



CITY OF
HAYWARD
HEART OF THE BAY

1

DATE: September 6, 2007

TO: Planning Commission

FROM: Richard E. Patenaude, AICP, Principal Planner

SUBJECT: Site Plan Review No. PL-2007-0354 – Browman Development
(Applicant/Owner) – Request to Deconstruct Existing One- and Two-Story
Structures for Replacement with a One-Story Structure

The Property Is Located at 838-880 B Street at the Northwest Corner of Mission
Boulevard, in a Central City – Plaza/Commercial (CC-P/C) Zoning Subdistricts

RECOMMENDATION

That the Planning Commission:

1. Adopt the Initial Study and Negative Declaration prepared pursuant to the California Environmental Quality Act (CEQA) guidelines;
2. Approve the Site Plan Review application, subject to the attached findings and conditions.

SUMMARY

Browman Development proposes to deconstruct the existing two-story building at 876-880 B Street, and slightly more than one-half of the adjacent one-story building, at 858-866 B Street to the west, and construct a new one-story building. The portion of the one-story building containing *B Street Bar & Grill*, at 846 B Street, would be retained due to the existing lease term.

A Site Plan Review application may be approved by the Planning Director. In this case, the Director has referred the application to the Planning Commission for review and action as this project would affect a property at a significant location in the downtown.

The Downtown has experienced positive change in recent years. City Hall provides a focal point and gateway for new commercial and residential activity. Browman Development has shown confidence in the future of Downtown and its investments have helped revitalize the area. In September 2003, Browman purchased the buildings known collectively as the Palmtag Buildings, consisting of two separate structures at 838-880 B Street, at the northwest corner with Mission Boulevard. The two-story building, in the easterly portion of the site, has experienced deferred

maintenance, architectural alterations, and structural deterioration over the years. This has resulted in unattractive street fronts with inappropriate metal awnings and architectural features, obstructed transom windows, conflicting styles of storefront glazing, and an unattractive color palette. Staff supports the proposed project, subject to the attached conditions, and would suggest the existing building does not retain the aspects of integrity to be considered historically significant.

BACKGROUND

Browman Development presented plans to renovate only the two-story building, known as the Palmtag Building, in March of 2006. A portion of the improvements were to be paid with proceeds made available from the City's façade improvement program. The building was vacated in anticipation of the reconstruction and Browman Development entered into an agreement with *Peet's Coffee* for the 1,700-square-foot space formerly occupied by *Silver Spoon Hofbrau*. Since that time, Browman Development has found that renovation of the existing building would not be economically feasible due to a combination of its structural condition, the effects of a previous seismic retrofit, and the inability to charge rents for second-story uses that would provide a reasonable return. Browman Development now proposes to deconstruct the existing buildings, and construct a new one-story building with varying roof heights.

Project Description

The proposed building would be contemporary, but would retain many features of the Vernacular Victorian style historically found in Downtown Hayward (see Plans). The design retains rich detailing to enliven the pedestrian experience. The arched main entry on B Street would be replicated to service a tenant space of 3,778 square feet. This tenant's raised parapet would create a prominent feature visible from the B Street/Mission Boulevard intersection. Storefront glazing would provide window-pane patterns typical of the historic architectural styles of Downtown. The patterns would further distinguish the two tenant spaces, with smaller window panes at *Peet's Coffee*. The continuous metal awning would be replaced with segmented fabric awnings to fit the storefront openings. The building parapet would be capped with decorative features, including a cornice, consistent with the historic theme of Downtown. An earth-tone color palette uses darker colors to reinforce the pedestrian level and the cap of the building. To further enhance the architecture, staff is recommending that the bulkhead at the base of the building along the street elevations be faced with tile, or other similar treatment; with the stucco finish, as proposed, being suitable along the north elevation, facing the parking lot. The now-blank north elevation, facing the *Lucky Store* parking lot, would be punctuated with new door and window openings for both tenant spaces, and would be provided with the same level of architectural detail as the street frontages. These improvements will link the proposed building to the *Lucky* center and its shops. A condition of approval requires hardscape and landscape plans at the rear entrance to be submitted with the building permit application.

The Council Downtown Committee reviewed this project on July 16, 2007. The Committee lent its support for the project.

DISCUSSION

Historical Integrity

The Palmtag building was constructed in the late 1890s. However, the building retains little of the original architectural detailing as shown in Attachment B. An assessment of the properties within the Marks Historic Rehabilitation District, November 1993, indicates that, although these buildings are over 50 years old, they lack architectural integrity and are not eligible for listing under the federal register. The City's Historic Preservation Ordinance, adopted in 1989, provides five criteria for the designation of historic structures: 1) identification with the lives of historic people or important events; 2) representation of an architectural style or important way of life; 3) example of a type of building that was once common and is now rare; 4) connected with a business or use which was once common but is now rare; and 5) demonstration of outstanding attention to architectural design, detail, materials or craftsmanship. However, the Ordinance provides no guidelines regarding the evaluation of these criteria. National Register Bulletin #15, from the U.S. Department of the Interior, provides excellent guidelines on the evaluation of historic structures at the local, state or federal level. The basic question one must ask is whether the structure has integrity (see Attachment C for a summary of How to Evaluate the Integrity of a Property).

Integrity is the ability of a property to convey its significance. To be listed in a register of historic places, including that of the City of Hayward, a property must not only be shown to be significant under the applicable criteria, but it must also have integrity. The evaluation of integrity is sometimes a subjective judgment, but it must always be grounded in an understanding of a property's physical features and how they relate to its significance. Historic properties either retain integrity or they do not. The concept of integrity recognizes seven aspects or qualities that, in various combinations, define integrity. To retain historic integrity a property will always possess several, and usually most, of the aspects. The retention of specific aspects of integrity is paramount for a property to convey its significance. Determining which of these aspects are most important to a particular property requires knowing why, where and when the property is significant. The following sections define the seven aspects and explain how they combine to produce integrity.

Location is the place where the historic property was constructed. The relationship between the property and its location is often important to understanding why the property was created. The Palmtag Building is in its original location. The intersection of B Street and Mission Boulevard (then Castro Street) was an important crossroads of the Town of Haywards, as it is today.

Design is the combination of elements that create the form, plan, space, structure and style of a property. It results from the conscious decisions made during the original conception and planning of a property. Design includes such elements as organization of space, proportion, scale, technology, ornamentation and materials. A property's design reflects historic functions and technologies as well as aesthetics. It includes such considerations as the structural system; massing; arrangement of spaces; pattern of fenestration; textures and colors of surface materials; and type, amount and style or ornamental detailing.

The architectural style of the original structure was of brick, flat-roofed Vernacular Italianate design (see photos, Attachment B). At the street level, expanses of plate glass windows indicated retail use along Mission Boulevard frontage and the westerly end of the B Street frontage. Small utilitarian windows, with decorative sunburst pediments, marked the easterly portion of the B Street frontage. Window frames were of simple design. The corner shop space was served by a door at the corner of the building facing the street intersection, turned to a 45-degree angle from the building frontages. An arched inset doorway served as the entry to the second floor of the building. This doorway was framed by a raised brick surround, decorated by a keystone and capitals at the beginning of the arched form. A highly decorative cornice decorated the top of the first floor over the glass storefronts.

The second story was marked by a regularly-spaced series of tall, narrow bay windows. A small, square window, over the doorway leading to the second floor, was adorned by a decorative sunburst pediment. The parapet along the B Street frontage was adorned by a simple bracketed cornice; the cornice, and the entablature as a whole, along the Mission Boulevard frontage was more ornate. Sunburst pediments adorned the center of the cornice along the Mission Boulevard frontage, and the location above the second-story entry on B Street. Finials adorned the corners of the cornices and the rounded pediments.

Subsequent modifications to the building included the removal of nearly all of the original architectural detailing (see attached photos). Only the locations of the plate glass windows at the westerly end of the B Street frontage and the second-story windows remain; none of the original detailing remains. The cornice along the B Street frontage was damaged during the 1906 San Francisco earthquake and was removed, leaving the brick wall exposed along the parapet. By the 1920s, a large display window was added to the B Street elevation, minimizing one of the original tall, narrow windows. Subsequent changes saw the corner store entry removed in favor of modern aluminum storefront windows with a new entry at the center of the Mission Boulevard frontage; the removal of all the bay windows, cornices, pediments, and finials. Even the brick surround for the arched entry in the B Street façade was replaced with a plaster version of different design. While B Street storefront openings remain original, the design has changed. The brick façade has been replaced with plaster. The first story of the building was intended for use by stores; this intention continues today. The second story was intended for offices or residences; photo evidence indicates the use was primarily for offices and service uses. The second story is unusable and vacant today.

Setting is the physical environment of a historic property. Whereas location refers to the specific place where a property was built, setting refers to the character of the place in which the property played its historic role. It involves how, not just where, the property is situated and its relationship to surrounding features and open space. Setting often reflects the basic physical conditions under which a property was built and the functions it was intended to serve. In addition, the way in which a property is positioned in its environment can reflect the designer's concept of nature and aesthetic preferences. The physical features that constitute the setting of a historic property and their relationships should be examined not only within the exact boundaries of the property, but also between the property and its surroundings.

The physical environment has significantly changed. The historic buildings along the westerly side

of Mission Boulevard have been lost to fire and to newer development in the modern period, including the Hayward Theater between A and B Streets (Lucky center site). The building at the NE corner of Mission Boulevard and B Street was lost to fire and has been replaced by Newman Park as the Hayward Fault trace runs through that property. The buildings that retain integrity in proximity to the project include the former bank building, housing Eden Jewelry & Loan, at the SE corner of Mission Boulevard and B Street; the building at 22564 Mission Boulevard, mid-block on the easterly side; and Hayward Ace Hardware, at the NE corner of B and Watkins Streets. Across B Street are new one-story retail commercial spaces behind which is a three-level parking garage. The buildings in the vicinity of the project historically have ranged in height from one to two stories. The project would be in scale with the historic and modern periods.

Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property. The choice and combination of materials reveal the preferences of those who created the property and indicate the availability of particular types of materials and technologies. Indigenous materials are often the focus of regional building traditions and thereby help define an area's sense of time and place. A property must retain the key exterior materials dating from the period of its historic significance. If the property has been rehabilitated, the historic materials and significant features must have been preserved. The property must also be an actual historic resource, not a recreation; a recent structure fabricated to look historic is not eligible. Likewise, a property whose historic features and materials have been lost and then reconstructed is usually not eligible. The original materials have been lost over time and the structure, as previously described, no longer defines the time and place of the original construction. Reconstruction of the historic features would be a recreation, and not a historic resource.

Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history. It is the evidence of artisans' labor and skill in constructing or altering a building, structure, object or site. Workmanship can apply to the property as a whole or to its individual components. It can be expressed in vernacular methods of construction and plain finishes or in highly sophisticated configurations and ornamental detailing. It can be based on common traditions or innovative period techniques. Workmanship is important because it can furnish evidence of the technology of a craft, illustrate the aesthetic principles of a historic period, and reveal individual, local, regional or national applications of both technological practices and aesthetic principles. The original materials have been lost over time and the structure no longer provides physical evidence of the workmanship that created the original structure.

Feeling is a properties expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, taken together, convey the property's historic character. The aesthetic or historic sense of the structure no longer exists with the loss of the original architectural detailing. The structure has been modified with purposeful removal of its original physical features, including the brick exterior and second-story bay windows. The structure has deteriorated to the point that surrounding property owners have supported reconstruction or deconstruction of the building.

Association is the direct link between an important historic event or person and a historic property. A property retains association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer. Like feeling, association requires the presence of physical features that convey a property's historic character. Because feeling and association depend on individual perceptions, their retention alone is never sufficient to support eligibility of a property for designation. The Palmtag Building was built by Leopold Palmtag in 1892. He settled in Hayward in 1860 and operated a brewery at Castro Street (Mission Boulevard) and Jackson Street. Mr. Palmtag served as a town trustee. The Palmtag Building is no longer sufficiently intact, as explained above, to convey its relationship to Leopold Palmtag.

Staff has determined that the Palmtag Building has lost the essential physical features that must be present for a property to represent its significance and that the property no longer retains the identity for which it was significant. The building's association with Leopold Palmtag, its builder, would strengthen the case for integrity should the original design, materials, workmanship and feeling be evident; however, the existing condition of the building is no longer representative of its association with Mr. Palmtag. Staff recommends, however, that a plaque be installed on the new building to describe the history of the Palmtag Building.

The project would be compatible with surrounding structures within the Central City – Plaza Zoning Subdistrict and the Downtown Historic Rehabilitation District. The proposed building would be in scale with the surrounding historic and modern structures. The building would emphasize its relationship with the B Street corridor with its placement of storefront accesses and windows. The connection with the Lucky Center would provide an additional link between that center and the Downtown as a whole. The architectural detailing would create a connection with the historic architecture of Downtown.

The overall design concept is very well developed and would enrich a major focal point of the Downtown. Staff views this proposal as continued progress towards the City's goals for Downtown. The new construction will enhance the general appearance of Downtown and will generate new vitality.

PUBLIC NOTICE

On August 15, 2007, a Notice of Public Hearing for the Planning Commission meeting and availability of a draft negative declaration was mailed to the properties within a 300-foot radius and to interested parties.

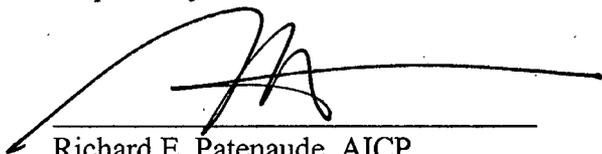
ENVIRONMENTAL REVIEW

An Initial Study and Negative Declaration have been prepared pursuant to the California Environmental Quality Act (CEQA) guidelines. No significant environmental impacts are expected to result from the project.

NEXT STEPS

Browman Development anticipates starting construction as early as late December 2007, with completion in October 2008. The tenants could then complete their improvements and be ready to open for business for Thanksgiving 2008. In addition to *Peet's Coffee*, Browman has been working with an undisclosed tenant on a lease for the larger space.

Prepared by:



Richard E. Patenaude, AICP
Principal Planner

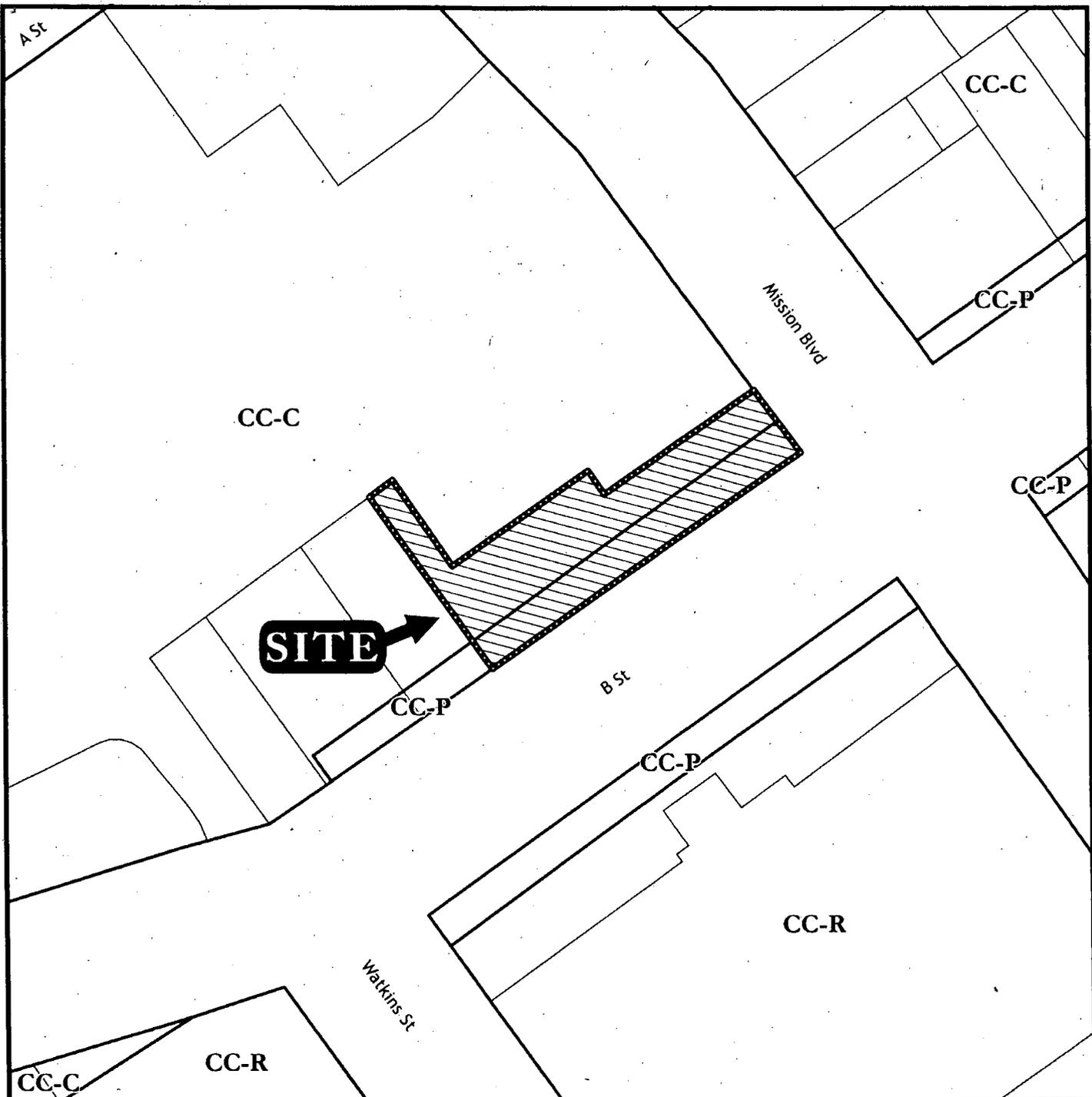
Recommended by:



David Rizk, AICP
Planning Manager

Attachments:

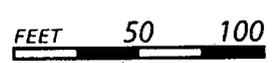
- A. *Area & Zoning Map*
 - B. Historic Photos/Current Photo
 - C. Summary of National Register Bulletin #15
 - D. Negative Declaration/Initial Study
 - E. Findings for Approval
 - F. Conditions of Approval
 - G. Correspondence
- Plans



Area & Zoning Map

PL-2007-0354 SPR
 Address: 880 B Street
 Applicant: Victor deMelo
 Owner: BDC Palmtag L.P

Zoning Classifications
 CENTRAL CITY
 CC-C Central City - Commercial
 CC-P Central City - Plaza
 CC-R Central City - Residential



DUE TO THE SIZE AND
COLOR OF THE FOLLOWING
ATTACHMENTS, THEY
HAVE BEEN INCLUDED AS
SEPARATE LINKS

NATIONAL REGISTER BULLETIN #15: HOW TO EVALUATE THE INTEGRITY OF A PROPERTY

U.S. Department of the Interior
National Park Service
Cultural Resources

INTRODUCTION

Integrity is the ability of a property to convey its significance. To be listed in the National Register of Historic Places, a property must not only be shown to be significant under the National Register criteria, but it also must have integrity. The evaluation of integrity is sometimes a subjective judgment, but it must always be grounded in an understanding of a property's physical features and how they relate to its significance. Historic properties either retain integrity (this is, convey their significance) or they do not. Within the concept of integrity, the National Register criteria recognizes seven aspects or qualities that, in various combinations, define integrity. To retain historic integrity a property will always possess several, and usually most, of the aspects. The retention of specific aspects of integrity is paramount for a property to convey its significance. Determining which of these aspects are most important to a particular property requires knowing why, where, and when the property is significant. The following sections define the seven aspects and explain how they combine to produce integrity.

SEVEN ASPECTS OF INTEGRITY

- Location
- Design
- Setting
- Materials
- Workmanship
- Feeling
- Association

UNDERSTANDING THE ASPECTS OF INTEGRITY

LOCATION

Location is the place where the historic property was constructed or the place where the historic event occurred. The relationship between the property and its location is often important to understanding why the property was created or why something happened. The actual location of a historic property, complemented by its setting, is particularly important in recapturing the sense of historic events and persons. Except in rare cases, the relationship between a property and its historic associations is destroyed if the property is moved. (See Criteria Consideration B in Part VII: How to Apply the Criteria Considerations, for the conditions under which a moved property can be eligible.)

DESIGN

Design is the combination of elements that create the form, plan, space, structure, and style of a property. It results from conscious decisions made during the original conception and planning

of a property (or its significant alteration) and applies to activities as diverse as community planning, engineering, architecture, and landscape architecture. Design includes such elements as organization of space, proportion, scale, technology, ornamentation, and materials. A property's design reflects historic functions and technologies as well as aesthetics. It includes such considerations as the structural system; massing; arrangement of spaces; pattern of fenestration; textures and colors of surface materials; type, amount, and style of ornamental detailing; and arrangement and type of plantings in a designed landscape. Design can also apply to districts, whether they are important primarily for historic association, architectural value, information potential, or a combination thereof. For districts significant primarily for historic association or architectural value, design concerns more than just the individual buildings or structures located within the boundaries. It also applies to the way in which buildings, sites, or structures are related: for example, spatial relationships between major features; visual rhythms in a streetscape or landscape plantings; the layout and materials of walkways and roads; and the relationship of other features, such as statues, water fountains, and archeological sites.

SETTING

Setting is the physical environment of a historic property. Whereas location refers to the specific place where a property was built or an event occurred, setting refers to the character of the place in which the property played its historical role. It involves how, not just where, the property is situated and its relationship to surrounding features and open space. Setting often reflects the basic physical conditions under which a property was built and the functions it was intended to serve. In addition, the way in which a property is positioned in its environment can reflect the designer's concept of nature and aesthetic preferences. The physical features that constitute the setting of a historic property can be either natural or manmade, including such elements as:

- Topographic features (a gorge or the crest of a hill);
- Vegetation;
- Simple manmade features (paths or fences); and
- Relationships between buildings and other features or open space.

These features and their relationships should be examined not only within the exact boundaries of the property, but also between the property and its surroundings. This is particularly important for districts.

MATERIALS

Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property. The choice and combination of materials reveal the preferences of those who created the property and indicate the availability of particular types of materials and technologies. Indigenous materials are often the focus of regional building traditions and thereby help define an area's sense of time and place. A property must retain the key exterior materials dating from the period of its historic significance. If the property has been rehabilitated, the historic materials and significant features must have been preserved. The property must also be an actual historic resource, not a recreation; a recent structure fabricated to look historic is not eligible. Likewise, a property whose historic features and materials have been lost and then reconstructed is usually not eligible.

WORKMANSHIP

Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory. It is the evidence of artisans' labor and skill in constructing or altering a building, structure, object, or site. Workmanship can apply to the property as a whole or to its individual components. It can be expressed in vernacular methods of construction and plain finishes or in highly sophisticated configurations and ornamental detailing. It can be based on common traditions or innovative period techniques. Workmanship is important because it can furnish evidence of the technology of a craft, illustrate the aesthetic principles of a historic or prehistoric period, and reveal individual, local, regional, or national applications of both technological practices and aesthetic principles. Examples of workmanship in historic buildings include tooling, carving, painting, graining, turning, and joinery. Examples of workmanship in prehistoric contexts include Paleo-Indian clovis projectile points; Archaic period beveled adzes; Hopewellian birdstone pipes; copper earspools and worked bone pendants; and Iroquoian effigy pipes.

FEELING

Feeling is a property's expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, taken together, convey the property's historic character. For example, a rural historic district retaining original design, materials, workmanship, and setting will relate the feeling of agricultural life in the 19th century. A grouping of prehistoric petroglyphs, unmarred by graffiti and intrusions and located on its original isolated bluff, can evoke a sense of tribal spiritual life.

ASSOCIATION

Association is the direct link between an important historic event or person and a historic property. A property retains association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer. Like feeling, association requires the presence of physical features that convey a property's historic character. For example, a Revolutionary War battlefield whose natural and manmade elements have remained intact since the 18th century will retain its quality of association with the battle. Because feeling and association depend on individual perceptions, their retention alone is never sufficient to support eligibility of a property for the National Register.

ASSESSING INTEGRITY IN PROPERTIES

Integrity is based on significance: why, where, and when a property is important. Only after significance is fully established can you proceed to the issue of integrity. The steps in assessing integrity are:

- Define the essential physical features that must be present for a property to represent its significance.
- Determine whether the essential physical features are visible enough to convey their significance.
- Determine whether the property needs to be compared with similar properties. and,
- Determine, based on the significance and essential physical features, which aspects of integrity are particularly vital to the property being nominated and if they are present. Ultimately, the question of integrity is answered by whether or not the property retains the identity for which it is significant.



**DEPARTMENT OF
COMMUNITY AND ECONOMIC DEVELOPMENT
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:

Palmtag Building – Site Plan Review Application PL-2007-0354 – To deconstruct existing one- and two-story buildings and construct a new replacement one-story retail building of approximately 5,626 square feet. – Vic de Melo for Browman Development Company, 100 Swan Way, Suite 206, Oakland, CA 94621.

The project location is 880 B Street, at the northwest corner of Mission Boulevard, in Hayward, California. The total site area is 0.24 acre. The ground floor footprint covers 54 percent of the site.

II. FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:

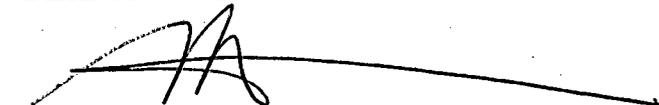
The proposed project could not have a significant effect on the environment.

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 as the project site is within an urban downtown without topographical or scenic features.
3. The project will not have an adverse effect on agricultural land since the property is surrounded by urban uses.
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. This program will include sprinkling the site with water as needed to keep dust to a minimum.

5. The project will not result in significant impacts to biological resources such as wildlife and wetlands. The site is fully developed and does not contain habitat that is suitable for rare plant species or their habitats or special-status species such as burrowing owls.
6. The project will not result in significant impacts to known cultural resources including historical resources, archaeological resources, paleontological resources, unique topography or disturb human remains. The existing Palmtag Building, although originally built in 1892, no longer retains integrity to be considered an historic resource.
7. The project site is within the Hayward Earthquake Hazard zone, and would be subject to strong seismic ground shaking during a strong earthquake. The Hayward Fault is approximately 120 feet from the site. In order to mitigate effects of ground shaking, the buildings are required to be constructed in accordance with Uniform Building Code requirements relating to earthquake safety in commercial structures.
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.
10. The project is consistent with the policies of the City General Policies Plan, the City of Hayward Design Guidelines and the Zoning Ordinance.
11. The project could not result in a significant impact to mineral resources because extraction of mineral resources would be infeasible due to the property being surrounded by urban uses.
12. The project will not have a significant noise impact. Any noise impacts will be limited to the construction of the project, which will be limited to the hours of 7 a.m. to 7 p.m.
13. The project will not displace people or housing or induce substantial growth.
14. The project will not result in a significant impact to public services.
15. The project would not have a measurable impact on recreation facilities because of the commercial nature of the project.
16. The project will not result in significant impacts to traffic or result in changes to traffic patterns or emergency vehicle access.
17. The project would not result in a significant impact to utilities and services.

IV. PERSON WHO PREPARED INITIAL STUDY:

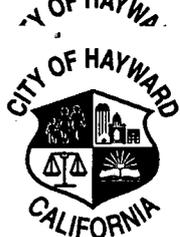


Richard E. Patenaude, AICP, Principal Planner
510-583-4213

Date: 8.15.07

V. *COPY OF INITIAL STUDY IS ATTACHED*

For additional information, please contact the City of Hayward Planning Division, 777 B Street, Hayward, CA 94541-5007 or telephone (510) 583-4213



Environmental Checklist Form

1. Project title: **PL-2007-0354 SPR – Palmtag Building**
2. Lead agency name and address:
**City of Hayward
777 B Street, Hayward, CA 94541**
3. Contact person and phone number:
**Richard E. Patenaude, AICP, Principal Planner
510-583-4213**
4. Project location:
880 B Street (NW corner with Mission Boulevard), Hayward, CA
5. Project sponsor's name and address:
**Victor DeMelo, Browman Development Co.
100 Swan Way, Ste. 206, Oakland, CA 94621**
6. General plan designation: **Retail & Office
Commercial (Downtown-City Center)**
7. Zoning: **Central City – Plaza
(CC-P)**
8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)
Deconstruct existing one- and two-story buildings and construct replacement one-story retail building of approximately 5,626 square feet.
9. Surrounding land uses and setting: Briefly describe the project's surroundings:
**North: Albertsons shopping center with retail and service shops/restaurants
East: Newman Park (across Mission Blvd.)
South: Retail and service shops/restaurants (across B Street)
West: Retail shops**
The site is located within the City's historic downtown core. The Hayward Fault trace is located approximately 120 feet easterly, across and parallel to Mission Boulevard.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)
None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

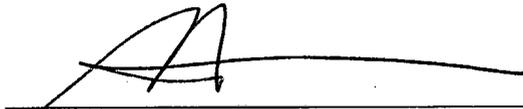
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <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.



Signature

8-15-07

Date

Richard E. Patenaude, AICP

Printed Name

City of Hayward

Agency

INSTRUCTIONS FOR EVALUATION OF ENVIRONMENTAL IMPACTS
AND USE OF ENVIRONMENTAL CHECKLIST:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

ENVIRONMENTAL ISSUES:

<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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I. AESTHETICS -- Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>a) Have a substantial adverse effect on a scenic vista?
<i>Comment: The project would create a less-imposing mass than the existing structure. The surrounding topography is flat with no view potential.</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
<i>Comment: The site is within a fully-developed urban downtown without natural scenic resources. The adjacent State Highway 185 (Mission Blvd.) is not designated, nor does it qualify, as a state scenic highway.</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>c) Substantially degrade the existing visual character or quality of the site and its surroundings?
<i>Comment: The project would replace a decrepit building with a structure of modern construction of high-quality architectural design.</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?
<i>Comment: The project would not create light or glare inconsistent with that expected for retail/service buildings in the immediate vicinity.</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

II. AGRICULTURE 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. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>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?
<i>Comment: The project site has been planned for and developed for urban uses since the 1870s.</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
<i>Comment: The site is zoned for dense, urban, commercial and residential development.</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The site is not proximate to farmland and would not influence such conversion.

III. AIR QUALITY -- 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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project would not propose development that would significantly impact air quality since the type of use is not proposed to change from that previously existing (retail).

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project would not propose development that would significantly impact air quality since the type of use is not proposed to change from that previously existing (retail).

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project would not propose development that would significantly impact air quality since the type of use is not proposed to change from that previously existing (retail).

d) Expose sensitive receptors to substantial pollutant concentrations?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project would not propose development that would significantly impact air quality since the type of use is not proposed to change from that previously existing (retail).

e) Create objectionable odors affecting a substantial number of people?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: Tenants of the proposed project would not create odors unusual for its setting.

<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project replaces an existing structure in an urbanized setting, and as such would not have a negative effect on any species.

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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project replaces an existing structure in an urbanized setting, and as such does not impact any riparian habitat.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project replaces an existing structure in an urbanized setting, and as such does not impact any wetlands.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project replaces an existing structure in an urbanized setting, and as such does not impact the movement of any species.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project replaces an existing structure in an urbanized setting, and as such does not conflict with any biological resource policies/ordinances.

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: The project replaces an existing structure in an urbanized setting, and as such does not conflict with any conservation plans.

<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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V. CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The two-story structure known as the Palmtag Building, at the northwest corner of B Street and Mission Boulevard, is original to the site, originally constructed in 1892. The project proposes to deconstruct the building.

Section 15064.5 of the CEQA Guidelines defines "historical resource" to include a resource listed in a local register of historical resources or identified as significant in an historical resource survey; or any building which a lead agency determines to be historically significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military or cultural annals of California. The Palmtag Building does not qualify as a historic resource under these definitions.

Furthermore, the Downtown Hayward Historic Properties Evaluation, prepared for the City by Nancy Stoltz, AIA, AICP, December 1993, indicates that the Palmtag Building lacks integrity regarding designation as an historic property.

The staff analysis below uses National Trust Bulletin #15 to determine the integrity of the structure as an historic resource. As the City's Historic Preservation Ordinance provides no basis for evaluating its criteria, this bulletin provides a valuable tool for assessing historic resources on the local level. The Palmtag Building has not retained integrity and is not eligible for designation as a local historic resource.

Comment: Integrity is the ability of a property to convey its significance. To be listed in a register of historic places, including that of the City of Hayward, a property must not only be shown to be significant under the applicable criteria, but it must also have integrity. The evaluation of integrity is sometimes a subjective judgment, but it must always be grounded in an understanding of a property's physical features and how they relate to its significance. Historic properties either retain integrity or they do not. The concept of integrity recognizes seven aspects or qualities that, in various combinations, define integrity. To retain historic integrity a property will always possess several, and usually most, of the aspects. The retention of specific aspects of integrity is paramount for a property to convey its significance. Determining which of these aspects are most important to a particular property requires knowing why, where and when the property is significant. The following sections define the seven aspects and explain how they combine to produce integrity.

<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No. Impact</i>
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LOCATION (This aspect corresponds to City criterion (1) and CEQA criterion (D) for defining significant historical resources.)

Location is the place where the historic property was constructed. The relationship between the property and its location is often important to understanding why the property was created.

The Palmtag Building is in its original location. The intersection of B Street and Mission Boulevard (then Castro Street) was an important crossroads of the Town of Hayward, as it is today.

<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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DESIGN (This aspect corresponds to City criteria (2)-(5) and CEQA criterion (C) for defining significant historical resources.)

Design is the combination of elements that create the form, plan, space, structure and style of a property. It results from the conscious decisions made during the original conception and planning of a property. Design includes such elements as organization of space, proportion, scale, technology, ornamentation and materials. A property's design reflects historic functions and technologies as well as aesthetics. It includes such considerations as the structural system; massing; arrangement of spaces; pattern of fenestration; textures and colors of surface materials; and type, amount and style or ornamental detailing.

The architectural style of the original structure was of brick, flat-roofed Vernacular Italianate design (see attached photos). At the street level, expanses of plate glass windows indicated retail use along Mission Boulevard frontage and the westerly end of the B Street frontage. Small utilitarian windows, with decorative sunburst pediments, marked the easterly portion of the B Street frontage. Window frames were of simple design. The corner shop space was served by a door at the corner of the building facing the street intersection, turned to a 45-degree angle from the building frontages. An arched inset doorway served as the entry to the second floor of the building. This doorway was framed by a raised brick surround, decorated by a keystone and capitals at the beginning of the arched form. A highly decorative cornice decorated the top of the first floor over the glass storefronts.

The second story was marked by a regularly-spaced series of tall, narrow bay windows. A small, square window, over the doorway leading to the second floor, was adorned by a decorative sunburst pediment. The parapet along the B Street frontage was adorned by a simple bracketed cornice; the cornice, and the entablature as a whole, along the Mission Boulevard frontage was more ornate. Sunburst pediments adorned the center of the cornice along the Mission Boulevard frontage, and the location above the second-story entry on B Street. Finials adorned the corners of the cornices and the rounded pediments.

Subsequent modifications to the building included the removal of nearly all of the original architectural detailing (see attached photos). Only the locations of the plate glass windows at the westerly end of the B Street frontage and the second-story windows remain; none of the original detailing remains. The cornice along the B Street frontage was damaged during the 1906 San Francisco earthquake and was removed, leaving the brick wall exposed along the parapet. By the 1920s, a large display window was added to the B Street elevation, minimizing one of the original tall, narrow windows. Subsequent changes saw the corner store entry removed in favor of modern aluminum storefront windows with a new entry at the center of the Mission Boulevard frontage; the removal of all the bay windows, cornices, pediments, and finials. Even the brick surround for the arched entry in the B Street façade was replaced with a plaster version of different design. While B Street storefront openings remain original, the design has changed. The brick façade has been replaced with plaster.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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The first story of the building was intended for use by stores; this intention continues today. The second story was intended for offices or residences; photo evidence indicates the use was primarily for offices and service uses. The second story is unusable and vacant today. An original 9-foot-tall basement underlies the building.

SETTING (This aspect corresponds to City criteria (3) & (4) and CEQA criterion (D) for defining significant historical resources.)

Setting is the physical environment of a historic property. Whereas location refers to the specific place where a property was built, setting refers to the character of the place in which the property played its historic role. It involves how, not just where, the property is situated and its relationship to surrounding features and open space. Setting often reflects the basic physical conditions under which a property was built and the functions it was intended to serve. In addition, the way in which a property is positioned in its environment can reflect the designer's concept of nature and aesthetic preferences. The physical features that constitute the setting of a historic property and their relationships should be examined not only within the exact boundaries of the property, but also between the property and its surroundings.

The physical environment has significantly changed. The historic buildings along the westerly side of Mission Boulevard have been lost to fire and to newer development in the modern period, including the Hayward Theater between A and B Streets (Lucky center site). The building at the NE corner of Mission Boulevard and B Street was lost to fire and has been replaced by Newman Park as the Hayward Fault trace runs through that property.

The buildings that retain integrity in proximity to the project include the former bank building, housing Eden Jewelry & Loan, at the SE corner of Mission Boulevard and B Street; the building at 22564 Mission Boulevard, mid-block on the easterly side; and Hayward Ace Hardware, at the NE corner of B and Watkins Streets. Across B Street are new one-story retail commercial spaces behind which is a three-level parking garage.

The buildings in the vicinity of the project historically have ranged in height from one to two stories. The project would be in scale with the historic and modern periods.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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MATERIALS (This aspect corresponds to City criteria (2), (3) & (5) and CEQA criterion (C) for defining significant historical resources.)

Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property. The choice and combination of materials reveal the preferences of those who created the property and indicate the availability of particular types of materials and technologies. Indigenous materials are often the focus of regional building traditions and thereby help define an area's sense of time and place. A property must retain the key exterior materials dating from the period of its historic significance. If the property has been rehabilitated, the historic materials and significant features must have been preserved. The property must also be an actual historic resource, not a recreation; a recent structure fabricated to look historic is not eligible. Likewise, a property whose historic features and materials have been lost and then reconstructed is usually not eligible.

The original materials have been lost over time and the structure, as previously described, no longer defines the time and place of the original construction. Reconstruction of the historic features would be a recreation, and not a historic resource.

WORKMANSHIP (This aspect corresponds to City criteria (1)-(3) & (5) and CEQA criteria (C) & (D) for defining significant historical resources.)

Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history. It is the evidence of artisans' labor and skill in constructing or altering a building, structure, object or site. Workmanship can apply to the property as a whole or to its individual components. It can be expressed in vernacular methods of construction and plain finishes or in highly sophisticated configurations and ornamental detailing. It can be based on common traditions or innovative period techniques. Workmanship is important because it can furnish evidence of the technology of a craft, illustrate the aesthetic principles of a historic period, and reveal individual, local, regional or national applications of both technological practices and aesthetic principles.

The original materials have been lost over time and the structure no longer provides physical evidence of the workmanship that created the original structure.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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FEELING (This aspect corresponds to City criteria (1)-(5) and CEQA criteria (A)-(D) for defining significant historical resources.)

Feeling is a properties expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, taken together, convey the property's historic character.

The aesthetic or historic sense of the structure no longer exists with the loss of the original architectural detailing. The structure has been modified with purposeful removal of its original physical features, including the brick exterior and second-story bay windows. The structure has deteriorated to the point that surrounding property owners have supported reconstruction or deconstruction of the building.

ASSOCIATION (This aspect corresponds to City criteria (1) & (4) and CEQA criteria (A) & (B) for defining significant historical resources.)

Association is the direct link between an important historic event or person and a historic property. A property retains association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer. Like feeling, association requires the presence of physical features that convey a property's historic character. Because feeling and association depend on individual perceptions, their retention alone is never sufficient to support eligibility of a property for designation.

The Palmtag Building was built by Leopold Palmtag in 1892. He settled in Hayward in 1860 and operated a brewery at Castro Street (Mission Boulevard and Jackson Street. Mr. Palmtag served as a town trustee.

The Palmtag Building is no longer sufficiently intact, as explained above, to convey its relationship to Leopold Palmtag.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The Northwest Information Center, California Historical Resources Information System, that the proposed project site contains no recorded Native American or historic-period archaeological resources. Based on an evaluation of the environmental setting and features associated with known sites, Native American cultural resources in this part of Alameda County have been found adjacent to seasonal and perennial watercourses. The project area is located within a broad alluvial valley near the base of hills. Given the dissimilarity of these environmental factors, there is a low likelihood that unrecorded Native American cultural resources exist in the proposed project areas. Also, there is a low possibility of identifying historic-period archaeological resources.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? <i>Comment: There are no known paleontological resources or unique geologic features in the vicinity.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries? <i>Comment: Previous development of the site has not disclosed human remains. The excavations required for the project would not be deeper than the level of the basement</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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:				
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. <i>Comment: The project is located within the Hayward Fault Zone. However, no known fault traces traverse the project site as determined by trenching performed for the adjacent Lucky Center development.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking? <i>Comment: The site is located within the Hayward Fault Zone. The new structure would be required to comply with the Uniform Building Code Standards to minimize seismic risk due to ground shaking. Strong ground shaking can be expected at the site during a moderate to severe earthquake, which is common to virtually all development in the general region.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? <i>Comment: The site is subject to a high degree of liquefaction hazard due to ground shaking during a seismic event. The new structure would be required to comply with the Uniform Building Code Standards to minimize liquefaction risk. This impact is considered less than significant.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides? <i>Comment: The project is not located within an area subject to risk of landslide.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? <i>Comment: The project site would be completely covered by structure and as such would not be subject to erosion.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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? <i>Comment: The new structure would be required to comply with the Uniform Building Code Standards to account for specific geologic unit/soil conditions.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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? <i>Comment: The new structure would be required to comply with the Uniform Building Code Standards to account for specific geologic unit/soil conditions.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? <i>Comment: The project would be service by the City's waste water disposal system.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII. 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? <i>Comment: Hazardous materials would not be in common usage with the anticipated project.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? <i>Comment: Hazardous materials would not be in common usage with the anticipated project. Deconstruction of the existing building would be performed in accordance with the regulations of the Hayward Fire Department/Hazardous Materials Division.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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? <i>Comment: Hazardous materials would not be in common usage with the anticipated project, nor is the project within one-quarter mile of an existing or proposed school.</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? <i>Comment: The project site is not included on a list of hazardous materials sites.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? <i>Comment: The project is not located within an airport land use plan, nor is it within two miles of a public airport.</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? <i>Comment: The project is not within the vicinity of a private air strip.</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? <i>Comment: The project replaces an older structure and would not impair implementation of or physically interfere with the adoption of any emergency plan.</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 intermixed with wildlands? <i>Comment: The project is located within an urbanized area not proximate to any wildlands.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII. HYDROLOGY AND WATER QUALITY -- Would the project:

a) Violate any water quality standards or waste discharge requirements? <i>Comment: The project would be connected to existing municipal water and sewer systems, meeting the standards of those systems.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? <i>Comment: The project would be connected to the City water supply system and would not utilize groundwater as a resource.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? <i>Comment: The project would replace an existing building and would not change the characteristics of the site or surrounding area.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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? <i>Comment: The project would replace an existing building and would not change the characteristics of the site or surrounding area.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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? <i>Comment: The project would replace an existing building and would not change the characteristics of the site or surrounding area.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? <i>Comment: The project would replace an existing building and would not change the characteristics of the site or surrounding area.</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? <i>Comment: The project does not provide housing, nor is the project located within a 100-year flood hazard area (Zone A).</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? <i>Comment: The project would replace an existing building and would not change the characteristics of the site or surrounding area.</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? <i>Comment: The B Street edge of the property is designated as Zone B, areas between the limits of the 100-year flood and the 500-year flood. The remainder of the site is designated as Zone C, areas of minimal flooding.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? <i>Comment: The project would not be affected by these conditions.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. LAND USE AND PLANNING - Would the project:

a) Physically divide an established community? <i>Comment: The project would replace an existing building and would not change the characteristics of the site or surrounding area.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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? <i>Comment: The project would be consistent with all applicable General Plan and Zoning regulations, as well as the Design Guidelines established for the Downtown and the City as a whole.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

c) Conflict with any applicable habitat conservation plan or natural community conservation plan? <i>Comment: The project site is not affected by any conservation plan.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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X. 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? <i>Comment: The site is located within an urbanized area and does not contain any known mineral resource.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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? <i>Comment: The site is located within an urbanized area and does not contain any known mineral resource.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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XI. NOISE - Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? <i>Comment: The project would replace an existing building with one of modern construction. The expected uses will not expose persons to or generate excessive noise levels.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? <i>Comment: The project would replace an existing building with one of modern construction. The expected uses will not expose persons to or generate excessive groundborne vibration or noise levels.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? <i>Comment: The project would replace an existing building with one of modern construction. The expected uses will not increase ambient noise levels.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? <i>Comment: Temporary noises will occur during deconstruction of the existing building and construction of the new building. It is not expected that the temporary noise levels will substantially increase the ambient levels; construction will be limited to daytime hours per the City Municipal Code.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 expose people residing or working in the project area to excessive noise levels? <i>Comment: The project is not located within an airport land use plan or within two miles of a public airport.</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 expose people residing or working in the project area to excessive noise levels? <i>Comment: The project is not within the vicinity of a private airstrip.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XII. 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)? <i>Comment: The project replaces an existing building with one of modern construction. The uses would serve existing populations.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? <i>Comment: The project replaces an existing commercial building with one of modern construction and does not affect housing units.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? <i>Comment: The project replaces an existing commercial building with one of modern construction and does not affect housing units.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII. 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 significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
<p>Fire protection?</p> <p><i>Comment: The project is within an existing service area and can be served by existing facilities and equipment.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Police protection?</p> <p><i>Comment: The project is within an existing service area and can be served by existing facilities and equipment.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Schools?</p> <p><i>Comment: The project does not contain housing units that could generate school students.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Parks?</p> <p><i>Comment: The project does not contain housing units that could impact park use.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Other public facilities?</p> <p><i>Comment: This project replaces an existing building with one of modern construction of the same scale. It is not expected that this project would impact governmental facilities.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV. RECREATION --

<p>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?</p> <p><i>Comment: The project does not contain housing units that could impact park or recreational facility use, nor a use that would lead to substantial deterioration of existing facilities.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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?</p> <p><i>Comment: The project involves the replacement of an existing commercial building with another of modern construction; no recreational facilities are included.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XV. TRANSPORTATION/TRAFFIC -- Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

Comment: The project involves the replacement of an existing commercial building with another of modern construction; no traffic increase is anticipated.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

Comment: The project involves the replacement of an existing commercial building with another of modern construction; no change in level of service is anticipated.

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

Comment: The project involves the replacement of an existing commercial building with another of modern construction; no change to the existing street pattern is involved.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Comment: The project involves the replacement of an existing commercial building with another of modern construction; no change to the existing design features is involved.

e) Result in inadequate emergency access?

Comment: The project involves the replacement of an existing commercial building with another of modern construction; emergency access to the property is improved with additional access points.

f) Result in inadequate parking capacity?

Comment: A downtown parking study performed by the City indicates that parking is adequate to serve all anticipated uses in the downtown. Furthermore, the CC-P Zoning District does not require off-site parking.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Comment: The project is within walking distance to the Hayward BART Station, including access to 17 AC Transit bus lines. Several bus routes are accessible at a bus stop on B Street adjacent or proximate to the project.

XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Comment: The project would be served by the City wastewater treatment facility, which meets RWQCB standards.

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?

Comment: The project involves the replacement of an existing building with another of modern construction; impacts on existing facilities are not anticipated.

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?

Comment: The project involves the replacement of an existing building with another of modern construction; impacts on existing facilities are not anticipated.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Comment: The project involves the replacement of an existing building with another of modern construction; sufficient water supplies from existing City facilities are available.

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?

Comment: The project involves the replacement of an existing building with another of modern construction; the City's existing wastewater treatment facility has adequate capacity to serve the project.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Comment: The project involves the replacement of an existing building with another of modern construction; the project would continue to be served under existing City solid waste disposal contracts. Deconstruction of the existing building would be governed by City demolition provisions.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

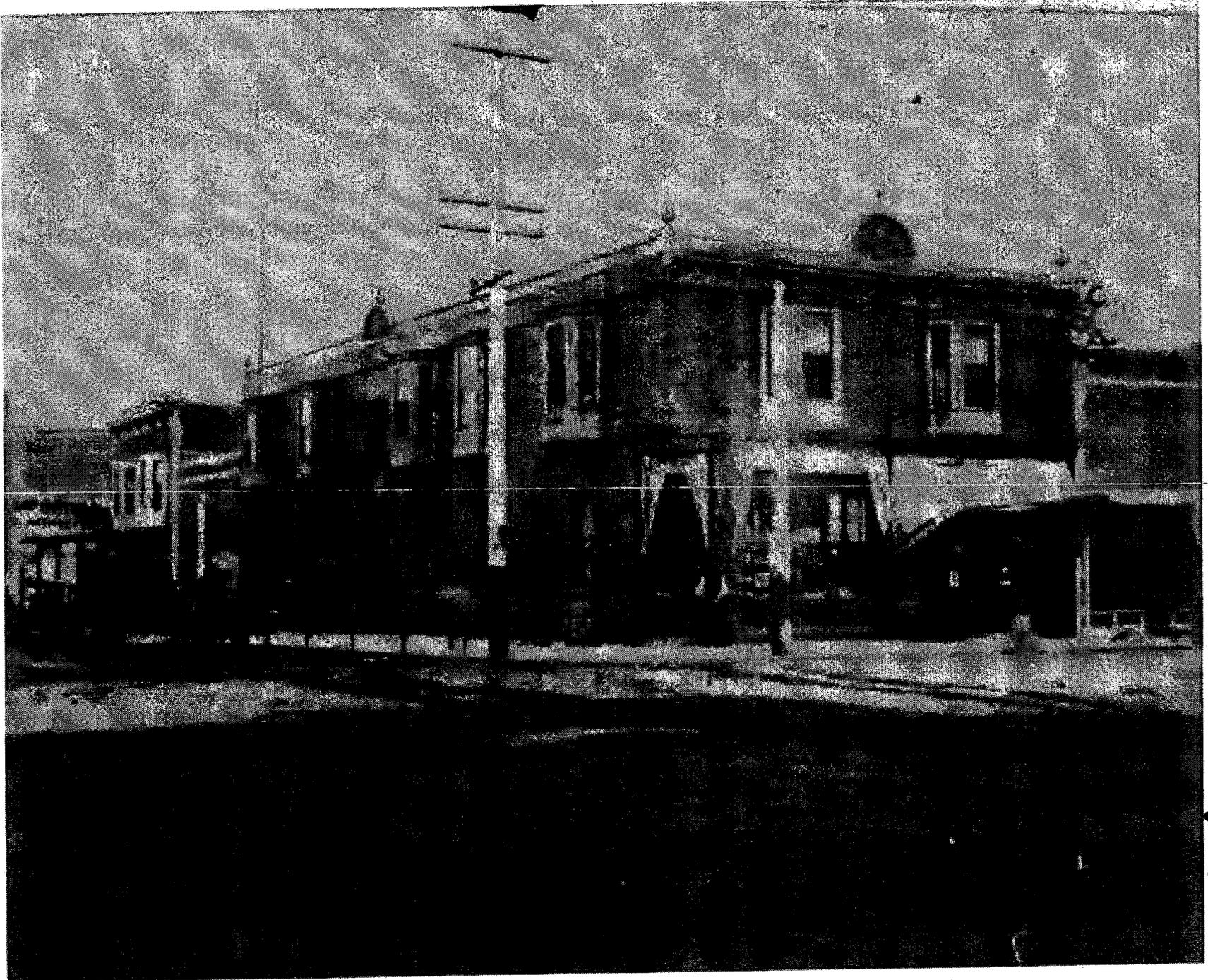
Comment: The project would be required to meet the City's requirements for recycling of deconstruction/construction materials, and for on-going recycling of solid waste.

XVII. 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?

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)?

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



C.1892

1906 - POST QUAKE





1920s

**CITY OF HAYWARD
PLANNING DIVISION
SITE PLAN REVIEW APPROVAL**

September 6, 2007

**PL-2007-0354 SPR
Vic DeMelo for Browman Development Company (Applicant)
BDC Palmtag LP (Owner)
880 B Street (Palmtag Building)**

FINDINGS FOR APPROVAL

- A. Approval of Site Plan Review No. PL-2007-0354 authorizes deconstruction of the existing two-story building and a portion of the one-story building, for construction of a new one-story commercial building of 5,626 square feet. An Initial Study and Negative Declaration have been prepared pursuant to the California Environmental Quality Act (CEQA) guidelines. No significant environmental impacts are expected to result from the project, including those related to cultural resources. It has been determined that the building is not a historical resource in that it does not retain integrity to convey its significance.
- B. The project would be compatible with surrounding structures within the Central City – Plaza Zoning Subdistrict and the Downtown Historic Rehabilitation District. The proposed building would be in scale with the surrounding historic and modern structures. The building would emphasize its relationship with the B Street corridor with its placement of storefront accesses and windows. The architectural detailing would create a connection with the historic architecture of Downtown.
- C. The project takes into consideration the site's physical and environmental constraints by emphasizing its relationship with the B Street corridor and by the establishment of a connection with the adjacent Lucky center.
- D. The project as conditioned would comply with applicable City polices including the City's Design Guidelines, and would meet all setback, height, parking and lot coverage requirements of the Central City – Plaza Zoning District.
- E. The project as conditioned would be constructed and operated in a manner acceptable and compatible with surrounding commercial development. The connection with the Lucky Center would provide an additional link between that center and the Downtown as a whole. Temporary construction noise impacts would be minimized under the limitations of the City's Municipal Code.

**CITY OF HAYWARD
PLANNING DIVISION
SITE PLAN REVIEW APPROVAL**

September 6, 2007

PL-2007-0354 SPR

Vic DeMelo for Browman Development Company (Applicant)

BDC Palmtag LP (Owner)

880 B Street (Palmtag Building)

Site Plan Review Application PL-2007-0354 is approved to deconstruct the existing two-story building and a portion of the one-story building, for construction of a new one-story commercial building of 5,626 square feet. The project shall be constructed according to these conditions of approval.

CONDITIONS OF APPROVAL

General

1. This approval is void one year after the effective date of approval unless prior to that time an extension is approved. Any modification to this permit shall require review and approval by the Planning Director. A request for a one-year extension-of-time, approval of which is not guaranteed, must be submitted to the Planning Division at least 30 days prior to expiration.
2. If a building permit is issued for construction of improvements authorized by the site plan review approval, said approval shall be void two years after issuance of the building permit, or three years after approval of the application, whichever is later, unless the construction authorized by the building permit has been substantially completed or substantial sums have been expended in reliance upon the site plan review approval.
3. Prior to deconstruction, the applicant shall contract with an architectural salvage firm for the removal of any desired architectural features or fixtures.
4. Prior to final inspection, all pertinent conditions of approval and all improvements indicated on the approved plans shall be completed to the satisfaction of the Planning Director.
5. No outside storage of material, crates, boxes, etc. shall be permitted anywhere on site, except within the trash enclosure areas as permitted by fire codes. No material shall be stacked higher than the height of any trash enclosure screen wall and gate.
6. Tenant management shall take reasonable necessary steps to assure the orderly conduct of employees, patrons and visitors on the premises to the degree that surrounding commercial uses would not be bothered and that loitering is not permitted.

ATTACHMENT F

7. Sidewalks and parking lots must be kept free of litter and debris and to minimize the amount of wind-blown debris into surrounding properties. If pressure washed, debris must be trapped and collected to prevent entry to the storm drain system. No cleaning agent may be discharged to the storm drain. If any cleaning agent or degreaser is used, washwater shall not discharge to the storm drains; washwaters should be collected and discharged to the sanitary sewer. Discharges to the sanitary sewer are subject to the review, approval, and conditions of the City wastewater treatment plant.
8. The owner shall maintain in good repair all building exteriors, walls, lighting, trash enclosure, drainage facilities, driveways and parking areas. The premises shall be kept clean. Any graffiti painted on the property shall be painted out or removed within 72 hours of occurrence.
9. A minimum of two trash receptacles shall be placed at each customer entry. Trash receptacles shall be a decorative, pre-cast concrete or metal type with a self-closing metal lid, complementary to the design of the building. Design of the receptacles shall be submitted with the building permit application for approval by the Planning Director.
10. No vending machines shall be displayed outside the building, except for newspaper racks.
11. The applicant shall erect a plaque describing the history of the Palmtag Building in a manner acceptable to the Hayward Area Historical Society.
12. Violation of these conditions is cause for revocation of permit, after a public hearing before the duly authorized review body.

Design

13. A final color palette shall be submitted with the building permit application. The building's bulkhead shall include decorative materials such as tiles. Architectural detailing and colors require review and approval by the Planning Director.
14. Prior to issuance of the building permit, the applicant shall submit a detailed plan for the rear connection to the parking and for the trash enclosure for review and approval by the Planning Director. Surfaces shall be constructed of decorative materials and colors shall be compatible with the color palette of the building.
15. All roof mechanical equipment and any satellite dish shall be fully screened from ground-level view within 150 feet of the property.
16. Prior to occupancy and the installation of any signs, the Applicant shall submit a Sign Permit Application to the Planning Director for review and approval, subject to the following:
 - a. Compliance with the City of Hayward Sign Regulations;
 - b. Wall signs shall use individual channel letters without visible raceways;
 - c. The applicant/business operators shall not display any illegal signs on the property;and

- d. Signs shall not obscure architectural elements nor shall the edge of any sign be any closer than 6 inches to the edge of the feature on which it is located.
17. Exterior lighting for the establishment shall be maintained which is adequate for the illumination and protection of the premises, as determined by the Planning Director and the Police Chief, but does not exceed a light level that provides glare to motorists, nor spills onto nearby properties, or up into the sky. The fixtures shall be designed to keep the light from spilling onto adjacent properties.

Landscaping

18. Prior to 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 Landscape Architect. Landscaping and irrigation plans shall comply with the City's Water Efficient Landscape Ordinance. The plans must include a demolition plan, identifying all trees, shrubs and groundcovers to be removed. Plans shall indicate enhancement of the rear connection to the parking lot. Provide 100% irrigation coverage for new and restored landscape areas.
19. All new trees shall be planted per SD-122 and shall receive drip emitters or a bubbler per each tree on a separate valve. Bubblers shall not exceed 1.5GPM per device.
20. The trash enclosure must be screened with continuous shrubs and vines that are a minimum 5-gallon in size. If vines are not self clinging type, vine supports shall be provided.
21. Landscaping shall be maintained in a healthy, weed-free condition at all times. The owner's 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 ten days 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 by, and size determined by the City Landscape Architect, within the timeframe established by the City and pursuant to Municipal Code.
22. Prior to the issuance of Certificate of Occupancy, landscape and irrigation shall be completed per the approved landscape and irrigation plans and accepted by the project landscape architect prior to submitting a Certificate of Substantial Completion to the City Landscape Architect for an inspection. An Irrigation Schedule shall be submitted prior to the final inspection and acceptance of improvements.

Utilities

23. Additional sewer system capacity to accommodate the volume and waste strength to be discharged must be purchased at the rates in effect at the time of purchase, prior to discharge.

24. The existing nine 5/8-inch water meters may be inadequate for the proposed development. Indicate the Gallon-per-Minute Demand on the building permit plans to determine proper meter size.
25. Install a separate irrigation water meter for landscaping purposes to avoid sanitary sewer charges on landscape water use.
26. The applicant shall install a grease control device to control fat, oil and grease discharge from any food service establishment, unless this requirement is expressly waived by the Director of Public Works. The type, size and location of the device shall be approved by the Director of Public Works. The proposed location shall be indicated on building permit plans.
27. Water meters are to be located a minimum of 6 feet from sanitary sewer laterals per State Health Code. Locations shall be indicated on building permit plans.
28. Water & Sewer service available subject to standard conditions and fees in effect at time of application.
29. Add following note to Building Plans: 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.
30. Only Water Distribution Personnel shall perform operation of valves on the Hayward Water System.

Public Safety

31. Building Construction
 - A. The project data for the proposed retail building shall be reflected on the architectural plans and shall reflect the occupancy classification(s), square footage, number of stories, type of construction and fire sprinkler system requirements.
 - B. Proper building permits shall be obtained from the Building Division for the demolition of the existing structures.
32. Fire Protection
 - A. The proposed retail building shall be equipped with an automatic fire sprinkler system conforming to NFPA 13 Standards.
 - B. Commercial and retail buildings constructed without a known tenant shall have a fire sprinkler system installed having a minimum density of .33 gpm over the most remote 3,750 square feet, or, as required per NFPA 13 Standards.
 - C. The retail building will require a dedicated underground fire service line (to supply the fire sprinkler system) designed and installed per NFPA 24 Standards.
 - D. The building's fire sprinkler system shall have its Fire Department Connection (FDC) and Post Indicator Valve (PIV) installed in a location approved by the Hayward Fire Department.

- E. The building shall have an exterior fire sprinkler local alarm bell installed on the fire sprinkler riser in a location approved by the Hayward Fire Department.
- F. Retail tenant spaces shall have a manual pull station and audible alarm signaling device installed within each tenant space in a location approved by the Hayward Fire Department.
- G. Central station monitoring shall be required for the fire sprinkler system if over 100 fire sprinkler heads are installed on the system.
- H. Portable fire extinguishers shall be installed throughout the proposed building, including the individual tenant spaces and in any common area. Fire extinguishers shall be placed in centrally-located areas as required by the Hayward Fire Department. Fire extinguishers shall have a minimum rating of 2A:10BC or other rating (as required by the Fire Code) specific to the tenant use.
- I. Exiting requirements shall meet the requirements of the California Building Code (CBC), Chapter 10.
- J. Businesses which occupy the individual tenant spaces shall obtain a City of Hayward Business License prior to occupying the space.
- K. There shall be no use and/or storage of hazardous materials within any tenant space unless a review has been conducted by the Hayward Fire Department.
- L. Merchants who wish to conduct commercial cooking shall notify the Hayward Fire Department for review and approval of commercial cooking equipment and hood and exhaust duct fire extinguishing systems.
- M. Tenant spaces shall be restricted for M or B occupancies. There shall be no hazardous operations (i.e. welding, flammable finishing or woodworking) allowed unless reviewed and approved by the Hayward Fire Department.
- N. Building and tenant addressing shall meet Hayward Fire Department standards.
- O. Fire permits shall be obtained for the installation of any fire protection and life safety systems required for the proposed development.

Solid Waste

- 33. The Applicant must clearly indicate on the building permit application the proposed location and dimensions of each garbage/recycling area, including the enclosure detail. The space provided for the storage of recyclables must be the same size or larger as that provided for garbage. The size of refuse containers available and their respective dimensions can be obtained from the Solid Waste and Recycling Division of the Hayward Public Works Dept. The Applicant must clearly indicate on the building permit application the proposed size, number, and type of garbage and recycling containers.
- 34. The trash enclosure must be covered, with the design of the roof to be compatible with the architectural design of the primary structure. No other area may drain into the enclosure. Drains in any wash or process area may not discharge to the storm drain system, but must connect to the sanitary sewer. The applicant shall contact the Oro Loma Sanitary District for specific connection and discharge requirements if necessary.
- 35. The applicant shall clearly indicate the following enclosure requirements in a detail on the building permit application:
 - A) A 6-inch wide curb or parking bumper must be provided along the interior perimeter of the enclosure walls to protect them from damage by any dumpster.

- B) A 6-inch wide parking bumper, at least 3 feet long, must also be placed between any dumpster and recycling bins, in order to secure the refuse dumpster in its designated area. Concrete or recycled-content plastic bumpers are available, though purchase of recycled plastic bumpers is not required.
 - C) A minimum space of 12 inches must be maintained between the garbage and recycling containers and the walls of the enclosure to allow for maneuvering the containers.
 - D) The enclosure gates and hinges must be flush with the enclosure wall. The gates must hinge from the right and left corners of the enclosure and open straight out, in order to allow the dumpsters to be pulled straight out from the enclosure and returned to their original location.
 - E) The enclosure must be constructed on a flat area with no more than a 2% grade, in order to ensure that the garbage driver can adequately retrieve and return the dumpster(s) from the enclosure.
 - F) Signage is required indicating that one half of each trash enclosure is for "Recyclables Only" while the other half is for "Garbage Only." Signs must be posted at eye-level in a highly visible place either on the exterior gates (preferable) or on the interior walls (if the enclosure fronts public property).
 - G) A concrete pad, of decorative materials and color, located just outside each trash enclosure is required in order to accommodate the weight of the truck while servicing the containers, since asphalt can fail over time at these locations.
 - H) The site plans must indicate the size of the compactor and the dimensions of the area where the compactor would be placed. In order to obtain approval of the site plans, the compactor's specifications must be provided. The plan must allow for three times the length of the compactor as the back up distance for the driver to service the compactor. This distance must extend straight ahead from the end of the compactor in order to allow adequate space for the garbage truck driver to hook and unhook the compactor from the roll-off truck. For safety reasons, a site plan requiring a back up distance greater than 150 feet to service the compactor will not be approved. City staff will advise the Applicant whether the compactor's specifications are appropriate by reviewing the plans with staff from the garbage company.
 - I) If a baler is proposed to densify recyclables such as cardboard prior to collection, then a reference to the baler location, size, and intended use must be indicated on the site plans. This information will document the proposed facility's attempts to recycle as much as reasonably possible and will help to expedite review.
36. If gates with locks are planned to limit access to the enclosure, then the Applicant must provide keys or cards to the garbage company, Waste Management of Alameda County (510-537-5500). If keys or cards are not provided, then the Applicant must ensure that all secured gates are open at 5:00 a.m. for collection.
37. The Applicant must submit for review by Solid Waste Program staff a Construction & Demolition Debris Recycling Statement, and a Construction & Demolition Debris Recycling Summary Report.

Engineering/Transportation Division

38. Any work at Mission Boulevard would require an Encroachment Permit from CalTrans.

Richard Patenaude

From: Chris Zaballos [czaballos@zaballos.net]
Sent: Monday, August 20, 2007 5:01 PM
To: Richard Patenaude
Subject: Palmtag Building

Richard,

I am writing to voice my support for the demolition of the existing Palmtag building and the reconstruction of a new, more viable project in that location. While there may be minor historical significance with the existing structure, I believe the existing building is unusable in its current configuration and demolition is the only feasible way to redevelop the land. If there is significance in the Palmtag name, perhaps the new development could incorporate that moniker in the project.

Regards,

Chris Zaballos
R. Zaballos & Sons, Inc.

8/20/2007

ATTACHMENT G

Richard Patenaude

From: Peggy Collett [PeggyC@hayward.org]
Sent: Tuesday, August 21, 2007 11:12 AM
To: Richard Patenaude
Subject: FW: Palmtag Building

From: Jim Wieder [mailto:jimwieder1@yahoo.com]
Sent: Monday, August 20, 2007 5:15 PM
To: richard.patenaude@hayward-ca.gov; Peggy Collett
Subject: Palmtag Building

Richard:

Kindly accept this communication to endorse the proposed tear down of the Palmtag building. In our view it improve the overall look of B street, and help reduce the number of vagrants that congregate in this area.

Best Regards,
David "Jim" Wieder
Owner Hayward Ace

8/21/2007



HAYWARD
CHAMBER of
COMMERCE

RECEIVED

AUG 22 2007

PLANNING DIVISION

August 23, 2007

TO: Mayor Michael Sweeney, and Hayward City Council Members
FR: Hayward Chamber of Commerce
RE: Palmtag Buildings

On behalf of the Chamber's Board of Directors and Downtown Committee we urge your support of Staff's recommendation to the Council Downtown Committee dated July 16, 2007 regarding the above referenced buildings.

While the Browman Company's original intent was to rehabilitate the Palmtag structures, it is neither feasible nor practical to do so. Further, these buildings hold no historical significance.

We urge your approval of Browman's proposal to demolish and replace the buildings with viable new retail/office space as soon as possible.

Should you have any questions, please don't hesitate to contact us.

Chris Zaballos
Downtown Committee, Chair
510-581-5993

Scott Raty
President/CEO
510-247-2041

THE COBBLERS
Boots - Shoes - Repair
22443 Foothill Blvd.
HAYWARD, CALIFORNIA 94541

Message
Reply

PRIORITY
 URGENT!
 SOON AS POSSIBLE
 NO REPLY NEEDED

(510) 538-6020
FAX (510) 582-9831

Richard Patenaude
City of Hayward

FILE NO.

ATTENTION:

RECEIVED

SUBJECT:

AUG 24 2007

PLANNING DIVISION

As a downtown businesias owner of 50 years I support
the Brownman Development co. to demolish the building
at "B" ST + Mission BLVD.

Agreement with Brownman should be that once the building
is demolished, New construction must start at once 30 days.
Don't leave a empty lot for years, like other projects
in downtown Hayward

thank you
Rudy Grassesoh
SIGNED:

DATE OF REPLY:

REPLY TO:

SIGNED:

SENDER: MAIL RECIPIENT WHITE AND PINK SHEETS.

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Richard Patenaude

From: efehn10253@aol.com
Sent: Wednesday, August 22, 2007 6:54 AM
To: Richard Patenaude
Subject: Support of Deconstruction of the Palmtag Building

Hi Richard! As a member of the Downtown Committee we just wanted to voice our support of the deconstruction of the Palmtag building. We are very excited for the reconstruction and the arrival of Pete's Coffee next year.

Thanks!

Erika & Dave Knolmayer
Wags & Whiskers Pet Boutique
982 B Street
Hayward, CA 94541
510-582-1065

AOL now offers free email to everyone. Find out more about what's free from AOL at AOL.com.

8/22/2007