



## CITY OF HAYWARD AGENDA REPORT

Meeting Date 09/20/01  
Agenda Item 7

**TO:** Planning Commission

**FROM:** Arlyne J. Camire, Associate Planner  
Tim R. Koonze, Assistant Planner

**SUBJECT:** **Zone Change/Site Plan Review Application Nos. 2001-0135/00-130-10 & Tentative Tract Map 7215 - Warraich Construction (Applicant/Owner):** Request to Rezone from High-Density Residential (RH) District to Planned Development (PD) District and Subdivide a 19,300± sq. ft. Parcel to Construct Six Townhouses on Separate Parcels

*The Project is Located at 308 Valle Vista Avenue at the Northeast Corner of Dixon Street*

### RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council:

1. Adopt the Negative Declaration;
2. Approve the zone change application, site plan review application and the preliminary development plan, subject to the attached findings and conditions of approval; and
3. Approve Tentative Map Tract 7215 subject to the attached findings and conditions of approval.

### DISCUSSION

#### Project Description

The project consists of six attached two-story townhouses. The 19,300-square-foot parcel is located on the northeast corner of Valle Vista Avenue and Dixon Street approximately 800 feet southerly of the South Hayward BART Station. An existing single-family home will be removed. The zoning surrounding the site is *High-Density Residential (RH) District* with a General Policies Plan land use designation of *High-Density Residential (HDR)*.

The proposed units each contain 3 bedrooms above the main living area and a garage. Each unit contains space for laundry facilities. The two units located on either end of the building are larger (approx. 2,249 sq. ft. each) and contain two-car garages while the 4 interior units

(approx. 1,860 sq. ft. each) contain one-car garages. In addition, nine uncovered parking spaces have been provided for a total of 17 on-site parking spaces; 13 spaces are required.

### Transit Oriented Development

The Growth Management Element of the General Policies Plan includes 5 areas within the City that are considered "Change Areas" in which the principles of Smart Growth, which includes transit oriented development, are to be implemented. Because the project is located 800 feet from the South Hayward BART station, it is located within the South Hayward BART Change Area. Within this area, the General Policies Plan encourages greater intensity of development around the BART station to support more frequent transit use by the residents. This 19,300-square-foot parcel is zoned RH District which permits the site to be developed with 13 units, a higher density than proposed. The applicant proposes a 6-unit townhouse project. Since the City has not received a proposal for a project with a higher density, and the site will be developed with multi-family units that will result in an increase in density, staff is of the opinion that the proposed density is adequate and that other transit oriented development measures can be implemented which will encourage the use of transit.

To encourage the use of public transit, staff recommends redesign of the parking area to provide only the 13 required off-street parking spaces. The surplus area proposed to be occupied by 4 parking spaces, can then be used as additional group open space and to increase the landscape setback on Valle Vista Avenue from 10 feet to 20 feet. Staff also recommends a redesign of the on-site walkways that lead to the public sidewalk that provides direct pedestrian access to the sidewalk from each unit and encourages the residents to walk to public transit.

### Architecture

The six-unit stucco building is contemporary in design with a terra-cotta Spanish tile hip roof accented with several dormer roofs located above the balconies and building pop-outs. The major windows and sliding glass doors at the end units are accented with faux shutters. All main entrances are proposed to face the longer Dixon Street frontage.

The entries of the four middle units are recessed only 2 feet and the entries of the end units are not recessed providing for very little relief in the front elevation and not providing for any significant sense of entry for the individual units. Staff has suggested that the applicant redesign the project to provide distinctive entries and provide raised planters under the front windows of the end units. In addition, staff suggests relocating the main entry of the end unit to face the Valle Vista Avenue frontage. The ends of the building are mostly flat façades that contain a sparse mixture of framed windows, a bay window, a garden window and a foam trim band at the story line. The relocation of the one entry to face the Valle Vista Avenue frontage will reduce the bulkiness and will result in a more attractive façade. The applicant has agreed with the changes and the proposed conditions of approval that require the staff design suggestions to be implemented.

The applicant proposes to paint the building “greystone” with “coffee” trim and garage doors. The metal entry doors and balconies railings are proposed to be painted “dark cherry.” Staff believes that the colors are not compatible with the terra cotta Spanish roof tile and suggests a new color pallet be selected. A condition of approval requires submittal of the colors for final approval by the Planning Director.

### Open Space

Adequate private and group open space can be provided, as conditioned. The end units have 140 sq feet of usable balcony area and the middle units have 190 square feet of usable balcony area. These private space areas combined with the open group space of 975-square-feet, meet the usable open space requirements for the project. Additional group open space will result from the exclusion of the 4 on-site parking spaces. The group open space contains a combination of hardscape, landscape and a picnic table. Staff suggests that barbeques be provided and that two additional tables be provided. The conditions of approval reflect these changes.

Each of the 4 interior units have a front patio that is 40-square-feet in area. Because ground floor open space is required to be a minimum of 100 square feet in area, the patios are not included in the calculation as useable open space.

### Landscaping

The preliminary landscape plan indicates a total of 12 trees, seven of which will be street trees. The Valle Vista Avenue frontage will also have a landscaped parkway between the sidewalk and the curb. The Dixon Street frontage, which contains the majority of the unit entries, will have raised planters at the buildings. Staff suggests additional vertical landscape elements should be added at the building ends to help reduce the mass. As a condition of approval, detailed landscape plans are required to be submitted for review and approval by the City’s Landscape Architect.

### Tentative Tract Map

The tentative tract map subdivides the 19,400-square-foot site into 6 townhouse parcels and one parcel that encompasses the common area for a total of 7 parcels. This tract will require the formation of a homeowners association and the creation of Conditions, Covenants & Restrictions (CC&R's) to maintain the private street, parking spaces, common area landscaping, and open space amenities.

There are existing utilities available in both Valle Vista Avenue and Dixon Street to adequately serve this project. Both abutting public streets are at their ultimate width and are fully improved. Some of the existing street improvements need to be repaired and a condition of approval has been added to ensure these repairs are performed prior to the City accepting the subdivision improvements as being complete.

## Planned Development

The zone change from *High-Density Residential (RH) District* to *Planned Development (PD) District* is a procedural means to allow townhouse development where the property under the units is owned by the owner of the unit. The townhouse parcels being small by necessity do not meet the minimum lot size of 7,500 square feet required by the RH District. All other requirements of the RH District are met by this project.

### **ENVIRONMENTAL REVIEW:**

In accordance with California Environmental Quality Act (CEQA) Guidelines, it was determined that this project could not have a significant impact on the environment and a negative declaration has been prepared.

### **PUBLIC NOTICE:**

On August 20, 2000 a notice, advertising a preliminary meeting, was mailed to every property owner and occupant within 300 feet of the subject site. No one attended the meeting and no responses were received.

On July 16, 2001, a notice of this public hearing was mailed to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records and to the Mission-Garin Neighborhood Task Force. This item was rescheduled by staff, however, and a new notice of preparation of the negative declaration and the public hearing was mailed on August 31, 2001, to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records and to the Mission-Garin Neighborhood Task Force.

Prepared by:



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Associate Planner



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Assistant Planner

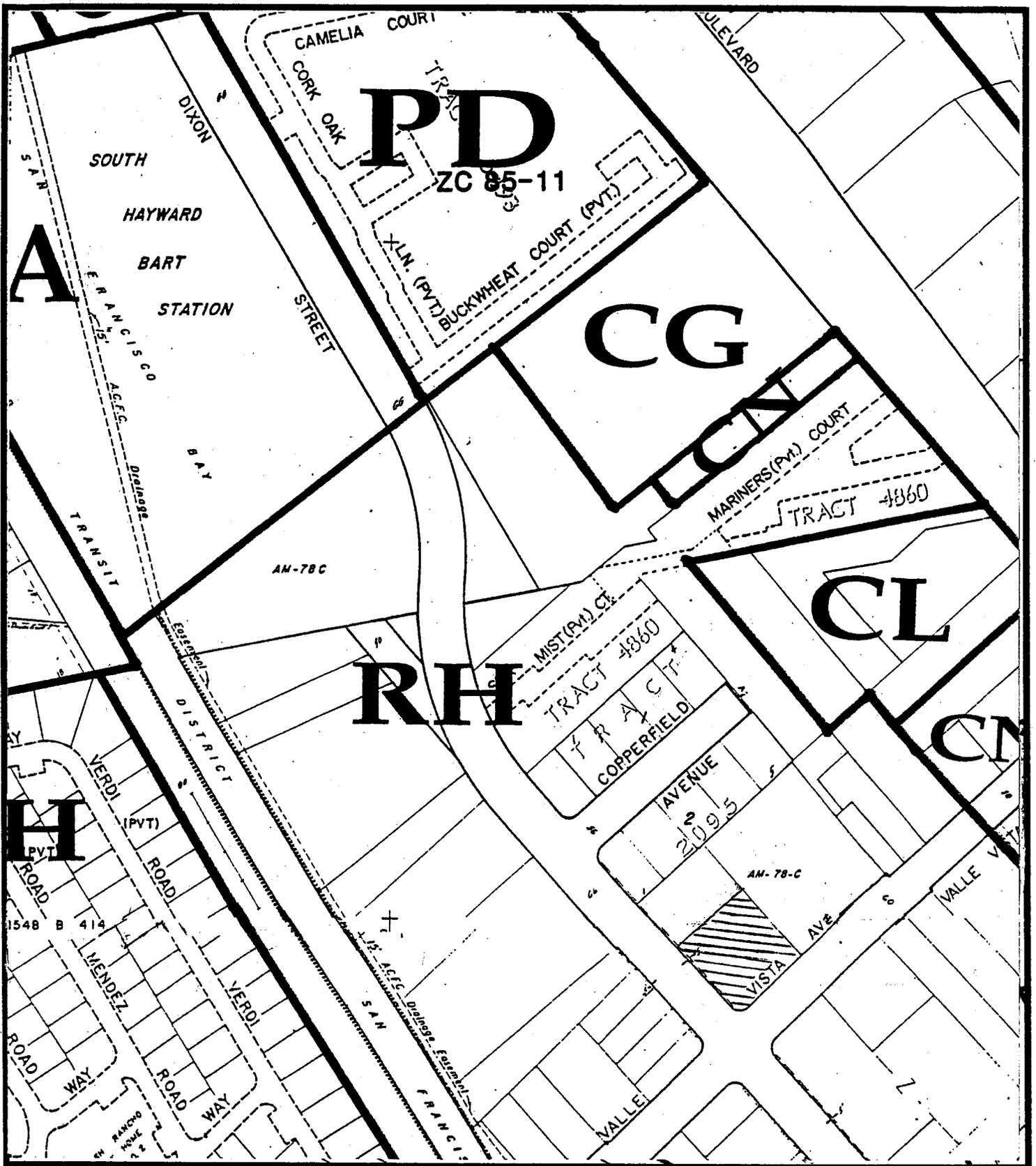
Recommended by:



Dyana Anderly, AICP  
Planning Manager

Attachments:

- A. Area Map
- B. Findings for Approval of Zone Change and Preliminary Development Plan
- C. Conditions of Approval for Zone Change and Preliminary Development Plan
- D. Findings for Approval for Tentative Map Tract 7215
- E. Conditions of Approval for Tentative Map Tract 7215
- F. Negative Declaration and Environmental Checklist Form  
Preliminary Development Plans and Tentative Tract Map



**AREA MAP**

**Planned Development No. 2001-0135  
And  
Tentative Tract Map 7215**

**ATTACHMENT A**

**Preliminary Development Plan  
Warraich Construction (Applicant/Owner)  
Findings For Approval**

- A. Approval of the zone change, as conditioned, could not have a significant impact on the environment, cumulative or otherwise, and a Negative Declaration has been prepared.
- B. The 6 townhouse development is in substantial harmony with the surrounding single- and multiple-family structures and the General Plan designation of High Density Residential and the Mission-Garin Neighborhood Plan in that this site is recognized to be developed with high density multi-family housing.
- C. Streets and utilities, existing are adequate to serve the development in that the project will be served by existing sewer and storm drainage systems and will receive City water. The street is of an adequate size to accommodate the additional traffic trips that will be generated by this project.
- D. The development creates a residential environment of sustained desirability and stability in that adequate open space has been provided, and park and school fees will be paid. In addition, the 6 townhouses will have no substantial adverse effect upon surrounding development in that it is compatible with the residential neighborhood and consistent with the housing density permitted on this site by the General Plan and the Zoning Ordinance.
- E. The exception to the minimum lot size of 7,500 square feet as required by the High-Density Residential development standards in that 6 units will be available for home ownership which is one of the goals of the City and the project otherwise meets the development standards, including density, of the General Policies Plan and the Zoning Ordinance.

ATTACHMENT B

**Zone Change Application No. PL2001-0135**  
**Warraich Construction (Applicant/Owner)**  
**Findings For Approval**

- A. Substantial proof exists that the proposed change will promote the public health, safety, convenience, and general welfare of the residents of Hayward in that the 6 townhouses will be available for homeownership;
- B. The proposed change is in conformance with the purposes of this Ordinance and all applicable, officially adopted policies and plans in that the zone change meets the policies of the General Plan High-Density Residential designation;
- C. Existing streets and public facilities are adequate to serve the 6-unit townhouse development in that the exiting capacities of the street system, the sewer and storm drain system and water system are able to accommodate this development.
- D. The residential uses permitted when the property is reclassified will be compatible with present and potential future uses allowed in the surrounding High Density Residential District, and, further, a beneficial effect will be achieved, which is not obtainable under existing regulations, in that the 6-townhouse project can be built on a property that is not currently developed to its potential as prescribed by the General Policies Plan and the Mission-Garin Neighborhood Plan.

ATTACHMENT B

**Zone Change Application No. 2001-0135 and Preliminary Development Plan  
Warraich Construction (Applicant/Owner)  
Conditions Of Approval**

**General**

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 one year after the effective date of approval unless prior to that time a building permit has been accepted by the City of Hayward Building Official to construct the project. Any modifications to the approved plans or conditions shall require prior review and approval from the Planning Director.
2. The applicant shall submit a preliminary development plan in conformance with the tract map, plans and conditions of approval as adopted by the City Council.
3. Prior to final inspection of the townhouses or occupancy (whichever occurs first), all improvements and conditions of approval shall be completed to the satisfaction of the Planning Director.
4. Upon application for a building permit, show elevations of top of curb, pavement and grade breaks; show location of water services and sewer laterals with a minimum separation of 6 feet; show water meters a minimum of 2 feet clear of top of driveway flare.

**Fire Department**

5. The building occupancy classification shall be "R-3" for the townhouses.
6. Each unit shall be separated by one-hour minimum construction, including the attic.
7. Garages shall meet construction separation requirements per 1998 Uniform Building Code.
8. Each unit shall be fire sprinklered per NFPA 13-D Standards (Modified) to include garages and attic spaces. A local alarm bell shall be installed at each unit in an approved location by the Fire Department.
9. Smoke detectors required per the Uniform Building Code.
10. Addresses for each unit shall be 4 inches minimum (internally illuminated) or 6-inches (non-illuminated) and shall be visible from the street.

## Utilities

11. Provide keys/access code/automatic gate opener to utilities for all meters enclosed by a fence/gate as per municipal Code 11-2.02.1.
12. Only water Distribution Personnel shall perform operation of valves on the Hayward Water System.
13. Water and sewer service available subject to standard conditions and fees in effect at time of application.
14. Development to be served by radio read meters.

## Miscellaneous

15. Each unit shall be equipped with security lighting over the garage. The lighting fixture to be approved by the Planning Director.
16. The front door of each unit shall be equipped with a 180-degree security viewfinder.
17. The standard conditions of approval for new demolition or construction projects for solid waste services must be complied with. They include specific requirements relating to container selection and sizing, collection vehicle access, and construction and demolition waste management plan.

## Architecture & Site Planning

18. Revised plans shall be submitted for the review and approval of the Planning Director. The submittal shall adhere to the following information and additional design and performance standards:
  - a. All water heaters shall be removed from the required covered parking area and relocated to the interior of the unit;
  - b. The front entry door on the north side of the building shall be relocated to the Dixon Street frontage;
  - c. All entries shall be redesigned to be more distinctive, be recessed at least 4 feet and have a Spanish terra cotta tile entry canopy;
  - d. Spanish terra cotta tile shall be the approved roofing material. Highly reflective wall materials shall be prohibited. Plans shall avoid the use of "highly reflective roof or wall materials" and "bright or harshly contrasting colors for walls and trim";
  - e. The Planning Director shall approve the colors and materials for townhouses and the trash enclosure. Colors that are compatible with the Spanish terra cotta tile roof shall be used. The Planning Director shall approve the colors and materials of the structures prior to the issuance of the building permit.

- e. Building exteriors shall utilize high quality durable materials and architectural composition shingles shall be used. All materials are to be approved by the Planning Director prior to the issuance of a building permit;
- f. Each sectional garage door shall be equipped with an automatic garage door opening mechanism;
- g. Window shutters shall be appropriate to the window opening and shall appear usable;
- h. Front yard driveway aprons and walkways shall utilize a decorative concrete surface finish, such as exposed aggregate or other quality finish;
- i. Above ground utility meters shall be screened by plant material or other approved material and shall provide sufficient distance for reader access;
- j. The structures shall comply with the City's Building Security Ordinance;
- k. All one-car garages shall have the interior dimensions of 11 feet wide and 19 feet deep. Both two-car garages shall have the interior dimensions of 20 feet wide and 19 feet deep.
- l. The rear balconies shall meet the minimum dimensions of 6 feet deep and 10 feet wide.
- m. Four parking spaces shall be deleted from the plan. Additional group open space and a 20-foot side yard set back on Valle Vista Avenue at the southeastern corner of the parcel shall be provided.
- n. Downspouts shall be concealed within the structure.

### **Landscaping**

- 19. 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*.
- 20. Additional raised planter shall be provided under windows on both the Valle Vista Avenue and the Dixon Street frontages, and under the windows at the rear of the 4 middle units. Vertical landscape forms shall be used at the building ends.
- 21. The mailboxes for all units shall be located in a central location. A decorative shelter shall be provided to the satisfaction of the Post Master. The Planning Director shall approve the design.
- 22. Three barbeques and three picnic tables shall be provided within the group open space located at the rear of the property.
- 23. The following requirements shall apply:
  - a. The irrigation system shall include an automatic controller;
  - b. Front and side street yards shall be limited to a maximum of 50 percent fescue turf;
  - c. A hose bib shall be provided in the front and rear yard of each unit.

24. Landscaping shall be maintained in a healthy, weed-free, condition at all times, with replacement plants provided where necessary. Required street and on-site trees that are severely topped or pruned shall be immediately replaced, as determined by the City Landscape Architect. Landscape shall be maintained in accordance with the approved landscape plan.

**Fences**

25. A six-foot high redwood fence shall be installed at property boundaries shared with adjacent residential properties.

**FINDINGS FOR APPROVAL**  
**TENTATIVE TRACT MAP 7215**

1. An initial study and negative declaration have been prepared and have determined that the approval of Tentative Map Tract 7215, as conditioned, will have no significant impact on the environment, cumulative or otherwise.
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 relatively site with adequate and safe access and is therefore 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 as the site is currently developed with a single-family home within an urban area that is not near fish or wildlife or their habitat.
5. The design of the subdivision and the proposed improvements are **not** likely to cause serious health problems as there are no hazardous materials on the site and the proposed project is residential and will not generate any harmful substances.
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 Act<sup>1</sup> have been made.

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<sup>1</sup> 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 is 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 7215**

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:

**Interior Private Street**

1. The private street shall be a minimum of 25-feet-wide, 24 feet curb-to-curb, and 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 entrance shall be paved with decorative stamped colored concrete, or bands of decorative paving. The Director of Community and Economic Development/Planning Director shall approve the material, color and design.
4. 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.

### **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 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 building court main ending with a manhole, 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 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.
17. Each unit shall be individually metered. The developer shall install individual radio read water meters.

### **Utilities**

18. 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.
19. Street lighting shall be installed on both street frontages in accordance with City of Hayward Standard Detail SD-120. The location of the street lights shall be approved by the City Engineer.
20. All proposed surface-mounted hardware (fire hydrants, electroliers, etc.) along the proposed streets 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.
21. All utilities shall be designed in accordance with the requirements of the City of Hayward and applicable public agency standards.

### **Landscaping and Irrigation**

22. 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*.
23. 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.
24. 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.

25. Landscape plans shall specify site amenities such as benches, tables, fencing, play equipment and barbecues for the common open space 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 terrace.

#### **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 a six-foot-wide public utility easement (PUE) abutting both street frontages.

#### **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 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 group 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. Mitigation measures may be required as a condition of the tree removal permit.
- 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. Daily clean up of trash and debris shall occur on Valle Vista Avenue and Dixon Street;
- 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.

ATTACHMENT E

- 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 "*Building Maintenance/Remodeling*" flyer for more information;
  - 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.
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;

ATTACHMENT E

- 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 Valle Vista Avenue and Dixon Street property frontages 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. 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 Valle Vista Avenue and Dixon Street frontages 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.

ATTACHMENT E



## CITY OF HAYWARD NEGATIVE DECLARATION

Notice is hereby given that the City of Hayward finds that could not have a significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

### ***I. PROJECT DESCRIPTION:***

**Zone Change/Site Plan Review Applications No. 2001-0135 and Tentative Tract Map 7215** – Request to subdivide a 19,300± square-foot parcel for the purpose of constructing 6 townhouses on separate lots within a planned development project at the corner of Dixon Street and Valle Vista Avenue located at 308 Valle Vista Avenue. The Site Plan Review assures that 6 multi-family dwelling units conform to Design Guidelines and Zoning Ordinance development regulations.

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

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

### ***FINDINGS SUPPORTING DECLARATION:***

1. The proposed project has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed project could not result in significant effects on the environment.
2. The project will not adversely affect any scenic resources.
3. The project will not have an adverse effect on agricultural land since it will be developed on property that was developed with a single-family home within an urban setting.
4. The project will not result in significant impacts related to changes into air quality since any impacts would be temporary occurring during the construction phase. The measures taken to mitigate impacts are required to meet the State air quality standards specified in the Clean Air Plan adopted by the Bay Area Quality Management District. In addition the City requires the developer to submit a construction Best Management Practice (BMP) program prior to the issuance of any building permit.

5. The project will not result in significant impacts to biological resources such as wildlife and wetlands since it will be developed on a lot that was developed with a single-family home within an urban setting.
6. The project will not result in a significant impacts to cultural resources including historical resources, archaeological resources, paleontological resources, unique topography or disturb human remains because the project will be developed a lot that was developed with a single-family home within an urban setting.
7. The project site is not located within a "State of California Earthquake Fault Zone." Construction related to this project will be required to comply with the Uniform Building Code Standards to minimize seismic risk due to ground shaking.
8. The project will not lead to the exposure of people to hazardous materials. The lot was developed with a single-family home located in a residential neighborhood within an urban setting.
9. The project will meet all water quality standards. Drainage improvements will be made to accommodate runoff.
10. The project is consistent with the policies of the City General Policies Plan, the General Plan Map designation of High Density Residential, the Zoning Ordinance and the Mission-Garin Neighborhood Plan.
11. The project could not result in a significant impact to mineral resources since the site is developed with single-family home and mineral resources do not exist on the project site.
12. The project will not have a noise impact and all interior noise standards as specified in the Noise Element of the General Polices Plan will be met. The project is 800 feet from the South Hayward BART Station, however, will not be affected by the noise levels generated by BART.
13. The project will introduce 6 units into an area where growth is desirable and anticipated by the General Policies Plan. The zoning designation is High Density Residential District and the General Plan Map land use designation for the site is High Density Residential. Both permit the site to be developed with 6 townhouse units. The proximity to the South Hayward BART station and bus terminal will encourage the use of public transportation. Displacement of residents will not occur.
14. The project will not result in a significant impact to public services. School fees will be paid prior to the issuance of a building permit.
15. The project has adequate open space, the payment of Park Dedication fees is required prior to the issuance of a building permit. In addition, the project is located one block from Valle Vista Park.

16. The project will not result in significant impacts to traffic nor result in changes to traffic patterns or emergency vehicle access. The project would generate 6 vehicle trips during peak hours.

17. The project will not require additional service systems. There are sanitary sewer, water, and storm drain mains available of adequate size to serve this project.

I. **PERSON WHO PREPARED INITIAL STUDY:**



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Arlynn J. Camire, AICP Associate Planner

Dated: August 31, 2001

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

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For additional information, please contact the City of Hayward, Planning Division, 777 B Street, Hayward, CA 94541-5007, telephone (510) 583-4206 or (510) 583-4207, or e-mail [arlynec@ci.hayward.ca.us](mailto:arlynec@ci.hayward.ca.us) or [timk@ci.hayward.ca.us](mailto:timk@ci.hayward.ca.us).

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**DISTRIBUTION/POSTING**

- Provide copies to all organizations and individuals requesting it in writing.
- Reference in all public hearing notices to be distributed 20 days in advance of initial public hearing and/or published once in Daily Review 20 days prior to hearing.
- Project file.
- Post immediately upon receipt at the City Clerk's Office, the Main City Hall bulletin board, and in all City library branches, and do not remove until the date after the public hearing.



## Environmental Checklist Form

1. Project title: Zone Change/Site Plan Review No. 2001-0135 and Tentative Tract Map 7215 -: To subdivide a 19,300± square-foot parcel for the purpose of constructing 6 townhouses on separate lots within a planned development The Site Plan Review assures that 6 multi-family dwelling units conform to Design Guidelines and Zoning Ordinance development regulations.
2. Lead agency name and address: City of Hayward, 777 B Street, Hayward, CA 94541
3. Contact person and phone number: Arlynn J. Camire Associate Planner (510) 583-4206
4. Project location: 308 Valle Vista Avenue, at the Corner of Dixon Street and Valle Vista Avenue.
5. Project sponsor's name and address: Naeem Akram for Warraich Construction (Applicant/Owner), 308 Tennyson Road, Hayward, CA 94544. (510) 853-4533
6. General plan designations: High Density Residential
7. Zoning: RH (High Density Residential) District
8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or offsite features necessary for its implementation. Attach additional sheets if necessary.)- Request to construct six townhouses on a 16,000± square-foot site and approve a Tract Map.
9. Surrounding land uses and setting: Briefly describe the project's surroundings: The site is within a neighborhood developed with single- and multi-family residential homes. It is located approximately 800 feet north of the South Hayward BART Station.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.) N/A.

### ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

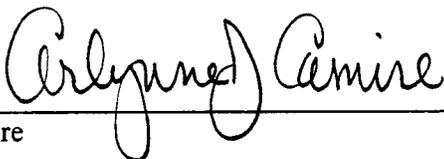
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <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

August 28, 2001  
Date

Arlynn J. Camire, AICP Associate Planner  
Printed Name

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>
---	--	---	----------------------

**I. AESTHETICS -- Would the project:**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? <i>The construction of a 6-unit townhouse development within a multi-family residential neighborhood located in an area that is flat and developed with 2 and 3 story residential multi-family buildings will not adversely effect scenic vistas.</i>              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? <i>The project will not damage scenic resources. The site has been developed with a single-family home within a residential neighborhood in an urban setting.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? <i>A vacant single-family home will be replaced with six-townhouses that are in conformance with the development standards of the City of Hayward Zoning Ordinance and Design Guidelines.</i>                          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? <i>The project will not have an impact on light or glare.</i>  | <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:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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>The project site is not within a farmland area.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? <i>The project is not located in an agricultural district or an area used for agricultural purposes.</i>   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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>See II b.</i>  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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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? <i>The project will not affect air quality. Properties within the City of Hayward are required to meet State air quality standards specified in the Clean Air Plan adopted by the Bay Area Quality Management District.</i>   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? <i>See III a.</i>  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? <i>Any impacts to air quality will be temporary lasting during the construction phase.</i> . In addition the City requires the developer to submit a construction Best Management Practice (BMP) program prior to the issuance of any building. <i>See III a.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? <i>See III a.</i>  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? <i>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>The project has been developed with a single-family home. Since the property is urban in nature, biological resources will not be adversely affected.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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>See IV a.</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
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>See IV a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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>See IV a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? <i>The project is in conformance with the General Polices Plan and the Mission-Garin Neighborhood Plan.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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>The project is in an urban area and has been developed with a single-family home.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V. CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? <i>No known historical resources exist on-site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? <i>No known archaeological resources exist in on-site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? <i>No known paleontological resources exist on-site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries? <i>No known human remains are located on-site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VI. GEOLOGY AND SOILS -- Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: <i>The project is outside the Hayward Special Studies Fault Zone.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. <i>The project is outside the Hayward Special Studies Fault 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
ii) Strong seismic ground shaking? <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>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? <i>Liquefaction and differential compaction is not considered to be a serious problem on this site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides? <i>The project is not located within an area subject to landslides.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? <i>The project is within an urban setting that does not include agricultural land.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? <i>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>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? <i>Prior to issuance of a building permit, engineering and building staff will review a 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>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:**

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? <i>The site is located within a residential neighborhood and has been develop with a single-family home. There is no evidence of hazardous materials.</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>See VII a.</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
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>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>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>The project is not located within an airport zone.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? <i>See VIII e.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? <i>The project will not interfere with any known emergency response plan or emergency evacuation plan. The Hayward Fire Department serves the neighborhood where the townhouses are to be constructed. Emergency response times will be maintained.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? <i>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:**

a) Violate any water quality standards or waste discharge requirements? <i>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>The site will be served by the Hayward Water District, therefore, water quality standards will not be violated and groundwater supplies will not be depleted. Furthermore, recharge of the groundwater table will not be affected.</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
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>The project is not located near a stream or a river. The construction of the 6 townhouses 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"/>
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>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>There will be a minimal increase in the amount of run-off from the project that 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>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>According to FEMA Flood Insurance Rate Maps, the 100-year flood hazard area is does not contained this site.</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>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>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>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"/>
<b>IX. LAND USE AND PLANNING - Would the project:</b>				
a) Physically divide an established community? <i>The project will not physically divide the existing community.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? <i>The project is consistent with the policies of the City General Policies Plan, the General Plan Map designation of High Density Residential, the Zoning Ordinance and the Mission-Garin Neighborhood Plan.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

c) Conflict with any applicable habitat conservation plan or natural community conservation plan? <i>See IV f.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**X. MINERAL RESOURCES - Would the project:**

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? <i>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.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? <i>See X a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**XI. NOISE - Would the project result in:**

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? <i>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 will not from the 6 unit townhouse project All City noise standards are required to be met and maintained.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? <i>See XI a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? <i>See XI a</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? <i>See XI a</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- |   | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Potentially<br/>Significant<br/>Unless<br/>Mitigation<br/>Incorporation</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No<br/>Impact</i>                |
|---|---|--|---|-------------------------------------|
| 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>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>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>The project is within the anticipated density for the site. 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>Six townhouses will replace one single-family home. See IX b.</i>   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? <i>See IX b and XII a &amp; b.</i>   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**XIII. PUBLIC SERVICES**

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

<b>Fire protection?</b> <i>The project would not result in the provision of new or physically altered governmental facilities, the 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. Response times will not be altered. There will not be an increase in governmental costs to provide services to this site. .</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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<b>Police protection?</b> <i>See XIII a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>Schools?</b> <i>The Hayward Unified School District has planned for student enrolment based on anticipated densities specified in the City of Hayward General Policies Plan. This project will not generate a number of students that cannot be served by existing facilities. In addition, school fees will be collected prior to the issuance of a building permit.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Parks?</b> <i>The project will be served by the Hayward Area Recreation and Park District. A park dedication fee is required to be paid prior to the issuance of a building permit.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Other public facilities?</b> <i>No other public facilities will be significantly impacted.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XIV. RECREATION --**

a) <i>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? The Hayward Area Recreation and Park District are currently serving the entire neighborhood that contains a tot lot and park. See XIII a (parks).</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>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? See XIV a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XV. TRANSPORTATION/TRAFFIC --** Would the project:

a) <i>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)? Townhouses traditionally produce fewer trips than single-family homes. The anticipated traffic impact is the addition of 6 trips during peak hours. This increase is not significant and will not have an impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? See XV a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>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? The project will not affect air traffic patterns.</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 increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? <i>Traffic hazardous do to design features or incompatible uses will not result from the construction of the six townhouses.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access? <i>The Hayward Fire Department has reviewed the project and finds the project acceptable to Hayward Fire Department requirements and standards. Current Fire Codes will be met.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity? <i>Adequate on-site parking will be provided.</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>The project does not conflict with adopted policies supporting alternative transportation. It is located approximately 800 feet from the South Hayward BART station that will be walking distance for the residences of the 6 townhouses.</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>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>The City of Hayward wastewater facility has the capacity to serve the addition of 6 townhouses.</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>The existing storm drain system has the capacity to serve the six townhouses.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? <i>The East Bay Municipal Utilities District supplies water and the service to the six townhouses.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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>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>Waste Management of Alameda County will dispose the solid waste. The residents will participate in a citywide recycling program. 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>The project will participate in the Waste Management of Alameda County recycling program under contract with the Oro Loma Sanitary District. Service will remain the same for this site as the entire neighborhood.</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"/>