



CITY OF  
**HAYWARD**  
HEART OF THE BAY

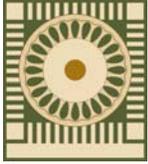
## **PLANNING COMMISSION**

**MARCH 8, 2012**

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CITY OF HAYWARD  
777 B STREET, HAYWARD, CA 94541-5007  
(510) 583-4205 / www.hayward-ca.gov  
LIVE BROADCAST – LOCAL CABLE CHANNEL 15

**AGENDA**  
**HAYWARD PLANNING COMMISSION**  
**Thursday, March 08, 2012 , AT 7:00 PM**  
**COUNCIL CHAMBERS**

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**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.

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**ROLL CALL**

**SALUTE TO FLAG**

**PUBLIC COMMENT:** (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).

**NON-ACTION ITEMS:** (Presentation items are non-action items. Although the Commission 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).

**PRESENTATION:**

1. Route 238 Corridor Improvement Project – Construction Update

**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 HEARINGS:** For agenda item No. 2 the decision of the Planning Commission is final unless appealed. The appeal period is 10 days from the date of the decision. If appealed, a public hearing will be scheduled before the City Council for final decision.



Assistance will be provided to persons requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Persons needing accommodation should contact Sonja Dal Bianco 48 hours in advance of the meeting at (510) 583-4204, or by using the TDD line for those with speech and hearing disabilities at (510) 247-3340.

2. Conditional Use Permit Application PL-2011-0132 / Tentative Tract Map Application PL-2011-0133 – KB Design and Consulting, Ben Wong (Applicant) / Maple Court Homes (Owner) – Request to Construct 44 Residential Condominium Units Within a Five-Story Building. The Project Consists of Four Properties Located at 22471-22491 Maple Court, West Side Between McKeever Avenue and A Street and is Located Within the Central City Commercial (CC-C) District

[Staff Report](#)

[Attachment I - Site Plan Map](#)

[Attachment II - Area Map](#)

[Attachment III - Initial Study and Neg Dec](#)

[Attachment IV - CUP Findings](#)

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[Attachment VI - Tract Findings](#)

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[Attachment VIII - Development Plans](#)

**COMMISSION REPORTS:**

3. Oral Report on Planning and Zoning Matters
4. Commissioners' Announcements, Referrals

**APPROVAL OF MINUTES**

5. [December 15, 2011](#)

**ADJOURNMENT**

**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.

**NOTE:** 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.

**DATE:** March 8, 2012

**TO:** Planning Commission

**FROM:** Tim R. Koonze, Associate Planner

**SUBJECT:** **Conditional Use Permit Application PL-2011-0132 / Tentative Tract Map Application PL-2011-0133 – KB Design and Consulting, Ben Wong (Applicant) / Maple Court Homes (Owner) – Request to construct 44 residential condominium units within a five-story building.**

The project consists of four properties located at 22471-22491 Maple Court, west side between McKeever Avenue and A Street and is located within the Central City Commercial (CC-C) District

## **RECOMMENDATION**

That the Planning Commission 1) adopts the Initial Study and Negative Declaration, 2) approves the Conditional Use Permit to allow residential units on the first floor , and 3) approves the tentative tract map creating 44 condominium units, pursuant to the attached findings and conditions of approval.

## **SUMMARY**

The applicant is requesting to construct 44 condominium units within a five-story building with underground parking. All units meet the minimum private space requirements and the project meets the overall group open space requirements. The Zoning Ordinance allows ground-floor units in the Central City Commercial District with an approved conditional use permit. It would not be feasible to put commercial units on the first floor due to the lack of pedestrian shopping traffic along Maple Court.

The parking for the project is located in an underground garage and a portion of the first floor. The parking complies with the City's Off-Street Parking regulations in terms of number of spaces and design.

The existing single-family home has a moderate level of historic integrity and is considered a significant historic resource, per the California Environmental Quality Act (CEQA). A condition of approval would require that the home be relocated to a site within a neighborhood that supports other historically significant homes in Hayward. By relocating the home, impacts related to historic significance would be considered less-than-significant, per CEQA. Therefore, a Negative Declaration has been processed for this project. On the ground floor at the rear of the building there is a large flat wall with no openings that faces the parking lot of the adjacent property. A condition

of approval would require that this wall be designed to discourage graffiti. The applicant is proposing to put trellises and vines between decorative stucco columns, which would discourage graffiti. The design shall meet the approval of the Planning Director.

## **BACKGROUND**

The proposed project would occupy four contiguous parcels. There is a parking lot on one, a commercial building on another, a vacant paved parcel on the third and a single-family home on the remaining parcel. The home has a high level of historical value due to its well-preserved early-century bungalow design.

The site is relatively flat and located within a developed urban area. Commercial uses surround the site and, adjacent to the rear of the property, a large parking lot serves the adjacent medical office building.

## **DISCUSSION**

*Project Description* - The applicant proposes to construct 44-condominium units within a five-story building over an underground garage. Each unit has two bedrooms and two bathrooms with the exception of one unit that is a one-bedroom unit with one bathroom. The units range in size from 804 to 1198 square feet and each has either a private patio or a private balcony that meets the minimum private open space requirements. The units that front along Maple Court all face toward the street and each has a raised porch. The proposed 26-foot-wide driveway serving the project provides adequate circulation and meets the Fire Department accessibility requirements.

*Architectural Design* –The building has a contemporary design with large reliefs that vary from 5 feet to 12 feet in depth that creates defined shadow lines consistent with the City’s Design Guidelines. The building has a stucco exterior and a tile roof. The windows are accented with heavy trim or balconies. The paint scheme includes a variety of colors that emphasize the building reliefs. The first-story unit entries along Maple Court include raised porches with arched entryways.

The rear of the building carries a similar design incorporating building offsets. On the ground floor at the rear of the building there is a large wall with no openings that faces the parking lot of the adjacent property. To discourage graffiti and minimize visual negative impacts of such wall, the architect proposes to treat this wall with a metal trellis that would support vines situated between decorative spaced columns. The trellis and ivy not only improve aesthetics, but also make it difficult to access the wall, discouraging graffiti. A condition of approval would require that all graffiti be removed within 48 hours of notification.

*Open Space* – The project meets the private and group open space requirements specified in the Zoning Ordinance. This will be achieved by utilizing a combination of private yard areas, private balconies and providing a group open space of 1,418-square-feet on the second floor at the front of the building. The open space area would have amenities such as arbors and benches. A detailed amenity plan will be submitted as part of the improvement plans. The design must meet the approval of the City’s Landscape Architect.

Conditional Use Permit - The Central City Commercial (CC-C) District allows high-density residential use, as a primary use, but only above the first floor of commercial use. There are no other retail stores on Maple Court; therefore, there is very little pedestrian traffic to warrant the construction of ground floor commercial units and the applicant is proposing residential units on the ground floor. The zoning district allows residential units on the ground floor when associated with the approval of a conditional use permit. Staff recognizes that pedestrian traffic is almost non-existent on Maple Court and, therefore, supports the ground floor residential units as described in detail below. The project should, however, create additional pedestrian traffic for the shops along the Foothill Boulevard corridor and A Street.

Conditional Use Permit Findings - In order for the Conditional Use Permit Application to be approved, the following findings must be made:

***A. The proposed use is desirable for the public convenience or welfare.***

The development is compatible with the surrounding structures and uses in that it is immediately adjacent to and in the vicinity of other developments of a similar scale, such as the adjacent four-story medical office building and as designed creates a harmonious setting and is an attractive addition to the Downtown. Multi-family residential use is desirable for the downtown area as specified in the purpose of the Central City-Commercial District as defined in the Zoning Ordinance and the Downtown Design Guidelines as it provides a resident population in the downtown to support retail establishments and encourage downtown activity.

***B. The proposed use will not impair the character or integrity of the zoning district and surrounding area.***

The development takes into consideration physical and environmental constraints in that the five-story building is of a similar size to the adjacent four-story medical office building. The high density residential use is permitted within the zoning district and is a preferred use over the existing uses as the proposed multi-family development provides a resident population in the downtown to support retail establishments and encourage downtown activity.

***C. The proposed use will not be detrimental to the public health, safety, or general welfare.***

The development will be operated in a manner determined to be acceptable and compatible with surrounding development in that as conditioned the property will be managed by a homeowner's association and Conditions, Covenants & Restrictions would be established to manage the property. The City's Transportation Manager reviewed the proposed project and concluded that the vehicle trips generated by the 44 unit development would not have a significant impact on Maple Court or A Street.

***D. The proposed use is in harmony with applicable City policies and the intent and purpose of the zoning district involved.***

A condition of approval requires that the historic home be preserved by relocating it to a site

within a neighborhood that supports other historically significant homes in Hayward. Preservation of historic homes is encouraged by the City's Historic Preservation Ordinance. The proposed project conforms to the Downtown Design Plan with respect to the density specified for multi-family residential uses, setbacks, building heights and the purpose of the Central City district to promote multi-family housing. The project also conforms to the City's Design Guidelines in that the architectural design incorporates offsets to break up building mass, utilizing recessed balconies, continuous roof around the building and accented entry features.

Tentative Tract Map - A tentative tract map is being processed with this proposal to create residential condominium units within the proposed structure. If the tentative map is approved, a final map will be processed and recorded, allowing each unit to be sold separately.

The proposed subdivision creates forty four residential condominium units with underground parking in the Central City Commercial District. Access into the development will be provided via a twenty-six foot wide driveway to Maple Court.

The proposed subdivision is an in-fill development site and there are utilities available to the site with adequate capacity to serve the proposed development. A water meter for each unit would be installed along Maple Court street frontage and would be flush with the sidewalk. An existing streetlight will be relocated and replaced with an LED streetlight.

The formation of a Homeowners' Association (HOA) and the creation of Conditions, Covenants, and Restrictions (CC&R's) will be required so that the HOA will be responsible for maintaining the driveway, private lightings, private utilities, and other privately owned common areas and facilities on the site, including, but not limited to, cleanwater treatment facilities, landscaping, and decorative and pervious paving.

In the event that the City determines that a Community Facilities District (CFD) for public services is required, based on Chapter 8, Article 17 of the Hayward Municipal Code, as amended by City Council Resolution 09-049, the developer shall pay the costs of providing public safety services to the project should the project generate the need for additional public safety services. The developer may pay either the net present value of such costs prior to issuance of building permits, or the developer may elect to annex into a special tax district formed by the City and pay such costs in the form of an annual special tax. The developer shall post an initial deposit of \$20,000 with the City prior to or concurrent with the submittal of the final subdivision map and improvement plans to offset the City's cost of analyzing the cost of public safety services to the property and district formation, should the developer elect to annex into a special tax district.

Findings for the Tentative Tract Map - In order for a Tentative Tract Map to be approved, the Planning Commission must make the following findings:

- A. The tentative tract map substantially conforms to the State Subdivision Map Act, the City's Subdivision Regulations, the General Plan, and the City of Hayward Zoning Ordinance.
- B. Upon the completion of remediation recommended by the project Geotechnical Engineer the site is physically suitable for the proposed type of development.

- C. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- D. The design of the subdivision and the proposed improvements are not likely to cause serious health problems.
- E. Upon completion of the proposed improvements the streets and utilities would be adequate to serve the project.
- F. None of the findings set forth in Section 66474 of the Subdivision Map Act for denial of a tentative map have been made.

Environmental Review - An Initial Study and Negative Declaration have been prepared for the project pursuant to the California Environmental Quality Act (CEQA) (see Attachment III). No significant environmental impacts are expected to result from the project. The review period for the environmental documents ended February 23, 2012.

Staff received a concern from an A Street business owner expressing concern about traffic generated from the site creating congestion during peak traffic hours. The City's Transportation Manager reviewed the proposed project and concluded that the 44 unit development would have virtually no impact on Maple Court or A Street. According to the Institute for Traffic Engineers Trip Generation handbook, the project would generate 15 additional trips during the morning peak hour (0.34 trips per residential unit) and 17 trips during the evening peak hour (0.38 trips per residential unit). Since all of the turns at Maple Court and A Street will be right turns as a result of the Route 238 Corridor Improvement Project, the impact on this intersection's operations will be negligible.

## **PUBLIC CONTACT**

On July 18, 2011, a Referral Notice was mailed to every property owner and occupant within 300 feet of the subject site, as noted on the latest County Assessor's records. Planning staff received no responses as a result of that notification.

On February 17, 2012, a Notice of this Public Hearing was published in *The Daily Review*. In addition, a Referral Notice was mailed to every property owner and occupant within 300 feet of the subject site, as noted on the latest County Assessor's records,

Staff received a comment from a Prospect Avenue resident who supports the development of the site, but who indicates commercial spaces should occupy the first floor. Staff supports allowing residential units, versus retail space, on the first floor as the project is not located within the retail core of the downtown and because of limited pedestrian traffic on Maple Court. The City's Economic Development Manager advises that retail space at this location would not be viable. Additional downtown residents will support the variety of commercial uses that exist within the downtown retail core.

The property manager of the adjacent four-story medical office building expressed support of the project but asked that the building height be reduced so that it doesn't have the potential to interrupt the signals from the three cell antennas that are located on top of the medical offices building. The proposed building and there is no evidence that there would be any interference to the existing antennas signals.

**NEXT STEPS**

The Planning Commission decision begins a 10-day appeal period. If no appeal is filed within that time period, the applicant may proceed with submitting construction drawings and permit applications for the approved use. If the Commission's decision is appealed, the application would be scheduled for a future public hearing before the City Council.

Prepared by: Tim R. Koonze, Associate Planner

Recommended by:



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Richard Patenaude, AICP  
Planning Manager

Approved by:

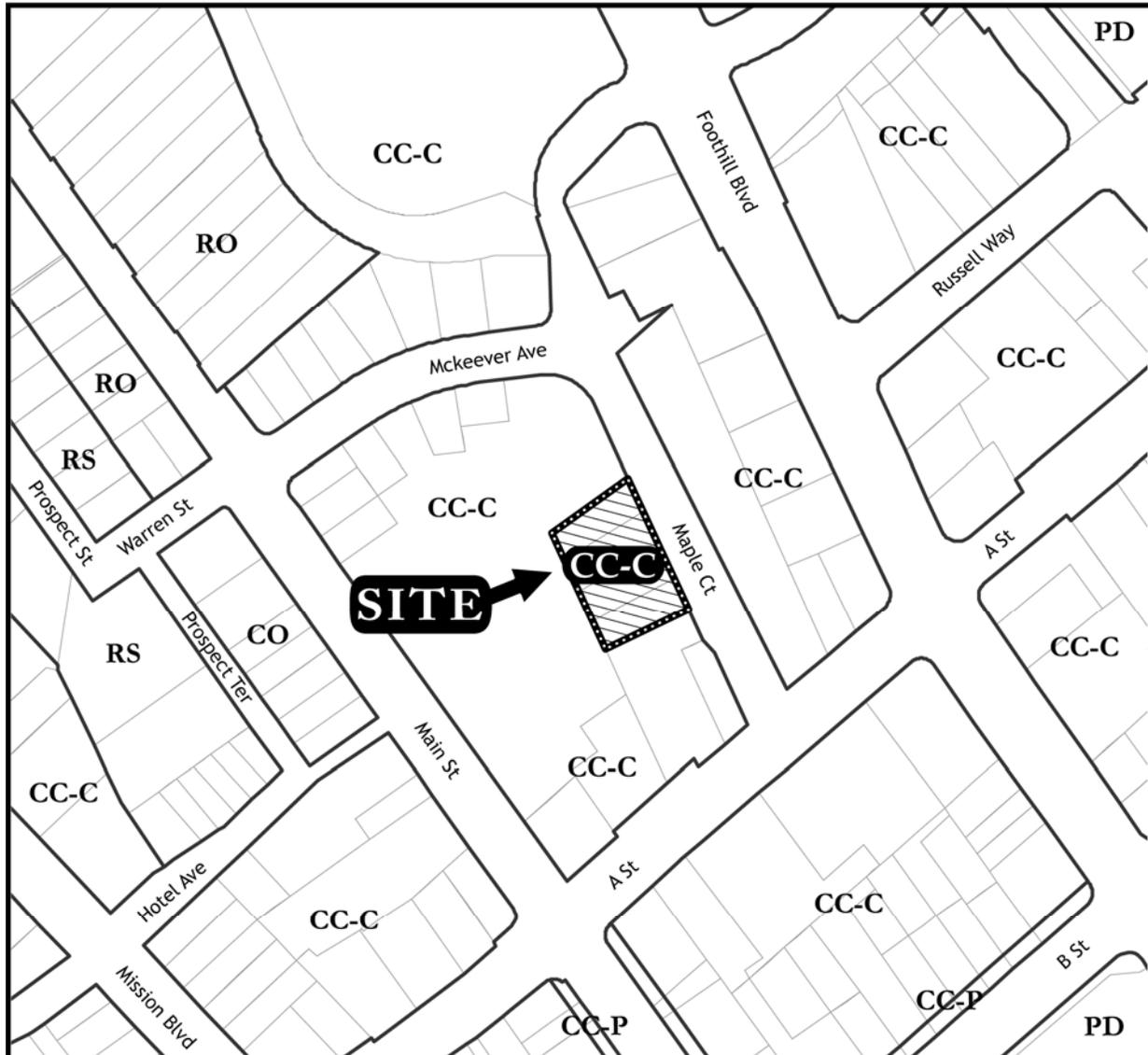


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David Rizk, AICP  
Development Services Director

Attachments:

- |                 |   |
|-----------------|---|
| Attachment I    | Area Map  |
| Attachment II   | Site Plan Aerial                                      |
| Attachment III  | Initial Study Checklist and Negative Declaration      |
| Attachment IV   | Findings for Approval for the Conditional Use Permit  |
| Attachment V    | Conditions of Approval for the Conditional Use Permit |
| Attachment VI   | Findings for Approval for the Tentative Tract Map     |
| Attachment VII  | Conditions of Approval for the Tentative Tract Map    |
| Attachment VIII | Development Plans                                     |



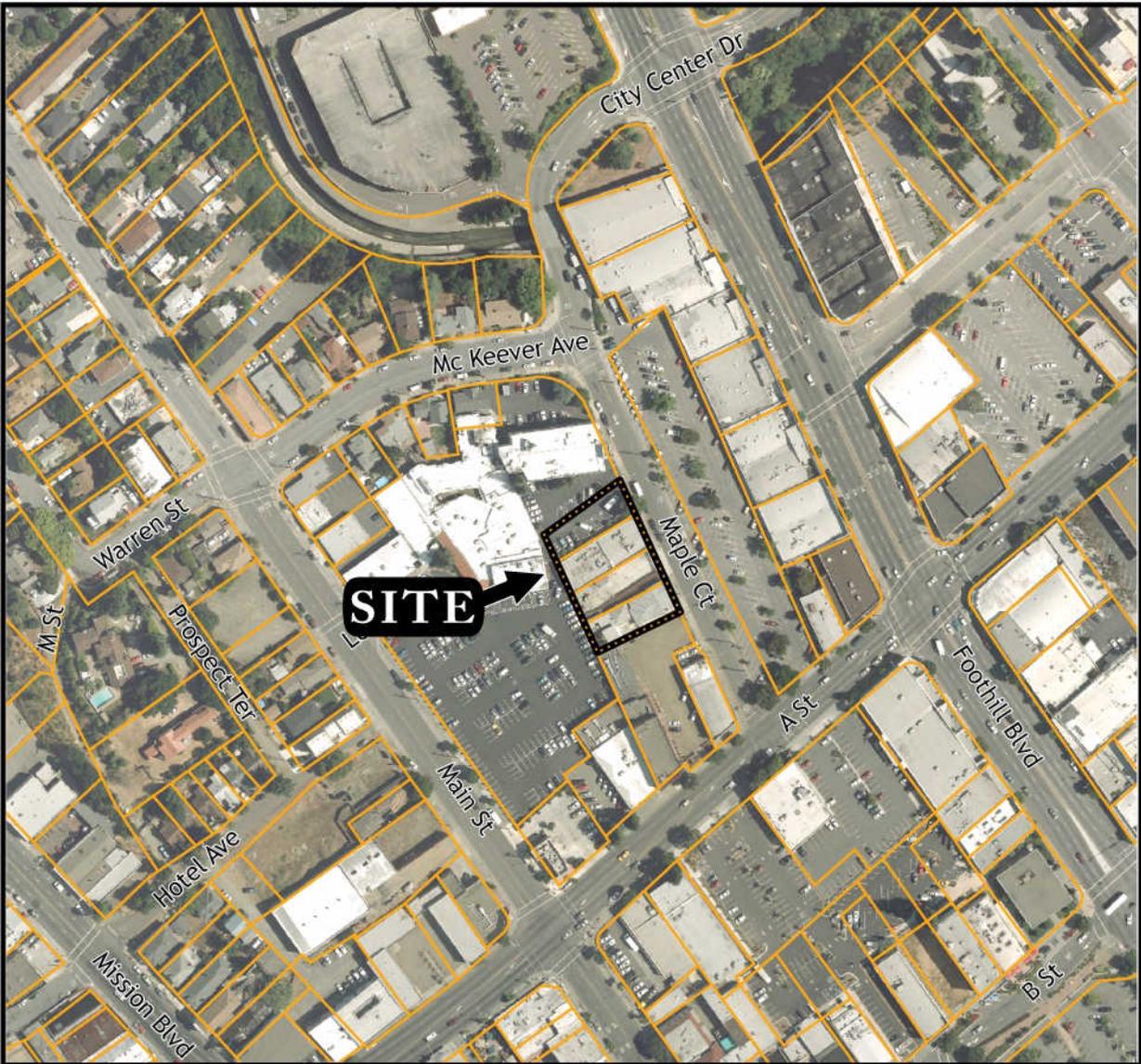
**Area & Zoning Map**

PL-2011-0133 TTM 8084  
 PL-2011-0132 CUP  
 Address: 22471-22491 Maple Court  
 Applicant: Kevin Wong  
 Owner: Maple Court Homes, LLC

**Zoning Classifications**

- RESIDENTIAL**
- RS Single Family Residential, min lot size 5000 sqft
- COMMERCIAL**
- CO Commercial Office
- RO Residential Office
- CENTRAL CITY**
- CC-C Central City - Commercial
- CC-P Central City - Plaza
- OTHER**
- PD Planned Development





## Area Map

PL-2011-0133 TTM 8084

PL-2011-0132 CUP

Address: 22471-22491 Maple Court

Applicant: Kevin Wong

Owner: Maple Court Homes, LLC



FEET 200 400



**DEPARTMENT OF DEVELOPMENT SERVICES  
Planning Division**

**INITIAL STUDY CHECKLIST**

**Project Title:**

**Lead agency name and address:** City of Hayward, 777 “B” Street, Hayward, CA 94541-5007

**Contact person:** Tim R. Koonze, Associate Planner  
(510) 583-4207 tim.koonze@hayward-ca.gov

**Project location:** Property is located at 22471-22491 Maple Court, west side between McKeever Avenue and A Street.

**Project sponsor’s name and address:** KB Design and Consulting LLC  
260 5<sup>th</sup> Street  
San Francisco, CA 94103  
Attn: Kevin Wong

**General Plan:** Commercial High Density Residential (CHDR)

**Zoning:** Central City Commercial (CC-C)

**Description of project:** Request to construct 44 residential condominium units within a five story building. The proposal includes allowing residential development on the first floor.

**Surrounding land uses and setting:** The uses surrounding the subject site consist of commercial uses.

**Other public agencies Whose approval is required:** None

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" 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 type="checkbox"/> Biological Resources     | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology /Soils                     |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials      | <input type="checkbox"/> Hydrology / Water Quality          |
| <input type="checkbox"/> Land Use / Planning      | <input type="checkbox"/> Mineral Resources                  | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Population / Housing     | <input type="checkbox"/> Public Services                    | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation/Traffic   | <input type="checkbox"/> Utilities / Service Systems        | <input type="checkbox"/> Mandatory Findings of Significance |

**DETERMINATION: (To be completed by the Lead Agency)**

On the basis of 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 in 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.
- I find that although the proposed project could have a significant effect on the environment, because all potentially 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.

<i>Tim Koonze</i>	<i>2/3/12</i>
Signature	Date
<i>Tim Koonze</i>	
Printed Name	For

EVALUATION OF ENVIRONMENTAL IMPACTS:

ENVIRONMENTAL ISSUES:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. AESTHETICS --</b> Would the project:				
a) Have a substantial adverse effect on a scenic vista? <i>Comment: The proposed improvements would not affect any scenic vista.</i>	<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? <i>Comment: No scenic resources exist in the area.</i>	<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? <i>Comment: The project consists of the construction of 44 residential condominium units within a five-story building with a downtown urban area. The project will promote pedestrian activity. The proposed building with the adjacent four story commercial building in size and has contemporary architecture that would enhance the aesthetics of the neighborhood. Therefore, there is no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? <i>Comment The light generated from the project is considered less than significant given the surrounding developed area; no mitigation is required.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**II. AGRICULTURE AND FOREST**

**RESOURCES:** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? ***Comment:*** *The project site does not contain such farmland.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? ***Comment:*** *The project is not located in an agricultural district nor in an area used for agricultural purposes, nor is it subject to the Williamson Act.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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))? ***Comment:*** *The project does not involve the rezoning of forest land or timberland; thus, no impact.*

<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
d) Result in the loss of forest land or conversion of forest land to non-forest use? <b>Comment</b> <i>The project does not involve the loss or conversion of forest land; thus, no impact.</i>	<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? <b>Comment</b> <i>The project does not involve changes to the environment that could result in conversion of farmland or forest land; thus no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>III. AIR QUALITY</b> -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan? <b>Comment</b> <i>The project consists of the construction of 44 residential condominium units within a five-story building and will not conflict with the goals of the air quality plan; thus no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? <b>Comment</b> <i>The Bay Area Air Quality Management District (BAAQMD) has established screening criteria as part of their CEQA guidance to assist in determining if a proposed project could result in potentially significant air quality impacts. Based on the District's criteria, the proposed project screens below what would require additional evaluation; thus the proposed project will not violate any air quality standard and there is no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

precursors)? **Comment** *The proposed project meets the screening criteria in Table 3-1 of the Air District's CEQA Guidelines; thus, it can be determined that the project would result in a less-than-significant cumulative impact to air quality from criteria air pollutants and precursor emissions.*

d) Expose sensitive receptors to substantial pollutant concentrations? **Comment** *The project consists of the construction of 44 residential condominium units within a five-story building that will not involve exposing sensitive receptors to substantial pollutant concentrations; thus no impact.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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e) Create objectionable odors affecting a substantial number of people? **Comment** *The project consists of the construction of 44 residential condominium units within a five-story building of which would not create any objectionable odors; thus no impact.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**IV. BIOLOGICAL RESOURCES --** 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 Game or U.S. Fish and Wildlife Service? **Comment:** *The project will have no impact n on any wildlife species as the site is already developed with buildings and parking area and is located within an established developed neighborhood and is not known to contain any or contribute to any species identified as a candidate, sensitive, or special status species.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? **Comment:** *The project would have no impact on any riparian habitat as the property is developed and the site is located*

<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
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*within an established developed area.*

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? **Comment** *The project site is a developed site that contains no wetlands; thus, no impact.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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? **Comment:** *The site does not contain habitat used by migratory fish or wildlife nor is it a migratory wildlife corridor in that it is located within a developed area.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? **Comment** *The project site does not contain any significant stands of trees. Any significant trees located on-site and along the property frontages shall remain and be protected during construction, thus, no impact.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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"/>
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**Comment:** *There are no habitat conservation plans affecting the property.*

**V. CULTURAL RESOURCES --** Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5? **Comment:** *There is an existing home on the site that has been designated as having a high integrity historical value. A condition of approval requires the applicant to relocate the home to a site in Hayward that has homes of similar architecture prior to any construction. The site must be approved by the Planning*

<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
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Director. The saving of the home would result in a less-than-significant impact.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? <b>Comment:</b> No known archaeological resources exist on the site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? <b>Comment:</b> No known paleontological resources exist on the site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Disturb any human remains, including those interred outside of formal cemeteries? <b>Comment:</b> There are no records of any human remains located on the subject sites. There are no improvements proposed as part of this project that are not on properties that have previously been developed. If future construction reveals human remains a condition of approval would require the developer to contact the local coroner and, if determined necessary, the Native American Heritage Commission.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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VI. GEOLOGY AND SOILS -- Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. <b>Comment</b> The affected parcels are located approximately 250 feet east of the Hayward Fault zone; however, any future buildings would be designed and constructed to comply with the California Building Code; thus the impact is considered less-than-significant.	<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
<p>ii) Strong seismic ground shaking? <b>Comment</b> <i>The project site is located near the Hayward Fault which will most likely experience strong ground shaking in the event of an earthquake rupturing on the Hayward Fault; however, future buildings will be designed and constructed to withstand an earthquake; thus the impact is considered less-than-significant.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>iii) Seismic-related ground failure, including liquefaction? <b>Comment</b> <i>The site lies within the large portion of Hayward that is mapped as being subject to seismic liquefaction. Prior to issuance of a building permit, engineering and building staff will review a soils investigation report to ensure that the building foundations are adequately designed for the soil type on-site, thus the impact is considered less-than-significant.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>iv) Landslides? <b>Comment</b> <i>The project site is a flat lot located in the downtown Hayward area and not located in an area impacted by landslides; thus, no impact.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Result in substantial soil erosion or the loss of topsoil? <b>Comment</b> <i>The project site is a flat, fully developed lot whereby minimal grading will take place to accommodate future construction. The project will implement soil erosion measures during construction; thus the impact is considered no impact.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? <b>Comment</b> <i>The project is not proposed on soil that is unstable; thus no impact.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? <b>Comment</b> <i>The project site does not contain any expansive soils; thus, no impact.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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for the disposal of waste water? **Comment** *The project would connect to an existing sewer system with sufficient capacity and does not involve septic tanks or other alternative wastewater; thus, no impact.*

**VII. GREENHOUSE GAS EMISSIONS --**

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? **Comment** *Any commercial development that could occur on the parcels being rezoned from residential to commercial fall below the allowable screening criteria established by the Bay Area Air Quality Management District thus would not exceed the threshold of significance for Greenhouse gas emissions; thus no impact.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? **Comment** *The project consists of the construction of 44 residential condominium units within a five-story building with a downtown urban area. The project will promote pedestrian activity. The project is consistent with applicable plans and policies for reducing greenhouse gas emissions; thus, no impact.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**VIII. HAZARDS AND HAZARDOUS MATERIALS --** Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? **Comment** *Pursuant to a Phase 1 study prepared by Eras Environmental, Inc. on December 22, 2011 no hazardous materials or evidence of hazardous materials was found at the site. However, a dry cleaner was located at the site from 1962 through 1971, therefore, the report recommends further ground and water testing. If any contaminants are found they will be dealt with in accordance with the City of Hayward's Hazardous Materials Division requirements thus the impact is considered less-than-significant.*

<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
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? <b>Comment</b> <i>See VIII a).</i>	<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 one-quarter mile of an existing or proposed school? <b>Comment</b> <i>There are no schools within one-quarter of a mile of the project sit, thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? <b>Comment</b> <i>The project site is not on a list of hazardous materials sites; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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? <b>Comment</b> <i>The project is not located within an airport land use plan area; thus, no impact.</i>	<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? <b>Comment</b> <i>The project is not located within the vicinity of a private air strip; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? <b>Comment</b> <i>The project site is midblock within a developed area fronting on Maple Court, a public street, and will not interfere with an adopted emergency response plans or evacuation plan; thus, no impact.</i>	<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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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intermixed with wildlands? **Comment** *The project site is not located within the City's Wildland Interface Area; thus no impact.*

**IX. HYDROLOGY AND WATER QUALITY**

-- Would the project:

a) Violate any water quality standards or waste discharge requirements? **Comment** *The project will comply with all water quality and wastewater discharge requirements of the City; thus, no impact.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment** *The project will be connected to the existing water supply and will not involve the use of water wells and will not deplete groundwater supplies or interfere with groundwater recharge; thus, no impact.*

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? **Comment** *The project site is an infill site that currently has a parking lot, commercial building and single-family home. All drainage from the site and the proposed 44-unit condominium building is required to be treated before it enters the storm drain system and there is sufficient capacity to handle any drainage from the property; thus, no impact.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? **Comment** *The project site is an infill site that currently has a commercial building, parking lot and single-family home. All drainage from the site is required to be treated before it enters the storm*

<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
<i>drain system and managed such that post-development run-off rates do not exceed pre-development run-off rates; thus, no impact.</i>				
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? <b>Comment</b> <i>The project site is an infill site that drains to an existing storm water main that has sufficient capacity to handle any drainage from the property; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? <b>Comment</b> <i>All drainage from the site drains into an existing drainage system that has sufficient capacity to serve the site and all drainage is required to be treated before it enters the storm drain system; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? <b>Comment</b> <i>The project site is not located within a 100-year flood hazard area; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? <b>Comment</b> <i>The project site is not located within a 100-year flood hazard area; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) 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? <b>Comment</b> <i>The project site is not located within a 100-year flood hazard area; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? <b>Comment</b> <i>The project site is not in a location that would allow these phenomena to affect the site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>X. LAND USE AND PLANNING --</b> Would the project:				
a) Physically divide an established community? <b>Comment</b> <i>The project site is an infill site that</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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currently has a parking lot, commercial building and single-family home. The proposed infill project consists of building a 44-unit condominium building and removing a commercial building, parking lot and single-family home. The property is within a General Plan designation of City Center Retail Office and Commercial which encourages mixed commercial and high density residential uses that promote pedestrian traffic. The project conforms to the intent of development for the area, therefore, the project would have less than significant impact to the established community.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? **Comment** The property is within a General Plan designation of City Center Retail Office and Commercial which encourages mixed commercial and high density residential uses that promote pedestrian traffic. The project is a high density residential building that would promote pedestrian activity through building design for easy interaction with any street activity. The intent of the zoning and General Plan would be met and thus be considered less-than-significant.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Conflict with any applicable habitat conservation plan or natural community conservation plan? **Comment** The project site is not covered by any habitat conservation plan or natural community conservation plan; thus, no impact.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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XI. MINERAL RESOURCES -- 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? **Comment** There are no known mineral resources on the project site; thus no impact.

<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
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? <b>Comment</b> <i>The project site is not identified as a site known to have mineral resources; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XII. NOISE -- Would the project result in:</b>				
a) <i>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?</i> <b>Comment</b> <i>While the project would not result in a permanent increase in ambient noise levels in the project vicinity above levels existing without the project, the project would expose people to increased noise levels during construction. Construction of the homes may result in noise or noise levels in excess of standards established in the Noise Element of the Hayward General Plan or the Municipal Code, or applicable standards of other agencies if any, will be temporary in nature during the construction of the homes and associated improvements. All City noise standards are required to be met and maintained upon completion of construction. Grading and construction will be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Friday. No work will be done on weekends or national holidays. The construction noise would be considered less-than-significant.</i>	<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? <b>Comment</b> <i>See XII a).</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? <b>Comment</b> <i>See XII a).</i>	<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? <b>Comment</b> <i>See XII a).</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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? <b>Comment</b> <i>The project is not located within an airport land use plan area; thus, no impact.</i>				

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 levels? <b>Comment</b> <i>The project is not located within near a private air strip; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**XIII. POPULATION AND HOUSING --**

Would the project:

a) 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)? <b>Comment</b> <i>The property is within a General Plan designation of City Center Retail Office and Commercial which encourages mixed commercial and high density residential uses that promote pedestrian traffic. The project conforms to the intent of development for the area; therefore, the impacts to substantial population growth would have a less than significant impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? <b>Comment</b> <i>The project site is an infill site that currently has a parking lot, commercial building and single-family home. The project proposed to construct 44 residential units and to relocate the existing single-family home, thus there is no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? <b>Comment</b> <i>See XIII b).</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**XIV. PUBLIC SERVICES --**

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause	<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
significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities? <b>Comment</b> <i>The project is proposing a residential use within an urbanized area that is already served by police, fire, schools and parks. No mitigation is required.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XV. RECREATION --**

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? **Comment** *The proposed residential project incorporates private and group open space that exceeds the City's requirements. In addition, there developer would be required to pay park dedication in-lieu fees to help fund improvements to parks in the area, thus, no impact.*

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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? **Comment** *See XV a).*

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**XVI. TRANSPORTATION/TRAFFIC --**

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

	<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
paths, and mass transit? <b>Comment</b> <i>The project fronts on a public street that can accommodate the vehicle trips generated by the proposed project. The project will not conflict with any plan regarding effective performance of the circulation system. The residential project fronts on a public street providing adequate access; thus, no impact.</i>				
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? <b>Comment.</b> <i>No level of service will be impacted by the residential use on existing in-fill lots; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks? <b>Comment</b> <i>The project involves no change to air traffic patterns; thus, no impact.</i>	<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 uses (e.g., farm equipment)? <b>Comment</b> <i>The project has been designed to meet all City requirements; thus no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access? <b>Comment</b> <i>The project is on an in-fill site completely accessible and will not result in inadequate emergency access; thus, no impact.</i>	<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 decrease the performance or safety of such facilities? <b>Comment</b> <i>The project does not involve any conflicts or changes to policies, plans or programs related to public transit, bicycle or pedestrian facilities; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVII. UTILITIES AND SERVICE SYSTEMS</b>				
-- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? <b>Comment</b> <i>The project will not exceed wastewater treatment requirements; thus no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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? <b>Comment</b> <i>There is sufficient capacity to accommodate the proposed project; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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? <b>Comment</b> <i>There is sufficient capacity in the existing storm drain system to accommodate the proposed project; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? <b>Comment</b> <i>There is sufficient capacity in the water main to accommodate the proposed project; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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? <b>Comment</b> <i>There is sufficient capacity in the sanitary sewer main to accommodate the proposed project; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project' s solid waste disposal needs? <b>Comment</b> <i>There is sufficient capacity to accommodate the proposed project; thus, no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste? <b>Comment</b> <i>There is sufficient capacity to accommodate the</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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*proposed project; thus, no impact.*

**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --**

a) Does the project have the potential to degrade the quality of the environment, 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 a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment** *The project will not have any impacts on wildlife or fish habitat nor eliminate a plant or animal community; thus, no impact.*

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)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment** *As evidenced in the checklist above, it has been determined that the project will not have any significant impacts; thus no impact to cumulative impacts.*

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment** *The project will not have any environmental impacts thus will not cause substantial adverse effects on human beings; thus no impact.*



**DEPARTMENT OF  
DEVELOPMENT SERVICES  
Planning Division**

**NEGATIVE DECLARATION**

Notice is hereby given that the City of Hayward finds that no significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

**I. *PROJECT DESCRIPTION:*** Request to construct 44 residential condominium units within a five story building. The proposal includes allowing residential development on the first floor where the zoning district requires residential units over first floor commercial.

**II. *FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:***

The proposed project could not have a significant effect on the environment.

**III. *FINDINGS SUPPORTING DECLARATION:***

1. The proposed project has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed project could not result in significant effects on the environment.
2. The project will not adversely affect any scenic resources.
3. The project will not have an adverse effect on agricultural land since the property is surrounded by urban uses and it is too small to be used for agriculture.
4. The project will not result in significant impacts related to changes into air quality. When the property is developed the City will require the developer to submit a construction Best Management Practice (BMP) program prior to the issuance of any grading or building permit.
5. The project will not result in significant impacts to biological resources such as wildlife and wetlands since the site contains no such habitat and it is surrounded by urban uses.
6. To accommodate the proposed project, a condition of approval requires that the existing single-family historic home be preserved by relocating it to a site within a neighborhood that supports other historically significant homes in Hayward. Preservation of historic homes is encouraged by the City's Historic Preservation Ordinance. With this condition, the project would have a less than significant impact to known cultural resources including historical resources, archaeological resources, paleontological resources, unique topography, or disturb human remains.

7. The project site is not located within a “State of California Earthquake Fault Zone”, however, may experience ground shaking due to the proximity to active faults in the region. Construction will be required to comply with the Uniform Building Code standards to minimize seismic risk due to ground shaking.
8. The project will not lead to the exposure of people to hazardous materials.
9. The project will meet all water quality standards. Drainage improvements will be made to accommodate storm water runoff for any future developments.
10. The project is consistent with the policies of the City General Policies Plan, the Downtown Design Plan, the City of Hayward Design Guidelines and the Zoning Ordinance.
11. The project could not result in a significant impact to mineral resources since the site is too small to be developed to extract mineral resources.
12. The project will not have a significant noise impact.
13. The project will not result in a significant impact to public services.
14. The project will not result in significant impacts to traffic or result in changes to traffic patterns or emergency vehicle access.

**IV. PERSON WHO PREPARED INITIAL STUDY: Tim Koonze, Associate Planner**

Signature: Tim Koonze Dated: 2/3/12

**V. COPY OF INITIAL STUDY IS ATTACHED**

For additional information, please contact the City of Hayward Development Services Division, 777 B Street, Hayward, CA 94541-5007 or telephone (510) 583-4114

**CITY OF HAYWARD  
PLANNING DIVISION  
CONDITIONAL USE PERMIT  
March 8, 2012**

**Conditional Use Permit Application PL-2011-0132 / Tentative Tract Map Application PL-2011-0133 – KB Design and Consulting, Ben Wong (Applicant) / Maple Court Homes (Owner)** – Request to construct 44 residential condominium units within a five-story building. The proposal includes allowing residential development on the first floor.

The project consists of four properties located at 22471-22491 Maple Court, west side between McKeever Avenue and A Street (Assessor’s Parcel No’s 428-61-10, 11, 12-2 and 15-2). The property is located within the Central City Commercial (CC-C) District.

**FINDINGS FOR APPROVAL**

- A. The proposed project has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed project, with the recommended mitigation measures, could not result in significant effects on the environment.
- B. The proposed use is desirable for the public convenience or welfare.***

The development is compatible with the surrounding structures and uses in that it is immediately adjacent to and in the vicinity of other developments of a similar scale such as the adjacent four-story medical office building and as designed creates a harmonious setting and is an attractive addition to the Downtown. Multi-family residential use is desirable for the downtown area as specified in the purpose of the Central City-Commercial District as defined in the Zoning Ordinance and the Downtown Design Guidelines as it provides a resident population in the downtown to support retail establishments and encourage downtown activity.

- C. The proposed use will not impair the character or integrity of the zoning district and surrounding area.***

The development takes into consideration physical and environmental constraints in that the five-story building is of a similar size to the adjacent four-story medical office building. The high density residential use is permitted within the zoning district and is a preferred use over the underutilized uses as multi-family developments provides a resident population in the downtown to support retail establishments and encourage downtown activity.

***D. The proposed use will not be detrimental to the public health, safety, or general welfare.***

The development will be operated in a manner determined to be acceptable and compatible with surrounding development in that as conditioned the property will be managed by a homeowner's association and Conditions, Covenants & Restrictions would be established to manage the property. The City's Transportation Manager reviewed the proposed project and concluded that the vehicle trips generated by the 44 unit development would not have a significant impact on Maple Court or A Street.

***E. The proposed use is in harmony with applicable City policies and the intent and purpose of the zoning district involved.***

A condition of approval requires that the historic home be preserved by relocating it to a site within a neighborhood that supports other historically significant homes in Hayward. Preservation of historic homes is encouraged by the City's Historic Preservation Ordinance. The proposed project conforms to the Downtown Design Plan with respect to the density specified for multi-family residential uses, setbacks, building heights and the purpose of the Central City district to promote multi-family housing. The project also conforms to the City's Design Guidelines in that the architectural design incorporates offsets to break up building mass, utilizing recessed balconies, continuous roof around the building and accented entry features.

**CITY OF HAYWARD  
PLANNING DIVISION  
CONDITIONAL USE PERMIT**

**March 8, 2012**

**Conditional Use Permit Application PL-2011-0132 / Tentative Tract Map Application PL-2011-0133 – KB Design and Consulting, Ben Wong (Applicant) / Maple Court Homes (Owner)** – Request to construct 44 residential condominium units within a five-story building. The proposal includes allowing residential development on the first floor.

The project consists of four properties located at 22471-22491 Maple Court, west side between McKeever Avenue and A Street (Assessor's Parcel No's 428-61-10, 11, 12-2 and 15-2). The property is located within the Central City Commercial (CC-C) District

This permit becomes void three years after the effective date of approval, unless prior to that time a building permit application has been submitted and accepted for processing by the Building Official, or a time extension of this application is approved. Prior to final inspection all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Planning Director. A request for an extension, approval of which is not guaranteed, must be submitted to the Planning Division at least 15 days prior to March 8, 2015.

**CONDITIONS FOR APPROVAL**

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. Any proposal for alterations to the proposed site plan and/or design, which does not require a variance to any zoning code, must be approved by the Planning Director prior to implementation.
3. The building permit plans shall incorporate the following information:
  - a. A copy of these conditions of approval shall be included on a full-sized sheet(s) in the plan set.
  - b. The plans shall show that pavement at the vehicular driveway and the pedestrian entries, shall be enhanced by the use of decorative pavement materials such as colored, stamped concrete (bomanite or equal), brick, concrete interlocking pavers or other approved materials. The location, design and materials shall be approved by the Planning Director.
  - c. A lighting plan prepared by a qualified illumination engineer shall be included to show exterior lighting design. Exterior lighting shall be erected and maintained so that adequate lighting is provided in all common areas. The Planning Director shall approve the design and location of lighting fixtures, which shall reflect the architectural style of the building. Exterior lighting shall be shielded and deflected away from neighboring properties and from windows of the building.
  - d. The security gate entry shall be designed to conform to the Security Gate Ordinance.

- e. Recommendations of the project geotechnical consultants, United Soil Engineering, Inc., shall be implemented, including those related to ground-motion parameters for use in structural design of buildings.
4. Prior to issuance of a building permit:
  - a. Final colors and materials selection shall be presented to the Planning Director for review and approval.
  - b. Provide an architectural feature along the flat wall on the ground floor at the rear of the building to discourage graffiti such as a metal trellis that would support vines situated between decorative spaced columns. The design shall meet the approval of the Planning Director.
  - c. Documentation creating a homeowners association and Covenants, Codes and Restrictions (CC&R's) shall be recorded. Before recordation, the CC&Rs shall be submitted to the City Attorney for review and approval.
  - d. The developer shall submit a soils investigation report to the satisfaction of the City Engineer.
5. In the event that human remains', archaeological resources, prehistoric or historic artifacts are discovered during construction of 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 consulted 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.
6. Prior to any construction occurring on the site, the existing single-family home, which has a moderate level of historic integrity and historic significance, shall be relocated to a site within a neighborhood that supports other historically significant homes in Hayward. The site chosen for the relocation shall be approved by the Planning Director.
7. Prior to Certificate of Occupancy, the applicant shall pay an in-lieu fee of \$320,000, calculated at a cost of \$80,000 per the four affordable units required pursuant to the Inclusionary Housing Ordinance.
8. The developer shall pay the costs of providing public safety services to the project should the project generate the need for additional public safety services. The developer may pay either the net present value of such costs prior to issuance of building permits, or the developer may elect to annex into a special tax district formed by the City and pay such costs in the form of an annual special tax. The developer shall post an initial deposit of \$20,000 with the City prior to or concurrent with the submittal of the final subdivision map and improvement plans to offset the City's cost of analyzing the cost of public safety services to the property and district formation, should the developer elect to annex into a special tax district.
- 9.
10. The applicant or homeowners association shall maintain in good repair all fencing, parking surfaces, common landscaping, lighting, trash enclosures, 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 homeowners 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.

11. The residents shall not use the parking spaces for storage of recreational vehicles, camper shells, boats or trailers. These spaces shall be monitored by the homeowners association. The homeowners association shall remove vehicles parked contrary to this provision. The developer shall include in the CC&Rs authority to tow illegally-parked vehicles.
12. Utilities, meters, and mechanical equipment when not enclosed in a cabinet, shall be screened by either plant materials or decorative screen so that they are not visible from the street. Sufficient access for reading must be provided to meters.
13. Any transformer shall be located underground or screened from view by landscaping and shall be located outside any front or side street yard.

**Landscaping:**

14. Prior to the approval of improvement plans, or issuance of a building permit, detailed landscaping and irrigation plans shall be prepared by a licensed landscape architect and submitted for review and approval by the City. Landscaping and irrigation plans shall comply with the City's *Water Efficient Landscape Ordinance*.
  - a. Provide tree key and legend or a note referring to specific landscape plan for landscape information on trees to be removed. A separate tree removal permit shall be required from the City Landscape Architect for all trees that are to be removed prior to site demolition work.
  - b. Prepare landscape and irrigation plans for each level separately. Provide bark, pre-emergent, and groundcover in all planting beds. When preparing irrigation plan, show point of connections clearly.
  - c. Provide overlay of planter and tree locations in relation to structural column and light standard locations.
  - d. Shrub spacing must be provided on Plant Legend when preparing Construction Documents. All screening shrubs shall be a minimum 5-gallon in size.
  - e. Provide details of group open space amenities, such as benches, tables, fencing, play equipment and barbecues.
  - f. All trees, including Second Floor plantings, shall be planted per City Standard SD-122.
  - g. Provide a detailed planting and irrigation plan including trees and shrubs for the 10 foot wide landscaped area along the northerly property line. Provide details of any amenities, such as benches, tables, fencing.
16. One 24-inch box street tree is required for every 20-40 lineal feet of frontage. Spacing of the trees is dependant on the species of trees. Smaller trees will require closer spacing. Trees shall be planted to fill vacancies in the street tree pattern, and to replace any declining or dead trees. Trees shall be planted according to the most current City Standard Detail SD-122.
17. All trees shall be planted a minimum of 5 feet from any underground utilities, 15 feet from a light standard, and 30 feet from the face of a traffic signal, unless otherwise

specified by the City. Root barriers shall be provided for all trees that are located within 7 feet of paved edges or structures.

18. Amend the soil with compost. Refer to [www.stopwaste.org](http://www.stopwaste.org) and [www.bayfriendly.org](http://www.bayfriendly.org) for information. The courtyard landscape shall use green-roof concepts and shall be utilized for bio-filtration, bio-retention and bio-detention.
19. Landscape areas adjoining the common driveway shall be separated by a 6-inch-high class "B" Portland cement concrete curb.
20. Prior to issuance of a Certificate of Occupancy, all landscape and irrigation shall be completed in accordance to the approved plan and accepted by the project landscape architect prior to submitting a Certificate of Final Acceptance. The final acceptance form must be submitted prior to requesting an inspection by the City Landscape Architect. An Irrigation Schedule shall be submitted prior to the final inspection and acceptance of improvements.
21. Park in-lieu fee is required for each of the unit in the development. Park in-lieu fee shall be applied at the rate in effect at the time a building permit is issued. The fee schedule is updated annually with new fees taking effect on July 1 of each year. The current fee for a multi-family dwelling is \$9,653. This fee will apply to 44 units. No credit can be given for the existing single family home as it is required to be relocated. The fee shall be paid to the City prior to the date of the final inspection or the date of the certificate of occupancy is issued, whichever occurs first.

**Fire Department:**

22. Access
  - a. Access requirements for this development shall be in compliance with the California Fire Code and Hayward Fire Department Standards.
  - b. The driveway located in the south side of the building shall be 26-feet-wide to accommodate the need for ladder truck operations. The driveway shall be identified as an Emergency Vehicle Access lane (EVA) including red-painted curbing and the installation of fire lane signage as required by the Hayward Fire Department.
  - c. The EVA shall maintain an unobstructed vertical clearance of 13.5 feet.
  - d. The paved EVA shall be designed and engineered to withstand 75,000 lbs. gross vehicle weight (GVW) of fire apparatus.
  - e. The proposed automated security gate at the entrance shall have a key switch to allow fire access. The design shall be approved by the City Fire Department.
23. Building Construction
  - a. This building is determined to be "high-rise structure" by definition of Hayward Fire Code Ordinance No. 10-14. All high-rise requirements will be applicable, including a Fire Command Center.
  - b. Fire Department connection shall be located on Maple Court within 100 feet to a fire hydrant.
  - c. Fire hydrants and fire lanes for the development shall be operational and in service prior to the start of any combustible construction and/or storage of combustible construction materials.

- d. Prior to issuance of a Certificate of Occupancy, final fire department/hazardous materials inspection is required to verify that requirements for fire protection facilities have been met, and actual construction of all fire protection equipment has been completed in accordance with the approved plan. Please contact the Fire Marshal's Office at (510) 583-4910 at least 24 hours before the desired final inspection appointment.

24. Fire Protection

- a. The building shall have an automatic fire sprinkler system installed per NFPA 13 Standards.
- b. Design and installation of the Class 1 wet standpipe system shall be in conformance with NFPA 14 Standards.
- c. A manual fire alarm system with the occupant in notification is required and shall be install in accordance with NFPA 27.

**Solid Waste & Recycling:**

- 25. A Construction and Demolition Debris Recycling Statement must be submitted with the building permit application. A Construction and Demolition Debris Recycling Summary Report must be completed, including weigh tags, at the COMPLETION of the project.

**Utilities:**

- 26. Each residential condominium must have an individual water meter and sanitary sewer lateral.
- 27. Show gallon per minute demand on plans to determine proper meter sizes for residential and irrigation water use. A reduced pressure backflow prevention assembly shall be installed as per City of Hayward Standard Detail 202 on all domestic and irrigation water meters.
- 28. The building permit and tract improvement plans shall show the location of proposed water meters. Water meters shall be located a minimum of six feet from sanitary sewer lateral as per State Health Code.
- 29. Water and sewer service is available subject to standard conditions and fees in effect at time of application.
- 30. Prior to discharge, additional sewer system capacity to accommodate the volume and waste strength of wastewater to be discharged from the site must be purchased at the rates in effect at the time of purchase.
- 31. Add following notes to the building permit plans:
  - (a) Provide keys/access code/automatic gate opener to utilities for all meters enclosed by a fence/gate as per Hayward Municipal Code 11-2.02.1.
  - (b) Only water distribution personnel shall perform operation of valves on the Hayward Water System.

**CITY OF HAYWARD  
PLANNING DIVISION**

**TENTATIVE TRACT MAP 8084**

**March 8, 2012**

**Conditional Use Permit Application PL-2011-0132 / Tentative Tract Map Application PL-2011-0133 – KB Design and Consulting, Ben Wong (Applicant) / Maple Court Homes (Owner)** – Request to construct 44 residential condominium units within a five-story building. The proposal includes allowing residential development on the first floor.

The project consists of four properties located at 22471-22491 Maple Court, west side between McKeever Avenue and A Street (Assessor's Parcel No's 428-61-10, 11, 12-2 and 15-2). The property is located within the Central City Commercial (CC-C) District

**FINDINGS FOR APPROVAL**

- A. The proposed project has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed project, with the recommended mitigation measures, could not result in significant effects on the environment.
- B. The tentative tract map substantially conforms to the State Subdivision Map Act, the City's Subdivision Regulations, the General Plan, and the City of Hayward Zoning Ordinance.
- C. Upon the completion of remediation recommended by the project Geotechnical Engineer the site is physically suitable for the proposed type of development.
- D. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- E. The design of the subdivision and the proposed improvements are not likely to cause serious health problems.
- F. Upon completion of the proposed improvements the streets and utilities would be adequate to serve the project.
- G. None of the findings set forth in Section 66474 of the Subdivision Map Act for denial of a tentative map have been made.

**CITY OF HAYWARD  
PLANNING DIVISION  
TENTATIVE TRACT MAP 8084**

**March 8, 2012**

**Conditional Use Permit Application PL-2011-0132 / Tentative Tract Map Application PL-2011-0133 – KB Design and Consulting, Ben Wong (Applicant) / Maple Court Homes (Owner)** – Request to construct 44 residential condominium units within a five-story building. The proposal includes allowing residential development on the first floor.

The project consists of four properties located at 22471-22491 Maple Court, west side between McKeever Avenue and A Street (Assessor's Parcel No's 428-61-10, 11, 12-2 and 15-2). The property is located within the Central City Commercial (CC-C) District

Tentative Tract Map Application No. PL-2011-0133 is approved subject to the plans labeled Exhibit "A" and the conditions listed below. This permit becomes void three years after the effective date of approval, unless prior to that time a building permit application has been submitted and accepted for processing by the Building Official, or a time extension of this application is approved. A request for an extension, approval of which is not guaranteed, must be submitted to the Planning Division at least 15 days prior to March 8, 2015.

Any modification to the approved plans or conditions shall require review and approval by the Planning Director. If determined to be necessary for the public safety and general welfare, the City may impose additional conditions or restrictions on this permit.

Unless otherwise stated, all necessary easements shall be dedicated, and all improvements shall be designed and installed at no cost to the City of Hayward.

All improvements shall be designed and constructed in accordance with the City of Hayward Municipal Code – Chapter 10, Article 3, and Standard Specifications and Details – unless otherwise indicated hereinafter. A copy of these approved conditions of approval shall be inscribed on full-sized sheets in the tract improvement plan sheets.

**CONDITIONS FOR APPROVAL**

1. All construction shall meet the California Building Code (CBC) and all applicable City of Hayward Building Department Ordinances (Ordinance #02-13) and amendments. Design and construction of all pertinent life safety and fire protection systems shall meet the California Fire Code and all applicable City of Hayward Fire Department Ordinances (Ordinance #02-13) and amendments in use by the Hayward Fire Department.
2. The developer/subdivider's Professional Engineers registered to practice in the State of California shall perform all design work unless otherwise indicated.
3. Unless other stated, all documents, agreements, required improvement bonds or securities, completely signed improvement plans, and signed final map shall be submitted to the City for approval prior to presenting to the City Council for approval.

### **PRIOR TO APPROVAL OF THE TRACT IMPROVEMENT PLAN**

4. Tract Improvement Plans shall be approved prior to presenting to City Council for approval of Final Map. Submit the following proposed improvement plans with supporting documents, reports and studies:
  - a) Sixteen full size (22"x34") sets of Preliminary Tract Improvement Plans including Grading and Erosion and Sediment Control Plans prepared by Registered Civil Engineer, and Sixteen full size (22"x34") sets of Landscaping and irrigation plans prepared by a State of California Licensed Landscape Architect. Two sets of plans shall have original signatures;
  - b) Five sets of Drainage Plan, Hydrology map with supporting calculations and reports;
  - c) Five sets of Cleanwater treatment plan with supporting calculations and reports;
  - d) Ten sets of Preliminary Final Map with supporting documents and calculations; and,
  - e) A complete Development Building Application Information Form consisting of: 1) Impervious Material Form and 2) Operation and Maintenance Information Form, which is available at Public Works Engineering and Transportation Division.

### **TRACT IMPROVEMENTS PLANS**

Tract Improvement Plans, Grading and Erosion Control Plans, Drainage plans and calculations shall be reviewed and approved by the City Engineer. Subject plans shall, in addition to the standard improvements, incorporate the following conditions and design requirements:

#### **Existing Public Streets: Maple Court:**

1. All existing utility poles and overhead utility lines along the project Maple Court frontage shall be removed and placed underground. Location of utility joint trench shall be reviewed and approved by the City Engineer.
2. One Standard LED Streetlight shall be installed along the project Maple Court frontage.
3. Half width of Maple Court pavement section shall be ground two inches and overlaid with new asphalt pavement. Tie-in pavement shall be seven inches of deep lift asphalt and a minimum of four feet wide.
4. Any broken sidewalk along the property frontage that creates a tripping hazard, as determined by the City Engineer, shall be removed and replaced.

#### **New Common Driveway**

5. Proposed common driveway improvements shall be designed, generally reflective of the alignment and width shown on the submitted vesting tentative tract map, and as approved by the City Engineer.
6. The driveway approach shall conform to City Standard Detail SD-110. All existing driveways shall be removed and replaced with standard Portland Cement Concrete curb, gutter and sidewalk to match existing improvements.
7. The common driveway shall have a twenty-six-foot-wide, measured face of curb to face of curb, travel lane that shall be constructed to the same standards as a public street.
8. At least ten feet of decorative pavement section e.g. interlocking pavers or stamped colored

concrete, or bands of decorative paving, etc. shall be installed at the driveway entrance from the front property line. One foot concrete band shall be provided around decorative materials. The Planning Director shall approve the material, color and design and the City Engineer shall approve the pavement section for the decorative paving. Decorative pavements shall be capable of supporting a 75,000 lb. GVW load.

9. No parking shall be allowed within the common driveway. "No Parking" signs shall be installed and the locations of signs shall be approved by the Fire Chief and City Engineer.
10. The on-site lighting shall have a decorative design approved by the Planning Director. The locations of the lights shall be shown on the improvement plans and shall be approved by the City Engineer. Such fixtures shall have shields to minimize "spill-over" lighting on adjacent properties that are not part of the tract.

### **Storm Drainage**

11. The on-site storm drain system shall be a private system owned and maintained by the homeowners' association.
12. On-site grading shall be done in such a way to prevent surface stormwater runoff discharging into the underground garage.
13. The proposed sump pump and energy dissipator structure shall be carefully designed with emergency release should the structure become blocked. Failure of a pump system could result in flooding damage to the development. The drainage pump system shall have two pumps, each individually capable of pumping the design flow rate, and have a standby power source. The City will require a hold harmless document, to be recorded, from the property owner for the drainage pump system proposed.
14. Minimum storm drain pipes in Maple Court shall be 12-inch in diameter RCP pipes and shall be located one foot from the face of curb for pipes up to twenty four inches in diameter. The minimum cover over the pipe shall be three feet.
15. The development shall not block runoff from, or augment runoff to, adjacent properties. The drainage area map developed for the hydrology design shall clearly indicate all areas tributary to the project site. Mitigation measures will be required to mitigate augmented runoff with off-site and/or on-site improvements.
16. The latest edition of the Alameda County Flood Control and Water Conservation District's Hydrology and Hydraulics Criteria Summary shall be used to design the storm drain system. A detailed grading and drainage plan with supporting calculations and a completed Drainage Review Checklist shall be submitted, which shall meet the approval of the City Engineer, and in case of referral, the Alameda County Flood Control and Water Conservation District.
17. No surface runoff is allowed to flow over the sidewalks and/or driveways. Area drains shall be installed behind the sidewalks to collect all runoff from the project site.
18. All storm drain inlets must be labeled "No Dumping - Drains to Bay," using City-approved methods. The City does not advocate the use of a manufactured filtration system.
19. An erosion and sedimentation control plan to prevent soil, dirt, debris and contaminated materials from entering the storm drain system, in accordance with the regulations outlined in the ABAG Erosion and Sediment Control Handbook shall be approved by the City Engineer prior to implementing throughout project construction.

***Stormwater Quality Requirements:***

20. The owner shall provide pertinent information for the preparation of a Stormwater Treatment Measures Maintenance Agreement by Engineering and Transportation Division staff. The Maintenance Agreement shall be recorded with the Alameda County Recorder's Office to ensure that the maintenance is bound to the property in perpetuity.
21. The project plans shall include the storm drain design in compliance with post-construction stormwater requirements to provide treatment of the stormwater according to the National Pollutant Discharge Elimination System (NPDES) permit's numeric criteria. The storm drain design shall comply with the C.3 established thresholds and shall incorporate measures to minimize pollutants to the maximum extent practicable (MEP).
22. The project plans shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site to effectively prevent the entry of pollutants into storm water runoff. The proposed BMPs shall be designed to comply with the hydraulic sizing criteria listed in Provision C.3 of the Alameda County Clean Water Program (ACCWP) NPDES permit (page 30). In addition, the California Stormwater Quality Association's Stormwater Best Management Practice Handbook New Development and Redevelopment, Subsection 5.5 on pages 5 – 12 has a section titled "BMP Design Criteria for Flow and Volume." Those materials are available on the internet at [www.cabmphandbooks.com](http://www.cabmphandbooks.com) for your reference.
23. The project should be designed to direct runoff to the landscaped yards and treatment facility, prior to entering into the underground pipe system. Unit pavers should also be considered for impervious areas such as the driveways, parking areas and fire truck turnarounds. Roof leaders shall discharge into a landscaped area or a grassy swale prior to stormwater runoff entering an underground pipe system.
24. The developer/subdivider is responsible for ensuring that all contractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction BMPs will result in the issuance of correction notices, citations or a project stop order.
25. Landscaping shall be designed with efficient irrigation to reduce runoff, promote surface infiltration, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution. Where feasible, as determined by the City Engineer and Landscape Architect, landscaping should be designed and operated to treat stormwater runoff. Landscaping shall also comply with the City's "water efficient landscape ordinance."

**Utilities*****Sanitary Sewer***

26. Sanitary sewer service is available subject to standard conditions and fees in effect at the time of application for service. Sewer Connection fees are due and payable prior to final inspection.
27. The proposed on-site sanitary sewer main shall be a private building court main and shall be designed and constructed to the City Standards and Specifications, and approved by the City Engineer.
28. The private on-site sanitary building court sewer main shall have a six-inch diameter. A manhole shall be installed at the change of flow direction, and the beginning and the end of each sanitary sewer main. The sanitary sewer mains shall be located a minimum of 10 feet

from the water main. Minimum horizontal separation between sanitary sewer main and storm drain pipe shall be four feet.

29. Sanitary sewer laterals shall have cleanouts and be constructed per City Standard Detail SD-312.

*Water System*

30. Only City of Hayward Water Distribution Personnel shall perform operation of valves on the Hayward Water System.
31. Provide water demand (gallons per minute) on the improvement plans so that proper water pipe and meter size may be determined. Calculations shall be based upon fixture units using current California Plumbing Code. Water meters serving each condominium residence shall be sized large enough to serve both domestic and fire sprinkler system.
32. Water service is available subject to standard conditions and fees in effect at the time of application for service.
33. Each residential unit shall have an individual radio read water meter.
34. All radio-read water meters shall be placed in Maple Court sidewalk area (per SD-213). Water meters can be group together **in a single row**, supplied by a manifold line, per City Standard Detail SD-219.
35. Water laterals shall be placed at a minimum of five feet from street trees. Fire services and irrigation services must be separate services from domestic services.
36. Water mains and services, including the meters, shall 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 six 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 piping materials.
37. Separate irrigation water meters shall be installed for landscaping purposes.
38. Dedicated private fire lines shall be installed per City Standard Details. The dedicated fire lines can be used for private fire hydrants and for the building sprinkler systems. Individual sprinkler for each unit shall be reviewed under building permit application.
39. The fire service line shall have an above ground Double Check Valve Assembly, per City Standards SD-201 and 204.
40. A reduce pressure backflow preventer shall be installed behind the water meter per City Standard Detail SD-202.
41. Any existing water meters and service lines that cannot be reused shall be removed by the City of Hayward Water Distribution Personnel at the owner's/applicant's expense.
42. The 6-inch public water main within Maple Court may need to be upsized to meet fire flow demands depending on the type of building construction used. The ultimate building and water flow design shall meet the approval of the Hayward Fire Department and the City Engineer.

***Fire Protection***43. Water Supply

- a. The number fire hydrants needed to be installed will depend on the type of building construction. The current available fire flow would dictate that the building be a Type I construction, (primarily concrete construction). If the applicant opts for a Type VB, the water main between the project site and the water main within A Street would have to be upsized to meet a minimum 4,000 gallon per minute (GPM) water flow. A minimum four hydrants with a 400-foot hose lay distance to the building shall be required. The water flow design and the water main upgrade shall meet the approval of the Hayward Fire Department and the City Engineer respectively.
- b. New fire hydrants shall be placed 50 feet from the building to be protected, if it is not feasible to place them at that distance, they may have to be closer in proximity in approved locations, subject to the approval of the Hayward Fire Department. If fire hydrants are located so as to be subject to vehicle impacts as determined by the Hayward Fire Department, crash post shall be installed around the fire hydrant(s).
- c. The new fire hydrants shall be Double Steamer Hydrants, Clow Valve Company, Model 865 with one 2½-inch outlet and two 4½-inch outlets. Blue reflector pavement markers shall be installed in Maple Court at the fire hydrant locations.

44. Hazardous Materials

- a. Prior to issuance of Building or Grading Permits a final clearance shall be obtained from either the California Regional Water Quality Control Board or Department of Toxic Substance Control and submitted to the Hayward Fire Department 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.
- b. Prior to grading: Houses, 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.
- c. All wells, septic tank systems and others subsurface structures shall be removed properly in order not to pose a threat to the development construction workers, future residents or the environment. These structures shall be documented and removed under permit when required.
- d. The Hayward Fire Department's Hazardous Materials Office shall be notified immediately at (510) 583-4910 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.
- e. During construction, hazardous materials used and hazardous waste generated shall be properly managed and disposed.

*Other Utilities (PG&E, cable, phone, etc...)*

45. All service to dwellings shall be an "underground service" designed and installed in accordance with the Pacific Gas and Electric Company, AT&T (phone) Company and local cable company regulations. All facilities necessary to provide service to the dwellings, including transformers and switchgear, shall also be undergrounded.
46. All utilities shall be designed in accordance with the requirements of the City and applicable public agency standards.

**Homeowners' Association and Conditions, Covenants and Restrictions**

47. A Homeowners' Association (HOA) shall be formed and Conditions, Covenants, and Restrictions (CC&R's) shall be created so that the HOA will be responsible for maintaining the common driveway, private lighting, private utilities, and other privately owned common areas and facilities on the site, including, but not limited to Cleanwater treatment facilities, landscaping and decorative paving. For any necessary repairs performed by the City in locations under the on-site decorative paved areas, the City shall not be responsible for the replacement cost of the decorative paving. The replacement cost shall be borne by the HOA established to maintain the common areas within the association boundary. The common area landscaping includes all areas except the private yards areas. The CC&R's will also contain a standard condition that if the homeowners' association fails to maintain the common areas; including 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 lien the property for their proportionate share of the costs.
48. 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, but are not limited to, the following provisions:
  - a. Each unit owner shall automatically become a member of the association and shall be subject to a proportionate share of maintenance expenses.
  - b. The association shall be managed and maintained by a professional property management company.
  - c. A reserve fund shall be maintained to cover the costs of improvements and landscaping to be maintained by the Association.
  - d. The homeowners' association shall maintain the common area irrigation system and maintain the common area landscaping in a healthy, weed-free condition at all times. The homeowner's association representative 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. 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.
  - e. A provision that if the homeowners' association fails to maintain the landscaping and irrigation in all common areas for which it is responsible so that owners, their families, tenants, or adjacent owners will be impacted in the enjoyment, use or property value of the project, the City shall have the right to enter upon the project and to commence and complete such work as is necessary to maintain the common areas and private streets, after reasonable notice, and lien the properties for their proportionate share of the costs, in accordance with Section 10-3.385 of the Hayward Subdivision Ordinance.

- f. A requirement that the building exteriors and fences shall be maintained free of graffiti. A representative of the HOA shall inspect the premises on a weekly basis and any graffiti shall be removed within 48 hours of notification.
- g. A tree removal permit is required prior to the removal of any protected tree, in accordance with the City's Tree Preservation Ordinance.
- h. Any future major modification to the approved site plan shall require review and approval by the Planning Commission.
- i. On-site lighting shall be owned and maintained by the homeowners association and shall have a decorative design approved by the Planning Director and the City Engineer.
- j. The private driveway shall be swept at least once a month.

#### **PRIOR TO FILING OF FINAL MAP**

- 49. Submit the following documents for review, approval or for project records:
  - a. Signed Stormwater Treatment Measures Maintenance Agreement.
  - b. Engineer's estimate of costs, including landscape improvements.
  - c. Signed Final Map.
  - d. Signed Subdivision Agreement.
  - e. Subdivision bonds.
  - f. Draft Conditions, Covenants, and Restrictions (CC&R's).
- 50. The final map shall be approved by the City Council. The City Council meeting will be scheduled approximately sixty days after the final map is deemed technically correct, and Improvement Plans with supporting documents, reports and agreements are approved by the City Engineer. The executed final map shall be returned to the City Public Works Department if Final Map has not been filed in the County Recorder's Office within ninety days from the date of City Council's approval.

#### **DEDICATIONS, EASEMENTS AND FINAL MAP**

- 51. The final map shall reflect all easements needed to accommodate the development. The common driveway shall be designated as a Public Utility Easement (PUE), Public Assess Easement (PAE), and Emergency Vehicle Access Easement (EVAE).
- 52. Prior to the approval of the final map, all documents that need to be recorded with the final map shall be approved by appropriate department managers, and any unpaid invoices or other outstanding charges accrued to the City for the processing of the subdivision application shall be paid.

#### **AGREEMENTS**

- 53. The developer/subdivider shall execute a subdivision agreement and post bonds with the City that shall secure the construction of the public improvements per Section 10-3.332 of the Municipal Code: Security for Installation of Improvements. Insurance shall be provided per the terms of the subdivision agreement.
- 54. The Stormwater Treatment Measures Maintenance Agreement for the project, prepared by Public Works Engineering and Transportation Division staff, shall be signed and recorded in concurrence with the Final Map at the Alameda County Recorder's Office to ensure that the maintenance is bound to the property in perpetuity.

**PRIOR TO GRADING OR SITE CONSTRUCTION**

55. Prior to the issuance of a grading permit and/or the beginning of any construction activity on-site, detailed grading, erosion and sediment control measures and drainage plans with supporting calculations and a completed Drainage Review Checklist shall be reviewed and approved of the City Engineer.
56. Prior to the issuance of a grading permit and/or the beginning of any construction activity on-site, the developer/subdivider's Engineer shall submit a completed 1) Development and Building Application Information: Impervious Surface Form, 2) Operation and Maintenance Information for Stormwater Treatment Measures Form, and 3) Information Request for Stormwater Treatment Measures Maintenance Agreement Form.
57. Prior to the issuance of a tree-removal permit, landscape plans including a tree mitigation summary shall be submitted to the City Landscape Architect for review and approval. The approved landscape plans and a summary of list of trees to be removed shall be attached to the tree removal permit.
58. Prior to issuance of Building or Grading Permits a final clearance shall be obtained from either the California Regional Water Quality Control Board or Department of Toxic Substance Control and submitted to the Hayward Fire Department 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.
59. Prior to grading: Houses, 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.
60. All wells, septic tank systems and others subsurface structures shall be removed properly in order not to pose a threat to the development construction workers, future residents or the environment. These structures shall be documented and removed under permit when required.
61. The Hayward Fire Department's Hazardous Materials Office shall be notified immediately at (510) 583-4910 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.
62. During construction, hazardous materials used and hazardous waste generated shall be properly managed and disposed.
63. Prior to any construction the final map shall be approved by the City and filed in the County Recorder's Office.

**PRIOR TO CONSTRUCTION WITH COMBUSTIBLE MATERIALS**

64. Fire hydrants and fire lanes for the development shall be operational and in service prior to the start of any combustible construction and and /or storage of combustible construction materials.
65. Required water system improvements shall be completed and operational prior to the start of combustible construction.

**DURING CONSTRUCTION**

66. 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. Grading and site construction activities shall adhere to the specifications of the Noise Limitation portion of the Public Nuisances section of the Public Welfare, Morals and Conduct Ordinance unless revised hours and days are authorized by the City Engineer.
  - b. Grading and construction equipment shall be properly muffled.
  - c. Unnecessary idling of grading and construction equipment is prohibited.
  - d. Developer/subdivider shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise.
  - e. The developer/subdivider shall participate in the City's recycling program during construction.
  - f. Daily clean up of trash and debris shall occur along all peripheral streets and other neighborhood streets utilized by construction equipment or vehicles making deliveries.
  - g. 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.
  - h. All grading and earth removal work shall follow remediation plan requirements, if soil contamination is found to exist on the site.
  - i. All unpaved access roads, parking areas and staging areas at construction sites shall be paved, have water applied three times daily, or non-toxic soil stabilizers applied. All paved access roads, parking areas and staging areas at construction sites shall be swept daily (with water sweepers).
  - j. Inactive construction areas (previously graded areas inactive for 10-days or more) shall have non-toxic soil stabilizers applied, or shall be hydroseeded.
  - k. Exposed stockpiles (dirt, sand, etc.) shall be enclosed, covered, watered twice daily or applied with non-toxic soil binders.
  - l. Construction debris shall be gathered on a regular basis and placed in a dumpster or other container that is emptied or removed on a weekly basis. When appropriate, tarps on the ground are to be used to collect fallen debris or splatters that could contribute to storm water pollution.
  - m. The sidewalks and public street pavement adjoining the project site shall be broom-swept on a daily basis. Caked on mud or dirt shall be scraped from these areas before sweeping.
  - n. All dirt, gravel, rubbish, refuse and green waste from the sidewalk, street, and storm drain system adjoining the project site shall be removed. During wet weather, driving vehicles off paved areas and other outdoor work areas shall be avoided.
  - o. No site grading shall occur during the rainy season, between October 15 and April 15, unless approved erosion control measures are in place.
  - p. Filter materials (such as sandbags, filter fabric, etc.) shall be installed 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; 3) street washing activities; or 4) saw cutting asphalt or concrete activities, or in order to retain any debris or dirt flowing into the storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Dispose of filter particles shall be properly disposed in the trash.
  - q. A contained and covered area shall be created 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.
- r. Cleaning machinery, tools, brushes, etc., or rinsing containers, into a street, gutter, storm drain or stream is prohibited (see City's *"Building Maintenance/Remodeling"* flyer for more information).
  - s. Concrete/gunite supply trucks or concrete/plasters finishing operations shall not discharge washwater into street gutters or drains.
  - t. The developer/subdivider 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.
67. The developer/subdivider shall be responsible to adhere to all aspects of the approved Storm Water Pollution Prevention Plan (SWPPP).
  68. A representative of the project soils engineer shall be on the site during grading operations and shall perform such testing as deemed necessary by the City Engineer. The representative of the soils engineer shall observe all grading operations and provide any recommended corrective measures to the contractor and the City Engineer.
  69. The minimum soils sampling and testing frequency shall conform to Chapter 8 of the Caltrans Construction Manual. The developer/subdivider shall require the soils engineer to submit daily all testing and sampling and reports to the City Engineer or his or her designee.
  70. All common area landscaping, irrigation and other required improvements shall be installed according to the approved plans.

**PRIOR TO CONNECTION OF UTILITIES AND ISSUANCE OF CERTIFICATES OF OCCUPANCY**

71. The developer/subdivider shall be obligated for the following fees. The amount of the fee shall be in accordance with the fee schedule in effect at the time Vesting Tentative Map was accepted as complete, unless otherwise indicated hereinafter:
  - a. Supplemental Building Construction and Improvement Tax.
  - b. Building Construction and Improvement Tax.
  - c. School Impact Fee.
  - d. Water Facilities Fee and Sewer Connection Fee for each dwelling unit at the rate in effect when the utility service permit for the dwelling unit is issued.
  - e. Park dedication in-lieu fees for new dwelling units.
72. Prior to the sale of any unit, or prior to the acceptance of site improvements, whichever first occurs, Conditions, Covenants and Restrictions (CC&R's) creating a property homeowners association shall be reviewed and approved by the Planning Director and City Attorney and recorded.
73. Any broken sidewalk along the property frontage that creates a tripping hazard, as determined by the City Engineer, shall be removed and replaced.
74. Prior to the City installing the water meters, the developer/subdivider shall provide the Public Works-Utilities with certified costs covering the installation of the public water mains and appurtenances.
75. All water service meters shall be installed by water distribution personnel at the

developer/subdivider's expense. The application for water services shall be presented to the City Inspector.

76. Final Fire Department/Hazardous Materials inspection is required to verify that requirements for fire protection facilities have been met, and actual construction of all fire protection equipment has been completed in accordance with the approved plan. Please contact the Fire Marshal's Office at (510) 583-4910 at least 24 hours before the desired final inspection appointment.

**PRIOR TO CITY APPROVAL OF THE TRACT IMPROVEMENTS AS BEING COMPLETED**

77. All tract improvements, including the complete installation of all improvements relative to streets, fencing, sanitary sewer, storm drainage, water system, underground utilities, etc., shall be completed and attested to by the City Engineer before approval of occupancy of any unit. Where facilities of other agencies are involved, such installation shall be verified as having been completed and accepted by those agencies.
78. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of tract improvements, or occupancy of 80 percent of the dwelling units, whichever first occurs.
79. The improvements associated with the Pacific Gas and Electric Company, AT&T (phone) company and local cable company shall be installed to the satisfaction of the respective companies.
80. The subdivider shall submit an Auto CAD file format (release 2010 or later) in a CD of approved final map and 'as-built' improvement plans showing lot and utility layouts that can be used to update the City's Base Maps.
81. The developer/subdivider shall submit an "as built" plans on mylars and in compact disc containing files in PDF format, or acceptable formats, containing the following:
- a. All underground facilities, sanitary sewer mains and laterals, water services (including meter locations), Pacific Gas and Electric, AT&T (phone) facilities, local cable company, etc.
  - b. All the site improvements, except landscaping species, buildings and appurtenant structures.

# MAPLE COURT CONDOMINIUM HAYWARD, CALIFORNIA

Attachment VIII



260-5th Street  
San Francisco  
CA 94103

Office: 415.963.3343  
Fax 650.991.1840



MAPLE COURT  
CONDOMINIUM

Project Address: 22471, 22477, 22485, 22491  
MAPLE CT., HAYWARD CALIFORNIA



## LEGEND

	EXISTING EXTERIOR WALL
	EXISTING EXTERIOR WALL TO BE REMOVED
	EXISTING INTERIOR WALL
	EXISTING INTERIOR WALL TO BE REMOVED
	CONCRETE WALL
	CONCRETE WALL TO BE REMOVED
	NEW EXTERIOR WALL
	NEW EXTERIOR WALL - RATED
	NEW INTERIOR WALL
	NEW INTERIOR WALL - RATED

	SECTION KEY
	EXTERIOR ELEVATION KEY
	INTERIOR ELEVATION KEY
	DETAIL KEY
	NOTE KEY
	DOOR KEY
	WINDOW KEY
	REVISION
	REFERENCE KEY

## ABBREVIATIONS

& @ #	AND AT POUND OR NUMBER	DBL. DET. DN. DR.	DOUBLE DETAIL DOWN DOOR	INFO. INSUL. LT. LAM.	INFORMATION INSULATION LIGHT LAMINATE	S.A. SHT. SHTG. SPEC. S.S. SL. DR. SKYLT. S.D.	SUPPLY AIR SHEET SHEETING SPECIFICATION STAINLESS STEEL SLIDING DOOR SKYLIGHT SMOKE DETECTOR
A/C ACOUS. ADJ.	AIR CONDITIONING ACOUSTICAL ADJACENT ADJUSTABLE	EA. EL, ELEV. EQ. EQUIP. EXH. (E) EXP.	EACH ELEVATION EQUAL EQUIPMENT EXHAUST EXISTING EXPANSION EXPOSED EXTERIOR	MTD. MTL. MUL.	MOUNTED METAL MULLION	T. T.A. T.B. T.C. T.O. TV TYP.	TREAD TREE AREA TOWEL BAR TOP OF CONCRETE TOP OF TELEVISION TYPICAL
A.F.F. ALUM. APPROX. ARCH.	ABOVE FINISH FLOOR ALUMINUM APPROXIMATE ARCHITECTURAL	EXT.	FLOOR FLOOR DRAIN FOUNDATION FOOTING FURRING	(N) N.I.C. N.T.S.	NEW NOT IN CONTRACT NOT TO SCALE	U.N.O. U.O.N.	UNLESS NOTED OTHERWISE UNLESS OTHERWISE NOTED
BD. BLDG. BLK. BLKG. BLW. BM. BOT.	BOARD BUILDING BLOCK BLOCKING BELOW BEAM BOTTOM	FLR. F.D. FDN. FTG. FURR.	FLOOR FLOOR DRAIN FOUNDATION FOOTING FURRING	O.C. OPP.	ON CENTER OPPOSITE	V.C.T. VERT. V.I.F.	VINYL COMPOSITION TILE VERTICAL VERIFY IN FIELD
CAB. C.H. ¢ CL CLG. COL. CONC. CONST.	CABINET CEILING HEIGHT CENTER LINE CEILING COLUMN CONCRETE CONSTRUCTION	G.M. GYPM.	GASMETER GYPSUM	R.D. REF.	ROOF DRAIN REFERENCE REFRIGERATOR REINFORCED ROOM REDWOOD	W/ W.C. WD. W.P. WT.	WITH WATER CLOSET WOOD WATERPROOF WEATHERPROOF WEIGHT

SHEET TITLE  
COVER PAGE

Date: APRIL 28, 2011

Scale: As shown

Revision:

JULY 28, 2011

SEPT. 22, 2011

FEB. 7, 2012

Sheet No.

**A-0.1**

PROJECT INFORMATION

ADDRESS: 22471, 22477, 22485, 22491 MAPLE COURT  
 A.P.N.: 428-0061-01000, 428-0061-01100, 428-0061-01202, 428-0061-01302  
 ZONING: CC-C CITY CENTRAL COMMERCIAL  
 TYPE OF CONSTRUCTION: TYPE V-B  
 FIRE SPRINKLERS: YES  
 TOTAL LOT SIZE: 25,711 SQ. FT. (0.5788 ACRES)  
 PROPOSED BUILDING COVERAGE: 19,375 SQ. FT. (75.3% OF LAND COVERAGE)  
 PROPOSED GROSS FLOOR AREA: 95,221 SQ. FT.  
 PROPOSED GROSS RESIDENTIAL AREA: 54,427 SQ. FT. (44,976 SQ. FT. LIVING AREA)  
 TOTAL PRIVATE OPEN SPACE: 5,717 SQ. FT. (MIN. REQUIREMENT 3,080 SQ. FT.)  
 TOTAL GROUP OPEN SPACE: 1,418 SQ. FT. (MIN. REQUIREMENT 1,320 SQ. FT.)  
 PROPOSED RESIDENTIAL UNITS: 44 UNITS  
 PROPOSED PARKING SPACES: TOTAL 63 SPACES  
 63 SPACES FOR RESIDENT (9 COMPACT, 2 HANDICAPPED)

PROJECT SYNOPSIS

	Descriptions	Allowed/Required	Proposed	Comments
Density:	65 units / Ac 65x0.5788=37.62	37 units		
Density Bonus:	20% Bonus Density with 10% Low Income Units 37.62x1.2=45.14	45 units	<b>44 units</b>	Min. 7% Affordable units
Height Limit:	55'-0"		52'-0 Flat Roof Top	
Set Back Req'd	Front Side Rear	0' 0-10% Lot Width 15 for Residential	0' 10' 15'	
Parking Facilities Residential		1.5stalls/unit 44 units X 1.5  Total req'd=66		Standard size: 9'x19' Compact size: 8'x15' max. 30% Back-up space: 26' 2 Way Drive:20' and others
Parking Bonus Residential/Commercial	5% bonus with provision of 2 wheel vehicles spaces	66 X 0.05 = 3.3 Bonus = 3stalls Total required: 66-3 = 63	52 2 9  Total 63	Standard Handicap Space for Residence Compact Space
Open Space	Private Open Space Group Open Space	70 sf / unit, 3,080 sf 30sf/unit, 1,250sf	Av. 75ft of Balcony (Total 5,766 sf) 2nd Floor (Total 1,517 sf)	

ENGINEER INFORMATION

ARCHITECT:  
TAKUO KANNO  
KB DESIGN & CONSULTING, LLC  
TEL: (415) 963-3343

CIVIL:  
TUONG XUAN TRAN  
TRANVU, LLC  
TEL: (408) 425-4523

LAND SURVEYOR:  
LEA & BRAZE ENGINEERING, INC.  
TEL: (510) 887-4086

GEOTECHNICAL:  
UNITED SOIL ENGINEERING, INC.  
TEL: (408) 988-2990

SCOPE OF WORK

MERGE 4 LOTS (INCLUDING 1- ONE STORY RESIDENTIAL HOUSE, 1- ONE STORY COMMERCIAL BUILDING AND 2- VACANT PARKING LOTS) AND CONVERT IT TO FIVE STORIES CONDOMINIUM BUILDING WITH 44 UNITS.

SITE PICTURE



VICINITY MAP



INDEX OF DRAWINGS

- ARCHITECTUAL
- A-0.1 COVER PAGE
  - A-1.0 GENERAL NOTE, VICINITY MAP AND INDEX OF DRAWINGS
  - A-2.1 PROPOSE SITE PLAN
  - A-3.1 PROPOSE BASEMENT FLOOR PLAN
  - A-3.2 PROPOSE FIRST FLOOR PLAN
  - A-3.3 PROPOSE SECOND FLOOR PLAN
  - A-3.4 PROPOSE 3RD FLOOR PLAN
  - A-3.5 PROPOSE 4TH FLOOR PLAN
  - A-3.6 PROPOSE 5TH FLOOR PLAN
  - A-3.7 PROPOSE ROOF PLAN
  - A-4.1 ELEVATIONS
  - A-4.2 ELEVATIONS
  - A-5.1 SECTIONS
  - A-5.2 SECTIONS
- LANDSCAPE
- L-1.1 FIRST FLOOR CONCEPTUAL LANDSCAPE PLAN
  - L-1.2 OPEN SPACE CONCEPTUAL LANDSCAPE PLAN
  - L-1.3 FIRST FLOOR CONCEPTUAL IRRIGATION PLAN
  - L-1.4 OPEN SPACE CONCEPTUAL IRRIGATION PLAN

APPLICABLE BUILDING CODE

1. 2010 CALIFORNIA BUILDING CODE
2. 2010 CALIFORNIA MECHANICAL CODE
3. 2010 CALIFORNIA PLUMBING CODE
4. 2010 CALIFORNIA ELECTRICAL CODE
5. 2010 CALIFORNIA ENERGY CODE
6. 2010 CALIFORNIA FIRE CODE



26O-5th Street  
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MAPLE COURT  
CONDOMINIUM

Project Address: 22471, 22477, 22485, 22491  
MAPLE CT., HAYWARD CALIFORNIA

SHEET TITLE  
GENERAL NOTE, SITE  
MAP AND LEGEND

Date: APRIL 28, 2011

Scale: As shown

Revision:

JULY 28, 2011

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**A1.0**

WATER PRESSURE RESULT

HYDRANT NUMBER	Location	PRESSURE - PSI				DISCHARGE - GPM	
		Static	Residual	Pilot	Orifice	Observed	20 psi calc.
4132-1	1048 McKeever Avenue	79	62		2.5	1,244.4	2,436.5
4231-6	22456 Maple Court			55	2.5		

29

(E) PARKING LOT

FIRE CONNECTION NOTICE

FIRE APPARATUS ACCESS:

ACCESS #1  
MAPLE COURT - LOCATED EAST SIDE OF THE BUILDING

ACCESS #2  
26 FOOT WIDE FIRE LANE - LOCATED SOUTH SIDE OF THE BUILDING

FIRE HYDRANT:  
ONE NEW FIRE HYDRANT WILL BE INSTALLED AT NORTH SIDE OF THE BUILDING. ALSO ONE EXISTING FIRE HYDRANT LOCATE EAST SIDE OF THE BUILDING ACROSS MAPLE COURT.

STANDPIPE:  
ONE STANDPIPE IS LOCATED NORTH CORNER OF THE BUILDING. FOR EASY FIRE HYDRANT CONNECTION.

**THIS BUILDING WILL BE FULLY SPARKLER AND FULLY FIRE ALARM**



26O-5th Street  
San Francisco  
CA 94103

Office: 415.963.3343  
Fax 650.991.1840



MAPLE COURT  
CONDOMINIUM

Project Address: 22471, 22477, 22485, 22491  
MAPLE CT., HAYWARD CALIFORNIA

SHEET TITLE  
PROPOSED SITE PLAN

Date: APRIL 28, 2011

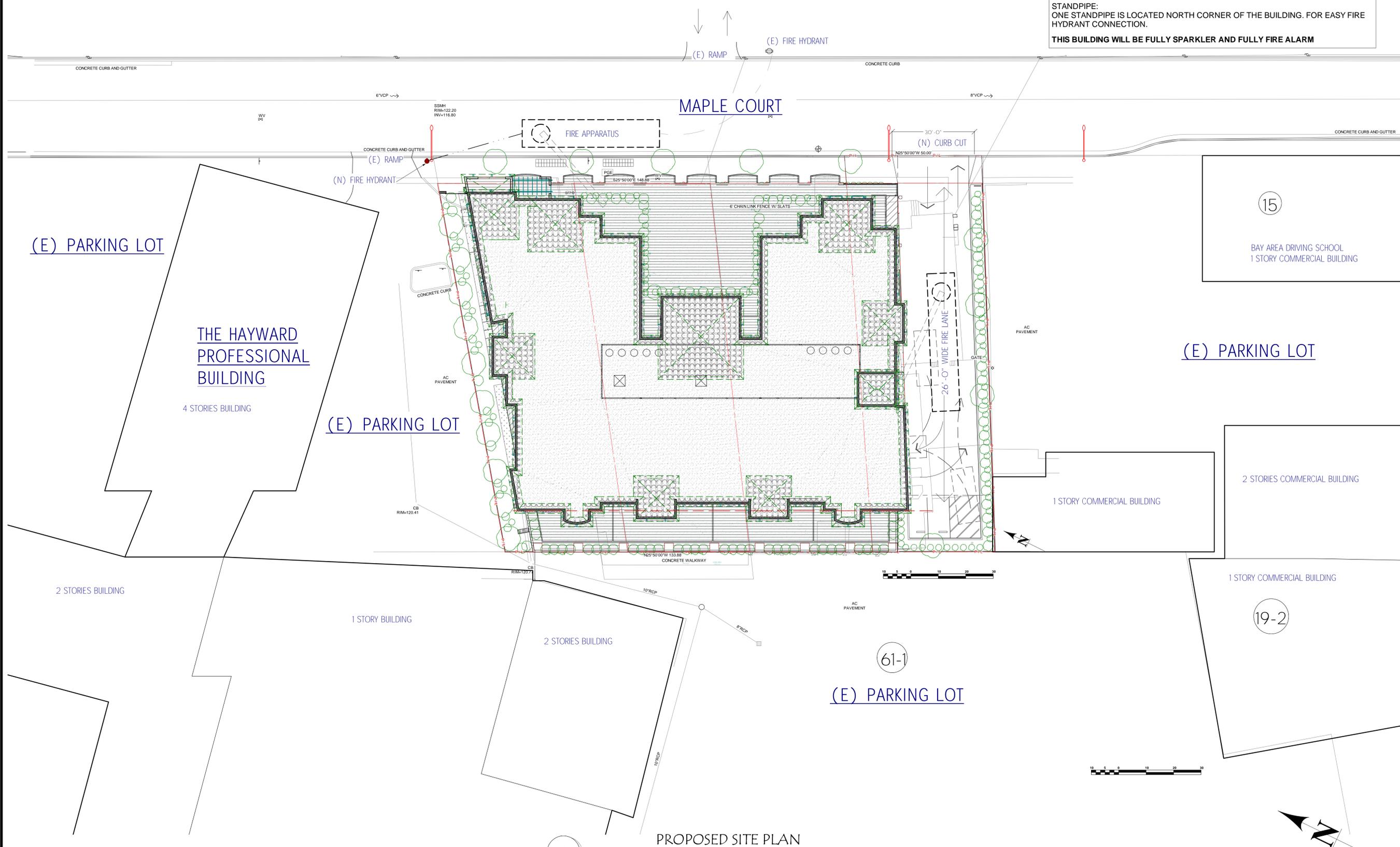
Scale: As shown

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**A2.1**



PROPOSED SITE PLAN

SCALE: 1/16" = 1'-0"



**MAPLE COURT  
CONDOMINIUM**

Project Address: 22471, 22477, 22485, 22491  
MAPLE CT., HAYWARD CALIFORNIA

SHEET TITLE  
**PROPOSED BASEMENT  
FLOOR PLAN**

Date: APRIL 28, 2011

Scale: As shown

Revision:

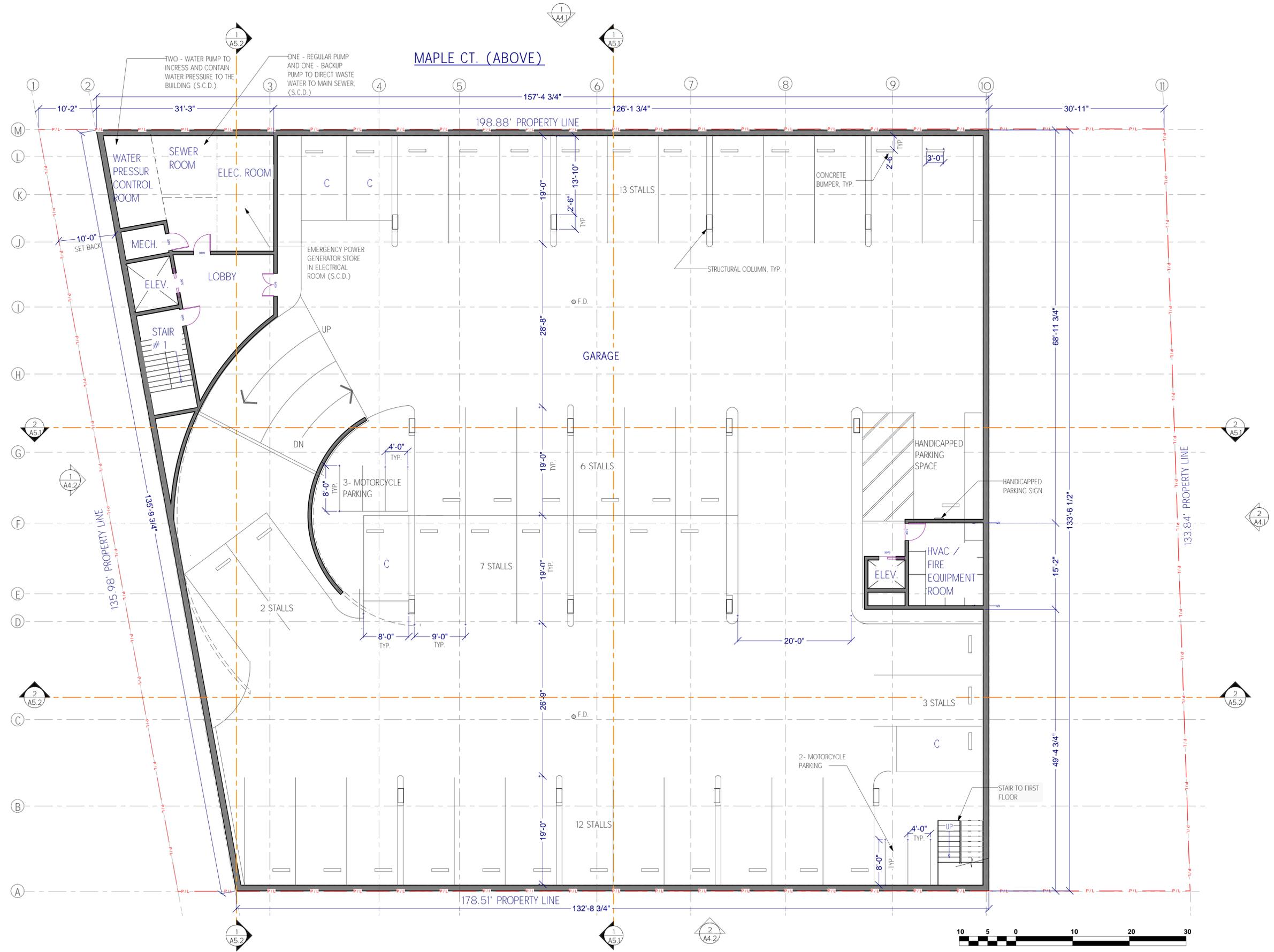
JULY 28, 2011

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Sheet No.

**A3.1**



PARKING STALL DATA:

HANDICAPPED	1
STANDARD	37
COMPACT	6
<b>TOTAL</b>	<b>44</b>

TOTAL MOTORCYCLE : 5

1

**PROPOSED BASEMENT PLAN**

SCALE: 1/8" = 1'-0"



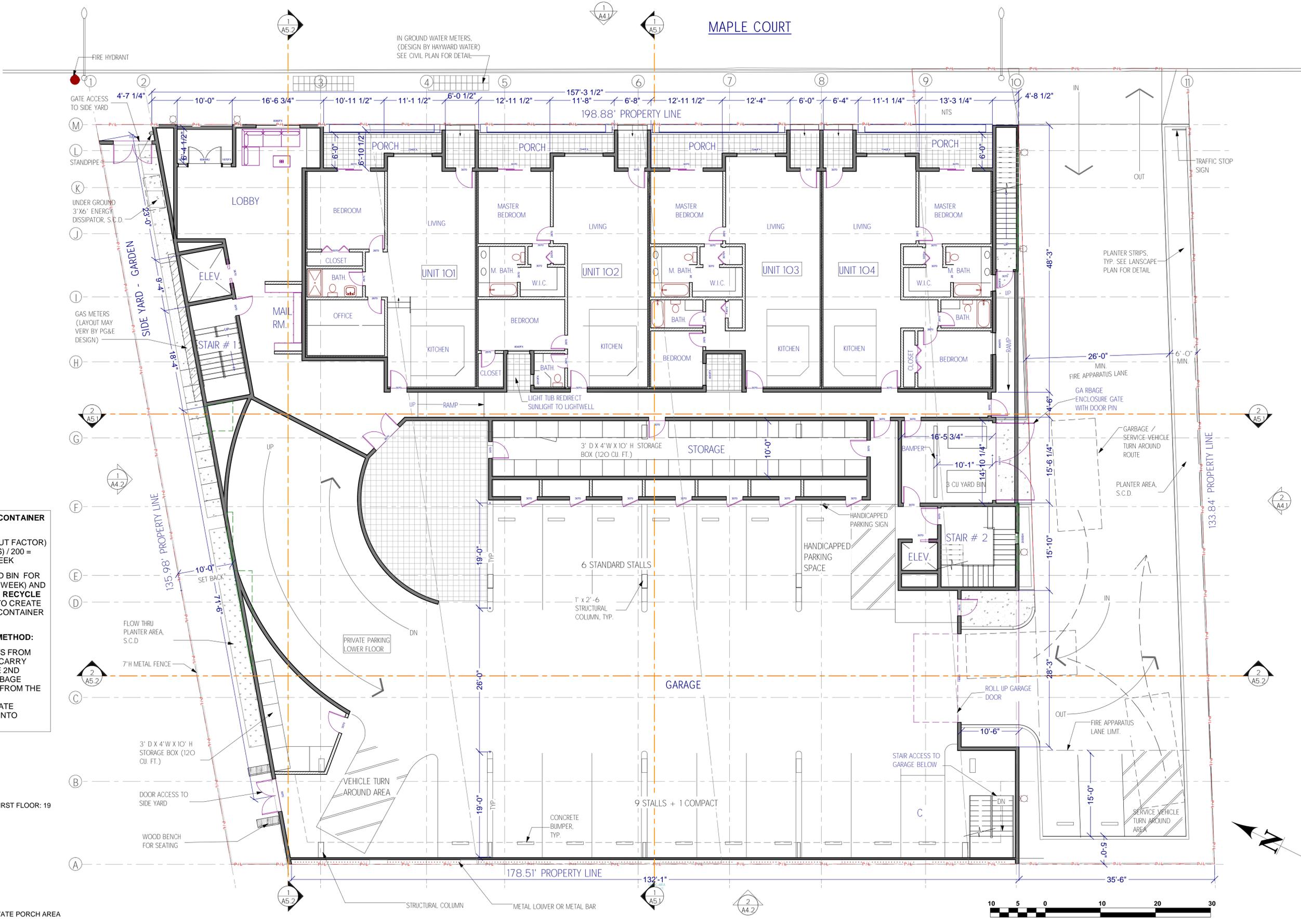
**MAPLE COURT  
CONDOMINIUM**

**PROPOSED FIRST FLOOR  
PLAN**

Date: APRIL 28, 2011  
Scale: As shown  
Revision:  
JULY 28, 2011  
SEPT. 22, 2011  
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Sheet No.

**A3.2**



**FORMULA OF GARBAGE CONTAINER CAPACITY:**  
44 UNITS X 1.2 (MOVE IN/OUT FACTOR) X 32 (GALLONS PER UNITS) / 200 = 8.448 CUBIC YARD PER WEEK  
PROVIDE (1) 3 CUBIC YARD BIN FOR TRASH (PICK UP TWICE A WEEK) AND (1) 3 CUBIC YARD BIN FOR RECYCLE (PICK UP ONCE A WEEK) TO CREATE TOTAL OF 9 CUBIC YARD CONTAINER CAPACITY PER WEEK.  
**GARBAGE COLLECTION METHOD:**  
RESIDENT OR OCCUPANTS FROM 2ND TO 5TH FLOOR WILL CARRY THEIR GARBAGE AND USE 2ND ELEVATOR (NEXT TO GARBAGE ENCLOSURE) TO TRAVEL FROM THE FLOOR TO THE GARBAGE ENCLOSURE, AND SEPARATE GARBAGE AND RECYCLE INTO GARBAGE COLLECT BIN.

**PARKING STALL DATA:**

TOTAL PARKING STALL @ FIRST FLOOR:	19
STANDARD	15
COMPACT	3
HANDICAP	1
<b>TOTAL</b>	<b>19</b>

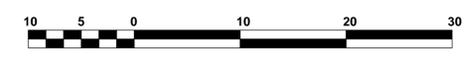
**UNIT INFORMATION:**

NO.	FLOOR AREA	PRIVATE PORCH AREA
101	1115 SQ.FT.	100 SQ.FT.
102	1166 SQ.FT.	115 SQ.FT.
103	1165 SQ.FT.	115 SQ.FT.
104	1198 SQ.FT.	117 SQ.FT.

1

**PROPOSED FIRST FLOOR PLAN**

SCALE: 1/8" = 1'-0"





**MAPLE COURT  
CONDOMINIUM**

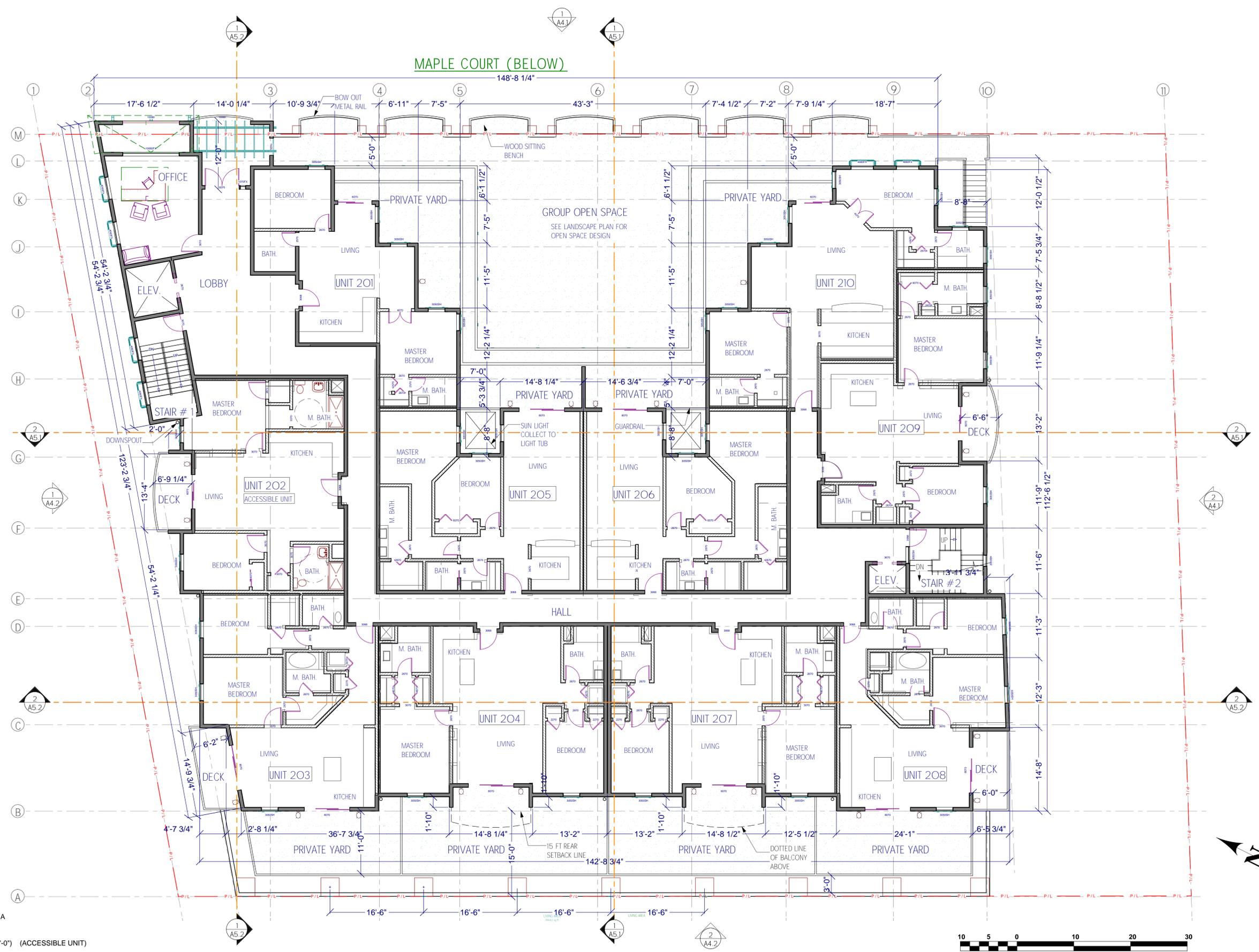
Project Address: 22471, 22477, 22485, 22491  
MAPLE CT., HAYWARD CALIFORNIA

**PROPOSED SECOND  
FLOOR PLAN**

Date: APRIL 28, 2011  
Scale: As shown  
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**A3.3**



**UNIT INFORMATION:**

NO.	FLOOR AREA	PRIVATE DECK AREA
201	804 SQ.FT.	258 SQ.FT.
202	957 SQ.FT.	81 SQ.FT. (6'-9" X 14'-0") (ACCESSIBLE UNIT)
203	1005 SQ.FT.	445 SQ.FT.
204	1090 SQ.FT.	541 SQ.FT.
205	1009 SQ.FT.	160 SQ.FT.
206	1015 SQ.FT.	160 SQ.FT.
207	1098 SQ.FT.	545 SQ.FT.
208	965 SQ.FT.	448 SQ.FT.
209	956 SQ.FT.	80 SQ.FT. (6'-6" X 14'-0")
210	1089 SQ.FT.	258 SQ.FT.

**PROPOSED SECOND FLOOR PLAN**  
SCALE: 1/8" = 1'-0"



**MAPLE COURT  
CONDOMINIUM**

Project Address: 22471, 22477, 22485, 22491  
MAPLE CT., HAYWARD CALIFORNIA

SHEET TITLE  
**PROPOSED 3RD FLOOR  
PLAN**

Date: APRIL 28, 2011

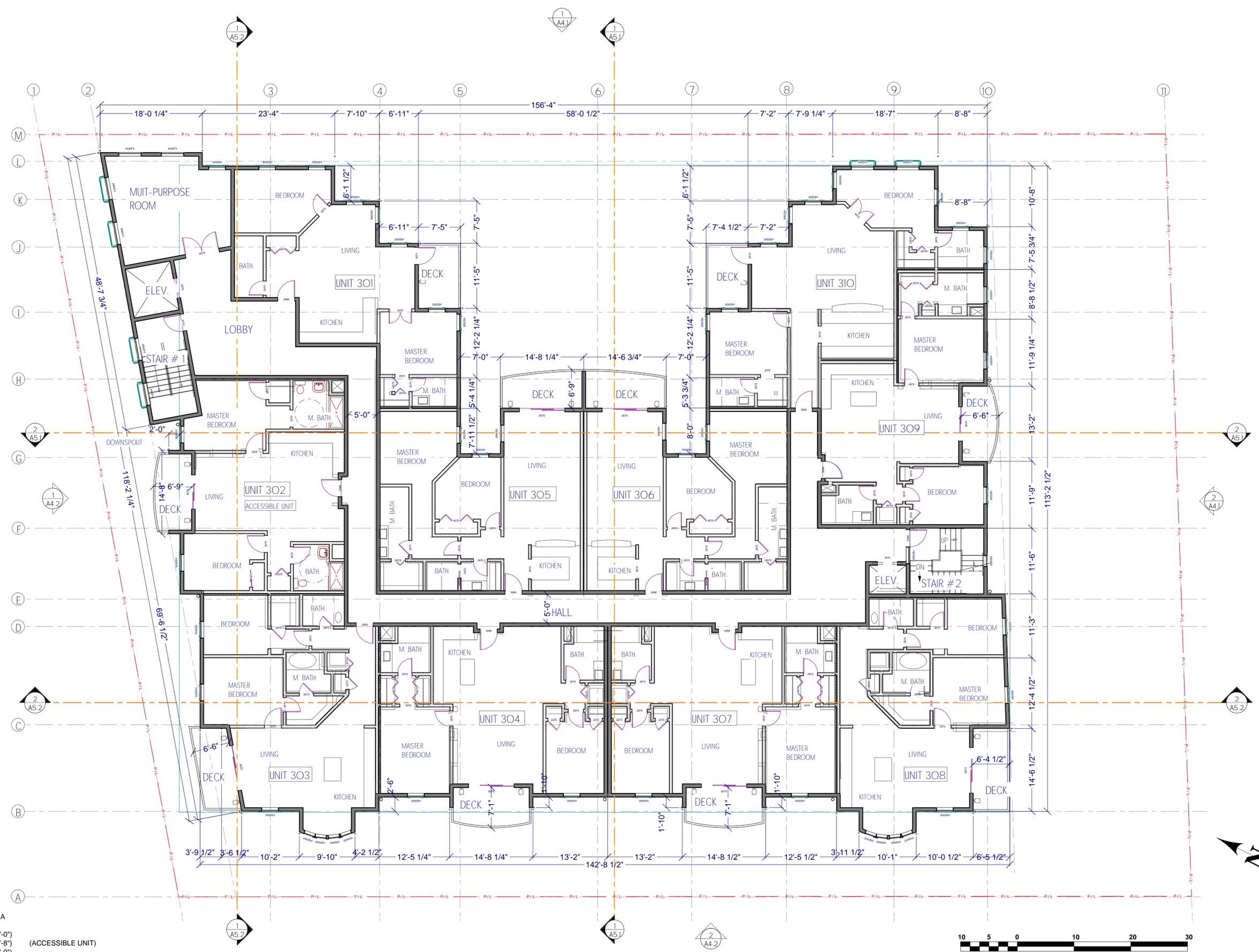
Scale: As shown

Revision:

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Sheet No.

**A3.4**



**UNIT INFORMATION:**

NO.	FLOOR AREA	PRIVATE DECK AREA
301	925 SQ.FT.	77 SQ.FT. (7'-0" X 11'-0")
302	953 SQ.FT.	81 SQ.FT. (6'-8" X 13'-8")
303	1003 SQ.FT.	87 SQ.FT. (6'-6" X 14'-0")
304	1090 SQ.FT.	87 SQ.FT. (7'-1" X 13'-8")
305	1009 SQ.FT.	83 SQ.FT. (6'-9" X 14'-0")
306	1015 SQ.FT.	83 SQ.FT. (6'-9" X 14'-0")
307	1097 SQ.FT.	87 SQ.FT. (7'-1" X 13'-8")
308	965 SQ.FT.	83 SQ.FT. (6'-6" X 14'-0")
309	957 SQ.FT.	76 SQ.FT. (6'-6" X 13'-6")
310	1089 SQ.FT.	77 SQ.FT. (7'-0" X 11'-0")

(ACCESSIBLE UNIT)

1

**PROPOSED 3RD FLOOR PLAN**

SCALE: 1/8" = 1'-0"



**MAPLE COURT  
CONDOMINIUM**

Project Address: 22471, 22477, 22485, 22491  
MAPLE CT., HAYWARD CALIFORNIA

SHEET TITLE  
**PROPOSED 4TH FLOOR  
PLAN**

Date: APRIL 28, 2011

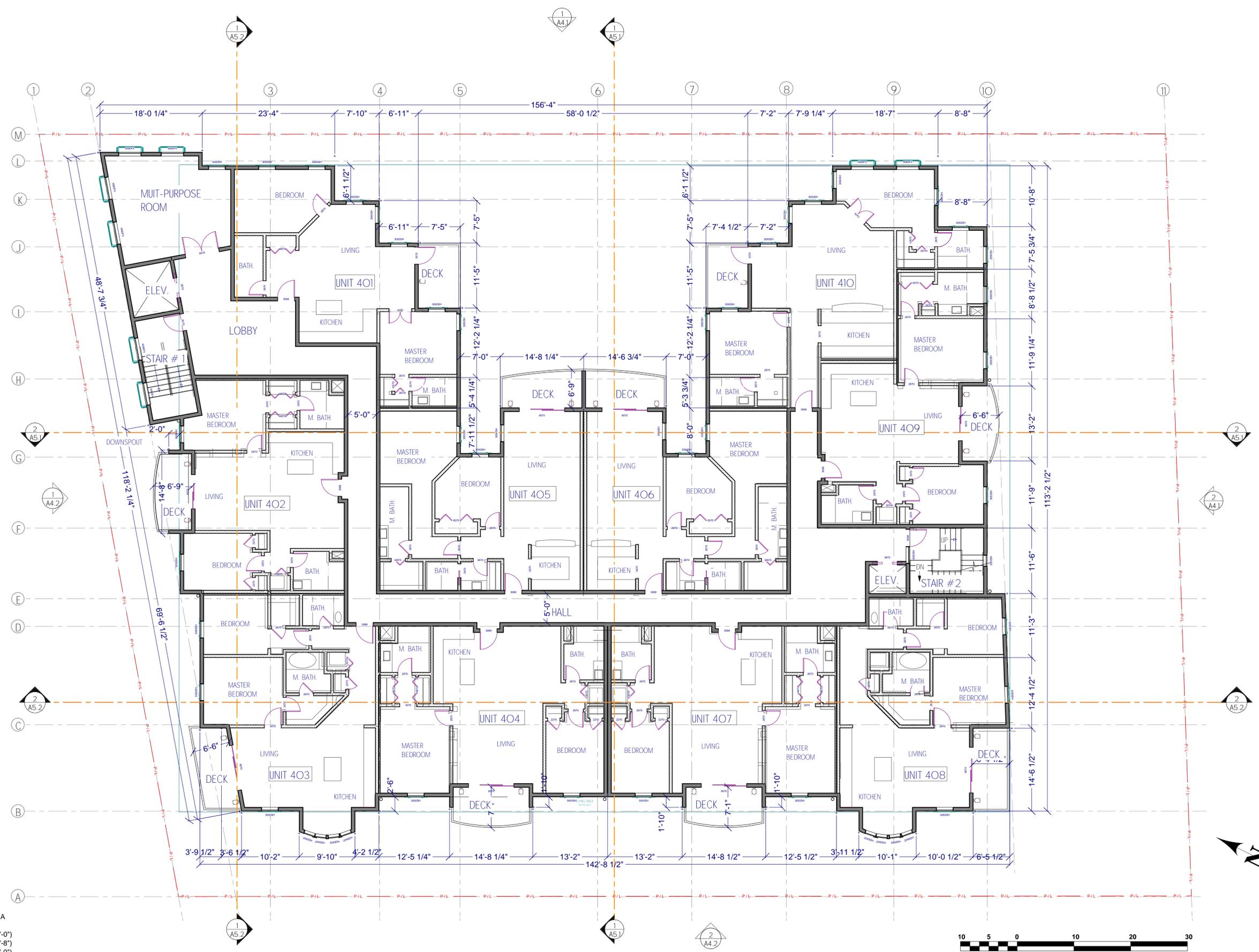
Scale: As shown

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**A3.5**



**UNIT INFORMATION:**

NO.	FLOOR AREA	PRIVATE DECK AREA
401	925 SQ.FT.	77 SQ.FT. (7'-0" X 11'-0")
402	953 SQ.FT.	81 SQ.FT. (6'-8" X 13'-8")
403	1003 SQ.FT.	87 SQ.FT. (6'-6" X 14'-0")
404	1090 SQ.FT.	87 SQ.FT. (7'-1" X 13'-8")
405	1009 SQ.FT.	83 SQ.FT. (6'-9" X 14'-0")
406	1015 SQ.FT.	83 SQ.FT. (6'-9" X 14'-0")
407	1097 SQ.FT.	87 SQ.FT. (7'-1" X 13'-8")
408	965 SQ.FT.	83 SQ.FT. (6'-6" X 14'-0")
409	957 SQ.FT.	76 SQ.FT. (6'-6" X 13'-6")
410	1089 SQ.FT.	77 SQ.FT. (7'-0" X 11'-0")

**PROPOSED 4TH FLOOR PLAN**

SCALE: 1/8" = 1'-0"





**MAPLE COURT  
CONDOMINIUM**

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MAPLE CT., HAYWARD CALIFORNIA

SHEET TITLE  
**PROPOSED 5TH FLOOR  
PLAN**

Date: APRIL 28, 2011

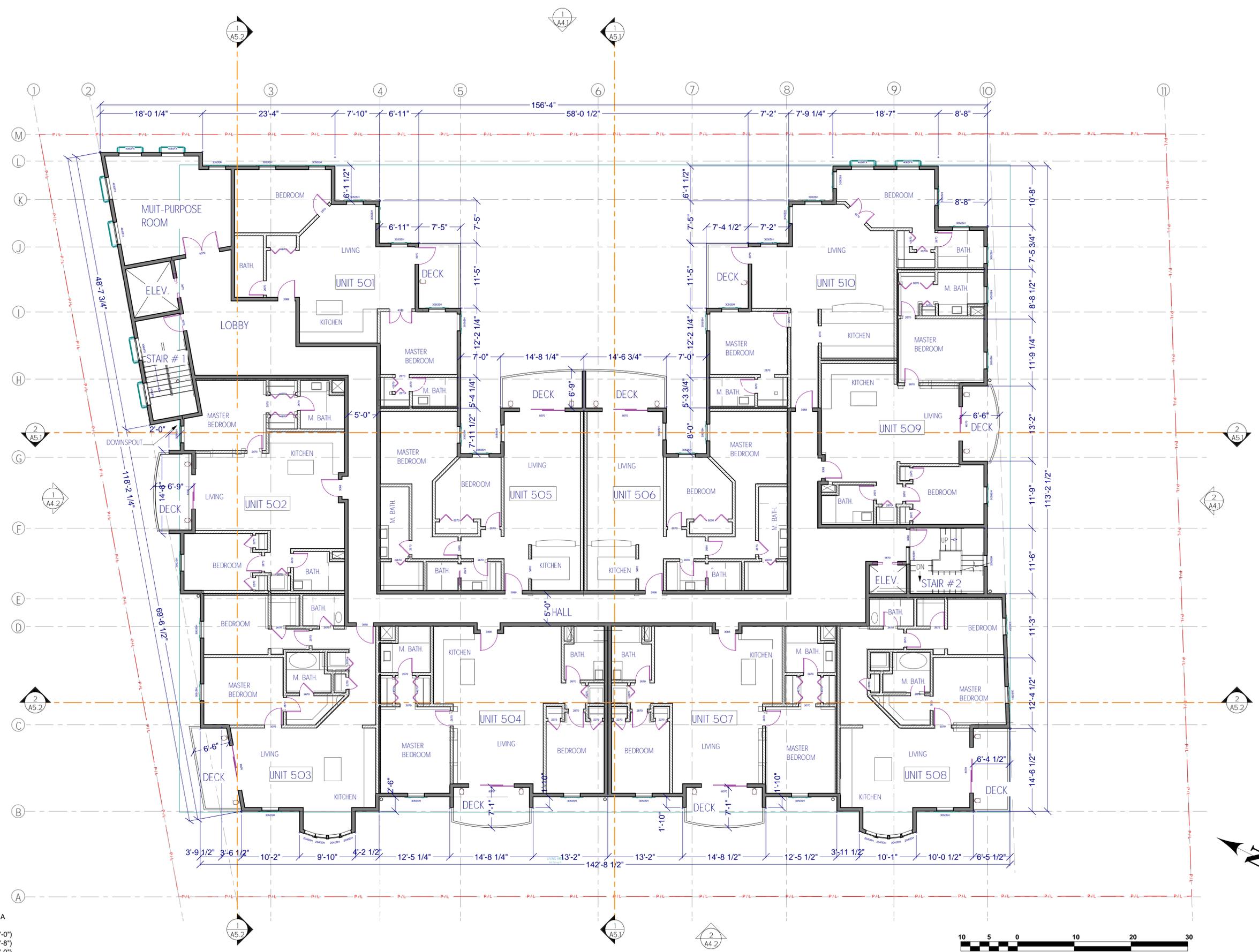
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**A3.6**



**UNIT INFORMATION:**

NO.	FLOOR AREA	PRIVATE DECK AREA
501	925 SQ.FT.	77 SQ.FT. (7'-0" X 11'-0")
502	953 SQ.FT.	81 SQ.FT. (6'-8" X 13'-8")
503	1003 SQ.FT.	87 SQ.FT. (6'-6" X 14'-0")
504	1090 SQ.FT.	87 SQ.FT. (7'-1" X 13'-8")
505	1009 SQ.FT.	83 SQ.FT. (6'-9" X 14'-0")
506	1015 SQ.FT.	83 SQ.FT. (6'-9" X 14'-0")
507	1097 SQ.FT.	87 SQ.FT. (7'-1" X 13'-8")
508	965 SQ.FT.	83 SQ.FT. (6'-6" X 14'-0")
509	957 SQ.FT.	76 SQ.FT. (6'-6" X 13'-6")
510	1089 SQ.FT.	77 SQ.FT. (7'-0" X 11'-0")

**PROPOSED 5 TH FLOOR PLAN**

SCALE: 1/8" = 1'-0"





**MAPLE COURT  
CONDOMINIUM**

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MAPLE CT., HAYWARD CALIFORNIA

SHEET TITLE  
**PROPOSED ROOF PLAN**

Date: APRIL 28, 2011

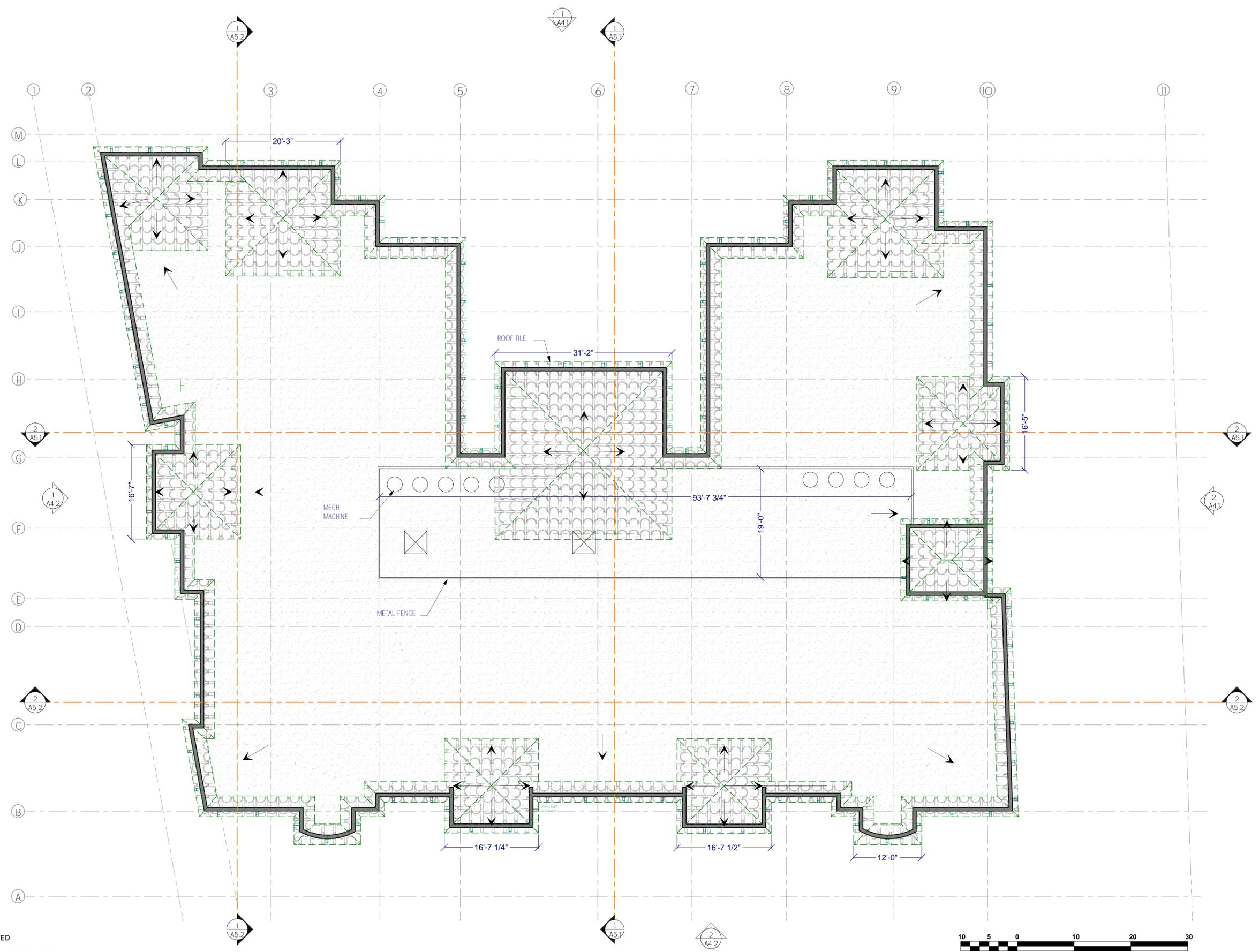
Scale: As shown

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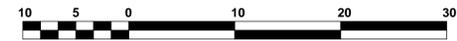
Sheet No.

**A3.7**



- NOTES:
- USE OF SOLAR PANEL WILL BE EVALUATED
  - COLLECT ALL RAIN WATER TO FILTERING STATION BELOW (SEE CIVIL ENGINEER DRAWING)
  - COMPRESSER PLACEMENT MAY VARY

1 PROPOSED ROOF PLAN



SCALE: 1/8" = 1'-0"



**MAPLE COURT  
CONDOMINIUM**

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**ELEVATIONS**

Date: APRIL 28, 2011

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**A4.1**



FRONT ENTRY RENDERING



NOTE SCHEDULE NUMBER	DESCRIPTION
1	STUCCO FINISH
2	ROOF TILE
3	RAIN WATER DOWNSPOUT
4	STAIR SHAFT
5	GUARDRAIL
6	DECORATIVE BRACES
7	DOTTED LINE OF 6'-0" H METAL FENCE
8	HORIZONTAL SIDING GATE @ UNIT
9	LANDSCAPE AREA
10	PLANTER BOX

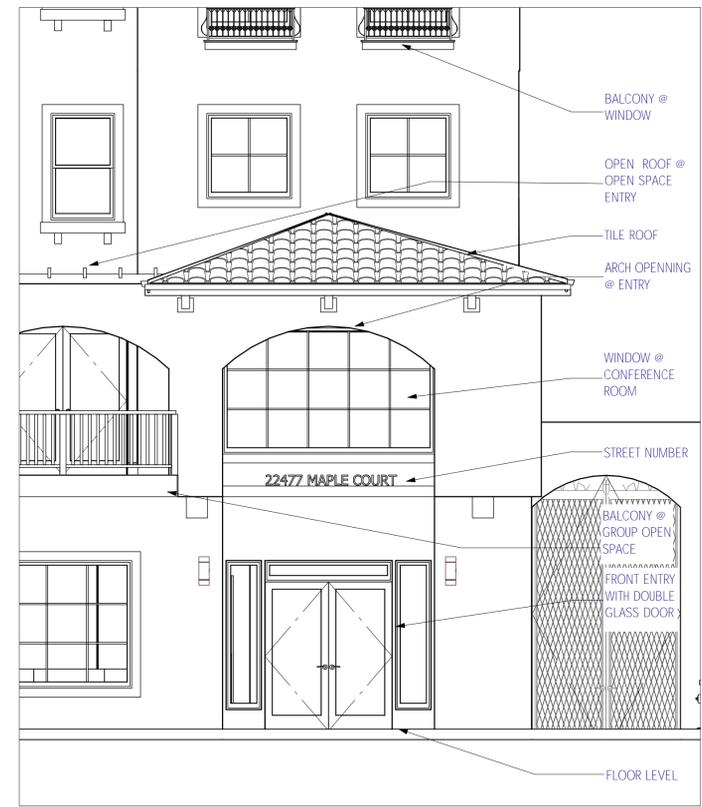
PROPOSED FRONT ELEVATION (EAST)

SCALE: 1/8" = 1'-0"



PROPOSED SIDE ELEVATION (SOUTH)

SCALE: 1/8" = 1'-0"

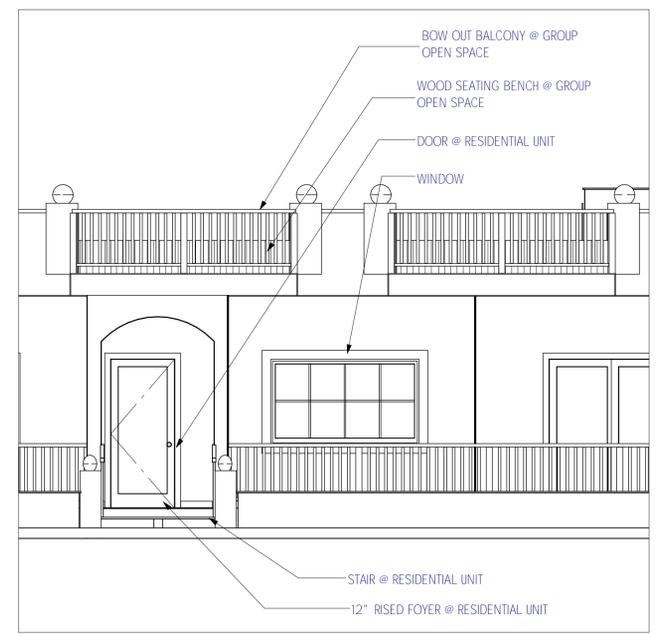


PROPOSED ENLARGED ENTRY

SCALE: 1/4" = 1'-0"



NOTE SCHEDULE NUMBER	DESCRIPTION
1	STUCCO FINISH
2	ROOF TILE
3	RAIN WATER DOWNSPOUT
4	STAIR SHAFT
5	GUARDRAIL
6	DECORATIVE BRACES
7	DOTTED LINE OF 6'-0" H METAL FENCE
8	HORIZONTAL SIDING GATE @ UNIT
9	LANDSCAPE AREA
10	PLANTER BOX



1 PROPOSED SIDE ELEVATION (NORTH) SCALE: 1/8" = 1'-0"

3 PROPOSED ENLARGED RESIDENTIAL UNIT ENTRY SCALE: 1/4" = 1'-0"



REAR WALL RENDERING

2 PROPOSED REAR ELEVATION (WEST) SCALE: 1/8" = 1'-0"



MAPLE COURT  
CONDOMINIUM

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SHEET TITLE  
ELEVATIONS

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**MAPLE COURT  
CONDOMINIUM**

Project Address: 22471, 22477, 22485, 22491  
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SHEET TITLE  
**SECTIONS**

Date: APRIL 28, 2011

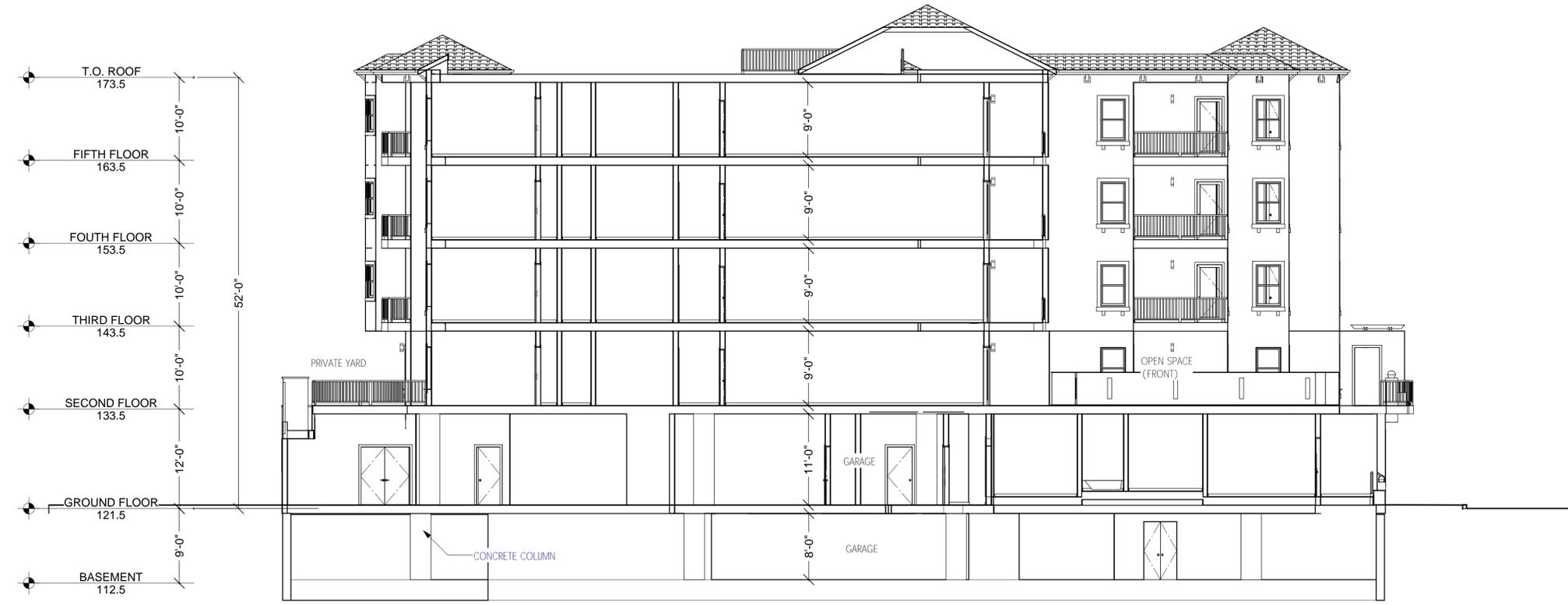
Scale: As shown

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**A5.1**



1

SECTION

SCALE: 1/8" = 1'-0"



2

SECTION

SCALE: 1/8" = 1'-0"



**MAPLE COURT  
CONDOMINIUM**

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SHEET TITLE  
**SECTIONS**

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**A5.2**



1

SECTION

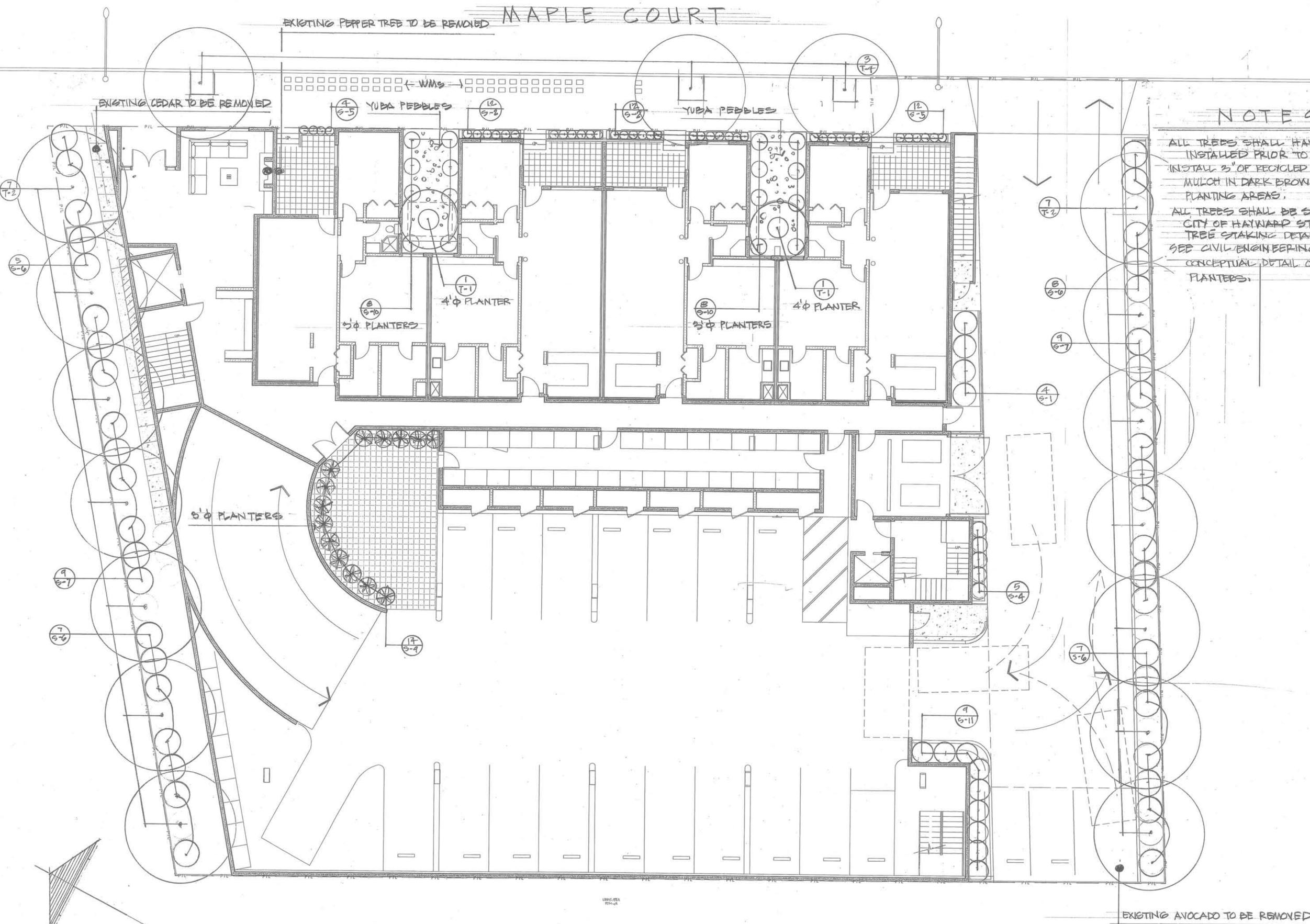
SCALE: 1/8" = 1'-0"



2

SECTION

SCALE: 1/8" = 1'-0"



**NOTES**

ALL TREES SHALL HAVE ROOT BARRIERS INSTALLED PRIOR TO PLANTING.  
 INSTALL 3" OF RECYCLED CHIPPED WOOD MULCH IN DARK BROWN COLOR IN ALL PLANTING AREAS.  
 ALL TREES SHALL BE STAKED PER CITY OF HAYWARD STANDARD STREET TREE STAKING DETAIL SD-122.  
 SEE CIVIL ENGINEERING PLANS FOR CONCEPTUAL DETAIL OF BIO-INFILTRATION PLANTERS.

WESLEY T. SAKAMOTO  
 LANDSCAPE ARCHITECT  
 665 HOLLYHOCK DR.  
 SAN LEANDRO CALIFORNIA



**MAPLE COURT CONDOMINIUM**

Project Address: 22471, 22477, 22485, 22491  
 MAPLE CT., HAYWARD CALIFORNIA

SHEET TITLE  
**CONCEPTUAL LANDSCAPE PLAN**

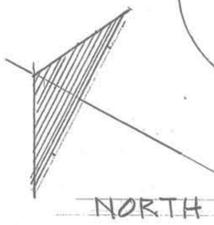
Date: JUNE 22, 2011

Scale: As shown

Revision:

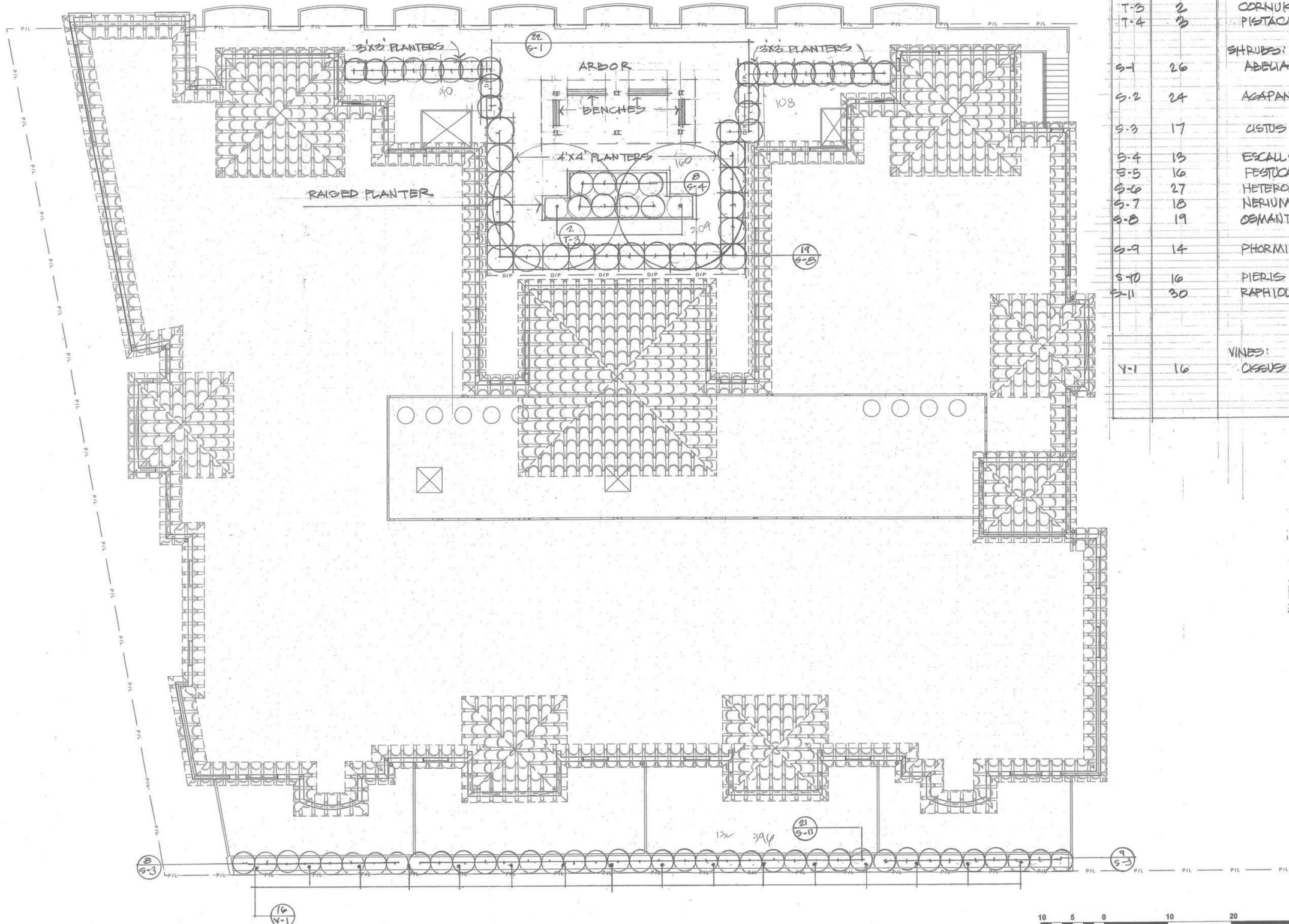
Sheet No.

**L1.1**



SCALE: 1/8" = 1'-0"

# MAPLE COURT



## PLANT LIST

KEY	QUANTITY	BOTANICAL AND COMMON NAME	SIZE
<b>TREES:</b>			
T-1	2	ACER PALMATUM ATROPUREUM - RED JAPANESE MAPLE	156C
T-2	14	ARBUTUS 'MARINA' - MADRONE	156C
T-3	2	CORNUS KOUSA - KOUSA DOGWOOD	156C
T-4	3	PISTACIA CHINENSIS - CHINESE PISTACHE	24" BOX
<b>SHRUBS:</b>			
S-1	26	ABELIA GRANDIFLORA 'FRANCIS MASON' GLOSSY ABELIA	56C
S-2	24	AGAPANTHUS 'PETER PAN' - DWARF LILY OF THE NILE	16C
S-3	17	CISTUS COBARIENSIS 'DORIS HIBBERSON' ROCK ROSE	56C
S-4	13	ESCALLONIA NEWPORT DWARF - ESCALLONIA	56C
S-5	16	FESTUCA CINIA GLAUCA - BLUE FESCUE	16C
S-6	27	HETEROMELES ARBUTIFOLIA - TOYON	56C
S-7	18	NERIUM OLEANDER 'PETITE PINK' - OLEANDER	56C
S-8	19	OSMANTHUS HETEROPHYLLUS ROTUNDFOLIUS HOLYLEAF OSMANTHUS	56C
S-9	14	PHORMIUM TENAX 'BRONZE BABY' NEW ZEALAND FLAX	56C
S-10	16	PIERIS FORBESII - CHINESE PIERIS	56C
S-11	30	RAPHIOLEPIS 'BALLERINA' - PINK INDIA HAWTHORN	56C
<b>VINES:</b>			
V-1	16	CISSUS TRIFOLIATA - GRAPE IVY	16C

WESLEY T. SAKAMOTO  
LANDSCAPE ARCHITECT  
665 HOLLHOCK DR  
SAN LEANDRO CALIFORNIA



MAPLE COURT  
CONDOMINIUM  
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MAPLE CT., HAYWARD CALIFORNIA

SHEET TITLE  
CONCEPTUAL  
LANDSCAPE PLAN

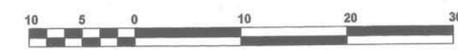
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L1.2



SCALE: 1/8" = 1'-0"

WESLEY T. SAKAMOTO  
 LANDSCAPE ARCHITECT  
 663 HOLLYHOCK DR  
 SAN LEANDRO CALIFORNIA

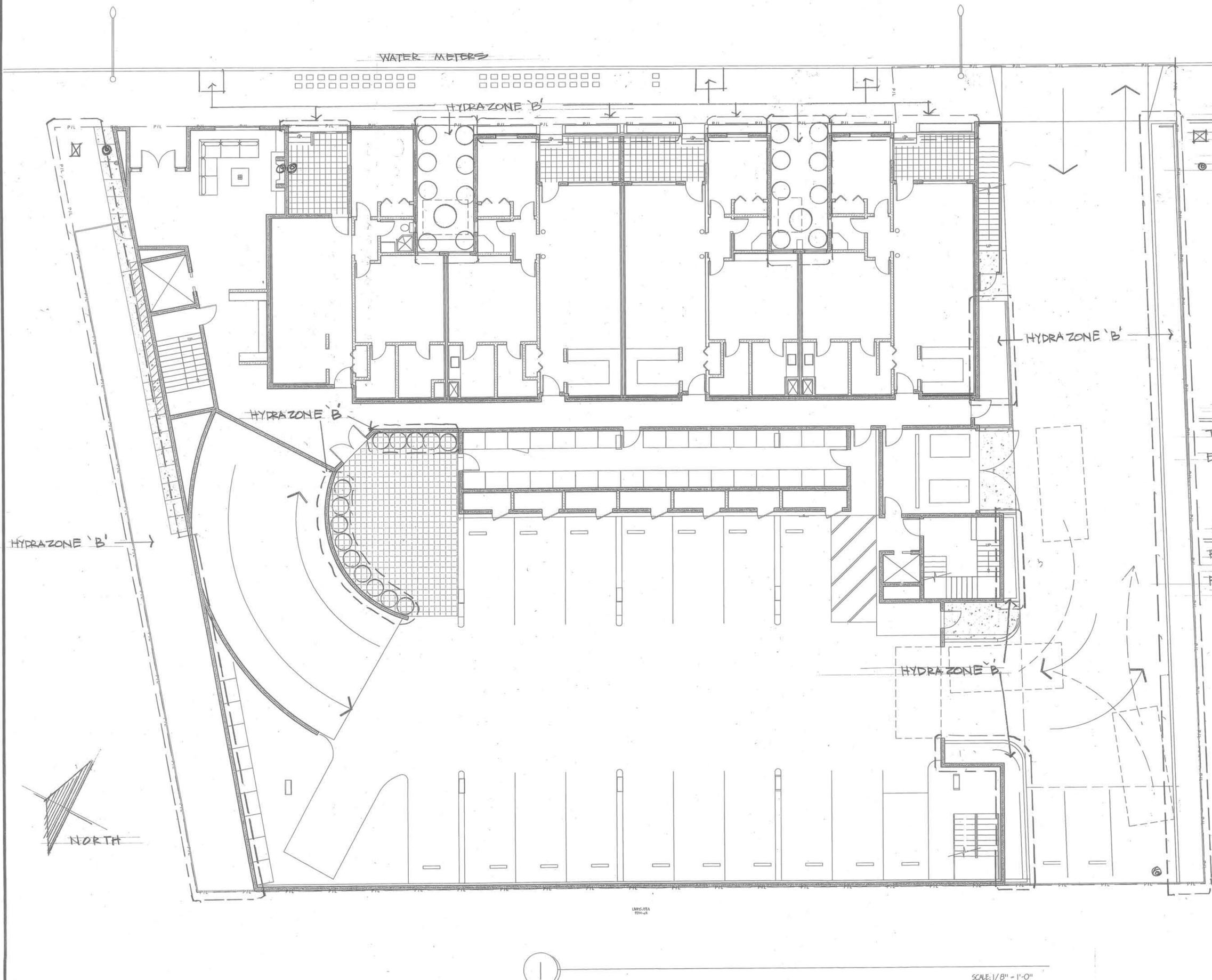


MAPLE COURT CONDOMINIUM  
 Project Address: 22471, 22471, 22471, 22485, 22491  
 MAPLE CT., HAYWARD CALIFORNIA

SHEET TITLE  
 CONCEPTUAL IRRIGATION PLAN

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**L1.3**



**LEGEND**

- ☒ REDUCED PRESSURE BACKFLOW PREVENTER
- ⊙ EXISTING TREES TO BE REMOVED

**WATER USE**

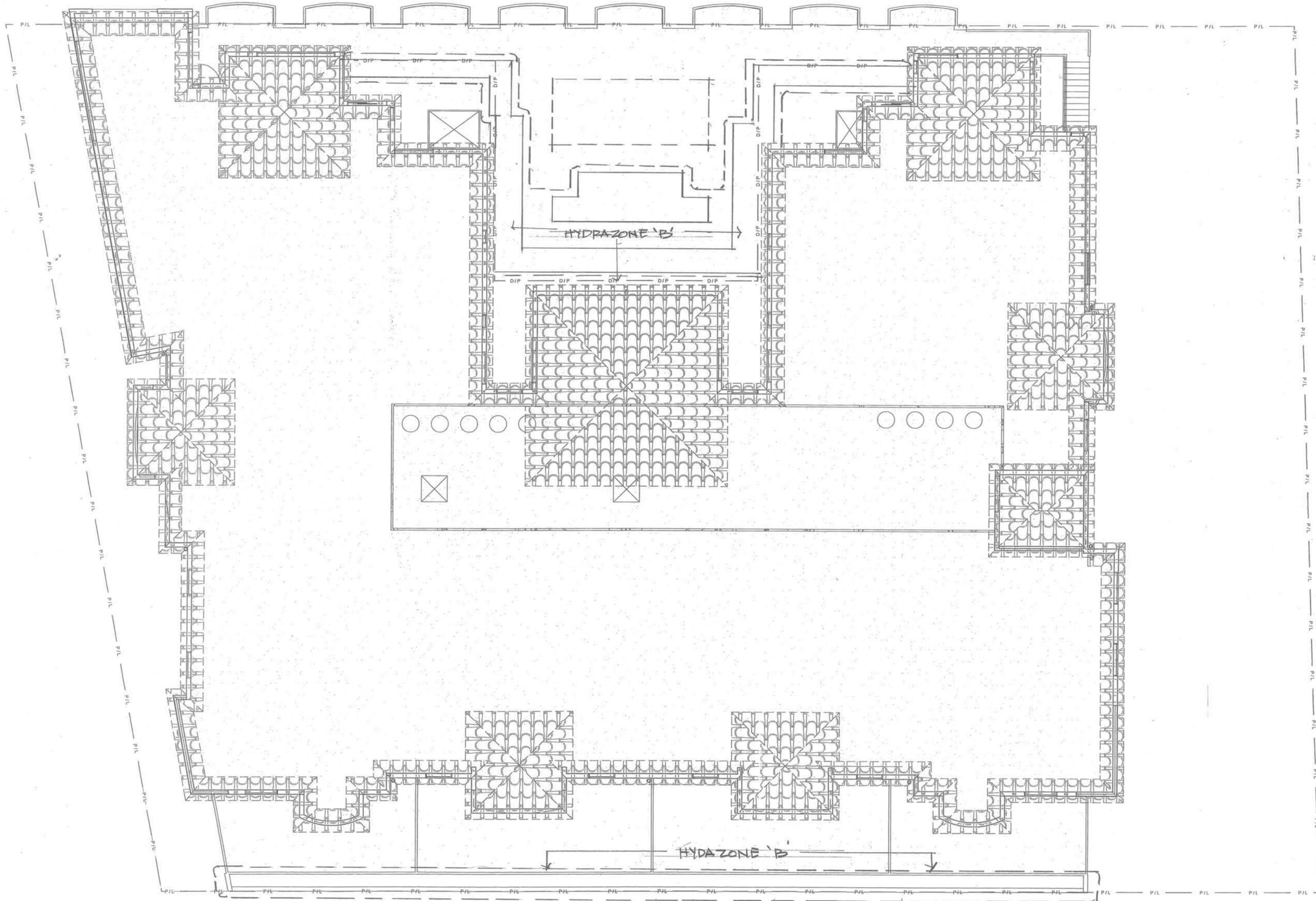
TOTAL LANDSCAPED AREA 3085 S.F.  
 $ETWU = (44.2 \times .62) (3085 \times .3) = 39,778 \text{ GAL}$   
 .85

**PERFORMANCE**

BUBBLERS FOR TREES WILL DELIVER 1 GPM  
 PEPCO BUBBLERS WILL DELIVER 25 GPH.

SCALE: 1/8" = 1'-0"

MAPLE COURT



SCALE: 1/8" = 1'-0"

WESLEY T.  
SAKAMOTO  
LANDSCAPE  
ARCHITECT  
665 HOLLYHOCK DR  
SAN LEANDRO  
CALIFORNIA



MAPLE COURT  
CONDOMINIUM  
Project Address: 22471, 22477, 22485, 22491  
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SHEET TITLE  
CONCEPTUAL  
IRRIGATION PLAN

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3D RENDERING - FRONT VIEW



**MAPLE COURT  
CONDOMINIUM**

Project Address: 22471, 22477, 22485, 22491  
MAPLE CT., HAYWARD CALIFORNIA

SHEET TITLE  
**3D RENDERING - FRONT  
VIEW**

Date: APRIL 28, 2011

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3D RENDERING - REAR VIEW



**MAPLE COURT  
CONDOMINIUM**

Project Address: 22471, 22477, 22485, 22491  
MAPLE CT., HAYWARD CALIFORNIA

SHEET TITLE  
**3D RENDERING - REAR  
VIEW**

Date: APRIL 28, 2011

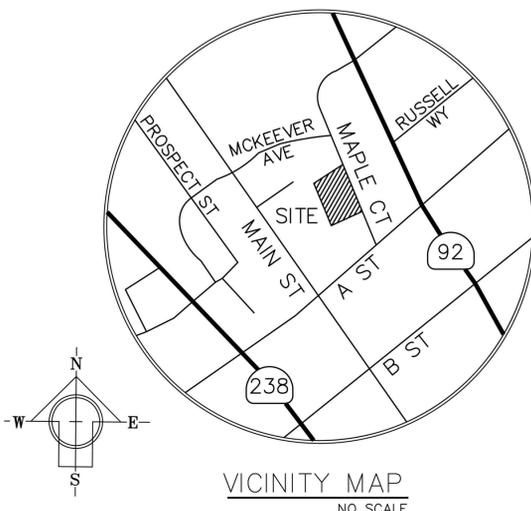
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VICINITY MAP  
NO SCALE

**TENTATIVE TRACT MAP INFORMATION**

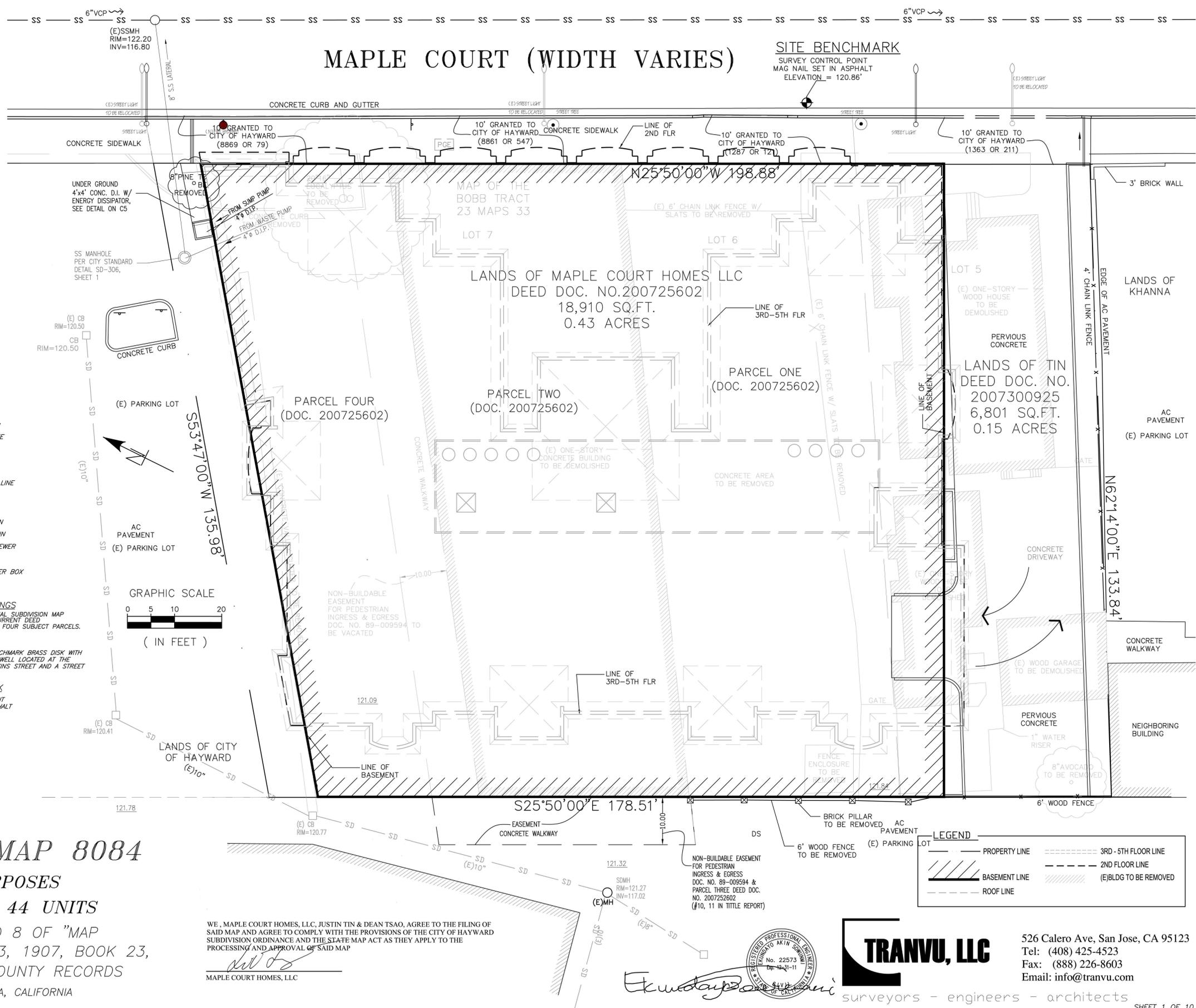
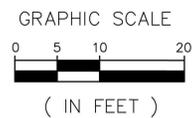
- PROJECT INFO:  
ADDRESS: 22471, 22477, 22485, 22491 MAPLE COURT  
ZONING: CC-C CITY CENTRAL COMMERCIAL  
TYPE OF CONSTRUCTION: TYPE I-B  
LOT AREA (NET): 25,711 S.F.  
PROPOSED LOT COVERAGE: 19,375 S.F.  
PROPOSED GROSS FLOOR AREA: 95,221 S.F.  
PROPOSED GROSS RESIDENTIAL AREA: 54,427 S.F.  
(44,670 S.F. LIVING AREA)  
TOTAL PRIVATE OPEN SPACE: 5,766 S.F.  
TOTAL GROUP OPEN SPACE: 1,517 S.F.  
PROPOSED RESIDENTIAL UNITS: 44  
PROPOSED PARKING SPACES: 63 (9 COMPACT, 2 HANDICAP)  
PROPOSED USE: 6 STORY MIXED USED BUILDING
- RECORD PROPERTY OWNERS:  
MAPLE COURT HOMES, LLC  
250 5TH STREET  
SAN FRANCISCO, CA 94103  
(415) 279-3718  
JUSTIN TIN / DEAN TSAO  
22491 MAPLE COURT  
HAYWARD, CA 94541
- APPLICANT/SUBDIVIDER:  
MAPLE COURT HOMES, LLC  
250 5TH STREET  
SAN FRANCISCO, CA 94103  
(415) 279-3718
- ENGINEER:  
TRANVU, LLC  
526 CALERO AVE  
SAN JOSE, CA 95123  
PHONE (408) 425-4523  
FAX (888) 226-8603
- GEOTECHNICAL ENGINEER:  
UNITED SOIL ENGINEERING, INC.  
3476 EDWARD AVE., SANTA CLARA, CA  
TEL: (408) 988-2990
- ARCHITECT:  
TAKUO KANNO  
KB DESIGN & CONSULTING, LLC  
TEL: (415) 963-3343
- AP.N.:  
428-0061-010, 428-0061-011  
428-0061-012-02, 428-0061-013-02
- AREA OF PROPERTY:  
25,711 SQ. FT. APPROX.
- PROPOSED NO. OF LOTS: 1
- EXISTING UTILITIES:  
WATER: CITY OF HAYWARD  
GAS AND ELECTRIC: PACIFIC GAS AND ELECTRIC  
SANITARY SEWER: CITY OF HAYWARD  
STORM DRAIN: CITY OF HAYWARD  
FIRE: CITY OF HAYWARD  
TELEPHONE: ATT  
CABLE TV: COMCAST
- TOPOGRAPHY SURVEY  
BASED ON GROUND SURVEY CONDUCTED BY  
LEA & BRAZE ENGINEERING
- BENCHMARK  
CITY OF HAYWARD DATUM.
- EXISTING LAND USE  
COMMERCIAL
- PROPOSED LAND USE  
44 RESIDENTIAL UNITS OF 54,427 S.F.,  
63 PARKING SPACES
- EXISTING ZONING  
CC-C CITY CENTRAL COMMERCIAL

- LEGEND**
- AD AREA DRAIN
  - C/L CENTER LINE
  - D/W DRIVEWAY
  - (E) EXISTING
  - FL FLOW LINE
  - M/M MONUMENT LINE
  - MH MANHOLE
  - (N) NEW
  - S STREET SIGN
  - SD STORM DRAIN
  - SS SANITARY SEWER
  - W WATER
  - WB WATER METER BOX

**BASIS OF BEARINGS**  
BASED ON THE ORIGINAL SUBDIVISION MAP  
"BOBB TRACT" AND CURRENT DEED  
DOCUMENTS FOR THIS FOUR SUBJECT PARCELS.

**BENCHMARK**  
CITY OF HAYWARD BENCHMARK BRASS DISK WITH  
PUNCH IN MONUMENT WELL LOCATED AT THE  
INTERSECTION OF WATKINS STREET AND A STREET  
ELEVATION = 93.709'

**SITE BENCHMARK**  
SURVEY CONTROL POINT  
MAG NAIL SET IN ASPHALT  
ELEVATION = 120.86'



**TENTATIVE TRACT MAP 8084**  
**FOR CONDOMINIUM PURPOSES**  
**FOR THE CONSTRUCTION OF 44 UNITS**

PORTIONS OF LOTS 5, 6, 7 AND 8 OF "MAP  
OF BOBB TRACT" FILED SEPTEMBER 23, 1907, BOOK 23,  
OF MAPS AT PAGE 33, ALAMEDA COUNTY RECORDS  
CITY OF HAYWARD, COUNTY OF ALAMEDA, CALIFORNIA

SCALE: 1" = 10' AUGUST 15, 2011

WE, MAPLE COURT HOMES, LLC, JUSTIN TIN & DEAN TSAO, AGREE TO THE FILING OF  
SAID MAP AND AGREE 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

*Justin Tin*  
MAPLE COURT HOMES, LLC

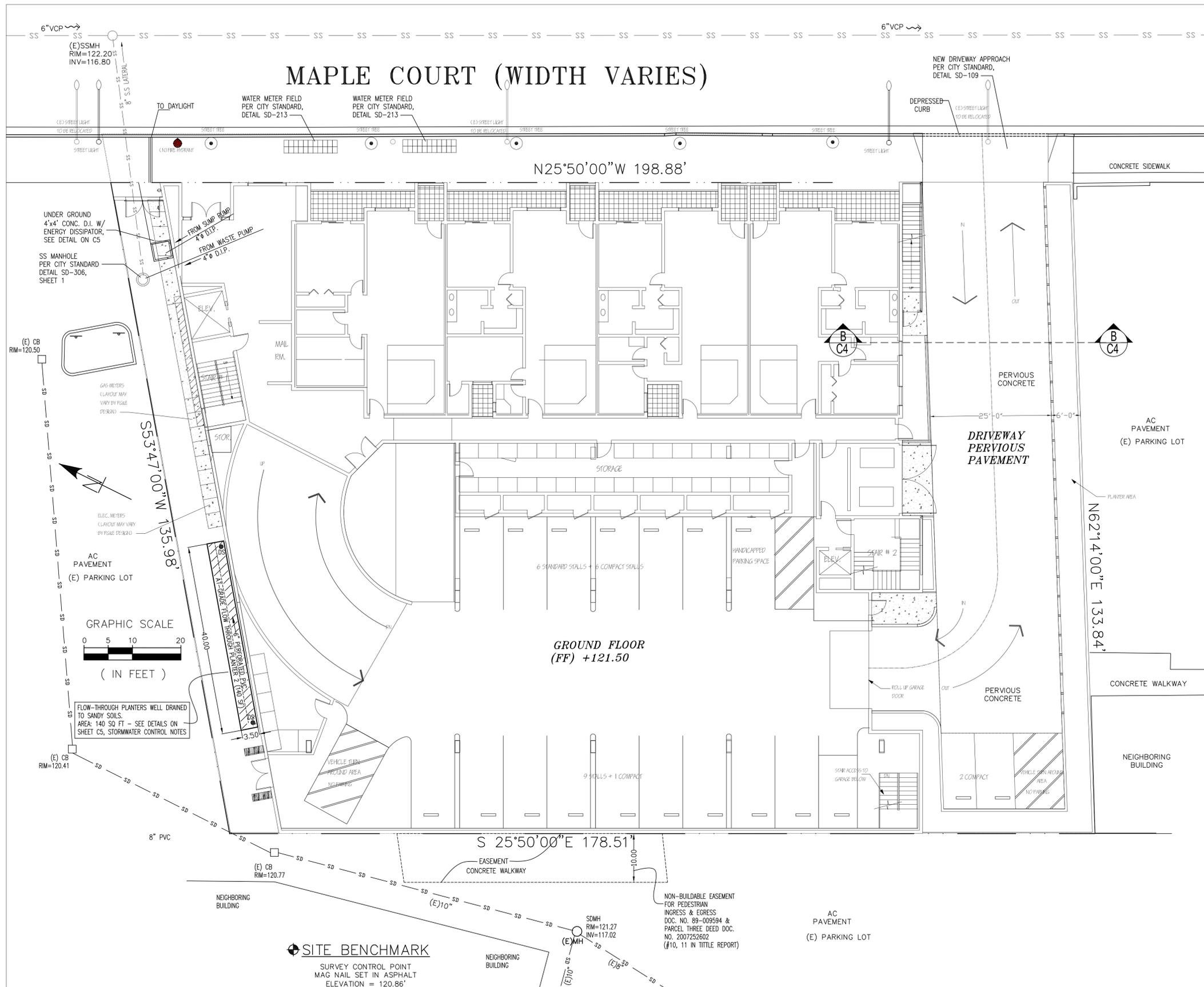


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Email: info@tranvu.com

surveyors - engineers - architects



# MAPLE COURT (WIDTH VARIES)



### NOTES

1. ANY DAMAGED OR BROKEN CURB, GUTTER AND SIDEWALK ALONG MAPLE COURT FRONTAGE SHALL BE REMOVED AND REPLACED.
2. THE EXISTING DRIVEWAY TO BE REPLACED PER STANDARD DETAIL SD-109
3. THE EXISTING DRIVEWAYS TO BE ABANDONED ON MAPLE COURT SHALL BE REMOVED AND REPLACED WITH STANDARD CURB, GUTTER AND SIDEWALK.
4. ALL OVERHEAD UTILITY LINES SHALL BE UNDERGROUND.
5. A PROPERTY OWNERS ASSOCIATION SHALL BE CREATED AND SHALL BE RESPONSIBLE FOR MAINTAINING ALL PRIVATE UTILITIES AND OTHER PRIVATELY OWNED COMMON AREAS AND FACILITIES ON THE SITE INCLUDING LANDSCAPING. THESE MAINTENANCE RESPONSIBILITIES SHALL INCLUDE IMPLEMENTING AND MAINTAINING STORMWATER BMPs ASSOCIATED WITH IMPROVEMENTS AND LANDSCAPING.
6. ANY STREET IN THE VICINITY THAT ARE DAMAGED AS A RESULT OF CONSTRUCTION OF THE PROPOSED PROJECT SHALL BE REPAIRED OR RECONSTRUCTED TO THE SATISFACTION OF THE CITY ENGINEER.
7. THE SURFACE OF THE DRIVEWAY SHALL HAVE A FRICTION COEFFICIENT TO CREATE TRACTION FOR THE EMERGENCY VEHICLES DUE TO THE 15 PERCENT SLOPE. PERMEABLE ASPHALT MAY BE AN ACCEPTABLE ALTERNATIVE.
8. DEDICATED (PRIVATE) FIRE LINE SHALL BE INSTALLED PER CITY STANDARD DETAILS. DEDICATED FIRE LINE CAN BE USED FOR PRIVATE FIRE HYDRANTS AND FOR THE BUILDING SPRINKLER SYSTEMS. INDIVIDUAL SPRINKLER FOR EACH UNIT SHALL BE REVIEWED UNDER BUILDING PERMIT APPLICATION.

**SITE PLAN**  
SCALE: 1" = 10'

**TRANWU, LLC**  
surveys - engineers - architects  
534 Castro Ave, San Jose, CA 95123  
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Fax: (408) 234-5425  
Email: info@tranwu.com

TENTATIVE TRACT MAP 8084  
SITE PLAN  
22471, 22477, 22485, 22491 MAPLE COURT  
HAYWARD, CALIFORNIA

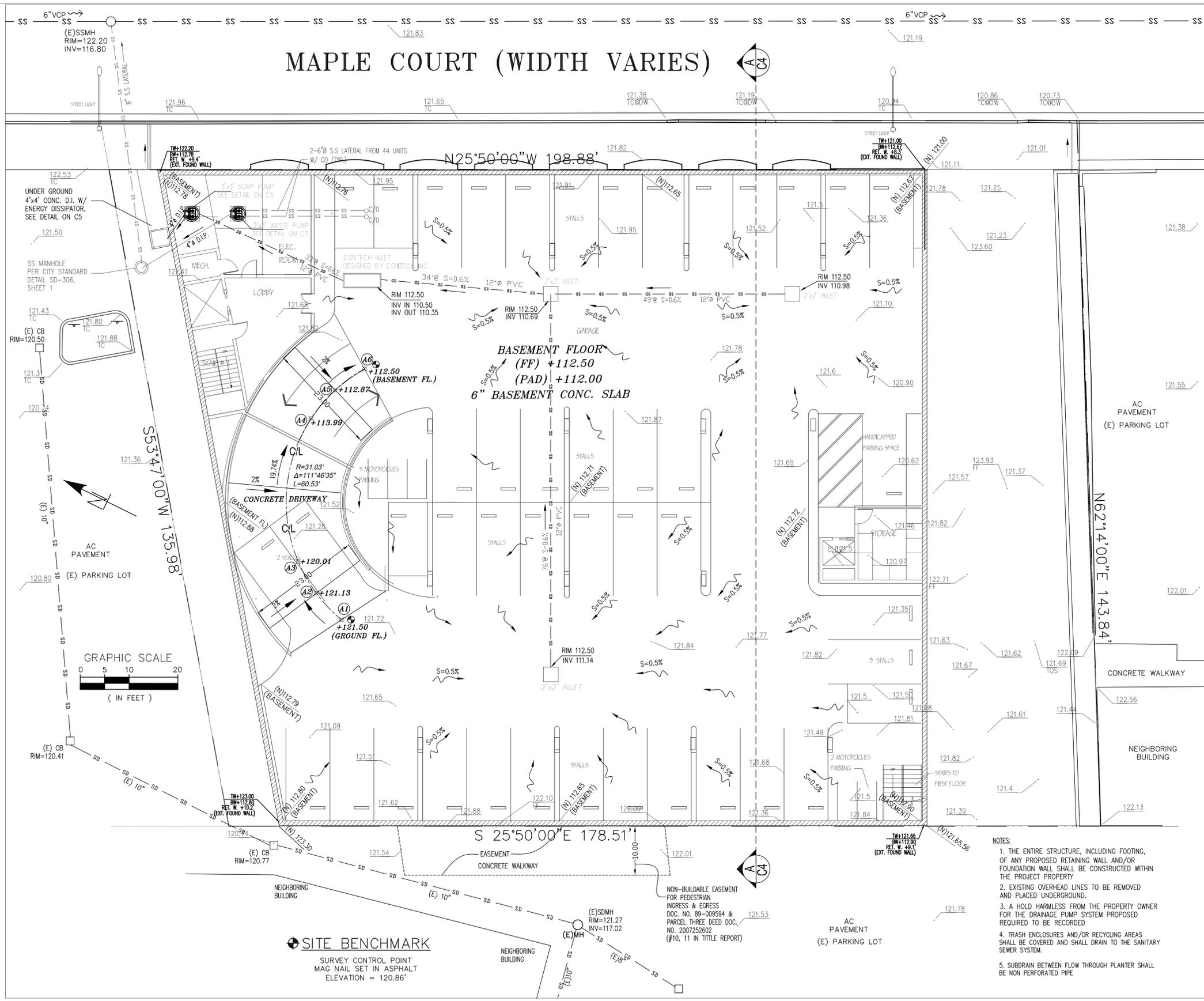


DESIGNED BY:  
TUDONG XUAN TRAN  
R.C.E. NO. 50209  
EXPIRES 12/31/12

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Date:

Sheet  
**C1**  
SHEET 3 OF 10  
Job No.

# MAPLE COURT (WIDTH VARIES)



### FIXTURE UNIT CALCULATIONS FOR 44 UNITS

FIXTURE TYPE	Q.TY	DEMAND WEIGHT IN WSFU <sup>1</sup>				DRAINAGE <sup>1</sup>	
		COLD	HOT	TOTAL	DFU	TOTAL	
WATER CLOSET, 1.6 GPF	2	2.5	0	2.5	220	0	264
LAVATORY	1	1	1	1.5	142	142	142
SHOWER	2	2	2	3	16	16	24
BATHTUB	1	4	4	6	320	320	480
CLOTHES WASHER	1	4	4	6	176	176	264
DISH WASHER	1	1.5	1.5	2	66	66	88
KITCHEN	44						88
<b>TOTAL FIXTURE UNITS</b>					<b>940</b>	<b>720</b>	<b>1289</b>
<b>REQUIRED MINIMUM PIPE SIZE (OVER 60 PSI)<sup>3</sup></b>					<b>2 1/2"</b>	<b>2 1/2"</b>	<b>3"</b>

**NOTE:**

1. FIXTURE UNITS ARE BASED ON 2010 CPC TABLE 6-5 FOR WATER AND TABLE 7-3 FOR DRAINAGE.
2. SEPARATE HOT AND COLD WATER FIXTURE UNITS ARE TAKEN AS THREE - QUARTER (3/4) OF TOTAL FIXTURE DEMAND, PER 2010 CPC TABLE 6-5, NOTE 3.
3. PIPE SIZES ARE BASED ON 2010 CPC TABLE 6-6 FOR WATER AND TABLE 7-5 FOR DRAINAGE.

**44 UNITS REQUIRES 1- 8" DIA. SANITARY SEWER (50.24 SQ. IN). PROVIDED 2-6" DIA. PIPE (56.52 SQ. IN)**

### LEGENDS

- PROPERTY LINE
- SD --- SD --- STORM DRAIN
- SS --- SS --- SANITARY SEWER
- [Hatched Box] FLOW THROUGH PLANTER
- [Hatched Box] RETAINING WALL / EXTERNAL FOUND WALL
- > DIRECTION OF RUNOFF
- 122.13 EXISTING ELEVATION
- (N)114.13 NEW ELEVATION
- DS DOWNSPOUT

- NOTES:**
1. THE ENTIRE STRUCTURE, INCLUDING FOOTING, OF ANY PROPOSED RETAINING WALL AND/OR FOUNDATION WALL SHALL BE CONSTRUCTED WITHIN THE PROJECT PROPERTY
  2. EXISTING OVERHEAD LINES TO BE REMOVED AND PLACED UNDERGROUND.
  3. A HOLD HARMLESS FROM THE PROPERTY OWNER FOR THE DRAINAGE PUMP SYSTEM PROPOSED REQUIRED TO BE RECORDED
  4. TRASH ENCLOSURES AND/OR RECYCLING AREAS SHALL BE COVERED AND SHALL DRAIN TO THE SANITARY SEWER SYSTEM.
  5. SUBDRAIN BETWEEN FLOW THROUGH PLANTER SHALL BE NON PERFORATED PIPE

**UNITED SOIL ENGINEERING, INC.**  
GRADING PLANS REVIEWED:

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
VIEN VO, P.E.  
PRINCIPAL GEOTECHNICAL ENGINEER

**EARTHWORK VOLUME:**  
ESTIMATED VOLUME OF CUT: 18,750 x (121.5-112.0)/27 = 6,597 CUBIC YARDS  
EXCAVATED MATERIAL WILL BE EXPORTED FROM THE SITE: 7,291 CUBIC YARDS

## GRADING & DRAINAGE PLAN

SCALE: 1" = 10'

**TRANWU, LLC**  
surveyors - engineers - architects  
2500 California Ave., San Jose, CA 95133  
Tel: (408) 232-5425 Fax: (408) 232-5425  
Email: info@tranwu.com

TENTATIVE TRACT MAP 8084  
GRADING AND DRAINAGE PLAN  
22471, 22477, 22485, 22491 MAPLE COURT  
HAYWARD, CALIFORNIA

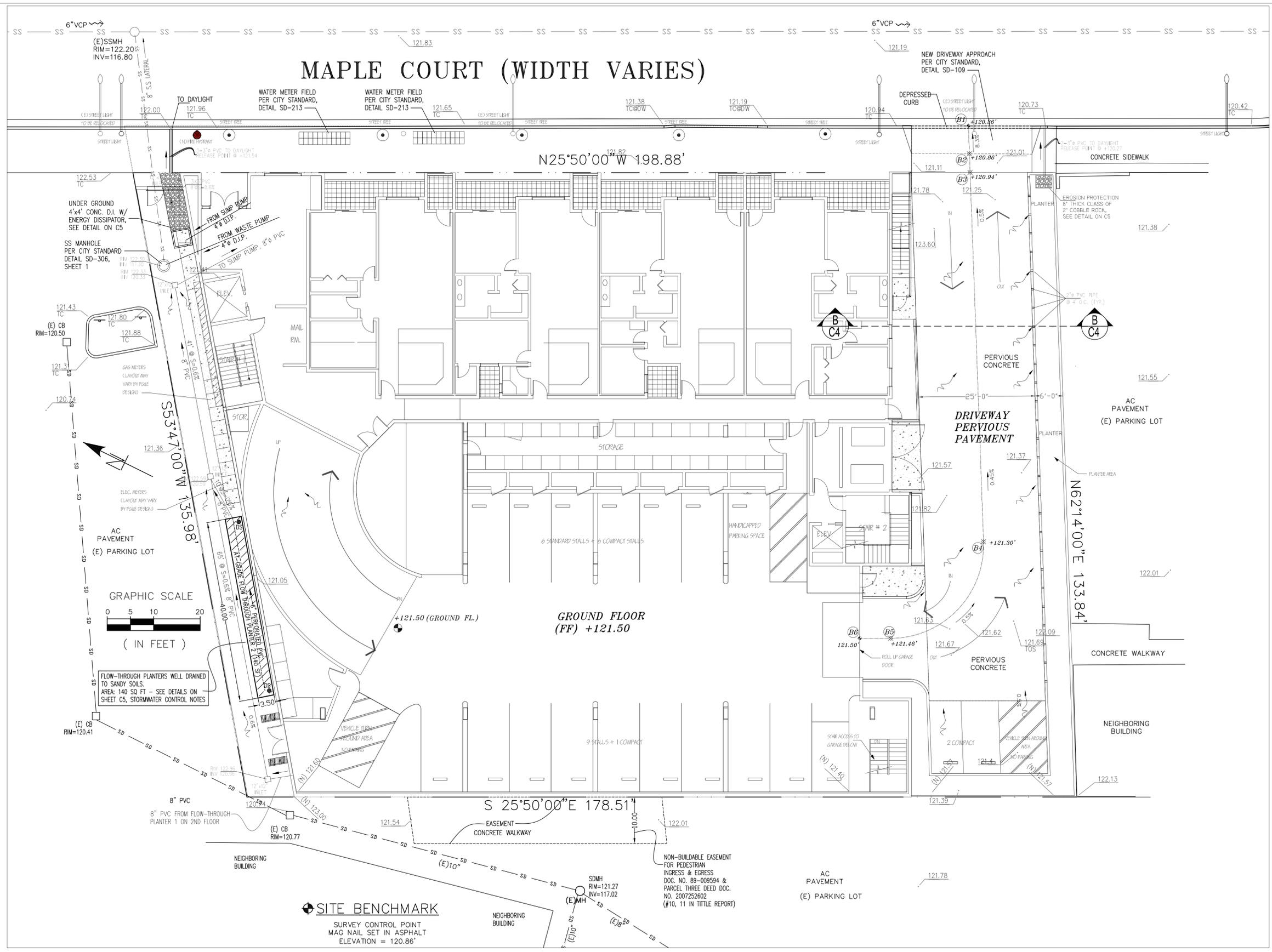


DESIGNED BY:  
TUONG XUAN TRAN  
R.C.E. NO. 50209  
EXPIRES 12/31/12

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**C2.1**  
SHEET 4 OF 10  
Job No.

# MAPLE COURT (WIDTH VARIES)



**GRADING DRAINAGE PLAN**  
SCALE: 1" = 10'

**LEGENDS**

- PROPERTY LINE
- FLOW THROUGH PLANTER
- DIRECTION OF RUNOFF
- 122.13 EXISTING ELEVATION
- (N)114.13 NEW ELEVATION
- DS DOWNSPOUT

**TRANWU LLC**  
surveys - engineers - architects  
536 Castro Ave, San Jose, CA 95123  
Tel: (408) 234-5425  
Fax: (408) 234-5425  
Email: info@tranwu.com

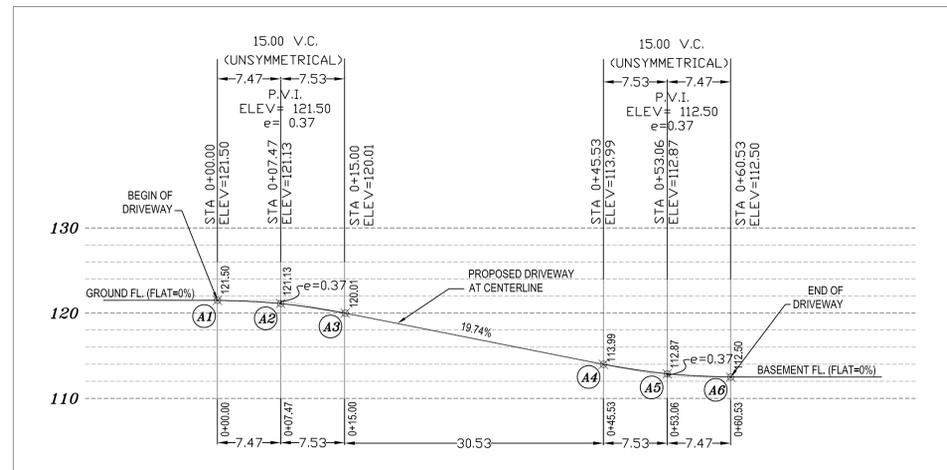
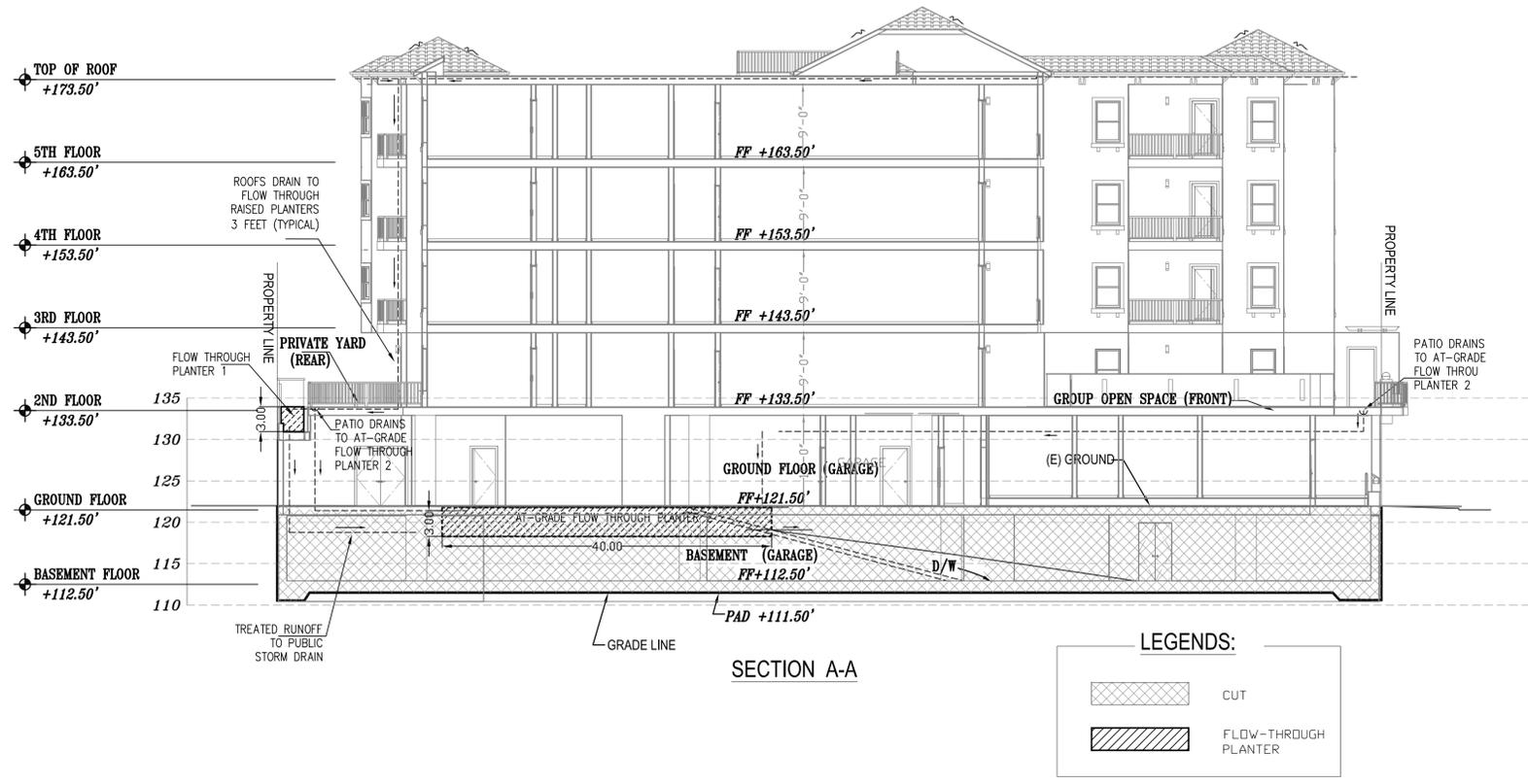
TENTATIVE TRACT MAP 8084  
GRADING AND DRAINAGE PLAN 2  
22471, 22477, 22485, 22491 MAPLE COURT  
HAYWARD, CALIFORNIA

DESIGNED BY:  
TUDONG XIAN TRAN  
REGISTERED PROFESSIONAL ENGINEER  
NO. 12471/1  
EXPIRES 12/31/12

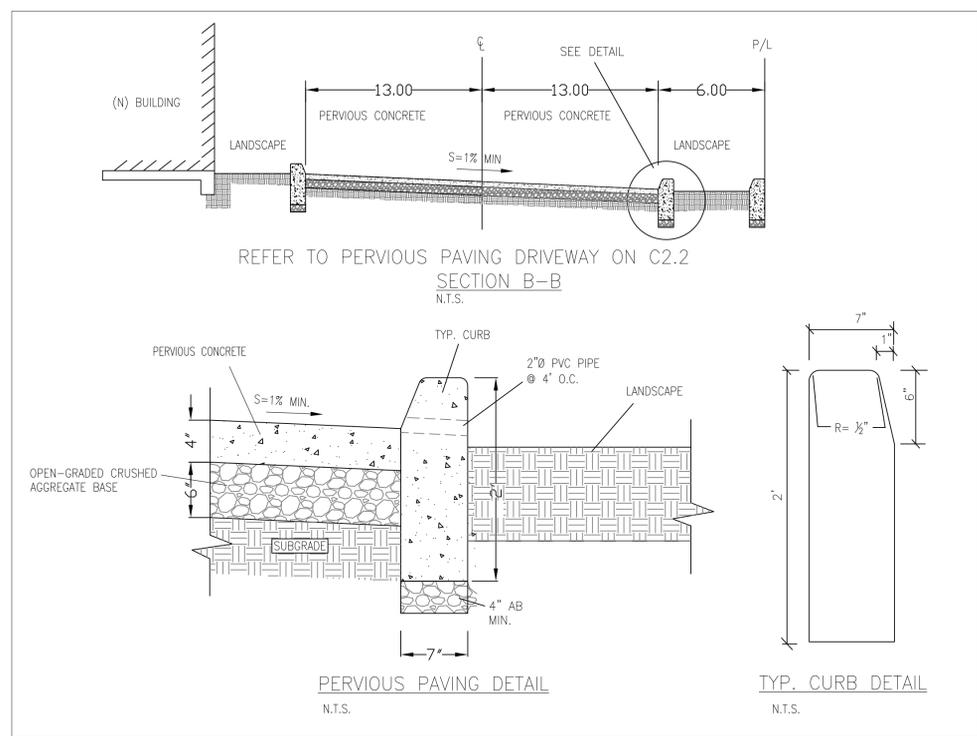
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Date: \_\_\_\_\_  
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Date: \_\_\_\_\_

**C2.2**  
SHEET 5 OF 10  
Job No.





**TYPICAL SECTION**  
SCALE: 1" = 10'



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 surveyors - engineers - architects  
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 Fax: (408) 234-5425  
 Email: info@tranu.com

Description	App'd	Date	Revision

TENTATIVE TRACT MAP 8084  
 TYPICAL CROSS SECTION AND DRIVEWAY PROFILE  
 22471, 22477, 22485, 22491 MAPLE COURT  
 HAYWARD, CALIFORNIA

DESIGNED BY:  
 TUDING XIAN TIAN  
 R.C.E. NO. 56209  
 EXPIRES 12/31/12

CHECKED BY:  
 [Signature]  
 R.C.E. NO. 56209  
 EXPIRES 12/31/12

Checked: TT  
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 Date:      

Sheet  
**C4**  
 SHEET 7 OF 10  
 Job No.

## Flow-Through Planter



At-grade flow-through planters. Source: City of Emeryville

### Best uses

- Treating roof runoff
- Next to buildings
- Dense urban areas

### Advantages

- Can be adjacent to structures
- Multi-use
- Versatile
- May be any shape
- Low maintenance

### Limitations

- Requires sufficient head
- Careful selection of plants
- Requires level installation
- Susceptible to clogging

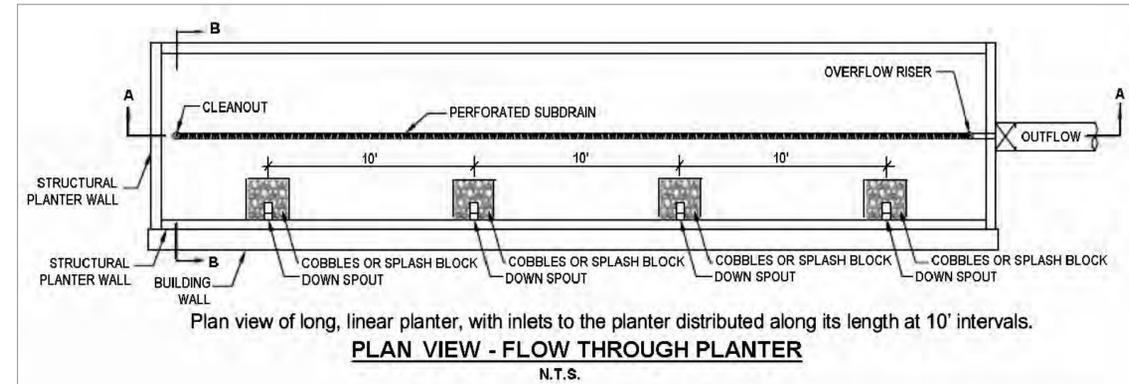


Figure 6-11: Half-buried, perforated flexible pipe serves as a flow spreader to distribute stormwater evenly throughout long, linear flow-through planter in Emeryville (Source: GreenGrid/Weston Solutions).



Figure 6-12: The same planter as shown in Figure 6-11, after vegetation has matured and partially conceals the half-buried pipe from view (Source: San Francisco Estuary Partnership).

### FLOW THROUGH PLANTER PERSPECTIVE PLANS



## FLOW-THROUGH PLANTER NOTES:

FLOW-THROUGH PLANTERS ARE DESIGNED TO TREAT AND DETAIN RUNOFF WITHOUT ALLOWING SEEPAGE INTO THE UNDERLYING SOIL. THEY CAN BE USED NEXT TO BUILDINGS AND OTHER LOCATIONS WHERE SOIL MOISTURE IS A POTENTIAL CONCERN. FLOW-THROUGH PLANTERS TYPICALLY RECEIVE RUNOFF VIA DOWNSPOUTS LEADING FROM THE ROOFS OF ADJACENT BUILDINGS. HOWEVER, FLOW-THROUGH PLANTERS CAN ALSO BE SET LEVEL WITH THE GROUND AND RECEIVE SHEET FLOW. POLLUTANTS ARE REMOVED AS THE RUNOFF PASSES THROUGH THE SOIL LAYER AND IS COLLECTED IN AN UNDERLYING LAYER OF GRAVEL OR DRAIN ROCK. A PERFORATED PIPE UNDERDRAIN MUST BE DIRECTED TO A STORM DRAIN OR OTHER DISCHARGE POINT. AN OVERFLOW INLET CONVEYS FLOWS THAT EXCEED THE CAPACITY OF THE PLANTER.

### VEGETATION

- \* PLANTINGS SHOULD BE SELECTED FOR VIABILITY IN A WELL-DRAINED SOIL. SEE PLANTING GUIDANCE IN APPENDIX B OF "C.3 STORMWATER TECHNICAL GUIDANCE" (ALAMEDA COUNTYWIDE CLEAN WATER PROGRAM) AT LINK: [http://www.cleanwaterprogram.org/uploads/ACCWP\\_C.3\\_Tech\\_Guidance\\_v2.1\\_OCT19-small.pdf](http://www.cleanwaterprogram.org/uploads/ACCWP_C.3_Tech_Guidance_v2.1_OCT19-small.pdf)
- \* USE INTEGRATED PEST MANAGEMENT (IPM) PRINCIPLES IN THE LANDSCAPE DESIGN TO HELP AVOID OR MINIMIZE ANY USE OF SYNTHETIC PESTICIDES AND QUICK-RELEASE FERTILIZER. CHECK WITH THE LOCAL JURISDICTION FOR ANY LOCAL POLICIES REGARDING THE USE OF PESTICIDES AND FERTILIZERS.
- \* IRRIGATION SHALL BE PROVIDED, AS NEEDED, TO MAINTAIN PLANT LIFE.
- \* TREES AND VEGETATION DO NOT BLOCK INFLOW, CREATE TRAFFIC OR SAFETY ISSUES, OR OBSTRUCT UTILITIES.

### INLETS TO TREATMENT MEASURE

- \* WHERE FLOWS ENTER THE BIOTREATMENT MEASURE, ALLOW A CHANGE IN ELEVATION OF 4 TO 6 INCHES BETWEEN THE PAVED SURFACE AND BIOTREATMENT SOIL ELEVATION, SO THAT VEGETATION OR MULCH BUILD-UP DOES NOT OBSTRUCT FLOW.
- \* SPLASH BLOCKS, COBBLES OR ROCKS SHALL BE INSTALLED TO DISSIPATE FLOW ENERGY WHERE RUNOFF ENTERS THE TREATMENT MEASURE.
- \* FOR LONG LINEAR PLANTERS, SPACE INLETS TO PLANTER AT 10-FOOT INTERVALS OR INSTALL FLOW SPREADER.

### SOIL CONSIDERATIONS SPECIFIC TO FLOW THROUGH PLANTERS

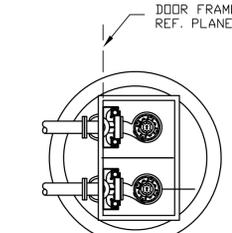
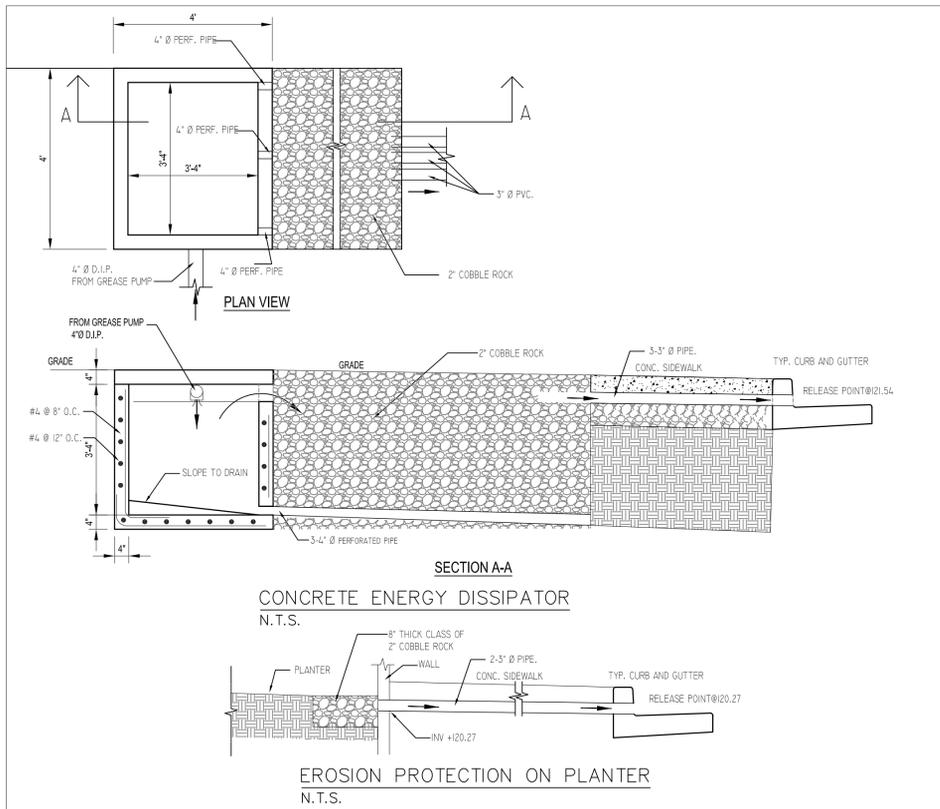
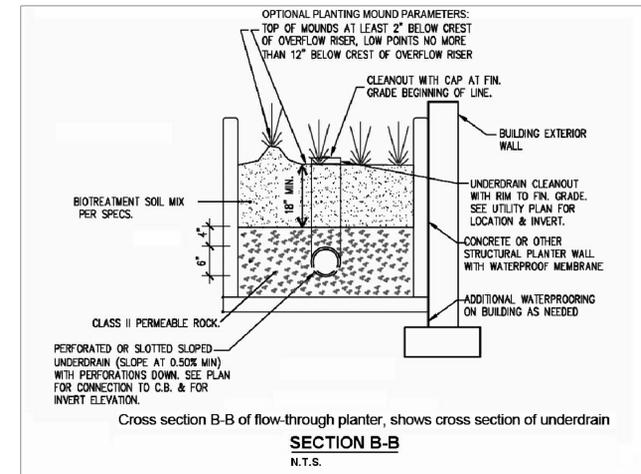
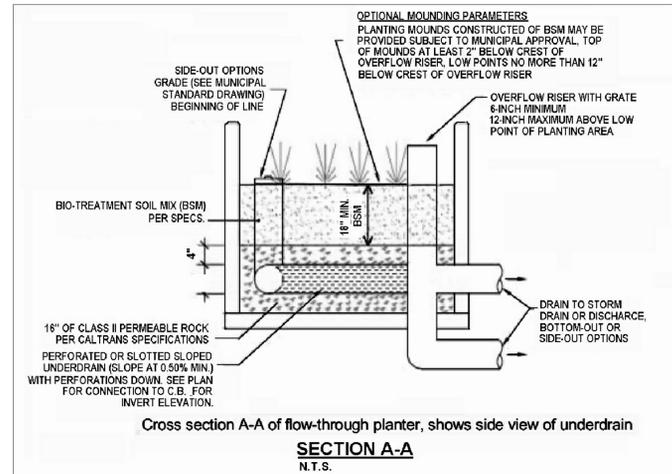
- \* WATERPROOFING SHALL BE INSTALLED AS REQUIRED TO PROTECT ADJACENT BUILDING FOUNDATIONS.
- \* IF SITE CONDITIONS PERMIT INFILTRATION TO UNDERLYING SOILS, WATERPROOFING IS NOT REQUIRED.
- \* AN UNDERDRAIN SYSTEM IS GENERALLY REQUIRED FOR FLOW THROUGH PLANTERS. DEPENDING ON THE INFILTRATION RATE OF IN SITU SOILS, THE LOCAL JURISDICTION MAY ALLOW INSTALLATION WITHOUT AN UNDERDRAIN ON A CASE-BY-CASE BASIS.
- \* UNDERDRAIN TRENCH SHALL INCLUDE A 12-INCH THICK LAYER OF CALTRANS STANDARD SECTION 68-1.025 PERMEABLE MATERIAL CLASS 2. MINIMUM 6-INCH DIAMETER PERFORATED PIPE SHALL BE PLACED WITHIN BACKFILL LAYER. TO HELP PREVENT CLOGGING, TWO ROWS OF PERFORATION MAY BE USED.
- \* PLANTING SOIL SHALL HAVE A MINIMUM PERCOLATION RATE OF 5 INCHES PER HOUR AND A MAXIMUM PERCOLATION RATE OF 10 INCHES/HOUR. SOIL SPECIFICATIONS ARE PROVIDED IN APPENDIX L OF "C.3 STORMWATER TECHNICAL GUIDANCE" (ALAMEDA COUNTYWIDE CLEAN WATER PROGRAM) AT LINK: [http://www.cleanwaterprogram.org/uploads/ACCWP\\_C.3\\_Tech\\_Guidance\\_v2.1\\_OCT19-small.pdf](http://www.cleanwaterprogram.org/uploads/ACCWP_C.3_Tech_Guidance_v2.1_OCT19-small.pdf)
- \* THE PLANTING SOIL SHALL BE AT LEAST 18 INCHES THICK.
- \* PROVIDE 3-INCH LAYER OF MULCH IN AREAS BETWEEN PLANTINGS.

### SOIL CONSIDERATIONS FOR ALL BIOTREATMENT SYSTEMS

- \* BEGINNING DECEMBER 1, 2011, SOILS IN THE AREA OF INUNDATION WITHIN THE FACILITY SHALL MEET BIOTREATMENT SOIL SPECIFICATIONS APPROVED BY THE REGIONAL WATER BOARD (TO BE INCLUDED IN APPENDIX L). A MINIMUM PERCOLATION RATE OF 5 INCHES PER HOUR AND A MAXIMUM PERCOLATION RATE OF 10 INCHES/HOUR ARE REQUIRED (INITIAL INFILTRATION RATE MAY EXCEED THIS TO ALLOW FOR TENDENCY OF INFILTRATION RATE TO REDUCE OVER TIME).
- \* FILTER FABRIC SHALL NOT BE USED IN OR AROUND UNDERDRAIN TRENCH.
- \* THE UNDERDRAIN SHALL INCLUDE A PERFORATED PIPE WITH CLEANOUTS AND CONNECTION TO A STORM DRAIN OR DISCHARGE POINT. CLEAN-OUT SHALL CONSIST OF A VERTICAL, RIGID, NON-PERFORATED PVC PIPE, WITH A MINIMUM DIAMETER OF 6 INCHES AND A WATERTIGHT CAP FIT FLUSH WITH THE GROUND.
- \* THERE SHALL BE ADEQUATE FALL FROM THE UNDERDRAIN TO THE STORM DRAIN OR DISCHARGE POINT.

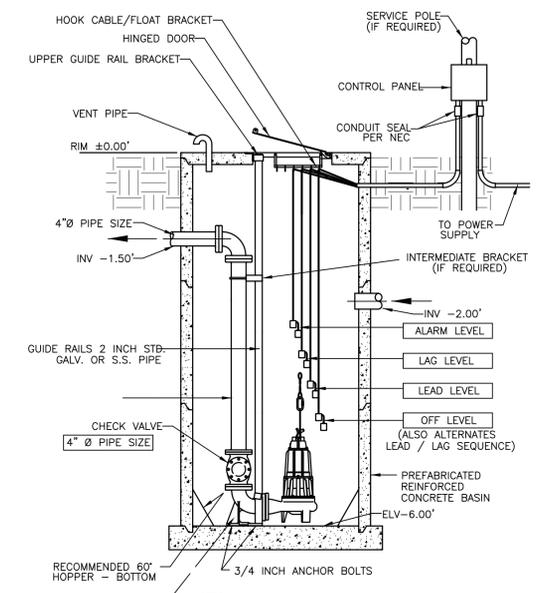
### MAINTENANCE CONSIDERATIONS FOR ALL TREATMENT MEASURES

- \* A MAINTENANCE AGREEMENT SHALL BE PROVIDED.
- \* MAINTENANCE AGREEMENT SHALL STATE THE PARTIES' RESPONSIBILITY FOR MAINTENANCE AND UPKEEP.



### SUMP PUMPS PLAN

SCALE: NOT TO SCALE



### SUMP PUMPS DETAIL

SCALE: NOT TO SCALE

SYMBOL	SERVICE	MINIMUM CAPACITY GPM OF EACH PUMP	TOTAL DYNAMIC HD FT WC	TYPE	MAXIMUM RPM	NO. OF PUMPS	PUMP MOTOR (EACH)			REMARKS
							MIN HP	VOLTAGE	PHASE HERTZ	
SP-1 & 2	DRAINAGE	1000	15	SUBMERSIBLE NSC	1750	2	15	208	3	60
SP-3 & 4	DRAINAGE	1000	15	SUBMERSIBLE NSC	1750	2	15	208	3	60

## STORMWATER CONTROL NOTES

TRANWU, LLC  
surveyors - engineers - architects  
2500 Castro Ave., San Jose, CA 95123  
Tel: (408) 224-5425  
Fax: (408) 224-5425  
Email: info@tranwu.com

Description	App'd	Date	Revision

TENTATIVE TRACT MAP 8084  
STORMWATER CONTROL NOTES  
22471, 22477, 22485, 22491 MAPLE COURT  
HAYWARD, CALIFORNIA

DESIGNED BY:  
TUDONG XUAN TRAN

CHECKED BY:  
AS SHOWN

DATE:  
12/31/19

SHEET  
C5

SHEET 8 OF 10

Job No.



**MINUTES OF THE REGULAR MEETING OF THE  
CITY OF HAYWARD PLANNING COMMISSION  
Council Chambers  
Thursday, December 15, 2011, 7:00 p.m.  
777 B Street, Hayward, CA94541**

---

**MEETING**

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

**ROLL CALL**

Present: COMMISSIONERS: Faria, Lamnin, Lavelle, Márquez, McDermott, Mendall  
CHAIRPERSON: Loché  
Absent: COMMISSIONER:

Commissioner McDermott led in the Pledge of Allegiance.

Staff Members Present: Conneely, Koonze, Philis, Rizk

General Public Present: 4

**PUBLIC COMMENTS**

Leah Rosenbloom, a Marie Drive resident, said she was distressed about a pending 100 foot communication tower to be located in close proximity to Stonebrae Elementary where her son attends school. She said she only recently learned about the tower at a November 16 school board meeting and was disappointed to hear it was already approved by the Planning Commission in September of 2010. She noted that although the tower would greatly impact the 750 children who attend the school, the decision was made without notifying, discussing or gathering input from the parent community. Since learning about the tower, Ms. Rosenbloom said over 100 signatures had been gathered requesting the relocation of the tower. She said she appreciated the Commission's foresight for attempting to provide cell phone coverage for the area in terms of public safety and communication, but said the location of the tower was dangerously close to the school and could compromise the health, welfare and quality of life of the children. She pointed out that the health dangers of cell phone towers had been documented by the medical community even when radiation levels were far below the legal threshold. Understanding the limitations imposed by the 1996 Telecommunications Act, she urged the Commission to engage in discussions with Stonebrae LP and Verizon Wireless to renegotiate the lease of land for the tower. Ms. Rosenbloom noted that there were suitable locations over one mile away from the school that would still provide cell phone coverage to the community and school and those locations were mentioned by the Verizon representative at the September meeting. She concluded by saying the families of Hayward did not have the "deep pockets" of the wireless industry and real estate developers, but they did have public officials, like the Planning Commission, who were charged with the task of ensuring the health, safety and quality of life of the residents, especially the children who were the most vulnerable. She urged the Commission to do right by the kids in Hayward and join the families who want the tower moved to a safer location without compromising cell phone service to the community. Ms. Rosenbloom distributed flyers to all the Commissioners.

Chair Loché asked staff how residents were notified about this issue and Director of Development Services David Rizk explained that the standard procedure was to notify businesses and residents within 300 foot of the proposed project site, and noted he could check the project file and come back to the Commission with a more detailed report of who received notification. Ms. Rosenbloom said she was sure the City had done its due diligence, but said the City could do better.

## **PUBLIC HEARING**

1. Conditional Use Permit Application PL-2011-0305 – Good Hands Massage Therapy, Eva C. Huang (Applicant) / Salvatore Marino (Owner) – Request to Operate a Massage Establishment - The Property is Located at 22566 Mission Boulevard, Between A and B Streets, in the Central City (CC-C) Zoning District

Associate Planner Tim Koonze gave a brief synopsis of the report.

Commissioner Mendall asked why surveillance cameras were not allowed on the outside of the establishment. Associate Planner Koonze said he didn't know, and he when asked the Police Department they didn't know either, but the City's massage ordinance had that language so that was what staff was adhering to. Commissioner Mendall then asked why the Commission should grant the exception that massage therapists didn't need to be certified with the California Massage Therapy Council (CAMTC) and Mr. Koonze explained that other establishments in Hayward were operating without the certification and were doing just fine. Mr. Koonze noted that technicians still needed a massage therapy technician permit from the City, which renewed every two years, and included a minimum of 500 hours of training and an extensive background check. Commissioner Mendall asked if the City was asking technicians to eventually become certified with the state, and Mr. Koonze said that would be up to the technicians. Commissioner Mendall asked if other establishments have similar requirements and Mr. Koonze said all technicians had the same requirement of renewing the City permit every two years.

Commissioner Lavelle noted that the report indicated there were five establishments in Hayward that provided massage therapy and she asked where they were located. Associate Planner Koonze listed the locations. Commissioner Lavelle confirmed with staff that two of the establishments were located in the Central City Commercial District.

Commissioner Márquez asked Associate Planner Koonze to explain what the police would be looking for when they conducted background checks on the massage technicians. Mr. Koonze explained that police would be looking for criminal records, proof of 500 hours of training, and certification with the City, which he explained, was similar to the State's certification but not as extensive. Commissioner Márquez asked if a background check would be conducted on the applicant as well as the owner and Associate Planner Koonze said that a background check would be conducted on the owner when applying for an establishment permit and on anyone doing massage therapy at the establishment. Commissioner Márquez asked if someone with the State's CAMTC certification had to be on-site at all times and Associate Planner Koonze said no, the establishment could be staffed with only City-certified technicians, however, he noted that the business owner, Ms. Huang, would be working as one of the technicians and she was certified with the state.

Commissioner Lamnin asked for clarification about staff's proposed amendments to conditions of approval number 6.(m) and 6.(o), regarding surveillance cameras. Associate Planner Koonze explained that staff wanted to add the word "not" to condition 6.(m), to read "Other surveillance cameras must *not* be maintained or operated...", which he said came directly out of the zoning ordinance. Commissioner Lamnin asked what the rationale was behind condition 6.(o) that added surveillance cameras inside the establishment and Mr. Koonze said that by having cameras inside, if there was an incident with one of the patrons, police would have something on tape, and also, cameras would provide a record of the activities in the establishment.

Commissioner Lamnin asked if the applicant was aware of fees associated with water and utility hook-ups and requirements as listed under condition 11 and Associate Planner Koonze said the eventual cost would be depend on the number of stations, the size of the stations, and the amount of water used. Once that was determined, he said, utility staff could give Ms. Huang an estimated cost.



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Commissioner McDermott asked if the CAMTC certification needed to be renewed or was lifetime. Associate Planner Koonze said he didn't know but indicated the applicant could possibly answer.

Commissioner McDermott asked for more information about a letter received that stated the establishment would be a detriment to the business community; she asked if there were any specific reasons given. Associate Planner Koonze said for the same reasons massage parlors were not allowed under the South Hayward BART Form-Based Code was the rationale behind the protest.

Commissioner McDermott asked if the Conditional Use Permit (CUP) could be reviewed every two years, rather than every three years from the effective date of approval, so it coincided with the Massage Establishment Permit filed with police. She pointed out that if all permits were reviewed at the same time every two years, information from the Police Department would be current. Associate Planner Koonze explained that if the application was approved that evening, Ms. Huang had three years to open the establishment before the CUP became void and she would have to start the process over. He added that once the establishment opened, Ms. Huang would not have to get another CUP, but would have to have a Massage Establishment Permit in place with police and that permit would have to be renewed every two years.

Commissioner McDermott said the report indicated that technicians were certified not to have any communicable or transmittable diseases and she asked how this would be monitored. Associate Planner Koonze said technicians must provide a medical form to the Police Department as part of the background check.

Regarding the letter of protest, Commissioner Faria asked if any other comments had been received since the Public Hearing Notice went out and Associate Planner Koonze said no.

Chair Loché asked if other establishments had similar business hours (daily from 10 a.m.-10 p.m.) and Associate Planner Koonze said he didn't know. Chair Loché asked staff to provide more information about the difference between the City's technician permit and the State's CAMTC certification and asked if the difference was cost or knowledge. Associate Planner Koonze said he didn't know the level of knowledge and technical skill technicians needed for the state certification, but he thought that was one of the biggest differences. Mr. Koonze noted that the background checks conducted by both agencies were thorough and if a technician had State certification, the Hayward police would not conduct another background check.

Commissioner Lamnin asked how the City would monitor that all massage technicians had permits on file with the police. Associate Planner Koonze said the establishment permit required the business to keep information current with police as part of the CUP. Technicians, he said, would have to have a permit on file with police before they could start working.

Commissioner McDermott noted that the business could be open seven days a week and suggested that be made clear under the Conditions of Approval.

Commissioner Faria asked how this business was different from an application that came before the Planning Commission earlier in the year for a spa on Jackson Street. Associate Planner Koonze said Lavender Spa, located at 97 Jackson Street, went through the same application process. Commissioner Faria asked for confirmation that spa and massage businesses fell under the same regulations and Mr. Koonze explained that because massage was going to be provided as part of Lavender Spa's business, they did.

Chair Loché opened the Public Hearing at 7:28 p.m.

Jim Hatland, Cheyenne Place in Fremont and representing the applicant, said that he and Ms. Huang, the applicant and proposed operator of Good Hands Massage Therapy on Mission Boulevard, had reviewed the conditions of the Conditional Use Permit, agreed to them, and would faithfully uphold the requirements. Mr. Hatland said Ms. Huang was pleased to be opening her business in the City of Hayward and hoped to be there for a number of years with the Planning Commission's approval.

Based on business hours of 10 a.m. to 10 p.m., Commissioner Márquez asked if there was a specific time they would take the last client and Mr. Hatland responded it would have to be before 9 p.m.

Commissioner McDermott asked how often the CAMTC certification needed to be renewed and Mr. Hatland said every two years, noting Ms. Huang's certification would be up for renewal in August.

Commissioner Lavelle asked how the business would be marketed and what kind of customers they hoped to attract. Mr. Hatland said Ms. Huang would be marketing to people with back problems, muscle problems due to athletics (or lack of), and noted that most clients tend to come back. He pointed out that if they did not feel better they would not come back. Mr. Hatland said it was all about service with a smile on an as-needed basis. He said most patrons come in once a week or once a month, but it's all about return business.

Commissioner Faria asked if Ms. Huang was a resident of Hayward and Mr. Hatland said she was resident of Castro Valley. Commissioner Faria asked why she chose Hayward to set up her business and Mr. Hatland explained that they had looked at over a 100 locations in the last year and a half before this opportunity had presented itself back in August. He said they saw it had potential with plenty of available parking, a nice location across from Lucky, where she would feel comfortable and her patrons would feel comfortable. Mr. Hatland said he'd known Mr. Huang for 16 years and she had been very steady in that aspect of service.

Commissioner McDermott asked what experience Ms. Huang had, if she'd been a business owner before, how long she'd been in this business, and if she'd owned a business of this type before and if so, was she just expanding. With assistance from Mr. Hatland, Ms. Huang said she had owned businesses in Japan for five years and Taiwan for six years. Commissioner McDermott asked if she'd been in the same industry and Ms. Huang said no, they had been a different type of business. Commissioner McDermott confirmed that Ms. Huang felt confident and comfortable with starting the business with the business experience that she had from Japan and Ms. Huang thanked her.

Commissioner Lamnin thanked Ms. Huang for considering Hayward and asked her what she would do to save energy and water at her business noting that massage could be water waste intensive business. Mr. Hatland said there would be laundry and a personal shower, but said he didn't think there would be more than two loads of laundry a day or about 100 gallons of water at the most, similar to a residence. Regarding power, Mr. Hatland said the building was air conditioned and they had no choice but to use it to move the air around. He said the air conditioning was one of the nice things about the building noting that in the summer time it could get hot but said they would keep it at a "civil" temperature.

Chair Loché asked what the price range would be for the services they offered. Mr. Hatland said \$40 an hour, \$20 for half hour, but Ms. Huang corrected him to \$30 for a half hour. Chair Loché asked if any merchandise would be sold and Mr. Hatland said none whatsoever, just the service. Chair Loché asked how many employees they envisioned having and Mr. Hatland said around six, but noted that some workers might be temporary because the business was open seven days a week. He said six day weeks were typical, but some might work partial weeks, so he estimated maybe eight employees total including temps, with only four working at a time. Chair Loché asked if all eight would be massage therapists and Mr. Hatland said he might be a handyman on occasion, but otherwise, no. Chair Loché asked if Ms. Huang was concerned about the close proximity of other massage establishments. Mr. Hatland said it was better the farther apart, but



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reiterated that it would come down to service, providing the proper service that the customer needs, and a good value for the money. He noted that they were not offering high end stuff, just a straight forward type of business with no frills. He said if people want to go to a high end spa, they should go; they were keeping it simple.

Chair Loché closed the Public Hearing at 7:40 p.m.

Salvatore Marino, owner of the building, approached the podium, identified himself and said he'd been in a bad accident and was really sick. Mr. Marino said that Mr. Ed Bullock, the manager of the building and his representative, had his own agenda, had come in when he was very sick, and "so to speak, gave him the bum's rush." Mr. Marino said he suffered from a traumatic brain injury and that Mr. Bullock, in his opinion, was trying to sell the building. Mr. Marino said he'd told Mr. Bullock that wasn't what he wanted from the very beginning but said Mr. Bullock's agenda was to keep rents low. Mr. Marino said he received \$2,500 a month from the UPS Store, had invested over a million dollars into the building, and had received an award from the State Assembly.

Chair Loché asked Mr. Marino if he had any comments or concerns about the proposed massage establishment and Mr. Marino said he was not happy with the deal Mr. Bullock had made. Mr. Marino said Mr. Bullock was working for himself and did not explain the deal properly to him and took a commission that was "over paid." Mr. Marino said the UPS Store next door would pay \$1000 more per month and he'd had three tenants pay him that much in the past. Mr. Marino said Mr. Bullock was trying to lower the value of the building so he could buy it. Mr. Marino apologized for not speaking clearly explaining that he was in the hospital for three and half months. He said he felt Mr. Bullock was taking advantage of his condition, had someone else in the building without his knowledge, was using the building for personal storage without his knowledge, and he said he'd lost trust in him and wasn't doing what he wanted him to do. He said Mr. Bullock was supposed to be managing his building but he wasn't doing it properly.

Chair Loché indicated to Mr. Marino that his time to speak had expired and asked him to conclude his comments. Mr. Marino said he wanted to talk to Ms. Huang because she had money invested and he wanted to pay her back. He concluded by saying he was an honest man, hadn't ever cheated anyone, and he didn't like what his agent did. Mr. Marino said Mr. Bullock hadn't served him, he had served himself.

Chair Loché thanked Mr. Marino and suggested he speak to Ms. Huang after the meeting. Mr. Marino stated that in the meantime, he wanted to put the brakes on the proposal and he apologized to Ms. Huang for the inconvenience. Mr. Marino thanked the Commission for listening.

Commissioner Mendall asked staff if this was new information and Associate Planner Koonze said yes, this was the first he'd heard of it. Mr. Koonze pointed out that Mr. Marino had signed the application, or at least there was a signature of his name on the application. Mr. Marino acknowledged that he did sign it but said he was very ill and that Mr. Bullock didn't explain certain things to him correctly.

Commissioner Mendall said it was a "difficult situation," and yielded the floor to the other commissioners.

Commissioner Lamnin asked if the City Attorneys had any thoughts on the issue. Assistant City Attorney Conneely said general practice when approving a use permit for property was to have both the consent of the owner and the business operator and clearly, she said, they had an owner who was having second thoughts. Under the circumstances, Ms. Conneely suggested the matter be continued to give the applicant and the

property owner an opportunity to resolve the disconnect between them and she pointed out that the application could always come back to the Commission if they resolved their concerns.

Chair Loché asked staff for confirmation that they would need a motion and a vote to continue the application and Assistant City Attorney Conneely said that was correct, and suggested the motion direct staff to work with the applicant and owner to a date uncertain so the City would have to renotice the hearing.

Commissioner Faria made a motion to continue the hearing until the Commission had all the information necessary to move forward. Commissioner Márquez seconded the motion and Chair Loché asked her if she wanted to speak to her second.

Commissioner Márquez said she agreed that the Commission had new information and the situation and dynamics of the initial application had changed and it made sense to postpone the matter to a later date.

Commissioner McDermott said she supported the motion stating it was important to the applicant who wanted to establish a continuous business and not have this issue looming “over her head” when her lease expired; she said continuing the item was in Ms. Huang’s best interest as well.

Chair Loché asked Commissioner Faria to restate the motion.

Commissioner Faria said the motion was to continue the request for this massage business at the Mission Boulevard location until the owner and the applicant had an opportunity to resolve any concerns so the Commission could make a clear judgment.

The motion passed 7:0:0.

AYES: Commissioners Faria, Márquez, Mendall, Lamnin, McDermott, Lavelle  
Chair Loché

NOES:

ABSENT:

ABSTAINED:

## **COMMISSION REPORTS**

### **2. Oral Report on Planning and Zoning Matters**

Director of Development Services Rizk said January would be a work session month with topics such as the draft Hayward Airport Land Use Compatibility Plan, which was currently being considered by the Alameda County Airport Land Use Commission; revisions to the Zoning Ordinance regarding Alcohol Beverage Outlet regulations; and newly adopted South Hayward Form-based code.

Commissioner Mendall requested that a police representative be present for the work session concerning alcohol zoning regulations.

### **3. Commissioners’ Announcements, Referrals**

Commissioner Lamnin thanked staff for managing the community conversation about the ongoing construction and said it was exciting to see the changes and improvements. She asked staff if they thought it would be useful to the community to hold a work session about the status of the construction. Mr. Rizk said that could be brought forward to Planning Commission via a work session or could be provided in summary



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form as a Referral. Mr. Rizk said staff would defer to the Commission's preference. Commissioner Lamnin said perhaps they could start with a summary and go from there. Commissioner Mendall said he had been receiving quite a few questions about construction and an update would be helpful. Director of Development Services Rizk asked if the update would cover construction on new projects in general throughout the City and Commissioner Lamnin said specifically the Route 238 improvements.

Regarding the cell phone tower mentioned during the Public Comments, Commissioner Lamnin noted that a great deal of work went into the positioning of the pole and she asked if a conversation should be held with parents about the safety of their children. Commissioner Lamnin said she knew a lot of research had been done about not only the position of the tower, but about its effect and impact on the surrounding area, and she hoped that information could be shared with the parents.

Commissioner Lavelle wished everyone happy holidays and happy new year.

**APPROVAL OF MINUTES**

4. None

**ADJOURNMENT**

Chair Loché adjourned the meeting at 7:56 p.m.

**APPROVED:**

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Mariellen Faria, Secretary  
Planning Commissioner

**ATTEST:**

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Suzanne Philis, Senior Secretary  
Office of the City Clerk