



CITY OF HAYWARD AGENDA REPORT

Meeting Date 03/08/07

Agenda 1

TO: Planning Commission

FROM: Tim R. Koonze, Assistant Planner

SUBJECT: **Site Plan Review No. PL-2006-0008 / Tentative Tract Map 7698 – Samah Construction (Applicant) / Mohammed Shaiq (Owner) – Request to Construct 14 Residential Townhouse Units**

The Project Is Located at 24755 O'Neil Avenue in a High Density Residential-Mission Corridor Special Design Overlay (RH-SD-2) Zoning District

RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Find that the proposed project is Categorical Exempt from the California Environmental Quality Act (CEQA) guidelines, Section 15332, Class 32 In-Fill Development; and
2. Approve the Site Plan and Tentative Tract Map applications, subject to the attached findings and conditions of approval

DISCUSSION:

Project Description

The property is an eight-acre rectangular parcel that is relatively flat. The existing home and garage are proposed to be removed. The property is surrounded by the Hayward Toyota Dealership across O'Neil Avenue to the east, the BART and Western Pacific Railroad tracks to the west, and 19 single-family detached condominiums to the south (Orchard Walk). A 14-lot townhouse development to the north is currently under construction by Samah Construction, the developer proposing this subdivision.

The applicant proposes to subdivide the property into 14 townhomes located within five buildings. Eight of the units would be within four two-story duplexes. Each of these units would have three bedrooms and two baths and a 470 square-foot private yard. The duplex units would each provide two-car garages. A three-story six-unit building is proposed across the rear of the property. Each of these units would have two bedrooms and one bath and a 255 square-foot private yard and a single-car garage.

The project will be served by a 20-foot-wide "L" shaped private roadway. The project to the north is served by an "L" shaped roadway that dead-ends at this property's common property line, allowing the two developments to connect via a looped roadway that would provide for better circulation. A condition of the subdivision would require the connection of the two roadways utilizing a design that meets the approval of the City Engineer. Each project would have its own homeowners' association responsible for maintaining the improvements on its respective site.

The City's Off-Street Parking Regulations require 2.1 parking spaces per unit. The project conforms to this requirement by providing 2.2 parking spaces per unit for a total of 31 parking spaces.

The project is not proposing to provide any common usable open space but would meet this requirement by providing private yards. The Zoning Ordinance requires 350 square feet of usable open space per unit; for this project that would equate to a total of 4,900 square feet. The project would provide a total of 6,500 square feet of private usable open space, an average of 465 square feet per unit.

Utilizing the same noise study provided for the subdivision to the north, an eight-foot high sound wall is proposed along the BART tracks. A six-foot high decorative solid wood fence would be installed along the sides of the site and enclosing the private areas.

Analysis

The proposed development is consistent with density and design of developments within the neighborhood. The Spanish-influenced design is consistent with surrounding projects and the design criteria promoted by the Mission-Foothill Neighborhood Plan and the Mission Corridor Special Design Overlay District.

The development proposes a density of 25.1 units per acre which complies with the High-Density Residential designations of the General Plan and the Zoning Ordinance (17.4-34.8 units per acre). It also conforms to General Plan policies that promote infill projects that are compatible with the character of the surrounding neighborhood.

Architectural Design

The buildings are a contemporary design with Spanish influences. They would have stucco finishes and terra-cotta tile hip roofs. The windows and doors are accented with trim with some of the windows having decorative shutters. Doorways are accented with arches and wood corbels are used as accents under some of the windows and beneath building overhangs.

All duplexes units would have covered porches which would face the internal private driveway, with the exception of the front units, whose porches would face O'Neil Avenue. The six-plex building incorporates false balconies along the façade, as well as, dormers to help break up the roof line.

PUBLIC NOTICE:

On January 16, 2006, a preliminary meeting notice was mailed to property owners and residents within 300 feet of the property, nearby homeowners associations and interested parties. Staff received a letter from the Orchard Walk Community, adjacent development to the south, which expressed concerns with noise and dust that would be produced during construction and with increased crime and traffic in the area. The letter also expressed hopes that the developer would improve Orchard Avenue with curb, gutter and sidewalk and construct a fence along the common property line.

City construction inspectors would be responsible for assuring that any noise and dust caused during construction would be controlled in compliance with City ordinances. It is the opinion of the City's Transportation Services Manager that the construction of 14 townhouse units would have a minimal affect on the traffic in the surrounding area. The conditions of approval would require the developer to install street improvements along the O'Neil Avenue frontage for the development and construct perimeter fencing.

One response in favor of the project was received from the public hearing notice. The neighbor supported infill development and was pleased to see housing constructed that "did not cater to the high-end market".

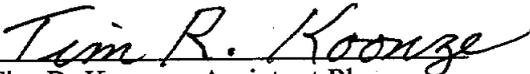
ENVIRONMENTAL REVIEW:

The project is exempt from environmental review as indicated by the California Environmental Quality Act (CEQA) Guidelines Section 15332: In-Fill Development. The project is less than five acres in size and is consistent with the General Plan Land Use Designation, General Plan Policies and the High Density Residential Zoning District. The site is surrounded by urban uses and has no value as a habitat for endangered, rare or threatened species. With the addition of the sound wall along the BART tracks, the project would also not result in any significant effects relating to traffic, noise, air quality or water quality. The site can be adequately served by all required utilities and public services.

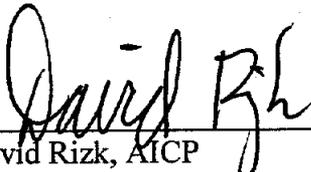
CONCLUSION:

The units are well designed and are compatible with the surrounding uses. It is recommended that the Planning Commission approve this project, subject to the attached recommended conditions of approval.

Prepared by:

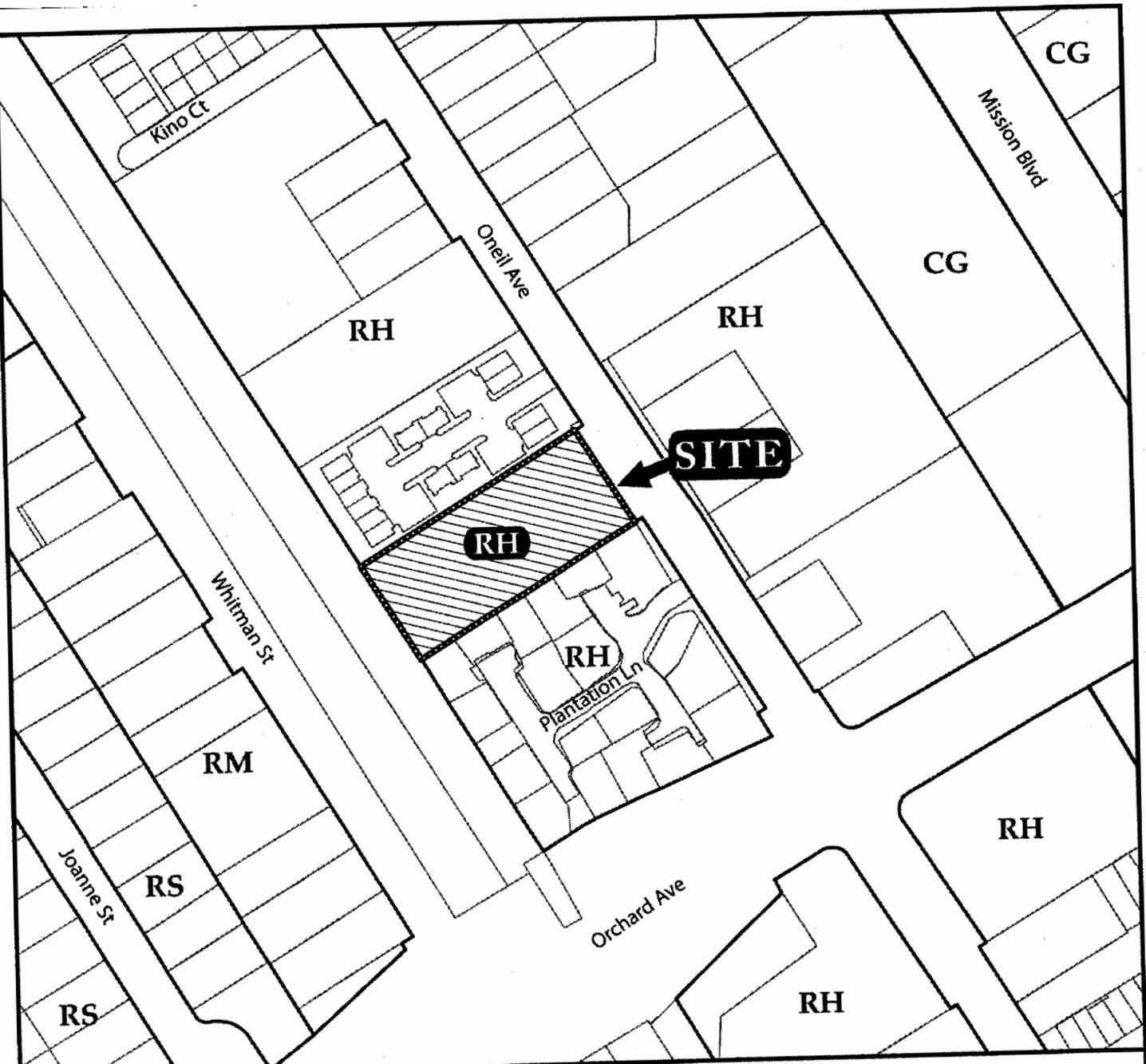

Tim R. Koonze, Assistant Planner

Recommended by:


David Rizk, AICP
Planning Manager

Attachments:

- A. Area Map
- B. Findings for Approval – SPR PL-2006-0008
- C. Conditions of Approval – SPR PL-2006-0008
- D. Findings for Approval – Tentative Tract Map 7698
- E. Conditions of Approval – Tentative Tract Map 7698
Tentative Map and Project Plans



Area & Zoning Map

PL-2006-0008 SPR

PL-2006-0002 TTM 7698

Address: 24755 O'Neil Avenue

Applicant: Samah Construction

Owner: Mohammed Shaiq

Zoning Classifications

RESIDENTIAL

RH High Density Residential, min lot size 1250 sqft

RM Medium Density Residential, min lot size 2500 sqft

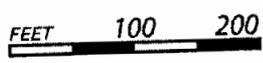
RS Single Family Residential, min lot size 5000 sqft

COMMERCIAL

CG General Commercial

CENTRAL CITY

CC-C Central City - Commercial



**CITY OF HAYWARD
PLANNING DIVISION**

**SITE PLAN REVIEW
FINDINGS FOR APPROVAL**

March 8, 2007

Site Plan Review No. PL-2006-0008 / Samah Construction (Applicant) – Mohammed Shaiq (Owner) – Request to Construct 14 Residential Townhouse Units

The Project Is Located at 24755 O'Neil Avenue in a High Density Residential-Mission Corridor Special Design Overlay (RH-SD-2) District

- A. That approval of Site Plan Review Application No. PL-2006-0008, as conditioned, will have no significant impact on the environment, cumulative or otherwise, and the project reflects the City's independent judgment and is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15332 of the CEQA Guidelines (Infill Development).
- B. The development would be compatible with surrounding structures and uses and would be an attractive addition to the City in that it would be consistent with the developmental pattern in the neighborhood, which includes a mixture of multi-family developments, single-family developments and commercial uses.
- C. The development takes into consideration physical and environmental constraints in that an eight-foot-high sound wall is required to be constructed along the BART right-of-way.
- D. The development complies with the intent of City development policies and regulations including, but not limited to, the Zoning Ordinance, the General Plan and the Mission-Foothills Neighborhood Plan in that the proposal is an infill development with a density that conforms to the designations of the General Plan and Zoning Ordinance and the buildings are of a Spanish-influenced design as specified in the Mission Corridor Special Design Overlay District.
- E. The development will be operated in a manner determined to be acceptable and compatible with surrounding development in that the use of the property for multiple-family dwellings is the same as the use of surrounding properties.

**CITY OF HAYWARD
PLANNING DIVISION**

**SITE PLAN REVIEW
CONDITIONS OF APPROVAL**

March 8, 2007

Site Plan Review No. PL-2006-0008 / Samah Construction (Applicant) – Mohammed Shaiq (Owner) – Request to Construct 14 Residential Townhouse Units

The Project Is Located at 24755 O'Neil Avenue in a High Density Residential-Mission Corridor Special Design Overlay (RH-SD-2) District

1. Site Plan Review Application No. PL-2006-0008 is approved subject to the plans labeled Exhibit "A" and the conditions listed below. This permit becomes void one year after the effective date of approval, unless prior to that time a building permit application has been submitted and accepted for processing by the Building Official, or a time extension of this application is approved. A request for a one-year extension, approval of which is not guaranteed, must be submitted to the Planning Division at least 15 days prior to the above date.
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. The permittee shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.
4. Any proposal for alterations to the proposed site plan and/or design, which does not require a variance to any zoning code, must be approved by the Planning Director prior to implementation.
5. A copy of these conditions of approval shall be included on a full-sized sheet(s) in the building permit plan set.
6. The developer shall ensure that unpaved construction areas are sprinkled with water as necessary to reduce dust generation. Construction equipment shall be maintained and operated in such a way as to minimize exhaust emissions. If construction activity is postponed, graded or vacant land shall immediately be revegetated.
7. Prior to final inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Planning Director.

Architecture, Site Amenities and Details

8. The exterior colors and materials shall be approved by the Planning Director.
9. Prior to the approval of a building permit, details of address numbers shall be provided. Address number shall be a minimum four inches high, decorative and visible from the street.
10. An exterior hose bib shall be provided for each private yard and porch area.
11. Each dwelling unit shall have and maintain a minimum of 90 cubic feet of dedicated storage area, excluding standard closets and bedroom wardrobes, accessible from the exterior of the unit. Any area of a garage in excess of the 20 feet wide by 19 feet deep parking area required for each unit can be counted toward the minimum storage area requirement.
12. The driveway entry shall be enhanced by the use of decorative pavers. A one-foot concrete band shall be provided around the decorative paving. The design and materials shall be approved by the Planning Director.
13. Prior to the approval of a building permit, the site amenities for the group open space shall be approved by the Planning Director. Amenities shall include, but not be limited to, a trellis, seat walls, picnic tables and barbeque.
14. An eight-foot high sound wall shall be constructed along the rear property line adjacent to the BART right-of-way. The design, color and materials shall match the wall installed as a condition of approval for the property to the north, Tract 7040.
15. A six-foot-high, solid board decorative wood, "good-neighbor" fence shall be erected along the site perimeter and all interior property lines (except within the 20 foot setback line of O'Neil Avenue).
16. Mailboxes shall be provided. If mailboxes are grouped, they shall be enclosed by a structure compatible with the architecture of the buildings. Location and design of mail boxes shall be approved by the Planning Director.
17. Prior to the approval of a building permit, a lighting plan prepared by a qualified illumination engineer shall be included to show exterior lighting design. Exterior lighting shall be erected and maintained to meet the requirements of the City's Security Ordinance. The Planning Director shall approve the design and location of lighting fixtures, which shall reflect the architectural style of the building(s). Exterior lighting shall be shielded and deflected away from neighboring properties and from windows of houses within the project.
18. Utility meters, when not enclosed in a cabinet, shall be screened by either plant materials or decorative screen, to the satisfaction of the City's Landscape Architect, allowing sufficient access for reading.
19. Any transformer shall be located underground or screened from view by landscaping to the satisfaction of the City's Landscape Architect and shall be located outside any front or side street yard.

20. Two of the open parking spaces shall be marked and signed for visitor use only.

Engineering Requirements

21. The O'Neil Street frontage shall be improved with a standard City electrolier and a sidewalk across the property frontage. The design and location shall be approved by the City Engineer.
22. A photometric plan shall be submitted that meets the approval of the City Engineer.
23. Decorative street lights shall be installed along the proposed private street. The number of light standards, location and design shall be approved by the City Engineer and the Planning Director.

Landscaping

24. 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. Landscaping and irrigation plans shall comply with the *City's Water Efficient Landscape Ordinance*.
25. Landscaping shall be designed with efficient irrigation to reduce runoff, promote surface infiltration, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution. Where feasible, landscaping should be designed and operated to treat stormwater run-off. Landscaping shall also comply with the City's "water efficient landscape ordinance" or equivalent.
26. Park Dedication In-Lieu Fees are required for thirteen net new dwelling units, but not for the existing unit. Fees shall be those in effect at the time of issuance of the building permit.
27. Landscaped areas adjoining drives and/or parking areas shall be separated by a 6" high class "B" Portland Cement concrete curb.
28. All above ground utilities and mechanical equipment shall be screened from view with shrubs, to the satisfaction of the City's Landscape Architect.
29. A complete automatic sprinkler system with an automatic on/off mechanism shall be installed and maintained within all landscaped areas. This system shall include a reduced pressure backflow device and shall include an individual adjustable-flow bubbler to each tree.
30. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of improvements.
31. Landscape improvements shall be installed according to the approved plans and a Certificate of Substantial Completion, and an Irrigation Schedule shall be submitted prior to the issuance of a Certificate of Occupancy.

Conditions Covenants and Restrictions

32. Prior to the sale of any individual unit, or prior to the acceptance of tract improvements, whichever occurs first, a homeowners owners association shall be created and shall be responsible for maintaining all private streets, private street

lights, private utilities and other privately owned common areas and facilities on the site including landscaping. These maintenance responsibilities shall include implementing and maintaining stormwater best management practices (BMPs) associated with improvements and landscaping. CC&R's creating the association shall be reviewed and approved by the City Attorney prior to the recordation of the Final Map and recorded prior to the sale of the first residential unit. The CC&R's shall describe how the stormwater BMPs associated with privately owned improvements and landscaping shall be maintained by the association:

- a. Each owner shall automatically become a member of the association and shall be subject to a proportionate share of maintenance expenses.
- b. A reserve fund shall be maintained to cover the costs for the replacement and/or repair of the private street, parking bays, private storm drain, common area landscaping and common fencing.
- c. The association shall be managed and maintained by a professional property management company.
- d. The private street, parking bays, private storm drain, common area landscaping, and common fencing shall be maintained in good repair, and free of debris at all times.
- e. All common improvements shall be maintained free of graffiti. The owner's representative shall inspect the premises on a weekly basis and any graffiti shall be removed within 72 hours of inspection or within 72 hours of notification by the City's Community Preservation Officer.
- f. The homeowners' association shall maintain the common area irrigation system and maintain the common area landscaping in a healthy, weed-free condition at all times. The homeowner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30 percent dieback) shall be replaced within 10 days of notification to the homeowner. Plants within the common area shall be replaced within 10 days of the inspection.
- g. Landscaping and irrigation shall be maintained in all common areas or the City shall have the right to enter upon the property to maintain the exterior portions of the common area at the expense of the homeowners association, per Section 10-3.385 of the Subdivision Ordinance.
- h. A tree removal permit from the City is required prior to the removal of any tree with a diameter of eight inches or larger.
- i. Trees shall not be severely pruned, topped, or pollarded and any trees that are pruned in this manner shall be replaced with a tree species selected by, and size determined by the Landscape Architect, within the timeframe established by the City and pursuant to the Municipal code.

- j. A provision that if the homeowners' association fails to maintain the private street and parking bays, private storm drain, common area landscaping, and common fencing so that owners, their families, tenants, guests or adjacent owners suffer or will suffer substantial diminution in the enjoyment, use or property value of the project, the City of Hayward shall have the right to enter upon the project and to commence and complete such work as is necessary to maintain the private street, parking bays, and common landscape areas, after reasonable notice, and lien the properties for their proportionate share of the costs.
 - k. Each resident shall participate in the City's recycling program.
 - l. The homeowners association shall be responsible for maintaining all fencing and walls.
33. The applicant or homeowners association shall maintain in good repair all common area improvements. These maintenance responsibilities shall include implementing and maintaining BMP's associated with improvements and landscaping. CC&R's creating the association shall be reviewed and approved by the City Attorney prior to recordation of the final map and recorded prior to the sale of the first residential unit. The CC&R's shall describe how the storm water BMP's associated with privately owned improvements and landscaping shall be maintained by the association.

Solid Waste & Recycling

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

**CITY OF HAYWARD
PLANNING DIVISION**

**TENTATIVE TRACT MAP 7698
FINDINGS FOR APPROVAL**

March 8, 2007

**Tentative Tract Map 7698 – Samah Construction (Applicant) – Mohammed Shaiq (Owner) –
Request to Construct 14 Residential Townhouse Units**

**The Project Is Located at 24755 O'Neil Avenue in a High Density Residential-Mission
Corridor Special Design Overlay (RH-SD-2) District**

1. The approval of Tentative Map Tract 7698, as conditioned, will have no significant impact on the environment, cumulative or otherwise. The project is Categorical Exempt from the California Environmental Quality Act (CEQA) guidelines, Section 15332, Class 32, In-fill Development.
2. The tentative tract map substantially conforms to the State Subdivision Map Act, the City's Subdivision Regulations, the General Plan, and the City of Hayward Zoning Ordinance.
3. The site is physically suitable for the proposed type of development.
4. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
5. The design of the subdivision and the proposed improvements are not likely to cause serious health problems.
6. Existing streets and utilities are adequate to serve the project.
7. None of the findings set forth in Section 64474 of the Subdivision Map Act¹ have been made.

¹ The findings of Section 64474 set forth the grounds for denial of a tentative map which are as follows:

- (a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- (b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- (c) That the site is not physically suitable for the type of development.
- (d) That the site is not physically suitable for the proposed density of development.
- (e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- (f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- (g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property with the proposed subdivision.

**CITY OF HAYWARD
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**TENTATIVE TRACT MAP 7698
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March 8, 2007

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

All improvements shall be designed and constructed in accordance with the City of Hayward Municipal Code – Chapter 10, Article 3, and Standard Specifications and Details – unless otherwise indicated hereinafter.

The applicant/developer’s engineer shall perform all design work unless otherwise indicated.

IMPROVEMENTS

Improvement plans shall be submitted to the City Engineer for review and approval. Subject plans shall, in addition to the standard improvements, incorporate the following special design requirements:

O’Neil Avenue

1. Install curb, gutter, and a 5.5-foot-wide sidewalk abutting the back of curb across the property frontage. The design shall meet the approval of the City Engineer.
2. The driveway shall conform to City Standard Detail SD-110 (6-foot flares).
3. An Encroachment Permit must be obtained prior to the start of any construction within the public right-of-way.

Interior Private Roadway

4. The interior roadway shall have a minimum curb to curb width of 20 feet and shall provide a minimum 22-foot-wide back-up area parking that is perpendicular to the driveway.
5. The private roadway shall be designed as a looped street connecting to the subdivision that abuts the northern property line. Each development shall have its own homeowners

association and shall be responsible to maintain the roadway within its subdivision boundaries. The connection design shall meet the approval of the City Engineer.

6. The private roadway shall be designated as a fire lane, with no parking allowed along the length of the private roadway except in designated parking areas. Wherever parking is not allowed, curbs shall be painted red and/or fire lane signage shall be installed.
7. Decorative streetlights and pedestrian lighting shall be installed along the private roadway. The street lights shall be owned and maintained by the homeowners association. The light design and location shall be approved by the Planning Director and the City Engineer.

Landscaping and Irrigation

8. Prior to the approval of the improvement plans a detailed landscaping and irrigation plan for the site shall be prepared by a licensed landscape architect and submitted for review and approval by the City's Landscape Architect. Planting and irrigation shall comply with the City's *Water Efficient Landscape Ordinance*. The landscape design shall incorporate the following items:
 - a. One 24-inch box street tree shall be installed for every 20 lineal feet of property frontage. Trees shall be planted in accordance to City Standard Detail SD-122;
 - b. A 15-gallon tree shall be planted every 20 lineal feet along the BART right-of-way. Trees shall be planted on-site a minimum of 5 feet away from the inside of the sound wall. Irrigation shall be provided for each tree;
 - c. Vines shall be planted a minimum ten feet apart along the inside of the sound wall adjacent to the BARTY right-of-way. A six-inch hole shall be provided at the base of the wall to at each vine location to promote foliage on the wall exterior. Irrigation shall be provided to each vine; and
 - d. All above ground utilities and mechanical equipment shall be screened from the street and roadway with shrubs.
9. Within all required landscape areas, a complete automatic sprinkler system with an automatic on/off mechanism shall be installed. A hose bib shall be provided within each private yard.

Storm Drainage

10. The storm drain systems within the tract shall be privately owned and maintained by the homeowners association or property owners.
11. A Storm Water Pollution Prevention Plan (SWPPP) shall be submitted with a design to reduce discharge of pollutants and sediments into the downstream storm drain system. The plan shall meet the approval of the City Engineer.

12. The developer shall provide a copy of the Notice of Intent filed with the State Water Resources Control Board, prior to the issuance of a grading permit for the project site.
13. The project plans shall include storm water measures for the operation and maintenance of the project to be approved by the City Engineer. The project plans shall identify and incorporate Best Management Practices (BMPs) appropriate to the uses conducted onsite to effectively prevent the entry of pollutants into storm water runoff. Roof leaders shall discharge into a landscaped area prior to storm runoff entering a pipe system.
14. The developer shall prepare a Maintenance Agreement for storm water BMP's constructed as part of this project. The Maintenance Agreement shall be reviewed and approved by the City prior to recordation with the Alameda County Recorder's Office. The Agreement shall be recorded to ensure that the responsibility for maintenance is bound to the property in perpetuity.
15. The project plans shall also include erosion control measures to prevent soil, dirt, debris and contaminated materials from entering the storm drain system, in accordance with the regulations outlined in the ABAG Erosion and Sediment Control Handbook.
16. The applicant/developer is responsible for ensuring that all contractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction BMPs will result in the issuance of correction notices, citations or a project stop order.
17. The project shall not block runoff from, or augment runoff to, adjacent properties. The drainage area map developed for the hydrology design shall clearly indicate all the areas tributary to the project area. The developer is required to mitigate augmented runoffs with off-site and/or on-site improvements.
18. All storm drain inlets must be labeled "No Dumping - Drains to Bay" using City approved methods.

Sanitary Sewer System

19. The developer will be subject to the City of Hayward sanitary sewer service connection fees in effect at the time of application to connect to the sewer system. Each unit must have a separate sewer lateral.
20. The sanitary sewer main shall be public and shall be installed with a straight grade between manholes. The sanitary sewer main shall be located on the centerline of the proposed private street with manholes at the beginning and end of the line. The sanitary sewer main shall be an 8-inch main.

Water System

21. Calculations shall be provided to show proposed water mains are adequate to supply required fire flows. The plans shall indicate the gallon-per-minute water demand to determine the proper meter size.
22. Prior to occupancy, water services shall be installed for each residential unit by City crews at the developer's expense. The application for water services shall be presented to the inspector.
23. Each residential unit shall be individually metered utilizing radio read meters.
24. City of Hayward water service is available subject to standard conditions and fees in effect at the time of service application.
25. The water service design shall be approved by the Deputy Director of Public Works.
26. If there is a water main installed within the private roadway, it shall be a public system owned and maintained by the City. The proposed main shall be designed as a looped system without any dead-ends. The main shall connect to the water main installed within the subdivision to the north of this project. The location and design shall be approved by the City Engineer.
27. A fire hydrant shall be installed near the entrance of the private roadway. The location and hydrant details shall meet the approval of the Fire Chief. The fire hydrant location shall be identified with blue reflective pavement markers installed in the street adjacent to the fire hydrant.
28. The fire hydrant shall be a modified steamer type which shall be installed per City standards. Fire flow requirements for this development shall be 1,500 gallons per minute at 20 psi. An allowance of up to 50 percent may be granted for fire sprinklers systems installed within each building.
29. Only City Water Distribution Personnel shall perform operation of valves on the Hayward water system.

Utilities

30. All utility services shall be "underground service" designed and installed in accordance with the Pacific Gas and Electric Company, SBC and SBC Broadband Company regulations. Transformers, and switch gear cabinets, shall be placed underground unless otherwise approved by the Planning Director and the City Engineer. Underground utility plans must be submitted for City approval prior to installation.
31. All proposed surface-mounted hardware (fire hydrants, electroliers, etc.) along the proposed streets shall be located outside of the sidewalk within the proposed Public Utility Easement in accordance with the requirements of the City Engineer or, where applicable, the Fire Chief.

32. All utilities shall be designed in accordance with the requirements of the City of Hayward and applicable public agency standards.

Fire Protection

33. Addressing for each unit shall be assigned and approved by the Fire Department. Numbers shall be a minimum of 4 inches in height (self-illuminated) or a 6 inch letter on a contrasting background, and be visible from the street or private roadway.

Dedications, Easements and Deed Restrictions

34. The final map shall reflect:
- a. The private roadway shall be dedicated as a water, sanitary sewer and public and utility easement main easement.
 - b. The private roadway shall be encompassed with a ingress and egress easement for the benefit of the property owners within the subdivision to the north, Tract 7040.
 - c. An easement encompassing the private roadway within the subdivision to the north, Tract 7040, which grants ingress and egress rights to the property owners within Tract 7698, shall be recorded prior to or concurrently with the filing of the final map.
 - d. Public utility easements (PUE) along both sides of the private roadway as approved by the City Engineer.

Subdivision Agreement

35. A subdivision agreement shall be executed and surety posted with the City to secure the construction of the public improvements per Section 10-3.332, Security for Installation of Improvements, of the Municipal Code. Insurance shall be provided per the terms of the subdivision agreement.

Homeowners Association and Covenants, Conditions and Restrictions

36. Prior to the sale of any individual unit, or prior to the acceptance of tract improvements, whichever occurs first, a homeowners owners association shall be created and shall be responsible for maintaining all private streets, private street lights, private utilities and other privately owned common areas and facilities on the site including landscaping. These maintenance responsibilities shall include implementing and maintaining stormwater BMPs associated with improvements and landscaping. CC&R's creating the association shall be reviewed and approved by the City Attorney prior to the recordation of the Final Map and recorded prior to the sale of the first residential unit. The CC&R's shall describe how the stormwater BMPs associated with privately owned improvements and landscaping shall be maintained by the association.

PRIOR TO CONSTRUCTION WITH COMBUSTIBLE MATERIALS

37. Required water system improvements shall be completed and operational prior to the start of combustible construction to the satisfaction of the Fire Chief.
38. A minimum 20-foot-wide all-weather access road, engineered for 50,000 pounds gross vehicle weight, shall be maintained for emergency vehicle access.

DURING CONSTRUCTION

39. The following control measures for construction noise, grading and construction activities shall be adhered to, unless otherwise approved by the Planning Director or City Engineer:
 - a. Grading and tract related construction activities shall be limited to the hours 7:00 AM to 7:00 PM on weekdays; there shall be no grading or construction activities on weekends or holidays;
 - b. Grading and construction equipment shall be properly muffled;
 - c. Unnecessary idling of grading and construction equipment is prohibited;
 - d. Stationary noise-generating construction equipment, such as compressors, shall be located as far as practical from occupied residential housing units;
 - e. Applicant/developer shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise. Letters shall be mailed to surrounding property owners and residents (within 200 feet of the project boundary) with this information.
 - f. The developer shall participate in the City's recycling program during construction;
 - g. Daily clean-up of trash and debris shall occur on O'Neil Avenue and other neighborhood streets utilized by construction equipment or vehicles making deliveries.
 - h. The site shall be watered twice daily during site grading and earth removal work, or at other times as may be needed to control dust emissions;
 - i. All grading and earth removal work shall follow remediation plan requirements, if soil contamination is found to exist on the site;
 - j. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
 - k. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;

- l. Apply (non-toxic) soil stabilizers or hydroseed to inactive construction areas (previously graded areas inactive for 10-days or more);
- m. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- n. Gather all construction debris on a regular basis and place them in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water pollution;
- o. Remove all dirt, gravel, rubbish, refuse and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work;
- p. Broom sweep the sidewalk and public street pavement adjoining the project site on a daily basis. Caked on mud or dirt shall be scraped from these areas before sweeping;
- q. No site grading shall occur during the rainy season, between October 15 and April 15, unless approved erosion control measures are in place.
- r. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site prior to: 1) start of the rainy season; 2) site dewatering activities; or 3) street washing activities; and 4) saw cutting asphalt or concrete, or in order to retain any debris or dirt flowing into the City storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Dispose of filter particles in the trash;
- s. Create a contained and covered area on the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides or any other materials used on the project site that have the potential for being discharged to the storm drain system through being windblown or in the event of a material spill;
- t. Never clean machinery, tools, brushes, etc., or rinse containers into a street, gutter, storm drain or stream. See the City's "*Building Maintenance/Remodeling*" flyer for more information available in the Engineering and Transportation Division;
- u. Ensure that concrete/gunite supply trucks or concrete/plasters finishing operations do not discharge washwater into street gutters or drains; and
- v. The applicant/developer shall immediately report any soil or water contamination noticed during construction to the City Fire Department Hazardous Materials Division, the Alameda County Department of Health and the Regional Water Quality Control Board.

40. A representative of the soils engineer shall be on the site during grading operations and shall perform such testing as deemed necessary by the City Engineer. The representative of the soils engineer shall observe grading operations with recommended corrective measures given to the contractor and the City Engineer.
41. The minimum soils sampling and testing frequency shall conform to Chapter 8 of the Caltrans Construction Manual. The subdivider shall require the soils engineer to daily submit all testing and sampling and reports to the City Engineer.
42. The developer shall be responsible to adhere to all aspects of the Storm Water Pollution Prevention Plan (SWPPP) as approved per condition of approval No. 8 above.
43. Construction Administration services shall be provided by the project landscape architect. Services to include:
 - a. Observation of irrigation system before burying pipes;
 - b. Observation of plant material upon delivery to the site;
 - c. Observation of layout and placement of plant material upon delivery to the site;
 - d. Observation for maintenance period commencement; and
 - e. Observation for final acceptance.

PRIOR TO CONNECTION OF UTILITIES AND ISSUANCE OF CERTIFICATES OF OCCUPANCY

44. The applicant/developer shall pay the following fees, the amount of the fee shall be in accordance with the fee schedule in effect at the time of issuance of the building permits;
 - a. Supplemental Building Construction and Improvement Tax;
 - b. School Tax; and
 - c. Sewer Connection Fee for each dwelling unit at the rate in effect when the utility service permit for the dwelling unit is issued.
 - d. Park In-lieu fees for each dwelling unit at the rate in effect when the building permit for unit is issued.
45. The on-site street light electroliers shall be in operating condition as approved by the Planning Director and the City Engineer.

PRIOR TO CITY APPROVAL OF THE TRACT IMPROVEMENTS AS BEING COMPLETED

46. All tract improvements, including the complete installation of all improvements relative to streets, fencing, sanitary sewer, storm drainage, water system, underground utilities, etc., shall be completed and attested to by the City Engineer before approval of occupancy of any unit. Where facilities of other agencies are involved, such installation shall be verified as having been completed and accepted by those agencies.
47. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of tract improvements, or occupancy of 80 percent of the dwelling units, whichever first occurs.
48. The improvements associated with the Pacific Gas and Electric Company, EBMUD, SBC and ComCast shall be installed to the satisfaction of the respective companies.
49. The subdivider shall submit an "as built" plan indicating the following:
 - a. All the underground facilities, sanitary sewer mains and laterals, water services (including meter locations), Pacific Gas and Electric Company, EBMUD, SBC and Comcast, etc; and
 - b. All the site improvements, except landscaping species, buildings and appurtenant structures.

**TENTATIVE
TRACT 7698
FOR 14 TOWNHOME LOTS
SHAM'S PLACE**

of Lot 44 - Block "B" - as shown on the map entitled "MEEK ORCHARD TRACT, PLOTS 15A AND 15B, AND A PORTION OF PLOT 14 OF THE MEEK SOTO TRACT, EDEN TWP., ALAMEDA CO., CAL.," filed September 26, 1910 in Map Book 25, Page 87, Alameda County Records.

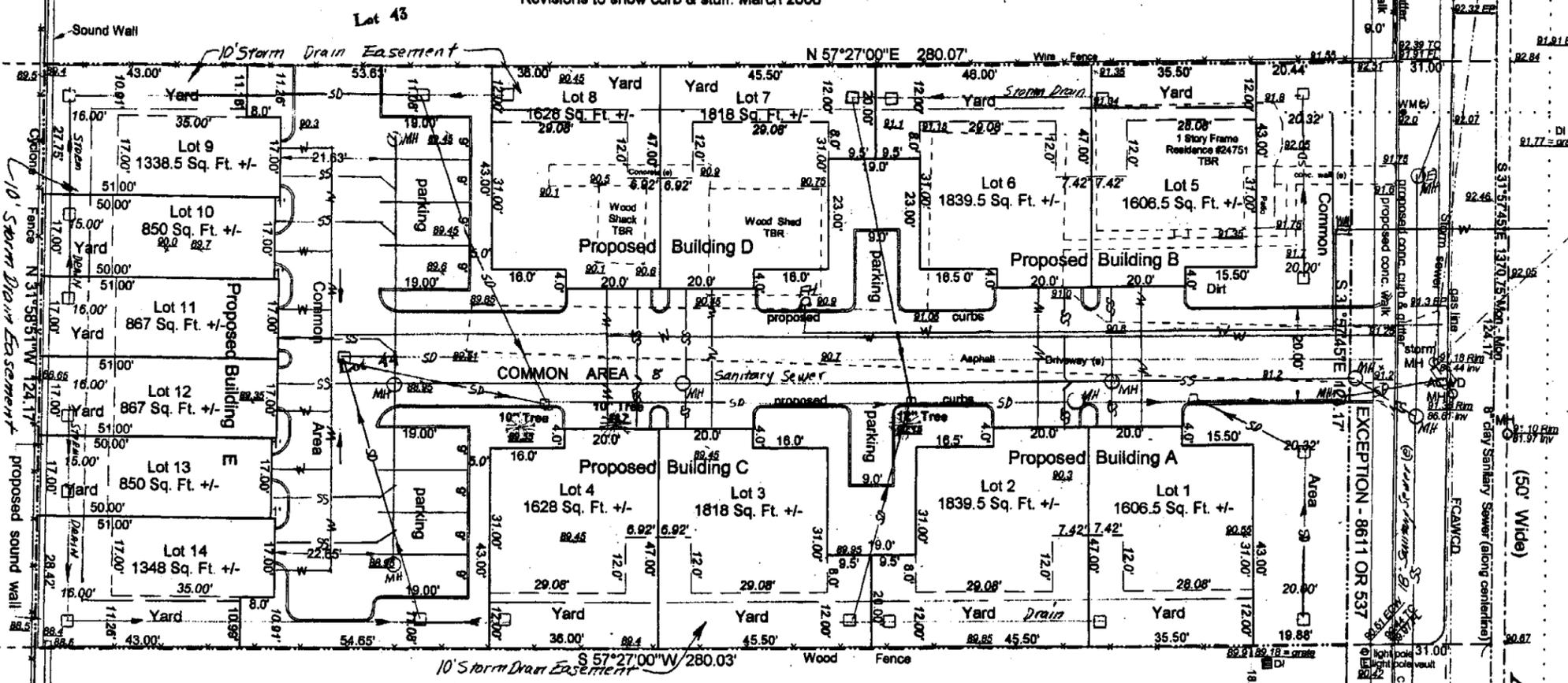
APN: 444-0036-013-02
**CITY OF HAYWARD
ALAMEDA COUNTY, CALIFORNIA**
SCALE: 1" = 20' JUNE 2006

Revisions to show curb & stuff: March 2006

TRACT No. 7040
Blk 270 Maps 18-20

BAY AREA RAPID TRANSIT

EXCEPTION - RE 1897, IM 698



TRACT No. 7306
Blk 265 Maps 42-48

2 Story Stucco
Residence No. 24843



PREPARED BY: *Raymond B. Thinggaard*
Raymond B. Thinggaard PLS-3820
Exp. 6/30/06

SYCAMORE AVENUE

O'NEILL AVENUE

ORCHARD AVENUE

Owner/Developer:
Samah Construction
799 Fletcher Lane
Hayward, CA 94541
(510)706-8933
(510)733-5527 (fax)

OWNER'S STATEMENT
I, _____ AGREE TO THE FILING OF THIS MAP AND AGREE TO COMPLY WITH THE PROVISIONS OF THE CITY OF HAYWARD SUBDIVISION ORDINANCE AND THE STATE SUBDIVISION MAP ACT AS THEY APPLY TO THE PROCESSING AND APPROVAL OF SAID MAP.

UTILITY SERVICE PROVIDERS
WATER: City of Hayward
SANITARY SEWER: City of Hayward
STORM SEWER: City of Hayward
GAS & ELECTRIC: PG&E
TELEPHONE: AT&T

ZONING: High Density Residential
EXISTING: Single Family Residential
PROPOSED: PD
TOTAL PARCEL AREA: 34,773 Sq. Ft. +/-

Elevations per City of Hayward Datum

**Project #
SPR PL-2006-0008
& Tract 7698**

Thinggaard Land Consulting
3524 Breakwater Avenue, Suite B
Hayward, California 94545
(510) 732-6608

SHEET 1 OF 1

Job No. O-79TM

PROJECT DATA

PROJECT NAME: O'NEIL PROJECT 2
 PROJECT ADDRESS: 24755 O'NEIL AVE. HAYWARD, CA 94544
 PROPERTY OWNER: SAMAH CONSTRUCTION 199 FLETCHER LANE # 204 HAYWARD, CA 94544 510-726-8933
 APN: 444003601302
 ACRES: 0.16
 ZONING: RH
 TOTAL LOT AREA: 34720 SF
 BLDG ABC & D GARAGE: 435 SF
 1ST FLOOR: 744 SF
 2ND FLOOR: 922 SF
 TOTAL LIVING AREA: 1666 SF
 TOTAL AREA: 2101 SF
 BLDG E: GARAGE (1ST LEVEL): 510 SF
 2ND FLOOR: 578 SF
 3RD FLOOR: 578 SF
 TOTAL LIVING AREA: 1156 SF
 TOTAL AREA: 1719 SF

LOT COVERAGE:
 BLDG A FOOTPRINT: 2230 SF
 BLDG B FOOTPRINT: 2230 SF
 BLDG C FOOTPRINT: 2230 SF
 BLDG D FOOTPRINT: 2230 SF
 BLDG E FOOTPRINT: 3468 SF
 TOTAL: 13000/34720 = 38.3%

PARKING:
 2.1 PER RESIDENCE
 14X21 = 29.4 PARKING SPACES REQUIRED
 PROPOSED PARKING SPACES: 31

CONSTRUCTION TYPE: TYPE-V-N
 SCOPE OF WORK: NEW CONSTRUCTION - TOWNHOME LIVING

SHEET INDEX

A0.0	PLOT PLAN, GEN. NOTES
L1.0	LANDSCAPE PLAN
A1.0	FLOOR PLAN
A1.1	FLOOR PLAN
A2.0	FLOOR PLAN
A2.1	FLOOR PLAN
A3.0	FLOOR PLAN
A3.1	FLOOR PLAN
A3.2	FLOOR PLAN
A4.0	ELEVATIONS
A5.0	ELEVATIONS
A6.0	ELEVATIONS
A7.0	ROOF PLAN

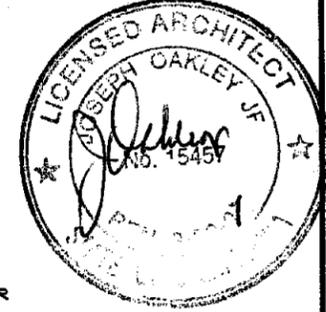
GENERAL NOTES

- CONTRACTOR TO VERIFY ALL EXISTING CONDITIONS. NOTIFY ARCHITECT OF ANY DISCREPANCIES BETWEEN THE DRAWINGS AND EXISTING CONDITIONS.
- THESE DRAWINGS INDICATE THE GENERAL SCOPE OF THE PROJECT IN TERMS OF ARCHITECTURAL DESIGN CONCEPT, DIMENSIONS OF THE BUILDING, THE MAJOR ARCHITECTURAL ELEMENTS AND THE TYPE OF STRUCTURAL, MECHANICAL, ELECTRICAL SYSTEMS. THE CONTRACTOR SHALL FURNISH ALL ITEMS REQUIRED FOR THE PROPER EXECUTION AND COMPLETION OF THE WORK.
- THE USE OF REPRODUCTIONS OF THESE CONTRACT DRAWINGS BY ANY CONTRACTOR, SUB-CONTRACTOR, ERECTOR, FABRICATOR, OR MATERIAL SUPPLIER IN LIEU OF PREPARATION OF SHOP DRAWINGS SIGNIFIES HIS ACCEPTANCE OF ALL INFORMATION SHOWN HEREON AS CORRECT AND OBLIGATES HIMSELF TO ANY JOB EXPENSE, REAL OR IMPLIED ARISING DUE TO ANY ERRORS THAT MAY OCCUR HEREON.
- ALL WORKS SHALL BE PERFORMED IN ACCORDANCE WITH STANDARDS OF BEST PRACTICE BY WORKERS SKILLED IN THEIR RESPECTIVE TRADES.
- ALL WORKS SHALL CONFORM TO THE REQUIREMENTS OF THE CITY OF HAYWARD, CALIFORNIA AND APPLICABLE REGULATORY AGENCIES. CPC 2001 (1997 UPC), CBC 2001 (1997 UBC), CBC 2001 (1997 UMC), CPC 2001 (1997 UFG), CEC 2001 (1996 NEC), & FMC 2409.
- APPROVED ADDRESS NUMBERS SHALL BE PLACED ON THE HOUSE AND SHALL BE VISIBLE FROM STREET FRONTAGE AND SHALL CONTRAST THEIR BACKGROUND.

- PROVIDE HARD-WIRED 110V SMOKE DETECTORS WITH BATTERY BACK-UP IN THE NEW ADDITIONAL BEDROOMS AND THE HALLWAY LEADING TO THESE BEDROOMS. PROVIDE BATTERY OPERATED SMOKE DETECTORS IN ALL EXISTING BEDROOMS/HALLWAYS.
- DUAL GLAZED WINDOWS SHALL BE INSTALLED ON THE NEW WINDOWS.
- ROOF COVERING SHALL BE A MINIMUM OF CLASS AA* OR BETTER.
- CONSTRUCTION ACTIVITIES SHALL BE LIMITED TO THE FOLLOWING HOURS OF OPERATION:
 • 7 AM TO 1 PM MONDAY THRU FRIDAY
 • 9 AM TO 6 PM SATURDAY
 • NO CONSTRUCTION ACTIVITY ON SUNDAY

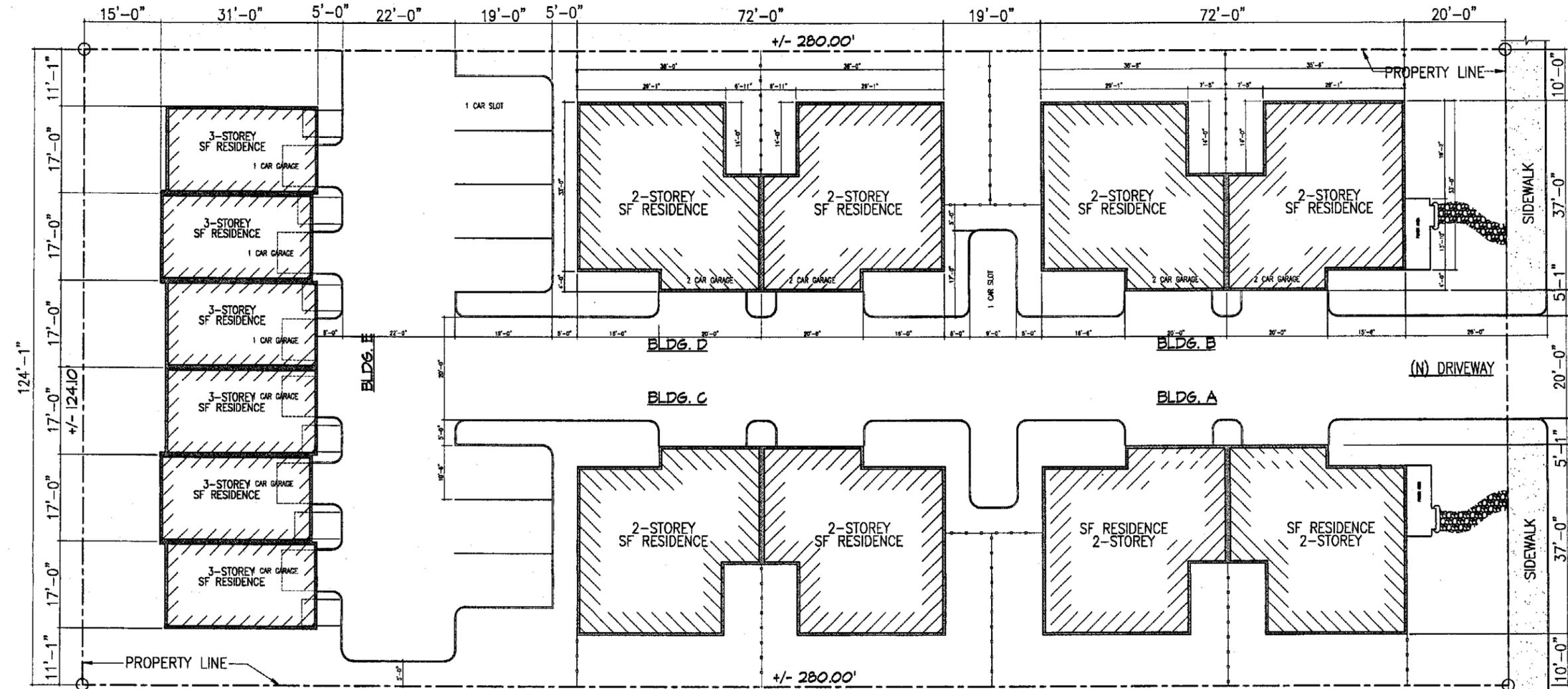
LEGEND:
 [Symbol] EXISTING WALL TO REMAIN
 [Symbol] NEW WALL TO BE BUILT
 [Symbol] EXISTING WALL TO DEMO

- ABBREVIATIONS:
- (N) NEW
 - (E) EXISTING
 - HC HOLLOW CORE
 - SC SOLID CORE
 - H6 HORIZONTAL SLIDER
 - SH SINGLE HUNG
 - S SLOPE
 - F FIXED
 - FL FLOURESCENT LIGHT
 - AFCI ARC-FAULT CIRCUIT INTERRUPTER
 - GFI GROUND FAULT INTERRUPTER
 - ◇ CEILING FIXTURE
 - FLOURESCENT LIGHT
 - ⊕ DUPLEX RECEPTACLE (42" MOUNTING HEIGHT U.O.N.)
 - ⊕ WATERPROOF DUPLEX RECEPTACLE
 - ⊕ DUPLEX RECEPTACLE w/ GROUND FAULT INTERRUPTER
 - ⊕ SWITCH (48" MOUNTING HEIGHT U.O.N.)
 - H— HOSE BIB



REVISIONS	BY

RSS & ASSOCIATES
 176 NEWCASTLE VALLEJO, CA 94591
 707-544-2870
 JOSEPH OAKLEY JR.
 RA: 15457
 610-562-6028



A SITE PLAN

3/32" = 1'-0"

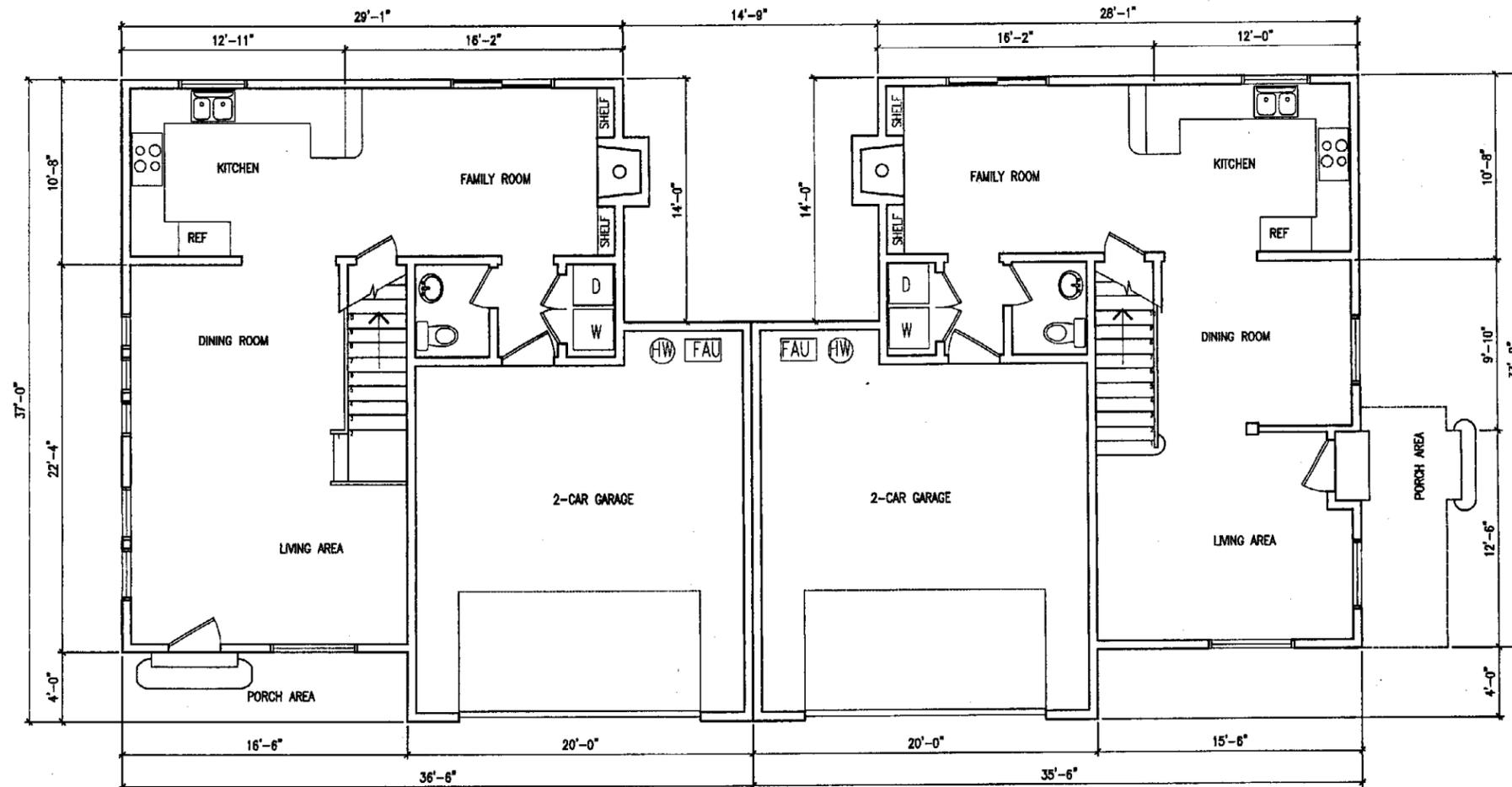
O'NEIL PROPERTY II
 24755 O'NEIL AVE.
 HAYWARD, CA 94544



DRAWN: A. Davidal
 CHECKED: NU
 DATE: 26 FEB 2007
 SCALE: AS SHOWN
 JOB NO.: 200710010
 SHEET

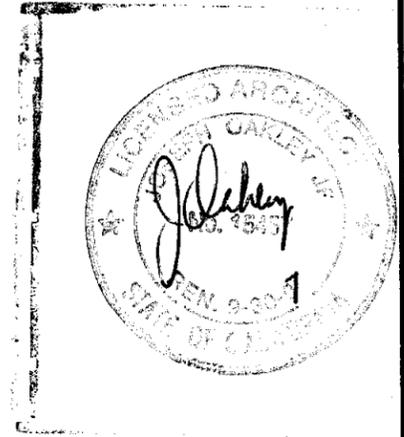
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OF SHEETS



B 1ST LEVEL FLOOR PLAN - (BLDGS. A&B)

1/4" = 1'-0"



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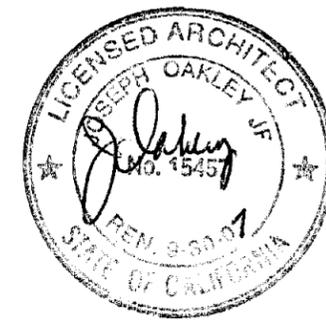
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A. DeVigal
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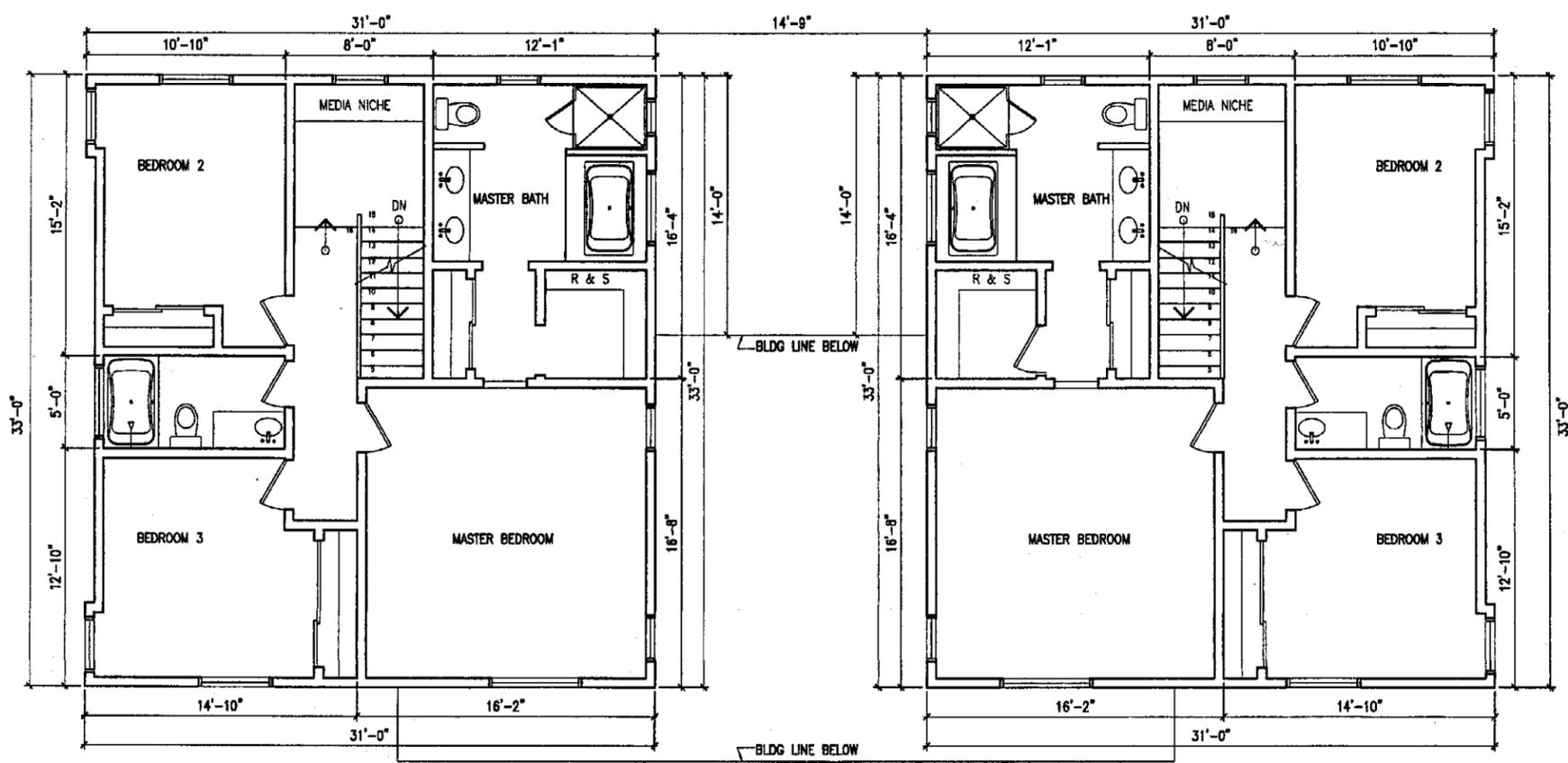
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C 2ND LEVEL FLOOR PLAN - (BLDGS. A&B)

1/4" = 1'-0"

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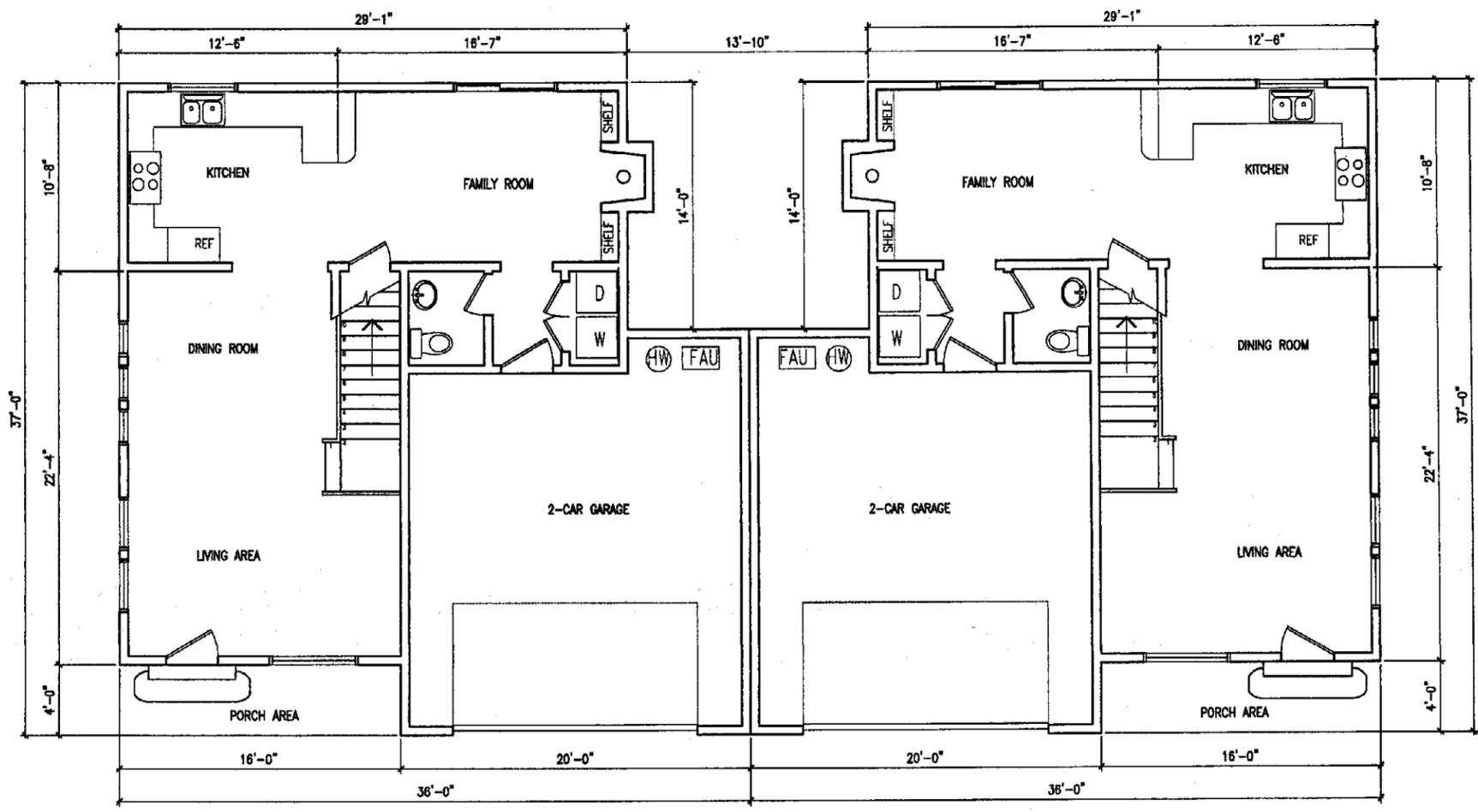
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O'NEIL PROPERTY II
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DATE	26 FEB 2007
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D 1ST LEVEL FLOOR PLAN - (BLDG. C & D)

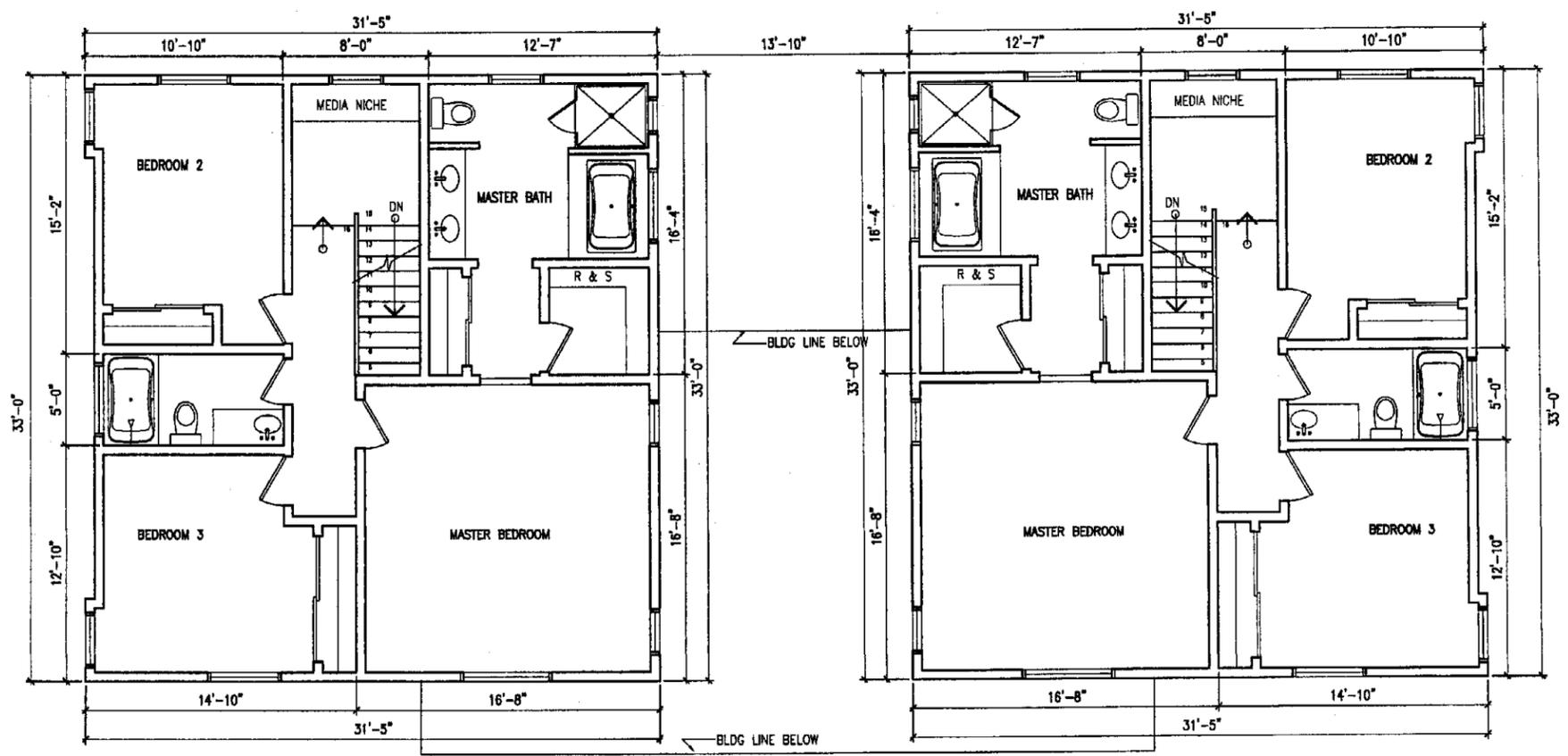
1/4" = 1'-0"

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E 2ND LEVEL FLOOR PLAN - (BLDGS. C&D)

1/4" = 1'-0"

A. DRAWING	01
CHECKED	NB
DATE	26 FEB 2007
SCALE	AS SHOWN
JOB NO.	2007.2010
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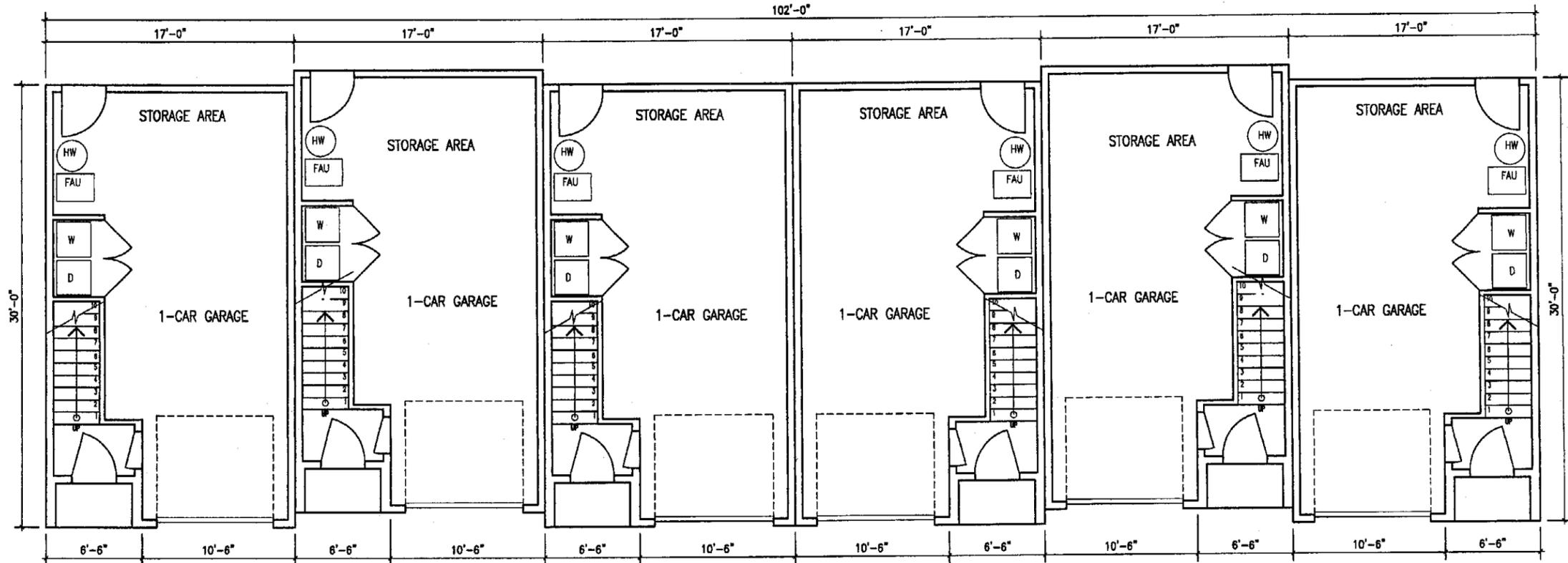
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F 1ST LEVEL FLOOR PLAN - BLDG. E

1/4" = 1'-0"

DRAWN	A. Devigal
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DATE	26 FEB 2007
SCALE	AS SHOWN
JOB NO.	200710010
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OF SHEETS

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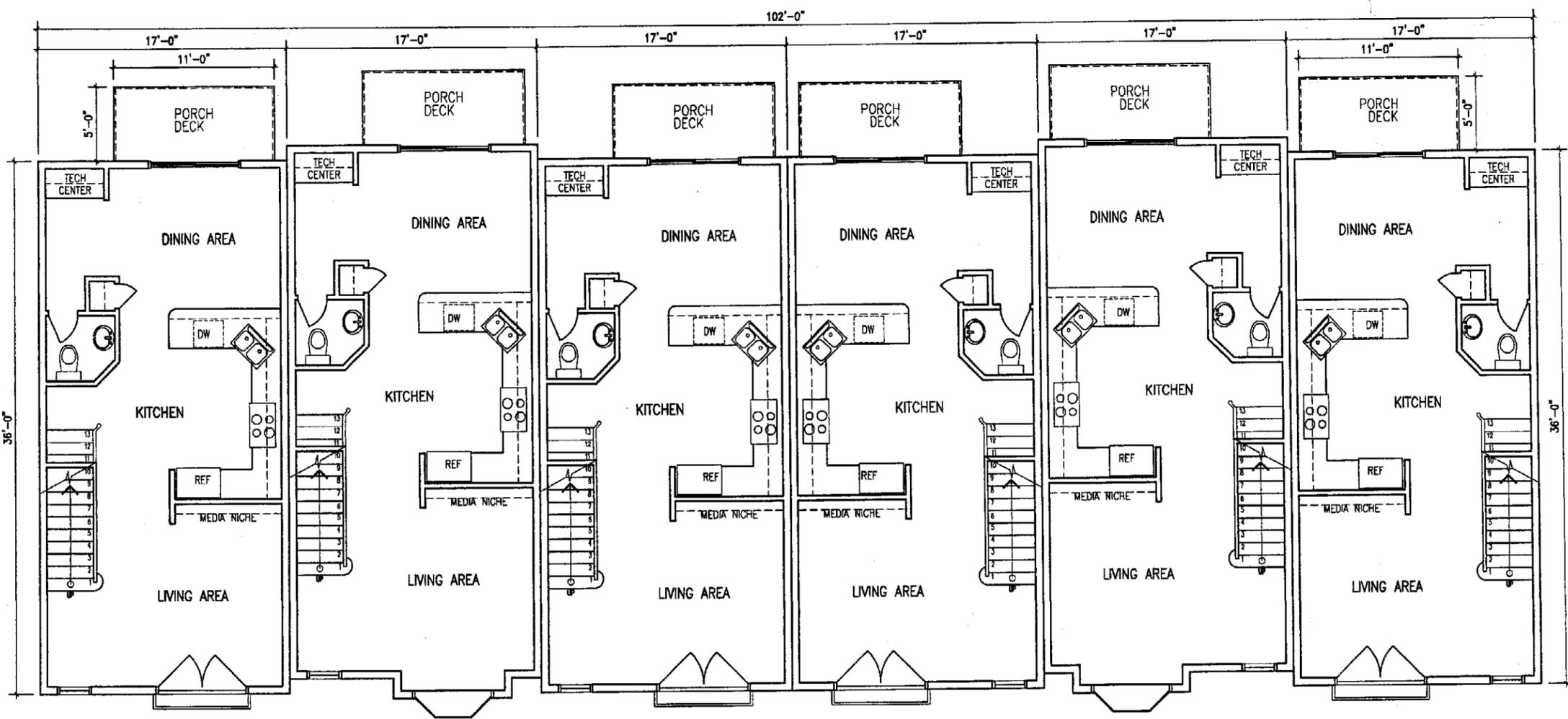
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DRAWN: A. Davitt
 CHECKED: NJ
 DATE: 26 FEB 2007
 SCALE: AS SHOWN
 JOB NO.: 2007.0010
 SHEET:

A3.1

OF SHEETS



G 3RD LEVEL FLOOR PLAN - BLDG. E

1/4" = 1'-0"

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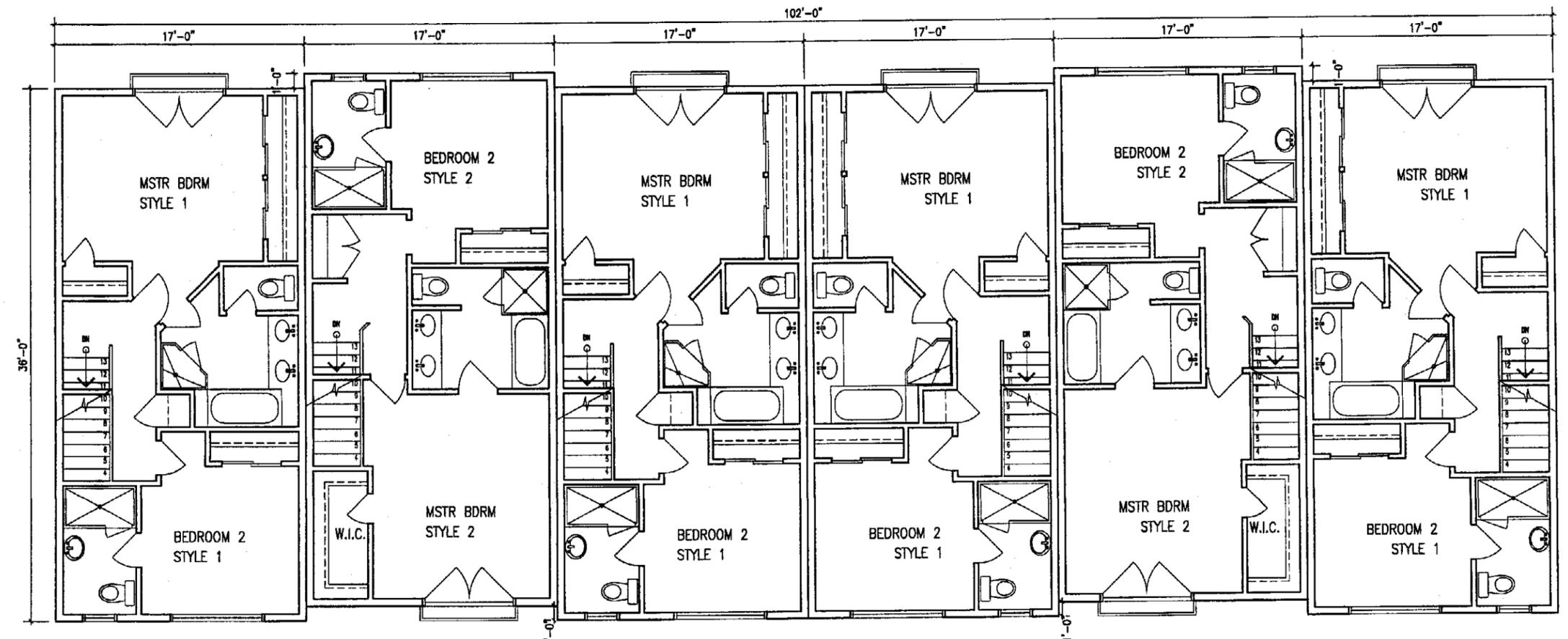
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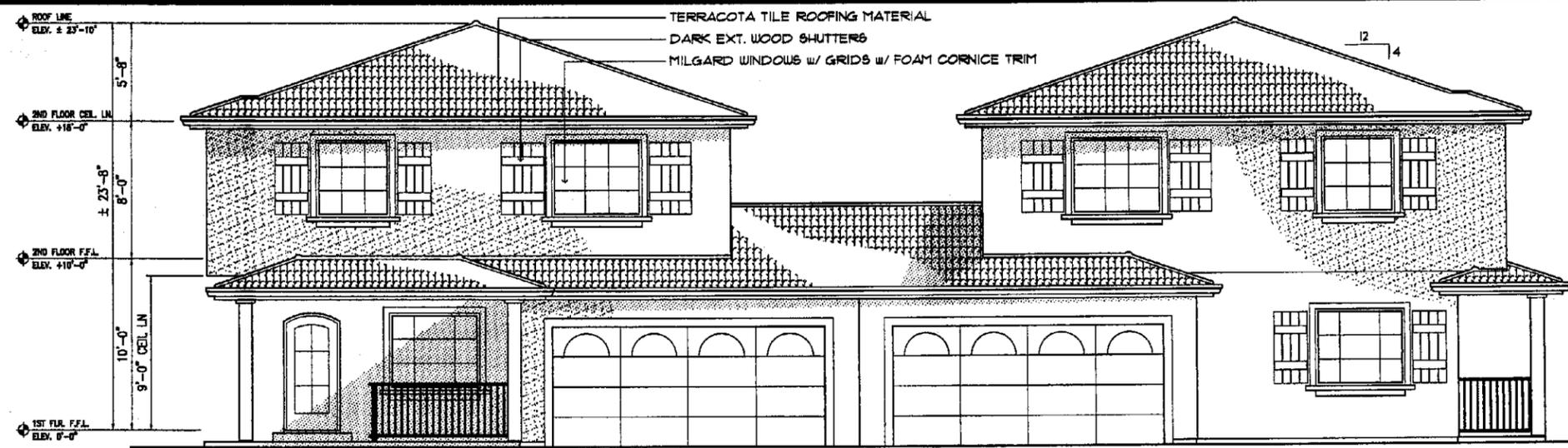
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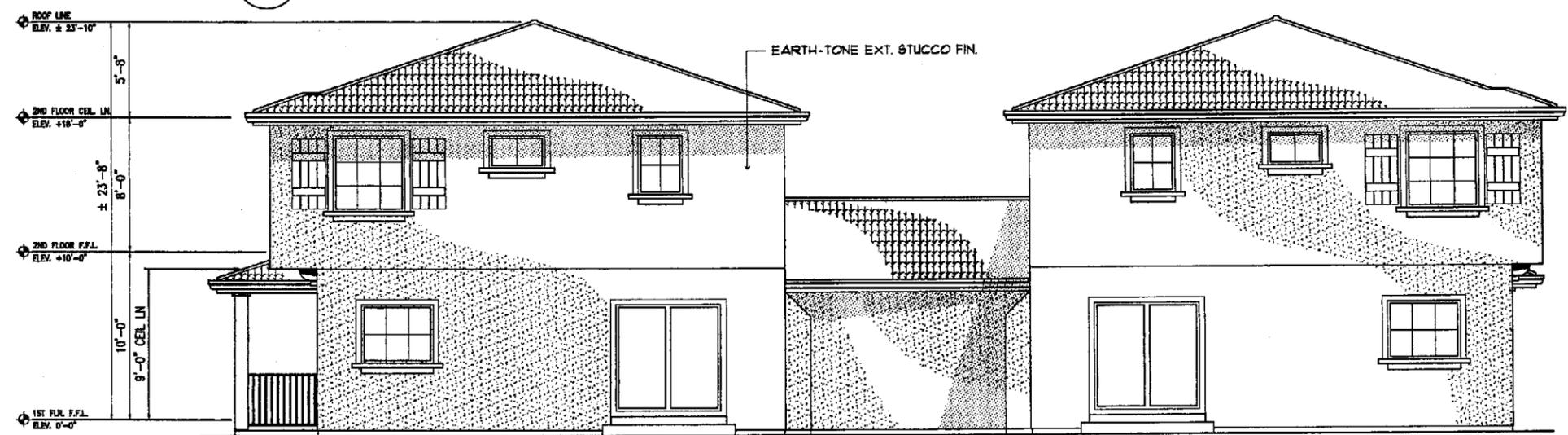
H 3RD LEVEL FLOOR PLAN - BLDG. E

1/4" = 1'-0"



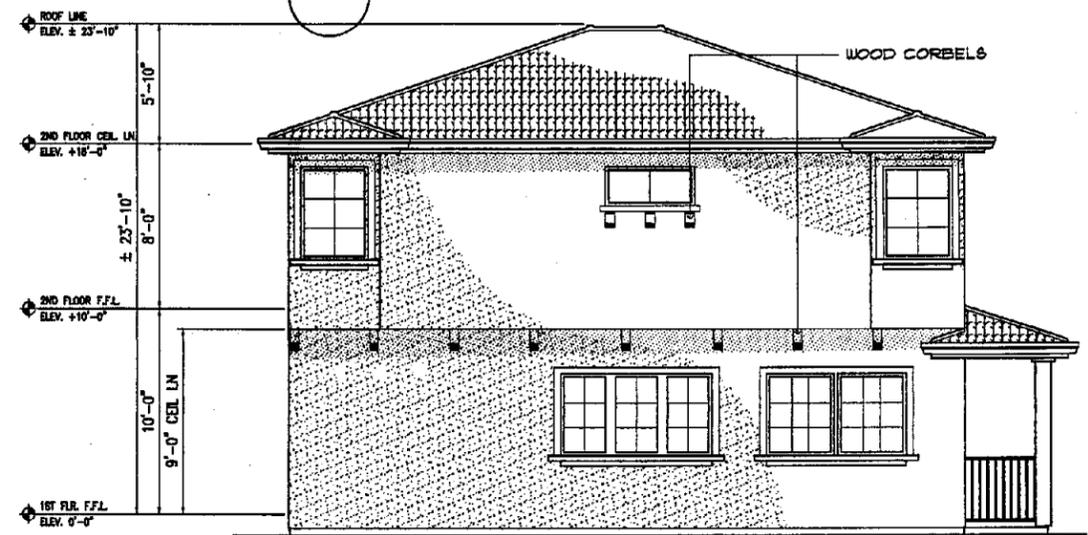
(M) FRONT ELEVATION - (BLDGS. A&B)

1/4" = 1'-0"



(L) REAR ELEVATION - (BLDGS. A&B)

1/4" = 1'-0"



(K) LEFT ELEVATION - (BLDGS. A&B)

1/4" = 1'-0"



(J) RIGHT (STREET) ELEVATION - (BLDGS. A&B)

1/4" = 1'-0"



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 610-602-6028

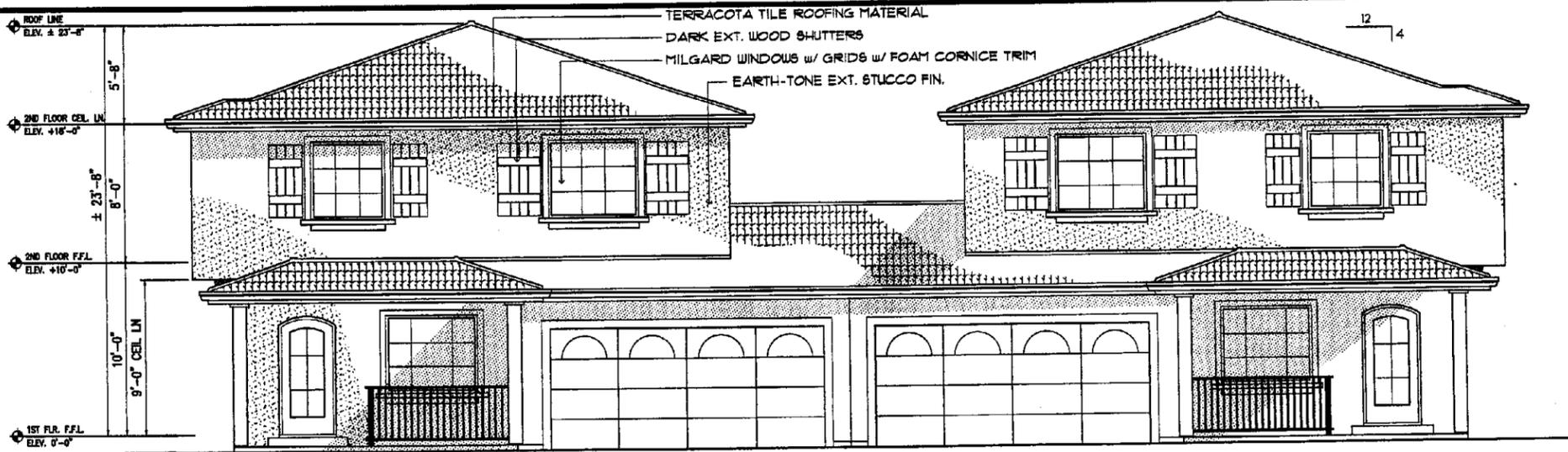
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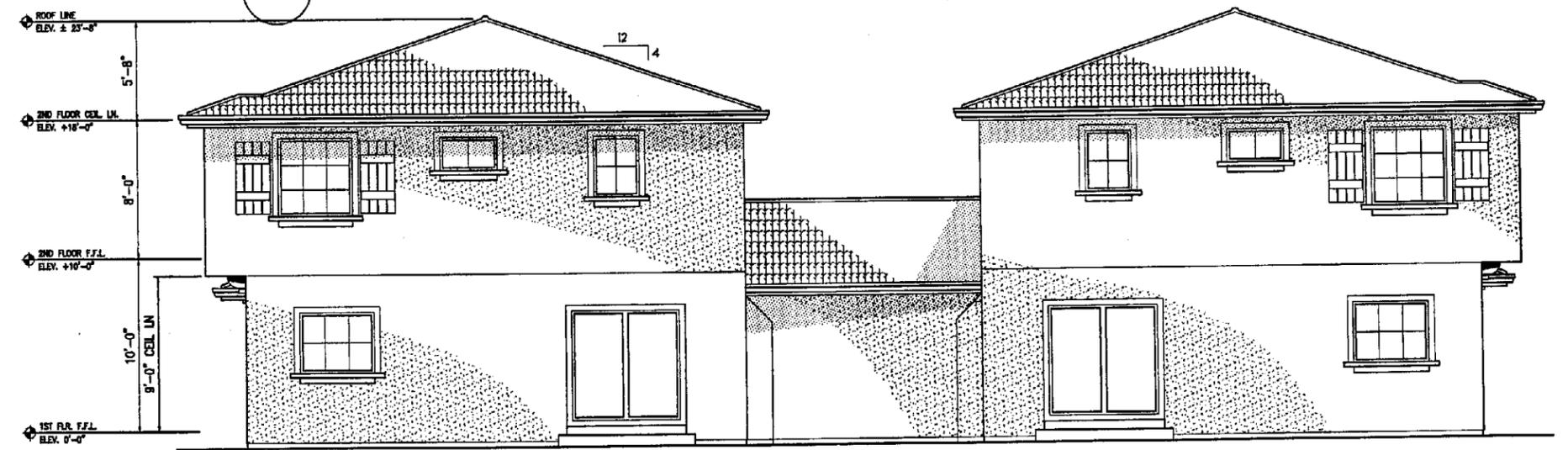
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OF SHEETS



R FRONT ELEVATION - (BLDGS. C&D)



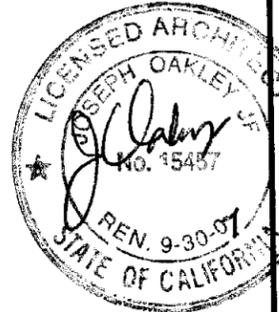
Q REAR ELEVATION - (BLDGS. C&D)



P RT/LF ELEVATION - (BLDGS. C&D)

N RT/LF ELEVATION - (BLDGS. C&D)

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 707-644-2870

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 R.A. 15457
 510-562-6028

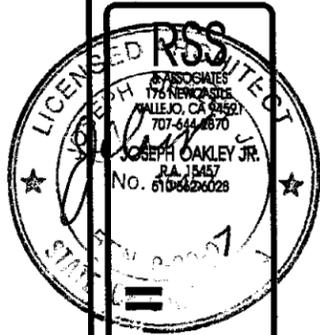
O'NEIL PROPERTY II
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 HAYWARD, CA 94544



DRAWN
 A. DeVigal
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 HAYWARD, CA 94544



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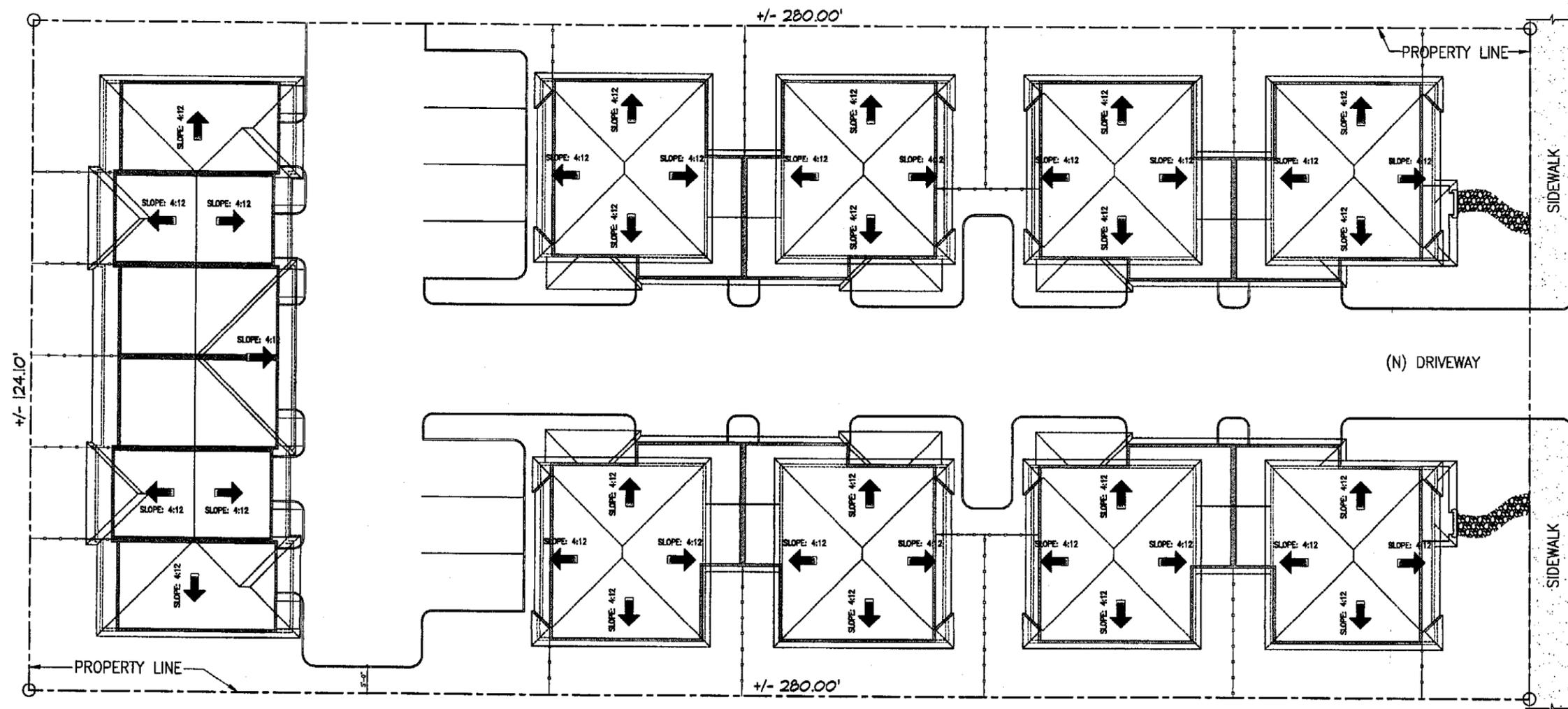
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T BLDG. E REAR ELEVATION



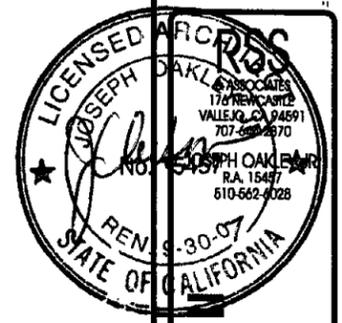
S BLDG. E FRONT ELEVATION



U ROOF PLAN

3/32" = 1'-0"

REVISIONS	BY



O'NEIL AVE.

O'NEIL PROPERTY
 24755 O'NEIL AVE.
 HAYWARD, CA 94544

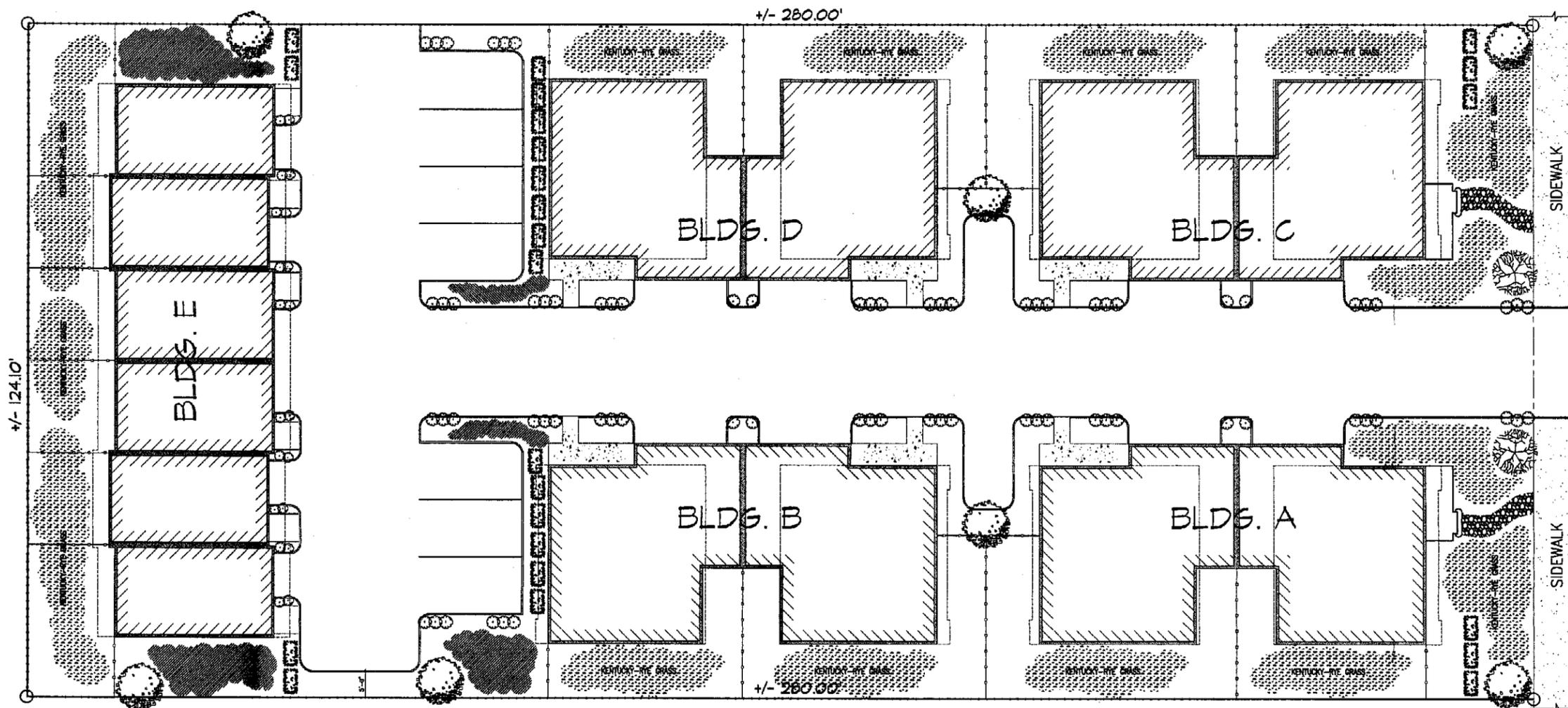


DRAWN	A. DeVigal
CHECKED	NW
DATE	26 FEB 2001
SCALE	A6 8 HOUR
JOB NO.	20010010
SHEET	

A7.0

SHEETS

-  FLOWERING CHERRY
-  MODESTO ASH
-  SPANISH LAVENDER
-  JAPANESE CAMELIA
-  SHREDDED BARK
-  KENTUCKY RYE GRASS
-  6' WOODEN FENCE
-  8' PRE-CAST CONCRETE WALL
-  6' PRE-CAST CONCRETE WALL



 TENTATIVE LANDSCAPE PLAN

3/32" = 1'-0"

REVISIONS	BY
△	
△	
△	

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 & ASSOCIATES
 176 NEWCASTLE
 VALLEJO, CA 94591
 707-644-3870
 LINDA O'NEIL JR.
 P.A. 15487
 510-682-6028

O'NEIL PROPERTY II
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DRAWN
 A. DeVigal
 CHECKED
 NU
 DATE
 26 FEB 2007
 SCALE
 AS SHOWN
 JOB NO.
 2007.0010
 SHEET

L1.0

OF SHEETS