airport operation. Therefore, this impact would be **less than significant**.

The project site is outside of the noise contour boundaries of both Hayward Executive Airport and Oakland International Airport (**Appendix NOISE**). Therefore, noise from the airports would be considered **less than significant** for the proposed project.

Mitigation Measures

None required.

POPULATION AND HOUSING

Based on Appendix G of the State CEQA Guidelines, the proposed project would have a significant environmental impact if it would:

- a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure).
- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.
- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

Impact POP-1 The proposed project would generate approximately 1,542 new residents on the project site. This would not be considered substantial population growth, and impacts would be **less than significant**.

According to the City's 2040 General Plan EIR (2014b, p. 3-21), the number of dwelling units in Hayward in 2012 was approximately 48,671, and the population about 147,113. ABAG projects that the city will grow to a total of 60,584 dwelling units by 2040, which is the horizon year of the 2040 General Plan.

The project proposes the construction of 476 new residential units and approximately 80,500 square feet of commercial retail space. Based on a person-per-household factor of 3.24 (DOF 2015), these units would provide housing for approximately 1,542 people. The proposed development would be consistent with the General Plan land use designation for the project site in that it would not exceed the allowable density permitted on the site, and it would be within the housing and population projections for the city in the 2040 General Plan EIR (Hayward 2014b, p. 3-21). Therefore, the project would not induce substantial population growth beyond that previously considered in the City's 2040 General Plan EIR. The impact would be **less than significant**.

3.0 IMPACTS FOUND NOT SIGNIFICANT

Mitigation Measures

None required.

Impact POP-2 The proposed project would not displace substantial numbers of people or housing. **No impact** would occur.

The project site is currently developed with office uses and does not contain any housing. Therefore, project implementation would not displace any existing housing or people and would not necessitate the construction of replacement housing elsewhere. There would be **no impact**.

Mitigation Measures

None required.

PUBLIC SERVICES

Based on Appendix G of the State CEQA Guidelines, the proposed project would have a significant environmental impact if it would:

Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

- a) Fire protection
- b) Police protection
- c) Schools
- d) Parks
- e) Other public facilities

Impact PUB-1 The proposed project would not result in substantial adverse physical impacts associated with the provision of public services, nor would it increase the use of existing public service and recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. Therefore, impacts would be **less than significant**.

Fire

The City of Hayward Fire Department (HFD) provides fire, paramedic advanced life support (ALS)/emergency medical (EMS), and emergency services to all areas within the city limits and to the Fairview Fire Protection District on a contract basis. The department maintains nine operating stations: seven in the city and two in the Fairview area. The closest station to the project site is Station #1 located at 22700 Main Street less than one-half mile to the south. The HFD stations house 11 fire companies, including nine engine companies and two truck companies. The department currently maintains a staffing ratio of 0.73 per 1,000 residents, which is less than its goal of 1.0 firefighter per 1,000 residents. However, for each emergency response (Code 3), the HFD meets

or exceeds the response goal of putting the first arriving fire company on scene in 5 minutes or less 90 percent of the time (Hayward 2014b, p. 17-2).

As described previously, the proposed project would provide housing for approximately 1,542 new residents. Occupancy of these residential units and operation of the proposed 80,500 square feet of commercial space would increase demand for fire protection and emergency medical services. However, the site is located in an urbanized area of the city less than one-half mile from an operating fire station and is part of the expected growth anticipated in the City's General Plan in that the proposed development is consistent with the General Plan land use designation. Therefore, no new or expanded fire protection facilities would be required beyond those already envisioned in the General Plan. Additionally, the proposed project would be constructed in accordance with the most current building and fire code standards and would provide adequate site access for emergency responders in order to maximize fire prevention and public safety. Therefore, potential impacts would be **less than significant**.

Police

The City of Hayward Police Department (HPD) provides police protection services in the city. The department employs over 190 sworn officers and maintains a ratio of 1.32 sworn officers per 1,000 residents, which is less than its goal of 1.5 sworn officers per 1,000 residents. The HPD's goal is to arrive at the scene of Priority 1 calls within 5 minutes of dispatch 90 percent of the time. However, in 2012, the HPD received 95,239 calls for service with an average response time to Priority 1 calls of 9 minutes and 2 seconds.

As described previously, the proposed project would provide housing for approximately 1,542 new residents. Occupancy of these residential units and operation of the proposed 80,500 square feet of commercial space would increase demand for law enforcement services. However, the site is located in an urbanized area of the city that is routinely patrolled by the HPD and is part of the expected growth per the City's General Plan in that the proposed development is consistent with the General Plan land use designation. Furthermore, property tax revenue collected from the proposed development would help fund expansion of services, such as increased officers and patrol cars, required to accommodate growth in the city. Therefore, no new or expanded law enforcement facilities would be required and this impact would be **less than significant**.

Schools

The project site is within the attendance boundaries of the Hayward Unified School District (HUSD). The district operates 22 elementary, 5 middle, and 4 high schools in the city, with a total enrollment of 22,272 in the 2013–14 academic year (Ed-Data 2015). The HUSD experienced a substantial decline in its student population between the academic years of 2000–01 and 2011–12, and district projections indicate that overall HUSD enrollment may drop to 21,108 students by 2017. Furthermore, the schools that would serve the project site (i.e., Strobridge Elementary School, Bret Harte Middle School, and Hayward High School) are not considered to be overcrowded (Hayward 2014b, p. 17-8).

The project proposes the development of 476 multi-family residential units. The HUSD has a student generation rate of 0.243 elementary students, 0.063 middle school students, and 0.119 high school students, for an average of 0.425 students per occupied housing unit (HUSD 2007). Based on the district's rates, the project would generate approximately 116 elementary students, 30 middle school students, and 57 high school students. Given that the project would represent approximately 1 percent of the total district enrollment for either elementary, middle, or high school, the project would not trigger the need for additional school facilities. In addition,

3.0 IMPACTS FOUND NOT SIGNIFICANT

exceeding school capacity is not considered a physical impact under CEQA. California Government Code Section 65995(h) states that "the payment or satisfaction of a fee, charge or other requirement levied or imposed... [is] deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization as defined in Section 56021 or 56073, on the provision of adequate school facilities." The proposed project would be subject to the HUSD residential and commercial fees in place at the time an application is submitted for a building permit, and under CEQA, payment of school development fees is considered to mitigate the need for school facilities to **less than significant**.

Parks

The project would be required to meet the City's current parkland dedication requirement to ensure availability of adequate land for future park construction. As of 2013, the City's parkland dedication requirement for multi-family residential development is 604 square feet per multi-family residential unit (Hayward 2014b, p. 17-10). Based on this standard, the proposed 476-unit development would be required to provide 6.6 acres of parkland. The project proposes development of a 2,000-square-foot pocket park with a play structure in the northwestern portion of the site (see **Figure 2.0-3**). In order to fully meet the City's parkland dedication standard, the project applicant may also apply for a credit for private recreation improvements or developer-provided park and recreation improvements on public land and/or pay the City's park dedication fee in effect at the time an application is submitted for a building permit. Development of the proposed pocket park and payment of the required park dedication fee in combination with development or dedication of park/recreation improvements would reduce this impact to less than significant. Furthermore, as described in greater detail below, the environmental effects of constructing the proposed park are addressed throughout this document. Therefore, this impact is **less than significant**.

Mitigation Measures

None required.

RECREATION

Based on Appendix G of the State CEQA Guidelines, the proposed project would have a significant environmental impact if it would:

- a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.
- b) Include recreational facilities, or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Impact REC-1 The proposed project would not increase the use of existing recreational facilities such that substantial physical deterioration of facilities would occur. This impact would be **less than significant**.

The proposed project would provide housing for approximately 1,542 people. Project residents would use local and regional parks and other recreational facilities, which could contribute to their accelerated deterioration. The City's parks and recreational facilities are operated and maintained by the Hayward Area Recreation and Park District and the East Bay Regional Park District. Routine maintenance and periodic repair of parks and recreational facilities in the area is

funded by property tax revenue and user fees, which would be collected from project residents. The proposed project would not result in substantial deterioration of park facilities. Further, as noted above, in order to fully meet the City's parkland dedication standard, the project applicant may also apply for a credit for private recreation improvements or developer provided park and recreation improvements on public land and/or pay the City's park dedication fee in effect at the time an application is submitted for a building permit. Development of the proposed pocket park and payment of the required park dedication fee in combination with development or dedication of park/recreation improvements would reduce impacts related to use of parks to less than significant. Therefore, this impact would be **less than significant**.

Mitigation Measures

None required.

Impact REC-2 The proposed project does not include nor would it require the construction of recreational facilities that may have an adverse impact on the environment. This impact would be **less than significant**.

The project proposes construction of a 2,000-square-foot pocket park and creek walk improvements to serve residents and visitors of the proposed development and surrounding uses. The proposed park and pathway improvements is a component of the project, and therefore any potential environmental impacts associated with its construction are addressed throughout this document. Such impacts may include disturbance of biological and/or cultural resources, temporary air emissions, soil erosion and water quality degradation, handling of hazardous materials, temporary construction noise, and temporary construction traffic. As noted above, the proposed project would also be required to pay the City's park dedication fee and/or combination of fee and credit for park and recreational improvements in effect at the time an application is submitted for a building permit. These fees/improvements would be used to expand existing or construct new parks in the city. Because it is not known where the project's park dedication fees would be used, determining impacts associated with future construction of an unknown park would be speculative at this time. Any major improvement or expansion projects that could result in significant environmental effects would be subject to further project-specific CEQA review prior to construction. This impact would be **less than significant**.

Mitigation Measures

None required.

UTILITIES AND SERVICE SYSTEMS

Based on Appendix G of the State CEQA Guidelines, the proposed project would have a significant environmental impact if it would:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.
- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

3.0 IMPACTS FOUND NOT SIGNIFICANT

- d) Have insufficient water supplies available to serve the project from existing entitlements and resources, or require new or expanded entitlements.
- e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand, in addition to the provider's existing commitments.
- f) Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs.
- g) Not comply with federal, state, and local statutes and regulations related to solid waste.

Impact UTL-1 The proposed project would not exceed wastewater treatment requirements of the Regional Water Quality Control Board. This impact would be **less than significant**.

Wastewater generated by the proposed project would be conveyed to the City of Hayward Water Pollution Control Facility (WPCF) for treatment. Wastewater is disinfected with chlorine to make sure that harmful bacteria are killed and this treated effluent from the WPCF is then pumped into the East Bay Dischargers Authority's "super sewer" line for final disposal in the deeper water of the San Francisco Bay. The WPCF treatment meets the standards of the Regional Water Quality Control Board and the US Environmental Protection Agency.

The WPCF is permitted to provide treatment for up to 18.5 million gallons per day (mgd). In 2010, the WPCF treated 12.1 mgd and was projected to treat 13.5 mgd by 2015 and 18.5 mgd by 2035 (Hayward 2015, 2014b, p. 19-3). Assuming the project would generate 100 gallons per person per day, the project would generate approximately 0.154 mgd, which represents approximately 1.1 percent of the 2015 flows and 0.8 percent of the projected 2035 flows. Because the proposed project is consistent with the General Plan designation for the project site and does not exceed the maximum densities envisioned in the General Plan, wastewater generation for the site was already considered and accounted for in city-wide wastewater projections. Therefore, the proposed project would not result in an exceedance of any wastewater treatment requirements and this impact would be **less than significant**.

Mitigation Measures

None required.

Impact UTL-2 The proposed project would be adequately served by existing water and wastewater infrastructure and would not require or result in the construction of new or expanded water or wastewater treatment facilities. This impact would be considered **less than significant**.

Wastewater

As described above, the WPCF is projected to have surplus capacity available to serve anticipated growth in the city, which includes development of the project site under the proposed density, through the year 2035. Carlson, Barbee & Gibson Inc. (CBG) conducted a sanitary sewer capacity analysis for the proposed project (see **Appendix UTL**). CBG estimated the pre- and post-project wastewater flows for the project using available generation rates and historical EBMUD meter records. EBMUD domestic water usage records were used to approximate the pre-project wastewater flows from 1997 to 2008 to determine the average pre-project wastewater flows for the

existing Mervyns building. The domestic usage dropped off significantly after 1998 so the data was separated into two periods; 1997 to 1998 and 1999 to 2008. The average pre-project average water usage was 40,879 gallons per day (gpd) from 1997 to 1998 and 14,167 gpd from 1999 to 2008.

The pre-project peak wet weather wastewater flows were estimated, using a peaking factor of 4.0 to be 163,516 gpd using the records from 1997 to 1998 and 56,668 gpd using the records from 1999 to 2008. This assumed that the interior domestic water usage equals wastewater flows. Based on these calculations, CBG found that the increase in wastewater flow would be between 5.2 and 9.2 percent of the capacity of the existing 15-inch trunk sewer depending on which period of records and which trunk sewer was used. The impact of the estimated increase in wastewater flow as a percentage of the capacity of existing trunk sewers will decrease further downstream and would be less than 0.1 percent in the vicinity of the WPCF.

Therefore, no new or expanded wastewater treatment facilities would be required to serve the proposed project.

Water

EBMUD would provide water for the project. According to the water supply assessment prepared by EBMUD on May 10, 2016 (see **Appendix HYDRO**), the historical water use at the project site was approximately 36,000 gallons per day. EBMUD estimated the project's water demand to be approximately 99,000 gpd at buildout, thus increasing water demand at the site. EBMUD's demand projections are based on projected densification, land use changes, and projected increases on EBMUD's overall demand. Based on projected future demand for the project and projected demand from other projects in EBMUD's service area, it was concluded that there are sufficient water supplies to serve the project.

EBMUD has adopted State-mandated water use restrictions during drought years. The project would be subject to those restrictions if EBMUD mandates water reductions. EBMUD concluded that there are sufficient water supplies to serve the project during both normal and dry years (**Appendix HYDRO**).

The proposed project would also be subject to the City's Municipal Code, which contains several regulations related to water supply intended to reduce overall water demand. HMC Chapter 10, Article 12, Bay-Friendly Water Efficient Landscape Ordinance, establishes a structure for planning, designing, installing, maintaining, and managing water-efficient landscapes in new construction. HMC Chapter 10, Article 20, Bay-Friendly Landscaping Ordinance, requires all new development with landscapes to meet the most recent minimum Bay-Friendly Landscape Scorecard points as recommended by StopWaste.org. HMC Chapter 10, Article 23, Indoor Water Use Efficiency Ordinance, includes standards for new construction and remodels mandating the installation of water-conserving fixtures. Chapter 11, Article 2, Hayward Municipal Water System, establishes a system for service connections, meter maintenance and testing, and fire service connections, and sets standards and installation costs for service connections. Compliance with these existing regulations would further reduce project water demand. Therefore, this impact would be **less than significant**.

Mitigation Measures

None required.

3.0 IMPACTS FOUND NOT SIGNIFICANT

Impact UTL-3 The proposed project would not require new or expanded stormwater drainage facilities. Therefore, impacts would be **less than significant**.

The project site is currently fully developed with impervious surfaces and served by the City's public storm drain system. Redevelopment of the site as proposed would include construction of an on-site drainage system to collect and convey site runoff to the City's public storm drain system. Additionally, as discussed above in Impact **HYDRO-3**, the project would comply with the NPDES General Permit for Waste Discharge Requirements for Storm Water Discharges from Alameda County (Order No. R2-2003-0021). This permit requires project site design to achieve an 80 percent capture rate for project runoff. Because the site is currently fully developed, it is not anticipated that the proposed project would increase runoff from the site and no expansion of the existing off-site facilities would be required.

The proposed drainage system is a component of the proposed project. Therefore, the potential environmental impacts associated with its construction are addressed throughout this document. Such impacts may include disturbance of biological and/or cultural resources, temporary air emissions, oil erosion and water quality degradation, handling of hazardous materials, temporary construction noise, and temporary construction traffic. This impact would be **less than significant**.

Mitigation Measures

None required.

Impact UTL-4 The proposed project would be served by a landfill with adequate capacity and would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, this impact would be **less than significant**.

The City contracts with Waste Management, Inc. (WMI), a private company, for garbage collection and disposal services. Altamont Landfill is the designated disposal site in the City's agreement with WMI. This landfill has a remaining permitted capacity of 45.7 million cubic yards and an expected closure date of 2040 (Hayward 2014b, p. 19-4).

The proposed project would result in the development of 476 residential units and 80,500 square feet of commercial space. As illustrated in **Table UTL-1**, the project would be expected to generate 3,347 pounds of solid waste per day (approximately 611 tons per year), which can be accommodated by the Altamont Landfill and other regional landfills. Therefore, the project would be served by landfills with sufficient capacity to accommodate the project's solid waste disposal needs.

TABLE UTL-1
SOLID WASTE GENERATION

Type of Use	Size	Generation Factor	Amount (lbs/day)
Proposed Use			
Residential	476 DU	4 lbs/DU/day	1,904
Commercial	80,500 SF	10.53lbs/empl/day	1,443
Solid Waste Generation			3,347

Source: CalRecycle 2013

Notes: DU = dwelling unit; SF = square feet

It should also be noted that the City has a mandatory recycling program and requires separate collection of organics for food-related businesses; thus, all enclosures will be equipped to handle all three waste streams. Effective July 1, 2016, all businesses are required to collect recyclables, regardless of garbage service volumes. Additionally, in compliance with Assembly Bill (AB) 939, which requires every city in California to reduce the waste it sends to landfills, Hayward was recycling 72 percent of its solid waste in 2014, thereby complying with the standards established by AB 939 (Hayward 2016). Therefore, impacts related to solid waste disposal facilities would be **less than significant**.

Mitigation Measures

None required.

3.0 IMPACTS FOUND NOT SIGNIFICANT

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3.1 TRANSPORTATION AND CIRCULATION

3.1 TRANSPORTATION AND CIRCULATION

This section evaluates impacts of the proposed Lincoln Landing project on intersection operations and queuing, site access, parking, pedestrian and bicycle access, transit operations, and traffic safety. A traffic impact analysis (TIA) was prepared for the proposed project by TJKM (2016) and is included as **Appendix TRA** to this Draft EIR. This section summarizes the analysis and findings in the TIA. The reader is referred to **Appendix TRA** for the detailed methodology and analysis of traffic impacts.

3.1.1 EXISTING SETTING

EXISTING ROADWAY SYSTEM

Regional roadway facilities providing access to the project site include Interstates 238, 880, and 580, State Route 185, and Foothill Boulevard, A Street, and Grove Way. Local roadways providing local access to the project site include City Center Drive, McKeever Avenue, Maple Court, 2nd Street, Hazel Avenue, Simon Street, Hotel Avenue, Main Street, and Sunset Boulevard.

- *Foothill Boulevard* is a six-lane, north–south roadway with occasional raised medians. Posted speed limits vary from 25 miles per hour (mph) to 35 mph in the project vicinity. This roadway provides local access to residential and commercial developments and to Interstates 580 and 238. This corridor is part of the Hayward Loop and operates one way northbound from Mission Boulevard/Jackson Street to A Street.
- *Mission Boulevard* is a four- to six-lane, north–south roadway with a raised median south of Jackson Street. The posted speed limit is 25 mph in the project vicinity. This roadway provides local access to residential and commercial developments, but also serves as a regional facility from Oakland (as International Boulevard/State Route 185) to Fremont. This corridor is part of the Hayward Loop and operates one way southbound from A Street to Foothill Boulevard.
- *City Center Drive* is a two- to four-lane, north–south roadway from Hazel Avenue and terminating at Maple Court. The posted speed limit is 25 mph in the project vicinity. This roadway provides local access to residential and commercial developments.
- *A Street* is a four- to five-lane, east–west roadway. The posted speed limit is 35 mph in the project vicinity. This roadway is part of the Hayward Loop and operates one way westbound between Foothill Boulevard and Mission Boulevard. This corridor provides local access to residential areas and to the downtown Hayward commercial developments and access to I-580 and I-880.
- *B Street* is a two- to four-lane, east–west roadway. The posted speed limit is 35 mph in the project vicinity. It operates one way westbound from Foothill Boulevard to Watkins Street. This roadway provides local access to residential areas, downtown Hayward commercial developments, and the Hayward Amtrak station.
- *Hazel Avenue* is a two-lane, east–west roadway between Main Street and Foothill Boulevard. The posted speed limit is 25 mph in the project vicinity. This roadway provides local access to residential and commercial developments.
- *Grove Way* is a two- to four-lane, east–west roadway from Meekland Avenue to I-580 in Castro Valley. The posted speed limit is 25 mph in the project vicinity. This roadway collector provides local access to residential neighborhoods.

3.1 TRANSPORTATION AND CIRCULATION

- *Main Street* is a two- to four-lane, north-south roadway from D Street to Rose Street. The posted speed limit is 25 mph in the project vicinity. This roadway collector provides local access to residential neighborhoods.
- *Maple Court* is a two-lane, north-south roadway from A Street to McKeever Avenue. The posted speed limit is 25 mph in the project vicinity. The roadway provides local access to residential and commercial developments.
- *McKeever Avenue* is a two-lane, east-west roadway from Maple Court to Main Street. The posted speed limit is 25 mph in the project vicinity. This roadway collector provides local access to residential neighborhoods.
- *Hotel Avenue* is a one-lane, east-west roadway from Mission Boulevard to Main Street. The posted speed limit is 25 mph in the project vicinity. This roadway collector provides local access to residential neighborhoods.
- *Simon Street* is a one-lane, east-west roadway from Western Boulevard to Main Street. The posted speed limit is 25 mph in the project vicinity. This roadway collector provides local access to residential neighborhoods.
- *Sunset Boulevard* is a two-lane, east-west roadway from Meekland Avenue to Main Street. The posted speed limit is 25 mph in the project vicinity. The roadway provides local access to residential and commercial developments.

EXISTING BICYCLE AND PEDESTRIAN FACILITIES

Walkability is defined as the ability to travel easily and safely on foot between various origins and destinations without having to rely on automobiles or other motorized travel. The ideal walkable community includes wide sidewalks, a mix of land uses such as residential, employment, and shopping opportunities, a limited number of conflict points with vehicle traffic, and easy access to transit facilities and services.

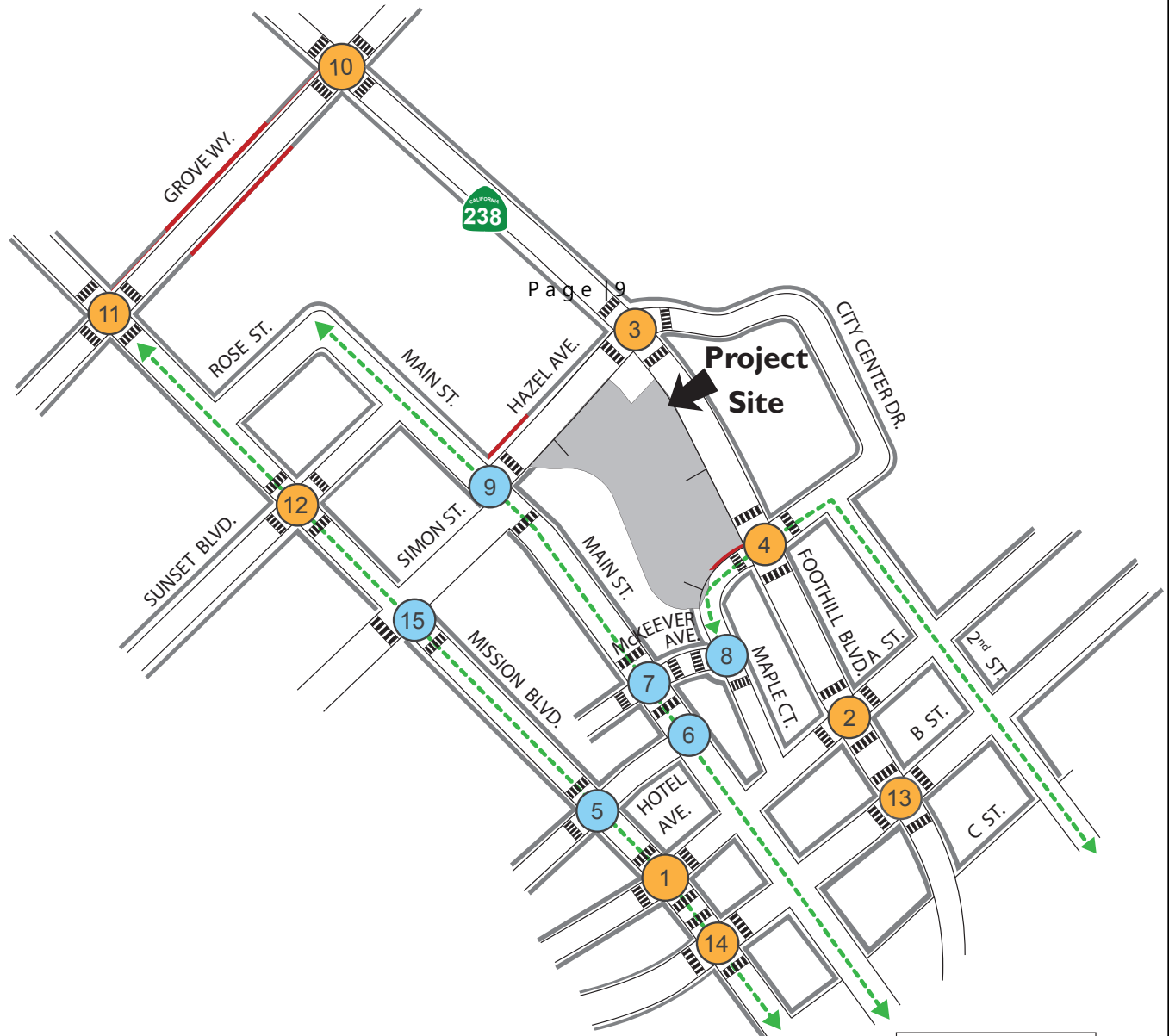
Pedestrian facilities consist of crosswalks, sidewalks, pedestrian signals, and off-street paths, which provide safe and convenient routes for pedestrians to access destinations such as institutions, businesses, public transportation, and recreation facilities.

The City of Hayward Bicycle Master Plan (October 2007) defines bikeway classifications as follows:

- **Class I Bikeway** – Typically called a bike path, a Class I bikeway provides bicycle travel on a paved right-of-way completely separated from any street or highway.
- **Class II Bikeway** – Often referred to as a bike lane, a Class II bikeway provides a striped and stenciled lane for one-way travel on a street or highway.
- **Class III Bikeway** – Generally referred to as a bike route, a Class III bikeway provides for shared use with motor vehicle traffic and is identified only by signing.

The existing bicycle and pedestrian facilities in the vicinity of the project are shown in **Figure 3.1-1** and are described below.

T:_CSWork\Hayward, City of\Lincoln Landing\Traffic Figures



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LEGEND	
	Signalized
	Unsignalized
	Class III Bike Lane
	No Sidewalk
	Sidewalk
	Crosswalk

Source: TJKM



Not To Scale

FIGURE 3.1-1
Existing Bicycle and Pedestrian Facilities

3.1 TRANSPORTATION AND CIRCULATION

- *Mission Boulevard* – In the project vicinity, Mission Boulevard has sidewalks on both sides of the road. There are marked crosswalks on all four legs of the signalized study intersections and at least one east–west crossing at the unsignalized study intersections with Mission Boulevard. At each signalized study intersection, pedestrians on all four legs are controlled by pedestrian pushbuttons and WALK/DON'T WALK pedestrian heads. There are currently no bicycle facilities on Mission Boulevard in the project vicinity.
- *Foothill Boulevard* – In the project vicinity, Foothill Boulevard has sidewalks on both sides of the road. There are marked crosswalks on all four legs of the signalized study intersections with Foothill Boulevard. At the signalized study intersections, pedestrian pushbuttons and WALK/DON'T WALK pedestrian heads control pedestrians on all four legs. Foothill Boulevard has Class I bike lane striping between D Street and A Street.
- *A Street* is a Class III bike route between Montgomery Street and 4th Street. There are sidewalks on each side of the roadway and marked crosswalks on all four legs of each signalized study intersection with A Street. At each signalized study intersection, pedestrians on all four legs are controlled by pedestrian pushbuttons and WALK/DON'T WALK pedestrian heads. There are no marked crosswalks at the two-way stop-controlled intersection of Maple Court and A Street.
- *Main Street* is a Class III bike route between Sunset Boulevard and D Street. In the project vicinity, Main Street has sidewalks on both sides of the road. There are marked crosswalks on all four legs of the signalized study intersection and some east–west crossings at the unsignalized study intersections with Main Street. The south and east legs of the all-way stop-controlled intersection of Main Street and Hazel Avenue have pedestrian crossings. At signalized study intersections, all four legs are controlled by pedestrian pushbuttons and WALK/DON'T WALK pedestrian heads.
- *City Center Drive* is a two-lane roadway with sidewalks on both sides of the road, except in the immediate vicinity of the project site. There are marked crosswalks on all four legs of the signalized study intersections with City Center Drive and Foothill Boulevard. At signalized study intersections, all four legs are controlled by pedestrian pushbuttons and WALK/DON'T WALK pedestrian heads.
- *Hazel Avenue* has sidewalks on both sides of the road, except in the immediate vicinity of the project site. There are marked crosswalks on all four legs of the signalized study intersections with Hazel Avenue and Foothill Boulevard. At signalized study intersections, all four legs are controlled by pedestrian pushbuttons and WALK/DON'T WALK pedestrian heads. There are no bicycle facilities on Hazel Avenue.
- *Maple Court* and *McKeever Avenue* are two-lane roadways with sidewalks on both sides of the road. In terms of existing pedestrian facilities in the project vicinity, crosswalks and actuated pedestrian signals compliant with the Americans with Disabilities Act (ADA) are provided at all signalized study intersections.

The project site has adequate accessibility from the surrounding roadway system. However, there are discontinuous sidewalks on Hazel Avenue along the north side of the roadway and on City Center Drive in the project vicinity. The proposed project is expected to improve the overall pedestrian access and facilities by providing sidewalks in the project vicinity with adequate accessible design meeting City of Hayward design standards.

3.1 TRANSPORTATION AND CIRCULATION

EXISTING TRANSIT FACILITIES

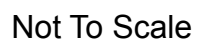
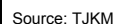
The existing transit service lines and facilities near the project site are shown in **Figure 3.1-2** and are described below.

Hayward is served by the Alameda-Control Costa Transit District (AC Transit) bus service, Bay Area Rapid Transit (BART) rail service, and Amtrak commuter rail service. Local and trans-bay bus service is provided seven days a week at roughly 30- to 60-minute headways. The Hayward BART station is located 0.8-mile west of the project site. Numerous local bus routes traverse the roadways in the immediate project vicinity and serve the Hayward BART station, the Greyhound bus station, and the Amtrak train station at A Street and Meekland Avenue.

There are three bus stops in the immediate vicinity of the project site. Two are located on Foothill Boulevard between City Center Drive and A Street, both on the west side of the street for southbound travel. The third stop is on City Center Drive, near the Foothill Boulevard and City Center Drive/Hazel Avenue intersection, on the north side of the street for westbound travel. Pedestrian access from the two stops on Foothill Boulevard and one stop on City Center Drive to the project site is via existing sidewalks. The three transit stops serve Line 48, providing access to the Hayward BART, Bayfair BART, and Castro Valley BART stations. Paratransit services are provided throughout the city and the surrounding region by East Bay Paratransit, operated by AC Transit and BART.

Currently, AC Transit offers local bus transit service on the following routes in the vicinity of the project site:

- Line 48 provides weekday service at one-hour headways between 5:13 AM and 10:30 PM. The route runs a loop from the Hayward BART station and stops along Hazel Avenue/City Center Drive in the project vicinity.
- Line 93 provides weekday service at one-hour headways between 4:58 AM and 8:25 PM and one-hour headways between 5:25 AM and 8:52 PM on weekends. The route runs a loop from the Hayward BART station and stops along Mission Boulevard in the project vicinity.
- Line 99 provides weekday service at one-hour headways between 4:58 AM and 8:25 PM and one-hour headways between 5:25 AM and 8:52 PM on weekends. The route runs a loop from the Hayward BART station and stops along Mission Boulevard in the project vicinity.
- Line 801 provides weekday service at one-hour headways between 4:58 AM and 8:25 PM and one-hour headways between 5:25 AM and 8:52 PM on weekends. The route runs a loop from the Hayward BART station and stops along Mission Boulevard in the project vicinity.
- Line 95, Line 94, Line 60, and Line 32 provide weekday and weekend service. The lines run a loop from the Hayward BART station and stop along B Street and C Street in the project vicinity.



Michael Baker
INTERNATIONAL

EXISTING TRUCK ROUTES

The 2040 Hayward General Plan Mobility Element states, "The City shall require trucks to use designated routes and shall prohibit trucks on local streets to address traffic operations and safety concerns in residential neighborhoods." In the project area, Mission Boulevard is a 65-foot California Legal Truck Route, and Foothill Boulevard and Mission Boulevard south of Jackson Street are STAA (Surface Transportation Act of 1982) Terminal Access truck routes.

EXISTING TRAFFIC VOLUMES AND LANE CONFIGURATIONS

The traffic impact analysis evaluated the existing operations of the study intersections for the highest one-hour volume during the weekday morning and evening peak periods. In March 2015, TJKM conducted turning movement counts for vehicles, bicycles, and pedestrians during typical weekday AM and PM peak periods (7:00 to 9:00 AM and 4:00 to 6:00 PM, respectively) at the study intersections. Field verification of existing intersection lane configurations and traffic controls were also conducted by TJKM and provided the basis for the level of service analysis for existing conditions. The reader is referred to Appendix B of **Appendix TRA** for the data sheets for the collected vehicle, bicycle, and pedestrian counts. **Figure 3.1-3** illustrates the existing vehicle turning movement volumes, lane geometry, and traffic controls at the study intersections.

LEVEL OF SERVICE ANALYSIS METHODOLOGY

Level of service (LOS) is a qualitative measure that describes operational conditions as they relate to the traffic stream and perceptions by motorists and passengers. The LOS generally describes these conditions in terms of such factors as speed and travel time, delays, freedom to maneuver, traffic interruptions, comfort, convenience, and safety. The operational levels of service are given letter designations from A to F, with A representing the best operating conditions (free-flow) and F the worst (severely congested flow with high delays). Intersections generally are the capacity-controlling locations with respect to traffic operations on arterial and collector streets in urban areas.

Tables 3.1-1 and **3.1-2** summarize the relationship between delay and level of service for signalized and unsignalized intersections, respectively.

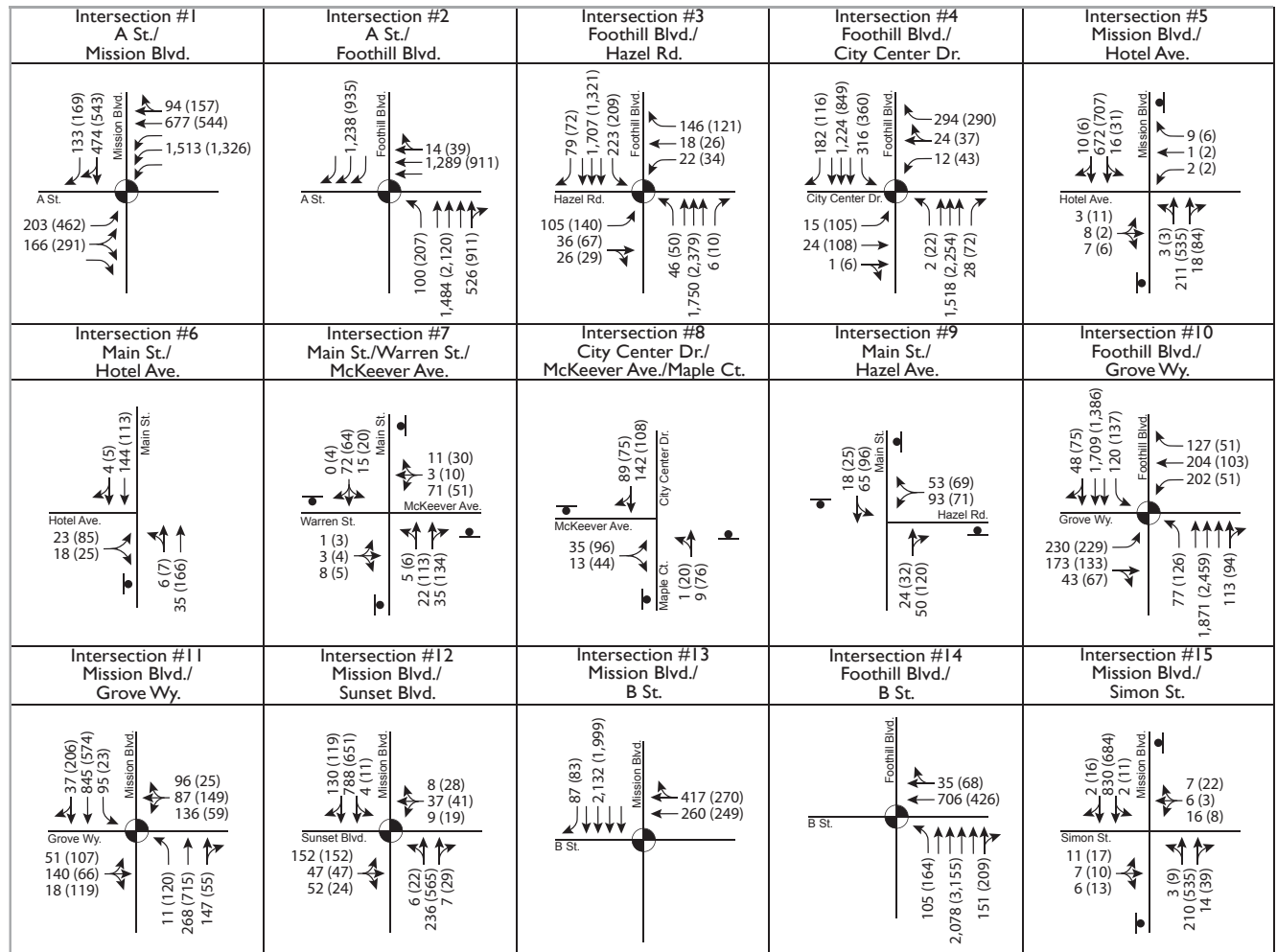
3.1 TRANSPORTATION AND CIRCULATION

TABLE 3.1-1
LEVEL OF SERVICE FOR SIGNALIZED INTERSECTIONS

Level of Service	Description
A	Very low control delay, up to 10 seconds per vehicle. Progression is extremely favorable, and most vehicles arrive during the green phase. Many vehicles do not stop at all. Short cycle lengths may tend to contribute to low delay values.
B	Control delay greater than 10 and up to 20 seconds per vehicle. There is good progression or short cycle lengths or both. More vehicles stop causing higher levels of delay.
C	Control delay greater than 20 and up to 35 seconds per vehicle. Higher delays are caused by fair progression or longer cycle lengths or both. Individual cycle failures may begin to appear. Cycle failure occurs when a given green phase does not serve queued vehicles, and overflow occurs. The number of vehicles stopping is significant, though many still pass through the intersection without stopping.
D	Control delay greater than 35 and up to 55 seconds per vehicle. The influence of congestions becomes more noticeable. Longer delays may result from some combination of unfavorable progression, long cycle lengths, or high volumes. Many vehicles stop, the proportion of vehicles not stopping declines. Individual cycle failures are noticeable.
E	Control delay greater than 55 and up to 80 seconds per vehicle. The limit of acceptable delay. High delays usually indicate poor progression, long cycle lengths, and high volumes. Individual cycle failures are frequent.
F	Control delay in excess of 80 seconds per vehicle. Unacceptable to most drivers. Oversaturation, arrival flow rates exceed the capacity of the intersection. Many individual cycle failures. Poor progression and long cycle lengths may also be contributing factors to higher delay.

TABLE 3.1-2
LEVEL OF SERVICE FOR STOP-CONTROLLED INTERSECTIONS

Level of Service	Description
A	Very low control delay of less than 10 seconds per vehicle for each movement subject to delay.
B	Low control delay greater than 10 and up to 15 seconds per vehicle for each movement subject to delay.
C	Acceptable control delay greater than 15 and up to 25 seconds per vehicle for each movement subject to delay.
D	Tolerable control delay greater than 25 and up to 35 seconds per vehicle for each movement subject to delay.
E	Limit of tolerable control delay greater than 35 and up to 50 seconds per vehicle for each movement subject to delay.
F	Unacceptable control delay in excess of 50 seconds per vehicle for each movement subject to delay.

**LEGEND**

Traffic Signal



Stop Sign



XX AM Peak Hour Volumes



(XX) PM Peak Hour Volumes

Source: TJKM



Not To Scale

Existing Conditions Traffic Volumes, Lane Geometry, and Traffic Controls

FIGURE 3.1-3

3.1 TRANSPORTATION AND CIRCULATION

INTERSECTION LEVEL OF SERVICE ANALYSIS – EXISTING CONDITIONS

Table 3.1-3 summarizes peak-hour levels of service at the study intersections under existing conditions. As shown in the table, all study intersections currently operate within City LOS E or better standards during the AM and PM peak hours.

TABLE 3.1-3
PEAK-HOUR INTERSECTION LEVELS OF SERVICE – EXISTING CONDITIONS

ID	Study Intersection	Control	Peak Hour ¹	Delay ²	LOS ³
1	Mission Boulevard/A Street	Signalized	AM	37.4	D
			PM	46.2	D
2	Foothill Boulevard/A Street	Signalized	AM	39.9	D
			PM	39.2	D
3	Foothill Boulevard/Hazel Avenue	Signalized	AM	32.0	C
			PM	45.5	D
4	Foothill Boulevard/City Center Drive	Signalized	AM	27.5	C
			PM	57.3	E
5	Mission Boulevard/Hotel Avenue	Two-Way Stop	AM	22.5	C
			PM	30.1	D
6	Main Street/Hotel Avenue	One-Way Stop	AM	9.8	A
			PM	11.2	B
7	Main Street/Warren Street/McKeever Avenue	All-Way Stop	AM	7.7	A
			PM	8.2	A
8	City Center Drive/McKeever Avenue/Maple Court	All-Way Stop	AM	8.2	A
			PM	9.0	A
9	Main Street/Hazel Avenue	All-Way Stop	AM	8.3	A
			PM	8.6	A
10	Foothill Boulevard/Grove Way	Signalized	AM	42.6	D
			PM	34.0	C
11	Mission Boulevard/Grove Way	Signalized	AM	34.1	C
			PM	37.3	D
12	Mission Boulevard/Sunset Boulevard	Signalized	AM	9.2	A
			PM	7.6	A
13	Mission Boulevard/"B" Street	Signalized	AM	18.2	B
			PM	16.9	B
14	Foothill Boulevard/"B" Street	Signalized	AM	26.0	C
			PM	16.1	B
15	Mission Boulevard/Simon Street	Two-Way Stop	AM	27.9	D
			PM	33.3	D

Source: TJKM 2016

Notes:

1. AM = morning peak hour, PM = evening peak hour
2. Whole intersection weighted average control delay expressed in seconds per vehicle for signalized intersections and all-way stop-controlled intersections. Total control delay for the worst movement is presented for side-street stop-controlled intersections.
3. LOS = level of service. LOS calculations conducted using the Synchro 8 level of service analysis software package, which applies the method described in the 2000 Highway Capacity Manual.

3.1 TRANSPORTATION AND CIRCULATION

INTERSECTION LEVEL OF SERVICE ANALYSIS – BACKGROUND CONDITIONS

TJKM also developed year 2020 turning movement volumes for all study intersections based on the latest version of the Alameda County travel demand model. The reader is referred to **Appendix TRA** for a detailed methodology and calculation sheets.

Table 3.1-4 summarizes the intersection LOS analysis results for background conditions. As shown, under background conditions all study intersections would continue to operate within the City's LOS E standard or better during the AM and PM peak hours with the following two exceptions:

- Foothill Boulevard/City Center Drive (Intersection #4) during the PM peak hour (LOS F)
- Mission Boulevard/Simon Street (Intersection #15) during AM and PM peak hours (LOS F/F)

TABLE 3.1-4
INTERSECTION LEVELS OF SERVICE – BACKGROUND CONDITIONS

ID	Study Intersection	Control	Peak Hour ¹	Delay ²	LOS ³
1	Mission Boulevard/A Street	Signalized	AM	39.9	D
			PM	50.2	D
2	Foothill Boulevard/A Street	Signalized	AM	40.1	D
			PM	40.8	D
3	Foothill Boulevard/Hazel Avenue	Signalized	AM	38.4	D
			PM	72.1	E
4	Foothill Boulevard/City Center Drive	Signalized	AM	29.6	C
			PM	80.1	F
5	Mission Boulevard/Hotel Avenue	Two-Way Stop	AM	41.4	E
			PM	48.7	E
6	Main Street/Hotel Avenue	One-Way Stop	AM	10.6	B
			PM	12.6	B
7	Main Street/Warren Street/McKeever Avenue	All-Way Stop	AM	8.6	A
			PM	9.1	A
8	City Center Drive/McKeever Avenue/Maple Court	All-Way Stop	AM	8.3	A
			PM	9.2	A
9	Main Street/Hazel Avenue	All-Way Stop	AM	9.8	A
			PM	10.0	A
10	Foothill Boulevard/Grove Way	Signalized	AM	45.6	D
			PM	39.3	D
11	Mission Boulevard/Grove Way	Signalized	AM	59.3	E
			PM	57.5	E
12	Mission Boulevard/Sunset Boulevard	Signalized	AM	12.4	B
			PM	10.3	B

3.1 TRANSPORTATION AND CIRCULATION

ID	Study Intersection	Control	Peak Hour ¹	Delay ²	LOS ³
13	Mission Boulevard/"B" Street	Signalized	AM	18.9	B
			PM	18.9	B
14	Foothill Boulevard/"B" Street	Signalized	AM	27.5	C
			PM	21.1	C
15	Mission Boulevard/Simon Street	Two-Way Stop	AM	50.8	F
			PM	50.8	F

Source: TJKM 2016

Notes:

1. AM = morning peak hour, PM = evening peak hour
2. Whole intersection weighted average control delay expressed in seconds per vehicle for signalized intersections and all-way stop-controlled intersections. Total control delay for the worst movement is presented for side-street stop-controlled intersections.
3. LOS = level of service. LOS calculations conducted using the Synchro 8 level of service analysis software package, which applies the method described in the 2000 Highway Capacity Manual.

Bold text indicates intersection operates at a deficient level of service.**3.1.2 REGULATORY FRAMEWORK**

The City of Hayward has jurisdiction over all city streets and City-operated traffic signals. The California Department of Transportation (Caltrans) has jurisdiction over state facilities, including I-580, I-880, State Route (SR) 92, and SR 185. Caltrans also has jurisdiction over on- and off-ramp intersections with local streets. The County of Alameda has jurisdiction over streets in unincorporated areas. As described previously, transit agencies operating within the city limits include the Alameda-Control Costa Transit District (AC Transit) bus service, Bay Area Rapid Transit (BART) rail service, and Amtrak commuter rail service.

FEDERAL**Americans with Disabilities Act of 1990**

Titles I, II, III, and V of the Americans with Disabilities Act (ADA) have been codified in Title 42 of the United States Code, beginning at Section 12101. Title III prohibits discrimination on the basis of disability in places of public accommodation (businesses and nonprofit agencies that serve the public) and commercial facilities (other businesses). The regulation includes Appendix A to Part 36 (Standards for Accessible Design), establishing minimum standards for ensuring accessibility when designing and constructing a new facility or altering an existing facility.

Examples of key guidelines include detectable warnings for pedestrians entering traffic where there is no curb, a clear zone of 48 inches for the pedestrian travelway, and a vibration-free zone for pedestrians.

STATE**California Department of Transportation**

Caltrans has authority over the state highway system, including freeways, interchanges, and arterial state routes. Caltrans approves the planning, design, and construction of improvements for all state-controlled facilities, including I-580, I-880, SR 92, and SR 185, and the associated interchanges for these facilities located in the project vicinity. Caltrans requirements are described

3.1 TRANSPORTATION AND CIRCULATION

in its Guide for the Preparation of Traffic Impact Studies, which covers the information needed for Caltrans to review the impacts on state highway facilities, including freeway segments.

Senate Bill 743

Senate Bill (SB) 743 was signed into law on September 27, 2013. SB 743 adds Chapter 2.7, Modernization of Transportation Analysis for Transit-Oriented Infill Projects, to Division 13 (Section 21099) of the Public Resources Code. SB 743 started a process that could change the way transportation impacts are analyzed under CEQA. These changes will shift agencies away from using auto delay, level of service, and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant traffic impacts in California. SB 743 includes amendments that allow cities and counties to opt out of traditional level of service standards where congestion management programs are used and requires the state Office of Planning and Research (OPR) to update the CEQA Guidelines and establish "criteria for determining the significance of transportation impacts of projects within transit priority areas." As part of the new CEQA Guidelines, the new criteria "shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." The OPR is currently accepting comments on its Preliminary Discussion Draft of Updates to the CEQA Guidelines Implementing Senate Bill 743, which was released on August 6, 2014, and currently proposes the use of vehicle miles traveled (VMT) as a metric for evaluating traffic impacts. Once the final draft of the changes to the CEQA Guidelines is published, certification and adoption by the Secretary for Resources will be required before they go into effect.

Based on CalEEMod outputs generated for the project's greenhouse gas emissions (see **Appendix GHG**), the proposed project would result in 12,084,085 vehicle miles traveled in the unmitigated condition and 10,658,163 vehicle miles traveled (an approximately 12 percent reduction) when increased diversity of uses and the pedestrian network are considered in the model (mitigated).

REGIONAL

Metropolitan Transportation Commission

The Metropolitan Transportation Commission (MTC) is the Bay Area's regional transportation planning agency and federally designated metropolitan planning organization (MPO). MTC is responsible for preparing the Regional Transportation Plan (RTP), a comprehensive blueprint for the development of mass transit, highway, airport, seaport, railroad, bicycle, and pedestrian facilities. The RTP is a 20-year plan that is updated every three years to reflect new planning priorities and changing projections of future growth and travel demand. The long-range plan must be based on a realistic forecast of future revenues, and the transportation projects taken as a whole must help improve regional air quality. MTC also screens requests from local agencies for state and federal grants for transportation projects to determine compatibility with the RTP.

Plan Bay Area

Plan Bay Area is a long-range integrated transportation and land-use/housing strategy through 2040 for the San Francisco Bay Area. On July 18, 2013, the Association of Bay Area Governments (ABAG) Executive Board and MTC jointly approved the plan. The plan includes the region's Sustainable Communities Strategy and the 2040 RTP and represents the next iteration of a planning process that has been in place for decades.

Plan Bay Area marks the nine-county region's first long-range plan to meet the requirements of California's landmark 2008 Senate Bill 375, which calls on each of the state's 18 metropolitan areas to develop a Sustainable Communities Strategy to accommodate future population growth and reduce greenhouse gas emissions from cars and light trucks. Working in collaboration with cities and counties, the plan advances initiatives to expand housing and transportation choices, create healthier communities, and build a stronger regional economy.

One of the strategies to achieve this vision is the establishment of Priority Development Areas (PDAs). Downtown Hayward is an identified PDA. The proposed project site is located within the Downtown PDA and within approximately one-half mile of the Downtown BART Station and was thus identified as a prime opportunity to develop a large-scale, mixed use development to locate high density housing close to services and transit. See further discussion on this topic in **Impact LAN-2** in Section 3.0, Impacts Found to Be Less Than Significant.

LOCAL

City of Hayward 2040 General Plan

On July 1, 2014, the Hayward City Council approved the Hayward 2040 General Plan and certified the General Plan Final Environmental Impact Report. The plan provides a community-based vision for the future of the Hayward community, and identifies a variety of goals policies, and implementation programs to advance the vision. Following is a list of those General Plan goals, policies, and implementation programs that apply to transportation and circulation and the proposed project.

Mobility Element

- Policy M-1.2: Multimodal Choices: The City shall promote development of an integrated, multi-modal transportation system that offers desirable choices among modes including pedestrian ways, public transportation, roadways, bikeways, rail and aviation.
- Policy M-3.9: The City shall encourage large private developments (e.g., office parks, apartment complexes, retail centers) to provide complete streets that connect to the existing public roadway system and provide a seamless transition to existing and planned transportation facilities.
- Policy M-4.3: Level of Service – The City shall maintain a minimum vehicle Level of Service E at signalized intersections during the peak commute periods except when a LOS F may be acceptable due to costs of mitigation or when there would be other unacceptable impacts, such as right-of-way acquisition or degradation of the pedestrian environment due to increased crossing distances or unacceptable crossing delays.

City of Hayward Interim Traffic Study Guidelines

The City's Traffic Study Guidelines, adopted October 2015 and revised December 2015, serve as a general guide to aid in the preparation of traffic studies for projects in Hayward. The guidelines establish thresholds for trip generation, study intersections, analysis methodology, and forecasting, as well as a pedestrian and bicycle circulation systems. The guidelines were used in the project's traffic impact analysis and are explained in more detail in the Methodology subsection below.

3.1 TRANSPORTATION AND CIRCULATION

City of Hayward Municipal Code

The City has adopted the California Vehicle Code as the regulations governing parking and traffic movement in Hayward. Additionally, Chapter 7, Article 1, provides guidelines for private developers as they relate to the acquisition of public rights-of-way and for the construction of public improvements in connection with the development of property. The goals are to supplement and ensure conformity to the Zoning Ordinance, the Subdivision Map Act, and Chapter 10, Articles 3 and 4 of the Municipal Code; spread the costs of public improvements; protect public safety and welfare; and protect the vested public interest in city streets and highways.

City of Hayward Bicycle Master Plan

The Hayward Bicycle Master Plan includes long-term vision and direction for bicycle transportation and recreation in the city. The plan provides a broad vision, strategies, and actions for the improvement of bicycling in Hayward.

Figure 3-3 of the Bicycle Master Plan shows the existing bikeways in the city as of October 2007. Hayward has nearly 7 miles of existing off-street bike paths within its borders. The Bay Trail, at almost three miles long, is maintained by the East Bay Regional Parks District. The bike path along the Eden Greenway, developed by the Hayward Area Recreation and Park District, is 1.5 miles long. The remaining 2.4 miles are located adjacent to Mission Boulevard, Industrial Parkway, and along the Alameda County Flood Control channel between Pacheco Way and Folsom Avenue.

3.1.3 IMPACTS AND MITIGATION MEASURES

METHODOLOGY

The following impact analysis is based primarily on the traffic impact analysis (TIA) prepared for the proposed project by TJKM (2016; **Appendix TRA**).

Traffic Signal Warrant Evaluation Methods

In order to determine whether traffic signals should be installed at currently unsignalized intersections, a supplemental traffic signal warrant analysis was completed. The California Manual on Uniform Traffic Control Devices (CA-MUTCD), dated November 2014, was used for the analysis. The term "signal warrants" refers to the list of established criteria used by Caltrans and other public agencies to quantitatively justify or ascertain the need for installation of a traffic signal at an unsignalized intersection location. The CA-MUTCD signal warrant criteria are based on several factors including volume of vehicular and pedestrian traffic, location of school areas, frequency and type of collisions, etc. CA-MUTCD indicates that "the satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal." The TIA evaluated CA-MUTCD-based Peak-Hour-Volume-based Warrant 3 (Urban Areas) as a representative type of warrant analysis.

Proposed Project

Project Trip Generation

TJKM developed estimated project trip generation for the proposed project based on published trip generation rates from the Institute of Transportation Engineers' (ITE) publication Trip Generation

3.1 TRANSPORTATION AND CIRCULATION

(9th Edition). TJKM applied trip discounts to the proposed project trip generation that are consistent with industry standards used in Bay Area cities with similar development patterns as Hayward in terms of development densities, residential-retail mixed-use internal trip capture, retail pass-by, and proximity to rail transit, and in consultation with City of Hayward staff.

TJKM applied published trip rates for the ITE land uses Apartment (Code 220), Supermarket (Code 850), and Shopping Center (Code 820) to the proposed project. As shown in **Table 3.1-5**, Phase 1 of the project is expected to generate approximately net 247 weekday AM peak-hour trips (103 inbound, 143 outbound) and 395 weekday PM peak-hour trips (220 inbound, 175 outbound). As shown in **Table 3.1-6**, the entire project is expected to generate approximately 322 weekday AM peak-hour trips (113 inbound, 209 outbound) and 488 weekday PM peak-hour trips (284 inbound, 204 outbound).

TJKM applied a 10 percent internal trip discount from residential to commercial and commercial to residential, as the project proposes a mixed-use development. In addition, Transportation Demand Management (TDM) trip discounts of 9 percent and pass-by trip reductions of 34 percent were applied per Land Use 820-Shopping Center from ITE's Trip Generation, Volume 1: User's Guide and Handbook.

Mixed-use trip reductions of 10 percent and TDM measure reductions of 9 percent are consistent with industry standards used in Bay Area cities with similar development patterns as Hayward and were applied by TJKM in consultation with City staff. For mixed-use trip reduction, a 10 percent trip reduction was first applied by TJKM to the smaller trip generator (residential) and the same number of trips was then subtracted from the larger trip generator (retail) to account for both trip ends.

Pass-by trips are made as intermediate stops on the way from an origin to a primary trip destination without a route diversion. Pass-by trips account for trips that are already on the roadway but will stop/divert to the new development on their way to their final destinations. Pass-by trips are attracted from traffic passing the site on an adjacent street or roadway that offers direct access to the generator. Pass-by trips are not diverted from another roadway.

3.1 TRANSPORTATION AND CIRCULATION

TABLE 3.1-5
TRIP GENERATION – PROPOSED PROJECT PHASE 1

Proposed Land Use (ITE Code)	Size		Daily		AM Peak						PM Peak					
			Rate	Trips	Rate	In %	Out %	In	Out	Total	Rate	In %	Out %	In	Out	Total
Apartment (220)	267.0	DU	6.65	1,176	0.51	20	80	27	109	136	0.62	65	35	108	58	166
Supermarket (850)	35.0	KSF	102.24	3,578	3.40	62	38	74	45	119	9.48	51	49	169	163	332
Retail (820)	45.5	KSF	42.70	1,943	0.96	62	38	27	17	44	3.71	48	52	81	88	169
Total Before Discounts				7,297				128	171	300				357	309	666
10% Internal Discount (residential to commercial) ¹				-178				-3	-11	-14				-11	-6	-17
10% Internal Discount (commercial to residential) ¹				-178				-11	-3	-14				-6	-11	-17
TDM Measure Discount, 9% ²				-657				-12	-15	-27				-32	-28	-60
Supermarket Peak-Hour Pass-By Trip Reduction (ITE), 36% ³												-36%	-61	-59	-120	
Retail Peak-Hour Pass-By Trip Reduction (ITE), 34% ³												-34%	-28	-30	-57	
Total After Discounts				6,284				103	143	247				220	175	395

Source: TJKM 2016

Notes:

KSF = one thousand square feet, DU = dwelling unit

1. Mixed Use Trip Reduction of 10% consistent with industry standards used in Bay Area cities with similar development patterns as Hayward and in consultation with City staff. The 10% trip reduction was first applied to the smaller trip generator (residential). The same number of trips was then subtracted from the larger trip generator (retail) to account for both trip ends.
2. TDM Measure Reduction of 9% consistent with industry standards used in Bay Area cities with similar development patterns as Hayward. Used after consultation with City staff.
3. TJKM applied a pass-by reduction rate of 34% for Retail land use and 36% for Supermarket land use consistent with ITE-recommended average rates for a conservative estimate of net-total trips.

3.1 TRANSPORTATION AND CIRCULATION

TABLE 3.1-6
TRIP GENERATION – PROPOSED PROJECT PHASE 1 AND PHASE 2

Proposed Land Use (ITE Code)	Size		Daily		AM Peak						PM Peak					
			Rate	Trips	Rate	In %	Out %	In	Out	Total	Rate	In %	Out %	In	Out	Total
Apartment (220)	476.0	DU	6.65	3,165	0.51	20	80	49	194	243	0.62	65	35	192	103	295
Supermarket (850)	35.0	KSF	102.24	3,578	3.40	62	38	74	45	119	9.48	51	49	169	163	332
Retail (820)	45.5	KSF	42.70	1,943	0.96	62	38	27	17	44	3.71	48	52	81	88	169
Total Before Discounts				8,687				151	256	407				442	354	796
10% Internal Discount (residential to commercial) ¹				-317				-5	-19	-24				-19	-10	-30
10% Internal Discount (commercial to residential) ¹				-317				-19	-5	-24				-10	-19	-30
TDM Measure Discount, 9% ²				-782				-14	-23	-37				-40	-32	-72
Supermarket Peak-Hour Pass-By Trip Reduction (ITE), 36% ³												-36%	-61	-59	-120	
Retail Peak-Hour Pass-By Trip Reduction (ITE), 34% ³												-34%	-28	-30	-57	
Total After Discounts				7,271				113	209	322				284	204	488

Source: TJKM 2016

Notes:

KSF = one thousand square feet, DU = dwelling unit

1. Mixed Use Trip Reduction of 10% consistent with industry standards used in Bay Area cities with similar development patterns as Hayward and in consultation with City staff. The 10% trip reduction was first applied to the smaller trip generator (residential). The same number of trips was then subtracted from the larger trip generator (retail) to account for both trip ends.
2. TDM Measure Reduction of 9% consistent with industry standards used in Bay Area cities with similar development patterns as Hayward. Used after consultation with City staff.
3. TJKM applied a pass-by reduction rate of 34% for Retail land use and 36% for Supermarket land use consistent with ITE recommended average rates for a conservative estimate of net-total trips.

3.1 TRANSPORTATION AND CIRCULATION

Transportation Demand Management

The project's traffic impact analysis applied a reduction in trips related to TDM, thus assuming that people will drive less and walk, bike, and take transit. The proposed project would be generating 37 transit trips in the AM peak hour and 72 transit trips in the PM peak hour. The following measures were provided by TJKM as options to obtain the above reductions. These will be incorporated into the project, and the City will include a condition of approval that determines the timing of the measures and monitoring to ensure reductions are met.

- **Shuttle services:** Provide a shuttle service for residents and employees to connect with the Hayward BART station, like funding the future Amtrak-Downtown Cannery loop shuttle service.
- **Transit passes:** Universal transit passes, such as Clipper cards, would allow residents and employees alike to have subsidized services for AC Transit and BART.
- **Car-sharing programs:** Lincoln Landing, with its higher housing density and amount of employees, is an ideal candidate to utilize car-sharing services. Zipcar is a member program that could benefit from employer or homeowner association subsidies.
- **Unbundled parking costs:** The cost of parking for residential and commercial units is often passed on to the occupants indirectly through the rent or purchase price ("bundled"), rather than directly through a separate charge. The alternative is to unbundle parking—rent or sell parking spaces separately, rather than automatically including them with building space. This is not only more equitable, but can also reduce the total amount of parking required for the building.
- **Bicycle racks and lockers** for residents, employees, and shoppers. These will be particularly useful for Lincoln Landing employees to encourage walking and bicycling to work, including bike sharing. Provisions for bicycle racks and lockers should be part of the Lincoln Landing conditions of approval.
- **On-site bike/pedestrian amenities:** The overall layout of the site should be geared first of pedestrian and bicycle promotion. Walkways within the site should be carefully planned to facilitate walking by pedestrians to access nearby downtown features and to promote recreational uses by residents.
- **Shared parking:** Preferential carpool/vanpool parking should be provided for carpooling employees. In this instance, shared parking between the residential and nonresidential uses, combined with unbundling the residential uses, should result in a substantial reduction of on-site parking for the overall Lincoln Landing development.
- **Bike-share program:** A system modeled after San Francisco's bike-share program has the potential for success in downtown Hayward; the City should endeavor to include the Lincoln Landing development due to its higher residential densities and mixed-use characteristics.
- **On-site TDM coordinators:** In this mixed-use development, TJKM recommends separate arrangements for on-site coordinators for residential and nonresidential uses. In both instances, the goal is to promote carpooling and alternative modes of transportation such as transit, bicycling, or walking. On the residential side, the local TDM coordinator would provide rideshare matching, information on shuttle services, car sharing, bike sharing, and

transit passes. On the nonresidential side, the TDM coordinator would facilitate carpooling and ridesharing among residents and would care for on-site showers, lockers, and bicycle lockers. In addition, bus and shuttle services and passes would be coordinated, along with information on car and bike sharing. The on-site TDM coordinators will offer important services to Lincoln Landing residents, employees, and customers.

Project Trip Distribution and Assignment

Trip distribution is a process that determines in what proportion vehicles would be expected to travel between the project site and various destinations outside the project study area. Assignment determines the various routes that vehicles would take from the project site to each destination using the calculated trip distribution.

Trip distribution assumptions for the proposed project were developed based on the City of Hayward/ACTC Travel Demand Model and existing travel patterns, the traffic consultant's knowledge of the study area, and consultation with City staff.

The distribution assumptions are as follows:

- 35 percent to/from Foothill Boulevard north
- 10 percent to/from Mission Boulevard north (via Grove Way)
- 5 percent to/from A Street west
- 10 percent to/from A Street east
- 5 percent to /from B Street
- 25 percent to/from Foothill Boulevard/Jackson Street
- 10 percent to/from Mission Boulevard south

Cumulative Conditions

TJKM developed 2040 turning movement volumes for all study intersections based on the latest version of the Alameda County travel demand model. TJKM determined the difference in 2005 base year and 2035 buildout year volumes for study area model links and factored the difference to account for 20 years of traffic growth. This result was then applied proportionately to existing conditions turning movement volumes to generate year 2035 turning movement volumes. At the direction of City staff, an additional factor of 1 percent annual growth over five years was applied to develop 2040 traffic volumes.

STANDARDS OF SIGNIFICANCE

Appendix G of the State CEQA Guidelines provides general considerations for lead agencies evaluating impacts on the transportation system. These considerations are listed below, along with the significance criteria for determining whether impacts would be significant.

- a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant

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components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.

- b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.
- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.
- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
- e) Result in inadequate emergency access.
- f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

The City of Hayward currently uses LOS E as the minimum acceptable level of service threshold for signalized intersections during the AM and PM peak periods. Therefore, the TIA prepared for the proposed project and the following impact analysis utilize LOS E as the minimum acceptable threshold at all signalized study intersections for traffic impact purposes.

Regarding acceptable level of service during AM and PM peak periods, the Hayward 2040 General Plan Mobility Element (2014) includes the following implementing policy:

Policy M-4.3: Level of Service – The City shall maintain a minimum vehicle Level of Service E at signalized intersections during the peak commute periods except when a LOS F may be acceptable due to costs of mitigation or when there would be other unacceptable impacts, such as right-of-way acquisition or degradation of the pedestrian environment due to increased crossing distances or unacceptable crossing delays.

For the purposes of this analysis, project impacts at signalized intersections are considered significant if the addition of project-generated traffic:

- Causes the AM or PM peak-hour level of service to degrade from an acceptable LOS E or better to an unacceptable LOS F.

In addition, for both signalized and unsignalized intersections, the project would result in a potentially significant impact if:

- The intersection operates at LOS F without the project under Existing, Background, or Cumulative conditions and the addition of the project under Existing plus Project, Background plus Project, or Cumulative plus Project conditions results in an increase in the average control delay of 5.0 seconds or greater when compared to the associated no project condition.

Impacts Not Evaluated in Detail

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

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The project site is located more than 2 miles from the Hayward Executive Airport and would not involve changes in air traffic operations. There would be no impact relative to standard of significance c, and impacts related to airport operations are not evaluated further in this Draft EIR.

PROJECT IMPACTS AND MITIGATION MEASURES**Traffic Operational Impacts – Existing plus Phase 1 Conditions (Standards of Significance a and b)**

Impact 3.1.1 Implementation of Phase 1 of the proposed project would generate vehicle trips but would not contribute to significant traffic operational impacts at intersections or project driveways as compared to existing conditions. This impact would be **less than significant**.

Intersection Level of Service Analysis

TJKM added the assigned project trips estimated for Phase 1 of the proposed project to the existing traffic volumes to generate Existing plus Project Phase 1 traffic volumes, which are shown in **Figure 3.1-4**. The intersection LOS analysis results for Existing plus Project Phase 1 Conditions are summarized in **Table 3.1-7**. The LOS analysis for Existing Conditions are also included in the table, along with the projected increases in control delay. With the addition of project traffic, all of the study intersections would continue to operate within the applicable standard of LOS E or better during both the AM and PM peak hours.

TABLE 3.1-7
INTERSECTION LEVEL OF SERVICE ANALYSIS – EXISTING PLUS PROJECT PHASE 1 CONDITIONS

ID	Study Intersections	Control	Peak Hour ¹	Existing Conditions		Existing plus Phase 1 Conditions		Change in Control Delay (sec) ⁴
				Delay ¹	LOS ²	Delay ²	LOS ³	
1	Mission Boulevard/ A Street	Signalized	AM	37.4	D	37.5	D	0.1
			PM	46.2	D	46.5	D	0.3
2	Foothill Boulevard/ A Street	Signalized	AM	39.9	D	41.3	D	1.4
			PM	39.2	D	39.9	D	0.7
3	Foothill Boulevard/ Hazel Avenue	Signalized	AM	32.0	C	30.6	C	-1.4
			PM	45.5	D	52.5	D	7.0
4	Foothill Boulevard/ City Center Drive	Signalized	AM	27.5	C	32.2	C	4.7
			PM	57.3	E	74.1	E	16.8
5	Mission Boulevard/ Hotel Avenue	Two-Way Stop	AM	22.5	C	22.7	C	0.2
			PM	30.1	D	30.9	D	0.8
6	Main Street/Hotel Avenue	One-Way Stop	AM	9.8	A	9.9	A	0.1
			PM	11.2	B	11.5	B	0.3
7	Main Street/Warren Street/McKeever Avenue	All-Way Stop	AM	7.7	A	7.9	A	0.2
			PM	8.2	A	8.4	A	0.2

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ID	Study Intersections	Control	Peak Hour ¹	Existing Conditions		Existing plus Phase 1 Conditions		Change in Control Delay (sec) ⁴
				Delay ¹	LOS ²	Delay ²	LOS ³	
8	City Center Drive/ McKeever Avenue/ Maple Court	All-Way Stop	AM	8.2	A	8.6	A	0.4
			PM	9.0	A	9.7	A	0.7
9	Main Street/Hazel Avenue	All-Way Stop	AM	8.3	A	8.4	A	0.1
			PM	8.6	A	8.9	A	0.3
10	Foothill Boulevard/ Grove Way	Signalized	AM	42.6	D	48.3	D	5.7
			PM	34.0	C	34.3	C	0.3
11	Mission Boulevard/ Grove Way	Signalized	AM	34.1	C	34.2	C	0.1
			PM	37.3	D	37.6	D	0.3
12	Mission Boulevard/ Sunset Boulevard	Signalized	AM	9.2	A	9.3	A	0.1
			PM	7.6	A	7.6	A	0.0
13	Mission Boulevard/ B Street	Signalized	AM	18.2	B	18.4	B	0.2
			PM	16.9	B	17.3	B	0.4
14	Foothill Boulevard/ B Street	Signalized	AM	26.0	C	26.0	C	0.0
			PM	16.1	B	16.3	B	0.2
15	Mission Boulevard/ Simon Street	Two-Way Stop	AM	27.9	D	28.3	D	0.4
			PM	33.3	D	34.2	D	0.9

Source: TJKM 2016

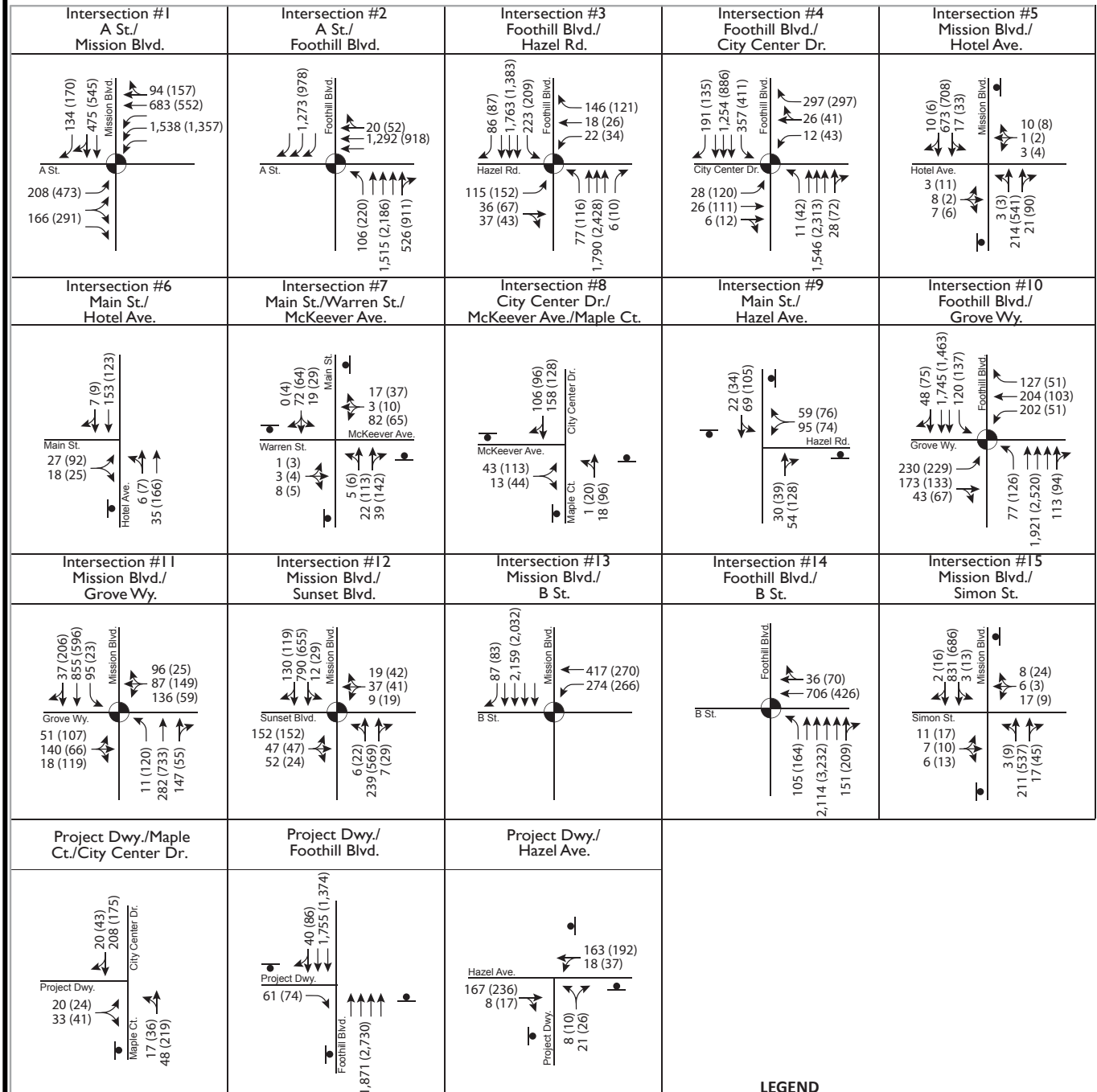
Notes:

1. AM = morning peak hour, PM = evening peak hour
2. Whole intersection weighted average control delay expressed in seconds per vehicle for signalized intersections and all-way stop-controlled intersections. Total control delay for the worst movement is presented for side-street stop-controlled intersections.
3. LOS = level of service. LOS calculations conducted using the Synchro 8 level of service analysis software package, which applies the method described in the 2000 Highway Capacity Manual.
4. Change in average control delay between Existing and Existing plus Project Phase 1 Conditions.

Intersection Queuing Analysis

While the City of Hayward has no standards of significance that apply to queuing, TJKM conducted a vehicle queuing and storage analysis for all exclusive left and right turn pockets at selected study intersections and driveways where project traffic is added under Existing plus Phase 1 conditions. **Table 3.1-8** summarizes the 95th percentile queue lengths at these intersections under both Existing and Existing plus Phase 1 conditions.

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**LEGEND**

Traffic Signal



Stop Sign



XX AM Peak Hour Volumes



(XX) PM Peak Hour Volumes

Source: TJKM



Not To Scale

FIGURE 3.1-4
 Existing Plus Project Phase 1 Conditions Traffic Volumes,
 Lane Geometry and Traffic Controls

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TABLE 3.1-8
95TH PERCENTILE QUEUES AT TURN POCKETS AFFECTED BY PROJECT TRAFFIC – EXISTING PLUS PHASE 1 CONDITIONS

ID	Study Intersections	Lane Group	Storage Length per Lane (feet)	Existing Conditions		Existing plus Phase 1 Conditions		Change	
				AM	PM	AM	PM	AM	PM
1	Mission Boulevard/A Street	EBL	360	200	380	200	400	0	20
		SBR	100	120	160	120	160	0	0
2	Foothill Boulevard/A Street	NBL	400	120	240	120	260	0	20
		SBR	730	420	460	500	500	80	40
3	Foothill Boulevard/Hazel Avenue	SBR	100	40	40	60	40	20	0
		EBL	100	160	320	180	360	20	40
		NBL	550	100	100	120	280	20	180
4	Foothill Boulevard/City Center Drive	SBR	170	60	40	80	40	20	0
		SBL	420	440	640	580	780	120	140
		EBL	80	40	260	60	300	20	40
		NBL	220	20	40	20	80	0	40
10	Foothill Boulevard/Grove Way	NBL	180	120	200	120	200	0	0
11	Mission Boulevard/Grove Way	SBL	220	120	40	120	60	0	20

Source: TJKM 2016

Notes:

Bold indicates 95th percentile queue exceeds storage length expressed in feet per lane.

EBL = eastbound left turn; SBR = southbound right turn; NBL = northbound left turn; SBL = southbound left turn

The following findings were made:

- Mission Boulevard/A Street (#1) – For this intersection, both eastbound left turn and southbound right turn available queuing capacity is exceeded for the PM peak hour under both Existing and Existing plus Project Phase 1 scenarios. However, the project would increase the queue by a maximum of one vehicle per cycle in the peak 15 minutes during the PM peak hour for eastbound left turn. This increase is not considered significant.
- Foothill Boulevard/A Street (#2) – For this intersection, both northbound left turn and southbound right turn available queuing capacity is not exceeded for both the AM and PM peak hours under both Existing and Existing plus Project Phase 1 scenarios. The project would increase the queue by a maximum of four vehicles per cycle in the peak 15 minutes during the peak hours, which is accommodated by the existing storage. This increase is not considered significant.
- Foothill Boulevard/Hazel Avenue (#3) – For this intersection, eastbound left turn available queuing capacity is exceeded for both the AM and PM peak hours under both Existing and Existing plus Project Phase 1 scenarios. The project would increase the queue by a maximum of two vehicles per cycle in the peak 15 minutes during the peak hours, a minor change. In the worst case, the proposed project is expected to add approximately 180 feet of queuing in the PM peak hour (a maximum of nine vehicles per cycle in the peak 15

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minutes) to the existing northbound left turn queues, but the storage length of 550 feet can accommodate projected queues.

- Foothill Boulevard/City Center Drive (#4) – For this intersection, southbound left turn available queuing capacity is exceeded for both the AM and PM peak hours under both Existing and Existing plus Project Phase 1 scenarios. The project would increase the queue by a maximum of two vehicles per cycle in the peak 15 minutes during the peak hours, a minor change. For southbound left turns, in the worst case, the proposed project is expected to add 120 feet (a maximum of six vehicles per cycle in the peak 15 minutes) in the AM peak hour and 140 feet (a maximum of seven vehicles per cycle in the peak 15 minutes) in the PM peak hour queuing to the existing condition.
- Foothill Boulevard/Grove Way (#10) – For this intersection, northbound left turn available queuing capacity is exceeded for the PM peak hour under both Existing and Existing plus Project Phase 1 scenarios. However, the project would increase the queue by a maximum of one vehicle per cycle during the peak 15 minutes during the peak hours, a minor change, which is not considered significant.
- Mission Boulevard/Grove Way (#11) – For this intersection, southbound left turn available queuing capacity is not exceeded for either the AM or PM peak hours under both Existing and Existing plus Project Phase 1 scenarios.

Project Driveway Queuing and Level of Service Analysis

TJKM also conducted a vehicle queuing and level of service analysis at the proposed project driveways at Hazel Avenue, Foothill Boulevard, and City Center Drive. **Table 3.1-9** summarizes the 95 percentile queue lengths and LOS at the project driveways under Existing plus Project Phase 1 scenario. As shown, under Existing plus Project Phase 1 Conditions, all project driveways are expected to operate at acceptable levels of service. In addition, the 95th percentile queueing at the outbound approach of project driveways is expected to be minimal.

TABLE 3.1-9
95TH PERCENTILE QUEUES AND LOS AT PROJECT DRIVEWAYS – EXISTING PLUS PROJECT PHASE 1 CONDITIONS

ID	Intersection	Control	AM			PM		
			Delay ¹	LOS ²	95th percentile Queue (ft.) ³	Delay ¹	LOS ²	95th percentile Queue (ft.) ³
1	City Center Drive/Project Driveway	One-Way Stop	10.3	B	20	11.1	B	20
2	Foothill Boulevard/Project Driveway	One-Way Stop	9.7	A	20	9.4	A	20
3	Hazel Avenue/Project Driveway	One-Way Stop	9.9	A	20	10.8	B	20

Source: TJKM 2016

Notes:

1. Delay = average control delay in seconds per vehicle

2. LOS = level of service

3. Reported values of 95th percentile queues are for the outbound movements at the project driveways

Based on the City of Hayward impact criteria, the proposed project is expected to have a **less than significant** impact at all study intersections.

Mitigation Measures

None required.

Traffic Operational Impacts – Background plus Phase 1 Conditions (Standards of Significance a and b)

Impact 3.1.2 Implementation of Phase 1 of the proposed project would generate vehicle trips that could contribute to significant traffic operational impacts at intersections as compared to background conditions. This impact would be **significant and unavoidable**.

Intersection Level of Service Analysis

TJKM added the assigned project trips estimated for Phase 1 of the proposed project to the traffic volumes projected for background conditions to generate Background plus Project Phase 1 traffic volumes, which are shown in **Figure 3.1-5** and **Table 3.1-10**. The LOS analysis results for Background Conditions are also included in the table, along with the projected increases in delay. With the addition of project traffic, all study intersections are expected to continue to operate within the applicable standard of LOS E or better with the following exceptions:

- Foothill Boulevard/Hazel Avenue (#3) during the PM peak hour (LOS F)
- Foothill Boulevard/City Center Drive (#4) during the PM peak hour (LOS F)
- Mission Boulevard/Hotel Avenue (#5) during PM peak hour (LOS F)
- Mission Boulevard/Simon Street (#15) during AM and PM peak hours (LOS F/F)

TABLE 3.1-10
INTERSECTION LEVEL OF SERVICE ANALYSIS – BACKGROUND PLUS PROJECT PHASE 1 CONDITIONS

ID	Study Intersections	Control	Peak Hour ¹	Background Conditions		Background plus Phase 1 Conditions		Change in Control Delay (sec) ⁴
				Delay ¹	LOS ²	Delay ²	LOS ³	
1	Mission Boulevard/A Street	Signalized	AM	39.9	D	40.0	D	0.1
			PM	50.2	D	50.7	D	0.5
2	Foothill Boulevard/A Street	Signalized	AM	40.1	D	42.5	D	2.4
			PM	40.8	D	41.4	D	0.6
3	Foothill Boulevard/Hazel Avenue	Signalized	AM	38.4	D	37.7	D	-0.7
			PM	72.1	E	80.8	F	8.7
4	Foothill Boulevard/City Center Drive	Signalized	AM	29.6	C	34.5	C	4.9
			PM	80.1	F	90.4	F	10.3

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ID	Study Intersections	Control	Peak Hour ¹	Background Conditions		Background plus Phase 1 Conditions		Change in Control Delay (sec) ⁴
				Delay ¹	LOS ²	Delay ²	LOS ³	
5	Mission Boulevard/Hotel Avenue	Two-Way Stop	AM	41.4	E	42.2	E	0.8
			PM	48.7	E	50.4	F	1.7
6	Main Street/Hotel Avenue	One-Way Stop	AM	10.6	B	10.9	B	0.3
			PM	12.6	B	13.0	B	0.4
7	Main Street/Warren Street/McKeever Avenue	All-Way Stop	AM	8.6	A	8.7	A	0.1
			PM	9.1	A	9.4	A	0.3
8	City Center Drive/McKeever Avenue/Maple Court	All-Way Stop	AM	8.3	A	8.7	A	0.4
			PM	9.2	A	9.9	A	0.7
9	Main Street/Hazel Avenue	All-Way Stop	AM	9.8	A	10.0	B	0.2
			PM	10.0	A	10.5	B	0.5
10	Foothill Boulevard/Grove Way	Signalized	AM	45.6	D	50.9	D	5.3
			PM	39.3	D	39.9	D	0.6
11	Mission Boulevard/Grove Way	Signalized	AM	59.3	E	60.9	E	1.6
			PM	57.5	E	59.9	E	2.4
12	Mission Boulevard/Sunset Boulevard	Signalized	AM	12.4	B	12.7	B	0.3
			PM	10.3	B	10.8	B	0.5
13	Mission Boulevard/B Street	Signalized	AM	18.9	B	19.3	B	0.4
			PM	18.9	B	19.2	B	0.3
14	Foothill Boulevard/B Street	Signalized	AM	27.5	C	27.6	C	0.1
			PM	21.1	C	21.4	C	0.3
15	Mission Boulevard/Simon Street	Two-Way Stop	AM	50.8	F	51.6	F	0.8
			PM	50.8	F	52.8	F	2.0

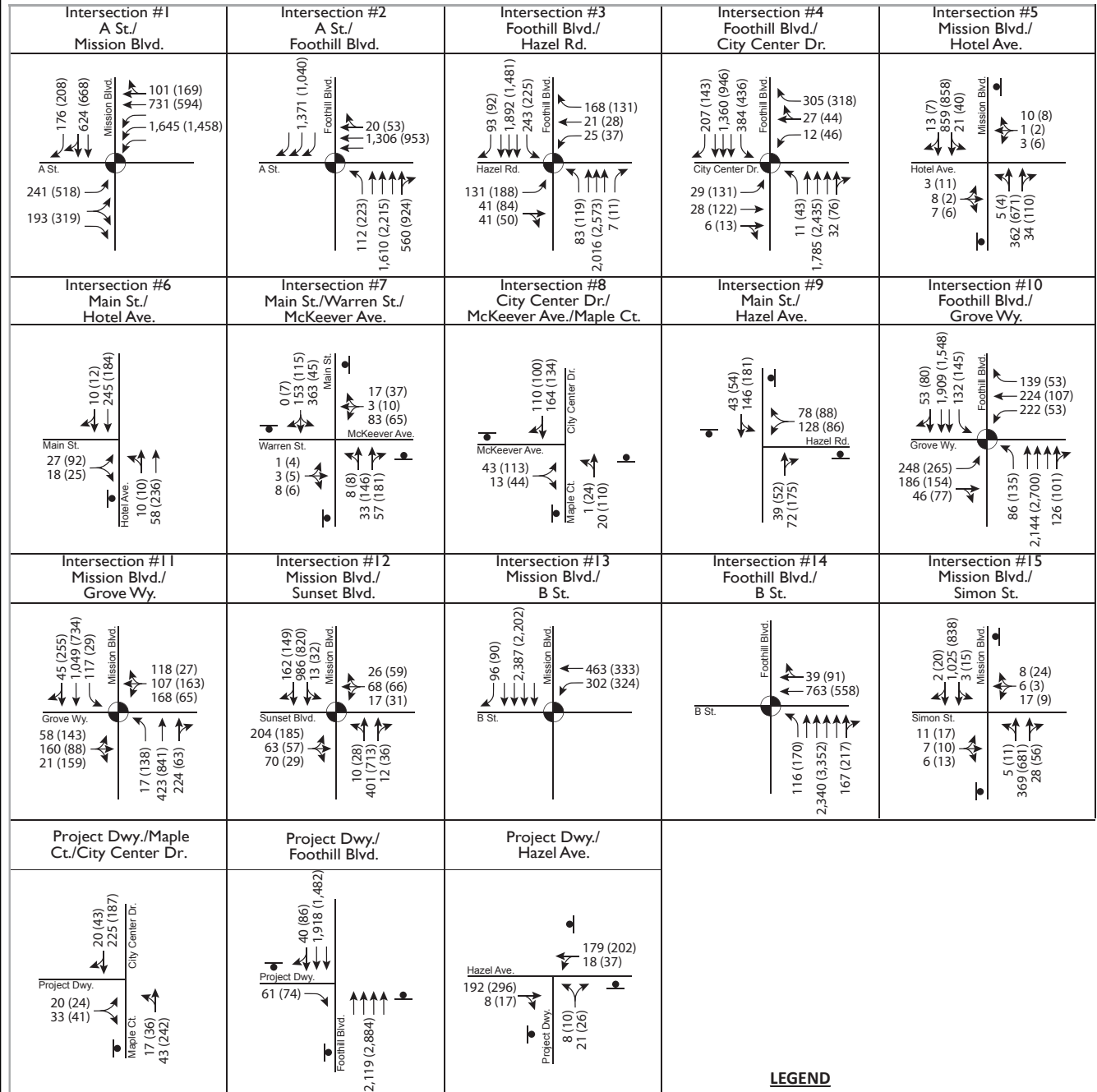
Source: TJKM 2016

Notes:

1. AM = morning peak hour, PM = evening peak hour
2. Whole intersection weighted average control delay expressed in seconds per vehicle for signalized intersections and all-way stop-controlled intersections. Total control delay for the worst movement is presented for side-street stop-controlled intersections.
3. LOS = level of service. LOS calculations conducted using the Synchro 8 level of service analysis software package, which applies the method described in the 2000 Highway Capacity Manual.
4. Change in average control delay between Existing and Existing plus Project Phase 1 Conditions.

The signal warrant analysis conducted for the unsignalized intersections projected to operate at unacceptable levels of service under Background plus Phase 1 Conditions (#5 Mission Boulevard/Hotel Avenue and #15 Mission Boulevard/Simon Street) indicate that neither intersection meets peak-hour signal warrants in either the AM or PM peak hours and neither intersection would experience an increase in delay of 5.0 seconds. Thus, the impacts at these intersections would be less than significant.

T-1_CSWork\Hayward, City of\Lincoln Landing\Traffic Figures

**LEGEND**

Traffic Signal



Stop Sign

XX AM Peak Hour Volumes

(XX) PM Peak Hour Volumes

Source: TJKM



Not To Scale

FIGURE 3.1-5
Background Plus Project Phase 1 Conditions Traffic Volumes,
Lane Geometry, and Traffic Controls

With the addition of project traffic under Background Conditions, the increase in average delay at the Foothill Boulevard/Hazel Avenue intersection (#3) would be 8.7 seconds during the PM peak hour, which would exceed the 5.0-second threshold for intersections already operating at a deficient level of service. Thus, the impact at this intersection would be significant. Restriping to the northbound approach to one left-only lane, three through lanes, and one shared through/right lane would improve approach operations at the intersection to LOS D in the PM peak hour. The modification would consist of restriping the rightmost northbound approach right lane to a shared through-right turn lane and accommodate one receiving lane for the proposed shared through-right turn lane on the north side of the intersection of approximately 500 feet and then merge back to three lanes.

In order for the restriping to be accomplished, removal of parking along the site frontage on the east side of Foothill Boulevard north of Hazel Avenue/City Center Drive to accommodate the receiving lane would be necessary. On the north side of Foothill Boulevard, about 250 feet of existing parking would need to be removed because the rightmost northbound through lane would need to use the parking area. This parking is located along the Foothill Boulevard frontage for retail businesses and residences.

However, there are several considerations that must be accounted for in a discussion about removal of on-street parking. The General Plan Mobility Element acknowledges that Hayward residents and visitors generally want to have parking readily available on their neighborhood streets, at commercial centers, and at transit stations. On-street parking is provided on most roadways in residential and commercial areas of the city, the majority of which is currently free and unrestricted. Mobility Element Goal 3 discusses the provision of complete streets in the city and provides a diagram of a street section that satisfies the complete street goal (City of Hayward 2014, p. 3-79). The diagram shows parking on both sides of the street. In addition to eliminating the need for replacement parking elsewhere, on-street parking increases safety by separating pedestrians on sidewalks from traffic and slowing traffic on the street. Further, on-street parking provides convenient access for residential and/or retail users and elimination of on-street parking can have negative economic effects on businesses that rely on that convenient access. Removal of parking in the project vicinity would reduce the amount of parking for residents and visitors and require the construction of additional off-site parking, which could result in additional physical environmental effects. For these reasons, the City determined this mitigation requiring removal of on-street parking is infeasible, and this impact would remain **significant and unavoidable**.

With the addition of project traffic, the increase in average delay at the Foothill Boulevard/City Center Drive intersection (#4) would be 10.3 seconds during the PM peak hour, which would exceed the 5.0-second threshold for intersections already operating at a deficient level of service. Thus, the impact at this intersection would be significant. The restriping of the southbound approach with an additional left turn lane would improve approach operations at the intersection to LOS D in the PM peak hour. The modification would consist of restriping the leftmost southbound approach through lane to a left turn lane, shifting the southbound approach through lane to a left turn lane, shifting the three southbound approach lanes on Foothill Boulevard one lane to the right, and combining the rightmost through lane with the existing right turn lane.

This would require removal of parking adjacent to the southbound lanes along the site frontage on the west side of Foothill Boulevard north of City Center Drive to accommodate the shifting and combining of lanes. On the south side of Foothill Boulevard, about 300 feet of existing parking (about 16 spaces) would need to be removed because the rightmost southbound through lane would need to use the parking area. This parking is located along the Foothill Boulevard frontage for retail businesses. In addition, an existing AC Transit stop just south of City Center Drive would need to be relocated. Removal of parking in this area would conflict with General Plan Goals and

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Policies supporting the creation of complete streets and to provide adequate parking for city residents and visitors as well as the street section envisioned in the Mobility Element of the General Plan. Further, removal of parking would eliminate a buffer between pedestrians and vehicles and eliminate a roadway feature (on-street parking) that typically reduces vehicular speeds. As such, this mitigation is found to be unfeasible, and this impact would remain **significant and unavoidable**.

Intersection Queuing Analysis

TJKM conducted a vehicle queuing and storage analysis for all exclusive left and right turn pockets at selected study intersections and driveways where project traffic is added under Background plus Phase 1 conditions. **Table 3.1-11** summarizes the 95th percentile queue lengths at these intersections under both Background and Background plus Phase 1 conditions.

TABLE 3.1-11
95TH PERCENTILE QUEUES AT TURN POCKETS AFFECTED BY PROJECT TRAFFIC – BACKGROUND PLUS PHASE 1 CONDITIONS

ID	Study Intersections	Lane Group	Storage Length per lane (feet)	Background Conditions		Background plus Phase 1 Conditions		Change	
				AM	PM	AM	PM	AM	PM
1	Mission Boulevard/A Street	EBL	360	220	420	220	440	0	20
		SBR	100	180	220	180	220	0	0
2	Foothill Boulevard/A Street	NBL	400	120	240	120	280	0	40
		SBR	730	480	500	540	520	60	20
3	Foothill Boulevard/Hazel Avenue	SBR	100	40	40	40	40	0	0
		EBL	100	180	420	200	440	20	20
		NBL	550	60	100	120	280	60	180
4	Foothill Boulevard/City Center Drive	SBR	170	60	20	100	40	40	20
		SBL	420	500	700	640	820	140	120
		EBL	80	40	280	60	340	20	60
		NBL	220	20	40	20	80	0	40
10	Foothill Boulevard/Grove Way	NBL	180	120	220	120	220	0	0
11	Mission Boulevard/Grove Way	SBL	220	140	60	140	60	0	0

Source: TJKM 2016

Notes:

Bold indicates 95th percentile queue exceeds storage length expressed in feet per lane.

EBL = eastbound left turn; SBR = southbound right turn; NBL = northbound left turn; SBL = southbound left turn

The following findings were made:

- Mission Boulevard/A Street (#1) – For this intersection, both eastbound left turn and southbound right turn available queuing capacity is exceeded for the PM peak hour under both Background and Background plus Project Phase 1 scenarios. However, the project would increase the queue by a maximum of one vehicle per cycle in the peak 15 minutes

during the PM peak hour for eastbound left turn, a minor change, which is not considered significant.

- Foothill Boulevard/A Street (#2) – For this intersection, both northbound left turn and southbound right turn available queuing capacity is not exceeded for both the AM and PM peak hours under both Background and Background plus Project Phase 1 scenarios. The project would increase the queue by a maximum of four vehicles per cycle in the peak 15 minutes during the peak hours, which is accommodated by the existing storage. The increase is not considered significant.
- Foothill Boulevard/Hazel Avenue (#3) – For this intersection, eastbound left turn available queuing capacity is exceeded for both the AM and PM peak hours under both Background and Background plus Project Phase 1 scenarios. The City of Hayward has no standards of significance that apply to queuing; the project would increase the queue by a maximum of two vehicles per cycle in the peak 15 minutes during the peak hours, a minor change. In the worst case, the proposed project is expected to add around 180 feet of queuing in the PM peak hour (a maximum of nine vehicles per cycle in the peak 15 minutes) to the existing northbound left turn queues, but the storage length of 550 feet can accommodate projected queues.
- Foothill Boulevard/City Center Drive (#4) – For this intersection, southbound left turn available queuing capacity is exceeded for both the AM and PM peak hours and eastbound PM peak hour under both Background and Background plus Project Phase 1 scenarios. The project would increase the queue by a maximum of two vehicles per cycle in the peak 15 minutes during the peak hours, a minor change. For southbound left turns, in the worst case, the proposed project is expected to add 120 feet (a maximum of six vehicles per cycle in the peak 15 minutes) in the AM peak hour and 140 feet (a maximum of seven vehicles per cycle in the peak 15 minutes) in the PM peak hour queuing to the existing queues. In addition, the project does not create additional queuing issues at any locations other than those currently exceeding storage capacities.
- Foothill Boulevard/Grove Way (#10) – For this intersection, northbound left turn available queuing capacity is exceeded for the PM peak hour under both Background and Background plus Project Phase 1 scenarios. However, the project would increase the queue by a maximum of one vehicle per cycle during the peak 15 minutes during the peak hours, a minor change.
- Mission Boulevard/Grove Way (#11) – For this intersection, southbound left turn available queuing capacity is not exceeded for both the AM and PM peak hours under both Background and Background plus Project Phase 1 scenarios.

Based on the above analysis, the addition of project Phase 1 traffic would have a **less than significant** impact related to queuing at the study intersections.

Project Driveway Queuing and Level of Service Analysis

TJKM conducted a vehicle queuing and level of service analysis at the proposed project driveways at Hazel Avenue, Foothill Boulevard, and City Center Drive for the Background plus Phase 1 condition. **Table 3.1-12** summarizes the 95th percentile queue lengths and LOS at the project driveways under Background plus Project Phase 1 scenario. As shown in the table, all project driveways are expected to operate at acceptable levels of service. In addition, the 95th percentile queueing at the outbound approach of project driveways is expected to be minimal.

3.1 TRANSPORTATION AND CIRCULATION

TABLE 3.1-12
95TH PERCENTILE QUEUES AND LOS AT PROJECT DRIVEWAYS – BACKGROUND PLUS PROJECT PHASE 1 CONDITIONS

ID	Intersection	Control	AM			PM		
			Delay ¹	LOS ²	95th percentile Queue (ft.) ³	Delay ¹	LOS ²	95th percentile Queue (ft.) ³
1	City Center Drive/Project Driveway	One-Way Stop	10.4	B	20	11.3	B	20
2	Foothill Boulevard/Project Driveway	One-Way Stop	10.0	B	20	9.6	A	20
3	Hazel Avenue/Project Driveway	One-Way Stop	10.1	B	20	11.4	B	20

Source: TJKM 2016

Notes:

1. Delay = average control delay in seconds per vehicle

2. LOS = level of service

3. Reported values of 95th percentile queues are for the outbound movements at the project driveways

Based on the above analysis, the addition of project Phase 1 traffic to the background condition would have a **less than significant** impact related to vehicle queuing at the proposed project driveways.

Although the proposed project would not result in impacts related to queuing impacts at driveways and intersections under Background plus Phase 1 conditions, two intersections (Foothill Boulevard/Hazel Avenue and Foothill Boulevard/City Center Drive) would operate at LOS F during the PM peak hour. Modifications to the roadways to improve conditions at these intersections would require the removal of existing on-street parking which is not considered feasible or desirable for the reasons outlined above. Therefore, impacts related to intersection level of service would remain **significant and unavoidable**.

Mitigation Measures

No feasible mitigation measures were identified.

Traffic Operational Impacts – Background plus Phases 1 and 2 Conditions (Standards of Significance a and b)

Impact 3.1.3 Implementation of Phases 1 and 2 of the proposed project would generate vehicle trips that could contribute to significant traffic operational impacts at intersections as compared to background conditions. This impact would be **significant**.

Intersection Level of Service Analysis

The assigned project trips estimated for Phases 1 and 2 of the proposed project were added to the traffic volumes projected for background conditions to generate Background plus Project Phases 1 and 2, which represents project buildout. Level of service and delay timing are included in **Table 3.1-13**, along with the projected increases in control delay. With the addition of project traffic, all study intersections are expected to continue to operate within the applicable standard of LOS E or better with the following exceptions:

3.1 TRANSPORTATION AND CIRCULATION

- Foothill Boulevard/Hazel Avenue (#3) during the PM peak hour (LOS F)
- Foothill Boulevard/City Center Drive (#4) during the PM peak hour (LOS F)
- Mission Boulevard/Hotel Avenue (#5) during PM peak hour (LOS F)
- Mission Boulevard/Simon Street (#15) during AM and PM peak hours (LOS F/F)

TABLE 3.1-13
INTERSECTION LEVEL OF SERVICE ANALYSIS – BACKGROUND PLUS PROJECT PHASES 1 AND 2 CONDITIONS

ID	Study Intersections	Control	Peak Hour ¹	Background Conditions		Background plus Phases 1 and 2 Conditions		Change in Control Delay (sec) ⁴
				Delay ¹	LOS ²	Delay ²	LOS ³	
1	Mission Boulevard/A Street	Signalized	AM	39.9	D	40.1	D	0.2
			PM	50.2	D	50.7	D	0.5
2	Foothill Boulevard/A Street	Signalized	AM	40.1	D	43.0	D	2.9
			PM	40.8	D	41.6	D	0.8
3	Foothill Boulevard/Hazel Avenue	Signalized	AM	38.4	D	38.8	D	0.4
			PM	72.1	E	82.1	F	10.0
4	Foothill Boulevard/City Center Drive	Signalized	AM	29.6	C	34.8	C	5.2
			PM	80.1	F	93.3	F	13.2
5	Mission Boulevard/Hotel Avenue	Two-Way Stop	AM	41.4	E	42.3	E	0.9
			PM	48.7	E	50.8	F	2.1
6	Main Street/Hotel Avenue	One-Way Stop	AM	10.6	B	10.9	B	0.3
			PM	12.6	B	13.1	B	0.5
7	Main Street/Warren Street/McKeever Avenue	All-Way Stop	AM	8.6	A	8.8	A	0.2
			PM	9.1	A	9.5	A	0.4
8	City Center Drive/McKeever Avenue/Maple Court	All-Way Stop	AM	8.3	A	8.8	A	0.5
			PM	9.2	A	10.1	B	0.9
9	Main Street/Hazel Avenue	All-Way Stop	AM	9.8	A	10.1	B	0.3
			PM	10.0	A	10.5	B	0.5
10	Foothill Boulevard/Grove Way	Signalized	AM	45.6	D	50.9	D	5.3
			PM	39.3	D	40.1	D	0.8
11	Mission Boulevard/Grove Way	Signalized	AM	59.3	E	61.2	E	1.9
			PM	57.5	E	60.4	E	2.9
12	Mission Boulevard/Sunset Boulevard	Signalized	AM	12.4	B	12.8	B	0.4
			PM	10.3	B	10.9	B	0.6

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ID	Study Intersections	Control	Peak Hour ¹	Background Conditions		Background plus Phases 1 and 2 Conditions		Change in Control Delay (sec) ⁴
				Delay ¹	LOS ²	Delay ²	LOS ³	
13	Mission Boulevard/B Street	Signalized	AM	18.9	B	19.5	B	0.6
			PM	18.9	B	19.3	B	0.4
14	Foothill Boulevard/B Street	Signalized	AM	27.5	C	27.6	C	0.1
			PM	21.1	C	21.5	C	0.4
15	Mission Boulevard/Simon Street	Two-Way Stop	AM	50.8	F	52.0	F	1.2
			PM	50.8	F	53.3	F	2.5

Source: TJKM 2016

Notes:

1. AM = morning peak hour, PM = evening peak hour
2. Whole intersection weighted average control delay expressed in seconds per vehicle for signalized intersections and all-way stop-controlled intersections. Total control delay for the worst movement is presented for side-street stop controlled intersections.
3. LOS = level of service. LOS calculations conducted using the Synchro 8 level of service analysis software package, which applies the method described in the 2000 Highway Capacity Manual.
4. Change in average control delay between Existing and Existing plus Project Phase 1 Conditions.

TJKM conducted a signal warrant analysis for the unsignalized intersections projected to operate at unacceptable levels of service under Background plus Phases 1 and 2 Conditions (#5 Mission Boulevard/Hotel Avenue and #15 Mission Boulevard/Simon Street) to determine if a traffic signal is warranted. The results indicate that neither intersection meets peak-hour signal warrants in either the AM or PM peak hours. Thus, the impacts at these intersections would not be considered significant.

With the addition of project traffic, the increase in average delay at the Foothill Boulevard/Hazel Avenue intersection (#3) would be 10.0 seconds during the PM peak hour, which would exceed the 5.0-second threshold for intersections already operating at a deficient level of service. Thus, the impact at this intersection would be **significant**.

With the addition of project traffic, the increase in average delay at the Foothill Boulevard/City Center Drive intersection (#4) would be 13.2 seconds during the PM peak hour, which would exceed the 5.0-second threshold for intersections already operating at a deficient level of service. Thus, the impact at this intersection would be **significant**.

As discussed above, the removal of parking necessary to accommodate potential improvements for these intersections would conflict with existing City policies regarding provision of adequate parking and complete streets. As such, these impacts would remain **significant and unavoidable**.

Intersection Queuing Analysis

TJKM conducted a vehicle queuing and storage analysis for all exclusive left and right turn pockets at six study intersections and driveways where project traffic is added under Background plus Phases 1 and 2 conditions. **Table 3.1-14** summarizes the 95th percentile queue lengths at these intersections under both Background and Background plus Phases I and II conditions.

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TABLE 3.1-14
95TH PERCENTILE QUEUES AT TURN POCKETS AFFECTED BY PROJECT TRAFFIC – BACKGROUND PLUS PHASES 1 AND 2
CONDITIONS

ID	Study Intersections	Lane Group	Storage Length per lane (feet)	Background Conditions		Background plus Phases 1 and 2 Conditions		Change	
				AM	PM	AM	PM	AM	PM
1	Mission Boulevard/A Street	EBL	360	220	420	220	440	0	20
		SBR	100	180	220	180	220	0	0
2	Foothill Boulevard/A Street	NBL	400	120	240	120	280	0	40
		SBR	730	480	500	560	520	80	20
3	Foothill Boulevard/Hazel Avenue	SBR	100	40	40	40	40	0	0
		EBL	100	180	420	200	440	20	20
		NBL	550	60	100	140	340	80	200
4	Foothill Boulevard/City Center Drive	SBR	170	60	20	80	20	20	0
		SBL	420	500	700	680	860	180	160
		EBL	80	40	280	80	340	40	60
		NBL	220	20	40	20	100	0	60
10	Foothill Boulevard/Grove Way	NBL	180	120	220	120	220	0	0
11	Mission Boulevard/Grove Way	SBL	220	140	60	140	60	0	0

Source: TJKM 2016

Notes:

Bold indicates 95th percentile queue exceeds storage length expressed in feet per lane.

EBL = eastbound left turn; SBR = southbound right turn; NBL = northbound left turn; SBL = southbound left turn

The following findings were made:

- Mission Boulevard/A Street (#1) – For this intersection, both eastbound left turn and southbound right turn available queuing capacity is exceeded for the PM peak hour under both Background and Background plus Project Phase 1 and 2 scenarios. However, the project would increase the queue by a maximum of one vehicle per cycle in the peak 15 minutes during the PM peak hour for the eastbound left turn, a minor change, which is not considered significant.
- Foothill Boulevard/A Street (#2) – For this intersection, both northbound left turn and southbound right turn available queuing capacity is not exceeded for both the AM and PM peak hours under both Background and Background plus Project Phase 1 and 2 scenarios. The project would increase the queue by a maximum of four vehicles per cycle in the peak 15 minutes during the peak hours, which is accommodated by the existing storage. The increase is not considered significant.
- Foothill Boulevard/Hazel Avenue (#3) – For this intersection, eastbound left turn available queuing capacity is exceeded for both the AM and PM peak hours under both Background and Background plus Project Phase 1 and 2 scenarios. The City of Hayward

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has no standards of significance that apply to queuing; the project would increase the queue by a maximum of two vehicles per cycle in the peak 15 minutes during the peak hours, a minor change. In the worst case, the proposed project is expected to add around 200 feet of queuing in the PM peak hour (a maximum of 10 vehicles per cycle in the peak 15 minutes) to the existing northbound left turn queues, but the storage length of 550 feet can accommodate projected queues.

- Foothill Boulevard/City Center Drive (#4) – For this intersection, southbound left turn available queuing capacity is exceeded for both the AM and PM peak hours under both Background and Background plus Project Phase 1 and 2 scenarios. The project would increase the queue by a maximum of two vehicles per cycle in the peak 15 minutes during the peak hours, a minor change. For southbound left turns, in the worst case, the proposed project is expected to add 180 feet (a maximum of nine vehicles per cycle in the peak 15 minutes) in the AM peak hour and 160 feet (a maximum of eight vehicles per cycle in the peak 15 minutes) in the PM peak hour queuing to the existing queues. In addition, the project does not create additional queuing issues at any locations other than those currently exceeding storage capacities.
- Foothill Boulevard/Grove Way (#10) – For this intersection, northbound left turn available queuing capacity is exceeded for the PM peak hour under both Background and Background plus Project Phase 1 and 2 scenarios. However, the project would increase the queue by a maximum of one vehicle per cycle during the peak 15 minutes during the peak hours, a minor change, which is not considered significant.
- Mission Boulevard/Grove Way (#11) – For this intersection, southbound left turn available queuing capacity is not exceeded for both the AM and PM peak hours under both Background and Background plus Project Phase 1 and 2 scenarios.

Based on the above analysis, the addition of project Phases 1 and 2 traffic would have a **less than significant** impact related to queuing at the study intersections.

Project Driveway Queuing and Level of Service Analysis

Table 3.1-15 summarizes the 95th percentile queue lengths and level of service at the project driveways under Background plus Project Phases 1 and 2 scenario. As shown in the table, under Background plus Project Phases 1 and 2 conditions, all project driveways are expected to operate at acceptable levels of service. In addition, the 95th percentile queueing at the outbound approach of project driveways is expected to be minimal.

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TABLE 3.1-15
95TH PERCENTILE QUEUES AND LOS AT PROJECT DRIVEWAYS – BACKGROUND PLUS PROJECT PHASES 1 AND 2
CONDITIONS

ID	Intersection	Control	AM			PM		
			Delay ¹	LOS ²	95th percentile Queue (ft.) ³	Delay ¹	LOS ²	95th percentile Queue (ft.) ³
1	City Center Drive/Project Driveway	One-Way Stop	10.6	B	20	11.7	B	20
2	Foothill Boulevard/Project Driveway	One-Way Stop	10.3	B	20	9.7	A	20
3	Hazel Avenue/Project Driveway	One-Way Stop	10.2	B	20	11.6	B	20

Source: TJKM 2016

Notes:

1. Delay = average control delay in seconds per vehicle

2. LOS = level of service

3. Reported values of 95th percentile queues are for the outbound movements at the project driveways

Based on the above analysis, the addition of project Phases 1 and 2 traffic would have a less than significant impact related to vehicle queuing at the proposed project driveways. However, the project would increase delays during the PM peak hour by more than 5.0 seconds at two intersections (Foothill Boulevard/Hazel Avenue and Foothill Boulevard/City Center Drive) that are projected to operate at LOS F under Background conditions. Modifications to the roadways to improve conditions at these intersections would require the removal of existing on-street parking, which, as discussed above was determined to be infeasible and undesirable. Therefore, impacts related to increases in delays at these intersections would remain **significant and unavoidable**.

Mitigation Measures

No feasible mitigation measures were identified.

Traffic Hazards (Standard of Significance d)

Impact 3.1.4 The proposed site plan generally provides adequate site access and internal circulation patterns; however, the proposed limited access driveway on City Center Drive would not provide sufficient sight distance. This impact would be **significant**.

The dispersion of project traffic to numerous access points would avoid creating heavy turning movements into the project site. All project driveways are well spaced, properly aligned with opposing driveways, and provide adequate distance from public intersections except for the eastern driveway on City Center Drive. This indicates that queuing associated with vehicles entering the project site will be effectively managed and will minimize queues spilling back into downstream public intersections. Furthermore, as discussed in Impacts 3.1.1 through 3.1.3 above, project driveways are expected to operate at acceptable levels of service under all project scenarios. In addition, the 95th percentile queueing at the outbound approach of project driveways is expected to be minimal.

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Sight distance is evaluated to determine whether drivers will have adequate visibility to enter a roadway safely without resulting in a conflict with traffic already on the roadway. The proposed access to the site will be via two full-access driveways along Hazel Avenue, three limited-access driveways (right-in/right-out) along Foothill Boulevard, and one limited-access (right-in/right-out) and one full-access driveway on City Center Drive (see **Figure 2.0-3**).

According to the Highway Design Manual (HDM), Chapter 200, the required minimum stopping sight distance for design speed of 15 mph (project driveway) should be 100 feet. The distance between the intersection of Foothill Boulevard and City Center Drive and the proposed limited-access driveway on City Center Drive is approximately 70 feet. Because of the driveway's proximity to the public intersection, there would be sight distance problem for this driveway that would create operational hazards.

The distance between the proposed full-access driveway on City Center Drive and the intersection of Foothill Boulevard and City Center Drive is approximately 170 feet and between the drive and the intersection of City Center Drive and McKeever Avenue is 150 feet. Thus, sufficient sight distance would be provided at this driveway.

The line of sight for vehicles exiting the project driveways and vehicles traveling southbound on Foothill Boulevard and eastbound/westbound on Hazel Avenue is clear and visible. Vehicles exiting the driveways would be visible to vehicles traveling southbound on Foothill Boulevard and eastbound/westbound on Hazel Avenue.

Due to the insufficient sight distance at the proposed limited-access driveway on City Center Drive and the required modifications at the full-access driveway on the same roadway, this impact would be **significant**.

Mitigation Measures

MM 3.1.4 The proposed site plan shall be modified to eliminate the limited-access driveway on City Center Drive and recess the north curb line by 10 to 12 feet to accommodate a westbound right turn deceleration lane for the full-access driveway on City Center Drive to accommodate additional project traffic. The modified full-access driveway shall be designed consistent with City of Hayward access standards. Construction of a roundabout should be considered.

Timing/Implementation: Prior to approval of improvement plans

Enforcement/Monitoring: City of Hayward Planning Division

Implementation of mitigation measure **MM 3.1.4** would improve the safety and capacity of the westbound lanes by eliminating the limited-access driveway, which is approximately 70 feet from the intersection, and improving access at the full-access driveway approximately 170 feet from the intersection. The resulting configurations would provide adequate access at the proposed driveways on City Center Drive. With mitigation, this impact would be **less than significant**.

Pedestrian Facilities (Standard of Significance f)

Impact 3.1.5 Existing sidewalks along the project frontage are not continuous and would require improvement in order to ensure adequate pedestrian access in the project area. Therefore, this impact would be **significant**.

The proposed project would generate demand for sidewalks, crosswalks, and pedestrian signals to allow pedestrians to access nearby bus stops and adjacent land uses. Pedestrian access to the project site would be facilitated by the existing sidewalks along Hazel Avenue, City Center Drive, and Foothill Boulevard, as well as proposed internal pedestrian circulation facilities in the immediate vicinity of the project. The signalized study intersections provide crosswalks and pedestrian countdown signals to provide for movements at the intersections. Existing sidewalks along both sides of Foothill Boulevard are continuous. However, the existing pedestrian facilities along the project frontage are inadequate to accommodate all users of the street system and provide a complete and connected pedestrian linkage between the project site and transit service. In addition, during the evening peak period, and to a lesser extent during the morning peak period, large numbers of pedestrians are anticipated to cross the parking lot drive aisles. The proposed pedestrian crossings at the drive aisles may not be adequate to accommodate these high pedestrian volumes. Therefore, this impact would be **significant**.

Mitigation Measures

MM 3.1.5 Continuous sidewalks consistent with City of Hayward standards and ADA requirements shall be provided along the project frontage. In addition, the proposed pedestrian crossings at parking lot drive aisles shall be enhanced with high-visibility treatments, corner bulb-outs, and signage. These improvements shall meet ADA requirements and include direct travel paths from the parking areas to retail and apartment buildings.

Timing/Implementation: Prior to approval of improvement plans

Enforcement/Monitoring: City of Hayward Planning Division

Implementation of mitigation measure **MM 3.1.5** would ensure adequate pedestrian facilities are provided in the project area and reduce this impact to a **less than significant** level.

Bicycle Facilities (Standard of Significance f)

Impact 3.1.6 The proposed project would not interfere with existing bicycle facilities or circulation. However, the project would create new bicycle trips, and adequate bicycle parking must be provided on the project site. This is a **significant** impact.

In the project vicinity, Main Street has Class III bicycle facilities (on-street, with signage only), and Class III bicycle facilities are currently available along City Center Drive and 2nd Street. There are currently no Class I (off-street, shared path) or Class II routes (on-street, striped lanes) in the vicinity of the project. Per the City of Hayward Bicycle Master Plan (Figure 6-1), Main Street has planned Class II bike lanes between A Street and D Street, and a Class III bike route is planned for Mission Boulevard between A Street and D Street. The proposed project does not conflict with existing or planned bicycle facilities. This would be a **less than significant** impact.

Mitigation Measures

None required.

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Transit Facilities (Standard of Significance f)

Impact 3.1.7 Existing transit facilities in the project area would be adequate to meet project demand. Further, the proposed project would not conflict with any policies or plans regarding public transit. This impact would be **less than significant**.

The proposed project would generate an estimated 37 transit trips during the AM peak hour and 72 transit trips in the PM peak hour. The project site is located approximately 3,500 feet walking distance from the Hayward BART Station. AC Transit, which operates bus service in Alameda County, runs multiple transit routes through the study area along Foothill Boulevard, B Street, Main Street, and Mission Boulevard. These bus routes operate near the project site with stops located within walking distance of the proposed development (see Figure 3.1-2). The existing pedestrian facilities in the project vicinity have ADA-compliant crosswalks at Hazel Avenue and City Center Drive which provide a direct path to the current bus route in the vicinity of the project site, and actuated pedestrian signals at all signalized study intersections, which provide adequate connectivity for pedestrians to transit stops. The transit service in the immediate project site operates well below capacity, and additional trips generated by the proposed project could be accommodated by existing bus service, as project demand would be spread among multiple bus routes. Therefore, project impacts to transit service would be **less than significant**.

Mitigation Measures

None required.

3.1.4 CUMULATIVE IMPACTS AND MITIGATION MEASURES

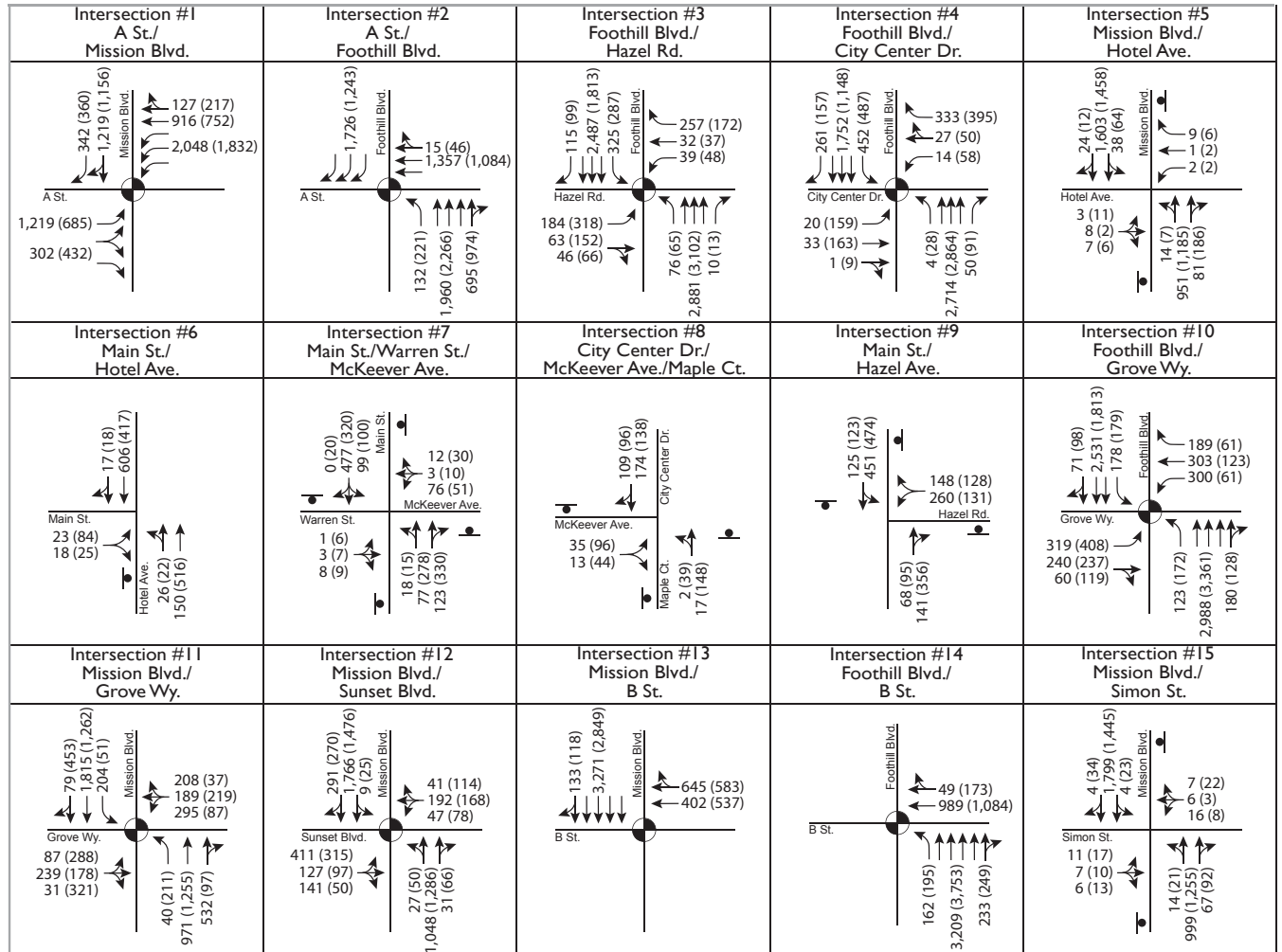
CUMULATIVE CONDITIONS

TJKM (2016) developed 2040 turning movement volumes for all study intersections based on the latest version of the Alameda County travel demand model. **Figure 3.1-6** shows the resulting turning movement volumes under Cumulative Conditions for all study intersections, along with lane geometries and traffic controls. Lane geometries and traffic controls are assumed to be identical to those under Existing Conditions.

Intersection Level of Service Analysis – Cumulative Conditions

The intersection LOS analysis results for Cumulative Conditions are summarized in **Table 3.1-16**. Under this scenario, all of the study intersections operate within the City of Hayward (LOS E) standard or better during the AM and PM peak hours except for the following intersections:

- Mission Boulevard/A Street (#1) during the PM peak hour (LOS F)
- Foothill Boulevard/Hazel Avenue (#3) during the AM and PM peak hours (LOS F/F)
- Mission Boulevard/Hotel Avenue (#5) during the AM and PM peak hours (LOS F/F)
- Foothill Boulevard/Grove Way (#10) during the AM peak hour (LOS F)
- Mission Boulevard/Grove Way (#11) during the AM and PM peak hours (LOS F/F)
- Mission Boulevard/Sunset Boulevard (#12) during the AM and PM peak hours (LOS F/F)
- Mission Boulevard/Simon Street (#15) during the AM and PM peak hours (LOS F/F)

**LEGEND**

Traffic Signal



Stop Sign



XX AM Peak Hour Volumes



(XX) PM Peak Hour Volumes

Source: TJKM



Not To Scale

FIGURE 3.1-6
Cumulative Conditions Traffic Volumes, Lane Geometry,
and Traffic Controls

TABLE 3.1-16
INTERSECTION LEVEL OF SERVICE ANALYSIS – CUMULATIVE CONDITIONS

ID	Study Intersection	Control	Peak Hour ¹	Delay ²	LOS ³
1	Mission Boulevard/A Street	Signalized	AM	70.7	E
			PM	92.7	F
2	Foothill Boulevard/A Street	Signalized	AM	47.2	D
			PM	29.5	C
3	Foothill Boulevard/Hazel Avenue	Signalized	AM	88.6	F
			PM	144.3	F
4	Foothill Boulevard/City Center Drive	Signalized	AM	24.6	C
			PM	76.7	E
5	Mission Boulevard/Hotel Avenue	Two-Way Stop	AM	359.4	F
			PM	536.8	F
6	Main Street/Hotel Avenue	One-Way Stop	AM	14.7	B
			PM	19.3	C
7	Main Street/Warren Street/McKeever Avenue	All-Way Stop	AM	17.7	C
			PM	15.1	C
8	City Center Drive/McKeever Avenue/Maple Court	All-Way Stop	AM	8.5	A
			PM	9.1	A
9	Main Street/Hazel Avenue	All-Way Stop	AM	40.9	E
			PM	39.3	E
10	Foothill Boulevard/Grove Way	Signalized	AM	99.7	F
			PM	70.7	E
11	Mission Boulevard/Grove Way	Signalized	AM	244.2	F
			PM	229.6	F
12	Mission Boulevard/Sunset Boulevard	Signalized	AM	161.6	F
			PM	141.2	F
13	Mission Boulevard/B Street	Signalized	AM	14.7	B
			PM	12.0	B
14	Foothill Boulevard/B Street	Signalized	AM	33.2	C
			PM	52.6	D
15	Mission Boulevard/Simon Street	Two-Way Stop	AM	OVFL	F
			PM	OVFL	F

Source: TJKM 2016

Notes:

1. AM = morning peak hour, PM = evening peak hour
2. Whole intersection weighted average control delay expressed in seconds per vehicle for signalized intersections and all-way stop-controlled intersections. Total control delay for the worst movement is presented for side-street stop-controlled intersections.
3. OVFL = overflow conditions where delays are greater than 999.9 seconds per vehicle.
4. LOS = level of service. LOS calculations conducted using the Synchro 8 level of service analysis software package, which applies the method described in the 2000 Highway Capacity Manual.

3.1 TRANSPORTATION AND CIRCULATION

PROJECT IMPACTS AND MITIGATION MEASURES

Traffic Operational Impacts (Standards of Significance a and b)

Impact 3.1.9 The proposed project, in combination with other approved, planned, and reasonably foreseeable development in the project area, would generate vehicle trips that could contribute to significant traffic operational impacts to intersections as compared to cumulative conditions. The proposed project's contribution to this significant cumulative impact would be **cumulatively considerable** and **significant and unavoidable**.

Intersection Level of Service Analysis

TJKM added the assigned project trips estimated for buildout of the proposed project to the traffic volumes projected for cumulative conditions to generate Cumulative plus Project Phases 1 and 2 traffic volumes. The LOS analysis results for Cumulative Conditions are included in **Table 3.1-17**, along with the projected increases in control delay. With the addition of project traffic, all study intersections are expected to continue to operate within the applicable standard of LOS E or better with the following exceptions:

- Mission Boulevard/A Street (#1) during the PM peak hour (LOS F)
- Foothill Boulevard/Hazel Avenue (#3) during the AM and PM peak hours (LOS F/F, respectively)
- Mission Boulevard/Hotel Avenue (#5) during the AM and PM peak hours (LOS F/F, respectively)
- Foothill Boulevard/City Center Drive (#4) during the PM peak hour (LOS F)
- Foothill Boulevard/Grove Way (#10) during the AM peak hour (LOS F)
- Mission Boulevard/Grove Way (#11) during the AM and PM peak hours (LOS F/F, respectively)
- Mission Boulevard/Sunset Boulevard (#12) during the AM and PM peak hours (LOS F/F, respectively)
- Mission Boulevard/Simon Street (#15) during the AM and PM peak hours (LOS F/F, respectively)

TABLE 3.1-17
INTERSECTION LEVEL OF SERVICE ANALYSIS – CUMULATIVE PLUS PROJECT PHASES 1 AND 2 CONDITIONS

ID	Study Intersections	Control	Peak Hour ¹	Cumulative Conditions		Cumulative plus Phases 1 and 2 Conditions		Change in Control Delay (sec) ⁴
				Delay ¹	LOS ²	Delay ²	LOS ³	
1	Mission Boulevard/A Street	Signalized	AM	70.7	E	74.5	E	3.8
			PM	92.7	F	96.6	F	3.9
2	Foothill Boulevard/A Street	Signalized	AM	47.2	D	52.9	D	5.7
			PM	29.5	C	30.6	C	1.1
3	Foothill Boulevard/Hazel Avenue	Signalized	AM	88.6	F	101.3	F	<u>12.7</u>
			PM	144.3	F	153.8	F	<u>9.5</u>
4	Foothill Boulevard/City Center Drive	Signalized	AM	24.6	C	32.5	C	7.9
			PM	76.7	E	91.9	F	<u>15.2</u>
5	Mission Boulevard/Hotel Avenue	Two-Way Stop	AM	359.4	F	368.6	F	9.2
			PM	536.8	F	571.3	F	34.5
6	Main Street/Hotel Avenue	One-Way Stop	AM	14.7	B	15.4	C	0.7
			PM	19.3	C	20.7	C	1.4
7	Main Street/Warren Street/McKeever Avenue	All-Way Stop	AM	17.7	C	19.0	C	1.3
			PM	15.1	C	16.5	C	1.4
8	City Center Drive/McKeever Avenue/Maple Court	All-Way Stop	AM	8.5	A	8.9	A	0.4
			PM	9.1	A	9.8	A	0.7
9	Main Street/Hazel Avenue	All-Way Stop	AM	40.9	E	45.1	E	4.2
			PM	39.3	E	46.8	E	7.5
10	Foothill Boulevard/Grove Way	Signalized	AM	99.7	F	102.8	F	3.1
			PM	70.7	E	76.6	E	5.9

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ID	Study Intersections	Control	Peak Hour ¹	Cumulative Conditions		Cumulative plus Phases 1 and 2 Conditions		Change in Control Delay (sec) ⁴
				Delay ¹	LOS ²	Delay ²	LOS ³	
11	Mission Boulevard/Grove Way	Signalized	AM	244.2	F	248.4	F	4.2
			PM	229.6	F	231.9	F	2.3
12	Mission Boulevard/Sunset Boulevard	Signalized	AM	161.6	F	185.2	F	<u>23.6</u>
			PM	141.2	F	186.1	F	<u>44.9</u>
13	Mission Boulevard/B Street	Signalized	AM	14.7	B	15.3	B	0.6
			PM	12.0	B	12.0	B	0.0
14	Foothill Boulevard/B Street	Signalized	AM	33.2	C	33.6	C	0.4
			PM	52.6	D	54.3	D	1.7
15	Mission Boulevard/Simon Street	Two-Way Stop	AM	OVFL	F	OVFL	F	-
			PM	OVFL	F	OVFL	F	-

Source: TJKM 2016

Notes:

1. AM = morning peak hour, PM = evening peak hour
2. Whole intersection weighted average control delay expressed in seconds per vehicle for signalized intersections and all-way stop-controlled intersections. Total control delay for the worst movement is presented for side-street stop-controlled intersections.
3. OVFL = overflow conditions where delays are greater than 999.9 seconds per vehicle.
4. LOS = level of service. LOS calculations conducted using the Synchro 8 level of service analysis software package, which applies the method described in the 2000 Highway Capacity Manual.

TJKM conducted a signal warrant analysis for the unsignalized intersections projected to operate at unacceptable levels of service under Cumulative plus Phases 1 and 2 Conditions (#5 Mission Boulevard/Hotel Avenue and #15 Mission Boulevard/Simon Street) to determine whether traffic signals are warranted. The results indicate that neither intersection meets peak-hour signal warrants in either the AM or PM peak hours. Thus, the impacts at these intersections would not be considered significant.

The intersection of Mission Boulevard/Simon Street (#15) operates at LOS F during the AM and PM peak hours under overflow conditions. Overflow conditions occur when approach/approaches experience delays greater than 999.9 seconds per vehicle. For the unsignalized intersection of Mission Boulevard/Simon Street (#15), the major street (Mission Boulevard) volumes are very high on both approaches, so on the minor street (Simon Street) there are insufficient gaps. In particular, the left turns experience long wait times at this intersection. Hence, the minor street approaches experience higher delays. Thus, the LOS F operations only apply to the Simon Street approaches, which have very low volumes.

Based on the impact criteria listed previously, the proposed Lincoln Landing project under Cumulative plus Project Phase 1 and 2 Conditions will have significant impact at three study intersections during the following peak hours:

- Intersection #3 – Foothill Boulevard/Hazel Avenue during the AM and PM peak hours (LOS F/F, respectively). The increase in average delay at the Foothill Boulevard/Hazel Avenue intersection would be 12.7 seconds during the AM peak hour and 9.5 seconds during the PM peak hour, which is above the 5.0-second threshold for intersections already operating at a deficient level of service. Thus, the impact at this intersection would be significant.
- Intersection #4 – Foothill Boulevard/City Center Drive during the PM peak hour (LOS F). With the addition of project traffic, the increase in average delay at the Foothill Boulevard/City Center Drive intersection would be 15.2 seconds during the PM peak hour, which is above the 5.0-second threshold for intersections already operating at a deficient level of service. Thus, the impact at this intersection would be significant.
- Intersection #12 – Mission Boulevard/Sunset Boulevard during the AM and PM peak hours (LOS F/F, respectively). With the addition of project traffic, the increase in average delay at the Foothill Boulevard/City Center Drive intersection would be 23.6 seconds during the AM peak hour and 44.9 seconds during the PM peak hour, which is above the 5.0-second threshold for intersections already operating at a deficient level of service. Thus, the impact at this intersection would be significant.

The potential mitigation measures identified to reduce project impacts would require restriping of streets and removal of parking, which as discussed above, has been determined by the City to not be feasible nor desirable due to conflicts with General Plan policies related to complete streets and street section design. As such, this impact would remain **significant and unavoidable**.

Intersection Queuing Analysis

TJKM conducted a vehicle queuing and storage analysis for all exclusive left and right turn pockets at six study intersections and driveways where project traffic is added under Cumulative plus Phases 1 and 2 conditions. **Table 3.1-18** summarizes the 95th percentile queue lengths at these intersections under both Cumulative and Cumulative plus Phases 1 and 2 conditions.

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TABLE 3.1-18
95TH PERCENTILE QUEUES AT TURN POCKETS AFFECTED BY PROJECT TRAFFIC – CUMULATIVE PLUS PHASES 1 AND 2
CONDITIONS

ID	Study Intersections	Lane Group	Storage Length per lane (feet)	Cumulative Conditions		Cumulative plus Phase 1 and 2 Conditions		Change	
				AM	PM	AM	PM	AM	PM
1	Mission Boulevard/A Street	EBL	360	380	620	400	640	20	20
		SBR	100	40	340	40	340	0	0
2	Foothill Boulevard/A Street	NBL	400	140	100	140	100	0	0
		SBR	730	820	480	860	540	40	60
3	Foothill Boulevard/Hazel Avenue	SBR	100	20	20	20	40	0	20
		EBL	100	400	620	440	640	40	20
		NBL	550	180	120	180	320	0	200
4	Foothill Boulevard/City Center Drive	SBR	170	60	40	120	40	60	0
		SBL	420	740	820	860	940	120	120
		EBL	80	60	340	120	380	60	40
		NBL	220	20	40	20	80	0	40
10	Foothill Boulevard/Grove Way	NBL	180	140	120	140	120	0	0
11	Mission Boulevard/Grove Way	SBL	220	380	100	460	100	80	0

Source: TJKM 2016

Notes:

Bold indicates 95th percentile queue exceeds storage length expressed in feet per lane.

EBL = eastbound left turn; SBR = southbound right turn; NBL = northbound left turn; SBL = southbound left turn

The following findings were made:

- Mission Boulevard/A Street (#1) – For this intersection, both eastbound left turn and southbound right turn available queuing capacity is exceeded for the PM peak hour and eastbound in the AM peak hour under both Cumulative and Cumulative plus Project Phase 1 and 2 scenarios. However, the project would increase the queue by a maximum of one vehicle per cycle in the peak 15 minutes during the PM peak hour for eastbound left turn, a minor change.
- Foothill Boulevard/A Street (#2) – For this intersection, northbound left turn available queuing capacity is not exceeded for both the AM and PM peak hours and the southbound right turn available queuing capacity is exceeded in the AM peak hour under both Cumulative and Cumulative plus Project Phase 1 and 2 scenarios. The project would increase the queue by a maximum of three vehicles per cycle in the peak 15 minutes during the peak hours, which is accommodated by the existing storage.
- Foothill Boulevard/Hazel Avenue (#3) – For this intersection, eastbound left turn available queuing capacity is exceeded for both the AM and PM peak hours under both Cumulative and Cumulative plus Project Phase 1 and 2 scenarios. The project would increase the queue by a maximum of two vehicles per cycle in the peak 15 minutes during the peak

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hours, a minor change. In the worst case, the proposed project is expected to add around 200 feet of queuing in the PM peak hour (a maximum of 10 vehicles per cycle in the peak 15 minutes) to the existing northbound left turn queues, but the storage length of 550 feet can accommodate projected queues.

- Foothill Boulevard/City Center Drive (#4) – For this intersection, southbound left turn available queuing capacity is exceeded for both the AM and PM peak hours under both Cumulative and Cumulative plus Project Phase 1 and 2 scenarios. The project would increase the queue by a maximum of two vehicles per cycle in the peak 15 minutes during the peak hours, a minor change. For southbound left turns, in the worst case, the proposed project is expected to add 120 feet (a maximum of six vehicles per cycle in the peak 15 minutes) in the both AM and PM peak hours queuing to the cumulative queues.
- Foothill Boulevard/Grove Way (#10) – For this intersection, there would be no change to intersection queues.
- Mission Boulevard/Grove Way (#11) – For this intersection, southbound left turn available queuing capacity is exceeded for the AM peak hour under both Cumulative and Cumulative plus Project Phase 1 and 2 scenarios. The proposed project is expected to add 80 feet (a maximum of 4 vehicles per cycle in the peak 15 minutes) to the cumulative queues.

Based on the above analysis, the addition of project Phases 1 and 2 traffic would have a **less than significant** impact related to queuing at the study intersections.

Project Driveway Queuing and Level of Service Analysis

Table 3.1-19 summarizes the 95th percentile queue lengths and level of service at the project driveways under Cumulative plus Project Phases 1 and 2 conditions. As shown in the table, under Cumulative plus Project Phases 1 and 2 conditions, all project driveways are expected to operate at acceptable levels of service. In addition, the 95th percentile queueing at the outbound approach of project driveways is expected to be minimal.

TABLE 3.1-19
95TH PERCENTILE QUEUES AND LOS AT PROJECT DRIVEWAYS – BACKGROUND PLUS PROJECT PHASES 1 AND 2 CONDITIONS

ID	Intersection	Control	AM			PM		
			Delay ¹	LOS ²	95th percentile Queue (ft.) ³	Delay ¹	LOS ²	95th percentile Queue (ft.) ³
1	City Center Drive/Project Driveway	One-Way Stop	11.2	B	20	12.6	B	20
2	Foothill Boulevard/Project Driveway	One-Way Stop	11.7	B	20	10.3	B	20
3	Hazel Avenue/Project Driveway	One-Way Stop	11.2	B	20	14.6	B	20

Source: TJKM 2016

Notes:

1. Delay = average control delay in seconds per vehicle

2. LOS = level of service

3. Reported values of 95th percentile queues are for the outbound movements at the project driveways

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Based on the above analysis, the addition of project Phases 1 and 2 traffic to the cumulative traffic would have a less than cumulatively considerable contribution to vehicle queuing at the proposed project driveways. However, the project would result in delays that exceed the 5.0-second threshold at Foothill Boulevard/Hazel Avenue during the AM and PM peak hours, Foothill Boulevard/City Center Drive during the PM peak hour, and Mission Boulevard/Sunset Boulevard during the AM and PM peak hours. Modifications to the roadways to improve conditions at these intersections would require the removal of existing on-street parking, which was considered infeasible and undesirable. Therefore, impacts related to increases in delays at these intersections would remain **significant and unavoidable**.

Mitigation Measures

No feasible mitigation measures were identified.

REFERENCES

Hayward, City of. 2014. *2040 Hayward General Plan, Mobility Element*.

TJKM. 2016. *Draft Traffic Impact Analysis Report, Lincoln Landing Mixed-Use Development*.

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4.0 PROJECT ALTERNATIVES

4.1 INTRODUCTION

California Environmental Quality Act (CEQA) Guidelines Section 15126.6(a) states that an environmental impact report (EIR) is to describe and analyze a range of reasonable alternatives to a project. These alternatives should feasibly attain most of the basic project objectives, while avoiding or substantially lessening one or more of the significant environmental impacts of the project. An EIR need not consider every conceivable alternative to a project, nor is it required to consider alternatives that are infeasible. The discussion of alternatives must focus on alternatives capable of avoiding or substantially lessening any significant effects of the project, even if they impede the attainment of the project objectives to some degree or would be more costly (CEQA Guidelines Section 15126.6[b]).

According to the CEQA Guidelines, an EIR need only examine in detail those alternatives that could feasibly meet most of the project objectives. When addressing feasibility, CEQA Guidelines Section 15126.6 states that "among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, jurisdictional boundaries, and whether the applicant can reasonably acquire, control or otherwise have access to alternative sites." The CEQA Guidelines also specify that the alternatives discussion should not be remote or speculative; however, they need not be presented in the same level of detail as the assessment of the proposed project.

The CEQA Guidelines indicate that several factors need to be considered in determining the range of alternatives to be analyzed and the level of analytical detail that should be provided for each alternative. These factors include (1) the nature of the significant impacts of the proposed project; (2) the ability of alternatives to avoid or lessen the project's significant impacts; (3) the ability of the alternatives to meet the project objectives; and (4) the feasibility of the alternatives. These factors would be unique for each project.

The project's significant environmental impacts that the alternatives will seek to eliminate or reduce were determined and based on the findings in each technical topic evaluated in Sections 3.0 and 3.1 of this Draft EIR.

The objectives of the proposed project are to:

- Create a high-quality, regionally significant development that enhances the project site and aids in the revitalization of downtown Hayward by creating a project that is socially vibrant and economically viable.
- Provide development of high-quality retail, commercial, and residential uses that are consistent with existing General Plan land use designations and densities envisioned on the project site.
- Foster economic, employment, and residential opportunities in Hayward through the revitalization of a currently vacant, underutilized property.
- Create a mixed-use development that provides a combination of retail and residential uses to serve a wide range of users in close proximity to BART, Amtrak, and downtown Hayward.
- Create a development that is financially feasible and that will contribute to Hayward's economic base without negatively affecting existing City resources.

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- Create a regional destination that will enhance Hayward's reputation in the larger Bay Area and signal increased investment and opportunities in the city.
- Create a development that is consistent with and promotes the City's Economic Development Strategic Plan, which identified this property as a key retail and catalyst site as appropriate for a large-scale mixed-use development.

ALTERNATIVES CONSIDERED BUT NOT SELECTED FOR ANALYSIS

Reduction of Residential Parking Alternative

An alternative site plan for the project site was submitted as a comment on the Notice of Preparation for the project. This alternative proposes a reconfiguration of land uses on the site, but would result in the same intensity of land uses (i.e., same residential count and retail square footage) as the proposed project, except for a reduction in the number of parking spaces. The recommended alternative would reduce the 845 spaces proposed for the residential uses (a ratio of 1.8 off-street parking spaces per residential unit) to 589 spaces (a ratio of 1.2 parking spaces per residential unit). The commenter states that the reduction in parking could reduce the height of the residential structure along Hazel Avenue (referred to as the north tower) by limiting it to three stories. In addition, the commenter asserts that the reduction in parking and offering parking that is unbundled from the residential units would attract tenants without cars,¹ thus resulting in greater use of alternate modes of transportation and reduced traffic.

A reduction in structured parking on the site would reduce the overall size and scale of the development. However, as discussed in Section 3.0, Impacts Found Not Significant, because the proposed project is within the height limits allowed pursuant to the zoning for the site and the photo-simulations of the development showed that it was integrated into the setting and surrounding development, the project's visual impacts were found to be less than significant. Thus, any reduction in the size of the structures on the site that would be achieved with this proposed alternative would not reduce any identified significant visual impacts related to the project.

With regard to traffic, reducing on-site parking spaces would at least reduce the amount of traffic on project driveways, but this impact was also found to be less than significant. The proposed alternative would reduce the number of parking spaces by 30 percent from the proposed project; however, the ability to achieve a proportionate reduction in traffic depends on the extent to which tenants who claim to have no cars actually are not car owners. In fact, the commenter acknowledges the potential for noncompliance while referencing the potential for spillover parking to affect local residential areas. Nonetheless, even assuming that residents who do not have on-site parking spaces will not have vehicles, the maximum reduction in traffic would account for 30 percent of the residential units. As discussed in the reduced development alternatives below, the project would need to be reduced to 200 residential units and 30,500 square feet of retail to eliminate the significant project-specific traffic impacts and to 100 residential units and 30,500 square feet of retail to eliminate the significant cumulative traffic impacts.

Although this alternative could theoretically result in a reduction of traffic impacts and potential air quality emissions related to mobile sources, it would not eliminate any significant and

¹ Unbundling is separating the cost of the unit and associated parking; thus, tenants without cars can pay a lower rate for a unit without parking included.

unavoidable impacts identified for the project because the unit count and the square footage of commercial uses would remain unchanged from the proposed project. Further, it is not possible to measure the extent to which traffic impacts would be reduced at this particular site with any certainty, even if enforcement programs are adopted, such as a parking permit program and other time-restricted on-street parking regulations.

It is also important to consider the economic feasibility of the proposed parking for both the retail and residential portions of the site. According to a parking demand analysis prepared by Retail West, the parking provided for the retail portion of the site is "barely adequate to service retailers' needs." Specifically, the development proposes 279 parking stalls (or 3.46 parking stalls per 1,000 square feet of retail space) where 303 parking stalls (or 3.76 per 1,000 square feet of retail space) is industry standard. Any reduction in this parking or sharing with residential uses could jeopardize the feasibility of the retail space for future commercial tenants.

With regard to the residential parking demand, the analysis notes that the proposed development is slightly overparked at the southern residential tower along City Center Drive (offering 2.2 parking spaces where 1.5 parking spaces per unit are required) because the developer is reusing the existing parking garage. Reuse of the parking garage is more environmentally beneficial than demolishing the garage to rebuild it to a lesser parking standard. The northern tower (along Hazel Avenue) is parked at 1.36 parking spaces per residential unit, which is slightly less than the standard of 1.5 parking spaces per residential unit. The developer has indicated that it is necessary to provide this level of parking (slightly more than one parking space per unit) in the same building as the residential units the parking would serve to ensure marketability of those units. Specifically, people would be less inclined to rent a unit in a building where the allocated parking for that unit is approximately 800 feet away from the residential building.

Therefore, because this alternative would not eliminate any of the significant impacts identified for the project and it could result in spillover parking affecting nearby residential neighborhoods and negatively affect the viability of the project's retail and residential components, this alternative is not further analyzed.

Off-Site Alternatives Considered and Rejected from Further Analysis

City of Hayward General Plan Policy LU-1.3, Growth and Infill Development, is intended to direct local population and employment growth toward infill development sites in the city, especially the catalyst and opportunity sites identified in the Economic Development Strategic Plan. A number of key retail areas and catalyst sites were identified in the City's Economic Development Strategy Plan (FY 2014–2018) that could accommodate development of the project, including the Southland Mall site, Carlos Bee site, Auto Row site, Kmart site, South Hayward BART site, and Holiday Bowl site. However, while these sites could accommodate the project, one of project's objectives is to promote growth in the downtown and none of these sites are in the downtown area. Thus, these sites would be too far away to meet this project objective. In addition, while development on any of these sites would not negatively affect traffic at the intersections that would be affected by the proposed project, given the level of traffic carried by Mission Boulevard and Hesperian Boulevard, there is the potential for localized traffic impacts with a development of the project's intensity at those sites. Because these sites are located outside the downtown area, these alternative sites are not further addressed. Alternative 4, Off-Site Alternative, discusses an alternative site in the downtown area.

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4.2 ALTERNATIVES UNDER CONSIDERATION

Three alternatives were identified for examination and analysis in this Draft EIR:

- Alternative 1 – No Project/Building Reuse
- Alternative 2 – Reduced Development
- Alternative 3 – Significantly Reduced Development
- Alternative 4 – Off-Site Alternative

These alternatives constitute an adequate range of reasonable alternatives as required under CEQA Guidelines Section 15126.6. **Table 4.0-1** summarizes the development assumptions for the alternatives.

TABLE 4.0-1
DEVELOPMENT SUMMARY COMPARISON OF ALTERNATIVES

	Proposed Project	Alternative 1: No Project/ Building Reuse	Alternative 2: Reduced Development	Alternative 3: Significantly Reduced Development	Alternative 4: Off-Site Alternative
Residential units	476	0	200	100	386
Commercial square footage	80,500	340,310	45,500	45,500	80,500

4.3 ALTERNATIVE 1 – NO PROJECT/BUILDING REUSE

DESCRIPTION OF ALTERNATIVE

Under this alternative, the proposed project would not be implemented. The existing buildings would remain and a mixed-use development with housing and retail would not be developed on the site. The project site would not undergo site improvements, like landscaping and repaving of the parking lot. Under this alternative, the project site would remain occupied by the two currently vacant buildings, and the buildings would remain vacant. Assuming no development, the project site's existing visual character would be maintained and there would be no change in the need for public services, utilities, or water service, and no traffic would be generated at the site. However, because it is not reasonable to assume the site would remain vacant indefinitely, it is assumed for this alternative that the existing buildings would be reused for office use. This constitutes the No Project/Building Reuse Alternative.

Under a No Project/Building Reuse Alternative, it is assumed that the existing buildings would be occupied with uses similar to the previous use on the site. Thus, this alternative assumes 335,000 square feet of office use and 5,310 square feet of commercial with reactivation of the existing 579-stall garage. The alternative would require some retrofitting of the buildings, but there would be no building demolition, construction would be reduced compared to the project, and no ground disturbance would be required.

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Assuming a trip generation rate of 11.03 daily trips per 1,000 square feet of office and 42.7 daily trips per 1,000 square feet of retail, the No Project/Building Reuse Alternative would result in 3,922 total daily trips. As discussed in Section 3.1, Transportation, the proposed project's gross daily trip generation would be 8,687 trips per day or a net of 7,271 daily trips accounting for internal and Transportation Demand Management reductions due to the mixed-use nature of the proposed project. Therefore, this alternative would result in approximately 3,348 fewer daily trips than the proposed project.

For comparison, as discussed under the Reduced Development Alternative below, a reduction to 2,651 net trips is required for a mixed-use project to not significantly affect the intersections of Foothill Boulevard/Hazel Avenue and Foothill Boulevard/City Center Drive under Background plus Project conditions. As discussed under the Significantly Reduced Development Alternative for cumulative conditions, a reduction to 2,112 net trips would be required to not significantly affect the intersections of Foothill Boulevard/Hazel Avenue and Foothill Boulevard/City Center Drive, but even this reduction would result in a significant and unavoidable impact at the intersection of Mission Boulevard and Sunset Boulevard.

The No Project/Building Reuse Alternative would maintain the project site's existing visual character, and demand for public services and utilities would be reduced compared to the proposed project. This alternative would generate less traffic at the site, so the alternative's traffic-related emissions would be reduced proportionately. While the No Project/Building Reuse Alternative would result in an approximately 40 percent reduction in daily trips compared to the proposed project, it would not achieve the reductions achieved by either of the reduced development alternatives. Therefore, this alternative would generate less traffic than the proposed project and reduce impacts on intersections compared to the proposed project, but it would not eliminate any of the significant and unavoidable impacts identified for the project. Thus, the No Project/Building Reuse Alternative would still result in significant and unavoidable traffic impacts, but would not provide any of the benefits of the proposed project, such as transit-oriented development. In addition, this alternative would not be consistent with the project objectives, which call for a mix of retail and residential uses, the addition of new residents within walking distance of downtown Hayward and the creation of a socially vibrant destination that is active in the daytime and evening, as well as promoting the City's Economic Development Strategic Plan policies.

4.4 ALTERNATIVE 2 – REDUCED DEVELOPMENT

DESCRIPTION OF ALTERNATIVE

TJKM conducted a sensitivity analysis to determine the level at which the development under the project would have to be reduced to eliminate the significant intersection impacts identified for the proposed project under Background plus Project conditions. Based on that analysis, it was determined that a mixed-use project consisting of 200 apartments and 45,500 square feet of retail could be developed without resulting in significant impacts at the intersections of Foothill Boulevard/Hazel Avenue and Foothill Boulevard/City Center Drive under Background plus Project conditions.

The Reduced Development Alternative would include 200 apartments and approximately 45,500 square feet of retail space, which represents a reduction from the proposed project of 276 residential units and 35,000 square feet of commercial space. This alternative would

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eliminate the entire 35,000-square-foot anchor retailer use assumed in the traffic analysis for the proposed project.

The buildings for Alternative 2 would be of smaller scale and size to accommodate the smaller development footprint. It is assumed that Alternative 2 would be approximately two to three stories in height, with some residential over retail and some ground-floor residential. Ground-floor residential is conditionally permitted for the site, so this alternative would require approval of a conditional use permit. The existing buildings on the site would need to be demolished to accommodate this alternative's buildings.

ENVIRONMENTAL ANALYSIS

Alternative 2 would introduce a new visual element in the project area. Aesthetic impacts would differ from the existing condition, although on a smaller scale than the proposed project. With the reduction in the number of apartments and the amount of commercial space, this alternative would have a lower water demand and waste generation rate than the proposed project. This alternative would be required to comply with the National Pollutant Discharge Elimination System (NPDES) regulations of capturing runoff through the implementation of a stormwater pollution prevention program (SWPPP). Stormwater capture and bioretention areas would be sized appropriately to accommodate the alternative's needs. Alternative 2 would require the implementation of mitigation measures identified for the project in Section 3.0: **MM BIO-1a** and **MM BIO-1b**, **MM CUL-2**, **MM GEO-6**, and **MM HAZ-2a**, **MM HAZ-2b**, and **MM HAZ-6**. With implementation of these mitigation measures, potential environmental impacts from implementation of Alternative 2 would be less than significant, similar to the proposed project in all impact areas except for traffic, which is discussed in detail below.

The traffic analysis determined that the proposed project would have a significant and unavoidable impact at the intersections of Foothill Boulevard/Hazel Avenue and Foothill Boulevard/City Center Drive under Background plus Project conditions. Alternative 2 was devised based on a screening analysis to determine the level of mixed-use development that could be developed on the site without negatively affecting level of service at these intersections. Therefore, the impact of Alternative 2 on these intersections under Background plus Project conditions would be less than significant.

Under cumulative conditions, the proposed project was determined to result in significant and unavoidable impacts at the following intersections:

- Foothill Boulevard/Hazel Avenue during the AM and PM peak hours
- Foothill Boulevard/City Center Drive during the PM peak hour
- Mission Boulevard/Sunset Boulevard during the AM and PM peak hours

While the reductions in development density for Alternative 2 would reduce impacts at all study intersections under Background plus Project conditions, all three intersections significantly impacted by the project under cumulative conditions would also be significantly impacted by Alternative 2, though to a lesser degree. Therefore, this alternative's contribution to the traffic impacts at these intersections would be cumulatively considerable and significant and unavoidable.

Alternative 2 would be generally consistent with the General Plan designation for the site, though densities would be at the lower end. Because of the substantial reduction in density

compared to the proposed project, this alternative would provide less retail and residential activity on the site and less of a financial advantage in that it would result in fewer residents patronizing downtown and other local commercial businesses. Further, this alternative would not take full advantage of the site's proximity to downtown and transit, such as BART. Thus, while Alternative 2 is generally consistent with the project objectives, its ability to fulfill the objectives is less than the proposed project, and it represents a missed opportunity to capitalize on the size and allowable densities under current zoning. Similarly, this alternative's consistency with the City's Economic Development Strategic Plan would be less than the proposed project.

4.5 ALTERNATIVE 3 – SIGNIFICANTLY REDUCED DEVELOPMENT

DESCRIPTION OF ALTERNATIVE

Alternative 3 would include 100 apartments and approximately 45,500 square feet of retail space. The alternative was devised to reduce the traffic impacts identified under cumulative conditions. This alternative represents a reduction from the proposed project of 376 residential units and elimination of the entire 35,000-square-foot anchor retailer.

Like Alternative 2, the buildings for Alternative 3 would be of smaller scale and size to accommodate the smaller development footprint. It is assumed that Alternative 3 would also be two to three stories in height, with some residential over retail and some ground-floor residential. As with Alternative 2, ground-floor residential is conditionally permitted for the site, so this alternative would also require approval of a conditional use permit. The existing buildings on the site would need to be demolished to accommodate development of Alternative 3.

ENVIRONMENTAL ANALYSIS

Alternative 3 would introduce a new visual element in the project area. Aesthetic impacts would differ from the existing condition, although on a smaller scale than the proposed project. With the reduction in the number of apartments and the amount of commercial space, Alternative 3 would have a lower water demand and waste generation rate than the proposed project. This alternative would be required to comply with the NPDES regulations of capturing runoff through the implementation of a SWPPP. Stormwater capture and bioretention areas would be sized appropriately to accommodate the alternative's needs. Alternative 3 would require the implementation of mitigation measures identified for the project in Section 3.0: **MM BIO-1a** and **MM BIO-1b**, **MM CUL-2**, **MM GEO-6**, and **MM HAZ-2a**, **MM HAZ-2b**, and **MM HAZ-6**. With implementation of these mitigation measures, potential environmental impacts from implementation of Alternative 3 would be less than significant, similar to the proposed project in all impact areas except for traffic, which is discussed in detail below.

The traffic analysis determined that the proposed project would have a significant and unavoidable impact at the intersections of Foothill Boulevard/Hazel Avenue and Foothill Boulevard/City Center Drive under Background plus Project conditions. Alternative 3 was devised based on a screening analysis to determine the level of mixed-use development that could be developed on the site to reduce impacts to less than significant at these intersections under Background plus Project conditions and to reduce impacts to the extent feasible under cumulative conditions. The impact of Alternative 3 on these intersections under Background plus Project conditions would be less than significant.

Under cumulative conditions, the proposed project was determined to result in significant and unavoidable impacts at the following intersections:

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- Foothill Boulevard/Hazel Avenue during the AM and PM peak hours
- Foothill Boulevard/City Center Drive during the PM peak hour
- Mission Boulevard/Sunset Boulevard during the AM and PM peak hours

Based on the sensitivity analysis prepared by TJKM for the project, with the reduction to 100 apartments and 45,500 square feet of retail (with elimination of the 35,000-square-foot major retailer), the impacts under Cumulative plus Project conditions at the intersections of Foothill Boulevard/Hazel Avenue and Foothill Boulevard/City Center Drive would be reduced to less than significant. However, because there are no left turn lanes on Mission Boulevard at the intersection with Sunset Boulevard, which is very sensitive to left turning vehicles, only two southbound left turn trips could be added to ensure a less than significant impact at this intersection. Because of the minimal capacity at this intersection in the cumulative condition prior to resulting in a significant impact, there is no practical reduction in project development density to eliminate the significant impacts under Cumulative plus Project conditions at this location.

In summary, while this alternative would eliminate the intersection impacts at the Foothill Boulevard/Hazel Avenue and Foothill Boulevard/City Center Drive intersections under Background plus Project conditions and under cumulative conditions, the significant and unavoidable cumulative impact at intersection of Mission Boulevard and Sunset Boulevard would remain. Nonetheless, this alternative would result in a substantial reduction in development on the site, which would result in a corresponding reduction in demand for utilities and services, and effects related to traffic, such as vehicle emissions of criteria pollutants and greenhouse gases.

Like Alternative 2, Alternative 3 would be generally consistent with the General Plan designation for the site, though densities would be at the lower end. Because of the substantial reduction in density compared to the proposed project, this alternative would provide less retail and residential activity on the site and less of a financial advantage in that it would result in fewer residents patronizing downtown and other local commercial businesses. Further, this alternative would not take full advantage of the site's proximity to downtown and transit, such as BART. Thus, while Alternative 3 is generally consistent with the project objectives, its ability to fulfill the objectives is less than the proposed project, and it represents a missed opportunity to capitalize on the size and allowable densities under current zoning. Similarly, this alternative's consistency with the City's Economic Development Strategic Plan would be less than the proposed project.

4.6 ALTERNATIVE 4 – OFF-SITE ALTERNATIVE

DESCRIPTION OF ALTERNATIVE

Alternative 4 would entail the implementation of the project on an alternate site. The City's Economic Development Strategic Plan is intended to make Hayward the most desirable and business-friendly place in the East Bay; the plan outlines visions, goals, and actions that the City will undertake to fulfill this vision. The plan identifies Opportunity Sites for the industrial areas and Catalyst Sites for the service and retail sector. The sites represent areas of either vacant or underutilized land that would provide development opportunities in the city. The proposed project site at 22301 Foothill Boulevard is identified as a catalyst site in the downtown area. The site was selected as a catalyst site because of its vacant and underused status, its high visibility in the downtown core, and its size. Alternative 4 would entail the development of the other

catalyst site in the downtown core that could accommodate development which approaches the level proposed for the project.

The City Center site, located across Foothill Boulevard from the proposed project site, is 5.94 acres, comprising three parcels (2.19 acres, 1.4 acres, and 2.3 acres). The 1.4-acre parcel is privately owned and contains a vacant, 11-story, 143,683-square-foot building that was built in 1968. The building was determined to be not structurally sound, so it would need significant retrofitting or demolition. The 2.19-acre parcel is City-owned and is vacant, and the 2.3-acre parcel is City-owned and contains a three-story parking garage. All parcels are designated Central City-Retail and Office Commercial (CC-ROC) and are zoned City Center-Commercial (CC-C), like the proposed project site.

Given the condition of the existing building and the potential constraints with adapting the existing building to the proposed project's uses, this alternative assumes the existing building and parking structure would be demolished to allow a development to take advantage of the entire site, which is partially vacant on the north and fully developed on the southern half. There are no restrictions on floor area ratio for this site, so it could accommodate the 80,500 square feet of retail and shopping center uses proposed for the project. However, the maximum residential density is 65 dwelling units per acre, so this alternative site could only be developed with 386 residential units if the site were developed at the top of the allowable density range. This alternative represents an approximately 45 percent increase in residential units over Phase 1 of the proposed project, which includes 80,500 square feet of retail and shopping center uses and 267 residential units, and an approximately 20 percent decrease in residential units from the entire proposed project.

As noted above, feasibility of an off-site alternative must also consider the ability of an applicant to reasonably acquire, control, or otherwise have access to the alternative sites in question. In this case, two parcels are City-owned; thus, it is reasonable to assume that they could be acquired by the applicant. However, the two City-owned parcels are separated by the privately held 1.4-acre parcel that is the site of the large-scale office building. Thus parcel aggregation could be difficult and expensive, depending on the willingness of the private party to sell the central parcel.

ENVIRONMENTAL ANALYSIS

Alternative 4 would require demolition of the existing structures on the alternative site, but the square footage of structures to be demolished would be roughly half of that of the proposed project, so emissions associated with demolition would be reduced proportionately. Demolition would require mitigation measures **MM BIO-1b** and **MM BIO-1b** to ensure bird nests and bat roosts are not negatively affected. Subsurface construction for foundations and utilities would also require mitigation measures **MM CUL-2** and **MM GEO-6** to reduce potential impacts on unknown cultural or paleontological resources to less than significant. Because this alternative would include fewer residential units, the amount of construction would also be reduced, so construction emissions would also be reduced compared to the proposed project. However, to accommodate this alternative on a smaller site, the buildings may be taller than the proposed project. The maximum height allowed on the 1.4-acre parcel is 173 feet, while the height on the other parcels is limited to 104 feet. It is assumed that full development of this alternative could be accommodated in buildings that do not exceed this height. Although buildings would be taller than with the proposed project and therefore result in a greater change in visual character in the area, because they would be within the height limits allowed by zoning, this alternative would not result in a significant visual impact. Alternative 4 would generate less demand for public services and utilities. This alternative would be required to comply with the NPDES

4.0 ALTERNATIVES

regulations of capturing runoff through the implementation of a SWPPP. Stormwater capture and bioretention areas would need to be sized appropriately to accommodate the alternative's needs.

With respect to traffic, as noted above, this alternative represents an increase in the number of residential units compared to the Phase 1 portion of the proposed project. As discussed in Section 3.1, Transportation and Circulation, the proposed project would result in significant and unavoidable impacts at the intersections of Foothill Boulevard/Hazel Avenue and Foothill Boulevard/City Center Drive during the PM peak hour. This alternative would result in approximately 790 more gross daily trips than Phase 1 of the proposed project due to the additional 119 residential units. Because this alternative site would rely heavily on access from the intersections of Foothill Boulevard/Hazel Avenue and Foothill Boulevard/City Center Drive, Alternative 4 would result in a significant and unavoidable impact at these intersections. With respect to cumulative traffic conditions, this alternative includes 186 more residential units than the Reduced Development Alternative as well as 35,000 more square feet of shopping center use than Alternative 2. The trips associated with these additional units, and more importantly those associated with the shopping center use, would substantially exceed the trip reductions required to reduce the cumulative impacts identified for the project to a less than significant level for this alternative. Therefore, although Alternative 4 would be reduced compared to the proposed project, its reductions are not sufficient to eliminate the significant and unavoidable impacts of the project. Its proximity to the project site also means it would likely result in impacts at the same intersections as the proposed project.

This alternative would generally be consistent with the project objectives, though to a lesser degree than the proposed project because the amount of development is reduced. This site is farther from the BART station than the proposed project site, portions of which are within one-half mile of the station. Further, while this alternative would reduce the significant and unavoidable intersection impacts identified for the project, the reduction would be largely attributable to the reduction in development intensity, rather than the location. Consequently, this alternative site would not represent a substantial advantage over the project site with respect to reducing project impacts.

4.7 COMPARISON OF ALTERNATIVES

Table 4.0-2 summarizes the potential impacts of the alternatives evaluated in this section for those topics where mitigation was identified for the project, as compared with the project's impacts. The resource areas where mitigation would be necessary for the project were included for comparison. Pursuant to CEQA Guidelines Section 15126.6(e)(2), an environmentally superior alternative must be identified from among the other alternatives if the "no project" alternative would otherwise be the environmentally superior alternative. The environmentally superior alternative is the alternative that would result in the fewest or least significant environmental impacts. As described above, under a No Project/Building Reuse Alternative, there would be no significant and unavoidable impacts, since the project site would remain unchanged. Therefore, the project's significant and unavoidable impacts would be avoided under the No Project/Building Reuse Alternative since there would be no addition of traffic. The No Project/Building Reuse Alternative impacts would be reduced compared to the proposed project, but it would generate more vehicle trips than either of the reduced development alternatives.

Alternative 3 (Significantly Reduced Development) would result in fewer environmental impacts than the proposed project and would generally meet the project objectives. However, Alternative 3 would still have significant and unavoidable impacts at the intersection of Mission Boulevard and Sunset Boulevard under Cumulative plus Project conditions. As discussed

previously, due to the sensitivity of this intersection and the lack of left turn lanes on Mission Boulevard, only two southbound left turn trips could be added to keep the impacts to a less than significant level, which does not allow for development on the project site. Nonetheless, Alternative 3 is considered the environmentally superior alternative.

While the Significantly Reduced Development Alternative meets some project objectives to create a mixed-use development, it represents a missed opportunity to capitalize on the large size of the site, its proximity to downtown and BART, and the allowable densities under current zoning. Project objectives specifically call for creation of a regionally significant development that is consistent with the densities envisioned in the General Plan, which include a range of 40 to 65 units per acre. A reduction in density on a site that is located in an identified Priority Development Area (PDA), where higher-density, higher-intensity development in proximity to a transit station is deemed appropriate, represents a significant missed opportunity to provide much needed housing in a city and region that are experiencing a documented housing affordability crisis. Other project sites that are smaller or located farther away from downtown businesses, services, and transit will not result in the benefits to the community and the region that would be accomplished with development at the scale, intensity, and density described for the proposed project. Further, the Significantly Reduced Development Alternative may result in a financial infeasibility where minimum densities are required to justify land acquisition and construction costs associated with high-density, mixed-use development.

**TABLE 4.0-2
IMPACT SUMMARY COMPARISON OF ALTERNATIVES**

Resource Category	Proposed Project	Alternative 1: No Project/ Building Reuse	Alternative 2: Reduced Development	Alternative 3: Significantly Reduced Development	Alternative 4: Off-Site Alternative
Biological Resources	LTSM	LTS	LTSM	LTSM	LTSM
Cultural Resources	LTSM	LTS	LTSM	LTSM	LTSM
Geology and Soils	LTSM	LTS	LTSM	LTSM	LTSM
Hazards and Hazardous Materials	LTSM	LTS	LTSM	LTSM	LTSM
Transportation and Circulation	SU	SU	SU	SU	SU
Background Conditions	SU	SU	LTS	LTS	SU
Cumulative -Foothill Boulevard/Hazel Avenue	SU	SU	SU	LTS	SU
Cumulative - Foothill Boulevard/City Center Drive	SU	SU	SU	LTS	SU
Cumulative -Mission Boulevard/Sunset Boulevard	SU	SU	SU	SU	SU

Notes:

SU: Significant and Unavoidable Impacts

LTSM: Less Than Significant with Mitigation

LTS: Less Than Significant

4.0 ALTERNATIVES

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5.0 OTHER CEQA ANALYSIS

This section discusses additional topics statutorily required by CEQA, including growth-inducing impacts and significant and unavoidable environmental effects. In addition, this section analyzes the proposed project's energy consumption and conservation, consistent with CEQA Guidelines Appendix F.

5.1 GROWTH-INDUCING IMPACTS

INTRODUCTION

CEQA Guidelines Section 15126.2(d) requires that an EIR evaluate the growth-inducing impacts of a proposed action. A growth-inducing impact is defined by CEQA Guidelines as:

...the ways in which a proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth...It must not be assumed that growth in an area is necessarily beneficial, detrimental, or of little significance to the environment.

A project can have direct and/or indirect growth inducement potential. Direct growth inducement would result if, for example, a project involves construction of new housing. A project would have indirect growth inducement potential if, for example, it established substantial new permanent employment opportunities (e.g., commercial, industrial, or governmental enterprises) or if it would involve a construction effort with substantial short-term employment opportunities that would indirectly stimulate the need for additional housing and services to support the new employment demand. Similarly, a project would indirectly induce growth if, for example, it would remove an obstacle to additional growth and development, such as removing a constraint on a required public service. A project facilitating an increased water supply in an area where water service historically limited growth could be considered growth inducing.

The CEQA Guidelines further explain that the environmental effects of induced growth are considered indirect impacts of the proposed action. These indirect impacts or secondary effects of growth may result in significant, adverse environmental impacts. Potential secondary effects of growth include increased demand on community and public services and infrastructure, increased traffic and noise, and adverse environmental impacts such as degradation of air and water quality, degradation or loss of plant and animal habitat, and conversion of agricultural and open space land to developed uses.

Growth inducement may constitute an adverse impact if the growth is not consistent with or accommodated by the land use plans and growth management plans and policies for the area affected. Local land use plans include land use development patterns and growth policies that allow the orderly expansion of development supported by adequate public services, such as water supply, roadway infrastructure, sewer service, and solid waste service.

COMPONENTS OF GROWTH

As required by Government Code Section 65300, the City of Hayward General Plan is intended to serve as the overall plan for the physical development of the city. While the General Plan does not specifically propose any development projects, it does regulate the location and type of future development and thus controls future city population and economic growth that would result in indirect growth-inducing effects.

5.0 OTHER CEQA ANALYSIS

The project site is designated Central City-Retail and Office Commercial (CC-ROC) in the Hayward General Plan. The CC-ROC designation generally applies to the core and periphery of downtown Hayward. The General Plan notes that typical building types include storefront commercial buildings, professional offices and mixed-use buildings that contain commercial or office uses on the ground floor and residential units or office space on upper floors. The existing zoning for the site is Central City-Commercial (CC-C). The purpose of the CC-C district is to establish a mix of business and other activities to enhance the economic vitality of the downtown area. The proposed development would be consistent with the existing General Plan land use designation and zoning for the project site.

GROWTH EFFECTS OF THE PROPOSED PROJECT

Changes in population and employment are not in and of themselves environmental impacts. However, they may result in the need for the construction of new housing, businesses, infrastructure, and services that accommodate increases in population and employment. Following is a discussion of the proposed project's potential to generate growth in the area and the anticipated effects of such growth. The reader is also referred to Section 3.0, Impact POP-1, for a discussion of the project's potential impacts related to population growth.

Direct Growth Effects

The project proposes to develop 476 new residential units on the site, which would provide housing for an estimated 1,542 people. While the project would result in direct growth in the city, the proposed development would be consistent with the General Plan and would be within the housing and population projections in the 2040 General Plan EIR (Hayward 2014b, p. 3-21). Therefore, the project would not result in any direct growth effects beyond those previously considered and disclosed in the General Plan EIR.

Indirect Growth Effects

The project also proposes to develop 80,500 square feet of commercial space that would generate an estimated 137 new jobs in the city, assuming 1 employee for every 588 square feet of retail space. The creation of new jobs could indirectly result in growth if new residents move into the city to fill the positions. However, as described previously, the proposed development would be consistent with the General Plan and would be within the employment and population projections in the 2040 General Plan EIR. Furthermore, the project also includes housing that could be occupied by some of the employees on the project site. Lastly, given the developed nature of the site and the surrounding area, the project would not extend infrastructure to areas outside the project boundaries that are not already served, nor would the project provide additional capacity or otherwise result in indirect growth effects beyond those previously considered in the General Plan EIR.

Other Economic-Related Growth

The proposed project would increase economic activity through the short-term creation of jobs during construction. However, current residents of the city and other nearby areas who are employed in the construction industry would be sufficient to meet the demand for construction workers that would be generated by the project. As such, substantial population growth or increases in housing demand in the region as a result of these temporary construction-related jobs would not be anticipated.

The proposed project would also increase demand for public services and utilities. However, as discussed previously, the project would not result in growth beyond that previously considered in the City's 2040 General Plan and associated EIR. Furthermore, as discussed in Section 3.0, Impacts Found Not Significant (Impacts PUB-1, REC-1 and REC-2, and UTL-1 to UTL-4), the project could be served by existed public facilities, infrastructure, and resources and would have less than significant impacts in these environmental issue areas.

ENVIRONMENTAL EFFECTS OF GROWTH

As described previously, the project would not result in direct or indirect growth or related environmental effects beyond those considered in the 2040 General Plan EIR.

5.2 SIGNIFICANT AND UNAVOIDABLE IMPACTS

CEQA Guidelines Section 15126.2(b) requires an EIR to discuss unavoidable significant environmental effects, including those that can be mitigated but not reduced to a level of insignificance. In addition, CEQA Guidelines Section 15093(a) allows the decision-making agency to determine whether the benefits of a proposed project outweigh the unavoidable adverse environmental impacts of implementing the project. The City of Hayward can approve a project with unavoidable adverse impacts if it prepares a Statement of Overriding Considerations setting forth the specific reasons for making such a judgment.

The following project impacts have been recognized as significant and unavoidable in the project context in Section 3.1, Transportation and Traffic, of this Draft EIR. All other impacts have been identified either as less than significant or as less than significant with mitigation.

Traffic Operational Impacts – Background plus Phase I Conditions (Standards of Significance a and b)

Impact 3.1.2 Implementation of Phase I of the proposed project would generate vehicle trips that could contribute to significant traffic operational impacts at intersections as compared to background conditions.

Traffic Operational Impacts – Background plus Phases I and II Conditions (Standards of Significance a and b)

Impact 3.1.3 Implementation of the Phase I and II of the proposed project would generate vehicle trips that could contribute to significant traffic operational impacts at intersections as compared to background conditions.

Traffic Operational Impacts (Standards of Significance a and b)

Impact 3.1.8 Implementation of the proposed project, in combination with other approved, planned, and reasonably foreseeable development in the project area, would generate vehicle trips that could contribute to significant traffic operational impacts to intersections as compared to cumulative conditions.

5.3 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

CEQA Guidelines Section 15126.2(c) describes irreversible environmental changes in the following manner:

5.0 OTHER CEQA ANALYSIS

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

Renewable, nonrenewable, and limited resources that would likely be consumed as part of the project would include, but are not limited to, oil, gasoline, lumber, sand and gravel, asphalt, water, steel, and similar materials.

5.4 ENERGY CONSUMPTION AND CONSERVATION

INTRODUCTION

Public Resources Code Section 21100(b)(3) and CEQA Guidelines Section 15126.4 require EIRs to describe, where relevant, the wasteful, inefficient, and unnecessary consumption of energy caused by a project. In 1975, largely in response to the oil crisis of the 1970s, the California legislature adopted Assembly Bill (AB) 1575, which created the California Energy Commission (CEC). The statutory mission of the CEC is to forecast future energy needs, license thermal power plants of 50 megawatts or larger, develop energy technologies and renewable energy resources, plan for and direct state responses to energy emergencies, and—perhaps most importantly—promote energy efficiency through the adoption and enforcement of appliance and building energy efficiency standards. AB 1575 also amended Public Resources Code Section 21100(b)(3) to require EIRs to consider the wasteful, inefficient, and unnecessary consumption of energy caused by a project. Thereafter, the State Resources Agency created Appendix F of the CEQA Guidelines.

CEQA Guidelines Appendix F is an advisory document that assists EIR preparers in determining whether a project will result in the inefficient, wasteful, and unnecessary consumption of energy. For the reasons set forth below, this EIR concludes that the proposed project would not result in this type of energy consumption and therefore would not create a significant impact on energy resources.

APPLICABLE REGULATIONS

State

California Building Energy Efficiency Standards

In general, the California Building Energy Efficiency Standards require the design of building shells and building components to conserve energy. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The California Energy Commission adopted changes to the 2013 Building Energy Efficiency Standards contained in the California Code of Regulations, Title 24, Part 6 (also known as the California Energy Code) and associated administrative regulations in Part 1 (collectively referred to here as the standards). The amended standards took effect in the summer of 2014. The 2013 Building Energy Efficiency Standards are 25 percent more efficient than previous standards for residential construction and 30 percent more efficient for nonresidential construction. The standards offer builders better windows, insulation, lighting, ventilation systems, and other features that reduce energy consumption in homes and businesses. Energy-efficient buildings require less electricity; increased energy efficiency reduces fossil fuel consumption.

California Green Building Standards

The California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), commonly referred to as the CALGreen Code, is a statewide mandatory construction code that was developed and adopted by the California Building Standards Commission and the California Department of Housing and Community Development. The CALGreen standards require new residential and commercial buildings to comply with mandatory measures under the topics of planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt that encourage or require additional measures in the five green building topics. The most recent update to the CALGreen Code was adopted in 2013 and went into effect July 1, 2014.

California Environmental Quality Act Guidelines

CEQA Guidelines Appendix F, Energy Conservation, requires consideration of project impacts on energy and focuses particularly on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy (Public Resources Code Section 21100[b](3)). The potentially significant energy implications of a project must be considered in an EIR to the extent relevant and applicable to the project.

Local

Climate Action Plan

On July 28, 2009, the City of Hayward adopted a Climate Action Plan (CAP), which identifies greenhouse gas emissions reduction targets that are consistent with those adopted by the State of California, as well as the actions that are needed to achieve the targets. The City of Hayward was awarded \$1.36 million from the Department of Energy's Energy Efficiency and Conservation Block Grant (EECBG) funds for energy-related programs.

City of Hayward General Plan

The City of Hayward General Plan Housing Element includes the following policy related to sustainability and energy conservation:

Policy H-3.3: **Sustainable Housing Development.** The City shall improve affordability by promoting sustainable housing practices that incorporate a "whole system" approach to siting, designing, and constructing housing that is integrated into the building site, consumes less water and improves water quality, reduces the use of energy use, and other resources, and minimizes its impact on the surrounding environment.

ENVIRONMENTAL SETTING

Electricity/Natural Gas Services

The Pacific Gas and Electric Company (PG&E) provides electrical and natural gas services to Hayward through State-regulated public utility contracts. Electricity and natural gas service infrastructure exists on the project site.

5.0 OTHER CEQA ANALYSIS

The City's ongoing development review process includes a review and comment opportunity for privately owned utility companies, including PG&E, to allow informed input from each utility company on all development proposals. The input facilitates a detailed review of all projects by service purveyors to assess the potential demands for utility services on a project-by-project basis.

PG&E's ability to provide its services concurrently with each project is evaluated during the development review process. The utility company is bound by contract to update its systems to meet any additional demand. PG&E's Electric and Gas Rules 15 and 16 provide guidelines for the extension of distribution lines necessary to furnish permanent services to customers. PG&E also outlines responsibilities for installation and extension allowances, as well as financial contributions by project applicants.

Energy Consumption Setting

Total energy usage in California was 7,641 trillion British thermal units (BTUs) in 2012, which equates to an average of 201 million BTUs per capita. Of California's total energy usage, the breakdown by sector is 38.5 percent transportation, 22.8 percent industrial, 19.3 percent commercial, and 19.2 percent residential. Electricity and natural gas in California are generally consumed by stationary users such as residences and commercial and industrial facilities, whereas petroleum consumption is generally accounted for by transportation-related energy use (EIA 2016). In 2014, taxable gasoline sales (including aviation gasoline) in California accounted for 14,921,441,859 gallons of gasoline (BOE 2016).

The electricity and natural gas consumption attributable to residential and nonresidential land uses in Alameda County from 2007 to 2014 is shown in **Table 5.0-1**. As indicated, electricity consumption has decreased slightly year to year, even with an increase in population. As shown in the table, natural gas consumption remained relatively constant through the period with the exception of 2009 and 2014. In 2009, the data shows a substantial reduction in nonresidential consumption, while in 2014, the data shows a substantial reduction in residential consumption. No explanation is provided for these reductions, which may be errors in the data.

TABLE 5.0-1
RESIDENTIAL AND NONRESIDENTIAL ELECTRICITY CONSUMPTION IN ALAMEDA COUNTY 2007–2014

Year	Residential & Nonresidential Electricity Consumption (in millions of kilowatt-hours)	Residential & Nonresidential Natural Gas Consumption (in millions of therms)
2007	11,730	443
2008	11,170	437
2009	10,356	254
2010	10,718	423
2011	10,975	421
2012	10,589	408
2013	10,616	423
2014	10,299	361

Source: ECDMS 2016

Automotive and construction-related (off-road) fuel consumption in Alameda County from 2007 to 2015 is shown in **Table 5.0-2** (projections for the year 2016 are also shown). As shown, automotive and construction-related fuel consumption has declined in the county since 2007.

TABLE 5.0-2
AUTOMOTIVE FUEL CONSUMPTION IN ALAMEDA COUNTY 2007–2016

Year	Automotive Fuel Consumption (gallons)	Construction Fuel Consumption (gallons)
2007	715,498,915	52,050,095
2008	689,822,625	50,238,965
2009	688,553,885	42,757,195
2010	682,782,505	38,615,540
2011	667,802,905	43,105,770
2012	657,094,170	44,678,555
2013	660,166,740	43,560,195
2014	661,708,135	42,431,250
2015	659,988,620	43,542,110
2016 (projected)	657,616,850	42,000,185

Source: CARB 2014

ENERGY CONSUMPTION

Proposed Project

A project may create a significant environmental effect if it results in the inefficient, wasteful, and unnecessary consumption of energy. The analysis focuses on the three sources of energy that are relevant to the proposed project: electricity, natural gas, and transportation fuel for vehicle trips associated with new development, as well as the fuel necessary for project construction.

The analysis of electricity and natural gas usage is based on California Emissions Estimator Model (CalEEMod) air quality and greenhouse gas emissions modeling conducted by Urban Crossroads (2016), which quantifies energy use for occupancy. The results of the CalEEMod modeling are included in **Appendix AQ** of this EIR. Modeling was based primarily on the default settings in the computer program for Alameda County. The amount of operational fuel use was estimated using the California Air Resources Board's EMFAC2014 computer program, which provides projections for typical daily fuel usage in Alameda County. The amount of construction-related fuel use was estimated using ratios provided in the Climate Registry (2015) General Reporting Protocol for the Voluntary Reporting Program, Version 2.1. The results of EMFAC2014 modeling and construction fuel estimates are included in **Appendix ENG** of this EIR.

Energy consumption associated with the proposed project is summarized in **Table 5.0-3**.

5.0 OTHER CEQA ANALYSIS

**TABLE 5.0-3
LINCOLN LANDING ENERGY CONSUMPTION**

Energy Type	Annual Energy Consumption	Percentage Increase Countywide
Electricity Consumption ¹	4,198,607 kilowatt-hours	0.04%
Natural Gas Consumption ¹	45,894 therms	0.01%
Automotive Fuel Consumption ²		
<i>Project Construction</i>	278,621 gallons	0.64%
<i>Project Operations</i>	591,300 gallons	0.89%

Sources: ¹Urban Crossroads 2016; ²EMFAC2014 (CARB 2014)

Notes: The increases in electricity and natural gas consumption associated with the proposed project are compared with all of the residential and nonresidential buildings in Alameda County in 2014. The increases in automotive fuel consumption and construction-related fuel consumption associated with the proposed project are compared with the countywide fuel consumption in 2015.

As shown in **Table 5.0-3**, the increase in electricity usage as a result of the project would constitute an approximate 0.04 percent increase in the typical annual electricity consumption and an approximate 0.01 percent increase in the typical annual natural gas consumption attributable to all residential and nonresidential buildings in Alameda County. The increase in automotive fuel would increase use in the county by approximately 0.6 percent, and the increase in construction-related fuel would increase use in the county by approximately 0.9 percent.

The proposed project would be required to comply with Title 24 Building Energy Efficiency Standards, which establish minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. Implementation of the Title 24 standards significantly reduces energy usage. Furthermore, the electricity provider in Alameda County, PG&E, is subject to California's Renewables Portfolio Standard (RPS). The RPS requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 33 percent of total procurement by 2020 and to 50 percent of total procurement by 2030. Renewable energy is generally defined as energy that comes from resources which are naturally replenished within a human timescale such as sunlight, wind, tides, waves, and geothermal heat. The increase in reliance of such energy resources further ensures projects will not result in the waste of finite energy resources.

PG&E currently provides electrical services and natural gas to Alameda County. PG&E will continue to provide these services and is required by the California Public Utilities Commission to update existing systems to meet any additional demand.

In terms of automotive fuel consumption, the project would develop a commercial retail shopping center close to residential development, which would minimize vehicle travel distances and thus fuel consumption. The project would also offer goods and services at a local site, thereby reducing the number of vehicle trips currently being made to shop for the same goods and services in neighboring areas. Further, the project would develop a mixed-use transit-oriented development close to BART and AC Transit stops and incorporate transportation demand management strategies, such as transit passes for employees and residents, car sharing programs, bicycle parking and maintenance areas and unbundling parking costs from housing costs (see also Appendix TRA) that would reduce mobile source emissions and automotive fuel consumption.

As shown in **Table 5.0-3**, the increase in electricity, natural gas, automotive fuel consumption, and construction-related fuel consumption over existing conditions is minimal (less than 1 percent). For the reasons described above, the proposed project would not place a substantial demand on regional energy supply or require significant additional capacity; significantly increase peak and base period electricity demand; cause wasteful, inefficient, and unnecessary consumption of energy during project construction, operation, and/or maintenance; or preempt future energy development or future energy conservation.

Cumulative Effects

The cumulative context considered in this Draft EIR generally encompasses the cumulative setting conditions considered in the City of Hayward 2040 General Plan (adopted July 1, 2014). As discussed in Chapter 2.0, Project Description, the proposed project is consistent with the General Plan, so the project has already been considered in the context of General Plan buildout. Cumulative development in Alameda County may require the extension of existing power and gas lines, and new transmission facilities and substations would be needed. While the proposed project would increase the demand on electricity and natural gas services, the demand would not be substantial in relation to the total amount of energy available, and service is readily available on the site and at adjacent locations that are already developed with urban uses.

The proposed project would not substantially contribute to the need for increasing the capacity of or constructing new off-site facilities to serve the project, in combination with other development in the city. Impacts would be less than cumulatively considerable.

Energy in the city is obtained from a variety of sources owned and operated by other entities, including combustion (natural gas), hydroelectric facilities, and geothermal projects. Future development in the region would increase residential and commercial needs for electricity and natural gas. Given the regional, and in some cases national, nature of the electrical and natural gas transmission systems, and the variety of sources of energy, it would be speculative to address the likely future sources of energy and the impacts of increasing demand for any particular source of energy (e.g., hydroelectric, coal) or changes in the types of energy sources available. Utility providers have the ability to comment on and review all development proposals to ensure adequate service can be provided prior to development approval.

The project, in combination with other existing, planned, proposed, approved, and reasonably foreseeable development in the city, would not result in the inefficient, wasteful, or unnecessary consumption of energy.

5.0 OTHER CEQA ANALYSIS

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6.0 REPORT PREPARERS

CITY OF HAYWARD (LEAD AGENCY)

Leigha Schmidt, Senior Planner

MICHAEL BAKER INTERNATIONAL (EIR CONSULTANT)

Patrick Hindmarsh, Project Manager

Florentina Craciun, Senior Environmental Planner

Kristin Faoro, Environmental Planner

Seth Myers, Air Quality/GHG Analyst

Jonathan Faoro, GIS Specialist

Suzanne Wirth, Technical Editor

6.0 REPORT PREPARERS

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