CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 05/09/06
AGENDA ITEM
WORK SESSION ITEM 2

TO: Mayor and City Council

FROM: Director of Community and Economic Development

SUBJECT: Draft Program Environmental Impact Report for the South Hayward BART/Mission Boulevard Concept Design Plan

RECOMMENDATION:

It is recommended that the City Council review and comment on this report.

DISCUSSION:

The purpose of this work session is to provide an opportunity for Council members to comment on the Draft Program Environmental Impact Report (DEIR) prepared for the South Hayward BART/Mission Boulevard Concept Design Plan. The Summary of Environmental Impacts and Mitigations is attached for your convenience. (Copies of the DEIR were previously distributed to the Council and Councilmember's are asked to bring their copies to the meeting.)

As is typical with area plans or projects, the DEIR is a program level environmental impact report, which analyzes impacts at a general program level. Additional analyses for future projects may be required as part of future project-specific environmental reviews.

The public will have an opportunity to provide oral as well as written comments on the DEIR at the Planning Commission meeting on May 11, 2006. The deadline for written comments on the DEIR is Thursday, June 1, 2006. After the close of the official comment period, a Final Environmental Impact Report (FEIR) will be prepared containing responses to comments on the DEIR and any revisions as appropriate. Based in part on review of the DEIR and comments contained in the FEIR, staff will formulate its recommendations for new General Plan land use and zoning designations for the Plan area. These recommendations, along with the Concept Design Plan, will be the subject of public hearings before the Planning Commission and City Council in June.

Description of the Project:

The South Hayward BART/Mission Boulevard Concept Design Plan illustrates potential future redevelopment of the study area under three alternative land use scenarios, as well as a recommended land use plan, and provides an overall circulation pattern with transportation linkages to the South Hayward BART Station. The project will also include amendments to the General Plan and Zoning Ordinance, including new design guidelines, to allow the density and types of development envisioned within the Plan area.

Primary objectives of the South Hayward BART/Mission Boulevard Concept Design Plan are to encourage the development of transit-oriented, smart-growth land uses near an existing BART station and along a major transit corridor, consistent with regional planning objectives, and to assist the City with meeting the goals and objectives of the City's adopted Housing Element.

Three land use alternatives as described below are analyzed equally in the body of the DEIR. A fourth land use alternative (Draft Concept Plan Alternative) that envisions overall development within the range of the three alternatives and is recommended in the Draft South Hayward BART/Mission Boulevard Concept Design Plan is also analyzed. These alternatives have been chosen to explore effects of redeveloping portions of the project area with land use types and densities on surrounding land use and circulation patterns. It should be noted that although the following paragraphs indicate the net number of dwelling units anticipated for the entire Plan area for each alternative, the levels and intensity of development within specific areas of the corridor vary with each alternative.

Suburban Concept Alternative (see Figure 3.2.1 on page 15 in the DEIR)
Overall, the density and intensity of this alternative would be the lowest of the three alternatives analyzed in this DEIR. Parcels located between the commercial land use designations at the north and south ends of the study area would include a mix of Mission Boulevard Residential (34.8 to 75.0 dwellings per acre) and Commercial/Residential uses along major portions of the Mission Boulevard frontage. A number of larger parcels along the southerly end of the project area would be designated for High Density Residential development (17.4 to 34.8 dwellings per acre) and Medium Density residential (8.7 to 17.4 dwellings per acre). Properties on the east side of Tennyson Road at Mission Boulevard would be designated for Commercial uses. Property to the south of the BART station on BART property would be designated as Station Area Residential (75.0 to 100.0 dwellings per acre) and a multi-level parking garage would be constructed on the northern portion of the BART parking lot. Property east of Bowman School to Mission Boulevard would be devoted to an expansion of this school.

Under the proposed Suburban Concept, up to 1,886 net new dwellings would be allowed at the mid-point of applicable General Plan density ranges. Non-residential development would include approximately 362,750 square feet, including retail, commercial and similar uses. This would be a net decrease of approximately 51,500 square feet of non-residential land uses from pre-project conditions.

Blended Concept Alternative (see Figure 3.2.2 on page 17 of the DEIR)
The second alternative proposes a mix of higher density residential, commercial and mixed uses greater than the Suburban Concept Alternative, but less than the Urban Concept Alternative, which is described below. Similar to the Suburban Alternative, land uses at the north and south portions of the project area would be devoted to commercial land uses, including potential automobile dealers at the southwest corner of Harder Road and Mission Boulevard and a potential conference/hotel complex on the southwest corner of Industrial Parkway and Mission Boulevard. Uses along Mission Boulevard would be a mix of Mission Boulevard Residential, High Density Residential, Commercial and Mixed Use. As shown in the Suburban Concept Alternative, Bowman School would be expanded to Mission Boulevard under this Alternative and a site for a community center would be reserved on the southwest corner of Mission Boulevard and Valle Vista Avenue. A new grocery store site is reserved for the northwest corner of Mission Boulevard and Valle Vista Avenue.

Around the BART station, land uses would be Station Area Residential that would allow densities up to 100 dwellings per acre, with some of the surrounding properties allowing replacement BART parking and some not. This alternative would include a BART parking garage and a bus transfer area to serve AC Transit busses.

The Blended Concept would allow a net increase of 2,427 residential units within the project area at the midpoint of applicable General Plan density ranges. Non-residential floor space would include an estimated 386,920 square feet at the midpoint of applicable General Plan land use designations. This would be a decrease of approximately 50,350 square feet of non-residential use within the project area under this Alternative as compared to pre-project conditions.

Urban Concept Alternative (see Figure 3.2.3 on page 21 of the DEIR)
This third alternative would contain the most dense development of the three alternatives analyzed. Under the Urban Concept, the predominant uses along the Mission Boulevard frontage would be a combination of Mission Boulevard Residential uses (34.8 to 75.0 dwellings per acre) and Mixed Use (27.0 to 75 dwellings per acre). Commercial uses would be located on properties in the approximate center of the project area and on the former Holiday Bowl site. Properties nearest the BART station would be designated for Station Area Residential uses (75.0 to 100.0 dwellings per acre), which would allow for ground-floor retail and service-oriented uses. Mixed use, including possible office uses, are envisioned for the northern portion of the BART property, north of the station. A new parking garage is shown on the east side of Dixon Street, with the remainder of BART replacement parking to be distributed within uses to the west of Dixon Street on the BART properties. A reconfigured bus transfer area is proposed near the BART station for AC Transit busses. Properties along Dixon Street would be designated for High Density Residential (17.4 to 34.8 dwellings per acre). Under this alternative, as with the Blended Concept Alternative, a site for a community center would be reserved on the southwest corner of Mission Boulevard and Valle Vista Avenue, with a new grocery store envisioned at the northwest corner. Also, Bowman Elementary School would be converted to a mix of open space uses surrounded by High Density Residential uses. An alternative school site would need to be identified should this scenario be implemented.

The Urban Concept Alternative would allow 3,707 net new dwelling units at the mid-point of applicable General Plan density ranges. This Alternative would also allow approximately 520,100 square feet of retail, office and other non-residential land use at the mid-point of applicable General Plan land use designations, which would be a net increase of approximately 67,800 square feet over pre-project land use conditions.

Draft Concept Plan Alternative (see Figure 5.2.1 on page 113 of the DEIR)
This Alternative is similar to the Blended Concept Alternative, with differences as noted below.

The northern portion of the BART property west of Dixon Street is recommended for residential uses, along with structured residential parking and ground-floor retail uses. BART commuter parking would not be allowed in this northern area of the BART property and access would be provided from Tennyson Road and Dixon Street, with no access via the reconfigured transit area in front of the station. The other area of the BART property to the south of the station and west of Dixon Street, the BART property east of Dixon Street and the Perry and Key and Caltrans properties would accommodate all of the BART replacement parking, with half of those spaces provided to the east of Dixon Street and the other half to the west. As is envisioned in the Blended Concept Alternative, ground floor retail along Mission Boulevard is shown, and ground-floor retail is also shown for the southern portion of the BART property by the station, fronting the transit area and Dixon Street.

The designation of additional properties in the Dixon Street area near Industrial Parkway is recommended to change from Medium Density to High Density Residential.

This alternative envisions additional new development of approximately 2,814 dwellings at the mid-point of proposed General Plan densities. Non-residential development (retail, office and similar non-residential uses) would entail approximately 367,755 square feet, which would be a net reduction of approximately 69,500 square feet from existing conditions, as other existing non-residential uses are developed with new residential uses.

Modifications to General Plan and Zoning Ordinance

In order to implement the land use scenarios described above, amendments and modifications to regulatory documents are proposed. New land use designations proposed to be included in the General Plan are "Station Area Residential" (75.0-100 dwellings per acre) and "Mission Boulevard Residential" (34.8 to 75.0 dwellings per acre). The amendments would also include changing existing General Plan land use designations for certain properties within the project area depending on which land use alternative is selected. Also, new Zoning Districts would need to be created and incorporated into the Hayward Zoning Ordinance. These would include the following: "Station Area Residential District" and "Mission Boulevard Residential District." A special design district is also being considered to fully implement the Concept Design Plan and its design guidelines.

Summary of Environmental Impacts and Mitigation Measures:

The Summary of Environmental Impacts and Mitigation Measures is attached for convenience. Major findings are highlighted below.

<u>Visual/Aesthetic Impacts (Impacts 4.1-1 through 4.1-3)</u>

Approval of any of the proposed land use alternatives would represent an impact to visual character and scale and would impact some of the views of the Hayward hills for some of the adjacent or nearby properties where taller structures are envisioned. Figures 4.1.1 and 4.1.2 on pages 29 and 31 of the DEIR show photo simulations from two vantage points west of the BART tracks of potential development envisioned at the BART property. Also, new sources of light, including balcony and deck lights on some of the taller structures anticipated to be developed, would generate light and glare impacts for any of the project alternatives.

Mitigation measures identified in the DEIR indicate that projects in the Plan area will be subject to design review to ensure such impacts are minimized, with taller buildings to be "stepped down," windows and balconies to be appropriately located to maximize privacy, view corridors to nearby hills to be preserved and incorporated into the design of new developments and light fixtures used to ensure lighting will be directed downward so that light and glare will be minimized.

<u>Air Quality Impacts (Impacts 4.2-1 and 4.2-2)</u>

Short term air quality impacts related to future site grading and construction activities are identified as a significant impact, but would be reduced to a less than significant level by adherence to a mitigation measure that requires site-specific project applicants to comply with all City regulations and operating procedures prior to the issuance of building or grading permits.

A project would be judged to conflict with or obstruct implementation of the regional air quality plan if it would be inconsistent with the growth assumptions of the regional Clean Air Plan. Such Plan for the Bay area is based on the Association of Bay Area Governments (ABAG) *Projections 2003* forecasts of population and employment, which are based on city/county general plans. The DEIR indicates each of the concept plan alternatives would generate more residents than are projected in the regional Clean Air Plan (per Hayward's General Plan), which would represent a significant impact.

However, such impacts are considered temporary, since were the project to be adopted and reflected in the General Plan, it would be eventually included in ABAG's projections that would be utilized in a future update of the Clean Air Plan. Until that occurs, however, the project is considered to be inconsistent with the Clean Air Plan and would be a ***significant and unavoidable impact.***

In terms of cumulative air quality impacts, implementation of the Plan would result in the generation of significant quantities of ozone precursors, which are a constituent of regional air pollution. Also, according to BAAQMD significance criteria, any proposed project that would individually have a significant air quality impact would also be considered to have a significant cumulative air quality impact. Although implementation of the mitigation measure described in the preceding paragraph would assist in reducing cumulative air quality impacts, such impacts would still remain ***significant and unavoidable*** due to quantities of ozone precursors that would be generated by implementation of the Plan.

Hazardous Materials Impacts (Impacts 4.3-1 to 4.3-2)

Demolition and deconstruction of existing buildings, utility facilities and other older structures could release hazardous and potentially hazardous material into the atmosphere including asbestos containing materials, lead-based paints and other hazardous substances, potentially resulting in health hazards to construction employees and local visitors and residents. Also, redevelopment in the project area could uncover deposits of petroleum products, underground tanks and other features that could contaminate soil and/or groundwater.

The DEIR identifies mitigation measures to reduce these impacts to levels of significance by requiring project developers prior to demolition or grading, to secure necessary site clearances or permits from appropriate regulatory agencies. Also, the DEIR indicates that prior to commencement of grading activities within the project area, project developers shall conduct investigations/analyses by qualified hazardous material consultants to determine the presence or absence of asbestos containing material in the soil or other hazardous materials in the soil or groundwater. If such material is identified that meets actionable levels from applicable regulatory agencies, remediation plans shall be prepared and implemented to remediate any hazards to acceptable levels and such plans shall identify methods for removal and disposal of hazardous materials.

Drainage and Flooding Impacts (Impacts 4.4-1 and 4.4-2)

Alameda County Flood Control and Water Conservation District drainage facilities nearest the project area include Lines C (Zeile Creek) and D. A portion of Line C is located within the project area, generally sited west of Mission Boulevard, south of Harder Road and north of Luvena Drive and Colette Street. Such area is within the 100-year flood zone, as are areas in the southern portion of the project area along Dixon Street, north of Industrial Parkway. Construction

of land uses under all of the alternative concept plans could increase the amount of stormwater leaving the project are that could impact the ability of downstream local and regional drainage facilities to safely accommodate increased amounts of stormwater. Also, construction of improvements within 100-year flood zone areas could result in significant impacts to such improvements and to future residents, employees and visitors.

The DEIR identifies mitigation measures to reduce such impacts to levels of insignificance, requiring submittal of site-specific drainage plans for all future construction within the project area, to be reviewed and approved by the City and Alameda Flood Control and Water Conservation District. Additionally, for any development proposed within a 100-year flood zone area, DEIR mitigations require compliance with regulations pertaining to construction within such zones, including as an option, submittal of hydrology and hydraulic studies proposing to remove such sites from 100-year flood hazard areas by increasing the topographic elevation of the site or similar steps to minimize flood hazards.

Noise Impacts (Impacts 4.5-1 and 4.5-2)

Residents within and adjacent to the project area could be subject to short-term significant noise due to the demolition/deconstruction of existing improvements and construction of new buildings and associated infrastructure improvements within the project area. Also, future residents within the project area could be subject to noise levels in excess of City noise exposure levels caused by existing and future vehicle traffic along Mission Boulevard, BART operations and commercial operations.

The DEIR provides mitigation measures that require submittal of construction noise management plans for all development projects within the project area, which shall specify measures to minimize construction noise on surrounding developed properties. Also, the mitigation measures require that site-specific acoustic reports be prepared and implemented for future residential projects within the project area, to include identification of specific measures to reduce exposure levels to comply with City of Hayward noise standards.

Population Impact (Impact 4.6-1)

Approval of the proposed project would add an estimated 4,533 to 8,194 residents to the City of Hayward, depending on the alternative chosen by the City Council. Approval of the Urban, Blended or Draft Concept Design Plan Alternatives would result in higher population estimates for Hayward as published by ABAG, which would be considered a significant impact. The DEIR indicates that if the City approves any of these alternatives, it should consult with ABAG to ensure buildout populations for the project area are included in future regional projections.

The DEIR also notes that approval and implementation of the Plan would be growth-inducing, since the project includes amendments to the City's General Plan and Zoning Ordinance to allow for higher density residential development in the project area than is currently permitted by current regulations

Local Traffic and Circulation Impacts (Impacts 4.7-1 to 4.7-3)

The General Plan indicates as a policy that the City should, "Seek a minimum Level of Service D at intersections during the peak commute periods except when a LOS E may be acceptable due to costs of mitigation or when there would be other unacceptable impacts." The DEIR analysis

indicates that four intersections would have levels or service worse than LOS D related to the proposed Blended, Urban and Draft Concept Design Plan alternatives.

For the Tennyson Road-Dixon Street intersection, the DEIR identifies a mitigation measure involving modification of the traffic signal at that intersection to provide for protected-permissive northbound left turns and permissive southbound left turns, which would improve the LOS to D in the AM peak under the Blended, Urban and Draft Concept Design Plan Alternative scenarios.

The DEIR indicates for the Mission Boulevard-Industrial Parkway intersection that modification of the traffic signal at this intersection to provide eastbound and westbound right turn overlap phases, which would result in prohibition of both northbound and southbound U-turns on Mission Boulevard, will improve the LOS to D in the 2025 AM peak period for the Urban scenario.

For two other intersections, Mission Boulevard–Harder Road and Mission Boulevard–Tennyson Road, because mitigation measures to achieve LOS D or better would require right-of-way take, the DEIR indicates such measures would result in unacceptable impacts and that, per General Plan policy, the resulting LOS E for the Mission Boulevard-Harder Road and Mission Boulevard-Tennyson Road intersections would be considered acceptable under the Urban scenario and therefore, no mitigation is required.

The DEIR also indicates that proposed land use densities in the project area, potential for reduced BART replacement parking and reducing parking ratios for residential development projects could result in potentially significant impacts related to parking resources. The DEIR requires that detailed parking studies be conducted for future developments in the project area to ensure impacts of development on parking resources will be less than significant and if determined to be necessary as a result of such studies, mitigation measures be required to be implemented.

Regional Traffic Congestion Impacts (Impact 4.7-4)

As noted in the City's adopted General Plan and related certified EIR, implementation of the General Plan policies and strategies, such as "smart growth" policies, will reduce the City's contribution to regional traffic growth to a less-than-significant level. However, as noted in the General Plan EIR, some roadways will continue to operate at LOS F due to physical constraints, funding limitations and regional growth patterns, resulting in significant and unavoidable cumulative traffic impacts. As part of adoption of the General Plan and certification of the General Plan EIR, a statement overriding considerations was adopted related to such impacts. It is expected that additional traffic generated by the South Hayward BART project would contribute to regional traffic and would generate ***significant and unavoidable cumulative traffic impacts.***

The Alameda County Congestion Management Agency (CMA) requires an analysis of the potential impacts of the project on the metropolitan transportation system. The CMA does not have a separate standard to determine a threshold of significance for the level of service, and such threshold is left to local jurisdictions' judgment. Consistent with other recent Congestion Management Program (CMP) analyses, the City has identified that a significant impact occurs when a link that is already operating at LOS F shows a growth of 3 percent as a result of the project.

The CMP analysis for the project shows that in 2025, even under the "No Project" scenario, many of the major arterial links in the study area will operate at LOS F, which is also true for the Draft

Concept Design Plan scenario. However, none of the selected links meets the above criteria for a significant impact. It is anticipated that the CMP analysis will be acceptable to the CMA.

Public Utilities and Services Impacts (Impacts 4.8-1 and 4.8-2)

The need for the City to provide sufficient water daily under the most intensive of the alternatives analyzed would be less-than-significant, since such demand would be less than that anticipated in the City's Urban Water Management Plan for the project area. However, should the Plan be approved by the City, future individual development projects will be reviewed by staff to ensure that adequate water supply and wastewater pipes and related facilities are provided. Individual project developers may be required to provide replacement and/or upgraded local water systems and to replace and/or upgrade wastewater collection facilities.

Regarding police and fire services, implementation of the proposed project would result in additional dwellings, including taller structures, ultimately requiring additional police and fire personnel and other resources related to anticipated increased calls for service. There would also be increased vehicular traffic along Mission Boulevard, a major route used for emergency apparatus. Impacts to the Fire and Police Departments could be significant under any of the concept alternatives, since current staffing and equipment may not be adequate to accommodate increased service calls.

The DEIR indicates that if the City determines new or replacement fire or police equipment is needed, future developers shall pay a fair share contribution to the City to finance the acquisition of equipment including vehicles, to serve proposed developments and pay a fair share contribution to obtain traffic pre-emption devices along Mission Boulevard to ensure timely arrival of emergency personnel.

As indicated above, additional personnel would also be required for the project alternatives. The City would therefore need to make annual budgetary adjustments to provide adequate staffing or seek funding for such staffing through various mechanisms, based on a project-specific analysis of impacts.

School and Parks Impacts

The DEIR concluded that no significant impacts to schools and parks would be generated by any of the project alternatives.

Implementation of the proposed project would generate a need for between 22.66 to 40.97 additional acres of parkland within the proposed project area. However, the recently approved La Vista project entails development of a new 30-acre public community park. The Urban, Blended and Draft Concept Plan Alternatives show the future construction of a new community center on approximately four acres of land at Mission and Valle Vista. Also, the Suburban, Blended and Draft Concept Plan Alternatives envision an expanded Bowman School site, consisting of approximately 13 acres, which like other schools in Hayward, could be used as a joint park/school use, in cooperation with HARD. In summary, the DEIR indicates that under all of the alternatives, payment of required park dedication in-lieu fees in combination with construction of a community center, as well as use of an expanded Bowman School site for a joint park and recreation facility, would reduce park-related impacts to a less-than-significant level.

Regarding schools, the alternatives are expected to generate from 182 to 358 students. However, since schools near the project are currently operating below maximum capacity and can

accommodate additional students and because developers of future development projects are required to pay school impact fees to off-set the impacts of additional student generation, school impacts of the proposed project would be anticipated to be less-than-significant. Also, under some of the concept alternatives, the Bowman School site is envisioned to expand to 13 acres, which would facilitate opportunity for construction of a new school building.

Significant and Unavoidable Impacts

For the project to be approved, the City Council would be required to adopt a statement of overriding considerations for any impact found to be significant and unavoidable. Such statement would allow the Council to consider, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If such benefits are deemed to outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable.

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Attachment: Exhibit A. Summary of Environmental Impacts and Mitigations

5/5/06

Table 1.1 SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Table 1.1 below summarizes the environmental impacts and mitigations which are discussed in detail in the remainder of this Draft Environmental Impact Report.

Summary of Environmental Impacts and Mitigations

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.1-1	**Visual character.** Approval of any of the proposed land use concept alternatives would represent an impact to the visual character and scale for some of the adjacent or nearby properties where Station Area Residential (5 to 7 stories around the BART station) and Mission Boulevard Residential (3 to 5 stories) residential land uses are proposed, since taller and larger buildings would be placed adjacent to or near existing single-family dwellings. Impacts would likely be increased shade and shadow effects on adjacent or nearby properties during some times of the year, potential loss of privacy and the potential for incompatible scale of adjacent buildings.	**Mitigation Measure 4.1-1.** Development projects submitted to the City of Hayward within the project area shall be subject to design review to ensure that privacy impacts on surrounding properties and effects of shade and shadow are reduced to a less-than-significant impact. Design of future buildings shall include "stepping down" of taller buildings, appropriate siting of windows and balconies to maximize privacy and establishment of view corridors to nearby hills.	**Less-than-significant**

Exhibit A

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.1-2	**Views and vistas.** Approval of any of the proposed land use concept alternatives in areas near Station Area Residential uses (5 to 7 stories) and Mission Boulevard Residential uses (3 to 5 stories) would impact some of the views of the Hayward hills from residences, as well as for motorists, pedestrians and bicyclists using roadways within the project area. Views of the Hayward hills from roadways, parks and other areas west of the project site could also be affected.	**Mitigation Measure 4.1-2.** Development projects submitted to the City of Hayward within the project area shall be subject to design review to ensure that impacts on views towards the Hayward hills are reduced to a level of insignificance. Design features may include, but is not limited to preservation of view corridors between buildings, stepping down of buildings near existing development, use of corner cut-offs, establishment of view corridors to nearby hills and similar design elements.	**Less-than-significant**
4.1-3	**Light and glare impacts**. Additional sources of light and glare would be added to the project area under all three alternatives, especially related to Station Area Residential and Mission Boulevard Residential land uses (3 to 7 stories), with the most significant being under the Urban Concept Alternative. New sources of lights would include balcony and deck lights in the upper levels of multi-story buildings. New light sources would be visible from vistas inside and outside the project area, given the anticipated height of proposed buildings.	**Mitigation Measure 4.1-3.** Lighting Plans shall be submitted as part of all future development projects. Lighting Plans shall include lighting fixtures to be employed and specific measures to be taken to ensure that lighting is directed downward so that light and glare will be minimized.	**Less-than-significant**

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.2-1	**Inconsistency with an air quality plan.** Each of the three proposed concept plan alternatives would generate additional population in the City of Hayward that would exceed population projections contained in the regional Clean Air Plan.	**Mitigation Measure 4.2-1**. Mitigation Measure 4.6.1 contained in Section 4.6, Population and Housing, directs the City of Hayward to consult with the Association of Bay Area Governments to include the build-out population for the approved concept plan alternative for this project. However, even with current General Plan goals and strategies and adherence to Mitigation Measure 4.6.1, the project would be inconsistent with the Clean Air Plan and would be a *significant and unavoidable impact.*	***Significant and unavoidable.***
4.2-2	**Cumulative air quality impacts.** Each of the three proposed concept plan alternatives would result in the generation of significant quantities of ozone precursors which are a constituent of regional air pollution.	**Mitigation Measure 4.2-2**. Implementation of Mitigation Measure 4.2.1 would assist in reducing this impact, but it would still remain as a *significant and unavoidable impact.*	***Significant and unavoidable***

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.3-1	**Demolition and hazardous air emissions.** Demolition and deconstruction of existing buildings, utility facilities and other older structures could release hazardous and potentially hazardous material into the atmosphere including asbestos containing materials, including within the soil, lead-based paints and other hazardous substances, potentially resulting in health hazards to construction employees and local visitors and residents.	**Mitigation Measure 4.3-1a**. Prior to commencement of demolition or deconstruction activities within the project area, project developers shall contact the Alameda County Environmental Health Department, Bay Area Air Quality Management District, Department of Toxic Substances Control and the Hazardous Materials Division of the Hayward Fire Department for required site clearances, necessary permits and facility closure with regard to demolition and deconstruction and removal of hazardous material from the site. All work shall be performed by licensed contractors in accord with state and Federal OSHA standards. Worker safety plans shall be included for all demolition or deconstruction plans.	**Less-than-significant**

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
		Mitigation Measure 4.3-1b. Prior to commencement of grading activities within the project area, project developers shall conduct investigations by qualified hazardous material consultants to determine the presence or absence of asbestos containing material in the soil. If such material is identified that meets actionable levels from applicable regulatory agencies, remediation plans shall be prepared and implemented to remediate any hazards to acceptable levels and shall identify methods for removal and disposal of hazardous materials. Worker safety plans shall also be prepared and implemented. All required approvals and clearances shall be obtained from appropriate regulatory agencies, including but not limited to the Hayward Fire Department, Department of Toxic and Substances Control and Bay Area Air Quality Management District.	**Less-than-significant**

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.3-2	**Potential soil and groundwater contamination.** Redevelopment of the South Hayward BART Station project area could uncover deposits of petroleum products, underground tanks and other features that could contaminate soil and/or groundwater	**Mitigation Measure 4.3-2.** Prior to approval of building or demolition permits, project developer(s) shall prepare a Phase I environmental site analysis and, if warranted by such analysis as determined by the Hazardous Materials Office of the Hayward Fire Department or other regulatory agency, a Phase II environmental site analysis shall also be conducted. Recommendations included in the Phase II analysis for remediation of hazardous conditions shall be followed, including contact with appropriate regulatory agencies to obtain necessary permits and clearances. No construction (including grading) shall be allowed on a contaminated site until written clearances are obtained from appropriate regulatory agencies.	**Less-than-significant**

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.4-1	**Drainage impacts.** Construction of land uses under all of the alternative concept plans could increase the amount of stormwater leaving the project site that could impact the ability of downstream local and regional drainage facilities to safely accommodate increased amounts of stormwater	**Mitigation Measure 4.4-1.** Site-specific drainage plans shall be prepared for all future construction within the project area prior to project approval. Each report shall include a summary of existing (pre-project) drainage flows from the project site, anticipated increases in the amount and rate of stormwater flows from the site and an analysis of the ability of downstream facilities to accommodate peak flow increases. The analysis shall also include a summary of new or improved drainage facilities needed to accommodate stormwater increases. Each drainage plan shall be reviewed and approved by the Hayward Public Works Department staff and Alameda Flood Control and Water Conservation District staff prior to approval of the proposed development project.	**Less-than-significant**

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.4-2	**Flooding impacts.** Construction of buildings or other improvements within that portion of the project area within a 100-year flood zone could result in significant impacts to these improvements and to future residents, employees and visitors.	**Mitigation Measure 4.4-1.** Prior to construction within a 100-year flood plain area, project developers shall either: a) Submit a hydrology and hydraulic study prepared by a California-registered civil engineer proposing to remove the site from the 100-year flood hazard area through increasing the topographic elevation of the site or similar steps to minimize flood hazards. The study shall demonstrate that flood waters would not be increased on any surrounding sites, to the satisfaction of City staff. b) Comply with Section 9-4.110, General Construction Standards, of the Hayward Municipal Code, which establishes minimum health and safety standards for construction in a flood hazard area. c) Apply to the City for a Conditional Letter of Map Revision (CLOMR) to remove the site from the FEMA Flood Insurance Rate Map 100-year flood hazard area.	**Less-than-significant**

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.5-1	**Construction noise impacts**. Future residents within the project area and adjacent residential areas could be subject to short-term and significant noise due to the demolition/deconstruction of existing improvements and construction of new buildings and associated infrastructure improvements within the project area. Construction noise impacts would be greater under the Urban Concept Alternative and less intense for the Suburban and Blended Concept Alternatives, which would involve less development.	**Mitigation Measure 4.5-1**. Construction Noise Management Plans shall be prepared for all development projects within the project area, including public and private projects. Each plan shall specify measures to be taken to minimize construction noise on surrounding developed properties. Noise Management Plans shall be approved by City staff prior to issuance of grading or building permits and shall contain, at minimum, a listing of hours of construction operations, a requirement for the use of mufflers on construction equipment, limitation on on-site speed limits, identification of haul routes to minimize travel through residential areas and identification of noise monitors. Specific noise management measures shall be included in appropriate contractor plans and specifications.	**Less-than-significant**
4.5-2	**Permanent noise impacts**. Future residents within the project area could be subject to noise levels in excess of City noise exposure levels caused by existing and future vehicle traffic along Mission Boulevard, BART operations and commercial operations	**Mitigation Measure 4.5-2**. Site-specific acoustic reports shall be prepared for future residential projects within the project area. Each report shall include a summary of existing noise levels, an analysis of potential noise exposure levels, consistency with City of Hayward noise exposure levels and specific measures to reduce exposure levels to City of Hayward noise standards.	**Less-than-significant**

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.6-1	**Population increase.** Approval of the Urban or Suburban Concept Plans would exceed population estimates for the City of Hayward published by ABAG.	**Mitigation Measure 4.6-1.** If the City approves either the Urban or Suburban Concept alternatives, the City of Hayward shall consult with ABAG to ensure buildout populations for the project area are included in future regional projections.	**Less-than-significant**
4.7-1	**Level of Service (LOS) at Dixon Street/Tennyson Road.** The proposed land use densities near this intersection under the Blended and Urban scenarios result in LOS E and F, respectively, at this intersection in the 2025 AM peak period.	**Mitigation Measure 4.7-1** Provide northbound and southbound left turn lanes and modify the traffic signal at Dixon Street/ Tennyson Road to provide for protected-permissive northbound left turns and permissive southbound left turns. This mitigation will improve the LOS to D in the AM peak under both the Blended and Urban scenarios.	**Less-than-significant**
4.7-2	**Level of Service (LOS) at Mission Boulevard/Industrial Parkway.** The proposed land use densities along the Mission Boulevard corridor under the Urban scenario would result in LOS E at this intersection in the 2025 AM peak period.	**Mitigation Measure 4.7-2.** Modify traffic signal to provide eastbound and westbound right turn overlap phases. This will require prohibiting both northbound and southbound U-turns and will improve the LOS to D in the 2025 AM peak period at the Mission Boulevard/Industrial Parkway intersection.	**Less-than-significant**
4.7-3	**Parking resources impacts.** The proposed land use densities in the project area, as well as potential for reduced BART replacement parking and reducing parking ratios for residential development projects could result in *potentially significant impacts* related to parking resources available to other users of on street parking or access to businesses.	**Mitigation Measure 4.7-3.** Detailed parking studies will be required of future developments in the project area to ensure impacts of development on parking resources will be less than significant. If determined to be necessary as a result of such studies, mitigation measures will be required to be implemented.	**Less-than-significant**

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.7-4	**Cumulative traffic impacts.** Some roadways in the Hayward area will continue to operate at less than acceptable levels. Therefore, cumulative traffic impacts anticipated by the South Hayward BART project are expected to be *potentially significant.*	**Mitigation Measure 4.7-4.** As noted in the City of Hayward's adopted General Plan and related certified EIR, implementation of the General Plan policies and strategies, such as implementation of "smart growth" policies, will reduce the City's contribution to traffic growth to a less-than-significant level. However, due to physical constraints, funding limitations and regional growth patterns, cumulative traffic impacts anticipated by the South Hayward BART project are expected to be *significant and unavoidable.*	***Significant and unavoidable***
4.8-1	**Fire services.** Approval of the proposed project with any of the proposed alternative concept plans could represent a significant impact to the Hayward Fire Department, since the amount of future development, including both the number of dwellings and anticipated taller structures, could not be served by existing department resources and facilities.	**Mitigation Measure 4.8-1.** If the City determines new or replacement equipment is needed, future developers shall: a) Pay a fair share contribution to the City of Hayward to finance the acquisition of equipment to serve proposed developments, including those associated with mid to high rise structures (3 to 7 stories); and b) Pay a fair share contribution to the City of Hayward to finance the acquisition of traffic pre-emption devices along Mission Boulevard, as determined by the Hayward Fire Chief, to ensure emergency equipment can access new construction in the project area.	**Less-than-significant**

Impact	Topic/Impact	Significance/Mitigation Measure	Net Impact After Mitigation
4.8-2	**Police services.** Approval of the proposed project with any of the proposed alternative concept plans could represent a significant impact to the Hayward Police Department, since the amount of future development and resulting calls for service may not be adequately served by existing department resources and facilities.	**Mitigation Measure 4.8-2.** If the City determines new or replacement equipment is needed, future developers shall pay a fair share contribution to the City of Hayward to finance the acquisition of such equipment, including, but not limited to vehicles.	**Less-than-significant**