



**CITY OF HAYWARD
AGENDA REPORT**

Meeting Date 09/20/01
Agenda Item 6

TO: Planning Commission

FROM: Erik J. Pearson, AICP, Associate Planner & Tim Koonze, Development Services Specialist/Assistant Planner

SUBJECT: **Planned Development No. 01-120-02 & Tentative Map Tract 7315 – American Housing P.M.C. (Applicant); Dinesh and Rashmi Sawhney (Owners):** Request to Subdivide a 1.0± Acre Parcel into 9 Single-Family Parcels and Change the Zoning from RS (Single-Family Residential) to PD (Planned Development) District. The Property is Located at 571 Harris Road in the Harder-Tennyson Neighborhood.

RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Adopt the Initial Study and Mitigated Negative Declaration prepared pursuant to the California Environmental Quality Act (CEQA) guidelines;
2. Recommend approval of the zone change and the preliminary development plan to the City Council subject to the attached findings and conditions; and
3. Recommend approval of the Tentative Map Tract 7315 to the City Council subject to the attached findings and conditions.

BACKGROUND:

The 1.0-acre property is located on Harris Road between Tyrell and Manon Avenues, in the Harder-Tennyson Neighborhood. This property was zoned for multiple-family residential development when the City adopted its first Zoning Ordinance in 1959. In 1989 the Harder-Tennyson Neighborhood Task Force recommended this area to be rezoned from Medium-Density Residential (RM) District to Single-Family Residential (RS) District in order to help balance the ratio of multiple family to single-family housing stock in the area.

The site is developed with a single-family residence and multiple accessory buildings. The property is surrounded by primarily one-story homes with mixture of single-family and multiple-family residential land uses including a small two-story apartment building northeast side of the site. Along the property frontage there are several pine trees that have been topped for the PG&E wires overhead and some olive trees that will be removed. Several more fruit trees will be removed from the interior of the site to accommodate construction.

Project Description

This proposal creates nine single-family homes on small lots. Six of the homes will have three bedrooms and three will have four bedrooms. The floor plans range in size from 1,669 square feet to 1,767 square feet. All homes are two-stories and each will have a fenced private yard area, a two-car garage and driveways accommodating additional off-street parking. Four guest parking spaces are provided at the end of the private street.

The developer will be required to landscape all areas of the project except the private, fenced rear yards. All common area landscaping and front yard landscaping including the yards facing Harris Road (Lots 1 and 9) will be maintained by a homeowners' association. A 6-foot high, stucco finished, masonry wall will be constructed around three sides of the site. The wall is proposed to drop to 4 feet high within the 20-foot front yard and along Harris Road.

To create yard space for the units fronting on Harris Road, the yard and low fence are shown within the required front yard area long Harris. To provide a more attractive streetscape and maximize the privacy of future residents, staff recommends increasing the height of the fence and moving it back to at least 20 feet from the front property line. An adequate yard area of 1,008 square feet would remain and the applicant has agreed to this modification. Staff recommends that the masonry wall continue along the side property line dropping to 3 feet high within the front yard setback to the intersection of the front property line.

The homes on Lots 1 and 9 have been designed to have the front doors face Harris Road to help the project tie in with the existing neighborhood. The garage doors face the new private street, which will help these residents maintain personal contact with their neighbors facing the private street.

Discussion – Planned Development/Preliminary Development Plan

The RS District requires a minimum lot size of 5,000 square feet. The proposal has lots ranging in size from 4,009 square feet to 4,268 square feet. The General Plan designation for the site is Medium Density Residential (MDR), which allows for a maximum density of 17.4 dwelling units per acre. For the approximately 1.05-acre parcel this equates to a maximum of 18 units. The proposal, with 9 units, will have a density of 8.6 dwelling units per acre.

One of the purposes of the PD District is to foster well-designed projects with lot sizes, setbacks and open space not typically permitted with other zoning districts. PD Districts are intended to carry out the policies and objectives of the General Plan, Neighborhood Plan, Design Review Guidelines, and landscaping standards and to meet the standards necessary to satisfy the requirement for public health, safety, and general welfare. The Planned Development (PD) Zoning District regulations require development standards to be consistent with the zoning, general plan and design guidelines most similar in nature and function to the uses proposed in the PD District.

The project meets the exterior perimeter setbacks required of multiple family or townhouse projects. The project has a front (Harris Road) setback of 20 feet, rear yard setbacks of 20 feet

and side yards of 5 feet. Front and side setbacks on the interior of the project meet or exceed those that would apply to multiple family projects in the RM or RH zoning Districts. The maximum lot coverage for both the RS and RM zoning is 40 percent. The lots have building coverages ranging from 24 percent to 32 percent with the entire project as a whole having 23 percent of the site covered. The RS and RM zoning districts allow a maximum building height of 30 feet and 40 feet respectively. The proposed homes are all less than 27 feet in height.

The project is consistent with all policies of the Harder-Tennyson Neighborhood Plan, especially those regarding housing opportunities and neighborhood appearance. Policy 1 requires preserving existing single-family areas and promoting new single-family development. Policy 3 requires the provision of more opportunities for ownership housing in the study area. Policy 12 calls for the improvement of the general appearance of the neighborhood. The proposal will result in opportunities for nine owner-occupied single-family homes where there is currently one. The project will improve the appearance of the area as the property currently has structures suffering from deferred maintenance and the proposal will result in new landscaping along Harris Road.

The applicant has worked with staff to design the homes in accordance with the City's Design Guidelines. The plans meet the requirements for single-family residences in that the second floors are smaller in area than the first floors, different wall heights have been used for different sides of the buildings and architectural features have been enhanced on the rear and street sides of the homes that are visible from the public right-of-way.

Discussion – Tract Map and Utilities

The proposed subdivision creates nine single-family parcels and one common area parcel. The single-family parcels will be individually owned, while the common parcel will be commonly owned by the nine property owners. The formation of a Homeowners Association will be required and the creation of Conditions, Covenants and Restrictions (CC&R's) to cover the maintenance of the private streets, common area landscaping and open space amenities. The common area and all front yard landscaping will be maintained by the homeowners association as indicated on the tentative map.

There are existing utilities within Harris Road to adequately serve the proposed project. A looped water main design is required for this project. The applicant must acquire the necessary easements to create this looped system.

ENVIRONMENTAL REVIEW:

The proposed project will not have a significant effect on the environment. An Initial Study and Mitigated Negative Declaration have been prepared pursuant to the California Environmental Quality Act (CEQA) guidelines.

PUBLIC NOTICE:

On March 21, 2001 a Referral Notice was mailed to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records. Notice was also provided to the Harder-Tennyson Neighborhood Plan Task Force members. The Referral Notice provided an opportunity for persons to comment on the project. Staff received two phone calls from neighbors supporting the project. One caller commented that he was happy to see that project provides single-family homes.

On April 12, 2001, staff held a preliminary meeting with neighbors from the area and other City departments. One neighbor who was concerned with the affordability of the units attended this meeting.

On September 8, 2001 a Notice of Public Hearing for the Planning Commission meeting was mailed to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records. Notice was also provided to the Harder-Tennyson Neighborhood Plan Task Force members. In addition, a public notice sign was placed at the site two weeks prior to the Public Hearing to help notify neighbors residing outside the 300-foot radius.

CONCLUSION:

The proposed project is consistent with adopted land use policies of the Housing Element of the General Polices Plan and the Harder-Tennyson Neighborhood Plan. Both encourage single-family housing and opportunities for home ownership. Staff recommends approval of the project subject to the attached findings and conditions.

Prepared by:



Erik J. Pearson, AICP
Associate Planner



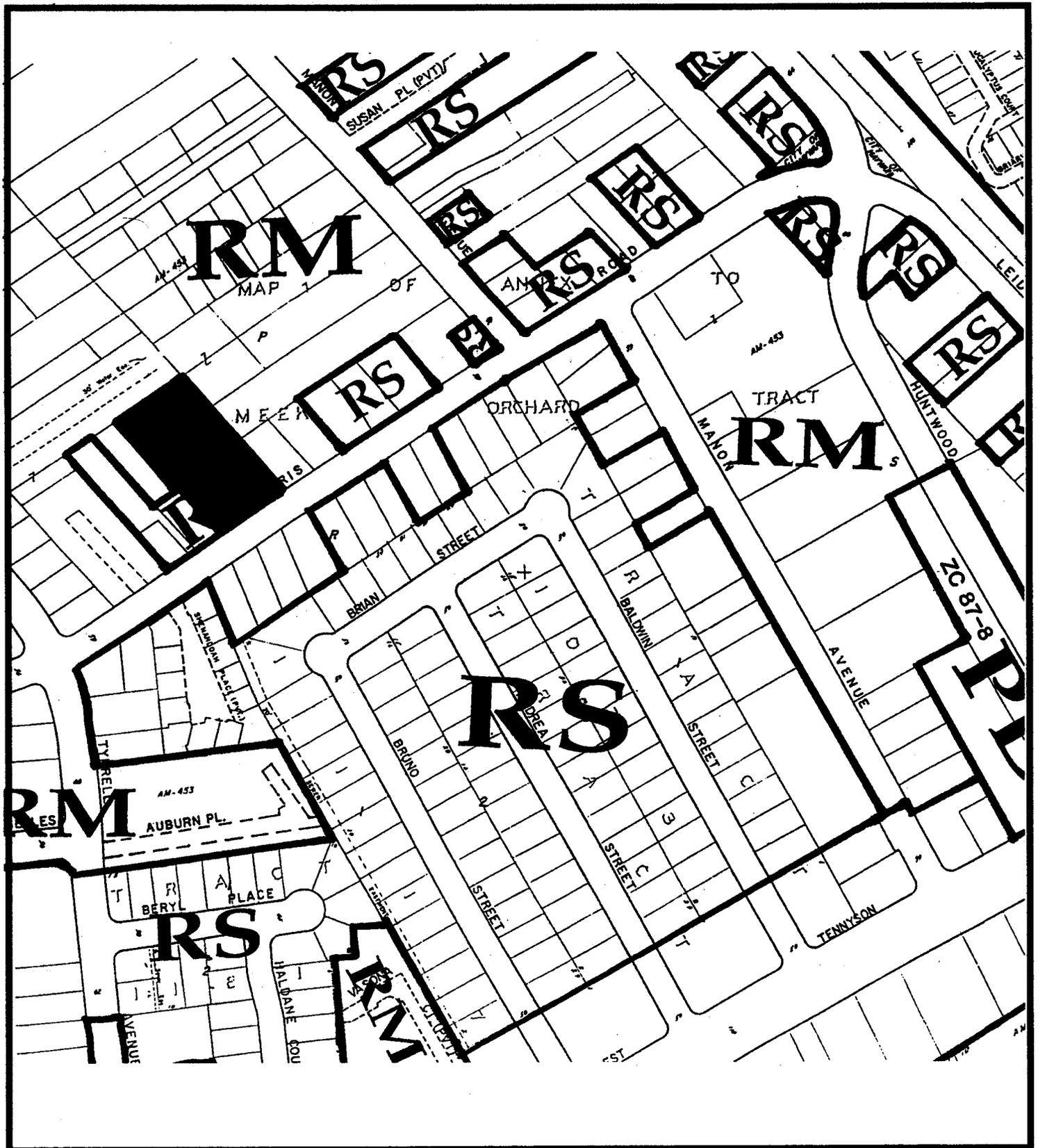
Tim Koonze
Development Services Specialist/Assistant Planner

Recommended by:


Dyana Anderly, AICP
Planning Manager

Attachments:

- A. Area & Zoning Map
- B. Findings for Approval for Planned Development 01-120-02
- C. Conditions for Approval for Planned Development 01-120-02
- D. Findings for Approval for Tentative Map Tract 7315
- E. Conditions for Approval for Tentative Map Tract 7315
- F. Initial Study and Mitigated Negative Declaration
- G. Plans (Tentative Map, Utilities, Landscape Plan, Architectural)
- H. Fence and Wall Detail



Area & Zoning Map

PD 01-120-02

Address: 571 Harris Road

Applicant: Dinesh Sawhney

Owner: Dinesh & Rashmi Sawhney

ATTACHMENT A

FINDINGS OF APPROVAL

PLANNED DEVELOPMENT APPLICATION NO. 01-120-02

American Housing P.M.C. (Applicant)

Dinesh and Rashmi Sawhney (Owner)

571 Harris Road

Findings for Approval – Request for approval of a preliminary development plan for nine single-family homes on individual lots:

- A. The proposed project will not have a significant effect on the environment. A Negative Declaration has been prepared pursuant to the California Environmental Quality Act.
- B. The development is in substantial harmony with the surrounding area and conforms to the General Plan, the Harder-Tennyson Neighborhood Plan and applicable City policies by providing housing opportunities and enhancing neighborhood quality.
- C. Existing and proposed streets and utilities will be adequate to serve the development.
- D. The development creates a residential environment of sustained desirability and stability, that sites proposed for public facilities, such as playgrounds and parks, are adequate to serve the anticipated population and are acceptable to the public authorities having jurisdiction thereon, and the development will have no substantial adverse effect upon surrounding development.
- E. Any latitude or exception(s) to development regulations or policies is adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standards in that additional setback will be provided beyond the 20 feet required from the Harris Road right-of-way, larger-than-required side yard setbacks are proposed, and higher quality housing will be constructed in an area in need of redevelopment.

CONDITIONS OF APPROVAL

PLANNED DEVELOPMENT APPLICATION NO. 01-120-02

American Housing P.M.C. (Applicant)

Dinesh and Rashmi Sawhney (Owner)

571 Harris Road

1. The proposed improvements shall be constructed and installed according to the plans labeled Exhibit "A", except as required to be modified by these conditions of approval. This approval is void two years after the effective date of approval unless a building permit application has been submitted and accepted for processing by the Building Official. Any modifications to the approved plans or conditions shall require prior review and approval from the Planning Director.
2. Prior to final inspection/occupancy, all improvements and conditions of approval shall be completed to the satisfaction of the Planning Director.
3. The final map shall be filed and approved by the City and in the County Records Office prior to the issuance of a certificate of occupancy of any home with the exception of those homes used as models.
4. The garage of each unit shall be maintained for off-street parking and shall not be converted to living area or storage. This requirement shall be incorporated into the project's CC&R's.
5. Open parking spaces shall not be used by project residents. Spaces shall be marked as "visitor only". Vehicles parked contrary to this provision shall be removed by the project homeowners association. This requirement shall be reflected in the CC&Rs of the homeowner association.
6. Utility meters shall be located at the sides of the residences and shall be screened by plant material or other approved material and shall provide sufficient distance for reader access.
7. Mechanical equipment, such as air conditioners, shall be prohibited on the roof of any building.
8. The homeowners association shall maintain in good repair all streets, parking surfaces, common area and front yard landscaping and irrigation, street lighting, drainage improvements and masonry wall. Any graffiti painted on the wall shall be painted out or removed within seven days of occurrence. The wall shall be treated with a graffiti sealant.
9. The site plan shall be revised to show fencing from house to masonry wall on Lots 1 and 9. The fences shall be wooden, six feet in height and not closer than 20 feet to the Harris Road right-of-way.

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10. Colors and material samples for all exteriors shall be submitted for approval by the Planning Director. Any future changes in color shall be approved by the Homeowners Association.
11. Prior to the sale of any individual unit, or prior to the acceptance of tract improvements, whichever first occurs, a homeowners' association shall be created to maintain the common area landscaping, open space amenities and sound walls. Each owner shall automatically become a member of the association and shall be subject to a proportionate share of maintenance expenses. A reserve fund shall be maintained to cover the costs of replacement and repair.
12. Any appropriate historical artifacts unearthed on the site in connection with the construction of the proposed project shall be offered to the Hayward Area Historical Society at no charge.
13. If any human remains are found during grading or construction, all work will be stopped and police called to investigate.

Landscaping Conditions:

14. Prior to the approval of a precise plan, improvement plans, or issuance of the first building permit, detailed landscaping and irrigation plans for all common areas 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.
15. All common area landscaping, irrigation and other required improvements shall be installed by the developer prior to acceptance of tract improvements, or occupancy of the first dwelling unit, whichever occurs first.
16. Landscaping shall be maintained in a healthy, weed-free condition at all times. Plants shall be replaced when necessary. Required street, parking lot and buffer trees that are severely topped or pruned shall be replaced immediately, as determined by the City Landscape Architect.
17. Park Dedication In-Lieu Fees are required for each new dwelling unit. Fees shall be those in effect at the time of issuance of the building permit.

Fire Department Conditions:

18. The private street shall be red-curbed and posted with fire lane signage on both sides of the street.
19. The plans shall show a new fire hydrant located between lots #8 and #9. The fire flow for this development shall be a minimum of 1,500 gallons per minute at 20 P.S.I. Type of fire hydrant shall be modified steamer (2- 4 ½" outlets and 1 - 2½" outlet). A blue

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reflective pavement marker shall be installed on the street adjacent to the fire hydrant location.

20. Each building shall have an address installed so as to be visible from the street. Minimum address shall be 6" or 4" self-illuminated is acceptable.
21. Smoke detectors shall be installed per the California Building Code.
22. If chimneys are constructed, then an approved spark arrestor shall be installed on each chimney.

Utilities

23. Provide calculations to show proposed water mains and adequate to supply required fire flows.
24. Show all proposed water meters and fire hydrants on plans.
25. Remote read water meters shall be installed as per City of Hayward Utility standards.
26. Please add the following notes to plans:
 - a. The property owner shall provide keys/access code/automatic gate opener to utilities for all meters enclosed by a fence/gate as per Hayward Municipal Code 11-2.02.1.
 - b. Operation of valves on the Hayward Water System shall be performed by City of Hayward Water Distribution Personnel Only.
 - c. Water and Sewer service shall be made available subject to standard conditions and fees in effect at time of application for service.
27. The water main shall be designed as a looped system. A 10-foot-wide water main easement shall be established for any portions of the main that extend outside of the City's street right-of-way or public utility easement.

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FINDINGS FOR APPROVAL
TENTATIVE TRACT MAP 7315

1. The approval of Tentative Map Tract 7315, as conditioned, will have no significant impact on the environment, cumulative or otherwise. The project is exempt from California Environmental Quality Act (CEQA) under Section 15332, In-fill Developments”.
2. The tentative parcel map substantially conforms to the State Subdivision Map Act, the City’s Subdivision Regulations, the General Policies 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 66474 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.

**CONDITIONS OF APPROVAL
TENTATIVE TRACT MAP 7315**

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.

PRIOR TO THE RECORDATION OF THE FINAL MAP

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:

STREETS

Interior Private Street

1. The private street shall be constructed to public street standards.
2. The driveway approach shall be a minimum 26-feet-wide and designed to meet City of Hayward Standard SD-110 (six-foot-flares).
3. The onsite streetlights and pedestrian lighting shall have a decorative design approved by the Director of Community and Economic Development/Planning Director and the City Engineer.

Harris Road

4. The existing driveway on Harris Road shall be removed and replaced with City standard curb, gutter and sidewalk that matches the existing improvements.

Storm Drainage

5. The subdivision storm drain system shall be a private system owned and maintained by the homeowners association.

6. The Hydrology and Hydraulics Criteria Summary, Alameda County Flood Control and Water Conservation District, latest edition shall be used to determine storm drainage runoff. A detailed grading and drainage plan with supporting calculations and a completed Drainage Review Checklist shall be approved by the Alameda County Flood Control and the City Engineer.
7. 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 plan shall identify Best Management Practices (BMPs) appropriate to the uses conducted onsite to effectively prevent the entry of pollutants into storm water runoff.
8. The project plan measures 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.
9. 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.
10. 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.
11. All storm drain inlets must be labeled "No Dumping - Drains to Bay" using City approved methods.

Sanitary Sewer System

12. Sanitary sewer service is available subject to standard conditions and fees in effect at the time of application.
13. The on-site sanitary sewer system shall be a public 8-inch main, designed in accordance with the City of Hayward standard details.
14. Each unit shall have a separate sanitary sewer lateral.

Water System

15. Water service is available subject to standard conditions and fees in effect at the time of application.

16. The water main shall be designed as a looped system. A 10-foot-wide water main easement shall be established for any portions of the main that extend outside of the City's street right-of-way or public utility easement.
17. The water service shall include a multiple meter manifold designed per City of Hayward Standard Detail SD-219. The manifold location shall be approved by the City Engineer.
18. Each unit shall be individually metered. The developer shall install individual radio read water meters.
19. A fire hydrant shall be installed between Lots 8 and 9 within the public utility easement.

Utilities

20. All service to dwellings shall be an "underground service" designed and installed in accordance with the Pacific Gas and Electric Company, AT&T Company and TCI Company regulations, including transformers.
21. All proposed surface-mounted hardware (fire hydrants, electroliers, etc.) along the proposed street shall be located outside of the sidewalk within the 6-foot-wide Public Utility Easement in accordance with the requirements of the City Engineer or, where applicable, the Fire Chief.
22. All utilities shall be designed in accordance with the requirements of the City of Hayward and applicable public agency standards.

Landscaping and Irrigation

23. 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*.
24. Minimum 24" box trees shall be planted along the property frontage. The City's Landscape Architect shall approve the type, number, and location of these trees.
25. Construct Class B Portland Cement concrete curbs to a height of 6-inches above the finished pavement anywhere landscaped areas adjoin driveway and parking areas.
26. 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.

Walls and Trellises and Entry Features

27. All proposed retaining walls shall be constructed with decorative reinforced concrete.

Dedications, Easements and Encroachment Permits

28. The final map shall reflect:

- a. Dedication of all necessary public utility easements (PUE) and water main easements.

Conditions, Covenants, and Restrictions

29. Prior to the sale of any individual unit, or prior to the acceptance of site improvements, whichever first occurs, a homeowners' association shall be created to maintain the private street, common area landscaping and open space amenities as depicted on the approved Tentative Map Tract 7315 and CC&R's prepared for the project which shall be reviewed and approved by the Planning Director that shall include the following conditions:

- 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 of replacement and repair of the private street, common area landscaping and open space amenities.
- c. The association shall be managed and maintained by a professional property management company.
- d. Provisions for towing unauthorized vehicles from the site
- e. A requirement that a Homeowners' Association Architectural Review Committee be established to review and approve all exterior improvements; including fences, walls or changes to individual homes to ensure consistency with the CC&Rs.
- f. The site shall be maintained in good repair, and free of debris at all times.
- g. A requirement that the building exteriors and fences shall be maintained free of graffiti. The owner's representative shall inspect the premises on a weekly basis and any graffiti shall be removed within 48 hours of inspection or within 48 hours of notification by the City's community Preservation Officer.
- h. The homeowners' association shall maintain the irrigation system and maintain the 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% dieback) shall be replaced within 10 days.
- i. 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.

- j. A tree removal permit is required prior to the removal of any tree with a diameter of 10-inches or larger.
- k. 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.
- l. Each resident shall participate in the City's recycling program.

Subdivision Agreement

- 30. Execute a subdivision agreement and post bonds with the City that shall 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.

DURING CONSTRUCTION

- 31. 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 construction activities shall be limited to the hours 8:00 AM to 5:00 PM on weekdays; there shall be no grading or construction activities on the weekend or national 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;
 - f. The developer shall participate in the city's recycling program during construction.
 - g. The site shall be watered twice daily during site grading and earth removal work, or at other times as may be needed to control dust emissions;
 - h. All grading and earth removal work shall follow remediation plan requirements, if soil contamination is found to exist on the site;
 - i. 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;

- j. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;
- k. Apply (non-toxic) soil stabilizers or hydroseed to inactive construction areas (previously graded areas inactive for 10-days or more);
- l. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- m. 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;
- n. 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;
- o. 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;
- p. No site grading shall occur during the rainy season, between October 15 and April 15, unless approved erosion control measures are in place.
- q. 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;
- r. 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;
- s. Never clean machinery, tools, brushes, etc., or rinse containers into a street, gutter, storm drain or stream. See "*Building Maintenance/Remodeling*" flyer for more information;
- t. Ensure that concrete/gunite supply trucks or concrete/plasters finishing operations do not discharge washwater into street gutters or drains; and
- u. The applicant/developer shall immediately report any soil or water contamination noticed during construction to the City Fire Department Hazardous Materials Division,

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the Alameda County Department of Health and the Regional Water Quality Control Board.

32. 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.
33. 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.

PRIOR TO CONNECTION OF UTILITIES AND ISSUANCE OF CERTIFICATES OF OCCUPANCY

34. 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. Park Dedication in-lieu fees for each unit.
 - d. Water Facilities Fee and Sewer Connection Fee for each dwelling unit at the rate in effect when the utility service permit for the dwelling unit is issued.
35. Any damaged curb, gutter and/or sidewalk along the Harris Road property frontage shall be repaired or replaced to the satisfaction of the City Engineer.
36. A reduced pressure backflow preventer shall be installed behind the water meter per City of Hayward Standard Detail 202.
37. Prior to granting occupancy, water services shall be installed by City crews at the developer's expense. The application for water services shall be presented to the City Inspector.
38. Prior to the City setting the water meters, the subdivider shall provide the Water Department with certified costs covering the installation of the public water mains and appurtenances.
39. All common area landscaping, irrigation and other required improvements shall be installed according to the approved plans.
40. The street light electroliers shall be in operating condition as approved by the City Engineer.

PRIOR TO CITY APPROVAL OF THE TRACT IMPROVEMENTS AS BEING COMPLETED

41. 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.
42. 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.
43. An AC overlay along the Harris Road frontage may be required by the City Engineer, if it is determined that it is necessary due to deterioration resulting from heavy traffic during the construction.
44. The improvements associated with the Pacific Gas and Electric Company, AT&T Company and TCI Company shall be installed to the satisfaction of the respective companies.
45. 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, AT&T facilities, TCI, etc; and
 - b. All the site improvements, except landscaping species, buildings and appurtenant structures.



**DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
Development Review Services Division**

INITIAL STUDY CHECKLIST FORM

Project title: **Planned Development No. 01-120-02 & Tentative Map Tract 7315 – American Housing P.M.C. (Applicant); Dinesh and Rashmi Sawhney (Owners):** Request to subdivide a 1.0± acre parcel into 9 single-family parcels. The applicant is requesting to change the zoning from RS (Single-Family Residential) to a PD (Planned Development) Zoning District.

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

Contact persons and phone numbers: Erik J. Pearson, Associate Planner (510) 583-4210

Project location: The property is located at 571 Harris Road, Hayward, California in the Harder-Tennyson Neighborhood Plan area. .

Project sponsor’s name and address: Dinesh Sawhney
American Housing P.M.C.
418 Jefferson Street
Oakland, CA 94607

General Plan: Medium Density Residential

Zoning: Residential Single-Family

Description of project: Request to: 1) rezone a 1.0± acre parcel from RS (Residential Single-Family) to PD (Planned Development); 2) subdivide into nine lots; and 3) construct nine single-family homes.

Surrounding land uses and setting: Single-family and multiple-family residential

Other public agencies whose approval is required: None.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture 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

Erik J. Pearson, AICP Associate Planner

August 30, 2001
Date

City of Hayward

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:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>a) Have a substantial adverse effect on a scenic vista?
<i>Comment: The project will not affect any scenic vista.</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 project will not damage scenic resources.</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: An older single-family home with outbuildings and a large rear yard will be replaced with nine single-family homes that are in conformance with City of Hayward Zoning Ordinance development standards and Design Guidelines.</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 will not create a substantial source of light.</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:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <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 does not contain farmland.</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 project is not located in an agricultural district nor an area used for agricultural purposes.</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>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?
<i>Comment: The project area does not contain agricultural uses or farmland, See II b.</i></p> | <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>
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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?

Comment: *The project will meet State air quality standards specified in the Clean Air Plan adopted by the Bay Area Quality Management District.*

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

Comments: *The Bay Area air basin currently exceeds both federal and state standards for ozone and state standards for particulate matter <10 microns in diameter (PM10). The project, with the addition of nine new homes and the associated vehicle trips, will likely contribute to this existing air quality violation. This relatively very small increase is considered insignificant.*

Impacts: *Air pollutants, especially suspended particulates, would be generated intermittently during the construction period. This is a potentially significant impact.*

Mitigation Measure: *In order to reduce intermittent air pollutants during the construction phase, the developer shall ensure that unpaved construction areas are sprinkled with water as necessary to reduce dust generation, construction equipment is maintained and operated in such a way as to minimize exhaust emissions, and if construction activity is postponed, graded or vacant land is immediately revegetated.*

Implementation of this mitigation measure will reduce air quality impacts to a level of insignificance.

Monitoring: *Condition of Approval*

- 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)?

Comment: *Any impacts to air quality will be minor and insignificant. See III b.*

- d) Expose sensitive receptors to substantial pollutant concentrations?

Comment: *See III a.*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
e) Create objectionable odors affecting a substantial number of people? <i>Comment: See III a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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? <i>Comment: The project site has been developed with a single-family home. Since the property is urban in nature, biological resources will not be adversely effected.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? <i>Comment: See IV a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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? <i>Comment: See IV a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? <i>Comment: See IV a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? <i>Comment: The project is in conformance with the General Polices Plan and the Harder-Tennyson Neighborhood Plan.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan? <i>Comment: The project is in an urban area and has been developed with a single-family home. There are no habitat conservation plans affecting the property.</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>
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V. CULTURAL RESOURCES -- Would the project:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
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Comment: *No known historical resources exist on-site.*

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: *No known archaeological resources exist in on-site.*

Impacts:

If previously unknown resources are encountered during grading activities, this could result in a potentially significant impact.

Mitigation Measures:

The City shall require standard mitigation measures in connection with potential archaeological resources. Any appropriate historical artifacts unearthed on the site in connection with the construction of the proposed project shall be offered to the Hayward Area Historical Society at no charge.

Implementation of these mitigation measures will ensure that the project has a less than significant impact related to cultural resources.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: *No known paleontological resources exist on-site.*

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Comments: *No known human remains are located on-site.*

If any remains are found, all work will be stopped and police called to investigate.

VI. GEOLOGY AND SOILS -- Would the project:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
<p>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.</p> <p>Comment: <i>The project is outside the Hayward Special Studies Fault Zone.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>ii) Strong seismic ground shaking?</p> <p>Comment: <i>The project is not located within a "State of California Earthquake Fault Zone and will be required to comply with the Uniform Building Code Standards to minimize seismic risk due to ground shaking.</i></p> <p>Impacts: <i>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. Seismic ground failure, including liquefaction and subsidence, is possible but not likely at this site. This impact is considered less than significant.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>iii) Seismic-related ground failure, including liquefaction?</p> <p>Comment: <i>Liquefaction and differential compaction is not considered to be likely on this site.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>iv) Landslides?</p> <p>Comment: <i>The project is not located within an area subject to landslides.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Result in substantial soil erosion or the loss of topsoil?</p> <p>Comment: <i>The project site is flat. The Engineering Division will ensure that proper erosion control measures are implemented.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</p> <p>Comment: <i>Prior to issuance of any building permit, engineering and building staff will review a geologic and soils investigation report to design adequately the building foundations for the soil type for new projects. Judging from past geologic activities in the project area, the soil types have not exhibited any of the characteristics that would indicate that any of these conditions exist or are possible.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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| 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: Prior to issuance of a building permit, engineering and building staff will review a geologic and soils investigation report to adequately design the building foundations for the soil type on-site.</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 wastewater disposal systems where sewers are not available for the disposal of wastewater?
<i>Comment: The project will be connected to the City of Hayward sewer system.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:

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| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
<i>Comment: The site is located within a residential neighborhood and has been developed with a single-family home. There is no evidence of hazardous materials nor will hazardous materials be used or transported near the site..</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: See VII a.</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: See VII a.</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: See VII a.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
<i>Comment: The project is not located within an airport zone.</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 |
|---|--------------------------------|---|------------------------------|-------------------------------------|
| 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: See VII e.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
<i>Comment: The project will not interfere with any known emergency response plan or emergency evacuation plan. The Hayward Fire Department serves the neighborhood where the houses are to be constructed. Emergency response times will be maintained.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) 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 not located in an area of wildlands and is not adjacent to wildlands.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements?
<i>Comment: The project will meet all water quality standards. Drainage improvements will be made to accommodate runoff.</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 site will be served with water by the City of Hayward. Therefore, water quality standards will not be violated and groundwater supplies will not be depleted. Furthermore, recharge of the groundwater table will not be substantially affected.</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 is not located near a stream or a river. The construction of the 9 homes will not result in substantial erosion or siltation on-or off-site.</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 is within an urban area and has been developed as such. Drainage patterns on the site will not cause flooding.</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 amount of run-off from the project will not exceed the capacity of the stormwater drainage system. See VIII a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? <i>Comment: See VIII a.</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: According to FEMA Flood Insurance Rate Maps (panel # 065033-0019 dated 2/9/00), this site is not within the 100-year flood hazard area.</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: See VIII g.</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: See VIII g.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? <i>Comment: The project is not in a location that would allow these phenomena to affect the site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IX. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community? <i>Comment: The project will not physically divide the existing community.</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 |
|---|--------------------------------|---|-------------------------------------|--------------------------|
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Comment: The site is designated on the General Policies Plan Map as Medium Density Residential. The property is zoned (RS) Residential Single-Family. This project conforms to the general plan designation but the small lot sizes proposed are not permitted by the RS zone, thus necessitating the change of zone to (PD) Planned Development District (HZC Section 10-1.460). The PD District permits land uses permitted in any other district provided that such use complies with the General Plan.

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| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Comment: See IV f.

X. MINERAL RESOURCES – Would the project:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The project will not result in a significant impact to mineral resources since the project study area is a developed urbanized area that does not contain mineral resources that could be feasibly removed.

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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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Comment: See X a.

XI. NOISE - Would the project result in:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comment: Exposure of persons to or generation of any new noise or noise levels in excess of standards established in the Noise Element of the Hayward General Plan or the Municipal Code, or applicable standards of other agencies if any, will be temporary in nature during the construction of the homes and associated improvements. All City noise standards are required to be met and maintained upon completion of construction. Grading and construction will be limited to the hours between 8 a.m. and 5p.m., Monday through Friday. No work will be done on weekends or national holidays.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? <i>Comment: See XI a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? <i>Comment: See XI a</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? <i>Comment: See XI a</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use 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: See VII e.</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: See VII e.</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: See IX b.</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: One residential unit will be removed.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? <i>Comment: See XII b.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XIII. PUBLIC SERVICES

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
a) Fire protection? Comment: The proposed project would have no effect upon, or result in only a minimal need for new or altered government services in fire and police protection, maintenance of public facilities, including roads, and in other government services. Because the proposed project is a retail store it would have no effect on schools.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection? Comment: See XIII a.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools? Comment: See XIII a.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks? Comment: See XIII a.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities? Comment: No other public facilities will be significantly impacted.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV. RECREATION --

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? Comment: The Hayward Area Recreation and Park District is currently serving the neighborhood with Weekes Park. It is expected that the park can accommodate the increase in use resulting from the nine new homes.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? Comment: See XIV a.	<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: There will not be substantial increase in traffic as a result of the addition of nine new homes.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? Comment: See XV a.	<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
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? <i>Comment: The project will not affect air traffic patterns.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? <i>Comment: The project has been designed to create no hazardous features or incompatible uses.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access? <i>Comment: The Hayward Fire Department has reviewed the project and finds the project acceptable to Hayward Fire Department requirements and standards.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity? <i>Comment: The project has been design to meet minimum parking requirements.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? <i>Comment: The project does not conflict with adopted policies supporting alternative transportation.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? <i>Comment: Wastewater treatment requirements are met by the City of Hayward therefore, all treatment requirements will continue to be met.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>Comment: The City of Hayward wastewater facility has the capacity to serve the project.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>Comment: The existing storm drain system has the capacity to serve the project study area. The storm drain system in the area may be expanded, however, the construction could not cause significant environmental effects.</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) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? <i>Comment: The East Bay Municipal Utilities District supplies water and the service to the project study area, which will not change.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? <i>Comment: The City of Hayward operates its own wastewater facility. This facility has the capacity to accommodate the amount of wastewater that will be generated by the project.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? <i>Comment: Waste Management of Alameda County will dispose the solid waste. The Altamont landfill is available to the City of Hayward until 2009 and has sufficient capacity to handle the amount of solid waste generated by the project. The landfill recently received an approval that increases the capacity and adds 25 years to the life of the landfill to the year 2034.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste? <i>Comment: The project study area participates in the Waste Management of Alameda County recycling program under contract with the Oro Loma Sanitary District. Service will remain the same.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>