

CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov



CITY OF
HAYWARD
HEART OF THE BAY

Agenda

Thursday, May 10, 2018

7:00 PM

Council Chambers

Planning Commission

MEMBERS OF THE AUDIENCE WISHING TO ADDRESS THE PLANNING COMMISSION

Obtain a speaker's identification card, fill in the requested information, and give the card to the Commission Secretary. The Secretary will give the card to the Commission Chair who will call on you when the item in which you are interested is being considered. When your name is called, walk to the rostrum, state your name and address for the record and proceed with your comments. The Chair may, at the beginning of the hearing, limit testimony to three (3) minutes per individual and five (5) minutes per an individual representing a group of citizens for organization. Speakers are expected to honor the allotted time.

CALL TO ORDER Pledge of Allegiance**ROLL CALL****PUBLIC COMMENTS**

The PUBLIC COMMENTS section provides an opportunity to address the Planning Commission on items not listed on the agenda. The Commission welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Commission is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff for further action.

ACTION ITEMS

The Commission will permit comment as each item is called for Public Hearing. Please submit a speaker card to the Secretary if you wish to speak on a public hearing item.

PUBLIC HEARING

For agenda items No. 1 and No. 2 the Planning Commission may make a recommendation to the City Council.

1. [PH 18-034](#) Proposed Vesting Tentative Tract Map, Planned Development (PD) Rezone, Site Plan Review, and Mitigated Negative Declaration with Mitigation and Monitoring Reporting Plan to subdivide two parcels into 21 parcels and construct 18 detached single-family residences with common open space areas and related site improvements at 25941 Gading Road (APNs 454-0020-062-02 & 454-0020-069-00). Application No. 201706285; Tony Dutra (Applicant) on behalf of Dutra Enterprises (Owner).

Attachments:[Attachment I Staff Report](#)[Attachment II Findings](#)[Attachment III Conditions of Approval](#)[Attachment IV Project Plans](#)[Attachment V Initial Study and Mitigated Negative Declaration](#)[Attachment VI Mitigation Monitoring and Reporting Program](#)[Attachment VII MND Response to Comments Memorandum](#)

2. [PH 18-036](#) Recommended FY 2019 - FY 2028 Capital Improvement Program

Attachments:[Attachment I Staff Report](#)**APPROVAL OF MINUTES**

3. [MIN 18-066](#) Minutes of the Planning Commission Meeting of April 12, 2018

Attachments:[Attachment I Draft Minutes of April 12, 2018](#)

4. [MIN 18-067](#) Minutes of the Planning Commission meeting of April 26, 2018

Attachments:[Attachment I Draft Minutes of April 26, 2018](#)**COMMISSION REPORTS**

Oral Report on Planning and Zoning Matters

Commissioners' Announcements, Referrals

ADJOURNMENT

NEXT MEETING, MAY 24, 2018, 7:00PM

PLEASE TAKE NOTICE

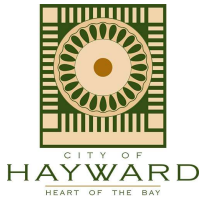
That if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing.

PLEASE TAKE FURTHER NOTICE

That the City Council has adopted Resolution No. 87-181 C.S., which imposes the 90 day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.

****Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Permit Center, first floor at the above address. Copies of staff reports for agenda items are available from the Commission Secretary and on the City's website the Friday before the meeting.****

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400 or TDD (510) 247-3340.



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
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File #: PH 18-034

DATE: May 10, 2018

TO: Planning Commission

FROM: Planning Manager

SUBJECT

Proposed Vesting Tentative Tract Map, Planned Development (PD) Rezone, Site Plan Review, and Mitigated Negative Declaration with Mitigation and Monitoring Reporting Plan to subdivide two parcels into 21 parcels and construct 18 detached single-family residences with common open space areas and related site improvements at 25941 Gading Road (APNs 454-0020-062-02 & 454-0020-069-00). Application No. 201706285; Tony Dutra (Applicant) on behalf of Dutra Enterprises (Owner).

RECOMMENDATION

That the Planning Commission recommend approval of Vesting Tentative Tract Map No. 8432, PD Rezone and Site Plan Review Application No. 201706285, and adoption of a Mitigated Negative Declaration (MND) with a Mitigation Monitoring and Reporting Program (MMRP) to the City Council, based on the analysis set forth in this report and the attached Findings (Attachment II) and subject to the Conditions of Approval (Attachment III).

ATTACHMENTS

Attachment I: Staff Report
Attachment II: Findings
Attachment III: Conditions of Approval
Attachment IV: Project Plans
Attachment V: Initial Study/Mitigated Negative Declaration and Appendices
Attachment VI: Mitigation Monitoring and Reporting Program
Attachment VII: MND Response to Comments Memorandum



SUBJECT

Proposed Vesting Tentative Tract Map, Planned Development (PD) Rezone, Site Plan Review, and Mitigated Negative Declaration with Mitigation Monitoring and Reporting Program (MMRP) to subdivide two existing parcels into 21 parcels to allow the construction of 18 detached single-family residences with common open space areas and related site improvements at 25941 Gading Road (APNs 454-0020-062-02 & 454-0020-069-00). Application No. 201706285; Tony Dutra (Applicant) on behalf of Dutra Enterprises (Owner).

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SUMMARY

The applicant is requesting approval of Vesting Tentative Tract Map No. 8432, PD Rezone and Site Plan Review Application No. 201706285, and the adoption of a Mitigated Negative Declaration (MND) with a Mitigation and Monitoring Reporting Program (MMRP) to subdivide two existing parcels totaling 1.7 acres into 21 parcels to allow the construction of 18 single-family residences with common open space areas and a private street at 25941 Gading Road. The northern parcel (APN 454-0020-062-02) is zoned RS (Single-Family Residential) District and the southern parcel (APN 454-0020-069-00) is zoned PD District. Both parcels are designated as MDR (Medium Density Residential) in the *Hayward 2040 General Plan*.

As proposed, the project requires a Planned Development rezoning, Vesting Tentative Tract Map, Site Plan Review and is subject to Environmental Review and analysis. Staff has outlined the project and additional analysis in the sections below.

BACKGROUND

The 0.9-acre northern parcel was previously developed with two single-family residences, each with a detached garage. All structures were demolished after the approval of a demolition permit in August 2017 in preparation for the proposed development. The southern parcel has long been undeveloped. The 0.8-acre southern parcel was rezoned from RS District to PD District in 1998 to allow the subdivision of the site into four lots and develop each lot with a two-story, single-family home. However, the approved development was never

constructed. Staff received this application on October 31, 2017 and following review and input, the original proposal has since been revised to include the following: 1) enhanced street side elevations for corner lots; 2) additional articulation on the side and rear elevations; and 3) a more varied color palette.

Public Outreach. Following receipt of application, staff conducted the following public outreach:

- On November 13, 2017, a Notice of Receipt of Application was sent to all property owners and interested stakeholders within 300 feet of the subject property.
- On April 6, 2018, a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (MND) was posted at City Hall, the Alameda County Clerk's Office and delivered to the Hayward libraries. Copies of the NOI were also sent to interested parties and property owners within 300 feet of the project site and posted in the newspaper. Following the posting of the NOI, the City has not received any public comments.
- On April 26, 2018, a Notice of Public Hearing was published in the Daily Review newspaper and sent to all property owners and interested stakeholders within 300 feet of the subject property. To date, staff has not received any comments from the public regarding the project.

PROJECT DESCRIPTION

Existing Conditions. The 1.7-acre project site consists of two parcels, which are currently undeveloped and generally flat. There are 49 trees protected by the City's Tree Preservation Ordinance on site and six protected trees that are off-site but have canopies encroaching onto the site. An existing 6-foot tall chain link fence borders the front property line and the remainder of the site perimeter contains a 6-foot tall wooden fence. The site is located in the Harder-Tennyson neighborhood, which is characterized by single-family and multi-family suburban residential development and a mix of one- and two-story commercial buildings. The site is bordered by medical offices and multi-family residential development to the north, single-family residential development to the east and west, and multi-family residential development to the south. The northern parcel is zoned RS District and the southern parcel is zoned PD District. Both parcels are designated as MDR (Medium Density Residential) in the *Hayward 2040 General Plan*.

Project Overview. The project requires a rezoning and subdivision of two existing parcels into 21 parcels to allow the construction of 18 single-family residences with common open space areas and a private street that provides vehicular access from Gading Road. A zone change from the existing RS District and PD District to a new PD District is required to allow for exceptions to the development standards for single-family homes related to lot size, lot coverage, and setbacks. More detail regarding the requested exceptions is provided later in this report in Table 1. The proposed lots range in size between 2,657 and 3,206 square feet. The project will also include numerous frontage and site improvements including on-site water and sewer utilities, a new private street, new landscaping, and reconstruction and repair of existing road and sidewalks along Gading Road.

Building Architecture. The development includes three plan types, two of which provide 3-bedroom, 2.5-bathroom units and one of which provides 4-bedroom, 3-bathroom units. The homes range in size between 1,638 and 1,956 square feet. Each new home will be two stories, with maximum heights between 24 feet and 25 feet, 7 inches. Three architectural styles of the homes consist of variations of Spanish Colonial Revival architecture with stucco walls and concrete tile roofs. The proposed building colors consist of shades of tan with darker contrasting trim and accent colors. Architectural details include stone veneer, arches, detailed garage doors, front porches, exterior shutters, and sill treatments.

Parking and Circulation. Each home will contain a two-car garage and a driveway that could accommodate two additional vehicles. A 24-foot-wide private street from Gading Road is proposed to provide vehicular access to the site. The private street, which will be maintained by the HOA, provides seven street parking spaces for guests and ends in a hammerhead configuration to provide adequate turnaround space for fire apparatus. The project includes the replacement of the sidewalk on the project frontage along Gading Road. The project also includes a 5-foot-wide sidewalk on one side of the private street to provide direct pedestrian access to Gading Road.

Landscaping and Open Space. The project proposes to plant 20 new trees throughout the project site and a varied palette of shrubs and groundcover in the common open space area and front yards of the homes. The common open space area will be 2,330 square feet in size and located in the rear of the site at the end of the private street. The common open space area will be improved with landscaping and provide an outdoor seating area. Each home will also have a private yard. All proposed landscaping and irrigation will meet the City's landscape water efficiency standards. Additionally, the project will treat storm water run-off on-site with five new bioretention treatment areas.

Tree Removals. The project requires the removal of 81 trees, 47 of which are protected by the City's Tree Preservation Ordinance. The City's Tree Preservation Ordinance requires mitigation equal in value to the total appraised value of all protected trees to be removed through replacement trees or alternative forms of mitigation acceptable to the City Landscape Architect. The project proposes mitigation in the form of 20 larger replacement trees, larger shrubs, and permeable paving. The City Landscape Architect will review the final landscape plan to confirm that the proposed mitigation cost matches or exceeds the appraised value of the removed trees prior to the issuance of a building permit.

PD Amenities. As noted earlier, the project requires a PD Rezone to provide flexibility in the site layout and allow for exceptions to certain development standards related to lot size, lot coverage, and setbacks. Any requested exceptions to development regulations or policies must be adequately offset or compensated for by providing amenities not otherwise required or exceeding required development standards. As such, the project proposes the following amenities:

- Rooftop solar panels on each home;
- A bedroom suite on the first floor of six homes to allow for aging in place and multi-generational lifestyles; and

- 2,330 square feet of common open space area, which is typically not provided or required for detached single-family home developments.

Homeowners Association: As part of the standard conditions of approval, the project is required to form a new Homeowners' Association (HOA) with required Covenants, Conditions and Restrictions (CC&R's) to ensure the future homeowners will be responsible for maintaining all the project components, including the private street, street lights, utilities, and other privately owned common areas and facilities on the site, including the bio-retention areas, landscaped areas, preservation and replacement of trees, and decorative paving. The CC&R's will also contain a standard condition that if the HOA fails to maintain the common areas, private streets, lights and utilities, the City of Hayward will have the right to enter the subdivision and perform the necessary work to maintain these areas and special assessment and/or lien the properties for their proportionate share of the costs as described in Attachment II. Also, staff is recommending that the CCR's require that at least 75 percent of the units be owner-occupied, which will be enforced by the HOA.

Utilities and Street Improvements. The existing utilities that serve the project site, including sanitary sewer, water, and storm drain systems, have sufficient capacity to adequately serve the proposed development. On-site sewer and water utilities will be installed within the new public utility easement within the project site and connect to the existing utilities on Gading Road. As previously discussed, the project will be served by a new private street. While the existing roadway is sufficient to accommodate the additional traffic generated from the project, frontage improvements will be required, including the reconstruction and repair of the existing road and sidewalks along Gading Road to meet the City's street standards.

Sustainability Features. As mentioned earlier, the project will provide rooftop solar panels on each home. The project is also required to meet CALGreen and 2016 California Energy Code standards for energy efficiency and will meet the City's requirements with respect to water efficient landscaping. Additionally, the project will comply with the City standards for recycling of waste during construction and operation and will comply with the Municipal Regional Stormwater requirements for storm water runoff prevention and treatment.

POLICY CONTEXT AND CODE COMPLIANCE

Hayward 2040 General Plan. The project site is designated MDR, which allows for a residential density range of 8.7 to 17.4 dwelling units per net acre, in the *Hayward 2040 General Plan*. Properties with the MDR land use designation are typically characterized by suburban and urban areas that contain a mix of housing types. The project is consistent with the *Hayward 2040 General Plan* in that it is a single-family residential development with a density of approximately 15.3 dwelling units per net acre, which is within the allowable density range. The project is also consistent with applicable General Plan policies in that it will increase the housing inventory for the City of Hayward, is located close to services and amenities, and is considered an in-fill development that will result in a more complete neighborhood. The project's consistency with the *Hayward 2040 General Plan* and its specific goals and policies is discussed in greater detail in the project findings (Attachment II).

Zoning Ordinance. As mentioned earlier, the northern parcel is zoned RS District and the southern parcel is zoned PD District. The project proposes to rezone both parcels to a new PD District to allow for exceptions to the lot size, lot coverage, and setback requirements that are required of the RS District. As proposed, the project is proposing modified development standards related to lot size, lot width, lot coverage, and building setbacks for the front, side and rear yards. The subject parcels are narrow and deep, which limits the number of dwelling units the project site can accommodate under the typical single-family residential development standards. As such, these modified standards are necessary to allow the project to provide more dwelling units and still comply with the maximum allowable density in the *Hayward 2040 General Plan*. PD Districts are also subject to the development standards of the zoning district most similar to the proposed use, which is the RS (Single-Family Residential) District in this case. The project will meet the applicable development standards of the RS District related to building height, lot frontage, and off-street parking as shown below.

Table 1

Development Standard	HMC Requirement	Proposed Project
Min. Lot Size	5,000 sq. ft.	2,657 sq. ft. ¹
Min. Lot Frontage	35 ft.	40 ft.
Min. Average Lot Width	50 ft. (interior) / 60 ft. (corner)	40 ft. ¹
Min. Average Lot Depth	80 ft.	65 sq. ft. ¹
Max. Lot Coverage	40%	47% ¹
Min. Front Yard Setback	20 ft.	18 ft. ¹
Min. Side Yard Setback	5 ft. or 10% of lot width (10 ft. max.)	4 ft. ¹
Min. Side Street Yard Setback	10 ft.	5 ft. ¹
Min. Rear Yard Setback	20 ft.	10 ft. ¹
Max. Building Height	30 ft.	25 ft. 7 in.
Min. Off-Street Parking Req.	36 enclosed spaces	36 enclosed spaces

1. The PD Rezone is required to allow for an exception to this development standard.

Vesting Tentative Map. The project proposes to create a total of 21 new parcels, including 18 single-family parcels, and three common parcels containing open space or bioretention areas. Pursuant to [Section 10-3.010](#) of the Hayward Municipal Code (HMC), the purpose of the Subdivision Ordinance is to ensure that all proposed subdivisions are consistent with the procedures, policies, and programs of the *Hayward 2040 General Plan*, underlying zoning district, and Subdivision Map Act. Per Section 10-3.150 of the HMC, the following Vesting Tentative Tract Map findings are required for the project:

- The proposed subdivision is not in conflict with the General Plan and applicable specific plans and neighborhood plans;
- The proposed subdivision meets the requirements of the City Zoning Ordinance; and
- No approval of variances or other exceptions are required for the approval of the subdivision.

If approved, the applicant may submit a Final Map and improvement plans to the City for review. The City Engineer must determine that the Final Map and improvement plans are in substantial compliance with the approved Vesting Tentative Tract Map prior to approving the Tract Map. Prior to approval of the Tract Map, the developer shall enter into a Subdivision

Agreement and post bonds with the City at which time the map can be recorded with the Alameda County Recorder's Office and commence construction activities. In accordance with HMC Section 10-3.246, approval of this Vesting Tentative Tract Map shall expire 36 months after the effective date of approval subject to statutory and discretionary extensions as allowed by the HMC and Subdivision Map Act. A copy of the Vesting Tentative Tract Map is included within the Project Plans (Attachment IV).

PD Rezone. Pursuant to [Section 10-1.2505](#) of the HMC, the purpose of the PD District is to facilitate development of land in an innovative fashion to allow for flexibility in site design and encourage development that is sensitive to environmental and site-specific considerations. Any requested exceptions to development regulations or policies must be adequately offset or compensated for by providing amenities not otherwise required or exceeding required development standards. Per [Section 10-1.2535](#) of the HMC, the following PD Rezone findings are required for the project:

- The development is in substantial harmony with the surrounding area and conforms to the General Plan and applicable City policies;
- Streets and utilities, existing or proposed, are adequate to serve the development;
- In the case of a residential development, that the development creates a residential environment of sustained desirability and stability, that sites proposed for public facilities, such as playgrounds and parks, are adequate to serve the anticipated population and are acceptable to the public authorities having jurisdiction thereon, and the development will have no substantial adverse effect upon surrounding development;
- In the case of nonresidential uses, that such development will be in conformity with applicable performance standards, will be appropriate in size, location, and overall planning for the purpose intended, will create an environment of sustained desirability and stability through the design and development standards, and will have no substantial adverse effect upon surrounding development;
- In the case of a development in increments, each increment provides a sufficient proportion of total planned common open space, facilities, and services so that it may be self-contained in the event of default or failure to complete the total development according to schedule; and
- Any latitude or exception(s) to development regulations or policies is adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standards.

Site Plan Review. Pursuant to [Section 10-1.3005](#) of the HMC, the purpose of the Site Plan Review is to foster development that complies with the intent of City development policies and regulations and is operated in a manner determined to be acceptable and compatible with surrounding development. Per [Section 10-1.3025](#) of the HMC, the following Site Plan Review findings are required for the project:

- The development is compatible with on-site and surrounding structures and uses and is an attractive addition to the City;
- The development takes into consideration physical and environmental constraints;

- The development complies with the intent of City development policies and regulations; and
- The development will be operated in a manner determined to be acceptable and compatible with surrounding development.

Staff has provided a more detailed analysis for the required Vesting Tentative Map, PD Rezone, and Site Plan Review findings in Attachment II.

Affordable Housing Ordinance. The project is subject to the City's Affordable Housing Ordinance (AHO), which allows residential development projects to pay an affordable housing in-lieu fee instead of providing affordable units on site. The in-lieu fee for single-family residential projects providing 10 or more units is \$18.18 per square foot of habitable space if paid prior to issuance of a building permit or \$20 per square foot of habitable space if paid prior to approval of a certificate of occupancy. The applicant has decided to pay the affordable housing in-lieu fee.

Strategic Initiatives. The project supports several of the City's Strategic Initiatives, including Complete Communities and Complete Streets. The purpose of the Complete Communities strategy is to create and support services and amenities that provide inclusive and equitable access with the goal of becoming a thriving and promising place to live, work and play for all. The purpose of the Complete Streets Strategic Initiative is to build streets that are safe, comfortable, and convenient for travel for everyone, regardless of age or ability, including motorists, pedestrians, bicyclists, and public transportation riders. The project, as proposed, will create new housing opportunities that provide a mix of housing in the City and will require the construction of a new private street that will be designed to accommodate vehicles and pedestrians. The project supports the following Strategic Initiative goals and objectives that were established by the City Council:

Complete Communities

- Goal 1: Improve quality of life for residents, business owners, and community members in all Hayward neighborhoods.
- Objective 4: Create resilient and sustainable neighborhoods.
- Goal 2: Provide a mix of housing stock for all Hayward residents and community members, including the expansion of affordable housing opportunities and resources.
- Objective 2: Facilitate the development of diverse housing types that serve the needs of all populations.

Complete Streets

- Goal 1: Prioritize safety for all modes of travel.
- Objective 3: Ensure that roadway construction and retrofit programs and projects include complete streets elements.

STAFF ANALYSIS

As referenced above and pursuant to the required findings for a Tentative Tract Map, PD Rezone, and Site Plan Review included in Attachment II, staff believes the project complies with the intent of City development policies and regulations, including the *Hayward 2040 General Plan*, Zoning Ordinance, and Subdivision Ordinance. The project also supports several of the City's Strategic Initiatives. Staff's analysis regarding the key features of the project is discussed below.

Land Use Compatibility. The project would be compatible with the land uses and developmental pattern of the existing neighborhood, which consists of a mix of housing types. Although the project proposes lots smaller than the other single-family developments nearby, there are multifamily developments in the vicinity that contain a higher density. The project would complement the mix of housing types in the neighborhood and be consistent with surrounding land use densities. Furthermore, the new homes would be compatible in size and scale of other single-family homes nearby.

Building Architecture. Overall, the homes are attractively designed and compatible with the existing character of the neighborhood. The development provides three plan types and three architectural styles with varied building colors and materials to provide a diverse and interesting street scene. The building facades are articulated to provide visual interest from all sides of the homes, especially the front elevations, which incorporate recesses and projections through windows with sill treatments and shutters, front entry porches, stone veneer, and breaks in the building mass. Furthermore, the location of the garages on the street is minimized through enhanced trellises placed above the garages and the garage doors containing windows with enhanced designs.

Vehicular and Pedestrian Circulation. The project will be well-integrated into the existing neighborhood. The private street and sidewalk provide vehicular and pedestrian access to each home from Gading Road, which is a public street. The new private street will be designed to meet the City's public street standards and will provide adequate circulation throughout the development and from Gading Road. The project also provides driveways and street parking within the private street to accommodate the vehicles of guests and minimize street parking on Gading Road.

PD Amenities. Staff believes the project amenities adequately offset the requested exceptions. The rooftop solar panels result in a more environmentally-sensitive development and the multigenerational-friendly floor plan allows the homes to accommodate a more diverse population. The additional group open space, which will be maintained by a homeowner's association, provide the future residents with a usable outdoor space for recreation and public interaction, which is unique to this single-family development.

Additionally, staff believes the project is well-designed and appropriate for the neighborhood. The project is considered an in-fill development and will replace a vacant and underutilized site with attractive homes to complement the existing neighborhood.

ENVIRONMENTAL REVIEW

Pursuant to CEQA Guidelines Section 15220, an Initial Study was prepared by Rincon Consultants on behalf of the City of Hayward (Lead Agency) for this project with the finding that a Mitigated Negative Declaration (MND) was appropriate because all potential impacts could be mitigated to a level of less than significant with the implementation of mitigation measures. The Initial Study found that the project would result in potential impacts to Biological Resources, Cultural Resources, Geology and Soils, and Tribal Cultural Resources. With mitigation, any potential impacts would be reduced to a level of less than significant.

A Notice of Intent (NOI) to adopt the MND with Mitigation and Monitoring Reporting Plan (MMRP) was filed with the Alameda County Clerk on April 6, 2018. The NOI and MND were posted at City Hall and delivered to the Hayward libraries, and copies of the NOI were sent to interested parties and property owners within 300 feet of the project site on April 6, 2018. The public comment period for the MND expired on April 26, 2018 and the City did not receive any public comments.

However, as part of the formal consultation process established by California Assembly Bill 52 (AB 52), the Ione Band of Miwok Indians provided written comments outlining a treatment plan for the project. These comments have been addressed and incorporated into the MND Response to Comments Memorandum through minor modifications to the recommended mitigation measures. The modifications do not change the impact analysis or the level of mitigation required to reduce possible impacts to a level of less than significant. The Initial Study and MMRP have been updated to reflect these modifications. A copy of the MND, MMRP, and MND Response to Comments Memorandum are attached to this report for the Commission's review and consideration (Attachments V, VI, and VII). The MND, MMRP, and MND Response to Comments Memorandum should be considered together as part of the complete CEQA document.

NEXT STEPS

Following the Planning Commission hearing, the City Council will consider the proposed project, along with the Planning Commission's recommendation, at a noticed public hearing, tentatively scheduled for May 22, 2018.

If the project is approved by the City Council, the applicant may proceed with submitting a Precise Development Plan, Final Tract Map and improvement plans to the City for review. The City Engineer must find that the Map and site improvement plans are in substantial compliance with the approved Vesting Tentative Tract Map and recommend to the City Council for approval and recordation with the Alameda County Recorder's Office. Once the Precise Plan, Final Map and improvement plans are approved by the City, the applicant may then proceed with obtaining building permits.

Prepared by: Jay Lee, AICP, Associate Planner

Approved by:

A handwritten signature in blue ink, appearing to read "Sara M. Buizer", written over a horizontal line.

Sara Buizer, AICP, Planning Manager

A handwritten signature in blue ink, appearing to read "Stacey Bristow", written over a horizontal line.

Stacey Bristow, Interim Development Services Director

**CITY OF HAYWARD PLANNING DIVISION
APPLICATION NO. 201706285
VESTING TENTATIVE TRACT MAP 8432, PD REZONE, SITE PLAN REVIEW AND
MITIGATED NEGATIVE DECLARATION WITH MITIGATION MONITORING AND
REPORTING PROGRAM
25941 GADING ROAD
DRAFT FINDINGS OF APPROVAL**

May 10, 2018

Proposed Vesting Tentative Tract Map, Planned Development (PD) Rezone, Site Plan Review, and Mitigated Negative Declaration with Mitigation Monitoring and Reporting Program (MMRP) to subdivide two existing parcels into 21 parcels to allow the construction of 18 detached single-family residences with common open space areas and related site improvements at 25941 Gading Road (APNs 454-0020-062-02 & 454-0020-069-00). Application No. 201706285; Tony Dutra (Applicant) on behalf of Dutra Enterprises (Owner).

VESTING TENTATIVE TRACT MAP FINDINGS

Pursuant to Section 10-3.150 of the Hayward Municipal Code (HMC), the City Council may conditionally approve a Vesting Tentative Tract Map application when all the following findings are met:

- A. **The proposed subdivision is not in conflict with the General Plan and applicable specific plans and neighborhood plans;**
The project is proposing a density of approximately 15.3 dwelling units per net acre, which is consistent with the *Hayward 2040 General Plan* land use designation of Medium Density Residential (MDR), which allows for a density range of 8.7 to 17.4 dwelling units per net acre. The MDR land use designation allows for a mix of housing types including detached, single-family homes. Anticipated future changes include additional residential development, building and landscaping improvements, and neighborhood enhancements that create more complete, walkable, and sustainable neighborhoods. The project is considered an in-fill development, which will increase the housing inventory for the City of Hayward and result in a more complete neighborhood. The project is also consistent with the following General Plan policies:
- **H-3.1 Diversity of Housing Types:** *The City shall implement land use policies that allow for a range of residential densities and housing types, prices, ownership, and size, including low-density single family uses, moderate-density townhomes, and higher-density apartments, condominiums, transit-oriented developments, live-work units, and units in mixed-use developments.*
- The project will subdivide an existing parcel into 21 lots and allow for 18 new single-family homes, which provide additional single-family housing opportunities in the City.

- H-3.4 Residential Uses Close to Services: *The City shall encourage development of residential uses close to employment, recreational facilities, schools, neighborhood commercial areas, and transportation routes.*

The project is located in an established neighborhood near Southland Mall and two commercial corridors along Mission Boulevard and Jackson Street.

Furthermore, recreational facilities such as the Eden Greenway and Sorensdale Park and educational facilities such as Tennyson High School and Glassbrook Elementary School are nearby.

- Land Use Policy LU-1.3 Growth and Infill Development: *The City shall direct local population and employment growth toward infill development sites within the city, especially the catalyst and opportunity sites identified in the Economic Development Strategic Plan.*

The project is surrounded by other single-family homes and multi-family residential developments, and is considered an in-fill project, which is appropriate for new housing development.

In addition, the project is not located within any specific plan area but is located within the Harder-Tennyson Neighborhood Plan area and is consistent with those relevant policies. Therefore, the proposed subdivision is not in conflict with the General Plan and applicable specific plans and neighborhood plans.

B. The proposed subdivision meets the requirements of the City Zoning Ordinance; and

The project requires a Planned Development (PD) Rezone to provide flexibility in the site layout and allow for exceptions to certain development standards related to lot size, lot coverage, and setbacks. With the PD Rezone, the proposed subdivision will provide modified development standards of the new PD District related to lot size, lot coverage, and setbacks. PD Districts are also subject to the development standards of the zoning district most similar to the proposed use, which is the RS (Single-Family Residential) District in this case. As proposed, the project meets the development standards of the RS District related to building height, off-street parking, and landscaping. The subdivision will also allow for the construction of eighteen new detached single-family homes, which is a permitted land use in the RM District.

C. No approval of variances or other exceptions are required for the approval of the subdivision.

As proposed, the new Planned Development district would establish the zoning development standards for this project. In addition, the project will also meet the requirements of the Subdivision Ordinance. Therefore, the project will not require a variance or any other exceptions from the requirements of the HMC.

PLANNED DEVELOPMENT REZONE FINDINGS

Pursuant to Section 10-1.2535 of the HMC, the City Council may conditionally approve a Planned Development Rezone application when all the following findings are met:

A. **The development is in substantial harmony with the surrounding area and conforms to the General Plan and applicable City policies;**

The project is considered an in-fill development and will complete the neighborhood, which primarily consists of a mix of housing types including detached single-family homes and multi-family residential developments. The project proposes detached single-family homes, which is compatible with the surrounding neighborhood. Additionally, the project is consistent with the MDR land use designation and policies in the *Hayward 2040 General Plan*. The proposed density is within the density range allowed by the MDR land use designation and compatible with the overall density of the surrounding residential neighborhood.

B. **Streets and utilities, existing or proposed, are adequate to serve the development;**

The existing utilities that serve the project site, including sanitary sewer, water, and storm drain systems, have sufficient capacity to adequately serve the proposed development. On-site sewer and water utilities will be installed within the new public utility easement within the project site and connect to the existing utilities on Gading Road. The project will be served by a new private street. While the existing roadway is sufficient to accommodate the additional traffic generated from the project, frontage improvements will be required, including the reconstruction and repair of the existing road and sidewalks along Gading Road to meet the City's current roadway standards.

C. **In the case of a residential development, that the development creates a residential environment of sustained desirability and stability, that sites proposed for public facilities, such as playgrounds and parks, are adequate to serve the anticipated population and are acceptable to the public authorities having jurisdiction thereon, and the development will have no substantial adverse effect upon surrounding development;**

The project is considered an in-fill development and will replace a vacant site with attractive single-family homes to complete the neighborhood. The scale and design of the homes are compatible with the existing neighborhood. The homes will also be served by both private and public open space within the development. Each home will have usable private outdoor yards and the project provides a 2,330-square-foot group open space area. The development will also be well-integrated into the existing neighborhood since it will be served by a new private street with street parking and a sidewalk providing vehicular and pedestrian access to and from Gading Road.

D. **In the case of nonresidential uses, that such development will be in conformity with applicable performance standards, will be appropriate in size, location, and overall planning for the purpose intended, will create an environment of sustained desirability and stability through the design and development standards, and will have no substantial adverse effect upon surrounding development;**

The project does not include any nonresidential uses and as such, this finding is not applicable to this project.

- E. **In the case of a development in increments, each increment provides a sufficient proportion of total planned common open space, facilities, and services so that it may be self-contained in the event of default or failure to complete the total development according to schedule; and**

The project will be developed in one phase, ensuring that the infrastructure, facilities, and services will be available to all future residents in the development in a timely manner.

- F. **Any latitude or exception(s) to development regulations or policies is adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standards.**

The project requires a PD Rezone to provide flexibility in the site layout and allow for exceptions to certain development standards related to lot size, lot coverage, and setbacks. To offset these requested exceptions, the project proposes the following amenities:

- Rooftop solar panels on each home;
- A bedroom suite on the first floor six homes to allow for aging in place and multigenerational lifestyles; and
- 2,330 square feet of group, common open space, which is not required for detached single-family homes.

The rooftop solar panels result in a more environmentally-sensitive development and the multigenerational-friendly floor plan allows the homes to accommodate a more diverse population. The group open space, which will be maintained by a homeowner's association, provides the future residents a usable, outdoor space for recreation and public interaction.

SITE PLAN REVIEW FINDINGS

Pursuant to Section 10-1.3025 of the HMC, the City Council may conditionally approve a Site Plan Review application when all the following findings are met:

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

The proposed 18 single-family residences would be compatible with on-site and surrounding structures and uses and would be an attractive addition to the City in that it would be consistent with the developmental pattern of the existing neighborhood, which consists of small single-family residential lots and multifamily developments. The homes would also be similar in scale to other homes nearby. In addition, the building facades are articulated to provide visual interest from all sides of the homes, especially the front elevations, which incorporate recesses and projections through windows treatments, front entry porches, and stone veneer. The design, materials, and color palette of the new homes are also compatible with the character of other homes in the neighborhood. The new homes will have composition shingle roofs and a stucco exterior with stone veneer accents, which

provide additional architectural detailing. Overall, the homes are attractively designed and compatible with the existing neighborhood character.

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

The project takes into consideration physical and environmental constraints in that the scale and character of the new homes are harmonious with the surrounding neighborhood, which consists of a mix of housing types including detached single-family homes and multifamily residential developments. The new lots range between 2,657 or 3,206 square feet in size and the new homes will be two stories in height. The architectural design of the new homes is compatible with the design of the existing homes nearby and as such, the new development will blend into the existing neighborhood. In addition, the project is an in-fill development with minimal impact on the existing development pattern and will not require the demolition of any structures. Furthermore, a private street will provide access to the new homes, which will allow for safe and efficient vehicular circulation.

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

As previously discussed, the project is consistent with the MDR land use designation in the *Hayward 2040 General Plan*. The MDR land use designation is intended for a mix of housing types including single-family residences and the proposed density is within the allowable density range. The project is also consistent with the goals and policies of the *Hayward 2040 General Plan*, which encourage a diverse housing inventory and in-fill development. Furthermore, with the PD Rezone, the project meets all the applicable regulations of the Zoning Ordinance, including the development standards of the new PD District and applicable standards of the RS District. Therefore, the project complies with the intent of City development policies and regulations.

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

The project will operate in a manner determined to be acceptable and compatible with surrounding development in that the project will comply with all applicable zoning regulations, building codes, and other regulations in the HMC. The proposed site improvements will also have to meet all City standards and details to the satisfaction of the Director of Public Works as shown on the final map and improvement plans. The project will also be subject to various conditions of approval intended to protect the surrounding neighborhood from any potentially harmful impacts. In addition, the project includes guest parking spaces and a private street, which will minimize potential parking and traffic impacts on Gading Road after construction of the homes.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

- A. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15220, an Initial Study was prepared for this project with the finding that a Mitigated Negative

Declaration was appropriate because all potential impacts could be mitigated to a level of less than significant with the implementation of mitigation measures.

- B. The proposed MND was prepared by Rincon Consultants on behalf of the City of Hayward, Lead Agency, and the MND was circulated to the State, all interested parties, and posted in the newspaper with a minimum 20-day public review period between April 6, 2018 and April 26, 2018.
- C. The proposed MND was independently reviewed, considered and analyzed by the Planning Commission and reflects the independent judgement of the Planning Commission; such independent judgement is based on substantial evidence in the record (even though there may be differences between or among the different sources of information and opinions offered in the documents, testimony, public comments and such responses that make up the proposed MND and the administrative record as a whole); the Planning Commission recommends the City Council adopt the proposed MND and its findings and conclusions as its source of environmental information; and the proposed MND is legally adequate and was completed in compliance with CEQA.
- D. The proposed MND identified all potential adverse impacts and based on the MND and the whole record before the Planning Commission, there is no substantial evidence that the Project, with mitigation measures incorporated, will have a significant effect on the environment.
- E. The project complies with CEQA, and the proposed MND was presented to the Planning Commission, which reviewed and considered the information contained therein prior to recommending approval of the Project. The custodian of the record of proceedings upon which this decision is based is the Development Services Department of the City of Hayward located at 777 B Street, Hayward, CA 94544.

**CITY OF HAYWARD PLANNING DIVISION
PLANNING COMMISSION
APPLICATION NO. 201706285
VESTING TENTATIVE TRACT MAP 8432, PD REZONE, SITE PLAN REVIEW AND
MITIGATED NEGATIVE DECLARATION WITH MITIGATION MONITORING AND
REPORTING PROGRAM
25941 GADING ROAD
DRAFT CONDITIONS OF APPROVAL**

May 10, 2018

Proposed Vesting Tentative Tract Map, Planned Development (PD) Rezone, Site Plan Review, and Mitigated Negative Declaration with Mitigation Monitoring and Reporting Program (MMRP) to subdivide two existing parcels into 21 parcels to allow the construction of 18 detached single-family residences with common open space areas and related site improvements at 25941 Gading Road (APNs 454-0020-062-02 & 454-0020-069-00). Application No. 201706285; Tony Dutra (Applicant) on behalf of Dutra Enterprises (Owner).

General

1. The permittee shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.
2. Vesting Tentative Tract Map (VTTM) 8432 and the Preliminary Development Plan and Site Plan Review application are approved subject to the vesting tentative tract map and project plans date stamped March 5, 2018, except as modified by the conditions listed below.
3. In accordance with Hayward Municipal Code (HMC) Section 10-3.246, approval of VTTM 8432 and the Preliminary Development Plan and Site Plan Review application shall expire 36 months after the effective date of approval subject to statutory and discretionary extensions as allowed by the HMC and Subdivision Map Act.
4. All permit charges accrued in the processing of VTTM 8432 and the Preliminary Development Plan and Site Plan Review application shall be paid in full prior to consideration of a request for approval extensions and/or submittal of building permits for the development.
5. Applicant shall apply for all necessary building permits and/or all other related permits from the Building Division. All structures shall be constructed and installed in accordance with the California Building Code, Uniform Mechanical and Plumbing Code, National Electrical Code, and the California Fire Code as adopted by the City of Hayward.

6. If determined to be necessary for the protection of the public peace, safety and general welfare, the City of Hayward may impose additional conditions or restrictions on this permit. Violations of any approved land use conditions or requirements will result in further enforcement action by the Code Enforcement Division. Enforcement includes, but is not limited to, fines, fees/penalties, special assessment, liens, or any other legal remedy required to achieve compliance including the City of Hayward instituting a revocation hearing before the Planning Commission.
7. Prior to final inspection, all pertinent conditions of approval and all other improvements shall be completed to the satisfaction of the Planning Director.
8. Failure to comply with any of the conditions set forth in this approval, or as subsequently amended in writing by the City, may result in failure to obtain a building final and/or a Certificate of Occupancy until full compliance is reached. The City's requirement for full compliance may require minor corrections and/ or complete demolition of a non-compliant improvement regardless of costs incurred where the project does not comply with design requirements and approvals that the applicant agreed to when permits were pulled to construct the project.
9. Affordable housing in-lieu fees shall be paid either prior to issuance of a building permit or prior to approval of a final inspection or issuance of an occupancy permit. Regardless of the option chosen, no final inspection will be approved and no occupancy permit will be issued for any Dwelling Unit unless all required affordable housing impact fees have been paid in full.
10. The applicant shall be responsible for adhering to the Mitigation Monitoring and Reporting Program (MMRP) for the adopted Mitigated Negative Declaration in compliance with the California Environmental Quality Act (CEQA) Guidelines. The applicant shall provide a copy of the adopted MMRP with the building permit submittal.

Mitigation Measures

11. Mitigation Measure BIO-1: Nesting Bird Avoidance and Minimization Efforts

If project construction activities occur between February 15 and August 31, a qualified biologist shall conduct a pre-construction survey for nesting birds no more than 14 days prior to construction. The survey shall include the entire project site and a 300-foot buffer to account for nesting raptors. If nests are found the qualified biologist shall establish an appropriate species-specific avoidance buffer of sufficient size to prevent disturbance by project activity to the nest (up to 300 feet for raptors, up to 150 feet for all other birds). The qualified biologist shall perform at least two hours of pre-construction monitoring of the nest to characterize "typical" bird behavior.

During construction, if active nests are present, the qualified biologist shall monitor the nesting birds to determine if construction activities are causing any disturbance to the bird and shall increase the buffer if it is determined the birds are showing signs of unusual or distressed behavior associated with project activities. Atypical nesting behaviors that may cause reproductive harm include, but are not limited to, defensive flights, vocalizations directed towards project personnel/activities, standing up from a brooding position, and flying away from the nest. The qualified biologist shall have authority, through the resident engineer, to order the cessation of all project activities if the nesting birds exhibit atypical behavior that may cause reproductive failure (nest abandonment and loss of eggs and/or young) until a refined appropriate buffer is established. To prevent encroachment, the established buffer(s) should be clearly marked by high visibility material. The established buffer(s) should remain in effect until the young have fledged or the nest has been abandoned as confirmed by the qualified biologist. Any sign of nest abandonment should be reported to the City and CDFW within 48 hours. The monitoring biologist, in consultation with the resident engineer and project manager shall determine the appropriate protection for active nests on a case by case basis using the criteria described above.

12. Mitigation Measure BIO-2: Tree Replacement

As required by the HMC, the applicant shall replace removed protected trees with like-size, like-kind trees or an equal value tree, or implement alternative forms of mitigation as determined by the City's Landscape Architect. The City's Landscape Architect shall review the final landscape plan to confirm that the proposed mitigation cost matches or exceeds the appraised value of the removed trees prior to the issuance of building permit.

13. Mitigation Measure BIO-3: Tree Preservation Measures

As outlined in the arborist report (HortScience Inc. 2017), Tree Preservation measures are required to protect trees that will be preserved in place and replacement trees that will be planted as required under measures BIO-2.

Design Measures

- a. Include trunk locations and tag numbers on all plans.
- b. Use only herbicides safe for use around trees and labeled for that use, even below pavement.
- c. Design irrigation systems so that no trenching will occur within the Tree Protection Zone.

Pre-construction and Demolition Measures

- a. Prepare a site work plan which identifies access and haul routes, construction trailer and storage areas, etc.
- b. Establish a Tree Protection Zone around each tree to be preserved. For design purposes, the Tree Protection Zone shall be the dripline or property

line for trees 11, 86, and 87. No grading, excavation, construction or storage of materials shall occur within that zone.

- c. Install protection around all trees to be preserved. Use 6-foot chain link fence attached posts sunk into the ground. No entry is permitted into a Tree Protection Zone without permission of the Project Arborist.
- d. Trees to be removed shall be felled so as to fall away from Tree Protection Zone and avoid pulling and breaking of roots of trees to remain. If roots are entwined, the consultant may require first severing the major woody root mass before extracting the trees, or grinding the stump below ground.
- e. Trees to be retained may require pruning to provide clearance and/or correct defects in structure. All pruning is to be performed by an ISA Certified Arborist or Certified Tree Worker and shall adhere to the latest editions of the ANSI Z133 and A300 standards as well as the ISA Best Management Practices for Tree Pruning. The pruning contractor shall have the C25/D61 license specification.
- f. All tree work shall comply with the Migratory Bird Treaty Act as well as California Fish and Wildlife code 3503-3513 to not disturb nesting birds. To the extent feasible tree pruning and removal should be scheduled outside of the breeding season. Breeding bird surveys should be conducted prior to tree work. Qualified biologists should be involved in establishing work buffers for active nests.

Tree Protection During Construction

- a. Prior to beginning work, the contractors working in the vicinity of trees to be preserved are required to meet with the Project Arborist at the site to review all work procedures, access routes, storage areas and tree protection measures.
- b. Any grading, construction, demolition or other work that is expected to encounter tree roots should be monitored by the Project Arborist.
- c. If injury should occur to any tree during construction, it should be evaluated as soon as possible by the Project Arborist so that appropriate treatments can be applied.
- d. Fences will be erected to protect trees to be preserved. Fences are to remain until all site work has been completed. Fences may not be relocated or removed without permission of the Project Arborist.
- e. Any additional tree pruning needed for clearance during construction must be performed by a qualified arborist and not by construction personnel.
- f. Trees shall be irrigated, except oaks, on a schedule to be determined by the Project Arborist. Each irrigation session shall wet the soil within the Tree Protection Zone to a depth of 30 inch.

14. Mitigation Measure BIO-4: Tree Replacement and Maintenance

Replacement trees shall be planted with sufficient space to accommodate the mature size of the species and maintained sufficiently to ensure establishment. Preserved trees shall also be maintained to ensure the continued long-term health of the tree. Trees on-site will require monitoring and routine maintenance by a landscape specialist such as occasional pruning, fertilization, mulch, pest management, replanting, and irrigation.

15. Mitigation Measure CUL-1: Unanticipated Discovery of Cultural Resources

If cultural resources are encountered during ground disturbing activities, work in the immediate area shall be halted and an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology (NPS 1983) shall be contacted immediately to evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and testing for the California Register of Historical Resources (CRHR) eligibility. If the discovery proves to be significant under CEQA and cannot be avoided by the project, additional work, such as data recovery excavation, may be required to mitigate potentially significant impacts to historical resources.

16. Mitigation Measure GEO-1: Geotechnical Considerations

The project applicant shall implement all measures and recommendations set forth in the Preliminary Geotechnical Exploration prepared by ENGEO in July 2017 (Appendix B). Recommendations include but are not limited to the following topic areas:

- Grading (demolition and stripping, existing fill removal, selection of materials, differential fill thickness, fill placement)
- Building code seismic design
- Foundation design
- Pavement design
- Drainage
- Stormwater bioretention areas

In addition, a comprehensive site-specific design-level geotechnical exploration shall be prepared as part of the design process. The exploration may include borings and laboratory soil testing to provide data for preparation of specific recommendations regarding grading, foundation design, corrosion potential, and drainage for the proposed project. The recommendations set forth in the design-level geotechnical exploration shall be implemented.

17. Mitigation Measure TCR-1: Tribal Cultural Resources Spot-Checking

Initial project-related ground-disturbing activities shall be spot-checked by a qualified archaeological monitor or by an appropriate Native American representative. Spot-checking shall occur on the first day of ground disturbance,

when ground-disturbance moves to a new location on the project site, and when ground disturbance will extend to depths not previously reached (unless those depths are within bedrock). Each spot-checking visit shall include screening of representative soil samples through 1/8-inch mesh. If archaeological resources are encountered, spot-checking shall be increased to full-time monitoring and, if identified resources are of Native American origin, a Native American monitor shall be retained for the duration of the project. Archaeological spot-checking may be reduced or halted at the discretion of the monitor as warranted by conditions such as encountering bedrock, sediments being excavated are fill, or negative findings during the first 60 percent of rough grading.

18. Mitigation Measure TCR-2: Unanticipated Discovery of Tribal Cultural Resources

In the event that cultural resources of Native American origin are identified during construction, all earth-disturbing work in the vicinity of the find must be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find and an appropriate Native American representative, based on the nature of the find, is consulted. If the City determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with state guidelines and in consultation with Native American groups. The plan would include avoidance of the resource or, if avoidance of the resource is infeasible, the plan would outline the appropriate treatment of the resource in coordination with the archeologist and the appropriate Native American tribal representative.

Precise Plan Submittal

19. In accordance with Section 10-1.2550 of the Hayward Municipal Code (HMC) and prior to submitting a building permit application, a Precise Development Plan shall be submitted for review and approval.
20. The Precise Development Plan shall be in substantial conformance with the approved Preliminary Development Plan and incorporate conditions herein, and shall be submitted in advance of or in conjunction with the subdivision improvement plans and Final Map.
21. The project approval includes the following project amenities to support the finding required to be made that “any latitude or exception(s) to development regulations or policies is adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standards”.
 - A. Photovoltaic systems shall be installed on the rooftops of all units.
 - B. The Plan 3 units shall provide a bedroom suite on the first floor.
 - C. The project shall provide a 2,330-square-foot group open space area with landscaping and an outdoor seating area.

22. The Precise Development Plan shall include the following information and/or details:
- A. A copy of these conditions of approval shall be included on a full-sized sheet(s).
 - B. Proposed location for construction staging, designated areas for construction employee parking (on- and off-site), construction office, sales office (if any), hours of construction, provisions for vanpooling construction workers or having them use transit to access the site, provisions for noise and dust control, and common area landscaping.
 - C. Details of address numbers shall be provided. Address numbers shall be decorative and comply with the size requirements of the Fire Department.
 - D. Proposed locations, heights, materials and colors of all walls and fences.
 - E. A minimum of one exterior hose bib shall be provided for each residential unit.
 - F. Proposed pavement materials for all drive aisles, parking areas, and pedestrian paths. All surfaces should be enhanced with decorative pavement materials such as colored, stamped concrete (bomanite or equal), brick, concrete interlocking pavers or other approved materials.
 - G. Proposed mailbox design and locations, subject to Post Office approval. All mailboxes shall be locking mailboxes.
 - H. A final lighting plan prepared by a qualified illumination engineer shall be included to show exterior lighting design. The final lighting plan shall incorporate pedestrian scale lighting along the sidewalk within and adjacent to the development (Gading Road). All lighting shall be erected and maintained so that adequate lighting is provided along the private street. The Planning Director shall approve the design and location of lighting fixtures, which shall reflect the architectural style of the building(s). Exterior lighting shall be shielded and deflected away from neighboring properties and from windows of houses within the project.
 - I. All air conditioners and utility connections for air conditioners shall be located behind solid board fences or walls and shall not exceed the height of the fence or wall, unless otherwise approved. Infrastructure for air conditioning systems is required to be installed as a standard feature.
 - J. Proposed color and materials board for all buildings, fences and walls. No changes to colors shall be made after construction unless approved by the Planning Director.
 - K. All above-ground utility meters, mechanical equipment and water meters shall be enclosed within the buildings or shall be screened with shrubs and/or an architectural screen.

- L. No mechanical equipment, other than solar panels, shall be placed on the roof unless it is completely screened from view by the proposed roof structure. All roof vents shall be shown on roof plans and elevations. Vent piping shall not extend higher than required by building code. Roof apparatus, such as vents, shall be painted to match the roof color.
 - M. Large expanses of blank wall shall not be allowed. Articulate or otherwise treat such expanses to avoid bulkiness.
 - N. An area within each garage for individual garbage and recycling receptacles shall be provided and shall be clear of the required area for two cars. As an alternative, an area within the fenced side yard may be used for the garbage and recycling containers but shall be shown.
 - O. All parking stall dimensions shall conform to the City's Off-street Parking Ordinance. All two car garages shall have minimum interior dimensions of 20-foot width by 19-foot depth. The dimensions shall be shown on plans. No doors, stairs, landings, laundry facilities, trash/recycle containers or HVAC shall project within the required interior parking areas.
- 23. Any proposal for alterations to the proposed site plan and/or design which does not require a variance to any zoning ordinance standard must be approved by the Development Services Director or his/her designee, prior to implementation.
 - 24. Details of all project amenities shall be submitted for review and approval by the Planning Director during the Precise Plan phase of the project.
 - 25. The project shall comply with the provisions of the 2016 California Energy Code section 110.10.

Development Review Services Engineering / Public Works Engineering

- 26. **Subdivision Improvement Agreement:** Prior to the issuance of building permits, the public improvements conditioned as part of this approval require the execution of a Subdivision Improvement Agreement that guarantees the completion of the public improvements to the satisfaction of the Director of Public Works. This agreement includes privately engineered plans, surety (i.e. bonds), insurance, and additional deposit for City staff time spent on the project.
- 27. **Street Improvements & Dedications:** Privately engineered studies and design documents shall be submitted to the Director of Public Works for review and approval prior to issuance of building permits. The engineered plans shall include, but not be limited to, the following design requirements:
 - a. Dedicate Gading Road right-of-way to conform to the adjoining and the City adopted plan line.
 - b. Private Street access from Gading Road will be with an accessibility compliant City Standard driveway of width not exceeding 35 ft.

- c. Gading Road fronting the development shall be resurfaced with hot-mix asphalt-concrete (A.C.) overlay across its full width to mitigate the impact of utility trenches and pavement excavations. The new paving shall have thermoplastic striping and markings.
 - d. Private Street and Court shall include non-exclusive easements for the water and sewer improvements to be maintained by the City, public utilities and emergency vehicle access.
 - e. The Public Utilities Easement (PUE) over individual lots for single family homes as shown on the tentative map shall be deleted or adjusted on the final map to maximize tree planting and landscaping areas to the satisfaction of the City Engineer and Landscape Architect.
 - f. Private Street and Court width, between curb faces, shall be no less than 24 feet as per the City of Hayward Standard Details SD-102 Sheet 1 of 4.
 - g. A 5-ft. wide accessibility compliant sidewalk with required ramps shall be provided behind curb fronting residences along the proposed Private Street and Court.
 - h. Private Street with length exceeding 150-ft. require a 40-ft. radius vehicular turn-around at the end as per the City of Hayward Standard Details SD-103 Sheet 1 of 2. Alternately and with approval of the City's Fire Department, the Private Court with a minimum width of 30-feet between curb faces may substitute for the vehicle turn-around as per the City of Hayward Standard Details SD-103 Sheet 2 of 2.
 - i. An on-site and off-site photometric plan shall be provided and the lighting shall comply with the City's Security Ordinance and City Street Lighting Standards. The location and details of all proposed light standards shall be shown on plans to be approved by the City Engineer and Planning Director.
 - j. Gading Road damaged curb and gutter segments, fronting the project site, shall be removed and replaced with new to match existing. Existing sidewalk shall be replaced with accessibility compliant new City Standard Sidewalk.
28. **Grading & Drainage:** A grading and drainage plan is required and shall be submitted with the improvement plans and approved by the Director of Public works prior to building permit issuance. The grading and drainage plan shall include, but not be limited to, the following design and submittal requirements:
- a. All on-site storm drainage conveyance facilities and earth retaining structures 4' foot in height or less (top of wall to bottom of footing) shall be reviewed and approved by Public Works. Earth retaining structures greater than 4-feet in height shall be reviewed and approved by the Building Division of the Development Services Department. The plans should include all proposed underground pipes, building drains, area

- drains and inlets. The on-site storm drainage system (if applicable) shall be designed to convey a 10-year storm event.
- b. Because this project involves a land disturbance of one or more acres, the applicant is required to submit a Notice of Intent to the State Water Resources Control Board and to prepare a Storm Water Pollution Prevention Plan (SWPPP) for controlling storm water discharges associated with construction activity. Copies of these documents must be submitted to the Director of Public Works prior to issuance of a grading permit.
 - c. A soils report must be submitted to and accepted by the City prior to the issuance of a grading permit.
 - d. The project's Stormwater Control Plan shall be submitted which will show, at a minimum, drainage management areas, location and details of all treatment control measures and site design measures, and numeric sizing calculations in conformance with Alameda County Clean Water Program C3 design guidelines.
 - e. The property owner shall enter into the City's standard "Stormwater Treatment Measures Maintenance Agreement" as prepared by the City. The Maintenance Agreement shall be recorded with the Alameda County Recorder's Office to ensure that the maintenance responsibility for private treatment control and site design measures is bound to the property in perpetuity.
29. **Undergrounding:** Developer shall complete the underground conversion of the utility facilities fronting the project along Gading Road. Developer shall submit copies of executed utility agreements to Public Works prior to the issuance of Building Permits.
30. **Construction Damages:** The Developer shall be responsible to remove and replace curb, gutter, and sidewalk damaged during construction of the proposed project prior to issuance of the Final Construction Report by the City Engineer.
31. **Large Tract Development, Releases:** All required improvement leading and adjacent to units to be occupied shall be installed according to the approved plan, including completion of punch list items. The public shall not be allowed to pass through areas of activity to reach occupied units.
32. **Homeowner's Association (HOA):** Prior to the sale of any parcel, or prior to the acceptance of site improvements, whichever occurs first, Conditions, Covenants and Restrictions (CC&R's), creating an HOA for the property, shall be reviewed and approved by the Planning Director and City Attorney and recorded. The CC&R's shall describe how the stormwater BMPs associated with privately owned improvements and landscaping shall be maintained by the association. The CC&Rs shall include the following provisions:
- a. The CC&R's shall state that the City of Hayward has the right to abate public

nuisance conditions in the common area if the association or corporation fails to do so, and to assess the cost to the association, corporation or individual unit owners. In order to accomplish this, the CC&Rs shall contain the following typical statements:

- i. In the event the Board fails to maintain the exterior portions of the common area so that owners, lessees, and their guest suffer, or will suffer, substantial diminution in the enjoyment, use or property value of the project, thereby impairing the health, safety, and welfare of the residents in the project, the City of Hayward, by and through its duly authorized officers and employees, shall have the right to enter upon the real property described in Exhibit "A" and to commence and complete such work as is necessary to maintain said exterior portions of the common area. The City shall enter and repair only if, after giving the Board written notice of the Board's failure to maintain the premises, the Board does not commence correction of such conditions in no more than 30 days from delivery of the notice and proceed diligently to completion. The Board agrees to pay all expenses incurred by the City of Hayward within 30 days of written demand. Upon failure by the Board to pay within said 30 days, the City of Hayward shall have the right to impose a lien for the proportionate share of such costs against each condominium or community apartment in the project.
- ii. It is understood that by the provisions hereof, the City of Hayward is not required to take any affirmative action, and any action undertaken by the City of Hayward shall be that which, in its sole discretion, it deems reasonable to protect the public health, safety, and general welfare, and to enforce it and the regulations and ordinances and other laws.
- iii. It is understood that action or inaction by the City of Hayward, under the provisions hereof, shall not constitute a waiver or relinquishment of any of its rights to seek redress for the violation of any of the provisions of these restrictions or any of the rules, regulations, and ordinances of the City, or of other laws by way of a suit in law or equity in a court of competent jurisdiction or by other action.
- iv. It is further understood that the remedies available to the City by the provision of this section or by reason of any other provisions of law shall be cumulative and not exclusive, and the maintenance of any particular remedy shall not be a bar to the maintenance of any other remedy. In this connection, it is understood and agreed that the failure by the Board to maintain the exterior portion of the common area shall be deemed to be a public nuisance, and the City of Hayward shall have the right to abate said condition, assess the costs thereof and cause the collection of said assessments to be made on the tax roll in the manner provided by Chapter 4, Article 1, of the Hayward

Municipal Code or any other applicable law.

- v. The City Council of the City of Hayward may, at any time, relinquish its rights and interest in the project as herein set forth by appropriate resolution. Any such relinquishment by the City Council shall be effective on the date that the resolution is adopted and a copy thereof is placed in the United States mail, postage prepaid, addressed to the Board. The Board shall execute and record a declaration reflecting such relinquishment within 10 days of receipt of a copy of the resolution.
- b. Each owner shall automatically become a member of the association(s) and shall be subject to a proportionate share of maintenance expenses.
- c. A reserve fund shall be maintained to cover the costs of improvements and landscaping to be maintained by the Association(s).
- d. The HOA shall own and maintain the private access roads and on-site storm drain systems in the development, excluding those located within the public right-of-way.
- e. A provision that the building exteriors and fences shall be maintained free of graffiti. The owner's representative shall inspect the premises on a weekly basis and any graffiti shall be removed within 48 hours of inspection or within 48 hours of notification by the City.
- f. The HOA shall maintain the common area irrigation system and maintain the common area landscaping in a healthy, weed-free condition at all times. The HOA representative(s) shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30% die-back) shall be replaced within fifteen days of notification to the homeowner. Plants in the common areas shall be replaced within two weeks of the inspection. Trees shall not be severely pruned, topped or pollarded. Any trees that are pruned in this manner shall be replaced with a tree species selected and size determined by the City Landscape Architect, within the timeframe established by the City and pursuant to the Hayward Municipal Code.
- g. The HOA shall conduct at least semi-annual inspections to confirm that all residents are using their garages for parking their cars and not for storage. Residents shall make garages available for such inspections, as appropriate. An automatic garage door opening mechanism shall be provided for all garage doors.
- h. Individual homeowners shall maintain in good repair the exterior elevations of their dwelling. The CC&Rs shall include provisions as to a reasonable time period that a unit shall be repainted, the limitations of work (modifications) allowed on the exterior of the building, and the right of the home owners association to have necessary work done and to place a lien upon the property if maintenance and repair of the unit is not executed within a specified time frame. The premises shall be kept clean and free of debris at

all times. Color change selections shall be compatible with the existing setting.

- i. The HOA shall maintain all fencing, parking surfaces, common landscaping, lighting, drainage facilities, project signs, exterior building elevations, etc. The CC&Rs shall include provisions as to a reasonable time period that the building shall be repainted, the limitations of work (modifications) allowed on the exterior of the buildings, and its power to review changes proposed on a building exterior and its color scheme, and the right of the homeowner's association to have necessary work done and to place a lien upon the property if maintenance and repair of the unit is not executed within a specified time frame. The premises shall be kept clean.
- j. Any future major modification to the approved site plan shall require review and approval by the City.
- k. On-site streetlights and pedestrian lighting shall be owned and maintained by the HOA and shall have a decorative design approved by the Planning Director and the City Engineer.
- l. Street sweeping of the private street and private parking stalls shall be conducted at least once a month.
- m. The association shall ensure that no less than 75 percent of the units shall be owner-occupied. The CC&Rs shall further provide that the leasing of units as a regular practice for business, speculative investment or other similar purpose is not permitted. However, to address special situations and avoid unusual hardship or special circumstances, such as a loss of job, job transfer, military transfer, change of school or illness or injury that, according to a doctor, prevents the owner from being employed, the CC&Rs may authorize the governing body to grant its consent, which consent shall not be unreasonably withheld, to a unit owner who wishes to lease or otherwise assign occupancy rights to a specified lessee for a specified period.

Landscape

- 33. Public utility easement along the north side of the Street A will be relocated to the sidewalk area. The base information shall be updated in coordination with the civil plan.
- 34. Bio-retention area shall not extend into the public storm drain easement by Lot 9.
- 35. Rolled/ramping curb shall be considered at the entire Lot A the park frontage.
- 36. One additional tree shall be added for Lot 1 between Lot 1 and 2.
- 37. Mature plant sizes and proposed spacing shall be revised for Olea Little Ollie, Pittosporum tobira, Rosmarinus, Salvia leucantha, stachys (spreading with surface

runner), *Westringia* f. *Wynyabbie* Highlight, *Carex tumulicola*, *Thymus* and *Arctostaphylos* Pacific Mist.

38. Front yard landscape shall be maintained by HOA; therefore, the water budget calculations for MAWA and ETWU shall include all common open space, bio-retention and front yard landscaped areas. Typical lot water budget calculations shall not be applicable for this project.
39. Root barriers shall be installed linearly against the paving edge in all instances where a tree is planted within seven of pavement or buildings, and as recommended by the manufacturer.
40. All above ground mechanical equipment shall be screened from the street with five-gallon shrubs.
41. Required conceptual irrigation plan was not submitted as a part of Site Plan Review application process. Detailed irrigation plans, specifications and details shall be submitted for the City's approval.
42. Park Dedication In-Lieu Fees are required for all new dwelling units. Fees shall be those in effect at the time of issuance of the building permit.
43. Prior to issuance of the first building permit, detailed landscape and irrigation improvement plans shall be approved by the City. Once approved, Mylar of the approved improvement plans shall be submitted to the City for approval signature. Copies of the signed improvement plans shall be submitted as a part of the building permit submittal. No building permit shall be issued prior to approval of landscape and irrigation improvement plans.
44. Mylar of the approved landscape and irrigation improvement plans shall be submitted to the Engineering Department. Mylar shall be wet-signed and shall be provided with a bar scale. The size of Mylar shall be twenty-two (22) inches by thirty-four (34) inches without an exception. A signing block shall be provided in the low right side on each sheet of Mylar. The signing block shall contain two signature lines and two date lines for City of Hayward, Landscape Architect and City Engineer. Upon completion of installation, As-built/Record Mylar shall be submitted to the Engineering Department by the developer.
45. A tree preservation bond equaling the total appraised value of the trees for preservation in the approved arborist report shall be submitted to City Landscape Architect prior to issuance of grading permit. The bond shall remain in effect throughout the construction period and until completion of the entire project improvements. If any trees that are designated as saved are removed or damaged during construction shall be replaced with trees of equal size and equal value

46. Trees shall be preserved in accordance with the Tree Preservation Ordinance. Prior to the commencement of clearing and grading operations, tree protection measures in compliance with the project arborist's recommendation and the City codes shall be installed.
47. A tree removal permit shall be obtained prior to the removal of any tree in addition to grading permit.
48. Minimum twelve inches wide band of large size Noiya Cobblestone shall be provided around overflow catch basin or bubble up basin.
49. Three-inch deep mulch with organic recycled chipped wood in dark brown color shall be required for all planting areas including bio-treatment areas.
50. Bio-treatment area, when wider than ten feet, shall be irrigated with matched precipitation rotator type, or as efficient overhead spray irrigation system that allows "cycle and soaking" program function. When the treatment area width is less than ten feet, efficient irrigation system that meets the current ordinance requirements shall be provided. The irrigation for bio-retention area shall be provided on a separate valve.
51. All common area landscaping, irrigation and other required improvements shall be installed in accordance with the approved improvement plans prior to acceptance of tract improvements, or occupancy of eighty-percent (80%) of the dwelling units, whichever first occurs. Certificate of Completion, as-built Mylar and an Irrigation Schedule shall be submitted upon acceptance of the landscape improvements for the Tract to the Department of Public Works Engineering by the developer.
52. For Model Homes: Municipal Code Article 12, Section 10-12.17 Public Education, Model Homes: All model homes that are landscaped shall use signs and written information to demonstrate the principles of water efficient landscapes described in this Article.
 - A. Signs shall be used to identify the model as an example of a water efficient landscape featuring elements such as hydrozones, irrigation equipment, and others that contribute to the overall water efficient theme.
 - B. Information shall be provided about designing, installing, managing, and maintaining water efficient landscapes.
53. Inspection for Models: Landscape inspection shall be required prior to issuance of TCO, and another inspection prior to issuance of Certificate of Occupancy at the time of converting the model for sale. The project landscape architect shall inspect and accept the installation prior to requesting an inspection from City Landscape Architect. The project landscape architect shall complete Appendix C. Certificate of Completion in the City's Bay-Friendly Water Efficient Landscape Ordinance. The

completed Certificate of Completion Part 1 through Part 7 shall be faxed/e-mailed/turn in prior to requesting an inspection from the City Landscape Architect.

54. Prior to the issuance of Certificate of Occupancy, all landscape and irrigation shall be completed in accordance to the approved plan and accepted by the City Landscape Architect. Before requesting an inspection from the City Landscape Architect, the project landscape architect shall inspect and accept landscape improvements and shall complete Appendix C. Certificate of Completion in the City's Bay-Friendly Water Efficient Landscape Ordinance. The completed Certificate of Completion Part 1 through Part 7 or applicable parts shall be faxed/e-mailed/turn in prior to requesting an inspection from the City Landscape Architect.
55. Landscaping shall be maintained by HOA and shall be in a healthy, weed-free condition at all times and shall maintain irrigation system to function as designed to reduce runoff, promote surface filtration, and minimize the use of fertilizers and pesticides, which contribute pollution to the Bay. The owner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30% dieback) shall be replaced within ten days of the inspection. Three inches deep mulch should be maintained in all planting areas. Mulch shall be organic recycled chipped wood in the shades of Dark Brown Color, and the depth shall be maintained at three inches deep. All nursery stakes shall be removed during tree installation and staking poles shall be removed when the tree is established or when the trunk diameter of the tree is equal or larger to the diameter of the staking pole. All trees planted as a part of the development as shown on the approved landscape plans shall be "Protected" and shall be subjected to Tree Preservation Ordinance. Tree removal and pruning shall require a tree pruning or removal permit prior to removal by City Landscape Architect. Any damaged or removed trees without a permit shall be replaced in accordance with Tree Preservation Ordinance or as determined by City Landscape Architect within the timeframe established by the City and pursuant to the Municipal Code. Irrigation system shall be tested periodically to maintain uniform distribution of irrigation water; irrigation controller shall be programmed seasonally; irrigation system should be shut-off during winter season; and the whole irrigation system should be flushed and cleaned when the system gets turn on in the spring.
56. A covenant or deed restriction shall address that all trees planted by the developer are "Protected Tree" including the trees in rear yards in accordance with the City's Tree Preservation Ordinance. A tree removal and a pruning permit from City Landscape Architect shall be required prior to removal and pruning of all Protected Tree. All removed trees shall be replaced in accordance with the City's Tree Preservation Ordinance. Trees shall not be severely pruned, topped or pollarded. Any trees that are pruned in this manner shall be replaced with a tree species selected by, and size determined by the City Landscape Architect, within the timeframe established by the City and pursuant to the HMC.

Public Works Transportation

57. Applicant shall maintain the existing striping on Gading Road for the section that will be ground & overlayed along the project frontage. Applicant shall submit a Signing & Striping Plan to Public Works-Engineering detailing signing & striping. Signing & striping plan shall be approved by the City Engineer prior to issuance of building occupancy permits.
58. Applicant shall not modify existing No Parking restrictions along the project frontage on Gading Road.

Utilities and Environmental Services

59. Please ensure the Hydro-Flo pavers at the entry to the private drive off Gading Road can accommodate a 50,000-pound garbage truck on a weekly basis.
60. Construction & Demolition Debris: The City requires that construction and demolition debris be recycled per certain ordinance requirements. At the time of your building permit, submittal of the Debris Recycling Statement will be required. The form can also be found at <http://www.hayward-ca.gov/services/city-services/construction-and-demolition-debris-disposal>.
61. The development's proposed water main and valves shall be public, owned and maintained by the City. If the water mains are located in a private roadway, either the entire roadway shall be a public utility easement or a minimum 10' wide easement shall be granted to the City.
62. All public water mains and appurtenances shall be constructed in accordance to the City's "Specifications for the Construction of Water Mains and Fire Hydrants," latest revision at the time of permit approval (available on the City's website at <http://user.govoutreach.com/hayward/faq.php?cid=11188>).
63. All water mains must be looped. Dead end water mains will not be allowed. Water mains must be connected to other water mains.
64. All connections to existing water mains shall be performed by City Water Distribution Personnel at the applicant's/developer's expense.
65. All water services from existing water mains shall be installed by City Water Distribution Personnel at the applicant's/developer's expense. The developer may only construct new services in conjunction with their construction of new water mains.
66. Each single-family residence (SFR) shall have an individual domestic water meter. Facilities fees for residential connections are based on the domestic demand for the home. A larger water meter may be installed if the service is combined with a private fire service. The developer is required to pay water facilities fees and installation charges for connections to water mains and work performed by City forces.

67. Each structure shall have its own fire service, sized per the requirements of the Fire Department. Fire services shall have an above ground Double Check Valve Assembly, per City Standards SD-201 and SD-204.
68. The development could use combined residential domestic and fire services for each residence. Residential combined domestic and fire services are allowed, per City Standard SD-216. The minimum size for a residential fire service connection is 1" (combined or not) and the maximum size for combined services is 2". If the calculated fire demand exceeds 160 GPM, a separate fire service will be required. Note that, per CBC 2010 R313, flow-through or multipurpose systems may not require a backflow device (SD-216 is attached).
69. Irrigation: It is anticipated that one or more separate irrigation water meters and services shall be installed for development landscaping. The applicant/developer shall install an above ground Reduced Pressure Backflow Prevention Assembly (RPBA) on each irrigation water meter, per SD-202. Backflow preventions assemblies shall be at least the size of the water meter or the water supply line on the property side of the meter, whichever is larger.
70. Water meters and services are to be located a minimum of two feet from top of driveway flare as per SD-213 thru SD-218. Water meter boxes in driveway aisle areas shall have steel H20 rated lids.
71. Water mains and services, including the meters, must be located at least 10 feet horizontally from and one-foot vertically above any parallel pipeline conveying untreated sewage (including sanitary sewer laterals), and at least four feet from and one foot vertically above any parallel pipeline conveying storm drainage, per the current California Waterworks Standards, Title 22, Chapter 16, Section 64572. The minimum horizontal separation distances can be reduced by using higher grade (i.e., pressure) piping materials.
72. The proposed fire hydrant between lot 3 and 4 is located near the existing gas line in lot 3. Per the plans, it is proposed to remove the existing gas line in lot 3. If the existing gas line in lot 3 is not removed, the fire hydrant shall be relocated per the requirements of the Fire Department.
73. City records indicate that 25941 Gading Road is served by an existing septic system. The septic system must be abandoned in accordance with Alameda County Environmental Health's Land Use Program regulations.
74. The development's sanitary sewer mains and manholes shall be public, owned and maintained by the City. If the sewer mains are located in a private roadway, either the entire roadway shall be a public utility easement or a minimum 10' wide easement shall be granted to the City.

75. All sewer mains and appurtenances shall be constructed in accordance to the City's "Specifications for the Construction of Sewer Mains and Appurtenances (12" Diameter or Less)," latest revision at the time of permit approval (available on the City's website at <http://user.govoutreach.com/hayward/faq.php?cid=11188>). Sewer cleanouts shall be installed on each sewer lateral at the connection with the building drain, at any change in alignment, and at uniform intervals not to exceed 100 feet. Manholes shall be installed in the sewer main at any change in direction or grade, at intervals not to exceed 400 feet, and at the upstream end of the pipeline.
76. Each SFR shall have an individual sanitary sewer lateral. Each sanitary sewer lateral shall have at least one cleanout and be constructed per SD-312.
77. The developer is responsible for payment of sewer connection fees at the current rates at the time the application for building permits are submitted.

Fire Department

78. Design of the public streets and private streets and courts shall meet all City of Hayward and California Fire Code Standards.
79. All public and private streets and private courts shall be designed with an all-weather surface pavement.
80. All public streets, private streets and private courts shall be designed and engineered to withstand 75,000 lbs. gross vehicle weight of fire apparatus. Such standard is also applicable to pavers or decorative concrete.
81. Parking of vehicles is allowed one-side parking on 30-foot-wide road. No parking is allowed on 24-foot-wide road. Where there is no on-street parking, fire lane signage shall be installed in locations required by the Hayward Fire Department. "No Parking" sign shall meet the City of Hayward Fire Department fire lane requirements.
82. Spacing and locations of fire hydrants shall be subject to review and approval by the Hayward Fire Department. The type of fire hydrant shall be Modified Steamer Hydrant (Clow Valve Co. Model LB 614 with one 2-1/2" outlet and one 4-1/2" outlet) in single-family residential area, capable of flowing 1,500 gallons per minute. The design and layout of the hydrants shall be reviewed and approved by the Fire Department.
83. Blue reflective pavement markers shall be installed at fire hydrant locations in the street. If fire hydrants are located to be subjected to vehicle impacts as determined by the Hayward Fire Department, crash posts shall be installed around the fire hydrant(s).
84. Buildings are required to install fire sprinkler systems in accordance with NFPA 13D Standards for residential buildings. A separate plan/permit is required prior to the

installation of the overhead fire sprinkler system. All fire overhead fire sprinkler systems shall be designed and installed by a Licensed C-16 Contractor. (**Deferred Submittal**)

85. Maximum 80 PSI water pressure should be used when water data indicates a higher static pressure. Residual pressure should be adjusted accordingly.
86. Underground fire service line serving NFPA 13D sprinkler system shall be installed in accordance with NFPA 24 and the Hayward Public Work Department SD-216. Water meter shall be a minimum of one-inch in diameter for residential application.
87. An audible alarm bell (device) shall be installed to sound on the exterior of each individual building. The device shall activate upon any fire sprinkler system water flow activity and in some applications, monitored for integrity.
88. An interior audible alarm device shall be installed within residential dwellings in a location to be heard throughout the home. The device shall activate upon any fire sprinkler system water flow activity.
89. All bedrooms and hallway areas shall be equipped with smoke detectors, CO detectors and/or combination CO/Smoke detectors, hard-wired with battery backup. Installation shall conform to the California Building Code (CBC).
90. When a flow switch is not installed on the riser of a flow thru sprinkler system, smoke alarms shall be interconnected to sound an audible alarm in all sleeping areas within the dwelling unit.
91. CO detectors should be placed near the sleeping area on a wall about 5 feet above the floor. The detector may be placed on the ceiling. Each floor needs a separate detector.
92. A minimum 4" self-illuminated address shall be installed on the front of the dwelling in a location to be visible from the street. Otherwise, a minimum 6" address shall be installed on a contrasting background and shall be in a location approved by the Fire Department.
93. Submit a Phase 1 Environmental Assessment and any other records regarding site contamination, investigation, remediation, or clearances from other regulatory agencies. Submit final clearance shall be obtained from either the California Regional Water Quality Control Board or Department of Toxic Substance Control to ensure that the property meets residential development investigation and cleanup standards. Allowance may be granted for some grading activities if necessary to ensure environmental clearances.
94. The Hayward Fire Department's Hazardous Materials Office shall be notified immediately at (510) 583-4900 if hazardous materials or associated structures are discovered during demolition or during grading. These shall include, but shall not

be limited to: actual/suspected hazardous materials, underground tanks, or other vessels that may have contained hazardous materials.

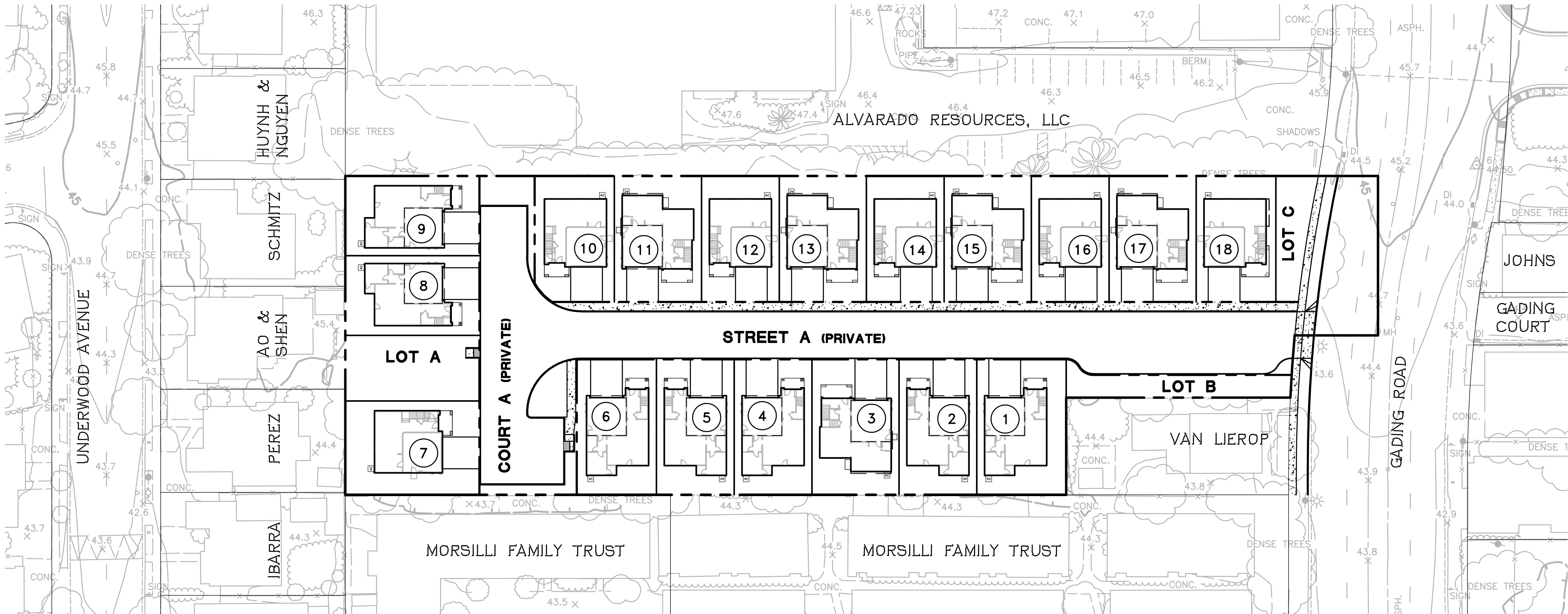
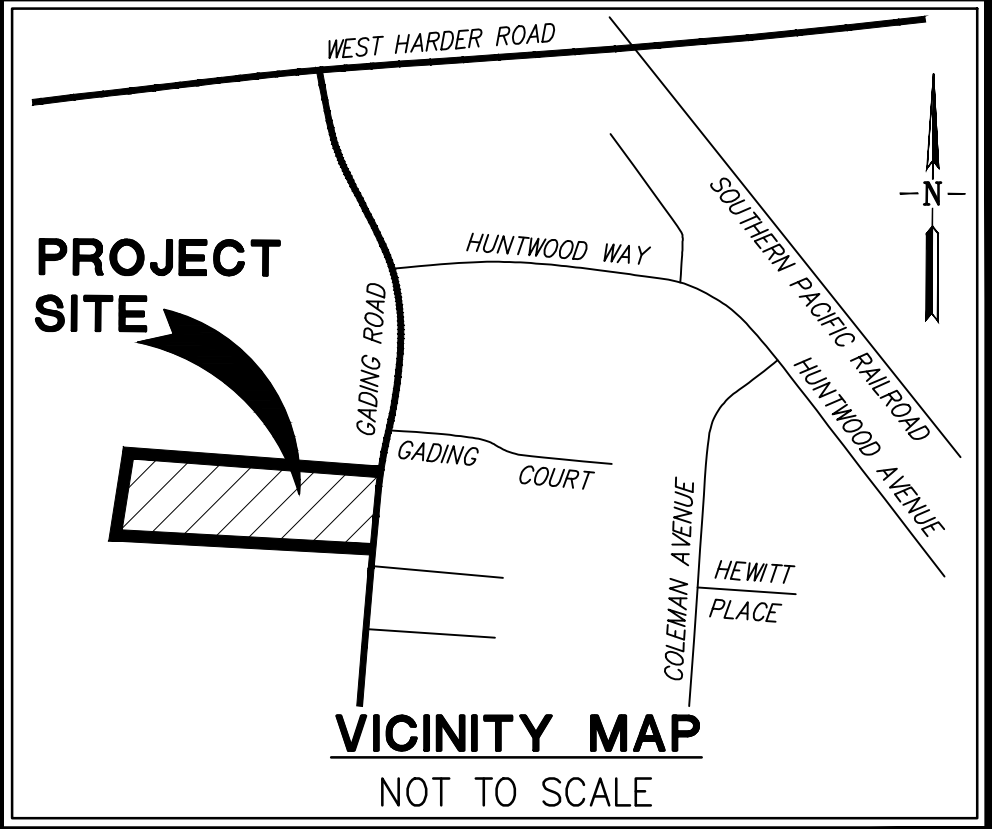
95. If hazardous materials storage and/or use are to be a part of the facility's permanent operations, then a Chemical Inventory Packet shall be prepared and submittal with building plans to the City of Hayward Fire Department at the time of application for construction permits.
96. Prior to grading: Structures and their contents shall be removed or demolished under permit in an environmentally sensitive manner. Proper evaluation, analysis and disposal of materials shall be done by appropriate professional(s) to ensure hazards posed to development construction workers, the environment, future residents and other persons are mitigated.
97. Discovery of Potentially Hazardous Materials or Vessels/Containers shall be reported to the Hayward Fire Department's Hazardous Materials Office shall be notified immediately at (510) 583-4900 if hazardous materials are discovered during demolition or during grading. These shall include, but shall not be limited to, actual/suspected hazardous materials, underground tanks, vessels that contain or may have contained hazardous materials.
98. Use of Hazardous Materials or Generation of Hazardous Waste – During construction, hazardous materials used and hazardous waste generated shall be properly managed and disposed.

BENCHMARK

CITY OF HAYWARD BENCHMARK. A STANDARD CITY MONUMENT DISK LOCATED AT THE INTERSECTION OF GADING ROAD AND HUNTWOOD WAY.
ELEVATION = 46.705 FEET. (NGVD 29).

PRELIMINARY DEVELOPMENT PLAN GADING II

CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA
FOR: DUTRA ENTERPRISES, INC.



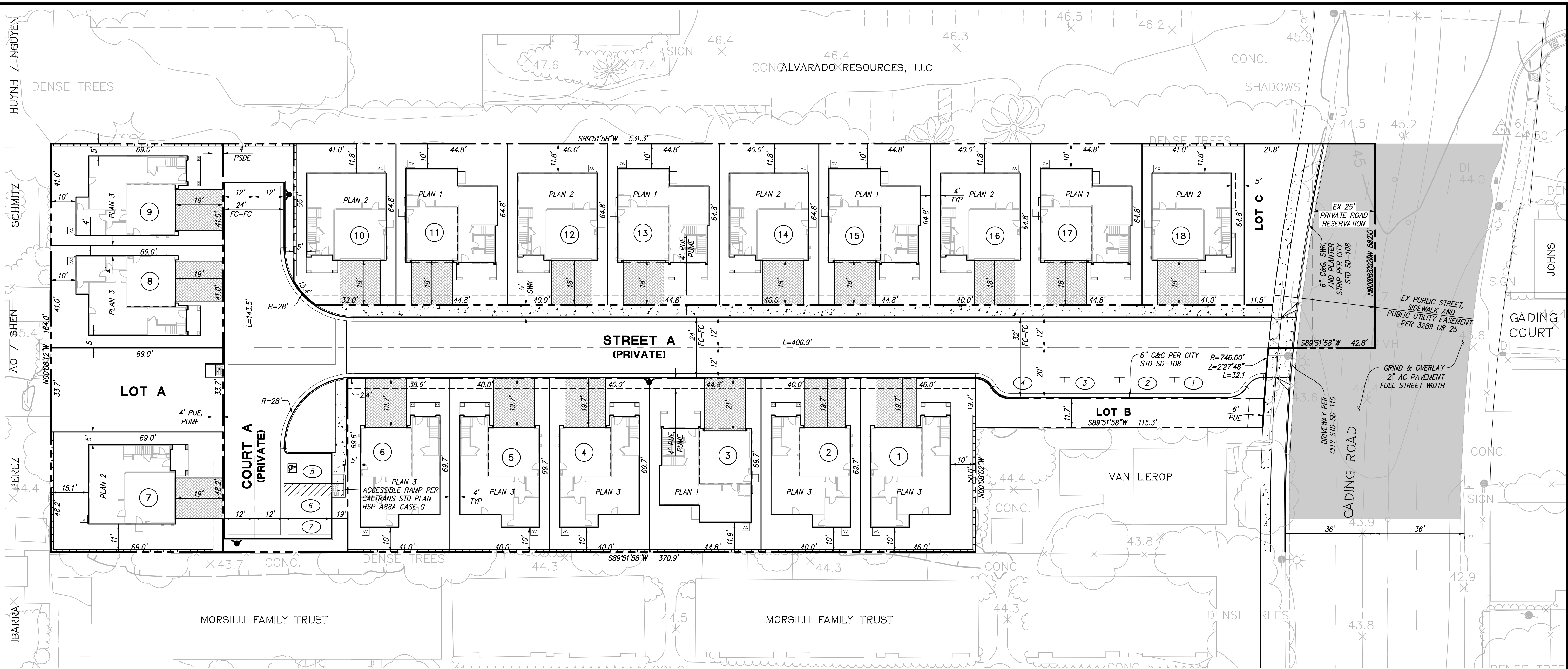
PROJECT TEAM

- | | |
|---------------------------|---|
| 1. APPLICANT: | DUTRA ENTERPRISES, INC.
43360 MISSION BLVD., SUITE 230
FREMONT, CA 94539
TEL: (510) 403-7973
CONTACT: ZAHEER SIDDIQUI |
| 2. CIVIL ENGINEER: | RUGGERI-JENSEN-AZAR
4690 CHABOT DRIVE, SUITE 200
PLEASANTON, CA 94588
TEL: (925) 227-9100
CONTACT: STEVE LICHLITER |
| 3. GEOTECHNICAL ENGINEER: | ENGEO, INC.
2010 CROW CANYON PL, SUITE 250
SAN RAMON, CA 94583
TEL: (925) 866-9000
CONTACT: RANDY HILDEBRANT |
| 4. ARCHITECT: | KTGY GROUP, INC.
580 SECOND STREET, SUITE 200
OAKLAND, CA 94607
TEL: (510) 463-2046
CONTACT: CINDY MA |
| 5. LANDSCAPE ARCHITECT: | RIPLEY DESIGN GROUP
1615 BONANZA STREET, SUITE 314
WALNUT CREEK, CA 94596
TEL: (925) 938-7377
CONTACT: WILL GREEN |

SHEET INDEX

<u>SHEET NO.</u>	<u>DESCRIPTION</u>
P-1	TITLE SHEET
P-2	PRELIMINARY SITE PLAN
P-3	PRELIMINARY GRADING PLAN
P-4	PRELIMINARY TRAFFIC CIRCULATION PLAN

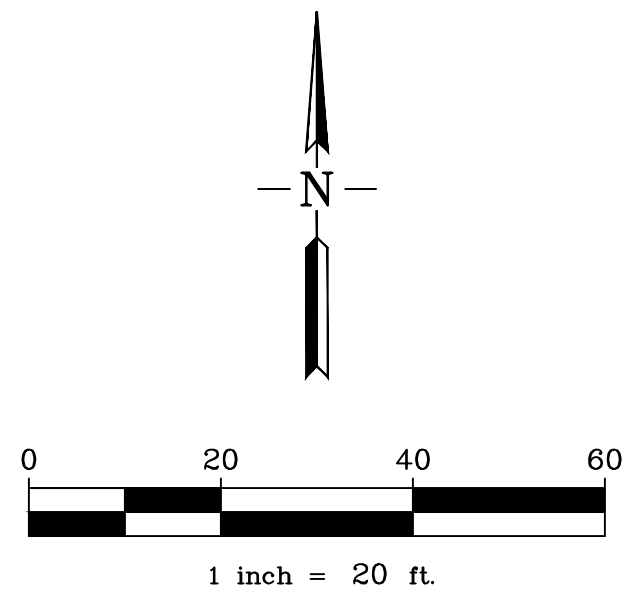
G:\JOB2017\171030\CAD FILES\02-PLANNING\PD\P-2 PRELIMINARY SITE PLANNING 2/27/2018 HILLARY RAYA



PARKING SUMMARY	
GARAGE PARKING	36
DRIVEWAY PARKING	36
STREET PARKING	7
TOTAL	79

LOT SUMMARY	
LOT NO.	AREA (SF)
1	3,206
2	2,788
3	3,124
4	2,788
5	2,788
6	2,857
7	3,329
8	2,829
9	2,829
10	2,620
11	2,905
12	2,592
13	2,905
14	2,592
15	2,905
16	2,592
17	2,905
18	2,657
LOT A	2,328
LOT B	1,048
LOT C	1,397
STREET A & COURT A	18,632
GADING ROAD	3,077
TOTAL	77,693

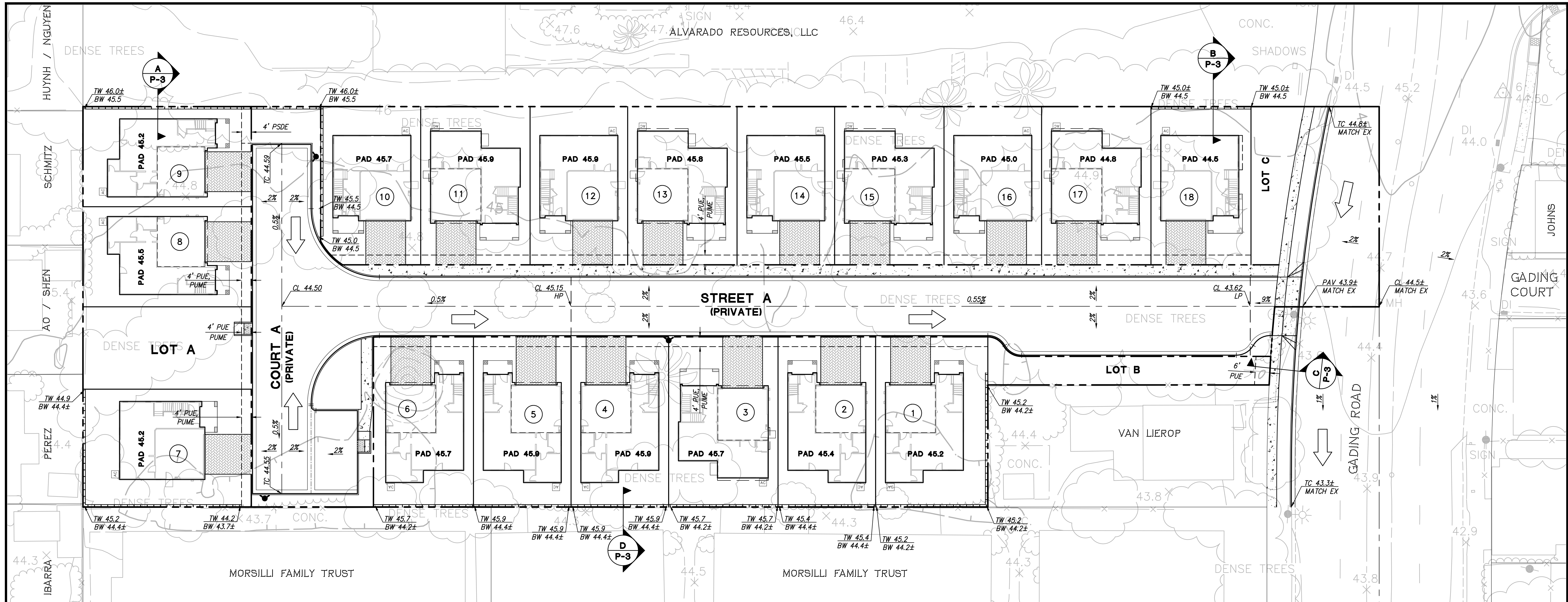
LEGEND	
	PERVIOUS PAVEMENT
	NEW CONCRETE PAVEMENT
	NEW ASPHALT PAVEMENT



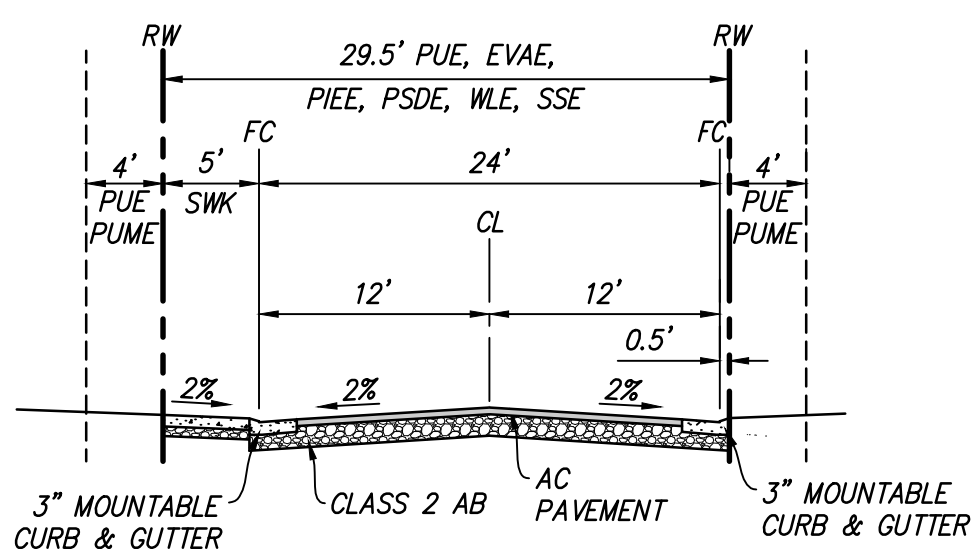
PRELIMINARY DEVELOPMENT PLAN
GADING II
PRELIMINARY SITE PLAN
CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA
FOR: DUTRA ENTERPRISES, INC.

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

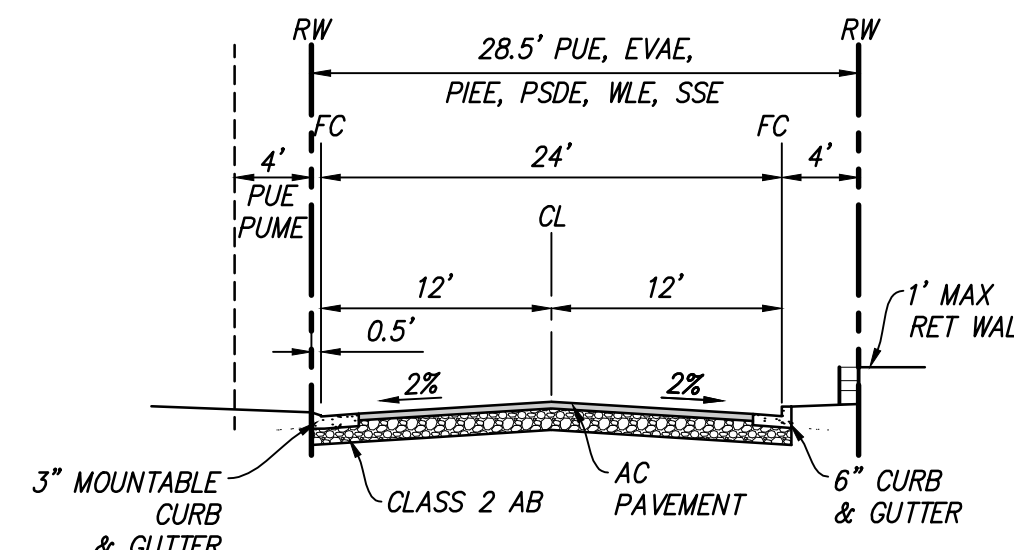
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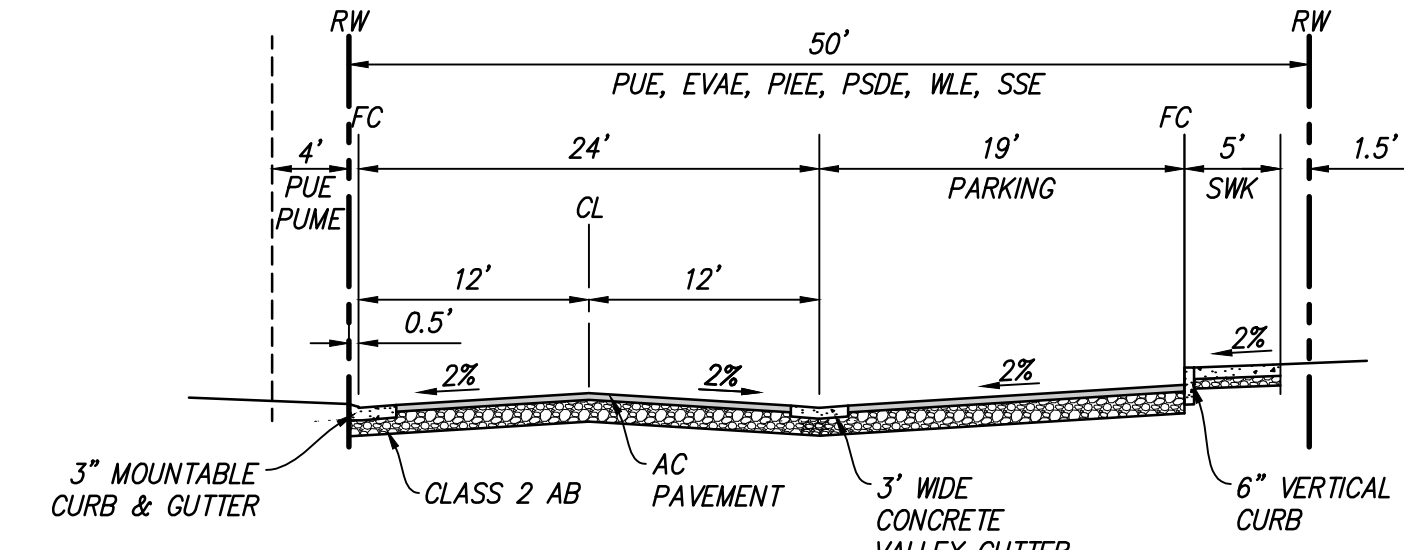
PRELIMINARY PAVEMENT DESIGN CHART				
STREET NAME	TRAFFIC INDEX	"R" VALUE	AC PAVEMENT SECTION	
			A.C.	A.B.
STREET A	5	5	3.0"	10.0"
COURT A	5	5	3.0"	10.0"



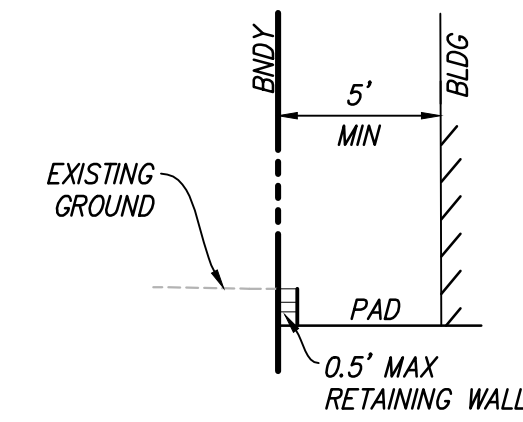
STREET A (PRIVATE)
NOT TO SCALE



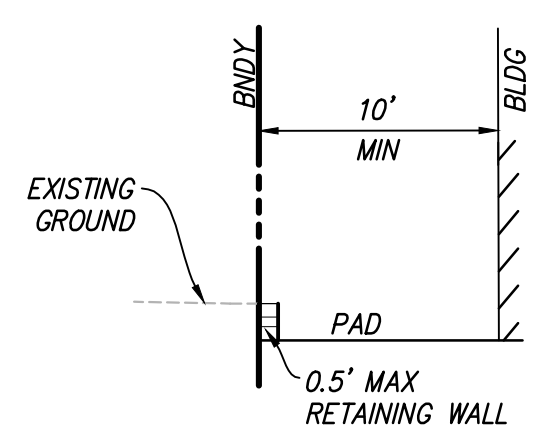
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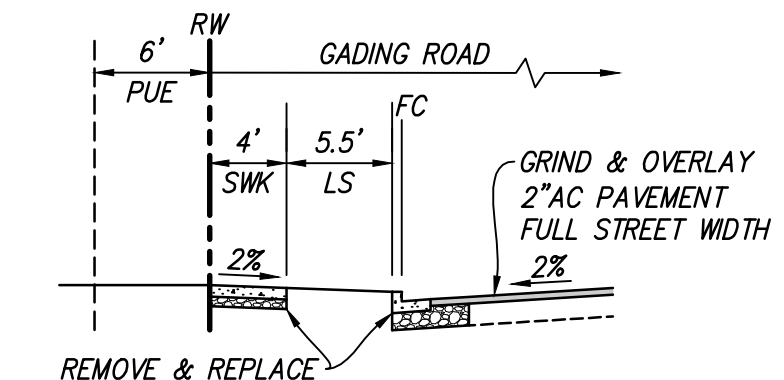
COURT A (PRIVATE)
WITH PARKING
NOT TO SCALE



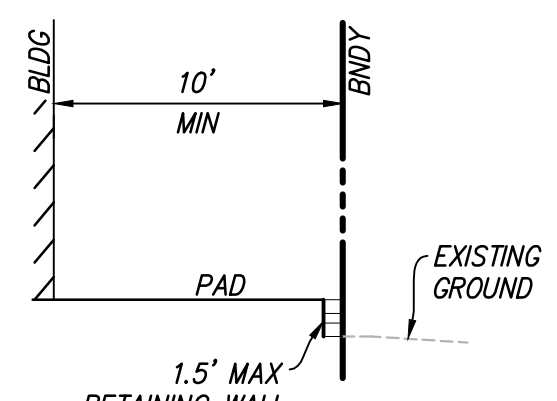
SECTION A
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SECTION B
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SECTION C
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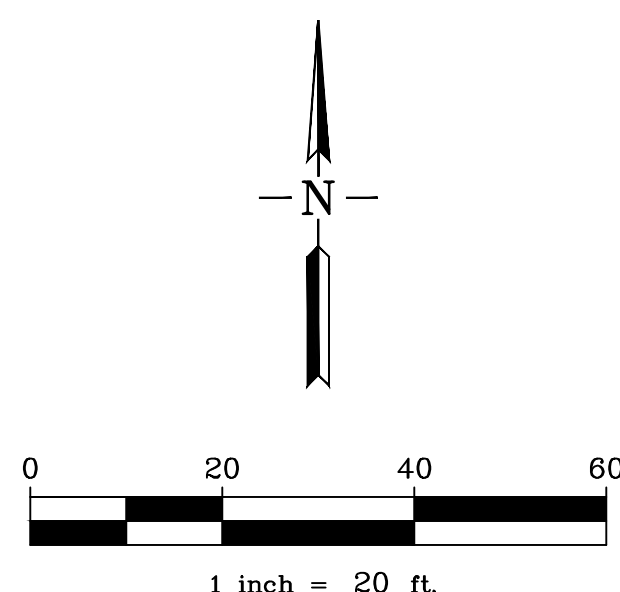
SECTION D
NOT TO SCALE

PRELIMINARY DEVELOPMENT PLAN

GADING II

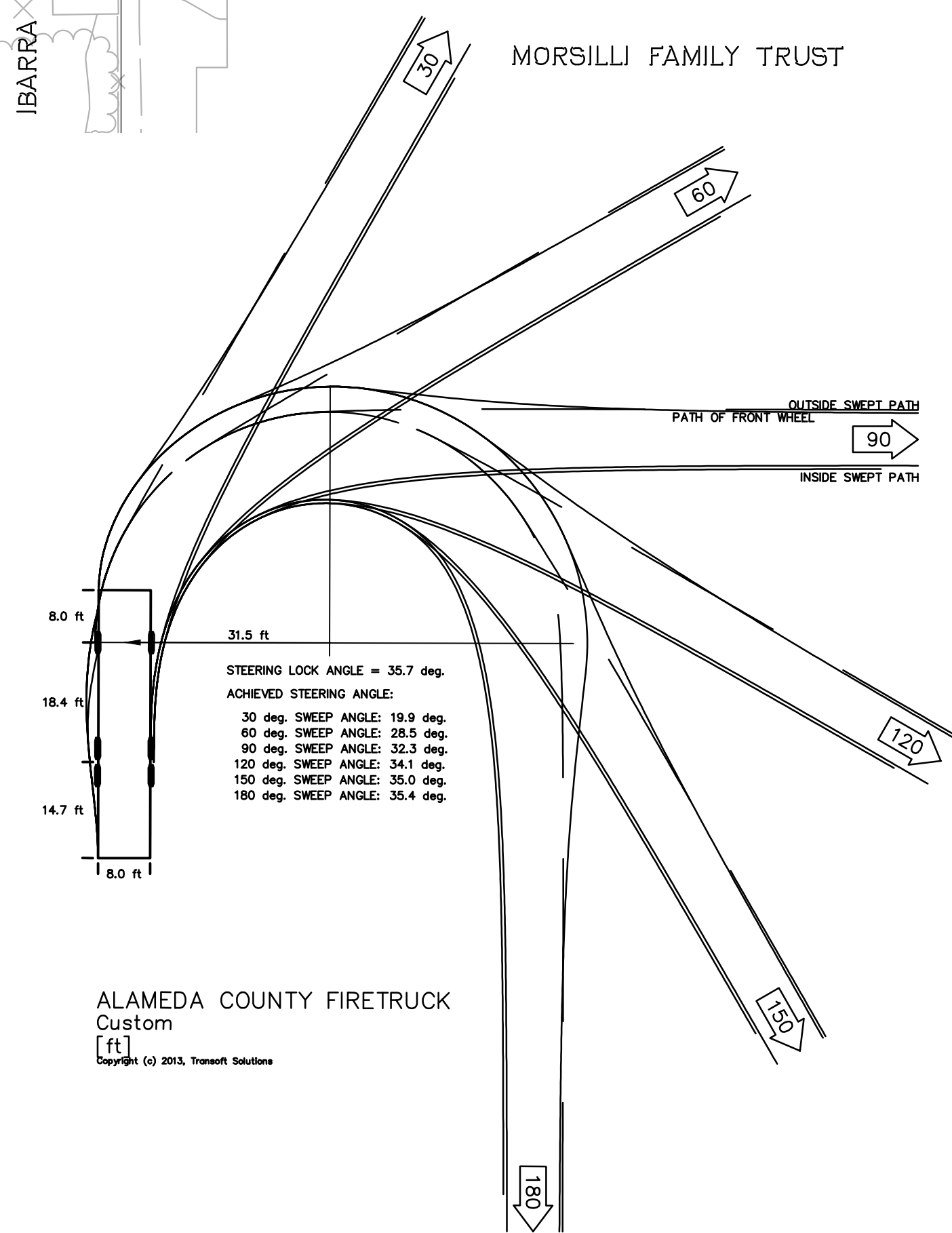
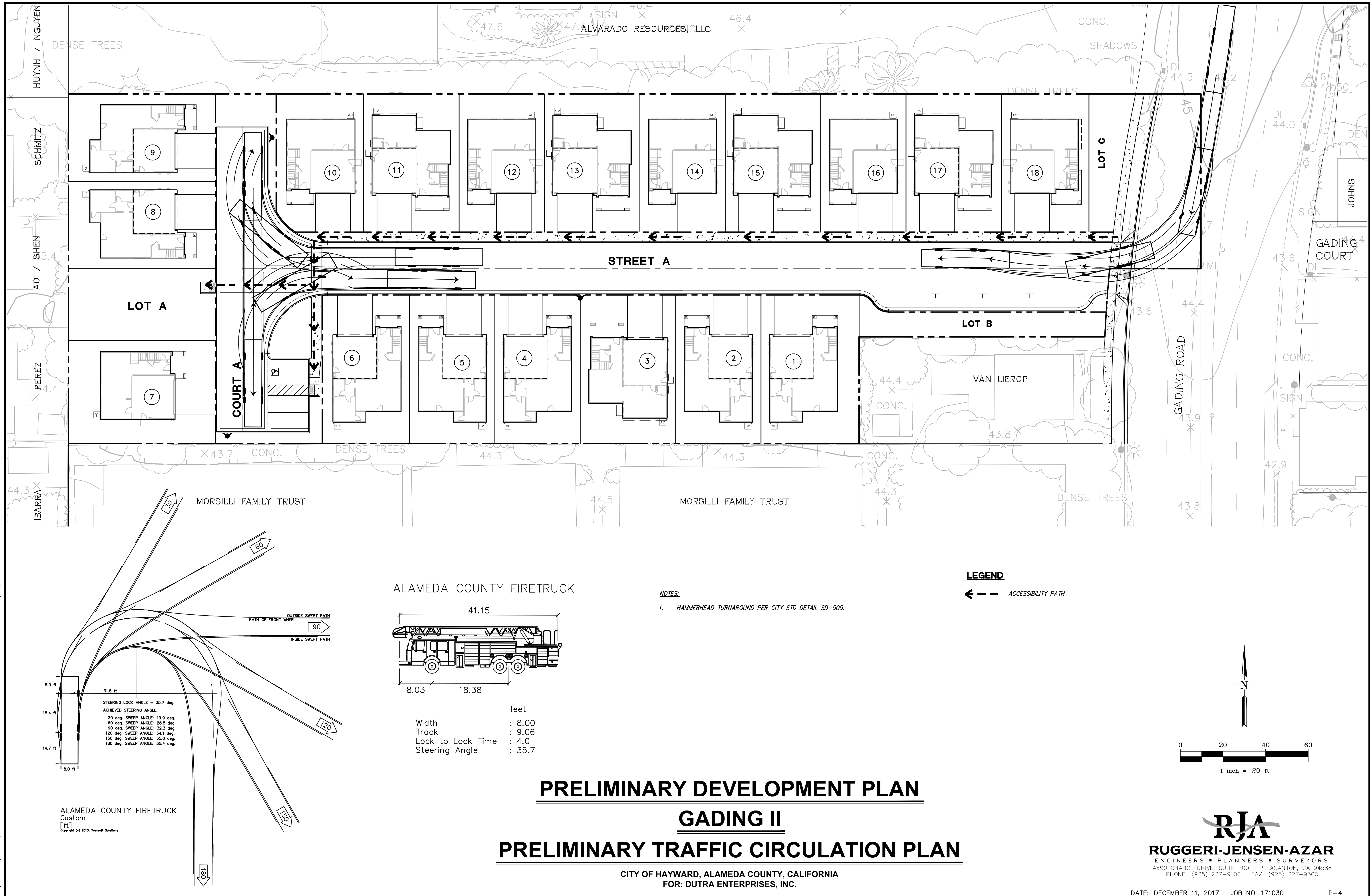
PRELIMINARY GRADING PLAN

CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA
FOR: DUTRA ENTERPRISES, INC.

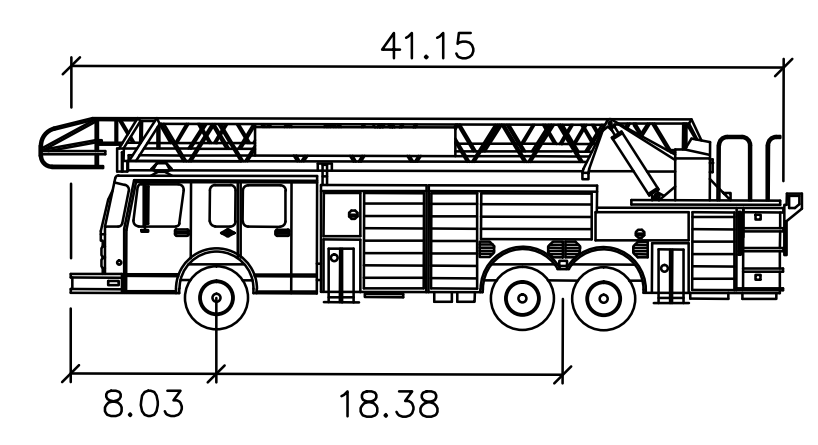


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4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

G:\JOB2017\171030\CAD FILES\02-PLANNING\PD\P-4 PRELIMINARY TRAFFIC CIRCULATION PLANNING 10/25/2017 HILLARY RAYA



ALAMEDA COUNTY FIRETRUCK



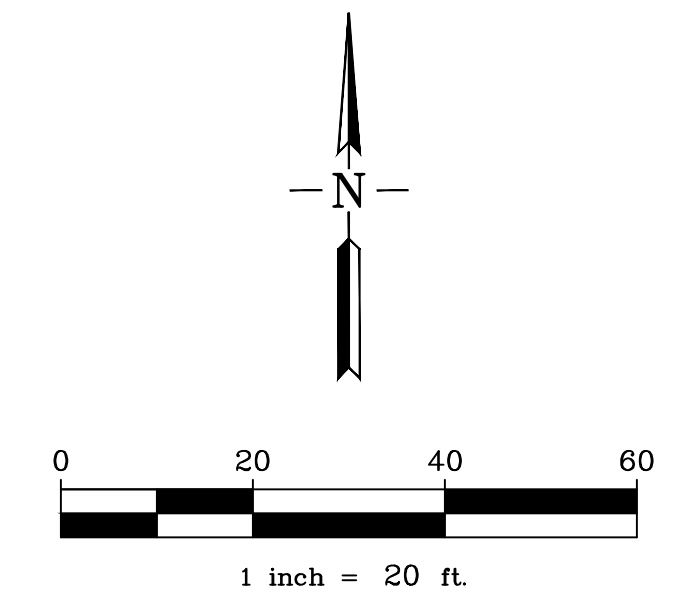
Width	: 8.00
Track	: 9.06
Lock to Lock Time	: 4.0
Steering Angle	: 35.7

NOTES:

1. HAMMERHEAD TURNAROUND PER CITY STD DETAIL SD-505.

LEGEND

← - - ACCESSIBILITY PATH



PRELIMINARY DEVELOPMENT PLAN
GADING II
PRELIMINARY TRAFFIC CIRCULATION PLAN

CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA
FOR: DUTRA ENTERPRISES, INC.

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BENCHMARK

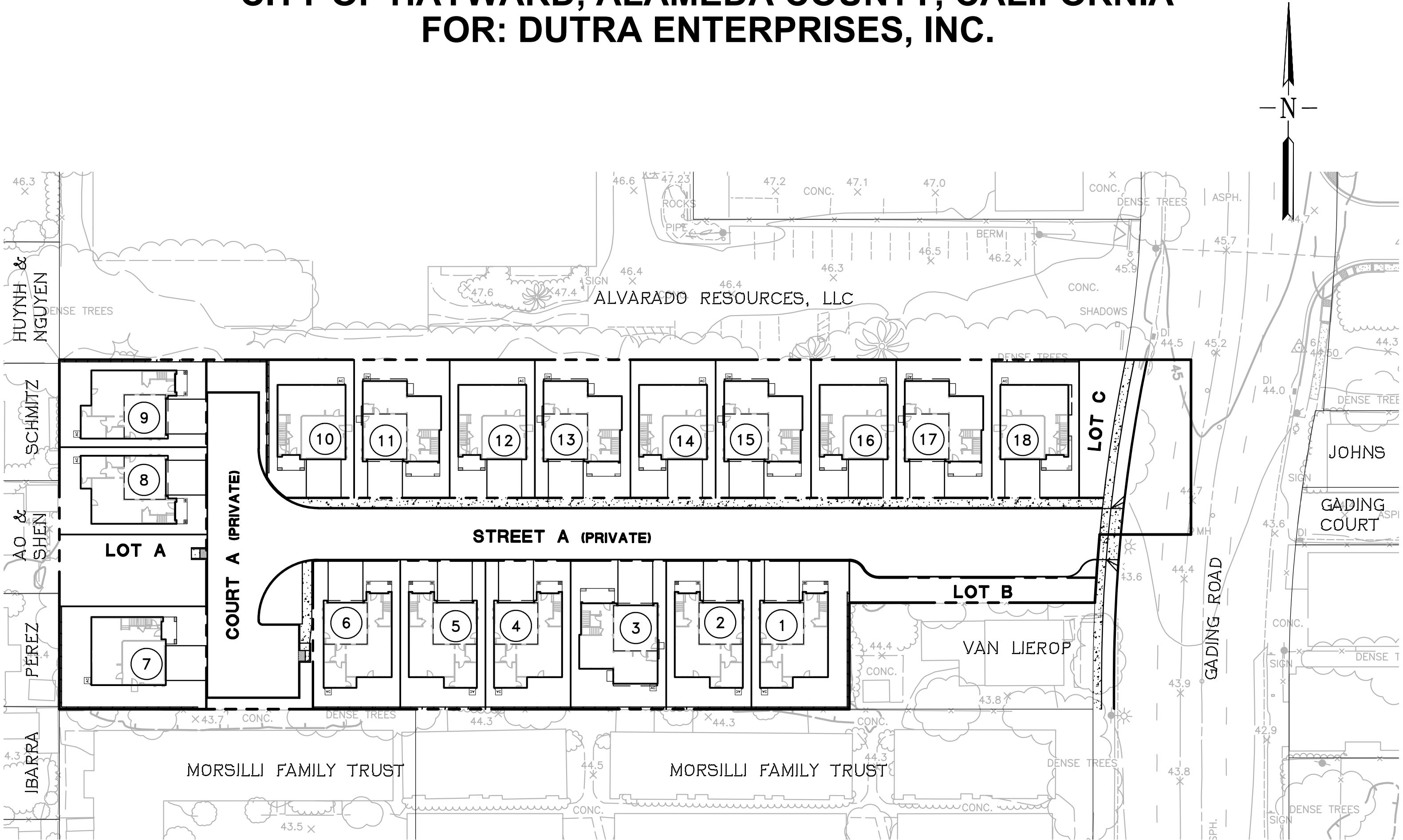
CITY OF HAYWARD BENCHMARK, A STANDARD CITY MONUMENT DISK LOCATED AT THE INTERSECTION OF GADING ROAD AND HUNTWOOD WAY.
ELEVATION = 46.705 FEET. (NGVD 29).

LEGEND

PROPOSED	DESCRIPTION	EXISTING
---	TRACT BOUNDARY	---
---	LOT LINE	---
---	RIGHT OF WAY	---
---	CENTER LINE	---
==	RETAINING WALL	==
---	EASEMENT LINE	---
12"SD	STORM DRAIN	EX 12"SD
8"SS	SANITARY SEWER	EX 8"SS
---	WATER	EX 8"W
---	GAS	EX 2"GAS
---	CURB & GUTTER	---
---	SIDEWALK	---
---	OVERLAND RELEASE PATH	---
▲	STORM WATER INLET	□
●	DROP INLET	□
▼	AREA DRAIN	□
●	DIRECTION OF FLOW	○
●	MANHOLE	○
●	FIRE HYDRANT	○
●	SANITARY SEWER CLEAN OUT	○
---	SANITARY SEWER LATERAL	---
---	WATER LATERAL WITH METER	---
---	WATER BLOWOFF	---
---	WATER VALVE	---
---	STREET LIGHT	---
---	TRANSFORMER	---
---	JOINT TRENCH BOXES	---
---	TREE	---
130	CONTOUR ELEVATIONS	130
x 525.2	SPOT ELEVATION	x 525.2
0.5%	SLOPE	(0.7% ±)
1	LOT NUMBER	
---	BIO-RETENTION	

VESTING TENTATIVE MAP
TRACT 8432
GADING II

CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA
FOR: DUTRA ENTERPRISES, INC.



LOCATION MAP
NOT TO SCALE

SHEET INDEX

SHEET NO.	DESCRIPTION
C-1	TITLE SHEET
C-2	EXISTING CONDITIONS & DEMOLITION PLAN
C-3	PRELIMINARY SITE PLAN
C-4	PRELIMINARY GRADING PLAN
C-5	PRELIMINARY UTILITY PLAN
C-6	PRELIMINARY STORMWATER TREATMENT PLAN
C-7	DETAILS

OWNER'S STATEMENT

DUTRA ENTERPRISES, INC. AGREES TO THE FILING OF SAID MAP AND AGREES 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.

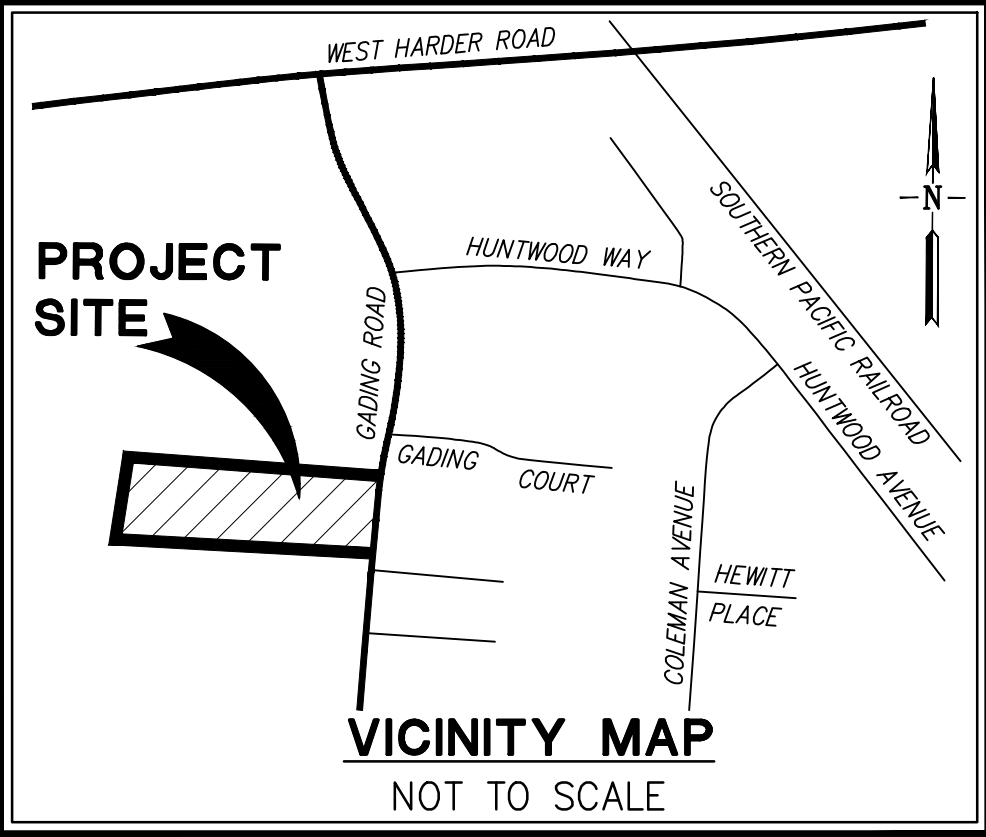
DUTRA ENTERPRISES, INC.
ZAHEER SIDDIQUI

PLANS PREPARED UNDER THE DIRECTION OF:

JOHN STEVEN LICHLITER, RCE 41637
RUGGERI-JENSEN-AZAR



DATE



VICINITY MAP
NOT TO SCALE

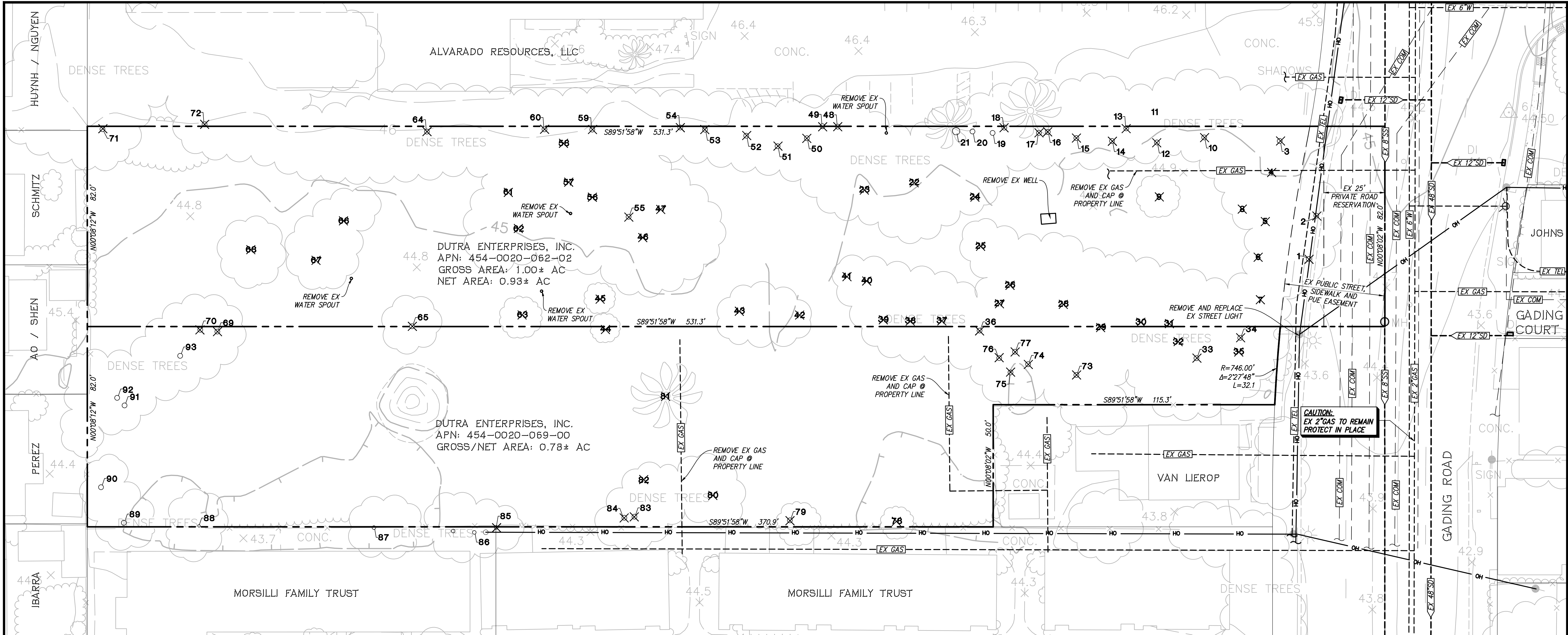
GENERAL NOTES

- OWNER: DUTRA ENTERPRISES, INC.
43360 MISSION BLVD., SUITE 230
FREMONT, CA 94539
TEL: (510) 403-7973
CONTACT: ZAHEER SIDDIQUI
- CIVIL ENGINEER: RUGGERI-JENSEN-AZAR
4690 CHABOT DRIVE, SUITE 200
PLEASANTON, CA 94588
TEL: (925) 227-9100
CONTACT: STEVE LICHLITER
- GEOTECHNICAL ENGINEER: ENGEO, INC.
2010 CROW CANYON PL, SUITE 250
SAN RAMON, CA 94583
TEL: (925) 866-9000
CONTACT: RANDY HILDEBRANT
- ARCHITECT: KTG GROUP, INC.
580 SECOND STREET, SUITE 200
OAKLAND, CA 94607
TEL: (510) 463-2046
CONTACT: CINDY MA
- LANDSCAPE ARCHITECT: RIPLEY DESIGN GROUP
1615 BONANZA STREET, SUITE 314
WALNUT CREEK, CA 94596
TEL: (925) 938-7377
CONTACT: WILL GREEN
- ASSESSOR'S PARCEL NUMBERS: 454-0020-062-02
454-0020-069
- CURRENT USE: VACANT LOT AND ONE SINGLE-FAMILY RESIDENCE
- CURRENT GENERAL PLAN DESIGNATION: MEDIUM DENSITY RESIDENTIAL
- PROPOSED USE: SINGLE-FAMILY DETACHED
- EXISTING ZONING: SINGLE-FAMILY RESIDENTIAL & CIVIL SPACE ZONE
- PROPOSED ZONING: PLANNED DEVELOPMENT
- GROSS SITE AREA: 1.78 ACRES
- NET DEVELOPMENT AREAS: 1.71 ACRES
- PROPOSED SITE DENSITY: 10.5 (UNITS/ACRE)
- TOTAL NUMBER OF PROPOSED LOTS: 18 SINGLE-FAMILY LOTS
3 COMMON LOTS
TOTAL: 21 LOTS
- OPEN SPACE: LOT A (2,327 SF)
LOT B (1,397 SF)
LOT C (1,048 SF)
- UTILITIES:
 - a. WATER: CITY OF HAYWARD
 - b. SANITARY SEWER: CITY OF HAYWARD
 - c. STORM DRAIN: CITY OF HAYWARD
 - d. FIRE: CITY OF HAYWARD
 - e. GAS AND ELECTRIC: PACIFIC GAS AND ELECTRIC
 - f. TELEPHONE: AT&T
 - g. CABLE TV: COMCAST
- TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON AERIAL TOPOGRAPHIC SURVEY PROVIDED BY RADMAN AERIAL SURVEYS IN APRIL 2017.
- THIS PROPERTY LIES WITHIN FLOOD ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), AS SHOWN IN FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 289 OF 725, DATED AUGUST 3, 2009.
- ALL EROSION CONTROL MEASURES SHALL BE IN CONFORMANCE WITH THE CRITERIA AND STANDARDS OF THE CITY OF HAYWARD.
- THE HOMEOWNERS' ASSOCIATION WILL OWN AND MAINTAIN STREET A, COURT A, AND LOTS A, B & C.
- A PRIVATE STORM DRAIN EASEMENT SHALL BE PROVIDED OVER LOT B AND LOT C.
- BUILDING CONSTRUCTION SHALL MEET THE REQUIREMENTS OF THE 2016 CALIFORNIA RESIDENTIAL CODE.



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G:\JOB2017\171030\CAD FILES\02-PLANNING\TENT-MAP\C-3 EXISTING CONDITIONS & DEMOLITION PLAN.DWG 12/4/2017 HILLARY RAYA



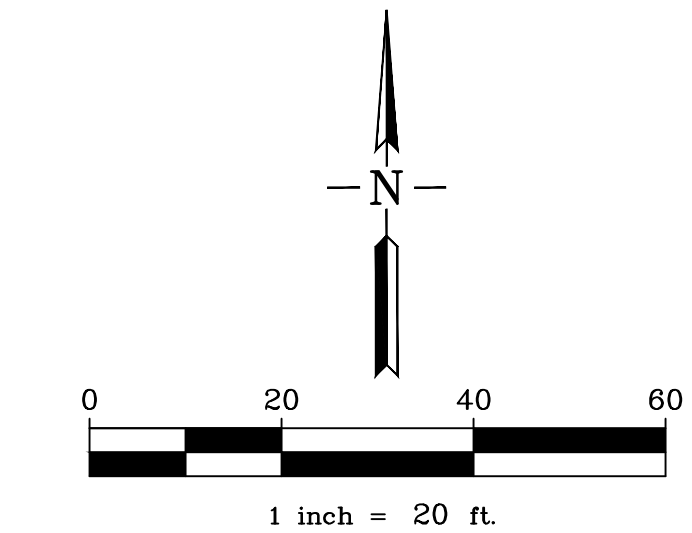
TREE NO.	SPECIES	TRUNK DIAMETER (IN.)	REMOVE OR PRESERVE
1	EVERGREEN PEAR	6	REMOVE
2	EVERGREEN PEAR	10	REMOVE
3	BLUE ATLAS CEDAR	36	REMOVE
4	DEODAR CEDAR	7	REMOVE
5	PURPLELEAF PLUM	9,6,4	REMOVE
6	PEAR	7,6,5,4,4	REMOVE
7	BOTTLEBRUSH	9,7,6	REMOVE
8	DOUGLAS FIR	16	REMOVE
9	BOTTLEBRUSH	13	REMOVE
10	GLOSSY PRIVET	4,4,4,3	REMOVE
11	INCENSE CEDAR	15	PRESERVE
12	ORANGE	5,4,4	REMOVE
13	GLOSSY PRIVET	4,4,4,3,2	REMOVE
14	GLOSSY PRIVET	4,3,2,2,2	REMOVE
15	AUSTRALIAN BUSH CHERRY	10,7	REMOVE
16	AUSTRALIAN BUSH CHERRY	5,4,2	REMOVE
17	AUSTRALIAN BUSH CHERRY	10	REMOVE
18	GLOSSY PRIVET	6,5,4	REMOVE
19	CAUCASIAN PERSIMMON	5,4,4	PRESERVE
20	PLUM	4,3,3,2	PRESERVE
21	CANARY ISLAND DATE PALM	38	PRESERVE
22	ALEPPO PINE	18	REMOVE
23	INCENSE CEDAR	35	REMOVE
24	APPLE	9,8	REMOVE
25	GRAPEFRUIT	5,4,3	REMOVE
26	PERSIMMON	9,7	REMOVE
27	GLOSSY PRIVET	7,4	REMOVE
28	GLOSSY PRIVET	6	REMOVE
29	LOQUAT	17	REMOVE
30	GLOSSY PRIVET	4	REMOVE

TREE NO.	SPECIES	TRUNK DIAMETER (IN.)	REMOVE OR PRESERVE
31	CHINESE HACKBERRY	15	REMOVE
32	CHINESE HACKBERRY	12	REMOVE
33	DEODAR CEDAR	28	REMOVE
34	GINKGO	7	REMOVE
35	GLOSSY PRIVET	4,3,2	REMOVE
36	COAST LIVE OAK	4,3,2	REMOVE
37	CANARY ISLAND PINE	21	REMOVE
38	OLIVE	7,6,6,5	REMOVE
39	CANARY ISLAND PINE	15	REMOVE
40	GLOSSY PRIVET	6,5,5	REMOVE
41	GLOSSY PRIVET	6	REMOVE
42	COAST LIVE OAK	4,3	REMOVE
43	MONTEREY PINE	9	REMOVE
44	FIG	9,6	REMOVE
45	BLACKWOOD ACACIA	16,15,15,12,9,5	REMOVE
46	LOQUAT	12,9	REMOVE
47	APRICOT	4	REMOVE
48	GLOSSY PRIVET	6,6	REMOVE
49	GLOSSY PRIVET	4	REMOVE
50	GLOSSY PRIVET	15,6	REMOVE
51	GLOSSY PRIVET	5	REMOVE
52	GLOSSY PRIVET	4,4,4,3,2	REMOVE
53	GLOSSY PRIVET	12,9,9,8	REMOVE
54	GLOSSY PRIVET	9,7,7,6,6,5,5,5	REMOVE
55	COAST LIVE OAK	18	REMOVE
56	GLOSSY PRIVET	6,4,3,3,2	REMOVE
57	BOXELDER	5	REMOVE
58	FIG	6,6,5,4	REMOVE
59	GLOSSY PRIVET	9,8,8,8,6,6,5,4,3	REMOVE

TREE NO.	SPECIES	TRUNK DIAMETER (IN.)	REMOVE OR PRESERVE
60	GLOSSY PRIVET	28 STEMS 10" & SMALLER	REMOVE
61	AVOCADO	4,4,4	REMOVE
62	APPLE	4,4,4	REMOVE
63	APRICOT	4,2,1,1,1	REMOVE
64	GLOSSY PRIVET	50 STEMS 10" & SMALLER	REMOVE
65	COAST LIVE OAK	7,6	REMOVE
66	FIG	12,11,9,8,7	REMOVE
67	FIG	7,5	REMOVE
68	FIG	11,9,7,7,5,5,5	REMOVE
69	COAST LIVE OAK	10	REMOVE
70	COAST LIVE OAK	9	REMOVE
71	GLOSSY PRIVET	10,5,3,1,1,1	REMOVE
72	GLOSSY PRIVET	4,3,1,1,1	REMOVE
73	LOQUAT	12,12	REMOVE
74	COAST LIVE OAK	5	REMOVE
75	COAST LIVE OAK	11	REMOVE
76	COAST LIVE OAK	7	REMOVE

TREE NO.	SPECIES	TRUNK DIAMETER (IN.)	REMOVE OR PRESERVE
77	COAST LIVE OAK	4	REMOVE
78	GLOSSY PRIVET	9,5,5	REMOVE
79	GLOSSY PRIVET	6	REMOVE
80	FIG	12,9,8,7,5	REMOVE
81	CANARY ISLAND DATE PALM	48	REMOVE
82	FIG	7,6,5,5,4	REMOVE
83	COAST LIVE OAK	9	REMOVE
84	COAST LIVE OAK	10	REMOVE
85	GLOSSY PRIVET	7,5,5,4,3	REMOVE
86	HOLLYWOOD JUNIPER	15,9,7,5,4	PRESERVE
87	HOLLYWOOD JUNIPER	17,14,8	PRESERVE
88	ENGLISH WALNUT	11	PRESERVE
89	GLOSSY PRIVET	7,7,6,6,5	PRESERVE
90	COAST LIVE OAK	6,5,5,4,4	PRESERVE
91	COAST LIVE OAK	9,8	PRESERVE
92	COAST LIVE OAK	12	PRESERVE
93	COAST LIVE OAK	9	PRESERVE

- NOTES:
- EXISTING UNDERGROUND UTILITIES ARE BASED ON RECORDS PROVIDED BY OTHERS AND FIELD SURVEY IN GADING ROAD.
 - EXISTING ABOVE GROUND UTILITIES ON GADING ROAD FRONTING THE SITE SHALL BE PLACED IN UNDERGROUND CONDUITS AND VAULTS.
 - EXISTING WELL ON SITE TO BE ABANDONED AND DESTROYED PER ALAMEDA COUNTY STANDARDS.
 - EXISTING SEPTIC SYSTEM ON SITE TO BE ABANDONED AND DESTROYED PER ALAMEDA COUNTY ENVIRONMENT HEALTH'S LAND USE PROGRAM REGULATIONS.
 - REMOVE EXISTING CURB & GUTTER AT PROPOSED DRIVEWAY ENTRY.
 - THE EXISTING PUBLIC STREET, SIDEWALK AND PUBLIC UTILITY EASEMENT TO BE DEDICATED TO THE CITY OF HAYWARD AS PART OF GADING ROAD.



VESTING TENTATIVE MAP

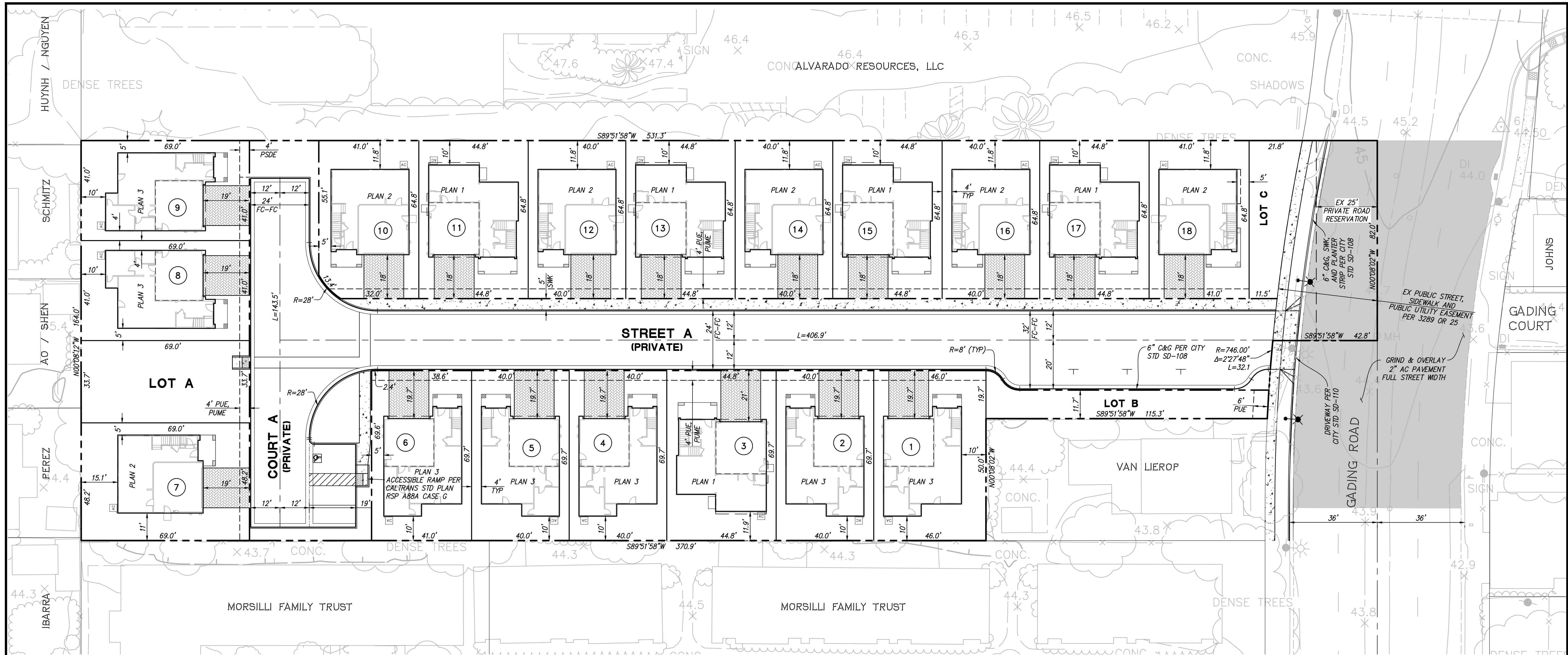
TRACT 8432 - GADING II

EXISTING CONDITIONS & DEMOLITION PLAN

CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA
FOR: DUTRA ENTERPRISES, INC.

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G:\JOB2017\171030\CAD FILES\02-PLANNING\TENT-MAP\C-4 PRELIMINARY SITE PLANNING 2/27/2018 HILLARY RAYA



PARKING SUMMARY	
GARAGE PARKING	36
DRIVEWAY PARKING	36
STREET PARKING	7
TOTAL	79

LEGEND

PERVIOUS PAVEMENT

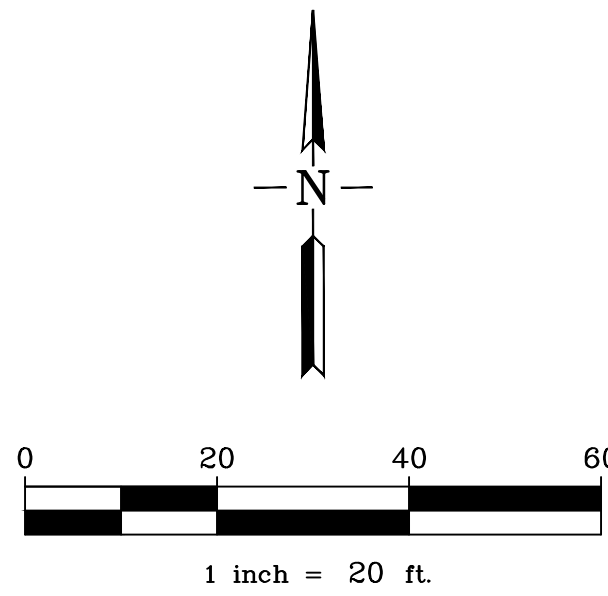
CONCRETE PAVEMENT

ASPHALT PAVEMENT
(GRIND AND OVERLAY)

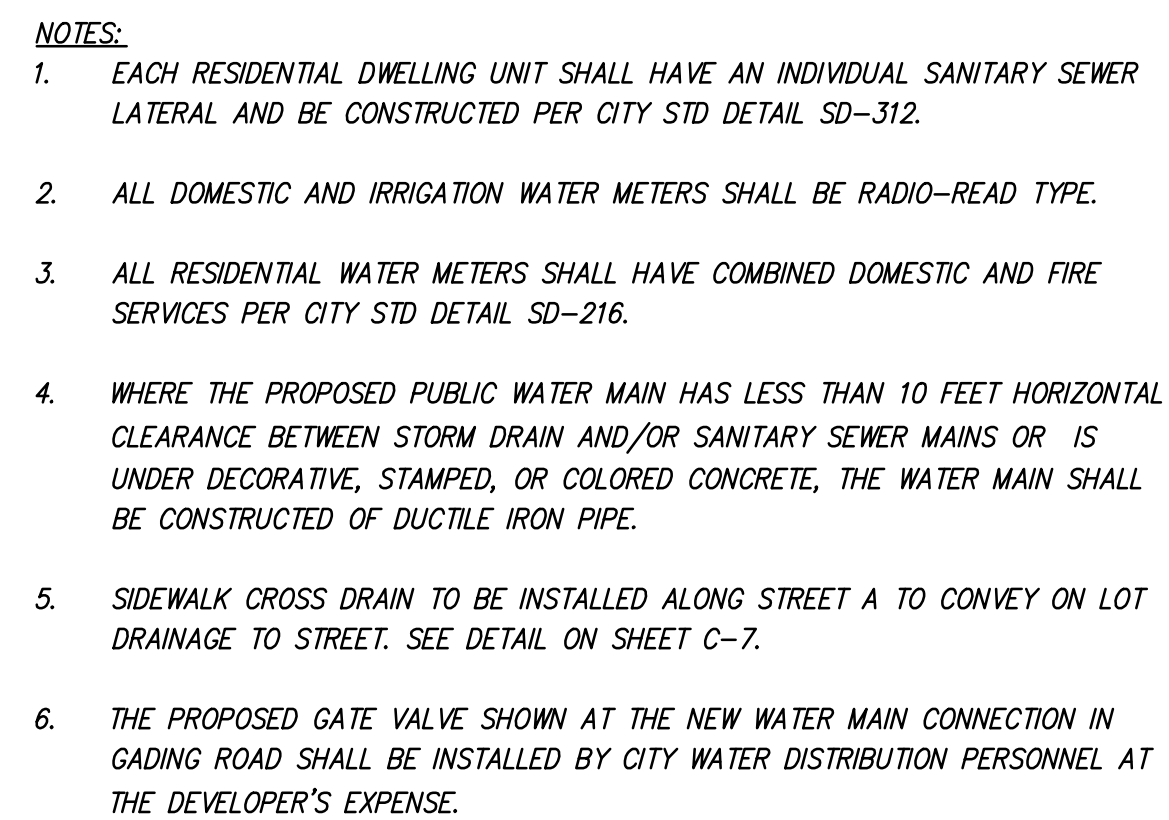
VESTING TENTATIVE MAP
TRACT 8432 - GADING II
PRELIMINARY SITE PLAN

CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA
FOR: DUTRA ENTERPRISES, INC.

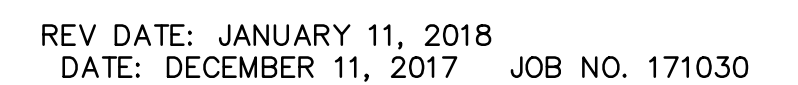
LOT SUMMARY	
LOT NO.	AREA (SF)
1	3,206
2	2,788
3	3,124
4	2,788
5	2,788
6	2,857
7	3,329
8	2,829
9	2,829
10	2,620
11	2,905
12	2,592
13	2,905
14	2,592
15	2,905
16	2,592
17	2,905
18	2,657
LOT A	2,328
LOT B	1,048
LOT C	1,397
STREET A & COURT A	18,632
GADING ROAD	3,077
TOTAL	77,693



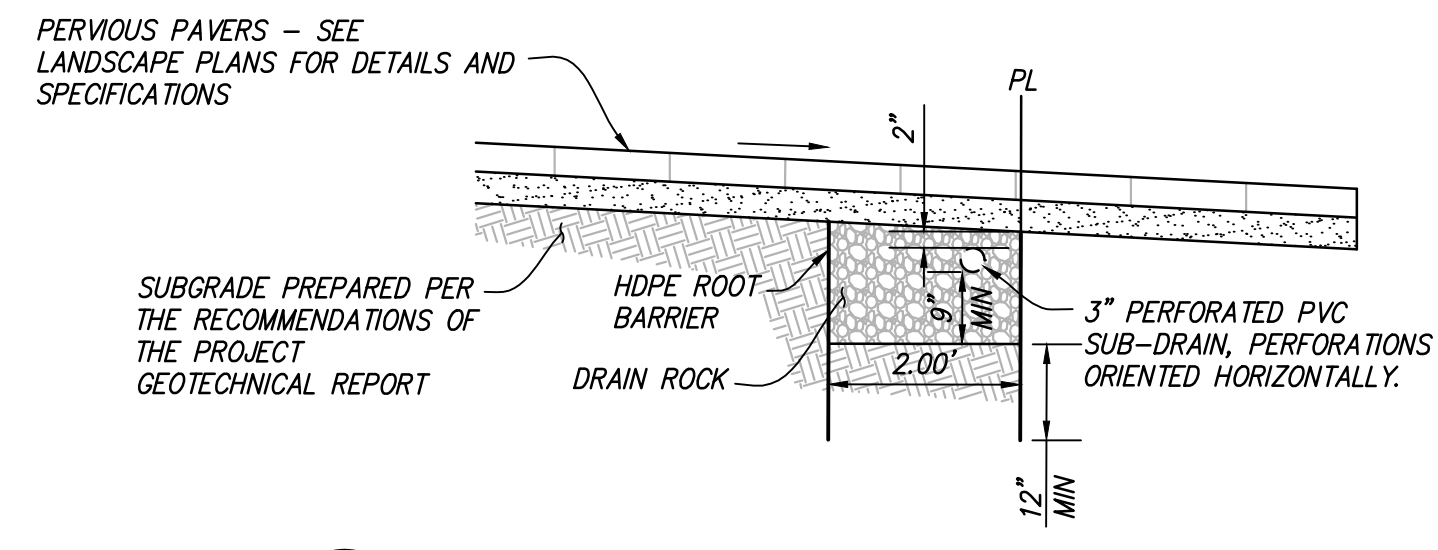
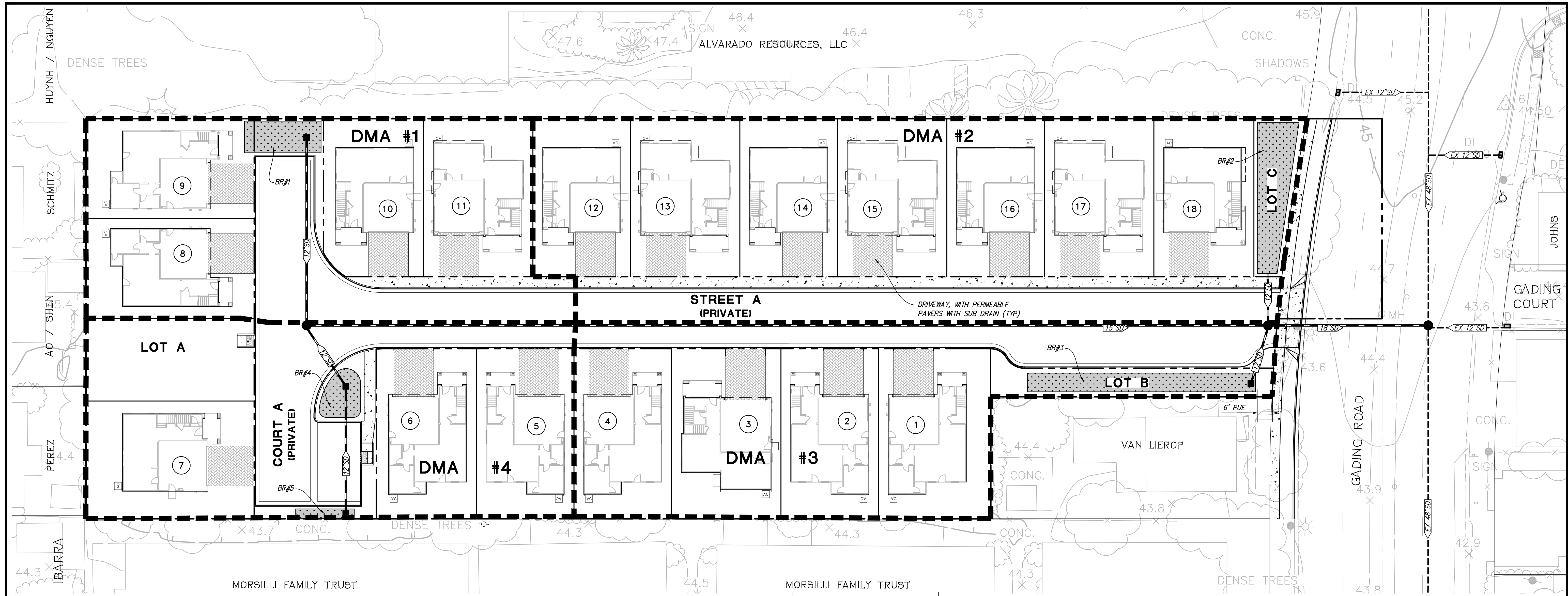
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4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300



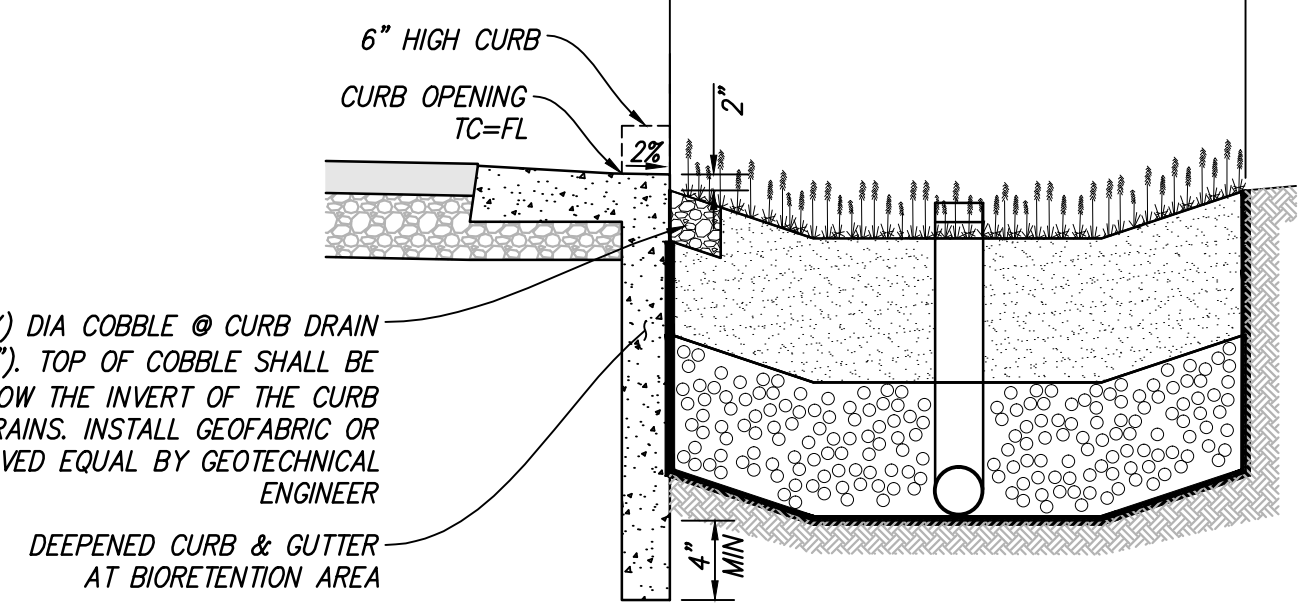
**CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA
FOR: DUTRA ENTERPRISES, INC.**



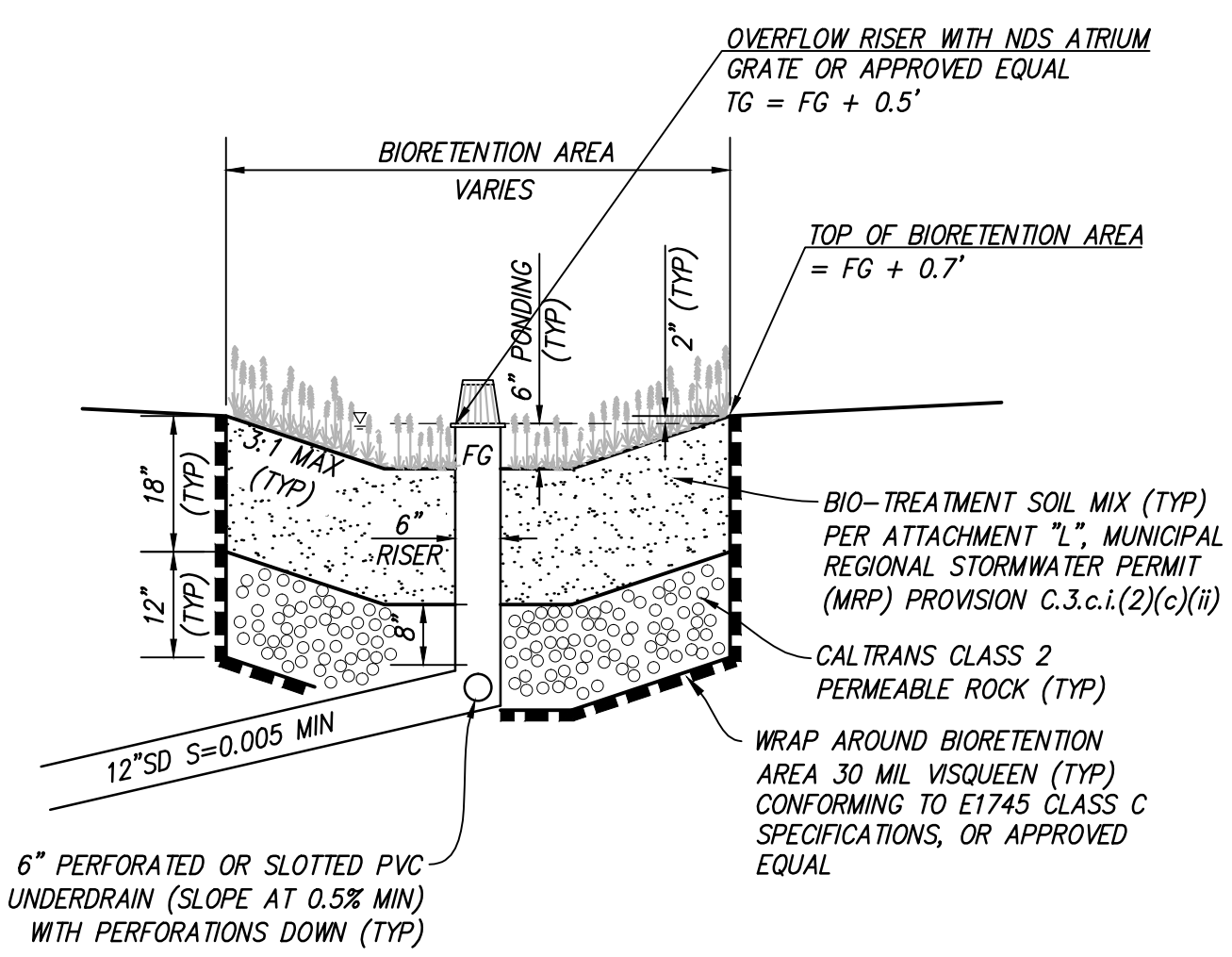
G:\JOB2017\171030\CAD FILES\02-PLANNING\TENT-MAP\C-7 PRELIMINARY STORMWATER TREATMENT PLANNING 12/1/2017 HILARY RAYA



1 DRIVEWAY SUBDRAIN
NOT TO SCALE



2 DEPEND CURB AT BIORETENTION AREA
NOT TO SCALE



3 BIO-RETENTION AREA
NOT TO SCALE

PRELIMINARY STORMWATER TREATMENT CALCULATIONS						
DMA #	SURFACE	IMPERVIOUS AREA (SF)	EFFECTIVE IMPERVIOUS AREA (SF)	TREATMENT AREA REQUIRED (SF)	TREATMENT AREA PROVIDED (SF)	TREATMENT CONTROL MEASURES
1	ROOF/HARDSCAPE/LANDSCAPE/STREET	9,379	9,842	394	400	BR#1
2	ROOF/HARDSCAPE/LANDSCAPE/STREET	12,878	13,947	558	775	BR#2
3	ROOF/HARDSCAPE/LANDSCAPE/STREET	8,449	9,192	368	718	BR#3
4	ROOF/HARDSCAPE/LANDSCAPE/STREET	8,048	8,759	350	350	BR#4, BR#5

NOTES:
1. THE CALCULATIONS ARE BASED ON THE ALAMEDA COUNTYWIDE CLEAN WATER PROGRAM, C.3 STORMWATER TECHNICAL GUIDANCE, DATED MAY 2, 2016, AND THE FOLLOWING CRITERIA:
a. 0.2 INCHES/HOUR RAINFALL INTENSITY ON 100% IMPERVIOUS AREA.
b. SOIL FOR TREATMENT MEDIUM WITH A 5 INCHES/HOUR INFILTRATION RATE.
c. A TREATMENT MEDIUM OF 0.04 SIZING FACTOR FOR BIO-RETENTION AREAS.
2. SIZING FACTOR OF 0.04 NOTED ABOVE IS CALCULATED BASED ON THE FOLLOWING CRITERIA:
a. SIZING FACTOR=(0.2 IN/HR)/(5 IN/HR)=0.04
b. Pervious Areas Draining to the Treatment Measure are Multiplied by a Factor of 0.1 to Obtain the Amount of "Effective Impervious Area"

VESTING TENTATIVE MAP

TRACT 8432 - GADING II

PRELIMINARY STORMWATER TREATMENT PLAN

CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA
FOR: DUTRA ENTERPRISES, INC.

LEGEND

DMA

BR

BIO-RETENTION

N

0 20 40 60

1 inch = 20 ft.

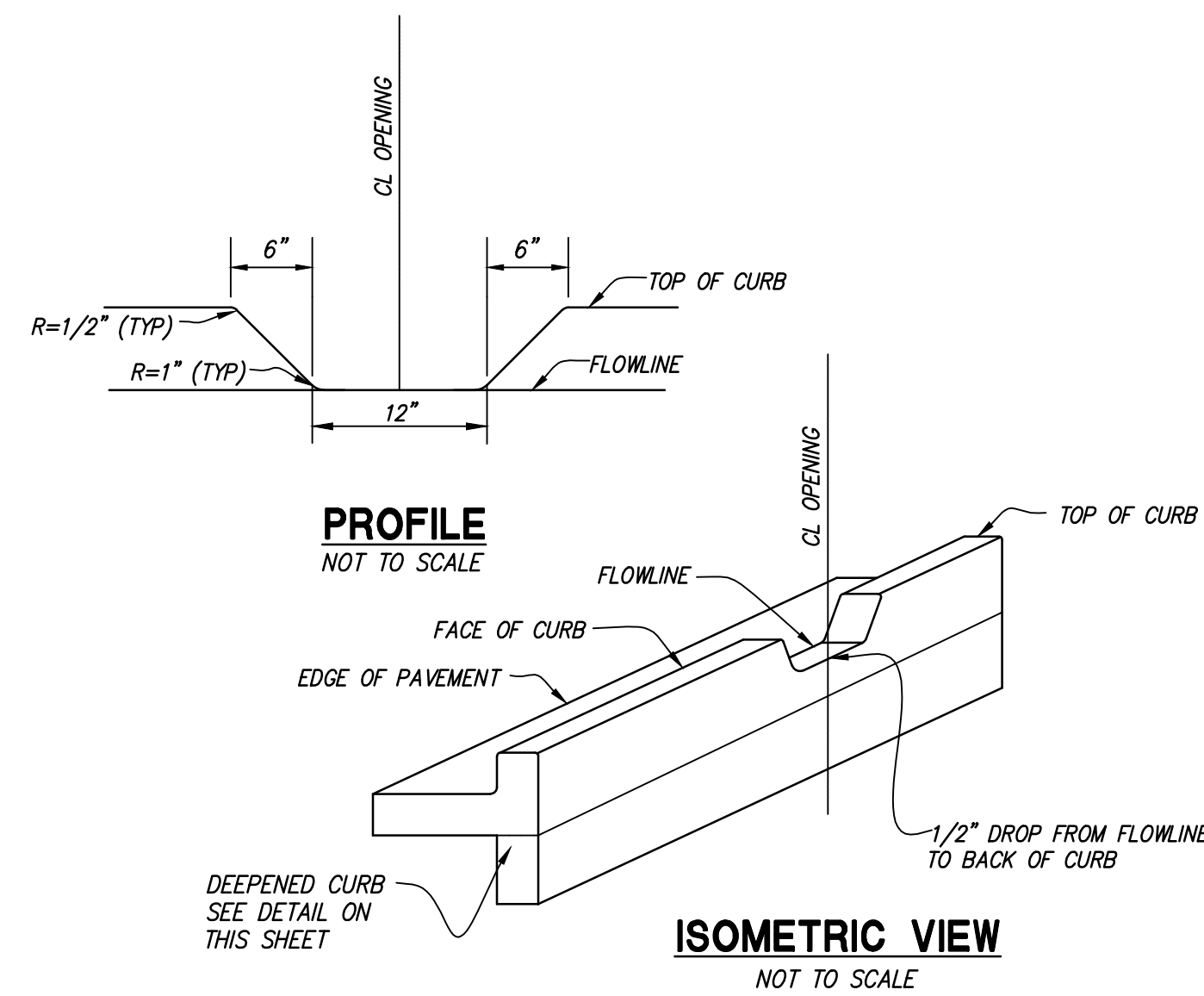
RJA

RUGGERI-JENSEN-AZAR

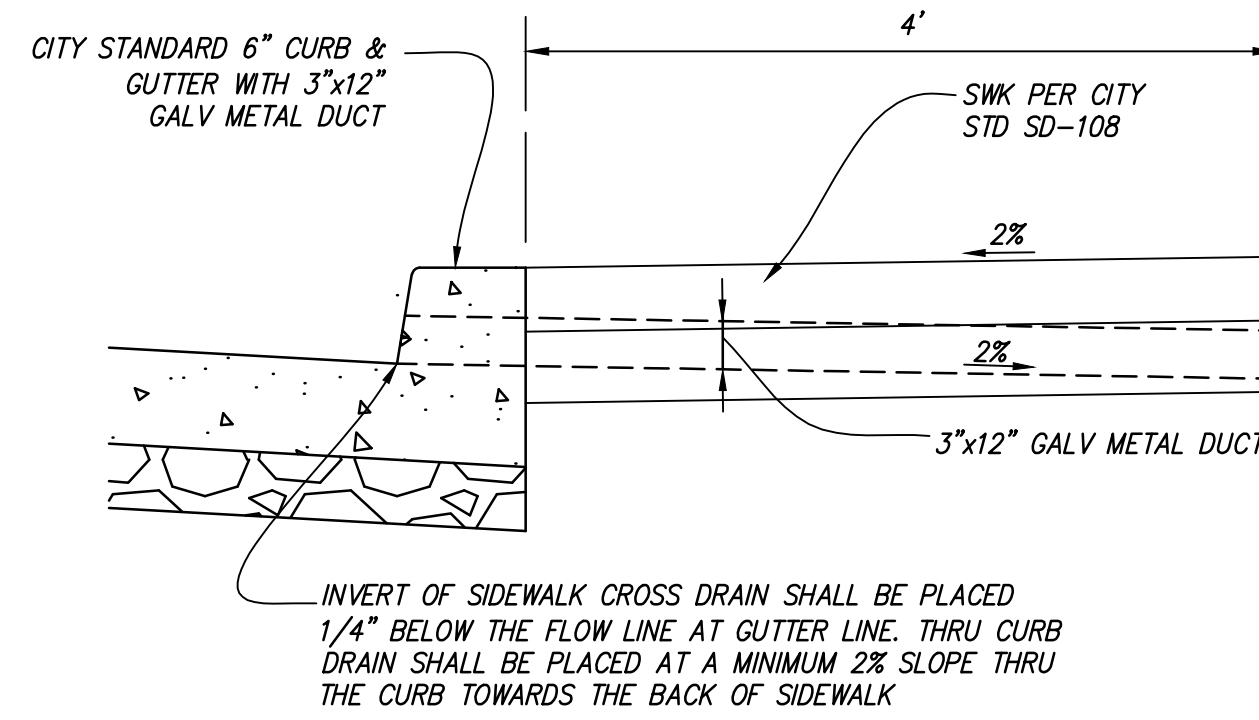
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4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588

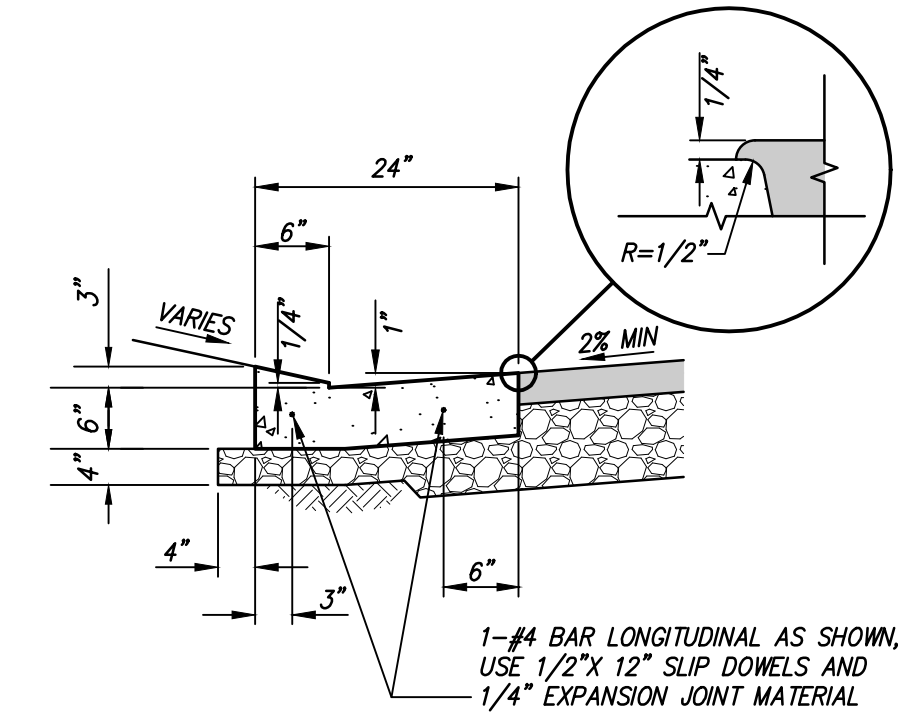
PHONE: (925) 227-9100 FAX: (925) 227-9300



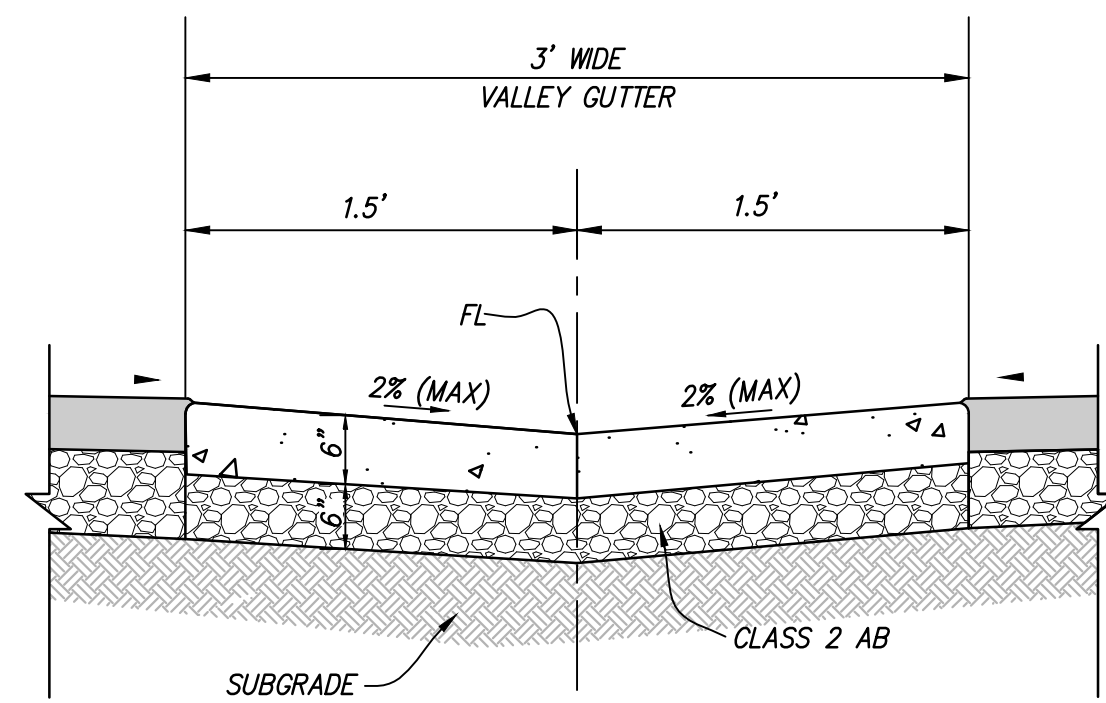
1 CURB OPENING AT BIO-RETENTION AREA
NOT TO SCALE



2 SIDEWALK CROSS DRAIN
NOT TO SCALE



3 3" MOUNTABLE CURB
NOT TO SCALE



4 3' CONCRETE VALLEY GUTTER
NOT TO SCALE

VESTING TENTATIVE MAP

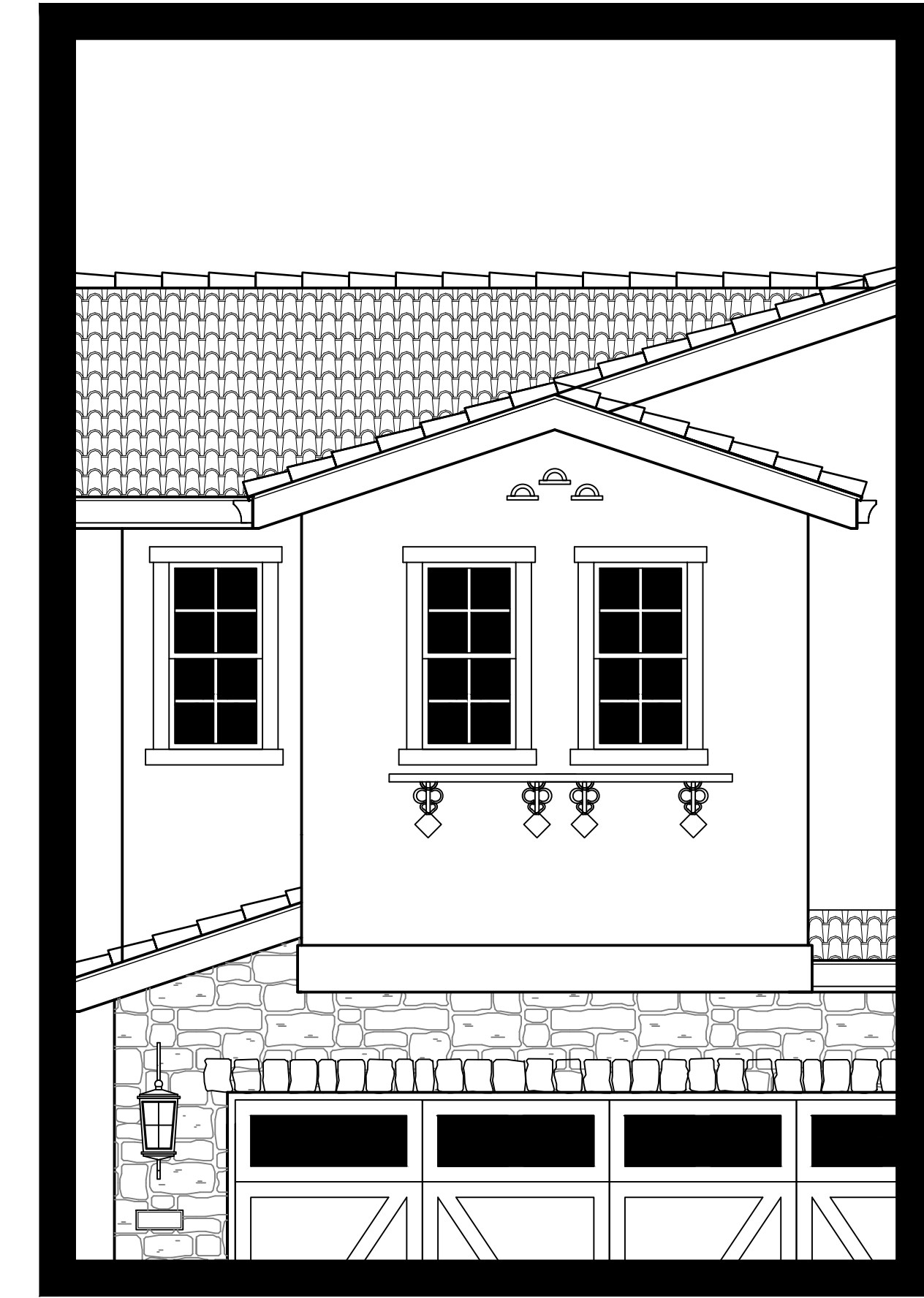
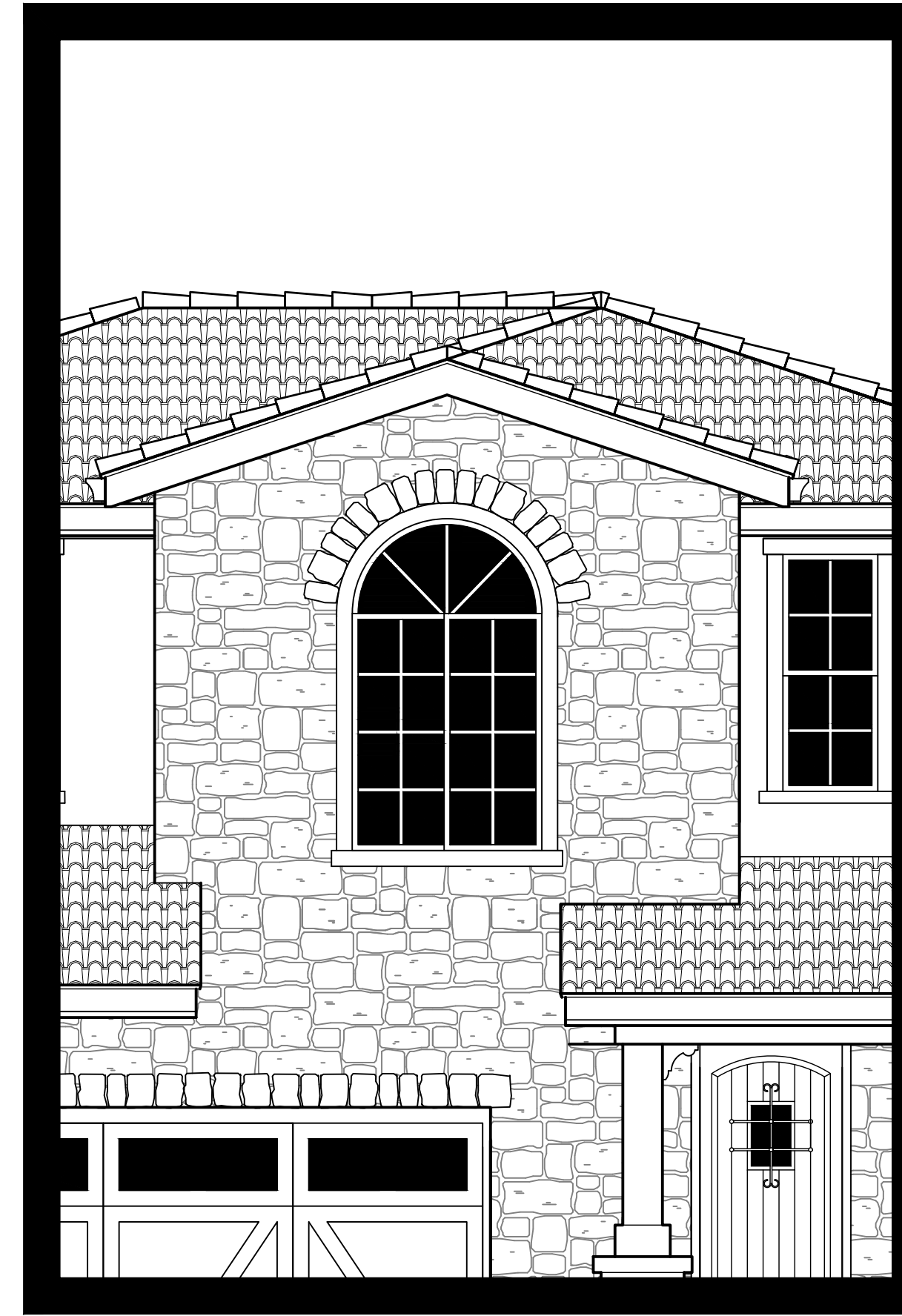
TRACT 8432 - GADING II

DETAILS

CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA
FOR: DUTRA ENTERPRISES, INC.

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GADING II HAYWARD



NOTES:

1. Project scope of work: New Construction of 18 new single family homes, including all utilities, stormwater management and road improvements (see civil drawings)
2. Building construction shall meet the requirements of the 2016 CA Residential Code, 2016 CA Electrical, Mechanical, and Plumbing Codes, and 2016 Energy Efficiency Standards and the City of Hayward Municipal Code and Ordinances.
3. All Buildings shall be Type V-B Construction, R3 Occupancy with U Garage Occupancy. Provide NFPA 13D approved automatic fire sprinkler system.
4. All attached garages shall have conduit for electric vehicle charging capability
5. All homes shall be provided with photovoltaic solar panels

PROJECT TEAM

APPLICANT:
DUTRA ENTERPRISES, INC.
43360 MISSION BLVD. STE. 230
FREMONT, CA 94539
CONTACT: TONY DUTRA

CIVIL ENGINEER:
RUGGERI-JENSEN-AZAR
4690 CHABOT DRIVE, STE. 200
PLEASANTON, CA 94588
CONTACT: STEVE LICHLITER

ARCHITECT:
KTGY GROUP, INC.
1814 Franklin STREET, STE. 400
OAKLAND, CA 94612
CONTACT: JILL WILLIAMS

LANDSCAPE ARCHITECT:
RIPLEY DESIGN GROUP
1615 BONANZA STREET, STE 314
WALNUT CREEK, CA 94596
CONTACT: ANNIKA CARPENTER

DRAWING INDEX

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A0-10	SITE PLAN & OPEN SPACE EXHIBIT	
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A1-10	PLAN 1A	FLOOR PLANS
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A2-11	PLAN 2A	EXTERIOR ELEVATIONS
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UNIT SUMMARY:

Unit Name	Description	Type	Approx Gross SF*	#	%	Approx Gross total SF
P1	3 bd + 2.5 bath	Front Loaded	1956	5	28%	9780
P2	3 bd + 2.5 bath	Front Loaded	1638	6	33%	9828
P3	4 bd + 3 bath	Front Loaded	1915	7	39%	13405
Subtotal				18	100%	33013
Overall Density			+/-	10.5	du/ac	
Approx. GROSS Avg. Unit Square Foot			+/-	1834	sq.ft.	

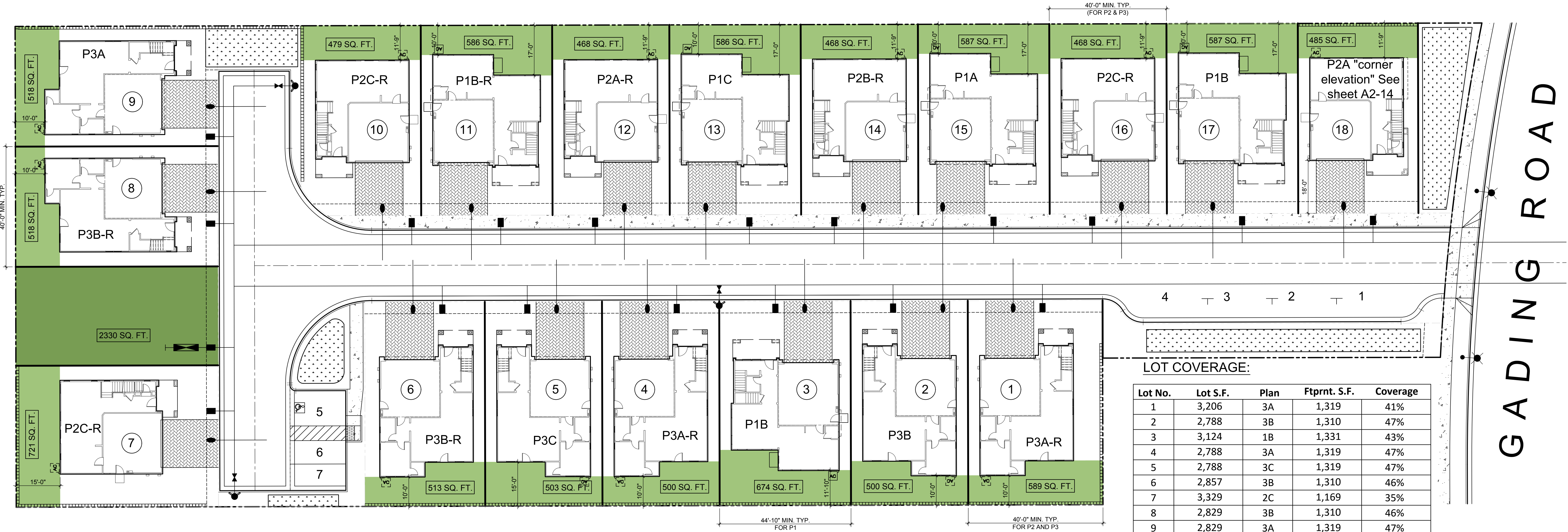
*Gross SF measure to outside face of stud, excludes garage area

PARKING SUMMARY:

Parking Provided				
Garage spaces:	18	x2	36	garage spaces
Private Driveway spaces:	18	x2	36	driveway spaces
On-street parking:			7	spaces
			79	total spaces provided

OPEN SPACE SUMMARY:

Open Space Required	
18 units X 350 sf/unit =	6300 SF
Open Space Provided	
Private	9750 SF
Group	2328 SF
Total:	12078 SF
671 SF/Unit	



LOT COVERAGE:

Lot No.	Lot S.F.	Plan	Ftprnt. S.F.	Coverage
1	3,206	3A	1,319	41%
2	2,788	3B	1,310	47%
3	3,124	1B	1,331	43%
4	2,788	3A	1,319	47%
5	2,788	3C	1,319	47%
6	2,857	3B	1,310	46%
7	3,329	2C	1,169	35%
8	2,829	3B	1,310	46%
9	2,829	3A	1,319	47%
10	2,620	2C	1,169	45%
11	2,905	1B	1,331	46%
12	2,592	2A	1,184	46%
13	2,905	1C	1,325	46%
14	2,592	2B	1,177	45%
15	2,905	1A	1,361	47%
16	2,592	2C	1,169	45%
17	2,905	1B	1,331	46%
18	2,657	2A	1,208	45%



Architecture + Planning
1814 Franklin St., Suite 400
Oakland, CA. 94612
510.272.2910
ktgy.com



GADING II HAYWARD
HAYWARD, CA # 170303

SCHEMATIC DESIGN
FEBRUARY 27, 2018



SITE PLAN
SITE SUMMARY & OPEN SPACE

A0-10



1A Materials-
Concrete Roof Tile
"Low Profile S Tile"
12" Eaves, 2" Rakes
Decorative Details
Coach Light
1x Stucco Finish Trim
Corbels

ELEVATION 1A MISSION



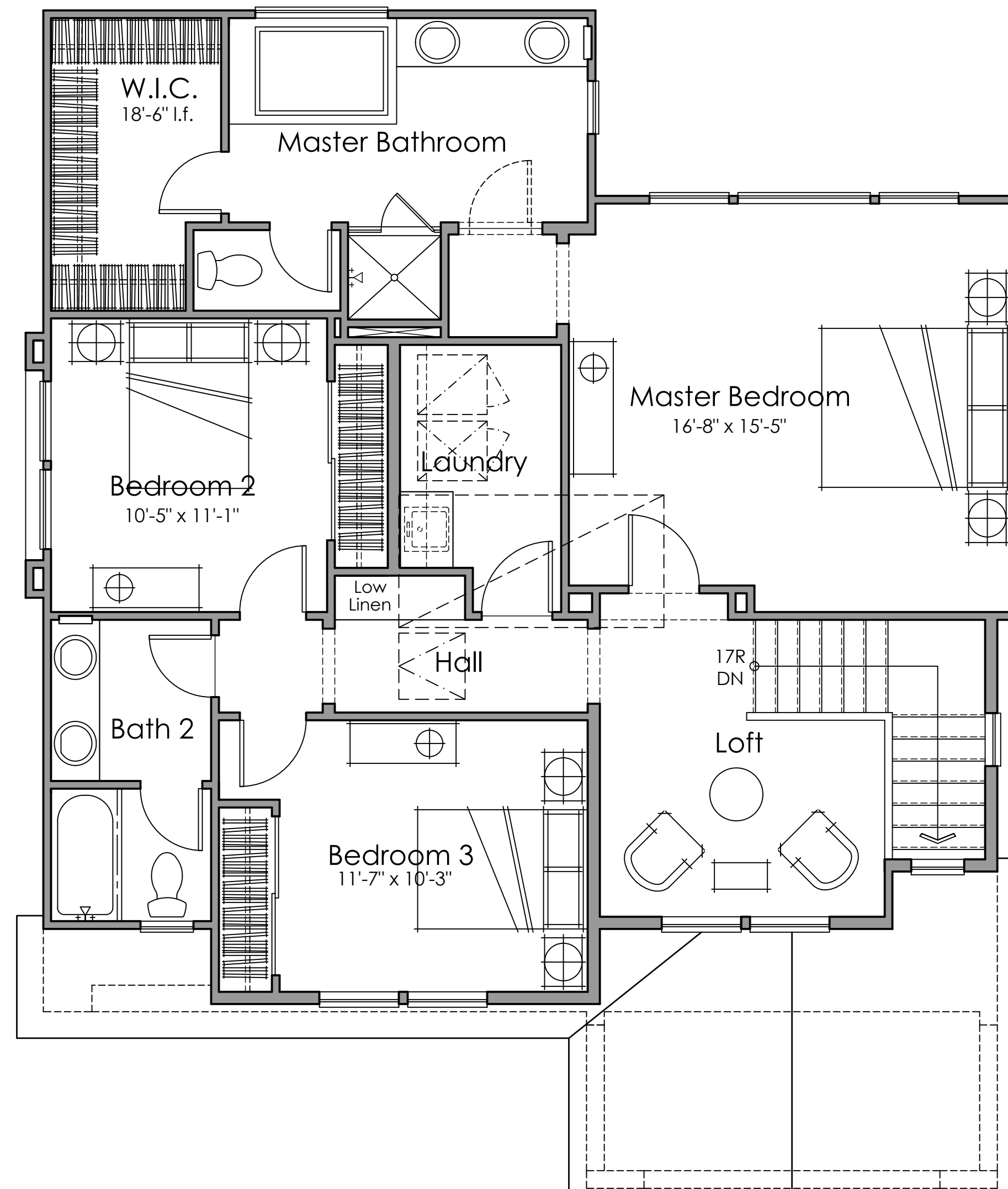
1B Materials-
Concrete Roof Tile
"Low Profile S Tile"
12" Eaves & Rakes
Decorative Details
Coach Light
1x Stucco Finish Trim
Brackets

ELEVATION 1B SPANISH RESORT

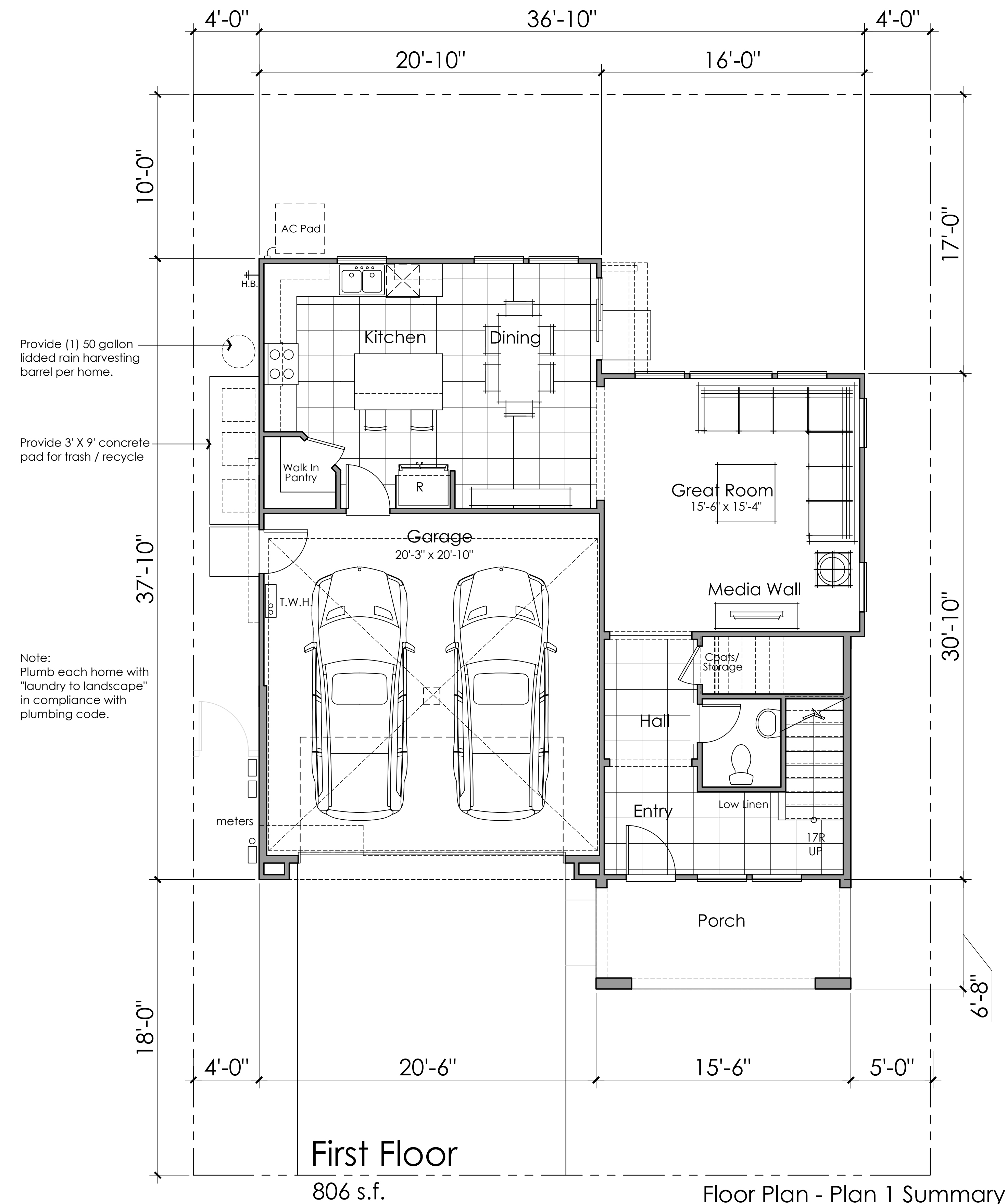


1C Materials-
Concrete Roof Tile
"Low Profile S Tile"
12" Eaves & Rakes
Decorative Details
Coach Light
1x Stucco Finish Trim
Stone Veneer
Shutters

ELEVATION 1C HACIENDA

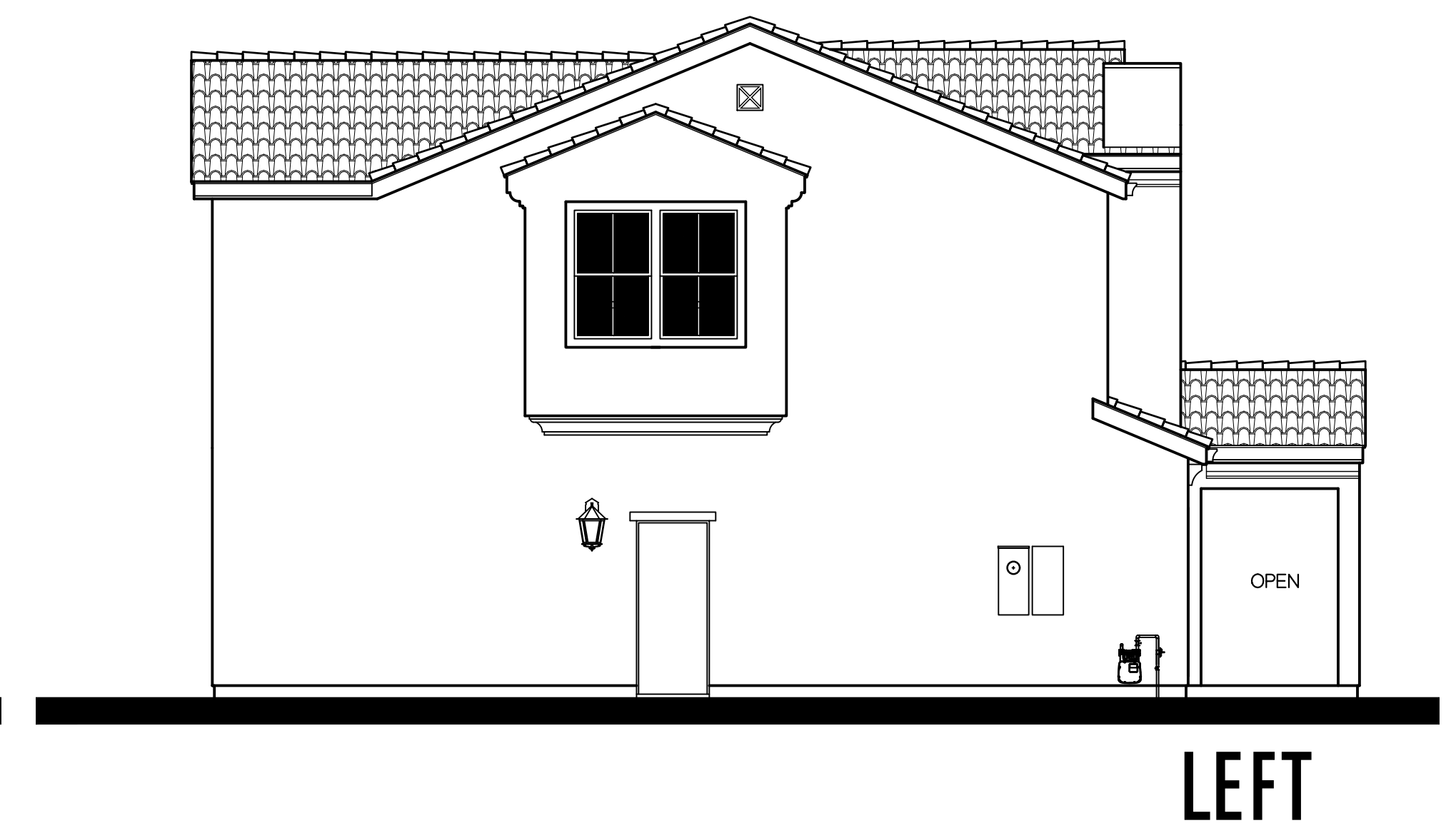
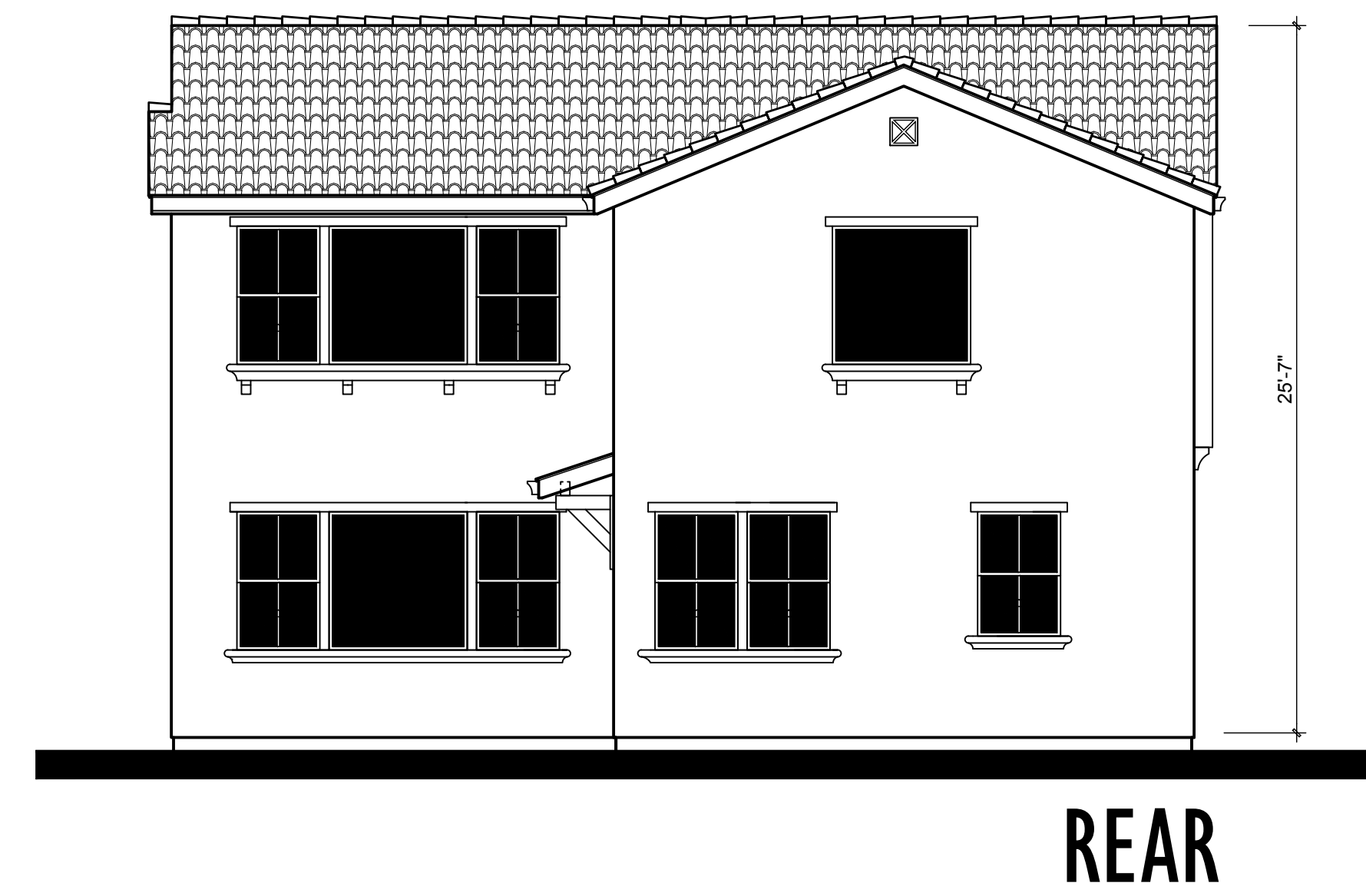
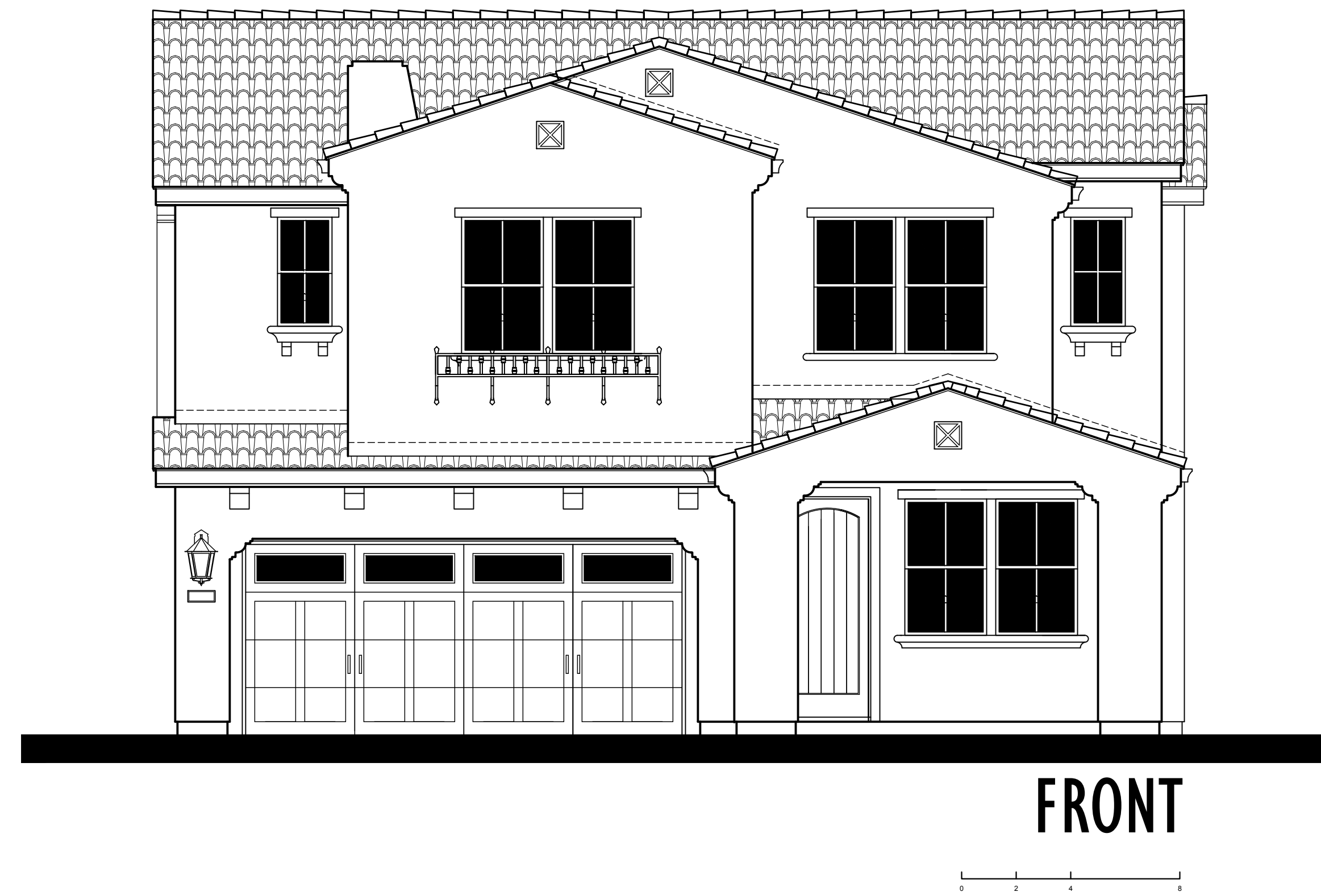


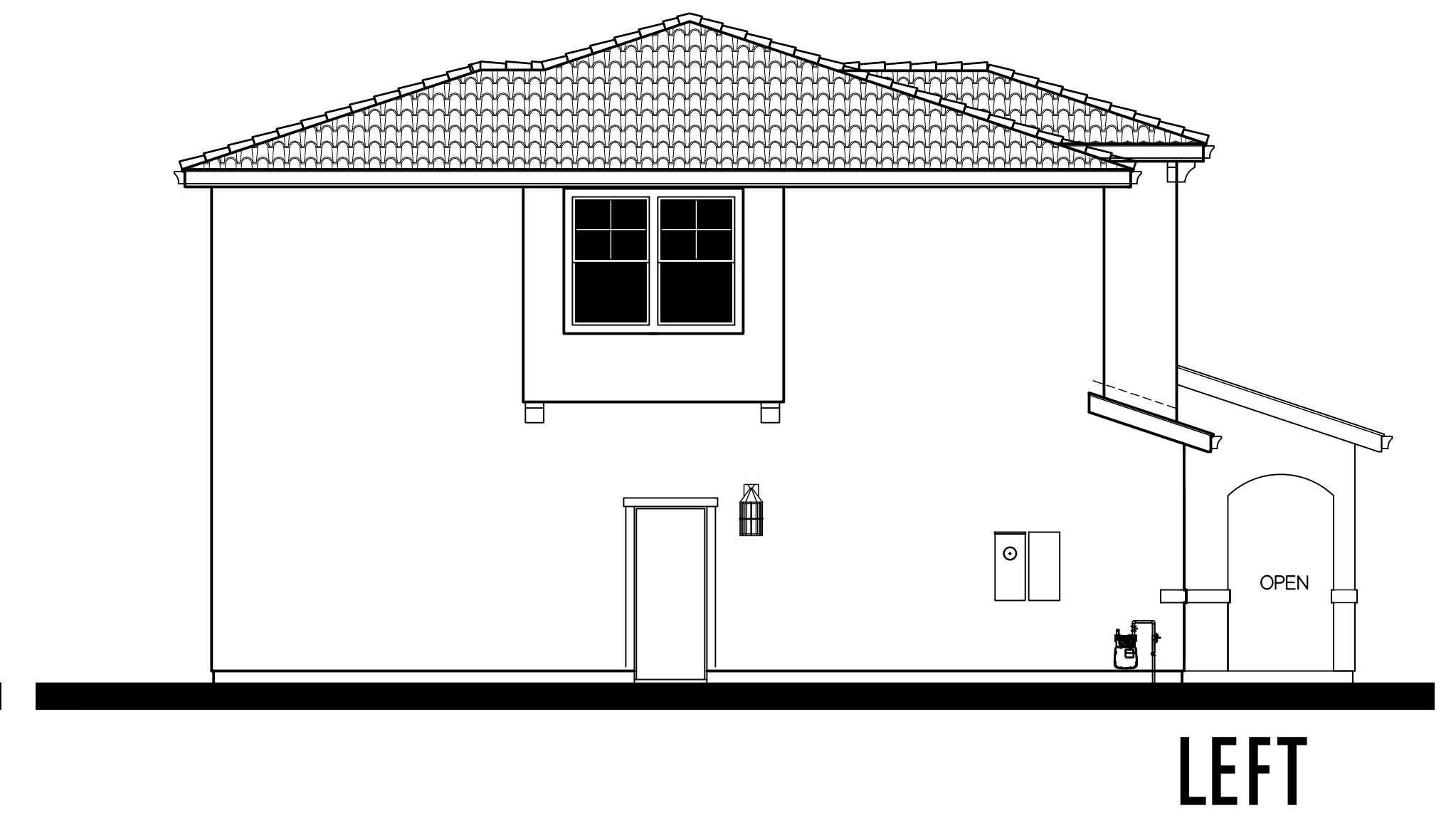
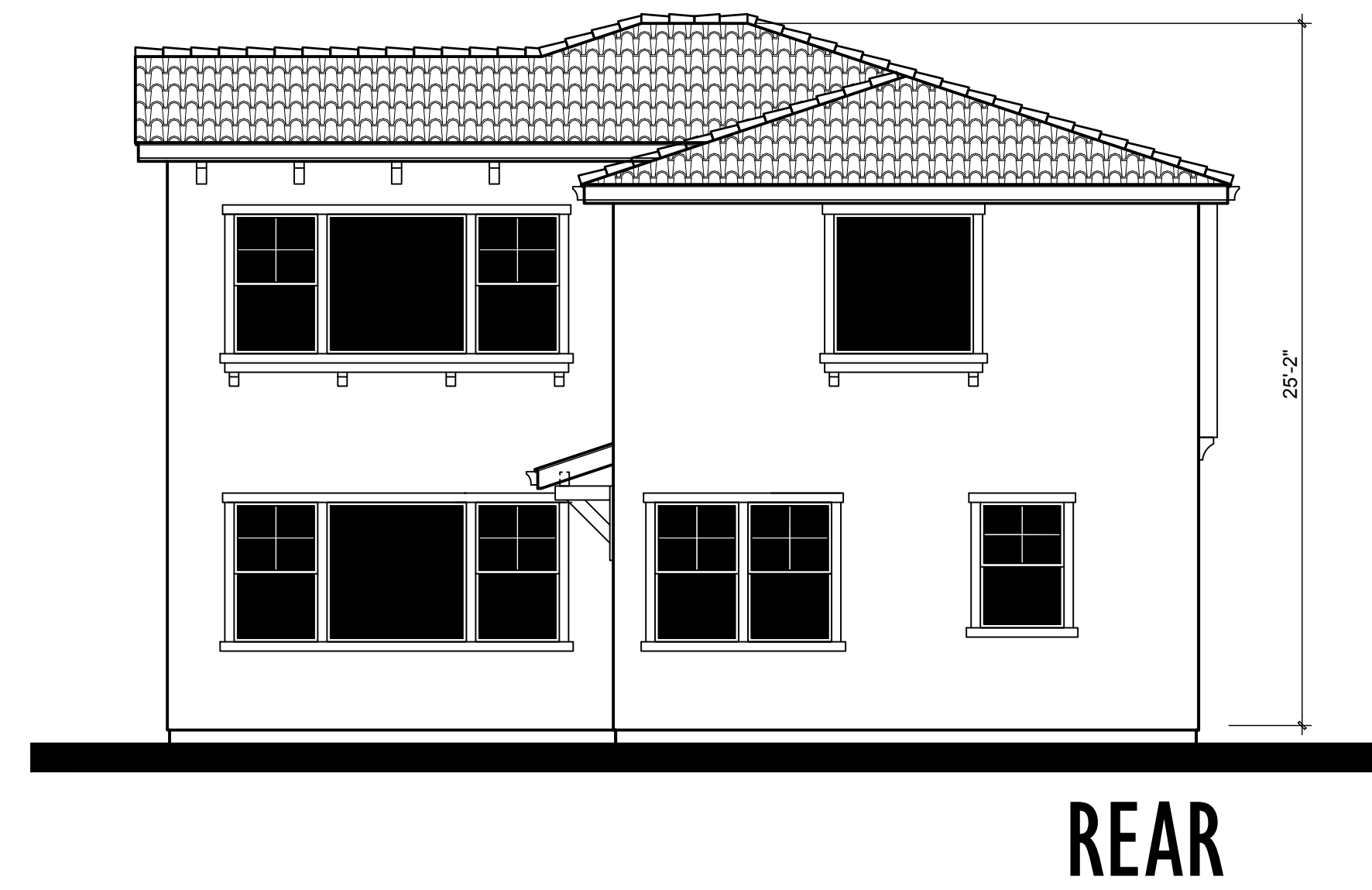
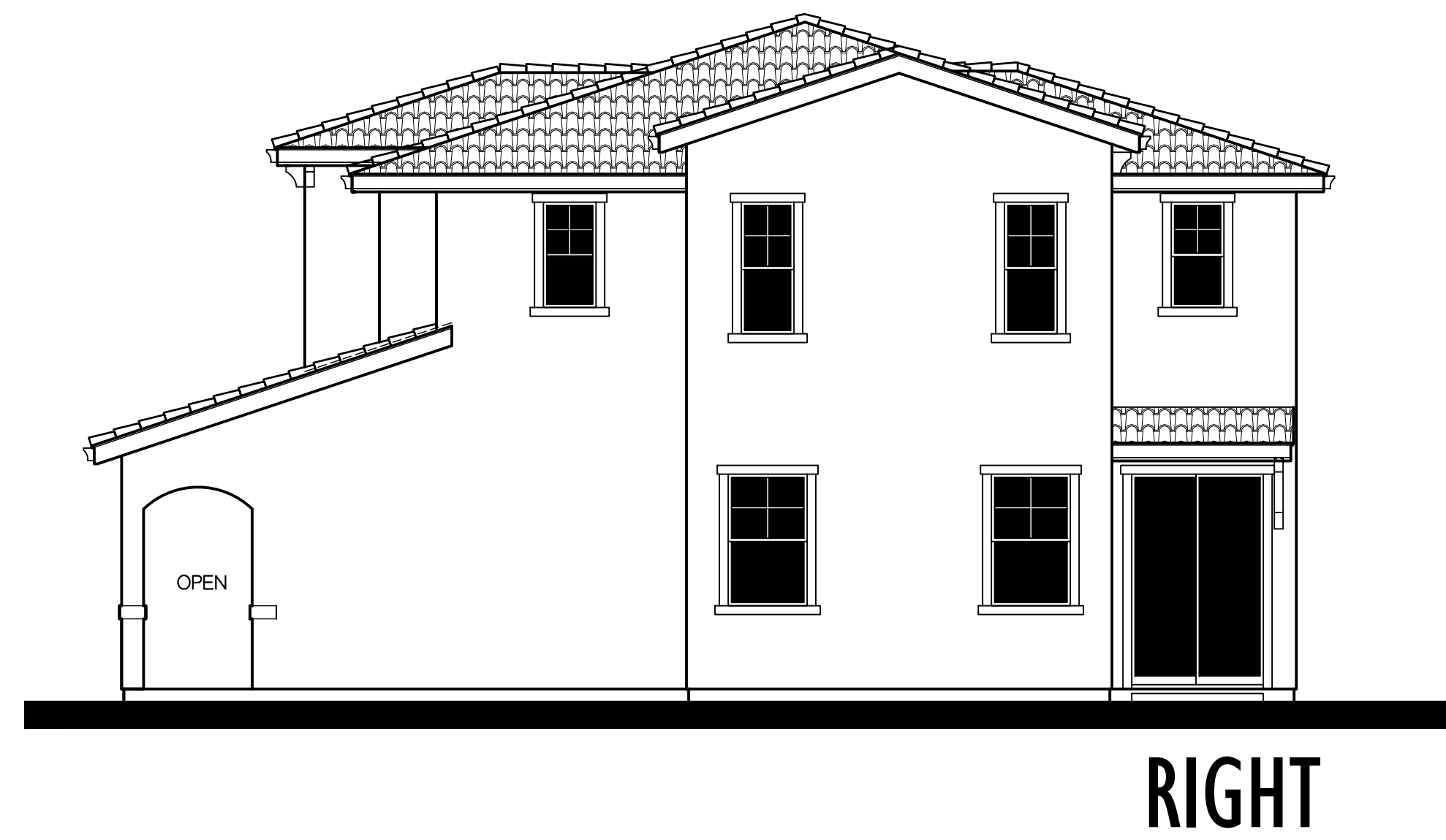
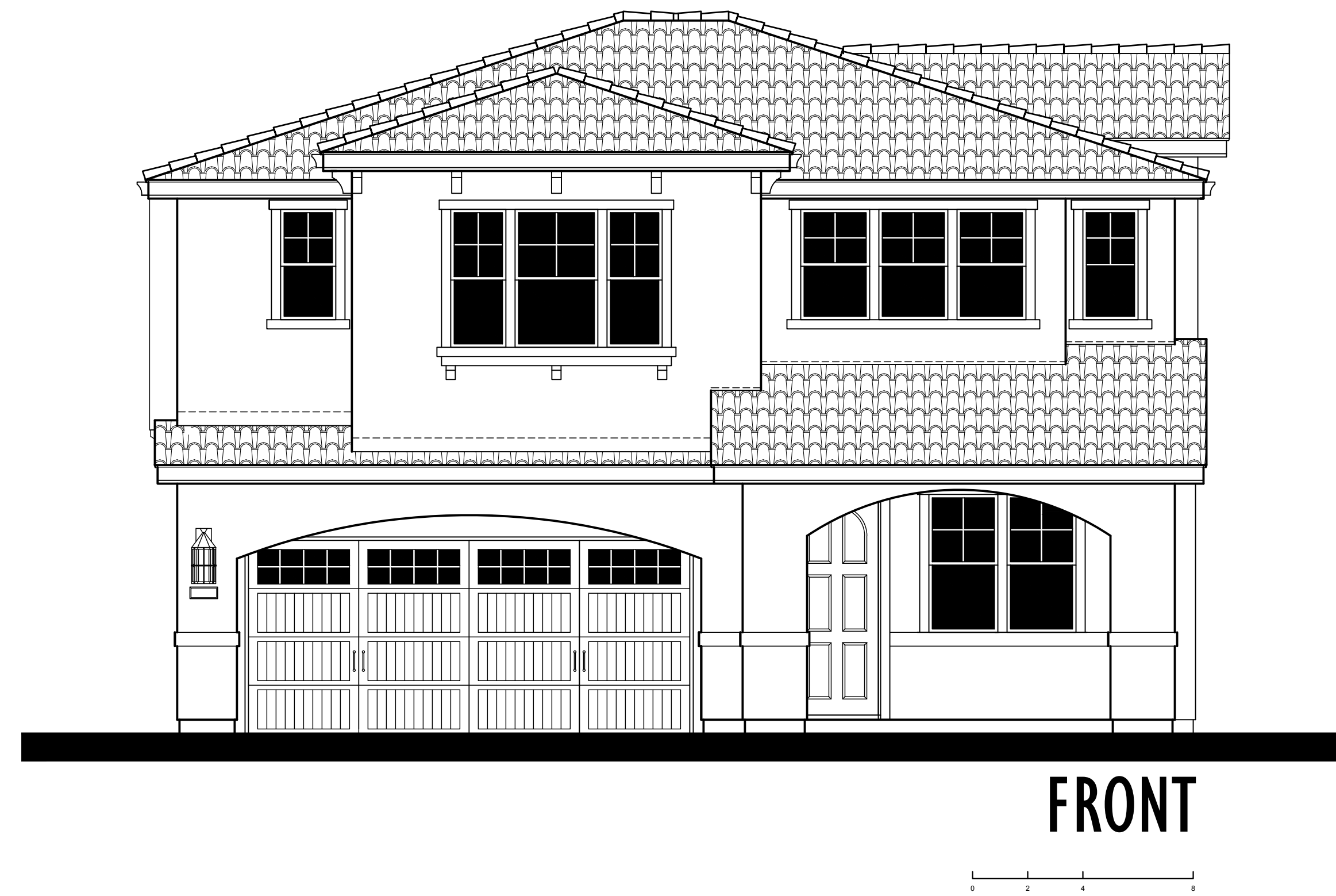
Second Floor
1150 s.f.

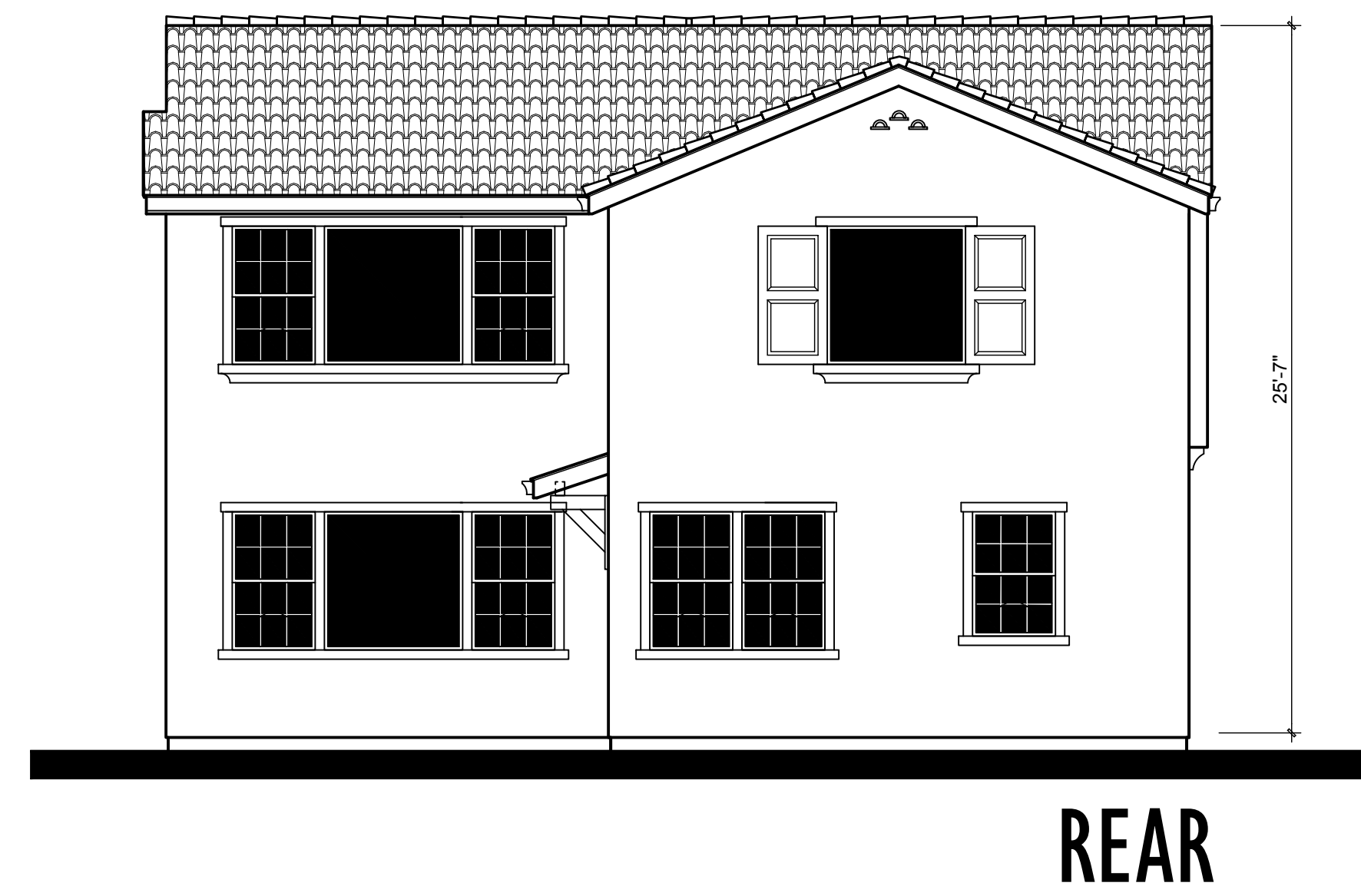
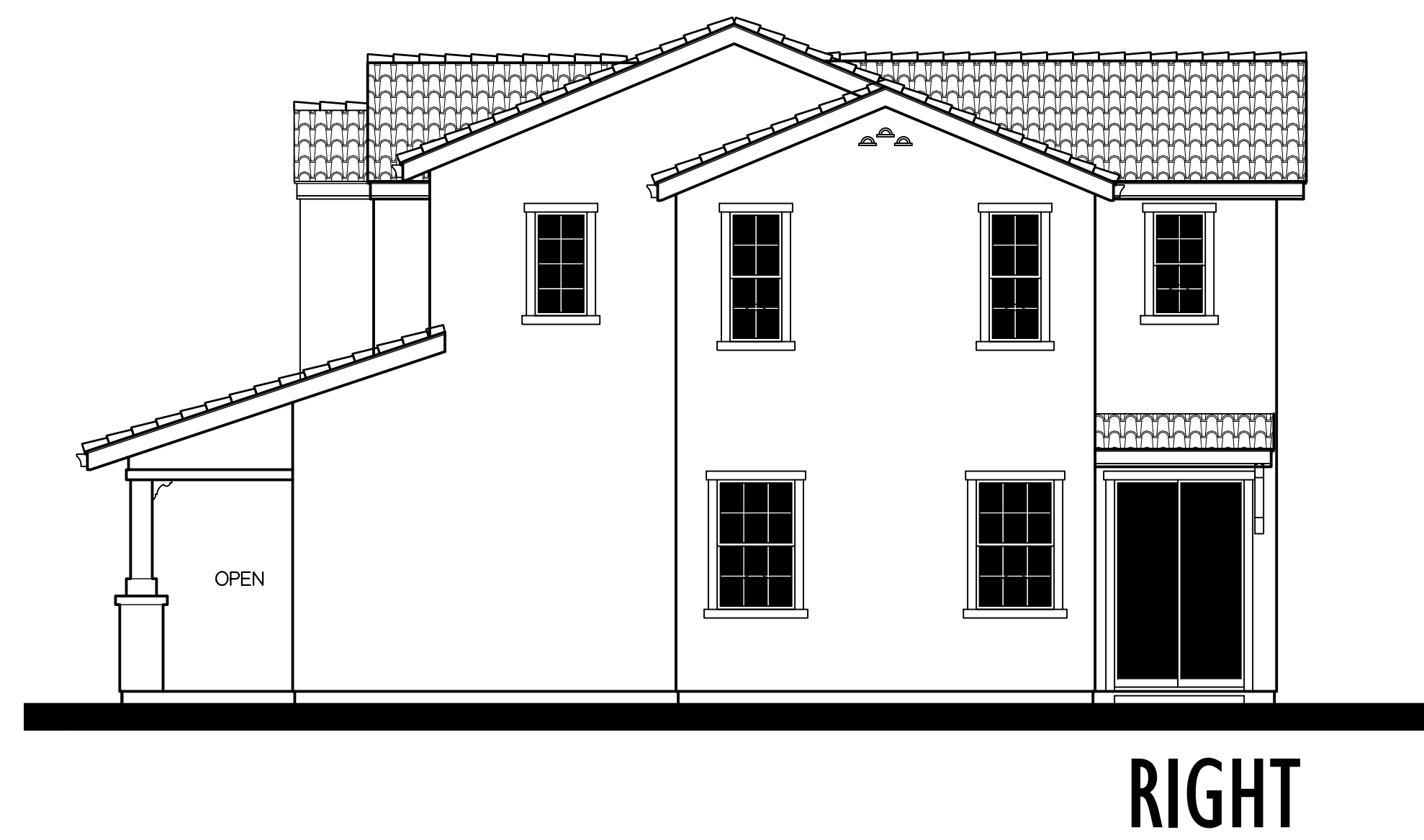
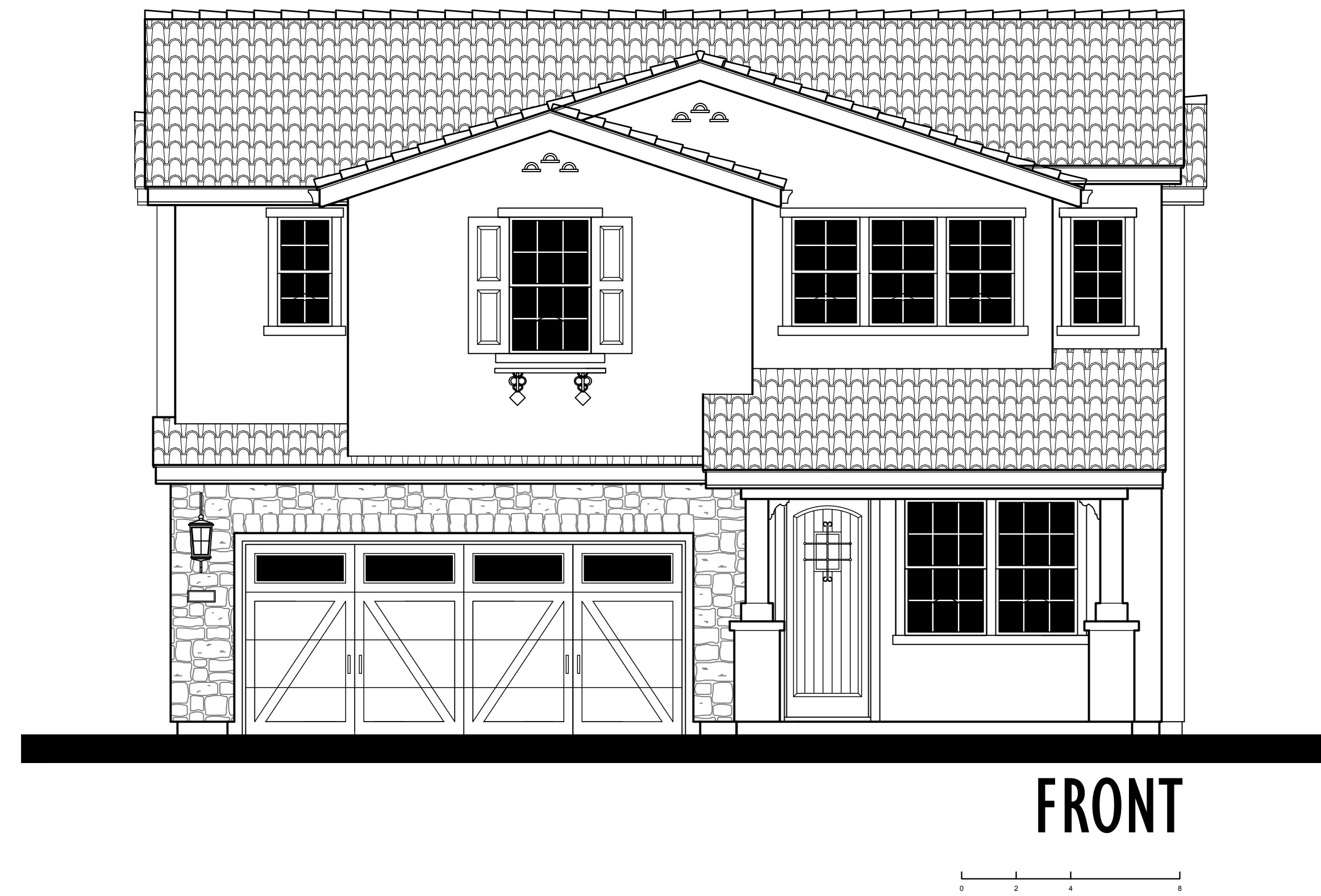


First Floor
806 s.f.

Floor Plan - Plan 1 Summary:
Great Room / Entertaining
3 Bedrooms and Loft
2.5 Baths
1,956 s.f.









1A Materials-
Concrete Roof Tile
"Low Profile S Tile"
12" Eaves, 2" Rakes
Decorative Details
Coach Light
1x Stucco Finish Trim

ELEVATION 2A MISSION



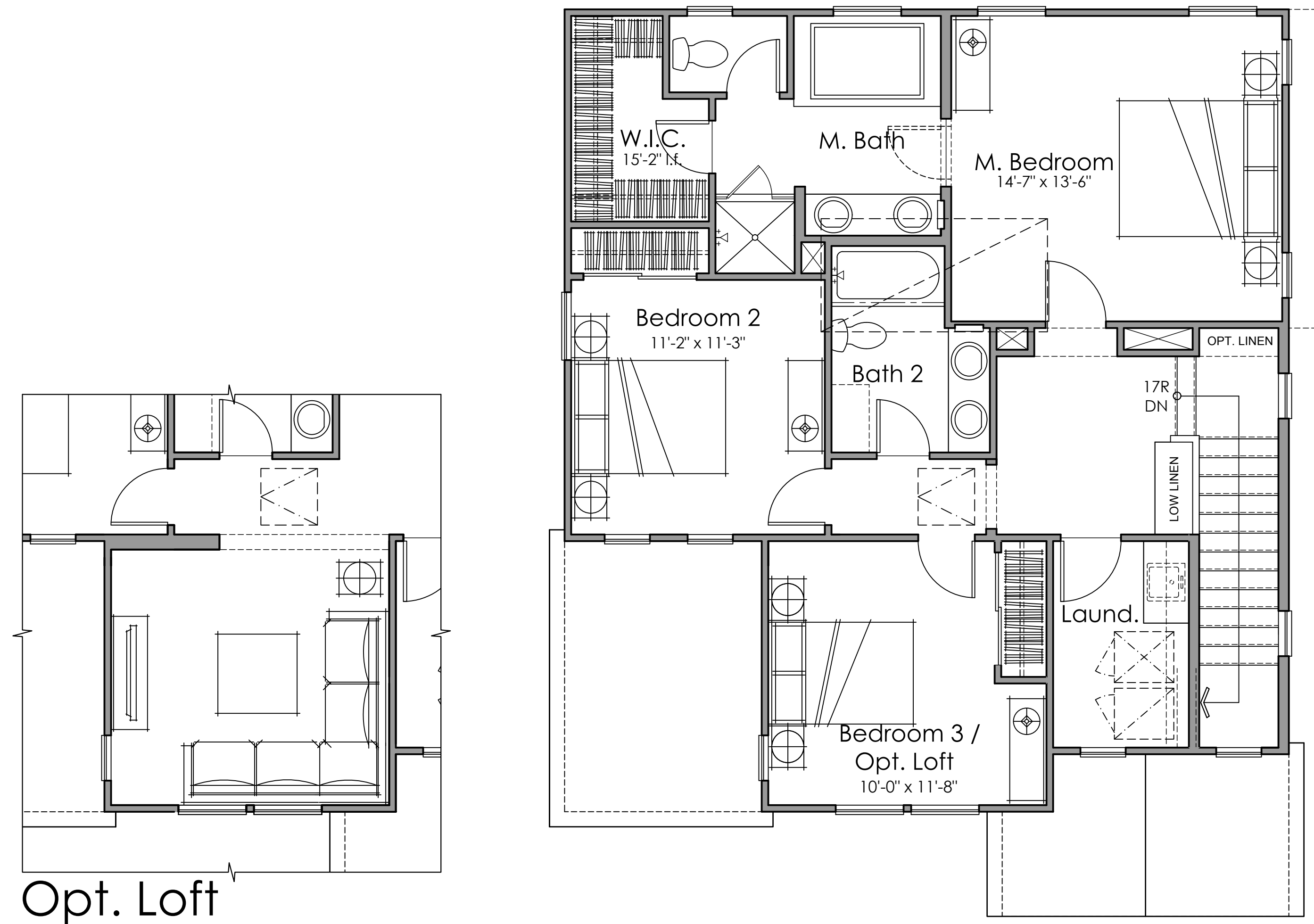
1B Materials-
Concrete Roof Tile
"Low Profile S Tile"
12" Eaves & Rakes
Decorative Details
Coach Light
1x Stucco Finish Trim
Brackets

ELEVATION 2B SPANISH RESORT

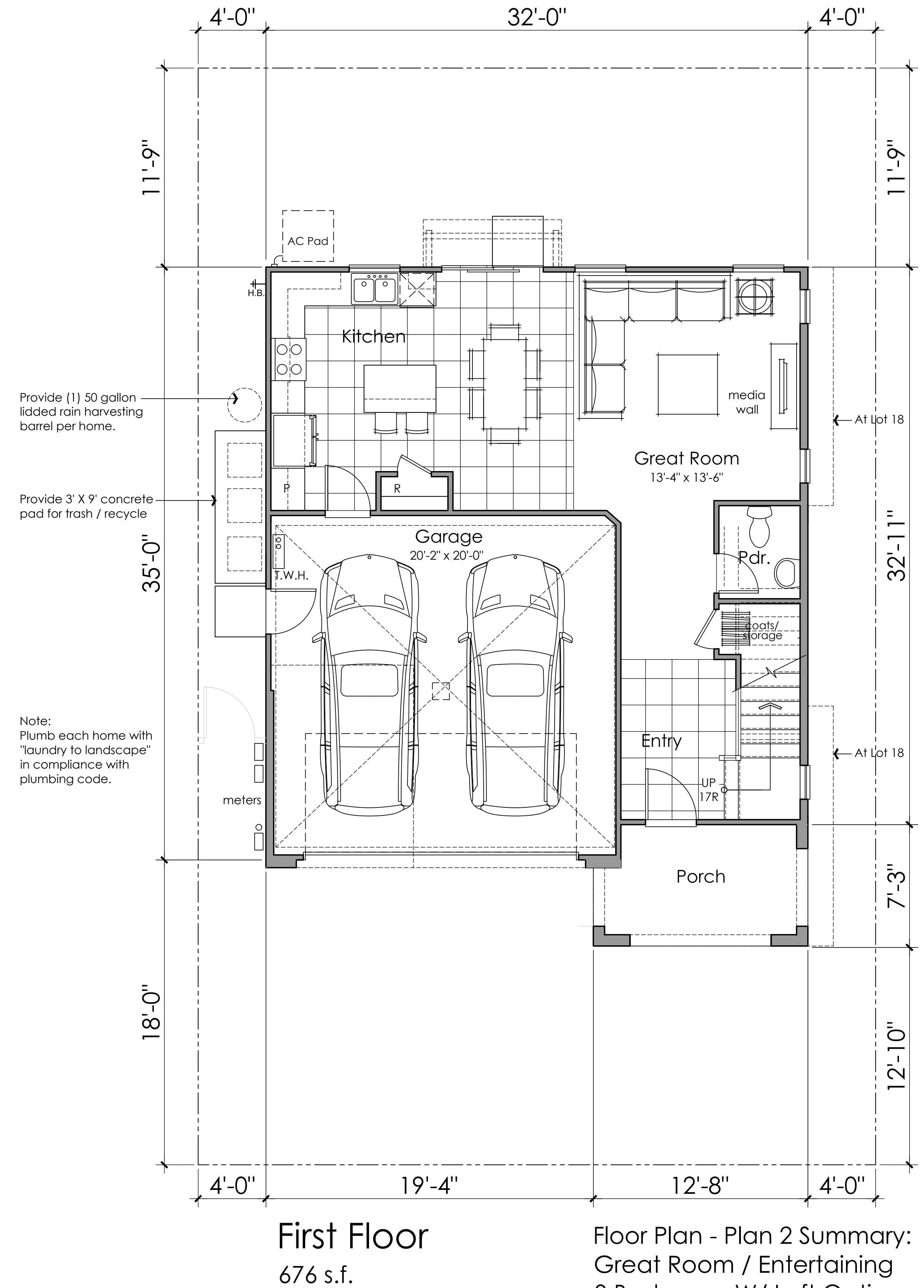


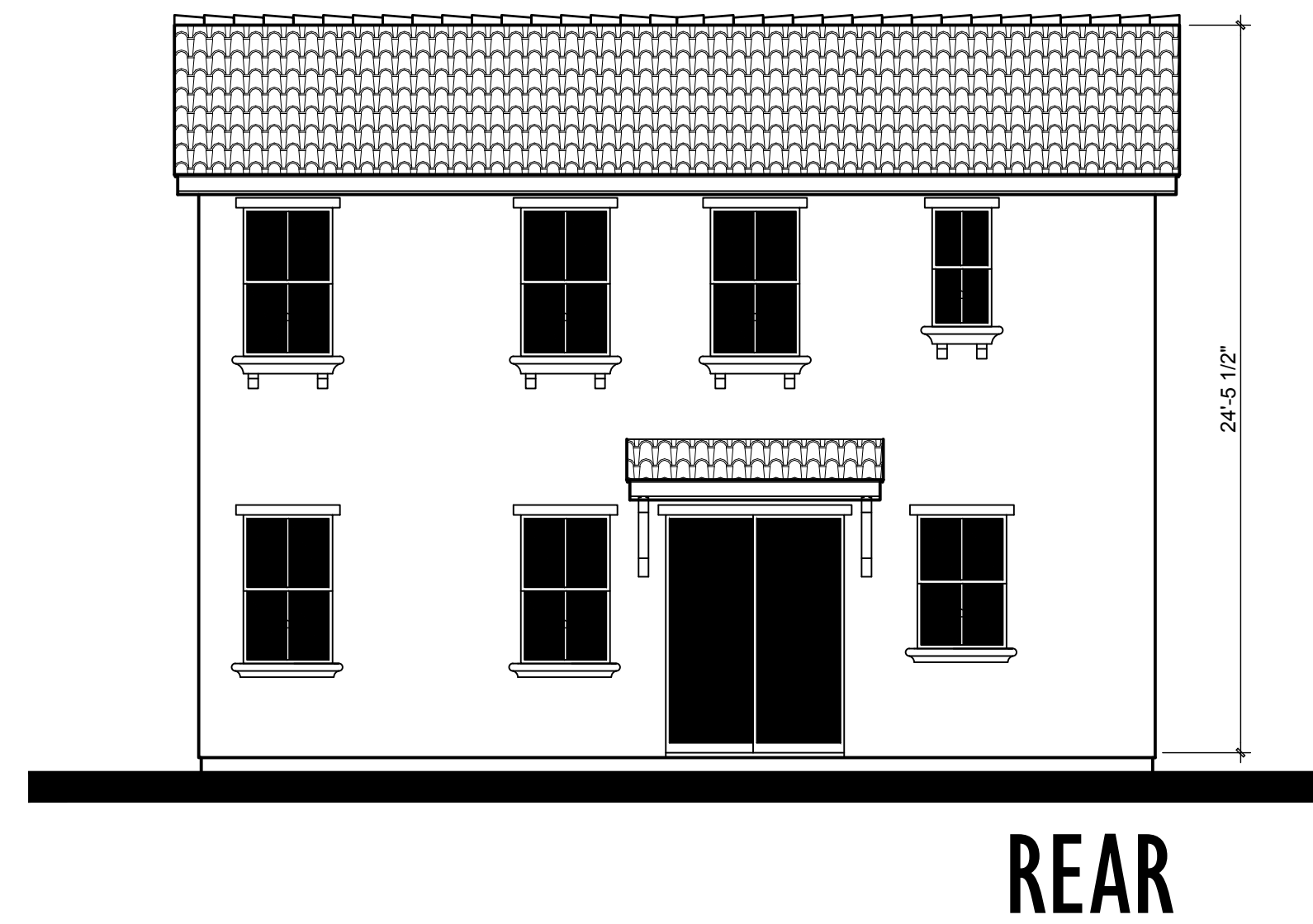
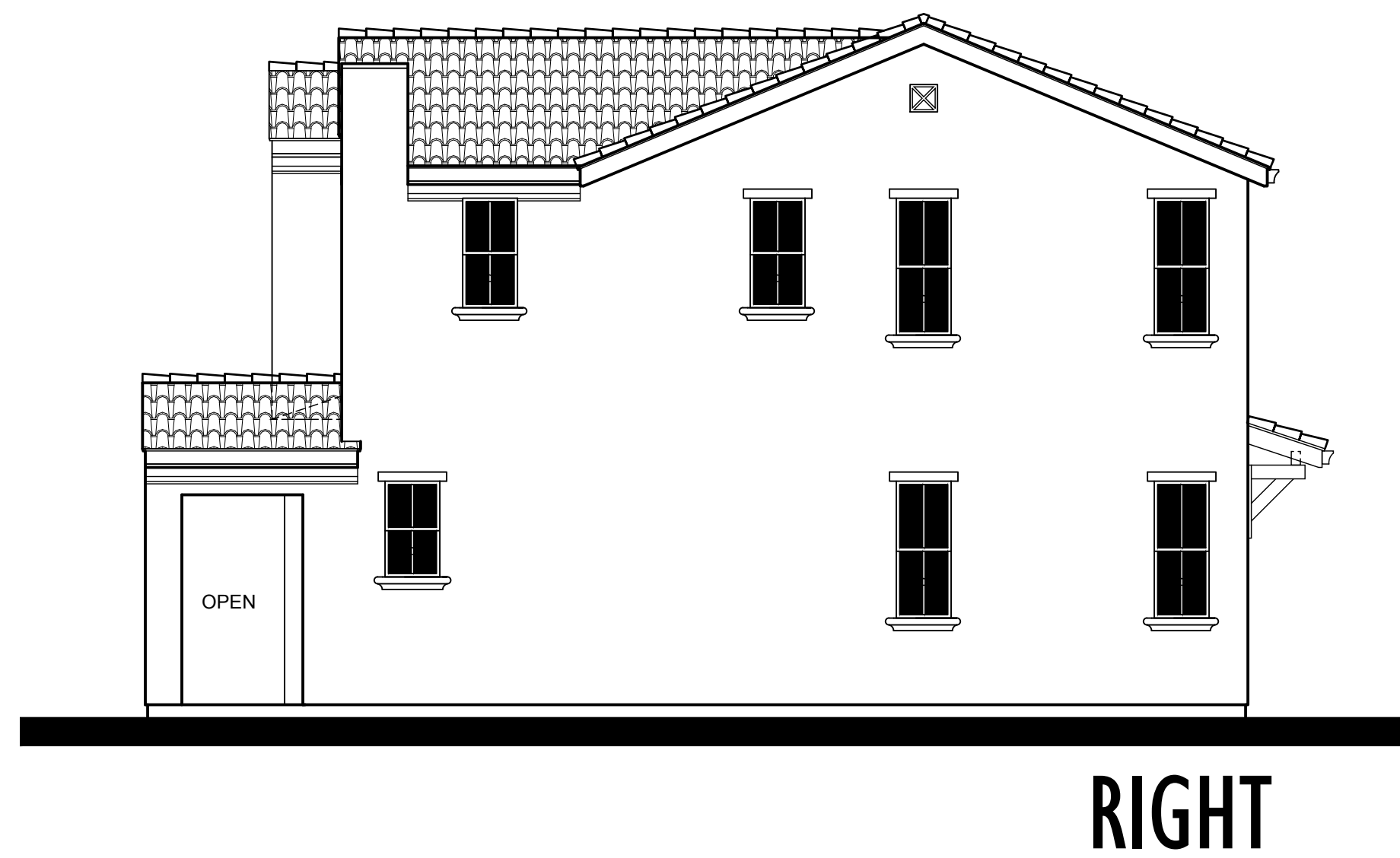
1C Materials-
Concrete Roof Tile
"Low Profile S Tile"
12" Eaves & Rakes
Decorative Details
Coach Light
1x Stucco Finish Trim
Stone Veneer

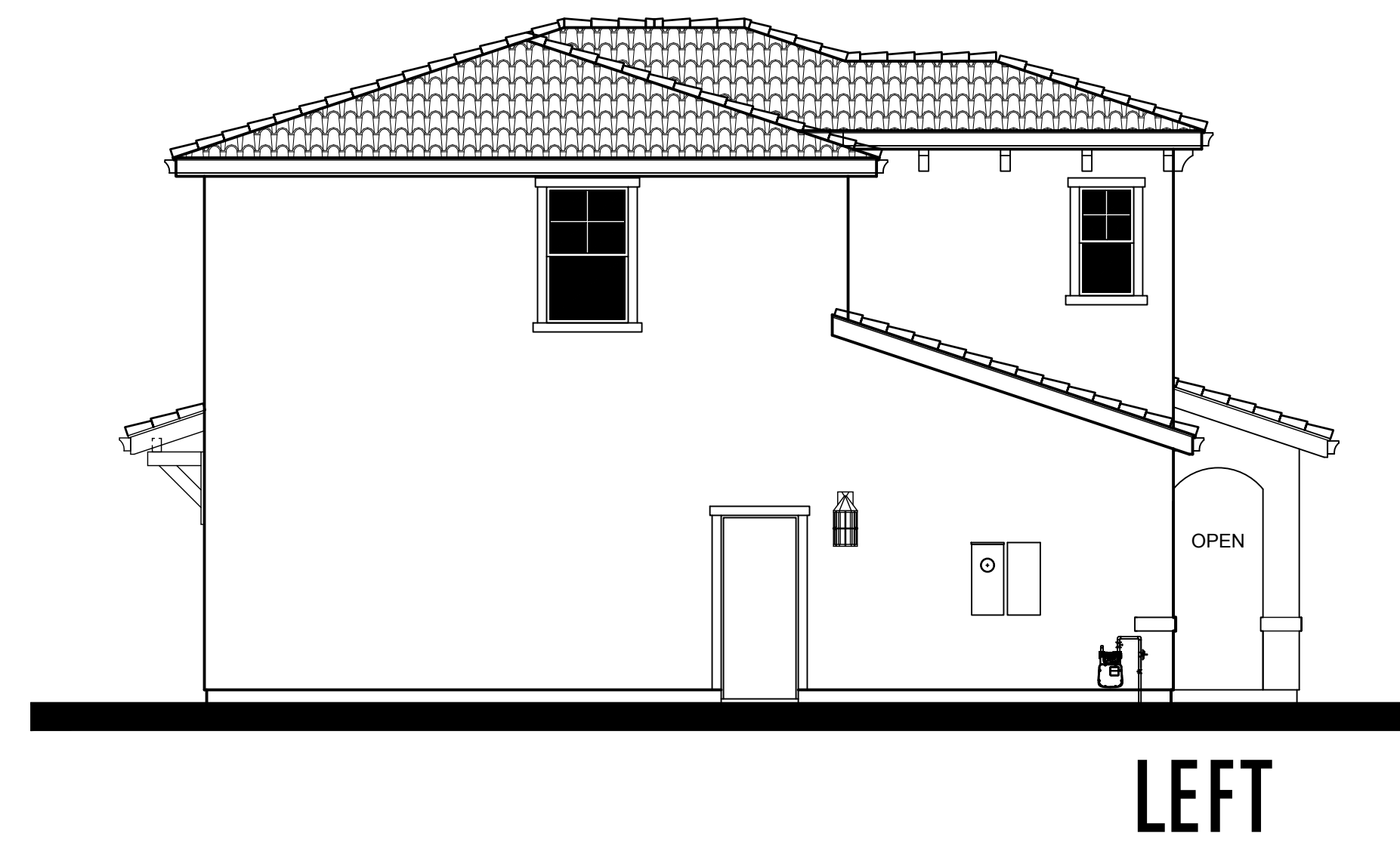
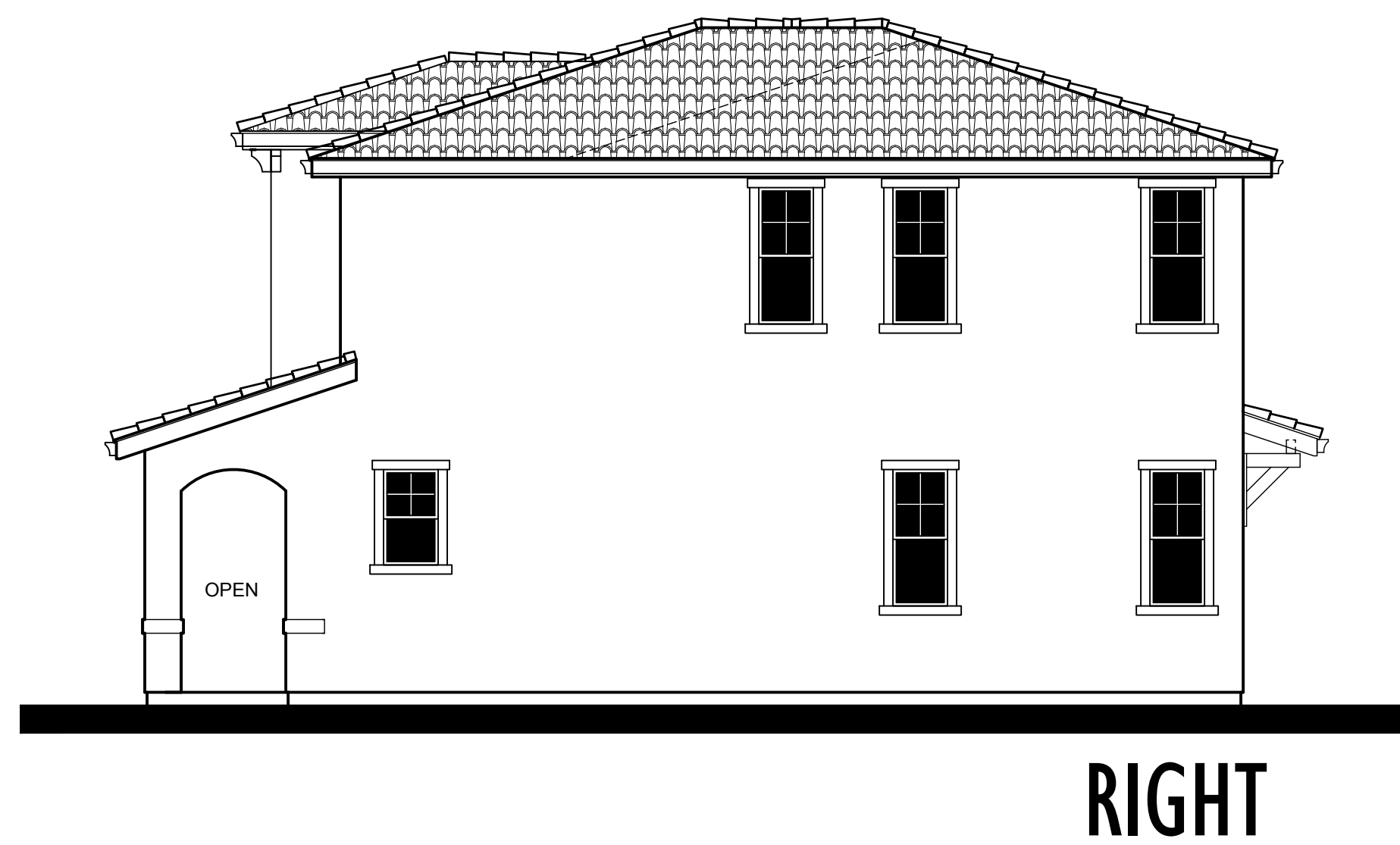
ELEVATION 2C HACIENDA

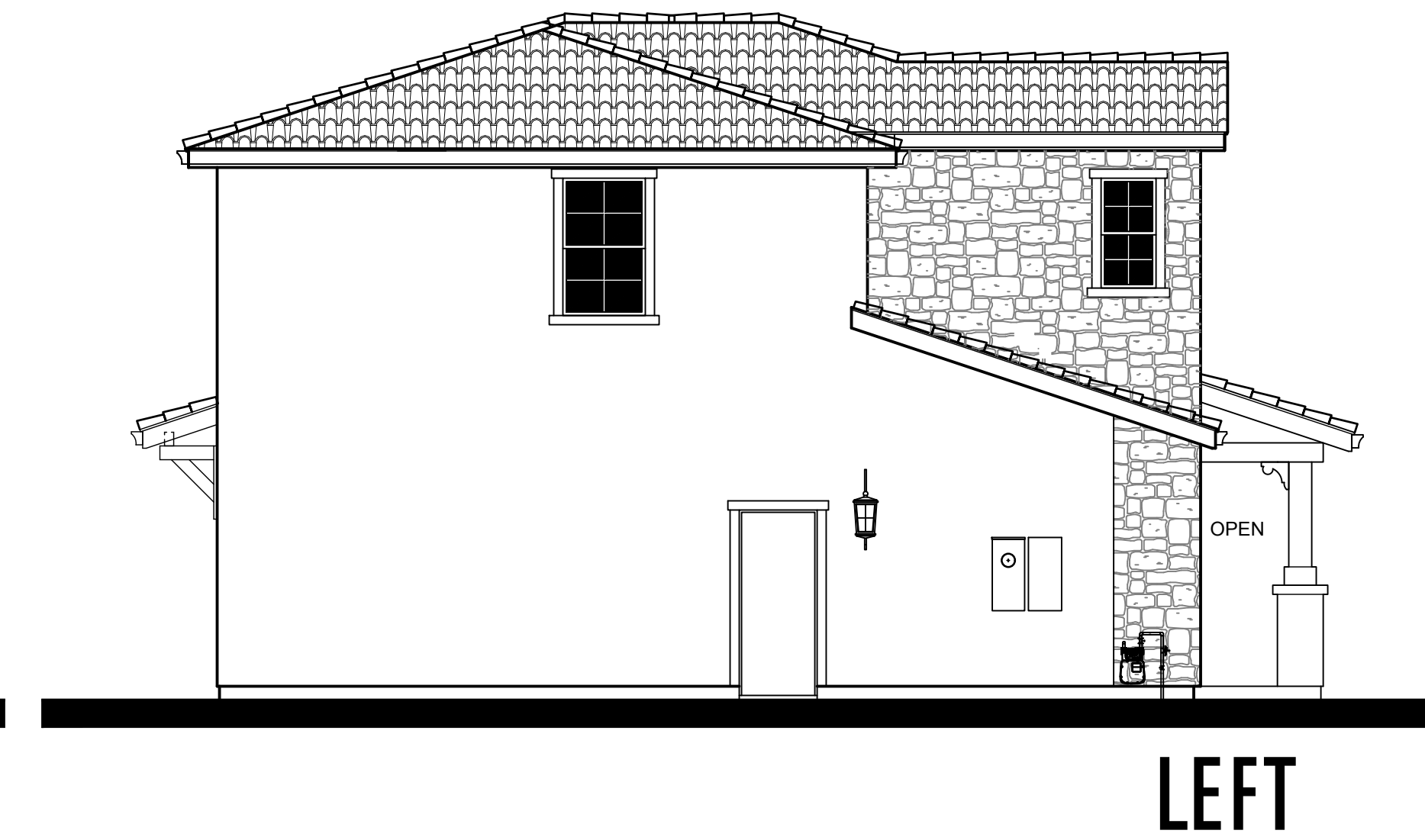
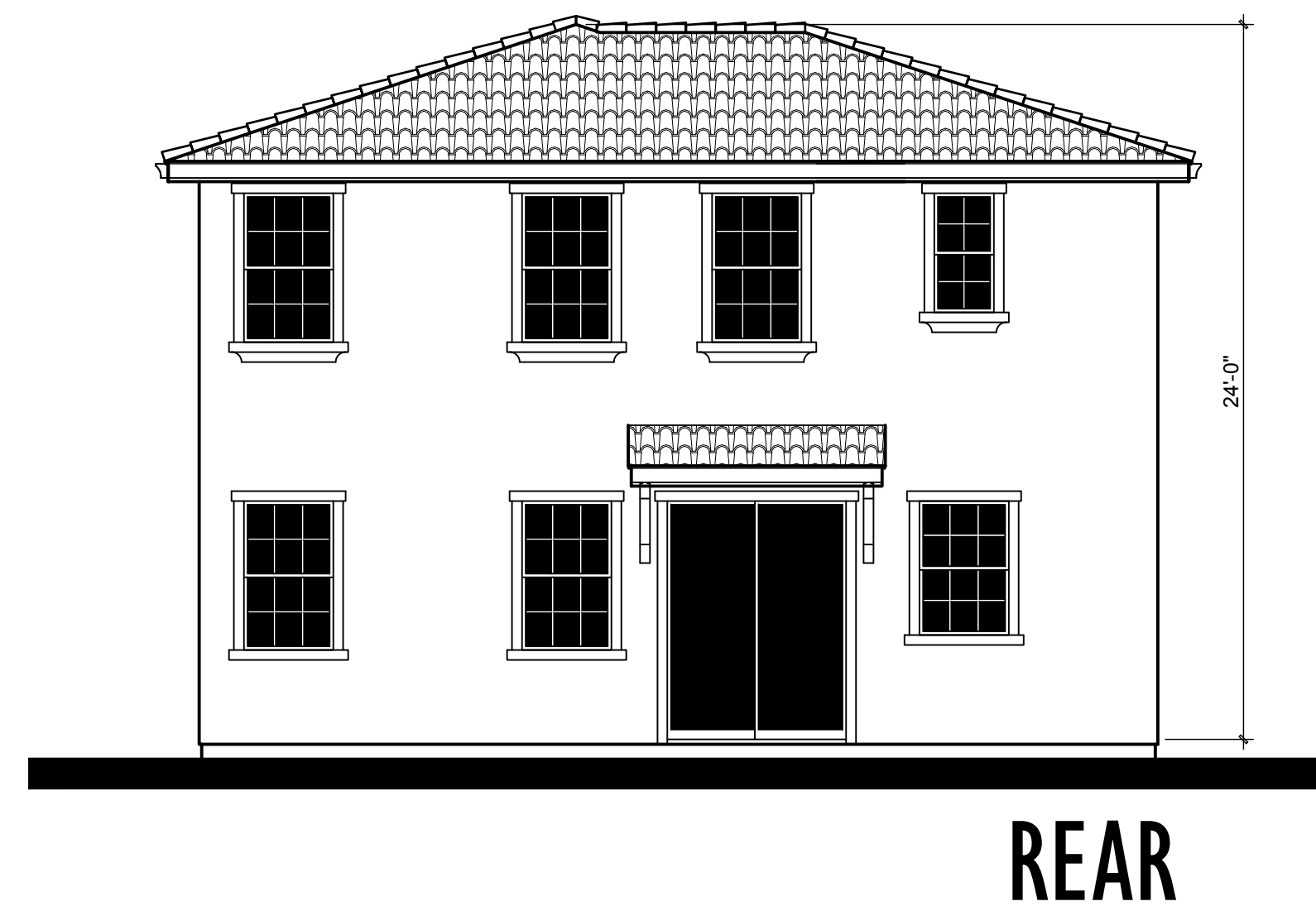
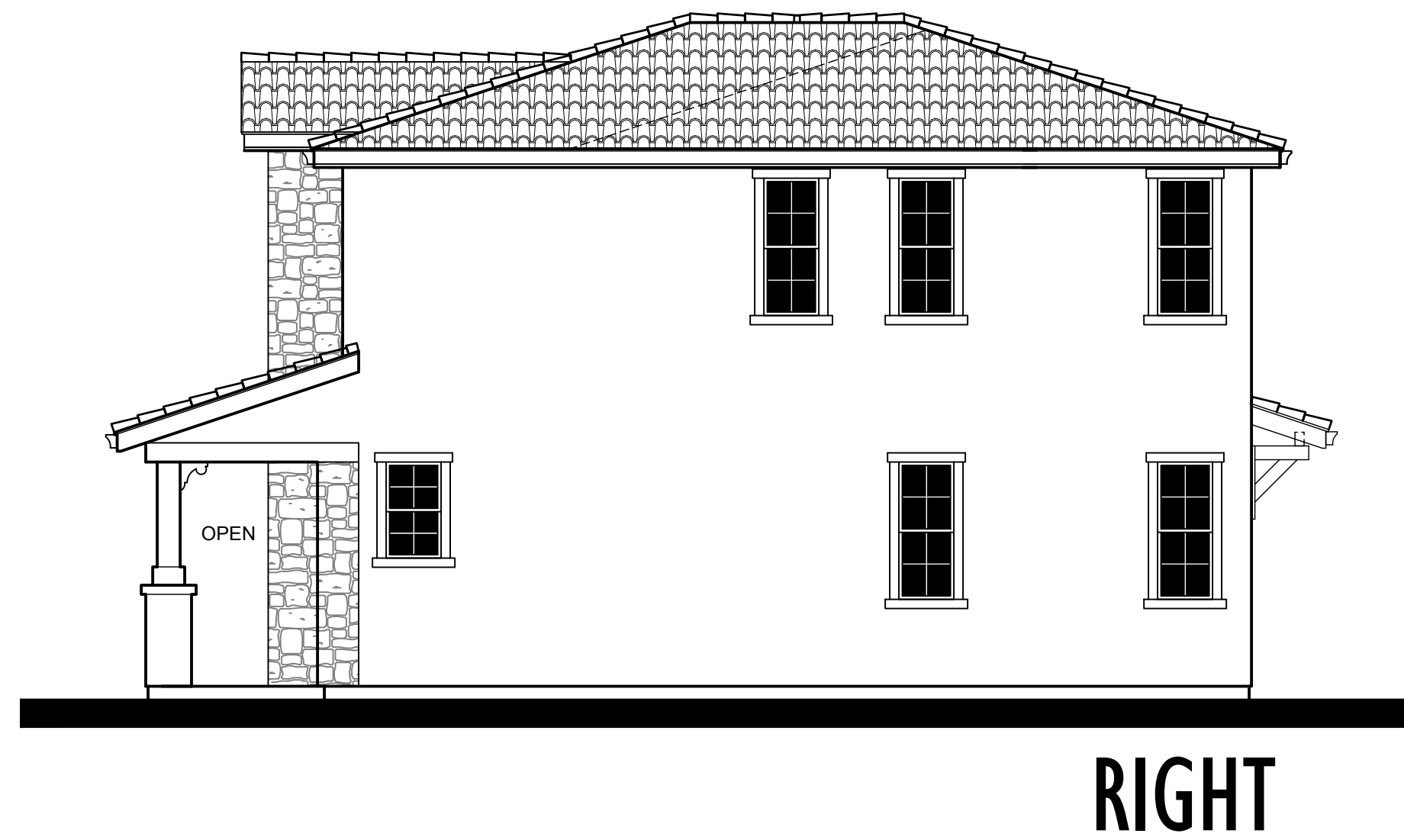


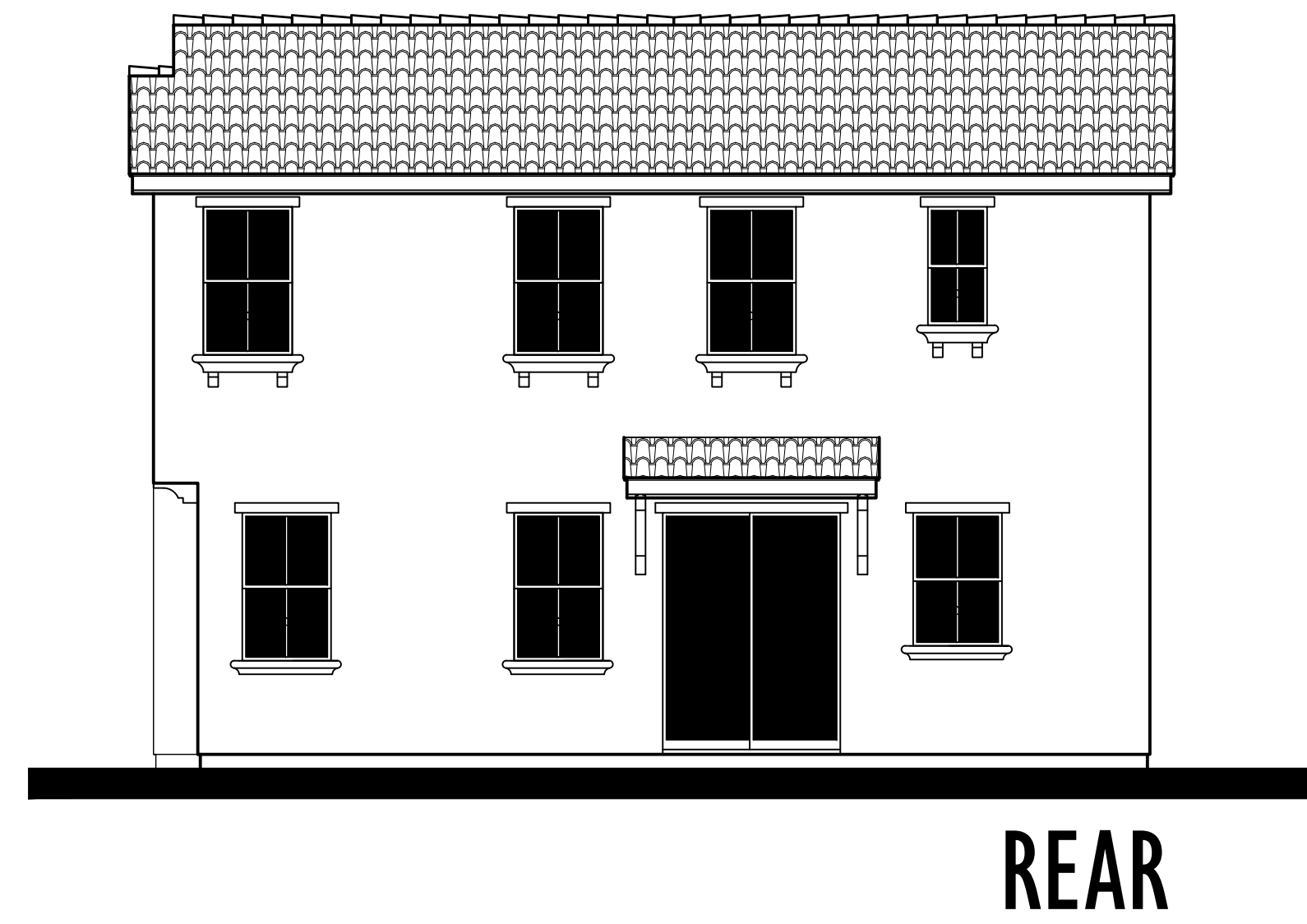
Second Floor
962 s.f.













3A Materials-
Concrete Roof Tile
"Low Profile S Tile"
12" Eaves, 2" Rakes
Decorative Details
Coach Light
1x Stucco Finish Trim

ELEVATION 3A MISSION



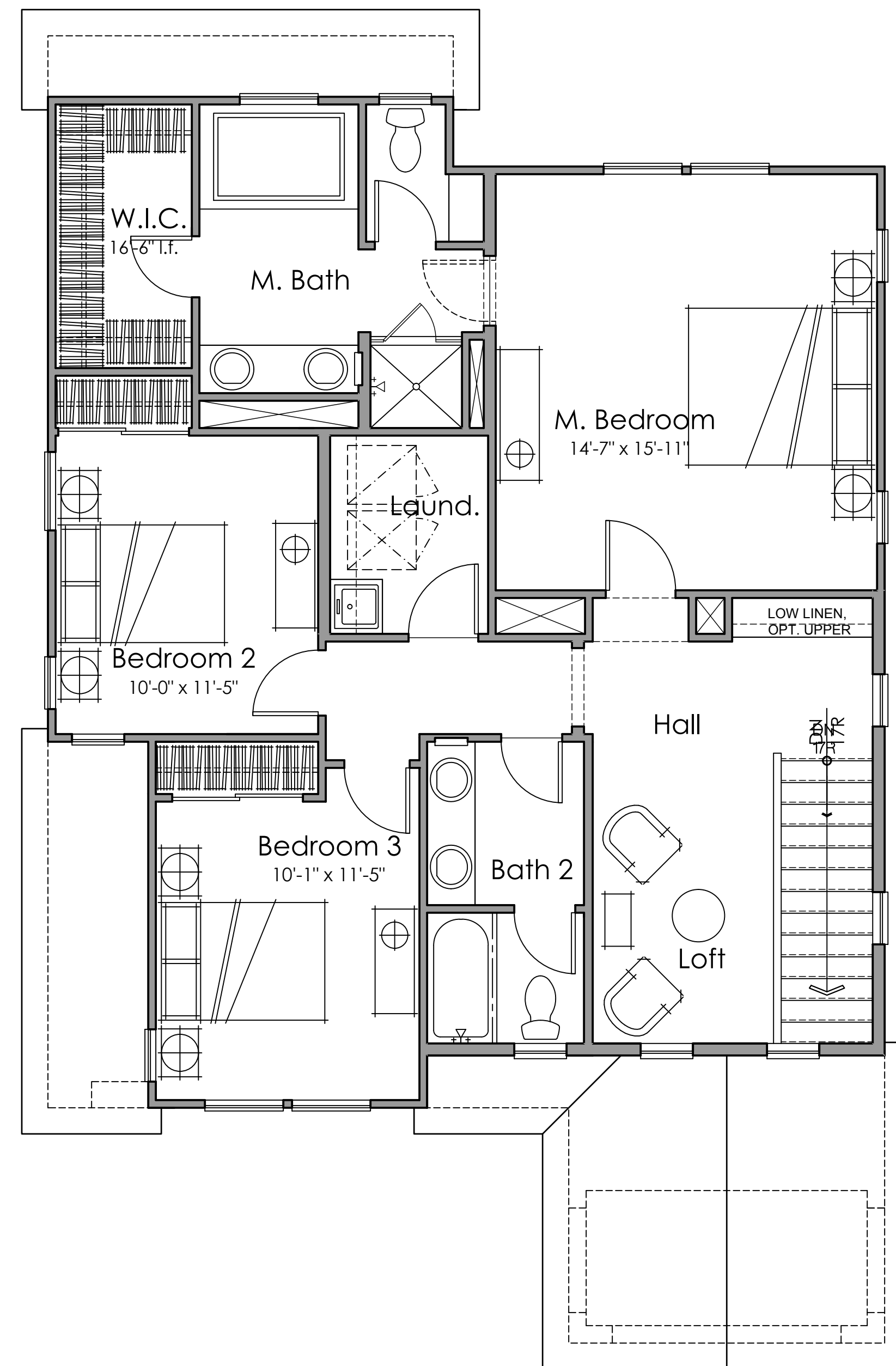
3B Materials-
Concrete Roof Tile
"Low Profile S Tile"
12" Eaves & Rakes
Decorative Details
Coach Light
1x Stucco Finish Trim
Brackets

ELEVATION 3B SPANISH RESORT

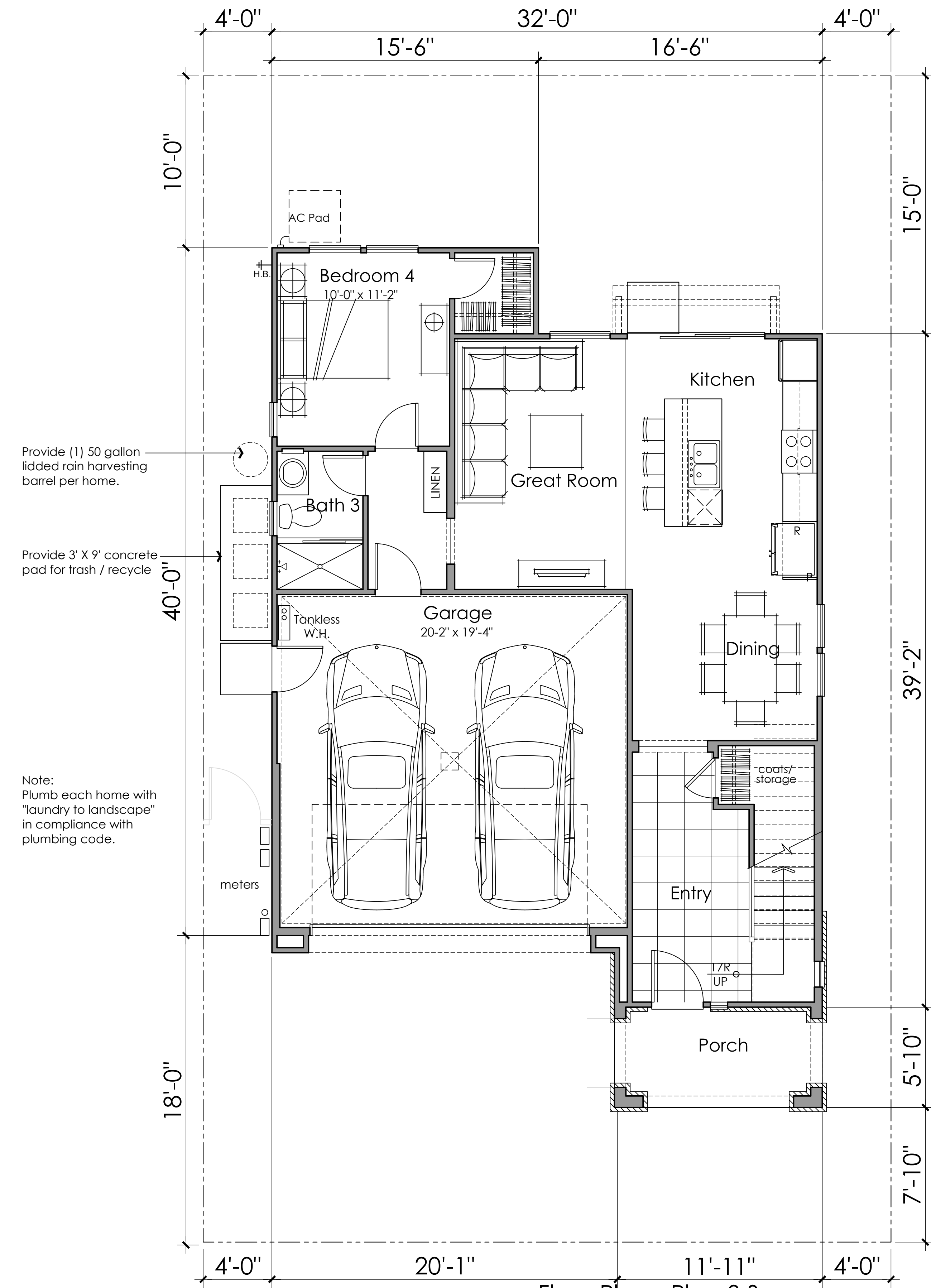


3C Materials-
Concrete Roof Tile
"Low Profile S Tile"
12" Eaves & Rakes
Decorative Details
Coach Light
1x Stucco Finish Trim
Stone Veneer

ELEVATION 3C HACIENDA

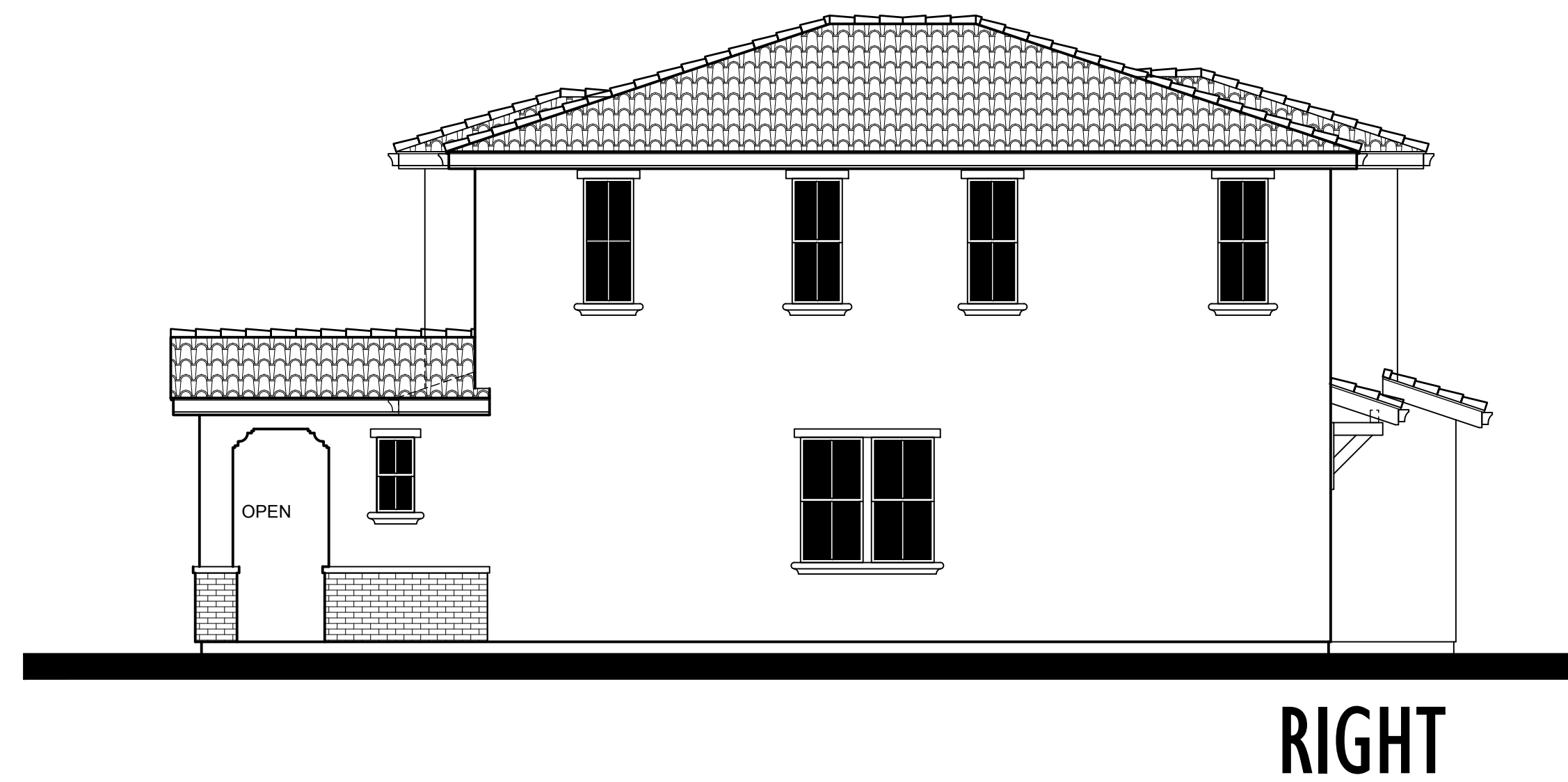


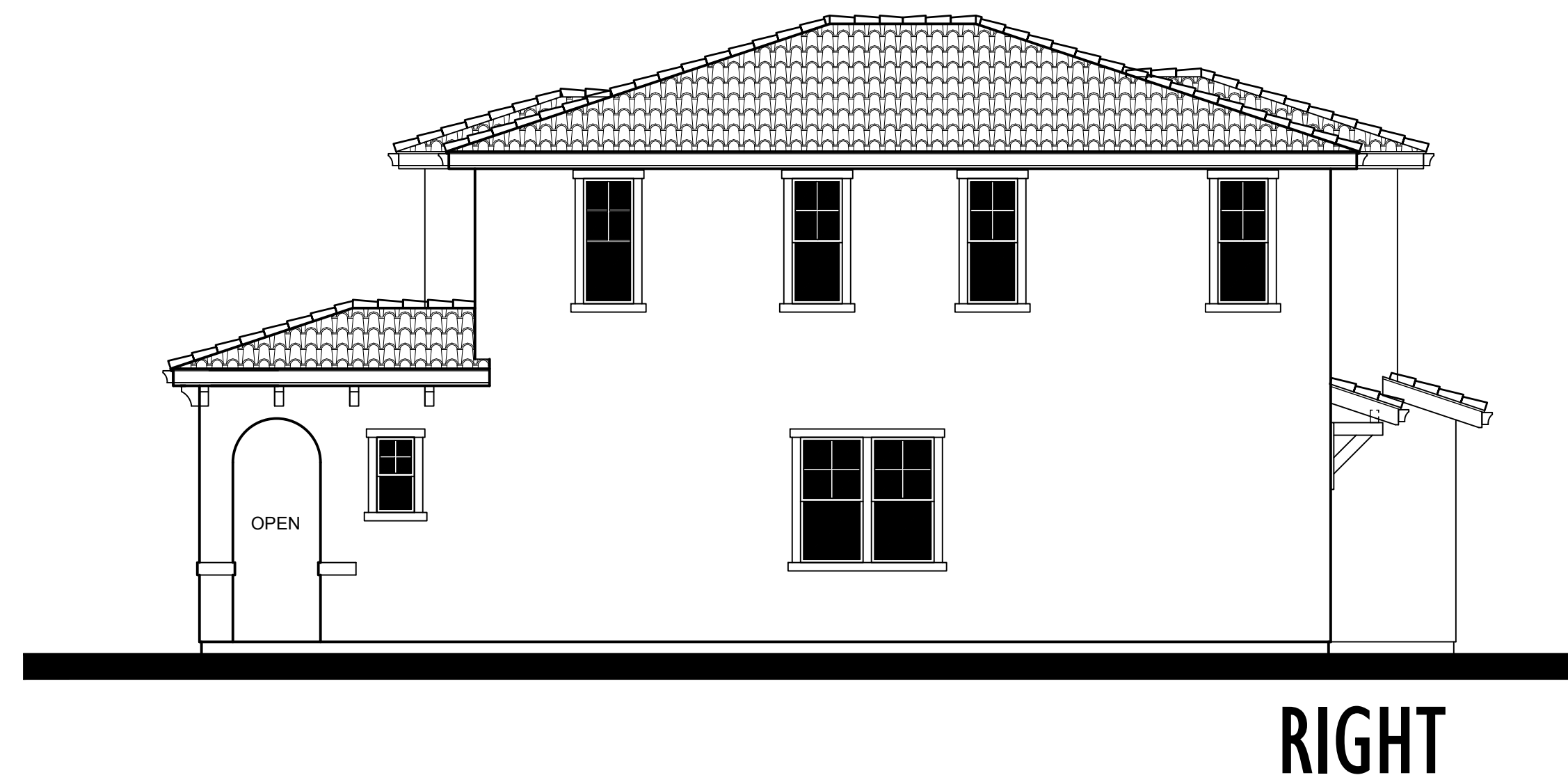
Second Floor
1080 s.f.

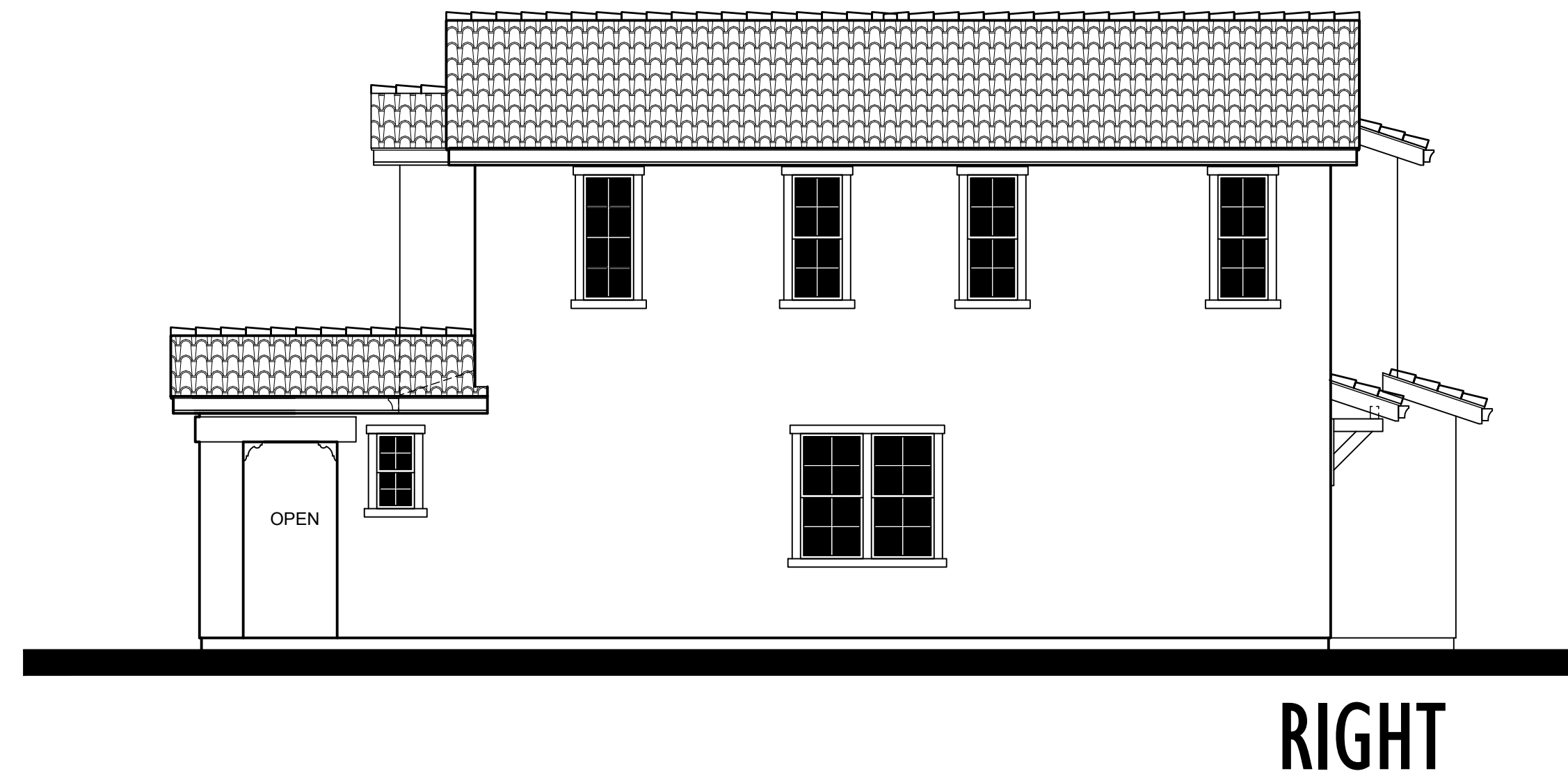


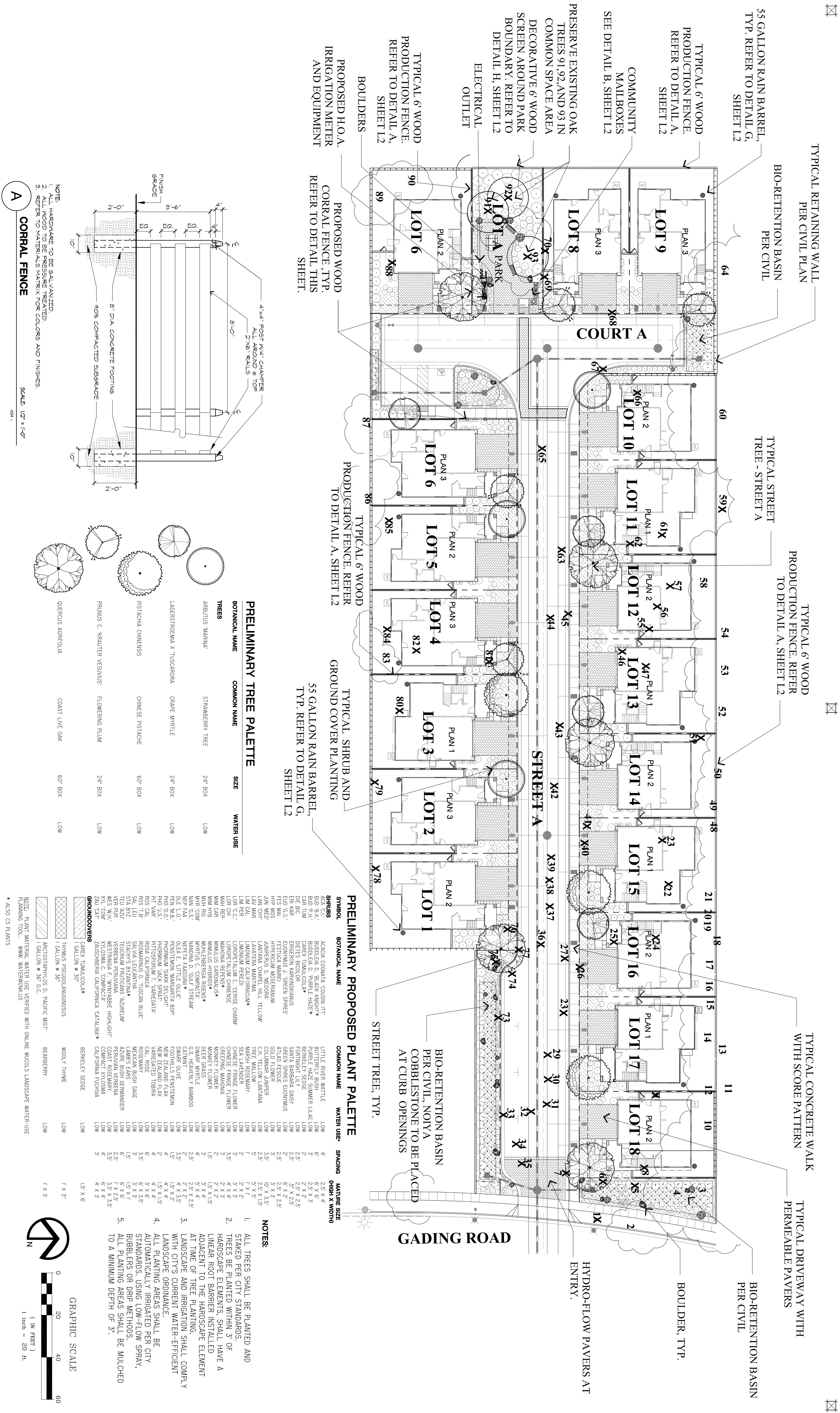
First Floor
835 s.f.

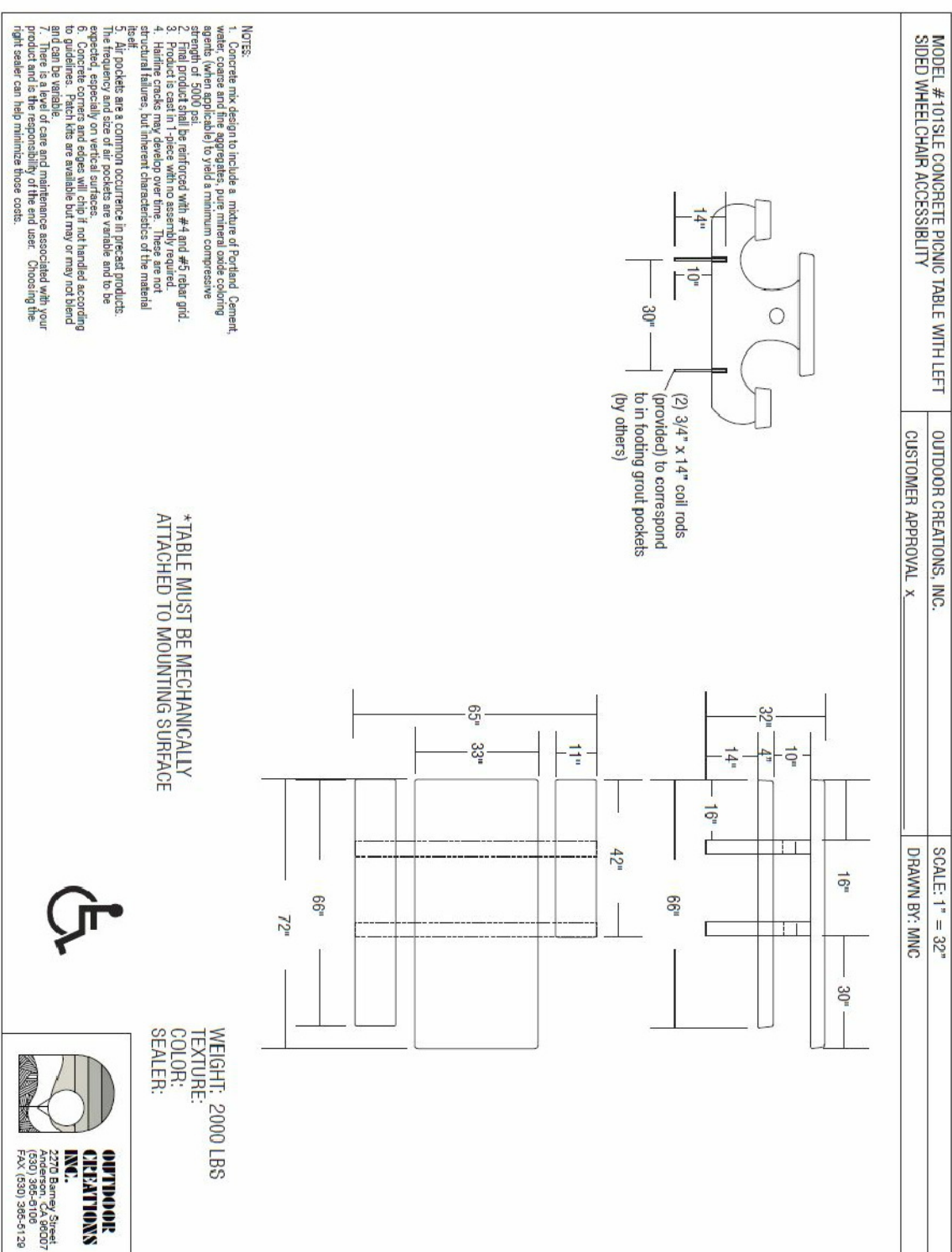
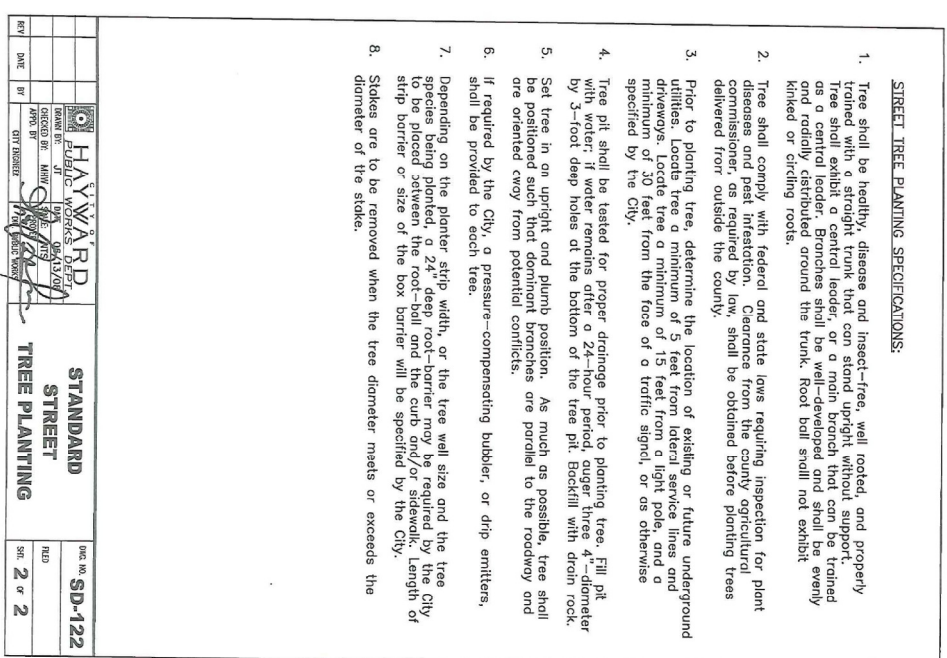
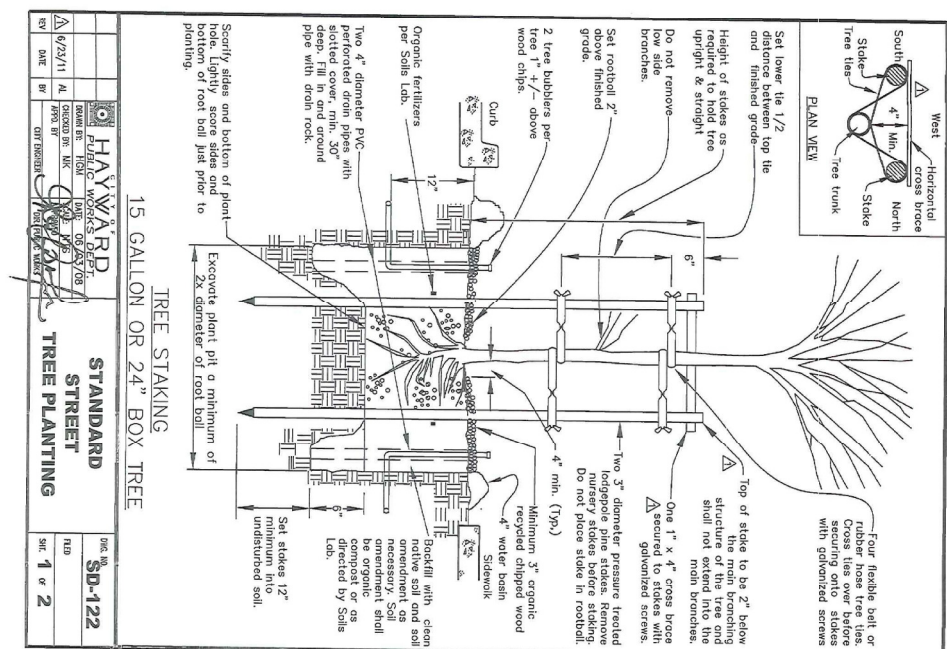
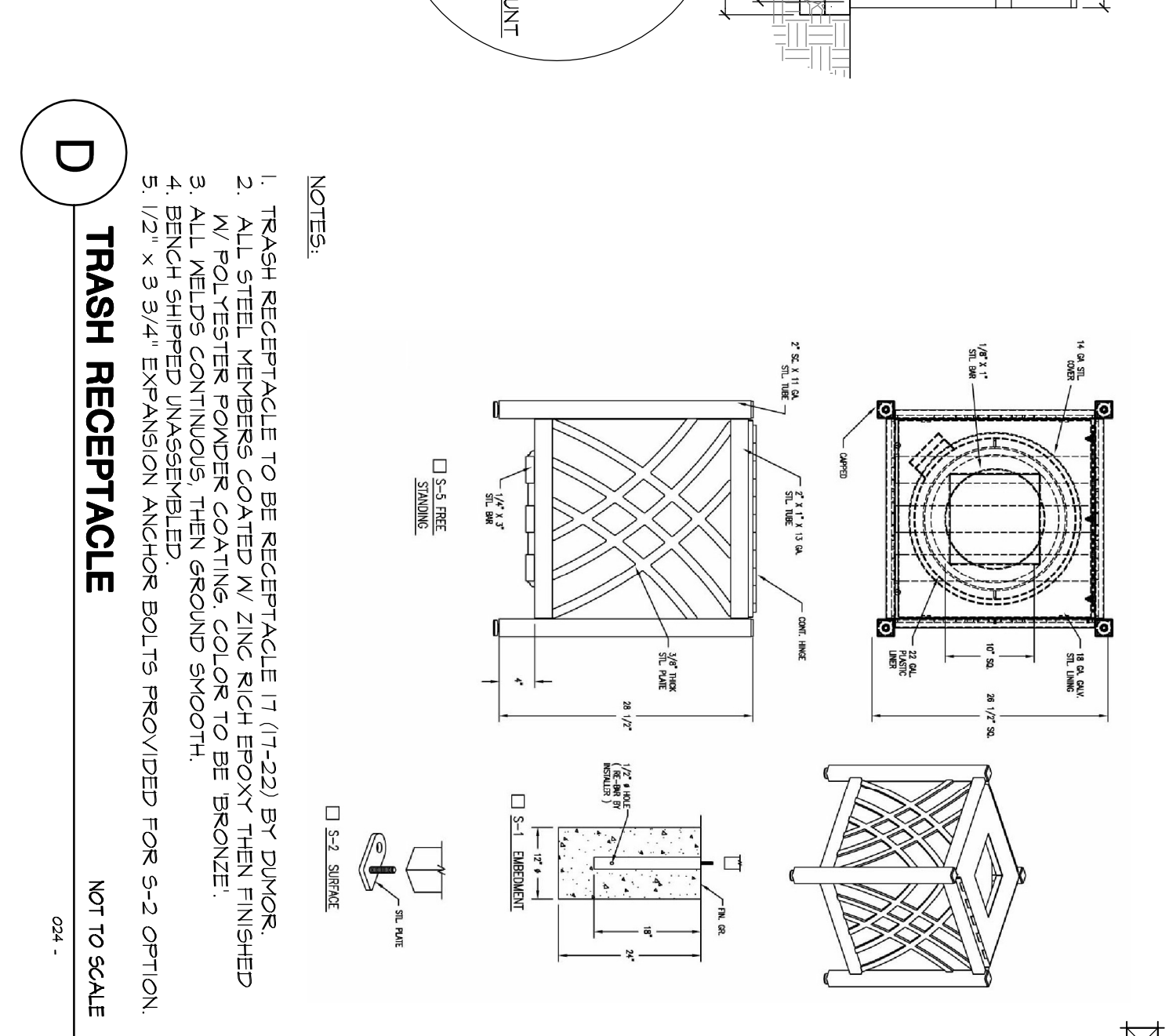
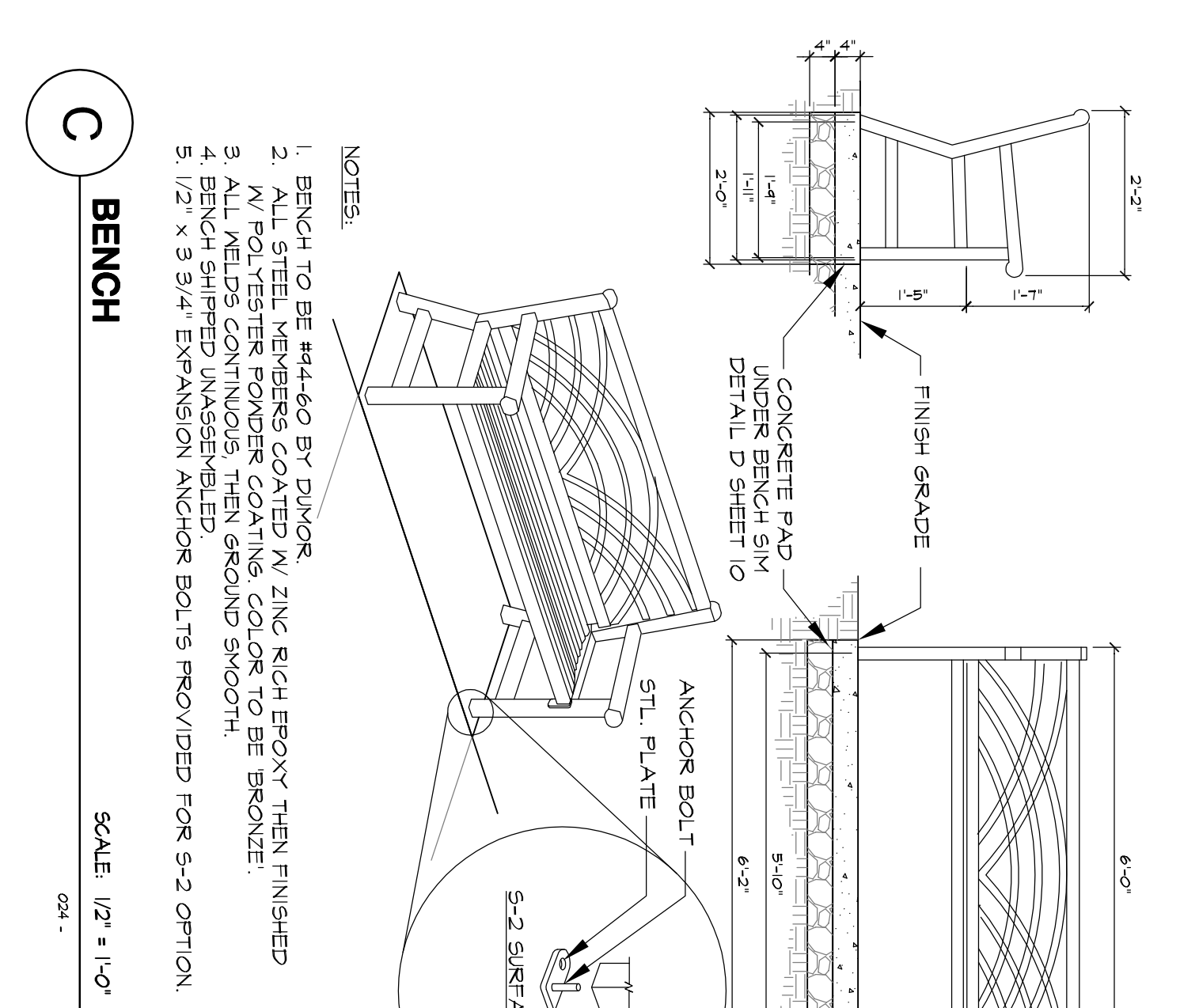
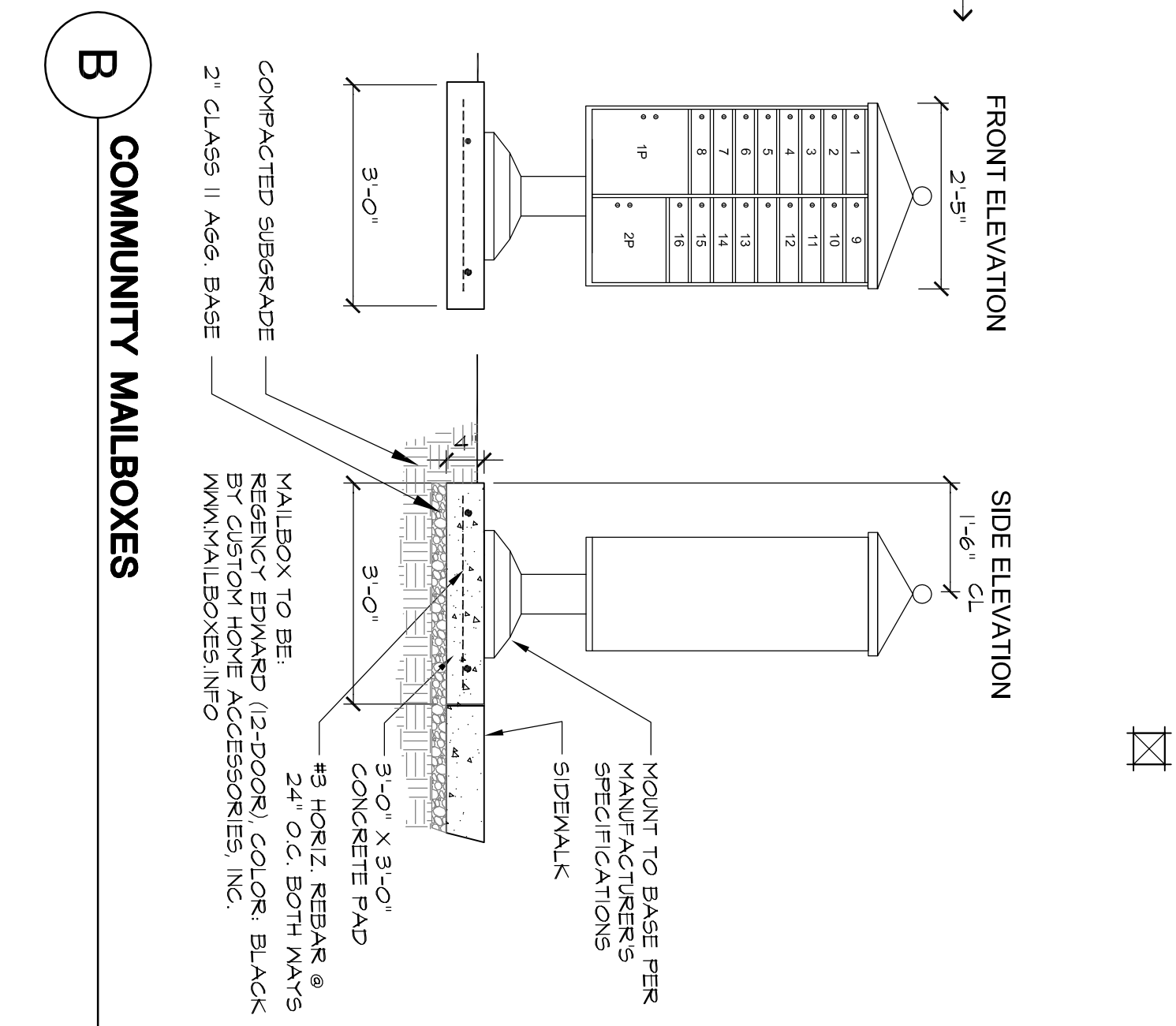
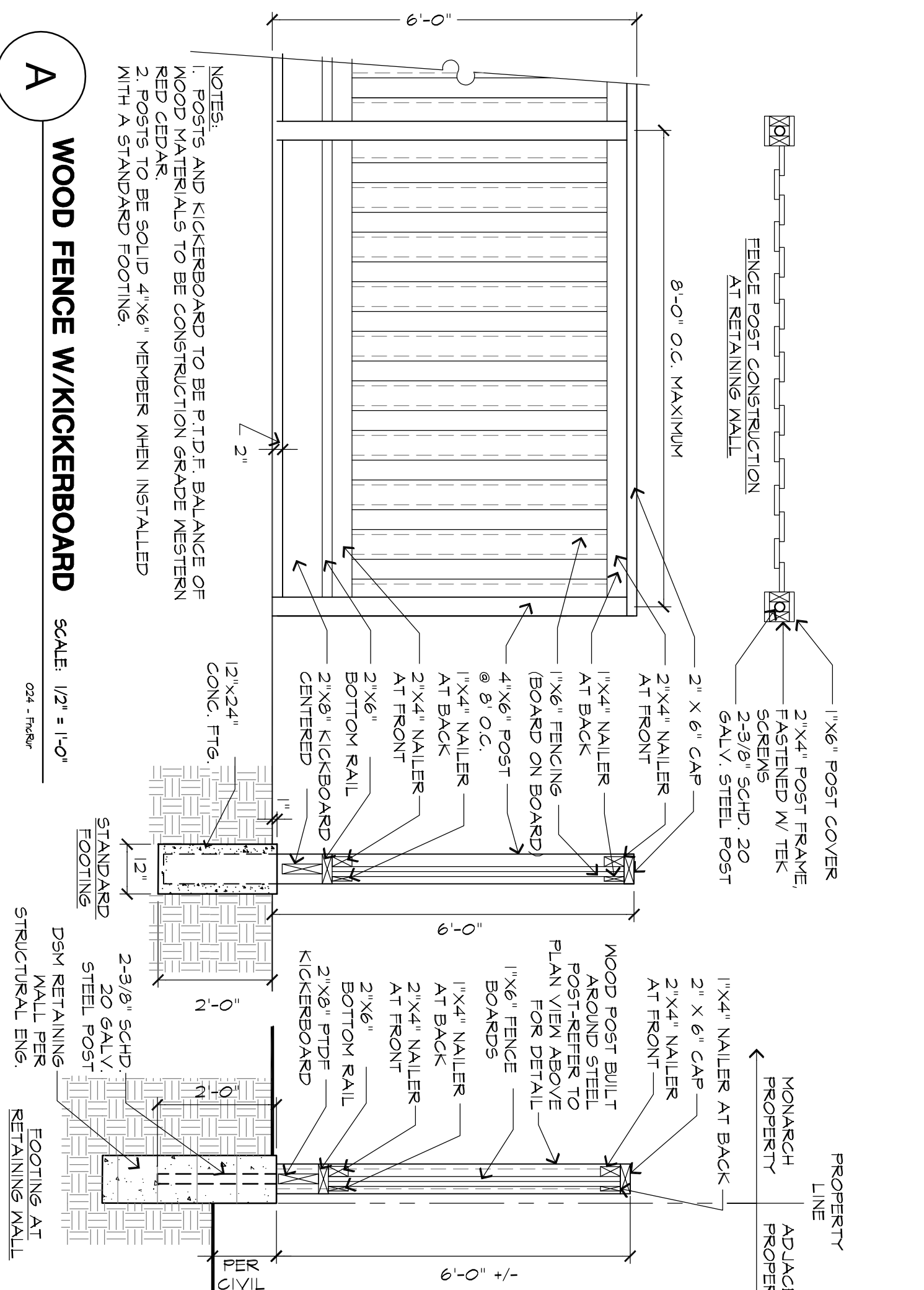
Floor Plan - Plan 3 Summary:
Great Room / Entertaining
4 Bedrooms W/ Loft
3 Baths
1,915 s.f.

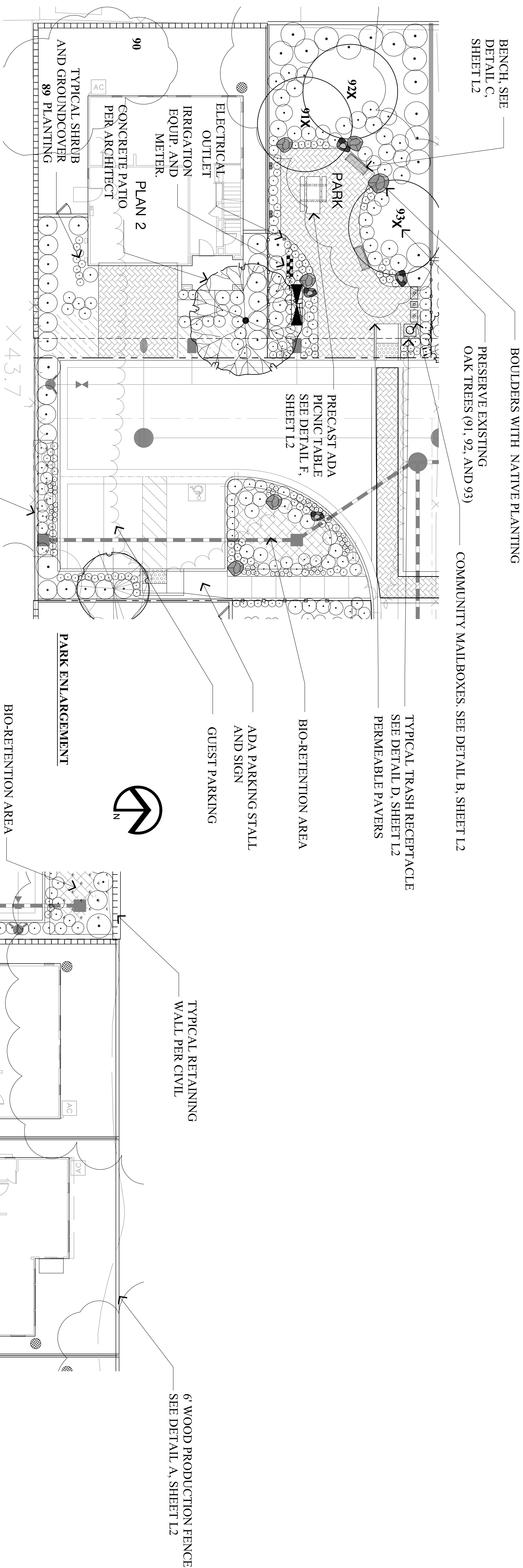












REGIONAL AND BIO-CLIMATE CONDITIONS, SOLAR ORIENTATION AND SOIL CONDITIONS WILL BE TAKEN INTO ACCOUNT WITH REGARD TO PLANT SELECTION AND PLACEMENT. THE PLANT PALETTE PROVIDES MANY PLANTS WITH VARYING GROWTH HABITS, PREFERENCES AND TOLERANCES, SO SELECTION OF JUST THE RIGHT PLANT SHOULD NOT BE DIFFICULT. A HIGH PERCENTAGE OF PLANTS SELECTED WILL BE DROUGHT TOLERANT AND ADAPTABLE FOR THE CLIMATE. THIS PALETTE, ALONG WITH A Drip Irrigation SYSTEM WILL CONSERVE WATER WITHIN THE PROJECT.

BY SPECIFYING PLANTS WHICH REQUIRE LITTLE TO NO PRUNING, THE GREEN WASTE WILL BE REDUCED. PLANTS SELECTED WILL COMPLEMENT THE ARCHITECTURE.

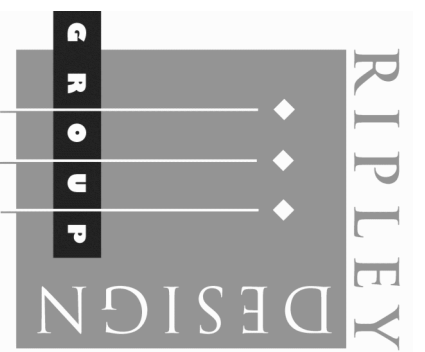
ENTRANCES AND ARCHITECTURE WINDOWS WILL BE FRAMED BY SPECIMEN SHRUBS AND NODES WILL HAVE ADJACENT PLANTINGS. PLANT SPECIES WHICH ENHANCE THE ARCHITECTURAL ELEVATIONS SHALL BE USED. A DIVERSE USE OF PLANT SPECIES WILL DISPLAY VARIOUS TEXTURES, FORMS, FOLIAGE COLOR, AND FLOWERS. WILL CREATE A BEAUTIFUL LANDSCAPE TO CONTRIBUTE AESTHETICALLY TO THE SURROUNDING NEIGHBOHOODS.

THE TREES HAVE BEEN SELECTED TO HAVE NON-INVASIVE ROOT SYSTEMS, AND PLACED WITH ADEQUATE SETBACKS TO ENSURE NO CONFLICT WITH UTILITIES AND LANDSCAPE, OR CONFLICT WITH ANY SITE LINE DISTANCES. ROOT BARRIERS WILL BE INSTALLED ON ALL TREES NEAR PAVINGS AND UTILITIES. WHERE FEASIBLE, TREES HAVE BEEN PLACED TO MITIGATE SOLID BUILDING SURFACES AND FENCES. TALLER SHRUBS WILL ALSO BE LOCATED AT SOLID BUILDING SURFACES AND BUILDINGS, WHILE LOWER SHRUBS WILL BE LOCATED WHERE GROUND LEVEL WINDOWS AND ARCHITECTURAL FEATURES OCCUR, AND AT CORNERS TO MAINTAIN SITE LINE DISTANCES.

THE PROJECT FEATURES A COMMON PARK SPACE THAT PROVIDES OPPORTUNITIES FOR ADULTS AND CHILDREN TO INTERACT. AN OPEN TURF AREA AND SEATING PROVIDE A FAMILY FRIENDLY SPACE THAT ALLOWS ITS USERS TO ENJOY THE OUTDOORS.

THE IRRIGATION SYSTEM WILL USE HEATHER-BASED CONTROLLERS TO CONSERVE THE USE OF WATER. SPRAWL IRRIGATION WILL ONLY OCCUR AT TROPIC AREAS, AND SPRAWL HEADS WITH LOW PRECIPITATION RATES WILL BE USED TO MINIMIZE RUNOFF, EROSION AND OVERSPRAY. THE BALANCE OF THE PLANTING AREAS WILL BE IRRIGATED USING DRIP IRRIGATION METHODS. THE TREES WILL BE ON SEPARATE VALVES AND WILL BE IRRIGATED WITH BUBBLERS. SHRUBS WILL BE HYDROZONED ACCORDING TO THEIR WATER REQUIREMENTS AND MICROCLIMATES.

IT IS OUR INTENT TO SPECIFY IN THE LANDSCAPE CONSTRUCTION DOCUMENTS THE USE OF RECYCLED MATERIALS SUCH AS RECYCLED WOOD MULCH, INGREDIENTS WITHIN THE CONCRETE FORMWORK, SITE FURNITURE, ETC. IT IS OUR INTENT TO STOCKPILE THE TOPSOIL FOR RE-USE. UNLESS SOIL TESTS DEEM THE SOIL INADEQUATE AND RECOMMEND IMPORTED SOIL, WE INTEND TO RECYCLE A MINIMUM OF 50% OF THE LANDSCAPE CONSTRUCTION AND GREEN WASTES.



LANDSCAPE ARCHITECTURE
LAND PLANNING
1615 BONANZA STREET
SUITE 314
WALNUT CREEK, CA 94596
TEL: 925.938.7377
FAX: 925.938.7436

DUTRA ENTERPRISES, INC.

Preliminary Landscape Enlargement Plans

Hayward, California Gading III

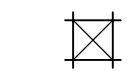
March 2, 2018

13

TREE REPORT EVALUATION

(PER TREE REPORT PREPARED BY HORTSCIENCE, INC. AND DATED OCTOBER, 2017)

Table 4 Appraisal of Value 29841 Gading Road, Hayward, CA.				
Tee No.	Species	Trunk Diameter (in.)	Disp.	Appraised Value
1	Evergreen pear	6	Remove	\$350
2	Remove	10	Remove	\$1,450
3	Dunece cedar	32	Remove	\$700
4	Purpleleaf plum	96.4	Remove	\$1,100
5	Remove	75.5-4	Remove	\$2,400
6	Balsam poplar	16	Remove	\$1,000
7	Douglas fir	15	Remove	\$2,450
8	Remove	4.4-3	Remove	\$2,450
9	Remove	15	Remove	\$1,000
10	Remove	4.4-3	Remove	\$1,000
11	Remove	4.4-3	Remove	\$1,000
12	Remove	4.4-3	Remove	\$1,000
13	Remove	4.3-2.2-2	Remove	\$1,100
14	Remove	10.7	Remove	\$1,100
15	Australian bluish cherry	51.2	Remove	\$750
16	Remove	10	Remove	\$350
17	Remove	3.50	Remove	\$350
18	Remove	6.5-4	Remove	\$350
19	Remove	3.50	Remove	\$350
20	Remove	4.3-3.2	Remove	\$1,500
21	Remove	38	Remove	\$1,500
22	Remove	35	Remove	\$1,100
23	Remove	35	Remove	\$1,100
24	Remove	9.3	Remove	\$1,800
25	Remove	5.7	Remove	\$2,250
26	Remove	7.4	Remove	\$2,250
27	Remove	6	Remove	\$250
28	Remove	1	Remove	\$1,100
29	Remove	1	Remove	\$1,100
30	Remove	4	Remove	\$1,100
31	Remove	15	Remove	\$850
32	Remove	15	Remove	\$850
33	Remove	28	Remove	\$8,650
34	Remove	7	Remove	\$300
35	Remove	4.3-2	Remove	\$300
36	Remove	4.3-2	Remove	\$300
37	Remove	7	Remove	\$6,850
38	Remove	21.5	Remove	\$2,500
39	Remove	15	Remove	\$2,500
40	Remove	6.5-5	Remove	\$350
41	Remove	4.3	Remove	\$400
42	Remove	9	Remove	\$450
43	Remove	15	Remove	\$4,000
44	Remove	15	Remove	\$4,000
45	Remove	12.9	Remove	\$4,250
46	Remove	4	Remove	\$150
47	Remove	4	Remove	\$150
48	Remove	4	Remove	\$100
49	Remove	15.6	Remove	\$850
50	Remove	4	Remove	\$250
51	Remove	4.4-3.2	Remove	\$1,350
52	Remove	12.8-8.8	Remove	\$1,350
53	Remove	9.7-7.1-9.5-5.5	Remove	\$8,550
54	Remove	18	Remove	\$350
55	Remove	6.4-3-3.2	Remove	\$1,550
56	Remove	6.5-4	Remove	\$1,550
57	Remove	9.8-8.8-6.5-4.3	Remove	\$1,300
58	Remove	28	Remove	\$1,000
59	Remove	4.4-4	Remove	\$1,000
60	Remove	4.4-4	Remove	\$1,000
61	Remove	50	Remove	\$1,800
62	Remove	12.1-19.8-7	Remove	\$4,050
63	Remove	11.9-7.5-5.5	Remove	\$2,100
64	Remove	10.3-11.1	Remove	\$100
65	Remove	11	Remove	\$2,500
66	Remove	4.3-1.1-1	Remove	\$650
67	Remove	5	Remove	\$400
68	Remove	\$2,500		
69	Remove	\$2,500		
70	Remove	\$2,500		
71	Remove	\$2,500		
72	Remove	\$2,500		
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74	Remove	\$2,500		
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121	Remove	\$2,500		
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LANDSCAPE HYDROZONE LEGEND

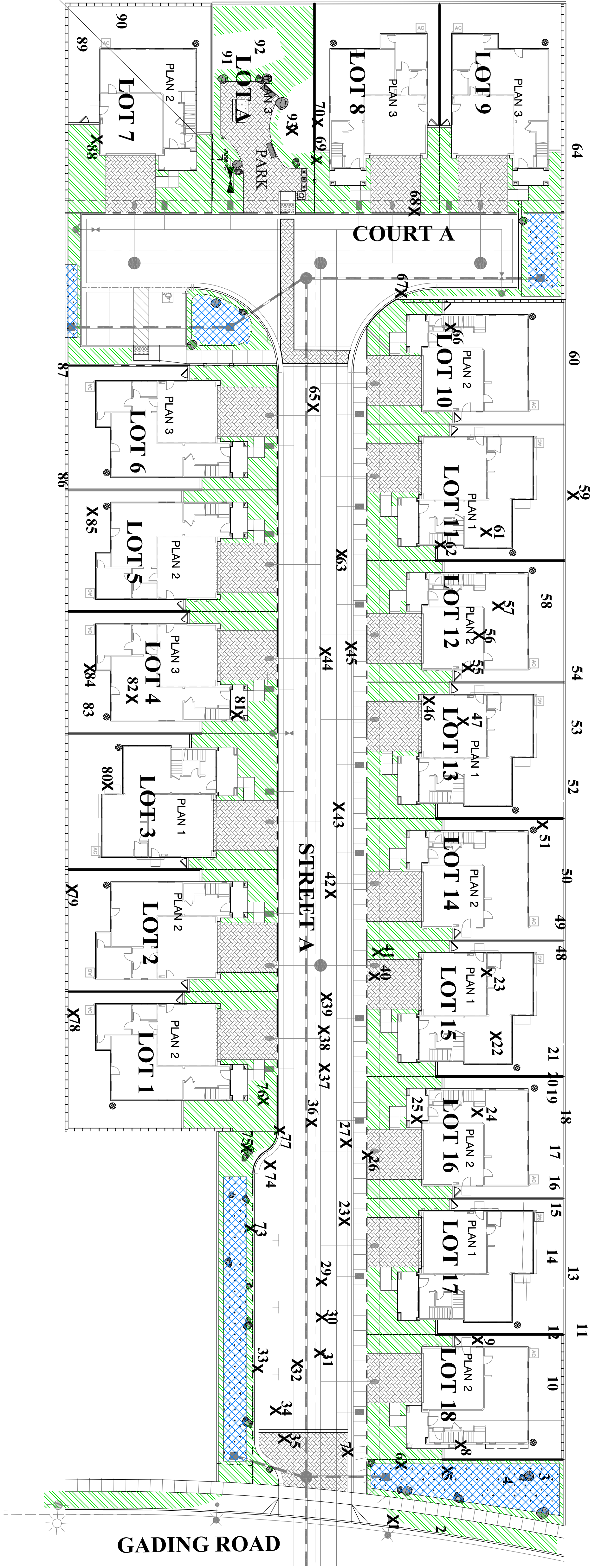
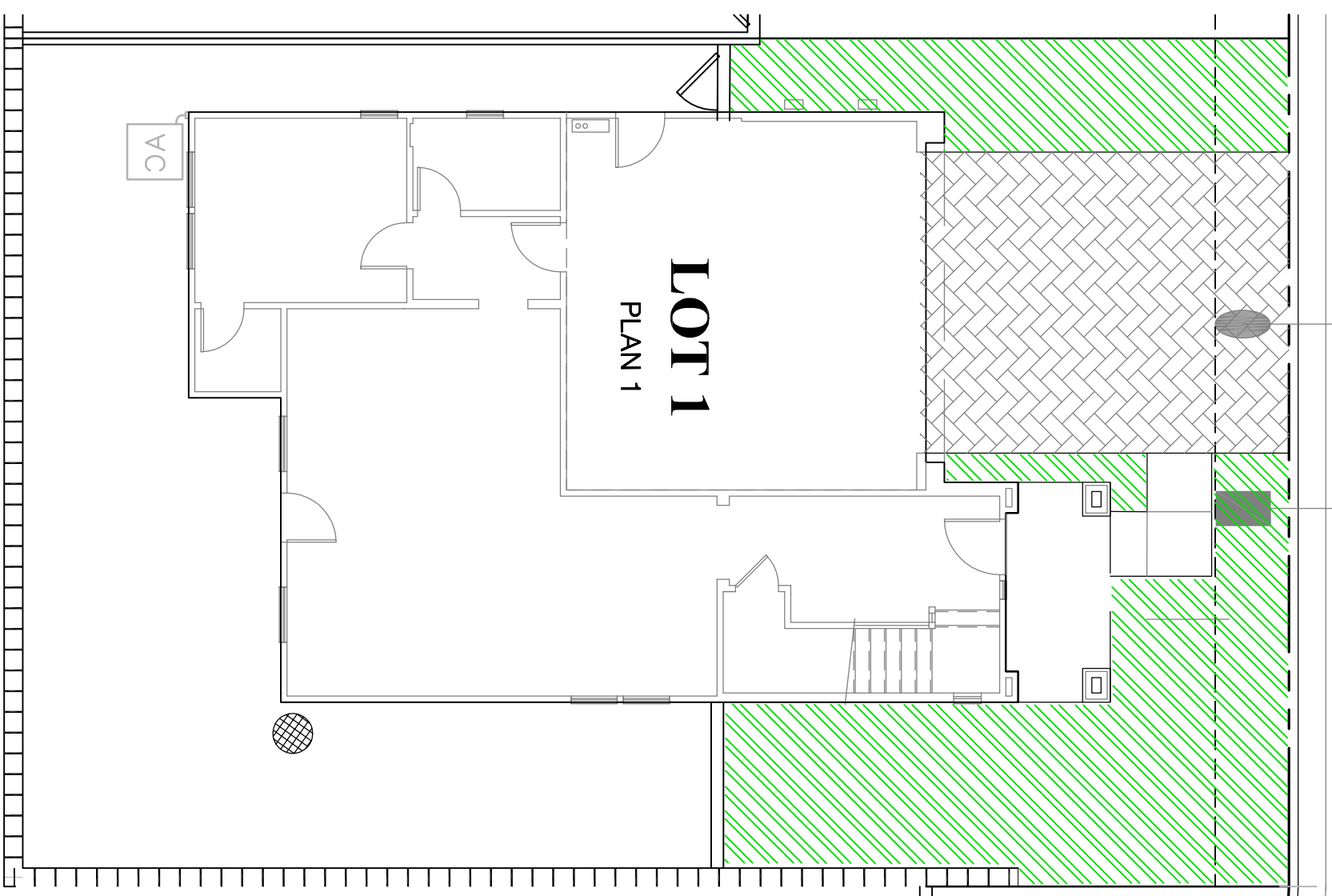
- ZONE A: PARTIAL TO FULL SUN, DROUGHT TOLERANT PLANTING WITH DRIP EMITTERS, LOW WATER USE.
- ZONE B: BIOPRETENTION PLANTING WITH DRIP EMITTERS, LOW WATER USE.
- ZONE C: STREET TREES AND ACCENT TREES WITH INDIVIDUAL BUBBLERS (NOT SHOWN)

NOTE: MEDIUM WATER USE SHRUB PLANTING AREAS SHALL NOT EXCEED 20% OF TOTAL LANDSCAPED AREA. SEPARATE VALVES TO BE USED FOR MEDIUM WATER USE SHRUBS.

WATER BUDGET CALCULATIONS:

LOW WATER USE PLANTING AREA		= 15,623 SF
MEDIUM WATER USE PLANTING AREA		= 0 SF
HIGH WATER USE AREA - TURF		= 0 SF
TOTAL PLANTING AREA		= 15,623 SF
ESTIMATED TOTAL WATER USE:		
ETWU (LOW WATER USE)	= (44.2) X (0.62) X (0.2 X 15,623)	= 17,042 GAL/YR
	0.71	
ETWU (MEDIUM WATER USE)	= (44.2) X (0.62) X (0.4 X 0)	= 0 GAL/YR
	0.71	
ETWU (HIGH WATER USE)	= (44.2) X (0.62) X (0.2 X 0)	= 0 GAL/YR
	0.71	
TOTAL ETWU	= 17,042 GAL/YR	
MAXIMUM APPLIED WATER ALLOWANCE:		
MAMA TOTAL LANDSCAPED AREA = (44.2) X (0.62) X (0.45 X 15,623) = 186,974		

PROPOSED IRRIGATION METER LOCATION, BACKFLOW DEVICE, AND POINT OF CONNECTION. IRRIGATION SYSTEM TO BE DESIGNED FOR MAXIMUM OF 7 G.P.M. AT AN OPERATION PRESSURE OF 50 P.S.I. STATIC PRESSURE.



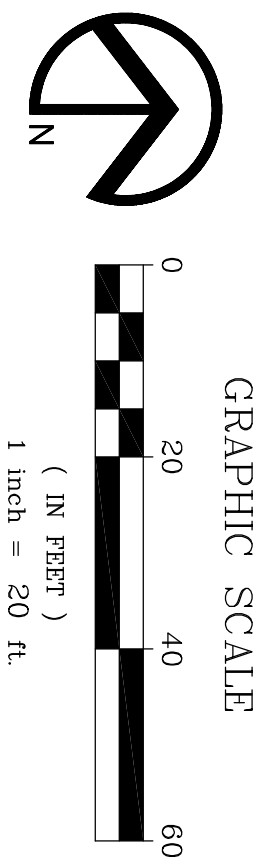
LANDSCAPE HYDROZONE LEGEND

- ZONE A: PARTIAL TO FULL SUN, DROUGHT TOLERANT PLANTING WITH DRIP EMITTERS, LOW WATER USE.
- ZONE B: BIOPRETENTION PLANTING WITH DRIP EMITTERS, LOW WATER USE.
- ZONE C: STREET TREES AND ACCENT TREES WITH INDIVIDUAL BUBBLERS (NOT SHOWN)

TYPICAL LOT WATER BUDGET CALCULATIONS (LOT 1):

LOW WATER USE PLANTING AREA		= 1188 SF
MEDIUM WATER USE PLANTING AREA		= 0 SF
HIGH WATER USE AREA - TURF		= 0 SF
TOTAL PLANTING AREA		= 1188 SF
ESTIMATED TOTAL WATER USE:		
ETWU (LOW WATER USE)	= (44.2) X (0.62) X (0.2 X 1188)	= 9170 GAL/YR
	0.71	
ETWU (MEDIUM WATER USE)	= (44.2) X (0.62) X (0.4 X 0)	= 0 GAL/YR
	0.71	
ETWU (HIGH WATER USE)	= (44.2) X (0.62) X (0.2 X 0)	= 0 GAL/YR
	0.71	
TOTAL ETWU	= 9170 GAL/YR	
MAXIMUM APPLIED WATER ALLOWANCE:		
MAMA (LOW WATER USE)	= (44.2) X (0.62) X (0.45 X 1188) = 14,650 GAL/YR	

1. ALL TREES SHALL BE PLANTED AND STAKED PER CITY STANDARDS.
2. TREES BE PLANTED WITHIN 3' OF HARDSCAPE ELEMENTS. SHALL HAVE A LINEAR ROOT BARRIER INSTALLED ADJACENT TO THE HARDSCAPE ELEMENT AT TIME OF TREE PLANTING.
3. LANDSCAPE AND IRRIGATION SHALL COMPLY WITH CITY'S CURRENT WATER-EFFICIENT LANDSCAPE ORDINANCE.
4. ALL PLANTING AREAS SHALL BE AUTOMATICALLY IRRIGATED PER CITY STANDARDS, USING LOW-FLOW SPRAY, BUBBLERS OR DRIP METHODS.
5. ALL PLANTING AREAS SHALL BE MULCHED TO A MINIMUM DEPTH OF 3".



DUTRA ENTERPRISES, INC.



Conceptual Irrigation Plan

Gading II
Hayward, California

March 2, 2018

L5



Gading II Residential Project

Initial Study – Mitigated Negative Declaration

prepared by

City of Hayward

777 B Street, 3rd Floor

Hayward, California 94541

Contact: Jay Lee, AICP, Associate Planner, (510) 583-4207

prepared with the assistance of

Rincon Consultants, Inc.

449 15th Street, Suite 303

Oakland, California 94612

April 2018

Gading II Residential Project

Initial Study – Mitigated Negative Declaration

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449 15th Street, Suite 303

Oakland, California 94612

April 2018

This report prepared on 50% recycled paper with 50% post-consumer content.

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Appendices

Appendix A	Arborist Report
Appendix B	Preliminary Geotechnical Exploration
Appendix C	Noise Measurement Data
Appendix D	AB 52 Correspondence

Initial Study

1. Project Title

Gading II Residential Project

2. Lead Agency Name and Address

City of Hayward – Development Services Department
Planning Division
777 B Street, 3rd Floor
Hayward, California 94541

3. Contact Person and Phone Number

Jay Lee, AICP, Associate Planner, (510) 583-4207

4. Project Location

The project site encompasses approximately 1.7 acres and consists of two assessor's parcels at 25941 Gading Road (close to the intersection of Gading Court) in the city of Hayward (APN# 454-0020-062-02 and 454-0020-069-00). Figure 1 shows the location of the project site in the regional context. Figure 2 shows an aerial view of the project site and immediate surroundings. Interstate 880 (I-880) and Interstate 580 (I-580) provide regional access to the project site.

5. Project Sponsor's Name and Address

Dutra Enterprises, Inc.
43360 Mission Boulevard, Suite 230
Fremont, California 94539

6. General Plan Designation

MDR (Medium Density Residential)

7. Zoning

APN 454-0020-062-02 is zoned RS (Single-Family Residential) District and APN 454-0020-069-00 is zoned PD (Planned Development) District.

Figure 2 Project Site Location



Imagery provided by Google and its licensors © 2018.

Fig. 2 Project Location

8. Description of Project

The proposed project requires a rezoning and subdivision of an approximately 1.7-acre site into 21 lots in order to develop 18 detached, single-family residences; common open space; and a private street that would have vehicular access from a public street, Gading Road. The lots range in size between 2,657 and 3,206 square feet and 18 of the 21 lots would be developed with single-family residences, two lots would provide nearly 3,000 square feet of common open space for the residents, and one lot would contain a stormwater bioretention area. Aside from the common open space areas, the project would include private open space for each residence. The project involves a zone change from the existing RS (Single-Family Residential) District and PD (Planned Development) District to a new PD District to accommodate the project. Currently, the 1.7-acre site is undeveloped.

Table 1 summarizes the characteristics of the project. Figure 3 shows the proposed site plan.

Table 1 Project Summary

Project Size	
Square Feet	77,693 sf
Acres	1.7 acres
Residential Units	
Three-bedroom	13 units
Four-bedroom	5 units
Total	18 units
Overall Density	14.0 du/ac
Parking	
Garage	36 spaces
On-street	7 spaces
Open Space	
Private	9,914 sf
Shared	2,923 sf
Total	12,837 sf
Notes: sf = square feet, du/ac = dwelling units per acre	

Access and Parking

Vehicular access to the project site is provided via one 24-foot-wide private street from Gading Road. Each single-family residence would be accessed via a driveway from the proposed private street and includes a two-car garage. All of the units have driveways that could accommodate two additional parked vehicles. Seven on-street parking spaces would also be provided and available for use by residents and guests.

Figure 3 Proposed Site Plan



Source: KTG Group, 2017

The project would include the replacement of the pedestrian sidewalk on the project frontage along Gading Road. A new 5-foot wide sidewalk inside the project site on the north side of the proposed private road would also be developed to provide direct pedestrian access to Gading Road.

Open Space and Landscaping

The landscaping plan for the proposed project is shown in Figure 4. The project includes private open space for each residential unit as well as shared common open space areas. The amount of private open space for each unit ranges between 486 and 721 square feet. Shared common open space areas are provided in two areas on the project site, one along the project frontage (593 square feet) and one in the rear of the site (2,330 square feet).

Currently, there are approximately 88 trees located on the project site and two street trees located in the Gading Road right-of-way (HortScience, Inc. 2017). Approximately 81 of these trees would be removed for the project, including the two street trees. The five trees located in the proposed open space areas would remain. The project would include the planting of 20 new trees throughout the project site. As shown in Figure 4, the landscaping and irrigation systems comply with the City's current Water-Efficient Landscape Ordinance and Bay-Friendly Water Efficient Landscape Ordinance, utilizing low-flow spray, bubbler, or drip irrigation methods.

To help reduce stormwater run-off, the residential driveways would incorporate permeable pavers. Additionally, five stormwater bioretention areas are proposed around the site to capture and treat runoff.

Building Architecture and Design

The proposed single-family, detached residential dwellings are similar in height, style, scale, and mass. Each residence would be two stories in height and range between 1,584 and 1,955 gross square feet in size (gross square feet measurement excludes garage area). The architectural style of the homes consists of a thematic Spanish styling with stucco walls and concrete roof tiles. Architectural details include stone veneers, arches, detailed garage doors, front porches, exterior shutters, and sill treatments. Although the proposed project does not include street lights, each of the residences incorporates external lighting to illuminate front yard areas and driveways. Architectural elevations are shown in Figure 5a-c.

Each home will include rooftop solar photovoltaic (PV) panels. In addition, all garages would be prewired to accommodate charging for electric vehicles.

Utilities

Utility services to the project site, including water, sanitary sewer, storm drains, fire protection, and police protection are provided by the City of Hayward. Solid waste collection and recycling are provided by Waste Management of Alameda County and Pacific Gas and Electric (PG&E) provides both gas and electric service to the project site.

PRELIMINARY TREE PALETTE

BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
TREES			
ABUTILON 'NIPONA'	STRAWBERRY TREE	24" BOX	LOW
LAGERSTROEMIA X 'TUSCANDRA'	DRAPED MYRTLE	24" BOX	LOW
PISTACHIA CHINENSIS	CHINESE PISTACHE	60" BOX	LOW
PRUNUS C. 'KRAUTER VESUVIUS'	FLOWERING PLUM	24" BOX	LOW
QUERCUS AGRIFFOLIA	COAST LIVE OAK	60" BOX	LOW

NOTE:
 1. ALL HARDWARE TO BE GALVANIZED.
 2. ALL WOOD TO BE PRESSURE TREATED.
 3. REFER TO MATERIALS MANUAL FOR COLORS AND FINISHES.

A CORRAL FENCE

SCALE: 1/2" = 1'-0"

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Figure 5a Elevations – Building Type 1A



1A Materials-
Concrete Roof Tile
"Low Profile S Tile"
12" Eaves, 2" Rakes
Decorative Details
Coach Light
1x Stucco Finish Trim
Corbels

ELEVATION 1A MISSION



1B Materials-
Concrete Roof Tile
"Low Profile S Tile"
12" Eaves & Rakes
Decorative Details
Coach Light
1x Stucco Finish Trim
Brackets

ELEVATION 1B SPANISH RESORT



1C Materials-
Concrete Roof Tile
"Low Profile S Tile"
12" Eaves & Rakes
Decorative Details
Coach Light
1x Stucco Finish Trim
Stone Veneer
Shutters

ELEVATION 1C HACIENDA

Source: KTG Y Group, 2018

0 8 16 Feet

City of Hayward
Gading II Residential Project

Figure 5b Elevations – Building Type 2A



1A Materials-
Concrete Roof Tile
"Low Profile S Tile"
12" Eaves, 2" Rakes
Decorative Details
Coach Light
1x Stucco Finish Trim

ELEVATION 2A MISSION



1B Materials-
Concrete Roof Tile
"Low Profile S Tile"
12" Eaves & Rakes
Decorative Details
Coach Light
1x Stucco Finish Trim
Brackets

ELEVATION 2B SPANISH RESORT



1C Materials-
Concrete Roof Tile
"Low Profile S Tile"
12" Eaves & Rakes
Decorative Details
Coach Light
1x Stucco Finish Trim
Stone Veneer

ELEVATION 2C HACIENDA

Source: KTG Y Group, 2018

0 8 16 Feet

Figure 5c Elevations – Building Type 3A



3A Materials-
Concrete Roof Tile
"Low Profile S Tile"
12" Eaves, 2" Rakes
Decorative Details
Coach Light
1x Stucco Finish Trim

ELEVATION 3A MISSION



3B Materials-
Concrete Roof Tile
"Low Profile S Tile"
12" Eaves & Rakes
Decorative Details
Coach Light
1x Stucco Finish Trim
Brackets

ELEVATION 3B SPANISH RESORT



3C Materials-
Concrete Roof Tile
"Low Profile S Tile"
12" Eaves & Rakes
Decorative Details
Coach Light
1x Stucco Finish Trim
Stone Veneer

ELEVATION 3C HACIENDA

Source: KTG Group, 2018

0 8 16 Feet

9. Surrounding Land Uses and Setting

The project site is located in the Harder-Tennyson neighborhood, which is characterized by single-family and multi-family residential buildings and a mix of one- and two-story commercial buildings. The suburban location consists largely of residential land uses constructed after World War II.

The project is bordered by a medical office building and associated surface parking areas to the north (Windsor Post-Acute Care Center of Hayward), single-family residential uses to the east and west, and multi-family residential uses to the south (Morpark Apartments).

The project site is currently undeveloped and generally flat. Currently, there are 88 trees of varying size and species on the project site. Previously, the northern portion of the site (APN 454-0020-062-02) was developed with two single-family residences and accessory structures that were demolished in 2017. In 1998, the southern parcel (APN 454-0020-069-00) was rezoned from RS to PD in order to subdivide the site into four lots and develop each lot with a two-story, single-family home. The rezone and the project were approved. However, the four single-family residences were never built.

Photos of the project site and surrounding area are shown in Figure 6 and Figure 7.

10. Required Approvals

The following approvals and permits from the City of Hayward would be required for the project:

- Tentative Tract Map
- Zone change from RS (Single-Family Residential) and PD (Planned Development) to a new PD District
- Grading Permit
- Building Permit

11. Other Public Agencies Whose Approval is Required

The City of Hayward is the lead agency with responsibility for approving the project. No other public agency's approval is required.

Figure 6 Site Photographs**Photo 1:** Single-family residence adjacent to the project site from across Gading Road looking west.**Photo 2:** Single-family residences adjacent to rear of project site from Underwood Avenue looking east.

City of Hayward
Gading II Residential Project

Figure 7 Surrounding Area Photographs



Photo 1: Single-family residence adjacent to the project site from across Gading Road looking west.



Photo 2: Single-family residences adjacent to rear of project site from Underwood Avenue looking east.

Environmental Factors Potentially Affected

This project would potentially affect the environmental factors checked below, involving at least one impact that is “Potentially Significant” or “Potentially Significant Unless Mitigation Incorporated,” as indicated by the checklist on the following pages.

- | | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology and Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Hydrology and Water Quality |
| <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input checked="" type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Mandatory Findings of Significance | | |

Determination

Based on this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

City of Hayward
Gading II Residential Project

- ☐ I find that although the proposed project could have a significant effect on the environment, because all potential significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

4/5/18

Date

Jay Lee

Printed Name

Associate Planner

Title

Environmental Checklist

1 Aesthetics

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. Would the project have a substantial adverse effect on a scenic vista?

A scenic vista is generally defined as an expansive view of highly valued landscape as observable from a publicly accessible vantage point. The *Hayward 2040 General Plan* characterizes the city's scenic vistas as views of natural topography, open grassland vegetation, the East Bay hills, and the San Francisco Bay shoreline. In addition, portions of I-580, I-880, and State Route 92 (SR 92) in the city are designated as County Scenic Highways. The project site is not part of a scenic landscape in the city and is not located in the viewshed of a County Scenic Highway. The project site is flat and in an urban area surrounded by development. None of the significant view areas are located on or near the project site. In addition, there are no scenic views or views of such features as the East Bay hills available from or through the site due to the distance from such features and the intervening buildings and vegetation. The project will not block significant views or other scenic vistas. No impact will occur.

NO IMPACT

b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

The closest designated state scenic highway is a portion of I-580 at the northern edge of the city, approximately three miles north of the project site (Caltrans 2011). The project site is not visible

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from I-580 and therefore the project will not damage scenic resources within view of a state scenic highway. No impact will occur.

NO IMPACT

- c. *Would the project substantially degrade the existing visual character or quality of the site and its surroundings?*

The project site is currently undeveloped. The visual character of the site is dominated by the numerous mature trees located on the site. Adjacent to the site to the south is a one-story craftsman-style single-family residence and an apartment complex with one- to two-story apartment buildings. To the north, east, and west are one- to two-story residential and medical office buildings. Surrounding buildings are a mix of architectural styles that typically include wood, stucco, and vinyl building materials in muted colors. Construction of the project would alter the visual character of the project site by removing 83 trees and adding 18 single-family residences to the site. However, the project would plant 20 new trees throughout the project site. The project site is currently surrounded by other single-family land uses and commercial development with similar building heights. As such, the project would be consistent with the height and architectural style of existing residential developments in the surrounding area. Therefore, the project will be compatible with the visual character of the area. Impacts will be less than significant.

LESS THAN SIGNIFICANT IMPACT

- d. *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

The project site is in an urbanized area with relatively high levels of existing light. The surrounding residential and commercial uses, along with the roadway, generate light and glare adjacent to all sides of the property. Primary sources of light include interior and exterior lighting associated with the existing residential and commercial buildings, vehicle headlights, and street lights. The primary source of glare adjacent to the project site is the sun's reflection from metallic, glass, and light-colored surfaces on buildings and on vehicles parked on adjacent streets and in adjacent parking areas.

The project would introduce new sources of lighting and glare as the project site is currently undeveloped. The project would not include street lights on the private roadway, but the single-family residences would have some exterior lighting to illuminate driveways and yards. The project would also introduce light and glare from headlights from vehicles entering and exiting the project driveway on Gading Road. Sources of glare associated with the project site include vehicles parked in driveways or in the designated street parking spaces. These sources of light and glare will be similar to existing sources surrounding the site and would be consistent with other uses in the area. No highly-reflective glass or metallic elements are proposed as part of the project. Therefore, impacts will be less than significant.

LESS THAN SIGNIFICANT IMPACT

2 Agriculture and Forestry Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. *Would the project convert Prime Farmland, Unique Farmland, 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 non-agricultural use?*
- b. *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*
- c. *Would the project conflict with existing zoning for, or cause rezoning of, forest land (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. *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*

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- e. Would the project involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?*

The project site is located in an urbanized area of Hayward. The site is designated as MDR (Medium Density Residential) in the City's General Plan and zoned RS (Single Family Residential) and PD (Planned Development). Neither the project site nor adjacent properties are identified as any of the farmland types under the Farmland Mapping and Monitoring Program or enrolled in Williamson Act contracts, or support forest land or resources (California Department of Conservation 2016). The project site is not located on or adjacent to agricultural land or forest land and the project would not involve development that could result in the conversion of farmland to non-agricultural uses. For these reasons, the project will have no impact with respect to conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use; conflict with existing agricultural zoning or Williamson Act contract; result in the loss of forest land or conversion of forest land to non-forest use; or other conversion of farmland to non-agricultural use.

NO IMPACT

3 Air Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Air Quality Standards and Attainment

The project site is located in the San Francisco Bay Area Air Basin (the Basin), which is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). As the local air quality management agency, the BAAQMD is required to monitor air pollutant levels to ensure that state and federal air quality standards are met and, if they are not met, to develop strategies to meet the standards.

Depending on whether or not the standards are met or exceeded, the Basin is classified as being in "attainment" or "nonattainment." Under state law, air districts are required to prepare a plan for air quality improvement for pollutants for which the district is in non-compliance. The BAAQMD is in non-attainment for the state and federal ozone standards, the state and federal PM_{2.5} (particulate matter up to 2.5 microns in size) standards, and the state PM₁₀ (particulate matter up to 10 microns in size) standards and is required to prepare a plan for improvement (BAAQMD 2017a).

The health effects associated with criteria pollutants for which the Basin is in non-attainment are described in Table 2.

Table 2 Health Effects Associated with Non-Attainment Criteria Pollutants

Pollutant	Adverse Effects
Ozone	(1) Short-term exposures: (a) pulmonary function decrements and localized lung edema in humans and animals and (b) risk to public health implied by alterations in pulmonary morphology and host defense in animals; (2) long-term exposures: risk to public health implied by altered connective tissue metabolism and altered pulmonary morphology in animals after long-term exposures and pulmonary function decrements in chronically exposed humans; (3) vegetation damage; and (4) property damage.
Suspended particulate matter (PM ₁₀)	(1) Excess deaths from short-term and long-term exposures; (2) excess seasonal declines in pulmonary function, especially in children; (3) asthma exacerbation and possibly induction; (4) adverse birth outcomes including low birth weight; (5) increased infant mortality; (6) increased respiratory symptoms in children such as cough and bronchitis; and (7) increased hospitalization for both cardiovascular and respiratory disease (including asthma). ^a
Suspended particulate matter (PM _{2.5})	(1) Excess deaths from short- and long-term exposures; (2) excess seasonal declines in pulmonary function, especially in children; (3) asthma exacerbation and possibly induction; (4) adverse birth outcomes, including low birth weight; (5) increased infant mortality; (6) increased respiratory symptoms in children, such as cough and bronchitis; and (7) increased hospitalization for both cardiovascular and respiratory disease, including asthma. ¹

¹ More detailed discussions on the health effects associated with exposure to suspended particulate matter can be found in the following documents: EPA, *Air Quality Criteria for Particulate Matter*, October 2004.

Source: U.S. EPA, <http://www.epa.gov/airquality/urbanair/>

Air Quality Management

The Bay Area 2017 Clean Air Plan provides a plan to improve Bay Area air quality and protect public health as well as the climate. The legal impetus for the Plan is to update the most recent ozone plan, the 2010 Clean Air Plan, to comply with state air quality planning requirements as codified in the California Health & Safety Code. Although steady progress has been made to reduce ozone levels in the Bay Area, the region continues to be designated as non-attainment for both the one-hour and eight-hour state ozone standards as noted previously. In addition, emissions of ozone precursors in the Bay Area contribute to air quality problems in neighboring air basins. Under these circumstances, state law requires the Clean Air Plan to include all feasible measures to reduce emissions of ozone precursors and reduce transport of ozone precursors to neighboring air basins (BAAQMD 2017b).

In 2006, the U.S. Environmental Protection Agency (U.S. EPA) tightened the national 24-hour PM_{2.5} standard regarding short-term exposure to fine particulate matter from 65 µg/m³ (micro-grams per cubic meter) to 35 µg/m³. Based on air quality monitoring data for years 2006-2008 showing that the region was slightly above the standard, the U.S. EPA designated the Bay Area as non-attainment for the 24-hour national standard in December 2008. This triggered the requirement for the Bay Area to prepare a State Implementation Plan (SIP) submittal to demonstrate how the region would attain the standard. However, data for both the 2008-2010 and the 2009-2011 cycles showed that Bay Area PM_{2.5} levels currently meet the standard. On October 29, 2012, the U.S. EPA issued a proposed rule-making to determine that the Bay Area now attains the 24-hour PM_{2.5} national standard. Based on this, the Bay Area is required to prepare an abbreviated SIP submittal that includes an emission inventory for primary (directly-emitted) PM_{2.5}, as well as precursor pollutants that contribute to formation of secondary PM in the atmosphere; and amendments to the BAAQMD

New Source Review (NSR) to address PM_{2.5} (adopted December 2012).¹ However, key SIP requirements to demonstrate how a region will achieve the standard (i.e., the requirement to develop a plan to attain the standard) will be suspended as long as monitoring data continues to show that the Bay Area attains the standard.

In addition to preparing the “abbreviated” SIP submittal, the BAAQMD has prepared a report entitled *Understanding Particulate Matter: Protecting Public Health in the San Francisco Bay Area* (BAAQMD 2012). The report will help to guide the BAAQMD’s on-going efforts to analyze and reduce PM in the Bay Area in order to better protect public health. The Bay Area will continue to be designated as “non-attainment” for the national 24-hour PM_{2.5} standard until such time as the Air District elects to submit a “redesignation request” and a “maintenance plan” to the U.S. EPA, and the U.S. EPA approves the proposed redesignation.

Air Emission Thresholds

This analysis uses the BAAQMD’s May 2017 California Environmental Quality Act (CEQA) Air Quality Guidelines to evaluate air quality impacts. The May 2017 Guidelines include revisions made to the 2010 Guidelines, addressing the California Supreme Court’s 2015 opinion in the *Cal. Bldg. Indus. Ass’n vs. Bay Area Air Quality Mgmt. Dist.*, 62 Cal. 4th 369 (BAAQMD 2017c). Table 3 presents the numeric significance thresholds for construction and operational-related criteria air pollutant and precursor emissions in the May 2017 BAAQMD CEQA Air Quality Thresholds. These represent the levels at which a project’s individual emissions of criteria air pollutants or precursors would result in a cumulatively considerable contribution to the Basin’s existing air quality conditions.

Table 3 Air Quality Thresholds of Significance

Pollutant/ Precursor	Construction-Related Thresholds	Operation-Related Thresholds	
	Average Daily Emissions (pounds per day)	Maximum Annual Emissions (tpy)	Average Daily Emissions (lbs/day)
ROG	54	10	54
NO _x	54	10	54
PM ₁₀	82 (exhaust)	15	82
PM _{2.5}	54 (exhaust)	10	54

Source: Table 2-1, Bay Area Air Quality Management District, CEQA Air Quality Guidelines, May 2017.

Notes: tpy = tons per year; lbs/day = pounds per day; NO_x = oxides of nitrogen; PM_{2.5} = fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less; PM₁₀ = respirable particulate matter with an aerodynamic resistance diameter of 10 micrometers or less; ROG = reactive organic gases; tpy = tons per year.

The BAAQMD has developed screening criteria to provide lead agencies and project applicants with a conservative indication of whether a project could result in potentially significant air quality impacts. If all of the screening criteria are met by a project, then the lead agency or applicant would not need to perform a detailed air quality assessment of their project’s air pollutant emissions. These screening levels are generally representative of new development on greenfield sites without

¹ PM is made up of particles that are emitted directly, such as soot and fugitive dust, as well as secondary particles that are formed in the atmosphere from chemical reactions involving precursor pollutants such as oxides of nitrogen (NO_x), sulfur oxides (SO_x), volatile organic compounds (VOCs), and ammonia (NH₃).

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any form of mitigation measures taken into consideration. For projects that are infill, such as the proposed project, emissions would be less than the greenfield-type project on which the screening criteria are based (BAAQMD 2017c). For single-family residences, the BAAQMD's operational criteria pollutant screening size is 325 dwelling units and the construction-related screening size is 114 dwelling units. The proposed project involves 18 dwelling units and is well below the screening criteria.

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

Vehicle use, energy consumption, and associated air pollutant emissions are directly related to population and housing growth. A project may be inconsistent with the applicable air quality plan if it would result in population, housing, or employment growth that exceeds growth estimates included in the plan. Such growth would generate emissions not accounted for in the applicable air quality plan emissions budget. Therefore, projects need to be evaluated to determine whether they would generate population, housing, or employment growth and, if so, whether that growth would exceed the growth rates included in the applicable air quality plan. The most recent and applicable adopted air quality plan is the 2017 Clean Air Plan. Therefore, the proposed project would result in a significant impact if it would conflict with or obstruct implementation of the 2017 Plan.

The BAAQMD uses the Association of Bay Area Government's (ABAG) growth forecast. The latest ABAG projections do not include a population forecast, but do provide a housing forecast. ABAG estimates that the number of housing units in the city in 2040 will be 54,300 (ABAG 2017a). The California Department of Finance (DOF) estimates the city currently has 49,665 housing units (DOF 2017). Therefore, the addition of 18 housing units associated with the proposed project would bring the city's total housing units to 49,683. The housing growth associated with the project is well within ABAG projections and therefore also within the BAAQMD Clean Air Plan projections.

Further, as discussed in responses to questions (b) and (c) below and in Section 7, *Greenhouse Gas Emissions*, the project not would exceed BAAQMD significance thresholds related to air quality or GHG emissions. Therefore, the project will not conflict with or obstruct the implementation of an applicable air quality plan. This impact will be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

c. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?

The construction of the project would result in temporary construction emissions and long-term operational emissions. Construction activities such as the operation of construction vehicles and equipment over unpaved areas, grading, trenching, and disturbance of stockpiled soils have the potential to generate fugitive dust (PM₁₀) through the exposure of soil to wind erosion and dust entrainment. In addition, exhaust emissions associated with heavy construction equipment would potentially degrade regional air quality.

Long-term emissions associated with operational impacts would include emissions from vehicle trips (mobile sources), natural gas and electricity use (energy sources), and landscape maintenance

equipment, consumer products, and architectural coating associated with on-site development (area sources).

The BAAQMD developed screening criteria to provide lead agencies and project applicants with a conservative indication of whether a project could result in potentially significant air quality impacts. If all of the screening criteria are met by a project, then the lead agency or applicant would not need to perform a detailed air quality assessment of their project's air pollutant emissions. These screening levels are generally representative of new development on greenfield sites without any form of mitigation measures taken into consideration. For projects that are infill, such as the project, emissions would be less than the greenfield-type project on which the screening criteria are based (BAAQMD 2017c).

The BAAQMD's construction-related screening level for single-family residential operations is 114 dwelling units. For operational emissions, the minimum screening level is 325 dwelling units (BAAQMD 2017c). The project would involve the construction of 18 dwelling units. Therefore, the project would be below the construction and operational screening level criteria for single-family land use. According to BAAQMD, if all of the screening criteria are met by a project, then the lead agency or applicant would not need to perform a detailed air quality assessment of their project's air pollutant emissions. Since the screening criteria are met, the project would not exceed BAAQMD air pollutant thresholds. The project would not violate an air quality standard or contribute to an existing or projected air quality violation.

As noted above, the Basin is currently nonattainment for the federal and state standards for ozone, as well as state standards for particulate matter (PM_{2.5} and PM₁₀) and the federal standard for 24-hour PM_{2.5}. According to BAAQMD, if a project meets the screening criteria, the project would result in a less-than-significant cumulative impact to air quality from criteria air pollutant and precursor emissions. Since the project is below the operational screening level thresholds, cumulative impacts for criteria pollutants will be less than significant.

LESS THAN SIGNIFICANT IMPACT

d. Would the project expose sensitive receptors to substantial pollutant concentrations?

The California Air Resources Board (CARB) has identified diesel particulate matter as the primary airborne carcinogen in the state (CARB 2014). In addition, Toxic Air Contaminants (TACs) are a defined set of air pollutants that may pose a present or potential hazard to human health. Common sources of TACs and PM_{2.5} include gasoline stations, dry cleaners, diesel backup generators, truck distribution centers, freeways, and other major roadways (BAAQMD 2017c). The project does not include construction of new gas stations, dry cleaners, highways, roadways, or other sources that could be considered new permitted or non-permitted source of TAC or PM_{2.5} in proximity to receptors. In addition, the project would not introduce a new stationary source of emissions and would not result in particulate matter greater than BAAQMD thresholds (see response under questions a, b, and c). Therefore, a Health Risk Assessment was not performed for this project. Impacts under this criterion will be less than significant.

LESS THAN SIGNIFICANT IMPACT

e. Would the project create objectionable odors affecting a substantial number of people?

Table 3-3 in the BAAQMD's 2017 *CEQA Guidelines* provides odor screening distances for land uses that have the potential to generate substantial odor complaints. The uses in the table include wastewater treatment plants, landfills or transfer stations, refineries, composting facilities, confined

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animal facilities, food manufacturing, smelting plants, and chemical plants (BAAQMD 2017c). The proposed project involves residential uses. None of the uses identified in the table would occur with the project. The proposed project would not generate objectionable odors affecting a substantial number of people during operation.

During construction activities, heavy equipment and vehicles would emit odors associated with vehicle and engine exhaust both during normal use and when idling. However, these odors would be temporary and would cease upon completion. Overall, the proposed project would not generate objectionable odors affecting a substantial number of people. This impact will be less than significant.

LESS THAN SIGNIFICANT IMPACT

4 Biological Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
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 U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Existing Setting

Topography on the project site is generally flat due to prior residential development, ranging in elevation from approximately 47 to 50 feet above mean sea level. The site is enclosed by a wooden fence on three sides with a chain link fence along the east side and Gading Road. The project site was previously developed with two residences and accessory structures, which were removed in 2017. Information contained in this section comes from background literature, resource agency database reviews, and from a survey of the project site conducted in February 2018.

Regulatory Setting

Federal and State

Regulatory authority over biological resources is shared by federal, state, and local agencies under a variety of laws, ordinances, regulations, and statutes. Primary authority for biological resources lies within the land use control and planning authority of local jurisdictions (in this instance, the City of Hayward).

The California Department of Fish and Wildlife (CDFW) is a trustee agency for biological resources throughout the state under CEQA and has direct jurisdiction under the California Fish and Game Code (CFGF). Under the California Endangered Species Act (CESA) and the federal Endangered Species Act (ESA), the CDFW and the U.S. Fish and Wildlife Service (USFWS), respectively, have direct regulatory authority over species formally listed as threatened or endangered (and listed as rare for CDFW). Native and/or migratory bird species are protected under the federal Migratory Bird Treaty Act (MBTA) and CFGF Sections 3503, 3503.5, and 3511.

Statutes in the Clean Water Act (CWA), CFGF, and the California Code of Regulations (CCR) protect wetlands and riparian habitat. The U.S. Army Corps of Engineers (USACE) has regulatory authority over wetlands and waters of the United States under Section 404 of the CWA. The State Water Resources Control Board (SWRCB) and the nine Regional Water Quality Control Boards (RWQCB) ensure water quality protection in California pursuant to Section 401 of the CWA and Section 13263 of the Porter-Cologne Water Quality Control Act. The CDFW regulates Waters of the State under the CFGF Section 1600 et seq.

Special-status species are those plants and animals 1) listed, proposed for listing, or candidates for listing as Threatened or Endangered by the USFWS and the National Marine Fisheries Service (NMFS) under the FESA; 2) listed or proposed for listing as Rare, Threatened, or Endangered by the CDFW under the CESA; 3) recognized as California Species of Special Concern (CSSC) by the CDFW; 4) afforded protection under MBTA or CFGF; and 5) occurring on Lists 1 and 2 of the CDFW California Rare Plant Rank (CRPR) system.

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The City of Hayward Municipal Code (HMC) Chapter 10, Article 15, Tree Preservation, requires a permit for the removal, destruction, or cutting of branches over one inch in diameter, or disfigurement of any protected tree. It also requires that all removed or disfigured trees be replaced with like-size, like-kind trees or equivalent value of trees as determined by the City's landscape architect. Protected trees are defined as follows:

- Trees having a minimum trunk diameter of eight inches measured 54 inches above the ground. When measuring a multi-trunk tree, the diameters of the largest three trunks shall be added together.

- Street trees or other required trees such as those required as a condition of approval, Use Permit, or other Zoning requirement, regardless of size
- All memorial trees dedicated by an entity recognized by the City, and all specimen trees that define a neighborhood or community
- Trees of the following species that have reached a minimum of four inches diameter trunk size:
 - Big leaf maple (*Acer macrophyllum*)
 - California buckeye (*Aesculus californica*)
 - Madrone (*Arbutus menziesii*)
 - Western dogwood (*Cornus nuttallii*)
 - California sycamore (*Platanus racemosa*)
 - Coast live oak (*Quercus agrifolia*)
 - Canyon live oak (*Quercus chrysolepis*)
 - Blue oak (*Quercus douglasii*)
 - Oregon white oak (*Quercus garryana*)
 - California black oak (*Quercus kelloggii*)
 - Valley oak (*Quercus lobata*)
 - Interior live oak (*Quercus wislizenii*)
 - California bay (*Umbellularia californica*)
- A tree or trees of any size planted as a replacement for a protected tree

Additional conditions of approval under the HMC may include, but are not limited to the following:

- Monitoring of all pruning (including roots), trimming, or relocation of protected trees by a certified arborist.
- Root zone protection measures, including non-movable fencing to establish and maintain protection zones prior to and through completion of construction
- Maintenance of protected trees throughout construction

Methods

Literature Review

Rincon Consultants, Inc. (Rincon) biologists reviewed agency databases and relevant literature for baseline information on special-status species and other sensitive biological resources occurring or potentially occurring at the project site and in the immediate surrounding area. The following sources were reviewed for background information:

- CDFW California Natural Diversity Data Base (CNDDDB) (CDFW 2018a) and Biogeographic Information and Observation System (BIOS) (CDFW 2018b)
- CDFW Special Animals List (CDFW 2017) and Special Vascular Plants, Bryophytes, and Lichens List (CDFW 2018c)
- CNPS Online Inventory of Rare and Endangered Plants of California (CNPS 2018)
- USFWS Information for Planning and Consultation (IPaC) (USFWS 2018a)
- USFWS Critical Habitat Portal (USFWS 2018b)

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- USFWS National Wetlands Inventory (USFWS 2018c)
- United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey (NRCS 2018)

Rincon biologists conducted a review of the CNDDDB (CDFW 2018a) for recorded occurrences of special-status plant and wildlife taxa in the region prior to conducting a reconnaissance-level field survey. For this review, the search included all occurrences within the United States Geological Survey (USGS) 7.5-minute topographic quadrangle encompassing the project site (*Hayward*), and the eight surrounding quadrangles (*Oakland East*, *Las Trampas Ridge*, *Diablo*, *San Leandro*, *Dublin*, *Redwood Point*, *Newark*, and *Niles*). Strictly marine, estuarine, and aquatic species were excluded from further analysis given the upland terrestrial nature of the project site. Plant species with specific habitat requirements not present at the site such as vernal pools, alkali or serpentine soils, or higher elevation ranges were also excluded from this analysis.

Rincon compiled the results of the background literature review into a list of regionally occurring special-status plants and animals, and evaluated each species for potential to occur based on habitat conditions and proximity to known occurrences. Rincon also reviewed the National Wetlands Inventory (NWI) (USFWS 2018c) and the National Hydrography Datasets (USGS 2017) for potential aquatic resources, including jurisdictional waters of the United States or waters of the State.

Rincon reviewed the arborist report prepared in support of project permitting by HortScience, Inc. (Appendix A). The arborist report identified and assessed 93 trees for the project, including 88 trees located on site and five trees which are located in the adjacent Gading Road right-of-way (two trees), or on adjacent sites where canopies extend onto the project site (three trees). The majority of the analyzed trees were non-native species such as glossy privet (*Ligustrum lucidum*), Loquat (*Eriobotrya japonica*), fig (*Ficus carica*), and several other ornamental and fruit tree species (HortScience, Inc. 2017). Sixteen coast live oak (*Quercus agrifolia*) trees were identified, some of which are naturally occurring (HortScience, Inc. 2017).

Biological Survey

On February 20, 2018, Rincon conducted a reconnaissance-level survey of the project site to document site conditions, assess the presence of on-site habitat, and evaluate the potential for special-status species and other sensitive biological resources to occur on the project site. The majority of the site consists of ruderal vegetation, ornamental trees, and ornamental herbaceous plants. Ruderal plant communities observed in the project site are dominated by herbaceous plants (i.e., forbs) such as cut-leaf geranium (*Geranium dissectum*), mustards (*Brassica* spp.), wild radish (*Raphanus sativus*), mallows (*Malva* spp.), and Himalayan blackberry (*Rubus armeniacus*). Escaped or remnant ornamentals include English ivy (*Hedera helix*), lily of the Nile (*Agapanthus* sp.), Italian lords and ladies (*Arum italicum*), and Swiss chard (*Beta vulgaris* ssp. *vulgaris*). Grass species observed throughout the site were primarily non-native annual grasses such as ripgut brome (*Bromus diandrus*), wild oats (*Avena* spp.), rattail fescue (*Festuca myuros*), and annual blue grass (*Poa annua*).

- a. *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?*

Based on the database and literature review conducted for the project, 63 special-status plant species and 59 special-status animal species have been previously documented in the regional vicinity of the project site.

Special-status Plants

Review of the resource agency databases for known special-status plant occurrences within the nine USGS quadrangles containing and surrounding the project site identified 63 special-status plant species (CDFW 2018a, CNPS 2018, USFWS 2018a). Based on the species reported in the area in the aforementioned databases and datasets, and habitat observations during the reconnaissance site visit, Rincon biologists determined that one special-status species has low potential to occur in or adjacent to the project site:

- Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*) – CRPR 1.B1

Congdon's tarplant is found primarily in valley and foothill grasslands with alkaline soils, sometimes described as heavy white clay. This species is known to occur along roadsides and in disturbed areas. However, an occurrence was reported to the CNDDDB approximately 2.7 miles south west of the site in 2009 (CDFW 2018a). The soil types mapped inside the project site are not alkaline. However, the NRCS maps soil units at a 1:24,000 scale, and as such it may not be accurate at the scale of the project site. Therefore, this species has a low potential to occur. Impacts to this species would only be considered significant under CEQA if the loss of individuals on the project site represented a population-level impact that resulted in a loss of, or risk to the entire regional population. Due to the small size of the site and surrounding developed area, if present, loss of individuals resulting from construction is not likely to cause population-level impacts.

Other plant species listed in the database search would not be expected to occur due to an absence of suitable habitat or anthropogenic disturbances within and around the project site.

Special-status Wildlife

The review of the resource agency databases for known special-status animal occurrences in the nine USGS quadrangles containing and surrounding the project site identified 59 special-status animal species (CDFW 2018a, USFWS 2018a). This list was reviewed and refined according to the potential for species to occur on the project site based on the presence and quality of habitats within the project site. During the field site visit, no habitat was observed that could support special-status animal species. The project site contains non-native and ornamental plantings surrounded by development and does not contain potentially suitable habitat for special-status animals.

Although vegetation communities observed in the project site are primarily non-native, ornamental, and/or disturbed, the site could be used by numerous species of migratory birds that utilize sparse ground cover or ornamental shrubs and landscaping as nesting habitat. Native bird nests are protected by CFGC Section 3503 and the MBTA. Migratory nesting birds that could nest in this type of habitat and were observed on site include western scrub jay (*Aphelocoma californica*) and Anna's hummingbird (*Calypte anna*). Many other species are expected to occur in the area and may nest in the project site, including American crow (*Corvus brachyrhynchos*), house finch (*Haemorhous*

mexicanus), and American robin (*Turdus migratorius*). The nesting season generally extends from February through August in California, but can vary based upon annual climatic conditions. Thus, construction activities could result in impacts to birds or their nests as the result of tree removals or disturbance related nest abandonment. Impacts to these species and nesting birds may be considered significant under CEQA. However, potential impacts to migratory nesting birds will be reduced to less than significant with implementation of Mitigation Measure BIO-1.

Mitigation Measure

The following mitigation measure would be required to avoid or reduce the project's potentially significant impacts to potential nesting birds and special-status wildlife in the adjacent corridor.

BIO-1 Nesting Bird Avoidance and Minimization Efforts. If project construction activities occur between February 15 and August 31, a qualified biologist shall conduct a pre-construction survey for nesting birds no more than 14 days prior to construction. The survey shall include the entire project site and a 300-foot buffer to account for nesting raptors. If nests are found the qualified biologist shall establish an appropriate species-specific avoidance buffer of sufficient size to prevent disturbance by project activity to the nest (up to 300 feet for raptors, up to 150 feet for all other birds). The qualified biologist shall perform at least two hours of pre-construction monitoring of the nest to characterize "typical" bird behavior.

During construction, if active nests are present, the qualified biologist shall monitor the nesting birds to determine if construction activities are causing any disturbance to the bird and shall increase the buffer if it is determined the birds are showing signs of unusual or distressed behavior associated with project activities. Atypical nesting behaviors that may cause reproductive harm include, but are not limited to, defensive flights, vocalizations directed towards project personnel/activities, standing up from a brooding position, and flying away from the nest. The qualified biologist shall have authority, through the resident engineer, to order the cessation of all project activities if the nesting birds exhibit atypical behavior that may cause reproductive failure (nest abandonment and loss of eggs and/or young) until a refined appropriate buffer is established. To prevent encroachment, the established buffer(s) should be clearly marked by high visibility material. The established buffer(s) should remain in effect until the young have fledged or the nest has been abandoned as confirmed by the qualified biologist. Any sign of nest abandonment should be reported to the City and CDFW within 48 hours. The monitoring biologist, in consultation with the resident engineer and project manager shall determine the appropriate protection for active nests on a case by case basis using the criteria described above.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

- b. Would the project 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 U.S. Fish and Wildlife Service?*

Based on a review of information on biological resources within the project region and data collected during the reconnaissance site visit, no riparian habitats or sensitive natural communities are present in the project area. No impacts will occur as a result of project activities.

NO IMPACT

- c. *Would the project 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?*

Based on a review of information on biological resources in the project region and data collected during the reconnaissance site visit, no wetlands or potentially jurisdictional features occur in the project area. No impacts will occur as a result of project activities.

NO IMPACT

- d. *Would the project 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?*

The project area consists of developed and disturbed areas with primarily ornamental vegetation and weedy species dispersed throughout. Land uses in the vicinity are primarily infill commercial and residential and do not support wildlife movement. No impacts to wildlife movement corridors will occur as a result of project activities.

NO IMPACT

- e. *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

As discussed above under regulatory setting, HMC Chapter 10, Article 15, Tree Preservation, requires a permit for the removal, destruction, or cutting of branches over one inch in diameter, or disfigurement of any protected tree, among other requirements. An arborist report was prepared in October 2017 for submission to the City in support of an application for a tree removal/pruning permit (HortScience, Inc. 2017, Appendix A). As shown in Table 4, of the 93 trees assessed in the report (including three off-site trees on an adjacent property and two street trees), 55 of the trees qualified as protected trees.

Table 4 Location and Number of Trees to be Removed and Preserved

	On-site	Off-site Adjacent (with Canopy On-site)	Street	Total
Existing number of trees	88	3	2	93
Existing number of protected trees	50	3	2	55
Number of trees removed	79	0	2	81
Number of protected trees removed	45	0	2	47
Number of trees preserved	9	3	0	12
Number of protected trees preserved	5	3	0	8

Notes: Numbers reflect the preliminary development plan, existing conditions and demolition plan (RJA 2017a)

As shown in Table 4, the proposed project would involve the removal of 81 trees of which 47 are considered protected. The total estimated value of the protected trees to be removed is \$123,700 (HortScience, Inc. 2017). To mitigate the loss of the 47 protected trees, the Preliminary Landscape Plan (Ripley Design Group 2017) includes planting 20 replacement trees (including seven coast live oaks) with a total value of \$42,660. Under Article 15, the City Landscape Architect has the discretion

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to allow for alternative forms of mitigation, such as permeable paving, in addition to planting replacement trees. The project also includes proposed mitigation in the form of design improvements, including the use of permeable paving and larger replacement trees and shrubs. Mitigation Measure BIO-2 is required to confirm that the proposed mitigation cost matches or exceeds the appraised value of the removed trees.

Further, in order to protect existing trees during and after construction to ensure long-term health and sustainability of preserved and replacement trees, mitigation measures BIO-3 and BIO-4 are required. With mitigation, impacts will be less than significant.

Mitigation Measures

The following mitigation measures would be required to ensure the project is consistent with the tree preservation requirements included in HMC Chapter 10, Article 15, Tree Preservation. With implementation of the measures below, the project would not conflict with any local or regional ordinance.

BIO-2 Tree Replacement. As required by the HMC, the applicant shall replace removed protected trees with like-size, like-kind trees or an equal value tree, or implement alternative forms of mitigation as determined by the City's Landscape Architect. The City's Landscape Architect shall review the final landscape plan to confirm that the proposed mitigation cost matches or exceeds the appraised value of the removed trees prior to the issuance of building permit.

BIO-3 Tree Preservation Measures. As outlined in the arborist report (HortScience Inc. 2017), Tree Preservation measures are required to protect trees that will be preserved in place and replacement trees that will be planted as required under measures BIO-2.

Design Measures

1. Include trunk locations and tag numbers on all plans.
2. Use only herbicides safe for use around trees and labeled for that use, even below pavement.
3. Design irrigation systems so that no trenching will occur within the Tree Protection Zone.

Pre-construction and Demolition Measures

1. Prepare a site work plan which identifies access and haul routes, construction trailer and storage areas, etc.
2. Establish a Tree Protection Zone around each tree to be preserved. For design purposes, the Tree Protection Zone shall be the dripline or property line for trees 11, 86, and 87. No grading, excavation, construction or storage of materials shall occur within that zone.
3. Install protection around all trees to be preserved. Use 6-foot chain link fence attached posts sunk into the ground. No entry is permitted into a Tree Protection Zone without permission of the Project Arborist.
4. Trees to be removed shall be felled so as to fall away from Tree Protection Zone and avoid pulling and breaking of roots of trees to remain. If roots are entwined, the

consultant may require first severing the major woody root mass before extracting the trees, or grinding the stump below ground.

5. Trees to be retained may require pruning to provide clearance and/or correct defects in structure. All pruning is to be performed by an ISA Certified Arborist or Certified Tree Worker and shall adhere to the latest editions of the ANSI Z133 and A300 standards as well as the ISA Best Management Practices for Tree Pruning. The pruning contractor shall have the C25/D61 license specification.
6. All tree work shall comply with the Migratory Bird Treaty Act as well as California Fish and Wildlife code 3503-3513 to not disturb nesting birds. To the extent feasible tree pruning and removal should be scheduled outside of the breeding season. Breeding bird surveys should be conducted prior to tree work. Qualified biologists should be involved in establishing work buffers for active nests.

Tree Protection During Construction

1. Prior to beginning work, the contractors working in the vicinity of trees to be preserved are required to meet with the Project Arborist at the site to review all work procedures, access routes, storage areas and tree protection measures.
2. Any grading, construction, demolition or other work that is expected to encounter tree roots should be monitored by the Project Arborist.
3. If injury should occur to any tree during construction, it should be evaluated as soon as possible by the Project Arborist so that appropriate treatments can be applied.
4. Fences will be erected to protect trees to be preserved. Fences are to remain until all site work has been completed. Fences may not be relocated or removed without permission of the Project Arborist.
5. Any additional tree pruning needed for clearance during construction must be performed by a qualified arborist and not by construction personnel.
6. Trees shall be irrigated, except oaks, on a schedule to be determined by the Project Arborist. Each irrigation session shall wet the soil within the Tree Protection Zone to a depth of 30 inch.

BIO-4 Tree Replacement and Maintenance. Replacement trees shall be planted with sufficient space to accommodate the mature size of the species and maintained sufficiently to ensure establishment. Preserved trees shall also be maintained to ensure the continued long-term health of the tree. Trees on-site will require monitoring and routine maintenance by a landscape specialist such as occasional pruning, fertilization, mulch, pest management, replanting, and irrigation.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

- f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

There are no habitat conservation plans, natural community conservation plans, or other similar plans that govern activities on the project site. Therefore, the project will not be in conflict with any habitat conservation plans and no impact will occur.

NO IMPACT

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5 Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Historical and Archaeological Resources Investigation

Rincon conducted a search of the California Historical Resources Information System (CHRIS) at the Northwest Information Center (NWIC) located at Sonoma State University on February 22, 2018. The search was performed to identify previously recorded cultural resources, as well as previously conducted cultural resources studies within the project site and a 0.8-kilometer (0.5-mile) radius surrounding it. The CHRIS search included a review of available records at the NWIC, as well as the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the Office of Historic Preservation Historic Properties Directory, the California Inventory of Historic Resources, the Archaeological Determinations of Eligibility list, and historic maps.

The NWIC records search identified 17 cultural resources studies conducted within a 0.5-mile radius of the project site, none of which included the project site.

The NWIC records search identified one previously recorded cultural resource (P-01-010843) within a 0.5-mile radius of the project site, located outside of the project site. The resource consists of a church building constructed between the 1950s and 1979 and located approximately 200 meters (655 feet) south of the project site. No archaeological resources have been recorded in the 0.5-mile radius of the project site.

On February 23, 2018, Rincon contacted the Native American Heritage Commission (NAHC) and requested a search of the Sacred Lands File (SLF). The NAHC emailed a response on March 12, 2018 stating that the results of the SLF search were negative.

Rincon Archaeologist Sydni Kitchel conducted an intensive field survey of the project site on February 27, 2018. Ms. Kitchel walked 5- to 10-meter transects and examined exposed ground surface for artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools, ceramics, fire-

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affected rock [FAR]), ecofacts (marine shell and bone), soil discoloration that might indicate the presence of a cultural midden, soil depressions, and features indicative of the former presence of structures or buildings (e.g., standing exterior walls, postholes, foundations) or historic debris (e.g., metal, glass, ceramics). Additionally, ground disturbances, such as animal burrows and drainages, were visually inspected.

Ground visibility inside the project site was poor due to thick vegetation. A brick and concrete foundation was identified on the project site along with other building debris (primarily clay and metal pipe fragments, cinder blocks, and brick fragments), small fragments of white glazeware ceramics, and one glass jar base with the maker's mark "BY W.J. Latchford" dating to 1925-1938 (Lockhart et al. 2017).

Paleontological Resources Investigation

Rincon evaluated the paleontological sensitivity of the geologic units that underlie the project area using the results of the paleontological locality search and literature review. Rincon reviewed fossil collections records from the University of California Museum of Paleontology (UCMP) online database, which contains known fossil localities in Alameda County, and reviewed geologic maps and scientific literature including Barron 1989, Bartow et al. 1990, California Geological Survey [CGS] 2002, Fossen 2010, Graymer 2000, Graymer et al. 1996, Helley and Graymer 1997, Norris and Webb 1990, and Schemmann et al. 2008.

Rincon assigned a paleontological sensitivity to the geologic units within the project area. The potential for impacts to significant paleontological resources is based on the potential for ground disturbance to directly impact paleontologically sensitive geologic units as defined by the Society for Vertebrate Paleontology (SVP 2010).

The project area is mapped at a scale of 1:50,000 by Graymer (2000) and includes one (1) geologic unit mapped at ground surface as Holocene floodplain deposits (Qhfp). The younger Quaternary deposits are composed of medium to dark gray, dense, sandy to silty clay (Helley and Graymer 1997). These Holocene deposits are underlain by rocks of the Cretaceous Central Valley Sequence and older Pleistocene alluvium at moderate depth (approximately 10 to 20 feet below ground surface [bgs]). Holocene deposits are generally considered too young to contain fossilized remains.

A search of the paleontological locality records on the UCMP online database resulted in no previously recorded vertebrate fossil localities within Holocene sedimentary deposits within the project vicinity.

Consistent with SVP (2010) guidelines, Rincon determined the paleontological sensitivity of the project area based on a literature review and museum locality search. Holocene sedimentary deposits, particularly those younger than 5,000 years old, are generally too young to contain fossilized material. Therefore, the Holocene floodplain sediments mapped at the surface of the project area have been assigned a low paleontological sensitivity.

- a. *Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?*
- b. *Would the project cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?*

As discussed above, the results of the cultural resources records search, Native American outreach, and intensive pedestrian field survey described above concluded that no significant cultural

resources are known to exist within the project site. One archaeological resource, a foundation and refuse scatter, was identified inside the project site as a result of the pedestrian survey, but has been recommended ineligible for listing in the CRHR (Haas and Duran 2018). The site was associated with residential structures that were previously identified as ineligible for listing as historic resources by the City and demolished. The foundation and refuse cannot be identified to be associated with significant events in California history (CRHR Criterion 1). A search of historic directory listings and voting records identified a past resident of the property as Albert W. and Ellen LaPointe in 1944 (Ancestry.com 2008). The LaPointes have not been identified as important to the history of the project site or the City of Hayward. No information regarding other residents of the property could be identified, nor could the architect or builder. Thus, the resource does not appear to be associated with the lives of important people in our past (CRHR Criterion 2). The foundation is a simple brick and concrete foundation and does not embody any distinctive characteristics (CRHR Criterion 3). Only one diagnostic artifact, a glass jar base dating to 1925-1938, and a very limited amount of other refuse was present at the site indicating that the data potential of the resource has been exhausted within this recording. For this reason, the resource is not likely to yield information important in history (CRHR Criterion 4). Thus, the resource is recommended ineligible for listing in the CRHR under all four criteria (1-4).

No other resources were identified within the project site nor are any archaeological resources known to exist within a 0.5-mile radius of the project site. Thus, the project site is not considered archaeologically sensitive. Nevertheless, the following mitigation measure is required to reduce impacts to less than significant in the case of unanticipated discoveries.

CUL-1 Unanticipated Discovery of Cultural Resources. If cultural resources are encountered during ground disturbing activities, work in the immediate area shall be halted and an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology (NPS 1983) shall be contacted immediately to evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and testing for the California Register of Historical Resources (CRHR) eligibility. If the discovery proves to be significant under CEQA and cannot be avoided by the project, additional work, such as data recovery excavation, may be required to mitigate potentially significant impacts to historical resources.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

c. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geological feature?

The proposed project involves minimal excavation and grading and the project site does not contain unique geologic features. The Holocene floodplain deposits mapped at ground surface in the project area are determined to have a low paleontological resource potential and they are likely too young to contain fossilized material. Therefore, the proposed project would not unearth paleontological resources during construction. No impacts to paleontological resources will occur.

NO IMPACT

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d. Disturb any human remains, including those interred outside of formal cemeteries?

The discovery of human remains is always a possibility during ground disturbing activities. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance may occur until the county coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the county coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant (MLD). The MLD would complete the inspection of the site and provide recommendations for treatment to the landowner within 48 hours of being granted access. With adherence to existing regulations, impacts to human remains will be less than significant.

LESS THAN SIGNIFICANT IMPACT

6 Geology and Soils

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Expose people or structures to potentially substantial adverse effects, including the risk of loss, injury, or death involving:				
1. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is made unstable as a result of the project, and potentially result in on or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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- a.1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving 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?*

According to a Preliminary Geotechnical Exploration prepared by ENGEO in July 2017 (Appendix B), the project site is not located in an Alquist-Priolo Earthquake Fault Zone and there are no known faults crossing or projecting toward the site. Table 5 shows the distances from the project site to the nearest faults. As shown in Table 5, the nearest fault is the Hayward Fault, approximately 1.2 miles northeast of the project site. Therefore, ground rupture due to faulting is unlikely at the project site. No impact will occur.

Table 5 Approximate Fault Distances from the Project Site

Fault Name	Distance (miles)
Hayward Fault	1.2
Calaveras Fault	8.7
San Andreas Fault	17.2

Source: ENGEO 2017 (Appendix B)

NO IMPACT

- a.2. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?*
- a.3. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?*
- c. Would the project be located on a geologic unit or soil that is made unstable as a result of the project, and potentially result in on or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?*

The San Francisco Bay Area region is one of the most seismically active areas in the country. While seismologists cannot predict earthquake events, the USGS's Working Group on California Earthquake Probabilities (WGCEP) estimates the likelihood that California will experience a magnitude 8 or larger earthquake in the next 30 years is about 7.0 percent (Working Group on California Earthquake Probabilities [WGCEP] 2015). The WGCEP also estimates that each region of California will experience a magnitude 6.7 or larger earthquake in the next 30 years. Additionally, there is a 63 percent chance of at least one magnitude 6.7 or greater earthquake occurring in the Bay Area region between 2007 and 2036.

The site is located in an area of relatively high seismic potential. The faults in the area are capable of generating earthquakes that could produce strong to violent ground shaking at the project site. The active fault nearest the site is the Hayward fault, which is located approximately 1.2 miles to the northeast (Table 5).

The project site is also in a state-designated Liquefaction Hazard Zone (CGS 2003). Soil liquefaction results from loss of strength during cyclic loading, such as imposed by earthquakes. Soils most susceptible to liquefaction are clean, loose, saturated, and uniformly graded fine-grained sands. As part of the geotechnical exploration, ENGEO performed a detailed liquefaction potential analysis.

The results indicated that there are layers of soil beneath the site that are potentially susceptible to liquefaction, primarily the medium dense sand layer (ENGEO 2017).

Lateral spreading and earthquake-induced landsliding involve lateral ground movements caused by seismic shaking. These lateral ground movements are often associated with a weakening or failure of an embankment or soil mass overlying a layer of liquefied sands or weak soils. Due to the relatively flat site topography and depth of liquefiable material, lateral spreading is unlikely at the site (ENGEO 2017).

Due to the potential hazards of liquefaction, impacts are potentially significant without mitigation. Nonetheless, the report concluded that from a geotechnical viewpoint, the project is feasible provided the considerations, included in Mitigation Measure GEO-1 below, are addressed in the project design.

Mitigation Measures

The following mitigation measure shall be implemented prior to and during project construction:

GEO-1 Geotechnical Considerations. The project applicant shall implement all measures and recommendations set forth in the Preliminary Geotechnical Exploration prepared by ENGEO in July 2017 (Appendix B). Recommendations include but are not limited to the following topic areas:

- Grading (demolition and stripping, existing fill removal, selection of materials, differential fill thickness, fill placement)
- Building code seismic design
- Foundation design
- Pavement design
- Drainage
- Stormwater bioretention areas

In addition, a comprehensive site-specific design-level geotechnical exploration shall be prepared as part of the design process. The exploration may include borings and laboratory soil testing to provide data for preparation of specific recommendations regarding grading, foundation design, corrosion potential, and drainage for the proposed project. The recommendations set forth in the design-level geotechnical exploration shall be implemented.

Pursuant to the 2017 Preliminary Geotechnical Exploration for the project (Appendix B), provided the recommendations presented in the report are complied with and implemented during design and construction, construction of the project would not create hazards related to site geology or soils and the effects of liquefaction-induced settlement on the proposed structure would be mitigated. Therefore, with implementation of Mitigation Measure GEO-1, the potentially significant impact associated with ground shaking and liquefaction will be reduced to a less than significant level.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

City of Hayward
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a.4. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

The project site and surroundings are generally level, and no steep slopes are located near the site. Therefore, there is no potential for landslides at the site. No impact will occur.

NO IMPACT

b. Would the project result in substantial soil erosion or the loss of topsoil?

Construction of the project would require earthwork activities to prepare the site for 18 single-family residences. As the project would disturb over one acre of land, the applicant would be required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ or 2009-0009-DWQ General Permit) to comply with Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES) requirements. Compliance with these requirements would include preparation of a Storm Water Pollution Prevention Plan (SWPPP), which would specify Best Management Practices (BMP) to quickly contain and clean up accidental spills or leaks. In accordance with HMC Section 10-3.705, the project applicant is also required to prepare and implement an Erosion and Sediment Control Plan to prevent illicit discharge. Appropriate erosion control and permanent site surface drainage elements per the latest California Building Code would also be implemented. With required implementation of these plans, permits, and BMPs, substantial erosion or the loss of top soil would not occur at the project site. Impacts will be less than significant.

LESS THAN SIGNIFICANT IMPACT

d. Would the project be located on expansive soil, as defined in Table 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

The Preliminary Geotechnical Exploration found the project site to have expansive clay near the surface of the site. Expansive soils change in volume with changes in moisture. These soils can shrink or swell and cause heaving and cracking of slabs-on-grade, pavements, and structures founded on shallow foundations, resulting in a potentially significant impact. However, implementation of Mitigation Measure GEO-1 would reduce the swell potential of the clay by compacting the soil at a high moisture content, controlling the amount of soil compaction. Impacts from expansive soil will be less than significant with implementation of mitigation.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

e. Would the project 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?

The project would not include components that would require the use of septic tanks. The project would connect to the City of Hayward municipal sewer system. There will be no impact.

NO IMPACT

7 Greenhouse Gas Emissions

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with any applicable plan, policy, or regulation adopted for the purposes of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Climate Change and Greenhouse Gas (GHG) Emissions

Climate change is the observed increase in the average temperature of the earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period of time. Climate change is the result of numerous, cumulative sources of greenhouse gases (GHG), gases that trap heat in the atmosphere, analogous to the way in which a greenhouse retains heat. Common GHGs include water vapor, carbon dioxide (CO₂), methane (CH₄), nitrous oxides (N₂O), fluorinated gases, and ozone. GHGs are emitted by both natural processes and human activities. Of these gases, CO₂ and CH₄ are emitted in the greatest quantities from human activities. Emissions of CO₂ are largely by-products of fossil fuel combustion, whereas CH₄ results from off-gassing associated with agricultural practices and landfills. Man-made GHGs, many of which have greater heat-absorption potential than CO₂, include fluorinated gases, such as hydrofluorocarbons (HFC), perfluorocarbons (PFC), and sulfur hexafluoride (SF₆) (CalEPA 2015).

The accumulation of GHGs in the atmosphere regulates the earth's temperature. Without the natural heat-trapping effect of GHGs, Earth's surface would be about 34° C cooler (CalEPA 2015). However, it is believed that emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations.

Thresholds

Pursuant to the requirements of SB 97, the Resources Agency adopted amendments to the *CEQA Guidelines* for the feasible mitigation of GHG emissions and analysis of the effects of GHG emissions. The adopted *CEQA Guidelines* provide regulatory guidance on the analysis and mitigation of GHG emissions in CEQA documents, while giving lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts.

The vast majority of individual projects do not generate sufficient GHG emissions to directly influence climate change. However, physical changes caused by a project can contribute

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incrementally to cumulative effects that are significant, even if individual changes resulting from a project are limited. The issue of climate change typically involves an analysis of whether a project's contribution towards an impact would be cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (*CEQA Guidelines*, Section 15064[h][1]).

According to the *CEQA Guidelines*, projects can tier off of a qualified GHG reduction plan, which allows for project-level evaluation of GHG emissions through the comparison of the project's consistency with the GHG reduction policies included in a qualified GHG reduction plan. This approach is considered by the Association of Environmental Professionals (AEP) in their white paper, *Beyond Newhall and 2020*, to be the most defensible approach presently available under CEQA to determine the significance of a project's GHG emissions (2016). Hayward does not currently have a qualified GHG reduction plan and thus this approach is not currently feasible.

To evaluate whether a project may generate a quantity of GHG emissions that may have a significant impact on the environment, a number of operational bright-line significance thresholds have been developed by state agencies. Significance thresholds are numeric mass emissions thresholds that identify the level at which additional analysis of project GHG emissions is necessary. Projects that attain the significance target, with or without mitigation, would result in less than significant GHG emissions. Many significance thresholds have been developed to reflect a 90 percent capture rate tied to the 2020 reduction target established in Assembly Bill (AB) 32. These targets have been identified by numerous lead agencies (including the City of Hayward) as appropriate significance screening tools for residential, commercial, industrial, and public land uses and facilities projects with horizon years before 2020.

In the 2017 BAAQMD *CEQA Air Quality Guidelines*, the BAAQMD outlines an approach to determine the significance of projects. For residential, commercial, industrial, and public land use development projects, the thresholds of significance for operational-related GHG emissions are as follows:

- Compliance with a qualified GHG Reduction Strategy
- Annual emissions less than 1,100 metric tons per year (MT/yr) of equivalent carbon dioxide (CO₂e)
- Service person threshold of 4.6 MT CO₂e/SP/yr (residents + employees)

The annual emissions threshold of 1,100 MT of CO₂e per year applies best to the proposed project. Hayward does not have a qualified GHG reduction plan and the project is not a high-density project whose impacts would be more appropriately quantified by a service population threshold to reflect the per-person emission efficiency. The BAAQMD annual emissions threshold was designed to capture 90 percent of all emissions associated with projects in the Basin and require implementation of mitigation so that a considerable reduction in emissions from new projects would be achieved. According to the California Air Pollution Control Officers Association (CAPCOA) white paper, *CEQA & Climate Change* (2008), a quantitative threshold based on a 90 percent market capture rate is generally consistent with AB 32 (CAPCOA 2008). Additionally, the AEP white paper, *Beyond Newhall and 2020*, recommends that for projects with a horizon of 2020 or earlier, a threshold based on meeting AB 32 targets should be used (AEP 2016). Thus, projects with horizon years of 2020 or earlier, and emissions below the BAAQMD threshold are not expected to require GHG mitigation for state mandates to be achieved. The project would be fully operational in 2020. Therefore, its horizon year is 2020.

Methodology

As discussed under Section 3, *Air Quality*, the BAAQMD developed screening criteria to provide lead agencies and project applicants with a conservative indication of whether a project could result in potentially significant GHG impacts. If all of the screening criteria are met by a project, then the lead agency or applicant would not need to perform a detailed GHG assessment of their project's GHG emissions (BAAQMD 2017c). For single-family residences, the operational GHG screening size is 56 dwelling units. The proposed project involves 18 dwelling units and is below the screening level. Therefore, a detailed GHG assessment was not required for the project.

- a. *Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?*

The project's proposed construction activities, energy use, daily operational activities, and mobile sources (traffic) would generate GHG emissions. As mentioned under *Methodology*, according to BAAQMD, as the project's proposed 18 residential units are well below the 56-unit screening criteria, a detailed air quality assessment of the proposed project's GHG emissions is not required as operational GHG emissions would not exceed BAAQMD thresholds. In addition, the project will be required to comply with all BAAQMD rules and regulations regarding emission control measures. Therefore, impacts related to GHG emissions will be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. *Would the project conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

As discussed above, the project would not result in GHG emissions above thresholds that were established by BAAQMD to identify projects that require additional mitigation measures to achieve statewide GHG targets contained in AB 32.

The project is in an urban area near transit and schools and would be constructed in accordance with CALGreen (Part 11 of Title 24 of the California Code of Regulations) requirements for Residential Development. The site is not in a Priority Development Area as designated in the Plan Bay Area, a regional plan designed to reduce greenhouse gas emissions through land use planning and the provision of adequate housing to meet regional needs (ABAG 2017b).

The City's Climate Action Plan (CAP) was adopted by the Hayward City Council on July 28, 2009. The purpose of the CAP is to make Hayward a more environmentally and socially sustainable community. The overall objective of the CAP is to reduce Hayward's greenhouse gas emissions by the following:

- 20 percent below 2005 baseline levels by 2020
- 62.7 percent below 2005 baseline levels by 2040
- 82.5 percent below 2005 baseline levels by 2050

The proposed project involves infill development in an urban area. The houses would include solar panels to reduce energy use and associated GHG emissions. The project would not conflict with the Climate Change Scoping Plan developed per AB 32, the land use assumptions in the Plan Bay Area, or regulations adopted by the City of Hayward to reduce greenhouse gas emissions. Therefore, the project will have a less than significant impact related to GHG emissions.

LESS THAN SIGNIFICANT IMPACT

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Environmental Checklist
Hazards and Hazardous Materials

8 Hazards and Hazardous Materials

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<hr/>				
a. <i>Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</i>				
b. <i>Would the project 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?</i>				

Construction Activities

The project would involve the construction of 18 single-family residences, paved circulation and parking areas, and landscaping. Construction activities may include the temporary transport, storage, use, or disposal of potentially hazardous materials including fuels, lubricating fluids, cleaners, solvents, or contaminated soils. If spilled, these substances could pose a risk to the environment and to human health. However, the transport, storage, use, or disposal of hazardous materials will be subject to federal, state, and local regulations pertaining to the transport, use, storage, and disposal of hazardous materials, which would assure that risks associated with hazardous materials are minimized. In addition, construction activities that transport hazardous materials will be required to transport such materials along designated roadways in the city, thereby limiting risk of upset.

As the project would disturb over one acre of land, the applicant would be required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ) to comply with CWA NPDES requirements. Compliance with these requirements will include preparation of a SWPPP, which would specify BMPs to quickly contain and clean up accidental spills or leaks. Therefore, the potential for an accidental release of hazardous materials to harm the public or the environment will be minor. Impacts related to hazardous materials during construction will be less than significant.

Operational Uses

The project would involve construction of 18 new single-family residences. Residential uses typically do not use or store large quantities of hazardous materials other than those typically used for

Environmental Checklist
Hazards and Hazardous Materials

household cleaning, maintenance, and landscaping. Therefore, the proposed project would not involve the use, storage, transportation, or disposal of hazardous materials and would not release such materials into the environment. Impacts will be less than significant.

LESS THAN SIGNIFICANT IMPACT

- c. *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?*

The project site is located approximately 1,670 feet (approximately 0.32 mile) northeast of Schafer Park Elementary School and approximately 1,750 feet (approximately 0.33 mile) northwest of Glassbrook Elementary School. No existing or proposed schools are within 0.25 mile of the project site. Therefore, no impact will occur.

NO IMPACT

- d. *Would the project be located on a site included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

California Government Code Section 65962.5 requires various state agencies to compile lists of hazardous waste disposal facilities, unauthorized release from underground storage tanks, contaminated drinking water wells, and solid waste facilities from which there is known migration of hazardous waste and submit such information to the Secretary for Environmental Protection on at least an annual basis. The project site is not listed as a known hazardous cleanup site, does not contain a hazardous waste facility, and has no record of known contamination (Department of Toxic Substances Control [DTSC] 2007). No cleanup sites are located within a 0.5-mile radius of the project site. Therefore, contamination from other sites is not expected to have migrated such that the project site is affected by off-site contamination. The project will not create a significant hazard to the public or environment and there will be no impact.

NO IMPACT

- e. *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*
- f. *For a project near a private airstrip, would it result in a safety hazard for people residing or working in the project area?*

The nearest airport to the project site is the Hayward Executive Airport, located approximately 1.6 miles to the northwest. The project site is not located within the Hayward Executive Airport Influence Area and is located outside the existing noise level contours for the airport (Alameda County Airport Land Use Commission [ALUC] 2012). The project would not subject persons working at the site to safety hazards, and there will be no impact from potential air traffic safety risks.

NO IMPACT

- g. *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

The City of Hayward adopted the *Local Hazard Mitigation Plan* in 2016 (City of Hayward 2016a). Construction of the proposed project would occur within the boundary of the project site and no

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Gading II Residential Project

street closures would occur. The project does not involve the development of structures that could potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No streets or property access points would be closed, rerouted, or substantially altered during or after construction. There will be no impact.

NO IMPACT

- h. Would the project 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?*

The project site is located in a developed urbanized area that is surrounded by residential and commercial uses and no adjacent wildlands or densely vegetated areas are located in the area that would represent a significant fire hazard. The project site is not located in a Fire Hazard Severity Zone or Very High Hazard Severity Zone for wildland fires (California Department of Forestry and Fire Protection [CAL FIRE] 2007, 2008). Therefore, the project would not expose people or structures to significant risk of loss, injury, or death involving wildland fires. There will be no impact.

NO IMPACT

9 Hydrology and Water Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 that would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
g. Place housing in a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary, Flood Insurance Rate Map, or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Place structures in a 100-year flood hazard area that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury, or death involving flooding, including that occurring as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Result in inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<hr/>				
a. <i>Would the project violate any water quality standards or waste discharge requirements?</i>				
c. <i>Would the project 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 that would result in substantial erosion or siltation on- or off-site?</i>				
f. <i>Would the project otherwise substantially degrade water quality?</i>				

Construction Impacts

During grading activities, the site's soils would be exposed to wind and water erosion that could transport sediments into local stormwater drainages. Also, accidental spills of fluids or fuels from construction vehicles and equipment, or miscellaneous construction materials and debris, could be mobilized and transported off-site in overland flow. These contaminant sources could degrade the water quality of receiving water bodies (i.e., San Francisco Bay), potentially resulting in a violation of water quality standards.

As part of Section 402 of the CWA, the U.S. EPA has established regulations under the National Pollution Discharge Elimination System (NPDES) program to control both construction and operation (occupancy) stormwater discharges. The federal CWA was first adopted in 1972 and is intended to protect and preserve water supply and quality in the "waters of the nation." In the Bay Area, the San Francisco Regional Water Quality Control Board (RWQCB) administers the NPDES permitting program and is responsible for developing permitting requirements. The project will be subject to the San Francisco Bay Region Municipal Regional Stormwater Permit (MRP), NPDES Permit Order No. R2-2015-0049, and the provisions set forth in Section C.3 *New Development and Redevelopment*. Under the conditions of the permitting program, the applicant will be required to eliminate or reduce non-stormwater discharges to waters of the nation, develop and implement a

SWPPP for construction activities, and perform inspections of the stormwater pollution prevention measures and control practices to ensure conformance with the site SWPPP. Because the project would disturb at least one acre of land, the project must provide stormwater treatment and would be required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ or 2009-0009-DWQ General Permit).

Further, in accordance with HMC Chapter 10, Article 8 (Grading and Clearing), all grading activities must be conducted in a manner that will minimize the potential for erosion from the site. If requested by the City engineer, the project applicant would be required to prepare and implement an Erosion and Sediment Control Plan that specifies control techniques that would prevent erosion during construction. Therefore, with compliance with construction-related water quality and erosion control requirements, construction of the project would not violate any water quality standards, substantially alter the drainage pattern of the area such that substantial erosion or siltation would occur and would not degrade water quality. Impacts during construction will be less than significant.

Operational Impacts

The project would increase the total area of impervious surfaces on the project site by approximately 38,750 square feet. Increasing the total area of impervious surfaces can result in a greater potential to introduce pollutants to receiving waters. Urban runoff can carry a variety of pollutants, including oil and grease, metals, sediment, and pesticide residues from roadways, parking lots, rooftops, and landscaped areas depositing them into adjacent waterways via the storm drain system.

Stormwater discharge during operation is regulated by the Municipal Separate Storm Sewer System (MS4) Permit, issued by the RWQCB, pursuant to NPDES regulations. Water quality in stormwater runoff is regulated locally by the Alameda County Clean Water Program, which includes the C.3 provisions set by the San Francisco Bay RWQCB. Provision C.3 of the MRP addresses post-construction stormwater requirements for new development and redevelopment projects that add and/or replace 10,000 square feet or more of impervious area. Because the project would replace in excess of 10,000 square feet of the impervious surface of the project site, it must comply with the C.3 provisions set by the RWQCB. Therefore, the project must meet certain criteria including 1) incorporate site design, source control, and stormwater treatment measures into the project design; 2) minimize the discharge of pollutants in stormwater runoff and non-stormwater discharge; and 3) minimize increases in runoff flows as compared to pre-development conditions. A Stormwater Control Plan (SCP) that details the site control, source control, and stormwater measures that would be implemented at the site must be submitted to the City. In addition, Low Impact Development (LID) requirements apply. The Alameda County Clean Water Program's C.3 Technical Guidance document (2016) provides guidance on how to meet the C.3 requirements.

Pursuant to C.3 requirements, the project is required to include design features that would reduce impacts associated with the increased impervious surfaces. The project would direct runoff from roofs and sidewalks into vegetated areas and include landscaped bioretention areas to collect, store, and treat runoff before entering the stormwater system. By adhering to the provisions of NPDES Section C.3, the SWPPP, and the stormwater control plan, the project would not result in adverse effects on water quality and or in the violation of water quality standards or waste discharge requirements during construction or operation. Therefore, the project will have a less than significant impact on water quality. With implementation of the measures contained in these

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plans, excessive stormwater runoff, erosion, and sedimentation would not occur and the potential for the project to violate water quality standards and substantially degrade water quality would be reduced. Impacts will be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. Would the project 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 that would not support existing land uses or planned uses for which permits have been granted)?*

As discussed in Section 18, *Utilities and Service Systems*, the project would receive its water from the City of Hayward. Hayward receives its water from the Hetch Hetchy regional water system, which is owned and operated by the San Francisco Public Utilities Commission (SFPUC) (City of Hayward 2010, SFPUC 2017). Hayward does not currently use groundwater to meet the City's water demand and does not plan to in the future (City of Hayward 2010). Therefore, the project would not rely on groundwater for its water supply and would not increase groundwater usage such that a net deficit in aquifer volume would occur.

Development under the project does not include installation of new groundwater wells or use of groundwater from existing wells. The project would increase the total area of impervious surfaces on the project site by approximately 38,750 square feet. However, the construction of stormwater management bio-retention areas would allow much of the stormwater runoff from the project site to infiltrate into the ground surface and would not substantially interfere with groundwater recharge of water supply aquifers. Therefore, the project would not substantially interfere with groundwater recharge. Impacts related to groundwater will be less than significant.

LESS THAN SIGNIFICANT IMPACT

- d. Would the project substantially alter the existing drainage pattern of the site or area, including 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. Would the project create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

Zeile Creek, located over 0.25 mile southeast of the project site, is the nearest watercourse to the site and does not flow through or adjacent to the site. The area is currently developed and construction of the proposed project would not alter the course of this creek or other stream or river (no other surface water features are identified in the project area). Project runoff would not be directed to the banks of any creek and no impacts to bank stability would occur.

The project site is currently undeveloped. The proposed project would include bio-retention basins to treat roof, sidewalk, and driveway water runoff and permeable pavers on driveways. According to the preliminary stormwater treatment plan (RJA 2017b), the project would involve an effective impervious area² of approximately 47,740 square feet. In accordance with Alameda County C.3 requirements (see discussion above under questions a, c, f), the project would be required to

² Effective impervious area includes all roofs, hardscapes, and streets plus 10 percent of the area that is in landscape that would drain to treatment areas.

provide 1,670 square feet of treatment area. The proposed project would provide 2,243 square feet of treatment area; therefore, it is consistent with the County's C.3 requirements. Thus, the project would not substantially increase stormwater discharge, substantially alter drainage patterns on-site or the surrounding area, and would not contribute runoff that would exceed the capacity of the existing on-site or off-site stormwater drainage system. Impacts will be less than significant.

LESS THAN SIGNIFICANT IMPACT

- g. Would the project place housing in a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary, Flood Insurance Rate Map, or other flood hazard delineation map?*
- h. Would the project place structures in a 100-year flood hazard area that would impede or redirect flood flows?*

The Federal Emergency Management Agency (FEMA) is responsible for the preparation of Flood Insurance Rate Maps (FIRMs). These maps present flood hazard, expressed as areas that are subject to inundation in a storm with either a 1 percent Annual Exceedance Probability (AEP), also referred to as a 100-year flood, or a 0.2 percent AEP (500-year flood). The project site is located in Flood Zone X, which is considered an area of minimal flood hazard and is outside of FEMA designated flood zones (FEMA FIRM #06001C0289G, effective August 3, 2009). Therefore, the project is not located within a flood zone and impacts concerning flood hazards will be less than significant.

LESS THAN SIGNIFICANT IMPACT

- i. Would the project expose people or structures to a significant risk of loss, injury, or death involving flooding, including that occurring as a result of the failure of a levee or dam?*

The closest dam to the project site is the South Reservoir dam located approximately four miles northwest of the site (City of Hayward 2014). The project site is not located inside the inundation area of the South Reservoir dam or any other nearby dams. Therefore, development of the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam. No impact will occur.

NO IMPACT

- j. Would the project result in inundation by seiche, tsunami, or mudflow?*

The nearest largest body of water to the project is the San Francisco Bay, which is approximately four miles to the west of the project site. The project is also approximately five miles from Lake Chabot to the northwest. Since the project site is not near a large body of water and is four miles inland from the San Francisco Bay, the project site would not be subject to inundation by seiche, tsunami, or mudflow. No impact will occur.

NO IMPACT

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10 Land Use and Planning

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Conflict with an applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. Would the project physically divide an established community?

The project would involve development of 18 single-family residences on approximately 1.7 acres of land, which is surrounded by other single-family dwellings and commercial uses. No operational or structural changes are proposed that would separate connected areas physically or socially, nor are any linear features, new roads or other barriers to movement proposed. There will be no impact.

NO IMPACT

b. Would the project 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?

The project's consistency with the City of Hayward's General Plan and Zoning Ordinance is discussed below.

Hayward 2040 General Plan

The project site has a land use designation of MDR (Medium Density Residential). As described in the City's General Plan, the MDR designation generally applies to suburban and urban areas that contain a mix of housing types. The MDR designation allows for single-family residences, second units, duplexes, triplexes, fourplexes, townhomes, multi-story apartment and condominium buildings, and ancillary structures. Development standards under the MDR designation include density's ranging from 8.7 to 17.4 dwelling units per net acre and a maximum floor area ratio (FAR) of 0.6. The City's General Plan indicates that net acreage is calculated by netting out public and

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private streets and publicly-dedicated open space from the gross acreage. The maximum FAR of 0.6 only applies to public and quasi-public uses, neighborhood commercial uses, and neighborhood mixed-use.

The project would involve the development of 18 single-family residences. As shown in Table 1, the project would have an overall density of 14 dwelling units per net acre, which is within the acceptable range. Therefore, the project will be consistent with the City's General Plan.

City of Hayward Zoning Ordinance

The northern portion of the project site (APN 454-0020-062-02) is zoned RS (Single-Family Residential) District and the southern portion of the project site (APN 454-0020-069-00) is zoned PD (Planned Development) District per the Hayward Zoning Map. The southern parcel was previously rezoned to PD District to accommodate a development that was never constructed. The RS District is designed to accommodate only single-family residences and the community services appurtenant thereto (HMC Section 10-1.205). The purpose of the PD District is to "encourage development, redevelopment, and rehabilitation" and "foster well designed residential and nonresidential development, encouraging projects incorporating a variety of housing types" (HMC Section 10-1.2505). The PD District is intended to facilitate development of land in an innovative fashion to allow for flexibility in site design and encourage development that is sensitive to environmental and site-specific considerations.

The project includes a request to rezone the existing RS-zoned parcel and PD-zoned parcel into a new PD District to accommodate the proposed development. A PD rezone is necessary because the project does not meet the RS District development standards related to lot size and yard size. The project involves lots between 2,657 and 3,206 square feet, which are smaller than the minimum lot size requirement of 5,000 square feet required by HMC Section 10-1.230. The project also involves 10-foot rear yard setbacks for most units, which is smaller than the 20-foot rear yard setback required by HMC Section 10-1.230. The PD rezone provides flexibility in these development standards for the project by allowing reduced lot sizes and setbacks. Therefore, assuming the request for rezoning is approved, the project and use will be consistent with the zoning provisions of the HMC. Pending approval of the requested zone change, the project would not conflict with the City's General Plan or zoning ordinance. Therefore, impacts of the project will be less than significant.

LESS THAN SIGNIFICANT IMPACT

- c. *Would the project conflict with an applicable habitat conservation plan or natural community conservation plan?*

As discussed in Section 4, *Biological Resources*, the project site is not part of or near an existing Habitat Conservation Plan or Natural Communities Conservation Plan or any other local, regional, or state habitat conservation plan. Therefore, the proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, no related impact will occur.

NO IMPACT

11 Mineral Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. *Would the project 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. *Would the project 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?*

Hayward's principal mineral resources are stone, limestone, clay, fire clay, halite, and salt (City of Hayward 2014). The only designated mineral resource sector of regional significance in Hayward is the La Vista Quarry, operated roughly two miles southeast of the project site (City of Hayward 2014). Future quarrying is unlikely due to environmental impacts and stringent permitting. The project would involve the construction of 18 single-family residences and would not result in a loss of available minerals. There will be no impact.

NO IMPACT

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12 Noise

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project 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 applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels above those existing prior to implementation of the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project near a private airstrip, would it expose people residing or working in the project area to excessive noise?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Fundamentals of Noise

Noise is unwanted sound that disturbs human activity. Environmental noise levels typically fluctuate over time, and different types of noise descriptors are used to account for this variability. Noise level measurements include intensity, frequency, and duration, as well as time of occurrence. Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). Because of the way the human ear works, a sound must be about 10 dBA greater than the reference sound to be judged as twice as loud. In general, a 3 dBA change in community noise levels is noticeable, while 1 to 2 dBA changes generally are not perceived. Quiet suburban areas typically

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have noise levels in the range of 40 to 50 dBA, while arterial streets are in the 50 to 60+ dBA range. Normal conversational levels are in the 60 to 65 dBA range, and ambient noise levels greater than 65 dBA can interrupt conversations.

Noise levels typically attenuate at a rate of 6 dBA per doubling of distance from point sources (such as construction equipment). Noise from lightly traveled roads typically attenuates at a rate of about 4.5 dBA per doubling of distance. Noise from heavily traveled roads typically attenuates at about 3 dBA per doubling of distance, while noise from a point source typically attenuates at about 6 dBA per doubling of distance. Noise levels may also be reduced by the introduction of intervening structures. For example, a single row of buildings between the receptor and the noise source reduces the noise level by about 5 dBA, while a solid wall or berm that breaks the line-of-sight reduces noise levels by 5 to 10 dBA. The construction style for dwelling units in California generally provides a reduction of exterior-to-interior noise levels of about 30 dBA with closed windows (Federal Highway Administration [FHWA] 2006).

Some land uses are more sensitive to ambient noise levels than other uses due to the amount of noise exposure and the types of activities involved. For example, residences, motels, hotels, schools, libraries, churches, nursing homes, auditoriums, museums, cultural facilities, parks, and outdoor recreation areas are more sensitive to noise than commercial and industrial land uses. The nearest sensitive receptors to the project site are single- and multi-family residences located adjacent to the project site along three sides: the north, south, and west.

Existing Setting

The noise environment on the project site is dominated by noises typical of residential neighborhoods, including vehicular traffic, pedestrian conversations, and doors slamming. Noise from wildlife (e.g., bird song) is also audible at the project site. On February 15, 2018, Rincon Consultants, Inc. performed two 15-minute weekday noise measurements using an ANSI Type II integrating sound level meter. Both measurements were taken during rush hour, between 4:00 p.m. and 6:00 p.m. The noise monitoring results are summarized in Table 6. Figure 8 shows the locations of the noise measurements.

Table 6 Noise Measurement Results

Site	Measurement Location	Sample Times	Primary Noise Source	Leq[15] (dBA) ¹
1	Project site frontage on Gading Rd.	5:16 p.m. – 5:31 p.m.	Gading Rd. (45 feet from centerline)	67.9
2	West of project site on Underwood Ave.	5:38 p.m. – 5:53 p.m.	Underwood Ave. (25 feet from centerline)	61.5

See Figure 8 for a map of Noise Measurement Locations.

¹ The equivalent noise level (Leq) is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time (essentially, the average noise level). For this measurement, the Leq was over a 15-minute period (Leq [15]).

Source: Rincon Consultants, field measurements conducted on February 15, 2017, using ANSI Type II Integrating sound level meter. See Appendix C.

The Hayward 2040 General Plan states the highest level of exterior noise exposure regarded as “normally acceptable” for single-family residences is 60 dB Ldn. Ldn or Day Night Average is an average 24-hour noise measurement that factors day and night noise levels. The City’s General Plan also states the maximum acceptable interior noise level for all new residential units is 45 dB Ldn.

Figure 8 Noise Measurement Locations



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Fig. 3 Noise Measurements

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- a. *Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*
- c. *Would the project result in a substantial permanent increase in ambient noise levels above levels existing without the project?*
- d. *Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

The proposed project could generate temporary noise increases during construction and long-term increases associated with project operation. However, as discussed below, both construction-related and operational noise will be less than significant.

Construction Noise

Noise levels from construction of the project would result from construction activities on-site and traffic noise from construction vehicles. Nearby noise-sensitive land uses, including the single- and multi-family residences adjacent to the project site, would be exposed to temporary construction noise during development of the project. Noise impacts are a function of the type of activity being undertaken and the distance to the receptor location. Table 7 shows typical noise levels at construction sites.

Table 7 Typical Noise Levels at Construction Sites

Equipment On-Site	Typical Level (dBA) 25 Feet from the Source	Typical Level (dBA) 50 Feet from the Source	Typical Level (dBA) 100 Feet from the Source
Air Compressor	87	81	75
Backhoe	86	80	74
Concrete Mixer	91	85	79
Crane, mobile	89	83	77
Dozer	91	85	79
Jack Hammer	94	88	82
Paver	95	89	83
Saw	82	76	70
Truck	94	88	82

Noise levels assume a noise attenuation rate of 6 dBA per doubling of distance.

Source: Federal Transit Administration (FTA) 2006.

The distance to the nearest sensitive receptors to the project site, single-family residences located adjacent to the west and multi-family residences located adjacent to the south, is approximately 50 feet. Typical construction noise levels at 50 feet from the source range from about 76 to 89 dBA. Such levels would exceed ambient noise and would be audible on adjacent properties, including residences immediately west and south of the project site. However, HMC Section 4-1.03.4 limits the hours of construction and maintenance activities to the less sensitive hours of the day (7:00 a.m. – 7:00 p.m. Monday through Saturday and 10:00 a.m. – 6:00 p.m. on Sundays and holidays). Therefore, construction would not occur during recognized sleep hours for residences. In addition, the project site is located in an urban area where some construction noise is expected and the

construction methods and equipment would be typical for residential construction in urban and suburban areas (e.g., no pile driving or major excavation would be required). Therefore, construction-related noise would not result in a substantial temporary or periodic increase in ambient noise levels. Impacts would be less than significant.

Operational Noise

Operational noise associated with the project would be typical of residential uses in a residential neighborhood and would not have a significant impact on ambient noise levels. Operation of the project will not result in a substantial temporary or periodic increase in ambient noise levels. Impacts will be less than significant.

Exposure of New Residents to Noise

The California Supreme Court in a December 2015 opinion (*BIA vs. BAAQMD*) confirmed that CEQA is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project. However, the State of California and City of Hayward have policies that address existing conditions (e.g., ambient noise) affecting a proposed project, which are addressed below.

The project would locate new residences next to arterial roadways (Gading Road and Underwood Avenue) that generate traffic noise. Therefore, the project could result in exposure of future residents to noise levels in excess of standards established in the City's General Plan. One residence would have upper-floor windows facing Gading Road at a distance of approximately 80 feet from the roadway centerline. Based on the measured ambient noise level of 67.9 dBA Leq at a distance of 45 feet from the roadway, new residents would be exposed to noise levels exceeding 65 dBA Leq. Therefore, this future residence may be exposed to noise levels above the acceptable exterior noise level for single-family residences of 60 dB Ldn in the City's General Plan. Other proposed residences would be set back from Gading Road and would experience noise attenuation as the result of the placement of the new homes and as such, the noise exposure from vehicular traffic would be reduced.

To avoid adverse noise exposure, the project is required to attenuate interior noise so that it does not exceed 45 dBA Ldn. The California Building Code (CBC) requires that interior noise levels for new residences be below 45 dBA CNEL (California Building Standards Commission 2017). In order to comply with CBC requirements, the project applicant is required to design the structure such that interior levels of 45 dBA CNEL are achieved. This requirement would be included as a condition of approval of the project to ensure compliance with California Building Code. With compliance with existing regulations, the proposed project will not result in exposure of future residents to noise levels in excess of standards established in the City's General Plan.

LESS THAN SIGNIFICANT IMPACT

- b. Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?*

Construction of the project would intermittently generate vibration on and adjacent to the project site. Vibration-generating equipment would include bulldozers and loaded trucks to move materials and debris, caisson drills to install shoring, and vibratory rollers for paving. It is assumed that pile drivers, which generate strong groundborne vibration, would not be used during construction. The distance to the nearest sensitive receptors to the project site, single-family residences located

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adjacent to the west and multi-family residences located adjacent to the south, is approximately 50 feet. Table 8 identifies vibration velocity levels at a distance of 50 feet from the source.

Table 8 Vibration Levels for Construction Equipment at Noise-Sensitive Receptors

Construction Equipment	Estimated VdB at Nearest Sensitive Receptors
	50 feet
Vibratory roller	88
Caisson drill	80
Large bulldozer	80
Loaded trucks	79
Small bulldozer	51
Source: FTA 2006	

As shown in Table 8, noise-sensitive receptors would experience the strongest vibration of up to 88 VdB during paving with vibratory rollers and up to 80 VdB during the use of caisson drills and grading activity with large bulldozers. Compliance with Section 4-1.03.4 of the HMC would restrict vibration-generating construction activity to daytime hours that are outside of normal sleeping hours, i.e., 7:00 a.m. – 7:00 p.m. Monday through Saturday and 10:00 a.m. – 6:00 p.m. on Sundays and holidays. While vibration from construction activity could be perceptible at adjacent residences during daytime hours, this timing restriction would ensure that vibration does not exceed the FTA's criterion of 72 VdB during normal sleeping hours at residential uses. In addition, no fragile historic buildings are located in close proximity to the project site and would not be damaged. The project will have a less than significant impact from groundborne vibration.

LESS THAN SIGNIFICANT IMPACT

- e. For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*
- f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise?*

As discussed in Section 8, *Hazards and Hazardous Materials*, the nearest airport to the project site is the Hayward Executive Airport, located approximately 1.6 miles to the northwest. The project site is not located within the Hayward Executive Airport Influence Area and is located outside the existing noise level contours for the airport (ALUC 2012). The project will not subject workers at the site to excessive noise and there will be no impact.

NO IMPACT

13 Population and Housing

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial amounts of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. *Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

The project would involve the construction of 18 new single-family residences and would directly generate population growth in the city. The city currently has a population of 161,040, has 49,665 housing units, and has an average household size of 3.24 persons per household (DOF 2017). The City's 2040 General Plan would allow up to approximately 7,472 additional single-family dwelling units, 7,339 additional multi-family housing units, and 25,787 additional jobs over 2010 conditions (City of Hayward 2013). According to the DOF, the average household size in the city of Hayward is approximately 3.24 persons per household (DOF 2015). Therefore, the proposed project would add 18 housing units or approximately 59 new residents to the city (18 households x 3.24 persons per household = 58.32 new residents). As discussed in Section 10, *Land Use and Planning*, the project is consistent with the General Plan's MDR land use designation. The addition of 18 units and 59 residents to the city of Hayward would be within the growth envisioned under the City's General Plan and would not be considered substantial population growth. Impacts will be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. *Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*
- c. *Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

The project site is currently vacant. No existing residences would need to be demolished or existing residents displaced due to the development of the project. No impact will occur.

NO IMPACT

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14 Public Services

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 public services:				
1 Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2 Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3 Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4 Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5 Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a.1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the 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?

Fire protection is provided to the City by the Hayward Fire Department (HFD). The HFD provides fire suppression, advanced life support/emergency medical, emergency services, and public education. Station 2 is the closest fire station to the project site. Located at 360 West Harder Road, this station is located approximately four minutes driving time, 0.6 mile west of the project site. Hayward adopted the 2015 edition of the International Fire Code and the 2016 California Fire Code as the City's Fire Code in 2017 (HMC Section 3-14.00).

The proposed project involves the development of 18 residential units on an undeveloped site surrounded by residential and commercial development. Therefore, the proposed project would incrementally increase the demand for fire and medical services. The proposed project would be required to comply with City requirements for fire access and on-site fire prevention facilities (e.g., fire hydrants and sprinkler systems). The project involves residential development on a site that is planned for residences. As described under Section 10, *Land Use and Planning*, and Section 13, *Population and Housing*, the project is consistent with the General Plan's MDR land use designation and would not generate growth beyond that anticipated in the General Plan. Therefore, the

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proposed project would not place an unanticipated burden on fire protection services or affect response times or service ratios such that new or expanded fire facilities would be needed. Impacts will be less than significant.

LESS THAN SIGNIFICANT IMPACT

a.2. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

The Hayward Police Department (HPD) provides law enforcement services in Hayward. The nearest police station to the site is located at 300 West Winton Avenue, 1.5 miles northwest of the project site (approximately six minutes driving time). The project would involve the construction of 18 single-family residences on a site surrounded by existing development. Although the project would incrementally increase the demand for police services, the project site is located in the close vicinity (within 1.5 miles) of the City's police headquarters and was envisioned for future residential development in the City's General Plan. As such, the proposed project would not require the construction or expansion of police protection facilities beyond those already planned under General Plan assumptions. Impacts will be less than significant.

LESS THAN SIGNIFICANT IMPACT

a.3. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

The project site is served by the Hayward Unified School District (HUSD). The project would involve the construction of 18 single-family residences. Assuming a conservative student generation rate of one student per residence, the proposed project would increase the number of students attending schools operated by HUSD by approximately 18 additional students. The addition of 18 students to the HUSD would not result in the need for additional school facilities. In addition, pursuant to Senate Bill 50 (Section 65995[h]), payment of mandatory fees to the affected school district would reduce potential school impacts to less than significant level under CEQA. Therefore, the project will have a less than significant impact with respect to schools.

LESS THAN SIGNIFICANT IMPACT

a.4. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

The Hayward Area Recreation and Park District (H.A.R.D.) is an independent special-use district created to provide park and recreational services for over 280,000 residents in the city (City of Hayward 2018). The project would include both private open space for each residence and two shared open space areas. The closest park to the project site is Schafer Park, located less than 0.2 mile to the southwest. In addition, the project is approximately 0.2 mile east of a long public trail that connects to Southgate Park. Pursuant to City Code (Chapter 10.16), payment of mandatory park

in-lieu fees would reduce potential park impacts to less than significant level under CEQA. Therefore, the project will have a less than significant impact with respect to city parks.

LESS THAN SIGNIFICANT IMPACT

a.5. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 other public facilities?

As discussed in Section 13, *Population and Housing*, the project would not add substantial population to Hayward and is consistent with growth anticipated in the City's General Plan. The project involves infill development and the addition of 18 single-family homes would not result in a material effect on the need for additional public facilities. Therefore, the project would not substantially increase demand for public facilities and resources. Impacts to stormwater, wastewater, and water facilities are discussed in Section 18, *Utilities and Service Systems*. Impacts will be less than significant.

LESS THAN SIGNIFICANT IMPACT

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15 Recreation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Would the project 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a. *Would the project 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?*

The addition of an estimated 59 new residents to the city population with the proposed project (Section XIII, *Population and Housing*) would increase demand for parks and recreational facilities. The closest park to the project site is Schafer Park, which is located less than 0.2 mile to the southwest. In addition, the project is approximately 0.2 mile east of a long public trail that connects to Southgate Park. Future residents would be likely to use these parks and recreational facilities as well as others in the city and region. However, the addition of 59 new residents would not increase the use of local and regional parks and recreational facilities such that substantial physical deterioration of the facility would be accelerated. The project itself includes both private open space for each residence and shared open space areas that would partially offset use of local and regional parks and recreational facilities. In addition, pursuant to City Code (Chapter 10.16), the project would be required to pay mandatory park in-lieu fees, which helps fund maintenance and upkeep of area parks and recreational facilities. Payment of these fees would reduce potential impacts on park and recreational facilities to a less than significant level. The project would not substantially alter citywide demand for parks such that substantial physical deterioration of the park would occur or the construction of new recreational facilities would be required. Therefore, impacts will be less than significant.

- b. *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The project proposes development of residential uses that include both private open space for each residence and two common, shared open space areas. The common open space areas are not specifically a recreational use but may be used for recreational purposes by the future residents. The impacts associated with development of these open space areas are discussed throughout this document as part of the analysis of project construction as a whole and would not create any physical adverse effects on the environment. As discussed above under question (a), the proposed

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project would not substantially increase demand for parks or recreational facilities. Therefore, the project would not require the expansion or construction of new recreational facilities that would create a physical adverse effect on the environment. This impact will be less than significant. .

LESS THAN SIGNIFICANT IMPACT

16 Transportation/Traffic

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
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 components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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- a. *Would the project conflict with an applicable plan, ordinance or policy establishing a measure 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 components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit?*

Table 9 shows the estimated trip generation from the project based on trip generation rates provided by the Institute of Transportation Engineers (ITE).

Table 9 Proposed Project Trip Generation – Single-Family Homes

Land Use	Dwelling Units	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
			In	Out	Total	In	Out	Total
Single-Family Homes ¹	18	171	3	10	13	11	7	18

¹ Trip generation rates from ITE *Trip General Manual, 9th Edition*, land use category 210 (Single Family Homes).

As shown in Table 9, the project would generate approximately 171 daily trips including 13 AM peak hour trips and 18 PM peak hour trips. The primary roadway that would be affected is Gading Road, a five-lane road designed to carry relatively high levels of vehicle traffic. The modest number of new trips associated with the project does not warrant a detailed traffic study and would not significantly alter the area's transportation network and operations. Alameda County does not require transportation impact analyses for projects generating fewer than 100 PM peak hour trips. The proposed project would generate approximately 18 PM peak hour trips. The project would not create conflicts with applicable plans, ordinance, or policies related to the City's circulation system. Therefore, impacts will be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. *Would the project 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?*

As the Congestion Management Agency (CMA) for Alameda County, the Alameda County Transportation Commission (ACTC) is responsible for establishing, implementing, and monitoring the County's Congestion Management Program (CMP). Through its implementation of the CMP, the ACTC works to ensure that roadways operate at acceptable levels of service (LOS) and reviews development proposals to ensure that transportation impacts are minimized.

As shown in Table 9, the project would generate 171 daily trips. The additional trips from the project would not create conflicts with Alameda County CMP impact criteria. The County does not require transportation impact analyses for projects generating fewer than 100 PM peak hour trips; the proposed project would generate approximately 18 PM peak hour trips. Therefore, impacts will be less than significant.

LESS THAN SIGNIFICANT IMPACT

- c. *Would the project 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?*

The nearest airport to the project site is the Hayward Executive Airport, located approximately 1.6 miles to the northwest. The project site is not located within the airport influence area. The project

would involve the construction of 18 two-story single-family residences in an area with structures of similar size and scale. Therefore, the project will have no impact on air traffic.

NO IMPACT

- d. *Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?*

Project implementation would occur on the existing parcels and would not alter or affect existing street and intersection networks. The proposed project would be required to comply with the City's street standards for vehicular access and circulation, including fire and emergency access. Compliance would prevent hazardous design features and would ensure adequate and safe site access and circulation. The project involves residential uses on a site designated for residential uses and would not introduce an incompatible use. There will be no impact.

NO IMPACT

- e. *Would the project result in inadequate emergency access?*

The project site is directly accessible from Gading Road. The project would be required to comply with all building, fire, and safety codes, and specific development plans would be subject to review and approval by the City's Public Works Department and HFD. Required review by these departments would ensure the circulation system for the project site would provide adequate emergency access. In addition, the project would not require any temporary or permanent closures to roadways. There will be no impact.

NO IMPACT

- f. *Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities?*

The project would not conflict with any adopted policies, plans, or programs regarding alternative transportation since no changes to the existing transportation policies, plans, or programs would result, either directly or indirectly, from development on the project site. In addition, the project would not involve the removal or relocation of existing transit, pedestrian, or bicycle facilities. There will be no impact.

NO IMPACT

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17 Tribal Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 2024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

As of July 1, 2015, California Assembly Bill 52 of 2014 (AB 52) was enacted and expands CEQA by defining a new resource category, "tribal cultural resources." AB 52 establishes that "A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment" (PRC Section 21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3).

PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and is either of the following:

1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

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AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified. Under AB 52, lead agencies are required to “begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.” Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

One tribe, the Lone Band of Miwok Indians, has requested to be notified of projects proposed in the City of Hayward. The City of Hayward initiated AB 52 consultation with this tribe on Thursday, February 22, 2018. On March 16, 2018, the City met with the Lone Band of Miwok Indians and a representative from Rincon Consultants to discuss the project and potential tribal cultural resources. The Tribe did not identify any specific tribal cultural resources within or near the project site. The Tribe requested copies of the biological analysis, arborist report, and geotechnical report prepared for the project so they may better understand the potential for tribal cultural resources in the area. On March 19, 2018, Rincon provided the requested materials to the Tribe. Correspondence between the Tribe and City and Rincon staff are included in Appendix D.

- a. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074 that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*
- b. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074 that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 2024.1?*

The City of Hayward initiated AB 52 consultation on Thursday, February 22, 2018. Consultation occurred between the City and the Lone Band of Miwok Indians. Consultation with the Tribe did not result in the identification of tribal cultural resources. Although no tribal cultural resources are expected to be present on-site, there is the possibility of encountering undisturbed subsurface tribal cultural resources. The proposed excavation of the project site could potentially result in adverse effects on unanticipated tribal cultural resources. However, impacts from the unanticipated discovery of tribal cultural resources during construction will be less than significant with Mitigation Measure TCR-1 and TRC-2.

Mitigation Measure

The following mitigation measure would reduce impacts regarding disrupting tribal cultural resources to a less than significant level.

TCR-1 Tribal Cultural Resources Spot-Checking. Initial project-related ground-disturbing activities shall be spot-checked by a qualified archaeological monitor or by an appropriate Native American representative. Spot-checking shall occur on the first day of ground disturbance, when ground-disturbance moves to a new location on the project site, and when ground disturbance will extend to depths not previously reached (unless those depths are within bedrock). If archaeological resources are encountered, spot-checking shall be increased to full-time monitoring and, if identified resources are of Native American origin, a Native American monitor shall be retained for the duration of the project. Archaeological spot-checking may be reduced or halted at the discretion of the monitor as warranted by

conditions such as encountering bedrock, sediments being excavated are fill, or negative findings during the first 60 percent of rough grading.

TCR-2 Unanticipated Discovery of Tribal Cultural Resources. In the event that cultural resources of Native American origin are identified during construction, all earth-disturbing work in the vicinity of the find must be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find and an appropriate Native American representative, based on the nature of the find, is consulted. If the City determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with state guidelines and in consultation with Native American groups. The plan would include avoidance of the resource or, if avoidance of the resource is infeasible, the plan would outline the appropriate treatment of the resource in coordination with the archeologist and the appropriate Native American tribal representative.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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18 Utilities and Service Systems

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in a determination by the wastewater treatment provider which 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a. *Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*

Water quality in the State of California is regulated by the SWRCB and the nine RWQCBs. The city of Hayward is located in the jurisdiction of the San Francisco Bay RWQCB. Section 303(d) of the CWA requires that states identify water bodies including bays, rivers, streams, creeks, and coastal areas

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that do not meet water quality standards and the pollutants that are causing the impairment. Total Maximum Daily Loads (TMDLs) describe the maximum amount of a pollutant that a water body can receive while still meeting established water quality standards. A TMDL requires that all sources of pollution and all aspects of a watershed's drainage system be reviewed and set forth action plans that examine factors and sources adversely affecting water quality and identify specific plans to improve overall water quality and reduce pollutant discharges into impaired water bodies.

The project would connect to the City of Hayward Sanitary District sanitary sewer system. Sanitary sewage from the City's system is treated at the Hayward Water Pollution Control Facility (WPCF). The treatment facility discharges into the San Francisco Bay under a permit with the RWQCB. Since the WPCF is considered a publicly-owned treatment facility, operational discharge flows treated at the WPCF would be required to comply with applicable water discharge requirements issued by the RWQCB. Compliance with conditions or permit requirements established by the City as well as water discharge requirements outlined by the RWQCB would ensure that wastewater discharges coming from the project site and treated by the WPCF system would not exceed applicable RWQCB wastewater treatment requirements. Therefore, impacts will be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. Would the project 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?*
- e. Would the project result in a determination by the wastewater treatment provider which 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?*

The project site is located in an urban area within the boundaries of the City of Hayward Water District. Utility infrastructure would not require significant improvements other than infrastructure to service the proposed 18 single-family residences. The project is consistent with the General Plan's MDR land use designation and would not generate growth beyond that anticipated in the General Plan. The Environmental Impact Report (EIR) for the City's General Plan found that there was adequate capacity at the WPCF to serve development under the General Plan. Therefore, there is adequate capacity at the WPCF to service the project and no expansion of the WPCF would be required (City of Hayward 2013). Impacts will be less than significant.

LESS THAN SIGNIFICANT IMPACT

- c. Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

The project site is currently vacant. Stormwater runoff from the site drains into catch basins located along Gading Road. Major storm drainage facilities in Hayward are owned and maintained by the Alameda County Flood Control and Water Conservation District (ACFCWCD), and include gravity pipelines predominantly made of reinforced concrete, which discharge to underground storm drain lines or manmade open channels. Storm drain pipes smaller than 30 inches are typically owned by the City and are generally provided within local streets and easements.

This system of stormwater collection and filtration would not change with implementation of the project. However, the project would increase the amount of impervious surfaces on the project site by approximately 38,750 square feet, which would incrementally reduce the potential for

groundwater recharge, increasing stormwater runoff from the site. However, as discussed in Section 9, *Hydrology and Water Quality*, the proposed project would include permeable pavement and stormwater bioretention areas to assist with groundwater recharge and would be required to comply with all applicable stormwater management requirements. Therefore, the project would not result in the need for new off-site stormwater drainage facilities. All site runoff would be directed to the City's existing municipal storm drainage system, which was designed to accommodate flows resulting from buildout in the project area. The project would be subject to local policies requiring that post-construction runoff volumes be less than or equal to preconstruction volumes (MS4 C.3, discussed further in Section 9). Therefore, expansion of the existing stormwater collection system is not required. Impacts will be less than significant.

LESS THAN SIGNIFICANT IMPACT

- d. *Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

The project would receive its water from the City of Hayward. The City of Hayward provides water for residential, commercial, industrial, governmental, and fire suppression uses. The City owns and operates its own water distribution system and receives its water from the Hetch Hetchy regional water system, which is owned and operated by the SFPUC. Emergency water supplies are available through connections with Alameda County Water District (ACWD) and East Bay Municipal Utility District (EBMUD) in case of disruption of delivery (City of Hayward 2016b).

The City's Urban Water Management Plan (UWMP) assesses Hayward's water supply reliability, and describes the City's anticipated water demand, water shortage contingency plans, and water conservation strategies. The UWMP is based on the growth projections in the City's General Plan. Major water system projects in the near-term focus on replacing and renovating existing water storage reservoirs to increase storage capacity and improve structural reliability. Hayward has also made extensive efforts to improve the seismic safety of the water system, including seismic retrofits of several reservoirs and improvements to pipes at fault line crossings (City of Hayward 2016b).

As determined in the City's UWMP, there is adequate water supply available to serve anticipated growth in Hayward. The project is consistent with the General Plan's MDR land use designation and would not generate growth beyond that anticipated in the General Plan. Therefore, there would be sufficient potable water supply to accommodate the anticipated demand increases resulting from the project. Impacts will be less than significant.

LESS THAN SIGNIFICANT IMPACT

- f. *Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*
- g. *Would the project comply with federal, state, and local statutes and regulations related to solid waste?*

The City of Hayward provides weekly garbage collection and disposal services through a Franchise Agreement with Waste Management, Inc. (WMI), a private waste management company. WMI subcontracts with a local non-profit, Tri-CED Community Recycling, for residential collection of recyclables. Altamont Landfill is the designated disposal site in the City's Franchise Agreement with WMI, which is approximately 25 miles northeast of the project site. Altamont Landfill is a Class II facility that accepts municipal solid waste from various cities, including Hayward. The landfill occupies a 2,170-acre site, of which 472 acres are permitted for landfill. In 2001, the landfill received

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County approval to increase capacity, adding 25 years to the life of the landfill and extending the anticipated closure date to the year 2040.

HMC Chapter 5, Article 10 requires that applicants for all construction and demolition projects that generate significant debris recycle 100 percent of all asphalt and concrete and 50 percent of remaining materials. Through these measures, the City plans to meet the statewide diversion goal of 75 percent by 2020.

The Altamont Landfill processes approximately 1,500,000 tons of solid waste per year and has a remaining permitted capacity of 42.4 million tons (WMI 2014). Given the available capacity at the landfill, the incremental additional of solid waste generated by the proposed 18 single-family residences would not cause the facility to exceed its daily permitted capacity. In addition, implementation of the City's recycling programs, including construction debris, would further reduce solid waste generation. Therefore, impacts will be less than significant.

LESS THAN SIGNIFICANT IMPACT

19 Mandatory Findings of Significance

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Does the project:				
a. Have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- a. *Does the project have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

Based on the information and analysis provided throughout this Initial Study, implementation of the project would not substantially degrade the quality of the environment and would not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plants or animals, or eliminate important examples of California history or prehistory. Cultural resources, which illustrate examples of California history and prehistory, are discussed in Section 5, *Cultural Resources*, and Section 17, *Tribal Cultural Resources*. Mitigation measures CUL-1, CUL-2, TCR-1 and TCR-2 have been designed to reduce potential impacts of disturbing archaeological and tribal cultural resources and human remains. Biological

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resources are addressed in Section 4, *Biological Resources*. With Mitigation Measure BIO-1 related to nesting birds, the project would not substantially reduce wildlife habitat or population. Based on the ability of the identified mitigation measures to reduce potential impacts to less than significant levels, the project's impacts will be less than significant with mitigation incorporated.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

- b. *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

Cumulative impacts associated with some of the resource areas are addressed in the individual resource sections above, including Air Quality, Greenhouse Gases, Water Supply, and Solid Waste (CEQA Guidelines Section 15064[h][3]), and would be less than significant. Some of the other resource areas were determined to have no impact in comparison to existing conditions and therefore would not contribute to cumulative impacts, such as Mineral Resources and Agricultural Resources. As such, cumulative impacts in these issue areas would also be less than significant (not cumulatively considerable). The project would incrementally increase traffic compared to existing conditions. However, due to the low volume of traffic generated by the project, the project would not significantly contribute to cumulative impacts to nearby roadways. The project involves development of 18 residential units and would be consistent with the City's General Plan designation and density for the site. The project will not result in a significant contribution to cumulatively considerable impacts.

LESS THAN SIGNIFICANT IMPACT

- c. *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

Effects to human beings are generally associated with air quality, noise, traffic safety, geology/soils and hazards/hazardous materials. As discussed in this Initial Study, implementation of the project would result in less than significant environmental impacts with respect to these issue areas with mitigation incorporated. The geotechnical recommendations and mitigation measure discussed in Section 6, *Geology and Soils*, would ensure that soils and grounds are stable, and that liquefaction risks are less than significant. Mitigation Measure GEO-1 would reduce health and safety risks to human beings and would result in less than significant impacts. The project would not cause substantial adverse effects on human beings, either directly or indirectly. Impacts will be less than significant with mitigation.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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City of Hayward
Gading II Residential Project

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List of Preparers

Rincon Consultants, Inc. prepared this IS-MND under contract to the City of Hayward. Persons involved in data gathering analysis, project management, and quality control are listed below.

RINCON CONSULTANTS, INC.

Abe Leider, AICP CEP, Principal in Charge
 Karly Kaufman, MESM, Project Manager
 Ben Welsh, MUP, Associate Environmental Planner
 Eric Schaad, Senior Biologist/Project Manager
 Samantha Kehr, Associate Biologist
 Hannah Haas, Archaeologist and Project Manager

Mitigation Monitoring and Reporting Program

The Initial Study-Mitigated Negative Declaration (IS-MND) for the Gading II Residential Project identifies the mitigation measures that will be implemented to reduce the impacts associated with the project. The California Environmental Quality Act (CEQA) requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in section 21081.6(a)(1) of the Public Resources Code:

...the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.

Section 21081.6 also provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined as part of adopting a mitigated negative declaration.

The mitigation monitoring table lists those mitigation measures that may be included as conditions of approval for the project. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The project applicant will have the responsibility for implementing the measures, and the various City of Hayward departments will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.

The first column identifies mitigation measures that were identified in the Final IS-MND. The second column, entitled "Action Required," refers to the monitoring action that must be taken to ensure the mitigation measure's implementation. The third column, entitled "Monitoring Timing," refers to when the monitoring will occur to ensure that the mitigation action is complete. The fourth column, "Responsible Agency," refers to the agency responsible for oversight or ensuring that the mitigation measure is implemented. The "Compliance Verification" column is where the Responsible Agency verifies that the measures have been implemented.

Mitigation Measure TCR-1 includes a minor revision made as a result of the responses to comments on the Draft IS-MND.

City of Hayward
Gading II Residential Project

Mitigation Measure/ Condition of Approval	Monitoring and Reporting Actions	Monitoring Timing	Monitoring Responsibility	Compliance Verification		
				Initial	Date	Comments
Biological Resources						
BIO-1: Nesting Bird Avoidance and Minimization Efforts						
<p>If project construction activities occur between February 15 and August 31, a qualified biologist shall conduct a pre-construction survey for nesting birds no more than 14 days prior to construction. The survey shall include the entire project site and a 300-foot buffer to account for nesting raptors. If nests are found the qualified biologist shall establish an appropriate species-specific avoidance buffer of sufficient size to prevent disturbance by project activity to the nest (up to 300 feet for raptors, up to 150 feet for all other birds). The qualified biologist shall perform at least two hours of pre-construction monitoring of the nest to characterize "typical" bird behavior.</p> <p>During construction, if active nests are present, the qualified biologist shall monitor the nesting birds to determine if construction activities are causing any disturbance to the bird and shall increase the buffer if it is determined the birds are showing signs of unusual or distressed behavior associated with project activities. Atypical nesting behaviors that may cause reproductive harm include, but are not limited to, defensive flights, vocalizations directed towards project personnel/activities, standing up from a brooding position, and flying away from the nest. The qualified biologist shall have authority, through the resident engineer, to order the cessation of all project activities if the nesting birds exhibit atypical behavior that may cause reproductive failure (nest abandonment and loss of eggs and/or young) until a refined appropriate buffer is established. To prevent encroachment, the established buffer(s) should be clearly marked by high visibility material. The established buffer(s) should remain in effect until the young have fledged or the nest has been abandoned as confirmed by the qualified biologist. Any sign of nest abandonment should be reported to the City and CDFW within 48 hours. The monitoring biologist, in consultation with the resident engineer and project manager shall determine the appropriate protection for active nests on a case by case basis using the criteria described above.</p>	<p>Verify that if initial ground disturbing activities occurs between February 15 and August 31, a qualified biologist has prepared a pre-construction survey two weeks prior to start of construction. If active nests are discovered, verify that buffers have been established and work is avoided in the buffer as appropriate.</p>	<p>Once before construction to review pre-construction survey; as needed during construction to verify buffers established and work is avoiding buffer zones.</p>	<p>City of Hayward Planning Division</p>			

City of Hayward
Gading II Residential Project

Mitigation Measure/ Condition of Approval	Monitoring and Reporting Actions	Monitoring Timing	Monitoring Responsibility	Compliance Verification		
				Initial	Date	Comments
BIO-2: Tree Replacement						
As required by the HMC, the applicant shall replace removed protected trees with like-size, like-kind trees or an equal value tree, or implement alternative forms of mitigation as determined by the City's Landscape Architect. The City's Landscape Architect shall review the final landscape plan to confirm that the proposed mitigation cost matches or exceeds the appraised value of the removed trees prior to the issuance of building permit.	Review the final landscape plan to confirm that the proposed mitigation cost matches or exceeds the appraised value of the removed trees	Once prior to issuance of building permit	City of Hayward Landscape Architect			
BIO-3: Tree Preservation Measures						
As outlined in the arborist report (HortScience Inc. 2017), Tree Preservation measures are required to protect trees that will be preserved in place and replacement trees that will be planted as required under measures BIO-2.	Verify adherence to tree preservation measures	Periodically during construction	City of Hayward Planning Division			
Design Measures						
1. Include trunk locations and tag numbers on all plans.						
2. Use only herbicides safe for use around trees and labeled for that use, even below pavement.						
3. Design irrigation systems so that no trenching will occur within the Tree Protection Zone.						
Pre-construction and Demolition Measures						
1. Prepare a site work plan which identifies access and haul routes, construction trailer and storage areas, etc.						
2. Establish a Tree Protection Zone around each tree to be preserved. For design purposes, the Tree Protection Zone shall be the dripline or property line for trees 11, 86, and 87. No grading, excavation, construction or storage of materials shall occur within that zone.						
3. Install protection around all trees to be preserved. Use 6-foot chain link fence attached posts sunk into the ground. No entry is permitted into a Tree Protection Zone without permission of the Project Arborist.						
4. Trees to be removed shall be felled so as to fall away from Tree Protection Zone and avoid pulling and breaking of roots of trees to remain. If roots are entwined, the consultant may require first severing the major woody root mass before extracting the trees, or grinding the stump below ground.						
5. Trees to be retained may require pruning to provide clearance and/or correct defects in structure. All pruning is to be performed by an ISA Certified						

City of Hayward
Gading II Residential Project

Mitigation Measure/ Condition of Approval	Monitoring and Reporting Actions	Monitoring Timing	Monitoring Responsibility	Compliance Verification		
				Initial	Date	Comments
<p>Arborist or Certified Tree Worker and shall adhere to the latest editions of the ANSI Z133 and A300 standards as well as the ISA Best Management Practices for Tree Pruning. The pruning contractor shall have the C25/D61 license specification.</p> <p>6. All tree work shall comply with the Migratory Bird Treaty Act as well as California Fish and Wildlife code 3503-3513 to not disturb nesting birds. To the extent feasible tree pruning and removal should be scheduled outside of the breeding season. Breeding bird surveys should be conducted prior to tree work. Qualified biologists should be involved in establishing work buffers for active nests.</p> <p>Tree Protection During Construction</p> <p>1. Prior to beginning work, the contractors working in the vicinity of trees to be preserved are required to meet with the Project Arborist at the site to review all work procedures, access routes, storage areas and tree protection measures.</p> <p>2. Any grading, construction, demolition or other work that is expected to encounter tree roots should be monitored by the Project Arborist.</p> <p>3. If injury should occur to any tree during construction, it should be evaluated as soon as possible by the Project Arborist so that appropriate treatments can be applied.</p> <p>4. Fences will be erected to protect trees to be preserved. Fences are to remain until all site work has been completed. Fences may not be relocated or removed without permission of the Project Arborist.</p> <p>5. Any additional tree pruning needed for clearance during construction must be performed by a qualified arborist and not by construction personnel.</p> <p>6. Trees shall be irrigated, except oaks, on a schedule to be determined by the Project Arborist. Each irrigation session shall wet the soil within the Tree Protection Zone to a depth of 30 inch.</p>						
BIO-4: Tree Replacement and Maintenance						
<p>Replacement trees shall be planted with sufficient space to accommodate the mature size of the species and maintained sufficiently to ensure establishment. Preserved trees shall also be maintained to ensure the continued long-term health of the tree. Trees on-site will require monitoring and routine maintenance by a landscape specialist such as occasional pruning, fertilization, mulch, pest management, replanting, and irrigation.</p>	<p>Verify replacement trees are properly planted and maintained</p>	<p>Once after tree planting, and periodically thereafter</p>	<p>City of Hayward Planning Division, City of Hayward Landscape Architect</p>			

City of Hayward
Gading II Residential Project

Mitigation Measure/ Condition of Approval	Monitoring and Reporting Actions	Monitoring Timing	Monitoring Responsibility	Compliance Verification		
				Initial	Date	Comments
Cultural Resources						
CUL-1: Unanticipated Discovery of Cultural Resources						
If cultural resources are encountered during ground disturbing activities, work in the immediate area shall be halted and an archaeologist meeting the Secretary of the Interior’s Professional Qualification Standards for archaeology (NPS 1983) shall be contacted immediately to evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and testing for the California Register of Historical Resources (CRHR) eligibility. If the discovery proves to be significant under CEQA and cannot be avoided by the project, additional work, such as data recovery excavation, may be required to mitigate potentially significant impacts to historical resources.	Verify that in the event that archaeological artifacts are encountered during project construction, all work in the vicinity of the find has been halted until such time as the find is evaluated	As needed during construction activities; work must stop immediately if resources are discovered, and consultation initiated as soon as practical	City of Hayward Planning Division			
Geology and Soils						
GEO-1: Geotechnical Considerations						
<p>The project applicant shall implement all measures and recommendations set forth in the Preliminary Geotechnical Exploration prepared by ENGEO in July 2017 (Appendix B). Recommendations include but are not limited to the following topic areas:</p> <ul style="list-style-type: none">▪ Grading (demolition and stripping, existing fill removal, selection of materials, differential fill thickness, fill placement)▪ Building code seismic design▪ Foundation design▪ Pavement design▪ Drainage▪ Stormwater bioretention areas <p>In addition, a comprehensive site-specific design-level geotechnical exploration shall be prepared as part of the design process. The exploration may include borings and laboratory soil testing to provide data for preparation of specific recommendations regarding grading, foundation design, corrosion potential, and drainage for the proposed project. The recommendations set forth in the design-level geotechnical exploration shall be implemented.</p>	Verify that building plans incorporate all design and construction criteria specified in the geotechnical report	Once prior to approval of grading permit; periodically on site during grading and construction	City of Hayward Planning Division			

City of Hayward
Gading II Residential Project

Mitigation Measure/ Condition of Approval	Monitoring and Reporting Actions	Monitoring Timing	Monitoring Responsibility	Compliance Verification		
				Initial	Date	Comments
Tribal Cultural Resources						
TCR-1: Tribal Cultural Resources Spot-Checking						
Initial project-related ground-disturbing activities shall be spot-checked by a qualified archaeological monitor or by an appropriate Native American representative. Spot-checking shall occur on the first day of ground disturbance, when ground-disturbance moves to a new location on the project site, and when ground disturbance will extend to depths not previously reached (unless those depths are within bedrock). Each spot-checking visit shall include screening of representative soil samples through 1/8-inch mesh. If archaeological resources are encountered, spot-checking shall be increased to full-time monitoring and, if identified resources are of Native American origin, a Native American monitor shall be retained for the duration of the project. Archaeological spot-checking may be reduced or halted at the discretion of the monitor as warranted by conditions such as encountering bedrock, sediments being excavated are fill, or negative findings during the first 60 percent of rough grading.	Verify spot-checking is occurring Verify that in the event that archeological resources are encountered during project construction, monitoring is increased to full time and that a Native American monitor is used if resources are of Native American origin	On the first day of ground disturbance, when ground-disturbance moves to a new location on the project site, and when ground disturbance will extend to depths not previously reached (unless those depths are within bedrock)	City of Hayward Planning Division			
TCR-2: Unanticipated Discovery of Tribal Cultural Resources						
In the event that cultural resources of Native American origin are identified during construction, all earth-disturbing work in the vicinity of the find must be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find and an appropriate Native American representative, based on the nature of the find, is consulted. If the City determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with state guidelines and in consultation with Native American groups. The plan would include avoidance of the resource or, if avoidance of the resource is infeasible, the plan would outline the appropriate treatment of the resource in coordination with the archeologist and the appropriate Native American tribal representative.	Verify that in the event that cultural artifacts of Native American origin are encountered during project construction, all work in the vicinity of the find has been halted until such time as the find is evaluated	As needed during construction activities; work must stop immediately if resources are discovered, and consultation initiated as soon as practical	City of Hayward Planning Division			

Responses to Comments on the Draft IS-MND

This document includes comments received during the circulation of the Draft Initial Study-Mitigated Negative Declaration (IS-MND) prepared for the Gading II Residential Project (proposed project) and responses to those comments.

The Draft IS-MND was circulated for a 20-day public review period that began on April 6, 2018 and ended on April 26, 2018. The City of Hayward received one comment letter on the Draft IS-MND from Randy Yonemura of the Lone Band of Miwok Indians. The comment letter and responses follow. Each separate issue raised by the commenter has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1.1, for example, indicates that the response is for the first issue raised in comment Letter 1).

In one instance the text of the Draft IS-MND has been modified in response to comments received. Added text discussed in the responses to comments is shown in underline format. This change did not identify new significant impacts or significant impacts of increased severity compared to the impacts identified in the Draft IS-MND. Because this change to the IS-MND is not considered substantial in accordance with CEQA Guidelines Section 15073.5(b) and the information added merely clarifies and amplifies the information previously provided in the analysis, recirculation of the MND is not required.

Letter 1

Cultural Resources Treatment Plan

City of Hayward: Gading II

April 25, 2018

I. PURPOSE

The purpose of this Cultural Resources Treatment Plan (“Treatment Plan”) is to formalize protocols and procedures for the protection and culturally-appropriate treatment of tribal cultural resources such as cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, for known sites and sites discovered in conjunction with the Project’s development, excavation, grading, and all ground-disturbing activity. The Treatment Plan also formalizes procedures for Tribal Native American monitoring.

II. SPECIAL TREATMENT OF PROJECT SITE

The City of Hayward & staff in consultation will develop and required site specific treatment regarding final construction and engineering designs. This includes such things as vegetation removal, revegetation, type of rock or geotextiles, and use of flat blade for bucket. Site visits between the City of Hayward in consultation has included the implementation of such enhancement and protection measures.

III. TESTING/SAMPLING (PRE-CONSTRUCTION)

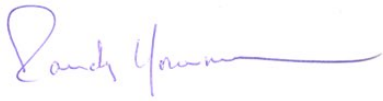
Archaeological monitoring and sampling will include screening. The sample sized to be screed will be 50cm x 50cm and 1m x 1m test units. Archaeologists will use a 1/8 in. screen.

IV. UNRECORDED SITES SIGNIFICANTLY IMPACTED BY THE PROJECT

The Parties agree that sites or discoveries not identified in the environmental review process may be subject to further archaeological and cultural significance evaluation as determined in consultation and carried out in accordance with the California Environmental Quality Act.

If necessary, a test plan will be written by the City of Hayward’s archaeological consultant in consultation to determine if there are any intact cultural deposits that have the potential to be impacted. Further evaluation shall include a determination of eligibility and adverse effects, additional avoidance, alternatives, feasibility, or mitigation measures to treat sites in a culturally appropriate and respectful manner consistent with policies and this Treatment Plan.

This area is culturally sensitive, regardless of negative record searches. There are sites present in and throughout this area, which is why this treatment plan was developed.

A handwritten signature in purple ink, appearing to read "Randy Yonemura". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Randy Yonemura

Letter 1

COMMENTER: Randy Yonemura, Ione Band of Miwok Indians

DATE: April 25, 2018

Response 1.1

The commenter provides a Cultural Resources Treatment Plan that he requests be incorporated into the project, and explains that the purpose of the plan is to formalize protocols and procedures for the protection and culturally-appropriate treatment of tribal cultural resources discovered during project development. The Plan also formalizes procedures for Tribal Native American monitoring.

Responses 1.1 through 1.4 below explain how procedures listed in the Plan have been incorporated into the Final IS-MND or will be otherwise addressed.

Response 1.2

The commenter states an opinion that City staff should develop site specific treatments regarding final construction and engineering designs, including vegetation removal, revegetation, type of rock or geotextiles, and use of flat blade for bucket.

Mitigation measures TCR-1 (as revised below under Response 1.3) and TRC-2 set procedures for the development of site specific treatments if resources are discovered during construction. As described under Mitigation Measure TRC-2, if resources are discovered, work will be halted and the find will be evaluated in consultation with an appropriate Native American representative. At that time, a mitigation plan which includes site specific treatments would be developed and implemented in consultation with tribal representatives.

Response 1.3

The commenter requests that archaeological monitoring and sampling include screening and specifies protocols for screening such as sample sizes of 50 centimeters by 50 centimeters (50cm x 50cm) and 1 meter by 1 meter (1m x 1m) test units using a 1/8-inch screen.

In response to this comment, the text of Mitigation Measure TCR-1 on Page 83 of the Draft IS-MND has been modified to the following to include the screening of representative soil samples:

TCR-1 Tribal Cultural Resources Spot-Checking. Initial project-related ground-disturbing activities shall be spot-checked by a qualified archaeological monitor or by an appropriate Native American representative. Spot-checking shall occur on the first day of ground disturbance, when ground-disturbance moves to a new location on the project site, and when ground disturbance will extend to depths not previously reached (unless those depths are within bedrock). Each spot-checking visit shall include screening of representative soil samples through 1/8-inch mesh. If archaeological resources are encountered, spot-checking shall be increased to full-time monitoring and, if identified resources are of Native American origin, a Native American monitor shall be retained for the duration of the project. Archaeological spot-checking may be reduced or halted at the discretion of the monitor as warranted by conditions such as encountering bedrock, sediments being excavated are fill, or negative findings during the first 60 percent of rough grading.

The project site has been identified by the Lone Band of Miwok Indians as culturally sensitive and there is always potential to encounter subsurface resources during ground disturbing activities; however, no specific tribal cultural resources or archaeological resources have been identified nor is there evidence indicating high enough sensitivity to warrant preconstruction excavation. Thus, the requested requirement of 50cm x 50cm or 1m x 1m test units has not been included. Screening representative soil samples as determined by the qualified archaeological monitor would ensure that cultural resources, if present, would be identified during construction. This revision does not change the findings or conclusions of the IS-MND, which already identified a potentially significant impact and mitigation for tribal cultural resources. Rather, it clarifies and amplifies the information previously provided in the environmental analysis in response to this comment from the Tribe.

Response 1.4

The commenter states an opinion that sites or discoveries not identified in the environmental review process may be subject to further archaeological and cultural significance evaluation in accordance with CEQA. The commenter states that if necessary, a test plan should be written by an archeologist to identify, evaluate, and develop additional avoidance or mitigation measures to treat sites in a culturally appropriate manner.

Mitigation Measure TCR-2 establishes protocols for unanticipated discoveries not identified in the environmental review process. As described on Page 83 of the IS-MND, Mitigation Measure TCR-2 requires that earth-disturbing work stop in the event unanticipated tribal cultural resources are unearthed during construction and that the resources be evaluated by an archeologist in consultation with a Native American representative. If the resources is found to be significant under CEQA, a mitigation plan must be prepared and implementation in consultation with Native American groups. This is consistent with the comment and no changes to the IS-MND are needed.

Response 1.5

The commenter states that the area is culturally sensitive regardless of negative record searches and that there are sites present in and around the area, necessitating the Cultural Resources Treatment Plan.

The City acknowledges that the project site is culturally sensitive. Mitigation Measures TCR-1 and TCR-2, as described on Page 83 of the Final IS-MND and modified in accordance with Response 1.3, are required to ensure proper treatment of tribal cultural resources unearthed during project implementation. With these measures, potential impacts to tribal cultural resources would be less than significant.



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: PH 18-036

DATE: May 10, 2018

TO: Planning Commission

FROM: Planning Manager

SUBJECT

Recommended FY 2019 - FY 2028 Capital Improvement Program

RECOMMENDATION

That the Planning Commission finds that the Recommended FY 2019- FY 2028 Capital Improvement Program is consistent with the *Hayward 2040 General Plan*.

SUMMARY

The City of Hayward's Capital Improvement Program (CIP) is a planning document for the upcoming ten-year period. It supports the City Council's priorities of Safe, Clean, Green, and Thrive, and the three Strategic Initiatives - Complete Communities, Complete Streets, and the Tennyson Corridor. This planning document includes budget recommendations that contain revenue and expenditure estimates for capital projects. A new fund was added for FY 2019, Fund 401- Strategic Initiative Projects.

The proposed CIP budget includes approximately \$152 million in FY 2019 and an estimated \$503 million in the next ten years. Given that Hayward is a full-service city, the CIP covers a wide range of projects, including an Airport, Roadways and Streets, Transportation, Buildings, Water System, Groundwater, and a Wastewater System with a Water Pollution Control Facility, Recycled Water, and Renewable Energy. The CIP likewise includes projects and purchases for Facilities, Information Technology, and Fleet vehicles. As in past years, the document also includes Identified and Unfunded Capital Needs, which currently total over \$400 million.

ATTACHMENTS

Attachment I Staff Report



DATE: May 10, 2018

TO: Planning Commission

FROM: Planning Manager

SUBJECT: Recommended FY 2019 – FY 2028 Capital Improvement Program

RECOMMENDATION

That the Planning Commission finds that the Recommended FY 2019–FY 2028 Capital Improvement Program is consistent with the *Hayward 2040 General Plan*.

SUMMARY

The City of Hayward’s Capital Improvement Program (CIP) is a planning document for the upcoming ten-year period. It supports the City Council’s priorities of Safe, Clean, Green, and Thrive, and the three Strategic Initiatives – Complete Communities, Complete Streets, and the Tennyson Corridor. This planning document includes budget recommendations that contain revenue and expenditure estimates for capital projects. A new fund was added for FY 2019, Fund 401- Strategic Initiative Projects.

The proposed CIP budget includes approximately \$152 million in FY 2019 and an estimated \$503 million in the next ten years. Given that Hayward is a full-service city, the CIP covers a wide range of projects, including an Airport, Roadways and Streets, Transportation, Buildings, Water System, Groundwater, and a Wastewater System with a Water Pollution Control Facility, Recycled Water, and Renewable Energy. The CIP likewise includes projects and purchases for Facilities, Information Technology, and Fleet vehicles. As in past years, the document also includes Identified and Unfunded Capital Needs, which currently total over \$400 million.

BACKGROUND

State law requires the Planning Commission review the City’s currently Recommended FY 2019–FY 2028 CIP - to ensure conformance with the City’s General Plan. The City Council Infrastructure Committee reviewed the CIP on April 25, 2018, and the full City Council reviewed it at a work session on May 1, 2018. The Recommended FY 2019–FY 2028 CIP is available for review [at this link](#).

DISCUSSION

The CIP includes an emphasis on updating and improving the City's infrastructure, which is aligned with various Public Facilities and Services Element goals and policies, including General Plan Policy PFS-1.2, which states, "The City shall give high priority in capital improvement programming to funding rehabilitation or replacement of critical infrastructure that has reached the end of its useful life or has capacity constraints."

Key CIP projects include the continued construction of the 21st Century Library and Community Learning Center and Heritage Plaza Arboretum. This project is aligned with many General Plan and Life-Long Learning Elements and policies to expand and enhance Hayward's library facilities to meet the life-long learning needs of the community.

A second set of key projects includes the building of the new Fire Station No. 6 and Training Center by the Hayward Airport, which align with Community Safety Element goals and policies related to Fire Protection and Emergency Medical Services, including:

Goal 4:

Provide coordinated fire protection and emergency medical services to promote a safe and healthy community.

Policy CS-4.4 – Timing of Services:

The City shall ensure that growth and development does not outpace the expansion of Hayward Fire Department staffing and the development of strategically located and fully equipped fire stations.

Policy CS-4.5 – Station Call Volumes and the Reallocation of Resources:

The City shall monitor call volumes at individual fire stations to determine if certain areas of the City are in high demand of fire and emergency medical services. The City shall consider reallocating resources (fire units and/or equipment) or building new fire stations to serve high demand areas.

Paving and transportation projects, including the FY 2019 Pavement Maintenance and Pavement Rehabilitation Project and the Main Street Complete Street Project, align with Mobility Elements goals and policies, including:

Goal M-3:

Provide complete streets that balance the diverse needs of users of the public right-of-way.

Policy M-3.1:

The City shall provide safe, comfortable, and convenient travel along and across streets to serve all users, including pedestrians, the disabled, bicyclists, motorists, movers of commercial goods, and users and operators of public transportation.

Renewable energy projects, including the Solar Power Design and Construction – Phase II aligns with

Goal NR-4.1: Reduce energy consumption through increased production and use of renewable energy, sustainable energy purchasing, and improved energy efficiency.

Policy NR-4.10: The City shall ensure that all new City-owned facilities are built with renewable energy, as appropriate to their functions, and shall install renewable energy systems at existing City facilities, where feasible.

The CIP also focuses on beautification and improvement of landscaping along key thoroughfares, including mural painting and Bay Friendly landscaping, which align with many General Plan Land Use Element goals and policies, including:

Goal LU-4:

Create attractive commercial and mixed-use corridors that serve people traveling through the City, while creating more pedestrian-oriented developments that foster commercial and social activity for nearby residents and businesses.

Policy LU-4.9 – Existing Sound Walls and Fences:

The City shall encourage landscaping improvements along sound walls and fences to discourage graffiti and to enhance the visual character of corridors. Where landscaping is not feasible, the City shall encourage the painting of murals on sound walls.

Policy LU-4.11 – Streetscape Enhancements:

The City shall strive to improve the visual character of corridors by improving streetscapes with landscaped medians, and widened sidewalks that are improved with street trees, pedestrian-scaled lighting, underground utilities, landscaping, and streetscape furniture and amenities.

In addition to the previously stated Public Facilities and Services Policy PFS-1.2, sewer and water improvement projects in the CIP adhere to the policies under the following Public Facilities and Services goals:

Goal PFS – 3:

Maintain a level of service in the City's water system that meets the needs of existing and future development while improving water system efficiency.

Goal PFS – 4:

Maintain a level of service in the City's wastewater collection and disposal system to meet the needs of existing and future development.

ECONOMIC IMPACT

Five of the 22 CIP funds rely on transfers from the General Fund for project expenses. Overall, there is an increase of \$592,000 in transfers from the General Fund to the CIP compared to FY 2018.

CIP Fund	FY18 GF Transfer	FY 2019 GF Transfer	Increase/Decrease from FY 2018 CIP
401- Strategic Initiatives Projects (NEW)	\$0	\$156,000	\$156,000
405- Capital Projects Governmental	\$279,000	\$958,000	\$669,000
460- Transportation System Improvements	\$450,000	\$350,000	(\$100,000)
726 – Facilities Management Capital	\$125,000	\$280,000	\$155,000
731 – Information Technology Capital	\$1,859,000	\$1,500,000	(\$359,000)
Total Cost to General Fund	\$2,713,000	\$3,244,000	\$211,000

Four of the CIP funds also use Internal Service Fund fees (ISF) to finance project expenses. ISF are collected from other department's operating budgets and are considered General Fund expenses.

CIP Fund	FY18 ISF	FY 2019 ISF	Increase/Decrease from FY 2018 CIP
726 – Facilities Management Capital	\$166,000	\$300,000	\$134,000
731 – Information Technology Capital	\$622,000	\$630,000	\$8,000
736 – Fleet Management Capital	\$645,000	\$3,113,000	\$2,468,000
Total Cost to General Fund	\$1,433,000	\$4,043,000	\$2,610,000

Due to cost saving measures to address the City's budget deficit in FY 2018 last year, expenses were minimized in Fund 736 – Fleet Management Capital. FY 2019 increases the expenditures to a more typical level.

FISCAL IMPACT

The Recommended FY 2019 – FY 2028 CIP currently contains approximately \$152 million of projects for FY 2019, an estimated \$503 million for the next ten years, and an additional \$410 million in unfunded needs.

Project costs by category are as follows:

Category	2019 Total
Livable Neighborhoods	\$5,309,000
Road & Street Projects	\$29,078,000
Building/Miscellaneous Projects	\$36,599,000
Fleet Management	\$3,609,000
Equipment (Includes Information Technology)	\$4,226,000
Water Systems Projects	\$22,849,000
Sewer Systems Projects	\$45,965,000
Airport Projects	\$4,282,000

The project costs by funding sources are as follows:

CIP Funding Sources (in thousands)	2019
Measure B/BB	4%
General Fund (GF)/Internal Service Fund (ISF)	5%
Gas Tax/VRF/RRAA	6%
Measure C	12%
Grants	16%
Other Reimbursements/Contributions	21%
Enterprise/Utilities	36%

STRATEGIC INITIATIVES

The three Council Strategic Initiatives adopted in November 2016: Complete Streets, Complete Communities, and Tennyson Corridor, are continually on the forefront when planning capital projects. To the extent possible, a formal management and implementation process ensures that CIP projects are aligned with the City's Strategic Initiatives and that the value each one of them generates is being maximized. City staff strive to effectively communicate the benefits of Strategic Initiatives to stakeholders at all levels of a project.

SUSTAINABILITY FEATURES

The action taken for this agenda report will not result in a physical development, purchase or service, or a new policy or legislation. Any physical work will depend upon a future Council action. Sustainability features for individual CIP projects are listed in each staff report.

PUBLIC CONTACT

The public had an opportunity to review and comment on the CIP at the Council Infrastructure Committee meeting on April 25, 2018, at a City Council Work Session on May 8, at tonight's Planning Commission meeting, and will again at the City Council Public Hearing on May 22. A notice advising residents about the public hearings on the CIP are published in the paper the requisite ten days in advance. The agenda for the Council work session on the CIP is posted in City Hall as well as the

Library. A printed copy of the Recommended CIP is made available online, at the Public Works' office, at the City Clerk's office, and at the Main Library. Individual projects receive Council approval and public input as appropriate.

NEXT STEPS

Once the Commission has completed the review of the Recommended CIP and found it in conformance with the General Plan, the CIP will be reviewed at a Council public hearing and adoption of the CIP budget which is currently scheduled for May 22, 2018.

Prepared by: Lucky Narain, Sr. Management Analyst
Karyn Neklason, Management Analyst II

Recommended by: Sara Buizer, Planning Manager

Approved by:

A handwritten signature in blue ink, appearing to read 'SB', is written over a horizontal line.

Stacy Bristow, Interim Development Services Director



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: MIN 18-066

DATE: May 10, 2018

TO: Planning Commission

FROM: Interim Development Services Director

SUBJECT

Minutes of the Planning Commission Meeting of April 12, 2018

RECOMMENDATION

That the Planning Commission approve the minutes of the Planning Commission meeting of April 12, 2018

SUMMARY

The Planning Commission held a meeting on April 12, 2018

ATTACHMENTS

Attachment I Draft Minutes of April 12, 2018



**MINUTES OF THE REGULAR MEETING OF THE
CITY OF HAYWARD PLANNING COMMISSION
Council Chambers
Thursday, April 12, 2018, 7:00 p.m.
777 B Street, Hayward, CA 94541**

MEETING

A regular meeting of the Hayward Planning Commission was called to order at 7:00 p.m. by Chair Goldstein.

CALL TO ORDER Pledge of Allegiance

Commissioner Schott led in the Pledge of Allegiance.

ROLL CALL

Present: COMMISSIONERS: Willis Jr., Bonilla Jr., Schott, Faria
CHAIRPERSON: Goldstein
Absent: COMMISSIONER: McDermott
Vacancy: ONE

Staff Members Present: Brick, Chan, Lee, Lochirco

General Public Present: 97

PUBLIC COMMENT:

There were none.

WORK SESSION:

Work Session items are non-action items. Although the Council may discuss or direct staff to follow up on these items, no formal action will be taken. Any formal action will be placed on the agenda at a subsequent meeting in the action sections of the agenda

1. Preliminary review of a proposed Tentative Parcel Map and Planned Development (PD) Rezoning Application to subdivide a 6.2-acre parcel into two parcels and construct a 39,500-square-foot church building, 15,100-square-foot gymnasium/life center, and 61-unit senior affordable housing development at 29831 Clearbrook Circle (APN 083-0254-002-06). Application No. 201800410: Abdul Esmail (Applicant) on behalf of Pilgrim Baptist Church (Owner)

Associate Planner Lee provided a synopsis of the staff report and a PowerPoint presentation.

Sr. Pastor Larry Ellis, provided a presentation on the proposed project and how this move to Hayward would be in the best interest of the congregation. Pastor Ellis asked members



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of his church to stand which was the majority of the people in attendance. Pastor Ellis said they are willing to revise the plans and wants to work together with the City and the community and be a good neighbor. Pastor Ellis asked the Planning Commission to consider their proposal.

Associate Planner Lee responded to Commissioner Willis that at this time staff has not made recommendations for mitigation measures and confirmed that on a portion of the project site a previous development's plans were not completed. Pastor Ellis responded to Mr. Willis that a member of his congregation works for MidPen Housing and after meeting with MidPen saw that this partnership would work for the vision of building senior housing. Mr. Willis encouraged Pastor Willis to work on more outreach to the neighborhood as the Planning Commission had received approximately 41 letters of opposition. Pastor Ellis said they are willing to work with the neighborhood to revise the project plans which would include reducing the scope of the project, increase the amount of parking spaces, and will work on obtaining a harmonious relationship with the neighbors. Pastor Ellis spoke about one community outreach effort where approximately 30 to 40 members of the public participated, also the church has sent emails to homeowners' associations inviting the HOAs to meet with the church in an effort of transparency and being a good neighbor. Mr. Willis encouraged staff to include geologic conditions on the project include scaling down the size of the church building and to have more parking to meets the City's parking requirements.

Mr. Felix AuYeung, MidPen Housing Director of Business Development, the housing partner with Pilgrim Baptist Church, responded to Commissioner Bonilla's question regarding who would be eligible for the senior housing development. Mr. AuYeung said the senior housing development is independent from the church, the senior housing element will utilize low income housing tax credits, it is for general public use, and 100% of the senior housing development will be restricted for low income housing.

Mr. Felix AuYeung provided a presentation about MidPen Housing and the partnership with Pilgrim Baptist Church.

Mr. Abdul Esmail, architect for the project, spoke about his company and the proposed project. Mr. Esmail said the plans are still a work in progress and they will be taking the Planning Commission's feedback and revise their plans accordingly of what will work best for the Church and the City.

In response to Commissioner Bonilla Jr.'s concerns about the vulnerable senior population being near a risky fault line area and what mitigation measures have been set in place to ensure that the residents are safe, Mr. AuYeung said MidPen is working with an architectural firm to ensure the buildings are safe, the geotechnical studies are completed



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and that there are licensed engineers and architects to assist MidPen and guide the building plans. Mr. AuYeung noted that the planned housing development consists of smaller buildings that will be safe and will not be built on top of the fault line. Mr. Bonilla said the prevailing concern is safety, the earthquake fault, liquefaction, impacts to preserving the natural environment and effects to local land and wildlife. Mr. Bonilla said there are dangers building in a high-risk area and building such a large campus in a residential neighborhood and asked about the possibility of the Church finding a more suitable site to build this proposed project. Pastor Ellis spoke about the efforts to find the land that will work for the proposed project, he believes this is the right place for the church, and spoke about the positive impacts his church will have on the community and that they can mitigate any concerns. Mr. Bonilla encouraged Pastor Ellis to conduct more outreach to the community.

Associate Planner Lee confirmed for Commissioner Schott that a portion of Clearbrook Circle is a private street that is maintained by the homeowner's association (HOA) of the apartment complex to the north and that currently there are no plans to widen the street. Mr. Lee responded to Mr. Schott that the Fire Department expressed their concerns on the areas where driveway slopes are over 10% and will not be safe for fire apparatus to be able to access the proposed project. Mr. Schott commented that churches rarely fit into established neighborhood but noted how Bishop Macklin's Glad Tidings Church slowly made tremendous improvements to the Tennyson corridor area. Mr. Schott commented that he likes the positive aspect of the senior housing as he is a big proponent of keeping seniors in Hayward, which then frees up housing for new families to move in. Mr. Schott pointed out that MidPen Housing has done great things and is similar to Hayward's own Eden Housing.

Commissioner Faria disclosed meeting with various members of Pilgrim Baptist Church and that it would be a great benefit to Hayward to have the church come here especially the affordable housing element. Ms. Faria said the community issues revolved more around the geotechnical concerns and impacts to the neighborhood and traffic.

In response to Chair Goldstein about the status of the California Environmental Quality Act (CEQA) analysis, Associate Planner Lee said the CEQA analysis would not occur until the proposed project plans were further solidified and that staff does have the geotechnical report which will be reviewed by the CEQA consultant to ensure that the findings are correct and agreed upon. The CEQA report will conduct a more detailed analysis. Mr. Goldstein cautioned Pastor Ellis that there was a previous project that went bankrupt on a property adjacent to the project site because of geotechnical issues that were later found. Pastor Ellis commented that the initial study was conducted by a top Fremont engineering firm. Mr. Esmail said the fault line does not run through the property. Mr. Goldstein said



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this is a very worthy project especially since it also contains an affordable housing element and wants to make sure that all neighborhood concerns are addressed.

Chair Goldstein opened the public comments at 8:13 pm.

David Sakata, Hayward resident, has concerns about the impacts to the environment and wildlife.

Brian Crump, Hayward resident and church member, supports the project and spoke about the goals and mission of the church.

Ms. Patrice Twiggs, Hayward resident and church member, spoke in support of the church project and the positive services provided by the church.

Mr. James McCrea, Hayward resident, spoke about concerns about impacts to the existing traffic, light pollution at night, noise from proposed gym, insufficient fire apparatus access to the proposed senior housing near an earthquake fault and impacts to the abundant existing wildlife.

Mr. Tom Bauer, Hayward resident, spoke about the dangers of building on this property, existing issues with the hillside when it rains and spoke about attempts to shore up the hillside to prevent mudslides. Mr. Bauer commended staff on their responsiveness to his emails and noted some of his concerns are included in the staff report. Mr. Bauer said he is quite familiar with Pilgrim Baptist Church and their amazing work with San Mateo youth. Mr. Bauer said the church was very vocal against same sex marriage and is very concerned about the church being a good neighbor and moving into his neighborhood.

Mr. Roy and Jeanine Sullivan, Hayward residents and church members, spoke about the positive aspects of the church and how the church would be a tremendous asset to the Hayward community and are very happy when they found out the church was relocating to Hayward. Ms. Jeanine Sullivan said the church is big on education.

Ms. Leslie Curry, Hayward resident and 20-year church member, spoke in favor of the church and spoke about her participation in the church and requested the Planning Commission approve the building project. Ms. Curry would like Hayward residents to benefit from the Church's guidance.

Ms. Margaret Warhurst, Hayward resident and spokesperson for Hurst Highland Village directly above the proposed project, said the spirit of the community will be affected, the church has not reached out to the Village residents or owners, downscale the proposed project, existing traffic issues, and noted there are many areas in Hayward where a project of this scope can work much better.



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Mr. Stephen Roberts, Hayward resident and church member, spoke in favor of the church and the proposed project. Mr. Roberts said Hayward is a great diverse community and the church would be a great asset and a great neighbor to Hayward and. Mr. Robert said the church promotes multi-cultural worship, celebrates diversity and is inclusive.

Ms. Kristina Burnett, Hayward resident, said she is not against the church but against the project location for both the church and senior housing, there are safety and noise concerns, concentrated traffic on Sundays, impacts to a quiet residential neighborhood, preservation of the hillside, concerns about seniors trying to walk down the hill, stability of the hill and noise during the construction.

Ms. Ranees Weselak, Hayward resident, said the church can be a valuable asset to the City but not at this location. Ms. Weselak had concerns about safety because of landslides and the creek that runs under the area and noted the impact of the additional traffic. Ms. Weselak also had concerns about noise, trucks for events, as there are existing problems on weekends with visitors to Garin Park and the lack of community outreach.

Mike Legan, Hayward resident and representing the Clearbrook HOA, said the church can be a valuable asset to the community and then spoke about safety concerns and hillside failure. He said the aquifers are a mudslide hazard and has caused several homes to slide and spoke about the mitigation measures for this problem. Mr. Legan was concerned construction impacts to the hillside and requested the City review the previous reports. Mr. Legan provided documents to be distributed to the Planning Commission and staff.

Mr. Jamar Earnest, Oakland resident and longtime church member, spoke in favor of the proposed project and spoke about the positive aspects of the church on his life. Mr. Earnest spoke about the church offering carpool and buses to services to assist decreasing the traffic impact and the need to come to a compromise.

Darius Hinton, Hayward resident and church member, spoke in favor of the proposed project and spoke about the goals and mission of the church. Mr. Hinton said the church would be an asset to the City.

Ms. Whitney Warhurst, Hayward resident asset manager for 29843 Clearbrook Circle, spoke about the lack of outreach and how the church has an easement onto the property and has concerns that the church will be utilizing the easement roads during construction as her development paid to have the roads redone. Ms. Warhurst said they could lose tenants because the proposed project will be obstructing tenant's views.



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Mr. Blane Warhurst, Hayward resident and property owner of Hurst Highland Village right above the proposed project, spoke about the seismic issues and loss of views and this is not the right location for safety reasons.

Chris Patterson, Hayward resident and church member, spoke in favor of the church and spoke about how supportive the church for him and his family when his wife passed away. Mr. Patterson is excited about the church relocating to Hayward.

Mr. Todd Luman, Hayward resident, spoke about concerns about the size of the church, his primary concern is traffic especially on weekends both for Garin Park and the church. Mr. Luman asked for due diligence surrounding issues of geology and stabilization of the community.

Mr. David Fuller, Hayward resident, spoke against the proposed project, had concerns about environment preservation, his main concern being safety for residents, children, and pets when construction trucks and additional traffic come into the neighborhood and noted there is a sidewalk on only one side of the street. Mr. Fuller said the church would be an asset to Hayward at a more suitable location.

Mr. David Oxford, Hayward resident, said he welcomes the church to come to the City but had concerns about underground aquifers, if there is a landslide on Garin he would not have access to his neighborhood, the volume of traffic on Garin on weekends and the impact of construction vehicles and neighborhood access during construction.

Mr. Adithya Naresh, Hayward resident, concerns about impacts to the neighborhood environment and spoke about the peacefulness of the area and the benefit of living close to Garin Park. Mr. Naresh spoke about the existing traffic issues and the great traffic impact with the addition of the church.

Ms. Jennifer Conner, Hayward resident, said she does not feel safe in her neighborhood because of ongoing dangerous traffic issues, relayed almost being struck by cars, and weekend parking issues as Garin Park visitors spill over into the neighborhood. Ms. Conner said the City has not been able to address the multiple concerns including requests for speed bumps and the mudslides when it rains.

Ms. Ana Rojas, Hayward resident, said there are existing parking issues and has concerns about church parking spilling over into the neighborhood, has concerns about the impacts to her home from the construction; if trees are removed that hold the soil this can create a dangerous situation for her home, and has concerns about impacts to nature and wildlife.



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Mr. Ruben Houston, Hayward resident and church member, spoke in favor of project and the need for affordable housing and spoke about what the church can for the community. Mr. Houston said he understands the concerns of the community.

Ms. Mimi Bauer, Hayward resident, President of Fairway Park Neighborhood Association, said they did not receive notice of proposed project, would like the church to come to Hayward, it has an amazing program and would be beneficial to the Hayward community but spoke against the proposed project in this location as it would put the church members in a dangerous situation because of the potential for landslides. Ms. Bauer provided a development history of the area and how some houses were not always built to the best standards, spoke about multiple landslides in the area, and some houses were condemned. Ms. Bauer said standards must be upheld and that is why there is the current staff and Planning Commission. Ms. Bauer hopes that another more suitable property can be found for the church as the church would benefit the Hayward community.

Mr. Bauer responded to Commissioner Schott that the plastic was placed on the hillside about four years ago. Mr. Bauer will provide the Commission with a video of the last big rains which cause the ground to slide down the hill.

Chair Goldstein closed public comments at 9:21 p.m.

Principal Planner Lochirco said the purpose of the Work Session was for staff to request policy guidance from the Planning Commission, to solicit feedback from the public, to identify any concerns the Commission might have related to the project, and for the Commission to provide feedback to the applicant.

Staff provided the staff analysis page that included discussion topics as a guide for the Commission.

Commissioner Faria said based on her observations of the site she made the following comments; the scale of the development is too large, location of buildings may impact apartment residents' views, there is a concern about the plastic on the hillside on Woodland, and there are compatibility issues between the church and the neighborhood. Ms. Faria said the church has a lot to offer the City but was not sure this is the right location for the church. Ms. Faria's main concerns are; the geotechnical issues as she would hate to see people get hurt, traffic impacts, existing accessibility issues for bicycles and pedestrians, Garin Avenue cannot accommodate the existing residents, and construction impacts to existing residents.

Commissioner Willis suggested that the Church find a more suitable location but if the church must build at this site, then scale down the project to be more suitable for the area,



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and there needs to be very strict geological conditions of approval to mitigate the earthquake fault and the potential for landslides, look at widening the roadway to improve access to the project site and have sufficient parking for church members to prevent parking encroachment into the neighborhood.

Commissioner Bonilla commented on the positive aspects of the proposed project but there were many community concerns about preserving the natural beauty of the area, and the safety concerns of landslides, liquid faction, geotechnical concerns which will be covered under the CEQA analysis. Mr. Bonilla said the benefits the church would bring to the City outweighs the fact that churches do not pay taxes. Mr. Bonilla commented that there needs to be more open space added to the project, the building size needs to be scaled down, location of buildings should not be built on the steepest grade, how will the project fit in with the existing community, and the building aesthetics needs to be improved.

Commissioner Schott was on the task force that developed the hillside design guidelines and had concerns as the proposed project plans had a lot of deviations from these guidelines. Mr. Schott said he is an advocate of site stakes to visualize what the proposed buildings will look like. Mr. Schott said transportation issues need to be worked out with AC transit to provide transportation to the project site for both parishioners and senior residents. Mr. Schott would like to see some public art, a softening of the parking lot suggesting a tree canopy, and staff can work with the applicant on revisions to the project.

Chair Goldstein commented that the church has an amazing vision. Mr. Goldstein commented on the concerns of impacts to traffic, noting he just lives a couple blocks up from the project site and how people park on his street when visiting Garin Park, there is a concern for a 50-seat bus going up that roadway, the applicant needs to conduct community outreach and have a dialogue with the neighborhood. Mr. Goldstein suggested the applicant utilize the "Next Door" app to communicate with the neighbors. Mr. Goldstein said it is difficult to visualize the size of the buildings and would need to see this and spoke about the Complete Streets initiatives that the applicant can participate in which would be beneficial for the neighborhood and for the applicant to consider traffic calming measures. Mr. Goldstein said he can visualize the church on the project site being beneficial as opposed to more homes and apartments and noted the geotechnical issues will need to be addressed.

Pastor Ellis spoke about their willingness to make changes to scale down the proposed project.

Commissioner Willis said there will be a need for traffic and parking mitigation during church services when many people will be coming into the neighborhood at the same time. Mr. Willis said access needs to be improved and there will be concerns about encroachment



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into the neighborhood causing traffic and parking impacts to the neighbors as many of the church members will be driving to attend services.

Associate Planner Lee said a traffic study will be reviewed by the Department of Public Works Transportation and Engineering Division and this study will be a supporting document to the CEQA document.

Principal Planner Lochirco said Associate Planner Lee will be in touch with Pastor Ellis to coordinate the next steps. Mr. Lochirco said once the application is completed the CEQA analysis can be conducted, once the CEQA is completed then the proposed project will come back to the Planning Commission for recommendation to the City Council and that the City Council is the final authority on this project

APPROVAL OF MINUTES

2. Minutes of the Planning Commission Meeting of January 25, 2018
Commissioner Willis Jr. made a motion, seconded by Commissioner Schott, to approve the Planning Commission Meeting Minutes of January 25, 2018. The motion passed with the following votes:

4:0:0 (AYES: Willis Jr., Goldstein, Bonilla Jr., Schott, ABSTAIN: Faria; ABSENT: McDermott)

3. Approval of minutes of the Planning Commission Meeting Minutes of March 22, 2018.
Commissioner Willis Jr. made a motion, seconded by Commissioner Schott to approve the Planning Commission Meeting Minutes of March 22, 2018. The motion passed with the following votes:

4:0:0 (AYES: Willis Jr., Goldstein, Schott, Faria; ABSTAIN: Bonilla Jr. ABSENT: McDermott)

COMMISSION REPORTS

Oral Report on Planning and Zoning Matters:

There were none.

Commissioners' Announcements, Referrals:

There were none.



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ADJOURNMENT

Chair Goldstein adjourned the meeting at 10:09 p.m.

APPROVED:

Ray Bonilla Jr., Secretary
Planning Commission

ATTEST:

Denise Chan, Senior Secretary
Office of the City Clerk



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: MIN 18-067

DATE: May 10, 2018

TO: Planning Commission

FROM: Interim Development Services Director

SUBJECT

Minutes of the Planning Commission meeting of April 26, 2018

RECOMMENDATION

That the Planning Commission approve the minutes of the Planning Commission meeting of April 26, 2018

SUMMARY

The Planning Commission held a meeting on April 26, 2018

ATTACHMENTS

Attachment I Draft Minutes of April 26, 2018



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CITY OF HAYWARD PLANNING COMMISSION
Council Chambers
Thursday, April 26, 2018, 7:00 p.m.
777 B Street, Hayward, CA 94541**

MEETING

A regular meeting of the Hayward Planning Commission was called to order at 7:00 p.m. by Chair Goldstein.

CALL TO ORDER Pledge of Allegiance

Commissioner Bonilla Jr. led in the Pledge of Allegiance.

ROLL CALL

Present:	COMMISSIONERS:	Willis Jr., Bonilla Jr., Schott, McDermott, Faria
	CHAIRPERSON:	Goldstein
Absent:	COMMISSIONER:	None
Vacancy:	ONE	

Staff Members Present: Brick, Briggs, Buizer, Chan, Chang, Hinkle, Schmidt,

General Public Present: 71

PUBLIC COMMENT:

There were none.

PUBLIC HEARINGS: For agenda item No. 1, the Planning Commission may make a recommendation to the City Council.

1. Proposed Development of Mixed Use Project Consisting of 472 Multi-Family Residential Units; 20,000 Square Feet of Commercial Space; 2.4 acres of Parkland and Trails; and, Related Site Improvements for Sohay Located on Scattered Sites in South Hayward Requiring Approval of General Plan Amendment, Zone Change and Tentative Tract Map Application No. 201704129, and Approval of a Mitigated Negative Declaration with Mitigation and Monitoring Plan; Applicant: William Lyons Homes, Inc.; Owners: City of Hayward, Hayward Area Recreation and Park District (HARD), Alameda County Flood Control District (ACFCD), and Bay Area Rapid Transit (BART).

Senior Planner Schmidt provided a synopsis of the staff report and a PowerPoint Presentation.



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Mr. Scott Roylance representing William Lyons Homes, spoke about the proposed project on the non-contiguous parcels and presented a video. He spoke about the vision to activate the area with a combination of retail and rental properties and with a proposed park with attractive elements that would work well for the City. Mr. Roylance said the design team was in attendance to answer any questions and requested the Planning Commission's support for project.

In response to Commissioner Willis' question about negotiations between the City and various parties, Assistant City Attorney Brick said the negotiations were ongoing and hence, that it would not be appropriate to comment on them at that time. Mr. Brick stated that if the proposed project was approved and sale finalized, staff could update Planning Commission on the sale at that time. In response to Mr. Willis' questions regarding the number of affordable housing units per the City's Affordable Housing Ordinance and the use of public open space for residents, Senior Planner Schmidt said the total percentage of affordable housing units for the development is approximately 10 percent, but the number is significantly higher than is required per the City's Affordable Housing requirements when looking at the number of rental units for low income households and staff believes this is an adequate offset. Ms. Schmidt said regarding the use of public open space for residents, in the proposed Conditions of Approval, staff has recommended more common open space for residents. Mr. Willis favors the project.

In response to Commissioner Schott's question of the management the property sites, Mr. Roylance said a property management company will be selected to manage both the rental and retail/commercial components. Mr. Roylance said the developer has maximized the area to provide retail to activate the area with rental units above the retail and the developer envisions eight to fifteen retail spaces. Planning Manager Buizer responded to Mr. Schott that the condition to demolish vacant structures is a typical condition included in projects. Senior Planner Schmidt pointed out for Mr. Schott that the plans indicate there will be a masonry wall built along the BART tracks and the project site is included under the Landscape and Lighting District (LLD) which falls under the Public Works Department, Engineering and Transportation Division.

Commissioner McDermott commented that this is a complex project and is happy that there is an affordable housing component as there is a current housing crisis in the State and there could be changes in the future to density and height. Ms. McDermott is disappointed with the size of 475 square feet studios instead of larger one and two-bedroom units. In response to Ms. McDermott's question of sustainable affordable rental units Mr. Roylance said one of the COAs requires an execution of an Affordable Housing Agreement with the City in which one of the requirements will be for the apartment owner to verify that the tenants are meeting the income requirements to maintain the affordable housing provision for the rental units.



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In response to Ms. McDermott's question regarding this site being in a flood zone, Mr. Roylance answered the remedy to get the units out of the flood zone is by raising the house pad by a foot and provide this documentation to the Federal Emergency Management Agency (FEMA). Ms. McDermott commented that she is familiar with William Lyons Homes and that they are a reputable company. Ms. McDermott said to be able to have housing there will be traffic impacts and hopes that the increased housing developments in the South Hayward area will result in a grocery store coming to the area soon. Mr. Roylance noted the school district supports the project and the developer will work with the school district and pay the school impact fees. Ms. McDermott said she is pleased with the project and the developer did a great job.

In response to Commissioner Faria, Senior Planner Schmidt said the one parking space per unit does meet the South Hayward Form Based Code parking requirement of 1.5 parking spaces maximum per unit. Mr. Roylance responded to Ms. Faria's question of noise mitigation and measures, the developer conducted an acoustic study which indicated where the noise needed to be addressed and the mitigation measures have been incorporated into the developments plans. In response to Ms. Faria's question of how the park will be maintained, Senior Planner Schmidt said the plan is for the developer to build the park, then dedicate the park to the Hayward Area Recreation and Park District (HARD), the funding for maintenance will be funded by the LLD with maintenance performed by HARD. Ms. Schmidt noted there are several existing parks that follow this model. Ms. Faria said she appreciated the affordable housing element, likes the stacking for accessibility and the overall development plan has brought a Grocery Outlet store to the Fairway Park neighborhood.

Commissioner Bonilla appreciates the developer working with the City on adding the affordable housing element into the plans and wants to ensure that the project will benefit and serve Hayward residents and would like to see more housing for low and very low-income residents. Mr. Bonilla appreciates the work done to create rental versus ownership units in the area and the efforts to align with the City's initiative surrounding the complete streets and communities. Mr. Bonilla wants to make sure that developers coming into the City are focused around meeting the needs of the community and the limitations around what can be affordable to Hayward residents. Mr. Roylance said the developer followed the City's affordable housing guidelines.

In response to Chair Goldstein's inquiry about traffic impacts, mitigation and conditions, Senior Planner Schmidt said staff from Public Works, Engineering and Transportation and the traffic consultant from TJKM were present. Mr. Chis Kinzel of TJKM Transportation Consultants, the agency that prepared the traffic impact analysis, provided an overview regarding existing traffic and ten intersections identified by staff. Mr. Kinzel said in their studies that most of the intersections did not meet the City's standards but by adjusting



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conditions, such as signal timing, the intersections were brought up to the City's standards except for two. Mr. Kinzel said one of the intersections that did not meet the standards was at Dixon Street and Valle Vista Avenue that will need to be signalized and the other intersection is at Mission Boulevard at Valle Vista Avenue where the remedy will be to add another lane. Mr. Kinzel said the developer will pay their fair share to remedy these intersections. He said that overall the project fits well with the surrounding area and it is fortunate that high capacity streets are near to absorb some of the traffic. In response to Mr. Goldstein, Mr. Kinzel said the additional traffic is less than 5% and is not significant.

Chair Goldstein noted that Mission Boulevard is being reconstructed to underground the utility wires and to add more signal automation to help improve traffic impacts. Mr. Kinzel said the improvements were taken into consideration in their analysis.

Commissioner Schott spoke about issues with traffic being routed onto Hayward streets by traffic apps when freeways are very busy and asked has the traffic analysis been able to mitigate this. Mr. Kinzel said that if cities create situations to prohibit the traffic movement then the software will remove city streets from the apps.

Associate Transportation Planner Chang, said the access to the site is a signalized intersection at Industrial Boulevard and Dixon Street where you can make a left turn going eastbound and the project site can also be accessed through Mission Boulevard. Mr. Chang said the driveways at the PA 3-1 area are right-in and right-out only due to the existing median at Industrial Parkway.

Commissioner Willis said since there is only one parking space per unit, he had concerns about parking encroachment and inquired if the parking spaces will be unbundled, Mr. Roylance said the design is for one parking space per unit and said the nature of higher density developments is to take commuters off the road and to be able to live closer to where you work. Mr. Roylance said the parking will be regulated through the Conditions, Covenants and Restrictions (CCNR).

Commissioner Bonilla said parking should be included with the units and relayed his experience in which he lived in the City View development where there was unbundled parking with the generalization that residents would be taking public transportation and that it did not work out that way. Mr. Bonilla said fighting for a second parking space or paying for a parking space when you are already paying market rate for your unit was not the wisest idea.

Chair Goldstein opened the public hearing at 8:09 p.m.



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Mr. Kim Huggett, Chamber of Commerce President, appreciated staff and developer for working on such a difficult development. Mr. Huggett spoke in favor of the project and the location near the business park area which will help drive economic development. Mr. Huggett said the Chamber is very excited about the possibility of residents living where they work and spoke about the need for affordable housing.

Ms. Veronica Knott, Hayward resident, has concerns about the project, spoke about the existing traffic impacts because of the high-density developments that have already been built in Hayward. Ms. Knott said the proposed project's affordable housing consists of studios and one bedrooms and the majority of low income residents are families who need larger apartments. Ms. Knott said the neighborhood needs a full-service grocery store such as a Safeway or Lucky.

Mr. Zachariah Oquenda, Hayward resident, supports the project overall, it is a positive addition and will help revive the South Hayward Mission Garin neighborhood. The development will provide long term jobs for the area, build more density along a public transit, will provide 48 affordable housing units and asked about the density bonus law not being enforced. He urged the Commission to approve project. Senior Planner Schmidt said the applicant is not taking advantage of the State density bonus available to them because the developer could build more units under the General Plan designation but because of the development type which is a townhome and the feasibility, the developer is likely not interested in developing a higher density product.

Mr. Bruce King, Friends of San Lorenzo Creek, was impressed with the project's trails, parks and other amenities and the proximity to creek channels which brings the public in contact with the creek. Mr. King said there needs to be a remedy for creek enhancements missing from the project, such as native trees, bushes, plants and native rocks, which will make the channel function more like a creek. He said this is a once in a lifetime opportunity and should be included as part of this project. Chair Goldstein encouraged Mr. King to give his concerns to staff and hopes the developer will consider Mr. King's concerns.

Mr. Jose Aquirre, Hayward resident and laborer with Local 304, spoke in favor of the project and that it will give residents an opportunity to live and work in the City. He encourages the Planning Commission to move forward with project.

Mr. Fernando Campos, Hayward resident and a member of Laborers Local 304, said this a great start and commended the developer on his great vision to build in Hayward. He supports the project.

Fernando Estrada, Business Manager with Laborers Union of Alameda County, said there are over 2000 union laborers who live in Hayward and he supports the project.



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Mr. Jeff Dixon, Sprinklerfitters Union Local 483, spoke in support of the project and asked his fellow union members representing multiple crafts to stand up and almost half the public in attendance stood up. Mr. Dixon spoke in favor of the project and said that William Lyons Homes came to the labor unions and presented the project and commended the developer for wanting to pay good wages. Mr. Dixon said the developer understands the economics of living in the City.

Mr. Bill Espinola, Hayward resident with Bay Association of Realtors, spoke in favor of the project and said the developer made a presentation at the Chamber of Commerce. Mr. Espinola said he knows this area, this is a great project for South Hayward, will help with the housing crisis and urged the Planning Commission to approve project

Mr. Glenn Kirby, Fairway resident, said the City should invite developers who builds density housing as this project does not have the density that the City needs being so close to a major transportation corridor and to be able to bring in a major grocery store.

Ms. Ro Aquilar, Fairway resident, said this project site is a goldmine to make a difference for Hayward and requests that the Planning Commission recommend higher density in this area and for the proposed project to have four or five levels of housing especially along Mission Boulevard.

Mr. Niko Rivera, Dixon Street resident, has concerns about existing traffic impacts and the need to improve Dixon Street and Valle Vista Avenue and noted the parking along Dixon Street is reserved for BART riders. Chair Goldstein invited Mr. Rivera to send his comments and concerns to the developer and spoke about planned changes to the lighting control at two intersections.

Mr. Obray Van Buren, Hayward resident, spoke about the history of the Dixon neighborhood and spoke in favor of the project. Mr. Van Buren said he sees a beautiful project coming to Hayward and that Hayward needs to create its own stimulus package and how this project will make Hayward upwardly mobile. Mr. Van Buren is Business Representative for UA Local 342, and is a member of a large group of union members who are partners with the City. This is an opportunity to live and work in Hayward and supports this project one hundred percent.

Ms. Andrea Toledo, Hayward resident, spoke about existing traffic problems in the Dixon area, that coming out of their driveway is a nightmare and how residents will lose parking spaces with the proposed project. Ms. Toledo does like the project and would like a four-way stop at the planned driveway at Dixon Street leading to the PA3 neighborhood. Ms. Toledo said she did not receive any responses to her two letters to staff.



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Senior Planner Schmidt said there will be a raised crosswalk at the intersection to slow down traffic and noted there will be a stop at the Valle Vista Avenue and Dixon Street intersection however there will not be a stop sign at the Dixon Street driveway to the PA3 neighborhood.

Chair Goldstein encouraged Ms. Toledo to communicate with staff and the developer about her traffic and parking concerns.

Mr. Gordon Smith, Hayward resident, spoke about concerns and issues with parking, traffic, parking spaces reserved for BART parking and had questions about parking, sidewalks, street sweeping, what amenities will the new park have as he would like to be sure to have the same amenities at the existing park. Mr. Smith is glad the developer is going to develop the vacant lands. Senior Planner Schmidt said the developer will develop sidewalks along the frontages of the proposed development. Chair Goldstein encouraged Mr. Smith to send his concerns to staff.

Chair Goldstein closed the public hearing at 9:07 p.m.

Commissioner Schott said this is a very complex project that will build a neighborhood and will be a positive addition to Hayward. Mr. Schott said too much density does not always fit in with a city and any traffic parallel to 880 will have traffic impacts and he would like to see more destination traffic rather than drive through traffic. Mr. Schott likes the concept of rental housing and townhomes with a variety of sizes that can bring in families and younger people. Mr. Schott said the more density built in an area the less people will engage each other, the proposed project is an opportunity to build a neighborhood and will have positive impact on the South Hayward area.

Commissioner Willis said traffic is a result of growth with more people living together in an area and shared there are 534 households in his neighborhood and they do not have a traffic issue and when more houses were built, the neighborhood thought there would be traffic impacts where none evolved. Mr. Willis' issue is with parking and parking encroachment and said the developer has to make sure there is sufficient parking as there will be visitors and a public park. Mr. Willis said this is a good project, it is positive for businesses and provides the opportunity for Hayward residents to live and work in the City. Mr. Willis does not agree with the suggestion of increasing project density.

Commissioner Bonilla shares the same concerns about parking and said the studios and one-bedrooms will not suffice as typically low-income residents have families that require larger units. Mr. Bonilla has concerns about the one space parking, understands the traffic issues, and that living in the Bay Area compromises people lives but does not want Hayward residents to have to compromise their lives because of traffic issues. Mr. Bonilla said there



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should be more density as long as it is done correctly as density can equate to a vibrant community where people will want to come to and gather. Mr. Bonilla shares some of the concerns of the community and appreciates the time everyone has spent preparing their thoughtful comments.

Commissioner McDermott said this is an interesting project, there are a lot of positives in this project and it will provide an opportunity for Hayward residents to work where they live. Ms. McDermott said she will be supporting the wonderful project and perhaps the Commission should recommend that high density be considered.

Commissioner Faria agreed with many of the sentiments shared and feels the project will be a great benefit to the area and that the Fairway Park residents support the project. Ms. Faria has concerns about parking and traffic as there is a lot of pass through traffic in this area. Ms. Faria feels this is a good project and will improve the area, it will rid the area of the vacant lots, and will provide affordable housing which can be for those who want to downsize or upsize. Ms. Faria will be supporting this project.

Chair Goldstein said a study shows that 40% of Hayward's traffic does not originate or end in Hayward. Mr. Goldstein shared participating in the General Plan Update Task Force and that the City's General Plan are the rules governing development, every city must have a General Plan and this document then becomes part of the constitution for the city. Mr. Goldstein said the City's zoning ordinances are built around the General Plan and developers review this document. The zoning ordinances dictate the density for the City and this developer meets the density requirements. Mr. Goldstein said if the Commission recommends more density this could cause a problem. He said the Planning Commission makes recommendations to the Council, and Council takes final action on the project including any zoning modifications. Mr. Goldstein said the City wants families to stay together and for people who work in Hayward to be able to live in the City.

Commissioner Willis made a motion, Commissioner Schott seconded the motion, to approve the staff recommendation

Commissioner Bonilla appreciated Chair Goldstein's comments and noted the proposed project contains a lot of amendments to the General Plan, such as changing zoning requirements related to how much park space is required. Mr. Bonilla also appreciated the comments related to the density requirement being a range, but this project is at the low end of the density range and there might be opportunities to continue to push that scale for future developers looking to develop in Hayward. Mr. Bonilla said the Planning Commission needs to be accountable and stand behind their decisions and be willing to go to Council and justify those decisions. Mr. Bonilla says the buck should stop with us regarding these decisions while taking into consideration feedback from the community and also taking into consideration



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our understanding of the housing crisis.

Chair Goldstein agreed with Commissioner Bonilla and said it is important that each Commissioner stands behind their decisions.

Commissioner Willis made a motion, Commissioner Schott seconded the motion, to approve the staff recommendation. The motion passed with the following vote:

AYES:	Commissioners Willis Jr., Bonilla Jr., Schott, McDermott, Faria Chair Goldstein
NOES:	None
ABSENT:	None
ABSTAIN:	None
VACANCY:	One

COMMISSION REPORTS

Oral Report on Planning and Zoning Matters:

Planning Manager Buizer said an update will be forthcoming. Chair Goldstein noted that Commissioner Schott will not be present during the month of June.

Commissioners' Announcements, Referrals:

There were none.

ADJOURNMENT

Chair Goldstein adjourned the meeting at 9:35 p.m.



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APPROVED:

Ray Bonilla Jr., Secretary
Planning Commission

ATTEST:

Denise Chan, Senior Secretary
Office of the City Clerk