

**CITY OF HAYWARD PLANNING DIVISION
SITE PLAN REVIEW NO.201903791
FINDINGS FOR APPROVAL**

EFFECTIVE DATE: JULY 1, 2020

Section 1 - Background

1. On June 24, 2019, applicant Brian McCafferty, on behalf of BMODDRE2, LLC, filed Site Plan Review Application (No. 201903791) with the Development Services Department to allow the establishment and construction of a two story ±57,497 sq. ft. Subaru dealership with an ancillary minor service repair shop on a 4.92 acre site. Project to include the demolition of three dilapidated structures ranging in size (±1,085 sq.ft., ±1,651 sq.ft., and ±1,930 sq.ft.) which were formally used as offices for used car dealerships. Specifically, the first floor of the dealership would be 47,000 sq.ft. and consist of 11 office, a sales lounge, a show room, a pet grooming service room, a minor service repair shop, a children's play station, a boutique store, a refreshment lounge, and four service adviser stations. The second floor would be ±11,050 sq.ft. and consist of a locker-room area for employees, a breakroom, a file storage area, a vehicle part store, a firepit lounge, three conference rooms, and an employee training area.
2. The project site is located at 24900 Mission Boulevard and 25000 Mission Boulevard (APNs: 445-0200-012-01 & 445-0200-009-00), in the Mission Boulevard T4-1 Commercial Overlay 2 (MB-T4-1-Comm 2) Zone, and designated for Sustainable Mix Use land uses in the *Hayward 2040 General Plan*.
3. Pursuant to Section 10-1.3005 of the HMC, Site Plan Review is aimed at fostering development and the establishment of uses which take into account on-site and surrounding structures and uses, which contributes to an attractive City, physical and environmental constraints and traffic circulation, so that new development is accomplished in an orderly manner, complies with the intent of City development policies and regulations, and operated in a manner determined to be acceptable and compatible with surrounding development.

Section 2. Findings for the Site Plan Review

Per Section 10-1.3025 of the Hayward Municipal Code, the Planning Director may approve, conditionally approve, disapprove, or refer a Site Plan Review application to the Planning Commission, with or without a recommendation. Except for referrals, action must be based on the findings listed in Section 10-1.3025 of the HMC, as stated below. The Planning Director may approve or conditionally approve an application when all the following findings are met:

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

The proposed dealership would be compatible with surrounding structures and uses and would be an attractive addition to the neighborhood in that the building will comply with the design requirements of the Mission Boulevard Corridor Form Based Code (MBFBC). The first-floor façade of the building will be constructed of a clear glass, as to have a modern appearance and help break up the mass and bulk of the structure. Additionally,

there would be several landscape frontage improvements (approved by the City Landscape Architect), which will provide a landscape buffer between public right of way and the proposed vehicle retail area. Further contributing to an aesthetically pleasing dealership. As proposed, the site improvements and the construction of a new dealership at 24000 Mission Boulevard and 25000 Mission Boulevard would be in keeping with the design, height, and bulk as set forward by the FBC, while keeping in line with existing dealerships located at 24919, 24895, and 24618 Mission Boulevard.

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

The modifications of the site for the construction of the dealership take into consideration the physical and environmental constraints in that the proposed building would not disturb the existing slope, and the proposed building would be constructed pursuant to the findings made by the Hayward Fault Hazard Report, as approved by the City's Public Works Department. Additionally, the site currently has five non-compliant driveway approaches, which do not contribute to a conducive public right of way. As such, the applicant is proposing to infill all existing driveways and construct two driveway approaches (Entitled Plans Sheet A1000). Further, said public right of way improvements would comply with the American with Disability Act (ADA) requirements. Additionally, the applicant would add 118 new trees throughout the site frontages, which would help soften the appearance of the retail display area visible from Mission Boulevard and Carlos Bee. Overall, the construction of the dealership would adhere to all applicable MBFBC requirements.

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

As conditioned, the project complies with all applicable City polices including the Mission Boulevard T4-1 Commercial Overlay 2 (MB-T4-1-Comm 2) zoning district development standards, including the building setbacks, building height, parking, and lot coverage requirements. Additionally, the applicant provided a traffic study, an environmental assessment, a hazard fault zone study, and a tree study, as supplemental information to demonstrate compliance with City policies and regulations. Further, the proposed development also complies with the following policies of the *Hayward 2040 General Plan*:

Land Use Policy LU-1.4 Revitalization and Infill Development: The City shall encourage property owners to revitalize or redevelop abandoned, obsolete, or underutilized properties to accommodate growth.

Economic Development Policy ED-1.1 Regional Economic Diversification: The City shall coordinate with other cities, counties, businesses, labor organizations, and other economic development and research organizations to help diversify and expand the economic base of the greater East Bay.

Economic Development Policy ED-5.5 Regional Economic Diversification: The City shall require new development to include quality site, architectural and landscape design features to improve and protect the appearance and reputation of Hayward

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

As conditioned, the dealership would operate in a manner acceptable and compatible with surrounding development in that the project must comply with the conditions imposed on this project, as well as the California Fire Code as adopted by the City of Hayward, the

California Building Code as adopted by the City of Hayward, the Hayward Municipal Code, and other City regulations. Additionally, the proposed project meets the development standards of the MB-T4-1 Comm 2 zoning district in the Form Based Code.

E. The project met the requirements for an infill exemption from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332 of the CEQA Guidelines. As highlighted below:

- The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations: The site will maintain its current zoning designation and there is no proposed general plan amendment. Additionally, as noted above (Section C) the project complies with multiple applicable general plan goals and policies.
- The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses: The site is in the City of Hayward, surrounded by several dealerships and other urban use. Additionally, the site is less than five acres in size.
- The project site has no value, as habitat for endangered, rare, or threatened species: The site was previously used as three separate used car dealerships. Thereby, the site has no value, as habitat for endangered, rare, or threatened species. As proposed, Subaru would remove the existing structure, construct a new structure, and continue to use the site as a dealership.
- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality:
As proposed, the project meets the requirements as set forward by the Mission Boulevard Form Based Code. Additionally, per the traffic report approved by the City, no significant effect to traffic were determined. Further, the site was previously used as a dealership and it will continue to be used as a dealership.
- The site can be adequately served by all required utilities and public services:
The site was previously used as a dealership. As such, the subject site is adequately served by all utilities and public services. Minor modifications will be required as to ensure the site meets current local, state, and federal requirements.

Section 3. Decision

Site Plan Review Application No. 201903791 is hereby approved, subject to the conditions of approval, included as Attachment B. This decision shall become effective on July 1, 2020, unless appealed.

**CITY OF HAYWARD PLANNING DIVISION
SITE PLAN REVIEW APPLICATION NO.201903791
CONDITIONS OF APPROVAL**

EFFECTIVE DATE: July 1, 2020

GENERAL:

1. The developer shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.
2. Site Plan Review No. 201903791 is approved subject to the Architectural, Civil and Landscape plans date stamped May 11, 2020, respectively, except as modified by the conditions listed below. Any proposal for alterations to the conditionally approved site plan and/ or design that does not require a variance to any zoning ordinance standard shall be subject to approval by the Development Services Director or his/her designee, prior to implementation. Alterations requiring a variance shall be subject to review and approval by the Planning Commission.
3. The permittee, property owner or designated representative shall allow the City's staff to access the property for site inspection(s) to confirm all approved conditions have been completed and are being maintained in compliance with all adopted city, state and federal laws.
4. Failure to comply with any of the conditions set forth in this approval, or as subsequently amended in writing by the City, may result in failure to obtain a building final and/or a Certificate of Occupancy until full compliance is reached. The City's requirement for full compliance may require minor corrections and/ or complete demolition of a non-compliant improvement regardless of costs incurred where the project does not comply with design requirements and approvals that the applicant agreed to when permits were filed to construct the project.
5. All outstanding fees owed to the City, including permit charges and staff time spent processing or associated with the development review of this application shall be paid in full prior to any consideration of a request for approval extensions and/or the issuance of a building permit.
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. A copy of these conditions of approval shall be scanned and included on a separate, full-sized sheet(s) in the building permit plan check set.

8. The Planning Director or designee may revoke this permit for failure to comply with, or complete all, conditions of approval or improvements indicated on the approved plans.
9. The owner shall maintain in good repair all building exteriors, walls, lighting, drainage facilities, landscaping, driveways, and parking areas. The premises shall be kept clean and weed-free.
10. The applicant shall be responsible for graffiti-free maintenance of the property and shall remove any graffiti within 48 hours of occurrence or City notification.
11. The applicant shall apply for and obtain all necessary permits from the City and/or outside agencies prior to any site work.
12. All improvements shall be designed and constructed in accordance with the City of Hayward Municipal Code
13. All building materials shall be consistent with those specified on the approved plans. Color and material of the dealership shall be submitted prior to submittal approval of a building permit.

ADDRESS:

14. Property addresses will be assigned by the Development Services Department prior to issuance of a building permit.

LIGHTING:

15. Lighting within the parking area(s) shall be provided and be maintained at a minimum of one foot-candle. Exterior lighting and parking lot lighting shall be provided in accordance with the Security Standards Ordinance (No. 90-26 C.S.) and be designed by a qualified lighting designer and erected and maintained so that light is confined to the property and will not cast direct light or glare upon adjacent properties or public rights-of-way. Such lighting shall also be designed such that it is decorative and in keeping with the design of the development.
16. Plans submitted for building permit shall include a photometric site lighting plan that includes fixtures, mounting heights, light wattage and that demonstrates adequate site lighting without excessive glare, off-site impacts or "hot spots." All lighting shall be reviewed and approved by the City Engineer, Planning Division and Hayward Police Department prior to Building Permit issuance.
17. All lighting fixtures shall incorporate a shield to allow for downward illumination. No spillover lighting to adjacent properties is permitted and all exterior lighting on walls, patios or balconies shall be recessed/shielded to minimize visual impacts.

COLOR AND MATERIALS:

18. The building colors and materials shown on the building permit plans shall match those shown on the color/material exhibit and renderings date stamped (May 11, 2020). Any revision to the approved colors and materials shall be reviewed and approved by the Planning Division prior to the issuance of a building permit.
19. All vents gutters, downspouts, flashings, electrical conduits, etc. shall be painted to match the color of the adjacent material unless specifically designed as an architectural element.

SCREENING OF MECHANICAL EQUIPMENT:

20. All exterior and rooftop mechanical equipment shall be screened or located away from public view. Mechanical and rooftop equipment shall include, but is not limited to, electrical panels, pull boxes, air conditioning units, gas meters, and swimming pool equipment. All rooftop screening and mechanical equipment shall be shown on the project plans and be subject to final review and approval by City staff prior to the issuance of an occupancy permit. All screening shall be compatible with respect to forms and materials used on the building.
21. Any above-ground structures that may be required to provide utilities for the project shall be compatible as to location, form, design, exterior materials, and noise generation. The applicant shall obtain staff approval prior to issuance of any permits

SIGNS:

22. No signs are approved with this project. Any signs placed on-site or off-site shall be reviewed and approved by the Planning Division and a separate Sign Permit application shall be required, consistent with Hayward Municipal Code Sign Ordinance requirements.

TRASH ENCLOSURE DESIGN:

23. (For Commercial and Multi-Family Residential) All trash enclosures must adhere to all the basic design guidelines provided in Section 3 of the City's Standard Design Requirements for Collection & Storage of Trash, Recyclables and Organics for Commercial (Business) and Multi -Family Projects. All trash enclosures shall be adequately screened from view, utilizing a decorative wood or masonry wall or combination thereof and incorporate a roof, and doors which are compatible with the design of the primary building on site. The building permit submittal shall include a detailed set of plans that show the design details of the enclosures, including the location of all bins and label each bin with the capacity (ex: three cubic yards, four cubic yards, etc.) as well as the type of waste trash, recyclables, organics).

ENVIRONMENTAL MITIGATION:

24. If human remains, archaeological resources, prehistoric or historic artifacts are discovered during construction or excavation, the following procedures shall be followed: Construction and/or excavation activities shall cease immediately and the Planning Division shall be notified. A qualified archaeologist shall be retained to determine whether any such materials are significant prior to resuming groundbreaking construction activities. Standardized procedure for evaluation accidental finds and discovery of human remains shall be followed as prescribed in Sections 15064.f and 151236.4 of the California Environmental Quality Act.
25. The following control measures for construction noise, grading and construction activities shall be adhered to, unless otherwise approved by the Planning Director or City Engineer:
 - a. In conformance with Section 4-1.03-4 of the City's Municipal Code, construction activities between 7:00 a.m. and 7:00 p.m. Monday through Saturday or between 10:00 a.m. and 6:00 p.m. on Sundays or holidays, unless other construction hours are permitted by the City Engineer or Chief Building Official, shall not include any individual equipment that produces a noise level exceeding 83 dB measured at 25 feet, nor shall activities produce a noise level outside the project property lines in excess of 86 dB. During all other hours, noise shall not exceed the limits defined in

Municipal Code Section 4-1.03.1 (70 dB daytime or 60 dB nighttime, measured at residential property lines).

- b. Grading and construction equipment shall be properly muffled;
- c. Unnecessary idling of grading and construction equipment is prohibited;
- d. Stationary noise-generating construction equipment, such as compressors, shall be located as far as practical from occupied residential housing units;
- e. Applicant/developer shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise;
- f. Letters shall be mailed to surrounding property owners and residents within 300 feet of the project boundary with this information.
- g. The developer shall post the property with signs that shall indicate the names and phone number of individuals who may be contacted, including those of staff at the Bay Area Air Quality Management District, when occupants of adjacent residences find that construction is creating excessive dust or odors, or is otherwise objectionable. Letters shall also be mailed to surrounding property owners and residents with this information prior to commencement of construction.
- h. Daily clean-up of trash and debris shall occur on project street frontages, and other neighborhood streets utilized by construction equipment or vehicles making deliveries.
- i. Gather all construction debris on a regular basis and place them in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water pollution;
- j. Remove all dirt, gravel, rubbish, refuse and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work;
- k. The site shall be watered twice daily during site grading and earth removal work, or at other times as may be needed to control dust emissions;
- l. All grading and earth removal work shall follow remediation plan requirements, if soil contamination is found to exist on the site;
- m. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
- n. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;
- o. Sweep public streets daily if visible soil material is carried onto adjacent public streets;
- p. Apply (non-toxic) soil stabilizers or hydroseed to inactive construction areas (previously graded areas inactive for 10-days or more);
- q. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- r. Broom sweep the sidewalk and public street pavement adjoining the project site on a daily basis. Caked on mud or dirt shall be scraped from these areas before sweeping;

- s. No site grading shall occur during the rainy season, between October 15 and April 15, unless approved erosion control measures are in place.
- t. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site prior to: 1) start of the rainy season; 2) site dewatering activities; or 3) street washing activities; and 4) saw cutting asphalt or concrete, or in order to retain any debris or dirt flowing into the City storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Dispose of filter particles in the trash;
- u. Create a contained and covered area on the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides or any other materials used on the project site that have the potential for being discharged to the storm drain system through being windblown or in the event of a material spill;
- v. Never clean machinery, tools, brushes, etc., or rinse containers into a street, gutter, storm drain or stream. See "Building Maintenance/Remodeling" flyer for more information;
- w. Ensure that concrete/gunite supply trucks or concrete/plasters finishing operations do not discharge wash water into street gutters or drains; and
- x. The developer shall immediately report any soil or water contamination noticed during construction to the City Fire Department Hazardous Materials Division, the Alameda County Department of Health and the Regional Water Quality Control Board.

EXPIRATION:

- 26. In accordance with Hayward Municipal Code (HMC) Section 10- 1. 3055, approval of this Site Plan Review is void 36 months after the effective date of approval unless:
 - a. Prior to the expiration of the 36-month period, a building permit application has been submitted and accepted for processing by the Building Official or his/ her designee. If a building permit is issued for construction of improvements authorized by this approval, said approval shall be void two years after issuance of the building permit, or three years after approval of the application, whichever is later, unless the construction authorized by the building permit has been substantially completed or substantial sums have been expended in reliance on this approval; or
 - b. A time extension of the approval has been granted by the Development Services Director or his/her designee, which requires that a request for an extension of this approval must be submitted in writing to the Planning Division at least 15 days prior to the expiration date of this approval.

DEMOLITION OF EXISTING STRUCTURES

- 27. Unless otherwise specified or approved by the Planning Director, all vacant building(s) on-site shall be demolished within six (6) months from project approval, and the site shall be returned to a "pre-development condition" which includes the capping of any utilities, the planting of sod to prevent erosion, and a 6 foot tall perimeter fence shall be erected within the required front, side and rear yards of a vacant parcel, subject to the standards

set forth in Section 10-1.2735.k, Fence Regulations for Vacant Properties. In addition, the property shall be maintained in a weed-free condition and if applicable, by subject to any pre-construction or demolition mitigation required as pursuant to CEQA.

28. Prior to, during and following demolition of vacant structures, the property owner shall be responsible for securing and maintaining the site in accordance with HMC Chapter 4, Article 1, Public Nuisances; HMC Chapter 5, Article 7, Community Preservation and Improvement Ordinance; and the California Building Code, among other applicable regulations.

BUILDING DIVISION

29. The project will require a building permit. Plans to be submitted (to Building Division) must adhere to the requirements set forward by the most recent California Building Code as adopted by the City of Hayward.

LANDSCAPE

30. Prior to submitting the first building permit, detailed landscape and irrigation improvement plans prepared by a licensed landscape architect on an accurately surveyed base plan shall be approved by the City. The plans shall comply with the City's Bay-Friendly Water Efficient Landscape Ordinance (California Building Code Title 23) and all relevant Municipal Codes.
31. The total landscape area is identified as 18,336 square feet on L1.01, but the total landscape area in the water budget calculation is identified as 17,695 square feet. The total landscape area shall be consistent in both places.
32. All trees shall be planted a minimum of five feet away from any underground utilities, driveway and structure, a minimum of fifteen feet from a light pole, and a minimum thirty feet from the face of a traffic signal, or as otherwise specified by the City.
33. Pursuant to HMC Section 10-12.07, (2), (C): Plant spacing shall not be closer the minimum spread provided in the reference books in the ordinance to allow mature plant growth without subjecting plants to routine cutbacks and shearing. Reference plant books in the landscape ordinance and additional reference books of "Landscape Plants for California Gardens" by Robert Perry and "California Native Plants for the Garden" by Carol Bornstein, David Fross and Bart O'Brien shall be used, and the list of reference book shall be provided in the plant legend.
34. Root barriers shall be installed linearly against the paving edge in all instances where a tree is planted within seven feet of pavement or buildings, and as recommended by the manufacturer.
35. Municipal Code Article 12, Appendix B Water Efficient Landscape Worksheet for water budget calculation for Maximum Applied Water Allowance and Estimated Total Water Allowance shall be provided using correct Eto of 44.2 for City of Hayward, not 6.4. Correct calculations for MAWA and ETWU shall be provided.
36. A tree removal permit shall be obtained prior to the removal of any tree in addition to grading and/or demolition permits.
37. All final tree locations shall be field verified by the project landscape architect prior to planting.

38. Pre-construction and During-construction Tree Protection Measures:
 - a. Existing street 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.
 - b. 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.
 - c. Tree pruning required for clearance during construction must be performed by a qualified arborist and not by construction personnel with a tree pruning permit from the City.
 - d. Any damages to existing trees from the construction activities shall be mitigated with like-kind and like-size trees.
39. Issuance of Certificate of Occupancy:
 - a. Pursuant to HMC Section 10-12.09. 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 submitted to the City prior to requesting an inspection from the City Landscape Architect.
 - b. Pursuant to HMC Section 10-12.11. For new construction and rehabilitated landscape projects installed after December 1, 2015, the project applicant shall submit an irrigation audit report done by the third party as required in Appendix C - Certificate of Completion Part 5 to the City. The report may include, but not limited to inspection, system tune-up, system test with distribution uniformity, overspray or run off causing overland flow, an irrigation schedule, irrigation controllers with application rate, soil types, plant factors, slope, exposure and any other factors necessary for accurate programming.
40. Landscape Maintenance:
 - a. Landscaping shall be maintained in a healthy, weed-free condition at all times and shall maintain irrigation system to function as designed to reduce runoff, promote surface filtration, and minimize the use of fertilizers and pesticides, which contribute pollution to the Bay.
 - b. The owner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30% dieback) shall be replaced within ten days of the inspection.
 - c. Three inches deep mulch should be maintained in all planting areas. Mulch shall be organic recycled chipped wood in the shades of Dark Brown Color, and the depth shall be maintained at three inches deep.

- d. All nursery stakes shall be removed during tree installation and staking poles shall be removed when the tree is established or when the trunk diameter of the tree is equal or larger to the diameter of the staking pole.
- e. All trees planted as a part of the development as shown on the approved landscape plans shall be “Protected” and shall be subjected to Tree Preservation Ordinance. Tree removal and pruning shall require a tree pruning or removal permit prior to removal by City Landscape Architect. 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.
- f. Landscape Architect approval is required for routine shearing and hedging of shrubs and perennials. Otherwise, all plants shall retain natural size and shape.
- g. Irrigation system shall be tested periodically to maintain uniform distribution of irrigation water; irrigation controller shall be programmed seasonally; irrigation system should be shut-off during winter season; and the whole irrigation system should be flushed and cleaned when the system gets turn on in the spring.

PUBLIC WORKS/ TRANSPORTATION

- 41. Applicant shall submit for the City Engineer’s approval the On-site Outdoor Photometric Analysis and Lighting Plans. Photometric analysis shall verify that parking lot illumination spillover has maintained street illumination to limits stated on Sheet 4 of 4 of Hayward's 2017 Standard Details SD-120. Plan Sheet DR2 shall provide acceptable values for average illuminance and uniformity (3.0 maximum uniformity). Plan Sheet DR2 depicts average illuminance of 2.0fc and 2.2fc for residential perimeter and shall be an average of 0.9fc maximum.
- 42. Applicant shall submit Signing and Striping Plans. for new or revised traffic control signs and pavement markings at parking lot driveways and on streets fronting the project, including but not limited to temporary lane closures. Such plans shall be designed and stamped by a California licensed Civil or Traffic Engineer.
- 43. Sheet A500 shall be modified to reference State- and Federal-compliant signs and markings. Sign font or border for any regulatory shall not be green color.

PUBLIC WORKS/ ENGINNERING

- 44. Storm Stormwater treatment basins shall be designed as per a Stormwater Control Plan to be submitted when applying for a grading permit. Please include the stormwater treatment measure summary table with this plan.
- 45. If stormwater treatment is proposed through ground percolation, plant trans evaporation and self-treating areas it must be supported by soil studies and verifiable data.
- 46. The site development plans shall include adequately sized and locally acceptable storm water bio-treatment measures as per the Alameda county Clean Water Program C.3 Stormwater Technical Guidance, which may include, but shall not be limited to silva cells.
- 47. Project will be subject to Alameda County Flood Control and Water Conservation District (ACFCWD) detention requirements. Show on the site plan location(s) of stormwater detention facilities of adequate capacity to meet ACFCWD requirements.

48. Separate plan sets will be required for grading, utilities, landscaping, lighting, retaining structures, paving, striping and other improvements on-site and within the public street rights-of-way. Driveway gates shall be set-back a vehicle length behind public sidewalks.

PUBLIC WORKS PRIOR TO ISSUANCE OF BUILDING PERMIT

49. Grading Permit Required: A grading permit issued by the City's Public Works Department is required prior to the building permits. The permit application shall include site grading and improvement plans prepared by the state licensed and qualified engineer and approved by the City Engineer. The plans shall be subject to the following design & submittal requirements:
- a. Grading and building plans shall consider the findings and recommendations of the Fault Hazard Evaluation Report (June 12, 2019) prepared by Joyce Associates (jim@joycegeo.com) and its peer review report by Louis A Richardson, Consulting Engineering Geologist (June 19, 2019).
 - b. A supplemental Soil investigation report, prepared by a State licensed geotechnical engineer, shall be submitted for City Engineer's approval providing slope stability analysis for static and seismically induced dynamic conditions and design criteria/recommendations for site grading, soil retaining structures and pavements.
 - c. Earth retaining structures exceeding 4' foot in height (top of wall to bottom of footing) shall require building permits.
 - d. The project shall not block runoff from, or augment runoff to, adjacent properties. Any augmented runoffs resulting from impervious area expansion on the applicant's property, shall be mitigated with on-site detention, re-use, ground percolation or other means to control site discharge rate to pre-existing level. Its related hydrologic/hydraulics study report shall be submitted.
 - e. Site drainage plans shall include Stormwater Control Plan with details of all drainage management areas, bio-treatment measures and numeric sizing calculations in conformance with Alameda County Clean Water Program C3 Design Guidance available on-line.
 - f. The Alameda County Flood Control and Water Conservation District's Hydrology and Hydraulics Criteria Summary shall be used to design the storm drain system.
 - g. The City's grading permit may include site improvements per plans approved by the City Engineer. Such improvements may include parking lot, lighting and other site improvements.
 - h. Site security gates shall be located a vehicle length (minimum 20 feet) behind the street sidewalk.
50. RWQCB Permit Required:
- a. Storm Water Pollution Prevention Plan (SWPPP) prepared by a Qualified SWPPP Developer (QSD) shall be filed with the Regional Water Quality Control Board (RWQCB). A copy of the filed SWPPP shall be provided to the City Engineer before start of any grading operation.
 - b. The City shall receive copies if the Notice of Intent with WDID number issued by RWQCB before start of any grading work.

51. Encroachment//Street Improvement Permit Required: Encroachment permit for improvements proposed and required in the City’s rights-of-way is required prior to the issuance of any building permit. The permit application and privately engineered design plans and supporting documents shall be approved by the City Engineer prior to issuance of any Encroachment Permit. The engineered plans shall include, but not be limited to, the following:
- a. Curb, gutter and sidewalk along the project frontages on Mission Boulevard and Carlos Bee Boulevard damaged during project construction shall be replaced. Unused driveways shall be replaced with the City standard concrete sidewalk.
 - b. A minimum 5-ft. wide, accessibility compliant sidewalk shall be extended on Carlos Bee Boulevard across the frontage of the proposed development lot.
 - c. Carlos Bee Boulevard street pavement in the uphill direction fronting the proposed development lot (Lot 1) shall be resurfaced with micro-surfacing after removal and replacement of approximately 1,100 square feet damaged area (total in three segments) with a minimum 6-inch deep lift A.C.
 - d. U-turns on Carlos Bee Boulevard at Overlook Avenue will be prohibited with traffic control signs and pavement markings approved by the City Engineer unless traffic studies acceptable to City Engineer are submitted supporting safe U-turns.

PUBLIC WORKS DURING CONSTUCTION

52. Stormwater Pollution Prevention: Stormwater pollution prevention measures approved by the city engineer shall be in place before any ground disturbing activity.
- a. Stormwater pollution prevention measures shall be in place before construction start and maintained as needed during construction.
 - b. Qualified SWPPP Practitioner (QSP) shall regularly inspect and submit monthly and final reports to the Public Works Inspector in addition to the submittals to the State Water Quality Control Board.

PUBLIC WORKS PRIOS TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

53. Stormwater Treatment Measures Maintenance: 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.
54. Construction of Improvements: All public and private improvements, including punch list items, must be complete prior to the issuance of a certificate of occupancy.
55. “As-Built” Records: Provide “as-built” record plans in electronic formats to the City Engineer. Electronic plans shall be in “AutoCad” and pdf formats acceptable to the City Engineer.

UTILITIES/ENVIRONMENTAL SERVICES – SOLID WASTE

56. Sizing of containers will be reviewed at building permit submittal stage. Please note, per Public Resources Code Section 42910-42912: *projects for which a building permit is required for Residential or Commercial Premises shall include in its site plans storage space for Recyclable Materials and Organic Materials that is at least equivalent to the space required for Solid Waste intended for Disposal. Provision for such storage may be in outdoor enclosures or other spaces.* On the planning permit submittal, it shows 16CY trash and 8CY recycling, and no organics. Additionally, via the Alameda County Mandatory Recycling Ordinance, if you generate 4 cubic yards of solid waste (trash + recycling) you are required to have an organics collection program in place. On the planning permit submittal, it shows 24CY of solid waste being generated. Therefore, you are subject to having organics collection. If your business generates less than 20 gallons of organics per week, you may be exempt.
57. Should construction need to be performed, the City requires that construction and demolition debris be recycled per certain ordinance requirements. Submittal of the Debris Recycling Statement is required at the time of your building permit. The form can also be found at <http://www.hayward-ca.gov/services/city-services/construction-and-demolition-debris-disposal>. You may also visit Hayward's [Green Halo webpage](#) and create a waste management plan instead of filling in the Debris Recycling Statement.

UTILITIES/ENVIRONMENTAL SERVICES – SOURCE CONTROL

58. Vehicle Equipment Repair and Maintenance:
 - a. Vehicle/equipment repair and/or maintenance must be performed in a designated area indoors, or if such services must be performed outdoors, in an area designed to prevent the run-on and runoff of stormwater. Discharge is prohibited from entering the storm drain system.
59. Outdoor Equipment And Storage Areas:
 - a. All outdoor equipment and materials storage areas must be covered and bermed, or must be designed with best management practices to limit the potential for runoff to contact pollutants.
 - b. Outdoor Process Equipment Areas (such as process equipment areas associated with industrial activity): Process equipment areas must not discharge to the storm drain system.
 - c. Storage areas containing non-hazardous liquids must be covered by a roof and be contained by berms, dikes, liners, vaults or similar spill containment devices. Discharge to the storm drain system is prohibited.
60. Automobile Servicing:
 - a. Floor drains in work areas are prohibited. The exception is if the work area is used exclusively for washing of vehicle exteriors. In that case, the floor drain may be connected to the sanitary sewer (see washing best management practices below).
 - b. Only conduct maintenance or repair work in designated areas with spill containment.
 - c. Inspect and clean leaks and drips routinely. Leaks are not cleaned up until the absorbent is picked up and disposed of properly.
 - d. Avoid working over asphalt and dirt floors – surfaces that absorb vehicle fluids.
 - e. Perform all vehicle fluid removal or changing inside or under cover, if possible, to prevent the run-on of storm water and the runoff of spills.

- f. Keep a drip pan under the vehicle while unclipping hoses, unscrewing filters, or removing other parts. Use a drip pan under any vehicle that might leak.
61. Part Cleaning:
- a. Clean vehicle parts without using liquid cleaners wherever possible to reduce waste.
 - b. Steam cleaning and pressure washing may be used instead of solvent parts cleaning. The wastewater generated from steam cleaning must be discharged to an on-site oil/water separator that is connected to a sanitary sewer or blind sump. Never discharge wastewater from steam cleaning, or engine/parts cleaning to a street, gutter, or storm drain.
 - c. Non-caustic detergents should be used instead of caustic cleaning agents, detergent-based or water-based cleaning systems in place of organic solvent degreasers, and non-chlorinated solvent in place of chlorinated organic solvents for parts cleaning.
 - d. Do not wash or rinse parts outdoors. Keep water from flowing to storm drains, gutters, and streets.
 - e. Use self-contained sinks and tanks when working with solvents. Keep sinks and tanks covered when not in use.
 - f. Rinse and drain parts over the solvent sink or tank. Use drip boards or pans to catch excess solutions and divert them back to a sink or tank.

UTILITIES/ENVIRONMENTAL SERVICES

- 62. Existing Water Services: The property has an existing 5/8" domestic water meter (account # 4533). This domestic water meter is insufficiently sized to serve the proposed dealership building. This water meter may be reused as an irrigation water meter, if sufficiently sized, for the property's landscaping. If this water service cannot be reused, it must be abandoned at the applicant's expense.
- 63. Sanitary Sewer Services: The property has an existing commercial sanitary sewer connection with a "grandfathered" sewer capacity of 250 gallons per day. It is anticipated that additional sewer capacity will need to be purchased in order to accommodate the facility's wastewater discharge. The property's sewer capacity will be determined during the building permit application.
- 64. Irrigation Water Services: If the property has over 500 square feet of irrigated landscapes, a separate irrigation water meter is required.
- 65. Backflow Prevention Devices: All domestic and irrigation water meters shall be protected with a reduced-pressure backflow prevention assembly per City of Hayward Standard Detail 202 (SD-202). If existing water meters are not currently protected with backflow prevention devices or if the existing backflow prevention devices fail inspection, to the discretion of the City of Hayward Cross-Connection Control Specialist, new RP backflow prevention assemblies shall be installed. RP backflow prevention assemblies shall be inspected and approved by the Cross-Connection Control Specialist prior to water service being activated.
- 66. Fire Services: All fire services shall have an above-ground double check valve assembly (DCVA) per City of Hayward Standard Detail 201 and 204 (SD-201 and SD-204).
- 67. All connections to existing water mains and modifications to existing water services (upsized, downsized, relocate, abandon, etc.) shall be performed by City of Hayward Water Distribution personnel at the applicant's expense.

68. 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.
69. 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 on 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.
70. 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.

FIRE DEPARTMENT- PREVENTION

71. A building permit is required for the installation of storage racks greater than 6 feet in height. A Fire Department Annual Operation Permit is required for any combustible storage (floor and/or rack) which exceeds 12 feet in height (Class I-IV type commodities), AND/OR any high hazard storage which includes commodities such as hazardous materials, flammable liquids, plastics, foam and rubber products, or any other classified commodity as dictated by the California Fire Code and NFPA 13 Standards, which exceeds 6 feet in height. (Deferred submittal)
72. The proposed building shall have approved address numbers. Address identification shall be placed in a position that is plainly legible and visible from the street or road fronting the property. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure.
73. Duct smoke detectors that are installed within the HVAC system (AHU's and Smoke Dampers) shall meet the California Mechanical Code for installation and the California Fire Code. Such detectors shall be interconnected to the buildings' main fire alarm control panel and zoned separately. **(deferred submittal)**
74. 2A:10BC type fire extinguishers are required throughout the building for every 75' of travel or every 3,000 square feet of space including dining and service areas.
75. Install an **automatic fire sprinkler system** in accordance with NFPA 13 Standards shall be installed in the new building. Design and installation of the overhead fire sprinkler system shall be completed by a licensed C16 Contractor. **(deferred submittal by a C16 Contractor)**
76. Maximum 80 PSI water pressure should be used when water data indicates a higher static pressure. Residual pressure should be adjusted accordingly
77. Per the requirement of the Hayward Public Works Department, a static pressure of 80 PSI should be used in fire sprinkler system design when a water test data indicates a higher pressure. The residual pressure should be adjusted accordingly.
78. **Underground fire service line** serving NFPA 13 sprinkler system shall be installed in accordance with the Hayward Public Work Department **SD-204**. Water meter shall be minimum four-inch in diameter. **(deferred submittal by a licensed C16 Contractor)**
79. An audible alarm bell (device) shall be installed on the exterior of the fire sprinkler system riser room.

80. Provide the water/fire flow test data information on the plan, including static pressure, residual pressure, pitot pressure, test flow, calculated available water flow at 20psi and test date. The data should be less than 5 years old. This information may be requested from the Hayward Public Works Department. A new test should be requested if updated data is not available.
81. A fire flow shall be provided in accordance with the 2019 California Fire Code Table B105.1 based on the construction type and building area. Per The 2019 edition of the California Fire Code (CFC) the minimum fire flow required for this building is **5,000gpm for 4 hours. The minimum fire flow required for the proposed building shall be provided for this building. A 50% allowance is granted if the building is protected with an automatic fire sprinkler system.**
82. **Fire alarm system** with occupant notification shall be provided in accordance with 2016 CFC Section 907 and NFPA 72 Standards for all buildings. Emergency voice/alarm communication system may be required for this building. **(Deferred Submittal)**
83. The minimum number of fire hydrants shall be provided in accordance with the Hayward Fire Code Ordinance and the California Fire Code. The average spacing between hydrants is 300 feet. Any portion of the building or facility shall be within 400 feet of a fire hydrant. Spacing and locations of fire hydrants shall be subject to review and approval by the Hayward Fire Department.
84. All new fire hydrants shall be Double Steamer Hydrant (Clow Valve Co. Model 865 with one 2-1/2" outlet & two 4-1/2" outlets). Blue reflective fire hydrant blue dot markers shall be installed on the roadways indicating the location of the fire hydrants. Vehicular protection may be required. Private fire hydrants require a separate submittal of plans to the City of Hayward (COH) Fire Department.
85. Elevators shall be installed and maintained per the California Building and Fire codes. New elevators shall be provided with Phase 1 emergency recall operation and Phase 2 emergency in-car operations.

FIRE DEPARTMENT- HAZARDOUS MATERIAL

86. Chemical Inventory - If hazardous materials/wastes 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.
87. Processes - Provide a written description of the processes to take place as part of the daily operations at this facility (e.g. mechanical service, maintenance, body repairs, oil change, minor details/touchup, car wash etc.).
88. Hazardous Materials/Wastes -Add "HAZ" titled page(s) to plan submittal that specifies location of all hazardous materials/wastes. Indicate secondary containment and their capacities on plans.
89. Aboveground Storage Tanks - Provide additional information if aboveground storage tanks and/or tanks or tanks in underground areas will be part of the daily activities of the new facility.
90. Flammable and Combustible Liquid Storage and Use – The storage and use of flammable and combustible liquids shall meet the requirements of Chapter 57 of the 2016 California Fire Code as adopted by the City of Ha

